United States of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 114th CONGRESS, FIRST SESSION

HOUSE OF REPRESENTATIVES—*Wednesday, May 20, 2015*

The House met at 10 a.m. and was called to order by the Speaker pro tempore (Mr. CARTER of Georgia).

DESIGNATION OF SPEAKER PRO TEMPORE

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

WASHINGTON, DC,
May 20, 2015.

I hereby appoint the Honorable EARL L. CARTER to act as Speaker pro tempore on this day.

JOHN A. BOEHNER,
Speaker of the House of Representatives.

MORNING-HOUR DEBATE

The SPEAKER pro tempore. Pursuant to the order of the House of January 6, 2015, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning-hour debate.

The Chair will alternate recognition between the parties, with each party limited to 1 hour and each Member other than the majority and minority leaders and the minority whip limited to 5 minutes, but in no event shall debate continue beyond 11:50 a.m.

WOMEN ON 20s CAMPAIGN

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

Mr. GUTIERREZ. Mr. Speaker, the voting was going on for months spearheaded by the Women on 20s campaign. A nominee was announced last week. Women on 20s is a campaign that has been agitating to have a woman's portrait, the portrait of a great American woman, placed on the $20 bill by at least 2020, the 100th anniversary of the U.S. recognizing a woman's right to vote.

The Women on 20s campaign narrowed down their nominees for this honor to four women: Wilma Mankiller, a trailblazer and first woman chief of the Cherokees; Rosa Parks, credited with starting the Montgomery bus boycott by not relinquishing her seat and sparking the modern civil rights movement in 1955; Harriet Tubman, an abolitionist born a slave who became one of the most noted conductors on the Underground Railroad; and Eleanor Roosevelt, who redefined the role of First Lady while being a noted civil rights and human rights activist in her own right.

More than 600,000 votes were cast in an online poll, and the winner announced with great fanfare last week is Harriet Tubman. I am overjoyed that this great American leader was selected.

As the author of Put a Woman On the Twenty Act of 2015, H.R. 1910, I think matching a specific person with a specific biography will sharpen the focus of this remarkable grassroots effort to put a woman's face on our currency. My legislation does not limit the idea of putting a woman on our money to Harriet Tubman or any particular nominee. It instructs the Secretary of the Treasury to convene the citizen panel that will make recommendations and get it done.

From my perspective, as we see women breaking barriers at every level of our society and as we see people of color breaking barriers at every level of our society, our money ought to more accurately reflect who we are as a nation in the 21st century.

I am not saying that Andrew Jackson or any of the men we honor on our money are not worthy. Many of our Founding Fathers made important contributions to this country which we continue to enjoy today in the United States and throughout the world by the spread of democracy.

It is also true that part of our history includes the practices and decisions we certainly are not proud of as a nation. Let's be straight: President Jackson was, for many, a war hero, a great defender of the young American Republic and, really, the first President and founder of the Democratic Party. He oversaw our Nation as it expanded west. It is the expansion of this Nation, the manifest destiny that pushed settlers west, that pushed the institution of slavery west, and that pushed the extermination and forced migration of Native peoples west.

That is precisely the nexus of Andrew Jackson and Harriet Tubman and illustrates why putting a new face on our money makes so much sense. The forced removal of Native peoples from their lands so that we could expand the practice of slavery is at the heart of Andrew Jackson's legacy. The landgrab and the Trail of Tears of the Cherokee people is key to contextualizing President Jackson.

It was when Harriet Tubman was about 6 years old that Jackson became President. She was born a slave in Maryland and eventually walked to freedom in Pennsylvania. She went back again and again, at least 19 times, telling more than 300 former slaves how to follow the Big Dipper constellation that pointed to the North Star and the way to freedom to the north.

She was an agitator. She was a subversive. She used the tools of social change to improve America. She fought for the little guy against the strong guy. She was willing to put herself at great risk to ensure justice for others. She was a woman, and she was Black. In other words, she is an ideal American.

The other women honored as nominees by the Women on 20s campaign were also great Americans. They were also subversive troublemakers, agitators, and, therefore, exactly the kind of people I think we need on our currency. But Harriet Tubman, because she is a woman, because she is a woman of color, because she fought for freedom and for a better America in the face of this Nation's greatest and, for many like me, still unresolved sin of slavery and racism, because she turned the tide of history for the better, she is very, very worthy of this great honor.

In a few years, maybe in a few months, we will all wonder why it took so long to put an American woman on our $20 bill. Well, it shouldn't take so

long. Members of this body, Mr. Speaker, have the ability to do something about it and speed this process along.

Cosponsor the Put a Woman on the Twenty Act of 2015. It is H.R. 1910. Join me in calling on the Secretary of the Treasury to do this, whether it is Harriet Tubman or anyone else that a fair and open process arrives at. Let us stand as a Congress to put a great American woman on our money.

HOUSTON POLICE OFFICER—RICHARD MARTIN

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

Mr. POE of Texas. Mr. Speaker, in the early morning hours of Monday, while most of the city was asleep, the diligent Houston Police Department responded to a robbery call at an Exxon service station.

The lawmen approach the scene, and they see a suspect speed off in what turned out to be a stolen U-Haul truck. The police follow the truck, and the high-speed chase is on.

The outlaw abandons the truck, carjacks a woman, pushes her out of the minivan, and continues his flight. The outlaw fires shots at the police and keeps fleeing in the darkness of the morning hours.

Houston Police Officer Richard Martin, aware of the chase and ahead of it, jumps out of his patrol car and starts placing spike strips on the road to stop the approaching vehicle. The criminal sees Officer Martin and intentionally runs over him and kills him. Then the criminal continues on a 20-mile run from the law in the city of Houston.

He is later cornered by the police in a standoff, and then he shoots himself and is taken to the hospital. As he lingered in the hospital, the district attorney, Devon Anderson, prepared capital murder charges against him, but the killer died, thus avoiding the hangman.

The outlaw had a long criminal history.

Officer Richard Martin was a Houston police officer. He was 47 years of age. He had only been a peace officer for 4 years, and he worked at the Westside patrol division.

Prior to being a police officer, he had been in private industry for 20 years. Officer Martin was also a veteran. He spent 4 years on Active Duty in the United States Air Force, then spent 8 years as a reservist in the United States Air Force.

Being a police officer was his ultimate goal, so in his early forties, he became a Houston police officer. In just 4 short years, Officer Martin became a field officer. His captain said that he crammed 20 years of policing in the 4 years that he served as a Houston police officer. This speaks volume about his character as a lawman.

He was the father of two, a 22-year-old daughter and an 11-year-old son; and he loved being actively involved in his children's lives, including his son's baseball team.

Mr. Speaker, just last week, our Nation celebrated National Police Week, honoring the daily sacrifices of peace officers like Officer Martin.

Just across the way here, on the west side of the Capitol, last Friday, the families of those who had lost peace officers were here, surrounded by thousands and thousands of other police officers and the public to show their respect for those who are killed in the line of duty; and how quickly we are reminded, again, of their sacrifices.

Officer Martin's life was callously and coldly robbed and stolen from us and his family, and the Houston community is now in mourning.

Our first responders are a special breed, those like Officer Richard Martin. They work selflessly to maintain and restore order in communities and neighborhoods across America. While we sleep, those that wear the badge are vigilantly and always on patrol, protecting us from the evil ones.

For these remarkable men and women, their safety is never guaranteed. While the badge and the uniform represents safety for citizens, it is a target for the unlawful.

We do take comfort in the fact that as long as criminals walk and wander our streets looking to do mischief, refusing to follow the law, peace officers will always be there on patrol, officers like Richard Martin.

Officer Martin was one of those officers. He was one of Houston's finest. Friday, the city of Houston will lay to rest Officer Richard Martin. Peace officers will wear the black cloth ribbon of sacrifice across their badges as they stand in silent mourning for one of their brothers in blue.

The bagpipes will play ''Amazing Grace,'' and the flags will be lowered, as yet one more of our best is laid to rest for sacrificing his life for the rest of us. Peace officers wear the badge over their heart as a symbol of their willingness to put themselves between us and the lawless.

Officer Martin was a noble citizen who represented everything that is good and right about our society. With heavy hearts, we send prayers and thoughts to his family and those of the thin blue line in the Houston Police Department.

We thank Officer Martin for giving his life for our town.

And that is just the way it is.

THE 100TH ANNIVERSARY OF THE ARMENIAN GENOCIDE

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

Mr. SCHIFF. Mr. Speaker, on April 24, the 100th anniversary of the Armenian genocide, runners and cyclists set out from Los Angeles on the Race for Recognition. I had the great pleasure of riding the first 28 miles of their journey with them. On May 7, they completed their 3,000-mile ride across the United States.

They undertook their ride to raise awareness of the Armenian genocide and genocides all around the world and to commemorate and remember the victims. It is my honor to read a portion of the petition that they carried with them across the Nation and to enter the entirety into the CONGRESSIONAL RECORD.

It provides:

On this 100th anniversary of the Armenian genocide, LA2DC organizing committee members wish to recognize and honor the contributions of the following people and organization:

The American people, for setting the standard in the world for philanthropy, social activism, human rights and prevention of crimes against humanity—in their first nationwide relief campaign from 1915 to 1930, Americans donated the equivalent of $2.7 billion to help save over 1 million Christian Armenians, Greeks, Assyrians, and other minorities during the first mass atrocity of the 20th century, when these minorities were targeted for extermination and deportation by the Ottoman Empire;

Ambassador Henry Morgenthau, who, as the United States Ambassador to the Ottoman Empire, alerted the United States Government and the rest of the world to the ''destruction of the Armenian race'';

The Near East Foundation, for providing relief to 1 million refugees and 132,000 orphan survivors of the atrocities perpetrated by the Ottoman Empire;

The American Red Cross, for providing relief to survivors of genocides and mass atrocities for the past 100 years, starting with its first international assistance program in 1915 that provided relief to survivors of the Armenian genocide;

The Museum of Tolerance, for educating and enlightening more than 250,000 visitors per year since 1993 and challenging them to understand the Holocaust and genocides in both historic and contemporary contexts;

Raphael Lemkin, for inventing the term ''genocide'' to describe atrocities that target groups for annihilation, and for working tirelessly to gain approval of the Convention on the Prevention and Punishment of the Crime of Genocide by the United Nations in 1948;

USC's Shoah Foundation and its founder, Mr. Steven Spielberg, for collecting nearly 52,000 eyewitness testimonies of the Holocaust, the Armenian genocide, and other genocide survivors;

Facing History and Ourselves, for educating over 10,000 teachers and, through them, hundreds of thousands of students on the history of prejudice and racism and the role they play in the events that lead to genocide;

The International Committee of the Red Cross and the United Nations's Children's Fund, for starting a vast relief operation in 1979 for the people of Cambodia, threatened by famine and disease in the aftermath of the Cambodian genocide, which claimed millions of lives;

United States Army Europe and United States Air Force Europe, for delivering humanitarian aid in 1995 and 1996 to the survivors of the Bosnian genocide, during which

an estimate 100,000 Bosniaks were systematically targeted and killed;

Senator William Proxmire, for delivering a speech every day the U.S. Senate was in session in support of the ratification of Convention for the Prevention and Punishment of the Crime of Genocide. After 20 years and 3,211 speeches, the United States Senate ratified the convention on February 11, 1986;

President Ronald Reagan, for signing the Genocide Convention Implementation Act of 1987 into law;

The International Rescue Committee, for providing relief to Rwandan genocide survivors, when an estimated 800,000 mostly Tutsi minorities were massacred;

Not On Our Watch and George Clooney, for using his public profile to raise awareness of the genocide in Darfur, where 300,000 civilians were targeted and murdered and 2 million displaced;

U.N. Ambassador Samantha Power, for her groundbreaking book published in 2003, ''A Problem from Hell,'' which recounts the history of genocide and offers a framework for policymakers that can help detect and prevent genocides;

The Armenian National Committee of America, for advocating for the recognition of the Armenian genocide and raising awareness of genocides as crimes against humanity.

□ 1015

Mr. Speaker, these riders carried this important message of truth and gratitude with them across our great Nation. It is an honor to do my small part to make sure they are heard.

Mr. Speaker, on April 24th, the 100th anniversary of the Armenian Genocide, runners and cyclists set out from Los Angeles on a ''Race for Recognition.'' I had the great pleasure of riding the first 28 miles of their journey with them. And on May 7th, they completed their 3,000 mile ride across the United States. They undertook their ride to raise awareness of the Armenian Genocide, and Genocides around the world, and to commemorate and remember the victims. It is my honor to read a portion of the petition that they carried with them across the nation, and to enter the entirety into the CONGRESSIONAL RECORD.

On this 100th anniversary of the Armenian Genocide, LA2DC organizing committee members wish to recognize and honor the contributions of the following people and organizations:

In the past 100 years, over 100 millions lives have been lost in genocides and mass atrocities;

During the same period, heroic American citizens, politicians, diplomats, faith based organizations, and non-government organizations have made it a part of their mission to raise awareness of genocides, help prevent genocides, and provide relief to survivors of genocides;

Some of these citizens, relief organizations, diplomats, and politicians put their lives and treasure at risk by working in conflict zones to alert the world of impending genocides and genocides in progress, rescue genocide survivors, and provide relief.

On this 100th anniversary of the Armenian Genocide, and through this petition, LA2DC organizing committee members wish to recognize and honor the contributions of the following people and organizations for their work in raising awareness of genocides, providing relief to genocide survivors, and working to prevent genocides;

The American People—for setting the standard in the world for philanthropy, social activism, human rights, justice, and prevention of crimes against humanity. In their first act of large scale, nationwide, organization and execution of a relief campaign, from 1915 to 1930, Americans donated more than $117 million—the equivalent of $2.7 billion in 2015 dollars—to relief organizations that saved over 1 million Christian Armenians, Greeks, Assyrians, and other minorities during the first mass atrocity of the 20th century, when these minorities were targeted for extermination and deportation by the Ottoman Empire. Over the past 100 years, Americans continue to be in the front lines of helping to prevent genocides, and providing relief and hope to survivors of atrocities.

Ambassador Henry Morgenthau—who as United States Ambassador to the Ottoman Empire, alerted the United States government of ''Destruction of the Armenian Race . . .'' and called on Americans to get organized to help the survivors.

The Near East Foundation (formerly known as Near East Relief or NER)—for providing relief to 1 million refugees and 132,000 orphan survivors of the atrocities perpetrated by the Ottoman Empire from 1915–1923. During this period, NER raised the equivalent of $2.7 billion in 2015 dollars, and mobilized over 1,000 volunteers to help build 400 orphanages, food and clothing distribution centers, clinics and hospitals, and vocational training schools for the survivors.

The American Red Cross—for providing relief to survivors of genocides and mass atrocities for the past 100 years, starting with its first international assistance program in 1915 that provided relief to the survivors of the Armenian Genocide.

The United States Holocaust Memorial Museum—for leading national and international efforts to promote human dignity, confront hatred, and prevent the next genocide.

The Museum of Tolerance—for educating and enlightening more than 250,000 visitors per year since 1993, and challenging them to understand the Holocaust and genocides in both historic and contemporary contexts and confront all forms of prejudice and discrimination in our world today.

Raphael Lemkin—for inventing the term ''genocide'' to describe the atrocities that target groups for annihilation, and for working tirelessly to gain approval of Convention on the Prevention and Punishment of the Crime of Genocide by United Nations in 1948.

University of Southern California's Shoah Foundation and its founder, Mr. Steven Spielberg—for painstakingly collecting nearly 52,000 eyewitness testimonies of the Holocaust, the Armenian Genocide, and other genocide survivors, and using their first hand accounts to teach the world about the horrors of genocides and the importance of preventing them.

Facing History and Ourselves—for educating over ten thousand teachers in the United States and worldwide, and through them, hundreds of thousands of students, on the history of prejudice and racism, and the role they play in the events that lead to genocide. Since 1976, Facing History has been engaged in genocide prevention work by promoting global citizenship and heightened awareness of genocides.

The International Committee of The Red Cross and United Nations Children's Fund for starting a vast relief operation in 1979 for the people of Cambodia threatened by famine and disease in the aftermath of the Cambodian Genocide, which claimed millions of lives.

United State Army Europe and United States Air Force Europe—for delivering humanitarian aid in 1995 and 1996 to the survivors of the Bosnian Genocide, during which an estimated 100,000 Bosniaks were systematically targeted and killed.

Senator William Proxmire—for following through his commitment to deliver a speech every day the United States Senate was in session in support of the ratification of United Nations Convention on the Prevention and Punishment of the Crime of Genocide. After 20 years and 3,211 speeches, the United States Senate ratified the convention on February 11, 1986.

President Ronald Reagan—for signing the Genocide Implementation Act of 1987 into law, making genocide a Federal offense, and declaring, ''This legislation still represents a strong and clear statement by the United States that it will punish acts of genocide with the force of law and the righteousness of justice.''

The International Rescue Committee—for providing emergency supplies and restoring infrastructure following the 1994 genocide in Rwanda, where an estimated 800,000 mostly Tutsi minorities were massacred.

Not On Our Watch, and Messrs. George Clooney, Don Cheadle, Matt Damon, Brad Pitt, David Pressman, and Jerry Weintraub for using their public profiles to bring attention to atrocities around the world, and raising awareness of the genocide in Darfur, where 300,000 civilians were targeted and murdered, and 2 million displaced.

United States Institute of Peace Genocide Prevention Task Force, and Co-Chairs Honorable Madeleine K. Albright and Honorable William S. Cohen—for developing a genocide prevention blueprint entitled, ''Preventing Genocide: A Blueprint for U.S. Policymakers'', which affirmed that genocides are preventable, and issued 34 specific actionable recommendations that United States can implement to help detect and prevent genocides.

Ambassador Samantha Power, the United States Ambassador to the United Nations—for her groundbreaking research documented in her book published in 2003, ''A Problem from Hell'', which recounts the history of genocide and offers a framework for policy makers that can help detect and prevent genocides.

Congressman ADAM SCHIFF—for being the leading voice in the United States Congress advocating for recognition of past genocides as an important step towards detecting and preventing future genocides and atrocities.

The Armenian National Committee of America—for advocating for the recognition of the Armenian Genocides and raising awareness of genocides as crimes against humanity.

Countless other Americans and organizations who have made it their mission to help

prevent the next genocide and promote peaceful resolution of conflicts.

150TH ANNIVERSARY OF THE TOWN OF CLINTON, NEW JERSEY

The SPEAKER pro tempore. The Chair recognizes the gentleman from New Jersey (Mr. LANCE) for 5 minutes.

Mr. LANCE. Mr. Speaker, I rise today to celebrate the 150th anniversary of the incorporation of the town of Clinton in Hunterdon County, New Jersey. Established as a separate municipality in 1865, Clinton has a rich history and is known for its natural beauty and sense of community.

The 2010 Census counted the town's population at 2,719.

As the recently deceased Clinton town historian and longtime mayor, Allie McGaheran, has written, the area was settled on the convergence of two rivers, the Spruce Run and the south branch of the Raritan, surrounded by excellent farmland, attracting English and German settlers. One of those settlers, David McKenny, built two mills directly across the river from each other.

These treasured mills—the first dating to 1810—now the Red Mill Museum Village and the Hunterdon Museum of Art, were owned by Daniel Hunt, the namesake of the town's first moniker, Hunt's Mill. These mills have been the center of Clinton's economic and cultural life for two centuries.

Later, mill owners John Taylor and John Bray championed renaming the town after DeWitt Clinton, the builder of the Erie Canal and Governor of New York.

A limestone quarry, located immediately behind the Red Mill, brought another wave of settlers, including Irish immigrants crossing the ocean to establish a better life for themselves and their families in the new world.

The present municipal building, a handsome Victorian structure, was the residence of John Leigh, a brick maker and farmer who served as the town's second mayor. The Lehigh Valley Railroad provided passenger and freight access, contributing greatly to the growth and wealth of the town in the 19th century.

Clinton has a large historic district that is on the State and national historic registers. There are five historic sites: the two mills; the music hall that entertained generations of residents; the original Grandin Library, named for artist and philanthropist Elizabeth Grandin in the last century; and the quarry.

The 150th anniversary of Clinton is being celebrated with parades, farmers' markets, art displays, performances, and other community events.

I thank and congratulate Megan Jones-Holt for her work as chair of the 150th anniversary committee. She and her husband, former mayor and current Hunterdon County Freeholder Matt Holt, do so very much for the town civically.

Clinton is governed by the town form of government, with a mayor and six council members. Mayor Janice Kovach and the governing body of the town are greatly involved in the yearlong festivities. Clinton is served by a dedicated volunteer fire company and rescue squad. Its beautiful and historic churches are an integral part of the community.

The Clinton-Glen Gardner School District educates children through the eighth grade. High school students attend North Hunterdon High School in neighboring Clinton Township, one of our State's strongest public elementary and secondary schools. My twin brother, Jim, and I are proud graduates of the high school.

My own family has been involved in the history of Clinton for many generations. My great uncle was president of the local bank, and my father practiced law in the town for 70 years.

In his essay, ''The Inspiration of Clinton,'' Stephen Shoeman notes: ''Everybody in Clinton smiles. Everybody is friendly. America is beautiful because of Clinton, New Jersey, and the other towns and villages just like it.''

This year's celebration comes 1 year after the tricentennial of Hunterdon County, a yearlong retelling of Hunterdon County's storied founding and its 300-year journey in advancement from the English colonies in North America to its present-day status as one of America's premier places to live and work.

Clinton's history is ingrained in the fabric of Hunterdon County. We have also just celebrated New Jersey's 350th anniversary.

Public-spirited residents have worked to keep Clinton beautiful and the epitome of small-town American life. Their efforts maintain a charming and vibrant merchant district, excellent public schools, meaningful cultural events, and significant engagement in public affairs.

The town of Clinton thrives on neighborly camaraderie. I am deeply honored to represent the town here in the House of Representatives. And all who love Clinton congratulate the town on its landmark celebration.

TRANS-PACIFIC PARTNERSHIP

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

Mr. BLUMENAUER. Mr. Speaker, the near hysteria over trade promotion authority and the pending Trans-Pacific Partnership, the so-called TPP, is unfortunate because it is so misguided. The stakes are too high to get it wrong, and the negative arguments are unfortunate because they are so wrong.

Being against TPP, which has yet to be finished, is premature, at best. Being against the TPA is misguided because those provisions guarantee people will actually know the details and have stronger tools to evaluate whether it is worthy of support.

The trade agenda and the role of America in the global economy has been front and center in Congress over the last few weeks, and well it should be. The United States has an opportunity to make further inroads in 95 percent of the markets that are outside our borders and to be able to gain that access under more favorable terms.

Businesses large and small that want to sell their products overseas run into much more difficult barriers, procedures, and costs than people who sell their goods to America, which has one of the most open markets in the world.

In Oregon, there are two competing narratives: those who are opposed to further competition for American goods in American markets, fearing a loss of business and jobs; and those who see significant opportunity selling goods and services abroad, creating more family-wage jobs at home.

The people I talk to in Oregon who are in business overwhelmingly support that access. They feel they have far more to gain than they have to lose, selling more wine, bicycles, agricultural products, and small tools. They think they can compete overseas, creating family-wage jobs at home, if that playing field is level.

There are others who are deeply concerned that this perceived leveling of the playing field will not be achieved. They are concerned about a lack of labor and environmental standards overseas.

Having spent time with the people who are negotiating the agreements, having reviewed documents myself, and working to reflect Oregon values and interests, these agreements, I am confident, hold promise for Oregon. But it is too soon to tell for sure because the agreement is still being negotiated, and people like me are still trying to influence it to make it stronger still. For instance, I have provisions I am working on in both the House and the Senate to provide an enforcement mechanism.

As the agreement potentially enters its final stages, where there are some of the more difficult concessions with decisions yet to be made, the United States and other countries are reluctant to show their full hand while things are in flux.

That is why the trade promotion authority that is working its way through the Senate—and may be in front of the House early in June—is so important.

This trade promotion authority is a significant enhancement over any similar provision in the past. It guarantees that the entire country—not

just Congress—will be able to examine all of the provisions 2 months before the President even signs the agreement and for months after that, before Congress votes. The authority also sets out provisions that speak to the concerns I have heard about for years about the weaknesses in NAFTA, not having enforceable, strong provisions for environment and labor.

That is why I thought it was important to vote to establish these rules which were significantly strengthened and made more transparent as a result of the tremendous efforts on behalf of my friend and colleague from Oregon, Senator RON WYDEN, in the Senate.

If an agreement is reached under these new rules, we will have the strongest standards ever to evaluate a trade agreement, and everyone in America will be able to evaluate for themselves, not conjure up some sort of speculation. They will have months to do what I am going to do: see if this agreement is in the best interest of the people in Oregon who I represent. If it is, then they, like I, will support it. If it is not, then I will do, as I have sometimes done in the past, and vote ''no'' on things I don't think measure up.

The time to draw the lines in the sand ''yes'' or ''no'' is after an agreement is reached, not before. And thanks to the new trade promotion authority, everyone will have an opportunity to make that judgment for themselves well in advance of any decision that Congress makes.

SYRIA

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

Mr. KINZINGER of Illinois. Mr. Speaker, I remember a few years ago visiting Israel, standing in the Golan Heights and looking to the border of Syria. At this time, our guide began talking about the peaceful protests in Syria, the beginning of an era of discontent.

As I looked into the seemingly peaceful area, I never imagined the carnage that was to come: children who on that day attended school, filled with hope for the future and with dreams of becoming a businessman, a policeman, an architect, or any of the host of things building in the minds of such a young person at that age; children and parents who did not know that in a few short years, their lives would be cut down by a ruthless dictator, bent on keeping power at all cost.

As the peaceful protests built in strength, Bashar al-Assad responded in violence. And so began what history will likely judge to be the start of among the most brutal times in Middle East modern history.

Bashar-al Assad began using barrel bombs indiscriminately against innocent people and infamously gassed thousands who struggled to get that last breath of life, only to choke to death, completely aware that that breath would be their last.

As family members died, others joined a group later dubbed the Free Syrian Army, a group the President referred to as a bunch of pharmacists, lawyers, and businessmen, all standing up to reclaim what was theirs rightfully, which was a free Syria. And they fight bravely for a free Syria today.

Through the carnage of this terrible war, a more nefarious group began to assemble, a group not concerned with human carnage but inspired by it; a group not fighting to protect life but fighting to cut it down; and a group not inspired by freedom of religion but inspired by a hollow and a shallow world view. The group today is now known as ISIS.

□ 1030

Mr. Speaker, before the world paid any attention, this group occupied not just parts of Syria, but also Fallujah, an area fought with American blood and treasure to bring peace and stability to the people of Iraq. The border of Syria and Iraq was torn down, and the world continued to sleep.

I called for America to lead airstrikes against this fledgling group at that time numbering in the low four figures. The reaction I received was not unexpected: people angry that I was interested in starting ''Iraq War III.'' Yet as this cancer continued to grow, the carnage became worse, and today we find ourselves engaged in limited action against a group growing in numbers faster than they are being dispatched by our airplanes.

Americans feel saddened that the areas that our brave military members fought so hard to win was being thrown away to political expedience, and I am one of those people. I spent a little bit of time in Iraq, on behalf of the United States Air Force, flying airplanes, and I just saw a week ago or a few days ago that Ramadi, the capital of Anbar province, where we saw so much success in the Sunni awakening, has fallen to ISIS.

Now, by the way, Anbar and Ramadi serve as a transportation center for getting goods from Jordan and Syria into Baghdad and are resupply routes for ISIS. So we are seeing not overmuch success in Iraq. But lest we think this fight is limited to just Iraq, all we have to do is look all over the world and all over the Middle East and see ISIS' influence, from folks arrested near my district in the United States attempting to join and support ISIS, to the problems we see in Lebanon and in Saudi Arabia, and as we see ISIS grow and develop in Libya. This is something that, Mr. Speaker, the President has got to get a control on and reassert American leadership.

We also see that these terrorist groups, these jihadist groups, are coming under the umbrella of ISIS, whether it is al Shabaab, Boko Haram, or al Qaeda in Yemen, or we see the Taliban beginning to join under this supposedly successful group.

What is it we need to do to push them back? In Iraq, I believe we need to use the number of troops and the amount of military force necessary to destroy ISIS and not just necessary to follow the President's promise of no troops on the ground. I don't think we need another 200,000 troops in Iraq, and I haven't heard a single person actually ever suggest that, but we need to use what is necessary to push this back.

By the way, the American military is fierce and desperate to do what needs to be done, and they are ready to do what the American people and the President calls on.

Lastly, ISIS must be destroyed in Syria; and you can not destroy ISIS in Syria without destroying the incubator of ISIS, who is the evil dictator, Bashar al Assad. There are negotiations in progress now, but until the Syrian people know that the American people stand behind them through a no-fly zone and other means, ISIS will not be destroyed in Syria until that point.

Mr. Speaker, it is time for the President to stand up.

REESTABLISH THE GOLDEN FLEECE AWARD

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

Mr. HILL. Mr. Speaker, at a time when our Nation is currently over $18 trillion in debt, we must carefully scrutinize our government programs to ensure that we are funding essential programs, policies, and projects while eliminating frivolous and wasteful spending.

Every day in the news, Americans hear of government waste, fraud, abuse, and regulations that are hindering our small businesses and costing American taxpayers billions of dollars that could be better spent in creating jobs and boosting our economy.

Today, I rise to establish the Golden Fleece Award to once again uncover and bring public attention to the wasteful spending across our Federal Government. The Golden Fleece Award will highlight some of the most egregious examples of government waste of hard-working taxpayers' dollars and will shed new light on some of the rampant, unnecessary spending by our Federal agencies.

The inspiration behind the Golden Fleece Award was pioneered by the Democratic U.S. Senator from Wisconsin, Bill Proxmire, in March 1975. For the next 13 years, Senator Proxmire went on to issue bulletins announcing a monthly Golden Fleece Award. The Golden Fleece Award became a staple in the U.S. Senate during

this time. Senator Robert Byrd once stated that the awards were ''as much a part of the Senate as quorum calls and filibusters.''

Mr. Speaker, the Golden Fleece Award will once again serve as an important reminder that taxpayers need to watch, control, and provide the necessary reforms, through this Congress, about Federal spending and regulations.

I will utilize social media and the Internet to provide a unique platform for my constituents to share with me examples that they spot, that they see, of waste of our Federal Government resources by using, #goldenfleeceoversight on Twitter, or emailing me at goldenfleece@mail.house.gov. I have also established a Web site that allows users to submit their recommendations for future Golden Fleece Awards at hill.house.gov/goldenfleece.

Americans are crying out for accountability from our leaders, and I look forward to working with them and my colleagues to spot waste and find ways to effectively eliminate that kind of spending and regulatory overreach in Washington.

DO UNTO OTHERS AS WE WOULD HAVE THEM DO UNTO US

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

Mr. AL GREEN of Texas. Mr. Speaker, the great Mahalia Jackson was a gospel singer. The great singer and civil rights activist Mahalia Jackson, once proclaimed by Harry Belafonte to be the most powerful woman in America, the great Mahalia Jackson gave us some words to live by, some words that can add meaning to life. She, in one of her songs, indicated that, and I shall paraphrase, if I can help somebody as I travel along, then my living shall not be in vain. Live not in vain; help somebody—that is the essence of the message that she presented.

I am here today to speak of persons who are in harm's way and who are suffering. The people of Nepal have had two earthquakes visited upon them: one a 7.8 magnitude, the other a 7.3 magnitude. These two earthquakes have done great damage. More than 8,000 people are dead. I am looking at the statistical information: more than 16,000 injured, 8 million persons affected, nearly 500,000 homes destroyed, another 200,000-plus damaged. They are still in harm's way, but there is something we can do. We can do unto others as we would have them do to us if we had suffered a similar tragedy.

Mr. Speaker, this is a great opportunity for us to do something to help without actually expending a lot of American dollars, although we have spent quite a bit. I am proud to say that the United States has accorded approximately $40 million to this effort—$40 million. It will take a lot more, but the United States is involved in doing its part. We have had our rescue teams there; and one of our rescue teams, unfortunately, suffered some tragedy. One of our military helicopters went down. We have lost lives there. People have been there living not in vain, trying to do what they can to be of assistance, doing unto others as we would have them do for us under similar circumstances.

One of the things that we can do is sign on to a bill that will allow those persons who are in this country from Nepal, who are here lawfully, to stay in this country for an extended period of time while their country is recovering. H.R. 2033 affords Nepalese who are in the United States of America to stay for a while longer. They will not have their status in the country change. They won't become persons on a pathway to citizenship. They will simply have more time here. We will not send them back in harm's way. We will do unto them what we would have them do unto us if we were in a similar circumstance.

Mr. Speaker, this bill has many persons who are supporting it. More than 50 persons have supported this piece of legislation. I am proud to say that some of the persons who have supported it are persons who have great Nepalese communities, and there are others who do not. They just want to be of help.

I want to mention a few whose names I did not mention when I mentioned names previously, or I did not state them correctly. This is a chance for me to correct the RECORD: Congressman MIKE CAPUANO, Congressman TONY CÁRDENAS, Congressman JOE CROWLEY, Congressman MARK DESAULNIER, Congressman RAÚL GRIJALVA, Congressman LUIS GUTIÉRREZ, Congressman JARED POLIS, Congressman CHARLES RANGEL, Congressman CEDRIC RICHMOND, Congresswoman LORETTA SANCHEZ, and Congresswoman LINDA SÁNCHEZ—all persons who are supportive, along with many others, nearly 50.

I am proud to say that the community in Houston, the Nepalese community has come together, and they have a goal of raising $100,000. They have exceeded that goal, under the leadership of Mr. Ghimirey and Mr. Nepal. They have exceeded the goal of $100,000, and they are still raising additional funds.

I believe that H.R. 2033 affords all of us to live not in vain. I think this is a great opportunity to do unto others as we would have them do unto us. I ask that we support H.R. 2033 and live not in vain. Help somebody as we travel along our way.

RECESS

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

Accordingly (at 10 o'clock and 41 minutes a.m.), the House stood in recess.

□ 1200

AFTER RECESS

The recess having expired, the House was called to order by the Speaker at noon.

PRAYER

Minister Michael Greene, Lehman Avenue Church of Christ, Bowling Green, Kentucky, offered the following prayer:

Dear God, Our Creator and the One from whom we receive our unalienable rights, we give You our thanks for this day and for all the bountiful blessings You have poured out upon this great land, this country, and these peoples. We pray these blessings will continue through Your grace.

We are thankful for the opportunity to serve wherein is found greatness. We pray for those assembled here today as they deliberate in this august body. We pray Your guiding hand be upon them.

Bless them with wisdom. Bless them with courage to do the right as You have revealed the right.

Help them to remember that what is being done in this place is not just an exercise in debate but will affect millions of people.

Help us, Father, to preserve our heritage of freedom for future generations.

This we pray on this 20th day of May in the year of our Lord.

Amen.

THE JOURNAL

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

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

PLEDGE OF ALLEGIANCE

The SPEAKER. Will the gentlewoman from New Hampshire (Ms. KUSTER) come forward and lead the House in the Pledge of Allegiance.

Ms. KUSTER led the Pledge of Allegiance as follows:

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

WELCOMING MINISTER MICHAEL GREENE

The SPEAKER. Without objection, the gentleman from Kentucky (Mr. GUTHRIE) is recognized for 1 minute.

There was no objection.

Mr. GUTHRIE. Mr. Speaker, I rise today to welcome Mr. Michael Greene to Washington. Mike is serving today as guest chaplain in the U.S. House of Representatives.

Speaking just moments ago, Mike prayed for all of us serving this great institution and the work we do each and every day. I have been fortunate to know Mike as my minister in Bowling Green, Kentucky, and have always appreciated his prayers.

Throughout his 44 years as a minister, Mike has served Churches of Christ in Kentucky, Tennessee, and Georgia. He also serves on the board of directors of Foundation Christian Academy in Bowling Green.

I always enjoy having a little bit of Kentucky here in Washington. Today, I am proud to welcome you, Mike, to the U.S. Capitol. Thank you for your prayers and for taking the time to be with us in our Nation's Capitol today.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. DUNCAN of Tennessee). The Chair will entertain up to 15 further requests for 1-minute speeches on each side of the aisle.

VA ACCOUNTABILITY

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

Mr. BOEHNER. My colleagues, next week marks the 1-year anniversary since General Eric Shinseki resigned as the Secretary of the Veterans Affairs Department.

At the time, the President promised reform. He said: ''The number one priority is making sure that problems get fixed.''

Instead of a new day at the VA, the American people are still seeing more of the same. Last year, Congress gave the VA Secretary new authority to fire employees. While some 110 VA facilities kept secret lists to hide their wait times, just one person has been fired—one.

What the hell happened to the rest of them? Some got to retire with their benefits, some got transfers, some got paid leave, some got a slap on the wrist. All of them went on collecting checks from taxpayers. If only the Veterans Administration did half as good a job of taking care of our veterans as they do the bureaucrats, we would be in a lot better shape.

Congress also gave the VA more than $16 billion to improve care and to shorten waiting times, yet the number of patients facing long waits is about the same. The number of patients waiting more than 90 days has doubled. At this point, the VA can't even build a hospital. Just about every project ends up years behind schedule and hundreds of millions, if not billions, over cost.

Last week, the public learned that the VA is spending $6 billion a year illegally. An internal report exposed examples of overspending on conferences, improper gifts, inappropriate purchases, and promotional items—again, if only VA bureaucrats did as good a job taking care of our veterans as they do themselves.

The author of the report at the VA wrote, ''doors are swung wide open for fraud, waste, and abuse,'' and that these actions ''may potentially result in serious harm or death to America's veterans.''

That is their own expert saying this.

This isn't run-of-the-mill incompetence. It is arrogance; and it is arrogance that allows our veterans to be lied to, ignored, and, frankly, left to die.

My colleagues, it is almost Memorial Day. This is when we slow down and reflect on the debt of gratitude that we owe to our heroes.

I commend Chairman MILLER and all of the members of the Veterans Affairs' Committee for striving every day to fulfill this obligation. Congress will continue to pass legislation to hold the VA accountable, but only the administration can change the culture from within.

The President owes the American people a real, long-term plan to fix the VA—not a promise, not a pledge, not rearranging the chairs on a deck—a real plan to clean up this mess.

I will keep coming back to this podium until the administration produces such a plan.

VOLVO OCEAN RACE

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

Mr. CICILLINE. Mr. Speaker, I rise today to congratulate the city of Newport, Rhode Island, in my district, on hosting, this month, the Volvo Ocean Race, the world's premier sailing race around the world.

This 12-day event brought 125,000 visitors to Rhode Island, far exceeding even the most optimistic projections, as well as millions of dollars in economic activity that supported Rhode Island's tourism industry and our small-business community. Most importantly, the success of this event offered an opportunity to tell our story about the great things that are happening in Rhode Island today.

I want to thank everyone who helped make the only North American stopover for this year's Volvo Ocean Race such an incredible success, including Sail Newport, Rhode Island's Public Sailing Center, Discover Newport, the Rhode Island Department of Environmental Management, the Newport Chamber of Commerce, Senate President Teresa Paiva-Weed, Speaker Mattiello, members of the general assembly, and Governor Gina Raimondo.

I want to especially acknowledge Senator WHITEHOUSE for all of his work to bring this race to Rhode Island and his ongoing efforts to enhance our State's position in the maritime industry.

Congratulations to everyone who made this such a success.

TRIBUTE TO STAFF SERGEANT ROBERT H. DIETZ

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

Mr. GIBSON. Mr. Speaker, I rise today to recognize Staff Sergeant Robert H. Dietz who was awarded the Medal of Honor for his courageous actions during World War II. Sergeant Dietz hailed from Kingston, New York, a proud and historical city in New York's 19th Congressional District.

In March 1945, Sergeant Dietz led his squad on an attack of a heavily fortified German position. Under heavy machine gun fire, Sergeant Dietz advanced forward, clearing enemy obstacles, providing a path for the men of his squad and platoon. This selfless act enabled the success of this attack; but in the process, Sergeant Dietz lost his life.

With strong local support, we submitted a bill to rename the post office in Kingston for Sergeant Dietz. Yesterday that bill passed in the Oversight and Government Reform Committee. I thank Chairman CHAFFETZ, his committee, and the entire New York delegation for their strong support; and I look forward to its passage in the full House soon.

Mr. Speaker, as we approach Memorial Day weekend, we pause to remember Sergeant Dietz and all those men and women who lost their lives in defense of our freedoms.

BRING BACK OUR GIRLS

(Ms. WILSON of Florida asked and was given permission to address the House for 1 minute.)

Ms. WILSON of Florida. Mr. Speaker, today I, along with many of my colleagues—both women and men, Republicans and Democrats—wear red to pressure Nigerian President-elect Muhammadu Buhari into taking aggressive action against Boko Haram.

Next week, as Nigeria welcomes the new President and celebrates Democracy Day, we here in Congress want to put a spotlight on the immense threat Boko Haram poses to Nigeria's democracy and freedom.

Mr. Speaker, we want President-elect Buhari to know we will hold him accountable, just as we held his predecessor accountable. We urge this new administration to bring with it a swift

and lasting change in attitude on this issue. We hope the new President will have a sense of urgency in finding the Chibok schoolgirls and defeating Boko Haram.

Mr. Speaker, we expect the new President to find the girls, whether they have been married off against their will or not, are alive or in a mass grave. Wherever they are, we want to know.

Until they are found, we will continue to tweet, tweet, tweet #bringbackourgirls; tweet, tweet, tweet #joinrepwilson.

21ST CENTURY CURES ACT

(Mrs. BLACKBURN asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. BLACKBURN. Mr. Speaker, I rise today to talk about the 21st Century Cures Act. This is legislation that we, at the Energy and Commerce Committee, are working on in a bipartisan basis, and we look forward to moving it to the House floor and seeing this passed and signed into law. Why are we doing it? Because we want to put the focus on cures, real cures that will enable people to live better lives.

Let's take just one disease, Alzheimer's. There are 5 million Americans that currently have Alzheimer's. The cost to the Nation is $215 billion a year. When you look out several decades to 2050, the cost is estimated to be $1 trillion a year for one disease. Yes, we need to focus on finding cures.

And there are other disorders and diseases that need that attention. Take autism, diabetes, ALS, cancer, the list moves on.

It is time for us to encourage and support young scientists, to put the focus on our most challenging health conditions, and we want the regulatory agencies to be there to encourage this effort, and I encourage support for the 21st Century Cures Act.

RECOGNIZING NHTI, CONCORD, NEW HAMPSHIRE'S COMMUNITY COLLEGE

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

Ms. KUSTER. Mr. Speaker, today I rise to underscore the importance of increasing access to higher education, including crucial workforce development programs that help our students gain the high-tech skills they need to succeed in our 21st century economy.

In New Hampshire, we are blessed to have some of the very best community colleges in the country, and I am proud to have visited every single community college in my district.

Today I would like to recognize one institution, the New Hampshire Technical Institute, the community college in our capital of Concord, which was just ranked number one in the country for value added by the Brookings Institution. That means that NHTI students are meeting and surpassing expected outcomes after graduation, and many of them are going on to extremely successful careers.

Every student should have access to this type of opportunity, and I am pushing for a number of initiatives that will help business partners join with community colleges to provide specific job training. Let's all join together to make sure that students across the country can access the kind of value-added programs offered at NHTI. And together, we can move forward so that every American can realize the American Dream.

□ 1215

VETERAN HEALTH CARE, FIGHTER ACES

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

Mr. SAM JOHNSON of Texas. Mr. Speaker, one of my top priorities is standing up for our servicemen and -women. That is why I am proud to reintroduce the Help Veterans Save for Health Care Act, because right now the IRS makes a veteran choose between receiving VA care or continuing to fund their health savings account. That is wrong. My bill fixes that.

In addition to this bill, today Congress will recognize America's fighter aces with its highest honor—the Congressional Gold Medal. Last year, Congress passed this resolution honoring these patriots who are simply the best of the best.

We are the land of the free because of all our troops and veterans who have put their lives on the line for us, and I salute them today as we remember their sacrifices on this Memorial Day.

DAVID LETTERMAN

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

Mr. COHEN. Mr. Speaker, I want to take this occasion to thank David Letterman for 33 years of late-night television and giving his genius to America. I want to thank him on behalf of my friend Warren Zevon for being the best friend his music ever had, and for helping so many other musicians get an opportunity to play for America; as a Memphian who attended the Andy Kaufman-Jerry Lawler match, for Dave giving Andy Kaufman the opportunity to give his zany sense of humor to America, and so many other comedians that he gave a forum to.

Dave was in the Ed Sullivan Theater, but he should have been in the Steve Allen Theater, Ed's rival, because he was more like Steve Allen, the first late-night host. The ''Man on the Street'' interview with Steve Allen was like ''Stupid Pet Tricks.''

Dave Letterman was a genius. Tonight I will be watching his last show—we all will—the 6,028th. We will all watch it.

Dave, don't stay away. Come back. We thank you for all you have given us.

HONORING MONTANA VETERANS

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

Mr. ZINKE. Mr. Speaker, today I rise in honor of Montana veterans and all the men and women who have fallen in defense of our great Nation.

I would like to recognize one in particular, Private 1st Class Nicholas Cook, from Hungry Horse, Montana, who was killed in action in Afghanistan. He bravely sacrificed himself to save his fellow paratroopers by exposing his position, providing suppressive fire. His valor earned him the Silver Star.

Mr. Speaker, no veteran should ever be forgotten. Today I would like to also recognize the following Montana veterans for their service to our Nation:

James Diqhans, Carl Nordberg, Kenneth and Christopher Bogner, George Lacher, Charles Pickard, Michael Kallas, James and Gary Jacobson, Benjamin Balducke, Nicholas Cook, Williard Purkett, James and John Hantz, Robert Emrick, Dennis Morkert, and Edward Kinney.

God bless the United States, and God bless the troops that defend her.

CELEBRATING THE 50TH ANNIVERSARY OF HEAD START

(Ms. SCHAKOWSKY asked and was given permission to address the House for 1 minute.)

Ms. SCHAKOWSKY. Mr. Speaker, I rise to celebrate the 50th anniversary of the Head Start program.

Head Start is near and dear to my heart. I began my career as a Head Start teacher in the Chicago public schools. I have never forgotten how the program made a monumental difference for its students, and this Congress should not forget those kids either.

Since its inception, Head Start has served 32 million children in all 50 States, the District of Columbia, Puerto Rico, and the U.S. territories. Last year, in my home State of Illinois, there were 130 early Head Start and Head Start providers providing quality teachers.

And there is an economic impact. Head Start accounted for more than

7,950 jobs in Illinois last year. Yet sequestration cuts have done serious damage to the programs in Illinois and around the Nation. In my State alone, more than $16.5 million in funding has been cut, 1,900 children went unserved, and 549 jobs were lost.

Certainly none of us was elected to keep young children in need from getting an education. We should celebrate the 50th anniversary by fully funding Head Start and eliminating the sequester because every child in our country deserves a quality education and a good start.

VETERANS DESERVE ACCOUNTABILITY

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

Mr. WILSON of South Carolina. Mr. Speaker, this week, an internal report from the Department of Veterans Affairs revealed that the Department annually spends $6 billion on illegal contracts and out-of-control spending. This fraud is unacceptable, an insult to the men and women who have risked their lives in service to our country. Unfortunately, this lack of accountability at the Department of Veterans Affairs is all too common under President Obama's failed leadership.

Our veterans deserve the best care, and I will continue working to give our veterans the treatment they have earned as promoted by Veterans' Affairs Chairman JEFF MILLER of Florida. Congress has worked to promote change at the VA. For example, this week, we passed the Ensuring VA Accountability Act, sponsored by Congressman RYAN COSTELLO. This bipartisan effort clearly demonstrates meaningful reforms for our veterans and military families.

I hope President Obama can live up to his commitment to end delays and denial of services to our veterans.

In conclusion, God bless our troops, and may the President by his actions never forget September the 11th in the global war on terrorism.

CELEBRATING THE 50TH ANNIVERSARY OF HEAD START

(Ms. LORETTA SANCHEZ of California asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. LORETTA SANCHEZ of California. Mr. Speaker, I am proud to say that this week marks the 50-year anniversary of the Head Start program, a momentous achievement in our Nation's fight to break the cycle of poverty and open the windows of opportunity for low-income families and children.

Now, I don't want to date myself, actually, but I was in the first class of Head Start, and today I bring with me my original certificate of completion from that program. I am proud to say that, if it were not for Head Start, I wouldn't be here today. You see, as the daughter of poor immigrants from Mexico, not many people would think I would graduate from high school, let alone college, or get my MBA and eventually make my way to the House of Representatives.

Head Start has served over 32 million children, and, more importantly, it has helped families know how to navigate the school system. My hat is off to the teachers, to the community volunteers, to the healthcare coordinators, and to so many who helped to implement Head Start programs in their communities. Your work is transforming our Nation. It is giving that head start to our children because they are the future of this Nation.

So, Mr. Speaker, I say today, ''Happy birthday, Head Start.''

REMEMBERING CAPTAIN DUSTIN LUKASIEWICZ OF ALMA, NEBRASKA

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

Mr. SMITH of Nebraska. Mr. Speaker, I rise today in remembrance of Third District constituent Captain Dustin Lukasiewicz of Alma, Nebraska. He and five fellow marines were killed in a helicopter crash last week while providing humanitarian aid to earthquake victims in Nepal.

Captain Lukasiewicz made the ultimate sacrifice while trying to assist victims no one else could reach. His service reflects the goodness of America, accepting the call to help those who need it most.

When I spoke with the captain's mother yesterday, she told me how her son called to wish her a happy Mother's Day just days before the crash. His attention to loved ones is a reflection of his life of service and devoting himself to the care of others.

Mr. Speaker, please join me in praying for the captain's mother, father, wife, daughter, unborn child, and all others who lost loved ones in this terrible tragedy. As Memorial Day approaches, we must make it our priority to honor and remember our military heroes, and Captain Lukasiewicz is certainly one of our heroes.

CELEBRATING THE 50TH ANNIVERSARY OF HEAD START

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

Mr. NOLAN. Mr. Speaker, Members of the House, as Congresswoman SCHAKOWSKY and Congresswoman SANCHEZ just pointed out their involvement in Head Start, I want you to know I directed a 19-unit Head Start program up in north central Minnesota in my youth, and so I am proud to join them in celebrating this 50th anniversary that served over 32 million children, because I was able to see firsthand how this impacted children's lives. And what a testimonial it is to see one of the first participants go on to become a Member of the United States Congress and running for the United States Senate.

Clearly, Head Start is so critical to our national commitment to every child, regardless of their circumstances at birth, to have an opportunity to succeed in life, developing that wonderful spark for learning that sets kids up for success.

So once again, hats off to the educators, to the directors, to the faculty, and to the parents, all those who have made this program such a wonderful, great success for children all across America.

NATIONAL FOSTER CARE MONTH

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

Mr. ROTHFUS. Mr. Speaker, I rise to recognize May as National Foster Care Month.

Today I would like to applaud the thousands of families who open their homes to foster children. It takes a special kind of caregiver to foster a child, someone who can drop everything on a moment's notice and, without hesitation, bring a child into their home.

In Pennsylvania alone, there are 15,000 children in foster care. That means we have thousands of amazing families with hearts big enough to provide love and care for children who need a place to call home.

Mr. Speaker, foster children become an irreplaceable part of the family. Indeed, the most telling statistic is that in Pennsylvania 65 percent of families end up adopting their foster children. We need families willing to open their hearts and homes unconditionally to children who have been abused and removed from their homes. This is what so many dedicated foster families are able to provide.

Mr. Speaker, during National Foster Care Month, I would like to celebrate the resiliency of foster children who overcome great obstacles at such a young age and recognize the dedicated foster families who support them.

NATIONAL FOSTER CARE MONTH

(Mrs. LAWRENCE asked and was given permission to address the House for 1 minute.)

Mrs. LAWRENCE. Mr. Speaker, today I stand here to recognize May as

National Foster Care Month. More than 40,000 of our Nation's youth are currently living in the child welfare system. More than 23,000 youth age out of the foster care system when they turn 18, putting them at risk for homelessness, criminal exposure, and mental illness. These statistics paint a grim picture.

Today I stand here to recognize a young woman who aged out of the foster care system, Kamille Tynes, a success story. Kamille spent 5 years in the Michigan foster care system. Her experience fostered a tireless advocacy for foster care and resources that our children need. She has been given awards and recognized for her amazing leadership, such as the foster care Outstanding Young Leaders Award. She is now creating her own consulting firm to address those needs. She is a graduate of the University of Michigan.

Ladies and gentlemen, I ask my colleagues to please continue to understand the importance of recognizing and funding our foster care program.

NATIONAL FOSTER CARE MONTH

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

Mr. THOMPSON of Pennsylvania. Mr. Speaker, I rise today to recognize and celebrate May as National Foster Care Month and welcome many of the foster care youth who are visiting the House of Representatives today.

This year's theme is ''Get to Know the Many Faces of Foster Care.'' The goal of this special month is to celebrate the experiences of the more than 400,000 youth in the child welfare system and raise awareness about their needs.

Mr. Speaker, the foster care system has and always will hold a special place in my heart. When I was 11 years old, my family welcomed a foster care child, Bob, into our home. Bob, throughout the years, has taught me so much and will be my brother for life.

Today I have the honor of being shadowed for the day by Nyeelah Innis of Newnan, Georgia. Nyeelah has been in foster care for 8 years, with her first foster care setting starting when she was 10 years old. Mr. Speaker, in just these few hours, Nyeelah has impressed me with her positive attitude and eagerness to learn about the legislative branch of our Federal Government. I know for certain that this young lady has a very bright future ahead, like so many other youth whom we will see through the Halls of Congress today.

□ 1230

CONGRESSIONAL FOSTER YOUTH SHADOW DAY

(Ms. BASS asked and was given permission to address the House for 1 minute.)

Ms. BASS. Mr. Speaker, I join my colleagues today in celebration of 63 foster youth and 63 bipartisan Members of Congress who are participating in the fourth annual Congressional Caucus on Foster Youth Shadow Day experience.

The goal of this event is to give foster youth the opportunity to share their unique experience with Members of Congress, as well as gain intimate insight into the legislative process.

Far too often, we legislate from a glass tower, far removed from the people and places that our laws affect. Shadow Day was created to address this very issue, empowering foster youth from across the country to come to our Nation's Capital and share their stories, while giving Members of Congress the opportunity to learn from the very young people whose lives we genuinely want to improve.

Shadowing me today is Briana, a beautiful young woman from my hometown of Los Angeles. Briana became an open case of the department of child and family services at the age of 15 due to abuse by her father. Multiple placements, neglect, and instability defined her foster care experience.

As she pursues her bachelor's degree in accounting at Dillard University in New Orleans, Briana strives to voice the real concerns of foster youth and give strength to her foster peers by moving towards change. Briana's ultimate goal is to become a foster care advocate, encouraging other youth like her to stand up for themselves in the child welfare system.

I look forward to hearing more about Briana's experience and listening to her legislative recommendations. Thank you, Briana, for your resiliency and your commitment to reforming the child welfare system.

In honor of Briana and the other 62 foster youth here on the Hill, I invite my colleagues to join the Congressional Caucus on Foster Youth.

NATIONAL FOSTER CARE MONTH

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

Mr. MARINO. Mr. Speaker, I rise today to recognize May as National Foster Care Month.

On September 30, 2012, there was an estimated 400,000 children in foster care. Sixty-five percent of foster children experience at least seven school changes while in care. Fifty percent of former foster and probation youth become homeless within the first 18 months of emancipation.

My foster shadow today is Damara. She is from Pennsylvania, and we are exchanging some great ideas about foster care.

All children deserve a safe, loving, and permanent home. Please become a foster care parent. My wife and I are foster care parents and associated with working with children throughout my life. We have provided so much for them, but equally important, they have provided so much for us.

GREEN SCHOOLS

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

Mr. ASHFORD. Mr. Speaker, I rise today to applaud several Nebraska schools for their nationally recognized roles in protecting the environment.

Two Omaha schools—the Edward ''Babe'' Gomez Heritage Elementary School and the Wilson Focus School—along with the Lincoln School District, have been named 2015 Green Ribbon Schools by the U.S. Secretary of Education, Arne Duncan.

These schools have been honored for their promising efforts to reduce negative environmental impact, ensure environmental education, promote better health, and cut utility costs.

As Secretary Duncan has noted, these schools are ''an inspiration and deserve the spotlight for embodying strong examples of innovative learning and civic engagement.''

It is clear that the honorees are powerful examples of the ways in which schools can help students cut school costs, provide healthy learning environments, and prepare for the real world ahead.

I also want to take this opportunity to honor my good and late friend, Senator Ron Raikes from Ashland, Nebraska, who with me developed the legislation for the focus schools in Nebraska. He has been and is sorely missed.

FIX OUR MENTAL HEALTH SYSTEM

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

Mr. GUINTA. Mr. Speaker, I rise today to advocate on behalf of a cause near and dear to my heart, fixing our mental health system.

As some of you may know, I have a family member with a mental illness. This has allowed me to witness firsthand where our system fails those with a mental illness and to see where the opportunities are for improvement.

As part of my effort to bring about change to New Hampshire's mental health system, I joined my colleague, Representative KUSTER, last week in hosting a mental health summit with local advocates, healthcare providers, and New Hampshire lawmakers.

These experts are essential in the fight to reform and strengthen our mental health system. It is with their feedback, perspective, and opinion that myself, Representative KUSTER, and

my colleagues in Congress can devise bipartisan solutions to fix this very important issue.

Together, we can bring about real bipartisan change for individuals and families affected by mental illness. We need to change this to a patient-centered and metrics-driven environment to ensure that Granite State patients and their families are provided with the necessary care, support, and resources they deserve.

ASIAN AMERICAN AND PACIFIC ISLANDERS HERITAGE MONTH

(Ms. TITUS asked and was given permission to address the House for 1 minute.)

Ms. TITUS. Mr. Speaker, Asian American and Pacific Islanders' achievements in art, technology, business, and education serve as a reminder that our Nation's success is built upon the foundation of diversity.

This is particularly evident in my district, which is home to the largest AAPI community in Nevada. The Las Vegas Asian Chamber of Commerce facilitated the reinvigoration of our economy after the 2008 crash.

Chinatown Plaza on Spring Mountain Road is home to one of the country's most popular Chinese New Year celebrations. There is a thriving Filipino district along Maryland Parkway. Dozens of Thai, Japanese, Korean, and Vietnamese shops, restaurants, markets, and festivals enrich our society and strengthen our economy.

As we celebrate AAPI Heritage Month, let us acknowledge the value immigrants bring to our lives and recognize how much we all stand to gain from enacting comprehensive immigration reform that honors our country's legacy as the land of opportunity.

We don't simply benefit from the myriad contributions of immigrants; we thrive and flourish because of them.

RECOGNIZING COLONEL ARTHUR JEFFREY

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

Mr. NEWHOUSE. Mr. Speaker, today, we present a Congressional Gold Medal, the highest civilian honor bestowed by Congress, to recognize the distinguished service of the American Fighter Aces.

One of the Fighter Aces being honored is Colonel Arthur Jeffrey, who was credited with shooting down 14 enemy aircraft during World War II. Colonel Jeffrey flew air cover missions during D-day. In December 1944, he was awarded the Silver Star for his ''courage, combat skills, and gallant leadership'' while thwarting an enemy mission.

Colonel Jeffrey ended his tour as commander of the 434th Fighter Squadron. His service was recognized at the time with the Distinguished Flying Cross, with one oakleaf cluster, and the Air Medal, with 16 oakleaf clusters.

Colonel Jeffrey passed away this April in Yakima, Washington, at the age of 95, regrettably before this honor was bestowed.

Please join me in honoring the memory of Colonel Arthur Jeffrey, a remarkable American, for his outstanding service defending our Nation.

HEAD START 50TH ANNIVERSARY

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

Mr. CLYBURN. Mr. Speaker, this week marks the 50th anniversary of Head Start, a wonderful success story that empowered 32 million children in America.

Unfortunately, the future of Head Start today stands in grave peril due to the misplaced priorities of the Republican budget which cuts $759 billion from nondefense discretionary funds and will result in 35,000 fewer children participating in Head Start.

House Democrats want to embrace the future by investing in early childhood education and enacting universal prekindergarten. Democrats strongly support President Obama's initiative to fully fund Head Start and expand the Early Head Start-Childcare Partnerships. Research shows that high-quality early education is a great investment in a child's life and our Nation's future.

Mr. Speaker, our children are our future. As Head Starters across the country plant rose bushes this week to commemorate President Johnson's Rose Garden launching of Head Start, this Congress must reject the misplaced priorities of the Republican budget and embrace a brighter future for our children.

HONORING WARRIORS WEEKEND

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

Mr. FARENTHOLD. Mr. Speaker, I am here today to pay tribute to our veterans and to the men and women of our Armed Forces who wake up every day, put on our Nation's uniform, and don't know if they are going to be home that evening safely with their families.

Last weekend, volunteers came together in Port O'Connor, Texas, to honor more than 900 veterans and current members of the Armed Forces for the ninth annual Warriors Weekend.

Warriors Weekend brings together military members who have been wounded during combat in the global war on terror—and not just those who are wounded physically, but also those with invisible scars, like PTSD and depression.

Mr. Speaker, many of these current and former military members are still in recovery and physical rehabilitation, but the weekend event gives them the chance to build a support network and have a great time enjoying the Texas outdoors.

Warriors Weekend was created in part by veterans who served during Vietnam. They knew all too well how it felt to return home from war and be looked down on. They wanted to make sure every member of the military is welcomed home properly, and they knew that our wounded veterans oftentimes have needs that are overlooked.

I urge Members to support Warriors Weekend again next year.

PASS A LONG-TERM PLAN TO FIX OUR NATION'S TRANSPORTATION INFRASTRUCTURE

(Mrs. CAROLYN B. MALONEY of New York asked and was given permission to address the House for 1 minute.)

Mrs. CAROLYN B. MALONEY of New York. Mr. Speaker, the House voted yesterday to approve a 2-month extension of the highway trust fund. I am pleased we were able to pass a short-term fix, but it is time to stop kicking the can down the road.

I urge my colleagues to use the next 60 days to come up with a long-term plan to invest in our Nation's transportation infrastructure, a plan that will create jobs, strengthen American competitiveness, and lay the groundwork for future economic growth.

I asked the Joint Economic Committee staff to analyze the costs of U.S. underinvestment in infrastructure, and this map tells an important part of the story.

Across the country, one in four bridges are structurally deficient or functionally obsolete. That is scary, and it is a matter of public safety. Americans are taking tens of millions of trips every day over bridges that are in need of repair.

As you can see on the map, in some States, over one-third of the bridges are failing. Here in the Nation's Capital, 70 percent of our bridges are failing. We should fix our crumbling infrastructure as a matter of public safety and as a matter of national pride.

To see how your State is doing, you can download the map and the raw data behind it from the JEC, jec.senate.gov.

I urge my colleagues to support infrastructure. It is time to move beyond a 2-month extension and, instead, work on a long-term solution to this critical and important and economic development challenge.

NATIONAL FOSTER CARE MONTH

(Ms. ROS-LEHTINEN asked and was given permission to address the House

for 1 minute and to revise and extend her remarks.)

Ms. ROS-LEHTINEN. Mr. Speaker, as we celebrate National Foster Care Month, first recognized by President Ronald Reagan in 1988, I would like to thank the dedicated foster families, social workers, and service providers for their commitment to help children.

May is also a time to shed light on the plight of nearly 400,000 children and youth who are currently in our country's foster care system, and we call for safe and nurturing environments for these vulnerable members of our society.

In an effort to give qualified adoptive and foster parents an opportunity to make a lasting difference in the lives of these children, I will be introducing bipartisan, bicameral legislation that would help ensure that more children have the opportunity to be raised in a loving and supportive home that they can call their own.

The Every Child Deserves a Family Act would ensure that prejudices plays no part in adoption and foster care placements. A parent's ability to care for a child should not be determined by any parent's sexual orientation or gender identity, but by their love.

□ 1245

PROVIDING FOR CONSIDERATION OF H.R. 2262, SPURRING PRIVATE AEROSPACE COMPETITIVENESS AND ENTREPRENEURSHIP ACT OF 2015; PROVIDING FOR CONSIDERATION OF H.R. 880, AMERICAN RESEARCH AND COMPETITIVENESS ACT OF 2015; PROVIDING FOR CONSIDERATION OF MOTIONS TO SUSPEND THE RULES; AND PROVIDING FOR PROCEEDINGS DURING THE PERIOD FROM MAY 22, 2015, THROUGH MAY 29, 2015

Mr. STIVERS. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 273 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 273

Resolved, That at any time after adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 2262) to facilitate a pro-growth environment for the developing commercial space industry by encouraging private sector investment and creating more stable and predictable regulatory conditions, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chair and ranking minority member of the Committee on Science, Space, and Technology or their respective designees. After general debate the bill shall be considered for amendment under the five-minute rule. In lieu of the amendment in the nature of a substitute recommended by the Committee on Science, Space, and Technology now printed in the bill, it shall be in order to consider as an original bill for the purpose of amendment under the five-minute rule an amendment in the nature of a substitute consisting of the text of Rules Committee Print 114-17. That amendment in the nature of a substitute shall be considered as read. All points of order against that amendment in the nature of a substitute are waived. No amendment to that amendment in the nature of a substitute shall be in order except those printed in part A of the report of the Committee on Rules accompanying this resolution. Each such amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. All points of order against such amendments are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. Any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or to the amendment in the nature of a substitute made in order as original text. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

SEC. 2. Upon adoption of this resolution it shall be in order to consider in the House the bill (H.R. 880) to amend the Internal Revenue Code of 1986 to simplify and make permanent the research credit. All points of order against consideration of the bill are waived. The amendment in the nature of a substitute recommended by the Committee on Ways and Means now printed in the bill, modified by the amendment printed in part B of the report of the Committee on Rules accompanying this resolution, shall be considered as adopted. The bill, as amended, shall be considered as read. All points of order against provisions in the bill, as amended, are waived. The previous question shall be considered as ordered on the bill, as amended, and on any further amendment thereto, to final passage without intervening motion except: (1) one hour of debate equally divided and controlled by the chair and ranking minority member of the Committee on Ways and Means; and (2) one motion to recommit with or without instructions.

SEC. 3. It shall be in order at any time on the legislative day of May 21, 2015, for the Speaker to entertain motions that the House suspend the rules as though under clause 1 of rule XV. The Speaker or his designee shall consult with the Minority Leader or her designee on the designation of any matter for consideration pursuant to this section.

SEC. 4. The Committee on Appropriations may, at any time before 5 p.m. on Wednesday, May 27, 2015, file privileged reports to accompany measures making appropriations for the fiscal year ending September 30, 2016.

SEC. 5. On any legislative day during the period from May 22, 2015, through May 29, 2015—

(a) the Journal of the proceedings of the previous day shall be considered as approved; and

(b) the Chair may at any time declare the House adjourned to meet at a date and time, within the limits of clause 4, section 5, article I of the Constitution, to be announced by the Chair in declaring the adjournment.

SEC. 6. The Speaker may appoint Members to perform the duties of the Chair for the duration of the period addressed by section 5 of this resolution as though under clause 8(a) of rule I.

The SPEAKER pro tempore. The gentleman from Ohio is recognized for 1 hour.

Mr. STIVERS. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentleman from Florida (Mr. HASTINGS), pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

GENERAL LEAVE

Mr. STIVERS. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days in which to revise and extend their remarks.

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

There was no objection.

Mr. STIVERS. Mr. Speaker, on Tuesday, the Rules Committee met and reported a rule for two bills—H.R. 2262, the SPACE Act of 2015, and H.R. 880, the American Research and Competitiveness Act of 2015. House Resolution 273 provides for a structured rule for the consideration of H.R. 2262 and a closed rule for the consideration of H.R. 880.

The resolution provides for 1 hour of debate, equally divided between the chair and the ranking minority member of the Committee on Science, Space, and Technology, for H.R. 2262, and 1 hour of debate, equally divided between the chair and ranking minority member of the Committee on Ways and Means, for H.R. 880.

The resolution also provides for the consideration of seven amendments to H.R. 2262, and it provides for a motion to recommit for each bill. In addition, the rule provides for the normal recess authorities to allow the chair to manage pro forma sessions; it provides for the Committee on Appropriations to have the opportunity to file reports during the district work period; and it provides for suspension authority for Thursday to provide flexibility on the last day prior to the district work period.

Mr. Speaker, I rise today in support of the resolution and the underlying legislation.

Both of these bills represent critical investments in science and technological innovation. On the floor this week, we have debated and passed several pieces of legislation to encourage the research and development of new technologies and ideas, moving our economy and our country forward and cementing our place in the world as the leader in scientific discovery.

These discoveries and the research they require will promote and create high-tech, high-paying jobs that can have untold benefits to our economy, benefiting all Americans. The rule and the underlying legislation we have under consideration today continues that objective, and I look forward to discussing these critical issues with our colleagues here in the House.

H.R. 2262, the SPACE Act of 2015, is a package of four bills that will update the Commercial Space Launch Act. H.R. 2262, the SPACE Act, as introduced by the majority leader, the gentleman from California (Mr. MCCARTHY), will facilitate a progrowth environment for the commercial space industry by encouraging private sector investment and by creating a more stable and predictable regulatory environment.

H.R. 1508, the Space Resource Exploration and Utilization Act, introduced by the gentleman from Florida (Mr. POSEY), will promote the development of a United States commercial space resource exploration and utilization industry, and it will increase the exploration and utilization of resources in outer space.

H.R. 2261, the Commercial Remote Sensing Act, introduced by the gentleman from Oklahoma (Mr. BRIDENSTINE), will facilitate the continued development of the commercial remote sensing industry and protect our national security.

Finally, H.R. 2263, the Office of Space Commerce Act, proposed by the gentleman from California (Mr. ROHRABACHER), will rename the Office of Space Commercialization to the Office of Space Commerce, and it will seek to foster the conditions for the economic and technological growth of the United States space commerce industry.

This package of bills will ensure American leadership in space by fostering a strong and vibrant commercial space industry. Without this legislation, the commercial space industry may face a myriad of regulatory hurdles that would threaten America's continued exceptionalism in space exploration.

The other underlying bill in this rule, H.R. 880, addresses the research and development tax credit. In 1981, President Reagan signed into law a critical research and development tax credit, but Washington has let it expire and then has renewed it over a dozen times since then.

As we discussed last month as to our tax credits, Mr. Speaker, the R&D tax credit was included in the package of retroactive bills and extenders that was signed by the President on December 19 of last year, providing just 7 business days of certainty for businesses seeking to utilize this provision of our Tax Code. It, along with all of the others that expired again on December 31 of last year, currently remain expired. The temporary nature of the now expired research credit limits its effectiveness, which prevents some businesses from having certainty on long-term investments in U.S.-based research and development.

More research and development means more innovation, greater economic growth, and more American jobs. In 2012, American companies invested $302 billion in research and development. As of 2011, 1.47 million Americans worked directly in research and development. Increased certainty, combined with the simplification of our Tax Code, would lead to more research and more American jobs.

Investment in research and development is the key to America remaining the world's leader in innovation. The percentage of patents awarded by the U.S. Patent Office has increased each year, but the share awarded to U.S. innovators has declined. In the year 2000, 54 percent of the patents awarded were of American origin. By 2014, the number fell to 48 percent. From 2001 to 2011, America's share of global research and development declined from 37 percent to just 30 percent.

By making the research credit permanent, researchers can stop worrying about whether Congress is going to extend the tax credit and can, instead, focus on new discoveries that will help fuel our economy and grow jobs.

I look forward to debating these bills with our House colleagues, and I urge support for the rule and the underlying legislation.

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

Mr. HASTINGS. Mr. Speaker, I yield myself such time as I may consume, and I thank the gentleman from Ohio for yielding me the customary 30 minutes for debate.

I rise today in opposition to the rule and the underlying bills.

Before I proceed, I did not speak during the 1 minutes, and I want to also take cognizance of this being the 50th anniversary of Head Start and, additionally, this month of May as being Foster Care Month. Like many Members, I have a young person who has a more than compelling story about foster care—Ke'Onda Johnson from Royal Palm, Florida—who is shadowing me today, and I am delighted that she and other youngsters have this opportunity.

Mr. Speaker, this rule provides for the consideration of H.R. 880, the American Research and Competitiveness Act of 2015, and H.R. 2262, the SPACE Act of 2015—two separate bills, wholly unrelated in content and purpose.

As a first order of business, I believe it is critical that I take a moment to highlight the manner in which we are debating this rule today. The deliberation of multiple, unrelated bills under a single rule is a disturbing trend that has ballooned under Republican leadership and is one that threatens the very foundation of the democratic process. Forcing several pieces of legislation into a single rule not only prevents Members of this Chamber from making informed judgments about the proper floor procedure for each measure, but it also leads to disjointed and often perplexing debates about an assortment of unconnected issues.

□ 1300

Votes on the House floor should reflect where Members stand on the specific questions at issue, not on a set of complex and unrelated procedures, some of which they support and others which they oppose.

Indeed, just yesterday, the House considered H. Res. 271, a rule providing for consideration of three measures: the Highway and Transportation Funding Act, the Legislative Branch Appropriations Act, and the America COMPETES Reauthorization bill.

The debate on that rule vacillated from surface transportation projects, to funding for the legislative branch, to the prioritization of science research development. Such debate erodes the integrity of House proceedings by creating confusing alternations in subject matter that eliminate the ability to reinforce a line of reasoning or respond to opposing arguments.

The grab-bag approach has skyrocketed since Republicans assumed control of the House in 2011, with a record 49 grab-bag rules reported out during the 113th Congress. Even more disheartening, we are on schedule to shatter this record during the 114th Congress, having already approved an unconscionable 14 of these rules in less than 5 months.

In fairness, the chairman of the Committee on Rules did say, in response to one of my colleagues and myself the day before, that this practice is not likely to continue at its present pace, and I await the opportunity for him to fulfill his view with reference to that matter.

Mr. Speaker, I stand before you today for consideration of yet another grab-bag rule governing two bills of significant importance that, as a result of this rule, will undoubtedly escape the due consideration each deserves.

H.R. 880, the American Research and Competitiveness Act of 2015, would make permanent a tax credit for qualified research expenses that expired at the end of last year. It is my strong belief that Democrats and Republicans, alike, support a tax credit that will help facilitate innovation and foster advancements in research, enabling American companies to grow and prosper. Technological innovation stemming from research and development serves as an important engine to our Nation's economic growth.

My opposition to this piece of legislation, therefore, comes in first part

from my Republican colleagues' decision to make this tax credit permanent in what I view as a fiscally irresponsible way.

Mr. Speaker, my Republican friends have long touted themselves as the party of fiscal responsibility. For this reason, I find it a bit insincere that they now seek to implement a tax credit with no offsets for lost revenue. As a result, the Joint Committee on Taxation estimates that this bill would add almost $182 billion to the deficit over the next 10 years. I have stated time and time again that we cannot continue to provide tax cuts and credits without a mechanism to pay for them. It is comical to me that my Republican friends claim to be the party of fiscal responsibility while they, in the same breath, advocate a measure that would add nearly $200 billion to the Federal deficit.

In addition to this legislation's reckless budgetary impact, I disagree with the piecemeal approach the majority has taken in making these tax credits permanent. More than 50 tax provisions expired at the end of last year, many of them critical to the middle and working class and, yes, poor families. And yet, instead of addressing the issues facing our Tax Code in a comprehensive, bipartisan way, the majority has decided to leave certain tax credits—ones that would directly improve the lives of hard-working American families, such as the work opportunity tax credit, the new markets tax credit, and renewable energy tax credit—to an uncertain fate.

The American people expect, and I am sure that they deserve, a Tax Code that supports our shared priorities. Cherry-picking tax credits to extend, and then allowing those credits to dramatically increase the deficit, is, in my view, a step in the wrong direction. It is an unacceptable step away from bipartisan, comprehensive tax reform.

I agree, as most of my colleagues likely do as well, that the research tax credit is critical for American innovation. That is why I am truly disappointed, although not surprised, that my Republican friends have again chosen to place partisan politicking above the needs of our constituents.

This rule also provides for consideration of the SPACE Act of 2015, another piece of once bipartisan legislation that has been distorted into an unrecognizable measure that panders to industry giants without regard for the safety of the American public or of spaceflight passengers.

While the enticement of space travel hovers over the objectives of this legislation, we must address the reality of what this bill seeks to accomplish. First, this bill reads like a laundry list of commercial space launch industry requests, exempting it from needed safety regulations and providing essentially complete immunity for civil lawsuits by removing claims related to commercial space launches from State court and mandating that they be heard in Federal Court, where few appropriate legal remedies exist. In practice, this measure will immunize commercial space companies from legal liability, even in cases of recklessness or intentional misconduct.

Also troubling, this bill provides tremendous subsidies for insurance coverage—and that is kind of interesting—to protect wealthy recreational spacecraft passengers. Why on earth, and there is no pun intended here, are we spending taxpayer dollars on individuals wealthy enough to travel into space for sport?

While it is uncontested that the issues these bills seek to address are important, the partisan way in which they have been presented prevents a robust deliberation, and I therefore oppose both the rule and the underlying bills.

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

Mr. STIVERS. Mr. Speaker, I would like to respond to some of the comments of the gentleman from Florida and remind him that each bill will be separately debated and that, obviously, this combined rule is a floor time management technique that the chairman of the Committee on Rules yesterday said was an aberration. I take him at his word; and I think it is important to note that, during Democratic majorities, this was certainly not an unheard-of practice, either.

I do want to make sure that I reiterate that every bill will be separately debated; and I would remind the gentleman that, during the time we have to debate the rule, if we actually stick to the topics related to the bills and the rules, it will help us manage our floor time even better.

With that, I yield 5 minutes to the gentleman from Florida (Mr. POSEY).

Mr. POSEY. I thank the gentleman from Ohio for yielding.

Mr. Speaker, I rise today in support of the rule and the underlying legislation.

Despite some of the comments we have heard from across the aisle this morning, I remember my first 2 years, my first term here, and not one time was I allowed to even file a single amendment to a single bill here. All the rules were closed, and it was run like a king would run a kingdom, not a democratic republic. Here, today, I think the other side has already filed seven amendments on one of these bills. That is seven times more than I ever got to dream about filing when you ran this place.

Another great thing about this bill, you actually get to read it before we pass it. We have done all our bills like that since we have taken control. You actually get to read the bills before they are passed. When you all were in the majority, we had to pass them before you read them. I think you remember the famous quote.

You refer to this as a grab bag. The only grab bag I see here is the litany of totally unrelated subjects rattled off, as if they somehow related to this bill. I mean, that doesn't pass the straight face test.

Now to the bill. I would like to thank the majority leader, KEVIN MCCARTHY, and Chairman LAMAR SMITH for their hard work on the SPACE Act. The SPACE Act will help ensure American leadership in space, facilitating the growth and stability of the commercial space industry. This is an important, historic, and exciting piece of legislation.

This legislation includes many important provisions to update our laws and the oversight of the commercial space industry, including title 2 of the Space Resource Exploration and Utilization Act—historic, bipartisan, bicameral legislation introduced with my colleague from the State of Washington, DEREK KILMER.

I appreciate the support H.R. 1508, incorporated herein, has received from many members of the Committee on Science, Space, and Technology and the thorough work and research of Senators PATTY MURRAY and MARCO RUBIO, who introduced identical legislation in the United States Senate.

The SPACE Act also includes a provision which would streamline regulations and encourage cooperation between government agencies' commercial space activities to eliminate red tape and bureaucracy that are impeding development of America's commercial space industry.

The Federal Aviation Administration, the Department of Defense, the National Aeronautics and Space Administration, and other agencies are all involved in overseeing many commercial space launches, and sometimes there are duplicative measures that could be streamlined, cutting costs to both the Federal Government and commercial companies and making the United States companies more competitive in the global marketplace.

Let me add that this bill includes a provision requiring the FAA to provide direction for space support vehicles, also known as experimental aircraft. Unfortunately, for too long, the FAA has held off providing direction by means of a regulatory framework for these endeavors to safely support the United States commercial space endeavors. In Florida, there is such an entity, approved by NASA and operating out of the Kennedy Space Center, which the FAA grounded because they use experimental aircraft. This is a testament that FAA needs serious reform and needs to be brought into the 21st century.

In short, the SPACE Act is a critical piece of legislation to the future of our

commercial space industry, and it is important to our space exploration efforts as well.

I thank my colleagues again for their work on the SPACE Act and urge all Members to support the rule today and passage of this important legislation.

The SPEAKER pro tempore (Mr. MARCHANT). Members are reminded to direct their remarks to the Chair and not to other Members in the second person.

Mr. HASTINGS. Mr. Speaker, I yield 3 minutes to the distinguished gentleman from Michigan (Mr. LEVIN), who is the ranking member on the Committee on Ways and Means and a good friend of mine.

Mr. LEVIN. I thank Mr. HASTINGS for yielding me the time.

Mr. Speaker, this debate is not about support for the R&D credit. Democrats have a long track record of supporting the R&D tax credit. Indeed, I have often been the author of legislation to strengthen it.

This debate, purely and simply, is about fiscal responsibility, about taking one tax provision and making it permanent without paying one dime for it.

When former Chairman Camp unveiled a tax reform proposal last year, he undertook a comprehensive consideration of the more than 50 tax provisions that expired at the end of last year, but in a fiscally responsible manner.

□ 1315

This bill does just the opposite. It continues a helter-skelter approach toward tax extenders, without any regard whatsoever for paying the hundreds of billions of dollars they cost to make them permanent.

Last year, Ways and Means Republicans passed 14 permanent extensions at a cost of $825 billion. They went nowhere because the President has made clear his opposition to this approach.

With this bill, this year's price tag has reached $586.3 billion. It is particularly glaring that the majority is passing unpaid-for tax cuts the very same week that they once again put off a long-term extension of highway funding because they are unable to find a revenue stream.

There is no lack of support for the R&D credit among us Democrats. It is the approach Republicans are taking that we oppose and strongly so. It is fiscally irresponsible indeed, and it would leave behind vital provisions that help hard-working American families, like the expansion of the earned income tax credit, the child tax credit, and the American opportunity tax credit.

We stand ready to work with the majority on tax reform and on a long-term extension of highway funding. Today's R&D bill is tax reform in reverse. It makes talk of fiscal responsibility hypocrisy and creates another big financial pothole standing in the way of long-term highway funding.

Vote ''no'' on this rule, and vote ''no'' on the bill relating to R&D tax credits.

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

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

Mr. Speaker, in closing, I stand steadfastly against not only the way in which we have been conducting business with regard to the way we report out rules, but also to both underlying bills for their partisan posturing and failure to address the important issues facing the middle class in this country.

We cannot continue to provide tax credits without establishing a revenue offset, enact tax policies that favor a partisan agenda and push us further away from needed comprehensive tax reform, or offer legislative gifts to industry giants at the expense of the American public.

Mr. Speaker, Memorial Day is next Monday. If we defeat the previous question, I am going to offer an amendment to the rule to bring up Representative BROWNLEY's Help Hire Our Heroes Act, H.R. 607.

H.R. 607 would reauthorize the Veterans Retraining Assistance Program, which expired in March 2014. That program paid for veterans to get training for high-demand occupations, and during its 3 years in existence, it helped more than 76,000 veterans.

Mr. Speaker, I ask unanimous consent to insert the text of the amendment in the RECORD, along with extraneous material, immediately prior to the vote on the previous question.

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

There was no objection.

Mr. HASTINGS. Mr. Speaker, I urge my colleagues to vote ''no'' and defeat the previous question; vote ''no'' on the underlying bills.

I yield back the balance of my time.

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

I appreciate the remarks of the gentleman from Florida, but I would like to respond to a few of the comments.

The R&D tax credit has been overwhelmingly supported for the last 16 extensions, the last time garnering 378 votes. Only 46 Members voted against the R&D tax credit.

The R&D tax credit will be passed again. In fact, the gentleman from Michigan admitted, Mr. Speaker, that the vast majority of Democrats will vote to extend the R&D tax credit. In fact, they will do it every year for the next 10 years, like they have the last few years. When it is done every year, they don't insist it is paid for.

If you will do it for 10 years in a row without paying for it—the entire budget window—why don't we just all create some certainty for our businesses so we can invest in high-tech jobs and growing our economy, Mr. Speaker?

Let's create certainty for the American people. Let's pass the bill. Let's pass the rule. Let's pass the previous question.

I think, unfortunately, the arguments from the gentleman from Florida, Mr. Speaker, really encourage cliff politics—high-stakes, expiring legislation that the American people don't want. The American people want us to create certainty. They want us to support jobs. They want us to support our technological innovation in this country, Mr. Speaker.

I would urge my colleagues to support the rule and support the underlying bills, Mr. Speaker.

Mr. SMITH of Texas. Mr. Speaker, I support the Rule on H.R. 2262, the Spurring Private Aerospace Competitiveness and Entrepreneurship Act of 2015 (the SPACE Act of 2015). And I thank Majority Leader MCCARTHY for sponsoring this important legislation. The space community is well served having Leader MCCARTHY as a champion.

This bill is the product of over three years of work. Congress solicited input from nearly every stakeholder group. That is reflected in the broad support that this bill has received.

From industry, to education groups, to grassroots citizen advocacy groups, this bill has been praised by virtually every interested party.

The process to getting here was inclusive and exhaustive. The Science, Space, and Technology Committee held numerous hearings on the topic over the last three years.

On November 19, 2013, the Committee held a hearing on the commercial space industry. On February 14, 2014, the Committee held a hearing on updates to the Commercial Space Launch Act. On April 29, 2014, the Committee held a hearing on the Federal Aviation Administration's (FAA) space traffic management proposal and orbital debris. On February 27, 2015, the Committee held a hearing on the Commercial Crew program.

Last October, staff formally submitted a draft to the minority. Within the last two months, the majority and minority have worked to write many of the provisions in the underlying bill.

For instance, Section 101, which deals with Consensus Standards, is the result of bipartisan negotiations. The same can be said for Section 102, which calls for an update to the maximum probable loss calculation under indemnification.

Section 103, which pertains to Launch Vehicle Flexibility, is identical to the bipartisan provision sponsored by Senators HEINRICH and RUBIO that easily passed the Senate Commerce Committee last year by voice vote.

Section 104 clarifies the role of Government Astronauts and is almost identical to the provision requested by the FAA and NASA.

The minority also played a role in writing Section 108 on Orbital Traffic Management. Section 109 on State Commercial Spaceports also addressed bipartisan requests.

Section 111 on the Streamlining of Commercial Space Launch Activities is similar to language already in the Senate's bill, and Section 112 was the result of an amendment in Committee that earned bipartisan support.

Title 2 of the bill focuses on Space Resource Exploration and Utilization. As a standalone bill, it was the subject of a hearing last September and it is cosponsored by both Republicans and Democrats. It even has a Democratic champion on the Senate side, Senator MURRAY.

Title 3 of the bill addresses Commercial Remote Sensing and also benefits from bipartisan co-sponsorship. When it was marked up in Committee last week, it enjoyed unanimous support. The same can be said of Title 4 of the bill that pertains to the Office of Space Commerce.

At the Committee's recent markup, eight amendments to the provisions we are considering today were adopted—three of which were amendments offered by Democrats.

The Rule before us today allows for consideration of five Democratic amendments and two Republican amendments. The majority has gone out of its way to include the minority in this process.

In fact, the Administration said in a statement that it, ''does not oppose House passage of the bill''—a rarity for bills considered under a Rule.

This bill facilitates a pro-growth environment for the developing commercial space industry by encouraging private sector investment, creating more stable and predictable regulatory conditions, and improving safety.

The Act ensures American leadership in space and fosters the development of advanced technologies. I urge my colleagues to support this Rule as well as the underlying bill, and I thank the Majority Leader once again for his initiative on this legislation.

Ms. JACKSON LEE. Mr. Speaker, I rise to speak on the rule for H.R. 2262, the SPACE Act of 2015.

Article 1 Section 8 of the United States Constitution states that ''The Congress shall have Power to promote the Progress of Science and useful Arts, by securing for limited Times to Authors and Inventors the exclusive Right to their respective Writings and Discoveries . . .''

It does not say that the Congress shall have the right to ignore.

The United States space program has existed for over half a century and my commitment to providing NASA with the resources to carry the agency forward with its ambitious agenda of research, exploration, and discovery is unwavering.

NASA continues to push the boundaries of what is possible, keeping our Nation on the forefront of innovation and exploration.

It is the responsibility of this Congress to ensure that the future of space exploration remains a part of our national destiny.

It inspires our children to look to the stars and dream of what they too, one day, may achieve.

The Jackson Lee Amendments made in order by the Rules Committee are intended to improve the Space Act.

My amendments are simple and will improve the bill.

1. Jackson Lee Amendments to H.R. 2262

This Jackson Lee Amendment Number 8, would facilitate the participation of HBCU, Hispanic Serving Institutions, National Indian institutions, in fellowships, work-study and employment opportunities in the emerging commercial space industry.

My amendment would increase awareness among underrepresented groups in STEM employment and education opportunities in the commercial space industry.

One of the most enduring difficulties faced by underrepresented populations in the STEM field is a lack of awareness and understanding of the connection between STEM and employment opportunities.

In 2012, a survey found that despite the nation's growing demand for more workers in science, technology, engineering, and math, the skills gap among the largest ethnic and racial minorities groups remains stubbornly wide.

Blacks and Latinos account for only 7 percent, of the STEM workforce despite representing 28 percent of the U.S. population.

2. Jackson Lee Amendment on Minority and Women Owned Businesses

The Jackson Lee Amendment requires that provisions of the bill that address future legislation also lay the foundation for the commercial space industry include work on how to effectively conduct outreach to small business concerns owned and controlled by women and minorities.

I have worked hard to help small business owners to fully realize their potential.

That is why I support entrepreneurial development programs, including the Small Business Development Center and Women's Business Center programs.

These initiatives provide counseling in a variety of critical areas, including business plan development, finance, and marketing.

Outreach is key to developing healthy and diverse small businesses.

There are approximately 6 million minority owned businesses in the United States, representing a significant aspect of our economy.

According to the most recent available Census data, minority owned businesses employ nearly 6 million Americans and generate $1 trillion dollars in economic output.

Women owned businesses have increased 20% between 2002 and 2007, and currently total close to 8 million.

My home city of Houston, Texas, the home of the Johnson Space Center, is also home to more than 60,000 women owned businesses, and more than 60,000 African American owned businesses.

Final Jackson Lee Amendment Seeks Funding To Continue Space Exploration R&D

The taxpayer has invested in space exploration for decades.

This investment is reaping benefits for the commercial space industry today.

3. The Jackson Lee Amendment not included in the Rule would have provided revenue for research and development work to continue on challenges that hinder manned and unmanned space flight.

Many of the startup companies entering the space industry have few resources to dedicate to basic research.

There are still critical areas of research that must be done to make space flight as safe as commercial transportation systems are today.

Although commercial transportation is not 100 percent without risk, it is much safer than it would have been without dedicated and focused basic and applied research to address safety issues.

While the government supports the aspirations of companies large and small to become part of the commercial space industry, it should still be the responsibility of NASA to pursue research that can save lives and improve space travel.

If the future we envision is one where thousands of businesses will benefit from commercial and government space exploration and investment efforts then investing today in tomorrow's economy makes good sense.

Although I believe the Jackson Lee Amendments will improve the Bill, there exist troubling aspects of the bill:

First, it is regrettable that the SPACE Act will restrict the ''learning period'' of the Federal Aviation Administration (FAA) regulation of spacecraft.

This learning period should be extended for a shorter period than the ten-year extension through 2025 included in the bill.

Second, a voluntary industry consensus standard would provide a strategy that improves the overall safety of the industry as opposed to performance-based regulations.

Finally, I have concerns about the ability of U.S. companies to move forward with innovative space initiatives without authority to ensure continuing supervision of these initiatives as delineated in the Outer Space Treaty.

Thus, I hope we can all work together in addressing these troubling aspects of the bill.

I ask my colleagues to vote for the Jackson Lee Amendments.

The material previously referred to by Mr. HASTINGS is as follows:

AN AMENDMENT TO H. RES. 273 OFFERED BY MR. HASTINGS OF FLORIDA

At the end of the resolution, add the following new sections:

SEC. 7. Immediately upon adoption of this resolution the Speaker shall, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 607) to amend the VOW to Hire Heroes Act of 2011 to extend the Veterans Retraining Assistant Program, and for other purposes. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chair and ranking minority member of the Committee on Veterans' Affairs. After general debate the bill shall be considered for amendment under the five-minute rule. All points of order against provisions in the bill are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions. If the Committee of the Whole rises and reports that it has come to no resolution on the bill, then on the next legislative day the House shall, immediately after the third daily order of business under clause 1 of rule XIV, resolve into the Committee of the Whole for further consideration of the bill.

Sec. 8. Clause 1(c) of rule XIX shall not apply to the consideration of H.R. 607.

THE VOTE ON THE PREVIOUS QUESTION: WHAT IT REALLY MEANS

This vote, the vote on whether to order the previous question on a special rule, is not

merely a procedural vote. A vote against ordering the previous question is a vote against the Republican majority agenda and a vote to allow the Democratic minority to offer an alternative plan. It is a vote about what the House should be debating.

Mr. Clarence Cannon's Precedents of the House of Representatives (VI, 308–311), describes the vote on the previous question on the rule as ''a motion to direct or control the consideration of the subject before the House being made by the Member in charge.'' To defeat the previous question is to give the opposition a chance to decide the subject before the House. Cannon cites the Speaker's ruling of January 13, 1920, to the effect that ''the refusal of the House to sustain the demand for the previous question passes the control of the resolution to the opposition'' in order to offer an amendment. On March 15, 1909, a member of the majority party offered a rule resolution. The House defeated the previous question and a member of the opposition rose to a parliamentary inquiry, asking who was entitled to recognition. Speaker Joseph G. Cannon (R-Illinois) said: ''The previous question having been refused, the gentleman from New York, Mr. Fitzgerald, who had asked the gentleman to yield to him for an amendment, is entitled to the first recognition.''

The Republican majority may say ''the vote on the previous question is simply a vote on whether to proceed to an immediate vote on adopting the resolution . . . [and] has no substantive legislative or policy implications whatsoever.'' But that is not what they have always said. Listen to the Republican Leadership Manual on the Legislative Process in the United States House of Representatives, (6th edition, page 135). Here's how the Republicans describe the previous question vote in their own manual: ''Although it is generally not possible to amend the rule because the majority Member controlling the time will not yield for the purpose of offering an amendment, the same result may be achieved by voting down the previous question on the rule. . . When the motion for the previous question is defeated, control of the time passes to the Member who led the opposition to ordering the previous question. That Member, because he then controls the time, may offer an amendment to the rule, or yield for the purpose of amendment.''

In Deschler's Procedure in the U.S. House of Representatives, the subchapter titled ''Amending Special Rules'' states: ''a refusal to order the previous question on such a rule [a special rule reported from the Committee on Rules] opens the resolution to amendment and further debate.'' (Chapter 21, section 21.2) Section 21.3 continues: ''Upon rejection of the motion for the previous question on a resolution reported from the Committee on Rules, control shifts to the Member leading the opposition to the previous question, who may offer a proper amendment or motion and who controls the time for debate thereon.''

Clearly, the vote on the previous question on a rule does have substantive policy implications. It is one of the only available tools for those who oppose the Republican majority's agenda and allows those with alternative views the opportunity to offer an alternative plan.

Mr. STIVERS. Mr. Speaker, I yield back the balance of my time, and I move the previous question on the resolution.

The SPEAKER pro tempore. The question is on ordering the previous question.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

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

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 9 of rule XX, the Chair will reduce to 5 minutes the minimum time for any electronic vote on the question of adoption of the resolution.

The vote was taken by electronic device, and there were—yeas 241, nays 183, not voting 8, as follows:

[Roll No. 250]

YEAS—241

Abraham
Aderholt
Allen
Amash
Amodei
Babin
Barletta
Barr
Barton
Benishek
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Bost
Boustany
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Bucshon
Burgess
Byrne
Calvert
Carter (GA)
Carter (TX)
Chabot
Clawson (FL)
Coffman
Cole
Collins (GA)
Collins (NY)
Comstock
Conaway
Cook
Costello (PA)
Cramer
Crawford
Crenshaw
Culberson
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Dold
Duffy
Duncan (SC)
Duncan (TN)
Ellmers (NC)
Emmer (MN)
Farenthold
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Garrett
Gibbs
Gibson
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Griffith
Grothman
Guinta
Guthrie
Hanna
Hardy
Harper
Harris
Hartzler
Heck (NV)
Hensarling
Herrera Beutler
Hice, Jody B.
Hill
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (OH)
Johnson, Sam
Jolly
Jones
Jordan
Joyce
Katko
Kelly (PA)
King (IA)
King (NY)
Kinzinger (IL)
Kline
Knight
Labrador
LaMalfa
Lamborn
Lance
Latta
LoBiondo
Long
Loudermilk
Love
Lucas
Luetkemeyer
Lummis
MacArthur
Marchant
Marino
Massie
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris Rodgers
McSally
Meadows
Meehan
Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Newhouse
Noem
Nugent
Nunes
Olson
Palazzo
Palmer
Paulsen
Pearce
Perry
Pittenger
Pitts
Poe (TX)
Poliquin
Pompeo
Posey
Price, Tom
Ratcliffe
Reed
Reichert
Renacci
Ribble
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney (FL)
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Royce
Russell
Ryan (WI)
Salmon
Sanford
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Stefanik
Stewart
Stivers
Stutzman
Thompson (PA)
Thornberry
Tiberi
Tipton
Trott
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Westmoreland
Whitfield
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

NAYS—183

Adams
Aguilar
Ashford
Bass
Beatty
Becerra
Bera
Beyer
Bishop (GA)
Blumenauer
Bonamici
Boyle, Brendan F.
Brady (PA)
Brown (FL)
Brownley (CA)
Bustos
Butterfield
Capuano
Cárdenas
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly
Conyers
Cooper
Costa
Courtney
Crowley
Cuellar
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
DeSaulnier
Deutch
Dingell
Doggett
Doyle, Michael F.
Duckworth
Edwards
Ellison
Engel
Eshoo
Esty
Farr
Fattah
Foster
Fudge
Gabbard
Gallego
Garamendi
Graham
Grayson
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hahn
Hastings
Heck (WA)
Higgins
Himes
Hinojosa
Honda
Hoyer
Huffman
Israel
Jackson Lee
Jeffries
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kelly (IL)
Kennedy
Kildee
Kilmer
Kind
Kirkpatrick
Kuster
Langevin
Larson (CT)
Lawrence
Lee
Levin
Lewis
Lieu, Ted
Lipinski
Loebsack
Lofgren
Lowenthal
Lowey
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
Maloney, Carolyn
Maloney, Sean
Matsui
McCollum
McDermott
McGovern
McNerney
Meeks
Meng
Moore
Moulton
Murphy (FL)
Nadler
Napolitano
Neal
Nolan
Norcross
O'Rourke
Pallone
Pascrell
Payne
Pelosi
Perlmutter
Peters
Peterson
Pingree
Pocan
Polis
Price (NC)
Quigley
Rangel
Rice (NY)
Richmond
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Sherman
Sinema
Sires
Slaughter
Smith (WA)
Speier
Swalwell (CA)
Takai
Takano
Thompson (CA)
Thompson (MS)
Titus
Tonko
Torres
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Waters, Maxine
Watson Coleman
Welch
Wilson (FL)
Yarmuth

NOT VOTING—8

Capps
Chaffetz
Curbelo (FL)
Donovan
Frankel (FL)
Larsen (WA)
Tsongas
Wasserman Schultz

□ 1349

Messrs. BEN RAY LUJÁN of New Mexico, TAKAI, and RUSH changed their vote from ''yea'' to ''nay.''

So the previous question was ordered.

The result of the vote was announced as above recorded.

Stated against:

Ms. FRANKEL of Florida. Mr. Speaker, on rollcall vote 250, I was not present because I was unavoidably detained. Had I been present, I would have voted "nay."

(By unanimous consent, Mr. BRADY of Pennsylvania was allowed to speak out of order.)

MOMENT OF SILENCE FOR THOSE LOST IN THE PHILADELPHIA TRAIN DERAILMENT

Mr. BRADY of Pennsylvania. Mr. Speaker, on Tuesday, May 12, we had a horrific train derailment crash in the city of Philadelphia. So first off, our thoughts and prayers are with the eight men and women who lost their lives and the over 200 who were injured.

I have never been more proud of the men and women who live and work in the city of Philadelphia, the city of brotherly love and sisterly affection. We had this major catastrophe at 9:15 at night. Within 4 minutes, our first responders—our police, our fire, Police Commissioner Ramsey, Fire Commissioner Sawyer—were on the scene.

The scene was in total darkness, and we had volunteers from the neighborhood who even joined in. Imagine, total darkness. The only light was flashlights flashing back and forth.

I stand here as proud as I could be of the mayor of the city of Philadelphia, Michael Nutter, who, from Tuesday until Sunday, was on that scene constantly, orchestrating the administration people, moving them around, consoling families, making sure that all were accounted for, and even making sure that their belongings were given back to them.

I can't be more proud of our hospitals and our universities. Universities opened their doors for loved ones to come. And our hospitals, the doctors, nurses, all the men and women who worked there—there were doctors who worked 30 hours and went back home and couldn't sleep and came back to work another 12 hours.

But most importantly, two things really struck me. Temple University Hospital in the city of Philadelphia had a lot of the injured people admitted to their hospital. The students who go to Temple University heard about it, jumped on their bicycles, and rode down to assist all those in the hospital, whether it be by pushing a gurney or whether it would be consoling a family member or putting a family member with a loved one.

And the neighbors, the neighbors ran out—again, in total darkness. There were 200 people-plus injured. Neighbors ran through, helping out through all the soot, picking them up, pulling them out of the trains, bringing them into their house, bringing out water, going to a local store and buying water, bringing towels, wiping them down.

One person said:

I am sorry I am in your home. I am full of soot, and I am dirtying your rug and your couch.

And in response, the lady said:

That is okay. We can buy more couches, and we can buy more things, more whatever we need to buy. But you can't buy your health back. So we want to be here to be able to help you in the best way we can.

I am honored to be standing here with my colleagues from Pennsylvania and some others from throughout the country. Some lost a loved one.

I am extremely proud to recognize Chairman JEFF DENHAM and Ranking Member MIKE CAPUANO, who assisted me and toured the site with me. I appreciate their concern, and I appreciate them being there.

So, Mr. Speaker, the best way we can honor these men and women is to make sure this accident never again happens in the United States of America.

With that, I ask for a moment of silence.

The SPEAKER pro tempore. Without objection, 5-minute voting will continue.

There was no objection.

The SPEAKER pro tempore. The question is on the resolution.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

RECORDED VOTE

Mr. HASTINGS. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This is a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 240, noes 185, not voting 7, as follows:

[Roll No. 251]

AYES—240

Abraham
Aderholt
Allen
Amodei
Babin
Barletta
Barr
Barton
Benishek
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Bost
Boustany
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Bucshon
Burgess
Byrne
Calvert
Carter (GA)
Carter (TX)
Chabot
Clawson (FL)
Coffman
Cole
Collins (GA)
Collins (NY)
Comstock
Conaway
Cook
Costello (PA)
Cramer
Crawford
Crenshaw
Culberson
Curbelo (FL)
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Dold
Duffy
Duncan (SC)
Duncan (TN)
Ellmers (NC)
Emmer (MN)
Farenthold
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Garrett
Gibbs
Gibson
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Griffith
Grothman
Guinta
Guthrie
Hanna
Hardy
Harper
Harris
Hartzler
Heck (NV)
Hensarling
Herrera Beutler
Hice, Jody B.
Hill
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (OH)
Johnson, Sam
Jolly
Jordan
Joyce
Katko
Kelly (PA)
King (IA)
King (NY)
Kinzinger (IL)
Kline
Knight
Kuster
Labrador
LaMalfa
Lamborn
Lance
Latta
LoBiondo
Long
Loudermilk
Love
Lucas
Luetkemeyer
Lummis
MacArthur
Marchant
Marino
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris Rodgers
McSally
Meadows
Meehan
Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Newhouse
Noem
Nugent
Nunes
Olson
Palazzo
Palmer
Paulsen
Pearce
Perry
Pittenger
Pitts
Poe (TX)
Poliquin
Pompeo
Posey
Price, Tom
Ratcliffe
Reed
Reichert
Renacci
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney (FL)
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Royce
Russell
Ryan (WI)
Salmon
Sanford
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Sinema
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Stefanik
Stewart
Stivers
Stutzman
Thompson (PA)
Thornberry
Tiberi
Tipton
Trott
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Westmoreland
Whitfield
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

NOES—185

Adams
Aguilar
Amash
Ashford
Bass
Beatty
Becerra
Bera
Beyer
Bishop (GA)
Blumenauer
Bonamici
Boyle, Brendan F.
Brady (PA)
Brown (FL)
Brownley (CA)
Bustos
Butterfield
Capuano
Cárdenas
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly
Conyers
Cooper
Costa
Courtney
Crowley
Cuellar
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
DeSaulnier
Dingell
Doggett
Doyle, Michael F.
Duckworth
Edwards
Ellison
Engel
Eshoo
Esty
Farr
Fattah
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Graham
Grayson
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hahn
Heck (WA)
Higgins
Himes
Hinojosa
Honda
Hoyer
Huffman
Israel
Jackson Lee
Jeffries
Johnson (GA)
Johnson, E. B.
Jones
Kaptur
Keating
Kelly (IL)
Kennedy
Kildee
Kilmer
Kind
Kirkpatrick
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lee
Levin
Lewis
Lieu, Ted
Lipinski
Loebsack
Lofgren
Lowenthal
Lowey
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
Maloney, Carolyn
Maloney, Sean
Massie
Matsui
McCollum
McDermott
McGovern
McNerney
Meeks
Meng
Moore
Moulton
Murphy (FL)
Nadler
Napolitano
Neal
Nolan
Norcross
O'Rourke
Pallone
Pascrell
Payne
Pelosi
Perlmutter
Peters
Peterson
Pingree
Pocan
Polis
Price (NC)
Quigley
Rangel
Ribble
Rice (NY)
Richmond
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Sherman
Sires
Slaughter
Smith (WA)
Speier
Swalwell (CA)
Takai
Takano

Thompson (CA)	Vargas	Waters, Maxine
Thompson (MS)	Veasey	Watson Coleman
Titus	Vela	Welch
Tonko	Velázquez	Wilson (FL)
Torres	Visclosky	Yarmuth
Van Hollen	Walz	

NOT VOTING—7

Capps	Donovan	Wasserman Schultz
Chaffetz	Hastings	
Deutch	Tsongas	

□ 1402

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

AMERICAN RESEARCH AND COMPETITIVENESS ACT OF 2015

Mr. RYAN of Wisconsin. Mr. Speaker, pursuant to House Resolution 273, I call up the bill (H.R. 880) to amend the Internal Revenue Code of 1986 to simplify and make permanent the research credit, and ask for its immediate consideration in the House.

The Clerk read the title of the bill.

The SPEAKER pro tempore (Mr. COLLINS of Georgia). Pursuant to House Resolution 273, the amendment in the nature of a substitute recommended by the Committee on Ways and Means, modified by the amendment printed in part B of House Report 114–127, is adopted, and the bill, as amended, is considered read.

The text of the bill, as amended, is as follows:

H.R. 880

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''American Research and Competitiveness Act of 2015''.

SEC. 2. RESEARCH CREDIT SIMPLIFIED AND MADE PERMANENT.

(a) IN GENERAL.—Section 41(a) of the Internal Revenue Code of 1986 is amended to read as follows:

''(a) IN GENERAL.—For purposes of section 38, the research credit determined under this section for the taxable year shall be an amount equal to the sum of—

''(1) 20 percent of so much of the qualified research expenses for the taxable year as exceeds 50 percent of the average qualified research expenses for the 3 taxable years preceding the taxable year for which the credit is being determined,

''(2) 20 percent of so much of the basic research payments for the taxable year as exceeds 50 percent of the average basic research payments for the 3 taxable years preceding the taxable year for which the credit is being determined, plus

''(3) 20 percent of the amounts paid or incurred by the taxpayer in carrying on any trade or business of the taxpayer during the taxable year (including as contributions) to an energy research consortium for energy research.''.

(b) REPEAL OF TERMINATION.—Section 41 of such Code is amended by striking subsection (h).

(c) CREDIT ALLOWED AGAINST ALTERNATIVE MINIMUM TAX IN CASE OF ELIGIBLE SMALL BUSINESS.—Section 38(c)(4)(B) of such Code is amended by redesignating clauses (ii) through (ix) as clauses (iii) through (x), respectively, and by inserting after clause (i) the following new clause:

''(ii) the credit determined under section 41 for the taxable year with respect to an eligible small business (as defined in paragraph (5)(C), after application of rules similar to the rules of paragraph (5)(D)),''.

(d) CONFORMING AMENDMENTS.—

(1) Section 41(c) of such Code is amended to read as follows:

''(c) DETERMINATION OF AVERAGE RESEARCH EXPENSES FOR PRIOR YEARS.—

''(1) SPECIAL RULE IN CASE OF NO QUALIFIED RESEARCH EXPENDITURES IN ANY OF 3 PRECEDING TAXABLE YEARS.—In any case in which the taxpayer has no qualified research expenses in any one of the 3 taxable years preceding the taxable year for which the credit is being determined, the amount determined under subsection (a)(1) for such taxable year shall be equal to 10 percent of the qualified research expenses for the taxable year.

''(2) CONSISTENT TREATMENT OF EXPENSES.—

''(A) IN GENERAL.—Notwithstanding whether the period for filing a claim for credit or refund has expired for any taxable year taken into account in determining the average qualified research expenses, or average basic research payments, taken into account under subsection (a), the qualified research expenses and basic research payments taken into account in determining such averages shall be determined on a basis consistent with the determination of qualified research expenses and basic research payments, respectively, for the credit year.

''(B) PREVENTION OF DISTORTIONS.—The Secretary may prescribe regulations to prevent distortions in calculating a taxpayer's qualified research expenses or basic research payments caused by a change in accounting methods used by such taxpayer between the current year and a year taken into account in determining the average qualified research expenses or average basic research payments taken into account under subsection (a).''.

(2) Section 41(e) of such Code is amended—

(A) by striking all that precedes paragraph (6) and inserting the following:

''(e) BASIC RESEARCH PAYMENTS.—For purposes of this section—

''(1) IN GENERAL.—The term 'basic research payment' means, with respect to any taxable year, any amount paid in cash during such taxable year by a corporation to any qualified organization for basic research but only if—

''(A) such payment is pursuant to a written agreement between such corporation and such qualified organization, and

''(B) such basic research is to be performed by such qualified organization.

''(2) EXCEPTION TO REQUIREMENT THAT RESEARCH BE PERFORMED BY THE ORGANIZATION.—In the case of a qualified organization described in subparagraph (C) or (D) of paragraph (3), subparagraph (B) of paragraph (1) shall not apply.'',

(B) by redesignating paragraphs (6) and (7) as paragraphs (3) and (4), respectively, and

(C) in paragraph (4), as so redesignated, by striking subparagraphs (B) and (C) and by redesignating subparagraphs (D) and (E) as subparagraphs (B) and (C), respectively.

(3) Section 41(f)(3) of such Code is amended—

(A)(i) by striking '', and the gross receipts'' in subparagraph (A)(i) and all that follows through ''determined under clause (iii)'',

(ii) by striking clause (iii) of subparagraph (A) and redesignating clauses (iv), (v), and (vi), thereof, as clauses (iii), (iv), and (v), respectively,

(iii) by striking ''and (iv)'' each place it appears in subparagraph (A)(iv) (as so redesignated) and inserting ''and (iii)'',

(iv) by striking subclause (IV) of subparagraph (A)(iv) (as so redesignated), by striking '', and'' at the end of subparagraph (A)(iv)(III) (as so redesignated) and inserting a period, and by adding ''and'' at the end of subparagraph (A)(iv)(II) (as so redesignated),

(v) by striking ''(A)(vi)'' in subparagraph (B) and inserting ''(A)(v)'',

(vi) by striking ''(A)(iv)(II)'' in subparagraph (B)(i)(II) and inserting ''(A)(iii)(II)'',

(B) by striking '', and the gross receipts of the predecessor,'' in subparagraph (A)(iv)(II) (as so redesignated),

(C) by striking '', and the gross receipts of,'' in subparagraph (B),

(D) by striking '', or gross receipts of,'' in subparagraph (B)(i)(I), and

(E) by striking subparagraph (C) and inserting the following new subparagraph:

''(C) ADJUSTMENTS FOR BASIC RESEARCH PAYMENTS.—In the case of basic research payments, rules similar to the rules of subparagraph (A) and (B) shall apply.''.

(4) Section 41(f)(4) of such Code is amended by striking ''and gross receipts'' and inserting ''and basic research payments''.

(5) Section 45C(b)(1) of such Code is amended by striking subparagraph (D).

(6) Section 45C(c)(2) of such Code is amended—

(A) by striking ''base period research expenses'' and inserting ''average qualified research expenses'', and

(B) by striking ''BASE PERIOD RESEARCH EXPENSES'' in the heading and inserting ''AVERAGE QUALIFIED RESEARCH EXPENSES''.

(7) Section 280C(c) of such Code is amended—

(A) by striking ''basic research expenses (as defined in section 41(e)(2))'' in paragraph (1) and inserting ''basic research payments (as defined in section 41(e)(1))'', and

(B) by striking ''basic research expenses'' in paragraph (2)(B) and inserting ''basic research payments''.

(e) EFFECTIVE DATE.—

(1) IN GENERAL.—Except as provided in paragraph (2), the amendments made by this section shall apply to taxable years beginning after December 31, 2014.

(2) SUBSECTION (b).—The amendment made by subsection (b) shall apply to amounts paid or incurred after December 31, 2014.

SEC. 3 BUDGETARY EFFECTS.

The budgetary effects of this Act shall not be entered on either PAYGO scorecard maintained pursuant to section 4(d) of the Statutory Pay-As-You-Go Act of 2010.

The SPEAKER pro tempore. The gentleman from Wisconsin (Mr. RYAN) and the gentleman from California (Mr. THOMPSON) each will control 30 minutes.

The Chair recognizes the gentleman from Wisconsin.

GENERAL LEAVE

Mr. RYAN of Wisconsin. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on H.R. 880, the American Research and Competitiveness Act of 2015.

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

There was no objection.

Mr. RYAN of Wisconsin. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, this is really simple. We have had the research and development tax credit in law since 1981. It has periodic expirations in it. Every time the law expires, we renew the law. Why? Because we think this is a good policy, and on a bipartisan basis our votes have always reflected that.

We believe that since we renew this specifically 1 year at a time, it does not do very well in giving businesses the time to plan and the ability to consider long-term investments. They need certainty. One of the problems plaguing this economy is the lack of certainty. So what this bill does is it makes it permanent. This is something that we think ought to be a permanent feature of our Tax Code.

Mr. Speaker, one of the arguments you are going to hear is, well, this has to be paid for. I want people to understand what that means when people say that. They are saying that to keep taxes where they are, we need to go raise them on other people. To put it another way, the minority is telling us they want a permanent extension of tax credits from the stimulus bill which was temporary, but they are saying if we make permanent provisions that have bipartisan support that are extended on an annual basis, if we make them permanent, all of a sudden we have to go raise taxes on some other hard-working Americans just to keep these taxes in place.

I think that is incorrect. We don't think it jibes with reality. More importantly, we think it is very important, to help unleash job creation, to keep research and development jobs in America, that we make the research and development tax credit permanent.

PERMISSION TO POSTPONE PROCEEDINGS ON MOTION TO RECOMMIT

Mr. RYAN of Wisconsin. Mr. Speaker, I ask unanimous consent that the question of adopting a motion to recommit on H.R. 880 may be subject to postponement as though under clause 8 of rule XX.

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

There was no objection.

Mr. RYAN of Wisconsin. Mr. Speaker, at this time, I ask unanimous consent that the gentleman from Texas (Mr. BRADY), the author of H.R. 880 and a Ways and Means Committee member, manage and control the remaining time for the majority.

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

There was no objection.

Mr. RYAN of Wisconsin. With that, Mr. Speaker, I reserve the balance of my time.

Mr. THOMPSON of California. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I just want to start by clarifying one thing. My friend from Wisconsin talked about what it means when you say ''paid for.'' What it means when you say ''paid for'' is you pay for the bill. There is a certain cost associated with any legislation that we do, and if we don't pay for it, then it is added on to our deficits. So when we raise concerns about whether or not this tax bill or any other bill that comes to the floor for debate is paid for, the concerns that we are raising are in direct correlation to the fact that it needs to be paid for, not it needs to be added to the deficit or it needs to be added to our national debt.

There is no debate on the issue of the merits of the R&D credit. A majority of my Democratic colleagues and I, too, believe in and support the R&D credit. It has proven to facilitate advancements in new technologies, sparked new innovations, and creates good-paying jobs for hard-working Americans, and it benefits hard-working American families. And it is critical to helping U.S. companies innovate and compete in a global marketplace.

However, what we do object to is the approach by which this is being done. As I said, it is unpaid for, and it is outside of tax reform.

Last year, the previous chairman of the Ways and Means Committee, Chairman Camp, unveiled a tax reform proposal that made the R&D credit permanent; but the cost of the provision was paid for. He did it responsibly. It was responsibly offset. This bill, like all the other individual tax bills we have considered thus far this year, does not pay for any of them; it does just the opposite. It continues a helter-skelter approach toward tax extenders without any regard for paying the hundreds of billions of dollars it costs to make them permanent. Moreover, it poisons the bipartisan process that is going to be critical if we are, in fact, going to get tax reform done.

This political exercise that we are doing today shows the misplaced priorities of my colleagues on the other side of the aisle. Not only did they recently vote to raise taxes and cut programs for millions of hardworking American families in their budget resolution, they are also leaving behind important provisions to help them, like the expansion of the earned income tax credit, the child tax credit, and the American opportunity tax credit.

When it comes to corporations and the wealthy, cost doesn't seem to be a problem. Yet programs vital to the well-being of hard-working families and communities are significantly cut or done away with.

What is particularly glaring is that we can't even pass a long-term transportation bill, which is, by far, more important to our national security, our economic growth, and our competitiveness. The reason we can't pass it is because the majority is unable to find a way to pay for it.

Yet here we are taking up a bill that costs $181 billion. Add that to the other unpaid-for tax cut bills that this body has already passed this year, and we will have added $586 billion to the deficit. That is almost half a trillion dollars. That is over half a trillion dollars.

And what do we have to show for it? The President has already said that he is going to veto this bill, so what is the point? Why are we wasting the time and expense of debating this? It is going to be vetoed anyway.

What we should be doing is working together to pass legislation that is vital to every congressional district's long-term transportation bill and comprehensive tax reform.

Mr. Speaker, we stand ready to work with the majority on these important things. Today's bill just takes us further away from that goal. Therefore, I ask that we vote ''no'' on this bill and make sure we vote for America.

I reserve the balance of my time.

Mr. BRADY of Texas. Mr. Speaker, I yield myself such time as I may consume.

When it comes to research and development initiatives, America is rapidly falling behind our global competitors. Unless the U.S. remains the world's leading innovator, our economy will suffer while middle class families and talented college graduates will see jobs and opportunities lost to foreign countries. Making permanent the tax incentive for companies to invest in research and development right here in the United States will ensure lifesaving technologies, state-of-the-art computer systems, and breakthroughs in manufacturing products.

While America once led the world in R&D incentives, the U.S. has now dropped to—get this—27th among our global competitors. America's share of global research and development, while it is still big, has dropped from 39 percent, before the turn of this new century, to 31 percent.

So look at China. By contrast, China's R&D spending has increased fourfold. It is poised to surpass that of America by 2022.

Permanency provides certainty to U.S. innovators. It makes the Federal budget scorekeeping far more honest, and it removes the asterisk from this temporary provision so that progrowth tax reform can advance.

This year, we have added a new provision that will allow eligible small businesses to count the credit against the AMT, the alternative minimum tax. This is an important provision to enable America's newest innovators to develop even more cutting-edge, market-dominating technologies.

I am proud to have worked on this important tax incentive with my friend

JOHN LARSON, a Democrat from Connecticut. The House passed this provision with a strong bipartisan vote last year.

While the economy is improving, there are millions of Americans still looking for full-time work and millions more middle class families whose paychecks have been stagnant for years. If we want a permanently strong economy, we need a permanent research and development tax credit.

The time for excuses is over. Stand with innovation in America or stand with China and other countries with the R&D being shipped to the rest of the world. I say we stand with America, our innovators, our college graduates, and our businesses.

I reserve the balance of my time.

Mr. THOMPSON of California. Mr. Speaker, I yield 3 minutes to the gentleman from New York (Mr. RANGEL), former chair of the committee and a strong proponent of responsible tax policy.

Mr. RANGEL. Mr. Speaker, I was listening to the eloquent words of my friend from Texas about the importance of research and development, and I can't think of any member on our committee that could not agree with him more.

□ 1415

While he was eloquently speaking about how important it was to our great Nation, I was even thinking about our trade bill if this is packaged in such a way that we would have our workforce with the backup of research and development, a trade bill that would include in it educational possibilities for the workforce, that would have infrastructure there and would have America knowing that we just weren't talking about success of the corporations, but for success of America.

Also, the part that he mentioned—continuity—so that our businesspeople would know exactly what they could depend on. I just can't, for the life of me, see how they will know which part of the Tax Code or which week that we intend to bring up knowing it is going to be vetoed, if really in our hearts what we want is continuity. There is only one way to get continuity, and that is to review the Tax Code, to reform the Tax Code.

If you take out all of the gems just to get a ''no'' vote against it politically, you are really harming bipartisanship. That is what we need; that is what the Tax Code needs; that is what our country needs, a Tax Code that eliminates all of the loopholes, and concentrate on those things our country needs.

Of course, if politics is more important than policy, if all we are trying to do is play ''I gotcha,'' if all we want to say is we love research and development, but we know darn well politically it is not going to pass, if we are going to say that we all want reform, but now that we have both Houses Republican—House and the Senate—but we dare not talk about tax reform, well, I don't think we want to play this political game.

What we do want to do—and I want to agree with the majority—research and development is what keeps America competitive. It should not be played with. It should not be politicalized. It should be a part of the tax reform bill.

If you can't do it when you have control of the Finance Committee in the Senate and refuse to do it when you are in charge of the Ways and Means Committee and have a President that is calling out for overall comprehensive fairness and equity and tax reform, it is painful to see how the eloquence of love for this country can be distorted by having votes on legislation that we know is never to become law.

I say, as I take my seat, I am not giving up on tax reform. I hope that the Republicans come together and have a meaningful bill not for our committee, but for our conscience.

Mr. BRADY of Texas. Mr. Speaker, I yield myself 15 seconds.

The President has threatened to veto this bill. The question is clear: Why is the President standing for those who would ship jobs overseas? Why isn't he standing with Republicans and Democrats in Congress in this House to keep those jobs in research here in America?

I yield 2 minutes to the gentleman from North Carolina (Mr. HOLDING), a new member of the Ways and Means Committee, who understands research and development in the Triangle of North Carolina.

Mr. HOLDING. Mr. Speaker, I want to thank Chairman BRADY for offering this important piece of legislation.

The research and development credit plays a crucial role in the continued economic growth of our Nation, spurring innovation and supporting high-skilled, high-paying jobs.

Innovation has been a huge driver of growth in my district. Because of the breakthrough technologies coming out of Research Triangle Park, North Carolina has become a leader in American innovation.

In and around my district, I have seen how important the R&D credit has been to our Nation's innovative companies, like Biogen, Cisco, GSK, SAS, UTC, and Siemens, amongst a host of others. I urge my colleagues to support such companies and their employees and the families of those employees by making this important credit permanent.

Right now, Mr. Speaker, a growing number of foreign countries are increasing innovation and advancing manufacturing by providing generous and permanent R&D tax credits along with lower corporate tax rates.

In fact, according to an OECD study, the U.S. ranks 22nd in research incentives among industrialized countries. We owe our innovators better, and in order to remain a leader in the increasingly global economy, we must continue to support and incentivize research and innovation here in the United States.

Passage of this bill will provide companies and researchers with the certainty and support they need to keep America and my district and North Carolina in the forefront of global innovation and send a strong message that we stand behind the groundbreaking research being conducted by our Nation's innovators.

Mr. Speaker, I urge support for this bill.

Mr. THOMPSON of California. Mr. Speaker, I yield myself such time as I may consume.

I just want to point out that the President is standing with those of us who support the R&D credit, but he wants it done responsibly. He wants it paid for, and he wants it part of tax reform. Just like all of us, we support the R&D credit. We want it paid for, and we want it part of tax reform.

To suggest that voting against this is standing with China, I find somewhat an ironic statement made by my friend from Texas, given the fact that China already holds so much of the U.S. debt. All this does is empower them more, give them more of our debt.

I yield 3 minutes to the gentleman from Texas (Mr. DOGGETT).

Mr. DOGGETT. Mr. Speaker, there is one type of innovation in which these Republicans are truly unexcelled—there is no competition. And that is the innovation in names, in naming these bills.

They salute climate deniers and The Flat Earth Society by slashing funding for earth science that is strongly opposed by geophysicists and one academic after another. What do they call it? The ''America COMPETES Act.''

On this measure, its companion, they borrow almost $200 billion from anyone who will lend it to us to give mostly to the largest corporations, largely for doing research that they would be doing, even if they weren't rewarded. And they call that the ''American Research and Competitiveness Act.'' Now, that is true innovation. They don't need a credit; they ought to get a prize for being contortionists when it comes to labeling these measures.

This particular bill just digs us deeper and deeper into debt, while adding very little to our research capability. That is truly unfortunate, since America's future competitiveness is in jeopardy. And that is outlined this very day in ''Innovation Lies on Weak Foundation,'' a New York Times economic column.

As Eduardo Porter notes, ''Investment in research and development has flatlined over the last several years as a share of the economy . . . other countries are now leaving the United States

behind . . . government budgets for basic research, the biggest source of financing for scientific inquiry . . . fell in 2013 to substantially below its level 10 years earlier.''

Indeed, the Republican budget makes significant cuts to research, including hundreds fewer research grants that the President sought at both the National Institutes of Health and the National Science Foundation. I think we need more than another Ice Bucket Challenge to fund research for cures for cancer and diabetes, ALS, AIDS, and the like. We need the resources to tackle problems that are touching every family in this country.

Unfortunately, this R&D credit that is being made permanent without reform has required American taxpayers to subsidize the development of electronic cigarettes and other products to addict our children to nicotine, instead of using those dollars to fight those dreaded diseases to which nicotine contributes.

Corporate research generally is focused more and more on the next quarter's reports to Wall Street to which excessive corporate compensation is tied, instead of focusing on basic research. Porter concludes in the same article that this particular bill is ''unlikely to help much.'' And he notes the conclusion of the Congressional Research Service, an objective source, that this regularly renewed credit ''delivered, at most, a modest stimulus to domestic business R&D investment from 2000–2010.''

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. THOMPSON of California. I yield the gentleman an additional 1 minute.

Mr. DOGGETT. I support a permanent research and development credit to incentivize more research. The question is: How do we pay for it, and how do we ensure that it actually encourages more jobs, leads to more research and more economic development, instead of just giving a reward to those who are already doing something in this area to advance their product?

Nothing, of course, prevents multinationals from taking the credit and then putting the patent or the copyright in some foreign tax haven and avoiding paying their American taxes, another reform that is necessary.

We should reject this proposal in favor of a strong research credit that actually incentivizes necessary research here in America and which is paid for, in part, by comprehensive reform of this very credit. Surely, we don't need any more research today to know that today's bills are the wrong way to go for America.

Mr. BRADY of Texas. Mr. Speaker, I am proud to yield 2 minutes to the gentleman from Minnesota (Mr. PAULSEN), one of our leaders of the Ways and Means Committee, who understands you can't keep making excuses about bringing R&D to America; you have to act.

Mr. PAULSEN. Mr. Speaker, I thank the gentleman for his leadership on this legislation and on the Ways and Means Committee.

Mr. Speaker and Members, America has long been a place where an idea that is thought up in a garage or in the backyard can become the next revolution in manufacturing or the next lifesaving technology.

We need a Tax Code that promotes innovation, that promotes entrepreneurship, that promotes growth. We need a Tax Code that allows the inventors and the dreamers with a good idea to be able to go out there and succeed.

This is critical legislation that comes at a very critical time. Modernizing and making the research and development tax credit permanent will ensure that the United States remains competitive in the global marketplace.

It has been around since 1981; it has been renewed 16 times, but when you renew a credit for 1 year, for 2 years, or you make it retroactive, that doesn't work very well for some companies that are allocating their capital for 5 or 10 years on the horizon that want to invest in research and development.

In Minnesota, we are the home to 400 medical device companies. Research and development is their lifeblood, and these manufacturers use research and development to invent new devices, new techniques, new procedures. These companies are also a very essential component to our economy in Minnesota and also around the United States.

We should be making America the number one destination to create and grow a business. Making the research and development credit permanent will provide our Nation's innovators that incentive and that certainty that they need to develop the next big idea and help America win the future.

Mr. THOMPSON of California. Mr. Speaker, I yield 3 minutes to the gentleman from Oregon (Mr. BLUMENAUER), a distinguished member of our Ways and Means Committee, from a district filled with innovators, all of whom would benefit from doing this policy the right way.

Mr. BLUMENAUER. Mr. Speaker, I appreciate the gentleman's courtesy.

I was listening to my dear friend, the gentleman from Texas, who is managing the bill for our Republican friends, and I was struck for a moment when he talked about the disadvantage vis-à-vis China, how—in a few years—we are going to slip behind China in R&D development.

He talked about the hundreds of thousands of jobs that could be made available if we were able to redouble our efforts in research and development and the concerns about the overall slippage of the United States into the middle of the pack when it comes to research.

I was struck by those words. For a moment, I thought he was talking about the United States infrastructure because we don't have to wait for 3 or 4 or 5 years to slip behind China; we are already being overshown by their efforts. We are investing less than 2 percent of our gross domestic product in infrastructure; the Chinese are investing 8 percent or more.

The United States once had the finest infrastructure in the world—not anymore. Those international ratings that my good friend from Texas talked about are very much the case for our infrastructure. We have dropped from 1st to 5th to 16th to 27th.

I want to know where the alarm for my Republican friends is about our falling behind while America falls apart.

□ 1430

We are going to pass before the year is out the research and development credit. I hope we do it the right way, but we will do it.

What we haven't done in the 55 months since the Republicans took control of the House of Representatives is we have not had a single hearing on how we are going to finance our crumbling infrastructure—not one. In the meantime, we are told that this is off the table, that the gas tax is off the table. We are going to do some smoke and mirrors or something. We just passed the 33rd short-term extension of the surface transportation bill.

What country became great in having built its infrastructure 9 months at a time?

While my Republican friends refuse to even consider the gas tax that Ronald Reagan championed—in fact, urged and Congress more than doubled under his watch—in the last 6 months, we have had Georgia, Utah, South Dakota, Nebraska, Idaho, and Iowa all raise their gas taxes, hoping that the Federal Government will meet its obligations and be a partner in rebuilding and in renewing America.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. THOMPSON of California. I yield the gentleman an additional 30 seconds.

Mr. BLUMENAUER. Where is the sense of urgency for the cost to families who are having $300 a year or more in damage to their cars? The fact that we are not being able to move product because we are stuck in traffic? Then our ports, our airports, our roads, our rail—we just had an example of its instability—where is the urgency?

I would, respectfully, suggest that we reject this wrongheaded approach and deal with real tax reform and the R&D tax credit. But in the meantime, maybe the Ways and Means Committee could find a week that we could spend working together to rebuild and renew America.

Mr. BRADY of Texas. Mr. Speaker, I am proud to yield 2 minutes to the gentleman from Illinois (Mr. DOLD), a new member of the Ways and Means Committee who comes from a research-driven State.

Mr. DOLD. I want to thank my good friend from Texas for his leadership.

Mr. Speaker, I want to just address my good friend from Oregon to say, as someone on this side of the aisle, I, too, sense an urgency on transportation and infrastructure. I know that we need to step up and do something about it so that we can have a robust economy, so that we can be moving our goods and services around. I do look forward to our working on tax reform, but, today, we are talking about research and development.

As we talk about certainty, certainly we need certainty with regard to our transportation and infrastructure system, but we need certainty when it comes to research and development. Businesses all across our country, as they are looking to try to create that next new product, as they are looking to innovate, as they are looking to create that next new thing in order to improve the lives of individuals and to enhance our Nation, they need to have that certainty to be able to look around the corner.

We are moving forward on research and development a step at a time. We are reauthorizing it a year at a time. Sometimes we are doing it retroactively, which means that those businesses don't have the ability to plan and oftentimes don't. They are happy to take the tax relief, but they are not really willing to plan and invest in it, oftentimes having, year after year, programs in which they are investing billions of dollars, creating thousands of jobs.

Innovation, Mr. Speaker, is something that we should all be united behind. We want to innovate here in the United States. We want to create things here in the United States. We do not want to have a research and development situation which really fosters innovation outside of the United States. Yes, we have slipped behind, and Republicans and Democrats alike want to make sure that the United States is leading the charge. We need to be globally competitive. We are not in a domestic economy—we are in a global economy. If we want to be globally competitive, we cannot be ranked 22nd when it comes to research incentives.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. BRADY of Texas. I yield the gentleman an additional 30 seconds.

Mr. DOLD. Mr. Speaker, I come from a northern district in Illinois. We are the fourth-largest manufacturing district in the Nation. Yes, we rely on that infrastructure because we need to know how our raw materials come in, how our finished product goes out, and how we move people around. We also realize that those manufacturers rely on that research and development tax credit in order to innovate, in order to create that next new thing, that next new innovation. If we don't do it in the United States, they will be doing it elsewhere.

Mr. Speaker, I just got back from Israel. One of the things that struck me as I swung by one of their companies is that they had a sign out front that read: ''Where Innovation Never Stops.''

We either choose to innovate here, or they will do it elsewhere. This is a bipartisan initiative, and I ask my colleagues to support this initiative.

Mr. THOMPSON of California. Mr. Speaker, I yield myself such time as I may consume.

I just want to point out that my friend who just spoke said that he, too, believes in transportation, that we should be working on transportation and tax reform, but that, today, we are talking about the R&D credit.

Mr. Speaker, the majority party sets the agenda. The reason we are not talking about transportation or tax reform is that they don't want to talk about it. They set the agenda. They are the ones who decided that today we were going to do this irresponsible tax bill rather than look at comprehensive tax reform or look at transportation funding for our crumbling infrastructure.

Mr. Speaker, I am proud to yield 3 minutes to the gentleman from California (Mr. BECERRA), my colleague and friend and the chair of the Democratic Caucus.

Mr. BECERRA. I thank my friend for yielding.

Mr. Speaker, let's make sure we get something straight. I don't think there is a Member here on the floor who doesn't agree that we want to invest in research and development so that we keep that innovation here at home and create jobs that pay well here at home. We all want to incentivize that job creation. We all want to make sure that the economy grows in the future. That is not what is at issue here. What is at issue is that this bill sends exactly the wrong message about our commitment to invest not just in our future but in our children and in what we call the middle class and the American Dream.

See, there is a cost involved in doing research and development tax credits. That is a tax break. We are willing to give companies a tax break that the families who are up in this gallery won't get. When they file their taxes, they won't get to write off some of their costs for doing certain things because they are not companies, and they are not doing research and development.

We, as a community, as a country, are saying it is valuable to give a country a tax break to do that research that gives us the next invention. Great, but there is a cost. How much? $180 billion. It ain't free. We have got to pay for it. So it is not an issue of not supporting research and development; it is wanting to be responsible and wanting to be honest with the American people in saying let's pay for it. Democrats are saying we can pay for it. Let's close those tax breaks that are essentially tax loopholes that everyone in America would agree are not fair. Use the money you save from closing tax loopholes to pay for something we all want, which is research and development tax credits.

Now, this isn't free. If we don't pay for it, what happens? Guess what? You don't want to pay for it? You know this is going to cost three times more than what we spend on our veterans. So we are going to say, Veterans, you shouldn't get any services because we had to do this research and development tax credit, and we didn't pay for it.

Perhaps you want to tell that to all of those folks who are looking for the cure for cancer or for the cure for diabetes. Guess what? We are spending about three times as much with this research and development tax credit—unpaid for—than what we pay for all of that medical research we do through the National Institutes of Health. This is not free.

Student loans. How many folks have to worry about paying for their student loans for their kids to go to college? Guess what? The cost of this bill is about what it would cost to continue the programs that we have in place for our kids who go on to college so we can keep the cost of student loans low. You want to eliminate that so people have to pay a lot more—market rate interest rates—for those student loans? Guess what? That is what we would have to do.

There are consequences. If we are going to get away from deficit spending, you have got to pay for things. If you think it is a priority, then let's pay for it, but don't act like you can do these things for free. They cost money. All we are saying is let's pay for what we all agree is important—a research and development tax credit for companies that will do that research here in America. Let's not try to hoodwink the American public. This is not free. It is the right thing to do. Just about every American family would say, Guess what? Maybe I have to pay a few more dollars in taxes, but I am keeping that American company here, investing in innovation here, creating jobs in America.

Priorities. Let's make the tough choices. Let's vote against this and vote for a bill that actually pays for the cost of something we want to do with the research and development tax credit.

Mr. BRADY of Texas. Mr. Speaker, I am proud to yield 1 minute to the gentleman from California (Mr. MCCARTHY), the majority leader of the United States House of Representatives.

Mr. MCCARTHY. Mr. Speaker, I thank the gentleman for yielding, and I want to take a moment to thank the gentleman from Texas for his leadership.

Mr. Speaker, I have listened to a lot of speakers on this floor. What is the cost not to invest in the future? There are 4 out of 10 graduates out of college today who can't find a job. How do you pay for that?

You look towards the future. I will tell you many in this country have followed the innovators in our history. Mr. Speaker, one happened to be Steven Jobs. Steven Jobs said that innovation distinguishes between a leader and a follower.

That is true with people, and it is also true with countries. America leads because we take the principles of our past, and we apply them to a changing future. We are the pioneers who always look to the next frontier, ready to challenge what others believe is impossible. Innovation is key to our leadership and is essential to our economic prosperity in an increasingly competitive 21st century. What Washington needs to understand is that the greatest innovations don't come from Washington—they come from the people.

It reminds me of what was going on in the early 1900s in this country. Washington wanted to figure out the invention of flight, so the wisdom of government said, ''Let's just pay Samuel Langley to discover how to fly,'' but we all knew what came true. We watched two brothers who owned a bicycle store take to the skies from a small field in Kitty Hawk, transforming what we know of today.

The R&D tax credit harnesses that American spirit. It makes space for the American people to lead us into the future. When Ronald Reagan first signed the R&D tax credit into law, he knew it would grow our economy and make America strong because it put our faith in the country's greatest assets—its people and the future.

Mr. Speaker, today, we are voting to make this tax credit permanent. I think that is very good policy. I also think it shows what our values are. It shows that it is everyday heroes who can lead us into the future of tomorrow. So I urge my colleagues to vote for this bill, and I urge my colleagues to give the American people the tools to move America forward.

Mr. THOMPSON of California. Mr. Speaker, I yield 1 minute to the gentlewoman from California (Ms. PELOSI), the Democratic leader.

Ms. PELOSI. I thank the gentleman for yielding. I thank Mr. THOMPSON and the ranking member, Mr. LEVIN, and members of the committee for bringing clarity to this debate today.

Mr. Speaker, Democrats have always believed that innovation is what keeps America number one. I think that that is a view that is shared by all of us in the Congress. Our commitment on our side of the aisle, I know, is to science and to research and development, which create jobs, launch entire new industries, and give the miraculous power to cure.

For Americans to continue to lead in the 21st century, for us to meet the challenges of our time, for us to secure a strong and sustainable future for America's families and the next generation, we must commit to fueling the engines of innovation.

When President Kennedy challenged Americans to reach for the Moon, he reminded us that America must lead in innovation:

> The vows of this Nation can only be fulfilled if we are first, and, therefore, we intend to be first. Our leadership in science and in industry, our hopes for peace and security, our obligations to ourselves as well as to others, all require us to make this effort.

However, according to the American Academy of Arts and Sciences, these days, the United States has dropped to 10th place in national R&D investment as a percentage of the GDP.

As their report makes clear:

> Unless basic research becomes a higher government priority than it has been in recent decades, the potential for fundamental scientific breakthroughs and future technological advances will be severely constrained.

Instead of meeting this urgent need and challenge, Republicans are coming to the floor of this House today with not one but two bills that do violence to that aspiration.

□ 1445

First of all, we have the so-called Republican R&D bill, a completely unpaid-for, permanent, and deficit-exploding tax extension. Democrats support the R&D tax credit, and we will be offering a motion to recommit for a 2-year extension to give Congress—Democrats and Republicans—time to work together to pass comprehensive tax reform that closes loopholes and pays for making this tax credit permanent.

With this bill alone, Republicans will explode the deficit by $182 billion. This is just a part of a larger package of permanent, completely unpaid-for Republican tax measures this year that will add almost $600 billion to the deficit—over half a trillion dollars added to the deficit—including this bill, their bill to hand $269 billion to the 5,400 richest families in America. 5,400 families, and their estate tax bill would be getting the benefit of $269 billion paid for by the middle class in our country, depriving us of investments in our children's future.

The fact is that House Republicans have spent this entire Congress blowing up the deficit with unpaid-for tax giveaways overwhelmingly tilted toward wealthy special interests. My colleagues, hear this: it is worth noting that this bill on the floor has nothing to do with enterprising startups that are unable to claim the R&D tax credit. Some of you have said to me: Well, we have all these startups in my district. By and large, they cannot benefit from this bill the way it is written.

We would like to have written our motion to recommit to go further, to do that, but the Parliamentarians say, because you prevent it in your base bill, we can't go further.

This is what is really stunning in the look of it all. On the same day as you are saying we are going to do a gotcha bill on R&D and challenge you all who support R&D not to vote for our approach, on the very same day—lest anybody think that this is an overwhelming interest in R&D on the Republican side of the aisle—Republicans are bringing to the floor a COMPETES Act that completely undermines everything to do with science and innovation in our country. It completely upsets our Innovation Agenda.

In the 110th Congress we put forth the Innovation Agenda, a bill developed in a totally nonpartisan way. ANNA ESHOO, ZOE LOFGREN, and George Miller took the lead going across the country, getting input, nonpartisan input, academic input, venture capital input, technological input, into an Innovation Agenda. That Innovation Agenda really calls for making permanent and modernizing the R&D tax credit. We see the relationship between science, technology, innovation, and progress to keep America number one with R&D tax credits, but not done this way as we do here.

This is a trap in order to keep us from investing in Innovation Agenda, and that was something that Bart Gordon, as chair of the Science and Technology Committee, fought for and achieved. ARPA-E, you know that, to name one thing. But instead, today, Republicans are bringing a bill that totally does violence to all this. I hope Members will listen to and support the alternative presented by Congresswoman EDDIE BERNICE JOHNSON, our ranking member on the committee.

But, anyway, the original COMPETES Act by the Democratic Congress was supported by an overwhelming number of Republicans. A majority of the Republicans defied their leadership and voted for the COMPETES Act in the 110th Congress, and that original bill passed in a bipartisan way. We laid the foundation for new industries that provide jobs for our workers, that open new markets for American products, that ensure that we continue to ''rise above the gathering storm.'' Norm Augustine and others led the way to show what the gathering storm was unless we made those investments in science and technology.

As I said, we created ARPA-E, so important.

This Republican bill betrays everything that the COMPETES Act did. The Republican bill betrays everything that the COMPETES Act did. It is an assault on science and a plan to surrender American leadership on innovation. Instead of investing in research and development, their bill slashes funding for essential initiatives at the National Science Foundation, the National Institute of Standards and Technology, the Office of Science and Technology Policy, the Department of Energy research.

It cuts energy efficiency and renewable energy R&D by $496 million. It is huge, half-a-billion-dollar cut, nearly 30 percent below what was appropriated last year. It cuts ARPA-E by $140 million, 50 percent below the level in the Energy and Water Appropriations bill passed last week.

Most insidiously, Republicans are attacking science they don't even want to hear. Just because you don't want to hear it doesn't mean it isn't true. In this COMPETES bill that they are presenting, they are trying to silence the climate, environmental, and social science they have consistently tried to ignore. The Republican bill goes so far as to forbid Federal agencies such as EPA and FERC from using any research funded or developed by DOE, a brazen attempt to divorce their decisions from scientific inquiry.

So again, the very idea that, on this floor today, they come out with this masquerade of R&D tax credits, $182 billion added to the deficit, with the impression that they care about R&D. R&D into what? R&D into nothing that is about innovation to keep America number one. These Republican bills represent a perfect manifestation of Republican trickle-down economics.

The choice that our country has to make in the economy as we go forward is trickle-down economics versus middle class economics. Trickle-down theories have not worked. They are what got us in trouble in 2008, and it is exactly what the Republicans are trying to take us back to. Today is one manifestation of that.

Republicans are seeking to ransack our Nation's investments in the future, our commitment to science, our commitment to our children's education, our commitment to bigger paychecks, and our commitment to better infrastructure for every American family.

We need to come together in a bipartisan way, and that is very possible. We did it with the COMPETES Act before. To pay for R&D tax credit extension, we need to reject this Republican assault on science that will happen later today. We need to invest in the future of innovation of our country, of hardworking American families. We need to reject failed trickle-down economic theories and accept that the success of our Nation depends on bigger paychecks for America's working families. R&D tax credits made permanent and modernized are a significant part of that, but they are not a part of it if they take us deeper into debt, preventing us from making the investments in the future.

I urge my colleagues to vote ''no'' on this fiscally irresponsible R&D bill, ''no'' on their destructive COMPETES Act, and ''yes'' on the proposal made by Congresswoman EDDIE BERNICE JOHNSON, who I thank for her great leadership for keeping America number one.

Mr. BRADY of Texas. Mr. Speaker, I yield 2 minutes to the gentleman from Georgia (Mr. ALLEN).

Mr. ALLEN. I thank Mr. BRADY for yielding me this time.

Mr. Speaker, I would like to remind my colleagues on the other side that, under the leadership of the former presenter, almost a trillion dollars was spent on a stimulus package with nothing to show for it.

I was in the business world then, and I have been in the business world 37 years. The reason I ran for Congress was to bring real-world experience to this body. That is why I rise today in support of H.R. 880. The reason for that is because, when you invest and you invest properly, there is a return. Those families find jobs, and that is what this bill is about.

H.R. 880 is to simplify and make permanent the research and development tax credit. Despite the fact that the research tax credit has been extended 16 times since its enactment, it remains a temporary measure. It is very difficult to plan based on temporary measures. Clearly, it is high time that we provide certainty for innovators in Georgia and across the Nation by making this tax credit permanent.

Innovation is the lifeblood of the small-business community, which employs over 70 percent of the workforce. Innovation in the private sector is essential to driving our economy forward and in fostering growth and creating jobs for Americans now and in the future. It is our duty in Congress to incentivize businesses so that innovators and entrepreneurs can do what they do best and fill the ever growing demand for jobs across our great Nation.

We have so many capable men and women willing to work, so let's get out of the way of the entrepreneurial American spirit and pass H.R. 880.

Mr. THOMPSON of California. Mr. Speaker, I just want to point out that small businesses and the startups are disadvantaged if this bill passes. They can't take advantage of this real-world experience and business-world experience. I am here to tell you, as a small-business person, if you don't pay your bills, you go out of business. The leader had mentioned that this bill is going to cost $181 billion, but, Mr. Speaker and Members, if you add that $181 billion to everything else that the majority has passed in regard to unpaid-for tax cuts, that number jumps to $586.3 billion of unpaid-for tax policy.

Now it is my pleasure to yield 3 minutes to the gentleman from Illinois (Mr. DANNY K. DAVIS), a distinguished member of our Committee on Ways and Means.

Mr. DANNY K. DAVIS of Illinois. Mr. Speaker, I want to thank the gentleman from California for yielding me time. I also want to thank Representative BRADY for his characterization of my State, the State of Illinois, as being research driven, and indeed it is. I am also proud to know that, from the time I have been here, I have always been number one or number two in our delegation of supporting research, so I am research oriented.

It amazes me how much doubletalk we engage in. We talk a great deal about deficit reduction and reducing spending, and yet, at the same time, we are passing a bill that is not paid for while we cut greatly needed programs and activities that could give balance to individuals all over the country who are just simply trying to survive and to make it, activities like Medicaid and SNAP.

In my communities and in many others throughout America, we are struggling right now with the idea of how do you develop summer work opportunities for young adults so that we could have a real attack on some of the rash of violence and activity that we see approaching and being engaged in throughout urban America.

I have always been in favor of research and development, and I have always been in favor of using tax incentives as a way of spurring economic development and stimulating the economy. But, you know, I am also interested in passing credits. I am interested in credits for businesses. We have talked about businesses. Well, let's pass some credits so that businesses can hire hard-to-employ individuals, so that they can hire these young people looking for summer jobs, for something to do.

So I am in favor of credits, but I am not in favor of a bill that is not paid for, a bill that will not be comprehensive across the board, and a bill that will put more wealth in the pockets of the 1 percent and do nothing to aid the overall economy.

□ 1500

Mr. BRADY of Texas. Mr. Speaker, I am proud to yield 2 minutes to the gentleman from West Virginia (Mr. MOONEY).

Mr. MOONEY of West Virginia. Mr. Speaker, President Ronald Reagan once observed that the government's view of the economy is pretty simple: ''If it moves, tax it.''

Well, today, more than ever, President Reagan's words ring true. Taxes are prohibitively high. We can take a step in a new direction by passing H.R. 880, the American Research and Competitiveness Act of 2015. This legislation is simple; it will make the R&D tax credit permanent. By doing so, we reduce the amount of taxes that America's innovators pay by providing a 20 percent credit on research expenses.

According to a recent study, this policy will increase overall investment in research by $33 billion and result in 300,000 research-related jobs. In practical terms, this means that a small business in the beautiful State of West Virginia—which I represent—or where you live that spends $5 million a year on research could be eligible for a $500,000 tax credit.

That is enough money to hire 10 new employees at $50,000 a year. We are talking about 10 new, hard-working American taxpayers. We are talking about men and women who are given the dignity of work. They will pay taxes rather than possibly take government assistance.

When I ran for office, I promised West Virginians that I would fight for policies that create jobs and bring economic freedom back to America. This bill takes us a step in that direction. I encourage my colleagues to vote for it.

Mr. THOMPSON of California. Mr. Speaker, how much time do I have remaining?

The SPEAKER pro tempore. The gentleman from California (Mr. THOMPSON) has 6 minutes remaining. The gentleman from Texas (Mr. BRADY) has 14 minutes remaining.

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

Mr. Speaker, I rise in support, as I said earlier, of the R&D tax credit. My colleagues on this side of the aisle support the R&D tax credit. As we have been saying here today on the floor, it is an important credit that is vital to our global competitiveness, job and economic growth, and maintaining our position as the world's leader in innovation.

As I have also stated—and I will say it again—this bill isn't paid for. The majority is adding $181 billion to the deficit with just this one bill. This is fiscally irresponsible.

What I haven't been able to understand—and I am having trouble today trying to figure it out—is how we can pass bills that help corporations and the wealthy, adding the cost of that to the deficit, but then turn around and try to balance the budget and close the deficit on the backs of hard-working American families.

They are trying to do this by cutting the programs we need to grow our economy, like education and infrastructure. We have an infrastructure bill that we are still waiting for a hearing on, which we are still waiting to see scheduled.

It is a double standard; it is hypocritical, and it is harmful to the people that all of us represent. We are ready and willing to work with the majority to strengthen the economy, including progrowth reforms that benefit businesses and comprehensive tax reform that will benefit all of America, but this is the wrong approach, and we should not be party to this political gamesmanship that is taking place on the floor today.

I urge my colleagues to vote ''no'' on this bill, and I yield back the balance of my time.

Mr. BRADY of Texas. Mr. Speaker, I yield myself such time as I may consume.

I think one of the big problems with Washington is that everyone finds excuses not to do the right thing. The truth is we need research and development here in America, not overseas. We need the jobs that come with that here in America, not overseas. We need, frankly, the future of America here, rather than overseas. Republicans and Democrats both agree on that; both sincerely agree on that. Today, we heard excuses, and we will hear excuses.

We are told this doesn't fund infrastructure. It doesn't. This is about funding the infrastructure of research and development and innovation, but not through the government. This is through our entrepreneurs, like Apple and Microsoft, and all the new research and groundbreaking drugs and medical breakthroughs. That is how we are funding the infrastructure of our future. Roads and bridges, we will tackle in another bill.

We are told this isn't comprehensive tax reform. No, it is not. It is a critical step forward in that by taking a provision that has been temporary far too long and making it a permanent part of our Tax Code so that we can invest in R&D with certainty, so we can have honest scorekeeping in our budget, and so we can take that first step toward real, comprehensive progrowth tax reform.

We are told today, as we have heard in the past, that it is not paid for, but in fact, to the extensions since 1981, these provisions haven't been paid for. Our Democrat friends passed these bills and supported them. They weren't paid for. We have done the same. It was 1 year or 2 years at a time. To say this is fiscally irresponsible, when they voted so many times to do the same thing, seems to me to be another excuse.

The cost of doing this permanently is no more than the cost of doing it 1 or 2 years at a time. To think otherwise is sort of in the line of saying: You know, that dessert doesn't have calories if I eat it standing up.

Well, the cost of R&D is the same, but the cost of not making it permanent is very much not the same. We know the impact will be fewer jobs here in America, more R&D in China, and we will lose our lead in the world as the world's innovator.

No more excuses—what we are looking for today is a bipartisan effort to make sure those jobs are here in America, that our companies have a chance to invest more and more and more each year. That is what we want them to do.

We want to give college graduates hope. As the majority leader from California noted, 4 out of 10 college graduates either can't find jobs, or they are working behind a cash register. Well, it is wrong. We ought to give them an opportunity. We ought to give them some jobs and some hope. Those college graduates are skilled and talented, and they deserve to be part of America's innovative society. That is what they deserve. That is what we are going to deliver to them.

While I am thrilled my Democrat friends are talking about the deficit, I wish they would have acted upon it earlier. The first year they took control of this House under the former Speaker, they doubled the deficit. The second year, they tripled the deficit. The third year, they took it over a trillion dollars and a trillion dollars again, until the American public said enough.

What we got for all that spending was the worst economic recovery in half a century. We are missing 6 million jobs from the American economy. We have fewer people working the workforce than we did before the recovery actually began. In some ways, we are going backwards, especially for our young people.

Today, with this bill, this is research and development both parties support. The only reason we are hearing the excuses is that it is a Republican bill this time. That is the only reason.

Research and development is not a Republican proposal, it is not a Democrat proposal. It is an American proposal we all support. We think our economy ought to grow not in Washington, but back home, and that innovation matters. The way we do that is to recapture America's leadership in R&D.

For all those reasons—and for the support of entrepreneurs, manufacturers, and technology companies back home all across America—I urge that we stop the excuses, we join together as Republicans and Democrats, we take back America's leadership in innovation and create the jobs that our young people deserve.

I yield back the balance of my time.

Mr. BLUM. Mr. Speaker, I rise today in support of the bipartisan bill H.R. 880 the American Research and Competitiveness Act of 2015 to make permanent and simplify an important tax credit, which promotes job creation and economic growth.

Unfortunately, Congress did not address this issue last year, so I applaud Mr. BRADY for

continuing to work on this important measure to bring certainty to an important sector of the U.S. economy.

By simply enhancing and making permanent the now expired research tax credit, H.R. 880 increases the ability of businesses to compete in an increasingly globalized marketplace by rewarding investments in innovation technologies and manufacturing. These new technologies provide the basis of new consumer products, increased scientific discovery, and technological improvements across numerous fields and disciplines.

The common sense American Research and Competitiveness Act of 2015 lowers the cost of innovation, creates high wage jobs, and lays the foundation for a strong economy in the 21st century. The U.S. is facing increasing competition around the globe from countries with more advantageous tax structures, so it is critical that Congress extend this credit to remain competitive in the future.

As a cosponsor of the bipartisan H.R. 880, I urge my colleagues on both sides of the aisle to join me in support of this common sense legislation to provide the tools necessary to create jobs, promote economic growth, and create the innovations of tomorrow—right here in America.

Mrs. CAROLYN B. MALONEY of New York. Mr. Speaker, I rise today in opposition to H.R. 880—another unpaid-for permanent extension of an expired tax provision offered by the Majority.

I am privileged to represent many of our country's leading research institutions and innovative researchers and entrepreneurs in New York's 12th District. Like many of my colleagues, I believe that a permanent R&D credit will support critical research and create high-skilled, high-paying jobs throughout the country. This bill makes important improvements to the credit, and I hope to work with my colleagues on both sides of the aisle to provide incentives for businesses to invest in research and development.

However, I cannot support policies that extend certain tax provisions while other critical tax credits, like those for higher education and the Earned Income Tax Credit, face an uncertain future. All told, the Majority's slate of unpaid-for permanent tax extensions would increase the deficit by nearly $600 billion, all while its budget proposes severe cuts to education, transportation, and critical safety net programs in the name of deficit reduction. Americans are not fooled by this double standard, and Congress should reject this disingenuous approach to tax policy.

The SPEAKER pro tempore (Mr. YODER). All time for debate has expired.

Pursuant to House Resolution 273, the previous question is ordered on the bill, as amended.

The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

MOTION TO RECOMMIT

Mr. NEAL. Mr. Speaker, I have a motion to recommit at the desk.

The SPEAKER pro tempore. Is the gentleman opposed to the bill?

Mr. NEAL. I am opposed to the bill in its current form.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. Neal moves to recommit the bill H.R. 880 to the Committee on Ways and Means with instructions to report the same back to the House forthwith with the following amendment:

Strike section 2 and insert the following:

SEC. 2. NO INCREASE IN DEFICIT OR DELAY OF COMPREHENSIVE TAX REFORM.

Nothing in this Act shall result in—

(1) an increase in the deficit, or

(2) a delay or weakening of efforts to adopt a permanent extension of the research credit in a fiscally responsible manner.

SEC. 3. TWO-YEAR EXTENSION OF RESEARCH CREDIT.

(a) IN GENERAL.—Section 41(h) of the Internal Revenue Code of 1986 is amended by striking ''December 31, 2014'' and inserting ''December 31, 2016''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to amounts paid or incurred after December 31, 2014.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Massachusetts is recognized for 5 minutes in support of his motion.

Mr. NEAL. Mr. Speaker, I am opposed to this bill in its current form, and I want to remind my colleagues that this will not kill the bill, nor will it send it back to committee. If adopted, the bill will proceed immediately to final passage as amended.

Well, we are 6 months into the new Congress; and what do we hear from the majority? It is more of the same, more of the same assurances: Trust us on tax reform; it is on the way.

First, it was: Do not introduce tax bills. Trust us, tax reform is on the way.

Then it was: If we make some extenders permanent, trust us, tax reform is just around the corner.

The new refrain is: If we want to fix the highway trust fund, let's do tax reform at the same time.

Mind you, we have just voted to extend the highway trust fund for the 33rd time, and in December, we will most likely vote to extend the R&D tax credit on another short-term basis. Let's stop playing these games.

By the way, when my friend from Texas talked about Democrats extending the deficits, did he forget that Bill Clinton left us with four straight balanced budgets, and in 8 years, they wrecked the trajectory of those balanced budget with $2.3 trillion of tax cuts? That is the reality. When I heard him say the Democrats ran up the deficits, I guess they forgot there was a President George W. Bush in between.

What do we do here? We do the estate tax repeal. That takes care of 5,400 families in America. How universal is that? If we weren't doing the estate tax bill—repealing it, by the way—then what we could have done was perhaps extend and agree upon a robust R&D tax credit, which you all know I support. How about, for 6, 7, 8, 9, or 10 years, put it in line and let private investment build around it?

If you are from Massachusetts, obviously, you are for a more robust R&D tax credit. Who in Massachusetts could be against that? World class universities, hospitals, businesses, incubators—we produce some of the highest and best tech advancements in the world. Kendall Square in Cambridge has the highest concentration of R&D in the whole world.

We know this credit is vital to keeping America at the innovation forefront, and we know that the start-and-stop nature of this credit has put a damper on the willingness of firms to invest because they don't know if the credit is going to be gone tomorrow.

Now, a chance to point something out that I think bears noting, as a percent of gross domestic product, research and development now is the lowest it has been in decades. Why is that? Because of the rejection of science on my Republican friend's side, private sector R&D is way down.

The encouragement in the Tax Code is simply to buy smaller companies, merge, and take advantage of the innovation they have done. There is the opportunity here to build something around the R&D that we should be taking advantage of here today, but we are not doing that because of the notion of having rejected this science.

The fickle nature of Congress toward this credit is attributable to one fact: we have not reformed the Tax Code since 1986. Now, Congressman BRADY wasn't even born the last time that we did tax reform 30-some odd years ago. He was but a wish in a couple's eye. That is how dated this argument is.

He said: Why can't we agree on some things here?

There are some things we can agree upon: Barack Obama was not born in Kenya; secondly, and just importantly, there is no imminent invasion of Texas that is being planned; And third, very simply, the tax cuts don't pay for themselves. They have to score some place.

□ 1515

We are taking up the time today debating this extender—or extenders—when we should be talking about tax reform that works for the middle class, a tax reform that does not reward investment; instead, we are doing this hodgepodge effort on tax extenders that really make no sense. Guess what, come December, we are going to be right back here on this floor tackling the R&D credit for another year or two.

Now, before they say to me, Mr. NEAL, you are wrong, I certainly have been right in the last two cycles about what happened as to where we ended up with tax extenders. The President has

already said he would veto a permanent R&D at this point, and I understand the whole nature of why we need to do talking points.

I would submit this to my friend, Mr. BRADY, and he is my friend, and we work together on many pieces of legislation. Why don't we commit ourselves to building an R&D tax credit for 10 years, so it can be built into the investment code of the American entrepreneur, so they know precisely what is going to be out there, instead of taking this tactic today that is never going to see the light of day as we go forward?

This Congress could have been spending its time today talking about income disparity, downward pressure on wages, robotics, and what is putting the American worker behind the curve of opportunity; but, no, we can't do that. We spend our time instead on these sorts of arguments.

I hope that we can send this back to committee and come up with something that we can all live with.

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

Mr. BRADY of Texas. Mr. Speaker, I rise in opposition to the motion.

The SPEAKER pro tempore. The gentleman is recognized for 5 minutes.

Mr. BRADY of Texas. Mr. Speaker, this Democrat proposal does violence to America's research infrastructure. It does violence to America's economy, and it does violence to the future of our economy and to the hope of young people.

We will not stand for this. Vote ''no'' on this motion to recommit.

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

The SPEAKER pro tempore. Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to recommit.

The question was taken; and the Speaker pro tempore announced that the noes appeared to have it.

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

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to the order of the House of today, further proceedings on this question will be postponed.

AMERICA COMPETES REAUTHORIZATION ACT OF 2015

GENERAL LEAVE

Mr. SMITH of Texas. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative within which to revise and extend their remarks and include extraneous material on the bill, H.R. 1806.

The SPEAKER pro tempore (Mr. DENHAM). Is there objection to the request of the gentleman from Texas?

There was no objection.

The SPEAKER pro tempore. Pursuant to House Resolution 271 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the consideration of the bill, H.R. 1806.

The Chair appoints the gentleman from Kansas (Mr. YODER) to preside over the Committee of the Whole.

□ 1519

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H.R. 1806) to provide for technological innovation through the prioritization of Federal investment in basic research, fundamental scientific discovery, and development to improve the competitiveness of the United States, and for other purposes, with Mr. YODER in the chair.

The Clerk read the title of the bill.

The CHAIR. Pursuant to the rule, the bill is considered read the first time.

The gentleman from Texas (Mr. SMITH) and the gentlewoman from Texas (Ms. EDDIE BERNICE JOHNSON) each will control 30 minutes.

The Chair recognizes the gentleman from Texas (Mr. SMITH).

Mr. SMITH of Texas. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I am pleased to sponsor H.R. 1806, the America COMPETES Reauthorization Act of 2015, a pro-science, fiscally responsible bill that sets America on a path to remain the world's leader in innovation.

This bill reauthorizes civilian research programs at the National Science Foundation, the National Institute of Standards and Technology, the Department of Energy, and the Office of Science and Technology Policy. H.R. 1806 prioritizes basic research and development, while staying within the caps set by the Budget Control Act.

America's businesses rely on government support for basic research to produce the scientific breakthroughs that spur technological innovation, jump-start new industries, and spur economic growth. Title I of the bill reauthorizes the National Science Foundation for 2 years and provides a 4.3 percent increase for research and related activities.

The bill prioritizes funding for the Directorates of Biological Sciences, Computer and Information Science and Engineering, Engineering, and Mathematics and Physical Sciences and recognizes the need to make strategic investments in basic R&D for the U.S. to remain the global leader in science and innovation. The bill reprioritizes research spending at NSF by cutting funding for the Directorate for Social, Behavioral, and Economic Sciences and the Directorate for Geosciences.

Federal budget restraints require all taxpayers' dollars to be spent on high-value science in the national interest. Unfortunately, NSF has funded a number of projects that do not meet the highest standards of scientific merit, from climate change musicals, to evaluating animal photographs in National Geographic, to studying human-set fires in New Zealand in the 1800s. There are dozens of other examples.

The bill ensures accountability by restoring the original intent of the 1950 NSF Act and requiring that all grants serve the ''national interest.'' The NSF has endorsed this goal.

Title II represents the Science, Space, and Technology Committee's commitment to enhancing STEM education programs. A healthy and viable STEM workforce is critical to American industries and ensures our future economic prosperity.

The definition of STEM is expanded to include computer science, which connects all STEM subjects. The bill also creates an advisory panel on STEM education to ensure outside stakeholders have a role in assessing the Federal STEM education portfolio.

Title III includes three bipartisan bills the Science, Space, and Technology Committee approved in March. Those bills, H.R. 1119, the Research and Development Efficiency Act; H.R. 1156, the International Science and Technology Cooperation Act of 2015; and H.R. 1162, the Science Prize Competitions Act, passed the committee by voice vote. Two of these were sponsored by the Democrats.

Title IV supports the important measurement, standards, and technology work taking place at the National Institute of Standards and Technology laboratories, the Manufacturing Extension Partnership program, and the recently authorized Network for Manufacturing Innovation.

Measurement science conducted at NIST contributes to industrial competitiveness by supporting the technical infrastructure and advancements for nanotechnology, global positioning systems, material sciences, cybersecurity, health information technology, and a variety of other fields.

Title V reauthorizes the Department of Energy Office of Science for 2 years, at a 5.4 percent increase over fiscal year 2015. It prioritizes basic research that enables researchers in all 50 States to have access to world-class user facilities, including supercomputers and high-intensity light sources.

This bill also prevents duplication and requires DOE to certify that its climate science work is unique and not being undertaken by another Federal agency.

Title VI reauthorizes the DOE applied research and development programs and activities for fiscal year 2016 and 2017. They include the Office of Electricity Delivery and Energy Reliability, the Office of Nuclear Energy, the Office of Energy Efficiency and Renewable Energy, the Office of Fossil

Energy, and the Advanced Research Projects Agency-Energy.

H.R. 1806 refocuses some spending on late-stage commercialization efforts within the Office of Energy Efficiency and Renewable Energy to research and development efforts.

The bill requires DOE to provide a regular strategic analysis of science and technology activities within the Department, identifying key areas for collaboration across science and applied research programs.

Title VII proposes to cut red tape and bureaucracy in the DOE technology transfer process. It allows contractor-operators at DOE national laboratories to work with the private sector more efficiently by delegating signature authority to the directors of the labs themselves, rather than to DOE contracting officers, for cooperative agreements valued at less than $1 million.

This title also requires DOE to assess its capability to authorize, host, and oversee privately funded fusion research and the next generation fission reactor prototypes. Currently, the private sector has little incentive to build reactor prototypes due to regulatory uncertainty from the Nuclear Regulatory Commission.

In summary, Mr. Chairman, H.R. 1806 sets the right priorities for Federal civilian research, which enhances innovation and U.S. competitiveness without adding to the Federal deficit and debt.

I encourage my colleagues to support this bill.

I reserve the balance of my time.

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

Today, I must unfortunately rise in opposition to the America COMPETES Reauthorization Act. It is unfortunate because I was a strong supporter of both the original COMPETES Act, as well as the 2010 reauthorization.

Both of those bills passed with bipartisan support, and both bills reflected the recommendations of the National Academy of Sciences' groundbreaking 2005 report, ''Rising Above the Gathering Storm.''

It is worth reflecting on what the National Academy's panel found and why they made the recommendations they did.

First, the panel that wrote the report was composed of a distinguished group of individuals from industry, academia, and science; and it was headed by the former Lockheed CEO Norm Augustine.

The panel noted that much of America's economic growth and success in the decades following World War II was the direct result of our Nation's sustained investment in research and development. However, they noted that a gathering storm was approaching. America's economic and military competitors around the world had begun to catch up with our Nation's technological lead.

Moreover, research and development budgets in the United States were stagnating. The panel determined that America was sorely in need of a recommitment to research and development in order to maintain our competitive edge.

The Augustine panel gave specific recommendations that we increase R&D spending, revitalize STEM education across the country, and also create and support a new ARPA-E for breakthrough energy research modeled on the renowned DARPA program at the Department of Defense.

The original COMPETES Act implemented these recommendations across the board. Supporting this bill was one of the highlights of my two decades of service here in Congress.

I have highlighted this history because it is important to understand what we are doing here today and why these issues are so important. Since 2010, when we passed the last COMPETES reauthorization, R&D spending in America has begun to stagnate again and, by some measures, even declined.

In the meantime, our economic competitors have doubled down on their investments in research and development. Over the past decade, China has averaged a 23 percent increase in R&D spending each year. Perhaps, not surprisingly, in 2014, China overtook the United States to become the world's largest economic power.

The crisis that the Augustine committee warned us about in 2005 has now arrived.

□ 1530

What is the response of our majority to this crisis? Absolutely nothing. That is what is in H.R. 1806: absolutely nothing.

H.R. 1806 completely abandons the recommendations of the Augustine committee and the original COMPETES Act. It abandons the legacy of COMPETES by flat-funding R&D investments. It abandons the legacy by slashing funding for the very ARPA-E program envisioned by this committee, the Augustine committee. It abandons that legacy by politicizing the scientific grant-making process and pitting different research disciplines against each other.

I want to be clear about what it is that this majority is abandoning. They are abandoning our future.

America is the greatest nation on Earth, but our greatness is not guaranteed. We have to work for it. We have to do the things that are necessary to ensure a bright future for our country. That means making the same kinds of investments in science and technology that previous generations made. Our predecessors understood what was at stake. They made a commitment to invest in research and development and science education, and we still benefit from those past investments today.

The world is not standing still. If we do not recommit to our investments in science education, research, and development, we will be surpassed.

The bill before us fails to secure our Nation's future, and for that reason, I must strenuously oppose it.

I am not alone in my opposition. We have received more than 40 letters or statements of concern or outright opposition from over 70 different groups, including the American Association for the Advancement of Science, the Association of American Universities, the Association of Public and Land-grant Universities, the Business Council for Sustainable Energy, the Coalition for National Science Funding, the STEM Education Coalition, the Truman National Security Project, and many, many others. I will put the full list of these organizations in the RECORD at this time.

75 ORGANIZATIONS IN OPPOSITION TO H.R. 1806, THE AMERICA COMPETES REAUTHORIZATION ACT OF 2015

1. Alliance to Save Energy
2. American Academy of Political and Social Science
3. American Anthropological Association
4. American Association for the Advancement of Science
5. American Association of Petroleum Geologists
6. American Association of Physics Teachers
7. American Educational Research Association
8. American Geophysical Union
9. American Geosciences Institute
10. American Institute of Biological Sciences
11. American Institute of Physics
12. American Meteorological Society
13. American Physical Society
14. American Political Science Association
15. American Psychological Association
16. American Society for Microbiology
17. American Sociological Association
18. Association for Behavioral and Cognitive Therapies
19. Association for the Sciences of Limnology and Oceanography
20. Association of American Universities
21. Association of Population Centers
22. Association of Public and Land-grant Universities
23. AVS: Science & Technology of Materials, Interfaces, and Processing
24. Biophysical Society
25. Business Council for Sustainable Energy
26. Center for Small Business and the Environment
27. Clay Minerals Society
28. Coalition for National Science Funding
29. Computing Research Association
30. Consortium for Ocean Leadership
31. Consortium of Social Science Associations
32. Council of Undergraduate Research
33. Department of Energy Secretary Ernest Moniz
34. Earth Day Network
35. Ecological Society of America
36. Energy Sciences Coalition
37. Environment America
38. Environment and Energy Study Institute
39. Environmental Defense Fund
40. Federation of American Societies for Experimental Biology

41. Federation of Associations in Behavioral and Brain Sciences
42. Geological Society of America
43. Incorporated Institutions for Seismology
44. Institute of Electrical and Electronics Engineers, Inc.
45. Law and Society Association
46. League of Conservation Voters
47. Learning and Education Academic Research Network
48. Michigan State University
49. National Association of Geoscience Teachers
50. National Association of Marine Laboratories
51. National Cave and Karst Research Institute
52. National Ground Water Association
53. Natural Resources Defense Council
54. Nobel Laureates
55. Ohio State University
56. Paleontological Research Institution
57. Pew
58. Population Association of America
59. Princeton University
60. Research!America
61. Seismological Society of America
62. Sierra Club
63. Society for Mining, Metallurgy, and Exploration, Inc.
64. Society of Independent Professional Earth Scientists
65. Soil Science Society of America
66. STEM Education Coalition
67. Taskforce on American Innovation
68. The Optical Society
69. Truman National Security Project—Operation Free
70. Union of Concerned Scientists
71. United States Permafrost Association
72. University Corporation for Atmospheric Research
73. University of Colorado at Boulder
74. University of Michigan
75. Wayne State University.

Ms. EDDIE BERNICE JOHNSON of Texas. Again, I strongly, strongly oppose this bill, and I reserve the balance of my time.

Mr. SMITH of Texas. Mr. Chairman, I yield 4 minutes to the gentleman from Texas (Mr. WEBER), who is the chairman of the Energy Subcommittee of the Science, Space, and Technology Committee.

Mr. WEBER of Texas. I thank Chairman SMITH for yielding me time to speak on this important legislation that is on the floor today.

Mr. Chair, H.R. 1806, the America COMPETES Reauthorization Act of 2015, authorizes the science and energy research programs at the Department of Energy, providing funding for research and development conducted in our universities and national labs across the country.

DOE is the largest Federal supporter of basic research in the physical sciences and provides user facilities for over 31,000 scientific researchers each year.

The America COMPETES Act prioritizes funding for the Office of Science, which conducts critical research in high energy physics, advanced scientific computing, biological and environmental research, nuclear physics, fusion energy sciences, and basic energy sciences.

This basic R&D has broad applications for our economy and for our national security, providing tools and user facilities for researchers in all energy fields.

The America COMPETES Act also reauthorizes the Department's applied energy programs in nuclear energy, fossil energy, energy efficiency and renewable energy, and electricity research and development.

By prioritizing research and development in these programs, we can maximize Federal dollars and leave commercialization and deployment to the private sector, Mr. Chairman, which has the most incentive to bring new, cost-effective, and efficient technologies to market.

This legislation is fiscally responsible and cuts funding to lower-priority and duplicative programs like EERE, which has grown by almost 60 percent in the last decade. With our national debt of $18 trillion and rising, Congress must prioritize fundamental research to lay the foundation for the next technological breakthrough.

We simply cannot afford to spend limited Federal dollars on promoting today's technology. This is so yesterday when we do that. Instead of duplicating work that could be done in the private sector, the America COMPETES Act prioritizes basic research and development with broad application to all forms of energy and energy efficiencies.

Mr. Chairman, over the past 5 months, the Science Committee has held hearings on the Department of Energy research and development for advanced nuclear reactors, high-performance computing, energy efficiency and renewable energy, energy storage, and the Department of Energy budget proposal. With limited time, this Science Committee in this Congress has conducted five hearings in support of this legislation, prioritizing oversight of the DOE programs authorized in this bill.

By supporting the America COMPETES Act, Congress can promote fundamental research, build a foundation for the private sector to bring innovative new technologies to market, and grow the American economy.

I urge my colleagues to support the America COMPETES Reauthorization Act.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Chairman, I now yield 3 minutes to the gentlewoman from Maryland (Ms. EDWARDS).

Ms. EDWARDS. Mr. Chairman, it is actually quite disappointing that we are here at this point today. And I join the ranking member and our colleagues on this side of the aisle in opposing this harmful antiscience bill, H.R. 1806.

When I first came into Congress, I was excited because we were actually working on reauthorizing the COMPETES Act. We were making investments in important research and development and technologies for the 21st century. And we were doing that in a bipartisan fashion based on bipartisan scientific and research-based recommendations. But that is not where we are today.

H.R. 1806 contains severe funding cuts to the Department of Energy, including cutting close to one-third of the budget of the Office of Energy Efficiency and Renewable Energy and half the budget of ARPA–E. In fact, you could argue that this is not an investment in the 21st century at all: it is a throwback bill to the 20th century.

These cuts are going to cripple our Nation's research into high-impact technologies to generate, store, and use energy and will harm our ability to compete successfully with other countries.

The bill also contains many harmful provisions restricting the Department of Energy, such as a provision preventing the results of any Department of Energy-supported fossil fuel energy research and development from being ''used for regulatory assessments or determinations by Federal regulatory authorities.'' That would essentially bar the EPA or the Federal Energy Regulatory Commission from using the most current research results when they set rules to protect our air, our land, and our water.

How unfortunate that this antiscience bill also includes a misguided attempt to impose a level of political review on the National Science Foundation's gold-standard merit review system.

This is the National Science Foundation, not a political organization.

The CHAIR. The time of the gentlewoman has expired.

Ms. EDDIE BERNICE JOHNSON of Texas. I yield the gentlewoman an additional 1 minute.

Ms. EDWARDS. This is a dangerous proposal that would stifle the kind of high-risk, outside-the-box thinking that has put the United States on the cutting edge of scientific research.

If this bill were to become law, it would eliminate valuable and scientifically sound research on climate change within the Department of Energy under the guise of a cost-cutting measure.

After all, Mr. Chairman, isn't that what this is about? It is about the other side just not believing in climate change, despite the science.

In addition to all of the dangerous and harmful things that this bill does do, it lacks any substantively helpful provisions in a number of areas.

I actually proposed an amendment that would simply look at our 21st century workforce by supporting research at minority-serving institutions, growing STEM fields for young people who we know have to go into the 21st century workforce. It flat-funds the education directorate at the National Science Foundation.

I can't think of anything more harmful than doing a COMPETES legislation that is, at its core, the most anti-competitive legislation that could be put on this floor. It is a danger to the 21st century.

Mr. SMITH of Texas. Mr. Chairman, I am pleased to yield 2 minutes to the gentleman from Louisiana (Mr. SCALISE), who is the majority whip.

Mr. SCALISE. I thank my colleague, the chairman from Texas, for yielding and for his leadership in bringing the America COMPETES Act to the floor.

Mr. Chairman, I rise in strong support of the America COMPETES Act. If you look at what we are trying to do here, we want America to maintain our competitive edge, to create good-paying jobs here at home. But to do that, we need to invest wisely and responsibly in basic scientific research.

After years of overspending and the administration expanding programs way beyond the core missions of the National Science Foundation and the Department of Energy, the COMPETES Act prioritizes taxpayer dollars to support basic research in biology, chemistry, math, engineering, and computer science. American taxpayers' dollars are being spent on programs that do not meet the national interest or help invest in our future.

I want to point out some of the wasteful spending that is being eliminated by this legislation, the America COMPETES Act.

Mr. Chairman, $340,000 of taxpayer money is being spent to study human-set fires in New Zealand in the 1800s—taxpayer dollars here in America are being spent on that; $50,000 to study civil lawsuits in Peru from 1600 to 1700; $487,000 to study textiles and gender in Iceland from 874–1800, during the Viking era; $697,000 for ''The Great Immensity,'' a musical about climate change.

This is what taxpayer dollars are being spent on, Mr. Chairman, at a time when Americans are tightening their belts and are looking to Washington to do what they are doing in being fiscally responsible.

This refocuses what we are supposed to be trying to do to promote science, to promote computer science, as a computer scientist, the things that are going to help American workers be successful—not all of this foolishness that is wasting taxpayer money. It is a great bill that actually prioritizes the taxpayer dollars of this country. I urge my colleagues to pass it.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Chairman, I yield 3 minutes to the gentleman from Maryland (Mr. HOYER).

Mr. HOYER. I thank the gentlewoman for yielding.

Mr. Chairman, I rise in opposition to the COMPETES Reauthorization Act, which is an attempt to disinvest, in my view, in research, innovation, and education at a time when we ought to be investing in those areas even more greatly.

This bill places our competitiveness at a serious risk over the long term. The public must be awfully confused, I understand, by both sides claiming that they are enhancing research. Many interest groups, however, disagree with our Republican friends.

I had hoped that this year's COMPETES legislation would have been written so that we could continue the tradition of the strong bipartisan support that it received in 2007 and 2010. Overwhelmingly, Republicans voted for these bills initially and the reauthorization.

Unfortunately, the severe cuts and partisan policy changes it makes preclude that from happening. The Republicans who wrote this legislation have decided that they know better than America's scientists and innovators. They arbitrarily pick and choose research programs they like at the expense of those they ideologically oppose—in other words, not peer review but political review. And they cut key areas of research far below the levels appropriated for fiscal year 2015, including the Manufacturing Extension Partnership program and R&D for renewable energy technologies.

How ironic that we have an R&D bill on the floor and they are cutting R&D technology here.

Furthermore, this bill would slash our investments in the cutting edge ARPA-E program by 50 percent, which funds high-risk and high-reward research in energy technologies that might not otherwise be pursued.

Now, of course, if global warming is not an issue, who cares.

This bill, though called the America COMPETES Act, really ought to be titled the Everyone Else Competes Act because it will cause us to fall farther and farther behind our overseas competitors, who are already far outpacing us in how much they invest in science and technology research.

Alongside this bill today, the House also is considering a bill that tries to do something many of us agree ought to be done but it does it in a fiscally irresponsible way. I am opposing and urge my colleagues to oppose making the R&D tax credit permanent because we ought to pay for it, Mr. Chairman—not make our children and grandchildren pay for it.

Over and over and over again, the Republicans claim that the tax cuts that they are passing will pay for themselves. I came here in 1981. That was the claim. Under President Reagan, we increased the debt 189 percent.

The CHAIR. The time of the gentleman has expired.

Ms. EDDIE BERNICE JOHNSON of Texas. I yield the gentleman from Maryland an additional 1 minute.

□ 1545

Mr. HOYER. Now, Bush did better after 2001 and 2003. He only increased the deficit 87 percent, or almost three times that increased under President Clinton; and none of the tax cuts ended up paying for themselves, and Greenspan said so.

Since the beginning of this Congress, Republicans have brought to the floor and passed nine tax cuts. It is so easy to vote for tax cuts. It is so hard to pay for what we are buying. And that is why we have a deficit, because we do not pay for what we buy.

Today the House is being asked to vote on another unpaid-for tax extender that, on its own, would increase the deficit by $182 billion. That is a total of $586 billion—over half a trillion dollars—that Republicans are proposing to add to the deficit this year.

We have heard Republicans argue that making the R&D tax credit permanent would benefit the economy.

The CHAIR. The time of the gentleman has again expired.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Chairman, I yield the gentleman an additional 1 minute.

Mr. HOYER. They are right about that, and I support the R&D being made permanent—if we pay for it. That is a principle the American public expects us to pursue. Many Democrats agree as well.

However, what will be an even greater benefit to the economy is for Congress to set aside the misguided mantra that tax cuts pay for themselves and, instead, put America's fiscal house in order. Let's start a real conversation about fixing our broken Tax Code in a fiscally sustainable way. Passing this R&D tax credit will undermine that effort.

I am urging my colleagues on both sides of the aisle who care deeply about fiscal sustainability, about tax reform, and about economic competitiveness to oppose these bills.

Mr. SMITH of Texas. Mr. Chairman, I yield 2 minutes to the gentleman from California (Mr. KNIGHT), an active member of the Science, Space, and Technology Committee.

Mr. KNIGHT. Mr. Chairman, I rise in support of the America COMPETES Act, and I would like to thank the chair for his leadership in this field.

Mr. Chairman, today the Federal Government spends about $3 billion across STEM education efforts. This bill creates a new STEM education advisory panel to provide feedback and advise the President and Federal agencies with STEM programs to better inform plans and budgets. The bill directs that STEM education efforts are to be coordinated across the Federal Government to limit duplication. Industry also recognizes the benefits of STEM. This is evidenced by its support of various STEM programs with equipment, facilities, and volunteers.

In my district alone, aerospace thrives with high-technical, high-paying jobs. Without STEM, without reaching out with STEM education, we don't get those folks to jump in there. We have to talk about other things like visas and bringing people in for these types of jobs instead of working with our kids to get them educated and moving toward a good career.

This bill provides for grants for research on STEM programming that engages underrepresented students. Again, in my district, we have the Lancaster Robotics Team. It started more than 10 years ago. When it started, it was about 2 percent women, or 2 percent girls; today it is over 40 percent. Forty percent of the Lancaster Robotics Team is girls working towards a STEM degree, working towards an engineering degree, a mathematics degree, and a computer science degree. Again, aerospace brings many of the highest paying and most technical jobs not just to my district, but to this country.

Mr. Chairman, STEM education is not just a buzzword; it is something that actually works. STEM education is the lifeblood for what we do in a high technical society. If we don't do it, someone else will. We should do it right here in America. I ask for an ''aye'' vote.

Ms. EDDIE BERNICE JOHNSON of Texas. I yield 4 minutes to the gentleman from New York (Mr. TONKO).

Mr. TONKO. I thank the gentlewoman from Texas for yielding.

Mr. Chair, I rise today in opposition to H.R. 1806, the America COMPETES Reauthorization Act. The original COMPETES Act was visionary in its commitment to increased R&D funding, and I strongly believe we should continue to increase funding for worthwhile investments in our Nation's future. However, I have serious concerns with this bill that the majority has offered.

In 2010, as a member of the Science, Space, and Technology Committee, I had the opportunity to work on a truly bipartisan reauthorization of COMPETES. We worked together and chose to make certain that we innovate and we made certain that we would compete.

This year I returned to the Science, Space, and Technology Committee, excited to again work on a smart and targeted COMPETES reauthorization. Unfortunately, there was no bipartisan process, and the result is a bill that does not live up to the original COMPETES vision. It would be more appropriately named the ''America Concedes'' bill. Why? Because at a time when the rest of the world is taking extraordinary steps to innovate, this bill would have America do the opposite. Its efforts are misguided, at the least. Major areas of research are not adequately funded, and the policy changes would take us in the wrong direction.

Mr. Chair, I am concerned by the majority's fixation on allocating funding for NSF by directorate. This creates a dangerous precedent in denying NSF adequate flexibility and instead places political whims ahead of the need to independently foster true innovative research. I am also concerned by the effort to impose political review on NSF's gold-standard merit review system. The scientific community in our Nation and around the world agrees that NSF's review system works, and works very well. So why would we make it more difficult to encourage high risk, high rewards research?

Instead, we should be increasing research funding, providing NSF the appropriate flexibility to fund innovative research, and we should be investing in a sustained commitment to STEM education. My district needs and deserves STEM as an education process. It doesn't want simple buzzwords. It wants a real STEM education effort.

As a nation, we are woefully underproducing scientists and engineers. In order to remain a competitive global economic power in the 21st century, we must place a strong focus on STEM education. Instead, this bill provides flat funding for STEM education along with increased administrative burdens. That is not a commitment to STEM education. In practical terms, it is a decrease in funding.

I am also concerned by the cuts in funding for the Manufacturing Extension Partnership program and by the strike in funding for the National Network for Manufacturing Innovation, or NNMI. These initiatives are smart investments and opportunities for our Nation to truly collaborate, to compete, and to be truly cutting-edge. This bill denies our American pioneer spirit.

The CHAIR. The time of the gentleman has expired.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Chairman, I yield the gentleman an additional 1 minute.

Mr. TONKO. This bill also makes huge cuts to funding for Energy Efficiency and Renewable Energy research and development as well as the funding for ARPA-E. These cuts ignore the reality that a modern society needs energy, and the only way we are going to meet our energy challenge is through smart investments in research and development.

Energy is essential to our economy, and if we pull back resources and do not invest, we will put our economic and national security at risk. We will also not meet the energy challenge if we blindly ignore existing research and refuse to access the most up-to-date information.

We also cannot solve our budget deficit with these types of cuts. In fact, they are more likely to make the problem worse. The best way to reduce our budget deficit is by fostering new businesses and industries that generate economic wealth, revenue, and jobs, and the fuel for that task is research and development. We are missing a golden opportunity with this measure. For these reasons I urge a ''no'' vote on this bill.

Mr. SMITH of Texas. Mr. Chairman, this bill does not touch merit review.

Mr. Chairman, I yield 2 minutes to the gentleman from Texas (Mr. BABIN), who is a valuable member of the Science, Space, and Technology Committee.

Mr. BABIN. Mr. Chairman, I rise today in strong support of H.R. 1806, the America COMPETES Act.

Mr. Chairman, when the American people pay their taxes, they expect their tax dollars to be spent effectively and efficiently. Too often that has not been the case across government, and there is nothing worse than seeing taxes taken out of their paychecks and wasted. Not only is that fiscally irresponsible, it is insulting to the taxpayers.

The bill before us is fiscally responsible and takes important steps to cut wasteful spending. Traditionally, when the National Science Foundation was mentioned, Americans thought of hard sciences—basic research, advanced technologies in biology, engineering, mathematics, and the physical sciences. It is investments in these fields that advance American technology and help the United States maintain its competitive edge.

Unfortunately, some recent National Science Foundation expenditures have brought widespread criticism to the NSF and its priorities. There was the expenditure, for example, of $856,000 on a grant to teach three captive mountain lions how to use a treadmill. NSF spent another $387,000 on a mechanical device that simulates Swedish massages for rabbits. This is unquestionably a waste of taxpayer money, particularly when we are over $18 trillion in debt.

Our bill cuts spending on lower priority government social and behavioral programs at the National Science Foundation by 45 percent, saving taxpayer dollars and setting a higher priority on the harder sciences. The American people want Washington to be responsible with their money, and when Federal agencies get out of hand, they need to be reined in, and our bill does just that.

I want to thank Chairman SMITH and his staff for their hard work and leadership on this bill, and I ask my colleagues to join me in supporting it.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Chairman, I yield 3 minutes to the gentlewoman from Massachusetts (Ms. CLARK).

Ms. CLARK of Massachusetts. Mr. Chairman, I thank the gentlewoman from Texas for yielding.

Bentley University is a renowned business school in my district, and

when a class from Bentley visited me just a few weeks ago, they were advocating for a critical underpinning of our economy. These students came to discuss the importance of funding the geosciences in the NSF. Why? Because it is good business.

These students and the business community understand the critical role that geoscience has in disaster resilience, helping us to address drought, looking at solar storms that can cripple our electric grid, impacts on fisheries and ocean health, and in maintaining agriculture and in healthy soil.

Business leaders know that extreme weather like hurricanes, droughts, tornadoes, and landslides result in billions of dollars in damage, and by using what we learn from geoscience, we can identify ways to mitigate these costs and save us money. Business leaders understand this connection, so why doesn't Congress?

Rather than support investment in geoscience research, this legislation specifically targets it for drastic cuts in funding. Climate change is real. Human activity contributes to it, and it is bad for the bottom line. It is irresponsible for us to cut funding for research that helps us understand what is happening and how to address it.

Adequately funding geoscience research is critical to protecting and growing our economy and to the security of the American people. Let's vote for our economy, let's vote for our security, and let's reject this bill.

Mr. SMITH of Texas. Mr. Chairman, I yield myself 30 seconds.

Mr. Chairman, as set forth in the report that accompanied the Science, Space, and Technology Committee approval of the America COMPETES Act, NSF will maintain full funding for research in the hard science areas of geoscience like deep-ocean drilling and geological research to find new energy resources. What our bill does do is reduce funds that have been used by NSF to fund low priorities like a survey of Norwegian tourism, teaching TV meteorologists about climate change, and creating climate change video games.

Mr. Chairman, I yield 3 minutes to the gentleman from Texas (Mr. MCCAUL), my colleague and the chairman of the Homeland Security Committee.

□ 1600

Mr. MCCAUL. Mr. Chairman, I rise today in support of reauthorization of the America COMPETES Act. In this tough budget environment, I applaud Chairman SMITH and the Science, Space, and Technology Committee for crafting a bill that provides for much-needed investments in scientific research in a fiscally responsible manner. By setting priorities and eliminating duplicative activities, we are actually able to increase funding for new and promising research while keeping overall spending constant.

This bill is designed to secure America's premier status in scientific and technological advancement in several ways. First, it improves our STEM education programs by adding computer sciences to the definition of STEM education, which will allow these programs to be used to train the next generation of high-tech workers and cybersecurity professionals. As our high-tech sector continues to expand in places like my hometown of Austin, it is important to make sure that we are producing enough qualified workers to fill these jobs.

Second, this bill also helps researchers at our national labs commercialize their discoveries by removing bureaucratic obstacles. This will bring innovative new products to market faster, encouraging job creation and private sector investment.

Most importantly, the America COMPETES Reauthorization Act provides a substantial increase in funding for research activities at the National Science Foundation, the National Institute of Standards and Technology, and the Department of Energy. This will allow the scientists at our universities, such as the University of Texas, to advance our understanding of the physical world and provide the foundation for future innovations by business and new entrepreneurs.

I urge strong support of this bill.

Ms. EDDIE BERNICE JOHNSON. Mr. Chairman. I yield 3 minutes to the gentleman from California (Mr. TED LIEU).

Mr. TED LIEU of California. Mr. Chairman, I rise today to oppose the America COMPETES Act in part because it cuts over $62 million of funding to the hard science of studying the effects of climate change.

The effects of climate change are not a partisan issue. We know that our sea levels have risen by over 6.7 inches in the last century, and they have accelerated in the last decade. Rising sea levels affect not just Democratic districts; it also affects Republican districts.

We can measure with precision that we have had, over 20 years, the hottest records in terms of temperatures in recorded history having occurred since 1980. We know that, in 2012, over 19 States broke the hottest records in their States. More extreme weather events and more weather uncertainty affect not just red States and blue States and purple States, it affects all of America. And that is why, last month, former Reagan Secretary of State George Shultz wrote an op-ed in The Washington Post saying: Climate change is happening. We need to take action on it, and we need to ensure our future against climate change. He called it the Reagan way. He said that is what President Reagan would have done.

As you know, this America COMPETES Act, the funding for the hard science of the effects of climate change, was put in place under President Bush in 2007. Just today, our President announced what the U.S. military is saying about climate change.

I served on Active Duty in the United States Air Force. I am now 19 years in with the Reserves. One of the amazing strengths of America is that our military is nonpartisan, nonideological; and our military takes the world as it is, not as they hope it to be. Our military does not live in a fantasy world, and they understand that climate change is happening. They know it is a national security threat. They are telling the American public we need to act on climate change now because we can't have flooding of our bases; we can't have droughts and more severe weather events that cause conflicts in all the parts of the world.

So I ask the American public to trust former Reagan Secretary of State George Shultz, trust President Bush, trust our United States military who are saying climate change is a problem. Keep in mind, our military relies on hard science and technology and all that makes this world possible. So trust our military, and trust everyone who has looked at it. Please reject the America COMPETES Act because we need to deal with climate change. We need to deal with it now.

Mr. SMITH of Texas. Mr. Chairman, I yield 1 minute to the gentleman from Michigan (Mr. MOOLENAAR), who is a member of the Science Committee and also a vice chairman of the Research and Technology Subcommittee.

Mr. MOOLENAAR. Mr. Chairman, the America COMPETES Act is good legislation that will help build a better future for our country. The COMPETES Act expands the definition of STEM education to include computer science.

According to the Bureau of Labor Statistics, for every computer science graduate between 2013 and 2023, there will be two jobs available. That is why programs in my district like Go IT, offered free of charge to middle and high school students, are so important to creating career awareness in computer science and other STEM fields.

This legislation increases government accountability. It requires the National Science Foundation grants meet a national interest standard and to publicly justify why they should receive taxpayer dollars. Requiring government agencies to prioritize the national interest is common sense. It enhances accountability to the American people.

I am proud to be a cosponsor of the America COMPETES Act, and I urge my colleagues to vote ''yes.''

Ms. EDDIE BERNICE JOHNSON. I reserve the balance of my time.

Mr. SMITH of Texas. Mr. Chair, I have no other speakers at this time as

well, so I will reserve the balance of my time.

Ms. EDDIE BERNICE JOHNSON. Mr. Chair, I have no further requests for speaking.

I just urge everyone to vote ''no'' on this bill, and I yield back the balance of time.

Mr. SMITH of Texas. Mr. Chairman, I yield myself such time as I may consume.

Our colleagues on the other side of the aisle today would have you believe that the only way you can be proscience is to spend more taxpayer money than the Budget Control Act allows. That is irresponsible.

If everything is a priority, then nothing is. Real priorities require making real choices.

If synthetic biology research at NSF is a priority, we should stop using the American people's tax dollars to fund reviews of animal photographs in National Geographic magazine. If robotics and batteries are priorities, we should not continue to spend taxpayer dollars on climate change musicals.

H.R. 1806 proves that we can set priorities, make tough choices, and still invest more in breakthrough research and innovation.

I thank the members of the Science Committee who provided valuable input into H.R. 1806, the America COMPETES Reauthorization Act of 2015; and that includes the cosponsors of the bill: Committee Vice Chairman FRANK LUCAS; all of our subcommittee chairs, BARBARA COMSTOCK, RANDY WEBER, BARRY LOUDERMILK, and JIM BRIDENSTINE; as well as Representatives STEVE PALAZZO, RANDY HULTGREN, STEVE KNIGHT, BRIAN BABIN, and JOHN MOOLENAAR.

I urge the adoption of this proscience, fiscally responsible bill.

Mr. Chairman, I would like to enter into the RECORD an exchange of letters between the Committee on Science, Space, and Technology and the Committees on Education and the Workforce, Oversight and Government Reform, and Energy and Commerce.

HOUSE OF REPRESENTATIVES, COMMITTEE ON EDUCATION AND THE WORKFORCE

Washington, DC, May 4, 2015.

Hon. LAMAR SMITH,

Chairman, Committee on Science, Space, and Technology, House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: I am writing to confirm our mutual understanding with respect to H.R. 1806, the America COMPETES Reauthorization Act of 2015. Thank you for consulting with the Committee on Education and the Workforce with regard to H.R. 1806 on those matters within the Committee's jurisdiction.

In the interest of expediting the House's consideration of H.R. 1806, the Committee on Education and the Workforce will forgo further consideration of this bill. However, I do so only with the understanding this procedural route will not be construed to prejudice my Committee's jurisdictional interest and prerogatives on this bill or any other similar legislation and will not be considered as precedent for consideration of matters of jurisdictional interest to my Committee in the future.

I respectfully request your support for the appointment of outside conferees from the Committee on Education and the Workforce should this bill or a similar bill be considered in a conference with the Senate. I also request you include our exchange of letters on this matter in the Committee Report on H.R. 1806 and in the Congressional Record during consideration of this bill on the house Floor. Thank you for your attention to these matters.

Sincerely,

JOHN KLINE,
Chairman.

HOUSE OF REPRESENTATIVES, COMMITTEE ON SCIENCE, SPACE, AND TECHNOLOGY,

Washington, DC, May 4, 2015.

Hon. JOHN KLINE,

Chairman, Committee on Education and the Workforce, Rayburn House Office Building, Washington, DC.

DEAR MR. CHAIRMAN: Thank you for your letter regarding the Committee on Education and the Workforce's jurisdictional interest in H.R. 1806, the ''America COMPETES Reauthorization Act of 2015,'' and your willingness to forego consideration of H.R. 1806 by your committee.

I agree that the Committee on Education and the Workforce has a valid jurisdictional interest in certain provisions of H.R. 1806, and that the Committee's jurisdiction will not be adversely affected by your decision to forego consideration of H.R. 1806. As you have requested, I will support your request for an appropriate appointment of outside conferees from your Committee in the event of a House-Senate conference on this or similar legislation should such a conference be convened.

Finally, I will include a copy of your letter and this response in the Committee Report and in the Congressional Record during the floor consideration of this bill. Thank you again for your cooperation.

Sincerely,

LAMAR SMITH,
Chairman.

HOUSE OF REPRESENTATIVES, COMMITTEE ON OVERSIGHT AND GOVERNMENT REFORM,

Washington, DC, May 4, 2015.

Hon. LAMAR SMITH,

Chairman, Committee on Science, Space, and Technology, Rayburn HOB, Washington, DC.

DEAR MR. CHAIRMAN: I write concerning H.R. 1806, the America COMPETES Reauthorization Act of 2015. As you know, the Committee on Science, Space, and Technology received an original referral and the Committee on Oversight and Government Reform a secondary referral when the bill was introduced on April 15, 2015. I recognize and appreciate your desire to bring this legislation before the House of Representatives in an expeditious manner, and accordingly, the Committee on Oversight and Government Reform will forego action on the bill.

The Committee takes this action with our mutual understanding that by foregoing consideration of H.R. 1806 at this time, we do not waive any jurisdiction over the subject matter contained in this or similar legislation. Further, I request your support for the appointment of conferees from the Committee on Oversight and Government Reform during any House-Senate conference convened on this or related legislation.

Finally, I would ask that a copy of our exchange of letters on this matter be included in the bill report filed by the Committee on Science, Space, and Technology, as well as in the Congressional Record during floor consideration, to memorialize our understanding.

Sincerely,

JASON CHAFFETZ,
Chairman.

HOUSE OF REPRESENTATIVES, COMMITTEE ON SCIENCE, SPACE, AND TECHNOLOGY,

Washington, DC, May 4, 2015.

Hon. JASON CHAFFETZ,

Chairman, Committee on Oversight and Government Reform, Rayburn House Office Building, Washington, DC.

DEAR MR. CHAIRMAN: Thank you for your letter regarding the Committee on Oversight and Government Reform's jurisdictional interest in H.R. 1806, the ''America COMPETES Reauthorization Act of 2015,'' and your willingness to forego consideration of H.R. 1806 by your committee.

I agree that the Committee on Oversight and Government Reform has a valid jurisdictional interest in certain provisions of H.R. 1806, and that the Committee's jurisdiction will not be adversely affected by your decision to forego consideration of H.R. 1806. As you have requested, I will support your request for an appropriate appointment of outside conferees from your Committee in the event of a House-Senate conference on this or similar legislation should such a conference be convened.

Finally, I will include a copy of your letter and this response in the Committee Report and in the Congressional Record during the floor consideration of this bill. Thank you again for your cooperation.

Sincerely,

LAMAR SMITH,
Chairman,

HOUSE OF REPRESENTATIVES, COMMITTEE ON SCIENCE, SPACE, AND TECHNOLOGY,

Washington, DC, May 12, 2015.

Hon. FRED UPTON,

Chairman, Committee on Energy and Commerce, Rayburn House Office Building, Washington, DC.

DEAR MR. CHAIRMAN: Thank you for your letter regarding the Committee on Energy and Commerce's jurisdictional interest in H.R. 1806, the ''America COMPETES Reauthorization Act of 2015,'' and your willingness to forego consideration of H.R. 1806 by your committee.

I agree that the Committee on Energy and Commerce has a valid jurisdictional interest in certain provisions of H.R. 1806, and that the Committee's jurisdiction will not be adversely affected by your decision to forego consideration of H.R. 1806. As you have requested, I will support your request for an appropriate appointment of outside conferees from your Committee in the event of a House-Senate conference on this or similar legislation should such a conference be convened.

Finally, I will include a copy of your letter and this response in the Committee Report and in the Congressional Record during the floor consideration of this bill. Thank you again for your cooperation.

Sincerely,

LAMAR SMITH,
Chairman.

HOUSE OF REPRESENTATIVES, COMMITTEE ON ENERGY AND COMMERCE,

Washington, DC, May 11, 2015.

Hon. LAMAR SMITH,

Chairman, Committee on Science, Space, and Technology, Rayburn House Office Building, Washington, DC.

DEAR CHAIRMAN SMITH: I write in regard to H.R. 1806, America COMPETES Reauthorization Act of 2015. As you are aware, the bill was referred to the Committee on Science, Space, and Technology, but the Committee on Energy and Commerce has a jurisdictional interest in the bill. I wanted to notify you that the Committee on Energy and Commerce will forgo requesting a sequential referral on the bill so that it may proceed expeditiously to the House floor for consideration.

This is done with the understanding that the Committee on Energy and Commerce's jurisdictional interests over this and similar legislation are in no way diminished or altered. In addition, the Committee reserves the right to seek conferees on H.R. 1806 and requests your support when such a request is made.

I would appreciate your response confirming this understanding with respect to H.R. 1806 and ask that a copy of our exchange of letters on this matter be included in the Congressional Record during consideration of the bill on the House floor.

Sincerely,

FRED UPTON,
Chairman.

Mr. SMITH of Texas. Mr. Chairman, I yield back the balance of my time.

Mrs. CAPPS. Mr. Chair, I would like to submit for the RECORD my strong opposition to H.R. 1806, the America COMPETES Reauthorization Act of 2015.

This harmful bill undermines key investments in science and innovation, as well as our nation's commitment to world class research, including the research that is taking place in my congressional district on the Central Coast of California.

Specifically, this bill cuts several important programs at NSF, including research and development related to climate science, natural hazards, and renewable energy.

Furthermore, H.R. 1806 cripples support for international research collaborations—an instrumental tool at UC Santa Barbara, which has led to groundbreaking research and produced multiple Nobel Prize winners.

As we move to affirm our nation's leadership in science and technology, we should be working in a bipartisan manner to strengthen our investments in scientific research—not weaken them.

This bill is sadly a step backward for American innovation, and I urge my colleagues to oppose H.R. 1806.

Mr. VAN HOLLEN. Mr. Chair, in 2007, following reports that the United States could lose its competitive edge in the global economy, Congress came together on a bipartisan basis to boost federal research, spur American innovation, and maintain our strength in scientific and technological discovery. We reauthorized that bill, again on a bipartisan basis, in 2010.

Unfortunately, today we have a bill on the floor that abandons those bipartisan efforts, shortchanges critical research, and unacceptably interferes in decision-making at our scientific institutions. It makes particularly egregious cuts to climate change research and efforts to develop new energy efficiency and renewable energy technologies for a cleaner energy future. Climate change is real and we are already seeing its impacts across the country. But it also provides economic opportunity, if we invest in R&D to develop new renewable sources and efficiency technologies. This bill would jeopardize American innovation in this critical area.

Today's bill also meddles in decision-making at our federal research institutions, decreasing funding at certain directorates at the National Science Foundation and imposing new requirements in the grant-making process. Our science agencies have a robust review process in place to fund the most critical research. Politics should have no part in that process.

Unlike earlier America COMPETES bills that were built on broad consensus, HR 1806 is opposed by the vast majority of our nation's scientific community. I urge my colleagues to listen to these scientists and bring forward a bill that invests in American innovation and supports the cutting-edge research necessary to maintain our leadership in the world.

The Acting CHAIR (Mr. POE of Texas). All time for general debate has expired.

Pursuant to the rule, the bill shall be considered for amendment under the 5-minute rule.

In lieu of the amendment in the nature of a substitute recommended by the Committee on Science, Space, and Technology, printed in the bill, it shall be in order to consider as an original bill for the purpose of amendment under the 5-minute rule an amendment in the nature of a substitute consisting of the text of Rules Committee Print 114–15. That amendment in the nature of a substitute shall be considered as read.

The text of the amendment in the nature of a substitute is as follows:

H.R. 1806

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

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''America COMPETES Reauthorization Act of 2015''.

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

SEC. 2. DEFINITIONS.

In this Act—

(1) the term ''STEM'' means the subjects of science, technology, engineering, and mathematics;

(2) the term ''STEM education'' means education in the subjects of STEM, including computer science; and

(3) the term ''Committee on STEM Education'' means the Committee on Science, Technology, Engineering, and Mathematics Education established under section 101 of the America COMPETES Reauthorization Act of 2010 (42 U.S.C. 6621).

TITLE I—NATIONAL SCIENCE FOUNDATION

SEC. 101. AUTHORIZATION OF APPROPRIATIONS.

(a) FISCAL YEAR 2016.—

(1) IN GENERAL.—There are authorized to be appropriated to the Foundation $7,597,140,000 for fiscal year 2016.

(2) SPECIFIC ALLOCATIONS.—Of the amount authorized by paragraph (1)—

(A) $6,186,300,000 shall be made available to carry out research and related activities, including—

(i) $834,800,000 for the Biological Science Directorate;

(ii) $1,050,000,000 for the Computer and Information Science and Engineering Directorate;

(iii) $1,034,000,000 for the Engineering Directorate;

(iv) $1,200,000,000 for the Geosciences Directorate;

(v) $1,500,000,000 for the Mathematical and Physical Science Directorate;

(vi) $150,000,000 for the Social, Behavioral, and Economics Directorate, of which $50,000,000 shall be for the National Center for Science and Engineering Statistics;

(vii) $38,520,000 for the Office of International Science and Engineering;

(viii) $377,500,000 for Integrative Activities; and

(ix) $1,480,000 for the United States Arctic Commission;

(B) $866,000,000 shall be made available for education and human resources;

(C) $200,310,000 shall be made available for major research equipment and facilities construction;

(D) $325,000,000 shall be made available for agency operations and award management;

(E) $4,370,000 shall be made available for the Office of the National Science Board; and

(F) $15,160,000 shall be made available for the Office of Inspector General.

(b) FISCAL YEAR 2017.—

(1) IN GENERAL.—There are authorized to be appropriated to the Foundation $7,597,140,000 for fiscal year 2017.

(2) SPECIFIC ALLOCATIONS.—Of the amount authorized by paragraph (1)—

(A) $6,186,300,000 shall be made available to carry out research and related activities, including—

(i) $834,800,000 for the Biological Science Directorate;

(ii) $1,050,000,000 for the Computer and Information Science and Engineering Directorate;

(iii) $1,034,000,000 for the Engineering Directorate;

(iv) $1,200,000,000 for the Geosciences Directorate;

(v) $1,500,000,000 for the Mathematical and Physical Science Directorate;

(vi) $150,000,000 for the Social, Behavioral, and Economics Directorate, of which $50,000,000 shall be for the National Center for Science and Engineering Statistics;

(vii) $38,520,000 for the Office of International Science and Engineering;

(viii) $377,500,000 for Integrative Activities; and

(ix) $1,480,000 for the United States Arctic Commission;

(B) $866,000,000 shall be made available for education and human resources;

(C) $200,310,000 shall be made available for major research equipment and facilities construction;

(D) $325,000,000 shall be made available for agency operations and award management;

(E) $4,370,000 shall be made available for the Office of the National Science Board; and

(F) $15,160,000 shall be made available for the Office of Inspector General.

SEC. 102. FINDINGS.

Congress finds the following:

(1) Taxpayer-supported research investments administered by the Foundation should serve the national interest.

(2) The Foundation has made major contributions for more than 60 years to strengthen and sustain the Nation's academic research enterprise.

(3) The economic strength and national security of the United States, and the quality of life of all Americans, are grounded in the Nation's scientific and technological capabilities.

(4) Providing support for basic research is an investment in our Nation's future security and economic prosperity.

(5) Congress applauds the Foundation's recognition that wise stewardship of taxpayer dollars is necessary to maintain and ensure the public's trust for funding of fundamental scientific and engineering research.

(6) Other nations are increasing their public investments in basic research in the physical sciences in order to boost long-term economic growth.

(7) Longstanding United States leadership in supercomputing, genomics, nanoscience, photonics, quantum physics, and other key technological areas is jeopardized if United States investments in basic research in the natural sciences do not keep pace.

(8) Redundant regulations and reporting requirements imposed by Federal agencies on research institutions and researchers increase costs by tens of millions of dollars annually.

(9) The Foundation carries out important functions by supporting basic research in all science and engineering disciplines and in supporting STEM education at all levels.

(10) The research and education activities of the Foundation promote the discovery, integration, dissemination, and application of new knowledge in service to society and prepare future generations of scientists, mathematicians, and engineers who will be necessary to ensure America's leadership in the global marketplace.

(11) Many of the complex problems and challenges facing the Nation increasingly require the collaboration of multiple scientific disciplines. The Foundation should continue to emphasize cross-directorate research collaboration and activities to address these issues and encourage interdisciplinary research.

(12) The Foundation should meet the highest standards of efficiency, transparency, and accountability in its stewardship of public funds.

(13) The Foundation is charged with the responsibilities—

(A) to develop and encourage the pursuit of a national policy for the promotion of basic research and education in the sciences;

(B) to initiate, support, and conduct basic scientific research and to appraise the impact of research on industrial development and the general welfare;

(C) to initiate, support, and conduct scientific research activities in connection with matters relating to the national defense, at the request of the Secretary of Defense;

(D) to award scholarships and graduate fellowships in the sciences;

(E) to foster the interchange of scientific information among scientists and across scientific disciplines;

(F) to evaluate scientific research programs undertaken by agencies of the Federal Government, and to correlate the Foundation's scientific research with that undertaken by individuals and by public and private research groups;

(G) to communicate effectively to American citizens the relevance of public investments in scientific discovery and technological innovation to the Nation's security, prosperity, and welfare; and

(H) to establish such special commissions as the Board considers necessary.

(14) The emerging global economic, scientific, and technical environment challenges long standing assumptions about domestic and international policy, requiring the Foundation to play a more proactive role in sustaining the competitive advantage of the United States through superior research capabilities.

SEC. 103. POLICY OBJECTIVES.

In allocating resources made available under this title, the Foundation shall have the following policy objectives:

(1) To renew and maintain the Nation's international leadership in science and technology by—

(A) increasing the national investment in basic scientific research and increasing interdisciplinary investment in strategic areas vital to the national interest;

(B) balancing the Nation's research portfolio among the life sciences, mathematics, the physical sciences, computer and information science, geosciences, engineering, and social, behavioral, and economic sciences, all of which are important for the continued development of enabling technologies necessary for sustained economic competitiveness;

(C) encouraging investments in potentially transformative scientific research to benefit our Nation and its citizens;

(D) expanding the pool of scientists and engineers in the United States, including among segments of the population that have been historically underrepresented in STEM fields; and

(E) modernizing the Nation's research infrastructure and establishing and maintaining cooperative international relationships with premier research institutions.

(2) To increase overall workforce skills by—

(A) improving the quality of STEM education and tools provided both inside and outside of the classroom, including in kindergarten through grade 12; and

(B) expanding STEM training opportunities at institutions of higher education.

(3) To strengthen innovation by expanding the focus of competitiveness and innovation at the regional and local level.

SEC. 104. DEFINITIONS.

In this title:

(1) BOARD.—The term ''Board'' means the National Science Board.

(2) DIRECTOR.—The term ''Director'' means the Director of the Foundation.

(3) FOUNDATION.—The term ''Foundation'' means the National Science Foundation established under section 2 of the National Science Foundation Act of 1950 (42 U.S.C. 1861).

(4) INSTITUTION OF HIGHER EDUCATION.—The term ''institution of higher education'' has the meaning given such term in section 101(a) of the Higher Education Act of 1965 (20 U.S.C. 1001(a)).

(5) STATE.—The term ''State'' means one of the several States, the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, Guam, American Samoa, the Commonwealth of the Northern Mariana Islands, or any other territory or possession of the United States.

(6) UNITED STATES.—The term ''United States'' means the several States, the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, Guam, American Samoa, the Commonwealth of the Northern Mariana Islands, and any other territory or possession of the United States.

SEC. 105. ACCOUNTABILITY AND TRANSPARENCY.

It is the sense of Congress that—

(1) sustained, predictable Federal funding is essential to United States leadership in science and technology;

(2) building understanding of and confidence in investments in basic research are essential to public support for sustained, predictable Federal funding; and

(3) the Foundation should commit itself fully to transparency and accountability and to clear, consistent public communication regarding the national interest for each Foundation-awarded grant and cooperative agreement.

SEC. 106. GREATER ACCOUNTABILITY IN FEDERAL FUNDING FOR RESEARCH.

(a) STANDARD FOR AWARD OF GRANTS.—The Foundation shall award Federal funding for basic research and education in the sciences through a new research grant or cooperative agreement only if an affirmative determination is made by the Foundation under subsection (b) and written justification relating thereto is published under subsection (c).

(b) DETERMINATION.—A determination referred to in subsection (a) is a justification by the responsible Foundation official as to how the research grant or cooperative agreement promotes the progress of science in the United States, consistent with the Foundation mission as established in the National Science Foundation Act of 1950 (42 U.S.C. 1861 et seq.), and further—

(1) is worthy of Federal funding; and

(2) is in the national interest, as indicated by having the potential to achieve—

(A) increased economic competitiveness in the United States;

(B) advancement of the health and welfare of the American public;

(C) development of an American STEM workforce that is globally competitive;

(D) increased public scientific literacy and public engagement with science and technology in the United States;

(E) increased partnerships between academia and industry in the United States;

(F) support for the national defense of the United States; or

(G) promotion of the progress of science in the United States.

(c) WRITTEN JUSTIFICATION.—Public announcement of each award of Federal funding described in subsection (a) shall include a written justification from the responsible Foundation official as to how a grant or cooperative agreement meets the requirements of subsection (b).

(d) IMPLEMENTATION.—A determination under subsection (b) shall be made after a research grant or cooperative agreement proposal has satisfied the Foundation's reviews for Merit and Broader Impacts. Nothing in this section shall be construed as altering the Foundation's intellectual merit or broader impacts criteria for evaluating grant applications.

SEC. 107. OBLIGATION OF MAJOR RESEARCH EQUIPMENT AND FACILITIES CONSTRUCTION FUNDS.

No funds may be obligated for a fiscal year for a construction project for the Foundation that has not commenced before the date of enactment of this Act until 30 days after the report required with respect to each such fiscal year under section 14(a)(2) of the National Science Foundation Authorization Act of 2002 (42 U.S.C. 1862n–4(a)(2)) is transmitted to the Congress.

SEC. 108. MANAGEMENT AND OVERSIGHT OF LARGE FACILITIES.

(a) LARGE FACILITIES OFFICE.—The Director shall maintain a Large Facilities Office within the Office of the Director. The functions of the Large Facilities Office shall be to support the research directorates in the development, implementation, and assessment of major multi-user research facilities, including by—

(1) serving as the Foundation's primary resource for all policy or process issues related to the development and implementation of major multi-user research facilities;

(2) serving as a Foundation-wide resource on project management, including providing expert assistance on nonscientific and nontechnical aspects of project planning, budgeting, implementation, management, and oversight;

(3) coordinating and collaborating with research directorates to share best management practices and lessons learned from prior projects; and

(4) assessing projects during preconstruction and construction phases for cost and schedule risk.

(b) OVERSIGHT OF LARGE FACILITIES.—The Director shall appoint a senior agency official within the Office of the Director whose primary responsibility is oversight of major multi-user research facilities. The duties of this official shall include—

(1) oversight of the development, construction, and operation of major multi-user research facilities across the Foundation;

(2) in collaboration with the directors of the research directorates and other senior agency officials as appropriate, ensuring that the requirements of section 14(a) of the National Science Foundation Authorization Act of 2002 are satisfied;

(3) serving as a liaison to the National Science Board for approval and oversight of major multi-user research facilities; and

(4) periodically reviewing and updating as necessary Foundation policies and guidelines for the development and construction of major multi-user research facilities.

(c) POLICIES FOR LARGE FACILITY COSTS.—

(1) IN GENERAL.—The Director shall ensure that the Foundation's policies for developing and managing major multi-user research facility construction costs are consistent with the best practices described in the March 2009 Government Accountability Office Report GAO-09-3SP, or any successor report thereto.

(2) REPORT.—Not later than 12 months after the date of enactment of this Act, the Director shall submit to Congress the results of a study and a report reforming the Foundation's policies on financial management of major multi-user research facilities, including a description of any aspects of the policies that diverge from the best practices recommended in Government Accountability Office Report GAO-09-3SP and the Uniform Guidance in 2 C.F.R. Part 200.

(3) MANAGEMENT FEES.—

(A) DEFINITION.—In this paragraph, the term ''management fee'' means a portion of an award made by the Foundation for the purpose of covering ordinary and necessary business expenses necessary to maintain operational stability which are not otherwise allowable under Cost Principles Uniform Guidance in 2 C.F.R. part 200, Subpart E, , or any successor regulation thereto.

(B) LIMITATION.—The Foundation may provide management fees under an award only if the awardee has demonstrated that it has limited or no other financial resources for covering

the expenses for which the management fees are sought.

(C) FINANCIAL INFORMATION.—The Foundation shall require award applicants to provide income and financial information covering a period of no less than three prior years (or in the case of an entity established less than three years prior to the entity's application date, the period beginning on the date of establishment and ending on the application date), including cash on hand and net asset information, in support of a request for management fees. The Foundation shall also require awardees to report to the Foundation, within 30 days of receipt, any sources of non-Federal funds received in excess of $50,000 during the award period.

(D) EXPENSE REPORTING.—The Foundation shall require awardees to track and report to the Foundation annually all expenses reimbursed or otherwise paid for with management fee funds, in accordance with Federal accounting practices as established in Government Accountability Office Report GAO-12-331G, or any successor report thereto.

(E) AUDITS.—The Inspector General of the Foundation may audit any Foundation award for compliance with this paragraph.

(F) PROHIBITED USES.—An awardee may not use management fees for—

(i) costs allowable under Cost Principles Uniform Guidance in 2 C.F.R. part 200, Subpart E, or any successor regulation thereto;

(ii) alcoholic beverages;

(iii) tickets to concerts, or sporting and other entertainment events;

(iv) vacation or other travel for nonbusiness purposes;

(v) charitable contributions;

(vi) social or sporting club memberships;

(vii) meals for nonbusiness purposes;

(viii) luxury or personal items;

(ix) lobbying, as described in the Uniform Guidance at 2 C.F.R. 200.450; or

(x) any other purpose the Foundation determines is inappropriate.

(G) REVIEW.—The Foundation shall review management fee usage under each Foundation award on at least an annual basis for compliance with this paragraph and the Foundation's Large Facilities Manual.

(4) REPORT.—Not later than 12 months after the date of enactment of this Act, the Director shall submit to Congress a report describing the Foundation's policies for developing and managing major multi-user research facility construction costs, including a description of any aspects of the policies that diverge from the best practices recommended in Government Accountability Office Report GAO-09-3SP, or any successor report thereto, and the Uniform Guidance in 2 C.F.R. part 200.

SEC. 109. WHISTLEBLOWER EDUCATION.

(a) IN GENERAL.—The Foundation shall be subject to section 4712 of title 41, United States Code.

(b) EDUCATION AND TRAINING.—The Foundation shall provide education and training for Foundation managers and staff on the requirements of such section 4712, and provide information on the law to all grantees, contractors, and employees of such grantees and contractors.

SEC. 110. GRADUATE STUDENT SUPPORT.

(a) SENSE OF CONGRESS.—It is the sense of Congress that the essential elements of the NSF Research Traineeship Program, formerly the Integrative Graduate Education and Research Traineeship program, (or any successor thereto) should be maintained, including—

(1) collaborative research that transcends traditional disciplinary boundaries to solve large and complex research problems of significant scientific and societal importance; and

(2) providing students the opportunity to become leaders in the science and engineering of the future.

(b) MODELS FOR SUPPORT.—The Director shall enter into an agreement with the National Research Council to convene a workshop or roundtable to examine models of Federal support for STEM graduate students, including the Foundation's Graduate Research Fellowship program and comparable fellowship programs at other agencies, traineeship programs, and the research assistant model.

(c) PURPOSE.—The purpose of the workshop or roundtable shall be to compare and evaluate the extent to which each of these models helps to prepare graduate students for diverse careers utilizing STEM degrees, including at diverse types of institutions of higher education, in industry, and at government agencies and research laboratories, and to make recommendations regarding—

(1) how current Federal programs and models, including programs and models at the Foundation, can be improved;

(2) the appropriateness of the current distribution of funding among the different models at the Foundation and across the agencies; and

(3) the appropriateness of creating a new education and training program for graduate students distinct from programs that provide direct financial support, including the grants authorized in section 527 of the America COMPETES Reauthorization Act of 2010 (42 U.S.C. 1862p-15).

(d) CRITERIA.—At a minimum, in comparing programs and models, the workshop or roundtable participants shall consider the capacity of such programs or models to provide students with knowledge and skills—

(1) to become independent, creative, successful researchers;

(2) to participate in large interdisciplinary research projects, including in an international context;

(3) to adhere to the highest standards for research ethics;

(4) to become high-quality teachers utilizing the most currently available evidence-based pedagogy;

(5) in oral and written communication, to both technical and nontechnical audiences;

(6) in innovation, entrepreneurship, and business ethics; and

(7) in program management.

(e) GRADUATE STUDENT INPUT.—The participants in the workshop or roundtable shall include current or recent STEM graduate students.

(f) REPORT.—Not later than 1 year after the date of enactment of this Act, the National Research Council shall submit to Congress a summary report of the findings and recommendations of the workshop or roundtable convened under this section.

SEC. 111. PERMISSIBLE SUPPORT.

A grant made by the Education and Human Resources Directorate to support informal education may be used—

(1) to support the participation of underrepresented students in nonprofit competitions, out-of-school activities, and field experiences related to STEM subjects (such as robotics, science research, invention, mathematics, and technology competitions), including—

(A) the purchase of parts and supplies needed to participate in such competitions; and

(B) incentives and stipends for teachers and instructional leaders who are involved in assisting students and preparing students for such competitions, if such activities fall outside the regular duties and responsibilities of such teachers and instructional leaders; and

(2) to broaden underrepresented secondary school students' access to, and interest in, careers that require academic preparation in STEM subjects.

SEC. 112. EXPANDING STEM OPPORTUNITIES.

(a) IN GENERAL.—Within the Directorate for Education and Human Resources (or any successor thereto), under existing programs targeting broadening participation, the Director shall provide grants on a merit-reviewed, competitive basis for research on programming that engages underrepresented students in grades kindergarten through 8 in STEM.

(b) USE OF FUNDS.—

(1) IN GENERAL.—Grants awarded under this section shall be used for research to advance the engagement of underrepresented students in grades kindergarten through 8 in STEM through the development and implementation of innovative before-school, after-school, out-of-school, or summer activities, including programs (if applicable to the target population) provided in a single-gender environment, that are designed to encourage interest, engagement, and skills development of underrepresented students in STEM. Such research shall be conducted in learning environments that actively provide programming to underrepresented students in grades kindergarten through 8 in STEM.

(2) PERMITTED ACTIVITIES.—Such activities may include—

(A) the development and implementation of programming described in subsection (a) for the purpose of research;

(B) the use of a variety of engagement methods, including cooperative and hands-on learning;

(C) exposure of underrepresented youth to role models in the fields of STEM, including researchers in the National Laboratories, and nearpeer mentors;

(D) training of informal learning educators and youth-serving professionals using evidence-based methods consistent with the target student population being served;

(E) education of students on the relevance and significance of STEM careers, provision of academic advice and assistance, and activities designed to help students make real-world connections to STEM content activities;

(F) the attendance of underrepresented youth at events, competitions, and academic programs to provide content expertise and encourage career exposure in STEM;

(G) activities designed to engage parents of underrepresented youth;

(H) innovative strategies to engage underrepresented youth, such as using leadership skill outcome measures to encourage youth with the confidence to pursue STEM coursework and academic study;

(I) coordination with STEM-rich environments, including other nonprofit, nongovernmental organizations, classroom and out-of-classroom settings, institutions of higher education, vocational facilities, corporations, museums, National Laboratories, or science centers; and

(J) the acquisition of instructional materials or technology-based tools to conduct applicable grant activity.

(c) APPLICATION.—An applicant seeking funding under the section shall submit an application at such time, in such manner, and containing such information as may be required. The application shall include, at a minimum, the following:

(1) A description of the target audience to be served by the program.

(2) A description of the process for recruitment and selection of students, as appropriate.

(3) A description of how such research activity may inform programming that engages underrepresented students in grades kindergarten through 8 in STEM.

(4) A description of how such research activity may inform programming that promotes student academic achievement in STEM.

(5) An evaluation plan that includes, at a minimum, the use of outcome-oriented measures to determine the impact and efficacy of activities being researched.

(d) AWARDS.—In awarding grants under this section, the Director shall give priority to applicants which, for the purpose of grant activity, include or partner with a nonprofit, nongovernmental organization that has extensive experience and expertise in increasing the participation of underrepresented students in STEM.

(e) ACCOUNTABILITY AND DISSEMINATION.—

(1) EVALUATION REQUIRED.—Not later than 5 years after the date of enactment of this Act, the Director shall evaluate the grants provided under this section. In addition to evaluating the effectiveness of the grant activities, such evaluation shall—

(A) use a common set of benchmarks and assessment tools to identify best practices and materials developed or demonstrated by the research; and

(B) to the extent practicable, combine the research resulting from the grant activity with the current research on serving underrepresented students in grades kindergarten through 8.

(2) REPORT ON EVALUATIONS.—Not later than 180 days after the completion of the evaluation under paragraph (1), the Director shall submit to Congress and make widely available to the public a report that includes—

(A) the results of the evaluation; and

(B) any recommendations for administrative and legislative action that could optimize the effectiveness of the program.

(f) COORDINATION.—In carrying out this section, the Director shall consult, cooperate, and coordinate, to enhance program effectiveness and to avoid duplication, with the programs and policies of other relevant Federal agencies.

SEC. 113. REVIEW OF EDUCATION PROGRAMS.

(a) IN GENERAL.—The Director shall review the education programs of the Foundation that are in operation as of the date of enactment of this Act to determine—

(1) whether any of such programs duplicate target groups, services provided, fields of focus, or objectives; and

(2) how those programs are being evaluated and assessed for outcome-oriented effectiveness.

(b) REPORT.—Not later than 1 year after the date of enactment of this Act, and annually thereafter as part of the annual budget submission to Congress, the Director shall complete a report on the review carried out under this section and shall submit the report to the Committee on Science, Space, and Technology and the Committee on Appropriations of the House of Representatives, and to the Committee on Commerce, Science, and Transportation, the Committee on Health, Education, Labor, and Pensions, and the Committee on Appropriations of the Senate, and shall make the report widely available to the public.

SEC. 114. RECOMPETITION OF AWARDS.

(a) FINDINGS.—The Congress finds that—

(1) the merit-reviewed competition of grant and award proposals is a hallmark of the Foundation grant and award making process;

(2) the majority of Foundation-funded multiuser research facilities have transitioned to five-year cooperative agreements, and every five years the program officer responsible for the facility makes a recommendation to the National Science Board as to the renewal, recompetition, or termination of support for the facility; and

(3) requiring the recompetition of expiring awards is based on the conviction that competition is most likely to ensure the effective stewardship of Foundation funds for supporting research and education.

(b) RECOMPETITION.—The Director shall ensure that the system for recompetition of Maintenance and Operations of facilities, equipment and instrumentation is fair, consistent, and transparent and is applied in a manner that renews grants and awards in a timely manner. The Director shall periodically evaluate whether the criteria of the system are being applied in a manner that is transparent, reliable, and valid.

SEC. 115. SENSE OF THE CONGRESS REGARDING INDUSTRY INVESTMENT IN STEM EDUCATION.

It is the sense of Congress that—

(1) in order to bolster the STEM workforce pipeline, many industry sectors are becoming involved in K–12 initiatives and supporting undergraduate and graduate work in STEM subject areas and fields;

(2) partnerships with education providers, STEM focused competitions, and other opportunities have become important aspects of private sector efforts to strengthen the STEM workforce;

(3) understanding the work that private sector organizations are undertaking in STEM fields should inform the Federal Government's role in STEM education; and

(4) successful private sector STEM initiatives, as reflected by measurements of relevant outcomes, should be encouraged and supported by the Foundation.

SEC. 116. MISREPRESENTATION OF RESEARCH RESULTS.

(a) PROHIBITION.—The findings and conclusions of any article authored by a principal investigator receiving a research grant from the Foundation, using the results of the research conducted under the grant, that is published in a peer-reviewed publication, otherwise made publicly available, or incorporated in an application for a research grant or grant extension from the Foundation may not contain any falsification, fabrication, or plagiarism, as established in the Foundation's Research Misconduct regulation (45 C.F.R. 689).

(b) PUBLICATION.—The Director shall make publicly available any finding that research misconduct (as defined in 45 C.F.R. 689) has been committed, including the name of the principal investigator, within 30 days of the final administration action of the Foundation.

SEC. 117. RESEARCH REPRODUCIBILITY AND REPLICATION.

(a) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) the gold standard of good science is the ability of a researcher or research lab to reproduce a published method and finding;

(2) there is growing concern that some published research findings cannot be reproduced or replicated, which can negatively affect the public's trust in science;

(3) there are a complex set of factors affecting reproducibility and replication; and

(4) the increasing interdisciplinary nature and complexity of scientific research may be a contributing factor to issues with research reproducibility and replication.

(b) REPORT.—The Director shall—

(1) not later than 45 days after the date of enactment of this Act, enter into an agreement with the National Research Council to provide, within 18 months after the date of enactment of this Act, a report to assess research and data reproducibility and replicability issues in interdisciplinary research and to make recommendations on how to improve rigor and transparency in scientific research; and

(2) not later than 60 days after receiving the results of the assessment under paragraph (1), submit a report to the Committee on Science, Space, and Technology of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate on the findings of the assessment, together with the agreement or disagreement of the Director and Board with each of its findings and recommendations.

SEC. 118. RESEARCH GRANT CONDITIONS.

The Foundation shall establish procedures to ensure that—

(1) a research grant awarded by the Foundation to a principal investigator supports a scope of work not otherwise being directly funded by grants provided by other Federal agencies;

(2) a principal investigator includes in any application for a research grant awarded by the Foundation a list of all Federal research funding received by the principal investigator, as well as any funding that is being requested as of that time;

(3) unpublished research results used to support a grant proposal made to the Foundation do not include any knowing misrepresentations of data;

(4) principal investigators who receive Foundation research grant funding under more than one grant at the same time have sufficient resources to conduct the proposed research under each of those grants appropriately under the terms of the grant; and

(5) barriers to early career and new investigator applicants are addressed, including taking into account the broader accomplishments and potential of the individual investigator in addition to the potential impact of the project.

SEC. 119. COMPUTING RESOURCES STUDY.

Not later than 1 year after the date of enactment of this Act, the Comptroller General shall transmit to the Congress a report detailing the results of a study on the use of scientific computing resources funded by the Foundation at institutions of higher education. Such study shall assess—

(1) efficiencies that can be achieved by using shared scientific computing resources for projects that have similar scientific computing requirements or projects where specialized software solutions could be shared with other practitioners in the scientific community;

(2) efficiencies that can be achieved by using shared hardware that can be cost effectively procured from cloud computing services;

(3) efficiencies that can be achieved by using shared software from an open source repository or platform; and

(4) cost savings that could be achieved by potential sharing of scientific computing resources across all Foundation grants.

SEC. 120. SCIENTIFIC BREAKTHROUGH PRIZES.

The Director shall place a high priority on designing and administering pilot programs for scientific breakthrough prizes, in conjunction with private entities, that are consistent with Office of Science and Technology Policy guidelines. Breakthrough prizes shall center around technological breakthroughs that are of strategic importance to the Nation, and have the capacity to spur new economic growth.

SEC. 121. ROTATING PERSONNEL.

In order to control the costs to the Foundation of individuals employed pursuant to the Intergovernmental Personnel Act of 1970 (42 U.S.C. 4701 note)—

(1) the Foundation shall provide to Congress a written justification and waiver by the Deputy Director in instances in which such an individual is to be paid at a rate that exceeds the maximum rate of pay for the Senior Executive Service, including, if applicable, adjustment for the certified Senior Executive Service Performance Appraisal System;

(2) the Foundation shall provide to Congress a written justification and waiver by the Director in instances in which such an individual is to be paid at a rate that exceeds the annual salary rate of the Vice President of the United States; and

(3) the Foundation shall provide an annual report to Congress on the costs to the Foundation of employing such individuals, including—

(A) the timeliness and completeness of Foundation actions in response to recommendations and findings from the Office of Inspector General related to the employment of such individuals;

(B) actions taken by the Foundation to reduce the cost to the Foundation of the employment of such individuals at pay levels that exceed the threshold described in paragraph (1);

(C) the value to the Foundation of employing individuals pursuant to the Intergovernmental Personnel Act of 1970 (42 U.S.C. 4701 note) whose pay is set below the threshold described in paragraph (1); and

(D) the value to the Foundation of employing individuals who are not permanent employees whose pay requires a justification and waiver under paragraph (1) or (2).

SEC. 122. SENSE OF CONGRESS REGARDING INNOVATION CORPS.

It is the sense of Congress that—

(1) the Foundation's Innovation Corps (I-Corps) was established to foster a national innovation ecosystem by encouraging institutions, scientists, engineers, and entrepreneurs to identify and explore the innovation and commercial potential of Foundation-funded research well beyond the laboratory;

(2) the Foundation's I-Corps includes investment in entrepreneurship and commercialization education, training, and mentoring, ultimately leading to the practical deployment of technologies, products, processes, and services that improve the Nation's competitiveness, promote economic growth, and benefit society; and

(3) by building networks of entrepreneurs, educators, mentors, institutions, and collaborations, and supporting specialized education and training, I-Corps is at the leading edge of a strong, lasting foundation for an American innovation ecosystem.

SEC. 123. BRAIN RESEARCH THROUGH ADVANCING INNOVATIVE NEUROTECHNOLOGIES INITIATIVE.

The Foundation shall support research activities related to the Brain Research through Advancing Innovative Neurotechnologies Initiative. The Foundation is encouraged to work in conjunction with the Interagency Working Group on Neuroscience (IWGN) to determine how to use the data infrastructure of the Foundation and other applicable agencies to help neuroscientists collect, standardize, manage, and analyze the large amounts of data that will result from research attempting to understand how the brain functions.

SEC. 124. NOYCE SCHOLARSHIP PROGRAM AMENDMENTS.

(a) AMENDMENTS.—Section 10A of the National Science Foundation Authorization Act of 2002 (42 U.S.C. 1862n—1a) is amended—

(1) in subsection (a)(2)(B), by inserting ''or bachelor's'' after ''master's'';

(2) in subsection (c)—

(A) by striking ''and'' at the end of paragraph (2)(B);

(B) in paragraph (3)—

(i) by inserting ''for teachers with master's degrees in their field'' after ''Teaching Fellowships''; and

(ii) by striking the period at the end of subparagraph (B) and inserting ''; and''; and

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

''(4) in the case of National Science Foundation Master Teaching Fellowships for teachers with bachelor's degrees in their field and working toward a master's degree—

''(A) offering academic courses leading to a master's degree and leadership training to prepare individuals to become master teachers in elementary and secondary schools; and

''(B) offering programs both during and after matriculation in the program for which the fellowship is received to enable fellows to become highly effective mathematics and science teachers, including mentoring, training, induction, and professional development activities, to fulfill the service requirements of this section, including the requirements of subsection (e), and to exchange ideas with others in their fields.'';

(3) in subsection (e), by striking ''subsection (g)'' and inserting ''subsection (h)'';

(4) by redesignating subsections (g) through (i) as subsections (h) through (j), respectively; and

(5) by inserting after subsection (f) the following new subsection:

''(g) SUPPORT FOR MASTER TEACHING FELLOWS WHILE ENROLLED IN A MASTER'S DEGREE PROGRAM.—A National Science Foundation Master Teacher Fellow may receive a maximum of 1 year of fellowship support while enrolled in a master's degree program as described in subsection (c)(4)(A), except that if such fellow is enrolled in a part-time program, such amount shall be prorated according to the length of the program.''.

(b) DEFINITION.—Section 10(i)(5) of the National Science Foundation Authorization Act of 2002 (42 U.S.C. 1862n—1(i)(5)) is amended by inserting ''computer science,'' after ''means a science,''.

SEC. 125. INFORMAL STEM EDUCATION.

(a) GRANTS.—The Director, through the Directorate for Education and Human Resources, shall continue to award competitive, merit-reviewed grants to support—

(1) research and development of innovative out-of-school STEM learning and emerging STEM learning environments in order to improve STEM learning outcomes and engagement in STEM; and

(2) research that advances the field of informal STEM education.

(b) USES OF FUNDS.—Activities supported by grants under this section may encompass a single STEM discipline, multiple STEM disciplines, or integrative STEM initiatives and shall include—

(1) research and development that improves our understanding of learning and engagement in informal environments, including the role of informal environments in broadening participation in STEM; and

(2) design and testing of innovative STEM learning models, programs, and other resources for informal learning environments to improve STEM learning outcomes and increase engagement for K-12 students, K-12 teachers, and the general public, including design and testing of the scalability of models, programs, and other resources.

SEC. 126. EXPERIMENTAL PROGRAM TO STIMULATE COMPETITIVE RESEARCH.

The Foundation shall continue to operate a robust Experimental Program to Stimulate Competitive Research (EPSCoR). The EPSCoR program helps ensure that academic research institutions in more than half the States develop a strong research infrastructure and participate fully in federally funded research activities. The program should be a high priority for the Foundation.

TITLE II—SCIENCE, TECHNOLOGY, ENGINEERING, AND MATHEMATICS

SEC. 201. FINDINGS; SENSE OF CONGRESS.

(a) FINDINGS.—Congress finds the following:

(1) According to the National Science Board's Science and Engineering Indicators, the science and engineering workforce has shown sustained growth for more than half a century, and workers with science and engineering degrees tend to earn more than comparable workers in other fields.

(2) According to the Program for International Student Assessment 2012 results, America lags behind many other nations in STEM education. American students rank 21st in science and 26th in mathematics.

(3) Junior Achievement USA and ING found a decrease of 25 percent in the percentage of teenage students interested in STEM careers.

(4) According to a 2007 report from the Department of Labor, industries and firms dependent on a strong science and mathematics workforce have launched a variety of programs that target K-12 students and undergraduate and graduate students in STEM fields.

(5) The Federal Government spends nearly $3 billion annually on STEM education related program and activities, but encouraging STEM education activities beyond the scope of the Federal Government, including privately sponsored competitions and programs in our schools, is crucial to the future technical and economic competitiveness of the United States.

(b) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) more effective coordination and adoption of performance measurement based on objective outcomes for federally supported STEM programs is needed;

(2) leveraging private and nonprofit investments in STEM education will be essential to strengthening the Federal STEM portfolio;

(3) strengthening the Federal STEM portfolio may require program consolidations and terminations, but such changes should be based on evidence with stakeholder input;

(4) coordinating STEM programs and activities across the Federal Government in order to limit duplication and engage stakeholders in STEM programs and related activities for which objective outcomes can be measured will bolster results of Federal STEM education programs, improve the return on taxpayers' investments in STEM education programs, and in turn strengthen the United States economy; and

(5) as the Committee on STEM Education implements the 5-year Strategic Plan for Federal STEM education required under section 101(b)(5) of the America COMPETES Reauthorization Act of 2010 (42 U.S.C. 6621(b)(5)), STEM education stakeholders must be engaged and outcome-based evaluation metrics should be considered in the coordination and consolidation efforts for the Federal STEM portfolio.

SEC. 202. STEM EDUCATION ADVISORY PANEL.

(a) ESTABLISHMENT.—The President shall establish or designate a STEM Education Advisory Panel that incorporates key stakeholders from the education and industry sectors. The co-chairs shall be members of the President's Council of Advisors on Science and Technology.

(b) QUALIFICATIONS.—The Advisory Panel established or designated by the President under subsection (a) shall consist primarily of members from academic institutions, nonprofit organizations, and industry and shall include in-school, out-of-school, and informal educational practitioners. Members of the Advisory Panel shall be qualified to provide advice and information on STEM education research, development, training, implementation, interventions, professional development, or workforce needs or concerns. In selecting or designating an Advisory Panel, the President may also seek and give consideration to recommendations from the Congress, industry, the scientific community (including the National Academy of Sciences, scientific professional societies, and academia), State and local governments, and other appropriate organizations.

(c) DUTIES.—The Advisory Panel shall advise the President, the Committee on STEM Education, and the STEM Education Coordinating Office established under section 204 on matters relating to STEM education, and shall each year provide general guidance to every Federal agency with STEM education programs or activities, including in the preparation of requests for appropriations for activities related to STEM education. The Advisory Panel shall also assess and develop recommendations for—

(1) progress made in implementing the STEM education Strategic Plan required under section

101 of the America COMPETES Reauthorization Act of 2010 (42 U.S.C. 6621), and any needs or opportunities to update the strategic plan;

(2) the management, coordination, and implementation of STEM education programs and activities across the Federal Government;

(3) the appropriateness of criteria used by Federal agencies to evaluate the effectiveness of Federal STEM education programs and activities;

(4) ways to leverage private and nonprofit STEM investments and encourage public-private partnerships to strengthen STEM education and help build the STEM workforce pipeline;

(5) ways to incorporate workforce needs into Federal STEM education programs, particularly for specific fields of national interest and areas experiencing high unemployment rates;

(6) ways to better vertically and horizontally integrate Federal STEM programs and activities from pre-K through graduate study and the workforce, and from in-school to out-of-school in order to improve transitions for students moving through the STEM pipeline;

(7) whether societal and workforce concerns are adequately addressed by current Federal STEM education programs and activities;

(8) the extent to which Federal STEM education programs and activities are contributing to recruitment and retention of women and underrepresented students in the STEM education and workforce pipeline; and

(9) ways to encourage geographic diversity in STEM education and the workforce pipeline.

(d) REPORTS.—The Advisory Panel shall report, not less frequently than once every 3 fiscal years, to the President and Congress on its assessments under subsection (c) and its recommendations for ways to improve Federal STEM education programs. The first report under this subsection shall be submitted within 1 year after the date of enactment of this Act.

(e) TRAVEL EXPENSES OF NON-FEDERAL MEMBERS.—Non-Federal members of the Advisory Panel, while attending meetings of the Advisory Panel or while otherwise serving at the request of the head of the Advisory Panel away from their homes or regular places of business, may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by section 5703 of title 5, United States Code, for individuals in the Government serving without pay. Nothing in this subsection shall be construed to prohibit members of the Advisory Panel who are officers or employees of the United States from being allowed travel expenses, including per diem in lieu of subsistence, in accordance with existing law.

SEC. 203. COMMITTEE ON STEM EDUCATION.

Section 101 of the America COMPETES Reauthorization Act of 2010 (42 U.S.C. 6621) is amended—

(1) in the first subsection (b)—

(A) by redesignating paragraphs (3) through (6) as paragraphs (5) through (8), respectively;

(B) by inserting after paragraph (2) the following new paragraphs:

''(3) collaborate with the STEM Education Advisory Panel established under section 202 of the America COMPETES Reauthorization Act of 2015 and other outside stakeholders to ensure the engagement of the STEM education community;

''(4) review evaluation measures used for Federal STEM education programs;''; and

(C) in paragraph (8), as so redesignated by subparagraph (A) of this paragraph, by striking '', periodically update,''; and

(2) in the second subsection (b) and in subsection (c), by striking ''subsection (b)(5)'' and inserting ''subsection (b)(7)''.

SEC. 204. STEM EDUCATION COORDINATING OFFICE.

(a) ESTABLISHMENT.—The Director of the National Science Foundation shall establish within the Directorate for Education and Human Resources a STEM Education Coordinating Office, which shall have a Director and staff that shall include career employees detailed from Federal agencies that fund STEM education programs and activities.

(b) RESPONSIBILITIES.—The STEM Education Coordinating Office shall—

(1) provide technical and administrative support to—

(A) the Committee on STEM Education, especially in its coordination of Federal STEM programs and strategic planning responsibilities;

(B) the Advisory Panel established under section 202; and

(C) Federal agencies with STEM education programs;

(2) periodically update and maintain the inventory of federally sponsored STEM education programs and activities established under section 101(b)(8) of the America COMPETES Reauthorization Act of 2010 (42 U.S.C. 6621); and

(3) provide for dissemination of information on Federal STEM education programs and activities, as appropriate, to stakeholders in academia, industry, nonprofit organizations with expertise in STEM education, State and local educational agencies, and other STEM stakeholders.

(c) REPORT.—The Director of the STEM Education Coordinating Office shall transmit a report annually to Congress not later than 60 days after the submission of the President's budget request. The annual report shall include—

(1) any updates to the inventory required under subsection (b)(2);

(2) a description of all consolidations and terminations of Federal STEM education programs implemented in the previous fiscal year, including an explanation of the reasons for consolidations and terminations;

(3) recommendations for consolidations and terminations of STEM education programs or activities in the upcoming fiscal year;

(4) a description of any significant new STEM Education public-private partnerships; and

(5) description of the progress made in carrying out the strategic plan required under section 101 of the America COMPETES Reauthorization Act of 2010 (42 U.S.C. 6621), including a description of the outcome of any program assessments completed in the previous year.

(d) RESPONSIBILITIES OF NSF.—The Director of the National Science Foundation shall encourage and monitor the efforts of the STEM Education Coordinating Office to ensure that the Coordinating Office is carrying out its responsibilities under subsection (b) appropriately.

TITLE III—OFFICE OF SCIENCE AND TECHNOLOGY POLICY

SEC. 301. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated for the Office of Science and Technology Policy—

(1) $4,550,000 for fiscal year 2016; and

(2) $4,550,000 for fiscal year 2017.

SEC. 302. REGULATORY EFFICIENCY.

(a) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) high and increasing administrative burdens and costs in Federal research administration, particularly in the higher education sector where most federally sponsored research is performed, are eroding funds available to carry out basic scientific research;

(2) progress has been made over the last decade in streamlining the pre-award grant application process through Grants.gov, the Federal Government's website portal;

(3) post-award administrative costs have grown as Federal research agencies have continued to impose agency-unique compliance and reporting requirements on researchers and research institutions;

(4) facilities and administration costs at research universities can exceed 50 percent of the total value of Federal research grants, and it is estimated that nearly 30 percent of the funds invested annually in federally funded research is consumed by paperwork and other administrative processes required by Federal agencies; and

(5) it is a matter of critical importance to American competitiveness that administrative costs of federally funded research be streamlined so that a higher proportion of taxpayer dollars flow into direct research activities.

(b) IN GENERAL.—The Director of the Office of Science and Technology Policy shall establish a working group under the authority of the National Science and Technology Council, to include the Office of Management and Budget. The working group shall be responsible for reviewing Federal regulations affecting research and research universities and making recommendations on how to—

(1) harmonize, streamline, and eliminate duplicative Federal regulations and reporting requirements;

(2) minimize the regulatory burden on United States institutions of higher education performing federally funded research while maintaining accountability for Federal tax dollars; and

(3) identify and update specific regulations to refocus on performance-based goals rather than on process while still meeting the desired outcome.

(c) STAKEHOLDER INPUT.—In carrying out the responsibilities under subsection (b), the working group shall take into account input and recommendations from non-Federal stakeholders, including federally funded and nonfederally funded researchers, institutions of higher education, scientific disciplinary societies and associations, nonprofit research institutions, industry, including small businesses, federally funded research and development centers, and others with a stake in ensuring effectiveness, efficiency, and accountability in the performance of scientific research.

(d) REPORT.—Not later than 1 year after the date of enactment of this Act, and annually thereafter for 3 years, the Director shall report to the Committee on Science, Space, and Technology of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate on what steps have been taken to carry out the recommendations of the working group established under subsection (b).

SEC. 303. COORDINATION OF INTERNATIONAL SCIENCE AND TECHNOLOGY PARTNERSHIPS.

(a) ESTABLISHMENT.—The Director of the Office of Science and Technology Policy shall establish a body under the National Science and Technology Council with the responsibility to identify and coordinate international science and technology cooperation that can strengthen the United States science and technology enterprise, improve economic and national security, and support United States foreign policy goals.

(b) NSTC BODY LEADERSHIP.—The body established under subsection (a) shall be co-chaired by senior level officials from the Office of Science and Technology Policy and the Department of State.

(c) RESPONSIBILITIES.—The body established under subsection (a) shall—

(1) plan and coordinate interagency international science and technology cooperative research and training activities and partnerships supported or managed by Federal agencies and work with other National Science and Technology Council committees to help plan and coordinate the international component of national science and technology priorities;

(2) establish Federal priorities and policies for aligning, as appropriate, international science

and technology cooperative research and training activities and partnerships supported or managed by Federal agencies with the foreign policy goals of the United States;

(3) identify opportunities for new international science and technology cooperative research and training partnerships that advance both the science and technology and the foreign policy priorities of the United States;

(4) in carrying out paragraph (3), solicit input and recommendations from non-Federal science and technology stakeholders, including universities, scientific and professional societies, industry, and relevant organizations and institutions; and

(5) identify broad issues that influence the ability of United States scientists and engineers to collaborate with foreign counterparts, including barriers to collaboration and access to scientific information.

(d) REPORT TO CONGRESS.—The Director of the Office of Science and Technology Policy shall transmit a report, to be updated every 2 years, to the Committee on Science, Space, and Technology and the Committee on Foreign Affairs of the House of Representatives, and to the Committee on Commerce, Science, and Transportation and the Committee on Foreign Relations of the Senate. The report shall also be made available to the public on the reporting agency's website. The report shall contain a description of—

(1) the priorities and policies established under subsection (c)(2);

(2) the ongoing and new partnerships established since the last update to the report;

(3) the means by which stakeholder input was received, as well as summary views of stakeholder input; and

(4) the issues influencing the ability of United States scientists and engineers to collaborate with foreign counterparts.

(e) ADDITIONAL REPORTS TO CONGRESS.—The Director of the Office of Science and Technology Policy shall transmit, not later than 60 days after the date of enactment of this Act and annually thereafter, to the Committee on Science, Space, and Technology and the Committee on Foreign Affairs of the House of Representatives, and to the Committee on Commerce, Science, and Transportation and the Committee on Foreign Relations of the Senate, a report that lists and describes all foreign travel by Office of Science and Technology Policy staff and detailees. Each report shall specify the dates of each trip, the purpose of the trip, Office of Science and Technology Policy participants on the trip, total Office of Science and Technology Policy costs associated with the trip, and details of all international meetings, including meeting participants and topics addressed.

SEC. 304. ALTERNATIVE RESEARCH FUNDING MODELS.

(a) PILOT PROGRAM AUTHORITY.—The heads of Federal science agencies, in consultation with the Director of the Office of Science and Technology Policy, shall conduct appropriate pilot programs to validate alternative research funding models, including—

(1) scientific breakthrough prize programs that are of strategic importance to the Nation and have the capacity to spur new economic growth; and

(2) novel mechanisms of funding including obtaining non-Federal funds through crowd source funding.

(b) NON-FEDERAL PARTNERS.—A pilot program may be conducted under this section through an agreement, grant, or contractual relationship with a non-Federal entity regarding the design, administration, and funding of the program.

(c) PRIZE COMPETITION JUDGES.—

(1) REQUIREMENTS.—Judges for a prize competition carried out under this section shall not be required to be Federal employees. An individual who serves as a judge for a prize competition carried out under this section who is not a Federal employee shall be required to sign an agreement, developed by the Office of Science and Technology Policy, with respect to nondisclosure, conflict of interest, and judging code of conduct requirements.

(2) DISCLOSURE OF PERSONAL FINANCIAL INTERESTS.—A judge for a prize competition with a total purse of $10,000 or more, or for an aggregate of prize competitions with a total purse of $50,000 or more, shall be required to disclose all personal financial interests.

(3) REPORT TO CONGRESS.—Not later than 30 days after the Office of Science and Technology Policy completes development of an agreement under paragraph (1), it shall transmit a report to Congress describing the requirements of such agreement.

(d) PUBLIC NOTICE.—The heads of Federal science agencies shall widely advertise prize competitions to be conducted under this section to ensure maximum participation.

(e) DEFINITION.—For purposes of this section, the term ''Federal science agency'' means—

(1) the National Aeronautics and Space Administration;

(2) the National Science Foundation;

(3) the National Institute of Standards and Technology; and

(4) the National Weather Service.

(f) REPORT TO CONGRESS.—Not later than 1 year after the date of enactment of this Act, and annually thereafter as part of the annual budget submission to Congress, the Director of the Office of Science and Technology Policy shall transmit to the Congress a report on programs identified and conducted under subsection (a).

SEC. 305. AMENDMENTS TO PRIZE COMPETITIONS.

Section 24 of the Stevenson-Wydler Technology Innovation Act of 1980 (15 U.S.C. 3719) is amended—

(1) in subsection (c)—

(A) by inserting ''competition'' after ''section, a prize'';

(B) by inserting ''types'' after ''following''; and

(C) in paragraph (4), by striking ''prizes'' and inserting ''prize competitions'';

(2) in subsection (f)—

(A) by striking ''in the Federal Register'' and inserting ''on a publicly accessible Government website, such as www.challenge.gov,''; and

(B) in paragraph (4), by striking ''prize'' and inserting ''cash prize purse'';

(3) in subsection (g), by striking ''prize'' and inserting ''cash prize purse'';

(4) in subsection (h), by inserting ''prize'' before ''competition'' both places it appears;

(5) in subsection (i)—

(A) in paragraph (1)(B), by inserting ''prize'' before ''competition'';

(B) in paragraph (2)(A), by inserting ''prize'' before ''competition'' both places it appears;

(C) by redesignating paragraph (3) as paragraph (4); and

(D) by inserting after paragraph (2) the following new paragraph:

''(3) WAIVER.—An agency may waive the requirement under paragraph (2). The annual report under subsection (p) shall include a list of such waivers granted during the preceding fiscal year, along with a detailed explanation of the reasons for granting the waivers.'';

(6) in subsection (k)—

(A) in paragraph (2)(A), by inserting ''prize'' before ''competition''; and

(B) in paragraph (3), by inserting ''prize'' before ''competitions'' both places it appears;

(7) in subsection (l), by striking all after ''may enter into'' and inserting ''a grant, contract, cooperative agreement, or other agreement with a private sector for-profit or nonprofit entity to administer the prize competition, subject to the provisions of this section.'';

(8) in subsection (m)—

(A) by amending paragraph (1) to read as follows:

''(1) IN GENERAL.—Support for a prize competition under this section, including financial support for the design and administration of a prize competition or funds for a cash prize purse, may consist of Federal appropriated funds and funds provided by private sector for-profit and nonprofit entities. The head of an agency may accept funds from other Federal agencies, private sector for-profit entities, and nonprofit entities to support such prize competitions. The head of an agency may not give any special consideration to any private sector for-profit or nonprofit entity in return for a donation.'';

(B) in paragraph (2), by striking ''prize awards'' and inserting ''cash prize purses'';

(C) in paragraph (3)(A)—

(i) by striking ''No prize'' and inserting ''No prize competition''; and

(ii) by striking ''the prize'' and inserting ''the cash prize purse'';

(D) in paragraph (3)(B), by striking ''a prize'' and inserting ''a cash prize purse'';

(E) in paragraph (3)(B)(i), by inserting ''competition'' after ''prize'';

(F) in paragraph (4)(A), by striking ''a prize'' and inserting ''a cash prize purse''; and

(G) in paragraph (4)(B), by striking ''cash prizes'' and inserting ''cash prize purses'';

(9) in subsection (n), by inserting ''for both for-profit and nonprofit entities,'' after ''contract vehicle'';

(10) in subsection (o)(1), by striking ''or providing a prize'' and insert ''a prize competition or providing a cash prize purse''; and

(11) in subsection (p)(2)—

(A) in subparagraph (C), by striking ''cash prizes'' both places it occurs and inserting ''cash prize purses''; and

(B) by adding at the end the following new subparagraph:

''(G) PLAN.—A description of crosscutting topical areas and agency-specific mission needs that may be the strongest opportunities for prize competitions during the upcoming 2 fiscal years.''.

SEC. 306. UNITED STATES CHIEF TECHNOLOGY OFFICER.

Title II of the National Science and Technology Policy, Organization, and Priorities Act of 1976 (42 U.S.C. 6611 et seq.) is amended by adding at the end the following new section:

''UNITED STATES CHIEF TECHNOLOGY OFFICER

''SEC. 210. (a) APPOINTMENT.—The President may appoint a United States Chief Technology Officer. Not later than 1 year after the date of enactment of the America COMPETES Reauthorization Act of 2015, such officer shall be one of the Associate Directors of the Office of Science and Technology Policy.

''(b) DUTIES.—The duties of the United States Chief Technology Officer should include—

''(1) advising the President and the Director of the Office of Science and Technology Policy on Federal information systems, technology, data, and innovation policies and initiatives;

''(2) promoting an improved exchange of information among the Federal Government, the public, and Congress;

''(3) promoting the use of innovative technological approaches across the Federal Government to ensure a modern information technology infrastructure;

''(4) working with the Chief Technology Officers and Chief Information Officers of all Federal agencies to ensure the use of best technologies and security practices for information systems;

''(5) establishing a working group with such Officers to exchange best practices about information systems;

''(6) promoting transparency and accountability across the Federal Government for all technological implementation by working with agencies to ensure that each arm of the Federal Government, including the executive branch, makes its records open and accessible;

''(7) promoting security and privacy protection policies for all Federal information technology systems that are consistent with Federal law, regulations, and current best practices;

''(8) promoting technological interoperability of key Government functions;

''(9) in consultation with the Office of Management and Budget, providing an annual report to the President, the Director of the Office of Science and Technology Policy, and Congress on the current state of information systems of all Federal agencies, including—

''(A) the status of information systems, including potential technology and security concerns about these information systems in all Federal agencies;

''(B) a review of all Federal websites with third-party embedded tools that—

''(i) identifies each embedded tool, who it belongs to, and the data it collects; and

''(ii) addresses effects on cybersecurity and consumer privacy, including whether each website provides prominent notice to consumers about the presence of the tool and whether the consumer may opt-out of the tool;

''(C) the amount of money being spent on various technologies; and

''(D) technology recommendations and best practices; and

''(10) such other functions and activities as the President and Director of the Office of Science and Technology Policy may assign.

''(c) REPORT.—In the absence of a United States Chief Technology Officer, the Director of the Office of Science and Technology Policy shall be responsible for providing the report required under subsection (b)(9).''.

SEC. 307. NATIONAL RESEARCH COUNCIL STUDY ON TECHNOLOGY FOR EMERGENCY NOTIFICATIONS ON UNIVERSITY CAMPUSES.

(a) IN GENERAL.—Not later than 90 days after the date of enactment of this Act, the Director of the Office of Science and Technology Policy shall enter into an arrangement with the National Research Council to conduct and complete a study to identify and review technologies employed at institutions of higher education to provide notifications to students, faculty, and other personnel during emergency situations in accordance with the requirements of existing law. The study shall address—

(1) the timeliness of notifications during emergency situations provided by various technologies;

(2) the durability of such technologies in delivering such notifications to students, faculty, and other personnel; and

(3) the limitations exhibited by such technologies to successfully deliver notifications not more than 30 seconds after the institution of higher education transmits such notifications.

(b) REPORT REQUIRED.—Not later than 1 year after the date on which the National Research Council enters into the arrangement required by subsection (a), the Director of the Office of Science and Technology Policy shall submit to Congress a report on the study conducted under such subsection.

TITLE IV—NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY

SEC. 401. AUTHORIZATION OF APPROPRIATIONS.

(a) FISCAL YEAR 2016.—

(1) IN GENERAL.—There are authorized to be appropriated to the Secretary of Commerce $933,700,000 for the National Institute of Standards and Technology for fiscal year 2016.

(2) SPECIFIC ALLOCATIONS.—Of the amount authorized by paragraph (1)—

(A) $744,700,000 shall be for scientific and technical research and services laboratory activities;

(B) $59,000,000 shall be for the construction and maintenance of facilities; and

(C) $130,000,000 shall be for industrial technology services activities, of which $125,000,000 shall be for the Manufacturing Extension Partnership program under sections 25 and 26 of the National Institute of Standards and Technology Act (15 U.S.C. 278k and 278l) and $5,000,000 shall be for the Network for Manufacturing Innovation Program under section 34 of the National Institute of Standards and Technology Act (15 U.S.C. 278s).

(b) FISCAL YEAR 2017.—

(1) IN GENERAL.—There are authorized to be appropriated to the Secretary of Commerce $933,700,000 for the National Institute of Standards and Technology for fiscal year 2017.

(2) SPECIFIC ALLOCATIONS.—Of the amount authorized by paragraph (1)—

(A) $744,700,000 shall be for scientific and technical research and services laboratory activities;

(B) $59,000,000 shall be for the construction and maintenance of facilities; and

(C) $130,000,000 shall be for industrial technology services activities, of which $125,000,000 shall be for the Manufacturing Extension Partnership program under sections 25 and 26 of the National Institute of Standards and Technology Act (15 U.S.C. 278k and 278l) and $5,000,000 shall be for the Network for Manufacturing Innovation Program under section 34 of the National Institute of Standards and Technology Act (15 U.S.C. 278s).

SEC. 402. STANDARDS AND CONFORMITY ASSESSMENT.

Section 2 of the National Institute of Standards and Technology Act (15 U.S.C. 272) is amended—

(1) in subsection (b)—

(A) in the matter preceding paragraph (1), by striking ''authorized to take'' and inserting ''authorized to serve as the President's principal adviser on standards policy pertaining to the Nation's technological competitiveness and innovation ability and to take'';

(B) in paragraph (3), by striking ''compare standards'' and all that follows through ''Federal Government'' and inserting ''facilitate standards-related information sharing and cooperation between Federal agencies''; and

(C) in paragraph (13), by striking ''Federal, State, and local'' and all that follows through ''private sector'' and inserting ''technical standards activities and conformity assessment activities of Federal, State, and local governments with private sector''; and

(2) in subsection (c)—

(A) in paragraph (22), by striking ''and'' after the semicolon;

(B) by redesignating paragraph (23) as paragraph (25); and

(C) by inserting after paragraph (22) the following:

''(23) participate in and support scientific and technical conferences;

''(24) perform pre-competitive measurement science and technology research in partnership with institutions of higher education and industry to promote United States industrial competitiveness; and''.

SEC. 403. VISITING COMMITTEE ON ADVANCED TECHNOLOGY.

Section 10 of the National Institute of Standards and Technology Act (15 U.S.C. 278) is amended—

(1) in subsection (a)—

(A) by striking ''15 members'' and inserting ''not fewer than 11 members'';

(B) by striking ''at least 10'' and inserting ''at least two-thirds''; and

(C) by adding at the end the following: ''The Committee may consult with the National Research Council in making recommendations regarding general policy for the Institute.''; and

(2) in subsection (h)(1), by striking '', including the Program established under section 28,''.

SEC. 404. POLICE AND SECURITY AUTHORITY.

Section 15 of the National Institute of Standards and Technology Act (15 U.S.C. 278e) is amended—

(1) by striking ''of the Government; and'' and inserting ''of the Government;''; and

(2) by striking ''United States Code.'' and inserting ''United States Code; and (i) the protection of Institute buildings and other plant facilities, equipment, and property, and of employees, associates, visitors, or other persons located therein or associated therewith, notwithstanding any other provision of law.''.

SEC. 405. EDUCATION AND OUTREACH.

The National Institute of Standards and Technology Act (15 U.S.C. 271 et seq.) is amended by striking sections 18, 19, and 19A and inserting the following:

''SEC. 18. EDUCATION AND OUTREACH.

''(a) IN GENERAL.—The Director may support, promote, and coordinate activities and efforts to enhance public awareness and understanding of measurement sciences, standards, and technology by the general public, industry, and academia in support of the Institute's mission.

''(b) RESEARCH FELLOWSHIPS.—

''(1) IN GENERAL.—The Director may award research fellowships and other forms of financial and logistical assistance, including direct stipend awards, to—

''(A) students at institutions of higher education within the United States who show promise as present or future contributors to the mission of the Institute; and

''(B) United States citizens for research and technical activities of the Institute.

''(2) SELECTION.—The Director shall select persons to receive such fellowships and assistance on the basis of ability and of the relevance of the proposed work to the mission and programs of the Institute.

''(3) DEFINITION.—For the purposes of this subsection, financial and logistical assistance includes, notwithstanding section 1345 of title 31, United States Code, or any contrary provision of law, temporary housing and local transportation to and from the Institute facilities.

''(c) POST-DOCTORAL FELLOWSHIP PROGRAM.—The Director shall establish and conduct a post-doctoral fellowship program, subject to the availability of appropriations, that shall include not fewer than 20 fellows per fiscal year. In evaluating applications for fellowships under this subsection, the Director shall give consideration to the goal of promoting the participation of underrepresented students in research areas supported by the Institute.''.

SEC. 406. PROGRAMMATIC PLANNING REPORT.

Section 23(d) of the National Institute of Standards and Technology Act (15 U.S.C. 278i(d)) is amended by adding at the end the following: ''The 3-year programmatic planning document shall also describe how the Director is addressing recommendations from the Visiting Committee on Advanced Technology established under section 10.''.

SEC. 407. ASSESSMENTS BY THE NATIONAL RESEARCH COUNCIL.

(a) NATIONAL ACADEMY OF SCIENCES REVIEW.—Not later than 6 months after the date of enactment of this Act, the Director of the National Institute of Standards and Technology shall enter into a contract with the National

Academy of Sciences to conduct a single, comprehensive review of the Institute's laboratory programs. The review shall—

(1) assess the technical merits and scientific caliber of the research conducted at the laboratories;

(2) examine the strengths and weaknesses of the 2010 laboratory reorganization on the Institute's ability to fulfill its mission;

(3) evaluate how cross-cutting research and development activities are planned, coordinated, and executed across the laboratories; and

(4) assess how the laboratories are engaging industry, including the incorporation of industry need, into the research goals and objectives of the Institute.

(b) ADDITIONAL ASSESSMENTS.—Section 24 of the National Institute of Standards and Technology Act (15 U.S.C. 278j) is amended to read as follows:

''SEC. 24. ASSESSMENTS BY THE NATIONAL RESEARCH COUNCIL.

''(a) IN GENERAL.—The Institute shall contract with the National Research Council to perform and report on assessments of the technical quality and impact of the work conducted at Institute laboratories.

''(b) SCHEDULE.—Two laboratories shall be assessed under subsection (a) each year, and each laboratory shall be assessed at least once every 3 years.

''(c) SUMMARY REPORT.—Beginning in the year after the first assessment is conducted under subsection (a), and once every two years thereafter, the Institute shall contract with the National Research Council to prepare a report that summarizes the findings common across the individual assessment reports.

''(d) ADDITIONAL ASSESSMENTS.—The Institute, at the discretion of the Director, also may contract with the National Research Council to conduct additional assessments of Institute programs and projects that involve collaboration across the Institute laboratories and centers and assessments of selected scientific and technical topics.

''(e) CONSULTATION WITH VISITING COMMITTEE ON ADVANCED TECHNOLOGY.—The National Research Council may consult with the Visiting Committee on Advanced Technology established under section 10 in performing the assessments under this section.

''(f) REPORTS.—Not later than 30 days after the completion of each assessment, the Institute shall transmit the report on such assessment to the Committee on Science, Space, and Technology of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate.''.

SEC. 408. HOLLINGS MANUFACTURING EXTENSION PARTNERSHIP.

Section 25 of the National Institute of Standards and Technology Act (15 U.S.C. 278k) is amended to read as follows:

''SEC. 25. HOLLINGS MANUFACTURING EXTENSION PARTNERSHIP.

''(a) ESTABLISHMENT AND PURPOSE.—

''(1) IN GENERAL.—The Secretary, through the Director and, if appropriate, through other officials, shall provide assistance for the creation and support of manufacturing extension centers, to be known as the 'Hollings Manufacturing Extension Centers', for the transfer of manufacturing technology and best business practices (in this Act referred to as the 'Centers'). The program under this section shall be known as the 'Hollings Manufacturing Extension Partnership'.

''(2) AFFILIATIONS.—Such Centers shall be affiliated with any United States-based public or nonprofit institution or organization, or group thereof, that applies for and is awarded financial assistance under this section.

''(3) OBJECTIVE.—The objective of the Centers is to enhance competitiveness, productivity, and technological performance in United States manufacturing through—

''(A) the transfer of manufacturing technology and techniques developed at the Institute to Centers and, through them, to manufacturing companies throughout the United States;

''(B) the participation of individuals from industry, institutions of higher education, State governments, other Federal agencies, and, when appropriate, the Institute in cooperative technology transfer activities;

''(C) efforts to make new manufacturing technology and processes usable by United States-based small and medium-sized companies;

''(D) the active dissemination of scientific, engineering, technical, and management information about manufacturing to industrial firms, including small and medium-sized manufacturing companies;

''(E) the utilization, when appropriate, of the expertise and capability that exists in Federal laboratories other than the Institute;

''(F) the provision to community colleges and area career and technical education schools of information about the job skills needed in small and medium-sized manufacturing businesses in the regions they serve; and

''(G) promoting and expanding certification systems offered through industry, associations, and local colleges, when appropriate.

''(b) ACTIVITIES.—The activities of the Centers shall include—

''(1) the establishment of automated manufacturing systems and other advanced production technologies, based on Institute-supported research, for the purpose of demonstrations and technology transfer;

''(2) the active transfer and dissemination of research findings and Center expertise to a wide range of companies and enterprises, particularly small and medium-sized manufacturers; and

''(3) the facilitation of collaborations and partnerships between small and medium-sized manufacturing companies and community colleges and area career and technical education schools to help such colleges and schools better understand the specific needs of manufacturers and to help manufacturers better understand the skill sets that students learn in the programs offered by such colleges and schools.

''(c) OPERATIONS.—

''(1) FINANCIAL SUPPORT.—The Secretary may provide financial support to any Center created under subsection (a). The Secretary may not provide to a Center more than 50 percent of the capital and annual operating and maintenance funds required to create and maintain such Center.

''(2) REGULATIONS.—The Secretary shall implement, review, and update the sections of the Code of Federal Regulations related to this section at least once every 3 years.

''(3) APPLICATION.—

''(A) IN GENERAL.—Any nonprofit institution, or consortium thereof, or State or local government, may submit to the Secretary an application for financial support under this section, in accordance with the procedures established by the Secretary.

''(B) COST SHARING.—In order to receive assistance under this section, an applicant for financial assistance under subparagraph (A) shall provide adequate assurances that non-Federal assets obtained from the applicant and the applicant's partnering organizations will be used as a funding source to meet not less than 50 percent of the costs incurred. For purposes of the preceding sentence, the costs incurred means the costs incurred in connection with the activities undertaken to improve the competitiveness, management, productivity, and technological performance of small and medium-sized manufacturing companies.

''(C) AGREEMENTS WITH OTHER ENTITIES.—In meeting the 50 percent requirement, it is anticipated that a Center will enter into agreements with other entities such as private industry, institutions of higher education, and State governments to accomplish programmatic objectives and access new and existing resources that will further the impact of the Federal investment made on behalf of small and medium-sized manufacturing companies.

''(D) LEGAL RIGHTS.—Each applicant under subparagraph (A) shall also submit a proposal for the allocation of the legal rights associated with any invention which may result from the proposed Center's activities.

''(4) MERIT REVIEW.—The Secretary shall subject each such application to merit review. In making a decision whether to approve such application and provide financial support under this section, the Secretary shall consider, at a minimum, the following:

''(A) The merits of the application, particularly those portions of the application regarding technology transfer, training and education, and adaptation of manufacturing technologies to the needs of particular industrial sectors.

''(B) The quality of service to be provided.

''(C) Geographical diversity and extent of service area.

''(D) The percentage of funding and amount of in-kind commitment from other sources.

''(5) EVALUATION.—

''(A) IN GENERAL.—Each Center that receives financial assistance under this section shall be evaluated during its third year of operation by an evaluation panel appointed by the Secretary.

''(B) COMPOSITION.—Each such evaluation panel shall be composed of private experts, none of whom shall be connected with the involved Center, and Federal officials.

''(C) CHAIR.—An official of the Institute shall chair the panel.

''(D) PERFORMANCE MEASUREMENT.—Each evaluation panel shall measure the involved Center's performance against the objectives specified in this section.

''(E) POSITIVE EVALUATION.—If the evaluation is positive, the Secretary may provide continued funding through the sixth year.

''(F) PROBATION.—The Secretary shall not provide funding unless the Center has received a positive evaluation. A Center that has not received a positive evaluation by the evaluation panel shall be notified by the panel of the deficiencies in its performance and shall be placed on probation for one year, after which time the panel shall reevaluate the Center. If the Center has not addressed the deficiencies identified by the panel, or shown a significant improvement in its performance, the Director shall conduct a new competition to select an operator for the Center or may close the Center.

''(G) ADDITIONAL FINANCIAL SUPPORT.—After the sixth year, a Center may receive additional financial support under this section if it has received a positive evaluation through an independent review, under procedures established by the Institute.

''(H) EIGHT-YEAR REVIEW.—A Center shall undergo an independent review in the 8th year of operation. Each evaluation panel shall measure the Center's performance against the objectives specified in this section. A Center that has not received a positive evaluation as a result of an independent review shall be notified by the Program of the deficiencies in its performance and shall be placed on probation for one year, after which time the Program shall reevaluate the Center. If the Center has not addressed the deficiencies identified by the review, or shown a significant improvement in its performance, the Director shall conduct a new competition to select an operator for the Center or may close the Center.

''(I) RECOMPETITION.—If a recipient of a Center award has received financial assistance for

10 consecutive years, the Director shall conduct a new competition to select an operator for the Center consistent with the plan required in this Act. Incumbent Center operators in good standing shall be eligible to compete for the new award.

''(J) REPORTS.—

''(i) PLAN.—Not later than 180 days after the date of enactment of the America COMPETES Reauthorization Act of 2015, the Director shall transmit to the Committee on Science, Space, and Technology of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a plan as to how the Institute will conduct reviews, assessments, and reapplication competitions under this paragraph.

''(ii) INDEPENDENT ASSESSMENT.—The Director shall contract with an independent organization to perform an assessment of the implementation of the reapplication competition process under this paragraph within 3 years after the transmittal of the report under clause (i). The organization conducting the assessment under this clause may consult with the MEP Advisory Board.

''(iii) COMPARISON OF CENTERS.—Not later than 2 years after the date of enactment of the America COMPETES Reauthorization Act of 2015, the Director shall transmit to the Committee on Science, Space, and Technology of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report providing information on the first and second years of operations for centers operating from new competitions or recompetition as compared to longstanding centers. The report shall provide detail on the engagement in services provided by Centers and the characteristics of services provided, including volume and type of services, so that the Committees can evaluate whether the cost-sharing ratio has an effect on the services provided at Centers.

''(6) PATENT RIGHTS.—The provisions of chapter 18 of title 35, United States Code, shall apply, to the extent not inconsistent with this section, to the promotion of technology from research by Centers under this section except for contracts for such specific technology extension or transfer services as may be specified by statute or by the Director.

''(7) PROTECTION OF CENTER CLIENT CONFIDENTIAL INFORMATION.—Section 552 of title 5, United States Code, shall apply to the following information obtained by the Federal Government on a confidential basis in connection with the activities of any participant involved in the Hollings Manufacturing Extension Partnership:

''(A) Information on the business operation of any participant in a Hollings Manufacturing Extension Partnership program or of a client of a Center.

''(B) Trade secrets possessed by any client of a Center.

''(8) ADVISORY BOARDS.—Each Center's advisory boards shall institute a conflict of interest policy, approved by the Director, that ensures the Board represents local small and medium-sized manufacturers in the Center's region. Board Members may not serve as a vendor or provide services to the Center, nor may they serve on more than one Center's oversight board simultaneously.

''(d) ACCEPTANCE OF FUNDS.—

''(1) IN GENERAL.—In addition to such sums as may be appropriated to the Secretary and Director to operate the Hollings Manufacturing Extension Partnership, the Secretary and Director also may accept funds from other Federal departments and agencies and, under section 2(c)(7), from the private sector for the purpose of strengthening United States manufacturing.

''(2) ALLOCATION OF FUNDS.—

''(A) FUNDS ACCEPTED FROM OTHER FEDERAL DEPARTMENTS OR AGENCIES.—The Director shall determine whether funds accepted from other Federal departments or agencies shall be counted in the calculation of the Federal share of capital and annual operating and maintenance costs under subsection (c).

''(B) FUNDS ACCEPTED FROM THE PRIVATE SECTOR.—Funds accepted from the private sector under section 2(c)(7), if allocated to a Center, may not be considered in the calculation of the Federal share under subsection (c) of this section.

''(e) MEP ADVISORY BOARD.—

''(1) ESTABLISHMENT.—There is established within the Institute a Manufacturing Extension Partnership Advisory Board (in this subsection referred to as the 'MEP Advisory Board').

''(2) MEMBERSHIP.—

''(A) IN GENERAL.—The MEP Advisory Board shall consist of not fewer than 10 members broadly representative of stakeholders, to be appointed by the Director. At least 2 members shall be employed by or on an advisory board for the Centers, at least 1 member shall represent a community college, and at least 5 other members shall be from United States small businesses in the manufacturing sector. No member shall be an employee of the Federal Government.

''(B) TERM.—Except as provided in subparagraph (C) or (D), the term of office of each member of the MEP Advisory Board shall be 3 years.

''(C) VACANCIES.—Any member appointed to fill a vacancy occurring prior to the expiration of the term for which his predecessor was appointed shall be appointed for the remainder of such term.

''(D) SERVING CONSECUTIVE TERMS.—Any person who has completed two consecutive full terms of service on the MEP Advisory Board shall thereafter be ineligible for appointment during the one-year period following the expiration of the second such term.

''(3) MEETINGS.—The MEP Advisory Board shall meet not less than 2 times annually and shall provide to the Director—

''(A) advice on Hollings Manufacturing Extension Partnership programs, plans, and policies;

''(B) assessments of the soundness of Hollings Manufacturing Extension Partnership plans and strategies; and

''(C) assessments of current performance against Hollings Manufacturing Extension Partnership program plans.

''(4) FEDERAL ADVISORY COMMITTEE ACT APPLICABILITY.—

''(A) IN GENERAL.—In discharging its duties under this subsection, the MEP Advisory Board shall function solely in an advisory capacity, in accordance with the Federal Advisory Committee Act.

''(B) EXCEPTION.—Section 14 of the Federal Advisory Committee Act shall not apply to the MEP Advisory Board.

''(5) REPORT.—The MEP Advisory Board shall transmit an annual report to the Secretary for transmittal to Congress within 30 days after the submission to Congress of the President's annual budget request in each year. Such report shall address the status of the program established pursuant to this section and comment on the relevant sections of the programmatic planning document and updates thereto transmitted to Congress by the Director under subsections (c) and (d) of section 23.

''(f) COMPETITIVE GRANT PROGRAM.—

''(1) ESTABLISHMENT.—The Director shall establish, within the Hollings Manufacturing Extension Partnership, under this section and section 26, a program of competitive awards among participants described in paragraph (2) for the purposes described in paragraph (3).

''(2) PARTICIPANTS.—Participants receiving awards under this subsection shall be the Centers, or a consortium of such Centers.

''(3) PURPOSE.—The purpose of the program under this subsection is to add capabilities to the Hollings Manufacturing Extension Partnership, including the development of projects to solve new or emerging manufacturing problems as determined by the Director, in consultation with the Director of the Hollings Manufacturing Extension Partnership program, the MEP Advisory Board, and small and medium-sized manufacturers. One or more themes for the competition may be identified, which may vary from year to year, depending on the needs of manufacturers and the success of previous competitions. Centers may be reimbursed for costs incurred under the program.

''(4) APPLICATIONS.—Applications for awards under this subsection shall be submitted in such manner, at such time, and containing such information as the Director shall require, in consultation with the MEP Advisory Board.

''(5) SELECTION.—Awards under this subsection shall be peer reviewed and competitively awarded. The Director shall endeavor to have broad geographic diversity among selected proposals. The Director shall select proposals to receive awards that will—

''(A) improve the competitiveness of industries in the region in which the Center or Centers are located;

''(B) create jobs or train newly hired employees; and

''(C) promote the transfer and commercialization of research and technology from institutions of higher education, national laboratories, and nonprofit research institutes.

''(6) PROGRAM CONTRIBUTION.—Recipients of awards under this subsection shall not be required to provide a matching contribution.

''(7) GLOBAL MARKETPLACE PROJECTS.—In making awards under this subsection, the Director, in consultation with the MEP Advisory Board and the Secretary, may take into consideration whether an application has significant potential for enhancing the competitiveness of small and medium-sized United States manufacturers in the global marketplace.

''(8) DURATION.—Awards under this subsection shall last no longer than 3 years.

''(g) EVALUATION OF OBSTACLES UNIQUE TO SMALL MANUFACTURERS.—The Director shall—

''(1) evaluate obstacles that are unique to small manufacturers that prevent such manufacturers from effectively competing in the global market;

''(2) implement a comprehensive plan to train the Centers to address such obstacles; and

''(3) facilitate improved communication between the Centers to assist such manufacturers in implementing appropriate, targeted solutions to such obstacles.

''(h) DEFINITIONS.—In this section—

''(1) the term 'area career and technical education school' has the meaning given such term in section 3 of the Carl D. Perkins Career and Technical Education Improvement Act of 2006 (20 U.S.C. 2302); and

''(2) the term 'community college' means an institution of higher education (as defined under section 101(a) of the Higher Education Act of 1965 (20 U.S.C. 1001(a))) at which the highest degree that is predominately awarded to students is an associate's degree.''.

SEC. 409. ELIMINATION OF OBSOLETE REPORTS.

Section 28 of the National Institute of Standards and Technology Act (15 U.S.C. 278n) is amended—

(1) by striking subsection (g); and

(2) in subsection (k)—

(A) in paragraph (3), by inserting ''and'' after the semicolon at the end;

(B) in paragraph (4)(B), by striking ''; and'' at the end and inserting a period; and

(C) by striking paragraph (5).

SEC. 410. MODIFICATIONS TO GRANTS AND COOPERATIVE AGREEMENTS.

Section 8(a) of the Stevenson-Wydler Technology Innovation Act of 1980 (15 U.S.C. 3706(a)) is amended by striking ''The total amount of any such grant or cooperative agreement may not exceed 75 percent of the total cost of the program.''.

SEC. 411. INFORMATION SYSTEMS STANDARDS CONSULTATION.

Section 20(c)(1) of the National Institute of Standards and Technology Act (15 U.S.C. 278g—3(c)(1)) is amended by striking ''the National Security Agency,''.

SEC. 412. UNITED STATES-ISRAELI COOPERATION.

It is the Sense of Congress that—

(1) partnerships that facilitate basic scientific research between the United States and Israel advance technology development, innovation, and commercialization leading to growth in various sectors, including manufacturing, and creating benefits for both nations;

(2) joint research and development agreements carried out through government organizations like the National Institute of Standards and Technology support these efforts;

(3) partnerships between the United States and Israel that further the basic scientific enterprise should be encouraged; and

(4) the National Institute of Standards and Technology should continue to facilitate scientific collaborations between Israel and United States' technical agencies working in measurement science and standardization.

TITLE V—DEPARTMENT OF ENERGY SCIENCE

SEC. 501. MISSION.

Section 209 of the Department of Energy Organization Act (42 U.S.C. 7139) is amended by adding at the end the following:

''(c) MISSION.—The mission of the Office of Science shall be the delivery of scientific discoveries, capabilities, and major scientific tools to transform the understanding of nature and to advance the energy, economic, and national security of the United States. In support of this mission, the Director shall carry out programs on basic energy sciences, advanced scientific computing research, high energy physics, biological and environmental research, fusion energy sciences, and nuclear physics, including as provided under subtitle A of title V of the America COMPETES Reauthorization Act of 2015, through activities focused on—

''(1) fundamental scientific discoveries through the study of matter and energy;

''(2) science in the national interest, including—

''(A) advancing an agenda for American energy security through research on energy production, storage, transmission, efficiency, and use; and

''(B) advancing our understanding of the Earth's climate through research in atmospheric and environmental sciences; and

''(3) National Scientific User Facilities to deliver the 21st century tools of science, engineering, and technology and provide the Nation's researchers with the most advanced tools of modern science including accelerators, colliders, supercomputers, light sources and neutron sources, and facilities for studying materials science.

''(d) COORDINATION WITH OTHER DEPARTMENT OF ENERGY PROGRAMS.—The Under Secretary for Science and Energy shall ensure the coordination of Office of Science activities and programs with other activities of the Department.''.

SEC. 502. BASIC ENERGY SCIENCES.

(a) PROGRAM.—The Director shall carry out a program in basic energy sciences, including materials sciences and engineering, chemical sciences, physical biosciences, and geosciences, for the purpose of providing the scientific foundations for new energy technologies.

(b) MISSION.—The mission of the program described in subsection (a) shall be to support fundamental research to understand, predict, and ultimately control matter and energy at the electronic, atomic, and molecular levels in order to provide the foundations for new energy technologies and to support Department missions in energy, environment, and national security.

(c) BASIC ENERGY SCIENCES USER FACILITIES.—The Director shall carry out a subprogram for the development, construction, operation, and maintenance of national user facilities to support the program under this section. As practicable, these facilities shall serve the needs of the Department, industry, the academic community, and other relevant entities to create and examine new materials and chemical processes for the purposes of advancing new energy technologies and improving the competitiveness of the United States. These facilities shall include—

(1) x-ray light sources;

(2) neutron sources;

(3) nanoscale science research centers; and

(4) other facilities the Director considers appropriate, consistent with section 209 of the Department of Energy Organization Act (42 U.S.C. 7139).

(d) LIGHT SOURCE LEADERSHIP INITIATIVE.—

(1) ESTABLISHMENT.—In support of the subprogram authorized in subsection (c), the Director shall establish an initiative to sustain and advance global leadership of light source user facilities.

(2) LEADERSHIP STRATEGY.—Not later than 9 months after the date of enactment of this Act, and biennially thereafter, the Director shall prepare, in consultation with relevant stakeholders, and submit to the Committee on Science, Space, and Technology of the House of Representatives and the Committee on Energy and Natural Resources of the Senate a light source leadership strategy that—

(A) identifies, prioritizes, and describes plans for the development, construction, and operation of light sources over the next decade;

(B) describes plans for optimizing management and use of existing light source facilities; and

(C) assesses the international outlook for light source user facilities and describes plans for United States cooperation in such projects.

(3) ADVISORY COMMITTEE FEEDBACK AND RECOMMENDATIONS.—Not later than 45 days after submission of the strategy described in paragraph (2), the Basic Energy Sciences Advisory Committee shall provide the Director, the Committee on Science, Space, and Technology of the House of Representatives, and the Committee on Energy and Natural Resources of the Senate a report of the Advisory Committee's analyses, findings, and recommendations for improving the strategy, including a review of the most recent budget request for the initiative.

(4) PROPOSED BUDGET.—The Director shall transmit annually to Congress a proposed budget corresponding to the activities identified in the strategy.

(e) ACCELERATOR RESEARCH AND DEVELOPMENT.—The Director shall carry out research and development on advanced accelerator and storage ring technologies relevant to the development of Basic Energy Sciences user facilities, in consultation with the Office of Science's High Energy Physics and Nuclear Physics programs.

(f) ENERGY FRONTIER RESEARCH CENTERS.—

(1) IN GENERAL.—The Director shall carry out a program to provide awards, on a competitive, merit-reviewed basis, to multi-institutional collaborations or other appropriate entities to conduct fundamental and use-inspired energy research to accelerate scientific breakthroughs.

(2) COLLABORATIONS.—A collaboration receiving an award under this subsection may include multiple types of institutions and private sector entities.

(3) SELECTION AND DURATION.—

(A) IN GENERAL.—A collaboration under this subsection shall be selected for a period of 5 years. An Energy Frontier Research Center already in existence and supported by the Director on the date of enactment of this Act may continue to receive support for a period of 5 years beginning on the date of establishment of that center.

(B) REAPPLICATION.—After the end of the period described in subparagraph (A), an awardee may reapply for selection for a second period of 5 years on a competitive, merit-reviewed basis.

(C) TERMINATION.—Consistent with the existing authorities of the Department, the Director may terminate an underperforming center for cause during the performance period.

(4) NO FUNDING FOR CONSTRUCTION.—No funding provided pursuant to this subsection may be used for the construction of new buildings or facilities.

SEC. 503. ADVANCED SCIENTIFIC COMPUTING RESEARCH.

(a) PROGRAM.—The Director shall carry out a research, development, and demonstration program to advance computational and networking capabilities to analyze, model, simulate, and predict complex phenomena relevant to the development of new energy technologies and the competitiveness of the United States.

(b) FACILITIES.—The Director, as part of the program described in subsection (a), shall develop and maintain world-class computing and network facilities for science and deliver critical research in applied mathematics, computer science, and advanced networking to support the Department's missions.

(c) DEFINITIONS.—Section 2 of the Department of Energy High-End Computing Revitalization Act of 2004 (15 U.S.C. 5541) is amended by striking paragraphs (1) through (5) and inserting the following:

''(1) CO-DESIGN.—The term 'co-design' means the joint development of application algorithms, models, and codes with computer technology architectures and operating systems to maximize effective use of high-end computing systems.

''(2) DEPARTMENT.—The term 'Department' means the Department of Energy.

''(3) EXASCALE.—The term 'exascale' means computing system performance at or near 10 to the 18th power floating point operations per second.

''(4) HIGH-END COMPUTING SYSTEM.—The term 'high-end computing system' means a computing system with performance that substantially exceeds that of systems that are commonly available for advanced scientific and engineering applications.

''(5) INSTITUTION OF HIGHER EDUCATION.—The term 'institution of higher education' has the meaning given the term in section 2 of the Energy Policy Act of 2005 (42 U.S.C. 15801).

''(6) LEADERSHIP SYSTEM.—The term 'leadership system' means a high-end computing system that is among the most advanced in the world in terms of performance in solving scientific and engineering problems.

''(7) NATIONAL LABORATORY.—The term 'National Laboratory' means any one of the seventeen laboratories owned by the Department.

''(8) SECRETARY.—The term 'Secretary' means the Secretary of Energy.

''(9) SOFTWARE TECHNOLOGY.—The term 'software technology' includes optimal algorithms, programming environments, tools, languages, and operating systems for high-end computing systems.''.

(d) DEPARTMENT OF ENERGY HIGH-END COMPUTING RESEARCH AND DEVELOPMENT PROGRAM.—Section 3 of the Department of Energy High-End Computing Revitalization Act of 2004 (15 U.S.C. 5542) is amended—

(1) in subsection (a)—

(A) in paragraph (1), by striking ''program'' and inserting ''coordinated program across the Department'';

(B) by striking ''and'' at the end of paragraph (1);

(C) by striking the period at the end of paragraph (2) and inserting ''; and''; and

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

''(3) partner with universities, National Laboratories, and industry to ensure the broadest possible application of the technology developed in this program to other challenges in science, engineering, medicine, and industry.'';

(2) in subsection (b)(2), by striking ''vector'' and all that follows through ''architectures'' and inserting ''computer technologies that show promise of substantial reductions in power requirements and substantial gains in parallelism of multicore processors, concurrency, memory and storage, bandwidth, and reliability''; and

(3) by striking subsection (d) and inserting the following:

''(d) EXASCALE COMPUTING PROGRAM.—

''(1) IN GENERAL.—The Secretary shall conduct a coordinated research program to develop exascale computing systems to advance the missions of the Department.

''(2) EXECUTION.—The Secretary shall, through competitive merit review, establish two or more National Laboratory-industry-university partnerships to conduct integrated research, development, and engineering of multiple exascale architectures, and—

''(A) conduct mission-related co-design activities in developing such exascale platforms;

''(B) develop those advancements in hardware and software technology required to fully realize the potential of an exascale production system in addressing Department target applications and solving scientific problems involving predictive modeling and simulation and large-scale data analytics and management; and

''(C) explore the use of exascale computing technologies to advance a broad range of science and engineering.

''(3) ADMINISTRATION.—In carrying out this program, the Secretary shall—

''(A) provide, on a competitive, merit-reviewed basis, access for researchers in United States industry, institutions of higher education, National Laboratories, and other Federal agencies to these exascale systems, as appropriate; and

''(B) conduct outreach programs to increase the readiness for the use of such platforms by domestic industries, including manufacturers.

''(4) REPORTS.—

''(A) INTEGRATED STRATEGY AND PROGRAM MANAGEMENT PLAN.—The Secretary shall submit to Congress, not later than 90 days after the date of enactment of the America COMPETES Reauthorization Act of 2015, a report outlining an integrated strategy and program management plan, including target dates for prototypical and production exascale platforms, interim milestones to reaching these targets, functional requirements, roles and responsibilities of National Laboratories and industry, acquisition strategy, and estimated resources required, to achieve this exascale system capability. The report shall include the Secretary's plan for Departmental organization to manage and execute the Exascale Computing Program, including definition of the roles and responsibilities within the Department to ensure an integrated program across the Department. The report shall also include a plan for ensuring balance and prioritizing across ASCR subprograms in a flat or slow-growth budget environment.

''(B) STATUS REPORTS.—At the time of the budget submission of the Department for each fiscal year, the Secretary shall submit a report to Congress that describes the status of milestones and costs in achieving the objectives of the exascale computing program.

''(C) EXASCALE MERIT REPORT.—At least 18 months prior to the initiation of construction or installation of any exascale-class computing facility, the Secretary shall transmit a plan to the Congress detailing—

''(i) the proposed facility's cost projections and capabilities to significantly accelerate the development of new energy technologies;

''(ii) technical risks and challenges that must be overcome to achieve successful completion and operation of the facility; and

''(iii) an independent assessment of the scientific and technological advances expected from such a facility relative to those expected from a comparable investment in expanded research and applications at terascale-class and petascale-class computing facilities, including an evaluation of where investments should be made in the system software and algorithms to enable these advances.''.

SEC. 504. HIGH ENERGY PHYSICS.

(a) PROGRAM.—The Director shall carry out a research program on the fundamental constituents of matter and energy and the nature of space and time.

(b) SENSE OF CONGRESS.—It is the sense of the Congress that—

(1) the Director should incorporate the findings and recommendations of the Particle Physics Project Prioritization Panel's report entitled ''Building for Discovery: Strategic Plan for U.S. Particle Physics in the Global Context'', into the Department's planning process as part of the program described in subsection (a);

(2) the Director should prioritize domestically hosted research projects that will maintain the United States position as a global leader in particle physics and attract the world's most talented physicists and foreign investment for international collaboration; and

(3) the nations that lead in particle physics by hosting international teams dedicated to a common scientific goal attract the world's best talent and inspire future generations of physicists and technologists.

(c) NEUTRINO RESEARCH.—As part of the program described in subsection (a), the Director shall carry out research activities on rare decay processes and the nature of the neutrino, which may include collaborations with the National Science Foundation or international collaborations.

(d) DARK ENERGY AND DARK MATTER RESEARCH.—As part of the program described in subsection (a), the Director shall carry out research activities on the nature of dark energy and dark matter, which may include collaborations with the National Aeronautics and Space Administration or the National Science Foundation, or international collaborations.

(e) ACCELERATOR RESEARCH AND DEVELOPMENT.—The Director shall carry out research and development in advanced accelerator concepts and technologies, including laser technologies, to reduce the necessary scope and cost for the next generation of particle accelerators. The Director shall ensure access to national laboratory accelerator facilities, infrastructure, and technology for users and developers of accelerators that advance applications in energy and the environment, medicine, industry, national security, and discovery science.

(f) INTERNATIONAL COLLABORATION.—The Director, as practicable and in coordination with other appropriate Federal agencies as necessary, shall ensure the access of United States researchers to the most advanced accelerator facilities and research capabilities in the world, including the Large Hadron Collider.

SEC. 505. BIOLOGICAL AND ENVIRONMENTAL RESEARCH.

(a) PROGRAM.—The Director shall carry out a program of research, development, and demonstration in the areas of biological systems science and climate and environmental science to support the energy and environmental missions of the Department.

(b) PRIORITY RESEARCH.—In carrying out this section, the Director shall prioritize fundamental research on biological systems and genomics science with the greatest potential to enable scientific discovery.

(c) ASSESSMENT.—Not later than 12 months after the date of enactment of this Act, the Comptroller General shall submit a report to Congress identifying climate science-related initiatives under this section that overlap or duplicate initiatives of other Federal agencies and the extent of such overlap or duplication.

(d) LIMITATION.—The Director shall not approve new climate science-related initiatives to be carried out through the Office of Science without making a determination that such work is unique and not duplicative of work by other Federal agencies. Not later than 3 months after receiving the assessment required under subsection (c), the Director shall cease those climate science-related initiatives identified in the assessment as overlapping or duplicative, unless the Director justifies that such work is critical to achieving American energy security.

(e) LOW DOSE RADIATION RESEARCH PROGRAM.—

(1) IN GENERAL.—The Director of the Department of Energy Office of Science shall carry out a research program on low dose radiation. The purpose of the program is to enhance the scientific understanding of and reduce uncertainties associated with the effects of exposure to low dose radiation in order to inform improved risk management methods.

(2) STUDY.—Not later than 60 days after the date of enactment of this Act, the Director shall enter into an agreement with the National Academies to conduct a study assessing the current status and development of a long-term strategy for low dose radiation research. Such study shall be completed not later than 18 months after the date of enactment of this Act. The study shall be conducted in coordination with Federal agencies that perform ionizing radiation effects research and shall leverage the most current studies in this field. Such study shall—

(A) identify current scientific challenges for understanding the long-term effects of ionizing radiation;

(B) assess the status of current low dose radiation research in the United States and internationally;

(C) formulate overall scientific goals for the future of low-dose radiation research in the United States;

(D) recommend a long-term strategic and prioritized research agenda to address scientific research goals for overcoming the identified scientific challenges in coordination with other research efforts;

(E) define the essential components of a research program that would address this research agenda within the universities and the National Laboratories; and

(F) assess the cost-benefit effectiveness of such a program.

(3) RESEARCH PLAN.—Not later than 90 days after the completion of the study performed under paragraph (2) the Secretary of Energy shall deliver to the Committee on Science, Space, and Technology of the House of Representatives and the Committee on Energy and Natural Resources of the Senate a 5-year research plan that responds to the study's findings and recommendations and identifies and prioritizes research needs.

(4) DEFINITION.—In this subsection, the term ''low dose radiation'' means a radiation dose of less than 100 millisieverts.

(5) RULE OF CONSTRUCTION.—Nothing in this subsection shall be construed to subject any research carried out by the Director under the research program under this subsection to any limitations described in section 977(e) of the Energy Policy Act of 2005 (42 U.S.C. 16317(e)).

SEC. 506. FUSION ENERGY.

(a) PROGRAM.—The Director shall carry out a fusion energy sciences research program to expand the fundamental understanding of plasmas and matter at very high temperatures and densities and to build the scientific foundation necessary to enable fusion power.

(b) FUSION MATERIALS RESEARCH AND DEVELOPMENT.—As part of the activities authorized in section 978 of the Energy Policy Act of 2005 (42 U.S.C. 16318)—

(1) the Director, in coordination with the Assistant Secretary for Nuclear Energy of the Department, shall carry out research and development activities to identify, characterize, and demonstrate materials that can endure the neutron, plasma, and heat fluxes expected in a fusion power system; and

(2) the Secretary shall—

(A) provide an assessment of the need for a facility or facilities that can examine and test potential fusion and next generation fission materials and other enabling technologies relevant to the development of fusion power; and

(B) provide an assessment of whether a single new facility that substantially addresses magnetic fusion and next generation fission materials research needs is feasible, in conjunction with the expected capabilities of facilities operational as of the date of enactment of this Act.

(c) TOKAMAK RESEARCH AND DEVELOPMENT.—

(1) IN GENERAL.—As part of the program described in subsection (a), the Director shall support research and development activities and facility operations to optimize the tokamak approach to fusion energy.

(2) ITER.—

(A) REPORT.—Not later than 1 year after the date of enactment of this Act, the Secretary shall submit to Congress a report providing an assessment of—

(i) the most recent schedule for ITER that has been approved by the ITER Council; and

(ii) progress of the ITER Council and the ITER Director General toward implementation of the recommendations of the Third Biennial International Organization Management Assessment Report.

(B) FAIRNESS IN COMPETITION FOR SOLICITATIONS FOR INTERNATIONAL PROJECT ACTIVITIES.—Section 33 of the Atomic Energy Act of 1954 (42 U.S.C. 2053) is amended by adding at the end the following: ''For purposes of this section, with respect to international research projects, the term 'private facilities or laboratories' shall refer to facilities or laboratories located in the United States.''.

(C) SENSE OF CONGRESS.—It is the sense of Congress that the United States should support a robust, diverse fusion program. It is further the sense of Congress that developing the scientific basis for fusion, providing research results key to the success of ITER, and training the next generation of fusion scientists are of critical importance to the United States and should in no way be diminished by participation of the United States in the ITER project.

(d) INERTIAL FUSION ENERGY RESEARCH AND DEVELOPMENT PROGRAM.—The Secretary shall carry out a program of research and technology development in inertial fusion for energy applications, including ion beam, laser, and pulsed power fusion systems.

(e) ALTERNATIVE AND ENABLING CONCEPTS.—

(1) IN GENERAL.—As part of the program described in subsection (a), the Director shall support research and development activities and facility operations at United States universities, national laboratories, and private facilities for a portfolio of alternative and enabling fusion energy concepts that may provide solutions to significant challenges to the establishment of a commercial magnetic fusion power plant, prioritized based on the ability of the United States to play a leadership role in the international fusion research community. Fusion energy concepts and activities explored under this paragraph may include—

(A) high magnetic field approaches facilitated by high temperature superconductors;

(B) advanced stellarator concepts;

(C) non-tokamak confinement configurations operating at low magnetic fields;

(D) magnetized target fusion energy concepts;

(E) liquid metals to address issues associated with fusion plasma interactions with the inner wall of the encasing device;

(F) immersion blankets for heat management and fuel breeding;

(G) advanced scientific computing activities; and

(H) other promising fusion energy concepts identified by the Director.

(2) COORDINATION WITH ARPA–E.—The Under Secretary and the Director shall coordinate with the Director of the Advanced Research Projects Agency–Energy (in this paragraph referred to as ''ARPA–E'') to—

(A) assess the potential for any fusion energy project supported by ARPA–E to represent a promising approach to a commercially viable fusion power plant;

(B) determine whether the results of any fusion energy project supported by ARPA–E merit the support of follow-on research activities carried out by the Office of Science; and

(C) avoid unintentional duplication of activities.

(f) GENERAL PLASMA SCIENCE AND APPLICATIONS.—Not later than 2 years after the date of enactment of this Act, the Secretary shall provide to Congress an assessment of opportunities in which the United States can provide world-leading contributions to advancing plasma science and non-fusion energy applications, and identify opportunities for partnering with other Federal agencies both within and outside of the Department of Energy.

(g) IDENTIFICATION OF PRIORITIES.—

(1) REPORT.—Not later than 2 years after the date of enactment of this Act, the Secretary shall transmit to Congress a report on the Department's proposed fusion energy research and development activities over the following 10 years under at least 3 realistic budget scenarios, including a scenario based on 3 percent annual growth in the non-ITER portion of the budget for fusion energy research and development activities. The report shall—

(A) identify specific areas of fusion energy research and enabling technology development in which the United States can and should establish or solidify a lead in the global fusion energy development effort;

(B) identify priorities for initiation of facility construction and facility decommissioning under each of those scenarios; and

(C) assess the ability of the United States fusion workforce to carry out the activities identified in subparagraphs (A) and (B), including the adequacy of college and university programs to train the leaders and workers of the next generation of fusion energy researchers.

(2) PROCESS.—In order to develop the report required under paragraph (1), the Secretary shall leverage best practices and lessons learned from the process used to develop the most recent report of the Particle Physics Project Prioritization Panel of the High Energy Physics Advisory Panel. No member of the Fusion Energy Sciences Advisory Committee shall be excluded from participating in developing or voting on final approval of the report required under paragraph (1).

SEC. 507. NUCLEAR PHYSICS.

(a) PROGRAM.—The Director shall carry out a program of experimental and theoretical research, and support associated facilities, to discover, explore, and understand all forms of nuclear matter.

(b) ISOTOPE DEVELOPMENT AND PRODUCTION FOR RESEARCH APPLICATIONS.—The Director shall carry out a program for the production of isotopes, including the development of techniques to produce isotopes, that the Secretary determines are needed for research, medical, industrial, or other purposes. In making this determination, the Secretary shall—

(1) ensure that, as has been the policy of the United States since the publication in 1965 of Federal Register notice 30 Fed. Reg. 3247, isotope production activities do not compete with private industry unless critical national interests necessitate the Federal Government's involvement;

(2) ensure that activities undertaken pursuant to this section, to the extent practicable, promote the growth of a robust domestic isotope production industry; and

(3) consider any relevant recommendations made by Federal advisory committees, the National Academies, and interagency working groups in which the Department participates.

SEC. 508. SCIENCE LABORATORIES INFRASTRUCTURE PROGRAM.

(a) PROGRAM.—The Director shall carry out a program to improve the safety, efficiency, and mission readiness of infrastructure at Office of Science laboratories. The program shall include projects to—

(1) renovate or replace space that does not meet research needs;

(2) replace facilities that are no longer cost effective to renovate or operate;

(3) modernize utility systems to prevent failures and ensure efficiency;

(4) remove excess facilities to allow safe and efficient operations; and

(5) construct modern facilities to conduct advanced research in controlled environmental conditions.

(b) APPROACH.—In carrying out this section, the Director shall utilize all available approaches and mechanisms, including capital line items, minor construction projects, energy savings performance contracts, utility energy service contracts, alternative financing, and expense funding, as appropriate.

SEC. 509. DOMESTIC MANUFACTURING.

Not later than 1 year after the date of enactment of this Act, the Secretary shall transmit to the Committee on Science, Space, and Technology of the House of Representatives and the Committee on Energy and Natural Resources of the Senate a report on the current ability of domestic manufacturers to meet the procurement requirements for major ongoing projects funded by the Office of Science of the Department, including a calculation of the percentage of equipment acquired from domestic manufacturers for this purpose.

SEC. 510. AUTHORIZATION OF APPROPRIATIONS.

(a) FISCAL YEAR 2016.—There are authorized to be appropriated to the Secretary for the Office of Science for fiscal year 2016 $5,339,800,000, of which—

(1) $1,850,000,000 shall be for Basic Energy Science;

(2) $788,000,000 shall be for High Energy Physics;

(3) $550,000,000 shall be for Biological and Environmental Research;

(4) $624,700,000 shall be for Nuclear Physics;

(5) $621,000,000 shall be for Advanced Scientific Computing Research;

(6) $488,000,000 shall be for Fusion Energy Sciences;

(7) $113,600,000 shall be for Science Laboratories Infrastructure;

(8) $181,000,000 shall be for Science Program Direction;

(9) $103,000,000 shall be for Safeguards and Security; and

(10) $20,500,000 shall be for Workforce Development for Teachers and Scientists.

(b) FISCAL YEAR 2017.—There are authorized to be appropriated to the Secretary for the Office of Science for fiscal year 2017 $5,339,800,000, of which—

(1) $1,850,000,000 shall be for Basic Energy Science;

(2) $788,000,000 shall be for High Energy Physics;

(3) $550,000,000 shall be for Biological and Environmental Research;

(4) $624,700,000 shall be for Nuclear Physics;

(5) $621,000,000 shall be for Advanced Scientific Computing Research;

(6) $488,000,000 shall be for Fusion Energy Sciences;

(7) $113,600,000 shall be for Science Laboratories Infrastructure;

(8) $181,000,000 shall be for Science Program Direction;

(9) $103,000,000 shall be for Safeguards and Security; and

(10) $20,500,000 shall be for Workforce Development for Teachers and Scientists.

SEC. 511. DEFINITIONS.

In this title—

(1) the term ''Department'' means the Department of Energy;

(2) the term ''Director'' means the Director of the Office of Science of the Department; and

(3) the term ''Secretary'' means the Secretary of Energy.

TITLE VI—DEPARTMENT OF ENERGY APPLIED RESEARCH AND DEVELOPMENT

Subtitle A—Crosscutting Research and Development

SEC. 601. CROSSCUTTING RESEARCH AND DEVELOPMENT.

(a) CROSSCUTTING RESEARCH AND DEVELOPMENT.—The Secretary shall, through the Under Secretary for Science and Energy, utilize the capabilities of the Department to identify strategic opportunities for collaborative research, development, demonstration, and commercial application of innovative science and technologies for—

(1) advancing the understanding of the energy-water-land use nexus;

(2) modernizing the electric grid by improving energy transmission and distribution systems security and resiliency;

(3) utilizing supercritical carbon dioxide in electric power generation;

(4) subsurface technology and engineering;

(5) high performance computing;

(6) cybersecurity; and

(7) critical challenges identified through comprehensive energy studies, evaluations, and reviews.

(b) CROSSCUTTING APPROACHES.—To the maximum extent practicable, the Secretary shall seek to leverage existing programs, and consolidate and coordinate activities, throughout the Department to promote collaboration and crosscutting approaches within programs.

(c) ADDITIONAL ACTIONS.—The Secretary shall—

(1) prioritize activities that promote the utilization of all affordable domestic resources;

(2) develop a rigorous and realistic planning, evaluation, and technical assessment framework for setting objective, long-term strategic goals and evaluating progress that ensures the integrity and independence to insulate planning from political influence and the flexibility to adapt to market dynamics;

(3) ensure that activities shall be undertaken in a manner that does not duplicate other activities within the Department or other Federal Government activities; and

(4) identify programs that may be more effectively left to the States, industry, nongovernmental organizations, institutions of higher education, or other stakeholders.

SEC. 602. STRATEGIC RESEARCH PORTFOLIO ANALYSIS AND COORDINATION PLAN.

Section 994 of Energy Policy Act of 2005 (42 U.S.C. 16358) is amended to read as follows:

''SEC. 994. STRATEGIC RESEARCH PORTFOLIO ANALYSIS AND COORDINATION PLAN.

''(a) IN GENERAL.—The Secretary shall periodically review all of the science and technology activities of the Department in a strategic framework that takes into account the frontiers of science to which the Department can contribute, the national needs relevant to the Department's statutory missions, and global energy dynamics.

''(b) COORDINATION ANALYSIS AND PLAN.—As part of the review under subsection (a), the Secretary shall develop a plan to improve coordination and collaboration in research, development, demonstration, and commercial application activities across Department organizational boundaries.

''(c) PLAN CONTENTS.—The plan shall describe—

''(1) cross-cutting scientific and technical issues and research questions that span more than one program or major office of the Department;

''(2) how the applied technology programs of the Department are coordinating their activities, and addressing those questions;

''(3) ways in which the technical interchange within the Department, particularly between the Office of Science and the applied technology programs, can be enhanced, including limited ways in which the research agendas of the Office of Science and the applied programs can better interact and assist each other;

''(4) a description of how the Secretary will ensure that the Department's overall research agenda include, in addition to fundamental, curiosity-driven research, fundamental research related to topics of concern to the applied programs, and applications in Departmental technology programs of research results generated by fundamental, curiosity-driven research;

''(5) critical assessments of any ongoing programs that have experienced sub-par performance or cost over-runs of 10 percent or more over one or more years; and

''(6) activities that may be more effectively left to the States, industry, nongovernmental organizations, institutions of higher education, or other stakeholders.

''(d) PLAN TRANSMITTAL.—Not later than 1 year after the date of enactment of the America COMPETES Reauthorization Act of 2015, and every 4 years thereafter, the Secretary shall transmit to the Committee on Science, Space, and Technology of the House of Representatives and the Committee on Energy and Natural Resources of the Senate the results of the review under subsection (a) and the coordination plan under subsection (b).''.

SEC. 603. STRATEGY FOR FACILITIES AND INFRASTRUCTURE.

(a) AMENDMENTS.—Section 993 of the Energy Policy Act of 2005 (42 U.S.C. 16357) is amended—

(1) by amending the section heading to read as follows: ''**STRATEGY FOR FACILITIES AND INFRASTRUCTURE**''; and

(2) in subsection (b)(1), by striking ''2008'' and inserting ''2018''.

(b) TABLE OF CONTENTS AMENDMENT.—The item relating to section 993 in the table of contents of the Energy Policy Act of 2005 is amended to read as follows:

''Sec. 993. Strategy for facilities and infrastructure.''.

Subtitle B—Electricity Delivery and Energy Reliability Research and Development

SEC. 611. DISTRIBUTED ENERGY AND ELECTRIC ENERGY SYSTEMS.

Section 921 of the Energy Policy Act of 2005 (42 U.S.C. 16211) is amended to read as follows:

''SEC. 921. DISTRIBUTED ENERGY AND ELECTRIC ENERGY SYSTEMS.

''(a) IN GENERAL.—The Secretary shall carry out programs of research, development, demonstration, and commercial application on distributed energy resources and systems reliability and efficiency, to improve the reliability and efficiency of distributed energy resources and systems, integrating advanced energy technologies with grid connectivity, including activities described in this subtitle. The programs shall address advanced energy technologies and systems and advanced grid security, resiliency, and reliability technologies.

''(b) OBJECTIVES.—To the maximum extent practicable, the Secretary shall seek to—

''(1) leverage existing programs;

''(2) consolidate and coordinate activities throughout the Department to promote collaboration and crosscutting approaches;

''(3) ensure activities are undertaken in a manner that does not duplicate other activities within the Department or other Federal Government activities; and

''(4) identify programs that may be more effectively left to the States, industry, nongovernmental organizations, institutions of higher education, or other stakeholders.''.

SEC. 612. ELECTRIC TRANSMISSION AND DISTRIBUTION RESEARCH AND DEVELOPMENT.

(a) AMENDMENTS.—Section 925 of the Energy Policy Act of 2005 (42 U.S.C. 16215) is amended—

(1) by amending the section heading to read as follows: ''**ELECTRIC TRANSMISSION AND DISTRIBUTION RESEARCH AND DEVELOPMENT**'';

(2) by amending subsection (a) to read as follows:

''(a) PROGRAM.—The Secretary shall establish a comprehensive research, development, and demonstration program to ensure the reliability, efficiency, and environmental integrity of electrical transmission and distribution systems, which shall include innovations for—

''(1) advanced energy delivery technologies, energy storage technologies, materials, and systems;

''(2) advanced grid reliability and efficiency technology development;

''(3) technologies contributing to significant load reductions;

''(4) advanced metering, load management, and control technologies;

''(5) technologies to enhance existing grid components;

''(6) the development and use of high-temperature superconductors to—

''(A) enhance the reliability, operational flexibility, or power-carrying capability of electric transmission or distribution systems; or

''(B) increase the efficiency of electric energy generation, transmission, distribution, or storage systems;

''(7) integration of power systems, including systems to deliver high-quality electric power, electric power reliability, and combined heat and power;

''(8) supply of electricity to the power grid by small scale, distributed, and residential-based power generators;

''(9) the development and use of advanced grid design, operation, and planning tools; and

''(10) any other infrastructure technologies, as appropriate.''; and

(3) by amending subsection (c) to read as follows:

''(c) IMPLEMENTATION.—

''(1) CONSORTIUM.—The Secretary shall consider implementing the program under this section using a consortium of participants from industry, institutions of higher education, and National Laboratories.

''(2) OBJECTIVES.—To the maximum extent practicable the Secretary shall seek to—

''(A) leverage existing programs;

''(B) consolidate and coordinate activities, throughout the Department to promote collaboration and crosscutting approaches;

''(C) ensure activities are undertaken in a manner that does not duplicate other activities within the Department or other Federal Government activities; and

''(D) identify programs that may be more effectively left to the States, industry, nongovernmental organizations, institutions of higher education, or other stakeholders.''.

(b) TABLE OF CONTENTS AMENDMENT.—The item relating to section 925 in the table of contents of the Energy Policy Act of 2005 is amended to read as follows:

''Sec. 925. Electric transmission and distribution research and development.''.

Subtitle C—Nuclear Energy Research and Development

SEC. 621. OBJECTIVES.

Section 951 of the Energy Policy Act of 2005 (42 U.S.C. 16271) is amended—

(1) by amending subsection (a) to read as follows:

''(a) IN GENERAL.—The Secretary shall conduct programs of civilian nuclear energy research, development, demonstration, and commercial application, including activities described in this subtitle. Such programs shall take into consideration the following objectives:

''(1) Enhancing nuclear power's viability as part of the United States energy portfolio.

''(2) Reducing used nuclear fuel and nuclear waste products generated by civilian nuclear energy.

''(3) Supporting technological advances in areas that industry by itself is not likely to undertake because of technical and financial uncertainty.

''(4) Providing the technical means to reduce the likelihood of nuclear proliferation.

''(5) Maintaining a cadre of nuclear scientists and engineers.

''(6) Maintaining National Laboratory and university nuclear programs, including their infrastructure.

''(7) Supporting both individual researchers and multidisciplinary teams of researchers to pioneer new approaches in nuclear energy, science, and technology.

''(8) Developing, planning, constructing, acquiring, and operating special equipment and facilities for the use of researchers.

''(9) Supporting technology transfer and other appropriate activities to assist the nuclear energy industry, and other users of nuclear science and engineering, including activities addressing reliability, availability, productivity, component aging, safety, and security of nuclear power plants.

''(10) Reducing the environmental impact of nuclear energy-related activities.

''(11) Researching and developing technologies and processes to meet Federal and State requirements and standards for nuclear power systems.'';

(2) by striking subsections (b) through (d); and

(3) by redesignating subsection (e) as subsection (b).

SEC. 622. PROGRAM OBJECTIVES STUDY.

Section 951 of the Energy Policy Act of 2005 (42 U.S.C. 16271) is further amended by adding at the end the following new subsection:

''(c) PROGRAM OBJECTIVES STUDY.—In furtherance of the program objectives listed in subsection (a) of this section, the Government Accountability Office shall, within one year after the date of enactment of this subsection, transmit to the Congress a report on the results of a study on the scientific and technical merit of major Federal and State requirements and standards, including moratoria, that delay or impede the further development and commercialization of nuclear power, and how the Department can assist in overcoming such delays or impediments.''.

SEC. 623. NUCLEAR ENERGY RESEARCH AND DEVELOPMENT PROGRAMS.

Section 952 of the Energy Policy Act of 2005 (42 U.S.C. 16272) is amended by striking subsections (c) through (e) and inserting the following:

''(c) REACTOR CONCEPTS.—

''(1) IN GENERAL.—The Secretary shall carry out a program of research, development, demonstration, and commercial application to advance nuclear power systems as well as technologies to sustain currently deployed systems.

''(2) DESIGNS AND TECHNOLOGIES.—In conducting the program under this subsection, the Secretary shall examine advanced reactor designs and nuclear technologies, including those that—

''(A) have higher efficiency, lower cost, and improved safety compared to reactors in operation as of the date of enactment of the America COMPETES Reauthorization Act of 2015;

''(B) utilize passive safety features;

''(C) minimize proliferation risks;

''(D) substantially reduce production of high-level waste per unit of output;

''(E) increase the life and sustainability of reactor systems currently deployed;

''(F) use improved instrumentation;

''(G) are capable of producing large-scale quantities of hydrogen or process heat;

''(H) minimize water usage or use alternatives to water as a cooling mechanism; or

''(I) use nuclear energy as part of an integrated energy system.

''(3) INTERNATIONAL COOPERATION.—In carrying out the program under this subsection, the Secretary shall seek opportunities to enhance the progress of the program through international cooperation through such organizations as the Generation IV International Forum or any other international collaboration the Secretary considers appropriate.

''(4) EXCEPTIONS.—No funds authorized to be appropriated to carry out the activities described in this subsection shall be used to fund the activities authorized under sections 641 through 645.''.

SEC. 624. SMALL MODULAR REACTOR PROGRAM.

Section 952 of the Energy Policy Act of 2005 (42 U.S.C. 16272) is further amended by adding at the end the following new subsection:

''(d) SMALL MODULAR REACTOR PROGRAM.—

''(1) IN GENERAL.—The Secretary shall carry out a small modular reactor program to promote research, development, demonstration, and commercial application of small modular reactors, including through cost-shared projects for commercial application of reactor systems designs.

''(2) CONSULTATION.—The Secretary shall consult with and utilize the expertise of the Secretary of the Navy in establishing and carrying out such program.

''(3) ADDITIONAL ACTIVITIES.—Activities may also include development of advanced computer modeling and simulation tools, by Federal and non-Federal entities, which demonstrate and validate new design capabilities of innovative small modular reactor designs.

''(4) DEFINITION.—For the purposes of this subsection, the term 'small modular reactor' means a nuclear reactor meeting generally accepted industry standards—

''(A) with a rated capacity of less than 300 electrical megawatts;

''(B) with respect to which most parts can be factory assembled and shipped as modules to a reactor plant site for assembly; and

''(C) that can be constructed and operated in combination with similar reactors at a single site.''.

SEC. 625. FUEL CYCLE RESEARCH AND DEVELOPMENT.

(a) AMENDMENTS.—Section 953 of the Energy Policy Act of 2005 (42 U.S.C. 16273) is amended—

(1) in the section heading by striking ''***ADVANCED FUEL CYCLE INITIATIVE***'' and inserting ''***FUEL CYCLE RESEARCH AND DEVELOPMENT***'';

(2) by striking subsection (a);

(3) by redesignating subsections (b) through (d) as subsections (d) through (f), respectively; and

(4) by inserting before subsection (d), as so redesignated by paragraph (3) of this subsection, the following new subsections:

''(a) IN GENERAL.—The Secretary shall conduct a fuel cycle research, development, demonstration, and commercial application program (referred to in this section as the 'program') on fuel cycle options that improve uranium resource utilization, maximize energy generation, minimize nuclear waste creation, improve safety, mitigate risk of proliferation, and improve waste management in support of a national strategy for spent nuclear fuel and the reactor concepts research, development, demonstration, and commercial application program under section 952(c).

''(b) FUEL CYCLE OPTIONS.—Under this section the Secretary may consider implementing the following initiatives:

''(1) OPEN CYCLE.—Developing fuels, including the use of nonuranium materials and alternate claddings, for use in reactors that increase energy generation, improve safety performance and margins, and minimize the amount of nuclear waste produced in an open fuel cycle.

''(2) RECYCLE.—Developing advanced recycling technologies, including advanced reactor concepts to improve resource utilization, reduce proliferation risks, and minimize radiotoxicity, decay heat, and mass and volume of nuclear waste to the greatest extent possible.

''(3) ADVANCED STORAGE METHODS.—Developing advanced storage technologies for both onsite and long-term storage that substantially prolong the effective life of current storage devices or that substantially improve upon existing nuclear waste storage technologies and methods, including repositories.

''(4) FAST TEST REACTOR.—Investigating the potential research benefits of a fast test reactor user facility to conduct experiments on fuels and materials related to fuel forms and fuel cycles that will increase fuel utilization, reduce proliferation risks, and reduce nuclear waste products.

''(5) ADVANCED REACTOR INNOVATION.—Developing an advanced reactor innovation testbed where national laboratories, universities, and industry can address advanced reactor design challenges to enable construction and operation of privately funded reactor prototypes to resolve technical uncertainty for United States-based designs for future domestic and international markets.

''(6) OTHER TECHNOLOGIES.—Developing any other technology or initiative that the Secretary determines is likely to advance the objectives of the program.

''(c) ADDITIONAL ADVANCED RECYCLING AND CROSSCUTTING ACTIVITIES.—In addition to and in support of the specific initiatives described in paragraphs (1) through (5) of subsection (b), the Secretary may support the following activities:

''(1) Development and testing of integrated process flow sheets for advanced nuclear fuel recycling processes.

''(2) Research to characterize the byproducts and waste streams resulting from fuel recycling processes.

''(3) Research and development on reactor concepts or transmutation technologies that improve resource utilization or reduce the radiotoxicity of waste streams.

''(4) Research and development on waste treatment processes and separations technologies, advanced waste forms, and quantification of proliferation risks.

''(5) Identification and evaluation of test and experimental facilities necessary to successfully implement the advanced fuel cycle initiative.

''(6) Advancement of fuel cycle-related modeling and simulation capabilities.

''(7) Research to understand the behavior of high-burnup fuels.''.

(b) CONFORMING AMENDMENT.—The item relating to section 953 in the table of contents of the Energy Policy Act of 2005 is amended to read as follows:

''Sec. 953. Fuel cycle research and development.''.

SEC. 626. NUCLEAR ENERGY ENABLING TECHNOLOGIES PROGRAM.

(a) AMENDMENT.—Subtitle E of title IX of the Energy Policy Act of 2005 (42 U.S.C. 16271 et seq.) is amended by adding at the end the following new section:

''SEC. 958. NUCLEAR ENERGY ENABLING TECHNOLOGIES.

''(a) IN GENERAL.—The Secretary shall conduct a program to support the integration of activities undertaken through the reactor concepts research, development, demonstration, and commercial application program under section 952(c) and the fuel cycle research and development program under section 953, and support crosscutting nuclear energy concepts. Activities commenced under this section shall be concentrated on broadly applicable research and development focus areas.

''(b) ACTIVITIES.—Activities conducted under this section may include research involving—

''(1) advanced reactor materials;

''(2) advanced radiation mitigation methods;

''(3) advanced proliferation and security risk assessment methods;

''(4) advanced sensors and instrumentation;

''(5) high performance computation modeling, including multiphysics, multidimensional modeling simulation for nuclear energy systems, and continued development of advanced modeling simulation capabilities through national laboratory, industry, and university partnerships for operations and safety performance improvements of light water reactors for currently deployed and near-term reactors and advanced reactors and for the development of small modular reactors; and

''(6) any crosscutting technology or transformative concept aimed at establishing substantial and revolutionary enhancements in the performance of future nuclear energy systems that the Secretary considers relevant and appropriate to the purpose of this section.

''(c) REPORT.—The Secretary shall submit, as part of the annual budget submission of the Department, a report on the activities of the program conducted under this section, which shall include a brief evaluation of each activity's progress.''.

(b) CONFORMING AMENDMENT.—The table of contents of the Energy Policy Act of 2005 is amended by adding at the end of the items for subtitle E of title IX the following new item:

''Sec. 958. Nuclear energy enabling technologies.''.

SEC. 627. TECHNICAL STANDARDS COLLABORATION.

(a) IN GENERAL.—The Director of the National Institute of Standards and Technology shall establish a nuclear energy standards committee (in this section referred to as the ''technical standards committee'') to facilitate and support, consistent with the National Technology Transfer and Advancement Act of 1995, the development or revision of technical standards for new and existing nuclear power plants and advanced nuclear technologies.

(b) MEMBERSHIP.—

(1) IN GENERAL.—The technical standards committee shall include representatives from appropriate Federal agencies and the private sector, and be open to materially affected organizations involved in the development or application of nuclear energy-related standards.

(2) CO-CHAIRS.—The technical standards committee shall be co-chaired by a representative from the National Institute of Standards and Technology and a representative from a private sector standards organization.

(c) DUTIES.—The technical standards committee shall, in cooperation with appropriate Federal agencies—

(1) perform a needs assessment to identify and evaluate the technical standards that are needed to support nuclear energy, including those needed to support new and existing nuclear power plants and advanced nuclear technologies, including developing the technical basis for regulatory frameworks for advanced reactors;

(2) formulate, coordinate, and recommend priorities for the development of new technical standards and the revision of existing technical standards to address the needs identified under paragraph (1);

(3) facilitate and support collaboration and cooperation among standards developers to address the needs and priorities identified under paragraphs (1) and (2);

(4) as appropriate, coordinate with other national, regional, or international efforts on nuclear energy-related technical standards in order to avoid conflict and duplication and to ensure global compatibility; and

(5) promote the establishment and maintenance of a database of nuclear energy-related technical standards.

(d) AUTHORIZATION OF APPROPRIATIONS.—To the extent provided for in advance by appropriations Acts, the Secretary may transfer to the Director of the National Institute of Standards and Technology not to exceed $1,000,000 for fiscal year 2016 for the Secretary of Commerce to carry out this section from amounts appropriated for nuclear energy research and development within the Nuclear Energy Enabling Technologies account for the Department.

SEC. 628. AVAILABLE FACILITIES DATABASE.

The Secretary shall prepare a database of non-Federal user facilities receiving Federal funds that may be used for unclassified nuclear energy research. The Secretary shall make this database accessible on the Department's website.

SEC. 629. NUCLEAR WASTE DISPOSAL.

To the extent consistent with the requirements of current law, the Department shall be responsible for disposal of high-level radioactive waste or spent nuclear fuel generated by reactors under the programs authorized in this subtitle, or the amendments made by this subtitle.

Subtitle D—Energy Efficiency and Renewable Energy Research and Development

SEC. 641. ENERGY EFFICIENCY.

Section 911 of the Energy Policy Act of 2005 (42 U.S.C. 16191) is amended to read as follows:

''SEC. 911. ENERGY EFFICIENCY.

''(a) OBJECTIVES.—The Secretary shall conduct programs of energy efficiency research, development, demonstration, and commercial application, including activities described in this subtitle. Such programs shall prioritize activities that industry by itself is not likely to undertake because of technical challenges or regulatory uncertainty, and take into consideration the following objectives:

''(1) Increasing energy efficiency.

''(2) Reducing the cost of energy.

''(3) Reducing the environmental impact of energy-related activities.

''(b) PROGRAMS.—Programs under this subtitle shall include research, development, demonstration, and commercial application of—

''(1) innovative, affordable technologies to improve the energy efficiency and environmental performance of vehicles, including weight and drag reduction technologies, technologies, modeling, and simulation for increasing vehicle connectivity and automation, and whole-vehicle design optimization;

''(2) cost-effective technologies, for new construction and retrofit, to improve the energy efficiency and environmental performance of buildings, using a whole-buildings approach;

''(3) advanced technologies to improve the energy efficiency, environmental performance, and process efficiency of energy-intensive and waste-intensive industries;

''(4) technologies to improve the energy efficiency of appliances and mechanical systems for buildings in extreme climates, including cogeneration, trigeneration, and polygeneration units;

''(5) advanced battery technologies; and

''(6) fuel cell and hydrogen technologies.''.

SEC. 642. NEXT GENERATION LIGHTING INITIATIVE.

Section 912 of the Energy Policy Act of 2005 (42 U.S.C. 16192) and the item relating thereto in the table of contents of that Act are repealed.

SEC. 643. BUILDING STANDARDS.

Section 914 of the Energy Policy Act of 2005 (42 U.S.C. 16194) is amended by striking subsection (c).

SEC. 644. SECONDARY ELECTRIC VEHICLE BATTERY USE PROGRAM.

Section 915 of the Energy Policy Act of 2005 (42 U.S.C. 16195) and the item relating thereto in the table of contents of that Act are repealed.

SEC. 645. NETWORK FOR MANUFACTURING INNOVATION PROGRAM.

To the extent provided for in advance by appropriations Acts, the Secretary may transfer to the National Institute of Standards and Technology up to $150,000,000 for the period encompassing fiscal years 2015 through 2017 from amounts appropriated for advanced manufacturing research and development under this subtitle (and the amendments made by this subtitle) for the Secretary of Commerce to carry out the Network for Manufacturing Innovation Program authorized under section 34 of the National Institute of Standards and Technology Act (15 U.S.C. 278s).

SEC. 646. ADVANCED ENERGY TECHNOLOGY TRANSFER CENTERS.

Section 917 of the Energy Policy Act of 2005 (42 U.S.C. 16197) is amended—

(1) in subsection (a)—

(A) by inserting ''and'' at the end of paragraph (2)(B);

(B) by striking ''; and'' at the end of paragraph (3) and inserting a period; and

(C) by striking paragraph (4);

(2) in subsection (b)—

(A) by striking paragraph (1);

(B) by redesignating paragraphs (2) through (5) as paragraphs (1) through (4), respectively; and

(C) by striking paragraph (6);

(3) by amending subsection (g) to read as follows:

''(g) PROHIBITION.—None of the funds awarded under this section may be used for the construction of facilities or the deployment of commercially available technologies.''; and

(4) by striking subsection (i).

SEC. 647. RENEWABLE ENERGY.

Section 931 of the Energy Policy Act of 2005 (42 U.S.C. 16231) is amended to read as follows:

''SEC. 931. RENEWABLE ENERGY.

''(a) IN GENERAL.—

''(1) OBJECTIVES.—The Secretary shall conduct programs of renewable energy research, development, demonstration, and commercial application, including activities described in this subtitle. Such programs shall prioritize discovery research and development and take into consideration the following objectives:

''(A) Increasing the conversion efficiency of all forms of renewable energy through improved technologies.

''(B) Decreasing the cost of renewable energy generation and delivery.

''(C) Promoting the diversity of the energy supply.

''(D) Decreasing the dependence of the United States on foreign mineral resources.

''(E) Decreasing the environmental impact of renewable energy-related activities.

''(F) Increasing the export of renewable generation technologies from the United States.

''(2) PROGRAMS.—

''(A) SOLAR ENERGY.—The Secretary shall conduct a program of research, development, demonstration, and commercial application for solar energy, including innovations in—

''(i) photovoltaics;

''(ii) solar heating;

''(iii) concentrating solar power;

''(iv) lighting systems that integrate sunlight and electrical lighting in complement to each other; and

''(v) development of technologies that can be easily integrated into new and existing buildings.

''(B) WIND ENERGY.—The Secretary shall conduct a program of research, development, demonstration, and commercial application for wind energy, including innovations in—

''(i) low speed wind energy;

''(ii) testing and verification technologies;

''(iii) distributed wind energy generation; and

''(iv) transformational technologies for harnessing wind energy.

''(C) GEOTHERMAL.—The Secretary shall conduct a program of research, development, demonstration, and commercial application for geothermal energy, including technologies for—

''(i) improving detection of geothermal resources;

''(ii) decreasing drilling costs;

''(iii) decreasing maintenance costs through improved materials;

''(iv) increasing the potential for other revenue sources, such as mineral production; and

''(v) increasing the understanding of reservoir life cycle and management.

''(D) HYDROPOWER.—The Secretary shall conduct a program of research, development, demonstration, and commercial application for technologies that enable the development of new and incremental hydropower capacity, including:

''(i) Advanced technologies to enhance environmental performance and yield greater energy efficiencies.

''(ii) Ocean energy, including wave energy.

''(E) MISCELLANEOUS PROJECTS.—The Secretary shall conduct research, development, demonstration, and commercial application programs for—

''(i) the combined use of renewable energy technologies with one another and with other energy technologies, including the combined use of renewable power and fossil technologies;

''(ii) renewable energy technologies for cogeneration of hydrogen and electricity; and

''(iii) kinetic hydro turbines.

''(b) RURAL DEMONSTRATION PROJECTS.—In carrying out this section, the Secretary, in consultation with the Secretary of Agriculture, shall give priority to demonstrations that assist in delivering electricity to rural and remote locations including—

''(1) advanced renewable power technology, including combined use with fossil technologies;

''(2) biomass; and

''(3) geothermal energy systems.

''(c) ANALYSIS AND EVALUATION.—

''(1) IN GENERAL.—The Secretary shall conduct analysis and evaluation in support of the renewable energy programs under this subtitle. These activities shall be used to guide budget and program decisions, and shall include—

''(A) economic and technical analysis of renewable energy potential, including resource assessment;

''(B) analysis of past program performance, both in terms of technical advances and in market introduction of renewable energy;

''(C) assessment of domestic and international market drivers, including the impacts of any Federal, State, or local grants, loans, loan guarantees, tax incentives, statutory or regulatory requirements, or other government initiatives; and

''(D) any other analysis or evaluation that the Secretary considers appropriate.

''(2) FUNDING.—The Secretary may designate up to 1 percent of the funds appropriated for carrying out this subtitle for analysis and evaluation activities under this subsection.

''(3) SUBMITTAL TO CONGRESS.—This analysis and evaluation shall be submitted to the Committee on Science, Space, and Technology of the House of Representatives and the Committee on Energy and Natural Resources of the Senate at least 30 days before each annual budget request is submitted to Congress.''.

SEC. 648. BIOENERGY PROGRAM.

Section 932 of the Energy Policy Act of 2005 (42 U.S.C. 16232) is amended to read as follows:

''SEC. 932. BIOENERGY PROGRAM.

''(a) PROGRAM.—The Secretary shall conduct a program of research, development, demonstration, and commercial application for bioenergy, including innovations in—

''(1) biopower energy systems;

''(2) biofuels;

''(3) bioproducts;

''(4) integrated biorefineries that may produce biopower, biofuels, and bioproducts; and

''(5) cross-cutting research and development in feedstocks.

''(b) BIOFUELS AND BIOPRODUCTS.—The goals of the biofuels and bioproducts programs shall be to develop, in partnership with industry and institutions of higher education—

''(1) advanced biochemical and thermochemical conversion technologies capable of making fuels from lignocellulosic feedstocks that are price-competitive with fossil-based fuels and fully compatible with either internal combustion engines or fuel cell-powered vehicles;

''(2) advanced conversion of biomass to biofuels and bioproducts as part of integrated biorefineries based on either biochemical processes, thermochemical processes, or hybrids of these processes; and

''(3) other advanced processes that will enable the development of cost-effective bioproducts, including biofuels.

''(c) RETROFIT TECHNOLOGIES FOR THE DEVELOPMENT OF ETHANOL FROM CELLULOSIC MATERIALS.—The Secretary shall establish a program of research, development, demonstration, and commercial application for technologies and processes to enable biorefineries that exclusively use corn grain or corn starch as a feedstock to produce ethanol to be retrofitted to accept a range of biomass, including lignocellulosic feedstocks.

''(d) LIMITATIONS.—None of the funds authorized for carrying out this section may be used to fund commercial biofuels production for defense purposes.

''(e) DEFINITIONS.—In this section:

''(1) BIOMASS.—The term 'biomass' means—

''(A) any organic material grown for the purpose of being converted to energy;

''(B) any organic byproduct of agriculture (including wastes from food production and processing) that can be converted into energy; or

''(C) any waste material that can be converted to energy, is segregated from other waste materials, and is derived from—

''(i) any of the following forest-related resources: mill residues, precommercial thinnings, slash, brush, or otherwise nonmerchantable material;

''(ii) wood waste materials, including waste pallets, crates, dunnage, manufacturing and construction wood wastes (other than pressure-treated, chemically treated, or painted wood wastes), and landscape or right-of-way tree trimmings, but not including municipal solid waste, gas derived from the biodegradation of municipal solid waste, or paper that is commonly recycled; or

''(iii) solids derived from waste water treatment processes.

''(2) LIGNOCELLULOSIC FEEDSTOCK.—The term 'lignocellulosic feedstock' means any portion of a plant or coproduct from conversion, including crops, trees, forest residues, grasses, and agricultural residues not specifically grown for food, including from barley grain, grapeseed, rice bran, rice hulls, rice straw, soybean matter, cornstover, and sugarcane bagasse.''.

SEC. 649. CONCENTRATING SOLAR POWER RESEARCH PROGRAM.

Section 934 of the Energy Policy Act of 2005 (42 U.S.C. 16234) and the item relating thereto in the table of contents of that Act are repealed.

SEC. 650. RENEWABLE ENERGY IN PUBLIC BUILDINGS.

Section 935 of the Energy Policy Act of 2005 (42 U.S.C. 16235) and the item relating thereto in the table of contents of that Act are repealed.

Subtitle E—Fossil Energy Research and Development

SEC. 661. FOSSIL ENERGY.

Section 961 of Energy Policy Act of 2005 (42 U.S.C. 16291) is amended to read as follows:

''SEC. 961. FOSSIL ENERGY.

''(a) IN GENERAL.—The Secretary shall carry out research, development, demonstration, and commercial application programs in fossil energy, including activities under this subtitle, with the goal of improving the efficiency, effectiveness, and environmental performance of fossil energy production, upgrading, conversion, and consumption. Such programs shall take into consideration the following objectives:

''(1) Increasing the energy conversion efficiency of all forms of fossil energy through improved technologies.

''(2) Decreasing the cost of all fossil energy production, generation, and delivery.

''(3) Promoting diversity of energy supply.

''(4) Decreasing the dependence of the United States on foreign energy supplies.

''(5) Decreasing the environmental impact of energy-related activities.

''(6) Increasing the export of fossil energy-related equipment, technology, and services from the United States.

''(b) OBJECTIVES.—To the maximum extent practicable, the Secretary shall seek to—

''(1) leverage existing programs;

''(2) consolidate and coordinate activities throughout the Department to promote collaboration and crosscutting approaches;

''(3) ensure activities are undertaken in a manner that does not duplicate other activities within the Department or other Federal Government activities; and

''(4) identify programs that may be more effectively left to the States, industry, nongovernmental organizations, institutions of higher education, or other stakeholders.

''(c) LIMITATIONS.—

''(1) USES.—None of the funds authorized for carrying out this section may be used for Fossil Energy Environmental Restoration.

''(2) INSTITUTIONS OF HIGHER EDUCATION.—Not less than 20 percent of the funds appropriated for carrying out section 964 of this Act for each fiscal year shall be dedicated to research and development carried out at institutions of higher education.

''(3) USE FOR REGULATORY ASSESSMENTS OR DETERMINATIONS.—The results of any research, development, demonstration, or commercial application projects or activities of the Department authorized under this subtitle may not be used for regulatory assessments or determinations by Federal regulatory authorities.

''(d) ASSESSMENTS.—

''(1) CONSTRAINTS AGAINST BRINGING RESOURCES TO MARKET.—Not later than 1 year after the date of enactment of the America COMPETES Reauthorization Act of 2015, the Secretary shall transmit to Congress an assessment of the technical, institutional, policy, and regulatory constraints to bringing new domestic fossil resources to market.

''(2) TECHNOLOGY CAPABILITIES.—Not later than 2 years after the date of enactment of the America COMPETES Reauthorization Act of 2015, the Secretary shall transmit to Congress a long-term assessment of existing and projected technological capabilities for expanded production from domestic unconventional oil, gas, and methane reserves.''.

SEC. 662. COAL RESEARCH, DEVELOPMENT, DEMONSTRATION, AND COMMERCIAL APPLICATION PROGRAMS.

(a) IN GENERAL.—Section 962 of the Energy Policy Act of 2005 (42 U.S.C. 16292) is amended—

(1) in subsection (a)—

(A) in paragraph (10), by striking ''and'' at the end;

(B) in paragraph (11), by striking the period at the end and inserting a semicolon; and

(C) by adding at the end the following:

''(12) specific additional programs to address water use and reuse;

''(13) the testing, including the construction of testing facilities, of high temperature materials for use in advanced systems for combustion or use of coal; and

''(14) innovations to application of existing coal conversion systems designed to increase efficiency of conversion, flexibility of operation, and other modifications to address existing usage requirements.'';

(2) by redesignating subsections (b) through (d) as subsections (c) through (e), respectively;

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

''(b) TRANSFORMATIONAL COAL TECHNOLOGY PROGRAM.—

''(1) IN GENERAL.—As part of the program established under subsection (a), the Secretary may carry out a program designed to undertake research, development, demonstration, and commercial application of technologies, including the accelerated development of—

''(A) chemical looping technology;

''(B) supercritical carbon dioxide power generation cycles;

''(C) pressurized oxycombustion, including new and retrofit technologies; and

''(D) other technologies that are characterized by the use of—

''(i) alternative energy cycles;

''(ii) thermionic devices using waste heat;

''(iii) fuel cells;

''(iv) replacement of chemical processes with biotechnology;

''(v) nanotechnology;

''(vi) new materials in applications (other than extending cycles to higher temperature and pressure), such as membranes or ceramics;

''(vii) carbon utilization, such as in construction materials, using low quality energy to reconvert back to a fuel, or manufactured food;

''(viii) advanced gas separation concepts; and

''(ix) other technologies, including—

''(I) modular, manufactured components; and

''(II) innovative production or research techniques, such as using 3–D printer systems, for the production of early research and development prototypes.

''(2) COST SHARE.—In carrying out the program described in paragraph (1), the Secretary shall enter into partnerships with private entities to share the costs of carrying out the program. The Secretary may reduce the non-Federal cost share requirement if the Secretary determines that the reduction is necessary and appropriate considering the technological risks involved in the project.''; and

(4) in subsection (c) (as so redesignated) by striking paragraph (1) and inserting the following:

''(1) IN GENERAL.—In carrying out programs authorized by this section, the Secretary shall identify cost and performance goals for coal-based technologies that would permit the continued cost-competitive use of coal for the production of electricity, chemical feedstocks, transportation fuels, and other marketable products.''.

(b) ADVISORY COMMITTEE; AUTHORIZATION OF APPROPRIATIONS.—Section 963 of the Energy Policy Act of 2005 (42 U.S.C. 16293) is amended—

(1) by amending paragraph (6) of subsection (c) to read as follows:

''(6) ADVISORY COMMITTEE.—

''(A) IN GENERAL.—Subject to subparagraph (B), the Secretary shall establish an advisory committee to undertake, not less frequently than once every 3 years, a review and prepare a report on the progress being made by the Department of Energy to achieve the goals described in subsections (a) and (b) of section 962 and subsection (b) of this section.

''(B) MEMBERSHIP REQUIREMENTS.—Members of the advisory committee established under subparagraph (A) shall be appointed by the Secretary.''; and

(2) by amending subsection (d) to read as follows:

''(d) STUDY OF CARBON DIOXIDE PIPELINES.—Not later than 1 year after the date of enactment of the America COMPETES Reauthorization Act of 2015, the Secretary shall transmit to Congress the results of a study to assess the cost and feasibility of engineering, permitting, building, maintaining, regulating, and insuring a national system of carbon dioxide pipelines.''.

SEC. 663. HIGH EFFICIENCY GAS TURBINES RESEARCH AND DEVELOPMENT.

(a) IN GENERAL.—The Secretary, through the Office of Fossil Energy, shall carry out a multiyear, multiphase program of research, development, demonstration, and commercial application to innovate technologies to maximize the efficiency of gas turbines used in power generation systems.

(b) PROGRAM ELEMENTS.—The program under this section shall—

(1) support innovative engineering and detailed gas turbine design for megawatt-scale and utility-scale electric power generation, including—

(A) high temperature materials, including superalloys, coatings, and ceramics;

(B) improved heat transfer capability;

(C) manufacturing technology required to construct complex three-dimensional geometry parts with improved aerodynamic capability;

(D) combustion technology to produce higher firing temperature while lowering nitrogen oxide and carbon monoxide emissions per unit of output;

(E) advanced controls and systems integration;

(F) advanced high performance compressor technology; and

(G) validation facilities for the testing of components and subsystems;

(2) include technology demonstration through component testing, subscale testing, and full scale testing in existing fleets;

(3) include field demonstrations of the developed technology elements so as to demonstrate technical and economic feasibility; and

(4) assess overall combined cycle and simple cycle system performance.

(c) PROGRAM GOALS.—The goals of the multiphase program established under subsection (a) shall be—

(1) in phase I—

(A) to develop the conceptual design of advanced high efficiency gas turbines that can achieve at least 62 percent combined cycle efficiency or 47 percent simple cycle efficiency on a lower heating value basis; and

(B) to develop and demonstrate the technology required for advanced high efficiency gas turbines that can achieve at least 62 percent combined cycle efficiency or 47 percent simple cycle efficiency on a lower heating value basis; and

(2) in phase II, to develop the conceptual design for advanced high efficiency gas turbines that can achieve at least 65 percent combined cycle efficiency or 50 percent simple cycle efficiency on a lower heating value basis.

(d) PROPOSALS.—Within 180 days after the date of enactment of this Act, the Secretary shall solicit grant and contract proposals from industry, small businesses, universities, and other appropriate parties for conducting activities under this section. In selecting proposals, the Secretary shall emphasize—

(1) the extent to which the proposal will stimulate the creation or increased retention of jobs in the United States; and

(2) the extent to which the proposal will promote and enhance United States technology leadership.

(e) COMPETITIVE AWARDS.—The provision of funding under this section shall be on a competitive basis with an emphasis on technical merit.

(f) COST SHARING.—Section 988 of the Energy Policy Act of 2005 (42 U.S.C. 16352) shall apply to an award of financial assistance made under this section.

Subtitle F—Advanced Research Projects Agency–Energy

SEC. 671. ARPA–E AMENDMENTS.

Section 5012 of the America COMPETES Act (42 U.S.C. 16538) is amended—

(1) by amending paragraph (1) of subsection (c) to read as follows:

''(1) IN GENERAL.—The goals of ARPA–E shall be to enhance the economic and energy security of the United States and to ensure that the United States maintains a technological lead through the development of advanced energy technologies.'';

(2) in subsection (i)(1), by inserting ''ARPA–E shall not provide funding for a project unless the prospective grantee demonstrates sufficient attempts to secure private financing or indicates that the project is not independently commercially viable.'' after ''relevant research agencies.'';

(3) in subsection (l)(1), by inserting ''and once every 6 years thereafter,'' after ''operation for 6 years,''; and

(4) by redesignating subsection (n) as subsection (o) and inserting after subsection (m) the following new subsection:

''(n) PROTECTION OF PROPRIETARY INFORMATION.—

''(1) IN GENERAL.—The following categories of information collected by the Advanced Research Projects Agency–Energy from recipients of financial assistance awards shall be considered privileged and confidential and not subject to disclosure pursuant to section 552 of title 5, United States Code:

''(A) Plans for commercialization of technologies developed under the award, including business plans, technology to market plans, market studies, and cost and performance models.

''(B) Investments provided to an awardee from third parties, such as venture capital, hedge fund, or private equity firms, including amounts and percentage of ownership of the awardee provided in return for such investments.

''(C) Additional financial support that the awardee plans to invest or has invested into the technology developed under the award, or that the awardee is seeking from third parties.

''(D) Revenue from the licensing or sale of new products or services resulting from the research conducted under the award.

''(2) EFFECT OF SUBSECTION.—Nothing in this subsection affects—

''(A) the authority of the Secretary to use information without publicly disclosing such information; or

''(B) the responsibility of the Secretary to transmit information to Congress as required by law.''.

Subtitle G—Authorization of Appropriations

SEC. 681. AUTHORIZATION OF APPROPRIATIONS.

(a) ELECTRICITY DELIVERY AND ENERGY RELIABILITY RESEARCH AND DEVELOPMENT.—There are authorized to be appropriated to the Secretary for research, development, demonstration, and commercial application for electrical delivery and energy reliability technology activities within the Office of Electricity $113,000,000 for each of fiscal years 2016 and 2017.

(b) NUCLEAR ENERGY.—

(1) IN GENERAL.—There are authorized to be appropriated to the Secretary for research, development, demonstration, and commercial application for nuclear energy technology activities within the Office of Nuclear Energy $504,600,000 for each of fiscal years 2016 and 2017.

(2) LIMITATION.—Any amounts made available pursuant to the authorization of appropriations under paragraph (1) shall not be derived from the Nuclear Waste Fund established under section 302(c) of the Nuclear Waste Policy Act of 1982 (42 U.S.C. 10222(c)).

(c) ENERGY EFFICIENCY AND RENEWABLE ENERGY.—There are authorized to be appropriated to the Secretary for research, development, demonstration, and commercial application for energy efficiency and renewable energy technology activities within the Office of Energy Efficiency and Renewable Energy $1,198,500,000 for each of fiscal years 2016 and 2017.

(d) FOSSIL ENERGY.—There are authorized to be appropriated to the Secretary for research, development, demonstration, and commercial application for fossil energy technology activities within the Office of Fossil Energy $605,000,000 for each of fiscal years 2016 and 2017.

(e) ARPA–E.—There are authorized to be appropriated to the Secretary for the Advanced Research Projects Agency–Energy $140,000,000 for each of fiscal years 2016 and 2017.

Subtitle H—Definitions

SEC. 691. DEFINITIONS.

In this title—

(1) the term ''Department'' means the Department of Energy; and

(2) the term ''Secretary'' means the Secretary of Energy.

TITLE VII—DEPARTMENT OF ENERGY TECHNOLOGY TRANSFER

Subtitle A—In General

SEC. 701. DEFINITIONS.

In this title:

(1) DEPARTMENT.—The term ''Department'' means the Department of Energy.

(2) NATIONAL LABORATORY.—The term ''National Laboratory'' means a Department of Energy nonmilitary national laboratory, including—

(A) Ames Laboratory;
(B) Argonne National Laboratory;
(C) Brookhaven National Laboratory;
(D) Fermi National Accelerator Laboratory;
(E) Idaho National Laboratory;
(F) Lawrence Berkeley National Laboratory;
(G) National Energy Technology Laboratory;
(H) National Renewable Energy Laboratory;
(I) Oak Ridge National Laboratory;
(J) Pacific Northwest National Laboratory;
(K) Princeton Plasma Physics Laboratory;
(L) Savannah River National Laboratory;
(M) Stanford Linear Accelerator Center;
(N) Thomas Jefferson National Accelerator Facility; and
(O) any laboratory operated by the National Nuclear Security Administration, but only with respect to the civilian energy activities thereof.

(3) SECRETARY.—The term ''Secretary'' means the Secretary of Energy.

SEC. 702. SAVINGS CLAUSE.

Nothing in this title or an amendment made by this title abrogates or otherwise affects the primary responsibilities of any National Laboratory to the Department.

Subtitle B—Innovation Management at Department of Energy

SEC. 711. UNDER SECRETARY FOR SCIENCE AND ENERGY.

(a) IN GENERAL.—Section 202(b) of the Department of Energy Organization Act (42 U.S.C. 7132(b)) is amended—

(1) by striking ''Under Secretary for Science'' each place it appears and inserting ''Under Secretary for Science and Energy''; and

(2) in paragraph (4)—

(A) in subparagraph (F), by striking ''and'' at the end;

(B) in subparagraph (G), by striking the period at the end and inserting a semicolon; and

(C) by inserting after subparagraph (G) the following:

''(H) establish appropriate linkages between offices under the jurisdiction of the Under Secretary; and

''(I) perform such functions and duties as the Secretary shall prescribe, consistent with this section.''.

(b) CONFORMING AMENDMENTS.—

(1) Section 3164(b)(1) of the Department of Energy Science Education Enhancement Act (42 U.S.C. 7381a(b)(1)) is amended by striking ''Under Secretary for Science'' and inserting ''Under Secretary for Science and Energy''.

(2) Section 641(h)(2) of the United States Energy Storage Competitiveness Act of 2007 (42 U.S.C. 17231(h)(2)) is amended by striking ''Under Secretary for Science'' and inserting ''Under Secretary for Science and Energy''.

SEC. 712. TECHNOLOGY TRANSFER AND TRANSITIONS ASSESSMENT.

Not later than 1 year after the date of enactment of this Act, and annually thereafter, the Secretary shall transmit to the Committee on Science, Space, and Technology of the House of Representatives and the Committee on Energy and Natural Resources of the Senate a report which shall include—

(1) an assessment of the Department's current ability to carry out the goals of section 1001 of the Energy Policy Act of 2005 (42 U.S.C. 16391), including an assessment of the role and effectiveness of the Director of the Office of Technology Transitions; and

(2) recommended departmental policy changes and legislative changes to section 1001 of the Energy Policy Act of 2005 (42 U.S.C. 16391) to improve the Department's ability to successfully transfer new energy technologies to the private sector.

SEC. 713. SENSE OF CONGRESS.

It is the sense of the Congress that the Secretary should encourage the National Laboratories and federally funded research and development centers to inform small businesses of the opportunities and resources that exist pursuant to this title.

SEC. 714. NUCLEAR ENERGY INNOVATION.

Not later than 180 days after the date of enactment of this Act, the Secretary, in consultation with the National Laboratories, relevant Federal agencies, and other stakeholders, shall transmit to the Committee on Science, Space, and Technology of the House of Representatives and the Committee on Energy and Natural Resources of the Senate a report assessing the Department's capabilities to authorize, host, and oversee privately funded fusion and non-light water reactor prototypes and related demonstration facilities at Department-owned sites. For purposes of this report, the Secretary shall consider the Department's capabilities to facilitate privately-funded prototypes up to 20 megawatts thermal output. The report shall address the following:

(1) The Department's safety review and oversight capabilities.

(2) Potential sites capable of hosting research, development, and demonstration of prototype reactors and related facilities for the purpose of reducing technical risk.

(3) The Department's and National Laboratories' existing physical and technical capabilities relevant to research, development, and oversight.

(4) The efficacy of the Department's available contractual mechanisms, including cooperative research and development agreements, work for others agreements, and agreements for commercializing technology.

(5) Potential cost structures related to physical security, decommissioning, liability, and other long-term project costs.

(6) Other challenges or considerations identified by the Secretary, including issues related to potential cases of demonstration reactors up to 2 gigawatts of thermal output.

Subtitle C—Cross-Sector Partnerships and Grant Competitiveness

SEC. 721. AGREEMENTS FOR COMMERCIALIZING TECHNOLOGY PILOT PROGRAM.

(a) IN GENERAL.—The Secretary shall carry out the Agreements for Commercializing Technology pilot program of the Department, as announced by the Secretary on December 8, 2011, in accordance with this section.

(b) TERMS.—Each agreement entered into pursuant to the pilot program referred to in subsection (a) shall provide to the contractor of the applicable National Laboratory, to the maximum extent determined to be appropriate by the Secretary, increased authority to negotiate contract terms, such as intellectual property rights, payment structures, performance guarantees, and multiparty collaborations.

(c) ELIGIBILITY.—

(1) IN GENERAL.—Any director of a National Laboratory may enter into an agreement pursuant to the pilot program referred to in subsection (a).

(2) AGREEMENTS WITH NON-FEDERAL ENTITIES.—To carry out paragraph (1) and subject to paragraph (3), the Secretary shall permit the directors of the National Laboratories to execute agreements with a non-Federal entity, including

a non-Federal entity already receiving Federal funding that will be used to support activities under agreements executed pursuant to paragraph (1), provided that such funding is solely used to carry out the purposes of the Federal award.

(3) RESTRICTION.—The requirements of chapter 18 of title 35, United States Code (commonly known as the ''Bayh-Dole Act'') shall apply if—

(A) the agreement is a funding agreement (as that term is defined in section 201 of that title); and

(B) at least 1 of the parties to the funding agreement is eligible to receive rights under that chapter.

(d) SUBMISSION TO SECRETARY.—Each affected director of a National Laboratory shall submit to the Secretary, with respect to each agreement entered into under this section—

(1) a summary of information relating to the relevant project;

(2) the total estimated costs of the project;

(3) estimated commencement and completion dates of the project; and

(4) other documentation determined to be appropriate by the Secretary.

(e) CERTIFICATION.—The Secretary shall require the contractor of the affected National Laboratory to certify that each activity carried out under a project for which an agreement is entered into under this section—

(1) is not in direct competition with the private sector; and

(2) does not present, or minimizes, any apparent conflict of interest, and avoids or neutralizes any actual conflict of interest, as a result of the agreement under this section.

(f) EXTENSION.—The pilot program referred to in subsection (a) shall be extended until October 31, 2017.

(g) REPORTS.—

(1) OVERALL ASSESSMENT.—Not later than 60 days after the date described in subsection (f), the Secretary, in coordination with directors of the National Laboratories, shall submit to the Committee on Science, Space, and Technology of the House of Representatives and the Committee on Energy and Natural Resources of the Senate a report that—

(A) assesses the overall effectiveness of the pilot program referred to in subsection (a);

(B) identifies opportunities to improve the effectiveness of the pilot program;

(C) assesses the potential for program activities to interfere with the responsibilities of the National Laboratories to the Department; and

(D) provides a recommendation regarding the future of the pilot program.

(2) TRANSPARENCY.—The Secretary, in coordination with directors of the National Laboratories, shall submit to the Committee on Science, Space, and Technology of the House of Representatives and the Committee on Energy and Natural Resources of the Senate an annual report that accounts for all incidences of, and provides a justification for, non-Federal entities using funds derived from a Federal contract or award to carry out agreements pursuant to this section.

SEC. 722. PUBLIC-PRIVATE PARTNERSHIPS FOR COMMERCIALIZATION.

(a) IN GENERAL.—Subject to subsections (b) and (c), the Secretary shall delegate to directors of the National Laboratories signature authority with respect to any agreement described in subsection (b) the total cost of which (including the National Laboratory contributions and project recipient cost share) is less than $1,000,000.

(b) AGREEMENTS.—Subsection (a) applies to—

(1) a cooperative research and development agreement;

(2) a non-Federal work-for-others agreement; and

(3) any other agreement determined to be appropriate by the Secretary, in collaboration with the directors of the National Laboratories.

(c) ADMINISTRATION.—

(1) ACCOUNTABILITY.—The director of the affected National Laboratory and the affected contractor shall carry out an agreement under this section in accordance with applicable policies of the Department, including by ensuring that the agreement does not compromise any national security, economic, or environmental interest of the United States.

(2) CERTIFICATION.—The director of the affected National Laboratory and the affected contractor shall certify that each activity carried out under a project for which an agreement is entered into under this section does not present, or minimizes, any apparent conflict of interest, and avoids or neutralizes any actual conflict of interest, as a result of the agreement under this section.

(3) AVAILABILITY OF RECORDS.—On entering an agreement under this section, the director of a National Laboratory shall submit to the Secretary for monitoring and review all records of the National Laboratory relating to the agreement.

(4) RATES.—The director of a National Laboratory may charge higher rates for services performed under a partnership agreement entered into pursuant to this section, regardless of the full cost of recovery, if such funds are used exclusively to support further research and development activities at the respective National Laboratory.

(d) EXCEPTION.—This section does not apply to any agreement with a majority foreign-owned company.

(e) CONFORMING AMENDMENT.—Section 12 of the Stevenson-Wydler Technology Innovation Act of 1980 (15 U.S.C. 3710a) is amended—

(1) in subsection (a)—

(A) by redesignating paragraphs (1) and (2) as subparagraphs (A) and (B), respectively, and indenting the subparagraphs appropriately;

(B) by striking ''Each Federal agency'' and inserting the following:

''(1) IN GENERAL.—Except as provided in paragraph (2), each Federal agency''; and

(C) by adding at the end the following:

''(2) EXCEPTION.—Notwithstanding paragraph (1), in accordance with section 722(a) of the America COMPETES Reauthorization Act of 2015, approval by the Secretary of Energy shall not be required for any technology transfer agreement proposed to be entered into by a National Laboratory of the Department of Energy, the total cost of which (including the National Laboratory contributions and project recipient cost share) is less than $1,000,000.''; and

(2) in subsection (b), by striking ''subsection (a)(1)'' each place it appears and inserting ''subsection (a)(1)(A)''.

SEC. 723. INCLUSION OF EARLY-STAGE TECHNOLOGY DEMONSTRATION IN AUTHORIZED TECHNOLOGY TRANSFER ACTIVITIES.

Section 1001 of the Energy Policy Act of 2005 (42 U.S.C. 16391) is amended by—

(1) redesignating subsection (g) as subsection (h); and

(2) inserting after subsection (f) the following:

''(g) EARLY-STAGE TECHNOLOGY DEMONSTRATION.—The Secretary shall permit the directors of the National Laboratories to use funds authorized to support technology transfer within the Department to carry out early-stage and pre-commercial technology demonstration activities to remove technology barriers that limit private sector interest and demonstrate potential commercial applications of any research and technologies arising from National Laboratory activities.''.

SEC. 724. FUNDING COMPETITIVENESS FOR INSTITUTIONS OF HIGHER EDUCATION AND OTHER NONPROFIT INSTITUTIONS.

Section 988(b) of the Energy Policy Act of 2005 (42 U.S.C. 16352(b)) is amended—

(1) in paragraph (1), by striking ''Except as provided in paragraphs (2) and (3)'' and inserting ''Except as provided in paragraphs (2), (3), and (4)''; and

(2) by adding at the end the following:

''(4) EXEMPTION FOR INSTITUTIONS OF HIGHER EDUCATION AND OTHER NONPROFIT INSTITUTIONS.—

''(A) IN GENERAL.—Paragraph (1) shall not apply to a research or development activity performed by an institution of higher education or nonprofit institution (as defined in section 4 of the Stevenson-Wydler Technology Innovation Act of 1980 (15 U.S.C. 3703)).

''(B) TERMINATION DATE.—The exemption under subparagraph (A) shall apply during the 6-year period beginning on the date of enactment of this paragraph.''.

SEC. 725. PARTICIPATION IN THE INNOVATION CORPS PROGRAM.

The Secretary may enter into an agreement with the Director of the National Science Foundation to enable researchers funded by the Department to participate in the National Science Foundation Innovation Corps program.

Subtitle D—Assessment of Impact

SEC. 731. REPORT BY GOVERNMENT ACCOUNTABILITY OFFICE.

Not later than 3 years after the date of enactment of this Act, the Comptroller General of the United States shall submit to Congress a report—

(1) describing the results of the projects developed under sections 721, 722, and 723, including information regarding—

(A) partnerships initiated as a result of those projects and the potential linkages presented by those partnerships with respect to national priorities and other taxpayer-funded research; and

(B) whether the activities carried out under those projects result in—

(i) fiscal savings;

(ii) expansion of National Laboratory capabilities;

(iii) increased efficiency of technology transfers; or

(iv) an increase in general efficiency of the National Laboratory system; and

(2) assess the scale, scope, efficacy, and impact of the Department's efforts to promote technology transfer and private sector engagement at the National Laboratories, and make recommendations on how the Department can improve these activities.

TITLE VIII—SENSE OF CONGRESS

SEC. 801. SENSE OF CONGRESS.

It is the sense of Congress that climate change is real.

The Acting CHAIR. No amendment to that amendment in the nature of a substitute shall be in order except those printed in part A of House Report 114–120. Each such amendment may be offered only in the order printed in the report, by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question.

AMENDMENT NO. 1 OFFERED BY MR. SMITH OF TEXAS

The Acting CHAIR. It is now in order to consider amendment No. 1 printed in part A of House Report 114–120.

Mr. SMITH of Texas. Mr. Chairman, I have an amendment made in order under the rule.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 5, line 13, strike ''$834,800,000'' and insert ''$823,000,000''.

Page 5, line 15, strike ''$1,050,000,000'' and insert ''$1,038,000,000''.

Page 5, line 18, strike ''$1,034,000,000'' and insert ''$1,010,000,000''.

Page 6, line 6, strike ''$377,500,000'' and insert ''$425,300,000''.

Page 7, line 6, strike ''$834,800,000'' and insert ''$823,000,000''.

Page 7, line 8, strike ''$1,050,000,000'' and insert ''$1,038,000,000''.

Page 7, line 11, strike ''$1,034,000,000'' and insert ''$1,010,000,000''.

Page 7, line 24, strike ''$377,500,000'' and insert ''$425,300,000''.

Page 20, line 19, insert ''available'' after ''financial resources''.

Page 21, lines 7 through 11, strike ''The Foundation shall also require awardees to report the Foundation, within 30 days of receipt, any sources of non-Federal funds received in excess of $50,000 during the award period.'' and insert ''The Foundation shall also require awardees seeking subsequent management fees to report to the Foundation, prior to the consideration of such a request, any sources of non-Federal funds received in excess of $100,000. This reporting shall apply to the period following any initial management fee award and for the consideration of any subsequent fee.''.

Page 21, line 20, strike ''AUDITS'' and insert ''REVIEW''.

Page 21, line 21, insert ''or review'' after ''may audit''.

Page 21, line 22, strike ''paragraph'' and insert ''subsection''.

Page 22, line 13, insert ''or social activities'' after ''meals''.

Page 22, line 16, insert ''or FAR 31.205–22'' after ''2 C.F.R. 200.450''.

Page 29, line 20, strike ''and''.

Page 29, line 23, strike the period and insert ''; and''.

Page 29, after line 23, insert the following:

(K) efforts to effectively expand, broaden, or scale-up existing activities or programs.

Page 65, line 23, insert '', to be available to the extent provided by appropriations Acts,'' after ''nonprofit entities,''.

Page 76, line 9, insert ''government,'' after ''industry,''.

Page 91, line 16, insert '', to be available to the extent provided by appropriations Acts,'' after ''sector,''.

Page 132, line 19, strike ''and''.

Page 132, line 23, strike the period and insert ''; and''.

Page 132, after line 23, insert the following:

''(7) detailed proposals for innovation hubs, institutes, and research centers prior to establishment or renewal by the Department, including—

''(A) certification that all hubs, institutes, and research centers will advance the mission of the Department, and prioritize research, development, and demonstration;

''(B) certification that the establishment or renewal of hubs, institutes, or research centers will not diminish funds available for basic research and development within the Office of Science; and

''(C) certification that all hubs, institutes, and research centers established or renewed within the Office of Science are consistent with the mission of the Office of Science as described in section 209(c) of the Department of Energy Organization Act (42 U.S.C. 7139(c)).''.

Page 136, line 14, strike ''and'' the end of paragraph (9).

Page 136, line 15, redesignate paragraph (10) as paragraph (11).

Page 136, after line 14, insert the following:

''(10) technologies to enhance security for electrical transmission and distributions systems; and

Page 151, lines 9 through 14, strike section 629.

Page 180, line 20, through page 182, line 3, strike section 711.

The Acting CHAIR. Pursuant to House Resolution 271, the gentleman from Texas (Mr. SMITH) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Texas.

Mr. SMITH of Texas. Mr. Chairman, this manager's amendment makes some changes to improve the underlying legislation.

The amendment shifts $48 million in funding within the research and related activities account at the National Science Foundation. This is at the request of Appropriations Commerce, Justice, Science and Related Agencies Subcommittee chairman, JOHN CULBERSON of Texas, and provides additional funding for integrative activities to keep it at the fiscal year '15 level.

This account includes the Graduate Research Fellowship Program and the Experimental Program to Stimulate Competitive Research, which will be fully funded at this level.

The amendment directs the Department of Energy to develop technologies to enhance security for electrical transmission and distribution systems.

The amendment includes additional direction on the development of hubs, innovation institutes, and research centers at the Department of Energy.

I urge my colleagues to support this amendment, and I reserve the balance of my time.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Chairman, I claim the time in opposition to this amendment, although I do not oppose the amendment.

The Acting CHAIR. Without objection, the gentlewoman is recognized for 5 minutes.

There was no objection.

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

I appreciate that this amendment makes a few small improvements to the bill, so I will not oppose it. However, I want to take a moment to reflect on how this amendment demonstrates how flawed the process on the majority's bill has been.

In this amendment, the chairman restores an arbitrary 11 percent cut to the EPSCoR program, in addition to the prestigious NSF Graduate Research Fellowship Program, scientific instrumentation for smaller institutions that cannot afford their own, and interdisciplinary research centers.

Even our colleagues on Appropriations prioritized full funding for this account at NSF while they made steep cuts to other accounts.

It just happens that EPSCoR States overall are represented by many more Republicans than Democrats; so, when the Science Committee Republicans proposed cutting funding for the EPSCoR program by 11 percent, their caucus took notice.

If only the chairman had actually given the stakeholder community, his colleagues, and the research and development agencies an opportunity for a hearing or to see and respond or work in subcommittee on it and respond to this bill before introducing it, we wouldn't have had to fix all of these very big mistakes today.

I am glad the chairman is now restoring the cut to EPSCoR and the other important programs in that account. I only wish he would have listened to an overwhelming call by the stakeholder community and even some of his own colleagues to restore the other arbitrary and shortsighted cuts in this bill.

I yield back the balance of my time.

Mr. SMITH of Texas. Mr. Chairman, I have no other speakers on this side, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Texas (Mr. SMITH).

The amendment was agreed to.

AMENDMENT NO. 2 OFFERED BY MS. EDDIE BERNICE JOHNSON OF TEXAS

The Acting CHAIR. It is now in order to consider amendment No. 2 printed in part A of House Report 114–120.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Chairman, I have an amendment at the desk as the designee of the gentleman from Illinois (Mr. FOSTER).

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 15, line 13, through page 17, line 9, strike section 106.

The Acting CHAIR. Pursuant to House Resolution 271, the gentlewoman from Texas (Ms. EDDIE BERNICE JOHNSON) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Texas.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Chairman, I want to thank Mr. FOSTER for his leadership on this important issue.

Section 106 exemplifies the majority's efforts to impose their own personal beliefs and ideologies on the process of scientific discovery. Colleagues, science is not about belief; it is about discovery and the pursuit of questions about both the natural world and the human world.

We should hold NSF accountable, and NSF should hold its grantees accountable. However, accountability should

be measured according to the transparency and integrity of the grant review process, not according to what types of science some of us believe in and some don't.

Had we imposed the section 106 requirement on NSF earlier, they may have never funded the grant that led to billions in revenue from the spectrum auction. They may never have funded the grant that the DOD now uses to help train our soldiers on the front lines to differentiate between friend and foe. They may never have funded the grant that led to the creation of Google.

Chairman SMITH has been investigating NSF grants he doesn't like since he became chairman of this committee. The entire purpose of section 106 is to give him a bigger club to continue his unfounded investigations in the future.

□ 1615

This is bad for NSF, and it is worse for the U.S. leadership in science and innovation. I urge my colleagues to think long and hard about the consequences of imposing our own political views and review on the NSF's gold-standard scientific merit review process, and I urge the support of Mr. FOSTER's amendment.

I reserve the balance of my time.

Mr. SMITH of Texas. Mr. Chairman, I claim time in opposition to this amendment.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. SMITH of Texas. Mr. Chairman, it is just inconceivable to me that any U.S. Representative would oppose requiring government grants funded by the U.S. taxpayer to be spent in the national interest.

Throughout its history, the National Science Foundation has played an integral part in funding breakthrough discoveries in fields as diverse as mathematics, physics, chemistry, computer science, engineering, and biology.

However, the NSF has approved a number of grants for which the scientific merits and national interest are not obvious, to put it politely. These include a climate change musical costing $800,000, evaluating animal photographs in National Geographic for at least $200,000, and studying early human-set fires in New Zealand, in the 1800s, for several hundred thousand dollars.

The section this amendment strikes ensures that the NSF is transparent and accountable to the taxpayers about how their hard-earned dollars are spent. The bill requires that every NSF public announcement of a grant award be accompanied by a nontechnical explanation of the project's scientific merits and how it serves the national interest.

The NSF itself has recognized the need for this transparency and accountability. Last January, the NSF released a new policy that acknowledges that the NSF must communicate clearly and in nontechnical terms the research projects it funds. The policy emphasizes that the title abstract for each funded grant should explain how the project serves the national interest, a requirement first cited in the 1950 legislation that created the National Science Foundation. Again, the national interest standard that the gentlewoman from Texas opposes was in the NSF's first charter.

The current Director of the NSF herself has endorsed the national interest standard. In her testimony before the House Science, Space, and Technology Committee on February 25, NSF Director France Cordova spoke about the very section the gentlewoman seeks to eliminate.

Dr. Cordova said: ''It is very compatible with the new internal NSF guidelines and with the mission statement of NSF.''

The national interest standard does not interfere with the merit review process. The bill clearly states: ''Nothing in this section shall be construed as altering the Foundation's intellectual merit or broader impacts criteria for evaluating grant applications.''

I urge my colleagues to oppose this amendment and to support the underlying legislation.

I reserve the balance of my time.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Chairman, I yield such time as he may consume to the gentleman from Illinois (Mr. FOSTER), a physicist.

Mr. FOSTER. Mr. Chairman, my amendment, which I understand has been introduced, would strike section 106 of the bill, which, in my view, adds a dangerous political filter to NSF's gold-standard merit review process.

I do not stand alone in this view. The overwhelming majority of my colleagues in the scientific community are still quite uncomfortable with this language that would, as the American Society for Microbiology stated, ''have an adverse impact on NSF's peer review process, which is essential to funding meritorious research.'' All of us here want to be good stewards of taxpayer money.

This is also true of the National Science Foundation, which currently already requires that the NSF public award abstract consist of a nontechnical component which will include ''a public justification for NSF funding by articulating how the project serves the national interest,'' as stated by NSF's mission: to promote the progress of science; to advance the national health, prosperity, and welfare; or to secure the national defense.

As the Biophysical Society has pointed out: ''NSF is committed to . . . offering the public a better understanding of a research project's intent, which will satisfy this section's objective.''

The whole intent of this mystifies me a little bit. I serve on two committees—the Financial Services Committee and the Science, Space, and Technology Committee. On the Financial Services Committee, there is a steady drumbeat of Republican proposals to remove duplicitous and redundant requirements that just waste everyone's time; whereas, it seems to me that section 106 is exactly along this line. While it may just seem an innocuous waste of time to some, we know that for the past 2 years scientists have had their projects targeted as potentially wasteful or not ''in the national interest,'' often based on nothing but their titles. Not only is this wrong, it is blatantly political.

It is easy to make cheap shots here. My parents, actually, both worked for Senator Bill Proxmire, who for years and years did the Golden Fleece Awards. He was a wonderful and thoughtful Senator, but on this one, he consistently missed the mark. It is easy to make fun of projects with funny sounding names or with strange topics, but the NSF is the gold standard for a reason.

Take, for example, anthropologist Dr. Scott Atran, who received funding from the NSF in 1994 for a study that was entitled, ''Local Ecological Knowledge of Common-Pool Resources in Campeche, Mexico.'' Dr. Atran subsequently applied what he learned to questions of extremism in the Middle East and is now a key national expert on countering extremism in the Middle East, valued as a consultant by the Department of Defense and the Department of State.

The Acting CHAIR. The time of the gentlewoman from Texas has expired.

Mr. SMITH of Texas. Mr. Chairman, I will simply say to the gentleman from Illinois (Mr. FOSTER) that I recognize and appreciate him. He is a smart, thoughtful, and well-motivated member of the Science, Space, and Technology Committee, so I am really sorry he opposes this national interest standard that, I think, is the right thing to do for America and for the American taxpayers.

I yield the balance of my time to the gentleman from Illinois (Mr. LIPINSKI), who is a very active and talented member of the Science, Space, and Technology Committee.

Mr. LIPINSKI. Mr. Chairman, I want to commend my good friend from Illinois for his strong commitment to advocating for scientific research. I share many of his concerns about the underlying bill, and I will be voting against this bill. However, I must also oppose this amendment. I agree with Mr. FOSTER and I disagree with the chairman on some of the attacks on some past grants that have been granted by the NSF. I think section 106 helps to avoid that.

The first incarnation of what is now section 106 was the High Quality Research Act, which was unveiled nearly 2 years ago. I strongly opposed that, as did the vast majority of the research community, and we set about getting that changed. Through a series of discussions, the current language—vastly different and vastly improved from the original—was reached with a broad definition of national interest that does not do anything to undermine the gold-standard NSF peer review system. I invite all to read the section and decide for themselves, or to simply listen to the NSF and to the NSB, which oversees the NSF.

As the chairman said, NSF Director France Cordova stated her support for section 106 at a committee hearing in February, saying it is ''very compatible with the NSF internal guidelines and with the mission statement of NSF.''

I applaud NSF for these new guidelines which explain to the public why each proposal is being funded and how it is in the national interest. This will help the NSF defend worthwhile grants that are attacked by critics who sometimes misrepresent projects. In doing so, it will also protect the NSF.

While the National Science Board does not formally endorse legislation, at the meeting 2 weeks ago, the board passed a resolution strongly endorsing the principle that all Foundation-funded research must further the national interest by contributing to the Foundation's mission.

So, while I agree with my friend on almost everything related to science policy, I must reluctantly oppose this amendment. I wish we could have been able to have worked out a COMPETES bill we could all support. Regrettably, we did not, but let's not throw out this language that was worked out and that will help the NSF defend its peer review process.

Mr. SMITH of Texas. I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from Texas (Ms. EDDIE BERNICE JOHNSON).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. FOSTER. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentlewoman from Texas will be postponed.

AMENDMENT NO. 3 OFFERED BY MS. JACKSON LEE

The Acting CHAIR. It is now in order to consider amendment No. 3 printed in part A of House Report 114–120.

Ms. JACKSON LEE. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 29, line 20, strike ''and''.

Page 29, line 23, strike the period and insert a semicolon.

Page 29, after line 23, insert the following:

(K) creating State and regional workshops to train K-12 teachers in science and technology project-based learning to provide instruction in how to initiate robotics and other STEM competition team development programs; and

(L) encouraging and supporting efforts led by institutions of higher education, businesses, and local public and private educational agencies to establish collaborative efforts to provide K-12 students residing in areas with unemployment rates that exceed the national average by 1 percent or more.

The Acting CHAIR. Pursuant to House Resolution 271, the gentlewoman from Texas (Ms. JACKSON LEE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Texas.

Ms. JACKSON LEE. Mr. Chair, let me take a moment to thank both of my fellow Texans and to acknowledge that I know that there is a difference of opinion, but no one can disagree with the crucialness of America's competitiveness and of the necessity for creating a workforce that can compete.

Allow me to acknowledge Congressman JOHNSON for the steadfast commitment and service to the Science, Space, and Technology Committee. I had the privilege of serving with her in the early stages of my membership here in this august body, and I want to thank her personally for the great strides and successes that she has had in expanding opportunities for the most vulnerable in our community.

Mr. Chairman, my amendment speaks to this issue, and it continues to seek to address the STEM education gap for K–12 students. Jackson Lee amendment No. 3 creates State and regional workshops to train K–12 teachers in project-based science and technology learning, which will allow them to provide instruction in initiating robotics and other STEM competition team development programs.

I now serve on the Homeland Security Committee, and I note that the extent of technology in securing this Nation is without comparison. It is necessary. It is crucial. This amendment also leverages the collaboration among higher education businesses and local and private/public education agencies to support STEM efforts at schools located in areas where unemployment is 1 percent or more above the national rate.

We want to get right to the core of the most vulnerable and the most needy students. Robotic competitions and other similar competitive opportunities have proven to be one of the most successful paths for engaging young minds in STEM education. I have held a robotics competition, and it is absolutely amazing to see the young people's minds and hearts gather around it. My amendment has that capacity to it. Of course, it responds to the fact that only 1 out of 10 high schools in the U.S. offers computer science programs, and it is estimated that the education systems in 25 States do not count computer science classes toward high school graduation.

I ask my colleagues to support the Jackson Lee amendment, and I reserve the balance of my time.

Mr. SMITH of Texas. Mr. Chairman, I claim the time in opposition to the amendment, although I do not oppose the amendment.

The Acting CHAIR. Without objection, the gentleman is recognized for 5 minutes.

There was no objection.

Mr. SMITH of Texas. Mr. Chairman, this amendment would include teacher training for STEM competitions and collaborations as permitted activities under a program in the bill to encourage engagement in STEM education activities. Supporting out-of-school activities, like competitions, is consistent with the underlying bill, so I accept the gentlewoman's amendment.

I yield back the balance of my time.

Ms. JACKSON LEE. Mr. Chairman, how much time do I have remaining?

The Acting CHAIR. The gentlewoman from Texas has 2½ minutes remaining.

Ms. JACKSON LEE. Mr. Chairman, I want to focus just a little bit on competitions regarding this amendment, competitions such as FIRST, which is a national robotics competition that engages 400,000 students each year and that awards millions of dollars in scholarships, paving the way for future STEM success.

I submit for the RECORD a document entitled, ''Disparities in STEM Employment by Sex, Race, and Hispanic Origin.''

[From census.gov, Sept. 2013]

DISPARITIES IN STEM EMPLOYMENT BY SEX, RACE, AND HISPANIC ORIGIN

(By Liana Christin Landivar)

AMERICAN COMMUNITY SURVEY REPORTS

Introduction

Industry, government, and academic leaders cite increasing the science, technology, engineering, and mathematics (STEM) workforce as a top concern. The National Academy of Sciences, National Academy of Engineering, and the Institute of Medicine describe STEM as ''high-quality, knowledge-intensive jobs . . . that lead to discovery and new technology,'' improving the U.S. economy and standard of living. In 2007, Congress passed the America COMPETES Act, reauthorized in 2010, to increase funding for STEM education and research.

One focus area for increasing the STEM workforce has been to reduce disparities in STEM employment by sex, race, and Hispanic origin. Historically, women, Blacks, and Hispanics have been underrepresented in STEM employment. Researchers find that women, Blacks, and Hispanics are less likely to be in a science or engineering major at the start of their college experience, and less likely to remain in these majors by its conclusion. Because most STEM workers have a

science or engineering college degree, underrepresentation among science and engineering majors could contribute to the underrepresentation of women, Blacks, and Hispanics in STEM employment.

This report details the historical demographic composition of STEM occupations, followed by a detailed examination of current STEM employment by age and sex, presence of children in the household, and race and Hispanic origin based on the 2011 American Community Survey (ACS). The report concludes with an examination of the demographic characteristics of science and engineering graduates who are currently employed in a STEM occupation.

Ms. JACKSON LEE. Specifically, the language says: ''Industry, government, and academic leaders cite increasing the science, technology, engineering, and mathematics (STEM) workforce as a top concern.''

This is in the American Community Survey Reports.

''One focus area for increasing the STEM workforce has been to reduce disparities in STEM employment by sex, race, and Hispanic origin. Historically, women, Blacks, and Hispanics have been underrepresented in STEM employment,'' and it goes on to elaborate.

□ 1630

This amendment gives an added opportunity to focus in, to hone in on teacher training and reaching out to those very hungry minds in the minority communities who are eager to be part of the changing fabric of America that focuses on science, technology, engineering, and math. From financial services, to homeland security, to space and aeronautics, to manufacturing, to the Silicon Valleys of the Nation, STEM is crucial.

I would like to now acknowledge both the committee staff on the majority and minority who assisted us, and I would like to acknowledge my staff, Lillie Coney, for her excellent work on these matters.

With that, Mr. Chairman, I ask for support of the Jackson Lee amendment.

I thank Chairman SMITH and Ranking Member JOHNSON for the opportunity to speak on my amendment to H.R. 1806, the America COMPETES Reauthorization Act of 2015.

My amendment included in the Rule to H.R. 1806 would improve the bill by addressing the STEM education gap for K–12 students.

Jackson Lee Amendment #3, creates state and regional workshops to train K–12 teachers in project-based science and technology learning, which will allow them to provide instruction in initiating robotics and other STEM competition team development programs.

This amendment also leverages the collaboration among higher education, businesses, local private and public education agencies to support STEM efforts at schools located in areas with unemployment is 1 percent or more above the national rate.

Robotics competitions and other similar competitive opportunities have proven to be one of the most successful paths for engaging young minds in STEM education.

Competitions such as FIRST, a national robotics competition that engages 400,000 students each year and awards millions of dollars in scholarships are paving the way for future STEM success.

This Jackson Lee amendment focuses on reducing the STEM gaps that currently exists between K–12 students attending schools in different geographic regions or who come from diverse socioeconomic backgrounds.

Only 1 out of 10 high schools in the U.S. offer computer science programs.

It is estimated that the education systems in 25 states do not count computer science classes toward high school graduation.

Both economists and business leaders have identified that the future of the American economy will be in STEM fields, which the Bureau of Labor Statistics estimates will create more than 9 million jobs between 2012 and 2022.

The STEM gap is more pronounced when considering minority groups.

U.S. Census 2010 data from the National Science Foundation and the U.S. Census Bureau, showed that underrepresented minorities earned 18.6 percent of total undergraduate degrees from 4-year colleges, but only 16.4 percent of the degrees in science fields and less than 13 percent of degrees in physical sciences and engineering.

Many historically underrepresented groups, including low income urban, rural and Native American communities have difficulty accessing STEM education and job training opportunities.

Jackson Lee Amendment #17 would have increased awareness among underrepresented groups in STEM employment and education opportunities by providing information on certification, undergraduate and graduate STEM programs.

One of the most enduring difficulties faced by underrepresented populations is a lack of awareness and understanding of the connection between STEM and employment opportunities.

In 2012, a survey found that despite the nation's growing demand for more workers in science, technology, engineering, and math grows, the skills gap among the largest ethnic and racial minorities groups remain stubbornly wide.

Blacks and Latinos account for only 7 percent, of the STEM workforce despite representing 28 percent of the U.S. population.

Jackson Lee Amendment #18 would have made sure that the issue of reducing the skills and education gap of underrepresented groups in STEM degree programs is considered as current STEM education federal programs were reviewed.

Jackson Lee Amendment #19 could have furthered the skills development and training of teachers who provide instruction in K–12 STEM courses where 40 percent of the students are on free or reduced lunch programs or in areas where unemployment is 1 percent or more above the national average.

Although most STEM specific education occurs in college and graduate school, interest in STEM fields must be fostered from a young age through successful K–12 programs.

Many schools serving low-income students lack the resources to provide continuity of STEM K–12 education, and as a result, students lose the opportunity to develop the skills that will prepare them for higher STEM education.

Jackson Lee Amendment #21 was an effort to identify no-cost or low-cost summer and after school science and technology educations programs and have that information broadly disseminated to the public.

Throughout primary and secondary education, skills retention is one of the most pressing concerns facing underrepresented students.

Without access to after-school and summer programs, even those students with a passion for STEM risk falling behind their peers.

Jackson Lee Amendment #22 made grants available to local education agencies to support training in STEM education methods to teachers to improve their instruction at schools serving neglected, delinquent, and migrant students, English learners, at-risk students, and Native Americans as determined by the director.

Jackson Lee Amendment #23 establishes within the Directorate for Education and Human Resources an Office of STEM Education Gap Awareness with the duties of reducing the STEM gap in K–12 and post-secondary education among underrepresented populations.

The Jackson Lee amendments are intended to bridge the STEM gap in rural and urban areas where opportunities for training in STEM that can enhance the productivity of businesses large and small are lacking.

The Brookings' Metropolitan Policy Program's report ''The Hidden STEM Economy,'' reported that in 2011, 26 million jobs or 20 percent of all occupations required knowledge in 1 or more STEM areas.

Half of all STEM jobs are available to workers without a 4 year degree and these jobs pay on average $53,000 a year, which is 10 percent higher than jobs with similar education requirements.

There will be STEM winners and losers not because the skills needed are too difficult to obtain, but because people are not aware of the jobs that are going unfilled today nor do they know what education or training will create job security for the next 2 to 3 decades.

I am very aware of the importance of STEM job training and education.

A third of Houston jobs are in STEM-based fields.

Houston has the second largest concentrations of engineers (22.4 for every 1,000 workers according to the Greater Houston Partnership).

Houston has 59,070 engineers, the second largest populations in the nation.

STEM jobs are at the core of Houston's economic success, but what we have done with STEM innovation and job creation in the city of Houston is not enough to satisfy the regions demand for STEM trained workers.

Houston anticipates that in the next 5 years the gap in the number of people with STEM skills and training will not keep up with the number of positions requiring those skills.

This is not just true for Houston, Texas—it is true for every region of the nation—whether you live in a rural community or urban center.

By 2018 the United States will need: 710,000 Computing workers; 160,000 Engineers; 70,000 Physical Scientists; 40,000 Life

Science workers; 20,000 Mathematics workers.

STEM Computing Jobs are critical to America's future: Software engineers; Computer networking workers; Systems analysis; Computer researcher or support workers.

Types of STEM Engineering Jobs: Structural Engineers; Mechanical Engineers; Software Engineers; Electrical Engineers; Automotive Engineers; Aeronautical Engineers; Naval Engineers; Architects.

Types of STEM Physical Sciences Jobs: Biologists; Zoologists; Agricultural; Food Scientists; Conservation Scientists; Medical Scientists; Climatologists.

Types of STEM Life Scientists [PhDs]: Political Science; Economists; Anthropologists; Archaeology; Cultural Researchers; Language Experts (Linguistic and Language Skills).

Types of STEM Mathematics: Teachers; Physicists; Cryptographers; Statisticians; Accountants.

In order to ensure that underserved populations reach the level of STEM education and opportunity they choose to pursue, I believe it is integral to create an office that will focus on closing the STEM education gap.

I ask that my colleagues from both sides of the aisle support this amendment.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from Texas (Ms. JACKSON LEE).

The amendment was agreed to.

AMENDMENT NO. 4 OFFERED BY MS. ESTY

The Acting CHAIR. It is now in order to consider amendment No. 4 printed in part A of House Report 114–120.

Ms. ESTY. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 41, line 7, strike ''and'' after ''society;''.

Page 41, line 12, strike the period at the end and insert ''; and''.

Page 41, after line 12, insert the following new paragraph:

(4) I-Corps should continue to promote a strong innovation system by investing in and supporting female entrepreneurs, who are historically underrepresented in entrepreneurial fields, through mentorship, education, and training.

The Acting CHAIR. Pursuant to House Resolution 271, the gentlewoman from Connecticut (Ms. ESTY) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Connecticut.

Ms. ESTY. Mr. Chairman, my amendment would increase support for women in entrepreneurship at the National Science Foundation's Innovation Corps, also known as the I-Corps. It has been an honor and privilege to meet with women across Connecticut who are creating and building their own startups and small businesses.

In March I hosted a Women in Science, Technology, Engineering, and Math roundtable, bringing together educators, innovators, and business owners to identify barriers that women face when looking to advance in the critical STEM and entrepreneurial fields.

These local leaders all agreed that one of the biggest problems for women in the STEM fields is the lack of mentorship and support, and, quite simply, women do not have the same support and mentorship as their male counterparts because they are often the first women in leadership positions in their fields.

In fact, our Smaller Manufacturers Association in Connecticut just elected their first female president, Anne Strobel, and she has already hit the ground running to build on our State's strong manufacturing tradition.

National studies and experts echo the concerns women raised at the STEM roundtable in my own district. The Kauffman Foundation recently surveyed 350 female tech startup founders and found that the number one shared concern is a lack of role models and mentors for women thinking of going into business for themselves.

Recent news reports have noted the chronic underrepresentation of women in the booming tech sector, including startups. In fact, women make up only 30 percent of the tech workforce and 22 percent of the leadership roles, despite being 60 percent of the workforce. It is clear that we must do more for women so they can build businesses and create good-paying jobs.

My amendment would provide that support to women through the NSF's Innovation Corps, known as the I-Corps, by expanding their mission to specifically include support for and investment in female entrepreneurs through mentorship, education, and training.

The I-Corps program fosters entrepreneurship by giving students the tools they need to move discoveries and technology from the research lab to the market. I-Corps is making a difference in helping teach and support entrepreneurs across the country.

In my own State, the University of Connecticut recently received I-Corps funding, and it is designated as an I-Corps site. Accelerate UConn will build on the investment the State of Connecticut is already making to ensure that they remain a leader in our national innovation ecosystem.

Our competitiveness as a nation depends on robust research and technology and on ensuring that we draw on the best and the brightest, whether they be men or women. By increasing the number of women entrepreneurs in the fields of science, technology, engineering, and math, we as a nation will all benefit from the innovation that comes from a diverse workforce.

It is not only morally right, but economically smart to foster entrepreneurship of women. I encourage all my colleagues to support my amendment.

I reserve the balance of my time.

Mr. SMITH of Texas. Mr. Chairman, I claim the time in opposition to the amendment, though I don't oppose the amendment.

The Acting CHAIR. Without objection, the gentleman is recognized for 5 minutes.

There was no objection.

Mr. SMITH of Texas. Mr. Chairman, this amendment would add a sense of Congress of Congress' support for the NSF's Innovation Corps program in the underlying bill. This language would include the promotion of a strong innovation system with investments and support for female entrepreneurs. I-Corps is an excellent program. I support the gentlewoman's amendment and appreciate her offering it.

I reserve the balance of my time.

Ms. ESTY. Mr. Chairman, may I inquire how much time I have remaining?

The Acting CHAIR. The gentlewoman from Connecticut has 2 minutes remaining.

Ms. ESTY. Mr. Chairman, I yield 1½ minutes to the gentleman from Virginia (Mr. BEYER).

Mr. BEYER. Mr. Chairman, I thank my friend for yielding and for her leadership on this important issue. I especially enjoy being on the same side of this issue with the chairman of the Committee on Science, Space, and Technology.

Mr. Chairman, I would like to add my voice to Representative ESTY's voice in support of her amendment. I-Corps is a revolutionary partnership that helps maximize the economic impact of taxpayer-funded research by connecting the brilliant minds at NSF to the brilliant minds in the private sector.

This amendment offered by Representative ESTY today ensures that we foster all of the brilliant minds by supporting female entrepreneurs. Gender diversity makes good business sense. Research conducted by Dow Jones on venture-backed companies found that successful ones had twice the number of women on the founding teams, and there is more research that shows that women-owned firms outperformed those owned by male counterparts. Despite this and despite the fact that women earn more college degrees than men, they comprise only 5 percent of Fortune 500 CEOs and only 19 percent of corporate board seats. Clearly, something is wrong.

For us to fully realize our economic potential, we have got to do a better job of supporting female entrepreneurs. That is why I strongly support her amendment and urge my colleagues to do the same.

Mr. SMITH of Texas. Mr. Chairman, I do not think I am going to disagree with what the gentlewoman from Connecticut has to say during her remaining time, so I yield back the balance of my time.

Ms. ESTY. Mr. Chairman, how much time do I have remaining?

The Acting CHAIR. The gentlewoman from Connecticut has 1 minute remaining.

Ms. ESTY. I yield such time as she may consume to the gentlewoman from Texas (Ms. EDDIE BERNICE JOHNSON), the ranking member, with my thanks.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Chairman, I rise in support of this amendment and want to thank the author for bringing it forward and thank the chairman of the committee for supporting it.

Our support historically goes back to Congresswoman Connie Morella. The two of us did a study maybe 15 or 16 years ago, and we both have been very, very supportive of women in the sciences and hope that we can get a better bill so that we can address getting them ready for these jobs.

Ms. ESTY. I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from Connecticut (Ms. ESTY).

The amendment was agreed to.

AMENDMENT NO. 5 OFFERED BY MR. CROWLEY

The Acting CHAIR. It is now in order to consider amendment No. 5 printed in part A of House Report 114–120.

Mr. CROWLEY. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 45, after line 14, insert the following:

SEC. 127. HISPANIC OPPORTUNITY PROGRAM IN EDUCATION AND SCIENCE.

Not later than 120 days after the date of enactment of this Act, the Director of the National Science Foundation shall establish the program described in section 7033 of the America COMPETES Act (42 U.S.C. 1862o–12) for Hispanic-serving institutions (as defined in section 502 of the Higher Education Act of 1965 (20 U.S.C. 1101a)).

The Acting CHAIR. Pursuant to House Resolution 271, the gentleman from New York (Mr. CROWLEY) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from New York.

Mr. CROWLEY. Mr. Chairman, I yield myself 1½ minutes.

Mr. Chairman, 8 years ago when the House first considered the America COMPETES Act, I offered an amendment with my then-colleague Gabby Giffords as well as Congressman JERRY MCNERNEY to correct a longstanding inequity at the National Science Foundation. Unlike their counterparts in higher education, Hispanic-Serving Institutions have not benefited from a specific program at the NSF to provide them with grants for research, curriculum, and infrastructure development.

The amendment corrected this inequity, requiring the NSF to create a separate program for HSIs. It was adopted, and it became law. But to this day, the NSF has not implemented the program as codified in law. This bipartisan amendment would correct that and require the HSI program to finally be implemented within 4 months of the enactment of this measure.

Hispanic-Serving Institutions serve the majority of nearly 2 million Latino students enrolled in college today. In my district alone, about 10,000 students attend Hispanic-Serving Institutions offering degrees in these fields of science. Without access to targeted grants, HSIs have difficulty increasing the ranks of Latinos in the STEM fields, where they have been historically underrepresented.

We must ensure that Latinos, the youngest and fastest growing ethnic group in our Nation, are prepared with the knowledge and skills that will contribute to our Nation's future economic strength, security, and global leadership, because when education is available to everyone, our entire Nation is stronger.

I want to thank my colleagues who worked with me on this issue: Mr. SERRANO, who has a stand-alone bill to make this fix permanent, and Mr. LUJÁN, Mr. HURD, as well as Mr. CURBELO, who have cosponsored this amendment.

I reserve the balance of my time.

Mr. SMITH of Texas. Mr. Chairman, I claim the time in opposition to the amendment, though I don't oppose the amendment.

The Acting CHAIR. Without objection, the gentleman is recognized for 5 minutes.

There was no objection.

Mr. SMITH of Texas. Mr. Chairman, this amendment would require NSF to establish a program originally authorized in the 2007 COMPETES Act. I support the gentleman's amendment.

I reserve the balance of my time.

Mr. CROWLEY. Mr. Chairman, I appreciate the comments from the chairman.

I yield 1 minute to the gentleman from New York (Mr. SERRANO), my friend and a cosponsor of the amendment.

Mr. SERRANO. I thank my colleague for yielding me this time.

Mr. Chairman, as my colleague has said, in 2007 he added a provision to the original America COMPETES Act to give the NSF the discretion to establish a dedicated grant program. However, after years of persistence, the NSF has refused to act. That is why last month Mr. CROWLEY, Mr. LUJÁN, and myself introduced the HOPES Act.

Today's amendment replicates the HOPES Act and requires the NSF to establish an undergraduate grant program for Hispanic-Serving Institutions. Hispanics are underrepresented in the STEM fields, and more needs to be done to ensure that we are not missing the best and the brightest from all the parts of America in developing the next generation of scientists, engineers, and mathematicians.

This amendment is a big step in the right direction. I thank Representative CROWLEY for his leadership on this issue. I thank the chairman for accepting the amendment.

Mr. SMITH of Texas. Mr. Chairman, I yield 2 minutes to the gentleman from Texas (Mr. HURD).

Mr. HURD of Texas. Mr. Chairman, I rise in support of this amendment, which will benefit the students at several fine institutions in the 23rd Congressional District of Texas.

One thing that everybody here wants is a healthy economy. We want the American economy to continue to be the strongest in the world, and if American businesses are going to compete and win in a global economy, we have to have the best trained and best equipped workforce possible.

This means our institutions of higher learning need to be fully capable of offering their students the opportunities to learn the skills that are going to drive a 21st century economy, and that means STEM degrees must be a priority for our colleges and universities. This amendment will allow institutions that are designated as Hispanic-Serving Institutions to have access to grant programs with the National Science Foundation that they have been limited from participating in in the past.

There are 47 institutions like this in the State of Texas, and more than a dozen of them serve students in my district. This increased access to grants will help increase the recruitment, retention, and graduation rates of Hispanic students pursuing degrees in STEM fields. That is good for these students; that is good for our universities, our communities, our businesses, and our economy.

I want to thank the gentleman from New York, Mr. CROWLEY, for introducing this amendment. I encourage my colleagues to support it.

Mr. CROWLEY. I thank Mr. HURD for his comments.

I want the RECORD to reflect that I was willing and expecting to be yielding the gentleman 1 minute. Since the cooperation is running so smoothly, Mr. Chairman, thank you for yielding the 2 minutes to Mr. HURD.

With that, I yield 1 minute to the gentleman from New Mexico (Mr. BEN RAY LUJÁN).

Mr. BEN RAY LUJÁN of New Mexico. Mr. Chairman, I rise today in support of this amendment that I am proud to offer with my colleagues.

I want to thank Congressman CROWLEY for his leadership. I want to recognize Chairman SMITH for his responsibility in working and looking out for these students as well.

In today's world, science, technology, engineering, and math degrees translate into high-paying, in-demand jobs.

While we are still struggling with high unemployment in my home State of New Mexico, there are sectors, especially in STEM, that are having difficulty finding qualified workers. To help meet this demand, the National Science Foundation manages a number of programs at minority-serving institutions, including Historically Black Colleges and Universities and Tribal Colleges and Universities.

□ 1645

These programs have filled an important void by preparing minority students for meaningful careers in STEM. However, there is no such program and, therefore, a lack of critical support for Hispanic Americans. This is also evident in the fact that Hispanics are severely underrepresented in the STEM workforce.

It is time that we fund the creation of a program for Hispanic-Serving Institutions to develop infrastructure, curriculum, and recruit Hispanic students into STEM fields. To do what is best for America, we need to invest and promote these programs.

Mr. SMITH of Texas. Mr. Chairman, I have no further speakers, and I yield back the balance of my time.

Mr. CROWLEY. Mr. Chairman, how much time do I have remaining?

The Acting CHAIR. The gentleman from New York (Mr. CROWLEY) has 1½ minutes remaining.

Mr. CROWLEY. Mr. Chairman, I yield 1 minute to the gentlewoman from Texas (Ms. EDDIE BERNICE JOHNSON).

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Chairman, let me thank the gentleman and all of the persons who sponsored this amendment. I want to commend them.

When Mr. LUJÁN was on the Science Committee, we actually developed that language that did pass in the last COMPETES Act, so I fully support this amendment.

Mr. CROWLEY. Mr. Chairman, let me just use the remaining time to thank Chairman SMITH for his cooperation and that of his staff, as well as the cooperation of Ms. JOHNSON and her staff.

I do think that this amendment is the final tooth we need to make this law work and to drive the money and the resources to the people we intended for them to go to, and that is Latino or Hispanic young men and women who want to strive to succeed in the fields of science and medicine to help make our country an even better country.

I thank you both again for your cooperation, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from New York (Mr. CROWLEY).

The amendment was agreed to.

AMENDMENT NO. 6 OFFERED BY MR. GRIFFITH

The Acting CHAIR. It is now in order to consider amendment No. 6 printed in part A of House Report 114–120.

Mr. GRIFFITH. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 49, line 2, insert ''The Advisory Panel shall consist of 15 members, with 3 members appointed by the Speaker of the House of Representatives and 2 members appointed by the Majority Leader of the Senate.'' after ''other appropriate organizations.''.

Page 171, line 2, insert '', except that 3 members shall be appointed by the Speaker of the House of Representatives and 2 members shall be appointed by the Majority Leader of the Senate. The total number of members of the advisory committee shall be 15.'' after ''by the Secretary''.

The Acting CHAIR. Pursuant to House Resolution 271, the gentleman from Virginia (Mr. GRIFFITH) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Virginia.

Mr. GRIFFITH. Mr. Chairman, my amendment would make a couple of slight changes to two new advisory boards created in this bill: the STEM education advisory panel and a new Department of Energy advisory committee.

My amendment sets the total number of members for these two new advisory boards at 15 each, and most importantly, it ensures that five of the members on each board are chosen by Congress, three by the Speaker of the House and two by the Senate majority leader.

The purpose of my amendment is to ensure that the advisory boards have congressional representation, that we have people on there who work with Congress. The legislative branch is a coequal branch of government, and I believe that, as an institution, Congress should more aggressively assert itself as a coequal branch.

This amendment has nothing to do with which party controls the legislative branch of government or which party, for that matter, controls the executive branch at any given time, nor does it ask for a majority of the members of these new boards to be congressionally appointed.

The amendment would simply ensure that the legislative branch is involved in these boards that it, the legislative branch, is creating and that we are involved in the process of creating the reports which both the legislative branch and executive branch will rely on to make important decisions for these United States.

If Congress deems an issue important enough to warrant an advisory board that is included in a bill we are passing, it just makes sense that we also appoint a portion of that board's membership.

I hope we will do that as we go forward with many of our boards. I also think it will facilitate more conversation between the executive branch and the legislative branch as time goes forward.

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

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Chairman, I claim the time in opposition to the amendment.

The Acting CHAIR. The gentlewoman is recognized for 5 minutes.

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

This amendment allows the Speaker of the House of Representatives and the majority leader of the Senate to appoint members to two scientific advisory boards created in the bill. This amendment is the very definition of politicalizing science when we have politicians choosing who sits on scientific advisory boards.

While my colleagues across the aisle suggest that this amendment ensures accountability, in reality, it only ensures the political meddling in science. Unfortunately, this is consistent with many provisions in the underlying bill.

Scientific advisory boards provide expert scientific advice and make recommendations on subject matter from STEM education to energy research and development. It is essential that advisory board members be qualified and nonpolitical to provide nonpartisan advice and give appropriate recommendations that are free of bias, advice and recommendations based on the best available evidence, and advice and recommendations that will further science in the country, not inhibit it.

In this amendment, the Speaker of the House would appoint three members, while the majority leader of the Senate would appoint two additional members to this advisory board.

Some of these advisory boards have only 15 members. This amendment would allow Republican—and only Republican—leaders of Congress to appoint one-third of these members.

This amendment is clearly meant to politicize these advisory boards. While the sponsor of this amendment is messaging it as giving Congress a bigger voice, that is just not accurate, asked for, or necessary. Congress already has the biggest and final voice. We control the Federal budget. Congress writes authorization bills such as the one before us today. We do not lack influence.

Let's keep our scientific advisory boards free from political interference. If we choose to ignore the advice from our scientific advisory boards, as we are doing with H.R. 1806, that is our right. Congress doesn't also have to put its fingerprints directly on the advice itself. We know by what has been said today that we are trying to take over the responsibility on this bill that I am against, so that is one way you can do it.

This amendment follows the underlying attack on science in this bill, but

this amendment goes further. It gives Republican politicians a chance to directly influence the scientific process in our country.

I urge my colleagues to reject this amendment and the underlying bill, and I yield back the balance of my time.

Mr. GRIFFITH. Mr. Chairman, I feel so bad that the gentlewoman thinks this is politicizing this bill. That is the furthest thing from my intent.

I know the gentlewoman does not know me and she does not know that, for 17 years, I served in the Virginia House of Delegates. In Virginia, any time we created a board or policy advisory group like this, we generally had legislative members on there.

What we found when we did that was that, when an idea came from the administrative branch, whether it was of the party that I was in or of a different party, we generally found that, by having people that were familiar with both sides of the issue, but people who also relied on and came to talk to us on a regular basis in the legislature, we felt more comfortable with those recommendations that had been made. We understood better what the background was. It made for better government.

That is what this is intended to do. I didn't ask for a majority. I didn't say that Congress should have complete control. It just says there ought to be some members appointed by the Senate and appointed by the House. It doesn't matter which party is in control of the House or Senate. Recently, that was divided. It doesn't matter which party is in the executive branch.

It just says this is a way to make sure that when you think it is important enough—when Congress thinks it is important enough to create an advisory board—that we both have some members, both the House and Senate, on that advisory board to make sure that there is interaction with us, as well as with the executive branch.

Unless the belief is that the executive branch wants to politicize it because they get all the appointments, I don't know why they would think these appointments would be politicizing it. It is just for informational purposes and to make sure that everybody is heard at the table and that those ideas are shared.

Ms. EDDIE BERNICE JOHNSON of Texas. Will the gentleman yield?

Mr. GRIFFITH. I yield to the gentlewoman.

Ms. EDDIE BERNICE JOHNSON of Texas. I served in both the house and senate in Texas before coming here; I believe strongly in input, but this very bill and its structure has become so political and so politically tainted in attempting to manipulate what is going on in our agencies, I just don't trust your amendment.

Mr. GRIFFITH. Reclaiming my time, I would say that I don't know the gentlewoman's concerns on this particular bill. I do believe, as a Congress, we ought to be working to make sure that we have input on all of these advisory committees, whether it is on this bill or any other bill.

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

The Acting CHAIR. The gentleman from Virginia has 1 minute remaining.

Mr. GRIFFITH. I yield 1 minute to the gentleman from Texas (Mr. SMITH).

Mr. SMITH of Texas. I thank the gentleman from Virginia for yielding.

Mr. Chairman, I will be very brief. I support the gentleman's amendment that will ensure that Congress has input on the composition of the new boards and panels created in the bill, and I urge my colleagues to support this amendment as well.

Mr. GRIFFITH. Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Virginia (Mr. GRIFFITH).

The question was taken; and the Acting Chair announced that the ayes appeared to have it.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Virginia will be postponed.

AMENDMENT NO. 7 OFFERED BY MR. KELLY OF PENNSYLVANIA

The Acting CHAIR. It is now in order to consider amendment No. 7 printed in part A of House Report 114–120.

Mr. KELLY of Pennsylvania. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 71, line 21, strike ''$933,700,000'' and insert ''$938,700,000''.

Page 72, line 6, strike ''$130,000,000'' and insert ''$135,000,000''.

Page 72, line 8, strike ''$125,000,000'' and insert ''$130,000,000''.

Page 72, line 19, strike ''$933,700,000'' and insert ''$938,700,000''.

Page 73, line 3, strike ''$130,000,000'' and insert ''$135,000,000''.

Page 73, line 5, strike ''$125,000,000'' and insert ''$130,000,000''.

Page 178, line 4, strike ''$1,198,500,000'' and insert ''$1,193,500,000''.

The Acting CHAIR. Pursuant to House Resolution 271, the gentleman from Pennsylvania (Mr. KELLY) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Pennsylvania.

Mr. KELLY of Pennsylvania. Mr. Chairman, my amendment increases the authorized funding for the Manufacturing Extension Partnership by $5 million and it offsets it by decreasing the authorized funding for the Office of Energy Efficiency and Renewable Energy by $5 million, for level funding.

If our goal is to create and retain more American jobs, there is no better program to fund that than the Manufacturing Extension Partnership. Administered by the National Institute of Standards and Technology, with centers in every single State, for every $1 of Federal investment, this public-private partnership generates nearly $21 in new sales. As a result, this translates into $2.5 billion annually. For every $2,001 of Federal investment, MEP creates or retains one American manufacturing job.

The MEP programs provides our Nation's nearly 350,000 small manufacturers with services and access to resources that enhance growth, improve productivity, and expand capacity. This program is a win-win for our hard-working American taxpayers. Few, if any, other Federal programs can claim such a good return on our taxpayers' investment.

Considering this amendment authorizes the program at $130 million that helps small American manufacturers directly and at a 50 percent cost share, this gives taxpayers more bang for their buck.

The Office of Energy Efficiency and Renewable Energy has a total budget of over $1 billion, so moving $5 million to this valuable program for small businesses is simply good economic policy.

This program is not a government handout. Instead, it requires small manufacturers who partner with their local MEP to have skin in the game with a 50 percent cost share. That is good for our taxpayers; it is good for manufacturing sectors, and it is good for American jobs.

Since 1988, MEP has worked with nearly 80,000 American manufacturers, leading to $88 billion in sales and 14 billion in cost savings. It has helped create more than 729,000 American jobs.

Last year alone, MEP projects created or retained nearly 64,000 American jobs, generated more than $6.7 billion in new and retained sales, and provided cost savings of more than $1.1 billion to small American manufacturers.

□ 1700

With the average small- and mid-size American manufacturing employee earning more than $77,000 a year in pay and benefits, these are exactly the types of jobs that policymakers need to be encouraging. And at a time when our economy is starting to recover, the MEP's work is crucial in helping America's small manufacturers be stronger long-term competitors, both domestically and internationally.

In turn, this will allow them to create good-paying, high-skilled jobs for America's workers across the country. A growing manufacturing sector in America means more well-paying jobs

for low- to moderate-income American families, reduced trade deficit and a robust economy, and a flourishing innovation sector which can drive future growth.

By supporting this amendment, Congress will be sending a clear signal to our small American manufacturers and our job creators that they will continue to play a vital role in the reinvigoration of our economy.

MEP is currently appropriated at $130 million, and this amendment would simply ensure that this popular, bipartisan program continues to be authorized at its current funding level.

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

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Chairman, I rise in opposition to this amendment.

The Acting CHAIR. The gentlewoman is recognized for 5 minutes.

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

I strongly support the Manufacturing Extension Partnership program, or the MEP, at NIST. Since its establishment in 1988, the MEP program has generated billions of dollars in new sales; it has saved MEP clients billions of dollars; and it has helped create more than 700,000 jobs.

However, I cannot support this amendment because it increases the authorization for MEP by decreasing the authorization for the Office of Energy Efficiency and Renewable Energy at the Department of Energy. EERE conducts important research on energy efficiency and renewable energy technologies, including critical advance manufacturing initiatives.

Unfortunately, EERE has become a favorite target for my friends on the other side of the aisle. The underlying bill cuts this office by almost 30 percent, and this amendment would make that cut even larger.

I supported an amendment that would have increased MEP authorization to $141 million for fiscal year 2016, at the President's request, without cutting EERE. But the amendment was not made in order.

I strongly believe in MEP and want to see this funding level increased. I think it is important to note that this bill is an authorization bill, not an appropriations bill. In authorization bills, Congress should be deciding authorization levels by determining what the program needs to accomplish its responsibilities.

Notwithstanding current Republican protocols, authorization bills should not have the same constraints as appropriation bills, including needing to offset any increases. This is a bizarre approach to legislating.

Because of the unnecessary cut to EERE, I cannot support this amendment, and I urge my colleagues on both sides of the aisle to reject the false notion of needing to offset authorizations.

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

Mr. KELLY of Pennsylvania. Mr. Chairman, I yield 30 seconds to the gentleman from Texas (Mr. SMITH).

Mr. SMITH of Texas. Mr. Chairman, I thank the gentleman from Pennsylvania for yielding me this time.

I just simply want to say that I believe his amendment restores current funding levels for the Manufacturing Extension Partnership program at the National Institute of Standards and Technology while offsetting those costs. It is a great amendment, and I urge my colleagues to support it.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Chairman, I continue to reserve the balance of my time.

Mr. KELLY of Pennsylvania. Mr. Chairman, I would just remark that if we are really trying to create jobs, if we are really trying to boost our economy, if we are really trying to do all these things, if we are really trying to help small manufacturers, I don't think that asking to transfer $15 million out of a $1 billion allotment is going to really have that much effect on that.

This is not turning our back on some of the issues that you have, but this is looking forward to the future and saying we have got to help these people move forward.

This is not a government handout. This is not a free amount of money. This is a 50 percent match. There are very few programs in our government that require that.

This is something that just makes sense for America. It makes sense for all those folks that I represent and you represent back home.

I have got to tell you something. Back in Western Pennsylvania, where I live, in Pennsylvania's Third District, every morning, moms and dads get up and they throw their feet out over their bed and they go to work so that they can put a roof over the head for their children, food on their table, clothes on their back, and a promise for the future.

This is a small investment. All we are doing is keeping it at $130 million. And in a government that spends trillions of dollars every year, I don't know why we would quibble over $5 million because it is going to help job creation and job retention. It allows us to compete in a global market in a way that we actually win.

We don't have to get political about this. What I want to do is, I want to think about all the people we represent and where those dollars go because every single dollar belongs to the American taxpayer.

The Acting CHAIR. The gentleman is reminded to address all of his remarks to the Chair and not to other Members of the House.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Chairman, I appreciate those remarks. He is describing my constituents as well. And if we had done as requested by the President, we would have left the authorization levels at the level he is trying to bring it to, and it would not have taken away from the other part of the research that is needed so badly in the other areas.

I do not oppose what he is trying to do. What I oppose is how he is trying to do it. And for that, I still oppose the total amount because it is not treating the other program fairly.

It is not that I oppose MEP. My constituents are no different than yours. They get up every day to work hard and need opportunities. I am sure many of yours get more opportunities than some of mine. And so I agree with that totally.

I agreed with the President's level of recommendation of where he wants to take it. What I disagree with is he is taking it out of another area when it is not necessary.

We are not appropriations. We are to recommend authorizations. We can do the authorization for his level without taking away from an area they don't like.

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

The Acting CHAIR. Members are advised to address their remarks to the Chair and not to each other.

The question is on the amendment offered by the gentleman from Pennsylvania (Mr. KELLY).

The amendment was agreed to.

AMENDMENT NO. 8 OFFERED BY MR. LOWENTHAL

The Acting CHAIR. It is now in order to consider amendment No. 8 printed in part A of House Report 114–120.

Mr. LOWENTHAL. Mr. Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 114, line 23, through page 115, line 18, strike subsections (b) through (d).

The Acting CHAIR. Pursuant to House Resolution 271, the gentleman from California (Mr. LOWENTHAL) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California.

Mr. LOWENTHAL. Mr. Chair, I yield myself such time as I may consume.

My amendment would do two important things. First, it would preserve the Energy Department's ability to select projects based on merit, and, second, it would preserve a very basic scientific tenet, the ability of the Department of Energy to replicate scientific results.

Right now, the underlying bill mandates the prioritization of certain scientific fields over others, and it terminates science initiatives that can validate or question the results of previous scientific research.

It is additionally unfortunate that in this formerly bipartisan bill, the majority is again attempting to specifically target and terminate the valuable research programs of some of our Nation's brightest scientists if they study climate change. I think this is shortsighted, I think it is irresponsible, and I believe it is wrong.

In order to ensure America's energy security, we must understand the multiplying risks to our energy infrastructure due to a changing climate. In order to ensure America's energy security, we must understand the lifecycle impacts of the fuels we use. And in order to ensure America's energy security, we must lead the world in developing clean renewable sources of energy.

For this vision to become a reality, the Department of Energy must support sound scientific processes that include selecting the most meritorious methods and questions that they wish to research and verifying those results through replication.

H.R. 1806, as it is currently written, specifically targets the climate change research program in the Energy Department and instructs the director to cease ''those climate science-related initiatives that are identified as overlapping or duplicative.''

A basic tenet of science is that you have to reproduce scientific results. You don't run an experiment once and go to the world and say, ''It's true. We've figured it out.''

No—science requires separate and independently verified results in order to draw conclusions. But now Congress is trying to legislate changes to the scientific method, and I think that is a shame.

Science works best when multiple groups and agencies collaborate to find answers to important questions. And guess what? Congress has already created a way to coordinate among the 13 Federal agencies to ensure that each agency is researching the causes and effects of global changes most relevant to their missions. And it is called the U.S. Global Change Research Program. The proposed requirements in section 505 of H.R. 1806 are really just an attempt to create more roadblocks to studying climate change.

My amendment preserves the scientific integrity of the Office of Science, the U.S. Global Change Research Program and, more importantly, the scientific process.

I urge a ''yes'' vote on the Lowenthal amendment, and I reserve the balance of my time.

Mr. SMITH of Texas. Mr. Chairman, I claim the time in opposition.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. SMITH of Texas. Mr. Chairman, I yield as much time as he may consume to the gentleman from Arkansas (Mr. WESTERMAN), who is a member of the Science, Space, and Technology Committee.

Mr. WESTERMAN. Mr. Chairman, I rise today in opposition to the gentleman's amendment and in support of the underlying reforms included in H.R. 1806, the America COMPETES Reauthorization Act of 2015.

This amendment would remove important measures that ensure greater transparency for the Federal Government's climate science initiative and require accountability for the Office of Science to justify the value of related work going forward.

The gentleman's amendment would also remove underlying language in the America COMPETES Act that would require the Government Accountability Office to identify duplicative climate science initiatives across the entire Federal Government.

All Members of Congress should support transparency in federally funded research. It is our core responsibility to provide oversight for Federal programs and make sure American taxpayer dollars are being spent responsibly, not duplicating work that has already been done.

That said, the language in the America COMPETES Act does not ban any particular area of science but, instead, requires that DOE justify the science's merit and provide greater transparency if climate science work is intentionally duplicated.

This provision in the America COMPETES Act is simply good governance and is more important now than ever. The Obama administration has unapologetically pushed forward a politicized climate agenda through the Federal Government, prioritizing climate change research above all else. Better transparency can help prevent wasteful spending and prioritize the most valuable research.

H.R. 1806 authorizes the Office of Science within the Department of Energy to support basic research in the physical sciences, including research on Earth's atmosphere. By including these good government measures, the America COMPETES Act gives Congress appropriate oversight, funds valuable research, but does not provide a blank check for the President's climate agenda.

This amendment would strike these important accountability measures from the America COMPETES Act research. For that reason, I oppose the amendment and encourage my colleagues to do the same.

□ 1715

Mr. LOWENTHAL. Mr. Chairman, could you tell me how much time I have left.

The Acting CHAIR. The gentleman from California has 1½ minutes remaining.

Mr. LOWENTHAL. I yield 1 minute to the gentlewoman from Texas (Ms. EDDIE BERNICE JOHNSON).

Ms. EDDIE BERNICE JOHNSON of Texas. I thank the gentleman for yielding.

Mr. Chairman, it is not surprising that the Biological and Environmental Research program at DOE is targeted with harmful provisions in this bill. It is targeted because the program is a leader in advancing our understanding of the causes and impacts of climate change.

Hiding our heads in the sand will not solve anything, and it certainly won't stop the Earth from warming. Allowing partisan politics to skew the scientific understanding of climate change is cynical and shortsighted.

It is especially cynical considering that in the majority's own bill, they state that climate change is happening. They just had to take the statement out that it is caused by human beings.

The gentleman from California's amendment would simply strike those harmful provisions so that scientists supported by BER can continue their important work without political interference.

I urge my colleagues to support this important amendment.

Mr. SMITH of Texas. Mr. Chairman, I am prepared to close, so I reserve the balance of my time.

Mr. LOWENTHAL. Mr. Chair, I repeat: duplication is good science. Let me repeat that: duplication is good science.

I urge a ''yes'' vote on the Lowenthal amendment to maintain the Department of Energy's ability to select scientific projects based upon scientific merit, that support the mission of the Department of Energy and the broader energy security of our country.

I yield back the balance of my time.

Mr. SMITH of Texas. Mr. Chairman, this amendment would strike good government accountability measures within the COMPETES bill that require DOE's Office of Science to prioritize biological systems and genomic science. It would also strike reforms included in the America COMPETES Act that prevent duplication of research, which saves taxpayer dollars.

I encourage Members to oppose the amendment, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from California (Mr. LOWENTHAL).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. LOWENTHAL. Mr. Chair, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from California will be postponed.

AMENDMENT NO. 9 OFFERED BY MR. GRAYSON

The Acting CHAIR. It is now in order to consider amendment No. 9 printed in part A of House Report 114–120.

Mr. GRAYSON. Mr. Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 133, before line 19, insert the following new section:

SEC. 604. ENERGY INNOVATION HUBS.

(a) AUTHORIZATION OF PROGRAM.—

(1) IN GENERAL.—The Secretary of Energy shall carry out a program to enhance the Nation's economic, environmental, and energy security by making awards to consortia for establishing and operating Energy Innovation Hubs to conduct and support, whenever practicable at one centralized location, multidisciplinary, collaborative research, development, and demonstration of advanced energy technologies.

(2) TECHNOLOGY DEVELOPMENT FOCUS.—The Secretary shall designate for each Hub a unique advanced energy technology focus.

(3) COORDINATION.—The Secretary shall ensure the coordination of, and avoid unnecessary duplication of, the activities of Hubs with those of other Department of Energy research entities, including the National Laboratories, the Advanced Research Projects Agency-Energy, Energy Frontier Research Centers, and within industry.

(b) CONSORTIA.—

(1) ELIGIBILITY.—To be eligible to receive an award under this section for the establishment and operation of a Hub, a consortium shall—

(A) be composed of no fewer than 2 qualifying entities; and

(B) operate subject to an agreement entered into by its members that documents—

(i) the proposed partnership agreement, including the governance and management structure of the Hub;

(ii) measures to enable cost-effective implementation of the program under this section;

(iii) a proposed budget, including financial contributions from non-Federal sources;

(iv) a plan for managing intellectual property rights; and

(v) an accounting structure that enables the Secretary to ensure that the consortium has complied with the requirements of this section.

(2) APPLICATION.—A consortium seeking to establish and operate a Hub under this section, acting through a prime applicant, shall transmit to the Secretary an application at such time, in such form, and accompanied by such information as the Secretary shall require, including a detailed description of the elements of the consortium agreement required under paragraph (1)(B). If the consortium members will not be located at one centralized location, such application shall include a communications plan that ensures close coordination and integration of the Hub's activities.

(c) SELECTION AND SCHEDULE.—The Secretary shall select consortia for awards for the establishment and operation of Hubs through competitive selection processes. In selecting consortia, the Secretary shall consider the information a consortium must disclose according to subsection (b), as well as any existing facilities a consortium will provide for Hub activities. Awards made to a Hub shall be for a period not to exceed 5 years, subject to the availability of appropriations, after which the award may be renewed, subject to a rigorous merit review. A Hub already in existence on the date of enactment of this Act may continue to receive support for a period of 5 years, subject to the availability of appropriations, beginning on the date of establishment of that Hub.

(d) HUB OPERATIONS.—

(1) IN GENERAL.—Each Hub shall conduct or provide for multidisciplinary, collaborative research, development, and demonstration of advanced energy technologies within the technology development focus designated under subsection (a)(2). Each Hub shall—

(A) encourage collaboration and communication among the member qualifying entities of the consortium and awardees by conducting activities whenever practicable at one centralized location;

(B) develop and publish on the Department of Energy's website proposed plans and programs;

(C) submit an annual report to the Secretary summarizing the Hub's activities, including detailing organizational expenditures, and describing each project undertaken by the Hub; and

(D) monitor project implementation and coordination.

(2) CONFLICTS OF INTEREST.—

(A) PROCEDURES.—Hubs shall maintain conflict of interest procedures, consistent with those of the Department of Energy, to ensure that employees and consortia designees for Hub activities who are in decisionmaking capacities disclose all material conflicts of interest, and avoid such conflicts.

(B) DISQUALIFICATION AND REVOCATION.—The Secretary may disqualify an application or revoke funds distributed to a Hub if the Secretary discovers a failure to comply with conflict of interest procedures established under subparagraph (A).

(3) PROHIBITION ON CONSTRUCTION.—

(A) IN GENERAL.—No funds provided pursuant to this section may be used for construction of new buildings or facilities for Hubs. Construction of new buildings or facilities shall not be considered as part of the non-Federal share of a Hub cost-sharing agreement.

(B) TEST BED AND RENOVATION EXCEPTION.—Nothing in this subsection shall prohibit the use of funds provided pursuant to this section, or non-Federal cost share funds, for research or for the construction of a test bed or renovations to existing buildings or facilities for the purposes of research if the Secretary determines that the test bed or renovations are limited to a scope and scale necessary for the research to be conducted.

(e) TERMINATION.—Consistent with the existing authorities of the Department, the Secretary may terminate an underperforming Hub for cause during the performance period.

(f) DEFINITIONS.—For purposes of this section:

(1) ADVANCED ENERGY TECHNOLOGY.—The term ''advanced energy technology'' means—

(A) an innovative technology—

(i) that produces energy from solar, wind, geothermal, biomass, tidal, wave, ocean, or other renewable energy resources;

(ii) that produces nuclear energy;

(iii) for carbon capture and sequestration;

(iv) that enables advanced vehicles, vehicle components, and related technologies that result in significant energy savings;

(v) that generates, transmits, distributes, utilizes, or stores energy more efficiently than conventional technologies, including through Smart Grid technologies; or

(vi) that enhances the energy independence and security of the United States by enabling improved or expanded supply and production of domestic energy resources, including coal, oil, and natural gas;

(B) research, development, and demonstration activities necessary to ensure the long-term, secure, and sustainable supply of energy critical elements; or

(C) another innovative energy technology area identified by the Secretary.

(2) HUB.—The term ''Hub'' means an Energy Innovation Hub established or operating in accordance with this section, including any Energy Innovation Hub existing as of the date of enactment of this Act.

(3) QUALIFYING ENTITY.—The term ''qualifying entity'' means—

(A) an institution of higher education;

(B) an appropriate State or Federal entity, including the Department of Energy Federally Funded Research and Development Centers;

(C) a nongovernmental organization with expertise in advanced energy technology research, development, demonstration, or commercial application; or

(D) any other relevant entity the Secretary considers appropriate.

The Acting CHAIR. Pursuant to House Resolution 271, the gentleman from Florida (Mr. GRAYSON) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Florida.

Mr. GRAYSON. Mr. Chair, this amendment seeks to authorize the Energy Innovation Hubs program within the Department of Energy.

I would like to thank Chairman SMITH and his staff for working with me to craft this amendment. Because I know that the chairman supports the amendment, I will keep my remarks brief.

Energy Innovation Hubs are collaborative research centers that bring together teams of scientists and engineers from academia, industry, and national laboratories in order to accelerate scientific discoveries that address critical energy issues. They were created in 2010 and have received almost $500 million in funding already.

The four hubs currently focus on everything from improving nuclear reactors through computer-based modeling to improving battery technology for transportation and the grid.

The amendment before us would not only authorize this important research but would also provide critical guidelines and accountability measures for the program.

A rigorous merits-based renewal process would be implemented. The Secretary would be empowered to terminate underperforming hubs at any time, and funds would be prohibited from being used for the purpose of constructing buildings so that every taxpayer dollar goes toward the research for which it is intended.

Again, I thank the gentleman from Texas, Chairman SMITH, for his help and guidance in developing this amendment. I urge my colleagues to support it.

I reserve the balance of my time.

Mr. SMITH of Texas. Mr. Chairman, I claim the time in opposition to the amendment, though I do not oppose the amendment.

The Acting CHAIR. Without objection the gentleman is recognized for 5 minutes.

There was no objection.

Mr. SMITH of Texas. Mr. Chairman, this amendment would authorize the Department of Energy Innovation Hubs. These integrated research platforms conduct fundamental research to address critical challenges in energy technology.

Currently, DOE operates four hubs, which all focus on the critical energy issues. They include the Consortium for Advanced Simulation of Light Water Reactors, which uses high performance computation modeling to simulate and improve reactors. And it includes the Joint Center for Energy Storage Research, which focuses on developing the next generation of battery technologies.

My thanks go to the gentleman from Florida (Mr. GRAYSON), a very active and alert member of the Science, Space, and Technology Committee, for offering this amendment and for working with us to develop this bipartisan amendment. I encourage Members to support it.

I reserve the balance of my time.

Mr. GRAYSON. I yield back the balance of my time.

Mr. SMITH of Texas. I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Florida (Mr. GRAYSON).

The amendment was agreed to.

AMENDMENT NO. 10 OFFERED BY MS. BONAMICI

The Acting CHAIR. It is now in order to consider amendment No. 10 printed in part A of House Report 114–120.

Ms. BONAMICI. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 162, lines 3 through 5, strike subsection (d).

The Acting CHAIR. Pursuant to House Resolution 271, the gentlewoman from Oregon (Ms. BONAMICI) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Oregon.

Ms. BONAMICI. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I rise today to address an issue of national security.

The Department of Defense is the world's largest institutional consumer of fuel. As a result, the volatility of oil prices directly affects military readiness. Every $10 increase on a barrel of oil costs the Department of Defense an additional $1.3 billion a year.

To reduce our military's and our Nation's dependence on a single source of fuel, the Departments of Defense, Energy, and Agriculture have been working closely over the past 4 years with the private sector to scale up an advanced ''drop-in'' biofuel production capability.

One of those projects is in Lakeview, Oregon, where a forest biomass plant will produce fuel for the U.S. Navy and Marines. It is one of three companies selected by the Departments of Defense, Energy, and Agriculture to produce cost-competitive drop-in military biofuels. Once at scale, these biorefineries will have a combined capacity to produce 100 million gallons of fuel for military ships and planes while reducing their greenhouse gas emissions by 50 percent compared to conventional fuels.

Our military and Nation are faced with a growing global demand for energy. We need to have a greater emphasis on renewable energy and energy-efficient technologies. Yet, without any apparent logic, this bill would prohibit the Department of Energy—the lead agency with deep, technical expertise in this area—from partnering with the Department of Defense to develop biofuels.

The amendment that I am offering strikes this prohibition and would allow the Departments of Energy and Defense to continue their efforts to learn from each other's expertise.

Mr. Chairman, I will include in the RECORD a letter opposing the prohibition from the Truman National Security Project, where they note—these are retired military—that 4 years of partnership between the Departments of Defense, Energy, and Agriculture have seen impressive progress in the development of advanced drop-in biofuels that will allow the military to turn away from an outdated fuel source. Members of the military from every rank and service have spoken out in favor of the continued investment in biofuels for the reasons of cost and capability.

OPERATION FREE,
April 21, 2015.

Hon. LAMAR SMITH,
Hon. EDDIE BERNICE JOHNSON,
House Committee on Science, Space, and Technology, Washington, DC.

DEAR CHAIRMAN SMITH AND RANKING MEMBER JOHNSON: The American military is the greatest fighting force the world has ever seen. The United States Congress has the critical responsibility of empowering our military leaders by equipping that force with the tools they need to engage effectively in a world of ever-increasing security threats. Accordingly, we urge you to withdraw the America COMPETES Reauthorization Act of 2015, which would bar the Department of Energy from continuing a four-year collaboration with the Departments of Defense and Agriculture to develop cost-effective advanced biofuels.

Time and again throughout our history, the military has chosen to innovate towards new solutions. While the advances resulting from these efforts have often benefited our nation as a whole, they are undertaken not for the sake of novelty or adventure but to fill a key operational or tactical need. Advanced biofuels fills such a need: Reducing the dangerous dependence of the U.S. military on fossil fuels.

The Department of Defense is the world's largest institutional consumer of fuel. With approximately $15 billion per year budgeted simply to maintain freedom of movement, the U.S. military is dangerously sensitive to the volatility of oil prices; a $10 change in the price per barrel of crude oil leaves the Department of Defense with a $1.3 billion shortfall and sees increased profits to countries who oppose our interests around the world. And because oil is priced in a global market, no amount of domestic production can insulate the military from these effects.

We have learned firsthand that oil truly is the Achilles' heel of our military. With most of the world's oil traveling through two or three major chokepoints, the military must allocate significant manpower and resources to keeping those sea lanes open and secure. Moreover, as the military transitions from large-scale land engagements in the Middle East and towards a broader engagement in the Asia-Pacific, the costs and logistical challenges associated with moving fuel over thousands of miles of ocean will only increase.

The threat of oil dependence along with the need for energy security isn't going away any time soon. And we shouldn't impede progress of alternatives that are moving forward now. Four years of partnership between the Departments of Defense, Energy, and Agriculture have seen impressive progress in the development of advanced, ''drop in'' biofuels that will allow the military to turn away from an outdated fuel source. Top line military platforms as diverse as the supersonic F/A–18 ''Green Hornet,'' the Air Force's F16 fighter jets, the MH–60S Seahawk helicopter, the AV–8B Harrier, the Fire Scout unmanned vehicle, the Riverine Command Boat (RCB-X) and the frigate USS Ford have all operated at full capacity and with no averse side effects using American-made biofuels.

Members of the military from every rank and service have spoken out in favor of the continued investment in biofuels for reasons of cost and capabilities alike. These voices, rather than political leanings or parochial interests, must steer national security policy. Accordingly, we urge you to withdraw the America COMPETES Reauthorization Act of 2015 and to ensure that the U.S. military is free to pursue the fuel sources its leaders deign necessary for maximum operational and tactical success.

Respectfully,

MICHAEL BREEN,
Executive Director, Truman National Security Project Army Captain (Fmr.).
RADM LEENDERT ''LEN'' HERING,
USN (Ret.).
LT GEN NORMAN SEIP,
USAF (Ret.).

Ms. BONAMICI. I urge adoption of the amendment, and I reserve the balance of my time.

Mr. SMITH of Texas. Mr. Chairman, I claim the time in opposition to the amendment.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. SMITH of Texas. I yield 4 minutes to the gentleman from Texas (Mr. WEBER), who is the chairman of the Energy Subcommittee of the Science, Space, and Technology Committee.

Mr. WEBER of Texas. I thank the gentleman from Texas for yielding to me.

Mr. Chair, I rise today in opposition to the gentlewoman's amendment and in support of the underlying reforms included in H.R. 1806, the America COMPETES Reauthorization Act of 2015.

This amendment would remove a limitation included in the underlying bill that prevents the Department of Energy from using funding authorized for the EERE Biofuels program to conduct commercial production of biofuels for defense purposes.

The fact is that EERE already spends too much of their current budget on deployment and commercialization of renewable and energy efficient technologies instead of research and development.

The DOE's ongoing effort to fund commercial-scale biofuels production for military purposes in cooperation with the Department of Defense and USDA is just one example.

Redirecting funds from biofuels R&D is part of a broader problem. Department of Energy research and development programs should be focused on science, not creating a market for certain types of fuels. The DOE should focus on a new idea for the market, not a market for the new idea.

The Department of Defense spends billions annually on fuel costs, billions. When viable biofuels technology is able to compete with conventional fuels—trust me—the private sector can and will develop commercial-scale biofuels production to meet demand. It is just that simple, Mr. Chairman.

And despite significant Federal programs to support the use of biofuels, a recent GAO, Government Accountability Office, study concluded that the long-term viability of alternative fuels is dependent on market factors, not Federal funds or mandates. That same study reported that the Department of Defense paid $150 per gallon for 1,500 gallons of alternative jet fuel derived from algal oil. Taxpayers should be outraged.

The other side may be, in fact, promoting their global warming theory because when taxpayers find out about this kind of waste, there are going to be a lot of them hot under the collar.

The Department of Energy should focus on research and development, not commercial biofuels production. This limitation is consistent with the broader goals of the America COMPETES Reauthorization Act, which prioritizes research and development in all R&D program areas while cutting spending on deployment and commercialization.

I am aghast, Mr. Chairman, that the other side somehow thinks Congress shouldn't be paying attention to the way taxpayer dollars are spent.

For these reasons, I encourage my colleagues to vote ''no'' on this amendment.

Ms. BONAMICI. Mr. Chair, may I please inquire as to the amount of time remaining.

The Acting CHAIR. The gentlewoman from Oregon has 2½ minutes remaining.

Ms. BONAMICI. I yield 2 minutes to the gentleman from California (Mr. PETERS), a member of the Science, Space, and Technology Committee.

Mr. PETERS. I thank the gentlewoman for yielding.

Mr. Chairman, I rise as a cosponsor of this amendment, and I am glad to be working with Congresswoman BONAMICI and my colleague on the Armed Services Committee, Ranking Member ADAM SMITH.

Our amendment simply allows the Department of Energy to continue its collaborative work with the Department of Defense to produce biofuels for the military.

The Department of Defense is the single largest institutional consumer of fuel in the world, and this is all about saving money because our military spends about $20 billion a year on energy, $16 billion of which goes to oil fuels.

As we have seen in recent years, global oil markets are volatile. And despite massive production increases in the United States, according to the Energy Information Administration, last year, our net imports of petroleum were 5 million barrels per day, with our top five suppliers being Canada, Saudi Arabia, Mexico, Venezuela, and Iraq. That reliance on a volatile, foreign-produced source of fuel puts our national security at risk, particularly when we face dynamic, new threats from nonstate actors such as ISIS, al Qaeda, or individual terrorists who can disrupt oil production and supply lines in new and intimidating ways.

The constraints of depending so heavily on a single source of fuel also puts our readiness at risk, a problem that will only increase as we are forced to respond to international incidents across the globe at a moment's notice and as our military makes its strategic pivot toward the vast Pacific Ocean.

Instead of standing idly by and waiting for a fuel-supply crisis that would endanger our ability to confront those wanting to harm our country, the Departments of Defense, Energy, and Agriculture have been working with private sector innovators to develop renewable biofuels that could be used by planes, tactical vehicles, and ships.

The Navy already has innovative partnerships with algae producers and their high-skilled workers in my district in San Diego.

Congress should be laying the groundwork for more strategic public-private partnerships to develop like those in San Diego, not mandating that they cannot exist.

The military is not pursuing this fuel supply diversity because they are tree-hugging environmentalists but because it is a national security imperative.

Foolishly, today's COMPETES Act would bar the Department of Defense from working with the Department of Energy on developing biofuels. Why would we undercut an effort that our military commanders are for and say will save lives?

□ 1730

Mr. SMITH of Texas. Mr. Chairman, I reserve the balance of my time.

Ms. BONAMICI. Mr. Chairman, I yield 30 seconds to the gentleman from Virginia (Mr. BEYER), a member of the Science, Space, and Technology Committee.

Mr. BEYER. Mr. Chairman, I thank my dear friend, Ms. BONAMICI, for yielding and for her leadership on this important issue.

Mr. Chair, I rise in strong support of this commonsense amendment to allow the Department of Energy and the Department of Defense to continue working together to develop biofuel options for our Nation's military.

DOD's reliance on a single source of fuel deepens dependence on foreign oil, threatens our national security, and contributes significantly to spending. Why would we not want the Department of Energy with their deep technical expertise in this area to assist DOD to create alternatives for petroleum-based fuels? It makes no sense, and I urge my colleagues' support.

Ms. BONAMICI. Mr. Chairman, I yield back the balance of my time.

Mr. SMITH of Texas. Mr. Chairman, in closing, the gentlewoman's amendment would remove an important limitation from the underlying bill that prevents the Department of Energy from spending research dollars to fund commercial-scale biofuels development for defense purposes. DOE should focus on innovative research and development, not commercial production of any particular form of energy.

For those reasons, Mr. Chairman, I encourage Members to oppose this amendment, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from Oregon (Ms. BONAMICI).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Ms. BONAMICI. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentlewoman from Oregon will be postponed.

AMENDMENT NO. 11 OFFERED BY MR. BEYER

The Acting CHAIR. It is now in order to consider amendment No. 11 printed in part A of House Report 114–120.

Mr. BEYER. Mr. Chairman, I have an amendment at the desk for Mr. DESAULNIER and myself.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 174, lines 18 through 24, strike paragraph (1).

The Acting CHAIR. Pursuant to House Resolution 271, the gentleman from Virginia (Mr. BEYER) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Virginia.

Mr. BEYER. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I am proud to speak in support of our amendment, which would restore the ARPA-E goal of developing energy technologies that result in reductions in energy-related emissions, including greenhouse gases. I believe this is an important and urgent area of research and that it should remain explicitly stated in the statute as a goal for ARPA-E.

When I look at the existing statute, it says:

The goals of ARPA-E shall be reductions of imports of energy from foreign sources; reductions of energy-related emissions, including greenhouses gases; and improvement in the energy efficiency of all economic sectors.

These are the three goals which have been removed from the current bill. Global carbon dioxide concentrations have risen more than 120 parts per million since preindustrial times, half of that arrived just since 1980. The burning of coal, oil, and natural gas is driving the acceleration of greenhouse gas concentrations in our atmosphere. Just 2 weeks ago, NOAA reported that the monthly global average of concentration of carbon dioxide has surpassed 400 parts per million. The last time this happened was over 1 million years ago.

We must look to develop alternative energy sources that will reduce man-made emissions. ARPA-E is a unique agency that can help us with this mission. Since 2009, it has funded over 400 potentially transformational energy technology projects. A number of these projects have spurred follow-on private sector funding, and a number of ARPA-E awardees have formed startup companies or partnered with other parts of the government and industry to advance their technologies.

Reducing energy-related emissions, including greenhouse gases, is an important component to our Nation's economic and energy security. Therefore, Mr. Chairman, I urge my colleagues to support our amendment to reinstate these three goals for ARPA-E, and I reserve the balance of my time.

Mr. SMITH of Texas. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. SMITH of Texas. Mr. Chairman, I yield such time as he may consume to the gentleman from Georgia (Mr. LOUDERMILK), who is also the chairman of the Oversight Subcommittee of the Science, Space, and Technology Committee.

Mr. LOUDERMILK. Mr. Chairman, I rise to oppose this amendment to H.R. 1806 because I support research that will enhance both the economic security and the energy security of the United States.

The original America COMPETES Act, which established the Advanced Research Projects Agency within the Department of Energy, ARPA-E, required the agency to only pursue projects that reduce greenhouse gases. The bill before us today, the America COMPETES Reauthorization Act, allows any advanced energy technology that could enhance U.S. economic and energy security to compete for ARPA-E funding. This levels the playing field and ensures that ARPA-E funds research with the greatest potential to have a positive impact on the American economy.

The COMPETES Act provides a balanced approach to ARPA-E by reprioritizing funding towards innovative projects that are truly in need of Federal research dollars. The bill also removes restrictions that allow the administration to play favorites in the energy sector. However, this amendment would strike the language which expands the ARPA-E project eligibility. As a result, this amendment would then limit innovative research and development.

With all of the national security challenges we face today, from terrorism, to cybersecurity breaches, to our skyrocketing national debt, we should focus our attention on broadening our energy base and achieving energy independence, not limiting ourselves to one small area of environmental science. I believe we must adopt an all-of-the-above energy strategy that improves our energy security and emphasizes all energy opportunities, including those which reduce greenhouse gases.

Congress should not put in place arbitrary limits on innovation that will prevent groundbreaking technologies from across the energy sector from participating in ARPA-E programs. I urge my colleagues to oppose this amendment.

Mr. BEYER. Mr. Chair, I yield 1 minute to the gentlewoman from Texas (Ms. EDDIE BERNICE JOHNSON), the ranking member of the Science, Space, and Technology Committee.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Chairman, I thank the gentleman for yielding.

Mr. Chairman, it is deeply troubling to me that this amendment had to be offered. This amendment fixes a provision in this bill that strips away a foundational component of the ARPA-E program.

As virtually every preeminent climatologist in the world agrees, greenhouse gas emissions are growing so rapidly and are a growing threat to our way of life. Why wouldn't we want one of the most innovative agencies to develop technologies that could address this critical issue?

ARPA-E has made good funding choices supporting valuable research, as proven by its impressive track record of successful projects since it was first authorized. I certainly see no value in changing something that no serious energy policy analyst believes is broken.

Mr. DESAULNIER's and Mr. BEYER's amendment sets this clearly misguided provision aside. I enthusiastically support it and urge my colleagues to do so as well.

Mr. SMITH of Texas. Mr. Chairman, I reserve the balance of my time.

Mr. BEYER. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I listened with great interest to the rebuttal of the alternative argument from my friend, Mr. LOUDERMILK, and I found myself agreeing with almost everything that he said, but misunderstanding why retaining these three goals somehow played favorites, how they created arbitrary limits on innovation, and how they opposed efforts to find our economic and energy security. The purpose of the amendment is to recognize that reducing dependence on foreign oil, that trying to find ways to limit greenhouse gases, and improving the energy efficiency of all economic sectors are worthy goals.

Perhaps what we need to do is add a fourth one, which I would be happy to place first if the chairman would agree, that says the goals will be, first, to develop any breakthroughs in innovation that help the economic and energy security of the Nation so that there is no playing of favorites and there are no arbitrary limitations. If we could work that out, that would be great. Otherwise, Mr. Chairman, I urge my colleagues to support the amendment as offered, and I yield back the balance of my time.

Mr. SMITH of Texas. Mr. Chairman, the gentleman's amendment would remove key policy reforms to ARPA-E from the COMPETES bill and instead place limitations on the research and development conducted at ARPA-E. Federally funded research should include innovative technologies for all forms of energy, not just the President's personal preferences. So I encourage Members to oppose the amendment.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Virginia (Mr. BEYER).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. BEYER. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Virginia will be postponed.

AMENDMENT NO. 12 OFFERED BY MS. EDDIE BERNICE JOHNSON OF TEXAS

The Acting CHAIR. It is now in order to consider amendment No. 12 printed in part A of House Report 114–120.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''America Competes Reauthorization Act of 2015''.

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

TITLE I—OSTP; GOVERNMENTWIDE SCIENCE

Subtitle A—General Provisions

SEC. 101. FEDERAL RESEARCH AND DEVELOPMENT FUNDING.

Congress finds the following:

(1) The predominant driver of gross domestic product growth over the past half century has been scientific and technological advancement.

(2) Investments in research and development have also delivered significant benefits for national security, health, energy security, education, and the personal well-being of all Americans.

(3) Virtually every new technological product is traceable to a research discovery, often one pursued with no application in mind.

(4) Nondefense Federal research and development accounts for only 1.7 percent of the Federal budget. Federal basic research accounts for only 1 percent of the budget.

(5) There is a deficit between what America is investing and what it should be investing to remain competitive, not only in research but in technology transfer, innovation, and job creation, thereby causing America's highly successful science and technology enterprise to atrophy.

(6) Many research and development initiatives, due to the long time periods required to achieve completion, have benefited from stable and predictable investments and from multiyear financial planning.

(7) The Federal science agencies should receive sustained and steady growth in funding for research and development activities, including basic research, across a wide range of disciplines, including physical, geological, and life sciences, mathematics, engineering, and social, behavioral, and economic sciences.

SEC. 102. NATIONAL SCIENCE AND TECHNOLOGY COUNCIL AMENDMENTS.

Section 401 of the National Science and Technology Policy, Organization, and Priorities Act of 1977 (42 U.S.C. 6651) is amended—

(1) in subsection (a), by striking ''Federal Coordinating Council for Science, Engineering, and Technology'' and inserting ''National Science and Technology Council'';

(2) in subsection (b), by striking ''and Energy Research and Development Administration'' and inserting ''Department of Energy,

and any other agency designated by the President''; and

(3) in subsection (e)—

(A) by striking ''engineering, and technology'' and inserting ''engineering, technology, innovation, and STEM education'';

(B) in paragraph (1), by striking ''engineering, and technological'' and inserting ''engineering, technological, innovation, and STEM education'';

(C) by redesignating paragraphs (3) and (4) as paragraphs (4) and (5), respectively; and

(D) by inserting after paragraph (2) the following new paragraph:

''(3) address research needs identified under paragraph (2) through appropriate funding mechanisms, which may include solicitations involving 2 or more agencies and public-private partnerships;''.

SEC. 103. REVIEW OF FEDERAL REGULATIONS AND REPORTING REQUIREMENTS.

(a) ESTABLISHMENT.—The Director of the Office of Science and Technology Policy shall establish or designate a working group under the National Science and Technology Council with the responsibility of reviewing Federal regulatory and reporting requirements across Federal agencies that affect the conduct of United States research in an effort to reduce regulatory burdens and to eliminate and harmonize duplicative regulatory and reporting requirements.

(b) RESPONSIBILITIES.—The working group established or designated under subsection (a) shall—

(1) periodically review all Federal regulations and reporting requirements that affect the conduct of United States research to—

(A) identify ways to harmonize overlapping or duplicative research regulations and reporting requirements across Federal agencies;

(B) evaluate such regulations and reporting requirements in relationship to the risks the requirements seek to address to determine if the benefits of the requirements are commensurate with the costs to the progress of science or to the taxpayer;

(C) identify any regulations that are applied to scientific researchers or to research-performing institutions for which exemptions could be reasonably applied or for which adjustments could be made to better fit those regulations to diverse research environments; and

(D) identify any specific regulations which could be refocused on performance-based goals rather than on process while still meeting the desired outcome;

(2) examine the extent to which agencies' guidance documents adhere with the most recently updated version of the Office of Management and Budget's Agency Good Guidance Practices bulletin; and

(3) develop and update at least once every 3 years a strategic plan for streamlining Federal regulations and reporting requirements that affect the conduct of United States research that contains, at a minimum—

(A) a priority list of research-related regulations, reporting requirements, and agency guidance to be harmonized, streamlined, updated, or eliminated; and

(B) a plan, including a timeline, for implementing the regulatory and reporting reforms identified in subparagraph (A).

(c) STAKEHOLDER INPUT.—In carrying out the responsibilities under subsection (b), including the development of the strategic plan under subsection (b)(3), the working group established or designated under subsection (a) shall take into account input and recommendations from non-Federal stakeholders, including federally funded and non-federally funded researchers, institutions of higher education, scientific disciplinary societies and associations, nonprofit research institutions, industry, including small businesses, federally funded research and development centers, and others with a stake in ensuring effectiveness, efficiency, and accountability in the performance of scientific research.

(d) RESPONSIBILITIES OF OSTP.—The Director of the Office of Science and Technology Policy, in collaboration with the Office of Management and Budget Office of Information and Regulatory Affairs, shall encourage and monitor the efforts of the participating agencies to ensure that the strategic plan is developed under subsection (b)(3) and that appropriate steps are taken by the agencies to effectively implement the recommendations, achieve the objectives, and to adhere to the timeline in the strategic plan.

(e) REPORT.—Not later than 1 year after the date of enactment of this Act, the Director of the Office of Science and Technology Policy shall transmit the priority list and strategic plan developed under subsection (b)(3) to the Congress. The Director shall further provide a report annually to the Congress, to be submitted not later than 60 days after the submission of the President's annual budget request, on the progress toward implementation of the regulatory reforms outlined in the strategic plan.

SEC. 104. AMENDMENTS TO PRIZE COMPETITIONS.

Section 24 of the Stevenson-Wydler Technology Innovation Act of 1980 (15 U.S.C. 3719) is amended—

(1) in subsection (c)—

(A) by inserting ''competition'' after ''section, a prize'';

(B) by inserting ''types'' after ''following''; and

(C) in paragraph (4), by striking ''prizes'' and inserting ''prize competitions'';

(2) in subsection (f)—

(A) by striking ''in the Federal Register'' and inserting ''on a publicly accessible Government website, such as www.challenge.gov,''; and

(B) in paragraph (4), by striking ''prize'' and inserting ''cash prize purse'';

(3) in subsection (g), by striking ''prize'' and inserting ''cash prize purse'';

(4) in subsection (h), by inserting ''prize'' before ''competition'' both places it appears;

(5) in subsection (i)—

(A) in paragraph (1)(B), by inserting ''prize'' before ''competition'';

(B) in paragraph (2)(A), by inserting ''prize'' before ''competition'' both places it appears;

(C) by redesignating paragraph (3) as paragraph (4); and

(D) by inserting after paragraph (2) the following new paragraph:

''(3) WAIVER.—An agency may waive the requirement under paragraph (2). The annual report under subsection (p) shall include a list of such waivers granted during the preceding fiscal year, along with an explanation of the reasons for granting the waivers.'';

(6) in subsection (j) by amending paragraph (2) to read as follows:

''(2) INTELLECTUAL PROPERTY.—

''(A) LICENSES.—The Federal Government may negotiate a license for the use of intellectual property developed by a participant for a prize competition.

''(B) OTHER CONDITIONS.—A Federal agency or agencies in cooperation may require participants to agree in advance to a specific approach to intellectual property as a condition for eligibility to participate in a prize competition.'';

(7) in subsection (k)—

(A) in paragraph (2)(A), by inserting ''prize'' before ''competition''; and

(B) in paragraph (3), by inserting ''prize'' before ''competitions'' both places it appears;

(8) in subsection (l), by striking all after ''may enter into'' and inserting ''a grant, contract, cooperative agreement, or other agreement with a private sector for-profit or nonprofit entity to administer the prize competition, subject to the provisions of this section.'';

(9) in subsection (m)—

(A) by amending paragraph (1) to read as follows:

''(1) IN GENERAL.—Support for a prize competition under this section, including financial support for the design and administration of a prize competition or funds for a cash prize purse, may consist of Federal appropriated funds and funds provided by private sector for-profit and nonprofit entities. The head of an agency may accept funds from other Federal agencies, private sector for-profit entities, and nonprofit entities, to be available to the extent provided by appropriations Acts, to support such prize competitions. The head of an agency may not give any special consideration to any private sector for-profit or nonprofit entity in return for a donation.'';

(B) in paragraph (2), by striking ''prize awards'' and inserting ''cash prize purses'';

(C) in paragraph (3)(A)—

(i) by striking ''No prize'' and inserting ''No prize competition''; and

(ii) by striking ''the prize'' and inserting ''the cash prize purse'';

(D) in paragraph (3)(B), by striking ''a prize'' and inserting ''a cash prize purse'';

(E) in paragraph (3)(B)(i), by inserting ''competition'' after ''prize'';

(F) in paragraph (4)(A), by striking ''a prize'' and inserting ''a cash prize purse''; and

(G) in paragraph (4)(B), by striking ''cash prizes'' and inserting ''cash prize purses'';

(10) in subsection (n), by inserting ''for both for-profit and nonprofit entities,'' after ''contract vehicle'';

(11) in subsection (o)(1), by striking ''or providing a prize'' and insert ''a prize competition or providing a cash prize purse''; and

(12) in subsection (p)—

(A) in the heading, by striking ''ANNUAL REPORT'' and inserting ''BIENNIAL REPORT'';

(B) in paragraph (1)—

(i) by striking ''of each year'' and inserting ''of each odd-numbered year''; and

(ii) by striking ''preceding fiscal year'' and inserting ''preceding 2 fiscal years''; and

(C) in paragraph (2)—

(i) in subparagraph (C), by striking ''cash prizes'' both places it occurs and inserting ''cash prize purses''; and

(ii) by adding at the end the following new subparagraph:

''(G) PLAN.—A description of crosscutting topical areas and agency-specific mission needs that may be the strongest opportunities for prize competitions during the upcoming 2 fiscal years.''.

SEC. 105. COORDINATION OF INTERNATIONAL SCIENCE AND TECHNOLOGY PARTNERSHIPS.

(a) SHORT TITLE.—This section may be cited as the ''International Science and Technology Cooperation Act of 2015''.

(b) ESTABLISHMENT.—The Director of the Office of Science and Technology Policy shall establish a body under the National Science and Technology Council (NSTC)

with the responsibility to identify and coordinate international science and technology cooperation that can strengthen the United States science and technology enterprise, improve economic and national security, and support United States foreign policy goals.

(c) NSTC BODY LEADERSHIP.—The body established under subsection (b) shall be cochaired by senior level officials from the Office of Science and Technology Policy and the Department of State.

(d) RESPONSIBILITIES.—The body established under subsection (b) shall—

(1) plan and coordinate interagency international science and technology cooperative research and training activities and partnerships supported or managed by Federal agencies and work with other National Science and Technology Council committees to help plan and coordinate the international component of national science and technology priorities;

(2) establish Federal priorities and policies for aligning, as appropriate, international science and technology cooperative research and training activities and partnerships supported or managed by Federal agencies with the foreign policy goals of the United States;

(3) identify opportunities for new international science and technology cooperative research and training partnerships that advance both the science and technology and the foreign policy priorities of the United States;

(4) in carrying out paragraph (3), solicit input and recommendations from non-Federal science and technology stakeholders, including universities, scientific and professional societies, industry, and relevant organizations and institutions; and

(5) identify broad issues that influence the ability of United States scientists and engineers to collaborate with foreign counterparts, including barriers to collaboration and access to scientific information.

(e) REPORT TO CONGRESS.—The Director of the Office of Science and Technology Policy shall transmit a report, to be updated annually, to the Committee on Science, Space, and Technology and the Committee on Foreign Affairs of the House of Representatives, and to the Committee on Commerce, Science, and Transportation and the Committee on Foreign Relations of the Senate. The report shall also be made available to the public on the reporting agency's website. The report shall contain a description of—

(1) the priorities and policies established under subsection (d)(2);

(2) the ongoing and new partnerships established since the last update to the report;

(3) the means by which stakeholder input was received, as well as summary views of stakeholder input; and

(4) the issues influencing the ability of United States scientists and engineers to collaborate with foreign counterparts.

SEC. 106. SCIENTIFIC AND TECHNICAL CONFERENCES.

(a) FINDINGS.—Congress finds the following:

(1) Cooperative research and development activities, including collaboration between domestic and international government, industry, and academic science and engineering organizations, are important to promoting innovation and knowledge creation.

(2) Scientific and technical conferences and trade events support the sharing of information, processes, and data within the scientific and engineering communities.

(3) In hosting and attending scientific and technical conferences and trade events, Federal agencies—

(A) gain greater access to top researchers and to new and potentially transformative ideas;

(B) keep abreast of developments relevant to their respective missions, as is relevant for future program planning;

(C) help disseminate Federal research results;

(D) provide opportunities both for employee professional development and for recruiting new employees;

(E) participate in scientific peer review; and

(F) support the reputation, visibility, and leadership both of the specific agency and of the United States.

(4) For those Federal agencies that provide financial support for external research and development activities, participation in scientific and technical conferences can help ensure that funds are directed toward the most promising ideas, thereby maximizing the Federal investment.

(b) POLICY.—To the extent practicable given budget, security, and other constraints, the National Science Foundation, the National Institute of Standards and Technology, and the Department of Energy, in addition to the National Aeronautics and Space Administration, should support Federal employee and contractor attendance at scientific and technical conferences and trade events as relevant both to employee and contractor duties and to the agency's mission.

(c) OVERSIGHT.—Consistent with other relevant law, the Federal agencies, through appropriate oversight, shall aim to minimize the costs to the Federal Government related to conference and trade event attendance, through methods such as—

(1) ensuring that related fees collected by the Federal agency help offset total costs to the Federal Government;

(2) developing or maintaining procedures for investigating unexpected increases in related costs; and

(3) strengthening policies and training relevant to conference and trade event planning and participation.

Subtitle B—Reauthorization of the National Nanotechnology Initiative

SEC. 111. SHORT TITLE.

This subtitle may be cited as the ''National Nanotechnology Initiative Amendments Act of 2015''.

SEC. 112. NATIONAL NANOTECHNOLOGY PROGRAM AMENDMENTS.

The 21st Century Nanotechnology Research and Development Act (15 U.S.C. 7501 et seq.) is amended—

(1) in section 2—

(A) in subsection (c), by amending paragraph (4) to read as follows:

''(4) develop, and update every 3 years thereafter, a strategic plan to guide the activities described under subsection (b) that specifies near-term and long-term objectives for the Program, the anticipated timeframe for achieving the near-term objectives, and the metrics to be used for assessing progress toward the objectives, and that describes—

''(A) how the Program will move results out of the laboratory and into applications for the benefit of society, including through cooperation and collaborations with nanotechnology research, development, and technology transition initiatives supported by the States; and

''(B) proposed research in areas of national importance in accordance with the requirements of section 116 of the National Nanotechnology Initiative Amendments Act of 2015;'';

(B) in subsection (d)—

(i) by redesignating paragraphs (1) through (5) as paragraphs (2) through (6), respectively;

(ii) by inserting before paragraph (2), as redesignated by clause (i), the following:

''(1) the Program budget, for the previous fiscal year, for each agency that participates in the Program, and for each program component area;''; and

(iii) by amending paragraph (6), as redesignated by clause (i), to read as follows:

''(6) an assessment of how Federal agencies are implementing the plan described in subsection (c)(7) and a description of the amount of Small Business Innovative Research and Small Business Technology Transfer Research funds supporting the plan.''; and

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

''(e) STANDARDS SETTING.—The agencies participating in the Program shall support the activities of committees involved in the development of standards for nanotechnology and may reimburse the travel costs of scientists and engineers who participate in activities of such committees.'';

(2) in section 3—

(A) by amending subsection (b)(1) to read as follows:

''(b) FUNDING.—

''(1) IN GENERAL.—The operation of the National Nanotechnology Coordination Office shall be supported by funds from each agency participating in the Program.

''(2) PROPORTION.—The portion of such Office's total budget provided by each agency for each fiscal year shall be in the same proportion as the agency's share of the total budget for the Program for the previous fiscal year, as specified in the report required under section 2(d)(1).

''(3) EXCEPTION.—The Director of the National Nanotechnology Coordination Office may establish a minimum contribution or other exception to the requirement in paragraph (2) for participating agencies whose share of the total budget for the Program is below a threshold level, to be set by the Director.''; and

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

''(d) PUBLIC INFORMATION.—

''(1) DATABASE.—

''(A) IN GENERAL.—The National Nanotechnology Coordination Office shall develop and maintain a database accessible by the public of projects funded under at least the Environmental, Health, and Safety program component area, or any successor program component area, including, to the extent practicable, a description of each project, its source of funding by agency, and its funding history.

''(B) ORGANIZATION.—Projects shall be grouped by major objective as defined by the research plan required under section 113(b) of the National Nanotechnology Initiative Amendments Act of 2015.

''(2) ACCESSIBLE FACILITIES.—

''(A) IN GENERAL.—The National Nanotechnology Coordination Office shall develop, maintain, and publicize information on nanotechnology facilities supported under the Program, and may include information on nanotechnology facilities supported by the States, that are accessible for use by individuals from academic institutions and from industry.

''(B) WEBSITES.—The National Nanotechnology Coordination Office shall maintain active web links to the websites for each of

these facilities and shall work with each facility supported under the Program to ensure that each facility publishes on its respective website updated information on the terms and conditions for the use of the facility, a description of the capabilities of the instruments and equipment available for use at the facility, and a description of the technical support available to assist users of the facility.'';

(3) in section 4—

(A) in subsection (a), by adding at the end the following: ''The co-chairs of the Advisory Panel shall meet the qualifications of Panel membership required in subsection (b) and may be members of the President's Council of Advisors on Science and Technology. The Advisory Panel shall include members having specific qualifications tailored to enable it to carry out the requirements of subsection (c)(6).'';

(B) in subsection (c)—

(i) by striking paragraph (1); and

(ii) by redesignating paragraphs (2) through (7) as paragraphs (1) through (6), respectively; and

(C) by amending subsection (d) to read as follows:

''(d) REPORTS.—The Advisory Panel shall report not less frequently than every 3 years, and, to the extent practicable, 1 year following each of the National Research Council triennial reviews required under section 5, to the President on its assessments under subsection (c) and its recommendations for ways to improve the Program. The Director of the Office of Science and Technology Policy shall transmit a copy of each report under this subsection to the Committee on Commerce, Science, and Transportation of the Senate, the Committee on Science, Space, and Technology of the House of Representatives, and other appropriate committees of the Congress.'';

(4) by amending section 5 to read as follows:

''SEC. 5. TRIENNIAL EXTERNAL REVIEW OF THE NATIONAL NANOTECHNOLOGY PROGRAM.

''(a) IN GENERAL.—The Director of the National Nanotechnology Coordination Office shall enter into an arrangement with the National Research Council of the National Academy of Sciences to conduct a triennial review of the Program. The Director shall ensure that the arrangement with the National Research Council is concluded in order to allow sufficient time for the reporting requirements of subsection (b) to be satisfied. Each triennial review shall include an evaluation of the—

''(1) research priorities and technical content of the Program, including whether the balance of funding among program component areas, as designated according to section 2(c)(2), is appropriate;

''(2) Program's scientific and technological accomplishments and its success in transferring technology to the private sector; and

''(3) adequacy of the Program's activities addressing ethical, legal, environmental, and other appropriate societal concerns, including human health concerns.

''(b) PRIORITY REPORTS.—If the Director of the National Nanotechnology Coordination Office, working with the National Research Council and with input from the Advisory Panel, determines that a more narrowly focused review of the Program is in the best interests of the Program, the Director may enter into such an arrangement with the National Research Council in lieu of a full review as required under subsection (a), but not more often than every second triennial review.

''(c) EVALUATION TO BE TRANSMITTED TO CONGRESS.—The National Research Council shall document the results of each triennial review carried out in accordance with this section in a report that includes any recommendations for changes to the Program's objectives, technical content, or other policy or Program changes. Each report shall be submitted to the Director of the National Nanotechnology Coordination Office, who shall transmit it to the Advisory Panel, the Committee on Commerce, Science, and Transportation of the Senate, and the Committee on Science, Space, and Technology of the House of Representatives.''; and

(5) in section 10—

(A) by amending paragraph (2) to read as follows:

''(2) NANOTECHNOLOGY.—The term 'nanotechnology' means the science and technology that will enable one to understand, measure, model, image, manipulate, and manufacture at the nanoscale, aimed at creating materials, devices, and systems with fundamentally new properties or functions.'';

and

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

''(7) NANOSCALE.—The term 'nanoscale' means one or more dimensions of between approximately 1 and 100 nanometers.''.

SEC. 113. SOCIETAL DIMENSIONS OF NANOTECHNOLOGY.

(a) COORDINATOR FOR ENVIRONMENTAL, HEALTH, AND SAFETY RESEARCH.—The Director of the Office of Science and Technology Policy shall designate an associate director of the Office of Science and Technology Policy or other appropriate senior government official as the Coordinator for Environmental, Health, and Safety Research. The Coordinator shall be responsible for oversight of the coordination, planning, and budget prioritization of research and other activities related to environmental, health, safety, and other appropriate societal concerns related to nanotechnology. The responsibilities of the Coordinator shall include—

(1) ensuring that a research plan for the environmental, health, and safety research activities required under subsection (b) is developed, updated, and implemented and that the plan is responsive to the recommendations of the Advisory Panel established under section 4(a) of the 21st Century Nanotechnology Research and Development Act (15 U.S.C. 7503(a)); and

(2) encouraging and monitoring the efforts of the agencies participating in the Program to allocate the level of resources and management attention necessary to ensure that the environmental, health, safety, and other appropriate societal concerns related to nanotechnology are addressed under the Program.

(b) RESEARCH PLAN.—

(1) IN GENERAL.—The Coordinator for Environmental, Health, and Safety Research shall convene and chair a panel comprised of representatives from the agencies funding research activities under the Environmental, Health, and Safety program component area of the Program, or any successor program component area, and from such other agencies as the Coordinator considers necessary to develop, periodically update, and coordinate the implementation of a research plan for this program component area. Such panel may be a subgroup of the Nanoscale Science, Engineering, and Technology Subcommittee of the National Science and Technology Council. In developing and updating the plan, the panel convened by the Coordinator shall solicit and be responsive to recommendations and advice from—

(A) the Advisory Panel established under section 4(a) of the 21st Century Nanotechnology Research and Development Act (15 U.S.C. 7503(a)); and

(B) the agencies responsible for environmental, health, and safety regulations associated with the production, use, and disposal of nanoscale materials and products.

(2) DEVELOPMENT OF STANDARDS.—The plan required under paragraph (1) shall include a description of how the Program will help to ensure the development of—

(A) standards related to nomenclature associated with engineered nanoscale materials;

(B) engineered nanoscale standard reference materials for environmental, health, and safety testing; and

(C) standards related to methods and procedures for detecting, measuring, monitoring, sampling, and testing engineered nanoscale materials for environmental, health, and safety impacts.

(3) COMPONENTS OF PLAN.—The plan required under paragraph (1) shall, with respect to activities described in paragraphs (1) and (2)—

(A) specify near-term research objectives and long-term research objectives;

(B) specify milestones associated with each near-term objective and the estimated time and resources required to reach each milestone;

(C) with respect to subparagraphs (A) and (B), describe the role of each agency carrying out or sponsoring research in order to meet the objectives specified under subparagraph (A) and to achieve the milestones specified under subparagraph (B); and

(D) specify the funding allocated to each major objective of the plan and the source of funding by agency for the current fiscal year.

(4) TRANSMITTAL TO CONGRESS.—Not later than 6 months after the date of enactment of this Act, the plan required under paragraph (1) shall be transmitted to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Science, Space, and Technology of the House of Representatives.

(5) UPDATING AND APPENDING TO REPORT.—The plan required under paragraph (1) shall be updated at least every 3 years and may be submitted as part of the report required under section 2(c)(4) of the 21st Century Nanotechnology Research and Development Act (15 U.S.C. 7501(c)(4)).

SEC. 114. NANOTECHNOLOGY EDUCATION.

(a) UNDERGRADUATE EDUCATION PROGRAMS.—The Program shall support efforts to introduce nanoscale science, engineering, and technology into undergraduate science and engineering education through a variety of interdisciplinary approaches. Activities supported may include—

(1) development of courses of instruction or modules to existing courses;

(2) faculty professional development; and

(3) acquisition of equipment and instrumentation suitable for undergraduate education and research in nanotechnology.

(b) INTERAGENCY COORDINATION OF EDUCATION.—The Committee established under section 2(c) of the 21st Century Nanotechnology Research and Development Act (15 U.S.C. 7501(c)) shall coordinate, as appropriate, with the Committee established under section 101 of the America COMPETES Reauthorization Act of 2010 (42 U.S.C. 6621) to prioritize, plan, and assess the educational activities supported under the Program.

(c) SOCIETAL DIMENSIONS IN NANOTECHNOLOGY EDUCATION ACTIVITIES.—Activities supported under the Education and Societal Dimensions program component area, or any successor program component area, that involve informal, precollege, or undergraduate nanotechnology education shall include education regarding the environmental, health and safety, and other societal aspects of nanotechnology.

(d) REMOTE ACCESS TO NANOTECHNOLOGY FACILITIES.—

(1) IN GENERAL.—Agencies supporting nanotechnology research facilities as part of the Program shall require the entities that operate such facilities to allow access via the Internet, and support the costs associated with the provision of such access, by secondary school students and teachers, to instruments and equipment within such facilities for educational purposes. The agencies may waive this requirement for cases when particular facilities would be inappropriate for educational purposes or the costs for providing such access would be prohibitive.

(2) PROCEDURES.—The agencies identified in paragraph (1) shall require the entities that operate such nanotechnology research facilities to establish and publish procedures, guidelines, and conditions for the submission and approval of applications for the use of the facilities for the purpose identified in paragraph (1) and shall authorize personnel who operate the facilities to provide necessary technical support to students and teachers.

SEC. 115. TECHNOLOGY TRANSFER.

(a) PROTOTYPING.—

(1) ACCESS TO FACILITIES.—In accordance with section 2(b)(7) of 21st Century Nanotechnology Research and Development Act (15 U.S.C. 7501(b)(7)), the agencies supporting nanotechnology research facilities as part of the Program shall provide access to such facilities to companies for the purpose of assisting the companies in the development of prototypes of nanoscale products, devices, or processes (or products, devices, or processes enabled by nanotechnology) for determining proof of concept. The agencies shall publicize the availability of these facilities and encourage their use by companies as provided for in this section. The agencies may waive this requirement for academic facilities for which the costs of providing such access would be prohibitive.

(2) PROCEDURES.—The agencies identified in paragraph (1)—

(A) shall establish and publish procedures, guidelines, and conditions for the submission and approval of applications for use of nanotechnology facilities;

(B) shall publish descriptions of the capabilities of facilities available for use under this subsection, including the availability of technical support; and

(C) may waive recovery, require full recovery, or require partial recovery of the costs associated with use of the facilities for projects under this subsection.

(3) SELECTION AND CRITERIA.—

(A) IN GENERAL.—In cases when less than full cost recovery is required pursuant to paragraph (2)(C), projects provided access to nanotechnology facilities in accordance with this subsection shall be selected through a competitive, merit-based process, and the criteria for the selection of such projects shall include at a minimum the readiness of the project for technology demonstration.

(B) SPECIAL CONSIDERATION.—The agencies may give special consideration in selecting projects to applications that are relevant to important national needs or requirements.

(b) COLLABORATION WITH INDUSTRY.—The Program shall coordinate with industry from all industrial sectors that would benefit from applications of nanotechnology by—

(1) enhancing communication of information related to nanotechnology innovation, including information about research, education and training, manufacturing issues, and market-driven needs;

(2) advancing and accelerating the creation of new products and manufacturing processes derived from discovery at the nanoscale by working with industry, including small and medium-sized manufacturers;

(3) developing innovative methods for transferring nanotechnology products and processes from Federal agencies to industry; and

(4) facilitating industry-led partnerships between the Program and industry sectors, including regional partnerships.

(c) COORDINATION WITH STATE, REGIONAL, AND LOCAL INITIATIVES.—Section 2(b)(5) of the 21st Century Nanotechnology Research and Development Act (15 U.S.C. 7501(b)(5)) is amended to read as follows:

''(5) ensuring United States global leadership in the development and application of nanotechnology, including through the coordination and leveraging of Federal investments with nanotechnology research, development, and technology transition initiatives supported by the States and regions across the country;''.

SEC. 116. SIGNATURE INITIATIVES IN AREAS OF NATIONAL IMPORTANCE.

(a) IN GENERAL.—The Program shall include support for nanotechnology research and development activities directed toward topical and application areas that have the potential for significant contributions to national economic competitiveness and for other significant societal benefits. The activities supported shall be designed to advance the development of research discoveries by demonstrating technical solutions to important national challenges. The Advisory Panel shall make recommendations to the Program for candidate research and development areas for support under this section.

(b) CHARACTERISTICS.—

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

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

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

(C) when possible, leverage Federal investments through collaboration with related State initiatives; and

(D) include a plan for fostering the transfer of research discoveries and the results of technology demonstration activities to industry for commercial development.

(2) JOINT SOLICITATIONS.—Projects supported under this section shall include projects for which determination of the requirements for applications, review and selection of applications for support, and subsequent funding of projects shall be carried out by a collaboration of no fewer than 2 agencies participating in the Program. In selecting applications for support, agencies may, as appropriate, give special consideration to projects that include cost sharing from non-Federal sources.

(3) INTERDISCIPLINARY RESEARCH CENTERS.—Research and development activities under this section may be supported through interdisciplinary nanotechnology research centers, as authorized by section 2(b)(4) of the 21st Century Nanotechnology Research and Development Act (15 U.S.C. 7501(b)(4)), that are organized to investigate basic research questions and carry out technology demonstration activities in areas such as those identified in subsection (a).

(c) REPORT.—Reports required under section 2(d) of the 21st Century Nanotechnology Research and Development Act (15 U.S.C. 7501(d)) shall include a description of research and development areas supported in accordance with this section.

SEC. 117. NANOMANUFACTURING RESEARCH.

(a) RESEARCH AREAS.—The Program shall include research on—

(1) the development of instrumentation and tools required for the rapid characterization of nanoscale materials and for monitoring of nanoscale manufacturing processes; and

(2) approaches and techniques for scaling the synthesis of new nanoscale materials to achieve industrial-level production rates.

(b) GREEN NANOTECHNOLOGY.—Interdisciplinary research centers supported under the Program in accordance with section 2(b)(4) of the 21st Century Nanotechnology Research and Development Act (15 U.S.C. 7501(b)(4)) that are focused on nanomanufacturing research shall include as part of the activities of such centers—

(1) research on methods and approaches to develop environmentally benign nanoscale products and nanoscale manufacturing processes, taking into consideration relevant findings and results of research supported under the Environmental, Health, and Safety program component area, or any successor program component area;

(2) fostering the transfer of the results of such research to industry; and

(3) providing for the education of scientists and engineers through interdisciplinary studies in the principles and techniques for the design and development of environmentally benign nanoscale products and processes.

SEC. 118. DEFINITIONS.

In this subtitle, terms that are defined in section 10 of the 21st Century Nanotechnology Research and Development Act (15 U.S.C. 7509) have the meaning given those terms in that section.

Subtitle C—Engineering Biology

SEC. 121. SHORT TITLE.

This subtitle may be cited as the ''Engineering Biology Research and Development Act of 2015''.

SEC. 122. FINDINGS.

The Congress makes the following findings:

(1) Cellular and molecular processes may be used, mimicked, or redesigned to develop new products, processes, and systems that improve societal well-being, strengthen national security, and contribute to the economy.

(2) Engineering biology relies on scientists and engineers with a diverse and unique set of skills combining the biological, physical, and information sciences and engineering.

(3) Long-term research and development is necessary to create breakthroughs in engineering biology. Such research and development requires government investment as the benefits are too distant or uncertain for industry to support alone.

(4) The Federal Government can play an important role by facilitating the development of tools and technologies to further advance engineering biology, including multiple user facilities that the Federal Government is uniquely able to support.

(5) Since other countries are investing significant resources in engineering biology, the United States is at risk of losing its competitive lead in this emerging area if it does not invest the necessary resources and have a national strategy.

(6) A National Engineering Biology Initiative can serve to establish new research directions and technology goals, improve interagency coordination and planning processes, drive technology transfer, and help ensure optimal returns on the Federal investment.

SEC. 123. DEFINITIONS.

In this subtitle—

(1) the term ''Advisory Committee'' means the advisory committee designated under section 125;

(2) the term ''biomanufacturing'' means the manufacturing of products using biological manufacturing technologies;

(3) the term ''engineering biology'' means the science and engineering of cellular and molecular processes to advance fundamental understanding of complex natural systems and to develop new and advance existing products, processes, and systems that will contribute significantly to societal well-being, national security, and the economy;

(4) the term ''Interagency Committee'' means the interagency committee designated under section 124(e); and

(5) the term ''Program'' means the National Engineering Biology Research and Development Program established under section 124.

SEC. 124. NATIONAL ENGINEERING BIOLOGY RESEARCH AND DEVELOPMENT PROGRAM.

(a) IN GENERAL.—The President shall implement a National Engineering Biology Research and Development Program to advance societal well-being, national security, and economic productivity and competitiveness through—

(1) advancing areas of research at the intersection of the biological, physical, and information sciences and engineering;

(2) supporting social science research that advances the field of engineering biology and contributes to the adoption of new products, processes, and technologies;

(3) expanding the number of researchers, educators, and students with engineering biology training;

(4) accelerating the translation and commercialization of engineering biology research and development by the private sector; and

(5) improving the interagency planning and coordination of Federal Government activities related to engineering biology.

(b) PROGRAM ACTIVITIES.—The activities of the Program shall include—

(1) sustained support for engineering biology research and development through—

(A) grants to individual investigators and interdisciplinary teams of investigators;

(B) projects funded under joint solicitations by a collaboration of no fewer than two agencies participating in the Program; and

(C) interdisciplinary research centers that are organized to investigate basic research questions and carry out technology development and demonstration activities;

(2) education and training of undergraduate and graduate students in research at the intersection of biological, physical, and information sciences and engineering;

(3) activities to develop robust mechanisms for tracking and quantifying the outputs and economic benefits of engineering biology; and

(4) activities to accelerate the translation and commercialization of new products, processes, and technologies by—

(A) identifying precompetitive research opportunities;

(B) facilitating public-private partnerships in engineering biology research and development;

(C) connecting researchers, graduate students, and postdoctoral fellows with entrepreneurship education and training opportunities; and

(D) supporting proof of concept activities and the formation of startup companies including through programs such as the Small Business Innovation Research Program and the Small Business Technology Transfer Program.

(c) EXPANDING PARTICIPATION.—The Program shall include, to the maximum extent practicable, outreach to primarily undergraduate and minority-serving institutions about Program opportunities, and shall encourage the development of research collaborations between research-intensive universities and primarily undergraduate and minority-serving institutions.

(d) ETHICAL, LEGAL, ENVIRONMENTAL, AND SOCIETAL ISSUES.—Program activities shall take into account ethical, legal, environmental, and other appropriate societal issues, including the need for safeguards and monitoring systems to protect society against the unintended release of engineered materials produced, by—

(1) supporting research, including in the social sciences, and other activities addressing ethical, legal, environmental, and other appropriate societal issues related to engineering biology, including integrating research on these topics with the research and development in engineering biology, and ensuring that the results of such research are widely disseminated, including through interdisciplinary engineering biology research centers described in subsection (b)(1)(C); and

(2) ensuring, through the agencies and departments that participate in the Program, that public input and outreach are integrated into the Program by the convening of regular and ongoing public discussions through mechanisms such as citizen panels, consensus conferences, and educational events, as appropriate.

(e) INTERAGENCY COMMITTEE.—The President shall designate an interagency committee on engineering biology, which shall include representatives from the Office of Science and Technology Policy, the National Science Foundation, the Department of Energy, the National Aeronautics and Space Administration, the National Institute of Standards and Technology, the Environmental Protection Agency, and any other agency that the President considers appropriate. The Director of the Office of Science and Technology Policy shall select a chairperson from among the members of the Interagency Committee. The Interagency Committee shall oversee the planning, management, and coordination of the Program. The Interagency Committee shall—

(1) provide for interagency coordination of Federal engineering biology research, development, and other activities undertaken pursuant to the Program;

(2) establish and periodically update goals and priorities for the Program;

(3) develop, not later than 12 months after the date of enactment of this subtitle, and update every 5 years, a strategic plan to guide the activities of the Program and meet the goals and priorities established under paragraph (2) and describe—

(A) the Program's support for long-term funding for interdisciplinary engineering biology research and development;

(B) the Program's support for education and public outreach activities;

(C) the Program's support for research and other activities on ethical, legal, environmental, and other appropriate societal issues related to engineering biology; and

(D) how the Program will move results out of the laboratory and into application for the benefit of society and United States competitiveness;

(4) propose an annually coordinated interagency budget for the Program that will ensure the maintenance of a robust engineering biology research and development portfolio and ensure that the balance of funding across the Program is sufficient to meet the goals and priorities established for the Program;

(5) develop a plan to utilize Federal programs, such as the Small Business Innovation Research Program and the Small Business Technology Transfer Program, in support of the goals described in subsection (b)(4); and

(6) in carrying out its responsibilities under this section, take into consideration the recommendations of the Advisory Committee, the results of the workshop convened under section 126, existing reports on related topics, and the views of academic, State, industry, and other appropriate groups.

(f) ANNUAL REPORT.—The Interagency Committee shall prepare an annual report, to be submitted to the Committee on Science, Space, and Technology of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate not later than 90 days after submission of the President's annual budget request, that includes—

(1) the Program budget for the fiscal year to which such budget request applies, and for the then current fiscal year, including a breakout of spending for each agency participating in the Program, and for the development and acquisition of any research facilities and instrumentation; and

(2) an assessment of how Federal agencies are implementing the plan described in subsection (e)(5), and a description of the amount and number of Small Business Innovation Research and Small Business Technology Transfer awards made in support of the Program.

SEC. 125. ADVISORY COMMITTEE.

(a) IN GENERAL.—The President shall designate an advisory committee on engineering biology research and development with at least 12 members, including representatives of research and academic institutions, industry, and nongovernmental entities, who are qualified to provide advice on the Program.

(b) ASSESSMENT.—The Advisory Committee shall assess—

(1) progress made in implementing the Program;

(2) the need to revise the Program;

(3) the balance of activities and funding across the Program;

(4) whether the Program priorities and goals developed by the Interagency Committee are helping to maintain United States leadership in engineering biology;

(5) the management, coordination, implementation, and activities of the Program; and

(6) whether ethical, legal, environmental, and other appropriate societal issues are adequately addressed by the Program.

(c) REPORTS.—The Advisory Committee shall report within 3 years after the date of

enactment of this Act, and thereafter not less frequently than once every 5 years, to the President, the Committee on Science, Space, and Technology of the House of Representatives, and the Committee on Commerce, Science, and Transportation of the Senate, on its findings of the assessment carried out under this section and its recommendations for ways to improve the Program.

(d) FEDERAL ADVISORY COMMITTEE ACT APPLICATION.—Section 14 of the Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to the Advisory Committee.

SEC. 126. EXTERNAL REVIEW OF ETHICAL, LEGAL, ENVIRONMENTAL, AND SOCIETAL ISSUES.

(a) IN GENERAL.—Not later than 12 months after the date of enactment of this Act, the Director of the National Science Foundation shall enter into an agreement with the National Academies to convene a workshop to review the ethical, legal, environmental, and other appropriate societal issues related to engineering biology research and development. The goals of the workshop shall be to—

(1) assess the current research on such issues;

(2) evaluate the research gaps relating to such issues; and

(3) provide recommendations on how the Program can address the research needs identified.

(b) REPORT TO CONGRESS.—Not later than 2 years after the date of enactment of this Act, the Director of the National Science Foundation shall transmit to the Committee on Science, Space, and Technology of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a summary report containing the findings of the workshop convened under this section.

SEC. 127. AGENCY ACTIVITIES.

(a) NATIONAL SCIENCE FOUNDATION.—As part of the Program, the National Science Foundation shall—

(1) support basic research at the intersection of the biological, physical, and information sciences and engineering through individual grants and through interdisciplinary research centers;

(2) support research on the environmental and social effects of engineering biology;

(3) provide research instrumentation support for engineering biology disciplines; and

(4) award grants, on a competitive basis, to enable institutions to support graduate students and postdoctoral fellows who perform some of their engineering biology research in an industry setting.

(b) DEPARTMENT OF COMMERCE.—As part of the Program, the Director of the National Institute of Standards and Technology shall—

(1) establish a bioscience research program to advance the development of standard reference materials and measurements and to create new data tools, techniques, and processes necessary to advance engineering biology and biomanufacturing;

(2) provide access to user facilities with advanced or unique equipment, services, materials, and other resources to industry, institutions of higher education, nonprofit organizations, and government agencies to perform research and testing; and

(3) provide technical expertise to inform the development of guidelines and safeguards for new products, processes, and systems of engineering biology.

(c) DEPARTMENT OF ENERGY.—As part of the Program, the Secretary of Energy shall—

(1) conduct and support basic research, development, demonstration, and commercial application activities in engineering biology disciplines, including in the areas of synthetic biology, advanced biofuel development, biobased materials, and environmental remediation; and

(2) provide access to user facilities with advanced or unique equipment, services, materials, and other resources, as appropriate, to industry, institutions of higher education, nonprofit organizations, and government agencies to perform research and testing.

(d) NATIONAL AERONAUTICS AND SPACE ADMINISTRATION.—As part of the Program, the National Aeronautics and Space Administration shall—

(1) conduct and support basic and applied research in engineering biology fields, including in the field of synthetic biology, and related to Earth and space sciences, aeronautics, space technology, and space exploration and experimentation, consistent with the priorities established in the National Academies' decadal surveys; and

(2) award grants, on a competitive basis, that enable institutions to support graduate students and postdoctoral fellows who perform some of their engineering biology research in an industry setting.

(e) ENVIRONMENTAL PROTECTION AGENCY.—As part of the Program, the Environmental Protection Agency shall support research on how products, processes, and systems of engineering biology will affect the environment.

TITLE II—STEM EDUCATION AND DIVERSITY

Subtitle A—STEM Education and Workforce

SEC. 201. SENSE OF CONGRESS.

It is the sense of Congress that the National Science and Technology Council's Committee on STEM Education (CoSTEM), established under section 101 of the America COMPETES Reauthorization Act of 2010 (42 U.S.C. 6621), has taken important initial steps toward developing and implementing a strategic plan for Federal investments in STEM education, but that more work must be done to solicit and take into account views and experience from stakeholders who help implement or are the beneficiaries of Federal STEM programs across the Nation. It is further the sense of Congress that science mission agencies such as the National Aeronautics and Space Administration, the National Oceanic and Atmospheric Administration, and the Department of Energy are essential partners in contributing to the goals and implementation of a Federal STEM strategic plan because such agencies have unique scientific and technological facilities as well as highly trained scientists who are eager and able to contribute to improved STEM learning outcomes in their own communities.

SEC. 202. COORDINATION OF FEDERAL STEM EDUCATION.

Section 101 of America COMPETES Reauthorization Act of 2010 (42 U.S.C. 6621) is amended—

(1) in subsection (b)(5)—

(A) by redesignating subparagraphs (A) through (D) as subparagraphs (B) through (E), respectively; and

(B) by inserting before subparagraph (B), as so redesigned by subparagraph (A) of this paragraph, the following new subparagraph:

''(A) have as its primary goal to leverage the limited STEM education funding and other assets, including intellectual capital, invested by Federal STEM agencies for maximum benefit to student learning;'';

(2) by striking the second subsection (b);

(3) by redesignating subsection (c) as subsection (f);

(4) by inserting after subsection (b), the following new subsections:

''(c) COORDINATOR FOR STEM EDUCATION.—The Director of the Office of Science and Technology Policy shall designate an associate director of the Office of Science and Technology Policy as the Coordinator for STEM Education. When an appropriate associate director is not available, the Director may designate another appropriate senior government official as the Coordinator for STEM Education. The Coordinator shall chair the committee established under subsection (a). The Coordinator shall, with the assistance of appropriate senior officials from other Committee on STEM Education agencies, ensure that the requirements of this section are satisfied.

''(d) STAKEHOLDER INPUT.—

''(1) INTERAGENCY CONSOLIDATION.—For all agency proposals to consolidate or transfer budgets or functions for STEM education programs or activities between agencies, at the time of submission of such proposals to Congress, the Director shall report to Congress on activities undertaken by the Office of Science and Technology Policy or by relevant agencies to take into consideration relevant input from the STEM Education Advisory Panel established under subsection (e) and other relevant education stakeholders.

''(2) INTRAAGENCY CONSOLIDATION.—For all agency proposals to internally consolidate or terminate STEM education programs with budgets exceeding $10,000,000, at the time of submission of such proposals to Congress, the head of the relevant agency shall report to Congress on activities to solicit and take into consideration input on such proposals from the STEM Education Advisory Panel established under subsection (e) and other relevant education stakeholders.

''(e) STEM EDUCATION ADVISORY PANEL.—

''(1) IN GENERAL.—The President shall establish or designate a STEM Education Advisory Panel. The cochairs of the Advisory Panel shall meet the qualifications of Panel membership required in paragraph (2) and may be members of the President's Council of Advisors on Science and Technology.

''(2) QUALIFICATIONS.—The Advisory Panel established or designated by the President under this subsection shall consist of members from academic institutions, industry, informal education providers, nonprofit STEM education organizations, foundations, and local and State educational agencies. Members of the Advisory Panel shall be qualified to provide advice on Federal STEM education programs, best practices in STEM education, assessment of STEM education programs, STEM education standards, industry needs for STEM graduates, and public-private STEM education partnerships.

''(3) DUTIES.—The Advisory Panel shall advise the President and the committee established under subsection (a) on implementing the Federal STEM education strategic plan required under subsection (b)(5) and coordinating Federal STEM programs with nongovernmental STEM initiatives and State and local educational agencies.

''(4) REPORT.—The Advisory Panel shall report, not more than 1 year after enactment of the America Competes Reauthorization Act of 2015, on options for evidence-based implementation of the Federal STEM strategic plan required under subsection (b)(5), including options for designating certain agencies as coordinating leads for different priority

investment areas, timelines for implementation, and specific management, budget, policy, or other steps that agencies must take to effectively implement the strategic plan.

''(5) SUNSET.—The authorization for the Advisory Panel established under this subsection shall expire 3 years after the date of enactment of the America Competes Reauthorization Act of 2015.''; and

(5) in subsection (f), as so redesignated by paragraph (3) of this section—

(A) by inserting ''progress made in implementing'' after ''describing'';

(B) by striking paragraph (3); and

(C) by redesignating paragraphs (4) and (5) as paragraphs (3) and (4), respectively.

SEC. 203. GRAND CHALLENGES IN EDUCATION RESEARCH.

(a) IN GENERAL.—The Director of the National Science Foundation and the Secretary of Education shall collaborate in—

(1) identifying, prioritizing, and developing strategies to address grand challenges in research and development, including assessment, on the teaching and learning of STEM at the pre-K–12 level, in formal and informal settings, for diverse learning populations, including individuals identified in section 33 or 34 of the Science and Engineering Equal Opportunities Act (42 U.S.C. 1885a or 1885b); and

(2) ensuring the dissemination and promoting the utilization of the results of such research and development.

(b) STAKEHOLDER INPUT.—In identifying the grand challenges under subsection (a), the Director and the Secretary shall—

(1) take into consideration critical research gaps identified in existing reports, including reports by the National Academies, on the teaching and learning of STEM at the pre-K–12 level in formal and informal settings; and

(2) solicit input from a wide range of stakeholders, including officials from State educational agencies and local educational agencies, STEM teachers, STEM education researchers, scientific and engineering societies, STEM faculty at institutions of higher education, informal STEM education providers, businesses with a large STEM workforce, and other stakeholders in the teaching and learning of STEM at the pre-K–12 level, and may enter into an arrangement with the National Research Council for these purposes.

(c) TOPICS TO CONSIDER.—In identifying the grand challenges under subsection (a), the Director and the Secretary shall, at a minimum, consider research and development on—

(1) scalability, sustainability, and replication of successful STEM activities, programs, and models, in formal and informal environments;

(2) model systems that support improved teaching and learning of STEM across entire local educational agencies and States, including rural areas, and encompassing and integrating the teaching and learning of STEM in formal and informal venues;

(3) implementation of new State mathematics and science standards;

(4) what makes a STEM teacher effective and STEM teacher professional development effective, including development of tools and methodologies to measure STEM teacher effectiveness;

(5) cyber-enabled and other technology tools for teaching and learning, including massive open online courses;

(6) STEM teaching and learning in informal environments, including development of tools and methodologies for assessing STEM teaching and learning in informal environments; and

(7) how integrating engineering with mathematics and science education may—

(A) improve student learning of mathematics and science;

(B) increase student interest and persistence in STEM; or

(C) improve student understanding of engineering design principles and of the built world.

(d) REPORT TO CONGRESS.—Not later than 12 months after the date of enactment of this Act, the Director and the Secretary shall report to Congress with a description of—

(1) the grand challenges identified pursuant to this section;

(2) the role of each agency in supporting research and development activities to address the grand challenges;

(3) the common metrics that will be used to assess progress toward meeting the grand challenges;

(4) plans for periodically updating the grand challenges;

(5) how the agencies will disseminate and promote the utilization of the results of research and development activities carried out under this section to STEM education practitioners, to other Federal agencies that support STEM programs and activities, and to non-Federal funders of STEM education; and

(6) how the agencies will support implementation of best practices identified by the research and development activities.

SEC. 204. NATIONAL RESEARCH COUNCIL REPORT ON STEAM EDUCATION.

(a) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) the Science, Technology, Engineering, and Mathematics (STEM) Talent Expansion Program set an important goal of increasing the number of students graduating with associate or baccalaureate degrees in the STEM fields, and this should continue to be a focus of that program;

(2) to further the goal of the STEM Talent Expansion Program, as well as STEM education promotion programs across the Federal Government, innovative approaches are needed to enhance STEM education in the United States;

(3) STEAM, which is the integration of arts and design, broadly defined, into Federal STEM programming, research, and innovation activities, is a method-validated approach to maintaining the competitiveness of the United States in both workforce and innovation and to increasing and broadening students' engagement in the STEM fields;

(4) STEM graduates need more than technical skills to thrive in the 21st century workforce; they also need to be creative, innovative, collaborative, and able to think critically;

(5) STEAM should be recognized as providing value to STEM research and education programs across Federal agencies, without supplanting the focus on the traditional STEM disciplines;

(6) Federal agencies should work cooperatively on interdisciplinary initiatives to support the integration of arts and design into STEM, and current interdisciplinary programs should be strengthened;

(7) Federal agencies should allow for STEAM activities under current and future grant-making and other activities; and

(8) Federal agencies should clarify that, where appropriate, data collection, surveys, and reporting on STEM activities and grant-making should examine activities that involve cross-disciplinary learning that integrates specialized skills and expertise from both art and science.

(b) NATIONAL RESEARCH COUNCIL WORKSHOP.—The National Science Foundation shall enter into an arrangement with the National Research Council to conduct a workshop on the integration of arts and design with STEM education. The workshop shall include a discussion of—

(1) how the perspectives and experience of artists and designers may contribute to the advancement of science, engineering, and innovation, for example through the development of visualization aids for large experimental and computational data sets;

(2) how arts and design-based education experiences might support formal and informal STEM education at the pre-K–12 level, particularly in fostering creativity and risk taking, and encourage more students to pursue STEM studies, including students from groups historically underrepresented in STEM;

(3) how the teaching of design principles can be better integrated into undergraduate engineering and other STEM curricula, including in the first two years of undergraduate studies, to enhance student capacity for creativity and innovation and improve student retention, including students from groups historically underrepresented in STEM; and

(4) what additional steps, if any, Federal science agencies should take to promote the inclusion of arts and design principles in their respective STEM programs and activities in order to improve student STEM learning outcomes, increase the recruitment and retention of students into STEM studies and careers, and increase innovation in the United States.

(c) REPORT.—Not later than 18 months after the date of enactment of this Act, the National Research Council shall submit a report to Congress providing a summary description of the discussion and findings from the workshop required under subsection (b).

SEC. 205. ENGAGING FEDERAL SCIENTISTS AND ENGINEERS IN STEM EDUCATION.

The Director of the Office of Science and Technology Policy shall develop guidance for Federal agencies to increase opportunities and training, as appropriate, for Federal scientists and engineers to participate in STEM engagement activities through their respective agencies and in their communities.

Subtitle B—Broadening Participation in STEM

SEC. 211. SHORT TITLE.

This subtitle may be cited as the ''STEM Opportunities Act of 2015''.

SEC. 212. PURPOSE.

(a) IN GENERAL.—The Director of the Office of Science and Technology Policy, acting through the Federal science agencies, shall carry out programs and activities with the purpose of ensuring that Federal science agencies and institutions of higher education receiving Federal research and development funding are fully engaging their entire talent pool.

(b) PURPOSES.—The purposes of this subtitle are as follows:

(1) To promote research on and increase understanding of the participation and trajectories of women and underrepresented minorities in STEM careers at institutions of higher education and Federal science agencies, including Federal laboratories.

(2) To raise awareness within Federal science agencies, including Federal laboratories, and institutions of higher education about cultural and institutional barriers limiting the recruitment, retention, promotion, and other indicators of participation

and achievement of women and underrepresented minorities in academic and Government STEM research careers at all levels.

(3) To identify, disseminate, and implement best practices at Federal science agencies, including Federal laboratories, and at institutions of higher education to remove or reduce cultural and institutional barriers limiting the recruitment, retention, and success of women and underrepresented minorities in academic and Government STEM research careers.

(4) To provide grants to institutions of higher education to recruit, retain, and advance STEM faculty members from underrepresented minority groups and to implement or expand reforms in undergraduate STEM education in order to increase the number of students from underrepresented minority groups receiving degrees in these fields.

SEC. 213. FEDERAL SCIENCE AGENCY POLICIES FOR CAREGIVERS.

(a) OSTP GUIDANCE.—Not later than 6 months after the date of enactment of this Act, the Director of the Office of Science and Technology Policy shall provide guidance to Federal science agencies to establish policies that—

(1) apply to all—

(A) intramural and extramural research awards; and

(B) primary investigators who have caregiving responsibilities, including care for a newborn or newly adopted child and care for an immediate family member who is sick or disabled; and

(2) provide—

(A) flexibility in timing for the initiation of approved research awards;

(B) no-cost extensions of research awards;

(C) grant supplements as appropriate to research awards for research technicians or equivalent to sustain research activities; and

(D) any other appropriate accommodations at the discretion of the head of each agency.

(b) UNIFORMITY OF GUIDANCE.—In providing such guidance, the Director of the Office of Science and Technology Policy shall encourage uniformity and consistency in the policies across all agencies.

(c) ESTABLISHMENT OF POLICIES.—Consistent with the guidance provided under this section, Federal science agencies shall maintain or develop and implement policies for caregivers and shall broadly disseminate such policies to current and potential grantees.

(d) DATA ON USAGE.—Federal science agencies shall—

(1) collect data on the usage of the policies under subsection (c), by gender, at both institutions of higher education and Federal laboratories; and

(2) report such data on an annual basis to the Director of the Office of Science and Technology Policy in such form as required by the Director.

SEC. 214. COLLECTION AND REPORTING OF DATA ON FEDERAL RESEARCH GRANTS.

(a) COLLECTION OF DATA.—

(1) IN GENERAL.—Each Federal science agency shall collect standardized record-level annual information on demographics, primary field, award type, budget request, funding outcome, and awarded budget for all applications for merit-reviewed research and development grants to institutions of higher education and Federal laboratories supported by that agency.

(2) UNIFORMITY AND STANDARDIZATION.—The Director of the Office of Science and Technology Policy shall establish a policy to ensure uniformity and standardization of the data collection required under paragraph (1).

(3) RECORD-LEVEL DATA.—

(A) REQUIREMENT.—On an annual basis, beginning with the deadline under subparagraph (C), each Federal science agency shall submit to the Director of the National Science Foundation record-level data collected under paragraph (1) in the form required by such Director.

(B) PREVIOUS DATA.—As part of the first submission under subparagraph (A), each Federal science agency, to the extent practicable, shall also submit comparable record-level data for the 5 years preceding the deadline under subparagraph (C).

(C) DEADLINE.—The deadline under this paragraph is 2 years after the date of enactment of this Act.

(b) REPORTING OF DATA.—The Director of the National Science Foundation shall publish statistical summary data collected under this section, disaggregated and cross-tabulated by race, ethnicity, gender, age, and years since completion of doctoral degree, including in conjunction with the National Science Foundation's report required by section 37 of the Science and Technology Equal Opportunities Act (42 U.S.C. 1885d; Public Law 96–516).

SEC. 215. POLICIES FOR REVIEW OF FEDERAL RESEARCH GRANTS.

(a) IN GENERAL.—The Director of the Office of Science and Technology Policy, in collaboration with the Director of the National Science Foundation, shall identify information and best practices useful for educating program officers and members of standing peer review committees at Federal science agencies about—

(1) research on implicit bias based on gender, race, or ethnicity; and

(2) methods to minimize the effect of such bias in the review of extramural and intramural Federal research grants.

(b) GUIDANCE TO ALL FEDERAL SCIENCE AGENCIES.—The Director of the Office of Science and Technology Policy shall disseminate the information and best practices identified in subsection (a) to all Federal science agencies and provide guidance as necessary on policies to implement such practices within each agency.

(c) ESTABLISHMENT OF POLICIES.—Consistent with the guidance provided in subsection (b), Federal science agencies shall maintain or develop and implement policies and practices to minimize the effects of implicit bias in the review of extramural and intramural Federal research grants.

(d) REPORT TO CONGRESS.—Not later than 2 years after the date of enactment of this Act, the Director of the Office of Science and Technology Policy shall report to Congress on what steps all Federal science agencies have taken to implement policies and practices to minimize the effects of bias in the review of extramural and intramural Federal research grants.

SEC. 216. COLLECTION OF DATA ON DEMOGRAPHICS OF FACULTY.

(a) COLLECTION OF DATA.—

(1) IN GENERAL.—Not later than 3 years after the date of enactment of this Act, and at least every 5 years thereafter, the Director of the National Science Foundation shall carry out a survey to collect institution-level data on the demographics of STEM faculty, by broad fields of STEM, at different types of institutions of higher education.

(2) CONSIDERATIONS.—To the extent practicable, the Director of the National Science Foundation shall consider, by gender, race, ethnicity, citizenship status, age, and years since completion of doctoral degree—

(A) the number and percentage of faculty;

(B) the number and percentage of faculty at each rank;

(C) the number and percentage of faculty who are in nontenure-track positions, including teaching and research;

(D) the number and percentage of faculty who are reviewed for promotion, including tenure, and the percentage of that number who are promoted, including being awarded tenure;

(E) faculty years in rank;

(F) the number and percentage of faculty to leave tenure-track positions;

(G) the number and percentage of faculty hired, by rank; and

(H) the number and percentage of faculty in leadership positions.

(b) EXISTING SURVEYS.—The Director of the National Science Foundation—

(1) may carry out the requirements under subsection (a) by collaborating with statistical centers at other Federal agencies to modify or expand, as necessary, existing Federal surveys of higher education; or

(2) may award a grant or contract to an institution of higher education or other nonprofit organization to design and carry out the requirements under subsection (a).

(c) REPORTING DATA.—The Director of the National Science Foundation shall publish statistical summary data collected under this section, including as part of the National Science Foundation's report required by section 37 of the Science and Technology Equal Opportunities Act (42 U.S.C. 1885d; Public Law 96–516).

(d) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Director of the National Science Foundation $3,000,000 for each of fiscal years 2016 through 2018 to develop and carry out the initial survey required in subsection (a).

SEC. 217. CULTURAL AND INSTITUTIONAL BARRIERS TO EXPANDING THE ACADEMIC AND FEDERAL STEM WORKFORCE.

(a) BEST PRACTICES AT INSTITUTIONS OF HIGHER EDUCATION.—

(1) DEVELOPMENT OF GUIDANCE.—Not later than 6 months after the date of enactment of this Act, the Director of the National Science Foundation shall develop written guidance for institutions of higher education on the best practices for—

(A) conducting periodic campus culture surveys of STEM departments, with a particular focus on identifying any cultural or institutional barriers to or successful enablers for the recruitment, retention, promotion, and other indicators of participation and achievement, of women and underrepresented minorities in STEM degree programs and academic STEM careers; and

(B) providing educational opportunities, including workshops as described in subsection (c), for STEM faculty and administrators to learn about current research on implicit bias in recruitment, evaluation, and promotion of faculty in STEM and recruitment and evaluation of undergraduate and graduate students in STEM degree programs.

(2) EXISTING GUIDANCE.—In developing the guidance in paragraph (1), the Director of the National Science Foundation shall utilize guidance already developed by the National Aeronautics and Space Administration, the Department of Energy, and the Department of Education.

(3) DISSEMINATION OF GUIDANCE.—The Director of the National Science Foundation shall broadly disseminate the guidance developed in paragraph (1) to institutions of higher education that receive Federal research funding.

(4) REPORTS TO THE NATIONAL SCIENCE FOUNDATION.—The Director of the National Science Foundation shall develop a policy that—

(A) applies to, at a minimum, the institutions classified under the Indiana University Center for Postsecondary Research Carnegie Classification on January 1, 2015, as a doctorate-granting university with a very high level of research activity; and

(B) requires each institution identified in subparagraph (A), not later than 3 years after the date of enactment of this Act, to report to the Director of the National Science Foundation on activities and policies developed and implemented based on the guidance provided in paragraph (1).

(b) BEST PRACTICES AT FEDERAL LABORATORIES.—

(1) DEVELOPMENT OF GUIDANCE.—Not later than 6 months after the date of enactment of this Act, the Director of the Office of Science and Technology Policy shall develop written guidance for Federal laboratories to develop and implement practices and policies to—

(A) conduct periodic laboratorywide culture surveys of research personnel at all levels, with a particular focus on identifying any cultural or institutional barriers to the recruitment, retention, and success of women and underrepresented minorities in STEM careers at Federal laboratories; and

(B) provide educational opportunities, including workshops as described in subsection (c), for STEM research personnel to learn about current research in implicit bias in recruitment, evaluation, and promotion of research personnel at Federal laboratories.

(2) ESTABLISHMENT OF POLICIES.—Consistent with the guidance provided in paragraph (1), Federal science agencies with Federal laboratories shall maintain or develop and implement policies for their respective Federal laboratories.

(c) WORKSHOPS TO ADDRESS CULTURAL BARRIERS TO EXPANDING THE ACADEMIC AND FEDERAL STEM WORKFORCE.—

(1) IN GENERAL.—Not later than 6 months after the date of enactment of this Act, the Director of the National Science Foundation shall recommend a uniform policy for Federal science agencies to carry out a program of workshops that educate STEM department chairs at institutions of higher education, senior managers at Federal laboratories, and other federally funded researchers about methods that minimize the effects of implicit bias in the career advancement, including hiring, tenure, promotion, and selection for any honor based in part on the recipient's research record, of academic and Federal STEM researchers.

(2) INTERAGENCY COORDINATION.—The Director of the National Science Foundation shall ensure that workshops supported under this subsection are coordinated across Federal science agencies and jointly supported as appropriate.

(3) MINIMIZING COSTS.—To the extent practicable, workshops shall be held in conjunction with national or regional STEM disciplinary meetings to minimize costs associated with participant travel.

(4) PRIORITY FIELDS FOR ACADEMIC PARTICIPANTS.—In considering the participation of STEM department chairs and other academic researchers, the Director of the National Science Foundation shall prioritize workshops for the broad fields of STEM in which the national rate of representation of women among tenured or tenure-track faculty or non-faculty researchers at doctorate-granting institutions of higher education is less than 25 percent, according to the most recent data available from the National Center for Science and Engineering Statistics.

(5) ORGANIZATIONS ELIGIBLE TO CARRY OUT WORKSHOPS.—Federal science agencies may carry out the program of workshops under this subsection by making grants to eligible organizations. In addition to any other organizations made eligible by the Federal science agencies, the following organizations are eligible for grants under this subsection:

(A) Nonprofit scientific and professional societies and organizations that represent one or more STEM disciplines.

(B) Nonprofit organizations that have the primary mission of advancing the participation of women or underrepresented minorities in STEM.

(6) CHARACTERISTICS OF WORKSHOPS.—The workshops shall have the following characteristics:

(A) Invitees to workshops shall include at least—

(i) the chairs of departments in the relevant STEM discipline or disciplines from at least the top 50 institutions of higher education, as determined by the amount of Federal research and development funds obligated to each institution of higher education in the prior year based on data available from the National Science Foundation; and

(ii) in the case of Federal laboratories, individuals with personnel management responsibilities comparable to those of an institution of higher education department chair.

(B) Activities at the workshops shall include research presentations and interactive discussions or other activities that increase the awareness of the existence of implicit bias in recruitment, hiring, tenure review, promotion, and other forms of formal recognition of individual achievement for faculty and other federally funded STEM researchers and shall provide strategies to overcome such bias.

(C) Research presentations and other workshop programs, as appropriate, shall include a discussion of the unique challenges faced by underrepresented subgroups, including minority women, minority men, and first generation minority graduates in research.

(D) Workshop programs shall include information on best practices for mentoring undergraduate and graduate women and underrepresented minority students.

(7) DATA ON WORKSHOPS.—Any proposal for funding by an organization seeking to carry out a workshop under this subsection shall include a description of how such organization will—

(A) collect data on the rates of attendance by invitees in workshops, including information on the home institution and department of attendees, and the rank of faculty attendees;

(B) conduct attitudinal surveys on workshop attendees before and after the workshops; and

(C) collect follow-up data on any relevant institutional policy or practice changes reported by attendees not later than 1 year after attendance in such a workshop.

(8) REPORT TO NSF.—Organizations receiving funding to carry out workshops under this subsection shall report the data required in paragraph (7) to the Director of the National Science Foundation in such form as required by such Director.

(d) REPORT TO CONGRESS.—Not later than 4 years after the date of enactment of this Act, the Director of the National Science Foundation shall submit a report to Congress that includes—

(1) a summary and analysis of the types and frequency of activities and policies developed and carried out under subsection (a) based on the reports submitted under paragraph (4) of such subsection; and

(2) a description and evaluation of the status and effectiveness of the program of workshops required under subsection (c), including a summary of any data reported under paragraph (8) of such subsection.

(e) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Director of the National Science Foundation $2,000,000 for each of fiscal years 2016 through 2020 to carry out this section.

SEC. 218. RESEARCH AND DISSEMINATION AT THE NATIONAL SCIENCE FOUNDATION.

(a) IN GENERAL.—The Director of the National Science Foundation shall award research grants and carry out dissemination activities consistent with the purposes of this subtitle, including—

(1) research grants to analyze the record-level data collected under section 214 and section 216, consistent with policies to ensure the privacy of individuals identifiable by such data;

(2) research grants to study best practices for work-life accommodation;

(3) research grants to study the impact of policies and practices that are implemented under this subtitle or that are otherwise consistent with the purposes of this subtitle;

(4) collaboration with other Federal science agencies and professional associations to exchange best practices, harmonize work-life accommodation policies and practices, and overcome common barriers to work-life accommodation; and

(5) collaboration with institutions of higher education in order to clarify and catalyze the adoption of a coherent and consistent set of work-life accommodation policies and practices.

(b) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Director of the National Science Foundation $5,000,000 for each of fiscal years 2016 through 2020 to carry out this section.

SEC. 219. REPORT TO CONGRESS.

Not later than 4 years after the date of enactment of this Act, the Director of the Office of Science and Technology Policy shall submit a report to Congress that includes—

(1) a description and evaluation of the status and usage of caregiver policies at all Federal science agencies, including any recommendations for revising or expanding such policies;

(2) a description of any significant updates to the policies for review of Federal research grants required under section 215, and any evidence of the impact of such policies on the review or awarding of Federal research grants; and

(3) a description and evaluation of the status of Federal laboratory policies and practices required under section 217(b), including any recommendations for revising or expanding such policies.

SEC. 220. NATIONAL SCIENCE FOUNDATION SUPPORT FOR INCREASING DIVERSITY AMONG STEM FACULTY AT INSTITUTIONS OF HIGHER EDUCATION.

(a) GRANTS.—The Director of the National Science Foundation shall award grants to institutions of higher education (or consortia thereof) for the development of innovative reform efforts designed to increase the recruitment, retention, and advancement of individuals from underrepresented minority groups in academic STEM careers.

(b) MERIT REVIEW; COMPETITION.—Grants shall be awarded under this section on a merit-reviewed, competitive basis.

(c) USE OF FUNDS.—Activities supported by grants under this section may include—

(1) institutional assessment activities, such as data analyses and policy review, in order to identify and address specific issues in the recruitment, retention, and advancement of faculty members from underrepresented minority groups;

(2) implementation of institution-wide improvements in workload distribution, such that faculty members from underrepresented minority groups are not disadvantaged in the amount of time available to focus on research, publishing papers, and engaging in other activities required to achieve tenure status and run a productive research program;

(3) development and implementation of training courses for administrators and search committee members to ensure that candidates from underrepresented minority groups are not subject to implicit biases in the search and hiring process;

(4) development and hosting of intra- or inter-institutional workshops to propagate best practices in recruiting, retaining, and advancing faculty members from underrepresented minority groups;

(5) professional development opportunities for faculty members from underrepresented minority groups;

(6) activities aimed at making undergraduate STEM students from underrepresented minority groups aware of opportunities for academic careers in STEM fields;

(7) activities to identify and engage exceptional graduate students from underrepresented minority groups at various stages of their studies and to encourage them to enter academic careers; and

(8) other activities consistent with subsection (a), as determined by the Director of the National Science Foundation.

(d) SELECTION PROCESS.—

(1) APPLICATION.—An institution of higher education (or consortia thereof) seeking funding under this section shall submit an application to the Director of the National Science Foundation at such time, in such manner, and containing such information and assurances as such Director may require. The application shall include, at a minimum, a description of—

(A) the reform effort that is being proposed for implementation by the institution of higher education;

(B) any available evidence of specific difficulties in the recruitment, retention, and advancement of faculty members from underrepresented minority groups in STEM academic careers within the institution of higher education submitting an application, and how the proposed reform effort would address such issues;

(C) how the institution of higher education submitting an application plans to sustain the proposed reform effort beyond the duration of the grant; and

(D) how the success and effectiveness of the proposed reform effort will be evaluated and assessed in order to contribute to the national knowledge base about models for catalyzing institutional change.

(2) REVIEW OF APPLICATIONS.—In selecting grant recipients under this section, the Director of the National Science Foundation shall consider, at a minimum—

(A) the likelihood of success in undertaking the proposed reform effort at the institution of higher education submitting the application, including the extent to which the administrators of the institution are committed to making the proposed reform effort a priority;

(B) the degree to which the proposed reform effort will contribute to change in institutional culture and policy such that greater value is placed on the recruitment, retention, and advancement of faculty members from underrepresented minority groups;

(C) the likelihood that the institution of higher education will sustain or expand the proposed reform effort beyond the period of the grant; and

(D) the degree to which evaluation and assessment plans are included in the design of the proposed reform effort.

(3) GRANT DISTRIBUTION.—The Director of the National Science Foundation shall ensure, to the extent practicable, that grants awarded under this section are made to a variety of types of institutions of higher education.

(e) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Director of the National Science Foundation $10,000,000 for each of fiscal years 2016 through 2020 to carry out this section.

SEC. 221. NATIONAL SCIENCE FOUNDATION SUPPORT FOR BROADENING PARTICIPATION IN UNDERGRADUATE STEM EDUCATION.

(a) GRANTS.—The Director of the National Science Foundation shall award grants to institutions of higher education (or consortia thereof) to implement or expand research-based reforms in undergraduate STEM education for the purpose of recruiting and retaining students from minority groups who are underrepresented in STEM fields, with a priority focus on natural science and engineering fields.

(b) MERIT REVIEW; COMPETITION.—Grants shall be awarded under this section on a merit-reviewed, competitive basis.

(c) USE OF FUNDS.—Activities supported by grants under this section may include—

(1) implementation or expansion of innovative, research-based approaches to broaden participation of underrepresented minority groups in STEM fields;

(2) implementation or expansion of bridge, cohort, tutoring, or mentoring programs designed to enhance the recruitment and retention of students from underrepresented minority groups in STEM fields;

(3) implementation or expansion of outreach programs linking institutions of higher education and K–12 school systems in order to heighten awareness among pre-college students from underrepresented minority groups of opportunities in college-level STEM fields and STEM careers;

(4) implementation or expansion of faculty development programs focused on improving retention of undergraduate STEM students from underrepresented minority groups;

(5) implementation or expansion of mechanisms designed to recognize and reward faculty members who demonstrate a commitment to increasing the participation of students from underrepresented minority groups in STEM fields;

(6) expansion of successful reforms aimed at increasing the number of STEM students from underrepresented minority groups beyond a single course or group of courses to achieve reform within an entire academic unit, or expansion of successful reform efforts beyond a single academic unit to other STEM academic units within an institution of higher education;

(7) expansion of opportunities for students from underrepresented minority groups to conduct STEM research in industry, at Federal laboratories, and at international research institutions or research sites;

(8) provision of stipends for students from underrepresented minority groups participating in research;

(9) development of research collaborations between research-intensive universities and primarily undergraduate minority-serving institutions;

(10) support for graduate students and postdoctoral fellows from underrepresented minority groups to participate in instructional or assessment activities at primarily undergraduate institutions, including primarily undergraduate minority-serving institutions and two-year institutions of higher education; and

(11) other activities consistent with subsection (a), as determined by the Director of the National Science Foundation.

(d) SELECTION PROCESS.—

(1) APPLICATION.—An institution of higher education (or consortium thereof) seeking a grant under this section shall submit an application to the Director of the National Science Foundation at such time, in such manner, and containing such information and assurances as such Director may require. The application shall include, at a minimum—

(A) a description of the proposed reform effort;

(B) a description of the research findings that will serve as the basis for the proposed reform effort or, in the case of applications that propose an expansion of a previously implemented reform, a description of the previously implemented reform effort, including data about the recruitment, retention, and academic achievement of students from underrepresented minority groups;

(C) evidence of an institutional commitment to, and support for, the proposed reform effort, including a long-term commitment to implement successful strategies from the current reform beyond the academic unit or units included in the grant proposal;

(D) a description of existing or planned institutional policies and practices regarding faculty hiring, promotion, tenure, and teaching assignment that reward faculty contributions to improving the education of students from underrepresented minority groups in STEM; and

(E) how the success and effectiveness of the proposed reform effort will be evaluated and assessed in order to contribute to the national knowledge base about models for catalyzing institutional change.

(2) REVIEW OF APPLICATIONS.—In selecting grant recipients under this section, the Director of the National Science Foundation shall consider, at a minimum—

(A) the likelihood of success of the proposed reform effort at the institution submitting the application, including the extent to which the faculty, staff, and administrators of the institution are committed to making the proposed institutional reform a priority of the participating academic unit or units;

(B) the degree to which the proposed reform effort will contribute to change in institutional culture and policy such that greater value is placed on faculty engagement in the retention of students from underrepresented minority groups;

(C) the likelihood that the institution will sustain or expand the proposed reform effort beyond the period of the grant; and

(D) the degree to which evaluation and assessment plans are included in the design of the proposed reform effort.

(3) PRIORITY.—For applications that include an expansion of existing reforms beyond a single academic unit, the Director of

the National Science Foundation shall give priority to applications for which a senior institutional administrator, such as a dean or other administrator of equal or higher rank, serves as the principal investigator.

(4) GRANT DISTRIBUTION.—The Director of the National Science Foundation shall ensure, to the extent practicable, that grants awarded under this section are made to a variety of types of institutions of higher education, including two-year and minority-serving institutions of higher education.

(e) EDUCATION RESEARCH.—

(1) IN GENERAL.—All grants made under this section shall include an education research component that will support the design and implementation of a system for data collection and evaluation of proposed reform efforts in order to build the knowledge base on promising models for increasing recruitment and retention of students from underrepresented minority groups in STEM education at the undergraduate level across a diverse set of institutions.

(2) DISSEMINATION.—The Director of the National Science Foundation shall coordinate with relevant Federal agencies in disseminating the results of the research under this subsection to ensure that best practices in broadening participation in STEM education at the undergraduate level are made readily available to all institutions of higher education, other Federal agencies that support STEM programs, non-Federal funders of STEM education, and the general public.

(f) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Director of the National Science Foundation $15,000,000 for each of fiscal years 2016 through 2020 to carry out this section.

SEC. 222. DEFINITIONS.

(a) THIS SUBTITLE.—In this subtitle:

(1) FEDERAL LABORATORY.—The term ''Federal laboratory'' has the meaning given such term in section 4 of the Stevenson-Wydler Technology Innovation Act of 1980 (15 U.S.C. 3703).

(2) FEDERAL SCIENCE AGENCY.—The term ''Federal science agency'' means any Federal agency with at least $100,000,000 in research and development expenditures in fiscal year 2014.

(3) INSTITUTION OF HIGHER EDUCATION.—The term ''institution of higher education'' has the meaning given such term in section 101(a) of the Higher Education Act of 1965 (20 U.S.C. 1001(a)).

(4) STEM.—The term ''STEM'' means science, technology, engineering, and mathematics, including other academic subjects that build on these disciplines such as computer science.

(b) NATIONAL SCIENCE FOUNDATION AUTHORIZATION ACT OF 2002.—Section 4 of the National Science Foundation Authorization Act of 2002 (42 U.S.C. 1862n note) is amended—

(1) by redesignating paragraph (16) as paragraph (17); and

(2) by inserting after paragraph (15) the following new paragraph:

''(16) STEM.—The term 'STEM' means science, technology, engineering, and mathematics, including other academic subjects that build on these disciplines such as computer science.''.

TITLE III—NATIONAL SCIENCE FOUNDATION

Subtitle A—General Provisions

SEC. 301. AUTHORIZATION OF APPROPRIATIONS.

(a) FISCAL YEAR 2016.—

(1) IN GENERAL.—There are authorized to be appropriated to the Foundation $7,723,550,000 for fiscal year 2016.

(2) SPECIFIC ALLOCATIONS.—Of the amount authorized under paragraph (1)—

(A) $6,186,300,000 shall be made available for research and related activities;

(B) $962,570,000 shall be made available for education and human resources;

(C) $200,310,000 shall be made available for major research equipment and facilities construction;

(D) $354,840,000 shall be made available for agency operations and award management;

(E) $4,370,000 shall be made available for the Office of the National Science Board, including salaries and compensation for members of the Board and staff appointed under section 4 of the National Science Foundation Act of 1950 (42 U.S.C. 1863), travel and training costs for members of the Board and such staff, general and Board operating expenses, representational expenses for the Board, honorary awards made by the Board, Board reports (other than the report entitled ''Science and Engineering Indicators''), and contracts; and

(F) $15,160,000 shall be made available for the Office of Inspector General.

(b) FISCAL YEAR 2017.—

(1) IN GENERAL.—There are authorized to be appropriated to the Foundation $8,099,010,000 for fiscal year 2017.

(2) SPECIFIC ALLOCATIONS.—Of the amount authorized under paragraph (1)—

(A) $6,495,620,000 shall be made available for research and related activities;

(B) $1,010,700,000 shall be made available for education and human resources;

(C) $200,000,000 shall be made available for major research equipment and facilities construction;

(D) $372,580,000 shall be made available for agency operations and award management;

(E) $4,500,000 shall be made available for the Office of the National Science Board, including salaries and compensation for members of the Board and staff appointed under section 4 of the National Science Foundation Act of 1950 (42 U.S.C. 1863), travel and training costs for members of the Board and such staff, general and Board operating expenses, representational expenses for the Board, honorary awards made by the Board, Board reports (other than the report entitled ''Science and Engineering Indicators''), and contracts; and

(F) $15,610,000 shall be made available for the Office of Inspector General.

(c) FISCAL YEAR 2018.—

(1) IN GENERAL.—There are authorized to be appropriated to the Foundation $8,493,560,000 for fiscal year 2018.

(2) SPECIFIC ALLOCATIONS.—Of the amount authorized under paragraph (1)—

(A) $6,820,400,000 shall be made available for research and related activities;

(B) $1,061,230,000 shall be made available for education and human resources;

(C) $200,000,000 shall be made available for major research equipment and facilities construction;

(D) $391,210,000 shall be made available for agency operations and award management;

(E) $4,640,000 shall be made available for the Office of the National Science Board, including salaries and compensation for members of the Board and staff appointed under section 4 of the National Science Foundation Act of 1950 (42 U.S.C. 1863), travel and training costs for members of the Board and such staff, general and Board operating expenses, representational expenses for the Board, honorary awards made by the Board, Board reports (other than the report entitled ''Science and Engineering Indicators''), and contracts; and

(F) $16,080,000 shall be made available for the Office of Inspector General.

(d) FISCAL YEAR 2019.—

(1) IN GENERAL.—There are authorized to be appropriated to the Foundation $8,907,820,000 for fiscal year 2019.

(2) SPECIFIC ALLOCATIONS.—Of the amount authorized under paragraph (1)—

(A) $7,161,420,000 shall be made available for research and related activities;

(B) $1,114,300,000 shall be made available for education and human resources;

(C) $200,000,000 shall be made available for major research equipment and facilities construction;

(D) $410,770,000 shall be made available for agency operations and award management;

(E) $4,780,000 shall be made available for the Office of the National Science Board, including salaries and compensation for members of the Board and staff appointed under section 4 of the National Science Foundation Act of 1950 (42 U.S.C. 1863), travel and training costs for members of the Board and such staff, general and Board operating expenses, representational expenses for the Board, honorary awards made by the Board, Board reports (other than the report entitled ''Science and Engineering Indicators''), and contracts; and

(F) $16,570,000 shall be made available for the Office of Inspector General.

(e) FISCAL YEAR 2020.—

(1) IN GENERAL.—There are authorized to be appropriated to the Foundation $9,342,790,000 for fiscal year 2020.

(2) SPECIFIC ALLOCATIONS.—Of the amount authorized under paragraph (1)—

(A) $7,519,490,000 shall be made available for research and related activities;

(B) $1,170,010,000 shall be made available for education and human resources;

(C) $200,000,000 shall be made available for major research equipment and facilities construction;

(D) $431,310,000 shall be made available for agency operations and award management;

(E) $4,920,000 shall be made available for the Office of the National Science Board, including salaries and compensation for members of the Board and staff appointed under section 4 of the National Science Foundation Act of 1950 (42 U.S.C. 1863), travel and training costs for members of the Board and such staff, general and Board operating expenses, representational expenses for the Board, honorary awards made by the Board, Board reports (other than the report entitled ''Science and Engineering Indicators''), and contracts; and

(F) $17,060,000 shall be made available for the Office of Inspector General.

SEC. 302. FINDINGS AND SENSE OF CONGRESS ON SUPPORT FOR ALL FIELDS OF SCIENCE AND ENGINEERING.

(a) FINDINGS.—Congress finds that the Foundation's investments in social, behavioral, and economic research have addressed challenges, including—

(1) in medicine, matching organ donors to patients, leading to a dramatic growth in paired kidney transplants;

(2) in policing, implementing predictive models that help to yield significant reductions in crime;

(3) in resource allocation, developing the theories underlying the Federal Communications Commission spectrum auction, which has generated over $60,000,000,000 in revenue;

(4) in disaster preparation and recovery, identifying barriers to effective disaster evacuation strategies;

(5) in national defense, assisting United States troops in cross-cultural communication and in identifying threats; and

(6) in areas such as economics, education, cybersecurity, transportation, and national defense, supporting informed decisionmaking in foreign and domestic policy.

(b) SENSE OF CONGRESS.—It is the sense of Congress that in order to achieve its mission ''to promote the progress of science; to advance the national health, prosperity, and welfare; to secure the national defense'' the Foundation must continue to support unfettered, competitive, merit-reviewed basic research across all fields of science and engineering, including the social, behavioral, and economic sciences.

SEC. 303. NATIONAL SCIENCE FOUNDATION MERIT REVIEW.

(a) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) the Foundation's Intellectual Merit and Broader Impacts criteria remain appropriate for evaluating grant proposals, as concluded by the 2011 National Science Board Task Force on Merit Review;

(2) evaluating proposals on the basis of the Foundation's Intellectual Merit and Broader Impacts criteria ensures that—

(A) proposals funded by the Foundation are of high quality and advance scientific knowledge; and

(B) the Foundation's overall funding portfolio addresses societal needs through research findings or through related activities; and

(3) as evidenced by the Foundation's contributions to scientific advancement, economic development, human health, and national security, its peer review and merit review processes have successfully identified and funded scientifically and societally relevant research, remain the gold standard for the world, and must be preserved.

(b) CRITERIA.—The Foundation shall maintain the Intellectual Merit and Broader Impacts criteria as the basis for evaluating grant proposals in the merit review process.

SEC. 304. MANAGEMENT AND OVERSIGHT OF LARGE FACILITIES.

(a) LARGE FACILITIES OFFICE.—The Director shall maintain a Large Facilities Office within the Foundation. The functions of the Large Facilities Office shall be to support the research directorates in the development and implementation of major research facilities, including by—

(1) serving as the Foundation's primary resource for all policy or process issues related to the development and implementation of major research facilities;

(2) serving as a Foundation-wide resource on project management, including providing expert assistance on nonscientific and nontechnical aspects of project planning, budgeting, implementation, management, and oversight; and

(3) coordinating and collaborating with research directorates to share best management practices and lessons learned from prior projects.

(b) OVERSIGHT OF LARGE FACILITIES.—The Director shall appoint a senior agency official within the Office of the Director whose primary responsibility is oversight of major research facilities. The duties of this official shall include—

(1) oversight of the development, construction, and operation of major research facilities across the Foundation;

(2) in collaboration with the directors of the research directorates and other senior agency officials as appropriate, ensuring that the requirements of section 14(a) of the National Science Foundation Authorization Act of 2002 are satisfied;

(3) serving as a liaison to the National Science Board for approval and oversight of major research facilities; and

(4) periodically reviewing and updating as necessary Foundation policies and guidelines for the development and construction of major research facilities.

(c) POLICIES FOR COSTING LARGE FACILITIES.—

(1) IN GENERAL.—The Director shall ensure that the Foundation's policies for developing and managing major research facility construction costs are consistent with the best practices described in the March 2009 General Accountability Office Report GAO–09–3SP.

(2) REPORT.—Not later than 12 months after the date of enactment of this Act, the Director shall submit to Congress a report describing the Foundation's policies for developing and managing major research facility construction costs, including a description of any aspects of the policies that diverge from the best practices recommended in General Accountability Office Report GAO–09–3SP.

SEC. 305. SUPPORT FOR POTENTIALLY TRANSFORMATIVE RESEARCH.

(a) IN GENERAL.—The Director shall establish and periodically update grant solicitation, merit review, and funding policies and mechanisms designed to identify and provide support for high-risk, high-reward basic research proposals.

(b) POLICIES AND MECHANISMS.—Such policies and mechanisms may include—

(1) development of solicitations specifically for high-risk, high-reward basic research;

(2) establishment of review panels for the primary purpose of selecting high-risk, high-reward proposals;

(3) development of guidance to standard review panels to encourage the identification and consideration of high-risk, high-reward proposals; and

(4) support for workshops and other conferences with the primary purpose of identifying new opportunities for high-risk, high-reward basic research, especially at interdisciplinary interfaces.

(c) DEFINITION.—For purposes of this section, the term ''high-risk, high-reward basic research'' means research driven by ideas that have the potential to radically change our understanding of an important existing scientific or engineering concept, or leading to the creation of a new paradigm or field of science or engineering, and that is characterized by its challenge to current understanding or its pathway to new frontiers.

SEC. 306. STRENGTHENING INSTITUTIONAL RESEARCH PARTNERSHIPS.

(a) IN GENERAL.—For any Foundation research grant, in an amount greater than $5,000,000, to be carried out through a partnership that includes one or more minority-serving institutions or predominantly undergraduate institutions and one or more institutions described in subsection (b), the Director shall award funds directly, according to the budget justification described in the grant proposal, to at least two of the institutions of higher education in the partnership, including at least one minority-serving institution or one predominantly undergraduate institution, to ensure a strong and equitable partnership.

(b) INSTITUTIONS.—The institutions referred to in subsection (a) are institutions of higher education that are among the 100 institutions receiving, over the 3-year period immediately preceding the awarding of grants, the highest amount of research funding from the Foundation.

(c) REPORT.—Not later than 2 years after the date of enactment of this Act, the Director shall provide a report to Congress on institutional research partnerships identified in subsection (a) funded in the 2 previous fiscal years and make any recommendations for how such partnerships can continue to be strengthened.

SEC. 307. INNOVATION CORPS.

(a) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) the National Science Foundation's Innovation Corps (I-Corps) was established to foster a national innovation ecosystem by encouraging institutions, scientists, engineers, and entrepreneurs to identify and explore the innovation and commercial potential of Foundation-funded research well beyond the laboratory;

(2) the Foundation's I-Corps includes investments in entrepreneurship and commercialization education, training, and mentoring, ultimately leading to the practical deployment of technologies, products, processes, and services that improve the Nation's competitiveness, promote economic growth, and benefit society; and

(3) by building networks of entrepreneurs, educators, mentors, institutions, and collaborations, and supporting specialized education and training, I-Corps is at the leading edge of a strong, lasting foundation for an American innovation ecosystem.

(b) PROGRAM.—

(1) IN GENERAL.—The Director shall carry out a program to award grants for entrepreneurship and commercialization education to Foundation-funded researchers to increase the economic and social impact of federally funded research.

(2) PURPOSES.—The purpose of the program shall be to increase the capacity of STEM researchers and students to successfully engage in entrepreneurial activities and to help transition the results of federally funded research into the marketplace by—

(A) identifying STEM research that can lead to the practical deployment of technologies, products, processes, and services that improve the Nation's economic competitiveness;

(B) bringing STEM researchers and students together with entrepreneurs, venture capitalists, and other industry representatives experienced in commercialization of new technologies;

(C) supporting entrepreneurship and commercialization education and training for faculty, students, postdoctoral fellows, and other STEM researchers; and

(D) promoting the development of regional and national networks of entrepreneurs, venture capitalists, and other industry representatives who can serve as mentors to researchers and students at Foundation-funded institutions across the country.

(3) ADDITIONAL USE OF FUNDS.—Grants awarded under this subsection may be used to help support—

(A) prototype and proof-of-concept development for the funded project; and

(B) additional activities needed to build a national infrastructure for STEM entrepreneurship.

(4) OTHER FEDERAL AGENCIES.—The Director may establish agreements with other Federal agencies that fund scientific research to make researchers funded by those agencies eligible to participate in the Foundation's Innovation Corps program.

SEC. 308. DEFINITIONS.

For purposes of this title:

(1) DIRECTOR.—The term ''Director'' means the Director of the Foundation.

(2) FOUNDATION.—The term ''Foundation'' means the National Science Foundation.

(3) INSTITUTION OF HIGHER EDUCATION.—The term ''institution of higher education'' has the meaning given such term in section 101(a) of the Higher Education Act of 1965 (20 U.S.C. 1001(a)).

(4) STEM.—The term ''STEM'' means science, technology, engineering, and mathematics, including other academic subjects that build on these disciplines such as computer science.

Subtitle B—STEM Education

SEC. 321. NATIONAL SCIENCE BOARD REPORT ON CONSOLIDATION OF STEM EDUCATION ACTIVITIES AT THE FOUNDATION.

(a) IN GENERAL.—The National Science Board shall review and evaluate the appropriateness of the Foundation's portfolio of STEM education programs and activities at the pre-K–12 and undergraduate levels, including informal education, taking into account the mission of the Foundation and the 2013 Federal STEM Education 5-Year Strategic Plan.

(b) REPORT.—Not later than 1 year after the date of enactment of this Act, the National Science Board shall submit to Congress a report summarizing their findings and including—

(1) an analysis of how well the Foundation's portfolio of STEM education programs is contributing to the mission of the Foundation;

(2) an analysis of how well STEM education programs and activities are coordinated and best practices are shared across the Foundation;

(3) an analysis of how well the Foundation's portfolio of STEM education programs is aligned with and contributes to priority STEM education investment areas described in the 2013 Federal STEM Education 5-Year Strategic Plan;

(4) any Board recommendations regarding internal reorganization, including consolidation, of the Foundation's STEM education programs and activities, taking into account both the mission of the Foundation and the 2013 Federal STEM Education 5-Year Strategic Plan;

(5) any Board recommendations regarding the Foundation's role in helping to implement the Federal STEM Education 5-Year Strategic Plan, including opportunities for the Foundation to more effectively partner and collaborate with other Federal agencies; and

(6) any additional Board recommendations regarding specific management, policy, budget, or other steps the Foundation should take to increase effectiveness and accountability across its portfolio of STEM education programs and activities.

SEC. 322. MODELS FOR GRADUATE STUDENT SUPPORT.

(a) IN GENERAL.—The Director shall enter into an agreement with the National Research Council to convene a workshop or roundtable to examine models of Federal support for STEM graduate students, including the Foundation's Graduate Research Fellowship program and comparable fellowship programs at other agencies, traineeship programs, and the research assistant model.

(b) PURPOSE.—The purpose of the workshop or roundtable shall be to compare and evaluate the extent to which each of these models helps to prepare graduate students for diverse careers utilizing STEM degrees, including at diverse types of institutions of higher education, in industry, and at government agencies and research laboratories, and to make recommendations regarding—

(1) how current Federal programs and models, including programs and models at the Foundation, can be improved;

(2) the appropriateness of the current distribution of funding among the different models at the Foundation and across the agencies; and

(3) the appropriateness of creating a new education and training program for graduate students distinct from programs that provide direct financial support, including the grants authorized in section 527 of the America COMPETES Reauthorization Act of 2010 (42 U.S.C. 1862p–15).

(c) CRITERIA.—At a minimum, in comparing programs and models, the workshop or roundtable participants shall consider the capacity of such programs or models to provide students with knowledge and skills—

(1) to become independent, creative, successful researchers;

(2) to participate in large interdisciplinary research projects, including in an international context;

(3) to adhere to the highest standards for research ethics;

(4) to become high-quality teachers utilizing the most currently available evidence-based pedagogy;

(5) in oral and written communication, to both technical and nontechnical audiences;

(6) in innovation, entrepreneurship, and business ethics; and

(7) in program management.

(d) GRADUATE STUDENT INPUT.—The participants in the workshop or roundtable shall include current or recent STEM graduate students.

(e) REPORT.—Not later than 1 year after the date of enactment of this Act, the National Research Council shall submit to Congress a summary report of the findings and recommendations of the workshop or roundtable convened under this section.

SEC. 323. UNDERGRADUATE STEM EDUCATION REFORM.

Section 17 of the National Science Foundation Authorization Act of 2002 (42 U.S.C. 1862n–6) is amended to read as follows:

''SEC. 17. UNDERGRADUATE STEM EDUCATION REFORM.

''(a) IN GENERAL.—The Director, through the Directorate for Education and Human Resources, shall award grants, on a competitive, merit-reviewed basis, to institutions of higher education (or to consortia thereof) and to other eligible nonprofit organizations to reform undergraduate STEM education for the purpose of increasing the number and quality of students studying toward and completing baccalaureate degrees in STEM and improving the STEM learning outcomes for all undergraduate students.

''(b) INTERDIRECTORATE WORKING GROUP ON UNDERGRADUATE STEM EDUCATION.—In carrying out the requirements of this section, the Directorate for Education and Human Resources shall collaborate and coordinate with the Research Directorates, including through the establishment of an interdirectorate working group on undergraduate STEM education reform, in order to identify and implement new and expanded opportunities for collaboration between STEM disciplinary researchers and education researchers on the reform of undergraduate STEM education.

''(c) GRANTS.—Research and development supported by grants under this section may encompass a single discipline, multiple disciplines, or interdisciplinary education at the undergraduate level, and may include—

''(1) research foundational to the improvement of teaching, learning, and retention;

''(2) development, implementation, and assessment of innovative, research-based approaches to transforming teaching, learning, and retention; and

''(3) scaling of successful efforts on learning and learning environments, broadening participation, workforce preparation, employing emerging technologies, or other reforms in STEM education, including expansion of successful STEM reform efforts beyond a single course or group of courses to achieve reform within an entire academic unit, or expansion of successful reform efforts beyond a single academic unit to other STEM academic units within an institution or to comparable academic units at other institutions.

''(d) SELECTION PROCESS.—

''(1) APPLICATIONS.—An institution of higher education or other eligible nonprofit organization seeking a grant under this section shall submit an application to the Director at such time, in such manner, and containing such information as the Director may require. In addition to a description of the proposed research, development, or scaling effort, including a description of the research findings that will serve as the basis for the proposed effort, applications shall include, at a minimum—

''(A) evidence of institutional support for, and commitment to, the proposed effort, including long-term commitment to implement and scale successful strategies resulting from the current effort;

''(B) a description of existing or planned institutional policies and practices regarding faculty hiring, promotion, tenure, and teaching assignment that reward faculty contributions to undergraduate STEM education; and

''(C) a description of the plans for assessment and evaluation of the effort, including evidence of participation by individuals with experience in assessment and evaluation of teaching and learning programs.

''(2) REVIEW OF APPLICATIONS.—In selecting grant recipients for funding under this section, the Director shall consider, as appropriate to the scale of the proposed effort—

''(A) the likelihood of success in undertaking the proposed effort at the institution submitting the application, including the extent to which the faculty, staff, and administrators of the institution are committed to making undergraduate STEM education reform a priority of the participating academic unit or units;

''(B) the degree to which the proposed effort will contribute to change in institutional culture and policy such that a greater value is placed on faculty engagement in undergraduate education;

''(C) the likelihood that the institution will sustain or expand the effort beyond the period of the grant; and

''(D) the degree to which the proposed effort will contribute to the systematic accumulation of knowledge on STEM education.

''(3) PRIORITY.—The Director shall give priority to proposals focused on the first 2 years of undergraduate education, including STEM education at 2-year institutions of higher education.

''(4) GRANT DISTRIBUTION.—The Director shall ensure, to the extent practicable, that grants awarded under this section are made to a variety of types of institutions of higher education.''.

SEC. 324. ADVANCED MANUFACTURING EDUCATION.

Section 506(b) of the America COMPETES Reauthorization Act of 2010 (42 U.S.C. 1862p–1(b)) is amended to read as follows:

''(b) ADVANCED MANUFACTURING EDUCATION.—The Director shall award grants, on

a competitive, merit reviewed basis, to community colleges for the development and implementation of innovative advanced manufacturing education reforms to ensure an adequate and well-trained advanced manufacturing workforce. Activities supported by grants under this subsection may include—

''(1) the development or expansion of educational materials, courses, curricula, strategies, and methods that will lead to improved advanced manufacturing degree or certification programs, including the integration of industry standards and workplace competencies into the curriculum;

''(2) the development and implementation of faculty professional development programs that enhance a faculty member's capabilities and teaching skills in advanced manufacturing, including efforts to understand current advanced manufacturing technologies and practices;

''(3) the establishment of centers that provide models and leadership in advanced manufacturing education and serve as regional or national clearinghouses for educational materials and methods, including in rural areas;

''(4) activities to enhance the recruitment and retention of students into certification and degree programs in advanced manufacturing, including the provision of improved mentoring and internship opportunities;

''(5) the establishment of partnerships with private sector entities to ensure the development of an advanced manufacturing workforce with the skills necessary to meet regional economic needs; and

''(6) other activities as determined appropriate by the Director.''.

SEC. 325. STEM EDUCATION PARTNERSHIPS.

Section 9 of the National Science Foundation Authorization Act of 2002 (42 U.S.C. 1862n) is amended—

(1) in the section heading, by striking ''**MATHEMATICS AND SCIENCE**'' and inserting ''**STEM**'';

(2) by striking ''mathematics and science'' each place it appears in subsections (a) and (b) and inserting ''STEM'';

(3) by striking ''mathematics or science'' each place it appears in subsection (a)(3) and (4)(A) and inserting ''STEM'';

(4) by striking ''mathematics, science, or engineering'' in subsection (a)(2)(B) and inserting ''STEM'';

(5) by striking ''mathematics, science, and technology'' in subsection (a)(3)(B)(ii)(II) and (8) and inserting ''STEM'';

(6) by striking ''professional mathematicians, scientists, and engineers'' in subsection (a)(3)(F) and inserting ''STEM professionals'';

(7) by striking ''mathematicians, scientists, and engineers'' in subsection (a)(3)(J) and (M) and inserting ''STEM professionals'';

(8) by striking ''scientists, technologists, engineers, or mathematicians'' in subsection (a)(8) and inserting ''STEM professionals'';

(9) by striking ''science, technology, engineering, and mathematics'' each place it appears in subsection (a)(3)(K) and (10) and inserting ''STEM'';

(10) by striking ''science, technology, engineering, or mathematics'' in subsection (a)(10)(A)(ii)(II) and inserting ''STEM'';

(11) by striking ''science, mathematics, engineering, and technology'' each place it appears in subsection (a)(5) and inserting ''STEM'';

(12) by striking ''science, mathematics, engineering, or technology'' in subsection (a)(5) and inserting ''STEM'';

(13) by striking ''mathematics, science, engineering, and technology'' in subsection (b)(1) and (2) and inserting ''STEM''; and

(14) by striking subsection (d).

SEC. 326. NOYCE SCHOLARSHIP PROGRAM AMENDMENTS.

Section 10A of the National Science Foundation Authorization Act of 2002 (42 U.S.C. 1862n–1a) is amended—

(1) in subsection (a)(2)(B), by inserting ''or bachelor's'' after ''master's'';

(2) in subsection (c)—

(A) by striking ''and'' at the end of paragraph (2)(B);

(B) in paragraph (3), by—

(i) inserting ''for teachers with master's degrees in their field'' after ''Teaching Fellowships''; and

(ii) by striking the period at the end of subparagraph (B) and inserting ''; and''; and

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

''(4) in the case of National Science Foundation Master Teaching Fellowships for teachers with bachelor's degrees in their field—

''(A) offering academic courses leading to a master's degree and leadership training to prepare individuals to become master teachers in elementary and secondary schools; and

''(B) offering programs both during and after matriculation in the program for which the fellowship is received to enable fellows to become highly effective mathematics and science teachers, including mentoring, training, induction, and professional development activities, to fulfill the service requirements of this section, including the requirements of subsection (e), and to exchange ideas with others in their fields.'';

(3) in subsection (e), by striking ''subsection (g)'' and inserting ''subsection (h)''; and

(4) by adding after subsection (f) the following new subsection:

''(g) SUPPORT FOR MASTER TEACHING FELLOWS WHILE ENROLLED IN A MASTER'S DEGREE PROGRAM.—A National Science Foundation Master Teacher Fellow may receive a maximum of 1 year of fellowship support while enrolled in a master's degree program as described in subsection (c)(4)(A), except that if such fellow is enrolled in a part-time program, such amount shall be prorated according to the length of the program.''.

SEC. 327. INFORMAL STEM EDUCATION.

(a) GRANTS.—The Director, through the Directorate for Education and Human Resources, shall continue to award competitive, merit-reviewed grants to support—

(1) research and development of innovative out-of-school STEM learning and emerging STEM learning environments in order to improve STEM learning outcomes and engagement in STEM; and

(2) research that advances the field of informal STEM education.

(b) USES OF FUNDS.—Activities supported by grants under this section may encompass a single STEM discipline, multiple STEM disciplines, or integrative STEM initiatives and shall include—

(1) research and development that improves our understanding of learning and engagement in informal environments, including the role of informal environments in broadening participation in STEM; and

(2) design and testing of innovative STEM learning models, programs, and other resources for informal learning environments to improve STEM learning outcomes and increase engagement for K–12 students, K–12 teachers, and the general public, including design and testing of the scalability of models, programs, and other resources.

SEC. 328. RESEARCH AND DEVELOPMENT TO SUPPORT IMPROVED K–12 LEARNING.

(a) IN GENERAL.—The Director, acting through the Directorate for Education and Human Resources, shall award competitive, merit-reviewed grants to support research and development on alignment, implementation, impact, and ongoing improvement of standards and equivalent learning expectations used by States in mathematics, science, and, as appropriate, other State-based STEM standards.

(b) RESEARCH AREAS.—In making awards under this section, the Director shall consider proposals for research and development, including, as appropriate, large-scale research and development, of—

(1) resources, including virtual resources such as web portals, for content, professional development, and research results;

(2) teacher education and professional development;

(3) learning progressions;

(4) assessments;

(5) metrics for evaluating the impact of standards; and

(6) other areas of research and development that are likely to contribute to the alignment, implementation, impact, and ongoing improvement of standards in STEM subjects.

TITLE IV—NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY

SEC. 401. SHORT TITLE.

This title may be cited as the ''National Institute of Standards and Technology Authorization Act of 2015''.

SEC. 402. AUTHORIZATION OF APPROPRIATIONS.

(a) FISCAL YEAR 2016.—

(1) IN GENERAL.—There are authorized to be appropriated to the Secretary of Commerce $1,119,700,000 for the National Institute of Standards and Technology for fiscal year 2016.

(2) SPECIFIC ALLOCATIONS.—Of the amount authorized by paragraph (1)—

(A) $754,700,000 shall be authorized for scientific and technical research and services laboratory activities;

(B) $59,000,000 shall be authorized for the construction and maintenance of facilities; and

(C) $306,000,000 shall be authorized for industrial technology services activities, of which—

(i) $141,000,000 shall be authorized for the Hollings Manufacturing Extension Partnership under section 25 of the National Institute of Standards and Technology Act (15 U.S.C. 278k) and the program under section 26 of such Act (15 U.S.C. 278l), of which not more than $20,000,000 shall be for the competitive grant program under section 25(f) of such Act; and

(ii) $150,000,000 shall be authorized for the Network for Manufacturing Innovation Program established under section 34 of such Act (15 U.S.C. 278s).

(b) FISCAL YEAR 2017.—

(1) IN GENERAL.—There are authorized to be appropriated to the Secretary of Commerce $1,174,390,000 for the National Institute of Standards and Technology for fiscal year 2017.

(2) SPECIFIC ALLOCATIONS.—Of the amount authorized by paragraph (1)—

(A) $792,440,000 shall be authorized for scientific and technical research and services laboratory activities;

(B) $61,950,000 shall be authorized for the construction and maintenance of facilities; and

(C) $320,000,000 shall be authorized for industrial technology services activities, of which—

(i) $160,000,000 shall be authorized for the Hollings Manufacturing Extension Partnership under section 25 of the National Institute of Standards and Technology Act (15 U.S.C. 278k) and the program under section 26 of such Act (15 U.S.C. 278l), of which not more than $20,000,000 shall be for the competitive grant program under section 25(f) of such Act; and

(ii) $150,000,000 shall be authorized for the Network for Manufacturing Innovation Program established under section 34 of such Act (15 U.S.C. 278s).

(c) FISCAL YEAR 2018.—

(1) IN GENERAL.—There are authorized to be appropriated to the Secretary of Commerce $1,207,100,000 for the National Institute of Standards and Technology for fiscal year 2018.

(2) SPECIFIC ALLOCATIONS.—Of the amount authorized by paragraph (1)—

(A) $832,060,000 shall be authorized for scientific and technical research and services laboratory activities;

(B) $65,050,000 shall be authorized for the construction and maintenance of facilities; and

(C) $310,000,000 shall be authorized for industrial technology services activities, of which—

(i) $160,000,000 shall be authorized for the Hollings Manufacturing Extension Partnership under section 25 of the National Institute of Standards and Technology Act (15 U.S.C. 278k) and the program under section 26 of such Act (15 U.S.C. 278l), of which not more than $20,000,000 shall be for the competitive grant program under section 25(f) of such Act; and

(ii) $150,000,000 shall be authorized for the Network for Manufacturing Innovation Program established under section 34 of such Act (15 U.S.C. 278s).

(d) FISCAL YEAR 2019.—

(1) IN GENERAL.—There are authorized to be appropriated to the Secretary of Commerce $1,251,960,000 for the National Institute of Standards and Technology for fiscal year 2019.

(2) SPECIFIC ALLOCATIONS.—Of the amount authorized by paragraph (1)—

(A) $873,660,000 shall be authorized for scientific and technical research and services laboratory activities;

(B) $68,300,000 shall be authorized for the construction and maintenance of facilities; and

(C) $310,000,000 shall be authorized for industrial technology services activities, of which—

(i) $160,000,000 shall be authorized for the Hollings Manufacturing Extension Partnership under section 25 of the National Institute of Standards and Technology Act (15 U.S.C. 278k) and the program under section 26 of such Act (15 U.S.C. 278l), of which not more than $20,000,000 shall be for the competitive grant program under section 25(f) of such Act; and

(ii) $150,000,000 shall be authorized for the Network for Manufacturing Innovation Program established under section 34 of such Act (15 U.S.C. 278s).

(e) FISCAL YEAR 2020.—

(1) IN GENERAL.—There are authorized to be appropriated to the Secretary of Commerce $1,299,060,000 for the National Institute of Standards and Technology for fiscal year 2020.

(2) SPECIFIC ALLOCATIONS.—Of the amount authorized by paragraph (1)—

(A) $917,340,000 shall be authorized for scientific and technical research and services laboratory activities;

(B) $71,710,000 shall be authorized for the construction and maintenance of facilities; and

(C) $310,000,000 shall be authorized for industrial technology services activities, of which—

(i) $160,000,000 shall be authorized for the Hollings Manufacturing Extension Partnership under section 25 of the National Institute of Standards and Technology Act (15 U.S.C. 278k) and the program under section 26 of such Act (15 U.S.C. 278l), of which not more than $20,000,000 shall be for the competitive grant program under section 25(f) of such Act; and

(ii) $150,000,000 shall be authorized for the Network for Manufacturing Innovation Program established under section 34 of such Act (15 U.S.C. 278s).

SEC. 403. HOLLINGS MANUFACTURING EXTENSION PARTNERSHIP.

Section 25 of the National Institute of Standards and Technology Act (15 U.S.C. 278k) is amended to read as follows:

"SEC. 25. HOLLINGS MANUFACTURING EXTENSION PARTNERSHIP.

''(a) ESTABLISHMENT AND PURPOSE.—

''(1) IN GENERAL.—The Secretary, through the Director shall provide assistance for the creation and support of regional manufacturing extension centers for the transfer of manufacturing technology and best business practices. These centers shall be known as the 'Hollings Manufacturing Extension Centers' (in this Act referred to as the 'Centers'). The program under this section shall be known as the 'Hollings Manufacturing Extension Partnership'.

''(2) AFFILIATIONS.—Such Centers shall be affiliated with any United States-based public or nonprofit institution or organization, or group thereof, that applies for and is awarded financial assistance under this section.

''(3) OBJECTIVE.—The objective of the program is to enhance productivity, competitiveness, and technological performance in United States manufacturing through—

''(A) the transfer of manufacturing technology and techniques to Centers and, through them, to manufacturing companies throughout the United States;

''(B) the participation of individuals from industry, institutions of higher education, State governments, other Federal agencies, and, when appropriate, the Institute in cooperative technology transfer activities;

''(C) efforts to make new manufacturing technology and processes usable by United States-based small and medium-sized companies;

''(D) the active dissemination of scientific, engineering, technical, and management information about manufacturing to industrial firms, including small and medium-sized manufacturing companies;

''(E) the development of new partnerships, networks, and services that will assist small and medium-sized manufacturing companies expand into new markets, including global markets;

''(F) the utilization, when appropriate, of the expertise and capability that exists in Federal laboratories other than the Institute; and

''(G) the provision to community colleges and area career and technical education schools of information about the job skills needed in small and medium-sized manufacturing businesses in the regions they serve.

''(b) ACTIVITIES.—The activities of the Centers shall include—

''(1) the establishment of automated manufacturing systems and other advanced production technologies, based on research by the Institute and other entities, for the purpose of demonstrations and technology transfer;

''(2) assistance to Federal agencies in supporting United States-based manufacturing by identifying and providing technical assistance to small and medium-sized manufacturers to help them meet Federal agency procurement and acquisition needs;

''(3) the active transfer and dissemination of research findings and Center expertise to a wide range of companies and enterprises, particularly small and medium-sized manufacturers; and

''(4) the facilitation of collaborations and partnerships between small and medium-sized manufacturing companies and community colleges and area career and technical education schools to help such colleges and schools better understand the specific needs of manufacturers and to help manufacturers better understand the skill sets that students learn in the programs offered by such colleges and schools.

''(c) FINANCIAL ASSISTANCE AND REQUIREMENTS.—

''(1) FINANCIAL SUPPORT.—The Secretary may provide financial support to any Center created under subsection (a) for an initial period of 5 years, which may be renewed for an additional 5-year period. The Secretary may provide to a Center up to 50 percent of the capital and annual operating and maintenance funds required to create and maintain such Center.

''(2) REGULATIONS.—The Secretary shall implement, review, and update the sections of the Code of Federal Regulations related to this section at least once every 5 years.

''(3) APPLICATION.—

''(A) IN GENERAL.—Any public or nonprofit institution, or consortium thereof, may submit to the Secretary an application for financial support under this section, in accordance with the procedures established by the Secretary.

''(B) COST-SHARING.—In order to receive assistance under this section, an applicant for financial assistance under subparagraph (A) shall provide adequate assurances that non-Federal assets obtained from the applicant and the applicant's partnering organizations will be used as a funding source to meet not less than 50 percent of the costs incurred. For purposes of the preceding sentence, the costs incurred means the costs incurred in connection with the activities undertaken to improve the management, productivity, competitiveness, and technological performance of small and medium-sized manufacturing companies.

''(C) AGREEMENTS WITH OTHER ENTITIES.—In meeting the 50-percent requirement, it is anticipated that a Center will enter into agreements with other entities such as private industry, institutions of higher education, and State governments to accomplish programmatic objectives and access new and existing resources that will further the impact of the Federal investment made on behalf of small and medium-sized manufacturing companies.

''(D) LEGAL RIGHTS.—Each applicant under subparagraph (A) shall submit a proposal for the allocation of the legal rights associated with any invention that may result from the proposed Center's activities.

''(4) MERIT REVIEW.—The Secretary shall subject each such application to merit review. In making a decision whether to approve such application and provide financial support under this section, the Secretary shall consider, at a minimum, the following:

''(A) The merits of the application, particularly those portions of the application regarding technology transfer, training and education, and adaptation of manufacturing technologies to the needs of particular industrial sectors.

''(B) The quality of service to be provided.

''(C) Geographical diversity and extent of service area.

''(D) The percentage of funding and amount of in-kind commitment from other sources.

''(5) EVALUATION.—

''(A) IN GENERAL.—Each Center that receives financial assistance under this section shall be evaluated during its third year of operation by an evaluation panel appointed by the Secretary.

''(B) COMPOSITION.—Each such evaluation panel shall be composed of independent experts, none of whom shall be connected with the involved Center, and Federal officials.

''(C) CHAIR.—An official of the Institute shall chair the panel.

''(D) PERFORMANCE MEASUREMENT.—Each evaluation panel shall measure the involved Center's performance against the objectives specified in this section.

''(E) POSITIVE EVALUATION.—If the evaluation is positive, the Secretary may provide continued funding through the fifth year.

''(F) CORRECTIVE ACTION PLAN.—The Secretary may not provide funding for the remaining years of a Center's operation unless the evaluation is positive. A Center that has not received a positive evaluation by the evaluation panel shall be notified by the panel of the deficiencies in its performance and shall be placed on a corrective action plan and provided the opportunity to address deficiencies unless immediate action is necessary to protect the public interest. The program shall re-evaluate the Center within one year and if the Center has not addressed the deficiencies identified by the panel, or shown a significant improvement in its performance, the Director shall conduct a new competition or may close the Center.

''(G) ADDITIONAL FINANCIAL SUPPORT.—After the fifth year, a Center may receive additional financial support under this section if it has received a positive evaluation through an independent review, under procedures established by the Institute.

''(H) RECOMPETITION.—If a Center has received financial support for 10 consecutive years, the Director shall conduct a new competition. An existing Center may submit an application as part of the new competition.

''(I) RECOMPETITION PLAN.—Not later than 180 days after the date of enactment of the America Competes Reauthorization Act of 2015, the Director shall submit a plan to the Committee on Science, Space, and Technology of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate detailing how the program will implement the new competitions required under subparagraph (H). The Director shall consult with the MEP Advisory Board established under subsection (f) in the development and implementation of the plan.

''(6) OVERSIGHT BOARD.—

''(A) IN GENERAL.—Each Center that receives financial assistance under this section shall establish an oversight board that is broadly representative of regional stakeholders with a majority of board members drawn from local small and medium-sized manufacturing firms.

''(B) BYLAWS AND CONFLICT OF INTEREST.—Each board under subparagraph (A) shall adopt and submit to the Director bylaws to govern the operation of the board, including a conflict of interest policy to ensure relevant relationships are disclosed and proper recusal procedures are in place.

''(C) LIMITATION.—Board members may not serve simultaneously on more than one Center's oversight board or serve as a contractor providing services to a Center.

''(7) PROTECTION OF CONFIDENTIAL INFORMATION.—The Secretary shall ensure that the following are not publically disclosed:

''(A) Confidential information on the business operations of—

''(i) a participant under the program; or

''(ii) a client of a Center.

''(B) Trade secrets possessed by any client of a Center.

''(8) PATENT RIGHTS.—The provisions of chapter 18 of title 35, United States Code, shall apply, to the extent not inconsistent with this section, to the promotion of technology from research by Centers under this section except for contracts for such specific technology extension or transfer services as may be specified by statute or by the Director.

''(d) REPORTING AND AUDITING REQUIREMENTS.—The Director shall establish procedures regarding Center financial reporting and auditing to ensure that awards are used for the purposes specified in this section and are in accordance with sound accounting practices.

''(e) ACCEPTANCE OF FUNDS.—

''(1) IN GENERAL.—In addition to such sums as may be appropriated to the Secretary and Director to operate the Hollings Manufacturing Extension Partnership, the Secretary and Director also may accept funds from other Federal departments and agencies and, under section 2(c)(7), from the private sector, to be available to the extent provided by appropriations Acts, for the purpose of strengthening United States manufacturing.

''(2) ALLOCATION OF FUNDS.—

''(A) FUNDS ACCEPTED FROM OTHER FEDERAL DEPARTMENTS OR AGENCIES.—The Director shall determine whether funds accepted from other Federal departments or agencies shall be counted in the calculation of the Federal share of capital and annual operating and maintenance costs under subsection (c).

''(B) FUNDS ACCEPTED FROM THE PRIVATE SECTOR.—Funds accepted from the private sector under section 2(c)(7), if allocated to a Center, may not be considered in the calculation of the Federal share under subsection (c) of this section.

''(f) MEP ADVISORY BOARD.—

''(1) ESTABLISHMENT.—There is established within the Institute a Manufacturing Extension Partnership Advisory Board (in this subsection referred to as the 'MEP Advisory Board').

''(2) MEMBERSHIP.—

''(A) IN GENERAL.—The MEP Advisory Board shall consist of not fewer than 10 members broadly representative of stakeholders, to be appointed by the Director. At least 2 members shall be employed by or on an advisory board for the Centers, at least 1 member shall represent a community college, and at least 5 other members shall be from United States small businesses in the manufacturing sector. No member shall be an employee of the Federal Government.

''(B) TERM.—Except as provided in subparagraph (C) or (D), the term of office of each member of the MEP Advisory Board shall be 3 years.

''(C) VACANCIES.—Any member appointed to fill a vacancy occurring prior to the expiration of the term for which his predecessor was appointed shall be appointed for the remainder of such term.

''(D) SERVING CONSECUTIVE TERMS.—Any person who has completed two consecutive full terms of service on the MEP Advisory Board shall thereafter be ineligible for appointment during the one-year period following the expiration of the second such term.

''(3) MEETINGS.—The MEP Advisory Board shall meet not less than 2 times annually and shall provide to the Director—

''(A) advice on Hollings Manufacturing Extension Partnership programs, plans, and policies;

''(B) assessments of the soundness of Hollings Manufacturing Extension Partnership plans and strategies; and

''(C) assessments of current performance against Hollings Manufacturing Extension Partnership program plans.

''(4) FEDERAL ADVISORY COMMITTEE ACT APPLICABILITY.—

''(A) IN GENERAL.—In discharging its duties under this subsection, the MEP Advisory Board shall function solely in an advisory capacity, in accordance with the Federal Advisory Committee Act.

''(B) EXCEPTION.—Section 14 of the Federal Advisory Committee Act shall not apply to the MEP Advisory Board.

''(5) REPORT.—The MEP Advisory Board shall transmit an annual report to the Secretary for transmittal to Congress within 30 days after the submission to Congress of the President's annual budget request in each year. Such report shall address the status of the program established pursuant to this section and comment on the relevant sections of the programmatic planning document and updates thereto transmitted to Congress by the Director under subsections (c) and (d) of section 23.

''(g) COMPETITIVE GRANT PROGRAM.—

''(1) ESTABLISHMENT.—The Director shall establish, within the Hollings Manufacturing Extension Partnership, a program of competitive awards among participants described in paragraph (2) for the purposes described in paragraph (3).

''(2) PARTICIPANTS.—Participants receiving awards under this subsection shall be the Centers, or a consortium of such Centers.

''(3) PURPOSE.—The purpose of the program under this subsection is to add capabilities to the Hollings Manufacturing Extension Partnership, including the development of projects to solve new or emerging manufacturing problems as determined by the Director, in consultation with the Director of the Hollings Manufacturing Extension Partnership, the MEP Advisory Board, and small and medium-sized manufacturers.

''(4) THEMES.—One or more themes for the competition may be identified, which may vary from year to year, depending on the needs of manufacturers and the success of previous competitions. These themes may include—

''(A) supply chain integration and quality management;

''(B) the creation of partnerships to encourage the development of a workforce with the skills necessary to meet the needs of a region, including the creation of apprenticeship opportunities and the adoption of universally recognized credential programs, as appropriate;

''(C) energy efficiency, including efficient building technologies and environmentally friendly materials, products, and processes;

''(D) enhancing the competitiveness of small and medium-sized manufacturers in the global marketplace;

''(E) the transfer of technology based on the technological needs of manufacturers

and available technologies from institutions of higher education, laboratories, and other technology producing entities; and

''(F) areas that extend beyond traditional areas of manufacturing extension activities, including projects related to construction industry modernization.

''(5) REIMBURSEMENT.—Centers may be reimbursed for costs incurred under the program under this subsection.

''(6) APPLICATIONS.—Applications for awards under this subsection shall be submitted in such manner, at such time, and containing such information as the Director shall require, in consultation with the MEP Advisory Board.

''(7) SELECTION.—Awards under this subsection shall be peer reviewed and competitively awarded. The Director shall endeavor to have broad geographic diversity among selected proposals. The Director shall select proposals to receive awards that will—

''(A) utilize innovative or collaborative approaches to solving the problem described in the competition;

''(B) improve the competitiveness of industries in the region in which the Center or Centers are located; and

''(C) contribute to the long-term economic stability of that region, including the creation of jobs or training employees.

''(8) PROGRAM CONTRIBUTION.—Recipients of awards under this subsection shall not be required to provide a matching contribution.

''(9) DURATION.—Awards under this subsection shall last no longer than 5 years.

''(h) INNOVATIVE SERVICES INITIATIVE.—

''(1) ESTABLISHMENT.—The Director, in coordination with the Advanced Manufacturing Office of the Department of Energy, shall establish, within the Hollings Manufacturing Extension Partnership, an innovative services initiative to assist small and medium-sized manufacturers in—

''(A) reducing their energy usage, greenhouse gas emissions, and environmental waste to improve profitability;

''(B) accelerating the domestic commercialization of new product technologies, including components for renewable energy and energy efficiency systems; and

''(C) identifying and diversifying to new markets, including support for transitioning to the production of components for renewable energy and energy efficiency systems.

''(2) MARKET DEMAND.—The Director may not undertake any activity to accelerate the domestic commercialization of a new product technology under this subsection unless an analysis of market demand for the new product technology has been conducted.

''(i) EXPORT ASSISTANCE TO SMALL AND MEDIUM-SIZED MANUFACTURERS.—

''(1) IN GENERAL.—The Director shall—

''(A) evaluate obstacles that are unique to small and medium-sized manufacturers that prevent such manufacturers from effectively competing in the global market;

''(B) implement a comprehensive export assistance initiative through the Centers to help small and medium-sized manufacturers address such obstacles; and

''(C) to the maximum extent practicable, ensure that the activities carried out under this subsection are coordinated with, and do not duplicate the efforts of, other export assistance programs within the Federal Government.

''(2) REQUIREMENTS.—The initiative shall include—

''(A) export assistance counseling;

''(B) the development of partnerships that will provide small and medium-sized manufacturers with greater access to and knowledge of global markets; and

''(C) improved communication between the Centers to assist such manufacturers in implementing appropriate, targeted solutions to such obstacles.

''(j) DEFINITIONS.—In this section:

''(1) AREA CAREER AND TECHNICAL EDUCATION SCHOOL.—The term 'area career and technical education school' has the meaning given such term in section 3 of the Carl D. Perkins Career and Technical Education Improvement Act of 2006 (20 U.S.C. 2302).

''(2) COMMUNITY COLLEGE.—The term 'community college' means an institution of higher education (as defined under section 101(a) of the Higher Education Act of 1965 (20 U.S.C. 1001(a))) at which the highest degree that is predominately awarded to students is an associate's degree.''.

SEC. 404. NATIONAL ACADEMIES REVIEW.

Not later than 6 months after the date of enactment of this Act, the Director of the National Institute of Standards and Technology shall enter into a contract with the National Academies to conduct a single, comprehensive review of the Institute's laboratory programs. The review shall—

(1) assess the technical merits and scientific caliber of the research conducted at the laboratories;

(2) examine the strengths and weaknesses of the 2010 laboratory reorganization on the Institute's ability to fulfill its mission;

(3) evaluate how cross-cutting research and development activities are planned, coordinated, and executed across the laboratories; and

(4) assess how the laboratories are engaging industry, including the incorporation of industry need, into the research goals and objectives of the Institute.

SEC. 405. IMPROVING NIST COLLABORATION WITH OTHER AGENCIES.

Section 8 of the National Bureau of Standards Authorization Act for Fiscal Year 1983 (15 U.S.C. 275b) is amended—

(1) in the section heading, by inserting ''AND WITH'' after ''PERFORMED FOR''; and

(2) by adding at the end the following: ''The Secretary may accept, apply for, use, and spend Federal, State, and non-governmental acquisition and assistance funds to further the mission of the Institute without regard to the source or the period of availability of these funds as well as share personnel, associates, facilities, and property with these partner organizations, with or without reimbursement, upon mutual agreement.''.

SEC. 406. MISCELLANEOUS PROVISIONS.

(a) FUNCTIONS AND ACTIVITIES.—Section 15 of the of the National Institute of Standards and Technology Act (15 U.S.C. 278e) is amended—

(1) by striking ''of the Government; and'' and inserting ''of the Government;'';

(2) by striking ''transportation services for employees of the Institute'' and inserting ''transportation services for employees, associates, or fellows of the Institute''; and

(3) by striking ''Code.'' and inserting ''Code; and (i) the protection of Institute buildings and other plant facilities, equipment, and property, and of employees, associates, visitors, or other persons located therein or associated therewith, notwithstanding any other provision of law.''.

(b) POST-DOCTORAL FELLOWSHIP PROGRAM.—Section 19 of the National Institute of Standards and Technology Act (15 U.S.C. 278g–2) is amended to read as follows:

''SEC. 19. POST-DOCTORAL FELLOWSHIP PROGRAM.

''The Director, in conjunction with the National Academy of Sciences, shall establish and conduct a post-doctoral fellowship program that shall include not less than 20 new fellows per fiscal year. In evaluating applications for fellowships under this section, the Director shall give consideration to the goal of promoting the participation of underrepresented minorities in research areas supported by the Institute.''.

TITLE V—INNOVATION

SEC. 501. OFFICE OF INNOVATION AND ENTREPRENEURSHIP.

Section 25 of the Stevenson-Wydler Technology Innovation Act of 1980 (15 U.S.C. 3720) is amended—

(1) in subsection (a) by inserting ''with a Director and full-time staff'' after ''Office of Innovation and Entrepreneurship'';

(2) in subsection (b)—

(A) by amending paragraph (3) to read as follows:

''(3) providing access to relevant data, research, and technical assistance on innovation and commercialization, including best practices for university-based incubators and accelerators;'';

(B) by redesignating paragraphs (4) and (5) as paragraphs (6) and (7), respectively; and

(C) by inserting the following after paragraph (3):

''(4) overseeing the implementation of the loan guarantee programs and the Regional Innovation Program established under sections 26 and 27, respectively;

''(5) developing, within 180 days after the date of enactment of the America Competes Reauthorization Act of 2015, and updating at least every 5 years, a strategic plan to guide the activities of the Office of Innovation and Entrepreneurship that shall—

''(A) specify and prioritize near-term and long-term goals, objectives, and policies to accelerate innovation and advance the commercialization of research and development, including federally funded research and development, set forth the anticipated time for achieving the objectives, and identify metrics for use in assessing progress toward such objectives;

''(B) describe how the Department of Commerce is working in conjunction with other Federal agencies to foster innovation and commercialization across the United States; and

''(C) provide a summary of the activities, including the development of metrics to evaluate regional innovation strategies undertaken through the Regional Innovation Research and Information Program established under section 27(e);'';

(3) by amending subsection (c) to read as follows:

''(c) ADVISORY COMMITTEE.—

''(1) ESTABLISHMENT.—The Secretary shall establish or designate an advisory committee, which shall meet at least twice each fiscal year, to provide advice to the Secretary on carrying out the duties and responsibilities of the Office of Innovation and Entrepreneurship.

''(2) REPORT TO CONGRESS.—The advisory committee shall prepare a report, to be submitted to the Committee on Science, Space, and Technology of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate every 3 years. The first report shall be submitted not later than 1 year after the date of enactment of the America Competes Reauthorization Act of 2015 and shall include—

''(A) an assessment of the strategic plan developed under subsection (b)(5) and the progress made in implementing the plan and the duties of the Office of Innovation and Entrepreneurship;

''(B) an assessment of how the Office of Innovation and Entrepreneurship is working with other Federal agencies to meet the goals and duties of the office; and

''(C) any recommendations for how the Office of Innovation and Entrepreneurship could be improved.''; and

(4) by adding at the end the following:

''(d) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Secretary $5,000,000 for each of fiscal years 2016 through 2020 to carry out this section.''.

SEC. 502. FEDERAL LOAN GUARANTEES FOR INNOVATIVE TECHNOLOGIES IN MANUFACTURING.

Section 26(t) of the Stevenson-Wydler Technology Innovation Act of 1980 (15 U.S.C. 3721(t)) is amended by striking ''fiscal years 2011 through 2013'' and inserting ''fiscal years 2016 through 2020''.

SEC. 503. INNOVATION VOUCHER PILOT PROGRAM.

Section 25 of the Stevenson-Wydler Technology Innovation Act of 1980 (15 U.S.C. 3720) as amended by section 501 of this Act, is further amended by adding at the end the following:

''(e) INNOVATION VOUCHER PILOT PROGRAM.—

''(1) IN GENERAL.—The Secretary, acting through the Office of Innovation and Entrepreneurship and in conjunction with the States, shall establish an innovation voucher pilot program to accelerate innovative activities and enhance the competitiveness of small and medium-sized manufacturers in the United States. The pilot program shall—

''(A) foster collaborations between small and medium-sized manufacturers and research institutions; and

''(B) enable small and medium-sized manufacturers to access technical expertise and capabilities that will lead to the development of innovative products or manufacturing processes, including through—

''(i) research and development, including proof of concept, technical development, and compliance testing activities;

''(ii) early-stage product development, including engineering design services; and

''(iii) technology transfer and related activities.

''(2) AWARD SIZE.—The Secretary shall competitively award vouchers worth up to $20,000 to small and medium-sized manufacturers for use at eligible research institutions to acquire the services described in paragraph (1)(B).

''(3) STREAMLINED PROCEDURES.—The Secretary shall streamline and simplify the application, administrative, and reporting procedures for vouchers administered under the program.

''(4) REGULATIONS.—Prior to awarding any vouchers under the program, the Secretary shall promulgate regulations—

''(A) establishing criteria for the selection of recipients of awards under this subsection;

''(B) establishing procedures regarding financial reporting and auditing—

''(i) to ensure that awards are used for the purposes of the program; and

''(ii) that are in accordance with sound accounting practices; and

''(C) describing any other policies, procedures, or information necessary to implement this subsection, including those intended to streamline and simplify the program in accordance with paragraph (3).

''(5) TRANSFER AUTHORITY.—The Secretary may transfer funds appropriated to the Department of Commerce to other Federal agencies for the performance of services authorized under this subsection.

''(6) ADMINISTRATIVE COSTS.—All of the amounts appropriated to carry out this subsection for a fiscal year shall be used for vouchers awarded under this subsection, except that the Secretary may set aside a percentage of such amounts for eligible research institutions performing the services described in paragraph (1)(B) to defray administrative costs associated with the services. The Secretary shall establish a single, fixed percentage for such purposes that will apply to all eligible research institutions.

''(7) OUTREACH.—The Secretary may use centers established under section 25 of the National Institute of Standards and Technology Act (15 U.S.C. 278k) to provide information about the program established under this subsection and to conduct outreach to potential applicants, as appropriate.

''(8) REPORTS TO CONGRESS.—

''(A) PLAN.—Not later than 180 days after the date of enactment of the America Competes Reauthorization Act of 2015, the Secretary shall transmit to Congress a plan that will serve as a guide for the activities of the program. The plan shall include a description of the specific objectives of the program and the metrics that will be used in assessing progress toward those objectives.

''(B) OUTCOMES.—Not later than 3 years after the date of enactment of the America Competes Reauthorization Act of 2015, the Secretary shall transmit to Congress a report containing—

''(i) a summary of the activities carried out under this subsection;

''(ii) an assessment of the impact of such activities on the innovative capacity of small and medium-sized manufacturers receiving assistance under the pilot program; and

''(iii) any recommendations for administrative and legislative action that could optimize the effectiveness of the pilot program.

''(9) COORDINATION AND NONDUPLICATION.—To the maximum extent practicable, the Secretary shall ensure that the activities carried out under this subsection are coordinated with, and do not duplicate the efforts of, other programs within the Federal Government.

''(10) ELIGIBLE RESEARCH INSTITUTIONS DEFINED.—For the purposes of this subsection, the term 'eligible research institution' means—

''(A) an institution of higher education, as such term is defined in section 101(a) of the Higher Education Act of 1965 (20 U.S.C. 1001(a));

''(B) a Federal laboratory;

''(C) a federally funded research and development center; or

''(D) a Hollings Manufacturing Extension Center established under section 25 of the National Institute of Standards and Technology Act (15 U.S.C. 278k).

''(11) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Secretary to carry out the pilot program in this subsection $5,000,000 for each of fiscal years 2016 through 2020.''.

SEC. 504. FEDERAL ACCELERATION OF STATE TECHNOLOGY COMMERCIALIZATION PILOT PROGRAM.

The Stevenson-Wydler Technology Innovation Act of 1980 (15 U.S.C. 3701 et seq.) is amended by adding at the end the following:

''SEC. 28. FEDERAL ACCELERATION OF STATE TECHNOLOGY COMMERCIALIZATION PILOT PROGRAM.

''(a) AUTHORITY.—

''(1) ESTABLISHMENT.—The Secretary shall establish a Federal Acceleration of State Technology Commercialization Pilot Program or FAST Commercialization Pilot Program to award grants to States, or consortia thereof, for the purposes described in paragraph (2). Awards under this section shall be made through a competitive, merit-based process.

''(2) PURPOSE.—The purpose of the program under this section is to advance United States productivity and global competitiveness by accelerating commercialization of innovative technology by leveraging Federal support for State commercialization efforts. The program shall provide matching funds to a State, or consortium thereof, for the acceleration of commercialization activities and the promotion of small manufacturing enterprises in the United States.

''(b) APPLICATION.—Applications for awards under this section shall be submitted in such a manner, at such a time, and containing such information as the Secretary shall require, including—

''(1) a description of the current state of technology commercialization in the State or States, including successes and barriers to commercialization; and

''(2) a description of the State's or consortium's plan for increasing commercialization of new technologies, products, processes, and services.

''(c) SELECTION CRITERIA.—The Secretary shall establish criteria for the selection of awardees, which shall consider at a minimum a review of efforts during the fiscal year prior to submitting an application to—

''(1) promote manufacturing; and

''(2) commercialize new technologies, products, processes, and services, including activities to translate federally funded research and technologies to small manufacturing enterprises.

''(d) MATCHING REQUIREMENT.—A State or consortium receiving a grant under this section shall provide non-Federal cash contributions in an amount equal to 50 percent of the total cost of the project for which the grant is provided.

''(e) COORDINATION AND NONDUPLICATION.—In carrying out the program under this section, the Secretary shall ensure that grants made under the program are coordinated with, and do not duplicate, the efforts of other commercialization programs within the Federal Government.

''(f) EVALUATION.—

''(1) IN GENERAL.—Not later than 3 years after the date of enactment of the America Competes Reauthorization Act of 2015, the Secretary shall enter into a contract with an independent entity, such as the National Academy of Sciences, to conduct an evaluation of the program established under subsection (a).

''(2) REQUIREMENTS.—The evaluation shall—

''(A) assess whether the program is achieving its goals;

''(B) include any recommendations for how the program may be improved; and

''(C) include a recommendation as to whether the program should be continued or terminated.

''(g) DEFINITIONS.—In this section—

''(1) the term 'State' has the meaning given that term in section 3 of the Public Works and Economic Development Act of 1965 (42 U.S.C. 3122); and

''(2) the term 'commercialization' has the meaning given that term in section 9(e)(10) of the Small Business Act (15 U.S.C. 638(e)(10)).

''(h) DURATION.—Each award shall be for a 5-year period.

''(i) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to

the Secretary $50,000,000 for each of fiscal years 2016 through 2018 to carry out this section.''.

TITLE VI—DEPARTMENT OF ENERGY

Subtitle A—Office of Science

SEC. 601. SHORT TITLE.

This subtitle may be cited as the ''Department of Energy Office of Science Authorization Act of 2015''.

SEC. 602. DEFINITIONS.

Except as otherwise provided, in this subtitle:

(1) DEPARTMENT.—The term ''Department'' means the Department of Energy.

(2) DIRECTOR.—The term ''Director'' means the Director of the Office of Science.

(3) OFFICE OF SCIENCE.—The term ''Office of Science'' means the Department of Energy Office of Science.

(4) UNDER SECRETARY.—The term ''Under Secretary'' means the Under Secretary for Science and Energy.

(5) SECRETARY.—The term ''Secretary'' means the Secretary of Energy.

SEC. 603. MISSION OF THE OFFICE OF SCIENCE.

Section 209 of the Department of Energy Organization Act (42 U.S.C. 7139) is amended by adding at the end the following:

''(c) MISSION.—The mission of the Office of Science shall be the delivery of scientific discoveries, capabilities, and major scientific tools to transform the understanding of nature and to advance the energy, economic, and national security of the United States.

''(d) DUTIES.—In support of this mission, the Director shall carry out programs, including those in basic energy sciences, biological and environmental research, advanced scientific computing research, fusion energy sciences, high energy physics, and nuclear physics, through activities focused on—

''(1) Science for Discovery to unravel nature's mysteries through activities which range from the study of subatomic particles, atoms, and molecules that make up the materials of our everyday world to the study of DNA, proteins, cells, and entire biological systems;

''(2) Science for National Need by—

''(A) advancing a clean energy agenda through research on energy production, storage, transmission, efficiency, and use; and

''(B) advancing our understanding of the Earth and its climate through research in atmospheric and environmental sciences and climate change; and

''(3) National Scientific User Facilities to deliver the 21st century tools of science, engineering, and technology and provide the Nation's researchers with the most advanced tools of modern science including accelerators, colliders, supercomputers, light sources and neutron sources, and facilities for studying complex molecular systems and the nanoworld.

''(e) SUPPORTING ACTIVITIES.—The activities described in subsection (d) shall include providing for relevant facilities and infrastructure, programmatic analysis, interagency coordination, and workforce development and outreach activities.

''(f) USER FACILITIES.—

''(1) IN GENERAL.—The Director shall carry out the construction, operation, and maintenance of user facilities, including underground research facilities, to support the activities described in subsection (d). As practicable, these facilities shall serve the needs of the Department, industry, the academic community, and other relevant entities for the purposes of advancing the missions of the Department.

''(2) COORDINATION WITH OTHER FEDERAL AGENCIES.—The Director may form partnerships to enhance the utilization of and ensure access to user facilities, including underground research facilities, by other Federal agencies.

''(g) OTHER AUTHORIZED ACTIVITIES.—In addition to the activities authorized under the Department of Energy Office of Science Authorization Act of 2015, the Office of Science shall carry out other such activities as it is authorized or required to carry out by law.

''(h) COORDINATION AND JOINT ACTIVITIES WITH OTHER DEPARTMENT OF ENERGY PROGRAMS.—The Under Secretary shall ensure the coordination of activities under the Department of Energy Office of Science Authorization Act of 2015 with the other activities of the Department, and shall support joint activities among the programs of the Department.

''(i) DOMESTIC MANUFACTURING CAPABILITY FOR OFFICE OF SCIENCE FACILITIES REPORT.—Not later than one year after the date of enactment of the Department of Energy Office of Science Authorization Act of 2015, the Secretary shall transmit a report to the Committee on Science, Space, and Technology of the House of Representatives and the Committee on Energy and Natural Resources of the Senate. The report shall—

''(1) assess the current ability of domestic manufacturers to meet the procurement requirements for major ongoing projects funded by the Office of Science, including a calculation of the percentage of equipment acquired from domestic manufacturers for this purpose; and

''(2) identify steps that can be taken by the Federal Government and by private industry to increase the capability of domestic manufacturers to meet procurement requirements of the Office of Science for major projects.''.

SEC. 604. BASIC ENERGY SCIENCES PROGRAM.

(a) PROGRAM.—As part of the activities authorized under the amendment made by section 603, the Director shall carry out a program in basic energy sciences, including materials sciences and engineering, chemical sciences, physical biosciences, and geosciences, for the purpose of providing the scientific foundations for new energy technologies and addressing scientific grand challenges.

(b) BASIC ENERGY SCIENCES USER FACILITIES.—

(1) IN GENERAL.—The Director shall carry out a subprogram to support and oversee the construction, operation, and maintenance of national user facilities that support the program under this section. As practicable, these facilities shall serve the needs of the Department, industry, the academic community, and other relevant entities to create and examine new materials and chemical processes for the purposes of advancing new energy technologies and improving the competitiveness of the United States. These facilities shall include—

(A) x-ray light sources;

(B) neutron sources;

(C) nanoscale science research centers; and

(D) other facilities the Director considers appropriate, consistent with section 209(f) of the Department of Energy Organization Act (42 U.S.C. 7139(f)).

(2) FACILITY RESEARCH AND DEVELOPMENT.—The Director shall carry out research and development on advanced accelerator and storage ring technologies relevant to the Basic Energy Sciences user facilities, in consultation with the Office of Science's High Energy Physics and Nuclear Physics programs.

(3) FACILITY CONSTRUCTION AND UPGRADES.—Consistent with the Office of Science's project management practices, the Director shall support construction of—

(A) an upgrade of the Advanced Photon Source to optimize and enhance beam brightness;

(B) a Second Target Station at the Spallation Neutron Source to double user capacity and expand the suite of instruments to meet new scientific challenges;

(C) the Linac Coherent Light Source II to expand the x-ray wavelength range, incorporate high repetition rate operation for soft and medium energy x-rays, and increase user capacity of the Linac Coherent Light Source; and

(D) an upgrade to the Advanced Light Source to improve brightness and performance.

(c) ENERGY FRONTIER RESEARCH CENTERS.—

(1) IN GENERAL.—The Director shall carry out a program to provide awards, on a competitive, merit-reviewed basis, to multi-institutional collaborations or other appropriate entities to conduct fundamental and use-inspired energy research to accelerate scientific breakthroughs related to needs identified in—

(A) the Grand Challenges report of the Department's Basic Energy Sciences Advisory Committee;

(B) the report of the Department's Basic Energy Sciences Advisory Committee entitled ''From Quanta to the Continuum: Opportunities for Mesoscale Science'';

(C) the Basic Energy Sciences Basic Research Needs workshop report; or

(D) other relevant reports identified by the Director.

(2) COLLABORATIONS.—A collaboration receiving an award under this subsection may include multiple types of institutions and private sector entities.

(3) SELECTION AND DURATION.—

(A) IN GENERAL.—A collaboration under this subsection shall be selected for a period of 5 years. An Energy Frontier Research Center already in existence and supported by the Director on the date of enactment of this Act may continue to receive support for a period of 5 years beginning on the date of establishment of that center.

(B) REAPPLICATION.—After the end of the period described in subparagraph (A), an awardee may reapply for selection for a second period of 5 years on a competitive, merit-reviewed basis.

(C) TERMINATION.—Consistent with the existing authorities of the Department, the Director may terminate an underperforming center for cause during the performance period.

(4) NO FUNDING FOR CONSTRUCTION.—No funding provided pursuant to this subsection may be used for the construction of new buildings or facilities.

SEC. 605. BIOLOGICAL AND ENVIRONMENTAL RESEARCH.

(a) IN GENERAL.—As part of the activities authorized under section 209 of the Department of Energy Organization Act (42 U.S.C. 7139), and coordinated with the activities authorized under section 604 and section 606, the Director shall carry out a program of research and development in the areas of biological systems science and climate and environmental science, including subsurface science, to support the energy and environmental missions of the Department.

(b) BIOLOGICAL SYSTEMS SCIENCE ACTIVITIES.—

(1) ACTIVITIES.—As part of the activities authorized under subsection (a), the Director shall carry out research and development activities in fundamental, structural, computational, and systems biology to increase systems-level understanding of the complex

biological systems, which shall include activities to—

(A) accelerate breakthroughs and new knowledge that will enable cost-effective sustainable production of—

(i) biomass-based liquid transportation fuels;

(ii) bioenergy; and

(iii) biobased materials;

(B) improve understanding of the global carbon cycle, including processes for removing carbon dioxide from the atmosphere, through photosynthesis and other biological processes, for sequestration and storage; and

(C) understand the biological mechanisms used to transform, immobilize, or remove contaminants from subsurface environments.

(2) BIOENERGY RESEARCH CENTERS.—

(A) IN GENERAL.—In carrying out activities under paragraph (1), the Director shall support at least 3 bioenergy research centers to accelerate advanced research and development of biomass-based liquid transportation fuels, bioenergy, or biobased materials that are produced from a variety of regionally diverse feedstocks.

(B) SELECTION AND DURATION.—A center established under subparagraph (A) shall be selected on a competitive, merit-reviewed basis for a period of 5 years beginning on the date of establishment of that center. A center already in existence on the date of enactment of this Act may continue to receive support for a period of 5 years beginning on the date of establishment of that center.

(C) RENEWAL.—After the end of the period described in subparagraph (B), an awardee may apply for a second period of 5 years on a merit-reviewed basis.

(D) TERMINATION.—Consistent with the existing authorities of the Department, the Director may terminate an underperforming center for cause during the performance period.

(3) LOW DOSE RADIATION RESEARCH PROGRAM.—

(A) IN GENERAL.—The Director shall carry out a research program on low dose radiation. The purpose of the program is to enhance the scientific understanding of and reduce uncertainties associated with the effects of exposure to low dose radiation in order to inform improved risk management methods.

(B) DEFINITION.—In this paragraph, the term ''low dose radiation'' means a radiation dose of less than 100 millisieverts.

(C) STUDY.—Not later than 60 days after the date of enactment of this Act, the Director shall enter into an agreement with the National Academies to conduct a study assessing the current status and development of a long-term strategy for low dose radiation research. The study shall be conducted in coordination with Federal agencies that perform ionizing radiation effects research.

(D) CONTENTS.—The study performed under subparagraph (C) shall—

(i) identify current scientific challenges for understanding the long-term effects of ionizing radiation;

(ii) assess the status of current low dose radiation research in the United States and internationally;

(iii) formulate overall scientific goals for the future of low-dose radiation research in the United States;

(iv) recommend a long-term strategic and prioritized research agenda to address scientific research goals for overcoming the identified scientific challenges in coordination with other research efforts;

(v) define the essential components of a research program that would address this research agenda within the universities and the National Laboratories; and

(vi) assess the cost-benefit effectiveness of such a program.

(E) 5-YEAR RESEARCH PLAN.—Not later than 90 days after the completion of the assessment performed under subparagraph (C), the Secretary shall deliver to the Committee on Science, Space, and Technology of the House of Representatives and the Committee on Energy and Natural Resources of the Senate a five-year research plan that responds to the assessment's findings and recommendations and identifies and prioritizes research needs.

(4) REPEAL.—Section 977 of the Energy Policy Act of 2005 (42 U.S.C. 16317) is repealed.

(c) CLIMATE AND ENVIRONMENTAL SCIENCE ACTIVITIES.—

(1) IN GENERAL.—As part of the activities authorized under subsection (a), and in coordination with activities carried out under subsection (b), the Director shall carry out climate and environmental science research, which shall include activities to—

(A) understand, observe, and model the response of Earth's atmosphere and biosphere to increased concentrations of greenhouse gas emissions and any associated changes in climate;

(B) understand the processes for immobilization, or removal of, and understand the movement of, energy production-derived contaminants such as radionuclides and heavy metals, and understand the process of sequestration and transformation of carbon dioxide in subsurface environments; and

(C) inform potential mitigation and adaptation options for increased concentrations of greenhouse gas emissions and any associated changes in climate.

(2) SUBSURFACE BIOGEOCHEMICAL RESEARCH.—

(A) IN GENERAL.—As part of the activities described in paragraph (1), the Director shall carry out research to advance a fundamental understanding of coupled physical, chemical, and biological processes for controlling the movement of sequestered carbon and subsurface environmental contaminants.

(B) COORDINATION.—

(i) DIRECTOR.—The Director shall carry out activities under this paragraph in accordance with priorities established by the Under Secretary to support and accelerate the decontamination of relevant facilities managed by the Department.

(ii) UNDER SECRETARY.—The Under Secretary shall ensure the coordination of activities of the Department, including activities under this paragraph, to support and accelerate the decontamination of relevant facilities managed by the Department.

(3) CLIMATE AND EARTH MODELING.—As part of the activities described in paragraph (1), the Director, in collaboration with the Advanced Scientific Computing Research program described in section 606, shall carry out research to develop, evaluate, and use high-resolution regional climate, global climate, and Earth models to inform decisions on reducing the impacts of a changing climate. Such modeling shall include, among other critical elements, greenhouse gas emissions, land use, and interaction among human and Earth systems.

SEC. 606. ADVANCED SCIENTIFIC COMPUTING RESEARCH PROGRAM.

(a) IN GENERAL.—As part of the activities authorized under section 209 of the Department of Energy Organization Act (42 U.S.C. 7139), the Director shall carry out a research, development, demonstration, and commercial application program to advance computational and networking capabilities for data-driven discovery and to analyze, model, simulate, and predict complex phenomena relevant to the development of new energy technologies and the competitiveness of the United States.

(b) COORDINATION.—The Under Secretary shall ensure the coordination of the activities of the Department, including activities under this section, to determine and meet the computational and networking research and facility needs of the Office of Science and all other relevant energy technology and energy efficiency programs within the Department.

(c) RESEARCH TO SUPPORT ENERGY APPLICATIONS.—

(1) IN GENERAL.—As part of the activities authorized under subsection (a), the program shall support research in high-performance computing and networking relevant to energy applications including modeling, simulation, and advanced data analytics for basic and applied energy research programs carried out by the Secretary.

(2) REPORT.—Not later than 1 year after the date of enactment of this Act, the Secretary shall transmit to the Congress a plan to integrate and leverage the expertise and capabilities of the program described in subsection (a), as well as other relevant computational and networking research programs and resources supported by the Federal Government, to advance the missions of the Department's applied energy and energy efficiency programs.

(d) APPLIED MATHEMATICS AND SOFTWARE DEVELOPMENT FOR HIGH-END COMPUTING SYSTEMS.—The Director shall carry out activities to develop, test, and support mathematics, models, and algorithms for complex systems, as well as programming environments, tools, languages, and operating systems for high-end computing systems (as defined in section 2 of the Department of Energy High-End Computing Revitalization Act of 2004 (15 U.S.C. 5541)).

(e) EXASCALE COMPUTING PROGRAM.—Section 3 of the Department of Energy High-End Computing Revitalization Act of 2004 (15 U.S.C. 5542) is amended—

(1) in subsection (a)—

(A) in paragraph (1), by striking ''program'' and inserting ''coordinated program across the Department'';

(B) by striking ''and'' at the end of paragraph (1);

(C) by striking the period at the end of paragraph (2) and inserting ''; and''; and

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

''(3) partner with universities, National Laboratories, and industry to ensure the broadest possible application of the technology developed in this program to other challenges in science, engineering, medicine, and industry.'';

(2) in subsection (b)(2), by striking ''vector'' and all that follows through ''architectures'' and inserting ''computer technologies that show promise of substantial reductions in power requirements and substantial gains in parallelism of multicore processors, concurrency, memory and storage, bandwidth, and reliability''; and

(3) by striking subsection (d) and inserting the following:

''(d) EXASCALE COMPUTING PROGRAM.—

''(1) IN GENERAL.—The Secretary shall conduct a coordinated research program to develop exascale computing systems to advance the missions of the Department.

''(2) EXECUTION.—The Secretary shall, through competitive merit review, establish

two or more National Laboratory-industry-university partnerships to conduct integrated research, development, and engineering of multiple exascale architectures, and—

''(A) conduct mission-related co-design activities in developing such exascale platforms;

''(B) develop those advancements in hardware and software technology required to fully realize the potential of an exascale production system in addressing Department target applications and solving scientific problems involving predictive modeling and simulation and large-scale data analytics and management; and

''(C) explore the use of exascale computing technologies to advance a broad range of science and engineering.

''(3) ADMINISTRATION.—In carrying out this program, the Secretary shall—

''(A) provide, on a competitive, merit-reviewed basis, access for researchers in United States industry, institutions of higher education, National Laboratories, and other Federal agencies to these exascale systems, as appropriate; and

''(B) conduct outreach programs to increase the readiness for the use of such platforms by domestic industries, including manufacturers.

''(4) REPORTS.—

''(A) INTEGRATED STRATEGY AND PROGRAM MANAGEMENT PLAN.—The Secretary shall submit to Congress, not later than 90 days after the date of enactment of the Department of Energy Office of Science Authorization Act of 2015, a report outlining an integrated strategy and program management plan, including target dates for prototypical and production exascale platforms, interim milestones to reaching these targets, functional requirements, roles and responsibilities of National Laboratories and industry, acquisition strategy, and estimated resources required, to achieve this exascale system capability. The report shall include the Secretary's plan for Departmental organization to manage and execute the Exascale Computing Program, including definition of the roles and responsibilities within the Department to ensure an integrated program across the Department. The report shall also include a plan for ensuring balance and prioritizing across ASCR subprograms in a flat or slow-growth budget environment.

''(B) STATUS REPORTS.—At the time of the budget submission of the Department for each fiscal year, the Secretary shall submit a report to Congress that describes the status of milestones and costs in achieving the objectives of the exascale computing program.

''(C) EXASCALE MERIT REPORT.—At least 18 months prior to the initiation of construction or installation of any exascale-class computing facility, the Secretary shall transmit a plan to the Congress detailing—

''(i) the proposed facility's cost projections and capabilities to significantly accelerate the development of new energy technologies;

''(ii) technical risks and challenges that must be overcome to achieve successful completion and operation of the facility; and

''(iii) an independent assessment of the scientific and technological advances expected from such a facility relative to those expected from a comparable investment in expanded research and applications at terascale-class and petascale-class computing facilities, including an evaluation of where investments should be made in the system software and algorithms to enable these advances.''.

(f) DEFINITIONS.—Section 2 of the Department of Energy High-End Computing Revitalization Act of 2004 (15 U.S.C. 5541) is amended by striking paragraphs (1) through (5) and inserting the following:

''(1) CO-DESIGN.—The term 'co-design' means the joint development of application algorithms, models, and codes with computer technology architectures and operating systems to maximize effective use of high-end computing systems.

''(2) DEPARTMENT.—The term 'Department' means the Department of Energy.

''(3) EXASCALE.—The term 'exascale' means computing system performance at or near 10 to the 18th power floating point operations per second.

''(4) HIGH-END COMPUTING SYSTEM.—The term 'high-end computing system' means a computing system with performance that substantially exceeds that of systems that are commonly available for advanced scientific and engineering applications.

''(5) LEADERSHIP SYSTEM.—The term 'Leadership System' means a high-end computing system that is among the most advanced in the world in terms of performance in solving scientific and engineering problems.

''(6) INSTITUTION OF HIGHER EDUCATION.—The term 'institution of higher education' has the meaning given the term in section 2 of the Energy Policy Act of 2005 (42 U.S.C. 15801).

''(7) NATIONAL LABORATORY.—The term 'National Laboratory' has the meaning given the term in section 2 of the Energy Policy Act of 2005 (42 U.S.C. 15801).

''(8) SECRETARY.—The term 'Secretary' means the Secretary of Energy.

''(9) SOFTWARE TECHNOLOGY.—The term 'software technology' includes optimal algorithms, programming environments, tools, languages, and operating systems for high-end computing systems.''.

SEC. 607. FUSION ENERGY RESEARCH.

(a) PROGRAM.—As part of the activities authorized under section 209 of the Department of Energy Organization Act (42 U.S.C. 7139) and section 972 of the Energy Policy Act of 2005 (42 U.S.C. 16312), the Director shall carry out a fusion energy sciences research and enabling technology development program to effectively address the scientific and engineering challenges to building a cost-competitive fusion power plant and to establish a competitive fusion power industry in the United States. As part of this program, the Director shall carry out research activities to expand the fundamental understandings of plasmas and matter at very high temperatures and densities for fusion applications and for other plasma science applications.

(b) TOKAMAK RESEARCH AND DEVELOPMENT.—

(1) IN GENERAL.—As part of the program described in subsection (a), the Director shall support research and development activities and facility operations to—

(A) optimize the tokamak approach to fusion energy; and

(B) determine the viability of the tokamak approach to fusion energy to lead to a commercial fusion power plant.

(2) ITER.—

(A) RESPONSIBILITIES.—The Director shall coordinate and carry out the responsibilities of the United States with respect to the ITER international fusion project pursuant to the Agreement on the Establishment of the International Fusion Energy Organization for the Joint Implementation of the ITER Project.

(B) REPORT.—Not later than 1 year after the date of enactment of this Act, the Secretary shall submit to Congress a report providing an assessment of—

(i) the most recent schedule for ITER that has been approved by the ITER Council; and

(ii) progress of the ITER Council and the ITER Director-General toward implementation of the recommendations of the Third Biennial International Organization Management Assessment Report.

(C) FAIRNESS IN COMPETITION FOR SOLICITATIONS FOR INTERNATIONAL PROJECT ACTIVITIES.—Section 33 of the Atomic Energy Act of 1954 (42 U.S.C. 2053) is amended by adding at the end the following: ''For purposes of this section, with respect to international research projects, the term 'private facilities or laboratories' shall refer to facilities or laboratories located in the United States.''.

(D) SENSE OF CONGRESS.—It is the sense of Congress that the United States should support a robust, diverse program in addition to meeting its commitments to ITER. It is further the sense of Congress that developing the scientific basis for fusion, providing research results key to the success of ITER, and training the next generation of fusion scientists are of critical importance to the United States and should in no way be diminished by participation of the United States in the ITER project.

(c) INERTIAL FUSION ENERGY RESEARCH AND DEVELOPMENT PROGRAM.—The Secretary shall carry out a program of research and technology development in inertial fusion for energy applications, including ion beam, laser, and pulsed power fusion systems.

(d) ALTERNATIVE AND ENABLING CONCEPTS.—

(1) IN GENERAL.—As part of the program described in subsection (a), the Director shall support research and development activities and facility operations at United States universities, national laboratories, and private facilities for a portfolio of alternative and enabling fusion energy concepts that may provide solutions to significant challenges to the establishment of a commercial magnetic fusion power plant, prioritized based on the ability of the United States to play a leadership role in the international fusion research community. Fusion energy concepts and activities explored under this paragraph may include—

(A) high magnetic field approaches facilitated by high temperature superconductors;

(B) advanced stellarator concepts;

(C) non-tokamak confinement configurations operating at low magnetic fields;

(D) magnetized target fusion energy concepts;

(E) liquid metals to address issues associated with fusion plasma interactions with the inner wall of the encasing device;

(F) immersion blankets for heat management and fuel breeding;

(G) advanced scientific computing activities: and

(H) other promising fusion energy concepts identified by the Director.

(2) COORDINATION WITH ARPA–E.—The Under Secretary and the Director shall coordinate with the Director of the Advanced Research Projects Agency–Energy (in this paragraph referred to as ''ARPA–E'') to—

(A) assess the potential for any fusion energy project supported by ARPA–E to represent a promising approach to a commercially viable fusion power plant;

(B) determine whether the results of any fusion energy project supported by ARPA–E merit the support of follow-on research activities carried out by the Office of Science; and

(C) avoid unintentional duplication of activities.

(e) FUSION MATERIALS RESEARCH AND DEVELOPMENT.—As part of the activities authorized in section 978 of the Energy Policy Act of 2005 (42 U.S.C. 16318), the Director, in coordination with the Assistant Secretary for Nuclear Energy of the Department, shall carry out research and development activities to identify, characterize, and create materials that can endure the neutron, plasma, and heat fluxes expected in a commercial fusion power plant. As part of the activities authorized under subsection (g), the Secretary shall—

(1) provide an assessment of the need for a facility or facilities that can examine and test potential fusion and next generation fission reactor materials and other enabling technologies relevant to the development of commercial fusion power plants; and

(2) provide an assessment of whether a single new facility that substantially addresses magnetic fusion, inertial fusion, and next generation fission materials research needs is feasible, in conjunction with the expected capabilities of facilities operational at the time of this assessment.

(f) GENERAL PLASMA SCIENCE AND APPLICATIONS.—Not later than 2 years after the date of enactment of this Act, the Secretary shall provide to Congress an assessment of opportunities in which the United States can provide world-leading contributions to advancing plasma science and non-fusion energy applications, and identify opportunities for partnering with other Federal agencies both within and outside of the Department of Energy.

(g) IDENTIFICATION OF PRIORITIES.—

(1) REPORT.—Not later than 2 years after the date of enactment of this Act, the Secretary shall transmit to Congress a report on the Department's proposed fusion energy research and development activities over the following 10 years under at least 3 realistic budget scenarios, including a scenario based on 3 percent annual growth in the non-ITER portion of the budget for fusion energy research and development activities. The report shall—

(A) identify specific areas of fusion energy research and enabling technology development in which the United States can and should establish or solidify a lead in the global fusion energy development effort;

(B) identify priorities for initiation of facility construction and facility decommissioning under each of those scenarios;

(C) provide a roadmap addressing critical scientific challenges to ensure that within 10 years after the date of enactment of this Act there is sufficient basis to justify and motivate the initiation of an applied fusion energy development program; and

(D) assess the ability of the United States fusion workforce to carry out the activities identified in subparagraphs (A) through (C), including the adequacy of college and university programs to train the leaders and workers of the next generation of fusion energy researchers.

(2) PROCESS.—In order to develop the report required under paragraph (1), the Secretary shall leverage best practices and lessons learned from the process used to develop the most recent report of the Particle Physics Project Prioritization Panel of the High Energy Physics Advisory Panel. No member of the Fusion Energy Sciences Advisory Committee shall be excluded from participating in developing or voting on final approval of the report required under paragraph (1).

SEC. 608. HIGH ENERGY PHYSICS PROGRAM.

(a) IN GENERAL.—As part of the activities authorized under section 209 of the Department of Energy Organization Act (42 U.S.C. 7139), the Director shall carry out a research program on the elementary constituents of matter and energy and the nature of space and time.

(b) ENERGY FRONTIER RESEARCH.—As part of the program described in subsection (a), the Director shall carry out research using high energy accelerators and advanced detectors to create and study interactions of novel particles and investigate fundamental forces.

(c) NEUTRINO RESEARCH.—As part of the program described in subsection (a), the Director shall carry out research activities on rare decay processes and the nature of the neutrino, which may include collaborations with the National Science Foundation or international collaborations on relevant research projects.

(d) DARK ENERGY AND DARK MATTER RESEARCH.—As part of the program described in subsection (a), the Director shall carry out research activities on the nature of dark energy and dark matter. These activities shall be consistent with the research priorities identified by the High Energy Physics Advisory Panel or the National Academy of Sciences, and may include—

(1) collaborations with the National Aeronautics and Space Administration, the National Science Foundation, or international collaborations on relevant research projects; and

(2) the development of space-based, land-based, and underground facilities and experiments.

(e) FACILITY CONSTRUCTION AND MAJOR ITEMS OF EQUIPMENT.—Consistent with the Office of Science's project management practices, the Director shall support construction or fabrication of—

(1) an international Long-Baseline Neutrino Facility based in the United States;

(2) the Muon to Electron Conversion Experiment;

(3) Second Generation Dark Matter experiments;

(4) the Dark Energy Spectroscopic Instrument;

(5) the Large Synoptic Survey Telescope camera;

(6) upgrades to components of the Large Hadron Collider; and

(7) other high priority projects recommended in the most recent report of the Particle Physics Project Prioritization Panel of the High Energy Physics Advisory Panel.

(f) ACCELERATOR RESEARCH AND DEVELOPMENT.—As part of the program described in subsection (a), the Director shall carry out research and development in advanced accelerator concepts and technologies, including laser technologies, to reduce the necessary scope and cost for the next generation of particle accelerators, in coordination with the Office of Science's Basic Energy Sciences and Nuclear Physics programs.

(g) INTERNATIONAL COLLABORATION.—The Director, as practicable and in coordination with other appropriate Federal agencies as necessary, shall ensure the access of United States researchers to the most advanced accelerator facilities and research capabilities in the world, including the Large Hadron Collider.

SEC. 609. NUCLEAR PHYSICS PROGRAM.

(a) PROGRAM.—As part of the activities authorized under section 209 of the Department of Energy Organization Act (42 U.S.C. 7139), the Director shall carry out a research program, and support relevant facilities, to discover and understand various forms of nuclear matter.

(b) FACILITY CONSTRUCTION.—

(1) IN GENERAL.—Consistent with the Office of Science's project management practices, the Director shall continue to support the construction of the Facility for Rare Isotope Beams.

(2) REPEAL.—Section 981 of the Energy Policy Act of 2005 (42 U.S.C. 16321) is repealed.

(c) ISOTOPE DEVELOPMENT AND PRODUCTION FOR RESEARCH APPLICATIONS.—

(1) IN GENERAL.—The Director shall carry out a program for the production of isotopes that the Director determines are needed for research and applications, including—

(A) the development of techniques to produce isotopes; and

(B) support for infrastructure required for isotope research and production.

(2) COORDINATION.—In making the determination described in paragraph (1), the Secretary shall—

(A) ensure that isotope production activities do not compete with private industry unless critical national interests necessitate the Federal Government's involvement; and

(B) consider any relevant recommendations made by Federal advisory committees, the National Academies, and interagency working groups in which the Department participates.

SEC. 610. SCIENCE LABORATORIES INFRASTRUCTURE PROGRAM.

(a) PROGRAM.—The Director shall carry out a program to improve the safety, efficiency, and mission readiness of infrastructure at Office of Science laboratories. The program shall include projects to—

(1) renovate or replace space that does not meet research needs;

(2) replace facilities that are no longer cost effective to renovate or operate;

(3) modernize utility systems to prevent failures and ensure efficiency;

(4) remove excess facilities to allow safe and efficient operations; and

(5) construct modern facilities to conduct advanced research in controlled environmental conditions.

(b) APPROACH.—In carrying out this section, the Director shall utilize all available approaches and mechanisms, including capital line items, minor construction projects, energy savings performance contracts, utility energy service contracts, alternative financing, and expense funding, as appropriate.

(c) DEFINITION.—The term ''Office of Science laboratory'' means a subset of National Laboratories as defined in section 2(3) of the Energy Policy Act of 2005 (42 U.S.C. 15801) consisting of subparagraphs (A), (B), (C), (D), (F), (K), (L), (M), (P), and (Q).

SEC. 611. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated to the Secretary for the activities of the Office of Science—

(1) $5,339,794,000 for fiscal year 2016;

(2) $5,606,783,700 for fiscal year 2017;

(3) $5,887,122,885 for fiscal year 2018;

(4) $6,181,479,029 for fiscal year 2019; and

(5) $6,490,552,981 for fiscal year 2020.

Subtitle B—ARPA–E

SEC. 621. SHORT TITLE.

This subtitle may be cited as the ''ARPA–E Reauthorization Act of 2015''.

SEC. 622. ARPA–E AMENDMENTS.

Section 5012 of the America COMPETES Act (42 U.S.C. 16538) is amended—

(1) by redesignating subsection (n) as subsection (o) and inserting after subsection (m) the following new subsection:

''(n) PROTECTION OF PROPRIETARY INFORMATION.—The following categories of information collected by the Advanced Research

Projects Agency-Energy from recipients of financial assistance awards shall be considered privileged and confidential and not subject to disclosure pursuant to section 552 of title 5, United States Code:

''(1) Plans for commercialization of technologies developed under the award, including business plans, technology to market plans, market studies, and cost and performance models.

''(2) Investments provided to an awardee from third parties, such as venture capital, hedge fund, or private equity firms, including amounts and percentage of ownership of the awardee provided in return for such investments.

''(3) Additional financial support that the awardee plans to invest or has invested into the technology developed under the award, or that the awardee is seeking from third parties.

''(4) Revenue from the licensing or sale of new products or services resulting from the research conducted under the award.''; and

(2) in paragraph (2) of subsection (o), as so redesignated by paragraph (1) of this section, by—

(A) striking ''and'' at the end of subparagraph (D);

(B) striking the period at the end of subparagraph (E) and inserting a semicolon; and

(C) adding at the end the following:

''(F) $325,000,000 for fiscal year 2016;

''(G) $341,250,000 for fiscal year 2017;

''(H) $358,312,500 for fiscal year 2018;

''(I) $376,228,125 for fiscal year 2019; and

''(J) $395,039,531 for fiscal year 2020.''.

Subtitle C—Energy Innovation

SEC. 641. ENERGY INNOVATION HUBS.

(a) AUTHORIZATION OF PROGRAM.—

(1) IN GENERAL.—The Secretary of Energy shall carry out a program to enhance the Nation's economic, environmental, and energy security by making awards to consortia for establishing and operating Energy Innovation Hubs to conduct and support, whenever practicable at one centralized location, multidisciplinary, collaborative research, development, demonstration, and commercial application of advanced energy technologies.

(2) TECHNOLOGY DEVELOPMENT FOCUS.—The Secretary shall designate for each Hub a unique advanced energy technology focus.

(3) COORDINATION.—The Secretary shall ensure the coordination of, and avoid unnecessary duplication of, the activities of Hubs with those of other Department of Energy research entities, including the National Laboratories, the Advanced Research Projects Agency-Energy, Energy Frontier Research Centers, and within industry.

(b) CONSORTIA.—

(1) ELIGIBILITY.—To be eligible to receive an award under this section for the establishment and operation of a Hub, a consortium shall—

(A) be composed of no fewer than 2 qualifying entities; and

(B) operate subject to an agreement entered into by its members that documents—

(i) the proposed partnership agreement, including the governance and management structure of the Hub;

(ii) measures to enable cost-effective implementation of the program under this section;

(iii) a proposed budget, including financial contributions from non-Federal sources;

(iv) a plan for managing intellectual property rights; and

(v) an accounting structure that enables the Secretary to ensure that the consortium has complied with the requirements of this section.

(2) APPLICATION.—A consortium seeking to establish and operate a Hub under this section, acting through a prime applicant, shall transmit to the Secretary an application at such time, in such form, and accompanied by such information as the Secretary shall require, including a detailed description of the elements of the consortium agreement required under paragraph (1)(B). If the consortium members will not be located at one centralized location, such application shall include a communications plan that ensures close coordination and integration of the Hub's activities.

(c) SELECTION AND SCHEDULE.—The Secretary shall select consortia for awards for the establishment and operation of Hubs through competitive selection processes. In selecting consortia, the Secretary shall consider the information a consortium must disclose according to subsection (b), as well as any existing facilities a consortium will provide for Hub activities. Awards made to a Hub shall be for a period not to exceed 5 years, after which the award may be renewed, subject to a rigorous merit review. A Hub already in existence on the date of enactment of this Act may continue to receive support for a period of 5 years beginning on the date of establishment of that Hub.

(d) HUB OPERATIONS.—

(1) IN GENERAL.—Each Hub shall conduct or provide for multidisciplinary, collaborative research, development, demonstration, and, where appropriate, commercial application of advanced energy technologies within the technology development focus designated under subsection (a)(2). Each Hub shall—

(A) encourage collaboration and communication among the member qualifying entities of the consortium and awardees by conducting activities whenever practicable at one centralized location;

(B) develop and publish on the Department of Energy's website proposed plans and programs;

(C) submit an annual report to the Secretary summarizing the Hub's activities, including detailing organizational expenditures, and describing each project undertaken by the Hub; and

(D) monitor project implementation and coordination.

(2) CONFLICTS OF INTEREST.—

(A) PROCEDURES.—Hubs shall maintain conflict of interest procedures, consistent with those of the Department of Energy, to ensure that employees and consortia designees for Hub activities who are in decision-making capacities disclose all material conflicts of interest.

(B) DISQUALIFICATION AND REVOCATION.—The Secretary may disqualify an application or revoke funds distributed to a Hub if the Secretary discovers a failure to comply with conflict of interest procedures established under subparagraph (A).

(3) PROHIBITION ON CONSTRUCTION.—

(A) IN GENERAL.—No funds provided pursuant to this section may be used for construction of new buildings or facilities for Hubs. Construction of new buildings or facilities shall not be considered as part of the non-Federal share of a Hub cost-sharing agreement.

(B) TEST BED AND RENOVATION EXCEPTION.—Nothing in this subsection shall prohibit the use of funds provided pursuant to this section, or non-Federal cost share funds, for research or for the construction of a test bed or renovations to existing buildings or facilities for the purposes of research if the Secretary determines that the test bed or renovations are limited to a scope and scale necessary for the research to be conducted.

(e) TERMINATION.—Consistent with the existing authorities of the Department, the Secretary may terminate an underperforming Hub for cause during the performance period.

(f) DEFINITIONS.—For purposes of this section:

(1) ADVANCED ENERGY TECHNOLOGY.—The term ''advanced energy technology'' means—

(A) an innovative technology—

(i) that produces energy from solar, wind, geothermal, biomass, tidal, wave, ocean, or other renewable energy resources;

(ii) that produces nuclear energy;

(iii) for carbon capture and sequestration;

(iv) that enables advanced vehicles, vehicle components, and related technologies that result in significant energy savings;

(v) that generates, transmits, distributes, utilizes, or stores energy more efficiently than conventional technologies, including through Smart Grid technologies; or

(vi) that enhances the energy independence and security of the United States by enabling improved or expanded supply and production of domestic energy resources, including coal, oil, and natural gas;

(B) research, development, demonstration, and commercial application activities necessary to ensure the long-term, secure, and sustainable supply of energy critical elements; or

(C) another innovative energy technology area identified by the Secretary.

(2) ENERGY CRITICAL ELEMENT.—The term ''energy critical element'' means any of a class of chemical elements that have a high risk of a supply disruption and are critical to one or more new, energy-related technologies such that a shortage of such element would significantly inhibit large-scale deployment of technologies that produce, transmit, store, or conserve energy.

(3) HUB.—The term ''Hub'' means an Energy Innovation Hub established or operating in accordance with this section, including any Energy Innovation Hub existing as of the date of enactment of this Act.

(4) QUALIFYING ENTITY.—The term ''qualifying entity'' means—

(A) an institution of higher education;

(B) an appropriate State or Federal entity, including the Department of Energy Federally Funded Research and Development Centers;

(C) a nongovernmental organization with expertise in advanced energy technology research, development, demonstration, or commercial application; or

(D) any other relevant entity the Secretary considers appropriate.

SEC. 642. PARTICIPATION IN THE INNOVATION CORPS PROGRAM.

(a) AGREEMENT.—The Secretary of Energy shall enter into an agreement with the Director of the National Science Foundation to enable researchers funded by the Department of Energy to participate in the Innovation Corps program authorized by section 307.

(b) AUTHORIZATION.—The Secretary of Energy may also establish a Department of Energy Innovation Corps program, modeled after the National Science Foundation Innovation Corps program, to incorporate experts from the Department of Energy National Laboratories in the training curriculum of the program.

SEC. 643. TECHNOLOGY TRANSFER.

(a) REPORT.—Not later than 1 year after the date of enactment of this Act, and annually thereafter, the Secretary of Energy shall transmit to the Committee on Science, Space, and Technology of the House of Representatives and the Committee on Energy

and Natural Resources of the Senate a report which shall include—

(1) an assessment of the Department's current ability to carry out the goals of section 1001 of the Energy Policy Act of 2005 (42 U.S.C. 16391), including an assessment of the role and effectiveness of the Director of the Office of Technology Transitions; and

(2) recommended departmental policy changes and legislative changes to section 1001 of the Energy Policy Act of 2005 (42 U.S.C. 16391) to improve the Department's ability to successfully transfer new energy technologies to the private sector.

(b) AMENDMENTS.—Section 1001 of the Energy Policy Act of 2005 (42 U.S.C. 16391) is amended—

(1) in subsection (e), by striking ''for commercial purposes'' and inserting ''of any sort for commercial purposes, including energy technologies not currently supported by the Department of Energy'';

(2) by redesignating subsections (f) and (g) as subsections (h) and (i), respectively; and

(3) by inserting after subsection (e) the following new subsections:

''(f) AGREEMENTS FOR COMMERCIALIZING TECHNOLOGY PILOT PROGRAM.—

''(1) IN GENERAL.—The Secretary shall carry out the Agreements for Commercializing Technology pilot program of the Department, as announced by the Secretary on December 8, 2011, in accordance with this subsection.

''(2) TERMS.—Each agreement entered into pursuant to the pilot program referred to in paragraph (1) shall provide to the contractor of the applicable National Laboratory, to the maximum extent determined to be appropriate by the Secretary, increased authority to negotiate contract terms, such as intellectual property rights, payment structures, performance guarantees, and multiparty collaborations.

''(3) ELIGIBILITY.—

''(A) IN GENERAL.—Any director of a National Laboratory may enter into an agreement pursuant to the pilot program referred to in paragraph (1).

''(B) AGREEMENTS WITH NON-FEDERAL ENTITIES.—To carry out subparagraph (A) and subject to subparagraph (C), the Secretary shall permit the directors of the National Laboratories to execute agreements with a non-Federal entity, including a non-Federal entity already receiving Federal funding that will be used to support activities under agreements executed pursuant to subparagraph (A), provided that such funding is solely used to carry out the purposes of the Federal award.

''(C) RESTRICTION.—The requirements of chapter 18 of title 35, United States Code (commonly known as the 'Bayh-Dole Act') shall apply if—

''(i) the agreement is a funding agreement (as that term is defined in section 201 of that title); and

''(ii) at least 1 of the parties to the funding agreement is eligible to receive rights under that chapter.

''(4) SUBMISSION TO SECRETARY.—Each affected director of a National Laboratory shall submit to the Secretary, with respect to each agreement entered into under this subsection—

''(A) a summary of information relating to the relevant project;

''(B) the total estimated costs of the project;

''(C) estimated commencement and completion dates of the project; and

''(D) other documentation determined to be appropriate by the Secretary.

''(5) CERTIFICATION.—The Secretary shall require the contractor of the affected National Laboratory to certify that each activity carried out under a project for which an agreement is entered into under this subsection—

''(A) is not in direct competition with the private sector; and

''(B) does not present, or minimizes, any apparent conflict of interest, and avoids or neutralizes any actual conflict of interest, as a result of the agreement under this subsection.

''(6) EXTENSION.—The pilot program referred to in paragraph (1) shall be extended until October 31, 2017.

''(7) REPORTS.—

''(A) OVERALL ASSESSMENT.—Not later than 60 days after the date described in paragraph (6), the Secretary, in coordination with directors of the National Laboratories, shall submit to the Committee on Science, Space, and Technology of the House of Representatives and the Committee on Energy and Natural Resources of the Senate a report that—

''(i) assesses the overall effectiveness of the pilot program referred to in paragraph (1);

''(ii) identifies opportunities to improve the effectiveness of the pilot program;

''(iii) assesses the potential for program activities to interfere with the responsibilities of the National Laboratories to the Department; and

''(iv) provides a recommendation regarding the future of the pilot program.

''(B) TRANSPARENCY.—The Secretary, in coordination with directors of the National Laboratories, shall submit to the Committee on Science, Space, and Technology of the House of Representatives and the Committee on Energy and Natural Resources of the Senate an annual report that accounts for all incidences of, and provides a justification for, non-Federal entities using funds derived from a Federal contract or award to carry out agreements pursuant to this subsection.

''(g) INCLUSION OF TECHNOLOGY MATURATION IN AUTHORIZED TECHNOLOGY TRANSFER ACTIVITIES.—The Secretary shall permit the directors of the National Laboratories to use funds authorized to support technology transfer, following the standard practices of the Department, to carry out technology maturation activities to identify and improve potential commercial application opportunities and demonstrate applications of research and technologies arising from National Laboratory activities.''.

(c) DELEGATION OF AUTHORITY FOR TECHNOLOGY TRANSFER AGREEMENTS.—

(1) AUTHORITY.—The Secretary of Energy shall delegate to directors of the National Laboratories signature authority for any technology transfer agreement with a total cost of not more than $500,000, including both National Laboratory contributions and the project recipient cost share contribution, if such an agreement falls within the scope of a strategic plan for the National Laboratory that has been approved by the Department.

(2) AGREEMENTS INCLUDED.—The agreements to which this subsection applies include—

(A) Cooperative Research and Development Agreements; and

(B) non-Federal Work for Others Agreements.

(3) AVAILABILITY OF RECORDS.—

(A) Not later than 7 days after the date on which the director of a National Laboratory enters into an agreement under this subsection, such director shall submit to the Secretary of Energy for monitoring and review all records of the National Laboratory relating to the agreement.

(B) Not later than 30 days after the date on which the director of a specific National Laboratory enters into an agreement under this subsection, the Secretary may terminate the agreement and the authority of any director of such National Laboratory to enter into agreements under this subsection if—

(i) all records of the National Laboratory relating to the agreement have not been transmitted to the Secretary in accordance with subparagraph (A); or

(ii) the Secretary determines that this agreement is inconsistent with the mission of the Department.

(4) LIMITATION.—This subsection does not apply to any agreement with a majority foreign-owned company.

(5) SUNSET.—

(A) IN GENERAL.—This subsection shall apply only during the 4-year period beginning on the date of enactment of this Act.

(B) ASSESSMENT.—Not later than the date that is 180 days prior to the last day of the period described in subparagraph (A), the Secretary shall submit to the Committee on Science, Space, and Technology of the House of Representatives and the Committee on Energy and Natural Resources of the Senate an assessment of the effectiveness of the authority provided to the directors of the National Laboratories under this subsection to accelerate the development of new technologies, and an assessment of any incidences of potential misuse of this authority in the opinion of the Secretary.

SEC. 644. FUNDING COMPETITIVENESS FOR INSTITUTIONS OF HIGHER EDUCATION AND OTHER NONPROFIT INSTITUTIONS.

Section 988(b) of the Energy Policy Act of 2005 (42 U.S.C. 16352(b)) is amended—

(1) in paragraph (1), by striking ''Except as provided in paragraphs (2) and (3)'' and inserting ''Except as provided in paragraphs (2), (3), and (4)''; and

(2) by adding at the end the following:

''(4) EXEMPTION FOR INSTITUTIONS OF HIGHER EDUCATION AND OTHER NONPROFIT INSTITUTIONS.—

''(A) IN GENERAL.—Paragraph (1) shall not apply to a research or development activity performed by an institution of higher education or nonprofit institution (as defined in section 4 of the Stevenson-Wydler Technology Innovation Act of 1980 (15 U.S.C. 3703)).

''(B) TERMINATION DATE.—The exemption under subparagraph (A) shall apply during the 6-year period beginning on the date of enactment of this paragraph.''.

SEC. 645. UNDER SECRETARY FOR SCIENCE AND ENERGY.

(a) IN GENERAL.—Section 202(b) of the Department of Energy Organization Act (42 U.S.C. 7132(b)) is amended—

(1) by striking ''Under Secretary for Science'' each place it appears and inserting ''Under Secretary for Science and Energy''; and

(2) in paragraph (4)—

(A) in subparagraph (F), by striking ''and'' at the end;

(B) in subparagraph (G), by striking the period at the end and inserting a semicolon; and

(C) by inserting after subparagraph (G) the following:

''(H) establish appropriate linkages between offices under the jurisdiction of the Under Secretary; and

''(I) perform such functions and duties as the Secretary shall prescribe, consistent with this section.''.

(b) CONFORMING AMENDMENTS.—

(1) Section 3164(b)(1) of the Department of Energy Science Education Enhancement Act (42 U.S.C. 7381a(b)(1)) is amended by striking ''Under Secretary for Science'' and inserting ''Under Secretary for Science and Energy''.

(2) Section 641(h)(2) of the United States Energy Storage Competitiveness Act of 2007 (42 U.S.C. 17231(h)(2)) is amended by striking ''Under Secretary for Science'' and inserting ''Under Secretary for Science and Energy''.

SEC. 646. SPECIAL HIRING AUTHORITY FOR SCIENTIFIC, ENGINEERING, AND PROJECT MANAGEMENT PERSONNEL.

(a) IN GENERAL.—The Under Secretary shall have the authority to—

(1) make appointments of scientific, engineering, and professional personnel, without regard to civil service laws, to assist the Department in meeting specific project or research needs;

(2) fix the basic pay of any employee appointed under this section at a rate to be determined by the Under Secretary at rates not in excess of the Executive Schedule (EX–II) without regard to the civil service laws; and

(3) pay any employee appointed under this section payments in addition to basic pay, except that the total amount of additional payments paid to an employee under this subsection for any 12-month period shall not exceed the least of the following amounts:

(A) $25,000.

(B) The amount equal to 25 percent of the annual rate of basic pay of that employee.

(C) The amount of the limitation that is applicable for a calendar year under section 5307(a)(1) of title 5, United States Code.

(b) TERM.—

(1) IN GENERAL.—The term of any employee appointed under this section shall not exceed 3 years.

(2) TERMINATION.—The Under Secretary shall have the authority to terminate any employee appointed under this section at any time based on performance or changing project or research needs of the Department.

The Acting CHAIR. Pursuant to House Resolution 271, the gentlewoman from Texas (Ms. EDDIE BERNICE JOHNSON) and a Member opposed each will control 10 minutes.

The Chair recognizes the gentlewoman from Texas.

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

Mr. Chairman, so much of today's debate has been about how harmful the underlying legislation is for our Nation and how it violates every one of the principles of the original COMPETES bill. I am now pleased to be offering a positive way forward in the form of a substitute bill cosponsored by every Democratic member of the committee in addition to the minority leader, Mr. HOYER.

I spoke earlier about the history of the COMPETES bill and the principles it has embodied since the Rising Above the Gathering Storm report set us on this path 10 years ago. The substitute amendment, which we introduced as H.R. 1898, stays true to one of these principles.

It sets targets that provide for steady and sustained real growth in funding for our research and development agencies. It makes a strong statement that the U.S. Congress sees funding for research across all fields of basic research as a top national priority. It does not include false and detrimental choices and tradeoffs among different fields of science and engineering. It ensures that scientific experts, not politicians, continue to set priorities for funding within and among different fields of basic research and for individual grants.

The principles embodied in my substitute amendment continue a pact that the Federal Government made with our Nation's great research universities following our victory in World War II and the onset of the space race that led us to the creation of NSF and NASA.

This pact is what has made NSF, the National Institute of Standards and Technology, or NIST, and the Department of Energy among the world's greatest and most admired research agencies.

Specifically, my amendment fully funds these agencies at the fiscal year 2016 request level and continues to provide 5 percent annual increases for 5 years. This modest investment is already a compromise, given the immense economic return on our basic research investments. The original Rising Above the Gathering Storm report called for even greater increases.

My amendment also reauthorizes and fully funds ARPA-E, which was created in the 2007 COMPETES Act and has exceeded every expectation for creating innovative new energy technologies and spurring private sector follow-on investment.

In addition, my amendment authorizes and funds important innovation programs at the Department of Commerce, including an innovation voucher pilot program that will help small- and medium-sized manufacturers across the country grow their businesses and create new jobs.

My amendment fully funds the standards work of NIST, in addition to their work to help accelerate growth in U.S. advanced manufacturing. We need to bring those manufacturing jobs back home, and we need to Make It In America. NIST is an essential partner in this effort.

□ 1745

Finally, my amendment takes seriously the issue of STEM education, including broadening participation in STEM. Our STEM language is not just senses of Congress about how important STEM is and other filler provisions.

Our language directs real important policy changes to help ensure that all U.S. students and researchers have the opportunity to fully develop their talents in STEM and pursue successful STEM careers.

We are facing a demographic imperative. If we do not find a way to turn around the underrepresentation of women and minorities in STEM fields, our Nation will fall well short of the skilled workforce our industries demand. Our substitute puts our money before where our mouth is when it comes to STEM and corrects a glaring deficit in the underlying legislation.

I am proud of my work that I have done on this committee for many years and of the contributions that many of my colleagues made to this substitute amendment. It truly is a COMPETES Reauthorization Act in every way.

I urge my colleagues on both sides of the aisle to carefully consider the fork in the road before us. If you really want to do right by this great Nation and by our children and our grandchildren, you will vote for the substitute amendment and replace the underlying legislation with a positive path forward.

This amendment will open the doors for innovation and education for our Nation's future. It will not be trade, as many have said, that will cause us to lose these jobs; it will be our companies searching around the world looking for talent and innovation.

Look out for America's future. Vote for this amendment.

I reserve the balance of my time

Mr. SMITH of Texas. Mr. Chairman, I claim the time in opposition to the amendment.

The Acting CHAIR. The gentleman is recognized for 10 minutes.

Mr. SMITH of Texas. Mr. Chairman, I oppose the gentlewoman's amendment.

As I mentioned in my opening remarks, I support a responsible and sustainable path forward for U.S. science, research, and development. We must prioritize the areas of basic research to ensure future U.S. economic competitiveness and spur private sector innovation.

This amendment ignores the caps set by the Budget Control Act, which the ranking member herself supported, and ignores the tough choices that must be made to protect the American taxpayer and future generations from more debt. It is irresponsible not to adhere to the Budget Control Act, which was signed into law by President Obama.

The Budget Control Act was a bipartisan agreement that 95 Democrats voted for, including the ranking member. Now, she wants to ignore that particular law. Although many Members would like to see the Budget Control Act replaced, it is the law of the land, and we should abide by it.

Of course, it is easy just to propose more spending, knowing it will sound good, even if it is irresponsible and against the law. In fiscal year 2016 alone, this amendment would increase spending by $600 million over the current level and the underlying bill. The

amendment increases spending on later-stage research and technology, best done by the private sector.

Since last Congress, we have worked hard to reach an agreement with the minority on numerous policy issues, and we have accepted many of their provisions and ideas to make this bill stronger.

For example, we strengthened STEM provisions related to a new advisory panel and coordinating office. We also included language in support of NIST that passed the House floor on a bipartisan vote last year.

Also, in title III of the bill are three pieces of bipartisan legislation that passed the Science Committee by voice vote in March. Two of those three pieces of legislation were sponsored by Democrats.

I urge my colleagues to support a balanced approach of fiscal responsibility and targeted investments in priority science and basic research and vote ''no'' on the Democratic substitute. The Democratic substitute ignores the Budget Control Act and does not advance good science in America.

I reserve the balance of my time.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Chairman, I yield 3 minutes to the gentleman from Illinois (Mr. LIPINSKI).

Mr. LIPINSKI. Mr. Chairman, I thank Ms. JOHNSON for yielding.

I am proud to rise in support of Ms. JOHNSON's amendment in the nature of a substitute, and I am also proud to cosponsor H.R. 1898, which contains the same language, because this alternative is much more in keeping with the principles of the original America COMPETES Act.

Mr. Chairman, in 2007, I served on the conference committee that worked out the House-Senate compromise on the original COMPETES bill. In 2010, I wrote the NSF title on the reauthorization. These are two of my proudest moments in Congress because those were bipartisan bills that set us on a path to continue leading the world in scientific research and innovation for the next generation.

Sadly, in recent years, we have let that progress stall. Make no mistake, other nations are continuing to invest and are continuing to innovate. If we don't come together to send a strong message and provide strong support for scientific research, America will no longer be able to compete.

The COMPETES bill is an investment bill. I understand the threat of our enormous Federal debt; but, without the types of investments that are made in the COMPETES bill, we will not promote the economic growth that we need to end our deficits and pay down our debt.

Ranking Member JOHNSON's alternative makes those investments. Unlike the base bill, it does not make drastic cuts to Advanced Research Projects Agency-Energy, which promotes and funds research and development of advanced energy technologies.

It does not make drastic cuts to the Office of Energy Efficiency and Renewable Energy that invests in high-risk, high-value research and development in the fields of energy efficiency and renewable energy technologies. It doesn't cut the geosciences or make a more than 50 percent cut to research in the social, behavioral, and economic sciences.

Some might think that last one is warranted; but, in the Science Committee, we are constantly hearing from witnesses about how social science is vital to the work going on in other fields. Members of Congress have frequently relied on spectrum auctions, developed by NSF social science research, to raise billions of dollars.

Social science is perhaps the most critical component to preventing cyber crimes. Considering that the majority of all cyber breaches occur because of social factors, like using easy-to-guess passwords or clicking on a link in a phishing attack, we should want to increase funding in these areas.

Mr. Chairman, Ms. JOHNSON's amendment provides robust support in all of these areas. I agree that the chairman's bill has gotten better and things have been added to the bill which have made it a better bill, but still, I think there is no question that Ms. JOHNSON's substitute is a much better bill for making the types of investments we need in scientific research right now if we want to make sure that America still competes. This is critical to the future of our country; this is critical to innovation.

I urge my colleagues to support it.

Mr. SMITH of Texas. Mr. Chairman, I yield 2 minutes to the gentleman from Texas (Mr. BABIN), who is a member of the Science, Space, and Technology Committee.

Mr. BABIN. Mr. Chairman, I rise in opposition to the gentlewoman's amendment.

The gentlewoman's amendment makes everything a priority so that nothing really is. This amendment rubberstamps the administration's budget request, which fails to make choices, spreading a little bit of research funding around to try to please everyone.

Compared to the gentlewoman's proposal, H.R. 1806 funds 329 more new grants in biology next year, 398 more new grants in computer science, 457 more new grants in engineering, and 955 more new grants in math and the physical sciences.

These are research grants that are going to universities and research institutions across the country, fueling innovation and driving economic competitiveness in the United States.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Chairman, how much time do I have remaining?

The Acting CHAIR. The gentlewoman from Texas has 1½ minutes remaining.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Chairman, I yield 1 minute to the gentlewoman from Oregon (Ms. BONAMICI).

Ms. BONAMICI. Mr. Chairman, I thank the gentlewoman for yielding.

I rise today in support of the substitute amendment to H.R. 1806 and focus on one issue. The underlying bill would set a harmful new precedent by authorizing funding at the directorate level.

Currently, funding levels for the National Science Foundation for each directorate are based on strategic priorities and science-based recommendations from the National Science Board. This is how it should be and how it remains under the substitute amendment.

By setting authorization levels according to directorate, this bill would limit the flexibility NSF needs to set strategic priorities and adapt and capitalize on unanticipated discoveries.

I share the concerns of many experts that the underlying bill would reduce authorized funding levels for specific directorates: the Directorate for Social, Behavioral, and Economic Sciences and the Directorate for Geosciences.

Some of this funding has been used, for example, for Oregon State University to conduct research on ocean acidification. It has also been used critically to support the work in Oregon to develop our understanding of the risks posed by a Cascadia subduction zone earthquake. Other examples are around the country.

In summary, the underlying bill diminishes the ability of the National Science Foundation to make strategic science-based decisions.

I urge my colleagues to join me in supporting the substitute amendment.

Mr. SMITH of Texas. Mr. Chairman, we are prepared to close, so I reserve the balance of my time.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Chairman, I simply will close by saying, as we have been on this floor, we continue to get emails and letters from universities and scientists around this Nation.

I am not presenting this substitute to be funny; I am presenting this substitute to take us to the professional level that the research brought us when we first had America COMPETES. It is not a picking and choosing; it is a professional approach to funding scientific projects.

If we mean to look out for the future of the Nation, as we say we are, this is the legislation that will do it.

I urge everyone to support it, and I yield back the balance of my time.

Mr. SMITH of Texas. Mr. Chairman, the gentlewoman's amendment ignores the law of the land. She and more than 90 other Democrats supported the

Budget Control Act, which was signed into law by the President. This amendment ignores those budget caps.

I support a responsible and sustainable path forward for U.S. science, research, and development; but it is neither responsible, nor sustainable, to spend more and more taxpayer dollars and increase the debt that future generations will inherit. We must prioritize the areas of basic research to ensure future economic competitiveness and spur private sector innovation.

Since the last Congress, we have worked hard to reach an agreement with the minority on numerous policy issues, but we have been clear since the beginning that increases in spending need to have reasonable offsets. This amendment fails to include any offsets and openly ignores the Budget Control Act.

I urge my colleagues to support a balanced approach of fiscal responsibility and targeted investments in priority, science, and basic research. Vote ''no'' on the amendment and ''yes'' on the underlying bill.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from Texas (Ms. EDDIE BERNICE JOHNSON).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentlewoman from Texas will be postponed.

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, proceedings will now resume on those amendments printed in part A of House Report 114–120 on which further proceedings were postponed, in the following order:

Amendment No. 2 by Ms. EDDIE BERNICE JOHNSON of Texas.

Amendment No. 6 by Mr. GRIFFITH of Virginia.

Amendment No. 8 by Mr. LOWENTHAL of California.

Amendment No. 10 by Ms. BONAMICI of Oregon.

Amendment No. 11 by Mr. BEYER of Virginia.

Amendment No. 12 by Ms. EDDIE BERNICE JOHNSON of Texas.

The Chair will reduce to 2 minutes the minimum time for any electronic vote after the first vote in this series.

AMENDMENT NO. 2 OFFERED BY MS. EDDIE BERNICE JOHNSON

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentlewoman from Texas (Ms. EDDIE BERNICE JOHNSON) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 177, noes 243, not voting 12, as follows:

[Roll No. 252]

AYES—177

Adams
Aguilar
Ashford
Bass
Beatty
Becerra
Beyer
Bishop (GA)
Blumenauer
Bonamici
Boyle, Brendan F.
Brady (PA)
Brown (FL)
Brownley (CA)
Bustos
Butterfield
Capuano
Cárdenas
Carney
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly
Conyers
Cooper
Courtney
Crowley
Cuellar
Cummings
Curbelo (FL)
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
DeSaulnier
Deutch
Dingell
Doggett
Dold
Doyle, Michael F.
Duckworth
Edwards
Ellison
Engel
Eshoo
Esty
Farr
Fattah
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Grayson
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hahn
Hastings
Heck (WA)
Higgins
Himes
Hinojosa
Honda
Hoyer
Huffman
Israel
Jackson Lee
Jeffries
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kelly (IL)
Kennedy
Kildee
Kilmer
Kind
Kuster
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lee
Levin
Lewis
Lieu, Ted
Loebsack
Lofgren
Lowenthal
Lowey
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
Maloney, Carolyn
Maloney, Sean
Matsui
McCollum
McDermott
McGovern
McNerney
Meeks
Meng
Moore
Moulton
Murphy (FL)
Nadler
Napolitano
Neal
Nolan
Norcross
O'Rourke
Pallone
Pascrell
Payne
Pelosi
Perlmutter
Peters
Pingree
Pocan
Polis
Price (NC)
Quigley
Rangel
Richmond
Roybal-Allard
Ruiz
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Sherman
Sires
Slaughter
Smith (WA)
Speier
Stivers
Swalwell (CA)
Takai
Takano
Thompson (CA)
Thompson (MS)
Tiberi
Titus
Tonko
Torres
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Waters, Maxine
Watson Coleman
Welch
Wilson (FL)
Yarmuth

NOES—243

Abraham
Aderholt
Allen
Amash
Amodei
Babin
Barletta
Barr
Barton
Benishek
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Bost
Boustany
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Bucshon
Burgess
Byrne
Calvert
Carter (GA)
Carter (TX)
Chabot
Clawson (FL)
Coffman
Cole
Collins (GA)
Collins (NY)
Conaway
Cook
Costa
Costello (PA)
Cramer
Crenshaw
Culberson
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Duffy
Duncan (SC)
Duncan (TN)
Ellmers (NC)
Emmer (MN)
Farenthold
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Garamendi
Garrett
Gibbs
Gibson
Gohmert
Goodlatte
Gosar
Gowdy
Graham
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Griffith
Grothman
Guinta
Guthrie
Hanna
Hardy
Harper
Harris
Hartzler
Heck (NV)
Hensarling
Herrera Beutler
Hice, Jody B.
Hill
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (OH)
Johnson, Sam
Jolly
Jones
Jordan
Joyce
Katko
Kelly (PA)
King (IA)
King (NY)
Kinzinger (IL)
Kline
Knight
LaMalfa
Lamborn
Lance
Latta
Lipinski
LoBiondo
Long
Loudermilk
Love
Lucas
Luetkemeyer
Lummis
MacArthur
Marchant
Marino
Massie
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris Rodgers
McSally
Meadows
Meehan
Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Newhouse
Nugent
Nunes
Olson
Palazzo
Palmer
Paulsen
Pearce
Perry
Peterson
Pittenger
Pitts
Poe (TX)
Poliquin
Pompeo
Posey
Price, Tom
Ratcliffe
Reed
Reichert
Renacci
Ribble
Rice (NY)
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney (FL)
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Royce
Ruppersberger
Russell
Ryan (WI)
Salmon
Sanford
Scalise
Schrader
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Sinema
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Stefanik
Stewart
Stutzman
Thompson (PA)
Thornberry
Tipton
Trott
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Westmoreland
Whitfield
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

NOT VOTING—12

Bera
Capps
Carson (IN)
Chaffetz
Comstock
Crawford
Donovan
Kirkpatrick
Labrador
Noem
Tsongas
Wasserman Schultz

□ 1827

Messrs. TIPTON, LUCAS, FORBES, McCLINTOCK, and STEWART changed their vote from ''aye'' to ''no.''

Mr. ASHFORD, Ms. DEGETTE, Messrs. STIVERS, YARMUTH, and DOLD changed their vote from ''no'' to ''aye.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

Stated against:

Mrs. COMSTOCK. Mr. Chair, on rollcall No. 252, I was unavoidably detained. Had I been present, I would have voted "no."

AMENDMENT NO. 6 OFFERED BY MR. GRIFFITH

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Virginia (Mr. GRIFFITH) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 234, noes 183, not voting 15, as follows:

[Roll No. 253]

AYES—234

Abraham
Aderholt
Allen
Amash
Babin
Barletta
Barr
Barton
Benishek
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Bost
Boustany
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Bucshon
Burgess
Byrne
Calvert
Carter (GA)
Carter (TX)
Chabot
Clawson (FL)
Coffman
Cole
Collins (GA)
Collins (NY)
Comstock
Conaway
Cook
Costello (PA)
Cramer
Crenshaw
Culberson
Curbelo (FL)
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Dold
Duffy
Duncan (SC)
Duncan (TN)
Ellmers (NC)
Emmer (MN)
Farenthold
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Garrett
Gibbs
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Griffith
Grothman
Guinta
Guthrie
Hanna
Hardy
Harper
Harris
Hartzler
Heck (NV)
Hensarling
Herrera Beutler
Hice, Jody B.
Hill
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (OH)
Johnson, Sam
Jolly
Jordan
Joyce
Katko
Kelly (PA)
King (NY)
Kinzinger (IL)
Kline
Knight
Labrador
LaMalfa
Lamborn
Lance
Latta
LoBiondo
Long
Loudermilk
Love
Lucas
Luetkemeyer
Lummis
MacArthur
Marchant
Marino
Massie
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris Rodgers
McSally
Meadows
Meehan
Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Newhouse
Nugent
Nunes
Olson
Palazzo
Palmer
Paulsen
Pearce
Perry
Pittenger
Pitts
Poe (TX)
Poliquin
Pompeo
Posey
Price, Tom
Ratcliffe
Reed
Reichert
Renacci
Ribble
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rooney (FL)
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Royce
Russell
Ryan (WI)
Salmon
Sanford
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Stefanik
Stewart
Stivers
Stutzman
Thompson (PA)
Thornberry
Tiberi
Tipton
Trott
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Westmoreland
Whitfield
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Young (IN)
Zinke

NOES—183

Adams
Aguilar
Ashford
Bass
Beatty
Beyer
Bishop (GA)
Blumenauer
Bonamici
Boyle, Brendan F.
Brady (PA)
Brown (FL)
Brownley (CA)
Bustos
Butterfield
Capuano
Cárdenas
Carney
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly
Conyers
Cooper
Costa
Courtney
Crowley
Cuellar
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
DeSaulnier
Deutch
Dingell
Doyle, Michael F.
Duckworth
Edwards
Ellison
Engel
Eshoo
Esty
Farr
Fattah
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Gibson
Graham
Grayson
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hahn
Hastings
Heck (WA)
Higgins
Himes
Hinojosa
Honda
Hoyer
Huffman
Israel
Jackson Lee
Jeffries
Johnson (GA)
Johnson, E. B.
Jones
Kaptur
Keating
Kelly (IL)
Kennedy
Kildee
Kilmer
Kind
Kirkpatrick
Kuster
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lee
Levin
Lewis
Lieu, Ted
Lipinski
Loebsack
Lofgren
Lowenthal
Lowey
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
Maloney, Carolyn
Maloney, Sean
Matsui
McCollum
McDermott
McGovern
McNerney
Meeks
Meng
Moore
Moulton
Murphy (FL)
Nadler
Napolitano
Neal
Nolan
Norcross
O'Rourke
Pallone
Pascrell
Payne
Pelosi
Perlmutter
Peters
Peterson
Pingree
Pocan
Polis
Price (NC)
Quigley
Rangel
Rice (NY)
Richmond
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Sherman
Sinema
Sires
Slaughter
Smith (WA)
Speier
Swalwell (CA)
Takai
Takano
Thompson (CA)
Thompson (MS)
Titus
Tonko
Torres
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Waters, Maxine
Watson Coleman
Welch
Wilson (FL)
Yarmuth
Zeldin

NOT VOTING—15

Amodei
Becerra
Bera
Capps
Carson (IN)
Chaffetz
Crawford
Doggett
Donovan
King (IA)
Noem
Rokita
Schrader
Tsongas
Wasserman Schultz

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute remaining.

□ 1831

So the amendment was agreed to.

The result of the vote was announced as above recorded.

AMENDMENT NO. 8 OFFERED BY MR. LOWENTHAL

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from California (Mr. LOWENTHAL) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 187, noes 236, not voting 9, as follows:

[Roll No. 254]

AYES—187

Adams
Aguilar
Ashford
Bass
Beatty
Beyer
Bishop (GA)
Blumenauer
Bonamici
Boyle, Brendan F.
Brady (PA)
Brown (FL)
Brownley (CA)
Bustos
Butterfield
Capuano
Cárdenas
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly
Conyers
Cooper
Costa
Courtney
Crowley
Cuellar
Cummings
Curbelo (FL)
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
DeSaulnier
Deutch
Dingell
Doggett
Dold
Doyle, Michael F.
Duckworth
Edwards
Ellison
Engel
Eshoo
Esty
Farr
Fattah
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Gibson
Graham
Grayson
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hahn
Hastings
Heck (WA)
Higgins
Himes
Hinojosa
Honda
Hoyer
Huffman
Israel
Jackson Lee
Jeffries
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kelly (IL)
Kennedy
Kildee
Kilmer
Kind
Kirkpatrick
Kuster
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lee
Levin
Lewis
Lieu, Ted
Lipinski
Loebsack
Lofgren
Lowenthal
Lowey
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
Maloney, Carolyn
Maloney, Sean
Matsui
McCollum
McDermott
McGovern
McNerney
Meeks
Meng
Moore
Moulton
Murphy (FL)
Nadler
Napolitano
Neal
Nolan
Norcross
O'Rourke
Pallone
Pascrell
Payne
Pelosi
Perlmutter
Peters
Pingree
Pocan
Polis
Price (NC)
Quigley
Rangel
Reichert
Rice (NY)
Richmond
Ros-Lehtinen
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Sherman
Sinema
Sires
Slaughter
Smith (WA)
Speier
Swalwell (CA)
Takai
Takano
Thompson (CA)
Thompson (MS)
Titus
Tonko
Torres
Van Hollen
Vargas
Veasey
Vela
Velázquez

Visclosky
Walz
Waters, Maxine
Watson Coleman
Welch
Wilson (FL)
Yarmuth

NOES—236

Abraham
Aderholt
Allen
Amash
Amodei
Babin
Barletta
Barr
Barton
Benishek
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Bost
Boustany
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Bucshon
Burgess
Byrne
Calvert
Carter (GA)
Carter (TX)
Chabot
Clawson (FL)
Coffman
Cole
Collins (GA)
Collins (NY)
Comstock
Conaway
Cook
Costello (PA)
Cramer
Crenshaw
Culberson
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Duffy
Duncan (SC)
Duncan (TN)
Ellmers (NC)
Emmer (MN)
Farenthold
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Garrett
Gibbs
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Griffith
Grothman
Guinta
Guthrie
Hanna
Hardy
Harper
Harris
Hartzler
Heck (NV)
Hensarling
Herrera Beutler
Hice, Jody B.
Hill
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (OH)
Johnson, Sam
Jolly
Jones
Jordan
Joyce
Katko
Kelly (PA)
King (IA)
King (NY)
Kinzinger (IL)
Kline
Knight
Labrador
LaMalfa
Lamborn
Lance
Latta
LoBiondo
Long
Loudermilk
Love
Lucas
Luetkemeyer
Lummis
MacArthur
Marchant
Marino
Massie
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris Rodgers
McSally
Meadows
Meehan
Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Newhouse
Nugent
Nunes
Olson
Palazzo
Palmer
Paulsen
Pearce
Perry
Peterson
Pittenger
Pitts
Poe (TX)
Poliquin
Pompeo
Posey
Price, Tom
Ratcliffe
Reed
Renacci
Ribble
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney (FL)
Roskam
Ross
Rothfus
Rouzer
Royce
Russell
Ryan (WI)
Salmon
Sanford
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Stefanik
Stewart
Stivers
Stutzman
Thompson (PA)
Thornberry
Tiberi
Tipton
Trott
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Westmoreland
Whitfield
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

NOT VOTING—9

Becerra
Bera
Capps
Chaffetz
Crawford
Donovan
Noem
Tsongas
Wasserman Schultz

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute remaining.

□ 1835

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 10 OFFERED BY MS. BONAMICI

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentlewoman from Oregon (Ms. BONAMICI) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 208, noes 215, not voting 9, as follows:

[Roll No. 255]

AYES—208

Adams
Aguilar
Ashford
Bass
Beatty
Beyer
Bishop (GA)
Blum
Blumenauer
Bonamici
Bost
Boyle, Brendan F.
Brady (PA)
Brown (FL)
Brownley (CA)
Bustos
Butterfield
Capuano
Cárdenas
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly
Conyers
Cooper
Costa
Courtney
Crowley
Cuellar
Cummings
Curbelo (FL)
Davis (CA)
Davis, Danny
Davis, Rodney
DeFazio
DeGette
Delaney
DeLauro
DelBene
DeSaulnier
Deutch
Dingell
Doggett
Dold
Doyle, Michael F.
Duckworth
Edwards
Ellison
Emmer (MN)
Engel
Eshoo
Esty
Farr
Fattah
Fitzpatrick
Fortenberry
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Gibson
Graham
Grayson
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hahn
Hastings
Heck (WA)
Herrera Beutler
Higgins
Himes
Hinojosa
Honda
Hoyer
Huffman
Israel
Jackson Lee
Jeffries
Johnson (GA)
Johnson, E. B.
Jones
Kaptur
Keating
Kelly (IL)
Kennedy
Kildee
Kilmer
Kind
King (IA)
Kinzinger (IL)
Kirkpatrick
Kuster
Lance
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lee
Levin
Lewis
Lieu, Ted
Lipinski
LoBiondo
Loebsack
Lofgren
Lowenthal
Lowey
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
Maloney, Carolyn
Maloney, Sean
Matsui
McCollum
McDermott
McGovern
McMorris Rodgers
McNerney
Meeks
Meng
Moore
Moulton
Murphy (FL)
Nadler
Napolitano
Neal
Newhouse
Nolan
Norcross
O'Rourke
Pallone
Pascrell
Payne
Pelosi
Perlmutter
Peters
Peterson
Pingree
Pocan
Polis
Price (NC)
Quigley
Rangel
Reichert
Rice (NY)
Richmond
Rokita
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan (OH)
Salmon
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Sherman
Sinema
Sires
Slaughter
Smith (NE)
Smith (WA)
Speier
Stefanik
Stewart
Swalwell (CA)
Takai
Takano
Thompson (CA)
Thompson (MS)
Titus
Tonko
Torres
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Waters, Maxine
Watson Coleman
Welch
Wilson (FL)
Yarmuth
Yoder
Young (IA)

NOES—215

Abraham
Aderholt
Allen
Amash
Amodei
Babin
Barletta
Barr
Barton
Benishek
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blackburn
Boustany
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Bucshon
Burgess
Byrne
Calvert
Carter (GA)
Carter (TX)
Chabot
Clawson (FL)
Coffman
Cole
Collins (GA)
Collins (NY)
Comstock
Conaway
Cook
Costello (PA)
Cramer
Crenshaw
Culberson
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Duffy
Duncan (SC)
Duncan (TN)
Ellmers (NC)
Farenthold
Fincher
Fleischmann
Fleming
Flores
Forbes
Foxx
Franks (AZ)
Frelinghuysen
Garrett
Gibbs
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Griffith
Grothman
Guinta
Guthrie
Hanna
Hardy
Harper
Harris
Hartzler
Heck (NV)
Hensarling
Hice, Jody B.
Hill
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (OH)
Johnson, Sam
Jolly
Jordan
Joyce
Katko
Kelly (PA)
King (NY)
Kline
Knight
Labrador
LaMalfa
Lamborn
Latta
Long
Loudermilk
Love
Lucas
Luetkemeyer
Lummis
MacArthur
Marchant
Marino
Massie
McCarthy
McCaul
McClintock
McHenry
McKinley
McSally
Meadows
Meehan
Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Nugent
Nunes
Olson
Palazzo
Palmer
Paulsen
Pearce
Perry
Pittenger
Pitts
Poe (TX)
Poliquin
Pompeo
Posey
Price, Tom
Ratcliffe
Reed
Renacci
Ribble
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rooney (FL)
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Royce
Russell
Ryan (WI)
Sanford
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (MO)
Smith (NJ)
Smith (TX)
Stivers
Stutzman
Thompson (PA)
Thornberry
Tiberi
Tipton
Trott
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Westmoreland
Whitfield
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoho
Young (AK)
Young (IN)
Zeldin
Zinke

NOT VOTING—9

Becerra
Bera
Capps
Chaffetz
Crawford
Donovan
Noem
Tsongas
Wasserman Schultz

□ 1840

Mr. EMMER of Minnesota and Ms. KAPTUR changed their vote from ''no'' to ''aye.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 11 OFFERED BY MR. BEYER

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Virginia (Mr. BEYER) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 190, noes 232, not voting 10, as follows:

[Roll No. 256]

AYES—190

Adams
Aguilar
Ashford
Bass
Beatty
Beyer
Bishop (GA)
Blumenauer
Bonamici
Boyle, Brendan F.
Brady (PA)
Brown (FL)
Brownley (CA)
Bustos
Butterfield
Capuano
Cárdenas
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly
Conyers
Cooper
Costa
Courtney
Crowley
Cuellar
Cummings
Curbelo (FL)
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
DeSaulnier
Deutch
Dingell
Doggett
Dold
Doyle, Michael F.
Duckworth
Edwards
Ellison
Engel
Eshoo
Esty
Farr
Fattah
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Gibson
Graham
Grayson
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hahn
Hastings
Heck (WA)
Higgins
Himes
Hinojosa
Honda
Hoyer
Huffman
Israel
Jackson Lee
Jeffries
Johnson (GA)
Johnson, E. B.
Kaptur
Katko
Keating
Kelly (IL)
Kennedy
Kildee
Kilmer
Kind
Kirkpatrick
Kuster
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lee
Levin
Lewis
Lieu, Ted
Lipinski
Loebsack
Lofgren
Lowenthal
Lowey
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
Maloney, Carolyn
Maloney, Sean
Matsui
McCollum
McDermott
McGovern
McNerney
Meeks
Meng
Moore
Moulton
Murphy (FL)
Nadler
Napolitano
Neal
Nolan
Norcross
O'Rourke
Pallone
Pascrell
Payne
Pelosi
Perlmutter
Peters
Peterson
Pingree
Pocan
Polis
Price (NC)
Quigley
Rangel
Rice (NY)
Richmond
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Sherman
Sinema
Sires
Slaughter
Smith (WA)
Speier
Stefanik
Stewart
Swalwell (CA)
Takai
Takano
Thompson (CA)
Thompson (MS)
Thompson (PA)
Titus
Tonko
Torres
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Waters, Maxine
Watson Coleman
Welch
Wilson (FL)
Yarmuth

NOES—232

Abraham
Aderholt
Allen
Amash
Amodei
Babin
Barletta
Barr
Barton
Benishek
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Bost
Boustany
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Bucshon
Burgess
Byrne
Calvert
Carter (GA)
Carter (TX)
Chabot
Clawson (FL)
Coffman
Cole
Collins (GA)
Collins (NY)
Comstock
Conaway
Cook
Costello (PA)
Cramer
Crenshaw
Culberson
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Duffy
Duncan (SC)
Duncan (TN)
Ellmers (NC)
Emmer (MN)
Farenthold
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Garrett
Gibbs
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Griffith
Grothman
Guinta
Guthrie
Hanna
Hardy
Harper
Harris
Hartzler
Heck (NV)
Hensarling
Herrera Beutler
Hice, Jody B.
Hill
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (OH)
Johnson, Sam
Jolly
Jones
Jordan
Joyce
Kelly (PA)
King (IA)
King (NY)
Kinzinger (IL)
Kline
Knight
Labrador
LaMalfa
Lamborn
Lance
Latta
LoBiondo
Long
Loudermilk
Love
Lucas
Luetkemeyer
Lummis
MacArthur
Marchant
Marino
Massie
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris Rodgers
McSally
Meadows
Meehan
Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Newhouse
Nugent
Nunes
Olson
Palazzo
Palmer
Paulsen
Pearce
Perry
Pittenger
Pitts
Poe (TX)
Poliquin
Pompeo
Posey
Price, Tom
Ratcliffe
Reed
Reichert
Renacci
Ribble
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney (FL)
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Royce
Russell
Ryan (WI)
Salmon
Sanford
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Stutzman
Thornberry
Tiberi
Tipton
Trott
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Westmoreland
Whitfield
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

NOT VOTING—10

Becerra
Bera
Capps
Chaffetz
Crawford
Donovan
Noem
Stivers
Tsongas
Wasserman Schultz

□ 1844

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 12 OFFERED BY MS. EDDIE BERNICE JOHNSON OF TEXAS

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentlewoman from Texas (Ms. EDDIE BERNICE JOHNSON) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 179, noes 239, not voting 14, as follows:

[Roll No. 257]

AYES—179

Adams
Aguilar
Bass
Beatty
Beyer
Bishop (GA)
Blumenauer
Bonamici
Boyle, Brendan F.
Brady (PA)
Brown (FL)
Brownley (CA)
Bustos
Butterfield
Capuano
Cárdenas
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly
Conyers
Cooper
Costa
Courtney
Crowley
Cuellar
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
DeSaulnier
Deutch
Dingell
Doggett
Doyle, Michael F.
Duckworth
Edwards
Ellison
Engel
Eshoo
Esty
Farr
Fattah
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Graham
Grayson
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hahn
Hastings
Heck (WA)
Higgins
Himes
Hinojosa
Honda
Hoyer
Huffman
Israel
Jackson Lee
Jeffries
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kelly (IL)
Kennedy
Kildee
Kilmer
Kind
Kirkpatrick
Kuster
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lee
Levin
Lewis
Lieu, Ted
Lipinski
Loebsack
Lofgren
Lowenthal
Lowey
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
Maloney, Carolyn
Maloney, Sean
Matsui
McCollum
McDermott
McGovern
McNerney
Meeks
Meng
Moore
Moulton
Murphy (FL)
Nadler
Napolitano
Neal
Nolan
Norcross
O'Rourke
Pallone
Pascrell
Payne
Pelosi
Perlmutter
Peters
Peterson
Pingree
Pocan
Polis
Price (NC)
Quigley
Rangel
Rice (NY)
Richmond
Ruiz
Ruppersberger
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader

Scott (VA)
Scott, David
Serrano
Sewell (AL)
Sinema
Sires
Slaughter
Smith (WA)
Speier
Swalwell (CA)
Takai
Takano
Thompson (CA)
Thompson (MS)
Titus
Tonko
Torres
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Waters, Maxine
Watson Coleman
Welch
Wilson (FL)
Yarmuth

NOES—239

Abraham
Aderholt
Allen
Amash
Amodei
Babin
Barletta
Barr
Barton
Benishek
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Bost
Boustany
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Bucshon
Burgess
Byrne
Calvert
Carter (GA)
Carter (TX)
Chabot
Clawson (FL)
Coffman
Cole
Collins (GA)
Collins (NY)
Comstock
Conaway
Cook
Costello (PA)
Cramer
Crenshaw
Culberson
Curbelo (FL)
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Dold
Duffy
Duncan (SC)
Duncan (TN)
Ellmers (NC)
Emmer (MN)
Farenthold
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Garrett
Gibbs
Gibson
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Griffith
Grothman
Guinta
Guthrie
Hanna
Hardy
Harper
Harris
Hartzler
Heck (NV)
Hensarling
Herrera Beutler
Hice, Jody B.
Hill
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (OH)
Johnson, Sam
Jolly
Jones
Jordan
Joyce
Katko
Kelly (PA)
King (IA)
King (NY)
Kinzinger (IL)
Kline
Knight
Labrador
LaMalfa
Lamborn
Lance
Latta
LoBiondo
Long
Loudermilk
Love
Lucas
Luetkemeyer
Lummis
MacArthur
Marchant
Marino
Massie
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris Rodgers
McSally
Meadows
Meehan
Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Newhouse
Nugent
Nunes
Olson
Palazzo
Palmer
Paulsen
Pearce
Perry
Pittenger
Pitts
Poe (TX)
Poliquin
Pompeo
Posey
Price, Tom
Ratcliffe
Reed
Reichert
Renacci
Ribble
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney (FL)
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Royce
Russell
Ryan (WI)
Salmon
Sanford
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Stefanik
Stewart
Stivers
Stutzman
Thompson (PA)
Thornberry
Tiberi
Tipton
Trott
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Westmoreland
Whitfield
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

NOT VOTING—14

Ashford
Becerra
Bera
Capps
Chaffetz
Crawford
Donovan
Noem
Roybal-Allard
Rush
Sherman
Tsongas
Wasserman Schultz
Woodall

□ 1848

So the amendment was rejected.

The result of the vote was announced as above recorded.

Stated for:

Mr. SHERMAN. Mr. Chair, on rollcall No. 257, had I been present, I would have voted "yes."

The Acting CHAIR. The question is on the amendment in the nature of a substitute, as amended.

The amendment was agreed to.

The Acting CHAIR. Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. FLEISCHMANN) having assumed the chair, Mr. POE of Texas, Acting Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 1806) to provide for technological innovation through the prioritization of Federal investment in basic research, fundamental scientific discovery, and development to improve the competitiveness of the United States, and for other purposes, and, pursuant to House Resolution 271, he reported the bill back to the House with an amendment adopted in the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment to the amendment reported from the Committee of the Whole?

If not, the question is on the amendment in the nature of a substitute, as amended.

The amendment was agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER pro tempore. The question is on the passage of the bill.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

RECORDED VOTE

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, and the order of the House of today, this 5-minute vote on passage of the bill will be followed by 5-minute votes on the motion to recommit on H.R. 880, and passage of H.R. 880, if ordered.

The vote was taken by electronic device, and there were—ayes 217, noes 205, not voting 10, as follows:

[Roll No. 258]

AYES—217

Abraham
Aderholt
Allen
Amodei
Babin
Barletta
Barr
Barton
Benishek
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blackburn
Bost
Boustany
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Buchanan
Bucshon
Burgess
Byrne
Calvert
Carter (GA)
Carter (TX)
Chabot
Clawson (FL)
Coffman
Cole
Collins (GA)
Collins (NY)
Comstock
Conaway
Cook
Costello (PA)
Cramer
Crenshaw
Culberson
Denham
DeSantis
DesJarlais
Diaz-Balart
Duffy
Duncan (SC)
Duncan (TN)
Ellmers (NC)
Emmer (MN)
Farenthold
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Foxx
Franks (AZ)
Frelinghuysen
Garrett
Gibbs
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Griffith
Grothman
Guinta
Guthrie
Hardy
Harper
Harris
Hartzler
Heck (NV)
Hensarling
Herrera Beutler
Hice, Jody B.
Hill
Holding
Hudson
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Issa
Jenkins (WV)
Johnson (OH)
Johnson, Sam
Jolly
Jordan
Katko
Kelly (PA)
King (IA)
Kinzinger (IL)
Kline
Knight
Labrador
LaMalfa
Lamborn
Lance
Latta
Long
Loudermilk
Love
Lucas
Luetkemeyer
Lummis
MacArthur
Marchant
Marino
Massie
McCarthy
McCaul
McHenry
McKinley
McMorris Rodgers
Meadows
Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Newhouse
Nugent
Nunes
Olson
Palazzo
Palmer
Paulsen
Pearce
Perry
Pittenger
Pitts
Poe (TX)
Poliquin
Pompeo
Posey
Price, Tom
Ratcliffe
Reed
Reichert
Renacci
Ribble
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney (FL)
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Royce
Russell
Ryan (WI)
Salmon
Sanford
Scalise
Schweikert
Scott, Austin
Sessions
Shimkus
Shuster
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Stefanik
Stewart
Stivers
Stutzman
Thornberry
Tiberi
Tipton
Trott
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Westmoreland
Whitfield
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Young (IN)
Zinke

NOES—205

Adams
Aguilar
Amash
Ashford
Bass
Beatty
Beyer
Bishop (GA)
Blum
Blumenauer
Bonamici
Boyle, Brendan F.
Brady (PA)
Brown (FL)
Brownley (CA)
Buck
Bustos
Butterfield
Capuano
Cárdenas
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Clyburn
Cohen
Connolly
Conyers
Cooper
Costa
Courtney
Crowley
Cuellar
Cummings
Curbelo (FL)
Davis (CA)
Davis, Danny
Davis, Rodney
DeFazio
DeGette
Delaney
DeLauro
DelBene
Dent

DeSaulnier
Deutch
Dingell
Doggett
Dold
Doyle, Michael F.
Duckworth
Edwards
Ellison
Engel
Eshoo
Esty
Farr
Fattah
Fortenberry
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Gibson
Graham
Grayson
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hahn
Hanna
Hastings
Heck (WA)
Higgins
Himes
Hinojosa
Honda
Hoyer
Huelskamp
Huffman
Huizenga (MI)
Israel
Jackson Lee
Jeffries
Jenkins (KS)
Johnson (GA)
Johnson, E. B.
Jones
Joyce
Kaptur
Keating
Kelly (IL)
Kennedy
Kildee
Kilmer
Kind
King (NY)
Kirkpatrick
Kuster
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lee
Levin
Lewis
Lieu, Ted
Lipinski
LoBiondo
Loebsack
Lofgren
Lowenthal
Lowey
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
Maloney, Carolyn
Maloney, Sean
Matsui
McClintock
McCollum
McDermott
McGovern
McNerney
McSally
Meehan
Meeks
Meng
Moore
Moulton
Murphy (FL)
Nadler
Napolitano
Neal
Nolan
Norcross
O'Rourke
Pallone
Pascrell
Payne
Pelosi
Perlmutter
Peters
Peterson
Pingree
Pocan
Polis
Price (NC)
Quigley
Rangel
Rice (NY)
Richmond
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Scott (VA)
Scott, David
Sensenbrenner
Serrano
Sewell (AL)
Sherman
Sinema
Sires
Slaughter
Smith (WA)
Speier
Swalwell (CA)
Takai
Takano
Thompson (CA)
Thompson (MS)
Thompson (PA)
Titus
Tonko
Torres
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Waters, Maxine
Watson Coleman
Welch
Wilson (FL)
Yarmuth
Zeldin

NOT VOTING—10

Becerra
Bera
Capps
Chaffetz
Cleaver
Crawford
Donovan
Noem
Tsongas
Wasserman Schultz

□ 1858

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

MOMENT OF SILENCE IN HONOR OF THE MARINES WHO LOST THEIR LIVES ON MAY 12, 2015, IN NEPAL

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

Mr. MICA. Mr. Speaker, I rise tonight to pay tribute to six United States Marines who lost their lives on May 12, 2015. They died not in combat but in a mission of mercy, aiding the people of Nepal, who, as we have read, have been devastated by a horrific and deadly earthquake.

I would like to at this time yield to their Members of Congress to recognize each of the Marines who sacrificed their lives.

First, I yield to the gentleman from Kansas (Mr. POMPEO).

Mr. POMPEO. Captain Christopher Lee Norgren, Wichita, Kansas, Kansas' Fourth Congressional District.

Mr. MICA. I yield to the gentleman from Nebraska (Mr. SMITH).

Mr. SMITH of Nebraska. Captain Dustin Ryan Lukasiewicz, Alma, Nebraska, Nebraska's Third Congressional District.

Mr. MICA. I yield to the gentleman from California (Mr. CALVERT).

Mr. CALVERT. Sergeant Eric Matthew Seaman, United States Marine Corps, Wildomar, California, California's 42nd Congressional District.

Mr. MICA. I yield to the gentleman from Illinois (Mr. FOSTER).

Mr. FOSTER. Corporal Sara Abigail Medina, Aurora, Illinois, Illinois' 11th Congressional District.

Mr. MICA. I yield to the gentleman from Arizona (Mr. FRANKS).

Mr. FRANKS of Arizona. Lance Corporal Jacob Andrew Hug, Phoenix, Arizona, Arizona's Eighth Congressional District.

Mr. MICA. Mr. Speaker, I will now read the name of the brave Marine from my district:

Sergeant Ward Mark Johnson IV, Altamonte Springs, Florida, Florida's Seventh Congressional District.

Mr. Speaker, greater love hath no man than this, that a man lay down his life for his fellow man.

We, the Members who represent those brave Marines, ask you to join us in a moment of silence. And we also ask, as we approach this Memorial Day, that we remember in our thoughts and in our prayers all those brave Americans and their families who have paid the ultimate price in service to our Nation.

AMERICAN RESEARCH AND COMPETITIVENESS ACT OF 2015

The SPEAKER pro tempore. Without objection, 5-minute voting will continue.

There was no objection.

The SPEAKER pro tempore. The unfinished business is the vote on the motion to recommit on the bill (H.R. 880) to amend the Internal Revenue Code of 1986 to simplify and make permanent the research credit, offered by the gentleman from Massachusetts (Mr. NEAL), on which the yeas and nays were ordered.

The Clerk will redesignate the motion.

The Clerk redesignated the motion

The SPEAKER pro tempore. The question is on the motion to recommit.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 181, nays 240, not voting 11, as follows:

[Roll No. 259]

YEAS—181

Aguilar
Ashford
Bass
Beatty
Beyer
Bishop (GA)
Blumenauer
Bonamici
Boyle, Brendan F.
Brady (PA)
Brown (FL)
Brownley (CA)
Bustos
Butterfield
Capuano
Cárdenas
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Clyburn
Cohen
Connolly
Conyers
Cooper
Costa
Courtney
Crowley
Cuellar
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
DeSaulnier
Deutch
Dingell
Doggett
Doyle, Michael F.
Duckworth
Edwards
Ellison
Engel
Eshoo
Esty
Farr
Fattah
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Graham
Grayson
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hahn
Hastings
Heck (WA)
Higgins
Himes
Hinojosa
Honda
Hoyer
Huffman
Israel
Jackson Lee
Jeffries
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kelly (IL)
Kennedy
Kildee
Kilmer
Kind
Kirkpatrick
Kuster
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lee
Levin
Lewis
Lieu, Ted
Lipinski
Loebsack
Lofgren
Lowenthal
Lowey
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
Maloney, Carolyn
Maloney, Sean
Matsui
McCollum
McDermott
McGovern
McNerney
Meeks
Meng
Moore
Moulton
Murphy (FL)
Nadler
Napolitano
Neal
Nolan
Norcross
O'Rourke
Pallone
Pascrell
Payne
Pelosi
Perlmutter
Peters
Peterson
Pingree
Pocan
Polis
Price (NC)
Quigley
Rangel
Rice (NY)
Richmond
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Sherman
Sinema
Sires
Slaughter
Smith (WA)
Speier
Swalwell (CA)
Takai
Takano
Thompson (CA)
Thompson (MS)
Titus
Tonko
Torres
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Waters, Maxine
Watson Coleman
Welch
Wilson (FL)
Yarmuth

NAYS—240

Abraham
Aderholt
Allen
Amash
Amodei
Babin
Barletta
Barr
Barton
Benishek
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Bost
Boustany
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Bucshon
Burgess
Byrne
Calvert
Carter (GA)
Carter (TX)
Chabot
Clawson (FL)
Coffman
Cole
Collins (GA)
Collins (NY)
Comstock
Conaway
Cook
Costello (PA)
Cramer
Crenshaw
Culberson
Curbelo (FL)
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Dold
Duffy
Duncan (SC)
Duncan (TN)
Ellmers (NC)
Emmer (MN)
Farenthold
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Garrett
Gibbs
Gibson
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Griffith
Grothman

Guinta
Guthrie
Hanna
Hardy
Harper
Harris
Hartzler
Heck (NV)
Hensarling
Herrera Beutler
Hice, Jody B.
Hill
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (OH)
Johnson, Sam
Jolly
Jones
Jordan
Joyce
Katko
Kelly (PA)
King (IA)
King (NY)
Kinzinger (IL)
Kline
Knight
Labrador
LaMalfa
Lamborn
Lance
Latta
LoBiondo
Long
Loudermilk
Love
Lucas
Luetkemeyer
Lummis
MacArthur
Marchant
Marino
Massie
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris Rodgers
McSally
Meadows
Meehan
Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Newhouse
Nugent
Nunes
Olson
Palazzo
Palmer
Paulsen
Pearce
Perry
Pittenger
Pitts
Poe (TX)
Poliquin
Pompeo
Posey
Price, Tom
Ratcliffe
Reed
Reichert
Renacci
Ribble
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney (FL)
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Royce
Russell
Ryan (WI)
Salmon
Sanford
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Stefanik
Stewart
Stivers
Stutzman
Thompson (PA)
Thornberry
Tiberi
Tipton
Trott
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Westmoreland
Whitfield
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

NOT VOTING—11

Adams
Becerra
Bera
Capps
Chaffetz
Cleaver
Crawford
Donovan
Noem
Tsongas
Wasserman Schultz

□ 1909

Mr. GARAMENDI changed his vote from ''nay'' to ''yea.''

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore. The question is on the passage of the bill.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

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

The yeas and nays were ordered.

The SPEAKER pro tempore. This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 274, nays 145, not voting 13, as follows:

[Roll No. 260]

YEAS—274

Abraham
Aderholt
Aguilar
Allen
Amash
Amodei
Ashford
Babin
Barletta
Barr
Barton
Benishek
Bilirakis
Bishop (GA)
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Bost
Boustany
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Brownley (CA)
Buchanan
Buck
Bucshon
Burgess
Bustos
Byrne
Calvert
Capuano
Carson (IN)
Carter (GA)
Carter (TX)
Chabot
Clark (MA)
Clawson (FL)
Coffman
Cole
Collins (GA)
Collins (NY)
Comstock
Conaway
Connolly
Cook
Costello (PA)
Courtney
Cramer
Crenshaw
Cuellar
Culberson
Curbelo (FL)
Davis, Rodney
Delaney
DelBene
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Dold
Duffy
Duncan (SC)
Duncan (TN)
Ellmers (NC)
Emmer (MN)
Esty
Farenthold
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Garrett
Gibbs
Gibson
Gohmert
Goodlatte
Gosar
Gowdy
Graham
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Griffith
Grothman
Guinta
Guthrie
Hanna
Hardy
Harper
Harris
Hartzler
Heck (NV)
Heck (WA)
Hensarling
Herrera Beutler
Hice, Jody B.
Hill
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (OH)
Johnson, Sam
Jolly
Jordan
Joyce
Katko
Keating
Kelly (PA)
Kennedy
Kilmer
King (IA)
King (NY)
Kinzinger (IL)
Kline
Knight
Kuster
Labrador
LaMalfa
Lamborn
Lance
Larson (CT)
Latta
LoBiondo
Loebsack
Long
Loudermilk
Love
Lucas
Luetkemeyer
Lujan Grisham (NM)
Lummis
Lynch
MacArthur
Maloney, Sean
Marchant
Marino
Massie
McCarthy
McCaul
McClintock
McDermott
McHenry
McKinley
McMorris Rodgers
McSally
Meadows
Meehan
Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Mullin
Mulvaney
Murphy (FL)
Neal
Neugebauer
Newhouse
Nolan
Nugent
Nunes
Olson
Palazzo
Palmer
Paulsen
Pearce
Perry
Peters
Peterson
Pittenger
Pitts
Poe (TX)
Poliquin
Pompeo
Posey
Price, Tom
Ratcliffe
Reed
Reichert
Renacci
Ribble
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney (FL)
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Royce
Ruiz
Ruppersberger
Russell
Ryan (WI)
Salmon
Sanford
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Sinema
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Stefanik
Stewart
Stivers
Stutzman
Thompson (PA)
Thornberry
Tiberi
Titus
Tonko
Trott
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Walz
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Westmoreland
Whitfield
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

NAYS—145

Boyle, Brendan F.
Brady (PA)
Brown (FL)
Butterfield
Cárdenas
Carney
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clarke (NY)
Clay
Clyburn
Cohen
Conyers
Cooper
Costa
Crowley
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
DeLauro
DeSaulnier
Deutch
Dingell
Doggett
Doyle, Michael F.
Duckworth
Edwards
Ellison
Engel
Eshoo
Farr
Fattah
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Grayson
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hahn
Hastings
Higgins
Himes
Hinojosa
Honda
Hoyer
Huffman
Israel
Jackson Lee
Jeffries
Johnson (GA)
Johnson, E. B.
Jones
Kaptur
Kelly (IL)
Kildee
Kind
Kirkpatrick
Langevin
Larsen (WA)
Lawrence
Lee
Levin
Lewis
Lieu, Ted
Lipinski
Lofgren
Lowenthal
Lowey
Luján, Ben Ray (NM)
Maloney, Carolyn
Matsui
McCollum
McGovern
McNerney
Meeks
Meng
Moore
Moulton
Nadler
Napolitano
Norcross
O'Rourke
Pallone
Pascrell
Payne
Pelosi
Perlmutter
Pingree
Pocan
Polis
Price (NC)
Quigley
Rangel
Rice (NY)
Richmond
Roybal-Allard
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Sherman
Sires
Slaughter
Smith (WA)
Speier
Swalwell (CA)
Takai
Takano
Thompson (CA)
Thompson (MS)
Torres
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Waters, Maxine
Watson Coleman
Welch
Wilson (FL)
Yarmuth

NOT VOTING—13

Adams
Becerra
Bera
Capps
Chaffetz
Cleaver
Crawford
Donovan
Murphy (PA)
Noem
Tipton
Tsongas
Wasserman Schultz

□ 1916

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PROVIDING FOR CONSIDERATION OF H.R. 1335, STRENGTHENING FISHING COMMUNITIES AND INCREASING FLEXIBILITY IN FISHERIES MANAGEMENT ACT

Mr. BYRNE. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 274 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 274

Resolved, That at any time after adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 1335) to amend the Magnuson-Stevens Fishery Conservation and Management Act to provide flexibility for fishery managers and stability for fishermen, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the

chair and ranking minority member of the Committee on Natural Resources. After general debate the bill shall be considered for amendment under the five-minute rule. In lieu of the amendment in the nature of a substitute recommended by the Committee on Natural Resources now printed in the bill, it shall be in order to consider as an original bill for the purpose of amendment under the five-minute rule an amendment in the nature of a substitute consisting of the text of Rules Committee Print 114–16. That amendment in the nature of a substitute shall be considered as read. All points of order against that amendment in the nature of a substitute are waived. No amendment to that amendment in the nature of a substitute shall be in order except those printed in the report of the Committee on Rules accompanying this resolution. Each such amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, may be withdrawn by the proponent at any time before action thereon, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. All points of order against such amendments are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. Any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or to the amendment in the nature of a substitute made in order as original text. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

The SPEAKER pro tempore (Mr. YOUNG of Iowa). The gentleman from Alabama is recognized for 1 hour.

Mr. BYRNE. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentleman from Colorado (Mr. POLIS), pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

GENERAL LEAVE

Mr. BYRNE. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks.

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

There was no objection.

Mr. BYRNE. Mr. Speaker, House Resolution 274 provides a structured rule for consideration of the Strengthening Fishing Communities and Increasing Flexibility in Fisheries Management Act. The rule makes in order eight amendments, five of which are from Democratic sponsors. One of the amendments is a Democrat substitute, which will be debated for twice as long as the other amendments.

As someone who has lived his whole life on the Gulf Coast, I can tell you just how important this bill is. For many people who live on our Nation's coast, this bill is about a way of life.

This bill is for our Nation's commercial fishermen, who depend on a reliable fishing stock in order to make a living. This bill is also for our Nation's charter boat fleets, which are an important source of tourism. That means jobs, Mr. Speaker, and all too often people in this town and government scientists seem not to care about that.

Just as importantly, this bill is for our recreational fishermen and everyday anglers who just enjoy spending time on the waters. For my family, this is a lifelong tradition. I remember fishing with my dad on the Gulf of Mexico. I treasured opportunities to fish with my four children, and as a new grandfather, I look forward to fishing with my grandson.

This is a good bill, and as a former member of the committee of jurisdiction, the Natural Resources Committee, I can tell you that a great amount of time and effort have gone into this bill. This process started over 2 years ago, and there was a lot of work to bring our parties together to get a bill that everyone can agree on.

Unfortunately, as happens far too often here in Washington, my colleagues on the other side of the aisle have decided to make this into a partisan fight. President Obama has said he will veto this bill. All this despite real efforts to work together, across the aisle, to get a bill that works for everyone.

Now I want to briefly talk about the idea of science that the President and my colleagues on the other side claim the bill undermines. All too often here in D.C., what passes for science is just political ideology dressed up with some technical language with no real basis in observable data.

I don't know if the gentleman from Colorado has ever been fishing for red snapper in the Gulf Coast—if he hasn't, then I invite him to do so—but I can tell you that there are more red snapper there than there has ever been before. Despite that good news, NOAA and the Federal Government is consistently undercounting the number of fish in the Gulf of Mexico.

Here is the craziest part of all: NOAA is not sampling for red snapper on reefs, despite the fact that the red snapper is a reef fish. That is simply absurd. If you look for red snapper somewhere other than the reefs, you are not going to find them because they live on reefs.

Now, NOAA is also overestimating the number of red snapper caught each year. For example, last year the Federal Government estimated that 1,041,000 pounds of red snapper were caught off the coast of Alabama, where I am from. The Alabama red snapper reporting system, which is run by the State, only estimated a catch of 418,000 pounds. That is a remarkable disparity.

So what has happened is a very dangerous combination of NOAA underestimating how many fish are actually out there and overestimating the number of fish caught each year. This has resulted in a dramatically shortened season for our red snapper fisherman. Last year's red snapper season was only 9 days. This year it has been increased to 10 days. That is simply unacceptable.

I support science-based management, and the committee supports science-based management, but I don't support and the committee doesn't support flawed science-based management. And this House shouldn't either.

So that is why I get so frustrated when I hear my colleagues say that this bill undermines good science. Come tell that to my fishermen on the Gulf Coast. Come tell that to the marine scientists on the Gulf Coast who have done extensive scientific research on this.

This bill is important because it includes real reforms that are designed to get some better science for all of our fisheries, not only as it relates to red snapper, but as it relates to the fisheries all around the United States of America. Why don't we encourage stronger partnerships with local colleges and universities that have done great work in the past?

Mr. Speaker, I do want to touch on that red snapper issue a little more because it is so important to the people I represent, and it is very important to debate on this bill. This bill includes three important reforms that local scientists, stakeholders, and I believe will get us a real red snapper season. Number one, it repeals inflexible quotas that have been in place up to this point. Number two, it creates jurisdictional parity by expanding State waters out to 9 nautical miles gulfwide. Number three, it shifts the stock assessment and data collection responsibilities from the Federal Government and gives those responsibilities to the Gulf States so we can get some real science, not flawed science.

Far too often people in Washington think we know best; people in Washington think we have all the answers. This is an issue where that simply is not the case. This bill empowers our Nation's fishing communities and gives them the flexibility they need.

So regardless of whether or not you go fishing, this issue should matter to all Americans because this issue is about freedom and limiting the role of the Federal Government in areas where it just doesn't belong.

This is an extremely fair rule. I urge its support, Mr. Speaker, and I reserve the balance of my time.

Mr. POLIS. The gentleman from Alabama said there are more red snapper than there have ever been before, and that would seem to indicate that the policies are working, and I don't think it is a time to reverse course.

Mr. Speaker, I yield such time as he may consume to the gentleman from California (Mr. HUFFMAN), the ranking member of the Natural Resources Subcommittee on Water, Power, and Oceans and the author of the Democratic substitute, which is a cleaner reauthorization.

Mr. HUFFMAN. Mr. Speaker, I thank the gentleman from Colorado.

Like the gentleman from Alabama, I do represent a coastal district, a fishing district. In fact, the Second District of California includes about one-third of the California coastline and many working harbors and ports where fishing men and women have been catching fish with their families for many, many generations, as well as the Native American tribes that I represent, who have been depending on healthy fisheries for hundreds, if not thousands, of years.

So this is important to me. I share the gentleman's concern that we continue to make fishing available for ourselves and for future generations. We have some disagreements on how to get there, and we will talk about that.

I think the thing that we have to recognize at the outset of this debate is that the Magnuson-Stevens Act has been a great success by just about any measure. It succeeded initially in helping us protect and rebuild fisheries from the threat of foreign fleets that were coming into U.S. waters and overfishing and harming our American fishing communities and fishing families. It then went on to succeed in preventing overfishing by U.S. fishermen by a number of mechanisms in the bill that we will talk about in a moment.

The other way in which Magnuson-Stevens has been a huge success is that it has always been bipartisan. Both the original act and the subsequent reauthorizations of Magnuson-Stevens have always been strongly bipartisan. And unfortunately, Mr. Speaker, we are departing from that positive history with the bill we have before us today, and we need to get it back on track.

□ 1930

The keys to Magnuson-Stevens' success have included strict rules on rebuilding of fishery stocks and also very strict fishery specific quotas, so that we can make sure that we prevent overfishing and ensure a sustainable fishery population. This is not so that we stop fishing, quite the contrary. The purpose of these mechanisms is so that we can continue to fish for future generations by maintaining sustainable populations.

Absent these mechanisms, these very successful provisions in Magnuson-Stevens' history teaches us what would happen. We have a history that is played out over and over again in this country and, frankly, around the world—that, without strict protections for sustainable fish populations, we will overfish them, we will deplete them.

It puts us on a path where the tragedy of the commons plays out over and over again, and the end result of that is fisheries closures. We are not helping the folks who want to fish. When we don't manage these populations, we are actually hurting them in the long run.

Now, Democrats have put forward a substitute amendment that is much closer to a clean reauthorization of Magnuson-Stevens. We think that is really the conversation we need to be having. What kind of clean reauthorization can we have? And are there consensus areas where we can actually improve Magnuson-Stevens?

The gentleman from Alabama might be surprised to find Democrats strongly agreeing with him, that we could benefit from additional science, better science. There may be better data available on the red snapper in the Gulf. We are also working with Republicans to try to get that science and make it available to the decision-makers who set those rules for that fishery.

There is also more than meets the eye, even for that red snapper fishery because, while you are talking about a small number of days for recreational fishermen in Federal waters, you have got a much greater number of days in State waters.

You also can fish for red snapper and any other species just about any day you want. When you are in Federal waters, you can only keep them during those certain number of days. The reason for that is because approximately half the fish caught are reserved for commercial fishermen who have made their case to the regional council that it is only fair that about half the fish ought to be available to them and about half the fish are allocated to recreational fishermen.

In those small number of days, believe it or not, the recreational folks catch almost the same amount of fish that the commercial fishermen catch during a much greater number of days. There is always a little more than meets the eye. You hear sensational statistics perhaps about the very small number of days available. There is, frankly, much more to the story.

Where we do agree is, if we can get better data, better science, better monitoring, all of this should be subject to discussion and revision in the councils. That is the flexibility of the Magnuson-Stevens Act, and that ought to be something that we can work on here together.

Unfortunately, though, Mr. Speaker, we have a Republican bill that is taking away some of the key provisions of the act that have actually been the very source of its great success over the years, so that heads in a wrong direction.

Then, unfortunately, we have the obligatory runs at NEPA and various environmental laws, including the Antiquities Act. This is no place to be carrying out that endless assault on America's environmental laws.

Let's get back to that point of consensus, sustainable management of our fisheries. If we can do that, I think we have something we can work on together in this House.

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

I appreciate the gentleman's comments. It is very important that we try to find ways to try to work together when the form of this bill that we worked on in the committee last year, which is almost identical to the one that we adopted this year, was before the Natural Resources Committee.

In Mr. DEFAZIO's opening statement, he said:

> Thank you, Chairman, and I appreciate the changes that were negotiated on a number of provisions in the bill.

Then he said:

> This has been traditionally a very bipartisan exercise, and this is, in good part, bipartisan.

Mr. PALLONE, same time, his opening statement in the committee last year on a virtually identical bill was:

> I do want to say that I do appreciate the fact that you reach out to us on the Democratic side of the aisle; and many of the provisions, as you mentioned, that are in the bill did come from input from the Democratic side.

The gentleman referenced the substitute:

> The substitute has been made in order and has given more time than anything else for us to debate.

We have really leaned over backwards, particularly when you consider that the majority of amendments that we have made in order in this rule are amendments offered by the Democrats.

Now, I appreciate that the gentleman has a substitute—and we are going to give him an opportunity to talk about it—but if you look at his substitute, we might as well call his substitute ''The Environmental Litigation and Fisheries Disaster Creation Act of 2015'' because that is what it is going to do.

This amendment would allow the Secretary of Commerce to accept outside funds from NGOs to support cooperative research projects. This gives the litigation community of the world an avenue to influence NOAA decision making.

This amendment requires the Secretary of Commerce to ignore current procedure and forces the Secretary to retroactively declare a fishery disaster in California from a January 2004 emergency proclamation on California drought.

Mr. HUFFMAN's amendment seems to single out and blame the Central Valley Project for a fishery disaster. As we all know, there are many factors for fish declines, mainly including ocean conditions.

This amendment seeks to blame farmers for a fishery disaster. Above all, this amendment erases the flexibilities, transparency, and science improvements made in the underlying bill, but we give him the opportunity to make his case before this House to show our willingness to work with them.

I was greatly surprised when I read the Statement of Administration Policy that we received from the administration when we were marking this bill up in Rules Committee yesterday, and I was most surprised at what they had to say about the snapper language. Now, that language came from me. I asked the committee to put it in the bill, and I am greatly appreciative of the fact that they did.

Remember what I said about what the science has done to our fishery in the Gulf of Mexico. Here is what the administration says:

H.R. 1335 would also severely undermine the authority of the Gulf of Mexico Regional Fishery Management Council by extending State jurisdiction over the recreational red snapper fishery to 9 miles in the Gulf of Mexico. We intend to give the States more authority by going out.

Now, yes, that would give us some flexibility for the fishing out there, but a lot of the reefs that these red snappers grow on are further out than 9 miles, so it doesn't solve the whole problem.

The administration goes on to say:

This proposed extension of jurisdiction would create an untenable situation where recreational and commercial fishermen fishing side by side would be subject to different regulatory regimes.

How do they know in advance what the States are going to do? Why do they presume that that is going to be the case? They do so because they have such an aversion to the States having any control, any input, in the way that this fishery is governed.

They go on to say:

Absent an agreement among the States as to how to allocate recreationally caught red snapper, the bill would encourage interstate conflict and jeopardize the sustainability of this gulfwide resource.

No one has a greater stake in making sure we keep this fish stock healthy than those of us that live on the Gulf Coast do. Whether we are in commercial fishing, whether we are in charter boat fishing, whether we are in recreational fishing, if we overfish this stock, it is gone; I won't get to fish it with my grandson.

Future commercial fishermen won't get to make money off of this and provide jobs. Charter boat people won't be able to come down to the beach and enjoy themselves. No one wants that to happen.

The administration presumes that we are going to be so self-defeating that we would allow that to happen. I am greatly disappointed that, after all the work we did to solve this problem that was created by the government scientists, that still the administration is attacking us, still they are trying to keep us from solving this problem.

I appreciate what the gentleman had to say. I think we should try to work together on every bill we try to pass in this House; but, at some point, we have got to stand up for people who fish in this country. We have a right to fish in the waters of the United States, and the waters of the United States don't belong to the government scientists; they belong to the people of America.

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

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

Here we are debating the gutting of the Magnuson-Stevens Act, which both sides agree has successfully helped restore some of our counts of wild stock, including snapper. It hardly seems the time to reverse course without any scientific evidence that, somehow, we will get to a different place than we were when Congress wrote the Magnuson-Stevens Act to address the very issue, which it seems to be successfully addressing.

The gentleman from Alabama mentioned some remarks from Mr. DEFAZIO. I wanted to be clear that then-Ranking Member DEFAZIO opposed a similar bill, this similar bill, in the last Congress. I am not sure of the context of the remarks he made, but he stood here on the floor urging his colleagues to oppose the bill. He opposed it as well in committee.

He was not happy with the result last time; he is not happy with the result this time, nor is our new ranking member of either the subcommittee or the committee. I should add it passed out of committee without a single Democratic vote. To be clear, there was not a bipartisan effort in committee to talk about the best policy with regard to fisheries.

Now, before I jump into the debate about fish populations and fisheries in our oceans—something I have to admit, as representing the landlocked State of Colorado, I had to take a crash course on in the last few days—I want to talk about some of the events from the last week that I think should merit congressional attention.

One item that happened in the last week is a 16-year-old student from the Atlanta Public School system in Georgia was attacked in his courtyard just because he was gay. A crowd surrounded to watch as 15 people beat this young person into a bloody pulp while yelling derogatory slurs at him.

Again, we could be addressing that through passing the Student Non-Discrimination Act or the antibullying act from Representative SANCHEZ, but instead, we are talking about gutting Magnuson-Stevens' protections of our fisheries.

Also this week, a south Texas family detention facility, similar to facilities in other parts of the country for immigrants who were caught in the wrong place at the wrong time, testimony came out that women and children were severely punished, abused, and neglected. We could be pursuing detention reform or immigration reform; but, again, we are not.

This last week, Los Angeles raised its minimum wage to $15 an hour. Now, in LA, that puts families closer to a living wage, but the bad news is this Congress refuses to take up any minimum wage hike. Whether it is a $12 proposal, which Democrats put forward, whether it is a $10.10 proposal, whether it is even a $9 proposal, this Congress has not, instead of bringing forward a bill to increase the minimum wage—by the way, when somebody works full time at minimum wage, they earn about $14,500 a year. I don't know what we are saying to people where you work full time and we are forcing you to rely on government programs to subsist.

Republicans are keeping people on public housing, on food stamps, on welfare, rather than helping them support their own way and regaining their dignity in the process, which is what raising the minimum wage would do; but, no, we are not talking about that here today. We are talking about gutting the Magnuson-Stevens Act.

21,000 gallons of oil spilled in the Pacific Ocean off the coast of Santa Barbara County—that is probably not good for the fish there either—following the eruption of an 11-mile long underground pipeline; but, instead of talking about a renewable energy future, instead of talking about ending our reliance on fossil fuels or a national renewable energy portfolio standard, we are talking about gutting our fisheries protection and gutting the Magnuson-Stevens Act.

Tragically, we had funerals for eight people who were killed in the derailment of the Amtrak train in Pennsylvania; our House observed a moment of silence earlier on that, but rather than discussing measures that can prevent future derailment accidents—and I understand there is some technology that, when implemented, could have helped avoid this kind of accident—here we are again, discussing gutting the Magnuson-Stevens Act that has successfully protected our wild fisheries and helped restore some of the stock so that precisely the recreational and charter fishermen and the gentleman from Alabama can continue to enjoy fishing. Absent the support of the Magnuson-Stevens Act, it is likely we would not be able to support the level of recreational and commercial fishing that we can today.

Seven people were shot in Baltimore yesterday amid a recent spike in violence following the death of Freddie Gray while in police custody; but, instead of addressing nonlethal use of

force or video cameras on police officers, we are discussing gutting the Magnuson-Stevens Act.

We all know that the Federal highway reauthorization is running up against the May 31 deadline. The body of this Congress chose to renew it for 60 days and just created another crisis in another 59 days; yet we are not discussing what a deal would look like, a bipartisan deal, for a longer-term reauthorization of the Federal highway trust fund.

□ 1945

One hundred eighty Democrats signed a discharge petition for a bill that seeks to renew the charter of the Export-Import Bank, a critical driver for job creation and American competitiveness, fully permissible under WTO rules, under proposed trade agreement rules. Other countries have these kinds of banks, and to unilaterally disarm would cost American jobs. But instead of talking about how Congress gets out of this political box on the Export-Import Bank, we are discussing gutting the Magnuson-Stevens fisheries protection legislation.

This Congress could do a lot better with regard to dealing with issues that I hear about from my constituents every day, day in and day out, whether that is fixing our broken immigration system, whether it is protecting our country from terrorism, whether it is preventing future Amtrak derailments. Those are the kinds of topics that, I think, the American people want to see us discussing here today rather than gutting an important piece of legislation which many charter fishermen, recreational fishermen, and commercial fishermen applaud in having successfully sustained their livelihoods or their passions for the last generation.

Let's talk about fish.

The bill we are looking at today would devastate our wild fisheries. It would make our waters much more of a ''free for all.'' Under the guise of flexibility, it would allow for the overfishing of critical species, risking not only their sustainability and the future enjoyment of recreational fishermen but also the health of entire ecosystems that rely on the fish stocks that we are debating.

It would set an alarming precedent for the circumvention of our bedrock environmental laws by allowing fishery management councils to supersede NEPA, the National Environmental Policy Act; the Endangered Species Act; the Antiquities Act; and the National Marine Sanctuaries Act.

The Fishery Conservation and Management Act was introduced in 1976 to stop unregulated fishing that had demonstrably led to the depletion across a number of wild fisheries. In both 1996 and 2007, the legislation was reauthorized—bipartisan bills again. This bill passed committee without a single Democratic vote. Each time, through a comprehensive drafting process, good ideas from both sides of the aisle were put to paper.

Ironically, the one thing that, I think, the gentleman from Alabama and I can agree on is that the 2007 authorization has been successful. We have shown the increased health of our wild fish stocks. So the question is: Do we want to reverse course and jeopardize that, or do we want to move forward with scientific-backed evidence?

Unfortunately, the Republicans are trying to make sweeping changes to gut the Magnuson-Stevens Fisheries Protection Act. This iteration of the bill was drafted with almost no Democratic input, and it passed out of committee without a single Democratic vote.

Look, if we want to go through this kind of exercise with a bill that the President has said he would veto—a bill that breaks with the proud bipartisan tradition of fisheries protection—why aren't we spending time on some of the issues I mentioned earlier, like immigration reform, like protecting LGBT students from discrimination, like socioeconomic disparities in our country, how we can deal with mental health among returning veterans who fought overseas, or the risk of terrorism here at home? Let's do that.

If we are going to talk fish, Mr. Speaker, let's at least bring up a bill that has been drafted by all stakeholders. Let's at least bring up a bill that ensures that the fishing community will have an industry in 10 years, in 20 years, in 50 years—a bill that protects the interests of our recreational fishermen and that preserves the health of our oceans for the enjoyment of all Americans and for the health of our planet now into the future.

I reserve the balance of my time.

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

I was listening to the gentleman from Colorado speak. We heard about immigration, minimum wage, LGBT, renewable energy, highways, the Ex-Im Bank, and a little bit about fish. This is a bill about fish. It is not about all of that stuff.

We have heard from our friends on the other side of the aisle that we in the majority are using too many combined rules, where you have more than one bill in the rule, which they say confuses the debate and distracts from the individual merits of each bill and the process by which it will be considered. I have just got to tell you that it seems to me we had a lot of confusion and distraction with the interjection into this debate of a bunch of issues that have nothing to do with fishing. Today, we have one rule covering one bill; yet the gentleman just spent the majority of his time discussing issues not covered in the rule before us.

Let me tell you that the people in my area are suffering. Charter boat people have lost their boats. Dads who want to take their children fishing can't take their children fishing. It is destroying a way of life for people. I am not saying those other issues aren't important, that they are not serious, but they are not covered by this rule, and they are not in this bill. We need to debate that.

The gentleman said something about the 2007 act, that it was successful. Let me tell you what it has been successful in doing. It has taken a summer red snapper season and reduced it to 10 days. That is what it has been successful in doing. It has been successful in almost decimating our charter boat fleets and in putting a lot of people out of work. I hear a lot from the other side about needing to put people to work. The people on these charter boats work. They lost their jobs because of this. It was successful all right. It was successful in destroying something that worked for people for generations.

I have great respect for my fellow colleague from Colorado who is on the Rules Committee. I know he doesn't get to fish much in the Gulf of Mexico, but I extend an invitation to him. I will take him out there and let him catch some red snapper. I believe, Mr. Speaker, once he does that, he will be as enthusiastic for this bill as I am.

I reserve the balance of my time.

Mr. POLIS. Mr. Speaker, I would like to inquire if the gentleman has any further speakers or is prepared to close.

Mr. BYRNE. Yes, Mr. Speaker, I am prepared to close.

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

I invite the gentleman from Alabama to come to Colorado to fish our wonderful mountain trout, which we have in our streams and rivers. Obviously, he is no stranger to a different kind of fisheries management policy where, of course, our economy in Colorado relies on fishing and sportsmen as well, and I certainly understand that driver of jobs locally.

I think the disconnect here is that the gentleman talks about what the 2007 Magnuson-Stevens bill has accomplished in that it has reduced the number of days that people can fish. That was the action that was taken. The effect of that is that the wild stocks are up, so there are more snapper. I think both sides agree on that. I believe there is a direct causal link to the fact that there are more snapper because there have been fewer that have been taken out of the water. If we manage our fisheries for the short term, if we throw caution to the wind, people might have a good season or two, but it simply won't be there either for the future generation of recreationists or for those whose livelihoods depend on a viable commercial fishing stock.

Now, this bill is about fish. If this rule allowed for the discussion of some

of the other bills I mentioned, I could support it. If this bill allowed a debate of #raisethewage, either to our Democratic proposal of a $12 an hour minimum wage or to whatever number the gentleman from Alabama would like—if he would like to propose $9 an hour, $8.50—I would be willing to support this rule, or if it even allowed 2 minutes of debate for raising the minimum wage.

Mr. Speaker, I would support this bill if it allowed for us to consider our bipartisan immigration reform measure. If we allowed that debate under this bill, I would do that. I would support this rule if it allowed debate about the Student Nondiscrimination Act to make sure that LGBT students don't face bullying in our schools and so that it is a safe learning environment for all students. I would support this rule if it addressed what we have learned from the Amtrak derailment and prevented future derailments and saved lives.

None of those items, along with countless others, are included under this rule. In fact, all of the amendments under this rule, as well as the underlying bill, are related to fish.

No, I don't know deny that fish are important. We might be discussing our mountain trout someday here on the floor of the House and defending the President's efforts around clean water or on protecting some of our watersheds in Colorado. We have a lot of interest in protecting our fishing stock as well. But I would be proud to be able to bring forth some of the priorities that I hear from my constituents that are so critical.

Rather than continually bringing up bills that attack the integrity of our environment—in this case, a bill that would gut the fisheries protections that have been afforded under the Magnuson-Stevens Act and that both sides have acknowledged have successfully helped restore the red snapper population—I would hope that perhaps our next rule will allow us to raise the minimum wage, that perhaps our next rule will allow us to consider immigration reform, that perhaps our next rule will help us deal with the bullying in schools, that perhaps our next rule will save lives and prevent future derailments, and so many other issues.

I say to my colleagues that this particular bill needs to go back to the drawing board. It needs to go back to the drawing board to have a bipartisan effort in a committee I serve on, the Natural Resources Committee, to include priorities from both sides and good science and continue to build upon the legacy of success that the 2007 bipartisan reauthorization of the Magnuson-Stevens Act has had in increasing the health of our wild fishing stocks. I encourage my colleagues to vote ''no'' on this rule.

I yield back the balance of my time.

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

I was listening very carefully to the gentleman from Colorado, and I accept his invitation to go trout fishing. I would love to do that. Fishing of all kind is great for everybody to do, and I appreciate his invitation.

The reason we have the problem we have today is not because the Federal Government knows how many fish are out there. It doesn't. Remember what I said earlier—this is a reef fish, and they don't sample for reef fish on reefs. So, if you don't sample for reef fish on reefs, you are not going to find the fish. Now, we know there are so many fish out there because we haven't been allowed to fish them and that snapper are not only eating other species but they are eating other snapper.

What our scientists have done is they have actually gone out there with submersible vehicles with high-def cameras, and they count the fish on the reef and sample them that way. They have a real number. They do a real sampling so they get accurate data, and these government scientists don't.

My friend said that we should go back to the drawing board. We have waited too long already. We should have done this last year so that we could have had a real snapper season this year. If we wait again, we won't have a snapper season next year, and that is not acceptable. We have enough fish out there—and the science from our region has proven it—to have a real snapper season. It is not just about snapper. We have these problems in other areas of the fishery that need to be taken care of and taken care of in a responsible way. No one is more environmentally conscious than someone who hunts and fishes, because that is where we get our enjoyment, and we want it to be there for us and for our children and, now that I have a grandson, for my grandchildren.

I have appreciated this debate today. I always welcome the opportunity to draw attention to some of the real issues which are affecting my constituents back on the Gulf Coast. To some people up here, this issue doesn't mean much. To some people, they only listen to the political talking points put out by lobbyists or by political parties or by environmental groups. But to the small restaurant employees in Gulf Shores or to the charter boat captain in Orange Beach or to the gas station in Foley or to the condo owners on Dauphin Island or to the thousands of families who spend time fishing on the Gulf Coast and all around our country, this bill is critically important. This bill is about getting the Federal Government off our backs so that we can fish.

Let's not fall back into another political debate. Let's come together on behalf of our Nation's coastal communities. Let's get some real relief for our fishermen. I encourage my colleagues to support this rule and to support this commonsense bill and to support the people of America and their freedom to fish in our waters.

Mr. Speaker, I yield back the balance of my time, and I move the previous question on the resolution.

The previous question was ordered.

The SPEAKER pro tempore. The question is on the resolution.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

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

The yeas and nays were ordered.

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

□ 2000

HONORING THE LIFE OF CORPORAL SARA MEDINA

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

Mr. FOSTER. Mr. Speaker, today it is with great sorrow that I rise to mark the loss of one of Aurora's brightest lights. On May 12, 2015, while performing relief work following the Nepal earthquake, Corporal Sara Abigail Medina and five other marines tragically lost their lives in a helicopter crash.

Corporal Medina was from Aurora, Illinois, and graduated from East Aurora High School in 2010. While still in high school, she decided to serve her country by joining the Marines.

In the face of such a tragedy, we often ask why; and to paraphrase the President, whenever a disaster strikes, the world looks to America to lead because of our extraordinary people who rise to the challenge.

As a father, I know that no words that I say on this floor will be able to fill the hole in the hearts of all those who knew and loved Sara, but still we must speak because all should know that Corporal Sara Medina gave her last full measure of devotion in service to her country, helping those who needed it most.

For her sacrifice and for her family's terrible loss, we offer our condolences and thanks of a grateful nation.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. NEWHOUSE). The Chair will entertain Special Order speeches without prejudice to the resumption of legislative business.

TRANSPORTATION INFRASTRUCTURE

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 2015, the gentlewoman from

New Jersey (Mrs. WATSON COLEMAN) is recognized for 60 minutes as the designee of the minority leader.

GENERAL LEAVE

Mrs. WATSON COLEMAN. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks and include extraneous material on the subject of my Special Order.

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

There was no objection.

Mrs. WATSON COLEMAN. Mr. Speaker, I am so pleased to join with my distinguished colleague, the gentlewoman from Florida, as we discuss an issue of great importance to my district and, quite frankly, to every Member of Congress: transportation infrastructure.

Last week our Nation endured a terrible tragedy as Amtrak Northeast Regional train 188 derailed in Philadelphia on its way to Trenton en route to New York. That accident killed eight Americans, including one of my constituents, injured more than 200, and disrupted service on the busiest rail corridor in the Nation for nearly a week.

In the days since the accident, investigators have indicated that high speeds may have played a significant role in the derailment, speeds that were more than double the limit in that stretch of the track. My colleagues on the other side of the aisle have used those details to deflect attention away from discussing our Nation's investments, or the lack thereof, in rail and all of our other surface transportation infrastructure.

Mr. Speaker, burying our heads in the sand and waiting until an accident indisputably caused by lack of funding or maintenance to discuss that funding is dangerous, irresponsible, and, frankly, unacceptable: dangerous because millions of Americans every day are driving across dilapidated bridges, riding on outdated trains, and stuck in endless traffic when traveling to work, to school, and medical care; irresponsible because news coverage and the looming highway trust fund depletion have made transportation infrastructure a national focus; unacceptable because transportation infrastructure has traditionally been a bipartisan issue that affects how every single one of our constituents gets where they need to go. Still we stand here today waiting for the House majority to bring forth a good-faith, comprehensive surface transportation reauthorization that makes investments to give us the transportation system—rail, car, air, and sea—that we need.

Transportation infrastructure is critical for the businesses and employers in our district that ship goods to consumers across the globe. Transportation infrastructure creates good-paying jobs here, jobs that can't be outsourced, and jobs that will actually give working Americans a chance to climb into the middle class and beyond.

But like I mentioned earlier, my colleagues on the other side of the aisle would rather have us wait until an accident that we can attribute to infrastructure decay to invest in our roads, our bridges, and our railways. In fact, a Los Angeles Times report recently noted that the last time Congress significantly increased Amtrak funding was 2008, following the 2008 Union Pacific-Metrolink crash in California that killed 25 people.

This year, the day following the Philadelphia crash, my colleagues on the other side of the aisle voted to cut Amtrak funding by one-fifth. That is wrong; it is just plain wrong. It is insane, and it is out of touch.

Earlier this year, my Congressional Progressive Caucus colleagues and I introduced the People's Budget, a budget that would fix our economy so that it will once again provide opportunity for everyday working class Americans. A key provision in the People's Budget was an investment of $820 billion to close our Nation's infrastructure gap, funded by raising the gas tax by just 15 cents for the first time in more than two decades so that we can maintain and improve our Nation's infrastructure.

Unfortunately, instead of the People's Budget, Congress passed a far more dangerous Republican budget; and unfortunately, our infrastructure continues to crumble. Our roads are frequently congested, limiting productivity for millions of American workers; our airports appear run down compared to their competitors in Europe and Asia; and rail speeds around the world have long eclipsed even Amtrak's fastest trains.

Our bridges continue to deteriorate and present real safety hazards, and our ports are in terrible disrepair, having negative economic impact. In fact, a report last week in The New York Times noted that while the train that derailed was traveling well above the speed limit, at 106 miles per hour, its speed was about half of the average speed of a French train from Paris to Marseille.

Federal and State investments in infrastructure have plunged in recent years, even as economists have repeated over and over and over again that infrastructure spending would bring massive economic benefits and overhaul our transportation networks. This has to change before it is too late, Mr. Speaker.

The Congressional Progressive Caucus is here on the floor today to implore our colleagues to put transportation spending front and center. I know that the gentlewoman from Florida (Ms. BROWN) agrees with me. I want to thank her for her leadership as a member of the House Committee on Transportation and Infrastructure.

I yield to the gentleman from New York (Mr. NADLER), who shares our passion about the importance of funding a comprehensive transportation bill.

Mr. NADLER. I thank the gentlewoman for yielding.

Mr. Speaker, for well over a decade we have failed to adequately invest in transportation infrastructure. According to DOT, there is an $808 billion backlog of investment needs on highways and bridges, including $480 billion in critical repair work. Public transit has an $86 billion backlog of critical maintenance and repair needs, which increases by $2.5 billion each year as bus and rail infrastructure ages.

The American Society of Civil Engineers has given U.S. infrastructure an overall grade of D-minus because 54 percent of our major roads are rated poor or mediocre. One out of every four bridges in the United States, or 147,000 bridges, is structurally deficient or functionally obsolete, and 45 percent of Americans do not have access to transit.

Federal land management agencies need over $11 billion to address deferred maintenance needs on our roads and bridges. The Federal Highway Administration estimates that the cost of upgrading and repairing our deteriorating bridges is over $106 billion. An investment of $20 billion annually by all levels of government is needed through 2030 to draw down the backlog.

Bringing existing transit assets just up to a state of good repair will require an annualized investment level of $18.5 billion through the year 2030, an amount far in excess of current funding levels. An additional $4.3 billion over current spending levels from all levels of government is needed annually to eliminate the current backlog by 2030.

To accommodate future transit ridership growth and preserve transit systems, as much as $24.5 billion per year would need to be invested compared to only $14.2 billion currently invested, a gap of $10 billion a year.

The cost to our economy of not meeting our infrastructure needs is great. According to the 2013 American Society of Civil Engineers report, 42 percent of America's major urban highways remain congested. Congestion costs commuters $121 billion a year in wasted time and fuel, or an average of $818 per commuter. I would guarantee you each commuter would rather spend the equivalent amount in taxes than waste that money sitting on a clogged highway.

In 2011, congestion caused urban Americans to travel 5.5 billion hours more and to purchase an extra 2.9 billion gallons of unnecessary fuel. Without existing transit services in place in 2011, travelers would have suffered an

additional 865 million hours of delays and consumed 450 million more gallons of fuel.

Despite the condition of our infrastructure system caused by years of underinvestment, we are spending way too little today on roads, bridges, transit, and rail. The highway trust fund currently collects about $35 billion per year for the highway account and $5 billion for the transit account. According to CBO, the highway trust fund faces a shortfall of about $170 billion over the next 10 years. By 2020, the highway trust fund's purchasing power will have dropped by nearly half since 1990 because of inflation at a time when the country's population will have increased 30 percent.

We currently spend about $50 billion a year on highways and transit, and most of the recent fights over revenue for the transportation bill have been merely to fill the gap to maintain current funding levels. The discussion should be much broader. It should be about how we can fund the program at a higher level to eliminate the backlog, increase capacity, meet a state of good repair, and eliminate the congestion in this country.

Today, this country spends about 1.7 percent of GDP of the entire economy on infrastructure. We used to spend almost 4 percent on infrastructure. Europe is spending 4 to 5 percent, and China is spending 9 percent. Who do you think, 30 years from now, is going to have a competitive economic system which depends on adequate up-to-date competitive transportation infrastructure and broadband?

In particular, for example, we have been underinvesting in our rail infrastructure as well. The passenger rail system needs at least $52 billion, or $2.5 billion per year for 20 years, just to meet ridership demands such as capacity improvements, such as tunnels to New York and to bring the system into a state of good repair. Of that amount, $21 billion is necessary for the backlog of projects on the Northeast corridor.

The Northeast corridor serves 51 million people and is the major corridor for Amtrak in the country. The $21 billion for the backlog of projects includes $13.8 billion in major infrastructure project backlog and $7.2 billion in basic infrastructure backlog.

□ 2015

Some of these major project needs include $1.5 billion to replace the Baltimore and Potomac Tunnel, which dates back to 1873; $950 million to replace the Gunpowder and Bush River Bridges; $850 million to replace the Susquehanna River Bridge; $350 million to replace the Highline Bridge and add a fourth track between Newark and New York; $750 million to replace the Portal Bridge, which can stop the entire Northeast corridor if it should fail; $1 billion for catenary, communication, and signal upgrades and bridge replacements near New Haven; $2.8 billion in upgrades to other movable bridges; $1.8 billion in additional catenary upgrades from Washington, D.C., to New York.

All this is basic backlog, just to make sure that the current system continues to operate and doesn't fail. Additional funding over and above the $21 billion backlog, for a total of $64 billion, is needed for service improvements and projected increases in capacity on the Northeast corridor; yet Amtrak gets just $1.4 billion in the annual appropriations bill—or less than 2 percent of Federal transportation funding.

The Appropriations Committee recommended the other day that this be reduced to $1.1 billion, with a $64 billion backlog.

The fiscal year 2016 transportation appropriations bill, just marked up in committee the day after the accident north of Philadelphia, cuts capital funding for Amtrak by $290 million, providing only $1.1 billion in FY 2016, $1 billion below the President's request.

The President's request for this year's budget includes $5 billion for rail. Half of that is for Amtrak, to bring the system to a state of good repair, including $550 billion for the Northeast corridor.

As we await the results of the full investigation, the tragedy of Amtrak train 188 shows the importance of a reliable rail system to the Northeast region of this country. We cannot continue the decades of neglect that have left our system desperately underfunded and resulted in a multibillion-dollar backlog to bring the system to a state of good repair.

It should not require a tragedy to spur action to address the glaring deficiencies in our transportation and infrastructure network. We should act before accidents occur.

Rail safety is not a luxury; it is of fundamental importance to our citizens and our economy. Thousands of businesses and commuters in the Northeast depend on the rail for commerce and transportation every day. Congress must finally provide the resources necessary for ensuring the safety and reliability of our transportation and infrastructure system.

While this Congress has failed to make transportation funding a priority, the administration has taken the lead and proposed a long-term surface transportation reauthorization bill.

The GROW AMERICA Act provides a total of $478 billion over 6 years, a 45 percent increase for highways, bridges, public transportation, highway safety, and rail programs. It provides $317 billion for programs under the Federal Highway Administration, an increase of 29 percent over current levels. It allocates $18 billion for a new dedicated multimodal freight system. How is our economy supposed to operate without an efficient freight transportation system?

It provides $115 billion for programs under the Federal Transit Administration, an increase of 76 percent over current levels, and significantly boosts New Starts funding.

It provides $28 billion for programs under the Federal Railroad Administration, $6 billion for vehicle safety programs under the National Highway Traffic Safety Administration, $4.7 billion for truck and bus safety programs, and $16 billion for the Highway Safety Improvement Program.

It provides $7.5 for TIGER grants and $6 billion for TIFIA that could support $60 billion in loans. It provides $3.5 billion to leverage research and innovation to move people.

Several of the members of the Transportation Committee just introduced the GROW AMERICA Act in the House. Not all of us agree with everything in that bill.

For example, the Transportation Committee's Special Panel on Freight, which I was the ranking Democrat on, made several unanimous bipartisan recommendations, including providing dedicated guaranteed funding for projects of national and regional significance. Reauthorizing this program is a top priority for many of us on the committee and should be included in any final bill.

It is important to start moving a long-term bill, where we can have an opportunity to shape these policy provisions, and the GROW AMERICA Act would serve as a good starting point.

The last surface transportation bill, MAP–21, expired last fall. The President first proposed the GROW AMERICA Act last spring to provide an alternative for MAP–21 before it expired.

Unfortunately, we failed to reauthorize MAP–21 on time and passed an extension until the end of this month, to give us more time to work on a long-term bill. We just passed another 2-month extension, the 33rd extension, to take us to the end of July.

We have known for months that this day was coming; yet we have made no progress in finding a solution to funding highways, transit, and other important surface transportation programs.

MAP–21 itself was only a 2-year bill, breaking the tradition of Congress passing 5- or 6-year bills to provide the reliable funding necessary to complete long-term capital plans and projects that require a commitment beyond 1 fiscal year.

The last time we passed a long-term bill was 10 years ago, in 2005, in SAFETEA–LU. That bill was underfunded because of a resistance to raising the gasoline tax and identifying new revenue sources.

House and Senate leadership couldn't come up with the additional $60 billion needed to fill the gap in the highway

trust fund just to do a long-term bill at current levels, but this week, they put on the floor a tax extender that will cost $182 billion over 10 years, completely unpaid for.

The priorities of this Congress are completely out of whack. Our infrastructure is crumbling around us, and the majority continues to spend hundreds of billions of dollars on tax cuts for corporations and the wealthy, while leaving transportation funding to wither on the vine.

I am concerned we will be back here in July having this same conversation. We must demand now that this Congress spend the next 2 months, once and for all, making transportation funding a priority.

We must realize that what we have based our transportation program on since 1955, the gasoline tax, is a wasting asset. It is down 30 percent since 1993 because of inflation, and every year, we use fewer gallons because of an intelligent policy of energy conservation, of higher mileage per gallon; but that means fewer gallons of gasoline. We must either raise the gasoline tax or bring in a new source of revenue or both.

Finally, let me say that interest rates are at negative rates now. When interest rates are at negative rates, when you can borrow money and pay it back more cheaply, that is the time to borrow money to invest so that our children inherit not a great debt, but inherit an efficiently functioning economy and an investment in the country that makes the economy function.

We have always known this. The Republican Party and their precursor, the Whigs, have always known this. They were the party in the 19th century of the American systems. What was the American system? Henry Clay's system to invest public funds in internal improvements in roads and canals and bridges and railroads, rather than the European system of letting the private sector do it.

Abraham Lincoln continued that tradition with the transcontinental railroad at a time of civil war, and Dwight Eisenhower did the Interstate Highway System, which we are still living with. These were Republican Party projects. I only wish the Republican Party wasn't completely turning its back on its own heritage.

We have, for the last century, a bipartisan heritage of funding our infrastructure so that the country can grow and the economy can prosper, but the Republican Party seems to have turned their back on this. I urge you to reconsider.

Stop turning your back. Join us in the Democratic Party in continuing our tradition of making this an economy that can function for all our people, where people can move and not waste their time sitting in traffic jams, where goods can move and the economy can function, businesses can flourish. That is what is at stake.

Ms. BROWN of Florida. Mr. NADLER, first of all, I want to thank you for your comprehensive information about transportation infrastructure.

In my home State of Florida, we bring many visitors to Florida through Amtrak through the Auto Train. We have colleagues on the other side that want to privatize that system, and I want to know how that will affect New York, privatizing that Northeast corridor.

Mr. NADLER. Well, you have to remember the reason why Amtrak was created in the first place. We didn't have public railroads in the 19th century. We didn't have public railroads in the first half of the 20th century, but by 1960 and 1970, many of the freight railroads were going bankrupt, and certainly, the passenger lines could no longer pay for themselves. They were all going bankrupt.

Congress faced the reality in 1970 that if it didn't create something called Amtrak—it was named Amtrak—but something as a public corporation or publicly funded corporation, there would be no passenger rail in the United States.

The States did the same thing. What became various commuter rail agencies, like MTA in New York or SEPTA in Philadelphia and others, were created out of the bankrupt passenger operations of the private rail lines. No one could make money at it.

Amtrak has survived and has flourished in the sense of attracting more and more passengers, and it now has 77 percent of the market against the airlines in the Northeast corridor; and, thank God, it saves energy and time and congestion, despite the fact that it has been grossly underfunded by Congress.

The only section of Amtrak that makes money is the Northeast corridor from Washington to Boston. It subsidizes everything else. There would be no rail lines outside the Northeast corridor—not to Florida, not to Chicago, not to Denver, not to any place outside the Washington to Boston corridor—if they had to pay for themselves.

We, the Northeast corridor, subsidize the rest of Amtrak. From my point of view as a New Yorker, I would rather that weren't the case; but I am an American. I think everybody ought to have the ability to travel and the ability to have an economy that functions, and so we cross-subsidize.

It would be better if Congress put money in and other sections of the country could become self-sustaining in rail, but the fact is the history is that is very difficult.

I am not aware of any rail system or public transit system in the world that isn't publicly subsidized. We subsidize every transportation system in this country. We subsidize the highway; we subsidize the airlines with the air traffic control, and we do it because we know the country has to move.

If we want an economy that generates goods and services for people, it has to move. Freight has to move. It has to move by rail. It has to move by barge, by boat. We have to invest in it.

If Amtrak stops funding the line to Florida, that line wouldn't exist anymore; everything would be on the road. The roads would be more congested; people would waste more time. The one exception to that right now is the Northeast corridor. We are willing, because we are Americans, to participate in a national system, and the rest of the country should be willing, too.

Ms. BROWN of Florida. Mr. NADLER, when I travel to different countries, they always ask us about our freight rail. We are the caboose when it comes to funding Amtrak, and we started the rail system, and they don't use cabooses any more.

I don't understand why it is that we, as Members of Congress, don't understand the importance of having a safe, efficient transportation system. Rail has to be a part of it.

When I think about Katrina and I think about over 3,000 people died because they couldn't move out of harm's way, that is a reason why we need a comprehensive transportation system in this country.

Our competition in Florida is not Georgia, Alabama, and Mississippi—nothing personal to the people here from Georgia. We are competing with people from other countries, and we must develop an efficient rail system in conjunction with all of our other transportation needs

Mr. NADLER. You are obviously completely right, and that is why I quoted the figures I did earlier in my remarks.

Prior to 1980, roughly, we used to spend about 4, 4½ percent of GDP on infrastructure. Now, we are spending 1.7 percent of GDP on infrastructure. Of course, we are underinvesting, and our infrastructure is decaying. By infrastructure, I mean roads, highway, bridges, rail, airports, broadband—you name it.

China is spending 9 percent of GDP on infrastructure. We are competing with China. We are competing with other countries. If they can move goods and people more efficiently, that means their economy is going to be more efficient; their economy is going to be more competitive; they are going to be able to sell things more cheaply, generate things more cheaply, and outsell us.

We have to compete in a world economy. We can't be insulated. If we are going to compete in a world economy and have an economy that can generate the jobs, we can only compete if we have a transportation system. We also need an efficient energy system

and other things, too, but an efficient transportation system. We are eating our seed corn. We benefited from prior generations' investment, and now, we are not doing that investment.

I hear rhetoric on this floor all the time that we shouldn't leave a debt. We have to have a balanced budget, and we shouldn't leave a debt to our children.

Frankly, I would rather leave a debt to our children if we use that debt to build up the investments in this country so that there are roads for our children to travel on, rails to ride on, airports to land in, schools to attend. That is an investment.

□ 2030

We have to make a distinction. It is one thing to waste money or spend it on something ephemeral. But to invest it so that our children inherit a country with a functioning economy and with assets that we give them that they can use to make a more functioning economy, that is worth it.

Ms. BROWN of Florida. I thank the gentleman for his contribution.

Mr. Speaker, Congresswoman WATSON COLEMAN, and Members of the House, it amazes me that the House practices what I call ''Reverse Robin Hood.'' In other words, robbing from transportation to give tax breaks to their friends.

Recently, they passed close to $300 billion for tax breaks. But, yet, we can't pass a comprehensive transportation bill that will put people to work.

Yesterday, in the House, we passed another extension of surface transportation programs, once again, failing in our duties to provide a world-class transportation system for our country.

Transportation programs are much too critical to our economy to be delayed any longer. Unfortunately, the Republican leadership in Washington continue its long-running failure to fund surface transportation infrastructure programs.

While our international competition is investing heavily in transportation and infrastructure to move people, goods, and services, the leadership of this House is passing tax cuts for their wealthy contributors, while Congress sticks their heads in the sand and passed another continuing resolution.

Just a few weeks ago, House Republicans passed a bill cutting taxes by $269 billion for the richest 1 percent of Americans, with no offsets. But we have failed to pass a real transportation reauthorization bill since 2005 because they can't find the money.

Clearly, this Nation's transportation infrastructure is not a priority for the Republican leadership in this House.

Transportation infrastructure funding is absolutely critical to this Nation and, if properly funded, serves as a tremendous economic boost and job creator. In fact, the Department of Transportation statistics show that for every billion dollars that we invest in transportation infrastructure, it creates 44,000 permanent jobs, along with $6.2 billion in economic activity.

Mr. Speaker, the traveling public is pleading with you to make transportation infrastructure a priority. When this happens, we can put millions of hard-working Americans back to work fixing our Nation's crumbling infrastructure, and preparing our country for the future.

In the words of Transportation Secretary Anthony Foxx: ''All of us have a role to play in shaping our Nation's infrastructure.''

And as we saw during the last tragic train derailment in Philadelphia, Congress urgently needs to increase funding for our Nation's passenger rail systems to make them safe for the traveling public and prevent future tragedies on our Nation's rail system.

Madam COLEMAN, I understand that the gentleman from New Jersey wants to join us. And as he joins us, I would like for him to answer that question, as he makes his remarks, How would prioritizing Amtrak affect New Jersey?

Mrs. WATSON COLEMAN. Before the gentleman from New Jersey (Mr. PAYNE) begins, I really think I want to share something that I think is very germane to where the gentleman may be going.

Both of us live on and travel the Northeast corridor on the train back and forth to New Jersey, and we depend upon an efficient and a safe train ride to get us back to our homes and to get us back down here to do the people's business.

I did mention that I lost a constituent because that train was on its way to Trenton, and it was letting off people in my district, and that train would have ultimately gone on up to Newark and then on to New York.

I know that the Congressman has been tremendously impacted by the tragedy that took place, and knowing how important it is for us to be able to move back and forth efficiently, effectively, and safely in the Northeast corridor. And I just wanted to sort of preface the introduction of your coming to the microphone with sort of remembering that this is really close to home for you and me.

I yield to the gentleman from New Jersey (Mr. PAYNE.)

Mr. PAYNE. Mr. Speaker, I thank the gentlewoman from Florida and the gentlewoman from New Jersey for affording me this opportunity to discuss a tragedy, as the gentlewoman from New Jersey stated, that has hit very close to home.

And the reason I say that is, as stated by the gentlewoman from New Jersey, the Northeast corridor is the way we are able to travel back and forth from our home to Washington, D.C., to do the people's business. And so it is not uncommon that I could have been on train 188. I have taken it on numerous occasions.

My thoughts and prayers are with the victims of this horrific Amtrak train derailment and their families at this difficult time.

I am grateful for the first responders who put themselves in harm's way to rescue passengers, and I wish all those injured a full and speedy recovery.

This tragedy, as we stated, has hit so close to home. Sometimes weekly, I travel, as do many of my constituents and colleagues, on this rail line. I have taken Amtrak's 188 and had my wife and children on that specific train leaving here going back home.

As a Member of Congress, we have a responsibility to ensure and enhance the public safety.

The derailment of Amtrak train 188 serves as an important reminder that if we are to meet this responsibility, we need to invest in our infrastructure.

There is no doubt that our Nation's infrastructure is crumbling. The American Society of Civil Engineers has rated it as a D-plus

Now, Mr. Speaker, I know all of us find education important. If you were given a D-plus on the work that you do, on the quality of your service, what would that say?

There is no doubt that we are falling behind other nations in the quality of our infrastructure. Long-term investments in our Nation's infrastructure are essential for achieving economic growth and competitiveness throughout the world.

Yet, Republicans refuse to address this very real crisis. This only compounds the problem, costing American jobs and undermining our economy.

We don't need shortsighted thinking. We need to stay competitive, boost commerce, invest in economic growth and job creation, and protect our communities. These are the benefits of modernizing our Nation's infrastructure.

One day after the derailment of Amtrak train 188, my Republican colleagues voted to cut Amtrak funding. While the Amtrak investigation remains ongoing, we know that slashing funding will hamper safety improvements and upgrades.

We shouldn't stand in the way of this wise infrastructure investment. Let's commit to ensuring modern, safe, and reliable infrastructure that reflects the greatness of this Nation.

And as I go to my seat, I just want to, once again, thank the gentlewomen from Florida and New Jersey respectively for giving me the opportunity to have several moments to discuss what is an issue that impacts the safety, the productiveness, the competitiveness of our Nation and our infrastructure.

Ms. BROWN of Florida. Mr. Speaker, I want to talk a little bit more about Amtrak, because I am the past chair and ranking member of the Railroads,

Pipelines, and Hazardous Materials Subcommittee, and I think Amtrak is more and more important.

As more Americans are turning to rail as their preferred mode of transportation, Amtrak is building the infrastructure and organization to meet that demand.

Amtrak carried a record total of 31.6 million passengers in 2013. Their ridership has been growing across the system for over a decade, with last year's ridership being the largest in the history.

Currently, they serve more than 500 destinations in 46 States and provide the only public transportation option for millions of people in rural areas.

Let me repeat. Amtrak is the only mode of transportation for people in certain rural areas.

Amtrak has increased their revenue, reduced debt, has new passengers, improved their infrastructure, and purchased trains that are built 100 percent in America. That is where those parts are made, 100 percent in America.

Amtrak reduces congestion and improves our energy independence and plays a vital role in emergency preparation.

And I often talk about 9/11. Amtrak was moving. It was the only way people could move in this country. And Katrina.

So Amtrak plays a very important part in making sure that we can continue to move people, goods and services.

Madam, I want to thank you for your leadership in this area.

THIS IS OUR WATCH

Ms. BROWN of Florida. Before you close out, I want to mention something about veterans because we are getting ready to have a recess, and I have to thank all of the veterans for their service.

This morning at 9 a.m. we went over to the Women's Memorial Wall. And it is what we have done for 18 years to honor women veterans who have served in this country.

I want to thank all who have served America. We have the freedoms because of their service. I want to, once again, thank them.

But I must mention the fact that on the 24th of this month, if the House does not move, the project in Denver will shut down, and it will cost over $20 million to shut down. In addition, it will be $2 million a month. We are talking about the VA facility in Denver, Colorado.

Now, we want to blame the VA, but this is our watch. The Denver hospital has been a political hot potato for over 10 years; different secretaries, different administrations.

But the point is, this is our watch, and it is unacceptable that we shut down this project.

One of the slogans of the Army is, ''Failure is not an option.'' We need to get it done.

□ 2045

We appreciate the service that the men and women have provided for our freedom, but we need to do our part in making sure that we take care of them.

I want to paraphrase the comments of the first President of the United States, George Washington. He said, No matter how justified we think a war may be, what is important is how we treat the veterans.

Now, this is our watch. This is our responsibility. And we have to make sure that we take care of the veterans.

With that, I want to thank the gentlewoman from New Jersey for her leadership and for providing this opportunity to discuss transportation infrastructure, Amtrak, and also to thank the veterans for their service.

A lot of us talk the talk, but we need to walk the walk and roll the roll for the veterans.

Mrs. WATSON COLEMAN. I thank the gentlewoman from Florida for everything that she has brought before us this evening. I thank my colleagues for raising the issues regarding the significance, the importance of, and the economic benefits, as well as the safety and security needs, of an efficient, effective, and safe transportation system.

I want to also thank the gentlewoman for reminding us that we are having our Memorial Day holiday, and it gives us an opportunity to thank those who have made the ultimate sacrifice to keep us safe and to keep the freedoms that we hold so dear.

And at the end of this, Mr. Speaker, I want to take this opportunity to simply remind us that the transportation needs of our community both represent safety and security that we hold very sacred in our communities, but it also provides an economic benefit that we all can benefit from. Irrespective of Republican or Democrat, rural, urban, or suburban, there is a benefit to a transportation system that moves people, goods, and supplies where they are needed.

I yield back the balance of my time.

Ms. MAXINE WATERS of California. Mr. Speaker, I thank my colleagues, Congresswoman BONNIE WATSON COLEMAN and Congresswoman CORRINE BROWN for organizing this Congressional Progressive Caucus Special Order Hour on Transportation Infrastructure Spending.

Last night, the House passed H.R. 2353 to extend the federal surface transportation programs for two months, through July 31st. If these programs had been allowed to expire, all federal transportation funding to states and local governments would have stopped on May 31st, and numerous constructions jobs on highways, bridges and transit systems could have been cancelled. According to the American Association of State Highway and Transportation Officials, this needless crisis brought uncertainty to 6,000 critical construction projects across the country, and left 660,000 good-paying construction jobs hanging in the balance.

I voted for this bill, but I did so reluctantly because what we really need is a multi-year transportation bill that will bring our nation's transportation system into the 21st century. A multi-year transportation bill with robust funding for highway, bridge and transit construction will create thousands of good jobs and provide certainty to states and local governments.

Federal investment in our nation's transportation system is essential. The American Society of Civil Engineers gave the public infrastructure of the United States a grade of ''D+'' in 2013 and estimated that we will need to invest $3.6 trillion by 2020 in order to improve the condition of our infrastructure.

Rebuilding our nation's transportation infrastructure creates jobs that are desperately needed throughout the country. The economy is still struggling to recover from the recession. The unemployment rate is 5.4 percent nationwide and is significantly higher in some minority and disadvantaged communities. Transportation funding is clearly good for the economy.

Congressional Republicans have had months to prepare a multi-year transportation bill. Unfortunately, all they did last night is punt the deadline two months deeper into the critical summer construction season. I urge my Republican colleagues to work with us over the next two months so we can finally pass a multi-year transportation bill before the July 31st deadline.

Congressional Republicans are further jeopardizing our nation's transportation system by slashing funding for TIGER. TIGER—formally known as Transportation Investment Generating Economic Recovery—is a nationwide competitive grant program that creates jobs by funding investments in transportation infrastructure by states, local governments, and transit agencies. TIGER funds innovative projects that generate economic development and improve access to safe, reliable, and affordable transportation alternatives.

Earlier this year, the President requested $1.25 billion for TIGER in fiscal year 2016, as part of an expanded TIGER program that would provide $7.5 billion for TIGER over 6 years. This expanded TIGER program will create jobs, encourage innovation, and modernize transportation infrastructure for the 21st century.

I sent a letter to the Appropriations Committee urging full funding of the President's $1.25 billion request for TIGER in FY 2016, and a total of 146 Members of Congress signed my letter.

Nevertheless, the House Republicans' version of the FY 2016 Transportation and Housing Appropriations (THUD) bill provides only $100 million for TIGER. That's an 80 percent cut from FY 2015 and a small fraction of the President's request. This kind of drastic cut in TIGER will needlessly cripple highway and transit construction plans that are already struggling due to the uncertainty surrounding the future of the transportation bill.

We need more federal investment in transportation infrastructure, and we need it now! That is why I am introducing the TIGER Grants for Job Creation Act. This bill will provide an emergency supplemental appropriation totaling $7.5 billion dollars over the next six years for job creation through investments in transportation infrastructure. This emergency

supplemental appropriation will fully fund the President's proposal for an expanded TIGER.

Passage of an emergency supplemental appropriation will provide funding for TIGER free from sequestration and without reducing funding for other important domestic priorities. It will also allow states, local governments, and transit agencies to begin immediately to plan projects and prepare grant applications. Thus, it will ensure an efficient use of funds and timely job creation.

I urge all of my colleagues to support the TIGER Grants for Job Creation Act and fully fund the President's request for TIGER, and I urge my colleagues to pass a multi-year transportation bill to bring our highways, bridges and public transit systems into the 21st century.

HOUR OF MEETING ON TOMORROW

Mr. JODY B. HICE of Georgia (during the Special Order of Mrs. WATSON COLEMAN). Mr. Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet at 10 a.m. tomorrow.

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

There was no objection.

REAPPOINTMENT OF MEMBER TO BOARD OF TRUSTEES OF THE INSTITUTE OF AMERICAN INDIAN AND ALASKA NATIVE CULTURE AND ARTS DEVELOPMENT

The SPEAKER pro tempore. The Chair announces the Speaker's reappointment, pursuant to 20 U.S.C. 4412, and the order of the House of January 6, 2015, of the following Member on the part of the House to the Board of Trustees of the Institute of American Indian and Alaska Native Culture and Arts Development:

Mr. BEN RAY LUJÁN, New Mexico

APPOINTMENT OF INDIVIDUALS TO COMMISSION ON CARE

The SPEAKER pro tempore. The Chair announces the Speaker's appointment, pursuant to section 202(a) of the Veterans Access, Choice, and Accountability Act of 2014 (Public Law 113–146), and the order of the House of January 6, 2015, of the following individuals on the part of the House to the Commission on Care:

Mr. David P. Blom, Columbus, Ohio

Mr. Darin Selnick, Oceanside, California

Dr. Toby Cosgrove, Cleveland, Ohio

APPOINTMENT OF MEMBERS TO MEXICO-UNITED STATES INTERPARLIAMENTARY GROUP

The SPEAKER pro tempore. The Chair announces the Speaker's appointment, pursuant to 22 U.S.C. 276h and the order of the House of January 6, 2015, of the following Members on the part of the House to the Mexico-United States Interparliamentary Group:

Ms. LINDA T. SÁNCHEZ, California

Mr. GENE GREEN, Texas

Mr. POLIS, Colorado

Ms. JACKSON LEE, Texas

Mrs. TORRES, California

CRIMINAL JUSTICE REFORM

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 2015, the Chair recognizes the gentleman from Georgia (Mr. JOHNSON) for 30 minutes.

Mr. JOHNSON of Georgia. Mr. Speaker, I appear here tonight to talk about police and community relations throughout our country. The purpose of this Special Order is to talk about how the relationship between police and local communities can be repaired.

Over the last year, we have witnessed tensions rise between local law enforcement officers and local communities. The events we have witnessed across the country have highlighted the need for mending the strained relationships between police and communities across the country.

This week, the Judiciary Committee in the House held a hearing entitled, Policing Strategies for the 21st Century. The purpose of this hearing was to look at how law enforcement is trained and how it is received in our communities across the country.

The Senate also held a hearing this week. Their focus was on the use of body cameras.

I applaud my colleagues for holding hearings on criminal justice reform this week, but I hope that this is just the beginning and not the end of the hearings that need to be held on so many different and very important and fundamental issues on the topic of criminal justice reform. All of these issues scream out for public attention and for new solutions by this Congress.

There are many conversations that need to be had about the best ways to improve policing practices, including ways to curb the use of excessive force, the use of body cameras, and mental health evaluations for law enforcement. The list goes on and on.

I would like to start out by talking about three of my bills: the Grand Jury Reform Act, the Police Accountability Act, and the Stop Militarizing Law Enforcement Act.

Police militarization is an important subject that President Obama even weighed in on yesterday with the issuance of an executive order that incorporates my Stop Militarizing Law Enforcement Act. Both my bill and the President's executive order call for a ban on the transfer of certain surplus military-grade weaponry and both impose strict oversight and transparency measures to ensure that the equipment that is transferred is used properly.

President Obama's Law Enforcement Equipment Working Group called for law enforcement agencies to ''embrace a guardian—rather than a warrior—mindset'' to build trust and legitimacy both within agencies and with the public.

This statement is at the very core of what we need to change in our country. Military-grade weapons are made for one purpose, and that is to conduct war.

When we see tanks and grenade launchers and this type of equipment being used by police, it enforces a message that we are at war in the streets of our very own country, the same way that we are at war in the streets of other countries. This has to change because our streets are not war zones, and we should not allow the unbridled proliferation of military weaponry onto our streets.

When we allow our streets to be flooded with surplus weaponry from the wars in Iraq and Afghanistan, we set the stage for a military mindset to take hold throughout the law enforcement community. We should not allow things to get twisted. There is a big difference between the law enforcement mentality and the military mindset.

The creed of an Army soldier is to ''deploy, engage, and destroy the enemies of the United States of America in close combat.''

Conversely, the classic police motto is ''to protect and serve.''

So when we start flooding our streets with military-grade weaponry, we start to allow the creeping in of a different mindset. And when we factor in the fact that many of our law enforcement officers have actually had to be deployed to war zones during the last 12 or 13 years because the wars in Iraq and Afghanistan have been fought by a volunteer Army, with a healthy dose of deployment of Reserve and National Guard units to the battle—when we consider that, we consider the fact that many law enforcement officers are also reservists or National Guardsmen or -women, and they have been deployed to war zones. Then they come back to their jobs in the Nation, and sometimes they could get it twisted in terms of what their actual goal and mission should be.

On the streets of America, the mission is not to deploy and to engage the enemy and destroy the enemy in close combat. That is not what law enforcement officers should be about. And we don't need to let that mindset creep into law enforcement.

When you have the experience and when you have the equipment and when you have inherent biases and prejudices that exist in the mindset of all Americans, regardless of whether or not it is law enforcement or civilian, then you get a situation where your minority communities can then be at

severe risk. And that, I am afraid, is what has occurred in this country because so many of our young people have lost confidence in our police departments and in our law enforcement community. And that, ladies and gentlemen, is definitely unhealthy. It is not good for our democracy. We need to try to do something to change it. And we can't make effective changes without understanding the problem.

Now some would say that we need a military solution on the streets of America because the streets have become so lawless, but I would beg to differ. I would beg to differ strongly, as a matter of fact. We are dealing with citizens who still need to be protected.

By the way, most people in America are law-abiding citizens. There are some who become criminals, who stray and commit criminal acts. Sometimes those criminal acts actually place people's lives at risk. And police and law enforcement are there to make sure that we keep people safe.

All people want to be safe and secure in their homes and walking down the streets and in doing their business, in their life, work, and play pursuits. All of us want to be safe, and all of us realize that we must have law enforcement enforce the laws. All of us should have a responsibility to each other to stay within the boundaries of the law, and we are partners in that regard. We, the citizens, partner among ourselves; and then we must partner with our law enforcement community to enable law enforcement to do the job that we need them to do.

So it is a relationship that is built on trust, and it is built on communication because law enforcement can only be as effective in enforcing the law as it is with respect to the relationships that it has among people in the community.

That is why community-oriented policing is so important, to get police officers involved in the communities within which they serve; for them to get out of the car, go meet people, go develop relationships, and start the flow of dialogue. The citizens are who enable law enforcement to be most effective because that is where they get most of their information.

I will admit that people don't communicate with law enforcement as much as they should, and it hurts us all. The reasons for that are this breakdown in trust, which is exacerbated by the military equipment and by the military mindset, both of those going hand in hand.

□ 2100

Now, how do we stop it?

First, by stopping the flow of that free military equipment onto our streets. We must cap that. I am not here to say that law enforcement should not have what it needs in order to do what it is supposed to do, and that is to protect and serve, but it should not have a pipeline directly between the Department of Defense and law enforcement which supplies equipment to law enforcement, leaving out the civilian authority to make the determination of whether or not the equipment is needed.

So that is what the 1033 program does. That is what President Obama's executive order, which tracks the language of the Stop Militarizing Law Enforcement Act, does, and that is to stop that flow and return control of the process of acquisition of law enforcement equipment back to the hands of the civilian authority. So that is the first thing that we need to do.

Mr. Speaker, the second thing we need to do is to ensure good analysis of the personnel that we have doing the law enforcement, because as I said, if you have been to a war zone, the statistics show that many of those who return from the battle suffer from post-traumatic stress and other illnesses that affect the mental health of the people. So we must take better care of the mental health of our law enforcement personnel, having been deployed or not. Being involved in law enforcement is very stressful, and sometimes that mental health can break down and people start making bad decisions. So we really must get a handle on that in this country.

Then once we get a handle on the militarization, there are some structural issues that need to be dealt with. One is the loss of confidence in the criminal justice process, i.e., the grand jury, the secret grand jury process as it relates to law enforcement officers, because what has become clear is that whenever there has been a killing of a civilian by law enforcement officer, it often results—or it most often results—in a finding of justifiable homicide. Indeed, most killings by law enforcement are justifiable; there is no question about that. But there is also no question about the fact that some of the killings are unjustifiable. When they are unjustifiable, they need to be dealt with in accordance with the law, which means prosecution.

The problem that we get with law enforcement officers who have acted outside of the law and have committed a killing, what we get is a finding that the killing was justified despite the clear evidence to the contrary. I am not going to cite any specific cases, but I will say that these cases are well-known to the public. They appear on video. Even if your eyes deceive you and the killing was justified, you are certainly justified in not having confidence in the process by which the finding that the killing was justified was rendered through. Basically I am talking about a secret grand jury process. That is why I filed the Grand Jury Reform Act, to get at this secret grand jury process and to bring transparency into the process.

Now, what usually happens, or what is the course of conduct in a police killing case, is that the killing itself will be investigated first, and oftentimes only by the very law enforcement agency that employed the officer involved in the incident. So what you have are friends and coworkers investigating each other.

So when that happens, it tends to not be impartial. It tends to be biased in favor of the accused. What usually happens is, despite what may be clear about the facts, the decision always comes down as a justifiable homicide by the law enforcement agency that is rendering the decision against its own.

Then the case goes to the local grand jury or to the local prosecutor, who is well-known and knows well the law enforcement agents involved who may be the subject of the investigation. They know each other. They work together regularly to bring cases before the grand jury.

So when an officer is brought before the grand jury, often that officer is known to and by the district attorney. And even if not known, the fact that they are law enforcement gives them an inherent benefit; it gives them credibility; it gives them an edge, a positive edge, with the prosecution.

So the prosecutor then takes the investigation by the law enforcement agency that knows and loves the officer, takes that investigation before a grand jury in a secret proceeding. No one is in there from the public to understand the quality of the evidence being presented, whether or not there is any evidence being presented. We have to just simply rely on the result that comes out of the grand jury proceeding because the grand jury proceedings are secret by law. Nothing that happens inside can be revealed.

So it is a process that usually results in what we all are awaiting, and that is an exoneration of the police officer despite the clear evidence to the contrary. Once you have that determination, it is a closed case. So when you have that happening repeatedly over and over again over the course of time, it erodes public confidence in the criminal justice process.

So my legislation, the Grand Jury Reform Act, would simply mandate that whenever there is a killing during the course of a policeman's use of his or her authority in the line of work, in the line of duty, whenever there is a killing, then there would have to be appointed an independent law enforcement agency, the top law enforcement agency of that particular State, to take over the investigation and to perform the investigation. That would give it a little more sense of being impartial.

Once that impartial investigation has concluded, then the matter would be presented to a judge in open court by a special prosecutor appointed by

the Governor, who would then be charged with presenting that independent investigation to a judge in a probable cause hearing in open court. And that judge could then make a determination of whether or not probable cause existed; and if it did or if it did not, that judge would then issue a written finding of fact and deliver the case back to the local prosecutor who would then, in accordance with existing State law, proceed through the secret grand jury process or whatever other process was available to that district attorney—who is elected by the people, by the way.

So this probable cause hearing would enable there to be some transparency so that the public would understand, hear the evidence and see the evidence. Then there would be accountability that would be established on behalf of the people based on what the elected prosecutor decided to do with the case.

So it is hard to hold a local prosecutor accountable after a secret grand jury process, and the only thing you can rely upon is the earnest presentation in a press conference by the prosecutor that we did our best, we presented the evidence, and the grand jury came back finding that the killing was justified.

We need more than that. We saw that in the case of Michael Brown in Ferguson where they did release the grand jury transcripts, and you could see where the evidence, a boatload or a truckload, a dump truck of evidence was just dumped on the confused grand jury members who were charged on a law that was not even applicable, given bad law upon which to decide the case.

So we saw what happened in the grand jury proceeding in that case, and that, ladies and gentlemen, is not the only time I am sure that there has been abuse within the grand jury room. But we will never know because it is secret.

Lastly, I have filed a bill which is called the Police Accountability Act. What it would do would be to provide another tool for Federal prosecutors to be able to prosecute law enforcement officers for the offense of murder and all of the lesser included offenses should it appear that the process within the State did not work.

So those three bills I have discussed.

Now I see my colleague has arrived, SHEILA JACKSON LEE, who, out of Houston, Texas, has ascended to the top spot, the ranking membership on the Crime, Terrorism, Homeland Security, and Investigations Subcommittee of the Judiciary Committee, upon which I also serve along with her. So with that, I will yield to the gentlewoman from Houston.

Ms. JACKSON LEE. Mr. Speaker, let me thank the distinguished gentleman.

Mr. Speaker, how much time is remaining?

The SPEAKER pro tempore. The gentleman from Georgia has approximately 4 minutes remaining.

Ms. JACKSON LEE. Let me thank the distinguished gentleman from Georgia.

He is right. We serve on the Judiciary Committee. He serves with great distinction as the ranking member on the Regulatory Reform, Commercial and Antitrust Law Subcommittee, and I have the privilege of working and serving with him on the Crime, Terrorism, Homeland Security, and Investigations Subcommittee.

Although we have been working on these issues for any number of years, he is a practicing lawyer, a graduate of the distinguished Thurgood Marshall School of Law, which I have the privilege of representing. We know that we are now in a significant moment of history, and that is, if I might use language that is not particularly legislative, we can't fool around.

There are issues that the American public, I believe, want remedies for, and that is persons who are civilians and persons who are law enforcement officers.

□ 2115

The police accountability hearing that we just held, Mr. Speaker, held in front of the Judiciary Committee on Tuesday—and we thanked Chairman GOODLATTE and we thanked Ranking Member CONYERS for heeding our voices asking for this hearing. It was a hearing of information, but I think it did evidence that there is a divide that must be bridged.

Today, I stand on the floor to acknowledge and honor, Mr. Johnson, a fallen officer in my district. None of us want to consent to actions against law enforcement officers in the line of duty protecting our communities and our Nation.

At the same time, I believe that we have the opportunity to confront serious issues developing a roadmap for better police community relations. In addition to the legislation that I know Mr. JOHNSON has already elaborated on—and I support him in his efforts—we will be looking at legislation that deals with holding the standard matrix to provide a roadmap of training for police officers and law enforcement officers from deescalation, to ideas of interaction with community, professional training, educational training.

We will also, hopefully, pass the CADET bill, which talks about gathering the appropriate data related to excessive force being used by civilians or police officers and using that material to be able to formulate the right kind of approach to protect all.

In addition, I just introduced today the Private Prison Information Act, which indicates that the same requirements for the Federal prison system should be for the private, nonpublic prison system providing reports of injuries or behavior that should be reported, and we hope that bill will move quickly.

We have also introduced a good time, early release bill that argues for the early release dealing with incarcerated persons responding to mass incarceration, which we believe is very important. This deals with a certain age.

I am also introducing, Mr. JOHNSON, a bill that indicates 1 day for 1 day; if you have 54 days of good time, then you get 54 days. Now, it is not the case.

Let me just say this, as I yield back to you, we will not pass legislation unless we can all understand each other's pain. The horrific pain of losing law enforcement officers and them not going home to their families, I mourn—the horrific pain of a Michael Brown or Eric Garner and a Tamir Rice and a Walter Scott and any number of others—and, of course, Freddie Gray.

What we need to do is, in understanding that pain, not be accusatory and get bills before the Judiciary Committee to make our system the best justice system in the world. That is what I would like to see happen. I know that you, as a practicing lawyer and who have addressed these issues, would like to see that happen as well.

I would like to join you on the floor over and over again for these kinds of Special Orders, to speak to our colleagues about getting something done, passing comprehensive criminal reform, getting it done to answer the pain of all Americans.

We honor those who have lost their lives, and we honor the men and women in uniform who wear the uniform on our behalf, to be able to walk alongside us in dignity.

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

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess subject to the call of the Chair.

Accordingly (at 9 o'clock and 20 minutes p.m.), the House stood in recess.

□ 2200

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. CURBELO of Florida) at 10 p.m.

TO CORRECT THE ENROLLMENT OF S. 178

Mr. POE of Texas. Mr. Speaker, I send to the desk a concurrent resolution and ask unanimous consent for its immediate consideration in the House.

The Clerk read the title of the concurrent resolution.

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

There was no objection.

The text of the concurrent resolution is as follows:

H. CON. RES. 47

Resolved by the House of Representatives (the Senate concurring), That in the enrollment of S. 178, an Act to provide justice for the victims of trafficking, the Secretary of the Senate shall—

(1) in section 702(b)(2), insert ''pilot program'' after ''identified by the''; and

(2) strike section 1002 and insert the following:

SEC. 1002. PROTECTIONS FOR HUMAN TRAFFICKING SURVIVORS.

Section 1701(c) of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796dd(c)), as amended by section 601 of this Act, is amended—

(1) in paragraph (1), by striking ''or'' at the end;

(2) in paragraph (2)(C), by striking the period at the end and inserting ''; or''; and

(3) by inserting after paragraph (2) the following:

''(3) from an applicant in a State that has in effect a law—

''(A) that—

''(i) provides a process by which an individual who is a human trafficking survivor can move to vacate any arrest or conviction records for a non-violent offense committed as a direct result of human trafficking, including prostitution or lewdness;

''(ii) establishes a rebuttable presumption that any arrest or conviction of an individual for an offense associated with human trafficking is a result of being trafficked, if the individual—

''(I) is a person granted nonimmigrant status pursuant to section 101(a)(15) (T)(i) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)(T)(i));

''(II) is the subject of a certification by the Secretary of Health and Human Services under section 107(b)(1)(E) of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7105(b)(1)(E)); or

''(III) has other similar documentation of trafficking, which has been issued by a Federal, State, or local agency; and

''(iii) protects the identity of individuals who are human trafficking survivors in public and court records; and

''(B) that does not require an individual who is a human trafficking survivor to provide official documentation as described in subclause (I), (II), or (III) of subparagraph (A)(ii) in order to receive protection under the law.''.

The concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. COHEN (at the request of Ms. PELOSI) for May 18 for the first vote.

ADJOURNMENT

Mr. POE of Texas. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 10 o'clock and 1 minute p.m.), under its previous order, the House adjourned until Thursday, May 21, 2015, at 10 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

1529. A letter from the Chief Financial Officer, Department of Energy, transmitting a report of a violation of the Antideficiency Act, as required by 31 U.S.C. 1351; to the Committee on Appropriations.

1530. A letter from the Secretary, Department of Defense, transmitting a letter on the approved retirement of Admiral Samuel J. Locklear III, United States Navy, and his advancement to the grade of Admiral on the retired list; to the Committee on Armed Services.

1531. A letter from the Under Secretary, Personnel and Readiness, Department of Defense, transmitting a letter on the approved retirement of Lieutenant General Charles T. Cleveland, United States Army, and his advancement to the grade of lieutenant general on the retired list; to the Committee on Armed Services.

1532. A letter from the Chief Counsel, FEMA, Department of Homeland Security, transmitting the Department's final rule — Suspension of Community Eligibility; Iowa: Buchanan County, Unincorporated Areas [Docket ID: FEMA-2015-0001] [Internal Agency Docket No.: FEMA-8383] received May 19, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

1533. A letter from the General Counsel, Pension Benefit Guaranty Corporation, transmitting the Corporation's final rule — Benefits Payable in Terminated Single-Employer Plans; Interest Assumptions for Paying Benefits received May 19, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

1534. A letter from the Secretary, Department of Commerce, transmitting a report prepared by the Department of Commerce's Bureau of Industry and Security on the national emergency declared by Executive Order 13222 of August 17, 2001 and continued through August 7, 2014, to deal with the threat to the national security, foreign policy, and economy of the United States caused by the lapse of the Export Administration Act of 1979, consistent with Sec. 204(c) of the International Emergency Economic Powers Act (50 U.S.C. 1703(c)), Sec. 401(c) of the National Emergencies Act (50 U.S.C. 1641(c)), and Sec. 1(d) of Executive Order 13313 of July 31, 2003; to the Committee on Foreign Affairs.

1535. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting a report on gifts given by the United States to foreign individuals in FY 2014, pursuant to 22 U.S.C.A. Sec. 2694; to the Committee on Foreign Affairs.

1536. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting a letter regarding commitments in the Joint Plan of Action, pursuant to the Iran Freedom and Counter-Proliferation Act of 2012, the Iran Sanctions Act of 1996, and Sec. 1245 of the National Defense Authorization Act for Fiscal Year 2012; to the Committee on Foreign Affairs.

1537. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting a certification, pursuant to Sec. 3(d) of the Arms Export Control Act, Transmittal No.: DDTC 15-004; to the Committee on Foreign Affairs.

1538. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting a certification, pursuant to Sec. 36(c) of the Arms Export Control Act, Transmittal No.: DDTC 15-036; to the Committee on Foreign Affairs.

1539. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting a certification, pursuant to Sec. 36(c) of the Arms Export Control Act, Transmittal No.: DDTC 15-020; to the Committee on Foreign Affairs.

1540. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting a certification, pursuant to Sec. 36(c) of the Arms Export Control Act, Transmittal No.: DDTC 14-144; to the Committee on Foreign Affairs.

1541. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting a certification, pursuant to Sec. 36(c) of the Arms Export Control Act, Transmittal No.: DDTC 14-145; to the Committee on Foreign Affairs.

1542. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting a certification, pursuant to Sec. 36(c) of the Arms Export Control Act, Transmittal No.: DDTC 15-003; to the Committee on Foreign Affairs.

1543. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting a certification, pursuant to Sec. 36(c) of the Arms Export Control Act, Transmittal No.: DDTC 15-007; to the Committee on Foreign Affairs.

1544. A letter from the Executive Analyst, Department of Health and Human Services, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998, Pub. L. 105-277; to the Committee on Oversight and Government Reform.

1545. A letter from the Assistant General Counsel, General Law, Ethics, and Regulation, Department of the Treasury, transmitting two reports pursuant to the Federal Vacancies Reform Act of 1998, Pub. L. 105-277; to the Committee on Oversight and Government Reform.

1546. A letter from the Federal Liaison Officer, Patent and Trademark Office, Department of Commerce, transmitting the Department's final rule — Amendments to the Rules of Practice for Trials Before the Patent Trial and Appeal Board [Docket No.: PTO-P-2015-0032] (RIN: 0651-AD00) received May 19, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

1547. A letter from the Administrator, Federal Aviation Administration, Department of Transportation, transmitting a report on Assistance Provided to Foreign Aviation Authorities for FY 2014, pursuant to 49 U.S.C. 40113(e)(4) and the FAA Modernization and Reform Act of 2012, Pub. L. 112-95; to the Committee on Transportation and Infrastructure.

1548. A letter from the Administrator, Federal Aviation Administration, Department of Transportation, transmitting a report on Assistance Provided to Foreign Aviation Authorities for FY 2013, pursuant to 49 U.S.C. 40113(e)(4) and Sec. 207 of the FAA Modernization and Reform Act of 2012, Pub. L. 112-95; to the Committee on Transportation and Infrastructure.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. BURGESS (for himself, Mr. LARSON of Connecticut, Mrs. BLACKBURN, and Ms. LINDA T. SÁNCHEZ of California):

H.R. 2461. A bill to amend title XVIII of the Social Security Act to improve access to, and utilization of, bone mass measurement benefits under part B of the Medicare program by establishing a minimum payment amount under such part for bone mass measurement; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. DEFAZIO (for himself and Ms. SLAUGHTER):

H.R. 2462. A bill to restore the application of the Federal antitrust laws to the business of health insurance to protect competition and consumers; to the Committee on the Judiciary.

By Mr. BERA (for himself and Mr. ROE of Tennessee):

H.R. 2463. A bill to authorize the Attorney General to provide grants for drug disposal sites; to the Committee on Energy and Commerce, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BENISHEK (for himself and Ms. SINEMA):

H.R. 2464. A bill to amend title 38, United States Code, to improve the accountability of the Secretary of Veterans Affairs to the Inspector General of the Department of Veterans Affairs; to the Committee on Veterans' Affairs.

By Mr. JOLLY (for himself and Mr. LOEBSACK):

H.R. 2465. A bill to amend title 38, United States Code, to make certain improvements to the monthly housing stipend payable under the Post-9/11 Educational Assistance Program of the Department of Veterans Affairs; to the Committee on Veterans' Affairs.

By Mr. ROONEY of Florida:

H.R. 2466. A bill to require the President to submit a plan for resolving all outstanding claims relating to property confiscated by the Government of Cuba before taking action to ease restrictions on travel to or trade with Cuba, and for other purposes; to the Committee on Foreign Affairs.

By Mr. PEARCE (for himself, Mrs. LUMMIS, Mr. LAMBORN, Mr. GOSAR, Mr. HUDSON, Mr. SCHWEIKERT, Mr. LAMALFA, Mr. NEUGEBAUER, Mr. WENSTRUP, Mr. POSEY, Mr. BROOKS of Alabama, Mr. FLEMING, and Mr. STEWART):

H.R. 2467. A bill to clarify that the Secretary of Homeland Security may undertake law enforcement and border security activities within the Organ Mountains-Desert Peaks National Monument, and for other purposes; to the Committee on Natural Resources.

By Mr. RUSH:

H.R. 2468. A bill to improve minority inclusion in clinical trials; to the Committee on Energy and Commerce.

By Mr. BLUMENAUER (for himself, Ms. BONAMICI, and Mr. DEFAZIO):

H.R. 2469. A bill to amend the Federal Water Pollution Control Act to establish within the Environmental Protection Agency a Columbia River Basin Restoration Program; to the Committee on Transportation and Infrastructure, and in addition to the Committee on the Budget, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. JACKSON LEE (for herself, Mr. RUSH, Mr. SCOTT of Virginia, Mr. JOHNSON of Georgia, Mr. NADLER, Mr. COHEN, Ms. LOFGREN, Mr. LEWIS, Mr. RANGEL, Mr. DANNY K. DAVIS of Illinois, Mr. CLAY, Mr. CUMMINGS, and Mr. CONYERS):

H.R. 2470. A bill to require non-Federal prisons and detention facilities holding Federal prisoners under a contract with the Federal Government to make available to the public the same information pertaining to facility operations and to prisoners held in such facilities that Federal prisons and detention facilities are required to make available; to the Committee on the Judiciary.

By Mr. BRADY of Texas:

H.R. 2471. A bill to cap noninterest Federal Spending as a percentage of potential GDP to right-size the government, grow the economy, and balance the budget; to the Committee on the Budget, and in addition to the Committee on Rules, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. CLAY (for himself and Mr. GRAVES of Missouri):

H.R. 2472. A bill to amend the Public Health Service Act to establish a National Organ and Tissue Donor Registry Resource Center, to authorize grants for State organ and tissue donor registries, and for other purposes; to the Committee on Energy and Commerce.

By Mr. CLAY (for himself and Mr. NEUGEBAUER):

H.R. 2473. A bill to include credit unions as community financial institutions under the Federal Home Loan Bank Act; to the Committee on Financial Services.

By Ms. DELAURO (for herself, Mr. WELCH, Mr. COURTNEY, Ms. MAXINE WATERS of California, Mr. ELLISON, Mr. MCGOVERN, Ms. NORTON, Ms. SCHAKOWSKY, Ms. SLAUGHTER, and Mr. HASTINGS):

H.R. 2474. A bill to require the Commodity Futures Trading Commission to impose fees and assessments to recover the cost of appropriations to the Commission; to the Committee on Agriculture.

By Mr. FINCHER (for himself and Mr. HECK of Washington):

H.R. 2475. A bill to provide for a one-year extension of the extended period of protections for members of uniformed services relating to mortgages, mortgage foreclosure, and eviction under the Servicemembers Civil Relief Act; to the Committee on Veterans' Affairs.

By Mr. HECK of Nevada:

H.R. 2476. A bill to amend title XVIII of the Social Security Act to facilitate the transition to Medicare for individuals enrolled in group health plans, to establish a 3-month open enrollment period under Medicare Advantage, and for other purposes; to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. ISSA (for himself, Mr. MCHENRY, Mr. HULTGREN, Mr. BLUM, Mr. SCHWEIKERT, Mr. ABRAHAM, Mr. POLIS, Mr. QUIGLEY, Mrs. CAROLYN B. MALONEY of New York, Mr. ELLISON, Mr. DELANEY, and Mr. ROYCE):

H.R. 2477. A bill to amend securities, commodities, and banking laws to make the information reported to financial regulatory agencies electronically searchable, and for other purposes; to the Committee on Financial Services, and in addition to the Committee on Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SAM JOHNSON of Texas:

H.R. 2478. A bill to amend the Internal Revenue Code of 1986 to require that ITIN applicants submit their application in person at taxpayer assistance centers, and for other purposes; to the Committee on Ways and Means.

By Mr. LONG:

H.R. 2479. A bill to amend the Federal Food, Drug, and Cosmetic Act to provide for the issuance of up-to-date regulations and guidance applying to the dissemination by means of the Internet of information about medical products; to the Committee on Energy and Commerce.

By Mr. BEN RAY LUJÁN of New Mexico (for himself, Ms. MICHELLE LUJAN GRISHAM of New Mexico, and Mr. PEARCE):

H.R. 2480. A bill to increase research, education, and treatment for cerebral cavernous malformations; to the Committee on Energy and Commerce.

By Mr. MEEHAN (for himself and Mr. HOLDING):

H.R. 2481. A bill to amend the Internal Revenue Code of 1986 to make certain contract research eligible for the research credit; to the Committee on Ways and Means.

By Mr. PAULSEN:

H.R. 2482. A bill to amend the Low-Income Housing Preservation and Resident Homeownership Act of 1990; to the Committee on Financial Services.

By Mr. PAULSEN:

H.R. 2483. A bill to amend the Internal Revenue Code of 1986 to provide standards for determining employment status, and for other purposes; to the Committee on Ways and Means.

By Mr. ROHRABACHER (for himself, Mr. CONAWAY, Mr. GOHMERT, Mr. JONES, Mr. DESJARLAIS, Mr. ZINKE, Mr. SAM JOHNSON of Texas, Mr. CARTER of Georgia, Mr. KING of Iowa, Mr. GOSAR, and Mr. OLSON):

H.R. 2484. A bill to amend the Immigration and Nationality Act to provide that certain aliens who are pregnant are ineligible to receive visas and ineligible to be admitted to the United States, and for other purposes; to the Committee on the Judiciary.

By Mrs. TORRES (for herself, Mrs. BUSTOS, and Mrs. NAPOLITANO):

H.R. 2485. A bill to establish in the Department of the Treasury an infrastructure accelerator program to facilitate investments in and financing of certain infrastructure projects, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. WELCH (for himself and Mr. GUTIÉRREZ):

H.R. 2486. A bill to amend the Internal Revenue Code of 1986 to disallow deductions for the payment of compensatory and punitive damages to a government, and for other purposes; to the Committee on Ways and Means.

By Mr. BRAT:

H.J. Res. 55. A joint resolution proposing a balanced budget amendment to the Constitution of the United States; to the Committee on the Judiciary.

By Mr. POE of Texas:

H. Con. Res. 47. Concurrent resolution to correct the enrollment of S. 178; considered and agreed to.

By Mr. MILLER of Florida (for himself and Ms. BROWN of Florida):

H. Con. Res. 48. Concurrent resolution authorizing the use of Emancipation Hall in the Capitol Visitor Center for a ceremony to commemorate the 50th anniversary of the Vietnam War; to the Committee on House Administration.

By Mr. GRAYSON (for himself, Mr. ISRAEL, Mr. RUSH, and Mr. LIPINSKI):

H. Res. 279. A resolution urging respect for freedom of expression and human rights in Turkey; to the Committee on Foreign Affairs.

MEMORIALS

Under clause 3 of rule XII, memorials were presented and referred as follows:

28. The SPEAKER presented a memorial of the Legislature of the State of Washington, relative to Senate Joint Memorial No. 8008, asking the Congress to support the Conversion of the 81st Armored Brigade Combat Team of the Washington National Guard into a Stryker Brigade Combat Team with brigade units stationed in Washington, Oregon, and California; to the Committee on Armed Services.

29. Also, a memorial of the House of Representatives of the State of Michigan, relative to House Resolution No. 29, memorializing the Congress to require the Department of Defense to ensure that replacement aircraft are assigned to Selfridge Air National Guard Base to compensate for the proposed elimination of the A-10 fleet; to the Committee on Armed Services.

30. Also, a memorial of the Legislature of the State of Florida, relative to Senate Memorial 866, expressing profound disagreement with the decision of the President of the United States to restore full diplomatic relations with Cuba; to the Committee on Foreign Affairs.

31. Also, a memorial of the Legislature of the State of Wyoming, relative to House Enrolled Joint Resolution No. 3, requesting the Congress and federal agencies to adequately fund and support all efforts to manage free-roaming feral horses on rangelands in the West at the appropriate management level, utilizing all management and control methods authorized by Sec. 3(d) of the Wild Free-Roaming Horses and Burros Act; to the Committee on Natural Resources.

32. Also, a memorial of the House of Representatives of the State of Maine, relative to Joint Resolution 933, requesting the President and the Congress to direct the U.S. Fish and Wildlife Service and the National Marine Fisheries Service to expand hatchery operations to rivers in Maine by partnering with the State and with the many non-government organizations that are focused on restoring Atlantic salmon to their historic natal rivers; to the Committee on Natural Resources.

33. Also, a memorial of the Legislature of the State of Wyoming, relative to House Enrolled Joint Resolution 5, requesting Congress to amend the United States Constitution to authorize congressional votes to approve or disapprove proposed federal regulations; to the Committee on the Judiciary.

34. Also, a memorial of the Legislature of the State of Washington, relative to Senate Joint Memorial No. 8013, requesting Congress expedite appropriation of funds to significantly enhance monitoring and prevention efforts and to implement the intent of the Water Resources Reform and Development Act; to the Committee on Transportation and Infrastructure.

35. Also, a memorial of the Legislature of the State of Wyoming, relative to House Enrolled Joint Resolution No. 2, urging Congress to lift the freeze on longer commercial vehicles for the affected Western states in order to take advantage of new transportation strategies to improve highway efficiency; to the Committee on Transportation and Infrastructure.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mr. BURGESS:

H.R. 2461.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to Congress' legislative powers under Article I, Section 8, of the Constitution. Under this provision, Congress has the authority to regulate ''commerce among the several states'' and ''To lay and collect Taxes, Duties, Imposts and Excises.''

By Mr. DEFAZIO:

H.R. 2462.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18 (relating to the power to make all laws necessary and proper for carrying out the powers vested in Congress), and Article IV, Section 3, Clause 2 (relating to the power of Congress to dispose of and make all needful rules and regulations respecting the territory or other property belonging to the United States).

By Mr. BERA:

H.R. 2463.

Congress has the power to enact this legislation pursuant to the following:

Article 1, section 8 of the Constitution of the United States.

By Mr. BENISHEK:

H.R. 2464.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, of the United States Constitution.

By Mr. JOLLY:

H.R. 2465.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the United States Constitution.

By Mr. ROONEY of Florida:

H.R. 2466.

Congress has the power to enact this legislation pursuant to the following:

Article 1 section 8—to regulate commerce with foreign nations, among the several states with the Indian tribes.

By Mr. PEARCE:

H.R. 2467.

Congress has the power to enact this legislation pursuant to the following:

Article 4, Section 3, Clause 2 of the Constitution of the United States grants Congress the power to enact this law.

By Mr. RUSH:

H.R. 2468.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the United States Constitution.

By Mr. BLUMENAUER:

H.R. 2469.

Congress has the power to enact this legislation pursuant to the following:

The Constitution of the United States provides clear authority for Congress to pass legislation to provide for the general welfare of the United States. Article I of the Constitution, in detailing Congressional authority, provides that ''Congress shall have Power to provide for the . . . general Welfare of the United States. . . .'' This legislation is introduced pursuant to that grant of authority.

By Ms. JACKSON LEE:

H.R. 2470.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I, Section 8, Clauses 1 and 18 of the United States Constitution.

By Mr. BRADY of Texas:

H.R. 2471.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the U.S. Constitution, which gives Congress the authority to borrow money on the credit of the United States.

By Mr. CLAY:

H.R. 2472.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8

By Mr. CLAY:

H.R. 2473.

Congress has the power to enact this legislation pursuant to the following:

Commerce Clause Article I, Section 8

By Ms. DELAURO:

H.R. 2474.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clauses 3 and 18 of the United States Constitution

By Mr. FINCHER:

H.R. 2475.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8

By Mr. HECK of Nevada:

H.R. 2476.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section VIII: ''The Congress shall have Power to regulate Commerce with foreign Nations, and among the several States.''

By Mr. ISSA:

H.R. 2477.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 Clause 3

The Congress shall have power to regulate commerce with foreign nations, and among the several states, and with the Indian tribes.

By Mr. SAM JOHNSON of Texas:

H.R. 2478.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1

By Mr. LONG:

H.R. 2479.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 18 of the Constitution, which states ''To make all Laws which shall be necessary and proper in the Government of the United States or in any Department or Officer thereof''

By Mr. BEN RAY LUJÁN of New Mexico:

H.R. 2480.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section VIII.

By Mr. MEEHAN:

H.R. 2481.

Congress has the power to enact this legislation pursuant to the following:

Article I Section 8 of the United States Constitution

By Mr. PAULSEN:

H.R. 2482.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the United States Constitution.

By Mr. PAULSEN:

H.R. 2483.

Congress has the power to enact this legislation pursuant to the following:

Clause 1 of Section 8 of Article I of the United States Constitution.

By Mr. ROHRABACHER:

H.R. 2484.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 4 of the Constitution of the United States

By Mrs. TORRES:

H.R. 2485.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8

By Mr. WELCH:

H.R. 2486.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 18: The Congress shall have Power To . . . make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

By Mr. BRAT:

H.J. Res. 55.

Congress has the power to enact this legislation pursuant to the following:

Article V of the Constitution states that ''The Congress, whenever two thirds of both Houses shall deem it necessary, shall propose Amendments to this Constitution . . .'' This joint resolution is submitted for Congress to consider whether it is necessary to amend the Constitution to include it.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions, as follows:

H.R. 156: Mr. HOLDING.

H.R. 160: Mr. CAPUANO.

H.R. 167: Mr. PALAZZO.

H.R. 232: Mr. PASCRELL.

H.R. 271: Mrs. BLACK, Mrs. NAPOLITANO, and Mr. TAKANO.

H.R. 356: Mr. CARNEY.

H.R. 358: Mr. NOLAN.

H.R. 381: Mr. POCAN, Ms. BASS, and Ms. LOFGREN.

H.R. 425: Mr. SARBANES.

H.R. 467: Mr. PRICE of North Carolina.

H.R. 512: Mr. BUCSHON and Mr. MEEHAN.

H.R. 540: Mrs. LAWRENCE.

H.R. 546: Mr. CUELLAR and Mr. GUTIÉRREZ.

H.R. 550: Mr. BISHOP of Michigan.

H.R. 578: Mr. RICE of South Carolina.

H.R. 592: Mr. KINZINGER of Illinois, Mr. MULLIN, Mr. THOMPSON of Mississippi, and Mr. WOMACK.

H.R. 605: Mr. WALZ.

H.R. 632: Mr. SAM JOHNSON of Texas and Mr. CLEAVER.

H.R. 649: Mr. WELCH and Mrs. BEATTY.

H.R. 662: Mr. DOLD.

H.R. 690: Mr. LONG.

H.R. 699: Mr. KELLY of Pennsylvania, Mr. CONAWAY, Mr. RENACCI, Mr. MILLER of Florida, Mr. FLEMING, and Mr. MACARTHUR.

H.R. 702: Mr. LONG, Mr. BRADY of Texas, Mr. BISHOP of Michigan, Mr. RODNEY DAVIS of Illinois, and Mr. PITTS.

H.R. 721: Mr. SMITH of Washington, Mr. SCOTT of Virginia, and Mr. COURTNEY.

H.R. 766: Mr. SESSIONS, Mr. FARENTHOLD, and Mr. UPTON.

H.R. 767: Mr. HARRIS and Mr. PASCRELL.

H.R. 784: Ms. HAHN and Ms. MENG.

H.R. 787: Mr. MACARTHUR.

H.R. 799: Mr. KILDEE.

H.R. 800: Ms. PINGREE and Mr. WELCH.

H.R. 825: Mr. ALLEN and Mr. RIGELL.

H.R. 842: Mrs. RADEWAGEN, Mr. GROTHMAN, and Mr. DESAULNIER.

H.R. 868: Mr. RUSH and Mr. DUNCAN of Tennessee.

H.R. 915: Mr. SCHIFF.

H.R. 921: Mr. AMODEI, Mr. HONDA, Mr. WALZ, Mr. POCAN, and Mr. ROKITA.

H.R. 923: Mr. PALMER.

H.R. 985: Mr. GOODLATTE and Mr. BOST.

H.R. 986: Mr. BARTON, Mr. DESJARLAIS, and Mr. MARINO.

H.R. 995: Ms. CLARK of Massachusetts.

H.R. 1002: Mr. GROTHMAN and Mr. VISCLOSKY.

H.R. 1019: Mr. ISRAEL, Mr. DEUTCH, Mr. CONYERS, and Mr. SENSENBRENNER.

H.R. 1027: Mr. MCGOVERN and Ms. SCHAKOWSKY.

H.R. 1057: Mr. JOYCE.

H.R. 1062: Mr. SMITH of Missouri and Ms. ESTY.

H.R. 1096: Mr. WITTMAN.

H.R. 1101: Mr. PERLMUTTER and Mr. KILMER.

H.R. 1190: Mr. BRADY of Texas, Mr. BOST, and Mr. LOUDERMILK.

H.R. 1211: Mr. VAN HOLLEN.

H.R. 1233: Mr. NUGENT, Mr. POE of Texas, Mr. HURT of Virginia, Mr. ROUZER, Mr. LONG, Mr. YOHO, and Mrs. BLACK.

H.R. 1247: Mr. WITTMAN.

H.R. 1266: Mr. ASHFORD.

H.R. 1289: Mr. SWALWELL of California and Mr. MCGOVERN.

H.R. 1299: Mr. BABIN, Mr. SMITH of Missouri, Mr. PALMER, and Mr. WITTMAN.

H.R. 1300: Mr. GALLEGO.

H.R. 1301: Mr. HINOJOSA.

H.R. 1309: Mr. NUGENT, Mr. YOHO, and Mr. BUCSHON.

H.R. 1331: Mr. TAKANO.

H.R. 1344: Mr. RIGELL.

H.R. 1378: Mr. BEN RAY LUJÁN of New Mexico and Mr. LYNCH.

H.R. 1389: Mr. FLEISCHMANN, Mr. NUGENT, and Mr. JOLLY.

H.R. 1399: Mr. MEEKS.

H.R. 1427: Mr. LANGEVIN and Mr. LOWENTHAL.

H.R. 1462: Mr. PIERLUISI and Mrs. BLACK.

H.R. 1475: Ms. EDWARDS.

H.R. 1486: Mr. YOUNG of Iowa and Mr. CRENSHAW.

H.R. 1555: Mr. PALAZZO, Mrs. MCMORRIS RODGERS, and Mr. SIMPSON.

H.R. 1567: Mr. DOLD and Ms. JACKSON LEE.

H.R. 1568: Mr. TONKO.

H.R. 1599: Mr. TIBERI.

H.R. 1600: Mrs. KIRKPATRICK and Mr. CRENSHAW.

H.R. 1602: Ms. NORTON and Mr. HASTINGS.

H.R. 1608: Mr. POLIS, Mr. HIGGINS, Ms. BONAMICI, Mr. NEAL, Mr. DESAULNIER, Mr. FITZPATRICK, Ms. LOFGREN, and Mr. RUIZ.

H.R. 1610: Mr. HARDY.

H.R. 1624: Mr. TIBERI, Mrs. KIRKPATRICK, Ms. BROWNLEY of California, Mr. BOUSTANY, Mr. GROTHMAN, Mr. FARENTHOLD, and Mr. RODNEY DAVIS of Illinois.

H.R. 1627: Mr. DEUTCH.

H.R. 1635: Mr. HECK of Nevada and Mr. GROTHMAN.

H.R. 1655: Ms. BROWNLEY of California.

H.R. 1661: Mr. RIBBLE.

H.R. 1674: Mr. VAN HOLLEN and Mr. JEFFRIES.

H.R. 1684: Mr. HUFFMAN.

H.R. 1706: Mr. QUIGLEY.

H.R. 1721: Mr. MCNERNEY and Ms. CLARK of Massachusetts.

H.R. 1733: Ms. SCHAKOWSKY.

H.R. 1734: Mr. NUGENT.

H.R. 1737: Mr. VARGAS.

H.R. 1739: Mr. RIBBLE, Mr. WILSON of South Carolina, Mr. ROGERS of Alabama, and Mr. SALMON.

H.R. 1752: Mr. PALMER and Mr. MARCHANT.

H.R. 1769: Mr. ELLISON and Ms. BORDALLO.

H.R. 1817: Mr. FLEMING, Mr. RENACCI, Mr. PAULSEN, and Mr. TIBERI.

H.R. 1853: Mr. FLORES, Mr. GENE GREEN of Texas, Mr. HANNA, and Mr. MCGOVERN.

H.R. 1910: Ms. TSONGAS.

H.R. 1932: Mrs. WALORSKI, Mr. LONG, Mr. CHABOT, Mr. KING of Iowa, Mr. ROE of Tennessee, Mr. BISHOP of Michigan, Mr. GIBBS, and Mr. ISSA.

H.R. 1935: Mr. BISHOP of Utah.

H.R. 1942: Ms. TITUS and Mr. JOYCE.

H.R. 1943: Mr. TED LIEU of California, Ms. DUCKWORTH, Mr. BUTTERFIELD, Mr. ISRAEL, Mr. BISHOP of Georgia, Ms. BASS, and Mr. KENNEDY.

H.R. 1964: Mr. ZELDIN and Ms. DELBENE.

H.R. 1974: Mr. GALLEGO.

H.R. 1976: Mr. LEWIS.

H.R. 1986: Mr. ALLEN.

H.R. 1989: Mr. HURD of Texas and Mr. MULVANEY.

H.R. 1994: Mr. HILL and Mr. YOHO.

H.R. 1996: Mr. WILSON of South Carolina, Mr. NEUGEBAUER, and Mr. ROE of Tennessee.

H.R. 2025: Mr. GRIJALVA.

H.R. 2031: Mr. SEAN PATRICK MALONEY of New York.

H.R. 2044: Mr. GRIFFITH.

H.R. 2061: Mr. ROSKAM, Mr. GOWDY, Mr. MCCAUL, Mr. MARCHANT, Mr. GRIFFITH, and Mr. CONAWAY

H.R. 2067: Mr. CURBELO of Florida, Mrs. LOWEY, Mr. RYAN of Ohio, Mr. FORTENBERRY, Mr. BENISHEK, and Ms. ROS-LEHTINEN.

H.R. 2072: Mr. ISRAEL and Mr. BEYER.

H.R. 2109: Mr. CRAMER.

H.R. 2111: Mr. ROE of Tennessee and Mr. WILSON of South Carolina.

H.R. 2114: Mr. MCDERMOTT.

H.R. 2132: Mr. HONDA, Mr. TED LIEU of California, and Miss RICE of New York.

H.R. 2150: Mr. POLIS.

H.R. 2170: Mr. KEATING and Mr. MCDERMOTT.

H.R. 2191: Ms. JACKSON LEE.

H.R. 2207: Mr. NEWHOUSE.

H.R. 2213: Mr. POSEY, Ms. MOORE, Mr. WALKER, Mr. ABRAHAM, Mr. SCHWEIKERT, Mr. BLUM, Mr. TROTT, Mr. TIBERI, Mr. WESTERMAN, Mr. CRAWFORD, Mr. PERRY, Mr. WILSON of South Carolina, and Mr. BISHOP of Michigan.

H.R. 2233: Mr. POLIS, Mr. O'ROURKE, and Mr. HONDA.

H.R. 2246: Mr. FARENTHOLD.

H.R. 2247: Mr. WOMACK.

H.R. 2258: Mr. PALMER.

H.R. 2290: Mr. WITTMAN and Mr. LAMBORN.

H.R. 2306: Mr. MOOLENAAR and Mr. RIBBLE.

H.R. 2315: Mr. PASCRELL, Mr. WILSON of South Carolina, Mr. YOUNG of Alaska, Mr. PERLMUTTER, Mr. WALBERG, Mr. LAMALFA, and Ms. DELBENE.

H.R. 2321: Ms. BORDALLO and Mr. GRIJALVA.
H.R. 2323: Mr. LOWENTHAL.
H.R. 2330: Mr. FOSTER.
H.R. 2331: Mr. GROTHMAN.
H.R. 2350: Mr. KING of New York.
H.R. 2393: Mr. TIBERI, Ms. STEFANIK, Mr. LABRADOR, Mr. REED, Mr. SESSIONS, and Mr. MACARTHUR.
H.R. 2400: Mrs. BLACKBURN, Mr. BURGESS, and Ms. JENKINS of Kansas.
H.R. 2403: Ms. MICHELLE LUJAN GRISHAM of New Mexico.
H.R. 2404: Mr. KINZINGER of Illinois.
H.R. 2410: Mr. VAN HOLLEN.
H.R. 2412: Mr. HONDA and Mr. POCAN.
H.R. 2429: Ms. DELBENE and Mr. COURTNEY.
H.R. 2434: Mr. BEYER.
H.R. 2450: Mrs. CAROLYN B. MALONEY of New York and Mr. HIMES.
H.J. Res. 25: Mr. BLUMENAUER.
H. Con. Res. 17: Mr. AMODEI and Mr. VALADAO.
H. Con. Res. 33: Ms. JUDY CHU of California.
H. Res. 12: Mr. WILSON of South Carolina, Ms. KELLY of Illinois, Mr. LYNCH, Mr. CARSON of Indiana, and Mr. LEWIS.
H. Res. 54: Mr. SCHRADER, Ms. KELLY of Illinois, Mr. LYNCH, and Mrs. LUMMIS.
H. Res. 56: Mr. PERRY.
H. Res. 154: Mr. COURTNEY.
H. Res. 193: Mr. COOK and Mr. MCKINLEY.
H. Res. 207: Mr. SALMON and Mr. CICILLINE.
H. Res. 208: Mr. JEFFRIES.
H. Res. 209: Mr. WESTERMAN, Ms. BROWN of Florida, Mr. PERRY, and Mr. AUSTIN SCOTT of Georgia.
H. Res. 227: Mr. LEVIN, Ms. MENG, and Mr. CONNOLLY.
H. Res. 256: Mr. GRIJALVA.
H. Res. 263: Mr. SEAN PATRICK MALONEY of New York and Mr. MCGOVERN.

SENATE—*Wednesday, May 20, 2015*

The Senate met at 9:30 a.m. and was called to order by the Honorable RAND PAUL, a Senator from the Commonwealth of Kentucky.

PRAYER

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

Let us pray.

O Lord, our rock, hear our praise today, for Your faithfulness endures to all generations. You hear our prayers and surround us with Your mercy. You are our strength and our shield. Listen to the melody of our gratitude, for You are the center of our joy.

Lord, thank You for illuminating our paths with Your precepts, dispelling the darkness of doubt and fear. Today, guide our lawmakers. Be their shepherd in these dangerous times. Give them eyes to see that You have not left Yourself without a witness in every living thing. Help them, Lord, to walk with reverence and sensitivity through all the days of their lives.

We pray in Your Holy Name. Amen.

PLEDGE OF ALLEGIANCE

The Presiding Officer led the Pledge of Allegiance, as follows:

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

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. HATCH).

The legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, May 20, 2015.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable RAND PAUL, a Senator from the Commonwealth of Kentucky, to perform the duties of the Chair.

ORRIN G. HATCH,
President pro tempore.

Mr. PAUL thereupon assumed the Chair as Acting President pro tempore.

RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

JUSTICE FOR VICTIMS OF TRAFFICKING ACT

Mr. MCCONNELL. Mr. President, yesterday's House passage of the Justice for Victims of Trafficking Act represents a vital ray of hope for the countless victims of modern slavery who need our help. Victims groups and advocates tell us that this human rights legislation would provide unprecedented support to domestic victims of trafficking. They urged Congress to pass it.

We can now say that we have passed it. We can now say that hope is on the way for the victims who suffer in the shadows. Unfortunately, the victims of modern-day slavery had to wait entirely too long for help.

Last Congress, the House of Representatives did its job by passing several pieces of legislation, but the Senate failed to bring any trafficking legislation to the floor.

As a new majority, Senate Republicans were determined to make this matter a priority. Senator GRASSLEY promptly reported legislation out of the Judiciary Committee, and we quickly put it on the Senate floor.

As we all know by now, there was an unforeseen—to put it mildly—impediment to getting this bill done. But we were determined to see this legislation through to successful completion. Success was possible because the new majority kept its focus on facts, substance, and good policy for the people who remained our focus throughout the debate, and that is the victims of modern slavery.

I could not be more grateful to Senator CORNYN for his outstanding work on this issue. I thank the House for passing such an important human rights bill yesterday. Now I urge the President to sign this legislation from the new Congress as quickly as possible. The victims of such terrible abuse have had to wait entirely too long for Washington's help. Let's not make them wait a moment longer.

TRADE

Mr. MCCONNELL. Mr. President, yesterday Senator WARNER, a Democrat, and Senator ERNST, a Republican, joined me in hosting a press conference with small business owners on the benefits of trade for entrepreneurs. I want to thank them both for coming. I thank Senator WARNER, in particular, for helping to lead his party on this issue.

We were joined by small business owners with some pretty incredible stories. These Americans highlighted opportunities that knocking down unfair overseas barriers to American products can provide to us here at home.

My favorite, obviously, was Chase Robbins, a constituent of mine from Shelbyville. After Chase was medically discharged from the Army, he was able to scrape together $1,600 with a buddy and start the kind of business he had already dreamed of as early as 2010. It is a business that specializes in just the kind of thing you would expect a young guy such as Chase to be into—high-performance auto parts. And, thanks to trade, it is now both a business that exports a percentage of its products and one that also employs fellow Kentuckians.

His is a small business with just three employees for now—just three for now—but it is a small business that is allowing him to live his dreams and to help others live theirs, too. It is a story countless other Americans know all too well and one we should do everything to encourage. Yet, while Chase has achieved success thanks to trade, he knows there is still a lot more we should be doing if the aim is to help businesses grow, help his employees earn more, and help other Kentuckians live their dreams too.

Here is what Chase said yesterday:

As our business has grown internationally, we have been confronted with barriers that compromise global markets. It was not long after sending our first shipment overseas that we realized trade rules were outdated for our business. Most of the agreements and rules were written before small businesses like ours were able to fully utilize the internet to exploit the global market. Trade agreements offer the best chance to lower barriers and increase market access for small companies like mine. We see a bright future for . . . companies like ours in the export market but we need new trade deals to get there.

And this, Mr. President, is a business with three employees that is exporting products.

So here was Chase's solution: ''Trade Promotion Authority is the first step towards modernizing trade agreements,'' he said, ''and I encourage Congress to pass TPA as soon as possible.''

Entrepreneurs such as Chase know that the United States does not have many trade barriers, but other countries do. They know that many of these barriers are extremely unfair to American workers and American products. They know that passing trade promotion authority is the way to address such an unfair situation.

Our friends on the far left may try to cynically spin their war against the future of something other than what it

truly is, but we all know better. It is no wonder President Obama has called them ''wrong'' and suggested that they make stuff up. What happens if the far left actually succeeds in its apparent quest to retain foreign tariffs that unfairly impact American workers and their paychecks? How is that good for us?

It would mean lost opportunities for American risk takers such as Chase and the employees who entrepreneurs such as him care about. It would mean lost opportunities for American manufacturers, lost opportunities for Kentucky farmers, and lost opportunities for more jobs, better wages, and a growing economy that can lift everyone up.

Jobs and a better economy are the kinds of things I am going to continue to fight for. I think the legislation before us represents a great opportunity to do so. President Obama agrees, as well. So I am going to keep working to get votes on amendments—both Republican and Democrat amendments.

There have been objections from the other side of the aisle. I would remind our colleagues that even with my strong support, the Senate cannot have a robust amendment process if every single amendment offered by Democrats or Republicans is objected to by our friends on the other side.

Our bill managers, Senator HATCH and Senator WYDEN, are working hard. We hope to get past these objections so that more amendments can be considered. But we will need cooperation. The Senate cannot vote on amendments that are being prevented.

We hope to see more of that cooperation so we can pass good, fair, and enforceable trade legislation that will benefit our country and so many of the people we represent.

RECOGNITION OF THE MINORITY LEADER

The ACTING PRESIDENT pro tempore. The Democratic leader is recognized.

ISSUES FACING THE MIDDLE CLASS

Mr. REID. Mr. President, at the end of this month, Republicans will have been in charge of the Senate for almost half a year. After all of this time, what have they done to address issues facing the middle class? Zero.

Let's take a quick look at what the Republican leadership has achieved this year. The Keystone Pipeline legislation took a month, a bill that was nothing more than a favor for billionaires and special interests. It would allow foreign oil to be imported into the United States to be shipped to foreign countries. It has spent almost another month on the shutdown of the Department of Homeland Security—the shutdown of the Department of Homeland Security—during a time when ISIS is raging and all the other problems around the world, and they—the Republicans—want to shut down the Federal Government as it relates to Homeland Security.

We spent 3 weeks on a senseless delay over funding for victims of human trafficking, over an abortion issue that had nothing to do with human trafficking. I would respond to my friend, the majority leader, we would have passed this last Congress, except that they objected to it—short memory, I think.

Now, here we are spending the last week considering trade legislation that has done nothing—nothing, not a single thing—to help working middle-class Americans. In fact, it causes huge job losses. As Einstein said, if you keep doing the same thing over and over again and you expect a different result, that is the definition of insanity.

We can look at these trade bills over the years. Every one of them, without exception, causes job losses to American workers, millions of job losses. Yet they are going to try the same thing again and hope for a different result. That is insanity.

If the Senate is not actively advocating for the well-being of middle-class Americans, we are wasting our time. When the Republicans took over the Senate, the majority leader promised to make the needs of Americans a priority. Here is what he said last November: ''Under a new majority, our focus would be on passing legislation that improves the economy, that makes it easier for Americans to find jobs, and that helps restore Americans' confidence in their country and their government.''

Why then have we not moved toward legislation that makes it easier for Americans to find jobs or reforms that help us restore Americans' confidence in their government?

A few months after November—actually the beginning of this year—the majority leader reiterated a call for commonsense legislation that puts the middle class first. He said: ''Let's pass legislation that focuses on jobs and the real concerns of the middle class.''

But, again, what have the Senate Republicans done? They have stopped any effort made to help the middle class, whether it is minimum wage, equal pay for men and women, student debt, and on and on with things that would help the middle class. They have been ignored. We should be focusing on making it easier for Americans to find jobs, addressing the needs of the middle class and restoring Americans' faith in our government.

It is not enough for the majority leader to mouth these words that he supports jobs. His agenda must reflect it, as well. But it does not. It does not do anything to help job creation. If we want to create jobs, why don't we do something with infrastructure, the surface transportation bill?

To his credit, the Presiding Officer has an idea regarding how that should be paid for. I have worked with him and, whether his idea and my idea are perfect, at least it is an effort to figure out some way to do something about jobs. Jobs—we have to do something about surface transportation. Some 50 percent of America's roads are in disrepair, and 64,000 bridges are structurally deficient. Our railroad systems are outdated, and we know that recently from the headlines we have seen with that devastating accident in Pennsylvania. Instead of working with Democrats to provide adequate, long-term investment into our country's surface transportation, Republicans are advocating for short-term fix after short-term fix.

Repairing our Nation's roads and bridges through long-term investments could provide thousands of jobs for Americans. If the Republican leader truly has the interests of the middle class at heart, he should be leading the charge for these investments, but he is leading the charge against them.

Today, the Senate will resume consideration of the trade legislation. Because of Senate Democrats, that trade legislation includes vital programs that help America's workers retrain and find new employment if they lose their jobs because of foreign trade. And they are going to lose jobs. Even though a majority of the Senators don't support this trade legislation, we have tried hard to improve it, and this trade adjustment assistance is one way we can try to improve it.

What was the Republican's first amendment to the trade bill? It was an amendment to strike a program known as trade adjustment assistance, which I just talked about, from the bill. This program helps those who lose their jobs because of trade. And they will lose their jobs.

As we talk about opening foreign markets to American products, surely we should do something so that American companies have the tools to compete internationally.

The Export-Import Bank is weeks away from expiring. If it expires, financing for billions of dollars of U.S. exports will disappear and thousands of American jobs will be in jeopardy. How much does it cost? Nothing. Zero. It is an ideological mindset that the Republicans have—they don't like government programs.

We are losing internationally. We are losing trade. I don't think anyone can call the Boeing Company a leftwing liberal group, as the Republican leader refers to people who are complaining about what is going on here. Boeing thinks something should be done with the Export-Import Bank. Why? Because they can compete with Airbus and all of these other companies that build

airplanes. If we don't have the Bank, they cannot compete.

Mr. President, I could pick any State of the 50—I was given here this morning the State of Virginia because the State of Virginia was mentioned in some of the remarks by the Republican leader. I have page after page—millions and millions of dollars that benefit businesses in Virginia. It is the same all over the country—in Nevada, Kentucky, everyplace.

We have talked about trade that won't work. Let's talk about the Export-Import Bank, which does work. I so admire and appreciate the persistence and advocacy of the Senator from Washington, Ms. CANTWELL. But for her, this issue would be lost. It would be gone with all the other stuff that goes into the trash can because of the Republicans.

The Republican leader has said over and over again that he is opposed to the Bank. Well, that is too bad. The American people certainly support it and American businesses support it. Last year, this vital program sustained 165,000 jobs at no cost to the taxpayers. If we don't reauthorize this program, American businesses will be at a competitive disadvantage.

While the majority leader talks about restoring faith in government, he is standing in the way of reforming the National Security Agency's illegal spying program. I did not make up the words ''illegal spying program''; the Second Circuit Court said it. It is an illegal program.

These are just a few areas where renewed focus would create jobs and produce positive outcomes for middle-class Americans. The Republican leader should revisit his vision, which up to this point has only been words. There has been no action. The direction this Congress has taken so far has only focused on the desires of a few at the expense of many.

Mr. President, I ask unanimous consent that the numbers I referred to from the State of Virginia be printed in the RECORD.

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

VIRGINIA COMPANIES FINANCED BY EX-IM BANK FY07–FY15

Source: Public Information; Ex–Im Bank Web Site

Exporter	City	District	Product	Total insured shipments, guaranteed credit or disbursed loan amount	Total exp value
Abb Inc.	South Boston	05	Electrical Equipment Manufacturing and Sales	$97,428	$175,030
Aeroprobe Corporation	Christiansburg	09	Professional, Scientific and Technical Services	$24,960	$24,960
Alainn Llc	Arlington	08	Administrative, Management and Support Services	$285,008	$285,008
Alfa Laval Thermal Inc	Richmond	03	Fabricated Metal Product Manufacturing and Sales	$327,015	$397,159
All American Business Consulting Llc	Chantilly	10	Other Misc Mfg and Sales of Non Capital Equipment	$93,760	$93,760
Alliant Techsystems Operations, Inc	Radford	02	Fabricated Metal Product Manufacturing and Sales	$128,303	$128,303
Alpha Coal Sales Co., Llc	Bristol	09	Ore & Mineral Mining and Sales	$212,393,085	$212,393,085
Altum, Incorporated	Reston	11	Professional, Scientific and Technical Services	$854,933	$854,933
American Biosystems, Inc.	Roanoke	06	Chemical Manufacturing and Sales	$1,734,990	$1,734,990
American Hardwood Industries, Llc	Waynesboro	06	Wood Product Manufacturing and Sales	$18,000,000	$60,000,000
American Hofmann Corporation	Lynchburg	06	Machinery Manufacturing and Sales	$44,728	$44,728
Amscoglobal Llc	Vienna	11	Machinery Manufacturing and Sales	$192,236	$192,236
Aon International Space Brokers	Rosslyn	08	Insurance	$20,592,935	$24,169,936
Aon International Space Brokers	Rosslyn	08	Insurance	$20,339,686	$23,310,434
Aquamatic Inc	Roanoke	09	Electrical Equipment Manufacturing and Sales	$66,129	$66,129
Augusta Lumber, Llc	Waynesboro	06	Wood Product Manufacturing and Sales	$278,849	$278,849
Bakery Holdings Llc	Richmond	03	Machinery Manufacturing and Sales	$3,600,000	$14,000,000
Banner Aerospace Holding Company, Inc.	McLean	11	Transportation Equipment Manufacturing and Sales	$16,200,000	$72,000,000
Banner Aerospace, Inc.	Ashburn	10	Transportation Equipment Manufacturing and Sales	$13,500,000	$40,000,000
Beach Mold & Tool Virginia, Inc.	Emporia	04	Machinery Manufacturing and Sales	$65,225	$65,225
Birdsong Peanuts	Suffolk	04	Crop Production and Sales	$669,955	$669,955
Blue Ridge Mountain Resources, Llc	Charlottesville	05	Wood Product Manufacturing and Sales	$128,960	$128,960
Blue Ridge Numerics Inc	Charlottesville	05	Professional, Scientific and Technical Services	$450,000	$4,250,000
Bone Doctors' Bbq, Llc	Charlottesville	05	Food Manufacturing and Sales	$45,158	$45,158
Bontex, Inc	Buena Vista	06	Chemical Manufacturing and Sales	$6,748,307	$6,748,307
Boss Lumber Corporation	Galax	09	Wood Product Manufacturing and Sales	$72,936	$72,936
Brg Machinery Consulting	Charlottesville	05	Administrative, Management and Support Services	$59,219	$98,625
Bristol Compressors International, Inc.	Bristol	09	Machinery Manufacturing and Sales	$162,000,000	$250,000,000
Cableform Incorporated	Troy	07	Electrical Equipment Manufacturing and Sales	$7,091,630	$7,091,630
Cadence, Inc.	Staunton	06	Other Misc Mfg and Sales of Non Capital Equipment	$5,553,034	$5,553,034
Campofrio Food Group America Inc	South Chesterfield	04	Food Manufacturing and Sales	$4,713,286	$4,713,286
Catoctin Creek Distilling Co, Llc	Purcellville	18	Beverage and Tobacco Product Mfg and Sales	$35,741	$35,741
Commercial Lynks Inc.	Alexandria	08	Food Manufacturing and Sales	$50,357,430	$83,947,430
Delta Star, Inc	Lynchburg	06	Electrical Equipment Manufacturing and Sales	$106,705	$2,022,564
Dexter W Estes	Lyndhurst	06	Machinery Manufacturing and Sales	$10,062	$10,062
Dupont Teijin Films	Chester	04	Plastics and Rubber Products Mfg and Sales	$245,813	$245,813
Dupont Teijin Films	Hopewell	04	Plastics and Rubber Products Mfg and Sales	$373,931	$373,931
Dupont Teijin Films	Hopewell	04	Plastics and Rubber Products Mfg and Sales	$297,603	$297,603
Eagle Paper International, Inc.	Virginia Beach	02	Paper Manufacturing and Sales	$43,116,377	$43,116,377
Earthwalk Communications Inc.	Manassas	10	Other Misc Mfg and Sales of Non Capital Equipment	$1,192	$1,192
East Coast Impex, Llc	Manassas	01	Crop Production and Sales	$1,129,413	$1,129,413
Ekpac China Inc.	Arlington	08	Other Service Providers	$18,179,979	$21,388,210
Erath Veneer Corporation of Virginia	Rocky Mount	05	Wood Product Manufacturing and Sales	$10,443,221	$10,443,221
F R Drake Company	Waynesboro	06	Machinery Manufacturing and Sales	$303,025	$356,500
Federal Pacific Transformer Company	Bristol	09	Electrical Equipment Manufacturing and Sales	$55,248	$55,248
Ferguson Enterprises, Inc.	Newport News	02	Fabricated Metal Product Manufacturing and Sales	$4,269,751	$5,441,608
Fitzgerald Lumber & Log Co., Inc.	Buena Vista	06	Wood Product Manufacturing and Sales	$11,464,695	$11,464,695
Fleshner & Kim Llp	Herndon	11	Judicial Systems and Public Safety Institutions	$900,000	$3,000,000
Flowserve Corporation	Chesapeake	04	Machinery Manufacturing and Sales	$5,733,476	$7,267,029
Foley Material Handling Co., Inc	Ashland	07	Machinery Manufacturing and Sales	$2,160,000	$6,000,000
Freightcar America	Roanoke	06	Machinery Manufacturing and Sales	$2,842,665	$3,326,300
Gala Industries, Inc.	Eagle Rock	06	Machinery Manufacturing and Sales	$238,145	$279,810
Gatekeeper, Inc.	Sterling	10	Electrical Equipment Manufacturing and Sales	$2,464,016	$2,464,016
GeoScienceWorld	Arlington	08	Professional, Scientific and Technical Services	$27,797	$49,118
Gigamedia Access Corporation	Herndon	11	Internet Content & Service Providers	$810,000	$1,000,000
Global Food Connection, Inc.	Danville	05	Food Manufacturing and Sales	$16,685,410	$16,685,410
Good Harbor Consulting, L.L.C.	Arlington	08	Administrative, Management and Support Services	$3,500,000	$3,500,000
Group Logic Inc.	Arlington	08	Professional, Scientific and Technical Services	$4,928,867	$4,928,867
H Y International Corporation	Great Falls	10	Wood Product Manufacturing and Sales	$12,224,288	$12,224,288
H2gen Innovations, Inc.	Alexandria	08	Electrical Equipment Manufacturing and Sales	$3,600,000	$12,000,000
Harris Corporation	Lynchburg	06	Other Misc Mfg and Sales of Non Capital Equipment	$3,050,149	$3,588,411
Honeywell International Inc.	Hopewell	04	Machinery Manufacturing and Sales	$44,542,810	$44,542,810
Independent Project Analysis	Ashburn	10	Professional, Scientific and Technical Services	$1,179,672	$2,053,027
Integrated Global Services, Inc.	Midlothian	07	Fabricated Metal Product Manufacturing and Sales	$2,250,000	$7,000,000
International Intranco Inc.	McLean	11	Food Manufacturing and Sales	$58,058	$58,058
International Veneer Company, Inc.	South Hill	05	Wood Product Manufacturing and Sales	$35,204	$35,204
Interstate Resources, Inc.	Arlington	08	Paper Manufacturing and Sales	$47,450,946	$47,450,946
Intertape Polymer Corp.	Danville	05	Textile Mills, Products and Sales	$219,378	$219,378
K2m, Inc.	Leesburg	10	Other Misc Mfg and Sales of Non Capital Equipment	$45,000,000	$68,000,000
Longwall Associates, Inc	Chilhowie	09	Machinery Manufacturing and Sales	$4,649,120	$5,240,000
M.I.C. Industries, Inc.	Reston	11	Building Construction	$4,485,411	$4,485,411
Maersk Line, Limited	Norfolk	03	Transportation Services	$4,208,610	$5,665,164
Meadwestvaco Corporation	Richmond	03	Paper Manufacturing and Sales	$10,906,229	$10,906,229
Meadwestvaco Corporation	Glen Allen	07	Paper Manufacturing and Sales	$25,531,495	$25,531,495
Microxact, Inc.	Blacksburg	09	Other Misc Mfg and Sales of Non Capital Equipment	$282,699	$282,699

VIRGINIA COMPANIES FINANCED BY EX-IM BANK FY07–FY15—Continued

Source: Public Information; Ex–Im Bank Web Site

Exporter	City	District	Product	Total insured shipments, guaranteed credit or disbursed loan amount	Total exp value
Mitsubishi Plastics Composites America, Inc	Chesapeake	04	Electrical Equipment Manufacturing and Sales	$70,559,724	$70,559,724
Monoflo International, Inc	Winchester	10	Plastics and Rubber Products Mfg and Sales	$192,596	$192,596
Moog Inc	Blacksburg	26	Other Misc Mfg and Sales of Non Capital Equipment	$64,749	$74,448
Mountain Lumber Co, Inc	Ruckersville	05	Wood Product Manufacturing and Sales	$108,000	$108,000
Mpri, Inc.	Alexandria	08	Electrical Equipment Manufacturing and Sales	$5,687,287	$5,687,287
Musser Lumber Company, Inc.	Rural Retreat	09	Wood Product Manufacturing and Sales	$500,052	$500,052
New River Energetics	Radford	09	Chemical Manufacturing and Sales	$464,493	$464,493
Ngk-Locke Polymer Insulators	Virginia Beach	02	Nonmetallic Mineral Product Mfg and Sales	$353,142	$404,420
Ofic North America Inc	Fredericksburg	07	Petroleum and Coal Products Mfg and Sales	$7,092,241	$7,092,241
Ontario Hardwood Company, Inc.	Keysville	05	Wood Product Manufacturing and Sales	$978,099	$978,099
Optical Cable Corporation	Roanoke	09	Electrical Equipment Manufacturing and Sales	$45,125,589	$45,125,589
Orbital Sciences Corporation	Dulles	10	Transportation Equipment Manufacturing and Sales	$198,098,585	$221,843,173
Pipeline Research Council International	Falls Church	11	Professional, Scientific and Technical Services	$115,189	$215,694
Potomac Supply Corporation	Kinsale	01	Wood Product Manufacturing and Sales	$4,549,757	$4,549,757
Potomac Supply Llc	Kinsale	01	Wood Product Manufacturing and Sales	$2,279,798	$2,279,798
Qmt Associates, Inc.	Manassas Park	10	Other Misc Mfg and Sales of Non Capital Equipment	$774,329	$774,329
QubicaAMF Worldwide	Mechanicsville	07	Other Misc Mfg and Sales of Non Capital Equipment	$1,036,184	$1,093,397
Questel-Orbit, Incorporated	Alexandria	08	Internet Content & Service Providers	$3,482	$6,121
Reynolds Consumer Products Inc	Richmond	07	Plastics and Rubber Products Mfg and Sales	$11,134,393	$11,134,393
Rock Tools Inc.	Bristol	08	Not Identified	$1,950,000	$1,950,000
Rowe Fine Furniture Inc	Elliston	09	Furniture Manufacturing and Sales	$6,637,470	$6,637,470
Rubatex International Llc	Bedford	05	Plastics and Rubber Products Mfg and Sales	$97,118	$97,118
Sena Mining Products Llc	Alexandria	08	Administrative, Management and Support Services	$347,452	$347,452
Sherr & Jiang Pllc	Herndon	11	Professional, Scientific and Technical Services	$30,324	$30,324
Sherr & Vaughn, Pllc	Herndon	11	Professional, Scientific and Technical Services	$4,301,139	$4,301,139
Simplimatic Engineering Holdings, Llc	Evington	05	Machinery Manufacturing and Sales	$7,496,797	$7,496,797
Spectra Quest, Inc.	Richmond	07	Machinery Manufacturing and Sales	$24,204	$42,308
Strongwell Corporation	Bristol	09	Plastics and Rubber Products Mfg and Sales	$2,156	$2,733
Sutron Corporation	Sterling	10	Other Misc Mfg and Sales of Non Capital Equipment	$738,000	$750,000
Team Askin Technologies, Inc.	Fairfax	10	Professional, Scientific and Technical Services	$31,749,708	$90,227,708
Telarix, Inc.	Vienna	11	Internet Content & Service Providers	$39,150,000	$144,767,956
Test Dynamics Inc	Warrenton	05	Electrical Equipment Manufacturing and Sales	$68,369	$68,369
Tetra Tech, Inc.	Fairfax	11	Administrative, Management and Support Services	$18,069,977	$25,648,305
Thomas & Betts Corporation	Richmond	03	Electrical Equipment Manufacturing and Sales	$473,944	$473,944
Transprint Usa, Inc	Harrisonburg	06	Administrative, Management and Support Services	$14,812,918	$14,812,918
Tread Corporation	Roanoke	06	Fabricated Metal Product Manufacturing and Sales	$38,302,375	$93,588,729
Trex Company, Inc.	Winchester	10	Plastics and Rubber Products Mfg and Sales	$39,143	$39,143
Trinity Scientific, L.P.	Sandston	03	Other Misc Mfg and Sales of Non Capital Equipment	$269,567	$269,567
Turkey Knob Growers, Inc.	Timberville	06	Crop Production and Sales	$851,672	$851,672
Turman-mercer Sawmills, Inc.	Hillsville	09	Specialty Trade Contractors	$2,297,171	$2,297,171
Universal Dynamics, Inc.	Woodbridge	11	Machinery Manufacturing and Sales	$3,201	$3,201
Us Cosmeceutechs, Llc	North Chesterfield	04	Chemical Manufacturing and Sales	$4,905,000	$7,000,000
Usa Hardwoods Llc	Winchester	10	Administrative, Management and Support Services	$172,076	$172,076
Virginia Transformer Corp	Roanoke	06	Electrical Equipment Manufacturing and Sales	$1,810,428	$2,566,663
Vt Idirect, Inc.	Herndon	11	Telecommunication Services	$1,552,092	$1,552,092
Williams & Lu Llc	Alexandria	08	Professional, Scientific and Technical Services	$70,851	$70,851
Zamma Corporation	Orange	07	Furniture Manufacturing and Sales	$3,185,044	$3,185,044
Zenith Aviation, Inc.	Fredericksburg	01	Transportation Equipment Manufacturing and Sales	$209,024	$209,024

Mr. REID. Will the Chair be kind enough to tell us what the business is today in the Senate?

RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

ENSURING TAX EXEMPT ORGANIZATIONS THE RIGHT TO APPEAL ACT

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will resume consideration of H.R. 1314, which the clerk will report.

The legislative clerk read as follows:

A bill (H.R. 1314) to amend the Internal Revenue Code of 1986 to provide for a right to an administrative appeal relating to adverse determinations of tax-exempt status of certain organizations.

Pending:

Hatch amendment No. 1221, in the nature of a substitute.

Hatch (for Flake) amendment No. 1243 (to amendment No. 1221), to strike the extension of the trade adjustment assistance program.

Hatch (for Inhofe/Coons) modified amendment No. 1312 (to amendment No. 1221), to amend the African Growth and Opportunity Act to require the development of a plan for each sub-Saharan African country for negotiating and entering into free trade agreements.

Hatch (for McCain) amendment No. 1226 (to amendment No. 1221), to repeal a duplicative inspection and grading program.

Stabenow (for Portman) amendment No. 1299 (to amendment No. 1221), to make it a principal negotiating objective of the United States to address currency manipulation in trade agreements.

Brown amendment No. 1251 (to amendment No. 1221), to require the approval of Congress before additional countries may join the Trans-Pacific Partnership Agreement.

Wyden (for Shaheen) amendment No. 1227 (to amendment No. 1221), to make trade agreements work for small businesses.

Wyden (for Warren) amendment No. 1327 (to amendment No. 1221), to prohibit the application of the trade authorities procedures to an implementing bill submitted with respect to a trade agreement that includes investor-state dispute settlement.

Hatch modified amendment No. 1411 (to the language proposed to be stricken by amendment No. 1299), of a perfecting nature.

The ACTING PRESIDENT pro tempore. The Senator from Utah.

Mr. HATCH. Mr. President, I want to take some time today to talk about proposals to include a currency manipulation negotiating objective in trade negotiations and the impact this issue is having on the debate over renewing trade promotion authority, or TPA.

Currency manipulation has, for many, become the primary issue in the TPA debate. It has certainly gotten the focus of the media and other outside observers. Indeed, I suspect that everyone who has an interest in the outcome of the TPA debate—both for and against—is watching closely to see how the Senate will address this particular matter.

Let me begin by saying that I recognize the frustrations many have regarding exchange rate policies of some of our trading partners, and I have committed to working with my colleagues to arrive at ways to improve currency surveillance and mechanisms for responding to problems. However, I want to be as plain as I can on this issue. While currency manipulation is an important issue, it is inappropriate and counterproductive to try to solve this problem solely through free-trade agreements.

Nonetheless, I do not believe we should ignore currency manipulation, which is why, for the very first time, our TPA bill would elevate currency practices to a principal negotiation objective. Now, let's get that. For the first time in any trade bill, we elevate currency practices to a principal negotiation objective. We thought that would solve the problem. It means that if the administration fails to make progress in achieving this or any other objectives laid out in the bill, then the relevant trade agreement is subject to a procedural disapproval resolution and other mechanisms that would remove procedural protections.

Of course, I understand that a number of my colleagues want to see more prescriptive language which would limit the range of tools available and require that trade sanctions be used to keep monetary policies in line.

Most notably, we have the Portman-Stabenow amendment, which would create a negotiating objective requiring enforceable currency standards among parties to a trade agreement. The amendment goes on to say that these standards must be subject to the same dispute settlement procedures and remedies as all other elements of the trade agreement. While this approach may sound reasonable on the surface, there are a number of very serious and complex policy issues to consider. I will address those specific concerns in some detail in just a few minutes, but first I think we need to step back and take a look at the big picture.

I think I can boil this very complicated issue down to a single point: The Portman-Stabenow amendment will kill TPA. I am not just saying that; it is at this point a verifiable fact.

Yesterday, I received a letter from Treasury Secretary Lew outlining the Obama administration's opposition to this amendment. The letter addresses a number of issues, some of which I will discuss later, but most importantly, at the end of the letter, Secretary Lew stated very plainly that he would recommend that the President veto a TPA bill that included this amendment. That is pretty clear. It doesn't leave much room for interpretation or speculation. No TPA bill that contains the language of the Portman-Stabenow amendment stands a chance of becoming law.

I want to be clear. I have great respect for the authors of this amendment. They are my friends, and I believe they are well-intentioned. They have spent a lot of time making their case on their amendment, and I respect their points of view. But at this point, it is difficult—very difficult, in fact—for anyone in this Chamber to claim they support TPA and still vote in favor of the Portman-Stabenow amendment. The two, as of yesterday, have officially become mutually exclusive.

For me, this issue is pretty cut and dry. However, I do recognize that perhaps not everyone will view these developments the same way I do. But regardless of what anyone may think of Secretary Lew's letter, the Portman-Stabenow amendment raises enough substantive policy concerns to warrant opposition on its own.

Offhand, I can think of four separate consequences we would run into if the Senate were to adopt this amendment, and all of them would have a negative impact on U.S. economic interests.

First, the Portman-Stabenow negotiating objective would put the Trans-Pacific Partnership—or TPP—Agreement at grave risk, meaning that our farmers, ranchers, and manufacturers, not to mention the workers they employ, would not get access to these important foreign markets, resulting in fewer good, high-paying jobs for American workers, and I should say higher paying jobs at that.

We know this is the case. Virtually all of our major negotiating partners—most notably Japan—have already made clear that they will not agree to an enforceable provision like the one required by the Portman-Stabenow amendment. No country I am aware of, including the United States, has ever shown the willingness to have their monetary policies subject to potential trade sanctions.

Adopting this amendment will have, at best, an immediate chilling effect on the TPP negotiations, and at worst, it will stop them in their tracks. If you don't believe me, then take a look at the letter we received from 26 leading food and agricultural organizations, from the American Farm Bureau, to the National Pork Producers Council, to the Western Growers Association, urging Congress to reject the Portman-Stabenow amendment because it will, in their words, ''most likely kill the TPP negotiations.''

Put simply, not only will this amendment kill TPA, it will very likely kill TPP—the Trans-Pacific Partnership—as well.

Second, the Portman-Stabenow amendment would put at risk the Federal Reserve's independence in its ability to formulate and execute monetary policies designed to protect and stabilize the U.S. economy. While some in this Chamber have made decrees that our domestic monetary policies do not constitute currency manipulation, we know that not all of our trading partners see it that way.

Requiring the inclusion of enforceable rules on currency manipulation and subsequent trade sanctions in our free-trade agreements would provide other countries with a template for targeting U.S. monetary policies, subjecting our own agencies and policies to trade disputes and adjudication in international trade tribunals.

We have already heard accusations in international commentaries by foreign finance ministers and central bankers that our own Fed—Federal Reserve, that is—has manipulated the value of the dollar to gain trade advantage. If the Portman-Stabenow amendment is adopted into TPA and these rules become part of our trade agreements, how long do you think it will take for our trading partners to enter disputes and seek remedies against Federal Reserve quantitative easing policies? Not long, I would imagine.

If the Portman-Stabenow amendment objective becomes part of our trade agreements, we will undoubtedly see formal actions to impose sanctions on U.S. trade under the guise that the Federal Reserve has manipulated our currency for trade advantage. We will also be hearing from other countries that Fed policy is causing instability in their financial markets and economies, and unless the Fed takes a different path, those countries could argue for relief or justify their own exchange rate policies to gain some trade advantage for themselves.

While we may not agree with those allegations, the point is that under the Portman-Stabenow formulation, judgments and verdicts on our policies will be taken out of our hands and, rather, can be rendered by international trade tribunals. I don't know anybody who really wants that.

I am well aware that in an attempt to address this concern, the latest version of the Portman-Stabenow amendment states that their enforceable rules do not apply to ''the exercise of domestic monetary policy.'' But for those of us living here in the United States, that clarification does not provide much comfort. After all, the U.S. dollar is the global currency—that is, currently the global currency. If we fail to pass this bill—we have already seen China start to move toward having the yuan become the global currency. I will say again that the U.S. dollar is a global currency. In fact, it is the primary reserve currency in the world, and its value has an impact on markets everywhere. So for the United States, the question as to what is a domestic monetary policy and what is not is open to a lot of debate, and I don't think any of us want those debates being resolved in some international trade tribunal, which is what is going to happen.

Moreover, contrary to what many of my colleagues seem to be arguing, no one in international trade—not the Treasury, not the IMF, not the G7, not the G20, not anyone in the world—has accurate tools in place to measure what is and what is not currency manipulation or what is purely domestic policy and what is intended to be international. Even if we demanded enforceable currency standards in our trade agreements, this simple fact will not change.

Basing trade sanctions on existing methods which have thus far proven to be unreliable is fraught with risks—risks we should not undertake.

For example, IMF models recently showed that in 2013, Japan's currency was anywhere between around 15 percent undervalued and 15 percent overvalued. Given that range, what is an international trade tribunal to do if asked to set trade sanctions based on allegations of currency manipulation? Who in the heck knows. But if we insert these standards into our trade agreements, we would not only subject our trading partners to possible trade

sanctions based on indefinite standards, the United States would face similar risks. This is a recipe for trade and currency wars—a situation I think we would all like to avoid.

Third, under this amendment—that is, the Portman-Stabenow amendment—the traditional role of the U.S. Treasury in setting U.S. exchange rate policies would be watered down and potentially overruled in international trade tribunals. Do we want that? Thus, adoption of the Portman-Stabenow negotiating objective cedes independence and full authority over not only monetary policy for the Federal Reserve but also exchange rate policy for the Treasury.

Fourth, the Portman-Stabenow amendment would create incentives for our trading partners to evade regular reporting and transparency of exchange rate policies. If currency standards become enforceable and immediately subject to sanctions under a trade agreement, the parties on that agreement would almost certainly start withholding full participation in reporting and monitoring mechanisms that would otherwise enable us to identify exchange rate interventions and work against them.

Put simply, we cannot enforce rules against unfair exchange rate practices. If we do not have information about them, we can't enforce the rules. Under the Portman-Stabenow amendment, our trading partners are far more likely to engage in interventions in the shadows, hiding from detection out of fear that they could end up being subjected to trade sanctions. I don't think anybody wants that, but that is what is going to happen.

For these reasons and others, the Portman-Stabenow amendment is the wrong approach. Still, I do recognize that currency manipulation is a legitimate concern and one we need to address in a serious, thoughtful way.

Toward that end, Senator WYDEN and I have filed an amendment that would expand on the currency negotiating objective that is already in the TPA bill to give our country more tools to address currency manipulation without the problems and risks that would come part and parcel with the Portman-Stabenow amendment.

The Portman-Stabenow amendment would provide a single tool to address currency manipulation: enforceable rules subject to sanctions. As I think I have demonstrated, this, for a variety of reasons, is a pretty blunt, unreliable, and imprecise instrument, given the realities of the global economy.

By contrast, the Hatch-Wyden amendment would put a number of tools at our disposal. Specifically, the amendment calls for enhanced transparency, disclosure, reporting, monitoring, cooperative mechanisms, as well as enforceable rules. Our amendment, which would provide maximum flexibility, is a better alternative for addressing currency manipulation for a number of reasons.

First, it would preserve the integrity of our current trade negotiations. Once again, if we insert an absolute requirement for enforceable currency rules and required sanctions into the ongoing TPP negotiations, many, if not all, of our negotiating partners will almost certainly walk away. The Hatch-Wyden amendment would pose no threat to the TPP negotiations or any other trade deals.

Second, our amendment would not threaten the independence of the Federal Reserve or subject our own monetary and exchange rate policies to possible sanctions based on indefinite standards. Unlike the Portman-Stabenow amendment, it does not give other countries a roadmap to accuse the United States of using its policies intended for domestic growth and stability as tools for currency manipulation.

Third, it would increase transparency and accountability of our trading partners' currency practices. This is absolutely crucial. Put simply, we cannot counteract practices that we cannot readily observe. The Portman-Stabenow amendment would tell our trading partners that if you engage in full reporting and transparency, you run the risk of having an international tribunal detect your actions in ways that will generate trade sanctions. The incentive, then, is for countries not to be transparent and instead to put their currency policies further in the shadows, hiding away information that could end up being used in trade disputes.

Our trade agreements should provide incentives for countries to go in the opposite direction: full disclosure and accountability of currency practices. The Hatch-Wyden amendment would provide a more effective incentive structure.

Finally, and in the current context, most importantly, the Hatch-Wyden amendment would not result in a veto of the TPA bill. It is, in fact, supported by the Obama administration, not to mention business and agriculture stakeholders across the country.

I suppose one could say we have come full circle. After what I hope has been an interesting discussion of important policy considerations, we are back at the simple, uncomplicated truth. If nothing I have said here today about the complexities of currency and monetary policy has resonated with my colleagues, this fact remains: A vote for the Portman-Stabenow amendment is a vote to kill TPA.

I am sure that sounds good to some of my colleagues who are fundamentally opposed to what we are trying to do here, but for those who support free trade, open markets, and high-paying jobs for American workers, this truth is inescapable.

But, once again, this doesn't mean we should stand by and do nothing about currency manipulation. The Hatch-Wyden amendment will provide an effective path to improve transparency, measurement, and monitoring of our trading partners' currency practices, and effective and transparent ways to counteract anyone seeking to manipulate currencies for unfair trade advantage.

The Hatch-Wyden amendment will allow Congress to speak forcefully on the issue of currency manipulation without putting our trade agreements and domestic policies in limbo.

For Senators who are sincerely concerned about currency manipulation—and I am one of those Senators—the Hatch-Wyden amendment would address these issues in a far more productive way.

So, at this point, the choice should be pretty clear. We have strong indications that the House cannot pass a TPA bill with the Portman-Stabenow language. Even if it could pass the House, Secretary Lew has made it very clear that including that provision in our bill would compel President Obama to veto it.

The Hatch-Wyden amendment, on the other hand, would strengthen our hand by providing a workable set of tools to counteract currency manipulation in a way that would protect our interests and achieve real results and, most importantly, it would preserve our ability to enact TPA so we can negotiate strong trade agreements that will help grow our economy and create jobs.

That is the choice we face with these two amendments. I call on my colleagues who support TPA to oppose the Portman-Stabenow currency amendment and support the Hatch-Wyden alternative.

With that, I yield the floor.

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

Mr. WYDEN. Mr. President, first of all, I wish for colleagues to know that I think Chairman HATCH has made some very important points with respect to the currency issue and for colleagues to know that the approach of the chairman and me is to make sure we can have tough, enforceable currency rules without doing damage to American monetary policy or the ability to fight big economic challenges in the days ahead that we think would come about with the amendment offered by the Senator from Ohio, Mr. PORTMAN.

By the way, I want colleagues to know that currency is going to be in the Customs conference. Chairman HATCH and I have discussed this point as well. We felt very strongly about making sure there is a Customs conference that goes right to the heart of the enforcement agenda. In that Customs conference—and the chairman and I have been able to secure a commitment from the President and from

Chairman RYAN—that Customs conference is going to take place right when we get back. The President of the United States indicated last night that he wants us to get this done in June. So we are going to have a chance to tackle currency in that conference. Senator BENNET worked closely with the chairman and I so we got something in the committee that we thought was a smart, practical step. The chairman and I are talking today about something that is also strong and enforceable that would not produce the downside I have outlined.

So I want colleagues to understand there is an opportunity, particularly on the currency issue, very quickly, to put in place very tough, practical rules that get us the upside in terms of protecting the American economy without some of the downsides I have outlined and that Chairman HATCH has described as well.

What I want to do particularly this morning is, given yesterday, talk about some of the very positive developments we saw yesterday. I wish to express my appreciation to Chairman HATCH again for working closely with me on these issues.

I will start by talking about Senator MENENDEZ. Senator MENENDEZ, as do many of us, feels very strongly about human trafficking, about compelled labor, about commercial sex. He has made it very clear he wants to stop trafficking and he wants us to come up with a fresh policy. So he offered an amendment in the Finance Committee and it passed. All over the press for the next few days—and Chairman HATCH remembers this—were accounts: Poison pill is going to end the possibility of finding a way forward on the trade promotion act. The headlines were everywhere. The general view in the press was Western civilization was about to end because of the adoption of the Menendez amendment.

Well, Senator MENENDEZ believes in legislating. He believes what we ought to be doing when there are important issues, contentious issues—that we need to find a way to bring everyone together. So what Senator MENENDEZ did—and I was very pleased to be able to play a modest role in this—is he brought together all of the groups. He brought together the administration, the U.S. Trade Representative, and outstanding organizations that fight trafficking and, without any headlines and without any drama, did the nuts-and-bolts work to make sure that now we are going to have a new process. We are going to have a new process that ensures that the President is going to report to the Congress on the concrete steps the country takes to crack down on trafficking.

Now, it didn't make headlines this morning. It doesn't make headlines when you work with both sides and all the parties outside of the bright lights. But today we now have an opportunity to move forward, in a bipartisan way, on an issue that a couple of weeks ago was described as a poison pill, the end of TPA, causing the entire Senate to be paralyzed because it wouldn't be possible to move forward.

I bring this up only by way of saying that I hope today—and I am going to be here throughout the day trying to work with both sides to try to find a way to get amendments considered and to do as Senator MENENDEZ did over the last 10 days or so to actually solve a problem and make it possible for us to up the ante against this plague of trafficking but also make it possible to move forward on this legislation.

I would also like to note that all this work went on when everyone understood that Senator MENENDEZ has been opposed to the legislation and Chairman HATCH and I have been for it. But the idea was that both sides care about trying to fight trafficking. Both sides understood that if we worked together, there was an opportunity to really solve a problem.

In my view, Senator MENENDEZ deserves great credit for doing what is the most important work in the Senate, legislating and trying to bring people together of disparate views. In doing so, what Senator MENENDEZ accomplished was to show the country and the Senate that we can take another step for trade done right.

Trade done right is my vision of where we ought to go. We have heard about free trade and fair trade. What we want is trade done right. Because Senator MENENDEZ was willing to put in all this time on his trafficking bill, we took, on a bipartisan basis, an issue that was a poison pill whenever it was discussed just about anywhere in the country and we turned it into a better approach to fight trafficking. We were able to advance the cause of being able to move forward, and I look forward to seeing that passed.

A second area where we made a lot of progress yesterday was on enforcing our trade laws. Particularly important about this, because virtually every time I have ever talked about promoting trade—pretty important in my State where one out of five jobs depends on trade—I have said that passing new trade agreements and doing a better job of enforcing the trade laws are two sides of the same coin. The reason I reached that judgment was because of what a number of skeptics about this issue brought up—and I think it is a legitimate concern—which is: Why is everybody in Washington, DC, talking about new trade laws when they are not doing everything to enforce the laws we have on the books? Chairman HATCH and I talked about this many times and both of us agreed we needed a robust enforcement package.

We were able to get important measures into our Finance bill—measures that were sought by a number of our colleagues. Senator BROWN had a number of provisions. I was particularly interested in what is called the ENFORCE Act. This is something I developed back when I was chair of the trade subcommittee.

We had put together a sting operation to catch scofflaws overseas who were trying to avoid our trade laws. In effect, what they were doing was merchandise laundering. They would be found to be in violation of our dumping or our trade rules in one country and they would just move to another and try to move it through another nation, and we caught them on it. Many parties responded to the sting operation saying: We are in. We are anxious to stop this merchandise laundering. So I don't take a backseat to anybody in terms of enforcing our trade laws.

So after Chairman HATCH and I got that through the Finance Committee, the second step was we had a separate vote in the Senate on a very strong Customs and Enforcement package. That was step No. 2. But at that time, a number of observers said: Well, nothing is going to happen. It got passed here in the Senate, but that bill is not going anywhere, not going to happen. That is the end of the topic.

Chairman HATCH and I, working together with Chairman RYAN, said: Of course we are going to have a conference. We feel very strongly about this. So we put out a statement earlier in this week saying: You bet there is going to be a conference in June, and we are committed to getting this done.

Chairman RYAN has indicated that he is going to take each of the trade bills—all four of them—up on the same day in the other body. He is going to pass them all, and then we will have a conference. After that happened, I was told that, well, that sounds good, but we are still not going to have much. Is the administration going to be for it?

So, yesterday, in consultation with Chairman HATCH and myself and others, the President put out a very strong statement explicitly stating what he wanted in that conference, and he wanted it in June. He talked again about Senator BROWN's measures, 301, the level playing field, and the ENFORCE Act. I was very pleased he mentioned child labor.

So a tough, strong enforcement package is going to happen. I am going to insist on it. Chairman HATCH has pledged to me he is going to insist on it. It is going to happen. All of that was essentially nailed down in the last 24 hours.

So two big issues, two very significant issues, which were both considered to be show-stoppers: The Menendez amendment, fixed. All the headlines about poison pills, no longer valid. Senator MENENDEZ has fixed it.

Chairman HATCH, to his credit, has been willing to work with me and with

the President. We are going to have a strong enforcement package and we are going to have it in June and it is going to become law as part of the Customs conference.

The Senate spent a lot of time yesterday debating an important issue, which is the future of the Export-Import Bank. I want to thank my Pacific Northwest colleague and friend Senator CANTWELL for all of her leadership—all of her leadership over the years—in trying to renew the Export-Import Bank. She has been the one who has pointed out: If you have trade laws, which we are trying to promote with the trade promotion act, but you aren't using the tools that you need to get the maximum value—wring the maximum value out of those new laws—you are missing opportunities that are important for our Nation. So I urge the majority leader to work closely with Senator CANTWELL to make that happen.

Finally, I have been pleased to see a robust debate on a number of issues, particularly issues that have been important to Senator WARREN and Senator BROWN. What I have said from the very beginning and what I am going to be here all day working on is this: There are Senators who feel strongly about promoting the trade promotion act; there are Senators who are opposed to it. I am obviously for the agreement, but every single day I am looking for opportunities for both sides to be heard and to be able to advance their ideas. It started long before we actually had votes in the Senate Finance Committee, and it is going to continue every single day that I have the opportunity to serve in the Senate.

These are important issues. I thought it was particularly important that Senator WARREN's investor-state provision be able to get a vote early on in the proceeding—obviously an issue that there has been great debate on—and there are many more important amendments to this package.

So I want colleagues on both sides of the aisle to know I am going to be here throughout the day—throughout the day—looking for ways that all Senators, whether they are for the agreement or against the agreement, will have an opportunity to have their priorities considered on this trade legislation.

I will just wrap up, colleagues, by way of saying that the reason this issue is so important is we debate continually about how to get more high-wage jobs in our country. Continually we debate that because we want higher wages for our constituents. The evidence is that trade jobs pay better than do the nontrade jobs. We need more of them.

There was a report this morning that my State has a significant trade surplus, and we are very proud of that. There are other States that don't. Let's promote legislation that allows us to secure more exports, particularly in the developing world, where there are going to be a billion middle-class consumers in 2025. We want them to ''Buy American,'' because when they do, it creates the opportunity for us to have more of those export value-added, high-productivity jobs that pay our workers better wages and that strengthen our middle class.

It is going to be a busy day, and I look forward to working, again, with both sides so Senators, whether they are for the TPA or whether they are against it, feel they have a chance to raise their issues and be treated fairly.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from Wyoming.

Mr. BARRASSO. Mr. President, I ask unanimous consent to speak as in morning business.

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

NATIONAL SECURITY

Mr. BARRASSO. Mr. President, today, President Obama is heading to Connecticut, where I understand he is going to be addressing the graduates at the Coast Guard Academy. He plans to talk about threats to our national security.

I think many Americans would be astonished to learn the President's planned discussion on national security is going to center on climate change. After all, Americans understand there are much more immediate threats facing our Nation, such as the fall of Ramadi in Iraq and the brutal terrorist attacks by ISIS. These are clear examples of the real threats that must be addressed by President Obama.

I would encourage the President to spend this time today addressing America's most pressing national security threats. The President and his national security team must deliver strong leadership and an effective strategy to fight the terrorists who want to attack our country and kill more Americans. This should be the focus of the President's speech today. This should be our most pressing national security concern.

OBAMACARE

Mr. President, I would also like to talk about an important issue that is facing Americans and they will soon need to be seeing, which is that next month the Supreme Court is expected to announce a decision in the case of King v. Burwell. This is a case that has been brought on behalf of millions of Americans who have been harmed by the President's unlawful expansion of his unworkable and unaffordable health care law.

Sometime before the end of June, the Court is going to announce if the law passed by Congress means what it says or if it means what the President wishes it had said. The law, written by Democrats in Congress, written behind closed doors, only authorized insurance subsidies for one group, and the President had the IRS pay subsidies to another group.

The President gave bureaucrats much more power to control the health care choices and decisions of people who never should have been caught under the law. The Supreme Court should strike down this alarming overreach by the President. If it does, that will give Congress an opportunity to address some of the devastating problems the health care law has caused.

It seems like every week we see another headline about another damaging side effect of the President's health care law. Here is one example from a story yesterday morning, the front page of Investor's Business Daily: ''ObamaCare Rates Will Soar In 2016, Early Data Signal.'' Average 18.16 percent hike proposed. It is an astonishing fact that people are facing—increasing rates, soaring again in 2016.

Insurance companies that sell plans in the ObamaCare exchange are starting to set their rates for next year. There are a series of articles that continue to come out. One says that the top ObamaCare exchange insurers in six different States where the 2016 rate requests have already been filed—and they will come in every State—are seeking rate changes that average 18.6 percent just next year alone. Early reports range from an alarming 36-percent hike sought by the dominant insurer in Tennessee to a hefty 23-percent average increase requested by Oregon insurers. People across the country saw these rates go up at the beginning of this year, and now they are facing it again. They are starting to learn that it was not just a 1-year deal.

There is another story that came out May 7 in the Connecticut Mirror. The article says that insurance companies selling health plans through the State's health insurance exchange are seeking to raise rates next year, with an average increase somewhere between 2 and nearly 14 percent.

You take a look; it is outrageous.

I know the Senator from Connecticut has come to the floor saying that we should be celebrating ObamaCare—celebrating it, he said. Well, with these rate increases for families in Connecticut, it looks to me like the party is over. ObamaCare was supposed to bring costs down. That is what the President promised. He said premiums would go down by an average of $2,500 per year, per family. It has not happened. For an average family who gets coverage through their work, the premiums have gone up about $3,500 since the President took office in 2009.

Why do we still see headlines about premiums going up by 14 percent or even 2 percent? Why are they going up at all? Why are the promises Democrats made about the health care law not coming true? Why are ObamaCare rates set to soar again in 2016? Why are

people in places like Connecticut still seeing headlines about their costs going up by 14 percent?

A few weeks ago, the Democratic leader said on the floor that ObamaCare is a ''smashing success.'' He stood right over there and said it—it is a ''smashing success.'' Is there a Democrat who thinks that a 14-percent increase to families in Connecticut is a smashing success or that an 18.6-percent average across the country is a smashing success?

We are going to see this same story about soaring insurance rates repeated all across America. And it is not just the ObamaCare premiums that are causing problems for families. Here is a headline from the Washington Post on Friday: ''Insured, but still not able to afford care.''

''For one in four who bought health coverage, some costs remained too high.'' So they have insurance, but they are still not able to get care. People who have insurance have been avoiding going to see the doctor. That is according to a new study by the liberal advocacy group called Families USA. This was an advocacy group who was a huge supporter of the President's health care law and a huge supporter of the President. Even this group has to admit that coverage does not equal care. There is a difference. The group's executive director is quoted in this article in the Washington Post as saying, ''The key culprit as to why people have been unable to afford medical care despite coverage is high deductibles.'' Well, I agree. Many people's deductibles are too high. The reason the deductibles have gotten so high and so out of hand all of a sudden is that the health care law included so many coverage mandates.

Democrats who voted for this said they know better than the people at home what kind of insurance they need. That is what the President said. The President said: I know better than you do. I know what your family needs. You do not. That is why the deductibles are so high. Insurance had to raise their premiums to cover the cost of all these new Washington mandates. They had to raise deductibles as well. This year, the average deductible for an ObamaCare Silver Plan is almost $3,000 for a single person and more than $6,000 for a family.

People have Washington-mandated coverage, but they still cannot afford to get care. So people are putting off going to the doctor. They are skipping tests. They are skipping followup care because of the high deductibles and copays. Why are people across the country having to put off getting care? Because they cannot afford it. Is that what Democrats mean when they say the law has been a smashing success, when the minority leader comes to the floor and says it is a smashing success? All across the country, Americans are struggling with the cost of health care under this health care law.

There was a study out this morning. In the paper The Hill, Sarah Ferris writes:

''Underinsured'' population has doubled in the United States to 31 million.

One-quarter of people with healthcare coverage are paying so much for deductibles and out-of-pocket expenses that they are considered underinsured.

Thirty-one million Americans.

Rising deductibles—even under ObamaCare—are the biggest problem for most people who are considered underinsured.

Doubled. The number of underinsured people under the health care law has now doubled.

People are paying more as a result of the Democrats' health care law, and they are going to be paying even more next year and the year after that until we are able to do something to stop it.

Republicans are offering real solutions that will end these destructive and expensive ObamaCare side effects. That means giving Americans and giving States the freedom, the choice, and the control over their health care decisions once again. Republicans understand that coverage does not equal care. Republicans understand what American families were asking for before this health care law was ever passed. That is what they are still asking for today.

It is time for Democrats to admit that their health care law did not work—it did not work out the way they promised—and to start working with Republicans on reforms that will give people the care they need from a doctor they choose at lower costs.

I yield the floor.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. MERKLEY. Mr. President, returning to the conversation about trade policy and its impact on American workers and businesses, President Kennedy once said, ''The trade of a nation expresses, in a very concrete way, its aim and its aspirations.'' Well, what are our aims and aspirations in crafting a new trade structure? The President says that his aim and aspiration is to be the writer of rules for trade in Asia. I have a different aspiration. My aspiration is that we create trade that creates living-wage jobs in America, that puts people to work making things in America. If we don't make things in America, we will not have a middle class in America.

So as we contemplate a massive new trade deal, the Trans-Pacific Partnership, and the bill before us to fast-track consideration of that Trans-Pacific Partnership, we should ask ourselves this question: Is this about our geostrategic goal of being the leader in writing the rules or is it about writing rules that actually work for working Americans? Because, you see, working America has done very poorly under this goal of geostrategic influence. Oh, yeah, we had NAFTA, the North American Free Trade Agreement. We had CAFTA, the Central American Free Trade Agreement. What was the result of that? Well, we lost 5 million jobs in America. We lost 5 million jobs.

We lost 50,000 factories. If you go around Oregon, you can see those factory sites. I recently visited the Blue Heron site. Just a few years ago, there were hundreds of workers at the Blue Heron paper factory, but under the structure of one trade agreement—WTO—those jobs went to China. Paper manufacturing went to China. The equipment was pulled up out of that factory, leaving a big hole, and shipped overseas. That is what happened. We lost our factories. We lost our jobs.

There has been a lot of discussion that this is a new trade agreement, that it establishes enforceable standards for labor. Well, perhaps the single most important standard is minimum wage. Minimum wage is about resisting the full exploitation of workers, the full race to the bottom. So, of course, I am sure the proponents would say: Well, of course we have addressed that. That is central. That is the central ingredient, is to make sure that there is not a race to the bottom and that we address the fact that every nation that will be part of this agreement will have to have a minimum wage, a minimum wage that rises over time, a minimum wage that provides a basic standard of living so that we do not have conditions of full exploitation, miserable sweatshops, if you will, that are producing the goods we are buying here in America under this agreement.

So it may come as a shock to people across America that this most fundamental standard of minimum wage is not addressed in this agreement.

What do we have right now? We have 12 countries. We have two countries—Brunei and Singapore—with no minimum-wage standard at all. Then we have Mexico at 66 cents and Vietnam—for Vietnam, they set a monthly minimum wage and they set it regionally. So the number varies according to how you calculate it. Some would call it 57 cents; others would say 74 cents. Let's just put it this way: The minimum wage in Vietnam is way under $1 per hour. In Malaysia, it is $1.54; Peru, $1.55; Chile, $2.25.

So does this Trans-Pacific Partnership have a requirement that there be a minimum wage that will rise up workers and stop these sweatshops across the world so that we are not buying products from sweatshops with miserable, slave-like conditions? It does not. It has no such provision. It has no minimum wage, which leads us to another fundamental observation.

What this trade agreement does is set up a dynamic between these very low wage countries and countries that are

developed and aspiring to create living-wage jobs here. But what happens when you have manufacturing in these high-wage countries, high-environmental-standard countries, high-labor-standard countries and high-enforcement countries and the manufacturer looks out and sees a competitor, in a free-trade regime, in these very low-wage, low-labor, low-environmental, and low-enforcement countries? Well, it is obvious: The manufacturing migrates to the place that is the cheapest. That is the way free enterprise works—it goes to where you can make the most profit.

So it is not some absurd, unexpected result that NAFTA resulted in the loss of 5 million good-paying jobs in America. It is not some unexpected result that we lost 50,000 factories.

When he was campaigning for President, Ross Perot said: If you adopt NAFTA, you will hear the sound of the jobs leaving America.

Well, that is exactly what happened—exactly what happened.

So is it a fact that this new-generation trade agreement actually address this core problem? Well, the answer is, it does not. It does not do anything to address this disparity between very low wages and prosperous countries. This is going to be, as Ross Perot put it, another situation with a giant sucking sound of jobs leaving America.

Proponents of this treaty say: Well, we have done something very significant. We have taken the labor and environmental side agreements and we have put them in the center of the agreement. This is pretty much like moving deck chairs on the Titanic. You move them from one location to another location. How does that change the outcome? Well, it doesn't. It just means they are printed in a different part of the text. That is not very good news, if you will, to workers across the United States of America who have been assured there is something fundamentally different about this agreement.

These labor standards and these environmental standards that are in the agreement—we have heard a lot about enforcement, and there is nothing new to enforce in these labor and environmental standards.

I want to take a little detour here because there are some important enforcement standards that my colleagues have put forward. My colleague from Oregon has put forward the ENFORCE Act. This is important for enforcing tariffs. This is important for enforcing the movement of goods illegally through third parties in order to bypass tariffs in the United States. That is a good step forward, but that does not address the core of this issue which is enforcement of the labor and environmental standards.

Now, we have the same basic standards in various trade agreements, and they are never enforced because there is no effective mechanism for enforcement. Let me expand a little bit on what has gone on and then point out that nothing has been done to fix it. You essentially have a set of standards and these standards are the International Labor Organization standards, ILO standards. These ILO standards address a series of things. These ILO standards are things such as child labor. That is a bad idea. It should stop. It addresses that union organizing should be allowed, and that is a good thing. So the standards themselves are solid and respectable.

But when a nation becomes part of the trade agreement, how do you have them enforce those standards. That is what is missing—no enforcement for these standards.

There is a government-to-government process for consultations when the United States is upset that someone is not enforcing. Ultimately, they can file a case. That case can take years and years and years to adjudicate, and it never gets done.

The number of labor standard enforcement actions that have been completed is zero. The number of environmental enforcement standards that have been completed is zero—zero, zero. So if we take a broken system from existing trade treaties and slip it into a new trade treaty, what is the expected result? No enforcement of these standards. All the parties know that. They can put these laws on the books, but there is not going to be enforcement.

There is one case—one case alone—that we have sought to proceed to enforce and that is with Guatemala. With Guatemala, they have massive labor violations. They are not making the slightest attempt to follow the ILO. We held consultations, more consultations, and more consultations, and finally filed a case. It has gone on and on and on and never gotten to a conclusion. So we still have zero, zero enforcement.

Now, one reason it doesn't get to a conclusion is because there is no enthusiasm behind any form of enforcement, and why is that? First, our government says: Well, if we try to enforce it, it will create ripples in the relationship. That country will be upset with us if we try to enforce a labor standard and an environmental standard.

Then, second, they will say: No, there be will retaliation. They will file suits against us, and we will have to spend all this time responding, and what is the point of that. That is unproductive. We say they are not meeting it. They say we are not meeting it.

Then, third, and very importantly, the companies that have invested under that trade agreement in that nation, they come out and tell the government: What are you doing? The goal of the trade agreement was to create a stable environment for investments. You are destabilizing that by filing a grievance against this country, so don't do it. In the end, if you ever got to an enforcement action, well, that would hurt us because we put our factory there, and now we would be subject to tariffs.

So this combination means that structure is completely dysfunctional, and that structure is exactly what is in TPP. So this is why we are coming forward and saying now is the time to fully debate how we tackle this problem so we can stop pontificating about strong labor and environmental standards and actually have a structure that creates that within the 12 nations that are considered being part of TPP. So that is the distinction.

Significant, valuable attention is being paid to enforcement of tariffs and efforts to bypass through third-party shipments, our Customs structure—and that is important. But the labor standards and the environmental standards, enforcement is zero, and that same broken system is being imported into the TPP.

Yesterday, I came to the floor and I tried to pull up amendments. We are being told the leaders on this bill want to choose, pluck, and pick just the amendments they want to allow to be debated, unlike in the past, where we have had a situation where people have been invited to come to the floor and make their amendments pending, and then we worked through those amendments. So we spent time addressing the issues that Senators thought were important. That is a robust and open process.

But despite the promises of the majority leader for an open and robust amendment process, we do not have that. We have a behind-the-scenes negotiation with amendments picked and plucked according to what the proponents of this deal want to have, and the rest of us are out in the cold.

So I have these four amendments that I would be happy to pull up at any time that is allowed. I already tried yesterday, so I will not try to do it again, but let me tell you the types of things they address. One is it takes on the core deficiency in the Trans-Pacific Partnership, which is that it does not have any minimum wage. So it simply says:

FOR AGREEMENTS THAT SUBJECT UNITED STATES WORKERS TO UNFAIR COMPETITION ON THE BASIS OF WAGES.—The trade authorities procedures shall not apply to an implementing bill submitted with respect to a trade agreement entered into under section 103(b) unless the agreement—

(A) establishes a minimum wage that each party to the agreement is required to establish and maintain before the trade agreement is implemented; and—

So it is not something that is done down the road; it is done before it is implemented. Second—

(B) stipulates that the minimum wage required for each party to the agreement increase over time, to continuously reduce the

disparity between the lowest and highest minimum wages [in these very low countries and these very high countries].

Now, currently, the disparity of the minimum wage between the United States and Mexico is about tenfold. Here we are: Mexico at 66 cents, the United States at over $7. Mexico's minimum wage is 9 percent of our minimum wage—one-tenth.

So, of course, it made sense that factories would be shipped from the United States to Mexico. Not only do you have poor enforcement, poor environmental standards that are not enforced, but you have a minimum wage that is one-tenth of what it is in the United States.

So I don't specify in this amendment that the minimum wage has to be set at any particular level. That can be the subject of the negotiations. I don't specify that it has to be raised by 10 percent a year to narrow the difference between the very low countries and the higher countries so we reduce the disparity.

This is like taking a playing field that is tilted 10 to 1 against the workers of the United States of America—10 to 1. It is not close to a level playing field. The American minimum wage is more than 10 times the Mexican minimum wage. It is a 10-to-1 disadvantage to American workers.

That is what we are talking about—the proponents are talking about—embedding into this trade agreement. So I am suggesting: OK. At a minimum, the negotiated process, where that playing field is gradually brought to a more level situation, where the disparity is decreased, shouldn't that be a primary negotiating objective of the United States in these agreements? Aren't we right now talking about explaining to the administration what they should negotiate in this agreement?

My colleague from Utah spoke earlier about the provision regarding currency manipulation and explained why he thought it would be unproductive to have it here—while it is very important—unproductive to have the amendment that SHAHEEN and PORTMAN, my colleagues, are presenting. But that is the purpose of this debate on the floor, to allow that amendment to be called up, to hear the views for it, to hear the views against it, and to lay out our vision to the administration.

Now, my colleague has pointed out that the administration has said it will not accept establishing a goal of enforceable currency manipulation provisions. Why is that? I can tell you because the administration told me. They said, if we had put this on the table in the beginning, then we could probably raise it and have it be part of the conversation. But, you see, we have already negotiated this agreement. It is 95 to 98 percent done, and so we can't possibly introduce something new into this process. That would disrupt all the groundwork we have laid.

So this is where the cart came before the horse. The treaty was negotiated without consultation with Congress about what should be in it. We all understand currency manipulation is a form of tariff. It is a form of tariff and subsidy.

When I came into the Senate, China's currency manipulation was calculated to be equal to a 25-percent tariff on American products going to China and a 25-percent subsidy to Chinese products coming to the United States. Well, that is a huge tariff. Combine the two together—50 percent differential. That is not fair and appropriate in a trade agreement that was supposed to reduce—under the WTO—barriers. No. So we know it is a problem. Why not fix it, why not address it, why not debate it, why not discuss it, and why not struggle to find a solution. That is what Senators SHAHEEN and PORTMAN are saying; that that is an important element related to this unbalanced situation that is going to remove jobs from the United States.

Now, I am pointing out another deficiency; that is, that there is no minimum wage, that we are starting out with a 10-to-1 differential with Mexico, approximately a 10-to-1 differential with Vietnam, that there should be a minimum wage so we can stop the race to the bottom, and it should be gradually raised to decrease the disparity.

That is an issue worthy of debate, but I can't get that debate onto this floor because the proponents don't want to allow debates on these amendments. They just want to choose and pick the subjects that they want to allow to be debated rather than the ones the Senators want to allow to be debated. That is not a robust and open amendment process.

Now, there is another flaw in this TPA, which is it has negotiating objectives. An objective is simply a wish, a hope, it is a desire, it is an inclination, but an objective is not an actual provision.

So we can say all the beautiful things we want about what our objectives should be, but instead we should be asking, What are the standards? What are the standards that need to be in a treaty that are brought back in order to benefit from fast-track? What are the actual standards that should be in an agreement that is brought back to the Senate under fast-track—because fast-track gets special privileges on the floor of the Senate.

So setting an objective doesn't do the work because it doesn't define what will come back to this body under this special privilege. We should convert those objectives into actual requirements. That is what one of my amendments does.

Then we can turn to the situation where the TPA has another deep flaw that many have pointed out that hasn't been addressed, and this deep flaw is it sets up an international tribunal, an international tribunal that can essentially assess fines on our local government, it can assess fines on our State government, it can assess fines on the U.S. Government, unless our local government or the State government or the Federal Government change their laws.

Establishing a judicial organization with no accountability to the U.S. judiciary, that is a grant of sovereignty. That is our courts' sovereignty being shipped to a tribunal of three corporate lawyers who get to decide whether there are massive fines levied against our local, State, and national governments. Well, that is certainly something that should be deeply concerning to us.

Now, the goal of this was to have some sort of judicial process substitute in countries that have a dysfunctional judicial process, and thereby encourage international investment. So you could have a situation where Vietnam and Malaysia would say: We know our judicial organization is corrupt or dysfunctional, so we will opt in for this dispute resolution structure because we want investment to come to our country. But why would we give away U.S. judicial powers to an international tribunal of three corporate lawyers—corporate lawyers for whom there is no conflict of interest standard? They could be the advocates on one case and the judge on the next. That is really not in accordance with our norms of judicial conduct. So we aren't even requiring our norms of judicial conduct to be applied to this international tribunal.

Furthermore, when we pass at the State or local or national level laws designed to protect the health and safety of our citizens, foreign investors are granted special privileges under this agreement because they can file and say: Your laws for consumer protection or the health and welfare of your citizens or to take on significant environmental hazards have hurt our investment, and we want to be compensated.

That is just wrong. Sure, if there was an unfair expropriation of someone's assets, that is judicable under American law. It doesn't require an international tribunal.

But what about when something is done for the safety and wellness of our citizens? Take, for example, asbestos. We tried to regulate asbestos in 1991. It was the last time any toxic chemical was considered under the Toxic Chemicals Act. We have done nothing in the intervening years. But let's say we get over the hurdles that existed in 1991, and we have a new law, a new process, such as has been debated in the Committee on Environment and Public Works. That bill had bipartisan support. If we create that structure and we regulate asbestos, now the foreign investor says: Oh, we have an asbestos

factory so you have to compensate us. That is a privilege that the domestic—the United States; the red, white, and blue—investor would not have.

Let's say we regulate e-cigarettes—an effort by the tobacco company to addict our children to become lifetime users of nicotine and to do so through fancy flavors—chocolate, strawberry, cotton candy, and every candy flavor on Earth. You name it, they have a flavor of e-cigarette liquid designed to addict our children. So let's say we ban that, and the foreign investor gets special privileges because they say: Oh, well, I set up a factory, and I was going to make $1 billion over the next 20 years, so I need $1 billion of compensation.

That is the type of structure that is embedded in here. So at a minimum, I think this international tribunal should be opt-in. If we want to attract investment and we have a poor judicial system, opt in to this substitute to encourage investment. Maybe that is a win-win for a country with a poor judicial system and an investor who wants a strong way to make sure their rights are protected. But the United States would not opt in because we don't have a dysfunctional judicial system.

Here is an even more narrow provision. This narrow provision talks about when we do laws at the local, State or Federal level that are about consumer protections and wealth-stripping predatory loans. For example, we ended those loans in the mortgage market. We don't want a foreign investor saying: Well, our whole business was built on that; you owe us $1 billion. No, we are ending predatory wealth-stripping practices and replacing them with fairer, 30-year amortizing mortgages with full disclosure and no kickbacks, which were allowed under the previous law. They were called steering payments. We ended steering payments.

Or on this issue of e-cigarettes, we are ending an effort to directly addict our children, which is terrible for their health and certainly terrible for the cost of our health care system. It is a lose-lose. We should be regulating it. We passed a law to regulate it, but we just have never gotten the regulations done. The FDA has now completed those regulations. They have shipped them to OMB—Office of Management and Budget. We hope someday that regulation will be in place. When it is in place, a foreign investor should not have special privileges to be compensated because we are protecting our citizens.

Therefore, we should carve out and say that our laws related to the environment and public health and consumer protection cannot be the subject of ISDS—that is the name of the tribunal, ISDS—attacks.

Then let us look at basic consumer information, such as the labeling of products. A lot of manufacturers don't like it when products are labeled. They consider that labeling might have information that might be prejudicial because consumers might prefer the content of one product, when honestly labeled, over the product of another.

We had a law in Oregon that took on growth hormones in milk. The basic compromise was that we printed on every package of milk. If it had growth hormones, it had to say it contained growth hormones; and then there was a little clause saying it was not shown to have ill health effects. But consumers wanted to choose the milk that didn't have the growth hormones in it. That was the value of labeling. It empowered choice by the consumer, by the individuals exercising their rights as to what they put into their body, their right as to what they feed their children.

We have a very similar situation with regard to meat. Americans often want to know whether their meat was made or grown in America. So we have a law called COOL—country-of-origin labeling. Well, COOL is very well received. People like to choose meat grown in America. Not everyone cares, but some do. That is their right. They know there are different standards for how animals are treated overseas. There are different rules for what type of ingredients go into the feed in other nations. So wanting to support good practices, they might choose American meat. Wanting to support something healthy for their children, they might want to choose American meat.

And what just happened this week? Well, one of these tribunals, in a different trade agreement, struck down America's country-of-origin labeling law. That is what I am talking about when I say we are giving the sovereignty of our judicial branch away to an international tribunal of corporate lawyers who can make decisions that affect our fundamental rights. That is simply wrong. We must fix this.

So I have an amendment that I would like to hear debated on this floor. Others may disagree with me. We have been elected to carry our views forward. There will be people here saying: No, it is fine we strip consumers of the ability to know where their meat is grown. It is fine to strip consumers of the knowledge of what ingredients have gone into their milk, if milk is imported, and so on and so forth. But I fundamentally disagree. I want to see us debate.

We are here to debate, so let us get these amendments up. Let us debate them, and let us quit stalling. Let us quit engaging in this process of trying to rush this through in a manner where these fundamental issues have not been addressed—fundamental issues such as the fact that there is no minimum wage in this agreement, and that the playing field is tilted deeply against manufacturing in America; fundamental issues such as that there are negotiating objectives that should be negotiating requirements for a bill to have the privilege of getting fast-track here on the floor of the Senate; fundamental issues such as that we should not have our environmental, public health, and consumer laws subject to an international tribunal; fundamental issues such as Americans having the right to label their products the way they decide, according to their statutes, and not have that overruled by an international group.

I would love to see this Senate function and to actually debate these amendments. I hope that happens. And any effort to shove this bill through without having those types of debates is certainly not the open and robust amendment process that was promised by the majority leader.

I yield the floor.

The PRESIDING OFFICER (Mr. SULLIVAN). The Senator from Iowa.

RENEWABLE FUEL STANDARD

Mr. GRASSLEY. Mr. President, while reading through the pages of the Wall Street Journal last week, I was overcome with a sense of déjà vu. As many of my colleagues have heard me speak on the Senate floor many times each year over the last several years about ethanol and about misconceptions about that, these misconceptions showed up in an op-ed piece in the Wall Street Journal last week.

Once again, in this case it happens to be chain restaurants and chicken producers teaming up to smear homegrown biofuel producers at the expense of energy independence and cleaner air. It seems as if every couple of years food producers and grocery manufacturers team up with Big Oil to try to undermine the extremely successful Renewable Fuel Standard Program.

Here is a little history for everyone. In 2008, it was the big food producers led by the Grocery Manufacturers Association, because, presumably, in our economy, in our society, grocery manufacturers have more prestige than Big Oil. In 2010 and 2012, it was global integrated meat producers, led by Smithfield Foods and the American Meat Institute, presumably because they have more prestige than Big Oil.

The opinion piece I am referring to in the Wall Street Journal this time was written by the head of the National Chicken Council and the National Council of Chain Restaurants. And under these circumstances, compared to the other two instances I cited, there is really no difference. They have prestige that Big Oil doesn't have.

This article makes many of the same erroneous and intellectually dishonest claims we have heard dozens of times before, and I am going to take this opportunity to do a simple fact-check of some of the most egregious claims.

First, these two authors claim that since 2005, when the renewable fuel standard was first adopted, costs of

vital food commodities, including corn, grains, oilseeds, poultry, meat, eggs and dairy have risen dramatically.

This is pure myth. The fact is consumer food prices have increased by an annual rate of 2.68 percent since 2005. In contrast, food prices increased by an average of 3.47 percent in the 25 years leading up to passage of the renewable fuel standard in 2005. Prices for chicken breasts have been nearly flat over the past 7 years, averaging $3.43 per pound in 2007 and just 3 pennies more, to $3.46 per pound, in 2014. Corn prices are expected to average $3.50 per bushel this year, according to the Department of Agriculture. This would be the lowest price in nearly 10 years and 17 percent below the average price of $4.20 a bushel in 2007 when the renewable fuel standard was enacted.

That is a fact. With ethanol production at record levels today, corn prices are lower now than they were in 2007. But I don't know how many times over the last several years I have listened to this business about ethanol causing corn prices to go up and food prices would go up. And food prices went up. But when corn is $3.50, we don't see food prices come down. It has been proven time and again by the EPA, by the USDA, and others: There is no correlation between corn prices or ethanol production and retail food inflation or food prices. Once again, that is just a simple fact.

Second, these authors claim that as a result of the renewable fuel standard, corn is being ''diverted'' from livestock feed to ethanol. Again, this claim is pure falsehood. Corn used for ethanol has come from the significant increase in corn production since 2005. In 2005, American farmers produced 11.1 billion bushels of corn. In 2014, they produced 14.1 billion bushels of corn. Why? Because the market responds and the farmers respond to the increased use of corn, and they will meet it whether it is for biofuels or anything else.

Here is something very significant: One-third of the corn used for ethanol production is returned to the market as animal feed. The amount of corn and corn coproducts available for feed use is larger today than at any time in history. So it is hardly being diverted. But time after time, a prestigious newspaper such as the Wall Street Journal continues to tell the people of this country that 40 percent of corn production goes to make ethanol. They are right—40 percent goes to the ethanol plant. But out of a 56-pound bushel of corn, 18 pounds is left over for animal feed—and very efficient animal feed, let me say, badly in need and welcomed by farmers. In fact, some of it is even exported. But does the Wall Street Journal ever make that clear, that it isn't 40 percent of corn that is used for ethanol; it is 26 percent or 27 percent that is used for ethanol? So, just as I said, corn is not being diverted.

The same can be said for their misleading claim that ethanol production has contributed to global food scarcity. In the 15 years prior to the enactment of the renewable fuel standard in 2005, U.S. corn exports averaged 1.8 billion bushels per year. In the 10 years since the renewable fuel standard's passage, corn exports have averaged yet more—not a whole lot more but 1.84 billion bushels. So with 14.33 billion gallons of corn ethanol, corn exports are slightly higher than they were prior to the renewable fuel standard.

Another fact-check: The authors of the opinion piece also claim that corn ethanol has resulted in a significant increase in the volatility of food costs, which has left prices higher, they say. So I looked into the average food inflation going back to 1970. During the 1970s, food inflation averaged 7.8 percent. In the 1980s, it was 4.6 percent. In the 1990s, it was 2.8 percent. In the 2000s, it was 2.9 percent. So far this decade, it has been 2.2 percent—or the lowest rate of increase at the same time that we are producing record amounts of corn ethanol.

Finally, these two writers for the chain restaurants and for the chicken people claim that the increases in feed cost have affected the American production of beef, pork, and chicken. They state that production had increased consistently over the past 30 years but has now leveled off due to the higher cost of feed.

Again, this is nowhere near reality. Let's check the facts. The reality is that the Department of Agriculture is projecting red meat and poultry production of 95.2 billion pounds this year—up 10 percent from 2005. More growth is yet expected. The Department of Agriculture projects a production record of red meat and poultry in 2016, with 96.8 billion pounds—up 12 percent from 2005.

Just a few years ago, when corn prices had peaked at more than $7.50 a bushel, grocers, food producers, and restaurants were claiming—as I said once before but let me emphasize—that food inflation would approach 10 percent because of the renewable fuel standard. They warned then that they would be forced to pass those higher costs on to consumers immediately. As I have hinted before, today the price of corn is $3.50—less than half of what it was; in fact, $1 below the cost of production.

With lower corn prices, have consumers seen a dramatic reduction in retail food prices? In other words, are the benefits of lower grain prices being passed on to the consumer by Big Food? Obviously not. Ask any person shopping in the grocery stores. Corn prices have come down by more than half in the past 2½ years, so why are food producers holding prices steady or even increasing them? We accuse Big Oil of gouging. Isn't it about time, with $3.50 corn, that we accuse Big Food of price gouging?

The fact is, domestic renewable fuel producers are feeding and fueling the world at the same time. The 14.3 billion gallons of ethanol that was produced in the United States could more than displace the gasoline refined from all of the oil imported from Saudi Arabia. And where would we rather get our energy from—volatile parts of the Middle East or producers right here in the United States? And I say that not only for ethanol; I say that for oil, I say that for coal, I say that for nuclear, and I say that for all sorts of alternative energy.

We should be proud of our Nation's farmers and biofuel producers. Efficiencies gained have allowed farmers to produce ever-increasing yields, with greater environmental stewardship, including using less water and less fertilizer. Ethanol production has also seen efficiency gains.

These are facts: In 1982, 1 bushel of corn produced about 2.5 gallons of ethanol. Today's ethanol plants are producing more than 2.8 billion gallons of ethanol. We have a plant in Ida County, IA, that can get almost 3 gallons of ethanol from 1 bushel of corn.

According to the U.S. Energy Information Administration, if ethanol yields per bushel had remained at the 1997 levels, it would have required 343 million bushels—or 7 percent more—of corn to produce the same amount of fuel last year. That corn would have required the use of 2.2 million additional acres—or approximately half the State of New Jersey—just to keep up when we had the more inefficient production of ethanol.

Homegrown biofuels are extending our fuel supply and lowering prices at the pump for consumers. Biofuels account for 10 percent of our transportation fuel today. This economic activity supports American farmers, rural economies, and keeps the money at home rather than sending it abroad.

In recent years, our national security and economic well-being have been too dependent on oil imports—and from where? From tinhorn dictators and regimes that are always trying to harm Americans. We don't need to put a Navy fleet in harm's way to protect shipping lanes from the Middle East when we have biofuels that come right out of the Midwest of the United States.

Our country needs a true ''all of the above'' energy policy, as we all talk about, and biofuels are an important component of that policy.

Do you know what is really wrong with people who sometimes talk about ''all of the above,'' the way I see it, from different segments of energy? There are people who say they are for ''all of the above,'' but they are for none of the below the ground. And then there are people who say they are for

''all of the above,'' but they are for all below the ground but not the things that come from above the ground, such as solar energy producing corn that produces ethanol, as an example, or wind.

In 2005 and again in 2007, the Federal Government made a commitment to homegrown renewable energy when Congress passed the renewable fuel standard. The policy is working. I intend to defend all attacks against this successful program, whether they come from Big Oil, the EPA, Big Food, Big Restaurant, or others.

Secondly, I tried to do some fact-checking by Mr. Brown and Mr. Green, who wrote that article, and I am not very good at saying exactly whether they ought to have one Pinocchio or four, but they ought to look at having a Pinocchio because they are wrong on so many instances.

Mr. President, I ask unanimous consent to have printed in the RECORD the article from the Wall Street Journal.

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

[From the Wall Street Journal, May 15, 2015]

PAYING FOR ETHANOL AT THE PUMP AND ON THE PLATE

(By Mike Brown and Rob Green)

What do a franchise owner of four chain restaurants in Virginia, a food service distributor in Ohio and a poultry farmer in Kentucky have in common? They are all small-business owners who work in local communities and help Americans put food on the table.

But they have also all felt the failure of the federal corn-ethanol mandate, known as the Renewable Fuel Standard. Congress doesn't agree on much lately—but ending a failed policy that stymies small businesses, hurts the environment and increases food prices should be a bipartisan priority.

Since the RFS was implemented in 2005, costs of vital food commodities, including corn, grains and oilseeds, poultry, meat, eggs and dairy, have risen dramatically. Here's one major reason: The federal government's corn-ethanol mandate requires that a percentage of the nation's corn crop be blended into gasoline each year as ethanol. Every year the percentage required increases, diverting more of the nation's corn supply into ethanol fuel. This harms the broader U.S. economy.

Before it hit consumers so hard, the federal corn-ethanol mandate caused higher feed costs for poultry producers, cattle feeders, dairy farmers and others in the food chain. While food costs have always fluctuated due to unforeseeable factors like the weather, the demand artificially created by the RFS has resulted in a significant increase in volatility, which has left prices higher.

Consider: Between 1973 and 2007, corn prices averaged $2.39 a bushel, according to the U.S. Agriculture Department. The average price of corn jumped more than 110% between 2008 and 2014, to $5.04 a bushel. Even though corn prices have recently declined thanks to fabulous weather that produced two consecutive bumper crops, prices are still more than 59% higher than the historical average. Prices could surge even higher if the U.S. experiences anything less than ideal weather.

The resulting increases in feed costs have also affected the American production of beef, pork and chicken, which had increased consistently over the past 30 years but has now leveled off due to the higher cost of feed. As a result, a 2012 study by Pricewaterhouse Coopers estimates that the RFS costs chain restaurants $3.2 billion every year in increased food commodity costs.

Then there are restaurants. Wholesale food prices have outpaced the consumer price index by more than a full percentage point since the implementation of the RFS. In many instances, especially in the restaurant sector, small business owners are not able to pass on higher retail prices to consumers because of market competition—a concept that the corn-ethanol industry is unfamiliar with thanks to a government quota.

As if this were not enough, ethanol production has contributed to global food scarcity and hunger. No country exports more corn than the U.S., but about 40% is ending up in gas tanks, not on the world market. So much corn has been blended into gasoline that the higher percentage levels routinely render boat engines, motorcycles, chain saws and older automobiles inoperable.

Fortunately, lawmakers in Congress see the chicken producer, the food service distributor, the restaurant owner and others in the food chain for what they are: major contributors to the U.S. economy. Legislation has been introduced in both the House and the Senate this year to repeal the RFS corn-ethanol mandate, with broad bipartisan support. Congress should take up this legislation and send it to the president's desk.

The food industry isn't anti-ethanol. Repealing the fuel standard would simply require the ethanol industry to compete in the marketplace just like restaurants, food distributors and chicken farmers do every day—without a government mandate guaranteeing secure and growing sales.

I yield the floor.

The PRESIDING OFFICER. The majority whip.

THE PRESIDENT'S LEADERSHIP AND ISIL

Mr. CORNYN. Mr. President, I come to the floor today to talk about the latest example of President Obama's failure to lead in the international arena, to the detriment of our national security and the security of our allies.

Over the weekend, the Iraqi city of Ramadi in Anbar Province—which is about 70 miles from Baghdad—fell to ISIL. Once a hotbed of Al Qaeda activity, Ramadi had been won back and pacified at great costs in 2006 and 2007. That accomplishment was made possible due to the heroic efforts of some great Americans, such as Navy SEAL Chris Kyle, a Texan whom Al Qaeda called ''the Devil of Ramadi'' and whose service was chronicled in the book and the movie ''American Sniper,'' and LTG Sean McFarland, whose soldiers implemented a brilliant counterinsurgency strategy to win over the local population and drive out Al Qaeda in the process.

By the way, we are proud to have General McFarland today serving as commanding general of III Corps at Fort Hood, TX.

ISIL's latest raid and capture of Ramadi is a significant setback for all of us who seek a stable and prosperous Iraq, and it represents this terrorist army's biggest military victory this year.

Reports of the ISIL takeover of Ramadi are staggering. Faced with the oncoming ISIL forces, hundreds of Ramadi police and security officials fled the city, leaving behind American-made military equipment, including as many as 50 vehicles, now in the hands of our enemies. Those who managed to escape reported that many security officials, government workers, and even civilians were quickly killed execution-style.

In response, the Iraqi Government deployed its Shiite paramilitary troops to the province—a move that some experts believe could lead to even more sectarian strife. The Iraqis are looking for support almost anywhere they can get it, and in the vacuum left by President Obama's poor leadership and indecision, Iran is more than happy to fill that vacuum and take up the slack. It should come as no surprise that on Monday, the day after the fall of Ramadi, Iran's Defense Minister arrived in Baghdad to hold consultations with the Iraqi Ministry of Defense.

Obviously, I am frustrated by the President's lack of leadership and by the Obama administration's failure to put together a strong and cohesive strategy to combat ISIL, but it is more serious than that. It is about what we have squandered in Iraq, what we bought with the blood of Americans and the money that came out of the pockets of American citizens.

Since ISIL began taking large swaths of territory last summer, this administration has taken an approach of paralysis by analysis—in other words, doing nothing. When they do take action, it seems ad hoc and piecemeal and not driven by overarching objectives or any strategy that is apparent to me.

I am not the only one who believes we do not have a strategy in the Middle East. This President's own former Secretary of Defense, Bob Gates, said yesterday: ''We're basically sort of playing this [instability in the Middle East] day to day.'' After affirming his belief that we have enduring interests in the region, Secretary Gates then added: ''But I certainly don't think we have a strategy.'' I could not agree more with him.

Unfortunately, this takeover of Ramadi serves as just the latest example of a President whose policies are altogether rudderless in the Middle East, even as that region is riled with growing instability and grotesque violence. We can trace that to what happened in the area just a few years ago. I alluded to this a moment ago. In 2011, after the President ended negotiations with the Iraqis on a status of forces agreement, the Obama administration proceeded with a misguided plan to pull the plug on American presence in that country. In doing so, he squandered the blood

and treasure of Americans who fought to give the people of Iraq a chance.

While it is true that the Iraqis had not agreed to the U.S. conditions to an enduring American presence, including legal immunity for our troops, this administration gave up and failed to expend the political capital necessary to secure a status of forces agreement and to preserve the security gains we had made together with our allies in Iraq. As a result, those security gains made in many areas of Iraq since the height of the violence in 2005 and 2006 have since evaporated.

In 2012, as terrorist groups were flourishing in Syria, the President refused to initiate a program to arm vetted moderate Syrian rebels, disregarding the recommendations made by his most senior advisers, including then-CIA Director David Petraeus, then-Secretary of State Hillary Clinton, Joint Chiefs of Staff Martin Dempsey, and then-Secretary of Defense Leon Panetta. He rejected the advice from his most senior national security adviser. Instead, the President publicly remarked in January of last year that ISIL was the JV team of terrorist groups. And just a few months ago, President Obama boldly said that ISIL was ''on the defensive.'' Let me repeat that. Just a few months ago, President Obama claimed ISIL was ''on the defensive.'' That is not exactly the case today, nor was it really then. That is not exactly the kind of leadership we need from our Commander in Chief.

By giving our troops a difficult mission to degrade and ultimately destroy ISIL but not providing them with the strategy and the resources they need to do so, the President is essentially making them operate with one more hand tied behind their back. We know we have the most capable military in the world, but we cannot win a fight with our hands tied behind our backs or with these constraints—politically correct constraints—the President wants to make and not commit the resources and the strategy and the focus we need in order to win. So I hope the President will reconsider after this latest dramatic setback in Ramadi. I hope President Obama will provide us with a strategy to degrade and destroy ISIL.

In Ramadi—a major city and capital of Iraq's largest province—we see much more than just a symbolic setback, and I bet Chairman Dempsey wishes he could take those words back—he called it merely symbolic.

We see a dangerous development and a great obstacle to a more stable Iraq and thus a more stable Middle East. But this is what gets to me: We had more than 1,000 brave American troops die in Anbar Province during combat operations since 2003. I do not want to see their lives having been given in vain and squandered. So I hope that this is a wake-up call to the Obama administration and that they will provide the Congress and the American people and our troops a clear path forward to defeat ISIL and to rid the world of this terror army.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Washington.

Ms. CANTWELL. Mr. President, 4 years ago, I joined my Republican colleagues on the Senate Finance Committee and voted to give the President of the United States trade promotion authority—4 years ago. I have been a supporter of trade promotion authority for a long time, but I also realize that when it comes to trade, there are issues on which we have to work on together.

We are at a juncture now where it is hard to move forward here in the Senate. I would say to my colleagues on the other side of the aisle that there are basic things about the future of America in a global economy—the American people want to be assured that there are going to be tools for them to compete.

So the fact that the Finance Committee and the negotiators of the trade promotion authority spent months and months on whether we were going to have TAA—which is a program that helps laid-off workers who are impacted by trade—because some House conservatives did not support trade adjustment authority—workers being retrained when they are affected by trade agreements—we spent months and months because some conservatives in the House do not believe in government and do not believe in this program that helps support laid-off workers.

Then we had to spend weeks and weeks out here because people on the other side of the aisle—again at the behest of conservatives in the House—did not want to support enforcement.

Now we are at this juncture because the same conservatives, because of an ideological belief by the Heritage Foundation—not something about business and labor, no; actually, business and labor support export tools, such as a credit agency that helps them sell their products. Again, this conservative group is holding up trade legislation because they do not think that it meets their political standards, as my colleague from South Carolina said, Senator GRAHAM, that it is all about some private organization they are trying to politically atone to.

I say to my colleagues on the other side of the aisle that I have been a supporter of TPA for a long time, but I do not plan to support a cloture motion and I do not plan to support moving ahead until we stop catering to this very minority group that does not support the basic tools the American people want to see when it comes to trade. They want to know that if they lose their jobs, they can get retrained. They want to know that if export markets are open, they will have some ability to sell their products to those developing markets that may not have a bank there but can help get financial support from a bank in the United States with the help of a Federal export credit agency. And yes, we have to have some basic tools on enforcement.

So if the other side of the aisle wants to resolve these problems and move ahead on a trade agreement, they have to stop catering to the conservatives in the House—and probably some of them do not even support trade overall—and start working with the people who do support trade.

As I said 4 years ago in the Finance Committee when I supported TPA, these policies are important tools for the U.S. economy. I feel strongly that in the developing world, trade can be a great asset in helping stabilize regions. I do not want to hold down other growing middle classes around the globe. We do not want to lose jobs here in the United States because of it.

So let's have the tools that go along with trade, and let's get these bills passed. But if we are going to continue to cater to a group in the House who claims they do not want government, I do not see how, in this debate, we are going to give the American people the tools that will give them security.

I yield the floor.

The PRESIDING OFFICER. The Senator from North Dakota.

Ms. HEITKAMP. Mr. President, first, I would like to offer my great thank-you to the Senator from Washington for advancing this very important bipartisan bill.

We have worked long and hard in my office and with Senator KIRK to try to fashion a bill that addresses the vast majority of issues that so many people have or allege to have regarding the Export-Import Bank. At the same time we are stalling that critical piece of infrastructure in our trade apparatus, China and India are pouring billions of dollars into their similar institution to recruit and to invest in other countries to make sure their manufacturers and make sure the jobs in their country are safe. We are unilaterally disarming, and we are taking huge chances by not moving forward on the Export-Import Bank. And I share my colleague's comment: Who are we listening to?

This is one of those rare moments and one of those rare issues where we have the American business community, the chamber of commerce, American manufacturers—all the people on that side of the issue and American labor together. So what is the issue? The issue is scoring by conservative groups. The issue is that you might not get the checkmark behind your name if you actually support American workers, American jobs, and American manufacturing.

This is an issue we are passionate about, and I stand with Senator CANTWELL from Washington and support

her. Until we know there is a path forward and that the charter for the Ex-Im Bank will not expire, that we will not play chicken with our economy and with our exports—until we know there is a path forward, how can we really say we are protrade? How can we really stand on the floor here as we are discussing trade and trade implications of TPA and TPP and all of the initials—TTIP, ISDS, and all of the things people might be listening to and saying: What are they talking about? These are important tools and an important apparatus and they represent a huge part of what we need to do when 95 percent of all consumers live outside this country, but we need to do it in a way that recognizes that American workers are part of this structure and that we have to have the tools other countries utilize in order to make sure we are moving forward.

I give my great public thanks to Senator CANTWELL for her brave fight and knowing that as the chief Democratic sponsor of the bill we are promoting, I stand with her. I stand with her today.

Mr. President, I also want to talk today about an issue that is important to North Dakota. It is interesting that we are talking about eliminating trade barriers and improving opportunities for access to markets when we have a self-imposed access-to-market problem, and that is the trade embargo on Cuba. It is a barrier our government puts on our own farmers and ranchers, and it holds back their ability to export and hurts their bottom line. I am talking about the U.S. embargo with Cuba, of course, specifically on private—private, private, private—business activities that could enhance the sale of our agricultural goods to Cuba.

My great friend from Arkansas Senator BOOZMAN and I filed an amendment which would free our exporters to provide private—private, private—credit with no risk to the government or taxpayers for exports of agricultural products to Cuba. We had a hearing on this in the agriculture committee, and I must say it was the single issue raised by all of the experts on how we could, in fact, open our markets to Cuba if we would allow private-sponsored credit for these exports. This is a simple change to our regulation that will make our agricultural exporters more competitive against rice growers in Vietnam and corn growers in Brazil.

We know we are the highest quality producer of agricultural products, and many of those products are grown in my great State of North Dakota. Yet we don't have access to that market because Cuban purchasers don't have access to credit.

Unfortunately, under the current regulations, our government has erected a trade barrier. While we talk about TPA, trade promotion authority, and increasing export opportunities, we need to look at what we can do to increase opportunities for our own producers here right now. It does not take a long, drawn-out negotiation, costs no money, and just makes sense.

I urge my colleagues to join with me and Senator BOOZMAN in this important effort to remove our self-imposed trade barriers on our agricultural producers and to allow a private investment and sponsorship of the purchase of agricultural products in Cuba. With that, I yield the floor.

The PRESIDING OFFICER. The Senator from Wyoming.

Mr. ENZI. Mr. President, this has been an interesting few days as we have seen the Senate operate the way it is probably designed to operate. It is not supposed to be the fastest legislative body in the world. It is supposed to be one that goes over issues slowly and gives those issues full consideration.

I am so pleased the bill before us has been through the committee process. It has been years since we have seen bills go through that committee process. Virtually all of the bills are coming through the committee process this year, and that means several hundred amendments have already been offered to this bill. A lot of them were considered in committee, some of them were considered duplicative, of course, but it brought this bill to the floor, which is very important for the economy of the United States.

I hope we can work through the process and get the bill finished. In fact, I am relatively certain we will. It is not the prettiest way of doing it, but it is the way it gets done and has been getting done for centuries in the United States.

A BALANCED BUDGET

Mr. President, what I really want to talk about today is the importance of a balanced budget. Over the past few weeks, we have seen America reacting to a Congress, and especially the Senate, which is back to work doing the people's business. The basic task of governing seems to have eluded this normal legislative body over the past 8 years and has decimated the faith and trust of hard-working Americans who yearn for a government that is both accountable and effective, and that is why passing a balanced budget represented an important step forward.

Here are just a few of the headlines from around the Nation: ''Senate passes first joint congressional budget in six years,'' ''Senate Passes Cost-Cutting Budget Plan,'' ''Budget 'A Feat Of Considerable Importance,'" ''Balanced Budget Will Focus on 'Every Dollar Spent,'" ''Balanced Budget, A Step Forward,'' and ''Congress approves the first 10-year balanced budget since 2001.''

We know passing a budget was important because it symbolizes a government that is back to work, but it is also important to understand why passing a balanced budget is so vital to our Nation.

What is the process? The Senate Budget Committee is tasked with the responsibility of setting spending goals. Congress has other committees that authorize government programs and are charged with overseeing their efficiency and effectiveness. We also have committees that allocate the exact dollars for these programs every year, but the Senate Budget Committee sets the spending goals. In other words, we set limits. This is why passing a budget is so important for our Nation. It lets the congressional policymakers who actually allocate the dollars get to work immediately by following our spending limit. This year, we are giving them an early start, and Leader MCCONNELL is committed to allowing the Senate to do its job, and that means debates and votes on all 12 appropriations bills.

What is the importance of a balanced budget? A balanced budget approved by Congress will play a crucial role to help make government live within its means and set spending limits for our Nation.

A balanced budget will allow Americans to spend more time working hard to grow their businesses or to advance in their jobs instead of worrying about taxes and inefficient and ineffective regulations. Most importantly, it means every American who wants to find a good-paying job and fulfilling career has the opportunity to do just that.

A balanced budget will also boost the Nation's economic output, but first we must get our overspending under control because Congress is already spending more tax revenue than at any point in history. If we can do that, we can help boost the economy and expand opportunity for each and every American.

The big question is, What happens if interest rates go to their normal historical level? A balanced budget provides Congress and the Nation with a fiscal blueprint that challenges lawmakers to examine every dollar we spend. This is crucial because we currently spend about $230 billion in interest on our debt every year, which is a historically low interest rate of 1.7 percent. The Congressional Budget Office tells us that for every 1 percentage point that our interest rates rise, it will increase America's overspending by $1,745 billion over the next 10 years. That is a huge hit.

To provide a clearer picture of how dire our Nation's fiscal outlook is, we have a looming debt of $18 trillion, and it is on its way to $27 trillion. If the interest rate were to go to a modest 5 percent, we would owe $875 billion a year just for interest, which does not buy us anything. That is more than we spend on defense; that is more than we spend on other government agencies.

Interest on the debt could soon put America out of the business of funding defense, education, highways, and everything else we do. It is time to get

serious. It is time both parties get serious about addressing our Nation's chronic overspending.

In the budget, defense was given $90 billion more than the budget caps and $38 billion more than the President requested. We know both sides want the caps from the Budget Control Act removed, but at what price for our Nation and its hard-working taxpayers?

Our military leaders have already told us the debt is a threat to national security. Removing the threat of sequester by raising these debt caps without increasing the debt in the short term would require raising taxes. When it comes to defense, we are literally trying to outbid the President, who, with a Democratic Congress, raised taxes to get his budget to that level.

Last year, Congress funded items the Department of Defense didn't approve or ask for, and costs for major equipment exceeded approved amounts by billions—that is with a ''b.'' I know small businesses that were deprived of bids by companies that provided products different from the specs with no consequences. That is not fair to our troops or to our taxpayers. We should get what we ordered, and somebody needs to make sure that happens.

It is time for Congress to truly work together to tackle our overspending and achieve real results and real progress for American families who are counting on us.

How do we boost economic growth? American families understand that you cannot spend what you don't have and expect us to scrutinize every dollar we spend just like they have to and must do. In many ways, if the government would get out of the way, we could increase jobs by expanding the economy. A boost in economic growth means more real jobs from the private sector and small businesses across the Nation, not government ''make work jobs.'' In fact, the Congressional Budget Office tells us that if we were to increase the gross domestic product, which is the private sector growth, by 1 percent, that would provide an average of nearly $300 billion in additional tax revenue every year.

How do we do that? One way is to reverse some of the many regulations that burden families and small businesses that provide little or no benefit. For many of these policies and regulations, we need to return to common sense, and that is not being done today.

When we continually overspend year after year, we have the opposite effect on private sector jobs and economic growth that can actually lead to more sales and more jobs. Expanding the economy is the best way to raise money for government services, not by raising more taxes.

Another important way to help the growth of our economy is to make the government more effective. If government programs are not delivering results, they should be improved or, if they are not needed, they ought to be eliminated. We need to be looking at those. The government has to expect the same tough decisions hard-working taxpayers are making every day.

This is Small Business Week, and I want to mention my appreciation for Craig Kerrigan of the Oregon Trail Bank in Wyoming for writing a little article about the real issues for small business. Small business is the motor that drives this economy. He said:

> If they can't make a profit, no one benefits. This is the reality: They will tell you that the biggest threats and challenges they face in today's economy are health care, taxes and excessive regulations.

A regulation affects a small business much more than it does a big business because they don't have a lot of people to spread the work over.

Going back to Craig Kerrigan's article:

> They want to provide competitive salaries and benefits, and in most cases they do. But any cost that is forced upon them they either pass on to the consumer or they go out of business.

It is interesting to note that those who force these costs upon small business are not the ones paying for them, and it is always easier spending other people's money.

Mr. President, I ask unanimous consent that the entire letter by Craig Kerrigan be printed in the RECORD at the conclusion of my remarks.

How do we get a more effective government? One of the first places Congress should start is by reviewing the 260 programs whose authorization—that is their right to spend more money—has expired. Some of these programs expired as long ago as 1983, but we are still spending money on them every year. That means we have been paying for these expired programs for more than 30 years. It is not just the length of time these programs have overstayed their welcome, the funds we allocated to them every year are more than what the law called for. In some cases, that means we are spending as much as four times what we should be. You have to take care of your own doorstep.

Yesterday, I had an oversight hearing for the Congressional Budget Office, which comes under the direction of the Budget Committee. It was the first oversight hearing in 33 years. Everybody needs to take a look at the programs they are in charge of and see if there are not some changes that ought to be made since the invention of the mobile phone, and, of course, that was a mobile phone about that big.

The 260 programs that have expired are costing us $293 billion a year. That is over $2,935 billion—or $2.9 trillion—over 10 years. Eliminating these programs alone would almost balance the budget.

In business, programs are reviewed every year or sometimes every week to see if they still contribute to the business and its strategic plan, and if there is not some improvement that will make things work better, they often look for small savings to help strengthen the organization and contribute to its bottom line. But in Washington, programs are not reviewed, let alone questioned, let alone scrutinized. Not even big amounts are questioned.

Just think of how long it has been since we have taken a close examination of what we are spending money on. In 1983, ''The Return of the Jedi'' was the top movie and Americans were obsessed with the Rubik's Cube.

Savings are usually found in the spending details, but Congress has not examined the details. It just has the big picture, which was painted long ago and has now expired. It is time for each committee to take a look at these programs and decide if they are even worth funding anymore. After all, a project not worth doing at all would not be worth doing well or would not be worth continuing funding for it. But how would committees know if they have not looked at the program in years? How would they know if they don't have a way to measure how well the programs are working?

When I first came to the Senate, Yellowstone Park was going broke and threatening to shut down. Every year they said they were running out of money in August, and that is the prime time for the season. I checked the spending bill covering the park, and I found out it only lists how many employees and the total millions of dollars to be spent there. I asked for the details. Both the spending committee and the Department of Interior told me that was as much detail as they had. I asked for a printout of how the money was spent in the previous year. They said it was not available. I heard about millions of dollars in delayed maintenance. I asked for a list of what that consisted of, and I was sent a list of new buildings they wanted to construct. That is not delayed maintenance.

In 1999, the Park Service was cited by the Wyoming Department of Environmental Quality for raw sewage that was flowing into the Madison River, which prompted a request to Congress for emergency repair funds. I asked why that wasn't taken out of the National Park Service emergency budget. There was an emergency fund with plenty of money available immediately for the problem at that time. I didn't get an answer, but I found out that they got more by asking for additional funding at a time of crisis. That is not how government spending is supposed to be done.

That is why we need to have a balanced budget. That is why we need to have people scrutinizing the items that

are under the jurisdiction of their committees.

A balanced budget amendment is what many of the States are working on. We better show taxpayers that Congress is committed to a balanced budget, to make it ever more effective, because we are running out of time. It is not just because of the increase in the interest rates that are possible here, but currently, lawmakers in 27 States have passed applications for a Constitutional Convention to approve a balanced budget amendment, and there are new applications in nine other States that are close behind. If just seven of those nine States approve moving forward on the balanced budget issue, it would bring the total number of States to 34 States. That would meet the two-thirds requirement under article V of the Constitution and force Congress to take action on a balanced budget amendment. If this happened, one of the most important functions of Congress—the power of the purse—would be drastically curtailed, because there would be a new constitutional limit on what Congress would be allowed to borrow.

Now, I mentioned before that I think we have been overspending. We are scheduled to overspend by $468 billion this year. How much do we get to actually make decisions on? That amount is $1,100 billion. If we were to balance the budget right now, we would have to do a 50-percent cut in everything we do, and that is not even talking about an increase in interest rates.

So, in conclusion, Americans are working harder than ever to make ends meet. Shouldn't their elected officials be willing to work harder too? We need to pass a balanced budget as an important step, but that is just a first step and, unfortunately, that was the easy part. Congress has to get serious about tackling its addiction to overspending and once again become good fiscal stewards of the taxes paid by each and every hard-working American taxpayer.

Earlier this month, on the 70th anniversary of Victory in Europe Day—or V–E Day—our Nation's Capital had the rare privilege of seeing and hearing World War II airplanes, our Arsenal of Democracy, fly over the National Mall and the U.S. Capitol Building. This flight and these planes remind us that as a nation, we rise together or we fall together. Those planes also remind us that when we work together, we succeed together.

Let us commit to work together to end our overspending and balance our budget.

I yield the floor.

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

[From the Wyoming Tribune-Eagle, May 19, 2015]

FOCUS ON REAL ISSUES FOR SMALL BUSINESSES

(By Craig Kerrigan)

In recognition of Small Business Week, I thought it appropriate to share some thoughts about small businesses that are not discussed as much as I feel they should be.

It is frustrating how many articles are written about our economy and the effects it has had on small businesses since the Great Recession, but they always seem to take an approach based on surveys, statistics, theories, opinions, analysis and general assumptions; almost illusory.

Let me offer a suggestion.

I am sure almost all of you have a family member, friend or acquaintance who owns a small business here in Cheyenne or Laramie County.

JUST ASK THEM

If you do, just ask them what is happening in their business and about the management decisions they have had to make to navigate the issues they face every day as they relate to our economic and political environment.

No more theories as to what should be happening, just a simple question as to what is really happening, simply put, where theory meets reality.

For the purpose of this article, I will use businesses that employ between one and 50 employees with gross receipts or sales up to $7.5 million, although the definition varies from industry to industry.

They are the true backbone and lifeblood of our local and national economy as they create 70 percent of new jobs. They are what I call the forgotten many.

You can find someone in almost all business sectors: retail, construction, real estate, manufacturing, professional services and food service, to name a few.

Many of these small businesses are owned and operated by our friends and neighbors, people who go to work every day to provide a service that benefits our local economy. They have no set hours, no guaranteed benefits, no stock options and no perks.

In almost all cases, they started their business with their hard-earned savings, conversion of retirement accounts from previous employment, gifts from family and credit from banks. They have pledged their homes, vehicles and other personal property just to find enough cash to start their business.

Many have second jobs and take no salary from the business until it can be profitable.

I have been blessed to have been a banker in Cheyenne for almost 40 years, and I have been given a unique perspective from being both a banker and also an owner of a small business as many small community banks are privately and family-owned small businesses.

I have had the chance to be involved in helping to facilitate business startups, expansions, restructures and unfortunately liquidating some that have had to close.

Every business has unique characteristics with the type of product or service they sell, the experience of ownership and management and the demographics of employees.

They are in business to make a profit, but more importantly, they have a passion for what they do. They drive economic growth through investment, innovation and entrepreneurship. They support not only themselves and their families, but they are responsible for the support of their employees and their families.

BIGGEST THREATS

If they can't make a profit, no one benefits. This is the reality: They will tell you that the biggest threats and challenges they face in today's economy are heath care, taxes and excessive regulations.

They want to provide competitive salaries and benefits, and in most cases they do. But any cost that is forced upon them they either pass on to the consumer or they go out of business.

It is interesting to note that those who force these costs upon small businesses are not the ones paying for them, and it is always easier spending other people's money.

The new health-care law affects decisions they have had to make as to the number of employees they can have and the type of benefits they can offer. Many are limiting full-time employees to less than 50 to avoid the costs of mandated health coverage.

If they don't know what the next surprise is going to be with our tax code, it is almost impossible to project income and expenses. And if they are forced to follow a new regulation, they have to hire non-income producing overhead just to make sure they don't get fined or worse.

Many regulations are needed; it is when they are inefficient, duplicative and applied based on a ''one size fits all'' approach that they become overwhelming and result in unintended consequences.

How do I know this? As a banker, you cannot be an effective partner in the success of any business unless you analyze financial information and communicate with management throughout the year.

Numbers can be interpreted differently, but they never lie, and they are not based on theories. You have to know the business of the business and make decisions to help them make the necessary adjustments.

Sounds simple, but there are many different business structures—sole proprietorships, corporations, partnerships and limited liability companies. These are businesses that do not have the luxury to staff human resources, compliance, legal or accounting departments.

Small businesses must handle many of these internally, or hire third-party vendors, which is added expense. The common thread I see at this time is frustration, uncertainty and a feeling of failure due to costs beyond their control, and because of this they are reluctant to reinvest profits and hire more employees.

So the next time you read an article about what should be happening, walk across the street or drive across town and talk with someone you know that owns a small business.

THANK THEM

The first thing you should do is thank them for everything they do to make our community a better place. Many of them are members of our Chamber of Commerce and unselfishly give of their time and money to support other small businesses.

Don't be indifferent to our economic and political environment because the reality is you are paying for any increased costs to small businesses in the prices you pay.

So at the end of your visit, you will most likely hear ''welcome to the real world.''

The PRESIDING OFFICER (Mrs. ERNST). The Senator from Hawaii.

Mr. SCHATZ. Madam President, I wish to join my colleagues in voicing my opposition to granting fast-track authority. I oppose the procedures contained in the bill, and I am seriously concerned about using fast-track to pass trade agreements that don't reflect the best interests of the American

people and can undermine the prerogatives of the Congress.

Some who support fast-track would have us believe that opposing this bill and TPP means opposition to a free market, to trade, and to commerce; but that is not true. Commerce is essential, and we should be promoting it. But corporate interests should not be the driving force for public policy decisions on public health, consumer safety, and the environment.

Just this week, a WTO ruling on our country-of-origin food labeling law provided a striking example of how what is called free trade can be used to erode consumer protection. The country-of-origin labeling law was passed by Congress, and it requires producers of meat and chicken to provide information to consumers on where the animal was raised and slaughtered. If we ask most people, they would say they want to know if their beef is from Texas or from Taiwan. And even if one isn't particularly passionate about that issue, I think most people would agree that it is squarely within the prerogatives and the constitutional duties of the U.S. Congress to decide.

Consumers in the U.S. want to know where their food comes from. Through a legitimate, democratic process, we passed a law to provide consumers with this information. But no matter how we have revised the rule pursuant to the law, it is apparently still not in compliance with our WTO commitments. It seems that we will have to repeal the law to avoid trade sanctions.

While our WTO obligations are not the same as our commitments under a free-trade agreement, it doesn't require too much imagination to see how other U.S. laws will buckle under future trade agreements. This is why the dealbreaker for me is the investor-state dispute settlement, or ISDS for short.

ISDS provides a special forum outside of our well-established court system that is just for foreign investors. These investors are given the right to sue governments over laws and regulations that impact their businesses—a legal right not granted to anyone else. This forum is not available to anyone other than foreign investors. It is not open to domestic businesses. It is not open to labor unions, civil society groups or individuals that allege a violation of a treaty obligation. The arbitrators that preside over these cases are literally not accountable to anyone, and their decisions cannot be appealed. To date, nearly 600 ISDS cases have been filed. Of the 274 cases that have been concluded, almost 60 percent have settled or have been decided in favor of the investor.

It is true that when a tribunal rules in favor of the investor, the arbitrators can't force the government to change its law, but they can order the government to pay the investor, which has the same effect. There is no limit to what compensation foreign investors can demand. The largest award to date was more than $2 billion.

For a developing country that must pay this award, sometimes it represents up to a third of their GDP. Most governments cannot risk such a settlement and end up avoiding this kind of conflict altogether. The government often agrees to change the law or regulation that is being challenged and still pays some compensation. The threat of a case can be enough to convince a government to back away from legitimate public health, safety or environmental policies.

ISDS cases cost millions of dollars to defend and take years to reach their final conclusion. The high profile cases filed by Philip Morris International challenging cigarette packaging laws have had a chilling effect around the world. Several countries have been intimidated into holding off on passing their own laws to reduce smoking. Every year of delay is a victory for tobacco companies. They get 1 more year to attract new, young smokers. In the case of tobacco, the cost of ISDS could be human life.

I would hope that if we empower corporations to challenge democratically elected laws and regulations, that we would be doing so for an extremely compelling reason. But here is the thing: The rationale behind ISDS is extremely thin. Advocates claim that investor protections such as ISDS draw foreign investment into a country, but no one has actually been able to demonstrate that this link exists. Studies have not even been able to show a significant correlation between investor protections and the level of foreign investment in that country. Instead of driving decisions to invest, ISDS provisions are being manipulated by multinational corporations.

Some companies seem to be setting up complex corporate structures explicitly for the purpose of taking advantage of existing ISDS provisions. This is what Australia is alleging that Philip Morris did to challenge Australia's tobacco laws. The Philip Morris Hong Kong entity bought shares in Philip Morris's Australian company just 10 months after Australia announced its cigarette plain packaging rules. It seems that Philip Morris did this for no other purpose than to gain access to the ISDS provision in the Hong Kong-Australia Bilateral Investment Treaty.

ISDS is just another arrow in the quiver of legal options available to multinational corporations and no other entity or person. The consequences for public health, safety, and the environment far outweigh any real or imagined benefit of ISDS. For these reasons, I oppose fast-track and any trade agreement that contains an ISDS provision.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

Mr. WYDEN. Madam President, I spoke a little bit this morning about this whole issue—and a very serious issue it is—of currency manipulation. In effect, we are going to have two choices with respect to this issue, one offered by the chairman of the Finance Committee, Senator HATCH, and myself, and one offered by Senator PORTMAN and others.

AMENDMENT NO. 1299

I wish to take a few minutes to raise what are my biggest concerns with respect to the amendment offered by the Senator from Ohio, Mr. PORTMAN, and try to put this issue in context. What is particularly troubling to me is it seems to me that the Portman amendment would outsource the question of the Federal Reserve's intent in decisionmaking to the whims of an international tribunal, and I think that is very troubling. That is why Chairman HATCH and I have thought to take a more flexible approach.

I am going to outline how I have reached that judgment so that colleagues, as we turn to this question of currency, have a bit more awareness of what is at stake. As I indicated already this morning, we will be discussing this particularly in the conference committee that is going to take place next month when the House and the Senate get together to talk about currency and other critically important enforcement issues.

I fully agree with my colleagues who have been saying this is a very important issue and our government must do more to target countries that harm our economy by artificially deflating their currency. What is at issue is making sure we proceed in a way that really redounds to the benefit of our country, our workers, and our business.

In the process of taking aim at foreign currency manipulators, it is especially important to make sure that this Senate does not cause collateral damage to the Federal Reserve and our dollars. We all understand the Federal Reserve uses monetary policy as a tool to stabilize prices and boost employment. The right solution is to make sure that our country gets the upside of going after those who manipulate currency and avoids the downside of restricting the tools that Janet Yellen and those in charge of monetary policy may want to use.

The bipartisan trade promotion bill now before the Senate includes a first—many firsts but one in particular. For the first time currency will be a principal negotiating objective. What

Chairman HATCH and I have sought to do is to strengthen that and to take yet another step. We direct the administration to hold our trading partners accountable when they manipulate currencies by using the most effective tools available: enforceable rules, transparency, recording, monitoring, and a variety of cooperative mechanisms. My view is that what Chairman HATCH and I are seeking to do here strikes the right balance. We get the upside of confronting unfair currency manipulation, and we don't pick up the downside, tying our hands with respect to policy options that are completely legitimate and important.

One of those policy options that I feel especially strongly about is ensuring that the Fed has the ability to use policies to strive towards full employment. So for me, this issue really comes down to making sure we have all the tools at the Fed and elsewhere for helping to create good jobs and economic stability—jobs that pay higher wages and help our communities prosper.

The Portman amendment is very different than what I and Chairman HATCH have been talking about. Under the Portman amendment, our country would be subject to dispute settlement in an international tribunal, which means that there would be trade sanctions. Now, Federal Reserve Chair Janet Yellen has expressed serious concern that this type of provision could ''hamper''—these are Janet Yellen's words—that this type of provision could ''hamper or even hobble monetary policy.'' The Chair's concern—Janet Yellen's concern—is that because monetary policy can impact currency valuation, we could end up tying our hands and, in effect, taking one of the Fed's important tools out of their economic toolbox.

For example, a number of countries have argued that the Fed's quantitative easing policy unfairly values our dollar. Now, I want it understood that I think those countries are dead wrong—dead wrong—in making that argument. But we ought to realize that those countries that have sought to cry foul argue that what the Fed did to bring down the unemployment rate was in effect an unfair strategy for increasing exports. Colleagues, as we think about this currency issue, consider what could happen if the United States was subject to dispute settlement by an international tribunal on this issue.

That is why I am concerned that taking the path of the Portman amendment would, as I have described, outsource the question of the Federal Reserve's intent in decisionmaking to an international tribunal. I think Americans are going to be very skeptical of the idea that, in effect, we are going to have this international tribunal trying to divine essentially what the Federal Reserve's intent was. I personally do not like the idea at all of outsourcing this judgment to an international tribunal. I think it could have very detrimental consequences both to the cause of trade and to our economy.

Just yesterday, Treasury Secretary Lew said he would recommend a veto of a TPA package that included this type of amendment, because he, too, thought it would threaten our Nation's ability to respond to a financial crisis. So it is going to be important to get this right, to make sure that our trade agreements have the upside of being strong in the fight against currency manipulation, but to make sure that we also avoid the downside of restricting our monetary policy tools.

I hope my colleagues will think about the unintended consequences of the Portman amendment. If we were to have another unfortunate financial crisis—and no one wants that—we all want to make sure that the Federal Reserve has the full array of economic tools to get our economy moving again and to keep workers on the job.

So we are going to be faced with this judgment, and I hope my colleagues will say that the approach Chairman HATCH and I have offered is one that will allow us to build on the first-ever negotiating objective for currency that is in the bill and accept our amendment and recognize that, as I stated earlier, we are going to have another bite at the apple when currency is certain to be an important part of a Customs conference between the House and the Senate in June.

With that, I see my colleagues are here, and I yield the floor.

The PRESIDING OFFICER. The Senator from Maryland.

Mr. CARDIN. Madam President, let me first say that I thank Senator WYDEN for his hard work. I am one of those who believe it is important for Congress to pass trade promotion authority. I don't believe we can complete the TPP without trade promotion authority. I think TPP is an important strategic partnership for the United States as well as an economic partnership for the United States.

Having said that, I listened carefully to Senator WYDEN where the administration has raised an objection to a particular amendment and saying if that gets on the bill, they would veto the trade promotion authority. I say that because many of us who support TPA have said: Look, let's make sure we get it right. Let's make sure that we have an open amendment process so that we can try to make this the strongest possible bill, because we don't get that many opportunities to take up trade legislation.

I just mention that because yes, I come to the floor to say that we need trade promotion authority. When you look at the fact that we are a democracy with separation of the branches of government, we cannot negotiate—535 of us—with our trading partners and enter into an agreement. We have to delegate that negotiating authority, and that is what TPA does. At the time we delegate that, we also must make it clear what our trade objectives are about, and we also must take advantage of that opportunity to protect workers' rights legitimately and make sure we have a level playing field for American companies. I think that is our responsibility.

In the discussion of this bill, I want to acknowledge that we do have part of this—the trade adjustment assistance. That is important to American workers. We have Customs legislation that I wish was in this bill, because I am concerned as to whether both will reach the finishing line. But it deals with strong enforcement, and ''level the playing field'' currency issues are all dealt with in a separate bill that we passed earlier. I guess last week we passed the legislation on the Customs.

Let me just talk for a moment about trade promotion authority, and say that we have to be very clear about our expectations. I want to compliment Senator WYDEN and Senator HATCH and the Senate Finance Committee. In reading this legislation—and I hope you all had a chance to do it—you are going to find that this really does take our delegation of authority and our expectations to a much higher level than we have ever done on areas that have not been traditionally as clear on Congress.

I will just mention a few of those. Our overall trading objective is very clear to deal with labor standards. In quoting from the bill that is before us, on the overall negotiating objectives: ''to promote respect of worker rights and the rights of children consistent with core labor standards of the ILO (as set out in section 11(7))''—defined as the International Labour Organization—''and an understanding of the relationship between trade and worker rights . . . to promote universal ratification and full compliance with ILO Convention No. 182 Concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labor . . .''

That is in our overall objective. I want to talk a moment about the principal negotiating objectives, because there is greater consequence to the principal negotiating objectives. There are provisions included in the principal negotiating objectives that are different from what we have done in any other TPA bill.

First, yes, it does deal with the core labor rights. The principal negotiating objective that the administration must show us that they have done deals with the ''adopts and maintains measures implementing internationally recognized core labor standards . . .'' that is included in there.

Included in the principal negotiating objectives is the requirement for environmental law: ''its environmental

laws in a manner that [cannot weaken] or reduces protections afforded in those laws in a manner affecting trade or investment between the United States and that party . . .''

So what we have done is that we also put in there: ''does not fail to effectively enforce its environmental or labor laws, through a sustained or recurring course of action or inaction . . .''

I read that into the record because I want to make it clear that if you believe we should be negotiating trade agreements and you believe that it only can be done through the administration and can't be done through Members of Congress individually negotiating a trade agreement, and you believe you need to be clear as to what we expect, the principal negotiating objective is where you include that language. And we have been very clear in the principal negotiating objectives in regards to core labor standards and environmental standards, because we know that to have a level playing field—the countries we are negotiating with do not have the same high standards that we have for labor, do not have the same high standards we have for the environment—we want to make sure we are not placed at a disadvantage. So it is in the principal negotiating objectives.

But we have gone further than that. In the principal negotiating objectives we put for the first time anticorruption provisions. That is in the principal negotiating provisions: ''to obtain high standards and effective domestic enforcement mechanisms . . . [to] prohibit such attempts to influence acts, decisions, or omissions of foreign government officials or to secure any such improper advantage''—these are anticorruption provisions—''to ensure that such standards level the playing field for United States persons in international trade and investment. . . .''

Why is this important? Because in some countries, including those countries with which we are negotiating, there are practices where companies that want to participate in government contracts have to deal with kickbacks or have to deal with bribery.

Well, American companies cannot do that. We have laws that prohibit that, but there should not be anyone dealing with that. In the principal negotiating objectives, we instruct our negotiators to deal with these anticorruption issues. The administration must show we have made progress—not only progress, that we have enforceable standards against corruption that would disadvantage American companies doing business in those countries.

That is a huge step forward on our anticorruption issues, but we go further than that. I am very proud of an amendment I offered that was adopted to the trade promotion authority dealing with good governance, transparency, the effective operation of legal regimes, and the rule of law of trading partners. This is, again, a principal negotiating objective which says we have to strengthen good governance, transparency, the effective operation of legal regimes and the rule of law of trading partners of the United States, through capacity building and other appropriate means, and create a more open Democratic society and—let me add this, this is in the bill—to promote respect for internationally recognized human rights.

That is a principal negotiating objective. We are talking about freedom of speech, freedom of assembly, association, religious freedom. We have instructed the administration—if they accept our bill and sign it into law—come back to us on how we have dealt with advancing good governance, transparency, and respect for internationally recognized human rights in the trade agreement that we brought forward.

This is the first time we have included anything similar to this in a trade promotion authority act. So this is a new level of expectation of what we expect to do in our trade agreements. I really want to emphasize that because we have not been bashful in the past using trade to promote human rights. We usually do it when we have a specific opportunity. We did it well before our time in Congress when Jackson-Vanik was passed, dealing with Soviet Jewry being able to leave the former Soviet Union.

We also used trade as a hammer to bring down the apartheid government of South Africa. Most recently, we used trade as a hammer when we needed to deal with normal trade relations with Russia in regard to a WTO issue—where we attached the Magnitsky law to it—that I was proud to work on with Senator MCCAIN. I thank Senator MCCAIN for his strong leadership on the Magnitsky law.

We used that opportunity, a trade bill, to advance international human rights issues in holding Russia accountable to its standards and what it did in regard to Sergei Magnitsky. So we should take advantage of the trade promotion authority act to advance basic human rights, particularly when we are dealing with countries that, quite frankly, are challenged in that regard.

I want to read one other provision that is in the current bill dealing with trade promotion authority and dealing with the principle negotiating objectives. It spells out very clearly that it is a principal negotiating objective. We have enforcement in it. It says:

> To seek provisions that treat United States principal negotiating objectives equally with respect to the ability to resort to dispute settlement under the applicable agreement, the availability of equivalent settlement procedures, and the availability of equivalent remedies.

What does that mean? What that means is that this is not NAFTA agreement. In NAFTA, we did make advances on labor and environment, but we did not include it in the core agreement. It was not effective. We had no enforcement. We had these sidebar agreements. We learned that was not the way to do it. Well, this TPA says that in regard to human rights and good governance, in regard to labor and the environment, that they are in the principal negotiating objectives and there will be trade sanctions in regard to violations—if there are violations. We hope there are not. We hope they will make the progress. But we have effective ways of dealing with our principal negotiating objectives that include the good governance issues that I think are critically important.

I started my remarks by saying thank you to Senator WYDEN. I thank him very much because he has really done an incredible job in where we are today. He points out that we are not there yet. I agree. We need an open amendment process here. We need to take up more amendments on the floor of the Senate. I say that as one of those Members who have not been bashful about trying to change the rules of the Senate.

I am told by people who have been here longer than I that the rules of the Senate work. You just have to be a little patient. OK. We will be a little patient. But let's figure out a way that we can have more votes on the floor of the Senate in regard to this bill.

We do not get a chance to take up trade bills very often. I have an amendment that I want to see acted upon. I do not think it is controversial, but it is extremely important. What that amendment would do is require the President, before commencing negotiations with potential trading partners, to take into account whether that potential trading partner has engaged in a consistent pattern of gross violations of internationally recognized human rights. This amendment appropriately puts gross violations of human rights on par with prenegotiating requirements of other principal negotiating objectives. So before we start picking countries with which we are going to do trade agreements, let's make sure they are not gross violators of human rights.

Now, so everybody does not get nervous—because TPP is so far advanced—it would not be possible to have the free negotiating objectives certified by the President on TPP. I understand that. There is a blanket exemption in TPA in that regard, which applies also to the amendment I am offering. But I would hope our colleagues would agree that moving forward we would want the President to take that into consideration, to make sure we have a game plan, if we are dealing with a country that has violated human rights, as to

how we are going correct that activity through the opening of trade.

Trade with our country is a benefit. It should be with countries that share our basic values. Lowering trade barriers should come with further commitments to our basic values, and that is what my amendment would do. I would urge my colleagues, at the appropriate time, to make sure this amendment is considered. I would ask their support on this amendment.

Let's continue to work through the process. Let's continue to improve the bill. Hopefully, we can reach a point where we can send to the President the appropriate legislation.

I yield the floor.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. WYDEN. Madam President, no more than 2 minutes. Before my colleague leaves the floor, I just want it understood in this body that Senator CARDIN has championed for decades the cause of labor rights, environmental rights, human rights. I so appreciate his leadership in this area.

For the first time, as a result of Senator CARDIN's work, human rights will be a principle negotiating objective because Senator CARDIN has been spot-on in saying trade must be about human rights. So that is No. 1.

Point No. 2, my colleague was absolutely right in saying how important it is that we have more votes here. That is why I am going to be spending all day into the night trying to bring that about. I want my colleague to know I will also be very interested in working with him on this additional amendment he has to further build on what we have in the bill. I thank my colleagues for their patience.

I yield the floor.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. MCCAIN. Madam President, I ask unanimous consent to address the Senate as in morning business, and when the Senator from South Carolina arrives, to engage in a colloquy with the Senator from South Carolina, Mr. GRAHAM.

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

FOREIGN POLICY AND ISIL

Mr. MCCAIN. Madam President, today, the black flags of ISIL fly over the city of Ramadi, the capital of Iraq's Anbar Province. Anbar was once a symbol of Iraqis working together with brave young Americans in uniform to defeat Al Qaeda. Today, it appears to be a sad reminder of this administration's indecisive air campaign in Iraq and Syria and a broader lack of strategy to achieve its stated objective of degrading and destroying ISIL.

Equally disturbing, reports indicate over 75,000 Iranian-backed Shiite militias are preparing to launch a counteroffensive in the larger Sunni province. Whatever the operational success Shiite militias may have in Anbar would be far exceeded by the strategic damage caused by their violent sectarianism and the fear and suspicion it breeds among Iraqi Sunnis.

Moreover, the prominent role of these militias continues to feed the perception of a Baghdad government unable or unwilling to protect Sunnis, which is devastating to the political reconciliation efforts that must be central to ensuring a united Iraq can rid itself of ISIL. Shiite militias and Iranian meddling will only foster the conditions that gave birth to ISIL in the first place.

Liberating Ramadi and defeating ISIL requires empowering Sunnis who want to rise and fight ISIL themselves, including by integrating them into Iraqi security forces, providing more robust American military assistance. Indeed, the Obama administration and its spokesperson have tried to save face for its failed policies by diminishing the importance of Ramadi to the campaign against ISIL and the future of Iraq. As ISIL forces captured and sacked Ramadi, the Pentagon's news page ran a story with the headline, ''Strategy to Defeat ISIL is Working.'' Secretary of State John Kerry said Ramadi was a mere ''target of opportunity.''

White House Press Secretary Josh Earnest said yesterday we should not ''light our hair on fire every time there is a setback in the campaign against ISIL.'' Meanwhile, Ramadi, Iraq, and the region are on fire. How could anyone—how could anyone say we should not light our hair on fire when news reports clearly indicate there are burning bodies in the streets of Ramadi, that ISIL is going from house to house, seeking out people and executing them. Tens of thousands of people are refugees. What does the President's spokesman say? That we should not light our hair on fire every time there is a setback.

The Secretary of State of the United States of America said Ramadi was a mere ''target of opportunity.'' Have we completely lost—have we completely lost our sense of any moral caring and concern about thousands and thousands of people who are murdered, who are made refugees, who are dying as we speak—and the President's Press Secretary says we should not light our hair on fire.

What does the President have to say today? The President of the United States today says: Well, it is climate change that we have to worry about. I am worried about climate change.

Do we give a damn about what is happening in the streets of Ramadi and the thousands of refugees and the people—innocent men, women, and children who are dying and being executed and their bodies burned in the streets?

A few weeks ago, as ISIL closed in on Ramadi, the Chairman of the Joint Chiefs of Staff said the city ''is not symbolic in any way'' and is ''not central to the future of Iraq,'' the capital of the Anbar Province, the place where we lost the lives of some 400 brave Americans and some 1,000 in the first battle of Ramadi during the surge.

These are quotes from the media reports: Bodies, some burned, littered the streets as local officials reported the militants carried out mass killing of Iraq security forces and civilians.

> Islamic state militants searched door-to-door for policemen and pro-government fighters and threw bodies in the Euphrates River in a bloody purge Monday after capturing the strategic city of Ramadi. . . . Some 500 civilians and soldiers died in the extremist killing spree. . . .
>
> They said [ISIS] militants were going door-to-door with lists of government sympathizers and were breaking into the homes of policemen and pro-government tribesmen.

So the Chairman of the Joint Chiefs of Staff said it is not symbolic in any way. It is not central to the future of Iraq. It was in response to those comments that Debbie Lee sent a letter to General Dempsey. Debbie's son, Marc Alan Lee, was the first Navy SEAL killed in the Iraq war. For his bravery he was awarded the Silver Star and his comrades renamed their base in Ramadi ''Camp Marc Alan Lee.''

''I am shaking and tears are flowing down my cheeks as I watch the news and listen to the insensitive, pain-inflicting comments made by you in regards to the fall of Ramadi'' Debbie wrote General Dempsey.

She continues:

> My son and many others gave their future in Ramadi. Ramadi mattered to them. Many military analysts say that as goes Ramadi so goes Iraq.

Debbie Lee is right. Ramadi does matter. It matters to the families of the 187 brave Americans who gave their lives and another 1,150 who were wounded, some of them still residing at Walter Reed hospital, who were wounded fighting to rid Ramadi of Al Qaeda from August 2005 to March 2007.

And it matters to the hundreds of thousands of Iraqis, mostly Sunnis, who call Ramadi home, who were forced to flee their homes, and feel their government cannot protect them against ISIL's terror.

Ramadi's fall is a significant defeat, one that should lead our Nation's leaders to reconsider an indecisive policy and a total lack of strategy that has done little to roll back ISIL and has strengthened the malign sectarian influence of Iran.

I wish to go back. Yesterday, as I mentioned, Press Secretary Josh Earnest said: ''Are we going to light our hair on fire every time there is a setback?''

It is one of the more incredible statements I have ever heard a public figure make. Well, General Dempsey's comments are equally as absurd.

The New York Times headline: ''Iraq's Sunni Strategy Collapses in Ramadi Rout.''

The Washington Post: ''Fall of Ramadi reflects failure of Iraq's strategy against ISIS, analysts say.''

Wall Street Journal: ''US Rethinks Strategy to Battle Islamic State After Setback in Ramadi.''

Associated Press: ''Rout in Ramadi calls U.S. strategy into question.''

Bloomberg: ''Islamic State Victory Threatens to Unravel Obama's Iraq Strategy.''

The only problem with that statement is there is no strategy to unravel.

The Daily Beast: ''ISIS Counterpunch Stuns U.S. and Iraq.''

According to the Associated Press: ''The United Nations says it is rushing aid to nearly 25,000 people fleeing for the second time in a month,'' after the Islamic State group seized the key Iraqi city.

The U.N. reported 114,000 people fled Ramadi in April. The U.N. reports it has helped more than 130,000 people over the past alone.

Continuing: ''Bodies, some burned, littered the streets as local officials reported the militants carried out mass killings of Iraq security forces and civilians.''

It goes on and on.

Before I turn to my friend from South Carolina, I just want to point out, my friends, that this did not have to happen. This is the result of a failed, feckless policy that called for, against all reason, the total and complete withdrawal from Iraq after we had won with the enormous expenditure of American blood and treasure, including 187 of them in the battle of Ramadi.

In 2011, Senator Lieberman, GRAHAM, and I argued that the complete pullout from Iraq would ''needlessly put at risk all of the hard-worn gains the United States has achieved there at enormous cost in blood and treasure,'' and potentially be ''a very serious foreign policy and national security mistake for our country.''

We wrote a long article in the Washington Post. In October, 2011, on the day President Obama announced a total withdrawal of troops from Iraq, Senator MCCAIN called the decision ''a strategic victory for our enemies in the Middle East, especially the Iranian regime,'' and warned that ''I fear that all of the gains made possible by these brave Americans in Iraq, at such grave cost, are now at risk.'' That was in 2011.

In December of 2011, Senators MCCAIN and GRAHAM predicted that if Iraq slid back into sectarian violence due to U.S. pullout, ''the consequences will be catastrophic for the Iraqi people and U.S. interests in the Middle East, and a clear victory for Al Qaeda and Iran.''

It goes on and on. Time after time, Senator GRAHAM and I warned exactly what was going to happen in Iraq. It was not necessary to happen. It is because of this President's refusal to leave a force behind.

Now, my friends, before I turn to my friend from South Carolina, what was said at the same time that Senator GRAHAM, Senator Lieberman, and I were warning of this catastrophe? What was said at the same time?

February 2010, Vice President BIDEN:

I am very optimistic about Iraq. I think it's going to be one of the great achievements of this administration. You are going to see a stable government in Iraq that is actually moving toward a representative government.

In December 2011, at a Fort Bragg event marking the end of Iraq war, President Obama said:

But we are leaving behind a sovereign, stable and self-reliant Iraq. This is an extraordinary achievement, nearly 9 years in the making.

In March 2012—this is perhaps my favorite—Tony Blinken, then national security adviser to Vice President BIDEN, stated: ''Iraq today is less violent, more democratic, and more prosperous than at any time in recent history.''

This is November of 2012, and President Obama on the Presidential campaign trail said:

The war in Iraq is over, the war in Afghanistan is winding down, al Qaeda has been decimated, Osama bin Laden is dead. The war in Iraq is over. The war in Afghanistan is winding down. Al Qaeda has been decimated. Osama bin Laden is dead.

So we have made real progress these last 4 years.

In January 2014—I guess this is my favorite—President Obama on ISIS:

The analogy we use around here sometimes, and I think is accurate, is if a jayvee team puts on Lakers uniforms that doesn't make them Kobe Bryant.

He was talking about ISIS:

The analogy we use around here sometimes, and I think is accurate, is if a jayvee team puts on Lakers uniforms that doesn't make them Kobe Bryant.

We are seeing a dark chapter in American history, and it is getting darker. In response to a slaughter in Ramadi, the answer seems to be: ''Let's not set our hair on fire [over this].'' That was by the President's Press Secretary, and that Ramadi isn't important at all, from the Chairman of the Joint Chiefs of Staff. This is a ''temporary setback.'' This is, according to the Secretary of State, ''a target of opportunity.''

Where is our morality? Where is our decency? Where is our concern about these thousands of people who are being slaughtered and displaced and their lives destroyed? And we shouldn't set our hair on fire? Outrageous.

I ask my friend, Senator GRAHAM, what we should do next.

Mr. GRAHAM. Well, we should understand that the direct threat of the homeland is growing by the day.

If you want to be indifferent to what is going on in Iraq and say that people are dying all over the world and that is no reason for us to care or get involved, because we can't be everywhere all the time doing everything for everybody, I would suggest to you that ISIL in Syria and Iraq represents a growing threat to our homeland. But you don't have to believe me. Ask our intelligence community.

Over 10,000 foreign fighters have gone into Syria in support of ISIL over the last few months. Their goal is to hit the American homeland, so this JV team is becoming an existential threat—maybe not existential, maybe that is an overstatement—a real threat to the American homeland.

Ramadi is a big victory for them. It is a recruiting tool. They have been able to take on the Iraqi Army. They have been able to stand up to constant air assault by the American forces. They are surviving, and they are thriving.

So if you want to stop the flow of foreign fighters into the arms of ISIL, you have to deliver stinging defeats on the battlefield. Not only are they stronger today in Iraq and Syria than they have been in quite a while, but they are expanding their influence to Libya, Afghanistan, and throughout the region.

All I can tell you is their agenda includes three things—the purification of their religion, which means 3-year-old little girls are executed. Just hear what I said: They executed a 3-year-old little girl. They are enslaving women by the thousands as sex slaves under some twisted version of Islam. What they are doing to people we can't really talk about on the floor, because I think it would be just beyond our ability to comprehend.

The second thing they want to do is to drive out all Western influence and create a caliphate where our allies have no place. The King of Jordan would be deposed. All the friends of the United States and people who live in peace with Israel, they fall. And then their place becomes the most radical Islamic regime known in the history of the world, which will destroy Israel if they can—purify their religion, destroy Israel, and come after us.

President Obama, President Bush made mistakes. He adjusted, you have not. President Bush had a defining moment in his Presidency in 2006. The Iraq war was going very poorly. We had just gotten beaten on the Republican side, and the Iraq war was one of the reasons we lost at the ballot box.

Mr. MCCAIN. Could I interrupt my friend and point out that both of us, because of our perception that we were losing in Iraq, under our Republican President, called for the resignation of the Secretary of Defense and a new strategy. We saw with our own party in the White House that we were failing in Iraq and we could not succeed.

Mr. GRAHAM. Yes, I remember very vividly going to the White House after multiple visits to Iraq and telling President Bush: When your people tell

you this is just a few dead-enders, and this is the result of bad reporting by our media, they are wrong.

Mr. MCCAIN. And that stuff happens.

Mr. GRAHAM. Yes, it wasn't that stuff happens; it was that we had it wrong. The strategy we had in place up to 2006 was failing. And the way you know it was failing is that if you go there often enough—I remember the first trip we took in Iraq after Baghdad fell. We were in three SUVs. We went downtown, shopping, and met with some leaders. And every time we went thereafter, it was always a bit worse, to the point that we were inside of a tank, virtually, to go outside the wire.

It was clear to anybody who was paying attention at all in Iraq that it was not working. I remember talking to a sergeant at one of the mess halls and asking: Sergeant, how is it going over here?

And his answer was: Well, not very well. We just drive around getting our ass shot off.

About 1 year later, maybe 2 years later, we went back to the same unit, to a different sergeant, after the surge, and I asked another sergeant: How is it going?

Sir, we are kicking their ass.

So the bottom line here is that I think Senator MCCAIN and I have been more right than wrong. But we were willing to tell our own President it wasn't working. He did make mistakes. We all have. It is not about the mistakes you make. It is how you correct your own mistakes.

This President—President Obama, you are at a defining moment in your Presidency. If you do not change your strategy regarding ISIL in Iraq and Syria—because it is one and the same—then this country is very likely to get attacked in another 9/11 fashion. You need to listen to the people in the intelligence community and those who have been in the military in Iraq for a very long time. You are about to make a huge mistake if you don't change your strategy.

I know Americans are war weary, but let me just say this to the American people. The current strategy is going to fail, and one of the consequences of failure is the likelihood of our country or our allies getting hit and hit hard. We don't have enough American forces in Iraq to change the tide of battle. We need American trainers, advisers, Special Forces units, and forward air controllers to make sure the Iraqi Army can win any engagement against ISIL. If we keep the configuration we have today, it is just going to result in more losses over time.

Why do we need thousands of soldiers over there? To protect the millions of us here. And the only reason I would ever ask any soldier to go back overseas for any purpose is if I believed it was important to protect our homeland—and I do. So this strategy that we have in place is a complete failure inside of Syria, particularly, and it is not working inside of Iraq.

We are on borrowed time, Senator MCCAIN.

President Obama, you need to listen to sound military advice. You need to build up the Iraqi military by having more of us on the ground to help them and turn the tide of battle before ISIL gets even stronger and they hit us here. If you don't adjust, the price that we are going to pay as a nation is, I believe, another attack on the homeland.

So at the end of the day, you can blame Bush, you can blame Obama, you can blame me, and you can blame Senator MCCAIN. We are where we are. And I am convinced, if we had left a residual force behind in Iraq, we would not be here today.

President Bush, like every other leader in the world, had certain information—some of which proved to be faulty. He made his fair share of mistakes, but he adjusted.

President Obama had good, sound advice in front of him to leave a residual force behind. He decided to go in a different direction. When they tell you at the White House that the Iraqis didn't want us to stay, that is a complete, absolute fabrication and a rewriting of history. President Obama, Vice President BIDEN got the answer they wanted. They made a campaign promise to end the war in Iraq. They fulfilled that promise, but what they have actually done is lost the war in Iraq. And the war in Iraq and what happens in Syria is directly tied to our own national security.

I hope the President will seize this opportunity to come up with a new strategy that will protect the homeland and reset order. Radical Islam is running wild in the Middle East, and as it runs wild over there, as they rape and murder, plunder and kill and crucify, to think those people will not eventually harm us I think is naive.

The only way we are going to stop ISIL and people like ISIL is to come up with a strategy that will allow us to win. The strategy we have in place today will ensure the existence of ISIL as far as the eye can see, the fracturing of Iraq and Syria, and one day will inevitably lead to an attack on this country. All of this is preventable with a new strategy.

Mr. MCCAIN. Madam President, on behalf of Senator GRAHAM and me and many others, I have a message for Marc Alan Lee's mother—the mother of the first Navy SEAL who was killed in the Iraq war and who, for bravery, was awarded the Silver Star—and 186 other mothers who lost their sons in the battle for Ramadi: I will never stop. I will never stop until we have avenged their deaths. And we will bring freedom and democracy to Iraq.

But more importantly than that is the threat this radical Islam and the Iranians pose to our Nation and the young men and women who are serving in the military.

As a result of this President's feckless policies, we have put the lives of the men and women who are serving in the military in much greater danger. My highest obligation is to do everything in my power to see that this situation is reversed and that they get the support and the equipment they need and most of all that they get a policy and a strategy that will succeed and defeat ISIS and Iran in their hegemonic ambitions.

Mr. President, I yield the floor.

The PRESIDING OFFICER (Mr. SULLIVAN). The Senator from Massachusetts.

Ms. WARREN. Mr. President, I come to the floor to support an amendment I filed with Senators MERKLEY, BALDWIN, and BLUMENTHAL. The amendment is simple. It says Congress shouldn't make it easy to pass any trade deal that weakens our financial rules.

In 2008, we suffered through the worst financial crisis in generations. Millions of families lost their homes. Millions of people lost their jobs. Millions lost their retirement savings. And they watched as the government spent hundreds of billions of their tax dollars to bail out the giant banks.

In response, Congress passed some commonsense financial reforms—the Dodd-Frank act. These new rules cracked down on the cheating and lying in the financial marketplace. They required the big banks to raise more capital so they wouldn't need a bailout if they started to stumble. They gave our regulators new tools to oversee the biggest banks to make sure the rules were followed.

It is no surprise the giant banks don't like the new rules, so for 5 years now they have been on the attack. They have sent their armies of lobbyists and lawyers and their Republican friends in Congress to try to roll back the rules and let the giants of Wall Street run free again. Democrats stood strong to fight off these attacks because we knew that thoughtful rules can help stop the next financial crisis and protect our working families from another great recession. But now, if this fast-track bill passes, Democrats will be handing Republicans a powerful tool they can use to weaken our financial rules.

Here is how it works: This fast-track bill applies to any trade deal presented to Congress in the next 6 years, which is through the end of the Obama Presidency, through the entirety of the next Presidency, and into the Presidency after that. Fast-track prevents anyone in Congress from offering any amendments to a trade bill. And in the Senate, with fast-track, a trade bill can pass with just 51 votes, not the 60 typically required for major bills.

What if we have a Republican President in 2016 or 2020? Look, I hope that

will not be the case, but this is a democracy and it is not up to me. Most Republicans—including ones currently running for President—are committed to rolling back financial reforms. With fast-track, they could weaken our financial rules in a trade deal and then ram it through Congress with just 51 votes in the Senate. That is a lot easier than the 60 votes needed for a head-on attack on the financial rules through the normal legislative process.

This is a real risk. We are already deep into negotiations with the European Union over a massive trade agreement. The European negotiators are pressing hard to include financial reforms as part of that trade deal. And lobbyists from the United States have recognized that the European trade deal is a great opportunity to weaken America's financial reforms.

Here is what a member of the European Parliament said just a few months ago: ''I have been approached by lobbyists that have clearly argued they want to have a weak European regulation, much weaker than Dodd-Frank, in order to use that afterwards as a level to undercut or undermine Dodd-Frank in the transatlantic negotiations.''

The big banks on both sides of the Atlantic are pushing for changes, too. A letter from some of the largest financial industry groups in Europe and the United States called for an ''ambitious chapter'' on financial regulations in the European trade deal. I don't think they are looking to make our regulations stronger.

Michael Barr, a former senior Obama official at the Treasury Department and one of the architects of Dodd-Frank, said that the risk to Dodd-Frank in a European trade deal is ''real and meaningful and worth worrying about.'' Barr has noted that European officials are ''barnstorming the U.S., looking for support to include financial services as part of the talks on the proposed Transatlantic Trade and Investment Partnership,'' while the financial industry looks to use talks to ''overturn the pesky—and highly effective—rules being implemented in the U.S. under the Dodd-Frank act.''

The Obama administration, to their credit, has stood strong against such attempts. Treasury Secretary Jack Lew noted in testimony before the House Financial Services Committee that there is ''pressure to lower standards'' on things such as financial regulations in trade deals but that the administration believes that is ''not acceptable.'' Our lead negotiator, U.S. Trade Representative Michael Froman, has said that the United States is ''not open to creating any process designed to reopen, weaken, or undermine implementation'' of Dodd-Frank. And President Obama's administration says our trade deals should not include regulation of financial services. I agree. But this President won't be President in 18 months, and there is nothing this President can do to stop the next President from reversing direction in the European negotiations.

Senator MCCONNELL certainly knows this. That is why he is telling Republicans that ''if we want the next Republican President to have a chance to do trade agreements with the rest of the world, this bill is about that President as well as this one.''

That is why I am proposing this amendment—to make sure no future President can fast-track a trade agreement that weakens our financial regulations. All of my colleagues who believe in holding the big banks accountable and keeping our financial system safe should support this amendment.

I yield the floor.

The PRESIDING OFFICER. The Senator from Ohio.

Mr. PORTMAN. Mr. President, I have come to the floor a number of times this week to talk about the trade issue, and we are now debating that legislation. I have put up this sign because it is being used by folks on our side of the aisle to talk about the importance of this agreement. It talks about a free and fair trade agreement for a healthy economy. I agree that it needs to be fair, and I agree we need to expand exports.

I support for the first time in 7 years giving the U.S. Government the ability to knock down barriers to our farmers, our workers, and our service providers so we can get a fair shake, but we have to be sure it is fair. And so to my colleagues who have put up this sign and then have opposed the amendment I am about to talk about, I hope they will focus on the fair part as well as the expansion of trade to make sure it does indeed give our farmers and workers a fair shake.

There has been a lot of debate about a particular amendment dealing with currency manipulation. It turns out everybody is against currency manipulation. Maybe that has been an evolution, but everybody is now saying the same thing. The question is whether it should be enforceable.

AMENDMENT NO. 1299

There has been a lot of discussion on the floor here today about the amendment I am offering with Senator STABENOW, and frankly there has been some misinformation out here that I would like to clarify.

First, I want to talk about what these two amendments do. They are very similar, with one exception. The amendment being offered by Senator HATCH and Senator WYDEN does not include enforcement. So they say that this is terrible, that we ought not to have currency manipulation, but the amendment does not have the courage of its convictions. It doesn't say we should do anything about it.

Here is the language. First, both have basically the same definition—targeting protracted and large-scale intervention in the exchange markets by a party to a trade agreement to gain an unfair advantage. What that basically means is that people lower their currency deliberately by intervening in order to make their exports less expensive to the United States and make our exports to them more expensive. That is not fair. But basically we both identify the same problem and ensure that we are focused on this issue of real currency manipulation.

Second, the amendment I am offering has a specific exemption for what we call macroeconomic policy or specifically domestic monetary policy. In other words, QE1, 2, and 3 would not be affected by our amendment. Yet, even though the Hatch-Cornyn folks are saying they are concerned about that in our amendment, that it might affect domestic policy and monetary policy, they don't have it in their amendment. We have it in ours.

So we not only define currency manipulation so that it is clear that it applies to the kinds of standards the International Monetary Fund currently requires—by the way, to all of the countries that might be signatory to the so-called Trans-Pacific Partnership; all of them—but it also explicitly says in ours that this shall not be construed to restrict the exercise of domestic monetary policy. Therefore, ours is a stronger amendment with regard to that issue.

I also noticed something about their amendment that is interesting. They say theirs has to be consistent with existing obligations of the United States as a member of the IMF and the WTO—the World Trade Organization. Ours says the same thing, except consistent with existing principles and agreements, meaning the other countries have to live up to their agreements also.

I am not quite sure why they don't think other countries should have to live up to their obligations. When you sign up with the IMF and the WTO, you are required not to manipulate your currency. Yet, people do it because there is no enforcement. Their amendment doesn't deal with this issue directly. Ours does—have it be consistent with the obligations these countries have already undertaken.

Finally and, of course, the most important part is the enforceability. There were 60 Senators who in 2013 signed a letter—and the letter went to the President—regarding trade agreements and currency manipulation. The letter said: We need to have enforceable currency manipulation provisions. Sixty Senators. A number of those Senators are still here in the Senate, of course. I think they were genuine in signing that letter. I was one of them, and I certainly was. I am also a signatory to other legislation and have been working on this issue for a long time.

Ten years ago, I testified in this Congress about this very issue. But I hope those 60 Senators understand that they said they wanted it to be enforceable. Ours is enforceable. It says it is to be enforceable just like anything else—like intellectual property protection, like what the tariff level ought to be, like labor and environment standards—and it is up to the administration to determine exactly how to proceed with that. That flexibility is in here. It is a trade negotiating objective, and that is appropriate, too, in my view. I am a former U.S. Trade Representative. I used to negotiate these agreements.

The trade negotiation objectives are something we took seriously, but we were given some flexibility. This amendment provides that flexibility.

Finally, there has been a lot of discussion about poison pills. I have joked that this is more like a vitamin pill than a poison pill because this would actually help strengthen this underlying agreement and help us get more support for trade.

The polling data on this, by the way, is overwhelming. Nine out of ten Americans agree that we have to deal with currency manipulation. Why? Because they think it is wrong. It is wrong.

So I have heard it is a poison pill, first because it might hurt us here in the Senate. Just the opposite is true. There are Senators who have told me they would like to support trade promotion authority but they need something on currency manipulation to help them get there.

Is it a poison pill in the House? Well, the vote in the House apparently is tough to come by for TPA. I hope it does end up being a TPA that can pass the Senate and the House. As I said earlier, I think it is the right thing for the workers I represent to expand to markets overseas. But this will help, it won't hurt, because this will give Republicans from my home State of Ohio and around the country the ability to go home and look their workers in the eye and say: You know what, we focused on the fair part here. We focused on ensuring that if you work hard and play by the rules, you will have a chance to compete and a chance to win.

Finally, they say: Well, it is a poison pill because of the White House, because there was a veto threat recommended by the Secretary of the Treasury yesterday. Well, it was a recommendation; it wasn't a Statement of Administration Policy.

I would just reference the President's own statements on this. I know how he feels about it; he is against currency manipulation. In fact, he said that he wanted to be sure to work with colleagues, ''that any trade agreement brought before the Congress is measured not against administration commitments but instead against the rights of Americans to protection from unfair trade practices, including currency manipulation.'' He said he couldn't vote for a trade agreement without enforceable practices on currency manipulation—enforceable so that the rights of Americans could be protected. So I know where the President stood on it, and I hope he will remember that this is about expanding trade. And that is good. We need to do that but at the same time ensure that we have a more level playing field.

People have said it is a poison pill because some of our partners in TPP don't want to have to live up to their obligations under the International Monetary Fund. To my colleagues I would just say that should concern us. The last thing we want to do is to complete an agreement called the Trans-Pacific Partnership and then find out after the fact that all these tariffs we reduced, all these nontariff barriers that got knocked down didn't matter much because these same countries decided they were going to manipulate their currency, which undoes so much of the benefit of a trade agreement.

Paul Volcker, former Fed Chair, has said it well: ''In five minutes, exchange rates can wipe out what it took trade negotiators ten years to accomplish.'' So it should concern us if our trading partners aren't interested.

By the way, two of them—Japan and Malaysia—have engaged in currency manipulation in the past. Are they doing it now? In my view, no. In the IMF view, no. But they have. Japan hasn't done it since 2012, but before that they did it over 300 times.

Why the heck wouldn't we want to have a provision in here that says: I know you are not doing it now, but now that we have come up with this great agreement to expand access for American farmers and American workers and American service providers to Japan, let's be sure you don't do it in the future and undo all those gains. And why would they be worried about that? Why would they not sign up for that kind of commitment? Why wouldn't the United States sign up and all these other countries? Malaysia is the other country that has in the past manipulated its currency. Why wouldn't they sign up for this? If they are refusing to do so, if this is considered a poison pill for that reason, we should be worried about it.

I thank the Presiding Officer for giving me the time to clarify some of the statements made earlier on the floor today. I hope every Member of the Senate will decide, as they talk about the need for more enforcement, that this is exactly what we are talking about and that they will ensure this trade promotion authority representing the views of the Congress includes real enforcement and real help for the workers we represent.

The PRESIDING OFFICER. The Senator from Kentucky.

PATRIOT ACT

Mr. PAUL. Mr. President, there comes a time in the history of nations when fear and complacency allow power to accumulate and liberty and privacy to suffer. That time is now. And I will not let the PATRIOT Act—the most unpatriotic of acts—go unchallenged.

At the very least, we should debate. We should debate whether we are going to relinquish our rights or whether we are going to have a full and able debate over whether we can live within the Constitution or whether we have to go around the Constitution.

The bulk collection of all Americans' phone records all of the time is a direct violation of the Fourth Amendment. The Second Appeals Court has ruled it is illegal.

The President began this program by Executive order. He should immediately end it through Executive order. For over a year now, he has said the program is illegal. Yet, he does nothing. He says: Well, Congress can get rid of the PATRIOT Act; Congress can get of the bulk collection. Yet, he has the power to do it at his fingertips. He began this illegal program. The court has informed him that the program is illegal. He has every power to stop it. Yet, the President does nothing.

Justice Brandeis wrote that the right to be left alone is the most cherished of rights, most prized among civilized men. The Fourth Amendment incorporates this right to privacy. The Fourth Amendment incorporates this right to be left alone.

When we think about the bulk collection of records, we might ask, well, maybe I am willing to give up my freedom for security. Maybe if I just give up a little freedom, I will be more safe.

Most of the information that comes on whether you are safe comes from people who have secret information you are not allowed to look at. So you have to trust the people—you have to trust those in our intelligence community that they are being honest with you, that when they tell you how important these programs are and that you must give up your freedom, you must give up part of the Fourth Amendment—when they tell you this, you have to trust them.

The problem is, we are having a great deal of difficulty trusting these people. When James Clapper, the head of the intelligence agency, the Director of National Intelligence, was asked point blank, are you collecting the phone records of Americans in bulk, he said no. It turns out that was dishonest. Yet, President Obama still has him in place.

So when they say how important these programs are and how they are keeping us safe from terrorists, we are having to trust someone who lied to a congressional committee. It is a felony to lie to a congressional committee, and nothing has been done about this.

About a year ago, we began having this debate because a whistleblower came forward and said: Here is a warrant for all of the phone records from Verizon.

You say: Well, maybe they have evidence that people at Verizon were doing something wrong.

There is no evidence. This is that they want everyone's phone records.

I don't have a problem with going after terrorists and getting their records, but you should call a judge and you should say the name of the terrorist, and then you get their records as much as you want.

If I am the judge and they ask me for the Tsarnaev boy's records—the Boston Bomber—the Russians had investigated him. He had gone back to Chechnya. Yet, nobody asked for a warrant to look at his stuff. We didn't even know he went back to Chechnya. And then we had the disaster at the Boston Marathon.

I would make the argument that we spend so much time making the haystack bigger and bigger that we can't find the needle because the haystack is too darned big. We keep making it bigger and bigger, and we are taking resources away from the human analysts who should be looking and seeing when Tsarnaev travels outside of our country.

We recently had another terrorist travel from Phoenix to Texas. We had arrested him previously. My guess is there was sufficient cause—probable cause—for a real warrant to look at his activities, and we should. But I don't think we are made any safer by looking at every American's records.

In fact, when this came up, the government said: Well, we have captured 52 terrorists because of this. But then when the President's own privacy commission looked at all 52 of them, there was a debate about whether one had been aided but not found by these records and would have been found by other records.

We have to decide as a country whether we value our Bill of Rights, whether we value our privacy, or whether we are willing to give that up to feel safer, because I am not even sure you really can argue that we are safer, but people will argue that they feel safer. But think about it. Is the standard to be that if you have nothing to hide, you have nothing to fear but that everything should be exposed to the government, that all of your records can be collected?

Some will say these are just boring old business records. Why would you care if they could find out who you called and how long you spoke on the phone? Well, two Stanford students did a study on this. They got an app and they put the app on the phone—voluntarily—of 500 people. These people then made phone calls. All they looked at was how long they spoke—metadata—and whom they spoke to, the phone number to which they were connected. What they found was that without any other information, 85 percent of the time they could tell what their religion was; more than 70 percent of the time they could tell who their doctor was; they could tell what medications they took; they could tell what diseases they had. The government shouldn't have the ability to get that information unless they have suspicion, unless they have probable cause that you committed a crime.

When they looked at this, the appeals court was flabbergasted that the government would make the argument that this was somehow relevant to an investigation—because that is what the standard is. Under the Constitution, the standard is probable cause, which means there is some evidence or suspicion that you have done something illegal. But the standard now is relevance, which means, is it relevant to an investigation? But the court said that even that looser standard of relevance completely destroys any meaning of any words if we are going to say every American's phone record in the whole country is somehow relevant to an investigation.

But it gets worse. They don't even have to prove it. The government says to the court that they think it is relevant, but there is no challenge and there is no debate. It is just taken at face value—or at least it was until this court ruling was appealed. So we now have the second appeals court that said this bulk collection of phone records is illegal.

There are many different programs going on. This is the only one we know about where our government is collecting our records, and the only reason we know about it is not because the government was honest with you—the government was dishonest. The Director of National Intelligence tried to basically lie to the American people and say it didn't exist. So we know about this one, but what other programs are out there?

There is something called Executive Order 12333. There are some who believe this is just the tip of the iceberg, the bulk collection; that there is an enormous amount of data being collected on people through this other program.

One question is, if there is no Fourth Amendment protection to your records, are they collecting your credit card bills? I don't know the truth of that. I would sure like to know. I don't know whether to trust their answer if I asked them, if they will be honest with us and say are they collecting our credit card records.

People might say: Well, your credit card records are just boring old business records. Why would you care?

But think about it. If the government has your Visa bill, they can tell whether you drink, whether you smoke, what restaurants you go to, what your reading material is, what magazines or books you read, what doctors you see, what medicines you buy? Do you buy medicine? Do you gamble? All of these things can be determined.

Not only can they determine stuff directly from your phone bill and directly from your Visa bill, they now have the ability to merge all of this information. Apparently, they have the ability to collect your contact lists, and sometimes they are collecting this in a way that is somewhat nefarious.

We are supposed to be spying on foreigners—foreigners who might attack us. I am all for that. But what happens is there is a lot of data that goes in and out of the country. In fact, sometimes an e-mail from New Jersey to Colorado might go through a server in Brazil. Once it gets to a server in Brazil, they can not only look at your metadata—how long and whom you talked to—the content is now available. It all gets scooped up. It is all being analyzed. They are doing the social network of who your friends are. Some have said this could potentially have a chilling effect on the First Amendment.

There was a time in our country not too long ago, in the lifetime of most of us, when if you called the NAACP, you might not want your neighbors to know or if you were a member of the NAACP, you might not want your neighbors to know or if you were calling the ACLU or a member of the ACLU, you might not want your neighbors to know. It can have a chilling effects on your expression of your speech, whom you associate with, and whether you are fearful to have association with people because you are fearful that knowledge might be known by the government.

People say: Well, certainly that would never happen.

During the civil rights era, many of the civil rights leaders were spied upon illegally by the government through illegal wiretaps.

Many Vietnam war protesters were also spied upon illegally by the government. The reason we have the Fourth Amendment is to have checks and balances. Everything that is great about our country is checks and balances.

Let's say we have a rapist or a murderer in Washington, DC, today. Let's say it is 3:00 in the morning and the police come to the house. They think the rapist or murderer is inside. They do not just break the door down. If there is no commotion, no noise, no imminent danger, they stand outside and get on their cell phone and call a judge. Almost always the judge grants a warrant. Then the police go in.

But why do you want that to happen? Sometimes people come up to me and they say ''I am a policeman'' or ''I work for the FBI.'' Many of my friends

are policemen and work for the FBI, and they say ''Don't you trust us?'' It is not about the individual. Laws are not about whether we trust one person or your brother is a policeman and your brother would never do anything wrong. It is not about your brother. It is not about your friend. It is about the potential for there to be a rotten apple, someone who would take that power and abuse that power. We have laws not for most of us. It is for the exception. It is for something out of the ordinary. But it is also to prevent systemic bias from entering into the situation. For example, there was a time in the South when it might have been that a White person from the government might have decided they were going into the home of a Black person just because of racial bias. You get rid of bias by having checks and balances, by always saying you have to ask somebody else for permission.

When we were leading up to the war for our independence in about 1761, I believe, James Otis was arguing before the courts. He was arguing against something called the writs of assistance. A writ of assistance was a type of warrant, but it was a generalized warrant. No one's name was on it; It just said: You are welcome to search anybody's house to make sure they are paying the stamp tax.

Do you wonder why the Colonists hated the stamp tax? It was not just the tax; it was the fact that the government could break the door down, come in, and rifle through their papers. Writs of assistance were something called a general warrant.

This same battle had gone on in common law in England and developed as one of our precious rights that we actually kept from the English tradition.

John Adams wrote about James Otis fighting against these general warrants, and he said it was the spark that led to the American Revolution. That is how important this is.

The Fourth Amendment was a big deal to our Founders. The right to privacy, as Justice Brandeis said, the most cherished of rights, is a big deal. We should not be so fearful that we are willing to relinquish our rights without a spirited debate.

The debate over the PATRIOT Act, which enshrines all of this and got this started, goes on about every 3 years or so. It has a sunset provision. It is set to expire in the next few days. But we are mired in a debate over trade. There is another debate over the highway bill. And the word is that we will not get any time to actually debate whether we are going to abridge the Fourth Amendment, whether we are going to accept something that one of the highest courts in our land has said is illegal. Are we going to accept that without any debate?

I, for one, say there needs to be a thorough debate, a thorough and complete debate about whether we should allow our government to collect all of our phone records all of the time.

In England, about the time of James Otis, there was another man by the name of John Wilkes. I learned about this story in reading my colleague Senator LEE's book recently. John Wilkes was a rabble-rouser. He was a dissenter. Some called him a libertine. I do not know about his morals, but I know he was not afraid of the King.

The King was becoming more and more powerful at that time. That is one of the complaints we had as well. So John Wilkes began his own newspaper. It was called the North Briton, and he labeled it with numbers. The one at the time became the North Briton No. 45. It became so famous throughout England that it was also part of our idiom, part of our language in the United States. Everybody knew what 45 was if you mentioned it. But he wrote something about the King. He basically wrote what would be an op-ed in our day. He made the mistake of sort of saying that the King's behavior or the Prime Minister's behavior was equivalent to prostitution. That did not make the King very happy, so the King wrote out a warrant for the arrest of anybody who had to do with the writing of this North Briton No. 45. But the warrant did not have anybody's name on it. It was a generalized warrant.

He said: Arrest anybody.

So they broke down John Wilkes' door. They rifled through and ruined the contents of his house, arrested him, put him in irons, and took him to the Tower of London. They did the same to 49 other people. But John Wilkes was not about to take this lying down, so John Wilkes actually then decided that he would sue the King.

I tried doing the same thing. I tried suing the President, and it has not gone so well. But the thing is that everybody ought to think they have the ability and the equality to sue even their leaders.

So he sued the King, and something remarkable happened. This was in the early the 1760s. When he sued the King, he actually won. I think the award was like 1,000 pounds, which would be a significant sum of money for us in today's terms. It was a big victory. It was part of the discussion going on simultaneously over here with James Otis. It was a big deal.

So often my party does such a great job talking about the Second Amendment and the right to bear arms. I am all for that. But the thing is, I do not think you can adequately protect the Second Amendment unless you protect the Fourth Amendment, the right to privacy. Your house is your castle. The right to not have your castle invaded is so important.

I will give an example. A lot of people think we will be safer if we collect gun records. A few years ago, they collected all the gun records and they had them in Westchester County, near New York City. A newspaper decided they would publish them. They really did not think this through. But you can see the danger of what happens when the government has records and then releases them to everybody.

Imagine a woman who has been abused or beaten by her husband and has left him. She lives in fear of him finding her. Now the registration comes out and says where she lives and that she has a gun or, worse yet, where she lives and that she does not have a gun.

Think about prosecutors and our judges. I know many of them who put bad people away, and many of them have concealed carry. Many of them travel to work. The security meets them in the parking lot. They go to work, but they worry. We have had sheriffs and we have had prosecutors killed in Kentucky because the criminals were angry that they were locked up.

We do not want all of our records by the government to be put out there in public for everybody to know where we live and whether we have a gun.

You can see the issue of privacy is not a small issue. It is a big issue. It was incredibly important to our Founding Fathers.

Some have said it is too late to even get this back. There have been articles written in the last few weeks that say that whether or not the PATRIOT Act expires, the government will just keep on doing what they are doing. In fact, there is a provision in the PATRIOT Act that says any investigation already begun before the deadline can go on in perpetuity.

The other thing is that there are people now writing—John Napier Tye, who was the Internet watchdog for this program, wrote that he believes that Executive Order 12333 is really allowing all this bulk collection under what the President says are article II authorities.

Article II gives the President and the executive branch different powers, but these are not unlimited powers. Some think they are. Some say the President has the absolute power when it comes to war. Article II actually comes after article I. In article I, section 8, the President was told he does not get to initiate war. The most basic of powers with regard to war were not actually given to the President; they were given to Congress.

What is sad about this, what is going on now is that Congress has not shown sufficient interest in what the executive branch does on a host of things, whether it be regulation, whether it be the enormous bureaucracy, but really so much power has shifted and gone from Congress and wound up in the executive.

It is the same way with intelligence. We have intelligence committees, but the question is, Are they asking sufficient questions? There are some. Senator WYDEN has been a leader in this. He and I have worked together. He really has been the leader because he has been on the Intelligence Committee. He has more information, really, than the rest of us do, but he at times has been hamstrung because once you know information, if it is told to you in a classified setting, you are not allowed to talk about it. Sometimes it actually makes sense, if you want to speak out, not to actually learn through the official channels but to read on the Internet because if you learn about it through official channels, you cannot say anything about it even if the government is lying about it.

We are talking about an enormous amount of information. We are talking about all of your phone records all of the time.

Recently, there were some complaints by people in the newspaper. They said: Well, the government is really only getting one-third of your records; they are not getting enough of your records. Some want them to get more of your records.

The objective evidence shows, though, that we really have never gotten anyone independently; we have not found any terrorist independently of this. But still some people are so fearful, they are like: How can we get terrorists? We will be overrun with terrorists, and ISIS will be in every drugstore and in every house in America if we do not get rid of the Constitution, if we do not let the Fourth Amendment lapse, and if we do not just let everybody pass out warrants.

That is what we do under the PATRIOT Act. The PATRIOT Act allows the police to write their own warrants. This is one of the fundamental separations we did with the Fourth Amendment. This was probably the most important thing we did, to separate police power from the judiciary, to have a check and a balance so you would never get systemic bias, so you would never get political or religious or racial bias in your judicial system. We separated these powers.

We now let the police write their own warrants. It is a special form of police. It is the FBI, but they are domestic police. The FBI is allowed to write their own warrants. These are called national security letters. They do not have to be signed by a judge. There is no probable cause. If they come into your house, there is no ability for you to complain. In fact, sometimes they are now coming into our houses without us knowing about it. This is called a sneak-and-peek warrant. Like everything else, the government says we will be overrun with terrorists if we do not let the government quietly sneak into our house when we are gone and put in listening devices, search through our papers and read all of our stuff while we are gone.

They do not have to have probable cause necessarily for these. It is a lower standard. But we are letting the FBI write this without a judge reviewing it.

I have a friend who is an FBI agent. I play golf with him. He is like: Don't you trust me? I do trust him. I do not trust everybody.

Madison said that if government was comprised of angels, we would not need restrictions, we would not need laws. Patrick Henry said that the Constitution is about restraining the power of government. It is not about the vast majority of good people who work in government. It is about preventing the bad apple. It is about preventing the one bad person who might get into government and decide to abuse the rights of individuals.

Some say: Well, the NSA has never abused anyone's rights. That may or may not be true. They are giving us the information. We do not get to independently look at the information. They are telling us. It is the same group who says they were not doing any bulk collection of data at all. But even if we presume they are telling us the truth, it is not really the end of the story because the story should be that we do not want to allow the abuse of power to happen.

As the debate unfolded the first time for the PATRIOT Act, something occurred that happens frequently around here. There is not enough time. Hurry up, hurry up, there is not enough time. It is kind of like the debate right now.

Unless we insert ourselves at this moment, I am not sure we will have any debate on the PATRIOT Act. It has been set to expire for 3 years. We have known it was coming, and the question is, Do we not have enough time because we just don't care enough? Are we going to relinquish our rights or constrict our rights to the Bill of Rights, even though we know it is coming up and that we have to do something else that occupies all of our time?

Senator WYDEN and I have a series of amendments. Our amendments would try to reform some of this. Our amendments would say that NSLs, national security letters, cannot just be signed by the police, that they would have to go to a judge.

People argue: Well, how would we catch terrorists? The same way we catch other people who are dangerous, such as murderers and rapists, anybody in our society. In fact, when you look at the criminal process for criminal warrants, warrants are almost never turned down. But just that simple check and balance of having the police call a judge is one of the fundamental aspects of our jurisprudence, and we gave it up so quickly on the heels of 9/11 because of the fear.

The thing is, when the PATRIOT Act came forward, most people didn't even read it. There was a committee bill and this and that and there was a last-minute substitution. It was given hours, and it was simply passed in a spate of fear.

As we look at what happened at that time, I think we now have the ability to look backward and say: Is there another way? When we start with the doctrine that a man's house or a woman's house is their castle, it was a very old notion, maybe even dating back to the times of Magna Carta. Our castle and our papers are a little bit different now, and the Supreme Court has not quite caught up to where we are technologically. They are getting there, but this really needs to be debated and discussed at the Supreme Court level because the thing is we don't keep our papers in our house anymore. In fact, we have gone to such a paperless society that 90 percent of your paper—or if you are under 30 years old, 100 percent of your paper—is held somewhere else.

The question we have to ask is: Do you retain a privacy interest in your records? When the phone company holds your records, do they have an obligation to keep them private? Do you retain a privacy interest? If the government wants the records from the phone company, should they be allowed to write the name Verizon and get all of the records from Verizon? I, frankly, think that if John Smith has his phone service with Verizon and he is a terrorist, the warrant should say John Smith and go to Verizon, but it is an individualized warrant. I don't think we should have generalized warrants.

There are some who want to replace the bulk collection of records with a different system where the government doesn't hold the records, but the phone companies hold the records. I am also concerned about this for one big reason: The recent court case has now said the PATRIOT Act does not justify the collection of records, that it is actually illegal. I am concerned that since the court is now saying section 215 doesn't allow a bulk collection, that in trying to reform this, what is called the USA FREEDOM Act, we will actually be granting new power to section 215 that the court says is not there. The court is saying that it stands logic on its head to say relevance means nothing, that everybody's records in the whole country could be relevant.

We have even changed, over time, the investigations and whether there is a full-blown investigation at the beginning of an investigation. Who gets to decide or define what an investigation is? The bottom line is that we look at this, and as we move forward, we have to decide whether our fear is going to get the better of us.

Once upon a time, we had a standard in our country that was innocent until proven guilty. We have given up on so

much. Now people are talking about a standard that is: If you have nothing to hide, you have nothing to fear. Think about it. Is that the standard we are willing to live under? Think about whether you believe you still have a privacy interest in the records that are held by the credit card companies, your bank or the phone company.

In the PATRIOT Act, they did something to make it easier to collect records and to override your privacy agreement. If you read the nitty-gritty of any of these agreements that you have when you use a search engine or when you are on the Internet, you do voluntarily say that your information will be shared in an anonymous way, but they promise they will not give your name to somebody.

The phone company has the same sort of privacy agreement, but what has happened through the PATRIOT Act is that we have given them liability protection. At first blush, you might say we have too many damn lawsuits. I am kind of that way. I am a physician. We have way too many lawsuits. I am for cutting back on lawsuits. But at the same time, if you give the phone, Internet or credit card company immunity to ignore your privacy agreement, they will.

Instead of the government storing billions and billions of records in Utah, the new system is still going to store billions and billions of records in the phone company, but still the question is: Will we access them in a general way? It says we are going to look at a specific person, but if you look at the way ''person'' is defined, a person could be a corporation. I don't think you should have a warrant that says Verizon and gets all the records for all of their customers.

The other thing that has been going on that they have not been completely honest with, and we may have some data on, is that the government is going inside of the software. They are asking companies such as Facebook or demanding that companies such as Facebook give them access through their source code so the government can get in. Now, to Facebook's credit, they are fighting them, and I think more companies are now standing up and trying to fight against this. But in a nefarious way, the government is going into the code of Facebook and then inserting malware into other people's Facebook and spreading it throughout the Internet.

The government is also looking at communications between two nodes. Let's say you communicate with Google and it is encrypted, but then when Google has a data center that talks to another data center which is nonencrypted, the government just hooks up to a cable and siphons off records. There is a danger that you will have no privacy left at the end of this.

The Fourth Amendment is very specific. The Fourth Amendment says you have to individualize a warrant and put a name on the warrant. You have to say specifically what records you want, you have to say where they are located, and then you have to ask a judge for permission.

The sneak-and-peek warrant I was talking about before is section 213. It is now permanent law. We don't even get a chance to talk about it. We could repeal it, and I will have an amendment to repeal it. This is where the government goes in secretly and says: Well, we need this lower standard because terrorists will get us if we don't. Well, we have now had it on the books for a decade and do you know who they are getting? Drug people—people who are buying, selling or using drugs. That is a domestic problem, which also leads me to something else about the PATRIOT Act that really bothers me.

When we first started talking about the standards of the PATRIOT Act and going from probable cause, which is what the Constitution has, to articulable suspicion, down to relevance, we said: Well, we are going to lower standards because we are going after foreigners. They are not Americans and they are not here. We are going to lower the standard, and really there could be some debate in favor of that.

When we first did it, we said we could not use that information for a domestic crime. I will give an example. I asked one of the intelligence folks at one time to answer a question and was dissatisfied with the response. Let's say the government comes in through a sneak-and-peek warrant. They don't tell you that they are in your house. Guess what. They find out you are not a terrorist, but you have paint in your house which you bought through your office business expense, and you are painting your house, which is a tax violation. It is a domestic crime, but they got into your house through false pretenses. They said you were a terrorist, but they were wrong. However, they found out you were not being perfectly honest with your taxes. They have gotten in through a lower standard.

Ultimately, if we let them collect all of your records and we let a domestic crime be prosecuted by this, we could have the government sifting through your credit card records because they say the Fourth Amendment doesn't protect records, including your phone records—not the content, just all of this data. After they put it together and mesh it, they decide, by looking at your digital footprint, that maybe you are somebody who runs traffic lights.

Now we are taking something that was intended to capture foreigners and we will capture people domestically and prosecute them for domestic crimes, the specific thing they promised us they would never do. So things morph and get bigger and bigger.

We could have a valid debate about whether we have gone too far, but we should at least have a debate. Shouldn't we get together and say: Let's have a debate. Let's devote all week to this.

For a while, I have asked to have a full day and have five or six amendments that Senator WYDEN and I could put forward and have a full-fledged debate over whether the bulk collection of our records is something we should continue to do.

I think if you look at this and say: Where are the American people on this, well, there has been poll after poll. Well over half the people—maybe well over 60 percent of the people—think the government has gone too far. But if you want an example of why the Senate or Congress doesn't represent the people very well or why we are maybe a decade behind, I would bet that 20 percent of the people here would vote to just stop this—to truly just stop it—at the most; whereas, 60 to 70 percent of the public would stop these things.

You are not well represented. What has happened is that I think the Congress is maybe a decade behind the people. I think this is an argument for why we should limit terms. I think it is an argument for why we should have more turnover in office because we get up here and stay too long and get separated from the people. The people don't want the bulk collection of their records, and if we were listening, we would hear that.

The vote in the House, while I don't think the bill is perfect, and I think it may well continue bulk collection, was over 300 votes to end this program and to say we are no longer going to have bulk collection. Yet it looks like the majority in this body says we still need bulk collection. In fact, the biggest complaint from the majority of this body is that we are not collecting enough records and that we need to collect more records.

Can we have security and liberty at the same time?

I had breakfast with a high-ranking official from our intelligence community maybe 6 months ago, and I asked him: How much information do you get from metadata and how much do you end up getting from a warrant? He said, without question, you get more from a warrant. People talk about whether we can go one hop or two hops. That means if you are suspected of terrorism and you called 100 people—if we look at your records, that is one hop. If we look at the next 100 records, that is a second hop. As you go in, this pyramid gets bigger and bigger until you are talking about tens of thousands of people.

As you get further and further away from the suspect, I see no reason you couldn't keep getting warrants. If they say that warrants are slow and laborious and there is not a judge, put more judges on the court. If they say they need them at 3 in the morning, put the

judges on 24-hour alert and you can call them at 3 in the morning. We call judges for a warrant in the middle of the night all across America. I see no reason why you can't have security and the Constitution at the same time.

The President instituted the Privacy and Civil Rights Board. They went through a lot of this, and some of the things they came up with, I think, were truly astounding. The amount of information, I think, is mindboggling—of what is being sucked up in this. There is something called section 702 of FISA, and this has allowed them to collect information on Americans who might have been communicating with a foreigner. You say: Well, that American is probably suspicious. Well, it goes out in ripples and it becomes this enormous amount of—cache of information.

When they looked at some of this recently—the Washington Post looked at this—they found that 9 of 10 intercepted conversations were not the intended target. So I think there was one estimate that in the last year we had 89,000 targets. If you multiply that and say it is only one-tenth of what we actually take, you are now looking at 900,000 records of people who had nothing to do with terrorism. They didn't even really talk to the person. They incidentally talked to a person who talked to the person. It could be the terrorist called Papa John's and you called Papa John's, so now you are in the same phone tree network. That can ripple out in waves. That information should not be collected, it should not be put in a database, and it should not be stored. Ultimately, we are collecting so much information that it is all of your information.

One thing that should concern us about simply going from a system where the government collects all of these records and stores them in Utah to one where the phone company does it—actually some people in the NSA are acquiescing and saying it is not so bad. That concerns me that the NSA is saying ''not so bad.'' It concerns me that we are still going to have bulk collection.

The debate we really need to have is whether, if someone else is holding your records, if you still have any kind of privacy interest in your records. I personally think your phone records are still partially yours, in a way, or that you have a privacy interest in them. This is going to become very important because your records ultimately—there probably will not even be any records in your house, they will be on your phone, and then your phone records are connected to the company. Who owns them? Do you have a right to privacy in those records? I think you can have security and freedom at the same time, but I think if we are not careful, this is going to get away from us.

When they found out that 9 out of 10 intercepts were actually not the intended target, just ancillary information they picked up, they also found that 50 percent contained email addresses that were U.S. citizens. So let's say you collect a million pieces of information and you are just gathering this up and you are intending to go after foreign targets who might be terrorists, but over half of this information, much of it incidentally gained, is actually U.S. citizens. So this is sort of an end run—they call it backdoor searches—but it is sort of an end run that has gone around the Constitution, gone around the Fourth Amendment, to collect information that we have actually said should be illegal to be collected that way, but we are doing it because we have done an end run around.

Also realize you can send an email from Virginia to South Carolina and it might go over a server in Brazil. If your email goes over a foreign server, all of a sudden, boom, everything is done. The Constitution is out the door. They can collect that, even the content. It is never revealed to you; nothing is ever presented to you. It is all done within the executive branch, with no advocate on your side.

There are several programs that came out through this that are being collected. It is not just the bulk collection. There is a program called PRISM that has been out there for a while and there is another one called Upstream. In PRISM, it is a surveillance program that collects Internet communications of foreign nationals from at least nine major Internet companies.

I think this wouldn't have happened if the Internet companies were not given liability protection. I think what would have happened is they would have said we are violating our obligation to our customers and we are going to fight against this. But the PATRIOT Act even made it worse. The PATRIOT Act made it a crime to reveal that you had been served with a warrant. So we have gone way beyond any typical constitutional mechanisms.

In the Upstream Program, a similar thing happened, but this is when the data is collected as it moves across U.S. junctions. The problem is not so much going after foreign communications but going after incidental and collecting incidental communications that involve American citizens.

John Napier Tye was a section chief for Internet freedom in the State Department's Bureau of Democracy. He was going to give a speech—and I think this is very telling. This is reported in the Washington Post. He had written out his speech and he sent it for review. In his speech, he said: If U.S. citizens disagree with congressional and executive determinations about the proper scope of intelligence activities, they have the opportunity to change policy through democratic process.

And we think, Who could object to that? What would his censors say? How could he possibly say we don't have the right through democratic process to change policies? They had him strike ''through intelligence processes'' because I guess they apparently think we don't have the democratic ability to change these things. The sad truth is it may be true because a lot of this is being done by Executive order.

Executive Order No. 12333 has no congressional oversight. In fact, the question was asked recently of one of the Senate leaders, Will you investigate this? Now, there may well be a secret investigation going on, but there was some indication it was really outside of our purview.

I don't think anything the executive branch does should be outside of our purview. The whole idea of having coequal branches was to have checks and balances. One of the biggest problems I find in Washington is that sometimes the opposition party—if we have a Democratic President and a Republican Congress, you will get a little bit of adversity and a little bit of pitting ambition against ambition and check and balance. But the party that is the same party as the President just doesn't tend to push back, probably for partisan reasons. Now, it is not just the other party; it happens when Republicans are in power also. What happens is the political party that is the same power as the President tends to sort of be open to letting things move on, just letting the President accumulate more power. But I think this should be telling that when he said we could change things through democratic action, President Obama's White House Counsel told him that, no, that wasn't true. He was instructed to amend the line and make a general reference to our laws and policies but to leave out intelligence policies as if we don't really get a say in what they do as far as what information they collect on us.

John Napier Tye goes on to warn us. He says: Unlike section 215, Executive Order No. 12333 authorizes collection of the content of communications, not just metadata, even for U.S. citizens.

So quite often we are told—we were told for years—don't worry, they are not collecting your data; they are just collecting the data of foreigners. It turns out that wasn't true.

Now, the big thing they tell us is, Well, we are not collecting the content, we are just collecting the numbers. But when we read John Napier Tye, he says the Executive order authorizes collection of the content of the communications also, not just metadata, and also for U.S. persons.

So the question is, If we get rid of bulk collection, will the Executive continue to do it anyway?

The other question is, Why doesn't the Executive stop this? It was started by Executive action and can be ended

by Executive action at any time. Where is the Executive? How come the press gives him a free pass just to say Congress needs to fix this? Sure, I messed it up, I broke it; I am doing something that the second appeals court said is illegal, and I am going to keep on doing it until Congress does something. Why don't we see any questions from the press? Why don't we see anybody from the media saying, Mr. President, it is illegal. You started it. You were performing a program that is collecting all of the phone records from all Americans. It has been declared illegal from the second highest court in the land. Why don't you stop? I have not ever heard the question asked of him.

With the Executive order, apparently because this, they say, is article II, and then article II to them means they can do whatever they want without any oversight by Congress, the conclusion by John Napier Tye is that there is nothing to prevent the NSA from collecting and storing all communications. This concerns me.

The President instituted or brought together a group called the Review Group on Intelligence and Communication Technologies. In it, they came forward with some recommendations. Recommendation No. 12 was that all of this data—all of this incidental data that is becoming part of these databases that is collected under these authorities—the Executive order—should be immediately purged unless there is a foreign intelligence component to it. The Review Group further recommended that a U.S. person's incidentally collected data should never be used in a criminal proceeding against that person.

So now we are back to what I was talking about earlier. If you are going to go away from the Constitution, if you are going to say to catch bad guys we can't really have the Constitution, we are going to have to have a bar that is a lot easier to cross that allows us to do kind of what we want, wouldn't you want to exclude American citizens from being convicted or put in jail for a crime under a lower standard? It is kind of like this: The question is, If the government can come in without a valid search warrant, without announcing they are in your house, collect all of your data, would you want them to have hours and hours in your house without any probable cause and then start arresting you for this?

There are rumors we are doing this. There are rumors that intelligence warrants, which are nonconstitutional, which are a lower standard, are being used to get regular criminals. What they do is collect information through data, metadata analysis, all of this, they get enough to be convinced that you are a drug dealer, and then they arrest you by getting a traditional warrant, but they are using information they got illegally to get to you.

Section 213, this whole sneak-and-peak, where they go in without announcing that they have been in your house, 99.5 percent of the people arrested are actually people who committed a domestic crime. They are not terrorists. So we are told you have to have a PATRIOT Act to get terrorists. Yet what we really find is that they are using it in a way that is not honest. They are using a lower standard—a standard less than the Constitution—and they are using that standard then to arrest people for basic domestic crime.

The President's Review Commission in recommendation No. 12 recommended that this incidentally collected data not be used criminally against anybody. They gave their recommendations to the White House. The White House stated that the adoption of these recommendations they requested would require significant changes and indicated it had no plans to make any changes. So the President's own review commission says there is great danger in using a lower, less-than-constitutional standard to collect great amounts of information that can be searched. There is great danger to privacy. There is also great danger to using information collected outside of the Constitution. There is great danger in then using that for domestic prosecution, and the President said he has no intention of any changes.

When I think of this President, it is probably what disappoints me most. There were fleeting times when this President was in the U.S. Senate that he stood up for the Constitution. In fact, there is a quote from the President when he was running for office—there are many quotes—but there was one quote saying that the warrants that are issued by police—national security letters—should be signed by a judge. The very amendment that I will try to get a vote on he seemed to have supported, but now his administration is issuing hundreds of thousands—it starts out with a few, then 47, then a couple hundred, and now it is in the thousands. Any time you give power to government, they love it and they will accumulate more. Any time you give power to government and expect them to live within the confines of the power, they will not live within the confines of power unless you watch them like a hawk. You have to watch them. You have to have oversight.

We are at a point now where we have enormous bulk collection, enormous collection of American citizens' data; one program we know almost nothing about. Yet it goes on with no debate. The Executive order from 1981 has been transformed into a monster with tentacles that reach into every home in our country. The collection of records that is going on is beyond your imagination, and we need to know about it. There needs to be a public debate. It has become even more pressing that we have this public debate because the problem is that we have the President and we have the Congress and we have the intelligence community not being honest with us. So the fact that the Director of National Intelligence would come to Congress and lie and say they are not collecting this information, and then when they do admit to it say: Oh, by the way, it is working really well. We are capturing all kinds of terrorists—but they hold all the information, and we rely on them to be honest and to present truthful information to us. This is a big problem.

Currently, the courts haven't brought their rulings up to date. The debate has been going on for a long time. In 1928 there was the Olmstead case. The Olmstead case went against those of us who believe in privacy. I believe that case still lingers on, even though it has been reversed.

In the Olmstead case, Ray Olmstead was a bootlegger, and the government decided to eavesdrop on his conversations, but they didn't have a warrant. They could have gotten a warrant. Who knows why they didn't get the warrant, but they didn't get a warrant. But the Court ended up ruling that phone conversations were not protected by the Fourth Amendment. This was a sad day in our history when this happened in 1928.

The dissent in that case was Justice Brandeis. As so often occurs in our history, sometimes the dissent becomes the majority opinion and becomes profound because it was there at the time.

Harlan's opinion, the dissent in Plessy v. Ferguson, is what everybody refers to. Nobody refers to the majority in saying that separate is equal. They were wrong—the same as in the Olmstead case. People remember Justice Brandeis. It is probably one of the most famous quotes in jurisprudence: ''The right to be let alone is the most cherished of rights.'' It is ''the [right] most valued among civilized men.''

We have this debate still sometimes, though, because some conservatives say: There is no right to privacy. I don't see it in the Constitution. And conservatives who argue that there is no right to privacy aren't remembering the 9th and 10th Amendments very well, particularly the 9th Amendment.

The Ninth Amendment says that all the rights aren't listed, but those that aren't listed are not to be disparaged. Even our Founding Fathers worried about this. Our Founding Fathers came forward and they at first thought we would just do the Constitution without the Bill of Rights. Some of them worried. They said: If we do the Bill of Rights, people will think that is all we have. If we list ten different amendments, they will think that is all of our rights. So they finally convinced everybody to go along with it by saying: We

will put in the 9th and 10th amendment, with the 10th Amendment limiting the powers, saying only the powers enumerated are given to the Federal Government and everything else is left to the States and the people, respectively. But the Ninth Amendment, which is in many ways sort of the stepchild of our amendments, hasn't been adequately, I think, adhered to or recognized. It says that those rights not listed are not to be disparaged.

Sometimes we have this discussion because some people say it has to be enumerated. I agree completely if we are talking that the powers given to government should be enumerated. They are few—few and limited, the powers given to the government. But it is the opposite with your rights. Your rights are many and infinite. Your rights are unenumerated, and you do have a right to privacy. So while the word ''privacy'' is not in the Constitution, in the Fourth Amendment, though, they do talk a lot about your privacy. It is about your home, that your home is your castle.

The exact words of the Fourth Amendment are:

> The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no Warrants shall issue, but upon probable cause, supported by Oath or affirmation, and particularly describing the place to be searched, and the persons and things to be seized.

The reason why we should worry about whether a warrant is individualized is we have had some tragic times in our history. During World War II we didn't individualize the arrests of Japanese Americans. We didn't say: That is so-and-so who lives in California, and we think they are communicating with Japan and telling our secrets. We indiscriminately rounded up all of the Japanese and incarcerated them.

There have been times in our history when we haven't acted in an individualized manner. It happened throughout the South in the old Jim Crow South. We told people that we were going to relegate them to a certain status based on a general category.

So when we talk about individualizing warrants, we are talking about trying to prevent bias from occurring. Now, bias can occur for a lot of different reasons. I tell people that you can be a minority because of the color of your skin or the shade of your ideology. You can be a minority because of your religion. You can be a minority because you are home-schooled. But the thing is, if you are a minority, if you are a dissenter, if you dissent from the majority, you need to be very, very aware of your constitutional rights. Be very, very aware of the Bill of Rights.

The Bill of Rights isn't so much for the prom queen. The Bill of Rights isn't so much for the high school quarterback. Many people in life always seem to be treated fairly. The Bill of Rights is for those who are less fortunate, for those who might be a minority of thought, deed or race. We have to be concerned about the individualization of our policies or we run the risk and the danger of people being treated in categories.

Right now we are treating every American in one category. There is a general veil of suspicion that is placed on every American now. Every American is somehow said to be under suspicion, because we are collecting the records of every American.

We talk about metadata and whether or how much it means or what the government thinks it can determine from metadata. There are some people who say: Don't worry. It is just your phone logs. It is no big deal. It is just boring old business records. We should be a little bit concerned by the words of one former intelligence officer who said, that ''we kill people based on metadata.'' He wasn't referring to Americans. He was talking about terrorists. But we should be concerned that they are so confident of metadata that they would kill someone.

Instead of our believing that metadata is no big deal and it just should be public information and anybody can have it, realize that your government is so certain of metadata that they would kill an individual over it. That seems to me to make the point that metadata is incredibly important, if we would make a decision to kill someone based on their metadata.

The Electronic Frontier Foundation has done a lot of work for privacy and deserves a lot of credit. Mark Jaycox writes in an issue from last year that ''it is likely that the NSA conducts much more of its spying power under the President's claimed 'inherent' powers and only governed by a document originally approved by Executive order.''

So while we are superficially having a debate over the bulk collection of records that some claim are authorized under the PATRIOT Act, section 215, there is a whole other section that some privacy advocates are worried about that is even bigger.

I had a meeting recently with one of the founders of one of the huge social communication companies, and he told me that he thinks we are missing some of the debate here, because he says everybody is talking about bulk collection of your phone records. He is convinced that there is ever so much more being collected through backdoor channels. These backdoor channels can occur in two ways. They can occur one way by going and looking at foreigners' information and then coming through the backdoor back into our country and looking at Americans' information. That American's information has tentacles and spreads and it becomes this enormous grouping of incidental information. In fact, some have said 9 out of 10 pieces of data pulled in aren't about terrorists; they are just incidental stuff.

What the President's review commission says is we should delete that once we find it is not relevant to an investigation. The amazing thing to me is that even people who support the PATRIOT Act—and I don't; I think the PATRIOT Act lowers the constitutional standards and risks all freedom and our liberty. But even for those who think the PATRIOT Act is fine, they said that the PATRIOT Act never was intended to do this.

So if you want to ask yourself is the government overstepping, even the authors of the PATRIOT Act are now telling us that the overstepping is to such a degree that they think the PATRIOT Act doesn't justify it.

In fact, that is really what the court ruled recently. I had hoped the court would rule that the bulk collection—the grabbing up of all your records—was unconstitutional, but they actually simply ruled that the PATRIOT Act does not sanction it. The PATRIOT Act does not give authority to the government to do this. It is a pretty amazing sort of set of circumstances—that the government has taken something that was intended in one way, completely transformed it, and then when they are rebuked by the court, they are not chastened at all.

I wonder why no one has had the guts or the wherewithal to ask the President why he doesn't stop this now. The President could today listen to this speech on the floor of the Senate, and he could change his mind. He could, this afternoon, with his pen—he says he has his pen and his cell phone—he can immediately stop the bulk collection of data. In fact, all of the alternatives he could continue and he could probably do now. He could also say he is going to collect the data with a warrant. He has all of that power.

Someone should ask the President: Mr. President, why do you keep doing something the court has said is illegal? Why do you continue doing this, and why won't you stop? And how could we possibly think that it is a responsible answer to say: Oh, I will stop when they make me. His own privacy commission says that what he is doing is illegal and should stop.

One of the things that people are worried about is that the government is forcing its way into the code source of different Facebook, Google, and different Internet companies. There are a couple of things that are occurring because of this. If you live in Europe, if you are Angela Merkel or if you are anybody in Europe, you might not want American stuff anymore.

There are already rumors in discussion that billions of dollars—there has been some estimating of over $100 billion—have been lost to where we have been a dynamic leader in software, in

hardware, in the Internet. People don't want our stuff because they don't trust us anymore.

One of the reasons they don't trust us is this. We have a group called the Tailored Access Operations that targets system administrators and installs malware while masquerading as Facebook servers. That is a little scary—that if you go on Facebook, somehow malware is getting into your computer and then searching and allowing them to know everything you are doing on your computer. If you have a warrant, to my mind you can do a host of these things, but do it to someone you have suspicion of.

I think we have made the haystack so big that no one is ever getting through the haystack to find the needle. What we really need to do is isolate the haystack into a group of suspicious people and spend enormous resources looking at suspicious people—people for whom we have probable cause. If you think of almost every instance—I mean, go back to 9/11. You will have people come forward with a ridiculous assumption that if we had the PATRIOT Act, we wouldn't have had 9/11. We would have caught those two terrorists in San Diego. And I am like, you mean the two terrorists that were living with a confidential informant for a year?

We knew who these people were. These people were talking to each other. It wasn't a lack of gathering information. All of these incidentals and all of this grabbing up of bulk records isn't what we needed. We needed the CIA to call the FBI. We needed further that FBI call Washington and for somebody to listen to them.

The 20th hijacker, a guy named Moussaoui, was captured a month in advance. We got him in Minnesota. We got his computer. He was captured because people said—he was from a foreign country, and he was attempting to learn to take off planes but not land them. The FBI agent there ought to be given a Medal of Honor. Instead of giving the Medal of Honor to the head of the FBI, we should have fired the head of the FBI and this FBI agent should have been made the head of the FBI. He wrote 70 letters to his superiors. He caught the 20th hijacker. He should be a well-known name to every American and a hero. He caught the 20th hijacker. He saved lives. But his superior got 70 letters and did squat. I have no idea what happened to his superior, but nobody was fired for 9/11. Instead of firing the people who did not do a good job, we gave them medals. The guy who did a good job, I don't know what happened to him.

(Mr. SCOTT assumed the Chair.)

What we did is we decided we would just collect everybody's information, that we would sort of scrap the Bill of Rights.

I have met a lot of our wounded soldiers. I have met young men who have lost two, three arms, two, three limbs, sometimes four limbs. I have met people who are paralyzed. And to a person, when I ask them ''What were you fighting for?'' they tell me ''The Constitution.'' They tell me ''Our way of life'' or ''Our Bill of Rights.'' Don't you think they would be disappointed to find out that they went over there and they risked life and limb and gave up part of their bodies and they came home, and while they were gone we gutted the Bill of Rights?

Not only did we get it—we can have a difference of opinion on this, but not only did we gut it, we don't have time to debate it. We just willy-nilly say: That is fine. We are not even going to have time to debate it. We have known for 3 years that this debate was coming up. Yet, we squashed a bunch of bills in the last week, and we have no time for debate, no time for amendments, no time to discuss whether we are willing to trade our liberty for security.

Franklin said that those who trade their liberty for security may wind up with neither.

This is a very important debate that we need to have in the public, in the open. We worry about—or some of us worry that just in discussion of bulk records, we may not get to other programs the government just simply will not tell us about. A lot of them are written about, though.

In another episode of the Electronic Frontier Foundation's newsletter, they talk about a program called Muscular. Muscular is a program that is siphoning off the data between different data centers. Yahoo and Google sometimes have—at least did have communication between them that was not encrypted. Your information was encrypted going to the data center, but then between data centers, it was not encrypted, and the government is simply siphoning all this off through Executive order. I do not know whether it is foreign. I do not know whether there is incidental American. I do not know what is being collected. We have no oversight, no ability to vote on whether we continue this program or discontinue this program. The companies are sometimes not notified of the warrants or if they are notified of the warrants are told they cannot talk about them; they are gagged. This is the kind of stuff we need to have in the open.

Some of the information people are talking about that the NSA collects on Americans is contacts from your address book, buddy lists, calling records, phone records, emails, and then they put it all into a data—I think the program is called SNAC. They put it all into this data program, and they develop a network of who you are and who your friends are through all of the interconnection of all of your contacts and friends.

If you ask them ''Is any of this protected by the Fourth Amendment,'' the answer you will get is ''The Fourth Amendment does not protect third-party records.'' So, really, we are going to have this go to the Supreme Court.

I said earlier that in the Olmstead case in 1928, Justice Brandeis was in the dissent. The vote was 6 to 3, I believe. The Court ruled that phone conversations have no protection. So we started out with a bad history. The phone was just coming around and becoming commonplace. The Supreme Court said: Your conversations do not have any protection.

This went on for 40-some-odd years until we hit the late 1960s—I think 1968—and the Katz case. Then they say there is an expectation of privacy. So that was a big blow for those of us who believe in privacy, that we finally decided your phone conversations are private and that you have an expectation of privacy and that it should take a warrant with your name on it, individualized, with probable cause.

But we go another dozen years, 10, 12 years, and we get another court case called Maryland v. Smith. Here, though, the Court ruled that your conversation are protected from the government, that the government has to have a valid warrant, but they end up saying that your records don't and that the government is allowed to eavesdrop and pick up and accumulate records about your phone calls without a warrant. I think that was a big mistake.

The case in Maryland v. Smith, though, is one sort of petty criminal and a few records over a few-day period. The question that I would like to see before the Supreme Court would be, is that equivalent to all Americans' phone records all the time? There was at least some kind of investigation going on of this person. They did not do it the right way. I think they should have gotten a warrant.

But in this case, what the government is arguing is that every one of you is somehow relevant to an investigation for terrorism. That is absurd.

Finally, we get to the appellate court last week, and the appellate court says that. They say that, frankly, it is absurd to say that everybody in America is relevant to an investigation. Not only is it absurd, not only is it trifling with your privacy and your right to be left alone, but it takes our eye off the prize.

Why do you think it is that there are not enough human analysts to know that Tsarnaev, the Boston Bomber, was plotting to bomb the Boston Marathon? Why did we not know he got on a plane to go to Chechnya? One of the things that we were told at least in the newspaper was that he had an alternate spelling of his name. So we have been 15 years and we cannot figure out that sometimes these names are spelled a little differently and we did not know he flew back and was radicalized in another country.

I am for spending more money and more time on analysts to investigate and look at the data connected to people of suspicion. But I do not want to spend a penny on collecting all of the information from all of the innocent Americans and giving up who we are in the process. We have to fight against terrorism. We have to protect ourselves. But if we give up who we are in the process, has it been worth it? Are you really willing to give up your liberty for security? What if the security you are getting is not even real? They said the 52 people who were caught through the bulk collection program—the President's own privacy group investigated and said not one person was captured. There is a possibility of one, but they already had information on him from some other source.

Under the Executive order, we are still not talking about the PATRIOT Act, we are talking about something that nobody knows much about at all. No common Member has been, to my knowledge, informed of what is going on in this program; none of those not on the Intelligence Committee.

But they have something with this information called the special procedures governing communications metadata analysis. This is allowing the NSA to use your metadata—phone records, et cetera, who you call, how long you speak—under the PATRIOT Act and section 702 to create social networks of Americans. So not only are we collecting your data because the government says—and realize this; many of your elected officials are saying this: that you have no right to privacy and the Constitution does not protect your records. They are collecting all of your records, some of it incidental, but they are creating these enormous databanks, but then they are connecting metadata to other metadata to create social networks of who you are.

You should be alarmed. We should be in open rebellion saying: Enough is enough. We are not going to take it anymore. We should be in rebellion saying to our government that the Constitution that protects our freedoms must be obeyed. Where is the outrage?

I tend to think young people get it. Young people—you see them—their lives revolve around their cell phone. They realize that if I want to know about their lives, if I collect the data from their phones—not the content of their phone calls but the data from their phones—that I can know virtually everything about them. Do we want to live in a world where the government knows everything about us? Do we want to live in a world where the government has us under constant surveillance?

They will say: We are not looking at it; we are just keeping it in case we want to look at it. The danger is too great to let the government collect your information.

I think there is a valid question as to whether simply the collecting of your information is something that goes against the Constitution.

One of the other areas where we are seeing collection of data—I mean, it would just boggle your mind. We are not just talking about one program; we are talking about dozens of programs the government has instituted to look at your stuff.

There is another group called EPIC, the Electronic Privacy Information Center. They talk about suspicious activity reports. Those are reports your bank has to file whenever you deal in cash at the bank. There are certain dollar limits. They think, well, gosh, someone is probably a bad person if they are putting $9,500 in cash in the bank. Well, it turns out that a lot of honest, law-abiding people do that.

Not too long ago, there was a Korean husband and wife. They owned a grocery store. They dealt with a lot of cash. They were very successful. Three times a day, they deposited over $9,000, $8 to $10,000. They tried to stay under $10,000 because there were all kinds of extra paperwork if you were over $10,000. So what the government said is, you are structuring your deposits to evade people. You must be guilty of something.

The government then can accuse people of a crime and take their stuff. There is something called civil asset forfeiture. It does not require that you be convicted, does not even require that you be accused of something.

There was a story not too long ago in Philadelphia—Christos Sourovelis. The teenager was selling drugs out of the back of the parents' house. So they caught the kid and they were punishing him, but they decided they would punish the parents, too. They confiscated the parents' house and evicted the family. So the teenager makes a mistake by selling drugs, and what does the government do? They take the parents' house. So you think that is going to help the kid or help anything get better in this situation by taking the house? But here is the rub: The kid did not even have to be convicted of anything. The kid did not own the house; he was just their kid.

If we allow all kinds of data to be out there to catch people and then we are not even going to require that you are convicted of a crime before we take your stuff—you can see the danger of allowing so much data to be collected. But we are currently convicting and taking people's stuff or their money simply based on what they are using it for.

The Washington Post did a series of articles on this. Turns out that most people having their stuff taken are poor, often African American, often Hispanic, but for the most part poor. One guy was here in Washington and had $10,000. He was going to buy equipment, such as a refrigerator or a commercial oven or something, for his restaurant. They just stopped him and took his money. It took him years to get it back. He only got it back because the Institute for Justice defended him in getting it back. But it turns justice on its head because he was basically considered to be guilty until he could prove himself innocent.

Realize, then, that people like this are sometimes being picked up because of something called suspicious activity reports. Suspicious activity reports make your bank into a policeman or policewoman. When you deposit things, they are obligated to report you to the government. Does it sound something like ''1984''? Does it sound like you have informants out there everywhere—see something, say something; that your banker is going to call the government if you put cash into the bank?

The burden should always be on the government to prove you are guilty of something. You should never be convicted and you should never be punished without there first being a trial, without there first being evidence, without there first being a trial with a lawyer, with a verdict.

Some of this has gone into the war on drugs. The war on drugs has a lot of problems. But part of it has been the abuse of our civil liberties. Also, part of the war on drugs is that there has been a disparate racial outcome. What do I mean by that? There have been instances where—if you look at the statistics, three out of four people in prison are Black or Brown and are there for nonviolent drug use. But if you look at the surveys and you ask yourselves: Are White kids using drugs the same as Black kids, it is equal. White kids are 80 percent of the public. How do we get the reverse for 80 percent of the population in jail is Black and Brown? It is a problem. If we can't figure it out, you are going to have to continue to realize why people are unhappy.

If you want to know why there is unhappiness in some of our cities, you should read The New Yorker. About 3 or 4 months ago they did a story about Kalief Browder. Kalief Browder was a 16-year-old Black kid from the Bronx. He lives in a poor situation. His family had no money, and he had been in trouble before.

But he was arrested, and he was sent to Rikers Island—16 years old, arrested, sent to Rikers Island. His bail was $3,000. His family couldn't come up with $3,000. He was kept for 3 years without a trial. At least some of it was in solitary confinement.

He tried to commit suicide. Can you imagine how he must feel? Can you imagine how his parents must feel? Can you imagine how his friends feel, the

kids he went to high school with. Do you think they think justice is occurring in our country?

We have to be careful we don't let slip away who we are in the process of all of this fight against terrorism, all of this fight against drugs, because what happens is people take things that are bad. Terrorism is bad, drugs are bad. But we take this fight about something that is bad, we forget about the process of law, we forget about the rule of law, and we forget who we are in the process.

But if you want to know why people are unhappy in some of our big cities, you want to see that unhappiness in the street, it is because some people don't think they are getting justice. I, frankly, agree with them. I think there isn't justice in our country when this occurs.

Originally, we had the Constitution. Then after 9/11 we got the PATRIOT Act. The biggest change between the Constitution, which provided protection for us from people, bad people, for 200 years or more—the biggest difference is we changed the standard on how we would arrest people or how we would give out warrants.

I remember having this debate about 3 years ago when we talked about the PATRIOT Act. I was walking along talking to another Senator, and he was alarmed that the PATRIOT Act would expire at midnight. What would we do?

And I was like: Couldn't we, for just a couple of hours, you know, live under the Constitution?

I mean we did for 200 years, for goodness' sake. We have all kinds of tools. There is almost no judge in the land that is going to turn down a warrant. The FISA warrants, the ones they give for security, 99.9 percent of them are approved.

Couldn't we give out warrants? They said it takes too long. Computers work in the blink of an eye. In the blink of an eye, if John Smith is thought to be a terrorist and he called 100 people, in the blink of an eye, I can look at the 100 on the list and I can say: What is the evidence that some on the list look suspicious or any of them from a foreign country or any of them on another list from somebody calling from a foreign country.

There are ways to look at this where we would simply then get a warrant for the next hop and the next hop and the next hop. There is no reason we can't catch terrorists the same way we catch other bad people in society by using the Constitution.

Initially, the government had to show evidence that you were an agent of a foreign power, but this is no longer true. Now all you have to do is make a broad assertion that the arrest is related to an ongoing terrorism investigation.

The problem in the FISA Court is that when they take you to this court, it is secret. You don't get your own lawyer, and basically the government says to the FISA Court judge: Oh, yes, it is related to an investigation—but I don't believe they are forced to show that it is relating to an investigation. In some ways, I think we have gone too far because what you end up having is you have people who are saying it is related, but the question is, Is there any evidence that there is a relation to it and how could there be a relationship of everybody in America to an investigation?

We also often have given gag orders, and this is one of the big complaints of the Internet companies. They get order after order after order, a national security letter. They get all of these suspicionless warrants, and then they are told they can't talk about it or they will go to jail. There are some people who got gag warrants who were librarians and for a decade or more were not allowed to talk to anybody to say that they had received this warrant.

The American Civil Liberties Union has written that the PATRIOT Act ''violates the Fourth Amendment,'' which says the government cannot conduct a search without obtaining a warrant and showing probable cause to believe that a person has committed or will commit a crime.

The ACLU goes on to say that it ''violates the First Amendment's guarantee of free speech by prohibiting the recipients of search orders from telling others [these are the gag orders] about those orders, even where there is no real need for secrecy.''

These are the gag orders. They also say that it ''violates the First Amendment by effectively authorizing the FBI to launch investigations of American citizens in part for exercising their freedom of speech.'' Now, they went back in and they wrote the rules and said: Oh, you are not supposed to do it if it violates someone's freedom of speech. But the bottom line is that the opening we have given to the intelligence community is so wide that there are, for all practical purposes, no limitations on the gathering of your information.

In the Maryland v. Smith case, we kind of get to the point where we have said that telephone conversations are protected, but we have said trace-and-trap and pen register, where they collect your data by phone calls, is not. The problem is—and this is a problem that needs to be corrected by the courts—at this point they are essentially nonexistent. There are no protections in the court for any kind of warrant that has to be gotten for any kind of metadata.

The FBI need not show probable cause or even reasonable suspicion of criminal activity. It must only certify to a judge, without having to prove it, that such a warrant would be relevant to an ongoing investigation.

Also, typically in the past, when we gave warrants for wiretaps, they were sorted to entities. You kind of had to name the entities. But now we are giving the ability to collect data, pen register, trace-and-trap data on your phone calls nationwide. This is a severe departure from what we had had in the past because typically warrants were given under a judge's jurisdiction, so within a region. But now we have a blanket order that says we can collect any of your phone records, anywhere, anytime, across the whole country. This goes against the history of the way we have had jurisprudence.

We talk a lot about phone data but your emails are in there too. Interestingly, your emails, after 6 months, have no protection at all. So any email you have on your computer, after 6 months, has no protection at all.

Up to 6 months, there is a little bit of protection, but the government is allowed to look at—without a probable cause warrant—is able to look at whom you are communicating with and the header on the subject line. The government is also able to look at, through metadata, the Web sites you visit.

You can see how various groups would say that might be an infringement of their First Amendment because let's say the government now knows I go to Electronic Frontier Foundation or I go to EPIC or I go to ACLU. I am concerned with civil liberties. Am I a potential problem to the government? I am concerned and I am a critic of the government. Is it a problem the government now knows what Web sites I go to and that I am concerned with this?

Now, if the government would hear—they would say: No, that is not what we are doing.

But the other part of the question is maybe not yet, maybe not now, but you can also squelch and severely restrict First Amendment practices if just simply the fear of the government looking at it might change my behavior. There is all the evidence, there have been surveys, saying that 20, 25 percent of people doing things online are changing their behavior because they are afraid of the government.

The government argues that the list of Web sites and Web site addresses is simply transactional data, but I think there is much more you can garner from this data.

The PATRIOT Act that is due to expire is just three sections. Interestingly, the complaints that I have are a lot over section 215, which the government claims is their justification for collecting all of your phone records. Now, the courts have said otherwise. The appeals court said last week that the business records do not give them the authority to collect your records. In fact, the courts have been very specific that it is illegal.

The President is currently ignoring the court, and the President continues

to collect your phone data, all of your phone data, all of the time, as much as they can get. They have not changed any of their behavior, that I know of, since it was declared to be illegal.

Some of the changes—I would repeal the whole thing. I would repeal the whole PATRIOT Act. But some of the changes that I would favor, if we were allowed to change it, if we could get a consensus in this body that would mirror the consensus that I think is in America—once you get outside the beltway of Washington and you go back into America and you ask people are they for this, the vast majority of people think the government shouldn't collect all of their phone records all of the time.

But there are some changes we could make. I think the first thing we ought to do is not replace this system but basically say we are not going to collect data in bulk, that we are not going to collect your phone records, your credit card information, your emails, and where you go on the Web. We are not going to collect that in bulk.

I think we could change the PATRIOT Act to say we are only going to collect data that has to do with someone who is suspicious, that we have presented some suspicion to a judge, and that the judge said: This is probable cause.

The standard is not that hard. It is hard for me to imagine, in fact, a judge saying no. Judges always say yes. If at 3 in the morning there is a murder somewhere inside a house in DC, what do you think the odds are that when the police call for the warrant that the judge will say no? Odds are most of us want the judge to give permission. But it is the checks and balances that we want so we don't have police who operate on bias or bigotry or religious discrimination. We want the people to be bound by the rule of law.

It is kind of interesting, because you will hear Republicans sometimes give lip service to the rule of law. But in giving lip service to the rule of law, what happens is they seem to forget the whole idea of privacy. They are for it in economic transactions but not so much with regard to personal liberty.

The New York Times has written and talked about some of the economic effects of this. In an article by Scott Shane a couple of years ago, he talks about the idea that foreign citizens, many of whom rely on American companies for email Internet services, are concerned about their privacy.

Now you can say you don't care about foreigners, and they don't get the same standard as we get, so you can understand maybe there is going to be a lower standard. But realize, if we are going to say the standard is quite a bit different and that there is no protection for anybody's data on the Internet, realize that standard is going to scare people in other countries away from our stuff. It is going to scare people away from our email companies. It is going to scare people away from our search engines.

I think if you would talk to any of these companies out there—and some of these companies are some of the greatest success stories in our country—if you think of the Internet revolution and you think of how America has really led, America has been the leader. We have created hundreds of thousands of jobs, billions of dollars of profit. In our zealousness to grab up every bit of information and in our zealousness to ignore, basically, the Constitution, we are grabbing up so much stuff we are scaring people to death. There has already been billions of dollars lost to North American companies because of this, because Europeans, Asians, they don't want our stuff anymore. They don't want things with our hardware. They don't want to deal with our services because they are fearful the U.S. Government is looking at all of their transactions.

The government is pretty clueless over this. Recently, one of the members of President Obama's administration came out—in fact, several members—complaining about encryption. They are like: Well, you know, we are going to maybe have some laws to prevent these companies from encrypting things. It is like: Don't you get it? Don't you get why companies—the encryption is a response to government. The encryption is a response to a government that has run amok basically collecting our information, collecting all of our information. So if you are an American Internet company, if you are an American search engine or an American email company, what do you think you are saying? You are saying: The only way I am getting Europeans back, the only way I am getting Asians back is to say I am going to protect them from my government.

Isn't that a sad state of affairs?

People say: Well, how will you get terrorists if everything is encrypted?

Edward Snowden was using an encrypted email server, and the company that was housing him—that was specifically the genre of their business. They had a business that was encrypted because some people want to be private for a lot of different reasons, many of them legitimate—business, legal, personal reasons. But, anyway, when they came to get Edward Snowden's email, they didn't ask just to get his email; they said they wanted the encryption keys for the entire business.

See, this is the problem. You have to realize there are zealots who don't seem too concerned with your privacy rights. Imagine what they are going to do if they say to Apple: We don't want just the encryption for you to let us in one time to see John Smith, who we think is a terrorist; we want you to let us in all of your products. If they force a good company like Apple to do that, who in the world would want anything from Apple anywhere in the world? There is a danger that we will destroy great American companies by forcing this surveillance into their products.

(Mr. TOOMEY assumed the Chair.)

Senator WYDEN has also made a good point. If the government is going to mandate backdoor access to the code source and the government is going to say that Facebook or Google has to let them in a backdoor, that is a window, that is a breach of the wall, it is a breach of protection.

Senator WYDEN and others have made a good point. He said: If you do that, you will be actually weakening these companies to attacks of cyber security because if somebody can get in, somebody else who is smart can get in as well.

So there is a danger to letting the government in.

There are dozens and dozens of these programs. The NSA has something called the Dishfire database. It stores years and years of text messages from around the world. That might be fine except for it ends up trapping people who are also American citizens as well. It ends up tracking and trapping purely domestic texts that are retransmitted outside the country.

They have a program called Tracfin that collects and accumulates gigabytes of credit card purchases. I don't know—for some reason, I am more appalled by the credit card purchases than I am the phone because I think of all the stuff you can buy with your credit card and what it indicates about you.

With phones—you can find out a lot with people's phone records. When the Stanford students looked at phone records, they found that 85 percent of the time they could tell your religion. The vast majority of the time, they could tell your doctors. The vast majority of the time, they could tell what disease you had. The vast majority of the time, the government can then also connect you through social networking and tell an extraordinary amount about you.

With a credit card, it is even more explicit than that. They can tell if you drink, if you smoke, and how much, what magazines you buy, what books you read, what medicines you take. All that is on your credit card. And we are more and more that type of society. We are less and less a society of cash and more and more a society where everything is on paper. That should worry us. It should worry us that the government has access to all of our records all of the time. It should concern us that the government also says, when you ask them—and this is an important point—that your records, when held by a third party, are not protected at all. It is debatable whether that is

true. I think it needs to be looked at again by the court, and I think there are those who will, in the court, say your third-party records are. The Maryland decision was 6 to 3.

Justice Marshall felt your third-party records should be protected. He specifically mentioned that there was a potential stifling effect for association, there was a potential stifling effect for speech, and he was quite concerned that the government really should have a warrant to look at your records.

My hope is that someday the Maryland v. Smith case will be relegated to the dustbin of history, into the same dustbin in which we put Olmstead. In Olmstead, they said you couldn't have any protection for your phone records. It went on for 40 years. I think we still live with some of that because we have trained and taught the phone companies not to be great advocates for our privacy, and there doesn't appear to be seen a great deal of fighting on the part of the phone companies in advocating for us. Some of the Internet companies have begun to step up. But I would like to see both phone companies and Internet companies stand up and say: We are not going to do it. We are not going to give you access to us, and you will have to take us all the way to the Supreme Court.

If they did, if there was unified resistance among the consumer and among the companies to say ''We are not going to let you have our data without a fight, and you are going to have to prove suspicion, and that you are going to have to get a specific warrant,'' I think then we might be able to get back to a more constitutional scenario.

Within the NSA, there has also been evidence of installing filters in the facilities of Internet and telecommunication companies, serving them with court orders, and building backdoors into their software and acquiring keys to break their encryption. If this becomes the norm, you can see how people will flee American products, and people will say: I am not going to use American things. There is an enormous, beyond-imagination economic punishment to our country that is occurring now and going to continue and worsen if we don't wise up and send a signal.

So for those in this body who say: We need to collect more information. We are not getting enough information. Warrants be damned. I don't care what they do. Take all my information, get as much as you want—those people will have to explain why they are destroying an American industry and why people around the world are going to say: We are alarmed at that, and we want some protection. If we are going to use American products, if we are going to use American email, we want to know there is not going to be indiscriminate collection of our information.

Bill Binney was probably or is probably one of the highest ranking whistleblowers from the NSA. The things he has to say should disturb us because he probably knows more about this than any of us will ever know. Bill Binney said that without new leadership—this is in our intelligence agencies—new laws and top-to-bottom reform, the NSA will represent a threat of turnkey totalitarianism. The capability to turn its awesome power—now directed mainly against other countries—will now be turned on the American public.

Originally, all of these intelligence forays were to get foreigners. We lowered the standard, saying: Well, they do not live here. These are potentially terrorists, and so we are going to have a lower standard.

They started out as foreign searches. In fact, the NSA was originally intended to search for foreigners and to search the information of foreigners. And I am not opposed to that. In fact, I was on one of the Sunday morning programs this week, and they asked: Well, are you for eliminating the NSA?

I said: Of course not. I am for the NSA. I want the NSA to do surveillance that will help to protect us from attack.

Not only am I for surveillance, I am for looking as deep as it takes. But I want some suspicion. I want suspicion that this person—that there is some evidence against this John Doe. You don't have to prove they are guilty; you just have to have something that points toward them being suspicious. You then go to the judge, and the judge says: Here is a warrant. And if there is evidence the people he called is suspicious, go back to the judge and get another warrant. Go deeper and deeper. There is no reason why this couldn't be done nearly instantaneously. There is no reason why it couldn't be done 24 hours a day. And there is no reason why we can't have security and the constitution as well.

This battle has not been just about records; it has also been about another key part of the Bill of Rights, which is the right to a trial by jury, the right to due process, the right of habeas corpus. The Fifth and Sixth Amendments I see together as sort of the amendments that are with regard to your person and with regard to whether you are treated justly by your government.

As we became fearful of terrorists, we said: Well, we are just going to capture people and we will just hold them indefinitely. It is one thing to catch someone on a battlefield in a foreign land shooting at us—and I have said repeatedly that people in battle don't get due process, but people outside of battle, particularly American citizens, should. In some of these cases, we are talking about American citizens accused of a crime—perhaps terrorism—who are caught in our country. Yet, we are going to say: Well, they do not really deserve trials. They do not deserve lawyers.

In fact, and I find this really hard to believe, one Senator said recently: Well, when they ask you for a judge, just drone them. Ha-ha.

The same guy said: Well, when they ask you for a lawyer, you just tell them to shut up.

About 10 years ago, Richard Jewell was thought to be the Olympic Bomber. Everybody said he did it. The TV convicted him within minutes. Everybody said he was the Olympic Bomber. He fit the profile: He wore glasses, he was an introvert, he had a backpack, and he seemed very helpful. Somehow, that was the profile. Everybody said he did it. The only problem is, he didn't do it.

So here he was accused of being a terrorist, of exploding something, doing something terrible and killing innocent people. And I think to myself, if he had been a Black man in the South in 1920, what would have happened to him? Or if he had been any American in this century if the people who believe in no jurisprudence were really in charge. We should be afraid of ever letting these people get in charge of our government, because the thing is that Richard Jewell was innocent.

People say: Well, these aren't just American citizens, they are enemy combatants, and we don't give any kind of jurisprudence—no judges or lawyers for these people. They are enemy combatants.

Well, it kind of begs the question, doesn't it? Who gets to decide who is an enemy combatant and who is an American citizen? Are we really so frightened and so easily frightened that we would give up a thousand-year history, the Magna Carta, even before we had juries—even in the Greek and Roman times, we had juries. Are we really willing to give that up and give people a classification that the government assesses them that cannot be challenged, where people don't get a lawyer, they do not get presented to a judge and told why they are being held, and we would hold them forever?

This was the debate over indefinite detention. The response I got during the debate was: Well, yeah, we would keep them. We would send them to Guantanamo Bay.

An American citizen?

Sure, if they are dangerous.

Kind of begs the question, doesn't it? Who gets to decide who is dangerous and who is not?

When this finally made it to the Supreme Court, though, whether you could hold an American citizen, the Supreme Court rejected the administration's claim that those labeled ''enemy combatants'' were not entitled to judicial review. It took years and years to finally have the Supreme Court tell people that the Bill of Rights was still

in effect, that if you are an American citizen accused of a crime in our country, no matter how heinous, you do have a right to a trial by jury, you do have a right to a lawyer, you do have the right of habeas corpus, you do have all of the rights of an American citizen. And no one can arbitrarily take those away from you. And if you don't think that is potentially a problem, think of the South in the 1920s. Think of what would have happened if Richard Jewell were a Black man in the 1920s. He might not have lived the day. Think if Richard Jewell had been a Japanese American during World War II, when we decided that the right of habeas corpus didn't apply to you if your parents were from Japan or if your grandparents were from Japan.

There was an experiment I remember, I think in college—a psychology experiment. They put a person in a room, and they said: This person has information, and we are going to shock them just a little bit. Here is the dial. You get to decide.

They wanted to ask how high people would turn up the dial. It was pretty scary—a good amount of people you would imagine are normal, respectable people—how high they would turn the dial to shock somebody or to torture somebody. So we think that wouldn't happen, but it does.

Any time we make an analogy to horrific people in history—to Mussolini or Hitler—people say: You are exaggerating; it is a hyperbole. Maybe it is. Particularly, to accuse anybody of that is a horrific analogy, and I am not doing that.

But what I would say is that if you are not concerned that democracy could produce bad people, I don't think you are really thinking this through too much. And if you are not concerned about procedural protections—procedural protections are how evidence is gathered, how evidence is taken from your house, what rules the police have to obey.

People don't quite get this. We don't have a mature discussion on this. Any time we try to say that this should stop and that someone could be a bad policeman, the media dumb it down and say that we are saying policemen are bad. No, it is the opposite. Some 98 or 99 percent of the police are good. In fact, in the general public it is pretty close to that.

The thing is that we have the rules in place for the exception to the rule. We have these procedures in place because maybe it isn't tomorrow that we decide that we are going to round up all the Japanese Americans again and put them in internment camps, but maybe next time it is Arab Americans. So we have to be concerned with this because we don't know who the next group is that is unpopular.

The Bill of Rights isn't for the prom queen. The Bill of Rights isn't for the high school quarterback. The Bill of Rights is for the least among us. The Bill of Rights is for minorities. The Bill of Rights is for those who have minority opinions. The Bill of Rights is for those who are oddballs, those who aren't accepted, those who have unconventional thinking.

If we are so frightened that we are going to throw all the rules out and we are just going to say that here is my liberty, take it, and here are my records; I didn't do anything wrong, so I don't mind if you look at all my records; if you say the standard will now be that if I have nothing to hide, I have nothing to fear and look at everything I do, then there will be a time and there will be a danger that, in giving up your freedom, in giving up your privacy, you will find that the world you live in is not the world you intended.

There have been good folks within the National Security Agency who have talked about and have pointed out that we have gone too far. Bill Binney was one of those. He was a high-ranking NSA official who decided that they had gone too far.

There was an interview—it has probably been 1 year or 2 years ago—with Bill Binney that was in ''Frontline.''

One of the first questions was:

What a lot of people in government will say is that you don't understand; we're still at war. Remember we lost 3,000 people in 9/11. This is a very important program.

They talk about the warrantless collection of all records:

It has saved thousands of lives, as Cheney said at one point. There are multiple plots that have been stopped because of this program. You've got to be very careful about what you wish for, because if you do, you might have another attack, and you might have blood on your hands.

Fear.

What is your reaction to this question about the effectiveness of what all this has been?

Binney replied:

First of all, they like to lump it in as one program and say you can't cancel the program.

In fact, Binney was famous because he had been working on a program that did investigate terrorists but protected American information and deleted American information from incidental collection.

So he said:

That's false to begin with. It's multiple programs. The one program that dealt with domestic spying was called Stellar Wind.

Stellar Wind was one that was also created by Executive order and was done without the permission of Congress before the PATRIOT Act.

They had the other foreign ones; you mentioned the names. There were other names that were listed in the PRISM program that was dealing with foreign intelligence. There were a whole bunch of those programs, not just one.

So the point is you stop the intelligence, the domestic intelligence program, period.

So Binney's opinion was—this is the guy who wrote a lot of the original programs. Bill Binney said he would continue gathering information on foreigners. This is a guy who worked for 30 years for the NSA. He is not some dove who doesn't want to do anything about terrorists. Bill Binney worked for 30 years to develop the programs to help us catch terrorists, but he felt it wasn't proper or constitutional to collect Americans' records without a warrant. He said if we get incidental records, destroy them; don't collect them.

He says:

Eliminate them. [The records of Americans are] irrelevant to anything that—

The incidental collection—

is going on. All the terrorists would have been caught by the process that we put in place for ThinThread—

ThinThread was a program they had before they went to the unconstitutional program—

which was looking and focusing in on the groups of individuals that we already had identified and anybody in close proximity to them in the social graph, plus anybody—the other simple rules like anybody that was looking at jihadi advocating sites. . . .

Et cetera.

That would get them all, and you didn't have to do the collection of all this other data that requires all that storage, transport of information to the storage, maintenance of it, interrogation programs, all of that added expense that they are incurring as a part of it over the last 10 years. You wouldn't have any of that. . . .

Frontline then asks:

This problem of haystacks, how big a problem is that? Is that what we've done, is we've created a situation where the haystacks are bigger, and it's almost impossible to find?

This was Frontline's question. It is a question I have been asking, also. If you collect all of Americans' records all of the time, if we collect all of your phone records, can we possibly look at them?

Now, computers are getting better, but still there has to be a human involved. I think we are overwhelmed with data. At one time about a year ago, I remember an article where I think they collected millions and millions of audio hours. They had just been collecting. They were vacuuming up everything. And I think they had only been able to listen to about 25 percent of it.

So the thing is that there is information that we need to get and we should get.

When the Tsarnaev boy—the Boston Bomber—went to Chechnya, we needed to know that. We needed to continue to see if there was evidence that we could take to a judge to continue to investigate him. So we do need surveillance. But what we don't need is indiscriminate surveillance, and we don't need the haystack to get so big that we can never find the terrorist in the stack.

Binney responds:

Well, what it simply means is if you use the traditional argument they say we're trying to find a needle in a haystack, it doesn't help to make the haystack orders of magnitude larger, because it makes it orders of magnitude more difficult to find that needle in the haystack.

Frontline:

And is that what they've done?

Have we made that haystack so large that we are actually having more trouble catching terrorists because we're scooping up and swooping up all of America's data?

Binney:

That's what they've done. And now they're looking at things like game playing and things like people doing that. I mean, this is ridiculous. How relevant is that to anything?

Frontline:

But they say there're computers, and in Utah they're going to be able to take all this stored data, and they're going to be able to go through all of it, and they're going to be able to connect the dots. Connect the dots—that's what everybody wanted them to do after 9/11.

Bill Binney, former senior NSA:

See, that's always been possible. Before 9/11 we were doing that. That was already happening. We already had that program. That wasn't an issue at all. That's why we should have picked this out from the beginning. We should have implemented it, the ThinThread [program that they'd already been working, the] connect-the-dots program on everything in the world, but we didn't. That's why we failed. It wasn't a matter of not having the program; it was a matter of not implementing the program we had.

When 9/11 came, we gave medals to the heads of our intelligence agencies. No one was ever fired. Yet the 20th hijacker was caught a month in advance. Moussaoui was caught in Minnesota for trying to take off in planes but not land them. The FBI agent there wrote 70 letters to his superior trying to get a warrant. It wasn't that we had to dumb down and take away the procedural protections of warrants. The warrant wasn't denied.

They would have a much stronger argument if they could say: We tried to catch the terrorists, but the judges kept saying no to warrants.

It is absolutely not true. They didn't ask the judge for warrants. So the 70 requests in Washington sat at FBI Headquarters and weren't requested.

We also had another hijacker in Arizona training to take planes off. Once again, the FBI agent there was doing a great job in sending the information to Washington, and but people were not talking to each other. It had nothing to do with saying the Constitution is too strong, and we have to weaken the Constitution or we will never catch terrorists. It had nothing to do with that. But that is precisely the argument we have.

In the aftermath of 9/11, the PATRIOT Act was rushed to the floor—several hundred pages—and nobody read it. It didn't come out of—there was one out of the committee. They didn't use that. They rushed a substitute to the floor, and no one had time to read it. But people voted because they were fearful, and people said there could be another attack and Americans will blame me if I don't vote on this.

But we are now at a stage where we should say: Are we willing to give up our liberty for security?

Can you not have both? Can you not have the Constitution and your security? I think you can.

Several agents other than Bill Binney have also said—several national security officials—that the powers granted the NSA go far beyond the expanded counterterrorism powers granted by Congress under the PATRIOT Act.

The court now agrees with that. Any time someone tries to tell you that metadata is meaningless, don't worry. It is just whom you call. It is just your phone records. It is not a big deal. Realize that we kill people based on metadata. So they must be pretty darned certain that they think they know something based on metadata.

So these are ostensibly or presumably terrorists that are being killed. But what I would say is that if they are killing people based on metadata, I would think you would want your own metadata pretty well protected.

To give you an example of how Representatives are sometimes getting it right, in the House of Representatives, they have seen and responded to the people. THOMAS MASSIE and Representative LOFGREN introduced an amendment to the Defense appropriation bill last year. This amendment would have defunded the warrantless backdoor searches—what they are doing through 702, which is an amendment to the FISA Act. This is where we say we are investigating a foreigner, but the foreigner talks to an American who talks to other Americans, and it ripples out into enormous amounts of incidental information. The information from 702, when you analyze it—9 out of 10 bits of information that are collected—is not about the person we have targeted. They are incidentally collected about other individuals.

But when Representative MASSIE and Representative LOFGREN introduced their amendment to defund the backdoor searches and to tell the CIA and NSA that they cannot mandate that companies give a backdoor entry into their product, the amendment passed 293 to 123.

But just to show you that no good deed goes unpunished and just to show you the arrogance of the body—the vast majority of people do not want their phone records collected without warrant—what did they do when this passed 293 to 123? They stripped it out in secret in conference committee and it was gone. The reason it was gone is like everything else around here. You wonder why your government is completely broken. We lurch from deadline to deadline, and it is on purpose really. We do deadline to deadline because we have to go. It is spring break. We are going to be late for spring break. We have to go, so we have to finish this up before we go.

It is how the budget is done. No one ever votes on whether we are going spend X or Y. They put the whole budget into 2,000 pages. Nobody reads it. It is placed on our desk that day. Nobody has any idea what is in it. None of your concerns about your Government are ever addressed. We just pass, boom, the whole thing and it is out the door. It is the same way with these kinds of things. Because there is a deadline—and this amendment was passed 293 to 123, saying that we shouldn't fund these illegal searches and that we should stop the bulk collection records—it is passed overwhelmingly. Yet, in secret, somehow it is taken back out of the bill and never becomes law.

Now, while I don't agree completely or really at all with the reform that has come forward out of the House, it is at least evident they are listening. They have a bill that would end the bulk collection of records to replace it with, I think, maybe another form of bulk collection, but it still passed overwhelmingly, 330-some-odd votes. But do you know what you hear when it gets over here? They say the Senate is distanced more from the people and not as responsive—absolutely true and sometimes to the detriment of the public. Because the thing is that while it is overwhelmingly popular with the American people that we should not be collecting your phone records without a warrant—without a warrant with your name on it, and the House has recognized this and passed something overwhelmingly to try to fix it—the first thing I hear over here from people is, Well, we are not collecting enough of your phone records. They are disappointed that the government isn't getting—they have access and they claim they can get it, they gain access to everything, but the Government really is not collecting all of it, so people are very disappointed; they want to collect more.

The American people say: Enough is enough. We want our privacy protected. We want the Government to take less of our records. Congress recognizes that—the House of Representatives. Then it comes over to the Senate, and the Senate says: Oh, my goodness. We want to collect more of your records. We do not think we are getting enough into your privacy. We do not think we have completely trashed the Bill of Rights enough; let's try to gain more of your records.

One of the other things the Massie-Lofgren amendment did—that did pass over there—was to get rid of and say

that no funds would go to mandate or request that a person alter his product or service to permit electronic surveillance.

This is what is going on. What is pretty nefarious and antithetical to freedom is that our Government is telling companies like Facebook and Google and these other companies—they are forcing them to let the government have access into their products.

Everybody knows this is going on. It is no secret, and it is killing these companies in their worldwide market because non-Americans don't want to use their email. They are afraid the government has forced their way into all their transmissions.

There is currently another bill in the House put in by Representative POCAN, Representative MASSIE, Representative GRAYSON, and Representative MCGOVERN that would repeal the entire thing. It repeals the PATRIOT Act and FISA amendments of 2008, permits the courts to appoint experts, permits the courts to have appeal. It basically tries to make our intelligence courts more like an American court or American jurisprudence.

EPIC is the Electronic Privacy Information Center. They talk some about these national security letters I mentioned earlier. There are now hundreds of thousands of national security letters. These are letters that are warrants. They are not signed by judges. They are actually signed by the police. This goes against the fundamental precept of our jurisprudence. The fundamental aspect was that we divided police from the judiciary. It is supposed to be a check and balance. In case the local policemen had some sort of bias, they always had to call somebody else. It is not perfect, but it is a lot better than not having a check and balance.

When we got to NSL—this comes out of the PATRIOT Act—they start out with a few thousand, and they grow and grow. Now there are hundreds of thousands of them. But realize that the national security letter is similar to what we fought the Revolution over. We fought the Revolution over writs of assistance, which are basically generalized warrants, but they were also written by British soldiers. We were offended that a soldier would come into our house with a self-written permit.

A lot of the reaction and the reason we wrote the Bill of Rights the way we did is that we were concerned with British abuses. We were concerned with the idea of general warrants. So when we wrote the Fourth Amendment, we said that it had to be specific to an individual. We said you had to name the individual. That is one of the real problems with the bulk collection of records. They are not really based on suspicion of an individual because basically the government is collecting all of your records, indiscriminately.

The government is not even obeying the loose restrictions they put in place. The Constitution says you have to have probable cause. You have to present some evidence to a judge. You don't have to prove that they are guilty, but you have to have enough evidence that the judge says it looks like that person could be guilty of a crime.

So with the PATRIOT Act we lowered that standard and then lowered it again. For collecting information under the PATRIOT Act, all you have to do is say that the information you want is relevant to an investigation. When this got to the court, the court basically said this is absurd. So 2 weeks ago, the court just below the Supreme Court said it is absurd to say that every American's phone record is somehow relevant to a terrorist investigation. They said it takes the meaning of the word ''relevant'' and basically destroys any concept that the word has meaning at all.

The PATRIOT Act went to a much lower standard, not probable cause but just that it might be relevant to an investigation. And even with that lower standard, the court said that is absurd.

How does the President respond? The President responds by doing nothing. The President could end this program tomorrow. Every one of your phone records is being collected without suspicion, without relevance. In contradiction to even what the PATRIOT Act says, your records are being collected. The second highest court in the land has said this is illegal, and the President does nothing. The President said to Congress, Oh, yes; I will do it if Congress will do it.

It is a bit disingenuous. We did not start the program. The authors of the PATRIOT Act had no idea this was going on. The PATRIOT Act, according to the court, does not even justify this.

We are looking at telephone records. We are looking at email records. EPIC, the Electronic Privacy Information Center, has another big complaint about this; that people were put forward and then told that they could not even talk about the fact that they had been given a warrant. They were threatened with 5 years in prison for even mentioning that they had been served a warrant.

This, I think, is an obvious contradiction of the First Amendment. We have legislation that contradicts the Fourth and the First Amendments.

The national security letters in 3 years, from 2003 to 2005—these are the warrants that are written by FBI agents, not written by a judge—there were 143,000 warrants given out in our country to Americans with a warrant written by the police.

The New York Times has talked about this, and Charlie Savage in a report last year reported that the Justice Department had to apologize to a Federal appeals court for providing inaccurate information about a central case challenging the unconstitutionality.

Now, what is truth and what isn't truth. When you go to a court, it is like when your kids fight; there are two sides to everything. One child has one argument, and the other child has the other argument. The truth is listening to both sides and trying to figure out what the truth is. The court is no different. But in these courts, you are only hearing one side and only the government represents their case.

The government says that we want all the phone records because they are relevant. No one stands up on the other side and says: I object. That is one of the reforms Senator WYDEN and I have talked about, having somebody represent the accused, somebody to stand up and say maybe all the phone records in the country are not relevant, maybe they are not relevant to an investigation. It would be absurd to say every American's records would be relevant.

Probably no one in America knows more about this subject than Senator WYDEN, who I see has come to the floor. Senator WYDEN knows more about this because he has been on the Intelligence Committee for several years.

There are two tiers within Congress. There is a great deal of information that I have never been told. Even though I was elected to represent Kentucky, I am not allowed to know a lot of things that happen in the Intelligence Committee. The downside for Senator WYDEN is he is allowed to know more but then he is not allowed to talk about it, which makes it a problem. It is hard to have dissent in our country. If I am not given information, how can I complain about it? And if the Senator from Oregon is given information, he is not allowed to complain about it.

These are the things we struggle with in trying to find truth.

Mr. WYDEN. Will the Senator from Kentucky yield for a question, without losing his right to the floor?

Mr. PAUL. Yes.

Mr. WYDEN. I thank my colleague. It is good to be back on the floor with him once again on this topic.

As we have indicated, this will not be the last time we are back on the floor.

My colleague has made a number of very important points already. I was especially pleased when my colleague brought to light something that is little known; that the Attorney General of the United States is interested in—excuse me—the FBI Director is interested in requiring companies to build weaknesses into their products. In other words, we have had companies interested in encryption, as my colleague mentioned. What happened as a result of that encryption, they had a chance to start getting back the confidence of

consumers, both in the United States and worldwide—and then the FBI Director has been interested in, in effect, allowing companies to build a backdoor into their systems. This, once again, kind of defies commonsense because the keys will not just be out there for the good guys. They will also be available to the bad guys.

I am very pleased that my colleague from Kentucky highlighted one particular new development in this debate, and I have sought as a member of the Intelligence Committee for some time to come up with an approach that once again demonstrates that security and liberty are not mutually exclusive. But we are certainly not going to have both, as my colleague touched on in his statement, if the policy of the FBI Director is to require companies to build a backdoor into their products—build weaknesses into their products.

Now, the Senator from Kentucky is very much aware that my staff and a number of Senators are currently working through a number of issues and amendments related to the question of how we can pass trade legislation and get more family wage jobs for our people through exports. A number of us, myself specifically, have been concerned that the majority leader and other supporters of business as usual on bulk collection of all of these phone records would somehow try to take advantage of our current discussions and try to, in effect, sneak through a motion to extend section 215 of the USA PATRIOT Act. As long as the Senator from Kentucky has the floor, that cannot happen. My hope is that once our colleagues have agreed on a path to go forward with job-creating, export-oriented trade legislation, it will be possible to resume our work on that very important bill.

In the meantime, my question for my colleague pertains to an issue that he noted I have been at for some time. As my colleague knows, I have been trying to end the bulk phone record collection program since 2006, and the reason I have is because this bulk phone record collection program is a Federal human relations database.

When the Federal Government knows whom you have called, when you have called, and often where you have called from, which is certainly the case if somebody calls from a land line and someone has a phonebook, the government has a lot of private and intimate information about you. If the government knows that you called a psychiatrist three times, for example, in 36 hours, twice after midnight, the government doesn't have to be listening to that call. The government knows a whole lot about what most Americans would consider to be very private.

This has been an important issue. My colleague from Kentucky has been an invaluable ally on this particular cause since he arrived in the Senate, and I just want to give a little bit more background and then get my colleague's reaction to this question.

I have seen several of my colleagues come to the floor of the Senate and talk about why we ought to keep a bulk phone record collection, and the statement has somehow been that this is absolutely key for strong counterterror. That is a baffling assertion, I say to my colleague from Kentucky, because even the Director of National Intelligence and the Attorney General are saying it is not. So what we have are Members of the Senate saying that bulk collection—some of them—ought to be preserved in order to fight terror, and the Director of National Intelligence and the Attorney General, two individuals who are not exactly soft on terror, saying it is not.

If Senators, and those who might be following this debate, are seeking a more detailed analysis, I hope they will check out the very lengthy report on surveillance that was issued by the President's review group. This group's members have some very impressive national security credentials. These are not people who are soft on fighting terror. One of them was the Senior Counterterror Adviser to both President Clinton and President Bush and another served as Acting Director of the CIA, and this review group—a review group led by individuals with pristine antiterror credentials—said on page 104 of their report that ''the information contributed to terrorist investigations by the use of section 215 [bulk] telephony meta-data was not essential to preventing attacks and could readily have been obtained in a timely manner using [individual] section 215 orders.''

What this distinguished group of experts said supports what the Senator from Kentucky is saying and what I and others have been saying for some time.

The Senator from Kentucky pointed out my service on the Intelligence Committee. I think Senator FEINSTEIN and I are two of the five longest serving members in the committee's history. We didn't find out about bulk collection until it had been underway for quite some time because it was concealed from most members of the Intelligence Committee for several years. But given the fact that we began to see in 2006 and early 2007 what is at stake, this has been a fight that has been going on for 8 years.

An additional reason I appreciate the Senator from Kentucky being here now is that for these 8 years and multiple reauthorizations, it has always been the same pattern. It was almost like the night follows the day. Those who were in favor of dragnet surveillance and those who were in favor of the bulk collection program, in effect, wait until the very last minute and then they say: Oh, my goodness. It is a dangerous world. We have to continue this program just the way it is.

Well, I tell my colleague from Kentucky, and I know he shares my view on this, that there is no question that it is a very dangerous world. Anybody who has served on the Intelligence Committee, as I have for more than 14 years, and goes into those classified meetings on a weekly basis, does not walk out of there without the judgment that it is a very dangerous world. But what doesn't make sense is to be pursuing approaches that don't make us safer and compromise our liberties. That is what doesn't make sense.

Last year, along with my colleagues Senator HEINRICH and Senator Mark Udall, I filed a brief in a case that was before the Court of Appeals for the Second Circuit. It is an important court. It is one of the highest courts in our country.

In the brief, we said we ''have reviewed this surveillance extensively and have seen no evidence that the bulk collection of Americans' phone records has provided any intelligence of value that could not have been gathered through means that caused far less harm to the privacy interests of millions of Americans.''

What we are talking about, in effect, are conventional approaches with respect to court orders and then there are emergency circumstances. So when the government believes it has to act to protect the American people, it can move quickly and then, in effect, come back and settle up later.

The conclusion we reached after reviewing bulk collection very carefully was based on 8 years' worth of work, and of course we recently had this court declare bulk collection to be illegal.

My first question is, Does the Senator from Kentucky agree there is no evidence that dragnet surveillance now makes America any safer?

Mr. PAUL. Mr. President, that is a great question, and I also think it is very difficult to prove these things one way or another sometimes. We are at a great disadvantage because a lot of times they hold all of the information. I think it was nothing short of miraculous that you and others were able to investigate this and show that in reality all of these folks who they allege could have been caught would have been caught through traditional surveillance and through traditional warrants.

I think this is a pretty important point because they want us to live in fear and give up the Fourth Amendment, but it turns out even the practical argument is not an accurate one because it turns out that almost always, if not always, the terrorists seem to be caught through sort of the normal channels of human intelligence, suspicion, and finding out something about them that causes us to investigate them.

I, like the Senator from Oregon, do want to catch terrorists and I also want to keep our freedom at the same time. I think it was a pretty important conclusion, not only by the review board but also by the Privacy and Civil Liberties Oversight Board as well, the review panel, two groups of folks from the administration.

I am also interested in hearing the Senator from Oregon talk about an op-ed he wrote which appeared in the Los Angeles Times in December. Senator WYDEN wrote that building a backdoor into every cell phone, tablet or laptop means directly creating weaknesses that hackers and foreign governments can exploit.

I would be interested in entertaining a question concerning that.

Mr. WYDEN. Mr. President, I apologize to my colleague. I ask that my colleague restate his question.

Mr. PAUL. This is on op-ed that was written by the Senator from Oregon and appeared in the LA Times in December. The op-ed says that building a backdoor into every cell phone, tablet or laptop means deliberately creating weaknesses that hackers and foreign governments can exploit.

I think expanding on that in the form of a question would help us to understand exactly what the Senator means by that.

Mr. WYDEN. What the Senator is asking about is a statement made by the FBI Director, Mr. Comey. This is not some kind of hidden article. It was on the front pages of all of our papers and really deserves, as my colleague is suggesting, some consideration.

In fact, one of the last things I did as chairman of the Senate Finance Committee—I had a relatively short tenure there in 2014—was to hold a workshop in Silicon Valley on this issue. The problem stems from the fact that with the NSA overreach taking a huge toll on our companies and the confidence that consumers, both here and around the world, had in the privacy of their products, these companies said we have to figure out a way to make sure consumers here and around the world understand that we are going to protect their privacy. So they decided to put in place products that had strong encryption. They felt that was important to be able to assure their consumers that when they sold something, their privacy rights were protected. In doing so, of course, they also made it clear, as has always been the case, that when the government believes an individual could put our Nation at risk, you get an individual court order, you use emergency circumstances, and you could still get access to information.

The response by our government, which contributed mightily to the problem by the NSA's overreach in the first place, was our government saying: Nope. You are not going to be able to use that encryption to bring back the confidence that Americans and people around the world have in your products. There were projections that these companies were already losing billions and billions of dollars in terms of the consequences of loss of privacy.

The response of the government was to say: We are looking at requiring you to build weaknesses into your products and, in effect, create a backdoor so we can get easy entry.

(Mr. GARDNER assumed the Chair.)

I know at townhall meetings at home in Oregon, I have talked about the concept of our government requiring companies to build weaknesses into their products. People just slap their foreheads. They say: What is that all about? It is your job to make sure we have policies that both secure our liberty and keep us safe. It is not your job to tell companies to build weaknesses into their products.

In effect, you have to just throw up your hands when they say: We can't do it, so the company ought to build weaknesses into the products.

As my colleague said, I pointed out that once you do that, it will not just be the good guys who have the keys, it will be bad guys who have the keys at a time when we are so concerned about cyber security.

I wish to ask my colleague one other question on one other topic he and I have spoken about at great length. Is the Senator from Kentucky troubled by the fact that a number of high-ranking intelligence officials have not been forthright in recent years with respect to this bulk collection and the collecting of data on millions or hundreds of millions of Americans? As my colleague knows, I have been particularly troubled by this.

I ask the question because my colleague and I have pointed out that we have enormous admiration for the rank-and-file in the intelligence field. These are individuals who day in and day out get up in the morning and contribute enormously to the well-being of the American people, and we have enormous respect for them. We are grateful to them. They are patriots, and they serve us well every day. I personally do not think they have been well-served by the fact that a host of high-level intelligence officials have not exactly been straight or forthright with the Congress and the American people on these issues.

I would be interested in the views of my colleague on this subject because we have discussed this at some length. I am glad to be able to put it in the context of making sure that Americans know that the two of us greatly respect the thousands of people who work in the intelligence field and serve us well and do and have done the things necessary to apprehend and kill bin Laden but that we are concerned about the question of the veracity, the forthrightness of some of the members of the intelligence community at the highest levels. What is the reaction of my colleague to that?

Mr. PAUL. I think the vast majority of the intelligence community, as are the vast majority of policemen, good people. They are trying to do what is best for the country. They are patriotic people, and they are really trying to do what is necessary within the confines of the law.

The issue is that the intelligence community has such vast power, and a lot of it is secret power. So we have to have a great deal of trust in those who run the agency because we have entrusted them with such enormous power to look through information. Then, when they come to us and say, ''Well, you have to give up a little more liberty; you have to give up a little bit more in order to get security,'' we have to trust the information because they control all of the information they give us. And then we find—when we ask a high-ranking official in the committee whether they were doing bulk collection of data and the answer was not true—they said they weren't doing something that they obviously were doing—it makes us distrust the whole apparatus.

I agree with the Senator from Oregon that the vast majority of law enforcement and the intelligence community are good people. They are patriotic. They want to stop terrorism, as we all do. But what we are arguing about is the process and the law and the Constitution and trying to do it within the confines of the Constitution. But when we have someone at the very top who doesn't tell the truth in an open hearing under oath, that is very troubling and makes it difficult.

Mr. WYDEN. I appreciate my colleague's assessment on that issue. He knows that it was very troubling that in 2012 and in 2013, we just weren't able to get straight answers to this question of collecting data on millions or hundreds of millions of Americans.

My colleague will recall that the former NSA Director said that—he had been to a conference—and that he was not involved in collecting ''dossiers'' on millions of Americans. Having been on the committee at that point for over a dozen years, I said: Gee, I am not exactly sure what a ''dossier'' means in that context.

So we began to ask questions, both public ones, to the extent we could, and private ones, about exactly what that meant, and we couldn't get answers to those questions. We just couldn't get answers.

The Intelligence Committee traditionally doesn't have many open hearings. By my calculus, we probably get to ask questions in an open hearing for maybe 20 minutes, maximum, a year. So after months and months of trying to find out exactly what was meant, we felt it was important to ask the Director of National Intelligence exactly

what was meant by these ''dossiers'' and government collecting data and the like. So at our open hearing, I said: I am going to have to ask the Director of National Intelligence about this. And because I have long felt that it was important not to try to trick people or ambush them or anything of the sort, we sent the question in advance to the head of national intelligence. We sent the exact question: Does the government collect any type of data at all on millions of Americans? We asked it so that he would have plenty of time to reflect on it. We waited to see if the Director would get back to us and say: Please don't ask it. There has always been a kind of informal tradition in the Intelligence Committee of being respectful of that. We didn't get that request, so I asked it. When I asked: Does the government collect any type of data at all on millions of Americans, the Director said no. I knew that wasn't accurate. That was not a forthright, straightforward, truthful answer, so we asked for a correction. We couldn't get a correction.

I would say to my colleague that since that time, the Director or his representatives have given five different reasons why they responded as they did, further raising questions in my mind, not with respect to the rank-and-file in the intelligence community—the thousands and thousands of hard-working members of the intelligence community my colleague and I feel so strongly about and respect so greatly.

I wish to ask just one other question with respect to where we are at this point and what is ahead. As long as the Senator from Kentucky holds the floor, no one will be able to offer a motion to consider an extension of the USA PATRIOT Act. But at some point in the near future, whether it is this weekend or next week or next month, my analysis is the proponents of phone record collection are going to seek a vote in the Senate to continue what I consider to be this invasion of privacy of millions and millions of law-abiding Americans. When that happens, I intend to use every procedural tool available to me to block that extension. And if at least 41 Senators stand together, we can block that extension and block it indefinitely. If 41 Senators stick together, there isn't going to be any short-term extension, and finally, after something like 8 years of working on this issue, finally we will be saying no to bulk phone record collection.

I am certain I know the answer to this question, but I think we both want to be on the RECORD on this matter. When that vote comes, the Senator is going to be one of the 41 Senators who are going to block that extension. I have appreciated his leadership.

I would just like his reaction to our efforts to go forward once again when we have to do it with proponents of mass surveillance seeking an actual vote to continue business as usual with respect to dragnet surveillance.

Mr. PAUL. I think the American people are with us. I think the American people don't like the idea of bulk collection. I think the American people are horrified.

I think it will go down in history as one of the most important questions we have asked in a generation when the Senator from Oregon asked the Director of National Intelligence: Are you gathering in bulk the phone records of Americans? And when he didn't tell the truth and then when the President kept him in office and then how that led to this great debate we are having now—I think the American people are with us.

I don't think those inside Washington are listening very well, so I think those inside Washington have not come to the conclusion yet. But I think the Senator from Oregon is right. There may be enough of us now to say: Hey, wait a minute, you are not going to steam roll through once again something that isn't even doing what you said it is going to do.

No one said at the time of the PATRIOT Act that it meant we could collect all records of all Americans all the time. In fact, in the House, one of the cosponsors of the bill, JAMES SENSENBRENNER, knew all about the PATRIOT Act. He was a proponent of the PATRIOT Act, and he said never in his wildest dreams did he think that what he voted for would say we could gather all the records all the time.

But I am interested in another question, and that would be whether the Senator from Oregon has a question that will help us to better understand, if we were to stop bulk collection tomorrow, if we were to eliminate what is called section 215 of the PATRIOT Act, if we were to do that, is there still concern and worry about what is called Executive Order 12333?

I am not aware of whether the Senator can or can't talk about this or what is public. From what I have read in public and from one of the insightful articles from John Napier Tye, the section chief for Internet freedom in the State Department, he has written that his concern is that this Executive order may well allow a lot of bulk collection that is not justified and not given sanction under the PATRIOT Act.

Does the Senator from Oregon have a question that might help the American public to understand that?

Mr. WYDEN. I would just say to my colleague that we always have to be vigilant about secret law. And we have, in effect, found our way into this ominous cul-de-sac that the Senator from Kentucky and I have been describing here this afternoon really because of secret law.

As I wrap up with this question and hearing the concern of my colleague—because I think that is what is at the heart of his question, that ''secret law'' is what the interpretation is in the intelligence community of the laws written by the Congress. Very often those secret interpretations are very different from what an American will read if they use their iPad or their laptop. For example, on section 215, bulk phone records collection, I don't think very many people in Kentucky or Oregon took out their laptop, read the PATRIOT Act, and said: Oh, that authorizes collecting all the phone records on millions of law-abiding Americans.

There is nothing that even suggests something like that, but that was a secret interpretation.

So I am very glad the Senator from Kentucky has chosen to have us wrap up at least this part of our discussion with the questions that we have directed to each other on this question of secret law because, as my colleague from Kentucky and I have talked about, we both feel that operations of the intelligence community—what are called sources and methods—they absolutely have to be secret and classified because if they are not, Americans could die. Patriotic Americans who work in the intelligence community could suffer grievous harm if sources and methods and the actual operations were in some way leaked to the public. But the law should never be secret. The American people should always know what the law means. And yet, with respect to bulk collection and why that court decision was so important, what happened was that a program that had been kept secret, that had been propped up by secret law, was declared illegal by an important court.

So I will just wrap up by way of saying that the Senator from Kentucky and I have always done a little kidding over the years about our informal Ben Franklin caucus. Ben Franklin was always talking about how anybody who gave up their liberty to have security really deserves neither.

I just want to tell my colleague that I am very appreciative of his involvement in this. From the time my colleague came to the Senate, he has been a very valuable ally in this effort. My colleague recognized this was not about balance. This is a program that doesn't make us safer but compromises our liberty. It is not about balance. And at page 104, you can read that the President's own advisers say that.

So I am very pleased that the informal Ben Franklin caucus is back in action this afternoon. I look forward to working closely with my colleagues on this. As I indicated by my question, I expect we will be back on the floor of this wonderful body before long having to once again tackle this question of whether it ought to be just business as usual and a re-up of a flawed law. My colleague and I aren't going to accept that.

I thank him for his work today. These discussions and being on your feet hour after hour are not for the fainthearted. I appreciate my colleague's leadership, and I once again yield the floor back to him.

Mr. PAUL. Mr. President, I would like to thank the Senator from Oregon, and I would like to point out to the American people, to people who are always crying out and saying ''Why can't you work together? Why can't you work with the other side?'' that I think we have a false understanding sometimes of compromise. The Senator from Oregon is from the opposite party. We are in two opposite parties, and we don't agree on every issue. But when it comes to privacy and the Bill of Rights and what we need to do to protect the Fourth Amendment, we are not splitting the difference to try to find a middle ground between us. We both believe in the Fourth Amendment. We both believe in protecting the Fourth Amendment and protecting your right to privacy.

So bipartisanship can be about two people believing in the same thing but just being in different parties. It means we may not agree on 100 percent of issues, but on a few, we are exactly together, and we don't split the difference. It isn't always about splitting the difference.

You can have true, healthy bipartisanship, Republican, Democrat, Independent coming together on a constitutional principle, coming together on something that is important.

I didn't come to the floor today because I want to get some money for one individual project for one person. I came because I want something for everybody. I want freedom for everybody, and I want protection for the individual. I want protection against the government's invasion of your privacy.

I thank the Senator from Oregon for his insightful questions.

One of the things we talked a little bit about as Senator WYDEN and I were going through a series of questions was some of the different boards that have been put in place by the President and have come out and said that the program—the Executive order—the President put in place two panels, a review panel and another one called the Privacy and Civil Liberties Oversight Board, and, interestingly, both panels told him the same thing: that what he was doing was illegal and wrong and it ought to stop. Then the President came out and said ''That is great,'' but then he keeps doing it.

I don't quite understand because I like the President and I take him at his word, and he says: Well, yes, I am balancing this and that, and they told me this, and if Congress stops it, I will obey Congress. It is like, we didn't start this. The President started this program by himself. He didn't tell us about it. Maybe one or two people knew about it. Almost all of the representatives didn't know about it, and no Americans knew about it. And then when we asked them about it, they lied to us and said they weren't doing it.

The President has two official panels, and they both said it is illegal and ought to stop. And the PATRIOT Act doesn't justify what they are doing. And this was all created by Executive order.

So what is the President's response? He just keeps collecting your records. Does nobody in America think this is strange or unusual that the President will continue a program that his own advisers tell him is illegal and that the courts have now said is illegal, and he goes on.

But this isn't all one-sided. That is for one political party. But in my political party, there are people saying: I guess the President's advisers say it is illegal, the court says it is illegal, but, man, they are not collecting enough. I just wish they were collecting more Americans' records without a warrant.

What a bizarre world, that people don't seem to be listening to the courts, to the experts, or to the Constitution.

The Privacy and Civil Liberties Oversight Board, though, I think really had some insightful comments. They give a description, first of all, of collecting all of your phone records, and I like the way they put it. They said that an order was given so that the NSA is ''to collect nearly all call detail records generated by certain telephone companies in the United States. . . .'' Sometimes when you read a sentence, you don't quite get to the importance. ''Nearly all.'' So we are not talking about 1,000 records. We are not talking about 1 million records. We are talking about nearly all of the records in the entire United States. There are probably over 100 million phones, I am thinking, in the United States, so over 100 million records. Every record has thousands of pieces of information in it, so we are talking about billions of bits of information that the government is collecting.

I don't have a problem if they want to collect the phone data of terrorists. In fact, I want them to. I don't have a problem if they will go 100 hops into the data if they have a warrant. If John Doe has a warrant, look at all his phone records. Ask a judge to put his name on the warrant and look at all of his records. If there are 100 people he called and they are people you are suspicion of, call them, too. Go to the next hop, go to the next hop, go to the next hop. There is no limit. But just do it appropriately. Do it appropriately with a warrant with somebody's name on it. I see no reason why we can't do this with the Constitution.

We are now collecting the records of hundreds of millions of people without a warrant, and I think it needs to stop. The President's own commission says to stop. Here is what the commission says: ''From 2001 through early 2006 the NSA collected bulk data based on a Presidential authorization.''

So, interestingly—and this ought to scare you, too—they didn't even use the PATRIOT Act in the beginning at all. The President just wrote a note to the head of the NSA and said: Just start collecting all their stuff, without any kind of warrant. And then later on they started saying: Well, maybe the PATRIOT Act justifies this. But for 5 years they collected data with no warrant and with no legal justification, and they do it through something they call the inherent powers of the President, article II powers.

Article II is the section of the Constitution that gives the President powers. We designate what the President can do. Article I designates what we can do. Interestingly, our Framers put article I first, and those of us in Congress think that maybe they thought the powers of Congress were closer to the people and more important, and they gave delegated powers to us, and they were very specific.

But what concerns me about the bulk collection is that for 5 years it wasn't even done with regard to the PATRIOT Act. I am guessing it was done under the Executive order.

As much as I don't like the PATRIOT Act and would like to repeal the PATRIOT Act and simply use the Constitution, I am afraid that even if we repeal the PATRIOT Act, they would still do what they want. Your government has run amok. Things are runaway, and the government really is not paying attention to the rule of law.

For the first time, in 2006, the court got involved. The intelligence court at that time finally heard the first order under section 215. So for 5 years they were collecting all the phone records with just a Presidential order. Now we do it under the PATRIOT Act.

But the rule of law is about checks and balances. It is about balancing the executive branch and the legislative branch and the judiciary branch. It is about balancing the police in the judiciary. We talked about warrants and the police not writing warrants.

I see on the floor one of the Nation's leading experts in the Fourth Amendment and the Constitution, who has recently written a book on this, and I told him recently I have been stealing his story and at least half the time giving him credit for it. But I talked earlier on the floor about the story of John Wilkes, and if the Senator from Utah is interested in telling us a little bit of the story, I would like to hear a little bit from his angle or in the form of a question or any other question he has.

Mr. LEE. I would like to be clear at the outset that while the Senator from Kentucky and I come to different conclusions with regard to the specific

question as to whether we should allow section 215 of the PATRIOT Act to expire, I absolutely stand with the junior Senator from Kentucky and, more importantly, I stand with the American people.

With regard to the need for a transparent, open amendment process and for an open, honest debate in front of the American people on the important issues facing our Nation, including this one—and I certainly agree with the Senator from Kentucky that the American people deserve better than what they are getting, and, quite frankly, it is time that they expect more from the Senate.

On issues as important as this one, on issues as important as the right to privacy of our citizens and our national security, this is not a time for more cliffs, more secrecy, and more eleventh-hour backroom deals that are designed to mix conflict, mix crisis in a previously arranged time crunch in which the American people are presented with something where they don't really have any real options.

It is time for the kind of bipartisan, bicameral consensus I believe is embodied in the USA FREEDOM Act. While I often criticize Congress for our economic deficits, our financial deficits, the core of this current challenge we face is centered around the Congress's deficit of trust—in this particular circumstance, the Senate's deficit of trust. Members of our body routinely tell the American people to just trust us. Trust us, we will get it right. Just trust us, we will appropriately balance all the competing concerns.

I think it is time that we trust the American people by having an honest discussion with them emanating from right here on the floor of the Senate. It is time to discuss and debate and to amend the House-passed USA FREEDOM Act.

I am confident that Senator PAUL and others among my colleagues who have different ideas from mine will be happy to offer and debate amendments to improve it and make it something perhaps that they could even support. In fact, as far as I am aware, Senator PAUL and others have amendments that they are eager and anxious and willing and ready to present and to have discussed here on the floor and voted on right here on the floor of the Senate.

But first I am calling on my Republican and Democratic colleagues to help repair the dysfunctional legislative branch we have inherited, to rebuild the Senate's reputation as not only our Nation's but the world's greatest deliberative body, and, by extension, slowly restore the public's confidence in who we are and what we are here to do here in the Senate.

The greatest challenge to policymaking today is perhaps distrust. The American people distrust their government. They distrust Congress in particular. It is not without reason. For their part, Washington policymakers seem to distrust the people.

Almost as pressing for the new majority here in the Senate is that the distrust that now exists between grassroots conservative activists and elected Republican leaders can be particularly toxic. Leaders can respond to this kind of distrust in one of two ways. One option involves the bare-knuckles kind of partisanship that the previous Senate leadership exhibited over the last 8 years, twisting rules, blocking debate, and blocking amendments, while systematically disenfranchising hundreds of millions of Americans from meaningful political representation right here in this Chamber. But this is no choice at all. Contempt for the American people and for the democratic process is something Republicans should oppose in principle. In fact, it is something we oppose in principle.

We should throw open the doors of Congress, throw open the doors of the Senate, and restore genuine representative democracy to the American Republic. What does this mean? Well, it means no more cliff crises, no more secret negotiations, no more ''take it or leave it'' deadline deals, no more passing bills without reading them, and no more procedural manipulation to block debate and compromise. These are the abuses that have created today's status quo—the very same status quo that Republicans have been elected to correct.

What too few in Washington appreciate and what this new Republican majority in Congress must appreciate if we hope to succeed is that the American people's distrust of their public institutions is totally justified. There is no misunderstanding here. Americans are fed up with Washington, and they have every right to be. The exploited status quo in Washington has corrupted America's economy and their government, and its entrenched defenders, powerful and sometimes rich in the process. This situation was created by both parties, but repairing it is now going to fall to those of us in this body right now. It is our job to win back the public's trust. That cannot be done simply by passing bills or even better bills. The only way to gain trust is to be trustworthy. I think that means that we have to invite the people back into the process, to give the bills we do pass the moral legitimacy that Congress alone no longer confers.

In order to restore this trust, Members will have to expose themselves to inconvenient amendment votes, inconvenient debate and discussion, and scrutiny of legislation we are considering. The result of some votes in the face of certain bills may, indeed, prove unpredictable, but the costs of an open source, transparent process are worth it for the benefits of greater inclusion and more diverse voices and views and for the opportunity such a process would offer to rebuild the internal and the external trust needed to govern with legitimacy.

My friend and colleague, the junior Senator from Kentucky, has referred to a story of which I have become quite fond, a story that I have written about and talked about in various venues throughout my State and throughout America. It relates to a lawmaker, a lawmaker who served several hundred years ago, a lawmaker named John Wilkes—not to be confused with John Wilkes Booth, Lincoln's assassin. This John Wilkes served in the English Parliament in the late 1700s.

In 1763, John Wilkes found himself at the receiving end of anger and resentment by the administration of King George III. King George III and his ministers were angry with John Wilkes.

At the time, there were these weekly news circulars, weekly news magazines that went out and would often just extol the virtues of King George III and his ministers. One of them was called the Briton. The Briton was written, produced, and published by those who were loyal to the King, and they would say only glowing things about the King. They would write things about the King saying: Oh, the King is fantastic. The King can do no wrong. Had sliced bread been invented as of 1763, I am sure the Briton would have reported that the King was the greatest thing since sliced bread. All they could say were nice things about the King because they were written by the King's people.

Well, John Wilkes decided to buck that trend. He started his own weekly circular called the North Briton. The North Briton took a different angle. The North Briton took the angle that it was supposed to be in the interests of the people that he reported the news and that he made commentary. So in the North Briton John Wilkes would occasionally be so bold as to criticize or question King George III and the actions of the King and of the King's ministers.

This proved problematic for some in the administration of King George III. The last straw seemed to come with the publication of the 45th edition of the North Briton, North Briton No. 45. When North Briton No. 45 was released, the King and his ministers went crazy. Before long, John Wilkes found himself arrested. John Wilkes found himself subjected to a very invasive search pursuant to a particular type of warrant. It had become, unfortunately, all to common in that era, a type of warrant we will refer to as a general warrant. Rather than naming a particular place or a particular person where things would be searched and seized, this warrant simply identified an offense and said: Go after anyone and everyone

who might in some way be involved in it. It gave unfettered, unlimited discretion to those executing and enforcing this warrant as to how and where and with respect to whom this warrant might be executed.

So they went through his house even though he was not named in the warrant, even though his home, his address, was not identified in the warrant. They searched through everything. John Wilkes was, understandably, outraged by this, as were people throughout the city of London when they became aware of it. John Wilkes, while in jail, decided he was going to fight back. He fought in open court the terms and the conditions of his arrest. He ended up fighting against this general warrant. He eventually won his freedom.

Over time, he was reelected repeatedly to Parliament. In time, he also brought a civil suit against King George III's ministers who were involved in the execution of this general warrant, and he won. He was awarded 4,000 pounds, which was a very substantial sum of money at the time. The other people who were subjected to the same type of search under the same general warrant were also awarded a recovery under this same theory, to the point that in present-day terms, there were many millions of dollars that had to be paid out by King George III and his ministers to the plaintiffs who sued under this theory that they were unlawfully subjected to a search under a general warrant.

In time, the number 45, in connection with the North Briton No. 45—the publication that had sparked this whole inquiry—the number 45 became synonymous with the name John Wilkes, and then John Wilkes in turn became synonymous with the cause of liberty. People throughout Britain and throughout America would celebrate the cause of freedom by celebrating the number 45. It was not uncommon for people to buy drinks for their 45 closest friends. It was not uncommon to write the number 45 on the side of buildings, taverns, saloons. It was not uncommon for the number 45 to be raised in connection with cries for the cause of liberty. So the number 45, the name John Wilkes, and the cause of liberty all became wrapped up into one.

It was against this backdrop that the United States was becoming its own Nation. When it did become its own Nation, when we adopted a Constitution, and when we decided shortly thereafter to adopt a Bill of Rights, one of the very first amendments we adopted was the Fourth Amendment. The Fourth Amendment responded to this particular call for freedom by guaranteeing that in the United States we would not have general warrants. The Fourth Amendment makes that clear. It contains a particularity requirement stating that any persons or things subject to search warrants would have to be described with particularity. The persons would have to be identified or at least an area or a set of objects would have to be identified rather than the government just saying: Go after anyone and everyone who might be connected with this offense or with this series of events.

At that time, there were no such things as telephones. Those would not come along for a very long time. They certainly did not imagine, could not have imagined, the types of communications devices we have today. Nevertheless, the principles that they embraced at the time are still valid today, and they are still relevant today. The principles embodied in the Fourth Amendment are still very much applicable today. The freedom we embraced then is still embraced today by the American people, who, when they become aware of it, tend to be offended by the notion that the NSA can go out and get an order that requires the providers of telephone services to just give up all of their data, give up all of their calling records, to give those over to a government agency that will then put them into a database and keep track of where everyone's telephone calls have gone.

The idea behind this program is to build and maintain a database storing information regarding each call you have made and each call that has been made to you, what time each call occurred, and how long it lasted. This is an extraordinary amount of information, information that, while perhaps relatively innocuous in small pieces, when put together in a single database—one that includes potentially more than 300 million Americans, one that goes back 5 years at a time—can be used or could easily be abused in such a way that would allow the government to paint a painfully clear portrait, a silhouette of every American. Some researchers have suggested, for example, that through metadata alone, it could be ascertained how old you are, what your political views are, your religious affiliation, what activities you engage in, the condition of your health, and all other kinds of personal information.

One of the reasons this is distressing is, that, unlike a program that would involve listening to the content of your telephone calls—which, of course, is not at issue with respect to this program—all of this can be done with a high degree of automation, such that those intent on abuses could do so with relative ease, with the type of ease that they would not have access to absent this type of automation.

Sometimes people are inclined to ask me: Where is the evidence that this particular program is being abused? What can you point to that suggests anyone has used this for a nefarious political purpose or for some other illegitimate purpose not connected with protecting American national security?

I have a few responses to them. First and foremost, we do need to look to the Constitution, both to the letter and spirit of that founding document that has fostered the development of the greatest civilization the world has ever known. It isn't important for its own sake simply because we have taken an oath to uphold, protect, and defend it as Members of this body. The Constitution is an end unto itself. It is important that we follow it regardless of whether we can point to some particular respect in which this particular program has been abused.

Secondly, even if we assume, even if we stipulate for purposes of this discussion that no one within the NSA is currently abusing this program for nefarious political purposes or otherwise, even if we assume no one within the NSA currently is even capable of abusing or has any inclination to abuse this program at any point in the future, I would ask the question: Can we say we are certain that will always be the case? Who is to say what might happen 1 year from now, 2 years from now, 5 years, 10 years or 15 years from now?

We know how these things happen. We understand something about human nature. We understand what happens to human beings as soon as they get a little bit of power. They tend to abuse it.

Remember the investigation brought about by Senator Frank Church in the 1970s. Senator Frank Church, when he investigated wiretap abuses—abuses of technology that was still only a few decades old back in the 1970s when this occurred—the Church Committee concluded, among other things, that every Presidential administration from FDR through Richard Nixon had abused our Nation's investigative and counterintelligence agencies for partisan, political purposes to engage in political espionage. Every single one of those administrations from FDR to Nixon had done that.

In that sense, we have seen this movie before. We know how it ends. We know that even though the people working at the NSA today might well have only the noblest of intentions, over time these kinds of programs can be abused, and we know a lot of people in America understand the potential for this abuse.

Thirdly, I have to point out that the NSA currently is collecting metadata only with respect to phone calls. But under the same reading of section 215 of the PATRIOT Act that the NSA has used to collect this metadata—a reading with which I disagree and a reading with which the U.S. Court of Appeals for the Second Circuit disagreed in its thoughtful, well-written opinion just about 2 weeks ago—even though the NSA is currently collecting only telephone call metadata right now, there is nothing about the way the NSA reads

section 215 of the PATRIOT Act—which is incorrect, by the way, an incorrect reading—but there is nothing about that reading that would limit the NSA to collecting only metadata related to telephone calls.

So who is to say the NSA might decide tomorrow or next year or a couple of years from now—if we reauthorize this—or at some point down the road during a period of reauthorization, that the NSA will not decide at that point to begin collecting other types of metadata, not just telephone call metadata but perhaps credit card metadata, metadata regarding people who reserve hotels online, regarding emails that people send or receive, regarding Web sites that people visit online, regarding online transactions that occur. Those are all different types of metadata.

Now, again, I disagree with the NSA's legal interpretation of section 215 of the PATRIOT Act. I think they are abusing it. I think they are misusing it. I think they have dangerously misconstrued it, just as the U.S. Court of Appeals for the Second Circuit concluded a few weeks ago. But this is their interpretation. And if we reauthorize this, are we not reauthorizing, in some respects, or at least enabling them to continue this? I don't think we are validating or ratifying what they are doing.

Their interpretation of it is still wrong, but we are enabling them to engage in a continued ongoing practice of abuse of the plain language of section 215, which requires that anything they collect be relevant to an investigation.

Well, their interpretation of ''relevant to the investigation'' is we might at some point in the future deem this material relevant to what we might at some point in the future be investigating. That cannot plausibly, under any interpretation of the word ''relevance,'' be acceptable. And it was on that basis that the Second Circuit rejected the NSA's interpretation.

In any event, that same interpretation will still be the NSA's interpretation if, in fact, we reauthorize this.

There is nothing stopping the NSA from using that same interpretation—mistaken interpretation but an interpretation nonetheless—of section 215 in a way that would allow—there is nothing stopping them from using that same misinterpretation of a statutory language for the purposes of gathering metadata on credit card usage, on online activity, on emails sent online and received. From that you can discern even more information about a person's profile. You can come up with a very frighteningly accurate picture of anyone based on that kind of metadata, just as you can now, but that would give them an even bigger picture. That would be an even greater affront to the privacy interests of the American people.

All of this relates back to the idea that the government shouldn't be able to go out and say: Here is a court order. We want all of your information. We want all of your data. Just give it to us because we might want it later.

This type of dragnet operation is incompatible with our legal system. It is incompatible with hundreds of years of Anglo-American legal precedence. It is incompatible with the spirit, if not the letter, of the U.S. Constitution, and it is not something we should embrace.

At the end of the day, we need to do something with this program. Not everyone in this Chamber agrees on what that something is, and not everyone in this Chamber who believes we need reform or who believes the NSA's program of bulk metadata collection is wrong agrees on the same solution. But the way for us to get to a solution must involve open, transparent debate and discussion, and it absolutely should involve an open amendment process.

So if there are those who have concerns with the legislation passed by the House of Representatives last week by a vote of 338 to 88, I welcome their input. I welcome any amendments they may have. I welcome the opportunity to make the bill better, to make it more compatible with this or that interest, to make it do a better job of balancing the privacy and national security interests at stake.

But we have to have that debate and discussion, and we have to have that process in order for the American people to be well represented and well served. We cannot continue to function by cliff.

Government-by-cliff is a recipe for disaster. Government-by-cliff results in a take-it-or-leave-it, one-size-fits-all binary set of choices that disserve the American people. Government-by-cliff all too frequently results in temporary extensions rather than some type of lasting legislative solution that can help the American people feel more comfortable that they are being well represented.

So I would ask my distinguished colleague, my friend the junior Senator from Kentucky, if there are not ways in which we could come to an agreement, if we as a body couldn't come to an agreement on how best to resolve this difficult circumstance, if the cause of protecting American national security is irreconcilably in conflict with the privacy interests that are part of the Fourth Amendment and, most importantly, I would ask my friend from Kentucky if privacy isn't, in fact, part of our security rather than being in conflict with it.

I would be interested in any thoughts my friend from Kentucky might have on that issue.

Mr. PAUL. Mr. President, the Senator from Utah makes a very good point and also asks some very good questions.

In saying that we tend to work against headlines here, I often say we lurch from deadline to deadline, and the American people wonder what the heck we are doing in between the deadlines.

The PATRIOT Act has been due to expire for 3 years. It is on a sunset of 3 years. We knew 3 years ago that this debate was coming. There should be plenty of time and, I think, adequate time to discuss issues that affect the Bill of Rights, that affect rights that were encoded into our Constitution from the very beginning.

So I think without question the issue is of great importance and then we should debate it. But too often budgetary measures—or maybe this measure—get so crowded up against deadlines that people are like: Oh, we don't have time for amendments. The problem is, if you don't have amendments, you are not really having debate.

I think the Senator characterized very well that we both agree the bulk collection of data is wrong. We think that goes against the spirit and the letter of the Constitution.

However, at least half of us that we would encounter in this body don't even agree with that supposition. They believe, as many of them have pointed out, we are not collecting enough, and they don't care how we collect it, let's just collect more.

So we are on different sides of opinion, two groups here. And then some of us aren't exactly on the same page as to the solution, but we agree on the problem. I think you could work through to the solution if you all agreed it is a problem and that the American people think we have gone too far.

I think that is what the purpose of some of this debate today is, hopefully to draw in the American public and have them call their legislators and say: Enough is enough. You shouldn't be collecting my data unless you suspect me of a crime, unless my name is on the warrant. Unless you had a judge sign the warrant for me, you shouldn't be collecting all the data of all Americans all the time.

I think part of our problem is the deadlines, and part of the reason I am here today is that I have been working on five or six amendments for a year now with Senator WYDEN, so we have bipartisan support for a series of amendments. These are what we think would be best to fix this problem. Certainly, when we have had 3 years to wait for this moment, we ought to have enough time to vote on five or six amendments.

So that is really, I think, what we are asking of the leadership of both sides—is permission. Because, really, in this body, everybody has to agree to let you vote on something or no votes happen.

We have done a better job this year. We are voting on more amendments,

but this is still one of those occasions where we are butting up against a deadline. My fear is that without extraordinary measures—which I am hopefully trying to do today—that we may not get a vote on amendments and we may not get adequate time to debate this, I think, important issue.

Some of the amendments we have been interested in presenting as a way to fix this—so first you have to agree with what the problem is. We think the problem is that the government shouldn't collect all of your phone records all of the time without putting your name on a warrant, without telling a judge that they have suspicion that you have committed a crime. We think that collecting everyone's phone records all of the time without suspicion is sort of like a general warrant. It is like a writ of assistance, it is like what James Otis fought against, it is like what John Adams said was the spark that led to the American Revolution.

So we think the American people also believe this, that the American people believe their records shouldn't be collected in bulk, that there should not be this enormous gathering of our records.

What we need to do is get to a consensus where everybody agrees that is a problem. But the body is still divided. About half of the Senate believes we should collect more records, that we are not invading your privacy enough, that privacy doesn't matter—that, by golly, let the government collect all of your records to be safe.

Well, when the privacy commission looked at this, when Senator WYDEN looked at this, and when other people who have the intimate knowledge looked at this, their conclusion was that the bulk collection of our records, this invasion of privacy, isn't even working, that we aren't capturing terrorists we wouldn't have caught otherwise by this information. So the practical argument that says we will give up our privacy to keep us safe, even that argument is not a valid argument.

But we have been looking at some of the possible solutions—and I see the Senator from New Mexico and would be pleased to entertain a question if he has a question.

(Mr. LEE assumed the Chair.)

Mr. HEINRICH. Yes. I thank my friend from Kentucky and ask him if he would yield for a question without losing his right to the floor.

I want to start out by prefacing this for a few minutes, from my limited experience—just over the past a little over 2 years, and I am on the Intelligence Committee now—by saying there is simply no question that our Nation's intelligence professionals are incredibly dedicated, patriotic men and women who make real sacrifices to keep our country safe and free and, in that, they should be able to do their job, secure in the knowledge that their agencies have the confidence of the American people. And Congress—those of us here—needs to preserve the ability of those agencies to collect information that is truly necessary to guard against real threats to our national security.

The Framers of the Constitution, as my colleague from Kentucky knows, declared that government officials had no power—no power—to seize the records of individual Americans without evidence of wrongdoing. And it was so important that they literally enshrined and embedded this principle in the Fourth Amendment to the Constitution.

In my view, the bulk collection of Americans' private telephone records by the NSA in this program clearly violates the spirit—if not the letter—of the intentions of the Framers here.

Just 6 months after my first Senate intelligence briefing, former National Security Agency contractor Edward Snowden leaked documents that exposed the NSA's massive collection of Americans' cell phone and Internet data. And as my friend from Kentucky said, not just a few Americans but literally millions of innocent Americans were caught up in what is effectively a dragnet program.

It was made clear to the public that the government had convinced the FISA Court to accept a sweeping reinterpretation of section 215 of the PATRIOT Act, which ignited, in my view, a very necessary and long overdue public conversation about the trade-offs made by our government between protecting our Nation and respecting our constitutional liberties.

I think well-intentioned leaders had, during the previous decade, come down decidedly on the side of national security with a willingness to sacrifice privacy protections in the process. And what became obvious was that because of our continued lack of knowledge of Al Qaeda and other terrorist organizations, some within our government believed we still needed to collect every scrap of information available in order to ensure that, should we ever need it, we could query this information and track down U.S.-based threats. In doing so, the government ended up collecting billions of call data records, linked in case after case after case not to terrorists but to innocent Americans.

Wisconsin Republican Congressman JIM SENSENBRENNER, who I served with in the House of Representatives, who was one of the authors of the original underlying legislation—the PATRIOT Act itself—said a couple of years ago: ''The PATRIOT Act never would have passed . . . had there been any inclination at all that it would have authorized bulk collections.''

As this debate increasingly moved to the public sphere, I joined my colleagues on the Select Committee on Intelligence—Senator WYDEN, who was just here on the floor a few minutes ago, and former Senator Mark Udall—in pressing the NSA and the Director of National Intelligence for some clear examples in which the bulk information collected under this metadata program, under section 215, was uniquely responsible for the capture of a terrorist or the thwarting of a terrorist plot. They could not provide any—not a single solitary example—nor could they make a case for why the government had to hold the data itself and why for so long.

Thankfully, a review panel set up by President Obama agreed with us and recommended that the government end its bulk collection of telephone metadata.

I will admit, however—and my friend from Kentucky has brought this up on several occasions already—that I am incredibly disappointed that the President hasn't simply used his existing authority to unilaterally roll back some of the unnecessary blanket metadata collection. Some have claimed this inaction is evidence that the President secretly supports maintaining the current program as is. That, however, is nonsense.

The President has asked Congress to give him additional authorities so that he can carry out the program in an effective manner, and the USA Freedom Act seeks to do just that.

The Republican-led House of Representatives last week passed that bill—the USA Freedom Act—by a vote of 338 to 88, with large majorities from both parties. At a time when everyone believes we agree on nothing, large majorities of Republicans and Democrats supported that piece of legislation.

Further, the Second Circuit Court of Appeals ruling that the NSA is violating the law by collecting millions of Americans' phone records is even more proof that we have gone too far and need to recalibrate and, in my view, refocus our efforts. Why on Earth, I would ask, would we extend a law that this court has found to be illegal?

Given the overwhelming evidence that the current bulk collection program is not only unnecessary but also illegal, I think we have reached a critical turning point, and I want to thank my colleague from Kentucky for coming to the floor to force us all to have this conversation. We have kicked the can down the road too many times on this particular issue, and I believe it is time to finally end the bulk collection of these phone records and instead focus more narrowly on the records of actual terrorists.

Americans value their independence. I know this is especially true in my home State of New Mexico. They cherish their right to privacy that is guaranteed by our Constitution. But some of our colleagues still think it is OK for

the government to collect and hold millions of private records from innocent citizens and to search those records at will.

The majority leader is asking us to act quickly to reauthorize. I believe it would be a grave mistake to reauthorize the existing PATRIOT Act, and I join my colleagues in blocking any extension of the law that does not include major reforms, including an end to bulk collection.

I think we can and we must balance government's need to keep our Nation safe with its sacred duty to protect our constitutionally guaranteed liberties. And I guess this brings me to my question for the Senator from Kentucky.

How on Earth can you possibly square what the Fourth Amendment says, in terms of our papers and our ability to control our own effects without a warrant, with the government's bulk collection of phone records of law-abiding American citizens?

Mr. PAUL. Mr. President, I thank the Senator from New Mexico for that great question.

I think there is no way we can square this bulk collection with the Fourth Amendment. I think part of the problem, though, is that we, over a long period of time, diminished the protections of records held by third parties. And I think one of the debates we need to get hopefully to the Supreme Court sometime soon is whether you give up your privacy interest in records that are held by third parties.

I think there will come a time that your papers, once held in your house—there are no papers in your house. There may not be paper. But there is still the concept of records. Records were traditionally on paper, and they were traditionally in your house. But now your most private papers are held digitally by your phone, and then by the people who are in charge of the different organizations such as phone, email, et cetera.

I think there has to be Fourth Amendment protection of these. Those who look at the court cases, and go back to probably the last important case, the Maryland v. Smith case, often say there is no Fourth Amendment protection at all for these records. In fact, the government will tell you they can do whatever they want with email, with text, and with all of these things. And I am not convinced they are not using other programs, such as this Executive order program, to actually collect many other kinds of metadata other than phone calls.

So I am very worried about it. I think we need help from the courts. But we need help from the legislative body to represent the will of the people. And I think the will of the people is very clear that the majority of people think we have gone too far and that we need to stop this indiscriminate vacuuming up of all Americans' phone records regardless of whether there is suspicion.

Mr. HEINRICH. Mr. President, I would ask the Senator from Kentucky an additional question. I found it very helpful before I came to the floor today—and I want to thank my colleague again for raising these critical issues—to go back and read the Fourth Amendment, and I thought it would be worthwhile just to briefly read that once again here on the floor because I think it really puts you in the mind of some of the greatest Americans who ever lived.

Our Framers wrote a constitution that has survived for well over 200 years now. It has survived Republicans. It has survived Democrats. It has survived political parties that came and went, and it has survived great conflicts time and again.

The Fourth Amendment says: ''The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no Warrants shall issue, but upon probable cause, supported by Oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized.''

I would ask my friend from Kentucky his views on the resilience of this constitutional document and how he can possibly read the actual text of this Fourth Amendment without realizing that those Framers really meant for this to apply into the future to things that we hadn't foreseen yet but using the broadest terminology available, such as words like effects and papers?

I yield the floor and thank the Senator from Kentucky once again. This is one of those issues that unite people on the left and the right, Republicans and Democrats, who care deeply about our national security but also care about our constitutional liberties. I think the time to fix this is upon us. And without shining a light on this, we certainly are not going to be able to make the progress we need. We have an opportunity here, and we should seize it.

I yield the floor to the Senator from Kentucky.

Mr. PAUL. Mr. President, I thank the Senator from New Mexico for coming down and for being a great supporter of the Fourth Amendment.

One of the things I think is interesting is that in our current culture we seem to devalue the Fourth Amendment. You go to—at least on our side—all kinds of groupings and gatherings, and there is a lot of talk of the Second Amendment, talk of the First Amendment, but there hasn't been so much of the Fourth Amendment until we got to this point with the collection of data seeming to be running amok.

One of our Founding Fathers was George Mason. He was considered to be an anti-Federalist. He was a guy who really stood on principle, but also he was a guy who had the audacity to actually not sign the Constitution, even though he was asked and he was there and could have.

On September 17, 1787, he refused to sign the Constitution and returned to his native State as an outspoken opponent of the ratification contest. His objection to the proposed Constitution was that it lacked a declaration of rights. Mason felt that a declaration of rights—or what we call a bill of rights—was a necessity in order to curb Federal overreach.

Mason, though, was also famous for being an author of the Virginia Declaration of Rights, which was written a decade or so before our Constitution and upon which many things were based. He wrote in the first paragraph of the U.S. Declaration of Independence something similar to what we hear in the Declaration of Independence:

> That all men are by nature equally free and independent, and have certain inherent rights, of which, when they enter into a state of society, they cannot by any compact deprive or divest their posterity; namely, the enjoyment of life and liberty, with the means of acquiring and possessing property, and pursuing and obtaining happiness and safety.

In the Declaration of Rights, which comes from 1776, for Virginia, he also was instrumental in including article IX. Article IX is basically the precursor to the Fourth Amendment. In it, he wrote:

> That general warrants, whereby any officer or messenger may be commanded to search suspected places without evidence of a fact committed, or to seize any person or persons not named, or whose offence is not particularly described and supported by evidence, are grievous and oppressive, and ought not to be granted.

So from the very beginning, the Fourth Amendment was a big deal. It was a big enough deal that the fact that it wasn't included caused George Mason to say he couldn't sign the Constitution. It was a big enough deal that this debate went on for a while, and finally the resolution of getting the Constitution included that there would ultimately be a Bill of Rights. Thomas Jefferson wrote about the Bill of Rights. He said:

> A bill of rights is what the people are entitled to against every government on earth, general or particular, and what no just government should refuse, or rest on inferences.

I like the way he put it: A Bill of Rights is what the people are entitled to against every government. It is a protection.

Jefferson also described the Constitution as the chains of the Constitution. The chains were to bind government and to prevent government from abusing its authority.

When we have adhered to this, when we paid strict attention to it, we have maximized our freedom. When we have let our guard down, when we have allowed our guard to stray away, when

we have allowed the government to usurp authority to gain and grab and take more power, it has been at the expense of freedom.

I think we can be safe and have our freedom as well. I think we can obey the Constitution and catch terrorists at the same time. I think, in fact, frankly—strictly from a practical point of view—I think we gain more information by using the Constitution. By having less indiscriminate collection of data and by having more collection of discriminating data—data that is based on suspicion, data that is based on tips, data that is based on human intelligence, data that we can focus all of our human energy on—I think we actually will catch more terrorists. I think there has been instance after instance after instance where we did have information on terrorists and we failed to act, perhaps because we are spending so much time and so much energy on the indiscriminate collection of data.

William Brennan is one of our famous Justices, and he said of the Framers:

> The Framers of the Bill of Rights did not purport to ''create'' rights. Rather, they designed the Bill of Rights to prohibit our Government from infringing rights and liberties presumed to be preexisting.

We didn't create the rights. Government didn't create your rights. Your rights come naturally to you. For those of us who believe in a Creator, they come from our Creator. But they are important to protect. They should be protected against all forms of even majority. It is why some of us think it very important to say that we are a Republic, we are not a democracy; that no majority should be able to take away our rights. That is why this is important. I think these questions ultimately get to the Supreme Court. Because no matter what the majority says here, no matter what the majority of the legislature says, the Bill of Rights lists and codifies rights that cannot and should not be taken away by a majority: the rights that we have to be left alone—as Justice Brandeis said, the most cherished of rights, the right to be left alone. But this debate is a long and ongoing debate. For nearly 100 years, from the Olmstead case in 1928 to the present, we have had a discussion and a struggle and a controversy over what parts of our conversations are to be protected and what parts are not to be protected.

I think a lot of our problems really originated with going the wrong way in 1928 with the Olmstead case because we went for a long period of time—we went for two generations thinking that your phone calls were not private and that your phone calls were not protected by the Fourth Amendment. Then, we finally got to the 1960s, and we reversed that and we said your conversations are to be protected. But within a decade we made the wrong decision again and said that your records are not to be protected—that your Fourth Amendment, your records once held by the phone company, aren't to be protected. I think that was a mistake.

I think it is also a mistake to think we are literally talking about paper in your house because there is quickly coming a time in which technology will be such that there will be no papers. Papers will be another word for ''records,'' but your records will not be kept in your house.

They already aren't. There was a discussion of this in whether we can search a person's individual phone, and the Court did rule I think in an accurate way. The Court and one of the Justices said that, basically, the information found on your phone is more personal and more extensive than probably any papers that were ever in any home in a time before electronics. So we are going to have to catch up to electronics, we are going to have to catch up to the digital age, and we are going to have to decide does the individual maintain a privacy interest and/or a property interest.

I, frankly, think that when the phone company holds my records, that they are partly mine; that there is a property interest and a privacy interest I haven't relinquished. Unless I have given explicit permission, I don't think I have given up my privacy. In fact, many times it is the opposite.

Many times what we have actually said is, when I agree to do banking with you or I agree to have you hold my telephone calls or I agree to do Internet searches with you, I have an explicit agreement often. The agreement is so explicit to defend my privacy that when they don't, they are actually fearful of being sued. And so all of this craziness, all of this overreach, all of this loss of our privacy comes with a little additional caveat that is written into all the laws and everybody is clamoring for and it is what they want now—liability protection. They want to be able to violate their privacy agreement. So we give them liability protection. They don't want to be sued, but they realize they are violating and could be accused of violating our privacy agreement.

So as much as I hate and despise frivolous lawsuits, the threat of suing somebody causes them to obey their contract. If they don't have the threat—if you say: Well, we are going to have contracts, but we are not going to enforce them with the threat of a lawsuit, then contracts become meaningless. So it is really important that as we move forward, we try to say to people the privacy agreement you signed is a real document, it is a real contract, and it should be protected.

When referring to the Bill of Rights, Gen. Smedley Butler, who was a two-time Medal of Honor winner and a Brevet Medal of Honor winner, said:

> There are only two things we should fight for. One is the defense of our homes and the other is the Bill of Rights.

When I have talked to the young men and women who have fought bravely for our country—young men and women who have lost limbs, families of those who have lost lives—that is what I hear from every one of them. I hear from them that they were fighting to defend the Bill of Rights. They were fighting to defend our Constitution.

What saddens me is that while they were fighting for our Constitution, while they were fighting for our Bill of Rights, their legislators weren't fighting for the Bill of Rights. Their legislators were turning the other way. Their legislators were so fearful of attack that they gave up on the Bill of Rights and said: Here is my liberty, just give me security. This is a longstanding debate. Franklin had it right—those who are willing to give up their liberty may end up with neither.

Now, some would ask: Why am I here today? What do I propose to get out of this? Is there an end point when I will go home and be quiet and quit talking about the Bill of Rights?

I think there could be. I think if the leadership of both parties in the Senate would agree to have a debate on the PATRIOT Act, if they would agree to have amendments and have votes—and I will give some examples of some things that we think—most of these will ultimately be introduced in all likelihood by Senator WYDEN and I. I will start with the first one. This is based upon an amendment that he and I have worked on together. This amendment would prohibit mandates on companies that alter their products to enable government surveillance. So this amendment prohibits any mandates from government agencies requiring private companies to alter their security features—their source code—to allow the government to get into their stuff and into your lives.

This amendment would apply to computer services, hardware, software, and electronic devices made available to the general public.

Currently, the government is requiring and sometimes telling companies they can't even tell you this. They are requiring access to certain products. There have been stories of them inserting malware on Facebook, giving you access to Facebook, and then getting into your Facebook account through the Facebook code source. I know Facebook has objected to this and fought them on this, but our amendment would say that the government just can't do this. The government cannot force different social networking sites and different Internet software cannot force them to give the government access indiscriminately.

The question would be: Can the government require things specifically? Absolutely, yes. Present evidence to

get a warrant, and realize that when they want to make you so afraid that you give up all your records, realize that warrants aren't hard to get. The FISA warrants are almost without question agreed to, maybe to a fault. Ninety-nine percent-plus of all the warrants ever requested are granted. I think it is not too much of a step to say we should ask and request warrants.

The second amendment we would consider putting forward, if we were allowed to and allowed to have votes on, would replace the PATRIOT Act extension with comprehensive surveillance reform. We would replace the extension of expiring authorities with substantial reforms, as originally proposed by Senators WYDEN and PAUL and others in the Intelligence Oversight and Surveillance Act of 2013.

This amendment would end bulk collection and replace it with nothing. We would close the section 702 backdoor search loophole, which allows the government to say they are searching foreigners' records but in reality gather up 90 percent of the records being American records and called incidental. We would close this backdoor loophole where actually American records are being collected, not foreign records. We would create a constitutional advocate to argue before the FISA Court, before the intelligence court.

The reason I think this is necessary is that the court has somewhat become a rubberstamp for the government, and we aren't allowing any kind of opposing arguments and we really aren't having any argument. For example, we have loosened the standard from the constitutional standard, which is probable cause, and we have said it is relevant. So we get to relevance. But when you come before the court, I don't think anybody is debating or being asked to prove whether it is relevant. Certainly they must not because they are somehow approving the collection of everybody's records in the United States—which I don't know of anybody who believes the word ''relevant'' can include everybody.

So if we had an advocate or we had someone to say this is the other side—I think it is really important. I am not a lawyer, but I understand they argue with each other all the time and you are supposed to figure out the truth. You argue and advocate for your side, and then somehow you apply the truth or people arbitrate what they think the truth is from this discussion. If only the government argues, you can't get even any sense or form of what truth is.

So what we would argue in our second amendment is that you actually have an advocate that argues on that side. I would go further, though, and say that not only do you have an advocate, you should have an avenue for appeal.

I am with Senator WYDEN. I want to protect all the people doing this. I don't want any names revealed. I don't want any agents revealed. I don't want to endanger the people who are risking their lives for our country to gain intelligence. But I do think the law in general can be debated. Senator WYDEN talked about how the law doesn't need to be secret; the operations need to be secret.

So we can protect all of that. But I think the law should be debated. For example, the question now whether you have any privacy interest in your third-party-held records—whether the Fourth Amendment protects these at all, that is our constitutional question. That should not be decided in secret, and you really can't have justice decided in secret.

The other part of our amendment would give Americans spied on by the government standing to sue in court and end the practice of reverse targeting, under which the government targets the communication of an American without a warrant by targeting the non-U.S. person they speak to. By some reports, it is even worse than that. I mentioned earlier that an enormous amount of what the PATRIOT Act does—which is supposed to go after foreigners—is actually being used domestically for drug crimes.

There have been reports that the information is being gathered through an intelligence warrant, and then they go back with the traditional warrant after they have gotten information through a lower standard—through a nontraditional, nonconstitutional investigation. Then they go back, and they get the warrant after using this information or they recreate the scenario in order to get the information they need. Then they do not tell the judges they got the information through the intelligence angle.

Another amendment that we would like to ask the leadership of both sides if they would let us introduce it and if we were allowed to debate this and have an open amendment process would be that the warrantless crime could not be used against Americans in nonterror criminal cases.

This was originally the way it was. This is why you have to worry about the slippery slope. Back in the 1970s, they said: OK, we are going to have a different standard to get foreign tariffs. Even I, who want to keep good standards, can accept a little bit of that—a slightly lower standard for people who do not live here and are not American citizens and are not part of our country. It has its dangers, but even I might be able to accept that. But what I cannot accept is that you lower the constitutional standard. You are going to use a terrorist warrant that has a lower procedural hurdle, and then you are going to use it for domestic crime.

That is exactly what is going on now. We should be appalled that they destroyed the Fourth Amendment for certain crimes and we did not do anything about it.

Section 213 of the PATRIOT Act is called sneak-and-peek. The government can go into your house and never tell you they were there. They can look through all of your records. They can steal stuff. They can replace it. They can do all kinds of things and place listening devices—all without ever telling you.

This is in contradiction to what most people have accepted the Fourth Amendment to be. But if you look at who is being convicted with section 213, 99.5 percent of the people are for drugs, for domestic crime. What we have done is that we have taken a domestic crime and we say the Constitution no longer applies. We basically got rid of the Fourth Amendment for these crimes.

For about 11,000 people a year, the Constitution no longer applies to them. We are using a lower standard. If you want to make this even worse, think about who is being convicted of drug crimes in our country. Three out of four people being convicted of drug crimes in our country are Black or Brown. But if you ask who are the kids who are using drugs, equal numbers of White and Black kids are using drugs. But three out of four people in jail are Black or Brown. Then you find out that not only have we messed up the war on drugs such that it has a racial element to it, but we are now using a lower standard that is not the Constitution, and the end result is a racial outcome.

This is an enormous problem. Related to so much of what is going on in our country, so much of the anger you are seeing in our cities comes from this injustice. You now have people going to jail. You have people going to jail for 15, 20, 30 years.

There is a woman by the name of Mary Martinson from Mason County, IA. Her mother just died recently. They let her out of prison for a couple of hours. Her dad is getting older, and she wishes she had been there to help her parents. She did mess up. She was a drug addict. Her boyfriend was a drug addict. They had guns in the home. They were selling the drugs. He was a meth addict. She was probably going to die if she stayed on the drugs, so it was good that she got off the drugs. She got caught. She got 15 years in prison.

You can kill somebody in Kentucky and be out on parole in 12 years. Yet we put this woman in jail for an addiction. She had never been convicted of any other crime. No judge in their right mind would have ever given her 15 years—nobody would have. The judges basically are telling the defendants and telling the press: I would never do this. This is the wrong thing to do, but I am forced to do this. Compound this with the fact that the war on drugs has had

a racial outcome. You put the two together and you say: Well, we are no longer obeying the Constitution, and there is a racial outcome.

Where is the hue and cry?

Where is the President on this issue?

I have talked to the President about criminal justice. I think he sincerely wants to help. But here is the thing. The President could today stop this program. He could stop collecting stuff through the sneak-and-peek. He can say we are no longer going to do the bulk collection. Most of these things originated out of Executive order. He could stop these any time he wanted to. We would stop it. We would say no more spying against Americans and no more use of this information for nonterror criminal cases.

We have another amendment that goes to the heart of what I think should be decided by the Supreme Court. We call this the amendment that would protect the privacy of Americans' records held by third parties. I think that your records do retain a privacy interest. This amendment—should the leadership agree to allow us to have amendments—would establish a clear principle consistent with the Fourth Amendment. As it relates to government collection, an individual's records, if given to a third party for a specific business purpose, are as equally secure in their person as those that remain in their possession, unless the third party informs the individual that it intends to share the information. This amendment affirms that the government cannot circumvent warrant requirements by taking Americans' records from third parties, and it protects the constitutional rights during engagement and regular communication and commerce.

I think we had a vote on this a while back. I do not think we were that successful. I think we got four people to vote—to say that your records should be protected by the Fourth Amendment. Most people do not realize this. Most people have no idea that the government's position, and, currently, maybe the Supreme Court's position, is that you do not have any right—Fourth Amendment right—in your records unless you have them in your house.

I think this is something about which the more people understand and the more people are drawn to this issue, maybe people will demand that we have some justice here. We live in an era where ultimately no one is going to have paper records in their house. All of your records are going to be electronic. Because they are held and they are managed somehow by a third party, does that really mean we have given up our rights? The thing is that the government might say if your cell phone is in your house, then they do. But the cell phone is connected to someplace outside your house. Your email is being served on some server somewhere. I see no way that it could be construed that you have given up your right to privacy because someone else is holding the records for you because that is the way in the digital age we have come to hold records.

We talked a little bit earlier about trust. I think trust is incredibly important. I do not discount that the vast majority of people who work in our intelligence community are honest, trustworthy, and patriotic. I think we all want the same thing. We want to protect our country. We want to protect our loved ones. We want to honor the memory of those who died on 9/11 by capturing and stopping the people who would attack us. But the question is this: Can you catch more or less, or are we more or less effective, in catching terrorists if we use the Constitution, if we use traditional warrants?

I think, without question, if you talk to people, they will tell you that they get a great deal more information and more specific information by using warrants.

Let's say tomorrow we elected a President who eliminated the bulk collection of data. Let's just say it happened. What do you think would happen? People say: Oh, the sky would fall. We would be overrun with jihadists. Maybe we could rule on the Constitution. Maybe we could get warrants. The information is out there. There are warrants. If you make the warrants specific, there is no limit to what you cannot get through a warrant. The warrants are given the vast majority of the time.

People complain and say it would take too long; it would be inconvenient. Make it better then. Put your judges on 24 hours a day. Appoint 24 more judges. Put them on call all the time, and let's do this. There is no reason why you cannot have security and liberty at the same time.

Another amendment we have—should the leadership agree to allow us to have amendments and to have votes and to have a debate on this—is an amendment that would require the court to approve national security letters. In a 3-year period between 2003 and 2006, 140,000 national security letters were given out. National security letters are warrants that are below the constitutional bar. They do not meet the constitutional bar because they are not being signed by a judge. They are being signed by the police. You got rid of one of the great protections we had, which was the check and balance that the police would always go to the judiciary. It was a different branch.

The judge is sitting at home, hopefully reading it in a reasoned fashion. The judge is not in hot pursuit. The judge is not letting their emotions—the judge was not just punched by one of the convicts. The judge is sitting at home in a reasoned fashion trying to make a reasonable decision. But still, the vast majority of the time warrants are given.

If there is a policeman outside the house of an alleged rapist, and they want to go in, they call on a cell phone. The judge almost always says yes. It is the same for murder.

Does anybody imagine that there would be a judge in our country and that you call and say: John Doe—we have evidence that he traveled to Yemen last year. We have evidence that he talked to Joe Smith, and we have evidence that he is a terrorist, and we want a warrant to tap his phone.

Look, I am the biggest privacy advocate in the world. I will sign the warrant immediately. I do not know of anybody that will not sign warrants to allow searches to occur. But you have the check and balance so it does not get out of control. What happened and what is happening now is we let down our guard. We have no checks and balances. So what does the government do when you are not watching? If you look away, the government will abuse their power. Lord Acton said: ''Power corrupts, and absolute power corrupts absolutely.'' The corollary to that would be: When you are not watching, power grows exponentially.

They will do whatever they can get away with. They will do it in the name of patriotism. Actually, I do not even question their motives. They believe themselves to be patriotic, but they think we have to do anything it takes—no matter whether it contravenes the Constitution or contravenes the Bill of Rights. The people who do this—their motives are good, but they are confused in a sense, and they do not fully comprehend what we are giving up in the process.

This amendment would require judges to sign national security letters. It would make them more like warrants. In practice, national security letters have become warrants written by law enforcement without prior court review and approval, granting them almost unfettered access to individual email and phone communication data, as well as consumer information such as bank and credit records.

Those subjected to the national security letters must also obey a gag order. Not only does the Government come to you with a less than constitutional permit or a less than constitutional warrant, but they then tell you that you cannot talk about it. You may go to jail for 5 years if you tell somebody you had a warrant served on you.

This amendment would require that a government obtain approvals from a court prior to issuing an NSL to a private entity, thus forcing them to demonstrate a clear need for information as part of an investigation.

Amendment 6 would create a new channel for legal appeals for those subjected to government surveillance orders. This amendment would empower individuals or companies, ordered by the government to hand over information about users or customers, to make constitutional challenges that would be in order in the U.S. court of appeals.

My understanding right now is that it is very difficult to appeal a FISA order. They are secret. You are not allowed to be in the court, so you are not allowed to participate in the process. I think, also, you can get outside of FISA by appealing, but I think you have to ask for something that is called a writ of certiorari. It is a special condition, and it is not so automatic. My understanding is that the court will grant these things, but they do not occur very often. They are an extraordinary thing.

We would like to make it a little bit more of a facility of getting to a normal appeal—the way a normal appeal would occur. We have been pushing to allow that there would be more of an automatic sort of appeal here.

One of the other amendments would say there is no liability immunity for companies that break their agreements with users. Like I said, while I am not in favor of lawsuits and I do not like the idea of frivolous lawsuits, I think if you do not protect the contract and if you have a privacy agreement that says they are not going to share your information with anybody, the only way they will protect it is if there is the threat that they could be sued for not protecting it. I think the contracts become not worth the paper or the click ''I agree to this'' and become completely worthless if the companies are told they can go around it. The companies have all specifically requested this because I think they fear that every day the government is requesting them to breach the privacy contract. So in order to enable the privacy contract, I think we have to get to a point where people can sue if their privacy is violated.

I think there can be a mixture of opinions on what Snowden did. I think we have to have secrecy and there has to be laws against revealing secrets, so I can't say we should have everybody revealing secrets. At the same time, I think the law says that those who are reporting to Congress should tell the truth.

So we have the intelligence director lying to us and saying the program doesn't exist, and then we have someone committing civil disobedience. When you commit civil disobedience, it isn't that we change the law and say it is OK. What we do is say: You broke the law, and maybe you did it for a higher purpose, but it doesn't mean we will get rid of all punishment for things like this. I think there is one way we can modify it.

Snowden was a contractor, and we don't have very good rules for whistleblowers who are contractors. I would extend the whistleblower statute to people who want to come in and want to tell an authority, an investigator general or somebody, if they want to reveal that they think something is being done illegally.

For example, if Snowden knew that Clapper was lying, a felony has been committed. I would think that somebody who has evidence of a felony and tells the investigator general, ''Look, I have seen this, and I have seen that they are collecting all the records of every American,'' and he says they are not, then he has committed perjury and a felony, and there ought to be some sort of whistleblower statute for that. What we do in one of our amendments is to allow whistleblowers to be contractors as well.

One of the things that has been going on—even predating the PATRIOT Act and goes back to probably the 1980s and 1990s—is something called suspicious activity reports. These are now being done, I believe, by the millions. At one point I looked at it, and 5 million of these had been filed. Every year, hundreds of thousands of these are being filed, and if the banks don't file them, the banks could have their licenses taken from them or there could be $100,000 fines issued to banks.

What we would like to do is to make a suspicious activity report based on suspicion, not just based on a transaction. It would make it more like a warrant where a judge would actually review it and see if there is suspicion to be reporting this activity instead of just reporting activity based on the way people do their transactions.

The problem has been that we now have the IRS confiscating your money, your bank account, based on the way you do your transactions. It is not based on a conviction; it is based on, I guess, the presumption that you are guilty until you can prove yourself innocent. This is also going on with civil asset forfeiture. It is intertwined with records, and as we allow the government to collect our records in an unconstitutional manner, we have to be very careful that then those records are then being used with the presumption of guilt, not innocence.

I have a great deal of questions about Executive Order 12333. John Napier Tye was with the State Department and oversaw some of the freedom of the Internet and government surveillance, and he put out an op-ed that shows a significant concern as far as whether this Executive order may be as big as bulk collection.

I spoke with one of the founders of one of America's larger Internet companies recently, and he told me that not only is he worried about bulk collection, but he is worried that bulk collection might be smaller—the collection of all the phone data might be smaller than the backdoor collection through 702 and the backdoor collection through the government forcing companies to allow them into their software.

Our concern is that we need to look more at the Executive order. I think it is being done in secret, but once again, an evaluation as to whether a law is constitutional or whether a law overstates its purpose should be done in the open.

I see the Senator from Montana, and I will be happy to entertain a question without losing the floor.

Mr. DAINES. Will the Senator from Kentucky yield for a question without losing his right to the floor?

Mr. PAUL. Mr. President, I will yield to the Senator from Montana.

Mr. DAINES. I thank my colleague for raising this important issue on the Senate floor today. It wasn't all that long ago that I served as a House Member. I served one term in the House and then came over to the Senate this year. I came over to the Senate floor, and I stood in support of my colleague's efforts to protect the American civil liberties and ensure drones are not being used to target American citizens on our own soil.

In fact, I am grateful to see that in the Senate Chamber today, we have five House Members who are here standing with the Senator from Kentucky as he makes his very important point which relates to our Constitution and our freedom.

Well, 2 years later, we are here again, and the threats to America's civil liberties and constitutional freedoms remain ever present.

As my colleague from Kentucky is well aware, I spent more than 12 years in the technology sector before being elected to Congress. I know firsthand the power that Big Data holds. I also know the great risks that arise when that power is abused.

There is a clear and direct threat to Americans' civil liberties that comes from the mass collection of our personal information in our phone records. I, like so many Montanans, am deeply concerned about the NSA's bulk metadata collection program and its impact on our constitutional rights. In fact, just last night, I hosted a telephone townhall meeting with thousands of Montanans, and one of the issues I heard most about was the NSA's bulk data collection program and when is Congress finally going to put a stop to it. In fact, this is one of the issues I hear most about from my fellow Montanans.

I brought down just a few of the thousands of letters I received from Montanans on the NSA's dangerous bulk metadata program. For example, I have a letter from Adam, who lives in Missoula. Adam writes:

I'm writing to ask you to allow Section 215 of the PATRIOT Act to expire on June 1st of

this year. While it is only one provision of the larger problem...it would at least begin to curtail the surveillance of Americans.

As Americans we should be free to communicate without the threat of the government monitoring those communications. Wanting to keep your life private does not mean you have something to hide—only that your life isn't any of the government's business as long as you are not infringing on the liberty of others.

At the end of the day, giving up our liberties because of the threat of terrorism truly is the definition of terrorism winning. To be free inherently means a person also incurs risks.

Even though he was speaking about taxes, I believe Benjamin Franklin would agree: ''Those who would give up essential Liberty, to purchase a little temporary Safety, deserve neither Liberty nor Safety.''

Jes from my hometown of Bozeman, MT, wrote:

I am writing to you as your constituent.

NSA spying needs a comprehensive overhaul. But in the meantime, I urge you to show that you care about the Constitution by voting against reauthorization of Section 215 of the USA PATRIOT Act. Section 215 has been used to invade the privacy of millions of people.

Although some in Congress and the NSA have argued that collecting call detail records (''metadata'') is not privacy invasion, the information collected by the government is not just metadata—it paints an intimate portrait of the lives of millions of Americans.

What's more, the collection of call detail records isn't even necessary to keep us safe.

The President, the Privacy and Civil Liberties Oversight Board and the President's Review Group have all admitted that collection of call detail records is not necessary.

PCLOB [Privacy and Civil Liberties Oversight Board] went so far as to note that it could not identify a single time in which bulk collection under Section 215 made a concrete difference in the outcome of a counterterrorism investigation.

That's why I urge you to support reform by committing to a no vote on reauthorization of Section 215.

A vote against reauthorization is a vote for the Constitution. Thank you for opposing unconstitutional surveillance and for supporting a free and secure Internet.

Montanans are right to be concerned. This program is a direct threat to our constitutional rights. It has jeopardized our civil liberties with little proven effectiveness, and I am the son of a U.S. marine.

Several weeks ago, I was with Leader MCCONNELL and other Senators. When we went to Israel, we met with Prime Minister Netanyahu. When we went to Jordan, we met with King Abdallah. When we went to Iraq, we met with Prime Minister al-Abadi. When we were both in Baghdad, we went up to Erbil and met with the leaders of the Kurds, including Mr. Barzani. We then went to Afghanistan. We were in Kabul, and we were in Jalalabad. We met with President Ghani. We heard directly from the leaders in the Middle East, we heard directly from our U.S. military, and we heard directly from U.S. intelligence about what is going on in the Middle East.

As the father of four and someone who strongly believes in a strong national defense and the importance of protecting our homeland, I weigh these issues very deeply. These are heavy issues we must look at as we want to ensure we protect the homeland and, just as important, protect the Constitution and the constitutional rights of the American people.

As my colleague is likely aware, a 2014 report from the Privacy and Civil Liberties Oversight Board, which is a nonpartisan, independent privacy board, found that the NSA's bulk data collection program said that it ''contributed only minimal value when combating terrorism beyond what the government already achieves through . . . other alternative means.''

Like the New York-based Second Circuit U.S. Court of Appeals recently unanimously confirmed, this oversight board found that section 215 of the PATRIOT Act does not provide authority for the NSA's bulk metadata collection program. In fact, the report states:

Under the Section 215 bulk telephone records collection program, the NSA acquires a massive number of calling records from telephone companies each day, potentially including the records of every call made across the nation. Yet Section 215 does not authorize the NSA to acquire anything at all.

It is illegal, it is an overreach of power, and it is a direct threat to our First and Fourth Amendment rights.

In fact, the report goes on to conclude:

The program lacks a viable legal foundation under Section 215, implicates constitutional concerns under the First and Fourth Amendments, raises serious threats to privacy and civil liberties as a policy matter, and has shown only limited value. For these reasons, the government should end the program.

I stand here today with the people of Montana. I stand here today with my colleague from Kentucky. I stand here today with five Members of the U.S. House who are seated in the back of the Senate Chamber: Congressman DUNCAN of South Carolina, Congressman BLUM of Iowa, Congressman MASSIE of Kentucky, Congressman LABRADOR of Idaho, and Congressman AMASH of Michigan.

I think it is important that the Senate recognize what the people's House did last week when they passed the USA FREEDOM Act. That vote was 338 to 88. To suggest that this is just a small minority of Congress men and women who support the USA FREEDOM Act—this is the chairman of the Judiciary Committee, the chairman of the Intelligence Committee, the chairman of the Armed Services Committee, and the chairman of the Homeland Security and Governmental Affairs Committee, amongst many others, who want to make sure we strike the right balance between protecting the homeland and protecting our civil liberties.

The people of Montana, my colleague from Kentucky, the five Members from Congress who are here at this moment, and millions of Americans know I strongly agree with their view on the USA FREEDOM Act.

Like all Americans, I understand the great risks that face our national security. The threats from ISIS, the threats from North Korea, and the threats from Iran grow stronger each and every day. We must be prepared. We must ensure our intelligence and law enforcement agencies have the tools they need to protect and defend our Nation. But these objectives—national security and protection of our civil liberties—are not mutually exclusive. We can and we must achieve both. We must maintain a balance between protecting our Nation's security while also maintaining our civil liberties and our constitutional rights.

All of us standing here today took an oath to protect and defend the Constitution. I took that oath just a few steps away from where I am speaking here today, between myself and the Presiding Officer's chair, occupied at the moment by the Senator from Utah, Mr. LEE.

As all of us here today know, the fight to protect our Constitution and America's civil liberties is far from over. We must remain vigilant and we must also ensure that we have robust and transparent debate about these programs and what reforms must be implemented to protect America's civil liberties. That is why I support the USA FREEDOM Act, which would end the NSA's bulk metadata collection program and why I strongly believe that Congress must engage in an open amendment process. The American people must have their voices heard, and an open amendment process will help ensure that happens.

In light of all we have learned about the NSA's unlawful bulk data collection program, it is clear that reforms must happen. It is critical that Americans' rights are protected against the overreach of their own government.

So I ask the Senator from Kentucky, would he agree that the indiscriminate government collection of Americans' phone records violates the Constitution and, according to two independent commissions, has not proven critical to our national security?

(Mr. TILLIS assumed the Chair.)

Mr. PAUL. I wish to thank the Senator from Montana for that excellent synopsis of the issues as well as for the great question.

I think the reports by the review committee and the privacy committee, both commissioned by the President, both nonpartisan, are incredibly powerful because not only did they look at the constitutional issue of whether this is a bulk or a general warrant versus an individual warrant, they also saw practically that it wasn't working, it

wasn't adding anything to our intelligence. So I think we have sort of a dual reason now to say this is a big problem.

One, there are constitutional questions, which I think are very clear, but then the second practical question is that when we examine the evidence—and the privacy commission actually looked at classified evidence; they looked to see whether it was adding anything to this—I am thoroughly convinced that we can catch terrorists with traditional constitutional warrants.

When I have talked to former high-ranking heads of our security agencies, they freely admit they get more information with a warrant. It is a little more work. It has to be more specific. But I am also a believer in that because we have generalized what we are looking for and it is indiscriminate, that maybe we are missing people because we are overwhelmed with data. We are overwhelmed with things at the airports. I would much prefer that we have less indiscriminate searches at the airports and be more specific in looking at the manifests of who is flying and trying to find out who are the risks.

So I do think that, without question, this is not a constitutional program. It is not even legal under the PATRIOT Act. The courts have said it isn't, and we should do everything we can to stop it.

I appreciate the support of the Senator from Montana.

One of the things about this issue is that it really is a bipartisan issue. It is an issue where there are people who feel strongly on both sides of the aisle. The Senator from Oregon was here earlier and the Senator from New Mexico, and I now see the Senator from West Virginia, who is also a loud and consistent voice on this.

Does the Senator from West Virginia have a question?

Mr. MANCHIN. Mr. President, will the Senator from Kentucky yield?

Mr. PAUL. I will, without yielding the floor.

Mr. MANCHIN. I know the Senator from Kentucky agrees with me that the defense of our country and the protection of our civil liberties should be bipartisan and above politics. I know he agrees that we can and must protect our citizens without violating their civil liberties. Again, I don't always agree with my good friend from Kentucky on every issue, but when it comes to this Nation's intelligence gathering and security, we agree more than we don't.

As was he, I was deeply troubled by the revelation that our country was engaged in bulk collection—I think we all were surprised—and that millions of private citizens' data was gathered unknowingly and unjustifiably.

In 2013, Edward Snowden revealed to the American public that NSA was engaging in ''bulk data collection,'' in sweeping up virtually every cell phone record of an enormous number of Americans, again for no reason. The U.S. spying program did this by systematically and indiscriminately collecting millions—I mean millions—of Americans' phone records by simply digging up every phone record that came into its net even if it wasn't remotely related to a broad, general search. These are not searches that were relevant to a particular threat or an individual group; it was just a huge database of documenting what millions of law-abiding citizens were doing.

That is not what this country was based on, and I think the Senator from Kentucky has made that very clear. I know the Senator from Kentucky believes this was wrong, as I do. That is not just our opinion; national security experts, legal experts, the American public, and even several courts have said that the bulk collection of data is not only unconstitutional but also unnecessary to our national security. And my friend from Kentucky has confirmed that the President's review group has said that bulk data collection is not essential to preventing attacks and that the program has not made a difference in a single instance.

The bill the Senate will soon be considering—the USA FREEDOM Act of 2015—will ensure that we restore important privacy protections for Americans.

The United States will always face security threats—I think we all know that—and we will for generations to come. That is just a reality. On that horrible day of September 11, 2001, we as a country were reminded of this fact and realized we must meet those threats with strong law enforcement and strong intelligence. However, we must also balance that necessity with our constitutional rights.

The NSA bulk data collection program clearly did not strike that balance, and the District Court of DC and the Court of Appeals of the Second Circuit of the United States struck it down. The courts have made clear that this program is not legal, and I understand the frustration of Senator PAUL and Senator WYDEN with any suggestion that it be continued.

I believe this bill, USA FREEDOM 2015, moves us in a positive direction. It ends the bulk data collection program and ensures that the collection of data is related to a relevant, particular terrorist investigation. At the same time, it still protects this country.

The USA FREEDOM Act of 2015 replaces indiscriminate bulk collection and allows the government to collect call detail records on a daily basis if it can demonstrate to the FISA Court a reasonable, articulable suspicion that its search term is associated with a foreign terrorist organization.

The bill provides greater transparency about surveillance activities. It contains significant new government reporting requirements for FISA authorities to ensure its activities do not again break the law. It gives private companies increased options for reporting to the public information about the number of FISA orders and national security letters they receive. The bill requires declassification of FISA Court opinions containing significant legal interpretations. The bill requires the FISA Court to designate a panel to appoint individuals to advise in particular cases involving new or difficult legal issues. It expands the opportunity for the appellate review of FISA Court decisions. The bill strengthens the judicial review process for gag orders, imposes new privacy protections for FISA pen registers, and limits the use of unlawfully obtained information.

The bill also contains many provisions to protect our Nation's security. It creates a new emergency authority to allow the government to obtain business records, including call detail records, without advance court authorization if an emergency requires those records. It also adds a short-term emergency authority for continued transnational surveillance of foreign terrorists or spies who come into the United States before emergency authorization can be obtained from the Attorney General. It permits ongoing FISA surveillance of an agent of a foreign power who temporarily leaves the United States. It clarifies that individuals can be subject to FISA surveillance if they are knowingly aiding, abetting, or conspiring with respect to the proliferation of WMD on behalf of a foreign power.

Finally, the bill increases the statutory maximum penalty for material support of terrorism from 15 to 20 years.

I know the Senator from Kentucky does not think it goes far enough in protecting our privacy rights, but perhaps my good friend can remind us again of what provisions he would like to see changed or strengthened in the bill to satisfy his interests and the interests of Senator WYDEN and other people.

I yield the floor back to the Senator from Kentucky to hear basically his concerns and how we can have some protections, and do we have any rights whatsoever to gather information when it is proven? I have heard the Senator from Kentucky say that if he thought we could prove it, there was a different concern we had and we could get the FISA Court involved and basically move forward from there.

I thought this bill moved us in a positive direction—the new bill before the Senate that we are about to consider. I would appreciate it if the Senator from Kentucky could explain to me his concerns about that and what we need to do.

Mr. PAUL. Let me make sure I have the question correct. The Senator's

question is on my concerns on the USA FREEDOM Act?

Mr. MANCHIN. USA FREEDOM 2015.

Mr. PAUL. I want to like it because it ends bulk collection, and I am all for ending bulk collection. So we all agree—the people for it agree with the problem; it is a question of the solution.

It says there have to be specific selector terms on U.S. persons. Part of my problem is that ''persons'' is still defined as corporations. My concern is that you could put the word ''Verizon'' in there, and the government wouldn't be collecting the records, but you still could get all records from Verizon. Does the Senator see what I mean? That is one of my concerns with the way it has been written.

My other general concern is that we would still be having bulk collection. It wouldn't be bulk collection by the government, but it would still be bulk collection but through the phone companies.

I don't like the liability protection because I think it makes it more likely than not that the privacy agreement won't be as respected if they cannot be sued for violating the privacy agreement.

Those are a couple of concerns. I don't know if they are insurmountable, but those are a couple of concerns.

Mr. MANCHIN. I think we both agree and most of the people in this body agree that the bulk collection is wrong. It has been proven to be illegal, it shouldn't have been done, and it should be stopped. I think we all agree on that.

I think we still face considerable threats from around the world on a daily basis, if not even greater than that. We are looking to try to find a balance, and I think the Senator from Kentucky is valuable in helping us find that balance. That is what we are looking for. I know our colleague, Senator LEE from Utah, has made a gallant effort in trying to find that balance and making sure that we don't overstep.

The private companies are collecting. They already have that information anyway. It is not just sweeping from NSA, as they had been doing. Basically, I am understanding by this bill, the USA FREEDOM Act of 2015, that basically we would have to demonstrate to the FISA Court reasonable, articulate suspicion that its search term is associated with a foreign terrorist organization. They can't even go into those records until that is shown. That is the way I understood it. I am not sure if there is something I am missing.

Mr. PAUL. I guess the question I have is that we have some of those restrictions now, but they seem to think that those restrictions don't apply—the people interpreting what we have now are interpreting 215 to mean we can collect all of the American records in bulk.

If there were a circumstance where I was necessary to pass USA FREEDOM and if it were that close, if people were willing to look at the bill and say we would make a person, an individual—see, the big thing for me is that the warrant should be individualized. And I am worried that if we use the word ''person'' and if it can be replaced with the word ''Verizon'' and we still collect all the records, I would feel disappointed if we thought we got rid of bulk collection and a year or 2 from now, when they finally admit it, they admit: Oh, we are still doing the very same thing. We are doing Verizon. We are getting all of Verizon's records. We are just making them process it, and we are paying them for it.

That is what I fear. I want to make sure that doesn't happen.

Mr. MANCHIN. I guess we are caught in that Citizens United decision, it sounds like.

Mr. PAUL. In a different way, we are talking about whether in the intelligence selector numbers a person is a corporation and whether can have a single warrant.

I think if you want phone records from Verizon, it should say ''Verizon'' and we want the records of John Doe. It shouldn't just say that we want all the records from Verizon. That is a general warrant. I am still fearful that the USA FREEDOM Act might not limit that.

Mr. MANCHIN. If the FREEDOM Act goes away and the way they are doing bulk collection, which we agree should be done away with—and we don't come to some agreement—are you concerned that we might be in more jeopardy by not having something in place where we are able to get the necessary intelligence we need?

Mr. PAUL. I guess that is also where I probably differ. I think we are just as safe or safer with nothing, because the Constitution allows the searching of records. And I am all for it, but I would do it through warrants.

The point is that in metadata, one can do a hop or two with these less-than-constitutional warrants or whatever. But with a real warrant, we can go 100 hops into the data. I really would chase the rabbit down the hole. I would look very hard with suspicion, and I think warrants are generally easy to get. This is the point I don't get about why we have to have warrants with a lower constitutional standard, because I think the FISA warrants are almost never turned down, but neither are criminal warrants. If you are a policeman standing in front of a house, you almost never get a no. But if you are a policeman saying, I want to search all my neighbors' houses, then the judge is going to say no, and that is a good thing. So I think traditional warrants—I think people have somehow just convinced themselves that we can't catch terrorists with traditional warrants, but I think you can go through a lot of data with traditional warrants, too.

Mr. MANCHIN. Your sincere belief is that if this sunsets, this bulk collection in the way the PATRIOT Act has been enforced before—if it sunsets and it goes away, which we agree that we are trying to replace that before the sunset—you believe the system we have had in place before the PATRIOT Act of 2001 gives us still the ability to keep the homeland safe, using the court system, as you say, following the rabbit down the hole using the court system? Because we know we have rapid fire coming at us from different directions and people trying to come into this country and do harm. Social media has blown up even since 2001, so we are much more vulnerable from that standpoint.

What I am hearing you say also is that you are not really objectionable if you can find the right language—if you thought you could get protection of that individual without the interpretation of the entire broadness of the corporations.

Mr. PAUL. I think that also and within the context of—we have six or seven amendments that we would like to offer. I can't guarantee that we could win any of them, but there is a chance maybe we could win another reform.

So for example, one of the reforms that some people think may be as important as all the bulk collection is the ability of the government to tell an Internet provider that they have to create a backdoor to their product for the government to go through—and some of the backdoor stuff through 702.

We think there are some other things that may well be as big as this. I also think there is the ability of the government to not only use traditional warrants. They have some they are using under Executive order, as well, and we still have a host of other types of warrants and subpoenas being used. But I would never be for this in a heartbeat if I thought it was going to put the country in danger. I think we will be safer because of it and so will our liberty.

Mr. MANCHIN. It is a good point in the bill that we will be considering, the 2015 FREEDOM Act. It expands the opportunity for the appellate review of the FISA Court decisions, which I think the Senator has had a problem with, too, because it has been handed out, uncontested. Is that correct?

Mr. PAUL. Say that again, please.

Mr. MANCHIN. The bill that we will be considering is expanding the opportunity for the appellate review of the FISA Court decisions. I think and I can understand that you are saying they can get a FISA order no matter what.

Mr. PAUL. I am not sure I understand the question, but I do believe as to the court case right now, the way it

stands—if the USA FREEDOM Act had passed last year, I think there was a chance that it might have made the court case moot because it would have said that Congress has already acted and Congress now has given an authority for a variation of this and Congress already fixed the problem. So there is a part of me that would like to see the appellate court case go up to the Supreme Court. It has been remanded to a lower court so I don't know if it is ever getting there. But we ultimately have some questions in our country that won't be decided until we have a Supreme Court case.

One of those questions is, Do papers have to be physical and in your house? What if they are digital and lodged somewhere else? Do you have any right of privacy, any Fourth Amendment protection at all for records that are held somewhere else? The current legal opinion doesn't really give any protection to third-party records. I think that needs to be fixed, because technology has made it such that our records are no longer going to be real records that you can hold in your hand. I think almost all of our records will be virtual and held in space somewhere, and I think you still have to have a personal privacy protection in those.

Mr. MANCHIN. So the bill that we have proposed before us, it is going to require declassification of FISA Court opinions containing significant legal interpretation, which is a positive thing.

Mr. PAUL. There is a lot that I like in the bill. It is just a matter of whether or not I can be convinced that it doesn't allow bulk collection under another name. I am still worried about that. But I am open to it.

Some of these things—this is a very important bill. I mean, we could have a week of discussion on this bill, and amendments and a process. The only reason we are getting a little bit of this is because I am kind of forcing the issue, but I would like to see the amendments voted on. All the other stuff we are doing around here is important but has no deadline. We could have done it next week or 2 weeks from now—all the stuff we are doing right now.

But anyway, that is what I am going to be asking for—the ability to present five or six amendments, vote on them, and then we will see. And I am more than willing to talk with the authors of the USA FREEDOM Act to see if there is a way, but it is going to have to involve some give and take to figure it out.

Mr. MANCHIN. It sounds like we are not that far apart. I think we are all going down the same path, trying to keep the homeland as secure as possible while protecting the rights of all Americans. I appreciate that. I hope that we do. These are important issues. It is a dangerous world that we live in. It is a threatened world that our children are being raised in. We want to do everything we can to protect them, and I know you do, too.

With that, I think we all came to an agreement that what was done before was wrong. So we all come unanimously to that agreement, and finding a pathway forward is what we are working on now. So I appreciate your sincerity and your intent to try and reach out and find that. I hope you can find that comfort level so we can move forward and still have a protected country.

Thank you.

Mr. PAUL. I thank the Senator from West Virginia. I think he has made some really good points. I think a lot of us have come to the agreement that there is a problem with bulk collection. I don't think we have everybody, but I think we have a significant number. The court agrees with us. So I think we are getting closer.

One of the groups that we have talked about in looking at where we are, whether this is a constitutional or legal program—is it is pretty intriguing to look at the report that comes from the Privacy and Civil Liberties Oversight Board. This is a bipartisan board. It is a board that was put in place, and I think the appointees are bipartisan appointees.

When they met, they came to the conclusion, though, that the bulk collection of records is not warranted and not given sanction by the PATRIOT Act. They had four different reasons why they say that the telephone records program—the bulk collection of our records—does not comply even with the PATRIOT Act. The first reason they say is that there is no connection to any specific FBI investigation at the time of the collection. So, basically, when they collect your phone records, they are not even alleging that they are related to any investigation. But that is what the statute says. They are supposed to be relevant to an investigation, but there is no evidence and nothing is even presented that there is any investigation even going on. The investigation actually starts after they have collected all of your records.

So how can section 215 say that you can collect these records because they are relevant to an investigation that has not yet even begun? They use this big data case later on when they say there is going to be an investigation. So I think their No. 1 reason is pretty strong. There can't be a connection or relevancy because there really is no investigation when they collect your records.

The second reason of the privacy commission was that the records are collected in bulk, potentially encompassing all telephone calling records across the Nation. They cannot be regarded as relevant to any investigation without redefining the word ''relevant'' in a manner that is circular. Relevant sort of means that there is some sort of criteria that means that there is some pertinence, that there is something about the records or something about the investigation.

For example, if there is someone in the northwest section of Washington, DC, and we saw something happen there. We are saying we want to look at the records there. Even though it might be bulk collection, it would be at least relevant to some sort of investigation. There would be some pertinent factor. But they are just collecting everybody's records. It is completely without any relevancy. And I love the way they put it—that this would not be relevant unless we redefine the word relevant in a manner that is circular, unlimited in scope, and out of step with case law from analogous legal context involving production of records.

The third reason why the privacy board said that this program is not legal is that it operates by putting telephone companies under an obligation to furnish new calling records on a daily basis as they are generated, instead of turning over records they already have in their possession. This is an approach lacking foundation in the statute and one that is inconsistent with FISA as a whole.

The final reason they say that this program is illegal—this is the President's own privacy commission—is that the statute permits only the FBI to obtain items for use in the investigation. It does not authorize the NSA to do anything. So section 215 of the PATRIOT Act is what they are saying they are using as justification. It allows the FBI to collect records. It doesn't allow the NSA at all. So they are using a statute that was intended for the FBI to say the NSA can do this. So I think the reasons are pretty clear—four specific reasons why the PATRIOT Act does not justify the collection of these records.

The next thing the policy committee looked at was they looked at and they tried to decide whether there has been any practical effect. I know Senator LEAHY was a part of this, looking at whether any of these things actually did catch terrorists. But this is what they concluded, and they actually looked at the classified data. So the Privacy and Civil Liberties Oversight Board looked at the data, looked at the classified data, and this is their conclusion:

> However, we conclude that the Section 215 program, the bulk collection, has shown minimal value in safeguarding the nation from terrorism. . . . we have not identified a single instance involving a threat to the United States in which the [bulk collection] program made a concrete difference in the outcome of a counterterrorism investigation.

Those are pretty strong words. The Policy and Civil Liberties Oversight

Board commissioned by the President, which is bipartisan, looked at the classified data and said it didn't find a single incident—not one incident—in which it made a concrete difference in the outcome of a counterterrorism investigation.

Moreover, we are aware of no instance in which the program directly contributed to the discovery of a previously unknown terrorist. . . .

What does this mean? We are not pushing a button and generating terrorists out of this. The terrorists are coming from real information. You have to realize that this misinformation and this wrong-headed information has been used forever—for 15 years—to justify the fact that we should give up on the Fourth Amendment and we should give up on protections.

Over and over people say that if we only had the PATRIOT Act, we wouldn't have had 9/11. The two terrorists they claim we would have gotten were in San Diego. We already knew about them. An informant lived with them for a year. The FBI wasn't talking to the CIA, they weren't looking at lists, and they didn't know they would come back. The CIA didn't know. It had nothing to do with having bulk collection of our records. We knew about these people. It was crummy work. It was people not doing their job.

I repeat: No one was ever fired. We gave rewards. We gave medals of honor to everybody in the intelligence community and no one was ever fired. There were some true heroes—the FBI agent in Arizona and the FBI agent in Minnesota who actually discovered potential hijackers. The 20th hijacker was captured before 9/11. The 20th hijacker was captured a month before 9/11. That is the person who should have gotten the Medal of Honor. The person who would not listen to him should have been fired. I have no understanding or awareness that anybody was ever fired over 9/11.

The Policy and Civil Liberties Board goes on to say that our review suggests that section 215 of the PATRIOT Act, the bulk collection of records, offers little unique value. They explore a little bit of whether there is a privacy problem with collecting all of these records and what are the implications of collecting all of these records. The government's collection of a person's entire telephone call history has a significant and detrimental effect on an individual's privacy.

Beyond such individual privacy intrusions, permitting the government to routinely collect calling records of the entire Nation fundamentally shifts the balance of power between the State and its citizens. With its power of compulsion and criminal prosecution, the government possesses unique threats to privacy when it collects data on its own citizens.

Compound this with the fact that the government—you could say: Well, they are just collecting this data at a lower standard, but if you are not a terrorist you do not have to worry. But here is the problem. They are collecting this data with the lower standard, a less-than-constitutional standard, but then they are also prosecuting you for domestic crime.

Section 215 of the PATRIOT Act is being used 99.5 percent of the time for domestic crime. We are putting drug dealers in jail. That is another question and another story. But then we should vote on it as a country. OK. For drug dealers, we are not going to have the Constitution anymore, we are going to have the PATRIOT Act for drug dealers. Let's be honest about it. The war on drugs has had a disparate impact, a disproportionate impact on people of color. So you have to admit to all the young Black men and all the young Brown men you put in prison that we are no longer using the Constitution to stick you in prison, we are using the PATRIOT Act to put you in prison.

We need to be honest with people. If the PATRIOT Act is about terrorism, they should adopt my amendment that says you cannot be put in jail for a domestic crime under the PATRIOT Act. Why? Because the PATRIOT Act has dumbed down and loosened the standards. We do not have probable cause, we have relevance. Realize that relevance, as they say in the Commission, has become completely circular and devoid of meaning, if you are saying that all the records in the country are somehow relevant to an investigation that has not yet begun.

They make a great point here about the fact that not only does this stifle or invade your privacy, it may well stifle your speech and your association. If you are going to be associating with minority causes, unpopular causes, whether you are a kid from the North who went down to be in favor of civil rights, whether you are someone who belongs to the NAACP or the ACLU, they say: Yet, even though there is no evidence of abuse—

And this is the big argument. Everyone says: Well, there has never been any abuse, so it is fine to keep doing this.

Yet, while the danger of abuse may seem remote, given historical abuse of personal information by the government during the 20th century, the risk is more than theoretical.

I could not agree more. Moreover, the bulk collection of telephone records can be expected to have a chilling effect on the free exercise of speech and association because individuals and groups engaged in sensitive or controversial work have less reason to trust in the confidentiality of their relationships as revealed by their calling patterns.

Realize that they are taking your phone records, your calling lists, your buddy lists, your ISP address, your email. They are integrating this into some network where they can pull your name up and find out who are all your buddies, who are all your friends, who are all your Facebook friends.

Realize the potential danger of having so much information, so much of a dossier on every American citizen, even if they are not using it. But when you think that, well, this is fine because we are not doing it and good people are running these agencies, realize that the head of the Agency lied to us about this program at all. He said it did not exist. So when you get to be trusting these people to protect your individual information, realize that the most—at the very top of the intelligence community, the most famous person in our country dealing with intelligence lied to a congressional committee and said that this program did not even exist.

The report goes on to say that the inability to expect privacy, vis-à-vis the government and one's telephone communications, means that people engaged in wholly lawful activities, but who for reasons justifiably do not wish the government to know about their communications, must either forgo such activities, reduce their frequency or take costly measures to hide them from the government surveillance.

The telephone records program thus hinders the ability of advocacy organizations to communicate confidentially with members, donors, legislators, whistleblowers, members of the public.

Initially, in the 1970s when we set up the surveillance court, the security court, the FISA Court, they were done with individualized warrants. They got information through individualized warrants.

Beginning in 2004, though, the role of the security court changed when the government approached the court with its first request to approve a program involving what is now referred to as bulk collection. For the first several years, we did bulk collection—they just did it. They just said it was under the inherent authorities of the President. This should scare us because there are people who believe that the inherent authorities of the President are unlimited. That would not be a President. There would be another name for that.

But if there are no limits to what the President can do, there is another name for it and it is not President. The Commission goes on to say that the judge's decision—their decisionmaking would be clearly enhanced if they could hear opposing views. So the privacy commission advocates exactly what I am advocating for, that you should have a lawyer in there with you and that there should be an adversarial type of procedure.

Because the thing is, is that it is like any other dispute. If you have ever heard two people arguing, figuring out the truth is listening to both sides and

trying to gather what the truth is. So I think that we get to the truth a lot more if we had someone asking questions. Realize also that section 215 of the PATRIOT Act says that the information has to be relevant to an investigation.

Without having someone in there to argue your case, the court appears to have not really had a great deal of discussion or, to my mind, thought about whether bulk collection is somehow relevant. You might argue that if there were opposing sides, as in a traditional court, that maybe someone would stand up and say to the judge: How can this be relevant? What investigation is it relevant to?

See, I think the FISA Court became such a rubberstamp that you were not even having these questions asked because how could you ask that question. If you are an advocate for someone who does not want to give up their information, how could you ask the question whether it is relevant to an investigation, and then the government would say: Well, we are going to do it. It will be relevant when we do an investigation.

No court, you would think, would understand or accept that, if it were an adversarial procedure where you have a lawyer on both sides. I don't think you can truly have justice—I think you can have a court that meets in secret. I think courts can protect individual names and I want them to. I thought Senator WYDEN made a great point when he was out here.

Intelligence activities, at their core, we have to protect the names of operatives. You do not want the code out there, like if we have a great code and we are stealing information from our enemies and we are eavesdropping on our enemies, we do not want the code out there that shows how smart we are and how our technology works. But if we are going to do something like collect the records of all Americans, that is a constitutional question.

You can have opinions on both sides of it. I do not think there is much of a valid constitutional reason for believing in this. But you can have an opinion. In a democratic Republic, we could argue these points back and forth. But you really would have to have the ability to have a discussion over those things. Because I think without that, I do not think we can actually get to justice.

Mr. COONS addressed the Chair.

The PRESIDING OFFICER. Does the Senator from Kentucky yield for a question?

Mr. PAUL. Mr. President, I would yield for a question but not yield the floor.

Mr. COONS. Mr. President, I am wondering whether the Senator from Kentucky would be good enough to confirm for me where I think the issue is that is before the Senate today. So if I might, I will speak for a few minutes about what I think is the core issue before us on the floor and then ask the Senator whether he would confirm that this is his understanding as well.

At the outset, I will say it is relatively rare for my colleague from Kentucky and I to come to the floor in agreement on an issue, but it has happened before on exactly this issue. I think it is important that it be clear to folks that there are concerns on both sides of the aisle on the critical underlying issues about how we balance privacy and liberty, security and our civil liberties.

For nearly a decade, our government has operated a program that collects massive amounts of information from innocent Americans without any specific suspicion they have done anything wrong. Let me put that another way. For years, any American's communication data could have been tracked and collected by the government, whether or not they were suspected of a crime.

That program has been carried out under Section 215 of the PATRIOT Act based on flimsy or mistaken interpretations of the original law, all in the name of our national security. Yet the bulk collection program has had disputed and not arguably clear benefit to our national security. There is not one clear publicly confirmed instance of a plot being foiled because of this section 215 program. I have long been concerned about the scope and the reach of our intelligence community's bulk collection program.

That is why in 2011 I voted, along with my colleague from Kentucky, against the straight reauthorization of the PATRIOT Act. I believed then, as I believe now, it would be irresponsible for Congress to continue reauthorizing the law without taking steps to address concerns about unlawful surveillance it has allowed, particularly given the fact that earlier this month a U.S. Federal circuit court specifically deemed this program illegal.

Fortunately, we have an alternative, which I believe the Senator from Kentucky has been expounding on behalf of, the USA FREEDOM Act, a bipartisan bill passed by the House just last week by an overwhelming margin—I think it was 338 to 88. It would end bulk collection by only allowing the Federal Government to seek call records retained by the telecommunications industry once it has established a record is relevant to an ongoing investigation.

Records would no longer be stored by the government but would remain in the hands of telecommunications companies, which under FCC rules, in order to ensure that there is customer access to records in the case of a dispute, they are retained for 18 months. This bill strikes an important balance by protecting American's privacy and ensuring our government can still keep our Nation safe.

In fact, there are some who might argue that the USA FREEDOM Act would allow a stronger and more robust and more effective series of actions to keep our Nation safe. I urge my colleagues to support it. I know these are difficult decisions for us to make. I know we all have concerns about our Nation's security, but we have to all have concerns about our Nation's freedom.

We fought for it from the very beginning of our country. I want to just thank and salute Members here, colleagues, and in particular my colleague from Kentucky for being insistent that we have clarity about time. We were told 4 years ago, when the reauthorization fight was happening, that time had run out and that we needed to reauthorize it, without considering needed reforms that were discussed and debated in the Judiciary Committee.

Two years ago, some of the core elements of this were exposed to the world. A lot of my constituents raised legitimate and serious concerns about it. Whether we are being asked to extend it for 2 weeks or 2 days or 2 hours, I think time has run out for us to even discuss reauthorizing a program that has explicitly been held illegal. We instead need to come together and take up and pass the USA FREEDOM Act.

Would my colleague from Kentucky confirm that is the situation on the floor at the moment and on behalf of which he was speaking?

Mr. PAUL. I think what is still unclear to me is what will be taken up and what votes there will be on this. I believe that the debate is a very important one, that it is one we should engage in and have a significant time to talk about, and there should be amendments. As you know, sometimes the amendments get offered and then things sort of fall away.

I want to ensure that on something this important that comes up only once every 3 years and on which the court just below the Supreme Court has said we are doing something illegal, that we don't just gloss over and say we are going to keep on doing something the courts have said is illegal.

As far as the end result of where it goes, I want to end bulk collection. So I agree with all of the people on the USA FREEDOM side. I am a little concerned that we might be transferring government bulk collection to privately held bulk collection.

In the selector terms they use in the USA FREEDOM Act, it says ''person.'' It says ''specific person.'' I think it defines ''person,'' though, as still including corporations. My concern is that you could write into specific person ''Verizon'' again, and we are back where we started.

So if we could get to a point of, No. 1, allowing some amendments to be voted on and maybe changing it such

that you can't have—see, to me, the biggest issue here is a general versus a specific warrant. I don't want warrants that you can get everybody's records all at once or even one company's. I want the warrant to say—and I am fine with getting terrorists. I want to get terrorists. If John Doe is a potential terrorist, put his name on it. You can go as deep as you want into the phone records, but do specific warrants. But I don't like it if you just say: I want everybody's records from a phone company.

So I am concerned that we are trading one bulk collection for another form, and I need to be a little more assured on that. I think there might be room for it if people were open to discussion on how we could figure out a way to get something through because it is going to be difficult, as you know, to get to 60. It is going to be hard either way. The other side wants the bulk collection, and if people want the bulk collection, they want more of it. And then there are at least half of us who think it is the wrong thing to do.

I don't know the outcome, but I was uncertain enough that I came today to come to try to draw attention to it. And if I had a request today, it would be the leadership to let amendments to go forward, that we agree on having a pretty free amendment process.

This is only every 3 years, and it is a big deal. We don't have much legislation come before us where an activity has been said to be illegal by an appellate court, we continue to do it, and then people want to advocate to continue to do something that is illegal. But I am going to try to see what I can get. I am hoping to get an answer—maybe today—from leadership on whether they will allow amendments to this. I want to be pretty certain that is going to happen because they seem to fall away sometimes.

Mr. TESTER addressed the Chair.

The PRESIDING OFFICER. Does the Senator from Kentucky yield for a question?

Mr. PAUL. I want to continue to keep the floor. I yield for a question without losing the floor.

Mr. TESTER. Mr. President, first, I thank the Senator from Kentucky for what he is doing. I think this is very important, and I stand here today with my colleagues on both sides of the aisle to protect Americans' privacy rights.

I am very much concerned by the overreach we have seen in the name of national security, and I oppose efforts to reauthorize any piece of it without real reforms.

Folks in Montana know I have been an opponent of the PATRIOT Act since it was signed into law. Why? Because the PATRIOT Act violates law-abiding citizens' rights to privacy—something we hold dear in this country. We do need to make this country as secure as we possibly can, but we cannot do that at the expense of our constitutional rights.

It has been talked about here earlier today that a Federal court recently ruled that the NSA bulk data collections are illegal, flat illegal. But keep in mind that the NSA used the PATRIOT Act to authorize those data collections. Yet, in the Senate, some of our colleagues think we should reauthorize those expiring provisions without even having a debate on the merits. We have seen this before. It has happened several times since I have been in the Senate.

Trying to jam an extension of the PATRIOT Act through the Senate at the last minute is not fair to this body, and it is not fair at all to the American people. We deserve a real debate on privacy and security in the Senate. It is too important of an issue not to. We have to put some sideboards on our national intelligence agencies so that they can keep us safe without violating our constitutional rights. We need a real debate on this issue.

Last week, the majority leader made a decision to deprive the Senate and the public of debate by taking up a trade bill which we could have passed in June. No doubt about it, we are approaching the Memorial Day recess. Some folks are anxious to go home, but we have work to do. I will continue to work with my colleagues to ensure that we make real reforms to the PATRIOT Act. If the people in this body don't know that this is important, they don't know the Constitution.

I thank everybody who spoke on the floor today. We need to have a debate. We need to have a debate on what the PATRIOT Act is about, how it is being utilized, and how we need to move forward. An extension is not acceptable.

I yield the floor back to the Senator from Kentucky and thank him for the work he has done on this issue.

Mr. PAUL. I thank the Senator from Montana, and I think that is further evidence that there is bipartisan support for the Constitution.

The PATRIOT Act went too far. We have heard from both Senators from Montana, from opposite parties, who both wanted to defend the individual, wanted to defend the Bill of Rights, and think that we have let the government go too far. I think the American people agree with this as well.

I think without question—this is one of those things that are kind of perplexing, if you think about it. If you ask most Americans, if you do a poll or a survey or ask most Americans ''Should the government be allowed to look at your phone records without any suspicion that you have committed a crime?'' I think there are a very low number who think that. But then when you get to Washington, it is almost the opposite. You have people in Washington who have, I think, viewpoints that are really out of step with what the American people want.

I think the American people really have decided that the bulk collection of records is wrong, that it is unconstitutional. The second highest court in the land has said it is illegal. Yet, you still have a significant body of people in this country saying: Not only keep doing it, let's do more of it.

The problem is that if we are going to allow records to be collected without individualized suspicion, what we are doing is allowing something, when we talk about bulk collection, that has no sort of determinants for what suspicion is. You can imagine what the danger of that is if you apply that to everything.

Also, in an age where we have computers that can analyze and hold so much information—they are building them bigger and bigger and gathering more and more and processing this information—there is great danger that could come from this.

I wrote something about ''1984'' a couple of years ago, and I said when I read it the first time—and a new big brother, you know, was the danger of all these things. I thought, Oh, this is terrible. But I felt comforted. I read it probably in 1978.

We didn't have the technology to eavesdrop on everyone. We didn't have the technology to know everyone's whereabouts. We didn't have the technology to have cameras in every house.

In the book, they talked about looking at people back and forth through two-way televisions and monitoring. Everybody, as you know, had to be careful where books were placed. You had to read in secret basically. But because the technology didn't exist when I read ''1984,'' I really wasn't as concerned about it. But the thing is that you don't lose your freedom in one fell swoop; you lose it a little bit at a time.

People say: Well, the people doing this are good people.

It is like the President said. When the President signed legislation a few years ago that said that an American citizen can be detained without a trial, he said: But I am a good man, and I won't use this power.

It is sort of a fundamental misunderstanding of law and the rule of law that you think that the goodness of yourself or the goodness of the individuals around you somehow is the protection of the law. The law is really to protect you against bad people. The law is to protect you when bad people get in office. The law—and those who believe in the rule of law—is based on the fact that there is an understanding that in the time of history, people were democratically elected who were bad people and that people, once given power, become addicted to it and they want more of it.

Lincoln once wrote that any man can stand adversity, but if you want to truly challenge a man, give him power. That is what we are talking about. We

are talking about unlimited power. We are not even talking about power that is constrained by law at all.

The whole idea that the PATRIOT Act has anything to do with the bulk collection is a farce. The President's privacy commission has really put this in bold for us, that really there is nothing about the PATRIOT Act that has any resemblance to what we are doing with bulk collection. So that is not only the rule of law, that is people within government, within the executive branch, who have made the decision that they are going to do whatever they want.

One of the things that worries me about this debate—and I think it is good that we are having the debate—there is apparently a section of the PATRIOT Act as we passed it the last time that says that if the PATRIOT Act is not extended, all things previously being investigated before will continue. So we really kind of have a perpetual PATRIOT Act, if you will. That worries me a little bit, but then it worries me a little more that we are not even really paying attention to the PATRIOT Act; we are doing whatever we want. It is sort of a lawlessness that allows us to collect bulk records because there is no relevance to an investigation. As they said in the privacy commission, we are collecting the records before there is any investigation. So there is no relevancy to an investigation. The investigation hasn't started yet, unless the investigation could be defined as everything.

I like the way they put it. They said we would have to destroy the definition of ''relevancy'' to believe that there is any component of relevancy to these investigations.

But we are collecting records of every American all of the time right now. It may not be just phone records; they say the biggest source of collection now is probably actually through section 702 of FISA, the FISA amendments. We are not exactly clear who gets scooped up in that.

Once again, if these are the records of foreigners, if these are the records of people bent upon attacking us, I am all for getting that. But the way they are collected—and by some allegations, intentionally so—we are sometimes targeting a foreigner, so we don't have to use a standard at all in order to get information on an American.

So let's say they want information on you. I am not sure why, because some of this is being used for drug crimes and domestic crimes. So let's say they want information on you and they don't want to get a warrant or a judge says no. In fact, that sometimes happens, that the FISA Court judge says no and then they use one of these other end-around ways that don't even require a FISA Court judge.

The level of lawlessness is appalling. The level of lawlessness is astounding. It disappoints me that the President, who was once considered by some to be somewhat of a civil libertarian, does nothing. When the President ran for office, the President said that national security letters ought to be signed by judges. He was in the exact same place where I am on civil liberties with regard to these warrants, the national security letters. Yet, his administration issues them by the hundreds of thousands. I don't think they are even reporting these anymore for us. I think they were reporting them for a few years, but we are no longer getting information.

But it disappoints me that the President is not really willing to do anything about this. The President could end the bulk collection tomorrow. It is done by Executive order; it could be undone by Executive order.

It is disingenuous, at the very least, that the President says: Oh, yes, we are going to balance liberty and security.

Well, no, he is not. He is not balancing anything. He is just continuing to collect all of our records without a warrant. He is continuing to do bulk or general collection of records without a warrant.

I think the American people are ready for us to be done with this. My hope is that during today we will call attention to this and that the American people will say: Who are these people who want to keep collecting our records without a warrant, and why do they still want to do this when the people who have investigated it have determined that no one has been captured by this program, no one has been uniquely identified by this program?

So there really is a consideration of whether we are going to listen to the American people. Are we going to wake up? Are we a representative body?

This question is, Are we going to allow a debate on something that only comes around every 3 years or are we going to say ''My goodness, it is the weekend, it is Memorial Day weekend, and we are up against a deadline, and we just don't have time to listen to this. We don't have time to talk about the Bill of Rights because we just don't have time. I know it has been 3 years that we have known this date was coming up, but we don't have time''?

I think at the very least we could make time, and that is my request today. My request of the leadership on both sides of the aisle is: Can we not make time? There are at least 10 or 15 of us who will cosponsor about 5 or 6 amendments that we want votes on. Frankly, I think with the mood of the country, we have a chance on a few of these.

I would like to see how a vote would turn out on the idea, for example, that we are using a less-than-constitutional standard to gather information that we say is for terrorism, but then we put people in jail domestically for crimes that are completely and entirely unrelated to terrorism; that whether or not we can use information gathered in a nonconstitutional or a less-than-constitutional way is going to be used for domestic crime.

If you believe that, it means we are carving out in our domestic laws an area where the Constitution doesn't entirely apply. Section 213 allows the entering of the house in a nonconstitutional way—a way that, if it were done in a straight-up fashion, the courts would say it is illegally gathered information and wouldn't be admissible in court.

I think we ought to have a vote. Is the PATRIOT Act our less-than-constitutional means of gathering information to be used in domestic court?

Here is the other question, if they will be honest with us: Are they using them in any other courts? Are there IRS investigations that begin as terrorist investigations but end up in IRS court?

In some ways, I think yes is the answer. We have now the IRS basing investigations of people maybe for political purposes but definitely for the purposes of whether individuals are doing transactions in certain ways or whether their records are in a certain way. And because it is done this way, we are not really requiring convictions before we take their stuff. This is a separate but related problem because it has to do with using records to gain entrance to people and to then take their stuff without a conviction.

I think that is an important question. Are we innocent until proven guilty? Are we really going to allow the government to take possession of your things, to take possession of your things without a conviction? I would think the presumption of innocence is an incredibly important doctrine that we shouldn't so casually dismiss.

This is a poll that was commissioned by the ACLU on Monday, and they asked a sample of 300 likely voters between the ages of 18 and 39 a few questions.

It says: Which of the following statements about reauthorizing the PATRIOT Act do you agree with more?

Some people say Congress should modify the PATRIOT Act to limit government surveillance and protect Americans' privacy. Sixty percent agreed.

Other people say Congress should preserve the PATRIOT Act and make no changes because it has been effective in keeping America safe from terrorists and other threats to national security, like ISIS or Al Qaeda. That was 34 percent.

Those are the overall numbers. If you look at it by all parties—Democrats, Independents, and GOP—it is 58 percent or greater. In fact, Democrats and Republicans are pretty equal, which is interesting, with 59 percent of Democrats and 58 percent of Republicans

thinking we have gone too far in the PATRIOT Act and that Americans' privacy is being disturbed by the PATRIOT Act.

If you look at Independents, it is 75 percent among men who are Independent and 65 percent among women who are Independent.

The survey asked people: Do you find it concerning the U.S. Government is collecting and storing your personal information, like your phone records, emails, bank statements, and other communications? Eighty-two percent are concerned the government is storing this information.

Over three-quarters of voters found four different examples of government spying personally concerning to them: The government accessing personal communications, information or records without a judge's permission—83 percent—using that information for things other than stopping terrorists, such as I mentioned, doing convictions for drugs, were the most compelling examples for voters.

With regard to whether the government accesses any of your personal communications, information or records you share with a company without a judge's permission, people were asked to tell them whether they were concerned with this issue. Eighty-three percent were concerned.

When asked about the government using information collected without a warrant for things other than stopping terrorist attacks, 83 percent were concerned.

When asked about the government allowing private companies to use public school technology programs to track online activities of schoolchildren, 77 percent were concerned.

When asked if the government performs instant wiretaps on any phone or other telecommunications devices located in the United States, 76 percent were concerned.

From this ACLU study of young people—I believe they were all ages 18 to 39—participants were asked whether or not these were conditions that would lead you to believe that Americans need more protections of their privacy: Local police and the FBI need a warrant issued by an independent judge for a valid reason before they search your home or property without your permission; the same should be true of your email and phone records. And 84 percent agreed.

If you ask that question in Washington, it is about a 10 or 15 percent question. Most people in Washington don't think your email or your phone records should be protected by needing a warrant. But if you ask most Americans the question—particularly young Americans—should your email or your phone records be protected by a warrant? Most people say yes.

The government requires some companies to intentionally include security loopholes in their services to make it easier for law enforcement to access your information. These are these backdoor things where they can insert malware. This makes the government less safe by leaving us vulnerable to terrorists and spies of foreign countries who want to harm the United States. Eighty-one percent were concerned with this and thought we should have more privacy.

I think it is clear the American people are concerned about what we are doing. What isn't yet clear is whether the message has been transmitted to Washington; whether or not there is enough of a majority growing in Washington to actually do something about this. But I think the numbers are growing.

Over 300 people in the House acknowledged there was a problem and passed legislation. I have mixed feelings on the legislation. I think, without question, I agree with those who voted for it that bulk collection of records is wrong and that it should end. I have been a little more in the camp, though, that we should just end the bulk collection of records and replace it not with a new program but with the Constitution.

I personally think we could survive with the Constitution. I think we could also survive and catch terrorists with the Constitution. In fact, I think we can get more information with the Constitution. I think valid warrants are much more powerful. A valid warrant allows a great deal more information and it is also specific.

Once we are doing valid warrants, we are not doing this sort of dragnet. We are not doing this sort of vacuuming up of everything. We are not becoming overwhelmed with a lot of incidental data. We are specifically going to the heart of things. We are specifically going to the core of whether we can actually get the people who are attacking us.

When we look at the privacy report we have talked a little bit about—the Privacy and Civil Liberties Oversight Board, a bipartisan board that basically said very explicitly to the President that what he was doing is illegal—it does still boggle my mind the President was told by his own privacy board what he was doing was illegal and he just keeps doing it. It somewhat boggles the mind that he was told by the appellate court that what he is doing is illegal and yet he just keeps doing it.

It is an incredible deflection. It is incredibly disingenuous when the President says: Well, we are going to balance liberty and security, and I am just waiting for Congress to tell me what to do. Well, he didn't wait for Congress to tell him to collect the phone records. In fact, we never did such a thing.

Even the people intimately involved with passing the PATRIOT Act—those who were the cosponsors and authors of the PATRIOT Act—have all said they never intended and don't believe the PATRIOT Act gives any justification for bulk collection of records. So Congress never authorized the bulk collection of records.

Two different Commissions the President has put forward—the privacy and civil liberties as well as the review commission—have both told him it is illegal. Yet he keeps going on.

I have heard very little questioning of the President or his people about this. I kind of wonder why we don't ask more questions, why we just sort of accept that a program that is said to be illegal by the courts, a program that is said to be illegal by two different independent commissions—why wouldn't we just stop it? Why does the President not have the wherewithal to stop it? It disappoints me.

The program was actually begun even before the PATRIOT Act was finalized. We did this for a couple of years simply by Presidential edict. This is another concerning development in our country; that more and more of our government is run by Executive edict or by Executive order—thousands and thousands of Executive orders.

In the 1950s, we had a discussion of Executive orders. I think it is the only time it has gone to the Supreme Court with the Youngstown Steel case. In that case, the Court came down and said there are three different kinds of Executive orders: There are Executive orders that are clearly in furtherance of legislative action, and those are perfectly legal. There are Executive orders that are debatable, whether they further legislative action or not. But then there are some Executive orders that are clearly in defiance of what the legislature has done, and these are clearly illegal. And the Supreme Court struck down what Truman had done.

I think we need to revisit that debate. Because what is happening in our country—and it may well be the biggest problem in the country and is part of what is going on with this bulk collection but really is part of a bigger problem—is that power has drifted away from Congress or has been abdicated and given up. We gave the power to the Presidency, and we didn't do it just in one fell swoop. It wasn't just Republicans. It wasn't just Democrats. It was a little bit of both, and it has been going on for probably over 100 years now. I think it accelerated in the era of Wilson, but over decades it has gotten bigger and bigger and bigger. Under the New Deal, the executive branch grew an alarming amount, but more recently it continues to grow by leaps and bounds.

It may well be that the No. 1 issue we face as a country is that we have had what some have described as a collapse in the separation of powers. Madison talked about that each branch would

have ambition to protect their own power; so we would pit ambition against ambition and then each would jealously guard their power, and, as such, power wouldn't grow. Power would be checked. But power has grown. It has grown alarmingly so and mostly grown and gravitated to the executive branch.

In the short time I have been here, I have seen that in many ways the least of our bureaucrats are more powerful probably in some ways than the greatest of our legislators, and the most powerful of our legislators are somewhat of less power than bureaucrats.

Almost every constituent that comes to talk to me from Kentucky and has a problem with government—as we explore the problem and explore the solution, we discover that Congress didn't pass their problem. Congress didn't write the rule that is beleaguering them. Congress didn't inflict the punishment that is making it difficult for them to run their business. It was done by an unelected bureaucrat.

This has grown, and sometimes it has grown from even when we had good intentions. We tried to do the right thing and it turned out wrong. Probably that is really the story of Washington as well.

Take even the Clean Water Act. The Clean Water Act I support. I would have voted for it from 1974. It says you can't discharge pollutants into a navigable stream. I agree with that. The problem is that over about a 40-year period we have come to define dirt as a pollutant and my backyard as a navigable stream. So, once again, we have taken our eye off the prize.

The things we really ought to have the government involved with—big bodies of water, bodies of water between the States, rivers, lakes, oceans, air—there is a role for the government to be involved. But because we have people abusing the rights of private property owners and saying, if you put dirt in your backyard, we will put you in jail, it has become sort of to the point of craziness. But it is all executive branch overreach.

There was a case that went to the Supreme Court a few years ago in Idaho. A couple lived near a lake but about a mile from a lake. They didn't live on the lake. It was on an incline, and there were houses on both sides of their property. So they bought their property and started doing what everybody else did—back-hoeing, creating a footprint, filling it and putting down footers.

The EPA showed up and said: You are destroying a wetland, and we are going to fine you $37,000 a day.

They were kind of like: Well, I thought if it were a wetland, there would be water or standing water or it would look like the Everglades or there would be some sort of evidence that it was wetlands.

The EPA said: Yes, there is evidence. If any one of 300 different species of plants grows in your backyard, we can define it as a wetland. If we can take leaves and flip the leaves over and they are black on the bottom, it indicates there is moisture on the leaves and you could be a wetland.

This all came out of crazy executive overreach. We did not do any of that. Congress did not do one iota of this expansion. It was done some by these law courts—these EPA courts—but it was done a lot by executive definition of what a wetland is.

In the early 1990s, under a Republican President, we redefined wetlands. They commissioned a book—a 150-page book, 200-page book—and they just redefined what a wetland was. By redefining what a wetland was, we doubled the amount of wetlands in the country overnight—not by preserving land but by redefining a lot of land that really is not a wetland.

Now, through the waters of the United States, we are connecting everybody to the ocean somehow and saying that every bit of land is somehow connected to navigable water.

I was talking to one of the Senators from Idaho a year or so ago and I liked what he told me. He told me: In Idaho, we have a very precise definition of what a navigable stream is. You put a log in of a two-inch diameter, and it has to float 100 feet in a certain period of time. I just loved the definition of it because that sounds like a stream that is probably moving and there is water in it. But we now say a crevice in the side of a mountain, if when it rains water goes over, it is a stream. But as a consequence, we are shutting down America.

People complain about jobs, but they are all for these regulations, and then they complain that they don't have a job.

One gentleman decided he was going to put dirt on his land in Southern Mississippi. It was what he considered to be uplands. There were trees growing on it, so usually trees are not really a typical feature of wetlands. His daughter was 43 at the time and he was 70. They were going to develop the lots and sell the lots, and so he dumped some dirt there. The EPA got involved and they convicted him using the RICO statutes. This is what you are supposed to get gangsters and drug dealers with. It was conspiracy. They got him for conspiracy to violate the Clean Water Act by putting clean dirt on his own land where there was no water to begin with. He was given 10 years in prison. He just got out of prison about a month ago. He is now 80 years old. That is what is happening in America.

So if you wonder why some of us are worried about our records being snatched up, we are worried that our own government has run amok, that our own government is out of control, and that our own government is not really paying attention to us.

To put a 70-year-old man in prison for 10 years for putting clean dirt on his own land—the person who did that ought to go to jail. They ought to be put in a stockade, publicly flogged, and made to pay penance for a decade for doing something so stupid.

But the thing is this is going on.

A guy named John Pozsgai was a Hungarian immigrant. He came here from communism and he loved our country. He worked hard and he had a mechanic shop in Morristown, NJ. It wasn't in the greatest part of town. It was a commercial part of town. Across the street from him was a dump. It did flood on occasion, but the reason it flooded was because the ditches were full of 7,000 tires. People were just throwing all kinds of crap there. There were all kinds of rotted-out automobiles. It was a junkyard, so they had thrown all this stuff out there.

He bought the land pretty cheaply because it was a junkyard, and he decided to clean it up. He picked up 7,000 tires. He picked up all the rusted automobiles. And, lo and behold, when he cleaned the drainage ditches, it no longer flooded. But he started putting some dirt on there and the government said he was breaking the law and that he was once again contaminating the wetlands. He was a Hungarian and he didn't like to be told what to do, and I can understand the sentiment. So he just kept putting dirt on there. He decided to do it at night, and they caught him because they spent—I don't know—a quarter million dollars on cameras and surveillance to catch a guy putting dirt on his own land.

He was bankrupted. They put him in jail for 3 years, they fined him 200-and-some thousand dollars. They wiped him out so he couldn't pay the taxes. They broke his spirit. I met his daughter. It is just a tragic case.

So if you wonder why some of us are worried about the government having all of our records—

I talked earlier about what happened in Westchester, and this is an appalling thing. This should make you concerned about having records. In Westchester—I think that is where the Clintons live. Anyway, they decided they would reveal all the gun records. So in Westchester they revealed whether you had a gun or didn't have a gun and where you lived.

Can you imagine how that might be a problem? Let's say you are a wife who has been beaten by your ex-husband and you live in fear of him and you either have a gun or you don't have a gun. Either way, you don't want your ex-husband to know where you live. And particularly if you don't have a gun, you don't want your ex-husband who beat you to know you don't have a gun.

Think if you are a prosecutor or a judge. They get threatened by the people they put in jail. Would you want your name in the paper with your address and that you have a gun or don't have a gun?

So you can see how privacy is kind of a big deal. Privacy can mean life and death in that kind of situation.

I think we ought to be more cognizant of what a big deal this is and what a big deal the Bill of Rights is. We shouldn't be so flippant that we are like: Oh, yes, whatever. We have to be safe. Maybe we catch a terrorist, maybe we don't, but we have to do this and we just have to give up some of our freedom to be secure.

It turns out, though, when we look at the objective evidence, it doesn't appear we are safer. It appears that when they have alleged that we are safer, what has happened is that it doesn't look like we have gotten any unique intelligence from these things.

I think there is probably nothing more important than discussing the Bill of Rights and talking about our civil liberties. I think we need to have an adequate debate. It is supposed to be what the Senate was famous for.

My hope is that from drawing some attention to this issue today we will get an agreement, and that is the agreement we are going to ask for. We are going to ask for an agreement from both parties to allow amendments to the PATRIOT Act, and we could start any time they are ready. If somebody wants to send a message to the leadership that if they are ready to come out and allow debate and allow amendments on the PATRIOT Act or a promise to do this before the expiration, we could probably get something moving.

I think the American people are ready for that debate. We can look at the statistics, particularly among young people. It is a 70- to 80-percent issue, where young people are saying, for goodness' sake, we don't want our records scooped up and backed up by the government without any suspicion.

I think also young people get this more than others because they are used to their records being digital, they are used to their records being on their phone. They are very aware that their records are stored on a server somewhere, and they have grown to expect privacy.

Some say, oh, that is crazy. Young people share their information all the time. Well, you do and you don't. I share my information when I buy things online, but I am sharing it through an agreement. The people I share it with, the companies that then market other things to me, have agreed, through a privacy agreement, not to share my information, not to sell my information. I am to be anonymous. They will market to me, but they promise to keep me anonymous. We are comforted by the fact that we have a privacy agreement, and that if millions of people sued them, they couldn't get away with revealing our information.

What I don't like about some of the different things we are doing—and this includes the USA Freedom Act—is that we give liability protection. When we give liability protection, I think it is an invitation to say: You know what. Your privacy agreement isn't really that important, and if you breach it, nobody is allowed to sue you. So I think that is something we ought to be very careful with, and if we do end up having a debate on this and we do end up having amendments on this, that we consider taking out the liability protection.

I also think the most important thing is if we decide that bulk collection is wrong, we need to understand how you get bulk collection. You get bulk collection because you have a nonspecific warrant. You don't have an individualized warrant; you have a general warrant.

This is what we have been fighting since the time of John Wilkes in 1760 in England, to James Otis in the 1760s here through John Adams. The debate and the thing that we found most egregious, the thing that we found most objectionable was the idea that a warrant for your information wouldn't have your name on it, it wouldn't be individualized or that it wouldn't be without suspicion or that it would occur without a judge's warrant. It really was one of the things that annoyed us more than anything else. One of the things that Adams said was the spark of our war for independence was just the sheer gall of British soldiers coming into our house without a warrant because most of the records are in your house. We don't see basically the physical and abrupt entry into your house anymore, but it happens nonetheless. It happens in just less of a physical way because your records are virtual now. But how we let people come into our house is pretty important.

On the issue of warrants—this isn't specific to the PATRIOT Act, but it is a related issue. The issue is whether we should allow people to come into our house in the middle of the night with what is called a no-knock raid. The sneak-and-peek, they come in and leave. But the no-knock raid, you know they are there when they come. The problem is that people were being woken up in the middle of the night and they were grabbing their gun by their bedside. If they are in a high-crime neighborhood, they have a gun by their bedside and they are sometimes shooting the police. Mostly they are looking for drugs. I hate drugs about as much as anybody. I have seen addiction to drugs, I have worked with people as a physician and I know what it is like. But the thing is that barging through doors in the middle of the night leads to accidents in both ways: Police get shot; police accidentally shoot the victims sometimes.

In Modesto, I think in 2002, they burst into a home at 1 or 2 in the morning, yelled and screamed: Everybody get on the ground. There was an 11-year-old kid. He got on the ground, and the officer's shotgun accidentally discharged. It was an accident, but it didn't help the kid. He died.

The thing is, do we really need that? Do we need to come in the middle of the night looking for marijuana or any kind of drug? Couldn't we come in the daytime and knock on the door and say: We have a warrant.

I know police work is not without risk and people do shoot back at them. So I understand where they are coming from, and I want to protect them and for them to be safe. I want to protect the police, but I actually think it protects the police more if we go in the way we do with traditional warrants and not without unannounced warrants.

Of course, there are different circumstances or exigencies. There are times when the police go in without any warrant at all. If there is something imminent going on or some threat of a danger or situation inside, the police go in. I think, for the most part, we are better off if we do things and do them in the traditional way with warrants.

When we talk about how warrants have changed, one of the changes is the standard for what the warrant is issued with. Even if it were individualized, if it says that you only have to say they are relevant to an investigation. That is a big step down from probable cause. People have defined ''probable cause'' over time in different ways.

This is from Ballentine's Law Dictionary. A common definition of ''probable cause'' is ''a reasonable amount of suspicion, supported by circumstances sufficiently strong to justify a prudent and cautious person's belief that certain facts are probably true.''

Some lawyer must have written that. But you can kind of get a little bit of understanding that we are supposed to go through some kind of thought process and there is supposed to be evidence of suspicion. It is not the standard of proving guilt, proving beyond the preponderance of the fact or any kind of doubt. It is a standard, and it is a standard we have had for a long time.

The Oxford Companion to American Law defines ''probable cause'' as: ''Information sufficient to warrant a prudent person's belief that . . . evidence of a crime or contraband would be found in a search. 'Probable cause' is a stronger standard of evidence than a reasonable suspicion, but weaker than what is required to secure a criminal conviction. Even hearsay can supply probable cause if it is from a reliable source or supported by other evidence.''

It is kind of interesting because people are so worried about getting a warrant, even a warrant can be supported by someone making an accusation. It is not perfect. In fact, there are some people who complain warrants are too easy to get. But the thing is there is no evidence that it is really overly hard to get a warrant. If we went back to the Constitution—I had this debate years ago the last time I came up for renewal, and I was walking along with one of the other Senators who supported the PATRIOT Act. He acted as though, you know what, if it expires at midnight, what will we do? My response was maybe we could live with the Constitution at least for a while. We did for hundreds of years.

Is there anything so unique about the times we live in that we could not still live under the Constitution? The Fourth Amendment has its origins in English common law. The saying that a man's home is his castle, this is the idea that someone has the right to defend their castle or home from invasion from the government.

Based on the castle doctrine in the 1600s, landowners first recorded legal protection from casual searches from government. Some of the famous cases are actually in the 1760s, but even at least 100 years in advance of that, they were beginning to develop protections for people from the government.

It is interesting to realize this is not a new phenomenon where we are talking about protecting ourselves from government. We protect ourselves and government helps us protect ourselves from others who may be violent against us. But we have always—for hundreds and hundreds of years—been aware that government does bad things too. If you do not ration the amount of power you give to government, you can get to the point where the great abuse comes from government itself. So they began to use warrants. But in England the debate quickly developed over whether a general warrant was adequate or a specific warrant. This is where John Wilkes comes in. This is where James Otis comes in.

One of the debates over the separation of powers that we have—this is pretty commonly going on, although I think the people who believe in unlimited inherent powers are probably the majority of Washington. But there is a debate over what people call article II powers. The article II is where the Executive is given powers under the Constitution, but there are people who sort of believe in this unlimited nature. There is really nothing that restrains it. In fact, some have said even in the debate over this, the Executive Order No. 1233 that is involved in some of this records production, it is really none of our business because it is article II. It is part of the inherent powers of the President to, in times of war or times of conflict, to do whatever they need to do.

I think that is a dangerous supposition, to think that really there are times when there are no checks and balances. I personally think probably one of the most genius things we got out of our Founding Fathers was the checks and balances and the division of power.

Montesquieu was one of the philosophers the Founding Fathers looked to and some say when we were setting up the separation of powers that he was probably where we got the example. Montesquieu said that when the Executive begins to legislate, a form of tyranny will ensue because you have allowed too much power to gravitate to one body and you have not divided the power. The division of power was one of the—if not the most important—the most important things we got from our Founding Fathers. But we are having this collapse of the separation of powers. It is getting to be where there is an ancillary body which is Congress, and then there is the executive branch, the behemoth, the leviathan.

The executive branch is so large that really the most important laws in the land are being written by bureaucrats. No one elects and no one can unelect. In an average year, there are over 200 regulations that will cost the economy $100 million apiece. We do not vote on any of them. We vote indirectly for the President, but I think that is so indirect that it is a real problem.

I think what we have now is an executive branch that legislates. The collapse of the separation of powers is a collapse of the equilibrium. This equilibrium is what kept power in check. When I think who is to blame for this, it is not one party; it is really both parties.

When we have a Republican in office, Republicans tend to forgive the Republican President and give them more power. When we have a Democrat in office, the Democrats tend to forgive a Democrat and give the Democrat more power.

A more honest sort of approach to this or a more statesman like approach to this would be that if we were able to have both parties stand up as a body and if there were pride in the institution of Congress—pride such that we were jealous of our power, that we were pitting our ambition to keep our position against the President regardless of the President's party affiliation—then we might have a chance.

A lot of the things about collection of bulk data were not known for years and years but have been going on for a long time. One of the things I found most troubling in the John Napier Tye op-ed was that he said—he was giving a speech and he said: Well, the good news is that if the American people are upset, if they are upset about things, intelligence activities, and they think it is an overreach, they have every opportunity to use the democratic process to change things. This went through the White House censor and the White House censor—counsel, adviser, boss—decided they needed to take that out of his speech because they did not want to imply, really, that intelligence activities could be changed through democratic action, because they took the opinion apparently that the inherent powers of article II are not subject to democratic action.

When I think of the people who say that the inherent powers are unlimited and the President has these powers that are not to be checked by Congress, I do not think of a Presidency. I think of a different word, and it is not ''President.''

I am very concerned about whether we are going to let this go on. There are some other side effects that come from this. As you allow the executive branch unlimited power and as you allow the bureaucracy to grow, a consequence or a side effect has been that the debt has grown to alarming proportions. We borrow about $1 million a minute. We have an $18 trillion debt. As the debt has grown larger and the executive branch has grown bigger, your Congress men and women have grown more ancillary and more peripheral to the entire process. But I am one who believes there are limits. I think there is a limit to how much debt we can incur and how rapidly we can incur it.

I think already we have seen sort of an anchor or a burden, an effect on the economy that pulls us down and causes growth to be less vibrant. Some say 1 million jobs a year are being prevented from being created because of this.

I think that if we are not careful, this collapse of the separation power, this collapse of equilibrium, as we let this get away from us, we are also getting away from the control over our future. We are letting the power accumulate in such a rapid fashion that if you want to see how much power is accumulating, you can almost make the analogy of looking at the debt clock. If you go to debtclock.org and watch the debt spiraling out of control, as the debt grows larger and larger, you basically are seeing a diminishment of a corresponding diminishment of your freedom. It is of concern.

It is of concern how rapidly this is happening. There are two philosophic reasons we should be concerned about power. One is that power corrupts. More basic than that is that as power grows, there has to be a corresponding loss of your freedom. I call this the liberty argument for minimizing government. Thomas Payne made this argument. Thomas Payne said that government is a necessary evil. What did he mean by that? I think what he meant by that is that you need government. We need government for a stabilizing force. There are things government

needs to do. But it is a necessary evil because you have to give up your liberty to have some government. How do you give up your liberty? You give up some of what you earn. Your liberty is who you are. Your liberty is what you produce with your hands, and your liberty is what people will pay you to do with your hands, what you do to produce. That is your income. That is you. That is your liberty.

If we have 100 percent taxation, I would say you have no liberty. You are essentially a slave to the State. If you have 50 percent, you are only half slave, half free. The thing is that the smaller your government, the lower your taxation and the more free you are. But it is an argument for, if you are concerned about freedom, you would want as small a government as you possibly could have that still did the things that you think are necessary.

The other argument I like for why you should keep your government small is what I call the efficiency argument. The efficiency argument was best expounded by Milton Friedman, who said that nobody spends somebody else's money as wisely as their own. There is sort of a truism to that. You think about it in your own life. If I ask you for $1,000 to invest in a business enterprise, you will think: How long did it take me to earn $1,000. You will think: I had to pay taxes, I had to save, I had to pay all my expenses to get this $1,000. You will think how much you prize that, and you will not make the decision in an easy fashion. You will make your decision not perfectly, but if you compare your decision spending your money to a politician spending the money, it is just bound to be a wiser decision. It is a more heartwrenching decision. It ends up typically being a better decision. If you ask a politician for $1 million, that might be equivalent to $1,000 or it might not mean anything to him. You might ask him for $10 million.

Think about it this way: We gave $500 million to one of the richest guys in our country to build something that nobody seemed to want, and he lost all of the money. And you think to yourself, do you think the person in the Department of Energy that gave $500 million to one of the richest guys in the country to build something we didn't want feels bad or doesn't sleep well at night? No. I think they gave that person the money because that person was a big contributor. They were an activist for their candidate, so when the candidate got in power, they used the Department of Energy as their own personal piggybank to pass out loans to their friends. Nobody feels bad about the fact that they lost the money because it wasn't their money. It is the efficiency argument for why you should think the government should be small.

Before the PATRIOT Act, there was something called Stellar Wind. This was a secret also, and we didn't learn about this for many years, but this was started immediately after 9/11 and was revealed by Thomas Tamm at the New York Times in 2008. But it was basically a prelude to the bulk collection we are having now.

The amazing thing about bulk collection is none of this is new. It has been going on now for 14 or 15 years. It doesn't make it any less objectionable, but it is not new. We have now had bulk collection under two different administrations. One administration got a great deal of grief for this, and then the next party ran and said: We are going to change these things and do things differently. And they did them the same or more so. There really had not been any change, and I guess that is why some people are concerned as to whether we will truly get change.

The program's activities in Stellar Wind involve data mining of large databases of communications of American citizens, including emails, telephone conversations, financial transactions, and Internet activity. William Binney, a retired leader within the NSA, became a whistleblower because he believed these programs to be unconstitutional.

The intelligence community was also able to obtain from the Treasury Department suspicious activity reports. So we are back to these banking reports that are issued.

If we decide to fix bulk records and try to do something about this injustice, the main thing is we should be aware that this is not the only program. There are probably a dozen programs. There are probably another dozen we have not even heard of that they will not tell any of us about. And realize that they are not asking Congress for permission; they are doing whatever they want.

We did not give them permission under the PATRIOT Act to do a bulk collection of phone records. They are doing it with no authority or inherent authority or some other authority because the courts have already told them there is no authority under the PATRIOT Act. There is also no commonsense logic that could explain—no commonsense logic that could say there is a relevancy to all the data of every American.

When Stellar Wind came about, there were internal disputes within the Justice Department about the legality of the program because the data was being collected for large numbers of people, not just the subjects of FISA warrants. The Stellar Wind cases were referred to by FBI agents as pizza cases because many seemingly suspicious cases turned out to be food takeout orders. Imagine also that if we are looking for interconnecting spots, a lot of people order pizza.

According to Mueller, approximately 99 percent of the cases led nowhere. Nevertheless, internal counsel for the administration said that because the Nation had been thrust into an armed conflict by foreign attack, the President has determined in his role as Commander in Chief that it is essential for defense against a further attack to use these wiretapping capabilities within the United States. He has inherent constitutional authority to order warrantless wiretapping.

The memo goes one step further. It says that the President has the inherent constitutional authority to order warrantless wiretapping—we are talking about warrantless, not any kind of a subpoena—an authority that Congress cannot curtail.

If we really believe bulk collection is wrong and if we really believe we need to be a check and balance on the President, we should just be getting started with reining him in on bulk collection because the President—this was the previous administration—says these authorities they are using cannot be curtailed by Congress. If you talk about a Presidency that has powers that are not checked by Congress, I don't think you are talking about a Presidency here. There is another name for that kind of leader, but it is not ''President.''

The argument here is astounding. The argument here is that they can collect anything they want without a warrant because the President has the inherent constitutional authority to order warrantless wiretapping—an authority Congress cannot curtail. I think that is alarming.

A few years later, the Office of Legal Counsel came back—this is also from the administration—and concluded that at least the email program was not legal, and then-Acting Attorney General James Comey refused to reauthorize it.

William Binney, a former NSA code breaker whom we have talked about and who is a whistleblower, talked about some of the activities of the NSA and said they have highly secured rooms that tap into major switches and satellite communications at both AT&T and Verizon.

The article—I believe this was the New York Times—suggested that supposedly dispatched Stellar Wind—supposedly they were no longer doing this—continues as an active program. This conclusion was supported by the exposure of room 641A in AT&T's operation center in San Francisco in 2006. It gets back to the trust factor.

The Director of National Intelligence said they were not collecting any bulk data, but he wasn't telling the truth. They tell us Stellar Wind ended back in 2005 or 2006, but then we find a room at AT&T that is still hooked up directly to the NSA.

I would like to see the phone companies be better defenders of our privacy,

but with the PATRIOT Act, we gave them immunity. Even if there were some individuals in the phone companies who cared about your privacy and thought your phone conversations should be protected, why do it? You can't sue them. If you have a privacy agreement with your phone company, they don't care. Nobody can sue them. You have no protection. You have no standing in the court to protect yourself. That is one of the problems with the USA FREEDOM Act, is that we are giving liability protection once again to the phone companies for something new.

One question I would ask, if there was anybody who would actually tell me the answer, would be, if we already gave them liability protection under the PATRIOT Act, why are they getting it again under the USA FREEDOM Act unless we are asking them to do something new that they didn't have permission for?

The other thing about the USA FREEDOM Act is that if we think bulk collection is wrong, why do we need new authorities? Why are we giving them some kind of new authority? Are we restricting our authority in section 215 of the PATRIOT Act on one hand and then expanding it on another?

I think when people are dishonest with you, you are right to be doubtful and you are right to try to circumscribe and to put their power in a box so you can watch them and make sure they are honest.

In June of 2013, the Washington Post and the Guardian published an article from the Office of the Inspector General—a draft report dated March of 2009 that detailed the Stellar Wind Program. So in 2009, there was evidence that Stellar Wind was still going on. And realize that Stellar Wind is not what we are talking about. Stellar Wind would be other bits of information that are being collected beyond your phone records.

I think if we had somebody here or if we had somebody who would honestly tell us, I would sure like to know if they absorb and collect all of our credit card information. I have a feeling it is probably done. I don't know, and I have not been told, so I am not revealing a secret. I guess it is done. I am guessing all of your records are collected because the thing is, we have the audacity of the executive branch saying they have inherent constitutional authority to do anything they want, to order warrantless wiretapping. According to the executive branch, they have an authority that Congress cannot curtail. That doesn't sound like the Office of the Presidency to me; it sounds like a governmental official whom you have no control over. It sounds inconsistent or antithetical to a constitutional republic. How can you have a Presidency that has unlimited power? That is what they are telling you.

They are telling you it is in the service of good. We are going to catch terrorists, and we are going to do good things. We are going to look at all of your information, but we are never going to abuse your privacy.

During September 2014, the New York Times asserted, ''Questions persist after the release of a newly declassified version of a legal memo approving the NSA Stellar Wind program, a set of warrantless surveillance and data collection activities secretly authorized after 2001.'' The article addressed the release of a newly declassified version of the 2004 memo. Note was made that the bulk program—telephone, Internet, and email surveillance of American citizens—remained secret until the revelations by Edward Snowden and that to date, significant portions of the memo remain redacted in the newly released version as well as that doubts and questions about its legality continue to persist.

When we go back to the Privacy and Civil Liberties Oversight Board, as they get closer to their conclusion, they talk once again about the idea that you are only hearing one side. I think that no matter how honest and no matter how patriotic people are, one side just won't do it. You can't find the whole truth when only the government presents their position. The Privacy and Civil Liberties Oversight Board said that the proceedings with only one side being presented raised concerns that the court does not take adequate account of positions other than those of the government. They recommended the creation of a panel of private attorneys and special advocates who can be brought into cases involving novel and significant issues by FISA Court judges.

I think this would be a step in the right direction, but I think also that what we need to do is we should really probably give you the ability to have your own attorney. If this is a court proceeding, I think you need your own attorney so you have somebody who works for you and is your advocate. But a special advocate would be better than what we have.

The Board goes on to conclude that ''transparency is one of the foundations of democratic governance. Our constitutional system of government relies upon the participation of an informed electorate. This in turn requires public access to information about the activities of the government. Transparency supports accountability.''

I could not agree more. It is even more important when we talk about the intelligence agency because of the extraordinary power we give to these people, the extraordinary power we give them to invade our privacy and to have tools to invade our privacy. We have to trust them, so there needs to be a degree of transparency. But transparency doesn't have to involve state secrets. It doesn't have to involve codes or names. But the transparency needs to involve what they are doing. Do we think any terrorist in the world doesn't realize that all of the information is being scarfed up? It is not a secret that they are doing this.

So we should have an open debate in a free society about how it should be done and whether we can gather information in a way that is consistent with the Constitution.

When we get to the Privacy and Civil Liberty Board's recommendations, they have several good recommendations.

No. 1, the government should end its section 215 bulk telephone records program, period. They say that the program as it is constituted implicates constitutional concerns under the First and Fourth Amendments. This is the President's Privacy and Civil Liberties Oversight Board.

Without the current section 215 program, the government would still be able to seek telephone calling records directly from the communications providers through other existing legal authorities. I think the other existing legal authorities could be the Constitution. Could we not just call a judge and get a warrant and go down to the phone company and get what we want? I think there is a way we can do this that is still consistent with the Constitution.

(Mr. GARDNER assumed the Chair.)

The other recommendation they have, other than ending the program, is that when the bulk collection program is ended, the records should be purged so there is no chance that this can be abused again in the future.

One of the arguments for the NSA has been that they collect the data, it is in a database, but it is only accessed when they have what they call reasonable, articulable suspicion.

One of the recommendations of the privacy board, though, was that they not be given the ability to judge whether there is reasonable, articulable suspicion; that it would actually go to an independent judge to determine that. So the recommendation of the privacy board was that these should go to the review of the FISA Court before they are able to query the database.

There are many different groups who have been fighting for our privacy in this country, and it is a coalition of people both from the right and from the left. We have seen it today as different Senators have come to the floor. We have had Senators from the Republican Party as well as from the Democratic Party. We have had those from the right, from the left, conservatives, libertarians, and we have had progressives. There has been a combination of folks who also have one thing in common, and that is the belief that the Bill of Rights should be protected.

Among the private groups who have done a good job with this is Electronic Frontier Foundation. They have been one of the groups who have done a good job. In one of their newsletters, they quote RON WYDEN, who says: We have not yet seen any evidence showing that the NSA's dragnet collection of America's phone records has produced any uniquely valuable intelligence.

Patrick Eddington writes for CATO. CATO is another group who has been a good supporter of privacy. In an article that talks about the upcoming battle from a couple of weeks ago, he writes—this is on the USA FREEDOM Act, and this is sort of the big debate because many people on both sides of the aisle think the bulk collection of records is not constitutional. We think it exceeds the government's power and it exceeds the Constitution. But what many are proposing to replace it with is the USA FREEDOM Act.

This is what Patrick Eddington writes: The USA FREEDOM Act claims to end the controversial telephone metadata program, but a close reading of the bill reveals that it actually leaves key PATRIOT Act definitions of ''person'' or ''U.S. person'' intact, so a person is defined as any individual, including officer or employee of the Federal Government, or any group, entity, association, corporation, or foreign power.

So the question I have is, it sounds good that we are going to make the definition of whose records we go after when we say it is going to be a specific U.S. person. The problem is that we then define ''person'' as ''corporation.'' So we get back to the same argument: If we are going to search the database of all of a person's phone calls and we say that a person is Verizon, we are again stuck collecting everybody's records.

What I don't want to have happen and what I won't be able to support is a bill that becomes bulk collection of a person's records, just under a different venue. I am not sure that one's privacy has been protected more if it were now just asking the phone companies for bulk collection where we were taking their data, sourcing it, and getting it from the companies after they gave it to the government. I am just not sure if it is that much—distinctly different.

In the USA FREEDOM Act, they talk about the idea that we will get special advocates, and I am for that. I think that is a good idea. But Patrick Eddington points out a flaw. He says that the FISA Court has sole discretion to appoint or not appoint these amicus curiae or these special advocates. So it could be that a FISA Court that really has not been too inquisitive, a FISA Court that has determined that all of your records are somehow relevant, may not be the most inquisitive to appoint an advocate for you if they have been able to define ''relevance'' as meaning all of the records.

Another deficiency of the USA FREEDOM Act is that it does not address bulk collection under Executive Order 12333. The bill also fails to address bulk collection under section 702 of the FISA Amendments Act.

One could say: What are you complaining about? You are getting some improvement. You still have problems, but you are getting some improvement.

I guess my point is that we are having this debate, and we don't have it very often. We are having the debate every 3 years, and some people have tried to make this permanent, where we would never have any debate. Even though we are only having it every 3 years, it is still uncertain whether I will be granted any amendments to this bill.

So, yes, I would like to address everything while we can. I think we ought to address section 702. I think we ought to—for goodness' sake, why won't we have some hearings on Executive Order 12333? I think they may be having them in secret, but I go back to what Senator WYDEN said earlier. I think the principles of the law could be discussed in public. We don't have to reveal how we do stuff. Do we think anybody in the world thinks we are not looking at their stuff? Why don't we explore the legality and the law of how we are doing it as opposed to leaving it unsaid and unknown in secret?

Part of our secrecy is sort of backfiring on us also because what is happening is in keeping this secret, people believe the worst. Everybody around the world believes the worst about it. Everybody around the world believes that they are having all their stuff looked at, that their emails are being looked at. So if you are a businessperson in Europe and you are trying to negotiate a secure deal—a deal where you don't want your competitors to know what you are offering to buy a certain company—I would think you probably wouldn't use American email, and I would guess that is what is happening.

American companies are starting to try to figure out a way around this, are trying to offer encryption. What does the government do? The President's administration is all over the airwaves, all over Washington, all over the place talking about how the companies are somehow evil for wanting to encrypt their data.

I saw the Secretary of the Department of Homeland Security in my committee the other day, and I said: You realize it is your fault. Is it the companies' fault that they are trying to protect their information for their customers? They are trying to make a living. It is your fault for bullying them and stealing their information and stealing all of Americans' information. We are simply reacting to the bully that you are.

Most of the issues Patrick Eddington points out in his piece are issues that we actually have amendments for that would make the bill stronger. So if there are arguments that maybe the USA FREEDOM Act could be made better—definitely reauthorizing it by itself is a big mistake, but if alternatives are going to be offered, maybe we could try to offer alternatives that make the USA FREEDOM Act better.

The other idea Patrick Eddington puts forward is that there is no bar on the government imposing backdoors being built into electronic devices. That is what we have talked about before, that the government is mandating to different companies that they have to have access to their product.

I think it is an under-discussed development that the companies are going to be more at risk for sabotage by foreign countries, foreign governments, and sabotage from hackers if they build a portal. So if the government says ''We need a portal to stick our big nose in your business and suck up all your information,'' my guess is that sophisticated hackers and sophisticated foreign governments will say that most of American software now has a flaw, and the American Government is getting into it. What do we think these people will do? They will develop programs to look for the flaws and churn through until they find our flaws.

It is the opposite of what we should be doing. We should be trying to keep foreign governments, foreign snoopers, and foreign competitors out of our stuff, including the U.S. Government, but we are doing the opposite.

There is a lot left to be desired with the USA FREEDOM Act. I try to be supportive of moving forward, but I can't support it unless we are able to incorporate some of the other ideas I think are necessary.

The people say we are just not doing enough. This week, many have come out and said: We have to collect more data. We are only collecting a third of the data. We have to get more data.

The interesting thing is that we are spending $52 billion a year on intelligence in our country—$52 billion. We are spending $10 billion in the NSA alone. It is $167 per person in the United States. I think it is hard to argue we are not doing enough already. I think the argument can be made, though, that we are doing it in such a haphazard, all-collecting, all-consuming, indiscriminate way that maybe we are not getting the best bang for our buck.

There have been many groups out there. We mentioned Electronic Frontier Foundation, TechFreedom, Liberty Coalition, GenOpportunity, Competitive Enterprise Institute, FreedomWorks—a lot of different groups from right and left that are opposed to this bulk collection of data.

There is an interesting article recently written by Anthony Romero

with the ACLU, and the title of it is ''The Sun Must Go Down on the PATRIOT Act.'' In it he refers back to both of the review groups we talked about and the Privacy and Civil Liberties Oversight Board, and he says and reiterates a point that is incredibly important, that ''there was no evidence at all that the NSA's massive surveillance program had ever played a pivotal role in any investigation.''

I think we ought to be able to figure out something from this, and we ought to be able to learn that not only is there a constitutional question of this, there is also the question of whether practically it is doing anything to make us safer. If it is not making us safer, it is extraordinarily expensive and we are losing our freedom in the process. Why don't we shut it down?

Different advocacy groups for a variety of opinions have put forward the idea that I think was represented in the NAACP v. Alabama. I believe this was back in the seventies, which set forth a First Amendment claim, and this claim is that there is a vital relationship between freedom of association in privacy in one's associations. The point is that sometimes when you are protesting either for or against something that is very unpopular, sometimes you even worry about your safety. There were people who lost their lives in the freedom movement, in the civil rights movement. There were people who lost their lives. And you can understand how in those days people might have been worried for anybody to know they belonged to the NAACP or they opposed the Jim Crow laws in the South. But it was an important case because it talks about how the fact is that information can be kept private and should be kept private for fear it will chill speech, for fear it will put a damper on who people would associate with, for fear that it would put a damper on dissent, which is a fundamental aspect of a Republic.

In a letter from a couple weeks ago from some congressional leaders, they point out something that I think bears repeating. Mass surveillance, the bulk collection, harms our economy. Mass surveillance will cost the digital economy up to $180 billion in lost revenue by 2016.

We are not getting any new bad guys with this, we are abrogating privacy, and we are losing money.

The Internet companies in our country, the whole software world, the whole hardware, all of this, have been some of America's greatest triumphs, some of America's greatest ingenuity. Yet we are willing to squash all that in a battle that really is going to damage our privacy, isn't helping us in the war against terrorism, and is going to make it such that nobody in the world is going to want to buy American products. I think it is a disgrace and, once again, I don't think it is purposeful. Nobody wants to harm our companies, but I think it is just another unintended consequence—a bad policy not thought through.

The ACLU commentary on the USA FREEDOM Act has come up with some ideas of things they think would make the bill stronger. One, they say the bill could be amended to prevent surveillance of individuals with no nexus to terrorism:

> The 2015 USA FREEDOM Act would authorize the collection of records and communications identified by a ''specific term''. . . . This would stop the government from conducting indiscriminate surveillance of virtually all citizens and from engaging in narrower but still-egregious forms of abuse, like the surveillance of everyone in an entire zip code or all those who use a given communications provider, like Gmail. However, the current SST definition is still not strong enough to prevent ''bulky'' collection. . . .

This is the point I have been making, and this is something you need to be very careful about in Washington, because the minute you think you have won a battle, secretly you have been beaten. You just don't know it yet. We may still get a reform like this and then find out we are still going to get bulky collection; that a corporation's name can be put in the specific selector term, and—so we were worried about the government giving us all of Verizon's records. Now we are just sending a warrant to Verizon that has their name in it and we are getting all of their records.

The example they put here is that you could still end up having the surveillance of everyone in the entire ZIP Code or all of those who use a given communications provider like Gmail. So Gmail is a specific term. Are we not still back where we were and have we really fixed the problem?

The ACLU goes on to say that the bill should be amended to narrow the SST definition—the selector term—to prevent this kind of bulky surveillance. The bill should also make crystal clear, consistent with the Second Circuit—which has come out since this bill was written—that section 215 cannot be used to amass Americans' records for open-ended data-mining purposes unmoored from any specific investigation.

I think this is incredibly important. The USA FREEDOM Act wants to take a step forward, but we need to make sure the ruling from the Second Circuit that has already passed, that we don't do something that either moots the case or we don't do something that actually expands the power of 215 when the court has already restricted the power of 215.

The ACLU's second recommendation is that we should include procedures to ensure that the government purges irrelevant information. Right now the bill would allow the collection of irrelevant information under 215 and other authorities without minimization procedures.

This kind of reminds me—if you want to know how much information we are grabbing up and how worried to be about it, there was an article in the Washington Post a couple of months ago, and it said the President had been minimized 1,227 times. We are collecting the President's data, all right. You can say, well, we are being fair, we are getting everybody's. For goodness' sake, we should not be collecting the President's information. In fact, you might inadvertently have somebody reading that who really shouldn't be reading the President's information. We should not be collecting the President's information. That is ridiculous. But we are minimizing the President, which means we are finding it and sort of whitening it out and hoping nobody has read it in the process.

There were earlier versions of the USA FREEDOM Act that included some of these basic protections on getting rid of or minimizing irrelevant information from bulky surveillance. This is sort of the problem. This bill started out pretty good in the House, got out of committee, got sort of eaten up on the floor, and wound up losing a lot of the better stuff that was in it.

The third recommendation is what we mentioned a few minutes ago, which is to make sure there is a strong advocacy, a special advocate; that it is a strong advocate that goes before the FISA Court. As the Second Circuit Court decision observes, adversarial judicial process is vital, especially on matters as critically important as the government's authority to spy on its citizens. This is a really important point, the adversarial judicial process.

There are some—Judge Napolitano has written on this—and I think he has made the point that without an adversarial process, you really can't even have a judicial process. If you don't have people on both sides arguing or advocating for a position, there really isn't a court. It really is not a judicial proceeding that we can recognize as finding justice. But the FISA Court only hears from one side, the government.

But the ACLU points out that these advocates participate solely at the discretion of the court and can make arguments that do not advance privacy and civil liberties.

Yet, if you are hired by the government, are you really going to be the best advocate for privacy?

The fourth suggestion that the ACLU has to make the USA FREEDOM Act better is that we should limit additional authorities that have been used to collect America's records in bulk. We now know that the government has conducted bulk surveillance not only under 215 but also under a host of other statutes, including existing administrative subpoena authorities.

For example, for two decades, up until 2013, the Drug Enforcement Agency operated a program that collected

the international call records of Americans in bulk, reporting under existing administrative subpoena laws. So here is a real question: What other authorities are we operating under that are collecting bulk records? They are doing it under administrative subpoena laws. They are doing it for the DEA. I still think the more I learn about this, the more questions I have as to how many other authorities are still collecting things. I would still like to know, are they collecting all the credit card information in the country? Are they doing that under Executive authority?

Are we really living in a country now where nobody in the government questions someone when they say that under article II authority the President can do whatever he wants and that this can't even be corrected or challenged at all by Congress?

The fifth recommendation from the ACLU is to stop the government from using section 702 of FISA as a backdoor to conduct surveillance on Americans. This was one of our amendments that we also have. In fact, most of these are amendments that I would present, if we are allowed to present them, which is sort of the purpose for being here, for wearing my feet out and my voice today, is that we would like to find out, Will the leadership allow us to have amendments?

We would like to know and have an agreement that we will specifically be allowed to offer these amendments we have worked on for 6 months to a year now. We have waited for 3 years for the opportunity. We would like to know, Will leadership let us have these amendments? Will leadership allow a free and open debate over how to fix this bulk collection program?

The backdoor thing with 702 is a pretty important thing. It is collecting enormous amounts of data. Earlier today we talked about how this data, that 9 out of 10 pieces of data are not about the target, they are just incidental. I think there was one estimate that we have had 90,000 targets, but it means that we have really had 900,000 bits of information on other individuals collected, but it all just gets stuck in a database. So the database keeps growing and growing and sometimes it is intentionally so, that we want to investigate a guy here, but we don't want to ask for a warrant, so we investigate a guy overseas that we know already talks to the guy over here, and now we are really investigating Americans without a warrant. So they recommended we stop this backdoor access. This is something Senator WYDEN and I have also been in favor of as well.

Another recommendation the ACLU has is that our current laws punish individuals for providing material support to terrorists. I have no problem with that, but they have been used apparently to prosecute people seeking to provide humanitarian assistance. The USA FREEDOM Act should add an explicit intent requirement to the material support law.

There is another comment from the Sunlight Foundation by Sean Vitka, and the title is the ''USA FREEDOM Act is about to pass through the House—is it a step backwards?''

Sunlight and others have had major concerns about the USA FREEDOM Act for some time. Broadly speaking, it isn't a satisfactory level of reform given what we've learned in the past two years about government surveillance and the immense secrecy that surrounds it. Until last week, it's fair to say some considered the bill a net positive, some a net negative and that no one thought it was enough for reform.

As time has progressed, we've seen what began in 2013 as a decent, if tunnel-visioned, compromise chipped away at, including the transparency and accountability provisions . . .

I think this is an important point, because the USA FREEDOM Act started out pretty good. It got a little bit less good over time. But think about where we are right now. It passed overwhelmingly in the House. The majority in the Senate does not want it because they think it lessens the bulk collection too much. So they are going to chip away at it again. So imagine where we are going to be in the end if that is what we are going to pass. I think it would be better to be done with bulk collection. Let's be done with bulk collection. Let's start over.

But let's not replace it with something that may end up being just as bad. The sacrifices made in the bill in order to secure these modest reforms grew more dramatic. For instance, the USA FREEDOM Act was always a threat to court challenges and may have mooted the ACLU'S tremendous court win last week, if it had passed last year. This is the point I have been making. The luckiest thing we ever got is that we did not pass the USA FREEDOM Act last year because the courts are probably going to do right now a better job than legislation.

If fact, we might be better off not passing the USA FREEDOM Act and seeing what the courts will do for us on this because there is a danger it moots the case. But there is a danger also that it is seen as actually giving justification for the program, which I guess is kind of mooting the case as well. The ruling in the appellate court could also—they are agreeing with what I just said—do more than USA FREEDOM aspired to do, because it interprets the word ''relevance'', saying it does not authorize bulk collection and that that word is not used in section 215.

So I think that is a good point, that the court is saying that the word ''relevance'' does not authorize bulk collection. So you have got bulk collecting going on, but there is no authorization from 215 on it.

Here is the question: Is USA FREEDOM going to allow bulky—perhaps bulk—collection, and do we wind up actually giving back more power to the intelligence community when we are trying to limit their power? I think we need to be very careful with what we do here.

Sunlight goes on to say—Sean Vitka:

It's unclear whether the primary goal of USA FREEDOM, the rewriting of Section 215 to stop bulk collection, is already accomplished and whether USA FREEDOM could open us all up to more secret interpretations and new venues of surveillance.

I think that is an incredibly important question. Several groups that initially supported USA FREEDOM have backed away from it. ACLU and EFF agree that the USA FREEDOM Act as it stands now is not worthy of support. I think some of these may be neutral on it, but they have backed away from some of their support. Some of the concerns that Sean Vitka talks about here are shortcomings in the USA Freedom Act. He says that it accepts the premise that mass surveillance under these programs is necessary, despite the findings of the congressional joint inquiry and the 9/11 Commission to the contrary, and also despite that the Privacy and Civil Liberties Oversight Board said it was not necessary.

Sean Vitka goes on to say that one of his other concerns is that the USA FREEDOM Act effectively continues mass surveillance under section 215 of the PATRIOT Act through the use of multiple NSA-supplied selector terms. So you could say that we are only going to do individual terms, but then you do a bunch of them. By the time we do a bunch, are we really individualizing or are we not growing it into bulk collection?

They include the following among those selection terms—ones they are worried about: the Internet protocol address or cloud source accounts of entire organizations, in contravention of the Fourth Amendment's particularized probable-cause-based warrant.

Additionally, Sunlight goes on to point out what I pointed out as well, that the term ''person'' is not defined as an individual natural person, and the bill does not alter the PATRIOT Act's original definition of person, which includes any individual, officer or employee of the Federal Government or any group, entity, association, corporation.

You know, I really feel what we could be doing back here is—we think we won. We get the USA FREEDOM Act, and then 2 years from now, we find out they are plugging the name ''Verizon'' into their selection term and they are still collecting all the records from Verizon. So I think unless you can limit this to an individual, a natural person, I think really this is one of the biggest problems we have with the USA FREEDOM Act at this point.

Sean Vitka goes on to say that there is a concern that it expands the corporate immunity. We have discussed

that as well today—that by removing that companies act in good faith, we also are going to pay the companies now to do this as well.

Judge Napolitano wrote about this just the other day, May 14. He writes:

A decision last week about NSA spying by a panel of judges on the U.S. Court of Appeals in New York City sent shock waves through the government. The court ruled that a section of the PATRIOT Act that is due to expire at the end of this month, on which the government has relied as a basis for its bulk collection and acquisition of telephone data the past 14 years, does not authorize that acquisition. This may sound like legal mumbo-jumbo but it goes to the heart of the relationship between the people and their government and a free society.

The PATRIOT Act is the centerpiece of the Federal Government's false claim that by surrounding our personal liberties to it, it can somehow keep us safe. The liberty-for-safety offer has been around for millennia and was poignant at the time of the founding of the American Republic.

The Framers addressed it in the Constitution itself, where they recognized the primacy of the rights to privacy and assured against its violation by government, by intentionally forcing it to jump through some difficult hoops before it can capture our thoughts, words, or private behavior. These hoops are the requirement of a search warrant issued by a judge based on evidence called probate cause, demonstrating that it is more likely than not that the government will find what it is looking for from the person or place it is targeting. Only then may a judge issue a warrant which must specifically describe the place to be searched, or specifically identify the person or thing to be seized.

Napolitano goes on:

None of this is new. It has been at the core of our system of government since the 1790s. It is embodied in the Fourth Amendment which is the heart of the Bill of Rights. It is quintessentially American. The PATRIOT Act has purported to do away with the search warrant requirement, by employing language so intentionally vague that the government can interpret it as it wishes. Add to this the secret venue for this interpretation, the FISA court, to which the PATRIOT Act directs that NSA applications for authority to spy on Americans are to be made, and you have the totalitarian stew that we have been force fed since 2001.

Because the FISA court meets in secret, Americans did not know that the feds were spying on us all of the time and relying on their own unnatural reading of the words in the PATRIOT Act to justify it until Edward Snowden spilled the beans on his former employer nearly 2 years ago.

Here is another reason I think to question whether USA FREEDOM may be the best bill for us. There was an article in the Daily Beast by Shane Harris the other day. The title of it is ''`Big Win' for Big Brother: NSA Celebrates the Bill That's Designed to Cuff Them.''

It was supposed to be the declawing of America's biggest spy service, but what no one wants to say out loud is that this is a big win for the NSA, one former top spook says.

Civil libertarians and privacy advocates were applauding yesterday after the House of Representatives overwhelmingly passed legislation to stop the NSA from collecting Americans' phone records in bulk. But they'd best not break out the bubbly.

The real big winner here is the NSA. Over at its headquarters in Fort Meade . . . intelligence officials are high-fiving, because they know things could have turned out much worse. ''What no one wants to say out loud is that this is a big win for the NSA, and a huge nothing burger for the privacy community,'' said a former senior intelligence official, one of half a dozen who spoke to The Daily Beast about the phone records program and efforts to change it.

Here's the dirty little secret that many spooks are loath to utter publicly, but have been admitting in private for the past two years: The program—

The bulk collection program—

which was exposed in documents leaked by Edward Snowden in 2013, is more trouble than it's worth.

''It's very expensive and very cumbersome,'' the former official said. It requires the agency to maintain huge databases of all Americans' landline phone calls. But it doesn't contribute many leads on terrorists. It has helped prevent few—if any—attacks. And it's nowhere near the biggest contributor of information about terrorism that ends up on the President's desk or other senior decision makers.

If, after the most significant public debate about balancing surveillance and government in a generation, this is the program that NSA has to give up, they're getting off easy. The bill that the House passed yesterday, called the USA FREEDOM Act, doesn't actually suspend the phone record program. Rather, it requires that phone companies, not the NSA, hold on to the records.

That bears repeating. At least from the author's perspective of this article, the USA FREEDOM Act does not actually suspend the phone records program. Rather, it requires the phone companies, not the NSA, to hold onto the records.

''Good! Let them take them. I'm tired of holding onto this,'' a current senior U.S. official told The Daily Beast. It requires teams of lawyers and auditors to ensure that the NSA is complying with Section 215 of the PATRIOT Act, which authorizes the program, as well as the internal regulations on how records can and cannot be used. The phone records program has become a political lightning rod, the most controversial of all of the classified operations that Snowden exposed. If NSA can still get access to the records but not have to hold on to them itself, all the better, the senior official said.

''It's a big win for common sense and for the country,'' Joel Brenner, the NSA's former inspector general, told The Daily Beast. ''NSA can get to do what it needs to do with a higher level of scrutiny and a little more trouble, but it can still do what it needs to do. At the same time, the government is not going to hold the bulk metadata of the American people.''

''The NSA is coming out of this unscathed,'' said the former official. If the USA FREEDOM Act passes the Senate—which is not a foregone conclusion—it will be signed by President Obama and create a more efficient and comprehensive tool for the NSA. That's because under the current regime, only the logs of landline calls are kept. But in the future, the NSA will be able to get the cell phone records from the companies, too.

That bears repeating. This week, everybody was talking about and saying: We are not getting enough. The people who want more surveillance are saying: We are not getting enough. We are only getting the landlines. We are only getting one-third of all of the records. Here is the allegation: Under the USA FREEDOM Act, they are going to get many more records. They are going to have access to all cell phone records. The question is, Are we going to really have less bulk collection or maybe the same?

There is another irony—this is still according to Shane Harris at the Daily Beast:

And there's another irony. Before the Snowden leaks, the NSA was already looking for alternatives to storing huge amounts of phone records in the agency's computers. And one of the ideas officials considered was asking Congress to require phone companies to hang onto that information for several years. The idea died, though, because NSA leaders thought that Congress would never agree, [current and former officials have said].

It is kind of ironic that the NSA already thought of this idea, didn't think we would be silly enough to do it, and now it is being promoted as the reform, that the reform is going to be what the NSA actually wanted in the first place.

Suddenly, the NSA found itself under orders from the White House—this is after the revelations from Snowden—to come up with some alternative to the phone records program that preserved it, but also put more checks on how the records are used. Continuing:

That's when General Keith Alexander, then the agency's director, dusted the old idea off the shelf and promoted it on Capitol Hill.

That is right.

''The USA Freedom Act''—the supposed reining in of the NSA—''was literally born from Alexander,'' the former official said.

So the NSA effectively got what it wanted. But that doesn't mean privacy activists got nothing, or that they'd count the law's passage as a loss.

There is a large coalition, 50 maybe 100 different groups, that have all been in favor of trying to end the bulk coalition. We have been working together on this. We have mentioned the Electronic Frontier Foundation, the Electronic Privacy Information Center, the ACLU, FreedomWorks, Bill of Rights Defense Committee, The Constitution Project—across the spectrum, right and left.

The question is on encryption, whether the government will be able to break through the encryption that businesses are trying to devise to keep them out.

There is an article in the New York Times, though this is from 1½ years ago, saying:

The National Security Agency is winning its long-running secret war on encryption, using supercomputers, technical trickery,

court orders and behind-the-scenes persuasion to undermine the major tools protecting the privacy of everyday communications in an Internet age. . . . The agency has circumvented or cracked much of the encryption, or digital scrambling, that guards global commerce and banking systems.

Continuing:

''For the past decade, N.S.A. has led an aggressive, multipronged effort to break widely used Internet encryption technologies,'' said a 2010 memo describing a briefing about N.S.A. accomplishments for employees of its British counterpart.

I think the encryption thing is a big deal and will continue to be something that is a bone of contention between the tech industry and the government.

With regard to what we do in order to protect ourselves from the government, I think encryption will continue to take off.

Ms. CANTWELL. Will the Senator yield for a question without losing the floor?

Mr. PAUL. Yes, without losing the floor.

Ms. CANTWELL. I am so pleased to hear my colleague talk about encryption technology because it is clearly something very important in this privacy debate. I hear with interest, as you cite that article, that one of the key things about the encryption debate is several years ago, those involved at the highest levels of government basically decided that instead of being able to break the encryption code, that maybe it would be a good idea to put an actual government chip in every computer. That was called the clipper chip. And the notion was that then the NSA and other people wouldn't have to worry about breaking the code. They would just have a government backdoor to our technology.

In fact, there were many people—I kept saying you are going to say instead of ''Intel inside'' you are going to say ''U.S. Government inside'' of every computer. Is that what we were trying to do?

So the clipper chip battle in the 1990s was a very famous debate about exactly how we were going to proceed on making sure that we were guaranteeing privacy to U.S. citizens. So clearly we were successful in defeating the clipper chip, but it took a lot of time and a lot of energy.

So I thank my colleague for continuing to fight on these important issues. You mentioned many of the organizations that were also involved in that battle. Are you saying that now you believe there are new government efforts to thwart our encryption capabilities?

Mr. PAUL. I thank the Senator for that question. I think there is a new sort of political rhetoric attacking encryption, but I think there will be more efforts. This article is from about a year ago, but I think what is going to happen from this—and what I have been hearing from people—is there is ultimately going to be encryption that is not housed by any company. They are going to have encryption—the only way to get to the encryption is through the individual. This is being done because the government has overplayed their hand. Because the government has been such a bully on this, companies are going to continue to get further and further away. What they are going to do is the encryption will only be in control of the user. When that happens, the government is not getting any information at all.

So they are taking a tool that probably has been useful to a certain degree—and I don't mind if we are doing it through warrants and specific extradition—but I think they are pushing companies so hard that I think encryption is going to be put in a place where even the company cannot get to it.

Ms. CANTWELL. If I could ask another question of the Senator without losing him the right to the floor, this is a debate, as you were just saying. I think I understand your premises that there are three legs to the stool. There is a Federal Government that wants access, but they should go through the judiciary system, and there are separately the entities that have the actual records, which are the telecom companies, and that keeping those separate, not blending them, not actually giving the telephone companies the right to keep all the data and information of individuals is a critical distinction.

You were just describing, I think I understood, that in this case the government was just saying: Oh, keep all of that data and information, which is not exactly what the phone companies had acquired or kept for any business purposes, but it just puts personal data and information at risk.

Am I understanding that correctly?

Mr. PAUL. I think I understand that question. The phone companies aren't excited about it, but they will do it if they are paid and told to do it, basically. But the phone companies, I don't know. I don't how much objection they have had to the current system and the new system. They probably don't want to have to hold all this. There are rumors that the people who want more will require them to.

I don't think, under the current USA FREEDOM Act, they are going to be required to hold the records, but they are going to be encouraged to and paid to hold the records.

So I think the real question is, Is the USA FREEDOM an improvement or are we just going to have bulk collection done by another name, with phone companies holding the records. That is what my fear is.

Ms. CANTWELL. I would say to the Senator or ask the Senator, in this debate, I think you raised an important question, if I understand it correctly, which is, How much will the U.S. Government spy on U.S. citizens? And that, combined with the question you were asking to the changes to the PATRIOT Act and the accumulation of business records, is when that individual could be a U.S. citizen.

For example, you and I could be somewhere—you could be an individual of interest to one of these Federal agencies, but just because I happen to have a cup of coffee with you, now all of a sudden all of my business records, all of my personal information could be under investigation by the U.S. Government, and I wouldn't even know about it; is that the Senator's understanding?

Mr. PAUL. Yes, I think that is a big concern. There are a couple of things that I think are alarming. Even two domestic emails could be routed through a server in another country, and they could use that to actually get access to two Americans who are communicating from New Jersey to South Carolina.

But also I think as Senator WYDEN has pointed out, it often or sometimes sounds like we are targeting a foreigner simply to get access to an American.

Does the Senator have a question in that vein?

Mr. WYDEN. I think my colleague has asked very good questions, and it is my intention to rejoin him here in a few minutes.

But I think it is important—and I would be interested in your reaction—do people understand what is at stake here?

We are talking about section 702 of the FISA Act and that involves a very important issue of making sure, when there is somebody dangerous overseas, that we can, in effect, go up on that person to get that kind of information that we have to have.

But what we are seeing increasingly—and we have actually put it on our Web site—Americans are being swept up in those searches and their emails are being read.

And what is especially troubling to me—and I would be interested in my colleague's views with respect to this backdoor search loophole—this is a problem today, but it is only going to be a growing problem in the days ahead because increasingly communications systems around the globe are merging. They are becoming integrated. It is not as if the communications systems stop at a nation's border.

So I think this is a particularly important issue. As we have talked about, the amendments we are interested in offering, I think this is a particularly important bipartisan effort. I don't think people have known a whole lot about how the backdoor search loophole takes place.

We have supported section 702, because when there are dangerous threats

overseas, we want our government to be able to ensure it is taking steps to protect the American people. But having more and more Americans swept up in these searches, particularly the changing nature of a communications system being integrated, strikes me as a very big problem.

I am going to be back to join my colleague very shortly, but I would be very interested in my colleague's thoughts on the importance of closing this backdoor search loophole.

We have tried in the past. I think that now, particularly, when we have had a chance to walk this through in terms of what it really means, my hope is we can finally close it.

What would my colleague's reaction be with respect to the importance of this?

Mr. PAUL. I think it is a great question, and some are saying that through the backdoor of abusing 702, that if there were 90,000 people targeted last year through using this 702, that we collected the information on 900,000 individuals who were incidental and were not the target at all. So for every one byte of data we are collecting on somebody, we are collecting nine bytes of data on somebody who is not the target.

But that becomes part of this enormous data center that we are building. And many of those people are Americans who were getting through the backdoor.

But also why I am here today is I want the leadership to allow us to have our amendments. That is one of our amendments. That is a joint amendment we have worked on. We have been working on these things for months. This only comes up every 3 years. Should they not give us a day to have a vote on some of these amendments?

Mr. WYDEN. I thank my colleague. I will be back to rejoin him in a few minutes. I do so appreciate my colleague's stamina and passion.

I went to school on a basketball scholarship, and I think I have been able to stay in a little bit of shape, but my friend from Kentucky has sure shown both his commitment and his stamina. I am going to have to take a brief meeting on one of the issues pending, but I intend to join my colleague here before too long.

I thank the Senator. I will have additional questions at that time.

I return the floor to Senator PAUL.

Mr. PAUL. I thank the Senator for that question.

In the New York Times, in March of 2014, Clara Miller writes about some of the costs on U.S. tech companies that are occurring from some of this:

Microsoft has lost customers, including the government of Brazil.

IBM is spending more than a billion dollars to build data centers overseas to reassure foreign customers that their information is safe from the prying eyes in the United States government.

And tech companies abroad, from Europe to South America, say they are gaining customers that are shunning U.S. providers, suspicious because of the revelations by Edward J. Snowden that tied these providers to the National Security Agency's vast surveillance program.

The estimates are in the billions of dollars lost to American companies.

Even as Washington grapples with the diplomatic and political fallout of Mr. Snowden's leaks, the more urgent issue, companies and analysts say, is economic. Tech executives, including Mark Zuckerberg of Facebook, raised the issue when they went to the White House . . . for a meeting with President Obama.

It is impossible to see now the full economic ramifications of the spying disclosures—in part because most companies are locked in multiyear contracts—but the pieces are beginning to add up as businesses question the trustworthiness of American technology products.

The confirmation hearing last week for the new NSA chief, the video appearance of Mr. Snowden at a technology conference in Texas and the drip of new details about government spying have kept attention focused on an issue that many tech executives hoped would go away.

Despite the tech companies' assertions that they provide information on their customers only when required under law—and not knowingly through a back door—the perception that they enabled the spying program has lingered. ''It's clear to every single tech company that this is affecting their bottom line,'' said Daniel Castro, a senior analyst at the Information Technology and Innovation Foundation, who predicted that the United States cloud computing industry would lose $35 billion by 2016.

Forester Research, a technology research firm, said the losses could be as high as $180 billion, or 25 percent of industry revenue, based on the size of the cloud computing, web hosting and outsourcing markets and the worst case for damages.

The business effect of the disclosures about the NSA is felt most in the daily conversations between tech companies with products to pitch and their wary customers. The topic of the surveillance, which rarely came up before, is now ''the new normal'' in these conversations, as one tech company executive described it. ''We're hearing from customers, especially global enterprise customers, that they care more than ever about where their content is stored and how it is used and secured,'' said John E. Frank, deputy general counsel at Microsoft, which has been publicizing that it allows customers to store their data in Microsoft data centers in certain countries.

Isn't that sad? Isn't it sad that a great American company is having to advertise that they are storing their information in other countries because in America we are not protecting your privacy? Isn't that sad, that a great American company, in order to stay in business, is having to advertise to their customers that they are keeping their information in another country?

At the same time, Mr. Castro said, companies say they believe the Federal Government is only making a bad situation worse. ''Most of the companies in this space are very frustrated because there hasn't been any kind of response that's made it so they can go back to their customers and say, 'See, this is what's different now, you can trust us again,' '' he said.

In some cases, that has meant forgoing potential revenue.

Though it is hard to quantify missed opportunities, American businesses are being left off some requests for proposals from foreign customers that previously would have included them, said James Staten, a cloud computing analyst at Forester who has read clients' requests for proposals. There are German companies, Mr. Staten said, ''explicitly not inviting certain American companies to join.'' He added, ''It's like, 'Well, the very best vendor to do this is IBM, and you didn't invite them.' ''

The result has been a boon for foreign countries.

Runbox, a Norwegian email service that markets itself as an alternative to American services like Gmail and says it does not comply with foreign court orders seeking personal information, reported a 34 percent annual increase in customers after news of the NSA surveillance.

Brazil and the European Union, which had used American undersea cables for intercontinental communication, last month decided to build their own cables between Brazil and Portugal, and gave the contract to Brazilian and Spanish companies. Brazil also announced plans to abandon Microsoft Outlook for its own email system that uses Brazilian data centers.

Anybody still think this bulk collection is a good idea for America?

Mark J. Barrenechea, chief executor of OpenText, Canada's largest software company, said an anti-American attitude took root after the passage of the PATRIOT Act, the counterterrorism law passed after 9/11 that expanded the government's surveillance powers.

This is all coming from a New York Times article by Claire Miller from March of 2014.

But ''the volume of the discussion has risen significantly post-Snowden,'' he said. For instance, after the NSA surveillance was revealed, one of OpenText's clients, a global steel manufacturer based in Britain, demanded that its data not cross U.S. orders. ''Issues like privacy are more important than finding the cheapest price,'' said Matthias Kunisch, a German software executive who spurned U.S. cloud computing providers for Deutsche Telekom. ''Because of Snowden, our customers have the perception that American companies have connections to the NSA.''

Security analysts say that ultimately the fallout from Mr. Snowden's revelations could mimic what happened to Huawei, the Chinese technology and telecommunications company, which was forced to abandon major acquisitions and contracts when American lawmakers claimed that the company's products contained a backdoor for the People's Liberation Army of China—even though this claim was never definitively verified.

Silicon Valley companies have complained to government officials that Federal actions are hurting American technology businesses. But companies fall silent when it comes to specifics about economic harm, whether to avoid frightening shareholders or because it is too early to produce concrete evidence.

''The companies need to keep the priority on the government to do something about it, but they don't have the evidence to go to the government and say billions of dollars are not coming to this country,'' Mr. Staten said.

Some American companies say the business hit has been minor at most. John T. Chambers, the chief executive of Cisco Systems, said in an interview that the NSA disclosures had not affected Cisco's sales ''in a major way.'' Although deals in Europe and Asia have been slower to close, he said, they are still being completed—an experience echoed by other . . . companies.

Security analysts say tech companies have collectively spent millions and possibly billions of dollars adding state-of-the-art encryption features to consumer services, like Google search and Microsoft Outlook, and to the cables that link data centers at Google, Yahoo and other companies.

IBM said in January that it would spend $1.2 billion to build 15 new data centers, including in London, Hong Kong, and Sidney, Australia, to lure foreign customers that are sensitive about the location of their data.

Isn't it sad that companies want to avoid being in America? They want to avoid having their information cross our borders.

Salesforce.com announced similar plans this month.

Germany and Brazil, where it was revealed that the NSA spied on government leaders, have been particularly adversarial towards American companies and the government. Lawmakers, including in Germany, are considering legislation that would make it costly or even technically impossible for American tech companies to operate inside their borders.

Yet some government officials say laws like this could have a motive other than protecting privacy. Shutting out American companies ''means more business for local companies,'' Richard A. Clarke, a former White House counterterrorism adviser, said last month.

This is an article that was published on NPR's Web site. The headline is ''As Congress Haggles over Patriot Act, We Answer 6 Basic Questions.''

Quoting from the article:

A key section of the Patriot Act—a part of the law the White House uses to conduct mass surveillance on the call records of Americans—is set to expire June 1. That leaves legislators with a big decision to make: Rewrite the statute to outlaw or modify the practice or extend the statute and let the National Security Agency continue with its work.

I think it will be interesting to see how the debate ultimately plays out. You have what has been passed in the House—the USA FREEDOM Act—and passed in the House overwhelmingly. The majority here probably believes we are not collecting enough bulk data. They would prefer to collect more bulk phone data and aren't too concerned that any privacy interests are being trampled upon.

So you have two sort of contrary opinions in wondering which direction we go. Some who want more collection of data and say we are not collecting enough data say they might live with it if we add in and force the phone companies to keep the data. Right now, the bill doesn't have them keeping the data. But the concern for some of those of us who believe in privacy is that we may just be trading one form of bulk collection for another, that we may be trading a system where the government collects the data and there is a bulk collection for a system where the phone companies have the bulk collection but you are still having the same sort of collection of data.

My concern with the USA FREEDOM Act is that it still, I believe, may allow for a nonspecific warrant. It still may allow for bulk collection in the sense that it says you have to select a specific person, but the specific person can be a corporation. So if you still have a corporation—the problem is that if we put the name ''Verizon'' in and you are getting all of Verizon's customers and the only difference is the phone company is holding the information and then divulging it versus the government holding it, I am not so sure we have had so much of an improvement.

Some will say we just need to be safe, we just need to do whatever it takes, that it doesn't matter if we give up any kinds of basic freedoms or privacy in the process. But I think we give up on who we are as a people if we say that basically, at all cost, regardless of what it takes, we are going to do this to keep ourselves safe.

The thing is that even the President's privacy commission and the President's review commission—two independent, nonpartisan bodies—ended up saying that they didn't think anybody was independently captured, that there was no unique information that was actually gotten from either of these programs, that the bulk collection of data hadn't made us safer but it has infringed upon our privacy.

I think if we don't have a significant debate on this, if we continue to say ''Well, we are up against a deadline, and because there is a deadline, we don't have time for amendments,'' I think we run a real risk with the American people. Congress has about a 10-percent approval rating right now, and some argue that might be a little bit high considering how great a job we are doing—a 10-percent approval rating.

The vast majority of the American people think we have gone too far in the bulk collection of records. In the ACLU survey we looked at a little bit earlier, in the age group between 19 to 39, over 80 percent of people think we have gone too far and we are not protecting privacy.

(Mr. SCOTT assumed the Chair.)

We just read an article from the New York Times in which they talk about what kind of business is potentially being lost because people don't want American products. I think it is kind of sad. Not only do they not want their data held in a center in our country, they don't want their data crossing into our country.

I don't think we have to be that fearful of terrorism that we have to give up who we are in the process.

I have met some of our young soldiers who have come back with missing limbs. I have met the parents of some who have died. And to a person, they say they were fighting for our Bill of Rights and they were fighting for our Constitution. It is difficult for me to understand how we can take into account the sacrifice they made in war and at the same time, while we are here safe at home, we can't even protect the documents they are fighting for.

I see no reason why we can't rely on the Constitution. I see no reason why we can't rely on traditional warrants. Warrants are not hard to get. Warrants are actually quite easy to get. Warrants are, if anything, very easy to get. On the FISA Court, turning down a warrant is almost nonexistent. So I see no reason why we can't try using the Constitution for a while.

I am concerned that the problem is bigger than just what we are talking about today. We are talking about the bulk collection of records supposedly under section 215 of the PATRIOT Act. If we stop that, how much have we stopped? How much is still in existence? How much are we still doing through other venues?

I think probably the most alarming thing we have come across as I have been talking today is the idea that some people believe the President has inherent powers that are not subject to Congress. That, to me, is very alarming.

It also means that I think that because this opinion persists within the executive branch, there are in all likelihood many programs like the bulk collection of data—many programs that we don't know about, some that we have heard about. It is still not clear to me whether the Stellar Wind Program is completely gone, which involves more than just telephone data, email conversations, computer addresses, and credit cards. What is the government collecting? How much is being collected and under what authority?

It does concern me that there are people—some of them elected officials—who believe in the inherent powers of the Presidency that cannot be challenged even by Congress. We have a lot of work if that is really what we are up against.

I think it would be a big step forward if we do something about the bulk collection of data. But I think, given the court case, it is concerning to me that we might actually make the court case or the future of it moot and that we actually could make things worse. It wouldn't be the first time we have made things worse, thinking we were fixing things and made it worse.

From the opinion of the Second Circuit Court, here are some quotes.

The court writes:

That telephone metadata do not directly reveal the content of telephone calls does

not vitiate the privacy concerns arising out of the government's bulk collection of such data. . . . the startling amount of detailed information metadata can reveal, information that could traditionally only be obtained by examining the contents. . . .

I think this is a good point because many people want to downplay what metadata is or what you can determine from it. But here is the court acknowledging that you may actually get more detailed information from metadata than what you once got from obtaining the content.

When we think about how true this is, think about if someone were just going to come into your house and take your papers. What could they find? How many people even have personal letters anymore? People don't have anything on paper that is personal at all. A lot of people pay their bills online. But it is amazing, if you put the compilation of all the metadata together, what you can determine.

Remember that a high-ranking intelligence official said that we kill people based on metadata. I presume he is talking about foreigners. But if we are killing people based on metadata, the assumption is that they can get an enormous amount of information from metadata, and we should be very careful about releasing this.

They give an example of the sort of metadata and what it can determine:

For example, a call to a single-purpose telephone number such as a ''hotline'' might reveal that an individual is: a victim of domestic violence or rape; a veteran; suffering from an addiction of one type or another; contemplating suicide; or reporting a crime.

Metadata can reveal civil, political, or religious affiliations; they can also reveal an individual's social status, or whether and when he or she is involved in intimate relationships.

The more metadata the government collects and analyzes, furthermore, the greater the capacity for such metadata to reveal ever more private and previously unascertainable information about individuals.

That is sort of interesting also about metadata. We have so much online and so much information on our phones that you could probably be in someone's house for a month and never find that in paper because so much of our lives revolve through the phone, through things we order and phone calls and all of that, that in the old days what could have been gotten through someone's castle, through someone's actual papers in their house, I think pales in comparison to what you can get simply through metadata even without content.

They make another point, too:

Finally, as appellants . . . point out, in today's technologically based world, it is virtually impossible for an ordinary citizen to avoid creating metadata about himself [or herself] on a regular basis simply by conducting his ordinary affairs.

The order thus requires Verizon to produce call detail records every day on all telephone calls made through its systems or using its service where one or both ends of the phone call are located in the United States.

It is hard for me to believe that there are people who don't understand that what we are talking about here is a general warrant. This is what we fought the Revolution over. This is, as John Adams said, the spark that led to the Revolution. The spark that led to the Revolution was the whole worry and concern, one, that soldiers were writing the warrants, and the other concern was that in writing the warrants, they weren't specific to anyone, they were being written in a general fashion, and that by writing them generally so, there could be an injustice in having an entire group who ends up being subject to a warrant that is not specific.

From the appellate court, we also hear that the metadata has a reach far beyond almost imagination.

In the article ''As Congress Haggles over Patriot Act, We Answer 6 Basic Questions,'' which was published on npr.org, there are several questions they ask about the PATRIOT Act debate.

Most of the talk has been about telephone surveillance, but the question is this:

What about the NSA's surveillance of email and other Internet activities?

This congressional debate has nothing to do with any of NSA's surveillance Internet activity.

That's mostly because of the fact that those programs are authorized by different laws.

The PRISM program, for example, which collects a vast amount of Internet data . . . is covered under section 702 of the FISA Amendments Act.

Some have said that the PRISM Program probably is collecting more information in many ways, maybe even dwarfing the bulk collection of the phone records. So if we don't address section 702 in this debate, this is also what we were talking about earlier, is the backdoor, the ability to say: Well, we are investigating someone in a foreign country, but really they are trying to get access to someone in our country through the backdoor. If we don't address this, we may well not be addressing a significant part of the problem.

This is one of the other questions:

Is there anything else in the House bill we should know about?

The bill [the USA FREEDOM Act] lifts the secrecy surrounding key decisions made by the secret Foreign Intelligence Surveillance Court. Going forward, some will be made public.

I think this is a step in the right direction. There are a lot of legal decisions, and I think we can discuss the pros and cons of the legal decision without having to know the specific details. I think Senator WYDEN made a good point on this earlier when he said that it is not the operational details we need to know, but when we are questioning and debating the law, there is no reason why that shouldn't be public knowledge.

One of the reasons we would like to see the court rulings, too, is that the FISA Court found bulk data collection constitutional. I still find that somewhat inconceivable, that a court that is anything less than a rubberstamp could find it somehow reasonable to say that collecting all of our records in advance really is relevant to an investigation. I think it is a pretty significant point that they are not going to query the data until after they get it. So there is no investigation until they have already collected the data.

The other point is that when they say it is relevant, is anybody really determining that arguing one way or the other or do we just accept what the NSA says, that the data is relevant?

Nobody knows what will come of this debate. My hope in going on all day with this debate and trying to force the issue is to try to allow for some votes on some amendments to this. We shouldn't have just an up-or-down vote on whether to extend the PATRIOT Act. I think that when we have 80 percent of the population in some cases but at least two-thirds of the entire population saying that the bulk collection of all of our phone records all of the time without a warrant is something that has gone too far and needs to stop, it is an insult to the American people to think that we are not going to have any vote at all, that we would just have a vote up or down on extending this.

I think we really do need to have a vote, and the vote needs to be on many different alternatives. It shouldn't just be on one alternative. It needs to be on section 702 and the FISA amendments. It should be on a variety of things that could make this better—whether FBI agents should be able to write their own warrants or whether they should be signed by judges. There are a variety of things we need to be talking about. The Senate could simply take up the House bill and pass the House bill, but I think that is unlikely.

This is an interesting article from The Boston Globe, a while back. It says: ''What your metadata says about you: From MIT's Cesar Hidalgo, a new window on what your email habits reveal.''

The article is written by Abraham Rieseman.

As recently as a few weeks ago, ''metadata'' was an obscure term known mainly to techies and academics. Broadly defined, metadata is data about other data. For the phone company, it might be the time and length of your calls, but not the conversation itself; in the context of email, it means information such as the sender and recipients of a message—basically, everything except what the message actually says.

We spoke earlier about the suspicious activity reports. These are reports that

the government requires that banks send in. It adds a cost to your banking, and it is a pretty significant intrusion into the banking affairs and also into an individual's affairs.

This is an article that was written by the ACLU about suspicious activity reports.

Law enforcement agencies have long collected information about their routine interactions with members of the public. Sometimes called ''field interrogation reports'' or ''stop and frisk records,'' this documentation, on the one hand, provides a measure of accountability over police activity. But it also creates an opportunity for police to collect the personal data of innocent people and put it into criminal intelligence files with little or no evidence of wrongdoing. As police records increasingly become automated, law enforcement and intelligence agencies are increasingly seeking to mine this data.

The Supreme Court established ''reasonable suspicion'' as the standard for police stops in Terry v. Ohio in 1968. This standard required suspicions supported by articulable facts suggesting criminal activity was afoot . . .

In the suspicious activity reports, though, these kinds of programs threaten this reasonable time-tested law enforcement standard by encouraging the police and the public to report behaviors that do not rise to reasonable suspicion. So it is one thing to say that someone has done something that rises to reasonable suspicion, but it is another to say that activity that could be perfectly normal, like withdrawing $1,000 from the bank or putting $1,000 in the bank, somehow is suspicion of a crime that we should be investigating.

A lot of this stuff has gotten really, really out of control. It is one of the things where actually the newspapers have done a pretty good job of reporting some of the stuff—not necessarily the suspicious activity reports but on some of the other confiscations of people's assets without really evidence of a crime but maybe evidence that they have cash.

You can be driving down the road in DC and make an unsafe lane change and the government asks you if you have money. You then find that the government takes it or the government says: Well, you have $2,000. We will let you keep $1,000 if you sign a statement saying that you will not sue us to get the $1,000 back.

Believe it or not, that is stuff that is still happening in our country. It is called civil asset forfeiture. To make it worse, we actually give a perverse incentive. We say to the local officials that if you capture money from people, we will give you a percentage of it—so the more you take, the more you get.

Some people have shown that people actually go after things that are paid off. There was a motel in New Jersey, the Motel Caswell. Local officials decided they would go after it because, they said, there had been some drug dealings at the motel. It turned out there were 6 people in the motel selling drugs out of 180,000 visits or something ridiculous.

It turned out there were other hotels that had a higher percentage of drug busts done at the hotel, but they owed money and the Motel Caswell was completely paid off. It may have been part of the decisionmaking process, because when the government came and seized the hotel for illegal activity, they took the hotel and went sell it, but it has a lien against it. The bank owns it, and you do not get to sell it very easily. It was paid off. They were going to sell it. It is a $1.5 million hotel. And then, I guess, the local police forces would benefit by that.

It is not just with our records that there is a problem. It is also with the concern for how we adjudicate justice in our country. As we see this moving forward, I think we need to be worried about not only the way our records are collected, but we need to be concerned about justice in general.

As I have traveled around the country, one of the things I have seen is what I call an undercurrent of unease in our country. I traveled to Ferguson. I have traveled to Detroit. I have been to Chicago. I have been to most of our major cities, and I have also been to some of the places where there has been this anger.

I think people are angry because they do not feel that government is treating them justly. People do not like to be treated arbitrarily. In fact, there are some who have given the definition of what is acceptable, what is good government and what is bad government, what is good law and what is bad law, what is just and what is unjust. But whether it is arbitrary or not, Hyack in ''The Road to Serfdom'' talks about that arbitrariness, not having the predictability of knowing what the law will do. That the law does not do the same thing to all individuals is a definition of the injustice that causes people to be unhappy about the way their government treats them.

My fear is that this arbitrary nature of collecting bulk records, of collecting all of our records without a significant warrant—the problem here is going to be something that adds on to a sense of unease that is in our cities and in our country at-large. What happens is that everybody is not treated exactly equal. People do not have the same resources to try to escape the clutches of Big Brother when either data or information is used against them.

One of the little-noticed sections in the USA FREEDOM Act deals with the safety of maritime navigation and nuclear terrorists and conventions implementation. Interestingly, there is a provision somehow in this for civil forfeiture. But I think the biggest problem with civil forfeiture is that we allow it to occur without a conviction. I think no one should have their possessions taken from them. I think you should be innocent until proven guilty.

I see that the Senator from Connecticut has a question. I would be happy to entertain a question without losing the floor.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. BLUMENTHAL. Mr. President, I thank my colleague from Kentucky for giving me the opportunity to ask a question. In the preface to that question, I would like to make a couple of remarks if he will yield to me for that purpose.

My colleague from Kentucky has taken the floor tonight in the highest traditions of the Senate to make a point that should be meaningful to all of us who care about our democracy. My colleagues, including the Senator from Kentucky, have made a number of important points about the dangers of mass surveillance and the harms caused by the bulk collection of Americans' data.

I agree with those who have pointed out that the USA FREEDOM Act is a strong compromise solution for protecting Americans' freedom and security at the same time as striking a balance between preserving our security and protecting our precious rights.

I want to highlight for the Senator from Kentucky, in his very insightful remarks, as well as for my colleagues and others who are interested in this topic, a particular part of that legislation—the provisions that deal with the adversarial process in the FISA Court.

The bulk collection program is a powerful example of why we need a stronger adversarial process. We know that bulk metadata collection is unnecessary. The President's own review group has made that clear. We also know that bulk metadata collection is un-American. This country was founded by people who rightly abhorred the general warrant, and no general warrant in our history has swept up as much information about innocent Americans as the orders permitting and enabling bulk collection.

Last week, the Second Circuit Court of Appeals held that bulk collection is also unauthorized by the law. More than 9 years after the government began bulk collection, we are finally told by the highest court to consider the question that the bulk collection program was never authorized by Congress.

How do we get here? How do we arrive at a place where one of the most respected courts of appeals in the United States says that the executive branch of our government has been collecting data on innocent Americans without legal authority to do so—in fact, breaking the law by invading Americans' privacy?

We got here because the FISA Court failed its most crucial test. In May of 2006, the FISA Court was asked whether the Federal Government could collect phone records of potentially every

single American. The argument hinged on the word ''relevance'' in the statute. Under the statute, the Federal Government can collect relevant information. The court had to decide whether ''relevant information'' means all information.

That does not strike me as a difficult question. Does ''relevant information'' mean all information? It did not strike the Second Circuit Court of Appeals as a difficult question either.

The Second Circuit held that the Federal Government's interpretation is ''unprecedented and unwarranted.'' Those are strong words for a court normally extraordinarily reserved and understated in its characterization of illegality by the executive branch. But the court said unequivocally and emphatically that the Government was breaking the law.

Never before in the history of the Nation had such a bizarre interpretation been entertained. At the very least, you would have thought the FISA Court would recognize that its May 2006 decision was important.

If this question had gone to a regular article III court, it would have been immediately recognized as a momentous decision, permitting bulk collection of data on every American. Litigants on both sides would have, in effect, pulled out all the stops in their arguments. Yet not only did the FISA Court get the question wrong in May of 2006, it appears not even to have spotted the issue, not even to have raised it and addressed it in its opinion. Of course, nobody knew it at the time because the opinion itself was kept secret, as were all of the proceedings on this issue.

The FISA Court upheld the government's bulk collection program, and it did so without even writing an opinion explaining its legal reasoning. Not until the program was made public roughly 8 years later was an opinion written, and every opinion released so far has omitted key issues or ignored key precedent.

If the court had written an opinion, at least Congress would have quickly known what the court had done, not to mention the American people would have known what the court had done, but the court wrote nothing. It chose to be silent and secret, and apparently it believed this issue merited no notice to the Congress. A court that could get such an important question so disastrously and desperately wrong is fundamentally broken.

Let me be clear. I do not mean to denigrate the judges of the FISA Court. Any judge, no matter how wise and well attuned to legal issues, needs to hear both sides of an argument in order to avoid mistakes. Courts make better decisions when they hear both sides.

In fact, during a hearing on this issue in the Senate Judiciary Committee, I had the opportunity to ask one of the Nation's foremost jurists whether she could do her job without hearing from both sides of an argument, and she was quite clear that she could not. Adversarial briefing, she explained, is essential to good decisionmaking.

We know as much from our own everyday lives that we make better decisions when we know the argument against what we are going to do, what we are going to think, and what we are going to say. It is the genius of the American system of jurisprudence that judges listen to both sides in open court before they make a decision. Their rulings are public, and they themselves are evaluated and judged.

Nine years after the FISA Court's ruling in May of 2006, we continue to wrestle with the impact of the court's grievous, egregious error, but we cannot simply fix the mistake without fixing the court. We cannot fix the system without remedying the process because that process is so broken, it will make more mistakes—not only predictable mistakes but inevitable mistakes.

As technology evolves, we cannot say with certainty what the next big privacy issue will be. In 2006, the FISA Court decided whether the government can collect all of our phone records. In 2020, the government will have some new means of surveillance, and they will want to try it. In 2030, we will have another.

We need a FISA Court that we can trust to get the question right. Trust, confidence, and the integrity of the judicial system that authorizes the surveillance of Americans' private lives is at issue here.

We need a FISA Court that operates transparently, openly, and has accountability. A court that operates in secret and hears only the views of the government and faces only minimal appellate reviews cannot be trusted to pass the next big test.

The USA FREEDOM Act would fix this systemic problem. It would demand, under certain circumstances, that the FISA Court hear from both sides of the issue and explain why it is making a decision and also explain why it has decided not to hear both sides if it chooses to do so. That would bring transparency to the FISA Court decision, requiring them to be released unless there is good reason not to release them. It preserves the confidentiality of the court where necessary, but it also protects the fundamental, deeply rooted sense of American justice that an adversarial, open process is important—indeed, essential—to democracy. And it would provide some appellate review, some form of review by an appellate court so that if mistakes are made, they are more likely to be caught and stopped before they result in fundamental invasion of private rights.

In short, the USA FREEDOM Act will make the FISA Court look more like the courts Americans deal with in other walks of life, more like the courts they know when they are litigants, when they are spectators, and more like the courts our Founders anticipated.

What would they have thought about a court that hears cases in secret, makes secret decisions, operates in secret, and issues secret rulings? They would get it wrong. They would have thought that that sounds a lot like the Star Chamber, that sounds a lot like the so-called courts that caused our rebellion.

This change will help ensure that we are not back in this Chamber 9 years from now debating the next mass surveillance program that started without Congress actually authorizing it, as did metadata collection. It will help ensure that strictures of our Constitution are obeyed in spirit and letter. It will help ensure that programs designed to keep Americans safe can command the respect and trust they need to be effective. We need those programs. National security must be preserved and protected, but we need not sacrifice fundamental rights in the process.

Unless and until this essential reform is enacted, along with the other essential reforms contained in the USA FREEDOM Act, I will oppose any reauthorization of section 215.

The question that I ask my colleague from Kentucky and the point that I think he has made so powerfully and eloquently relates to this essential feature of our American jurisprudence system. Are not open adversarial courts essential to the trust and confidence of the American people, and do we not need that kind of fundamental reform in order to preserve our basic liberties?

I ask this question of my colleague and friend from Kentucky because I think his debate on the floor of this Senate tonight raises fundamental issues that need to be discussed and addressed.

I thank the Senator from Kentucky for the opportunity to ask this question and address this body.

I thank the Presiding Officer.

Mr. PAUL. I thank the Senator from Connecticut for that question.

I think one of the points my friend was making through the question had to do with the whole idea of relevance, which is sort of an amazing thing.

I think the quote from the privacy and civil liberties commission really hits the nail on the head—that they cannot be regarded as relevant to any FBI investigations required by the statute without redefining the word ''relevant'' in a manner that is circular, unlimited in scope, and out of step with the case law.

The interesting thing is that we want a body that works a little more like a court, and I know the Senator from Connecticut has been in favor of having

a special advocate and trying to make it more like a courtroom. I think you can only get the truth if you have people on both sides. If you have people on one side, it is an inevitability that the truth is going to be lost and you are going to list in one direction.

I think that will be a huge step forward, but it does boggle the mind that we can have them arguing that this is relevant to an investigation that has not yet occurred because we are collecting data and then we are going to mine it at some other time for some investigation. So it couldn't be relevant to an investigation because there is not yet an investigation when they are collecting the data. And no FISA Court seemed to question that, so it concerns me as to whether it is a very good kind of undertaking at finding the truth.

So I think the Senator is exactly right, and I believe there are things we can definitely do to make it better. I think the bottom line is that we should not collect bulk data on people who are not suspected of a crime.

One of the sections of the PATRIOT Act that doesn't get quite as much discussion is section 213. That is the sneak-and-peek section and it is not up for renewal, but it is something that also shows how we have really gone awry on that.

Radley Balko has written about this in the Washington Post, and it is how something starts out just a little bit at a time and grows bigger and bigger.

From 2001 to 2003, law enforcement only did 47 sneak-and-peek searches. The 2010 report said it was up to 3,970, and 3 years later, in 2013, there were 11,129 sneak-and-peek searches. That is an increase of over 7,000 requests. That is exactly what privacy advocates argued in 2001 would happen.

The interesting thing is that when you look to see who exactly we are arresting through these sneak-and-peek warrants that were intended to be a lower standard so we could catch terrorists, well, we are going after drug dealers. So, in essence, we have changed from a constitutional standard to catch drug dealers down to a terrorist standard, which is a lower standard.

To make matters worse, there are accusations and implications from data that maybe the war on drugs has a disproportionate racial outcome. I think it is concerning that we are actually not using a constitutional standard but a lower standard.

I have an article that was written by Radley Balko in 2014 that appeared in the Washington Post. He says:

Washington establishment types are often dismissive and derisive of the idea that members of Congress should actually be required to read legislation before voting on it—or at the very least be given the time to read it. There's also a lot of Beltway scorn for demands that bills be concise, limited in scope and open for public comment in their final form for days or weeks before they're voted on. If you're looking for evidence showing why the smug consensus is wrong, here is Exhibit A.

He is talking about the sneak-and-peek and how if we had known what was in it, we would have known in advance that it was not really going to end up being used for terrorists and instead end up being used for domestic crime.

He says:

This is also an argument against rashly legislating in a time of crisis. On Sept. 11, 2001, the federal government failed in most important and basic responsibility—to protect us from an attack. We responded by quickly giving the federal government a host of new powers.

Assume that any power you grant to the Federal Government to fight terrorism will inevitably be used in other context.

The article goes on:

Assume that the primary ''other context'' will be to fight the war on drugs. (Here's another example just from this month.) I happen to believe that the drug war is illegitimate. I think fighting terrorism is an entirely legitimate function of government. I also think that, in theory, there are some powers the federal government should have for terrorism investigations that I'm not comfortable granting it in more traditional criminal investigations. But I have zero confidence that there's any way to grant those powers in a way that will limit their use to terrorism.

Law-and-order politicians and many (but not all) law enforcement and national security officials see the Bill of Rights not as the foundation of a free society but as an obstacle that prevents them from doing their jobs. Keep this in mind when they use a national emergency to argue for exceptions to those rights.

When critics point out the ways a new law might be abused, supporters of the law often accuse those critics of being cynical—they say we should have more faith in the judgment and propriety of public officials. Always assume that when a law grants new powers to the government, that law will be interpreted in the vaguest, most expansive, most pro-government manner imaginable. If that doesn't happen, good. But why take the risk? Why leave open the possibility? Better to write laws narrowly, restrictively and with explicit safeguards against abuse.

Of the 11,000 sneak-and-peek warrants that were issued, 51 were used for terrorism. We lowered the constitutional standard, but we ended up using it for domestic crime, not for terrorism.

This is happening in other forums. There is something that folks are calling parallel construction. This is an article from the Electronic Frontier Foundation by Hanni Fakhoury entitled ''DEA and NSA Team Up to Share Intelligence, Leading to Secret Use of Surveillance in Ordinary Domestic Crime.''

Add the IRS to the list of Federal agencies obtaining information from NSA surveillance. Reuters reports that the IRS got intelligence tips from DEA's secret SOD unit and were also told to cover up the source of that information by coming up with their own independent leads to recreate the information obtained from SOD.

So let me explain what happens. We once again use a lower standard, a nonconstitutional standard, the standard we are supposed to be using for terrorists. We get information on people who are not terrorists, who may or may not be committing an IRS violation. We tell the IRS. They know it is illegally obtained information, so then they look for another way to prove that this information—other information that they can find—to prove the point that they only knew about it from legally obtained information.

A startling new Reuters story shows one of the biggest dangers of the surveillance state: The unquenchable thirst for access to the NSA's trove of information by other law enforcement agencies.

As the NSA scoops up phone records and other forms of electronic evidence while investigating national security and terrorism leads, they turn over ''tips'' to a division of the Drug Enforcement Agency known as the Special Operations Division. FISA surveillance was originally supposed to be used only in specific authorized national security investigations, but information sharing rules implemented after 9/11 allows the NSA to hand over information to traditional domestic law-enforcement agencies, without any connection to terrorism or national security investigations.

But instead of being truthful with criminal defendants, judges, and even prosecutors about where the information came from, DEA agents are reportedly obscuring the source of these tips.

For example, a law enforcement agent could receive a tip from foreign surveillance, and he could look for a specific car in a certain place.

But instead of relying solely on the tip, the agent would be instructed to find his or her own reason to stop and search the car.

Agents are directed to keep SOD under wraps and not to mention in their reports where they got their information.

If we are going to use standards that are less than the Constitution for IRS investigations, for drug investigations, we ought to just be honest with people that we are no longer using the Constitution. If we are going to use the Constitution, then we shouldn't allow evidence obtained through foreign surveillance and through a lower standard to be used in domestic crime.

(Mr. CRUZ assumed the Chair.)

Parallel construction, which is basically getting surveillance tips and then using them and reconstructing and trying to come up with a different reason for why law enforcement stopped someone, is something that really—if we are not going to be honest about it, someone has to do something to fix this.

After an arrest was made, agents then pretended that their investigation began with the traffic stop, not with the tip they got from our foreign surveillance agencies.

The training document reviewed by Reuters refers to this process as parallel construction.

Senior DEA agents who spoke on behalf of the Agency but only on the condition of anonymity said the process is kept secret to protect sources and investigative methods. Realize they are also keeping it secret from a judge, the defense lawyers, and the prosecution.

Some have questioned the constitutionality, obviously, of this program.

''That's outrageous,'' said Tampa attorney James Felman, a vice chairman of the criminal justice section of the American Bar Association. ''It strikes me as indefensible.''

Lawrence Lustberg, a New York defense lawyer, said any systematic government effort to conceal the circumstances under which cases begin ''would not only be alarming, but pretty blatantly unconstitutional.''

Former Federal prosecutor Henry Hockmeier wrote: ''You shouldn't be allowed to game the system. You shouldn't be allowed to create this subterfuge. These are drugs crimes, not national security cases. If you don't draw the line here, where do you draw it?''

This is an article from the Washington Post by Brian Fung entitled ''The NSA is Giving Your Phone Records to the DEA. And the DEA is Covering It Up.''

A day after we learned of a draining turf battle between the NSA and other law enforcement agencies over bulk surveillance data, it now appears that these same agencies are working together to cover up when those data get shared.

The Drug Enforcement Agency has been the recipient of multiple tips from the NSA.

Realize also that the NSA is supposed to be investigating foreign threats. The NSA was not supposed to be doing anything domestically. We now have them involved in bulk collection, but we also now have them involved in drug enforcement.

The article continues:

DEA officials in a highly secret office called the Special Operations Division are assigned to handle these incoming tips, according to Reuters. Tips from the NSA are added to a DEA database that includes intelligence intercepts, wiretaps, informants, and a massive database of telephone records. This is problematic because it appears to break down the barrier between foreign counterterrorism investigations and ordinary domestic criminal investigations.

Because the SOD's work is classified, DEA cases that began as NSA leads can't be seen to have originated from an NSA source.

So what does the DEA do? It makes up a story of how the agency really came to the case in a process known as parallel construction, Reuters explains. Some defense attorneys and former prosecutors said that parallel construction may be legal to establish probable cause for an arrest, but they said employing the practice as a means of disguising how an investigation began may violate pretrial discovery rules by burying evidence that could prove useful to criminal defendants.

The report makes no explicit connection between the DEA and the earlier NSA bulk phone surveillance uncovered by Snowden.

In other words, we don't know for sure if the DEA's Special Operations Division is getting tips from the same database that has been the subject of multiple congressional hearings. We just know that a special outfit within the DEA sometimes gets tips from the NSA.

There is another reason the DEA would rather not admit the involvement of NSA data in their investigations. It might lead to a constitutional challenge to the very law that gave rise to the evidence.

Earlier this year, federal courts said that if law enforcement agencies wanted to use NSA data in court, they had to say so beforehand and give the defendant a chance to contest the legality of the surveillance. Lawyers for Adele Daoud, who was arrested in a federal sting operation and charged, suspect that he was identified using NSA information but were never told.

Surveys show most people support the NSA's bulk surveillance program strongly when the words ''terrorism'' or ''courts'' are included in the question. When pollsters draw no connection to terrorism, the support tends to wane. What will happen when the question makes clear that the intelligence not only isn't being used for terrorism investigations against foreign agents, but it is actively being applied to criminal investigations against Americans?

Some of the companies have begun to push back on the backdoor mandates that are coming from government to get into our information.

In one of the most public confrontations of a top U.S. intelligence official by Silicon Valley in recent years, a senior Yahoo Inc. official peppered [NSA] director, Adm. Mike Rogers, at a conference on Monday over digital spying.

The exchange came during a question and answer session at a daylong summit on cybersecurity. . . . Mr. Rogers spent an hour at the conference answering a range of questions. . . .

The tense exchange began when Alex Stamos, Yahoo's chief information security officer, asked Mr. Rogers if Yahoo should acquiesce to requests from Saudi Arabia, China, Russia, France and other countries to build a ''backdoor'' in some of their systems that would allow the countries to spy on certain users.

''It sounds like you agree with [FBI Director] Comey that we should be building defects into the encryption in our products so that the US government can decrypt,'' Mr. Stamos said. . . .

''That would be your characterization,'' Mr. Rogers said, cutting the Yahoo executive off.

Mr. Stamos was trying to argue that if Yahoo gave the NSA access to this information, other countries could try and compel the company [to do the same].

Mr. Rogers said he believed that it ''is achievable'' to create a legal framework that allows the NSA to access encrypted information without upending corporate security programs. He declined to [be more specific].

''Well, do you believe we should build backdoors for other countries?'' Mr. Stamos continued.

''My position is—hey, look''—

This is from Mr. Rogers, Admiral Rogers—

''I think that we're lying that this isn't technically feasible''. . . .

He said the framework would have to be worked out ahead of time by policymakers—not the NSA. . . .

The back and forth came less than two weeks after Apple, Inc. chief executive Tim Cook leveled his own criticism of Washington, saying at a White House cybersecurity conference in California that people in ''positions of responsibility'' should do everything they can to protect privacy, not steal information.

Mr. Rogers attempted to parry the questions but also signaled he welcomed the debate. . . .

Still, Mr. Rogers did little to deflect recent accusations about the NSA activities. For example, he refused to comment on recent reports that the NSA and its U.K. counterpart stole information from Gemalto NV, a large Dutch firm that is the world's largest manufacturer of cellphone SIM cards.

I think the accusations continue to mount. Everywhere we look, we see the anger beginning in our tech industry. We see them wondering about having backdoor mandates built into their product.

I think the Senator from Oregon has been great at pointing this out and has written several op-eds talking about what the harm is of leaving basically a portal or an opening for our government but one that may well be exploited by hackers and may well be exploited by foreign governments.

Does the Senator from Oregon have a question?

Mr. WYDEN. I think my colleague has made the point with respect to our government—particularly the FBI Director—actually arguing that companies should build weaknesses into their systems.

I note my colleague has been on his feet now for somewhere in the vicinity of 9 hours, so I think we are heading into the home stretch. For people who are listening, I think they really are first and foremost interested in how this Senate, on a bipartisan basis, can come up with policies that ensure that we both protect our privacy and our security. As my colleague said, they are not mutually exclusive.

So I think what I would like to do is wrap up my questioning tonight by talking about how this bulk phone record collection and related practices is an actual intrusion on liberty, and to start the conversation, you have to first and foremost get through this whole concept of metadata. We heard people say: What is the big deal about metadata? And for quite some time we had Senators saying: What is everybody upset about? This is just ''innocent metadata.''

Well, metadata, of course, is data about data, but it is not quite so innocent. If you know who someone calls, when that person calls, and for how long they talk, that reveals a lot of private information. Personal relationships, medical concerns, religious or political affiliations are just several of the possibilities. Most people that I talk to don't exactly like the government vacuuming up private information if those persons have done nothing

wrong. Now, this is especially true if the phone records include information about the location and movements of everyone with a cell phone. And we have not gotten into this in the course of this evening, but I want to take just a minute because I think, again, it highlights what the implications are.

I have repeatedly pushed the intelligence agencies to publicly explain what they think the rules are for secretly turning American cell phones into tracking devices. They have now said that the NSA is not collecting that information today, but they also say the NSA may need to do so in the future. And General Alexander, in particular, failed in a public hearing to give straight answers about what plans the NSA has made in the past.

Now, to be clear, I don't think the government should be electronically tracking Americans' movements without a warrant. What is particularly troubling to me is there is nothing in the PATRIOT Act in addition that limits this sweeping bulk collection authority to phone records. Government officials can use the PATRIOT Act to collect, collate, and retain medical records, financial records, library records, gun purchase records—you name it. Collecting that information in bulk, in my view, would have a very substantial impact on the privacy of ordinary Americans.

I want to be clear, I am not saying this is what is happening today, but I want to make equally clear this is what the government could do in the future. So my question, as my colleague, who has been on his feet for a long time, moves to begin to wrap up his comments this evening, I would like my colleague's thoughts on the impact of NSA collection of bulk records on innocent Americans. I also would be interested in his views with respect to why we have not been able to get the government to give straight answers about the tracking of the location and movements of Americans with cell phones that took place in the past. I would be interested in my colleague's thoughts on those two points.

Mr. PAUL. Well, I want to thank the Senator from Oregon for the great questions and also for being supportive and really being the lead figure from the Intelligence Committee trying to make this better.

I think so often our Intelligence Committees don't have enough people who are really concerned with the Bill of Rights as well as national defense, so we get a one-sided view of things. I think over the years you have been able to continue this battle in a healthy way, understanding both sides of it, both with national security but also understanding that who we are as a people is important and that we not give that up—that we not give up our most basic of freedoms in doing this.

I think that power tends to be something people don't give up on easily. So when you have power that you give to people, you have to have oversight. It is incredibly important that we do have oversight on what we are giving up, but it is also important that we see what has gone wrong. The FISA Court model hasn't worked to oversee and regulate the NSA, because when finally a real court looked at this, when finally the appellate court looked at this, what we find is that the appellate court was aghast that basically they were maintaining that this was relevant to an investigation.

Apparently, the way the process worked was the NSA said it was relevant, but there was no debate or dispute. It was just accepted at face value. I thought the privacy commission put it pretty well when they said: Well, how can it be relevant to an investigation that hasn't yet occurred? We are collecting all the bulk data and we are going to query it when we have an investigation. You can't argue that it is relevant to an investigation when there is no such investigation occurring while they are collecting the data. The privacy commission said that basically we are turning words on its head if we are saying something like this is relevant.

So I think the American people are ready for it to end. The American people think the bulk collection of our records with a generalized warrant is a mistake and ought to end. I think we are working very hard, and at this point our hope is that between your actions and my actions, that hopefully leaders of your party and my party will agree to allow amendments to the PATRIOT Act.

The goal of being here today has been to say not only to the American people but to say to the leadership on both sides and to all the Members that we want an open amendment process, that the discussion of the Fourth Amendment is an important discussion and that we shouldn't run roughshod over this by saying there is a limit and a deadline and we don't have time for debate and we are going to put it off yet again.

I thank the Senator from Oregon for helping to make it happen, but my hope is that we can get an answer from the leadership of both parties that they are going to allow the amendments that your office and my office have been working on for 6 or 7 months now.

Mr. WYDEN. My understanding of my colleague's request—and that was my point of once again coming back to bulk collection of phone records, past practices with respect to tracking people on cell phones, and any policies that may be examined for the future—I think my colleague is saying it is time to ask some tough questions. Many of these amendments we have been working on are basically designed to address these issues where we haven't been able to get answers in the past.

After 9/11, it was clear the people of our country were worried and there was just a sense that if you were told it was about security, you were supposed to say, OK. That is it. But that is not the kind of oversight the Congress—particularly after we had a time stamp on the PATRIOT Act, we all thought it was going to end, and then it was time to start asking the tough questions. And not enough tough questions have been asked. And my colleague in the amendments we are talking about really seeks to get answers and use that information to change practices on a lot of these areas that have really gotten short shrift in the past. I appreciate my colleague talking about the FISA Court in connection with this. This is, for listeners, the Foreign Intelligence Surveillance Act Court—certainly one of the most bizarre judicial bodies in our country's history, created to apply commonly understood legal concepts, such as probable cause, to the government's request for warrants to track terrorists and spies. But over the last decade, the FISA Court has been tasked with interpreting broad new surveillance laws and has been setting sweeping precedents about the government's surveillance storing, all of it being done in secret.

And I will say—and I would be interested in my colleague's thoughts on this—that it is time that the court's significant legal interpretations be made public—be made public so there are no more secret laws; that the people of this country have the chance to engage in debate about laws that govern them. I also think there ought to be somebody there who can say on these questions where there are major constitutional implications, there ought to be somebody there who can say: Look, there may be other considerations than the government's point of view. But transparency here is critical so that Congress and the courts can hold the intelligence community accountable. I want to mention, once again, we are talking about policies. We are not talking about matters that are going to reveal secret operations or sources and methods. We are talking about policy.

So I think it would be helpful, again, as we move to wrap up, if my colleague from Kentucky could outline some of the reforms in the foreign intelligence court area that he thinks would be most helpful in terms of promoting transparency and accountability, that do not compromise sources and methods—because I think my colleague has some good ideas in this area—and what, in my colleague's view, would be most important with respect to getting reforms in this secret court in a way that would ensure more transparency for the public and still protect our valiant intelligence officials who are in the field.

Mr. PAUL. I think that is a good question, and the Senator's office and

my office have worked for a while to try to come up with FISA reforms. One of them is sort of in the USA FREEDOM Act but maybe could be better, saying that there ought to be a special advocate so there is an adversarial proceeding.

One of the problems in the USA FREEDOM Act, as it is written, is that the advocate is only appointed by the FISA Court and doesn't have to be appointed by the FISA Court. It may well be that a FISA Court that has given a rubberstamp to bulk collection may not be as inclined to give a special advocate.

I also think it is important, as the Senator mentioned many times, that we should get outside of a secret court to a real court, where you really have an advocate that is actually on your side, I think allowing for an escape hatch for people to appeal.

For example, if you are being told by a FISA Court that bulk collection of all the phone data in our country is legal, you should have a route to an appellate court, an automatic route out of FISA to an appellate court. I think the appellate courts are fully capable of redacting, going into closed session if they have to, but then you have a real trial, with a real advocate on both sides. I think that is important as well.

I do have one question or a question that you may be able to reframe into a question; that is, can you give the public a general idea of what percentage of the overall problem of collecting Americans' data is in the form of bulk data and what percentage do you think is coming from Executive order and what do you think is coming from the 702 backdoor collection of data.

Mr. WYDEN. I would say that all of the matters we have talked about this afternoon, this evening, would be significant concerns with respect to ensuring the liberties of the American people are protected without compromising our safety. Let's check them off: bulk phone collection, millions and millions of phone records of law-abiding Americans; the Executive order No. 12333 that we talked about today, another very important area; and then section 702, the Foreign Intelligence Surveillance Act area, where a foreigner is the target and the records of Americans are swept up. So I think we are addressing exactly one of the concerns that has come out in the last few days with respect to what Americans are concerned about.

I know there has just been a brandnew major survey that has been done. My colleagues may have touched on it sometime in the course of the day. Americans particularly want to know what information about them is being collected and who is doing the collecting. In each of these three areas that I mentioned, there are substantial questions with respect to the privacy rights of Americans.

Mr. PAUL. Well, one of the comments that we went through tonight was an opinion by one of the attorneys in the Bush administration. They said, basically, that there were authorities that they were given that were inherent authorities under article II that gave them the right to collect data on Americans. But they also then concluded by saying that Congress had no business at all reviewing this data; that there was no authority—that they were basically powers given to the President and that Congress has no ability—I guess I would be interested, in the form of a question, if the Senator can answer whether he believes there are article II powers of surveillance of American citizens that Congress has no business questioning?

Mr. WYDEN. My colleague is—and I remember those days well—basically summing up the argument of the Bush administration. I and others pushed back and pushed back very hard, because it would essentially, if taken to this kind of logical analysis, basically strip the legislative branch of its ability to do vigorous oversight.

So my colleague has summed up what was the position of the Bush Administration. But like so many other positions that were taken during that period of time, once there was an opportunity to make sure people understood how sweeping it was—what my colleague has described is an extraordinary sweep of executive branch power basically relegating any role for congressional oversight to that much—and not on the central question. So my colleague has summed up what the Bush administration said in those early days.

I had joined the Intelligence Committee shortly before 9/11. I was struck, because this really was the first example I saw of just how some in the executive branch would try to lay out a theory of executive branch power that really just takes your breath away.

Mr. PAUL. I guess a followup to that would be this: Are those arguments still being floated from this administration that there are article II powers? There is a debate going on over this Executive Order 12333. The question is whether people are still trying to maintain that Congress has no ability to oversee or review it?

But I have seen, at least in the lay press—I think they say in the lay press that there is some special investigation. Without going into detail, is there some kind of investigation or evaluation of the Executive order being done by us or one of the congressional bodies? That was in the lay press.

Mr. WYDEN. Yes, what I can tell you is that I think there have been some changes, some improvements. But it continues to be a challenge. The reality is you kind of look back from that period. In those early days, for example, John Poindexter made a proposal for something called Operation Total Information Awareness. It would have been the most sweeping invasion of privacy, in my view, in the country's history. We decided, much like when my colleagues talked about those early interpretations in the Bush administration, that this was an unacceptable expansion of executive branch power.

But it was not until a young intern who was in our office late one night found some of the true excesses of this project—in fact, this young intern found that the program would actually encourage, as part of an experiment, debate about assassinating foreign leaders. People just found that so out of the mainstream that when we brought it to light, Operation Total Information Awareness was gone within about 48 hours.

So we have seen—my colleague highlighted the Bush administration proposal to basically have unchecked executive branch power in Operation Total Information Awareness. My colleague asked about 12333, which we have been reviewing.

So, yes, it is going to remain an ongoing concern, an ongoing challenge, because I think there is a sense that the executive branch is the only one that can really deal with this kind of information in a timely kind of fashion. Well, what we have seen, with respect to bulk phone record collection, is that this has been a program that has not been about timely access to relevant information.

Experts with national security clearances—we talked about those individuals this afternoon—said this program does not make us safer, and we could get rid of it and obtain the information by conventional sources. So I think we have begun to reign in this unchecked executive branch power. I think a big part of it has been the very valuable work my colleague has done in terms of trying to highlight these kinds of practices and why I have appreciated the chance to work closely with my colleague since I came to the Senate.

Mr. PAUL. I think one of the most exciting things probably is the court case—the Second Circuit Court of Appeals—and their ruling. My hope, though, had been that it would go to the Supreme Court. My understanding is it has been remanded to a lower court. I think one of the things that we really need is that we need a ruling that updates Maryland v. Smith. We need a ruling that talks about the fact that most people's records are being held in a virtual fashion. I think there needs to be a ruling that comes from the Court that acknowledges that you still retain a privacy interest in your records, even when they are being held outside of your house.

The idea of old fashioned papers in your house—the concept is good, that we should protect that privacy. But I think also the concept technologically

is that you know you will not have papers in your house, but you will have private matters that will be held virtually outside the house—and whether or not the Fourth Amendment protects those. You often have advocates from the government who say that the fourth amendment does not apply to any records once they are outside your house or in other hands. I really think that you do not give up your privacy interest when you let someone else hold your records, that you still maintain an interest in privacy even though someone else holds these records.

Mr. WYDEN. I think my colleague has made an important point with respect to the Smith case. The Smith case was not made for the digital age. That is a big part of what we have sought to do throughout this debate, is to try to make sure that people really understand the implications in the digital age of what these policies, you know, mean for their privacy.

I see my colleagues are on the floor and I want to give them some time. But since you mentioned this question of the court cases, I think there was really striking language recently by Judge Leon of the U.S. District Court for the District of Columbia, talking about what the scooping up of all of these records really means. Judge Leon said, ''a few scattered tiles of information'' when collected in mass, can ''reveal an entire mosaic'' about a person including their religion, their sexual orientation, medical issues, and political affiliations.

So you combine what the judge has described, I think correctly, as bulk collection, outdated court cases such as the Smith case, which really was not updated in terms of what we would be facing in the digital age, and I think this really combines to create policies that have a chilling effect on liberty and liberty for innocent law-abiding Americans.

So I want to say it again to my colleague who is now approaching 10 hours on his feet. I very much appreciate his focusing on these issues. We have a lot of work to do because we know that there has been a pattern in the past where when we really get down to the final days—the last couple of days—there is always a lot of pressure to go along with some kind of short-term extension. That has been the pattern year after year, every time there has been an expiration of the act.

I think what has been shown today is that kind of business as usual is just not going to be acceptable any longer. You have made that point. I want it understood that we are going to be pursuing the effort to make sure that this time we are not just going to re-up a bad law, re-up a flawed policy and say that it is OK to continue a program.

This was reauthorized, in effect, by the President a few months ago. This is going to be the last extension. This has got to be the last extension. I am committed to working closely with the Senator and our colleagues to make sure that that is the case and to take the steps necessary to ensure this is finally the last extension of a badly flawed law. I thank my colleague for his good work.

Mr. PAUL. Thank you. I think the American public is ready to end bulk collection. I think there is a bipartisan, across-the-aisle approach that people want to end bulk collection. The time is now. We cannot keep extending this.

I think probably the biggest deal is that the PATRIOT Act does not even justify this. This is a program that needs to end because even those who read the PATRIOT Act, even those who love the PATRIOT ACT, acknowledge that the PATRIOT Act does not even give permission for this. This is something we are doing that there is no permission for. It has to end. I think the American people will be very disappointed in us as a body if it does not end.

This is the time to do it. I agree with the Senator. We are going to do everything we can to stop it. I see the Senator from Utah. Does the Senator from Utah have a question?

Mr. LEE. I do. At the outset of my question, I would like to point out that while I disagree with you, Senator PAUL, with regard to the specific question of whether we should allow section 215 of the PATRIOT Act to expire in its entirety, I don't believe we need to do that. I would prefer that we pass the USA FREEDOM Act as passed by the House of Representatives by an overwhelming margin of 338 to 88 last week.

While we disagree on that issue, I absolutely stand with you, Senator PAUL, and I believe with the American people, on the need for an open, transparent process and debate regarding this issue. I also stand with the Senator with regard to the belief that bulk metadata collection is wrong. It is not something that we can support. It is not something that the American people feel comfortable with and that it is incompatible with the spirit if not the letter of the Fourth Amendment to the Constitution of the United States that we have all sworn an oath to uphold and protect and defend.

Let's remember the text of the Fourth Amendment. The text of this amendment, penned in 1789, ratified in 1791, says: ''The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no Warrants shall issue, but upon probable cause, supported by Oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized.

These are not idle words. They are not surplusage. They are not there just for ornamental purposes. They are there to put important limitations on the power of government, to make sure that when government goes after things—things that are important to our personal lives, things that are part of our houses, things that are part of our papers, our personal effects—those things cannot just be grabbed randomly by government.

Government has to have a reason for going after them, and government has to be constrained in some meaningful way in the way it goes after them.

When the government relies on a warrant, the warrant needs to describe the things or the places to be searched with particularity. The people subject to them need to be identified with some particularity.

And, you know, these words were meant to be flexible. They were meant to be molded from time to time in different circumstances. They are not absolute in their terminology, and that is one of the reasons they have endured for well over two centuries and why they have been able to adapt to changes in technology. But there is not any reasonable construction of this language that I think can countenance what the NSA is doing and what we are talking about here, which is the bulk collection of telephone metadata.

Now, what is happening is that the NSA is getting these orders, these orders from the Foreign Intelligence Surveillance Court, and these orders basically tell the telephone service providers: Give us all your data. Give us all your records, all of them. We don't really care whether they are relevant to an ongoing investigation of a particular person or of a particular terrorism ring or a particular foreign intelligence group of activities. We want all of them. Send all of them to us. We are going to put them all in a database and we are going to search them when we feel like it.

Now, I don't dispute the claim made by the NSA that there are a limited number of people who have access to this database, nor do I dispute, at least for purposes of this discussion I am not going to dispute—and I have no basis for refuting—the assertion that the people who work at the NSA are well intentioned, that they have our national security interests at heart, that they are there to protect us.

But even if we don't dispute any of those things, even if we accept all of those things as a given, we have to acknowledge the very real risk that the same people who work there now might not be—in fact, we are certain they will not be—the same people who work there 1 year from now or 2 years from now or 5 years or 10 years or 15 years from now.

And we know something about human nature, which is that humans, when given power, will sometimes abuse that power. Sometimes they will abuse that power to the detriment of

others. Sometimes they will do it for personal financial gain. Sometimes they will do it for political gain. Sometimes they will do it in order to further certain agendas.

That is exactly why it is so important to put boundaries around the authority of government. That, of course, is what the Constitution is. This is our set of boundaries. This is our fence around government authority. It is there for a reason. It is there to make sure the American people are protected against government.

So, first, the Founding Fathers put in place this structure that explained how government would work. It established the government, and then it carefully positioned this series of fences around the government to make sure power wasn't abused against the people.

It is interesting, when the PATRIOT Act was enacted and when it was subsequently reauthorized several years later, Congress put in place a relevance requirement. Congress put in place—in section 215 of the PATRIOT Act—a requirement that the business records that were obtained by the NSA, pursuant to section 215 of the PATRIOT Act, had to be relevant to an investigation, relevant to some things they were doing.

Here again, as with the language of the Fourth Amendment of the Constitution, there is some play in the joints of the term ''relevance.'' Some things might be relevant in one situation and not another. Whether it is relevant is going to depend on a lot of facts and circumstances pertinent to the investigation in question, but it stretches the term ''relevant'' or the concept of relevance beyond its breaking point, beyond any reasonable definition.

If you deem something to be relevant, so long as it might in some future investigation—one that has not yet arisen—become relevant, such that you had to gather every record of every phone call made in America, such that NSA wants to go after every record of every phone call made by every American going back 5 years, storing that series of records in a single database that can be queried for up to 5 years in advance.

Let's just go through this exercise for a minute. Think to yourself, how many phone calls have I made in the last 5 years? How many distinct phone numbers have I called in the last 5 years?

Well, if somebody has called 1,000 phone numbers—or, let's say, made phone calls to 500 phone numbers and received phone calls from another group of 500 phone numbers, for a total of 1,000 phone numbers over the last 5 years, then that is 1,000 numbers. Then the NSA goes out one hop beyond that and connects each person, each phone number with whom the original person had contact. Let's assume that each of those phone numbers had, in turn, contact with 1,000 phone numbers. You get to 1 million phone numbers pretty quickly.

But each time the NSA collects these data points, each data point taken in isolation might not say much about that person. But as our friend and our colleague from Oregon noted a few minutes ago, it is by using that combination of data points, by aggregating all of those data points together, someone can tell an awful lot about a person.

In fact, there are researchers who, having used similar metadata and similar sets of metadata in their own databases, have concluded that they can tell what religion a person belongs to, what political party someone belongs to, their degree of religiosity, and their degree of political activity.

They can tell what someone's hobbies are. They can tell whether they have children, whether they are married. They can tell how healthy they are, what physical ailments they might suffer from. In many instances, they can tell what medications they are on. And all of these things are made more efficient by virtue of the automation in this system.

So while it is true people point out that under section 215 of the PATRIOT Act, under this particular program, the NSA is not listening to telephone conversations. They are not listening to them.

Interestingly enough, this is very often a straw man argument that is thrown out by those who want to make sure that section 215 of the PATRIOT Act is reauthorized without any reforms. They claim that those who are opposed to this type of action are out there falsely claiming that the NSA is listening to phone calls over this program.

Well, that accusation of falsehood is, itself, false. That accusation of falsehood is, itself, a straw man effort. It is a red herring. It is a lie. It is a lie intended to malign and mischaracterize those of us who have genuine, legitimate concerns with this very program, because the fact is we don't make that argument. The argument we are making is that the NSA doesn't even need to do that. The NSA can tell all kinds of things about people just by looking at that data.

Because it is automated and because it is within a system that operates with a series of computers, they can tell very quickly it is a lot less human resource-intensive than it would be if they were having to listen to countless hours of phone conversations. It is a lot more efficient.

Again, I want to be clear. I have no proof that the NSA is currently abusing this particular program. I am not aware of any evidence that such abuse is occurring. And I am willing to assume, for purposes of this discussion, that is not occurring, that the men and women who work at the NSA have nothing but the best interests of the American people and American national security at heart.

But how long will this remain the case? And how safe, how fair is it of us to assume that will always be the case? We can scarcely afford—for the sake of our children, our grandchildren, and those who will come after them—we cannot afford to simply assume this will always be the case.

We have to remember what happened a few decades ago when Senator Frank Church and his committee looked into wiretap abuses that had happened within the government. We have to remember the Church report that was released at the end of that investigation.

That report concluded that every Presidential administration from FDR through Richard Nixon had utilized law enforcement and intelligence-gathering agencies within the Federal Government to go engage in political espionage. So that technology, which was then only a few decades old, had been abused. It had been abused for a long time. The abuse of this technology had gone, of course, unreported for many decades, but it had nonetheless been occurring.

Again, I don't know, I can't prove it. I have no evidence that such abuse is going on right now. But I think all of us, in order to be honest with ourselves, would have to acknowledge that there is at least some risk that if it is not occurring now, at some point it will occur in the future. This temptation is simply too strong for most mortals to resist, particularly in an area such as this where there is, with good reason, very little ability for the outside world to observe what is going on inside that particular government agency.

Now, that is exactly why I happen to support what was passed by the House of Representatives last week. What was passed by the House of Representatives last week in the form of the USA FREEDOM Act was something that would require the NSA to, instead of going out to all the telephone companies and saying, send us all of your records, we want your calling records, just give us your records, we don't care whether it is relevant to a particular phone call, particular to a specific number that was itself involved in terrorist activity or foreign surveillance activity, we don't care about that, just send it to us—far from doing that, what the USA FREEDOM Act would require is for the government to show that they needed records related to a telephone number that was itself involved in some kind of activity. They wouldn't have the ability to go to all the phone companies and just say send us everything.

They would instead have the power to get a court order, to get those

records of those phone calls that might well be connected to terrorism based on their contact with a phone number that was related to such activities or their contact with somebody else, with some other phone number that was, in turn, having some kind of communication with someone involved in those activities.

Not all of us agree on this and, Senator PAUL, you and I don't agree on this particular bill, but we do agree on the underlying issue. And we also agree that the Senate works best, that the Senate serves the American people well when it lives up to its self-described reputation as being the world's greatest deliberative legislative body. We would all be better off if we were able to put this bill on the floor right now—if this bill were able to come to the floor and it were subjected to open, honest debate and discussion so the American people could see we were debating this and so that you, Senator PAUL, and some of our other colleagues who have ideas as to how we could make this legislation better would have the opportunity to introduce, in the form of an amendment, improvements to this legislation.

I heard you outline quite articulately just a few hours ago some very thoughtful reforms, some very well-thought-through improvements, amendments that you would make to this legislation. I think we would all be better off if we took that kind of approach.

Now, we have seen in the last few months what can happen. When we came back in January, we saw that the desks in the Senate Chamber had been rearranged. Many of us were pleased. We didn't shed a tear at the realignment of the desks, and we have noticed that this realignment of the desks reflected a change in the political attitude among Americans. But, more importantly for us, it was the precursor to some very positive developments in the Senate.

We saw that within just a few weeks after this shift in power had occurred, we had cast more votes on the floor of the Senate than we had in the entire previous year. Within a few months, we had cast more votes on the floor of the Senate than we had cast in the 2 years previous to that. This was a good sign.

This is a good sign. It is not just because we are here and we cast votes; it is because those votes represent something—they represent the fact that we are actually debating and discussing and we are allowing each Senator to have his or her views heard. We are putting ourselves on record as to what we believe represents good policy and what does not.

I think we would be in a much better position to address the national security needs of our great country if we had such an opportunity with respect to this legislation. That is one of the reasons I came to the floor yesterday, along with one of our colleagues, the senior Senator from Vermont, and asked unanimous consent to bring this bill—the House-passed USA FREEDOM Act, H.R. 2048—to the floor and to have open debate and discussion and an open amendment process, with the understanding we would turn back to the trade promotion authority bill as soon as we had properly disposed of this legislation, as soon as we had finished debating and discussing it, voting on amendments and voting on the legislation.

I am a big believer in free trade. I like free trade. I think free trade is good. I would like to see us get to both of these pieces of legislation. But importantly, H.R. 2048 is a piece of legislation that has kind of a fuse attached to it. Section 215 of the PATRIOT Act is set to expire at the end of this month, and many of us believe we ought to at least have a debate and discussion before that happens, a debate and discussion about what, if anything, would take its place, about whether we need something to put in its place and if so, what that might look like. So that is why we made this request. This request we regarded as a very reasonable one was, unfortunately, one that drew an objection, so we were not able to bring it to the floor.

The U.S. Court of Appeals for the Second Circuit, based in New York, recently addressed this issue of whether section 215 of the PATRIOT Act can appropriately be read to authorize the NSA to engage in this bulk metadata collection program. The U.S. Court of Appeals for the Second Circuit answered that question in the negative and concluded there is no statutory authority for the NSA to collect this type of metadata. It doesn't have the authority. It cannot collect bulk metadata on this basis.

As the Second Circuit concluded, the business records sought under that provision have to be relevant. There has to be some relevance to something they are investigating. And of course their only relevance here, under this program, is that they exist; it is that they represent phone calls made by someone in the United States, that they were made under a telephone network in the United States. That can't be the answer. That cannot reflect a proper understanding of this concept of relevance that is in section 215 of the PATRIOT Act. It can't, and it doesn't.

This court ruling is one of the many reasons why we need to be having this debate and why we shouldn't be willing to simply reauthorize section 215 of the PATRIOT Act with the understanding that the NSA will continue operating this program as is if we reauthorize it.

It is one of the reasons why I have been so insistent on having this discussion and so unwilling to support even a shorter term reauthorization of the PATRIOT Act—because they are interpreting section 215 in the PATRIOT Act beyond its logical breaking point.

We have to remember that the Constitution is worth protecting. It is worth protecting even when we can't point to anything bad that is happening right now, even when we can't point to any specific abuse that is occurring.

Bulk data collection is itself a type of abuse. There is a type of constitutional injury even though we can't point to anything secondary from that. We can't point to any horrible secondary effect from it; it is in and of itself wrong.

The wrongness of this program can be illustrated when we take to its logical conclusion the very arguments presented by the NSA for this type of activity. Let me explain. The metadata that is collected by the NSA right now relates exclusively to telephone calls. The records they collect involve records of who you call, when you called them, who calls you, when they called you, and how long the phone call at issue lasted. That is it.

But if the NSA is correct in its interpretation of section 215, which it is not, but if it were correct, there is absolutely no reason why the NSA could not also collect a number of other types of metadata—metadata records, for example, involving the use of your credit card, involving hotel reservations, involving airplane reservations, metadata regarding emails you have either sent or received, who you sent them to and who you received them from, your Internet traffic, where you have purchased online, who has purchased something from you online, and all kinds of things. From that metadata, they could clearly paint a much more vivid picture of you, a profile built as a mosaic from a billion data points. They can tell everything about you from that type of metadata.

Sure, the NSA is not collecting that type of metadata right now. They are not doing it right now. But if we reauthorize this without limitation, if we reauthorize section 215 of the PATRIOT Act and we don't include any kind of restriction on it, there is absolutely no reason why the NSA couldn't conclude tomorrow or next week or a year from now or later that it wants to collect this kind of data as well.

I would suspect nearly all Americans would be shocked and horrified to think the NSA could and would and might at some point in the future collect that kind of information on where you shop online, your credit card bills, your hotel reservations, things like that, things that could easily be connected back to an individual and easily give rise to abuse either for partisan political purposes or for some other nefarious purpose.

I also want to point out that those who are in favor of this program and

those who vigorously defend its constitutionality routinely rely on a decision rendered by the Supreme Court in the late 1970s in a case called Smith v. Maryland. They point out that in Smith v. Maryland the Supreme Court upheld the constitutionality of some police activity that involved the collection of calling data. The Supreme Court concluded in that case that there was not a sufficiently significant expectation of privacy in records of calls that somebody had made and received such that the collection of that data would require a search warrant.

I am not altogether certain that Smith v. Maryland was decided correctly, but let's assume for a minute it was decided correctly and just address the fact that it is a decision that remains on the books. It is precedent that is followed throughout the courts of the United States. That is fine. Let's just accept the fact that it is on the books. But it is very, very different—not just quantitatively different but also qualitatively different—when you are dealing not with one target of one single criminal investigation and not just with maybe a few weeks of calling records but when you are dealing with 5 years of calling records not on one person, of one target in one criminal investigation by one group of law enforcement officers, but 300 million people stretched out over 5 years.

That calling data becomes more significant, moreover, when Americans become more attached to their telephones, when their telephone isn't something that is just plugged into the wall but something that is carried with them every moment of every day. This, by the way, adds to the potential list of metadata that could be collected because of course many people now have telephones that track their location. I don't see any reason why, based on the interpretation of section 215 of the PATRIOT Act and the interpretation of the Fourth Amendment that the NSA has put forward, they couldn't start collecting the location data as well, which would further undermine privacy issues.

So Smith v. Maryland, whether you like it or not, is precedent. It is precedent that is followed by the courts in America, but it is not the end of the story. It certainly doesn't get you over the hump when it comes to this type of collection. Saying that what was covered by Smith v. Maryland is the same thing as what the NSA is trying to do here is a little bit like comparing a pony ride to a ride to the Moon and back. They both involve some form of transportation, but they are worlds apart, drastically different, and so much so that they can't really even be compared.

Our technology has changed dramatically over the years—so much so that if we don't stop and think about it, we might not even recognize it.

A few years ago when my son James was about 10 years old, he came up with a really good idea that he announced to us. He said: You know, I have been thinking about it, and I am going to invent something.

We said: What is that?

He said: Well, I am going to invent a telephone that is attached to the wall. It will be attached to the wall so it can't be removed. It will have a wire that runs into the wall, and that is how the telephone will work.

We looked at him and wondered what gave him this idea and what gave him the idea that that was somehow unique.

We said: Well, first of all, what makes you think that hasn't already been invented? And secondly, why would you want to do that?

He said: Well, I think it is a great idea because it is the only way you wouldn't lose your phone.

Only then did we realize what he was saying. Only then did we realize that what he was telling us was that during his lifetime, he had never seen in our home a phone that was attached to the wall. He had seen cell phones and he had seen cordless landline phones, and he had seen telephones get lost from time to time.

So our technology does change, and as our technology changes, we have to take that into account. Well, our technology has changed now to the point where our government can learn all kinds of personal facts about us through metadata, through the type of metadata involved here, and it is only getting more and more this way every single day as we transact more and more of our day-to-day business over our telephones and as our telephones become more sophisticated, more portable, and more capable of processing more and more data.

The text of the Fourth Amendment I quoted just a few minutes ago is still very relevant today. The fact that the Fourth Amendment refers specifically to the right of the people to be secure in their persons, their houses, and their papers and effects is still relevant today and should remind us of the fact that our persons, our houses, and our papers and effects more and more really become a part of this—they really become a part of our telephones.

Our papers are not always physical papers. More and more, they are not. Increasingly, we are even asked to sign documents that previously would have been physically signed on a hard copy, a stack of papers—increasingly you can do business transactions without ever handling a physical paper. Increasingly, you can do those things electronically. People often prefer to do it that way. It saves time. It saves money. But as more and more of our lives are played out on these portable digital devices, it becomes more and more important for us to be remember there are Fourth Amendment ramifications when the government wants to get involved in what we do on those same devices.

That is why it is not really fair any more to simply rely reflexively on Smith v. Maryland to say this is all constitutional, nor is it fair to say that your phone company already has this record, so there is no reason why the government shouldn't have it. I actually don't even see that comparison.

Some people think this is somehow persuasive. I don't find it persuasive at all. There is a world of difference between allowing a private business with which you have voluntarily chosen to interact to have your business records, particularly when it is a private business that you want to have that information so that private business can keep track of how much you owe them or how much they owe you—there is a world of difference between a private business entity having those records and the government having those records.

The worst thing that a private business can do is perhaps send you too many emails that you don't want asking you for more business or maybe it can give some of your personal data to somebody else who will in turn make phone calls you don't want to receive or send you emails you don't want to receive.

That private business has no ability to put you in prison. That private business has no ability to levy taxes on you. That private business has no ability to make your life a living hell in the same way that your government has the ability to do those things—not just the ability but, lately, with increasing frequency, with strong and seemingly irresistible inclination.

This is not a victimless offense against the spirit and, arguably, the letter of the Constitution. These kinds of things have real-world ramifications. They ought to be troubling to all of us, and we ought to want to do something about them.

So for these reasons, Senator PAUL, I would ask you, don't you think it would be much better to put this bill on the floor now and allow for an open amendment process, one in which you and each of our other colleagues could have an opportunity to provide input, to try to improve the legislation, and to try to do something meaningful with this legislation, rather than just simply ignore it, pretend it didn't exist, sweep it under the rug or wait until we are up against a cliff—this critical cliff between when the Senate, much to my chagrin and the chagrin of many of our colleagues, is set to adjourn and leading up to the moments when this program is set to expire? Wouldn't we be better off to take this up and debate this under the light of day, under the view of the American people?

Mr. PAUL. I think the Senator from Utah asked a great question, and I think he framed the debate over the Fourth Amendment very well.

I think if we asked to put the bill on the floor at this hour, we may not be able to find anybody awake to ask permission to have the bill this evening. We haven't been able to locate anyone to get the bill this evening, so I am afraid we will have to say no.

But we have been asking for a full and open debate. Your solution, as well as mine, as well as Wyden's, as well as other's, is to have a full debate on the floor for this.

There were a couple of things you said that I thought were particularly worth commenting on.

People say that because there is no evidence that the program is being abused, there is no evidence that we are searching the records of certain people of certain race or religion or abusing people for some reason, that is proof somehow that no abuse is occurring.

But I agree with you that the collection alone is an abuse in and of itself. To me, the basic point and the biggest part of the point is that what we are dealing with is something that is a generalized warrant.

There is nothing specific about collecting all of the records from all Americans all of the time. There is nothing specific about the name ''Verizon.'' I tell people that I don't know anybody named Mr. Verizon. So that can't be a specific individualized warrant. That is a general warrant. That is what we fought the Revolution over—to individualize warrants, to individualize what we were requesting, and, above all, probable cause.

We accepted a lower standard to go after foreigners, to go after terrorists. And part of me says that maybe we could do that just for terrorists. But now we are using it for domestic crime.

One of the biggest things I would like to change is that nothing within the PATRIOT Act or any of this could be used to convict somebody in a domestic court.

Section 213—sneak-and-peak—99.5 percent of the time is used for domestic drug crime now. We have the NSA sharing data that is supposed to be collected on foreigners with the domestic DEA and then making up another scenario where they might have heard about this. But they didn't really hear about this from the NSA.

I think the public at large thinks we have gone way too far—way too far with the bulk collection records. It is not only what we have done, but it is just that there is absolutely—even in the PATRIOT Act, which I object to—no justification for collecting the records. The idea that records could be relevant to an investigation that has not yet occurred puts logic on its head, puts it topsy-turvy to where words don't mean anything.

I am very concerned that there is a lot of surveillance that we don't know about, not only through the PATRIOT Act justification but through Executive order justification. It concerns me that there are still people who are arguing that article II gives unlimited authority to the President, that there is no congressional check and balance to the President with regard to surveillance. There are people making that argument—that there is no limitation to Presidential power.

I think one of the best things our Founding Fathers gave us was this check and balance so we had coequal branches. I think it is a great thing with the Fourth Amendment that a warrant had to be signed by somebody who wasn't a policeman, who wasn't a soldier.

This is one of the additional things I would like to do because we don't get to talk about this very much. We have the ability, and we are talking about the bulk collection of records, but we should also talk about whether we should have hundreds of thousands of warrants written by policemen, by FBI agents. I think warrants should have a check and balance where you have a judge.

There is something that is so civilizing and something that levels the playing field and keeps abuse from happening when a policeman tonight in DC, in front of a house, who wants to go in, is calling someone who is not in hot pursuit and who hasn't just had a physical altercation with the people they are chasing—someone who is dispassionate and unconnected to the heat of the crime—who is going to give permission for this policeman to go into a house.

We say that a man's house is his castle, and he can defend it. That was the whole idea—that things within the castle were the man's or woman's, we would say now. But it is not only that your records are in the castle anymore. They are in the cloud. And records are virtual. We have whole households that have no paper records.

The amazing thing about records is they are now saying that with metadata records, they can discover more than we could have discovered in a lifetime of looking at your personal letters in your house, because so much information is there, so much can be connected between the dots between all of these things.

I am still not convinced that we aren't collecting data on credit cards, on emails. I think some of this is done through the Executive order that most of us are not privy to. The only people that know anything about Executive Order 12333 and what they are doing on it are people on the Intelligence Committee. I am not convinced we aren't collecting email data.

They currently say that your email—this is the bill you promoted—after 6 months, your email has no protection. Before 6 months, I think the only protection is to the content, not to the header, not to the addressee.

We currently have the opinion. We desperately need the Supreme Court to rule on this. We have the Smith v. Maryland decision, which was in the premodern age, as far as data goes and as far as your papers being held. We desperately need a decision.

My hope was that the appellate court decision would go to the Supreme Court. But my understanding—being just a doctor—is it went the other way. It has been remanded lower and may never make it to the Supreme Court. I don't know that. But I think we do need something at the Supreme Court level.

There have been many who are now arguing that the appellate court—this again from a physician, not a lawyer—is really binding and that there could eventually be some legal injunction against what the government is doing.

But for goodness sake, it perplexes me that the President says: Oh, yes, we need a balanced approach, and I am listening to my privacy commission. I am listening to the review board. Yet I created this out of whole cloth as an Executive order, and I am unwilling to stop it even though the appellate court has told me it is illegal.

He is unwilling to stop it. I think that sort of defines disingenuous—that he is going to stop it as soon as Congress stops it.

It is so hard to get anything done here. We have had vast majorities—not only for the USA Freedom Act but for Thomas Massey's act. We had a vast majority over there to defund it—for JUSTIN AMASH, for defunding things that we were doing—big majorities. It is another evidence that the Senate is further distanced from the people, that the House is closer. They are hearing the message stronger.

I think the message is a strong one, and the message is that nobody—I mean, really, the vast majority of Americans are very unhappy with having all of their records collected. That really to me gets back to the whole idea of whether we should accept or validate general warrants. It is still part of my concern, a little bit, with the reform. I want the reform—it could go a long way if we no longer have the ability to put the word ''corporate'' in there and if it were specifically individuals. And I think we have a chance to go maybe even a little further than we have gone in the reform that is being offered to say that we shouldn't be able to request all of the records from a corporation, because there is some retained privacy and there is some retained property interest even in your records. And I think there always has been.

They talk about an expectation of privacy. I would think that if you have

a contract, when you sign the agreement, you are agreeing to a privacy contract with an Internet provider or a search provider or a telephone company. I think that is indicating, as they talk about in the cases, an expectation of privacy. Well, I have signed an agreement with the company, and they promised me and I promised them. I would think that for certain is an expectation of privacy in the eyes of the court.

(Mr. RUBIO assumed the Chair.)

So I don't understand how they can argue we have completely given up our records, and that we have no ability at all to retain an interest in our records.

I am very much convinced this is an important debate—that the Bill of Rights is something that we shouldn't look at lightly; that we should, as we move forward, make sure we do protect the things that are important. We shouldn't hurry up and have deadlines, and then say we are not going to have time to debate it.

I see the Senator from Texas, who is also a defender of the Fourth Amendment, is here, and I would be happy to take a question without losing the floor.

Mr. CRUZ. I thank the Senator from Kentucky. I would note that he and I agree on a great many issues, although we don't agree entirely on this issue. But I want to take the opportunity to thank the Senator from Kentucky for his passionate defense of liberties. His is a voice this body needs to listen to.

I would note that the Senator from Kentucky's father spent decades in the House of Representatives as a passionate advocate for liberty. Both his father's voice and the Senator from Kentucky's voice have altered the debate in this Chamber and have helped refocus the Congress and the American people on the critical importance of defending our liberty.

I think protecting the Bill of Rights is a fundamental responsibility of the Federal Government. And it is heartbreaking that over the last 6 years we have seen a Federal Government that not only fails to protect the Bill of Rights but that routinely violates the constitutional liberties of American citizens and routinely violates the Bill of Rights.

I listened to the learned remarks and questions from the Senator from Utah, where he noted that under the justifications for the current bulk collection of metadata, it is the position of the Federal Government that they have the full constitutional authority not only to collect metadata but to collect the positional location of every American. If any of us carry our cell phone, wherever we go, it is the position of the Obama administration that the Federal Government has the full constitutional authority to track the location of every American citizen no matter where we are. That is a breathtaking assertion of power.

I would note that we do not merely need to speculate that that is the Obama administration's position. Indeed, in a recent case before the U.S. Supreme Court, the Obama administration argues that law enforcement could place a GPS locator on the automobile of any and every law-abiding citizen in this country and track the location of your automobile and my automobile with no probable cause, no articulable suspicion, no nothing.

The Obama administration argued that the Fourth Amendment and the Bill of Rights say nothing about the Federal Government placing a GPS locator on the automobile of private law-abiding citizens.

Thankfully, the U.S. Supreme Court rejected that position. It did not reject that position 5 to 4 or 6 to 3 or 7 to 2; the U.S. Supreme Court rejected that radical antiprivacy position of the Obama administration unanimously, 9 to 0.

I am entirely in agreement with my friend the Senator from Utah that the right resolution of the issue before this body is for the U.S. Senate to pass the USA FREEDOM Act. I am an original sponsor of that bipartisan legislation.

The USA FREEDOM Act does two things: No. 1, it ends the Federal Government's bulk collection of phone metadata for law-abiding citizens. I am entirely in agreement with my friend, the Senator from Kentucky, that the Federal Government should not be collecting the data of millions of law-abiding citizens with no evidentiary basis to do so. It is long past time to end this program, and the USA FREEDOM Act does that.

At the same time, the USA FREEDOM Act maintains the tools to target terrorists. We are living in a dangerous world with the rise of ISIS and Al Shabaab and Boko Haram, not to mention Al Qaeda and radical Islamic terrorism across the globe. The threat to the American homeland has never been greater.

It is critical that law enforcement and national security maintain the tools so that if there is a credible basis to believe that a particular individual is planning a terrorist attack, we can intercept their communications and we can prevent that terrorist attack before, God forbid, they murder innocent Americans in the homeland. Those critical words there are ''particular individual.''

What the Fourth Amendment envisions is not that law enforcement's hands are tied; law enforcement has tools to stop crimes. But as my friend the Senator from Kentucky has so powerfully observed, the Fourth Amendment was designed to prevent general warrants. It was designed to prevent the government from assuming that everyone in the country is automatically guilty and we will seize your information. Rather, the tools of law enforcement and national security should be particularized based on the facts of the evidence.

That is why I support the USA FREEDOM Act because it accomplishes both goals. It protects our privacy rights and the Bill of Rights of law-abiding citizens, but it ensures we have the tools to prevent acts of terrorists.

I would note two points that are important. There are a number of Members of this body, including a number of Members of my party and the party of this Senator from Kentucky, who argue that the PATRIOT Act should be reauthorized with no changes, and they argue to do anything else would jeopardize our national security.

There are two facts that are critical to assess to responding to that argument. No. 1, the Members of this body have received confidential classified briefings from the national security officers of this administration. We are not at liberty to convey the specific details of those briefings. But the Members of this body have been told, No. 1, the USA FREEDOM Act would provide effective tools so that we can prevent acts of terrorists.

Indeed, they have gone further to say that it is entirely possible that under the USA FREEDOM Act, the national security team would have more effective tools to stop actual terrorists than they do today under the bulk metadata collection of law-abiding citizens. That is worth underscoring. The national security professionals advising this body have said the USA FREEDOM Act could well be more effective in providing the tools to stop terrorists than the current status quo. That argument needs to sit in for everyone arguing that we have to maintain the status quo to stop terrorism. If it is the case, as we have been told, that the USA FREEDOM Act could be more effective, that argument suddenly falls to the ground.

Secondly, I address my friends in the Republican Party who have preferred to reauthorize the PATRIOT Act. Even if that is their preference, it is abundantly, abundantly clear that a clean reauthorization to the PATRIOT Act ''ain't'' passing this body and it certainly ''ain't'' passing the House of Representatives. I would note that the USA FREEDOM Act passed the House of Representatives 338 to 88. It was not a narrow victory. It was overwhelming. So even if Members of this body would prefer to reauthorize the PATRIOT Act in its entirety, the votes ''ain't'' there. So the choice they face is letting it expire altogether, losing the tools we have to prevent real terrorists from carrying out acts of terrorism or accepting a commonsense middle ground that vigorously protects the Bill of Rights while maintaining the tools to target the bad guys.

I will say this: With my friend the Senator from Kentucky, I entirely

agree that he is fully entitled to introduce his amendments to that bill. This body should engage in a full and open debate considering amendments, and the Senator from Kentucky should be able to propose reasonable commonsense improvements to the USA FREEDOM Act.

We ought to debate them on the merits in a full and open process. There was a time not too long ago when this body was called the world's greatest deliberative body. Debate is what we are supposed to do on the merits.

If the defenders of the PATRIOT Act right now are so confident of their position, they should be prepared to debate the Senator from Kentucky on the merits, to debate each of the Members of this body on the merits, and to arrive at the right policy that both protects our constitutional rights and ensures we have all the tools we need to protect the safety of American citizens against acts of terrorism.

I will note standing here with the Senator from Kentucky and with the Senator from Utah at 11:40 p.m., I am reminded of the movie ''The Blues Brothers'' saying: Jake, we have got to get the band back together again. I am reminded of previous evenings standing here with this same band of brothers in the wee hours of the morning. I will make a couple of final observations in this question. The first is, the very first time I ever spoke on the Senate floor, when I was a brand-new freshman Senator, was during the last time the Senator from Kentucky was filibustering. Senator RAND PAUL was filibustering against the Obama administration's policy of uncontrolled drone strikes and the refusal of the Obama administration to acknowledge that the Constitution prohibits the Federal Government from using a drone to target a U.S. citizen with lethal force if that citizen does not pose an imminent threat on U.S. soil.

When the Senator from Kentucky began that filibuster that morning, he had asked if I might come out and support him. I told him at the time, as a newbie in this body, that I wanted to respect the institutions of the Senate, which included the tradition that the freshman Senator should stay quiet for a number of months before speaking. So initially I said: No, I am not going to come down; it is not yet time for me to speak on the Senate floor. Yet he stood there and 1 hour and 2 hours passed. I could not stand back without joining him in the support in that epic fight. That time I am reminded it was an anniversary of the Battle of the Alamo. So I had the opportunity to read to my friend William Barret Travis's letter from the Alamo and to give him the encouragement of Texans who gave their lives in defense of liberty and, indeed, at the time to read tweets that were sent in support of the Senator from Kentucky. I said many times I will go to my grave in debt to Senator RAND PAUL for the first opportunity I had to speak on the Senate floor which was his epic filibuster.

I would also note that following that filibuster, Senator PAUL gave me two pieces of advice, both of which proved very helpful for a filibuster I was to do of my own several months later. Advice No. 1, he said, was wear comfortable shoes. I would note that I observed the last time Senator PAUL did that, he did not follow this advice. He had not planned to speak as long as he had. He told me his feet hurt for 2 weeks. I will confess, it was to my great shame that I am wearing today my argument boots, which I wear every day on the Senate floor. But when I filibustered on ObamaCare, I shamefully left my boots in the closet and went and purchased black tennis shoes. As the hours wore on, I was very grateful I had abided by Senator PAUL's good advice and wore the tennis shoes.

I would note, as I am sitting here today, that the good Senator is wearing tennis shoes today. So I am glad to see he follows his own advice, and I have no doubt that his calves and thighs will thank him tonight and in the morning.

The second bit of advice Senator PAUL gave me was to drink very, very little water. That was advice he acknowledged likewise he had not followed in his own filibuster. I will note that not too long ago I was sitting in the President's chair presiding, and the entire hour I was there, there was a glass of water on Senator PAUL's desk, and he did not drink a sip of it.

I will note that was advice I endeavored to follow. It was good advice, and I am glad to see my friend is following it as well.

This is an exceptionally important issue that this body should be focused on, the responsibility to protect the Bill of Rights and the constitutional rights of every American.

The question I would ask my friend the Senator from Kentucky is, is there any excuse for this body not taking seriously our obligation to protect the Bill of Rights and the constitutional rights of privacy of every American?

Mr. PAUL. I want to thank the Senator from Texas for joining in the battle to defend the Bill of Rights and the Fourth Amendment. I know he is sincere in that approach. There is absolutely no excuse, no excuse not to debate this and no excuse not to vote on a sufficient amount of amendments, to try to make this better, to try to make the bulk collection of records go away. That is what the American people want. It is what the Constitution demands. My voice is rapidly leaving. My bedtime has long since passed. I think it is time we summarize why we are here today and what my hope is for the future with this issue.

We have had a dozen Senators come down from both parties, from right, left, conservative, liberal, progressive, and Libertarian. We have had several friends come over from the House as well. There is a hunger in America for somebody to stand up, for all of us to stand up, for somebody to do the right thing, to say that the Bill of Rights needs to be defended, that the Bill of Rights is important.

When I think of the Bill of Rights, I think it is not so much for the popular person, it is not so much for the high school quarterback or the prom queen; the Bill of Rights is for the least among us and the Bill of Rights is to try to prevent any kind of systemic bias from entering into the law for the way we treat people. People say: Well, we collect all this data, but we are not abusing anyone. We are doing it perfectly in order.

I agree with Senator LEE that just the collection of the data is the infringement in itself. The whole idea that we could put one name on a warrant and collect 100 million records goes against everything we believe in. It goes against everything we fought for in the Revolution when we fought to be left alone. I think Justice Brandeis put it best when he said that the right to be left alone is the most cherished of rights, the most prized among civilized men, to be left alone in our castle, or in today's world, to be left alone in our cloud—the time has long since passed where we are going to have paper records—and that is going to be our exact home or exact castle that we are protecting.

The time is now in the digital age that we need to protect our privacy when we loan out our records, and it is different to loan out your records and allow them to be held by a telephone company or by an Internet provider or in the cloud. It doesn't mean you give up your right to privacy. I think you have an expectation of privacy with or without a contract, but often we have an explicit privacy agreement, an explicit privacy contract that we actually have with the phone company and Internet provider. They are supposed to protect our interests. It sends exactly the wrong signal to give liability protection to these companies and say to them that they can run roughshod with us and that they can give their information out.

The bulk collection must end, and I think we have the votes to do it now. We need to end the bulk collection of records, but that is not where this battle ends. There is still a question as to whether the Executive is gathering a great deal of information through Executive order. I think that has to be reviewed, and it has to be reviewed in public.

I agree with my friend Senator WYDEN that the specifics of intelligence—who the agents are, how we break code, how we technologically gather information—by all means does

not need to be discussed in public, but whether we should collect all Americans' phone records all the time should be discussed in public. It should have been revealed in an honest way.

The fact that the Director of our National Intelligence lied to us and said the program didn't even exist I think is unforgivable and makes him unsuitable to lead our intelligence agency. We have to have trust. Because of this great and enormous power we allow our intelligence agencies to have, we have to have trust, and you cannot have trust when Congress is lied to.

I think, as we move forward today, we have made great strides in presenting arguments in the debate for how we would make things better, how we would better circumscribe this great and ominous power, and how we would better make this power conducive to the Constitution.

The ultimate success will be that we can actually change things, but part of the success will be that we have debated them today, and my hope is that the debate today will let the American public, as well as our leadership in the Senate, know that we are serious about this and that we want to vote on reforms and that we want to vote on several different ways we can fix this issue. If this issue comes up every 3 years, for goodness' sake, can't we spend a couple of days trying to amend this and make it better?

I thank the Senate staff for coming in and staying. I don't think they had much choice in the matter, but I thank them for staying and not throwing things. We will try not to do this but every couple of years or so.

I thank my staff for their help in a long day, and I thank the American people for considering the arguments and for helping us to hopefully push this toward the reform where we all respect the Fourth Amendment and the Bill of Rights once again.

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

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

MORNING BUSINESS

Mr. CASSIDY. Mr. President, I ask unanimous consent that the Senate proceed to a period of morning business, with Senators permitted to speak for up to 10 minutes each.

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

END OF AERIAL DRUG FUMIGATION IN COLOMBIA

Mr. LEAHY. Mr. President, I want to speak briefly about a recent decision of the Government of Colombia to end the aerial fumigation of coca.

Since the beginning of Plan Colombia 15 years ago, the United States, at huge cost, has financed a fleet of aircraft, fuel, herbicide, and pilots to spray coca fields in Colombia. When this first began we were told that in 5 years the spraying, along with billions of dollars in U.S. military and other aid, would cut by half the flow of cocaine coming to the United States.

Fifteen years later, that goal remains elusive. While the cultivation of coca has been reduced, aerial fumigation was never the solution to this problem. It is prohibitively expensive and unsustainable by the Government of Colombia. It also defies common sense. One Colombian official told me the cost of aerial fumigation is approximately $7,000 per hectare, while the cost to purchase the coca produced in one hectare is $400. In other words, for one-fifteenth the cost of aerial fumigation you could buy the coca and burn it.

The process also ignores the reality of rural Colombia where most coca farmers are impoverished and have no comparable means of earning income. Absent viable economic alternatives they resort to the dangerous business of growing coca, often at the behest of the FARC rebels or other armed groups.

The active ingredient in the herbicide used in the fumigation is glyphosate, a common weed killer. It is used by farmers and gardeners in the United States and other countries, including Colombia.

But controversy has plagued the aerial fumigation since its inception. It is no surprise that Monsanto, which manufactures the chemical, insists that glyphosate poses no threat to humans. But some Colombian farmers, whose homes are often located next to their fields, have claimed that they or their children suffered skin rashes, difficulty breathing, and other health problems after their property was sprayed. Others have complained that the herbicide has drifted into and destroyed licit food crops.

Scientists have studied glyphosate for many years and have differed about its safety. Some studies have concluded it is harmless. The Environmental Protection Agency says it has ''low acute toxicity.'' Others have linked it to birth deformities in amphibians. Most recently, the International Agency for Research on Cancer, IARC, an affiliate of the World Health Organization, reported that glyphosate is ''probably carcinogenic to humans,'' and that there is ''limited evidence'' that it can cause non-Hodgkin's lymphoma and lung cancer.

I have been concerned for years about aerial fumigation in Colombia. While I am no scientist, I have wondered how the people of my State would react to the repeated aerial spraying of a chemical herbicide in areas where they live, grow food, and raise animals. I have also noted the conflicting views in the scientific literature, and we are all aware of instances when manufacturers insisted that a product was safe only to discover years later—too late for some who were exposed—that it was not. And, of course, there have been times when companies knew of the risk and chose to either ignore it or cover it up, motivated by profit over the welfare of the public.

It is for these reasons that I have included a provision in the annual Department of State and foreign operations appropriations bill that requires the Secretary of State to certify that ''the herbicides do not pose unreasonable risks or adverse effects to humans, including pregnant women and children, or the environment, including endemic species.'' Each year, the Secretary has made the certification.

The IARC study changes things. Although glyphosate remains controversial and Monsanto points out that the IARC study is not based on new field research, President Santos has responded in the only responsible way unless further research definitively contradicts it. It would simply be unconscionable for the Government of Colombia to ignore a study by the World Health Organization that a chemical sprayed over inhabited areas is potentially carcinogenic.

I commend President Santos for this decision. I am sure it was not an easy one, as it will inevitably be blamed for increases in coca cultivation. But anyone who thinks that spraying chemicals from the air is a solution to the illegal drug trade is deluding themselves. It is enormously expensive and not something U.S. taxpayers can or should pay for indefinitely. It has already gone on for a decade and a half. And it does nothing to counter the economic incentive of coca farmers to support their families.

The Department of State reacted with the following statement:

Any decision about the future of aerial eradication in Colombia is a sovereign decision of the Colombian government, and we will respect that. The United States began eradication at the government's request and our collaboration has always been based on Colombia's willingness to deploy this useful tool. Given the recent suspension, we intend to redouble our efforts to use other tools such as enhanced manual eradication; interdiction (both land and maritime); and improved methods to investigate, dismantle, and prosecute criminal organizations, including through anti-money laundering programs. We will also continue our longer-term capacity building programs, especially those related to rule of law institutions, and continue to help Colombia increase its governmental presence in the countryside as we

recognize those to be the real keys to permanent change.

That was the right response. President Santos has staked his legacy on negotiations to end the armed conflict in Colombia. After five decades of war that have uprooted millions of people and destroyed the lives of countless others, a peace agreement would finally make it possible to address the lawlessness, injustice, and poverty that are at the root of the conflict. The United States should support him.

TRIBUTE TO POLICE CHIEF MICHAEL SCHIRLING

Mr. LEAHY. Mr. President, it is with great appreciation and a touch of sadness that I note the pending retirement of Michael Schirling, who has served as police chief of the city of Burlington, VT, with great distinction for the last 7 years.

His youthful appearance belies the fact that Chief Schirling has been with the department for more than 25 years, first serving as an auxiliary officer while still attending the University of Vermont.

Chief Schirling has held many titles over those years: patrol officer, detective, investigator, director, commander, deputy chief, and finally chief. In other words, this Burlington native rose through the ranks. And throughout this impressive career, Chief Schirling has always sought a better way to do the job.

Earlier in his career, he co-founded the Vermont Internet Crimes Against Children Task Force, which recognized the potential for abuse as the Internet came of age. The task force has been critical to the investigation and prosecution of high-technology crimes that target those who are most vulnerable.

After he took reins of the department, Chief Schirling grew concerned that officers were spending too much time on paperwork and data entry, taking precious time away from policing. In response he designed his own dispatch and records management software system. The Valcour system—named after an island with historical significance on Lake Champlain—was launched in 2011. Not only has it proven more efficient, it has resulted in enormous cost savings for his department and others throughout Vermont that have since adopted it.

But perhaps most important, Chief Schirling has been a leader in understanding the importance of community policing. He stepped up foot patrols around the neighborhoods, stressing the importance of public engagement. He hosted community outreach events, including barbeques and monthly coffee sessions. He developed data-driven policing efforts to track the hot spots for crime. He implemented a street outreach program in coordination with the local mental health agency. The list goes on, but it is fair to say that the work of Chief Schirling will leave its mark on our State's largest city for many years to come. Chief Schirling recognized the value of 21st century policing long before we heard the term. For these reasons, I have often called on Chief Schirling to share his experience and ideas in testimony before the Senate Judiciary Committee. His guidance on issues of critical importance, including his support for the Bulletproof Vest Partnership Program, has been invaluable over these years.

Chief Schirling and the Burlington Police Department recently marked the 150th anniversary of the department, and I was grateful to be a part of that celebration. As he prepares for retirement, I have no doubt there is another chapter for Chief Schirling still to be written. I will eagerly await his next move.

LGBT VETERANS MONUMENT AT LINCOLN NATIONAL CEMETERY

Mr. DURBIN. Mr. President, this Memorial Day weekend, as our country remembers and honors those who have served America, a national cemetery in Elwood, IL, will make a distinguished mark on our Nation's history. Lincoln National Cemetery will become home to the Nation's first monument honoring fallen Lesbian, Gay, Bisexual, and Transgender, LGBT, veterans.

A recognition of our fallen LGBT service members is long overdue. This monument serves as a testament to those members of our military who have shown devotion to their country in the eyes of discrimination. It is in their memory that we move toward a more just and equal future.

The monument comes nearly 4 years after the repeal of Don't Ask Don't Tell. With repeal, our country took a step to move past the prejudices of the past and toward a day when all Americans can serve the country with honesty and pride. This monument recognizes that service with a fitting dedication that reads:

> Gay, lesbian, bisexual and transgender people have served honorably and admirably in America's Armed Forces. In their memory and appreciation of their selfless service and sacrifice this monument was dedicated.

This monument serves as a reminder to all of us that it is our job to envision and create a more just and equal nation where there are no prerequisites to serve your country. All of our servicemembers join the military to serve America and make the world a better place. We must honor that service by making sure we continue to uphold those values of equality and justice at home that they have fought for abroad.

COMMEMORATING NORTH CAROLINA'S VETERANS AND SERVICEMEMBERS

Mr. BURR. Mr. President, this Memorial Day weekend is the 56th anniversary of Charlotte Motor Speedway's annual tribute that brings together more than 110,000 guests to celebrate our military patriots and reflect on their service and sacrifice. This event has remained one of the largest military recognition initiatives on Memorial Day weekend for more than five decades, honoring members of our armed services, veterans, Medal of Honor recipients, and remembering our fallen. This year's celebration continues their longstanding tribute by showcasing military aircraft in a patriotic flyover, infantry and artillery exhibits, ground demonstrations of our Nation's military strength, and a 21-gun salute to our fallen.

Our servicemembers courageously stand between America and those who would do us harm, volunteering to make the ultimate sacrifice to preserve freedom. I commend all of those in the racing community for their continued support and annual tribute to our men and women in uniform.

RECOGNIZING HOMEFRONT HEROES

Mr. BOOZMAN. Mr. President, May is recognized as National Military Appreciation Month. In addition to a time when we honor the men and women who wear our Nation's uniform, we must also remember our military families who make tremendous sacrifices.

These husbands and wives support our troops at home, during training missions and deployments. Military spouses are essential to the wellbeing of our service members and the strength of our national defense. We honor them with a special day honoring their role—National Military Spouse Appreciation Day.

Arkansas is home to thousands of military personnel. Their spouses are the homefront heroes who serve our country out of uniform. I asked Arkansans to share the roles their spouses play in their military career. I want to highlight some of the ways Arkansas National Guard spouses support their partners' call to service.

MSG Tracy Onassis Hayes and her husband, Cedric, have been married just over 1 year. Master Sergeant Hayes says her husband had no idea what he was getting into when he married a soldier. He has had to deal with the early mornings, late nights, and long weeks of her being away from home all while taking care of their 15-year-old son Ke'cy and making certain he gets to school, practice and all his other events while Master Sergeant Hayes travels out-of-State for training. He also makes sure the family pets are well cared for all while maintaining a

traveling choir of over 30 children. Master Sergeant Hayes shared with me:

He makes it look easy. My husband's support of the past year has made serving a whole lot less stressful. I am very thankful for his love and support. He is my hero. Thank you Cedric for your commitment.

Naomi Howard is familiar with military life as the daughter of CW4 Arthur Troy. The military also paved the way for her love connection to her husband SFC James Howard. The couple met after James attended the Employer Support of the Guard and Reserve, ESGR, briefing given by Naomi upon his return from deployment to Egypt. The couple spent the first 14 months of their marriage apart while James was deployed with the HHC 39th IBCT to Iraq.

In 2004, the couple settled into a routine life in Cabot, AR, with James serving on Active Guard/Reserve duty, and Naomi working as a civilian at the National Guard Bureau Professional Education Center. In 2007, James deployed to Iraq again and was away from home for more than 1 year. James told me:

During this time Naomi did an amazing job raising four young children on her own. Since then, Naomi has continued working at the National Guard Bureau's Professional Education Center and supporting me in my continued military service. Being in the military requires long hours and time away from home, yet my wife has continued to support me, more than I could have ever imagined.

Not only is she a strong support for her husband and children, but she is doing this all while working and attending college as a full-time student. She was named to the Central Baptist College President's List for Fall 2014 for maintaining a 4.0 GPA. ''She juggles more than I could ever imagine and she excels at doing so,'' James said.

Wanda Thomen has been married for 28 years to Deputy Commander CPT Rex Thomen of the 61st CST/WMD and is a mother of two children, Myranda and Phelan. Wanda served as an active duty airman and was honorably discharged in March 1998. Her prior service experience helps her to understand both sides, as a servicemember and as a spouse. She previously served as president of the Auxiliary of the National Guard Association of Arkansas whose motto is ''The Other Half.'' She also worked as the 39th Infantry Brigade Combat Team Family Readiness Support assistant. She has been supportive during deployments, injuries, illness, and everyday activities as her husband continues his military career and Wanda continues to give back to the troops and their families.

Thank you to Cedric, Naomi, Wanda, and all of our military spouses for your support at home while your loved one is away defending our Nation. We thank you for your dedication and commitment to our Armed Forces, your family and extended military family.

HONORING WEST VIRGINIA VETERANS

Mrs. CAPITO. Mr. President, I wish to welcome some of West Virginia's most outstanding citizens to Washington. This week, as part of the fifth annual Always Free Honor Flight Program, we will recognize veterans from my home State for their dedicated commitment to our country. In light of West Virginia's proud tradition of military service, it gives me great pleasure to honor these brave men and women who answered the call of duty during America's hour of need.

Since its inception, the Always Free Honor Flight Program has taken up the important task of thanking those to which we owe our deepest gratitude. As the daughter of a World War II veteran, this is something very near and dear to my heart. This year, we are joined by 29 Vietnam, Korea and World War II veterans from all across southern West Virginia.

These brave patriots sacrificed the comforts of home to defend the cause of freedom in a foreign land. The perseverance of our soldiers during these conflicts cannot be overstated. These individuals embody the extraordinary sacrifice exhibited by our service men and women throughout the greatest conflicts of the 20th century.

One veteran on this year's trip, SGT John M. Watson, Jr., who served with the renowned Tuskegee Airmen, will be honored with the Congressional Gold Medal for his service during World War II.

In addition to Sergeant Watson, West Virginia veterans participating in this year's Always Free Honor Flight Program include Joseph F. Graham, Bluefield, WWII; Staff Sergeant Robert Graham, Hinton, WWII and Korean war; First Sergeant Melvin L. Grubb, Bluefield, WWII and Korean war; Staff Sergeant Robert G. Kushner, Charleston, Korean war; Airman First Class Herbert R. Dickerson, Beckley, Korean war; Corporal Billy G. Cooper, Milton, Korean war; Corporal James W. Bennett, Charleston, Korean war; Richard L. Graham, Beckley Korean war; Petty Officer Second Class William B. Sowers, Princeton, Korean war; Petty Officer Third Class Charles E. Turley, Scott Depot, Korean war; Colonel Jack E. Fincham, Brenton, Vietnam war; Sergeant Philip Templeton, Milton, Vietnam war; Petty Officer Second Class John W. Fleming, Princeton, Vietnam war; Master Sergeant Edward F. Simmons, Bluefield, Vietnam war; Airman Second Class Nancy J. Simmons, Bluefield, Vietnam war; Sergeant Fred R. Smith, Hurricane, Vietnam war; Sergeant Marshall G. Mann, Princeton, Vietnam war; Sergeant James R. Bond, Midway, Vietnam war; Senior Airman Allan D. Harbour, Princeton, Vietnam war; Sergeant First Class Andrew J. Thompson, Bluefield, Vietnam war; Captain Charles H. Mann, Athens, Vietnam war; Seaman Thomas E. Caruso, Lashmeet, Vietnam war; Sergeant Gordon L. Caldwell, Jr., Bluefield, Vietnam war; Lance Corporal Ricky D. Williams, Beckley, Vietnam war; Senior Airman Mary Byrd, Nitro, Vietnam war; Corporal Johnny L. Sanson, Cyclone, Vietnam war; Sergeant Dennis C. Hurley, Cyclone, Vietnam war; Corporal William Cox, Bluefield, Vietnam war; and Corporal William L. Harry, Butler, TN, Korean war.

Veterans participating in the Honor Flight as ''guardians'' include Command Sergeant Major Kevin L. Harry from Milton; Sergeant First Class Mark A. Harry from St. Albans, and Specialist Selena K. Barker of Milton. These men and women are voluntarily dedicating their time to helping ensure that our veterans receive the thank-you they deserve.

A great debt of gratitude is also owed to Dreama Denver, president of the Denver Foundation and Little Buddy Radio. These nonprofit organizations, which were founded by Dreama and her husband, Bob Denver, established the Always Free Honor Flight Network in West Virginia.

I am so proud of the service and sense of duty that defines the American people. As the beneficiaries of that service, one of the most sacred tasks we hold is properly honoring the dedication of our veterans. In bringing them together with the symbols of their sacrifice, we can express our unyielding gratitude while demonstrating our lasting commitment to preserving their memory. One of the greatest honors of serving in the United States Senate is representing citizens who have given so much to their country. I take seriously the duty of ensuring that their sacrifice is honored with the same steadfast conviction with which they defended the rights and freedoms of every American. Today, I ask my colleagues to join me in welcoming and thanking these exceptional West Virginia veterans.

RECOGNIZING KAREN LOVE

Mr. PORTMAN. Mr. President, I wish to recognize Karen A. Love upon her retirement from the Department of Defense, DOD, after over 36 years in civil service.

Karen was born in Greenville, OH and later moved to Ansonia, OH. She spent most of her formative years in Celina, where she attended the Immaculate Conception School, Celina Junior High School and Celina High School.

After graduating magna cum laude from college, Karen moved to Washington, DC to begin her career. She first worked for the Senate Banking,

Housing, and Urban Affairs Committee and then moved to the Senate Armed Services Committee. While working for the Armed Services Committee, Karen had the privilege to work for chairmen on both sides of the aisle including John Stennis, John Tower, Barry Goldwater, and Sam Nunn.

After 8 years as a staffer on Capitol Hill, Karen joined the Office of the Assistant Secretary of Defense for Legislative Affairs, OASD LA. She subsequently served as the personal and confidential assistant to six successive OASD LAs. As a result of her tenure in OASD LA, Karen was one of few DOD employees with significant institutional knowledge of both DOD and Congress.

Because of her unique expertise, Karen was promoted to the position of Deputy for Legislative Operations in OASD LA, managing congressional committees' questions and inserts for the RECORD, the congressional reporting requirements, and the legislative appeals process for DOD. Karen's last position with DOD was as the Deputy Director for Operations for the OASD LA, where she was instrumental in the oversight of the office's operations in support of the DOD's legislative mission and was a critical participant in the legislative affairs consolidation effort directed by the Deputy Secretary of Defense.

During Karen's distinguished career of over 28 years with DOD, she supported eight Assistant Secretaries of Defense for Legislative Affairs and served under eleven Secretaries of Defense.

I am honored to recognize and thank Karen for her dedicated Federal service to the country and wish her the best as she begins the next chapter of her life.

SOUTH BEND, INDIANA 150TH ANNIVERSARY

Mr. DONNELLY. Mr. President, I wish to honor the city of South Bend on its 150th anniversary and to recognize the many contributions of South Bend's citizens to the great State of Indiana, to our country and the world.

South Bend's history stretches back to the 1600s, when the St. Joseph Potawatomi settled along the future St. Joseph River. European settlers established fur trading posts in the early 19th century. Soon after, Father Edward Sorin arrived and founded the University of Notre Dame. Less than a decade later, in 1851, the first train passed through South Bend and development and economic growth soon followed. The town of South Bend became the city of South Bend on May 22, 1865, when it was granted a city charter.

The city of South Bend quickly became a manufacturing leader and continues to innovate to this day. In 1852, Henry and Clement Studebaker opened the H&C Studebaker blacksmith shop. After the Studebakers' younger brothers joined them, they became the Studebaker Brothers Manufacturing Company. Studebaker became the world's largest wagon and buggy manufacturer and then entered the automotive industry. The company had some famous customers, such as Thomas Edison, who purchased the second Studebaker electric car in 1902. The Studebaker Corporation would go on to bring opportunity and hundreds of jobs to families across northern Indiana.

As business boomed for the Studebaker Corporation, new businesses opened and South Bend grew. In the early 1900s, the Bendix Corporation, Honeywell, the South Bend Toy Company, AlliedSignal, and other well-known companies opened their doors. Like many communities across the country, South Bend changed with the times. Companies, like Studebaker, were forced to close their doors, but the innovative spirit of South Bend carried on. Now, South Bend is taking its manufacturing roots in a new direction, creating a high-tech hub in northern Indiana. Transforming old factory grounds into the high-tech Ignition Park, the city has opened its doors to data centers and turbomachinery research. There are many exciting entrepreneurial efforts that will continue to create jobs and opportunities for South Bend residents.

Today, South Bend is one of the largest cities in Indiana and has a population of more than 100,000 citizens. The city is not only critical to Indiana's economy but also a top destination for visitors to our State. Top attractions in the South Bend area include Potawatomi Park Zoo, the Studebaker National Museum, South Bend Chocolate Company, and the nearby University of Notre Dame.

A center of world-renowned academic excellence, the University of Notre Dame grew from a small school for boys founded by Father Sorin in 1842 to one of the most prestigious universities in the country. With excellent academic and athletic programs, Notre Dame attracts students from around the Nation and about 90 different countries. Important to our South Bend community, the university is the area's largest employer and an active member of the community. Our community is home to other outstanding higher education institutions, including, St. Mary's College, Holy Cross College and Indiana University at South Bend, which draw the best and brightest students from across the State.

The city of South Bend also has a long history of outstanding public servants. Vice President Schuyler Colfax was a South Bend native, serving as Congressman, then Speaker of the House during the Civil War, and finally as Vice President to Ulysses S. Grant. Former Indiana Governor Joe Kernan once led the city as mayor and continues to call South Bend home. Former Congressman John Brademas, a South Bend Central graduate, was an active participant in the civil rights movement, working hard to both integrate schools and increase their funding across the entire country.

Today, I also congratulate the current leaders of South Bend: mayor Pete Buttigieg, the members of the South Bend Common Council, and all of the other hardworking city officials for their many contributions to making this ''21st Century City'' the thriving city it is today.

The city of South Bend reflects our Hoosier values, and its citizens serve as an example of how hard work and dedication lead to success, opportunity, and prosperity. I came to South Bend as a student in 1972. I was privileged to have met my wife and raised our family here. And today, we continue to call the South Bend community our home.

It is also a great honor to represent the city of South Bend in the Senate. On behalf of the State of Indiana, I congratulate each and every citizen of South Bend on the city's 150th anniversary and wish you an equally bright and prosperous future.

ADDITIONAL STATEMENTS

HOPKINTON, NEW HAMPSHIRE 250TH ANNIVERSARY

● Ms. AYOTTE. Mr. President, today I honor Hopkinton, NH—a town in Merrimack County that is celebrating the 250th anniversary of its founding. I am proud to join citizens across the Granite State in recognizing this special milestone.

Hopkinton, previously known as New Hopkinton by the original settlers from Hopkinton, MA, was incorporated in 1765 by colonial Governor Benning Wentworth, and included the three communities of Hopkinton, Contoocook Village, and West Hopkinton. As a centrally located town, Hopkinton gained an influential reputation. Its farms thrived on fertile land fed by local bodies of water and businesses continued to prosper as State leaders and prominent business owners moved to the area to be closer to the center of activity.

As the town's influence grew, it came to be known as one of the most powerful locations in the State. Coincidentally, the New Hampshire Legislature met in Hopkinton four times during the years of 1798 to 1807. The civic-minded residents of the town later petitioned for Hopkinton to become the State's capital city, but the neighboring town of Concord eventually won the bid in 1814 and now houses the New Hampshire Legislature.

Hopkinton is home to two historic covered bridges, including the Rowell's Bridge that was built in 1835 and the

Contoocook Railroad Bridge that spans the beautiful Contoocook River and is the oldest covered bridge of its kind in existence. With 1290 acres of protected land, Hopkinton is rich in natural beauty with sprawling forests, numerous hiking and biking trails, as well as access to countless outdoor activities including canoeing, kayaking and cross country skiing.

The town's population has grown to over 5,500 residents, but their record of service is indicative of a much larger town. The people of Hopkinton have a strong commitment to the spirit of community and volunteerism, as evidenced by the hard work and dedication of its residents involved with the planning and celebration of the 100th anniversary of the renowned Hopkinton State Fair this coming September and the town's special sestercentennial anniversary.

Hopkinton and its residents have greatly contributed to the life and growth of New Hampshire. I ask my colleagues to join me today in extending congratulations to the people of Hopkinton as they celebrate the town's 250th anniversary.●

TRIBUTE TO DIANE JUERGENSMEYER

● Mr. BLUNT. Mr. President, I wish to honor Diane Juergensmeyer of St. Elizabeth, MO, for her dedication and service to St. Elizabeth High School, her community, and the entire State of Missouri. From 1980 through 2010, Juergensmeyer coached St. Elizabeth High School's women's softball team to 489 victories, including 358 fall championship wins, while also teaching reading skills, English, speech, and drama in the classroom.

Overall, the St. Elizabeth Lady Hornets won eight conference titles under her leadership, not to mention three Class 1 State championship titles in 1992, 1994, and 2002, and another as an assistant in 2011.

As the daughter of Leonard and Marie Schanzmeyer, Juergensmeyer grew up in a large family on a farm where a fundamental respect for hard work and competition were instilled in her at a young age. She played on St. Elizabeth's first softball team and has remained a key contributor to the growth of the sport's popularity as it is seen in Missouri today.

After graduating from St. Elizabeth High School in 1976, she attended Central Missouri University. Shortly after graduating from Central Missouri University, she returned to her local high school to coach, teach, and even drive the bus. Her dedication to her community has remained constant and has remained a force in her efforts to make the St. Elizabeth Lady Hornets the respected softball program that it is today.

In addition to her coaching and teaching careers, Juergensmeyer served on the Missouri Softball Advisory Committee for 8 years and the National Federation Softball rules committee for 4 years. She was also named the 115th District's Outstanding Missourian in 2004.

Diane Juergensmeyer has played a major role in the success of the Lady Hornets and the St. Elizabeth community, and her legacy will continue to impact future generations through the foundations she helped put in place, so her induction into the Missouri Sports Hall of Fame comes as no surprise. I congratulate Coach Juergensmeyer on her many successes and wish her the best in her future endeavors.●

RECOGNIZING ROD DANIELS

● Mr. CARDIN. Mr. President, I wish to recognize WBAL-TV 11 anchorman Rod Daniels for his career of journalistic service to the residents of the Greater Baltimore area. Mr. Daniels has been a trusted voice on WBAL-TV 11 for more than 30 years, and his steady and colorful reporting has remained consistent and creative throughout that time. On the occasion of his final nightly broadcast, which will occur this Friday, I would like to thank Mr. Daniels both for his years of service and his dedication to bringing viewers the nightly news with a regular measure of hope.

At the time of his retirement, Mr. Daniels will have distinguished himself as the longest continually serving nightly news anchor in the Baltimore media market, no small accomplishment against the backdrop of industry-wide newsroom downsizing that has characterized the media business during much of his career. Mr. Daniels came to Baltimore in 1984 and has been there for the city through tragedies like the 9/11 attacks and all-too-recent riots following the death of Freddie Gray. His exclusive coverage when the Roman Catholic Church elevated Baltimore archbishops to its College of Cardinals rightly garnered national awards. So it was no surprise, then, that Baltimore turned to Mr. Daniels when it was time to host the welcome celebration for Pope John Paul II at Camden Yards, an enormous compliment and honor.

Throughout his career, Mr. Daniels has shown an ongoing commitment to craft, charity, and community. He has spent countless hours speaking to school groups, serving on the boards of organizations like the National Aquarium in Baltimore, and hosting events to battle deadly diseases like cystic fibrosis and cancer. Mr. Daniels even has taken the Polar Bear Plunge into the frigid waters of the Chesapeake Bay to help a worthy cause, while finding the time to film public service announcements against animal cruelty.

Mr. Daniels began his career as a weekend sports anchor at WIS-TV in Columbia, SC. He then moved to WTAE-TV in Pittsburgh as a weekend anchor and reporter, and then moved to WISN-TV in Milwaukee. Mr. Daniels is an alumnus of William Patterson University in Wayne, NJ, and received the Legacy Award for Distinguished Alumni from the William Patterson University Foundation in 2011. He also has completed enrichment programs through the Community Film Workshop Council.

I ask my colleagues to join me in expressing sincere appreciation and congratulations to Mr. Daniels for his many contributions and accomplishments throughout his distinguished career.●

CONGRATULATING ESTHER B. NEWMAN

● Mr. CARDIN. Mr. President, I wish to recognize Esther B. Newman, the founder and chief executive officer of Leadership Montgomery, a not-for-profit community organization dedicated to public service and management training in Montgomery County, MD. Mrs. Newman's vision of compassionate outreach, effective and inspirational leadership, and community improvement have long nurtured the people of Montgomery County, effecting positive change for nearly 40 years.

Ms. Newman was born and raised in Washington, DC. She began her secondary education while balancing the responsibilities of motherhood. She graduated from Montgomery College, one of Maryland's premier community colleges, with an associate's degree in mental health in 1975. She later earned a B.A. in human service administration from Antioch University and an M.S. in applied behavioral science from Johns Hopkins University.

The foundations of Ms. Newman's legacy of public service were established shortly after her graduation from Montgomery College when she established the Family Life Center of Montgomery County in 1976, where she served as director until 1979. She then transitioned into work at Olney, MD's Montgomery General Hospital as a public relations consultant, simultaneously contributing to the local Courier-Gazette newspapers as a community correspondent and serving as an officer on the Upper Montgomery Community Mental Health Center Citizens Advisory Committee.

Throughout the 1980s, Ms. Newman continued to serve in an extensive capacity across Montgomery County, encompassing a diverse portfolio of health care focused outreach, volunteer service, and civic leadership positions. In 1981, Ms. Newman joined the Olney Chamber of Commerce and became a board member in 1984. By 1983, she had moved into a leadership role as the program director of the YWCA of Montgomery County and later joined the

Montgomery County Chamber of Commerce, where she held the role of executive director from 1986 through 1988.

As the decade drew to a close, Ms. Newman drew on her years of public service and leadership experience and formulated a curriculum of management training retreats, lectures, and educational guidelines. She worked with the late Larry Pignone of the United Way to establish Leadership Montgomery in 1989, where she has served as director ever since. The core program of Leadership Montgomery, which incorporates youth, business executive, senior, and emerging leader training modules, is aimed at inspiring the next generation of business and civic leaders in Montgomery County and beyond. Above all, Leadership Montgomery strives to establish a more inclusive management community, comprised of leaders of diverse backgrounds and perspectives.

In the 26 years since its founding, Leadership Montgomery has enriched and educated more than 2,000 graduates. The success of this mission is reflected in the program's accomplished alumni, with local Board of Education members, Circuit Court judges, members of both the Maryland Senate and House of Delegates, and Montgomery County Councilmembers among them.

Throughout her career in public life, Esther Newman has also helped to raise more than $5 million in contributions for scholarships and programs, in addition to nearly $3 million of in-kind donations. For her unparalleled commitment to service, generosity, and tireless devotion to the betterment of Montgomery County, she has been recognized with numerous accolades, including Jewish Women International's Women to Watch Community Leadership Award in 2011, the Corporate Volunteer Council President's Award in 2009, the Victims' Rights Foundation's Game Changer Award in 2014, and an honorary degree in public service from her alma mater Montgomery College in 2002.

Ms. Newman will be retiring from her position as director of Leadership Montgomery in September, after more than a quarter-century of education and guidance. Her compassionate spirit, inspirational leadership, and unwavering devotion to civic improvement have long inspired the greater Montgomery County community. Many of the people Ms. Newman have touched have taken the lessons that they have learned at Leadership Montgomery into business and government. Though she will soon step down as a director, I have no doubt that Ms. Newman will continue to be involved in the community and will continue to inspire others to enter leadership roles. I ask my colleagues to join me is wishing her all the best for a restful and fulfilling retirement.●

TRIBUTE TO DAVID G. BAKERIAN

● Mr. CARPER. Mr. President, it is with great pleasure that I rise on behalf of the Delaware delegation to honor the service of David G. Bakerian upon his retirement as president, CEO and treasurer of the Delaware Bankers Association. David has dedicated the past 22 years of his life to helping lead the banking industry and keeping it alive and thriving in Delaware for the countless people it employs and serves.

As president of the Delaware Bankers Association, David's priority has been to ensure that a significant part of America's banking industry—one of Delaware's top employers—maintained its home in in the First State and continues to thrive while serving customers in the First State and around the world. Tens of thousands of Delawareans rely on the good jobs that our State's financial services provide, jobs that have enhanced the lives of many. Dave is known for being honest, and even if someone didn't always like the answer, they respected him for doing the right thing, not what was easy or expedient. He also is admired for his positive, can-do attitude regardless of the magnitude of the challenges he and the members of the Delaware Bankers Association have faced over the years.

Over more than two decades, David has worked with three Governors and testified before and advised 11 separate Delaware General Assemblies on a variety of banking legislative matters, including credit cards, trust administration, interstate banking and branching, foreclosure mediation, and consumer protection. In 2001, David led the Delaware Bankers Association in a cooperative venture with the University of Delaware's Center for Economic Education and Entrepreneurship, the Federal Reserve Bank of Philadelphia, and the Consumer Credit Counseling Services of Delaware and Maryland to form Keys to Financial Success, a high school credit course focusing on financial literacy. The program is still offered today in 28 high schools in Delaware with more than 4,200 students participating. In 2004, David was elected to a 1-year chairmanship of the State Association Division of the American Bankers Association. In this role, he became the national spokesperson for the 50 State bankers associations and held a seat on the American Bankers Association board of directors. He is the only Delawarean ever to serve in this national leadership role. His service in that role is a source of pride to our State.

While David is passionate about banking, he actually began his career in education and studied to become a college professor. He possesses a remarkable ability to write clearly and communicate effectively. Those skills have helped him go on to such a successful career in banking, in part because of his ability to explain highly complex issues to almost anyone and everyone. His passion for education can be seen in his own academic achievements. After receiving his bachelor's degree from Siena College in New York, he went on to receive a master's degree from the University of West Florida and a postgraduate certificate in higher education administration from the University of Pennsylvania. Prior to his appointment at the Delaware Bankers Association, he served as executive director of the Delaware Chapter of the American Institute of Banking. He began his tenure at Delaware AIB in 1985 and oversaw the educational unit.

Through his tireless efforts, David Bakerian has made a positive difference in not only the banking community but the education community and the community writ large. I am delighted to salute David and thank him for his many years of service to Delaware and to congratulate him on a truly remarkable and distinguished career. I know he looks forward to spending more time with his grandchildren in his garden and refining his culinary skills in the kitchen. In closing, on behalf of the people of Delaware, as well as on behalf of Senator COONS and Congressman CARNEY, I want to wish David and his wife Pam, his son Nick, and his daughters Alex and Catherine, along with his son-in-law Jeff and his grandchildren Adam and Madeline, the very best in all that lies ahead.●

TRIBUTE TO DEBORAH BLONG

● Mr. DAINES. Mr. President, I wish to commend Deborah Blong from Missoula, MT, who was recently recognized as the recipient of the American Network of Community Options and Resources 2015 Direct Support Professional, DSP, of the Year Award for the State of Montana.

This award recognizes Ms. Blong's dedication and hard work every day in her efforts to support members of the Montana community with intellectual, developmental, and other significant disabilities. Ms. Blong's selflessness is clear. In addition to taking care of her husband who suffers from Parkinson's disease, she manages a home with eight residents—four have Prader-Willi syndrome and three others struggle with chronic obstructive pulmonary disease. She works 14-hour days, often 6 to 7 days a week.

Deborah Blong makes a difference each and every day for those whom she cares for. For 20 years, Ms. Blong has been a positive influence on those around her. For her efforts, Ms. Blong has earned the thanks of a grateful State.●

CONGRATULATING NOELLE VERHELST

● Mr. HELLER. Mr. President, today, I wish to congratulate Noelle Verhelst

on being selected not only as Nevada's Cherry Blossom Princess for the 2015 Centennial Cherry Blossom Festival in Washington, DC, but also on being selected as U.S. Cherry Blossom Queen. Ms. Verhelst is the first Nevada Cherry Blossom Princess to be selected as U.S. Cherry Blossom Queen, a well-deserved accolade.

Ms. Verhelst is a shining example of someone who truly cherishes the Silver State. She was raised in Las Vegas and attended the University of Nevada, Las Vegas, receiving her bachelor's degree in political science. Prior to moving to Washington, DC, she worked in Governor Brian Sandoval's Office of Economic Development. She currently works for Congressman JOE HECK (NV–3) as a legislative correspondent. Her dedication and service to the great State of Nevada are greatly appreciated.

Ms. Verhelst was chosen in February by the Nevada State Society to represent Nevada in the National Conference of State Societies and the Cherry Blossom Princess Program. Nevada is proud to support one of our own as she joins young women from across the Nation in community involvement and educational, leadership, and cultural activities throughout the year. In April, she was selected as U.S. Cherry Blossom Queen at the Official Cherry Blossom Grand Ball and Coronation of the United States Cherry Blossom Queen, a tradition that began in 1948. As U.S. Cherry Blossom Queen, Ms. Verhelst will have the opportunity to represent both the Silver State and the United States while she visits the Japan Prime Minister, Shinzo Abe, during her official United States Cherry Blossom Queen Goodwill Ambassador trip in May.

I am proud to recognize Ms. Verhelst on her excellent representation of Nevada in her role as Nevada Cherry Blossom Princess and U.S. Cherry Blossom Queen. She should be proud of her achievements.

I join the citizens of Nevada in congratulating Ms. Verhelst on her accomplishment and wish her all the best during her United States Cherry Blossom Queen Goodwill Ambassador trip and in all of her future endeavors.●

CONGRATULATING DR. COLLEEN CRIPPS

● Mr. HELLER. Mr. President, today, I wish to congratulate Dr. Colleen Cripps on her retirement after serving the great State of Nevada for 25 years with the Nevada Division of Environmental Protection, NDEP. It gives me great pleasure to recognize her years of hard work and commitment to making the Silver State the best it can be.

Dr. Cripps stands as a true example of someone who has spent many years dedicated to her home State. She was born in Ely, NV, and she received her master of arts in public administration and her doctor of philosophy in biochemistry from the University of Nevada, Reno. Throughout her career with NDEP, Dr. Cripps served as chief of the Bureau of Air Quality; deputy administrator, responsible for the agency's Air, Waste, and Federal Facilities Bureau; and acting administrator and administrator of NDEP. Her positive legacy in the department will be felt for years to come.

Dr. Cripps' commitment to her cause goes beyond her career. She served on numerous industry-related boards, such as the National Association of Clean Air Agencies, NACAA's, executive board from 2003 to 2009, serving as president, and the Western States Air Resources Council's board, serving on the executive committee and as vice president. She also represented Nevada in the Western Regional Air Partnership and was one of Nevada's observers in the Western Climate Initiative. Her years of service to the Silver State are invaluable.

I am grateful for her dedication to the people of Nevada. She exemplifies the highest standards of leadership and service and should be proud of her long and meaningful career. Today, I ask all of my colleagues to join me in congratulating Dr. Cripps on her retirement, and I give my deepest appreciation for all that she has done to make Nevada a better place. I offer her my best wishes for many fulfilling years to come.●

TRIBUTE TO JOE LOMBARDO

● Mr. ISAKSON. Mr. President, it is an honor today to personally recognize Mr. Joe Lombardo, who will soon retire from Gulfstream Aerospace in Savannah, GA for his significant contributions to the aviation industry. His forethought, leadership, and commitment to improving the industry are evidenced in his 40 years of hard work.

Beginning in 1975, Mr. Lombardo helped pave the way for the future of flight. He started at Douglas Aircraft, a division of McDonnell Douglas Corporation, working on the DC–10/MD–11 Trijet program Mr. Lombardo was later responsible for the MD–88/MD–90 Twinjet production operation.

In 1996, after 20 years at Douglas Aircraft, Mr. Lombardo joined Gulfstream Aerospace in Savannah. There he held positions as the vice president of coproduction and the chief operating officer. He also served as president from 2007 to 2011 and as the executive vice president of the Aerospace Group for General Dynamics, Gulfstream's parent company.

During his tenure at Gulfstream, Mr. Lombardo was instrumental in the coproduction of the Gulfstream IV-SP and Gulfstream GV and the development of the Gulfstream G650 and the Gulfstream G280.

Mr. Lombardo's contributions extend to his community where he served on the Corporate Angel Network's board of directors and as the chairman of the Board of Governors of Ocean Exchange. He is the recipient of the National Management Association's Silver Knight Award and was awarded the Cliff Henderson Trophy by the National Aeronautic Association in 2012 for his aviation leadership.

It is my pleasure to join Mr. Lombardo's colleagues, family, and friends in celebrating his dedicated career and his many contributions to the aerospace industry and community.●

REMEMBERING BOBBY ANDREW

● Ms. MURKOWSKI. Mr. President, I wish to recognize a man who was well known across my State, and in many circles across our Nation. Bobby Andrew, an Alaska Native Yupik leader, passed away on May 12 at the age of 73 near Aleknagik in southwest Alaska.

Aleknagik is 16 miles northwest of its hub community of Dillingham, a small town of about 2,500 residents, which sits at the confluence of the Nushagak River, an inlet of Alaska's Bristol Bay.

Bobby was seen as a leader by many Native and non-Native Alaskans. At a young age Bobby attended territorial and BIA schools in Southwest Alaska and then went off to Ohio to earn an accounting degree from Dyke Spencerian Business College, now known as Chancellor University in Cleveland. He then returned home to bring his education back to Alaska.

Bobby was a lifelong subsistence hunter and fisherman who was respected by many across the State. He taught many of the importance of traditional knowledge and passing along important Alaska Native values.

Bobby was a known advocate for land and water protection in Alaska. As a writer and public speaker Bobby took his advocacy across the State, Nation, and overseas. He often visited places like Juneau, Washington, DC, and London when asked to speak about Alaska. It was said about Bobby that ''anywhere he was needed, he would go . . .''

Bobby was once quoted saying, ''I find myself fighting for the future of our renewable fish and wildlife resources. They are the central part of my culture,'' he said. ''We need to let the rest of the world know so we can all work together to protect the environment, air, water and lands that produce subsistence resources on which we depend.''

Bobby loved Alaska, loved his family—especially his grandchildren—and he was an important voice for Alaska. He passed naturally at his cabin, a place he loved, where he went to rest after fishing. He will be missed.●

RECOGNIZING COLONEL KEVIN KENNEDY

● Mr. THUNE. Mr. President, today I recognize Colonel Kevin Kennedy, commander of the 28th Bomb Wing, Ellsworth Air Force Base, near Rapid City, SD. Colonel Kennedy has been the commander at Ellsworth for the past 2 years, and has served in his position admirably.

Colonel Kennedy began his career at the Air Force Academy in Colorado. He is a B–1 pilot who went on to serve at Ellsworth on multiple occasions, including as deputy commander of the 28th Operations Group as recently as 2010. During his career he also served as the vice commander of the 379th Air Expeditionary Wing in South West Asia and as the director of the Air Force Strategic Study Group at the Pentagon here in DC.

When he came back to Ellsworth 2 years ago as base commander, my office was working with the Air Force on a 9-year project to expand the Powder River Training Complex, which is the primary training airspace for the B–1 bombers based at Ellsworth, as well as the B–52 bombers based in Minot Air Force Base, ND. When Colonel Kennedy arrived at Ellsworth as base commander, he made the completion of the Powder River Training Complex one of his top priorities, and he assured me that this airspace expansion would be completed under his watch. This was not a pledge he took lightly. Be it emphasizing the need for this airspace within the Air Force hierarchy or driving out to Montana to meet with Native American tribal leaders, Colonel Kennedy was willing to go the extra mile to bring this airspace home.

As a result of his efforts, in January of this year the Air Force signed the Record of Decision for the Powder River Training Complex expansion, which was approved by the FAA a few months later. Once this airspace is charted and operational, Ellsworth Air Force Base will save up to $23 million a year by being able to train closer to home. In addition, other aircraft from around the Nation can come to South Dakota to utilize this training space, improving overall readiness. The expanded Powder River Training Complex is a national treasure.

I want to thank Colonel Kennedy for his commitment to this project and for his service to our Nation. He really is a shining example of the dedication and leadership that makes America's Air Force the greatest in the world.●

RECOGNIZING INNOGENOMICS TECHNOLOGIES

● Mr. VITTER. Mr. President, small businesses often have the unique ability to pinpoint serious problems in their communities while working with local agencies and other small businesses to get things done. Sometimes these small businesses provide groundbreaking, innovative technological solutions to problems that have gone unsolved for decades. As we close out National Small Business Week, I am proud to recognize InnoGenomics Technologies of New Orleans, LA. as a Small Business of the Day for National Small Business Week.

In the wake of Hurricane Katrina's devastation, Dr. Sudhir Sinha, president and CEO of InnoGenomics Technologies, had the idea to develop a new DNA marker system to aid in identifying victims of natural disasters. Developed with the support of National Science Foundation Small Business Innovation Research, SBIR, grants, InnoGenomics Technologies' patented technology gives forensic scientists the ability to test the most challenging DNA submissions to solve crimes and save lives. Additionally, the InnoGenomics Technologies team is currently developing a new method to detect and monitor cancer—a liquid biopsy that can be conducted through a minimally invasive blood test. Combined, these two groundbreaking endeavors are advancing and revolutionizing healthcare and forensic investigations.

Congratulations again to InnoGenomics Technologies for being selected as a Small Business of the Day for National Small Business Week. Thank you for your continued commitment to innovating DNA technologies to solve crimes and save lives right in the heart of Louisiana.●

RECOGNIZING HARING CATFISH

● Mr. VITTER. Mr. President, small businesses often set a high standard for quality and service across the United States. Commitment to reaching these high thresholds is most important in our agriculture and food industries. One small business that has continually held itself to the highest bar for quality and service is Haring Catfish, located in Wisner, LA—the Small Business of the Day for National Small Business Week.

Louisiana is known for its fresh, high-quality, and delicious seafood. Opened in the early 1960s by Walter Carl ''Pete'' Haring, Sr., Haring Catfish has since grown to processing over 300,000 pounds of catfish per week. Haring Catfish's commitment to the highest quality catfish through healthy, high protein diets has elevated them to be one of the most-recognized catfish farms in the United States. Haring Catfish has received numerous distinguished awards, including the Louisiana Catfish Farmer of the Year Award, Catfish Farmers of America Award of Excellence, and the Small Business Person of the Year Award by the U.S. Small Business Administration.

Congratulations again to Haring Catfish for being selected as a Small Business of the Day for National Small Business Week. Thank you for your continued commitment to providing the high-quality and delicious catfish in Louisiana.●

RECOGNIZING RAISING CANE'S CHICKEN FINGERS

● Mr. VITTER. Mr. President, just as important as it is to recognize our small businesses, it is often important to also recognize our small business success stories—especially those that make a substantial impact in their industries and in their communities. As a part of National Small Business Week, I am proud to recognize the Louisiana small business success story of Raising Cane's Chicken Fingers.

In the early 1990s, Todd Graves was inspired to open a chicken finger restaurant. After the bank turned down the fresh-out-of-college graduate for a loan, Graves spent the next few years working various jobs to earn and save the money necessary to open Raising Cane's in Baton Rouge, LA. in 1996. In the years since, Raising Cane's Chicken Fingers has opened over 150 locations across the United States and has gained a fandom following. Raising Cane's Chicken Fingers prides itself on their commitment to the absolute highest quality products and services—a model that has earned them numerous ''Best Places to Work'' awards from regions across the country. Never forgetting its small business roots, Raising Cane's Chicken Fingers stays true to Louisiana and regularly gives back to the communities their establishments serve. Todd Graves and the entire Raising Cane's Chicken Fingers crew are an inspiring example of the hard work, courage, and dedication that go into running American small businesses.

Congratulations again to Raising Cane's Chicken Fingers for being recognized as a small business success story during the 2015 National Small Business Week. Your commitment to giving back to your local communities and remembering your small business beginning is recognized and greatly appreciated.●

TRIBUTE TO COLONEL WILLIAM P. DAVIS

● Mr. VITTER. Mr. President, today I honor the career of one of Louisiana's heroes and most accomplished residents, retired Marine Corps Col. William P. Davis. Colonel Davis was born at Camp Pendleton, CA, the son of a career marine, and spent his youth following his father's military postings. He is a combat veteran of Operation Desert Storm, and subsequently assigned as the supply, fiscal, and contracting officer for Landing Force Training Command Atlantic. In 1997, he was assigned to his first tour at the

Marines Forces Reserve in New Orleans, LA. During that period, he was a parent volunteer for the Young Marines chapter in Slidell, LA, where he organized training events and tours to units and bases. In addition, he provided classes for the annual regimental encampment as well as at recruit training events.

Colonel Davis was operations officer for Joint Task Force Civil Support, a military organization under the U.S. Northern Command at Fort Monroe, VA, where he led a team of technical experts in planning post-incident recovery from chemical, biological, radiological or nuclear incidents. He supported planning for the 2006 Winter Olympics, 2006 Southeast Asian Games, and other exercises across the world. During Hurricane Katrina's aftermath in 2005, he worked with Federal, military, State, and local authorities in support of response operations.

Colonel Davis returned to New Orleans in 2006, becoming assistant chief of Staff at Marine Forces Reserve. He led a staff of 80 people charged with overseeing construction, maintenance, and repairs of 187 reserve sites nationwide, including the construction of the 29-acre Marine Corps Support Facility in New Orleans. From 2011 until recently, Colonel Davis was the inaugural commandant of the New Orleans Military and Maritime Academy, a charter high school where all students are cadets of the Marine Corps Junior Reserve Officers Training Corps Program and are focused on college preparation with an emphasis on science, technology, engineering, and math. In his job as commandant, Colonel Davis has helped positively shape the lives of several hundred cadets from the region. After 4 years of operation, the academy has test results and student performance improvement ranked well above averages by more established schools. Beginning in 2016, Colonel Davis will leave Louisiana to become the next national executive director and CEO of the Young Marines.

Colonel Davis is an accomplished executive whose commitment to young people has always been fundamental during his career. He is highly regarded for strategic thinking, sound financial management, marketing expertise, and exceptional project management skills. He is a distinguished leader who will bring military expertise and business experience to the Young Marines.

I am pleased to join with the Senate in honoring the career of retired Col. William P. Davis. We thank him for his service to our country and congratulate him as he begins the next chapter of his career.●

MESSAGES FROM THE HOUSE

At 9:49 a.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the House has passed the following bill, without amendment:

S. 178. An act to provide justice for the victims of trafficking.

The message also announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 2250. An act making appropriations for the Legislative Branch for the fiscal year ending September 30, 2016, and for other purposes.

H.R. 2353. An act to provide an extension of Federal-aid highway, highway safety, motor carrier safety, transit, and other programs funded out of the Highway Trust Fund, and for other purposes.

At 11:06 a.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 874. An act to amend the Department of Energy High-End Computing Revitalization Act of 2004 to improve the high-end computing research and development program of the Department of Energy, and for other purposes.

H.R. 1119. An act to improve the efficiency of Federal research and development, and for other purposes.

H.R. 1156. An act to authorize the establishment or designation of a working group under the National Science and Technology Council to identify and coordinate international science and technology cooperation opportunities.

H.R. 1158. An act to improve management of the National Laboratories, enhance technology commercialization, facilitate public-private partnerships, and for other purposes.

H.R. 1162. An act to make technical changes to provisions authorizing prize competitions under the Stevenson-Wydler Technology Innovation Act of 1980.

H.R. 1561. An act to improve the National Oceanic and Atmospheric Administration's weather research through a focused program of investment on affordable and attainable advances in observational, computing, and modeling capabilities to support substantial improvement in weather forecasting and prediction of high impact weather events, to expand commercial opportunities for the provision of weather data, and for other purposes.

At 10:22 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has agreed to the following concurrent resolution, in which it requests the concurrence of the Senate:

H. Con. Res. 47. Concurrent resolution to correct the enrollment of S. 178.

MEASURES REFERRED

The following bills were read the first and the second times by unanimous consent, and referred as indicated:

H.R. 874. An act to amend the Department of Energy High-End Computing Revitalization Act of 2004 to improve the high-end computing research and development program of the Department of Energy, and for other purposes; to the Committee on Energy and Natural Resources.

H. R. 1119. An act to improve the efficiency of Federal research and development, and for other purposes; to the Committee on Commerce, Science, and Transportation.

H.R. 1156. An act to authorize the establishment or designation of a working group under the National Science and Technology Council to identify and coordinate international science and technology cooperation opportunities; to the Committee on Foreign Relations.

H.R. 1158. An act to improve management of the National Laboratories, enhance technology commercialization, facilitate public-private partnerships, and for other purposes; to the Committee on Energy and Natural Resources

H.R. 1162. An act to make technical changes to provisions authorizing prize competitions under the Stevenson-Wydler Technology Innovation Act of 1980; to the Committee on Commerce, Science, and Transportation.

H.R. 1561. An act to improve the National Oceanic and Atmospheric Administration's weather research through a focused program of investment on affordable and attainable advances in observational, computing, and modeling capabilities to support substantial improvement in weather forecasting and prediction of high impact weather events, to expand commercial opportunities for the provision of weather data, and for other purposes; to the Committee on Commerce, Science, and Transportation.

H.R. 2250. An act making appropriations for the Legislative Branch for the fiscal year ending September 30, 2016, and for other purposes; to the Committee on Appropriations.

MEASURES READ THE FIRST TIME

The following bill was read the first time:

H.R. 2353. An act to provide an extension of Federal-aid highway, highway safety, motor carrier safety, transit, and other programs funded out of the Highway Trust Fund, and for other purposes.

EXECUTIVE REPORTS OF COMMITTEE

The following executive reports of nominations were submitted:

By Mr. THUNE for the Committee on Commerce, Science, and Transportation.

*Mario Cordero, of California, to be a Federal Maritime Commissioner for the term expiring June 30, 2019.

*Daniel R. Elliott III, of Ohio, to be a Member of the Surface Transportation Board for a term expiring December 31, 2018.

*Coast Guard nomination of Rear Adm. Sandra L. Stosz, to be Vice Admiral.

*Nomination was reported with recommendation that it be confirmed subject to the nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. GARDNER (for himself and Mr. BENNET):

S. 1390. A bill to help provide relief to State education budgets during a recovering economy, to help fulfill the Federal mandate to provide higher educational opportunities for Native American Indians, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. UDALL (for himself and Mr. HEINRICH):

S. 1391. A bill to increase research, education, and treatment for cerebral cavernous malformations; to the Committee on Health, Education, Labor, and Pensions.

By Mr. MARKEY:

S. 1392. A bill to require certain practitioners authorized to prescribe controlled substances to complete continuing education; to the Committee on Health, Education, Labor, and Pensions.

By Mr. THUNE (for himself, Mrs. CAPITO, Mr. COTTON, Mrs. FISCHER, Mr. FLAKE, Mr. INHOFE, Mr. LEE, and Mr. ROBERTS):

S. 1393. A bill to require the Administrator of the Environmental Protection Agency to include in each regulatory impact analysis for a proposed or final rule an analysis that does not include any other proposed or unimplemented rule; to the Committee on Environment and Public Works.

By Mr. MERKLEY (for himself and Mr. WYDEN):

S. 1394. A bill to amend the Federal Water Pollution Control Act to establish within the Environmental Protection Agency a Columbia River Basin Restoration Program; to the Committee on Environment and Public Works.

By Ms. MURKOWSKI:

S. 1395. A bill to reinstate certain mining claims in the State of Alaska; to the Committee on Energy and Natural Resources.

By Mr. THUNE (for himself and Ms. STABENOW):

S. 1396. A bill to establish a demonstration program requiring the utilization of Value-Based Insurance Design in order to demonstrate that reducing the copayments or coinsurance charged to Medicare beneficiaries for selected high-value prescription medications and clinical services can increase their utilization and ultimately improve clinical outcomes, enhance beneficiary satisfaction, and lower health care expenditures; to the Committee on Finance.

By Mr. CORNYN:

S. 1397. A bill to amend the Internal Revenue Code of 1986 to require that ITIN applicants submit their application in person at taxpayer assistance centers, and for other purposes; to the Committee on Finance.

By Mr. ALEXANDER (for himself, Mr. COONS, Ms. MURKOWSKI, Ms. CANTWELL, Mr. GARDNER, Mrs. FEINSTEIN, and Mr. HEINRICH):

S. 1398. A bill to extend, improve, and consolidate energy research and development programs, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. BENNET:

S. 1399. A bill to amend the Internal Revenue Code of 1986 to permanently extend and increase expensing limitations, and for other purposes; to the Committee on Finance.

By Mr. DURBIN:

S. 1400. A bill to amend the Small Business Act to direct the task force of the Office of Veterans Business Development to provide access to and manage the distribution of excess or surplus property to veteran-owned small businesses; to the Committee on Small Business and Entrepreneurship.

By Mr. TILLIS (for himself and Mr. BURR):

S. 1401. A bill to provide for the annual designation of cities in the United States as an ''American World War II City''; to the Committee on Armed Services.

By Mr. LEAHY (for himself and Mr. GRASSLEY):

S. 1402. A bill to allow acceleration certificates awarded under the Patents for Humanity Program to be transferable; to the Committee on the Judiciary.

By Mr. RUBIO:

S. 1403. A bill to amend the Magnuson-Stevens Fishery Conservation and Management Act to promote sustainable conservation and management for the Gulf of Mexico and South Atlantic fisheries and the communities that rely on them, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. PORTMAN (for himself, Mr. MCCAIN, Mr. ISAKSON, and Mr. CORNYN):

S. 1404. A bill to free States to spend gas taxes on their transportation priorities; to the Committee on Environment and Public Works.

By Mr. FRANKEN:

S. 1405. A bill to require a coordinated response to coal fuel supply emergencies that could impact electric power system adequacy or reliability; to the Committee on Energy and Natural Resources.

By Mr. VITTER:

S. 1406. A bill to amend the Federal Food, Drug, and Cosmetic Act with respect to pharmacy compounding; to the Committee on Health, Education, Labor, and Pensions.

By Mr. HELLER (for himself, Mr. RISCH, Mr. HEINRICH, and Mr. TESTER):

S. 1407. A bill to promote the development of renewable energy on public land, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. PETERS (for himself, Mr. ALEXANDER, and Ms. STABENOW):

S. 1408. A bill to provide for a program of research, development, demonstration, and commercial application in vehicle technologies at the Department of Energy; to the Committee on Energy and Natural Resources.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. ROUNDS (for himself, Mr. MANCHIN, Mr. THUNE, Mr. INHOFE, Mrs. CAPITO, Mr. RISCH, Mr. HOEVEN, and Ms. COLLINS):

S. Con. Res. 17. A concurrent resolution establishing a joint select committee to address regulatory reform; to the Committee on Rules and Administration.

ADDITIONAL COSPONSORS

S. 85

At the request of Mr. KING, the name of the Senator from West Virginia (Mr. MANCHIN) was added as a cosponsor of S. 85, a bill to amend the Higher Education Act of 1965 to establish a simplified income-driven repayment plan, and for other purposes.

S. 127

At the request of Mrs. SHAHEEN, the name of the Senator from South Dakota (Mr. ROUNDS) was added as a cosponsor of S. 127, a bill to prohibit Federal funding for motorcycle checkpoints, and for other purposes.

S. 149

At the request of Mr. HATCH, the name of the Senator from Florida (Mr. RUBIO) was added as a cosponsor of S. 149, a bill to amend the Internal Revenue Code of 1986 to repeal the excise tax on medical devices.

S. 356

At the request of Mr. LEE, the name of the Senator from New Hampshire (Ms. AYOTTE) was added as a cosponsor of S. 356, a bill to improve the provisions relating to the privacy of electronic communications.

S. 389

At the request of Ms. HIRONO, the names of the Senator from California (Mrs. BOXER) and the Senator from Washington (Ms. CANTWELL) were added as cosponsors of S. 389, a bill to amend section 1111(h)(1)(C)(i) of the Elementary and Secondary Education Act of 1965 to require that annual State report cards reflect the same race groups as the decennial census of population.

S. 491

At the request of Ms. KLOBUCHAR, the name of the Senator from Missouri (Mrs. MCCASKILL) was added as a cosponsor of S. 491, a bill to lift the trade embargo on Cuba.

S. 524

At the request of Mr. WHITEHOUSE, the name of the Senator from Utah (Mr. HATCH) was added as a cosponsor of S. 524, a bill to authorize the Attorney General to award grants to address the national epidemics of prescription opioid abuse and heroin use.

S. 682

At the request of Mr. DONNELLY, the name of the Senator from South Carolina (Mr. SCOTT) was added as a cosponsor of S. 682, a bill to amend the Truth in Lending Act to modify the definitions of a mortgage originator and a high-cost mortgage.

S. 711

At the request of Ms. AYOTTE, the name of the Senator from Maine (Ms. COLLINS) was added as a cosponsor of S. 711, a bill to amend section 520J of the Public Service Health Act to authorize grants for mental health first aid training programs.

S. 713

At the request of Mrs. BOXER, the name of the Senator from New Mexico (Mr. UDALL) was added as a cosponsor of S. 713, a bill to prevent international violence against women, and for other purposes.

S. 746

At the request of Mr. WHITEHOUSE, the names of the Senator from New Jersey (Mr. MENENDEZ) and the Senator from Maryland (Mr. CARDIN) were added as cosponsors of S. 746, a bill to

provide for the establishment of a Commission to Accelerate the End of Breast Cancer.

At the request of Mr. GRASSLEY, the name of the Senator from Michigan (Mr. PETERS) was added as a cosponsor of S. 746, supra.

S. 796

At the request of Mrs. MURRAY, the name of the Senator from Washington (Ms. CANTWELL) was added as a cosponsor of S. 796, a bill to incentivize State support for postsecondary education and to promote increased access and affordability for higher education for students, including Dreamer students.

S. 802

At the request of Mr. RUBIO, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 802, a bill to authorize the Secretary of State and the Administrator of the United States Agency for International Development to provide assistance to support the rights of women and girls in developing countries, and for other purposes.

S. 804

At the request of Mrs. SHAHEEN, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of S. 804, a bill to amend title XVIII of the Social Security Act to specify coverage of continuous glucose monitoring devices, and for other purposes.

S. 862

At the request of Ms. MIKULSKI, the name of the Senator from Hawaii (Mr. SCHATZ) was added as a cosponsor of S. 862, a bill to amend the Fair Labor Standards Act of 1938 to provide more effective remedies to victims of discrimination in the payment of wages on the basis of sex, and for other purposes.

S. 950

At the request of Mr. CASEY, the name of the Senator from California (Mrs. BOXER) was added as a cosponsor of S. 950, a bill to amend the Internal Revenue Code of 1986 to provide for a refundable adoption tax credit.

S. 974

At the request of Mr. DURBIN, the name of the Senator from Minnesota (Mr. FRANKEN) was added as a cosponsor of S. 974, a bill to amend the Fair Labor Standards Act of 1938 to prohibit employment of children in tobacco-related agriculture by deeming such employment as oppressive child labor.

S. 1004

At the request of Mr. KIRK, the name of the Senator from Texas (Mr. CORNYN) was added as a cosponsor of S. 1004, a bill to amend title 36, United States Code, to encourage the nationwide observance of two minutes of silence each Veterans Day.

S. 1020

At the request of Mr. VITTER, the name of the Senator from Maine (Ms. COLLINS) was added as a cosponsor of S. 1020, a bill to amend title XVIII of the Social Security Act to ensure the continued access of Medicare beneficiaries to diagnostic imaging services, and for other purposes.

S. 1040

At the request of Mr. HELLER, the name of the Senator from Montana (Mr. DAINES) was added as a cosponsor of S. 1040, a bill to direct the Consumer Product Safety Commission and the National Academy of Sciences to study the vehicle handling requirements proposed by the Commission for recreational off-highway vehicles and to prohibit the adoption of any such requirements until the completion of the study, and for other purposes.

S. 1085

At the request of Mrs. MURRAY, the name of the Senator from Wisconsin (Ms. BALDWIN) was added as a cosponsor of S. 1085, a bill to expand eligibility for the program of comprehensive assistance for family caregivers of the Department of Veterans Affairs, to expand benefits available to participants under such program, to enhance special compensation for members of the uniformed services who require assistance in everyday life, and for other purposes.

S. 1122

At the request of Mr. DURBIN, the name of the Senator from Rhode Island (Mr. WHITEHOUSE) was added as a cosponsor of S. 1122, a bill to provide that chapter 1 of title 9 of the United States Code, relating to the enforcement of arbitration agreements, shall not apply to enrollment agreements made between students and certain institutions of higher education, and to prohibit limitations on the ability of students to pursue claims against certain institutions of higher education.

S. 1123

At the request of Mr. LEE, the name of the Senator from New Jersey (Mr. MENENDEZ) was added as a cosponsor of S. 1123, a bill to reform the authorities of the Federal Government to require the production of certain business records, conduct electronic surveillance, use pen registers and trap and trace devices, and use other forms of information gathering for foreign intelligence, counterterrorism, and criminal purposes, and for other purposes.

S. 1126

At the request of Mr. COONS, the names of the Senator from Michigan (Ms. STABENOW) and the Senator from Montana (Mr. TESTER) were added as cosponsors of S. 1126, a bill to modify and extend the National Guard State Partnership Program.

S. 1130

At the request of Mrs. BOXER, the name of the Senator from Montana (Mr. TESTER) was added as a cosponsor of S. 1130, a bill to amend title 10, United States Code, to improve procedures for legal justice for members of the Armed Forces, and for other purposes.

S. 1176

At the request of Mr. UDALL, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 1176, a bill to amend the Internal Revenue Code of 1986 to reform the system of public financing for Presidential elections, and for other purposes.

S. 1214

At the request of Mr. MENENDEZ, the names of the Senator from Rhode Island (Mr. WHITEHOUSE) and the Senator from Vermont (Mr. LEAHY) were added as cosponsors of S. 1214, a bill to prevent human health threats posed by the consumption of equines raised in the United States.

S. 1239

At the request of Mr. DONNELLY, the name of the Senator from North Dakota (Mr. HOEVEN) was added as a cosponsor of S. 1239, a bill to amend the Clean Air Act with respect to the ethanol waiver for the Reid vapor pressure limitations under that Act.

S. 1300

At the request of Mrs. FEINSTEIN, the names of the Senator from Ohio (Mr. PORTMAN), the Senator from Wyoming (Mr. ENZI), the Senator from Texas (Mr. CRUZ) and the Senator from Washington (Ms. CANTWELL) were added as cosponsors of S. 1300, a bill to amend the section 221 of the Immigration and Nationality Act to provide relief for adoptive families from immigrant visa fees in certain situations.

S. 1312

At the request of Ms. MURKOWSKI, the name of the Senator from South Carolina (Mr. SCOTT) was added as a cosponsor of S. 1312, a bill to modernize Federal policies regarding the supply and distribution of energy in the United States, and for other purposes.

S. 1334

At the request of Ms. MURKOWSKI, the name of the Senator from Rhode Island (Mr. WHITEHOUSE) was added as a cosponsor of S. 1334, a bill to strengthen enforcement mechanisms to stop illegal, unreported, and unregulated fishing, to amend the Tuna Conventions Act of 1950 to implement the Antigua Convention, and for other purposes.

S. 1345

At the request of Mrs. SHAHEEN, the name of the Senator from Illinois (Mr. KIRK) was added as a cosponsor of S. 1345, a bill to amend title XVIII of the Social Security Act to improve access to diabetes self-management training by authorizing certified diabetes educators to provide diabetes self-management training services, including as part of telehealth services, under part B of the Medicare program.

S. 1377

At the request of Mr. LEAHY, the name of the Senator from New Mexico

(Mr. HEINRICH) was added as a cosponsor of S. 1377, a bill to amend title 18, United States Code, to clarify and expand Federal criminal jurisdiction over Federal contractors and employees outside the United States, and for other purposes.

S. RES. 143

At the request of Mr. SCHATZ, the names of the Senator from California (Mrs. BOXER), the Senator from Minnesota (Mr. FRANKEN) and the Senator from New York (Mrs. GILLIBRAND) were added as cosponsors of S. Res. 143, a resolution supporting efforts to ensure that students have access to debt-free higher education.

S. RES. 148

At the request of Mr. KIRK, the name of the Senator from Arkansas (Mr. BOOZMAN) was added as a cosponsor of S. Res. 148, a resolution condemning the Government of Iran's state-sponsored persecution of its Baha'i minority and its continued violation of the International Covenants on Human Rights.

AMENDMENT NO. 1227

At the request of Mrs. SHAHEEN, the name of the Senator from New Jersey (Mr. MENENDEZ) was added as a cosponsor of amendment No. 1227 proposed to H.R. 1314, a bill to amend the Internal Revenue Code of 1986 to provide for a right to an administrative appeal relating to adverse determinations of tax-exempt status of certain organizations.

AMENDMENT NO. 1299

At the request of Mr. PORTMAN, the names of the Senator from Vermont (Mr. SANDERS), the Senator from New Mexico (Mr. HEINRICH), the Senator from Connecticut (Mr. MURPHY), the Senator from New Mexico (Mr. UDALL), the Senator from Connecticut (Mr. BLUMENTHAL) and the Senator from Rhode Island (Mr. REED) were added as cosponsors of amendment No. 1299 proposed to H.R. 1314, a bill to amend the Internal Revenue Code of 1986 to provide for a right to an administrative appeal relating to adverse determinations of tax-exempt status of certain organizations.

AMENDMENT NO. 1369

At the request of Mr. MERKLEY, the names of the Senator from Hawaii (Mr. SCHATZ), the Senator from Wisconsin (Ms. BALDWIN), the Senator from Ohio (Mr. BROWN) and the Senator from Massachusetts (Ms. WARREN) were added as cosponsors of amendment No. 1369 intended to be proposed to H.R. 1314, a bill to amend the Internal Revenue Code of 1986 to provide for a right to an administrative appeal relating to adverse determinations of tax-exempt status of certain organizations.

AMENDMENT NO. 1370

At the request of Mr. MERKLEY, the name of the Senator from Massachusetts (Ms. WARREN) was added as a cosponsor of amendment No. 1370 intended to be proposed to H.R. 1314, a bill to amend the Internal Revenue Code of 1986 to provide for a right to an administrative appeal relating to adverse determinations of tax-exempt status of certain organizations.

AMENDMENT NO. 1390

At the request of Mr. FRANKEN, the name of the Senator from Massachusetts (Ms. WARREN) was added as a cosponsor of amendment No. 1390 intended to be proposed to H.R. 1314, a bill to amend the Internal Revenue Code of 1986 to provide for a right to an administrative appeal relating to adverse determinations of tax-exempt status of certain organizations.

AMENDMENT NO. 1411

At the request of Mr. HATCH, the names of the Senator from Oregon (Mr. WYDEN), the Senator from Delaware (Mr. CARPER), the Senator from Virginia (Mr. WARNER), the Senator from Virginia (Mr. KAINE), the Senator from Colorado (Mr. BENNET), the Senator from Missouri (Mrs. MCCASKILL), the Senator from Texas (Mr. CORNYN), the Senator from Tennessee (Mr. ALEXANDER), the Senator from Tennessee (Mr. CORKER), the Senator from Nevada (Mr. HELLER) and the Senator from Indiana (Mr. COATS) were added as cosponsors of amendment No. 1411 proposed to H.R. 1314, a bill to amend the Internal Revenue Code of 1986 to provide for a right to an administrative appeal relating to adverse determinations of tax-exempt status of certain organizations.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Ms. MURKOWSKI:

S. 1395. A bill to reinstate certain mining claims in the State of Alaska; to the Committee on Energy and Natural Resources.

Ms. MURKOWSKI. Mr. President, I rise today to reintroduce legislation in a dramatically different form to reinstate two small miner's claims, which have been taken from them because of an inequitable federal administrative process.

Under revisions to the Federal Mining Law of 1872, 30 U.S.C. 28(f) holders of unpatented mineral claims must pay a claim maintenance fee originally set at $100 per claim by a deadline, set by regulation, of September 1 each year. Since 2004 that fee has risen to $140 per claim. But Congress also provided a claim maintenance fee waiver for ''small'' miners, those who hold 10 or fewer claims, so that they do not have to submit the fee, but that they must file to renew their claims and submit an affidavit of annual labor, work conducted on the claim, each year, certifying that they had performed more than $100 of work on the claim in the preceding year, 30 U.S.C. 28f(d)(1). The waiver provision further states: ''If a small miner waiver application is determined to be defective for any reason, the claimant shall have a period of 60 days after receipt of written notification of the defect or defects by the Bureau of Land Management to: (A) cure such defect or defects or (B) pay the . . . claim maintenance fee(s) due for such a period.''

Since past revisions of the law, there have been a series of incidents where miners have argued that they submitted their applications and affidavits of annual labor in a timely manner, but due to clerical error by U.S. Bureau of Land Management staff, mailing delays or for unexplained reasons, the applications or documents were not recorded as having been received in a timely fashion. In that case BLM has terminated the claims, deeming them null and void. While mining claim holders have argued that the law provides them time to cure claim defects, BLM has argued that the cure only applies when applications or fees have been received in a timely manner. Thus, there is no administrative remedy for miners who believe that clerical errors by BLM or mail issues resulted in loss or the late recording of claim extension applications and paperwork.

There have been a number of cases where Congress has been asked to override BLM determinations and reinstate mining claims simply because of the disputes over whether the claims had been filed in a timely manner. Congress in 2003 reinstated such claims in a previous Alaska case. Claims in two other incidents were reinstated following a U.S. District Court case in the 10th Circuit first in 2009 in the case of Miller v. United States and in a second Alaska case in 2013. Legislation to correct the provision to prevent this problem actually was approved by the Senate in 2007, but did not ultimately become law.

In the past three Congresses I have introduced legislation intended to short circuit continued litigation and pleas for claim reinstatement by clarifying the intent of Congress that miners do have to be informed that their claims are in jeopardy of being voided and given 60 days of notice to cure defects, including giving them time to submit their applications and to submit affidavits of annual labor, should their submittals not be received and processed by BLM officials on time. If all defects are not cured within 60 days—the obvious intent of Congress in passing the original act—then claims should be subject to voidance. But this administration has opposed the legislation arguing that it would be too expensive to notify all small miners who fail to file their small miner waiver documents on time and giving them time to solve the defect prior to the loss of their claims. It has even been suggested that giving small miners

simple due process would just encourage miners to ignore the deadline for filing of their fee waivers.

I clearly find the cost argument unpersuasive. Many Federal departments and agencies, the Federal Communication Commission, as one example, routinely sends out notices on permit and license applications. The FCC sends out hundreds of thousands of such notices to Americans who have small radio licenses expiring yearly, warning them that they need to file applications for license renewal. The Bureau of Land Management certainly should be able to afford a few hundred stamps to perform a similar service. Given the value of claims placed at risk and the bother, inconvenience and fear of loss of claims, it is highly unlikely that miners would avoid filing their waiver paperwork on time just because a notification process was clearly in place before claims could be terminated.

But after facing the clear opposition of this administration over 6 years to resolving this inequity, today I simply file legislation to remedy the injustices for two of my constituents who have lost their rights, in one case to nine mineral claims on the Kenai Peninsula, near Hope, Alaska, and in the second case to a single placer claim in the Fortymile District of northeast Alaska. The transition language proposed will reinstate claims for Mr. John Trautner, who has lost title to claims that he had held from 1982 to 2004. Mr. Trautner suffered this loss even though he had a consistent record of having paid the annual labor assessment fee for the previous 22 years. The local BLM office did have a time-date-stamped record that the maintenance fee waiver certification form had been filed weeks before the deadline, but just not a record that the affidavit of annual labor had arrived when he dropped it at the office in Anchorage at the same time.

In the second case, it will reinstate a claim held by Mr. and Mrs. Vernon Thurneau, now of Wasilla, who lost their claim after mining it continuously for 38 years in 2009, simply because of a holiday season error. In this case the Thurneau's paid their fees on time, and turned in their proof of labor affidavit to the Fairbanks Recorders Office in December before the deadline. They received a time and date stamp that they produced the information in a timely manner. But because of the Christmas holidays they simply forgot to turn/mail in the form to the BLM Anchorage office until after Jan. 1, missing the BLM's required Dec. 31 deadline. Because of a holiday delay, they lost their claims and 38 years of work.

This legislation, supported in the past by the Alaska Miners Association, will simply reinstate the two sets of claims, claims that have been held by the government over the past decade. In response to complaints by the Department of the Interior that past versions of my legislation improperly would have resulted in the patenting of the claims by the granting of a first half final certificate in the Trautner case, I have modified this bill simply to reinstate the claims, but not to take steps to confirm patents. By this bill Mr. Trautner will have to wait like many other miners for Congress to reconsider the merits of the moratorium on patent issuance first imposed on the Mining Law of 1872 by Congress in 1995.

It is simple justice that Mr. Trautner and the Thurneau family receive their claims back, since Congress clearly thought it was giving miners a guaranteed opportunity to remedy claim defects when it created the small miner waiver provisions in 1993. Return of the claims will cost the government nothing and likely will result in added federal revenues, hopefully preventing this bill from facing any procedural issues. I hope that justice will finally prevail in these cases this Congress, even though I regret that I see no means to fix the larger inequity in the interpretation of the small miner waiver statute for the foreseeable future.

By Mr. CORNYN:

S. 1397. A bill to amend the Internal Revenue Code of 1986 to require that ITIN applicants submit their application in person at taxpayer assistance centers, and for other purposes; to the Committee on Finance.

Mr. CORNYN. Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

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

S. 1397

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''ITIN Reform Act of 2015''.

SEC. 2. REQUIREMENTS FOR THE ISSUANCE OF ITINS.

(a) IN GENERAL.—Section 6109 of the Internal Revenue Code of 1986 is amended by adding at the end the following:

''(i) SPECIAL RULES RELATING TO THE ISSUANCE OF ITINS.—

''(1) IN GENERAL.—The Secretary may issue an individual taxpayer identification number to an individual only if the requirements of paragraphs (2) and (3) are met.

''(2) IN-PERSON APPLICATION.—The requirements of this paragraph are met if, with respect to an application for an individual taxpayer identification number—

''(A) the applicant submits an application in person, using Form W–7 (or any successor thereof) and including the required documentation, at a taxpayer assistance center of the Internal Revenue Service, or

''(B) in the case of an applicant who resides outside of the United States, the applicant submits the application in person to an employee of the Internal Revenue Service or a designee of the Secretary at a United States diplomatic mission or consular post, together with the required documentation.

''(3) INITIAL ON-SITE VERIFICATION OF DOCUMENTATION.—The requirements of this paragraph are met if, with respect to each application, an employee of the Internal Revenue Service at the taxpayer assistance center, or the employee or designee described in paragraph (2)(B), as the case may be, conducts an initial verification of the documentation supporting the application submitted under paragraph (2).

''(4) REQUIRED DOCUMENTATION.—For purposes of this subsection—

''(A) required documentation includes such documentation as the Secretary may require that proves the individual's identity and foreign status, and

''(B) the Secretary may only accept original documents.

''(5) EXCEPTIONS.—

''(A) MILITARY SPOUSES.—Paragraph (1) shall not apply to the spouse, or the dependents, without a social security number of a taxpayer who is a member of the Armed Forces of the United States.

''(B) TREATY BENEFITS.—Paragraph (1) shall not apply to a nonresident alien applying for an individual taxpayer identification number for the purpose of claiming tax treaty benefits.

''(6) TERM.—

''(A) IN GENERAL.—An individual taxpayer identification number issued after the date of the enactment of this subsection shall be valid only for the 5-year period which includes the taxable year of the individual for which such number is issued and the 4 succeeding taxable years.

''(B) RENEWAL OF ITIN.—Such number shall be valid for an additional 5-year period only if it is renewed through an application which satisfies the requirements under paragraphs (2) and (3).

''(C) SPECIAL RULE FOR EXISTING ITINS.—In the case of an individual with an individual taxpayer identification number issued on or before the date of the enactment of this subsection, such number shall not be valid after the earlier of—

''(i) the end of the 3-year period beginning on the date of the enactment of this subsection, or

''(ii) the first taxable year beginning after—

''(I) the date of the enactment of this subsection, and

''(II) any taxable year for which the individual (or, if a dependent, on which the individual is included) did not make a return.''.

(b) INTEREST.—Section 6611 of the Internal Revenue Code of 1986 is amended by redesignating subsection (h) as subsection (i) and by inserting after subsection (g) the following new subsection:

''(h) SPECIAL RULE RELATING TO ITINS.—Notwithstanding any other provision of this section, no interest shall be allowed or paid to or on behalf of an individual with respect to any overpayment until 45 days after an individual taxpayer identification number is issued to the individual.''.

(c) AUDIT BY TIGTA.—Not later than two years after the date of the enactment of this Act, and every 2 years thereafter, the Treasury Inspector General for Tax Administration shall conduct an audit of the program of the Internal Revenue Service for the issuance of individual taxpayer identification numbers pursuant to section 6109(i) of the Internal Revenue Code of 1986. The report required by this subsection shall be submitted to the Congress.

(d) EFFECTIVE DATE.—

(1) SUBSECTION (a).—The amendment made by subsection (a) shall apply to requests for individual taxpayer identification numbers made after the date of the enactment of this Act.

(2) SUBSECTION (b).—The amendment made by subsection (b) shall apply to returns due, claims filed, and refunds paid after the date of the enactment of this Act.

By Mr. DURBIN:

S. 1400. A bill to amend the Small Business Act to direct the task force of the Office of Veterans Business Development to provide access to and manage the distribution of excess or surplus property to veteran-owned small businesses; to the Committee on Small Business and Entrepreneurship.

Mr. DURBIN. Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

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

S. 1400

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Veterans Small Business Enhancement Act of 2015''.

SEC. 2. ACCESS TO EXCESS OR SURPLUS PROPERTY FOR VETERAN-OWNED SMALL BUSINESSES.

Section 32(c)(3)(B) of the Small Business Act (15 U.S.C. 657b(c)(3)(B)) is amended—

(1) in clause (v), by striking ''; and'' and inserting a semicolon;

(2) in clause (vi), by striking the period at the end and inserting ''; and''; and

(3) by adding at the end the following new clause:

''(vii) providing access to and managing the distribution of excess or surplus property owned by the United States to small business concerns owned and controlled by veterans, pursuant to a memorandum of understanding between the task force and the head of the applicable state agency (as defined in section 549 of title 40, United States Code).''.

By Mr. TILLIS (for himself and Mr. BURR):

S. 1401. A bill to provide for the annual designation of cities in the United States as an ''American World War II City''; to the Committee on Armed Services.

Mr. TILLIS. Mr. President, I am pleased to introduce legislation to direct the Secretary of Veterans Affairs to designate one city each year as a World War II city, beginning with Wilmington, NC, as America's first World War II City.

The names of the 10,000 Tarheels, who paid the ultimate price in World War II are memorialized on the bulkhead of the battleship USS *North Carolina* in downtown Wilmington.

During World War II, the USS *North Carolina*, known affectionately throughout the Navy as the ''Showboat'', ''participated in every major naval offensive in the Pacific area of operations and earned 15 battle stars. She steamed over 300,000 miles. Although Japanese radio claimed six times that *North Carolina* had been sunk, she survived.

After serving as a training vessel for midshipmen, *North Carolina* was decommissioned June 27, 1947 and placed in the Inactive Reserve Fleet in Bayonne, New Jersey, for the next 14 years. In 1958 the announcement of her impending scrapping led to a statewide campaign by citizens of North Carolina to save the ship and bring her back to her home state. The Save Our Ship, SOS, campaign was successful and the battleship arrived in her current berth on October 2, 1961. She was dedicated on April 29, 1962, as the State's memorial to its World War II veterans

At home, North Carolina's coast was a war zone. On April 13–14, 1942, the first U-boat, German U–85, was sunk off the North Carolina Coast. Mr. President, 397 ships were sunk or damaged and nearly 5,000 people were killed within sight of our shores. For 6 months at the beginning of America's war, 65 German U-boats hunted Allied merchant vessels practically unopposed. The greatest concentration of these attacks came off North Carolina.

During World War II, Wilmington was the home of the North Carolina Shipbuilding Company. The shipyard was created as part of the U.S. Government's Emergency Shipbuilding Program. Workers built 243 ships in Wilmington during the five years the company operated.

The city was the site of three prisoner-of-war, POW, camps from February 1944 through April 1946. At their peak, the camps held 550 German prisoners. The first camp was located on the corner of Shipyard Boulevard and Carolina Beach Road; the old Confederate post Fort Fisher housed German prisoners and also served as a training site for the Coastal Artillery and antiaircraft units. A smaller contingent of prisoners was assigned to a smaller site, working in the officers' mess and doing grounds keeping at Bluethenthal Army Air Field, which is now Wilmington International Airport. Bluethenthal Army Air Field was used by the United States Army Air Forces' Third Air Force for antisubmarine patrols and training.

I want to thank my colleague Senator BURR for bringing this idea to establish a process to recognize Wilmington and other American cities for their efforts during the war years, to the Senate. But I also wish to single out Wilbur Jones, a Wilmington native and military historian who has poured so much of his time and soul into ensuring that the people of southeastern North Carolina never forget the contributions of our state to victory in the Atlantic and the Pacific.

By Mr. LEAHY (for himself and Mr. GRASSLEY):

S. 1402. A bill to allow acceleration certificates awarded under the Patents for Humanity Program to be transferable; to the Committee on the Judiciary.

Mr. LEAHY. Mr. President, the American intellectual property system is rightly held as the global standard for promoting innovation and driving economic growth. This is particularly true of our patent system. The fundamental truth that our Founders recognized more than 200 years ago, that limited exclusive rights for inventors incentivize research and development, continues to benefit consumers and the American economy at large.

A healthy patent system should do more than drive economic development; it should incentivize research and discoveries that advance humanitarian needs. I have worked to promote policies that encourage intellectual property holders to apply their work to address global humanitarian challenges. Today, I continue that effort by joining with Senator GRASSLEY to introduce the bipartisan Patents for Humanity Program Improvement Act.

This bipartisan legislation strengthens a program created by the United States Patent and Trademark Office, PTO, in 2012. The PTO's Patents for Humanity Program provides rewards to selected patent holders who use their invention to address a humanitarian issue that significantly affects the public health or quality of life of an impoverished population. Those who receive the award are given a certificate to accelerate certain PTO processes, as described in the program rules.

The innovations that have been recognized by this program help underserved people throughout the world. Award winners have worked to improve the treatment and diagnosis of devastating diseases, improve nutrition and the environment, and combat the spread of dangerous counterfeit drugs. These are innovations that will make a real difference in the lives of people who are not always the beneficiaries of cutting-edge technology.

Following a Judiciary Committee hearing in 2012, I asked then-PTO Director Kappos whether the Patents for Humanity program would be more effective, and more attractive to innovators, if the acceleration certificates awarded were transferable to a third party. He responded that it would, and that it would be particularly beneficial to small businesses that win the award. Since that time, other small start-ups and global health groups have emphasized that making the certificates transferable would improve their usability and increase the incentives of the Patents for Humanity Award. The Patents for Humanity Program Improvement Act makes this enhancement to the program. It is a straightforward, cost-neutral bill that will strengthen this award and encourage innovations to be used for humanitarian goods.

When Congress can establish policies that provide business incentives for humanitarian endeavors, it should not hesitate to act. I urge the Senate to work swiftly to pass this legislation.

SUBMITTED RESOLUTIONS

SENATE CONCURRENT RESOLUTION 17—ESTABLISHING A JOINT SELECT COMMITTEE TO ADDRESS REGULATORY REFORM

Mr. ROUNDS (for himself, Mr. MANCHIN, Mr. THUNE, Mr. INHOFE, Mrs. CAPITO, Mr. RISCH, Mr. HOEVEN, and Ms. COLLINS) submitted the following concurrent resolution; which was referred to the Committee on Rules and Administration:

S. CON. RES. 17

Whereas there are more than 3,500 rules issued every year by more than 50 Federal agencies;

Whereas a rule is defined in section 551 of title 5, United States Code, as ''the whole or part of an agency statement of general or particular applicability and future effect designed to implement, interpret, or prescribe law or policy'';

Whereas subchapter II of chapter 5, and chapter 7, of title 5, United States Code (commonly known as the ''Administrative Procedure Act'') established standards for the issuance of rules using formal rulemaking and informal rulemaking procedures;

Whereas informal rulemaking, also known as ''notice and comment'' rulemaking or ''section 553'' rulemaking, is the most common type of rulemaking;

Whereas in rulemaking proceedings, formal hearings must be held and interested parties must be given the chance to comment on the proposed rule or regulation, and once adopted, the rule or regulation is required to be published in the Federal Register;

Whereas, according to a 2005 study commissioned by the Small Business Administration, the cost of all rules in effect was approximately $1,100,000,000,000 per year, more than the people of the United States paid in Federal income taxes in 2009;

Whereas, according to the 2014 Ten Thousand Commandments report by the Competitive Enterprise Institute, the top 6 Federal rulemaking agencies (which, in 2013, were the Departments of the Treasury, Commerce, Interior, Health and Human Services, and Transportation and the Environmental Protection Agency) account for 49.3 percent of all Federal rules;

Whereas, according to the 2014 Ten Thousand Commandments report by the Competitive Enterprise Institute, small businesses pay more in per-employee regulatory costs, and firms with fewer than 20 employees pay an average of $10,585 per employee, compared to $7,755 for those with 500 or more employees;

Whereas, according to the 2014 Ten Thousand Commandments report by the Competitive Enterprise Institute, regulatory costs amount to an average of $14,974 per household, which is 23 percent of the average household income of $65,596 and 29 percent of the expenditure budget of $51,442;

Whereas, according to a 2011 study by the Weidenbaum Center at Washington University, it is estimated that the budgetary cost of administering and enforcing Federal regulations by Federal agencies for fiscal year 2012 amounted to more than $57 billion (in 2005 dollars), which represents a 10.5 percent increase in 2 years;

Whereas chapter 8 of title 5, United States Code (commonly known as the ''Congressional Review Act'') established a mechanism through which Congress could overturn Federal regulations by enacting a joint resolution of disapproval;

Whereas the Congressional Review Act requires that rules that have a $100,000,000 effect or more on the economy are submitted by agencies to both Houses of Congress and the Government Accountability Office and have a delayed effective date of not less than 60 days to pass a resolution of disapproval rejecting the rule, which must be approved by the President; and

Whereas, since the enactment of the Congressional Review Act in 1996, the procedures under the Act have been used 1 time to overturn a rule: Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring),

SECTION 1. SHORT TITLE.

This resolution may be cited as the ''Regulation Sensibility Through Oversight Restoration Resolution of 2015'' or the ''RESTORE Resolution of 2015''.

SEC. 2. JOINT SELECT COMMITTEE ON REGULATORY REFORM.

There is established a joint select committee to be known as the Joint Select Committee on Regulatory Reform (hereinafter in this concurrent resolution referred to as the ''Joint Select Committee'').

SEC. 3. DUTIES OF JOINT SELECT COMMITTEE.

(a) DEFINITIONS.—In this section, the terms ''agency'' and ''rule'' have the meanings given those terms in section 551 of title 5, United States Code.

(b) DUTIES.—The Joint Select Committee shall—

(1) conduct a systematic review of the process by which rules are promulgated by agencies;

(2) hold hearings on the effects of and how to reduce regulatory overreach in all sectors of the economy;

(3) conduct a review of the Code of Federal Regulations to identify rules and sets of rules that should be repealed; and

(4) submit to the Senate and the House of Representatives—

(A) recommendations for legislation—

(i) to create a process under which an agency, before promulgating a rule, shall—

(I) seek advice from Congress;

(II) publish the proposed rule;

(III) hold a public comment period on the proposed rule;

(IV) seek advice from Congress based on the public comments; and

(V) hold issuance of the rule until Congress can review the rule for a period of not more than 1 year; and

(ii) to create a process to appropriately sunset as many rules as possible;

(B) recommendations for ways to reduce the financial burden placed on the various sectors of the economy in order to comply with rules;

(C) an analysis of the feasibility of the creation of a permanent Joint Committee on Rules Review in accordance with subsection (c);

(D) an analysis of the feasibility of requiring each agency to submit each proposed rule of the agency to the appropriate committees of Congress for review in a similar manner as set forth for a permanent Joint Committee on Rules Review under subsection (c); and

(E) a list of rules and sets of rules that the Joint Select Committee recommends should be repealed.

(c) ANALYSIS OF PERMANENT JOINT COMMITTEE ON RULES REVIEW.—The Joint Select Committee shall analyze the feasibility of the creation of a permanent Joint Committee on Rules Review. The Joint Committee on Rules Review would—

(1) review each proposed rule that an agency determines is likely to have an annual effect on the economy of $50,000,000 or more before the agency promulgates the final rule;

(2) require each agency to submit to the Committee—

(A) the text of each proposed rule of the agency described in paragraph (1); and

(B) an analysis of the economic impact of the rule on the economy;

(3) require each agency to revise a proposed rule submitted under paragraph (2) if the Committee determines that the proposed rule—

(A) needs to be significantly rewritten to accomplish the intent of the agency or address the recommendations or objections of the Committee;

(B) is not a valid exercise of delegated authority from Congress;

(C) is not in proper form;

(D) is inconsistent with the intent of Congress with respect to the provision of law that the proposed rule implements; or

(E) is not a reasonable implementation of the law;

(4) delay the effective date of a proposed rule for a period of not more than 1 year beginning on the date on which the agency submits the proposed rule under paragraph (2);

(5) allow an agency to promulgate a final rule without any delay in the effective date of the rule if the agency designates the rule as an emergency rule, unless the Committee by majority vote determines that the rule is not an emergency rule; and

(6) if applicable, recommend that Congress should overturn a final rule promulgated by an agency by enacting a joint resolution of disapproval.

SEC. 4. COMPOSITION OF JOINT SELECT COMMITTEE.

(a) MEMBERSHIP.—

(1) IN GENERAL.—The Joint Select Committee shall be composed of 30 members, of whom—

(A) 15 shall be appointed by the majority and the minority leaders of the Senate from among Members of the Senate in a manner that reflects the ratio of the number of Members of the Senate from the majority party to the number of Members of the Senate from the minority party on the date of enactment of this Act; and

(B) 15 shall be appointed by the Speaker and the minority leader of the House of Representatives among Members of the House of Representatives in a manner that reflects the ratio of the number of members of the House of Representatives from the majority party to the number of Members of the House of Representatives from the minority party on the date of enactment of this Act.

(2) DATE.—The appointments of the members of the Joint Select Committee shall be made not later than 30 days after the date of adoption of this concurrent resolution.

(b) VACANCIES.—Any vacancy in the Joint Select Committee shall not affect its powers, but shall be filled in the same manner as the original appointment.

(c) CHAIRPERSON AND VICE CHAIRPERSON.—

(1) CHAIRPERSON.—The members of the Joint Select Committee shall elect a Chairperson for the Joint Select Committee by majority vote from each of—

(A) the members of the majority party of the Senate; and

(B) the members of the majority party of the House of Representatives.

(2) VICE CHAIRPERSON.—The members of the Joint Select Committee shall elect a Vice Chairperson for the Joint Select Committee by majority vote from each of—

(A) the members of the minority party of the Senate; and

(B) the members of the minority party of the House of Representatives.

(d) QUORUM.—A majority of the members of the Joint Select Committee each from the Senate and the House of Representatives shall constitute a quorum for the purpose of conducting the business of the Joint Select Committee.

SEC. 5. RULES AND PROCEDURES.

(a) GOVERNANCE UNDER STANDING RULES OF THE SENATE.—Except as otherwise specifically provided in this resolution, the investigations and hearings conducted by the Joint Select Committee shall be governed by the Standing Rules of the Senate.

(b) ADDITIONAL RULES AND PROCEDURES.—The Joint Select Committee may adopt such additional rules or procedures if the Chairperson and Vice Chairperson agree, or if the Joint Select Committee by majority vote so decides, that such additional rules or procedures are necessary or advisable to conduct the duties of the Joint Select Committee.

SEC. 6. AUTHORITY OF JOINT SELECT COMMITTEE.

(a) IN GENERAL.—The Joint Select Committee may exercise all of the powers and responsibilities of a committee under rule XXVI of the Standing Rules of the Senate.

(b) POWERS.—The Joint Select Committee may, for the purpose of carrying out this resolution—

(1) hold such hearings, sit and act at such times and places, take such testimony, receive such evidence, and administer such oaths as the Joint Select Committee considers advisable; and

(2) authorize and require, by issuance of subpoena or otherwise, the attendance and testimony of witnesses and the preservation and production of books, records, correspondence, memoranda, papers, documents, tapes, and any other materials in whatever form the Joint Select Committee considers advisable.

(c) SUBPOENAS.—Subpoenas authorized by the Joint Select Committee—

(1) may be issued with the joint concurrence of the Chairperson and Vice Chairperson;

(2) shall bear the signature of the Chairperson and Vice Chairperson, or the designee of the Chairperson or Vice Chairperson; and

(3) shall be served by any person or class of persons designated by the Chairperson and Vice Chairperson for that purpose anywhere within or without the borders of the United States to the full extent provided by law.

(d) ACCESS TO INFORMATION.—The Joint Select Committee shall have, to the fullest extent permitted by law, access to any such information or materials obtained by any other department or agency of the Federal Government or by any other governmental department, agency, or body investigating the matters described in section 3(b).

(e) COOPERATION OF OTHER COMMITTEES.—In carrying out the duties of the Joint Select Committee, the Joint Select Committee may obtain the input and cooperation of any other standing committee of the Senate or the House of Representatives.

SEC. 7. REPORTS.

(a) IN GENERAL.—Not later than 90 days after the date on which the Joint Select Committee terminates, the Joint Select Committee shall submit to the Senate and the House of Representatives a report, which shall contain—

(1) the results and findings of the reviews and hearings carried out by the Joint Select Committee pursuant to this resolution; and

(2) any information required to be submitted under section 3(b)(4).

(b) INTERIM REPORTS.—The Joint Select Committee may submit to the Senate and the House of Representatives such interim reports as the Joint Select Committee considers appropriate.

SEC. 8. ADMINISTRATIVE PROVISIONS.

(a) STAFF.—

(1) IN GENERAL.—The Joint Select Committee may employ in accordance with paragraph (2) a staff composed of such clerical, investigatory, legal, technical, and other personnel as the Joint Select Committee considers necessary or appropriate.

(2) APPOINTMENT OF STAFF.—

(A) IN GENERAL.—The Joint Select Committee shall appoint a staff for the majority, a staff for the minority, and a nondesignated staff.

(B) MAJORITY STAFF.—The majority staff shall be appointed, and may be removed, by the Chairperson and shall work under the general supervision and direction of the Chairperson.

(C) MINORITY STAFF.—The minority staff shall be appointed, and may be removed, by the Vice Chairperson and shall work under the general supervision and direction of the Vice Chairperson.

(D) NONDESIGNATED STAFF.—Nondesignated staff shall be appointed, and may be removed, jointly by the Chairperson and Vice Chairperson, and shall work under the joint general supervision and direction of the Chairperson and Vice Chairperson.

(b) COMPENSATION.—

(1) MAJORITY STAFF.—The Chairperson shall fix the compensation of all personnel of the majority staff of the Joint Select Committee.

(2) MINORITY STAFF.—The Vice Chairperson shall fix the compensation of all personnel of the minority staff of the Joint Select Committee.

(3) NONDESIGNATED STAFF.—The Chairperson and Vice Chairperson shall jointly fix the compensation of all nondesignated staff of the Joint Select Committee.

(4) PAY AND BENEFITS.—All employees of the Joint Select Committee shall be treated as employees of the Senate for purposes of disbursing pay and processing benefits.

(c) FACILITIES.—The Joint Select Committee may use, with the prior consent of the chair of any other committee of the Senate or the House of Representatives or the chair of any subcommittee of any committee of the Senate or the House of Representatives, the facilities of any other committee of the Senate or the House of Representatives, whenever the Joint Select Committee or the Chairperson and Vice Chairperson consider that such action is necessary or appropriate to enable the Joint Select Committee to carry out the responsibilities, duties, or functions of the Joint Select Committee under this resolution.

(d) DETAIL OF EMPLOYEES.—The Joint Select Committee may use on a reimbursable basis, with the prior consent of the head of the department or agency of the Federal Government concerned and the approval of the Committee on Rules and Administration of the Senate, the services of personnel of the department or agency.

(e) TEMPORARY AND INTERMITTENT SERVICES.—The Joint Select Committee may procure the temporary or intermittent services of individual consultants or organizations.

(f) ETHICS.—The Joint Select Committee shall establish ethical rules for the members and employees of the Joint Select Committee, which shall, to the extent practicable, be comparable to the ethical rules that apply to employees of the Senate.

(g) AUTHORIZATION OF APPROPRIATIONS.—For the expenses of the Joint Select Committee, there are authorized to be appropriated $3,000,000 for fiscal year 2016, to remain available until expended.

SEC. 9. EFFECTIVE DATE; TERMINATION.

(a) EFFECTIVE DATE.—This resolution shall take effect on the date of adoption of this concurrent resolution.

(b) TERMINATION.—The Joint Select Committee shall terminate on the date that is 1 year after the appointment of the members of the Joint Select Committee.

(c) DISPOSITION OF RECORDS.—Upon termination of the Joint Select Committee, the records of the Joint Select Committee shall become the records of any committee or committees designated by the majority leader of the Senate and the Speaker of the House of Representatives, with the concurrence of the minority leader of the Senate and the House of Representatives.

AMENDMENTS SUBMITTED AND PROPOSED

SA 1412. Mr. MANCHIN submitted an amendment intended to be proposed to amendment SA 1221 proposed by Mr. HATCH to the bill H.R. 1314, to amend the Internal Revenue Code of 1986 to provide for a right to an administrative appeal relating to adverse determinations of tax-exempt status of certain organizations; which was ordered to lie on the table.

SA 1413. Mr. MANCHIN (for himself and Ms. WARREN) submitted an amendment intended to be proposed to amendment SA 1221 proposed by Mr. HATCH to the bill H.R. 1314, supra; which was ordered to lie on the table.

SA 1414. Mr. MANCHIN submitted an amendment intended to be proposed to amendment SA 1221 proposed by Mr. HATCH to the bill H.R. 1314, supra; which was ordered to lie on the table.

SA 1415. Ms. CANTWELL submitted an amendment intended to be proposed to amendment SA 1221 proposed by Mr. HATCH to the bill H.R. 1314, supra; which was ordered to lie on the table.

SA 1416. Mrs. SHAHEEN submitted an amendment intended to be proposed to amendment SA 1221 proposed by Mr. HATCH to the bill H.R. 1314, supra; which was ordered to lie on the table.

SA 1417. Ms. HEITKAMP submitted an amendment intended to be proposed to amendment SA 1221 proposed by Mr. HATCH to the bill H.R. 1314, supra; which was ordered to lie on the table.

SA 1418. Mr. DAINES submitted an amendment intended to be proposed to amendment SA 1221 proposed by Mr. HATCH to the bill H.R. 1314, supra; which was ordered to lie on the table.

SA 1419. Mr. SULLIVAN submitted an amendment intended to be proposed to amendment SA 1221 proposed by Mr. HATCH to the bill H.R. 1314, supra; which was ordered to lie on the table.

SA 1420. Mr. SULLIVAN submitted an amendment intended to be proposed to amendment SA 1221 proposed by Mr. HATCH to the bill H.R. 1314, supra; which was ordered to lie on the table.

SA 1421. Mr. BLUMENTHAL (for himself and Mr. BROWN) submitted an amendment intended to be proposed to amendment SA 1221 proposed by Mr. HATCH to the bill H.R. 1314, supra; which was ordered to lie on the table.

SA 1422. Mr. HEINRICH submitted an amendment intended to be proposed to amendment SA 1221 proposed by Mr. HATCH to the bill H.R. 1314, supra; which was ordered to lie on the table.

SA 1423. Mrs. SHAHEEN submitted an amendment intended to be proposed to amendment SA 1248 submitted by Ms. CANTWELL and intended to be proposed to the amendment SA 1221 proposed by Mr. HATCH to the bill H.R. 1314, supra; which was ordered to lie on the table.

SA 1424. Mrs. FEINSTEIN submitted an amendment intended to be proposed to amendment SA 1221 proposed by Mr. HATCH to the bill H.R. 1314, supra; which was ordered to lie on the table.

SA 1425. Ms. HIRONO submitted an amendment intended to be proposed to amendment SA 1221 proposed by Mr. HATCH to the bill H.R. 1314, supra; which was ordered to lie on the table.

SA 1426. Ms. HIRONO submitted an amendment intended to be proposed to amendment SA 1221 proposed by Mr. HATCH to the bill H.R. 1314, supra; which was ordered to lie on the table.

SA 1427. Mr. SCHATZ submitted an amendment intended to be proposed to amendment SA 1221 proposed by Mr. HATCH to the bill H.R. 1314, supra; which was ordered to lie on the table.

SA 1428. Mr. SANDERS submitted an amendment intended to be proposed to amendment SA 1221 proposed by Mr. HATCH to the bill H.R. 1314, supra; which was ordered to lie on the table.

SA 1429. Mr. SANDERS submitted an amendment intended to be proposed to amendment SA 1221 proposed by Mr. HATCH to the bill H.R. 1314, supra; which was ordered to lie on the table.

SA 1430. Mr. MENENDEZ submitted an amendment intended to be proposed to amendment SA 1221 proposed by Mr. HATCH to the bill H.R. 1314, supra; which was ordered to lie on the table.

SA 1431. Mr. TILLIS submitted an amendment intended to be proposed by him to the bill H.R. 1314, supra; which was ordered to lie on the table.

SA 1432. Mr. FRANKEN (for himself and Ms. STABENOW) submitted an amendment intended to be proposed to amendment SA 1221 proposed by Mr. HATCH to the bill H.R. 1314, supra; which was ordered to lie on the table.

SA 1433. Ms. BALDWIN submitted an amendment intended to be proposed to amendment SA 1312 submitted by Mr. INHOFE (for himself and Mr. COONS) to the amendment SA 1221 proposed by Mr. HATCH to the bill H.R. 1314, supra; which was ordered to lie on the table.

SA 1434. Mr. HATCH submitted an amendment intended to be proposed to amendment SA 1251 submitted by Mr. BROWN (for himself, Mr. PETERS, Mr. SCHUMER, Ms. STABENOW, Mr. MENENDEZ, and Mr. CASEY) to the amendment SA 1221 proposed by Mr. HATCH to the bill H.R. 1314, supra; which was ordered to lie on the table.

SA 1435. Mr. HATCH submitted an amendment intended to be proposed to amendment SA 1327 submitted by Ms. WARREN (for herself, Ms. HEITKAMP, Mr. MANCHIN, Mr. DURBIN, Mrs. BOXER, Mr. BROWN, Mr. CASEY, Mr. FRANKEN, Mr. BLUMENTHAL, Ms. BALDWIN, Mr. MARKEY, Mr. PETERS, Mr. WHITEHOUSE, Mr. SCHATZ, Mr. UDALL, and Mr. HEINRICH) to the amendment SA 1221 proposed by Mr. HATCH to the bill H.R. 1314, supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 1412. Mr. MANCHIN submitted an amendment intended to be proposed to amendment SA 1221 proposed by Mr. HATCH to the bill H.R. 1314, to amend the Internal Revenue Code of 1986 to provide for a right to an administrative appeal relating to adverse determinations of tax-exempt status of certain organizations; which was ordered to lie on the table; as follows:

Beginning on page 45, strike line 10 and all that follows through page 49, line 20, and insert the following:

(c) EXTENSION APPROVAL PROCESS FOR CONGRESSIONAL TRADE AUTHORITIES PROCEDURES.—

(1) IN GENERAL.—Except as provided in section 106(b)—

(A) the trade authorities procedures apply to implementing bills submitted with respect to trade agreements entered into under subsection (b) before July 1, 2018; and

(B) the trade authorities procedures shall be extended to implementing bills submitted with respect to trade agreements entered into under subsection (b) after June 30, 2018, and before July 1, 2021, if (and only if)—

(i) the President requests such extension under paragraph (2); and

(ii) an extension approval resolution is enacted under paragraph (5) before July 1, 2018.

(2) REPORT TO CONGRESS BY THE PRESIDENT.—If the President is of the opinion that the trade authorities procedures should be extended to implementing bills described in paragraph (1)(B), the President shall submit to Congress, not later than April 1, 2018, a written report that contains a request for such extension, together with—

(A) a description of all trade agreements that have been negotiated under subsection (b) and the anticipated schedule for submitting such agreements to Congress for approval;

(B) a description of the progress that has been made in negotiations to achieve the purposes, policies, priorities, and objectives of this title, and a statement that such progress justifies the continuation of negotiations; and

(C) a statement of the reasons why the extension is needed to complete the negotiations.

(3) OTHER REPORTS TO CONGRESS.—

(A) REPORT BY THE ADVISORY COMMITTEE.—The President shall promptly inform the Advisory Committee for Trade Policy and Negotiations established under section 135 of the Trade Act of 1974 (19 U.S.C. 2155) of the decision of the President to submit a report to Congress under paragraph (2). The Advisory Committee shall submit to Congress as soon as practicable, but not later than June 1, 2018, a written report that contains—

(i) its views regarding the progress that has been made in negotiations to achieve the purposes, policies, priorities, and objectives of this title; and

(ii) a statement of its views, and the reasons therefor, regarding whether the extension requested under paragraph (2) should be approved or disapproved.

(B) REPORT BY INTERNATIONAL TRADE COMMISSION.—The President shall promptly inform the United States International Trade Commission of the decision of the President to submit a report to Congress under paragraph (2). The International Trade Commission shall submit to Congress as soon as practicable, but not later than June 1, 2018, a written report that contains a review and analysis of the economic impact on the United States of all trade agreements implemented between the date of the enactment of this Act and the date on which the President decides to seek an extension requested under paragraph (2).

(4) STATUS OF REPORTS.—The reports submitted to Congress under paragraphs (2) and (3), or any portion of such reports, may be classified to the extent the President determines appropriate.

(5) EXTENSION APPROVAL RESOLUTION.—(A) For purposes of paragraph (1), the term ''extension approval resolution'' means a joint resolution the sole matter after the resolving clause of which is as follows: ''That Congress approves the request of the President for the extension, under section 103(c)(1)(B)(i) of the Bipartisan Congressional Trade Priorities and Accountability Act of 2015, of the trade authorities procedures under that Act to any implementing bill submitted with respect to any trade agreement entered into under section 103(b) of that Act after June 30, 2018.''.

(B) Extension approval resolutions—

(i) may be introduced in either House of Congress by any member of such House; and

(ii) shall be referred, in the House of Representatives, to the Committee on Ways and Means and, in addition, to the Committee on Rules.

(C) The provisions of subsections (d) and (e) of section 152 of the Trade Act of 1974 (19 U.S.C. 2192) (relating to the floor consideration of certain resolutions in the House and Senate) apply to extension approval resolutions.

(D) It is not in order for—

(i) the House of Representatives to consider any extension approval resolution not reported by the Committee on Ways and Means and, in addition, by the Committee on Rules;

(ii) the Senate to consider any extension approval resolution not reported by the Committee on Finance; or

(iii) either House of Congress to consider an extension approval resolution after June 30, 2018.

SA 1413. Mr. MANCHIN (for himself and Ms. WARREN) submitted an amendment intended to be proposed to amendment SA 1221 proposed by Mr. HATCH to the bill H.R. 1314, to amend the Internal Revenue Code of 1986 to provide for a right to an administrative appeal relating to adverse determinations of tax-exempt status of certain organizations; which was ordered to lie on the table; as follows:

On page 78, line 22, strike ''as a whole'' and insert ''as a whole, on the economy of each State,''.

SA 1414. Mr. MANCHIN submitted an amendment intended to be proposed to amendment SA 1221 proposed by Mr. HATCH to the bill H.R. 1314, to amend the Internal Revenue Code of 1986 to provide for a right to an administrative appeal relating to adverse determinations of tax-exempt status of certain

organizations; which was ordered to lie on the table; as follows:

Beginning on page 44, strike line 10 and all that follows through page 45, line 9, and insert the following:

(3) IMPLEMENTING BILLS.—

(A) IN GENERAL.—Notwithstanding any other provision of this Act, the President shall submit to Congress under section 106(a)(1), with respect to each trade agreement entered into under this subsection, the following:

(i) A bill providing for the approval of the trade agreement.

(ii) A bill providing for the approval of the statement of administrative action, if any, proposed to implement the trade agreement.

(iii) If changes in existing laws or new statutory authority are required to implement the trade agreement, a bill containing such provisions as are strictly necessary or appropriate to implement the trade agreement, either repealing or amending existing laws or providing new statutory authority.

(B) PROHIBITION ON CONSOLIDATING BILLS.—The President may not consolidate the bills described in clauses (i), (ii), and (iii) of subparagraph (A).

(C) APPLICABILITY OF TRADE AUTHORITIES PROCEDURES.—The provisions of section 151 of the Trade Act of 1974 (in this title referred to as ''trade authorities procedures'') apply to a bill described in subparagraph (A). Such a bill shall hereafter in this title be referred to as an ''implementing bill''.

SA 1415. Ms. CANTWELL submitted an amendment intended to be proposed to amendment SA 1221 proposed by Mr. HATCH to the bill H.R. 1314, to amend the Internal Revenue Code of 1986 to provide for a right to an administrative appeal relating to adverse determinations of tax-exempt status of certain organizations; which was ordered to lie on the table; as follows:

At the end, add the following:

TITLE III—MISCELLANEOUS

SEC. 301. EXTENSION OF AUTHORITY OF EXPORT-IMPORT BANK OF THE UNITED STATES.

(a) IN GENERAL.—Section 7 of the Export-Import Bank Act of 1945 (12 U.S.C. 635f) is amended by striking ''September 30, 2014'' and inserting ''December 31, 2015''.

(b) DUAL-USE EXPORTS.—Section 1(c) of Public Law 103–428 (12 U.S.C. 635 note) is amended by striking ''September 30, 2014'' and inserting ''December 31, 2015''.

(c) SUB-SAHARAN AFRICA ADVISORY COMMITTEE.—Section 2(b)(9)(B)(iii) of the Export-Import Bank Act of 1945 (12 U.S.C. 635(b)(9)(B)(iii)) is amended by striking ''September 30, 2014'' and inserting ''December 31, 2015''.

(d) EFFECTIVE DATE.—The amendments made by this section shall take effect on the earlier of the date of the enactment of this Act or June 30, 2015.

SA 1416. Mrs. SHAHEEN submitted an amendment intended to be proposed to amendment SA 1221 proposed by Mr. HATCH to the bill H.R. 1314, to amend the Internal Revenue Code of 1986 to provide for a right to an administrative appeal relating to adverse determinations of tax-exempt status of certain organizations; which was ordered to lie on the table; as follows:

At the end of section 109, add the following:

(c) OUTREACH AND INPUT FROM SMALL BUSINESSES TO TRADE PROMOTION AUTHORITY.—Section 609 of title 5, United States Code, is amended by adding at the end the following:

''(f)(1) Not later than 30 days after the date on which the President submits the notification required under section 5(a) of the Bipartisan Congressional Trade Priorities and Accountability Act of 2015, the Chief Counsel for Advocacy of the Small Business Administration (in this subsection referred to as the 'Chief Counsel') shall convene an Interagency Working Group (in this subsection referred to as the 'Working Group'), which shall consist of an employee from each of the following agencies, as selected by the head of the agency or an official delegated by the head of the agency:

''(A) The Office of the United States Trade Representative.

''(B) The Department of Commerce.

''(C) The Department of Agriculture.

''(D) Any other agency that the Chief Counsel, in consultation with the United States Trade Representative, determines to be relevant with respect to the subject of the trade agreement being negotiated pursuant to section 3(b) of the Bipartisan Congressional Trade Priorities and Accountability Act of 2015 (in this subsection referred to as the 'covered trade agreement').

''(2) Not later than 30 days after the date on which the Chief Counsel convenes the Working Group under paragraph (1), the Chief Counsel shall identify a diverse group of small entities, representatives of small entities, or a combination thereof, to provide to the Working Group the views of small businesses in the manufacturing, services, and agriculture industries on the potential economic effects of the covered trade agreement.

''(3)(A) Not later than 180 days after the date on which the Chief Counsel convenes the Working Group under paragraph (1), the Chief Counsel shall submit to the Committee on Small Business and Entrepreneurship and the Committee on Finance of the Senate and the Committee on Small Business and the Committee on Ways and Means of the House of Representatives a report on the economic impacts of the covered trade agreement on small entities, which shall—

''(i) identify the most important priorities, opportunities, and challenges to various industries from the covered trade agreement;

''(ii) assess the impact for new small entities to start exporting, or increase their exports, to markets in the covered trade agreement;

''(iii) analyze the competitive position of industries likely to be significantly affected by the covered trade agreement;

''(iv) identify—

''(I) any State-owned enterprises in each country pertaining to the covered trade agreement that could be pose a threat to small entities; and

''(II) any steps to take to create a level-playing field for those small entities;

''(v) identify any rule of an agency that should be modified to become compliant with the covered trade agreement; and

''(vi) include an overview of the methodology used to develop the report, including the number of small entity participants by industry, how those small entities were selected, and any other factors that the Chief Counsel may determine appropriate.

''(B) To ensure that negotiations for the covered trade agreement are not disrupted, the President may require that the Chief Counsel delay submission of the report under subparagraph (A) until after the negotiations of the covered trade agreement are concluded, provided that the delay allows the Chief Counsel to submit the report to Congress not later than 45 days before the Senate or the House of Representatives acts to approve or disapprove the covered trade agreement.

''(C) The Chief Counsel shall, to the extent practicable, coordinate the submission of the report under this paragraph with the United States International Trade Commission, the United States Trade Representative, other agencies, and trade advisory committees to avoid unnecessary duplication of reporting requirements.''.

(d) STATE TRADE EXPANSION PROGRAM.—Section 22 of the Small Business Act (15 U.S.C. 652) is amended—

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

(2) by inserting after subsection (k) the following:

''(l) STATE TRADE EXPANSION PROGRAM.—

''(1) DEFINITIONS.—In this subsection—

''(A) the term 'eligible small business concern' means a business concern that—

''(i) is organized or incorporated in the United States;

''(ii) is operating in the United States;

''(iii) meets—

''(I) the applicable industry-based small business size standard established under section 3; or

''(II) the alternate size standard applicable to the program under section 7(a) of this Act and the loan programs under title V of the Small Business Investment Act of 1958 (15 U.S.C. 695 et seq.);

''(iv) has been in business for not less than 1 year, as of the date on which assistance using a grant under this subsection commences; and

''(v) has access to sufficient resources to bear the costs associated with trade, including the costs of packing, shipping, freight forwarding, and customs brokers;

''(B) the term 'program' means the State Trade Expansion Program established under paragraph (2);

''(C) the term 'rural small business concern' means an eligible small business concern located in a rural area, as that term is defined in section 1393(a)(2) of the Internal Revenue Code of 1986;

''(D) the term 'socially and economically disadvantaged small business concern' has the meaning given that term in section 8(a)(4)(A) of the Small Business Act (15 U.S.C. 637(a)(4)(A)); and

''(E) the term 'State' means each of the several States, the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, Guam, the Commonwealth of the Northern Mariana Islands, and American Samoa.

''(2) ESTABLISHMENT OF PROGRAM.—The Associate Administrator shall establish a trade expansion program, to be known as the 'State Trade Expansion Program', to make grants to States to carry out programs that assist eligible small business concerns in—

''(A) a market expansion sales trip;

''(B) a subscription to services provided by the Department of Commerce;

''(C) the payment of website fees;

''(D) the design of marketing media;

''(E) a trade show exhibition;

''(F) participation in training workshops;

''(G) a reverse trade mission;

''(H) procurement of consultancy services (after consultation with the Department of Commerce to avoid duplication); or

''(I) any other initiative determined appropriate by the Associate Administrator.

''(3) GRANTS.—

''(A) JOINT REVIEW.—In carrying out the program, the Associate Administrator may make a grant to a State to increase the number of eligible small business concerns in the State exploring significant new trade opportunities.

''(B) CONSIDERATIONS.—In making grants under this subsection, the Associate Administrator may give priority to an application by a State that proposes a program that—

''(i) focuses on eligible small business concerns as part of a trade expansion program;

''(ii) demonstrates intent to promote trade expansion by—

''(I) socially and economically disadvantaged small business concerns;

''(II) small business concerns owned or controlled by women; and

''(III) rural small business concerns; and

''(iii) includes—

''(I) activities which have resulted in the highest return on investment based on the most recent year; and

''(II) the adoption of shared best practices included in the annual report of the Administration.

''(C) LIMITATIONS.—

''(i) SINGLE APPLICATION.—A State may not submit more than 1 application for a grant under the program in any 1 fiscal year.

''(ii) PROPORTION OF AMOUNTS.—The total value of grants made under the program during a fiscal year to the 10 States with the highest percentage of eligible small business concerns, based upon the most recent data available from the Department of Commerce, shall be not more than 40 percent of the amounts appropriated for the program for that fiscal year.

''(iii) DURATION.—The Associate Administrator shall award a grant under this program for a period of not more than 2 years.

''(D) APPLICATION.—

''(i) IN GENERAL.—A State desiring a grant under the program shall submit an application at such time, in such manner, and accompanied by such information as the Associate Administrator may establish.

''(ii) CONSULTATION TO REDUCE DUPLICATION.—A State desiring a grant under the program shall—

''(I) before submitting an application under clause (i), consult with applicable trade agencies of the Federal Government on the scope and mission of the activities the State proposes to carry out using the grant, to ensure proper coordination and reduce duplication in services; and

''(II) document the consultation conducted under subclause (I) in the application submitted under clause (i).

''(4) COMPETITIVE BASIS.—The Associate Administrator shall award grants under the program on a competitive basis.

''(5) FEDERAL SHARE.—The Federal share of the cost of an trade expansion program carried out using a grant under the program shall be—

''(A) for a State that has a high trade volume, as determined by the Associate Administrator, not more than 65 percent; and

''(B) for a State that does not have a high trade volume, as determined by the Associate Administrator, not more than 75 percent.

''(6) NON-FEDERAL SHARE.—The non-Federal share of the cost of a trade expansion program carried out using a grant under the program shall be comprised of not less than 50 percent cash and not more than 50 percent of indirect costs and in-kind contributions, except that no such costs or contributions may be derived from funds from any other Federal program.

''(7) REPORTS.—

''(A) INITIAL REPORT.—Not later than 120 days after the date of enactment of this subsection, the Associate Administrator shall submit to the Committee on Small Business and Entrepreneurship of the Senate and the Committee on Small Business of the House of Representatives a report, which shall include—

''(i) a description of the structure of and procedures for the program;

''(ii) a management plan for the program; and

''(iii) a description of the merit-based review process to be used in the program.

''(B) ANNUAL REPORTS.—

''(i) IN GENERAL.—The Associate Administrator shall publish on the website of the Administration an annual report regarding the program, which shall include—

''(I) the number and amount of grants made under the program during the preceding year;

''(II) a list of the States receiving a grant under the program during the preceding year, including the activities being performed with each grant;

''(III) the effect of each grant on the eligible small business concerns in the State receiving the grant;

''(IV) the total return on investment for each State; and

''(V) a description of best practices by States that showed high returns on investment and significant progress in helping more eligible small business concerns.

''(ii) NOTICE TO CONGRESS.—On the date on which the Associate Administrator publishes a report under clause (i), the Associate Administrator shall notify the Committee on Small Business and Entrepreneurship of the Senate and the Committee on Small Business of the House of Representatives that the report has been published.

''(8) REVIEWS BY INSPECTOR GENERAL.—

''(A) IN GENERAL.—The Inspector General of the Administration shall conduct a review of—

''(i) the extent to which recipients of grants under the program are measuring the performance of the activities being conducted and the results of the measurements; and

''(ii) the overall management and effectiveness of the program.

''(B) REPORTS.—

''(i) PILOT PROGRAM.—Not later than 6 months after the date of enactment of this subsection, the Inspector General of the Administration shall submit to the Committee on Small Business and Entrepreneurship of the Senate and the Committee on Small Business of the House of Representatives a report regarding the use of amounts made available under the State Trade and Export Promotion Grant Program under section 1207 of the Small Business Jobs Act of 2010 (15 U.S.C. 649b note).

''(ii) NEW STEP PROGRAM.—Not later than 18 months after the date on which the first grant is awarded under this subsection, the Inspector General of the Administration shall submit to the Committee on Small Business and Entrepreneurship of the Senate and the Committee on Small Business of the House of Representatives a report regarding the review conducted under subparagraph (A).

''(9) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out the program—

''(A) $30,000,000 for fiscal year 2016;

''(B) $35,000,000 for fiscal year 2017;

''(C) $40,000,000 for fiscal year 2018;

''(D) $45,000,000 for fiscal year 2019; and

''(E) $50,000,000 for fiscal year 2020.''.

(e) MEMBERSHIP OF REPRESENTATIVES OF STATE TRADE PROMOTION AGENCIES ON TRADE PROMOTION COORDINATING COMMITTEE.—Section 2312 of the Export Enhancement Act of 1988 (15 U.S.C. 4727) is amended—

(1) in subsection (d)—

(A) by redesignating paragraph (2) as paragraph (3); and

(B) by inserting after paragraph (1) the following:

''(2) REPRESENTATIVES FROM STATE TRADE PROMOTION AGENCIES.—

''(A) IN GENERAL.—The TPCC shall also include 1 or more members appointed by the President, after consultation with associations representing State trade promotion agencies, who are representatives of State trade promotion agencies.

''(B) TERM.—A member appointed under subparagraph (A) shall be appointed for a term of 2 years.

''(C) PERSONNEL MATTERS.—

''(i) NO COMPENSATION.—A member of the TPCC appointed under subparagraph (A) shall serve without compensation.

''(ii) TRAVEL EXPENSES.—A member of the TPCC appointed under subparagraph (A) shall be allowed travel expenses, including per diem in lieu of subsistence, at rates authorized for employees of agencies under subchapter I of chapter 57 of title 5, United States Code, while away from the homes or regular place of business of the member in the performance of services for the TPCC.

''(iii) ADMINISTRATIVE ASSISTANCE.—The Secretary of Commerce, or the head of another agency, as appropriate, shall make available to a member of the TPCC appointed under subparagraph (A) administrative services and assistance, including a security clearance, as the member may reasonably require to carry out services for the TPCC.''; and

(2) in subsection (e), in the first sentence, by inserting ''(other than members described in subsection (d)(2))'' after ''Members of the TPCC''.

(f) STATE AND FEDERAL EXPORT PROMOTION COORDINATION WORKING GROUP.—Subtitle C of the Export Enhancement Act of 1988 (15 U.S.C. 4721 et seq.) is amended by inserting after section 2313 the following:

''SEC. 2313A. STATE AND FEDERAL EXPORT PROMOTION COORDINATION WORKING GROUP.

''(a) STATEMENT OF POLICY.—It is the policy of the United States to promote exports as an opportunity for small businesses. In exercising their powers and functions in order to advance that policy, all Federal departments and agencies shall work constructively with State and local agencies engaged in export promotion and export financing activities.

''(b) ESTABLISHMENT.—The President shall establish a State and Federal Export Promotion Coordination Working Group (in this section referred to as the 'Working Group') as a subcommittee of the Trade Promotion Coordination Committee (in this section referred to as the 'TPCC').

''(c) PURPOSES.—The purposes of the Working Group are—

''(1) to identify issues related to the coordination of Federal resources relating to export promotion and export financing with such resources provided by State and local governments;

''(2) to identify ways to improve coordination with respect to export promotion and export financing activities through the strategic plan developed under section 2312(c);

''(3) to develop a strategy for improving coordination of Federal and State resources relating to export promotion and export financing, including methods to eliminate duplication of effort and overlapping functions; and

''(4) to develop a strategic plan for considering and implementing the suggestions of the Working Group as part of the strategic plan developed under section 2312(c).

''(d) MEMBERSHIP.—The Secretary of Commerce shall select the members of the Working Group, who shall include—

''(1) representatives from State trade agencies representing regionally diverse areas; and

''(2) representatives of the departments and agencies that are represented on the TPCC, who are designated by the heads of their respective departments or agencies to advise the head on ways of promoting the exportation of United States goods and services.''.

(g) REPORT ON IMPROVEMENTS TO EXPORT.GOV AS A SINGLE WINDOW FOR EXPORT INFORMATION.—

(1) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Associate Administrator for International Trade of the Small Business Administration shall, after consultation with the entities specified in paragraph (2), submit to the appropriate congressional committees a report that includes the recommendations of the Associate Administrator for improving the experience provided by the Internet website Export.gov (or a successor website) as—

(A) a comprehensive resource for information about exporting articles from the United States; and

(B) a single website for exporters to submit all information required by the Federal Government with respect to the exportation of articles from the United States.

(2) ENTITIES SPECIFIED.—The entities specified in this paragraph are—

(A) small business concerns (as defined in section 3 of the Small Business Act (15 U.S.C. 632)) that are exporters; and

(B) the President's Export Council, State agencies with responsibility for export promotion or export financing, district export councils, and trade associations.

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

(A) the Committee on Small Business and Entrepreneurship and the Committee on Banking, Housing, and Urban Affairs of the Senate; and

(B) the Committee on Small Business and the Committee on Foreign Affairs of the House of Representatives.

(h) SMALL BUSINESS INTERAGENCY TASK FORCE ON EXPORT FINANCING.—

(1) IN GENERAL.—The Administrator of the Small Business Administration, the Secretary of Agriculture, the Export-Import Bank of the United States, and the Overseas Private Investment Corporation shall jointly establish a Small Business Inter-Agency Task Force on Export Financing to—

(A) review and improve Federal export finance programs for small business concerns; and

(B) coordinate the activities of the Federal Government to assist small business concerns seeking to export.

(2) DEFINITION.—In this subsection, the term ''small business concern'' has the meaning given that term in section 3 of the Small Business Act (15 U.S.C. 632).

(i) AVAILABILITY OF STATE RESOURCES GUIDES ON EXPORT.GOV.—The Secretary of Commerce shall make available on the Internet website Export.gov (or a successor website) information on the resources relating to export promotion and export financing available in each State—

(1) organized by State; and

(2) including information on State agencies with responsibility for export promotion or export financing and district export councils and trade associations located in the State.

SA 1417. Ms. HEITKAMP submitted an amendment intended to be proposed to amendment SA 1221 proposed by Mr. HATCH to the bill H.R. 1314, to amend the Internal Revenue Code of 1986 to provide for a right to an administrative appeal relating to adverse determinations of tax-exempt status of certain organizations; which was ordered to lie on the table; as follows:

On page 14, after line 24, add the following:

(v) procedures to ensure the independence and impartiality of arbitrators and to prevent actual and perceived conflicts of interest;

(H) clarifying that, under the dispute settlement mechanism, the burden is on the investor to establish each applicable element of the minimum standard of treatment, based on evidence of the general and consistent practices of the government;

(I) preserving the right of parties to a trade agreement to regulate to protect legitimate public welfare objectives, such as public health, safety, and the environment; and

---

SA 1418. Mr. DAINES submitted an amendment intended to be proposed to amendment SA 1221 proposed by Mr. HATCH to the bill H.R. 1314, to amend the Internal Revenue Code of 1986 to provide for a right to an administrative appeal relating to adverse determinations of tax-exempt status of certain organizations; which was ordered to lie on the table; as follows:

At the end of section 102(b), add the following:

(21) PROTECTION OF INDIAN EXPORTS AND TREATY RIGHTS.—

(A) IN GENERAL.—The principal negotiating objectives of the United States with respect to the protection of exports and treaty rights of Indian tribes are to ensure that—

(i) goods of or for the benefit of Indian tribes may be exported through ports in the United States;

(ii) treaty rights of Indian tribes are protected; and

(iii) goods of or for the benefit of Indian tribes have the opportunity to compete in the world market.

(B) INDIAN TRIBE DEFINED.—In this paragraph, the term ''Indian tribe'' has the meaning given that term in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b).

SA 1419. Mr. SULLIVAN submitted an amendment intended to be proposed to amendment SA 1221 proposed by Mr. HATCH to the bill H.R. 1314, to amend the Internal Revenue Code of 1986 to provide for a right to an administrative appeal relating to adverse determinations of tax-exempt status of certain organizations; which was ordered to lie on the table; as follows:

On page 36, between lines 17 and 18, insert the following:

(21) ENERGY NEGOTIATIONS.—The principal negotiating objectives of the United States with respect to trade in energy products and natural resources, including hydrocarbons such as oil, gas, and coal, and mineral and timber resources, are to obtain competitive opportunities for United States exports of energy products and natural resources in foreign markets substantially equivalent to the competitive opportunities afforded foreign exports of energy products and natural resources in United States markets and to achieve fairer and more open conditions of trade in energy products and natural resources.

SA 1420. Mr. SULLIVAN submitted an amendment intended to be proposed to amendment SA 1221 proposed by Mr. HATCH to the bill H.R. 1314, to amend the Internal Revenue Code of 1986 to provide for a right to an administrative appeal relating to adverse determinations of tax-exempt status of certain organizations; which was ordered to lie on the table; as follows:

On page 36, between lines 17 and 18, insert the following:

(21) FISHERIES NEGOTIATIONS.—The principal negotiating objectives of the United States with respect to trade in fish, seafood, and shellfish products are to obtain competitive opportunities for United States exports of fish, seafood, and shellfish products in foreign markets substantially equivalent to the competitive opportunities afforded foreign exports of fish, seafood, and shellfish products in United States markets and to achieve fairer and more open conditions of trade in fish, seafood, and shellfish products.

SA 1421. Mr. BLUMENTHAL (for himself and Mr. BROWN) submitted an amendment intended to be proposed to amendment SA 1221 proposed by Mr. HATCH to the bill H.R. 1314, to amend the Internal Revenue Code of 1986 to provide for a right to an administrative appeal relating to adverse determinations of tax-exempt status of certain organizations; which was ordered to lie on the table; as follows:

In section 102(b), add at the end the following:

(21) FOOD SAFETY.—The principal negotiating objectives of the United States with respect to food safety are—

(A) to ensure that a trade agreement does not weaken or diminish food safety standards that protect public health;

(B) to promote strong food safety laws and regulations in the United States; and

(C) to maintain and strengthen food safety inspection systems, including the inspection of meat, poultry, seafood, and egg products exported to the United States.

SA 1422. Mr. HEINRICH submitted an amendment intended to be proposed to amendment SA 1221 proposed by Mr. HATCH to the bill H.R. 1314, to amend the Internal Revenue Code of 1986 to provide for a right to an administrative appeal relating to adverse determinations of tax-exempt status of certain organizations; which was ordered to lie on the table; as follows:

On page 116, beginning on line 4, strike ''and occupational safety and health,'' and

insert ''occupational safety and health, compensation in cases of occupational injuries and illnesses, and social security and retirement,''.

SA 1423. Mrs. SHAHEEN submitted an amendment intended to be proposed to amendment SA 1248 submitted by Ms. CANTWELL and intended to be proposed to the amendment SA 1221 proposed by Mr. HATCH to the bill H.R. 1314, to amend the Internal Revenue Code of 1986 to provide for a right to an administrative appeal relating to adverse determinations of tax-exempt status of certain organizations; which was ordered to lie on the table; as follows:

Beginning on page 17 of the amendment, strike line 14 and all that follows through page 18, line 11.

SA 1424. Mrs. FEINSTEIN submitted an amendment intended to be proposed to amendment SA 1221 proposed by Mr. HATCH to the bill H.R. 1314, to amend the Internal Revenue Code of 1986 to provide for a right to an administrative appeal relating to adverse determinations of tax-exempt status of certain organizations; which was ordered to lie on the table; as follows:

At the end, add the following:

TITLE III—TRADE PREFERENCES FOR NEPAL

SEC. 301. SHORT TITLE.

This title may be cited as the ''Nepal Trade Preferences Act''.

SEC. 302. SENSE OF CONGRESS.

It is the sense of Congress that it should be an objective of the United States to use trade policies and trade agreements to contribute to the reduction of poverty and the elimination of hunger.

SEC. 303. ELIGIBILITY REQUIREMENTS.

(a) IN GENERAL.—The President may authorize the provision of preferential treatment under this title to articles that are imported directly from Nepal into the customs territory of the United States pursuant to section 304 if the President determines—

(1) that Nepal meets the requirements set forth in paragraphs (1), (2), and (3) of section 104(a) of the African Growth and Opportunity Act (19 U.S.C. 3703(a)); and

(2) after taking into account the factors set forth in paragraphs (1) through (7) of subsection (c) of section 502 of the Trade Act of 1974 (19 U.S.C. 2462), that Nepal meets the eligibility requirements of such section 502.

(b) WITHDRAWAL, SUSPENSION, OR LIMITATION OF PREFERENTIAL TREATMENT; MANDATORY GRADUATION.—The provisions of subsections (d) and (e) of section 502 of the Trade Act of 1974 (19 U.S.C. 2462) shall apply with respect to Nepal to the same extent and in the same manner as such provisions apply with respect to beneficiary developing countries under title V of that Act (19 U.S.C. 2461 et seq.).

SEC. 304. ELIGIBLE ARTICLES.

(a) IN GENERAL.—An article described in subsection (b) may enter the customs territory of the United States free of duty.

(b) ARTICLES DESCRIBED.—

(1) IN GENERAL.—An article is described in this subsection if—

(A)(i) the article is the growth, product, or manufacture of Nepal; and

(ii) in the case of a textile or apparel article, Nepal is the country of origin of the article, as determined under section 102.1 of title 19, Code of Federal Regulations (as in effect on the day before the date of the enactment of this Act);

(B) the article is imported directly from Nepal into the customs territory of the United States;

(C) the article is classified under any of the following subheadings of the Harmonized Tariff Schedule of the United States (as in effect on the day before the date of the enactment of this Act):

4202.11.00	4202.22.60	4202.92.08
4202.12.20	4202.22.70	4202.92.15
4202.12.40	4202.22.80	4202.92.20
4202.12.60	4202.29.50	4202.92.30
4202.12.80	4202.29.90	4202.92.45
4202.21.60	4202.31.60	4202.92.60
4202.21.90	4202.32.40	4202.92.90
4202.22.15	4202.32.80	4202.99.90
4202.22.40	4202.32.95	4203.29.50
4202.22.45	4202.91.00	
5701.10.90	5702.91.30	5703.10.80
5702.31.20	5702.91.40	5703.90.00
5702.49.20	5702.92.90	5705.00.20
5702.50.40	5702.99.15	
5702.50.59	5703.10.20	
6117.10.60	6214.20.00	6217.10.85
6117.80.85	6214.40.00	6301.90.00
6214.10.10	6214.90.00	6308.00.00
6214.10.20	6216.00.80	
6504.00.90	6505.00.30	6505.00.90
6505.00.08	6505.00.40	6506.99.30
6505.00.15	6505.00.50	6506.99.60
6505.00.20	6505.00.60	
6505.00.25	6505.00.80	

(D) the President determines, after receiving the advice of the United States International Trade Commission in accordance with section 503(e) of the Trade Act of 1974 (19 U.S.C. 2463(e)), that the article is not import-sensitive in the context of imports from Nepal; and

(E) subject to paragraph (3), the sum of the cost or value of the materials produced in, and the direct costs of processing operations performed in, Nepal or the customs territory of the United States is not less than 35 percent of the appraised value of the article at the time it is entered.

(2) EXCLUSIONS.—An article shall not be treated as the growth, product, or manufacture of Nepal for purposes of paragraph (1)(A)(i) by virtue of having merely undergone—

(A) simple combining or packaging operations; or

(B) mere dilution with water or mere dilution with another substance that does not materially alter the characteristics of the article.

(3) LIMITATION ON UNITED STATES COST.—For purposes of paragraph (1)(E), the cost or value of materials produced in, and the direct costs of processing operations performed in, the customs territory of the United States and attributed to the 35-percent requirement under that paragraph may not exceed 15 percent of the appraised value of the article at the time it is entered.

(c) VERIFICATION WITH RESPECT TO TRANSSHIPMENT FOR TEXTILE AND APPAREL ARTICLES.—

(1) IN GENERAL.—Not later than April 1, July 1, October 1, and January 1 of each year, the Commissioner responsible for U.S. Customs and Border Protection shall verify that textile and apparel articles imported from Nepal to which preferential treatment is extended under this title are not being unlawfully transshipped into the United States.

(2) REPORT TO PRESIDENT.—If the Commissioner determines pursuant to paragraph (1) that textile and apparel articles imported from Nepal to which preferential treatment is extended under this title are being unlawfully transshipped into the United States, the Commissioner shall report that determination to the President.

SEC. 305. TRADE FACILITATION AND CAPACITY BUILDING.

(a) FINDINGS.—Congress makes the following findings:

(1) As a land-locked least-developed country, Nepal has severe challenges reaching markets and developing capacity to export goods. As of 2015, exports from Nepal are approximately $800,000,000 per year, with India the major market at $450,000,000 annually. The United States imports about $80,000,000 worth of goods from Nepal, or 10 percent of the total goods exported from Nepal.

(2) The World Bank has found evidence that the overall export competitiveness of Nepal has been declining since 2005. Indices compiled by the World Bank and the Organization for Economic Co-operation and Development found that export costs in Nepal are high with respect to both air cargo and container shipments relative to other low-income countries. Such indices also identify particular weaknesses in Nepal with respect to automation of customs and other trade functions, involvement of local exporters and importers in preparing regulations and trade rules, and export finance.

(3) Implementation by Nepal of the Agreement on Trade Facilitation of the World Trade Organization could directly address some of the weaknesses described in paragraph (2).

(b) ESTABLISHMENT OF TRADE FACILITATION AND CAPACITY BUILDING PROGRAM.—Not later than 180 days after the date of the enactment of this Act, the President shall, in consultation with the Government of Nepal, establish a trade facilitation and capacity building program for Nepal—

(1) to enhance the central export promotion agency of Nepal to support successful exporters and to build awareness among potential exporters in Nepal about opportunities abroad and ways to manage trade documentation and regulations in the United States and other countries;

(2) to provide export finance training for financial institutions in Nepal and the Government of Nepal;

(3) to assist the Government of Nepal in maintaining publication of all trade regulations, forms for exporters and importers, tax and tariff rates, and other documentation relating to exporting goods on the Internet and developing a robust public-private dialogue, through its National Trade Facilitation Committee, for Nepal to identify timelines for implementation of key reforms and solutions, as provided for under the Agreement on Trade Facilitation of the World Trade Organization; and

(4) to increase access to guides for importers and exporters on the Internet, including rules and documentation for United States tariff preference programs.

SEC. 306. REPORTING REQUIREMENT.

Not later than one year after the date of the enactment of this Act, and annually thereafter, the President shall monitor, review, and report to Congress on the implementation of this title, the compliance of Nepal with section 303(a), and the trade and investment policy of the United States with respect to Nepal.

SEC. 307. TERMINATION OF PREFERENTIAL TREATMENT.

No preferential treatment extended under this title shall remain in effect after December 31, 2025.

SEC. 308. EFFECTIVE DATE.

The provisions of this title shall take effect on January 1, 2016.

SA 1425. Ms. HIRONO submitted an amendment intended to be proposed to amendment SA 1221 proposed by Mr. HATCH to the bill H.R. 1314, to amend the Internal Revenue Code of 1986 to provide for a right to an administrative appeal relating to adverse determinations of tax-exempt status of certain organizations; which was ordered to lie on the table; as follows:

At the end of title II, add the following:

SEC. 213. EXTENSION OF ADJUSTMENT ASSISTANCE TO TERRITORIES.

(a) IN GENERAL.—Except as provided in subsection (b), during the period beginning on October 1, 2015, and ending on June 30, 2021, workers, firms, and agricultural commodity producers in American Samoa, the Commonwealth of the Northern Mariana Islands, Guam, or the Virgin Islands of the United States shall be eligible for adjustment assistance under chapters 2 through 6 of title II of the Trade Act of 1974 (19 U.S.C. 2271 et seq.) to the same extent as workers, firms, and agricultural commodity producers in a State (as defined in section 247 of that Act (19 U.S.C. 2319)).

(b) EXCEPTION.—Benefits under sections 231 through 234 of the Trade Act of 1974 (19 U.S.C. 2291 through 2294) and under section 246 of that Act (19 U.S.C. 2318) shall not be available to workers in American Samoa, the Commonwealth of the Northern Mariana Islands, Guam, or the Virgin Islands of the United States.

(c) FORMULA FOR TRAINING FUNDS.—In making distributions of funds for a fiscal year to States under section 236(a)(2) of the Trade Act of 1974 (19 U.S.C. 2296(a)(2)), the Secretary of Labor shall distribute an amount equal to 1 percent of such funds among American Samoa, the Commonwealth of the Northern Mariana Islands, Guam, and the Virgin Islands of the United States, based on criteria established by the Secretary.

(d) REGULATORY CHANGES.—The Secretary of Labor and the heads of other appropriate agencies shall make the necessary changes to the regulations of the Department of Labor and those other agencies in order to carry out this section.

SA 1426. Ms. HIRONO submitted an amendment intended to be proposed to amendment SA 1221 proposed by Mr. HATCH to the bill H.R. 1314, to amend the Internal Revenue Code of 1986 to provide for a right to an administrative appeal relating to adverse determinations of tax-exempt status of certain organizations; which was ordered to lie on the table; as follows:

On page 64, between lines 16 and 17, insert the following:

(f) CONSULTATIONS WITH TRADE ADVISORY COMMITTEES.—

(1) IN GENERAL.—Section 135 of the Trade Act of 1974 (19 U.S.C. 2155) is amended by striking subsection (m) and inserting the following:

''(m) CONGRESSIONAL CONSULTATIONS WITH ADVISORY COMMITTEES.—

''(1) CONSULTATIONS BY CONGRESSIONAL COMMITTEES.—An appropriate congressional committee may request consultations with an advisory committee established under subsection (b) or (c) with respect to trade agreements in effect or negotiations for trade agreements.

''(2) CONSULTATIONS BY MEMBERS OF CONGRESS AND CONGRESSIONAL STAFF.—Members of Congress and staff of such Members with proper security clearances may consult with individual members of an advisory committee established under subsection (b) or (c) with respect to negotiations for trade agreements in effect or negotiations for trade agreements.

''(3) APPLICABILITY OF CERTAIN FACA REQUIREMENTS.—The approval of the designated Federal officer for an advisory committee established under subsection (b) or (c) shall not be required with respect to consultations under paragraphs (1) and (2).

''(n) REPORTS.—

''(1) IN GENERAL.—An advisory committee established under subsection (b) or (c) may at any time submit to the President a report on matters being considered by the committee without the approval of the designated Federal officer for that committee.

''(2) SUBMISSION TO CONGRESS.—A report submitted to the President under paragraph (1), including any dissenting or minority views, shall be submitted to the appropriate congressional committees and Members of Congress and staff of such Members with proper security clearances.

''(3) PUBLIC AVAILABILITY.—If a report of an advisory committee submitted to the President under paragraph (1) does not include any classified information, the advisory committee may request the designated Federal officer for that committee to make the report available to the public.

''(o) DEFINITIONS.—In this section:

''(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term 'appropriate congressional committees' means—

''(A) the Committee on Ways and Means of the House of Representatives and the Committee on Finance of the Senate; and

''(B) any other committee of the House or the Senate with jurisdiction over laws that are or could be affected by a trade agreement.

''(2) DESIGNATED FEDERAL OFFICER.—The term 'designated Federal officer' means an officer or employee of the Federal Government designated to chair or attend each meeting of each advisory committee under section 10(e) of the Federal Advisory Committee Act (5 U.S.C. App.).

''(3) NON-FEDERAL GOVERNMENT.—The term 'non-Federal government' means—

''(A) any State, territory, or possession of the United States, or the District of Columbia, or any political subdivision thereof; or

''(B) any agency or instrumentality of any entity described in subparagraph (A).

''(4) PROPER SECURITY CLEARANCES.—The term 'proper security clearances' has the meaning of that term as used in section 104 of the Bipartisan Congressional Trade Priorities and Accountability Act of 2015.''.

(2) REQUIREMENTS FOR MEETINGS.—Section 135 of such Act is amended—

(A) in subsection (b)—

(i) in paragraph (2), by striking the first sentence; and

(ii) by adding at the end the following:

''(4) The committee shall meet as needed at the call of the chairman of the committee or at the call of one-third of the members of the committee. The designated Federal officer shall be notified of any such meeting and shall provide notice of the meeting in accordance with section 10 of the Federal Advisory Committee Act (5 U.S.C. App.), but, notwithstanding any provision of that Act, the attendance of such officer at the meeting is not required.''; and

(B) in subsection (c), by adding at the end the following:

''(5) A committee established under paragraph (1), (2), or (3) shall meet as needed at the call of the chairman of the committee or at the call of one-third of the members of the committee. The designated Federal officer shall be notified of any such meeting and shall provide notice of the meeting in accordance with section 10 of the Federal Advisory Committee Act (5 U.S.C. App.), but, notwithstanding any provision of that Act, the attendance of such officer at the meeting is not required.''.

SA 1427. Mr. SCHATZ submitted an amendment intended to be proposed to amendment SA 1221 proposed by Mr. HATCH to the bill H.R. 1314, to amend the Internal Revenue Code of 1986 to provide for a right to an administrative appeal relating to adverse determinations of tax-exempt status of certain organizations; which was ordered to lie on the table; as follows:

On page 24, between lines 11 and 12, insert the following:

(iv) adopts and maintains, in national laws, regulations, or measures, prohibitions against trading across borders in products harvested or exported in violation of national laws that seek to protect wildlife, forests, or living marine resources,

---

SA 1428. Mr. SANDERS submitted an amendment intended to be proposed to amendment SA 1221 proposed by Mr. HATCH to the bill H.R. 1314, to amend the Internal Revenue Code of 1986 to provide for a right to an administrative appeal relating to adverse determinations of tax-exempt status of certain organizations; which was ordered to lie on the table; as follows:

At the end of section 106(b), add the following:

(7) LIMITATIONS ON PROCEDURES WITH RESPECT TO AGREEMENTS WITH CERTAIN COUNTRIES.—The trade authorities procedures shall not apply to any implementing bill submitted with respect to a trade agreement or trade agreements entered into under section 103(b) with a country with respect to which the United States has not yet promulgated import rules as required by section 804(b) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 384(b)).

SA 1429. Mr. SANDERS submitted an amendment intended to be proposed to amendment SA 1221 proposed by Mr. HATCH to the bill H.R. 1314, to amend the Internal Revenue Code of 1986 to provide for a right to an administrative appeal relating to adverse determinations of tax-exempt status of certain organizations; which was ordered to lie on the table; as follows:

At the end of section 106(b), add the following:

(7) LIMITATIONS ON PROCEDURES WITH RESPECT TO AGREEMENTS WITH CERTAIN COUNTRIES.—The trade authorities procedures shall not apply to any implementing bill submitted with respect to a trade agreement or trade agreements entered into under section 103(b) with a country with respect to which the United States has not yet promulgated import rules regulating the importation of prescription drugs.

SA 1430. Mr. MENENDEZ submitted an amendment intended to be proposed to amendment SA 1221 proposed by Mr. HATCH to the bill H.R. 1314, to amend the Internal Revenue Code of 1986 to provide for a right to an administrative appeal relating to adverse determinations of tax-exempt status of certain organizations; which was ordered to lie on the table; as follows:

On page 100, between lines 13 and 14, insert the following:

(B) EXCEPTION.—

(i) INVOKING EXCEPTION.—If the President submits to the appropriate congressional committees a letter stating that a country subject to subparagraph (A) has taken concrete actions to implement the principal recommendations in the most recent annual report on trafficking in persons, this paragraph shall not apply with respect to agreements with that country.

(ii) CONTENT OF LETTER; PUBLIC AVAILABILITY.—A letter submitted under clause (i) with respect to a country shall—

(I) include a description of the concrete actions that the country has taken to implement the principal recommendations described in clause (i); and

(II) be made available to the public.

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

(I) the Committee on Ways and Means and the Committee on Foreign Affairs of the House of Representatives; and

(II) the Committee on Finance and the Committee on Foreign Relations of the Senate.

SA 1431. Mr. TILLIS submitted an amendment intended to be proposed by him to the bill H.R. 1314, to amend the Internal Revenue Code of 1986 to provide for a right to an administrative appeal relating to adverse determinations of tax-exempt status of certain organizations; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. INFORMATION REGARDING H–2B VISA ISSUANCE.

The Secretary of Homeland Security may not authorize any official of the Department of Homeland Security to travel to any conference or symposium until after the Secretary—

(1) has submitted to Congress, and made publicly available—

(A) the methodology used to determine when the numerical limitation on H–2B visas set forth in section 214(g)(1)(B) of the Immigration and Nationality Act (8 U.S.C. 1184(g)(1)(B)) has been reached for each of fiscal years 2012 through 2015, including the number of petitions for such status that had been accepted by U.S. Citizenship and Immigration Services at the time such determination was made; and

(B) the number of petitions for H–2B visas that had been received by U.S. Citizenship and Immigration Services for fiscal year 2015—

(i) on or before March 5, 2015;

(ii) on or before March 17, 2015; and

(iii) on or before March 26, 2015;

(2) has conducted a study that confirms the efficacy of the methodology used by the Department of Homeland Security to determine whether the numerical limitation referred to in paragraph (1) has been reached;

(3) submits a report to Congress information that contains—

(A) information about any investigations or lawsuits regarding the methodology described in paragraph (2);

(B) any revisions made to such methodology during the past 10 fiscal years;

(C) contemporaneous work product establishing how the numerical limitation referred to in paragraph (1) was calculated during the past 10 fiscal years;

(D) a complete statement of the methodology for determining when the H–2B visa cap is reached for a fiscal year; and

(E) the number of ''target beneficiaries'' for the first 6 months and for the last 6 months of fiscal year 2015.

SA 1432. Mr. FRANKEN (for himself and Ms. STABENOW) submitted an amendment intended to be proposed to amendment SA 1221 proposed by Mr. HATCH to the bill H.R. 1314, to amend the Internal Revenue Code of 1986 to provide for a right to an administrative appeal relating to adverse determinations of tax-exempt status of certain organizations; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. COMMUNITY COLLEGE TO CAREER FUND.

(a) SHORT TITLE.—This section may be cited as the ''Community College to Career Fund Act''.

(b) COMMUNITY COLLEGE TO CAREER FUND.—Title I of the Workforce Innovation and Opportunity Act is amended by adding at the end the following:

''Subtitle F—Community College to Career Fund

''SEC. 199. COMMUNITY COLLEGE AND INDUSTRY PARTNERSHIPS PROGRAM.

''(a) GRANTS AUTHORIZED.—From funds appropriated under section 199A, the Secretary of Labor (in coordination with the Secretary of Education and the Secretary of Commerce) shall award competitive grants to eligible entities described in subsection (b) for the purpose of developing, offering, improving, and providing educational or career training programs for workers.

''(b) ELIGIBLE ENTITY.—

''(1) PARTNERSHIPS WITH EMPLOYERS OR AN EMPLOYER OR INDUSTRY PARTNERSHIP.—

''(A) GENERAL DEFINITION.—For purposes of this section, an 'eligible entity' means any of the entities described in subparagraph (B) (or a consortium of any of such entities) in partnership with employers or an employer or industry partnership representing multiple employers.

''(B) DESCRIPTION OF ENTITIES.—The entities described in this subparagraph are—

''(i) a community college;

''(ii) a 4-year public institution of higher education (as defined in section 101(a) of the Higher Education Act of 1965 (20 U.S.C. 1001(a))) that offers 2-year degrees, and that will use funds provided under this section for activities at the certificate and associate degree levels;

''(iii) a Tribal College or University (as defined in section 316(b) of the Higher Education Act of 1965 (20 U.S.C. 1059c(b))); or

''(iv) a private or nonprofit, 2-year institution of higher education (as defined in section 102 of the Higher Education Act of 1965 (20 U.S.C. 1002)) in the Commonwealth of Puerto Rico, Guam, the United States Virgin Islands, American Samoa, the Commonwealth of the Northern Mariana Islands, the Republic of the Marshall Islands, the Federated States of Micronesia, or the Republic of Palau.

''(2) ADDITIONAL PARTNERS.—

''(A) AUTHORIZATION OF ADDITIONAL PARTNERS.—In addition to partnering with employers or an employer or industry partnership representing multiple employers as described in paragraph (1)(A), an entity described in paragraph (1) may include in the partnership described in paragraph (1) 1 or more of the organizations described in subparagraph (B). Each eligible entity that includes 1 or more such organizations shall collaborate with the State or local board in the area served by the eligible entity.

''(B) ORGANIZATIONS.—The organizations described in this subparagraph are as follows:

''(i) A provider of adult education (as defined in section 203) or an institution of higher education (as defined in section 101 of the Higher Education Act of 1965 (20 U.S.C. 1001)).

''(ii) A community-based organization.

''(iii) A joint labor-management partnership.

''(iv) A State or local board.

''(v) Any other organization that the Secretaries consider appropriate.

''(c) EDUCATIONAL OR CAREER TRAINING PROGRAM.—For purposes of this section, the Governor of the State in which at least 1 of the entities described in subsection (b)(1)(B) of an eligible entity is located shall establish criteria for an educational or career training program leading to a recognized postsecondary credential for which an eligible entity submits a grant proposal under subsection (d).

''(d) APPLICATION.—An eligible entity seeking a grant under this section shall submit an application containing a grant proposal, for an educational or career training program leading to a recognized postsecondary credential, to the Secretaries at such time and containing such information as the Secretaries determine is required, including a detailed description of—

''(1) the extent to which the educational or career training program described in the grant proposal fits within an overall strategic plan consisting of—

''(A) the State plan described in section 102 or 103, for the State involved;

''(B) the local plan described in section 108, for each local area that comprises a significant portion of the area to be served by the eligible entity; and

''(C) a strategic plan developed by the eligible entity;

''(2) the extent to which the program will meet the needs of employers in the area for skilled workers in in-demand industry sectors and occupations;

''(3) the extent to which the program will meet the educational or career training needs of workers in the area;

''(4) the specific educational or career training program and how the program meets the criteria established under subsection (e), including the manner in which the grant will be used to develop, offer, improve, and provide the educational or career training program;

''(5) any previous experience of the eligible entity in providing educational or career training programs, the absence of which shall not automatically disqualify an eligible institution from receiving a grant under this section; and

''(6) how the program leading to the credential meets the criteria described in subsection (c).

''(e) CRITERIA FOR AWARD.—

''(1) IN GENERAL.—Grants under this section shall be awarded based on criteria established by the Secretaries, that include the following:

''(A) A determination of the merits of the grant proposal submitted by the eligible entity involved to develop, offer, improve, and provide an educational or career training program to be made available to workers.

''(B) An assessment of the likely employment opportunities available in the area to individuals who complete an educational or career training program that the eligible entity proposes to develop, offer, improve, and provide.

''(C) An assessment of prior demand for training programs by individuals eligible for training and served by the eligible entity, as well as availability and capacity of existing (as of the date of the assessment) training programs to meet future demand for training programs.

''(2) PRIORITY.—In awarding grants under this section, the Secretaries shall give priority to eligible entities that—

''(A) include a partnership, with employers or an employer or industry partnership, that—

''(i) pays a portion of the costs of educational or career training programs; or

''(ii) agrees to hire individuals who have attained a recognized postsecondary credential resulting from the educational or career training program of the eligible entity;

''(B) enter into a partnership with a labor organization or labor-management training program to provide, through the program, technical expertise for occupationally specific education necessary for a recognized postsecondary credential leading to a skilled occupation in an in-demand industry sector;

''(C) are focused on serving individuals with barriers to employment, low-income, non-traditional students, students who are dislocated workers, students who are veterans, or students who are long-term unemployed;

''(D) include any eligible entities serving areas with high unemployment rates;

''(E) are eligible entities that include an institution of higher education eligible for assistance under title III or V of the Higher Education Act of 1965 (20 U.S.C. 1051 et seq.; 20 U.S.C. 1101 et seq.); and

''(F) include a partnership, with employers or an employer or industry partnership, that increases domestic production of goods.

''(f) USE OF FUNDS.—Grant funds awarded under this section shall be used for one or more of the following:

''(1) The development, offering, improvement, and provision of educational or career training programs, that provide relevant job training for skilled occupations, that lead to recognized postsecondary credentials, that will meet the needs of employers in in-demand industry sectors, and that may include registered apprenticeship programs, on-the-job training programs, and programs that support employers in upgrading the skills of their workforce.

''(2) The development and implementation of policies and programs to expand opportunities for students to earn a recognized postsecondary credential, including a degree, in in-demand industry sectors and occupations, including by—

''(A) facilitating the transfer of academic credits between institutions of higher education, including the transfer of academic credits for courses in the same field of study;

''(B) expanding articulation agreements and policies that guarantee transfers between such institutions, including through common course numbering and use of a general core curriculum; and

''(C) developing or enhancing student support services programs.

''(3) The creation of career pathway programs that provide a sequence of education and occupational training that leads to a recognized postsecondary credential, including a degree, including programs that—

''(A) blend basic skills and occupational training;

''(B) facilitate means of transitioning participants from non-credit occupational, basic skills, or developmental coursework to for-credit coursework within and across institutions;

''(C) build or enhance linkages, including the development of dual enrollment programs and early college high schools, between secondary education or adult education programs (including programs established under the Carl D. Perkins Career and Technical Education Act of 2006 (20 U.S.C. 2301 et seq.) and title II of this Act);

''(D) are innovative programs designed to increase the provision of training for students, including students who are members of the National Guard or Reserves, to enter skilled occupations in in-demand industry sectors; and

''(E) support paid internships that will allow students to simultaneously earn credit for work-based learning and gain relevant employment experience in an in-demand industry sector or occupation, which shall include opportunities that transition individuals into employment.

''(4) The development and implementation of—

''(A) a Pay-for-Performance program that leads to a recognized postsecondary credential, for which an eligible entity agrees to be reimbursed under the grant primarily on the basis of achievement of specified performance outcomes and criteria agreed to by the Secretary; or

''(B) a Pay-for-Success program that leads to a recognized postsecondary credential, for which an eligible entity—

''(i) enters into a partnership with an investor, such as a philanthropic organization that provides funding for a specific project to address a clear and measurable educational or career training need in the area to be served under the grant; and

''(ii) agrees to be reimbursed under the grant only if the project achieves specified performance outcomes and criteria agreed to by the Secretary.

''SEC. 199A. AUTHORIZATION OF APPROPRIATIONS.

''(a) IN GENERAL.—There are authorized to be appropriated such sums as may be necessary to carry out the program established by section 199.

''(b) ADMINISTRATIVE COST.—Not more than 5 percent of the amounts made available under subsection (a) may be used by the Secretaries to administer the program described in that subsection, including providing technical assistance and carrying out evaluations for the program described in that subsection.

''(c) PERIOD OF AVAILABILITY.—The funds appropriated pursuant to subsection (a) for a fiscal year shall be available for Federal obligation for that fiscal year and the succeeding 2 fiscal years.

''SEC. 199B. DEFINITION.

''For purposes of this subtitle, the term 'community college' has the meaning given the term 'junior or community college' in section 312(f) of the Higher Education Act of 1965 (20 U.S.C. 1058(f)).''.

(c) CONFORMING AMENDMENT.—The table of contents for the Workforce Innovation and Opportunity Act is amended by inserting after the items relating to subtitle E of title I the following:

''Subtitle F—Community College to Career Fund

''Sec. 199. Community college and industry partnerships program.

''Sec. 199A. Authorization of appropriations.

''Sec. 199B. Definition.''.

(d) EFFECTIVE DATE.—This section, including the amendments made by this section, take effect as if included in the Workforce Innovation and Opportunity Act.

SA 1433. Ms. BALDWIN submitted an amendment intended to be proposed to amendment SA 1312 submitted by Mr. INHOFE (for himself and Mr. COONS) to the amendment SA 1221 proposed by Mr. HATCH to the bill H.R. 1314, to amend the Internal Revenue Code of 1986 to provide for a right to an administrative appeal relating to adverse determinations of tax-exempt status of certain organizations; which was ordered to lie on the table; as follows:

At the end of the amendment, add the following:

SEC. ___. TRANSSHIPMENT OF LIGHTWEIGHT THERMAL PAPER.

(a) IN GENERAL.—The Commissioner responsible for U.S. Customs and Border Protection (in this section referred to as the ''Commissioner'') shall direct appropriate personnel and resources of U.S. Customs and Border Protection to address concerns that lightweight thermal paper is being imported into the United States in violation of the customs and trade laws of the United States.

(b) DATABASE OF CHARACTERISTICS OF IMPORTED LIGHTWEIGHT THERMAL PAPER.—

(1) IN GENERAL.—The Commissioner shall, in consultation with the Secretary of Commerce, compile a database of the individual characteristics of lightweight thermal paper produced in foreign countries, especially lightweight thermal paper produced in the People's Republic of China, Malaysia, Taiwan, South Korea, Spain, Finland, Japan, Thailand, and Germany, to facilitate the verification of country of origin markings of lightweight thermal paper imported into the United States.

(2) ENGAGEMENT WITH FOREIGN GOVERNMENTS.—The Commissioner shall seek to engage the customs agencies of foreign governments for assistance in compiling the database described in paragraph (1).

(3) CONSULTATION WITH INDUSTRY.—In compiling the database described in paragraph (1), the Commissioner shall consult with entities in the lightweight thermal paper industry regarding the development of industry standards for identification of lightweight thermal paper.

(c) REPORT REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Commissioner shall submit to Congress a report that—

(1) describes and assesses the limitations in the existing analysis capabilities of laboratories with respect to determining the country of origin of samples of lightweight thermal paper; and

(2) includes any recommendations of the Commissioner for improving such capabilities.

(d) SENSE OF CONGRESS.—It is the sense of Congress that the Secretary of Commerce should promptly establish a national standard of identity for lightweight thermal paper for the Commissioner to use to ensure that imports of lightweight thermal paper are—

(1) classified accurately for purposes of assessing duties; and

(2) denied entry into the United States if such imports pose a threat to the domestic lightweight thermal paper industry.

SA 1434. Mr. HATCH submitted an amendment intended to be proposed to amendment SA 1251 submitted by Mr. BROWN (for himself, Mr. PETERS, Mr. SCHUMER, Ms. STABENOW, Mr. MENENDEZ, and Mr. CASEY) to the amendment SA 1221 proposed by Mr. HATCH to the bill H.R. 1314, to amend the Internal Revenue Code of 1986 to provide for a right to an administrative appeal relating to adverse determinations of tax-exempt status of certain organizations; which was ordered to lie on the table; as follows:

Beginning on page 1 of the amendment, strike ''ADDITIONAL COUNTRIES'' on line 2 and all that follows and insert the following:

PROCEDURES WITH RESPECT TO AGREEMENTS WITH COUNTRIES NOT IN COMPLIANCE WITH TRAFFICKING VICTIMS PROTECTION ACT OF 2000.—

(1) INVOKING EXCEPTION.—If the President submits to the appropriate congressional committees a letter stating that a country subject to paragraph (6) of section 106(b) has taken concrete actions to implement the principal recommendations in the most recent annual report on trafficking in persons described in that paragraph, that paragraph shall not apply with respect to agreements with that country.

(2) CONTENT OF LETTER; PUBLIC AVAILABILITY.—A letter submitted under paragraph (1) with respect to a country shall—

(A) include a description of the concrete actions that the country has taken to implement the principal recommendations described in paragraph (1); and

(B) be made available to the public.

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

(A) the Committee on Ways and Means and the Committee on Foreign Affairs of the House of Representatives; and

(B) the Committee on Finance and the Committee on Foreign Relations of the Senate.

SA 1435. Mr. HATCH submitted an amendment intended to be proposed to amendment SA 1327 submitted by Ms. WARREN (for herself, Ms. HEITKAMP, Mr. MANCHIN, Mr. DURBIN, Mrs. BOXER, Mr. BROWN, Mr. CASEY, Mr. FRANKEN, Mr. BLUMENTHAL, Ms. BALDWIN, Mr. MARKEY, Mr. PETERS, Mr. WHITEHOUSE, Mr. SCHATZ, Mr. UDALL, and Mr. HEINRICH) to the amendment SA 1221 proposed by Mr. HATCH to the bill H.R. 1314, to amend the Internal Revenue Code of 1986 to provide for a right to an administrative appeal relating to adverse determinations of tax-exempt status of certain organizations; which was ordered to lie on the table; as follows:

Beginning on page 1 of the amendment, strike ''FOR AGREEMENTS'' on line 2 and all that follows and insert the following:

ADDITIONAL OVERALL NEGOTIATING OBJECTIVE.—In addition to the objectives set forth in section 102(a), an overall negotiating objective of the United States for trade agreements entered into under section 103 is to ensure that such agreements do not require changes to the immigration laws of the United States.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

Mr. CORNYN. Mr. President, I ask unanimous consent that the Committee on Commerce, Science, and Transportation be authorized to meet during the session of the Senate on May 20, 2015, at 10:30 a.m., in room SR–253 of the Russell Senate Office Building.

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

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

Mr. CORNYN. Mr. President, I ask unanimous consent that the Committee on Commerce, Science, and Transportation be authorized to meet during the session of the Senate on May 20, 2015, at 2:30 p.m., in room SR–253 of the Russell Senate Office Building to conduct a Subcommittee hearing entitled ''Improvements and Innovations in Fishery Management and Data Collection.''

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

COMMITTEE ON FOREIGN RELATIONS

Mr. CORNYN. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on May 20, 2015, at 10 a.m., to conduct a hearing entitled ''U.S. Cuban Relations—The Way Forward.''

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

COMMITTEE ON FOREIGN RELATIONS

Mr. CORNYN. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on May 20, 2015, at 2:30 p.m., to conduct a hearing entitled ''Nominations.''

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

COMMITTEE ON HEALTH, EDUCATION, LABOR AND PENSIONS

Mr. CORNYN. Mr. President, I ask unanimous consent that the Committee on Health, Education, Labor and Pensions be authorized to meet during the session of the Senate on May 20, 2015, at 10 a.m., in room SD–430 of the Dirksen Senate Office Building to conduct a hearing entitled ''Reauthorizing the Higher Education Act: Exploring Institutional Risk-sharing.''

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

COMMITTEE ON INDIAN AFFAIRS

Mr. CORNYN. Mr. President, I ask unanimous consent that the Committee on Indian Affairs be authorized to meet during the session of the Senate on May 20, 2015, in room SD-628 of the Dirksen Senate Office Building, at 2:15 p.m., to conduct a hearing entitled ''Addressing the Needs of Native Communities Through Indian Water Rights Settlements.''

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

COMMITTEE ON VETERANS' AFFAIRS

Mr. CORNYN. Mr. President, I ask unanimous consent that the Committee on Veterans' Affairs be authorized to meet during the session of the Senate on May 20, 2015, at 10 a.m., in room SH-216 of the Hart Senate Office Building.

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

SPECIAL COMMITTEE ON AGING

Mr. CORNYN. Mr. President, I ask unanimous consent that the Special Committee on Aging be authorized to meet during the session of the Senate on May 20, 2015, in room SD-562 of the Dirksen Senate Office Building, at 2:15 p.m., to conduct a hearing entitled ''Challenging the Status Quo: Solutions to the Hospital Observation Stay Crisis.''

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

SUBCOMMITTEE ON THE CONSTITUTION

Mr. CORNYN. Mr. President, I ask unanimous consent that the Committee on the Judiciary, Subcommittee on the Constitution, be authorized to meet during the session of the Senate on May 20, 2015, at 2:30 p.m., in room SD-226 of the Dirksen Senate Office Building, to conduct a hearing entitled ''Taking Sexual Assault Seriously: The Rape Kit Backlog and Human Rights.''

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

SUBCOMMITTEE ON REGULATORY AFFAIRS AND FEDERAL MANAGEMENT

Mr. CORNYN. Mr. President, I ask unanimous consent that the Subcommittee on Regulatory Affairs and Federal Management of the Committee on Homeland Security and Governmental Affairs be authorized to meet during the session of the Senate on May 20, 2015, at 10 a.m., to conduct a hearing entitled ''21st Century Ideas for the 20th Century Federal Civil Service.''

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

SUBCOMMITTEE ON SUPERFUND, WASTE MANAGEMENT, AND REGULATORY OVERSIGHT

Mr. CORNYN. Mr. President, I ask unanimous consent that the Subcommittee on Superfund, Waste Management, and Regulatory Oversight of the Committee on Environment and Public Works be authorized to meet during the session of the Senate on

May 20, 2015, at 9:30 a.m., in room SD-406 of the Dirksen Senate Office Building, to conduct a hearing entitled, ''Oversight of Scientific Advisory Panels and Processes at the Environmental Protection Agency.''

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

CORRECTING THE ENROLLMENT OF S. 178

Mr. CASSIDY. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of H. Con. Res. 47, which is at the desk.

The PRESIDING OFFICER. The clerk will report the concurrent resolution by title.

The senior assistant legislative clerk read as follows:

A concurrent resolution (H. Con. Res. 47) to correct the enrollment of S. 178.

There being no objection, the Senate proceeded to consider the concurrent resolution.

Mr. CASSIDY. I ask unanimous consent that the concurrent resolution be agreed to and the motion to reconsider be laid upon the table with no intervening action or debate.

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

The concurrent resolution (H. Con. Res. 47) was agreed to.

MEASURE READ THE FIRST TIME—H.R. 2353

Mr. CASSIDY. Mr. President, I understand there is a bill at the desk and I ask for its first reading.

The PRESIDING OFFICER. The clerk will read the bill by title for the first time.

The senior assistant legislative clerk read as follows:

A bill (H.R. 2353) to provide an extension of Federal-aid highway, highway safety, motor carrier safety, transit, and other programs funded out of the Highway Trust Fund, and for other purposes.

Mr. CASSIDY. I now ask for a second reading and, in order to place the bill on the calendar under the provisions of rule XIV, I object to my own request.

The PRESIDING OFFICER. Objection having been heard, the bill will be read for the second time on the next legislative day.

ORDERS FOR THURSDAY, MAY 21, 2015

Mr. CASSIDY. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 9 a.m., Thursday, May 21; that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, and the time for the two leaders be reserved for their use later in the day; that following leader remarks, the Senate then resume consideration of H.R. 1314, with the time until the cloture vote at 10 a.m. equally divided in the usual form.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

ADJOURNMENT UNTIL 9 A.M. TOMORROW

Mr. CASSIDY. If there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the previous order.

There being no objection, the Senate, at 11:57 p.m., adjourned until Thursday, May 21, 2015, at 9 a.m.

EXTENSIONS OF REMARKS

COMMEMORATING THE 240TH ANNIVERSARY OF THE MECKLENBURG DECLARATION OF INDEPENDENCE

HON. RICHARD HUDSON

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 20, 2015

Mr. HUDSON. Mr. Speaker, it is with great pride that I rise today to commemorate the 240th anniversary of the Mecklenburg Declaration of Independence.

Meck Dec Day marks a defining moment in our nation's history when brave North Carolinians—united by their common pursuit of freedom—stepped forward to become the very first Americans to declare independence from the tyrannical crown of Great Britain.

This courageous act of defiance paved the way for the establishment of the United States of America and our great experiment in democracy.

North Carolina's bold leaders and citizens resisted British occupation during the Revolutionary War, prompting British Commander General Cornwallis to describe our fearless city as ''a hornet's nest of rebellion.''

It's in this spirit that our community continues to stand for liberty, justice and freedom.

I am so proud of our heritage and for the leadership that the State of North Carolina continues to provide this great nation.

Mr. Speaker, on this historic anniversary, I want to congratulate the city of Charlotte and all North Carolinians.

I welcome each and every one of my colleagues to join us in celebrating this important moment in our history and the great North Carolinians who risked everything to lay claim to our rights and freedom.

HONORING ARMY PRIVATE HENRY JOHNSON AND ARMY SERGEANT WILLIAM SHEMIN

HON. JOHN KATKO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 20, 2015

Mr. KATKO. Mr. Speaker, I rise today to honor the brave service of Army Private Henry Johnson and Army Sergeant William Shemin. Army Private Henry Johnson and Army Sergeant William Shemin valiantly fought to defend our nation during World War I.

Army Private Henry Johnson entered the Army on June 5, 1917. He served in Company C, the 15th New York Infantry Regiment, an all-black National Guard unit. In 1918, Army Private Henry Johnson's unit, then the 369th Infantry Regiment, was ordered into battle in France and fought in front-line combat. Army Private Johnson courageously risked his life to defend those of his fellow soldiers.

Army Sergeant William Shemin entered the Army on October 2, 1917. He served as a member of Company G, 2nd Battalion, 47th Infantry Regiment, 4th Division, American Expeditionary Forces, originally located in Syracuse, New York. In May of 1918, Army Sergeant Shemin arrived in France to fight as a rifleman within his platoon. Army Sergeant Shemin not only put himself in danger to rescue his wounded fellow soldiers, but also took command of his platoon following the death of his superior officers.

Army Private Henry Johnson and Army Sergeant William Shemin proudly served and represented New York and our entire nation. Nearly 100 years after their service, Army Private Henry Johnson and Army Sergeant William Shemin will be awarded the Medal of Honor by President Obama on June 2nd. It is a privilege to share in the recognition of these American heroes, Army Private Henry Johnson and Army Sergeant William Shemin.

HONORING ALIVIA DAVIS, WINNER OF THE 2015 FOURTH CONGRESSIONAL DISTRICT OF FLORIDA ART COMPETITION

HON. ANDER CRENSHAW

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 20, 2015

Mr. CRENSHAW. Mr. Speaker, I rise today to recognize Alivia Davis, winner of the 2015 Fourth Congressional District of Florida Art Competition in my home town of Jacksonville, Florida. Nationally, the Congressional Art Competition recognizes some of the finest high school student artists, and there is no doubt that Alivia belongs among this illustrious group. Her drawing, titled ''Magnif.eyed,'' could not be a better representation of the artistic ability of Northeast Florida, and I am proud to recognize her on the House Floor today.

Alivia recently completed her freshman year of high school at Stanton College Preparatory School, an academically renowned public high school in Jacksonville. Competing against thousands of high school students across the Fourth Congressional District, Alivia's artistic ability and execution set her apart from the rest. Alivia's ''Magnif.eyed'' depicts her younger brother's face as seen beneath a magnifying glass. The attention to detail is extraordinary; the hair is vivid and lifelike, the eyes incredibly vibrant, and the shading meticulously applied. Alivia shows artistic skills far beyond her years.

Alivia comes from a large and loving family. Her proud father and mother, Daniel and Rebekah, as well as her siblings Caroline, Christian, and Gabe, have been a constant source of support throughout her life. Tony Wood, art teacher at Stanton College Preparatory School, and a renowned artist himself, has paintings displayed in various art galleries around Jacksonville. He mentored and encouraged Alivia to submit her artwork for the competition, and I can only hope that in her upcoming years at Stanton, he will continue to guide Alivia in all of her artistic abilities.

I am honored to recognize Alivia Davis as the winner of the Fourth Congressional District Art Competition, and I could not be happier to see her drawing hang in the halls of Congress over the next year, proudly representing Northeast Florida. Alivia has a bright future ahead of her. Regardless of what that future holds, whether that be to pursue her artistic talents or otherwise, I believe that she will always find success.

RECOGNIZING NACHA ON ENABLING UBIQUITOUS SAME-DAY PAYMENTS DURING DIRECT DEPOSIT AND DIRECT PAYMENT VIA ACH MONTH

HON. GERALD E. CONNOLLY

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 20, 2015

Mr. CONNOLLY. Mr. Speaker, I rise to recognize May as the Direct Deposit and Direct Payment via Automated Clearing House (ACH) Month. NACHA—The Electronic Payments Association serves as trustee of the ACH Network, enabling payments such as direct deposit and direct payment via ACH. Annually, the network processes 23 billion ACH transactions valued at more than $40 trillion. As a self-governing, collaborative rule maker and educator, NACHA helps to expand and diversify electronic payments, ensuring the Network remains universal and secure, creating value, and enabling innovation for all participants.

To coincide with this year's recognition of Direct Deposit and Direct Payment via ACH Month, the NACHA membership has approved an Operating Rules change to enable same-day settlement capabilities for virtually any ACH transaction. The proposal received broad support from financial institutions, businesses, government agencies and regulators, consumer groups, and other interested parties. This new same-day service ACH allows the financial services industry to offer an option to consumers, businesses and governments, who want to move their money faster.

I commend NACHA's commitment to enhancing the versatility and improving the strength of the ACH Network for consumers, governments, businesses, and financial institutions that rely on the network to move their money via ACH. This introduction of same-day ACH is an immediate action undertaken by financial institutions to modernize the payments system, and it creates a building block for a variety of innovative products and services.

Mr. Speaker, I ask that my colleagues join me in recognizing NACHA—The Electronic Payments Association for its work to move payments safely and more efficiently through same-day ACH and in recognizing May as Direct Deposit and Direct Payment via ACH Month.

AMERICAN COMMUNITY SURVEY ON THE WAY TO 3 MILLION HOMES

HON. TED POE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 20, 2015

Mr. POE of Texas. Mr. Speaker, it's Friday night. You come home from work, tired and hungry for supper.

There is a big stack of mail on the table you sift through, including one piece addressed to you from the government.

You open the envelope only to find a survey. The survey asks you a series of questions like: How many toilets do you have in your house? When do you leave and return from work? Does anyone in your home suffer from mental illness? Does your house have a sink with a faucet? Do you have a refrigerator?

This government-mandated questionnaire is known as the American Community Survey. Three million Americans each year are "lucky" enough to be selected to answer this mandatory survey. The American Community Survey is independent from the Census. This survey is more intrusive, more personal and more time consuming. Not to mention, it is 28 pages long and mandatory.

Understandably, many people dismiss this survey, tossing it out or feeling too uncomfortable to divulge such personal information. But throwing it away does not make it disappear.

If you fail to answer the survey, the government will come after you. It begins with phone calls. If the calls go unanswered or the survey is incomplete, the calls will increase from weekly to daily. Then the eyes of the federal government are sent to houses of the unwilling, to ring the doorbell and peek in the window. This is harassment. No one wants the government doing drop-ins to their home. Quite the opposite, the majority of Americans want the government to leave them alone. And on top of all the harassment and intimidation by Census Bureau emissaries, citizens who still choose not to answer, are threatened with a criminal penalty, and in some cases face up to a $5,000 fine.

In an effort to help protect American's privacy, I reintroduced legislation that would make the American Community Survey voluntary. This survey is another example of unnecessary and completely unwarranted government intrusion.

The federal government has no right to force Americans to divulge such private information, especially information that they are uncomfortable giving away.

But this is happening all over America and even right here in Southeast Texas. I have had neighbors contact me for years complaining about this government harassment.

According to the Constitution, article 1, section 2, a count of the nation's population is required to be conducted every ten years. The purpose of the Census is to apportion congressional seats and levy direct taxes. But the American Community Survey achieves none of that, except information on American's toilet flushing patterns.

I believe in a limited government and will work to protect American citizens from government abuse and harassment. Bottom line, Americans should have the choice on whether they want to tell Washington how many toilets they have.

And that's just the way it is.

CELEBRATING 50TH ANNIVERSARY OF HEAD START

HON. G. K. BUTTERFIELD

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 20, 2015

Mr. BUTTERFIELD. Mr. Speaker, I rise to congratulate and celebrate Head Start on its 50th year of service to children and families. Fifty years ago yesterday, President Lyndon Johnson stood in the White House Rose Garden and announced the creation of Head Start.

This pioneering federal program became a foundation of his historic anti-poverty plan. Head Start was designed to ensure that children from low-income families had access to a quality early childhood education.

This program has long served as a catalyst for long-term educational achievement and is considered the nation's premier school readiness program.

Head Start recognizes that parents are the initial and most important educators in their child's life and works to inspire and support affirmative parental involvement with their children.

In addition to building strong parent-child relationships, Head Start along with Early Head Start, provides extensive services to promote strong mental, social, and emotional development in children from birth to age five.

Head Start also provides children and their families with health screenings and nutritional education, among other integral services. The services offered to our communities by Head Start are copious and invaluable.

Evidence-based studies have shown Head Start to be tremendously effective at promoting academic success in school, avoiding crime, and fostering the development of productive, successful leaders.

Head Start is one of the longest running programs in the United States whose mission is to address systemic poverty, and it has indeed yielded impressive results.

In just 2014, Head Start served over 20,000 children and families in North Carolina alone, including nearly 5,000 in my congressional district. Since its creation 50 years ago, more than 32 million children and families have reaped the benefits of Head Start.

Mr. Speaker, I ask that my colleagues join me in congratulating Head Start for 50 years of service and enrichment to our nation's children and their families. Its involvement in the lives of our young people is exceptionally significant and deserving of our sincere appreciation.

IN HONOR OF LIFEGUARD THOMAS HOLT

HON. JUAN VARGAS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 20, 2015

Mr. VARGAS. Mr. Speaker, I rise today to honor Thomas Holt for the outstanding commitment and dedication he has demonstrated to the City of Imperial Beach. Mr. Holt started his public service as an ocean lifeguard in 1967. During his 47 years of service, Thomas Holt made thousands of ocean rescues and provided medical aid to hundreds of beach visitors.

On March 1, 2014, Mr. Holt officially retired at the age of 70. His service is a remarkable achievement in the ocean lifeguarding field. Mr. Holt is recognized by his lifeguard colleagues and the community of Imperial Beach as a hardworking, reliable and dedicated mentor.

Mr. Holt has devoted his life to preserving the lives of others. His outstanding achievements, his leadership and his commitment to the people of California's 51st District, are an inspiration to us all.

RECOGNIZING ST. JOHN'S–ST. ANDREW'S CATHOLIC SCHOOL CENTENNIAL

HON. TOM EMMER

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 20, 2015

Mr. EMMER of Minnesota. Mr. Speaker, I rise today in honor of St. John's–St. Andrew's Catholic School in Meire Grove, Minnesota, as it celebrates its centennial.

Founded in 1915, the current schoolhouse was built to meet the growing needs of a thriving Catholic community. After years of remodeling and improvements, and a shift towards being a parochial school, St. John's–St. Andrew's now consists of 40 families. An impressive growth, considering Catholic education in the area began with a deserted log church and 20 children.

For a century, central Minnesotans have sent their sons and daughters to this historic school knowing that they will receive a substantive education centered around Christ. For many, this Catholic tradition spans several generations.

I pray that these children continue to grow in their faith and that they continue to follow Christ's example of service and respect.

Mr. Speaker, I ask that this body join me in congratulating St. John's–St. Andrew's Catholic School on 100 years, and thanking them for building such a strong Catholic-educated community. May their success continue for decades to come.

INTRODUCTION OF THE COLUMBIA RIVER BASIN RESTORATION ACT

HON. EARL BLUMENAUER

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 20, 2015

Mr. BLUMENAUER. Mr. Speaker, I am pleased to introduce the Columbia River Basin Restoration Act, a bill that would bring much needed resources to clean up toxic pollution in the Columbia River Basin. The Columbia River is the largest river in the Pacific Northwest. The River and its tributaries provide significant ecological and economic benefits to the Pacific Northwest and the entire United States. Historically, the Columbia and its tributaries have constituted the largest salmon-producing river system in the world, with annual returns peaking at 16 million fish.

The Columbia River was designated an Estuary of National Significance in 1995 and a Large Aquatic Ecosystem (LAE) by the Environmental Protection Agency (EPA) in 2006. Yet it remains the only LAE to receive zero Congressional funding pursuant to this designation—despite a growing problem of toxic contamination throughout the River Basin.

Toxic contaminants are present throughout the Columbia River Basin and are harmful to public health and ecosystem health. These contaminants make their way into fish tissues, which when consumed can be damaging to human health. Some of these toxics are known to increase cancer risks and have been linked with neurological, developmental and reproductive problems, including birth defects and learning disabilities. This concern is particularly pressing for tribal populations, who rely on local fish as a dietary and cultural staple and consume large quantities of resident fish. In wildlife, contaminants increase mortality and disease susceptibility and impair reproduction and the ability of the fish to avoid predators.

In 2013, the States of Oregon and Washington issued fish advisories warning the public to protect itself against mercury and PCB contamination by limiting consumption of resident fish species living in the 150 mile stretch of river between Bonneville and McNary Dams.

This bill authorizes the EPA to establish a voluntary, competitive Columbia River Basin grants program to support projects aimed at reducing pollution, cleaning up contaminated sites, improving water quality, monitoring the Basin, and promoting citizen engagement. Eligible entities may include States, tribal and local governments, nonprofits, and private landowners. The legislation authorizes $50 million per year for five years for this effort, which is estimated to create between 700 and 1,000 family wage jobs per year in the region.

The Columbia River is the lifeblood of the Pacific Northwest, but it has become dangerously polluted. It is time to clean up the Columbia River and improve water quality and river health for generations to come.

IN RECOGNITION OF COL. ALFRED ROBERT FRENCH II

HON. RUBEN GALLEGO

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 20, 2015

Mr. GALLEGO. Mr. Speaker, I rise today to salute, congratulate and recognize Col. Alfred Robert French II, M.D., for his distinguished military career and years of dedicated service to our nation as we celebrate his upcoming 89th birthday.

Col. French II was raised in Bisbee, AZ and attended Bisbee High School, Wentworth Military Academy and Valley Forge Military Academy, graduating in 1944. Upon graduation, Col. French sought immediate induction into the U.S. Army and his journey in the service of our nation began in a crowded ship that left Brooklyn, New York, bound for Le Havre, France.

Upon arrival, Col. French II was requisitioned by the 61st Signal Battalion of the Third Army and began his service as a driver and a courier in Eider Oberstein, Germany. On occasion, he would drive through Germany, the Netherlands, Belgium, Luxemburg and France, all in one day. He also spent time in the Saar Protectorate, and then moved to Neckersulm, Germany, where he served as a Guard in a Displaced Persons (DP) camp.

Col. French was eventually transferred to Heidelberg, Germany and assigned to the 79th field Artillery group. There, Col. French II had the honor of attending General Patton's funeral service.

Col. French II returned to Phoenix, AZ, and studied at the University of Arizona. Soon after, however, he decided to continue his service to our country by reenlisting in the Army. He was deployed to Japan with the Army of Occupation and subsequently participated in the first battle of the Korean War as part of Task Force Smith, the first U.S. ground maneuver unit to enter combat in Korea.

Throughout his years of service, Col. French II has won numerous awards and distinctions, including the Bronze Star Medal, the Combat Infantry Badge, the Korean Service Medal, and the UN Service Medal.

After the war, Col. French II returned to Phoenix, AZ, and utilized the G.I. Bill to receive a B.S. from Arizona State University. He later graduated from Tulane Medical School with a specialty in Ophthalmology in 1959 and joined his father, Harry French, M.D., in private practice. Col. French II joined the Army National Guard in 1976 and served until 1993.

Mr. Speaker, Col. Alfred French II is a proud member of the Greatest Generation. He fought for our freedom in two different wars and has lived a life defined by service and integrity. I am deeply honored to recognize all that Col. French II has achieved and pleased to congratulate him as he celebrates his 89th birthday.

HONORING COACH BILL GUTHRIDGE

HON. DAVID E. PRICE

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 20, 2015

Mr. PRICE of North Carolina. Mr. Speaker, I come to the floor today to honor the memory of Bill Guthridge, long-time basketball coach at UNC-Chapel Hill, a skilled and dedicated mentor and leader on and off the court.

Bill is best remembered for his illustrious coaching career. He won two national championships in three decades alongside Coach Dean Smith, and he was an assistant coach on the gold medal-winning 1976 Olympic basketball team. After Dean retired, Bill was named head coach of the Tar Heels and took Carolina to two Final Fours in three seasons. All told, he played or coached in more Final Fours than anyone else in NCAA history.

Bill was content to operate behind the scenes, and he liked to tell the story that he and his wife Leesie enjoyed an anniversary dinner in Chapel Hill the night before he took over for Coach Smith without being recognized by a single student or basketball fan.

But anyone who knew anything about Carolina basketball understood the critical contribution that Bill made to the program, and his passing on May 12 has brought forth a torrent of fond memories and tributes.

Those tributes include an appreciation for the remarkable role Bill and Leesie have played in the community of Chapel Hill since their arrival in 1967. I have personally appreciated their encouragement and counsel, and my wife and I have admired the generosity with which they have extended themselves to support numerous good and visionary causes. As a former UNC student, I particularly appreciate their efforts to renovate and modernize the Undergraduate Library through the creation of the William W. and Elise P. Guthridge Library Fund.

I am not alone in appreciating Bill Guthridge's contribution to our community. Ask anyone who knew him—and many who didn't—and you will hear about his quiet devotion to the students he coached, his loyalty to his colleagues and friends, and his commitment to community betterment.

I feel very fortunate to have called Bill Guthridge a friend, and I am honored to pay tribute to his many contributions and the lasting impact they have made on the University and the community.

PERSONAL EXPLANATION

HON. BARBARA LEE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 20, 2015

Ms. LEE. Mr. Speaker, I was not present for roll call votes 240 through 242.

Had I been present, I would have voted yes on #240, yes on #241, and yes on #242.

IN RECOGNITION OF 2015 EASTERN AREA CONFERENCE OF THE LINKS, INCORPORATED

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 20, 2015

Mr. RANGEL. Mr. Speaker, from April 22nd through April 26th, 2015, The Eastern Area of the Links, Incorporated hosted their 43rd Eastern Area Conference at the elegant Foxwoods Resort and Casino in Connecticut. This year's conference theme ''Leveraging the Legacy of Friendship and Service'' is apropos as we congratulate the 2015 Eastern Area Conference Co-Chairs Sister Links Price and Wilson for organizing this annual meeting. The Eastern Area of the Links is comprised of 73 chapters in the states of Connecticut, Delaware, the District of Columbia, Maryland, Massachusetts, New Jersey, New York, Pennsylvania, Rhode Island, and Virginia.

As one of the nation's oldest and largest volunteer service organizations of extraordinary women, the Links are committed to enriching, sustaining and ensuring the culture and economic survival of African Americans and other persons of African ancestry. With a membership of 12,000 professional women of color, which also includes my beautiful wife Alma Rangel and my daughter Alicia, the Links Incorporated has established 274 chapters in forty-two states and in three sovereign nations.

Throughout my public and political career, I have witnessed the astonishing work and outstanding community service provided by The Eastern Area of the Links, which has attracted hundreds of distinguished individual achievers and accomplished women of color, who continue to make a difference for our most vulnerable communities in the Eastern States of our Nation. Today, under the leadership of Eastern Area Director Dianne S. Hardison, the outstanding programming of the Eastern Area of the Links, Incorporated has five facets which include Services to Youth, The Arts, National Trends and Services, International Trends and Services, and Health and Human Services.

The Eastern Area of the Links initiated a Women's Issues Program, under the Chairmanship of Dr. Marcella Maxwell that evolved into a National Trends Facet Component. The focus of the Women's Issues Program for 2013–2015 was to honor and empower Women who have served in our Nation's Armed Forces as they transitioned from military life to civilian life. The Eastern Area Links initiated programs to mentor, educate, train, and employ women veterans as they transitioned from Combat to Corporate.

Partnering with Dress For Success, FedEx, Citi Corporation, Home Depot, Macy's, College and Universities; and veteran organizations such as the 369th Veterans' Association, New York City Mayor's Office of Military Affairs, Veterans of Foreign Wars, the American Legion, Temple University, Syracuse University, Philadelphia Community College, Medgar Evers College, York College, and the Borough of Manhattan College of the City University of New York, the Eastern Area of the Links Combat to Corporate program has successfully given women veterans, many of whom are single mothers and homeless the opportunity to achieve the American dream and raise their families with dignity and resources.

Mr. Speaker, I ask that you and my esteemed colleagues of the great Eastern States of our Union join me in recognition of the 2015 Eastern Area Conference of the Links, Incorporated, which has focused its mission to support Women Veterans From Combat to Corporate and Women in the Armed Forces that continue to serve our Country proudly and with distinction today.

REMEMBERING MAURIE BERMAN

HON. MIKE QUIGLEY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 20, 2015

Mr. QUIGLEY. Mr. Speaker, I rise today to remember and honor the life of an important and respected member of the Chicago community.

On May 17th we lost a local legend. Mr. Maurie Berman, founder of the famous Superdawg passed away at the age of 89.

After serving his nation in WWII, Mr. Berman returned to Chicago to serve his community. His vision was to serve delicious Chicago style hotdogs without customers even having to leave their cars. In May 1948, Maurie and his wife, Flaurie, opened the first Superdawg at the end of the streetcar line at Devon and Milwaukee Avenues in Chicago. It would be one of the first drive-in restaurants of its time with Flaurie as the first car-hop.

Almost 60 years later, and countless hungry people fed, Superdawg has become a Chicago institution. The business has been passed down from generation to generation with Maurie's great-granddaughter putting in her first shift just a few weeks ago.

Mr. Berman was known not only for serving one of the best hotdogs, but also for being a truly caring person. He was a loving husband, father, grandfather, great-grandfather, friend as well as a highly respected member of his community. Maurie never missed an opportunity to help his employees in times of need.

I ask my fellow colleagues to join me in honoring and celebrating the life and accomplishments of Mr. Maurie Berman.

IN HONOR OF THE 2014 FAIRFAX COUNTY LAND CONSERVATION AND TREE PRESERVATION AWARDEES

HON. GERALD E. CONNOLLY

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 20, 2015

Mr. CONNOLLY. Mr. Speaker, I rise to recognize the recipients of Fairfax County 2014 Land Conservation and Tree Preservation and Planting Awards. Fairfax County is considered one of the best counties in the nation in which to live, work, and raise a family. One reason for this designation is the innovative environmental protection policies that have been implemented by the County and embraced by its business partners, and I was pleased to have led that effort during my tenure as Chairman of the Board of Supervisors. These awards recognize the following developers, designers, and site superintendents, who have excelled in their stewardship of the environment:

LARGE COMMERCIAL: CINDER BED ROAD BUS DIVISION

Owner: Washington Metropolitan Area Transit Authority
Project Manager: Fred Robertson
Superintendent: Denver Callahan
Contractor: Strittmatter Contracting, LLC
Engineer: Wendel
Site Inspector: Jim Getts

LARGE SINGLE FAMILY RESIDENTIAL: GAMBRILL POINTE

Owner: Brookfield Ridge Road, LLC
Project Manager: Scott Gookin & James T. Devine
Superintendent: Donnie Stewart & Billy Huff
Contractor: William A. Hazel, Inc.
Engineer: Land Design Consultants, Inc.
Site Inspector: Keith Anthony

SMALL SINGLE FAMILY RESIDENTIAL: ABBOTS WOOD

Owner: Palisades Development, LLC
Project Manager: Mike Dropik
Superintendent: Donnie Stewart & Billy Huff
Contractor: William A. Hazel, Inc.
Engineer: Walter L. Phillips, Inc.
Site Inspector: Jim Getts

INFILL LOT: 9022 FALLS RUN ROAD, MCLEAN

Owner: Joe & Sarah Shamess
Project Manager: Ross Richmond
Superintendent: Rich Shaffer
Contractor: Joy Custom Design Build, LLC
Engineer: LS2 PC Engineering
Site Inspector: Frank Degboe

Outstanding Engineering Firms: Wendel (Cinder Bed Road Bus Division)

Outstanding Superintendent: Clarke Newbill and Billy Huff (Gambrill Pointe)

Outstanding Contractor: Strittmatter Contracting, LLC (Cinder Bed Road Bus Division)

Outstanding Developer/Owner: Washington Metropolitan Area Transit Authority (Cinder Bed Road Bus Division)

Certificate of Voluntary Merit: Jackson Ayers, Member of Boy Scouts of America, Troop 1539, Eagle Scout Service Project

Best Protected Environmentally Sensitive Site: Washington Metropolitan Area Transit Authority (Cinder Bed Road Bus Division)

Outstanding E/S Inspectors of the Year: Frank Degboe (North Branch), Jorge Tagle (Central Branch), Jim Getts (South Branch)

Outstanding E/S Plan Reviewers of the Year: Roshna Gafoor (North Branch), Jennifer Vargas (Central Branch), Ambachew Nigatu (South Branch)

TREE PLANTING AWARDS:

Project: Capital One—Rt. 123 Median and Tree Transplanting
Developer: Capital One
Design: William H. Gordon and Associates, Inc.
Landscaper: Ruppert Landscape, Inc. Davis/Gilford Construction

Project: East Market at Fair Lake, Phase III
Developer: Peterson Companies
Design: Lewis Scully Gionet TWS Designs, Inc.
Landscaper: KT Enterprises

Project: Jennings Toyota
Developer: Chesapeake Contracting Group

Design: Walter L. Phillips, Inc.
Landscaper: Live Green

Project: Newington DVS Maintenance Facility
Developer: EE Reed Construction
Design: Adtek Engineers
Landscaper: Blake Landscapes

TREE PRESERVATION AWARD RECIPIENTS:

Project: National Library for the Study of George Washington
Developer: Mount Vernon Ladies' Association
Engineer: Rummel Klepper & Kahl
Tree Preservation Consultant: The Care of Trees
Tree Preservation Contractor: Bartlett Tree Experts

Project: The Preserve at Scott's Run
Builder: Stanley Martin Homes
Engineer: Land Design Consultants
Tree Preservation Consultant: Zimar & Associates

Project: Unitarian Universalist Congregation of Fairfax
Developer: UUCF
Engineer: Bowman Consulting Group, Ltd
Tree Preservation Consultant: Davey Resource Group
Tree Preservation Contractor: The Care of Trees

Mr. Speaker, I ask my colleagues to join me in congratulating these honorees. Fairfax County and its residents have benefitted greatly from the collaborative spirit that is represented by these awards today, and I thank each of the awardees for their efforts.

IN SUPPORT OF THE TOM LANTOS FOUNDATION FOR HUMAN RIGHTS ANNUAL SOLIDARITY SABBATH

HON. ALCEE L. HASTINGS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 20, 2015

Mr. HASTINGS. Mr. Speaker, I rise today in support of the Tom Lantos Foundation for Human Rights' annual Solidarity Sabbath. Held on May 22, 2015, this trans-Atlantic event provides a timely and unique framework within which leaders here in the United States and Europe can express solidarity with the Jewish community at a time when acts of social cohesion are more urgent than ever.

The Solidarity Sabbath encourages leaders of all faiths, races, and backgrounds to band together in support of Jewish communities across North America and Europe by participating in a range of Sabbath services and related activities. In the current geo-political climate, where we have seen the ugly resurgence of anti-Semitism and Holocaust denial, particularly in Europe, it is imperative that we unite against intolerance and baseless hatred. I urge leaders both at home and abroad to participate in this important event and stand up for tolerance, peace and co-existence. When leaders of diverse backgrounds come together in defense of fundamental human rights, all of our communities are the beneficiaries.

Indeed, this Solidarity Sabbath initiative is most timely. Sadly, in the past few months we have witnessed a dramatic surge in anti-Semitic incidents across Europe, including the January murders of four Jewish customers at a kosher supermarket in Paris, and the murder of a Jewish man guarding a synagogue in Copenhagen in February. Painful, vivid memories are being resurrected as Jewish communities around Europe are once again living under the cloud of social hostility, embarrassment and violent threats.

It is imperative that we stand with the Jewish community and demand that our European allies work diligently and without delay to confront and put an end to these heinous acts. Hatred and persecution based on race or religion have no place in our world. Each and every one of us has the responsibility to make our own communities safer and more tolerant.

For this very reason, I am pleased to have recently introduced a bipartisan resolution with Representative ROBERT DOLD of Illinois to combat the rise of anti-Semitism in Europe, which encourages our European friends to counter this disturbing trend while also committing the United States to abetting this effort in every way possible.

Mr. Speaker, the power of togetherness cannot be overemphasized. Indeed, it is the bond shared by those of us dedicated to love and tolerance that will form the basis upon which we will defeat bigotry and demagoguery in all of its forms. I urge my colleagues to stand with me in this important expression of tolerance and co-existence.

TRIBUTE TO SHERIFF MICHAEL ''MIKE'' SCROGGINS

HON. LUKE MESSER

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 20, 2015

Mr. MESSER. Mr. Speaker, I rise today to pay tribute to the life of Sheriff Michael ''Mike'' Scroggins, a devoted civil servant and longtime political leader in Delaware County.

Mike is a lifelong Hoosier and leaves behind a legacy of public service in our state. After nearly 30 years as a police officer, including 11 years as a Uniform Division Commander, he ran successfully for Delaware County Sheriff in both 2010 and 2014. He is also a proud graduate of the respected FBI National Academy.

He devoted his entire adult life to protecting and bettering his community and for that he will always be remembered. Sheriff Scroggins was a member of Whitney Lodge #229, the Indiana Sheriff's Association, and the Mt. Olive Community Church. He was also actively involved with the Delaware County Council, making public appearances regularly to advocate for his officers and his department. In his free time, Mike enjoyed fishing trips and spending time with his family.

Today, it is my privilege to honor the life of Mike Scroggins. My thoughts and prayers go out to Mike's family, and may God comfort those left behind with his peace and strength.

TRIBUTE TO VICTIMS OF THE ARMENIAN GENOCIDE

HON. ADAM B. SCHIFF

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 20, 2015

Mr. SCHIFF. Mr. Speaker, I rise today to memorialize and record a courageous story of survival of the Armenian Genocide. The Armenian Genocide, perpetrated by the Ottoman Empire from 1915 to 1923, resulted in the death of 1.5 million Armenian men, women, and children. As the U.S. Ambassador to the Ottoman Empire, Henry Morgenthau documented at the time, it was a campaign of ''race extermination.''

The campaign to annihilate the Armenian people failed, as illustrated by the proud Armenian nation and prosperous diaspora. It is difficult if not impossible to find an Armenian family not touched by the genocide, and while there are some survivors still with us, it is imperative that we record their stories. Through the Armenian Genocide Congressional Record Project, I hope to document the harrowing stories of the survivors in an effort to preserve their accounts and to help educate the Members of Congress now and in the future of the necessity of recognizing the Armenian Genocide. Below is one of those stories:

FROM ARSHALOUS DARBINYAN, AN ARMENIAN WOMAN, ON BEHALF OF HER FATHER, BABKEN VARDANI DARBINYAN, AND GRANDPARENTS, ARSHALOUS MARKARI DARBINYAN AND VARDAN SARKISI DARBINYAN

Arshalous Markari Darbinyan was happily married to Vardan Sarkisi Darbinyan. The Darbinyans were one of the wealthy families of Van. They were well respected community intellectual leaders. In the spring of 1915, at the time of deportation and forced relocation Arshalous Darbinyan was an expectant mother. Andranik Zorava (a very close friend of the family) personally appointed one of his assistants to deliver a carriage to the Darbinyan residence. They left everything behind, the house and most of their belongings. In a chaotic rush they were forced to even bury their gold and most of the jewelry in their garden, and left behind the pharmacy they owned. The handmade carpets and rugs, and furniture were stuffed in the wine cellar, as they naively believed that once everything settled they would return home.

Unfortunately, when they were halfway there in the middle of the road the carriage flipped over. Arshalous was injured the most. She lost her baby. Also, she received several injuries on her face. Her husband, though in pain himself did his best to help cope with the situation. They suffered emotionally and physically, went through hardships, eyewitnessed the genocide and were lucky enough to survive. They were separated from their siblings, and the family was scattered around the world. Some of them ended up in Fresno, CA and the rest settled in Armenia.

CITATION TO RECOGNIZE BRIGADIER GENERAL DENNIS D. DOYLE, DEPUTY CHIEF OF STAFF, G–3/5/7, OFFICE OF THE SURGEON GENERAL, U.S. ARMY

HON. MARCY KAPTUR

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 20, 2015

Ms. KAPTUR. Mr. Speaker, we cannot thank our public servants enough for the job that they do for this country day in and day out. The Federal Government simply cannot function properly without good leaders who are committed to the world and security of our Nation.

BG Dennis Doyle distinguished himself by exceptionally meritorious service and superb achievements to the Office of the Surgeon General and the United States Army from 1 November 2005 to 1 November 2015 while serving in a succession of several high positions of great importance. His outstanding leadership, passionate pursuit of excellence, and tireless efforts greatly contributed to the overall readiness of the Army, the transformation of Army Medicine to a System for Health and the delivery of high quality health care to our Armed Forces. During his tenure as Commander of the 10th Combat Support Hospital (CSH) in Fort Carson, Colorado, BG Doyle was hand selected to also command the 43rd Area Support Group (Rear) while the 4th Infantry Division deployed. He superbly commanded both organizations ensuring the Group sustained a high level of readiness in support of Fort Carson tenant units. He proved a staunch supporter to the installation, community, and all post operations supporting deployed Fort Carson units in combat. While deployed with the 10th CSH, BG Doyle delivered world class combat health care for nearly 40,000 patients, which included 4,000 admissions and over 8,500 operating room procedures with many of these involving the most difficult combat trauma cases in the world. His success in this tremendously challenging mission was recognized as magnificent not only by his chain of command but also by the U.S. Ambassador, the Commander of Multinational Forces-Iraq, the Commander of Multinational Coalition-Iraq, the Iraqi Prime Minister, and many U.S. and Iraqi government officials. BG Doyle served as the Deputy Commander for Administration at Walter Reed Army Medical Center (WRAMC). During that time, Walter Reed was the largest military treatment facility in the Department of Defense and flagship for Army Medicine and Home of Warrior Care. During his tenure, BG Doyle's results-oriented approach ensured the command's success in every facet of customer service, operations, personnel readiness, and adequacy of human and monetary capital. He oversaw the establishment of a one stop welcome center to ease the logistical burden for our Warfighters and their Family Members. His keen administrative acumen and innovative problem solving were the driving force in over $24M in facility renovations, $4M in housekeeping service enhancements, improved logistics customer response times, and the establishment of a 24/7 operations cell.

Following Walter Reed, BG Doyle was centrally selected to command the 30th Medical Command (MEDCOM) in Germany. Despite assuming command just nine days before deploying to Operation Enduring Freedom, Afghanistan, BG Doyle expertly led his team to quickly assume its critical role as the first Theater Medical Command for Afghanistan, Task Force 30th MEDCOM. Combat seasoned, creative, articulate, technically and tactically proficient, and solution oriented, BG Doyle consistently provided sound, balanced operational advice as the medical Task Force Commander and USFOR–A Surgeon. His joint service command assessed the USFOR–A medical infrastructure and organization and took action to ensure the finest care was provided for all U.S., Coalition, and Afghan forces by a deliberate redistribution of scarce medical resources. He directed a comprehensive analysis of health service support for Regional Command West expansion efforts resulting in the development of force request that met the regional commander's need. BG Doyle led a joint team that provided unmatched combat health service support across the Combined Joint Operations Area—Afghanistan and delivered the highest war time survival rates up to that point in the conflict. A strategic thinker, BG Doyle also forged solid international relations with ISAF medical partners and host Nation assets to ensure unity of effect and effort for all medical assets in the area of responsibility. After Europe, the Surgeon General hand selected BG Doyle to command the William Beaumont Medical Center (WBAMC) in Fort Bliss, Texas. During this period, he also served as the Deputy Commanding General (DCG)—Readiness for Western Regional Medical Command (WRMC) and Chief of the Medical Service Corps. BG Doyle quickly transformed the William Beaumont culture to fully support the Fort Bliss transition from a TRADOC installation to the Army's largest and busiest FORSCOM power projection platform. He exploited partnering with the Veterans' Affairs for a mutually efficient use of limited resources resulting in the award of the largest Fiscal Year 12 VA/DOD Joint Incentive Fund project valued at over $5M. His team also opened a new WTB campus, established a collocated Integrated Disability Evaluation System site, and launched Embedded Behavioral Health, and Child and Family Assistance Centers. The Surgeon General recognized BG Doyle as a transformational leader and once again hand picked him to command the Pacific Regional Medical Command knowing that he possessed all the skill sets required to direct and influence the right Army Medicine capabilities in support of the Army's and DoD's rebalancing strategy. He was also designated as Commanding General, Tripler Army Medical Center, U.S. Army Pacific Surgeon, Chief, Medical Service Corps, and Manager for the Hawaii enhanced Multi-Service Market (eMSM). His overall performance and contributions were nothing short of stellar.

Balancing five hats, he effective established connections, and strengthened and influenced strategic partnerships with PACOM countries including Korea, Japan, Philippines and Thailand. His PRMC team provided unmatched support to USARPAC and USPACOM interests in the Asia-Pacific. His strategic leadership inspired trust in the health system throughout the Pacific achieving consistent patient satisfaction rates of over 85 percent. In addition, PRMC's Integrative Pain Management Center ranked as the best in the Army because of the close clinical collaboration with multiple disciplines and an emphasis on weaning Soldiers off their pain medication drugs. PRMC was recognized as one of the most productive Regional Medical Commands exceeding patient safety standards and quality measures as well as leading the way in an external accreditation survey and Risk Management oversight spanning the entire PACOM area of responsibility with facilities in Korea, Japan, and Hawaii. The Surgeon General personally selected BG Doyle to serve as her Deputy Chief of Staff, G–3/5/7 based on unequalled operational experience, strategic acumen and proven leadership. His transformative excellence was deemed an imperative during a period of significant cultural and organizational transformation. Upon assuming his role, BG Doyle was immediately faced with operationalizing The Surgeon General's transformation from a healthcare system to a System for Health. He infused irreversible momentum in promoting the Performance Triad, the primary mechanism to influence readiness and health by targeting Sleep, Activity and Nutrition behaviors for Soldiers, Family members and all 3.9 million beneficiaries. In the Total Army Force concept, BG Doyle has also been instrumental in driving toward COMPO 2 and implementation with full support from the Chief of the Army Reserve and Army National Guard. The nuances of implementation in the Reserve Components have been fully explored to ensure that this is executable for our Citizen Soldiers. Furthermore, BG Doyle's operational perspective was instrumental in ensuring the direct correlation of Army Medicine command structures with supported Army Corps and ASCC commanders. The decisions currently being enacted represent the largest organizational changes in the past few decades and will ensure that MEDCOM is a balanced, agile and streamlined organization postured to support Army Force 2025 and Beyond concepts. In parallel with the command's deliberate, strategic initiatives, BG Doyle served as the single mission command focal point synchronizing and integrating TSG/CG, MEDCOM command guidance for the command despite geographic dispersion across five continents and supporting roles to COCOMs and ASCCs. This superb operational coordination/synchronization was accomplished through the Army's largest Direct Reporting Unit, a complex, integrated Army-wide health service system. BG Doyle's bold, transformational leadership was the driving force for the brilliant translation of command intent and communication throughout the staff and major subordinate commands and was affected in an extremely dynamic environment immediately following OTSG/MEDCOM OneStaff reorganization. His passionate desire to lead the preeminent healthcare force in the world: the best led, trained and equipped for without peer, has raised the collective skill level and efforts of the entire headquarters. As a result of tireless, direct engagement on the part of BG Doyle, the command now functions with superior efficiency in establishing core or

functional crisis action teams and integrated process action teams to respond to a wide array of complex problem sets. All of Army Medicine's System for Health efforts are grounded in the imperative to optimize performance. Every provider to patient interaction will be viewed through the lens of improving the development, performance, resilience and accelerated rehabilitation of the Professional Soldier Athlete. Through his efforts BG Doyle has established the MEDCOM G–3/5/7 function as the preeminent staff element of its kind in support of the Army's largest direct reporting unit. He has ensured the success of the MEDCOM through the essential task of synchronizing the efforts of the command and communicating the mission, vision and intent of the commander. His impact on this command and the Army is immeasurable. BG Doyle represents the very best of Army and Nation.

Brigadier General Doyle's distinctive accomplishments reflect the highest credit upon himself and the Department of Defense.''

FORECLOSURE PROTECTION FOR MILITARY SERVICEMEMBERS LEGISLATION

HON. STEPHEN LEE FINCHER

OF TENNESEE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 20, 2015

Mr. FINCHER. Mr. Speaker, as our economy continues to recover, some military servicemembers, particularly those leaving active duty, are facing financial challenges, such as finding new employment, among other things. Additionally, a slow recovering real-estate market in some areas of the country can make it difficult for military members to sell their homes or purchase new ones upon receiving new orders.

That's why I'm introducing legislation today, with the gentleman from Washington, Mr. DENNY HECK, to provide a one year extension of foreclosure protection for military servicemembers leaving active duty. In 2014, Congress extended the Servicemembers Civil Relief Act protection against foreclosure for military personnel to a year post-military service to help give servicemembers time to get on their feet financially and avoid the stress of potentially losing their home. These financial challenges still exist for many servicemembers, particularly those reacclimating to civilian life after serving abroad.

Our nation's military personnel are the best in the world, willingly putting their lives on the lines to protect our freedoms every day. The least we can do for them is to ensure they have a home when they leave active duty service.

The gentleman from Washington, Mr. HECK, and I are pleased to be introducing this bill today. I encourage my colleagues to join me in supporting this legislation.

TRIBUTE TO NORA TRAMPE

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 20, 2015

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and congratulate Nora Trampe upon winning the Congressional Art Competition in the 3rd Congressional District of Iowa. Nora, a senior at Roosevelt High School, is the daughter of Dr. Kate Garst of Des Moines, Iowa.

The Congressional Art Competition, ''An Artistic Discovery,'' is open to high school students nationwide. Since 1982, the competition has been an opportunity for Members of Congress to encourage and recognize the artistic talents of their young constituents. The winner is selected by a panel of 16 judges, one from each county in Iowa's 3rd District.

Nora's piece, ''100% Awesome,'' was named the winner out of over 75 entries. It is a unique and creative piece that symbolizes all the things that make Iowa such a special place. Nora's creativity and dedication to her craft is admirable. The example set by this young woman demonstrates the rewards of harnessing one's talents and sharing them with the world. ''100% Awesome'' will be displayed in the halls of the Capitol for all to admire and enjoy.

I commend Nora for her artistic talents and I know that my colleagues in the United States Congress will join me in congratulating her for being chosen as the winner of the Congressional Art Competition in the 3rd Congressional District of Iowa. It is an honor to serve Iowans like Nora and I wish her the best of luck in her future academic and artistic endeavors.

THANKS JIM CARR FOR YOUR YEARS OF SERVICE TO SPRING VALLEY LAKE

HON. PAUL COOK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 20, 2015

Mr. COOK. Mr. Speaker, I rise today to thank James H. Carr aka ''Jim Carr'' who is being recognized for his many years of service to the Spring Valley Lake Community and the Spring Valley Lake Country Club.

1980 was the beginning of the Carr family's life at Spring Valley Lake and Spring Valley Lake Country Club. After completion of Jim's ''SVL weekender home'' in 1980 the first 8 years of weekends were like ''mini-vacations'' of fishing, and golf with little thought as to the ramifications of both national and local political decisions being made.

Decisions made in 1988 would force Jim to become involved and protective of his ''golf and fishing paradise'' when it was learned George AFB would be closed. Then in 1990 the Country Club lost more members with the departure of the ''Wild Weasel'' Air Force squadron from George AFB.

Jim became concerned the Country Club would not survive and had several conversations with the new general manager Greg Davis. In one of the conversations Greg Davis stated his mission directed by Mr. Dedman Sr. was to turn the club around or it would be sold by ClubCorp. It was at that time Jim was asked to Chair the Board of Governors of the Club.

In late 2002 Jim became more active in the Spring Valley Lake Home Owners Association when contacted by a small group of residents that had become aware of deficit spending by the Association. The only solution was to find and elect people to the Association Board with financial/business experience and the will to make tough financial decisions. It took several years, but with the help of many concerned citizens the Association became financially sound and well managed.

I wish Jim the best in his retirement. The Eighth District of California and Spring Valley Lake are thankful for your service.

IN HONOR OF JAMES T. POWELL

HON. GEORGE HOLDING

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 20, 2015

Mr. HOLDING. Mr. Speaker, we have all had teachers who were inspirations as well as educators. For twenty seven years, James T. Powell was that kind of teacher at my alma mater, Wake Forest University. I would like to pay personal tribute to Professor Powell—who is retiring this year.

I can say, from personal experience, the years a young man or woman spends at Wake Forest shapes the rest of their lives—whether they're recalling burning the midnight oil, pouring over the literature of ''The Ancients,'' or watching Rodney Rogers race down the basketball court.

Back when I was a student, studying the ''Iliad'' and ''Odyssey'' were not the most popular subjects on campus—but Professor Powell always kept packed lecture halls.

He was not only applauded and revered by his students and fellow professors—he was also formally recognized for his service, being awarded the Reid-Doyle Prize for Excellence in Teaching in 1996, the Award for Excellence in Advising in 2003, and the Kulynych Family Omicron Delta Kappa Award for Contributions to Student Life.

Professor Powell was also a leader in many campus groups—Phi Beta Kappa, Secretary to the Faculty, the Judicial Council—where he served as Chairman—the Reynolds Scholarship Committee, the First-Year Seminar Committee, Divinity School Accreditation Committee and Dean of the College Search Committee.

Mr. Speaker, like many young men and women who attended Wake Forest, I am honored and proud to say I studied under Professor James Powell.

H.R. 2408, THE USA FREEDOM ACT

HON. BARBARA LEE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 20, 2015

Ms. LEE. Mr. Speaker, I rise in opposition to H.R. 2048, the USA Freedom Act. This bill makes important improvements to the PATRIOT Act, including to Section 2154, which is the underpinning of the National Security Agency's (NSA) nationwide bulk collection program.

Yet a ruling last week by the Second Circuit found that the bulk collection of phone records under this section violated the law. The right to privacy is a fundamental American value. And it is clear that the practice of unconstitutional bulk data collection endangers that right. Last week's court decision underscores this—and makes clear that more robust surveillance reforms are needed. While the USA Freedom Act is a good step forward, it does not go far enough. And I recognize the hard work of my good friend and colleague, Ranking Member JOHN CONYERS, JR., on this important bill. More than thirteen years after the passage of the PATRIOT Act, Congress must do more to balance our national security with the protection of our civil liberties.

The USA Freedom Act should include more robust protections to prevent the surveillance of individuals with no nexus to terrorism or any specific investigation. This would ensure adequate protections against indiscriminate surveillance from the government and ensure that Section 215 cannot be used to collect Americans' records unrelated to any specific investigation. We should also be working for more robust minimization procedures to ensure that information collected under Section 215 is not stored in databases for years. This type of provision was included in a previous version of this bill and must be restored. We should also work to limit additional authorities outside of Section 215 that have been used to collect Americans' records in bulk. We know that the government has used other authorities—such as administrative subpoena laws—to collect Americans' records in bulk. And finally, H.R. 2048 should be amended to ensure that the government does not use authorities under Section 702 as a backdoor to conduct surveillance on Americans. Section 702 allows the government to intercept contents of Americans' electronic communications with individuals abroad—and stores them in a database—without a warrant. Reforms to Section 702 should be included in this bill.

Mr. Speaker, I applaud my colleagues for working in a bipartisan manner on this bill. Yet I believe that additional reforms were needed to adequately protect Americans' fundamental right to privacy. More than 13 years after the PATRIOT Act was first passed into law, it is time for Congress to let Section 215 expire and work toward serious and meaningful surveillance reform.

PERSONAL EXPLANATION

HON. STEVE COHEN

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 20, 2015

Mr. COHEN. Mr. Speaker, on May 18, 2015, my flight was delayed and I was unable to vote on H.R. 91.

If present, I would have voted "yea" on H.R. 91.

H.R. 36

HON. CHRIS VAN HOLLEN

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 20, 2015

Mr. VAN HOLLEN. Mr. Speaker, I rise today in strong opposition to H.R. 36. This bill would ban abortions after 20 weeks without an adequate exception to protect a woman's health—a violation of Roe v. Wade—and would impose unreasonable burdens on rape and incest survivors. The legislation is the latest attack by House Republicans on women's health, and what's even more insulting is that they brought it to the floor during Women's Health Week.

H.R. 36 would deny a woman the right to an abortion even if she is experiencing serious medical complications from pregnancy, or her physician is unable to diagnose her fetus with severe and lethal anomalies until after 20 weeks. These anomalies frequently lead to fetal death before or shortly after birth. Moreover, by imposing criminal penalties on physicians who provide abortion care, the bill would eventually lead to the deterioration of the critical patient-doctor relationship.

As you know, Republicans pulled an earlier version of this after a clash in their caucus over the exception for adult rape survivors which would require women to report the crime to law enforcement before they could get an abortion. That language has been modified to require rape survivors to seek and provide documentation of medical treatment or counseling 48 hours prior to an abortion. The bill also includes unfair reporting and documentation requirements for minors who have survived rape and incest. Without a doubt these barriers are deliberately designed to restrict a women's right to choose.

I'm pleased to see a range of organizations voice strong opposition to this bill including the American College of Obstetricians and Gynecologists, American Nurses Association, American Public Health Association, NARAL Pro-Choice American, Planned Parenthood Federation of America, National Organization for Women, National Women's Law Center, National Council of Jewish Women, and others.

Mr. Speaker, I urge my colleagues to stand up for women's health and oppose this bill.

RECOGNIZING THE VOLUNTEERS OF THE SHEPHERD'S CENTER OF OAKTON-VIENNA

HON. GERALD E. CONNOLLY

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 20, 2015

Mr. CONNOLLY. Mr. Speaker, I rise to recognize the volunteers of the Shepherd's Center of Oakton-Vienna and to thank them for their many contributions to the Northern Virginia community. Organized in 1997, the Shepherd's Center of Oakton-Vienna (SCOV) is a non-profit that provides services to help older adults continue living independently, and it offers programs that supply opportunities for enrichment, learning, and socialization.

Every year, approximately 200 volunteers support older residents who want to age in place in their homes and stay engaged in social activities. Services are available free of charge to anyone age 50 or older who resides in the local community.

Last year was a particularly successful year for SCOV. In 2014, drivers provided over 1,100 round-trip rides for medical reasons and other errands. Volunteers made regular contact with individuals who may have limited interaction and may feel isolated in their homes. "Handy Helpers" made minor home repairs to help older adults keep their homes safe and livable. The Health Team provided individual health counseling, referral to community resources, and blood pressure readings. Volunteers also run programs such as Lunch n' Life, Adventures in Learning, trips and outings, special events, and caregivers' support groups. All told, SCOV served more than 3,000 individuals in 2014. For these accomplishments, SCOV was recognized as 2014 Outstanding Volunteer Caregiving Program by the National Volunteer Caregiving Network.

The services and programs offered by this extraordinary organization help to ensure that our seniors stay connected to the community through promotion of active lifestyles, ongoing social integration, and availability of resources for older residents to use their experience, training, and skills in significant roles in society.

Mr. Speaker, I ask that my colleagues join me in recognizing the Shepherd's Center of Oakton-Vienna for its work to enable older adults in our community to age in place and enjoy their golden years with dignity and independence. I thank the many volunteers who generously dedicate their time and efforts to the welfare of our neighbors. The value of their contributions cannot be overstated and are deserving of our highest praise.

HONORING THE SERVICE OF VIRGINIA AIR NATIONAL GUARD BRIGADIER GENERAL WAYNE A. WRIGHT

HON. ROBERT J. WITTMAN

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 20, 2015

Mr. WITTMAN. Mr. Speaker, I rise today to recognize and thank Brigadier General Wayne

A. Wright for his 34 years of service to our nation and to congratulate him on his announced retirement.

Brigadier General Wayne A. Wright retires as the Chief of Staff/Air Component Commander, Virginia Air National Guard, responsible for the command and control of 1,230 Virginia Air National Guard members, representing five organizations. Provided to the Governor and Adjutant General of Virginia, Air Guard military forces protect and defend the Commonwealth, and when activated to federal military duty, provide those same forces to the President of the United States.

General Wright entered the United States Air Force and received his commission in 1981 after graduating from the University of South Carolina. He transitioned from active duty to the Georgia Air National Guard in 1992. General Wright has held various leadership and command positions at the squadron, group, wing and major command levels. His assignments involved operations and formal training of United States Air Force and allied Command and Control personnel. He also worked in the developmental and operational testing arena. General Wright is a Master Air Battle Manager with qualifications in six ground-based Command and Control systems including joint and allied systems.

General Wright has been awarded the Legion of Merit, Meritorious Service Medal (with 2 Bronze Oak Leaf Clusters), Air Force Commendation Medal (with 2 Bronze Oak Leaf Clusters), Army Commendation Medal, Air Force Achievement Medal (with 1 Bronze Oak Leaf Cluster), Air Force Outstanding Unit Award (with 2 Bronze Oak Leaf Clusters), Air Force Organizational Excellence Award, Combat Readiness Medal, National Defense Service Medal (with 1 Bronze Service Star), Global War on Terrorism Service Medal, Humanitarian Service Medal, Air Force Overseas Ribbon Short Tour, Air Force Overseas Ribbon Long Tour, Air Force Longevity Service Award Ribbon (with 1 Silver and 1 Bronze Oak Leaf Cluster), and the Air Force Training Ribbon.

Brigadier General Wright has excelled throughout his distinguished career and I am honored to pay tribute to this Airman. I thank Wayne's wife, Jeanette, and their daughter, Jessica and Son in-law, Jeremy along with their children, Noah and Haley as well as their son Justin and his wife Caitlin and also Kelly and Dawson for the many years they have supported Wayne while he served his country. I wish Wayne and Jeanette Godspeed, and continued happiness as they start a new chapter in their lives.

AMERICA'S HEART AND SOUL

HON. PETE SESSIONS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 20, 2015

Mr. SESSIONS. Mr. Speaker, I rise today in remembrance and in honor of all of The Fallen and their families this Memorial Day. The Men and Women who have given that last full measure in the name of freedom. I submit this poem penned by Albert Carey Caswell.

On this Monday each year.
As all across our Nation appears.
Rows of flags in graveyards here.
And far across the distant shores too revered!
As we take the time as a Nation so clear.
With memories of them in our hearts so dear.
As the parade's line the streets all across the towns.
As throughout the Nation in graveyards planted flags are found.
When, we as a Nation take the time to stop and pause.
To remember and honor all of those patriot's in their just cause.
Because, Memorial Day represents America's very Heart so clear.
Her very soul all in what we hold dear!
For on no other day do we as a Nation remember and grieve so here.
And shed such tears,
as above all else this ranks each year.
For all of those who now lie in soft cold quiet graves.
Who over the decades have shown,
how men and women of honor behave!
I'm sorry but your son Johnny's not coming home!
But for the greater good their fine lives they gave!
Because Freedom Is Not Free,
but with only most precious lives bought and paid!
A price so high and grave!
Remember this,
and remember them this Memorial Day!
And give thanks to all of their families with tears upon their faces.
Whose hearts on this and everyday so break in places!
And thank all those heroes who came back from war.
Without arms and legs and PTS the more!
Who the rest of their young lives must endure.
Memorial Day is our heart and soul,
the one fine reason we have all that we behold!
Our Freedom bought and paid for with the blood of human gold!
The one's who will never get that chance to grow old!
Carry them in your hearts so,
and give thanks and remember what to them you owe!
Memorial Day is but,
America's Heart and Soul!

CONGRATULATING CORNELIA ''CONNIE'' BAER

HON. JULIA BROWNLEY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 20, 2015

Ms. BROWNLEY of California. Mr. Speaker, today I rise to recognize Cornelia ''Connie'' Baer, an exemplary civic servant, advocate, and community leader in Ventura County.

Connie has embodied public service through her staunch leadership and advocacy, as well as steadfast dedication and continued commitment to our community. Over several decades, Connie has generously given her time and energy as a valued and highly respected board member and representative for an array of organizations, including the Harbor Community Council, the National Women's Political Caucus, and the League of Women Voters. Both locally and nationally, Connie has been a vocal advocate for equality. She was instrumental in the founding of the Stonewall Democrats of Ventura County. In addition, she has played a significant role in the establishment and development of the Ventura County Women's Political Council, which encourages all women to actively engage and participate in the political process.

Additionally, since earning her bachelor's degree in International Relations, Connie has been an active alumnus of the University of Southern California (USC). Connie also attended the Southwestern University School of Law, where she received her Juris Doctor degree, and later embarked on a respected career in law in Ventura County.

Connie's dedication and outstanding volunteerism is best illustrated by her 19 years of service on the Ventura County Medical Resource Foundation's Board of Directors. Through her service and leadership, Connie has successfully assisted the organization in furthering its mission of supporting the medical needs of Ventura County's under-served and vulnerable communities.

From providing the life-saving medical equipment for premature infants to providing dental and vision care to children of low-income households to funding breast cancer prevention, early detection and treatment programs, the Ventura County Medical Resource Foundation is ensuring that quality health care services are readily available and accessible to all of Ventura County's residents. However, this outstanding organization could not offer these invaluable services if it were not for the remarkable generosity and commitment of individuals such as Connie Baer.

For these reasons, it is my sincere pleasure to join the Ventura County Medical Resource Foundation in recognizing Connie Baer with the 2015 Trailblazer Award for her extraordinary life of leadership and service to the entire Ventura County community.

HONORING THE LIFE OF JUDGE DAVID SILVA

HON. FILEMON VELA

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 20, 2015

Mr. VELA. Mr. Speaker, I rise today to honor the life of Judge David Silva. Born in Beeville, Texas, on May 26, 1944, to Marcos and Altagracia Silva, Judge Silva passed away on March 16, 2015, after losing a long battle with leukemia.

Judge Silva's life exemplified the American Dream. He graduated from A.C. Jones High School in 1963, before joining the U.S. Air Force to faithfully serve his country. While in the Air Force, Silva attended Boise State College in Idaho and married Yolanda Olivares.

One year after being honorably discharged from the U.S. Air Force, Silva graduated from Bee County College. He would go on to earn a Bachelor of Arts Degree in American History in 1975 and a Master of Arts Degree in Interdisciplinary Studies: History, Psychology and Sociology from Texas A&M University in Corpus Christi, Texas.

Judge Silva understood how education would forever transform his life. From 1974 until his passing, he taught at Beeville College, helping students realize their potential through education.

In addition to his active role in educating citizens of Beeville, he was a church pastor, served on the Juvenile Board to help at-risk youth, provided guidance to the Local Emergency Planning Committee, and helped plan the future of Beeville. Silva's contributions to his community are without equal.

In 2004, Silva's reputation for fairness, dedication, and love for his community earned him an appointment to the Beeville Municipal Court. This moment in Silva's life arrived after decades of dedicated effort and service to his community. He worked his way through high school as a janitor in the same courthouse where he would later serve as a judge. He lived a life defined by integrity, commitment and dedication.

Silva would continue to be a pillar of the Beeville community during his later years. He found time to help lead community boards as he continued his passion for education. His capacity to perform at a high level was second to none.

Our community suffered a tremendous loss with Judge Silva's passing, but his legacy will be preserved by the positive change he made in his community and through the many students who had the privilege to learn from him in the classroom.

Judge David Silva is survived by his beloved wife of 44 years, Yolanda Olivares Silva; his daughters, Cassandra Dianne Silva (Casey Hawkins), and Cristianna Dawn Silva Meineke (Aaron Meineke); siblings, John Marks Silva, Amado Silva (Zenaida), and Grace Ramirez (Adolfo). He is also survived by a granddaughter, Audria Nouvelle Diem Silva.

On this day, I remember Judge David Silva. May he forever rest in peace.

RECOGNIZING THE LIFE AND SERVICE OF BISHOP CURTIS E. MONTGOMERY

HON. DEREK KILMER

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 20, 2015

Mr. KILMER. Mr. Speaker, I rise today to recognize the life and service of Bishop Curtis Montgomery of Tacoma, WA. Curtis epitomized the role that long-standing faith leaders play in their community. He was a tireless advocate for the members of his congregation and the greater Tacoma community.

Bishop Montgomery was a key leader who shepherded Tacoma's Hilltop neighborhood through the civil rights struggles of the 1960s and the gang and drug violence of the 1980s. His steadfast leadership and staunch belief in the power of community involvement will be remembered in the revitalization of this historically significant neighborhood.

His contributions to the Hilltop include the establishment of Christ Temple Church in 1959, which later became Greater Christ Temple Church in 1977. Under his leadership, Greater Christ Temple Church has become much more than a place for worship. Parishioners are community leaders, volunteers, and advocates for the work that Curtis has espoused his entire life.

One of his most esteemed accomplishments was the realization of the Oasis of Hope Center. This faith-based community outreach center was the culmination of Bishop Montgomery's efforts and long-standing vision to provide a safe and stable place for the community to serve their neighbors. Opened in 2004, the Oasis of Hope Center has operated feeding programs, a clothing bank, counseling services, youth programs, and donation drives.

Mr. Speaker, last year there were over 500 Hilltop community members served at the Center's annual Share the Harvest Thanksgiving Meal. I have been told there were more volunteers than they could possibly need for that dinner. This simple fact is just one piece of evidence representing his legacy and his vision. Scripture tells us that God loves a cheerful giver. It's safe to say God loves Curtis Montgomery and his parishioners—who have given so much, to so many, for so long.

Bishop Curtis Montgomery was born in Selma, AL, which was central in the civil rights struggles of the 1950s and 1960s. He was raised to stamp out discrimination and racism. He built his church and developed a powerful message of tolerance and peace. Bishop Montgomery served his community in the steps of Dr. Martin Luther King, Jr., who he admired and followed from an early age.

Mr. Speaker, I had the honor of visiting Selma on the 50th Anniversary of Bloody Sunday and had the privilege to join leaders like Rep. JOHN LEWIS in commemoration of the struggle for equal rights. I am proud to have walked in the hometown of Bishop Curtis Montgomery with the knowledge that his contribution to a safer and more equitable society would not be forgotten—that his legacy was etched with his brothers and sisters in Selma, 50 years later.

On behalf of his congregation and the people of the Hilltop Neighborhood in Tacoma, WA, I stand today, proudly, to honor the lifetime achievements of Bishop Curtis Montgomery of Greater Christ Temple Church in the Congress of the United States.

HONORING MS. ANDREA JENKINS

HON. KEITH ELLISON

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 20, 2015

Mr. ELLISON. Mr. Speaker, I rise today in recognition of Andrea Jenkins, who has been chosen to serve as Grand Marshal for the 2015 Twin Cities Pride parade and festival because of her distinguished contributions to the citizens of Minnesota in the form of art and activism.

Ms. Jenkins has been among the Twin Cities' leading advocates for transgender equity, especially at the intersections of race and class. During her 12-year career as a policy aide for the Minneapolis City Council, Ms. Jenkins was central in raising the profile of transgender issues among Minnesota's most influential policymakers. Under her leadership, the City of Minneapolis started the Transgender Issues Work Group, a roundtable dedicated to changing city ordinances to improve the lives of transgender citizens. Local and national media outlets have covered her efforts—raising the profile of an often-overlooked segment of the population. At a time when our nation is seeing an epidemic of violence against transgender individuals—specifically trans women of color—Ms. Jenkins' work is critical.

In addition to her work in the political realm, Ms. Jenkins is an award-winning poet and performance artist. Her work has been honored by the Jerome Foundation, Intermedia Arts, The Playwrights' Center, the Walker Art Center, the Givens Foundation, the Loft Literary Center, and countless other arts organizations. In 2011, she was named a Bush Fellow.

On top of crafting nuanced pieces that reflect her identity as a trans woman of color, Ms. Jenkins serves on numerous boards and panels, including serving as the board chair of Intermedia Arts. This leadership has allowed Ms. Jenkins to create some of the Twin Cities' most inclusive and boundary-pushing events, frequently centering the voices of those at ''the margins of the margins.'' One such event, the Queer Voices reading series, is the longest-running series of its kind in the country.

Recently, Ms. Jenkins left her position with the City of Minneapolis to begin curating the Transgender Oral History Project, part of the University of Minnesota's Jean-Nickolaus Tretter Collection. In this role, she will travel throughout the upper Midwest to document the experiences of transgender people. This permanent record will serve as one of the nation's most comprehensive catalogs of contemporary transgender life.

At a time when the T in LGBT is often overlooked, Andrea Jenkins has helped move the spotlight to the trans community. Her work has sparked conversation, propagated knowledge and forged a path for future trans leaders. Her work in our community is inestimable and I congratulate her on being selected Grand Marshal. I am proud to call her a friend and ally.

EXPRESSING SUPPORT FOR THE HELP HIRE OUR HEROES ACT

HON. JULIA BROWNLEY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 20, 2015

Ms. BROWNLEY of California. Mr. Speaker, I rise to urge the House to bring to the floor my bill, the Help Hire our Heroes Act.

My bill would renew the Vocational Rehabilitation Assistance Program (VRAP) and permit additional veterans to participate in the program. As you may know, the VRAP program provides up to 12 months of re-training assistance to veterans in need of employment training, but who are unable to participate in other VA programs because of their age and time since active duty service.

Specifically, the program provided training assistance to unemployed veterans between the ages of 35 and 60 who are no longer eligible for the GI Bill. Veterans could use these

benefits at community colleges and technical schools in occupations that the Department of Labor identified as ''high demand.''

The VRAP program started in 2012, but funding for this program expired in March 2014 and the VA has not been able to enroll new veterans in VRAP.

In 2014, there were 573,000 unemployed veterans, 55 percent of whom were age 45 and up. I simply do not understand why the Majority has allowed this important veterans' job training program to lapse. It has resulted in thousands of older, qualified veterans being unable to access job training to help them find work.

As we approach Memorial Day, Congress should be doing all it can to help unemployed veterans find work. Please bring my bill to the floor, so that we can renew the Veterans Retraining Assistance Program.

HONORING COAST GUARD CAPTAIN SAMUEL DUKE WALKER

HON. BRADLEY BYRNE

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 20, 2015

Mr. BYRNE. Mr. Speaker, I rise today to recognize the retirement of a great American and my dear friend, Coast Guard Captain Samuel Duke Walker.

Captain Walker has served as Commander of Coast Guard Sector Mobile since July of 2013. Before coming to Southwest Alabama, he served as Chief of Response for the Eighth Coast Guard District, where he also served as the Federal On-Scene Coordinator for the Deepwater Horizon Spill of National Significance Response.

Captain Walker graduated from the U.S. Coast Guard Officer Candidate School in 1987. He is a graduate of Rhode Island College with a degree in Electronic Design, and he also holds a Master of Business Administration degree from the University of South Alabama's South of Business.

During his time with the Coast Guard, Captain Walker has earned many accolades. Captain Walker was promoted to the rank of Captain on July 1, 2008, and he served as President of the Class of 2009 at the National War College. His decorations include the Legion of Merit, Bronze Star, Meritorious Service Medal, Coast Guard Commendation Medal, Coast Guard Achievement Medal, and Combat Action Ribbon.

Captain Walker has been a leader in the Coast Guard, but he has also been a leader in the local community. Captain Walker has called Mobile home for much of his life, and he is a 2001 graduate and Class President of Leadership Mobile. During a recent boating tragedy in Mobile Bay, Captain Walker acted as a steady leader and reassuring voice to members of the community. It is safe to say that Captain Walker has truly become a member of the Southwest Alabama community.

Mr. Speaker, I want to thank Captain Walker, his wife, and their three children for their dedicated service to the United States Coast Guard, the Gulf Coast, and the entire nation.

So on behalf of the people of Alabama's First Congressional District, I want to wish Captain Walker all the best in his retirement. We will miss his service to the Coast Guard, but I am happy to know Captain Walker will continue to call Mobile home.

RECOGNIZING THE MARIPOSA COUNTY HIGH SCHOOL GRIZZLY BAND FOR ITS ACHIEVEMENTS AND COMMITMENT TO VETERANS

HON. TOM McCLINTOCK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 20, 2015

Mr. McCLINTOCK. Mr. Speaker, it is my honor to rise in recognition of the Mariposa County High School Grizzly Band, which will be performing in the upcoming National Memorial Day Parade.

The Mariposa Grizzly Band brings much pride to a small rural community in the Sierra Foothills; it serves this community by supporting American veterans at every possible opportunity. This commitment has led the band to perform patriotic music at every Memorial Day service conducted by the local Veterans of Foreign Wars Post 6042.

Its participation in this year's Memorial Day Parade is not the first time the Grizzly Band has travelled across the country to showcase its talent. The band's impressive reputation afforded it the opportunity to perform in New York City for the 92nd Annual Veterans Day Parade.

During this school year alone, the Grizzly Band has received first-place recognition for its performance at four separate events. It is no wonder the Grizzlies are so beloved in the foothills—their talents have won a total of thirty-seven first-place awards in the last decade.

Furthermore, the band was the recipient of the GRAMMY Foundation's Signature Schools Enterprise Award. This growing list of accomplishments is evidence of the hard work and dedication of these young men and women.

Mr. Speaker, I am very pleased to welcome the Mariposa County High School Grizzly Band to Washington, DC, and I look forward to hearing of both their future accomplishments and their support of our local veteran community.

IN RECOGNITION OF THE 2014–15 DUBUQUE FIGHTING SAINTS SEASON

HON. ROD BLUM

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 20, 2015

Mr. BLUM. Mr. Speaker, today I want to congratulate the Dubuque Fighting Saints of the United States Hockey League (USHL) on their successful 2014–2015 season.

The Fighting Saints, led by head coach and general manager Matt Shaw, finished the regular season 36–19–5, resulting in 3rd place in the Eastern Conference and earning them a berth in the playoffs. Goalie Jacob Nehama posted the second lowest GAA in the USHL for the season at 2.31 and forward Brett Boeing completed the season in the top 10 in the league for goals scored with 28 for the year.

The Fighting Saints won the ''Cowbell Cup,'' winning the head to head matchups among the three teams in eastern Iowa, finishing one game ahead of the Waterloo Blackhawks and two games ahead of the Cedar Rapids RoughRiders.

The impact of the team extends outside the arena and into the greater Dubuque community. Through the ''Live Like a Saint'' initiative with Two by Two Character Development, the Saints visit local schools and teach empathy, kindness, respect, responsibility, teamwork, and the importance of physical education to young people.

I would like to extend my sincerest congratulations to the 2014–15 Dubuque Fighting Saints on their successful season and thank them for their charity work in the Dubuque community.

I look forward to cheering them on next year to a championship.

CELEBRATING 65 YEARS OF EXCEPTIONAL MEDICAL CARE

HON. PETE OLSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 20, 2015

Mr. OLSON. Mr. Speaker, I rise today to thank OakBend Medical Center for providing quality healthcare for Fort Bend County for 65 years.

OakBend Medical Center is the largest full service healthcare facility in Fort Bend County. As Fort Bend County continues to grow, medical centers like this provide easy access to professional care. With the traffic congestion we experience as our region continues to grow, easy access to critical care is essential.

On behalf of the Twenty-Second Congressional District of Texas, thank you again to OakBend Medical Center for 65 years of service to the Fort Bend community. We look forward to many more years of exceptional medical care.

FOSTER YOUTH SHADOW DAY

HON. DAVID G. REICHERT

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 20, 2015

Mr. REICHERT. Mr. Speaker, I rise to talk a little bit about foster care. As many of my colleagues are aware, today is Foster Youth Shadow Day and this morning I had the pleasure of meeting with Dawna—a foster youth who spent 7 years in the foster care system of my home state of Washington.

Fortunately for Dawna, she was adopted when aged out of care. But for many foster kids this is not the case. In 2013, over 23,000 kids aged out without finding a forever family. And, even the kids that do find their forever families are often mistreated and even abused while in the system. Dawna was overprescribed psychotropic medications and forced

unnecessarily into an adolescent psychiatric hospital. Her story is not the only one like it. When I was Chairman of the Human Resources Subcommittee of the Ways and Means Committee we held a hearing on this very issue and heard many other similar stories. This is a tragedy and it is unacceptable.

We can do more to help our youth in foster care, they are our responsibility and we cannot let them down. I will continue to fight to provide youth in the foster system the best possible care, and to help them find forever families, and I urge the rest of this Congress to do the same.

TRIBUTE TO ISAAC JOE

HON. JAMES E. CLYBURN

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 20, 2015

Mr. CLYBURN. Mr. Speaker, I rise today to pay tribute to Mr. Isaac C. Joe on the occasion of his upcoming 100th birthday. As a soldier, educator, and civic leader, Mr. Joe has devoted his life to public service, and I join many in his community in wishing him a happy birthday.

Born on June 24, 1915, Mr. Joe grew up in Thomastown, South Carolina, a small town in Lee County. As an African American in the Jim Crow South, he had to walk five miles each way to a school that was only open seven months of the year, while the white schools remained in session for nine. He persevered to work his way through Morris College, from which he graduated in 1940. Mr. Joe has been dedicated to his alma mater ever since, donating 83 acres of land to the college in 2013.

Mr. Joe began his teaching career in Lee County immediately after college. But after just one year in the classroom, he put his teaching career on hold to serve in the United States Army. He was in basic training when Pearl Harbor was bombed and rose to the rank of Master Sergeant, working at regimental headquarters. Although Mr. Joe's six years in the Army took him away from his students, he put his teaching skills to good use, teaching some of his fellow soldiers how to read, write, and sign their names so that they could collect their paychecks.

In 1954, seven years after Mr. Joe returned to the classroom, the United States Supreme Court issued its Brown v. Board of Education decision outlawing segregation in public schools. Inspired by this decision, Mr. Joe returned to school himself, earning his master's degree from South Carolina State College in 1956. He returned to the Lee County school system in 1957 as principal of the newly built Mount Pleasant High School in Elliott, where he served until his retirement in 1977.

Mr. Joe's community involvement has continued in the decades since his retirement. In 1980, he was elected to a term in the South Carolina House of Representatives, serving from 1981 to 1983. He is an active member of St. Mark's Baptist Church in Bishopville where he has held various leadership roles and spearheaded numerous committees and projects.

Mr. Speaker, I ask that you and my colleagues join me in wishing Mr. Joe a very happy 100th birthday. It is a remarkable milestone befitting a remarkable man. I wish him good health and Godspeed.

HONORING DR. MARGARET ''PEG'' BURKE LEE

HON. JANICE D. SCHAKOWSKY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 20, 2015

Ms. SCHAKOWSKY. Mr. Speaker, I rise today to recognize Dr. Margaret ''Peg'' Burke Lee for her distinct service to the people of the 9th Congressional District of Illinois and Oakton Community College. Dr. Lee will be retiring in June of this year, and I would like to congratulate her on 30 years of commitment to our community.

Since Dr. Lee became vice president of academic affairs at Oakton Community College in 1985, her achievements have captured national recognition for the College while serving 450,000 residents in 16 municipalities—including a salute by The New York Times recognizing Oakton as one of the top 10 community colleges in the nation. Dr. Lee's commitment and contributions to education and Oakton are immeasurable. She has been recognized by college staff members and community members as a relationship builder inside and outside of the college community, a legacy she is proud to share.

Dr. Lee was named one of the ''Most Powerful and Influential Women of Illinois'' by the National Diversity Council in 2012. In March 2011, Holy Family Medical Center honored her with its second annual C.A.R.E.S. Award for exemplifying Resurrection Health Care's Core Values: compassion, accountability, respect, excellence and service.

Dr. Lee has contributed to multiple educational events across the world, including in China, Netherlands, Thailand, and Spain. She was part of a diplomatic delegation to India where she traveled with Under Secretary of State for Public Diplomacy and Public Affairs Karen Hughes and five other college and University presidents to build bridges to American higher education through meetings with government, university, and business leaders. In addition, Dr. Lee is the author of several monographs on global education in community colleges and the critical role of language learning in developing cultural competence.

Dr. Lee holds a doctorate and a master's degree in English language and literature from the University of Chicago, where she was a Ford Foundation Fellow in the Humanities and a Woodrow Wilson Dissertation Scholar in Women's Studies. At the age of 17, she spent 8 years as a nun, a perspective and experience that she brought to her role as a college administrator. She has always taught with compassion and enthusiasm throughout her career to help those most in need. Dr. Lee is known to go above and beyond to improve the quality of life in the community and she has touched the lives of many people through her commitment to providing innovative educational programs at the college.

In January, the Margaret Burke Lee Science and Health Careers Center opened on Oakton Community College's Des Plaines campus. It is home to Oakton's anatomy and physiology, biology, chemistry, earth science, medical laboratory technology, nursing, physics, and physical therapy assistant programs. Dr. Lee's legacy will continue at Oakton not only through this new facility, but through the fabric of Oakton Community College. After she announced her retirement, dozens of posts were made on Facebook demonstrating how much she is loved by the people she mentored over the past 30 years.

I want to sincerely congratulate Dr. Lee for everything she has accomplished at Oakton Community College and for the people of the 9th Congressional District of Illinois. Your legacy will live on and will never be forgotten. May you enjoy this new chapter in your life including additional time you can spend with your nine children and 14 grandchildren.

REMEMBERING AND HONORING MARINE SERGEANT WARD MARK JOHNSON IV

HON. JOHN L. MICA

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 20, 2015

Mr. MICA. Mr. Speaker, I rise today to honor Marine Sergeant Ward Mark Johnson IV, a fallen hero who died while on a mission of mercy in Nepal on May 12, 2015. Sgt. Ward spent time growing up in Central Florida where today our community remembers his service to our nation.

Sgt. Johnson enlisted in the Marine Corps on March 23, 2009 after earning two degrees from Seminole State College of Florida. Assigned to the Marine Light Attack Helicopter Squadron (HMLA) 69, Johnson served diligently in Afghanistan with the 31st Marine Expeditionary Unit prior to being deployed to Nepal as a crew chief in charge of maintaining the helicopter. As a testament to his outstanding performance, Johnson has been awarded the Navy and Marine Corps Achievement Medal, the Air Medal with Strike/Flight Numeral 5, the Marine Corps Good Conduct Medal and the Afghanistan Campaign Medal.

Sgt. Ward Mark Johnson IV will always be remembered for the honor and courage with which he fulfilled his duties, and for the love and joy he gave his family and friends. This was his third deployment around the world and he never wavered in his commitment to his family, the Corps and his country. As you know, Mr. Speaker, our military deployed on a humanitarian mission to earthquake-ravaged Nepal, and Sgt. Johnson answered that call. With him were five other Marines who perished. We mourn their loss and extend our sympathy to their families.

Sgt. Johnson was a patriot in every sense of the word and is remembered by a loving family and countless friends. He is survived by his wife Haley; their two young children, Nathan and Noah; and his parents, Mark and Shirley Johnson who reside in Florida's 7th Congressional District.

Mr. Speaker, I ask you and my colleagues to join me in remembering and honoring Marine Sergeant Ward Mark Johnson IV. We extend the condolences of this Congress and the American people, who he served gallantly, epitomizing the very best of our nation.

RECOGNIZING BROOKWOOD ELEMENTARY'S NANCY BONNEAU WORTH

HON. KEVIN YODER

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 20, 2015

Mr. YODER. Mr. Speaker, I rise today to recognize the career of one of the most dedicated teachers of the Third Congressional District in Kansas.

Nancy Bonneau Worth is shutting the doors to her Brookwood Elementary classroom for summer break for the last time next week.

She's ending a thirty year career as an educator, twenty of them at Brookwood.

It began at Norman Rockwell Elementary School in her home state of Nebraska.

She then moved to Great Bend, Kansas, where she worked for a short period at Barton County Community College before transitioning to a special education teacher in the Great Bend School District.

Her Masters in Speech Pathology brought her to the Third District to teach at the Kansas School for the Deaf before moving on to Nall Hills Elementary, and eventually Brookwood.

In fact, she integrated sign language into her teaching even after she left KSD by teaching her students to sign the Pledge of Allegiance every morning before school.

Hundreds of successful children, teenagers, and young adults throughout Kansas have called Mrs. Worth their teacher over the years—and are better people because of it.

Congratulations on your retirement, Mrs. Worth and thank you for everything you have done for Kansans.

Your impact on our district and state is immeasurable.

IN RECOGNITION OF MAY AS NATIONAL HAMBURGER MONTH

HON. ROD BLUM

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 20, 2015

Mr. BLUM. Mr. Speaker, with summer approaching, many Iowans are firing up their barbecues. While hotdogs, bratwursts, and pork chops are all traditional family favorites, I rise today in special recognition of the hamburger—a delicious staple of grilling season.

May is National Hamburger Month which warrants special recognition in Iowa. Iowa's beef products are considered some of the best in the world, supplying several well-known steakhouses around the U.S., including here in D.C.

According to the Iowa Beef Industry Council, Iowa is home to over 26,000 cattle operations, with ranches in all 20 counties in my district. Furthermore, the cattle industry in Iowa supports over 15,000 jobs and injects over $6 billion into the economy. Additionally, the cattle industry supports corn growers in Iowa by using corn as a feed source, consuming over 148 million bushels of corn every year.

Iowa's ranchers and packers play important roles in making sure consumers have safe and nutritious ground beef for our burgers.

For great hamburger recipes, cooking tips, and beef safety information, I encourage all my constituents to visit www.iabeef.org.

TITUS REMEMBERS GARY GRAY

HON. DINA TITUS

OF NEVADA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 20, 2015

Ms. TITUS. Mr. Speaker, Nevada lost a very good man when Gary Gray was killed recently in an automobile accident coming down from his beloved Mt. Charleston.

Gary has been one of my best friends since he took a master's class from me at UNLV in 1977. And Tom and I have enjoyed many delicious dinners and lively conversations about politics and travel with Gary and his wife Chris Giunchigliani over the years.

It is impossible to think of Gary in the past tense because he was larger than life. Who else would serve mountain oysters at a fancy dress party? Who else could turn an inexperienced group of freshman assemblymen (Jim Spinello, Matt Callister, Gene Porter, and Wendall Williams) into a political force the likes of which has not been seen since in Nevada politics? And who else would be brave enough to take on the indomitable Chris G?

Life was always an adventure for Gary. No place was too dangerous to visit, no food too strange to eat, no person too threatening to strike up a conversation with. So I would never have been surprised to hear that something had happened and he wasn't coming home. But I expected him to be taken from us by an earthquake in Indonesia, an avalanche in the Alps, or perhaps a revolution in one of the 'Stans, not by something so mundane as a car crash. It just doesn't seem right.

Gary truly changed the face of politics in Nevada: he elected candidates at every governmental level; he proudly pushed a progressive agenda; and he professionalized the campaign business. He was a civic activist, a pillar of the community, and a citizen of the world. He leaves a void that cannot be filled.

Bon voyage, mon ami.

TRANSPORTATION AND INFRASTRUCTURE FUNDING

HON. BRENDA L. LAWRENCE

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 20, 2015

Mrs. LAWRENCE. Mr. Speaker, both sides of the aisle recognize the importance of our transportation network to remain globally competitive and to keep our roads, railways, and bridges safe. We all know that long-term projects are more cost effective and provide good-paying jobs.

In Michigan's 14th District, we know the reality of driving on crumbling bridges and roads. The Federal Highway Administration says nearly 30 percent of our state's bridges are structurally deficient or functionally obsolete. What else needs to go wrong before we do what is right? We must have a long-term funding plan in place before this latest 60-day patch job ends.

We have passed 32 short-term extensions in the past six years. This lack of long-term planning wastes money and resources. More importantly, it has cost lives. Lives that could have been saved or spared serious injury had we all taken this issue seriously. I do not want to attend one more funeral for the victim of a transportation disaster knowing that Congress failed to act on this problem.

HONORING RABBI HERMAN AND LOTTE SCHAALMAN

HON. JANICE D. SCHAKOWSKY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 20, 2015

Ms. SCHAKOWSKY. Mr. Speaker, I rise today to honor and celebrate Rabbi Herman and Lotte Schaalman, an internationally-renowned and beloved couple, on their 99th and 100th birthdays. Rabbi Schaalman celebrated his 99th birthday on April 28, 2015 and Lotte Schaalman celebrated her 100th birthday on January 13, 2015.

Rabbi Schaalman was the Senior Rabbi at Emanuel Congregation in Edgewater, in my district, for 32 years, and is in his 28th year as Rabbi Emeritus. The Schaalmans will be honored at a special event on May 31, 2015 at Emanuel Congregation, which is establishing the Rabbi Herman and Lotte Schaalman Fund, to assure that their remarkable legacy of service will continue.

Rabbi Herman and Lotte Schaalman have devoted their life for the good of their fellow Jews and for humanity. Rabbi Schaalman fled Nazi Germany in 1935. He became known as one of America's foremost leaders in American Reform Judaism, serving as Rabbinical leader and President of the Reform Rabbis Association. Lotte Schaalman has exemplified the heart of Congregation Emanuel. Together the Schaalmans are the epitome of a thriving and wonderful life partnership.

After his retirement as Senior Rabbi at Emanuel Congregation, Rabbi Schaalman continued his active involvement in many educational, civic and religious organizations. He has participated in education programs at many institutions, including at Barat College, DePaul University, North Park Seminary, Garrett Evangelical Theological Seminary and Northwestern University. He served three terms on the Board of Directors of the Jewish Federation of Metropolitan Chicago, was President of both the Chicago Board of Rabbis and the Chicago Association of Reform Rabbis, and was a member of the National Jewish Communal Affairs Committee. He was President of the Jewish Council of Urban Affairs and served in leadership roles on the Council

of Religious Leaders of Metropolitan Chicago and the Edgewater Association of Clergy and Rabbis.

Rabbi Schaalman also served as a member of the Education Committee of the National Holocaust Memorial in Washington, DC. As part of his commitment to interreligious understanding and the promotion of a peaceful world, he has been a Trustee on the Board of the Millennium Institute and a member of the Executive Committee of the Council for the Parliament of World Religions.

Rabbi Schaalman's list of distinguished awards and honors is many pages long. His awards include the Julius Rosenwald Memorial Award from the Jewish Federation of Chicago, the Order of First Class Merit from Germany, the Order of Lincoln Award from the Lincoln Academy of Illinois, the Interfaith Gold Medallion from the International Council of Christians and Jews, being elected to the Hall of Fame for the Jewish Community Centers, and having a park on Sheridan Road in Chicago named ''The Herman and Lotte Schaalman Park'' in their honor.

Rabbi Herman and Lotte Schaalman are a remarkable couple and I am proud to honor them today.

HONORING MARGARET DAVIS FOR HER SERVICE TO THE REPUBLICAN PARTY AND HER DEDICATION TO TUOLUMNE COUNTY

HON. TOM McCLINTOCK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 20, 2015

Mr. MCCLINTOCK. Mr. Speaker, I rise to honor Margaret Davis for her many years of service to the Tuolumne County Republican Party, and for her unwavering efforts in support of Republican ideals across California and our nation.

For decades, Margaret has devoted her time to advancing conservative principles as a member of the Tuolumne County Republican Central Committee, the Tuolumne County Republican Women Federated, and the California Federated Republican Women's Central Division.

Margaret served multiple terms as President of the Tuolumne County Republican Women Federated. She has also held a variety of positions within the organization, and tirelessly supports Republican candidates and values.

In addition to her past contributions, Margaret currently serves as the 1st Vice President of the Tuolumne County Republican Women Federated, the 2nd Vice President of the California Federated Republican Women's Central Division, and the Treasurer of the Tuolumne County Republican Central Committee. She does all of this while simultaneously presiding as Chair of the Tuolumne Chamber of Commerce's Governmental Affairs Committee.

With all of these roles, it is clear that Margaret is a fundamental pillar in the local community. On a personal level, Margaret is well-respected and known for her high moral character. She's regularly involved in events, but more than that, she is the first to volunteer in support of her state, and her community.

Margaret balances her lifetime commitment to the Republican Party with her lifetime commitment to her family. Perhaps the only responsibility she places above her dedication to Tuolumne is her role as a widowed mother. Margaret gives her free time to Republican efforts, but her primary focus remains caring for her adult daughter, who is suffering from effects of a severe stroke.

Mr. Speaker, Margaret Davis does not just stand for conservative values; she lives by them. Tuolumne County Republicans consider Margaret Davis a remarkable example. California will continue to benefit from her efforts for years to come, and I rise to express my profound gratitude for her tremendous service.

SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate of February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules Committee—of the time, place and purpose of the meetings, when scheduled and any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Meetings scheduled for Thursday, May 21, 2015 may be found in the Daily Digest of today's RECORD.

MEETINGS SCHEDULED

JUNE 4

10 a.m.

Committee on Energy and Natural Resources

To hold hearings to examine S. 454, to amend the Department of Energy High-End Computing Revitalization Act of 2004 to improve the high-end computing research and development program of the Department of Energy, S. 784, to direct the Secretary of Energy to establish microlabs to improve regional engagement with national laboratories, S. 1033, to amend the Department of Energy Organization Act to replace the current requirement for a biennial energy policy plan with a Quadrennial Energy Review, S. 1054, to improve the productivity and energy efficiency of the manufacturing sector by directing the Secretary of Energy, in coordination with the National Academies and other appropriate Federal agencies, to develop a national smart manufacturing plan and to provide assistance to small- and medium-sized manufacturers in implementing smart manufacturing programs, S. 1068, to amend the Federal Power Act to protect the bulk-power system from cyber security threats, S. 1181, to expand the Advanced Technology Vehicle Manufacturing Program to include commercial trucks and United States flagged vessels, to return unspent funds and loan proceeds to the United States Treasury to reduce the national debt, S. 1187, to improve management of the National Laboratories, enhance technology commercialization, facilitate public-private partnerships, S. 1216, to amend the Natural Gas Act to modify a provision relating to civil penalties, S. 1218, to establish an interagency coordination committee or subcommittee with the leadership of the Department of Energy and the Department of the Interior, focused on the nexus between energy and water production, use, and efficiency, S. 1221, to amend the Federal Power Act to require periodic reports on electricity reliability and reliability impact statements for rules affecting the reliable operation of the bulk-power system, S. 1223, to amend the Energy Policy Act of 2005 to improve the loan guarantee program for innovative technologies, S. 1229, to require the Secretary of Energy to submit a plan to implement recommendations to improve interactions between the Department of Energy and National Laboratories, S. 1230, to direct the Secretary of the Interior to establish a program under which the Director of the Bureau of Land Management shall enter into memoranda of understanding with States providing for State oversight of oil and gas productions activities, and S. 1241, to provide for the modernization, security, and resiliency of the electric grid, to require the Secretary of Energy to carry out programs for research, development, demonstration, and information-sharing for cybersecurity for the energy sector.

SD–366

HOUSE OF REPRESENTATIVES—*Thursday, May 21, 2015*

The House met at 10 a.m. and was called to order by the Speaker pro tempore (Mr. GRAVES of Louisiana).

DESIGNATION OF THE SPEAKER PRO TEMPORE

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

WASHINGTON, DC,
May 21, 2015.

I hereby appoint the Honorable GARRET GRAVES to act as Speaker pro tempore on this day.

JOHN A. BOEHNER,
Speaker of the House of Representatives.

PRAYER

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

We give You thanks, God of the Universe, for giving us another day.

As the various Members of this people's House return to their home districts, we ask Your blessing upon each. Give each a discerning ear and the wisdom and good judgment needed to give credit to the office they have been honored by their constituents to fill.

Bless the work of all who serve in their various capacities here in the United States Capitol.

Bless all those who visit the Capitol today, be they American citizens or visitors to our Nation. May they be inspired by this monument to the noble idea of human freedom and its guarantee by the democratic experiment that is the United States.

And as we take time this weekend to remember those who have died serving our country, God, bless America, and may all that is done this day be for Your greater honor and glory.

Amen.

THE JOURNAL

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

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

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentleman from Illinois (Mr. DOLD) come forward and lead the House in the Pledge of Allegiance.

Mr. DOLD led the Pledge of Allegiance as follows:

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

COMMUNICATION FROM THE CLERK OF THE HOUSE

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

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, May 21, 2015.

Hon. JOHN A. BOEHNER,
The Speaker, House of Representatives, Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on May 21, 2015 at 9:39 a.m.:

That the Senate agreed to without amendment H. Con. Res. 47.

With best wishes, I am

Sincerely,

KAREN L. HAAS.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair will entertain up to five requests for 1-minute speeches on each side of the aisle.

MEMORIAL DAY

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

Mr. WILSON of South Carolina. Mr. Speaker, on Memorial Day, Americans will remember and honor those who have served this Nation to protect and defend the freedoms we cherish. As we reflect on the heroism and devotion of the brave servicemembers who have given their lives in defense of our Nation, we must never forget to thank and pray for their families. Let us take time to show our appreciation for the service and sacrifice of America's heroes.

I especially appreciate Memorial Day. My father served our country as part of the Flying Tigers in India and China during World War II, which inspired my military service, as well as the service of my four sons, who all currently are on military duty.

This weekend, I am thankful for the opportunity to join County Council Chairman Ronnie Young in the Aiken Memorial Day parade. I am grateful to Councilwoman Gail Diggs for her role in the efforts to reinstate the parade ably begun by the Marine Corps League, as well as Wes Jerrell and Betsy Davis with the Aiken Jaycees for their work to honor and support our Armed Forces and their families.

In conclusion, God bless our troops, and may the President by his actions never forget September the 11th in the global war on terrorism.

BOKO HARAM CRIMES

(Mrs. CAROLYN B. MALONEY of New York asked and was given permission to address the House for 1 minute.)

Mrs. CAROLYN B. MALONEY of New York. Mr. Speaker, press reports this week show that the reign of terror wrought by Boko Haram in northeastern Nigeria has reached appalling new depths of depravity. They have chosen to use as a weapon of war widespread, organized sexual violence against young girls and women. Hundreds of women and girls as young as 11 have been subjected to systematic, organized rape.

The terrorists have also used women and children to carry out suicide bombings against civilian targets.

These are crimes against humanity, which is why I am pleased to join Congresswoman BARBARA LEE in support of an International Criminal Court investigation.

I am also pleased that the House approved an amendment that Representative ED ROYCE and I offered to the National Defense Authorization Act that calls for continued U.S. support of international efforts to combat Boko Haram.

History has taught us, to our everlasting sorrow, that when such horror arises in the world, the world cannot and should not stand idly by.

RECOGNIZING THE SERVICE OF RABBI CARL WOLKIN

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

Mr. DOLD. Mr. Speaker, I rise today to recognize Rabbi Carl Wolkin. He is retiring after 35 years of service to the Congregation Beth Shalom in Northbrook, Illinois. He will be sorely missed by many in our community.

Over the past 35 years, Rabbi Wolkin has served as the president of the Northbrook Clergy Association, the Chicago region of the Rabbinical Assembly, the president of the Chicago Board of Rabbis, and he is also a member of the Jewish United Fund board.

In these roles, Mr. Speaker, he has worked tirelessly to support his fellow rabbis in making their congregations centers for worship and learning.

In 2004, Rabbi Wolkin was in the first group of graduates of the Center for Rabbinic Enrichment of the Shalom Hartman Institute in Jerusalem.

Rabbi Wolkin has been a tremendous asset to the Jewish community at large, as has his wife, Judy, who has enriched the lives of Jewish children by her teaching at the Solomon Schechter Day School for many years.

I wish Rabbi Wolkin well on his retirement and the next chapter of his life.

REAUTHORIZE THE EXPORT-IMPORT BANK

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

Mr. HIGGINS. Mr. Speaker, Congress is engaged in a vigorous debate about national trade policy, but no matter where you stand on the Trans-Pacific Partnership, the Export-Import Bank is one trade program that we should all get behind.

After all, this is a Federal agency that operates at no cost to taxpayers and whose sole purpose is to create jobs by helping American manufacturers increase exports.

The Export-Import Bank provides loans to help American businesses compete against foreign companies that receive subsidies from their governments, and it provides credit to facilitate the sale of American goods abroad.

Since 2009, the Export-Import Bank has helped dozens of businesses in western New York export nearly $100 million in goods and has helped create or sustain 1.3 million jobs across this Nation.

A number of local business leaders, including Barre Banks, the owner of Midland Machinery in Tonawanda, have reached out to my office to share their stories of success with the Bank and to warn against its expiration.

I urge the majority to stand with American businesses, protect American jobs, and reauthorize the Export-Import Bank.

HONORING THE SERVICE OF CORPORAL FRED WHITAKER, SR.

(Mrs. MIMI WALTERS of California asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. MIMI WALTERS of California. Mr. Speaker, as we approach Memorial Day, I wish to recognize our servicemembers who have so bravely answered the call to defend our great Nation.

As the daughter of a U.S. Marine, I am eternally grateful for the service and sacrifice our troops make, all in the name of freedom.

Today, I wish to pay a special tribute to a hero that I have the honor of representing in Congress, Corporal Fred Whitaker, Sr. Corporal Whitaker, a World War II veteran, proudly served our Nation in the combat infantry from 1943 to 1946. He participated in several campaigns, including Saar, Rhineland, Central Europe, and the historic Battle of the Bulge.

Corporal Whitaker received numerous awards for his honorable service, including the Distinguished Unit Citation, the Combat Infantry Badge, the Bronze Star, the Purple Heart, the Good Conduct Medal, the European Theater Medal with four battle stars, and a World War II Victory Medal.

I thank him for his sacrifice to our Nation and for the sacrifice all military personnel make to keep our country safe and free. We are forever indebted to this true hero of the Greatest Generation.

COMMEMORATING THE 50TH ANNIVERSARY OF PROJECT HEAD START

(Ms. JACKSON LEE asked and was given permission to address the House for 1 minute.)

Ms. JACKSON LEE. Mr. Speaker, this morning, I ask all my colleagues to join me in supporting H. Res. 92, commemorating the 50th anniversary of Project Head Start, launched in the White House Rose Garden on May 18, 1965, as bold and audacious in its scope design and as a project to launch against those who lived in poverty.

President Johnson said: ''We set out to make''—and to contain certain—''that poverty's children would not be forevermore poverty's captives.'' This means that nearly half of the preschool children of poverty will get a head start on their future. These children will receive preschool training and prepare them for regular school in September. They will get medical and dental attention that they badly need, and parents will receive counseling.

Again, we have set out to make certain that poverty's children would not be forevermore poverty's captives.

Today, 160,000 enrolled in Early Head Start, 910,000 enrolled in Head Start, 20,000 American Indian-Alaska Native children, 4,000 American Indians, 32,000 migrant or seasonal workers, and 40,000 homeless children.

We must continue this infrastructure, and I want to thank AVANCE and the Harris County School District in my district because they believe in helping children.

Mr. Speaker, I conclude by thanking those who have fallen in battle for the United States of America as we memorialize them on Memorial Day.

CONGRATULATING MAJOR STEPHEN J. BONNER

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

Mr. RODNEY DAVIS of Illinois. Mr. Speaker, I rise today to congratulate my constituent, Major Stephen J. Bonner of the U.S. Air Force, who has earned the Congressional Gold Medal for his distinguished service as an American fighter pilot with the Flying Tigers squadron in World War II.

Growing up in the 1930s and during World War I, Major Bonner had always dreamt of becoming an ace. When he graduated from flight school in 1943, his dream came true when he was assigned to fly with the 76th Fighter Squadron in China, battling Japanese fighter pilots in his P–40 Warhawk.

During his time with the Air Force, Major Bonner became a member of the American Fighter Aces, who have been renowned as our country's most distinguished fighter pilots. In both world wars, along with the Korean war and the Vietnam war, these individuals have not only courageously defended our Nation, but have also made outstanding achievements in aerial combat.

Major Bonner, now 96, lives with his daughter Jane just outside Carlinville in my district in central Illinois. I am proud to congratulate Major Bonner for his outstanding accomplishments as an American Fighter Ace.

The bravery and dedication he displayed as a pilot in World War II make him a very deserving recipient of the Congressional Gold Medal, and I am proud and thankful to have such brave veterans like them in my district.

Congratulations, Mr. Bonner.

THE 50TH ANNIVERSARY OF HEAD START

(Ms. KELLY of Illinois asked and was given permission to address the House for 1 minute.)

Ms. KELLY of Illinois. Mr. Speaker, family income shouldn't dictate a child's educational outcome; but today, study after study shows that children from lower-income families face unique social, emotional, and financial challenges that lead them to start school already behind their peers.

We began addressing this problem in 1965 when President Lyndon Johnson established the Head Start program. Fifty years later, over 30 million of our most vulnerable children have benefited from Head Start and a more level playing field.

In Illinois today, there are 48 Head Start programs across the State. These programs not only provide opportunities for more than 40,000 Illinois children and their families each year, but they also give tens of thousands of passionate educators the chance to give our most needy children a shot at success.

This week, as we celebrate the 50th anniversary of Head Start, I urge my

colleagues to stand with me in support of this vital program. I look forward to ensuring that all children can have an equal opportunity to succeed.

I want to salute our troops, our veterans, and those who gave their lives as we move into Memorial Day.

□ 1015

PROBLEMS AT THE IRS CONTINUE

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

Mr. PAULSEN. Mr. Speaker, while it may feel like a case of deja vu, the sad fact of the matter is, we are once again talking about real problems at the IRS. This time, the Treasury inspector general reports that 1,600 IRS agents in a 10-year period did not pay their taxes.

While it is bad enough to think that those tasked with collecting our taxes can't manage to pay their own, what makes this case worse is that a majority of these employees were given reduced penalties instead of facing the full consequences of their actions. A number of these employees even received promotions and bonuses.

Mr. Speaker, taxpayers deserve better than a government agency that can't seem to follow the rules, and hard-working Americans should be treated with more respect. It is time for more oversight and more transparency at this agency and holding employees accountable who break the rules.

50TH ANNIVERSARY OF HEAD START

(Ms. LEE asked and was given permission to address the House for 1 minute.)

Ms. LEE. Mr. Speaker, I rise to commemorate the 50th anniversary of Head Start, which President Johnson announced May 18, 1965. Head Start is our Nation's commitment that every child—regardless of their ZIP Code—has an opportunity to succeed.

Since its creation, Head Start has prepared more than 30 million children for success in the classroom and beyond. My former district director, a brilliant African American man, was a Head Start graduate. His story and millions of others demonstrate just how important early childhood education programs are.

Yet nearly 57,000 children across the country have lost access because of draconian sequester cuts, and the 2016 Republican budget makes it worse by removing another 35,000 children from the program, including 4,500 from my home State of California.

Our children deserve better. How in the world will they compete with children throughout the world if we deny them an early start?

Mr. Speaker, we know high-quality, early childhood education is one of the best investments we can make. So on the 50th anniversary of Head Start, I urge my colleagues to fully support this critical program and leave no child behind.

I, too, want to commemorate and remember my dad, a veteran who served in two wars. And also, I want to commemorate and thank our veterans, our young men and women on duty, and those who have paid a very serious price on behalf of this country.

SPURRING PRIVATE AEROSPACE COMPETITIVENESS AND ENTREPRENEURSHIP ACT OF 2015

GENERAL LEAVE

Mr. MCCARTHY. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on the bill, H.R. 2262.

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

There was no objection.

The SPEAKER pro tempore. Pursuant to House Resolution 273 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the consideration of the bill, H.R. 2262.

The Chair appoints the gentleman from Louisiana (Mr. GRAVES) to preside over the Committee of the Whole.

□ 1018

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H.R. 2262) to facilitate a pro-growth environment for the developing commercial space industry by encouraging private sector investment and creating more stable and predictable regulatory conditions, and for other purposes, with Mr. GRAVES of Louisiana in the chair.

The Clerk read the title of the bill.

The CHAIR. Pursuant to the rule, the bill is considered read the first time.

The gentleman from California (Mr. MCCARTHY) and the gentlewoman from Maryland (Ms. EDWARDS) each will control 30 minutes.

The Chair recognizes the gentleman from California.

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

Mr. Chairman, when I was a child, I learned that there was more to our universe than just my home and my town. There were people in great cities. There were buildings that stretched to the clouds. There were machines that could explore the character of atoms and telescopes that saw into distant galaxies. There is so much in the world.

And in recent decades, we have grown accustomed to seeing it all. Entire continents and countries are a plane ride away. The Internet is a window to the world from the comfort of our homes. In this time of innovation, what was once unimaginable is now common, and what was once distant now feels so close.

But we all know there is still so much left to learn. In my heart, I believe man's journey of exploration and discovery has barely begun.

For generations, dating back to the dawn of humankind, every man, woman, and child has looked up to the stars in wonder. We imagined that the dots of light could reveal a glimpse of the future. And we thought that each night, we saw the whole heavens stretching above us.

But as technology has given us new eyes to see the universe, we discovered that even on the clearest of nights, we can only see a fraction of the stars in one small section of our galaxy.

I still look up at the stars with wonder. And I know that we are only at the start of our mission into this great frontier.

You see, I spent time in school, just like every kid in America, learning about our first voyages into space and the Moon landing. I remember how much pride I felt, knowing that America did it first and that our flag still flies up there today.

But that is not where we were meant to stop.

America has always led because it is in our nature to lead. We crossed over the mountains of Appalachia and into the Great Plains. We climbed the Rockies to the golden coast of California and beyond, creating a Nation in this land that has far surpassed all others in truth, hope, and liberty.

We are a beacon of freedom and human dignity to every person that longs for the right to choose their own future, and we are a force for good unlike anything this world has ever known.

And yet in space, we are losing our ability to lead. We once stood up to the challenge of the Soviet's Sputnik and made it to the Moon. But today our astronauts use Russian rockets, and other nations are working to put people on Mars and beyond.

But we must go beyond. We must face the great unknown with that American spirit of adventure and hope.

To paraphrase President Kennedy, we must lead mankind into space—not because it is easy, but because it is hard and because that goal brings out the very best of our Nation.

There are people—scientists, engineers, astronauts, and entrepreneurs—out in the deserts of California who have a goal, the same goal so many Americans have had before them. It was our forefathers' goal at the founding of this Nation conceived in liberty. It was our goal when two young bicycle repairmen rose above the sand and

waves of a North Carolina beach to fly. It was our goal when Chuck Yeager raced through the skies over California and broke the sound barrier.

That goal is to make our dreams a reality.

Today these 21st century explorers in California and across the Nation want to bring man above the clouds, above the Earth, and above the Moon, itself. And we should let them.

Government has great power; that is true. But in America, we believe that power is limited. It cannot, should not, and will not be used to diminish our dreams.

I stand here before you today, Mr. Chairman, presenting a bill. This bill asks us to make a decision: Do we concede our future to one of managed decline where others lead? Or do we make a future where America and her people guide us in our journey to the stars?

I reserve the balance of my time.

Ms. EDWARDS. Mr. Chairman, I yield myself such time as I may consume.

I rise in opposition to H.R. 2262, the SPACE Act of 2015. And I am actually quite saddened by that. It is not the outcome I had hoped for. Like the gentleman from California, I share in the enthusiasm and the wonder of space.

I would note that the Commerce, Justice, Science, and Related Agencies Appropriations Subcommittee has just cut $230 million from the President's request for these activities.

It was my sincere belief that the Science, Space, and Technology Committee could have reached bipartisan agreement on a commercial space bill. Indeed, during the past few weeks, there was a concerted attempt on both sides of the committee to reach common ground on tackling these issues and developing a bipartisan bill.

However, with the backdrop of meeting the majority's floor schedule as the top priority, there was insufficient time given to negotiate a compromise before last week's full committee markup.

Mr. Chairman, I think most of us on both sides of the aisle share in the excitement and enthusiasm about the commercial space industry, and we want it to succeed. Indeed, hundreds of millions of dollars have been paid by taxpayers into this industry to get it off the ground. American taxpayers have a lot of skin in the game when it comes to the success of commercial space.

Since the very beginning, the Federal Government has supported the private space industry, at both the State and Federal level, with funding, data, and guidance with best practices.

Since the Commercial Space Launch Act was passed in 1984, followed by the Commercial Space Launch Act Amendments of 1988 and 2004, it is clear that the commercial space industry has made significant strides.

Even in 2004, few would have predicted that NASA would be relying today on commercial space transportation to deliver critical supplies, spare parts, and research material to the International Space Station.

Who knows what developments will occur in the commercial space arena in the coming years. What we do know is that it won't just be commercial cargo transported into space; in fact, it will also be people. That is why it is up to Congress to develop responsible commercial space policies that both encourage the commercial space industry and protect those who participate as the users of the industry's services and activities.

Sadly, this bill just doesn't measure up to that responsibility. Instead, it takes a fundamentally unbalanced approach to the issues facing the commercial space launch industry.

Two key areas should concern all Members, Republicans and Democrats alike.

The first area pertains to safety. A moratorium on the FAA's authority to regulate the safety of crew and spaceflight participants was initially included in the Commercial Space Launch Act Amendments of 2004 in order to allow the commercial space industry the time to acquire experience and data that would inform the development of safety regulations.

However, initial expectations of industry progress simply were not realized. So in 2012, Congress extended the moratorium for 3 more years as part of the FAA Modernization and Reform Act of 2012. The end of that learning period is set to expire on September 30, 2015.

H.R. 2262, the bill in front of us, would extend the learning period to December 31, 2025, a decade-long moratorium on FAA's ability to even start proposing a safety framework.

This is very dangerous. This unprecedented regulation-free period for a decade for the commercial and human spaceflight industry puts no pressure on the industry to establish industry consensus standards, standards that could potentially be used as self-regulation measures for the industry.

In addition to providing the industry with 10 years of no safety regulations, H.R. 2262 negatively affects the rights of individuals on important safety matters by requiring spaceflight passengers to waive liability against launch providers and other parties.

What that means is that spaceflight participants have to waive their rights to sue the launch provider and related parties for claims, even if there is negligence involved.

Mr. Chair, H.R. 2262 puts policy in place that favors industry over policy that ensures balanced consideration for those people the industry will serve. That is a position that I and all of my Democratic colleagues on the committee oppose.

Another area of concern pertains to space resource utilization, such as asteroid mining.

Mr. Chair, there is merit to positioning ourselves to answer questions associated with space mining, the property rights that accrue from such activities, and the harmonization with our treaty obligations.

However, establishing prescriptive policies, as H.R. 2262 would do, is simply premature.

To preclude the proverbial placement of the cart before the horse, it would be prudent to establish an interagency review to help identify appropriate roles and responsibilities and a proposed organizational structure for the Federal Government's oversight and licensing of commercial space resource exploration and utilization.

And it would also be prudent, Mr. Chair, to hold hearings on these issues and on this legislation, as well as to have a subcommittee markup, what we sometimes refer to as regular order. H.R. 2262 skips these steps.

Proponents of the space resources utilization provisions in H.R. 2262 argue that the range of issues has been adequately vetted and reviewed by the executive branch.

□ 1030

Mr. Chairman, it is my understanding that while several individuals in the executive branch have offered technical drafting comments in response to queries about the bill, no Federal agency has taken a position on the bill.

Indeed, the administration says: ''While the administration strongly supports the bill's efforts to facilitate innovative new space activities by U.S. companies, such as the commercial exploration and utilization of space resources to meet national needs, the administration is concerned about the ability of U.S. companies to move forward with these initiatives absent additional authority to ensure continuing supervision of these initiatives by the U.S. Government as required by the Outer Space Treaty.''

In addition to these concerns, we have received a number of letters from legal scholars, consumer interest groups, and attorneys who have raised concerns or are opposed to H.R. 2262 as written. I am submitting for the RECORD letters from Professor Joanne Gabrynowicz, Director of the National Center for Remote Sensing, Air and Space Law; the American Association for Justice; the Center for Justice & Democracy; Consumer Watchdog; the National Consumers League; the Network for Environmental and Economic Responsibility of United Church of Christ; Protect All Children's Environment; and Public Citizen.

520 DEER CREEK DRIVE,
Oxford, MS, May 12, 2015.

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

DEAR REPRESENTATIVE JOHNSON: At the request of Congressional Staff I am submitting this letter as a citizen expert for your consideration. I was requested to review H.R. 1508 and provide a comment. I am currently Professor Emerita at the University of Mississippi School of Law where I taught United States National Space Law, International Space Law, and Remote Sensing Law from 2001 to 2013. Prior to that I taught similar courses in the Space Studies Department at the University of North Dakota Odegard School of Aerospace Sciences from 1987 to 2001. I was the Editor-in-Chief of the Journal of Space Law from 2001–2013. My complete curriculum vitae is attached for your reference.

1. Outer Space Treaty Art. II prohibition of national appropriation by ''any other means''.

This comment addresses the most important issue raised by the Bill on its face. The Bill provides, ''[a]ny asteroid resources obtained in outer space are the property of the entity that obtained such resources, which shall be entitled to all property rights thereto, consistent with applicable provisions of Federal law.'' The Bill defines a ''space resource'' as a ''natural resource of any kind found in situ in outer space.'' It further defines an ''asteroid resource'' as ''found on or within an asteroid.'' The bill is addressing unextracted resources.

The United States is a State-Party to the Treaty on Principles Governing the Activities of States in the Exploration and Use of Outer Space, Including the Moon and Other Celestial Bodies. It prohibits ''national appropriation by claim of sovereignty, by means of use or occupation, or by any other means.'' The Bill attempts to grant U.S. jurisdiction over ''any asteroid resource'' in situ in order to authorize and require the ''President . . . to facilitate the commercial exploration and utilization of space resources to meet national needs''. Making unextracted, in situ ''asteroid resources'' subject to U.S. Federal law and requiring the President ''to meet national needs'' is a form of national appropriation by ''other means''.

2. The Bill does not provide for any specific licensing regime.

Unlicensed U.S. commercial space activities are unprecedented in United States space law. All commercial space activities to date require appropriate licensing by an authorized agency. Specific statutes delegate licensing authority to specific agencies. For example, the Commercial Space Launch Act authorizes the FAA to license commercial launch activities. The 1992 Land Remote Sensing Policy Act authorizes the Department of Commerce to license commercial remote sensing systems. Licensing is how the U.S. meets its obligations to authorize and continually supervise the space activities of non-government entities under the Outer Space Treaty.

In particular, it is important to note that the license requirement imposed on the licensee that it maintain 'operational control,' as the term is defined in Section 960.3, is an implementation of U.S. obligations under the United Nations Outer Space Treaty of 1967. That treaty provides that the U.S. Government, as a State party, will be held strictly liable for any U.S. private or governmental entity's actions in outer-space. Consequently, NOAA requires that licensees under this part to maintain ultimate control of their systems, in order to minimize the risk of such liability and assure that the national security concerns, foreign policy and international obligations of the United States are protected.

The lack of a specific licensing regime also fails to meet the State Department's concern raised in a letter to Bigelow Aerospace from the FAA: the lack of a national regulatory framework with respect to private sector activities on celestial bodies.

3. The Bill only provides for a report.

The Bill requires the President to submit a report to recommend which Federal agencies will be necessary to meet U.S. international obligations. This may be sufficient. It is worth noting that reports are not the equivalent of licensing regulations that go through the Administrative Procedure Act process. However, this is a Federalism question, not a space law question so I will only point out the issue and note it is worth questioning and seeking the view of a relevant expert.

Sincerely,

JOANNE IRENE GABRYNOWICZ,
Prof. Emerita.

AMERICAN ASSOCIATION FOR JUSTICE,
May 20, 2015.

Re Support the Edwards Amendment to the SPACE Act of 2015 (H.R. 2262)

Hon. JOHN BOEHNER,
Speaker, House of Representatives, Washington, DC.

Hon. NANCY PELOSI,
Minority Leader, House of Representatives, Washington, DC.

DEAR SPEAKER BOEHNER AND LEADER PELOSI: The American Association for Justice (AAJ) supports the Edwards substitute amendment which substitutes the text of S. 1297, a bipartisan Senate companion for the SPACE Act of 2015 the ''Spurring Private Aerospace Competitiveness and Entrepreneurship Act of 2015'' or SPACE Act of 2015. The American Association for Justice (AAJ), formerly the Association of Trial Lawyers of America (ATLA) with members in United States, Canada and abroad, is the world's largest trial bar. It was established in 1946 to safeguard victims' rights, strengthen the civil justice system, promote injury prevention and foster public health and safety. AAJ is an advocate for a strong civil justice system in order to protect the health and wellbeing of all Americans.

Commercial space travel is an emerging industry that will allow for members of the general public to visit space for recreational or business purposes and AAJ recognizes the challenges of trying to give a new industry the flexibility to grow and innovate. However, Section 8 of the SPACE Act of 2015 requires passengers on commercial spacecraft to waive any right to damages for personal injury, property damage or death resulting from commercial space travel. While it may be acceptable for businesses with equal footing and negotiating power to execute cross waivers limiting their responsibility to each other, this waiver language should not extend to passengers. This provision is unfair and harmful to individuals. As a result, AAJ is supporting the Edwards substitute amendment, which does not contain the harmful cross waiver provision.

The SPACE Act of 2015 as introduced contains a provision which would provide the commercial space industry total immunity. This provision will be eliminated by the Manager's Amendment to the bill. We applaud Chairman Smith for protecting the American public. As the commercial space travel industry grows, safety should be put first and foremost. Industry interests should not be valued over that of the passengers.

Sincerely,

LINDA LIPSEN,
C.E.O.

MAY 20, 2015.

Re Opposition to H.R. 2262 the ''Spurring Private Aerospace Competitiveness and Entrepreneurship Act of 2015'' or SPACE Act.

Hon. JOHN BOEHNER,
Speaker, House of Representatives, Washington, DC.

Hon. NANCY PELOSI,
Minority Leader, House of Representatives, Washington, DC.

DEAR SPEAKER BOEHNER AND LEADER PELOSI: The undersigned organizations are writing to express opposition to HR. 2262, the ''Spurring Private Aerospace Competitiveness and Entrepreneurship Act of 2015'' or SPACE Act. While some of our organizations may have concerns about various parts of this legislation, this letter addresses two sections in particular: Sections 7 and 8.

The sweeping immunity proposed by these provisions is alarming. The commercial space industry's safety record has been shoddy with normal rules in place. The last thing Congress should be doing is passing legislation that removes this industry's financial incentive to conduct safe commercial space operations. And it is particularly troubling that this legislation was passed out of the House Committee on Science, Space, and Technology without a single hearing held.

Section 7 of the bill states: ''Any action or tort arising from a licensed launch or reentry shall be the sole jurisdiction of the Federal courts and shall be decided under federal law.'' Given that no federal tort law exists in such cases, this provision will immunize the private space industry for any harm it causes. It wipes out any tort remedy for death, injuries or property damage suffered as a result of a negligent or reckless launch or reentry. And space passengers are not the only individuals covered by this language. Anyone, from innocent bystanders watching a rocket launch, to people who happen to be at the wrong place at the wrong time, suffering any harm, whether that be losing a house, limb, or life, will be left without recourse. Imagine the vast radioactive carnage that could result from an exploding nuclear rocket, which the industry is discussing for future rocket propulsion.

Section 8 of the SPACE Act requires both companies and passengers on commercial space flights to cross-waive liability claims. It is one thing for companies with equal bargaining power to establish liability agreements between them. However, it is unfair to force passengers into such agreements. This provision does not protect passengers—it strips away their rights.

Supporters of the bill say immunity is needed to spur innovation and save jobs. This is nonsense. If the civil justice system were harming the industry in some way, this would already be evident. But according to the most recent Space Foundation report, ''The global space economy grew to $314.17 billion in commercial revenue and government budgets in 2013, reflecting growth of 4 percent from the 2012 total of $302.22 billion. Commercial activity—space products and services and commercial infrastructure—drove much of this increase. From 2008 through 2013, the total has grown by 27 percent.''

This industry should be subject to the same civil justice system that applies to every other dangerous industry in America. If a private space company is grossly negligent and harms people, it should be accountable for the harm it causes. For these reasons, we strongly oppose H.R. 2262 the ''Spurring Private Aerospace Competitiveness and Entrepreneurship Act of 2015'' or SPACE Act.

Very sincerely,

Alliance for Justice; Center for Justice & Democracy; Consumer Watchdog; National Consumers League; Network for Environmental & Economic Responsibility of United Church of Christ; Protect All Children's Environment; Public Citizen.

Ms. EDWARDS. In closing, Mr. Chairman, H.R. 2262 is an unbalanced bill that simply doesn't adequately protect the public's interest, whether in matters pertaining to the safety of the general public or in matters pertaining to the safety of the future consumers and customers of the industry, and incorporates prescriptive provisions on space resource utilization that are indeed premature.

Mr. Chairman, I urge my fellow Members to oppose H.R. 2262, and I reserve the balance of my time.

Mr. MCCARTHY. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, this bill that comes before us today took some time in drafting. In over four hearings in a bipartisan manner, this committee reached out to the minority in October of last year and gave them a draft of the bill. Unfortunately, Mr. Chairman, the minority party did not come back for 5 months. But we want to make clear that everybody understood the bill.

We also want to make clear that people didn't make misstatements because, in this bill, the section provides FAA's ability to regulate commercial human spaceflight in order to protect the uninvolved public, national security, public health and safety, safety of property, and foreign policy. It also preserves FAA's ability to regulate spaceflight participant and crew safety as a result of an accident or unplanned event.

Mr. Chairman, I yield 4 minutes to the gentleman from Texas, Chairman SMITH, the man who has led this committee in a bipartisan manner.

Mr. SMITH of Texas. Mr. Chairman, I thank the gentleman from California for yielding, and our thanks go to Majority Leader KEVIN MCCARTHY for introducing such an important piece of legislation. In fact, we have made him an honorary member of the Science, Space, and Technology Committee.

Mr. Chairman, space commercialization, this bill, is the future of space. This bill will encourage the private sector to build rockets, to take risks, and to shoot for the heavens. H.R. 2262, the Spurring Private Aerospace Competitiveness and Entrepreneurship Act of 2015, or SPACE Act, facilitates a progrowth environment for the developing commercial space sector. It creates more stable regulatory conditions and improves safety, which, in turn, attracts private investment.

Members of Congress should know that earlier this week the administration officially stated—and this is the most important thing in my view that the administration said, and it was, unfortunately, omitted from the statement awhile ago that the ranking member quoted. Here is what the administration said:

It does not oppose House passage of this bill.

The SPACE Act secures American leadership in space and fosters the development of advanced space technologies. The SPACE Act preserves the Federal Aviation Administration's ability to regulate commercial human spaceflight in order to protect national security and public health and safety. The act preserves FAA's ability to regulate spaceflight participation and crew safety in the event of an accident.

The bill calls for a progress report on the knowledge the industry and FAA have gained about the operation and licensing of commercial human spaceflight. This allows the commercial space industry to develop standards and coordinate with the FAA so the industry can grow in a stable regulatory environment without the threat of arbitrary regulations that would adversely impact their ability to innovate.

Mr. Chairman, international law places liability for damages that result from space accidents on the launching nation. All spacefaring nations require some form of third-party liability insurance for launching entities.

The current U.S. risk-sharing structure expires in 2016. This act extends indemnification to the year 2025 and requires an update on how the FAA calculates the maximum probable loss associated with launches. Indemnification has never been utilized and is subject to future appropriations. This provision will prevent U.S. space companies from going overseas where other nations have more favorable liability protection.

The SPACE Act also closes a statutory loophole that negates an experimental permit once a launch license is issued for the same vehicle design. This fosters greater innovation and allows an experimental permit holder to continue testing while a license holder conducts operations. Current law only allows for two categories of individuals carried within a spacecraft: crew and spaceflight participants. Now that NASA is allowing other astronauts access to the International Space Station, a new category is necessary to outline the roles, responsibilities, and protections for astronauts on a commercial human spaceflight launch.

This bill also closes a loophole that carved out an exception for spaceflight participants from indemnification coverage. By including these individuals in the indemnification provision, spaceflight participants who may participate in a launch as a result of a contest or for other reasons are not burdened with financial exposure above the limits. This bill also ensures that Federal courts review lawsuits that result from accidents since the Federal Government is ultimately the responsible party, not the States.

Current law requires that all parties involved in a launch waive claims against each other. This bill adds spaceflight participants to the cross-waiver requirement to ensure consistency and reinforce the informed consent requirements.

The CHAIR. The time of the gentleman has expired.

Mr. MCCARTHY. Mr. Chairman, I yield the gentleman an additional 1 minute.

Mr. SMITH of Texas. All space community stakeholders have expressed support for this bill. They include Blue Origin, Virgin Galactic, Mojave Air and Space Port, SpaceX, the National Space Society, and the Commercial Spaceflight Federation, which represents more than 50 commercial space companies across the United States. The bill also includes many bipartisan provisions recently considered by the Science, Space, and Technology Committee.

The bill is the product of over 3 years of work, numerous committee hearings, and input from industry, education groups, and grassroots citizen advocacy groups. Virtually every stakeholder group, again, has supported this bill.

H.R. 2262 will keep America at the forefront of aerospace technology, promote American jobs, reduce red tape, promote safety, and inspire the next generation of explorers. I urge my colleagues to support this bill, and once again thank the majority leader for introducing it.

Ms. EDWARDS. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I would note, before yielding to the ranking member, that it should be no surprise that the entire commercial space industry is supporting the majority bill because it is incredibly generous to the industry without due consideration to the safety of the public and to spaceflight passengers who also might travel on their vehicle. So it is not a surprise.

I think all of us here want to see the support of the commercial space industry. We want a regulatory environment that respects their innovation but also protects United States taxpayers' interest. As I have said, taxpayers have, to the tune of hundreds of millions of dollars, our skin in the game. It is up to us to act responsibly.

Mr. Chairman, I yield such time as she may consume to the gentlewoman from Texas (Ms. EDDIE BERNICE JOHNSON), the ranking member.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Chairman, I rise in opposition to H.R. 2262, the SPACE Act of 2015.

This bill amends the Commercial Space Launch Act, which is one of the seminal achievements on this committee. That act opened the doors to establishment on the commercial space industry, which is poised to become a major part of the 21st century economy.

I agree that both our committee and the Congress as a whole need to address the Commercial Space Launch Act. We haven't comprehensively addressed these issues since 2004. I also want to be clear that I am a strong supporter of the commercial space industry. I think Members on both sides of the aisle want this industry to succeed because this industry's success is good for our Nation. However, the issues being dealt with in this bill are not straightforward. They are complex and require thoughtful consideration.

Unfortunately, the Committee on Science, Space, and Technology hasn't given these issues thoughtful consideration. We have not held any hearings so far this Congress to examine the issues being debated today. We also haven't had a subcommittee markup to try to work through some of the underlying issues in the legislation. That is really very unfortunate, because we could be considering a bipartisan piece of legislation today if the majority had simply laid the proper groundwork for moving complex legislation. Instead, we have rushed this bill to the floor to meet some arbitrary timetable established by somebody, perhaps the Republican leadership.

So what does this bill do? In every possible measure, H.R. 2262 gives maximum preference to the priorities of the commercial space launch industry—at the expense of the safety of the general public and the safety of the future customers of this very industry, and it does so at the expense of the American taxpayers.

Mr. Chairman, this bill proposes to provide the commercial space launch industry with another decade—decade—of regulation-free operations with respect to protecting the safety of spaceflight passengers. There won't be any passengers when they find out that they have no protection.

Some will state that the industry does not yet have enough experience to establish these regulations. That is rubbish. Both the United States and Russia have been launching humans into space for more than five decades. There has been literally hundreds of space launches on numerous different types of spacecraft during this time. The FAA has had more than enough data to rely on to set commonsense regulations on spaceflight passenger safety.

In addition, this bill also provides a lengthy 9-year extension of commercial space launch indemnification provisions. Congress has extended these provisions many times since they were originally crafted in 1988. Since 1988, the liability exposure of the U.S. Government under this regime has grown each and every year. What began as an approximately $1 billion backstop for the industry has now grown to more than $2.5 billion, and this will continue to grow for 9 more years under this bill. I think this is something that deserves a little more attention. Generally, as an industry matures, you would think their reliance on the U.S. Government for subsidies would decrease rather than increase.

Finally, Mr. Chairman, this bill takes steps into the uncharted waters involving space property rights. I am not against asteroid mining or space resource utilization. Those activities will come in time. However, I am for getting any legislation that addresses these areas right.

We are not at all close to resolving the many unanswered questions and issues concerning space resource utilization and property rights. At the single hearing the majority held on this topic last Congress, several of the invited witnesses expressed their views that there were many unsettled issues with the majority's draft legislation. Moving this legislation without really ever addressing these issues is, I believe, negligent on the part of the Congress.

Some on the other side of the aisle may point to the fact that the administration's Statement of Administration Policy did not include a veto threat against this bill. But I would note that the administration's statement also had serious concerns about sections of the bill and notably did not endorse the bill.

With respect to the asteroid mining provisions, the statement noted: ''the administration is concerned about the ability of U.S. companies to move forward with these initiatives absent additional authority to ensure continuing supervision of these initiatives by the U.S. Government as required by the Outer Space Treaty.''

Mr. Chairman, Ms. EDWARDS will be offering an amendment in the nature of a substitute that I will speak on one more time later. It may not have everything that industry desires, it may not reflect all of our priorities for commercial space launch policy, but it is a clear route to getting a balanced, bipartisan, bicameral commercial space launch bill enacted into law, because ultimately that is what we are trying to do is get a bicameral agreement.

□ 1045

We can argue over differences, or we can just join together to pass bipartisan, bicameral commercial space legislation.

I urge my colleagues to oppose H.R. 2262 in its present form and instead take a bipartisan approach to enacting commercial space launch legislation.

Mr. MCCARTHY. Mr. Chairman, I yield myself such time as I may consume.

Before I yield, I do want it noted, 1969, what all America felt when they watched America make a step on the Moon, on an American rocket and American ingenuity. Unfortunately, today, we pay Russia for an astronaut from America to ride on their rockets. Some may be content with that, but, Mr. Chairman, I am not. That is why this bill today allows us to have some change and growth to make that happen.

Mr. Chairman, I yield 3 minutes to the gentleman from Illinois (Mr. HULTGREN).

Mr. HULTGREN. Mr. Chairman, I want to take a moment to thank the sponsor of this bill, Majority Leader MCCARTHY, for his great work. This is very important.

I also want to thank our great chairman, LAMAR SMITH, who has had an unprecedented week in the House of Representatives of passing bills of innovation, advancing science. Congratulations to him as well.

The space industry represents hundreds of billions of dollars in economic investment and thousands of jobs across the United States, but it is not just large companies.

Cain Tubular—a small, multigenerational, family-owned business in my district—is doing the innovative work necessary for safe, weld-free condensing coils for the next generation of rocket engines.

Scot Forge is another business in my district, working under an amazing employee ownership model, that is forging the heavy metal parts and casings for multiple launch systems throughout the supply chain.

The space industry is an engine of economic growth throughout the country, and our opportunity to do this right is vitally necessary to maintain American competitiveness as other nations begin to catch up.

That is why I rise today to urge my colleagues to support H.R. 2262, the Spurring Private Aerospace Competitiveness and Entrepreneurship Act of 2015. The SPACE Act facilitates a progrowth environment for the commercial space sector. It fosters a safety framework that will protect the American public, while encouraging the development of new space technologies. This will ensure America's exceptional role is maintained as the most innovative Nation in the world.

This legislation also extends the current risk-sharing structure set to expire next year and requires an update on how the FAA calculates maximum

probable loss associated with potential spaceflight accidents. This ensures that U.S. space companies won't be forced to go overseas to compete.

The SPACE Act also establishes a legal framework for government property rights of resources obtained from asteroids, giving U.S. companies the legal assurance they need to invest in and develop in situ space resource exploration and utilization technologies. The successful exploration and use of in situ asteroid resources is an important step in humanity's development and is in the national interest of the United States.

The SPACE Act helps develop the commercial space industry, ensures commercial space lawsuits are treated fairly, and allows the commercial space industry to grow like never before.

For these reasons, I strongly recommend my colleagues support commercial space with a vote for the SPACE Act of 2015.

Ms. EDWARDS. Mr. Chairman, may I inquire as to how much time each side has remaining?

The CHAIR. The gentlewoman from Maryland has 14 minutes remaining. The gentleman from California has 17 minutes remaining.

Ms. EDWARDS. Mr. Chairman, I yield myself such time as I may consume.

I just want to, for the RECORD, because I think it is important for the American people that we don't mix apples and oranges, the Bush administration actually canceled the program that would have enabled us to make sure that we have American rocket vehicles going to the space station.

In the interim period, those requests have been severely underfunded, so I think it is important for us to put into perspective what is happening in the space industry.

Now, I—as somebody who long ago worked in the industry, worked at NASA—understand the importance of investing in science and research and funding the activities of NASA and supporting the industry. I also understand that we have put—this Congress, in fact—has placed burdens both on the industry and on the agency to perform without putting the money to do that.

I would note that this SPACE Act doesn't have any money that goes with it. In fact, on the appropriations side, as I stated earlier, $230 million has actually been cut from the President's request.

I yield 1 minute to the gentlewoman from Texas (Ms. EDDIE BERNICE JOHNSON), my colleague and the ranking member.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Chairman, I simply wanted to respond to the statement that we have to rely on Russia.

We are relying on Russia because we won't pay for it in this country, but we are willing to allow a private commercial spaceship to fly at the expense of the government and at the risk of every person who would hire a trip. We are paying them to take supplies to a space station because we refuse to fund space station flight for human flight from this country.

Mr. MCCARTHY. Mr. Chairman, I yield myself such time as I may consume.

Today, we pay Russia $70 million for one astronaut to go to the International Space Station. As commercial space begins to grow, we watched others get into the market—SpaceX—so they could do it for much less. That is what this bill talks about, allowing the commercial space others to join in.

I don't think all the answers come from Washington. I think government should be limited, but we should not limit our ability to grow. Why should we complain if we can use private sector money to even increase our capabilities to go higher into space?

Mr. Chairman, the next person I am going to yield to knows a great deal about this. He represents aerospace corridor. He comes from a family that is renowned in the development of space in America.

Mr. Chairman, I yield 2 minutes to the gentleman from California (Mr. KNIGHT), the son of Mr. Pete Knight, who still holds the record for the fastest man on Earth in an X–15.

Mr. KNIGHT. Mr. Chairman, I want to thank the majority leader for bringing this forward. This is a vital piece of legislation.

The majority leader brings up a subject that is always very important to me. It happened on December 17, 1903. It happened in a little bicycle shop in Dayton, Ohio. Two innovators took their invention across part of the country out to a little place in North Carolina in Kitty Hawk, and they flew a man-powered controllable aircraft for the first time.

Now, why is that important? It is because the government had thrown a $50,000 grant to get this done, and they couldn't get it done, but two innovators could get it done by nothing other than the brains that they had, the energy, and their two hands.

America needs to ensure that it will continue to be the leader in the space industry. Business and innovation want stability, and this bill does just that, by extending the FAA learning period and duration of indemnification to 10 years.

When I speak to fifth graders—and I think we all do at least a couple times a year; I try to speak to at least 50 schools a year—but when I talk to the fifth graders, I ask them how long it takes to fly from LA to Tokyo. There is always a 2-hour or a 20-hour or anything like that.

I tell them it takes about 10½ hours. I said: But in your lifetime, it is going to take about an hour and a half.

They said: Well, that is great. That is great. I would love to be in an airplane for just an hour and a half or a spacecraft when, today, we have to do 10½ hours.

Well, do you know what, that will happen if we let it happen. Right now, it is happening. Innovation is flourishing. These things are happening. We are doing jousting programs that is dispersing the supersonic wave which means, at some point, we will be able to fly over the continent at more than Mach 1.

That means we will be able to fly home to California in an hour and a half. Now, I know all of us Californians would love to do that instead of the 5½ hours it takes today, just like it took in 1970.

This bill allows the FAA to gather sufficient data to ensure the regulations will help foster growth in the industry. I support this bill.

Ms. EDWARDS. Mr. Chairman, I yield myself such time as I may consume.

We have been listening to this discussion, and I think, when the other side reclaims their time, it would be really helpful to explain why it is that, if this is so important and that it is so urgent, why it is that the majority has cut $230 million from commercial crew. I will wait to hear the answer, as I am sure the American people are waiting.

I yield 2 minutes to the gentlewoman from Texas (Ms. JACKSON LEE).

Ms. JACKSON LEE. Mr. Chairman, I thank the gentlewoman.

I thank the managers of this bill, including the majority leader.

I just want to say that I come from Space City. Houston, Texas, has as its motto—its defining moment besides railroads—is Space City. I served 12 years on the Science, Space, and Technology Committee, and I had a strong commitment and continue to have a strong commitment to human space exploration—in particular, the research that is garnered out of that mighty effort.

I have traveled to most of the NASA centers across the Nation, and I have seen outstanding researchers. There is no reason for any of us, Democrats or Republicans, to oppose the idea of space exploration and, in this instance, commercial space exploration.

What I will say to you, Mr. Chairman, and to my good friend, the majority leader, let us walk step-by-step together.

Certainly, I am concerned as someone who offered and wrote legislation to promote more safety on the International Space Station—proudly so—legislation that was ultimately passed and I believe has made the space station more enduring, to be able to suggest that this bill limits to a certain extent the safety requirements that I believe would make this industry a better industry, to say also that we are

highlighting or offering the commercial space industry over the investment in NASA, which I have great concern, as we look forward to the implementation of the Orion and the opportunities for further space exploration.

I would want to make sure that this legislation does not undermine our work with NASA and, frankly, that the safety elements that are so important, not only to the civilian population—because I have commercial space entities in Texas just a few hundred miles away from Houston, Texas, but I also have the NASA Johnson Space Center—and I would want to know whether or not there is a conflict between the safety requirements that we have to implement and the safety requirements and security requirements in commercial space exploration.

The CHAIR. The time of the gentlewoman has expired.

Ms. EDWARDS. I yield the gentlewoman an additional 30 seconds.

Ms. JACKSON LEE. The other thing that I would offer to suggest, as this bill moves to the Senate, is the investments that are made, the profits that may ultimately be made by commercial space exploration, it would be appropriate to use those moneys to invest in R&D and the Federal Government for it to continue its very important, unrestrained research that has been so mighty to helping so many different people under NASA.

I want to thank the gentlewoman for yielding, but I would ask the question: Can we not provide a safety matrix for commercial space exploration as we have done in the public sector?

Mr. MCCARTHY. Mr. Chairman, I yield 2 minutes to the distinguished gentleman from Texas (Mr. BABIN).

Mr. BABIN. Mr. Chairman, several weeks ago, we passed a NASA authorization bill that returns NASA to its core mission, human space flight.

The bill before us, H.R. 2262, builds on that good work. We have many American businesses employing thousands of American workers right now. These businesses are pursuing their own space missions, both orbital and suborbital.

Some of these entrepreneurs have plans to reach below low Earth orbit, such as taking the first steps toward missions to mine asteroids for precious metals. This landmark legislation will do more to secure America as the home of commercial space exploration than any other legislation that Congress has considered. These endeavors are a great complement to Federal investments in civil and military space initiatives.

Let's face it, in any field, no American entrepreneur is going to invest billions of dollars of their own money where there is regulatory uncertainty. The SPACE Act of 2015 creates a regulatory framework and provides certainty for these privately financed endeavors to take the next steps.

□ 1100

This legislation will bolster thousands of high-tech American jobs, building a stronger economy, advancing technological leadership, and strengthening our Nation's industrial base.

I want to recognize the hard work of our colleagues—Majority Leader KEVIN MCCARTHY, BILL POSEY, DANA ROHRABACHER, and JIM BRIDENSTINE. These folks have worked hard for several years on key commercial space provisions that have been incorporated into this bill. Their efforts will create an environment for these private sector companies to flourish.

I would also like to thank our chairman, LAMAR SMITH, and Space Subcommittee chair STEVEN PALAZZO for their leadership in moving this legislation through the committee and in bringing it to the House floor.

America has always prospered because we have not stood in the way of visionaries. Rather, we have found a way to enable them to take a chance and succeed on their own.

The CHAIR. The time of the gentleman has expired.

Mr. MCCARTHY. I yield the gentleman an additional 30 seconds.

Mr. BABIN. A vote for this bill is a vote to ignite the flame of commercial space and propel the American entrepreneurial spirit beyond our world and into the final frontier of space. Passing this bill tells the world that America is the home for commercial space.

Ms. EDWARDS. Mr. Chairman, I yield myself such time as I may consume.

I just want to be really, really clear with the American people because I think sometimes we talk about the commercial space industry as though it exists on its own. In fact, it exists because the Federal Government and Federal taxpayers have been incredibly generous for this innovative, creative, and growing industry. It is because, as taxpayers, Mr. Chairman, we support the industry.

$3 billion alone in inflation-adjusted dollars goes as a backstop for indemnification, which is in case there is an accident or whatever—a $3 billion backstop by the Federal taxpayer. Billions of dollars have gone into the development as the industry has grown. Indeed, some projections say that 9 of every 10 dollars that have gone into the development have actually come from the American taxpayer. Hundreds of millions of dollars support the infrastructure, the launch facilities that are maintained for the industry and—who knows?—countless dollars from State tax credits on down the line.

It would be really inaccurate to say that any of us—Republicans or Democrats or any American taxpayer—does not support the commercial space industry. We want it to be safe. We want to make sure that liability is taken care of. We want to make sure that, in fact, the skin in the game of the taxpayers is met with responsible public policy. To correct the record, it is $243 million that the Republican majority has actually cut from Commercial Crew.

Again, I would say, if you support the industry, then please explain why it is that you have also supported a cut to the very thing that would continue to grow the industry.

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

Mr. MCCARTHY. Mr. Chairman, may I inquire as to how much time is remaining.

The Acting CHAIR (Mr. STEWART). The gentleman from California has 11½ minutes remaining. The gentlewoman from Maryland has 7 minutes remaining.

Mr. MCCARTHY. Mr. Chairman, I yield 3 minutes to the distinguished gentleman from California (Mr. ROHRABACHER).

Mr. ROHRABACHER. Mr. Chairman, let me note that the commercial space industry has not cost us taxpayers' money. The commercial space industry has generated billions and billions of dollars worth of income to honest citizens who then pay their taxes—who wouldn't have jobs otherwise—not to mention, of course, the billions of dollars the commercial space industry has saved us simply by doing a more efficient job at launching satellites and at supplying the space station than could be done by the public sector—by NASA and other government employees.

H.R. 2262, the SPACE Act of 2015, builds on the House Science, Space, and Technology's bipartisan tradition of promoting economic growth in America. Today, we are talking about that economic growth in terms of an emerging, new, entrepreneurial industry that is tremendously beneficial to the bottom line of America—the billions of dollars that it is creating with a new, innovative approach to an industry that goes into space in order to accomplish its missions. The SPACE Act of 2015 specifically continues the streamlined regulatory regime that Congress put in place for commercial human spaceflight just a decade ago in the Commercial Space Launch Amendments Act of 2004.

I am proud to have been the one to have authored that legislation, legislation which passed in Congress with bipartisan support. I would hope that bipartisan support continues because, in 2004, it was Bart Gordon of Tennessee and Nick Lampson of Texas—both Democrats—who made it possible for us to get this legislation passed as well as Silvestre Reyes from Texas. Of course, there are a lot of Texans here today involved in this debate because there are a lot of people in Texas who are hired and who have great jobs because of what we did then.

When we talk about and when we hear that we have cut $243 million, no, no. We were willing to keep that in the budget. Republicans would have been willing if we had found other areas that had been less important. But the reason these things happen is that our colleagues on the other side of the aisle cannot seem to prioritize. We prioritize this.

Mr. Chairman, we prioritize launching new industries, creating new jobs, saving billions of dollars in money that would be spent otherwise, because the commercial space industry, like SpaceX and other champions of space entrepreneurship, has done a great deal of benefit to the United States of America.

Ms. EDWARDS. Mr. Chairman, I yield myself such time as I may consume.

I just want to be very, very clear. I was not originally much of a supporter before I knew anything about the industry. I didn't know about the industry. Indeed, it was through the bipartisan work on the Science, Space, and Technology Committee that I got to know the industry and to value the role that the commercial space industry plays.

I, actually, don't have a quibble with the American taxpayers in their providing the kind of support in the development work and in resources that are available through NASA to support the industry. I, actually, think it is a good thing for us to do. But I don't want to hide the fact that, given that and that kind of responsibility, it is also our responsibility to provide an important safety framework for the industry to proceed, especially as we go into the future, imagining that we will have many other players.

I would also say that I am concerned about what we do around liability—how we create both a safety regulatory regime but also place liability where it belongs. Although, in the manager's amendment, the majority does try to deal with the question of Federal court jurisdiction, what we don't deal with is this idea of cross-waivers. That is, if you are a passenger—you could be a researcher, not anyone who is particularly wealthy—and if something happens, then you have waived all of your liability even in a case where there would be negligence involved. This, I think, ought to raise great concerns.

The reality is that, at the end of the day, if there is any kind of catastrophic accident, the American taxpayers will, of course, bear the responsibility as we always have for those accidents.

I reserve the balance of my time.

Mr. MCCARTHY. Mr. Chairman, I yield myself such time as I may consume.

My friend on the other side makes a good point in that a lot of people may not know about spaceflight or commercial spaceflight, and they may not know about this bill. That is why this is a great opportunity to explain, and that is why the majority on this side gave the bill to the minority last October. Unfortunately, it was 5 months before anything came back.

There is one point that was brought up—indemnification. That has been extended 9 times in the last 25 years, and it has never been used. The one thing that needs to be noted is that we are in competition with the rest of the world. We are more stringent in this than is any other country with their space. If we plan on being the leader, we need to have the legislation move forward.

Mr. Chairman, I yield 3 minutes to the gentleman from Florida (Mr. POSEY).

Mr. POSEY. I thank the majority leader for yielding.

Mr. Chairman, earlier this morning, during debate, there have been a number of letters—a litany of letters—by various organizations offered for the RECORD, so I thought it would be appropriate, in the interest of intellectual honesty, actually, to enter a couple of records myself.

Let me read from one of them here:

On May 13, 2015, the Committee on Science, Space, and Technology conducted a markup of four critical space-related bills. Among the bills considered was H.R. 1508, the Space Resource Exploration and Utilization Act of 2015. During the markup—I will leave the Member's name out—submitted a letter for the record from Joanne Gabrynowicz, a former professor of space law at the University of Mississippi. After reviewing the letter, we, the undersigned, feel it is important to clarify some errors in Ms. Gabrynowicz' interpretation of H.R. 1508 and to highlight some constructive elements of the bill. There is a duplicate bill in the Senate cosponsored by Senators Patty Murray and Marco Rubio. Our comments apply to both.

The basic claims made in the letter rest on two issues: an allegation that the bill violates article II of the Outer Space Treaty and an allegation that the U.S. Government has no licensing regime in place for commercial space activities envisioned by the bill.

Both statements are based on a misreading of the intent and words of the bill.

They go on with another four or five pages to clarify what was completely misleading there. This letter is signed by Henry R. Hertzfeld, Co-Chair of the American Branch, International Law Association, Research Professor of Space Policy and International Affairs, Elliott School of International Affairs and Adjunct Professor of Law, The George Washington University; by Matthew Schaefer, Law Alumni Professor of Law, Director—Space, Cyber and Telecommunications Law Program, University of Nebraska College of Law, Co-Chair, American Branch of International Law Association—Space Law Committee; by James C. Bennett, Consultant, Fort Collins, Colorado, Space Fellow, Economic Policy Centre, London; and by Mark J. Sundahl, Professor and Associate Dean for Administration, Cleveland State University, Cleveland-Marshall College of Law.

MAY 15, 2015.

DEAR MAJORITY LEADER MCCARTHY, CHAIRMAN SMITH, RANKING MEMBER JOHNSON, CHAIRMAN PALAZZO, AND RANKING MEMBER EDWARDS: On May 13, 2015, the Committee on Science, Space, and Technology conducted a markup of four critical space-related bills. Among the bills considered was H.R. 1508, the Space Resource Exploration and Utilization Act of 2015. During the markup Ranking Member Johnson submitted a letter for the record from Joanne Gabrynowicz, a former professor of space law at the University of Mississippi. After reviewing the letter we, the undersigned, feel it is important to clarify some errors in Ms. Gabrynowicz's interpretation of H.R. 1508 and highlight some constructive elements of H.R. 1508. There is a duplicate bill in the Senate, S. 976, co-sponsored by Senators Patty Murray and Marco Rubio. Our comments, below, apply to both H.R. 1508 and S. 976.

The basic claims made in the letter commenting on H.R. 1508 and, by extension, S. 976 rest on two issues:

1. An allegation that the bill violates Article II of the Outer Space Treaty (OST), and

2. An allegation that the U.S. Government has no licensing regime in place for commercial space activities envisioned by the bill.

Both statements are based on a misreading of the intent and words of the bill.

1. With regard to the allegation that the bill violate the OST by enabling national appropriation:

The bill does not grant U.S. jurisdiction to an asteroid or any asteroid resource. It does grant U.S. jurisdiction to companies that fall under U.S. jurisdiction as specifically defined in §51301 with the intent of adjudicating claims of ''harmful interference'' between those companies if such allegations are made in the future. Protecting entities from ''harmful interference'' is consistent with, and indeed furthers, the purposes of the OST, that requires ''due regard'' be given to other's space activities and requires advance consultations if a proposed activity ''would cause potentially harmful interference.''

The letter states that the bill is addressing ''unextracted resources.'' In fact, there are several steps: identifying the resources, extracting resources, and then using/delivering them. The words of the bill are ''resources obtained'', leaving the unknown technical details to be specified in the future when they can be better defined and a process can be developed for regulatory actions as needed. In any event, ''obtained'' is inconsistent with ''unextracted.''

The use of the word ''in situ'' in defining space resources simply means resources in place in outer space; but any such resource within or on an asteroid would need to be ''obtained'' in order to confer a property right. The use of the word ''in situ'' in merely defining a space resource in the bill is not equivalent to claiming sovereignty or control over celestial bodies or portions of space. Further, there is clear Congressional direction in the bill that the President is only to encourage space resources exploration and utilization, including lowering barriers to such activity, ''consistent with'' and ''in accordance with'' US international obligations—which precludes Ms. Grabynowicz' interpretation of the impact of the term ''in situ.''

The bill does not, in any manner, claim sovereignty over a celestial body or portions of outer space; it only provides for rights for

private entities to use the resources on a celestial body (specifically asteroids) just as States have in the past. Article I of the Outer Space Treaty states that ''the Moon and other celestial bodies, shall be free for exploration and use by all States''. This Article has been interpreted as allowing for the extraction of natural resources.

Examples: return of Moon rocks and soil by U.S. and Russia (Soviet Union); return of asteroid materials by Japan. Each government has declared that these are their property and has enforced that action:

United States Government has treated the theft of moon rocks as a criminal offense

Russia has in the past put moon rocks up for a public auction

Japan has put its asteroid materials in a Japanese museum. A customary international law of the right to claim ownership over extracted natural resources has emerged due to the collections of moon rocks by the United States and the subsequent gifting of these rocks to foreign nationals without any objections from any states.

In the ''One Lucite Ball'' case, the United States District Court for the Southern District of Florida, Miami Division, upheld the right of Honduras to assert ownership over a moon rock (unpublished Case No. 01–0116–CIV–JORDAN). The court discussed two sales of lunar rock samples involving private parties (one involving a slide of lunar dust sold at Sotheby's auction and the second involving the lunar sample and plaque given by the U.S. to Nicaragua that was purchased by a private buyer from the middle east).

The NASA proposed Asteroid Recovery Mission involves similar technologies and the current proposal is to move a boulder from an asteroid to a lunar orbit. Some of these activities may be done in partnership with private entities in the United States.

These activities, ranging from scientific missions to commercial sales have never been judged to be in violation of Article II of the OST.

If governments and private companies are ever going to ''use'' space for benefits to all humankind, the extraction of resources from celestial bodies will have to be allowed, and this foreseeable future is provided for in the space treaties. There is no prohibition on private entities or profit-making entities performing these services either for themselves or for their governments.

However, government(s) are responsible for the continuing supervision of non-government activities in outer space (Art. VI of the OST), and the United States Government has the most complete and comprehensive set of regulations for space in the world.

There already exist regulatory requirements for commercial companies that want to get to space and to use space. The particular U.S. regulatory mechanisms vary with each application but include launch payload reviews, spectrum/communications approvals, and, when appropriate, national security and export control approvals.

Since there are a variety of related new proposed activities in outer space (e.g. on-orbit satellite servicing) proposing a specific licensing requirement for resource utilization alone in this bill would be inappropriate until all new activities are reviewed together.

The required report in the bill is the first step in developing new procedures and processes for activities in outer space that have not been done before by private entities.

The criticism that this bill is to meet ''national needs'' alone is incorrect. Those words are taken out of the context of §51302. That section focuses on what the Federal agencies should do to encourage private activities in space and refers to the economic incentives for those companies. The global needs and information obtained from the science and technology behind resource extraction and use may indeed benefit all humankind through knowledge, through the future global provision of currently scarce minerals, and through expanded space exploration. Further, private foreign companies subject to the jurisdiction of the United States—and thus facing exposure to non-interference claims—also can be beneficiaries of non-interference rights under the bill.

Last month the U.S. State Department made a statement at the United Nations Committee On the Peaceful Uses of Outer Space (COPUOS) that clearly outlines a responsible path to balancing the requirements of our Treaty obligations with the needs of new commercial entities in space:

''My Government sees great promise in private investment in path-breaking new activities to advance our understanding of the solar system and to unlock new space applications that benefit all mankind. The history of space exploration—and innovation—teaches us that it is difficult, if not impossible, to foresee the technological innovations, and downstream applications, arising from efforts to push the envelope of exploration—and that the benefits of these innovations and applications are enjoyed across the Earth. As the United States goes about encouraging private investment—from all nations—in the peaceful exploration and use of outer space, *and evolves its national mechanisms for authorizing and supervising non-governmental space activities*, we will continue to be guided by the four core, and widely accepted, treaties on space—the Outer Space Treaty, the Rescue and Return Agreement, and the Liability and Registration Conventions. Under the legal framework of these treaties, the use of space by nations, international organizations, and private entities has flourished. As a result, space technology and services contribute immeasurably to economic growth and improvements in the quality of life around the world.'' [*Emphasis added*]

The Space Resource Exploration and Utilization Act is in complete compliance with all existing international obligations of the United States. The bill further insists that actions taken pursuant to the bill, both by the Executive Branch and U.S. commercial space resource utilization entities (to benefit from non-interference rights), be consistent with international obligations of the United States. The bill also compliments and furthers the position of the Executive Branch. As Ms. Gabrynowicz notes in her letter regarding the Presidential report requirement, ''This may be sufficient.'' Indeed, it is not only sufficient but the most pragmatic path forward for the U.S. Government to create a process, informed by industry and international concerns, that creates the legal framework necessary to meet our existing international obligations. Creating such a legal framework right now would be shortsighted and likely hamper or destroy our growing space resource industry. Placing a legal framework in this bill is not needed to meet any current United States international obligations. There are adequate interim means of meeting those obligations through existing authorities should new activities in outer space begin before constructing a new legal framework.

The U.S., between 1980 and the effective date of the Commercial Space Launch Act, October 1984, set precedents for OST-compliant control in the absence of explicit legislation or activity-specific regulation. Two suborbital launch vehicles were privately developed and tested in the U.S. during that time period, Space Services Inc.'s Percheron (1980) and Arc Technologies' (later Starstruck, Inc.'s) Dolphin (1983–84). The U.S. Government licensed both activities. In each case, the Government used existing regulatory requirements and mechanisms (FAA airspace control, FCC radio licenses, OMC export permits) to review the proposed activities and impose conditions such as liability insurance on the launch operators. Lessons learned from these licensing exercises were incorporated in the drafting of the Commercial Space Launch Act.

Therefore, there is U.S. precedent for control of space activities, adequate to satisfy OST requirements for supervision and control, even in the absence of specific statutory law or regulation describing the particulars of the activity in question. Using these interim mechanisms can serve to provide an experience base for crafting better legislation subsequently.

In summary, the bill is a necessary step to begin to address our obligations of continuing supervision for commercial space activities and to fulfill our commitments under the terms of the OST.

It is also important to note the many constructive things that H.R. 1508 and S. 976 accomplish:

1. Advance U.S. Technology and Leadership

a. H.R. 1508 and S. 976 provide a legal foundation that provides private U.S. companies to ability to raise funds, protect their investments, employ aerospace professionals, and develop cutting edge aerospace technologies.

b. Other nations, such as China and Russia, have stated an intent to recover resources from objects in space. H.R. 1508 and S. 976 give U.S. industry a legal foundation that provides a head start to compete with these nations.

2. Create Constructive Dialogue for International Frameworks for Commercial Space Resource Exploration and Utilization

a. As stated by the U.S. delegate to COPUOS, the U.S. will need to develop a framework that meets existing international obligations and creates an environment in which all nations can benefit from space resource exploration and utilization. H.R. 1508 and S. 976 allow the U.S. to lead and direct this international discussion.

A failure to pass H.R. 1508 and S. 976 will create uncertainty about the U.S. Government's position on space resource exploration and utilization. This uncertainty would be extremely detrimental to our developing space resource industry and it would provide encouragement for other nations to challenge our leadership in this area.

It is apparent that considerable effort has gone into drafting H.R. 1508 and S. 976. These bills create a valid legal foundation to begin the processes necessary to create informed oversight mechanisms, which are required by the treaties, and are in compliance with all existing U.S. international obligations.

Sincerely,

HENRY R. HERTZFELD,
Co-Chair of the American Branch, International Law Association, Research Professor of Space Policy and International Affairs, Elliott School of International Affairs and Adjunct Professor of Law, The George Washington University.
MATTHEW SCHAEFER,
Law Alumni Professor of Law, Director—Space, Cyber and Telecommunications Law Program, University of Nebraska College of Law, Co-Chair, American Branch of International Law Assoc.—Space Law Committee.
JAMES C. BENNETT, CONSULTANT,
Fort Collins, Colorado, Space Fellow, Economic Policy Centre, London.
MARK J. SUNDAHL,
Professor and Associate Dean for Administration, Cleveland State University, Cleveland—Marshall College of Law.

Mr. POSEY. There is a similar letter, and I will submit that also. It is by Dennis J. Burnett, District of Columbia Bar Association; J.D., University of Nebraska; LL.M., Georgetown University; Adjunct Professor of Law, University of Nebraska College of Law—U.S. Trade Law and Commercial Space Law; Vice Chairman, Advisory Board, Space, Cyber and Telecom Program, University of Nebraska College of Law; Secretary and Director, International Institute of Space Law.

MAY 16, 2015.

DEAR MAJORITY LEADER MCCARTHY, CHAIRMAN SMITH, RANKING MEMBER JOHNSON, CHAIRMAN PALAZZO, AND RANKING MEMBER EDWARDS: On May 13, 2015, the Committee on Science, Space, and Technology conducted a mark-up of four critical space-related bills. Among the bills considered was H.R. 1508, the Space Resource Exploration and Utilization Act of 2015.

During the markup Ranking Member Eddie Bernice Johnson submitted a letter for the record from Joanne Gabrynowicz, Professor Emerita of space law at the University of Mississippi. After reviewing H.R. 1508 and Professor Gabrynowicz's letter, I would like to comment on several issues of international law related to the proposed legislation.

In particular, I will comment on the following issues: (1) whether recognition of property rights in asteroid resources would result in a ''national appropriation'' in violation of Article II of the Treaty on Principles Governing the Activities of States in the Exploration and Use of Outer Space, Including the Moon and other Celestial Bodies (the ''Outer Space Treaty''); and (2) whether the absence of the creation of a licensing regime by H.R. 1508 would result in a failure to authorize and supervise the activities of nationals of the United States in the exploration and use of outer space as is required by Article VI of the Outer Space Treaty.

Is the use of asteroid resources and acquisition of property rights in asteroid resources is not a violation of Article II of the Outer Space Treaty?

It should be clearly stated that there is no provision of the Outer Space Treaty that explicitly prohibits the acquisition of property rights in asteroid resources. To the contrary, the Outer Space Treaty explicitly recognize the right of ''exploration and use'' of outer space, including the moon and other celestial bodies. A right of use is a well-recognized property right in both common law and civil law.

While it may be asserted that granting property rights in asteroid resources is a national appropriation, this assertion is inconsistent with state practice. For example, Moon rocks and soil returned to the Earth by U.S. and Russia (Soviet Union), and asteroid materials return to Earth by Japan have been treated as property of those governments. The United States has prosecuted theft of moon rocks and Russia has auctioned moon rocks. These actions have never been judged to be in violation of Article II of the Outer Space Treaty.

Does the absence of a licensing regime in H.R. 1508 result in a failure to authorize and supervise the activities of nationals of the United States in violation of Article VI of the Outer Space Treaty?

It is quite clear that Article VI of the Outer Space Treaty requires the United States to authorize and supervise the activities of its nationals in outer space. It also is clear that H.R. 1508 does not authorize any executive agency or any independent commission to regulate (i.e., authorize and supervise) the activities of U.S. nationals in outer space that are not already regulated.

It is my understanding that there are a variety of new proposed activities in outer space (e.g. on-orbit satellite servicing, space tourism, moon habitation, solar satellites, etc.). It may be argued that these activities need appropriate authorization and supervision by the United States if conducted by nationals of the United States. At this time it appears that there is no agreement on basic issues of what authority is required, which agency, if any, should authorize and supervise, which agency should have which responsibility and what resources would be required to implement those responsibilities.

In lieu of imposing a solution when the problem is not fully understood, it is my understanding that the drafters of H.R. 1508 propose that the President prepare a report to Congress as the first step in developing new procedures and processes for activities in outer space for which there may be no existing agency authority to authorize and supervise. It appears that the drafters are attempting to create a valid legal foundation to begin the processes necessary to create appropriate mechanisms for any authorization and supervision that may be required by the Outer Space Treaty and other existing U.S. international obligations.

Very truly yours,

DENNIS J. BURNETT.

Mr. POSEY. I think that, clearly, they reflect that there has been some misleading information put forth in objecting to this bill, and I urge my colleagues to take that into consideration and to vote favorably for this badly needed historic and constructive legislation to make America's space program and commercial space industry much better.

Ms. EDWARDS. Mr. Chairman, I yield myself such time as I may consume.

Just for the record, I would note that the letters that have been submitted by the majority are interesting. I would note that one of the authors, in fact, is paid by one of the companies that is involved in this legislation, so we should take that into consideration.

I also want to point out that, with respect to indemnification, again, the United States in current—today's—dollars bears a responsibility for about $3 billion in indemnification should there be an accident.

Lastly, of course, it is really important for us to understand that these liability concerns are not small potatoes. In fact, the Judiciary Committee should have taken a look at this when it came to looking at Federal court jurisdiction. We should have had additional hearings on this when it comes to looking at the impact on international treaties. We have not had any hearings in that regard. I just think we ought to proceed more responsibly.

I reserve the balance of my time.

□ 1115

Mr. MCCARTHY. Mr. Chairman, I yield 2 minutes to the gentleman from Oklahoma (Mr. LUCAS).

Mr. LUCAS. Mr. Chairman, I rise today to support H.R. 2262, the Spurring Private Aerospace Competitiveness and Entrepreneurship Act of 2015, or the SPACE Act.

Since 2004, when Congress last amended the Commercial Space Launch Act, commercial space companies have made significant contributions to space technology development and helped to strengthen American leadership in space. Congress must keep up with the changes in the industry, and the CSLA needs to be updated to ensure that the space sector can flourish in the years to come.

Currently, all major spacefaring nations require some form of third-party liability insurance for launching entities. The indemnification regime of the CSLA expires next year. The act would extend indemnification to 2025 in order to prevent U.S. launches from going overseas and taking high-tech American jobs with them.

In a letter praising the act's extension of the indemnification, Tom Stroup, president of the Satellite Industry Association, wisely stated that the act is ''an important step in maintaining U.S. innovation and leadership in satellite launch and one that promotes overall access to space.'' Several other groups, such as the Commercial Spaceflight Federation, have had similar comments praising the extension.

Moreover, this bill promotes stability and flexibility in the commercial space market through regulatory reform. By extending the learning period to 2025, the Federal Aviation Administration and industry will have more time to collect information and develop a safety framework for commercial spaceflight. This will ensure that the growing commercial space market will not be overburdened with uninformed regulations.

Space-based technology has become a vital part of our economy. Americans rely on it every day, from GPS to weather forecasting to land remote sensing, in everything we do.

The SPACE Act gives the private sector a chance to expand this growing

portion of our economy by allowing commercial spaceflight companies to take passengers to and from space and by setting the groundwork for a comprehensive safety framework that will guide future spacefaring activities.

Now is not the time to turn our backs on the innovators and the entrepreneurs who have made this Nation great. If we care about American leadership in space and the American space economy, I urge you to support this important piece of legislation.

Ms. EDWARDS. Mr. Chairman, I have no further speakers, and I yield myself the balance of my time.

Mr. Chairman, I rise here today because, as I said in my opening remarks, that I think that most of us on both sides of the aisle share the excitement about the commercial space industry and we do indeed want it to succeed.

We all work for the taxpayer; and the American taxpayer, as I have stated, has a vested interest in the commercial space industry because we have laid out hundreds of millions of dollars, billions of dollars to support it.

Mr. Chairman, the Senate yesterday marked up a bipartisan compromise bill with very few changes to it. On the other hand, this bill, if it passes the House unchanged, is going to be dead in the water. But if we pass the substitute that we are considering later on, that I offer later today, we will have a great chance to do some real lawmaking. It will not have addressed all of the industry concerns. It will not have done anything to get in the way of the advance of commercial space.

So I urge my fellow Members to support a bipartisan process that began over in the Senate. Vote for the substitute amendment later on and say, you know, we can start fresh here, not with something that just disadvantages consumers and taxpayers. Let's try to be on the same page when it comes to the strong support that I think each side feels with respect to the commercial space industry.

I yield back the balance of my time.

Mr. MCCARTHY. Mr. Chairman, I yield myself such time as I may consume.

I have one question for everyone here: Do you believe America is exceptional?

Fifty-four years ago, President Kennedy spoke to a joint session of Congress in this very Chamber, and he set forth an astounding goal: to put an American on the Moon before the end of the decade.

Many doubted our ability to do that. But like America has done throughout our history, we proved them wrong. So on July 20, 1969, Neil Armstrong took one small step and changed the course of history.

You see, President Kennedy's vision is part of America's fundamental character. We are pioneers. We always move forward. We never back down from a challenge, and beating the odds is in our DNA.

This was the case for our very founding. We brought forth a new nation in pursuit of a more perfect union. With the winds of freedom at our back, we headed west to unchartered lands, relying on the same spirit of adventure that endures in the Central Valley of California to this day.

We watched as two bicycle repairmen flew above the sand and waves on a beach in North Carolina, not because of government grants or Washington connections, but because they had the audacity to make a dream a reality.

Today, dorm room startups and tech entrepreneurs are connecting our entire world, paving the way to tomorrow.

The world looks to America because we give them a reason to look to us. We show them a vision of the future, and we deliver. But we can't take our global leadership and innovation for granted. Today we pay Russia $70 million for one seat on their rocket.

Right now there is a new generation of pioneers. They want to embark on the next stage of space exploration, and we should not hold them back. The truth is Washington never comes up with the next big idea, but we can support those innovators who do and create the best environment possible for them to succeed.

Steve Jobs, one of America's great innovators, once said ''innovation distinguishes between a leader and a follower.'' That is true for people and for a country. Those words carry special meaning for everyone who ever dared to venture off the beaten path. It means something to the small-business owners working at their kitchen tables and the inventors tinkering in the dorm rooms and garages. It means something to every kid who ever dreamed of space and who still dreams of leading us in a journey to the stars.

So for all American pioneers, those who will lead our Nation through the 21st century, I again ask: Do you believe America is exceptional? Because I do.

I yield back the balance of my time.

Mr. BLUMENAUER. Mr Chair, I voted for H.R. 2262, the Spurring Private Aerospace Competitiveness and Entrepreneurship (SPACE) Act of 2015 to promote continued American competitiveness and ingenuity in space exploration. I agree with many of my fellow Democrats that as this industry matures, we should be regularly revisiting the issue of the ''learning period,'' and its related Federal Aviation Administration (FAA) regulations regarding spacecraft, as well as rules relating to indemnification.

This is why I supported the Edwards amendment to the SPACE Act to shorten the extension of these provisions to five and four years, rather than continuing them through 2025. Though that amendment failed, I voted to support the underlying bill because it is important to encourage growth in this industry, considering the end of NASA's space shuttle program in July 2011, and the rapid development of this industry internationally.

As is now happening with our commercial drone industry, which can help us with everything from enforcing environmental protections to improving worker safety, a failure to move beyond outmoded federal regulations in the U.S. will mean other countries progress and we're left behind. A failure to reach agreement on these critical areas of emerging technology and the role of the federal government will undercut American's ability to compete and lead in the 21st century. Research, innovation and investments are happening in the area across the globe. We must strike the right balance, but Congress ought not play a role by adding complexity and delay.

The Acting CHAIR. All time for general debate has expired.

Pursuant to the rule, the bill shall be considered for amendment under the 5-minute rule.

In lieu of the amendment in the nature of a substitute recommended by the Committee on Science, Space, and Technology, printed in the bill, it shall be in order to consider as an original bill for the purpose of amendment under the 5-minute rule an amendment in the nature of a substitute consisting of the text of Rules Committee Print 114–17. That amendment in the nature of a substitute shall be considered as read.

The text of the amendment in the nature of a substitute is as follows:

H.R. 2262

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

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''Spurring Private Aerospace Competitiveness and Entrepreneurship Act of 2015'' or the ''SPACE Act of 2015''.

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

TITLE I—COMMERCIAL SPACE LAUNCH

SEC. 101. CONSENSUS STANDARDS.

Section 50905(c) of title 51, United States Code, is amended—

(1) by striking paragraph (3);

(2) by redesignating paragraph (4) as paragraph (8); and

(3) by inserting after paragraph (2) the following:

''(3) INTERIM INDUSTRY VOLUNTARY CONSENSUS STANDARDS REPORT.—The Secretary, in consultation with the Commercial Space Transportation Advisory Committee, or its successor organization, shall provide a report to the Committee on Science, Space, and Technology of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate on the progress of the commercial space transportation industry in developing voluntary consensus standards or any other construction that promotes best practices to improve the industry. Such report shall include, at a minimum—

''(A) any voluntary industry consensus standards or any other construction that have been accepted by the industry at large;

''(B) the identification of areas that have the potential to become voluntary industry consensus standards or another potential construction that are currently under consideration by the industry at large;

''(C) an assessment from the Secretary on the general progress of the industry in adopting voluntary consensus standards or any other construction;

''(D) lessons learned about voluntary industry consensus standards or any other construction, best practices, and commercial space launch operations;

''(E) any lessons learned associated with the development, potential application, and acceptance of voluntary industry consensus standards or any other construction, best practices, and commercial space launch operations; and

''(F) recommendations, findings, or observations from the Commercial Space Transportation Advisory Committee, or its successor organization, on the progress of the industry in developing industry consensus standards or any other construction.

This report, with the appropriate updates in the intervening periods, shall be transmitted to such committees no later than December 31, 2016, December 31, 2018, December 31, 2020, and December 31, 2022. Each report shall describe and assess the progress achieved as of 6 months prior to the specified transmittal date.

''(4) INTERIM REPORT ON KNOWLEDGE AND OPERATIONAL EXPERIENCE.—The Secretary shall provide a report to the Committee on Science, Space, and Technology of the House of Representatives and the Committee on Commerce, Science, and Transportation of the of the Senate on the status of the knowledge and operational experience acquired by the industry while providing flight services for compensation or hire to support the development of a safety framework. Interim reports shall by transmitted to such committees no later than December 31, 2018, December 31, 2020, and December 31, 2022. Each report shall describe and assess the progress achieved as of 6 months prior to the specified transmittal date.

''(5) INDEPENDENT REVIEW.—No later than December 31, 2023, an independent, private systems engineering and technical assistance organization or standards development organization contracted by the Secretary shall provide to the Committee on Science, Space, and Technology of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate an assessment of the readiness of the commercial space industry and the Federal Government to transition to a safety framework that may include regulations. As part of the review, the contracted organization shall evaluate—

''(A) the progress of the commercial space industry in adopting industry voluntary standards or any other construction as reported by the Secretary in the interim assessments included in reports provided under paragraph (4); and

''(B) the knowledge and operational experience obtained by the commercial space industry while providing services for compensation or hire as reported by the Secretary in the interim knowledge and operational reports provided under paragraph (4).

''(6) LEARNING PERIOD.—Beginning on December 31, 2025, the Secretary may propose regulations under this subsection without regard to paragraph (2)(C) and (D). The development of any such regulations shall take into consideration the evolving standards of the commercial space flight industry as identified through the reports published under paragraphs (3) and (4).

''(7) COMMUNICATION AND TRANSPARENCY.—Nothing in this subsection shall be construed to limit the authority of the Secretary of Transportation to discuss potential approaches, potential performance standards, or any other topic related to this subsection with the commercial space industry including observations, findings, and recommendations from the Commercial Space Transportation Advisory Committee, or its successor organization, prior to the issuance of a notice of proposed rulemaking. Such discussions shall not be construed to permit the Secretary to promulgate industry regulations except as otherwise provided in this section.''.

SEC. 102. INTERNATIONAL LAUNCH COMPETITIVENESS.

(a) PURPOSE.—The purpose of this section is to provide for updating the methodology used to calculate the maximum probable loss from claims under section 50914 of title 51, United States Code, with a validated risk profile approach to provide reasonable maximum probable loss values associated with potential third party losses from commercially licensed launches. An appropriately updated methodology will help ensure that the Federal Government is not exposed to greater financial risks than intended and that launch companies are not required to purchase more insurance coverage than necessary.

(b) MAXIMUM PROBABLE LOSS PLAN.—Not later than 180 days after the date of enactment of this Act, the Secretary of Transportation shall provide to the Committee on Science, Space, and Technology of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a plan to update the methodology used to calculate maximum probable loss from claims under section 50914 of title 51, United States Code, through the use of a validated risk profile approach. Such plan shall include, at a minimum—

(1) an evaluation of the reasonableness of the current single casualty estimate and, if needed, the steps the Secretary will take to update such estimate;

(2) an evaluation, in consultation with the Administrator of the National Aeronautics and Space Administration and the heads of other relevant executive agencies, of the reasonableness of the dollar value of the insurance requirement required by the Secretary for launch providers to cover damage to Government property resulting from a commercially licensed space launch activity, and recommendations as to a reasonable calculation if, as determined by the Secretary, the current statutory threshold is insufficient;

(3) a schedule of when updates to the methodology and calculations for the totality of the Maximum Probable Loss will be implemented, and a detailed explanation of any changes to the current calculation; and

(4) consideration of the impact of the cost of its implementation on the licensing process, both in terms of the cost to industry of collecting and providing the requisite data and cost to the Government of analyzing the data.

(c) INDEPENDENT ASSESSMENT.—Not later than 270 days after transmittal of the plan under subsection (b), the Comptroller General shall provide to the Committee on Science, Space, and Technology of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate an assessment of—

(1) the conclusions and analysis provided by the Secretary of Transportation in the plan required under subsection (b);

(2) the implementation schedule proposed by the Secretary in such plan;

(3) the suitability of the plan for implementation; and

(4) any further actions needed to implement the plan or otherwise accomplish the purpose of this section.

(d) LAUNCH LIABILITY EXTENSION.—Section 50915(f) of title 51, United States Code, is amended by striking ''December 31, 2016'' and inserting ''December 31, 2025''.

SEC. 103. LAUNCH LICENSE FLEXIBILITY.

Section 50906 of title 51, United States Code, is amended—

(1) in subsection (d), by striking ''launched or reentered'' and inserting ''launched or reentered under that permit'';

(2) by amending subsection (d)(1) to read as follows:

''(1) research and development to test design concepts, equipment, or operating techniques;'';

(3) in subsection (d)(3), by striking ''prior to obtaining a license'';

(4) in subsection (e)(1), by striking ''suborbital rocket design'' and inserting ''suborbital rocket or rocket design''; and

(5) by amending subsection (g) to read as follows:

''(g) The Secretary may issue a permit under this section notwithstanding any license issued under this chapter. The issuance of a license under this chapter shall not invalidate a permit under this section.''.

SEC. 104. GOVERNMENT ASTRONAUTS.

(a) DEFINITIONS.—Section 50902 of title 51, United States Code, is amended—

(1) by redesignating paragraphs (4) through (22) as paragraphs (5) through (23), respectively;

(2) by inserting after paragraph (3) the following new paragraph:

''(4) 'government astronaut' means an individual designated as such by the Administrator of the National Aeronautics and Space Administration, pursuant requirements established by the Administrator, who—

''(A) is an employee of—

''(i) the United States Government, including the United States Armed Forces; or

''(ii) a foreign government that is a party to the Intergovernmental Agreement Among the Government of Canada, Governments of Member States of the European Space Agency, the Government of Japan, the Government of the Russian Federation, and the Government of the United States of America Concerning Cooperation on the Civil International Space Station, signed on January 29, 1998; and

''(B) is carried within a launch vehicle or reentry vehicle in the course of his or her employment, which may include performance of activities directly relating to the launch, reentry, or other operation of the launch vehicle or reentry vehicle.'';

(3) in paragraph (5), as so redesignated by paragraph (1) of this subsection, by inserting ''government astronaut,'' after ''crew,'';

(4) in paragraph (7)(A), as so redesignated by paragraph (1) of this subsection, by inserting ''government astronaut,'' after ''(including crew training),'';

(5) in paragraph (14), as so redesignated by paragraph (1) of this subsection, by inserting ''government astronauts,'' after ''crew,'';

(6) in paragraph (15)(A), as so redesignated by paragraph (1) of this subsection, by inserting ''government astronaut,'' after ''(including crew training),'';

(7) by amending paragraph (18), as so redesignated by paragraph (1) of this subsection, to read as follows:

''(18) 'space flight participant' means an individual, who is not crew or a government astronaut, carried within a launch vehicle or reentry vehicle.''; and

(8) in paragraph (22)(E), as so redesignated by paragraph (1) of this subsection, by inserting '', government astronauts,'' after ''crew''.

(b) RESTRICTIONS ON LAUNCHES, OPERATIONS, AND REENTRIES; SINGLE LICENSE OR PERMIT.—Section 50904(d) of title 51, United States Code, is amended by inserting '', government astronauts,'' after ''crew''.

(c) LICENSE APPLICATIONS AND REQUIREMENTS; APPLICATIONS.—Section 50905 of title 51, United States Code, is amended—

(1) in subsection (a)(2), by striking ''crews and space flight participants'' and inserting ''crew, government astronauts, and space flight participants'';

(2) in subsection (b)(2)(D), by inserting '', government astronauts,'' after ''crew''; and

(3) in subsection (c)—

(A) in paragraph (1), by inserting '', government astronauts,'' after ''crew''; and

(B) in paragraph (2), by striking ''to crew or space flight participants'' each place it appears and inserting ''to crew, government astronauts, or space flight participants''.

(d) MONITORING ACTIVITIES.—Section 50907(a) of title 51, United States Code, is amended by striking ''crew or space flight participant training'' and inserting ''crew, government astronaut, or space flight participant training''.

(e) ADDITIONAL SUSPENSIONS.—Section 50908(d)(1) of title 51, United States Code, is amended by striking ''to crew or space flight participants'' each place it appears and inserting ''to crew, government astronauts, or space flight participants''.

SEC. 105. INDEMNIFICATION FOR SPACE FLIGHT PARTICIPANTS.

Chapter 509 of title 51, United States Code, is amended—

(1) in section 50914(a)(4), by adding at the end the following:

''(E) space flight participants.''; and

(2) in section 50915(a)(1)—

(A) by striking ''or a contractor'' and inserting ''a contractor''; and

(B) by striking ''but not against'' and inserting ''or''.

SEC. 106. FEDERAL JURISDICTION.

Section 50914 of title 51, United States Code, is amended by adding at the end the following:

''(g) FEDERAL JURISDICTION.—Any action or tort arising from a licensed launch or reentry shall be the sole jurisdiction of the Federal courts and shall be decided under Federal law.''.

SEC. 107. CROSS-WAIVERS.

Section 50914(b)(1) of title 51, United States Code, is amended to read as follows: ''(1) A launch or reentry license issued or transferred under this chapter shall contain a provision requiring the licensee or transferee to make a reciprocal waiver of claims with its contractors, subcontractors, and customers, the contractors and subcontractors of the customers, and any space flight participants, involved in launch services or reentry services or participating in a flight under which each party to the waiver agrees to be responsible for property damage or loss it or they sustain, or for personal injury to, death of, or property damage or loss sustained by its own employees resulting from an activity carried out under the applicable license.''.

SEC. 108. ORBITAL TRAFFIC MANAGEMENT.

(a) SENSE OF CONGRESS.—It is the sense of the Congress that, as none currently exists, there may be a need for a framework that addresses space traffic management of United States Government assets and United States private sector assets to minimize the proliferation of debris and decrease the congestion of the orbital environment.

(b) STUDY REQUIRED.—Not later than 90 days after the date of enactment of this Act, the Administrator of the National Aeronautics and Space Administration shall enter into an arrangement with an independent, private systems engineering and technical assistance organization to study frameworks for the management of space traffic and orbital activities. The study shall include the following:

(1) An assessment of current regulations, Government best practices, and industry standards that apply to space traffic management and orbital debris mitigation.

(2) An assessment of current statutory authority granted to the Federal Communications Commission, the Federal Aviation Administration, and the National Oceanic and Atmospheric Administration and how those agencies utilize and coordinate those authorities.

(3) A review of all space traffic management and orbital debris requirements under treaties and other international agreements to which the United States is a signatory, and other nonbinding international arrangements in which the United States participates, and the manner in which the Federal Government complies with those requirements.

(4) An assessment of existing Federal Government assets used to conduct space traffic management and space situational awareness.

(5) An assessment of the risk associated with smallsats as well as any necessary Government coordination for their launch and utilization.

(6) An assessment of existing private sector information sharing activities associated with space situational awareness and space traffic management.

(7) Recommendations related to the framework for the protection of the health, safety, and welfare of the public and economic vitality of the space industry.

(c) REPORT TO CONGRESS.—Not later than 1 year after the date of enactment of this Act, the Administrator shall provide to the Committee on Science, Space, and Technology of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate the report required in subsection (b).

(d) DEPARTMENT OF DEFENSE AUTHORITIES.—Congress recognizes the vital and unique role played by the Department of Defense in protecting national security assets in space. Nothing in this section shall be construed to amend authorities granted to the Department of Defense to safeguard the national security.

SEC. 109. STATE COMMERCIAL LAUNCH FACILITIES.

It is the Sense of Congress that State involvement, development, ownership, and operation of launch facilities can help enable growth of the Nation's commercial suborbital and orbital space endeavors and support both commercial and Government space programs. It is further the sense of Congress that State launch facilities and the people and property within the affected launch areas of those State facilities are subject to risks if the commercial launch vehicle fails or experiences an anomaly. To ensure the success of the commercial launch industry and the safety of the people and property in the affected launch areas, it is the further sense of Congress that States and State launch facilities should seek to take proper measures to secure their investments and the safety of third parties from potential damages that could be suffered from commercial launch activities.

SEC. 110. SPACE SUPPORT VEHICLES STUDY.

Not less than 1 year after the date of enactment of this Act, the Comptroller General shall submit to the Committee on Science, Space, and Technology of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate, a report on the use of space support vehicle services in the commercial space industry. This report shall include—

(1) the extent to which launch providers rely on such services as part of their business models;

(2) the statutory, regulatory, and market barriers to the use of such services; and

(3) recommendations for legislative or regulatory action that may be needed to ensure reduced barriers to the use of such services if such use is a requirement of the industry.

SEC. 111. STREAMLINE COMMERCIAL SPACE LAUNCH ACTIVITIES.

(a) SENSE OF CONGRESS.—It is the sense of Congress that eliminating duplicative requirements and approvals for commercial launch and reentry operations will promote and encourage the development of the commercial space sector.

(b) REAFFIRMATION OF POLICY.—Congress reaffirms that the Secretary of Transportation, in overseeing and coordinating commercial launch and reentry operations, should—

(1) promote commercial space launches and reentries by the private sector;

(2) facilitate Government, State, and private sector involvement in enhancing U.S. launch sites and facilities;

(3) protect public health and safety, safety of property, national security interests, and foreign policy interests of the United States; and

(4) consult with the head of another executive agency, including the Secretary of Defense or the Administrator of the National Aeronautics and Space Administration, as necessary to provide consistent application of licensing requirements under chapter 509 of title 51, United States Code.

(c) REQUIREMENTS.—

(1) IN GENERAL.—The Secretary of Transportation under section 50918 of title 51, United States Code, and subject to section 50905(b)(2)(C) of that title, shall consult with the Secretary of Defense, the Administrator of the National Aeronautics and Space Administration, and the heads of other executive agencies, as appropriate—

(A) to identify all requirements that are imposed to protect the public health and safety, safety of property, national security interests, and foreign policy interests of the United States relevant to any commercial launch of a launch vehicle or commercial reentry of a reentry vehicle; and

(B) to evaluate the requirements identified in subparagraph (A) and, in coordination with the licensee or transferee and the heads of the relevant executive agencies—

(i) determine whether the satisfaction of a requirement of one agency could result in the satisfaction of a requirement of another agency; and

(ii) resolve any inconsistencies and remove any outmoded or duplicative requirements or approvals of the Federal Government relevant to any commercial launch of a launch vehicle or commercial reentry of a reentry vehicle.

(2) REPORTS.—Not later than 180 days after the date of enactment of this Act, and annually thereafter until the Secretary of Transportation determines no outmoded or duplicative requirements or approvals of the Federal Government exist, the Secretary of Transportation, in consultation with the Secretary of Defense, the Administrator of the National Aeronautics and

Space Administration, the commercial space sector, and the heads of other executive agencies, as appropriate, shall submit to the Committee on Commerce, Science, and Transportation of the Senate, the Committee on Science, Space, and Technology of the House of Representatives, and the congressional defense committees a report that includes the following:

(A) A description of the process for the application for and approval of a permit or license under chapter 509 of title 51, United States Code, for the commercial launch of a launch vehicle or commercial reentry of a reentry vehicle, including the identification of—

(i) any unique requirements for operating on a United States Government launch site, reentry site, or launch property; and

(ii) any inconsistent, outmoded, or duplicative requirements or approvals.

(B) A description of current efforts, if any, to coordinate and work across executive agencies to define interagency processes and procedures for sharing information, avoiding duplication of effort, and resolving common agency requirements.

(C) Recommendations for legislation that may further—

(i) streamline requirements in order to improve efficiency, reduce unnecessary costs, resolve inconsistencies, remove duplication, and minimize unwarranted constraints; and

(ii) consolidate or modify requirements across affected agencies into a single application set that satisfies the requirements identified in paragraph (1)(A).

(3) DEFINITIONS.—For purposes of this subsection—

(A) any applicable definitions set forth in section 50902 of title 51, United States Code, shall apply;

(B) the terms ''launch'', ''reenter'', and ''reentry'' include landing of a launch vehicle or reentry vehicle; and

(C) the terms ''United States Government launch site'' and ''United States Government reentry site'' include any necessary facility, at that location, that is commercially operated on United States Government property.

SEC. 112. SPACE LAUNCH SYSTEM UPDATE.

(a) CHAPTER 701.—

*(1) AMENDMENT.—The chapter heading of chapter 701 of title 51, United States Code, is amended by striking ''**SPACE SHUTTLE**'' and inserting ''**SPACE LAUNCH SYSTEM**''.*

(2) CONFORMING AMENDMENT.—The item relating to chapter 701 of title 51, United States Code, is amended by striking ''Space Shuttle'' and inserting ''Space Launch System''.

(b) SECTION 70101.—

(1) AMENDMENTS.—Section 70101 of title 51, United States Code, is amended—

*(A) in the section heading, by striking ''**space shuttle**'' and inserting ''**Space Launch System**''; and*

(B) by striking ''space shuttle'' and inserting ''Space Launch System''.

(2) CONFORMING AMENDMENT.—The item relating section 70101 in the table of sections for chapter 701 of title 51, United States Code is amended by striking ''space shuttle'' and inserting ''Space Launch System''.

(c) SECTION 70102.—

(1) AMENDMENTS.—Section 70102 of title 51, United States Code, is amended—

*(A) in the section heading, by striking ''**Space shuttle**'' and inserting ''**Space Launch System**'';*

(B) in subsection (a)(1)(A), by striking ''space shuttle'' both places it appears and inserting ''Space Launch System'';

(C) in subsection (a)(1)(A)(i), by inserting ''directly to cis-lunar space and the regions of space beyond low-Earth orbit'' after ''human presence'';

(D) in subsection (a)(1)(B), by striking ''a shuttle launch'' and inserting ''a launch of the Space Launch System'';

(E) in subsection (a)(2), by striking ''a space shuttle mission'' and inserting ''a mission of the Space Launch System'';

(F) in subsection (b)—

(i) by striking ''space shuttle'' each place it appears and inserting ''Space Launch System''; and

(ii) by striking ''from the shuttle'' and inserting ''from the Space Launch System'';

(G) in subsection (c), by striking ''space shuttle'' and inserting ''Space Launch System''; and

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

''(d) DEFINITION.—In this section, the term 'Space Launch System' means the Space Launch System authorized under section 302 of the National Aeronautics and Space Administration Authorization Act of 2010.''.

(2) CONFORMING AMENDMENT.—The item relating section 70102 in the table of sections for chapter 701 of title 51, United States Code is amended by striking ''Space shuttle'' and inserting ''Space Launch System''.

(d) SECTION 70103.—

(1) AMENDMENTS.—Section 70103 of title 51, United States Code, is amended—

*(A) in the section heading, by striking ''**space shuttle**'' and inserting ''**Space Launch System**''; and*

(B) by striking ''space shuttle'' each place it appears and inserting ''Space Launch System''.

(2) CONFORMING AMENDMENT.—The item relating section 70103 in the table of sections for chapter 701 of title 51, United States Code is amended by striking ''space shuttle'' and inserting ''Space Launch System''.

TITLE II—SPACE RESOURCE EXPLORATION AND UTILIZATION

SEC. 201. SHORT TITLE.

This title may be cited as the ''Space Resource Exploration and Utilization Act of 2015''.

SEC. 202. TITLE 51 AMENDMENT.

(a) IN GENERAL.—Subtitle V of title 51, United States Code, is amended by adding at the end the following new chapter:

''CHAPTER 513—SPACE RESOURCE EXPLORATION AND UTILIZATION

''§ 51301. Definitions

''In this chapter:

''(1) SPACE RESOURCE.—The term 'space resource' means a natural resource of any kind found in situ in outer space.

''(2) ASTEROID RESOURCE.—The term 'asteroid resource' means a space resource found on or within a single asteroid.

''(3) STATE.—The term 'State' means any of the several States, the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, Guam, American Samoa, the Commonwealth of the Northern Mariana Islands, and any other commonwealth, territory, or possession of the United States.

''(4) UNITED STATES COMMERCIAL SPACE RESOURCE UTILIZATION ENTITY.—The term 'United States commercial space resource utilization entity' means an entity providing space resource exploration or utilization services, the control of which is held by persons other than a Federal, State, local, or foreign government, and that is—

''(A) duly organized under the laws of a State;

''(B) subject to the subject matter and personal jurisdiction of the courts of the United States; or

''(C) a foreign entity that has voluntarily submitted to the subject matter and personal jurisdiction of the courts of the United States.

''§ 51302. Commercialization of space resource exploration and utilization

''(a) IN GENERAL.—The President, acting through appropriate Federal agencies, shall—

''(1) facilitate the commercial exploration and utilization of space resources to meet national needs;

''(2) discourage government barriers to the development of economically viable, safe, and stable industries for the exploration and utilization of space resources in manners consistent with the existing international obligations of the United States; and

''(3) promote the right of United States commercial entities to explore outer space and utilize space resources, in accordance with the existing international obligations of the United States, free from harmful interference, and to transfer or sell such resources.

''(b) REPORT REQUIRED.—Not later than 180 days after the date of the enactment of this section, the President shall submit to Congress a report that contains recommendations for—

''(1) the allocation of responsibilities relating to the exploration and utilization of space resources among Federal agencies; and

''(2) any authorities necessary to meet the international obligations of the United States with respect to the exploration and utilization of space resources.

''§ 51303. Legal framework

''(a) PROPERTY RIGHTS.—Any asteroid resources obtained in outer space are the property of the entity that obtained such resources, which shall be entitled to all property rights thereto, consistent with applicable provisions of Federal law and existing international obligations.

''(b) SAFETY OF OPERATIONS.—A United States commercial space resource utilization entity shall avoid causing harmful interference in outer space.

''(c) CIVIL ACTION FOR RELIEF FROM HARMFUL INTERFERENCE.—A United States commercial space resource utilization entity may bring a civil action for appropriate legal or equitable relief, or both, under this chapter for any action by another entity subject to United States jurisdiction causing harmful interference to its operations with respect to an asteroid resource utilization activity in outer space.

''(d) RULE OF DECISION.—In a civil action brought pursuant to subsection (c) with respect to an asteroid resource utilization activity in outer space, a court shall enter judgment in favor of the plaintiff if the court finds—

''(1) the plaintiff—

''(A) acted in accordance with all existing international obligations of the United States; and

''(B) was first in time to conduct the activity; and

''(2) the activity is reasonable for the exploration and utilization of asteroid resources.

''(e) EXCLUSIVE JURISDICTION.—The district courts of the United States shall have original jurisdiction over an action under this chapter without regard to the amount in controversy.''.

(b) CLERICAL AMENDMENT.—The table of chapters for title 51, United States Code, is amended by adding at the end of the items for subtitle V the following:

TITLE III—COMMERCIAL REMOTE SENSING

SEC. 301. ANNUAL REPORTING.

(a) IN GENERAL.—Subchapter III of chapter 601 of title 51, United States Code, is amended by adding at the end the following:

''§ 60126. Annual reporting

''The Secretary shall provide a report to the Committee on Science, Space, and Technology of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate not later than 180 days after the date of enactment of the SPACE Act of 2015 and annually thereafter on—

''(1) the Secretary's implementation of section 60121, including—

''(A) a list of all applications received in the previous calendar year;

''(B) a list of all applications approved;

''(C) a list of all applications denied;

''(D) a list of all applications that required additional information; and

''(E) a list of all applications whose disposition exceeded the 120 day deadline established in section 60121(c), the total days overdue for applications that exceeded such deadline, and an explanation for the delay;

''(2) all notifications and information provided to the Secretary pursuant to section 60122; and

''(3) all actions taken by the Secretary under the administrative authority granted by section 60123(a)(4), (5), and (6).''.

SEC. 302. STATUTORY UPDATE REPORT.

Not later than 1 year after the date of enactment of this Act, the Secretary, in consultation with other appropriate Federal agencies and the National Oceanic and Atmospheric Administration's Advisory Committee on Commercial Remote Sensing, shall report to the Committee on Science, Space, and Technology of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate on statutory updates necessary to protect national security, protect privacy (which is not to be taken as altering any condition or standards for licensing), protect the United States industrial base, and reflect the current state of the art of remote sensing systems, instruments, or technologies.

TITLE IV—OFFICE OF SPACE COMMERCE

SEC. 401. RENAMING OF OFFICE OF SPACE COMMERCIALIZATION.

(a) CHAPTER HEADING.—

*(1) AMENDMENT.—The chapter heading for chapter 507 of title 51, United States Code, is amended by striking ''**COMMERCIALIZATION**'' and inserting ''**Commerce**''.*

(2) CONFORMING AMENDMENT.—The item relating to chapter 507 in the table chapters for title 51, United States Code, is amended by striking ''Commercialization'' and inserting ''Commerce''.

(b) DEFINITION OF OFFICE.— Section 50701 of title 51, United States Code, is amended by striking ''Commercialization'' and inserting ''Commerce''.

(c) RENAMING.—Section 50702(a) of title 51, United States Code, is amended by striking ''Commercialization'' and inserting ''Commerce''.

SEC. 402. FUNCTIONS OF THE OFFICE OF SPACE COMMERCE.

Section 50702(c) of title 51, United States Code, is amended by striking ''Commerce.'' and inserting ''Commerce, including to—

''(1) foster the conditions for the economic growth and technological advancement of the United States space commerce industry;

''(2) coordinate space commerce policy issues and actions within the Department of Commerce;

''(3) represent the Department of Commerce in the development of United States policies and in negotiations with foreign countries to promote United States space commerce;

''(4) promote the advancement of United States geospatial technologies related to space commerce, in cooperation with relevant interagency working groups; and

''(5) provide support to Federal Government organizations working on Space-Based Positioning Navigation, and Timing policy, including the National Coordination Office for Space-Based Position, Navigation, and Timing.''.

The Acting CHAIR. No amendment to the amendment in the nature of a substitute shall be in order except those printed in part A of House Report 114–127. Each such amendment may be offered only in the order printed in the report, by a Member designated in the report, shall be considered read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question.

AMENDMENT NO. 1 OFFERED BY MR. SMITH OF TEXAS

The Acting CHAIR. It is now in order to consider amendment No. 1 printed in part A of House Report 114–127.

Mr. SMITH of Texas. Mr. Chairman, I have an amendment made in order under the rule.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 5, line 18, strike ''(4)'' and insert ''(3)''.

Page 14, lines 18 and 19, strike ''and shall be decided under Federal law''.

Page 15, line 18, insert '', in consultation with the Federal Aviation Administration, the Federal Communications Commission, the National Oceanic and Atmospheric Administration, and the Department of Defense,'' after ''National Aeronautics and Space Administration''.

Page 17, line 18, insert ''(a) SENSE OF CONGRESS.—'' before ''It is the Sense''.

Page 18, after line 8, insert the following:

(b) REPORT REQUIRED.—Not later than 1 year after the date of enactment of this Act, the Comptroller General shall submit to the Committee on Science, Space, and Technology of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report on the potential inclusion of all government property, including State and municipal property, in the existing indemnification regime established under section 50914 of title 51, United States Code.

Page 23, line 19, insert ''in the table of chapters'' after ''chapter 701''.

Page 31, line 22, amend subparagraph (C) to read as follows:

''(C) a list of all applications denied and an explanation of why each application was denied, including any information relevant to the interagency adjudication process of a licensing request;

Page 32, line 10, after paragraph (3), insert the following:

Such report may include classified annexes as necessary to protect the disclosure of sensitive or classified information.

Page 32, after line 10, insert the following:

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 601 of such title is amended by inserting after the item relating to section 60125 the following new item:

''60126. Annual reporting.''.

The Acting CHAIR. Pursuant to House Resolution 273, the gentleman from Texas (Mr. SMITH) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Texas.

Mr. SMITH of Texas. Mr. Chairman, this amendment contains minor corrections to the underlying bill and is generally technical in nature. The amendment provides clarity to some of the reports in the bill on the learning period, orbital traffic management, commercial remote sensing, and the inclusion of classified annexes.

Additionally, this amendment ensures that Federal courts handling legal disputes will look to substantive State law to resolve claims that arise from a federally licensed launch.

Finally, this amendment includes a reporting requirement from the Government Accounting Office about the inclusion of State and municipal launch facilities in the indemnification regime.

This technical amendment will improve the clarity of multiple sections of the bill and ensure continued support for the growing commercial space industry. I urge my colleagues to support the amendment.

I reserve the balance of my time.

Ms. EDWARDS. Mr. Chairman, I claim the time in opposition to the amendment, although I do not oppose the amendment.

The Acting CHAIR. Without objection, the gentlewoman from Maryland is recognized for 5 minutes.

There was no objection.

Ms. EDWARDS. Mr. Chairman, I yield myself such time as I may consume.

The amendment partially addresses the concerns that we have had with the Federal jurisdiction provision in H.R. 2262. Maintaining ''under Federal law'' would have resulted in eliminating the rights of individuals to bring almost any type of legal action against companies related to commercial spaceflight accidents due to the lack of any applicable Federal law.

I would also like to highlight another change in the manager's amendment that goes beyond a technical remedy or a simple clarification. The amendment adds a requirement for the Secretary of Commerce to provide an annual report on its review of applications for licenses for commercial remote sensing. The manager's amendment now makes accommodation for the inclusion of classified annexes as necessary.

Mr. Chair, while this is a necessary addition to protect the disclosure of sensitive or classified information, it is only necessary because this amendment adds the requirement for the Secretary of Commerce to provide information related to the interagency adjudication process of a commercial remote sensing licensing request.

I highlight these two changes because they demonstrate that the process of developing H.R. 2262 has, in fact,

been rushed and not very well thought out. Had we taken the time to hold hearings and sort things out, we actually could have had an opportunity to consider these changes as part of the committee process.

That said, I support the chairman's amendment to make some needed improvements to the bill, though I firmly believe it still needs an awful lot more work.

I yield back the balance of my time.

Mr. SMITH of Texas. Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Texas (Mr. SMITH).

The amendment was agreed to.

AMENDMENT NO. 2 OFFERED BY MR. GRIJALVA

The Acting CHAIR. It is now in order to consider amendment No. 2 printed in part A of House Report 114–127.

Mr. GRIJALVA. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 9, lines 18 through 20, amend paragraph (1) to read as follows:

(1) in subsection (d), by striking ''that will be launched or reentered'' and inserting ''or reusable launch vehicles that will be launched into a suborbital trajectory or reentered under that permit'';

Page 10, lines 1 and 2, amend paragraph (3) to read as follows:

(3) in subsection (d)(3)—

(A) by striking ''prior to obtaining a license''; and

(B) by inserting ''or vehicle'' after ''design of the rocket'';

Page 10, line 5, insert '', or for a particular reusable launch vehicle or reusable launch vehicle design,'' after ''rocket design''.

Page 10, line 5, strike ''and''.

Page 10, line 6, redesignate paragraph (5) as paragraph (6).

Page 10, after line 5, insert the following new paragraph:

(5) in subsection (e)(2), by inserting ''or launch vehicle'' after ''the suborbital rocket'';

Page 10, line 11, strike the period at the end and insert ''; and''.

Page 10, after line 11, insert the following new paragraph:

(7) in subsection (h), by inserting ''or reusable launch vehicle'' after ''suborbital rocket''.

The Acting CHAIR. Pursuant to House Resolution 273, the gentleman from Arizona (Mr. GRIJALVA) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Arizona.

Mr. GRIJALVA. Mr. Chairman, today I rise to offer an amendment to support and facilitate innovation in cutting-edge American enterprises. My amendment will expand the eligibility for experimental permits for reusable rockets to include reusable launch vehicles.

Experimental permits currently have three uses: the research and development of new test designs, concepts, equipment, or operating techniques; to show compliance with requirements as part of the process for obtaining a license; or to train crews before they receive a license for launch or reentry. However, the FAA currently does not have the ability to grant experimental permits for launch vehicles.

□ 1130

Under current law, they are restricted to granting permits for reusable suborbital rockets. This can require industry and the Federal Government to go to extraordinary lengths to find ways to conduct tests. In some cases, there is no alternative for testing.

Expanding access to these permits will help innovators develop new and important technologies right here in America. These permits will create new opportunities for American businesses and will help harness the tremendous potential of our space exploration industry.

I want to thank Chairman LAMAR SMITH, Ranking Member EDDIE BERNICE JOHNSON, and their staffs for their assistance with this amendment, and I yield back the balance of my time.

Mr. SMITH of Texas. Mr. Chairman, I claim the time in opposition to the amendment, although I don't oppose the amendment.

The Acting CHAIR. Without objection, the gentleman is recognized for 5 minutes.

There was no objection.

Mr. SMITH of Texas. Mr. Chairman, this amendment ensures that the commercial space industry is not pigeonholed into specific vehicle designs. By allowing different types of vehicles to be included in the launch license flexibility regime, we will allow the industry to grow, innovate, and continue to improve safety designs.

This amendment is reasonable and consistent with the spirit of the license flexibility provisions of the underlying bill. I support the gentleman's amendment, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Arizona (Mr. GRIJALVA).

The amendment was agreed to.

AMENDMENT NO. 3 OFFERED BY MR. ROHRABACHER

The Acting CHAIR. It is now in order to consider amendment No. 3 printed in part A of House Report 114–127.

Mr. ROHRABACHER. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 14, after line 12, insert the following new section:

SEC. 106. INDEPENDENT STUDY OF INDEMNIFICATION FOR SPACE FLIGHT PARTICIPANTS.

Not later than 1 year after the date of enactment of this Act, the Comptroller General shall provide to the Committee on Science, Space, and Technology of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report detailing the results of a study of the issues associated with space flight participants and potential third party claims that could arise from a potential accident of a commercial licensed launch vehicle or reentry vehicle that is carrying space flight participants. The study shall—

(1) identify the issues associated with space flight participants and third party liability;

(2) identify options for addressing the issues;

(3) identify any potential unintended consequences and issues associated with each of the options; and

(4) identify any potential costs to the Federal Government for each of the options.

The Acting CHAIR. Pursuant to House Resolution 273, the gentleman from California (Mr. ROHRABACHER) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California.

Mr. ROHRABACHER. Mr. Chairman, my amendment calls for a study analyzing our approach to third-party liability with regard to spaceflight participants. The study will identify issues, options to address those issues, consequences of those options, and the potential cost to the Federal Government for each option.

I would note that the idea for this study was originally put forward by Ms. EDWARDS of Maryland, someone whom I deeply admire and listen to when she makes her points. We heard her make her points during discussion with our committee, and I felt it was a very good idea, and I am moving forward with it today.

The underlying bill includes a legislative fix for third-party liability and spaceflight participants. That is what our bill does. However, a study would see if there is even a better way or if we have covered all of our bases with the fix that is in this bill.

Right now, a spaceflight participant is financially at risk if the vehicle they fly on has some kind of an incident. It doesn't matter if you are a billionaire or someone who has scrimped for a long time to get one of these spaceflights, maybe a contest winner or a science teacher who wants to share his experience with students or a scientist accompanying their experiment.

Right now, these folks aren't just paying the fare; they are potentially risking everything that their family owns because they may be liable if something goes wrong.

As I say, we have a fix about that in the current bill, but this study would see if there is a better way, along with some other things we can do, to make that fix better. There is no reason at this point to believe that this approach is any worse than the other approaches, but let's keep our minds open.

Right now, we have a hole in the bridge, and this bill puts a patch on that hole. Let's see if there is a study to see if there is a better way to fix the bridge. In the meantime, we have got something in place in this bill—a study—to see if we can do a better job.

I reserve the balance of my time.

Ms. EDWARDS. Mr. Chairman, I rise in opposition to the amendment, although I am not opposed to the amendment.

The Acting CHAIR. Without objection, the gentlewoman from Maryland is recognized for 5 minutes.

There was no objection.

Ms. EDWARDS. I want to note for the record, though I am not in opposition, I think the study is a good idea. Ideally, I would think that Congress would choose to study the thing before it actually passes the law, but that is not where we are today. I think it is a good idea to proceed forward with this amendment.

I yield back the balance of my time.

Mr. ROHRABACHER. I thank the gentlewoman for giving us the idea for this study in the first place, and I yield 1 minute to the gentleman from Texas (Mr. SMITH), the chairman of the committee.

Mr. SMITH of Texas. I thank my colleague from California (Mr. ROHRABACHER), a member of the Science, Space, and Technology Committee, for yielding me time.

I simply want to say that this amendment requires an independent report about the inclusion of spaceflight participants in the indemnification regime. This is an important topic, and gathering additional information on this policy would be helpful for future legislation.

Requiring this study is reasonable and consistent with the spirit and the policies of the underlying bill, so I support it.

Mr. ROHRABACHER. Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from California (Mr. ROHRABACHER).

The amendment was agreed to.

AMENDMENT NO. 4 OFFERED BY MR. CASTRO OF TEXAS

The Acting CHAIR. It is now in order to consider amendment No. 4 printed in part A of House Report 114–127.

Mr. CASTRO of Texas. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 15, line 19, insert ''nonprofit,'' after ''independent,''.

The Acting CHAIR. Pursuant to House Resolution 273, the gentleman from Texas (Mr. CASTRO) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Texas.

Mr. CASTRO of Texas. Mr. Chairman, first, I would like to thank my colleague from San Antonio, Chairman LAMAR SMITH, and also follow Texan EDDIE BERNICE JOHNSON, the ranking member, for their work on this bill and for consideration of my amendment.

My amendment amends the section of the bill concerning the orbital traffic management study. The bill, as written, has the Administrator of NASA enter into an agreement with an independent private systems engineering and technical assistance organization to study frameworks for the management of space traffic and orbital activities.

My amendment would include nonprofits, so that nonprofit independent research organizations can contribute to this critical work. In addition to allowing for private contractors to be part of this discussion, my amendment would also allow for nonprofits to do the same.

In Texas, we have become a hub for space research and exploration. Some of the private industries or private businesses doing work in this business include Lockheed and Boeing, but there are also wonderful nonprofits like the Southwest Research Institute, in our hometown of San Antonio, and the Universities Space Research Association, which is based in Houston. My amendment would allow these nonprofits to also be part of this work.

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

Mr. SMITH of Texas. Mr. Chairman, I claim the time in opposition, although I am not opposed to the amendment.

The Acting CHAIR. Without objection, the gentleman is recognized for 5 minutes.

There was no objection.

Mr. SMITH of Texas. Mr. Chairman, this amendment requires the orbital traffic management study in the underlying bill to be conducted by an independent, nonprofit, private systems engineering and technical assistance organization.

Requiring the study to be done by a nonprofit is reasonable and consistent with the spirit of the study requirement in the underlying bill.

I appreciate the gentleman's amendment; I support the amendment, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Texas (Mr. CASTRO).

The amendment was agreed to.

AMENDMENT NO. 5 OFFERED BY MS. JACKSON LEE

The Acting CHAIR. It is now in order to consider amendment No. 5 printed in part A of House Report 114–127.

Ms. JACKSON LEE. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 22, line 19, strike ''and''.

Page 22, line 23, strike the period and insert ''; and''.

Page 22, after line 23, insert the following:

(iii) facilitate outreach to minority- and women-owned businesses on business opportunities in the commercial space industry.

The Acting CHAIR. Pursuant to House Resolution 273, the gentlewoman from Texas (Ms. JACKSON LEE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Texas.

Ms. JACKSON LEE. Let me thank the manager of the bill, the chairman of the full committee, and the ranking member of the full committee for the hard work they do on issues that are important to our Nation and their service to this country. Let me also thank the gentlewoman from Maryland (Ms. EDWARDS) for her astute leadership on many of these issues.

Let me as well indicate my commitment to space exploration. As I said earlier, I hope that we can work on a number of issues, but I hope we can work together on what I think is an important economic engine for the Nation, first starting with John F. Kennedy's challenge to all of us and developing, through President Johnson, the NASA centers across America, and the enormous research that has been done by NASA over the years.

I remember debating this question of funding for NASA really in the 1990s and 2000s, talking about the research of heart disease, cancers, HIV/AIDS.

I say that to say that, as we move into commercial space exploration, we certainly want to make sure that opportunities are given to all of America. This is commercial, yes; but the provisions of commercial space work are enhanced by the government in the resources that we have.

My amendment is to provide that recognition and to conduct outreach to the small-, minority-, and women-owned business community. It requires that the provisions of the bill that address future legislation should include work on how to effectively conduct outreach to small business concerns owned and controlled by women and minorities.

As we have all worked hard to encourage small-business owners to produce jobs, this is a great entrepreneurial effort, and therefore, I support the initiatives that would increase an outreach to small businesses and create more jobs.

There are approximately 6 million minority-owned businesses in the United States—representing significant aspects of our economy—and many, many more women and small businesses and other minority-owned businesses.

Mr. Chair, I thank Chairman SMITH and Ranking Member JOHNSON for their efforts to advance our nation's space exploration horizon.

I am a firm believer that commercial and government unmanned and manned space exploration complement each other.

The Internet was initially a federal government research and development project that transitioned to a commercial and public resource that has in less than 2 decades fueled economic opportunities for thousands of U.S. companies large and small.

The transition to commercial space exploration will need the collaboration and support of the Federal government to be sure that it is inclusive, safe and profitable.

The commercial space industry must yield opportunities for all U.S. businesses, which is why I am offering Jackson Lee Amendment Number 5.

The Jackson Lee Amendment requires that the provisions of the bill that address future legislation also lay the foundation for the commercial space industry to include work on how to effectively conduct outreach to small business concerns owned and controlled by women and minorities.

I have worked hard to help small business owners to fully realize their current and future potential.

That is why I support entrepreneurial development programs, including the Small Business Development Center and Women's Business Center programs.

These initiatives provide counseling in a variety of critical areas, including business plan development, finance, and marketing.

Outreach is key to developing healthy and diverse small businesses in all sectors of the economy.

There are approximately 6 million minority owned businesses in the United States, representing a significant aspect of our economy.

According to the most recent available Census data, minority owned businesses employ nearly 6 million Americans and generate $1 trillion dollars in economic output.

Women owned businesses have increased 20% between 2002 and 2007, and currently total close to 8 million.

My home city of Houston, Texas, the home of the Johnson Space Center, is also home to more than 60,000 women owned businesses, and more than 60,000 African American owned businesses.

Just as the national highway system and rural electrification has led to opportunities for communities to participate in the national economy, so will federal investment in our nation's infrastructure and capacity in space exploration pave the way for a new era of economic growth and opportunity.

I ask my colleagues to vote for the Jackson Lee Amendments.

I would ask that my amendment be accepted, and I reserve the balance of my time.

Mr. SMITH of Texas. Mr. Chairman, I claim the time in opposition to the amendment, although I don't oppose it.

The Acting CHAIR. Without objection, the gentleman is recognized for 5 minutes.

There was no objection.

Mr. SMITH of Texas. Mr. Chairman, this amendment requires the launch license streamlining report to include recommendations on how the FAA should facilitate outreach to minority- and women-owned businesses about opportunities in the commercial space industry. I don't object to the gentlewoman's amendment.

I yield back the balance of my time.

Ms. JACKSON LEE. May I inquire how much time is remaining?

The Acting CHAIR. The gentlewoman from Texas has 2½ minutes remaining.

Ms. JACKSON LEE. Let me conclude, Mr. Chairman, by saying that women-owned businesses have increased 20 percent between 2002 and 2007. They currently total close to $8 million. According to the most recent available Census data, minority-owned businesses employ nearly 6 million Americans and generate $1 trillion in economic output.

My home city of Houston, the home of the Johnson Space Center, is also home to more than 60,000 women-owned businesses, 60,000 African American-owned businesses, and multitudes of minority-owned businesses.

I would offer to say that, if we can include this amendment, that outreach to these entities under this commercial space exploration legislation will be adding more jobs to the American economy.

I ask for the support of the Jackson Lee amendment, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from Texas (Ms. JACKSON LEE).

The amendment was agreed to.

AMENDMENT NO. 6 OFFERED BY MS. JACKSON LEE

The Acting CHAIR. It is now in order to consider amendment No. 6 printed in part A of House Report 114–127.

Ms. JACKSON LEE. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 22, line 19, strike ''and''.

Page 22, line 23, strike the period and insert ''; and''.

Page 22, after line 23, insert the following:

(iii) facilitate the participation of the Emerging Researchers National Conference in STEM, American Association for the Advancement of Science, Louis Stokes Alliances for Minority Participation Program (LAMP), Historically Black Colleges and Universities Undergraduate Program (HBCU-UP) of the National Science Foundation, Emerging Researchers National Conference in Science, Technology, Engineering and Mathematics, the University of Florida's Institute for African-American Mentoring in Computing Sciences, the Hispanic Association of Colleges and Universities, the National Indian Education Association, and other institutions, organizations, or associations as the Secretary of Transportation determines to be useful in investigating the feasibility of developing programs for fellowships, work-study, and employment opportunities for undergraduate and graduate students.

The Acting CHAIR. Pursuant to House Resolution 273, the gentlewoman from Texas (Ms. JACKSON LEE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Texas.

□ 1145

Ms. JACKSON LEE. Mr. Chair, my appreciation to all of those who are on the floor today.

My amendment speaks to discussions that this Congress has had over many, many years on the question of science, technology, engineering, and math and, in particular, working with more vulnerable communities.

My amendment would facilitate the participation of HBCUs, Hispanic Serving Institutions, National Indian Institutions, in fellowships, work-study, and employment opportunities in the emerging commercial space industry.

I remember some years ago that we developed a fellowship for graduate and Ph.D. candidates at Texas Southern University to interact at NASA Johnson. It was a very effective effort, and certainly, well-received by those who were able to participate.

That is, again, investing in universities and colleges that interact, again, with vulnerable populations or do outreach to minority students and expose them, again, at graduate level and undergraduate level to science, technology, engineering, and math.

For over two decades the Nation has known that the economy will be driven, not by the hammer and anvil, but by the ingenuity and hard work of our Nation. Therefore, the imagination that fuels invention is so valuable to the well-being of our Nation.

My amendment would follow in that spirit by increasing awareness among underrepresented groups in STEM employment and education opportunities and, I would hope, would create partnerships between the commercial space industry and our HBCUs, our Native American Institutions, Hispanic Serving, and allow work-study and employment opportunities in this growing and emerging commercial space industry.

I believe it would be an excellent partnership and would be an excellent contribution to the economic engine of this Nation. I ask my colleagues to support the Jackson Lee amendment.

Mr. Chair, Article 1 Section 8 of the United States Constitution states that "The Congress shall have Power to promote the Progress of Science and useful Arts . . ."

Too often the interpretation of these words are only about patents and inventions, but it extends to our nation's federal investment in areas of science that open up new avenues for economic and technological advancements.

I thank Chairman SMITH and Ranking Member JOHNSON for their work to advance the scientific horizon of our nation.

Jackson Lee Amendment Number 6, made in order by the Rules Committee, would facilitate the participation of HBCU, Hispanic Serving Institutions; National Indian institutions, in

fellowships, work-study and employment opportunities in the emerging commercial space industry.

For over 2 decades the nation has known that the economy will be driven by the hammer and the anvil, but by the ingenuity and hard work of our nation's people.

The imagination that fuels invention—is so valuable to the wellbeing of our nation that the founders placed it as a key responsibility of the legislative branch.

My amendment would follow in this spirit by increasing awareness among underrepresented groups in STEM employment and education opportunities in the commercial space industry.

One of the most enduring difficulties faced by underrepresented populations in the STEM field is a lack of awareness and understanding of the connection between STEM and employment opportunities.

In 2012, a survey found that despite the nation's growing demand for more workers in science, technology, engineering, and math grows, the skills gap among the largest ethnic and racial minorities groups remain stubbornly wide.

Blacks and Latinos account for only 7 percent, of the STEM workforce despite representing 28 percent of the U.S. population.

All of our nation's citizens must be able to tap into, what has been described in the Brookings' Metropolitan Policy Program Report as, ''The Hidden STEM Economy.''

This report stated that in 2011, 26 million jobs or 20 percent of all occupations required knowledge in 1 or more STEM areas.

Half of all STEM jobs are available to workers without a 4 year degree, and these jobs pay on average $53,000 a year, which is 10 percent higher than jobs with similar education requirements.

Houston, Texas, the home of the Johnson Space Center, has the second highest concentration of engineers (22.4 for every 1000 workers according to the Greater Houston Partnership).

Houston has 59,070 engineers, the second largest population in the nation.

This Jackson Lee Amendment will open up an avenue to allow underrepresented groups in the STEM economy a means of learning about the commercial space industry through the development of fellowships, work study, and employment opportunities for undergraduate and graduate students.

I ask my colleagues to vote for the Jackson Lee Amendments.

I reserve the balance of my time.

Mr. SMITH of Texas. Mr. Chairman, I claim the time in opposition to the amendment, though I don't oppose the amendment.

The Acting CHAIR. Without objection, the gentleman is recognized for 5 minutes.

There was no objection.

Mr. SMITH of Texas. Mr. Chairman, this amendment requires the launch license streamlining report in the underlying bill to include recommendations on how the FAA might facilitate the participation of Historically Black Colleges and Universities, Hispanic Serving Institutions, and National Indian Institutions in the emerging commercial space industry. I don't object to this.

I reserve the balance of my time.

Ms. JACKSON LEE. Mr. Chair, I would like to thank the gentleman for his support for both of my amendments. And I, again, would indicate that every opportunity we have to grow the economy and expand to those populations not fully included, this Congress should take an opportunity to do.

I see, in this amendment, opportunity for jobs, for partnerships, and certainly opportunities for growing the engineers and other talented persons whom we need for, in essence, a new America with a new economy, technologically-based.

I ask my colleagues to support the Jackson Lee amendment, and I yield back the balance of my time.

Mr. SMITH of Texas. Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from Texas (Ms. JACKSON LEE).

The amendment was agreed to.

AMENDMENT NO. 7 OFFERED BY MS. EDWARDS

The Acting CHAIR. It is now in order to consider amendment No. 7 printed in part A of House Report 114–127.

Ms. EDWARDS. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the ''U.S. Commercial Space Launch Competitiveness Act''.

SEC. 2. REFERENCES TO TITLE 51, UNITED STATES CODE.

Except as otherwise expressly provided, wherever in this Act an amendment or repeal is expressed in terms of an amendment to, or repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of title 51, United States Code.

SEC. 3. LIABILITY INSURANCE AND FINANCIAL RESPONSIBILITY REQUIREMENTS.

(a) SENSE OF CONGRESS.—It is the sense of Congress that it is in the public interest to update the methodology used to calculate the maximum probable loss from claims under section 50914 of title 51, United States Code, with a validated risk profile approach in order to consistently compute valid and reasonable maximum probable loss values.

(b) IMPLEMENTATION.—Not later than September 30, 2015, the Secretary of Transportation, in consultation with the commercial space sector and insurance providers, shall—

(1) evaluate and, if necessary, develop a plan to update the methodology used to calculate the maximum probable loss from claims under section 50914 of title 51, United States Code;

(2) in evaluating or developing a plan under paragraph (1)—

(A) ensure that the Federal Government is not exposed to greater costs than intended and that launch companies are not required to purchase more insurance coverage than necessary; and

(B) consider the impact of the cost to both the industry and the Government of implementing an updated methodology; and

(3) submit the evaluation, and any plan, to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Science, Space, and Technology of the House of Representatives.

SEC. 4. LAUNCH LIABILITY EXTENSION.

Section 50915(f) is amended by striking ''December 31, 2016'' and inserting ''December 31, 2020''.

SEC. 5. COMMERCIAL SPACE LAUNCH LICENSING AND EXPERIMENTAL PERMITS.

Section 50906 is amended—

(1) in subsection (d), by striking ''launched or reentered'' and inserting ''launched or reentered under that permit'';

(2) by amending subsection (d)(1) to read as follows:

''(1) research and development to test design concepts, equipment, or operating techniques;'';

(3) in subsection (d)(3) by striking ''prior to obtaining a license'';

(4) in subsection (e)(1) by striking ''suborbital rocket design'' and inserting ''suborbital rocket or suborbital rocket design''; and

(5) by amending subsection (g) to read as follows:

''(g) The Secretary may issue a permit under this section notwithstanding any license issued under this chapter. The issuance of a license under this chapter may not invalidate a permit issued under this section.''.

SEC. 6. LICENSING REPORT.

Not later than 120 days after the date of enactment of this Act, the Secretary of Transportation shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Science, Space, and Technology of the House of Representatives a report on approaches for streamlining the licensing and permitting process of launch vehicles, reentry vehicles, or components of launch or reentry vehicles, to enable non-launch flight operations related to space transportation. The report shall include approaches to improve efficiency, reduce unnecessary costs, resolve inconsistencies, remove duplication, and minimize unwarranted constraints.

SEC. 7. SPACE AUTHORITY.

(a) IN GENERAL.—Not later than 120 days after the date of enactment of this Act, the Director of the Office of Science and Technology Policy, in consultation with the Secretary of State, the Secretary of Transportation, the Administrator of the National Aeronautics and Space Administration, the heads of other relevant Federal agencies, and the commercial space sector, shall—

(1) assess current, and proposed near-term, commercial non-governmental activities conducted in space;

(2) identify appropriate oversight authorities for the activities described in paragraph (1);

(3) recommend an oversight approach that would prioritize safety, utilize existing authorities, minimize burdens, promote the U.S. commercial space sector, and meet the United States' obligations under international treaties; and

(4) submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Science, Space, and Technology of the House of Representatives a report on the assessment and recommended approaches.

(b) EXCEPTION.—Nothing in this section shall apply to the activities of the ISS national laboratory as described in section 504 of the National Aeronautics and Space Administration Authorization Act of 2010 (42 U.S.C. 18354), including any research or development projects utilizing the ISS national laboratory.

SEC. 8. SPACE SURVEILLANCE AND SITUATIONAL AWARENESS DATA.

Not later than 120 days after the date of enactment of this Act, the Secretary of Transportation in concurrence with the Secretary of Defense shall—

(1) in consultation with the heads of other relevant Federal agencies, study the feasibility of processing and releasing safety-related space situational awareness data and information to any entity consistent with national security interests and public safety obligations of the United States; and

(2) submit a report on the feasibility study to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Science, Space, and Technology of the House of Representatives.

SEC. 9. EXTENSION OF CERTAIN SAFETY REGULATION REQUIREMENTS.

(a) EXTENSION OF CERTAIN SAFETY REGULATION REQUIREMENTS.—Section 50905(c)(3) is amended by striking ''Beginning on October 1, 2015'' and inserting ''Beginning on October 1, 2020''.

(b) CONSTRUCTION.—Section 50905(c) is amended by adding at the end the following:

''(5) Nothing in this subsection shall be construed to limit the authority of the Secretary to discuss potential regulatory approaches with the commercial space sector, including observations, findings, and recommendations from the Commercial Space Transportation Advisory Committee, prior to the issuance of a notice of proposed rulemaking.''.

(c) REPORT.—Not later than 270 days after the date of enactment of this Act, the Secretary of Transportation, in consultation with the commercial space sector, including the Commercial Space Transportation Advisory Committee, shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Science, Space, and Technology of the House of Representative a report specifying key industry metrics that might indicate readiness of the commercial space sector and the Department of Transportation to transition to a regulatory approach under section 50905(c)(3) of title 51, United States Code, that considers space flight participant, government astronaut, and crew safety.

(d) BIENNIAL REPORT.—Beginning on December 31, 2016, and biennially thereafter, the Secretary of Transportation, in consultation and coordination with the commercial space sector, including the Commercial Space Transportation Advisory Committee, shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Science, Space, and Technology of the House of Representatives a report that identifies the activities, described in subsections (c) and (d) of section 50905 of title 51, United States Code, most appropriate for regulatory action, if any, and a proposed transition plan for such regulations.

SEC. 10. INDUSTRY VOLUNTARY CONSENSUS STANDARDS.

(a) INDUSTRY VOLUNTARY CONSENSUS STANDARDS.—Section 50905(c), as amended in section 9 of this Act, is further amended by adding at the end the following:

''(6) The Secretary shall continue to work with the commercial space sector, including the Commercial Space Transportation Advisory Committee, to facilitate the development of voluntary consensus standards based on recommended best practices to improve the safety of crew, government astronauts, and space flight participants as the commercial space sector continues to mature.''.

(b) BIENNIAL REPORT.—Beginning on December 31, 2016, and biennially thereafter, the Secretary of Transportation, in consultation and coordination with the commercial space sector, including the Commercial Space Transportation Advisory Committee, shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Science, Space, and Technology of the House of Representatives a report detailing progress on the development of industry voluntary consensus standards under section 50905(c)(6) of title 51, United States Code.

SEC. 11. GOVERNMENT ASTRONAUTS.

(a) FINDINGS AND PURPOSE.—Section 50901(15) is amended by inserting '', government astronauts,'' after ''crew'' each place it appears.

(b) DEFINITION OF GOVERNMENT ASTRONAUT.—Section 50902 is amended—

(1) by redesignating paragraphs (4) through (22) as paragraphs (7) through (25), respectively; and

(2) by inserting after paragraph (3) the following:

''(4) '*government astronaut*' means an individual who—

''(A) is either—

''(i) an employee of the United States Government, including the uniformed services, engaged in the performance of a Federal function under authority of law or an Executive act; or

''(ii) an international partner astronaut;

''(B) is identified by the Administrator of the National Aeronautics and Space Administration;

''(C) is carried within a launch vehicle or reentry vehicle; and

''(D) may perform or may not perform activities directly relating to the launch, reentry, or other operation of the launch vehicle or reentry vehicle.

''(5) 'international partner astronaut' means an individual designated under Article 11 of the International Space Station Intergovernmental Agreement, by a partner to that agreement other than the United States, as qualified to serve as an International Space Station crew member.

''(6) 'International Space Station Intergovernmental Agreement' means the Agreement Concerning Cooperation on the International Space Station, signed at Washington January 29, 1998 (TIAS 12927).''.

(c) DEFINITION OF LAUNCH.—Paragraph (7) of section 50902, as redesignated, is amended by striking ''and any payload, crew, or space flight participant'' and inserting ''and any payload or human being''.

(d) DEFINITION OF LAUNCH SERVICES.—Paragraph (9) of section 50902, as redesignated, is amended by striking ''payload, crew (including crew training), or space flight participant'' and inserting ''payload, crew (including crew training), government astronaut, or space flight participant''.

(e) DEFINITION OF REENTER AND REENTRY.—Paragraph (16) of section 50902, as redesignated, is amended by striking ''and its payload, crew, or space flight participants, if any,'' and inserting ''and its payload or human beings, if any,''.

(f) DEFINITION OF REENTRY SERVICES.—Paragraph (17) of section 50902, as redesignated, is amended by striking ''payload, crew (including crew training), or space flight participant, if any,'' and inserting ''payload, crew (including crew training), government astronaut, or space flight participant, if any,''.

(g) DEFINITION OF SPACE FLIGHT PARTICIPANT.—Paragraph (20) of section 50902, as redesignated, is amended to read as follows:

''(20) 'space flight participant' means an individual, who is not crew or a government astronaut, carried within a launch vehicle or reentry vehicle.''.

(h) DEFINITION OF THIRD PARTY.—Paragraph (24)(E) of section 50902, as redesignated, is amended by inserting '', government astronauts,'' after ''crew''.

(i) RESTRICTIONS ON LAUNCHES, OPERATIONS, AND REENTRIES; SINGLE LICENSE OR PERMIT.—Section 50904(d) is amended by striking ''activities involving crew or space flight participants'' and inserting ''activities involving crew, government astronauts, or space flight participants''.

(j) LICENSE APPLICATIONS AND REQUIREMENTS; APPLICATIONS.—Section 50905 is amended—

(1) in subsection (a)(2), by striking ''crews and space flight participants'' and inserting ''crew, government astronauts, and space flight participants'';

(2) in subsection (b)(2)(D), by striking ''crew or space flight participants'' and inserting ''crew, government astronauts, or space flight participants''; and

(3) in subsection (c)—

(A) in paragraph (1), by striking ''crew and space flight participants'' and inserting ''crew, government astronauts, and space flight participants''; and

(B) in paragraph (2), by striking ''to crew or space flight participants'' each place it appears and inserting ''to crew, government astronauts, or space flight participants''.

(k) MONITORING ACTIVITIES.—Section 50907(a) is amended by striking ''crew or space flight participant training'' and inserting ''crew, government astronaut, or space flight participant training''.

(l) ADDITIONAL SUSPENSIONS.—Section 50908(d)(1) is amended by striking ''to crew or space flight participants'' each place it appears and inserting ''to any human being''.

(m) ENFORCEMENT AND PENALTY.—Section 50917(b)(1)(D)(i) is amended by striking ''crew or space flight participant training site,'' and inserting ''crew, government astronaut, or space flight participant training site,''.

(n) RELATIONSHIP TO OTHER EXECUTIVE AGENCIES, LAWS, AND INTERNATIONAL OBLIGATIONS; NONAPPLICATION.—Section 50919(g) is amended to read as follows:

''(g) NONAPPLICATION.—

''(1) IN GENERAL.—This chapter does not apply to—

''(A) a launch, reentry, operation of a launch vehicle or reentry vehicle, operation of a launch site or reentry site, or other space activity the Government carries out for the Government; or

''(B) planning or policies related to the launch, reentry, operation, or activity under subparagraph (A).

''(2) RULE OF CONSTRUCTION.—The following activities are not space activities the Government carries out for the Government under paragraph (1):

''(A) A government astronaut being carried within a launch vehicle or reentry vehicle under this chapter.

''(B) A government astronaut performing activities directly relating to the launch, reentry, or other operation of the launch vehicle or reentry vehicle under this chapter.''.

(o) RULE OF CONSTRUCTION.—Nothing in this Act, or the amendments made by this

Act, may be construed to modify or affect any law relating to astronauts.

SEC. 12. STREAMLINE COMMERCIAL SPACE LAUNCH ACTIVITIES.

(a) SENSE OF CONGRESS.—It is the sense of Congress that eliminating duplicative requirements and approvals for commercial launch and reentry operations will promote and encourage the development of the commercial space sector.

(b) REAFFIRMATION OF POLICY.—Congress reaffirms that the Secretary of Transportation, in overseeing and coordinating commercial launch and reentry operations, should—

(1) promote commercial space launches and reentries by the private sector;

(2) facilitate Government, State, and private sector involvement in enhancing U.S. launch sites and facilities;

(3) protect public health and safety, safety of property, national security interests, and foreign policy interests of the United States; and

(4) consult with the head of another executive agency, including the Secretary of Defense or the Administrator of the National Aeronautics and Space Administration, as necessary to provide consistent application of licensing requirements under chapter 509 of title 51, United States Code.

(c) REQUIREMENTS.—

(1) IN GENERAL.—The Secretary of Transportation under section 50918 of title 51, United States Code, and subject to section 50905(b)(2)(C) of that title, shall consult with the Secretary of Defense, the Administrator of the National Aeronautics and Space Administration, and the heads of other executive agencies, as appropriate—

(A) to identify all requirements that are imposed to protect the public health and safety, safety of property, national security interests, and foreign policy interests of the United States relevant to any commercial launch of a launch vehicle or commercial reentry of a reentry vehicle; and

(B) to evaluate the requirements identified in subparagraph (A) and, in coordination with the licensee or transferee and the heads of the relevant executive agencies—

(i) determine whether the satisfaction of a requirement of one agency could result in the satisfaction of a requirement of another agency; and

(ii) resolve any inconsistencies and remove any outmoded or duplicative requirements or approvals of the Federal Government relevant to any commercial launch of a launch vehicle or commercial reentry of a reentry vehicle.

(2) REPORTS.—Not later than 180 days after the date of enactment of this Act, and annually thereafter until the Secretary of Transportation determines no outmoded or duplicative requirements or approvals of the Federal Government exist, the Secretary of Transportation, in consultation with the Secretary of Defense, the Administrator of the National Aeronautics and Space Administration, the commercial space sector, and the heads of other executive agencies, as appropriate, shall submit to the Committee on Commerce, Science, and Transportation of the Senate, the Committee on Science, Space, and Technology of the House of Representatives, and the congressional defense committees a report that includes the following:

(A) A description of the process for the application for and approval of a permit or license under chapter 509 of title 51, United States Code, for the commercial launch of a launch vehicle or commercial reentry of a reentry vehicle, including the identification of—

(i) any unique requirements for operating on a United States Government launch site, reentry site, or launch property; and

(ii) any inconsistent, outmoded, or duplicative requirements or approvals.

(B) A description of current efforts, if any, to coordinate and work across executive agencies to define interagency processes and procedures for sharing information, avoiding duplication of effort, and resolving common agency requirements.

(C) Recommendations for legislation that may further—

(i) streamline requirements in order to improve efficiency, reduce unnecessary costs, resolve inconsistencies, remove duplication, and minimize unwarranted constraints; and

(ii) consolidate or modify requirements across affected agencies into a single application set that satisfies the requirements identified in paragraph (1)(A).

(3) DEFINITIONS.—For purposes of this subsection—

(A) any applicable definitions set forth in section 50902 of title 51, United States Code, shall apply;

(B) the terms ''launch'', ''reenter'', and ''reentry'' include landing of a launch vehicle or reentry vehicle; and

(C) the terms ''United States Government launch site'' and ''United States Government reentry site'' include any necessary facility, at that location, that is commercially operated on United States Government property.

SEC. 13. OPERATION AND UTILIZATION OF THE ISS.

(a) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) maximum utilization of partnerships, scientific research, commercial applications, and exploration test bed capabilities of the ISS is essential to ensuring the greatest return on investments made by the United States and its international partners in the development, assembly, and operations of that unique facility; and

(2) every effort should be made to ensure that decisions regarding the service life of the ISS are based on the station's projected capability to continue providing effective and productive research and exploration test bed capabilities.

(b) CONTINUATION OF THE INTERNATIONAL SPACE STATION.—

(1) MAINTAINING USE THROUGH AT LEAST 2024.—Section 70907 is amended to read as follows:

''§ 70907. Maintaining use through at least 2024

''(a) POLICY.—The Administrator shall take all necessary steps to ensure that the International Space Station remains a viable and productive facility capable of potential United States utilization through at least September 30, 2024.

''(b) NASA ACTIONS.—In furtherance of the policy under subsection (a), the Administrator shall ensure, to the extent practicable, that the International Space Station, as a designated national laboratory—

''(1) remains viable as an element of overall exploration and partnership strategies and approaches;

''(2) is considered for use by all NASA mission directorates, as appropriate, for technically appropriate scientific data gathering or technology risk reduction demonstrations; and

''(3) remains an effective, functional vehicle providing research and test bed capabilities for the United States through at least September 30, 2024.''.

(2) TECHNICAL AND CONFORMING AMENDMENT.—The table of contents for chapter 709 is amended by amending the item relating to section 70907 to read as follows:

''70907. Maintaining use through at least 2024.''.

The Acting CHAIR. Pursuant to House Resolution 273, the gentlewoman from Maryland (Ms. EDWARDS) and a Member opposed each will control 10 minutes.

The Chair recognizes the gentlewoman from Maryland.

Ms. EDWARDS. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I am offering this substitute amendment because I think we have a unique opportunity this week to pass bipartisan commercial space legislation that actually stands a chance of becoming law. That is what we need to focus on this morning.

The choice before us is really quite straightforward. We can spend the morning, as we have, fighting over the provisions of H.R. 2262, several of which were opposed by all of the Democratic members of the Science, Space, and Technology Committee when its provisions were marked up just last week. And when we are done, Members can vote, largely on party lines, to pass the bill.

But to what end, Mr. Chairman?

The Senate has already made it clear that H.R. 2262 has the proverbial snowball's chance of being adopted by the Senate.

Pursuing House legislation, House passage of a bill that is going nowhere in the Senate seems to me to be the ultimate exercise in futility, and one that does a real disservice to the commercial space launch industry that all of us are trying to help succeed. But we don't have to go down that path.

My amendment would replace the underlying text of H.R. 2262 with provisions of the bipartisan Senate commercial space bill, the one that was marked up in committee just yesterday.

Let me repeat that. The language in the substitute amendment, in my amendment, already has garnered bipartisan support in the Senate. It is language that is cosponsored by Senators TED CRUZ, BILL NELSON, CORY GARDNER, and GARY PETERS, which is not something you can say about many other bills that we consider in the House.

Now, the Senate bill doesn't have everything I would like to see in a commercial space bill. I am sure that is the same for my Republican colleagues and for some in the industry. That is actually how legislation is made.

However, it has a core set of provisions that I think we and the industry can support, and that is what good compromises are all about.

The amendment addresses key issues facing the industry. It extends the

''learning period'' for another 5 years. It extends third-party liability and indemnification of the entire regime for another 4 years.

It provides commercial space launch licensing and experimental permit flexibility. It provides a NASA-sought definition of ''Government Astronaut'' and provides a path for streamlining commercial space launch activities.

The Senate provisions also provide for a review of issues related to commercial activities in space, as well as matters related to space situational awareness data.

They provide encouragement for the FAA and the industry to work together to facilitate the development of voluntary consensus standards, and they also ensure the International Space Station can remain a viable and productive facility through 2024.

Mr. Chairman, that is what my amendment does. It doesn't give the commercial space industry anything or everything that some in the industry might want.

But I would remind colleagues that the Senate bill has been endorsed by the Commercial Spaceflight Federation, the National Space Society, Students for Exploration and Development of Space, SpaceX, Blue Origin, and Virgin Galactic, among others. That is the Senate bill. That is the substitute that is being offered.

So Members today can feel perfectly comfortable that my amendment is one that the commercial space industry believes meets its legitimate needs.

Mr. Chairman, as I said in the beginning of my remarks, we have a clear choice today. We can maintain a counterproductive, partisan divide and hold out for provisions that won't move this legislation even 1 inch closer to becoming law.

Or we can step back, take a deep breath, and embrace the bipartisan compromise that our colleagues in the Senate have worked out. They have handed us a golden opportunity to move past partisan posturing and actually deliver legislation that can meet the needs of the commercial space industry and be enacted into law.

Mr. Chairman, House Democrats support the provisions of my amendment. Democrats and Republicans in the Senate support the provisions of my amendment.

If my Republican colleagues here today in the House can join us in supporting this substitute amendment, the provisions in the amendment, we can pass bipartisan legislation that could be on its way to the President for enactment in a matter of weeks.

I can think of no better way to end this week, and I urge Members to vote ''yes'' on the amendment in the nature of a substitute.

I reserve the balance of my time.

Mr. SMITH of Texas. Mr. Chairman, I claim the time in opposition to the amendment.

The Acting CHAIR. The gentleman is recognized for 10 minutes.

Mr. SMITH of Texas. Mr. Chairman, I yield myself such time as I may consume.

This amendment seeks to strike and replace the entire underlying bill with Senate legislation which differs with the House bill in many respects.

The Senate bill, S. 1297, is a work product of the Senate. It has not been negotiated with any Member of this Chamber. In fact, the Senate just marked up the bill yesterday. This amendment abdicates the House's legislative responsibilities to the Senate.

The SPACE Act paves the way for the next generation of explorers and innovators. This amendment prevents the House from providing any direction for the future of space exploration.

We must consider what we will forfeit if we accept this amendment. The amendment significantly shortens the extension of the regulatory learning period and the extension of the indemnification regime.

These changes reduce certainty in the commercial launch market and could threaten the jobs of thousands of Americans. These are hard-working men and women who depend on the extension of these laws for their jobs. They count on us to provide some certainty for their industry.

This amendment strikes all of the commonsense transparency provisions in the SPACE Act and significantly shortens the extension of the learning period. This extension is essential to the health of the commercial space industry.

Also, this amendment includes a significant reduction to the regulatory flexibility provided in the underlying bill. The underlying bill requires assessments from the FAA on the growth of the industry, constructive interactions between stakeholders and the FAA, a glide path to a safety framework that enables and encourages innovations, and improvements in safety.

These are all part of a development structure that combines lessons learned from the industry with the inherent government function to protect the public.

The underlying bill preserves FAA's ability to regulate commercial human spaceflight in order to protect national security, public health, and safety. It also preserves FAA's existing authorities to regulate spaceflight participant and crew safety.

This amendment does not include any comparable benchmarking tools for Congress to monitor the growth of the industry. The amendment removes the ability of stakeholders to work with the FAA to develop safety standards that will improve the industry as a whole.

The amendment will have a chilling effect on the industry and put stakeholders on the defense against an onslaught of government intervention and possible lawsuits. This does not support a dynamic space economy or encourage innovation.

This amendment assumes that the commercial space industry has not placed a priority on safety. It is unfortunate that the minority looks at the American entrepreneurial spirit in this way.

Under the Senate bill, spaceflight participants would be exposed to significant financial risk and liability. This amendment strikes the vital provisions of the underlying bill which help ensure that human spaceflight is available to anyone who wants to participate.

The minority talks a lot about safety. I appreciate that. I think everyone involved in the space industry places a high priority on these endeavors being as safe as possible. I just wish the minority had a higher opinion of the scientists, engineers, and technicians building these systems.

Let's be clear. Space is inherently risky. America's memory is imprinted with tragic events such as the Apollo 1 fire, Challenger, and Columbia. The appropriate way to improve safety systems and reduce risk is to test, launch, learn, study, and repeat.

The entire space industry is behind this bill.

I do not oppose the gentlewoman's amendment simply because the Senate bill has no good qualities. I oppose the gentlewoman's amendment because it would abdicate the responsibilities of the House.

I urge my colleagues to oppose the amendment and not turn their backs on so many space companies.

I reserve the balance of my time.

Ms. EDWARDS. Mr. Chairman, how much time do I have remaining?

The Acting CHAIR. The gentlewoman has 5½ minutes remaining.

Ms. EDWARDS. Mr. Chair, I yield 4 minutes to the gentlewoman from Texas (Ms. EDDIE BERNICE JOHNSON), the ranking member.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Chairman, I want to thank the gentlewoman.

I rise in strong support of Ms. EDWARDS' amendment. This amendment offers the possibility of actually accomplishing something worthwhile today and is an amendment that should garner bipartisan support.

Just last week, the Science, Space, and Technology Committee reported out H.R. 2262 and H.R. 1508 on party-line votes. Of course, we had moved to markup without any hearings on commercial space issues in the 114th Congress, nor a legislative hearing on either bill, nor a subcommittee markup. It is, thus, not surprising that they could not garner any significant bipartisan support for these bills.

And yet, now here we are on the floor, with these same bills. If we take

the same path we took in yesterday's consideration of the COMPETES legislation, we will get a similar result, a partisan vote, and a bill that will never become law.

Ms. EDWARDS offers us another way forward. Just yesterday, the Senate Commerce Committee favorably reported out S. 1297, the Senate's bipartisan commercial space bill, a bill introduced by Senators TED CRUZ and BILL NELSON.

□ 1200

As I said, it is a bipartisan bill that was endorsed by a large segment of the commercial space industry when it was introduced. The gentlewoman from Maryland's (Ms. EDWARDS) amendment simply incorporates provisions of S. 1297 into her amendment.

Mr. Chairman, instead of engaging in a meaningful exercise, we could vote today to approve bipartisan legislation that Senate Democrats and Republicans are supporting.

While the Senate bill is not the bill I would have written, it is a vast improvement over the bill we have before us today.

As the gentleman said earlier, America is exceptional. And that is why we have a Congress. That is why we have committee structure. That is why we have subcommittees that examine issues and listen to witnesses. That is why we have committee work. It provides really a means for us to come together.

The bill that is in the Senate provides constructive updates to the Commercial Space Launch Act.

I know that some Members want to go further than the Senate bill in some areas, but the reality is, there is no bipartisan consensus to doing so. And if we proceed to pass H.R. 2262, we will have passed a bill that the Senate probably will not take up. We did that with the COMPETES bill yesterday. Do we really want to continue to waste our time in the same way again this morning?

Holding out hope that somehow these contentious provisions will find favor in a House-Senate conference is also an exercise in futility. Time is not on our side in dealing with the two expiring authorities in this bill, and we know from experience that Congress can act to extend them without passing a commercial space bill.

I think that outcome would be unfortunate, but I see little likelihood that the Senate will do anything with H.R. 2262 in its current form. And in a conference, I think that House Democrats will be disinclined to support provisions that we are opposing today.

Ms. EDWARDS' amendment offers us an opportunity to avoid months of pointless back-and-forth between the two Chambers. We can pass legislation that we already know has bipartisan support in the Senate, and if we do, we can look forward to seeing a bill head to the President's desk within weeks. All it takes is my Republican colleagues being willing to forgo the temptation to posture for that last extra bit of advantage and, instead, accept a reasonable compromise bill that will do much to meet the legitimate needs of the commercial space launch industry.

Mr. SMITH of Texas. Mr. Chairman, I yield 4 minutes to the gentleman from Oklahoma (Mr. BRIDENSTINE), who is a member of the Science, Space, and Technology Committee and is also the chairman of the Environment Subcommittee.

Mr. BRIDENSTINE. I thank the chairman of the Science Committee for yielding and for his strong leadership on working this bill through regular order so that all of the amendments that we have made, all the Members have had their voices heard in this bill.

Mr. Chairman, I rise to oppose the amendment of the gentlewoman from Maryland.

The language she is proposing to insert into our House bill is authored by Senator CRUZ of Texas, and it does have bipartisan support with Senator NELSON of Florida. But there are provisions that we got included because of the open process that we went through that are not included in that bill.

I would like to just run through a few of those that I, myself, got included into this bill, starting with section 110, which was an amendment I offered at markup that will require a GAO report to capture the role of space support vehicles—training vehicles, if you will—in the commercial space industry; regulatory and statutory barriers to the services these vehicles offer and recommendations for updates that will address these barriers. This is critically important in my neck of the woods. In the State of Oklahoma, we have a spaceport at Burns Flat. There are businesses there that are very interested in doing training for commercial crew and commercial spaceflight participants.

This was a provision of the bill that went through an open process. It was an amendment that was accepted in a very bipartisan way. And I am hopeful that when the full bill gets to the floor, it also will be accepted in a bipartisan way.

Additionally, title III of this bill incorporates H.R. 2261, the Commercial Remote Sensing Act, which was also bipartisan legislation that I introduced with my friend from Colorado (Mr. PERLMUTTER). This title sets metrics to give Congress a full picture of the workload facing the Department of Commerce when licensing remote sensing activities and what issues are preventing them from meeting statutory deadlines.

Title III also recognizes the importance of seeking input from the Advisory Committee for Commercial Remote Sensing, which is largely made up of private sector representatives. This legislation will be crucial as industry expands beyond traditional remote sensing satellites and activities and as Congress looks to update the statutes governing these activities for the first time since the 1990s.

My case for this being bipartisan is that I worked very hard with the other side on the amendments that I ultimately got into this bill. There were some amendments that maybe were not as bipartisan. But I would attest that there is support on the other side of the aisle for a lot of the provisions that we got into this bill.

I look forward to taking a vote on this bill. I oppose the amendment in the nature of a substitute. I encourage all my colleagues to pass the bill that went through regular order in the House of Representatives. I hear a lot of people talking about regular order. This was a very open process. Everybody had their voice heard. I encourage passage of the bill but not passage of the amendment in the nature of a substitute.

Ms. EDWARDS. Mr. Chairman, as I have said before, we have offered my amendment in the nature of a substitute because we are interested not just in making speeches here on the House floor, but we are interested in passing law and good policy that will be signed by the President, that will set the commercial space industry onto a pathway of continued innovation and success.

As has been described, the Senate yesterday, out of committee, marked up a bill that is bipartisan in nature. And because of the negotiations, there are not going to be any changes.

We want to make law for the industry, and we believe that this amendment in the nature of a substitute is good policy. I urge a ''yes'' vote on the amendment.

I yield back the balance of my time.

Mr. SMITH of Texas. Mr. Chairman, I urge my colleagues to oppose this substitute amendment and to support the underlying bill, which has significant improvements to the Senate bill, and that is why we should pass it.

I will now enter into the RECORD an exchange of letters between the Committee on Transportation and Infrastructure and the Committee on Science, Space, and Technology regarding H.R. 2262.

MAY 18, 2015.

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

DEAR CHAIRMAN SMITH: I write concerning H.R. 2262, the Spurring Private Aerospace Competitiveness and Entrepreneurship Act of 2015. This legislation includes matters that fall within the Rule X jurisdiction of the Committee on Transportation and Infrastructure.

In order to expedite floor consideration of H.R. 2262, the Committee on Transportation

and Infrastructure will forgo action on this bill. However, this is conditional on our mutual understanding that forgoing consideration of the bill does not prejudice the Committee with respect to the appointment of conferees or to any future jurisdictional claim over the subject matters contained in the bill or similar legislation that fall within the Committee's Rule X jurisdiction. I request you urge the Speaker to name members of the Committee to any conference committee named to consider such provisions.

Please place a copy of this letter and your response acknowledging our jurisdictional interest into the Congressional Record during consideration of the measure on the House floor.

Sincerely,

BILL SHUSTER,
Chairman.

MAY 18, 2015.

Hon. BILL SHUSTER,
Chairman, Committee on Transportation and Infrastructure, House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: Thank you for your letter regarding the Committee on Transportation and Infrastructure's jurisdictional interest in H.R. 2262, the ''Spurring Private Aerospace Competitiveness and Entrepreneurship Act of 2015.''

I agree that the Committee on Transportation and Infrastructure has valid jurisdictional interests in matters pertaining to the Federal Aviation Administration and the National Transportation Safety Board, and that your Committee's jurisdiction will not be adversely affected by your decision to forego consideration of H.R. 2262. As you have requested, I will support your request for an appropriate appointment of outside conferees from your Committee in the event of a House-Senate conference on this or similar legislation, if in your jurisdiction, should such a conference be convened.

Finally, I will include a copy of your letter and this response in the Congressional Record during the floor consideration of this bill. Thank you again for your cooperation.

Sincerely,

LAMAR SMITH,
Chairman.

Mr. SMITH of Texas. Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from Maryland (Ms. EDWARDS).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

RECORDED VOTE

Ms. EDWARDS. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 173, noes 236, not voting 23, as follows:

[Roll No. 261]

AYES—173

Adams	Bonamici	Carney
Aguilar	Boyle, Brendan F.	Carson (IN)
Amash	Brady (PA)	Cartwright
Ashford	Brown (FL)	Castor (FL)
Bass	Brownley (CA)	Castro (TX)
Beatty	Bustos	Chu, Judy
Becerra	Capuano	Cicilline
Bishop (GA)	Cárdenas	Clark (MA)
Blumenauer	Clyburn	Clarke (NY)
Cohen	Jackson Lee	Peters
Connolly	Jeffries	Peterson
Cooper	Johnson (GA)	Pingree
Costa	Johnson, E. B.	Pocan
Courtney	Jones	Price (NC)
Crowley	Kaptur	Quigley
Cuellar	Keating	Rangel
Cummings	Kelly (IL)	Rice (NY)
Davis (CA)	Kennedy	Richmond
DeFazio	Kildee	Roybal-Allard
DeGette	Kilmer	Ruiz
Delaney	Kind	Ruppersberger
DeLauro	Kirkpatrick	Ryan (OH)
DelBene	Kuster	Sánchez, Linda T.
DeSaulnier	Langevin	Sanchez, Loretta
Deutch	Larsen (WA)	Sarbanes
Dingell	Larson (CT)	Schakowsky
Doggett	Lawrence	Schiff
Doyle, Michael F.	Lee	Schrader
Duckworth	Levin	Scott (VA)
Edwards	Lipinski	Scott, David
Ellison	Loebsack	Serrano
Engel	Lofgren	Sewell (AL)
Eshoo	Lowey	Sherman
Esty	Lujan Grisham (NM)	Sinema
Farr	Luján, Ben Ray (NM)	Sires
Fattah	Lynch	Slaughter
Foster	Maloney, Carolyn	Speier
Frankel (FL)	Maloney, Sean	Swalwell (CA)
Fudge	Massie	Takai
Gabbard	Matsui	Takano
Gallego	McCollum	Thompson (CA)
Garamendi	McDermott	Thompson (MS)
Graham	McGovern	Titus
Grayson	McNerney	Tonko
Green, Al	Meeks	Torres
Green, Gene	Meng	Van Hollen
Grijalva	Moore	Vargas
Gutiérrez	Murphy (FL)	Veasey
Hahn	Neal	Vela
Hastings	Nolan	Velázquez
Heck (WA)	Norcross	Visclosky
Higgins	O'Rourke	Walz
Himes	Pallone	Wasserman Schultz
Hinojosa	Pascrell	Waters, Maxine
Honda	Payne	Watson Coleman
Hoyer	Pelosi	Welch
Huffman	Perlmutter	Wilson (FL)
Israel		Yarmuth

NOES—236

Abraham	Dent	Hensarling
Aderholt	DeSantis	Herrera Beutler
Amodei	DesJarlais	Hice, Jody B.
Babin	Diaz-Balart	Hill
Barletta	Dold	Holding
Barr	Duffy	Hudson
Barton	Duncan (SC)	Huelskamp
Benishek	Duncan (TN)	Huizenga (MI)
Bilirakis	Ellmers (NC)	Hultgren
Bishop (MI)	Emmer (MN)	Hunter
Bishop (UT)	Farenthold	Hurd (TX)
Black	Fincher	Hurt (VA)
Blum	Fitzpatrick	Issa
Bost	Fleischmann	Jenkins (KS)
Boustany	Fleming	Jenkins (WV)
Brady (TX)	Flores	Johnson (OH)
Bridenstine	Forbes	Johnson, Sam
Brooks (AL)	Fortenberry	Jolly
Brooks (IN)	Foxx	Jordan
Buchanan	Franks (AZ)	Joyce
Buck	Frelinghuysen	Katko
Bucshon	Garrett	Kelly (PA)
Burgess	Gibbs	King (IA)
Byrne	Gibson	King (NY)
Calvert	Gohmert	Kinzinger (IL)
Carter (TX)	Goodlatte	Kline
Chabot	Gosar	Knight
Clawson (FL)	Gowdy	Labrador
Coffman	Granger	LaMalfa
Cole	Graves (GA)	Lamborn
Collins (GA)	Graves (LA)	Lance
Collins (NY)	Graves (MO)	Latta
Comstock	Griffith	Lieu, Ted
Conaway	Grothman	LoBiondo
Cook	Guinta	Long
Costello (PA)	Guthrie	Loudermilk
Cramer	Hanna	Love
Crenshaw	Hardy	Lowenthal
Culberson	Harper	Lucas
Curbelo (FL)	Harris	Luetkemeyer
Davis, Rodney	Hartzler	Lummis
Denham	Heck (NV)	MacArthur
Marchant	Posey	Smith (TX)
Marino	Price, Tom	Stefanik
McCarthy	Ratcliffe	Stewart
McCaul	Reed	Stivers
McClintock	Reichert	Stutzman
McHenry	Renacci	Thompson (PA)
McKinley	Ribble	Thornberry
McMorris Rodgers	Rice (SC)	Tiberi
McSally	Rigell	Tipton
Meadows	Roby	Trott
Meehan	Roe (TN)	Turner
Messer	Rogers (AL)	Upton
Mica	Rogers (KY)	Valadao
Miller (FL)	Rohrabacher	Wagner
Miller (MI)	Rokita	Walberg
Moolenaar	Rooney (FL)	Walden
Mooney (WV)	Ros-Lehtinen	Walker
Mullin	Roskam	Walorski
Mulvaney	Ross	Walters, Mimi
Murphy (PA)	Rothfus	Weber (TX)
Neugebauer	Rouzer	Webster (FL)
Newhouse	Royce	Wenstrup
Nugent	Russell	Westerman
Nunes	Ryan (WI)	Westmoreland
Olson	Salmon	Whitfield
Palazzo	Sanford	Williams
Palmer	Scalise	Wilson (SC)
Paulsen	Schweikert	Wittman
Pearce	Scott, Austin	Womack
Perry	Sensenbrenner	Woodall
Pittenger	Sessions	Yoder
Pitts	Shimkus	Yoho
Poe (TX)	Shuster	Young (AK)
Poliquin	Simpson	Young (IA)
Polis	Smith (MO)	Young (IN)
Pompeo	Smith (NE)	Zeldin
	Smith (NJ)	Zinke

NOT VOTING—23

Allen	Chaffetz	Moulton
Bera	Clay	Nadler
Beyer	Cleaver	Napolitano
Blackburn	Conyers	Noem
Brat	Crawford	Rush
Butterfield	Davis, Danny	Smith (WA)
Capps	Donovan	Tsongas
Carter (GA)	Lewis	

□ 1233

Messrs. GROTHMAN and TED LIEU of California changed their vote from ''aye'' to ''no.''

Messrs. MASSIE, JONES, Ms. KUSTER, Messrs. DOGGETT and GENE GREEN of Texas changed their vote from ''no'' to ''aye.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

Stated for:

Mr. LEWIS. Mr. Chair, on rollcall No. 261, had I been present, I would have voted "yes."

Mrs. NAPOLITANO. Mr. Chair, on Thursday, May 21, 2015, I was absent during rollcall vote No. 261. Had I been present, I would have voted "aye" on the Edwards Amendment to H.R. 2262, Spurring Private Aerospace Competitiveness and Entrepreneurship Act of 2015.

Stated against:

Mr. ALLEN. Mr. Chair, on rollcall No. 261 I was unavoidably detained. Had I been present, I would have voted "no."

Mr. BRAT. Mr. Chair, on rollcall No. 261 I was unavoidably detained. Had I been present, I would have voted "no."

Mr. CARTER of Georgia. Mr. Chair, on rollcall No. 261 I was unavoidably detained. Had I been present, I would have voted "nay."

The Acting CHAIR. The question is on the amendment in the nature of a substitute, as amended.

The amendment was agreed to.

The Acting CHAIR. Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mrs.

BLACK) having assumed the chair, Mr. STEWART, Acting Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 2262) to facilitate a progrowth environment for the developing commercial space industry by encouraging private sector investment and creating more stable and predictable regulatory conditions, and for other purposes, and, pursuant to House Resolution 273, he reported the bill back to the House with an amendment adopted in the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment to the amendment reported from the Committee of the Whole?

If not, the question is on the amendment in the nature of a substitute, as amended.

The amendment was agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER pro tempore. The question is on the passage of the bill.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. SMITH of Texas. Madam Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, this 5-minute vote on passage of the bill will be followed by a 5-minute vote on adoption of House Resolution 274.

The vote was taken by electronic device, and there were—yeas 284, nays 133, not voting 15, as follows:

[Roll No. 262]

YEAS—284

Abraham
Aderholt
Aguilar
Allen
Amodei
Ashford
Babin
Barletta
Barr
Barton
Benishek
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blum
Blumenauer
Bost
Boustany
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Bucshon
Burgess
Bustos
Byrne
Calvert
Capuano
Cárdenas
Carney
Carter (GA)
Carter (TX)
Castro (TX)
Chabot
Clawson (FL)
Coffman
Cole
Collins (GA)
Collins (NY)
Comstock
Conaway
Cook
Cooper
Costa
Costello (PA)
Cramer
Crenshaw
Cuellar
Culberson
Curbelo (FL)
Davis, Rodney
Delaney
DelBene
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Dold
Duffy
Duncan (SC)
Duncan (TN)
Ellmers (NC)
Emmer (MN)
Farenthold
Fattah
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Garamendi
Garrett
Gibbs
Gibson
Gohmert
Goodlatte
Gosar
Gowdy
Graham
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Green, Al
Green, Gene
Griffith
Grothman
Guinta
Guthrie
Hahn
Hanna
Hardy
Harper
Harris
Hartzler
Heck (NV)
Heck (WA)
Hensarling
Herrera Beutler
Hice, Jody B.
Higgins
Hill
Himes
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Issa
Jackson Lee
Jenkins (KS)
Jenkins (WV)
Johnson (OH)
Johnson, Sam
Jolly
Jordan
Joyce
Katko
Kelly (PA)
Kilmer
Kind
King (IA)
King (NY)
Kinzinger (IL)
Kirkpatrick
Kline
Knight
Labrador
LaMalfa
Lamborn
Lance
Larsen (WA)
Latta
Lieu, Ted
Lipinski
LoBiondo
Long
Loudermilk
Love
Lowenthal
Lucas
Luetkemeyer
Lummis
MacArthur
Maloney, Sean
Marchant
Marino
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris Rodgers
McSally
Meadows
Meehan
Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Mullin
Mulvaney
Murphy (FL)
Murphy (PA)
Neugebauer
Newhouse
Nolan
Nugent
Nunes
O'Rourke
Olson
Palazzo
Palmer
Paulsen
Pearce
Perlmutter
Perry
Peters
Peterson
Pittenger
Pitts
Poe (TX)
Poliquin
Polis
Pompeo
Posey
Price, Tom
Ratcliffe
Reed
Reichert
Renacci
Ribble
Rice (NY)
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney (FL)
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Royce
Ruiz
Ruppersberger
Russell
Ryan (WI)
Salmon
Sanford
Scalise
Schiff
Schrader
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Sinema
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Stefanik
Stewart
Stivers
Stutzman
Swalwell (CA)
Thompson (PA)
Thornberry
Tiberi
Tipton
Trott
Turner
Upton
Valadao
Vargas
Vela
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Walz
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Westmoreland
Whitfield
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

NAYS—133

Adams
Amash
Bass
Beatty
Becerra
Beyer
Bishop (GA)
Bonamici
Boyle, Brendan F.
Brady (PA)
Brown (FL)
Brownley (CA)
Butterfield
Carson (IN)
Cartwright
Castor (FL)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clyburn
Cohen
Connolly
Courtney
Crowley
Cummings
Davis (CA)
DeFazio
DeGette
DeLauro
DeSaulnier
Deutch
Dingell
Doggett
Doyle, Michael F.
Duckworth
Edwards
Ellison
Engel
Eshoo
Esty
Farr
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Grayson
Grijalva
Gutiérrez
Hastings
Hinojosa
Honda
Hoyer
Huffman
Israel
Jeffries
Johnson (GA)
Johnson, E. B.
Jones
Kaptur
Keating
Kelly (IL)
Kennedy
Kildee
Kuster
Langevin
Larson (CT)
Lawrence
Lee
Levin
Lewis
Loebsack
Lofgren
Lowey
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
Maloney, Carolyn
Massie
Matsui
McCollum
McDermott
McGovern
McNerney
Meeks
Meng
Moore
Moulton
Neal
Norcross
Pallone
Pascrell
Payne
Pelosi
Pingree
Pocan
Price (NC)
Quigley
Rangel
Richmond
Roybal-Allard
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Sherman
Sires
Slaughter
Speier
Takai
Takano
Thompson (CA)
Thompson (MS)
Titus
Tonko
Torres
Van Hollen
Veasey
Velázquez
Visclosky
Wasserman Schultz
Waters, Maxine
Watson Coleman
Welch
Wilson (FL)
Yarmuth

NOT VOTING—15

Bera
Blackburn
Capps
Chaffetz
Clay
Cleaver
Conyers
Crawford
Davis, Danny
Donovan
Nadler
Napolitano
Noem
Smith (WA)
Tsongas

□ 1243

Mr. MOULTON changed his vote from ''yea'' to ''nay.''

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated against:

Mrs. NAPOLITANO. Madam Speaker, on Thursday, May 21st, 2015, I was absent during rollcall vote No. 262. Had I been present, I would have voted "nay" on passage of H.R. 2262, Spurring Private Aerospace Competitiveness and Entrepreneurship Act of 2015.

PROVIDING FOR CONSIDERATION OF H.R. 1335, STRENGTHENING FISHING COMMUNITIES AND INCREASING FLEXIBILITY IN FISHERIES MANAGEMENT ACT

The SPEAKER pro tempore. The unfinished business is the vote on adoption of the resolution (H. Res. 274) providing for consideration of the bill (H.R. 1335) to amend the Magnuson-Stevens Fishery Conservation and Management Act to provide flexibility for fishery managers and stability for fishermen, and for other purposes, on which the yeas and nays were ordered.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on the resolution.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 237, nays 174, not voting 21, as follows:

[Roll No. 263]

YEAS—237

Abraham
Aderholt
Allen
Amash
Amodei
Babin
Barletta
Barr
Barton
Benishek
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blum
Bost
Boustany
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Bucshon
Burgess
Byrne
Calvert
Carter (GA)
Carter (TX)
Chabot
Clawson (FL)
Coffman
Cole
Collins (GA)
Collins (NY)
Comstock
Conaway
Cook
Costello (PA)
Cramer
Crenshaw

Culberson
Curbelo (FL)
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Dold
Duffy
Duncan (SC)
Ellmers (NC)
Emmer (MN)
Farenthold
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Garrett
Gibbs
Gibson
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Griffith
Grothman
Guinta
Guthrie
Hanna
Hardy
Harper
Harris
Hartzler
Heck (NV)
Hensarling
Herrera Beutler
Hice, Jody B.
Hill
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (OH)
Johnson, Sam
Jolly
Jordan
Joyce
Katko
Kelly (PA)
King (IA)
King (NY)
Kinzinger (IL)
Kline
Knight
Labrador
LaMalfa
Lamborn
Lance
Latta
LoBiondo
Long
Loudermilk
Love
Lucas
Luetkemeyer
Lummis
MacArthur
Marchant
Marino
Massie
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris Rodgers
McSally
Meadows
Meehan
Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Newhouse
Nugent
Nunes
Olson
Palazzo
Palmer
Paulsen
Pearce
Perry
Pittenger
Pitts
Poe (TX)
Poliquin
Pompeo
Posey
Price, Tom
Ratcliffe
Reed
Reichert
Renacci
Ribble
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney (FL)
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Royce
Ryan (WI)
Salmon
Sanford
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Sinema
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Stefanik
Stewart
Stivers
Stutzman
Thompson (PA)
Thornberry
Tiberi
Tipton
Trott
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Westmoreland
Whitfield
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

NAYS—174

Adams
Aguilar
Ashford
Bass
Beatty
Becerra
Beyer
Bishop (GA)
Blumenauer
Bonamici
Boyle, Brendan F.
Brady (PA)
Brown (FL)
Brownley (CA)
Bustos
Butterfield
Capuano
Cárdenas
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clyburn
Cohen
Connolly
Cooper
Costa
Crowley
Cuellar
Cummings
Davis (CA)
DeFazio
DeGette
Delaney
DeLauro
DelBene
DeSaulnier
Deutch
Dingell
Doggett
Doyle, Michael F.
Duckworth
Edwards
Ellison
Engel
Eshoo
Esty
Farr
Fattah
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Graham
Grayson
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hahn
Hastings
Heck (WA)
Higgins
Himes
Honda
Hoyer
Huffman
Israel
Jackson Lee
Jeffries
Johnson (GA)
Johnson, E. B.
Jones
Kaptur
Keating
Kelly (IL)
Kennedy
Kildee
Kilmer
Kirkpatrick
Kuster
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lee
Levin
Lewis
Lieu, Ted
Lipinski
Loebsack
Lofgren
Lowey
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
Maloney, Carolyn
Maloney, Sean
Matsui
McCollum
McDermott
McGovern
McNerney
Meeks
Meng
Moore
Moulton
Murphy (FL)
Neal
Nolan
Norcross
O'Rourke
Pallone
Pascrell
Payne
Pelosi
Perlmutter
Peters
Peterson
Pingree
Pocan
Polis
Price (NC)
Quigley
Rangel
Rice (NY)
Richmond
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Sherman
Sires
Slaughter
Speier
Swalwell (CA)
Takai
Takano
Thompson (CA)
Thompson (MS)
Titus
Tonko
Torres
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Welch
Wilson (FL)
Yarmuth

NOT VOTING—21

Bera
Blackburn
Capps
Chaffetz
Clay
Cleaver
Conyers
Courtney
Crawford
Davis, Danny
Donovan
Duncan (TN)
Hinojosa
Kind
Lowenthal
Nadler
Napolitano
Noem
Russell
Smith (WA)
Tsongas

□ 1252

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated against:

Mrs. NAPOLITANO. Madam Speaker, on Thursday, May 21st, 2015, I was absent during rollcall vote No. 263. Had I been present, I would have voted "nay" on agreeing to the resolution H. Res. 274, Providing for consideration of the bill (H.R. 1335) to amend the Magnuson-Stevens Fishery Conservation and Management Act to provide flexibility for fishery managers and stability for fishermen, and for other purposes.

PERSONAL EXPLANATION

Mrs. CAPPS. Mr. Speaker, I was not able to be present for the following rollcall votes on May 20 and May 21, 2015 and would like the record to reflect that I would have voted as follows: rollcall No. 250: "no," rollcall No. 251: "no," rollcall No. 252: "yes," rollcall No. 253: "no," rollcall No. 254: "yes," rollcall No. 255: "yes," rollcall No. 256: "yes," rollcall No. 257: "yes," rollcall No. 258: "no," rollcall No. 259: "yes," rollcall No. 260: "yes," rollcall No. 261: "yes," rollcall No. 262: "yes," rollcall No. 263: "no."

PERSONAL EXPLANATION

Mr. CLEAVER. Mr. Speaker, I regrettably missed votes on May 20th and May 21st, 2015. Had I been present, I would have voted "no" on rollcall No. 258, "yes" on rollcall No. 259, "no" on rollcall No. 260, "yes" on rollcall No. 261, "no" on rollcall No. 262, and "no" on rollcall No. 263.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 1622

Mr. FOSTER. Mr. Speaker, I ask unanimous consent that Representative ADAM SCHIFF be removed as a cosponsor of H.R. 1622.

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

There was no objection.

COMMUNICATION FROM CHAIR OF COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE

The SPEAKER pro tempore laid before the House the following communication from the Chair of the Committee on Transportation and Infrastructure; which was read and, without objection, referred to the Committee on Appropriations:

HOUSE OF REPRESENTATIVES, COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE,
Washington, DC, May 21, 2015.

Hon. JOHN BOEHNER,
Speaker of the House, House of Representatives, The Capitol, Washington, DC.

DEAR MR. SPEAKER: On May 20, 2015, pursuant to sections 3307 and 3315(b) of Title 40, United States Code, the Committee on Transportation and Infrastructure met in open session to consider two building project survey resolutions and one resolution that amends a resolution approved by the Committee on February 12, 2015, and which was included in the General Services Administration's (GSA) Fiscal Year 2015 Capital Investment and Leasing Program.

The Committee continues to work to cut waste and the cost of federal property and leases. The two building project surveys establish clear timetables on reviews GSA is currently undertaking to address space emergencies. The amended resolution incorporates additional information provided to the Committee by GSA with respect to leased space that will ultimately be released and consolidated into government-owned space.

I have enclosed copies of the resolutions adopted by the Committee on Transportation and Infrastructure on May 20, 2015.

Sincerely,

BILL SHUSTER,
Chairman.

Enclosures.

COMMITTEE RESOLUTION

BUILDING PROJECT SURVEY—UNITED STATES COURTHOUSE AND FEDERAL OFFICE BUILDING, FORT LAUDERDALE, FLORIDA

Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives, that, pursuant to 40 U.S.C. §3315(b), the Administrator of General Services shall investigate the feasibility and need to construct or acquire a replacement facility to house the United States District Court for the Southern District of Florida and other Federal agencies, located in Ft. Lauderdale, Florida. The analysis shall include a full and complete evaluation including, but not limited to: (i) the identification and cost of potential sites and (ii) 30-year present value evaluations of all options, including Federal construction, exchange, purchase (including lease with an option to purchase or purchase contract), and lease. The Administrator shall submit a report to Congress

within 120 days of the date of adoption of this resolution.

COMMITTEE RESOLUTION

BUILDING PROJECT SURVEY—U.S. DISTRICT COURT FOR THE NORTHERN DISTRICT OF FLORIDA, PENSACOLA, FLORIDA

Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives, that pursuant to Title 40 U.S.C. §3315(b), the Administrator of General Services shall investigate and identify a long-term space solution for the courthouse located at 1 N. Palafox Street in Pensacola, Florida to address the space emergency of the U.S. District Court for the Northern District of Florida. The analysis shall include a full and complete evaluation including, but not limited to: (i) the identification and cost of potential options and (ii) 30 year present value evaluations of all options, including acceptance of the offer to donate the current building, repair and acquisition. The Administrator shall submit a report to Congress within 120 days.

AMENDED COMMITTEE RESOLUTION

LEASE—FEDERAL BUREAU OF INVESTIGATION, 85 10TH AVENUE, NEW YORK, NY

Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives, that pursuant to 40 U.S.C. §3307, appropriations are authorized for lease extensions of up to 168,000 rentable square feet of space for the Federal Bureau of Investigation Joint Terrorism Task Force currently located at 85 10th Avenue in New York, New York at a proposed total annual cost of $14,616,000 for a lease term of up to 5 years, a prospectus, as amended by this resolution, for which is attached to and included in this resolution. This resolution amends amounts authorized in the Committee on Transportation and Infrastructure resolution of February 12, 2015.

Approval of this prospectus constitutes authority to execute an interim lease for all tenants, if necessary, prior to the execution of the new lease.

Provided that, the Administrator of General Services and tenant agencies agree to apply an overall utilization rate of 218 square feet or less per person.

Provided that, except for interim leases as described above, the Administrator may not enter into any leases that are below prospectus level for the purposes of meeting any of the requirements, or portions thereof, included in the prospectus that would result in an overall utilization rate of 218 square feet or higher per person.

Provided that, to the maximum extent practicable, the Administrator shall include in the lease contract(s) a purchase option that can be exercised at the conclusion of the firm term of the lease.

Provided further, that the Administrator shall require that the delineated area of the procurement is identical to the delineated area included in the prospectus, except that, if the Administrator determines that the delineated area of the procurement should not be identical to the delineated area included in the prospectus, the Administrator shall provide an explanatory statement to the Committee on Transportation and Infrastructure of the House of Representatives prior to exercising any lease authority provided in this resolution.

Provided further, that the General Services Administration shall not delegate to any other agency the authority granted by this resolution.

GSA PBS

PROSPECTUS – LEASE
FEDERAL BUREAU OF INVESTIGATION
85 10TH AVENUE, NEW YORK, NY

Prospectus Number: PNY-02-NY15
Congressional District: 8

Executive Summary

The General Services Administration (GSA) proposes lease extensions of up to five years for 168,000 rentable square feet of space for the Federal Bureau of Investigation Joint Terrorism Task Force (FBI) currently located at 85 10th Avenue in New York, NY. FBI has occupied space in the building since 2005 under two leases that will expire January 17 and June 5, 2015. The long-term plan is to relocate FBI from 85 Tenth Avenue to government-owned space; a lease extension is needed as space is vacated and readied at the Government-owned location. GSA will attempt to secure flexibility and the right to terminate the entire lease periodically within the five year term.

Extension of the current leases will enable FBI to provide continued housing for its personnel and meet its current mission requirements. FBI will maintain its current office utilization rate of 148 USF per person and its overall utilization rate of 218 USF per person.

Description

Occupants:	Federal Bureau of Investigation
Lease Type:	Lease Extension
Current Rentable Square Feet (RSF):	168,000
Proposed Maximum RSF:	168,000
Expansion/Reduction RSF:	0
Current Usable Square Feet/Person:	218
Proposed Usable Square Feet/Person:	218
Proposed Maximum Lease Term:	5
Expiration Date of Current Leases:	1/17/ 2015 and 6/5/ 2015
Proposed Delineated Area:	85 Tenth Avenue New York, NY
Number of Official Parking Spaces:	0
Scoring:	Operating Lease
Maximum Proposed Rental Rate[1]:	$ 68.00 per RSF
Proposed Total Annual Cost[2]:	$ 11,424,000
Current Total Annual Cost:	$ 7,589,152 (leases effective 1/18/2005 and 6/06/2005)

[1]This estimate is for fiscal year 2015 and may be escalated by 1.9 percent annually to the effective date of the lease to account for inflation. The proposed rental rate is fully serviced including all operating expenses whether paid by the lessor or directly by the Government. GSA will conduct the procurement using prevailing market rental rates as a benchmark for negotiating this lease extension to ensure that lease award is made in the best interest of the government. Lease award shall not exceed the maximum rental rate as specified in this prospectus.

[2]Any new lease may contain an annual escalation clause to provide for increases or decreases in real estate taxes and operating costs.

GSA PBS

PROSPECTUS – LEASE
FEDERAL BUREAU OF INVESTIGATION
85 10TH AVENUE, NEW YORK, NY

Prospectus Number: PNY-02-NY15
Congressional District: 8

Justification
The leases at 85 10th Avenue will expire January 17 and June 5, 2015. FBI requires continued housing at this location to carry out its mission until it can relocate its personnel and operations to government-owned space. A five-year lease extension is needed to protect occupancy until such time as space is vacated and readied for FBI at a government-owned facility.

Resolutions of Approval
Resolutions adopted by the House Committee on Transportation and Infrastructure and the Senate Committee on Environment and Public Works approving this prospectus will constitute approval to make appropriations to lease space in a facility that will yield the required rentable area.

Interim Leasing
GSA will execute such interim leasing actions as are necessary to ensure continued housing of the tenant agency prior to the effective date of the extension. It is in the best interest of the Government to avert the financial risk of holdover tenancy.

Certification of Need

The proposed project is the best solution to meet a validated Government need.

Submitted at Washington, DC, on September 29, 2014

Recommended: _____
Commissioner, Public Buildings Service

Approved: _____
Administrator, General Services Administration

April 2014

Housing Plan
Federal Bureau of Investigation

PNY-02-NY15
New York, NY

Locations	CURRENT						PROPOSED					
	Personnel		Usable Square Feet (USF)[1]				Personnel		Usable Square Feet (USF)			
	Office	Total	Office	Storage	Special	Total	Office	Total	Office	Storage	Special	Total
85 10th Avenue, New York, NY	542	542	102,782	6,000	9,391	118,173						
Proposed Lease							542	542	102,782	6,000	9,391	118,173
Total	542	542	102,782	6,000	9,391	118,173	542	542	102,782	6,000	9,391	118,173

Office Utilization Rate (UR)[2]		
	Current	Proposed
Rate	148	148

UR=average amount of office space per person
Current UR excludes 22,612 usf of office support space
Proposed UR excludes 22,612 usf of office support space

Overall UR[3]		
	Current	Proposed
Rate	218	218

R/U Factor[4]	Total USF	RSF/USF	Max RSF
Current	118,173	1.42	168,000
Proposed	118,173	1.42	168,000

Special Space	USF
ADP	1,977
Break Room	731
Conference/Training	2,367
Health	488
Mug and Fingerprint	244
Physical Fitness	2,560
Mail Room	366
Interview rooms	512
Restroom	146
Total	9,391

NOTES:

[1]USF means the portion of the building available for use by a tenant's personnel and furnishings and space available jointly to the occupants of the building.
[2]Calculation excludes Judiciary, Congress and agencies with less than 10 people
[3]USF/Person = housing plan total USF divided by total personnel.
[4]R/U Factor = Max RSF divided by total USF

Committee on Transportation and Infrastructure
U.S. House of Representatives

Bill Shuster
Chairman

Washington, DC 20515

Peter A. DeFazio
Ranking Member

Christopher P. Bertram, Staff Director

Katherine W. Dedrick, Democratic Staff Director

COMMITTEE RESOLUTION

LEASE
FEDERAL BUREAU OF INVESTIGATION
85 10TH AVENUE, NEW YORK, NY
PNY-02-NY15

Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives, that pursuant to 40 U.S.C. §3307, appropriations are authorized for lease extensions of up to 168,000 rentable square feet of space for the Federal Bureau of Investigation Joint Terrorism Task Force currently located at 85 10th Avenue in New York, New York at a proposed total annual cost of $13,776,000 for a lease term of up to 5 years, a prospectus, as amended by this resolution, for which is attached to and included in this resolution.

Approval of this prospectus constitutes authority to execute an interim lease for all tenants, if necessary, prior to the execution of the new lease.

Provided that, the Administrator of General Services and tenant agencies agree to apply an overall utilization rate of 218 square feet or less per person.

Provided that, except for interim leases as described above, the Administrator may not enter into any leases that are below prospectus level for the purposes of meeting any of the requirements, or portions thereof, included in the prospectus that would result in an overall utilization rate of 218 square feet or higher per person.

Provided that, to the maximum extent practicable, the Administrator shall include in the lease contract(s) a purchase option that can be exercised at the conclusion of the firm term of the lease.

Provided further, that the Administrator shall require that the delineated area of the procurement is identical to the delineated area included in the prospectus, except that, if the Administrator determines that the delineated area of the procurement should not be identical to the delineated area included in the prospectus, the Administrator shall provide an explanatory statement to the Committee on Transportation and Infrastructure of the House of Representatives prior to exercising any lease authority provided in this resolution.

Provided further, that the General Services Administration shall not delegate to any other agency the authority granted by this resolution.

Adopted: February 12, 2015

Bill Shuster, M.C.
Chairman

GSA PBS

PROSPECTUS – LEASE
FEDERAL BUREAU OF INVESTIGATION
85 10TH AVENUE, NEW YORK, NY

Prospectus Number: PNY-02-NY15
Congressional District: 8

Executive Summary

The General Services Administration (GSA) proposes lease extensions of up to five years for 168,000 rentable square feet of space for the Federal Bureau of Investigation Joint Terrorism Task Force (FBI) currently located at 85 10th Avenue in New York, NY. FBI has occupied space in the building since 2005 under two leases that will expire January 17 and June 5, 2015. The long-term plan is to relocate FBI from 85 Tenth Avenue to government-owned space; a lease extension is needed as space is vacated and readied at the Government-owned location. GSA will attempt to secure flexibility and the right to terminate the entire lease periodically within the five year term.

Extension of the current leases will enable FBI to provide continued housing for its personnel and meet its current mission requirements. FBI will maintain its current office utilization rate of 148 USF per person and its overall utilization rate of 218 USF per person.

Description

Occupants:	Federal Bureau of Investigation
Lease Type:	Lease Extension
Current Rentable Square Feet (RSF):	168,000
Proposed Maximum RSF:	168,000
Expansion/Reduction RSF:	0
Current Usable Square Feet/Person:	218
Proposed Usable Square Feet/Person:	218
Proposed Maximum Lease Term:	5
Expiration Date of Current Leases:	1/17/ 2015 and 6/5/ 2015
Proposed Delineated Area:	85 Tenth Avenue New York, NY
Number of Official Parking Spaces:	0
Scoring:	Operating Lease
Maximum Proposed Rental Rate[1]:	$ 68.00 per RSF
Proposed Total Annual Cost[2]:	$ 11,424,000
Current Total Annual Cost:	$ 7,589,152 (leases effective 1/18/2005 and 6/06/2005)

[1]This estimate is for fiscal year 2015 and may be escalated by 1.9 percent annually to the effective date of the lease to account for inflation. The proposed rental rate is fully serviced including all operating expenses whether paid by the lessor or directly by the Government. GSA will conduct the procurement using prevailing market rental rates as a benchmark for negotiating this lease extension to ensure that lease award is made in the best interest of the government. Lease award shall not exceed the maximum rental rate as specified in this prospectus.

[2]Any new lease may contain an annual escalation clause to provide for increases or decreases in real estate taxes and operating costs.

GSA PBS

PROSPECTUS – LEASE
FEDERAL BUREAU OF INVESTIGATION
85 10TH AVENUE, NEW YORK, NY

Prospectus Number: PNY-02-NY15
Congressional District: 8

Justification
The leases at 85 10th Avenue will expire January 17 and June 5, 2015. FBI requires continued housing at this location to carry out its mission until it can relocate its personnel and operations to government-owned space. A five-year lease extension is needed to protect occupancy until such time as space is vacated and readied for FBI at a government-owned facility.

Resolutions of Approval
Resolutions adopted by the House Committee on Transportation and Infrastructure and the Senate Committee on Environment and Public Works approving this prospectus will constitute approval to make appropriations to lease space in a facility that will yield the required rentable area.

Interim Leasing
GSA will execute such interim leasing actions as are necessary to ensure continued housing of the tenant agency prior to the effective date of the extension. It is in the best interest of the Government to avert the financial risk of holdover tenancy.

Certification of Need

The proposed project is the best solution to meet a validated Government need.

Submitted at Washington, DC, on September 29, 2014

Recommended: _____
Commissioner, Public Buildings Service

Approved: _____
Administrator, General Services Administration

April 2014

Housing Plan
Federal Bureau of Investigation

PNY-02-NY15
New York, NY

Locations	CURRENT						PROPOSED					
	Personnel		Usable Square Feet (USF)[1]				Personnel		Usable Square Feet (USF)			
	Office	Total	Office	Storage	Special	Total	Office	Total	Office	Storage	Special	Total
85 10th Avenue, New York, NY	542	542	102,782	6,000	9,391	118,173						
Proposed Lease							542	542	102,782	6,000	9,391	118,173
Total	542	542	102,782	6,000	9,391	118,173	542	542	102,782	6,000	9,391	118,173

Office Utilization Rate (UR)[2]		
	Current	Proposed
Rate	148	148

UR=average amount of office space per person
Current UR excludes 22,612 usf of office support space
Proposed UR excludes 22,612 usf of office support space

Overall UR[3]		
	Current	Proposed
Rate	218	218

R/U Factor[4]	Total USF	RSF/USF	Max RSF
Current	118,173	1.42	168,000
Proposed	118,173	1.42	168,000

Special Space	USF
ADP	1,977
Break Room	731
Conference/Training	2,367
Health	488
Mug and Fingerprint	244
Physical Fitness	2,560
Mail Room	366
Interview rooms	512
Restroom	146
Total	**9,391**

NOTES:

[1]USF means the portion of the building available for use by a tenant's personnel and furnishings and space available jointly to the occupants of the building.
[2]Calculation excludes Judiciary, Congress and agencies with less than 10 people
[3]USF/Person = housing plan total USF divided by total personnel.
[4]R/U Factor = Max RSF divided by total USF

There was no objection.

HONORING BRAVE SOUTHERN ARIZONANS WHO MADE THE ULTIMATE SACRIFICE IN SERVICE TO OUR COUNTRY

(Ms. MCSALLY asked and was given permission to address the House for 1 minute.)

Ms. MCSALLY. Mr. Speaker, I rise today to honor the men and women from southern Arizona who have given their lives in service to our country.

Countless southern Arizonans have bravely raised their right hands and volunteered to make the defense of our Nation their responsibility. Some have made the ultimate sacrifice.

Their stories of bravery and selflessness are remembered every day by those who knew and loved them—stories like that of U.S. Army Command Master Sergeant Martin R. Barreras, who graduated from Sunnyside High School and was killed in Afghanistan in 2014; or of U.S. Army Specialist Christian M. Adams, a native of Sierra Vista, who was killed in Afghanistan in 2010; or of U.S. Air Force Senior Airman Benjamin D. White, who was based at Davis-Monthan Air Force Base and was killed when his helicopter was shot down in Afghanistan in 2010.

These are just some of the many stories of brave southern Arizonans who fought and died to preserve our way of life. Their sacrifices remind us this weekend and every day that freedom is never free.

Have a meaningful Memorial Day.

BRAIN TUMOR AWARENESS MONTH

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

Mr. KENNEDY. Mr. Speaker, I rise today in recognition of Brain Tumor Awareness Month.

Every single year, nearly 70,000 people in our country will be diagnosed with a brain tumor. Tragically, over 4,000 of them will be children. By the end of this year, roughly 14,000 Americans will lose their lives due to a brain tumor.

Like many others across this country, my family has also been touched by this painful disease, but for patients and their loved ones, hope persists, whether through increased funding for NIH research, which just passed the Energy and Commerce Committee this morning, or through the tireless efforts of nonprofit organizations like the National Brain Tumor Society.

We should not and cannot accept the notion that a brain tumor is untreatable any longer. This month and every month, we must support the efforts of our scientists, doctors, and advocates as they search for new treatment options to develop new cures.

HONORING OUR MEN AND WOMEN OF THE ARMED FORCES ON MEMORIAL DAY

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

Mr. BISHOP of Michigan. Mr. Speaker, I rise today to reflect on what Memorial Day means to our country and to honor our men and women of the Armed Forces.

Our Nation has always stood strong on its founding principle of freedom, but it has taken wars and generations of brave, selfless individuals to preserve and defend it.

For their service, we are eternally grateful. We are especially mindful of those who have made the ultimate sacrifice for our country and of the fact that freedom is not free. Their valiant acts in the line of duty have kept our families safe, both at home and abroad, and there are no words for the gratitude we hold in our hearts today and always.

As we spend time this weekend with our loved ones on this great American holiday, please keep our active and fallen servicemen and -women in your thoughts and prayers, and we pray for those currently serving that they return home safely.

Happy Memorial Day, and God bless the United States of America.

□ 1300

CONGRATULATIONS TO FORT WORTH INDEPENDENT SCHOOL DISTRICT'S HUSBAND AND WIFE TEACHER OF THE YEAR

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

Mr. VEASEY. Mr. Speaker, I rise today to congratulate Mario Pureco-Razo and Maria Ceron-Ponce, the first husband and wife to have ever been named as teachers of the year at their respective schools. Mario and Maria immigrated to the United States from Mexico to become bilingual educators.

Maria, who teaches dual language for third grade at Glen Park Elementary School, and Mario, who teaches dual language pre-K at Mitchell Boulevard Elementary School, one of the many elementary schools I attended in Fort Worth ISD, have both proudly served the district for 7 years.

While each present a different style of teaching in the classroom, both exemplify the dedication and passion needed to shape the minds and lives of our youngest members of society.

Although we should recognize the hard work of all the teachers that perform on behalf of their students each and every day, today I want to recognize Maria and Mario's unique achievement.

It brings me great pride to represent the teachers of Texas' 33rd Congressional District, and I wish Mario and Maria continued success.

Congratulations on this outstanding achievement.

NATIONAL FOSTER CARE MONTH

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

Mr. ROONEY of Florida. Mr. Speaker, I rise today to recognize May as National Foster Care Month.

Before I came to Congress, I was the CEO of a home for abused, neglected, and abandoned children called HomeSafe. In addition to providing a caring home for children in need, our staff and volunteers helped connect them with foster families, whom we also helped certify.

I saw firsthand the struggles that children face when they don't have a safe and permanent home. I saw what a remarkable difference it could make when they found a stable and loving family, and I saw the incredible joy that these children brought to the lives of their foster families, our staff and volunteers, and everyone who worked to support them.

All children deserve a safe, loving, and permanent home. We must continue to work together to make that goal a reality for the 400,000 children in our foster care system.

ON-THE-JOB TRAINING TAX CREDIT OF 2015

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

Mr. AGUILAR. Mr. Speaker, since taking office, my top priority has been to support policies that improve our economy and strengthen the Inland Empire's middle class.

Last month I released my jobs plan, summarizing what I have heard from small-business owners, job seekers, and community leaders throughout San Bernardino County. Among the many issues people face is the skills gap, the disconnect that exists between potential employees and the available job market demands of those who possess specific or technical skills. That was one of the biggest problems that I heard.

That is why yesterday I introduced the On-the-Job Training Tax Credit of 2015, a bill that creates a temporary tax credit for employers to use to help pay for the costs of training new hires. This will enable local owners to expand their businesses and empower employees with critical skills to help them succeed in the 21st century economy.

Through apprenticeship programs, vocational schools, community colleges, and more, job seekers who have been locked out of today's economy will be retrained and brought back into the fold in the Inland Empire's economy.

Studies tell us that approximately 3½ million manufacturing jobs will be open over the next 10 years, but we will only be able to fill 2 million of them due to the skills gap. It is time to retrain our workforce and build up the middle class. This bill will help us do just that.

CONGRESS MUST ADDRESS SECTION 702 OF THE FISA AMENDMENTS ACT

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

Mr. POE of Texas. Mr. Speaker, the PATRIOT Act was designed to protect us from terrorists abroad. Now we have learned that section 215 of the PATRIOT Act has been abused by the NSA, and it is spying on Americans, taking metadata.

But there is more. There is another law. The FISA Amendments Act of 2008, section 702, allows the seizure, without a warrant, of the content of emails, text messages, and phone calls by our government. Congress must address this, as it has addressed section 215 of the PATRIOT Act. It also allows, under 702, the backdoor search; in other words, NSA can go into Google and seize information about Americans without a warrant.

NSA cannot be trusted to protect and follow America's laws that protect our privacy. This Soviet-style surveillance on Americans has got to stop. The right of privacy is sacred.

I have introduced, along with ZOE LOFGREN, a bipartisan bill to eliminate section 702 so that Americans are protected. We cannot allow the bruising of the Fourth Amendment by the snooping NSA under the false claim of national security. If you have probable cause to seize that information, get a warrant under the Constitution of the United States.

And that is just the way it is.

COMMEMORATING THE 50TH ANNIVERSARY OF HEAD START

(Ms. WILSON of Florida asked and was given permission to address the House for 1 minute.)

Ms. WILSON of Florida. Mr. Speaker, I want to commemorate the 50th anniversary of the Head Start program, which has served more than 30 million American children.

As a former Head Start teacher, I know firsthand what access to education and a hearty breakfast can do for a child. Head Start has introduced millions of children to learning; and, as a result, many of them have gone on to earn college degrees and become teachers, lawyers, doctors, and even elected officials.

Mr. Speaker, without Head Start, many children from low-income families would not receive the nutritional and educational services that are so important to early childhood development.

I stand with my colleagues in the House and on the Committee on Education and the Workforce calling for continued funding for this vital program, which has been crucial in improving the lives of countless deserving children across the country.

RECOGNIZING PHILIP KIRKWOOD

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

Mr. JOLLY. Mr. Speaker, I rise today to recognize a real American hero who risked his life to preserve the freedoms we all enjoy today. Yesterday, Navy Ace Commander Philip Kirkwood of Seminole, Florida, accepted the Congressional Gold Medal presented to our American Fighter Aces.

Born in New Jersey, Mr. Kirkwood enlisted in the U.S. Navy in 1942. Earning his Navy wings a year later, Mr. Kirkwood joined the VF–10 flying Hellcats off of the USS *Enterprise*. Mr. Kirkwood recorded his first air victory over the Caroline Islands in 1944, but it would be far from his last. Over his distinguished career, Commander Kirkwood recorded 12 confirmed victories and 1 probable.

One of fewer than 80 living fighter aces, Commander Kirkwood is decorated with the Navy Cross, the Distinguished Flying Cross, and the Air Medal with five Gold Stars.

I urge my colleagues to join me in thanking Commander Kirkwood for his years of service and his bravery.

May God bless Philip Kirkwood, and may God bless each of our American Fighter Aces.

RECOGNIZING THE LIFE OF BISHOP CURTIS MONTGOMERY

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

Mr. KILMER. Mr. Speaker, I rise today to recognize the life and service of Bishop Curtis Montgomery of Tacoma, Washington.

He was a key leader who shepherded Tacoma's Hilltop neighborhood through civil rights struggles and troubled times. His steadfast leadership and staunch belief in the power of community involvement will be remembered in the revitalization of this historically significant neighborhood.

His contributions to the Hilltop include the establishment of Christ Temple Church, which later became Greater Christ Temple Church, and the Oasis of Hope Center, a faith-based community outreach center that was the culmination of Bishop Montgomery's longstanding vision to provide a safe and stable place for the community.

Scripture tells us that God loves a cheerful giver, and it is safe to say that God loves Curtis Montgomery and his parishioners, who have given so much to so many.

On behalf of his congregation and the people of the Hilltop neighborhood in Tacoma, Washington, I honor the lifetime achievements of Bishop Curtis Montgomery of Greater Christ Temple Church in the Congress of the United States.

HONORING OUR VETERANS

(Mrs. MCMORRIS RODGERS asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. MCMORRIS RODGERS. Mr. Speaker, the way that we show gratitude to those who have served in our military, the men and women, is to honor them, and we will join as a country doing so on Memorial Day.

But we also can show our gratitude by making sure that they get the care that they need. It has been over a year since the long waiting lists at the VA were exposed in alarming numbers all across the country. We have learned just this week that at least $6 billion in taxpayers' money has been lost in illegal contracts at the VA and of VA employees improperly receiving gifts, including room upgrades, meals, limousine services, golf, spa, helicopter rides, tickets for the Rockets.

This week the House passed six bills that give American veterans the support they need, and demands accountability at the VA. We must get answers, and I am committed to being a part of the solution.

Next week, I will visit the Spokane Veterans Hospital and recognize those who do work hard to serve our veterans. Every day we are working to support veterans in eastern Washington. This week my team attended the VA2K relay for homeless veterans with military and community and VA staff. We are going to continue to work with county leaders to address the needs of our veterans throughout eastern Washington.

May God bless all those who have served.

FIRST COUNTY OF VETERANS

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

Mr. THOMPSON of Pennsylvania. Mr. Speaker, on Friday, May 29, I will have the privilege of attending a ceremony and play in Warren County, Pennsylvania, titled, ''Beyond Glory,'' which will highlight the stories of eight Medal of Honor recipients in the wars of the 20th century.

The theme of the evening is First County of Veterans, recognizing the

fact that Warren County, Pennsylvania, has the largest veteran population per capita of any county in Pennsylvania. I am looking forward to celebrating this special evening with local veterans who have sacrificed so much.

Mr. Speaker, Memorial Day is right around the corner, and as the proud father of an Army soldier and a daughter-in-law who is now a veteran, it is my privilege to serve our Nation's veterans and my honor to recognize those who have lost their lives in service to our country.

Memorial Day for many Americans has become the holiday that marks the start of the summer season, but for the men and women who have served in our Armed Forces, and in doing so gave their lives, we owe them our remembrance and demonstrated appreciation.

It is my sincere hope that you will pause this Memorial Day in remembrance of our fallen soldiers, whose courage and bravery sustain our liberty.

HONORING JASON KORTZ

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

Mr. COFFMAN. Mr. Speaker, Memorial Day is a day to honor those who have made the ultimate sacrifice in defense of our Nation. I can think of no better time to remember one of those brave, young men who made the ultimate sacrifice as he trained to protect the values that we as a nation hold so dear.

An elite member of the Naval Special Warfare Group 1, Special Warfare Operator 3rd Class Jason Kortz distinguished himself consistently throughout his life and during his short military career.

Hailing from Highlands Ranch, Colorado, he graduated from the University of Denver. Most recently, Jason set himself apart when he was selected as the honor man of his basic underwater demolition SEAL class.

Tragically, this true patriot and consummate professional gave his life in defense of our Nation when he died during a training accident on March 18, 2015.

On this Memorial Day, please join me and the family of Jason Kortz to pause and reflect on the ultimate sacrifices that warriors like Jason have made to uphold all that we value as a nation.

□ 1315

ASTHMA AWARENESS MONTH

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

Mr. ENGEL. Mr. Speaker, May is Asthma Awareness Month. As co-chair of the Congressional Asthma and Allergy Caucus and a senior member of the House Committee on Energy and Commerce's Health Subcommittee, I want to take this opportunity to bring attention to the prevalence of asthma in the United States, as well as what must be done to control its growth.

Asthma is one of the most serious chronic diseases in the country. It affects almost 26 million Americans and nearly 7 million children. It can cause shortness of breath, coughing, wheezing, chest pain, and even death.

In my home State of New York, asthma takes a particularly heavy toll, especially in my home county of the Bronx. About 390,000 children and 1.4 million adults in New York have asthma. The total cost of asthma-related hospitalizations in New York in 2007 was a staggering $535 million.

I have been a strong supporter of the Centers for Disease Control's National Asthma Control Program, which helps States implement systems to monitor and treat asthma. This program's work has resulted in $23.1 billion in asthma healthcare costs since 2001.

We must continue to increase awareness and preventative measures to help people manage their disease. We must work collaboratively across sectors to address the burden that asthma creates.

I look forward to continuing to work with my colleagues in a bipartisan fashion to ensure that adults and children across the United States can live healthier and more successful lives and that we can conquer the scourge of asthma.

TRIBUTE TO MAJOR GENERAL R. MARTIN UMBARGER

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

Mr. ROKITA. Mr. Speaker, I rise today to honor a distinguished Hoosier and American, Major General R. Martin Umbarger, the Adjutant General of Indiana, who is retiring after 11 years as the leader of the Indiana Guard Reserve and the Indiana Army and Air National Guard.

Major General Umbarger's distinguished career in the military spans five decades and began when he enlisted as a soldier in the Indiana Army National Guard in 1969.

As secretary of state, I had the privilege of working with Major General Umbarger to protect Hoosiers serving in the military, both out of State and overseas, by promoting and improving absentee voting processes.

As Indiana's Fourth District Representative, I have also worked with Major General Umbarger on legislation which would study the structure of our military and how Reserve components can be best utilized.

In short, Major General Umbarger is one of the most accomplished adjutant generals in the country and a valuable leader in Indiana and the USA. He has led our National Guard and served our State and Nation with integrity and distinction over his 45-year military career.

I would like to thank Major General Umbarger for his selfless service and wish him well in his retirement.

TRIBUTE TO JOE GALUSKI

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

Mr. KATKO. Mr. Speaker, I rise today to pay tribute to the life of Joe Galuski, a beloved central New York broadcaster who spent more than 25 years on air on WSYR radio.

Known for his ability to discuss with knowledge any topic presented to him, Joe faithfully kept our community updated on the latest local stories and provided us with news from around the Nation.

A legend in central New York radio, Joe Galuski is fondly recognized by the thousands of listeners who tuned in religiously on morning commutes and to hear him on SU football's pre- and postgame talk shows.

Joe was more than a radio host; he had the power to communicate and entertain and became a large part of the lives of many of his listeners. He was a gracious and tough interviewer who was quick with a joke. His personality, sense of humor, and intelligence could always be heard in his voice.

Joe Galuski was loved by central New York, a community he cared deeply about. His spirit as the voice of our community will not be forgotten by his family, friends, colleagues, and listeners.

TRIBUTE TO WILLIAM THOMAS KIRCHHOFF, JR.

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

Mr. PERRY. Mr. Speaker, today, I pay homage to the legacy of a man who not only resided in Pennsylvania's Fourth Congressional District, but much more importantly, a man who served the Commonwealth and our Nation with pride, as an exemplary businessman, phenomenal athlete, and true patriot.

William Thomas Kirchhoff, Jr., was a standout quarterback for Lafayette College, eventually being inducted into their hall of fame. After college, Tom continued on to the NFL, being signed by the Philadelphia Eagles.

While he is known in Pennsylvania as a great athlete, Tom is know by his family and community as a great man.

His fierce quest to live a full life and raise a happy family, despite his struggle with ALS, is beyond inspirational. In fact, his attitude and drive should inspire every citizen to live fully, completely, and with a purpose, despite the challenges that may confront them.

Tom physically may have left us on March 10, 2015, but his soul, spirit, and legacy will endure. To his devoted wife, Staci, and their four children—Tommy, Sam, Brynley, and Ty—on behalf of the Commonwealth and the Nation, thank you. Thank you for sharing Tom's all too short but extremely meaningful life with us.

I am truly honored and humbled to be even a small part of the recognition of a truly great American.

Tom, we wish you Godspeed.

CONSTRUCTION AUTHORIZATION AND CHOICE IMPROVEMENT ACT

Mr. COFFMAN. Mr. Speaker, I ask unanimous consent that the Committee on Veterans' Affairs be discharged from further consideration of the bill (H.R. 2496) to extend the authorization for the replacement of the existing Department of Veterans Affairs Medical Center in Denver, Colorado, to make certain improvements in the Veterans Access, Choice, and Accountability Act of 2014, and for other purposes, and ask for its immediate consideration in the House.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Colorado (Mr. COFFMAN)?

Mr. PERLMUTTER. Reserving the right to object, I do not object, but I do want to thank my colleague from Colorado concerning what will be a short time to continue negotiations to finish our hospital in the Denver area.

As we come into this Memorial Day weekend, veterans in the Rocky Mountain West have waited 15 years for this hospital to be built. Substantial construction has taken place. Any further delay just delays delivering good services—great services—to our veterans.

We need to continue to move this along. The fact that we are moving beyond Memorial Day, keeping this project going forward, without mothballing it, is a step in the right direction; but, Mr. Speaker, I ask the majority and the Republican leadership to work with the VA to get this finished, so that we can provide the best medical care possible, similar to what Mrs. MCMORRIS RODGERS was talking about at her hospital in Washington. We want that same thing in Denver, Colorado.

We need to finish this hospital as soon as possible.

I withdraw my reservation.

The SPEAKER pro tempore. The gentleman withdraws his reservation.

Is there objection to the original request of the gentleman from Colorado (Mr. COFFMAN)?

There was no objection.

The text of the bill is as follows:

H.R. 2496

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Construction Authorization and Choice Improvement Act''.

SEC. 2. EXTENSION OF AUTHORIZATION FOR MAJOR MEDICAL FACILITY CONSTRUCTION PROJECT PREVIOUSLY AUTHORIZED.

(a) IN GENERAL.—The Secretary of Veterans Affairs may carry out the replacement of the existing Department of Veterans Affairs Medical Center in Denver, Colorado, in fiscal year 2015, in an amount not to exceed $900,000,000.

(b) LIMITATION ON OBLIGATION OF FUNDS.—Notwithstanding section 8104(c) of title 38, United States Code, or any other provision of law, funds may not be obligated or expended for the project described in subsection (a) in an amount that would cause the total amount obligated for that project to exceed the amount specified in the law for that project (or would add to total obligations exceeding such specified amount).

SEC. 3. CLARIFICATION OF DISTANCE REQUIREMENT FOR EXPANDED AVAILABILITY OF HOSPITAL CARE AND MEDICAL SERVICES FOR VETERANS THROUGH THE USE OF AGREEMENTS WITH NON-DEPARTMENT OF VETERANS AFFAIRS ENTITIES.

(a) IN GENERAL.—Section 101(b)(2) of the Veterans Access, Choice, and Accountability Act of 2014 (Public Law 113–146; 38 U.S.C. 1701 note) is amended—

(1) in subparagraph (B), by inserting ''(as calculated based on distance traveled)'' after ''40 miles''; and

(2) in subparagraph (D)(ii), by striking subclause (II), and inserting the following new subclause (II):

''(II) faces an unusual or excessive burden in traveling to such a medical facility of the Department based on—

''(aa) geographical challenges;

''(bb) environmental factors, such as roads that are not accessible to the general public, traffic, or hazardous weather;

''(cc) a medical condition that impacts the ability to travel; or

''(dd) other factors, as determined by the Secretary.''.

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall take effect on the date of the enactment of this Act and apply with respect to care or services provided on or after such date.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

HOUR OF MEETING ON TOMORROW

Mr. COFFMAN. Mr. Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet at 10 a.m. tomorrow.

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

There was no objection.

BENGHAZI ATTACK

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 2015, the gentleman from Georgia (Mr. WESTMORELAND) is recognized for 60 minutes as the designee of the majority leader.

Mr. WESTMORELAND. Mr. Speaker, nearly 3 years, on September 11 and 12, 2012, the United States facilities in Benghazi, Libya, were the target of terrorist attacks. These attacks resulted in the deaths of four Americans: Sean Smith; Tyrone Woods; Glen Doherty; and the U.S. Ambassador to Libya, Chris Stevens, as well as two other Americans critically injured.

It comes at a time close to Memorial Day, when this country can honor these individuals that gave their life and their service not just for this country, but for the freedom and democracy around the world of others.

The gravity of the attacks raise serious questions regarding the U.S. presence in Benghazi, Libya, particularly as those questions related to the policies, decisions, and activities of the administration and relevant executive branch agencies before, during, and after the attacks.

For nearly 2 years, Congress sought answers to these questions. However, the administration's valid response has exposed the limits encountered by our standing committees.

□ 1330

These responses revealed a less than competent or transparent accounting about the attacks. Consequently, the House created, with the support of our Democratic colleagues, the Select Committee on the Events Surrounding the 2012 Terrorist Attacks in Benghazi, Libya.

Everywhere I go, Mr. Speaker, I have people ask me: What is taking so long? What is taking so long for us to get the facts about what happened in Benghazi?

We are going to do our best today to explain to the American people and to the public and to you, Mr. Speaker, why it has taken so long, why it is requiring us to continue to subpoena and beg and plead for the information that we need to be able to deliver this report to this body and to the American people.

The Speaker appointed me and six of my Republican colleagues to this committee. The minority leader appointed five of our Democratic colleagues. We have been directed by the House to conduct a complete investigation across the spectrum of all, A-L-L, all relevant executive branch agencies and issue a definitive final report on the events surrounding the September 11–12, 2012, terrorist attacks in Benghazi, Libya.

Specifically, we are directed to investigate and report on: all policies, decisions, and activities that contributed to the attacks on United States facilities in Benghazi, Libya, on September 11 and 12, 2012, as well as those that affected the ability of the United States

to prepare for those attacks; number two, all policies, decisions, and activities to respond to and repel the attacks on United States facilities in Benghazi, Libya, on September 11 and 12, 2012, including efforts to rescue United States personnel; number three, internal and public executive branch communications about the attacks on the United States facility in Benghazi, Libya, on September 11 and 12, 2012; number four, accountability for policies and decisions relating to the security of facilities in Benghazi, Libya, and the response to the attacks, including individuals and entities responsible for those policies and decisions; number five, executive branch authorities' efforts to identify and bring to justice the perpetrators of these attacks on the U.S. facilities in Benghazi, Libya, September 11 and 12, 2012; number six, executive branch activities and efforts to comply with congressional inquiries into the attacks on the United States facilities in Benghazi, Libya, on September 11 and 12, 2012; recommendations for improving executive branch cooperation and compliance with congressional oversight investigations; information related to lessons learned from the attacks and executive branch activities and efforts to protect United States facilities and personnel abroad; and any other relevant issues relating to the attacks, the response to the attacks, or the investigation by the House of Representatives into the attacks.

I think that number nine is a particularly relevant point. It says ''all other relevant issues.'' That is one of the questions that we have been receiving: Are we stepping out of bounds on what this committee was supposed to do? The answer is absolutely not.

Using these instructions as a guide, the committee requested and reviewed a substantial volume of information that was previously produced to the House, and new information never before produced to Congress.

The committee has reviewed more than 20,000 pages of emails and documents produced by the State Department never before released to Congress. This new material includes emails that were sent to or received by the former Secretary of State relevant to Benghazi, as well as documents and emails that were part of the State Department's Accountability Review Board proceedings.

In addition, hundreds of pages of emails never before seen by Congress have been produced by the White House. The Department of Justice and the intelligence community have also produced documents never before seen by Congress.

Further, the committee has interviewed executive branch personnel, including survivors of the Benghazi terror attacks, none of whom have ever been interviewed by previous committees. The committee has also interviewed others who have been able to provide indispensable firsthand details of the U.S. presence in Benghazi, Libya.

We know that this is not a complete universe of information held by the executive branch. Our investigation has uncovered new witnesses, new documents, and new facts related to the Benghazi terror attacks.

Ironically, the largest impediment to getting this investigation done in a timely manner and being able to write a final, definitive accounting of what happened before, during, and after the terrorist attacks in Benghazi is the executive branch itself.

The committee has issued letters, subpoenas, has threatened to hold and has held public compliance hearings, with slow to little to no action at all.

Take the State Department, for example—the State Department is a necessary focus of this investigation; yet their compliance posture with the committee and Congress has proved unpredictable at best.

When this committee was formed 1 year ago, the State Department had yet to fully comply with two outstanding subpoenas issued in 2013 by another committee. One subpoena dealt specifically with documents pertaining to the State Department's Accountability Review Board, known as the ARB.

The other subpoena dealt with documents that had previously undergone limited congressional review, where Members' access to the documents and information was restricted to certain dates and times set by the State Department. These subpoenas were still legally binding on the State Department when this committee was created; yet the Department had not fulfilled them.

In an effort to expedite the Department's fulfillment of these subpoenas, the select committee prioritized the Department's production of documents under these two subpoenas, as opposed to issuing new requests.

In addition, by directing the Department to identify documents under these existing subpoenas, the committee was better positioned to receive new documents in a more expeditious manner while, at the same time, judiciously reviewing the work of past committees.

These negotiations resulted in the State Department providing 15,000 pages of new documents to the committee in August and September of last year. This production also fulfilled the Department's obligation for one of the two subpoenas.

The review of these documents was enlightening, both in what it disclosed and what it did not. Here is what it did disclose. For the first time, the Department produced eight emails, eight to or from former Secretary Clinton.

Additionally, the committee became aware that former Secretary Clinton had used a private email account to conduct official State Department business. Importantly, the committee did not release the existence of the private email account because of its commitment to investigate all the facts in a fair and impartial manner.

Here is what it didn't disclose. From the review of the 15,000 pages, however, the committee recognized that there were significant omissions in the documents. Notably, there were very few emails between and among former Secretary Clinton's senior staff and the Secretary.

As a result, last November, the committee requested the State Department produce specific documents and emails related to Benghazi and Libya for the Secretary and 10 of her senior staff. In the 2 months following the committee's request, committee staff consistently relayed to the Department that its new top priority was all of Secretary Clinton's emails.

Almost 3 months later, on February 13, 2015, the Department produced approximately 300 emails to and from the former Secretary during her time as the head of the State Department. Remember, these are emails of which the State Department never possessed and didn't have to look for; yet it took that length of time.

They didn't produce a single document to the committee related to the remaining portions of the November request. What was the State Department doing during the time the former Secretary was going through her emails?

After they produced these emails, the State Department asked what our priority was. We continued to inform them that the 10 senior officials identified in the November request were our priority, including Cheryl Mills, Jake Sullivan, Huma Abedin, and Susan Rice. The State Department told committee staff that this request was too broad and that it was unable to search for these documents.

On March 4, 2015, the committee issued a subpoena for the documents and emails first requested in November. This subpoena sought documents and emails for the 10 senior State Department officials, including those named previously.

Despite the committee indicating emails and documents from the subpoena were its top priority, the Department informed the committee that it would instead begin producing documents pursuant to the outstanding ARB subpoena. Remember, this subpoena was first issued in August of 2013 and reissued on January 28, 2015, since it expired at the end of the previous Congress.

I would also point out that the law requires that these records—and this is the records from the ARB—and, Mr. Speaker, it is very important that you

understand this, that the law says that these ''records shall be separated from all other records of the Department of State and shall be maintained under appropriate safeguards to preserve the confidentiality and classification of information.''

This means the records should have been sitting on a shelf somewhere, easily identifiable. Unfortunately, it took them 2 years to find where this ARB report was supposed to be segregated and put up. The committee continued to indicate that its priority was for the emails from the senior State Department personnel that were first requested in November.

The Department's response: it could not search for these documents. Instead, the Department ignored the committee's request; and, on April 15, 2015, nearly 2 years after Congress first issued a subpoena for the ARB's documents, the State Department finally produced more than 1,700 pages of documents related to the ARB.

Again, instead of responding to the committee's request, on April 23, 2015, the Department produced an additional 2,500 pages of documents related to the ARB. The Department has said that, with minor exceptions, it has now fulfilled the requirements of that subpoena.

Notwithstanding the ARB production, the committee continued to press the Department. Its top priority is the documents from the original November 2014 request and the March subpoena.

The State Department, however, has done little but talk about the breadth of the subpoena and the inability to adequately search for documents.

The Department continues to state that it does not have the technical capabilities to do such a wide search without specific search terms; yet the Department never used any search terms to conduct in its search, nor has the Department ever suggested any search terms to the committee.

To help the committee better understand the Department's technical capabilities—or lack thereof—the committee has taken several different steps. We asked the State Department to bring its technology expert and its records officer to a meeting to discuss how records were kept, retrieved, and produced.

Specifically, we requested a meeting ''with the relevant people from within the State Department who can explain in detail how the State Department maintains its records and how it has researched for documents pursuant to this committee's November request and further detail the limitations of the Department's ability to fully respond to the Chairman's document request. These people would likely include individuals from Legislative Affairs, Office of the Legal Adviser, Bureau of Information Resource Management, and possibly the records officer and any other individual who will be able to answer detailed questions on the topic. This meeting will help us further sequence and prioritize the information and issues in the committee's request, as you suggested we do in your letter of February 13 to Chairman Gowdy,'' that the State Department sent us.

We also included a list of 13 questions to the Department to help guide the discussion. Samples of these questions include ''the size of the universe of potentially relevant hard copy and/or electronic field for each person from the data range period, keyword or phrase searches the Department plans to use for production,'' and ''any limitations imposed on the type of data to be searched.''

These are some pretty straightforward questions.

□ 1345

When the State Department appeared for the meeting, they did not only bring those subject matter experts with them, the staff they did bring could not answer these basic questions. In fact, it was during this meeting for the first time that the committee learned that the State Department was not in possession of the former Secretary's emails. However, there was no mention of her use of a private server.

The committee again asked the Department to meet with these individuals. Again, the Department did not provide them. At an April 10 meeting between committee staff and the Department, the State Department brought in an individual. Yet when pressed by committee staff on these specific questions, the Department refused to provide the specific answers.

Last week, we continued the pressure. We told the Department that members of the committee, including myself, would travel to the State Department to view firsthand how they search for documents and have a discussion about the shortcomings they claim to have.

But what did the Department do when we told them that we were coming? They scrambled and did everything possible to deter our visit.

Earlier this week, however, we did learn more about the Department's internal process for identifying and reviewing documents, but we didn't get this information from the Department. Instead, we had to learn it from a lawsuit.

This past week, on May 18, the State Department's Acting Director for its Information Programs and Services filed a sworn declaration in a FOIA lawsuit, the Freedom of Information lawsuit. That declaration outlined the steps the State Department had taken since it received approximately 55,000 pages of emails from former Secretary Clinton in December of 2014 to review those documents for public release under the Freedom of Information rules.

Also, in that sworn statement, the State Department asserted that it had dedicated, on a full-time basis, a project manager, two case analysts, and nine Freedom of Information reviewers to review all 55,000 pages of emails since April. These 12 individuals are precisely the 12 FTE positions that were recently funded by the State Department's $2.5 million reprogramming request.

Let me say that again. The State Department repeatedly complained to the committee that a lack of staff and other resources prevented it from making more timely production of documents to the committee, so the committee supported a reallocation of funds to enable the State Department to hire additional staff to work on document production to provide to this committee.

However, we continued to press the State Department for answers. Last month, we went so far as to put in writing 27 specific questions that the State Department needed to answer regarding its ability to produce documents to the committee and the use of the private email account by Secretary Clinton.

These were simple questions that fell into three simple categories. These categories are: the State Department's initial approval, if any, of Secretary Clinton's email server arrangement; the State Department's knowledge about this email server arrangement, its attempt to retrieve her email, and the lack of candor by the Department towards the committee about this, despite the committee's persistent requests for these emails; and number 3, details of the Department's review of her emails to ensure the Department is properly marshaling resources to respond to our requests.

Yet here we are, more than 1 month later, and the Department hasn't even been able to answer a single one of the 27 questions in writing.

In addition, we have attempted on multiple occasions to direct the Department toward specific key documents that we are after. We have prioritized our subpoena from 10 names down to 4 names, and then again down to 3 names. We have prioritized dates of documents from 2 years, down to 1 year, down to 3 months.

But again, here we are, 2½ months after we issued a subpoena and 6 months after we first sent the letter, and the Department has still not produced any of these priority documents. First, we moved a foot, then we moved a yard, and now we have moved our position one mile, but the State Department has not budged 1 inch.

Mr. Speaker, I would just like to show a little chart that shows the noncompliance that the State Department has done so far:

On 11/18 of 2014: The committee requests from the Secretary 10 senior officials' documents and emails—response, nothing.

On 12/17, we got a response: Let's meet. No documents produced.

2/13/2015: State produced Clinton emails acquired from her attorney.

3/4/2015: We subpoenaed the documents and emails of the 10 senior officials.

The State Department response: Let's meet. No documents produced.

3/26/2015: Three outstanding requests, ARB documents, 10 senior official documents and emails and server questions.

4/10: Briefing on document retention policies and procedures. No documents produced.

4/14: Compliance needed on both subpoenas.

4/15: Part of ARB documents produced 2 years after requested.

4/18: Two subpoenas outstanding. Full ARB compliance and documents. Emails of 10 senior officials.

4/22: Subpoenas outstanding for full ARB compliance and documents and emails of 10 senior officials.

State response: Just beginning to assess volume of emails. No documents produced.

4/24/2015: Response, second part of ARB documents produced 2 years after requested.

4/27/2015: Reminder of priority of 10 senior officials.

4/29: Response: Estimate given for volume of emails for 2 of the 10 senior officials. No documents produced.

5/4/2015: Lack of compliance on document request is unacceptable.

Response from the State Department: State responds but fails to identify any steps taken to produce documents. No documents produced.

Mr. Speaker, we have done everything we know to do to get these documents so we can finish this investigation. I don't know that anybody has any more right to know what has gone on than the American people and especially those families of those four great Americans that lost their lives.

The only thing holding us up from getting a definitive report of those actions before, during, and after those attacks is this executive branch and their Department of State. We are begging them. And as we have said before, we have moved an inch, we have moved a foot, we have moved a yard, we have moved a mile, and they have not moved one iota.

So our request to them is to listen, to give us the documents and let us finish this report.

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

CONGRESSIONAL ROLE IN TRADE POLICY

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 2015, the gentleman from Michigan (Mr. LEVIN) is recognized for 60 minutes as the designee of the minority leader.

Mr. LEVIN. Mr. Speaker, it has been over 12 years since the last debate over trade promotion authority, the last time we considered the role of Congress in trade negotiations. Much has changed since then: the world has changed; trade negotiations have changed; and the role of Congress in trade negotiations has changed.

We all recognize that trade can be beneficial. The issue is not whether Congress could pass an Econ 101 class, as President George W. Bush's chair of the Council of Economic Advisers, Gregory Mankiw, recently put it. The issue is whether we are going to face up to the fact that our trading system today is much more complex than the simplistic trade model presented in an Econ 101 class.

A growing number of prominent economists today recognize those complexities, from Nobel Laureate economists like Joseph Stiglitz and Paul Krugman, to Columbia professor Jeffrey Sachs, former IMF chief economist Simon Johnson, and former White House adviser Jared Bernstein. But too many want to pretend the question of a trade agreement is a ''no-brainer,'' as Professor Mankiw suggests; or that the benefits of trade ''flows from the classic theory of trade gains first expounded by David Ricardo in 1817''—from a Council of Economic Advisers report in May 2015—because, as Charles Krauthammer recently wrote: ''The law of comparative advantage has held up nicely for 198 years.''

What do David Ricardo and Adam Smith have to say about the inclusion of investor-state dispute settlement in our trade agreements? Nothing, to my knowledge. What do they have to say about providing a 12-year monopoly for the sale of biologic medicines? about the need to ensure that our trading partners meet basic labor and environmental standards? How about the issue of currency manipulation? What does the theory of comparative advantage have to say about those issues? Absolutely nothing. And yet those are the issues at the crux of the TPP negotiations today.

So how do the old ideas on trade fall short? Let me mention a few examples:

First, as Joseph Stiglitz pointed out recently, 19th century economics and the theory of comparative advantage assumed a fixed level of technology—no technological changes—and full employment. Those assumptions don't fit very well in today's world.

Second, one of the most critical economic issues facing our country today is growing inequality and a stagnant middle class. Many trade economists believe that trade contributes to that inequality. But some try to downplay that fact by pointing out that other factors may contribute more to the problem, as if that means we should not worry about the impact trade is having. Consider this from Dani Rodrik, a Harvard University economist: ''The gains from trade look rather paltry compared to the redistribution of income . . . In an economy like the U.S., where average tariffs are below 5 percent, a move to complete free trade would reshuffle more than $50 of income among different groups for each dollar of efficiency or 'net' gain created . . . We are talking about $50 of redistribution for every $1 of aggregate gain. It is as if we give $51 to Adam, only to leave David $50 poorer.''

David Rosnick of the Center for Economic and Policy Research expects TPP will have a very small but positive impact on U.S. economic growth—0.13 percent of GDP by 2025. However, he notes that economists today generally agree that trade contributes to growing economic inequality in the United States, with estimates ranging from 10 to 50 percent of the total inequality growth. When he combines these two concepts, GDP growth but rising inequality from trade, he concludes: ''under any reasonable assumptions about the effect of trade on inequality, the median wage earner, and therefore the majority of workers, suffers a net loss as a result of these trade agreements.'' In other words, the economic pie may grow slightly as a result of our trade agreements, but the average American worker gets a smaller slice of that pie.

Similarly, in September The Brookings Institution published an economic research paper by three economists, two affiliated with the Federal Reserve system, that found that trade and globalization accounts for the vast majority of labor's declining share of income in the United States over the past 25 years. Specifically, they found that ''increases in import exposure of U.S. businesses can explain about 3.3 percentage points of the 3.9 percentage point decline in the U.S. payroll share over the past quarter century.''

This underscores that the substance of the trade agreements, the international rules, matter. Our trade agreements must be designed to shape trade, to spread its benefits more broadly.

Third, we need to stop pretending that trade only has benefits and few costs. We need to stop talking exclusively about exports and downplaying the negative impact that some imports have, as the Council of Economic Advisers did in a recent paper.

□ 1400

Of course, imports can help to lower prices for manufacturers and consumers. But lower prices don't do you much good if you have lost your job or seen your wage decline or stagnate. Again, as Jeff Sachs has said, ''It is

true that the benefits outweigh the costs, leading to the argument that winners can compensate losers. But in America, winners rarely compensate losers; more often than not, the winners attempt to trounce the losers.''

Mr. Speaker, the old economics models are based in part on trade between countries with similar economic structures. This is no longer the case.

The 12 parties involved in the TPP negotiations—accounting for 40 percent of the world GDP—include economies ranging from some of the world's largest market-oriented economies to some of the smallest, least developed command economies. We have never been able to establish a level playing field with Japan—after decades of trying, and multiple ''agreements'' to solve various problems—and the Japanese market stands virtually closed today in key areas like agriculture and automobiles. We have never negotiated a free trade agreement with a communist country like Vietnam where state-owned enterprises are a major concern and the Communist Party and the once so-called labor union are one and the same.

The issues involved in trade negotiations have also changed dramatically. We are no longer simply negotiating tariff levels. As Professor Jeff Sachs of Columbia University said recently, ''Both TPP and TTIP would be better described as multinational business agreements involving three distinct areas: international trade, cross-border investment, and international business regulation.

The TPP negotiations cover a range of subjects far beyond those negotiated in any previous multilateral negotiation, concerning everything from intellectual property and access to medicines, to financial regulations, food safety measures, basic labor and environmental standards, cross-border data flows, and state-owned enterprises. So the economics of trade have changed, and the trade negotiations themselves have changed, and so too has the congressional role.

In recent years some of us have had to take it upon ourselves to rewrite the rules of trade negotiations. In 2006 when the Democrats took the majority in the U.S. House, we made it clear to the Bush administration that we were not going to consider the Peru, Panama, Colombia, and Korea Free Trade Agreements as negotiated. Each of them would need to be fixed.

CHARLES RANGEL and I worked with our House Democratic colleagues to coauthor what became known as the May 10th Agreement on labor and environmental standards in trade agreements. For the first time, fully enforceable labor and environmental standards would be placed in our trade agreements on equal footing with every other commercial provision. The May 10th Agreement also included important provisions on medicines, investment, and government procurement.

After decades of leading the fight to include worker rights provisions in trade agreements, I considered at the time, and still do today, the May 10th Agreement to be a major breakthrough. In the case of our trade agreements with Peru, Panama, and Colombia, their labor laws were changed to come into compliance with ILO standards before the Congress voted.

Then in 2011, with the Korea FTA, working on a bipartisan basis with then-chairman Dave Camp, with Ford Motor, and the UAW, we urged the Obama administration to go back and renegotiate the specific automotive market opening measures with Korea. And they did so, helping to garner broad bipartisan support in Congress.

Mr. Speaker, we established the foundation for progressive trade policy. We saw the value of intense congressional involvement to improve trade agreements. We want to make sure it is built upon, not eroded.

Mr. Speaker, now we are facing the largest multilateral trade negotiations since the Uruguay Round. The TPP has the potential to raise standards and open new markets for U.S. businesses, workers, and farmers—or lock in weak standards, uncompetitive practices, and a system that does not spread the benefits of trade, affecting the paychecks of American families. Once the U.S. lowers its own tariffs as broadly as contemplated in TPP, we will no longer have the leverage to bring about lasting change in other countries.

In January, I described what I believed to be an effective way to resolve outstanding issues in the TPP negotiations. I believed that achieving these outcomes could lead to a landmark TPP agreement worthy of major bipartisan support and mine. Unfortunately, in 4 months, none of these suggestions has been taken on by our negotiators.

Unfortunately, Mr. Speaker, the Hatch-Wyden-Ryan trade promotion authority fails to put TPP on the right track or to help Congress do so. Chairman RYAN and Senator CRUZ wrote an op-ed entitled, ''Putting Congress in Charge on Trade.'' Senator HATCH declared TPA to include ''strict negotiating objectives'' that give the American people a voice on trade priorities. But saying it is so doesn't make it so.

On all the major issues in the negotiations, the negotiating objectives are obsolete or woefully inadequate. They are basically a wish list. And even worse, at the end of the negotiation, TPA allows the President to certify whether his own negotiators achieved the wish list. And the provisions relating to congressional withdrawal of TPA are meaningless. They are never going to be used because they are unusable.

The Hatch-Wyden-Ryan TPA gives up congressional leverage at exactly the wrong time. Instead of pressing USTR to get a better agreement or signaling to our negotiating partners that Congress will only accept an agreement that ensures reciprocity and helps to spread the benefits of trade, the Hatch-Wyden-Ryan TPA puts Congress in the backseat and greases the skids for an up-or-down vote after the fact. Real congressional power is not at the end of the process; it is right now, when the critical outstanding issues are being negotiated.

Mr. Speaker, we must meaningfully address currency manipulation—protracted, large-scale, official, one-way intervention in the currency markets to weaken a currency for the purpose of boosting exports and limiting imports. Currency manipulation has cost the U.S. millions of jobs over the past decade and a half. Many people had trouble finding new jobs or had to accept jobs at lower wages.

China manipulated its currency most dramatically in this time period, accumulating the largest stock of foreign exchange reserves the world has ever known. In earlier episodes, Japan, South Korea, and others manipulated their currencies on a protracted, grand scale. Japan's currency manipulation and other trade-distorting practices kept its auto and other markets closed while Japan had access to a very open U.S. market. This one-way trade decimated the U.S. tool and die industry and seriously injured other segments of the auto industry, including U.S. automakers themselves.

The International Monetary Fund has up-to-date guidelines that define currency manipulation and are intended to prevent it. There is nothing wrong with the spirit or even the letter of those guidelines. Unfortunately, the IMF cannot enforce those guidelines because currency manipulators are able to essentially stall action in that forum.

Arguments that prohibiting currency manipulation in TPP is impossible, for technical or political reasons, remind us of previous claims about trade agreements not being able to help defend forests or discourage child labor. For example, some people—prominent people—have asserted that U.S. monetary policy would be put at risk if currency is included in TPP. I responded to that argument in a highly detailed blog months ago.

Mr. Speaker, I would like to include that in the RECORD.

[From the Huffington Post Blog Post, Feb. 6, 2015]

THE NEED TO ADDRESS CURRENCY MANIPULATION IN TPP, AND WHY U.S. MONETARY POLICY IS NOT AT RISK

(By Rep. Sander Levin)

Over the past decade, currency manipulation by foreign governments has resulted in an increase in unfairly traded imports into the United States and has made it more difficult for U.S. exporters to compete in foreign markets. The practice has cost U.S.

workers between one million and five million jobs—and is responsible for as much as half of excess unemployment in the United States. It has contributed to stagnant wages and to inequality in the United States. And it contributed to the global financial crisis.*

Bipartisan majorities in the House and the Senate have urged the Administration to include strong and enforceable currency obligations in the Trans-Pacific Partnership (TPP), which includes a number of former currency manipulators, such as Japan. Other countries interested in joining TPP in the future—such as China, Korea, and Taiwan—are also current or former currency manipulators.

The IMF already prohibits currency manipulation and has developed guidelines to define when it occurs. The problem is that the IMF lacks an enforcement mechanism.

I have proposed taking the existing IMF guidelines, building upon them, and establishing an enforcement mechanism through the TPP. Other groups and economists, such as the American Automotive Policy Council (AAPC) and Fred Bergsten of the Peterson Institute, have tabled similar proposals. Economists on the right and left support including currency disciplines in TPP. And the Commission on Inclusive Prosperity recently stated: ''New trade agreements should explicitly include enforceable disciplines against currency manipulation that appropriately tie mutual trade preferences to mutual recognition that exchange rates should not be allowed to subsidize one party's exports at the expense of others.'' Currency manipulation must become a subject in the TPP negotiations.

A chief concern about including strong and enforceable currency disciplines in TPP is that U.S. monetary policy could be successfully challenged by our trading partners, given that our expansionary monetary policy (in the form of 'quantitative easing') may have had the secondary effect of weakening the dollar. What follows is a factual response to that concern.

Again, my proposal is to take the IMF guidelines and make them enforceable. Under the IMF guidelines, currency manipulation is about government interventions in the foreign exchange markets, not about other policies that may have a secondary impact on foreign exchange rates. The IMF guidelines clearly distinguish between currency manipulation—government intervention in foreign exchange markets—and monetary policy.

Article IV of the IMF's Articles of Agreement states that ''each member shall . . . avoid manipulating exchange rates . . . to gain an unfair competitive advantage over other members.'' The IMF has gone on to provide seven factors in its Guidelines to determine whether a country is manipulating its currency. The following review of each factor identified in those guidelines demonstrates that U.S. monetary policy, including quantitative easing, cannot be described as a form of currency manipulation.

Factor 1: Protracted Large-Scale Intervention, in One Direction, in Currency Markets.

The United States intervenes in the currency market less than almost any other country in the world. The United States has only intervened in the currency markets a total of three days since the late 1990s: June 17, 1998 (during the Asian exchange rate/financial crisis); September 22, 2000 (after the euro was introduced and concerns grew over the euro's significant depreciation against the dollar); and March 18, 2011 (in connection with a Japanese earthquake and tsunami). These three interventions over nearly 20 years cannot be described as ''protracted'' interventions. Compare this record with, for example, China's interventions over the past decade, which have occurred almost daily, and almost always in the same direction, to weaken their currency.

The circumstances surrounding these three interventions are consistent with the Federal Reserve's Foreign Currency Directive: interventions ''shall generally be directed at countering disorderly market conditions.'' They are therefore not consistent with the objective of ''gaining an unfair competitive advantage'' over its trading partners, which is what currency manipulation is about. In fact, the IMF recommends and encourages members to intervene ''to counter disorderly conditions.'' It is also worth noting that in these three instances, the United States coordinated its intervention with the other countries involved, again demonstrating that the action was not taken to gain a competitive advantage. Indeed, in all three cases the other country requested the intervention of the United States.

While the United States has a flexible exchange rate (i.e., it lets the market determine its value), it is also important to note that the IMF Guidelines do not prevent other countries from establishing a fixed or managed exchange rate. The Guidelines only provide that the rate cannot be set at a consistently artificially low level (i.e., countries may engage in ''protracted, large scale'' interventions, so long as all of these interventions are not all in the same ''direction'').

Factor 2: Excessive Accumulation of Foreign Exchange Reserves.

Despite the fact that the United States has the largest or second largest economy in the world, the United States holds fewer foreign exchange reserves than Thailand, Algeria, and Saudi Arabia, among others. Further, China has 25 times as many foreign exchange reserves (nearly $4 trillion) as the United States ($126 billion).

Economists generally use four benchmarks, cited by Treasury in 2006 and 2014 reports, to determine whether a country's reserves are excessive. U.S. reserves are well below each benchmark:

Benchmark #1—Reserves may be excessive if they exceed 100% of short-term external debt (commonly referred to as the ''Guidotti-Greenspan Rule''). U.S. reserves are equal to 2% of its short-term external debt ($1.2 trillion). If only taking into account debt denominated in foreign currencies, U.S. reserves would equal 38% of short-term debt. Note, however, that this benchmark was designed with emerging markets in mind, not the U.S. economy.

By way of comparison, China's reserves are about 700% (i.e., seven times greater than) its short-term external debt.

Benchmark #2—Reserves are excessive if they exceed 5–20% of money supply, commonly referred to as M2. U.S. reserves are 1.1% of U.S. M2 ($11.7 trillion). China's reserves are 43% of its M2.

Benchmark #3—Reserves are excessive if they exceed 20% of GDP. U.S. reserves are less than 1% of U.S. GDP (around $17 trillion). China's reserves are 42% of its GDP.

Benchmark #4—Reserves are excessive if they exceed 3–4 months of imports. U.S. reserves equal less than a single month of U.S. imports (about $200 billion). China's reserves equal 23 months of its imports.

Factor 3: Restrictions on/Incentives for Transactions or Capital Flows for Balance of Payments Purposes.

The United States has one of the least restrictive regulatory structures in the world concerning the free flow of capital. In fact, the World Economic Forum ranks the United States first in the world in terms of capital account liberalization and second in the world under a more general 'financial development' index.

Factor 4: Encouragement of Capital Flows through Monetary Policy for Balance of Payments Purposes.

This is the only guideline that even mentions monetary policy. And while the United States—and every other country in the world—does have a monetary policy, the purpose of U.S. monetary policy is neither to encourage capital flows nor to achieve a balance in payments. The goals of U.S. monetary policy are spelled out in the Federal Reserve Act, which specifies that the Board of Governors and the Federal Open Market Committee should seek ''to promote effectively the goals of maximum employment, stable prices, and moderate long-term interest rates.''

Indeed, the IMF has explicitly supported U.S. monetary policy (including each round of quantitative easing since the ''Great Recession''). As the IMF said in its most recent report ''[IMF] Directors agreed that the current highly accommodative stance of monetary policy is appropriate, consistent with the Federal Reserve's objectives of maximum employment and price stability.'' The IMF has also noted that U.S. monetary policy has been good for other nations ('positive spillover effects') because it has helped to sustain global growth. Similarly, the G-20 (which includes China, Japan, Korea, the United States, and three other TPP countries) has distinguished between monetary policy and exchange rate policy—and has recognized ''the support that has been provided to the global economy in recent years from accommodative monetary policies, including unconventional monetary policies.''

Factor 5: Fundamental Exchange Rate Misalignment.

If anything, the U.S. dollar is properly valued or even overvalued, not undervalued, according to the most recent IMF data and estimates. Further, given the continued weakening of the yen and euro, many expect the dollar to further strengthen in value in 2015.

Factor 6: Long and Sustained Current Account Surpluses.

The United States has had just one current account surplus since 1981. In fact, the United States has been running large current account and trade deficits for almost four decades. Indeed, those imbalances are a major cause of concern to many economists—and currency manipulation by other countries has contributed substantially to the U.S. trade deficits in recent years.

Factor 7: Large External Sector Vulnerabilities from Private Capital Flows.

While the United States does have external sector vulnerabilities (i.e., private and public sector debt owed to foreigners), as reflected in the large current account deficit, much of those vulnerabilities stem from purchases of U.S. debt by foreign governments—not private capital flows. And much of those purchases by foreign governments are the result of foreign government intervention in the currency markets that result in the accumulation of foreign reserves. Thus, if anything, this factor, like Factor 6, tends to suggest that the United States is a casualty of other governments' currency manipulation, not that it is manipulating itself.

The IMF Guidelines demonstrate that the United States is not manipulating its currency and would not be at risk of losing a

dispute. The far greater risk is that more middle class jobs will be lost in the United States as a result of foreign governments' currency manipulation. We need strong and enforceable disciplines in TPP to help prevent that from happening.

ENDNOTE

*China's currency manipulation ''is arguably the most important cause of the financial crisis. Starting around the middle of this decade, China's cheap currency led it to run a massive trade surplus. The earnings from that surplus poured into the United States. The result was the mortgage bubble.'' Sebastian Mallaby, ''What OPEC Teaches China,'' Washington Post op-ed (Jan. 2009). The Bush Administration White House also drew the connection: ''the President highlighted a factor that economists agree on: that the most significant factor leading to the housing crisis was cheap money flowing into the U.S. from the rest of the world, so that there was no natural restraint on flush lenders to push loans on Americans in risky ways. This flow of funds into the U.S. was unprecedented.'' Statement by White House Press Secretary Dana Perino (Dec. 2008). Most of the cheap money flowing into the United States came from foreign governments (not the private sector) accumulating foreign exchange reserves and other official assets. See Joseph E. Gagnon, ''Global Imbalances and Foreign Asset Expansion by Developing-Economy Central Banks,'' Peterson Institute for International Economics (Mar. 2012).

Mr. LEVIN. Mr. Speaker, I have seen no serious rebuttal of the points I made in that post or to similar and related points made by Simon Johnson, Fred Bergsten, and many other notable economists ranging from Art Laffer to Paul Krugman. Nevertheless, those who oppose currency disciplines continue to raise this false argument.

Mr. Speaker, TPP should address instances in which countries buy large amounts of foreign assets over long periods of time to prevent an appreciation of their exchange rate despite running a large current account surplus. The Federal Reserve does not engage in such practices. That is why the U.S. already agreed to and even insisted upon what is in the current IMF guidelines.

And now there is the claim that including currency disciplines in TPP would be a poison pill and that our trading partners would walk away from the table. There is no way to accurately judge this issue until it is properly brought to the negotiating table. To the contrary, the fact is that the administration says this only creates the risk of a self-fulfilling prophecy.

□ 1415

It is irresponsible to make this claim. Indeed, our trading partners in TPP would greatly benefit from these disciplines. Many of them are the victims of manipulation in every bit as much as we are.

A progressive trade agreement for workers and the middle class must address currency manipulation, which has caused millions of job losses and contributed to waste stagnation over the last decade. President Obama is right that we should write the rules and not accept the status quo; but, if we fail to do address currency manipulation in TPP, we are essentially letting China write the rules and are accepting an unacceptable status quo.

It is vital that our trade agreements balance strong intellectual property rights and access to affordable, lifesaving medicines. Absent a change in course, the final TPP text is likely to provide less access to affordable medicines than provided under the May 10 agreement. My staff has just reviewed a new version of the text that raises some serious new questions; but even the last version of the text raised serious concerns.

For example, developing countries would likely be required to ''graduate'' to more restrictive intellectual property rights standards before they become developed, a clear inconsistency with May 10. There are also a number of concerns that the TPP agreement will restrict access to medicines in the U.S. and other developed countries, for example, by encouraging second patents on similar products, by having long periods of data exclusivity for biologic medicines, by allowing drug companies to challenge government pricing and reimbursement decisions.

Oxfam, a coalition of 17 international development organizations, recently said:

> TPP would do more to undermine access to affordable medicines than any previous U.S. trade agreement, and the intellectual property provisions in TPP reverse the positive step taken under the May 10 agreement in 2007 . . . and thus are a step backwards for public health.

And amFAR, the Foundation for AIDS Research, said this:

> Our gains in reducing global HIV infections would never have been realized if the proposed provisions under the TPP were the intellectual property standard in 2001.

For most of the past 15 years, our trade deficit with Japan has been second only to our deficit with China, and over two-thirds of the current deficit is in automotive products.

Japan has long had the most closed automotive market of any industrialized country, despite repeated efforts by U.S. negotiators over decades to open it. At a minimum, the U.S. should not open its market further to Japanese imports, through the phaseout of tariffs, until we have time to see whether Japan has truly opened its market.

The administration has not stated a specific period of time for when the phaseout in U.S. tariffs for autos, trucks, and auto parts would begin or when they would end. The parties are also still working to address certain nontariff barriers that Japan utilizes to close their market.

The Hatch-Wyden-Ryan TPA bill broadly states that the U.S. should ''expand competitive market opportunities for export of goods.'' Such a broad negotiating objective provides no guidance regarding how to truly open the Japanese automotive market.

On the related issue of rules of origin, there are a number of rules of origin being negotiated in the TPP for different products, including in the sensitive textile and apparel, agricultural, and automotive sectors. Some of the rules are largely settled while others, including the rules for automotive products, remain open and controversial.

Rules of origin define the extent to which inputs from outside the TPP region—for example, China—can be incorporated into an end product for that product to still be entitled to preferential/duty-free treatment under the agreement.

The rule should be restrictive enough to ensure that the benefits of the agreement accrue to the parties to the agreement. The automotive rule of origin in TPP should be at least as stringent as the rule in NAFTA, given that TPP involves all three of the NAFTA countries, plus nine others.

The Hatch-Wyden-Ryan TPA bill provides no guidance whatsoever on any rule of origin on any product in the TPP negotiations. It appears that the U.S. and Japan will agree that Japan will reduce tariffs, but never eliminate them, on hundreds of agricultural products, far more carve-outs than under any U.S. trade agreement in the past.

Canada, on the other hand, has not put any offer on the table for dairy products, which is causing some concern in the dairy industry.

The Hatch-Wyden-Ryan TPA bill has as its objective, ''reducing or eliminating'' tariffs on agricultural products; thus even Japan's opening offer, to reduce but never eliminate tariffs on nearly 600 products, satisfied this objective, demonstrating that it is meaningless.

The TPP negotiations are taking a different approach on environment than we did in the May 10 agreement and in our FTAs with Peru, Panama, Colombia, and Korea, where we stated simply that each country was obligated to implement seven multilateral environment agreements.

TPP negotiators are trying to build the same obligations from scratch, and we still do not know if they have succeeded. Words like ''endeavor'' and ''take steps to'' are not going to lead to the revolutionary changes we have been told to expect.

The President said at Nike recently that the TPP environmental chapter would ''help us do things that haven't been done before.'' Actually, we have done these things before. In May 10, Peru included a special annex on deforestation. It needs more vigorous enforcement.

The Hatch-Wyden-Ryan TPA bill is obsolete in providing instructions since

the TPP is already taking a different approach. The TPA bill also does not address whether or how climate change issues should be handled in TPP, an issue raised by other countries in the TPP negotiations.

There are now more cases of private investors challenging environmental, health, and other regulations in nations, even nations with strong and independent judicial systems and rule of law.

Just last month—just last month—an investor won a NAFTA ISDS case in which the government of Nova Scotia denied a permit to develop a quarry in an environmentally sensitive area.

Other investment disputes involve ''plain packaging'' of tobacco products in Australia aimed at protecting public health and pharmaceutical patent requirements in Canada. This issue is receiving heightened scrutiny among negotiators and from a broad range of interested parties.

Some of our TPP partners do not support ISDS or are seeking safeguards to ensure that nations preserve their right to regulate. The Economist magazine, the Cato Institute, and the Government of Germany—the birthplace of ISDS—have also recently expressed concerns with ISDS.

As far back as 2007, when the May 10 agreement was reached, we recognized growing concerns over investment and ISDS. We insisted that our trade agreements with Peru, Panama, Colombia, and Korea include new preambular language clarifying that the investment obligations in those agreements are not invented to provide foreign investors with greater substantive rights than investors have under U.S. law.

Over the past few years, our concerns over the investment text and ISDS have become even greater. Nevertheless, our negotiators have refused to include the May 10 preambular language in TPP, and the text of the investment chapter in TPP is basically the same model as adopted 10 years ago, even though conditions have changed dramatically in the past 10 years and calls for changes to or elimination of the chapter have intensified.

Despite proposals to include new safeguards in the ISDS mechanism, the administration has not made any attempts to incorporate them.

The Hatch-Wyden-Ryan TPA investment negotiating objective is the same as it was 12 years ago and, again, is obsolete.

TPP does not ensure compliance by TPP parties that have labor laws and practices that fall short of international standards contained in the May 10 agreement, even though TPP is expected to include the May 10 language.

Vietnam presents the greatest challenge we have ever had in ensuring compliance. Workers there are prohibited from joining any union independent of the Communist Party. While the administration is discussing these issues with Vietnam, Members of Congress and stakeholder advisers have not yet seen any proposal to address these critical areas.

On a recent trip to Vietnam, I met a woman who had been thrown in jail for 4 years for trying to organize workers into an independent union. We cannot simply have the right written obligation in the agreement and expect that some future dispute settlement panel is going to ensure meaningful change on the ground for workers.

The administration has not committed to ensuring that all changes to laws and regulations are made before Congress votes, as was true with Peru, Panama, and Colombia.

The administration also does not make available to Members of Congress any ''consistency plan'' they are discussing with Vietnam so that we can evaluate the changes to Vietnamese laws and practices they are seeking.

From what I understand, any plan will fall far short of bringing Vietnam into compliance with basic ILO standards, as required under the May 10 agreement. For example, I am concerned Vietnam may refuse to allow industrywide unions to form, a clear inconsistency with ILO standards. Our negotiators also have refused to accept our suggestion that an independent panel be established from the beginning to ensure compliance with the labor obligations and expedite a dispute.

Without such a structure, future cases will need to be built from scratch by outside groups and submitted to the U.S. Government, a process which has taken several years for the Department of Labor to act on in Honduras and Guatemala.

The President said recently that Vietnam ''would even have to protect workers' freedom to form unions, for the first time,'' but the TPP that USTR is negotiating seems far from ensuring those words will become real.

□ 1430

Mexico also has a long way to go. Americans know that Mexico competes in manufacturing. According to Professor Harley Shaiken at UC Berkeley:

''Under NAFTA, the auto industry in Mexico has grown rapidly, and it is in the midst of an unprecedented expansion. Mexico assembled over 3 million vehicles in 2013—more than Canada—and exported over 80 percent of them, mostly to the U.S. Global automakers plan to invest $6.8 billion in Mexico between 2013 and 2015. As a result, Mexico is on track to become the leading source of imported vehicles for the U.S. market by 2015, surpassing both Canada and Mexico. Moreover, Mexico exported $44.8 billion in auto parts to the U.S. last year, more than Japan, Korea, and Germany combined.''

The wage rate in Mexico is about 20 percent of a comparable rate in the U.S.

The administration likes to say that TPP will renegotiate NAFTA. I am all for that, but, again, words in the agreement are not enough. Mexico has to change their laws and their practices. For example, they have to get rid of so-called ''protection contracts'' that serve to block real representation in the workplace, and they need to fundamentally reform or replace the conciliation and arbitration boards that are responsible for resolving disputes over workplace representation and other labor issues. This is vitally important because U.S. workers compete directly with Mexican workers in critical manufacturing and other sectors. While I understand the administration has started conversations with Mexico, I am not informed of any consistency plan that would detail the changes Mexico needs to make to their laws.

TPP negotiators are also working on disciplines for state-owned enterprises, or SOEs. Countries that rely heavily on state-controlled and state-funded enterprises are able to give those champions an enormous and unfair advantage over private companies that compete against them in the marketplace.

The TPP would include disciplines on SOEs that are expected in language to go beyond anything we have ever included in past agreements, but the extent to which an SOE provision will help to level the playing field will be determined by the degree to which parties seek very broad, country-specific carve-outs for particular SOEs. As concerning, the definition of ''SOEs'' is too narrow, allowing enterprises that are effectively controlled by foreign governments—but where the government owns less than 50 percent of the shares—to circumvent the obligations.

There are several other TPP issues that need to be addressed. Food safety is one of them. There is a very broad consensus that not enough resources are being devoted to ensure the safety of our imports. What are we going to do about this issue? It is a real issue in the debate. Unfortunately, specific portions of the negotiations and the shortcomings in TPP are often difficult to discuss because the documents are classified.

I have not argued that the entire negotiations should be open to the public. I understand that, in a wide range of contexts, from peace negotiations to labor negotiations, it is widely assumed that negotiations at times need to be held behind closed doors, and at this point, I am not convinced that trade negotiations are different. The negotiators need to communicate frequently and effectively with stakeholders to ensure that they are seeking the right provisions in negotiations. In a number of respects, our negotiators

were not doing that when the TPP negotiations were in the early or even not so early stages.

Thanks to constant pressure from Members of Congress over the past several years, we have made some progress in this regard. For example, just a couple of years ago, USTR refused to share the bracketed text—laying out the positions of various parties—with any Member of Congress. We got them to change that. Much more recently, they refused to let staff from personal offices assist their Members with the text even where the staff member had a top secret security clearance. We got them to change that.

Still, there remain unreasonable and burdensome restrictions on access to the text. For example, Congress created a system of stakeholder advisers many years ago to provide advice to our negotiators and to Congress on the negotiations, but those advisers still can only see U.S. negotiating proposals. They cannot see the proposals of our trading partners. It is very difficult, if not impossible, for them to provide negotiating advice if they can't know what the other side is seeking. Moreover, personal office staff with top secret security clearances still cannot see the negotiating text until the Member is present.

Let me say a few more words about this.

I am not at all confident that our negotiators are sharing with Members of Congress or the stakeholder advisers all of the texts that are being exchanged with other TPP countries. For example, we know our negotiators, as I have said, have been discussing a labor consistency plan with Vietnam for many months now at least, but there is still no text for Members of Congress to review. This is one of the major outstanding issues in TPP, and yet there is no text to review despite the fact that USTR has told us for at least a year now that the negotiations were nearly complete. At a recent meeting to discuss Vietnam, it was classified so that the status of negotiations on this issue cannot be discussed publicly. Many of us left less confident that there has been any progress in the negotiations.

Or take currency manipulation. For years, literally, we have pressed what the administration's position is on the issue given that majorities in both the House and the Senate have urged that strong and enforceable currency disciplines be included in TPP. For years, the administration said it was still deliberating on the issue and had no answer. Now, when pushed through the TPA debate in Congress, the administration claims that they could not possibly include enforceable disciplines in TPP because they would be a poison pill.

Finally, I do not understand why the administration is selectively able to reveal to the public certain aspects that they think the public will like, but those of us who have concerns cannot reveal them. We have examples of officials revealing to the press very specific things from the negotiating text, like when tariffs will be eliminated on a particular product. In my view, as to the Environment Chapter, the problem with that chapter is that many of the verbs used in those obligations—the essence of the commitments—are very weak, but I, presumably, can't tell you what those verbs are.

So one has a hard time understanding the rationale for this process. The way it has been handled by the administration does not make Members and other key parties real participants with a meaningful role, understanding and impacting decisions undertaken in this important negotiation.

Let me say a word regarding an issue that has come up recently. In addition to falling short in getting TPP on the right track, the TPA bill also presents dangers with other agreements. This TPA will be, essentially, in place for 6 years. It gives the President a great deal of latitude in deciding which agreements to negotiate with whatever trading partners the President wants and covering whatever subject the President wants.

Recently, Senator ELIZABETH WARREN drew heavy criticism for expressing the concern that TPA could be used by a Republican President to undermine Dodd-Frank. The concern was dismissed as speculative and desperate, but as explained below, the concern is genuine and legitimate.

In ongoing trade agreement negotiations to establish a TTIP, European officials, U.S. and European banks, and some congressional Republicans have expressed an interest in harmonizing U.S. and EU financial services in a way that would water down U.S. laws and regulations. Similarly, some Republican Presidential candidates have expressed an interest in weakening or in repealing Dodd-Frank, although not simply through the TTIP negotiations. Of course, doing so through TTIP negotiations would give the President the excuse that agreeing to weaken Dodd-Frank was simply part of a quid pro quo to get something we wanted from Europe.

According to an article from Politico: ''White House and pro-trade officials on the Hill say that the fast-track bill currently before Congress includes language that expressly forbids changing U.S. law without congressional action.'' But this language is nothing new. Legislation to implement trade agreements typically includes similar language. The purpose of the language is simply to make clear that, under U.S. law, our trade agreements do not have ''direct effect'' and are not ''self-executing,'' meaning that domestic laws and regulations need to be amended to give effect to any obligation in an international agreement.

Implementing bills typically make changes to U.S. tariff laws to comply with the tariff obligations of trade agreements, but some implementing bills make more substantial, behind-the-border changes to U.S. laws to comply with the obligations in our trade agreements. That has been true of changes to U.S. patent laws and changes to the Immigration and Nationality Act.

With all of these concerns in mind—and, above all, my determination to do everything I can to get TPP in shape to garner broad, bipartisan support in Congress—the Ways and Means Democrats offered a substitute amendment during the markup of the TPA bill. That amendment, the Right Track for TPP Act, includes negotiating instructions, not merely ''negotiating objectives'' like the TPA bill, on each of the 12 major outstanding issues, some of which I have described earlier. It provides that the President will not get an up-or-down vote unless and until Congress determines that the instructions have been followed. It also includes real mechanisms to ensure that a poorly negotiated TPP agreement will not be placed on a fast track.

Regrettably, our substitute amendment was blocked in committee based on a highly questionable procedural determination from the chair. In essence, while the Republican majority was free to mark up a bill that was in both the jurisdiction of our committee and the Rules Committee, we were denied the right to do the very same thing. Our chair was concerned about stepping on the jurisdiction of the Rules Committee, and yet the Rules Committee has waived jurisdiction over the TPA bill.

As is often the case with trade debates, they become about something they are not. This debate is not about being for TPP or against. I am for the right TPP, and that is why I want Congress to be in a position to press negotiators to secure a better outcome.

This debate is not about letting China write the rules. I wrote the amendments to the bill granting China PNTR to try and ensure China did not write the rules when they entered the WTO.

□ 1445

This debate is not about isolationism. Neither I nor any colleague of mine is arguing that we should pull up the drawbridge and isolate ourselves. Indeed, most of us who currently oppose TPA right now have demonstrated on a broad range of issues that we are internationalists, perhaps more so than those who support TPA.

This debate is not about national security or the pivot to Asia. I understand the national security issues. Indeed, what happened was years ago

Wilbur Mills said let's take trade negotiations out of the State Department and put them in USTR in order to be sure that the economic advantages were not traded away for political advantages.

In the world today, I don't see how a trade agreement can be in our national security interest if it isn't in our economic interest. Fifty years ago, when the U.S. was an economic superpower, unlike any other nation in the world, maybe we could grant our trading partners disproportionate and nonreciprocal conditions in exchange for political advantages. That is what Wilbur Mills said. That is not the case today. Our economic security is critical to our national security.

Proponents of TPA are trying to sell TPA by selling TPP itself. Unfortunately, that is the problem. TPP is not yet on the right track. It has not earned ''the most progressive trade agreement in history'' moniker that the President has given it. The best course for Congress is to withhold fast track until we know TPP is on a better course, to press the administration to work with us and really respond to our concerns by changing the course of negotiations, to send a signal to our negotiating partners that the Congress has set a high bar for negotiations, that we are demanding the best deal; and, in a number of areas, I think these countries will welcome the improvements I have suggested.

At the end of the day, the goal is to achieve a Trans-Pacific Partnership worthy of support, a TPP that spreads the benefits of trade to the broadest swath of the American public and addresses trade's negative impacts. That is really what this negotiation is all about. This is what really, really very much motivates my concern to get TPP right, not to give away our leverage until TPP is correct.

Voting now for TPA, when there is so much yet to be done to make TPP right, essentially gives away our leverage, essentially is a kind of a blank check to the administration. I feel so deeply about the importance of trade, the importance of getting it right, that I really urge that should be our focus.

So I urge my colleagues not to give away our leverage, not to vote for TPA until TPP is done correctly. That is the challenge before us. That is the challenge likely to be before the House of Representatives the week after next. That is a challenge that we must surmount. That is a challenge that we must meet. That is a reflection of the years of many of us in trying to make trade be put on the right track.

That motivated us years ago when we put together the May 10 agreement; that motivated us when we negotiated the agreement with Peru, we who negotiated it. That is our dedication. We support trade when expanded trade is shaped so that all benefit. That is not true today of this TPP, and therefore I hope my colleagues will join together in voting ''no'' on TPA until TPP is gotten right. That is our goal; that is our purpose—that is our only purpose—and I think that is our challenge, and I hope the week after next we are going to meet it.

I yield back the balance of my time.

RELIGIOUS FREEDOM

The SPEAKER pro tempore (Mr. RUSSELL). Under the Speaker's announced policy of January 6, 2015, the Chair recognizes the gentleman from West Virginia (Mr. MOONEY) for 30 minutes.

Mr. MOONEY of West Virginia. Mr. Speaker, America is a beacon of hope and opportunity to the world for a reason. Our military veterans, whom we honor this Monday during Memorial Day, put their lives on the line for our freedoms and constitutional rights. Our Founders put in place a Constitution that is inspired by the fundamental Judeo-Christian belief that men and women are created in God's image, with the right to life, property, freedom to worship, and carry out their religious convictions without government interference or persecution.

We may take this idea for granted today, with 250 years of history at our backs, but at the time of our Nation's founding, the idea of religious freedom was radical. The world was a different place then. God-fearing, peaceful citizens around the world were commonly persecuted for their beliefs. They were tortured and thrown in prison without a fair hearing. In short, they did not have freedom. These are rights and freedoms that many in our country take for granted. They were denied what our Founders held to be basic human rights.

So at a great risk to themselves and their families, but with deeply held optimism for a new and better future, they sailed the Atlantic Ocean for the shores of the New World, for America.

Here they planted a new society based on freedom. Centuries later, we in this legislative body, are the guardians of this legacy. We are here to advance freedom and protect liberty. But we must be vigilant in this task.

President Ronald Reagan once said:

> Freedom is never more than one generation away from extinction. We didn't pass it to our children in the bloodstream. It must be fought for, protected, and handed on for them to do the same, or one day we will spend our sunset years telling our children and our children's children what it was once like in the United States where men were free.

I agree with President Reagan, and that is why I rise today. Our basic freedoms are under attack. We must stand up and fight. We don't need to search long to find the wreckage of a society that does not value freedom.

I recently met with a group of constituents, Syrian Americans who live in Charleston, West Virginia. Many of them have family members and loved ones in Syria. Their stories provide a strong warning to us. In Syria, a cruel and brutal dictator, al-Assad, is attempting to silence opposing views. He has resorted to chemical weapon attacks on his own people. He has gunned down his own citizens. He has bombed hospitals and apartment complexes full of women and children. We can learn an important lesson from Syria: once tyranny grabs hold, it will grow and expand its reach. And the consequences can be drastic. In Syria, 4 out of 5 people live in poverty, more than 200,000 have been killed, a million wounded, and more than 3 million have fled the country.

But we should not be so arrogant as to think that our liberties here at home in the United States are safe. The evidence that our basic freedoms are under siege is growing, and I would like to share just a few stories that have recently come to my attention. For example, an 8-year-old second grade student in a New Jersey public school wanted to sing ''Awesome God'' at her after-school talent show, but she was told she couldn't because of the song's religious lyrics.

The Arizona Republic reported in July of 2012 that the pastor of a church in Phoenix, Arizona, was jailed and fined $12,000 for hosting a Bible study meeting in his private home. They outrageously claimed it violated zoning and fire code ordinances.

Five men in Richmond, Virginia, were threatened with arrest by local police officers for sharing their faith on a public sidewalk.

The University of Missouri threatened to withhold a student's diploma because she refused to participate in a class assignment that required her to write a letter to the Missouri legislator in support of homosexual adoption.

In a New York hospital, a pro-life nurse was coerced into providing a late-term abortion, even though her workplace had agreed in writing to honor her religious beliefs.

And in the beautiful Second Congressional District of West Virginia, which I have the honor of representing, Joe Holland, a businessowner, is currently being pushed to violate his religious views and values by an ObamaCare regulation that requires him to provide abortifacient drugs to his employees as a part of so-called health care. A regulation commonly known as the HHS mandate requires him to provide the drugs or face a penalty of $100 per day per employee. For a company of 150 employees, that is about $5.5 million a year, or about $36,000 per employee.

These are just a few of the alarming stories about the religious freedoms of peaceful, God-fearing Americans being snatched away by a government that

has lost its way. It is no coincidence that the very First Amendment to the United States Constitution says: ''Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press, or the right of the people peaceably to assemble, and to petition the government for a redress of grievances.''

Religious freedom was protected in the First Amendment to the Constitution. Our Forefathers valued that. They knew what could happen if we didn't protect our religious freedom.

We must take action and recommit ourselves to this basic right. Congress actually has taken action in the past on a bipartisan basis. In 1993, Congress passed the Religious Freedom Restoration Act, signed by President Clinton. The law says the government should not force anyone to violate their sincere religious beliefs, whether those beliefs are considered widely shared or not. This legislation unanimously passed this Chamber, United States House of Representatives, and it passed the Senate by a vote of 97–3 on October 27, 1993.

The broad support is because the legislation simply affirms our constitutionally endowed rights. But now support for this formerly bipartisan, widely supported law is eroding to the point that it has come under attack around the country, the recent events in Indiana being the recent highest profile example.

I believe that this Congress must be a Congress of action in defending religious freedoms. I understand that my good friend and colleague from Idaho, Mr. LABRADOR, is working on a bill to protect institutions and individuals who believe that marriage is between one man and one woman. I support this effort, and I look forward to being an original cosponsor when he introduces the bill.

I am also a proud cosponsor of the Child Welfare Provider Inclusion Act, which will ensure that adoption and foster care providers are not excluded by States for offering their services based on their religious beliefs. Unfortunately, some States have already begun punishing faith-based organizations that provide these services because of their religious beliefs. These religious freedom protections are needed now, and I hope they will be allowed a vote in this Chamber.

We can't do this alone. We do need the President, President Obama, to join with us to protect religious freedom. The President said on June 26, 2013, regarding the U.S. Supreme Court decision to strike down the Defense of Marriage Act the following about religious freedom: ''On an issue as sensitive as this, knowing that Americans hold a wide range of views based on deeply held beliefs, maintaining our Nation's commitment to religious freedom is also vital.''

□ 1500

If the President really believes that religious freedom is ''vital,'' he must back his words up with action. That hasn't happened. In fact, just the opposite has occurred, with the administration's attack on the Religious Freedom Restoration Act, which attacks those who believe in religious freedom, through its HHS mandate and its attack on the Defense of Marriage Act. He is not protecting religious freedom. We have to do that here.

We have a sacred obligation to pass on to our children and grandchildren a country that has the same love for liberty and religious freedom as the one we inherited, but this won't happen on its own. We need to stand up and fight with courage and conviction, fight right here and right now.

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

HOUR OF MEETING ON TOMORROW

Mr. MOONEY of West Virginia. Mr. Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet at 2:30 p.m. tomorrow.

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

There was no objection.

PAYING TRIBUTE TO THE MEMORY OF ALBERT MELVIN MILLER

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 2015, the Chair recognizes the gentleman from Virginia (Mr. BEYER) for 30 minutes.

Mr. BEYER. Mr. Speaker, I rise today to recognize the remarkable life and accomplishments of Mr. Albert Melvin Miller, who passed away on Sunday, May 10, at Inova Alexandria Hospital.

Melvin was a well-known political and community leader in the city of Alexandria, Virginia. One of his crowning achievements was his work with the Alexandria Redevelopment and Housing Authority, protecting and expanding affordable housing programs across the city.

Mel was a civil rights advocate, a mentor, and a beloved father. He was also a character: kind, interested, ever present, honest, hard-working, inspirational, and—above all—witty. Mel Miller was a person you wanted to spend time with.

Mel grew up in Haddonfield, New Jersey, but his heart belonged to Raleigh, North Carolina, where his alma mater, Saint Augustine's University, is located, and to his adopted hometown of Alexandria, Virginia.

Graduating from Saint Aug's in history and political science, he remained deeply involved with the school by serving on the board of trustees for 35 years and encouraging Alexandria's students to attend his beloved university.

After earning his JD from Howard University School of Law, Melvin was admitted to the Virginia State Bar and moved to Alexandria in 1958. Early in his Alexandria life, Melvin begin his civil rights activism and community involvement by doing pro bono work on school desegregation issues.

This work led him to join an underground association unofficially named the ''Secret Seven,'' which met to discuss possible ways to discuss civil rights and liberties in Alexandria and the surrounding areas. This early local involvement led him to become a prominent figure in Alexandria's education system and the authority and champion for affordable housing.

Melvin's work for the Department of Housing and Urban Development and the Alexandria Redevelopment and Housing Authority helped to provide housing for hundreds of Alexandria's poor. His crowning achievement was a deal by Melvin between the city of Alexandria and ARHA, which required any affordable housing that was destroyed to be matched one-for-one with new developments. That deal still stands largely untouched today.

Mel was a tireless mentor of Alexandria's students and an avid high school sports fan. He could often be seen and heard giving advice to local students and cheering at high school sporting events. He also served on the Alexandria school board from 1986 to 1993, serving as board chair from 1990 to 1992.

Mel is survived by his daughter, Ericka Miller; his son, Marc Miller, and wife, Mary; his grandchildren, Max, Chris, Zachary, and Bennett Miller; his daughter-in-law, Vicky McCauley; and a host of other relatives and many friends.

Melvin was preceded in death by son, Eric. His wife of nearly 5 years, Eula Miller, passed away in 2011. Eula was also a tremendous advocate for education in northern Virginia, having helped create many programs supporting caregivers and young mothers in local high schools and Northern Virginia Community College.

I offer my condolences to his family and all the people who have been affected by the loss of this amazing man. Mr. Albert Melvin Miller is a shining example of the effect one person can have on so many local lives. I hope his memory lives as an inspiration for local leaders to come.

At his funeral yesterday, former T.C. Williams High School legendary football coach Herman Boone ended his eulogy with the call to ''Remember the Titan,'' Melvin Miller.

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

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mrs. NAPOLITANO (at the request of Ms. PELOSI) for today.

SENATE ENROLLED BILL SIGNED

The Speaker announced his signature to an enrolled bill of the Senate of the following title:

S. 178. An act to provide justice for the victims of trafficking.

BILLS PRESENTED TO THE PRESIDENT

Karen L. Haas, Clerk of the House, reported that on May 18, 2015, she presented to the President of the United States, for his approval, the following bills:

H.R. 1191. A bill to provide for congressional review and oversight of agreements relating to Iran's nuclear program, and for other purposes.

H.R. 606. To amend the Internal Revenue Code of 1986 to exclude certain compensation received by public safety officers and their dependents from gross income.

Karen L. Haas. Clerk of the House, further reported that on May 19, 2015, she presented to the President of the United States, for his approval, the following bill:

H.R. 2252. To clarify the effective date of certain provisions of the Border Patrol Agent Pay Reform Act of 2014, and for other purposes.

ADJOURNMENT

Mr. BEYER. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 3 o'clock and 5 minutes p.m.), under its previous order, the House adjourned until tomorrow, Friday, May 22, 2015, at 2:30 p.m.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. JEFFRIES:

H.R. 2487. A bill to amend title 38, United States Code, to extend the Yellow Ribbon G.I. Education Enhancement Program to cover recipients of Marine Gunnery Sergeant John David Fry scholarship, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. ROTHFUS (for himself, Mr. SCHRADER, Mr. BRADY of Texas, and Mrs. BROOKS of Indiana):

H.R. 2488. A bill to preserve Medicare beneficiary choice by restoring and expanding the Medicare open enrollment and disenrollment opportunities repealed by section 3204(a) of the Patient Protection and Affordable Care Act; to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SEAN PATRICK MALONEY of New York (for himself and Mr. GIBSON):

H.R. 2489. A bill to amend the National Dam Safety Program Act to establish a program to provide grant assistance to States for the rehabilitation and repair of deficient dams, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. BARLETTA (for himself, Mr. MARINO, Mr. KELLY of Pennsylvania, Mr. PERRY, Mr. THOMPSON of Pennsylvania, and Mr. SHUSTER):

H.R. 2490. A bill to amend title 38, United States Code, to ensure that the prohibition against interment or memorialization in the National Cemetery Administration or Arlington National Cemetery of persons committing Federal or State capital crimes is consistently carried out, to direct the Secretary of Veterans Affairs to disinter the remains of George E. Siple from Indiantown Gap National Cemetery, and for other purposes; to the Committee on Veterans' Affairs, and in addition to the Committee on Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. OLSON (for himself, Mr. SANFORD, Mrs. BLACK, Mr. CULBERSON, and Mr. MULLIN):

H.R. 2491. A bill to amend the William Wilberforce Trafficking Victims Protection Reauthorization Act of 2008 to require consultation with State and local elected officials and a public hearing before awarding grants or contracts for housing facilities for unaccompanied alien children; to the Committee on the Judiciary.

By Ms. GRAHAM (for herself, Mr. BUCHANAN, Mr. DEUTCH, Mr. MURPHY of Florida, Mr. JOLLY, Ms. FRANKEL of Florida, Ms. WILSON of Florida, Mr. DIAZ-BALART, Mr. ROONEY of Florida, Mr. MILLER of Florida, Mr. HASTINGS, Ms. ROS-LEHTINEN, Ms. CASTOR of Florida, Mr. CURBELO of Florida, Ms. WASSERMAN SCHULTZ, Mr. GRAYSON, Ms. BROWN of Florida, Mr. YOHO, Mr. ROSS, and Mr. NUGENT):

H.R. 2492. A bill to direct the Secretary of the Army to provide for modification of certain Federal water resources development projects on the Apalachicola, Chattahoochee, and Flint Rivers, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. MCGOVERN (for himself, Mr. SCHIFF, Mr. POCAN, Ms. CLARKE of New York, Ms. CLARK of Massachusetts, Mr. GRIJALVA, Mr. NEAL, Mr. LIPINSKI, Ms. TSONGAS, Mr. DEFAZIO, Mr. HASTINGS, Mr. DELANEY, Ms. TITUS, Mr. CLEAVER, Ms. MOORE, Mr. QUIGLEY, and Mr. HONDA):

H.R. 2493. A bill to establish a grant program to encourage the use of assistance dogs by certain members of the Armed Forces and veterans; to the Committee on Armed Services, and in addition to the Committee on Veterans' Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. ROYCE (for himself, Mr. ENGEL, Mr. POE of Texas, Mr. KEATING, Mr. SMITH of New Jersey, Ms. BASS, Mr. CRENSHAW, Ms. MCCOLLUM, and Mr. CUELLAR):

H.R. 2494. A bill to support global anti-poaching efforts, strengthen the capacity of partner countries to counter wildlife trafficking, designate major wildlife trafficking countries, and for other purposes; to the Committee on Foreign Affairs, and in addition to the Committees on the Judiciary, and Natural Resources, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. MAXINE WATERS of California (for herself, Mr. COHEN, Ms. BASS, Mrs. BEATTY, Ms. BROWNLEY of California, Mr. CARTWRIGHT, Mr. CICILLINE, Mrs. WATSON COLEMAN, Mr. CONYERS, Mr. GUTIÉRREZ, Mr. KEATING, Ms. LEE, Ms. JACKSON LEE, Mr. LOWENTHAL, Mr. MEEKS, Ms. MOORE, Mr. PERLMUTTER, Mr. RUSH, Mr. SIRES, Mr. VARGAS, Mr. WELCH, Mr. LEWIS, Mr. CLEAVER, Mr. HIGGINS, Mr. BRENDAN F. BOYLE of Pennsylvania, Mr. RANGEL, Mr. GRIJALVA, Mr. BUTTERFIELD, Mr. MICHAEL F. DOYLE of Pennsylvania, Ms. PINGREE, Mrs. LAWRENCE, Mr. HASTINGS, Ms. NORTON, Mr. CARSON of Indiana, Mr. TAKANO, Ms. SLAUGHTER, Mr. WALZ, Mrs. KIRKPATRICK, Mr. CÁRDENAS, Mr. SWALWELL of California, Mr. TED LIEU of California, Ms. WILSON of Florida, Mr. RICHMOND, Ms. HAHN, Ms. PLASKETT, Ms. JUDY CHU of California, Mr. HECK of Washington, Mr. BLUMENAUER, Mr. TONKO, Mr. BRADY of Pennsylvania, Mr. HIMES, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. ELLISON, Mr. AL GREEN of Texas, Mr. PAYNE, Mr. DELANEY, Mr. SCOTT of Virginia, Ms. SEWELL of Alabama, Mr. JOHNSON of Georgia, Ms. DELBENE, Mr. CLAY, Mr. GARAMENDI, Mr. VEASEY, Mr. NOLAN, Ms. FUDGE, Ms. MICHELLE LUJAN GRISHAM of New Mexico, Ms. SCHAKOWSKY, Mr. KILDEE, and Mrs. DINGELL):

H.R. 2495. A bill making supplemental appropriations for fiscal year 2016 for the TIGER Discretionary Grant program, and for other purposes; to the Committee on Appropriations, and in addition to the Committee on the Budget, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. COFFMAN:

H.R. 2496. A bill to extend the authorization for the replacement of the existing Department of Veterans Affairs Medical Center in Denver, Colorado, to make certain improvements in the Veterans Access, Choice, and Accountability Act of 2014, and for other purposes; to the Committee on Veterans' Affairs. considered and passed.

By Mr. DENHAM (for himself, Mrs. MIMI WALTERS of California, Mr. COOK, Mr. LAMALFA, Mr. ISSA, Mr. HUNTER, Mr. ROHRABACHER, Mr. FARENTHOLD, Mr. HARDY, and Mr. NUNES):

H.R. 2497. A bill to direct the Secretary of Transportation to establish a program to eliminate duplicative environmental reviews and approvals under State and Federal law of rail and highway projects, and for other purposes; to the Committee on Natural Resources, and in addition to the Committee on Transportation and Infrastructure, for a period to be subsequently determined by the

Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. CARNEY (for himself, Mr. RENACCI, Mr. QUIGLEY, Miss RICE of New York, and Mr. WEBSTER of Florida):

H.R. 2498. A bill to amend the Congressional Budget Act of 1974 to require that the Congressional Budget Office prepare long-term estimates for reported bills and joint resolutions that would have significant fiscal impact, and for other purposes; to the Committee on Rules, and in addition to the Committee on the Budget, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. CHABOT (for himself, Mr. HANNA, Mr. BOST, Mr. RICE of South Carolina, Mr. KNIGHT, Mr. GIBSON, and Mr. CURBELO of Florida):

H.R. 2499. A bill to amend the Small Business Act to increase access to capital for veteran entrepreneurs, to help create jobs, and for other purposes; to the Committee on Small Business.

By Mr. ROKITA (for himself, Mrs. ROBY, and Mr. GENE GREEN of Texas):

H.R. 2500. A bill to authorize the Department of Labor's voluntary protection program; to the Committee on Education and the Workforce.

By Mr. ROHRABACHER (for himself, Mr. LOWENTHAL, Mr. CALVERT, Ms. LOFGREN, Mr. ISSA, Mr. HUFFMAN, Mr. MCCLINTOCK, Ms. BROWNLEY of California, Mr. HUNTER, Mr. SWALWELL of California, Mr. COOK, Mr. TED LIEU of California, Mr. KNIGHT, Mr. GRIJALVA, Mrs. KIRKPATRICK, and Mr. GALLEGO):

H.R. 2501. A bill to require certain States to retain the Congressional redistricting plans in effect as of the first day of the One Hundred Fourteenth Congress until such States carry out a redistricting plan in response to the apportionment of Representatives resulting from the regular decennial census conducted in 2020; to the Committee on the Judiciary.

By Mrs. BLACK (for herself and Mr. NEAL):

H.R. 2502. A bill to amend title XVIII of the Social Security Act to provide for bundled payments for certain episodes of care surrounding a hospitalization; to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. REICHERT (for himself, Mr. BOUSTANY, and Mr. RENACCI):

H.R. 2503. A bill to amend title III of the Social Security Act to prevent the payment of unemployment benefits to incarcerated individuals; to the Committee on Ways and Means.

By Mrs. NOEM (for herself, Mr. SAM JOHNSON of Texas, Mr. CRAMER, and Mr. KELLY of Pennsylvania):

H.R. 2504. A bill to amend the Social Security Act to make certain revisions to provisions limiting payment of benefits to fugitive felons under titles II, VIII, and XVI of the Social Security Act; to the Committee on Ways and Means.

By Mr. KELLY of Pennsylvania (for himself, Mr. BILIRAKIS, and Mr. KIND):

H.R. 2505. A bill to amend title XVIII of the Social Security Act to require the annual reporting of data on enrollment in Medicare Advantage plans; to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BUCHANAN (for himself, Mrs. BLACKBURN, and Mr. RANGEL):

H.R. 2506. A bill to amend title XVIII of the Social Security Act to delay the authority to terminate Medicare Advantage contracts for MA plans failing to achieve minimum quality ratings; to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BRADY of Texas (for himself, Mr. PITTS, and Mr. THOMPSON of California):

H.R. 2507. A bill to amend title XVIII of the Social Security Act to establish an annual rulemaking schedule for payment rates under Medicare Advantage; to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. RODNEY DAVIS of Illinois (for himself and Mr. ASHFORD):

H.R. 2508. A bill to amend the Richard B. Russell National School Lunch Act to prohibit further reductions in sodium levels and to reinstate the grain-rich requirements applicable to the national school lunch and breakfast programs; to the Committee on Education and the Workforce.

By Mr. RENACCI (for himself and Mr. CARNEY):

H.R. 2509. A bill to amend certain provisions of the Social Security Act relating to demonstration projects designed to promote the reemployment of unemployed workers; to the Committee on Ways and Means.

By Mr. TIBERI (for himself, Mr. SMITH of Missouri, Mr. BUCHANAN, Mr. KELLY of Pennsylvania, Mr. REED, Mr. NUNES, Mrs. BLACK, Mr. BRADY of Texas, Mr. REICHERT, Mr. MEEHAN, Mr. MARCHANT, Mr. YOUNG of Indiana, Mr. PAULSEN, Mr. RENACCI, Mrs. NOEM, Mr. DOLD, Mr. ROSKAM, Ms. JENKINS of Kansas, Mr. BOUSTANY, Mr. HOLDING, Ms. SINEMA, Mr. HUIZENGA of Michigan, Mr. WALBERG, and Mr. MOOLENAAR):

H.R. 2510. A bill to amend the Internal Revenue Code of 1986 to modify and make permanent bonus depreciation; to the Committee on Ways and Means, and in addition to the Committee on the Budget, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. REED (for himself and Mr. BOUSTANY):

H.R. 2511. A bill to condition the eligiblity of disabled children aged 16 or 17 for supplemental security income benefits on school attendance; to the Committee on Ways and Means.

By Mr. BRADY of Texas:

H.R. 2512. A bill to amend title 5, United States Code, to make clear that Federal employees who receive back pay for a period during which they are furloughed due to a lapse in appropriations may not also receive unemployment compensation for the same period; to the Committee on Ways and Means.

By Mr. SAM JOHNSON of Texas (for himself and Mr. HINOJOSA):

H.R. 2513. A bill to amend title XVIII of the Social Security Act with respect to the treatment of hospitals under the Medicare program, and for other purposes; to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SAM JOHNSON of Texas (for himself, Mr. THOMPSON of California, Mr. BABIN, Mr. BUTTERFIELD, Mr. COFFMAN, Mr. NUGENT, Mr. OLSON, Mr. PALAZZO, Mr. RANGEL, Mr. REICHERT, Mr. ROE of Tennessee, Mr. RUSH, Mr. TAKAI, Mr. WILSON of South Carolina, Mr. ZINKE, Ms. MCSALLY, and Mr. SABLAN):

H.R. 2514. A bill to amend the Internal Revenue Code of 1986 to prevent veterans from being disqualified from contributing to health savings accounts by reason of receiving medical care for service-connected disabilities under programs administered by the Department of Veterans Affairs; to the Committee on Ways and Means.

By Mr. DEUTCH (for himself and Ms. ROS-LEHTINEN):

H.R. 2515. A bill to amend the Public Health Service Act with respect to eating disorders, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committees on Education and the Workforce, and Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. RANGEL (for himself, Mr. THOMPSON of Pennsylvania, Mr. POCAN, Mr. LOWENTHAL, Mr. THOMPSON of California, Mr. KELLY of Pennsylvania, Mr. RUSH, Mr. JONES, Ms. BORDALLO, Mr. SERRANO, Mr. POLIS, Mrs. CAPPS, and Mr. MCDERMOTT):

H.R. 2516. A bill to amend title 38, United States Code, to improve the ability of health care professionals to treat veterans via telemedicine; to the Committee on Veterans' Affairs.

By Mr. KELLY of Pennsylvania (for himself and Mr. KIND):

H.R. 2517. A bill to amend the Internal Revenue Code of 1986 to extend certain expiring energy tax incentives; to the Committee on Ways and Means.

By Mr. HUNTER (for himself, Mrs. LOVE, Mr. CARNEY, Mr. GOWDY, Mr. RYAN of Wisconsin, and Mrs. DAVIS of California):

H.R. 2518. A bill to amend the Higher Education Act of 1965 to update reporting requirements for institutions of higher education and provide for more accurate and complete data on student retention, graduation, and earnings outcomes at all levels of postsecondary enrollment; to the Committee on Education and the Workforce.

By Ms. JENKINS of Kansas (for herself and Mr. CARTWRIGHT):

H.R. 2519. A bill to amend title XVIII of the Social Security Act to provide for treatment of audiologists as physicians for purposes of furnishing audiology services under the Medicare program, to improve access to the audiology services available for coverage under the Medicare program and to enable beneficiaries to have their choice of a qualified audiologist to provide such services, and

for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. YOUNG of Indiana (for himself and Mr. YARMUTH):

H.R. 2520. A bill to amend the Internal Revenue Code of 1986 to reduce the rate of excise tax on distilled spirits; to the Committee on Ways and Means.

By Ms. EDWARDS (for herself, Mr. DANNY K. DAVIS of Illinois, Ms. LEE, Mr. SCOTT of Virginia, Ms. DELAURO, Mr. RICHMOND, Ms. NORTON, Mr. LEWIS, Ms. KAPTUR, Mr. CÁRDENAS, Ms. PLASKETT, Mr. GRIJALVA, Mr. KENNEDY, Mr. CONYERS, Mr. JOHNSON of Georgia, Mr. RANGEL, Mr. TED LIEU of California, and Mr. HASTINGS):

H.R. 2521. A bill to reinstate Federal Pell Grant eligibility for individuals incarcerated in Federal and State penal institutions, and for other purposes; to the Committee on Education and the Workforce.

By Mrs. BEATTY (for herself, Ms. JACKSON LEE, Ms. KELLY of Illinois, Ms. LEE, Mr. VARGAS, Ms. NORTON, Mr. TED LIEU of California, Mr. CONYERS, Mrs. KIRKPATRICK, Mr. VEASEY, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. AL GREEN of Texas, Mr. HINOJOSA, Mr. BUTTERFIELD, Mr. HASTINGS, Mr. RANGEL, and Ms. SPEIER):

H.R. 2522. A bill to require the Secretary of Veterans Affairs to establish a pilot program to award grants for the provision of furniture, household items, and other assistance to homeless veterans to facilitate their transition into permanent housing, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. BOST (for himself, Mr. RODNEY DAVIS of Illinois, Mr. CRAWFORD, Mr. MURPHY of Pennsylvania, Mr. VISCLOSKY, Ms. SEWELL of Alabama, Mr. ROTHFUS, Mr. ROKITA, Mr. RYAN of Ohio, Mr. GIBBS, Mr. SHIMKUS, Mr. JOHNSON of Ohio, Mr. NOLAN, Ms. KAPTUR, Mr. RENACCI, Mr. ROUZER, Mr. BYRNE, Mr. FLORES, Mr. BARLETTA, Mr. HUDSON, Mr. GENE GREEN of Texas, Mr. PITTENGER, and Mr. KELLY of Pennsylvania):

H.R. 2523. A bill to make improvements to the antidumping and countervailing duty laws; to the Committee on Ways and Means.

By Mr. BUCHANAN (for himself, Ms. LINDA T. SÁNCHEZ of California, Mr. BLUMENAUER, Mr. RANGEL, Mr. RENACCI, Mr. KIND, Mr. THOMPSON of California, Mr. TIBERI, Mr. DOLD, Mr. NEAL, Mr. KELLY of Pennsylvania, Mr. REED, and Mr. PASCRELL):

H.R. 2524. A bill to amend the Internal Revenue Code of 1986 to increase the limitations for deductible new business expenditures and to consolidate provisions for start-up and organizational expenditures; to the Committee on Ways and Means.

By Mrs. BUSTOS (for herself, Ms. LINDA T. SÁNCHEZ of California, Mrs. NAPOLITANO, Ms. ROYBAL-ALLARD, Ms. ROS-LEHTINEN, Mr. AGUILAR, Mr. GALLEGO, Ms. FRANKEL of Florida, Mrs. LAWRENCE, Mr. BECERRA, Ms. VELÁZQUEZ, Mr. SIRES, Mr. CASTRO of Texas, Mr. SWALWELL of California, Mr. VELA, Mr. VARGAS, Ms. MICHELLE LUJAN GRISHAM of New Mexico, Mr. CUELLAR, Mr. SARBANES, Mr. BEN RAY LUJÁN of New Mexico, Mr. HINOJOSA, Mr. POCAN, Mr. CÁRDENAS, Mr. TED LIEU of California, Mr. GUTIÉRREZ, Mr. RUIZ, Mrs. DINGELL, Mr. COSTA, Ms. KUSTER, Mr. GRIJALVA, Ms. BROWNLEY of California, Ms. CLARK of Massachusetts, Ms. LORETTA SANCHEZ of California, Mr. PIERLUISI, Mr. CURBELO of Florida, Mr. DIAZ-BALART, Ms. HERRERA BEUTLER, Mr. BISHOP of Georgia, Ms. DUCKWORTH, Ms. GABBARD, Mr. SERRANO, Mr. WALZ, Mr. RODNEY DAVIS of Illinois, Mr. YODER, Mrs. ROBY, Mr. ASHFORD, Ms. EDWARDS, Ms. ADAMS, Ms. SEWELL of Alabama, Mr. MCNERNEY, Mr. GARAMENDI, Mr. PRICE of North Carolina, Mr. QUIGLEY, Mr. RUPPERSBERGER, Mr. HIGGINS, Mr. CONYERS, Mr. AL GREEN of Texas, Mr. JONES, Mrs. KIRKPATRICK, Mr. BLUMENAUER, Mr. NOLAN, Mr. SHIMKUS, Mr. BROOKS of Alabama, Mr. KILMER, Mrs. TORRES, Miss RICE of New York, Mr. PERLMUTTER, Mr. SABLAN, Mr. BOST, and Mr. KINZINGER of Illinois):

H.R. 2525. A bill to require the Secretary of the Treasury to mint coins in recognition and celebration of Hero Street USA; to the Committee on Financial Services.

By Mr. CAPUANO (for himself, Mr. SENSENBRENNER, Mr. GRIFFITH, Ms. BROWNLEY of California, Mrs. NAPOLITANO, Mr. RODNEY DAVIS of Illinois, Mr. WALBERG, Mr. PETERSON, Ms. LOFGREN, and Mr. JORDAN):

H.R. 2526. A bill to require automobile manufacturers to disclose to consumers the presence of event data recorders, or ''black boxes'', on new automobiles, and to require manufacturers to provide the consumer with the option to enable and disable such devices on future automobiles; to the Committee on Energy and Commerce.

By Mr. CROWLEY (for himself, Ms. SLAUGHTER, Mr. HIGGINS, Mr. RANGEL, Ms. VELÁZQUEZ, Mr. SEAN PATRICK MALONEY of New York, Mr. MEEKS, Mr. SERRANO, Ms. CLARKE of New York, Ms. MENG, Mr. ISRAEL, Mr. NADLER, Mrs. CAROLYN B. MALONEY of New York, Mr. ENGEL, and Mr. TONKO):

H.R. 2527. A bill to designate the facility of the United States Postal Service located at 7802 37th Avenue in Jackson Heights, New York, as the ''Jeanne Sobelson Manford Post Office Building''; to the Committee on Oversight and Government Reform.

By Mrs. DAVIS of California:

H.R. 2528. A bill to direct the Secretary of Education to award grants to States to pay the Federal share of carrying out full-day prekindergarten programs; to the Committee on Education and the Workforce.

By Ms. DELAURO (for herself, Ms. SLAUGHTER, Mr. GUTIÉRREZ, Mr. GRIJALVA, and Mrs. NAPOLITANO):

H.R. 2529. A bill to establish limitations on the quantity of inorganic arsenic in rice and rice products under chapter IV of the Federal Food, Drug, and Cosmetic Act; to the Committee on Energy and Commerce, and in addition to the Committee on Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. DUCKWORTH (for herself, Mr. TAKAI, Mrs. CAROLYN B. MALONEY of New York, Ms. DELAURO, Mrs. BUSTOS, Ms. NORTON, Mrs. CAPPS, Mr. LIPINSKI, Mr. QUIGLEY, Mr. KNIGHT, Mr. CONNOLLY, Mr. ROONEY of Florida, and Ms. HERRERA BEUTLER):

H.R. 2530. A bill to amend title 49, United States Code, to provide for private lactation areas in the terminals of large and medium hub airports, and for other purposes; to the Committee on Transportation and Infrastructure.

By Ms. DUCKWORTH (for herself, Mr. RIGELL, Ms. TITUS, Ms. BORDALLO, Mr. LIPINSKI, Mr. RUSH, Mr. BISHOP of Utah, Mr. ASHFORD, Mr. GALLEGO, Mr. COOK, Mr. TAKAI, Mr. ZINKE, Mr. DANNY K. DAVIS of Illinois, Mr. COSTA, Mr. WALZ, Mr. GARAMENDI, Mr. LANGEVIN, Mr. KIND, Mr. GOHMERT, Mr. WESTERMAN, and Ms. LOFGREN):

H.R. 2531. A bill to amend section 701 of the Veterans Access, Choice, and Accountability Act of 2014 to clarify the period of eligibility during which certain spouses are entitled to assistance under the Marine Gunnery Sergeant John David Fry Scholarship; to the Committee on Veterans' Affairs.

By Mr. FLEISCHMANN:

H.R. 2532. A bill to amend title 5, United States Code, to enhance the authority under which Federal agencies may pay cash awards to employees for making cost saving disclosures, and for other purposes; to the Committee on Oversight and Government Reform.

By Ms. FRANKEL of Florida (for herself and Mr. WEBER of Texas):

H.R. 2533. A bill to amend the Foreign Relations Authorization Act, Fiscal Years 1990 and 1991 relating to local guard contracts abroad under the diplomatic security program, and for other purposes; to the Committee on Foreign Affairs.

By Ms. HAHN:

H.R. 2534. A bill to amend the Security and Accountability For Every Port Act of 2006 (the SAFE PORT Act) to administer a pilot program for 100 percent scanning of cargo containers at domestic ports, and for other purposes; to the Committee on Homeland Security.

By Mr. HANNA (for himself, Mr. CARTWRIGHT, Mr. KING of New York, Mr. MEADOWS, Mr. POLIQUIN, and Mr. COLLINS of Georgia):

H.R. 2535. A bill to amend the Internal Revenue Code of 1986 to allow a $1,000 refundable credit for individuals who are bona fide volunteer members of volunteer firefighting and emergency medical service organizations; to the Committee on Ways and Means.

By Mr. HIGGINS (for himself, Mr. HANNA, Mr. TONKO, and Mr. KATKO):

H.R. 2536. A bill to provide access to medication-assisted therapy, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. HIMES:

H.R. 2537. A bill to provide for higher education reform; to the Committee on Education and the Workforce.

By Mr. HUFFMAN (for himself and Mr. DENHAM):

H.R. 2538. A bill to take lands in Sonoma County, California, into trust as part of the reservation of the Lytton Rancheria of California, and for other purposes; to the Committee on Natural Resources.

By Mr. KENNEDY:

H.R. 2539. A bill to amend title 38, United States Code, to provide for an increase in the

amount of monthly dependency and indemnity compensation payable to surviving spouses by the Secretary of Veterans Affairs; to the Committee on Veterans' Affairs.

By Mr. LANCE (for himself, Ms. CASTOR of Florida, Mrs. BLACKBURN, Mr. MCKINLEY, Ms. WASSERMAN SCHULTZ, Ms. CLARKE of New York, Mr. KINZINGER of Illinois, and Mr. BUTTERFIELD):

H.R. 2540. A bill to amend the Public Health Service Act to raise awareness of, and to educate breast cancer patients anticipating surgery, especially patients who are members of racial and ethnic minority groups, regarding the availability and coverage of breast reconstruction, prostheses, and other options; to the Committee on Energy and Commerce.

By Mr. LANGEVIN (for himself and Mr. CICILLINE):

H.R. 2541. A bill to amend the Magnuson-Stevens Fishery Conservation and Management Act to add Rhode Island to the Mid-Atlantic Fishery Management Council; to the Committee on Natural Resources.

By Mr. LARSEN of Washington:

H.R. 2542. A bill to amend the Truth in Lending Act to establish requirements for releasing a cosigner from obligations of a private education loan, for the treatment of the loan upon the death or bankruptcy of a cosigner of the loan, and for other purposes; to the Committee on Financial Services.

By Mr. LARSEN of Washington (for himself and Mr. REICHERT):

H.R. 2543. A bill to establish a State Trade and Export Promotion Grant Program; to the Committee on Small Business.

By Mrs. LUMMIS (for herself, Mr. HINOJOSA, Mr. CUELLAR, and Mr. BURGESS):

H.R. 2544. A bill to amend the USEC Privatization Act to require the Secretary of Energy to issue a long-term Federal excess uranium inventory management plan, and for other purposes; to the Committee on Energy and Commerce.

By Mrs. CAROLYN B. MALONEY of New York (for herself, Mr. BRENDAN F. BOYLE of Pennsylvania, and Mr. KING of New York):

H.R. 2545. A bill to authorize the Secretary of Education to award grants to educational organizations to carry out educational programs about the Holocaust; to the Committee on Education and the Workforce.

By Mrs. CAROLYN B. MALONEY of New York (for herself, Mr. LYNCH, Ms. TSONGAS, Mr. GRIJALVA, and Ms. CLARK of Massachusetts):

H.R. 2546. A bill to prohibit the sale of a firearm to, and the purchase of a firearm by, a person who is not covered by appropriate liability insurance coverage; to the Committee on the Judiciary.

By Mrs. MCMORRIS RODGERS:

H.R. 2547. A bill to amend the Federal Food, Drug, and Cosmetic Act to provide for the development of accelerated approval development plans for investigational drugs and biological products; to the Committee on Energy and Commerce.

By Mrs. MCMORRIS RODGERS:

H.R. 2548. A bill to amend the Public Health Service Act with respect to a national pediatric research network; to the Committee on Energy and Commerce.

By Mrs. MCMORRIS RODGERS:

H.R. 2549. A bill to amend the HITECH Act with respect to accessing, sharing, and using health data for research purposes; to the Committee on Energy and Commerce.

By Mrs. MCMORRIS RODGERS:

H.R. 2550. A bill to amend title XVIII of the Social Security Act to provide Medicare payment incentives to transition from traditional x-ray imaging to digital radiography, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. MCSALLY (for herself, Ms. GABBARD, Mrs. WAGNER, Mr. JONES, Mr. ROHRABACHER, Mr. WALBERG, Mr. CRAMER, Mr. WESTMORELAND, Mr. PETERS, Mrs. LOVE, Mr. RYAN of Ohio, Mr. YOHO, Mr. BLUM, Mr. NUGENT, Mr. BOST, Mr. WALZ, Mr. BABIN, Mr. GIBSON, Mr. ABRAHAM, Mrs. BLACK, Mr. ZINKE, Mr. HILL, Mr. SMITH of Missouri, Ms. FRANKEL of Florida, Mr. KATKO, Mr. GOSAR, Ms. STEFANIK, Mr. THOMPSON of California, Mr. SERRANO, Ms. JUDY CHU of California, and Mr. HURD of Texas):

H.R. 2551. A bill to amend title 38, United States Code, to ensure that veterans may attend pre-apprenticeship programs using certain educational assistance provided by the Secretary of Veterans Affairs, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. O'ROURKE (for himself, Mrs. ELLMERS of North Carolina, and Mr. SIRES):

H.R. 2552. A bill to prohibit the Department of Homeland Security from procuring certain items directly related to the national security unless the items are grown, reprocessed, reused, or produced in the United States, and for other purposes; to the Committee on Homeland Security.

By Ms. PINGREE (for herself, Mr. BUCHANAN, Mr. THOMPSON of California, Mr. KING of New York, Mr. HUFFMAN, Mr. CURBELO of Florida, and Mr. CRENSHAW):

H.R. 2553. A bill to direct the Secretary of Commerce, acting through the Administrator of the National Oceanic and Atmospheric Administration, to conduct coastal community vulnerability assessments related to ocean acidification, and for other purposes; to the Committee on Science, Space, and Technology.

By Mr. POLIS:

H.R. 2554. A bill to designate certain lands in the State of Colorado as components of the National Wilderness Preservation System, to designate the Tenmile Recreation Management Area and Porcupine Gulch Protection Area, and for other purposes; to the Committee on Natural Resources.

By Mr. RYAN of Ohio (for himself and Mr. THOMPSON of Pennsylvania):

H.R. 2555. A bill to direct the Secretary of Veterans Affairs to establish a pilot program to award grants to nonprofit veterans service organizations to upgrade the community facilities of such organizations; to the Committee on Veterans' Affairs.

By Mr. SALMON:

H.R. 2556. A bill to amend the Federal Water Pollution Control Act to repeal the authorization for program development and implementation grants for coastal recreation water quality monitoring and notification, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. SCALISE:

H.R. 2557. A bill to promote new manufacturing in the United States by providing for greater transparency and timeliness in obtaining necessary permits, and for other purposes; to the Committee on Energy and Commerce.

By Mr. SCHRADER (for himself and Ms. BONAMICI):

H.R. 2558. A bill to authorize the provision of health care for certain individuals exposed to environmental hazards at Atsugi Naval Air Facility, to establish an advisory board to examine exposures to environmental hazards at such Air Facility, and for other purposes; to the Committee on Armed Services, and in addition to the Committee on Veterans' Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SMITH of Texas (for himself, Mr. BABIN, Mr. BARTON, Mr. BRADY of Texas, Mr. BURGESS, Mr. CARTER of Texas, Mr. CASTRO of Texas, Mr. CONAWAY, Mr. CUELLAR, Mr. CULBERSON, Mr. DOGGETT, Mr. FARENTHOLD, Mr. FLORES, Mr. GOHMERT, Ms. GRANGER, Mr. AL GREEN of Texas, Mr. GENE GREEN of Texas, Mr. HENSARLING, Mr. HINOJOSA, Mr. HURD of Texas, Ms. JACKSON LEE, Mr. SAM JOHNSON of Texas, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. MARCHANT, Mr. MCCAUL, Mr. NEUGEBAUER, Mr. O'ROURKE, Mr. OLSON, Mr. POE of Texas, Mr. RATCLIFFE, Mr. SESSIONS, Mr. THORNBERRY, Mr. VEASEY, Mr. VELA, Mr. WEBER of Texas, and Mr. WILLIAMS):

H.R. 2559. A bill to designate the ''PFC Milton A. Lee Medal of Honor Memorial Highway'' in the State of Texas; to the Committee on Transportation and Infrastructure.

By Ms. STEFANIK (for herself and Mr. NEWHOUSE):

H.R. 2560. A bill to authorize the Administrator of the Environmental Protection Agency to waive any emission standard or other requirement under section 112 of the Clean Air Act (42 U.S.C. 7412) applicable to the control of asbestos emissions in the demolition or renovation of a condemned building for which there is a reasonable expectation of structural failure; to the Committee on Energy and Commerce.

By Mr. STIVERS (for himself, Mrs. BEATTY, Mr. TIBERI, Mr. GIBBS, Mr. JOHNSON of Ohio, Ms. FUDGE, Ms. KAPTUR, Mr. JORDAN, Mr. JOYCE, Mr. CHABOT, Mr. WENSTRUP, Mr. LATTA, Mr. RYAN of Ohio, Mr. RENACCI, and Mr. TURNER):

H.R. 2561. A bill to authorize the President to award the Medal of Honor posthumously to Paul A. Smithhisler for acts of valor in November 1918 during World War I; to the Committee on Armed Services.

By Ms. TITUS:

H.R. 2562. A bill to amend the Internal Revenue Code of 1986 to extend the special expensing rules for certain film and television productions; to the Committee on Ways and Means.

By Mr. VAN HOLLEN (for himself and Mr. BEYER):

H.R. 2563. A bill to amend title 49, United States Code, to allow States to regulate tow truck operations; to the Committee on Transportation and Infrastructure.

By Mr. WELCH (for himself and Mr. KINZINGER of Illinois):

H.R. 2564. A bill to accelerate the adoption of smart building technologies in the private sector and key Federal agencies; to the Committee on Energy and Commerce, and in addition to the Committees on Transportation and Infrastructure, and Science, Space, and Technology, for a period to be subsequently determined by the Speaker, in each case for

consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. WESTERMAN:

H.R. 2565. A bill to amend title XIX of the Social Security Act to restore the regular Medicaid matching rate for newly eligible individuals under the Affordable Care Act and to apply up to $15 billion of the savings each year to the Highway Trust Fund; to the Committee on Energy and Commerce.

By Mr. YOUNG of Iowa (for himself, Mr. WELCH, Mr. ZINKE, Mr. PETERSON, Mr. POCAN, Mr. LOEBSACK, and Mr. NOLAN):

H.R. 2566. A bill to amend the Communications Act of 1934 to ensure the integrity of voice communications and to prevent unjust or unreasonable discrimination among areas of the United States in the delivery of such communications; to the Committee on Energy and Commerce.

By Mr. ZINKE (for himself, Mr. HUNTER, Mrs. DAVIS of California, Mr. STEWART, Mr. RUPPERSBERGER, Mr. LYNCH, Mr. ROUZER, Mr. FRANKS of Arizona, Mr. DUNCAN of South Carolina, Mr. BRIDENSTINE, Mr. ROONEY of Florida, Mr. WILSON of South Carolina, Mr. MCCAUL, Mr. PITTS, Mr. CONNOLLY, Mrs. BLACKBURN, Mr. ROHRABACHER, Mr. GIBSON, Mr. SALMON, Mr. COLLINS of New York, Mr. WHITFIELD, Ms. CLARK of Massachusetts, Mr. AUSTIN SCOTT of Georgia, Mr. DESANTIS, Mr. HECK of Nevada, Ms. JENKINS of Kansas, Mr. YOUNG of Alaska, Mr. GOHMERT, Mr. WEBER of Texas, Mr. NEWHOUSE, Mr. NUGENT, Mr. BURGESS, Mr. WESTERMAN, Mr. COSTELLO of Pennsylvania, and Mr. KNIGHT):

H.R. 2567. A bill to posthumously award the Congressional Gold Medal to each of Glen Doherty, Tyrone Woods, J. Christopher Stevens, and Sean Smith in recognition of their contributions to the Nation; to the Committee on Financial Services.

By Mr. COLLINS of Georgia (for himself, Mrs. MILLER of Michigan, Mr. FRANKS of Arizona, Mr. WALDEN, Mr. ROTHFUS, Mr. PITTS, Mr. STUTZMAN, Mr. SENSENBRENNER, Mr. SMITH of New Jersey, Mr. DESJARLAIS, Mr. GROTHMAN, Mr. WESTMORELAND, Mr. COLE, Mr. DOLD, Mr. CLAWSON of Florida, Mr. JOLLY, Mr. ZINKE, Mrs. WALORSKI, Mr. ROGERS of Kentucky, Mr. GOSAR, Mr. RIGELL, Ms. HERRERA BEUTLER, Mr. LANCE, Mr. BOUSTANY, Mr. BYRNE, Mr. KINZINGER of Illinois, Mr. MEADOWS, Mr. BRIDENSTINE, Mr. GRAVES of Louisiana, Mrs. LUMMIS, Mr. FLEISCHMANN, Mr. NEUGEBAUER, Mrs. COMSTOCK, Mr. BUCK, Mrs. MCMORRIS RODGERS, Mr. STEWART, Mr. WALKER, Mr. PEARCE, Mrs. ROBY, Mrs. BROOKS of Indiana, Mr. AUSTIN SCOTT of Georgia, Mr. FLEMING, Mrs. BLACK, Mr. FORTENBERRY, Ms. STEFANIK, Mr. POLIQUIN, Mr. DUNCAN of South Carolina, Mr. SIMPSON, Mr. MICA, Mr. WENSTRUP, Mr. MULLIN, Mr. SMITH of Missouri, Mr. HULTGREN, Mr. JOHNSON of Ohio, Mr. BURGESS, Mr. MARINO, Mr. KNIGHT, Mr. PALAZZO, Mr. ALLEN, Mr. SESSIONS, Mr. YOHO, and Mr. JODY B. HICE of Georgia):

H. Con. Res. 49. Concurrent resolution recognizing the daisy as the flower for military caregivers; to the Committee on Armed Services, and in addition to the Committee on Veterans' Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. KEATING:

H. Con. Res. 50. Concurrent resolution expressing the sense of Congress that an appropriate site in the Memorial Amphitheater in Arlington National Cemetery should be provided for a memorial marker to honor the memory of those who have been awarded or are eligible for the Korean Defense Service Medal who are missing in action, are unaccounted for, or died in-theater; to the Committee on Veterans' Affairs, and in addition to the Committee on Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. ZELDIN (for himself, Mr. ENGEL, Ms. MENG, and Mr. SMITH of New Jersey):

H. Con. Res. 51. Concurrent resolution expressing the sense of the House of Representatives regarding the execution-style murders of United States citizens Ylli, Agron, and Mehmet Bytyqi in the Republic of Serbia in July 1999; to the Committee on Foreign Affairs.

By Ms. JACKSON LEE (for herself, Mr. DANNY K. DAVIS of Illinois, and Mr. RUSH):

H. Res. 280. A resolution honoring the House music genre and its ''Godfather'', the late Frankie Knuckles of Chicago, Illinois, for valuable and longstanding contributions to the culture of the United States; to the Committee on the Judiciary.

By Mr. GOSAR (for himself, Mr. FRANKS of Arizona, Mr. DUNCAN of Tennessee, Mr. DESJARLAIS, Mr. SCHWEIKERT, Mr. SMITH of Texas, Mr. OLSON, Mr. KELLY of Pennsylvania, Mr. BROOKS of Alabama, Mr. RICE of South Carolina, Mr. MCCLINTOCK, Mr. MULVANEY, Mr. NUGENT, Mr. WEBER of Texas, Mr. DUNCAN of South Carolina, Mr. SESSIONS, Mr. BARLETTA, and Mr. JODY B. HICE of Georgia):

H. Res. 281. A resolution expressing the sense of the House of Representatives regarding the success of Operation Streamline and the importance of prosecuting first time illegal border crossers; to the Committee on the Judiciary, and in addition to the Committee on Homeland Security, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. CARTWRIGHT (for himself, Mr. ADERHOLT, Ms. CLARKE of New York, Mr. COHEN, Mr. CONNOLLY, Mr. GRIJALVA, Ms. JACKSON LEE, Mrs. LAWRENCE, Mr. LEVIN, Mr. MCGOVERN, Ms. NORTON, Mr. PAYNE, Mr. RUIZ, Mr. DENT, and Mr. DELANEY):

H. Res. 282. A resolution expressing support for designation of May as ''National Bladder Cancer Awareness Month''; to the Committee on Energy and Commerce.

By Ms. JUDY CHU of California (for herself, Mr. BECERRA, Ms. BORDALLO, Ms. DUCKWORTH, Ms. GABBARD, Mr. AL GREEN of Texas, Ms. LEE, Mr. TED LIEU of California, Ms. MATSUI, Ms. MENG, Mr. TAKAI, Mr. SABLAN, Mr. CROWLEY, Mr. LOWENTHAL, Mr. MEEKS, Mr. PETERS, Ms. LINDA T. SÁNCHEZ of California, Mr. SCHIFF, Mr. SWALWELL of California, Mr. VARGAS, Mr. BERA, Mr. SCOTT of Virginia, Ms. SPEIER, Mr. TAKANO, Mr. HONDA, and Mr. CONYERS):

H. Res. 283. A resolution recognizing the significance of Asian/Pacific American Heritage Month in May as an important time to celebrate the significant contributions of Asian Americans and Pacific Islanders to the history of the United States; to the Committee on Oversight and Government Reform.

By Ms. LEE:

H. Res. 284. A resolution recognizing the significance of National Caribbean American Heritage Month; to the Committee on Oversight and Government Reform.

By Mr. LEWIS:

H. Res. 285. A resolution expressing the sense of the House of Representatives that the United States should become an international human rights leader by ratifying and implementing certain core international conventions; to the Committee on Foreign Affairs, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mr. JEFFRIES:

H.R. 2487.

Congress has the power to enact this legislation pursuant to the following:

''Clause 12, 13 or 14 of section 8 of article I of the Constititution''.

By Mr. ROTHFUS:

H.R. 2488.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3

By Mr. SEAN PATRICK MALONEY of New York:

H.R. 2489.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18

By Mr. BARLETTA:

H.R. 2490.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the Constitution of the United States.

By Mr. OLSON:

H.R. 2491.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 4

By Ms. GRAHAM:

H.R. 2492.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the United States Constitution.

By Mr. MCGOVERN:

H.R. 2493.

Congress has the power to enact this legislation pursuant to the following:

Article I Section 8: to provide for the Common Defense

By Mr. ROYCE:

H.R. 2494.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8 of the United States Constitution

By Ms. MAXINE WATERS of California:

H.R. 2495.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, clause 1 of the U.S. Constitution and

Article 1, Section 9, clause 7 of the U.S. Constitution.

By Mr. COFFMAN:

H.R. 2496.

Congress has the power to enact this legislation pursuant to the following:

Article I, section 8, clause 18 (the necessary and proper clause).

By Mr. DENHAM:

H.R. 2497.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the United States Constitution, specifically Clause 1 (relating to providing for the common defense and general welfare of the United States), Clause 3 (related to regulation of Commerce among the several States), and Clause 18 (relating to the power to make all laws necessary and proper for carrying out the powers vested in Congress).

By Mr. CARNEY:

H.R. 2498.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 of the United States Constitution, the Taxing and Spending Clause: ''The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States . . .''

By Mr. CHABOT:

H.R. 2499.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 3 of the United States Constitution

By Mr. ROKITA:

H.R. 2500.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3

By Mr. ROHRABACHER:

H.R. 2501.

Congress has the power to enact this legislation pursuant to the following:

Congress has the power to determine the boundaries of districts for the election of Representatives in Congress pursuant to the authority given to make or alter regulations of the times, places and manner of holding elections for Representatives by Article I, Section 4 of the Constitution.

By Mrs. BLACK:

H.R. 2502.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 1

The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States.

By Mr. REICHERT:

H.R. 2503.

Congress has the power to enact this legislation pursuant to the following:

''The constitutional authority of Congress to enact this legislation is provided by Article I, section 8 of the United States Constitution, specifically clause 1 (relating to providing for the general welfare of the United States) and clause 18 (relating to the power to make all laws necessary and proper for carrying out the powers vested in Congress), and Article IV, section 3, clause 2 (relating to the power of Congress to dispose of and make all needful rules and regulations respecting the territory or other property belonging to the United States).''

By Mrs. NOEM:

H.R. 2504.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1.

By Mr. KELLY of Pennsylvania:

H.R. 2505.

Congress has the power to enact this legislation pursuant to the following:

The Congress enacts this bill pursuant to Article I Section 8 of the United States Constitution.

By Mr. BUCHANAN:

H.R. 2506.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority on which this bill rests is the power of Congress to make rules for the government and regulation of the land and naval forces, as enumerated in Article I, Section 8, Clause 14 of the United States Constitution.

By Mr. BRADY of Texas:

H.R. 2507.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority on which this bill rests is the power of Congress to make rules for the government and regulation of the land and naval forces, as enumerated in Article I, Section 8, Clause 14 of the United States Constitution.

By Mr. RODNEY DAVIS of Illinois:

H.R. 2508.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 18. To make all laws which shall be necessary and proper for carrying into execution the foregoing powers, and all other powers vested by this Constitution in the government of the United States, or in any department or officer thereof.

By Mr. RENACCI:

H.R. 2509.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 of the Constitution—''The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defense and general Welfare of the United States . . . .''

By Mr. TIBERI

H.R. 2510.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 7 and Article 1, Section 8

By Mr. REED:

H.R. 2511.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 1

By Mr. BRADY of Texas:

H.R. 2512.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 of the United States Constitution, to ''provide for the common Defence and general Welfare of the United States.''

By Mr. SAM JOHNSON of Texas:

H.R. 2513.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3

The Congress shall have Power *** To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.

By Mr. SAM JOHNSON of Texas:

H.R. 2514.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1

The Congress shall have Power to lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defense and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.

By Mr. DEUTCH:

H.R. 2515.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clauses 3 and 18 of the Constitution of the United States.

By Mr. RANGEL:

H.R. 2516.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clauses 12, 13, 14, and 18

The Congress shall have Power***to raise and support armies; to provide and maintain a navy; to make rules for the government and regulation of the land and naval forces; and to make all laws which shall be necessary and proper for carrying into execution the foregoing powers.

By Mr. KELLY of Pennsylvania:

H.R. 2517.

Congress has the power to enact this legislation pursuant to the following:

The Congress enacts this bill pursuant to Clause 3 of Section 8 of Article I of the United States Constitution. he Congress enacts this bill pursuant to Clause 1 of Section 8 of Article I of the United States Constitution.

By Mr. HUNTER:

H.R. 2518.

Congress has the power to enact this legislation pursuant to the following:

The Constitutional Authority for the Act is derived from Article 1, Section 8, Clauses 1 and 18.

By Ms. JENKINS of Kansas:

H.R. 2519.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8:

The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defense and general Welfare of the United States.

By Mr. YOUNG of Indiana:

H.R. 2520.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1

The Congress shall have the Power to lay and collect Taxes, Duties, Imposts and Excises, to pay the Debt and provide for the common Defense and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.

By Ms. EDWARDS:

H.R. 2521.

Congress has the power to enact this legislation pursuant to the following:

Congress is authorized to enact this legislation under the Commerce Clause, Article I, Section 8, Clause 3, ''to regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.'' Additionally, Congress has the authority to enact this legislation pursuant to the Preamble of the Constitution, ''to promote the general welfare.''

By Mrs. BEATTY:

H.R. 2522.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 18 of the U.S Constitution

By Mr. BOST:

H.R. 2523.

Congress has the power to enact this legislation pursuant to the following:

Section 8, of Article 1 of the United States Constitution

By Mr. BUCHANAN:

H.R. 2524.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8.

By Mrs. BUSTOS:

H.R. 2525.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I, Section 8, Clause 18 of the United States Constitution.

By Mr. CAPUANO:

H.R. 2526.

Congress has the power to enact this legislation pursuant to the following:

The Congress enacts this bill pursuant to Article I, Section 8, Clause 1; and Article I, Section 8, Clause 3 of the United States Constitution.

By Mr. CROWLEY:

H.R. 2527.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 7: ''The Congress shall have Power [. . .] To establish Post Offices and post roads;''

By Mrs. DAVIS of California:

H.R. 2528.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8.

By Ms. DELAURO:

H.R. 2529.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 3 of the United States Constitution.

By Ms. DUCKWORTH:

H.R. 2530.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section I of the Constitution of the United States of America:

''All legislative Powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and House of Representatives.''

By Ms. DUCKWORTH:

H.R. 2531.

Congress has the power to enact this legislation pursuant to the following:

The Constitutional authority to enact this legislation can be found in:

Necessary and Proper Clause (Art. 1 sec. 8 cl. 18)

By Mr. FLEISCHMANN:

H.R. 2532.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, clauses 1 & 18.

By Ms. FRANKEL of Florida:

H.R. 2533.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 of the United States Constitution, which allows the regulation of interstate and foreign commerce.

By Ms. HAHN:

H.R. 2534.

Congress has the power to enact this legislation pursuant to the following:

According to Article 1: Section 8: Clause 18: of the United States Constitution, seen below, this bill falls within the Constitutional Authority of the United States Congress.

Article 1: Section 8: Clause 18: To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof

By Mr. HANNA:

H.R. 2535.

Congress has the power to enact this legislation pursuant to the following:

The Constitutional authority on which this bill rests is enumerated in Section 8 of Article I of the United States Constitution, which provides that ''The Congress shall have the Power to lay and collect Taxes, Duties, Imports, and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imports and Excises shall be uniform throughout the United States.''

By Mr. HIGGINS:

H.R. 2536.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18

By Mr. HIMES:

H.R. 2537.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the Constitution of the United States

By Mr. HUFFMAN:

H.R. 2538.

Congress has the power to enact this legislation pursuant to the following:

The bill is enacted pursuant to Article I, Section 8 which grants Congress the power to regulate Commerce with the Indian Tribes.

By Mr. KENNEDY:

H.R. 2539.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I, Section 8; Article IV, Section 3.

By Mr. LANCE:

H.R. 2540.

Congress has the power to enact this legislation pursuant to the following:

Article I, Sec. 8, Clause 1, of the United States Constitution

This states that ''Congress shall have power to . . . lay and collect taxes, duties, imposts and excises, to pay debts and provide for the common defense and general welfare of the United States.''

By Mr. LANGEVIN:

H.R. 2541.

Congress has the power to enact this legislation pursuant to the following:

Article I, section 8 of the Constitution of the United States grants Congress the authority to enact this bill.

By Mr. LARSEN of Washington:

H.R. 2542.

Congress has the power to enact this legislation pursuant to the following:

As described in Article 1, Section 1 ''all legislative powers herein granted shall be vested in a Congress.''

By Mr. LARSEN of Washington:

H.R. 2543.

Congress has the power to enact this legislation pursuant to the following:

As described in Article 1, Section 1 ''all legislative powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and House of Representatives.''

By Mrs. LUMMIS:

H.R. 2544.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 3 To regulate Commerce with foreign nations, and among the several states, and with the Indian tribes and Article 1 Section 8, Clause 1 to provide for the common defense

By Mrs. CAROLYN B. MALONEY of New York:

H.R. 2545.

Congress has the power to enact this legislation pursuant to the following:

Spending Authorization:

Article I Section 8 Clause 3: ''Congress shall have power . . . to regulate commerce with foreign nations, and among the several states, and with the Indian tribes;''

By Mrs. CAROLYN B. MALONEY of New York:

H.R. 2546.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3: ''Congress shall have power . . . to regulate commerce with foreign nations, and among the several states, and with the Indian tribes'';

By Mrs. MCMORRIS RODGERS:

H.R. 2547.

Congress has the power to enact this legislation pursuant to the following:

The Constitutional authority in which this bill rests is the power of the Congress to regulate Commerce as enumerated by Article I, Section 8, Clause 1 as applied to providing for the general welfare of the United States through administering of the Federal Food, Drug and Cosmetic Act.

By Mrs. MCMORRIS RODGERS:

H.R. 2548.

Congress has the power to enact this legislation pursuant to the following:

The Constitutional authority in which this bill rests is the power of the Congress to regulate Commerce as enumerated by Article I, Section 8, Clause 1 as applied to providing for the general welfare of the United States through the administration of the National Institutes of Health under the Public Health Service Act.

By Mrs. MCMORRIS RODGERS:

H.R. 2549.

Congress has the power to enact this legislation pursuant to the following:

The Constitutional authority in which this bill rests is the power of the Congress to regulate Commerce as enumerated by Article I, Section 8, Clause 1 as applied to providing for the general welfare of the United States through the regulations and provisions under Title 42 of the United States Code.

By Mrs. MCMORRIS RODGERS:

H.R. 2550.

Congress has the power to enact this legislation pursuant to the following:

The Constitutional authority in which this bill rests is the power of the Congress to regulate Commerce as enumerated by Article I, Section 8, Clause 1 as applied to providing for the general welfare of the United States through administering of the Social Security Act.

By Ms. MCSALLY:

H.R. 2551.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 1: ''The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States''

Article 1, Section 8, Clasue 12; ''The Congress shall have the power to . . . raise and support armies . . .

Article 1, Section 8, Clause 13 ''To provide and maintain a navy'' And,

Article 1, Section 8, Clause 18; ''To make all laws which shall be necessary and proper for carrying into execution''

By Mr. O'ROURKE:

H.R. 2552.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18

The Congress shall have Power * * * To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by the Constitution in the Government of the United States, or in any Department or Officer thereof.

By Ms. PINGREE:

H.R. 2553.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 1

Article 1, Section 8, Clause 3

Article 1, Section 8, Clause 18

By Mr. POLIS:

H.R. 2554.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the United States Constitution, specifically clause 1 relating to the power of Congress to provide for the general welfare of the United States) and clause 18 (relating to the power to make all laws necessary and proper for carrying out the powers vested in Congress), and Article IV, section 3, clause 2 (relating to the power of Congress to dispose of and make all needful rules and regulations respecting the territory or other property belonging to the United States).

By Mr. RYAN of Ohio:

H.R. 2555.

Congress has the power to enact this legislation pursuant to the following:

The above mentioned legislation is based upon the following Section 8 statement:

To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

By Mr. SALMON:

H.R. 2556.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 9, Clause 7—''No Money shall be drawn from the Treasury, but in Consequence of Appropriations made by Law; and a regular Statement and Account of the Receipts and Expenditures of all public Money shall be published from time to time.''

By Mr. SCALISE:

H.R. 2557.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 of the United States Constitution.

By Mr. SCHRADER:

H.R. 2558.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under:

U.S. Const. art. 1, §1;

U.S. Const. art. 1, §8, cl. 12;

U.S. Const. art. 1, §8, cl. 13;

U.S. Const. art. 1, §8, cl. 14; and

U.S. Const. art. 1, §8, cl. 18.

By Mr. SMITH of Texas:

H.R. 2559.

Congress has the power to enact this legislation pursuant to the following:

Article I, section 8, clause 3 of the Constitution; and Article I, section 8, clause 1 of the Constitution.

By Ms. STEFANIK:

H.R. 2560.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article 1, Section 8, Clause 18 of the United States Constitution.

By Mr. STIVERS:

H.R. 2561.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 14. To make Rules for the Government and Regulation of the land and naval Forces.

By Ms. TITUS:

H.R. 2562.

Congress has the power to enact this legislation pursuant to the following:

Article I Section 8 of the United States Constitution, which gives Congress the ''power to lay and collect taxes, duties, imposts and excises . . .''

By Mr. VAN HOLLEN:

H.R. 2563.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to Clause 3 of Section 8 of Article 1 of the United States Constitution.

By Mr. WELCH:

H.R. 2564.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 18: The Congress shall have Power To . . . make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

By Mr. WESTERMAN:

H.R. 2565.

Congress has the power to enact this legislation pursuant to the following:

Article I Section VIII. Clause VII

To establish post offices and post roads;

By Mr. YOUNG of Iowa:

H.R. 2566.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8: The Congress shall have Power to regulate Commerce among the several states.

By Mr. ZINKE:

H.R. 2567.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 18

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions, as follows:

H.R. 12: Mr. BERA.

H.R. 24: Mr. KATKO.

H.R. 139: Mr. RUPPERSBERGER.

H.R. 167: Mr. QUIGLEY and Mr. YOHO.

H.R. 220: Ms. JUDY CHU of California.

H.R. 235: Mr. GRAVES of Georgia, Mr. KATKO, Mrs. BEATTY, Mr. MILLER of Florida, Mr. MEEKS, Mr. CARTWRIGHT, Mr. BISHOP of Michigan, Mr. ROSKAM, Mr. MICA, Mrs. LUMMIS, Mrs. CAPPS, Mr. WITTMAN, Ms. FUDGE, Mr. THORNBERRY, Mr. NUGENT, Mr. FLEISCHMANN, Mr. GRIFFITH, Mr. RYAN of Wisconsin, Mr. KELLY of Pennsylvania, Mr. GUINTA, Ms. BROWN of Florida, Mr. FINCHER, Mr. CALVERT, Mr. ROKITA, Mr. VARGAS, Mr. DELANEY, Ms. ESTY, and Mr. BRIDENSTINE.

H.R. 292: Miss RICE of New York.

H.R. 381: Mr. BRADY of Pennsylvania and Mr. HASTINGS.

H.R. 413: Mr. ASHFORD.

H.R. 427: Mr. AUSTIN SCOTT of Georgia.

H.R. 456: Mr. HECK of Nevada.

H.R. 465: Mr. HECK of Nevada.

H.R. 475: Mr. HECK of Nevada and Mrs. WALORSKI.

H.R. 486: Mr. GOSAR.

H.R. 539: Mr. HIGGINS, Mr. BRENDAN F. BOYLE of Pennsylvania, Mr. HASTINGS, and Mr. BARTON.

H.R. 578: Mr. SMITH of Missouri.

H.R. 607: Ms. ESTY.

H.R. 616: Mr. JEFFRIES.

H.R. 627: Mr. HUFFMAN.

H.R. 628: Mr. GIBBS.

H.R. 662: Mr. WEBER of Texas and Mr. EMMER of Minnesota.

H.R. 703: Mr. AUSTIN SCOTT of Georgia and Mr. GOSAR.

H.R. 721: Mr. NOLAN.

H.R. 727: Mr. BRADY of Pennsylvania and Mr. RYAN of Ohio.

H.R. 745: Mr. WHITFIELD and Mr. KING of New York.

H.R. 765: Mr. BABIN.

H.R. 766: Mr. CURBELO of Florida.

H.R. 768: Mr. JEFFRIES.

H.R. 793: Mr. WHITFIELD, Mr. BRIDENSTINE, and Mr. LAMBORN.

H.R. 815: Mr. BARTON.

H.R. 828: Ms. NORTON, Mr. MCDERMOTT, and Mr. RENACCI.

H.R. 837: Mr. WENSTRUP.

H.R. 845: Mr. VEASEY.

H.R. 864: Mr. BEYER.

H.R. 879: Mr. BARLETTA, Mr. WALDEN, and Mr. HARDY.

H.R. 893: Mr. DESJARLAIS, Mr. LANCE, Mr. ROKITA, Mr. YOUNG of Alaska, Mr. LATTA, Mr. SMITH of Missouri, Mr. LAMALFA, Mr. PEARCE, Mr. HOLDING, Mr. ROTHFUS, Mr. ADERHOLT, Mr. OLSON, Mrs. DINGELL, Ms. DUCKWORTH, Mr. SCHRADER, Mr. COFFMAN, Mr. THOMPSON of California, Mr. GRAYSON, Mr. GARRETT, Ms. MATSUI, Mr. BECERRA, Mr. CÁRDENAS, Mr. NEAL, Ms. BASS, Mr. CONNOLLY, Mr. HURD of Texas, Mrs. BLACKBURN, Mr. BARTON, Mr. CAPUANO, Mr. SHERMAN, and Mr. SARBANES.

H.R. 913: Mr. TAKAI.

H.R. 915: Mr. FATTAH, Mr. BRENDAN F. BOYLE of Pennsylvania, and Mr. LANGEVIN.

H.R. 923: Mr. GUINTA.

H.R. 970: Mr. WALBERG.

H.R. 973: Mr. DESAULNIER.

H.R. 985: Mr. TURNER, Mrs. ROBY, and Ms. SEWELL of Alabama.

H.R. 986: Mr. PETERSON, Mr. BISHOP of Georgia, Mr. BABIN, and Mrs. HARTZLER.

H.R. 1089: Mr. KILMER and Mr. WALZ.

H.R. 1141: Mr. HECK of Nevada.

H.R. 1150: Mr. BILIRAKIS, Mr. RUSH, Mr. BRIDENSTINE, and Mr. GROTHMAN.

H.R. 1151: Mr. JONES, Mr. MARCHANT, and Mr. DAVID SCOTT of Georgia.

H.R. 1170: Mr. BRIDENSTINE.

H.R. 1178: Mr. KINZINGER of Illinois.

H.R. 1192: Ms. SCHAKOWSKY.

H.R. 1197: Ms. DUCKWORTH, Ms. MCCOLLUM, Mr. BOST, and Mr. RIGELL.

H.R. 1202: Mr. RIBBLE, Ms. ESTY, and Mr. POE of Texas.

H.R. 1211: Mr. MCDERMOTT and Mr. LEVIN.

H.R. 1214: Mr. SHIMKUS.

H.R. 1218: Mr. WALZ.

H.R. 1256: Mr. THOMPSON of California.

H.R. 1270: Mr. HUIZENGA of Michigan.

H.R. 1284: Ms. SLAUGHTER.
H.R. 1300: Mr. GOODLATTE.
H.R. 1309: Mr. FORBES.
H.R. 1312: Mr. RODNEY DAVIS of Illinois and Mr. DOLD.
H.R. 1342: Mr. KATKO, Mr. BEN RAY LUJÁN of New Mexico, and Mr. POLIS.
H.R. 1401: Mr. MCDERMOTT, Mr. TIPTON, and Mr. LUETKEMEYER.
H.R. 1413: Mr. CURBELO of Florida and Mr. GIBBS.
H.R. 1434: Mr. AGUILAR, Mr. ASHFORD, Ms. BORDALLO, Mr. CARNEY, Mr. CARSON of Indiana, Mr. CARTWRIGHT, Mr. CLAY, Mr. CONNOLLY, Mr. CUELLAR, Mr. DELANEY, Mr. ENGEL, Mr. FARR, Mr. MCDERMOTT, Mr. DAVID SCOTT of Georgia, and Ms. TITUS.
H.R. 1482: Mr. ELLISON and Mr. SWALWELL of California.
H.R. 1537: Mr. HASTINGS.
H.R. 1550: Mr. TIBERI.
H.R. 1559: Mr. VISCLOSKY and Mrs. DAVIS of California.
H.R. 1565: Mr. FATTAH.
H.R. 1567: Mr. PERRY, Ms. WASSERMAN SCHULTZ, and Mr. MCDERMOTT.
H.R. 1572: Mr. COLLINS of Georgia.
H.R. 1575: Ms. TITUS and Mr. TAKANO.
H.R. 1576: Mr. KINZINGER of Illinois.
H.R. 1598: Ms. NORTON.
H.R. 1603: Mr. ROE of Tennessee.
H.R. 1604: Mr. CURBELO of Florida.
H.R. 1608: Miss RICE of New York, Mr. CICILLINE, and Ms. ESTY.
H.R. 1611: Mr. POMPEO and Mr. CARTER of Georgia.
H.R. 1644: Mr. ROGERS of Kentucky.
H.R. 1655: Mr. REED.
H.R. 1680: Ms. MCCOLLUM, Mr. SMITH of Washington, and Mr. JEFFRIES.
H.R. 1692: Mrs. NAPOLITANO.
H.R. 1716: Mrs. BLACK.
H.R. 1717: Mr. KILMER and Mr. MEEKS.
H.R. 1718: Mr. CARSON of Indiana.
H.R. 1734: Mr. GRAVES of Georgia.
H.R. 1736: Mr. CRAMER.
H.R. 1737: Mr. GOSAR, Mr. MESSER, and Mr. WALZ.
H.R. 1784: Mr. TIBERI.
H.R. 1786: Mr. BRENDAN F. BOYLE of Pennsylvania, Mr. KELLY of Pennsylvania, and Mr. JOLLY.
H.R. 1801: Mr. CROWLEY.
H.R. 1814: Mr. DELANEY, Mr. NEAL, Mr. BRENDAN F. BOYLE of Pennsylvania, Mr. MCDERMOTT, Mr. NADLER, and Miss RICE of New York.
H.R. 1830: Mr. NEWHOUSE.
H.R. 1842: Mrs. NOEM and Ms. MCCOLLUM.
H.R. 1858: Mr. JEFFRIES.
H.R. 1859: Ms. VELÁZQUEZ.
H.R. 1877: Mr. CICILLINE.
H.R. 1893: Mr. FORBES, Mr. GOWDY, Mr. POE of Texas, Mr. STEWART, Mr. MESSER, Mr. PALAZZO, Mr. GROTHMAN, and Mrs. COMSTOCK.
H.R. 1905: Mr. DOLD.
H.R. 1908: Ms. JACKSON LEE.
H.R. 1910: Mr. MEEKS.
H.R. 1911: Mr. NOLAN.
H.R. 1919: Mr. COURTNEY and Mr. SCHIFF.
H.R. 1924: Ms. MICHELLE LUJAN GRISHAM of New Mexico.
H.R. 1942: Mr. DOLD.
H.R. 1953: Mr. SANFORD and Mr. DESJARLAIS.
H.R. 1964: Mr. JOHNSON of Ohio and Mr. RIBBLE.
H.R. 1969: Mr. WELCH, Mr. LOWENTHAL, Mr. HINOJOSA, and Mr. VAN HOLLEN.
H.R. 1986: Mr. SMITH of Missouri.
H.R. 1989: Mr. GOWDY and Mr. UPTON.
H.R. 1994: Mr. SENSENBRENNER and Mr. GIBBS.
H.R. 1996: Mr. WILLIAMS.
H.R. 2008: Mr. SCHIFF.
H.R. 2013: Mrs. BEATTY and Ms. LOFGREN.
H.R. 2016: Mr. BEYER.
H.R. 2017: Mr. SIRES and Mr. BARLETTA.
H.R. 2025: Mr. SERRANO.
H.R. 2042: Mr. COLLINS of New York, Mr. ROUZER, and Mr. FORBES.
H.R. 2043: Mr. MARCHANT, Mr. WALDEN, Mr. SCHIFF, Mr. COSTELLO of Pennsylvania, Mrs. BLACKBURN, and Mr. DAVID SCOTT of Georgia.
H.R. 2058: Mr. LONG, Mr. GRAVES of Georgia, and Mr. VALADAO.
H.R. 2061: Mr. WALBERG, Mr. WILSON of South Carolina, Mr. KILDEE, and Mr. ROHRABACHER.
H.R. 2070: Mr. SHIMKUS.
H.R. 2082: Ms. TITUS, Mr. RUIZ, Mr. GALLEGO, Mr. VEASEY, and Ms. FUDGE.
H.R. 2096: Mr. SMITH of Missouri, Mr. MARCHANT, Mr. CONYERS, Mr. RODNEY DAVIS of Illinois, and Mr. GOODLATTE.
H.R. 2100: Ms. JACKSON LEE, Mr. KNIGHT, Mrs. LAWRENCE, Mr. VAN HOLLEN, Mr. POE of Texas, Mr. GRIJALVA, and Ms. ESTY.
H.R. 2123: Mr. KINZINGER of Illinois, Mr. PETERS, Mr. KLINE, Mr. NOLAN, Mr. COLLINS of New York, Mr. MARINO, and Mr. GOSAR.
H.R. 2124: Mr. GALLEGO, Mr. HECK of Nevada, and Mrs. CAROLYN B. MALONEY of New York.
H.R. 2132: Mr. CICILLINE.
H.R. 2193: Mr. NOLAN.
H.R. 2200: Mrs. BROOKS of Indiana.
H.R. 2205: Mr. KING of New York.
H.R. 2213: Mr. CONAWAY, Mr. STUTZMAN, and Ms. JENKINS of Kansas.
H.R. 2218: Mr. FRELINGHUYSEN.
H.R. 2221: Ms. ESTY, Mr. QUIGLEY, Ms. BROWN of Florida, and Ms. JACKSON LEE.
H.R. 2233: Mr. COLLINS of Georgia, Mr. CAPUANO, Mr. MARCHANT, Mr. JONES, Mr. CICILLINE, and Ms. EDWARDS.
H.R. 2244: Mr. LATTA.
H.R. 2251: Mr. GOSAR.
H.R. 2259: Mr. YOUNG of Iowa, Mr. PALAZZO, Mr. CALVERT, Mr. STEWART, Mr. JOYCE, Mr. SESSIONS, Mr. DESJARLAIS, Mr. RIBBLE, and Mr. SMITH of Missouri.
H.R. 2280: Ms. LOFGREN.
H.R. 2289: Mr. SESSIONS.
H.R. 2290: Mr. KING of New York, Mr. THORNBERRY, and Mr. DESJARLAIS.
H.R. 2295: Mr. LUMMIS.
H.R. 2300: Mr. GRAVES of Georgia, Mr. ALLEN, Mr. FORBES, Mr. BOUSTANY, Mr. GROTHMAN, and Mr. GIBBS.
H.R. 2302: Mr. JEFFRIES, Mr. VAN HOLLEN, Mr. SERRANO, and Mr. CICILLINE.
H.R. 2304: Mr. FORBES.
H.R. 2318: Mr. NUGENT.
H.R. 2328: Mr. BARR and Mr. FARENTHOLD.
H.R. 2330: Mr. KENNEDY.
H.R. 2341: Mr. COSTA.
H.R. 2350: Mrs. COMSTOCK.
H.R. 2371: Ms. JUDY CHU of California.
H.R. 2379: Mr. RANGEL and Ms. LEE.
H.R. 2391: Mr. LEVIN.
H.R. 2393: Mr. BRAT, Mr. CHABOT, Mr. FLORES, Mr. COLLINS of New York, and Mr. DENT.
H.R. 2398: Mrs. BROOKS of Indiana.
H.R. 2403: Mr. RYAN of Ohio.
H.R. 2404: Mr. SIRES.
H.R. 2407: Mr. POCAN, Mr. RIBBLE, Mr. KIND, Mr. HANNA, and Mr. WELCH.
H.R. 2410: Mr. WELCH, Mr. POCAN, and Mr. TONKO.
H.R. 2429: Ms. EDWARDS and Mr. YARMUTH.
H.R. 2449: Mr. POCAN, Mrs. BEATTY, Mr. HECK of Washington, Ms. FUDGE, and Mr. ENGEL.
H.R. 2481: Mr. BUTTERFIELD.
H.J. Res. 22: Ms. FUDGE and Mr. SIRES.
H.J. Res. 25: Mr. RYAN of Ohio.
H.J. Res. 47: Mr. CARNEY, Mr. YARMUTH, Mr. LIPINSKI, Mr. BEN RAY LUJÁN of New Mexico, and Mr. CICILLINE.
H.J. Res. 51: Mr. FATTAH.
H. Con. Res. 36: Mr. POLIS and Ms. NORTON.
H. Res. 28: Mr. MCDERMOTT, Mr. CARSON of Indiana, Mr. MACARTHUR, Mr. SERRANO, and Mr. COURTNEY.
H. Res. 54: Mr. MACARTHUR and Ms. MENG.
H. Res. 230: Mrs. LAWRENCE, Ms. NORTON, Mrs. CAROLYN B. MALONEY of New York, Mr. GUTIÉRREZ, Mr. HASTINGS, and Mr. SWALWELL of California.
H. Res. 233: Ms. DELBENE, Mr. COOK, Mr. HUNTER, Mr. ROHRABACHER, Mr. AUSTIN SCOTT of Georgia, Mr. MURPHY of Florida, Mr. JOLLY, Mr. HIMES, and Mr. DUNCAN of South Carolina.
H. Res. 262: Mr. TONKO and Ms. KAPTUR.
H. Res. 268: Mr. RANGEL.
H. Res. 279: Mr. MCDERMOTT, Mr. DOGGETT, Mr. O'ROURKE, Mr. PETERS, Mr. NADLER, Mr. CICILLINE, Mr. YOHO, Ms. MENG, Ms. BASS, Mr. DEUTCH, Mr. CONYERS, Mr. LOWENTHAL, Mrs. DINGELL, Ms. CLARKE of New York, Mr. WEBER of Texas, Mr. KILDEE, and Mr. TED LIEU of California.

DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

Under clause 7 of rule XII, sponsors were deleted from public bills and resolutions, as follows:

H.R. 1622: Mr. SCHIFF.

SENATE—*Thursday, May 21, 2015*

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

PRAYER

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

Let us pray.

Eternal Spirit, from generation to generation we will speak of Your greatness. Your voice is full of majesty, and we sense Your glory in the thunder. You sit enthroned as King forever. Thank You for the strength You give to all who love You and for the blessings You bestow upon America.

Lord, bless our Senators. Today, guide their thoughts and speech. Lead them on paths that will keep our Nation strong. May they conduct the work of freedom with justice and humility.

We pray in Your Holy Name. Amen.

PLEDGE OF ALLEGIANCE

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

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

RECOGNITION OF THE MAJORITY LEADER

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

USA FREEDOM ACT OF 2015—MOTION TO PROCEED

Mr. MCCONNELL. Mr. President, I move to proceed to H.R. 2048.

The PRESIDING OFFICER. The clerk will report the motion.

The legislative clerk read as follows:

Motion to proceed to Calendar No. 87, H.R. 2048, a bill to reform the authorities of the Federal Government to require the production of certain business records, conduct electronic surveillance, use pen registers and trap and trace devices, and use other forms of information gathering for foreign intelligence, counterterrorism, and criminal purposes, and for other purposes.

CLOTURE MOTION

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

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

The legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the motion to proceed to H.R. 2048, an act to reform the authorities of the Federal Government to require the production of certain business records, conduct electronic surveillance, use pen registers and trap and trace devises, and use other forms of information gathering for foreign intelligence, counterterrorism, and criminal purposes, and for other purposes.

Mitch McConnell, Lamar Alexander, Michael B. Enzi, David Vitter, John Cornyn, Johnny Isakson, Lisa Murkowski, John Barrasso, Richard Burr, Pat Roberts, Roy Blunt, Bob Corker, Orrin G. Hatch, Jerry Moran, Patrick J. Toomey, Mike Lee, Ted Cruz.

Mr. MCCONNELL. Mr. President, I withdraw the motion to proceed to H.R. 2048.

The PRESIDING OFFICER. The Senator has that right.

The motion is withdrawn.

EXTENDING AUTHORITY UNDER THE FOREIGN INTELLIGENCE SURVEILLANCE ACT OF 1978—MOTION TO PROCEED

Mr. MCCONNELL. Mr. President, I move to proceed to S. 1357.

The PRESIDING OFFICER. The clerk will report the motion.

The legislative clerk read as follows:

Motion to proceed to Calendar No. 86, S. 1357, a bill to extend authority relating to roving surveillance, access to business records, and individual terrorists as agents of foreign powers under the Foreign Intelligence Surveillance Act of 1978 until July 31, 2015, and for other purposes.

CLOTURE MOTION

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

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

The legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the motion to proceed to S. 1357, a bill to extend authority relating to roving surveillance, access to business records, and individual terrorists as agents of foreign powers under the Foreign Intelligence Surveillance Act of 1978 until July 31, 2015, and for other purposes.

Mitch McConnell, John Cornyn, Daniel Coats, Thom Tillis, Mike Rounds, Pat Roberts, Richard Burr, John Barrasso, Tom Cotton, Shelley Moore Capito, David Perdue, Lamar Alexander, Michael B. Enzi, David Vitter, Johnny Isakson, Roy Blunt.

ORDER OF PROCEDURE

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the mandatory quorum call with respect to the cloture motion on the Hatch amendment, No. 1221, be waived.

Mr. REID. Mr. President, reserving the right to object.

The PRESIDING OFFICER. Is there objection?

Mr. REID. No objection.

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

MEASURE PLACED ON THE CALENDAR—H.R. 2353

Mr. MCCONNELL. Mr. President, I understand there is a bill at the desk that is due for a second reading.

The PRESIDING OFFICER. The clerk will read the bill by title for the second time.

The legislative clerk read as follows:

A bill (H.R. 2353) to provide an extension of Federal-aid highway, highway safety, motor carrier safety, transit, and other programs funded out of the Highway Trust Fund, and for other purposes.

Mr. MCCONNELL. Mr. President, in order to place the bill on the calendar under the provisions of rule XIV, I object to further proceeding.

The PRESIDING OFFICER. Objection is heard.

The bill will be placed on the calendar.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Mr. HATCH. Mr. President, the Senate will shortly vote on cloture——

The PRESIDING OFFICER. The Senator will suspend.

RESERVATION OF LEADER TIME

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

ENSURING TAX EXEMPT ORGANIZATIONS THE RIGHT TO APPEAL ACT

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of H.R. 1314, which the clerk will report.

The legislative clerk read as follows:

A bill (H.R. 1314) to amend the Internal Revenue Code of 1986 to provide for a right to an administrative appeal relating to adverse determinations of tax-exempt status of certain organizations.

Pending:

Hatch amendment No. 1221, in the nature of a substitute.

Hatch (for Flake) amendment No. 1243 (to amendment No. 1221), to strike the extension of the trade adjustment assistance program.

Hatch (for Inhofe/Coons) modified amendment No. 1312 (to amendment No. 1221), to amend the African Growth and Opportunity Act to require the development of a plan for each sub-Saharan African country for negotiating and entering into free trade agreements.

Hatch (for McCain) amendment No. 1226 (to amendment No. 1221), to repeal a duplicative inspection and grading program.

Stabenow (for Portman) amendment No. 1299 (to amendment No. 1221), to make it a principal negotiating objective of the United States to address currency manipulation in trade agreements.

Brown amendment No. 1251 (to amendment No. 1221), to require the approval of Congress before additional countries may join the Trans-Pacific Partnership Agreement.

Wyden (for Shaheen) amendment No. 1227 (to amendment No. 1221), to make trade agreements work for small businesses.

Wyden (for Warren) amendment No. 1327 (to amendment No. 1221), to prohibit the application of the trade authorities procedures to an implementing bill submitted with respect to a trade agreement that includes investor-state dispute settlement.

Hatch modified amendment No. 1411 (to the language proposed to be stricken by amendment No. 1299), of a perfecting nature.

The PRESIDING OFFICER. The Senator from Utah.

Mr. HATCH. Mr. President, the Senate will shortly vote on cloture on the Hatch substitute amendment, legislation to renew trade promotion authority and trade adjustment assistance. I know some of my colleagues have concerns about the process. Let me say that I also share those concerns.

From the very beginning of our discussions over 3 years ago on the renewal of TPA, I have done all I could to listen to all of my colleagues and address their concerns.

I first worked with Chairman Baucus to find a way to update TPA in a way that addresses many of the issues that have arisen since 2002, including concerns over labor and the environment.

When Senator WYDEN became chairman of the Finance Committee, I again went to the negotiating table to try to address many of the transparency and procedural issues he raised, and we again came to a bipartisan compromise.

When many of my Senate colleagues said renewal of TAA was a necessary component to passing TPA, I again did my best to meet those concerns, even though I myself have significant reservations about the program.

Throughout the Finance Committee consideration, I tried to conduct an open and fair process, which allowed many Members of the committee, even those who opposed TPA, the opportunity to be heard and to have their amendments adopted. As a result, the committee reported out four pieces of trade legislation, all with strong bipartisan support.

I will acknowledge that the process on the floor has not gone the way any of us would like. At the outset of this endeavor, I stated my commitment to a full, fair, and open debate over our TPA legislation. The majority leader made a similar commitment, and I know that was our intention. Indeed, from the very beginning, we had planned to hear everyone's arguments and consider a number of amendments.

This is how the Senate is supposed to function. Once again, we intended to let it function that way. Unfortunately, there were some who did not want to let that happen. They were, from the very beginning, committed to slow-walking this process and preventing regular order. That is just a fact.

I know there are some who want to blame the majority leader for filing cloture and trying to move this process forward. I am sure some are thinking of voting against cloture this morning in protest. That would be a grave mistake.

Let me remind my colleagues that we tried to move to the bill at the beginning of last week. I know, after the many recent long days on the floor, that seems like a long time ago, but I think everyone here can recall what happened.

We attempted to get on the bill, and we were prevented from doing so. After we found a way to address our colleagues' concerns, we were finally able to begin debate on the TPA bill, but even then the process was slow-going.

As debate began, the majority leader attempted to keep the Senate open on Friday and into the weekend to allow Senators to debate and offer amendments. However, the Senate minority leader objected, which prevented the process from moving forward and set us back even further.

Then, we came to this week and debate finally began in earnest. Shortly thereafter, a new strategy emerged, wholly supported by the opponents of TPA. The strategy has been simple: Prevent any amendments from being called up and object to any and all unanimous consent requests.

I have been here on the floor all week, and I have witnessed firsthand the deployment of this plan to frustrate the process and to prevent a full and fair debate on trade policy. Now here we are facing a cloture vote and the prospect of cutting off debate. It is unfortunate that it has come to this, but given the total lack of cooperation we faced and continue to face on this bill, this is really the only option left.

Invoking cloture is not the end. If we can get agreement with our colleagues, I expect there will still be opportunities to call up and vote on amendments, but we cannot just sit around and wait for solutions to come together on their own.

If any Senator has a proposal for a path forward that will reasonably satisfy the various demands and objections that have been raised and allow us to break the logjam on amendments, I am all ears. Until then, our only choice is to press forward. We could extend this debate forever and still not satisfy every demand; there is no question about that. But this bill is far too important.

I have done all I can to address legitimate concerns, and as a result, the bill is supported by me, Chairman RYAN from the House Ways and Means Committee, Ranking Member WYDEN from the Finance Committee, and, most importantly, the President of the United States.

Let's be real here. We need to get this bill passed. Just this morning, I read that a ministerial that was to begin this month has been canceled, in large part due to the fact that Congress has not approved this bill.

Our Nation's economic health and prestige are on the line here today. The TPA bill is the only way Congress can effectively assert its priorities in our ongoing trade negotiations. It is the only way we can ensure that our trade negotiators can reach good deals with our trading partners. It is the only way we can ensure that our pending trade agreements even have a shot at reaching the finish line.

As I have stated many times here on the floor this week, I am well aware that some of our colleagues here in the Senate oppose this bill outright and will do everything in their power to keep it from passing. As much as I have tried to change hearts and minds on these issues, there is very little I can do about that. But I also know that there is a bipartisan majority of Senators who support TPA and who, despite concerns about process, want to get this done. We are still in a position to reach a positive outcome on this bill.

I said at the beginning of this debate that this was quite possibly the most important debate we will have this year in Congress. It is President Obama's top legislative priority. It is a very high priority for many of us in Congress. On the substance, this is a good TPA bill, one Senators from both parties can support. It needs to pass. We need to pass it for the American workers who want good, high-paying jobs. We need to pass it for our farmers, ranchers, manufacturers, and entrepreneurs who need access to foreign markets in order to compete. We need to pass it to maintain our standing in the world and continue to advance American values and interests on the world stage. We need to pass it to demonstrate to the American people that despite our many disagreements, their elected representatives are capable of addressing important issues and solving real problems.

There is a path forward here, one that will still allow us to be successful,

but in order to get there, we need Senators to support cloture this morning.

I urge my colleagues to join me in voting yes on cloture. It is crucial, it is of paramount concern, and it is something very highly wished for by the President of the United States and by a bipartisan majority in this body.

I hope we will vote yes on cloture here today.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from Alabama.

Mr. SESSIONS. I thank the Presiding Officer for giving me the opportunity to share some remarks.

I do believe Senator HATCH and Senator WYDEN allowed a good debate in the committee. Unfortunately, we have not been able to have the kinds of amendments here on the floor that they allowed in the committee, so we are moving to this massive bill with very little debate, even on the fast-track policy. If that is adopted and TPP appears before us here on the floor, there will be no amendments on it.

In a few moments, we will vote on whether to shut off debate on the fast-track authority legislation. I see no reason that we have to rush this.

I will just note that we have the highway bill expiring, and we have the PATRIOT Act expiring. Those are crises which need to be dealt with this week. This bill does not have to be done in that fashion.

This will be a crucial vote. Fast-track is an affirmative decision by Congress to suspend several of its most basic powers for the next 6 years and to delegate those powers to the Chief Executive.

Under the fast-track procedure, the President, not Congress, writes implementing legislation for any yet-unseen global trade pact. That legislation, no matter its contents, cannot be amended in any fashion. No individual Member of Congress can alter any line of text or remove a single provision that violates the will of Congress. That legislation, once called up, is guaranteed a speedy path forward—only 20 hours of debate—and the vote threshold is lowered to a simple majority. No matter how far-reaching the global trade agreement, Congress cannot subject it to the 60 votes applied to important legislation before the Senate or the 67 votes applied to treaties, as it really should be. Congress will have preapproved swift consideration of sweeping global pacts before the text has been made available and seen by a single Member of this body or the American people.

As usual through these processes—and too often—amendments are being constricted and blocked through one maneuver or another. The net result is we are coming down to a cloture vote without any amendments having been voted on.

Mr. President, 2 weeks ago, I sent a letter to the President of the United States asking how fast-track and the vast Trans-Pacific Partnership would impact the jobs and wages of American workers. It is a simple question. Would it increase or reduce manufacturing jobs and wages in the United States? Shouldn't we know that? Is that an improper question to ask? He has refused to answer. I think the reason he has refused to answer is because the answer is not good and will not be well received. They want us to shut off debate and move forward without having these fundamental questions answered.

For too long, the United States has entered into trade deals on the promise of economic bounty, only to see workers impoverished and businesses disappear. Dan DiMicco, the chairman Emeritus of Nucor Steel, explains that this is because these free-trade deals have not been free-trade deals at all. Instead, they have been ''unilateral trade disarmament,'' where we lower our barriers to foreign imports but they retain their barriers to our exports to those countries. This is what is fundamentally at stake here. A lot of people, in their religious view of free trade, don't care whether other countries have barriers. Their view is that we should welcome more imports. Mr. DiMicco has called this the ''enablement of foreign mercantilism,'' a philosophy of trade that is too often present around the world and certainly in the Asian sector.

Consider this in the context of automobiles. The Wall Street Journal published a story 2 days ago about how the American auto sector could be jeopardized by TPP. The Journal wrote:

> In the transportation sector, led by cars, the TPP could boost imports by an extra $30.8 billion by 2025, compared with an exports gain of $7.8 billion.

So the imports of automobiles would increase by $30.8 billion and our exports would increase by only $7.8 billion. That was a study written by Peter Petri, professor of international finance at Brandeis University.

Well, having dramatically more imports than exports is not going to add jobs. Perhaps that is why we cannot get an answer. In other words, job-killing imports would vastly exceed any growth in foreign exports, thereby putting more Americans out of work.

We have seen this story before. The South Korea trade deal—and I supported that. I have great respect for the South Korean and the Japanese business acumen. But the South Korean trade deal, which was supposed to boost our exports by more than $10 billion, actually ended up increasing our exports less than $1 billion. If truth be known, it was $0.8 billion. Instead, the deal boosted South Korean imports to our country by more than $12 billion and nearly doubled the trade gap between our two nations, which was already large.

They say: Well, this time it is different. Trust us. Give us 6 more years of executive authority to pass any global deal we like under fast-track. No deal has ever been blocked.

Well, respectfully, the American people don't trust you. Here is what the Pew Poll reported recently: Twenty percent of Americans think these trade agreements create jobs and 50 percent say it destroys jobs.

Have we been adding jobs in manufacturing or losing jobs in manufacturing? We have been losing jobs in manufacturing. Are the American people so wrong in that conclusion? Forty-five percent of Americans think trade reduces wages; only 17 percent say it increases them. By contrast, 72 percent of Vietnamese believe this trade agreement would increase their salaries.

Because TPP is a living agreement, it can be changed after adoption. It says in the language of the agreement where it has this living agreement language that this is unprecedented. This is the first time this has been put in a trade agreement. The Congressional Research Service tells us that, too.

We are now creating a foreign international entity—one more international entity—with a commission that meets and votes and makes decisions that are binding on the United States of America. Frankly, I think this great Nation is exposing itself to too many of these agreements. Tying down the ability of the world's greatest power and economic engine, the United States, is weakening our ability to function in a way that sovereignty should allow us to function. Dangerously, this agreement creates a new governing global authority that would add new members of their choice, change the terms of the agreement, and even subject U.S. citizens to its ruling—adjudicated in an international tribunal.

It is time for Congress to defend its shareholders—our shareholders—the American people. It is time to return to the regular order and to the principles of sound governance and to assert, not surrender, the power of Congress to the overreaching Chief Executive. I am therefore going to oppose shutting off debate that actually has not even begun.

I am frustrated that two of my reasonable amendments that I think would have had a very good chance of passing have been blocked and apparently will not get a vote. I don't think we have any need to shut off the debate today and to advance to a bill where we have had too few amendments and where we have had a steadfast refusal by the President of the United States, who is pushing every way he can to get this agreement adopted, until he answers the question: Will it improve manufacturing or further reduce manufacturing, as our previous agreement

with South Korea did? It reduced manufacturing. Will it increase jobs or reduce jobs? All they promised—and they promised this repeatedly—is that it will increase jobs in the export sector. They don't say what it will do on net, when we have three, four times as many imports as we do exports, on net. As in the past, it appears this agreement will clearly reduce jobs and reduce wages as well, and reduce manufacturing.

We can't have a strong nation without a manufacturing sector—we just cannot. We can't be a strong nation without a steel industry—we just cannot. We need to ensure in these trade agreements—when we open our markets, what these countries want so desperately is access to the U.S. market. That is something of great value. We should not give it away until they agree to open their markets. That is what a good deal is. That is not what is in this deal, and it will not be in the agreement. It will be like previous agreements.

Mr. President, how much time is left on this side?

The PRESIDING OFFICER. There is 13 minutes remaining.

Mr. SESSIONS. I don't see any others here. I will just discuss this a little bit more.

When Mr. Damico, who has been involved in world trade competition for years, said we are enabling mercantilism, what he is saying is that our trading partners have a goal that we don't seem to have, and that is to maximize their exports and minimize their imports.

They want access to the U.S. market. They have a mercantilist philosophy, and that is what it is, really. That philosophy allows them to put up nontrade barriers, nontariff barriers, to use currency manipulation and other tactics to make it difficult for the United States to penetrate their market. They say they have signed a trade agreement, and they will agree on tariffs, for example, but they still, on net, don't open their market as effectively as we open our markets. That is the reality.

As a result, we have had a continual decline in manufacturing. We have seen a surge in our trade deficits. March was the highest trade deficit in almost a decade. The whole first quarter was horrible. Our trade deficits are increasing.

If this agreement is passed, will it increase or decrease our trade deficits? Isn't that a fair question to ask? Will it increase or decrease our trade deficits? They will not answer. Unfortunately, the answer is it is going to increase our trade deficits. We know that. If it were not true, they would be hollering about how it is going to greatly reduce our trade deficits. They would be saying, on net, we are going to have more jobs. They would say wages would go up.

The truth is we are not negotiating these agreements effectively, and the net result is it is going to weaken manufacturing, allow a reduction in jobs, and really put downward pressure on wages.

I hate to have to oppose this legislation at this time, but I have come to that conclusion. I have supported most of the trade agreements in the past.

I understand that we are in a global economy, and we have trading partners around the world. There is no way we are going to reverse that. Globalism is here to stay. We need to be a part of it. But it is time for our Nation to protect our manufacturing and our workers from unfair competition.

We cannot take the view, as some do and say openly, that if our competitors manipulate their currency to make their products cheaper and they penetrate our market and close American businesses as a result—we cannot say: That is all right; we have cheaper products. Don't worry about it. In the long run, somewhere along the way, it will all work out.

That is a guiding principle for the people pushing this legislation. They won't admit it, at least the politicians won't, publicly, but we know that is the guiding principle. I say that is a mistake. I say that is an extreme position. I say that we do have an interest in protecting our jobs, our manufacturing, and the ability of the American people to have a good job, to have a retirement plan, to have an insurance policy. I think that is important.

So I urge that we back off this agreement now. Let's reevaluate it and have the President of the United States answer the question: Will we create higher wages or lower wages? Will we increase manufacturing or reduce manufacturing? Will we increase wages or not?

I thank the Chair, and I reserve the remainder of the time on this side.

The PRESIDING OFFICER. The Senator from Ohio.

Mr. BROWN. Mr. President, I echo the words of Senator SESSIONS, my colleague from Alabama.

These free-trade deals are not free trade. If they were free trade, they would be a couple of pages long that simply listed the tariffs that we are eliminating as incentives. Instead, these are a collection of special interest deals that take us somewhere else from where the proponents said they would.

Senator SESSIONS said something interesting: This is really about jobs. They would be making claims about jobs. Instead, they make claims about geopolitics in China and all of that. That is fine, but there are certainly other ways to deal with that better than we have.

We have seen big promises. We saw them from the first President Bush as he negotiated NAFTA. We saw them from President Clinton when he pushed NAFTA through Congress. We saw them from President Clinton on PNTR with China, which was not a trade deal but certainly acted like one in many ways in terms of what happened with China then. We saw them with the second President Bush with the Central America Free Trade Agreement. And we are seeing them now with President Obama and South Korea.

On South Korea, President Obama's administration promised an increase of 70,000 jobs and promised wages would go up. They always say more jobs, higher wages, but then we ended up losing 75,000 jobs under the South Korea Free Trade Agreement.

Today we are voting on whether to end debate on the fast-track bill. If people are a little confused, it is very understandable. We are going to end debate, but we have barely begun it.

Historically, when we do trade agreements in this town—as bad as they have turned out to be for the American public and working families in places such as Reno and Cleveland, and smaller towns such as Mansfield and Lima, and really small towns such as Jackson, OH—when we passed these trade agreements, at least we have had open debate where we could offer amendments. The last time we did fast-track legislation on the Senate floor, there were 3 weeks of debate. This is about 3 days. We considered 50 amendments. We have considered two so far.

The majority leader came to the floor at the end of the first full day of debate and said we are filing cloture to shut down debate. At the end of the first full day of debate, they began the process of shutting down debate. The majority leader promised an open process.

I don't get it when my Democratic colleagues—I guess I get it with the free-trade fundamentalists here and people who are not as independent as Senator SESSIONS and the total party loyalists who will always vote with their leadership. But I don't get it when Democrats in this body, who really do genuinely care about workers, as do many Republicans—why they are willing to shut down debate because the majority leader says let's shut down debate.

We had two votes on Monday night and none since. Six amendments are pending, but votes for them haven't been scheduled. Two hundred amendments have been filed. At least 30 Senators have filed amendments and a number of Senators have filed multiple amendments. We have 200 amendments filed and 2 votes and 6 amendments pending, even though the 6 amendments that are pending don't have any schedule on how they are going to be dealt with. At least one of them has been second-degreed, basically obviating or taking away any ability to vote strictly on that amendment. We

had two votes on Monday night, no votes on this issue since, and as for the six amendments themselves, who knows how they are going to be disposed of. That is an open process?

People on my side of the aisle are willing to vote to shut down debate when 25 of their Democratic colleagues and another—I don't know, a half dozen; I don't know how many Republicans—are also offering amendments. So 200 amendments have been filed by—I just found this. Forty-six Senators have actually filed 200 amendments on an issue we haven't considered in 13 years, and we are going to shut down debate at the end of the first full day of consideration.

We had a truly open legislative process the last time we did it. I think it was a Republican Senate at the time. It was a very closely divided Senate. We have been promised repeatedly that is what this underlying bill deserves. It is what the American people deserve.

Keep in mind this fast-track legislation means that we will be considering—it opens the process, opens the door to two trade agreements that encompass 60 percent of the world's economy. Forty percent of the world's economy is in the Trans-Pacific Partnership and an additional 20 percent with the United States and the European Union, the so-called TTIP agreement. Again, after two votes, the majority leader filed for cloture at the end of the first full day of debate.

We are not being unreasonable. We have played this straight. We are simply asking for the Senate to debate this important legislation. I really don't understand how any Senator in either party, when half of the Senate has offered amendments—200 of them and counting and every day there are more amendments offered—how we can shut down debate when 200 amendments have been filed by 46 Senators. We are simply asking for votes on our amendments. I don't care when we complete it. I don't care if we right now defeat cloture and then come up with some kind of a UC to give us votes on 25 or 50 of these amendments with time scheduled so we can finish. I don't care if we finish today or Friday or Saturday or Sunday or stay to Memorial Day or come back a week after Memorial Day and finish. It really doesn't matter about the time. I know a lot of my colleagues don't want to go home this week and have people who are angry because they know these trade agreements don't serve the public interest, and we know there are millions of Americans who have lost jobs because of decisions we make here.

We make decisions here that throw people out of work. Even the Wall Street Journal editorial page, the greatest cheerleader—the most vigorous, vociferous cheerleader for free trade of any newspaper in the country, I believe—even they acknowledge that people are thrown out of work from trade agreements because of the dislocation. We are going to leave here and vote on this without even having amendments on how to take care of those workers and how to do trade enforcement. It simply doesn't make sense.

Amendments such as the Brown-Portman Leveling the Playing Field Act amendment include much-needed trade enforcement provisions in this trade promotion bill. It was for all intents and purposes unanimously accepted in the Finance Committee. It has all kinds of Republican cosponsorships and all kinds of Democrat cosponsorships. My colleagues in the leadership in both parties, even though the leadership in both parties doesn't reflect the majority of the Members of both parties—that is the way it is sometimes—but we are asking for a vote on that. We haven't been given that yet—an actual vote. There have been promises, but there has been nothing really substantive in the end.

These provisions on a level playing field are supported by the White House and by House Republicans who have asked them to be included in fast-track. They are supported by numbers of U.S. industries that face an onslaught of unfairly traded imports and need our trade remedy laws to be as strong as possible.

We are not debating the Brown-Portman amendment. We are not debating any amendments. We are simply rushing to conclude consideration of this fast-track bill.

We are fast-tracking this whole idea of a fast-track process. Why is that good for our country or our workers or our small manufacturers and the supply chains of all of these big industries? Why is that good for our communities?

We have waited 8 years, and this has to be done today. Eight years we have waited for this. We had one full day of debate. Then the majority leader shut down the debate, after one full day of debate.

What we do in this fast-track bill will have implications for years to come. It will affect the Trans-Pacific Partnership and the Transatlantic Trade and Investment Partnership, both permanent trade agreements that represent more than half the world's economy.

I ask unanimous consent for 2 additional minutes.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. BROWN. This will affect both TPP, 40 percent of the world's economy, and then a year or so later, TTIP, the Transatlantic Trade and Investment Partnership, the United States-European Union agreement—both permanent trade agreements. There is 40 percent in TPP of the world's economy, and 20 percent in TTIP of the world's economy. These are permanent trade agreements that represent a huge part of the world's economy.

This bill will affect global labor standards, it will affect global environmental standards, it will affect international intellectual property standards, and more and more and more. That is why Senator SESSIONS has spoken out so effectively against it. That is why people in both parties are insisting they get these amendments, that they are voting against cloture until they get these amendments—Members of this body who have supported cloture in the past for a whole host of things.

Why we are rushing to end debate before it has truly begun is mystifying. Regardless of whether they support or oppose the underlying bill, I hope my colleagues recognize the importance of getting fast-track legislation right—not getting it done by Memorial Day, some artificial deadline that somebody somewhere set but getting this trade legislation right.

The Senate has not given the underlying bill the attention and deliberation it deserves. It has not given the amendment process the ability to—let alone to work its way through but even to get off the ground. I urge my colleagues to vote against cloture and ensure that a reasonable number of amendments get considered.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. WYDEN. Mr. President, I can report there has been an all-night effort to try to work out this issue to bring parties together, particularly around our colleagues being able to offer more amendments, and on the issue of the Export-Import Bank—something I favor very strongly, and Senator CANTWELL makes a very important point that we have trade agreements, but it is also important to have financing tools, which is what the Export-Import Bank is all about. So we have been working throughout the night trying to address both of those issues, Export-Import Bank and the question of our colleagues being able to offer more amendments.

When you hear the words ''TPA'' and ''TPP,'' it sounds like a company that has been through too many mergers, but the fact is these terms are enormously important to America's economic future. Our markets are basically open. Many countries hit us with double- and triple-digit tariffs on our exports. Export jobs often pay better than the nonexport jobs do because there is a lot of value added in the process.

The vote today will begin the efforts to replace the outdated trade rules of the 1990s with a modern set of trade rules that can help America get more of those good-paying jobs.

When you talk about international trade, the first thing you have to focus

on is the estimate is, in the developing world, there are going to be about 1 billion middle-class consumers. Those are middle-class consumers with money—money in their pockets—and they can buy American goods and American services. They can buy our wonderful ag products like Oregon wine. They can buy helicopters and bicycles and planes and computers. There is enormous affection around the world for buying the American brand, for buying the Oregon brand.

With modern trade rules, we can make sure our exporters are able to get the kinds of goods and services that those billion middle-class consumers are going to want to buy, and that is always what drives the modern economy—middle-class consumers buying goods and services. One billion people in the developing world are going to be middle class in 2025.

Chairman HATCH is with me on the floor. What we have sought to do for now about 7 months is replace the old 1990s playbook on trade with a modern one. That is important because in the 1990s nobody had iPhones, nobody was texting. We are talking about a very different time.

Here is an example: Opponents have often, and I think with substantial legitimacy, talked about how there has been way too much secrecy associated with trade. If you believe deeply in trade, as I do, and you want more of it, why would you want to have all this secrecy that just leaves the American people with the view that something is being hidden back in Washington, DC?

So Chairman HATCH and I came together and put in place the most transparent policies on trade in our country's history. For example, by law—by law—before the President of the United States signs the Trans-Pacific Partnership, that document has to be public for 60 days before the President signs it. On top of that, there are probably another 2 months that take place before anybody in the Senate or anybody in the House on the floor of those bodies actually votes. What that means—and I want to give the opportunity to my colleague to make closing remarks—what it means is, as part of the new day on trade policy—in the past a lot of Americans were in the dark about trade policy. Now they will be able to come to a townhall meeting of their elected officials, such as the ones I plan to hold in a few days at home. The American people will be able to come to a townhall meeting, and starting with the Trans-Pacific Partnership Agreement, have that document in their hands for close to 4 months before their elected representative has to vote. That is what Chairman HATCH and I have sought to do in terms of coming up with a modern trade policy.

I think it is appropriate that my colleague—and I appreciate his partnership—will have a chance to wrap this up.

The PRESIDING OFFICER. The Senator from Utah.

Mr. HATCH. I appreciate my partner and his kind comments and his intelligent comments here this morning.

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

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

The PRESIDING OFFICER (Mrs. FISCHER). Without objection, it is so ordered.

Mr. HATCH. Madam President, I ask unanimous consent to call up the following amendments en bloc: 1, Boxer No. 1371; 2, Whitehouse No. 1387; 3, Brown No. 1252, to level the playing field; 4, Feinstein No. 1424; 5, Menendez No. 1430; 6, Paul No. 1383; 7, Paul No. 1408; 8, Sullivan No. 1246; 9, Sessions No. 1233; 10, Cruz No. 1384; 11, Cardin No. 1230; 12, Paul No. 1408.

The PRESIDING OFFICER. Is there objection?

The Senator from Ohio.

Mr. BROWN. Madam President, reserving the right to object, again, I appreciate the generosity of Senators HATCH and I think WYDEN on this. Some 200 amendments have been filed by 46 Senators. We have had two votes. We have six pending, but the six pending—they have had some interesting adjustments in terms of second-degree amendments, in terms of not being actually called for votes. Now we have an offer of nine more. That is a good step, but the majority leader came to the floor at the end of the first full day of debate to file cloture to shut down debate. We had only two votes all week.

I would like to have more votes. I think all of us on all sides of the discussion on this debate—the pro-free-trade Republicans and the anti-free-trade Republicans, the pro-free trade Democrats and the overwhelming majority of Democrats who don't like the way the rules are under TPA—would be willing to come together and pick out 20 or so amendments of the 200 that have been offered by 46 different Senators and have that debate with time limits. We should do all of that.

Instead, we have nine amendments here. As I said—in case I didn't say it three times—we have had only two votes so far. There are nine amendments here. Most of these amendments—including level the playing field, which seems to have unanimous support—level the playing field is nongermane. So if Senators vote for cloture now, then all of those nongermane amendments are dropped and most of these nine will not see the light of day.

Madam President, I object to the UC.

The PRESIDING OFFICER. Objection is heard.

The Senator from Utah.

Mr. HATCH. Madam President, I just want to point out that we tried to bring this bill up Thursday, then Friday. It was objected to. Then we brought it up Monday. We only had two amendments. Then Tuesday, Wednesday, and now today there have been logjams all the way through.

Now, look, I have been as fair as anybody could be. I have tried to accommodate my colleagues on the other side, and we were not making any headway.

So I thought that by calling up these 12 amendments, that would resolve it. But if not, we should proceed with the vote.

The PRESIDING OFFICER. The Senator from Ohio.

Mr. BROWN. Madam President, I would again reiterate our offer. I don't know that I can do it exactly in a UC request. But I reiterate our offer that we sit down—that the leaders sit down—and discuss 15 amendments a side—15 Republican amendments, 15 Democrat amendments—and that we have a serious negotiation without cloture hanging over our head that will drop all of these nongermane, very serious enforcement amendments.

We had a vote last Tuesday where for the first time in 25 years a trade motion was actually defeated. The whole point of that vote was that we wanted enforcement as part of TPA, TAA. That is what this has been all about.

But in this UC request, most of the enforcement—for instance, level the playing field, but also some other things—will drop because they are nongermane.

I offer to Senator HATCH if there is a way of having this discussion and really moving forward——

Mr. CORNYN. Madam President, regular order.

The PRESIDING OFFICER. All time has expired.

CLOTURE MOTION

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

The legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the Hatch amendment No. 1221 to H.R. 1314, an act to amend the Internal Revenue Code of 1986 to provide for a right to an administrative appeal relating to adverse determinations of tax-exempt status of certain organizations.

Mitch McConnell, John Cornyn, Orrin G. Hatch, Daniel Coats, John Boozman, Thom Tillis, Mike Rounds, Pat Roberts, Richard Burr, John Barrasso, Mike Crapo, Jeff Flake, Tom Cotton, Shelley Moore Capito, David Perdue, Chuck Grassley, Dan Sullivan.

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

The question is, Is it the sense of the Senate that debate on the substitute

amendment, No. 1221, offered by the Senator from Utah, Mr. HATCH, to H.R. 1314, be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

The yeas and nays resulted—yeas 62, nays 38, as follows:

[Rollcall Vote No. 183 Leg.]

YEAS—62

Alexander	Ernst	Murkowski
Ayotte	Feinstein	Murray
Barrasso	Fischer	Nelson
Bennet	Flake	Perdue
Blunt	Gardner	Portman
Boozman	Graham	Risch
Burr	Grassley	Roberts
Cantwell	Hatch	Rounds
Capito	Heitkamp	Rubio
Carper	Heller	Sasse
Cassidy	Hoeven	Scott
Coats	Inhofe	Shaheen
Cochran	Isakson	Sullivan
Coons	Johnson	Thune
Corker	Kaine	Tillis
Cornyn	Kirk	Toomey
Cotton	Lankford	Vitter
Crapo	McCain	Warner
Cruz	McCaskill	Wicker
Daines	McConnell	Wyden
Enzi	Moran	

NAYS—38

Baldwin	Hirono	Reed
Blumenthal	King	Reid
Booker	Klobuchar	Sanders
Boxer	Leahy	Schatz
Brown	Lee	Schumer
Cardin	Manchin	Sessions
Casey	Markey	Shelby
Collins	Menendez	Stabenow
Donnelly	Merkley	Tester
Durbin	Mikulski	Udall
Franken	Murphy	Warren
Gillibrand	Paul	Whitehouse
Heinrich	Peters	

The PRESIDING OFFICER. On this vote, the yeas are 62, the nays are 38.

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

The majority leader.

Mr. MCCONNELL. Madam President, I am very happy the Senate has decided to take another step forward on this very important initiative not only of the President's but of the majority party's as well, and I thank the folks on the other side who are also similarly inclined.

Let me just make it clear. Senator HATCH and Senator WYDEN have done a terrific job. They are open to continuing to try to get amendments. We still have the opportunity to do that. As everyone knows, it requires some level of cooperation because anybody can object to somebody else getting an amendment. But Senator HATCH and Senator WYDEN are anxious to do additional business, to open it up for more amendments, and with everybody's cooperation, that could be achieved.

The PRESIDING OFFICER. The Democratic leader.

Mr. REID. Madam President, I think it would be appropriate—we have gotten to where we are—that we have a quorum call so we can find out where we are on amendments. There is agreement out there; we just have to see how we can get it arrived at. So I suggest the absence of a quorum.

Mr. HATCH. Madam President, will the Senator withhold so I can make a short speech, less than a minute?

Mr. REID. Of course.

The PRESIDING OFFICER. The Senator from Utah.

Mr. HATCH. I thank my colleague from Nevada.

Madam President, I thank all our colleagues for their support in helping us get this far. This last vote was a major step forward on this important legislation. We have a few more votes we are going to have to do, and we are getting very close to maybe doing this very important bill. I hope that now that we have taken this step, we can find a way to finish this legislation in short order, and I am willing to work with my colleagues to get us there.

Once again, I thank everyone who supported this today. It means a lot to me personally.

I yield the floor.

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

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

The senior assistant legislative clerk proceeded to call the roll.

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

The PRESIDING OFFICER (Mrs. FISCHER). Is there objection?

Without objection, it is so ordered.

(The remarks of Mr. NELSON pertaining to the introduction of S. 1430 are printed in today's RECORD under ''Statements on Introduced Bills and Joint Resolutions.'')

Mr. NELSON. Mr. President, I thank the Chair for the time, and I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Mr. BROWN. Mr. President, we are going to be voting, we hope, on an amendment that is called the antidocking amendment. It observes, by reading the Trans-Pacific Partnership, that there apparently is a path for the executive branch to allow another country to become part of the Trans-Pacific Partnership without a vote of Congress.

In other words, as to the world 's second largest economy, China, the administration, this President or the next President, could decide that, well, China should join the 12 countries already part of TPP if we affirm this vote down the road with TPP.

If China could join—the second largest economy in the world—they would backdoor, if you will, because of the administration's willingness to do it, with no input from the public, with no input from the Congress.

Our amendment is really simple. It sets up a process over a 90-day period. If a President wants to bring a country into the Trans-Pacific Partnership, that country would have to meet certain criteria, the same kinds of criteria that we have seen with these 12 countries, including sex trafficking and some labor law and other things.

Then Congress would actually vote. Congress would get 90 days to decide, up or down, whether a country can join TPP after it is up and running. The country that most concerns us, of course, is China. So when you hear this amendment discussed, you will hear China used as an example, because its economy, obviously, is so large. It passed Japan as the world's second largest economy, I believe, a year or so ago.

We just want to make sure that our integrity and the integrity of these 12 countries—12 other countries—is preserved. The way to do that and for the public to be heard is that Congress has to make the decision on whether another country can join.

That is what our so-called docking amendment does. I know Senator FRANKEN is about to take the floor. I want to say a couple of other things. This amendment is in no way meant to kill TPP. It simply spells out the process for future countries to join.

Here is exactly how the process would work. The President would notify Congress about an intent to enter negotiations. It would require certification from the two committees—Ways and Means in the House, Finance in the Senate. Then it would ultimately come to a Senate vote. That is how this would work to protect, I think, the public interest and to give the public input into what countries actually join the TPP. It makes sense, I think, for all countries involved.

I yield the floor.

The PRESIDING OFFICER. The Senator from Minnesota.

Mr. FRANKEN. Mr. President, I ask unanimous consent to speak as in morning business.

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

USA FREEDOM ACT

Mr. FRANKEN. Mr. President, I rise today to speak in support of the USA FREEDOM Act of 2015. I am a proud cosponsor of this bicameral, bipartisan bill which brings much-needed reform to the Federal Government's surveillance programs, including an end to the bulk data collection program that the intelligence community has said is not necessary, that the public has said they don't support, and that the Second Circuit has ruled as unlawful.

I am particularly proud to have developed the bill's transparency provisions with my friend Senator DEAN HELLER of Nevada. We are greatly indebted to Senator LEE and to Senator LEAHY for their leadership and their tireless work.

Americans understand, as I do, that our job here is to strike an appropriate balance, making sure, on the one hand, that we are safeguarding our national security, without trampling on our citizens' fundamental privacy rights, on the other hand. But the public cannot know if we succeed in striking that balance if they do not even have the most basic information about our major surveillance programs. That is why my focus has been on transparency, because I want to make sure that the American people are able to decide for themselves whether we are getting this right.

I support the USA FREEDOM Act because it moves us in the right direction on all of these fronts. On June 1, several national security authorities will expire. The House acted responsibly and passed USA FREEDOM, a bill that reflects the combined efforts and agreement of Republicans and Democrats, members of the intelligence and law enforcement communities, and advocates for privacy and civil liberties, as well as members of the tech sector and business communities.

This legislation ensures that the necessary authorities continue in force through 2019, and it makes important reforms that will actually improve national security. You do not need to take my word for that. The Director of National Intelligence and the Attorney General have told us, in no uncertain terms, that we ought to pass the USA FREEDOM Act and promptly.

Yet some of my colleagues are attempting to present us with a choice between reauthorization of the soon-to-expire authorities with no reform whatsoever or complete expiration of those authorities. That is profoundly unfortunate, because we have a compromise bill that has overwhelming support and was overwhelmingly approved by the House of Representatives by a vote of 338 to 88.

It draws broad-based support from business, from civil society, and within the government. I believe that the only thing that would stop this bill from garnering similar strong bipartisan support here in the Senate is if Republican leaders who oppose this bill pressure my Republican colleagues to filibuster. I really hope that does not happen. I hope it does not happen because USA FREEDOM's reforms represent real and meaningful progress. The bill ends the old program for the bulk collection of telephone metadata, which, according to reports discussed at a hearing last year, principally gathered call records from landlines. It replaces that program with a more targeted approach that permits the collection of call detail records, including prospective collection of those records. You get a warrant, and you collect those prospectively, based on the government's reasonable, articulable suspicion of a link to international terrorism.

Now, I believe that is a much more sensible approach. I know that some of my colleagues disagree. Last November, one of my colleagues suggested that bulk collection is preferable to a targeted approach because Americans' privacy would be at risk if the government were ''going to have to go to those companies and ask for the data.''

But of course, no matter what, we have to go to the companies and ask them for the data. The records at issue here are the phone company's business records. That is what they are. I should also note that those companies have both legal and business reasons for why they retain and protect these records as they do, from the potential for billing disputes to commercial analytics to regulatory concerns.

The FCC regulations require them to hold on to telephone call records for 18 months. None of that has changed. It bears emphasizing that the relationship USA FREEDOM calls for between phone companies and the government is nothing new. Our Nation's law enforcement and intelligence agencies have long worked with phone companies to obtain specific records, either historic or prospective records, when conducting domestic criminal investigations or carrying out sensitive national security investigations such as FISA wiretaps.

So we have been doing this for a long time. The intelligence community, national security, law enforcement experts, and American businesses, not to mention the House of Representatives, all understand that we have to strike the right balance. We need to safeguard our national security, but we need to do it in ways that do not unduly tread on privacy and civil liberties.

Leaders across these different public and private sectors have managed to come together to strike that balance in the USA FREEDOM Act. That is where my work with Senator HELLER comes in. We recognized that when the public lacks even a rough sense of the scope of the government's surveillance programs, they have no way of knowing if the government is getting that balance right. So there needs to be more transparency.

Since the Snowden revelations came to light 2 years ago, a steady stream of news reports has provided details about NSA programs that collect information about both foreign nationals and the American people. Despite these disclosures, it remains impossible for the American people to get even a basic sense of the real size and scope of these programs. Americans still don't know the number of people whose information has been collected under these programs. They have no sense of the extent to which U.S. persons are affected and, particularly, have no way of knowing how often the government has searched that information, such as call detail records of Americans. Senator HELLER and I crafted transparency provisions to make sure Americans get that kind of information. That way the American people can better judge the government's surveillance programs for themselves.

Under USA FREEDOM, the government will be required to issue detailed annual reports for each of the surveillance authorities at issue. Importantly, the government will have to tell the public how many people have had their information collected, and for certain authorities—like those permitting the targeted collection of call detail records or the communications of foreigners abroad—the government will also have to say how many times it has run searches for Americans' data.

The USA FREEDOM Act doesn't just require the government to be more transparent. We also make it possible for American businesses to provide their customers with more information about what they are asked to turn over to the government. This is not only good for transparency, it is good for our economy. It has been estimated that the Snowden revelations are costing American companies billions of dollars because people have lost trust in those companies, often assuming that all companies are handing over all of their information to the government.

So by allowing companies to report the size and scope of the government's requests, the public can get a better sense of what information is actually being turned over, and the bill makes clear that a company that has not received any national security requests from the government is free to say so.

All of this will calm fears, both here and abroad, and allow American companies to better compete with their foreign counterparts.

The provisions Senator HELLER and I wrote will expand the options that companies have to issue their own transparency reports and allow companies to issue those reports more quickly. But we also listened to the intelligence community to make sure we were striking the right balance and ensuring that ongoing investigations are not jeopardized by additional transparency.

Now, look, to get the broad, bipartisan support we needed, Senator HELLER and I had to compromise a great deal. We didn't get everything we wanted when we initially negotiated our provisions last year, and we had to compromise further still this year, particularly with regard to government reporting under section 702, which authorizes the collection, for intelligence

purposes, of communications of foreign persons abroad. I am disappointed the bill doesn't include all of the requirements we agreed on last year and that were included in the Senate bill last Congress, which had 58 votes.

But I am committed to pressing my colleagues to revisit this issue in the future—hopefully before the sunset of section 702—in 2017. That, of course, is the Internet traffic of foreign persons abroad who are suspected of being terrorists.

But in the meantime, the good news is that after all the give-and-take, our provisions that did get included in the bill will usher in a new era of transparency about our Nation's surveillance agencies. They will allow the American public to see—on an annual basis—whether the government really makes good on its promise to end bulk collection, and they will give those of us in Congress important tools as we work to continually improve our country's laws.

The transparency provisions are an essential part of USA FREEDOM, and the bill overall is a step in the right direction for reforming our Nation's intelligence laws. It is a step that the House has already taken on an overwhelmingly bipartisan basis. It is a step that the Senate should take as well.

I yield the floor.

The PRESIDING OFFICER. The Senator from North Carolina.

Mr. TILLIS. Mr. President, I wish to speak briefly on an amendment I have filed regarding a crisis we are experiencing in the H–2B visas.

In North Carolina, we have a very large seafood industry, and we have a crisis that is shared by a number of other States that have the seafood industry with respect to the availability of H–2B visas, and the busy time is just about to start in a couple of weeks. It is the worst possible time for this industry.

We literally have jobs that have been created by people such as Don Cross and his brother and their Pamlico Packing Company in Grantsboro, NC. They simply can't find workers to do this job. It is going to ruin their business, and it is unacceptable. These are jobs these folks have created, like the Crosses, and they can't be filled. The jobs are waiting to be filled.

It is affecting other businesses we have in the shrimp and crab industries, but it is also affecting other businesses—will affect other businesses—such as grocery stores, restaurants, and other industries, like tourism, across the country.

The problem I have—and the nature of the amendment I will speak to briefly—but I have reached out to the Department of Homeland Security to ask a series of questions, and I simply haven't received answers. That is why I decided to offer an amendment—or to file the amendment.

DHS has refused to issue more work visas, even though the statutory cap of used visas has most likely not been reached. DHS claims the cap has been reached, and that is really odd because it is unusually early for them to take that position.

This is what I think the real truth is. Not every business applying for these visas is using them. DHS normally approves more visas so we make it more likely that we reach the cap, but we don't believe they have done that this year.

That is why we have asked for an audit, to make sure we know how many applications were actually approved, how many visas are actually used by the State, within the State, and how many of those visas are actually putting legal, migrant, immigrant workers into these jobs.

This year, they haven't even done an audit. We simply want to know why.

I think DHS is playing games with the numbers, and I demand answers. DHS seems eager to help the illegal population get acclimated, but they don't seem to place a priority on American businesses that need these people to come and work in our seafood processing facilities, not only in North Carolina like Don Cross's Pamlico Packing Company but packing companies across the coast.

I have had a discussion with a number of Members on the other side of the aisle. They share our concerns, and we are all working trying to simply get the answers.

So what my amendment does is—until we get the answers, until we solve the problem, we want to suspend the travel for all DHS employees to government conferences and symposiums until the Agency provides more transparent data as to how the H–2B program is being administered for this fiscal year and for the three previous fiscal years.

I want answers and I want action. We have businesses in North Carolina and across the country in the coastal States that need these workers, and we want answers now.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

UNANIMOUS CONSENT REQUEST—S. 1381

Mr. MANCHIN. Mr. President, I come to the floor and I, like my good friend the Senator from Massachusetts, am very concerned about the lack of transparency in this whole process of the trade agreement, very concerned.

I saw the TPP text. I went downstairs and I saw that. I have to say the whole process was extremely disturbing to me. Members must go to a classified room. Now, we do go to classified rooms, as a bipartisan group, on many issues that are very important to this country. I had gone down because I wanted to see for myself the transcript of the TPP, what they have dealt with and how far they are along right now in the negotiations.

The viewing of the documents that are very technical in nature, as we all know, is oftentimes without a trade staffer with appropriate clearance. So here I am, I am not able to take staff—or only staff who has had secured clearance, and it might not be the staff on my staff who has the expertise in this, so that takes that equation away.

We are unable to take any notes to consider what we just saw unless we have a photographic memory. Unfortunately, I do not. I have tried the best I can to remember and look for things I knew I was looking for. But still yet, it is almost impossible to walk out of there having the ability to sit down and evaluate what you just saw, and then we are unable to talk to anyone about it—even to my staff, as I would like to get their input, since I have been, basically, looking at the details, and especially the public, too, has no idea about any issues that concern them.

The secretive nature of the largest free-trade deal in America's history truly just lacks common sense. Let me explain. In July of 2001, President Bush at that time released the draft text of the Free Trade Area of the Americas Agreement, the FTAA. He did this months before he was granted fast-track authority. He wasn't afraid to let us see it. He wasn't afraid to let the American public know what was in that. We were able to see it, and it didn't squelch the deal. It didn't harm anything.

They released the text of the FTAA, the different positions of 34 countries in important areas such as intellectual property rights, investor-state dispute settlements, and antidumping duties—all very important to our country and the jobs we have in this country.

Now we have a massive 12-country trade agreement that is currently being negotiated, and the President wants us to grant him the fast-track authority before not only the American people have even seen the text but mostly even our staffs whom we delegate to work on these intricate documents.

Our bill that we will be asking consideration for would simply require the President to release the scrubbed, bracketed text of any trade agreement at least 60 days before Congress would grant the fast-track authority. This is pretty sensible, pretty reasonable. Just release the scrubbed document that you have agreed on so far 60 days before you ask us to give the fast-track authority.

Before any Member of Congress is asked to vote on the most expansive bill in U.S. trade history, the American people deserve to see what is in the bill. That is why they elect us, to make sure we are able to confer with them, have a dialogue, and explain why we are or why we may not be for a certain piece of legislation, especially a trade agreement.

If this bill is as good for the American worker as proponents have claimed, then the administration and anybody else should not find it objectionable to see the details before Congress is forced to grant the President trade promotion authority.

I want to say, in my beautiful little State of West Virginia, as I go through it and we look back through the trade agreements that have already been granted since NAFTA, we have not seen an uptick. In fact, we have lost 31,000 manufacturing jobs. I, for one, am not willing to vote to put one more job in jeopardy in West Virginia.

That is the concern we have. So what we are asking for is a very modest, very sensible, very reasonable, commonsense approach to how we should do the job the people elect us to do and how it should be transparent.

At this time I yield the floor to my friend, the Senator from Massachusetts.

The PRESIDING OFFICER. The Senator from Massachusetts.

Ms. WARREN. Mr. President, I thank my good friend from West Virginia, Senator MANCHIN. I thank him for his leadership. I thank him for his independence. I thank him for his partnership as we push for greater transparency on this very important trade bill.

In the past few weeks, the public has heard a lot about the Trans-Pacific Partnership, a massive trade deal the United States is negotiating with 11 other trade companies. The public has heard from supporters that it is the most progressive trade deal in history—a deal that will benefit working families and small businesses—and they have heard from opponents that it will only tilt the playing field further in favor of multinational corporations and leave workers and everyone else behind.

The public has heard a lot, but in all that time they have never actually seen the deal itself. In fact, the press hasn't seen the deal, economists haven't seen the deal, legal experts haven't seen the deal. Most everyone in America hasn't seen the deal. Why? Because the administration has classified the deal, making it illegal for any of those people to read it.

Members of Congress, as Senator MANCHIN said, can read it so long as they go into a secret room and don't leave with any notes. But even Members of Congress are prohibited from talking about the details in public or discussing the details with the people they were sent to Washington to represent. And yet, in the next day or two, the Senate is scheduled to vote on whether to grease the skids to make that secret trade deal—the TPP—the law of the land.

This isn't how democracy is supposed to work. One of our fundamental principles of representative government is transparency. Our government is supposed to keep things secret from the people only if it has a very good reason to do so. So why is this trade deal a secret? I just want to go over the answers I have heard so far, the reasons.

Some say the administration can't release the deal because the deal isn't finished yet. OK, so maybe there are some unresolved issues, but everyone agrees the deal is nearly complete. It is close enough to being done that its supporters can confidently claim it is the most progressive trade deal in history. If you are sure that is right, then show it to us. If some parts aren't finished, then show us the parts that are finished. Don't keep every single word of the deal classified.

Others say releasing the text now would be tipping our hand in continuing negotiations, but that doesn't make any sense either. Our government has already shared the details of our positions with the other TPP countries, and those countries have shared details with us. That is how negotiations work. Publicly releasing what our negotiating partners have already seen couldn't possibly undermine our negotiations because, by definition, our negotiating partners have already seen it.

Here is another argument I have heard. Releasing the text of an unfinished international agreement simply isn't done; it is a breach of protocol. Well, that is not true either. As Senator MANCHIN pointed out, in 2001, President George W. Bush publicly released the scrubbed bracketed text of the Free Trade Agreement of the Americas several months before seeking fast-track authority for that agreement. At the time, his U.S. Trade Representative said that releasing the text ''would increase public awareness and support for the trade deal.'' Guess what. Congress still approved that fast-track deal. Of course it can be done. It has been done, and it should be done.

Still others say that publicly releasing the text would endanger state secrets. Wow. But this agreement is not about nuclear weapons programs or military operations. There isn't any national security information in this deal. This deal is about things such as copyright rules and labor standards. And I know the President doesn't think there is any sensitive national security information in the deal. That is why he has already committed to publicly releasing the entire text. He just won't do it until after Congress has already voted to grease the skids to make it law.

That brings us to the last justification—that we should all be satisfied that the administration will release the text of the deal a few months before Congress has to vote on whether to approve it. But by then, Congress will have lost the ability to amend the deal, to stop the deal, or to slow it down. In other words, by the time you—the American public—can read the deal, your elected representatives will have lost the ability to use your input to help shape that deal. That sounds like a lousy arrangement to me.

So if there are no good reasons for secrecy here, that leaves only a bad reason, and believe it or not, it is a reason I have heard people give multiple times: We should keep the deal secret because if the details were made public now, the public would oppose it. Well, that is how our democracy is supposed to work.

If the TPP is mostly done and the public wouldn't support it if they could see it, then it shouldn't become the law. That is why I have introduced a simple bill with my friend from West Virginia, Senator MANCHIN. This bill would require the President to publicly release the scrubbed bracketed text of a trade deal at least 60 days before Congress votes on any fast-track for that deal. That would give the public, the experts, and the press an opportunity to review the deal. It would allow for some honest public debate. It would give Congress a chance to actually step in and block any special deals and giveaways that are being proposed as part of this trade deal before Congress decides whether to grease the skids to make that deal the law.

If this trade deal is so great, if it will work so well for America's workers and small businesses, then make it public. We should pass this bill today and give the American people some time to read the deal before we tie ourselves to fast-track.

Whether you support fast-track or oppose it, whether you support TPP or oppose it, we should all agree that we should have a robust, informed debate on something that is this important. Anything less is a disservice to the people who sent us here to work for them.

So I ask unanimous consent, Mr. President, that the Committee on Finance be discharged from further consideration of S. 1381, that the Senate proceed to its immediate consideration, the bill be read a third time and passed, and the motion to reconsider be considered made and laid upon the table with no intervening action or debate.

The PRESIDING OFFICER. Is there objection?

The Senator from Utah.

Mr. HATCH. Mr. President, reserving the right to object, one concern I have

heard from opponents of the trade promotion authority is that trade agreements currently under discussion have been negotiated behind closed doors and that by renewing TPA, Congress would be enabling and even encouraging further secrecy.

I am going to talk more on this in a minute, but there are 30 days before the President signs, 60 days after he signs where this will become well known. So I have to object to my dear colleagues' bill—I guess it is a bill at this time. I just have to object.

The PRESIDING OFFICER. Objection is heard.

The Senator from Utah.

Mr. HATCH. Mr. President, I have heard this concern from opponents of trade promotion authority from time to time—that trade agreements currently under discussion have been negotiated behind closed doors and that by reviewing TPA, Congress would be enabling and even encouraging further secrecy. These arguments are particularly being made about the Trans-Pacific Partnership, or TPP, which is not before us. Of course, we need to keep in mind that every Senator complaining about this supposed secrecy associated with TPP has had an opportunity to read through the current text of the agreement. And the agreement is not yet concluded. It won't be unless we pass TPA.

At the same time, I would be very surprised if these same Senators decrying the secrecy of the TPP negotiations also believe that contract negotiations between unions and management should be made public or that it would be a wise negotiating tactic for a private citizen negotiating the sale of their home to post all the offers they have received on the Internet.

My point is that in the midst of any high-stakes negotiation, some level of confidentiality is essential to getting a good deal, and especially in this case.

That said, I certainly understand the concerns about transparency, particularly when our government is negotiating on behalf of our country. Fortunately, our TPA bill strikes a good balance to address these very concerns. Our TPA bill goes further than any previous version of TPA to promote transparency and congressional oversight of the whole trade negotiation process.

First of all, under our bill, the full text of a completed trade agreement must be made public at least 60 days before the President can even sign it, giving the American people unprecedented access and knowledge of all trade agreements before they are signed and well before they are submitted to Congress.

In addition, the President must submit to Congress the legal text of a trade agreement and a statement of administrative action at least 30 days before submitting an implementing bill.

On top of that, our bill ensures that any Member of Congress who wants access to the unredacted negotiated text at any time during the negotiations will get it. In addition, Members of Congress will—once again, at any time during the negotiations—be able to request and receive a briefing from the U.S. Trade Representative's office on the status of the negotiations.

Our bill also creates in statute a transparency officer at USTR who will consult with Congress and advise the USTR on transparency policies. This will help ensure that there are consistent transparency policies across the Agency and promote greater public understanding of trade negotiations.

Now, let's be clear. I, as well as other authors of this legislation, understand the concerns we have heard from both inside and outside Congress about the need for greater transparency in the trade negotiation process. We have really worked hard to address these concerns in this legislation, and in particular the concerns of the distinguished Senator from Massachusetts, who is a good friend, whom I admire, and who I think has brought a certain dimension to this Senate that is very important.

In short, any Member of Congress who is concerned about a lack of transparency in trade negotiations should be a cosponsor of this TPA bill—that is, of course, if they are also supporters of expanded markets for U.S. exporters and the creation of high-paying American jobs. Those who oppose TPA and trade agreements outright will likely continue to use this supposed lack of transparency as an excuse to oppose the bill.

Those with genuine concerns will see that this bill is the right approach. And we have tried to make it the right approach. I believe it is the right approach. I believe the administration says it is the right approach. I know the Trade Representative says it is the right approach. He has bent over backwards to inform us and to open his office and to open matters into these not-yet-concluded agreements.

There is plenty of time for us to look at those agreements—any agreement that comes—and make up our own determinations at that time. So I don't believe the distinguished Senator from Massachusetts will be deprived of an ability to look into these matters, completely test the transparency, and look at these agreements in ways that I think would please any reasonable person.

With that, I have had to object, but I hope we can pursue this bill and get it through as soon as we can because it will be a banner day for the President, I have to admit. He is my President, but he is not my party; yet, he is right on this. For the life of me, I can't understand why we are having so much difficulty with his and my friends on the other side. We ought to be supporting a President who has bent over backwards, through his Trade Representative and those around him, to be as open as he possibly can on this matter, at least at this particular time and I believe afterwards as well.

I always feel bad when I have to object to a person's unanimous consent request, but I do object.

The PRESIDING OFFICER. The Senator from West Virginia.

Mr. MANCHIN. Will my good friend the Senator from Utah yield for a question?

Mr. HATCH. I will be glad to yield for a question.

Mr. MANCHIN. Senator, I have the utmost respect for you and the job you do here every day for all of us. I appreciate that. But we have a difference here. My difference is that I have to look at the people in West Virginia—fewer than 2 million people—who depend on the opportunity to make a living for themselves, and they have hard, strong feelings about what we have done over the years in trade agreements. They haven't seen an uptick in opportunity for themselves or their families.

With that being said, what we have asked for here, the Senator from Massachusetts and I, is not something that has never been done before. I can't explain why President George W. Bush would have done this. Maybe it was on his own volition, saying: I am going to put out this agreement that has been scrubbed. Basically everything has been agreed on. We will let you see it and discuss it—the American people and the Senate and Congress that represents those people—to see if we have total buy-in and support. If not, we can make some adjustments and changes.

He did that. That is really what we have asked for here. I respect your right to object, and I understand the process here. But the American people don't have input into this, and it has a 51-vote threshold from this day forward. So any of us who have any objections or maybe have something that would enhance this bill don't have that opportunity. That is the reason we have asked for this.

I know the Senator was here and was very much involved in 2001. What was your position or your opinion when President Bush released a draft text of the Free Trade Area of the Americas, the FTAA? Do you recall, by any chance?

Mr. HATCH. I don't personally recall that at this time, other than that it did pass.

Mr. MANCHIN. He let everybody see it months ahead of time before he was granted the fast-track authority. He never even asked for TPA until he released it. And I am sure that you were in the majority at the time, and everyone had to support that position, I would think.

Mr. HATCH. If the Senator would yield—yes, we did. We supported the President's position, if I recall correctly. There is nothing that says the President can't do that. But this bill says he must at least do certain things.

Mr. MANCHIN. That is because he hasn't offered it to us.

Mr. HATCH. This is a 6-year bill.

Mr. MANCHIN. It is a 3–3. You are right.

Mr. HATCH. There is going to be another President in 2016, whether Republican or Democrat or otherwise.

So there is nothing that says the President can't do that, but we are making sure he does do that. We have done it because of questions that have been raised by people such as the distinguished Senator from Massachusetts and you. We think we have put reasonable time constraints in there, especially since you can review the TPP as it exists—although that may or may not be the final agreement. You can review that now, if you want, and that is well in advance of it.

Mr. MANCHIN. Senator, again, I know you understand it. I am sure you probably have gone down into the secured room and maybe have looked through some parts yourself. But it is quite an onerous process. I couldn't take my staff person who had expertise in that arena because he did not have that clearance. So I had to go in, and I couldn't take notes out. Then on top of that, I couldn't even speak to him about what I saw because he didn't have that clearance.

I have never been through something like this. For me to go home to West Virginia and say, with all full knowledge and my ability to make a decision on the facts I have in front of me, that I support or I do not support it for these reasons—I can't really do that. I am not really sure if I could support it. Maybe I can support TPP. But I am really objectionable to TPA by not having that opportunity to have input in TPP.

I think that is where I fall. And with a 51-vote threshold, I am not going to have any input to represent the people of West Virginia. With all due respect, that is where I am on this.

Mr. HATCH. I understand the distinguished Senator. Let me say that we all have to make our own individual decisions here.

I would encourage you to reconsider because I think we have a good bill that is far better than it has been in the past. Frankly, it is your administration that is putting this forward, and I am doing everything I can to help this administration get this through.

Mr. MANCHIN. I understand.

Mr. HATCH. Remember that this is the procedural mechanism that gives Congress the right to really know what is going on and to really look at these matters. That is why we put in these particular provisions, which, as far as I know, are better than they have ever been. So Members of Congress will have an opportunity to know what is in these bills. I don't know fully what is in TPP, myself, and I am going to be one of the most interested people on Earth when that comes, if not the most interested, and when we finally agree. It is still not a completed agreement, as far as I know.

All I can say is I think we provide enough time in this bill for anybody who is sincere enough and dedicated enough to look at it.

Mr. MANCHIN. Senator, if you do see something, let's say, as the bill unfolds and comes to its completion, that you really think is going to harm the people of Utah, you are not going to have any input to change that harm. And it is only going to take 51 votes to pass it, even if harm is in there for Utah.

Mr. HATCH. We will have the ability to take this floor, and those in the House to take the House floor, and fight against it if you disagree with it and it starts to get 51 votes.

The administration knows that. They know they can't do a slovenly agreement. They have got to do a good agreement in order to get both sides up here to, in a bipartisan way, accept the agreement for our country.

Mr. MANCHIN. I just feel very strongly that this most reasonable thing that we have asked for is something that was done under President Bush. I think it was in his wisdom to put it out there before. There was nothing to hide.

If we looked into their dialogue back at that period of time, they felt it was necessary, as Senator WARREN mentioned, to get the public's buy-in, to get support from the public. So they were proud of what they put into it.

I am not saying things in here aren't good and won't be good for this country. But there might be some things that could be improved upon that would make it much better for this country.

I have lost 31,000 manufacturing jobs since NAFTA. It is hard when I go through my State and I look at people struggling. The jobs have not returned. They have not come to our little State. We did not see the uptick.

I am not saying my State represents every State, but I am sure there are parts of every State that have been hit pretty hard by this, and we want to make sure we get this one right. That is all we have asked for.

So I am sorry you had to object. I hope you understand our position on this.

Mr. HATCH. I do, and I appreciate the distinguished Senator and his efforts to represent his State. I know he does a very good job. I know the senior Senator from Massachusetts is doing a very good job. We are friends. This isn't going to change that. All I can say is that we disagree respectfully. I think I have made this as palatable as we possibly could under the circumstances.

The point I have been making is that the agreement is available 60 days before it is even signed. So it isn't as if people will not have a chance to look at it or to fight against it or talk to the President—whoever that might be.

The fact of the matter is that I am not sure that it should be longer than 60 plus 60 plus, I think, another 60.

So all I can say is that I have to object, as manager of this bill. I never feel good about objecting to something my colleagues want. I respect your desire to have as much information as you can. I respect the senior Senator from Massachusetts.

Mr. MANCHIN. Would the Senator be kind enough to yield for a question from the Senator from Massachusetts if I would yield?

The PRESIDING OFFICER. The Senator from West Virginia has the floor.

Mr. MANCHIN. I yield for the Senator from Massachusetts for the purpose of a question.

The PRESIDING OFFICER. The Senator from Massachusetts.

Ms. WARREN. Mr. President, I just want to say to the Senator from Utah how much I respect his leadership in this Senate and his leadership on so many important issues.

All I want to say about this is that we are just asking for the trade deal to be made public before we have this crucial vote about whether there will be any opportunity in the future to amend the trade deal, to slow down the trade deal or—as the Senator from West Virginia says—if we really find objectionable parts, to be able to block it. We are just asking for some transparency before we have this crucial vote on the TPA. We don't want to see fast-track until the American public can evaluate the deal. That is all we are asking for at this point.

The PRESIDING OFFICER. The Senator from California.

Mrs. BOXER. I would like the floor. But I would yield the floor to Senator HATCH, and then ask my friends to stay on the floor.

The PRESIDING OFFICER. The Senator from Utah.

Mr. HATCH. Mr. President, I thank the distinguished Senator from California.

MORNING BUSINESS

Mr. HATCH. Mr. President, I ask unanimous consent that the Senate be in a period of morning business until 4 p.m., with Senators permitted to speak therein for up to 10 minutes each, and that the time during morning business count postcloture.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The Senator from California.

FAST-TRACK AUTHORITY

Mrs. BOXER. Mr. President, I thank my colleagues, Senators WARREN and MANCHIN, because what they tried to do here is to give to the American people the same opportunity they had when George W. Bush was President and a trade deal was being negotiated. Before fast-track came up, everybody saw the deal.

Mr. President, I ask unanimous consent that I be added as a cosponsor to their bill.

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

Mrs. BOXER. I appreciate that. I am proud to stand with them on this. And I do respect Senator HATCH. He is my dear friend. But let's be clear. When you go down to that secret room—and I had the same experience as Senator MANCHIN. I couldn't take the proper staffers because they didn't have the clearance.

This isn't about fighting ISIS or the war in Syria or any other very high security matter. It is about a trade deal that is supposed to be negotiated in the best interests of the people of this country.

All my friends are saying is that before we give this President the ability to fast-track this deal, let's look at it. Here is what happens when he gets fast-track authority: Not one Member of this Senate and not one Member of the House can offer any amendment whatsoever.

I think the Senator from West Virginia was very clear on the point. What if we find out that there is something horrible in there for our State?

The Senator from Massachusetts pointed out that there are whole parts of this deal—and I know I am not speaking out of turn here—where it just says that they are still being negotiated. So how the heck do we know what we are even voting on? And here we have given away the store in this last vote so that we will not have an opportunity to make it better.

When my friend talked about how many jobs were lost in West Virginia after NAFTA, my heart sank. Those are a lot of jobs in a smaller State. My State is a large State. We lost about 80,000-plus jobs. That is a lot. We are a larger State, though.

Percentagewise, you had 2 million and at the time we had about 30 million. So in terms of percentages, your people suffered mightily. But we suffered mightily. More than 80,000 families lost their jobs.

I don't want to keep my colleagues on the floor, but I am only going to speak for 60 seconds more because my colleague from Delaware is such a pal and said I could go before him.

I have a very simple amendment I am fighting to get a vote on. Listen to what it is. It simply says you cannot get fast-track authority to negotiate with any country that doesn't pay at least a $2 minimum wage. I ask the people who are watching this debate here and at home: Do you know that out of the 12 countries we are negotiating with, 7 of them have less than a $2 minimum wage?

Let me be specific. Chile has a $1.91 minimum wage. Malaysia has a $1.21 minimum wage. Peru has a $1.15 minimum wage. Mexico has an 80-cent minimum wage.

Do you remember NAFTA? Let's do NAFTA. It is going to raise the standard of living in Mexico, and the Mexican people won't come across the border. We had all those factory jobs leave. And in this, Mexico is part of this deal.

How about Vietnam? 58 cents. And how about Brunei and Singapore? They have no minimum wage.

What kind of a chance do our workers have? I don't care how productive they are. We have the most productive workers. The people in these countries are very smart. They are terrific.

Mr. MANCHIN. Mr. President, I ask unanimous consent to be added as a cosponsor on that amendment.

Mrs. BOXER. Absolutely.

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

Ms. WARREN. I ask unanimous consent to be added as a cosponsor on that amendment.

Mrs. BOXER. Absolutely, I am very proud to have Senator WARREN.

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

Mrs. BOXER. What kind of chance do our workers have? Do you think a manufacturer in their right mind is going to stay here when they can go to Vietnam and have some terrific people?

I know the Vietnamese community in my home State is fantastic. They are fantastic leaders. They are fantastic workers. It is sad that the ones who are left behind earn 58 cents an hour. What chance do our workers have?

Now, we have 12 million manufacturing jobs left in this Nation of ours—this greatest of Nations. What kind of chance do they have? Do you know that I cannot get this amendment up for a vote? I think I know the reason. They do not want to have to vote against it. I am still hopeful. I am holding out hope. I am fighting for it. But it seems to me when you are saying to the American people: Do you want your Senator to have to go downstairs to a secure room, give up your electronics to a clerk, be told that if you take notes you have to leave them behind so the clerk can read it, but your staff cannot read it, you cannot discuss it with the people who do not have top clearance for the trade agreement?

Then, you have to have the amendment that Senators WARREN and MANCHIN have offered, which simply says: Make the trade agreement public before we give exceptional fast-track authority to any President. I do not care who it is—Democrat or Republican—this is not a partisan issue.

I have voted for half of the trade agreements, so I have voted for many trade agreements but not with countries that pay slave wages. Let's be clear.

This is a tough day for the U.S. Senate. I know we have been split up every which way on this, but I think there are certain things we have learned from this debate: Secrecy is no good. I respect my President. I have talked to him. I know in his heart he is doing what he thinks is right, but when he says this is not secret and everyone has access to it, I say to my President and I say to my friend Senator HATCH: This is not an open process.

The secrecy is ludicrous. It is ridiculous. It is against the interests of the people we represent. I represent close to 40 million people. As Senator MANCHIN said, those people count on us, but if we do not know what is in an agreement, how can we be wise about what we want to say about it and what we want to do about it?

I want to thank my friends for coming down here this afternoon. I know this is hard on the Senate. We are going to probably be here a very long time. But the fact is that people depend on us, and I am proud to stand with them.

I yield the floor.

The PRESIDING OFFICER. The Senator from Delaware.

OUR COUNTRY'S TRANSPORTATION SYSTEM

Mr. CARPER. Mr. President, I have come to the floor to discuss the need to strengthen the transportation system of our country, our roads, our highways, our bridges—our transportation system. A long time ago, the question was asked: What is the role of government? If you ask 500 people, you probably will not get 100 different answers, but you will get a lot of different answers.

Abraham Lincoln was once asked: What is the role of government? This is what he said: The role of the government is to do for the people what they cannot do for themselves. Let me say that again. The role of government is to do for the people what they cannot do for themselves.

Sometimes I go to schools and young students ask me: What do you do? The kids in elementary schools, third, fourth, fifth graders say: What do you do?

I tell them I am a United States Senator.

They say: What do you do?

I tell them I help make the rules for our country. We call them laws. I do that with 99 other Senators, 435 Representatives, the President, and the Vice President.

They say: Well, what else do you do? I tell them I help people. I help people. The best way to help somebody is to make sure they have a job—to make sure they have a job.

I had the privilege of being Governor of Delaware for 8 years. I am told that in those 8 years, more jobs were created in Delaware than any 8 years in Delaware history. I did not create one of them.

We have seen in the last 6-plus years in this country some 12 million jobs created. I did not create one of them. My colleagues did not create those jobs. The President and the Vice President did not create those jobs.

What we are responsible for doing here is to create a nurturing environment for job creation, access to capital—to money—for businesses that need to raise money, a world-class workforce, public safety, clean environment, public health, a Tax Code that is fair and reasonable, regulations that embody common sense and reflect common sense.

We actually have, believe it or not, on each of our desks on the floor, a book. It is called the ''Senate Manual.'' We do not look at it that often, but if you go to one of the sections about two-thirds of the way through the book, you will find the Constitution. The Constitution lays out who is responsible for what generally in our country, for different responsibilities that do fall on government.

There is a section in the Constitution—I am not going to read it, but Senator JIM INHOFE of Oklahoma has oftentimes referred to it—where it talks about the obligation and responsibility of the Federal Government to post roads—post roads. For years, that has been read and interpreted to mean to build some roads, some highways, and some bridges.

As time goes by, we have more and more people to build transit systems as well. As it turns out, as we go along in time—after being a country for almost 225 years or so, one of the most important things that we do in creating a nurturing environment for job creation and job preservation is to make sure our country has transportation systems—roads, highways, bridges, transit systems—that are worthy of this great Nation that we are.

As a former Governor—as I like to say, a recovering Governor—but as a former Governor, I have seen the impact roads, highways, bridges, and transit systems have on the economic growth and success in my State, the region in which we live, and across this country. It is how we move people. It is how we move goods. It is the key to an efficient and growing economy.

For more than a decade, however, we have faced funding shortfalls for the Federal highway trust fund. This stop-and-go funding and lack of uncertainty has undermined—has undermined—the potential for economic growth in America for years. That has to stop.

In fact, since 2008, we had to transfer nearly $65 billion out of the general fund—nearly $65 billion out of the general fund—which is far from running a surplus, to patch holes in the highway trust fund.

I like to use the example of the glasses. We have glasses here that the pages are nice enough to fill with water and to bring for us from time to time. I would like for this glass to be the Federal highway trust fund. It is empty. There is another glass here. This is the general fund of the United States. It is empty. We have another glass over here that is full. It is full. When the general fund is empty and the transportation fund, the highway fund are empty, what we do is we go to this glass over here and say: How about some water? How about some money?

We borrow money all over the world—all over the world. One of the places we borrow a lot of it is China. When the Chinese lend us money, they do not want to be bothered when we feel they may have been manipulating their currency.

They will say to us: We thought you wanted to borrow money, so leave us alone on currency manipulation. They may say: Leave us alone when it comes to taking unfair advantage in terms of trade. When the Chinese are pushing around the Vietnamese in the Philippines in the South China Sea—where I used to fly as a flight officer—they would say: You cannot do that.

And the Chinese might respond: Well, we thought you wanted to borrow our money.

We find ourselves in a very difficult position to be obligated to a lender that is doing things that we think are inappropriate or wrong.

Unfortunately, with the example like the one I have just given you, this actually does happen.

We have not had a transportation bill that lasts for more than 2 years for, I think, now 7 years. It used to be commonplace that every 6 years we would pass a fund, a transportation bill, for our country. We call it the highway bill, but it was for roads, highways, and for transit systems—every 6 years, almost like clockwork.

The money provided by the Federal Government provides roughly one-half of all the money that is spent in the State highway budget, State highway transportation budget. Half of that money is Federal money appropriated by the Congress and approved by the President.

Why we have not had a transportation bill that lasted for more than 2 years, since 2008—we have passed some short-term funding provisions and authorization provisions for transportation that lasts as little as a few days—a few days. This undercuts Governors and undercuts mayors around the country. It prevents them from making long-term investments in critical transportation projects.

Let me give a good example. State Route 1 Delaware runs from I–95 to the north, north-south, right past Dover, our State capital, passing Dover Air Force Base, and heads on down to the southern part of our State, where we raise more chickens and soybeans in Sussex County, DE, than any other county in America. It is a county that has more five-star beaches than anywhere else in America.

When I had the privilege of being Governor of Delaware, we actually built, modernized, and expanded State Route 1. We replaced about 40 traffic lights with a four- or five- or six-lane limited access highway that cuts not in half but greatly eliminates bottlenecks and expedites the flow of traffic in my State. It took over a decade—maybe a dozen years—from start to finish.

Why did it take that long? It is because these projects need some things. You have to take some time to plan the project. You have to take some time to fund the project. You have to take time to contract the project through competitive bids. You have to get the permits for the project. Sometimes there is litigation to work through. It is part of what has to be done to build a major road, highway or bridge in a State. It does not take just a few weeks to do this. It does not take just a few months to do this. It can take years.

In the case of State Route 1—in a little State—it took years, roughly a dozen of them. And without the certainty in the future that the Federal funding will be there for a project that is almost impossible to do it well and, frankly, without that kind of certainty, it is really expensive to do these projects. Stop-and-go. ''Stop-and-go'' means stop and pay lot more money for the projects we are trying to build.

Yet even though we know our States, our counties, our cities, and our businesses are counting on us in this body to do our jobs, we let them down time and time again. What is worse is that Congress has known about this problem for just about a decade—for almost a decade.

It was in 2005 that Congress included provisions in transportation legislation to create not one but two blue ribbon commissions. For what purpose? Will it help us to figure out how to pay for highways, bridges, and transit systems which we are not smart enough to figure this out? Why don't we put together some commissions and let the experts come in and they can help us out? We received the reports and the recommendations. We just never acted on them.

In 2008, these two Commissions delivered reports summarizing the advice of countless experts and giving us a roadmap to fixing the problems for good.

Among all of their recommendations, one idea was stressed above all the rest: gradually raise transportation user fees and then index them to inflation going forward.

Despite understanding the problem and the smartest solutions for nearly a decade, we have only shirked our responsibility to agree on a solution again and again.

Rather than take advantage of those blue ribbon ideas, we have continued to kick the can down the road, continued to avoid doing what voters sent us here to do; that is, to make decisions, tough decisions, in the best interests of our country.

I stand here today to say it is high time we finally take care of business and do the job the American people sent us here to do.

My concern about this issue should come as no surprise to any of my colleagues. For years I have been outspoken about my desire to fully fund a multiyear transportation bill.

Government does have a clear role in ensuring that our country has modern, high-quality roads, highways, bridges, and transit systems. That is why the Framers of our Constitution had the good sense to as much as say so in that Constitution. Unfortunately, it seems to me that our courage and willingness to fulfill this responsibility continues to escape us. Instead, we avoid tough choices and simply do things such as smooth pensions or steal Customs fees. Sometimes we will steal Customs fees that are not due for maybe 6, 7, 8 years into the future, and we steal that future money and use it to pay for a couple of months' worth of road, highway, and bridge construction today. We borrow mine safety funds. We apply other bandaids as well.

The standard justification for each of these short-term patches has been that we need just a little more time to work out the details of a long-term plan. Just give us a little more time, and we will work this out. But, as usual, during the 10 months we gave ourselves when we passed the last short-term extension, which, as I recall, was early last August—the 12th time we have done this in 6 years, in case anyone has lost count—we have come no closer to a solution.

The Washington Post last summer may have put it best, and here is what they said: ''Congress doesn't need more time, Congress needs more spine.''

Albert Einstein once said that the definition of insanity is doing something over and over again and expecting a different result. Today, I am asking our colleagues to join me and others to help stop this insanity. If we work together, I know we can find a way to invest in the 21st-century transportation system our States, our cities, and our businesses deserve and need in order to compete in a global marketplace. In an effort to do just that, Senator BOXER and I have introduced a measure that would at least get us started, taking a constructive step that would align the expiration of transportation programs with the funding available in the highway trust fund.

What we have right now is that at the end of this month, the authorization for spending Federal money for these roads, highways, bridges, and transit projects—the authorizations to spend that money expires, effectively stopping the use of Federal money for these purposes at the end of this month. We can't let that happen.

The authorization ends at, we will say right here, the end of May, in about 10 days. Meanwhile, the actual funds in the transportation trust fund, the highway trust fund, are good until the end of July. So the legislation Senator BOXER has joined me in introducing says: At least, if we do nothing else, let's align the end of the authorization—now May 31—to the end of the funding so that we can at least continue the work that is being done in States across the country in the meantime. If we work together, I know we can find a way forward.

We have introduced this legislation, and this adjustment will keep the Congress from putting this issue, we hope, on the back burner yet again.

We hope this will increase the likelihood that we can finally sit down and come to a long-term solution not this fall, not next year, but this summer. I know there are some who say: Well, let's just push this off until December. We have done that before and we can do that again. I just say to my friends, we have a way of—we are getting to the elections. We are getting into the election cycle for President later this year. Maybe there are some who feel that will be helpful to us in finding a way to come together and funding a transportation project. I would beg to differ. I think if we don't get it done sooner rather than later, if we don't make those tough decisions now, we are not going to make them when the caucuses are gathered in Iowa and the primary voters are starting to get riled up in New Hampshire and South Carolina. That is not going to help us do our jobs.

There is a friend of mine who likes to talk about stopgap funding and the need to make a long-term commitment to America's growth and success. He says it is something like what we do now. It is something like taking a road trip—maybe a summer road trip across the country—stopping to fill up our cars, our trucks, our minivans with gas 1 gallon at a time. Instead of filling up, we stop at a gas station and we get 1 gallon, and then we go down the road and a little while later we stop at another gas station and we buy another gallon. It is wasteful. It wastes time. It wastes money. It is no way to take a trip across the country with your family, and I can assure my colleagues it is no way to build a transportation system for a world-class power—America.

In any event, as I said earlier, I took two or three ideas away from the elections last year. No. 1, Americans want us to work together; No. 2, they want us to get things done; and No. 3, they want us to do everything we can to enhance and strengthen our economic recovery.

Finally finding an agreement on a way to pass a fully funded 6-year transportation bill would help us do all three. We would demonstrate that we can work together. We would demonstrate that we can get things done for States and cities and counties across America. No. 3, we really would strengthen our economic recovery. We wouldn't just put 600,000 or 700,000 people to work across America building roads, highways, bridges, and transit systems; we would do a lot more than that. That is important. A lot of jobs need to be filled, and a lot of people would love to have those jobs.

As it turns out, the McKinsey Global Institute recently reported that making a major effort to repair and improve our roads, highways, bridges, and transit systems could add about 1.5 percent to our annual GDP growth and create at least 1.8 million jobs. Let me say that again. Making a major effort to repair and improve our roads, highways, bridges, and transit systems could add about 1.5 percent to annual GDP growth. Keep in mind that GDP growth I think in the last quarter was only about 1 percent. This kind of investment could add another 1.5 percent to annual GDP growth and create almost 2 million jobs.

By failing to pass a long-term transportation bill, we are sacrificing this potential growth and job creation. It is a little bit like leaving money on a table—in this case, a lot of it on a table.

The Federal Government shares the responsibility with State governments to make investments in their aging infrastructure. As I said earlier, the Federal Government—when States spend money on roads, highways, bridges, and transit systems, whether it is in New Hampshire or Delaware, roughly half of that money is coming from the Federal Government. Our States are counting on us to be a partner in funding our transportation systems that the families and businesses we represent count on every day. When a Federal policy fails to plan for the future, we leave these people in the lurch.

The highway trust fund has several dedicated revenue streams in the form of various user fees, as we know. These fees haven't been adjusted in over two decades. During that time, the purchasing power of transportation has nearly been cut in half. There have been increases in the price of concrete,

asphalt, steel, and labor. The 18.3-cent Federal gas tax that we set up in 1993 is now worth less than a dime. The 24-cent diesel tax is worth less than 15 cents.

The Congressional Budget Office put together the chart here on my left that shows the growing difference between the highway trust fund, the money we put out for transportation projects, and the money we take in from user fees. I would say we were doing reasonably good from 1998 to 2014. Every 6 years, we see it go up and then it drops down, and then it goes up and then it drops down. That is a 6-year transportation authorization bill.

Look what happened starting this year.

I might add that over the last several years, a lot of this money was just transferred out of the general fund, not money we actually raised. Then we borrowed most of that money from around the world.

But we get to the year 2015, and look what happens. At the end of the year, every year up through 2025, this will be the shortfall. I think it adds up to about $140 billion by 2020. One does not have to be an accountant to know we have a problem when what we are spending outpaces what we collect more and more each year.

We need to find a long-term solution that we can agree on to fix this problem, and we need to do it this summer. We don't need to do it this fall. We don't need to do it next winter. We need to do it this summer. Again, I talked about kicking the can into a Presidential election year. If we don't do it this summer, my fear is we won't do it at all—at least not a long-term bill.

Many of my colleagues have said we must wait until we can enact comprehensive tax reform that creates revenues to solve this problem. As a strong supporter of tax reform, I hope we can find a way to reform our Tax Code, find a way to generate some revenues that can be used to invest in the country's roads, highways, bridges, and transit systems. As I understand, this idea has support from not only President Obama but also from the House Ways and Means Committee Chairman PAUL RYAN, and that is encouraging.

One thing I know for sure is that this idea is a lot better than kicking the can down the road. Let's be honest—we have been talking about tax reform for years. It is one of the most complicated problems Congress is facing. We can't just wait around letting our highways and transit systems that people count on deteriorate while we negotiate the incredibly tough decisions surrounding tax reform efforts. Furthermore, tax reform only offers one-time revenues that won't fix the long-term problem with the highway trust fund.

I believe we have to have a viable backup plan in case a bipartisan deal on tax reform continues to elude the Congress. That is why I talked to literally a dozen Members of the House and the Senate from both parties and I asked them to share with me their most thoughtful ideas of what I hope could become an ''all of the above'' transportation funding proposal that we expect to unveil at the beginning of next month. I urge any of my colleagues with serious thoughts on how to shore up the highway trust fund to bring us their ideas and join this effort because I hope to present such a plan, as I said earlier, very soon and to make sure that we don't once again kick this can down the road. There is time to act. It is not next year. It is not around Christmastime. It is this summer.

Gas prices this Memorial Day weekend will be lower than any Memorial Day in recent memory and are likely to stay that way for at least a while longer. The prediction is that they are actually going to start dropping again as we move into summer.

There is an amazing coalition of stakeholders from all parts of the community—frankly, all parts of our country geographically—and throughout the business sector and our government as well, and they support a long-term transportation bill. They are businesses, labor groups, construction companies, transits, retail businesses, manufacturing businesses, and a lot of American families. Their message to us is the same: It is time to do the right thing. It is time for us to do our jobs. It is time for us to give America the roads, the highways, the bridges, and transit systems that we can be proud of and that will help our Nation to continue to grow and to be great.

Mr. President, thank you so much.

I yield the floor.

The PRESIDING OFFICER (Mr. CASSIDY).

The Senator from New Hampshire.

EXPORT-IMPORT BANK

Ms. AYOTTE. Mr. President, I rise today to speak about a very important issue to my State of New Hampshire, and that is American trade and our ability to create more jobs in New Hampshire and in the United States of America by giving our businesses the opportunity to sell to consumers around the world since our businesses are creating the very best products and technology, and their ability to sell to those around the world is going to create more jobs in New Hampshire and in this country.

I also wish to speak about an important financing mechanism to businesses in New Hampshire and to businesses in this country, and that is the Export-Import Bank.

When traveling throughout New Hampshire and meeting with businesses both small and large, what I hear most often is this: In Washington, please make it easier, in terms of the regulatory environment and the tax environment, for us to do what we do best, and that is create jobs and put people to work. I have also heard we want more opportunities to sell what we produce to other countries in the world, and we also want opportunities to make sure financing is available to increase opportunities for New Hampshire businesses to export to other countries around the world.

An important tool for New Hampshire businesses is the Export-Import Bank, which is set to expire next month, at the end of June, and that is why getting the bill pending on the floor is important. I fought to ensure that there is a way forward to secure a path for a vote on the Export-Import Bank reauthorization before it expires at the end of June.

I thank our leader for committing to allow us an opportunity to extend this important financing mechanism to businesses in New Hampshire to ensure that mechanism is still available and that those New Hampshire jobs continue and that we can continue to grow our economy.

In New Hampshire, the Export-Import Bank supports $416 million in exports and has helped 36 New Hampshire businesses over the last 7 years. Its continued existence is not only important to the Granite State economy, but it translates to over 2,300 jobs that are supported by the opportunity to have financing available through the Export-Import Bank to New Hampshire.

I met with New Hampshire exporters from around the State who have been able to grow their businesses and create more jobs by utilizing the Ex-Im financing to export goods and services overseas. In fact, in December I hosted a roundtable in New Hampshire at the Seaport International Forest Products in Noshua. In the past, they have been able to use Export-Import financing. They were gracious enough to hold a roundtable when Fred Hopper, the head of the Export-Import Bank, came to New Hampshire and met with businesses in New Hampshire to allow them to give him feedback as to how the Bank was working and how important it was to their ability to obtain this financing and expand their exports overseas. In fact, one of the participants in that roundtable, Jerry Boyle, who is the leader of Boyle Energy and Technology Services in Concord, explained how he grew his business 75 percent in the past few years because of the opportunity to use Ex-Im financing.

Make no mistake—failure to renew the Bank's charter would cause us to lose jobs in New Hampshire and lose jobs in this country and would hurt the economy at a time when we should be focusing on making it easier for businesses to create jobs and making sure our businesses have opportunity and access to markets overseas to create more American trade.

I will continue to push this body to reauthorize Ex-Im so that New Hampshire businesses can continue to have access to this financing, can continue to grow their opportunities to create more jobs in New Hampshire by using this financing and to sell their goods and services overseas to create jobs.

I want to address the critics of this Bank. I look at this and I wonder—we are competing in a global economy, and so many of our competitors are actually offering even greater financing mechanisms for their businesses. So without this opportunity for our businesses, we would be putting ourselves at a competitive disadvantage. In fact, the Ex-Im Bank actually has a lower default rate than commercial loans and returns money to the Treasury.

If someone asked me about the Ex-Im Bank, I would tell them that it creates American jobs and returns money to the Treasury to help pay down our debt. If every Federal agency were asked that question, that would be an easy question to answer, wouldn't it? We would probably be a lot farther along in dealing with our $18 trillion in debt.

To me, this is a program that allows us to create more New Hampshire jobs and more American jobs. We have to get this done. I am glad we have a commitment to have a vote on it in this body to allow us to reauthorize it before it expires. Again, it returns money to the Treasury and creates American jobs. Imagine if we could say that about every Federal program.

I wish to talk about another issue that is very important to jobs in New Hampshire, and that is trade promotion authority, which we are currently debating and which is pending on the Senate floor. This will have a real impact on New Hampshire's economy and create thousands of jobs in my State.

In 2014, New Hampshire exported $4.4 billion worth of goods and services and exports and supported about 23,000 good-paying New Hampshire jobs. Over the past decade, we have seen Granite State exports increase by 175 percent. As a testament to America's entrepreneurial spirit, almost 90 percent of New Hampshire's exporters are small or medium-sized businesses.

Last week, I had the opportunity to visit Mercury Systems, which designs and builds defense and commercial electronics in Hudson, NH. Since opening in Hudson in 2014, Mercury Systems has more than doubled its workforce from 70 employees to now 170 employees—thanks in part to their opportunity to export what they manufacture.

In April, I visited Corfin Industries in Salem. Corfin provides robotic processing services that are used by the defense, medical, and telecommunication industries. Corfin relies on exports and access to international markets, which has helped to create 22 new jobs in New Hampshire, and now they see a growing portion of their sales going to exports—American trade creating jobs.

There are many other important companies in New Hampshire that support trade promotion authority, and they view this as an opportunity to create more Granite-State jobs, including companies such as BAE Systems in Nashua; Bosch Thermotechnology in Londonderry; Elbit Systems in Merrimack; Globe Manufacturing Company in Pittsfield; General Electric in Hooksett; Goss International Americas in Durham; Intel Corporation, which also has a facility in Merrimack; Medtronic in Portsmouth; and New Hampshire Ball Bearings in Lanconia. In fact, I had a chance to visit New Hampshire Ball Bearings and to talk to them about the importance of not only Ex-Im financing—as a supplier, this is important to them—but also the importance, obviously, of trade. Also, Osram Sylvania in Manchester, Hillsboro, and Exeter; Polartec in Hudson; Texas Instruments has a facility in Manchester; and Velcro USA is in Manchester. These are just a few examples of the many Granite State companies that depend on American trade and an opportunity to sell the great products they produce overseas.

Here is what I have heard from my constituents in New Hampshire about the pending bill on the floor when it comes to creating good-paying jobs in New Hampshire.

Tony Giunta, a city counselor for Franklin's Ward 1, wrote to me and said:

Our community is working diligently to boost its economic development. Our priority is jobs and attracting new businesses to our city. It is in that regard I am writing to ask for support on the pending trade vote in the U.S. Senate . . . Our President needs the flexibility to handle the details and present a full plan to Congress for final approval.

That precise system has worked for many years and I believe it should be extended for another 5 years. . . . The Wall Street Journal recently reported that our trade deficit rose to its highest level in nearly six and a half years and the trend line is headed in the wrong direction. We need to do all we can to boost free trade in this country.

Our state's economy depends on it. My city's future depends on it as well. . . . Considering nearly one-quarter of our workforce provides goods and services that are exported abroad means this proposal will have a tremendous impact on our state's economy.

Emily Heisig is senior vice president of the New England Council. This council is a very important council for employers in New England and in New Hampshire.

She wrote:

While interstate commerce among the states remains a significant avenue for business prosperity, The New England Council believes that foreign markets must be cultivated to tap into the buying power of this vast and ever-burgeoning consumer base. Indeed, across New England, more than 24,000 companies export to foreign markets, and in 2014, that supported nearly 265,000 export-related jobs for our region. The value of goods exported from New England last year was $56.5 billion.

Jim Roche is president of the New Hampshire Business and Industry Association. The New Hampshire Business and Industry Association is a very important group in New Hampshire and brings New Hampshire businesses together. He wrote to me and said:

Nearly 40 million American jobs depend on trade. This is especially true for New Hampshire where trade plays a big role in our economy. Trade supports more than 179,000 jobs in the state and our exports of goods and services last year reached nearly $7 billion. Trade is especially important for New Hampshire's small businesses, more than 2,200 of which are exporters.

Pete McNamara, president of the New Hampshire Automobile Dealers Association, recently visited me in Washington. He also wrote to me and said:

The New Hampshire Auto Dealers Association supports free trade. In this competitive world market, the U.S. needs the TPA. America drives the world economy, but outside our borders are markets that represent 80% of the world's purchasing power, 92% of its economic growth, and 95% of its consumers.

Texas Instruments has a very good facility in Manchester. I had a chance to visit that facility and meet the workers in these great-paying jobs and also jobs that are very important, with expertise on technology.

Mark Gary is the vice president and manager of the Manchester site. He said:

Texas Instruments strongly supports TPA–2015 and urges its swift approval. Renewing TPA provides an opportunity for American companies and their workers to secure 21st century rules to govern international trade. Innovation is the Granite State's greatest asset. New Hampshire's high-tech companies, startups, and universities are generating breakthrough innovations and technologies. High tech companies now represent 8.6% of the state's economy and pay 92% more than average wages. TI Manchester is the heart of the largest power management unit . . . TPA is critical for TI to secure market access, maintain a competitive global supply chain, and support our high value-added design jobs here in New Hampshire.

I also heard from Sylvia Linares, director of engineering and New Hampshire site leader at Intel in Merrimack, NH, which is also very important for New Hampshire jobs.

Passing TPA will arm U.S. trade negotiators with a clear set of principles and objectives that support our nation's economic, social, and technological interests. These rules have never been more important. In Merrimack, NH we have a very specialized design team that stands to benefit from these rules—rules around intellectual property theft, forced technology transfer and compromised encryption standards. At Intel, we conduct roughly three quarters of Intel's advanced manufacturing and R&D right in the U.S., investments which are supported by three quarters of our revenue from sales

elsewhere in the world. We are proud to be part of the New Hampshire tech community by spending more than $5 million annually with approximately 50 suppliers in the state.

With 95 percent of the world's customers and 80 percent of the world's purchasing power outside of the United States, we have to do everything we can to ensure that we have more American trade. American trade that supports jobs here allows us to sell the great work we and our workers do here and the products we produce overseas. That is why the bill pending on the floor is so important to creating more American jobs.

Since the 1930s, nearly every President has used trade promotion authority to negotiate foreign trade policy. This bill contains the clearest outline of trade priorities in our Nation's history. It includes almost 150 ambitious, high-standard negotiating objectives that will direct our trade negotiators to break down barriers that hurt American businesses and will allow American businesses to have more American trade to create jobs here.

The bottom line is that trade promotion authority will ensure that in the Granite State, New Hampshire businesses can create more jobs. In fact, the estimate in New Hampshire is that if you look at some of the agreements, such as the current transatlantic and transpacific trade negotiations, those could spur international investment in New Hampshire and create an estimated over 8,200 jobs in New Hampshire if the President is able to go forward and negotiate the right agreements that allow us to create American jobs.

So there are two issues that I have talked about. We need to get the Ex-Im Bank reauthorized before it expires so that employers in New Hampshire that have been able to use this financing mechanism and the many suppliers that also support companies outside of New Hampshire but that create New Hampshire jobs can have an opportunity to continue to use this financing to put more people to work in New Hampshire. We also need to pass trade promotion authority that is pending on the floor. If you look at the list of New Hampshire businesses that will benefit from this opportunity to create more New Hampshire jobs and more American jobs in the United States of America, this is something we need to do to strengthen our economy in the Granite State and to strengthen our country to make sure there are more opportunities for people to work in this country.

Thank you, Mr. President.

The PRESIDING OFFICER. The Senator from Connecticut.

AFFORDABLE CARE ACT

Mr. MURPHY. Mr. President, shown in this picture I have in the Chamber is Christina from Stratford, CT. She is a small business owner, and she has a story that is becoming pretty familiar all across the country. She left a job a couple of years ago that provided for employer-based health care, and she wanted to start her own business in Bridgeport, CT, right next to Stratford. So she stayed insured through COBRA for a period of time until it expired, and then she had to go out into the individual market. She recalls having to fill out a 15-page questionnaire when she was applying for individual coverage. She said it asked about ''anything that I had even remotely discussed with my doctor.'' Unfortunately for her, some of those things—preexisting conditions—meant that she was denied health care coverage.

So she had to go into Connecticut's high-risk pool, which meant she was paying $1,200 per month. Anybody who has started up a small business from scratch knows that can be pretty prohibitive. Her salvation came through the Affordable Care Act. When it went into effect and Connecticut's exchange was established, she was able to find a plan that cost her $430 per month, which is frankly on the high end of plans but it was much more affordable than the one she had.

She said: ''I'm thankful that there was a solution for me to be able to keep my business [and] have affordable health insurance'' that can't be taken away.

Similar stories can be told all over the country, but it is not just anecdotes that we have to rely on any longer to talk about the success of the Affordable Care Act.

I know that we are obsessed this week, appropriately so, with the PATRIOT Act, the transportation reauthorization, and the free-trade agreement, or the fast-track agreement. But the Supreme Court is likely upon our return after the Memorial Day recess to rule on one of the most important cases that it has heard during most of our tenures, and that is the King v. Burwell case. It is important to spend some time before we break talking about the subject of that case, the Affordable Care Act. Christina's story is miraculous—somebody who was able to start a business and keep that business open because of the Affordable Care Act. But she is one of 16.4 million people all across this country who now have health care because of the Affordable Care Act—most through Federal and State exchanges but some because they were able to stay on their parents' plan until age 26 or are able to access Medicaid.

Last month's Gallup poll showed that the uninsured rate in this country has declined by 35 percent over the course of the last year and a half, or since 2013. That is a remarkable number. We shouldn't hesitate from noting that it is just absolutely exceptional in the history of this country to have a one-third reduction in the number of people who don't have insurance in such a short period of time. The good news is that most of the folks who have insurance are satisfied, just as is Christina. Opponent after opponent of the ACA tells us this is going to be terrible health care and that there is no way the government could have anything to do with a health care plan that people want. Of course, it is not government-run health care. It is subsidized by tax credits from the government, but it is private health care insurance, with the exception of those Medicaid plans.

J.D. Power surveyed thousands of ACA enrollees and found that they like their exchange plans more than people like their nonexchange plans. So health care on this exchange is more popular than health care off of the exchange.

The good news isn't just about the number of people who have coverage; it is that costs are coming down. For the accountable care organizations, which are an innovation in the Affordable Care Act to try to build big integrated systems of care, the pilot program just came in with their savings numbers, and $384 million were saved just on this one innovation alone. That is $300 per patient. That is a big deal because it speaks to a larger trend line in which we are for the first time in a very long time able to control health care costs. On an annual basis, last year we saw the lowest increase in medical costs, the lowest medical inflation number in a generation.

But costs are coming down in part because of things that we put into place through the Affordable Care Act. My colleague Senator BARRASSO was down here yesterday with a wonderful chart about Connecticut. I appreciate his giving Connecticut a little bit of extra publicity, but his speech really was a wonderful advertisement for the Affordable Care Act. He noted that several insurers in Connecticut just came out with rate increase requests, and he had the numbers up there. They were 8 percent and 10 percent. They were substantial increases. They were not unfamiliar, because prior to the Affordable Care Act, that is what individuals and businesses were facing every single year. They were double-digit increases.

The rate increases that Senator BARRASSO was referring to were completely in line with what those same insurance plans requested last year in Connecticut. Last year Anthem Blue Cross Blue Shield requested a 12-percent rate increase. ConnectiCare requested 12 percent. Because of the Affordable Care Act, which allows States to do reviews and amendments to those rate increases, Anthem's request last year went from 12 percent to 0 percent, and ConnectiCare's request went from 12 percent to 3 percent. We had in Connecticut one of the lowest increases in health care premiums on record because of the Affordable Care Act.

So it is right that these health insurers are requesting big rate increases. But now, because of the law we passed, they don't get those rate increases in States such as Connecticut. They actually have their numbers vetted. They have their actuarial analysis reviewed, and they get a better number to the benefit of my constituents.

But this Supreme Court case that is going to come up is important because it puts millions of Americans at risk for losing many of the protections that I just talked about. It basically says that the Affordable Care Act was designed in a way to only provide these subsidies to help people get insurance on State-based exchanges, and if they were on a Federal exchange, they, by design, weren't supposed to get these subsidies.

Well, a lot of people talk about what the intent of the law is, but you don't even have to get into the intent of the law. On its face the text of the Affordable Care Act is absolutely clear, because, yes, there is a reference—one line to the fact that subsidies will flow to the State exchanges. But the plaintiffs' case completely ignores another section of the Affordable Care Act which gives the Secretary the power to establish exchanges in States that don't do it themselves. That is what has happened by the substitution of Federal exchanges for State exchanges. And, of course, the text of the bill just does not work if you believe the plaintiffs' analysis. The plaintiffs say this is supposed to be a penalty. If you didn't set up a State exchange, we are penalizing your constituents by withholding subsidies. Well, there is not a single line in the Affordable Care Act that suggests that this is a penalty. And there is the fact that the Supreme Court has said that if you want to do that, you have to make it explicit and you can't have guesswork involved as to the carrot-and-stick approach afforded to a State.

Doug Elmendorf, who was the head of CBO at the time said:

> I could remember no occasion on which anybody asked why we were expecting subsidies to be paid in all states regardless of whether they established their exchanges or not. And if people had not had this common understanding about what the law was going to do at the time, I'm sure we would have had a lot of questions about that aspect of our estimates.

Finally, the bill doesn't work on its face if you believe the plaintiffs' argument. Why? Because the insurance reforms are national. And yet the subsidies, according to the plaintiffs, are only for States that established their own exchanges. Well, the insurance reforms don't work if everybody doesn't have insurance in those States. You can't say that folks who have preexisting conditions can't be discriminated against if people in those States don't all have insurance. That actuarially doesn't work. So the whole bill falls apart if you believe the plaintiffs' case.

I am, frankly, totally confident that the Supreme Court is going to find in favor of the government because there is no other way to read the Affordable Care Act other than to believe that subsidies go to both State and Federal exchanges. It is plain on the face of the statute, but certainly you have to get to it in the intent as well.

We are starting to see that Republicans are thinking they are going to need to have an answer if—in the unlikely case, as I believe—the Supreme Court decides in favor of the plaintiffs.

But this is a pretty good summary of what the Republicans' plan is to respond to King v. Burwell. The Republicans' plan, if King v. Burwell goes in favor of the plaintiffs, is essentially a shrug of the shoulders.

The predominant bill on the Republican side is offered by my friend Senator JOHNSON from Wisconsin. He claims that this bill is going to fix the problems in the Affordable Care Act if the King v. Burwell decision is decided in favor of the plaintiffs. But it is nothing except for just another attempt to repeal the Affordable Care Act. It is disguised as a way to address King v. Burwell, but it is simply an effort to repeal the law. You don't have to read too deeply in the bill to figure that out. It preserves the subsidies for about a year and a half, but after that period of time it ends subsidies in the Federal exchanges and then it also ends subsidies in the State exchanges.

Let me say that again. The Johnson bill doesn't just end the subsidies that the Court might rule unconstitutional; it also ends the subsidies in the exchanges that the Court won't rule as unconstitutional if King v. Burwell is decided in favor of the plaintiffs. Thus, it is a repeal of the bill. It goes well above and beyond what would be necessary to address an adverse decision.

It then goes even further. The Johnson bill then repeals the individual mandate. It repeals the employer mandate, and when you do that, the insurance reforms fall apart. Even Senator CRUZ on the floor during his filibuster conceded that you can't protect people with preexisting conditions unless you also require people to get insurance.

Lastly, the Johnson bill ends the essential-benefits packages. So this guarantee, that if you buy insurance you are going to get a basic floor of services, is no longer. The Republican response to King v. Burwell is simply to repeal the Affordable Care Act, and I hope we never get to the point where we have to debate how we address an adverse decision in the King v. Burwell decision, but this is a nonstarter. Everyone inside and outside of this building should understand that. I don't think it is coincidence at all that over 30 cosponsors of the Johnson bill also support repealing the Affordable Care Act.

One cannot deny that it is working. From the New York Times to the Washington Post to the Wall Street Journal, people understand that the Affordable Care Act is changing people's lives—16 million people with insurance, health care costs stabilized for the first time in many of our lifetimes, and quality getting better. The Affordable Care Act works, and I hope that our colleagues will come together, no matter the decision in King v. Burwell, to make sure that it continues to work for Americans all over this country.

I yield the floor.

The PRESIDING OFFICER. The Senator from Arizona.

EXTENSION OF MORNING BUSINESS

Mr. FLAKE. Mr. President, I ask unanimous consent that morning business be extended until 5 p.m.

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

AMENDMENT NO. 1243

Mr. FLAKE. Mr. President, I want to talk about trade for a minute. Let me start by saying that I believe in free trade. I strongly support swift renewal of the trade promotion authority we are considering today. We all know the benefits of increased market access for U.S. goods and services are good for American consumers and businesses.

Renewal of trade promotion authority will pave the way for future free-trade agreements between the United States and many other nations. Countries around the world are not standing still on trade, and we cannot afford to sit idly by while they move ahead and engage with each other. History has shown that without trade promotion authority, there is virtually no chance that the United States will successfully reach agreement to lower trade barriers with other countries. We have to have this authority.

I am pleased to have the opportunity to participate in these deliberations, with a shared goal of making sure the trade legislation we are considering today ends up on the President's desk. Toward that goal, I want to raise an amendment I filed that is currently pending.

The proposal we are now debating will renew trade promotion authority for 6 years, but it will also renew trade adjustment assistance. This program will be expanded as well. The Flake amendment No. 1243 will strike the trade adjustment assistance title, or TAA, in its entirety from this package. It is unfortunate that Congress has grown accustomed to tying legislation that expands trade opening for U.S. businesses with this costly trade adjustment assistance.

I reject the notion that these trade-offs are necessary. When Congress

takes steps to embrace trade liberalization, it is a responsible reflection of the changing realities in the global marketplace. Almost 95 percent of the world's consumers live outside of our borders. The export of U.S. goods and services has been and will continue to be a vital part of our economy. Adjusting and modernizing U.S. trade priorities to increase economic opportunity is a realization that there is a necessary shift in our economy. Changing economic trends and conditions are a recurring part of our country's history. Look no further than the emergence of digital technology to see a familiar example. But it is only in the case of trade policy changes that the Federal Government is expected to layer on additional benefits for impacts to the workforce.

When you look at this economy and you look at how we have grown and if you look at the shifts in the economy from the industrial age onward, there have been shifts and there have been dislocations, but this is the only area where we say: All right, we are going to try to account for that with adjustment assistance beyond what we already have with the Federal Government.

Now taxpayers can at least breathe a sigh of relief that an amendment offered earlier this week that would have dramatically increased the program's authorized funding, this TAA funding, was handily defeated.

If this program is approved, we can expect to see $450 million a year spent on training, employment, case management services and job search and relocation allowances alone. In fact, all told, TAA reauthorization will likely cost the U.S. taxpayers about $1.8 billion.

TAA benefits were expanded in the 2009 stimulus bill. Those expanded benefits were, for the most part, continued from 2011 through 2014. Now, this reauthorization will restore much of that benefit expansion from the manufacturing sector to the service sector and will cover any jobs moved overseas, not just those related to countries with which we have free-trade agreements—this is despite the application criteria for Federal adjustment assistance having been notoriously lax, most notably when employees who were laid off after the Solyndra Federal loan guarantee debacle were awarded TAA benefits.

To be clear, it is not as if those who claim to need trade adjustment assistance are somehow turned away from existing Federal unemployment benefits. These trade adjustment allowance benefits provide a weekly payment to those who have already received unemployment insurance benefits. Including unemployment benefits, these payments can last as long as 130 weeks.

Duplication in Federal job-training programs has been highlighted extensively in the past. According to a 2011 Government Accountability Office report, although some of these have been repealed, 79 Federal agencies spent $18 billion to administer 47 programs in fiscal year 2009. Again, some $18 billion was spent to administer 47 programs in fiscal year 2009.

Supporters of trade adjustment assistance claim that the needs of workers impacted by vibrant international trade are somehow special in nature, but when the price tag for all existing and newly authorized training programs and funding reaches into the billions, those arguments wear a bit thin.

There have also been persistent questions related to the program's effectiveness, TAA's effectiveness.

The nonpartisan Congressional Research Service noted that ''estimating the impact of the program, for example the differences in employment outcomes of TAA beneficiaries versus otherwise identical workers who did not participate in TAA, is extremely difficult.''

A 2012 study by Mathematica Policy Research commissioned by the Department of Labor did a comparison of TAA beneficiaries to those who were not receiving them. They found that after 3 years, TAA recipients actually had lower reemployment rates. However, after 4 years, employment rates for both groups were statistically the same. So, overall, TAA recipients ended up earning less annually.

At best, the impact of TAA is a multibillion-dollar question mark. At worst, research says it is ineffective and even counterproductive.

While trade adjustment assistance is of dubious value, we certainly know that renewing trade promotion authority is an incredible opportunity for the U.S. economy. It is my fervent hope that Congress will move forward in approving legislation reauthorizing TPA. It is also my hope that one day we can recognize the benefits of trade and the fact that it lifts our economy. I hope we can advance a sound trade policy without these costly adjustment assistance programs.

I yield the floor.

The PRESIDING OFFICER. The Senator from Wyoming.

OBAMACARE

Mr. BARRASSO. Mr. President, I come to the floor noting that my friend and colleague from Connecticut was just on the floor talking about the President's health care law. It is interesting that he would do so at a time when we are seeing headline after headline about ObamaCare plan premiums increasing again all over the country.

Remember what the President said. He said: If you like your plan, you can keep your plan. If you like your doctor, you can keep your doctor.

He said premiums would go down by $2,500 for a family of four. What we have seen is premiums go up across the country. Now my colleague from Connecticut says—in spite of all the money being spent on the President's health care law, premiums are still going up. In his home State of Connecticut, they are going up, and they are going up across the country.

There is a headline in the Connecticut Mirror: ''Insurers seek rate hikes for 2016 ObamaCare plans.'' That is in Connecticut.

You know, it is interesting. I heard my colleague talking about the upcoming Supreme Court case of King v. Burwell, the implications of that case. He said the Republicans did not have a plan. Where is the President's plan? He is the guy who made this mess. This is the President's law. This is the law the Democrats voted for.

You know, there is that old sign in the Pottery Barn: If you break it, you bought it. The President broke the health care system in this country. If the Supreme Court rules that he has acted illegally—he is the one who made the mess; he is the one who created the problem.

When my colleague from Connecticut says ''Where is the Republicans' plan?'' I say ''Where is the President's plan?'' It is interesting. The President does have a plan to protect the insurance companies, but he has no plans to protect the American public, the American taxpayers. He has a built-in plan for the insurance companies so that when they wrote the policies this year, there was a decision made by the White House that those policies could be canceled by the insurance companies if the Supreme Court ruled that the President acted illegally. Yet, there is no path, no safe path for those American taxpayers who thought they were obeying the law if the court rules the way I believe they should based on the reading of the law.

So of course people around the country are very concerned when they see once again that the insurance they are mandated to buy by President Obama and the Democrats, the insurance they are mandated to buy by the health care law is going to be even more expensive next year than this year.

In Connecticut—the first paragraph of this article: ''Insurance companies selling health plans through the state's health insurance exchange are seeking to raise rates next year. . . .''

It goes on to say: ''Despite that, the carriers projected increased costs, citing rising claims expenses and a planned reduction in protection against high-cost claims. . . .'' Reduction in protection against high-cost claims. Why? Well, it says ''from a temporary federal program intended to provide stability for insurers during the initial years of the health law.'' This was the bailout of the insurance companies that President Obama and

the Democrats built into the President's health care law to get them to go along.

It says, ''The rate filings are proposals, not actual changes.'' Proposals, not changes. It says, ''The insurance department will now analyze the proposals, accept public comments. . . .'' This is the Connecticut Insurance Department. Well, you know, a lot of members of the public in Connecticut filed comments. I have them to share with the Presiding Officer and with our listeners today. These are the constituents of the Senator from Connecticut, who comes here to the floor and says things are working great in Connecticut. These are his constituents who say:

I am barely making ends meet as it is. I was under the understanding that this was to be AFFORDABLE—

With all the letters of ''affordable'' in capital letters—

—healthcare. So far it has been nothing but a burden.

This is a constituent in Connecticut—''nothing but a burden.''

He said:

I was happy with my previous plan. . . .

Weren't so many Americans happy with their previous plan before the President, who told them if they liked it, they could keep it—well, that is why there is so much disappointment out there. And the President's statement was called ''the lie of the year.''

This person was happy with his previous plan, but it was eliminated as of January 1, 2015. ''My health care,'' he says, ''went up $100 for less coverage.''

People are paying more and getting less, and Democrats wonder why this health care law is not popular. All across the country, people are paying more, getting less, and the Democrats are clueless as to why this is so unpopular.

''Please do not allow this increase.''

That is just one of the constituents who wrote to the Connecticut Insurance Department, a public comment. Here is another:

Please no rate increase. I cannot afford the insurance now. I pay $594.00 a month for myself, a 60 year old female in relatively good health. I have a $5,500 deductible. I cannot afford to have some testing done because I don't have the deductible amount.

But we heard the Senator come to the floor and say all of these people have insurance. This person figures—well, she has insurance, but it is of no value to her with her $5,500 deductible. She can't afford to have testing because of the deductible. She says:

It is bad enough we have the big security breach and we have to worry about our personal info stolen in the years to come and you now want to increase our rates.

That is what we are seeing happening across the country, that is what we are seeing happening in Connecticut, and that is what the public is telling the Connecticut Insurance Department dealing with these proposed health rate increases.

This is another:

I am writing to you regarding the . . . rate increase filing in particular and the health insurance filings in general. I am an individual buyer who does not qualify for federal subsidies due to my income level. I have been buying my family plan since before the Affordable Care Act has been passed and implemented.

They had insurance and do not qualify for a subsidy. Continuing:

Since then—

Since the Affordable Care Act was passed—

buying a family health plan in CT has become almost financially impossible for me to buy as it has become a real financial burden for me. Currently, I am paying some 22% of my Federal AGI for a high deductible (family deductible of $11,000) HSA plan.

Now, the Senator from Connecticut may say: Hey, great. This person has insurance, insurance they can't afford and they cannot use because of the deductible.

It says:

As you are certainly well aware before the passing of the Care Act my premium for health care was much more affordable.

Why is it? Well, it is because the President decided he wanted to transfer money from one group to another, and this individual who had insurance that he liked, the family liked, worked for them, they could afford, now cannot afford, cannot use because of the deductible. They are still insured, so I guess the Senator from Connecticut would call that a big win for one of his constituents who is clearly being hurt.

This is another one that has come in from Connecticut:

Are you nuts? This cannot go on. My ''affordable'' insurance has already increased $200/mo and now you want more? My income doesn't even increase this much.

Paying the penalty for no insurance is a better option than this.

DO NOT INCREASE! Learn how to live within your means like the rest of us do.

This is what we are seeing. Is this a surprise that this continues to be a very unpopular law. Should it surprise?

It surprises the Democrats, obviously, when they see that in poll after poll, month after month, the health care law is more unpopular than it is popular, and the reason is people don't see it as a good deal for them. They feel, in terms of their own health, their own families, their own communities, this health care law has been a burden on them, in their lives, and has impacted them as a family.

There is another one from Connecticut:

The ACA raised our health insurance expense (both premiums and deductibles) by 67% for similar coverage!

Sixty-seven percent for similar coverage. Remember, the President told a lot of people that what they had coverage on wasn't any good. It wasn't good enough for the President—might have been good enough for that family but not good enough for the President.

So they had to buy, for similar coverage, premiums and deductibles up 67%.

Continuing:

Please do not approve this additional increase.

This person says they would be fine with their own policy, but they weren't allowed to keep it because of the health care law.

I could go on and on. It is astonishing what we are hearing from the Connecticut Insurance Department, with a response, when they were asked, and put out the filings of the requests for higher rates. It is just interesting.

Here is one more comment from Southbury, CT:

The alleged purpose of this pool, and the affordable care act—

Alleged purpose. Remember NANCY PELOSI: First, you have to pass it before you get to find out what is in it.

Continuing:

The alleged purpose of this pool, and the affordable care act, was to get and keep health care costs under control. My (subsidized) monthly premium is more than double what I paid before being forced into this pool. . . . If the ACA is a failure, then why am I being penalized?

People all across the country believe they are personally being penalized because of the failure of the Obama health care plan and this administration who chose to, with one party and one party alone, force a very expensive, unworkable, really unaffordable, unmanageable, unexplainable health care system down the throats of the American public.

So we will see what happens when the Supreme Court rules at the end of next month. Secretary of Health and Human Services Burwell said that the administration has no plan. The President told me personally—and the White House earlier this year—he had no plan to deal with the Supreme Court ruling that says his actions were illegal, and he has no plan to deal with so many people who thought they were following the law, who have been hurt by the law.

But he has a plan to bail out the insurance companies and to protect them because we know where the President is in terms of looking at this. And his proposal, his quintessential piece of legislation—the one named after him—has clearly done a significant amount of damage to families all across the country.

I believe it has harmed the health care system, which has always been the best in the world.

We needed health care reform in the country. We did not need what President Obama forced down the throats of the American people with people across the country saying no.

People knew what they wanted in health care reform. What they knew

they wanted was the care they need from a doctor they choose at lower cost, and they have not received that under the President's health care law.

I yield the floor.

I suggest the absence of a quorum.

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

The legislative clerk proceeded to call the roll.

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

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

UNANIMOUS CONSENT AGREEMENT—EXECUTIVE CALENDAR

Mr. BARRASSO. Mr. President, I ask unanimous consent that at 5 p.m. today, the Senate proceed to executive session to consider the following nominations: Executive Calendar Nos. 25, 26, 74, and 107; that the Senate proceed to vote without intervening action or debate on the nominations in the order listed; that following disposition of the nominations, the motions to reconsider be considered made and laid upon the table; that no further motions be in order to the nominations; that any statements related to the nominations be printed in the RECORD; that the President be immediately notified of the Senate's action, and the Senate then resume legislative session; further, that all time in executive session count postcloture on the TPA bill.

The PRESIDING OFFICER. Is there objection?

Mr. LEAHY. Mr. President, I will not object. I am pleased to see some judges finally moving forward.

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

Mr. BARRASSO. Mr. President, we expect some of these votes to be by voice vote.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Mr. WYDEN. Mr. President, I ask unanimous consent to speak for up to 15 minutes.

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

TRADE POLICY

Mr. WYDEN. Mr. President, I listened to some of the debate earlier this afternoon—in between the effort to make progress toward getting a fair array of amendments for both sides—about this whole question of secrecy surrounding trade policy. A number of Senators were discussing it, and so I just wanted to take a minute to be very clear that I think they have a very valid point with respect to the secrecy that has long accompanied these trade discussions. I would like to discuss how I made it my paramount reform to make sure we would have a new era of transparency, openness, and accountability in the discussion about making trade policy.

I have always felt that if you believe deeply in international trade—the way I do—and you want more of it, why in the world would you be for all this secrecy? That just makes Americans more cynical about the whole topic and makes them think that in Washington, DC, there is something to hide.

I note my friend and partner in all this, Chairman HATCH, is on the floor, and he will recall when we began our discussions—and they went on really for close to 7 months in our effort to forge a bipartisan package—that I wanted to take a very fresh approach with respect to transparency, and I wanted us to be able to say that for the first time in the history of debating these policies, we would no longer have the country and elected officials in the dark with respect to really what is at issue in these discussions.

So here is a short assessment of what really has changed. Of course, right now we are working on the rules for future trade agreements. We are working on the trade promotion act that sets out the rules for future agreements. Obviously, the first one will involve the Trans-Pacific Partnership—what is known as TPP—and there are a variety of others that are under discussion, particularly one with Europe.

If the Congress—the Senate and the other body—adopts this package that Chairman HATCH and I, in conjunction with Chairman RYAN, have put together over these many months, I think we will have achieved our goal of making sure everybody in the Congress and everybody in the United States who chooses to can have the information they need about trade agreements before a single vote is cast on the floor of the Senate or on the floor of the other body.

Here is how the reform would work: First, it is required by law—in other words, this isn't something that is discretionary—that these trade agreements, starting with the Trans-Pacific Partnership, would be made public 60 days before the President of the United States signs that agreement. That means if you want to come to a townhall meeting in Colorado, held by the distinguished Presiding Officer of the Senate—even before the President signs it—a citizen in Colorado can come with the Trans-Pacific Partnership Agreement—the entire agreement—in their hands and ask questions of the Presiding Officer of the Senate or any one of our colleagues in the Senate and the House.

After that 60-day period of sunshine and exposure, the President can sign it, and then there would be close to 2 additional months—2 additional months—before the voting on the floor of the Senate and the House begins.

So when I heard my colleagues—Senators whom I respect greatly—talk earlier today about secrecy and that secrecy was no good and why couldn't this be changed and why couldn't that be changed, it made me want to come to the floor—and I will do an overview of all of the progressive reforms that have been made to this package; reforms I thought were important for a new era of what I call trade done right—to make sure we corrected the suggestion that somehow everybody is going to be in the dark before the Congress and the country saw voting begin in the Senate and the House.

Chairman HATCH is here, and he remembers all of our negotiations on this point. It is really going to mean—with the 60-day requirement for sunlight before the President signs the agreement and then probably 2 more months after it has been signed, before we start voting—that a citizen can come to a townhall meeting in Colorado, Utah or any part of the country and have that Trans-Pacific Partnership Agreement in their hands in order to be able to ask questions about it.

I certainly think that puts our trade negotiators and everybody else kind of on their toes because they know the American people and the Congress are going to have that document. That is going to start with the Trans-Pacific Partnership Agreement.

Now, Chairman HATCH and I made a number of other changes. In the future, it would be possible for the discussion of negotiations—summaries of the negotiations—to be made public so people would also have more information about the process as it was going forward. We have lifted a number of the restrictions in terms of Members having access to the materials and staff having access to the materials.

Because the chairman is here, I want to express my thanks to him especially on this point. We spent a lot of time on a whole host of issues: How you could put the brakes on a flawed agreement. I am glad the chairman can smile about our discussions on that point today, but suffice it to say they were pretty spirited. We had discussions on a host of these topics. I am especially pleased we made these very substantial changes on the issue of sunlight, transparency, openness, and accountability because I think my colleagues—who discussed it on the floor and many others who have been concerned about secrecy in the past with respect to these agreements—when they get a chance to actually see the details that are in the reforms Chairman HATCH, Chairman RYAN, and I put together, are going to see we have made some very dramatic changes.

Now, I think some specific changes here are areas that I would like to outline. I am going to go to the question of major changes in workers' rights and environmental protections because I know that a number of my colleagues, when they talked earlier, were concerned about these issues as well.

Suffice it to say, on workers' rights and environmental protections, if we go back to the 1990s, back to the NAFTA era, these vital priorities basically were just shunted to the side. It would be almost inflationary to say they got short shrift. They basically got no shrift. They just got shunted to the side. They were in unenforceable side deals, which meant that the United States in effect had to take it on blind faith that our partners would live up to their commitments. It was my view that many of my colleagues, particularly on the Democratic side of the aisle, were spot-on in saying that wasn't good enough.

This trade package will say in clear terms that the United States is done allowing labor and environmental protections to be pushed aside and disregarded. Our partners will be required to adopt and maintain core international labor standards. Core international labor standards are going to be required of our trading partners. They will have to adopt them, and they will have to maintain them. That is not something that is to the side and is unenforceable. That is real. It has got teeth.

Also, our partners would be required to adopt what are really common multilateral environmental agreements, and these would be backed by the threat of trade sanctions. So these are major changes that certainly contribute to what I think makes the most progressive approach with respect to trade policy in the future.

And for the first time, the President is directed under this piece of legislation to make sure our trading partners adopt and maintain key laws. That is why, for example, I mentioned labor standards. And here is what those are: freedom of association, the effective recognition of the right to collective bargaining, the elimination of all forms of forced or compulsory labor, the effective abolition of child labor and a prohibition on the worst forms of child labor, and the elimination of discrimination with respect to employment and occupation.

Now, those are the keys with respect to the labor side.

Here are the key protections on the environmental side, which I have again highlighted here at the outset. The bedrock protections here are that there has to be recognition to ensure that there is compliance with the Convention on International Trade and Endangered Species Act, the Montreal Protocol on Substances that Depletes the Ozone Layer, the Protocol on Prevention of Pollution from Ships, the Convention on Wetlands, the Convention on the Conservation of Antarctic Marine Resources, the Convention on Whaling, and the Tropical Tuna Convention.

This, again, is not stuck in a side deal but is fully enforceable, and not just rearranging inadequate policies of the past, sort of rearranging sinking deck chairs. This is better than anything that has existed before—better than the North American Free Trade Agreement, better than the Central American Free Trade Agreement.

With these changes, our country is saying that we will no longer take it on blind faith that other countries are going to adopt stronger standards for protecting workers and the environment. This is the first time the United States is setting the standard and demanding that trading partners hit that mark. That is very real progress.

I will close with just this point. Many colleagues who have been skeptical about trade agreements always raise the issue about whether trade is somehow going to be a race to the bottom. What I have just described is a concrete way to have a new force for raising standards up and getting the standards up, because my colleagues are right that they have been inadequate in the past.

So whether you are for this bill or not, I hope my colleagues will take a look at the new sunshine provisions, because the American people are not going to be in the dark about what is in a trade agreement before anybody votes on that agreement here in the Senate and the House.

I hope my colleagues will especially look at the new provisions with respect to labor rights and environmental rights, because the day is over when those considerations are going to be shunted to the side. They are going to be front and center, and they are going to have teeth. And instead of a race to the bottom that my colleagues have been concerned about, the United States will be where it always is, where we are at our best—forcing standards up.

I yield the floor.

The PRESIDING OFFICER. The Senator from Utah.

Mr. HATCH. Mr. President, I wish to personally thank the distinguished Senator from Oregon for the work he has done on this bill. It couldn't have been done without him. A number of other people on his side have been very contributory and helpful.

We are not there yet, but we are going to work at it. I just have to say how much I have enjoyed working with him on the floor so far. I just hope everything will go smoothly so we can get this bill up and out and get the President what he needs to conclude these negotiations and also especially for our Trade Representative. Mr. Froman has done a very good job, as far as I can see. We will have to see what the TPP is like, but we will all have a chance to look at it for a considerable period of time before we have to vote on anything regarding that.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

EXECUTIVE SESSION

NOMINATION OF JILL N. PARRISH TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF UTAH

NOMINATION OF JOSE ROLANDO OLVERA, JR., TO BE UNITED STATES DISTRICT JUDGE FOR THE SOUTHERN DISTRICT OF TEXAS

NOMINATION OF PATRICIA D. CAHILL TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE CORPORATION FOR PUBLIC BROADCASTING

NOMINATION OF MARK SCARANO TO BE FEDERAL COCHAIRPERSON OF THE NORTHERN BORDER REGIONAL COMMISSION

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to executive session to consider the following nominations, which the clerk will report.

The senior assistant legislative clerk read the nominations of Jill N. Parrish, of Utah, to be United States District Judge for the District of Utah; Jose Rolando Olvera, Jr., of Texas, to be United States District Judge for the Southern District of Texas; Patricia D. Cahill, of Missouri, to be a Member of the Board of Directors of the Corporation for Public Broadcasting for a term expiring January 31, 2020; and Mark Scarano, of New Hampshire, to be Federal Cochairperson of the Northern Border Regional Commission.

Mr. LEAHY. Mr. President, today, we are finally voting on the nomination of Jill Parrish to serve as a Federal district judge in the District of Utah and Jose Olvera to serve as a Federal district judge in the Southern District of Texas. Five and a half months into this new Congress, these are just the third and fourth judicial nominees that we will vote to confirm. That is simply unacceptable.

Both of these individuals were nominated last September—more than 8 months ago. After receiving a hearing in January, they were voted out of the Judiciary Committee unanimously by voice vote in February. Their nominations have now been on the Executive Calendar for nearly 3 months. There is no good reason why these nominees should have waited this long for a vote. The vacancy Jose Olvera will fill in the Southern District of Texas has been designated a judicial emergency. In fact, he will fill just one of six district court emergency vacancies in the State of Texas, which currently has a total of eight district court vacancies.

The Senate has a duty to fill judicial vacancies no matter which party holds the majority. When I was chairman of the Judiciary Committee during the Bush administration, I worked quickly to schedule confirmation hearings for judicial nominees and moved them through the confirmation process without unnecessary delay.

In the 17 months I chaired the Senate Judiciary Committee during President Bush's first 2 years in office, the Senate confirmed 100 Federal circuit and district court judges. I also served as chairman during the last 2 years of the Bush administration and continued to hold regular hearings on judges. We confirmed 68 district and circuit court judges in those last 2 years.

Now, this Republican majority has taken 3 months to schedule a confirmation vote for a single district court judge, and after today's votes only 4 district court judges will have been confirmed this year. In contrast, when the Democrats were in an equivalent position in 2007, the seventh year of the Bush administration, we had confirmed 18 circuit and district court judges after 5 months. That's 18 judges under a Democratic majority compared to 4 under the Republicans.

Nevertheless, the Republican majority continues to make excuses for their continued obstruction and delay on confirming judicial nominees. Their excuse is that the Democratic majority was only able to confirm those 18 judges in 2007 because those nominees were held over from the previous year. What the Republicans failed to note is that half or nine of the judges confirmed in the first 5 months of 2007, were not among those left pending on the Senate Executive Calendar at the end of 2006.

The justifications offered by the Republican majority also miss the bigger picture. The Republican majority is simply holding up judicial nominations for no good reason. Since the beginning of 2015, the number of circuit and district court vacancies has jumped from 40 to 51 vacancies after today's confirmations. The number of judicial emergencies has doubled, from 12 to now 24 after today's confirmation of Judge Olvera. The Republican majority is failing to govern responsibly and to fill judicial vacancies where they are needed.

It is unfortunate that as we head into Memorial Day recess the Senate Republicans are allowing confirmations votes on only 2 of the 10 noncontroversial judicial nominees pending on the Senate Executive Calendar. There is nothing keeping the Senate from confirming all 10 nominees—nothing, except for the mindset of delay for delay's sake, which is unfortunately the hallmark of the majority's leadership on nominations.

There are nominees that remain pending on the calendar that will fill a vacancy on the Federal Circuit as well as a nominee to serve in the Western District of Missouri who were first nominated last year, had a hearing more than 2 months ago, and were reported favorably out of committee 1 month ago by voice vote.

In addition, there are five U.S. Court of Federal Claims nominees who were first nominated a year ago. These five CFC nominees had hearings 10 months ago, were favorably reported out of the Judiciary Committee unanimously by voice vote last Congress, and again earlier this year. We have heard no opposition to any of these nominees, yet they have been in limbo for months and months. The CFC is where our citizens go to seek redress against the Federal Government for monetary claims. The cases this court hears include claims of unlawful takings of private land by the U.S. Government without proper compensation under the 5th Amendment, claims of veterans seeking disability benefits for combat related injuries, and vaccine compensation claims.

We are debating trade policy in the Senate, yet the nomination to fill one of four current vacancies on the U.S. Court of International Trade has sat idle on the Senate Executive Calendar for months. Like the CFC nominees, the CIT nominee had a hearing last year, was favorably reported out of the Judiciary Committee unanimously by voice vote last Congress, and again earlier this year.

I urge the Republican leadership to clear the Executive Calendar of the many consensus executive and judicial nominations before we break for the Memorial Day recess. Let us show respect for our co-equal branches of government and put these nominees in place to get to work for the American people.

PARRISH NOMINATION

Mr. HATCH. Mr. President, the Senate will soon be voting to confirm Justice Jill Parrish's nomination from the Utah Supreme Court to the U.S. District Court for the District of Utah.

Justice Parrish, who currently sits on the Utah Supreme Court, is extraordinarily well-prepared to fill this vacancy, and I hope and expect that my colleagues on both sides of the aisle will support her nomination.

Justice Parrish is a well-known and highly regarded leader in the Utah legal community, who has served with honor and distinction on the Supreme Court of Utah. Her sharp legal mind, breadth of experience, and impressive judicial temperament prepared her to serve on the Federal bench. I cannot think of a more qualified nominee to fill this vacancy at this time. I support Justice Parrish's nomination in the strongest possible terms, and I urge my colleagues to do the same.

As a former chairman of the Judiciary Committee, I have long worked to secure confirmations for the most qualified judicial nominees. In fact, I have participated in the appointment of three-quarters of the judges who have ever served on the U.S. District Court for the District Utah. That experience has given me a sense, both personally and professionally, of the kind of individual who will serve well on the Federal bench. That experience gives me every reason to strongly recommend Justice Parrish for this appointment.

Justice Parrish is a talented jurist with an impressive background. After graduating from Yale Law School, she distinguished herself in private practice before appointment to the Utah Supreme Court. During her 30-year service, she has established a record of excellence both before and behind the bench, in both State and Federal courts, in both the private and public sector, and in both trial and appellate courts.

The American Bar Association gave Justice Parrish a ''well-qualified'' rating—a distinction the organization only awards to experienced nominees with the most remarkable legal ability and the highest reputation for integrity. Federal nominees who receive the ''well-qualified'' rating are also known for their breadth of experience, their success in the legal community, and their capacity for judicial temperament.

Not only does Justice Parrish match the ABA's requirements, but in every respect, she exceeds them. The United States has the most respected judiciary in the world, and we expect our nominees to the Federal bench to have a record of accomplishment in their chosen area of legal expertise. Justice Parrish is remarkable in that she has not just one but multiple areas of expertise, bringing keen judgment to an appointment that requires a broad range of experiences.

I have every confidence that Justice Parrish will serve admirably as a district judge, just as she has served honorably on the Utah Supreme Court. I might say, in supporting her confirmation, I wish to thank Senator LEE, who is not only my colleague on the Judiciary Committee but also my partner in representing our great State and in recommending the best candidate for

judicial appointment. We agree that Justice Parrish is a well-qualified nominee, and we strongly recommend her swift and unanimous confirmation. I call on my colleagues—Republicans and Democrats alike—to support her nomination.

I know this woman personally. I know her very, very well. All of the qualities I have been speaking about I have personally observed.

I think everybody here knows how seriously I take appointments to the Federal bench. In this particular case, I feel very, very good about this nomination. I ask my colleagues to vote for her.

Mr. LEE. Mr. President, we will have the opportunity in a few moments to vote on a friend and colleague, Jill Parrish, who serves currently on the Utah Supreme Court. She has been nominated by President Obama to serve on the U.S. District Court for the District of Utah, replacing Federal Judge Dee Benson, with whom I have clerked.

I can think of no one better to replace Judge Benson than Justice Parrish. She is a friend, she is a respected jurist, and she is a dedicated citizen. She is a friend to all who know her.

I am honored to have the opportunity to vote for her today, and I urge all of my colleagues to do the same.

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the nomination of Jill N. Parrish, of Utah, to be United States District Judge for the District of Utah?

Mr. LEE. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

The result was announced—yeas 100, nays 0, as follows:

[Rollcall Vote No. 184 Ex.]

YEAS—100

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

The nomination was confirmed.

VOTE ON OLVERA NOMINATION

The PRESIDING OFFICER. Under the previous order, the question is, Will the Senate advise and consent to the nomination of Jose Rolando Olvera, Jr., of Texas, to be United States District Judge for the Southern District of Texas?

Mr. BURR. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The result was announced—yeas 100, nays 0, as follows:

[Rollcall Vote No. 185 Ex.]

YEAS—100

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

The nomination was confirmed.

The PRESIDING OFFICER. The majority leader.

ORDER OF BUSINESS

Mr. MCCONNELL. Mr. President, I am sure everybody is interested in the state of play. Chairman HATCH and Senator WYDEN are meeting off the floor to try to identify a path forward. We would like to get more amendments pending and set some votes for later this evening.

I hope we will have an update from the bill managers here shortly, but I want to remind everybody, we are going to finish this bill before we leave. We are going to deal with FISA and we are going to deal with highways. There is a path forward, if people want to take it, that could complete all of this work at a reasonable time—probably sometime tomorrow—or we could make it difficult, but the end won't change. So I would just encourage at least some level of cooperation here because we are doing TPA and we are doing FISA and we are doing highways.

I yield the floor.

VOTE ON CAHILL NOMINATION

The PRESIDING OFFICER. Under the previous order, the question is, Will the Senate advise and consent to the nomination of Patricia D. Cahill, of Missouri, to be a Member of the Board of Directors of the Corporation for Public Broadcasting for a term expiring January 31, 2020?

The nomination was confirmed.

VOTE ON SCARANO NOMINATION

The PRESIDING OFFICER. Under the previous order, the question is, Will the Senate advise and consent to the nomination of Mark Scarano, of New Hampshire, to be Federal Cochairperson of the Northern Border Regional Commission?

The nomination was confirmed.

The PRESIDING OFFICER. Under the previous order, the motions to reconsider are considered made and laid upon the table and the President will be immediately notified of the Senate's action.

LEGISLATIVE SESSION

The PRESIDING OFFICER. Under the previous order, the Senate will resume legislative session.

ENSURING TAX EXEMPT ORGANIZATIONS THE RIGHT TO APPEAL ACT—Continued

The PRESIDING OFFICER. The Senator from Iowa.

Mr. GRASSLEY. Mr. President, free trade is very important to our country and to our future economic prosperity. Anyone who does not believe that is in denial, in my opinion. We live in a global economy and we need to lead on the issue of free trade.

We must not make excuses and cower away from the opportunity in front of us.

The trade promotion authority legislation we are considering is a critical tool for the advancement of our economic interest throughout the world.

This legislation is also proof that Congress and the administration can work together to increase economic opportunity for Americans across all 50 States.

Chairman HATCH and Ranking Member WYDEN have worked for months to get us to this point. I commend them for this effort and I look forward to working with them to finish this process.

We know that 80 percent of the purchasing power in the world is located outside the United States, along with 95 percent of the world's consumers.

As the middle class expands in regions such as Asia, we have to make

sure our businesses and workers have the ability to take advantage of the opportunity that growth presents.

Some estimates predict the middle class in Asia is going to swell from half a billion people to over 3 billion people in just the next 15 years. Are we going to sit on the sidelines while other countries gain preferential access to those consumers?

Governor Branstad of Iowa, recognizing the benefits of trade, sent a letter to me this week outlining his support for trade promotion authority. The letter was signed by 74 other Iowans who represent businesses and associations that also believe it is critical that Congress pass TPA.

The letter states:

Quite simply, international trade is important to Iowa's businesses, workers and farmers. A vote for leveling the playing field in international trade is a vote for Iowa.

I couldn't agree more with Governor Branstad on that point.

Last year, U.S. exports equaled $2.35 trillion and supported nearly 12 million jobs. Can any of us imagine our unemployment rate without trade supporting 12 million jobs?

In Iowa alone, 448,000 jobs are dependent on trade, according to the U.S. Chamber of Commerce. And those jobs pay 18 percent higher wages on average because they are tied to trade.

Americans know the benefits of trade. And we know that American businesses and workers are some of the most efficient and productive in the world. We just need to make sure they have the opportunity to succeed.

That is why we are considering this bill—to expand economic opportunities for American businesses and workers.

Free-trade agreements that lower trade barriers in other countries can do an amazing thing—they can stimulate our economy through exports without requiring additional spending.

During testimony to the Senate Finance Committee, Trade Representative Froman pointed out that the U.S. is already an open marketplace with tariffs that average just 1.6 percent, some of the lowest in the world. Yet at the same time, our companies face very high tariffs in other markets. Some agricultural products face tariffs up to 400 percent, machinery can be up to 50 percent.

We cannot let the status quo on trade, where we have an open marketplace while our businesses face extremely high tariffs, continue. Trade agreements set the stage for long-term opportunity. The citizens in Iowa who may benefit the most from more trade with Pacific rim countries are probably still in school. We can help their future today.

Iowa exported $15.1 billion in 2014. That represents a 135 percent increase compared to a decade earlier. $9 billion, or 60 percent of the exports went to TPP countries under current trade rules. Imagine what is possible just in Iowa if we reduce barriers in that region.

Roughly, $3.6 billion worth of machinery assembled by Iowa workers alone was exported last year. The goal of the legislation before us is to increase that number.

According to the Department of Agriculture, fiscal years 2010–2014 represent the strongest 5 years of agricultural exports in the history of our country. We exported $675 billion worth of agricultural goods during that period.

The Trans-Pacific Partnership would create more opportunities for our farmers and ranchers in a region of the world that represents 39 percent of global GDP. You heard me correctly, we have a chance to give our farmers, ranchers, and businesses better access to markets that represent over one-third of global GDP.

And while I support and believe in the immense benefits of free trade, I also oppose countries tilting the field in their favor through actions like undervaluing their currency. An undervalued currency makes export goods cheaper from the country with the cheaper currency and also makes it harder for consumers in that country to purchase foreign goods, like our agricultural products.

I support addressing currency manipulation in our trade agreements. I have watched administrations of both parties put their heads in the sand on this issue. Everyone opposes currency manipulation, yet little ever gets done.

This TPA bill represents the modern realties we face from the global economy that need to be addressed by our trade negotiators.

The bill includes clear negotiating objectives for standards on sanitary and phytosanitary regulations that must be science-based. Having science-based standards will help limit disruptions to U.S. agricultural exports and even open up some new markets for our producers.

Negotiating objectives are offered related to digital trade in goods and cross-border dataflows that are new and unique issues for the time we now live in.

Clear guidance from Congress is also given for localization barriers and intellectual property rights. More transparency and consultations are also required of the administration.

This is a good bill that we need to pass so we can finish the free trade agreements we have been working on for years.

The Trans-Pacific Partnership and other trade agreements like the Trans-Atlantic Trade and Investment Partnership, known as TTIP offer tremendous opportunity for our country and my home State of Iowa.

Throughout the world, there are an estimated 260 preferential trade agreements, the United States is only involved in 20 of them.

We must embrace our role in the world as the competitive economic powerhouse that we are. America is a country that leads, we have a chance to enter into a trade agreement that will set new rules and standards for one-third of the global economy.

Getting TPA through Congress and completing more free trade agreements in the future can unleash economic prosperity that leads to more jobs, more economic growth, and more opportunity for our workers.

I will end by asking what our alternative is for future competiveness. Other countries are working on preferential agreements. Are we going to sit idly while other countries enter into strategic agreements?

Should we let China start setting the rules of trade throughout the world?

Should we allow other countries to continue blocking our agricultural products with nonscientific excuses?

Should we watch the growing middle class in Asia get their food and products from other countries without trying to compete for their business?

The status quo on trade guarantees us a future with less economic opportunity compared to passing TPA and new trade agreements. That is why we must pass TPA and then pass new trade agreements to help ensure America has a brighter economic future.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

Mr. HATCH. Mr. President, I want to take a few minutes today to talk once again about Congress's role in advancing our Nation's trade policies and specifically on the increasingly important issues of digital trade and intellectual property rights.

Let's keep in mind that the last time Congress passed TPA was in 2002. We live in a very different world than we did 13 years ago. Technology is vastly different. Commerce is vastly different. For example, in 2002, less than 700 million people worldwide had access to the Internet. Last year, that figure reached nearly 3 billion—with a ''b''—3 billion people. In 2002, e-commerce platforms such as Amazon and eBay were just beginning to gain widespread use. Special media sites and other platforms that today drive so much Internet traffic and user-generated content—sites such as Facebook, YouTube, and Twitter—did not even exist.

In the last 13 years, an entirely new economy has developed based on these online platforms. Today, Facebook has around 1.4 billion—with a ''b''—active users, with approximately 83 percent living outside of the United States of

America and Canada. YouTube has more than 1 billion users, with local interfaces in 75 countries and compatibility with 61 different languages.

Mobile technology has similarly been transformed since 2002, as the term ''smart phone'' has become part of our regular vocabulary. Mobile phones were big and clunky in 2002 and were not good for much more than making phone calls. Today, smart phones perform a myriad of functions, including streaming video from the Internet, video calling, digital photography and videography, and GPS locating, just to mention a few.

The growth of the Internet and mobile technologies has transformed our economy, the products and services we buy, and how we buy them. The advances have significantly reduced the cost of moving products and services across borders and boosted productivity in this country and around the world.

Digitally traded goods and services are growing and are expected to continue to grow. According to a recent study conducted by the International Trade Commission, in 2012, U.S. digitally intensive firms sold nearly $1 trillion or nearly 6 percent of our total GDP in goods and services over the Internet. About one-quarter of those sales were small and medium-sized enterprises. The people behind these numbers are everyday Americans just trying to compete in an increasingly competitive global marketplace.

Fortunately, our TPA bill includes upgraded negotiating objectives that reflect the world in which we now live. To address this new digital economy, our bill for the first time recognizes the growing significance of the Internet as a trading platform in international commerce. It would also extensively update and expand the e-commerce directives from the 2002 TPA bill to require U.S. negotiators to ensure that all trade agreement obligations, rules, disciplines, and commitments apply to digital trade and that digitally traded goods and services receive no less favorable treatment than comparable goods and services and that they are classified to ensure the most liberal trade treatment possible.

The free flow of data across borders is critical to facilitating digital trade, as it allows U.S. companies to identify market opportunities, innovate and develop new goods and services, maintain supply chains, and serve their customers around the world. Unfortunately, an increasing number of governments are considering or imposing restrictions on cross-border dataflows, including requirements that U.S. companies store and process data locally. Our bill directs U.S. negotiators to ensure that our trading partners refrain from such restrictions and requirements.

It also includes several new and expanded negotiating objectives to address common regulatory issues faced by U.S. companies in the digital economy. For example, the bill directs U.S. negotiators to seek greater openness, transparency, and convergence of standards, development processes, and to encourage the use of international and interoperable standards.

I would urge any of my colleagues who oppose this bill to explain how they plan to give American workers and businesses in the digital economy an opportunity to thrive in an increasingly competitive marketplace—global marketplace, really. They talk about wanting to preserve jobs and protect Americans, but existing trade rules were written for a time long since passed.

Beyond transitioning our country into this increasingly competitive world of technological growth, our TPA bill also takes a bipartisanship, bicameral approach to improving intellectual property rights protections. Protecting intellectual property is critical to the development of the digital economy, just as it is critical to overall economic growth.

Our Founding Fathers believed intellectual property to be so fundamental to America's future prosperity that they explicitly granted Congress the congressional authority to protect it. Since Jefferson's moldboard plow and Eli Whitney's cotton gin, American intellectual property has spurred on American job growth and prosperity, creating more competitive businesses here—right here in America. Intellectual property, be it for mechanical products, software, or semiconductors, creates value for individuals and American businesses. In turn, these businesses create jobs, spur economic growth, and enrich our culture.

The simply truth is, the countries that strengthen intellectual property rights enjoy great economic benefits. They attract more investment, technology transfers, increased immigration, and ultimately more prosperity for their citizens. Yet, despite these fundamental truths, intellectual property protections around the globe are often fundamentally deteriorating and continually at risk.

Our economic and strategic competitors are well aware that the United States leads the world in innovation, but all too often they fail to understand why. Instead of fostering policies to advance innovation, they seek shortcuts to undermine and even steal American intellectual property. The tools they employ are numerous and very sophisticated. Some of these tools include nontransparent reimbursement and licensing regimes, unfair standard setting, and burdensome regulations.

All of these mechanisms are designed specifically to pry away some of the most innovative and productive parts of our economy, tearing away the competitive edge our American businesses have worked so hard to create and stunting what could be a much more liberal playing field. If enacted, our bill would represent a significant step forward in strengthening the protection and enforcement of intellectual property rights around the world.

It calls for robust intellectual property rules, building on the strong intellectual property standards found in the prior 2002 TPA law. This includes requiring that trade agreements meet the same high standards found in U.S. law. Our bill also requires countries to fully implement the TRIPS Agreement, particularly the enforcement obligations.

To address the challenges and opportunities created by the digital economy, our bill would ensure that right holders are able to keep pace with technological developments by controlling and preventing unauthorized use of their works online.

A growing problem around the world is that foreign governments are stealing valuable technology from U.S. businesses. This type of trade-secret theft threatens to diminish U.S. competitiveness around the globe. It puts American jobs at risk and poses threats to U.S. national security. To address this problem, our bill calls for an end to government involvement in intellectual property rights violations, including piracy and cyber theft of trade secrets.

The bill also ensures that governments limit the unnecessary collection of trade-secret information and protects any information they do collect from disclosure. This is the first time TPA legislation has addressed these issues—these very important issues.

The bill also requires the elimination of the price controls and reference pricing, which are used by many countries to deny full market access to innovative pharmaceuticals and medical devices.

The bill further includes a new provision to direct the U.S. negotiators to ensure that regulatory reimbursement regimes that make pricing and reimbursement decisions are transparent, provide procedural fairness, are nondiscriminatory, and provide full-market access for innovative pharmaceuticals and medical devices.

Our bill also calls for the elimination of measures that require U.S. companies to locate their intellectual property abroad as a market access or investment condition. Finally, this legislation includes an expanded capacity-building objective, directing the administration to work with U.S. trading partners to strengthen not only their labor laws, as was provided for in 2002, but also their intellectual property rights laws.

Once again, we live in an economic and technological environment that is very different from the one that existed in 2002. Advances in Internet and

mobile technologies have transformed whole sectors of our economy. Our bill positions our country to take advantage of the opportunities and face the challenges presented by the 21st century economy, and that is one of the many reasons why it should pass.

I urge each of my colleagues to work with me to help move this bill forward so we can negotiate strong trade agreements that serve today's economy as well as set the stage for America's next generation of entrepreneurs and innovators.

I yield the floor.

The PRESIDING OFFICER (Mr. FLAKE). The Senator from Nebraska.

BUILD USA ACT

Mrs. FISCHER. Mr. President, I rise this evening to speak about our Nation's infrastructure. In just a few days, authorization for our Nation's transportation programs will expire. By August, the highway trust fund will run out of money. Our States and citizens will face the consequences of inaction in Washington.

Americans depend on our Nation's roads every day as they travel to work, bring their children to school, and transport goods to consumers. Transportation infrastructure is an essential component of our daily lives and for the national economy. As such, it must be efficiently maintained. But today, all across America, our highways and bridges languish in disrepair. Our citizens are no strangers to potholes, road closures, and ''expect delays'' signs. Moreover, as America's population continues to grow, expansion projects for our crumbling highways remain caught in bureaucratic redtape.

For decades, it has been apparent that excessive regulations, coupled with inadequate funding and financing, have delayed badly needed road projects. I have firsthand knowledge of the challenges facing our Nation's transportation system. In my home State of Nebraska, roads and bridges connect vibrant, urban communities with our open country.

Before arriving in the Senate, I served as chairman of the transportation and telecommunications committee in the Nebraska Legislature. And while there, I spearheaded a bill that eventually became law.

What is now known as the Federal Funds Exchange Program provides the State of Nebraska with the ability to voluntarily exchange Federal transportation funding for State transportation financing at 80 cents on the dollar. In exchange for giving up this Federal funding, counties and cities receive State transportation dollars with more reasonable regulatory requirements.

This program has been a great success in my State of Nebraska. For example, in Buffalo County, federally exchanged funding made a longstanding bridge replacement possible. A major arterial street in South Sioux City is up and running because of the program. In Scottsbluff, a city in the Nebraska Panhandle, they are using our State program to conduct important maintenance on city streets, and the program has also enabled Adams County to construct several bridges and a large culvert project.

Despite these accomplishments in Nebraska, States across the country suffer from very rigid, regulatory requirements and a shortage of transportation funding options. Our current system is broken. States not only need more options, but they need some relief as well.

In fact, the Congressional Research Service estimates that a lack of flexibility has caused major highway projects to take as many as 14 years to plan and to build.

The time has come to bring successful practices from Nebraska to Washington.

For this reason, I have introduced the Build USA Act. This bill will create a new funding structure for State transportation projects. Specifically, the Build USA Act establishes the American Infrastructure Bank. The bank will allow States to remit Federal transportation dollars.

States would then be able to receive 90 percent of this money back and retain control over the environmental, construction, and design aspects of highway projects. This new strategy will infuse more dollars into our transportation system, and it is going to provide States with greater flexibility so they can build and maintain their roads.

The revenues that are generated from State remittance agreements with this bank would also help fund other local infrastructure projects. Currently, the Federal Government only offers large-scale financing options for States seeking core infrastructure funding. So, as a result, smaller communities are often ineligible to receive Federal assistance for their projects, while major metropolitan areas benefit from easier access to financing.

Under the Build USA Act, bank loans would not be subject to a minimum project cost or size. The revenue from these loans could help local governments apply for core infrastructure financing at a rate that is going to be more competitive than the private sector.

The Build USA Act provides additional funding flexibility for those immediate transportation needs that we see all across this country. And, what is more, it accomplishes it without raising taxes.

Under this proposal, a voluntary 3-year repatriation holiday would be implemented to generate seed money for the bank's revolving fund operations. Recent estimates by the Joint Committee on Taxation suggest that the first 3 years of a similar repatriation plan could raise as much as $30 billion.

Although some Members of Congress wish to save these revenues for an overhaul of the Tax Code, most of us do acknowledge that tax reform is unlikely to come to fruition in the near future. Meanwhile, our Nation's transportation needs are immediate. We better address them now. These dollars should go toward solving problems that our citizens experience every single day. As such, revenue should help provide a long-term solution to highway funding, not just a one-time jump-start or a shot in the arm, as some people have suggested.

This proposal is a long-term solution. It is a solution to issues that have plagued our Nation's roads for decades. Individual States must have the flexibility to address the unique needs of their local communities.

In order to address the transportation challenges facing our Nation, we need to have more options available. Although this plan does not address the immediate challenges facing the highway trust fund, it does represent a way to infuse new money into our Nation's transportation system, while it is offering States new solutions to get transportation projects up and running.

It looks to the future. This is a proposal for the long term. It is time that we start thinking outside the box. It is time to offer Nebraska's best practices to help the Federal Government help itself.

Our Nation needs to get moving, so I encourage all of my colleagues to look at this proposal, to consider this proposal, because it moves us forward into the future.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

The Senator from Ohio.

Mr. PORTMAN. Mr. President, we have been talking over the past several days about trade. I wish to add a little discussion here about some of the specific amendments that may come up over the next day or two. I am hopeful that we will have a vote on some of these amendments later this evening.

It is incredibly important for us to expand opportunities for our workers and our farmers by knocking down barriers to trade. That is why more export promotion is a good thing. These are not only more jobs for America, for my State of Ohio, for the Presiding Officer's State of Arizona, but these are better-paying jobs as well. There is no question that not having trade promotion authority over the last 7 years has been detrimental to us in terms of

losing market share for our workers and our farmers.

Other countries are negotiating agreements. In fact, there have been well over 100 agreements negotiated without the United States being a party and that cuts us out.

But as we do that, as we expand exports—which is a good thing—we must be sure that playing field is also more level and fairer, so that our workers and our farmers, and our service providers have the opportunity to compete.

That is all we are asking for.

There are a couple of amendments likely to come up again this afternoon and over the next couple of days. One is with regard to this issue of when somebody dumps a product or when a country has a policy of subsidizing a product, there should be the ability for American companies to respond on behalf of their workers.

When products are dumped or when there is a subsidy on an import, there is a process by which you go to the International Trade Commission and seek help, show that you were materially injured, that damage was done to you, your company, and your workers because of these unfairly traded imports. You then go to the Commerce Department's International Trade Administration and make the argument as to what the countervailing duty ought to be, what the tariff ought to be to combat this. The problem is that in that system today, it is so hard to show material injury and to get that relief that often by the time you can get that relief, it is too late.

We certainly found this in Ohio with regard to many of our industries, and a lot of them, therefore, are very interested in this amendment. One is steel. Right now, there is a lot of tube and pipe coming into this country from overseas. We believe some of it is being sold at below its cost here in America. That means it is being dumped. We believe some is being subsidized. That means it should be subject to countervailing duties. Yet, by the time you can get that relief, find that remedy, often it is just too late. You have lost your market share. You have lost the American jobs.

So this amendment, which is bipartisan and which is backed by over 80 American companies and trade associations and many companies in my home State of Ohio, such as U.S. Steel, Timken Steel, ArcelorMittal, is a commonsense measure that says: Look, workers shouldn't have to lose their jobs before they can get relief.

Seventy-eight of our colleagues backed this amendment in the Customs bill last week. In fact, Senator HATCH, chairman of the committee, who has done a good job shepherding this process through, included this amendment in his mark in the Committee on Finance, which demonstrates how much support it has. However, we feel it is very important that it be in this legislation, in the trade promotion authority bill, which is the bill we are now debating on the floor. We can't let it get left behind.

It is interesting because other countries do have provisions in their laws to keep our exports out if they believe they are unfairly traded or for other reasons. Let me give an example of this by going to AK Steel, which is a company that is based in West Chester, OH. It has 4,000 workers in the State of Ohio. AK Steel produces a high-tech steel called grain-oriented electrical steel. It is a silicon alloy used in the power generation and transmission industry and is more commonly referred to as GOES. GOES steel is a specialty steel. It is an incredibly important product for AK Steel because it is one they are able to export. They are so efficient at producing it and it has such high value that they are exporting it to a number of countries around the world. They produce this steel with 250 United Auto Workers—members of the UAW—in Zanesville, OH.

Back in 2010, China imposed antidumping and countervailing duties on GOES from the United States, including this product from AK Steel made in Zanesville, OH. They claimed U.S. producers had received subsidies through the ''Buy American'' provisions in the stimulus bill. They didn't, by the way, but that is what China claimed. It was really retaliation that had to do with some other products that had been coming from China to here—tubular products for the oil and gas industry—and they were retaliating. Anyway, that was China's claim.

So our company, AK Steel, said: Look, this is not accurate. But these duties were put in place anyway by China. It reduced the exports by 92 percent from Ohio to China. So the United States—rightfully so—took China to the World Trade Organization and won the case because the facts were on our side. We won the case, but China appealed it—without removing the duties.

So this all takes time. Meanwhile, you are losing market share. Instead of immediately removing the duties, when they lost the appeal, China chose to run out the clock, only dropping their tariff a couple weeks before the WTO forced them to do it. So American-made GOES was kept out of China for 5 years. This process took 5 years and cost American workers millions of orders.

Meanwhile, the U.S. domestic producer sought relief from their government by going to the ITC as well as the ITA—the International Trade Commission and the International Trade Administration—and they found the domestic industry was not injured in a case against producers from several countries, including Japan, Germany, China, and Poland, despite surging imports and dropping prices. So on the one hand, they were not able to sell in China for 5 years and lost a lot of market share and millions of dollars. On the other hand, when they went to their own government to ask for a little relief on this product coming in, they were not able to show injury despite surging imports and dropping prices.

The provisions we have simply clarify that when a producer—a U.S. company—is injured, when it is material injury as was defined in the statute, they shouldn't have to wait until after the factory is closed and workers are laid off for us to stand up for our workers.

By the way, just last month these GOES producers were cut out of another large international market. The European Union announced it would be imposing duties on this same electrical steel from the United States, again putting millions of dollars of exports at risk.

So our provision is an attempt to help level this playing field. It is WTO-consistent; in other words, it doesn't violate our international obligations. It simply clarifies what ''material injury'' means. It goes back to the original statutory language and makes it easier for American companies to seek the relief they deserve. This is going to help protect millions of American jobs that otherwise could be at risk because our trade laws haven't kept up with international commerce.

This is an example of one of the amendments we would very much like to offer on the floor. I know there is discussion right now in another room in this Capitol about whether we will be able to offer this amendment. It is an amendment by Senator BROWN and me. It is an example of what—if we included it in the trade promotion authority legislation—would make this a bill that is truly balanced, one that expands exports, which is incredibly important, as I said earlier, to the people I represent—our farmers, our workers—and to our State and our economy, but that also ensures that there is a more level playing field, that there is fairness in this underlying legislation.

The second amendment we hope to offer is with regard to currency manipulation. We have talked a lot about this on the floor this week, and I would just say three things.

One, this is something a lot of Members in this Chamber have already looked at because 60 Members of the Senate in 2013 sent a letter to the President of the United States saying that with regard to trade agreements, there should be enforceable currency manipulation prohibitions—60. Some of those Senators are still in this Chamber. Most of them are. I would hope we again would have a strong message from the Congress, which is what trade

promotion authority is, that in the context of trade negotiating objectives—and there are about 20 different trade negotiating objectives in TPA—one of them should be that we have a prohibition on currency manipulation, and it should be enforceable.

Second, there will be an alternative amendment offered that agrees with our amendment in terms of the definition of currency manipulation. Specifically, it does not affect monetary policy. It does not affect what the United States has been doing with QE2, QE3, QE1.

By the way, for those who think that kind of monetary policy is export-oriented, look at the value of the dollar. It has certainly not been effective at lowering the price of our currency. In fact, our currency has gone up in value. It is about stimulus. We can argue about the merits or demerits of that monetary policy, but it is not affected at all by this amendment, and the amendment specifically clarifies that.

So just to be clear, No. 1, 60 Senators have already signed this letter; No. 2, this is consistent with the International Monetary Fund definition, which says this is not about monetary policy. It is about real intervention. It is about intervention in currency markets to be able to affect exports, to lower the price of exports unfairly and to increase the cost of our exports to other countries unfairly.

Finally, I would just say this is about the balance we talked about earlier. The American people want to know that while we are expanding exports, we are also ensuring that we get a fair shake—our farmers, our workers, our service providers.

There is a quote by a former Chairman of the Federal Reserve, Paul Volcker, that I think is telling. As a former Chairman of the Federal Reserve, he said that, ''In five minutes, exchange rates can wipe out what it took trade negotiators ten years to accomplish.''

As a former U.S. Trade Representative, I agree with that. Currency manipulation takes away so much of the value of what we are trying to do on this floor. Those who support trade should be in favor of prohibitions on currency. This is a distortion. If you are a market-oriented fiscal conservative, if you are someone who believes we ought to let markets work, then you should be against currency manipulation because it does distort the market. If you are someone who believes we should be expanding exports but it should be fair, you should be for this prohibition on currency manipulation and making it enforceable. And we should have the courage of our convictions. If we really do believe that, we should be sure there is some ability to make this enforceable.

The countries of the Pacific region that are currently negotiating with us on the Trans-Pacific Partnership do not currently manipulate their currency, but a couple of them have in the past. Notably, Japan has over 300 times before 2012. Malaysia has. It doesn't make sense to put in place this provision to say: In the future—once we have completed this agreement with you, we have knocked down these trade barriers in the United States and in your country to enable us to have more trade—you would not be able to manipulate your currency under this agreement.

There is some polling data out there that indicates 9 out of 10 Americans agree with that, by the way. And of course they do because it is just common sense. All we are looking for is the ability to compete fairly.

Wouldn't it be great if we could do both of these things—expand exports but also be sure we are getting a fair shake for the people we represent, the AK Steels of the world that have their products blocked in China and their products blocked in the EU and yet can't receive the relief here or the companies in my home State that work hard to bring some business back from China?

In one case, there is a small manufacturer in Cleveland, OH, that told me about this. It is a company that makes highly valuable steel products, and these are products that help hold up speakers at major concerts. They brought some of that business back from China.

One day I was in their shop talking to them, and they said: Well, we are going to lose this order. Why? Currency manipulation. That made the Chinese imports into our country less expensive because they manipulated their currency and lowered their value and made it much more difficult for them, therefore, to be competitive. They were concerned that they were going to lose that order despite the fact that they had done everything to make their plant more efficient and that the workers had made concessions. They had done everything right and played by the rules. That is what we are asking, that everybody be asked to play by the rules.

So I hope the underlying legislation passes, but I hope it passes with these improvements to ensure that we do have a balance here; that we are able to tell our farmers and our workers and our service providers: You are going to have the opportunity now to access 95 percent of the consumers who are outside the borders of the United States of America. That is a good thing. It will mean more jobs and higher paying jobs, paying on average 15 to 18 percent more, and better benefits. But also, by entering into these agreements, we are going to have more fairness for you so you can get a fair shake and be able to do what you want to do, which is to be able to compete in this global marketplace and be assured that competition will be fair.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Alaska.

Mr. SULLIVAN. Mr. President, I rise in support of the trade promotion authority bill which has been debated on the Senate floor the last few days.

I begin, though, by complimenting my good friend and colleague from Ohio—one of the most well-respected Members of this body, I think an example of a true American statesman, and certainly one of our best U.S. Trade Representatives who knows a lot about the topic that we have been debating. So I thank him for his tremendous service for the people of Ohio and of our country.

The TPA bill we have been debating is going to be good for the country. It will help move our country forward, provide tremendous opportunities for growth and expansion—for our farmers, ranchers, businesses, fishermen, workers, and those in the high-tech sector.

As Senator PORTMAN mentioned, 95 percent of all global consumers lie outside of the United States—95 percent. What we need to do is access those consumers to have more opportunity.

Currently, it is estimated that over 38 million jobs in the United States are tied to trade. The trade agreements we are talking about on the Senate floor that would come after TPA will create hundreds of thousands of new jobs and new opportunities for Americans. These are good jobs, and we need more jobs.

This has been one of the weakest recoveries of any major recession in American history. We are barely growing at 1.5 percent, 2 percent GDP growth. These are not traditional levels of American growth. Why? Why has our growth been so slow?

Well, there are many reasons. But I think the overregulation of our economy by the Federal Government clearly is one of the major reasons, and trade agreements are exactly the kind of boost we need. What do trade agreements do? They reduce regulations, they cut redtape, they reduce taxes on goods coming in to American families. We need this kind of policy, in terms of less regulation and more freedom for our domestic economy and internationally. That is how we are going to get moving again. That is how we are going to get this economy moving again. That is how we are going to get Americans working again. That is why TPA is so important to begin this process. But TPA is also about American leadership—bipartisan U.S. American leadership.

Since the end of World War II, every administration—Democratic, Republican, it doesn't matter—has wanted to lead on trade, has wanted to obtain trade promotion authority, and that has been critical to American leadership, global leadership, and helping our businesses and workers.

It is also critical to make sure we have a seat at the table, to set the rules for the global trading regime as we have traditionally done—again, bipartisan, Democrats and Republicans for decades have been doing this—and to help make sure we are leveling the playing field for our workers.

The American workers—the American fisherman, the American rancher, the American farmer—can compete against anyone in the world with a level playing field. We have done that for decades. That is the American way, but we have to be in the game. We need to be the country setting the rules. We need to be the country that lays out trade agreements that have strong intellectual property rights protection, that open markets, that get rid of state-owned enterprises, that have strong enforcement provisions—so when countries cheat in global trade, we have the ability to enforce rules and strike back if we need to, to protect our economy, our workers, our farmers, our fishermen.

I wish to talk a little bit about free trade as it relates to my home State of Alaska.

Here are some facts about trade in Alaska: Already, in my State of Alaska there are over 90,000 jobs tied to trade. That is more than one in five of all jobs in the Alaska economy tied to global trade, particularly trade to the Asia-Pacific region.

We are also a huge recipient of foreign direct investment—foreign direct investment that employs Alaskans. These are good jobs. Fourteen thousand Alaskans are directly employed by foreign companies, and there are tens of thousands more who are indirectly benefited. So many Alaskans count on these important jobs.

In terms of exports, of course we are a very large State with a relatively small population—a little over 700,000 citizens. But in 2013, the State of Alaska exported over $6 billion in goods and services. Per capita exports, we are a powerhouse. We are one of the strongest exporters in the country. And in terms of fish and seafood, we are the superpower of exports—not per capita but absolute exports. In 2013, we exported roughly $2.3 billion in seafood and fish.

The fishing industry is a very important industry for a lot of States in our country, but more than half of all seafood harvested in America comes from Alaska's waters. It is also one of the biggest employers in my State. In fact, it is the biggest employer in my State, even more than some of the resource industries. There are 78,000 Alaskans employed in this industry, and these are the epitome of small businesses.

Every fishing vessel, when you look at one, is a small business. What do they do? They take risks. I am sure some have seen ''The Deadliest Catch.'' A lot of times they are family-owned. They work hard, and they produce a great product—a great product—king crab, fresh Alaska salmon—a great product. These are classic American small businesses, which brings me to my amendment.

As my colleague from Ohio mentioned, there are a lot of discussions right now. We sure hope Members of this body are going to have opportunities to present amendments to make the TPA bill stronger.

The amendment I have filed, that I want to offer, is a simple amendment to make a principal negotiating objective under TPA focusing on making sure members of the fishing community—American Fish, American Seafoods—have opportunities for more open markets overseas. This will benefit the hard-working fishing families all across America.

This amendment will ensure that of the many TPA objectives, this one will be in there—more access to markets, more opportunities for these great American small businesses.

As I mentioned, not only in terms of Alaska is this an important industry, this is a hugely important industry for the United States. In 2013, our country exported over $5.5 billion worth of fish and seafood. The commercial fishing industry in the United States in 2013 employed over 1 million Americans, with an income of $32 billion. Let me repeat that: Over 1 million Americans in this industry nationwide and $32 billion in income—and, again, most of these are classic American small businesses. This is who TPA should be focused on.

As I mentioned, the current TPA bill has negotiating objectives for a lot of important industries in our great country—textile, agriculture, services, manufactured goods. There are about 20 specific trading negotiating objectives that the TPA bill directs the U.S. Trade Representative to get in terms of the free-trade agreements he will try to seek once TPA has been passed, and this is the way it should be. Those are all great sectors. Agriculture is hugely important to our country. But we should also have a similar negotiating objective for another very important industry in this country—our seafood industry, the fishing industry.

This is a simple amendment. It asks that the U.S. trade negotiator focus as a principal objective to make sure this industry has opportunities just like all the other industries do and, importantly, particularly as we are trying to work through this bill to see what amendments we can get on it, this is a very bipartisan amendment.

Senator MARKEY of Massachusetts, on the other side, has a lot of hard-working fishing families. So from Alaska to Massachusetts, this is a very bipartisan bill that will help small businesses, and it help coastal communities that rely so much on fishing.

Finally, I want to talk about TPA and go back to the issue of American leadership. TPA, open trade, and free-trade agreements can work for America. They can work for our workers, farmers, businesses, ranchers, fishermen. I know. I have had the opportunity of seeing this firsthand.

I worked as an Assistant Secretary of State under Condoleezza Rice on economic issues, on trade issues, and a number of the free-trade agreements we currently have in force were ones I had an opportunity to work on with many members in the Federal Government.

Let me give two examples: the free-trade agreement we had with Singapore and the free-trade agreement we had with Australia. Once these were passed and the barriers to our exports came down, American exports skyrocketed to these countries. As I mentioned, American workers can compete with anyone. Give us a level playing field, and we will take advantage of it.

U.S. exports, in terms of goods to Australia, rose 33 percent between 2004 and 2009. U.S. goods exports to Singapore were up $21 billion—31 percent—from 2003 to 2009.

I met with the Singapore Ambassador today. He reminded me that we actually have a trade surplus with Singapore, as I believe we do with Australia, because of these free-trade agreements.

So free-trade agreements are a win-win for our country economically, but they also importantly deepen the economic ties that bind our country and our citizens to some of our most important friends and allies—such as the country of Singapore, such as the country of Australia, and that is happening.

Finally, though, trade is also about American leadership, it is about American confidence, the ability to say: Open the markets and we can compete with anyone. We need that confidence back.

For too long under this administration we have been disengaged from the world. For too long we have allowed other countries to be in the driver's seat globally—where we have not been driving events, we have been reacting to events internationally. For too long we have been withdrawing, for too long we have been leading from behind, and for too long we have not been showing confidence globally; we have been showing weakness. Weakness is provocative, and you see that all over the world.

Now, I have been critical of this administration's approach to foreign policy in a whole host of areas—its foreign policy of global disengagement, its lack of confidence, and American leadership in the world. But I applaud the President for what he is doing now. I applaud the President for his strategy of rebalancing the focus of military forces and trade in the Asia-Pacific.

I applaud the President for doing the hard work of seeking TPA. These are never easy votes. These are never easy votes. But we should support what he is doing because it means America is back. We are engaging again. We are not leading from behind. We are leading the way countless administrations in the past have done with regard to global trade.

This will enable us to determine our future, to drive it, not react to it. I urge my colleagues to vote for this TPA bill because it is a vote for American leadership.

I also urge my colleagues to vote for the amendment that is going to help many small businesses throughout the United States and coastal communities and our strong fishing communities.

My amendment will strengthen the TPA bill, and I encourage all my colleagues to support that amendment as well.

Mr. President, I yield the floor.

Mrs. SHAHEEN. Mr. President, I ask unanimous consent to enter into a colloquy with Senator HATCH and Senator WYDEN.

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

SMALL BUSINESS AND TRADE

Mrs. SHAHEEN. I appreciate the chairman's leadership on the trade promotion authority, TPA, legislation. As he has said, this bill creates the process by which the administration can negotiate trade agreements that have the potential to enhance trade opportunities for American businesses. The ability to reach new markets is critical for ensuring that American businesses can compete in a global marketplace.

Trade has become increasingly vital for small businesses looking to diversify and grow. And yet, even though 95 percent of the world's customers live overseas, less than 1 percent of small- and medium-sized businesses in the United States sell to global markets. By comparison, over 40 percent of large businesses sell their products overseas.

As ranking member of the Small Business Committee, one of my priorities is narrowing that gap. I believe that, as we consider expanding trade relationships, we must make sure that small businesses have a seat at the table and the support they need to reach global markets and compete internationally.

Does the chairman agree?

Mr. HATCH. I thank the Senator from New Hampshire. Yes, I agree wholeheartedly. Small businesses are a vital part of promoting international trade.

Mrs. SHAHEEN. I thank the chairman. To that end, I have filed an amendment, amendment No. 1227, that would take a number of steps to ensure that our small businesses benefit from international trade and potential new trade agreements.

Although I understand that we will not have an opportunity to amend the TPA legislation, I hope to work with the chairman to ensure that this amendment is included in H.R. 644 or a similar bill as reported by a conference committee to reauthorize trade facilitation and trade enforcement functions and activities.

Mr. HATCH. The Senator has my commitment to work with her to do so.

Mrs. SHAHEEN. I thank the chairman. I appreciate his support for this amendment.

Does the ranking member agree that we should ensure that small businesses are supported as part of our trade agenda?

Mr. WYDEN. I do, and I support the amendment of the Senator from New Hampshire that would make sure that we engage small businesses as part of our efforts on international trade. I also look forward to working with her to do everything possible to get this amendment included in H.R. 644.

Mrs. SHAHEEN. I thank the ranking member.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

MORNING BUSINESS

TRIBUTE TO BOB SCHIEFFER

Mr. MCCONNELL. Mr. President, later this month, a man we have all become accustomed to welcoming into our living rooms will leave behind a decades-long journalistic career and embark on a new journey with his wife, Pat.

Bob Lloyd Schieffer has been a Pentagon reporter. He has served as a State Department reporter. He has covered the White House. And he has roamed the halls of the Capitol as a congressional reporter.

It is rare to see any journalist serve in all four of the big DC national assignments. But Bob Schieffer has.

Bob has interviewed every President since Nixon. He has moderated debates between Kerry and Bush, between Obama and McCain, and most recently between Obama and Romney. He has won just about every award possible in broadcast journalism, including a few Emmys. And he has turned out chart-topping hits, like ''TV Anchorman,'' as the front man for a honky-tonk band.

Perhaps that is the passion Bob will follow in retirement. We will see.

But here is one thing we do know: Bob Schieffer is one of the most famous Horned Frogs ever to graduate from his beloved TCU. It is no wonder Bob Schieffer's alma mater elected to name its School of Journalism after the man who hosts CBS' ''Face the Nation'' every Sunday.

I have been a guest on his show many times. He can ask tough questions. But he is fair.

The last time I appeared with Bob, we talked about the new majority's drive to restore the Senate. He later shared his view on our efforts with his audience.

''What's happening is by no means on the scale of an Old Testament miracle,'' he said.

''But,'' he noted, ''Every journey begins with a first step.''

I agree with him. It is not like we are parting the Potomac. But we are getting the Senate moving again, debating again, amending again, and working again. I think it is good for our country.

Perhaps Bob might take some of his own advice as he looks to the future too.

Because every journey does begin with a first step.

So whatever it is Bob ultimately chooses to do in retirement, whether it is penning a memoir or cutting more honky-tonk hits, it all begins with that first step. He will take it on May 31, when he signs off for the last time.

I am sure it will be a bittersweet moment for him. But it is a step he is likely to ultimately welcome after so many years in the spotlight. The Senate wishes him all the best in retirement.

CELEBRATING RABBI YOCHEVED MINTZ OF CONGREGATION P'NAI TIKVAH

Mr. REID. Mr. President, I rise today in celebration of Rabbi Yocheved Mintz' 10th anniversary with Congregation P'nai Tikvah in Las Vegas, NV. Through her dedication to serving others, Rabbi Mintz has helped further Congregation P'nai Tikvah's commitment to providing an inclusive and open environment for spiritual development. I am appreciative of her tremendous efforts on behalf of the Jewish community and the city of Las Vegas.

Rabbi Mintz' many leadership roles demonstrate the seriousness with which she takes her duties as a spiritual leader, as well as her compassion and willingness to devote much of her time to helping others. Within the Jewish community, her responsibilities include president of the Mintz Family Foundation for Creative Jewish Education and serving on numerous boards, such as the Jewish Family Services Agency and Rabbis for Religious Freedom and Equality in Israel. Rabbi Mintz also brings her years of experience in Jewish education to the community through her work as founding board chair for the Florence A.

Melton School for Adult Jewish Education. As the first female president of the Las Vegas Board of Rabbis, Rabbi Mintz is an inspiration to many young Jewish girls and women who aspire to become Rabbis and leaders within their communities. In line with Congregation P'nai Tikvah's commitment to fostering a welcoming environment for religious life, Rabbi Mintz is a board member of the Interfaith Council of Southern Nevada and the Clark County Ministerial Association.

For decades, Rabbi Mintz has provided opportunities for religious education to Jews of all ages, and I am pleased to stand today in celebration of the 10 years she has devoted to Congregation P'nai Tikvah in Las Vegas. I congratulate Rabbi Mintz and Congregation P'nai Tikvah on this important anniversary.

LEGISLATION PROTECTING VICTIMS OF SEXUAL VIOLENCE AND HUMAN TRAFFICKING

Mr. LEAHY. Mr. President, on the floor yesterday, the majority leader claimed that last Congress, Senate Democrats ''failed to bring any trafficking legislation to the floor.''

I do not normally do this, but I must correct the record. The facts are exactly the opposite, and the Senate's history must be clear on this.

Last Congress, despite the opposition of the majority of Senate Republicans, including Senators MCCONNELL and CORNYN, Senate Democrats reauthorized our Nation's two cornerstone pieces of legislation that protect victims of sexual violence and human trafficking—the Violence Against Women Act, VAWA, and the Trafficking Victims Protection Act, TVPA. Combined, these two bills reauthorized nearly $1 billion a year in funding for survivors of these horrible crimes. As we updated and modernized these landmark laws, we listened to the survivors and the advocates who work with them every day to make sure that our legislation responded to the real needs of real people. We were not looking for gimmicks or shortcuts. Instead, we dedicated hours of time learning about what was working and what needed to be improved in order to best meet the needs of survivors.

The end result was two bills that did more to prevent sexual assault and human trafficking and to reach more victims than ever before. Because of our comprehensive and inclusive approach, these bills had the strong and vocal support of more than 1,400 local, State and national organizations.

In addition to the successful reauthorization of the Violence Against Women Act and the Trafficking Victims Protection Act last Congress, I later moved a comprehensive package of legislation to address the issue of human trafficking here in the United States, which included critical support programs directed at runaway and homeless youth to prevent trafficking in the first place. Last year that package, which included the Justice for Victims of Trafficking Act, as well as the Runaway and Homeless Youth and Trafficking Prevention Act, the Bringing Missing Children Home Act, and the Combat Human Trafficking Act, was reported out of the Judiciary Committee, which I chaired. I then sought the unanimous consent of the Senate to pass that bipartisan package, and every single Democratic Senator agreed. But Republicans blocked it. They objected to it. Senator MCCONNELL failed to mention any of this yesterday.

So if such assertions are going to be loosely made on this floor, let the record be clear about who, in fact, stood in the way of protections for trafficking victims last year. Look to see which Members voted against the reauthorizations of the Violence Against Women Act and the Trafficking Victims Protection Act. Those two laws were passed with the votes of every Senate Democrat. And last year, it was Republicans who obstructed passage of the subsequent comprehensive domestic antitrafficking package, supported by every Democrat, that included critical trafficking prevention legislation. On top of all that, under Democratic leadership of the Senate Appropriations Committee, total appropriations for trafficking victims' services more than doubled in fiscal year 2015, rising from $28.1 million to $58 million.

When we look at the facts, it is simply outrageous and laughable to suggest Senate Democrats did not support antitrafficking efforts last Congress. These facts matter and I cannot allow revisionist history to muddy the accomplishments we and so many advocates fought for in the last Congress.

Regrettably, the newly empowered Senate Republicans have not continued the same survivor-led approach we took in the last Congress to pass VAWA and the TVPA. Instead they sought to use a new antitrafficking bill, the Justice for Victims of Trafficking Act, JVTA, to expand the reach of the Hyde amendment and its restrictions on health care for these women who are survivors of trafficking crimes. In doing so, the same Senators who voted against VAWA and TVPA in the last Congress inserted unnecessary and destructive politics into what was otherwise a bipartisan antitrafficking bill. The result was to needlessly tie the Senate in knots for weeks over this legislation. More importantly, Senate Republicans' effort to expand the Hyde amendment undermined what should be the very goal of antitrafficking legislation—to help return dignity and self-determination to the lives of survivors of human trafficking. That was certainly the goal of our successful effort to expand the scope of VAWA and TVPA to reach all victims.

It is also the goal behind the Runaway and Homeless Youth and Trafficking Prevention Act that I reintroduced with Senator COLLINS this Congress. This bill, which was a critical part of the debate last Congress and should remain a critical part of the debate in this Congress, aims to prevent young people from becoming victims of trafficking in the first place. We know runaway and homeless children are exceptionally vulnerable to human traffickers. These children literally have nowhere to go. And traffickers prey on this vulnerability. That is why Senator COLLINS and I fought so hard to add this legislation to the JVTA. The runaway and homeless youth programs supported by our bill keep kids safe, save lives, and prevent human trafficking in the first place.

I was very disappointed when our amendment failed to pass by just four votes. What was most disheartening was that the principal objection was the inclusion of an important nondiscrimination provision to ensure that no child, including those who identify as LGBT, faces discrimination by service providers. But I am not giving up. I will keep fighting to see this legislation passed because it is so important. As the Polaris Project, a leading antitrafficking advocacy organization, recently told the New York Times:

> Successful efforts to combat modern slavery must address the root causes that make people vulnerable in the first place . . . Until critical funding is reauthorized through the Runaway and Homeless Youth [and] Trafficking Prevention Act to support critical services, such as shelter beds for homeless kids, this population will face increased risk.

Senator MCCONNELL and I may differ in our opinions, but I think it is important to get it right when it comes to facts. To say that Senate Democrats failed to move antitrafficking legislation last Congress rewrites history and does a tremendous disservice to all of those victims and advocates who so recently dedicated years of their lives to the successful reauthorization of the Violence Against Women Act and the Trafficking Victims Protection Act, and to crafting a bipartisan package of antitrafficking legislation that was ultimately blocked by Senate Republicans.

RECOGNIZING THE J. WARREN AND LOIS MCCLURE FOUNDATION ON ITS 20TH ANNIVERSARY

Mr. LEAHY. Mr. President, I am honored to recognize the J. Warren and Lois McClure Foundation on the celebration of its 20th anniversary. For two decades, the selfless philanthropy of the McClure family has allowed scores of deserving Vermonters to pursue financial stability and academic success.

Established in 1995, the foundation was built upon Lois and her late husband Mac's concept of ''giving with warm hands.'' Inspired by the idea of collaborative philanthropy, the McClures set out to give with the hope it would encourage benevolence among future generations.

For 20 years, the foundation has collaborated with private and public partners to support low-income and first-generation students, adult learners, and veterans. From providing transition services for homeless youth, to promoting single parents' education programs and mental health services for veterans, there are no bounds to the McClure family's encouragement of life-long success.

Institutions such as the Vermont State Colleges, the American Red Cross of Vermont, the Vermont Department of Libraries, the Vermont Vet to Vet Program, and hundreds more have expanded innovative learning programs as a result of the foundation. From cancer patients to legislators, the foundation has touched countless lives, while inspiring those to follow their dreams.

The foundation has also been instrumental in supporting historical preservation projects at the Leahy Center for Lake Champlain and the Lake Champlain Maritime Museum. The McClures' vision to inspire a lifelong cultural and historical education for all Vermonters, meanwhile maintaining a commitment to environmental sustainability, has enhanced multiple facets of our State's diverse landscape for generations to come.

As someone who has met many leaders and legends within public service, I am continually humbled by the McClure family's boundless charity and true dedication to supporting the common good.

Marcelle and I are proud to call Lois our dear friend, and we were blessed and honored to know Mac. We are forever proud of the McClures' undying commitment to Vermonters, and we are thrilled to congratulate the foundation on 20 wonderful years of extraordinary and selfless service.

NATIONAL MENTAL HEALTH AWARENESS MONTH

Mr. CARDIN. Mr. President, I ask my colleagues to join me in recognizing May as National Mental Health Awareness Month. Sadly, mental health is a subject that often does not receive the attention it deserves in our society, despite the fact that mental illness touches the lives of tens of millions of Americans each year. Nearly 50 percent of American adults will develop at least one mental illness in their lifetimes, and in a given year, one in four American adults, more than 60 million people, experiences some form of mental illness. Of that number, approximately 5.8 percent suffer from a serious mental disorder like schizophrenia, bipolar disorder, or major depression.

Mental illness can have a devastating impact on an individual's overall health and quality of life. Those suffering from serious mental illnesses are not only at increased risk for chronic medical conditions, but they also die, on average, 25 years earlier than other Americans, due in large part to treatable medical conditions. Adults with severe mental disorders are also much more likely to be impoverished, further limiting their access to health care services needed to help manage their illnesses. A 2012 study published in the Journal of Mental Health Policy and Economics found that the presence of a household member with a severe mental illness was shown to increase the likelihood of poverty in a home by more than three times.

Mental illness also has a significant impact on our country's economy. According to the CDC, the economic cost of mental illness in the United States was a staggering $300 billion in 2002.

The good news is that high-quality, evidence-based treatment for mental illnesses can be very effective. However, fewer than half of those in need receive any mental health care in the United States. This is simply unacceptable. Stigma, cost, and other barriers, such as limited capacity in some areas to serve all those in need, prevent many individuals from receiving necessary mental health care. It is imperative that we act to improve access to high-quality, evidence-based mental health care services in our country.

Several weeks ago, I had the opportunity to attend the ribbon-cutting ceremony for the Mosaic Integrated Healthcare Center, a state-of-the-art facility in Baltimore that will provide essential mental health services, substance abuse treatment, and primary care services to the community. Mosaic Community Services is the largest community-based behavioral health service provider in Maryland, serving thousands of children, adolescents, and adults annually. The new Integrated Healthcare Center will allow full implementation of Mosaic's integrated care model, which addresses patients' physical and behavioral health needs in a comprehensive, coordinated, and cost-saving manner. A pilot program based on this model, supported by a 2010 grant from Maryland's Community Health Resources Commission, resulted in an impressive 78 percent reduction in emergency room visits and urgent inpatient care. Mosaic's innovative system is a perfect example of the ways in which integrated care can improve quality of care, result in better health outcomes, and help generate long-term cost savings.

I am also excited to be working on an initiative to improve access to, and quality of, mental health care in our country by facilitating the integration of mental health care services into the primary care setting through the collaborative care model, developed by the late Dr. Wayne Katon, at the AIMS Center at the University of Washington.

In the collaborative care model, primary care providers treat patients with common mental health disorders, such as depression or anxiety, with help from a care manager and a psychiatrist who acts a consultant, reviewing patients' progress, making treatment recommendations and sharing his or her expertise with the primary care provider and care manager. The collaborative care model not only improves patient care experiences and outcomes, it has also been shown to reduce overall health care costs. One large trial, which focused on depression care in primary care clinics in five States, found substantial reductions in overall health costs, with an overall rate of return on investment of $6 in health care costs saved for each $1 spent on depression care.

Mental illness affects the lives of so many Americans. This May, in honor of National Mental Health Awareness Month, let us commit to working together to improve mental health care in our country by building on the success of integrated care models like the collaborative care model and the innovative system at Mosaic's Integrated Health Center.

TRIBUTE TO LARRY ARFT

Ms. BALDWIN. Mr. President, I wish to recognize and salute Larry Arft, the city manager for Beloit, WI, on the occasion of his retirement. It has been my pleasure to work closely with Larry since he started in this role in 2003. Throughout that time, he has been a tireless and effective leader of the community. He has been a model public servant, and his talent and passion will be missed by all who have worked with him.

A Missouri native, Larry served in the U.S. Army in Vietnam. Following his military service, he graduated magna cum laude from the University of Missouri—St. Louis. It was there that his interest in local government was sparked by an internship with a St. Louis-area municipality. Since then, Larry has served with distinction in multiple communities in three States for more than 40 years.

As Beloit city manager, Larry Arft has been the driving force behind extensive economic development. During his tenure, Beloit has experienced strong and sustained revitalization of its downtown, in the Gateway Business Park, and along its riverfront. He has always been an enthusiastic partner with the business community, and

Larry proved that Beloit was—and continues to be—a good place to do business. He also engaged other government leaders in the area, around the State, and in the Federal Government. He set an example of how things should be done and how people could come together to address challenges.

I had the privilege of working closely with him in efforts to secure Federal funding for the construction and improvement of local roads and bridges, allowing for safer and more rapid transport and economic development. In addition, I had the pleasure of working with him as he led efforts to create good jobs and attract visitors to the area through the development of a Beloit casino.

Larry's work extended well beyond the city limits. He actively engaged other communities in the region and served as the president of the Wisconsin League of Municipalities, advocating for issues important to cities and villages.

I am grateful for Larry Arft's contributions to the people of Beloit and to the people of Wisconsin, and I thank him for his service. I know his presence and personal commitment will be missed. I wish him and his wife Karen all the best in the years ahead.

ADDITIONAL STATEMENTS

NATIONAL SEERSUCKER DAY

● Mr. CASSIDY. Mr. President, today I rise in appreciation of seersucker manufacturers and enthusiasts across the country. I extend a Happy Seersucker Day. This uniquely American fashion has a storied history dating back to 1909. Louisiana is proud to have played an important part in introducing the country to seersucker apparel. The first seersucker suit was designed by Joseph Haspel at his Broad Street facility in New Orleans, LA.

This lightweight cotton fabric, known for its signature pucker has been enjoyed by Americans from all walks of life during our hot summer months. Mr. Haspel said it best, ''hot is hot, no matter what you do for a living.'' In the 1990s, Seersucker Day was established by members of this chamber to honor this unique American fashion. I proudly resumed this tradition last year in the U.S. House of Representatives by designating Wednesday, June 11 as National Seersucker Day. I wish to continue this tradition in the U.S. Senate by designating Thursday, June 11 as National Seersucker Day once again. I encourage everyone to wear seersucker on this day to commemorate this iconic American clothing.●

RECOGNIZING THE OPENING OF THE UCI-FRED HUTCH CANCER CENTRE

● Mrs. MURRAY. Mr. President, today I want to congratulate the Fred Hutchinson Cancer Research Center and the Uganda Cancer Institute for officially opening the UCI-Fred Hutch Cancer Centre in Kampala, the first comprehensive cancer center jointly constructed by U.S. and African cancer institutions in Sub-Saharan Africa.

The 25,000-square-foot regional cancer center is a state-of-the-art-facility that can treat up to 20,000 patients a year and includes an adult and pediatric outpatient clinic, a specimen repository, training center, conference rooms, and a pharmacy.

Uganda has a substantial cancer burden, and 6 out of 10 of the most common cancers there are caused by infectious diseases. To address this unique health need, Uganda has invested in cancer research, training, and clinical care. The UCI-Fred Hutch Cancer Centre will significantly increase patient access to cancer diagnosis and treatment while furthering study of cancers in Uganda, particularly those that are infection related.

This alliance brings together two international leaders in the field of oncology care, training, and research and is ideally positioned to provide American and Ugandan physician scientists with indepth training in the treatment of infection-related malignancies in both the United States and Sub-Saharan Africa.

The relationship between Fred Hutch and the UCI dates back to 2004, and the UCI/Hutchinson Center Cancer Alliance was formally established in 2008. The program was formed to support the development of a strong biomedical infrastructure in Uganda that would contribute to the prevention, early detection, diagnosis, and treatment of cancer and related health concerns.

In 2008, Uganda had just one oncologist who treated more than 10,000 patients a year. In response, Fred Hutch spearheaded an extensive medical training program that has trained more than 300 Ugandans and Americans to date in the treatment of infection-related cancers, including physicians, nurses, laboratory technicians, pharmacists, data specialists, and experts in regulatory affairs and fiscal management. Today, the number of practicing oncologists in Uganda has increased twelvefold.

The UCI-Fred Hutch Cancer Centre is funded in part by two grants for which I was proud to advocate totaling $1.4 million from the U.S. Agency for International Development (through the American Schools and Hospitals Abroad Program), as well as an $8.6 million investment from Fred Hutch. The Ugandan Government has supported the collaboration through donations of land, provision of funding for personnel and equipment, and technical support.

I am proud to work with Fred Hutch in their effort to bring cutting-edge cancer care to patients and families all around the globe. This joint venture with UCI has the potential to drastically improve the lives of many people, both in Uganda and worldwide. I am proud that my State of Washington is home to Fred Hutch, and I applaud them and the Uganda Cancer Institute for their cross-national effort to effect this critical change.●

LEONARD SCHOOL OF MUSIC 70TH ANNIVERSARY

● Mr. SCOTT. Mr. President, I would like to congratulate and honor the Leonard School of Music in North Charleston, SC, for their 70th anniversary. In 1945, the Leonard School of Music was founded by Mr. Patrick Leonard, who became a Charlestonian early in his life. He was a tromobonist for the prestigious Armco Band and the Circus Corporation of America. After traveling to Charleston with the circus, he fell in love with the city and ultimately started the Leonard School of Music. Mr. Patrick Leonard eventually retired from his leadership role at the school and passed it on to his son, Dan Leonard.

Mr. Dan Leonard is a recognized expert in the field of music education. His work has received State, national, and international acclaim. He has taught and directed bands of all levels: elementary, junior high, high school, and college. Many of Mr. Leonard's students are accomplished musicians and teachers. His specialized rhythm approach has inspired Leonard School instructors' teaching strategies.

The Leonard School of Music became a nonprofit organization in 2010. The school's mission is to provide solid music education for all Lowcountry youth regardless of race, creed, or financial standing. On May 23, 2015, the Leonard School of Music will celebrate 70 years of music excellence. I applaud Patrick and Dan Leonard for their expertise in music education, and therefore recognize the Leonard School of Music's accomplishment.●

REMEMBERING SID McDONALD

● Mr. SHELBY. Mr. President, today I wish to honor the life of Sid McDonald of Arab, AL, who passed away on May 15, 2015. He will be remembered as a skilled businessman who was committed to bettering his community and State through public service.

Sid was born in Springfield, AL. He earned a degree from the School of Commerce and Business at the University of Alabama in 1961. However, his time at the University of Alabama goes well beyond his days as a student. He was a member of the University of Alabama board of trustees from 1992 to

2008, and served as the pro tempore of the board from 1999 to 2002.

Sid began his career in public service when he was named to the Alabama Commission on Higher Education in 1970, the year that it was created. He had a passion for education and was instrumental in establishing the Arab City School system where he became the first board chairman. Sid served the people of Marshall County in the Alabama House of Representatives for two terms and also served in the Alabama Senate from 1975 to 1979. He later served as Alabama's finance director under Governor Fob James from 1980 to 1982.

After graduating from the University of Alabama, Sid began his successful business career. He became president of Brindlee Mountain Telephone Company, which he managed until it was sold in 2000. In 1983, he founded DeltaCom, a statewide long-distance telephone company, serving as its chairman until it was sold in 1996. He was one of the first outside members of the board of directors of Intergraph Corporation from 1997 until 2006. Most recently, he led the start-up of CBX Holding, LLC (Cold Box), an Arab producer and marketer of temperature controlled cargo containers. In addition to his many business adventures, he was very active in commercial and residential real estate development.

Sid's accomplishments and contributions to the State of Alabama have not gone unnoticed. He was elected in 2001 to the Alabama Academy of Honor's One Hundred Living Alabamians and was elected to the Alabama Business Hall of Fame in 2010. The University of Alabama also dedicated a facility on campus in his honor, Sid McDonald Hall.

I offer my deepest condolences to Sid's wife Jane Plunkett McDonald, and to all of their loved ones as they celebrate his many life accomplishments and mourn this great loss.●

RECOGNIZING DOWNS ENTERPRISE, LLC

● Mr. VITTER. Mr. President, in order to pursue the American dream in today's regulatory climate, small businesses owners and entrepreneurs require a variety of administrative and support services. Often, they are able to offer a helping hand to each other, building important relationships and creating economic opportunity across the board. Small Business of the Week, Downs Enterprise of Bastrop, LA, is providing these crucial services to fellow small businesses, entrepreneurs, and veterans throughout northeast Louisiana.

Troy Downs, founder of Downs Enterprise, LLC, has been assisting small business owners in northeast Louisiana for nearly 14 years. In 2001 Downs opened his namesake consulting business, focusing on managing, consulting, and developing local small businesses through financial, real estate, and logistical services. After nearly 10 years of success, Downs visited the Louisiana Small Business Development Center, LSBDC, at the University of Louisiana-Monroe, located in Monroe, LA, with a financial management and business development and expansion plan. Downs took advantage of all the LSBDC had to offer, attending every seminar and networking event available to him, even if not directly related to his business. Downs believed that just his being there would put him in a position to learn, and it worked—a sentiment that he now passes along to the businesses he consults. Through Downs Enterprise, LLC, Troy and his team have assisted in starting and managing over 25 successful businesses, created 50 jobs, and counseled over 100 individuals in the process of starting and maintaining a healthy business.

After years of successfully guiding individuals through the hoops of starting and maintaining a business, Downs, a 25-year serviceman of the U.S. Army, saw the need for such a consulting service geared towards our Nation's brave servicemen and women. After experiencing the difficulties servicemen and women have in adjusting back to a civilian lifestyle, the Downs Foundation was born. Today, the Downs Foundation continues their original goal of assisting veterans in small business development, while also providing services in credit restoration, preparation for jobs, and counseling services. Down's work in northeast Louisiana has earned him the distinguished honor of being recognized as the 2015 Veteran Small Business Champion by Louisiana Economic Development and the U.S. Small Business Administration.

Congratulations again to Downs Enterprise for being selected as Small Business of the Week. Thank you for your continued commitment not only to your community, but also to your fellow brothers and sisters of the military.●

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Pate, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

(The messages received today are printed at the end of the Senate proceedings.)

MESSAGES FROM THE HOUSE

At 10:15 a.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 880. An act to amend the Internal Revenue Code of 1986 to simplify and make permanent the research credit.

H.R. 1806. An act to provide for technological innovation through the prioritization of Federal investment in basic research, fundamental scientific discovery, and development to improve the competitiveness of the United States, and for other purposes.

The message also announced that pursuant to section 202(a) of the Veterans Access, Choice, and Accountability Act of 2014 (Public Law 113–146), and the order of the House of January 6, 2015, the Speaker appoints the following individuals on the part of the House of Representatives to the Commission on Care: Mr. David P. Blom of Columbus, Ohio, Mr. Darin Selnick of Oceanside, California, and Dr. Toby Cosgrove of Cleveland, Ohio.

The message further announced that pursuant to 22 U.S.C. 276h, and the order of the House of January 6, 2015, the Speaker appoints the following Members of the House of Representatives to the Mexico-United States Interparliamentary Group: Ms. LINDA T. SÁNCHEZ of California, Mr. GENE GREEN of Texas, Mr. POLIS of Colorado, Ms. JACKSON LEE of Texas, and Mrs. TORRES of California.

The message also announced that pursuant to 20 U.S.C. 4412, and the order of the House of January 6, 2015, the Speaker reappoints the following Member on the part of the House of Representatives to the Board of Trustees of the Institute of American Indian and Alaska Native Culture and Arts Development: Mr. BEN RAY LUJÁN of New Mexico.

ENROLLED BILL SIGNED

At 1:05 p.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the Speaker has signed the following enrolled bill:

S. 178. An act to provide justice for the victims of trafficking.

The enrolled bill was subsequently signed by the President pro tempore (Mr. HATCH).

At 2:36 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has passed the following bill, in which it requests the concurrence of the Senate:

H.R. 2496. An act to extend the authorization for the replacement of the existing Department of Veterans Affairs Medical Center in Denver, Colorado, to make certain improvements in the Veterans Access, Choice, and Accountability Act of 2014, and for other purposes.

At 6:28 p.m., a message from the House of Representatives, delivered by

Mr. Novotny, one of its reading clerks, announced that the House has passed the following bill, in which it requests the concurrence of the Senate:

H.R. 1735. An act to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

MEASURES REFERRED

The following bill was read the first and the second times by unanimous consent, and referred as indicated:

H.R. 1806. An act to provide for technological innovation through the prioritization of Federal investment in basic research, fundamental scientific discovery, and development to improve the competitiveness of the United States, and for other purposes; to the Committee on Commerce, Science, and Transportation.

MEASURES PLACED ON THE CALENDAR

The following bill was read the second time, and placed on the calendar:

H.R. 2353. An act to provide an extension of Federal-aid highway, highway safety, motor carrier safety, transit, and other programs funded out of the Highway Trust Fund, and for other purposes.

The following bill was read the first and second times by unanimous consent, and placed on the calendar:

H.R. 1735. An act to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

ENROLLED BILL PRESENTED

The Secretary of the Senate reported that on today, May 21, 2015, she had presented to the President of the United States the following enrolled bill:

S. 178. An act to provide justice for the victims of trafficking.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. THUNE, from the Committee on Commerce, Science, and Transportation:

Special Report entitled ''Report on the Legislative Activities of the Senate Committee on Commerce, Science, and Transportation During the 113th Congress'' (Rept. No. 114–50).

By Mr. THUNE, from the Committee on Commerce, Science, and Transportation, without amendment:

S. 143. A bill to allow for improvements to the United States Merchant Marine Academy and for other purposes (Rept. No. 114–51).

S. 808. A bill to establish the Surface Transportation Board as an independent establishment, and for other purposes (Rept. No. 114–52).

By Mr. JOHNSON, from the Committee on Homeland Security and Governmental Affairs, with an amendment in the nature of a substitute:

H.R. 615. A bill to amend the Homeland Security Act of 2002 to require the Under Secretary for Management of the Department of Homeland Security to take administrative action to achieve and maintain interoperable communications capabilities among the components of the Department of Homeland Security, and for other purposes (Rept. No. 114–53).

By Mr. ALEXANDER, from the Committee on Appropriations, with an amendment in the nature of a substitute:

H.R. 2028. A bill making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2016, and for other purposes (Rept. No. 114–54).

By Mr. COCHRAN, from the Committee on Appropriations:

Special Report entitled ''Allocation to Subcommittees of Budget Totals from the Concurrent Resolution for Fiscal Year 2016'' (Rept. No. 114–55).

By Mr. HATCH, from the Committee on Finance, with an amendment in the nature of a substitute:

S. 335. A bill to amend the Internal Revenue Code of 1986 to improve 529 plans (Rept. No. 114–56).

By Mr. KIRK, from the Committee on Appropriations, with an amendment in the nature of a substitute:

H.R. 2029. A bill making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2016, and for other purposes (Rept. No. 114–57).

By Mr. CORKER, from the Committee on Foreign Relations, without amendment and with a preamble:

S. Res. 87. A resolution to express the sense of the Senate regarding the rise of anti-Semitism in Europe and to encourage greater cooperation with the European governments, the European Union, and the Organization for Security and Co-operation in Europe in preventing and responding to anti-Semitism.

By Mr. CORKER, from the Committee on Foreign Relations, with an amendment in the nature of a substitute:

S. 802. A bill to authorize the Secretary of State and the Administrator of the United States Agency for International Development to provide assistance to support the rights of women and girls in developing countries, and for other purposes.

By Mr. ROBERTS, from the Committee on Agriculture, Nutrition, and Forestry, without amendment:

S. 1417. An original bill to reauthorize the United States Grain Standards Act, and for other purposes.

EXECUTIVE REPORTS OF COMMITTEE

The following executive reports of nominations were submitted:

By Mr. CORKER for the Committee on Foreign Relations.

*Paul A. Folmsbee, of Oklahoma, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Mali.

Nominee: Paul A. Folmsbee.

Post: Mali.

The following is a list of all members of my Immediate family and their spouses. I have asked each of these persons to inform me of the pertinent contributions made by them. To the best of my knowledge, the information contained in this report is complete and accurate.

Contributions; amount; date; and donee:

Self: 0.

Spouse: 0.

Children and Spouses names: 0.

Parents Names: 0.

Grandparents Names: 0.

Brothers and Spouses Names: 0.

Sisters and Spouses Names: 0.

---

*Cassandra Q. Butts, of the District of Columbia, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Commonwealth of The Bahamas.

Nominee: Cassandra Q. Butts.

Post: The Bahamas (Commonwealth).

The following is a list of all members of my immediate family and their spouses. I have asked each of these persons to inform me of the pertinent contributions made by them. To the best of my knowledge, the information contained in this report is complete and accurate.

Contributions; amount; date; and donee:

1. Self: $250.00; 2004; Barack Obama (Senate); $250.00; 2006; DCCC.

2. Spouse: N/A.

3. Children and Spouses: N/A.

4. Parents: Mae A. Karim: $500.00; 2008; Barack Obama (President).

5. Grandparents: N/A.

6. Brothers and Spouses: N/A.

7. Sisters and Spouses: Deidra & Frank Abbott: $200.00; 2008; Barack Obama (President).

---

*Stafford Fitzgerald Haney, of New Jersey, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Costa Rica.

Nominee: Stafford Fitzgerald Haney.

Post: U.S. Ambassador to Republic of Costa Rica.

The following is a list of all members of my immediate family and their spouses. I have asked each of these persons to inform me of the pertinent contributions made by them. To the best of my knowledge, the information contained in this report is complete and accurate.

Contributions, Amount, Date, and Donee:

1. Self: $5,200, 2014, Kaine for Virginia; $10,000, 2014, Democratic National Committee; $2,600, 2014, Menendez for New Jersey; $49,000, 2013, Presidential Inaugural.

Committee 2013: $2,000, 2012, Democratic Party of Virginia; $1,104, 2012, Democratic Party of Wisconsin; $644, 2012, Colorado Democratic Party; $1,380, 2012, Democratic Executive.

Committee of Florida: $920, 2012, Iowa Democratic Party; $920, 2012, Nevada State Democratic Party; $276, 2012, New Hampshire Democratic.

Party: $2,208, 2012, Ohio Democratic Party; $276, 2012, Pennsylvania Democratic Party; $40,000, 2012, Obama Victory Fund 2012; $30,800, 2012, Democratic National Committee; $644, 2012, N Carolina Democratic Party; $2,500, 2012, Menendez for Senate; $5,000, 2011, Obama for America; $35,800, 2011, Obama Victory Fund 2012; $30,800, 2011, Democratic National Committee; $5,000, 2011, Gillibrand for Senate; $5,000, 2011, Kaine for Virginia; $2,500, 2011, Menendez for Senate; $30,400, 2010, Democratic National Committee; $500, 2010, Ben Chandler for Congress.

2. Spouse: Andrea R Haney: $5,000, 2011, Kaine for Virginia; $30,400, 2010, Democratic National Committee.

3. Children and Spouses: Asher D. Haney—none; Nava S. Haney—none; Eden N. Haney—none; Shaia A. Haney—none.

4. Parents: Sandra Haney Hogan—deceased; William Chester Haney—deceased.

5. Grandparents: Della Mae Scott—deceased; James D Brabson—deceased; Oliver Joseph Haney—deceased; Grace Tuggelle—deceased.

6. Brothers and Spouses: Joseph M. Haney—deceased.

7. Sisters and Spouses: None.

---

*Charles C. Adams, Jr., of Maryland, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Finland.

Nominee: Charles C. Adams, Jr.

Post: Ambassador to the Republic of Finland.

(The following is a list of all members of my immediate family and their spouses. I have asked each of these persons to Inform me of the pertinent contributions made by them. To the best of my knowledge, the information contained in this report is complete and accurate.)

Contributions, amount, date, and donee:

1. Self: $32500, 2009, Democratic Nat'l Committee; $1000, 2009, Evan Bayh Committee; $500, 2009, Eric Massa for Congress; $30400, 2010, Democratic Nat'l Committee; $1000, 2010, Bennet for Colorado; $2400, 2010, Friends for Harry Reid; $30800, 2011, Democratic Nat'l Committee; $5000, 2011, Obama for America; $9200, 2011, Swing State Victory Fund; $5000, 2011, Kaine for Virginia; $2500, 2011, Akin Gump PAC; $30800, 2012, Obama Victory Fund; $1000, 2012, Gillibrand for Senate; $600, 2012, Clyde Williams for Congress; $5000, 2012, Akin Gump PAC; $1000, 2012, DSCC; $1000, 2012, Andrei Cherny for Arizona; $1000, 2014, Mark Warner for Virginia; $2000, 2014, Common Ground PAC; $500, 2014, Nunn for Georgia; $2600, 2014, Friends of Don Beyer; $1000, 2014, Democrats Abroad; $1000, 2014, DSCC; $5000, 2014, Akin Gump PAC.

2. Spouse: Vera Risteski-Adams: None.

3. Children and Spouses: Matthew Andrew Adams: $5000, 2011, Kaine for Virginia; $1000, 2011, Obama for America; $9000 2012 DNC; $13000, 2012, Obama Victory Fund; Maya Adrian Adams, None.

4. Parents: Charles C. Adams: Deceased. Florence Adams: Deceased.

5. Grandparents: Charles C. Adams: Deceased. Nellie M. Adams: Deceased. David Schneider: Deceased. Mary Schneider, Deceased.

6. Brothers and Spouses: Andrew M. Adams: Deceased. Kenneth A. Adams: None. Joanne K. Adams: None.

7. Sisters and Spouses: Adrian Adams Sow: Deceased. Diabé Sow: None. Christine Adams: None. Peter De Bolla: None.

*Mary Catherine Phee, of Illinois, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of South Sudan.

(The financial disclosure information for Mary Catherine Phee may be found on page 7832 of the May 22, 2015, Congressional Record.)

*Matthew T. McGuire, of the District of Columbia, to be United States Executive Director of the International Bank for Reconstruction and Development for a term of two years.

*Gentry O. Smith, of North Carolina, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Director of the Office of Foreign Missions, and to have the rank of Ambassador during his tenure of service.

Mr. CORKER. Mr. President, for the Committee on Foreign Relations I report favorably the following nomination lists which were printed in the RECORDS on the dates indicated, and ask unanimous consent, to save the expense of reprinting on the Executive Calendar that these nominations lie at the Secretary's desk for the information of Senators.

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

Foreign Service nomination of Douglas A. Koneff.

Foreign Service nomination of Judy R. Reinke.

Foreign Service nominations beginning with Brian C. Brisson and ending with Catherine M. Werner, which nominations were received by the Senate and appeared in the Congressional Record on March 4, 2015.

Foreign Service nominations beginning with Peter J. Olson and ending with Nicolas Rubio, which nominations were received by the Senate and appeared in the Congressional Record on April 15, 2015.

Foreign Service nominations beginning with Craig A. Anderson and ending with Henry Kaminski, which nominations were received by the Senate and appeared in the Congressional Record on April 15, 2015.

Foreign Service nominations beginning with Anthony S. Amatos and ending with Elena Zlatnik, which nominations were received by the Senate and appeared in the Congressional Record on April 15, 2015.

*Nomination was reported with recommendation that it be confirmed subject to the nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.

(Nominations without an asterisk were reported with the recommendation that they be confirmed.)

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. MARKEY (for himself, Mr. DURBIN, and Mr. BROWN):

S. 1409. A bill to amend title XIX of the Social Security Act to require States to suspend, rather than terminate, an individual's eligibility for medical assistance under the State Medicaid plan while such individual is an inmate of a public institution; to the Committee on Finance.

By Mr. MARKEY:

S. 1410. A bill to amend the Public Health Service Act to provide grants to improve the treatment of substance use disorders; to the Committee on Health, Education, Labor, and Pensions.

By Mrs. ERNST (for herself, Mr. KIRK, and Mr. RUBIO):

S. 1411. A bill to amend the Act of August 25, 1958, commonly known as the ''Former Presidents Act of 1958'', with respect to the monetary allowance payable to a former President, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mr. FRANKEN (for himself, Mr. PORTMAN, Mrs. MURRAY, Ms. COLLINS, and Mr. KING):

S. 1412. A bill to amend the Internal Revenue Code of 1986 to qualify homeless youth and veterans who are full-time students for purposes of the low income housing tax credit; to the Committee on Finance.

By Mr. COATS (for himself and Mr. HATCH):

S. 1413. A bill to amend the Internal Revenue Code of 1986 to improve compliance in higher education tax benefits; to the Committee on Finance.

By Mr. REED (for himself and Mr. WHITEHOUSE):

S. 1414. A bill to amend the Magnuson-Stevens Fishery Conservation and Management Act to add Rhode Island to the Mid-Atlantic Fishery Management Council; to the Committee on Commerce, Science, and Transportation.

By Ms. HEITKAMP (for herself and Mr. KING):

S. 1415. A bill to amend the Internal Revenue Code of 1986 to modify the definition of large employer for purposes of applying the employer mandate; to the Committee on Finance.

By Mr. FLAKE (for himself, Mr. MCCAIN, Mr. LEE, and Mr. HATCH):

S. 1416. A bill to amend title 54, United States Code, to limit the authority to reserve water rights in designating a national monument; to the Committee on Energy and Natural Resources.

By Mr. ROBERTS:

S. 1417. An original bill to reauthorize the United States Grain Standards Act, and for other purposes; from the Committee on Agriculture, Nutrition, and Forestry; placed on the calendar.

By Mr. GRASSLEY:

S. 1418. A bill to amend title 28, United States Code, to provide an Inspector General for the judicial branch, and for other purposes; to the Committee on the Judiciary.

By Mr. TESTER (for himself, Mr. SCHATZ, Mr. UDALL, Mr. HEINRICH, and Ms. HEITKAMP):

S. 1419. A bill to promote the academic achievement of American Indian, Alaska Native, and Native Hawaiian children with the establishment of a Native American language grant program; to the Committee on Indian Affairs.

By Ms. CANTWELL:

S. 1420. A bill to amend the Department of Energy Organization Act to provide for the collection of information on critical energy supplies, to establish a Working Group on Energy Markets, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. HATCH (for himself and Ms. KLOBUCHAR):

S. 1421. A bill to amend the Federal Food, Drug, and Cosmetic Act to authorize a 6-month extension of certain exclusivity periods in the case of approved drugs that are subsequently approved for a new indication to prevent, diagnose, or treat a rare disease or condition, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. HEINRICH (for himself and Mr. BOOKER):

S. 1422. A bill to require the Secretary of Energy to establish a comprehensive program to improve education and training for energy- and manufacturing-related jobs to increase the number of skilled workers trained to work in energy and manufacturing-related fields, and for other purposes; to the Committee on Energy and Natural Resources.

By Mrs. BOXER:

S. 1423. A bill to designate certain Federal lands in California as wilderness, and for

other purposes; to the Committee on Energy and Natural Resources.

By Mrs. GILLIBRAND (for herself, Mr. PORTMAN, Ms. STABENOW, Mr. KIRK, and Mr. PETERS):

S. 1424. A bill to prohibit the sale or distribution of cosmetics containing synthetic plastic microbeads; to the Committee on Health, Education, Labor, and Pensions.

By Mrs. CAPITO:

S. 1425. A bill to promote new manufacturing in the United States by providing for greater transparency and timeliness in obtaining necessary permits, and for other purposes; to the Committee on Environment and Public Works.

By Mr. TESTER (for himself and Mr. WICKER):

S. 1426. A bill to amend the Public Health Service Act to provide for the participation of physical therapists in the National Health Service Corps Loan Repayment Program, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Ms. STABENOW:

S. 1427. A bill to amend title XVIII of the Social Security Act to facilitate increased coordination and alignment between the public and private sector with respect to quality and efficiency measures; to the Committee on Finance.

By Mr. BARRASSO (for himself, Mr. MARKEY, Mr. CORNYN, and Mr. HEINRICH):

S. 1428. A bill to amend the USEC Privatization Act to require the Secretary of Energy to issue a long-term Federal excess uranium inventory management plan, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. THUNE (for himself, Ms. STABENOW, Mr. INHOFE, Mr. WYDEN, Mr. BLUNT, Mr. COCHRAN, and Ms. KLOBUCHAR):

S. 1429. A bill to amend the Internal Revenue Code of 1986 to provide for the deductibility of charitable contributions to agricultural research organizations, and for other purposes; to the Committee on Finance.

By Mr. NELSON (for himself and Mr. MARKEY):

S. 1430. A bill to improve the ability of the National Oceanic and Atmospheric Administration, the Coast Guard, and coastal States to sustain healthy ocean and coastal ecosystems by maintaining and sustaining their capabilities relating to oil spill preparedness, prevention, response, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. MANCHIN (for himself, Mr. KING, and Mrs. CAPITO):

S. 1431. A bill to provide for increased Federal oversight of prescription opioid treatment and assistance to States in reducing opioid abuse, diversion, and deaths; to the Committee on Finance.

By Ms. CANTWELL:

S. 1432. A bill to require the Secretary of Energy to conduct a study on the technology, potential lifecycle energy savings, and economic impact of recycled carbon fiber, and for other purposes; to the Committee on Energy and Natural Resources.

By Ms. KLOBUCHAR (for herself, Mr. HOEVEN, Ms. MURKOWSKI, and Mr. BOOKER):

S. 1433. A bill to amend title 23, United States Code, to improve highway safety and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. HEINRICH:

S. 1434. A bill to amend the Public Utility Regulatory Policies Act of 1978 to establish an energy storage portfolio standard, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. CASEY:

S. 1435. A bill to amend the Public Health Service Act to promote awareness of organ donation and the need to increase the pool of available organs; to the Committee on Health, Education, Labor, and Pensions.

By Mr. REID (for himself and Mr. HELLER):

S. 1436. A bill to require the Secretary of the Interior to take land into trust for certain Indian tribes, and for other purposes; to the Committee on Indian Affairs.

By Mr. BARRASSO (for himself, Mrs. FEINSTEIN, Mr. TILLIS, Mrs. BOXER, Mr. ENZI, and Mr. BURR):

S. 1437. A bill to amend title 32, United States Code, to authorize and provide flexibility for the use of the National Guard for support of civilian firefighting activities; to the Committee on Armed Services.

By Ms. AYOTTE (for herself, Mr. GARDNER, Mrs. ERNST, Mr. BURR, Mr. JOHNSON, Mr. TILLIS, and Mr. HELLER):

S. 1438. A bill to allow women greater access to safe and effective contraception; to the Committee on Finance.

By Mr. GRASSLEY (for himself and Mr. REED):

S. 1439. A bill to amend part E of title IV of the Social Security Act to allow States that provide foster care for children up to age 21 to serve former foster youths through age 23 under the John H. Chafee Foster Care Independence Program; to the Committee on Finance.

By Mr. WYDEN:

S. 1440. A bill to amend the Federal Credit Union Act to exclude a loan secured by a non-owner occupied 1- to 4-family dwelling from the definition of a member business loan, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. PAUL (for himself and Mr. SCHATZ):

S. 1441. A bill to prevent the militarization of Federal, State, and local law enforcement by Federal excess property transfers and grant programs; to the Committee on Armed Services.

By Mr. FLAKE (for himself and Mr. BOOKER):

S. 1442. A bill to amend the Federal Crop Insurance Act to strike a provision relating to the budget neutrality of any renegotiated Standard Reinsurance Agreement; to the Committee on Agriculture, Nutrition, and Forestry.

By Ms. MURKOWSKI (for herself and Mr. SULLIVAN):

S. 1443. A bill to amend the Indian Employment, Training and Related Services Demonstration Act of 1992 to facilitate the ability of Indian tribes to integrate the employment, training, and related services from diverse Federal sources, and for other purposes; to the Committee on Indian Affairs.

By Mr. PETERS (for himself, Mr. SULLIVAN, and Mrs. GILLIBRAND):

S. 1444. A bill to amend the Internal Revenue Code of 1986 to reduce the rate of tax regarding the taxation of distilled spirits; to the Committee on Finance.

By Mrs. FISCHER (for herself and Ms. CANTWELL):

S. 1445. A bill to improve the Microloan Program of the Small Business Administration; to the Committee on Small Business and Entrepreneurship.

By Ms. HEITKAMP (for herself and Ms. COLLINS):

S. 1446. A bill to establish the Stop, Observe, Ask, and Respond to Health and Wellness Training pilot program to address human trafficking in the health care system; to the Committee on Health, Education, Labor, and Pensions.

By Mr. COONS (for himself and Ms. COLLINS):

S. 1447. A bill to provide for the implementation of a Sustainable Chemistry Program, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. WYDEN (for himself and Mr. MERKLEY):

S. 1448. A bill to designate the Frank Moore Wild Steelhead Sanctuary in the State of Oregon; to the Committee on Energy and Natural Resources.

By Ms. STABENOW (for herself and Mr. PETERS):

S. 1449. A bill to amend the Energy Independence and Security Act of 2007 to add certain medium-duty and heavy-duty vehicles to the advanced technology vehicles manufacturing incentive program; to the Committee on Energy and Natural Resources.

By Ms. HIRONO:

S. 1450. A bill to amend title 38, United States Code, to allow the Secretary of Veterans Affairs to modify the hours of employment of physicians and physician assistants employed on a full-time basis by the Department of Veterans Affairs; to the Committee on Veterans' Affairs.

By Ms. HIRONO:

S. 1451. A bill to amend title 38, United States Code, to authorize the Secretary of Veterans Affairs to adjudicate and pay survivor's benefits without requiring the filing of a formal claim, and for other purposes; to the Committee on Veterans' Affairs.

By Ms. HIRONO:

S. 1452. A bill to amend title 38, United States Code, to expand eligibility for reimbursements for emergency medical treatment and to require that the Department of Veterans Affairs be treated as a participating provider for the recovery of the costs of certain medical care, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. SCHUMER:

S. 1453. A bill to amend part B of title XVIII of the Social Security Act to apply deemed enrollment to residents of Puerto Rico and to provide a special enrollment period and a reduction in the late enrollment penalties for certain residents of Puerto Rico; to the Committee on Finance.

By Mrs. FISCHER (for herself and Mr. BLUNT):

S. 1454. A bill to enhance interstate commerce by creating a National Hiring Standard for Motor Carriers; to the Committee on Commerce, Science, and Transportation.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. SCHATZ (for himself, Mr. MCCAIN, and Mr. SULLIVAN):

S. Res. 183. A resolution calling for suspension of construction of artificial land formations on islands, reefs, shoals, and other features of the Spratly Islands and for a peaceful and multilateral resolution to the South China Sea territorial dispute; to the Committee on Foreign Relations.

By Mr. BOOKER (for himself, Mr. BROWN, Mr. SANDERS, Mr. MARKEY,

Mr. FRANKEN, Mr. MURPHY, Mrs. SHAHEEN, Mrs. GILLIBRAND, Mr. WYDEN, Mr. WHITEHOUSE, Mr. MENENDEZ, Ms. WARREN, Ms. BALDWIN, Mr. SCHUMER, Mr. HEINRICH, Mr. MERKLEY, Mrs. BOXER, Mr. UDALL, Ms. HIRONO, Ms. STABENOW, Mr. PETERS, Mr. CASEY, Mr. SCHATZ, Mrs. MURRAY, Mr. CARDIN, and Mr. DURBIN):

S. Res. 184. A resolution expressing the sense of the Senate that conversion therapy, including efforts by mental health practitioners to change the sexual orientation, gender identity, or gender expression of an individual, is dangerous and harmful and should be prohibited from being practiced on minors; to the Committee on Health, Education, Labor, and Pensions.

By Ms. HIRONO (for herself, Mr. REID, Mrs. MURRAY, Mr. KAINE, Mr. KIRK, Mr. HELLER, Mr. SCHATZ, Mr. CARDIN, Ms. CANTWELL, Mr. GARDNER, Mr. DURBIN, Mr. MENENDEZ, Mr. BROWN, Mr. FRANKEN, Mr. WYDEN, Mr. CASEY, Mrs. FEINSTEIN, Mr. MARKEY, and Ms. KLOBUCHAR):

S. Res. 185. A resolution recognizing the significance of May 2015 as Asian/Pacific American Heritage Month and as an important time to celebrate the significant contributions of Asian Americans and Pacific Islanders to the history of the United States; considered and agreed to.

By Mr. INHOFE (for himself and Mrs. BOXER):

S. Res. 186. A resolution designating the week of May 17 through May 23, 2015, as ''National Public Works Week''; considered and agreed to.

By Mr. MENENDEZ (for himself, Mr. ISAKSON, and Mr. SCHATZ):

S. Res. 187. A resolution expressing support for the designation of the month of May 2015, as ''National Bladder Cancer Awareness Month''; considered and agreed to.

ADDITIONAL COSPONSORS

S. 171

At the request of Mr. TESTER, the name of the Senator from Nevada (Mr. HELLER) was added as a cosponsor of S. 171, a bill to amend title 38, United States Code, to provide for coverage under the beneficiary travel program of the Department of Veterans Affairs of certain disabled veterans for travel in connection with certain special disabilities rehabilitation, and for other purposes.

S. 197

At the request of Ms. BALDWIN, the name of the Senator from Delaware (Mr. CARPER) was added as a cosponsor of S. 197, a bill to amend the Elementary and Secondary Education Act of 1965 to award grants to States to improve delivery of high-quality assessments, and for other purposes.

S. 241

At the request of Mr. TESTER, the name of the Senator from Nevada (Mr. HELLER) was added as a cosponsor of S. 241, a bill to amend title 38, United States Code, to provide for the payment of temporary compensation to a surviving spouse of a veteran upon the death of the veteran, and for other purposes.

S. 280

At the request of Mr. PORTMAN, the name of the Senator from Alaska (Mr. SULLIVAN) was added as a cosponsor of S. 280, a bill to improve the efficiency, management, and interagency coordination of the Federal permitting process through reforms overseen by the Director of the Office of Management and Budget, and for other purposes.

S. 293

At the request of Mr. CORNYN, the name of the Senator from Texas (Mr. CRUZ) was added as a cosponsor of S. 293, a bill to amend the Endangered Species Act of 1973 to establish a procedure for approval of certain settlements.

S. 352

At the request of Ms. AYOTTE, the name of the Senator from Michigan (Mr. PETERS) was added as a cosponsor of S. 352, a bill to amend section 5000A of the Internal Revenue Code of 1986 to provide an additional religious exemption from the individual health coverage mandate, and for other purposes.

S. 423

At the request of Ms. HEITKAMP, the name of the Senator from Virginia (Mr. KAINE) was added as a cosponsor of S. 423, a bill to amend the Gramm-Leach-Bliley Act to provide an exception to the annual written privacy notice requirement.

S. 441

At the request of Mr. NELSON, the name of the Senator from South Carolina (Mr. SCOTT) was added as a cosponsor of S. 441, a bill to amend the Federal Food, Drug, and Cosmetic Act to clarify the Food and Drug Administration's jurisdiction over certain tobacco products, and to protect jobs and small businesses involved in the sale, manufacturing and distribution of traditional and premium cigars.

S. 453

At the request of Mr. CASSIDY, the name of the Senator from Mississippi (Mr. COCHRAN) was added as a cosponsor of S. 453, a bill to amend the Public Health Service Act to provide grants to States to streamline State requirements and procedures for veterans with military emergency medical training to become civilian emergency medical technicians.

S. 607

At the request of Mr. GRASSLEY, the name of the Senator from Nebraska (Mrs. FISCHER) was added as a cosponsor of S. 607, a bill to amend title XVIII of the Social Security Act to provide for a five-year extension of the rural community hospital demonstration program, and for other purposes.

S. 626

At the request of Mr. GRASSLEY, the name of the Senator from Oregon (Mr. MERKLEY) was added as a cosponsor of S. 626, a bill to amend title XIX of the Social Security Act to cover physician services delivered by podiatric physicians to ensure access by Medicaid beneficiaries to appropriate quality foot and ankle care, to amend title XVIII of such Act to modify the requirements for diabetic shoes to be included under Medicare, and for other purposes.

S. 632

At the request of Mr. COONS, the name of the Senator from Arkansas (Mr. COTTON) was added as a cosponsor of S. 632, a bill to strengthen the position of the United States as the world's leading innovator by amending title 35, United States Code, to protect the property rights of the inventors that grow the country's economy.

S. 681

At the request of Mrs. GILLIBRAND, the name of the Senator from Hawaii (Ms. HIRONO) was added as a cosponsor of S. 681, a bill to amend title 38, United States Code, to clarify presumptions relating to the exposure of certain veterans who served in the vicinity of the Republic of Vietnam, and for other purposes.

S. 713

At the request of Mrs. BOXER, the name of the Senator from Wisconsin (Ms. BALDWIN) was added as a cosponsor of S. 713, a bill to prevent international violence against women, and for other purposes.

S. 857

At the request of Ms. STABENOW, the name of the Senator from Hawaii (Ms. HIRONO) was added as a cosponsor of S. 857, a bill to amend title XVIII of the Social Security Act to provide for coverage under the Medicare program of an initial comprehensive care plan for Medicare beneficiaries newly diagnosed with Alzheimer's disease and related dementias, and for other purposes.

S. 884

At the request of Mr. BLUNT, the name of the Senator from Nebraska (Mrs. FISCHER) was added as a cosponsor of S. 884, a bill to improve access to emergency medical services, and for other purposes.

S. 923

At the request of Mr. GRAHAM, the name of the Senator from Montana (Mr. DAINES) was added as a cosponsor of S. 923, a bill to authorize the Secretary of Health and Human Services, acting through the Administrator of the Health Resources and Services Administration, to award grants on a competitive basis to public and private entities to provide qualified sexual risk avoidance education to youth and their parents.

S. 1040

At the request of Mr. HELLER, the name of the Senator from Alaska (Mr. SULLIVAN) was added as a cosponsor of S. 1040, a bill to direct the Consumer Product Safety Commission and the National Academy of Sciences to study the vehicle handling requirements proposed by the Commission for recreational off-highway vehicles and to

prohibit the adoption of any such requirements until the completion of the study, and for other purposes.

S. 1085

At the request of Mrs. MURRAY, the name of the Senator from Maine (Mr. KING) was added as a cosponsor of S. 1085, a bill to expand eligibility for the program of comprehensive assistance for family caregivers of the Department of Veterans Affairs, to expand benefits available to participants under such program, to enhance special compensation for members of the uniformed services who require assistance in everyday life, and for other purposes.

S. 1110

At the request of Mr. ENZI, the name of the Senator from Wyoming (Mr. BARRASSO) was added as a cosponsor of S. 1110, a bill to direct the Secretary of Agriculture to publish in the Federal Register a strategy to significantly increase the role of volunteers and partners in National Forest System trail maintenance, and for other purposes.

S. 1121

At the request of Ms. AYOTTE, the names of the Senator from Maine (Mr. KING), the Senator from New Jersey (Mr. BOOKER) and the Senator from Hawaii (Mr. SCHATZ) were added as cosponsors of S. 1121, a bill to amend the Horse Protection Act to designate additional unlawful acts under the Act, strengthen penalties for violations of the Act, improve Department of Agriculture enforcement of the Act, and for other purposes.

S. 1126

At the request of Mr. COONS, the names of the Senator from Georgia (Mr. ISAKSON) and the Senator from Colorado (Mr. GARDNER) were added as cosponsors of S. 1126, a bill to modify and extend the National Guard State Partnership Program.

S. 1140

At the request of Mr. BARRASSO, the name of the Senator from Georgia (Mr. ISAKSON) was added as a cosponsor of S. 1140, a bill to require the Secretary of the Army and the Administrator of the Environmental Protection Agency to propose a regulation revising the definition of the term ''waters of the United States'', and for other purposes.

S. 1183

At the request of Mrs. GILLIBRAND, the name of the Senator from Washington (Ms. CANTWELL) was added as a cosponsor of S. 1183, a bill to increase the participation of women, girls, and underrepresented minorities in STEM fields, to encourage and support students from all economic backgrounds to pursue STEM career opportunities, and for other purposes.

S. 1188

At the request of Mrs. ERNST, the name of the Senator from Texas (Mr. CRUZ) was added as a cosponsor of S. 1188, a bill to provide for a temporary, emergency authorization of defense articles, defense services, and related training directly to the Kurdistan Regional Government, and for other purposes.

S. 1214

At the request of Mr. MENENDEZ, the names of the Senator from New Jersey (Mr. BOOKER) and the Senator from New Mexico (Mr. HEINRICH) were added as cosponsors of S. 1214, a bill to prevent human health threats posed by the consumption of equines raised in the United States.

S. 1252

At the request of Mr. CASEY, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of S. 1252, a bill to authorize a comprehensive strategic approach for United States foreign assistance to developing countries to reduce global poverty and hunger, achieve food and nutrition security, promote inclusive, sustainable, agricultural-led economic growth, improve nutritional outcomes, especially for women and children, build resilience among vulnerable populations, and for other purposes.

S. 1381

At the request of Mrs. BOXER, her name was added as a cosponsor of S. 1381, a bill to require the President to make the text of trade agreements available to the public in order for those agreements to receive expedited consideration from Congress.

S. 1382

At the request of Mrs. GILLIBRAND, the name of the Senator from California (Mrs. BOXER) was added as a cosponsor of S. 1382, a bill to prohibit discrimination in adoption or foster care placements based on the sexual orientation, gender identity, or marital status of any prospective adoptive or foster parent, or the sexual orientation or gender identity of the child involved.

S. 1389

At the request of Mr. UDALL, the names of the Senator from Vermont (Mr. LEAHY) and the Senator from Massachusetts (Mr. MARKEY) were added as cosponsors of S. 1389, a bill to authorize exportation of consumer communications devices to Cuba and the provision of telecommunications services to Cuba, and for other purposes.

S. 1393

At the request of Mr. THUNE, the name of the Senator from Utah (Mr. HATCH) was added as a cosponsor of S. 1393, a bill to require the Administrator of the Environmental Protection Agency to include in each regulatory impact analysis for a proposed or final rule an analysis that does not include any other proposed or unimplemented rule.

S. 1400

At the request of Mr. DURBIN, the name of the Senator from Louisiana (Mr. VITTER) was added as a cosponsor of S. 1400, a bill to amend the Small Business Act to direct the task force of the Office of Veterans Business Development to provide access to and manage the distribution of excess or surplus property to veteran-owned small businesses.

S. CON. RES. 17

At the request of Mr. ROUNDS, the name of the Senator from Tennessee (Mr. ALEXANDER) was added as a cosponsor of S. Con. Res. 17, a concurrent resolution establishing a joint select committee to address regulatory reform.

S. RES. 143

At the request of Mr. SCHATZ, the names of the Senator from Connecticut (Mr. BLUMENTHAL) and the Senator from Michigan (Mr. PETERS) were added as cosponsors of S. Res. 143, a resolution supporting efforts to ensure that students have access to debt-free higher education.

S. RES. 176

At the request of Mr. MARKEY, the name of the Senator from New Hampshire (Mrs. SHAHEEN) was added as a cosponsor of S. Res. 176, a resolution designating September 2015 as ''National Brain Aneurysm Awareness Month''.

AMENDMENT NO. 1246

At the request of Mr. SULLIVAN, the name of the Senator from Massachusetts (Mr. MARKEY) was added as a cosponsor of amendment No. 1246 intended to be proposed to H.R. 1314, a bill to amend the Internal Revenue Code of 1986 to provide for a right to an administrative appeal relating to adverse determinations of tax-exempt status of certain organizations.

AMENDMENT NO. 1273

At the request of Mr. DURBIN, the name of the Senator from Massachusetts (Ms. WARREN) was added as a cosponsor of amendment No. 1273 intended to be proposed to H.R. 1314, a bill to amend the Internal Revenue Code of 1986 to provide for a right to an administrative appeal relating to adverse determinations of tax-exempt status of certain organizations.

AMENDMENT NO. 1299

At the request of Mr. PORTMAN, the name of the Senator from Hawaii (Mr. SCHATZ) was added as a cosponsor of amendment No. 1299 proposed to H.R. 1314, a bill to amend the Internal Revenue Code of 1986 to provide for a right to an administrative appeal relating to adverse determinations of tax-exempt status of certain organizations.

AMENDMENT NO. 1343

At the request of Mr. SANDERS, the names of the Senator from Michigan (Ms. STABENOW), the Senator from Massachusetts (Mr. MARKEY), the Senator from Minnesota (Mr. FRANKEN) and the Senator from Michigan (Mr. PETERS) were added as cosponsors of amendment No. 1343 intended to be proposed to H.R. 1314, a bill to amend the Internal Revenue Code of 1986 to provide for

a right to an administrative appeal relating to adverse determinations of tax-exempt status of certain organizations.

AMENDMENT NO. 1371

At the request of Mr. MANCHIN, his name was added as a cosponsor of amendment No. 1371 intended to be proposed to H.R. 1314, a bill to amend the Internal Revenue Code of 1986 to provide for a right to an administrative appeal relating to adverse determinations of tax-exempt status of certain organizations.

At the request of Ms. WARREN, her name was added as a cosponsor of amendment No. 1371 intended to be proposed to H.R. 1314, supra.

AMENDMENT NO. 1387

At the request of Mr. WHITEHOUSE, the names of the Senator from Mississippi (Mr. WICKER) and the Senator from New Jersey (Mr. BOOKER) were added as cosponsors of amendment No. 1387 intended to be proposed to H.R. 1314, a bill to amend the Internal Revenue Code of 1986 to provide for a right to an administrative appeal relating to adverse determinations of tax-exempt status of certain organizations.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. REED (for himself and Mr. WHITEHOUSE):

S. 1414. A bill to amend the Magnuson-Stevens Fishery Conservation and Management Act to add Rhode Island to the Mid-Atlantic Fishery Management Council; to the Committee on Commerce, Science, and Transportation.

Mr. REED. Mr. President, today, along with my colleague Senator WHITEHOUSE, I am introducing the Rhode Island Fishermen's Fairness Act of 2015.

This legislation seeks to extend simple fairness to our State's fishermen by giving Rhode Island voting representation on the Mid-Atlantic Fishery-Management Council MAFMC. The council manages stocks, like squid, which are critically important to the fishing industry in my State. Rhode Island's commercial fishing industry depends more on MAFMC-managed stocks than those managed by the New England Fisheries Management Council, where Rhode Island is a member. More than that, Rhode Island has a larger stake in the Mid-Atlantic fishery than many of the states that currently hold seats on the MAFMC.

This is not a new proposal, nor is it unprecedented. North Carolina was added to the MAFMC through an amendment to the Sustainable Fisheries Act in 1996. In addition, the last reauthorization of the Magnuson-Stevens Fishery Conservation and Management Act required a report on this issue. Now it is time to make this change.

I was pleased in the last Congress that this legislation was included in the Commerce Committee's discussion draft for the reauthorization of the Magnuson-Stevens Act, as well as in the reauthorization bill introduced by then-Oceans Subcommittee Chairman Mark Begich at the end of last year. I hope that in this Congress we can take this commonsense step to bring fairness to Rhode Island's fishermen.

By Mr. GRASSLEY:

S. 1418. A bill to amend title 28, United States Code, to provide an Inspector General for the judicial branch, and for other purposes; to the Committee on the Judiciary.

Mr. GRASSLEY. Mr. President, today I am reintroducing the Judicial Transparency and Ethics Enhancement Act, a bill that would establish within the judicial branch an Office of Inspector General to assist the Judiciary with its ethical obligations as well as to ensure taxpayer dollars are not lost to waste, fraud, or abuse. This bill will help ensure that our Federal judicial system remains free of corruption, bias, and hypocrisy.

The facts demonstrate that the institution of the Inspector General has been crucial in detecting, exposing and deterring problems within our government. The job of the Inspector General is to be the first line of defense against fraud, waste and abuse. In collaboration with whistleblowers, Inspectors General have been extremely effective in their efforts to expose and help correct these wrongs.

That is why, during my many years in Congress, I have worked hard to strengthen the oversight role of Inspectors General throughout the Federal government. I have come to rely on IGs and whistleblowers, to ensure that our tax dollars are spent according to the letter and spirit of the law. When that doesn't happen, we in Congress need to know about it and take corrective action.

During the past fiscal year, Congress appropriated nearly $7 billion in taxpayer money to the Federal judiciary. To put this in context, the Small Business Administration and the Corporation for National and Community Service each received a similar or less amount than the judiciary. Yet both of these entities have an Office of Inspector General. If we in Congress believed that these entities could use an Inspector General, I cannot see why the Judiciary wouldn't deserve the same assistance.

But there is an additional reason why the Judiciary needs an Inspector General. The fact remains that the current practice of self-regulation of judges with respect to ethics and the judicial code of conduct has time and time again proven inadequate. I would point out to my colleagues two recent events here in the Senate that support this conclusion.

In the past 6 years, the Senate received articles of impeachment for not one but two Federal judges. In the first case, former Judge Samuel B. Kent, although charged with multiple counts of sexual assault, pled guilty to obstruction of justice. Who did he obstruct? Who did he lie to? He did this to his fellow judges, who were assembled to investigate the allegations of his obscene and criminal behavior. But it took a criminal investigation by the Department of Justice to uncover his false statements to his colleagues as well as substantiate the horrendous claims made against him.

In the second case, the Senate found former Judge G. Thomas Porteous, Jr. guilty on multiple articles of impeachment, including accepting money from attorneys who had a case pending before him in his court and committing perjury by falsifying his name on bankruptcy filings. Once again, this Judge's misbehavior came to light through a Federal criminal investigation, after which another judicial committee had to be organized to investigate their fellow judge.

What's more, in each case the disgraced judge tried to game the system in order to retain his $174,000 salary. Rather than resign their commissions, each first tried to claim disability status that would allow each to continue to receive payment, even if in prison. Then both played chicken with Congress daring us to strip them of their pay by impeaching and convicting them. I am pleased that we put our foot down and said ''No.''

This bill would establish an Office of Inspector General for the judicial branch. The IG's responsibilities would include conducting investigations of possible judicial misconduct, investigating waste fraud and abuse, and recommending changes in laws and regulations governing the federal judiciary. The bill would require the IG to provide the Chief Justice and Congress with an annual report on its activities, as well as refer matters that may constitute a criminal violation to the Department of Justice. In addition, the bill establishes whistleblower protections for judicial branch employees.

Ensuring a fair and independent judiciary is critical to our Constitutional checks and balances. Judges are supposed to maintain impartiality. They are supposed to be free from conflicts of interest. An independent watchdog for the federal judiciary will help its members comply with the ethics rules and promote credibility within the judicial branch of government. Whistleblower protections for judiciary branch employees will help keep the judiciary accountable. The Judicial Transparency and Ethics Enhancement Act will not only help ensure continued public confidence in our Federal courts and keep them beyond reproach, it will strengthen our judicial branch.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

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

S. 1418

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Judicial Transparency and Ethics Enhancement Act of 2015''.

SEC. 2. INSPECTOR GENERAL FOR THE JUDICIAL BRANCH.

(a) ESTABLISHMENT AND DUTIES.—Part III of title 28, United States Code, is amended by adding at the end the following:

''CHAPTER 60—INSPECTOR GENERAL FOR THE JUDICIAL BRANCH

''§ 1021. Establishment

''There is established for the judicial branch of the Government the Office of Inspector General for the Judicial Branch (in this chapter referred to as the 'Office').

''§ 1022. Appointment, term, and removal of Inspector General

''(a) APPOINTMENT.—The head of the Office shall be the Inspector General, who shall be appointed by the Chief Justice of the United States after consultation with the majority and minority leaders of the Senate and the Speaker and minority leader of the House of Representatives.

''(b) TERM.—The Inspector General shall serve for a term of 4 years and may be reappointed by the Chief Justice of the United States for any number of additional terms.

''(c) REMOVAL.—The Inspector General may be removed from office by the Chief Justice of the United States. The Chief Justice shall communicate the reasons for any such removal to both Houses of Congress.

''§ 1023. Duties

''With respect to the judicial branch, the Office shall—

''(1) conduct investigations of alleged misconduct in the judicial branch (other than the United States Supreme Court) under chapter 16 that may require oversight or other action within the judicial branch or by Congress;

''(2) conduct investigations of alleged misconduct in the United States Supreme Court that may require oversight or other action within the judicial branch or by Congress;

''(3) conduct and supervise audits and investigations;

''(4) prevent and detect waste, fraud, and abuse; and

''(5) recommend changes in laws or regulations governing the judicial branch.

''§ 1024. Powers

''(a) POWERS.—In carrying out the duties of the Office, the Inspector General shall have the power to—

''(1) make investigations and reports;

''(2) obtain information or assistance from any Federal, State, or local governmental agency, or other entity, or unit thereof, including all information kept in the course of business by the Judicial Conference of the United States, the judicial councils of circuits, the Administrative Office of the United States Courts, and the United States Sentencing Commission;

''(3) require, by subpoena or otherwise, the attendance and testimony of such witnesses, and the production of such books, records, correspondence, memoranda, papers, and documents, which subpoena, in the case of contumacy or refusal to obey, shall be enforceable by civil action;

''(4) administer to or take from any person an oath, affirmation, or affidavit;

''(5) employ such officers and employees, subject to the provisions of title 5, governing appointments in the competitive service, and the provisions of chapter 51 and subchapter III of chapter 53 of such title relating to classification and General Schedule pay rates;

''(6) obtain services as authorized by section 3109 of title 5 at daily rates not to exceed the equivalent rate for a position at level IV of the Executive Schedule under section 5315 of such title; and

''(7) the extent and in such amounts as may be provided in advance by appropriations Acts, to enter into contracts and other arrangements for audits, studies, analyses, and other services with public agencies and with private persons, and to make such payments as may be necessary to carry out the duties of the Office.

''(b) CHAPTER 16 MATTERS.—The Inspector General shall not commence an investigation under section 1023(1) until the denial of a petition for review by the judicial council of the circuit under section 352(c) of this title or upon referral or certification to the Judicial Conference of the United States of any matter under section 354(b) of this title.

''(c) LIMITATION.—The Inspector General shall not have the authority to—

''(1) investigate or review any matter that is directly related to the merits of a decision or procedural ruling by any judge, justice, or court; or

''(2) punish or discipline any judge, justice, or court.

''§ 1025. Reports

''(a) WHEN TO BE MADE.—The Inspector General shall—

''(1) make an annual report to the Chief Justice and to Congress relating to the activities of the Office; and

''(2) make prompt reports to the Chief Justice and to Congress on matters that may require action by the Chief Justice or Congress.

''(b) SENSITIVE MATTER.—If a report contains sensitive matter, the Inspector General may so indicate and Congress may receive that report in closed session.

''(c) DUTY TO INFORM ATTORNEY GENERAL.—In carrying out the duties of the Office, the Inspector General shall report expeditiously to the Attorney General whenever the Inspector General has reasonable grounds to believe there has been a violation of Federal criminal law.

''§ 1026. Whistleblower protection

''(a) IN GENERAL.—No officer, employee, agent, contractor, or subcontractor in the judicial branch may discharge, demote, threaten, suspend, harass, or in any other manner discriminate against an employee in the terms and conditions of employment because of any lawful act done by the employee to provide information, cause information to be provided, or otherwise assist in an investigation regarding any possible violation of Federal law or regulation, or misconduct, by a judge, justice, or any other employee in the judicial branch, which may assist the Inspector General in the performance of duties under this chapter.

''(b) CIVIL ACTION.—An employee injured by a violation of subsection (a) may, in a civil action, obtain appropriate relief.''.

(b) TECHNICAL AND CONFORMING AMENDMENT.—The table of chapters for part III of title 28, United States Code, is amended by adding at the end the following:

By Mr. NELSON (for himself and Mr. MARKEY):

S. 1430. A bill to improve the ability of the National Oceanic and Atmospheric Administration, the Coast Guard, and costal States to sustain healthy ocean and coastal ecosystems by maintaining and sustaining their capabilities relating to oil spill preparedness, prevention, response, and for other purposes; to the Committee on Commerce, Science, and Transportation.

Mr. NELSON. Mr. President, today the U.S. Coast Guard and the National Oceanic and Atmospheric Administration are responding to yet another oilspill in the water. In a moment, I will bring out a photograph which shows the fresh crude oil on the beach of Refugio State Park in California. This oilspill brings back the images from 5 years ago of the oil-coated pelicans and tar-stained beaches, which were once sugar white, covered with gooey mats of oil from the Deepwater Horizon oilspill. Although the spill happened in 2010, a lot of that oil is still sloshing around out there in the gulf.

Last week, the Department of the Interior told us that the oil leaking in the gulf since 2004 from Taylor Energy wells could continue for a century or more ''if left unchecked.''

This is the oilspill that just happened in the last few days. It is fresh crude, and it is on the beach in California. Of course, when I see this kind of picture, it brings me back to that experience all of us on the gulf coast had 5 years ago, and we wouldn't wish that upon anybody. Remember, to begin with, they said, Oh, it is just a few hundred barrels of oil, even though it was ruptured 1 mile beneath the surface of the water. Then we got the streaming video. We actually put that video on my Web site. The chairman of the environment committee, Senator BOXER, put it up on her committee Web site. Once scientists could see how much was flowing, they could calculate, and then they saw that it wasn't going to be a few hundred or even a thousand barrels of oil a day; it was approaching something like 50 times that.

We know what, in fact, happened. Almost 5 million barrels of oil was spilled. The court in Louisiana—the Federal court that is hearing this case against BP—indeed has concluded that those who are going to be held responsible under the Oil Pollution Act of

1990 will be responsible for somewhere around 4 million barrels. That is court-decided.

A lot of that oil is still out there. Yet, appallingly, today the economy and the environment of the State of Florida are again under attack. I have just been informed that Senators from Louisiana, Mississippi, and Texas are seeking to invite oil rigs within 50 miles of Florida's coastline.

Now, of course, that goes against all logic. It is certainly not what the people of Florida want and it is not what the Department of the Interior has said is appropriate or necessary under the next 5-year leasing plan.

Florida is a unique State. This is a photo of a dead dolphin covered with oil that is just another casualty of what we are seeing that is happening this week.

The reason I am here today with these Senators who are threatening Florida is because in 2006, in a bipartisan way, the other Senator from Florida, Mr. Martinez, a Republican, and I, a Democrat, joined together to put in law that the Outer Continental Shelf off Florida is off-limits to oil drilling. We were successful in doing that, even though no other Outer Continental Shelf off the United States is off-limits. In the administration's 5-year plans, they have complied with that because the off-limits to oil drilling is until the year 2022. Therefore, in the next 5-year plan, from 2017 to 2022, the administration honored that. It is, after all, the law.

But why is Florida different than others? Well, in the first place, there is no oil off of Florida. People think of where the oil is. It is off of Louisiana. The sediment came down the Mississippi River for millions of years and was compacted by the Earth's crust, and that formed these oil deposits. There is a lot of oil in the central Gulf of Mexico and, indeed, that is what is happening. A lot of oil is being produced there. That is the first reason. There is not oil off of Florida.

But there are other reasons, not the least of which is of all the Gulf Coast States, Florida has the most beaches and, therefore, the economy is directly charged with the fact of having those pristine, sugary white beaches as such an attraction for our guests to come to Florida and enjoy nature's seaside.

Well, we found out, as a result of the gulf oilspill, that even though just a little oil reached Florida—Pensacola Beach was blackened, tar mats came into Pensacola Bay, Destin got oil on the beach, and some tar balls got as far east as Panama City Beach. So people saw those pictures of oil covering the beach and they thought that was the entire State of Florida and they didn't come. For a whole season, the guests, the visitors, the tourists did not come. So the motels were not filled and the restaurants were not filled and the dry-cleaners, and all the ancillary businesses associated with a tourism economy on the coast, they did not come.

Now, there is also, obviously, the environmental interests because we do have a lot of the bays and estuaries and marsh grasses where critters spawn so much of the marine life in the Gulf of Mexico, and it starts in these bays and estuaries. That is obviously a reason as well. But there is a special reason why we have kept oil off our shores. Bottlenose dolphins in the gulf have been dying at unprecedented rates over the last 5 years. This is one of those sick dolphins. So from the BP spill, science is showing, in fact, what we intuitively knew. And just yesterday, a team of scientists confirmed the Deepwater Horizon oilspill contributed to the highest number of dead bottlenose dolphin strandings on record in the northern Gulf of Mexico.

So it certainly makes little sense that we would seek more drilling in even riskier areas when we are still picking up the pieces from the last major oilspill.

Today, I am introducing legislation that implements many of the hard lessons learned in the wake of the Deepwater Horizon BP oilspill. This legislation is going to make sure that NOAA and the Coast Guard have the tools to prevent, to prepare for, and to respond to marine oilspills.

The bill is going to give gulf coast communities a seat at the table in the decisions about oil drilling that affects their way of life. It will strengthen State-level planning for oilspills or seismic exploration. But, most importantly, the bill will protect Florida from Big Oil's reach by keeping the eastern Gulf of Mexico off-limits beyond 2022 and in statute until 2027.

Back in 2006, we passed the bipartisan Gulf of Mexico Energy Security Act. In that act, that is what we did in establishing this off-limits in law. But now, some of our neighboring States, at the behest of Big Oil, are trying to drill again and to drill off of Florida.

We are going to do everything we can to make sure we don't lose another tourism season. We are going to do everything we can to make sure we don't lose an entire year for our recreational fishermen, charter boat fishermen, as well as the commercial fishermen. Drilling off the coast is not what the people of Florida want. We want fishing vessels hauling in prize catches, not Coast Guard vessels skimming oil. We want dolphins rolling in the waves, not washing ashore, and we want sunbathers on the beaches, not HAZMAT workers.

By Mr. REID (for himself and Mr. HELLER):

S. 1436. A bill to require the Secretary of the Interior to take land into trust for certain Indian tribes, and for other purposes; to the Committee on Indian Affairs.

Mr. REID. Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

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

S. 1436

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Nevada Native Nations Land Act''.

SEC. 2. DEFINITION OF SECRETARY.

In this Act, the term ''Secretary'' means the Secretary of the Interior.

SEC. 3. CONVEYANCE OF LAND TO BE HELD IN TRUST FOR CERTAIN INDIAN TRIBES.

(a) CONVEYANCE OF LAND TO BE HELD IN TRUST FOR THE FORT MCDERMITT PAIUTE AND SHOSHONE TRIBE.—

(1) DEFINITION OF MAP.—In this subsection, the term ''map'' means the map entitled ''Fort McDermitt Indian Reservation Expansion Act'', dated February 21, 2013, and on file and available for public inspection in the appropriate offices of the Bureau of Land Management.

(2) CONVEYANCE OF LAND.—Subject to valid existing rights, all right, title, and interest of the United States in and to the land described in paragraph (3)—

(A) is held in trust by the United States for the benefit of the Fort McDermitt Paiute and Shoshone Tribe; and

(B) shall be part of the reservation of the Fort McDermitt Paiute and Shoshone Tribe.

(3) DESCRIPTION OF LAND.—The land referred to in paragraph (2) is the approximately 19,094 acres of land administered by the Bureau of Land Management as generally depicted on the map as ''Reservation Expansion Lands''.

(b) CONVEYANCE OF LAND TO BE HELD IN TRUST FOR THE SHOSHONE PAIUTE TRIBES.—

(1) DEFINITION OF MAP.—In this subsection, the term ''map'' means the map entitled ''Mountain City Administrative Site Proposed Acquisition'', dated July 29, 2013, and on file and available for public inspection in the appropriate offices of the Forest Service.

(2) CONVEYANCE OF LAND.—Subject to valid existing rights, all right, title, and interest of the United States in and to the land described in paragraph (3)—

(A) is held in trust by the United States for the benefit of the Shoshone Paiute Tribes of the Duck Valley Indian Reservation; and

(B) shall be part of the reservation of the Shoshone Paiute Tribes of the Duck Valley Indian Reservation.

(3) DESCRIPTION OF LAND.—The land referred to in paragraph (2) is the approximately 82 acres of land administered by the Forest Service as generally depicted on the map as ''Proposed Acquisition Site''.

(c) CONVEYANCE OF LAND TO BE HELD IN TRUST FOR THE SUMMIT LAKE PAIUTE TRIBE.—

(1) DEFINITION OF MAP.—In this section, the term ''map'' means the map entitled ''Summit Lake Indian Reservation Conveyance'', dated February 28, 2013, and on file and available for public inspection in the appropriate offices of the Bureau of Land Management.

(2) CONVEYANCE OF LAND.—Subject to valid existing rights, all right, title, and interest of the United States in and to the land described in paragraph (3)—

(A) is held in trust by the United States for the benefit of the Summit Lake Paiute Tribe; and

(B) shall be part of the reservation of the Summit Lake Paiute Tribe.

(3) DESCRIPTION OF LAND.—The land referred to in paragraph (2) is the approximately 941 acres of land administered by the Bureau of Land Management as generally depicted on the map as ''Reservation Conveyance Lands''.

(d) CONVEYANCE OF LAND TO BE HELD IN TRUST FOR THE RENO-SPARKS INDIAN COLONY.—

(1) DEFINITION OF MAP.—In this subsection, the term ''map'' means the map entitled ''Reno-Sparks Indian Colony Expansion'', dated June 11, 2014, and on file and available for public inspection in the appropriate offices of the Bureau of Land Management.

(2) CONVEYANCE OF LAND.—Subject to valid existing rights, all right, title, and interest of the United States in and to the land described in paragraph (3)—

(A) is held in trust by the United States for the benefit of the Reno-Sparks Indian Colony; and

(B) shall be part of the reservation of the Reno-Sparks Indian Colony.

(3) DESCRIPTION OF LAND.—The land referred to in paragraph (2) is the approximately 13,434 acres of land administered by the Bureau of Land Management as generally depicted on the map as ''RSIC Amended Boundary''.

(e) CONVEYANCE OF LAND TO BE HELD IN TRUST FOR THE PYRAMID LAKE PAIUTE TRIBE.—

(1) MAP.—In this subsection, the term ''map'' means the map entitled ''Pyramid Lake Indian Reservation Expansion'', dated April 13, 2015, and on file and available for public inspection in the appropriate offices of the Bureau of Land Management.

(2) CONVEYANCE OF LAND.—Subject to valid existing rights, all right, title, and interest of the United States in and to the land described in paragraph (3)—

(A) is held in trust by the United States for the benefit of the Pyramid Lake Paiute Tribe; and

(B) shall be part of the reservation of the Pyramid Lake Paiute Tribe.

(3) DESCRIPTION OF LAND.—The land referred to in paragraph (2) is the approximately 6,357 acres of land administered by the Bureau of Land Management as generally depicted on the map as ''Reservation Expansion Lands''.

(f) CONVEYANCE OF LAND TO BE HELD IN TRUST FOR THE DUCKWATER SHOSHONE TRIBE.—

(1) MAP.—In this subsection, the term ''map'' means the map entitled ''Duckwater Reservation Expansion'', dated January 12, 2015, and on file and available for public inspection in the appropriate offices of the Bureau of Land Management.

(2) CONVEYANCE OF LAND.—Subject to valid existing rights, all right, title, and interest of the United States in and to the land described in paragraph (3)—

(A) is held in trust by the United States for the benefit of the Duckwater Shoshone Tribe; and

(B) shall be part of the reservation of the Duckwater Shoshone Tribe.

(3) DESCRIPTION OF LAND.—The land referred to in paragraph (2) is the approximately 31,269 acres of land administered by the Bureau of Land Management as generally depicted on the map as ''Reservation Expansion Lands''.

SEC. 4. ADMINISTRATION.

(a) SURVEY.—Not later than 180 days after the date of enactment of this Act, the Secretary shall complete a survey of the boundary lines to establish the boundaries of the land taken into trust for each Indian tribe under section 3.

(b) USE OF TRUST LAND.—

(1) GAMING.—Land taken into trust under section 3 shall not be eligible, or considered to have been taken into trust, for class II gaming or class III gaming (as those terms are defined in section 4 of the Indian Gaming Regulatory Act (25 U.S.C. 2703)).

(2) THINNING; LANDSCAPE RESTORATION.—With respect to the land taken into trust under section 3, the Secretary, in consultation and coordination with the applicable Indian tribe, may carry out any fuel reduction and other landscape restoration activities, including restoration of sage grouse habitat, on the land that is beneficial to the Indian tribe and the Bureau of Land Management.

By Mr. WYDEN:

S. 1440. A bill to amend the Federal Credit Union Act to exclude a loan secured by a non-owner occupied 1- to 4-family dwelling from the definition of a member business loan, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

Mr. WYDEN. Mr. President, most of us have heard the metaphor that small businesses are the engines that power our economy. What we don't hear people talk about as much is the fuel that feeds the engines: capital. Without capital, entrepreneurs cannot see their ideas to fruition, successful business owners cannot expand to meet the needs of the market, and eager job seekers must take their skills elsewhere. Without capital, Main Street falters.

Today, more than 7 years after the start of the Great Recession and many policy reforms later, access to capital remains a challenge that stands in the way of small business growth, economic development and job creation in Oregon and across the country. Despite this, government regulation continues to tie the hands of many potential lenders; namely, credit unions. According to some estimates, credit unions could lend an additional $16 billion to small businesses, helping them create nearly 150,000 new jobs in just 1 year if Congress loosened restraints on credit union business lending.

With this in mind, I am pleased to introduce today the Credit Union Residential Loan Parity Act, which would increase access to capital by exempting certain loans from the member business lending cap imposed on credit unions. Currently, loans made for one-to four-person, non-owner occupied housing are treated as business loans when they are made by credit unions. As such, these types of loans count against a credit union's business lending cap, and thereby limit a credit union's ability to provide loans to small businesses. My legislation would address this issue by allowing credit unions to treat these types of loans as residential loans—as they are when they are made by other financial institutions—therefore exempting these loans from the business lending cap. In doing so, this legislation would increase the availability of business capital, providing greater opportunities for small businesses to receive credit union loans to help them continue to grow and expand, create jobs and support our local economies.

I am hopeful that this legislation will be received by colleagues for what it is: a simple step to help ensure America's small businesses have access to the fuel they need to power our economy. It is my hope that the Senate will pass this legislation swiftly.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

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

S. 1440

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Credit Union Residential Loan Parity Act''.

SEC. 2. TREATMENT OF A NON-OWNER OCCUPIED 1- TO 4-FAMILY DWELLING.

(a) REMOVAL FROM MEMBER BUSINESS LOAN LIMITATION.—Section 107A(c)(1)(B)(i) of the Federal Credit Union Act (12 U.S.C. 1757a(c)(1)(B)(i)) is amended by striking ''that is the primary residence of a member''.

(b) RULE OF CONSTRUCTION.—Nothing in this Act or the amendment made by this Act shall preclude the National Credit Union Administration from treating an extension of credit that is fully secured by a lien on a 1-to 4-family dwelling that is not the primary residence of a member as a member business loan for purposes other than the member business loan limitation requirements under section 107A of the Federal Credit Union Act (12 U.S.C. 1757a).

By Mr. WYDEN (for himself and Mr. MERKLEY):

S. 1448. A bill to designate the Frank Moore Wild Steelhead Sanctuary in the State of Oregon; to the Committee on Energy and Natural Resources.

Mr. WYDEN. Mr. President, today I am introducing a bill to honor my friend Frank Moore, an Oregonian, World War II veteran, husband to Jeanne, father, avid fly fisherman, and tireless conservationist.

Frank Moore can be found standing in the North Umpqua River in Oregon, wearing waders and casting his fly fishing reel, for hours. He is a legendary presence on the River, even at 91 years young. A pastime he picked up from his father, fly fishing has been a business and a hobby for Frank for nearly his entire life. Not only has he enjoyed the fishing and scenery on Oregon's rivers for decades, Frank's love of Oregon and his tireless work to conserve our state's fish habitats and rivers adds up to a rich legacy that sets the standard for generations to come. Frank served on the State of Oregon Fish and Wildlife Commission and has received the National Wildlife Federation Conservationist of the Year award and the Wild Steelhead Coalition Conservation Award.

Frank's commitment to the health and vitality of Oregon's rivers and fish habitat over the years is inspiring and he deserves countless thanks for his work and dedication. The Frank Moore Wild Steelhead Sanctuary will serve as a tribute to the many outstanding accomplishments of Frank, both on and off the river.

It is my honor to introduce this bill today with my colleague from Oregon Senator MERKLEY on behalf of this extraordinary Oregonian.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

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

S. 1448

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Frank Moore Wild Steelhead Sanctuary Designation Act''.

SEC. 2. FINDINGS.

Congress finds that—

(1) Frank Moore has committed his life to family, friends, his country, and fly fishing;

(2) Frank Moore is a World War II veteran who stormed the beaches of Normandy along with 150,000 troops during the D-Day Allied invasion and was awarded the Chevalier of the French Legion of Honor for his bravery;

(3) Frank Moore returned home after the war, started a family, and pursued his passion of fishing on the winding rivers in Oregon;

(4) as the proprietor of the Steamboat Inn along the North Umpqua River in Oregon for nearly 20 years, Frank Moore, along with his wife Jeanne, shared his love of fishing, the flowing river, and the great outdoors, with visitors from all over the United States and the world;

(5) Frank Moore has spent most of his life fishing the vast rivers of Oregon, during which time he has contributed significantly to efforts to conserve fish habitats and protect river health, including serving on the State of Oregon Fish and Wildlife Commission;

(6) Frank Moore has been recognized for his conservation work with the National Wildlife Federation Conservationist of the Year award, the Wild Steelhead Coalition Conservation Award, and his 2010 induction into the Fresh Water Fishing Hall of Fame; and

(7) in honor of the many accomplishments of Frank Moore, both on and off the river, approximately 104,000 acres of Forest Service land in Oregon should be designated as the ''Frank Moore Wild Steelhead Sanctuary''.

SEC. 3. DEFINITIONS.

In this Act:

(1) MAP.—The term ''Map'' means the map entitled ''O&C Land Grant Act of 2014: Frank Moore Wild Steelhead Sanctuary'' and dated November 3, 2014.

(2) SANCTUARY.—The term ''Sanctuary'' means the Frank Moore Wild Steelhead Sanctuary designated by section 4(a).

(3) SECRETARY.—The term ''Secretary'' means the Secretary of Agriculture, acting through the Chief of the Forest Service.

(4) STATE.—The term ''State'' means the State of Oregon.

SEC. 4. FRANK MOORE WILD STEELHEAD SANCTUARY, OREGON.

(a) DESIGNATION.—The approximately 104,000 acres of Forest Service land in the State, as generally depicted on the Map, is designated as the ''Frank Moore Wild Steelhead Sanctuary''.

(b) MAP; LEGAL DESCRIPTION.—

(1) IN GENERAL.—As soon as practicable after the date of enactment of this Act, the Secretary shall prepare a map and legal description of the Sanctuary.

(2) FORCE OF LAW.—The map and legal description prepared under paragraph (1) shall have the same force and effect as if included in this Act, except that the Secretary may correct clerical and typographical errors in the map and legal description.

(3) AVAILABILITY.—The map and legal description prepared under paragraph (1) shall be on file and available for public inspection in the appropriate offices of the Forest Service.

(c) ADMINISTRATION.—Subject to valid existing rights, the Sanctuary shall be administered by the Secretary—

(1) in accordance with all laws (including regulations) applicable to the National Forest System; and

(2) in a manner that—

(A) protects, preserves, and enhances the natural character, scientific use, and the botanical, recreational, ecological, fish and wildlife, scenic, drinking water, and cultural values of the Sanctuary;

(B) protects and seeks to enhance the wild salmonid resources of the Sanctuary;

(C) maintains or enhances the watershed as a thermal refuge for wild salmonids; and

(D) preserves opportunities for primitive recreation.

(d) FISH AND WILDLIFE.—Nothing in this section affects the jurisdiction or responsibilities of the State with respect to fish and wildlife in the State.

(e) ADJACENT MANAGEMENT.—Nothing in this section creates any protective perimeter or buffer zone around the Sanctuary.

(f) PROTECTION OF TRIBAL RIGHTS.—Nothing in this section diminishes any treaty rights of an Indian tribe.

(g) WITHDRAWAL.—Subject to valid existing rights, the Federal land within the boundaries of the Sanctuary river segments designated by subsection (a) is withdrawn from all forms of—

(1) entry, appropriation, or disposal under the public land laws;

(2) location, entry, and patent under the mining laws; and

(3) disposition under all laws relating to mineral and geothermal leasing or mineral materials.

(h) USES.—The Secretary shall only allow uses of the Sanctuary that are consistent with the purposes and values for which the Sanctuary is established.

(i) USE OF MOTORIZED VEHICLES.—

(1) IN GENERAL.—Except as provided in paragraph (2), the use of motorized vehicles within the Sanctuary shall be limited to roads allowed by the Secretary for the use of motorized vehicles.

(2) OFF-ROAD VEHICLE USE.—Notwithstanding paragraph (1), the Secretary may allow off-road vehicle use in designated portions of the Sanctuary if the use is consistent with the purposes and values for which the Sanctuary was designated.

(j) ROADS.—

(1) IN GENERAL.—The Secretary, to the maximum extent practicable, shall decrease the total mileage of system roads that are operational in the Sanctuary to a quantity less than the quantity of mileage in existence on the date of enactment of this Act.

(2) PRIORITY.—The Secretary shall prioritize decreasing the mileage of the road network in the Sanctuary to reduce impacts to water quality from sediment delivered to streams by forest roads.

(3) TEMPORARY ROADS.—If the Secretary constructs a temporary road as part of a vegetation management project, the Secretary shall close and decommission the temporary road not later than the earlier of—

(A) the date that is 2 years after the date on which the activity for which the temporary road was constructed is completed; and

(B) the date that is 1 year after the date on which the vegetation management project is completed.

(4) NO NEW ROADS.—The Secretary shall prohibit—

(A) any new system or nonsystem road within the Sanctuary and key watersheds under the plan entitled ''Northwest Forest Plan 1994 Record of Decision for Amendments to Forest Service and Bureau of Land Management Planning Documents Within the Range of the Northern Spotted Owl'' after the date of enactment of this Act, except as the Secretary determines to be necessary, if the Secretary determines that no practicable alternative exists, and subject to the availability of appropriations; and

(B) the construction of any new road in any roadless area in the Sanctuary.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 183—CALLING FOR SUSPENSION OF CONSTRUCTION OF ARTIFICIAL LAND FORMATIONS ON ISLANDS, REEFS, SHOALS, AND OTHER FEATURES OF THE SPRATLY ISLANDS AND FOR A PEACEFUL AND MULTILATERAL RESOLUTION TO THE SOUTH CHINA SEA TERRITORIAL DISPUTE

Mr. SCHATZ (for himself, Mr. MCCAIN, and Mr. SULLIVAN) submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 183

Whereas the United States Government strongly supports the peaceful resolution of territorial, sovereignty, and jurisdictional disputes in the South China Sea;

Whereas the South China Sea includes critical sea lines of communication and commerce between the Pacific and Indian oceans;

Whereas the United States Government has a national interest in freedom of navigation and overflight in the South China Sea, as provided for by customary principles of international law;

Whereas the United States Government is also committed to upholding internationally lawful uses of the high seas and the Exclusive Economic Zones as well as to the related rights and freedoms in other maritime zones, including the rights of innocent passage, transit passage, and archipelagic sea lanes passage consistent with customary international law;

Whereas the United States has an interest in encouraging and supporting the nations of

the region to work collaboratively and diplomatically to resolve disputes without coercion, intimidation, threats, or the use of force;

Whereas the United States further supports the efforts of states to resolve their disputes in accordance with international law, including through internationally recognized legal dispute settlement mechanisms, and urges the full implementation of any decisions rendered by the relevant courts and tribunals which are binding on them;

Whereas the South China Sea potentially contains great natural resources, and their stewardship and responsible use offers immense potential benefit for generations to come;

Whereas Brunei, Malaysia, China, Taiwan, Vietnam, and the Philippines have overlapping territorial, sovereignty, and jurisdictional claim to all or some of the Spratly Islands;

Whereas, on January 23, 2013, the Philippines launched an arbitration process under an existing international mechanism challenging China's claim of a 'nine dash line' around the South China Sea;

Whereas, although the United States does not take a position on competing territorial claims over land features and maritime boundaries of the Spratly Islands, it does have a strong and long-standing interest in the manner in which disputes in the South China Sea are addressed and in the conduct of the parties;

Whereas, even while the Government of the People's Republic of China has refused to participate in formal arbitration with the Government of the Philippines, it should comply with any international ruling on competing territorial claims with the Philippines in the South China Sea;

Whereas, in recent years, the Government of the People's Republic of China has engaged in unilateral land reclamation and construction activities in the Spratly Islands that undermines regional stability and is counter to multilateral efforts for peaceful resolution of territorial, sovereignty, and jurisdictional disputes in the South China Sea;

Whereas, although other claimants to the Spratly Islands have built small outposts and have engaged in minor maintenance on features they already occupy, in less than one year the Government of the People's Republic of China has rapidly exceeded all preceding activities and acted on a much larger scale;

Whereas, on November 4, 2002, the governments of the member states of the Association of Southeast Asian Nations (ASEAN) and the Government of the People's Republic of China signed a Declaration on the Conduct of Parties in the South China Sea that, among other things, declared, ''The Parties undertake to exercise self-restraint in the conduct of activities that would complicate or escalate disputes and affect peace and stability including, among others, refraining from action of inhabiting on the presently uninhabited islands, reefs, shoals, cays, and other features and to handle their differences in a constructive manner.'';

Whereas China's land reclamation is estimated to cost the region's littoral states $100,000,000 a year due to damage to the ecosystem and the degradation of fish stocks;

Whereas, on March 23, 2015, satellite imagery showed the Government of the People's Republic of China building a concrete runway on the Fiery Cross Reef that is expected to be 10,000 feet long and give the Chinese military the capability to land fighter jets and surveillance jets, which is destabilizing to regional peace and stability;

Whereas satellite imagery also showed the Government of the People's Republic of China unilaterally constructing island territory on Subi Reef that, if connected, would support an additional airstrip;

Whereas satellite imagery also showed that Woody Island and Duncan Island have grown significantly due to Chinese land reclamation activities;

Whereas, a March 16, 2015, image published by the Center for Strategic and International Studies showed that the Government of the People's Republic of China constructed a chain of artificial land formations, new structures, fortified sea walls, and construction equipment along Mischief Reef, an area claimed by the Philippines and within its Exclusive Economic Zone;

Whereas, in April 2015, the United States Office of Naval Intelligence published a report on the Chinese People's Liberation Army Navy showing that the Government of the People's Republic of China has reclaimed hundreds of acres of land at the seven features it occupies in the Spratly Islands throughout 2014 and stated that China ''appears to be building much larger facilities that could support naval operations.'';

Whereas, on April 6, 2015, Secretary of Defense Ash Carter noted deep concerns regarding some of the activities of the Government of the People's Republic of China, including ''its behavior in places like the East and South China Seas.'';

Whereas, on April 9, 2015, President Barack Obama stated, ''Where [the United States gets] concerned with China is where it is not necessarily abiding by international norms and rules, and is using its size and muscle to force countries into subordinate positions. And that's the concern we have around maritime issues.'';

Whereas, on April 16, 2015, the Commander of United States Pacific Command, Admiral Locklear, stated that Chinese land reclamation activities in the South China Sea ''would give them de facto control in peacetime of much of the world's most important waterways''; that China could place ''long-range detection radars'' on the outposts in order to place more warships there; and that Southeast Asian nations are increasingly worried that China's new capabilities will allow it take de facto control of the surrounding waters;

Whereas adding a military dimension to the territorial dispute exacerbates the risks of misperceptions, accidents, and other dangerous incidents in the Spratly Islands;

Whereas, on April 9, 2015, Chinese Foreign Ministry spokeswoman, Hua Chunying, was quoted as saying, ''After the construction, the islands and reefs will be able to provide all-round and comprehensive services to meet various civilian demands besides satisfying the need of necessary military defense.'';

Whereas ASEAN has promoted multilateral talks on disputed areas without settling the issue of sovereignty, and committed with China in the 2002 Declaration on the Conduct of Parties in the South China Sea to ''reaffirm their respect for and commitment to the freedom of navigation in and over flight above the South China Sea as provided for by the universally recognized principles of international law'' and to ''resolve their territorial and jurisdictional disputes by peaceful means, without resorting to the threat or use of force'';

Whereas the reclamation activities of the Government of the People's Republic of China threaten ASEAN unity and its multilateral efforts to promote peaceful reconciliation of territorial, sovereignty, and jurisdictional disputes in the Spratly Islands and the broader South China Sea; and

Whereas, on January 28, 2015, Philippine Foreign Secretary Alberto del Rosario urged ASEAN ''to consider reaching out to the international community to say to China that what it is doing is wrong—that it must stop its reclamation activities at once'': Now, therefore, be it

Resolved, That the Senate—

(1) condemns the Government of the People's Republic of China's unilateral construction of artificial land formations in the disputed Spratly Islands;

(2) strongly urges all parties to maritime and territorial disputes in the region to respect the status quo, exercise self-restraint in the conduct of activities that would undermine stability or complicate or escalate disputes, refrain from inhabiting or garrisoning presently uninhabited islands, reefs, shoals, and other features, and refrain from unilateral actions that cause permanent physical change to the marine environment in areas pending final delimitation;

(3) urges the Government of the People's Republic of China to clarify the meaning of its ''nine dash line'' claim and the maritime areas it claims within that space;

(4) further urges the Government of the People's Republic of China to clarify its intentions with respect to establishing ''necessary military defense'' on reclaimed features and condemns the militarization of disputed features;

(5) supports efforts by parties to maritime and territorial disputes to handle their differences in a constructive manner and pursue their claims through peaceful, diplomatic, and legitimate regional and international arbitration mechanisms;

(6) reaffirms the strong support of the United States for the member states of ASEAN as they seek to develop a code of conduct of parties in the South China Sea with the People's Republic of China, and urges China to enter into such negotiations in a serious manner;

(7) supports efforts to strengthen regional maritime domain awareness;

(8) supports efforts to strengthen maritime partner capacity, including through the sale and transfer of technology that promotes maritime domain awareness; and

(9) supports the continuation of operations by the United States Armed Forces in support of freedom of navigation rights in international waters and air space in the South China Sea.

SENATE RESOLUTION 184—EXPRESSING THE SENSE OF THE SENATE THAT CONVERSION THERAPY, INCLUDING EFFORTS BY MENTAL HEALTH PRACTITIONERS TO CHANGE THE SEXUAL ORIENTATION, GENDER IDENTITY, OR GENDER EXPRESSION OF AN INDIVIDUAL, IS DANGEROUS AND HARMFUL AND SHOULD BE PROHIBITED FROM BEING PRACTICED ON MINORS

Mr. BOOKER (for himself, Mr. BROWN, Mr. SANDERS, Mr. MARKEY, Mr. FRANKEN, Mr. MURPHY, Mrs. SHAHEEN, Mrs. GILLIBRAND, Mr. WYDEN, Mr. WHITEHOUSE, Mr. MENENDEZ, Ms. WARREN, Ms. BALDWIN, Mr. SCHUMER, Mr.

HEINRICH, Mr. MERKLEY, Mrs. BOXER, Mr. UDALL, Ms. HIRONO, Ms. STABENOW, Mr. PETERS, Mr. CASEY, Mr. SCHATZ, Mrs. MURRAY, Mr. CARDIN, and Mr. DURBIN) submitted the following resolution; which was referred to the Committee on Health, Education, Labor, and Pensions:

S. RES. 184

Whereas being lesbian, gay, bisexual, transgender, or gender nonconforming is not a disorder, disease, illness, deficiency, or shortcoming;

Whereas the development of all children and adolescents into healthy and productive adults is a priority of the United States and ending prejudice and injustice based on sexual orientation, gender identity, and gender nonconformity is a human rights issue;

Whereas the American Academy of Pediatrics, the American Counseling Association, the American Psychiatric Association, the American Psychological Association, the American School Counselor Association, the National Association of School Psychologists, and the National Association of Social Workers, together representing more than 480,000 health and mental health professionals, have all taken the position that homosexuality is not a mental disorder and thus is not something that needs to be or can be ''cured'';

Whereas the American Psychological Association, the American Psychiatric Association, the National Association of Social Workers, the American Counseling Association Governing Council, and the American Psychoanalytic Association have not found conversion therapy to be safe or effective;

Whereas several States have enacted or are considering legislation and other measures to prohibit conversion therapy in children and adolescents; and

Whereas enacted State legislation to prohibit conversion therapy in children and adolescents has been upheld as constitutional: Now, therefore, be it

Resolved,

SECTION 1. SHORT TITLE.

This resolution may be cited as the ''Stop Harming Our Kids Resolution of 2015''.

SEC. 2. SENSE OF THE SENATE REGARDING CONVERSION THERAPY DIRECTED AT MINORS.

(a) CONVERSION THERAPY DEFINED.—In this resolution, the term ''conversion therapy''—

(1) means any practice by a licensed, certified, or registered mental health provider, health care provider, or counselor that seeks or purports to impose change of the sexual orientation, gender identity, or gender expression of an individual, including reducing or eliminating sexual or romantic attractions or feelings toward an individual of the same gender and efforts to change behaviors, gender identity, or gender expression; and

(2) does not include counseling—

(A) that—

(i) provides acceptance, support, and understanding of an individual;

(ii) facilitates the coping, social support, and identity exploration and development of an individual;

(iii) provides developmentally appropriate counseling for an individual undergoing gender transition; or

(iv) provides sexual orientation- and gender identity-neutral interventions to prevent or address unlawful conduct or unsafe sexual practices; and

(B) that does not seek to change sexual orientation, gender identity, or gender expression.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that conversion therapy directed at minors is discredited and ineffective, has no legitimate therapeutic purpose, and is dangerous and harmful.

(c) STATE ENCOURAGEMENT.—The Senate encourages each State to take steps to protect minors from efforts that promote or promise to change sexual orientation, gender identity, or gender expression based on the premise that being lesbian, gay, bisexual, transgender, or gender nonconforming is a mental illness or developmental disorder that can or should be cured.

SENATE RESOLUTION 185—RECOGNIZING THE SIGNIFICANCE OF MAY 2015 AS ASIAN/PACIFIC AMERICAN HERITAGE MONTH AND AS AN IMPORTANT TIME TO CELEBRATE THE SIGNIFICANT CONTRIBUTIONS OF ASIAN AMERICANS AND PACIFIC ISLANDERS TO THE HISTORY OF THE UNITED STATES

Ms. HIRONO (for herself, Mr. REID, Mrs. MURRAY, Mr. KAINE, Mr. KIRK, Mr. HELLER, Mr. SCHATZ, Mr. CARDIN, Ms. CANTWELL, Mr. GARDNER, Mr. DURBIN, Mr. MENENDEZ, Mr. BROWN, Mr. FRANKEN, Mr. WYDEN, Mr. CASEY, Mrs. FEINSTEIN, Mr. MARKEY, and Ms. KLOBUCHAR) submitted the following resolution; which was considered and agreed to:

S. RES. 185

Whereas the people of the United States join together each May to pay tribute to the contributions of generations of Asian Americans and Pacific Islanders who have enriched the history of the United States;

Whereas the history of Asian Americans and Pacific Islanders in the United States is inextricably tied to the story of the United States;

Whereas the Asian American and Pacific Islander community is an inherently diverse population, comprised of more than 45 distinct ethnicities and more than 100 language dialects;

Whereas, according to the Bureau of the Census, the Asian American population grew at a faster rate than any other racial or ethnic group in the United States during the last decade, surging nearly 46 percent between 2000 and 2010, a growth rate that is 4 times the rate of the total population of the United States;

Whereas, according to the 2010 decennial census, there are approximately 17,300,000 residents of the United States who identify themselves as Asian and approximately 1,200,000 residents of the United States who identify themselves as Native Hawaiian or other Pacific Islander, making up approximately 5.5 percent and 0.4 percent, respectively, of the total population of the United States;

Whereas the month of May was selected for Asian/Pacific American Heritage Month because the first immigrants from Japan arrived in the United States on May 7, 1843, and the first transcontinental railroad was completed on May 10, 1869, with substantial contributions from immigrants from China;

Whereas section 102 of title 36, United States Code, officially designates May as Asian/Pacific American Heritage Month and requests that the President issue an annual proclamation calling on the people of the United States to observe Asian/Pacific American Heritage Month with appropriate programs, ceremonies, and activities;

Whereas Asian Americans and Pacific Islanders, such as Daniel K. Inouye, a Medal of Honor and Presidential Medal of Freedom recipient who as President Pro Tempore of the Senate was the highest-ranking Asian American government official in United States history, Dalip Singh Saund, the first Asian American Congressman, Patsy T. Mink, the first woman of color and the first Asian American woman to be elected to Congress, Hiram L. Fong, the first Asian American Senator, Daniel K. Akaka, the first Senator of Native Hawaiian ancestry, Norman Y. Mineta, the first Asian American member of a presidential cabinet, Elaine L. Chao, the first Asian American woman member of a presidential cabinet, and others have made significant contributions in both the Government and military of the United States;

Whereas the year 2015 marks several important milestones for the Asian American and Pacific Islander community, including the—

(1) 50th anniversary of the passage of the Immigration and Nationality Act of 1965 (Public Law 89-236), landmark legislation that reversed restrictive immigration policies against immigrants from Asia;

(2) 40th anniversary of the end of the Vietnam War;

(3) 40th anniversary of the Southeast Asian diasporic communities in the United States;

(4) 30th anniversary of the mission aboard the Space Shuttle Discovery of Ellison Shoji Onizuka, the first Asian American in space; and

(5) 25th anniversary of the date of enactment of Public Law 105-225, signed by President George H. W. Bush, designating May to be Asian Pacific American Heritage Month;

Whereas the actions of the Hmong in Laos in support of the United States during the Vietnam War saved the lives of countless people of the United States;

Whereas as a result of Hmong support of the United States, the Hmong were forced to leave Laos when the new communist regime seized control of Laos;

Whereas May 14, 2015, marks the 40th anniversary of the forced exit from Laos of Hmong people, many of whom later resettled in the United States, following the withdrawal of United States troops from Vietnam;

Whereas, in 2015, the Congressional Asian Pacific American Caucus, a bicameral caucus of Members of Congress advocating on behalf of Asian Americans and Pacific Islanders, is composed of 48 Members, including 13 Members of Asian or Pacific Islander descent;

Whereas in 2015, Asian Americans and Pacific Islanders are serving in State and territorial legislatures across the United States in record numbers, including the States of Alaska, Arizona, California, Colorado, Connecticut, Georgia, Hawaii, Idaho, Maryland, Massachusetts, Michigan, New Hampshire, New Jersey, New York, Ohio, Oklahoma, Pennsylvania, Texas, Utah, Vermont, Virginia, Washington, West Virginia, and the territories of American Samoa, Guam, and the Commonwealth of the Northern Mariana Islands;

Whereas the number of Federal judges who are Asian Americans or Pacific Islanders doubled between 2001 and 2008 and more than tripled between 2009 and 2015, reflecting a commitment to diversity in the Federal judiciary that has resulted in the confirmations of high-caliber Asian American and Pacific Islander judicial nominees;

Whereas there remains much to be done to ensure that Asian Americans and Pacific Islanders have access to resources and a voice in the Government of the United States and continue to advance in the political landscape of the United States; and

Whereas celebrating Asian/Pacific American Heritage Month provides the people of the United States with an opportunity to recognize the achievements, contributions, and history of Asian Americans and Pacific Islanders, and to appreciate the challenges faced by Asian Americans and Pacific Islanders: Now, therefore, be it

Resolved, That the Senate—

(1) recognizes the significance of May 2015 as Asian/Pacific American Heritage Month and as an important time to celebrate the significant contributions of Asian Americans and Pacific Islanders to the history of the United States; and

(2) recognizes that the Asian American and Pacific Islander community enhances the rich diversity of and strengthens the United States.

SENATE RESOLUTION 186—DESIGNATING THE WEEK OF MAY 17 THROUGH MAY 23, 2015, AS ''NATIONAL PUBLIC WORKS WEEK''

Mr. INHOFE (for himself and Mrs. BOXER) submitted the following resolution; which was considered and agreed to:

S. RES. 186

Whereas public works infrastructure, facilities, and services are of vital importance to the health, safety, and well-being of the people of the United States;

Whereas the public works infrastructure, facilities, and services could not be provided without the dedicated efforts of public works professionals, including engineers and administrators, who represent State and local governments throughout the United States;

Whereas public works professionals design, build, operate, and maintain the transportation systems, water infrastructure, sewage and refuse disposal systems, public buildings, and other structures and facilities that are vital to the people and communities of the United States; and

Whereas understanding the role that public infrastructure plays in protecting the environment, improving public health and safety, contributing to economic vitality, and enhancing the quality of life of every community of the United States is in the interest of the people of the United States: Now, therefore, be it

Resolved, That the Senate—

(1) designates the week of May 17 through May 23, 2015, as ''National Public Works Week'';

(2) recognizes and celebrates the important contributions that public works professionals make every day to improve—

(A) the public infrastructure of the United States; and

(B) the communities that public works professionals serve; and

(3) urges individuals and communities throughout the United States to join with representatives of the Federal Government and the American Public Works Association in activities and ceremonies that are designed—

(A) to pay tribute to the public works professionals of the United States; and

(B) to recognize the substantial contributions that public works professionals make to the United States.

SENATE RESOLUTION 187—EXPRESSING SUPPORT FOR THE DESIGNATION OF THE MONTH OF MAY 2015, AS ''NATIONAL BLADDER CANCER AWARENESS MONTH''

Mr. MENENDEZ (for himself, Mr. ISAKSON, and Mr. SCHATZ) submitted the following resolution; which was considered and agreed to:

S. RES. 187

Whereas 500,000 families in the United States live with bladder cancer;

Whereas more than 74,000 people are expected to be diagnosed with bladder cancer and 16,000 will die due to the disease in 2015 alone;

Whereas bladder cancer affects people of all ages and backgrounds and is among the top 10 cancers with the highest incidence rates in the United States;

Whereas bladder cancer is known as one of the most expensive cancers to treat on a per patient basis with a recurrence rate of approximately 50 to 80 percent, requiring lifelong surveillance;

Whereas bladder cancer symptoms, such as blood in the urine, are easily recognized, however, many are unaware of the threat of bladder cancer, often prolonging the time to diagnosis;

Whereas if diagnosed early, bladder cancer is treatable;

Whereas military veterans are twice as likely as nonveterans to be diagnosed with bladder cancer;

Whereas women are often diagnosed at a later stage in the development of bladder cancer, and when diagnosed at the same stage as men, women have a worse prognosis;

Whereas if diagnosis and treatment are delayed, the life expectancy of an individual with bladder cancer decreases;

Whereas the quality of life of a person with bladder cancer will depend on future treatment and diagnosis developments, which will rely on research advancements;

Whereas there have been no new treatments approved by the Food and Drug Administration for bladder cancer in over 10 years;

Whereas research advancements for bladder cancer are limited by lack of awareness about the disease within the medical community and general public;

Whereas increased awareness will promote early diagnosis and increase the chances of survival;

Whereas increased awareness will bolster public support of the disease and thus increase funding for innovative research and the development of new treatment options and diagnostic tools;

Whereas traditionally on the first Saturday in May each year, survivors, caregivers, and loved ones walk together throughout the United States to raise awareness of bladder cancer;

Whereas the Bladder Cancer Advocacy Network and its community of patients, caregivers, and specialists seek—

(1) to foster a community of hope and support;

(2) to fund and conduct research for innovative treatments and diagnostic tools; and

(3) to increase public awareness and understanding of bladder cancer; and

Whereas May would be an appropriate month to designate as ''National Bladder Cancer Awareness Month'': Now, therefore, be it

Resolved, That the Senate—

(1) supports the designation of May 2015, as ''National Bladder Cancer Awareness Month'';

(2) supports the goals and ideals of National Bladder Cancer Awareness Month; and

(3) calls on the people of the United States, interested groups, and affected persons—

(A) to promote awareness of bladder cancer and to foster understanding of the impact of the disease on patients and their families and caregivers;

(B) to take an active role in the fight to end bladder cancer; and

(C) to observe National Bladder Cancer Awareness Month with appropriate ceremonies and activities.

AMENDMENTS SUBMITTED AND PROPOSED

SA 1436. Mr. CASEY (for himself and Mr. MURPHY) submitted an amendment intended to be proposed to amendment SA 1221 proposed by Mr. HATCH to the bill H.R. 1314, to amend the Internal Revenue Code of 1986 to provide for a right to an administrative appeal relating to adverse determinations of tax-exempt status of certain organizations; which was ordered to lie on the table.

SA 1437. Mr. PERDUE (for Mr. SCHATZ) proposed an amendment to the resolution S. Res. 109, acknowledging and honoring brave young men from Hawaii who enabled the United States to establish and maintain jurisdiction in remote equatorial islands as prolonged conflict in the Pacific led to World War II.

TEXT OF AMENDMENTS

SA 1436. Mr. CASEY (for himself and Mr. MURPHY) submitted an amendment intended to be proposed to amendment SA 1221 proposed by Mr. HATCH to the bill H.R. 1314, to amend the Internal Revenue Code of 1986 to provide for a right to an administrative appeal relating to adverse determinations of tax-exempt status of certain organizations; which was ordered to lie on the table; as follows:

On page 44, line 9, insert before the end period the following: '', and does not violate the requirements of chapter 83 of title 41, United States Code (commonly known as the 'Buy American Act') or section 313 of title 23, United States Code, or weaken or undermine those requirements by allowing for waivers that would cause the closure of a domestic manufacturer''.

SA 1437. Mr. PERDUE (for Mr. SCHATZ) proposed an amendment to the resolution S. Res. 109, acknowledging and honoring brave young men from Hawaii who enabled the United States to establish and maintain jurisdiction in remote equatorial islands as prolonged conflict in the Pacific led to World War II; as follows:

The preamble is amended—

(1) in the 10th whereas clause, by striking ''March 30, 1935'' and inserting ''March 20, 1935'';

(2) in the 13th whereas clause, by striking ''proclaimed'' and inserting ''established'';

(3) in the 25th whereas clause, by striking ''distracted by'' and inserting ''otherwise focused on''; and

(4) in the 27th whereas clause—

(A) by striking ''Jarvis and Enderbury'' and inserting ''Enderbury and Jarvis''; and

(B) by striking ''on February 9'' and inserting '' from February 7 to 9''.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON AGRICULTURE, NUTRITION, AND FORESTRY

Mr. SULLIVAN. Mr. President, I ask unanimous consent that the Committee on Agriculture, Nutrition, and Forestry be authorized to meet during the session of the Senate on May 21, 2015, at 10 a.m., in room 328A of the Russell Senate Office Building.

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

COMMITTEE ON ARMED SERVICES

Mr. SULLIVAN. Mr. President, I ask unanimous consent that the Committee on Armed Services be authorized to meet during the session of the Senate on May 21, 2015, at 9:30 a.m.

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

COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

Mr. SULLIVAN. Mr. President, I ask unanimous consent that the Committee on Banking, Housing, and Urban Affairs be authorized to meet during the session of the Senate on May 21, 2015, at 10 a.m., to conduct a hearing entitled ''The Financial Regulatory Improvement Act of 2015.''

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

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

Mr. SULLIVAN. Mr. President, I ask unanimous consent that the Committee on Commerce, Science, and Transportation be authorized to meet during the session of the Senate on May 21, 2015, at 10:15 a.m., in room SR–253 of the Russell Senate Office Building.

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

COMMITTEE ON FOREIGN RELATIONS

Mr. SULLIVAN. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on May 21, 2015, at 9:15 a.m.

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

COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

Mr. SULLIVAN. Mr. President, I ask unanimous consent that the Committee on Homeland Security and Governmental Affairs be authorized to meet during the session of the Senate on May 21, 2015, at 9:30 a.m., to conduct a hearing entitled ''Understanding America's Long-Term Fiscal Picture.''

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

COMMITTEE ON THE JUDICIARY

Mr. SULLIVAN. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet during the session of the Senate on May 21, 2015, at 10:15 a.m., in the President's Room of the Capitol.

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

SELECT COMMITTEE ON INTELLIGENCE

Mr. SULLIVAN. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on May 21, 2015, at 2:30 p.m.

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

SUBCOMMITTEE ON PUBLIC LANDS, FORESTS, AND MINING

Mr. SULLIVAN. Mr. President, I ask unanimous consent that the Committee on Energy and Natural Resources' Subcommittee on Public Lands, Forests, and Mining be authorized to meet during the session of the Senate on May 21, 2015, at 2:30 p.m., in room SD–366 of the Dirksen Senate Office Building.

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

PRIVILEGES OF THE FLOOR

Mr. FRANKEN. Mr. President, I ask unanimous consent that my counsel detailee, Samantha Chaifetz, be granted floor privileges for the remainder of this session of Congress.

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

Mr. MURPHY. Mr. President, I ask unanimous consent that Amanda Clinton, a fellow in my office, be granted floor privileges for the remainder of the calendar year.

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

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. PERDUE. Mr. President, I ask unanimous consent that the Senate proceed to executive session to consider the following nominations: Calendar Nos. 115 through 122, and all nominations placed on the Secretary's desk in the Air Force, Army, Marine Corps, and Navy; that the nominations be confirmed; that the motions to reconsider be considered made and laid upon the table with no intervening action or debate; that no further motions be in order; that any statements related to the nominations be printed in the Record; that the President be immediately notified of the Senate's actions, and the Senate then resume legislative session.

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

The nominations considered and confirmed are as follows:

IN THE NAVY

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

To be rear admiral

Rear Adm. (lh) John D. Alexander
Rear Adm. (lh) Ronald A. Boxall
Rear Adm. (lh) Robert P. Burke
Rear Adm. (lh) Matthew J. Carter
Rear Adm. (lh) Christopher W. Grady
Rear Adm. (lh) Michael E. Jabaley, Jr.
Rear Adm. (lh) Colin J. Kilrain
Rear Adm. (lh) Andrew L. Lewis
Rear Adm. (lh) DeWolfe H. Miller
Rear Adm. (lh) John P. Neagley
Rear Adm. (lh) Patrick A. Piercey
Rear Adm. (lh) Charles A. Richard
Rear Adm. (lh) Hugh D. Wetherald
Rear Adm. (lh) Ricky L. Williamson

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

To be rear admiral (lower half)

Capt. Eugene H. Black, III
Capt. Dell D. Bull
Capt. William D. Byrne, Jr.
Capt. Edward B. Cashman
Capt. Moises Deltoro, III
Capt. Stephen C. Evans
Capt. Gregory J. Fenton
Capt. John V. Fuller
Capt. Michael P. Holland
Capt. Hugh W. Howard, III
Capt. Jeffrey W. Hughes
Capt. Thomas E. Ishee
Capt. Stephen T. Koehler
Capt. Yancy B. Lindsey
Capt. Francis D. Morley
Capt. Cathal S. O'Connor
Capt. Jeffrey E. Trussler
Capt. William W. Wheeler, III

IN THE AIR FORCE

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

To be lieutenant general

Maj. Gen. Jeffrey G. Lofgren

IN THE MARINE CORPS

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

To be lieutenant general

Maj. Gen. Michael G. Dana

IN THE ARMY

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

To be major general

Brig. Gen. Matthew P. Beevers

IN THE NAVY

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

To be vice admiral

Rear Adm. John N. Christenson

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

To be rear admiral (lower half)

Capt. Shoshana S. Chatfield

The following named officer for appointment as the Judge Advocate General of the Navy and for appointment in the United States Navy to the grade indicated while

serving as the Judge Advocate General under title 10, U.S.C., section 5148:

To be vice admiral

Rear Adm. James W. Crawford, III

NOMINATIONS PLACED ON THE SECRETARY'S DESK

IN THE AIR FORCE

PN95–2 AIR FORCE nomination of RHYS WILLIAM HUNT, which was received by the Senate and appeared in the Congressional Record of January 26, 2015.

PN248 AIR FORCE nominations (5) beginning JAMES D. BRANTINGHAM, and ending GEORGE T. YOUSTRA, which nominations were received by the Senate and appeared in the Congressional Record of March 4, 2015.

PN249 AIR FORCE nominations (429) beginning RANDALL E. ACKERMAN, and ending CLINTON R. ZUMBRUNNEN, which nominations were received by the Senate and appeared in the Congressional Record of March 4, 2015.

PN426 AIR FORCE nominations (2) beginning JOSHUA D. BURGESS, and ending JAMES R. CANTU, which nominations were received by the Senate and appeared in the Congressional Record of April 30, 2015.

PN427 AIR FORCE nomination of Michael I. Etan, which was received by the Senate and appeared in the Congressional Record of April 30, 2015.

IN THE ARMY

PN428 ARMY nomination of Erik D. Masick, which was received by the Senate and appeared in the Congressional Record of April 30, 2015.

PN429 ARMY nominations (3) beginning MUHAMMAD R. KHAWAJA, and ending NIKALESH REDDY, which nominations were received by the Senate and appeared in the Congressional Record of April 30, 2015.

IN THE MARINE CORPS

PN80 MARINE CORPS nomination of Henry C. Bodden, which was received by the Senate and appeared in the Congressional Record of January 13, 2015.

PN82 MARINE CORPS nomination of William E Lanham, which was received by the Senate and appeared in the Congressional Record of January 13, 2015.

PN115 MARINE CORPS nomination of Rebecca L. Wilkinson, which was received by the Senate and appeared in the Congressional Record of January 26, 2015.

PN122 MARINE CORPS nominations (42) beginning MATTHEW F. AMIDON, and ending JOHN A. WRIGHT, which nominations were received by the Senate and appeared in the Congressional Record of January 26, 2015.

PN151 MARINE CORPS nominations (6) beginning MICHAEL J. CORRADO, and ending CRAIG C. ULLMAN, which nominations were received by the Senate and appeared in the Congressional Record of January 29, 2015.

PN152 MARINE CORPS nominations (211) beginning RORY L. ALDRIDGE, and ending MARK D. ZIMMER, which nominations were received by the Senate and appeared in the Congressional Record of January 29, 2015.

IN THE NAVY

PN110 NAVY nomination of Miriam Behpour, which was received by the Senate and appeared in the Congressional Record of January 26, 2015.

PN111 NAVY nomination of Thomas P. Murphy, which was received by the Senate and appeared in the Congressional Record of January 26, 2015.

PN147 NAVY nomination of Todd S. Levant, which was received by the Senate and appeared in the Congressional Record of January 29, 2015.

PN148 NAVY nomination of Jennifer L. Borstelmann, which was received by the Senate and appeared in the Congressional Record of January 29, 2015.

PN150 NAVY nomination of Robert S. Thompson, which was received by the Senate and appeared in the Congressional Record of January 29, 2015.

PN181 NAVY nomination of Melissa C. Austin, which was received by the Senate and appeared in the Congressional Record of February 5, 2015.

PN438 NAVY nominations (50) beginning ANTHONY S. ARDITO, and ending RODERICK D. WILSON, which nominations were received by the Senate and appeared in the Congressional Record of April 30, 2015.

PN443 NAVY nomination of Garrett T. Pankow, which was received by the Senate and appeared in the Congressional Record of April 30, 2015.

PN444 NAVY nomination of William M. Walker, which was received by the Senate and appeared in the Congressional Record of April 30, 2015.

PN445 NAVY nomination of Christopher C. Meyer, which was received by the Senate and appeared in the Congressional Record of April 30, 2015.

PN446 NAVY nominations (2) beginning JEFFREY G. BENTSON, and ending PAUL N. PORENSKY, which nominations were received by the Senate and appeared in the Congressional Record of April 30, 2015.

PN447 NAVY nomination of Kevin D. Clarida, which was received by the Senate and appeared in the Congressional Record of April 30, 2015.

PN448 NAVY nomination of Brianna E. Jackson, which was received by the Senate and appeared in the Congressional Record of April 30, 2015.

PN449 NAVY nomination of Jared M. Spilka, which was received by the Senate and appeared in the Congressional Record of April 30, 2015.

PN450 NAVY nomination of Francine Segovia, which was received by the Senate and appeared in the Congressional Record of April 30, 2015.

PN451 NAVY nomination of Todd W. Mallory, which was received by the Senate and appeared in the Congressional Record of April 30, 2015.

LEGISLATIVE SESSION

The PRESIDING OFFICER. The Senate will now resume legislative session.

COURTHOUSE NAMING BILLS

Mr. PERDUE. Mr. President, I ask unanimous consent that the Environment and Public Works Committee be discharged from further consideration of H.R. 1690 and the Senate proceed to its consideration and the consideration of Calendar No. 64, S. 261, and Calendar No. 65, S. 612, en bloc.

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

There being no objection, the Senate proceeded to consider the bills en bloc.

Mr. PERDUE. I further ask unanimous consent that the bills be read a third time and passed and the motions to reconsider be considered made and laid upon the table en bloc.

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

JOSEPH F. WEIS JR. UNITED STATES COURTHOUSE

The bill (H.R. 1690) to designate the United States courthouse located at 700 Grant Street in Pittsburgh, Pennsylvania, as the ''Joseph F. Weis Jr. United States Courthouse,'' was ordered to a third reading, was read the third time, and passed.

WILLIAM J. HOLLOWAY, JR. UNITED STATES COURTHOUSE

The bill (S. 261) to designate the United States courthouse located at 200 NW 4th Street in Oklahoma City, Oklahoma, as the William J. Holloway, Jr. United States Courthouse, was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S. 261

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

SECTION 1. WILLIAM J. HOLLOWAY, JR. UNITED STATES COURTHOUSE.

(a) DESIGNATION.—The United States courthouse located at 200 NW 4th Street in Oklahoma City, Oklahoma, shall be known and designated as the ''William J. Holloway, Jr. United States Courthouse''.

(b) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the United States courthouse referred to in subsection (a) shall be deemed to be a reference to the ''William J. Holloway, Jr. United States Courthouse''.

GEORGE P. KAZEN FEDERAL BUILDING AND UNITED STATES COURTHOUSE

The bill (S. 612) to designate the Federal building and United States courthouse located at 1300 Victoria Street in Laredo, Texas, as the ''George P. Kazen Federal Building and United States Courthouse,'' was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S. 612

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

SECTION 1. GEORGE P. KAZEN FEDERAL BUILDING AND UNITED STATES COURTHOUSE.

(a) DESIGNATION.—The Federal building and United States courthouse located at 1300 Victoria Street in Laredo, Texas, shall be known and designated as the ''George P. Kazen Federal Building and United States Courthouse''.

(b) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the Federal building and United States courthouse referred to in subsection (a) shall be deemed to be a reference to the ''George P. Kazen Federal Building and United States Courthouse''.

NEW MEXICO NAVAJO WATER SETTLEMENT TECHNICAL CORRECTIONS ACT

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

proceed to the immediate consideration of Calendar No. 81, S. 501.

The PRESIDING OFFICER. The clerk will report the bill by title.

The senior assistant legislative clerk read as follows:

A bill (S. 501) to make technical corrections to the Navajo water rights settlement in the State of New Mexico, and for other purposes.

There being no objection, the Senate proceeded to consider the bill.

Mr. PERDUE. Mr. President, I ask unanimous consent that the bill be read a third time and passed and the motion to reconsider be considered made and laid upon the table.

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

The bill (S. 501) was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S. 501

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''New Mexico Navajo Water Settlement Technical Corrections Act''.

SEC. 2. NAVAJO WATER SETTLEMENT.

(a) DEFINITIONS.—Section 10302 of the Omnibus Public Land Management Act of 2009 (43 U.S.C. 407 note; Public Law 111–11) is amended—

(1) in paragraph (2), by striking ''Arrellano'' and inserting ''Arellano''; and

(2) in paragraph (27), by striking ''75–185'' and inserting ''75–184''.

(b) DELIVERY AND USE OF NAVAJO-GALLUP WATER SUPPLY PROJECT WATER.—Section 10603(c)(2)(A) of the Omnibus Public Land Management Act of 2009 (Public Law 111–11; 123 Stat. 1385) is amended—

(1) in clause (i), by striking ''Article III(c)'' and inserting ''Articles III(c)''; and

(2) in clause (ii)(II), by striking ''Article III(c)'' and inserting ''Articles III(c)''.

(c) PROJECT CONTRACTS.—Section 10604(f)(1) of the Omnibus Public Land Management Act of 2009 (Public Law 111–11; 123 Stat. 1391) is amended by inserting ''Project'' before ''water''.

(d) AUTHORIZATION OF APPROPRIATIONS.—Section 10609 of the Omnibus Public Land Management Act of 2009 (Public Law 111–11; 123 Stat. 1395) is amended—

(1) in paragraphs (1) and (2) of subsection (b), by striking ''construction or rehabilitation'' each place it appears and inserting ''planning, design, construction, rehabilitation,'';

(2) in subsection (e)(1), by striking ''2 percent'' and inserting ''4 percent''; and

(3) in subsection (f)(1), by striking ''4 percent'' and inserting ''2 percent''.

(e) AGREEMENT.—Section 10701(e) of the Omnibus Public Land Management Act of 2009 (Public Law 111–11; 123 Stat. 1400) is amended in paragraphs (2)(A), (2)(B), and (3)(A) by striking ''and Contract'' each place it appears.

RECOGNIZING NATIONAL FOSTER CARE MONTH AS AN OPPORTUNITY TO RAISE AWARENESS ABOUT THE CHALLENGES OF CHILDREN IN THE FOSTER CARE SYSTEM

Mr. PERDUE. Mr. President, I ask unanimous consent that the HELP Committee be discharged from further consideration of and the Senate now proceed to the consideration of S. Res. 168.

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

The clerk will report the resolution by title.

The senior assistant legislative clerk read as follows:

A resolution (S. Res. 168) recognizing National Foster Care Month as an opportunity to raise awareness about the challenges of children in the foster care system, and encouraging Congress to implement policy to improve the lives of children in the foster care system.

There being no objection, the Senate proceeded to consider the resolution.

Mr. PERDUE. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be laid upon the table.

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

The resolution (S. Res. 168) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in the RECORD of May 5, 2015, under ''Submitted Resolutions.'')

ACKNOWLEDGING AND HONORING BRAVE YOUNG MEN FROM HAWAII

Mr. PERDUE. Mr. President, I ask unanimous consent that the Judiciary Committee be discharged from further consideration of S. Res. 109 and the Senate proceed to its consideration.

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

The clerk will report the resolution by title.

The senior assistant legislative clerk read as follows:

A resolution (S. Res. 109) acknowledging and honoring brave young men from Hawaii who enabled the United States to establish and maintain jurisdiction in remote equatorial islands as prolonged conflict in the Pacific led to World War II.

There being no objection, the Senate proceeded to consider the resolution.

Mr. PERDUE. Mr. President, I ask unanimous consent that the resolution be agreed to; the Schatz amendment to the preamble be agreed to; the preamble, as amended, be agreed to; and the motions to reconsider be considered made and laid upon the table with no intervening action or debate.

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

The resolution (S. Res. 109) was agreed to.

The amendment (No. 1437) was agreed to, as follows:

(Purpose: To amend the preamble)

The preamble is amended—

(1) in the 10th whereas clause, by striking ''March 30, 1935'' and inserting ''March 20, 1935'';

(2) in the 13th whereas clause, by striking ''proclaimed'' and inserting ''established'';

(3) in the 25th whereas clause, by striking ''distracted by'' and inserting ''otherwise focused on''; and

(4) in the 27th whereas clause—

(A) by striking ''Jarvis and Enderbury'' and inserting ''Enderbury and Jarvis''; and

(B) by striking ''on February 9'' and inserting '' from February 7 to 9''.

The preamble, as amended, was agreed to.

The resolution, with its preamble, as amended, reads as follows:

S. RES. 109

Whereas in the mid-19th century, the Guano Islands Act (48 U.S.C. 1411 et seq.) enabled companies from the United States to mine guano from a number of islands in the Equatorial Pacific;

Whereas after several decades, when the guano was depleted, the companies abandoned mining activities, and the control of the islands by the United States diminished and left the islands vulnerable to exploitation by other nations;

Whereas the Far East during the late 19th century and early 20th century was characterized by colonial conflicts and Japanese expansionism;

Whereas the 1930s marked the apex of the sphere of influence of Imperial Japan in the Far East;

Whereas military and commercial interest in Central Pacific air routes between Australia and California led to a desire by the United States to claim the islands of Howland, Baker, and Jarvis, although the ownership of the islands was unclear;

Whereas in 1935, a secret Department of Commerce colonization plan was instituted, aimed at placing citizens of the United States as colonists on the remote islands of Howland, Baker, and Jarvis;

Whereas to avoid conflicts with international law, which prevented colonization by active military personnel, the United States sought the participation of furloughed military personnel and Native Hawaiian civilians in the colonization project;

Whereas William T. Miller, Superintendent of Airways at the Department of Commerce, was appointed to lead the colonization project, traveled to Hawaii in February 1935, met with Albert F. Judd, Trustee of Kamehameha Schools and the Bishop Museum, and agreed that recent graduates and students of the Kamehameha School for Boys would make ideal colonists for the project;

Whereas the ideal Hawaiian candidates were candidates who could ''fish in the native manner, swim excellently, handle a boat, be disciplined, friendly, and unattached'';

Whereas on March 20, 1935, the United States Coast Guard Cutter Itasca departed from Honolulu Harbor in great secrecy with 6 young Hawaiian men aboard, all recent graduates of Kamehameha Schools, and 12 furloughed Army personnel, whose purpose was to occupy the barren islands of Howland, Baker, and Jarvis in teams of 5 for 3 months;

Whereas in June 1935, after a successful first tour, the furloughed Army personnel were ordered off the islands and replaced with additional Kamehameha Schools alumni, thus leaving the islands under the exclusive occupation of the 4 Native Hawaiians on each island;

Whereas the duties of the colonists while on the island were to record weather conditions, cultivate plants, maintain a daily log, record the types of fish that were caught, observe bird life, and collect specimens for the Bishop Museum;

Whereas the successful year-long occupation by the colonists directly enabled President Franklin D. Roosevelt to issue Executive Order 7368 on May 13, 1936, which established that the islands of Howland, Baker, and Jarvis were under the jurisdiction of the United States;

Whereas multiple Federal agencies vied for the right to administer the colonization project, including the Department of Commerce, the Department of the Interior, and the Navy Department, but jurisdiction was ultimately granted to the Department of the Interior;

Whereas under the Department of the Interior, the colonization project emphasized weather data and radio communication, which brought about the recruitment of a number of Asian radiomen and aerologists;

Whereas under the Department of the Interior, the colonization project also expanded beyond the Kamehameha Schools to include Hawaiians and non-Hawaiians from other schools in Hawaii;

Whereas in March of 1938 the United States also claimed and colonized the islands of Canton and Enderbury, maintaining that the colonization was in furtherance of commercial aviation and not for military purposes;

Whereas the risk of living on the remote islands meant that emergency medical care was not less than 5 days away, and the distance proved fatal for Carl Kahalewai, who died on October 8, 1938, en route to Honolulu after his appendix ruptured on Jarvis island;

Whereas other life-threatening injuries occurred, including in 1939, when Manuel Pires had appendicitis, and in 1941, when an explosion severely burned Henry Knell and Dominic Zagara;

Whereas in 1940, when the issue of discontinuing the colonization project was raised, the Navy acknowledged that the islands were ''probably worthless to commercial aviation'' but advocated for ''continued occupation'' because the islands could serve as ''bases from a military standpoint'';

Whereas although military interests justified continued occupation of the islands, the colonists were never informed of the true nature of the project, nor were the colonists provided with weapons or any other means of self-defense;

Whereas in June of 1941, when much of Europe was engaged in World War II and Imperial Japan was establishing itself in the Pacific, the Commandant of the 14th Naval District recognized the ''tension in the Western Pacific'' and recommended the evacuation of the colonists, but his request was denied;

Whereas on December 8, 1941, Howland Island was attacked by a fleet of Japanese twin-engine bombers, and the attack killed Hawaiian colonists Joseph Keliihananui and Richard Whaley;

Whereas in the ensuing weeks, Japanese submarine and military aircraft continued to target the islands of Howland, Baker, and Jarvis, jeopardizing the lives of the remaining colonists;

Whereas the United States Government was unaware of the attacks on the islands, and was otherwise focused on the entry of the United States into World War II;

Whereas the colonists demonstrated great valor while awaiting retrieval;

Whereas the 4 colonists from Baker and the 2 remaining colonists from Howland were rescued on January 31, 1942, and the 8 colonists from Enderbury and Jarvis were rescued on February 7 to 9, 1942, 2 months after the initial attacks on Howland Island;

Whereas on March 20, 1942, Harold L. Ickes, Secretary of the Interior, sent letters of condolence to the Keliihananui and Whaley families stating that ''[i]n your bereavement it must be considerable satisfaction to know that your brother died in the service of his country'';

Whereas during the 7 years of colonization, more than 130 young men participated in the project, the majority of whom were Hawaiian, and all of whom made numerous sacrifices, endured hardships, and risked their lives to secure and maintain the islands of Howland, Baker, Jarvis, Canton, and Enderbury on behalf of the United States, and 3 young Hawaiian men made the ultimate sacrifice;

Whereas none of the islands, except for Canton, were ever used for commercial aviation, but the islands were used for military purposes;

Whereas in July 1943, a military base was established on Baker Island, and its forces, which numbered over 2,000 members, participated in the Tarawa-Makin operation;

Whereas in 1956, participants of the colonization project established an organization called ''Hui Panala'au'', which was established to preserve the fellowship of the group, to provide scholarship assistance, and ''to honor and esteem those who died as colonists of the Equatorial Islands'';

Whereas in 1979, Canton and Enderbury became part of the Republic of Kiribati, but the islands of Jarvis, Howland, and Baker remain possessions of the United States, having been designated as National Wildlife Refuges in 1974;

Whereas the islands of Jarvis, Howland, and Baker are now part of the Pacific Remote Islands Marine National Monument;

Whereas May 13, 2015, marks the 79th anniversary of the issuance of the Executive order of President Franklin D. Roosevelt proclaiming United States jurisdiction over the islands of Howland, Baker, and Jarvis, islands that remain possessions of the United States; and

Whereas the Federal Government has never fully recognized the contributions and sacrifices of the colonists, less than a handful of whom are still alive today: Now, therefore, be it

Resolved, That the Senate—

(1) acknowledges the accomplishments and commends the service of the Hui Panala'au colonists;

(2) acknowledges the local, national, and international significance of the 7-year colonization project, which resulted in the United States extending sovereignty into the Equatorial Pacific;

(3) recognizes the dedication to the United States and self-reliance demonstrated by the young men, the majority of whom were Native Hawaiian, who left their homes and families in Hawaii to participate in the Equatorial Pacific colonization project;

(4) extends condolences on behalf of the United States to the families of Carl Kahalewai, Joseph Keliihananui, and Richard Whaley for the loss of their loved ones in the service of the United States;

(5) honors the young men whose actions, sacrifices, and valor helped secure and maintain the jurisdiction of the United States over equatorial islands in the Pacific Ocean during the years leading up to and the months immediately following the bombing of Pearl Harbor and the entry of the United States into World War II; and

(6) extends to all of the colonists, and to the families of these exceptional young men, the deep appreciation of the people of the United States.

RESOLUTIONS SUBMITTED TODAY

Mr. PERDUE. Mr. President, I ask unanimous consent that the Senate now proceed to the en bloc consideration of the following Senate resolutions, which were submitted earlier today: S. Res. 185, S. Res. 186, and S. Res. 187.

There being no objection, the Senate proceeded to consider the resolutions en bloc.

Mr. PERDUE. Mr. President, I ask unanimous consent that the resolutions be agreed to, the preambles be agreed to, and the motions to reconsider be laid upon the table en bloc.

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

The resolutions were agreed to.

The preambles were agreed to.

(The resolutions, with their preambles, are printed in today's RECORD under ''Submitted Resolutions.'')

APPOINTMENTS

The PRESIDING OFFICER. The Chair, on behalf of the Vice President, pursuant to 14 U.S.C. 194(a), as amended by Public Law 101–595, and further amended by Public Law 113–281, and upon the recommendation of the chairman of the Committee on Commerce, Science, and Transportation, appoints the following Senators to the Board of Visitors of the U.S. Coast Guard Academy: the Honorable ROGER WICKER of Mississippi and the Honorable DAN SULLIVAN of Alaska.

The Chair, on behalf of the majority leader, pursuant to the provisions of Public Law 113–146, appoints the following individuals to serve as members of the Commission on Care: the Honorable Tom Coburn of Oklahoma, Stuart Hickey of Pennsylvania, and Thomas Harvey of New York.

The Chair, on behalf of the majority leader, pursuant to Public Law 96–114, as amended, appoints the following individual to the Congressional Award Board: Chiling Tong of Maryland.

The Chair, on behalf of the Vice President, pursuant to 10 U.S.C. 4355(a), appoints the following Senator to the Board of Visitors of the U.S. Military Academy: the Honorable JONI ERNST of Iowa (designee of the chairman of the Committee on Armed Services).

The Chair, on behalf of the Vice President, pursuant to the provisions of 20 U.S.C., sections 42 and 43, appoints the following Senators to the Board of Regents of the Smithsonian Institution: the Honorable JOHN BOOZMAN of Arkansas and the Honorable DAVID PERDUE of Georgia.

The Chair, on behalf of the Vice President, pursuant to 10 U.S.C. 9355(a), appoints the following Senator to the Board of Visitors of the U.S. Air Force Academy: the Honorable CORY GARDNER of Colorado (designee of the chairman of the Committee on Armed Services).

The Chair, on behalf of the Vice President, pursuant to 10 U.S.C. 6968(a), appoints the following Senator to the Board of Visitors of the U.S. Naval Academy: the Honorable DAN SULLIVAN of Alaska (designee of the chairman of the Committee on Armed Services).

ORDERS FOR FRIDAY, MAY 22, 2015

Mr. PERDUE. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 9:30 a.m., Friday, May 22; that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, and the time for the two leaders be reserved for their use later in the day; that following leader remarks, the Senate then resume consideration of H.R. 1314; finally, that all time during the adjournment of the Senate count postcloture on the bill.

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

ADJOURNMENT UNTIL 9:30 A.M. TOMORROW

Mr. PERDUE. If there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the previous order.

There being no objection, the Senate, at 8:16 p.m., adjourned until Friday, May 22, 2015, at 9:30 a.m.

NOMINATIONS

Executive nominations received by the Senate:

DEPARTMENT OF DEFENSE

STEPHEN C. HEDGER, OF NEW YORK, TO BE AN ASSISTANT SECRETARY OF DEFENSE, VICE ELIZABETH LEE KING, RESIGNED.

INTER–AMERICAN FOUNDATION

LUIS A. VIADA, OF NEW YORK, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE INTER–AMERICAN FOUNDATION FOR A TERM EXPIRING SEPTEMBER 20, 2018, VICE JOHN P. SALAZAR, TERM EXPIRED.

NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES

AKHIL REED AMAR, OF CONNECTICUT, TO BE A MEMBER OF THE NATIONAL COUNCIL ON THE HUMANITIES FOR A TERM EXPIRING JANUARY 26, 2020, VICE JAMSHEED K. CHOKSY, TERM EXPIRED.

ROBERT P. ZIMMERMAN, OF NEW YORK, TO BE A MEMBER OF THE NATIONAL COUNCIL ON THE HUMANITIES FOR A TERM EXPIRING JANUARY 26, 2018, VICE MANFREDI PICCOLOMINI, RESIGNED.

FEDERAL COMMUNICATIONS COMMISSION

JESSICA ROSENWORCEL, OF THE DISTRICT OF COLUMBIA, TO BE A MEMBER OF THE FEDERAL COMMUNICATIONS COMMISSION FOR A TERM OF FIVE YEARS FROM JULY 1, 2015. (REAPPOINTMENT)

PENSION BENEFIT GUARANTY CORPORATION

W. THOMAS REEDER, JR., OF VIRGINIA, TO BE DIRECTOR OF THE PENSION BENEFIT GUARANTY CORPORATION, VICE JOSHUA GOTBAUM, RESIGNED.

GENERAL SERVICES ADMINISTRATION

DENISE TURNER ROTH, OF NORTH CAROLINA, TO BE ADMINISTRATOR OF GENERAL SERVICES, VICE DANIEL M. TANGHERLINI, RESIGNED.

THE JUDICIARY

EDWARD L. STANTON III, OF TENNESSEE, TO BE UNITED STATES DISTRICT JUDGE FOR THE WESTERN DISTRICT OF TENNESSEE, VICE SAMUEL H. MAYS, JR., RETIRING.

DEPARTMENT OF JUSTICE

ERIC STEVEN MILLER, OF VERMONT, TO BE UNITED STATES ATTORNEY FOR THE DISTRICT OF VERMONT FOR THE TERM OF FOUR YEARS, VICE TRISTRAM J. COFFIN, RESIGNED.

MICHAEL C. MCGOWAN, OF DELAWARE, TO BE UNITED STATES MARSHAL FOR THE DISTRICT OF DELAWARE, FOR THE TERM OF FOUR YEARS, VICE JOSEPH ANTHONY PAPILI, RESIGNED.

IN THE AIR FORCE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT AS THE VICE CHAIRMAN OF THE JOINT CHIEFS OF STAFF AND APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTIONS 601 AND 154:

To be general

GEN. PAUL J. SELVA

IN THE ARMY

THE FOLLOWING ARMY NATIONAL GUARD OF THE UNITED STATES OFFICER FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12211:

To be brigadier general

COL. CLIFFORD B. CHICK

IN THE MARINE CORPS

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT AS THE CHAIRMAN OF THE JOINT CHIEFS OF STAFF AND APPOINTMENT IN THE UNITED STATES MARINE CORPS TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTIONS 152 AND 601:

To be general

GEN. JOSEPH F. DUNFORD, JR.

IN THE AIR FORCE

THE FOLLOWING NAMED AIR NATIONAL GUARD OF THE UNITED STATES OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE AIR FORCE UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12212:

To be colonel

DANIEL A. LAPOSTOLE

IN THE COAST GUARD

THE FOLLOWING NAMED OFFICERS OF THE UNITED STATES COAST GUARD FOR APPOINTMENT AS MEMBERS OF THE PERMANENT COMMISSIONED TEACHING STAFF AND APPOINTMENT IN THE GRADES INDICATED UNDER TITLE 14, U.S.C., SECTION 188:

To be commander

ANNA W. HICKEY

To be lieutenant

KIMBERLY C. YOUNG-MCLEAR

CONFIRMATIONS

Executive nominations confirmed by the Senate May 21, 2015:

THE JUDICIARY

JILL N. PARRISH, OF UTAH, TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF UTAH.

JOSE ROLANDO OLVERA, JR., OF TEXAS, TO BE UNITED STATES DISTRICT JUDGE FOR THE SOUTHERN DISTRICT OF TEXAS.

CORPORATION FOR PUBLIC BROADCASTING

PATRICIA D. CAHILL, OF MISSOURI, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE CORPORATION FOR PUBLIC BROADCASTING FOR A TERM EXPIRING JANUARY 31, 2020.

NORTHERN BORDER REGIONAL COMMISSION

MARK SCARANO, OF NEW HAMPSHIRE, TO BE FEDERAL COCHAIRPERSON OF THE NORTHERN BORDER REGIONAL COMMISSION.

IN THE NAVY

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be rear admiral

REAR ADM. (LH) JOHN D. ALEXANDER
REAR ADM. (LH) RONALD A. BOXALL
REAR ADM. (LH) ROBERT P. BURKE
REAR ADM. (LH) MATTHEW J. CARTER
REAR ADM. (LH) CHRISTOPHER W. GRADY
REAR ADM. (LH) MICHAEL E. JABALEY, JR.
REAR ADM. (LH) COLIN J. KILRAIN
REAR ADM. (LH) ANDREW L. LEWIS
REAR ADM. (LH) DEWOLFE H. MILLER
REAR ADM. (LH) JOHN P. NEAGLEY
REAR ADM. (LH) PATRICK A. PIERCEY
REAR ADM. (LH) CHARLES A. RICHARD
REAR ADM. (LH) HUGH D. WETHERALD
REAR ADM. (LH) RICKY L. WILLIAMSON

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be rear admiral (lower half)

CAPT. EUGENE H. BLACK III
CAPT. DELL D. BULL
CAPT. WILLIAM D. BYRNE, JR.
CAPT. EDWARD B. CASHMAN
CAPT. MOISES DELTORO III
CAPT. STEPHEN C. EVANS
CAPT. GREGORY J. FENTON
CAPT. JOHN V. FULLER
CAPT. MICHAEL P. HOLLAND
CAPT. HUGH W. HOWARD III
CAPT. JEFFREY W. HUGHES
CAPT. THOMAS E. ISHEE
CAPT. STEPHEN T. KOEHLER
CAPT. YANCY B. LINDSEY
CAPT. FRANCIS D. MORLEY
CAPT. CATHAL S. O'CONNOR
CAPT. JEFFREY E. TRUSSLER
CAPT. WILLIAM W. WHEELER III

IN THE AIR FORCE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

MAJ. GEN. JEFFREY G. LOFGREN

IN THE MARINE CORPS

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES MARINE CORPS TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

MAJ. GEN. MICHAEL G. DANA

IN THE ARMY

THE FOLLOWING ARMY NATIONAL GUARD OF THE UNITED STATES OFFICER FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12211:

To be major general

BRIG. GEN. MATTHEW P. BEEVERS

IN THE NAVY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be vice admiral

REAR ADM. JOHN N. CHRISTENSON

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be rear admiral (lower half)

CAPT. SHOSHANA S. CHATFIELD

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT AS THE JUDGE ADVOCATE GENERAL OF THE NAVY AND FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED WHILE SERVING AS THE JUDGE ADVOCATE GENERAL UNDER TITLE 10, U.S.C., SECTION 5148:

To be vice admiral

REAR ADM. JAMES W. CRAWFORD III

IN THE AIR FORCE

AIR FORCE NOMINATION OF RHYS WILLIAM HUNT, TO BE COLONEL.

AIR FORCE NOMINATIONS BEGINNING WITH JAMES D. BRANTINGHAM AND ENDING WITH GEORGE T. YOUSTRA, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MARCH 4, 2015.

AIR FORCE NOMINATIONS BEGINNING WITH RANDALL E. ACKERMAN AND ENDING WITH CLINTON R. ZUMBRUNNEN, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MARCH 4, 2015.

AIR FORCE NOMINATIONS BEGINNING WITH JOSHUA D. BURGESS AND ENDING WITH JAMES R. CANTU, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON APRIL 30, 2015.

AIR FORCE NOMINATION OF MICHAEL I. ETAN, TO BE LIEUTENANT COLONEL.

IN THE ARMY

ARMY NOMINATION OF ERIK D. MASICK, TO BE MAJOR.

ARMY NOMINATIONS BEGINNING WITH MUHAMMAD R. KHAWAJA AND ENDING WITH NIKALESH REDDY, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON APRIL 30, 2015.

IN THE MARINE CORPS

MARINE CORPS NOMINATION OF HENRY C. BODDEN, TO BE LIEUTENANT COLONEL.

MARINE CORPS NOMINATION OF WILLIAM E. LANHAM, TO BE LIEUTENANT COLONEL.

MARINE CORPS NOMINATION OF REBECCA L. WILKINSON, TO BE MAJOR.

MARINE CORPS NOMINATIONS BEGINNING WITH MATTHEW F. AMIDON AND ENDING WITH JOHN A. WRIGHT, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JANUARY 26, 2015.

MARINE CORPS NOMINATIONS BEGINNING WITH MICHAEL J. CORRADO AND ENDING WITH CRAIG C. ULLMAN, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JANUARY 29, 2015.

MARINE CORPS NOMINATIONS BEGINNING WITH RORY L. ALDRIDGE AND ENDING WITH MARK D. ZIMMER, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JANUARY 29, 2015.

IN THE NAVY

NAVY NOMINATION OF MIRIAM BEHPOUR, TO BE LIEUTENANT COMMANDER.

NAVY NOMINATION OF THOMAS P. MURPHY, TO BE CAPTAIN.

NAVY NOMINATION OF TODD S. LEVANT, TO BE COMMANDER.

NAVY NOMINATION OF JENNIFER L. BORSTELMANN, TO BE LIEUTENANT COMMANDER.

NAVY NOMINATION OF ROBERT S. THOMPSON, TO BE CAPTAIN.

NAVY NOMINATION OF MELISSA C. AUSTIN, TO BE COMMANDER.

NAVY NOMINATIONS BEGINNING WITH ANTHONY S. ARDITO AND ENDING WITH RODERICK D. WILSON, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON APRIL 30, 2015.

NAVY NOMINATION OF GARRETT T. PANKOW, TO BE LIEUTENANT COMMANDER.

NAVY NOMINATION OF WILLIAM M. WALKER, TO BE LIEUTENANT COMMANDER.

NAVY NOMINATION OF CHRISTOPHER C. MEYER, TO BE LIEUTENANT COMMANDER.

NAVY NOMINATIONS BEGINNING WITH JEFFREY G. BENTSON AND ENDING WITH PAUL N. PORENSKY, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON APRIL 30, 2015.

NAVY NOMINATION OF KEVIN D. CLARIDA, TO BE LIEUTENANT COMMANDER.

NAVY NOMINATION OF BRIANNA E. JACKSON, TO BE LIEUTENANT COMMANDER.

NAVY NOMINATION OF JARED M. SPILKA, TO BE LIEUTENANT COMMANDER.

NAVY NOMINATION OF FRANCINE SEGOVIA, TO BE LIEUTENANT COMMANDER.

NAVY NOMINATION OF TODD W. MALLORY, TO BE LIEUTENANT COMMANDER.

EXTENSIONS OF REMARKS

RECOGNIZING THE 90TH ANNIVERSARY OF THE TOWN AND COUNTY CLUB

HON. JOHN B. LARSON

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 21, 2015

Mr. LARSON of Connecticut. Mr. Speaker, I rise today to recognize the 90th anniversary of the Town and County Club in Hartford, Connecticut. This club was originally founded on May 21, 1925 as a private women's club and has continually flourished into an esteemed location for members to enjoy organized social, intellectual, and artistic gatherings.

The first President of the club was Miss Anne Eliot Trumbull, and on the day of the first meeting of her Board, the Club had been incorporated with the assistance of attorney Barclay Robinson, under the name of 'The Town and County Club, Incorporated'. The Articles of Association state the purposes for which the corporation was formed, and signed by the 16 subscribers present at the meeting. The Articles state: 'For creating an organized center for women's work, thought and action; advancing the interests of women; promoting science, literature, and art; providing an accessible place of meeting for its members; promoting social intercourse by such means as the members of the corporation shall deem expedient and proper for that purpose, and for acquiring and maintaining and club house and grounds.'

In a time when the most private club memberships were restricted to men, these women represented the voice and action for change by creating one of their own. In just five years after women's suffrage in 1920, women in the Hartford County area chose to congregate and soon created this popular club that would continue on and today, celebrate its 90th anniversary. It is my honor to congratulate the Town and County Club in Hartford, Connecticut.

IN HONOR OF THE 2015 GRADUATES OF LEADERSHIP ROWAN

HON. RICHARD HUDSON

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 21, 2015

Mr. HUDSON. Mr. Speaker, I rise today to congratulate the graduates of the Leadership Rowan class of 2015. These graduates represent a cross-section of leaders in Rowan County, North Carolina, who are dedicated to making their county and local communities a better place.

Leadership Rowan is a nine month program designed to teach existing leaders and community volunteers about important local issues, introduce them to new means of involvement, and connect them with other leaders in the community. For 23 years under the sponsorship of the Rowan County Chamber of Commerce, Leadership Rowan has graduated over 500 emerging leaders.

As a graduate of Leadership Cabarrus and Leadership Montgomery, which are similar programs in other North Carolina counties, I understand the level of commitment necessary to complete this program. I commend each graduate for taking the time to learn more about the political, cultural, social, economic, and educational issues in Rowan County in order to better understand and improve our community. These 25 graduates completed courses in History and Power; Business and the Economy; Public Education; Human Needs; Government; Criminal Justice; Communications; and Quality of Life.

Participants in this year's Leadership Rowan class include: Keri Allman, D.J. Barksdale, Gary Blabon, Keith Bowersox, Wendy Brindle, Mary Burridge, Thomas Cobb, Heather Crawford, Victoria Curran, Teresa Dakins, Addison Davis, Benjamin Davis, Michelle Fisher, Jon Folstad, Rori Godsey, Ashlee Hawkins, Deborah Johnson, Heather King, Glenwood Oats Jr., Ann Pressly, Laurie Ritchie, Janet Spriggs, Shane Valley, Curtis Walker, and Jeanette West.

It is an honor today to congratulate the graduates of Leadership Rowan for completing this program and for their dedication to serving our community and the State of North Carolina.

HONORING RABBI ANCHELLE PERL AND THE WINNERS OF THE GOOD DEED AWARDS FOR LONG ISLAND TEENAGERS

HON. KATHLEEN M. RICE

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 21, 2015

Miss RICE of New York. Mr. Speaker, I rise today to recognize the outstanding work of Rabbi Anchelle Perl of Chabad of Mineola and the winners of the prestigious Good Deed Awards for Long Island Teenagers.

For over two decades, the National Committee for the Furtherance of Jewish Education (NCFJE) has worked tirelessly to showcase and celebrate the tremendous achievements and service of our youth and to help our greater community appreciate their work.

The Good Deed Awards have helped provide so many young men and women with the recognition, confidence and encouragement they need to continue on a path of public service and become the leaders of tomorrow. This organization instills in them a sense of purpose and pride and demonstrates the potential that our nation's youth have for creating positive change in their communities and improving the lives of others.

That is why I want to begin by congratulating this year's winners. These 31 incredible young men and women come from over a dozen different high schools, represent a diverse set of backgrounds and cultures, and were nominated by a variety of distinguished community members, including educators, religious and community leaders, elected officials, and members of the local business community. Brought together by their commitment to public service and the desire to help others, this year's winners truly embody the very best that our community has to offer.

I also want to acknowledge Rabbi Anchelle Perl of Chabad of Mineola, who has graciously hosted the Good Deed Awards for the past 22 years. Having had the honor of attending this event in the past, I know the crucial role that Rabbi Perl plays in guiding and encouraging these incredible young men and women, and in promoting community support for their work. Rabbi Perl has devoted his life to serving this community and I am truly proud to be his representative in Congress.

HELEN GORDON DAVIS

HON. KATHY CASTOR

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 21, 2015

Ms. CASTOR of Florida. Mr. Speaker, I am honored to recognize the outstanding work of a trailblazing public servant and one of the champions of the Florida equal rights and civil rights movements, the late Florida State Senator Helen Gordon Davis, who represented the Tampa Bay area in the Florida Legislature from 1974 until 1992.

Senator Davis devoted her public service career to confronting and changing the inequalities in economic, legal and social status for women and African Americans. She was a true pioneer for pay equity for women. In 1980, Mrs. Davis was presented with the Florida ACLU Bill of Rights Award as a testament to her dedication for civil liberties for all.

Senator Davis was elected to the Florida State House of Representatives in 1974 as the first woman from Hillsborough County to be elected to the Florida Legislature. She was subsequently re-elected six times. In 1988, Senator Davis successfully ran for the state Senate where she fought for economic equality for women, and sponsored the first legislation on sexual harassment. Among her many achievements, Mrs. Davis created the Marriage License Trust fund for Spouse Abuse Centers, Court Depositories for Child Support Payments, the Displaced Homemakers for Divorced Women Act, and doubled the penalties for hate crimes.

With passion and courage, Mrs. Davis paved the way for future generations of Hillsborough County women in politics.

Before her time as an influential legislator, Mrs. Davis was president of the League of Women Voters of Hillsborough County from 1966–1969. In 1971, Mrs. Davis founded Florida's first women's center which sought to help women succeed in the workplace and helped many gain tangible professional and life skills. Mrs. Davis was the first recipient of the League of Women Voters of Hillsborough County's Lifetime Achievement Award.

Mrs. Davis was born on Christmas Day, 1926 in Brooklyn, New York. Originally a stage actress, Mrs. Davis moved to Tampa in 1948 with husband Gene Davis, where she was a high school drama teacher and regular fixture in the community theater.

Although Mrs. Davis passed away on May 18, 2015, her legacy will continue through her broad-based legislative accomplishments, the Women's Centre in the Hyde Park community of Tampa, and the women she championed both professionally and personally. Mrs. Davis is survived by her daughters Stephanie and Karen, her son Gordon, her sister Jeanne, and her two grandchildren. On behalf of the Tampa community, I am proud to recognize Helen Gordon Davis for her dedication to Hillsborough County, the State of Florida, and to women everywhere.

HONORING THE LIFE AND DEDICATED SERVICE OF NORTHWEST FLORIDA'S BELOVED JIM BRUCE GRANT, JR.

HON. JEFF MILLER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 21, 2015

Mr. MILLER of Florida. Mr. Speaker, I rise to recognize the life and dedicated service of Northwest Florida's beloved Jim Bruce Grant, Jr. Jim was a loving husband, father, grandfather, patriot, and friend, and his loss will be mourned by all those who knew him.

A native of Gulf Breeze, Florida, Jim showed tremendous leadership and service qualities, earning Eagle Scout honors during high school, and he built on this success when he answered the call of duty, joining the Florida Army National Guard in 1982. Jim also continued his education, earning multiple college and post-graduate degrees including both a Bachelor's of Science and an LL.M degree from the University of Florida, as well as a JD from the University of Alabama.

After a civilian break in service, Jim rejoined the Alabama Army National Guard in 2004, serving as a Staff Judge Advocate with 62nd Troop Command, Montgomery, Alabama. During Jim's time in the Alabama Army National Guard, he served three tours of duty in support of Operation Enduring Freedom and Operation Iraqi Freedom. During his first two tours, in 2006 and 2010, Jim was assigned as a Military Intelligence Advisor in Afghanistan, while his final tour was served supporting Special Forces in Iraq as part of 1st Battalion, 20th Special Forces Group, Huntsville, Alabama. In total, Jim served our Nation for more than 16 years with honor and distinction, earning numerous awards including: two Meritorious Service Medals, two Army Commendation Medals, Army Combat Action Badge, Afghan Campaign Medal with the number 2, and the Iraq Campaign Medal.

In addition to his meritorious service as part of our Nation's Armed Forces, Jim also had a successful career as an attorney in the firm of Capell and Howard in Montgomery, Alabama, and he was a loving and devoted family man.

To some Jim Grant will be remembered as a patriot and veteran, to others as a first-class attorney committed to our constitutional justice system, to his family and friends he will be forever be remembered as a husband, father and grandfather.

Mr. Speaker, on behalf of the United States Congress, I am privileged to recognize the life of Jim Bruce Grant, Jr. My wife Vicki and I extend our heartfelt prayers and condolences to his wife, Jennifer; daughters, Amanda and Alicen; grandson, George; sisters, Janie and Diane; and the entire Grant family.

RECOGNIZING DELBERT STEVENS FOR HIS HEROIC ACTIONS IN DEFENSE OF HIS COUNTRY DURING WORLD WAR II

HON. BILL SHUSTER

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 21, 2015

Mr. SHUSTER. Mr. Speaker, I rise today to recognize Delbert Stevens, a native of Altoona, for his heroic efforts and selfless service to his country in World War II. Mr. Stevens, who grew up in Huntingdon County, will be deservingly honored at the upcoming Altoona Memorial Day Parade. He joined the Marines in 1943 when he was 23. He fought for our nation at Iwo Jima, where American forces undertook a historically difficult mission to advance our position in the war. Though nearly 7,000 Americans perished and 20,000 more were wounded in the siege, Mr. Stevens survived the long battle.

Among the soldiers called upon to secure the island, Mr. Stevens, serving as a corporal in the 28th Marine Regiment, overcame some of the grisliest experiences of combat. In unwavering service to his country and fellow Marines, he contributed to a decisive victory that ultimately helped enable American victory in the Pacific in World War II.

It is my honor to recognize him, one of our nation's many heroes, for his courageous service to our country. I would also like to thank all the other men and women like him who unselfishly promote and defend the American cause so that the world may be a better place.

CONGRATULATING MACEDONIA MINISTRY BAPTIST CHURCH ON ITS 80TH ANNIVERSARY

HON. DANIEL T. KILDEE

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 21, 2015

Mr. KILDEE. Mr. Speaker, I ask the United States House of Representatives to join me in recognizing the Macedonia Missionary Baptist Church on the occasion of their 80th anniversary.

Macedonia Ministry Baptist Church has been described as being unique in the sense that many of the descendants of the founders and early leaders of the church are still active members today.

On May 9, 1935, a council of 16 men and women came together to organize a new Missionary Baptist church in the City of Flint. The first pastor was Rev. Joseph Mack. In the 1940's, Rev. Ira Watkins led the congregation into a building fund campaign for the building of a new church. In 1953, they moved from their original storefront dwelling to their new building at 1116 Hickory Street. Rev. Watkins passed away in October of 1960, after serving 20 years as pastor.

In December of 1960, the congregation elected Dr. J.C. Curry as its third pastor. Dr. J.C. Curry would become the church's longest serving pastor and was one of the original organizers of the Church-Security-in-Ministry initiative. After 41 years, Dr. Curry retired in 2001.

The fourth pastor was Rev. Alfred L. Harris who led the congregation from 2002 to 2011. In June 2012, Bishop Neal Roberson was named as the new pastor. Pastor Roberson was honored to accept the assignment, stating he was grateful for the opportunity.

For eight decades, the Macedonia Missionary Baptist Church has worked tirelessly to help those in the community most in need. Residents of the area have come to rely on the Macedonia Ministry Baptist Church for such blessings as food baskets given to the impoverished during the holidays, ministerial services offered to inmates of the Genesee County Jail, and the annual Free Food Give-Away.

Mr. Speaker, I applaud the tenacity of the Macedonia Ministry Baptist Church and thank them for the service they have provided to the City of Flint and surrounding communities.

HONORING THE LIFE AND SERVICE OF MR. FRED CURLS

HON. EMANUEL CLEAVER

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 21, 2015

Mr. CLEAVER. Mr. Speaker, I rise today to honor and to remember the late Mr. Fred Curls, a pioneer for civil and political rights and a resident of the Fifth District of Missouri, which I am honored to represent. On Friday, May 15, 2015, Mr. Curls passed away, after an incredible and inspiring ninety-six years of life.

The silhouette of Mr. Curls now joins the always growing shadow of little-celebrated Kansas Citians whose work will make a difference for generations as yet unborn. Young African-American elected officials may not realize that the very office they hold—or aspire to hold—is, in no small part, related to the political pioneering of Mr. Curls.

Mr. Curls was one of the original founders of Freedom Incorporated, an African-American political organization which at one time could

generate nearly 70,000 votes and remains influential to this day. The organization was at the forefront in serving as a catalyst for change in civil rights, public accommodations, and the election of candidates at all levels of government. Freedom Inc.'s office has been visited by City Councilpersons, Jackson County Executives, Mayors, Missouri State Senators and Representatives, Governors, Congresspersons, Senators, Presidents, and those who have Presidential aspirations.

For more than fifty years, Mr. Curls dedicated his life to the Greater Kansas City community, promoting and improving political empowerment and the civil rights of people of color. The ripples of his efforts are felt in our community and around the country. His children, grandchildren, and great grandchildren have followed in his footsteps in acknowledging their responsibility of giving back to the community. His son, State Senator Phil B. Curls, Sr. was the President of Freedom Inc. during a period when it was recognized as one of the most potent political organizations in the United States and brought about the election of the first African-American Congressman from the Fifth District of Missouri, U.S. Representative Alan Wheat.

Since the mid-1950s, Fred Curls was involved in real estate sales and appraisals, most notably in the African-American community of Kansas City. He fought against ''restrictive covenants'' whereby residential homes could not be sold in certain areas to minorities. He was part of a class action lawsuit which resulted in the United States Supreme Court outlawing such covenants.

In all of his activities, Mr. Curls demonstrated his dedication and commitment to the greater good of others. He was actively involved with his high school graduating class, the Class of 1937, which remained close even in recent years. He was honored by Jackson County, Missouri, as one of its ''Legacy Awardees'' for its 175th anniversary as a political subdivision. He was also honored by fellow Missourian, U.S. Representative WILLIAM LACY CLAY of St. Louis and myself as an awardee of the ''Missouri Walk of Fame'' designation, as one of the pioneers of Kansas City's African-American political struggle.

Throughout his life, he believed in the saying ''make it happen.'' He put his principles into practice, and the results of his efforts ''made it happen'' throughout the Kansas City metropolitan area.

For those reasons and more, it is indeed an honor and a privilege to honor and remember the life of Mr. Fred Curls. Mr. Speaker, please join me in expressing our sympathies to the family of Mr. Fred Curls, and our gratitude for his endless commitment to serving the residents of Kansas City and the State of Missouri. Whatever we, as African-Americans, may attain in the political arena, Fred Curls and those who labored to act on our behalf as political pioneers have helped to change the course of history. He was a true role model not just to the African-American community in Missouri, but to the entire community at large.

CONGRATULATING JEFF HERMANSEN FOR HIS BRAVE ACT OF HEROISM ON THE JOB

HON. CHERI BUSTOS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 21, 2015

Mrs. BUSTOS. Mr. Speaker, I rise today to recognize Jeff Hermansen for his heroic actions on May 5, 2015. Mr. Hermansen selflessly put himself in harm's way in order to save the life of another.

Jeff Hermansen, a UPS delivery driver, was following his usual route across the East State Street Bridge in Rockford, Illinois on Tuesday, May 5th when he noticed a man struggling in the Rock River. Without hesitating, Hermansen removed his shoes, swam into the unpredictable Rock River, and brought the stranger to safety.

Mr. Hermansen's selfless heroics are made even more impressive by his excellent character. Following the incident, he declined any special treatment and went about his delivery route.

Mr. Speaker, Mr. Hermansen's harrowing actions and admirable display of character are the true embodiment of a hero.

PATRICK MADDEN

HON. STEVEN M. PALAZZO

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 21, 2015

Mr. PALAZZO. Mr. Speaker, I would like to take this opportunity to recognize Mr. Patrick Madden as a member of the United States Air Force Academy Class of 2015.

Patrick will graduate from the U.S. Air Force Academy as a Second Lieutenant in the United States Air Force on May 28, 2015.

His career in the service has just begun, but it is a testament to Patrick's unselfish devotion to the people of this great nation. The challenges will be many and the time, although it may seem like an eternity, will fly by almost unnoticed.

The challenge for this young man will be to retain as much as possible, pass on what he learns to others, and live life for every moment.

South Mississippi is proud of Patrick and his accomplishments, and we look forward to him continuing to represent not only Mississippi, but the entire nation, as a United States Air Force officer.

As Patrick embarks on a new chapter in life, it is my hope that he may always recall with a deep sense of pride and accomplishment graduating from a program as prestigious as the Air Force Academy.

I would like to send Patrick my best wishes for continued success in his future endeavors, thank him for his service, and congratulate him on this momentous occasion.

IN RECOGNITION OF GREG COLLINS, RECIPIENT OF THE GREATER WILKES-BARRE SALVATION ARMY COMMUNITY SERVICE AWARD

HON. MATT CARTWRIGHT

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 21, 2015

Mr. CARTWRIGHT. Mr. Speaker, I rise today to honor Greg Collins, who is receiving the Community Service Award from the Greater Wilkes-Barre Salvation Army.

Mr. Collins is the Area President for Wells Fargo's Northeast Pennsylvania market, which serves nine counties in northeast Pennsylvania. Prior to joining Wells Fargo in 1992, Mr. Collins was marketing manager for Bridon American Corporation.

A native of northeastern Pennsylvania, Mr. Collins' leadership and influence extends far beyond the workplace. He serves as a board member for several area organizations, including Misericordia University, the Greater Wilkes-Barre Chamber of Business and Industry, Leadership Wilkes-Barre, and the Northeastern Pennsylvania Council of the Boy Scouts of America. Mr. Collins is a Scranton Plan committee member as well as Chairman of the 2015 American Heart Association Gala for Northeastern Pennsylvania.

Mr. Collins is a 2010 graduate of Leadership Wilkes-Barre's Executive Leadership Program, as well as a 4th degree member of the Knights of Columbus. Earlier this year, he received the 2015 North Star Award from the Northeastern Pennsylvania Council of the Boy Scouts of America. This community service award recognizes individuals for their contributions and dedication on behalf of humanity and the promotion of health and wellness for all.

It is a distinct honor to honor Greg Collins on receiving the Greater Wilkes-Barre Salvation Army Community Service Award, and I commend him for the many years of dedicated service he provided to our local community. His work on behalf of others serves as an inspiration for all of us.

RECOGNIZING HUNTINGTON HIGH SCHOOL AND HUNTINGTON MIDDLE SCHOOL STUDENTS FOR REPRESENTING WEST VIRGINIA IN THE 2015 SCIENCE OLYMPIAD NATIONAL TOURNAMENT

HON. EVAN H. JENKINS

OF WEST VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 21, 2015

Mr. JENKINS of West Virginia. Mr. Speaker, I rise to recognize a team of talented students from Huntington High School and Huntington Middle School in Huntington, West Virginia, for their participation in the 2015 Science Olympiad National Tournament at the University of Nebraska-Lincoln May 15–16. Their participation is a first for any school from West Virginia and is testament to the great accomplishments of West Virginia students in the subject areas of science, technology, engineering and math.

It is these students that are our future engineers, mathematicians, physicians, and if the results from this competition are any indication, our future is in great hands. I also want to recognize the teachers and other volunteers that made this event possible to attend for the students. The knowledge and passion they convey to the students is certainly reflected in the impressive work that they do.

In closing, I would like to list the names of those who represented the great state of West Virginia at the 2015 Science Olympiad National Tournament:

Science Olympiad team members from Huntington Middle School include: Team Coach Leann Haines, Tess Anderson, Beth Bell, Khaled El-Shazly, Allyson Ey, Elena Ferguson, Shylah Johnson, Phillip Murphy, Kayla Patrick, Rankin Payne, Sam Pittman, Clara Poling, Perin Schray, Isaac Sutherland, Megan Wolf, Demetrios Svingos, Cassidy Woodrum.

Science Olympiad team members from Huntington High School include: Team Coach William Strait, Adam Cordingley, Sarah Cordingley, Denise Dawley, Omar Salem, Abdullah Hijazi, Alicia Bird, Zach Perry, Triston Poston, Will Frazier, Kyle Grimes, John Holbrook, Phillip Murphy, Thad Taylor, Steven Richbart, Yazan Khader and Levi Parett.

IN HONOR OF THE HONORABLE WILLIAM HUFF III

HON. SANFORD D. BISHOP, JR.

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 21, 2015

Mr. BISHOP of Georgia. Mr. Speaker, it is with a heavy heart and solemn remembrance that I rise today to pay tribute to a respected public servant and outstanding citizen, the Honorable William Huff III, Tax Commissioner of Talbot County, Georgia. Sadly, Mr. Huff passed away on Thursday, May 14, 2015. Funeral services to celebrate his life will be held on Tuesday, May 19, 2015 at 4:00 p.m. at the Central High School Gym in Talbotton, Georgia.

A life-long resident of Talbot County, Georgia, William Huff was born on November 11, 1945, the youngest of six children. After graduating from Ruth Carter High School in Talbotton in 1963, he enrolled in Fort Valley State University in Fort Valley, Georgia, where he became a member of Omega Psi Phi Fraternity, Inc. and was recognized in Who's Who Among Colleges and Universities in 1966. He earned a Bachelor's degree in Social Sciences and a Master's degree in Guidance and Counseling.

Upon graduation, Mr. Huff returned to Talbot County and taught at Ruth Carter High School from 1968–1970. During this time, he also was a part-time car salesman at Meadows Motors in Manchester, Georgia.

In 1971, Mr. Huff was elected to the Talbot County Commission at the young age of 26, launching a career in public service that would span more than 40 years. Moreover, Mr. Huff's election to the Talbot County Commission earned him a place in history as the first African American elected to office in Talbot County as well as the youngest African-American County Commissioner in the state of Georgia. In 1988, he became the first African-American Tax Commissioner in Talbot County. Not one to rest on his laurels, Mr. Huff also was a trailblazer in the business community, becoming the first African-American Ford dealer in the state of Georgia in 1975.

Further demonstrating his enduring commitment to his community, Mr. Huff served on numerous boards, including the Talbot County Planning Commission; Upson Technical College; the Independent Farming Association; and the Ford Motor Association. He was appointed to the United States Selective Service System Board in 1998 and was also appointed to the Governor's Council on Aging by former Georgia Governor George Busbee.

Maya Angelou once said, ''A great soul serves everyone all the time. A great soul never dies.'' William Huff is one such great soul, who served humanity in a special way. He devoted nearly four decades of dedicated service to the people of Talbot County through his meaningful contribution of energy, skill, and genuine passion. He was an honorable human being who loved deeply and, in return, was deeply loved. His impression on this earth extends beyond himself to the very wellbeing of Talbot County, and for it he will be remembered by the community for time to come.

On a personal note, Mr. Huff was a dear friend of longstanding. I have truly been blessed by his friendship, counsel and inspiration throughout the years.

William Huff is survived by his wife, Emma Jean; children, William Vincent, Reginald, and Jamie; eight wonderful grandchildren; and a host of other family members and friends.

Mr. Speaker, my wife Vivian and I, along with the more than 730,000 people of the Second Congressional District salute Commissioner William Huff for his dedicated service and exceptional impact on Talbot County, Georgia. I ask my colleagues in the House of Representatives to join us in extending our deepest sympathies to Mr. Huff's family, friends and loved ones during this difficult time. We pray that they will be consoled and comforted by an abiding faith and the Holy Spirit in the days, weeks and months ahead.

PERSONAL EXPLANATION

HON. ALMA S. ADAMS

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 21, 2015

Ms. ADAMS. Mr. Speaker, if I was present during the end of yesterday's vote series, I would have voted ''yea'' on rollcall No. 259 and ''nay'' on rollcall No. 260.

HONORING LAURA ELIZABETH ALLIAH PERKINS FOR ACHIEVING PERFECT ATTENDANCE WHILE ENROLLED IN THE BROWARD COUNTY SCHOOL SYSTEM FROM KINDERGARTEN THROUGH HER SENIOR YEAR

HON. ALCEE L. HASTINGS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 21, 2015

Mr. HASTINGS. Mr. Speaker, I am honored to rise today to recognize Ms. Laura Elizabeth Alliah Perkins, a recent graduate of Mcfatter Technical High School. Laura was honored at the Broward County Public Schools fourth annual Best-in-Class and Perfect Attendance Awards ceremony on Thursday, May 7, 2015, and again on Tuesday, May 19, 2015 at the Broward County School Board Meeting.

The Best-in-Class Award is an accolade presented to students who have been continuously enrolled in Broward County Public Schools from kindergarten through 12th grade, who have perfect attendance. This is a remarkable achievement and it is an immense honor of mine to recognize Laura for her unwavering devotion to education.

Having never missed a single day of school for a total of 2,340 days is no small feat. Furthermore, in a show of appreciation, various community and business partners have joined together to provide Laura and fellow honorees with an assortment of gifts and supplies that will assist them as they continue their journey towards higher education.

Mr. Speaker. I once again want to commend Ms. Laura Elizabeth Alliah Perkins for her dedication and commitment to education. She is a shining example of student success. I wish her all the very best as she begins studying at the University of South Florida this fall, and know that she will make her community and the state of Florida proud.

TRIBUTE TO RACHEL JACOBS

HON. SANDER M. LEVIN

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 21, 2015

Mr. LEVIN. Mr. Speaker, I rise today with deep sadness to pay tribute to a remarkable person, Rachel Jacobs, who was among those who tragically lost their lives in the Amtrak accident in Philadelphia last week. Rachel was the eldest daughter of my close friends, Gilda and John Jacobs, was the wife of Todd Waldman, and a loving mother to her young son, Jacob.

The accident has been devastating for those who knew and loved Rachel Jacobs, and for the families of the other people who were killed or injured. Those families deserve to know exactly how this horrific accident happened and to have confidence that it will never be repeated. They also deserve to know that those who bear responsibility for this tragedy are also held accountable. I will insist on answers, solutions, and accountability, and I trust that my colleagues will join me.

At her funeral service in Michigan on Monday, I and others had a chance to hear firsthand just how deeply Rachel had touched the lives of so many. There were common themes among those who spoke at the service and in several of the stories written about her in the media since the accident. She was a dedicated friend, always going out of her way to be there for those she was close to. At the service we heard about how during Hurricane Sandy, when Rachel was 40 weeks pregnant and coping without electrical power, she went to the hospital to support a friend who was giving birth. Rachel took great joy in her family, as a wife and partner to Todd and as a mother to Jacob. She was a leader and a team builder who inspired her colleagues at ApprenNet, the education technology startup where she served as CEO. And she was incredibly smart, passionate and committed to social justice. As one of her friends told the Detroit Jewish News, ''. . . she lit so many sparks. She was a visionary and a mobilizer. I'm amazed at how much she managed to fit into her 39 years.''

Rachel was known not only for her vision, but as the speakers at the service stressed, for her willingness to do the hard work necessary to bring her ideas to life. Detroit Nation might be the most vivid example of this. Rachel and friends in New York who had grown up in the Detroit area talked about creating a way for Detroit area natives who now live elsewhere to stay connected to their hometown and to participate in its revitalization. Rachel took this idea, sparked by a discussion among friends at a Passover Seder, and founded Detroit Nation—a nonprofit organization which now has more than 7,000 members in Metro Detroit and throughout the country. Detroit Nation creates connections between former Detroiters with expertise in a variety of areas and entrepreneurs and nonprofit organizations in Detroit who can benefit from that expertise, while also promoting the energy and innovation taking place in Detroit to people in cities throughout the country.

Mr. Speaker, Rachel Jacobs' mother, Gilda, perfectly described Rachel's most vital trait when she told the Detroit Jewish News that her daughter ''. . . connected with the world.'' This ability—to connect with the world and to create connections between other people to work together for a common good—has made a difference in the lives of many. May we all be inspired by Rachel, and I encourage my colleagues to join me in extending the deepest condolences to Rachel's husband, Todd Waldman and their son Jacob; to her parents, Gilda and John Jacobs; to her sister Jessica Steinhardt; and to all of Rachel's family, friends, and colleagues.

IN HONOR OF MURRAY J. PENDLETON, CHIEF OF POLICE OF WATERFORD, CT POLICE DEPARTMENT

HON. JOE COURTNEY

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 21, 2015

Mr. COURTNEY. Mr. Speaker, today I rise to recognize Chief Murray J. Pendleton of Waterford, Connecticut upon his retirement from the Waterford Police Department.

For 48 years, Mr. Pendleton has been a committed and active officer of the Waterford Police Department, serving for the past 23 as Chief of Police. Chief Pendleton has steadfastly focused on the security of citizens in Waterford, and he is known in particular for his devotion to improving traffic safety programs. Thanks to his tenacity and devotion, his tenure as Chief in Waterford has been recognized nationally and has left a lasting impact on the community.

Chief Pendleton's impressive law enforcement career started in the United States Air Force as an Air Force Police Officer in 1962. In 1967, he joined the Waterford Police Department, serving in multiple specialized roles until his promotion to Deputy Chief in 1984, and Chief in 1991.

Chief Pendleton has served as a valued resource to my office throughout my time in Congress, and his absence will be felt in eastern Connecticut. Chief Pendleton was not just a leader in Waterford and its outstanding department, but in the entire state, advocating for safe roads and highways, regionalizing first responders and resources, and making police and fire communications interoperable. Any time I had a question, he always made himself available in person or on the phone and his responses were always direct and honest with no sugarcoating.

Please join me in congratulating Chief Murray Pendleton on a lifetime of service to his community, and wishing him a rewarding, and well-deserved retirement.

DEDICATION OF THE LGBT MONUMENT IN ABRAHAM LINCOLN NATIONAL CEMETERY

HON. MIKE QUIGLEY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 21, 2015

Mr. QUIGLEY. Mr. Speaker, I rise today to recognize the Chicago Chapter of American Veterans for Equal Rights, which will dedicate a monument for LGBT Veterans in Abraham Lincoln National Cemetery in Elmwood, IL on May 25, 2015. This is an historic day, as this is the first federally-approved monument honoring LGBT veterans to be dedicated in a National Cemetery in the United States.

It is fitting that this monument is located in the Abraham Lincoln National Cemetery. President Lincoln was not only our 16th President and from the great state of Illinois, but he was also the founder of the National Cemetery system. His Gettysburg Address of 1863 became a model of the principles of nationalism, republicanism, equal rights, liberty, and democracy.

I am grateful for the efforts of the American Veterans for Equal Rights (AVER) and their continued commitment and dedication to equal rights and equitable treatment for all present and former members of the United States Armed Forces.

Thanks to Stanley J. Jenczyk and his colleagues with the Chicago Chapter of AVER, the LGBT veteran community will have a lasting tribute honoring their achievements and sacrifices. This monument recognizes the innumerable accomplishments of our military and forever commemorates their endeavors as servants of our great nation.

Mr. Speaker, I ask my colleagues to join me in celebrating this significant dedication with the Chicago Chapter of American Veterans for Equal Rights. I am honored to have such an exceptional organization in my district.

CONGRATULATING MILLEDGEVILLE'S TRIUMPH AEROSTRUCTURES-VOUGH AIRCRAFT DIVISION

HON. JODY B. HICE

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 21, 2015

Mr. JODY B. HICE of Georgia. Mr. Speaker, I rise today to applaud Milledgeville's Triumph Aerostructures-Vought Aircraft Division, an exceptional manufacturer located in Baldwin County, Georgia that was recognized as the 2015 ''Large Manufacturer of the Year'' by the Georgia Department of Economic Development.

Today, I praise Triumph for their global vision, their commitment to job creation, and for their extensive economic contribution throughout Middle Georgia. In my opinion, Mr. Speaker, Triumph is more than a manufacturing company but also a place of business integrity and workforce excellence. And I am honored to have a business like Triumph in my home district.

Mr. Speaker, Triumph is not only dedicated to business excellence but also determined to building a network of community leaders throughout their organization. Triumph's management established a tuition reimbursement program for its employees looking to further their education while dedicating countless volunteer hours to United Way, Relay For Life, and the American Red Cross.

Mr. Speaker, it is with great pride that I congratulate Triumph on their outstanding economic and leadership achievements, and I look forward to their future endeavors in the 10th district of Georgia.

HONORING MARTHA HERM FOR HER WORK WITH THE CENTER FOR PREVENTION OF ABUSE

HON. CHERI BUSTOS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 21, 2015

Mrs. BUSTOS. Mr. Speaker, I rise today to honor Martha Herm for the more than two decades she spent as the Executive Director of the Center for Prevention of Abuse in Peoria, Illinois.

Annually, the Center provides assistance to more than 5,000 victims of domestic, sexual and elder abuse in addition to providing prevention education to children, teens and adults across Central Illinois.

On top of her decades of leadership with the Center, Martha has served her community

through other leadership roles with the Coalition Against Domestic Violence and the Illinois Certified Domestic Violence Professionals Board. As so many can attest to, Martha has been a true asset to the Peoria area.

Mr. Speaker, Martha has spent her life dedicated to serving her community and the state of Illinois, and we are very gracious for all she has done. I wish her all the best going forward.

RECOGNIZING HOLY CROSS LUTHERAN CHURCH ON ITS 125TH ANNIVERSARY

HON. TOM EMMER

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 21, 2015

Mr. EMMER of Minnesota. Mr. Speaker, I rise today to honor Holy Cross Lutheran Church of St. Cloud, Minnesota, for their 125th anniversary.

In 1890, Holy Cross Lutheran Church opened its doors. The congregation worshipped near the St. Cloud State University campus until they outgrew their facilities and in 1996 relocated to Clearwater Road.

For 125 years, generations of central Minnesotans have gathered together to worship under this church's roof. Today, more than 1,000 people celebrate their faith and love of Christ in this vibrant and growing faith community.

Mr. Speaker, I ask that this body join me in congratulating Holy Cross Lutheran Church on their anniversary. May they have many more fruitful years to come.

COMMEMORATING THE 50TH ANNIVERSARY OF PROJECT HEAD START

HON. SHEILA JACKSON LEE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 21, 2015

Ms. JACKSON LEE. Mr. Speaker, as the author of H. Res. 92 and the Co-Chair of the Congressional Children's Caucus, it is with great pride and deep appreciation for the opportunities this great nation affords to its citizens that I rise to commemorate the 50th anniversary of Project Head Start, one of the signal achievements of the Great Society and boldest initiatives launched by the nation in the War on Poverty.

Launched in the White House Rose Garden on May 18, 1965, by President Lyndon Baines Johnson, the aim of Project Head Start was bold and audacious in its scope and design.

As President Johnson stated in announcing the opening of a new front in the War on Poverty with the launch of Project Head Start:

''We set out to make certain that poverty's children would not be forevermore poverty's captives. . . .

''This means that nearly half the preschool children of poverty will get a head start on their future. . . .

''These children will receive preschool training to prepare them for regular school in September. . . .

''They will get medical and dental attention that they badly need, and parents will receive counseling on improving the home environment.''

Conceived as an eight-week summer program designed to provide pre-school training not just to prepare 5 and 6 year-olds to enter regular school the following September, but also to give nearly half the preschool children living in poverty ''a head start on their future.''

At its launch, the Head Start Program, administered by the Office of Economic Opportunity and wonderfully and skillfully led by its Director, Sargent Shriver, consisted of 2,500 projects, covering 11,000 Child Development Centers, serving about 530,000 poor children in every state of the Union.

Mr. Speaker, President Johnson recognized that the bleak future waiting for children trapped in poverty was not a phenomenon concentrated in the inner-cities of the large urban cities of the North but could be found in every region in every state in the nation.

That is why the Head Start Program was launched not as a mere demonstration project limited to a handful of counties, but as a program national in scope serving every city, suburb, and rural area in the United States.

Mr. Speaker, the Head Start Program provided pre-school training to prepare poor children to enter regular school and help put them on an even footing with their classmates as they entered school.

But it also had an even higher aim and loftier purpose, and that was to assist children prepare for the challenges they will face in life and to combat poverty's great weapons—hunger and malnutrition; illness and poor health; ignorance and cultural deprivation.

Project Head Start was from the start a national undertaking, utilizing the services of 41,000 professionals, including teachers, doctors, dentists, nurses, nutritionists, employing more than 47,000 persons, who were assisted by more than 500,000 volunteers.

Based on its initial success as a summer program, the following year, in 1966, Head Start was funded as a primarily part day, 9 month program, largely through existing community action programs.

In later years, the Head Start Program would be expanded to serve children with disabilities, Native Americans, homeless children, and to provide bilingual and bicultural migrant and seasonal programs serving 6,000 children in 21 states.

Today, the Head Start Program serves nearly a million poor children, including: 160,829 enrolled in Early Head Start for 3-year olds; 910,833 enrolled in Head Start; 20,627 American Indian/Alaska Native children enrolled in Head Start; 4,722 American Indian/Alaska Native children enrolled in Early Head Start; 32,082 children of migrant or seasonal workers enrolled in Head Start; and 40,853 homeless children enrolled in Head Start.

Additionally, the Head Start Program serves 136,120 children with disabilities, 15,632 pregnant women, and provides services to 771,840 families.

In my home state of Texas, the Head Start Program serves 661,000 poor children under the age of 5, including 2,471 homeless children, 8,370 children with disabilities, and provides services to 53,333 families.

And in my home city of Houston, a remarkable organization called AVANCE has been serving the needs of low-income children and families since its founding in 1973.

AVANCE offers Head Start, Early Head Start, Parenting, Healthy Marriage, Fatherhood, and other programs designed to prepare and help low-income children, students, and families reach their potential.

Mr. Speaker, not only has the Head Start Program been a great benefit to its direct beneficiaries, it has provided substantial economic and social benefits to the nation as a whole.

Research studies have shown that for each dollar invested, the Head Start program yields a rate of return on investment (ROI) of 7–9 percent and the program is responsible for the direct creation of 236,591 jobs, with an average annual salary of about $31,000 for Head Start teachers with baccalaureate degrees.

Mr. Speaker, another societal benefit of the Head Start Program is the improved health of the children and families it serves.

Research has shown that the mortality rates for 5–9 year-old children who had attended Head Start are 33–50% lower than the rates for comparable children not enrolled in Head Start.

Moreover, Head Start children are less likely to fall victim to childhood obesity and are at least 8% more likely to have had their immunizations than children who did not attend preschool.

Mr. Speaker, the Head Start Program has been an unqualified success for the more than 31 million children and parents it has served since its inception in 1965.

And so it is that we can look back with pride on the 50 year record of this bold and innovative program.

But we cannot yet be satisfied because our work is not done and will not be done until every eligible child is afforded the opportunity to get a head start in life the program provides.

Today, only 42 percent of eligible low-income preschoolers are actually served by Head Start and less than 4 percent are in Early Head Start.

But we should not let the fact that we have more work to do to strengthen the Head Start Program detract from the joy and happiness we are justified in deriving from its half century of success and its vindication of our optimistic belief in the capacity of Americans to solve pressing national problems when people of goodwill work together in the spirit of cooperation rather than conflict.

The record of the Head Start Program shows that it can be done and that President Johnson was right—the Head Start Program was and is ''one of the most constructive, and one of the most sensible, and also one of the most exciting programs that this Nation has ever undertaken.''

And its reward for this bold act is the collective service and contributions to the betterment of society made by the 31 million children that have been served by the program over the past 50 years.

I thank the 100 colleagues who co-sponsored H. Res. 92, and especially the 65 members who joined me as original cosponsors of the resolution.

I also wish to express my thanks and appreciation to Chelsea Ukoha and Gregory Berry of my staff for their exceptional efforts and work on this wonderful tribute to a program that has contributed so much to the richness and vitality of our country.

PERSONAL EXPLANATION

HON. LORETTA SANCHEZ

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 21, 2015

Ms. LORETTA SANCHEZ of California. Mr. Speaker, I was unable to vote on H.R. 1191 (Roll Call Vote 118), the Iran Nuclear Agreement Review Act of 2015 on May 15, 2015. I would like to reflect that if I had the opportunity to vote on H.R. 1191, I would have voted Aye.

I strongly support the Iran Nuclear Agreement Review Act of 2015 and I believe we are at a critical point where Congress must be afforded the opportunity to review any deal with Iran. Although I support the ongoing negotiations of the Iran Nuclear Framework, I strongly believe the United States must ensure Iran is denied any opportunities to further pursue its nuclear ambitions. It is critical that the final deal require a comprehensive inspection and verification vehicle, including the right to ''anytime, anywhere'' inspections. Iran must also remove all its enriched uranium and comply with six United Nations Security Council resolutions to reveal the extent of its prior nuclear work. Most importantly, I believe we must exercise extreme caution before lifting any existing sanctions. Iran must demonstrate compliance with the deal before any sanctions are lifted. Furthermore, the United States must have a structure in place to immediately re-impose these sanctions if Iran is found violating any terms of the agreement.

Iran's nuclear program remains a threat to the international community. A nuclear-armed Iran would pose enormous challenges to the national security of the United States and our allies including Israel. Signing a final deal will only be the first step—the United States and the international community must continue to work together to provide the necessary oversight in order to prevent Iran from developing a nuclear weapon.

INTRODUCTION OF FIREARM RISK PROTECTION ACT

HON. CAROLYN B. MALONEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 21, 2015

Mrs. CAROLYN B. MALONEY of New York. Mr. Speaker, I rise today to introduce the Firearm Risk Protection Act, innovative legislation to promote safe gun ownership.

Too often, our communities are left looking for answers after horrific tragedies inflicted with dangerous firearms. A requirement to carry liability insurance is a market-based solution that would hold gun owners responsible for the risk their firearms present, and create incentives for responsible gun safety practices.

The Firearm Risk Protection Act would harness the power of insurance markets to allow professional actuaries to determine the risk presented by each gun and gun owner. Just as with car insurance, higher-risk owners of firearms would face higher premiums, while responsible owners could qualify for reduced rates.

As gun violence continues to inflict scars on American families and our communities, Congress should look for new ways to promote gun safety and prevent future tragedies. I hope my colleagues will join me to support this forward-thinking legislation.

TRIBUTE TO MAJOR GENERAL R. MARTIN UMBARGER

HON. TODD ROKITA

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 21, 2015

Mr. ROKITA. Mr. Speaker, I rise today to honor a distinguished Hoosier and American, Major General R. Martin Umbarger, the Adjutant General of Indiana. Major General Umbarger is retiring after eleven years as the leader of the Indiana Army and Air National Guard, the Indiana Guard Reserve and support staff totaling more than 15,800 personnel.

Major General Umbarger began his career as an enlisted soldier for the Indiana Army National Guard in 1969. He was commissioned as a Second Lieutenant after graduating from the Indiana Military Academy as a distinguished military graduate. He has served as the Deputy Commanding General for the Reserve Component in the U.S. Army Forces Command, Assistant Division Commander for Training for the 38th Infantry Division, and as Commanding General of the 76th Infantry Brigade.

Major General Umbarger earned a Bachelor of Science Degree in business from the University of Evansville and attended the United States Command and General Staff College and United States Army War College. Major General Umbarger has directed the pre-mobilized training, deployment and redeployment of most of the Indiana Army and Air National Guard in support of the Global War on Terrorism. He has served as a member of the Secretary of the Army's Reserve Forces Policy Committee and currently serves on the Secretary of Defense's Reserve Forces Policy Board.

As Secretary of State, I had the privilege of working with Major General Umbarger to protect Hoosiers serving in the military, both out-of-state and overseas, by promoting and improving absentee voting processes. Major General Umbarger recognized the importance of ensuring that those fighting for our freedom had the opportunity to vote for those sending them into harm's way. He truly values the rights of the men and women under his command, and they know it.

As Indiana's Fourth District Representative, I have also worked with Major General Umbarger on legislation which would study the structure of our military and how reserve components can be best utilized.

Major General Umbarger is one of the most accomplished adjutant generals in the country and a valuable leader in Indiana. He has led the Indiana National Guard and served our state and nation with integrity and distinction over his 45 year career in the Armed Forces. I wish him and his family the best of luck as they prepare for the next chapter of their lives.

THANKING MS. SHARON ANN PORTER FOR HER SERVICE TO THE HOUSE OF REPRESENTATIVES

HON. AL GREEN

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 21, 2015

Mr. AL GREEN of Texas. Mr. Speaker, today, I would like to thank Ms. Sharon Ann Porter for her more than fifteen years of outstanding service to the House of Representatives, in a number of administrative and support roles.

Ms. Porter began her career in the House in February 2000 as the Data Entry Specialist under the Chief Administrative Officer (CAO). Eager to learn and help carry out other duties, Ms. Porter was promoted to Financial Counselor in February 2001. As Financial Counselor she was responsible for the processing of payments as well as reimbursements requested by House offices, including Member, Committee, and Leadership offices. Ms. Porter worked diligently in all her roles, processing a large volume of payments on a daily basis, as well as forming long-lasting friendships with her customers and co-workers.

Additionally, Ms. Porter has offered her expertise during each House Service Fair, by volunteering extra time to assist with disseminating valuable information to House employees and customers. She was also instrumental in the transition to the new digital document management and electronic voucher submission known as E-Voucher, which streamlines services to House offices.

Ms. Porter's work ethic, diligence, and dedication have made her an invaluable asset to the CAO organization. She has consistently provided excellent customer service to Members and staff. Her outgoing personality, positive attitude, and sense of humor have endeared her to many colleagues and friends.

Mr. Speaker, I congratulate Ms. Sharon Ann Porter and I ask my colleagues to join me in thanking her for her distinguished service to the House of Representatives as well as the nation it serves. I wish Ms. Porter and her family all the best as she begins this new chapter in her life.

INTRODUCTION OF THE SCAN CONTAINERS ABSOLUTELY NOW (SCAN) ACT

HON. JANICE HAHN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 21, 2015

Ms. HAHN. Mr. Speaker, after the tragic attacks on 9/11, Congress strengthened aviation security, which was the nature of the attacks against our country. While our aviation system

is more secure—13 years later—we have not secured our nation's ports. Our ports are vulnerable to attacks.

I represent the Port of Los Angeles and the communities that surround the port; I have the personal responsibility of keeping the people of my district safe.

Top security experts recommend that shipping containers entering our nation's ports be scanned for radiological and nuclear materials and other potentially dangerous cargo. In addition, Congress passed laws requiring that 100 percent of all cargo be scanned by 2012. Today, three years after the deadline, we are scanning only 3 percent of incoming cargo.

I firmly believe that responding to ongoing terrorist threats and the risk of nuclear proliferation should remain top national security priorities.

The detonation of a nuclear device or ''dirty bomb'' at a port such as the Port of Los Angeles could cause a staggering loss of life. In addition, it could result in a West Coast or nationwide shutdown of all ports, which would cost the United States economy billions of dollars each day. The economic impact of port closure on supply chains was clearly demonstrated in 2002 when port workers were locked out for 8 days at the West Coast Ports. That cost $1 billion per day.

For these reasons, I am re-introducing the Scan Containers Absolutely Now (SCAN) Act. This bill would create a one-year pilot program at two United States ports to evaluate the process of 100 percent scanning of cargo containers and its potential use at all domestic ports.

I previously introduced this in the 113th Congress. This reintroduction includes several improvements to give ports who wish to apply, more flexibility on the management of the security systems.

We must take our responsibility to protect the nation seriously. We cannot allow inconvenience or shortsighted economic expediency to get in the way of keeping our nation's ports and citizens safe.

RESTORING EDUCATION AND LEARNING (REAL) ACT

HON. DONNA F. EDWARDS

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 21, 2015

Ms. EDWARDS. Mr. Speaker, I rise today to introduce the Restoring Education and Learning (REAL) Act, legislation that will curb our nation's high incarceration rate through the avenue of education.

Joined by Reps. DAVIS, LEE, SCOTT, DELAURO and RICHMOND, our legislation will reinstate Pell Grant eligibility to federal and state prisoners, which was allowed from 1972–1995. A provision in the 1994 omnibus crime bill amended the 1965 Higher Education Act and reversed this rehabilitating and well invested policy.

Back then, 350 postsecondary prison programs in 37 states existed across the nation for incarcerated individuals. That ability to gain post-secondary education has been drastically reduced to about a dozen today. Subsequently, our state and federal population has increased by nearly 50 percent from 1 million to 1.5 million today.

According to a recent Vera Institute study, it costs American taxpayers roughly $31,000 a year to house an inmate. In my home state of Maryland, it costs taxpayers more than $38,000 a year to house an inmate. Overall, our nation spends roughly $40 billion a year on correctional facilities.

This comes despite a recent report by the RAND Corporation, which found that for every $1 investment in prison education programs there is a $4–5 dollar reduction in incarceration costs during the first three years post-release of a prisoner.

Earlier this month, I visited the Maryland Correctional Institution in Jessup as an observer of Goucher College's Prison Education Partnership. I was inspired as I sat down with incarcerated men and women taking college courses and asking for the opportunity to better serve society once they are released.

I urge my colleagues on both sides of the aisle to cosponsor this important and much needed piece of legislation.

SAVANNAH STAFFORD

HON. STEVEN M. PALAZZO

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 21, 2015

Mr. PALAZZO. Mr. Speaker, I would like to take this opportunity to recognize Ms. Savannah Stafford as a member of the United States Naval Academy Class of 2015.

Savannah graduated from the U.S. Naval Academy with a degree in Oceanography, and her service assignment is Surface Warfare. She received a commission as an Ensign in the United States Navy on May 22, 2015.

Her career in the service has just begun, but it is a testament to Savannah's unselfish devotion to the people of this great nation. The challenges will be many and the time, although it may seem like an eternity, will fly by almost unnoticed.

The challenge for this young woman will be to retain as much as possible, pass on what she learns to others, and live life for every moment.

South Mississippi is proud of Savannah and her accomplishments, and we look forward to her continuing to represent not only Mississippi, but the entire nation, as a United States Navy officer.

As Savannah embarks on a new chapter in life, it is my hope that she may always recall with a deep sense of pride and accomplishment graduating from a program as prestigious as the Naval Academy.

I would like to send Savannah my best wishes for continued success in her future endeavors, thank her for her service, and congratulate her on this momentous occasion.

APPLAUDING MIKE WHITE FOR HIS BRAVE ACT OF HEROISM ON THE JOB

HON. CHERI BUSTOS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 21, 2015

Mrs. BUSTOS. Mr. Speaker, I rise today to honor Mike White for the brave act of heroism he displayed while on the job this past November of 2014.

Mike works as a United States Postal Service mail carrier in the Peoria, Illinois branch.

This past November, Mike was going about his regular route when he noticed a woman on her front porch having a severe asthma attack. Mike tried to get her an inhaler and called 911 then did all he could to comfort the woman and care for her child while they waited for the ambulance to arrive. Thanks to his help, after a week of being hospitalized, the woman returned home in good health.

On his next delivery to her home following the incident, the woman Mike aided ran over and gave him a hug, thanking him for all he had done to help her.

Mr. Speaker, I commend Mike White and his willingness to go beyond the line of duty to help an individual in need. I thank Mike again for his service to our community.

TRIBUTE IN HONOR OF THE LIFE OF GASTON FRANCIS PERIAT

HON. ANNA G. ESHOO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 21, 2015

Ms. ESHOO. Mr. Speaker, I rise today to honor my constituent, dear friend and extraordinary American, Gaston Francis Periat. Gaston was born in San Francisco, California on September 19, 1922, and died peacefully in Santa Cruz, California, on December 11, 2013, at the age of 91.

Gaston was raised in San Mateo and graduated from San Mateo High School. He worked in his family's Chrysler-Plymouth-Dodge dealership, Periat & Sons, until World War II, when he entered the Army. Gaston was taught to speak French by his Swiss grandmother, and he spent much of the war in France where he acted as a liaison between the U.S. Army and French businesses. In February 1944, Gaston married Margaret (Peggy), and in 1946 the couple settled in San Mateo and began their family.

In 1970, Gaston and Peggy moved to Pescadero where Gaston enjoyed riding the trails on his horse Yuckabuck. After selling the family business in San Mateo, the family moved to Gilroy, where Gaston bought Gavilan Chrysler-Plymouth-Dodge. Upon his retirement, he returned to Pescadero where he served on the Pescadero Municipal Advisory Committee. During his final years, Gaston lived in the retirement community of Dominican Oaks in Santa Cruz.

Gaston Periat was a golfer, a story teller, a member of the Elks Club, a Rotarian and a friend to an extraordinary number of people.

He was helpful to all in need and had the ability to make every person feel special. I was privileged to work with Gaston Periat during my time on the San Mateo County Board of Supervisors. He was unfailingly polite, concerned, professional and prepared, and we continued to work together during my tenure in Congress. He was a great and good man who made extensive contributions to our community and he will always be missed by those who had the good fortune to know him.

Mr. Speaker, I ask the entire House of Representatives to join me in extending our condolences to Gaston Periat's wife of 69 years, Peggy, and to his daughter, Judy Periat; son Dan Periat and his wife, Andrea Periat; son Ken Periat and his wife, Kimberly Periat; daughter Janet Periat and her husband, Frank Higgins; granddaughter Adriana Goericke and her husband, Jan Goericke, and great-granddaughter Mia Goericke; granddaughter Camile Steinmetz and her husband, Carl Steinmetz, and great-granddaughter Lola Steinmetz; granddaughters Renee Periat and Nadine Periat; grandson Aaron Periat and his wife, Kim Periat, and great-grandson Maximus Periat.

May our tribute to Gaston, as well as our thoughts and prayers be a source of strength and comfort to his entire family. Our community and our country were made stronger and better by Gaston Periat.

HONORING LIEUTENANT GENERAL CHARLES 'CHICK' CLEVELAND

HON. MARTHA ROBY

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 21, 2015

Mrs. ROBY. Mr. Speaker, I rise today to honor Lieutenant General Charles 'Chick' Cleveland, one of our country's great fighter pilots, an American hero, and a community leader in Montgomery, Alabama.

Lieutenant General Charles Cleveland was born in Honolulu, Hawaii in 1927 and was appointed for service at the U.S. Military Academy in West Point, New York. After graduating in 1949, he began his service in what was then the Army Air Corps, eventually transitioning into service with the U.S. Air Force and serving overseas during the Korean War. Later, Gen. Cleveland earned his master's degree in political science from Xavier University in Cincinnati, and completed the advanced management program at Harvard University in 1969.

In his more than 35 years of service, General Cleveland logged more than 4300 flying hours in military aircraft, including the F–86 Sabre. General Cleveland demonstrated a rarely-matched level of combat expertise, becoming one of our country's distinguished fighter aces. General Cleveland was credited with shooting down five enemy MiG–15 aircraft in Korea, officially earning the designation as an 'ace.'

General Cleveland went on to a distinguished career in the United States Air Force, holding several command positions including Commander of Air University at Maxwell Air Force Base in my hometown of Montgomery, Alabama.

Yesterday, the Congress awarded General Cleveland and all of the American Fighter Aces with the Congressional Gold Medal, the highest honor bestowed by Congress. I was honored to host General Cleveland in my office prior to the ceremony. My staff and I were privileged to spend time with this American hero and hear stories from his distinguished military service.

But General Cleveland's public service did not end with his retirement from military duty.

Since his retirement, General Cleveland has continued to devote countless hours to efforts to better his community, state, and country. After making Montgomery his family's home, he served as Director of the United Way, and led the Montgomery Area Food Bank. In 1989, he was chosen as Commissioner of the Alabama Department of Health and Human Services, serving through 1992.

Most recently, his 17 years of service as the President of the Alabama World Affairs Council helped transform the institute into the largest organization of its kind in the South.

The Alabama World Affairs Council is a fine organization which seeks to promote public awareness and understanding of international affairs as they relate to the political, economic, cultural, and military interests of the United States. The Alabama council is a member of the World Affairs Councils of America and is one of some 96 councils nationwide. Though General Cleveland is retiring from his position, he leaves an undeniable mark on the organization and its members who have benefited from his service.

Mr. Speaker, it is my privilege to recognize Lieutenant General Cleveland—a distinguished fighter pilot, a public servant, a community leader, and an American hero. He has truly set an example for future generations of Americans to come, and it is my great honor to represent him here in Congress.

A TRIBUTE IN HONOR OF THE LIFE OF DAVID BRUCE GOLDBERG

HON. ANNA G. ESHOO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 21, 2015

Ms. ESHOO. Mr. Speaker, I rise to pay tribute to David Bruce Goldberg, who was born in Minnesota on October 2, 1967, and died tragically at age 47, on May 1, 2015, in Mexico. I had the privilege of representing him as a constituent residing in Menlo Park, California.

Dave graduated from the Blake School in Minneapolis and earned a BA degree, magna cum laude, from Harvard University. After graduating from college, Dave worked for Bain and Company and Capitol Records. In 1994, he founded Launch Media which was later acquired by Yahoo in 2001. In 2007 he joined Benchmark Capital, and in 2009, joined SurveyMonkey, where he was CEO at the time of his death.

Dave Goldberg was a successful entrepreneur, venture capitalist, and technology and music industry executive. He ran several online consumer businesses, and served as a director of many companies and organizations, but he was far more than the sum of his great professional success. Dave has been praised as warm, humble and kind, and described as a genius, a leader and a man of courage. He was a sports fan, was passionate about education and children, and was lovingly described as a cross between a teddy bear and a tiger.

I've had the pleasure and privilege to work with Dave's wife, Sheryl Sandberg and the following are her poignant words expressed on the day of his funeral. They speak volumes about the goodness and greatness of this extraordinary man:

''I want to thank all of our friends and family for the outpouring of love over the past few days. It has been extraordinary—and each story you have shared will help keep Dave alive in our hearts and memories.

I met Dave nearly 20 years ago when I first moved to LA. He became my best friend. He showed me the internet for the first time, planned fun outings, took me to temple for the Jewish holidays, introduced me to much cooler music than I had ever heard.''

''We had 11 truly joyful years of the deepest love, happiest marriage, and truest partnership that I could imagine . . . He gave me the experience of being deeply understood, truly supported and completely and utterly loved—and I will carry that with me always. Most importantly, he gave me the two most amazing children in the world.''

''Dave was my rock. When I got upset, he stayed calm. When I was worried, he said it would be ok. When I wasn't sure what to do, he figured it out. He was completely dedicated to his children in every way—and their strength these past few days is the best sign I could have that Dave is still here with us in spirit.''

''Dave and I did not get nearly enough time together. But as heartbroken as I am today, I am equally grateful. Even in these last few days of completely unexpected hell—the darkest and saddest moments of my life—I know how lucky I have been. If the day I walked down that aisle with Dave someone had told me that this would happen—that he would be taken from us all in just 11 years—I would still have walked down that aisle. Because 11 years of being Dave Goldberg's wife, and 10 years of being a parent with him is perhaps more luck and more happiness than I could have ever imagined. I am grateful for every minute we had.''

''As we put the love of my life to rest today, we buried only his body. His spirit, his soul, his amazing ability to give is still with us. It lives on in the stories people are sharing of how he touched their lives, in the love that is visible in the eyes of our family and friends, in the spirit and resilience of our children. Things will never be the same—but the world is better for the years my beloved husband lived.''

Mr. Speaker, I ask the entire House of Representatives to join me in extending our deepest condolences to Dave's wife Sheryl Sandberg, to their children, his mother, brother and entire family and many friends. As President Obama said in his message of condolence, ''His skills as an entrepreneur created opportunity for many, his love for his family was a joy to behold, and his example as a husband and father was something we could all learn from. We're heartbroken by him leaving us far too soon, but we celebrate a remarkable legacy.''

Our community, our country and our world are stronger and better because of the life and

work of Dave Goldberg. May this tribute and the thoughts and prayers of countless others be a source of comfort and strength to his beloved Sheryl, their children and all the family.

HONORING MAJOR GENERAL R. MARTIN UMBARGER

HON. PETER J. VISCLOSKY

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 21, 2015

Mr. VISCLOSKY. Mr. Speaker, it is an honor to recognize Major General R. Martin Umbarger and wish him well upon his retirement from the Indiana National Guard. Since his initial appointment on March 11, 2004, Major General Umbarger has undertaken great responsibility as Adjutant General of Indiana, commanding the Indiana Army and Air National Guard and the Indiana Guard Reserve, as well as more than 15,800 state employees. In recognition of his outstanding accomplishments and distinguished career, a retirement reception in his honor will be held on Saturday, May 30, 2015, at JW Marriott in Indianapolis, Indiana.

Major General Umbarger began his remarkable military career with the Indiana Army National Guard in 1969. Upon graduating from the Indiana Military Academy in June 1971, where he earned the Distinguished Graduate Erickson Trophy, Major General Umbarger was commissioned as a second lieutenant, infantry branch. Prior to his present position, he served as deputy commanding general for the reserve component, United States Forces Command. Other significant assignments include the assistant division commander for training, 38th Infantry Division (Mechanized), and commanding general of the 76th Infantry Brigade (Separate).

Major General Umbarger is also a graduate of the University of Evansville, where he earned a Bachelor of Science degree in business. He also completed studies at the United States Command and General Staff College, as well as the United States Army War College.

A testament to his commitment to his duties, Major General Umbarger has been honored with many prestigious awards and accolades. He is the recipient of the Legion of Merit (2nd Award), the Meritorious Service Medal (Oak Leaf Cluster), the Army Commendation Medal, the Army Achievement Medal, the Army Reserve Components Achievement Medal (7th Award), the National Defense Service Medal, the Armed Forces Reserve Medal (with one hourglass device), the Army Service Ribbon, the Army Reserve Components Service Ribbon, the Army Reserve Components Overseas Training Ribbon, the Army Staff Identification Badge, the Indiana Long Service Medal, the Indiana Emergency Service Medal, and the Indiana Distinguished Service Medal (Bronze Oak Leaf Cluster). In 2007, Major General Umbarger was also presented the Distinguished Alumnus Award from his alma mater, the University of Evansville.

Major General Umbarger has also exhibited his extraordinary leadership abilities in serving as a member of the Reserve Forces Policy Board and the National Guard Association of the United States, which he chaired from 2006 until 2008. He has also served as a principal member of the Army Reserve Forces Policy Committee and is a member of the Association of the United States Army, Indiana Chapter.

Major General Umbarger's civilian achievements are no less noteworthy. He is president of Roy Umbarger and Sons, a fourth generation, family-owned and operated business located in central Indiana that provides custom services to the local agricultural community. In conjunction with his civilian career and passion for his community, Major General Umbarger has participated on numerous boards within the community including the Johnson County Animal Shelter Advisory Board and the Indiana Feed and Grain Association, for which he is a past director and chairman. He also currently serves on the Board of Trustees for both Johnson Memorial Hospital and Franklin College.

Major General Umbarger's exceptional military and civilian career and passionate dedication to his community are exceeded only by his devotion to his family. The General and his loving wife of many years, Rowana, have one son, Jackson, two daughters, Erica and Trista, and eight beautiful grandchildren.

I have been privileged to work with Marty over these many years. He is a man of unsurpassed talent who is guided by a strong moral compass and a profound sense of duty. His work has enriched each of us and I am doubly fortunate because he is also my friend.

Mr. Speaker, at this time, I ask that you and my other colleagues join me in honoring Major General R. Martin Umbarger for his outstanding contributions and unwavering dedication to the State of Indiana. He has served the state with distinction, and for this he is to be commended.

PERSONAL EXPLANATION

HON. NIKI TSONGAS

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 21, 2015

Ms. TSONGAS. Mr. Speaker, I was unable to cast votes from May 18–May 21st due to a family commitment.

Had I been present, I would have voted against H.R. 2250, the Legislative Branch Appropriations Act. Republicans have chosen to fund the Department of Defense at higher funding levels at the expense of funding for other agencies already squeezed by strict sequestration rules. Although I support some of the provisions in this legislation, I oppose the manner with which Republicans have decided to prioritize spending for the country.

I would have voted in favor of H.R. 2353, the Highway and Transportation Funding Act of 2015. The strength and vitality of our nation's infrastructure is critical to our economic competitiveness. The Highway Trust Fund provides federal support for transportation projects on the state level in order to maintain a modern, efficient, and reliable transportation infrastructure. These projects also support local job creation and economic development. However, I am extremely dismayed that H.R. 2353 only extends authorization for the Highway Trust Fund for two months and does not address long term funding challenges. Congress must pass a bipartisan, long-term funding solution for the Highway Trust Fund.

I would have voted against H.R. 1806, the America COMPETES Reauthorization Act. Since its enactment, the America COMPETES Act has bolstered our nation's science and energy competitiveness through increased investment in research and development and STEM education. Unfortunately, instead of simply reauthorizing this bipartisan program, this bill undermines critical investments in science, technology, and research.

I would have voted against H.R. 880, the American Research and Competitiveness Act. While I am a strong supporter of making the Research and Development tax credit permanent, I do not support this legislation because this unpaid-for tax measure would add an estimated $181.6 billion to the deficit over 10 years.

I would have voted against H.R. 2262, the SPACE Act of 2015. While I support the development of the commercial space industry, this legislation does not strike the appropriate balance between the needs of the industry and overall safety of the programs for the general public and future customers.

HONORING THE LIFE AND SERVICE OF CAPTAIN JOHN J. LEVULIS

HON. JOHN KATKO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 21, 2015

Mr. KATKO. Mr. Speaker, I rise today to honor the life and service of Captain John J. Levulis. Captain Levulis proudly served our nation since 2012 in the U.S. Army, including one tour in Afghanistan. Nicknamed by his fellow soldiers as ''Captain America,'' Captain Levulis epitomized the leadership, courage, and nobility of a true American hero.

Captain Levulis was commissioned into the U.S. Army as a second lieutenant in 2012, following his graduation from the Niagara University ROTC program. He completed the Infantry Basic Officer course at Fort Benning, Georgia. Following basic training, Captain Levulis was reassigned to the 2nd Battalion, 87th Infantry Regiment at Fort Drum in New York, where he served as a heavy weapons platoon leader. He was deployed to Afghanistan in May of 2013 as a platoon leader and returned in 2014. After returning from Afghanistan, Captain Levilus was again stationed at Fort Drum.

Captain Levilus received numerous awards including the Bronze Star Medal, Meritorious Unit Commendation, National Defense Service Medal, Afghanistan Campaign Medal, Overseas Service Medal, NATO Meritorious Service Medal, Combat Infantry Badge, and the Parachutist Badge.

On May 1st, Captain Levilus tragically lost his life in a motor vehicle accident while on duty in New Jersey. He leaves behind his loving wife, Julianne, mother, Barbara, father, Gary, and younger brother, James. My condolences go out to Captain Levilus' entire family

and friends. New York State and our nation has lost a valiant soldier, honorable citizen, and first-rate man in Captain John J. Levulis.

TRIBUTE TO STAFF SERGEANT WILLIE C. JONES

HON. RODNEY DAVIS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 21, 2015

Mr. RODNEY DAVIS of Illinois. Mr. Speaker, I rise today to honor my constituent, Staff Sergeant Willie C. Jones of the U.S. Army Reserves, who was awarded the Purple Heart for his sacrifice for our country.

After being born in Pittsburgh, Pennsylvania and growing up in Hawaii, Staff Sergeant Jones entered the Army in February 1994. He served in combat arms units on active duty for seven years before transferring to the Army Reserves. His first assignment in the Army Reserves was in the 100th Battalion, 442nd Infantry Regiment, the only infantry unit in the Army Reserves.

Staff Sergeant Jones served in support of Operation Iraqi Freedom from November 2008 to August 2009. In October 2012, he deployed to FOB Ghazni in Afghanistan as a Combat Sustainment Support Battalion Liaison NCO.

While serving at FOB Ghazni, Staff Sergeant Jones sustained significant injuries as a result of explosions due to enemy fire on June 18, 2013.

In addition to the Purple Heart, Staff Sergeant Jones has received the Combat Action Badge, 6 Army Commendation Medals, 7 Good Conduct Medals, 2 NATO Medals, 8 Overseas Bars, Iraq and Afghanistan Campaign Medals, the Gold Recruiter Badge with three sapphires, and the Army Recruiting Ring.

Staff Sergeant Jones currently resides in Decatur, Illinois, and works as a Movements Supervisor with the 236th Inland Cargo Transfer Company. I'm proud to honor him for receiving the Purple Heart, and am humbled by his bravery, service and sacrifice for our nation.

CONGRESSIONAL MOLDOVA CAUCUS STATEMENT ON THE RIGA SUMMIT

HON. JOSEPH R. PITTS

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 21, 2015

Mr. PITTS. Mr. Speaker, on behalf of myself, the Honorable DAVID E. PRICE, and the Congressional Moldova Caucus, the Republic of Moldova is a friend of the United States of America, and a partner country of the North Atlantic Treaty Organization. Like Ukraine and Georgia, Moldova is part of a strategically significant segment of Eastern Europe that looks toward Europe for a promising and prosperous future.

The full integration of Moldova into the European Union is also in the strategic interest of the United States. As has been the case with other Eastern European nations that fully integrated into the European Union, integration will help Moldova develop new economic opportunities and contribute to the overall security and stability of the region.

The Republic of Moldova signed an Association Agreement with the European Union in 2014 and is currently implementing its ambitious Free Trade Agreement (DCFTA). Moldova also reached a visa liberalization agreement with the EU.

As the EU Summit in Riga convenes, we call on our allies in Europe to fully engage the Republic of Moldova and to chart out its bid for accession into the Union under the terms of the Lisbon Treaty. A failure to fully recognize the aspirations and legal rights of the Republic of Moldova in its application only stands to promote the false narrative that Moldova, along with Ukraine and Georgia, falls into an 'exclusive sphere of Russian interests in Europe', and runs counter to the democratic values of the United States and Europe.

Congress and the Obama Administration should continue to support the Republic of Moldova in its statecraft, economic and security capabilities. Progress demonstrated by the Republic of Moldova on a sustained path towards Western integration should be recognized. For example, despite Moldova's entering into an Association Agreement with the European Union, the Russian Federation continues to ban imports of Moldovan products, exert pressure on the Moldovan people, and disseminate propaganda to the Moldovan people. The Russian Federation continues to maintain a substantial military presence in Transnistria, in violation the Russian Federation's commitments at the Istanbul Summit. The Russian Federation continues to use this military presence—along with its fuel exports and intelligence assets within Moldovan territory—to continually destabilize the region.

Smaller and more fragile states across the globe face increasing pressure, destabilization and aggression from larger, totalitarian governments. These states are susceptible to falling into 'regional spheres of influence' without sustained, consolidated efforts of support by the world's democracies. Last Congress, the House and Senate both passed resolutions calling on the Obama Administration to support the Republic of Moldova's capabilities in reforming its judicial sector, fighting corruption, and reforming economic markets. In addition to continuing in these important reforms, we urge the Obama Administration to work in bilateral and multilateral forums to monitor human rights abuses in the region and help advance U.S. investment in Moldova's energy markets to lessen its dependence on Russian sources. We are struck by the Moldovan people's demonstrated commitments to free markets, democracy, and the rule of law. The United States must continue to serve as a leader in the community of Western nations by supporting the people of Moldova in their commitment toward integration.

HIGHLIGHTING SUMMER MEAL PARTNERS INAUGURAL EVENT ON MAY 30, 2015

HON. MARCY KAPTUR

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 21, 2015

Ms. KAPTUR. Mr. Speaker, I rise today to bring much-needed attention to summer meal programs for food insecure families. A new collaboration of community organizations in Lucas County, Ohio called Summer Meal Partners is working to raise awareness and increase participation in summer meal programs in that county. This group can be a model for similar collaborative efforts supporting underserved communities around the country. Summer Meal Partners will hold their official kickoff event on May 30th of this year.

Today in Lucas County just eight percent of the 54,135 children that are eligible for free or reduced price school meals participate in readily-available summer meal support. This support could make a real difference in the lives of tens of thousands more families but a lack of awareness, transportation and enrichment programming have limited participation.

Families without reliable access to sufficient affordable nutritious food face increased health, mental and behavioral issues.

Hunger undermines a child's ability to learn. Malnutrition and vitamin deficiencies also put children at risk for serious and permanent problems with attention, cognition and behavior. They undermine natural growth and development and lead to compromised immune systems.

With most primary school students on break, the summer can be a challenging time for working parents. Relief is available in the form of summer meals but only a small fraction of eligible families take advantage of this important initiative.

I congratulate Summer Meal Partners for their important work and for their upcoming kickoff on May 30, 2015.

HONORING DR. ALLEN CHAN

HON. SCOTT H. PETERS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 21, 2015

Mr. PETERS. Mr. Speaker, every May we celebrate Asian Pacific American Heritage Month, a time to commemorate the significant contributions of the AAPI communities to our country.

This year, I am honored to recognize one of San Diego's community leaders, Dr. Allen Chan.

Dr. Chan was born in Hong Kong, and immigrated to the United States more than 40 years ago.

He was a charter president of the San Diego United Lions Club, is an accomplished chiropractor, and is the owner of the renowned local institution Jasmine Seafood Restaurant, which has served as a cultural heart in San Diego's Asian American community.

Dr. Chan was recently awarded the prestigious, and highly selective, Ellis Island Medal

of Honor for his legacy of community service centered around preserving history, traditions, and values, and paying homage to the immigrant experience as an integral part of American culture.

I want to congratulate Dr. Chan, and thank him for his leadership in the AAPI community and for helping make San Diego a better place to live.

CONGRATULATING THE SARCOXIE ARCHERY TEAMS ON THEIR STATE AND NATIONAL TITLES

HON. BILLY LONG

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 21, 2015

Mr. LONG. Mr. Speaker, I rise today to congratulate the Sarcoxie High School Archery Team on another Missouri state championship. This victory marks the Bears' third straight state title.

The Bears competed against 88 other schools from across Missouri with nearly 1,400 contestants. The team took the high school division title with a total of 3,367 points. Sarcoxie's archery program also added to their success this year with the middle school team placing 3rd in the middle school division. Sarcoxie competed against schools of all sizes, from the tiny and rural to the massive and urban. This small southwest Missouri school has proven again that size does not matter when it comes to talent, dedication and perseverance.

Individually, Sarcoxie's Zane White took second place in the state high school division with 293 points and Gavin Currey finished a close fourth with 290 points. Annika Johnson, Jordyn Kirby and Elizabeth Workman all finished in the top 15, further helping shoot Sarcoxie to first place.

Coaches Kaycia and David Woolsey deserve praise for successfully aiming the team toward their bullseye—a first place finish. Much effort goes into teaching skills to go the distance. That shows especially this year, as many on the Sarcoxie team were first-year competing archers. Only five were on the previous championship team.

In addition, Sarcoxie had their first national archery champion this year at the National NASP IBO 3D Challenge. Fifth grader, Max Wangler was the national champion from among 483 elementary boys. Max's teammate, Drake Acheson, placed third.

I urge my colleagues to join me in congratulating the Sarcoxie High School Archery Team on a job well done. I look forward to seeing their continued success.

HONORING LIBRARIAN DIANE CHRISTIAN OF AURORA, ILLINOIS

HON. BILL FOSTER

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 21, 2015

Mr. FOSTER. Mr. Speaker, I rise today to recognize the service of Diane Christian as she prepares for retirement after more than 40 years of service to the Aurora Public Library in Aurora, Illinois.

Diane Christian is a cherished figure in the City of Aurora, who has fostered a love of books and learning for many generations of young people. Starting as a part-time librarian in 1974, Diane later became the library's Children's Department Coordinator where she has played a critical role in the intellectual development of children throughout the community. In 2002, Diane launched the Welcome to America program that offers family literacy services to refugees from around the world and has served over 850 parents and children.

Diane is also an active volunteer in our community; she currently is a member of the Child Welfare Society and the Aurora Township Youth Commission. During her retirement, Diane intends to continue volunteering for the Aurora Public Library and helping with the transition to its new location.

I would like to thank Diane for her decades of commitment to the Aurora Public Library and wish her the best in her retirement.

HONORING LEO FINNEGAN

HON. DAVID G. REICHERT

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 21, 2015

Mr. REICHERT. Mr. Speaker, I rise today to recognize a champion and leader from the State of Washington, Leo Finnegan.

Whether it's serving on community advisory boards, helping a parent navigate bureaucratic difficulties or organizing recreational activities for those with special needs, Leo Finnegan has been, and will continue to be, a deliberate and enthusiastic voice for the developmental disability community.

Leo and his wife Rose first moved to Washington State in 1975 with their five children, one of whom has special needs, Tim. When his son was unable to participate in Soap Box Derby Races with his other children, Leo took it upon himself to construct a two passenger car so the entire family could share in the fun together. This act sparked an idea to organize races for other children with special needs. He now organizes and oversees races every summer throughout Washington State in Issaquah, Sammamish, Snoqualmie, Richland, Spokane, and Oak Harbor. My godson Kyle and I were able to participate in one race several years ago, which is one of the many times I've had the opportunity to see firsthand Leo's work in our community. Leo also coaches the Special Olympics Basketball team in Washington. Through his work, Leo has touched thousands of lives, giving individuals with special needs recreational opportunities that enrich lives and strengthen families.

Mr. Speaker, Leo's actions embody the heart of a servant. I thank Leo for his passionate commitment to serving those with special needs.

SUPPORTING THE PEOPLE OF NEPAL

HON. TED POE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 21, 2015

Mr. POE of Texas. Mr. Speaker, after the massive earthquake shook Nepal, Eric Jean and Della Hoffman were stranded on a remote trail with a group of other backpackers. Friends of theirs from their time in college at Rice University, which is in my district, contacted my office for help. We worked with the State Department to set them free. Five days after the earthquake, Special Forces came to the village and rescued them.

Ms. Hoffman would later recall, ''I don't think we even knew what was happening until some of the villagers ran out of the hut and then, immediately after that, the boulders just started coming down from both sides of the canyon, including into the village and on top of the houses.''

Six U.S. Marines and two Nepalese soldiers sacrificed their lives attempting to save others just like Eric and Della when their helicopter crashed.

I stand with my colleagues in support of House Resolution 235, and urge the administration to work with the Nepal government and the international community to deliver aid quickly, easily, and with long-term rebuilding in mind.

And that's just the way it is.

HONORING BUENA VISTA WINERY'S WINE TOOL MUSEUM

HON. MIKE THOMPSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 21, 2015

Mr. THOMPSON of California. Mr. Speaker, I rise today to recognize Buena Vista Winery on the occasion of the opening of their new, first-of-its-kind Wine Tool Museum. The oldest premium winery in the United States, Buena Vista has been in operation since 1857 when a Hungarian immigrant, Count Agoston Haraszthy, established the vineyards and built the winery. Over the intervening years, the winery has had a colorful history, passing through many hands before ultimately being purchased by Jean-Charles Boisset in 2011. Boisset immediately hatched a plan to turn the property around that eventually culminated in the creation of the Wine Tool Museum, which officially opened to the public on March 24, 2015.

The Boisset family already had an impressive wine tool collection when Jean-Charles's sister encountered a man in Burgundy looking for a buyer for his enormous thirty thousand item collection of wine tools. With the combination of Boisset family implements and the new acquisitions, the Museum's collection encompasses items as diverse as antique plows and blades, secateurs, and wine harvest baskets.

Along with its impressive collection of tools, the Museum guides visitors through history

with an educational film that traces winemaking in the region from the early days of Haraszthy through the plague of phylloxera. The first of its kind museum tells the story of California's wine community. People will not only be able see, but also learn about, the tools that brought wine from the vine to the bottle a century and a half ago.

Mr. Speaker, it is fitting and proper that we honor Buena Vista Winery at this time. Its commitment to not only preserving viticultural history, but demonstrating the evolution of the profession, will help increase awareness and appreciation for California and Sonoma's long history of winemaking.

RECOGNIZING THE SERVICE OF DEPUTY SHERIFF JOSE ALVARADO

HON. JOHN KATKO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 21, 2015

Mr. KATKO. Mr. Speaker, I rise today to recognize the service of José "Joey" Alvarado to the community of Wayne County, New York. Deputy Sheriff Alvarado has given 30 years of dedicated service to the Wayne County Sheriff's Office. In his role as Deputy Sheriff, he has played an essential role in safeguarding the rights and freedoms of the residents of his county.

Throughout his 30 years of service to the Wayne County Sheriff's Office, Deputy Sheriff Joey Alvarado has consistently performed with professionalism and dedication, working towards the goal of making his community a safer place.

Since 1985, Deputy Sheriff Joey Alvarado has served as a Jailor/Dispatcher, Correction Officer, and Deputy Sheriff. During his tenure as Deputy Sheriff, he was also assigned to the Sheriff's Office Special Investigation Unit. He has made an outstanding contribution through his career as Deputy Sheriff to the quality of life for all Wayne County residents.

I commend Deputy Sheriff Alvarado's sacrifice and contribution to the Wayne County community and wish him the very best in his retirement.

HONORING PENNSYLVANIA CYSTIC FIBROSIS, INC. (PACFI)

HON. TOM MARINO

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 21, 2015

Mr. MARINO. Mr. Speaker, I rise today in order to congratulate Pennsylvania Cystic Fibrosis, Inc. (PACFI) for 30 years of work in raising Cystic Fibrosis awareness and funding Cystic Fibrosis research efforts. PACFI is an independent, non-profit, all volunteer organization that provides crucial services and much needed support for Pennsylvania families affected by Cystic Fibrosis.

PACFI was founded on October 2, 1985. The PACFI organization is unique in that they do not have a paid staff and operate solely with volunteers. This allows PACFI to use 100% of donations they receive to provide benefits for Pennsylvania families such as paying for emergency and other medical expenses.

PACFI also works to fund Cystic Fibrosis research around the country. To date, they have raised more than $565,000 for institutions and universities that are on the leading edge of Cystic Fibrosis research. These donations are helping to discover better treatment options and will hopefully lead to a cure.

PACFI is doing excellent work in Pennsylvania on one of the most common and fatal genetic diseases. Cystic Fibrosis affects approximately 1 in 2000 people and their life expectancy is only 35 years. I commend PACFI for doing great work in the field of Cystic Fibrosis research and supporting families that need assistance with the costs of Cystic Fibrosis treatment.

CONGRATULATING SOFIA VICTORIA DE LA PENA ON FOUNDING THE FIT KIDS DAY NON-PROFIT

HON. MARIO DIAZ-BALART

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 21, 2015

Mr. DIAZ-BALART. Mr. Speaker, I rise today to congratulate Sofia Victoria de la Pena on her work founding Fit Kids Day, and establishing the group in the South Florida community.

Sofia Victoria was a ninth grader at Carrollton School of the Sacred Heart in Coconut Grove, FL when she recognized an increased need for health programs for children. She wanted to add to the work being done to combat childhood obesity, and came up with a plan. Her idea was an entire day focused on fitness, which became known as Fit Kids Day.

To get the event started, Sofia Victoria reached out to leading students at other schools to be ambassadors for the program. The students walked throughout their neighborhoods, to spread awareness for the event and attract community support. Local businesses chipped in to help with the first event, providing services and food to the participants, which were offered free of charge. Since the first Fit Kids Day, the program has expanded, and multiple cities have organized their own events. In these cities, mayors or city managers organize a day of activities that are popular in their area.

Fit Kids Day caught on as an event, and is now a nonprofit organization. The Presidential Fitness Counsel has since talked to Sofia Victoria about using the Fit Kids Day model for their organization. The event was created by kids, for kids, and offers many leadership opportunities. In addition, the program has helped introduce fitness ideas and plans to less fortunate communities.

Mr. Speaker, I am honored to congratulate Sofia Victoria de la Pena on her accomplishment, and I ask my colleagues to join me in recognizing her outstanding achievement. It is an honor to know a family that continues to work hard to improve their community every day.

HONORING DAVIESS COUNTY, KY, ON CELEBRATING ITS BICENTENNIAL

HON. BRETT GUTHRIE

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 21, 2015

Mr. GUTHRIE. Mr. Speaker, I rise today to congratulate Daviess County, Kentucky, on celebrating its bicentennial.

Daviess County came into its existence on June 1, 1815, through an Act of the Kentucky General Assembly. But on May 30, 2015, Daviess County will begin to celebrate its 200th birthday.

Daviess County lies in the Western Kentucky Coalfield region and is also an oil producer. Bounded by the Ohio River, it serves as an important trade and transportation artery—making it a major manufacturing center, transportation hub and U.S. Customs Port of Entry on the Ohio River. It is also a leader in health care, medical research and pharmaceutical experimentation.

The keystone celebration, on May 30th, includes an early morning 5 k run/walk at the Mount Saint Joseph Motherhouse of the Ursuline Sisters. Activities for people of all ages will take place around the Courthouse Square, and the day will end with a reception and the opening of a special Bicentennial Art Exhibit at the Owensboro Museum of Fine Art.

Other activities will include honoring African Americans from Daviess County who served in the Union Army during the Civil War with the dedication of an historic highway marker on the Courthouse lawn. There will also be a series of Bicentennial-related programs at the Daviess County Public Library throughout the summer.

A new history of Daviess County, Kentucky, Celebrating Our Heritage, has been published and highlights many aspects of daily life in the county. Among these topics is Daviess County's rich history in the agriculture industry—citing corn, soybean and tobacco producers.

Daviess County is the home to some of Kentucky's great colleges and universities, including: Brescia University, Kentucky Wesleyan College, a campus of the Kentucky Community and Technical College System and a branch of Western Kentucky University.

It is important to also highlight the leadership in Daviess County and all their efforts to make this a successful and thriving community. Thank you for making Daviess County what it is today.

I encourage everyone in Kentucky's Second District to join in the festivities to celebrate the rich history and traditions of Daviess County. I congratulate all who live and serve the county and look forward to taking part in some of these celebrations myself. Here's to many more years of success.

ADVANCING RESEARCH FOR HYDROCEPHALUS PATIENTS

HON. CHRISTOPHER H. SMITH

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 21, 2015

Mr. SMITH of New Jersey. Mr. Speaker, I rise today to call attention to legislation I introduced last week, the Advancing Research for Hydrocephalus Act, and urge my colleagues to cosponsor this important bill. My new legislation—which is supported by the national Hydrocephalus Association—will facilitate better research into this devastating condition by requiring the collection of demographic information on the hydrocephalus community.

Hydrocephalus, which is defined as an abnormal accumulation of cerebrospinal fluid (CSF) within cavities in the brain, can cause brain damage, vision issues, and extreme pain for those affected.

One of those affected, Adrienne D'Oria, a 22 year old from my Congressional District, has suffered from hydrocephalus since she was 10 months old. In addition to the excruciating pain, complications from shunt malfunctions, dozens of brain surgeries and hundreds of hospital visits have essentially eliminated any chance of a normal childhood. Hydrocephalus continues to limit her options for the future:

All of my friends, everyone I went to school with is graduating and starting the next stage in their life. I can't do that,'' she said recently. ''I had to withdraw from so many classes because of hospital admissions and all the surgeries. Even though I've been out of high school for four years I only have the credits of a freshman. My friends are graduating and I'm stuck in limbo. I can't control it.

Unfortunately for Adrienne and thousands like her, the most common treatment for hydrocephalus remains a surgically-inserted shunt. Shunts drain the fluid from the brain through the neck and into other parts of the body. They frequently become blocked, malfunction, or cause infection. In almost half of all cases in children, the shunt fails within the first two years. When they do, patients must immediately locate a medical facility and a neurosurgeon who can correct the problem. This precarious situation is a constant source of fear for those who suffer from hydrocephalus and their families. In fact, hydrocephalus is the most common reason for brain surgery in children.

The scientific and medical communities not only have very few resources that can help them in understanding this condition, they are not even aware of the true impact of this disorder. Without better data and research, they cannot develop more effective treatments.

Mr. Speaker, there are some estimates that this condition affects roughly one million Americans. Yet given that hydrocephalus can occur either congenitally or be acquired, oftentimes through infection or traumatic brain injury, reporting of hydrocephalus has been inconsistent. Currently no mechanism exists to identify and track persons with hydrocephalus who develop the condition after birth. As a result, we do not have a good grasp on the demographics of hydrocephalus patients.

My bill provides a remedy. The Advancing Research for Hydrocephalus Act will establish a National Hydrocephalus Surveillance System (NHSS) to collect information on the incidence and prevalence of hydrocephalus among a range of demographics, including changes in epidemiology over time. This surveillance system would provide a wealth of data for researchers. Better surveillance will facilitate better research and lead to better outcomes, treatment and care for the infants, children, and adults experiencing the agonizing pain of hydrocephalus.

So I urge my colleagues to support my legislation to help provide assistance and raise the quality of life for individuals, like Adrienne, who are suffering from this condition.

IN RECOGNITION OF EAST HARLEM COUNCIL FOR HUMAN SERVICES, CELEBRATING 50 YEARS OF SERVICE

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 21, 2015

Mr. RANGEL. Mr. Speaker I rise today to give recognition to the East Harlem Council for Human Services, which is celebrating 50 years of serving the local community. The work done by the Council has been vital to our community and has changed the lives of so many for decades. Groups like the Council and institutions like the Boriken Care Center are worth fighting for, and I will continue to make sure there are adequate resources available for them to continue to thrive and serve their community.

I am proud to honor the East Harlem Council for Human Services which was incorporated in 1965 though grass-roots efforts of local East Harlem residents committed to addressing unmet needs in their community. The Council is a multi-service not-for-profit which coordinates an array of affordable and no cost services to more than 10,000 individuals each year without regard for an individual's ability to pay for services. The Board of Directors and more than almost 200 staff members are united in a commitment to the Council's mission of providing the highest quality of comprehensive, community-based, fully bilingual services to the East Harlem community.

The Council is the largest grass-roots, multi-service not-for-profit in our East Harlem community. By continuing its strong history of diverse community-based leadership, and commitment to the self-determination of this institution and the East Harlem community at large, the Council has positioned itself for continued growth. The Council continuously renews its commitment to the residents of El Barrio to ensure that the Boriken Neighborhood Health Center and its sister programs will continue to provide affordable quality comprehensive services in East Harlem for many more decades.

There's no finer work than fighting to bring health and essential wellness to those struggling to make ends meet in underserved communities. Everyone deserves access to quality care within their community and we are proud to have the East Harlem Council for Human Services serving us.

CONGRATULATING REV. DR. MICHAEL L. PFLEGER ON HIS 40TH ANNIVERSARY OF THE PRIESTHOOD

HON. DANNY K. DAVIS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 21, 2015

Mr. DANNY K. DAVIS of Illinois. Mr. Speaker, I rise to express my congratulations to Rev. Dr. Michael Louis Pfleger, the Senior Pastor at Saint Sabina Church in Chicago on his 40th Anniversary of the priesthood. I am sincerely thankful for the forty years of his devotion to community service and endless effort in fighting social injustice.

Michael Louis Pfleger was ordained a Catholic Priest for the Roman Catholic Archdiocese of Chicago on May 14, 1975 and since 1981 has been Pastor of the mostly African American Parish of Saint Sabina, a Catholic church in Chicago's Auburn Gresham Neighborhood. His uninterrupted tenure in just one neighborhood is normally unheard of in a diocese where Pastors usually serve for only six to twelve years. When he was appointed to his present position, at the age of 31, he became the youngest Pastor in Chicago Archdiocese. Under Pfleger's leadership, Saint Sabina has established an outstanding social service program including job programs, conflict resolution, Employment Resource Center, a Social Service Center, and also an elder home.

Father Pfleger has adopted three sons, and led efforts to curb drug and alcohol use, especially among teenagers. He has led protests of all kind, encourages people to register and vote, take positions on all kind of controversial issues, always on the side of the people. He has fought against the proliferation of hand guns and hold regular lecture series at Saint Sabina featuring individuals like Reverend Jesse Jackson, Reverend Al Sharpton, Reverend Jeremiah Wright, Dick Gregory, Minister Louis Farrakhan, Reverend Joseph Lowery, Harry Belafonte and others. He has called out disrespectful rappers, embraced salvation for prostitutes, defied the Cardinal and pushed for the Ordination of women as Priests. Michael Louis Pfleger, a man among men, a Priest among Priests, a force for good, a friend to humanity, my brother and a Servant of God.

ASTHMA AWARENESS MONTH

HON. ELIOT L. ENGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 21, 2015

Mr. ENGEL. Mr. Speaker, May is Asthma Awareness Month. As co-chair of the Congressional Asthma and Allergy Caucus and a senior member of the House Committee on Energy and Commerce's Health Subcommittee, I want to take this opportunity to bring attention to asthma's prevalence in the

United States, as well as what must be done to control its growth.

Asthma is one of the most serious chronic diseases in the U.S., affecting almost 26 million Americans and nearly 7 million children. It can cause shortness of breath, coughing, wheezing, chest pain, and even death.

In my home state of New York, asthma takes a particularly heavy toll—especially in my hometown of the Bronx. About 390,000 children and 1.4 million adults in New York have asthma. The total cost of asthma-related hospitalizations in New York in 2007 was a staggering $535 million. The Bronx, where I was born and raised and am proud to represent part of, has one of the highest rates of asthma-related emergency room visits in all of New York.

These statistics are even more alarming when looking specifically at minority and low-income populations. Children from poor households are twice as likely as their more affluent peers to be diagnosed with asthma. In addition, asthma rates among African American children increased by 50 percent between 2001 and 2009.

Asthma's prevalence costs children and adults dearly with regard to quality of life. However, it carries an economic cost as well. The direct medical costs of asthma treatment, coupled with absences from work and school, result in losses of more than $56 billion annually Children additionally suffer academically, as asthma causes about 14 million student absences each year.

While asthma can be treated and managed, it is too often not managed properly. Asthma sufferers require regular check-ups, asthma management plans, and access to both maintenance and fast acting inhalers. People with persistent asthma must be tested for allergies so they can learn what triggers might cause an asthma attack. Furthermore, environmental triggers in homes and schools, such as mold, dust, animal dander, pests, toxic chemicals, and excessive moisture must be eliminated.

Congress must also work to reduce asthma rates. A little over five years ago, Congress passed and President Obama signed into law the Affordable Care Act, which prohibited insurance companies from denying coverage to people with pre-existing conditions, like asthma. While this was a terrific stride, more efforts are needed here in Washington.

I have been a strong supporter of the Centers for Disease Control's National Asthma Control Program, which helps states implement systems to monitor and treat asthma. This Program's work has resulted in a $23.1 billion decline in asthma health care costs since 2001. In addition, deaths related to asthma have dropped by 24 percent since the Program's inception in 1999. Earlier this year, I wrote a letter asking appropriators to fund the National Asthma Control Program at $30.6 million in Fiscal Year 2016.

While financial support for this Program is vital, we cannot rely on funding alone to solve the problems that asthma causes. We must continue to increase awareness of preventative measures to help people manage their disease. In addition, we must work collaboratively across sectors to address the burden that asthma creates.

I look forward to continuing to work to ensure that adults and children across the United States can live healthier and more successful lives.

CHRISTOPHER BOULANGER

HON. STEVEN M. PALAZZO

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 21, 2015

Mr. PALAZZO. Mr. Speaker, I would like to take this opportunity to recognize Mr. Christopher Boulanger as a member of the United States Air Force Academy Class of 2015.

Christopher will graduate from the U.S. Air Force Academy as a Second Lieutenant in the United States Air Force on May 28, 2015.

His career in the service has just begun, but it is a testament to Christopher's unselfish devotion to the people of this great nation. The challenges will be many and the time, although it may seem like an eternity, will fly by almost unnoticed.

The challenge for this young man will be to retain as much as possible, pass on what he learns to others, and live life for every moment.

South Mississippi is proud of Christopher and his accomplishments, and we look forward to him continuing to represent not only Mississippi, but the entire nation, as a United States Air Force officer.

As Christopher embarks on a new chapter in life, it is my hope that he may always recall with a deep sense of pride and accomplishment graduating from a program as prestigious as the Air Force Academy.

I would like to send Christopher my best wishes for continued success in his future endeavors, thank him for his service, and congratulate him on this momentous occasion.

REMEMBERING THE SACRIFICES OF THE FALLEN HEROES ON MEMORIAL DAY

HON. SHEILA JACKSON LEE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 21, 2015

Ms. JACKSON LEE. Mr. Speaker, I rise today to remember all those brave and heroic men and women of the Armed Forces who gave the last full measure of devotion in defense of our country.

Each May, veteran and service organizations come together to hold events around the country to demonstrate their gratitude to current and former men and women in uniform and their families for their service to our country.

The month of May is a time when a grateful nation acknowledges and affirms the debt owed to those brave men and women who risked their lives to preserve the freedoms we too often take for granted.

It is important that we recognize and celebrate the tremendous role military personnel have played across the globe.

Texas is home to more than 130,000 active military personnel and more than 1,600,000 veterans, 30,000 of which are from the 18th Congressional District of Texas.

It has been an honor to represent these constituents and I am extremely proud of their service.

As we acknowledge our former, current and future military men and women, it is essential that we provide them with the resources necessary to help wounded warriors, veterans, and their families' transition to civilian life.

That is why I was proud to cosponsor and help shepherd to passage H.R. 1344, Helping Heroes Fly Act, that was signed into law in 2013 and which facilitates expedited passenger screening at airports for service members who are severely injured or disabled, along with their families.

I also introduced H.R. 76, the ''Helping to Encourage Real Opportunity for Veterans Transitioning from Battlespace to Workplace Act of 2015,'' which provides strong incentives for employers to hire, retain, and employ veterans in positions that take maximum advantage of their skills and experience.

Mr. Speaker, in closing I recognize by the name the 53 brave men and women from my home city of Houston, who served in Iraq and Afghanistan and gave the last full measure of devotion to their country.

They are: Krystal Fitts, Jorge Luis Velasquez, Cody Norris, Jacob Molina, Pedro Maldonado, Edwardo Loredo, Matthew Catlett, Zarian Wood, Andrew Roughton, Edgar Heredia, Joshua Molina, Steven Candelo, Scott McIntosh, Orlando Perez, Jeremy Ray, Benjamin Garrison, Rodney Johnson, Matthew Medlicott, Alan Austin, William Edwards, Eric Salinas, Danny Soto, Roy Jones, Terrence Dunn, Hector Leija, David Fraser, Benjamin Rosales, Kenneth Pugh, Alberto Sanchez, Walter Moss, Michael Robertson, Howard Babcock, Timothy Roark, Ivica Jerak, Phillip George, Keith Mariotti, Clinton Gertson, Dexter Kimble, Jesus Leon-Perez, Thomas Zapp, Eric Allton, Andrew Houghton, Juan Torres, Pedro Contreras, Adolfo Carballo, Scott Larson, Leroy Sandoval, Armando Soriano, Keelan Moss, A. Esparza-Gutierrez, Tomas Sotelo, Brian Matthew Kennedy, and Brian Craig.

God bless them. And may God bless the United States.

IN RECOGNITION OF MAJOR MORRIS SHEPHERD

HON. PETE SESSIONS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 21, 2015

Mr. SESSIONS. Mr. Speaker, I rise today to recognize a remarkable individual for his dedication to the State of Texas. I would like to congratulate and thank Major Morris Shepherd for his hard work and his passion for service. I would also like to applaud his retirement.

Major Shepherd has diligently served as Deputy Director for the Dallas Independent School District's Office of the Director of Army Instruction. His commitment spans many years, beginning with his commission as an Infantry Officer in 1974 from Prairie View A&M University. His service record reflects the hard work, resolve, and passion that he continues to embody and practice to this day.

Since his initial commission, Major Shepherd has progressed through the ranks. Following his graduation as an Airborne Ranger

and a Distinguished Military Graduate he attended the United States Infantry Basic Officer's Course at Ft. Benning Georgia. He first served in the 1st Cavalry Division at Ft. Hood, Texas, and then served in the 2nd Infantry Division in the Republic of Korea. Major Shepherd also served as an Assistant Professor of Military Science at Alcorn State University, as a Project Officer, as a Director of Plans, Training, and Mobilization, as a Logistical Planning Officer for the 1st Cavalry, as an Executive Officer 15th Forward Support Battalion for the 1st Cavalry Division, and as a Director Resident Training Detachment. He finally retired from the U.S. Army after more than 18 years of service. Following his first retirement, Major Shepherd joined the Dallas Independent School District in 1995 serving as the Senior Army Instructor for Franklin D. Roosevelt High School. During his tenure he has received many notable recognitions and awards. From serving the country to serving his community, Major Shepherd's accomplishments have been well noted and appreciated.

His passion and drive are commendable. In our rapidly shifting world and fast-paced lifestyles it is always impressive to find someone like Major Shepherd that gives so generously of their time and effort to positively impact the lives of the people of Texas.

As we reflect on all of Major Shepherd's achievements, it is important to acknowledge that his belief in giving to those around him comes from the genuine patriotism and determination of a remarkable man. I want to express my heartiest congratulations and thanks to Major Morris Shepherd on his outstanding accomplishments, and for his immense contribution to our great country and to the State of Texas.

RECOGNIZING THE 75TH ANNIVERSARY OF THE OLD DOMINION BAR ASSOCIATION

HON. ROBERT C. "BOBBY" SCOTT

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 21, 2015

Mr. SCOTT of Virginia. Mr. Speaker, I rise today to recognize the 75th Anniversary of the Old Dominion Bar Association (ODBA), of which I am proud to be a member. Members will be gathering next week in Glen Allen, Virginia for their annual conference and to celebrate this historic milestone.

The ODBA traces its history to a December 1940 incident where an African American lawyer was asked to move to another section of the law library of the Virginia Supreme Court of Appeals. Frederic Charles Carter, Esq. was working in the law library when he was ordered to move to another section because of an alleged new Supreme Court policy limiting African American attorneys to a specific section of the law library. Carter refused to move and the head librarian summoned a police officer to demand Carter see him in his office. Carter later inquired in a letter to the Chief Justice whether the court had indeed issued a new policy relegating African American lawyers to a special section of the law library.

Several months passed with no response from the Court, so Carter began reaching out to fellow African American Attorneys in the Commonwealth of Virginia, including R. H. Cooley, Jr. of Petersburg. Cooley also contacted colleagues in Norfolk, Newport News, and Portsmouth, as well as at the Howard University School of Law, to discuss the need to organize a bar association in Virginia specifically for African American attorneys.

Throughout 1941, Cooley and the following individuals met to organize the ODBA: J. Thomas Hewin, Sr., Roland D. Ealey, James T. Carter, Fredric Charles Carter, J. Byron Hopkins and Oliver W. Hill of Richmond; W. S. Duiguid of Lynchburg; Martin A. Martin of Danville; Thomas W. Young and J. Eugene Diggs of Norfolk; James Raby of Alexandria; and L. Marian Poe of Newport News.

The organizational meeting for the ODBA was set for April 12, 1942 in Richmond. Twenty-five attorneys attended the organizational meeting where they elected their inaugural officers: Oliver W. Hill, President; L. Marian Poe, Secretary; Martin A. Martin, Vice-President; and James M. Morris (of Staunton), Treasurer.

On May 21, 1942, the new association met again to adopt their constitution and set an annual membership fee of $4.50. Some balked at the cost which prompted Oliver Hill to include the following message on organization notices: ''If you are very, very busy—we need you. If you don't think you can afford it, you need us.''

As America became increasingly involved in World War II, many ODBA members, including its president Oliver W. Hill, entered military service to fight for our nation overseas. It was during this time that R. H. Cooley, Jr. became the organization's acting president. Throughout the war, he urged all members to ''keep abreast with service legislation in order to aid men and women in uniform and their families in matters pertaining to insurance, dependency allotments and any other phases necessary to solve their perplexing problems.'' Cooley also urged association members to help returning veterans, including volunteering their legal services when necessary.

By the war's end, there were forty-four active members of the association all across the Commonwealth, with local groups of ODBA members established in Richmond, on the Virginia Peninsula, in South Hampton Roads, and in Northern Virginia.

Originally organized to confront a discriminatory policy that offended the personal and professional dignity of members of the Virginia Bar, it has grown into an essential professional organization for African American attorneys practicing law in the Commonwealth of Virginia. It has not only provided positive professional relationships for its members and trained them to be effective advocates for their clients, but has also broken down barriers to membership and full participation for African American attorneys statewide and in the local bar associations and to their election as judges throughout Virginia. Moreover, its members have led the effort to desegregate America in all areas of public and private life, including education, employment, housing, and public accommodations.

Today, the ODBA continues its strong legacy of pursuing justice and ensuring its member lawyers hold themselves to the highest level of professional skill and conduct. The association holds numerous professional development seminars annually. And its members are very active in other national, state and local bar associations, as well as their local communities in general through community service and active civic engagement.

Mr. Speaker, as the Old Dominion Bar Association gathers in Glen Allen next week for its annual meeting, I wish to congratulate the association's current president, Helivi L. Holland, Esq., and all its members, past and present, on this 75th anniversary and thank them for all that they have done and continue to do on behalf of the legal profession and the full participation of all in the life and bounties of the Commonwealth of Virginia and the nation as a whole.

HONORING CALIFORNIA'S GEOTHERMAL INDUSTRY

HON. MIKE THOMPSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 21, 2015

Mr. THOMPSON of California. Mr. Speaker, I rise today to honor California's Geothermal Industry as we celebrate Geothermal Awareness Month. It is important to recognize the success of existing geothermal facilities in California and the great value in promoting the development of new geothermal power, one of California's greatest natural resources.

Geothermal energy is an excellent source of clean, renewable energy that supports thousands of jobs across our district and state. Not only does the production of geothermal energy boost our economy and reduce our dependence on foreign oil, it provides counties with important royalty payments which they use to pay for important priorities like public safety, road maintenance and law enforcement. Furthermore, geothermal energy is critical to California's renewable and low carbon energy goals.

Geothermal energy is locally produced and boosts rural economies through jobs, royalties, tax payments and more. While in development, a geothermal power project will employ hundreds of individuals during construction and post-construction, more than most other renewable technologies. I am proud to represent The Geysers, which lies beneath the surface of Lake and Sonoma Counties, employs 300 full-time employees at Calpine, fifty full-time employees at the Northern California Power Agency's two Geysers power plants and more than 150 contractors. The Geysers is also the largest taxpayer in both Sonoma and Lake Counties.

Geothermal power benefits communities across the state, while providing important environmental benefits. In the south, The Salton Sea Restoration and Renewable Energy Initiative, a plan to save an important source of water and minerals in the state, can add up to 1,700 megawatts of low-impact, cost-competitive geothermal energy to the State's power grid. In the north, the Geysers maximizes the economic and environmental benefits of the resource, and helps reduce greenhouse gas emissions to the equivalent of removing almost half a million cars from the road, meaning cleaner air for local towns and cities.

Mr. Speaker, it is appropriate at this time that we recognize May 21, 2015 as Geothermal Awareness Day and honor California's Geothermal Industry for ensuring that new and existing geothermal power is part of a diverse and sustainable energy mix now and in the future.

CELEBRATING THE PUBLIC SERVICE OF JOSEPH HOUCK

HON. LEONARD LANCE

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 21, 2015

Mr. LANCE. Mr. Speaker, I rise today to honor the distinguished public service of Joseph Houck, who retires after 30 years with the Summit Fire Department including seven years as Fire Chief and Director.

Chief Houck obtained an Associate in Applied Science Degree in Fire Science Technology from Union County College. He is a graduate of the National Fire Academy's Executive Fire Officer Program and also completed the New Jersey's Certified Public Manager Program and received a Bachelor of the Arts Degree in Public Administration from Fairleigh Dickinson University.

Chief Houck started with the Summit Fire Department in 1985 as a volunteer firefighter and became a career firefighter in 1987. Due to his dedication and skill he became a recognized leader in the department and was promoted to Lieutenant in 1995, Battalion Chief in 2000, Deputy Chief in 2005 and Chief and Director in 2008. In addition, Chief Houck served as a New Jersey State Fire Instructor and was the City of Summit's Fire Official.

During his accomplished tenure, Chief Houck achieved a number of significant accomplishments in service to the City of Summit and in the name public safety. The Summit Fire Department was accredited by the Center on Fire Accreditation International—the only Fire Department in the state to earn such recognition—and the Department's reputation for professional and timely service improved under his stewardship. He managed numerous disaster responses, including Hurricane Sandy, and was a vital part of the City's emergency management team. His insight, guidance and experience proved extremely valuable during challenging times.

Chief Houck has also been a member of the New Jersey Career Fire Chiefs Association and has been its liaison to the New Jersey Office of Homeland Security and Preparedness Emergency Services Sector, a member of the International Association of Fire Chiefs and served on its Emergency Management Committee working on interstate mutual aid plans.

I wish Chief Houck many years of happiness in his retirement spent with his wife, Irene, and his children. I thank him for his dedicated public service.

HONORING THE LIFE OF BRUCE FARRIS

HON. JIM COSTA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 21, 2015

Mr. COSTA. Mr. Speaker, I rise today to honor the life and career of a local Fresno icon, Bruce Farris, who passed away on Wednesday, May 6, 2015 at the age of 88.

Bruce was born on March 25, 1927, in Coldwater, Michigan, to Ross and Ruth Farris. At the age of four, with the Great Depression limiting jobs, the family gathered their belonging and drove to California in their Hudson Essex automobile. They settled in Reedley and three years later moved to Fresno. There, Bruce attended Daily Elementary School, Hamilton Junior High, and graduated from Fresno High School in 1945. At Fresno High, Bruce played baseball, basketball, and most importantly, during his senior year, he wrote for the Fresno High Owl.

Following high school, Bruce attended Fresno State College for two years where he played basketball and wrote for the Daily Collegian as a reporter and an editor. After college, he worked for the Fresno Guide and the St. Louis Cardinals organization. At the age of 21, he was hired by the Fresno Bee. His career began by reporting on Fresno State athletics, and later expanded to a broader range of sporting events. What distinguished Mr. Farris from other reporters, and what made his career so impressive, was his enthusiasm for his job and his love for all sports. Additionally, Mr. Farris was unbiased and fair, making it a point to report objectively.

While working at the Fresno Bee, Bruce worked with a secretary named Barbara Harper, whom he married in 1955. Bruce and Barbara had three children, Greg, Nancy, and Sandra. They raised their children in a home on First Street, and opened their door to many, from people from church, to neighborhood kids, and friends, relatives, and foreign exchange students. Everyone was welcome in their home at any time.

In 1997, Mr. Farris was inducted into the Fresno Athletic Hall of Fame after decades of covering Fresno State athletics. Afterwards, Mr. Farris went on to report for the Fresno Bee as the newspaper's outdoors and golf writer. He worked at the Fresno Bee for 23 years before retiring in December 2002. Bruce had a truly amazing 52 year long career.

According to his daughter Nancy, Mr. Farris was defined by his faith, love of family, and love of sports, three things which led him to be such a great man. Mr. Farris' loss is heartbreaking for Fresno, and his passing will be felt by the many friends that he has gained throughout the years. Everyone that knew Mr. Farris describes him as a kind man who truly cared for others, and who was respected by everyone who had the honor of knowing him.

Mr. Farris' wife, Barbara, died in 2007. He is survived by his one son, Greg, two daughters, Nancy and Sandra, nine grandchildren, and one great-grandchild on the way. Mr. Speaker, it is with the utmost respect that I ask my colleagues to join me in honoring the wonderful life and distinguished career of Bruce Farris. Mr. Farris' passing is a loss to our community. While his presence will be greatly missed, his legacy will continue through his writing.

MATTHEW GOELLNER

HON. STEVEN M. PALAZZO

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 21, 2015

Mr. PALAZZO. Mr. Speaker, I would like to take this opportunity to recognize Mr. Matthew Goellner as a member of the United States Air Force Academy Class of 2015.

Matthew will graduate from the U.S. Air Force Academy as a Second Lieutenant in the United States Air Force on May 28, 2015.

His career in the service has just begun, but it is a testament to Matthew's unselfish devotion to the people of this great nation. The challenges will be many and the time, although it may seem like an eternity, will fly by almost unnoticed.

The challenge for this young man will be to retain as much as possible, pass on what he learns to others, and live life for every moment.

South Mississippi is proud of Matthew and his accomplishments, and we look forward to him continuing to represent not only Mississippi, but the entire nation, as a United States Air Force officer.

As Matthew embarks on a new chapter in life, it is my hope that he may always recall with a deep sense of pride and accomplishment graduating from a program as prestigious as the Air Force Academy.

I would like to send Matthew my best wishes for continued success in his future endeavors, thank him for his service, and congratulate him on this momentous occasion.

TRIBUTE TO PUBLISHER DOROTHY LEAVELL AND THE CHICAGO CRUSADER NEWSPAPER ON ITS 75TH YEAR ANNIVERSARY

HON. DANNY K. DAVIS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 21, 2015

Mr. DANNY K. DAVIS of Illinois. Mr. Speaker, the Chicago Crusader Newspaper is celebrating its 75th year Anniversary with a festive gala on June 5th, 2015 at the Loews Chicago Hotel and I take this opportunity to commend and congratulate them for 75 years of pleading the cause for Black America. To maintain itself for 75 years as a free and independent Black oriented publication is indeed a great business accomplishment.

The Chicago Crusader's mission has not changed since it was established by Mrs. Leavell's late husband, Balm M. Leavell and his late partner Mr. Joseph H. Jefferson. The Chicago Crusader was founded in 1940, was published in the Ida B. Wells Housing Development and financed with donations.

Mrs. Dorothy Leavell has worked at the Crusader for more than fifty years and has been

editor and publisher, for forty-seven years since the death of her late husband. The Chicago Crusader Newspaper and Mrs. Dorothy Leavell affectionately known to "tell it like it is". In 1941, the Chicago Crusader acquired the Gary Crusader and they are recognized as one of Chicago and Gary's most successful Black owned business enterprises.

The Chicago/Gary Crusader maintains its roots in the heart of the Black community with its headquarters being located in the 6400 Block of South King Drive in Chicago. Mrs. Dorothy Leavell is a stalwart member and leader of the National Newspaper Publishers Association, has served as Chairman of the National Black Chamber of Commerce, is a patron of the Arts and a Crusader for Civil Rights, equal opportunity and equal justice for all.

We salute you Chicago/Gary Crusader, we salute you Mrs. Dorothy Leavell, may you and the Crusader forever live.

HONORING YOUNTVILLE CEMETERY ASSOCIATION

HON. MIKE THOMPSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 21, 2015

Mr. THOMPSON of California. Mr. Speaker, I rise today to recognize Lee Hart and the Yountville Cemetery Association, caretakers for the George C. Yount Pioneer Cemetery in Napa County. The cemetery is named after George C. Yount, an early settler, who was also the first person to plant grapevines in the Napa Valley.

Yount himself was buried in the cemetery in 1865 before it was purchased by his son-in-law to be preserved for future generations. The Yountville Cemetery Association was created in 1892, and took on the responsibility for its upkeep and preservation. By 1959, California recognized the cemetery as a state historical landmark. The cemetery is the final resting place for over one hundred of our nation's veterans and their families, and also includes historic Native American burial grounds.

The association's all-volunteer staff continues to maintain the grounds year-round, along with responding to family requests and handling the few burials that still occur there each year. This year marks 150 years since Yount's passing and 50 years since Lee Hart joined the Association Board as its President.

Mr. Hart is a local historian and authority on Yount's history and has been volunteering at the George C. Yount Cemetery and Ancient Burial Grounds for 50 years. In 1965, the organization lacked organization and volunteers. Hart decided to help create a new board with by-laws and fifty years later continues volunteering. Hart was just 25 years old when he lost his parents three months apart in 1965. His mother's family, long time Yountville residents, were buried in the Yountville Cemetery. As such, Hart made the decision to bury his parents in Yountville.

Mr. Speaker, it is fitting and proper that we honor Lee Hart and the Yountville Cemetery Association at this time. Their commitment to maintaining the George C. Yount Pioneer Cemetery has preserved an important part of Napa and California's history.

THE UNITED STATES' COMMITMENT TO FIGHT AGAINST VIOLENT EXTREMISTS

HON. TED POE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 21, 2015

Mr. POE of Texas. Mr. Speaker, April 2nd was expected to be just another day at Garissa University College in Kenya. But in the early morning hours, students awoke in terror as armed gunman stormed the campus. They claimed to be militants from Al-Qaeda's offshoot—Al-Shabaab.

The students' fate was determined by their religion. The terrorists allowed Muslims to leave and kept an unknown number of Christians hostage. After nearly 15 hours of fear, 147 people were killed.

Groups like Al-Shabaab, ISIS, Boko Haram, and many more allow for no compromise and are intent on spreading oppression and fear amongst those who do not share their ideology.

I commend the first responders and ordinary Kenyans who showed tremendous heroism that day, and my deepest condolences go out to the families and victims of this senseless attack.

H. Res. 213 reaffirms United States' commitment to the multilateral, global fight against violent extremists.

We must be vigilant in this fight, and we must allow for no compromise when there are threats to freedom.

And that's just the way it is.

HONORING GRANGER MIDDLE SCHOOL

HON. BILL FOSTER

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 21, 2015

Mr. FOSTER. Mr. Speaker, I rise today to recognize Granger Middle School in Aurora, Illinois, for being named an Illinois Horizon School to Watch by the Association of Illinois Middle-Grade Schools.

The Association of Illinois Middle-Grade Schools recognizes educational programs that promote quality and fairness in order to provide educators, parents, and students with the best learning environment possible. Alongside the National Forum to Accelerate Middle-Grade Reform, the Association of Illinois Middle-Grade Schools designates certain institutions that fit these criteria as an Illinois Horizon School to Watch.

Granger Middle School was included for the second time on this list because the faculty, staff, and students have consistently demonstrated outstanding academic achievement, sensitivity to the needs of their students, and a commitment to creating equal opportunity in the classroom. Additionally, Granger Middle School's dedicated faculty and involved parents make them one of the best middle schools in the state of Illinois. These qualities create not only a terrific educational experience inside the classroom, but also produce a community that supports and encourages students long after their time at Granger is complete.

Congratulations to Granger Middle School for being named an Illinois Horizon School to Watch.

INTRODUCTION OF SIMON WIESENTHAL HOLOCAUST EDUCATION ASSISTANCE ACT

HON. CAROLYN B. MALONEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 21, 2015

Mrs. CAROLYN B. MALONEY of New York. Mr. Speaker, I am proud to rise today to introduce the Simon Wiesenthal Holocaust Education Assistance Act.

This important bill will support efforts around the country to increase awareness and understanding of the Holocaust through educational programs. States across the country encourage their schools to teach about the atrocities of the Holocaust, and this bill will enhance these efforts through targeted grants to nonprofit educational organizations to support teacher training, student field trips, and the development of high-quality educational materials.

A Pew Research Center report published earlier this year found that the harassment of Jews worldwide reached a seven-year high in 2013, and violent anti-Semitic attacks across Europe last year highlight that intolerance persists even in the 21st century. Programs supported by this legislation will help students learn the consequences of intolerance to work towards unity and peace.

I hope my colleagues will join me to support the Simon Wiesenthal Holocaust Education Assistance Act.

IN RECOGNITION OF BOBBIE STEEVER, RECIPIENT OF THE GREATER WILKES-BARRE SALVATION ARMY OTHERS AWARD

HON. MATT CARTWRIGHT

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 21, 2015

Mr. CARTWRIGHT. Mr. Speaker, I rise today to honor Bobbie Steever, who is receiving the Greater Wilkes-Barre Salvation Army Others Award.

Since retiring from Bell of America in 1991, Mrs. Steever refused to let retirement slow her down. She has worked for several companies and organizations including Trade Eastern, Inc., Lewith & Freeman Real Estate, and Penn State Wilkes-Barre. Following her time at Penn State, she spent 15 years with TRR & Associates as a professional consultant in fundraising, events planning, and public relations. Today, she serves as the Executive Director of Community Services for TFP Limited,

a real estate development and management company.

Driven by a genuine passion to serve others, Mrs. Steever's outreach to the community began many years ago serving as Chair of Bell's Community Relations Service Team. She has served as chair, board member, solicitor, and friend of several local non-profits, including the Osterhout Library, Back Mountain Memorial Library, Catherine McAuley House, Family Service Association of Wyoming Valley, Luzeme County Community College, Penn State Wilkes-Barre, Wyoming Valley United Way, Association for the Blind, American Heart Association, and the Salvation Army. In 2010, the Times Leader newspaper recognized Mrs. Steever as one of the Great Women of Northeast Pennsylvania for her accomplishments in the workplace and in her community.

Mrs. Steever also served with the Salvation Army's Wilkes-Barre Corps for nine years, where she repeatedly proved her ability to effectively orchestrate their Annual Community Award Dinners, raising approximately $1,300,000 for the Kirby Health Center Family House, a transitional housing program for homeless families.

It is a distinct honor to congratulate Bobbie Steever on receiving the Greater Wilkes-Barre Salvation Army Others Award, and I commend her for the many years of dedicated service she provided to our local community. Her work on behalf of others serves as an inspiration for all of us.

DEVELOPMENTS IN RWANDA

HON. CHRISTOPHER H. SMITH

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 21, 2015

Mr. SMITH of New Jersey. Mr. Speaker, in 1994, the east African nation of Rwanda experienced one of the most horrific genocides in modern times. An estimated 800,000 Rwandans—mostly ethnic Tutsis and moderates among the ethnic Hutus were brutally murdered in a state-backed extermination campaign that lasted for months.

Hutu-Tutsi tensions date back to colonial times, when the Belgians created a superior class composed of Tutsis, shutting out Hutus from government jobs and higher education despite Hutus comprising about 85% of the population. In 1959 and 1960, tensions among the Hutus exploded in a campaign that left 20,000 Tutsis dead and created 300,000 Tutsi refugees.

As with this earlier genocide, the international community watched largely from the sidelines during the 1994 genocide in Rwanda as the death toll rose from April until July of that year until the Rwandan Patriotic Front or RPF defeated the Hutu-led government military. More than two million mostly-Hutu refugees flooded into the Democratic Republic of the Congo, leading to continuing problems in that country. The RPF-led Rwandan government has criticized the United Nations for sheltering Hutu participants in the genocide and for allowing them to arm in refugee camps.

Over the years, the RPF has used the guilt of the international community as a shield to prevent criticism of its action. U.N. Ambassador Samantha Power referred to Ambassador Susan Rice and her colleagues in the Clinton administration in the 1990s as Bystanders to Genocide. She quotes Rice in the 2002 book as saying, ''If we use the word 'genocide' and are seen as doing nothing, what will be the effect on the November congressional election?'' Part of Rice's team during those years was Gayle Smith, current nominee to head the U.S. Agency for International Development.

As far back as May 1998, I chaired a hearing that included testimony about the willful U.S. neglect in preventing the Rwandan genocide. As recounted in an issue of the New Yorker magazine at the time, a high-ranking Rwandan informant had warned the U.N. leadership, including Kofi Annan, and the United States about preparations for killings 3 months before they began. The recipients apparently did not act on that information.

Furthermore, the United States has been accused not merely of inaction, but also of obstructing preemptive multilateral efforts to quell the crisis. Some have alleged that, in the words of Refugees International president Lionel Rosenblatt, ''The ball was not only dropped by the United States, it was blocked by the United States.''

Paul Kagame, now President of Rwanda, was hailed as one of ''Africa's new leaders'' by Rice and her team during the 1990s, and there has been no apparent change in their high opinion of him since then despite what Deputy Assistant Secretary Robert Jackson describes as several public administration statements related to human rights concerns and ongoing dialogue with the Rwandan government.

Kagame has been considered a hero on the international stage, and has long been immune to public criticism. However, human rights reports about abuses in Rwanda have grown over the years. The most recent State Department human rights report about Rwanda accuses the government of ''targeting of political opponents and human rights advocates for harassment, arrest and abuse.'' Many observers note the constraints on freedom of expression that criminalizes public criticism of the RPF and its policies, as well as outlawing public discussion of ethnic issues. In that vein, the RPF has used charges of ''genocide ideology'' and ''divisionism'' as well as national security concerns, to justify prosecution of opposition political figures and journalists and prevent human rights organizations from reporting on events in their country.

In recent years, there are credible reports that the RPF government has commissioned assassins to kill dissidents living in exile who criticize the government or attempt to form political associations or parties.

Several years ago, our committee Chairman ED ROYCE was told by Paul Russessabegina of Hotel Rwanda fame that the Rwandan Government had targeted him and was behind several attempts on his life in Belgium.

In early 2014, former Rwandan intelligence chief Patrick Karegeya who had been living in exile in South Africa, was found murdered in his hotel room in Johannesburg.

Karegeya was one of two dissidents, one of the witnesses at a hearing I held yesterday—former Rwandan Major Robert Higiro—says he was asked to have killed. The assassination plot he revealed was investigated and substantiated in a series of articles in Canada's Globe and Mail newspaper, which interviewed Rwandan exiles in South Africa and Belgium.

Since 2012, I have chaired a series of hearings on the violence perpetrated by various militias in eastern DRC. Perhaps the best known of them, the so-called M23, was supported by Rwanda. This Congress has enacted restrictions on some military assistance to Rwanda in response to its involvement in militia activity in the DRC and involvement in resource smuggling from that country, as uncovered in several U.N. reports.

These charges of serious human rights and other abuses would be troubling in any case, but Rwanda is a country that has enjoyed significant U.S. and international support. By largely avoiding criticism of Rwandan human rights issues, the Bush and Obama administrations raised appropriations to Rwanda from $39 million in FY2003 to $188 million in FY2014. This largely has involved funding of health, food security and other socioeconomic projects, as well as support for Rwandan participation in international peacekeeping.

Rwanda is the sixth largest troop and police contributing country in the U.N., with more than 4,000 troops, more than 400 police, and 13 military observers in seven U.N. missions, including: the African Union-United Nations Hybrid Operation in Darfur (UNAMID); the U.N. Mission in South Sudan (UNMISS); the U.N. Stabilization Mission in Haiti (MINUSTAH); the U.N. Mission in Liberia (UNMIL); the U.N. Interim Security Force in Abyei (UNISFA); the U.N. Operation in Côte d'Ivoire (UNOCI), and the U.N. Integrated Peace-building Office in Guinea-Bissau (UNIOGBIS).

Rwanda, due to donor aid, political stability and favorable investor policies, has grown by an average of 8% annually over the past decade. It is considered one of the recipient countries most able to achieve results from aid programs. Yet donors began reducing or redirecting funds in 2012 because of Rwanda's role in supporting M23. The growing reports of human rights abuses also are leading to greater caution among donor nations about directly supporting the Rwandan Government.

LONG TERM FUNDING FOR HIGHWAY TRUST FUND

HON. TERRI A. SEWELL

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 21, 2015

Ms. SEWELL of Alabama. Mr. Speaker, today, I rise in support of a long-term surface transportation bill.

Right now Americans are looking to Congress for REAL bipartisan solutions to fund and upgrade our deteriorating infrastructure system. As hard as it may be, as uncomfortable and contentious as the debates may become, it's time to for us to move past the

senseless chatter and to stop kicking the can down the road.

We must get serious about fixing America's infrastructure and establishing long-term funding for the Highway Trust Fund. This is not the time for partisan politics. We need to work together for the benefit of the men and women who sent us here.

Yesterday, the House passed a bill that was nothing more than another "Band-Aid" for a much larger problem. The American Society of Civil Engineers estimates that 1 out of every 9 bridges in the U.S. is structurally deficient, and gave our overall infrastructure a "D−."

An alarming 54 percent of all major U.S. roads are in poor or mediocre condition, and these roads account for 1 in 3 fatal traffic accidents. In my home state of Alabama alone, driving on roads in need of repair cost motorists $1.2 billion a year.

Now is the time for a lasting solution to this important issue. Yet, here we are, at the end of May, and we are no closer to crafting a long-term solution to invest in our roads, bridges, and rails than we were this time last year.

The benefits to investing in our highways, bridges, railroads, and other transit systems are clear. By building the infrastructure of tomorrow, we would create thousands of good-paying jobs that help more hard-working Americans earn a living.

A solid transportation system is necessary to quickly move goods, which will help further grow our economy. This is vital if America is to compete in the 21st century global marketplace.

I urge my colleagues to work together to develop a long-term plan that will improve our aging infrastructure, encourage job creation, and strengthen our nation's economic development.

IN HONOR OF SSGT MICHAEL WAYNE SCHAFER

HON. ROBERT J. WITTMAN

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 21, 2015

Mr. WITTMAN. Mr. Speaker, I rise today in honor of a real American Hero, SSGT Michael Schafer of the United States Army, 2nd BATTALION, 173 Airborne. Mike served in Kosovo, Iraq, and Afghanistan. He received the Bronze Star, the Purple Heart, and the Silver Star. Michael was killed in Oruzgan in combat on July 25, 2005 as part of a quick response team while helping fellow soldiers under fire. He is survived by his wife Danielle, son Devin, his mother Karen and step-father Daniel Barr, his father Mark Schafer, retired Navy of Williamsburg, his sister Sarah, and two brothers, Mark Schafer and Timothy Barr. Today and every day let us all remember all of those selfless heroes like Michael and their families who give that last full measure in the name of freedom. Michael wanted to become a Ranger, but due to a loss of hearing in combat, was told he should retire. Instead, he chose to return to his brothers in combat and died on his last tour. Albert Caswell penned the following poem, "Our America's Son", in honor of Michael Schafer this Memorial Day.

"Our, America's Son
this chosen one
Of warm heart and steal,
who to us all has so revealed
How it is on earth,
as it is in heaven as they will be done.
Who so gave that full measure.
The greatest of all possible treasures,
as did America's Son
As now we all so weep
As all in our heart's Michael you we keep,
oh so very deep.
As we remember what to all of us what you'd so teach
About life and death,
all in honor's quest . . . for all your brothers in arms you'd seek . . .
As you were a man of actions and deeds
All else supersedes
Could all our hearts as high yours exceed?
But for the greater good,
in all you could.
Now all in our grief.
Now all in our loss we seek.
Of such cost it reaps.
This pain to ease.
As to us now all so speaks.
For your life was Army Strong.
For magnificent men like you Mike,
all live ever after in history like a song.
Whose courage forever rings loud and long.
As but The Best of the Best.
Because moments are all we have.
Just minutes to turn good from bad.
And now we lay your fine body down to sleep.
All in our hearts now so very deep.
And across Williamsburg tonight
There comes a gentle rain
Comes our Lord's tears to so help to ease your families pain
To wash down upon you to remain
Until, once again up in Heaven you will all meet again,
and you won't have to cry no more
And hush little baby don't you cry,
because one day up in heaven you will look into your father's eyes
And remember he is with you this day by your side.
And you too Danielle his lovely wife, must somehow find the strength to start a new life
And all of his family find peace all in his light.
Now rest my son,
your war is over on earth, is done.
And rise up for your new battle begun.
As an Angel in the Army of our Lord
To watch over us ever more.
For Michael you are now so one.
At Ease, America's Son!"

HOUSE OF REPRESENTATIVES—*Friday, May 22, 2015*

The House met at 2:30 p.m. and was called to order by the Speaker pro tempore (Mr. WOMACK).

DESIGNATION OF THE SPEAKER PRO TEMPORE

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

WASHINGTON, DC,
May 22, 2015.

I hereby appoint the Honorable STEVE WOMACK to act as Speaker pro tempore on this day.

JOHN A. BOEHNER,
Speaker of the House of Representatives.

PRAYER

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

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

You have blessed us with all good gifts, and with thankful hearts we express our gratitude. In this moment of prayer, please grant to the Members of this people's House, as they meet with their respective constituents, the gifts of wisdom and discernment, that in their words and actions they will do justice, love with mercy, and walk humbly with You.

On this weekend especially, we remember those men and women who have given their lives in service to our country. Bless them with everlasting peace, and give consolation and peace to those who mourn them.

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

Amen.

THE JOURNAL

The SPEAKER pro tempore. Pursuant to section 5(a) of House Resolution 273, the Journal of the last day's proceedings is approved.

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentleman from Colorado (Mr. POLIS) come forward and lead the House in the Pledge of Allegiance.

Mr. POLIS led the Pledge of Allegiance as follows:

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

COMMUNICATION FROM THE CLERK OF THE HOUSE

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

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, May 22, 2015.

Hon. JOHN A. BOEHNER,
The Speaker, U.S. Capitol, House of Representatives, Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on May 22, 2015 at 9:12 a.m.:

That the Senate passed without amendment H.R. 1690.

Appointments:

Board of Visitors of the U.S. Coast Guard Academy.

Commission on Care.

Congressional Award Board.

Board of Visitors of the U.S. Military Academy.

Board of Regents of the Smithsonian Institution.

Board of Visitors of the U.S. Air Force Academy.

Board of Visitors of the U.S. Naval Academy.

With best wishes, I am

Sincerely,

KAREN L. HAAS.

COMMUNICATION FROM THE CLERK OF THE HOUSE

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

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, May 22, 2015.

Hon. JOHN A. BOEHNER,
The Speaker, U.S. Capitol, House of Representatives, Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on May 22, 2015 at 9:43 a.m.:

That the Senate passed S. 261.

That the Senate passed S. 612.

That the Senate passed S. 501.

With best wishes, I am

Sincerely,

KAREN L. HAAS.

PUBLICATION OF BUDGETARY MATERIAL

STATUS REPORT ON CURRENT SPENDING LEVELS OF ON-BUDGET SPENDING AND REVENUES FOR FY 2015, 2016 AND THE 10-YEAR PERIOD FY 2016 THROUGH FY 2025

HOUSE OF REPRESENTATIVES,
COMMITTEE ON THE BUDGET,
Washington, DC, May 22, 2015.

Hon. JOHN A. BOEHNER,
Speaker, House of Representatives, Washington, DC.

Mr. TOM PRICE of Georgia. Mr. Speaker, to facilitate application of sections 302 and 311 of the Congressional Budget Act, I am transmitting an updated status report on the current levels of on-budget spending and revenues for fiscal years 2015, 2016, and for the 10-year period of fiscal years 2016 through 2025. This status report is current through May 15, 2015. The term ''current level'' refers to the amounts of spending and revenues estimated for each fiscal year based on laws enacted or awaiting the President's signature.

Table 1 in the report compares the current levels of total budget authority, outlays, and revenues to the overall limits, as adjusted, that were filed in the Congressional Record on April 29, 2014 for fiscal year 2015, and to those limits contained in the conference report on S. Con. Res. 11, as agreed to on May 5, 2015, for fiscal year 2016 and for the 10-year period of fiscal years 2016 through 2025. This comparison is needed to implement section 311(a) of the Congressional Budget Act, which creates a point of order against measures that would breach the budget resolution's aggregate levels. The table does not show budget authority and outlays for years after fiscal year 2016 because appropriations for those years have not yet been considered.

Table 2 compares the current levels of budget authority and outlays for legislative action completed by each authorizing committee with the ''section 302(a)'' allocations filed on April 29, 2014 for fiscal year 2015, and to those limits contained in the conference report on S. Con. Res. 11, as agreed to on May 5, 2015, for fiscal year 2016 and for the 10-year period of fiscal years 2016 through 2025. For fiscal year 2015, ''legislative action'' refers to legislation enacted after the adoption of the levels set forth in the Congressional Record on April 29, 2014. For fiscal year 2016 and the 10-year period of fiscal years 2016 through 2025, ''legislative action'' refers to legislation enacted after the adoption of the levels set forth in the conference agreement on S. Con. Res. 11. This comparison is needed to enforce section 302(f) of the Congressional Budget Act, which creates a point of order against measures that would breach the section 302(a) allocation of new budget authority for the committee that reported the measure. It is also needed to implement section 311(b), which exempts committees that comply with their allocations from the point of order under section 311(a).

Tables 3 and 4 compare the current status of discretionary appropriations for fiscal years 2015 and 2016 with the ''section 302(b)'' suballocations of discretionary budget authority and outlays among Appropriations subcommittees. The comparison is needed to enforce section 302(f) of the Congressional Budget Act because the point of order under that section equally applies to measures that would breach the applicable section 302(b) suballocation The tables also provide supplementary information on spending in excess of the base discretionary spending caps allowed under section 251(b) of the Budget Control Act.

Table 5 compares the levels of changes to mandatory programs (CHIMPs) contained in appropriations acts with the permissible limits on CHIMPs as specified in sections 3103 and 3104 of S. Con. Res. 11. The comparison is

needed to enforce a point of order established in S. Con. Res. 11 against fiscal year 2016 appropriations measures containing CHIMPs that would breach the permissible limits for fiscal year 2016.

Tables 6 and 7 display the current level of advance appropriations for fiscal years 2016 and 2017, respectively, of accounts identified for advance appropriations under section 601 of H. Con. Res. 25 (113th Congress), in force and effect pursuant to H. Res. 5 (114th Congress), and under section 3304 of S. Con. Res. 11. These tables are needed to enforce a point of order against appropriations bills containing advance appropriations that are: (i) not identified in the statement of managers or (ii) would cause the aggregate amount of such appropriations to exceed the level specified in the budget resolution.

In addition, letters from the Congressional Budget Office are attached that summarize and compare the budget impact of enacted legislation that occurred after adoption of the budget resolution against the budget resolution aggregates in force.

If you have any questions, please contact Jim Herz or Jim Bates at (202) 226–7270.

Sincerely,

TOM PRICE, M.D.,
Chairman.

TABLE 1—REPORT TO THE SPEAKER FROM THE COMMITTEE ON THE BUDGET, STATUS OF THE FISCAL YEAR 2015, 2016, AND 2016–2025 CONGRESSIONAL BUDGET, REFLECTING ACTION COMPLETED AS OF MAY 15, 2015

[On-budget amounts, in millions of dollars]

	Fiscal Year 2015 [1]	Fiscal Year 2016 [2]	Fiscal Years 2016–2025
Appropriate Level:			
Budget Authority	3,033,319	3,039,215	n.a.
Outlays	3,027,686	3,091,442	n.a.
Revenues	2,535,978	2,676,733	32,237,371
Current Level:			
Budget Authority	3,028,949	2,146,257	n.a.
Outlays	3,038,932	2,564,163	n.a.
Revenues	2,454,602	2,676,733	32,237,371
Current Level over (+) / under (−)			
Appropriate Level:			
Budget Authority	−4,370	−892,958	n.a.
Outlays	+11,246	−527,279	n.a.
Revenues	−81,376	0	0

n.a. = Not applicable because annual appropriations Acts for fiscal years 2016 through 2024 will not be considered until future sessions of Congress.

[1] Section 115(b) of the Bipartisan Budget Act of 2013 (BBA) required the Chairman of the Committee on the Budget in the House of Representatives to file aggregate budgetary levels for fiscal year 2015 for purposes of enforcing section 311 of the Congressional Budget Act of 1974. The spending and revenue aggregates for fiscal year 2015 were filed on April 29, 2014. The current level for this report begins with the budgetary levels filed on April 29, 2014, as adjusted, and makes changes to those levels for enacted legislation.

[2] The FY2016 Concurrent Resolution on the Budget was agreed to in S. Con. Res. 11 and the accompanying report, H. Rept. 114–96. The current level for this report is measured relative to the on-budget levels filed in H. Rept. 114–96.

TABLE 2—DIRECT SPENDING LEGISLATION COMPARISON OF AUTHORIZING COMMITTEE LEGISLATIVE ACTION WITH 302(a) ALLOCATIONS FOR BUDGET CHANGES, REFLECTING ACTION COMPLETED AS OF MAY 15, 2015

[Fiscal Years, in millions of dollars]

House Committee	2015		2016		2016–2025	
	BA	Outlays	BA	Outlays	BA	Outlays
Agriculture:						
302(a) Allocation	0	0	−1,645	−347	−302,149	−300,020
Legislative Action	+263	+238	0	0	0	0
Difference	+263	+238	+1,645	+347	+302,149	+300.020
Armed Services:						
302(a) Allocation	0	0	0	0	0	0
Legislative Action	−121	−104	0	0	0	0
Difference	−121	−104	0	0	0	0
Education and the Workforce:						
302(a) Allocation	0	0	−10.633	−5,017	−249,574	−229,658
Legislative Action	0	0	0	0	0	0
Difference	0	0	+10,633	+5,017	+249,574	+229.658
Energy and Commerce:						
302(a) Allocation	0	0	−54,654	−49,173	−1,379,704	−1,369,488
Legislative Action	+6.935	+6,935	0	0	0	0
Difference	+6,938	+6,935	+54,654	+49,173	+1,379,704	+1,369,488
Financial Services:						
302(a) Allocation	0	0	−7,334	−6,712	−62,254	−62,056
Legislative Action	+121	+121	0	0	0	0
Difference	+121	+121	+7,334	+6,712	+62,254	+62,056
Foreign Affairs:						
302(a) Allocation	0	0	0	0	0	0
Legislative Action	0	0	0	0	0	0
Difference	0	0	0	0	0	0
Homeland Security:						
302(a) Allocation	0	0	−180	−180	−19,470	−19,470
Legislative Action	0	0	0	0	0	0
Difference	0	0	+180	+180	+19,470	+19,470
House Administration:						
302(a) Allocation	0	0	−31	−2	−298	−53
Legislative Action	0	0	0	0	0	0
Difference	0	0	+31	+2	+298	+53
Judiciary:						
302(a) Allocation	0	0	−14,419	−868	−24,949	−23,055
Legislative Action	0	0	0	0	0	0
Difference	0	0	+14,419	+868	+24,949	+23,055
Natural Resources:						
302(a) Allocation	0	0	−569	261	−32,678	−32,483
Legislative Action	+98	+94	0	0	0	0
Difference	+98	+94	+569	+261	+32,678	+32,483
Oversight and Government Reform:						
302(a) Allocation	0	0	−9,188	−9,026	−193,961	−193,896
Legislative Action	0	0	0	0	0	0
Difference	0	0	+9,188	+9,026	+193,961	+193,896
Science, Space and Technology:						
302(a) Allocation	0	0	0	0	0	0
Legislative Action	0	0	0	0	0	0
Difference	0	0	0	0	0	0
Small Business:						
302(a) Allocation	0	0	0	0	0	0
Legislative Action	0	0	0	0	0	0
Difference	0	0	0	0	0	0
Transportation and Infrastructure:						
302(a) Allocation	0	0	−12,114	0	−197,706	0
Legislative Action	0	0	0	0	0	0
Difference	0	0	+12,114	0	+197,706	0
Veterans' Affairs:						
302(a) Allocation	0	0	−31	−31	−1,925	−1,925

TABLE 2—DIRECT SPENDING LEGISLATION COMPARISON OF AUTHORIZING COMMITTEE LEGISLATIVE ACTION WITH 302(a) ALLOCATIONS FOR BUDGET CHANGES, REFLECTING ACTION COMPLETED AS OF MAY 15, 2015—Continued

[Fiscal Years, in millions of dollars]

House Committee	2015		2016		2016–2025	
	BA	Outlays	BA	Outlays	BA	Outlays
Legislative Action	+1	+1	0	0	0	0
Difference	+1	+1	+31	+31	+1,925	+1,925
Ways and Means:						
302(a) Allocation	0	−15	−60,004	−59,704	−1,594,908	−1,594,408
Legislative Action	+330	+325	0	0	0	0
Difference	+330	+340	+60,004	+59,704	+1,594,908	+1.594,408

TABLE 3—DISCRETIONARY APPROPRIATIONS FOR FISCAL YEAR 2015—COMPARISON OF CURRENT STATUS WITH APPROPRIATIONS COMMITTEE 302(a) ALLOCATION AND APPROPRIATIONS SUBCOMMITTEE 302(b) SUB ALLOCATIONS AS OF MAY 15, 2015

[Figures in Millions] [1]

	302(b) Allocations H.Rept. 113–474		302(b) for GWOT		Current Status General Purpose [1]		Current Status GWOT		General Purpose less 302(b)		GWOT less 302(b)	
	BA	OT	BA	OT	BA	OT	BA	OT	BA	OT	BA	OT
Agriculture, Rural Development, FDA	20,880	21,716	0	0	20,666	21,603	0	0	−214	−113	0	0
Commerce, Justice, Science	51,200	61,518	0	0	50,103	61,099	0	0	−1,097	−419	0	0
Defense	490,944	522,774	79,445	36,839	490,194	520,271	64,000	30,476	−750	−2,503	−15,445	−6,363
Energy and Water Development	34,010	37,831	0	0	34,202	38,061	0	0	+192	+230	0	0
Financial Services and General Government	21,285	22,750	0	0	21,820	23,158	0	0	+535	+408	0	0
Homeland Security	45,658	44,712	0	0	46,108	45,339	213	170	+450	+627	+213	+170
Interior, Environment	30,220	30,191	0	0	30,416	32,308	0	0	+196	+2,117	0	0
Labor, Health and Human Services, Education	155,702	159,922	0	0	158,247	169,426	0	0	+2,545	+9,504	0	0
Legislative Branch	4,258	4,219	0	0	4,300	4,235	0	0	+42	+16	0	0
Military Construction and Veterans Affairs	71,499	76,100	0	0	71,808	76,427	221	0	309	+327	+221	0
State, Foreign Operations	42,381	42,319	5,912	3,142	40,007	44,149	9,258	2,233	−2,374	+1,830	+3,346	−909
Transportation, Housing & Urban Development	52,029	118,732	0	0	53,770	119,039	0	0	+1,741	+307	0	0
Full Committee Allowance	n.a.	n.a.	n.a.	n.a.	n.a.	n.a.	n.a.	n.a.	n.a.	n.a.	n.a.	n.a.
Total	1,020,066	1,142,784	85,357	39,981	1,021,641	1,155,115	73,692	32,879	+1,575	+12,331	−11,665	−7,102

Comparison of Total Appropriations and 302(a) allocation	General Purpose		GWOT	
	BA	OT	BA	OT
302(a) Allocation	1,021,641	1,144,101	85,357	39,981
Total Appropriations	1,021,641	1,155,115	73,692	32,879
Total Appropriations vs. 302(a) Allocation	0	+11,014	−11,665	−7,102

Memorandum	Amounts Assumed in 302(b)		Emergency Requirements		Disaster Funding		Program Integrity	
Spending in Excess of Base Budget Control Act Caps for Sec. 251(b) Designated Categories	BA	OT	BA	OT	BA	OT	BA	OT
Agriculture, Rural Development, FDA	0	0	25	7	91	40	0	0
Commerce, Justice, Science	0	0	0	0	0	0	0	0
Defense	0	0	112	119	0	0	0	0
Energy and Water Development	0	0	0	0	0	0	0	0
Financial Services and General Government	0	0	0	0	0	0	0	0
Homeland Security	6,438	322	0	0	6,438	322	0	0
Interior, Environment	0	0	0	0	0	0	0	0
Labor, Health and Human Services, Education	0	0	2,742	933	0	0	1,484	1,277
Legislative Branch	0	0	0	0	0	0	0	0
Military Construction and Veterans Affairs	0	0	0	0	0	0	0	0
State, Foreign Operations	0	0	2,526	468	0	0	0	0
Transportation, Housing & Urban Development	0	0	0	0	0	0	0	0
Totals	6,438	322	5,405	1,527	6,529	362	1,484	1,277

[1] Spending designated as emergency is not included in the current status of appropriations shown in this table.

TABLE 4—DISCRETIONARY APPROPRIATIONS FOR FISCAL YEAR 2016—COMPARISON OF CURRENT STATUS WITH APPROPRIATIONS COMMITTEE 302(a) ALLOCATION AND APPROPRIATIONS SUBCOMMITTEE 302(b) SUB ALLOCATIONS AS OF MAY 15, 2015

[Figures in Millions] [1]

	302(b) Allocations H. Rept. 114–118		302(b) for GWOT		Current Status General Purpose [1]		Current Status GWOT		General Purpose less 302(b)		GWOT less 302(b)	
	BA	OT	BA	OT	BA	OT	BA	OT	BA	OT	BA	OT
Agriculture, Rural Development, FDA	20,650	22,064	0	0	9	7,273	0	0	−20,641	−14,791	0	0
Commerce, Justice, Science	51,378	62,400	0	0	0	21,769	0	0	−51,378	−40,631	0	0
Defense	490,235	519,579	88,421	46,849	41	204,172	0	0	−490,194	−315,407	−88,421	−46,849
Energy and Water Development	35,402	36,195	0	0	35,402	36,195	0	0	0	0	0	0
Financial Services and General Government	20,249	22,092	0	0	41	5,337	0	0	−20,208	−16,755	0	0
Homeland Security	39,320	44,716	0	0	9	19,009	0	0	−39,311	−25,707	0	0
Interior, Environment	30,170	31,940	0	0	0	11,624	0	0	−30,170	−20,316	0	0
Labor, Health and Human Services, Education	153,052	169,100	0	0	24,678	113,934	0	0	−128,374	−55,166	0	0
Legislative Branch	4,300	4,243	0	0	3,341	3,515	0	0	−959	−728	0	0
Military Construction and Veterans Affairs	76,056	78,242	532	2	76,056	78,242	532	2	0	0	0	0
State, Foreign Operations	40,500	47,055	7,334	1,947	0	30,155	0	0	−40,500	−16,900	−7,334	−1,947
Transportation, Housing & Urban Development	55,270	119,018	0	0	4,400	78,156	0	0	−50,870	−40,862	0	0
Full Committee Allowance	n.a.	n.a.	n.a.	n.a.	n.a.	n.a.	n.a.	n.a.	n.a.	n.a.	n.a.	n.a.
Total	1,016,582	1,156,644	96,287	48,798	143,977	609,381	532	2	−872,605	−547,263	−95,755	−48,796

Comparison of Total Appropriations and 302(a) allocation	General Purpose		GWOT	
	BA	OT	BA	OT
302(a) Allocation	1,016,582	1,156,644	96,287	48,798
Total Appropriations	143,977	609,381	532	2
Total Appropriations vs. 302(a) Allocation	−872,605	−547,263	−95,755	−48,796

Memorandum Spending in Excess of Base Budget Control Act Caps for Sec. 251(b) Designated Categories	Amounts Assumed in 302(b)		Emergency Requirements		Disaster Funding		Program Integrity	
	BA	OT	BA	OT	BA	OT	BA	OT
Agriculture, Rural Development, FDA	0	0	0	0	0	0	0	0
Commerce, Justice, Science	0	0	0	0	0	0	0	0
Defense	0	0	0	0	0	0	0	0
Energy and Water Development	0	0	0	0	0	0	0	0
Financial Services and General Government	0	0	0	0	0	0	0	0
Homeland Security	0	0	0	0	0	0	0	0
Interior, Environment	0	0	0	0	0	0	0	0
Labor, Health and Human Services, Education	0	0	0	0	0	0	0	0
Legislative Branch	0	0	0	0	0	0	0	0
Military Construction and Veterans Affairs	0	0	0	0	0	0	0	0
State, Foreign Operations	0	0	0	0	0	0	0	0
Transportation, Housing & Urban Development	0	0	0	0	0	0	0	0
Totals	0	0	0	0	0	0	0	0

[1] Spending designated as emergency is not included in the current status of appropriations shown in this table.

TABLE 5—CURRENT LEVEL OF FY 2016 CHIMPS SUBJECT TO S. CON. RES. 11, SECTION 3103 LIMITS (IN MILLIONS) AS OF MAY 15, 2015

Appropriations Bill	Budget Authority
Agriculture, Rural Development, FDA	0
Commerce, Justice, Science	0
Defense	0
Energy and Water Development	0
Financial Services and General Government	0
Homeland Security	0
Interior, Environment	0
Labor, Health and Human Services, Education	0
Legislative Branch	0
Military Construction and Veterans Affairs	0
State, Foreign Operations	0
Transportation, Housing & Urban Development	0
Total CHIMP's Subject to Limit	0
S. Con. Res. 11, Section 3103 Limit for FY 2016	19,100
Total CHIMP's vs. Limit	−19,100

CURRENT LEVEL OF FY 2016 CRIME VICTIMS FUND CHIMP SUBJECT TO S. CON. RES. 11, SECTION 3104 LIMIT (IN MILLIONS) AS OF MAY 12, 2015

	Budget Authority
Crime Victims Fund CHIMP	0
S. Con. Res. 11, Section 3104 Limit for FY 2016	10,800
Total CHIMP's vs. Limit	−10,800

TABLE 6—2016 ADVANCE APPROPRIATIONS PURSUANT TO SECTION 115(c) OF THE BIPARTISAN BUDGET ACT OF 2013 AS OF MAY 15, 2015

[Budget Authority]

Section 601(d)(1) Limits	2016
Appropriate Level	58,662,202,000
Enacted Advances:	
Accounts Identified for Advances:	
Department of Veterans Affairs:	
Medical Services	47,603,000,000
Medical Support and Compliance	6,144,000,000
Medical Facilities	4,915,000,000
Subtotal, enacted advances [1]	58,662,000,000
Enacted Advances vs. Section 601(d)(1) Limit Section 601(d)(2) Limits	−202,000 2016
Appropriate Level	28,781,000,000
Enacted Advances:	
Accounts Identified for Advances:	
Postal Service	41,000,000
Employment and Training Administration	1,772,000,000
Education for the Disadvantaged	10,841,000,000
School Improvement Programs	1,681,000,000
Special Education	9,283,000,000
Career, Technical and Adult Education	791,000,000
Tenant-based Rental Assistance	4,000,000,000
Project-based Rental Assistance	400,000,000
Subtotal, enacted advances [1]	28,809,000,000
Enacted Advances vs. Section 601(d)(2) Limit Previously Enacted Advance Appropriations	+28,000,000 2016
Corporation for Public Broadcasting [2]	445,000,000
Total, enacted advances [1]	87,916,000,000

[1] Line items may not add to total due to rounding.
[2] Funds were appropriated in the Consolidated Appropriations Act 2014 P.L. 113–76.

TABLE 7—2017 ADVANCE APPROPRIATIONS AS AUTHORIZED BY S. CON. RES. 11 AS OF MAY 15, 2015

[Budget Authority, millions]

Section 3304(c)(2) Limits	2017
Appropriate Level	63,271
Enacted Advances:	
Accounts Identified for Advances:	
Department of Veterans Affairs:	
Medical Services	0
Medical Support and Compliance	0
Medical Facilities	0
Subtotal, enacted advances [1]	0
Enacted Advances vs. Section 601(d)(1) Limit Section 3304(c)(1) Limits	−63,271 2017
Appropriate Level	28,852
Enacted Advances:	
Accounts Identified for Advances:	
Employment and Training Administration	0
Education for the Disadvantaged	0
School Improvement Programs	0
Special Education	0
Career, Technical and Adult Education	0
Tenant-based Rental Assistance	0
Project-based Rental Assistance	0
Subtotal, enacted advances [1]	0
Enacted Advances vs. Section 601(d)(2) Limit Previously Enacted Advance Appropriations	−28,852 2017
Corporation for Public Broadcasting [2]	445,000,000
Total, enacted advances [1]	445,000,000

[1] Line items may not add to total due to rounding.
[2] Funds were appropriated in Public Law 113–235.

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, May 21, 2015.

Hon. TOM PRICE, M.D.,
Chairman, Committee on the Budget, House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: The enclosed report shows the effects of Congressional action on the fiscal year 2015 budget and is current through May 15, 2015. This report is submitted under section 308(b) and in aid of section 311 of the Congressional Budget Act, as amended.

The estimates of budget authority, outlays, and revenues are consistent with the

allocations, aggregates, and other budgetary levels printed in the Congressional Record on April 29, 2014, pursuant to section 115 of the Bipartisan Budget Act (Public Law 113–67).

Since our last letter dated November 14, 2014, the Congress has cleared and the President has signed the following acts that affect budget authority, outlays, or revenues for fiscal year 2015:

Consolidated and Further Continuing Appropriations Act, 2015 (Public Law 113–235);

To amend certain provisions of the FAA Modernization and Reform Act of 2012 (Public Law 113–243);

Naval Vessel Transfer Act of 2013 (Public Law 113–276);

Carl Levin and Howard P. ''Buck'' McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113–291);

An act to amend the Internal Revenue Code of 1986 to extend certain expiring provisions and make technical corrections, to amend the Internal Revenue Code of 1986 to provide for the treatment of ABLE accounts established under State programs for the care of family members with disabilities, and for other purposes (Public Law 113–295);

Terrorism Risk Insurance Program Reauthorization Act of 2015 (Public Law 114–1);

Department of Homeland Security Appropriations Act, 2015 (Public Law 114–4); and

Medicare Access and CHIP Reauthorization Act of 2015 (Public Law 114–10)

Sincerely,

KEITH HALL,
Director.

Enclosure.

FISCAL YEAR 2015 HOUSE CURRENT LEVEL REPORT THROUGH MAY 15, 2015

[In millions of dollars]

	Budget authority	Outlays	Revenues
Previously Enacted: [a]			
Revenues	n.a.	n.a.	2,533,388
Permanents and other spending legislation	1,882,631	1,805,294	n.a.
Appropriation legislation	0	508,261	n.a.
Offsetting receipts	−735,195	−734,481	n.a.
Total, Previously enacted	1,147,436	1,579,074	2,533,388
Enacted Legislation: [b]			
Lake Hill Administrative Site Affordable Housing Act (P.L. 113–141)	0	−2	0
Highway and Transportation Funding Act of 2014 (P.L. 113–159)	0	−15	2,590
Emergency Afghan Allies Extension Act of 2014 (P.L. 113–160)	5	5	6
Continuing Appropriations Resolution, 2015 (P.L. 113–164) [c]	−4,705	−180	0
Preventing Sex Trafficking and Strengthening Families Act (P.L. 113–183)	0	10	0
IMPACT Act of 2014 (P.L. 113–185)	22	22	0
Consolidated and Further Continuing Appropriations Act, 2015 (P.L. 113–235)	1,878,696	1,424,582	−178
To amend certain provisions of the FAA Modernization and Reform Act of 2012 (P.L. 113–243)	0	0	−28
Naval Vessel Transfer Act of 2013 (P.L. 113–276)	−20	−20	0
Carl Levin and Howard P. ''Buck'' McKeon National Defense Authorization Act for Fiscal Year 2015 (P.L. 113–291)	−15	0	0
An act to amend the Internal Revenue Code of 1986 to extend certain expiring provisions and make technical corrections, to amend the Internal Revenue Code of 1986 to provide for the treatment of ABLE accounts established under State programs for the care of family members with disabilities, and for other purposes (P.L. 113–295)	160	160	−81,177
Terrorism Risk Insurance Program Reauthorization Act of 2015 (P.L. 114–1)	121	121	1
Department of Homeland Security Appropriations Act, 2015 (P.L. 114–4)	47,763	27,534	0
Medicare Access and CHIP Reauthorization Act of 2015 (P.L. 114–10)	7,354	7,329	0
Total, Enacted Legislation	1,929,381	1,459,546	−78,786
Entitlements and Mandatories:			
Budget resolution estimates of appropriated entitlements and other mandatory programs	−47,868	312	0
Total Current Level [d]	3,028,949	3,038,932	2,454,602
Total House Resolution [e]	3,033,319	3,027,686	2,535,978
Current Level Over House Resolution	n.a.	11,246	n.a.
Current Level Under House Resolution	4,370	n.a.	81,376
Memorandum:			
Revenues, 2015–2024:			
House Current Level	n.a.	n.a.	31,169,364
House Resolution [f]	n.a.	n,a.	31,206,399
Current Level Over House Resolution	n.a.	n.a.	n.a.
Current Level Under House Resolution	n.a.	n.a..	37,035

Source: Congressional Budget Office.

Notes: n.a. = not applicable; P.L. = Public Law.

[a] Includes the following acts that affect budget authority, outlays, or revenues, and were cleared by the Congress during the 2nd session of the 113th Congress but before publication in the Congressional Record of the statement of the allocations and aggregates pursuant to section 115 of the Bipartisan Budget Act of 2013 (P.L. 113–67): the Agricultural Act of 2014 (P.L. 113–79), the Homeowner Flood Insurance Affordability Act of 2014 (P.L. 113–89), the Gabriella Miller Kids First Research Act (P.L. 113–94), and the Cooperative and Small Employer Charity Pension Flexibility Act (P.L. 113–97).

[b] Pursuant to section 314(d) of the Congressional Budget Act of 1974, amounts designated as an emergency requirement pursuant to 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985 shall not count for purposes of Title III and Title IV of the Congressional Budget Act. The amounts so designated for 2015, which are not included in the current level totals, are as follows:

	Budget authority	Outlays	Revenues
Emergency Supplemental Appropriations Resolution, 2014	0	75	0
Veterans' Access to Care through Choice, Accountability, and Transparency Act of 2014 (P.L. 113–146)	−1,331	6,619	−42
Consolidated and Further Continuing Appropriations Act, 2015	5,405	1,452	0
Total, amounts designated as emergency requirements	4,074	8,146	−42

[c] Sections 136 and 137 of the Continuing Appropriations Resolution, 2015 (P.L. 113–164) provide $88 million to respond to the Ebola virus, which is available until September 30, 2015. Section 139 rescinds funds from the Children's Health Insurance Program. Section 147 extends the authorization for the Export-Import Bank of the United States through June 30, 2015.

[d] For purposes of enforcing section 311 of the Congressional Budget Act in the House, the resolution, as approved by the House of Representatives, does not include budget authority, outlays, or revenues for off-budget amounts. As a result, current level does not include these items.

[e] Periodically, the House Committee on the Budget revises the budgetary levels printed in the Congressional Record on April, 29, 2014, pursuant to section 115 of the Bipartisan Budget Act (Public Law 113–67):

	Budget authority	Outlays	Revenues
Original House Resolution	3,025,306	3,025,032	2,533,388
Revisions:			
Adjustment for Disaster Designated Spending	6,438	322	0
Pursuant to section I15(e) of the Bipartisan Budget Act of 2013	0	1,030	0
Adjustment for the Highway and Transportation Funding Act of 2014	0	−15	2,590
Adjustment for Program Integrity Spending	1,484	1,277	0
Adjustment for the Department of Homeland Security Appropriations Act, 2015	91	40	0
Revised House Resolution	3,033,319	3,027,686	2,535,978

[f] Periodically, the House Committee on the Budget revises the 2015–2024 revenue totals printed in the Congressional Record on April, 29, 2014 pursuant to section 115 of the Bipartisan Budget Act (Public Law 113–67).

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, May 21, 2015.

Hon. TOM PRICE, M.D.,
Chairman, Committee on the Budget, House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: The enclosed report shows the effects of Congressional action on the fiscal year 2016 budget and is current through May 15, 2015. This report is submitted under section 308(b) and in aid of section 311 of the Congressional Budget Act, as amended.

The estimates of budget authority, outlays, and revenues are consistent with the technical and economic assumptions of S. Con. Res. 11, the Concurrent Resolution on the Budget for Fiscal Year 2016.

This is CBO's first current level report for fiscal year 2016.

Sincerely,

KEITH HALL.

Enclosure.

FISCAL YEAR 2016 HOUSE CURRENT LEVEL REPORT THROUGH MAY 15, 2015

[In millions of dollars]

	Budget authority	Outlays	Revenues
Previously Enacted: [a]			
Revenues	n.a.	n.a.	2,676,733
Permanents and other spending legislation	1,972,212	1,905,523	n.a.
Appropriation legislation	0	500,825	n.a.
Offsetting receipts	−784,820	−784,879	n.a.
Total, Previously enacted	1,187,392	1,621,469	2,676,733
Entitlements and Mandatories:			
Budget resolution estimates of appropriated entitlements and other mandatory programs	958,865	942,694	0
Total Current Level [b]	2,146,257	2,564,163	2,676,733
Total House Resolution	3.039,215	3,091,442	2,676,733
Current Level Over House Resolution	n.a.	n.a.	n.a.
Current Level Under House Resolution	892,958	527,279	n.a.
Memorandum:			
Revenues, 2016–2025:			
House Current Level	n.a.	n.a.	32,237,371
House Resolution	n.a.	n.a.	32,237,371
Current Level Over House Resolution	n.a.	n.a.	n.a.
Current Level Under House Resolution	n.a.	n.a.	n.a.

Source: Congressional Budget Office.

Notes: n.a. = not applicable; P.L. = Public Law.

[a] Includes the following acts that affect budget authority, outlays, or revenues, and were cleared by the Congress during this session, but before the adoption of S. Con. Res. 11, the Concurrent Resolution on the Budget for Fiscal Year 2016: the Terrorism Risk Insurance Program Reauthorization Act of 2014 (P.L. 114–1); the Department of Homeland Security Appropriations Act, 2015 (P.L. 114–4) and the Medicare Access and CHIP Reauthorization Act of 2015 (P.L. 114–10).

[b] For purposes of enforcing section 311 of the Congressional Budget Act in the House, the resolution, as approved by the House of Representatives, does not include budget authority, outlays, or revenues for off-budget amounts. As a result, current level does not include these items.

SENATE BILLS REFERRED

Bills of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 261. An act to designate the United States courthouse located at 200 NW 4th Street in Oklahoma City, Oklahoma, as the William J. Holloway, Jr. United States Courthouse; to the Committee on Transportation and Infrastructure.

S. 501. An act to make technical corrections to the Navajo water rights settlement in the State of New Mexico, and for other purposes; to the Committee on Natural Resources.

S. 612. An act to designate the Federal building and United States courthouse located at 1300 Victoria Street in Laredo, Texas, as the ''George P. Kazen Federal Building and United States Courthouse''; to the Committee on Transportation and Infrastructure.

ADJOURNMENT

The SPEAKER pro tempore. Pursuant to section 5(b) of House Resolution 273, the House stands adjourned until 3 p.m. on Tuesday, May 26, 2015.

Thereupon (at 2 o'clock and 33 minutes p.m.), under its previous order, the House adjourned until Tuesday, May 26, 2015, at 3 p.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

1549. A letter from the Acting Director, Defense Procurement and Acquisition Policy, OUSD (AT&L) DPAP/DARS, Department of Defense, transmitting the Department's final rule — Defense Federal Acquisition Regulation Supplement: Past Performance Information Retrieval System-Statistical Reporting (PPIRS-SR) (DFARS Case 2014-D015) (RIN: 0750-AI40) received May 20, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Armed Services.

1550. A letter from the Acting Director, Defense Procurement and Acquisition Policy, OUSD (AT&L) DPAP/DARS, Department of Defense, transmitting the Department's final rule — Defense Federal Acquisition Regulation Supplement: Multiyear Contracts-Statutory References and Cancellation Ceiling Threshold (DFARS Case 2014-D019) (RIN: 0750-AI37) received May 20, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Armed Services.

1551. A letter from the Acting Director, Defense Procurement and Acquisition Policy, OUSD (AT&L) DPAP/DARS, Department of Defense, transmitting the Department's final rule — Defense Federal Acquisition Regulation Supplement: Advancing Small Business Growth (DFARS Case 2014-D009) (RIN: 0750-A142) received May 20, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Armed Services.

1552. A letter from the Acting Director, Defense Procurement and Acquisition Policy, OUSD (AT&L) DPAP/DARS, Department of Defense, transmitting the Department's final rule — Defense Federal Acquisition Regulation Supplement: Appendix F-Energy Receiving Reports (DFARS Case 2014-D024) (RIN: 0750-AI46) received May 20, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Armed Services.

1553. A letter from the Acting Director, Defense Procurement and Acquisition Policy, OUSD (AT&L) DPAP/DARS, Department of Defense, transmitting the Department's final rule — Defense Federal Acquisition Regulation Supplement: Approval Threshold for Time-and-Materials and Labor-Hour Contracts (DFARS Case 2014-D020) (RIN: 0750-AI56) received May 20, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Armed Services.

1554. A letter from the Regulatory Specialist, LRA, Office of the Comptroller of the Currency, Department of the Treasury, transmitting the Department's final rule — Integration of National Bank and Federal Savings Association Regulations: Licensing Rules [Docket ID: OCC-2014-0007] (RIN: 1557-AD80) received May 20, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

1555. A letter from the Chairman and President, Export-Import Bank, transmitting a statement, pursuant to Sec. 2(b)(3) of the Export-Import Bank Act of 1945, as amended, on a transaction involving Azerbaijan Airlines of Baku, Azerbaijan; to the Committee on Financial Services.

1556. A letter from the Assistant Secretary, Energy Efficiency and Renewable Energy, Department of Energy, transmitting the ''Annual Report to Congress on Federal Government Energy Management and Conservation Programs, Fiscal Year 2012'', pursuant to the National Energy Conservation Policy Act, Pub. L. 95-619, as amended; to the Committee on Energy and Commerce.

1557. A letter from the Assistant Secretary for Export Administration, Bureau of Industry and Security, Department of Commerce, transmitting the Department's final rule — Wassenaar Arrangement 2014 Plenary Agreements Implementation and Country Policy Amendments [Docket No.: 150304217-5217-01] (RIN: 0694-AG44) received May 20, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Foreign Affairs.

1558. A letter from the Federal Co-Chair, Appalachian Regional Commission, transmitting the semiannual report of the Inspector General for the period of October 1, 2014 through March 31, 2015, pursuant to Sec. 5(b) of the Inspector General Act of 1978, as amended; to the Committee on Oversight and Government Reform.

1559. A letter from the Board Chairman and Chief Executive Officer, Farm Credit Administration, transmitting the semiannual report prepared by the Inspector General of the Farm Credit Administration for the period of October 1, 2014 through March 31, 2015, pursuant to Sec. 5 of the Inspector General Act of 1978, as amended; to the Committee on Oversight and Government Reform.

1560. A letter from the Senior Vice President, Controller and Chief Accounting Officer, Federal Home Loan Bank of Boston, transmitting the Federal Home Loan Bank of Boston 2014 management report, pursuant to the Chief Financial Officers Act of 1990; to the Committee on Oversight and Government Reform.

1561. A letter from the Director, Office of Regulatory Affairs and Collaborative Action, Bureau of Indian Affairs, Department of the Interior, transmitting the Department's final rule — Leasing of Osage Reservation Lands for Oil and Gas Mining (RIN: 1076-AF17) received May 20, 2015, pursuant to 5

U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

1562. A letter from the Assistant Chief Counsel for Hazmat, PHMSA, Department of Transportation, transmitting the Department's Major final rule — Hazardous Materials: Enhanced Tank Car Standards and Operational Controls for High-Hazard Flammable Trains [Docket No.: PHMSA-2012-0082 (HM-251)] (RIN: 2137-AE91) received May 20, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1563. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Amendment of Authority Citation for Part 71: Designation of Class A, B, C, D, and E Airspace Areas; Air Traffic Service Routes; and Reporting Points, and Part 73: Special Use Airspace [Docket No.: FAA-2015-0924; Airspace Docket No.: 15-AWA-2] received May 20, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1564. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Amendment of Restricted Area Boundary Descriptions; Joint Base Lewis-McChord, WA [Docket No.: FAA-2015-0618; Airspace Docket No.: 15-ANM-3] (RIN: 2120-AA66) received May 20, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1565. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Establishment of Class E Airspace; West Creek, NJ [Docket No.: FAA-2014-0662; Airspace Docket No.: 14-AEA-6] received May 20, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1566. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Establishment of Class E Airspace; Sonora, TX [Docket No.: FAA-2014-0247; Airspace Docket No.: 14-ASW-1] received May 20, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1567. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Establishment of Class E Airspace; Key Largo, FL [Docket No.: FAA-2014-0729; Airspace Docket No.: 14-ASO-10] received May 20, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1568. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Establishment of Class E Airspace; Edgeley, ND [Docket No.: FAA-2014-0537; Airspace Docket No.: 13-AGL-38] received May 20, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1569. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Establishment of Class E Airspace; Cypress, TX [Docket No.: FAA-2014-0743; Airspace Docket No.: 14-ASW-2] May 20, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1570. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Establishment of Class E Airspace; Cando, ND [Docket No.: FAA-2014-0746; Airspace Docket No.: 14-AGL-2] received May 20, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1571. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Amendment of Class E Airspace; Zephyrhills, FL [Docket No.: FAA-2014-0917; Airspace Docket No.: 14-ASO-14] received May 20, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1572. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Amendment of Class E Airspace; Baton Rouge, LA [Docket No.: FAA-2014-1072; Airspace Docket No.: 14-ASW-9] received May 20, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1573. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Amendment of Class E Airspace; Manchester, NH [Docket No.: FAA-2014-0601; Airspace Docket No.: 14-ANE-7] received May 20, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1574. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Establishment of Class E Airspace; Alma, NE [Docket No.: FAA-2014-0745; Airspace Docket No.: 14-ACE-3] received May 20, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1575. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Amendment of Class E Airspace; Livingston, MT [Docket No.: FAA-2015-0518; Airspace Docket No.: 15-ANM-2] received May 20, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1576. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Establishment of Class E Airspace; Encinal, TX [Docket No.: FAA-2014-0741; Airspace Docket No.: 14-ASW-4] received May 20, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1577. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Proposed Amendment of Class E Airspace; Baltimore, MD [Docket No.: FAA-2015-0793; Airspace Docket No.: 15-AEA-3] received May 20, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1578. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Various Aircraft Equipped With Wing Lift Struts [Docket No.: FAA-2014-1083; Directorate Identifier 2014-CE-036-AD; Amendment 39-18140; AD 2015-08-04] (RIN: 2120-AA64) received May 20, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1579. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Dassault Aviation Airplanes [Docket No.: FAA-2015-0830; Directorate Identifier 2015-NM-024-AD; Amendment 39-18141; AD 2015-08-05] (RIN: 2120-AA64) received May 20, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1580. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; ATR-GIE Avions de Transport Regional Airplanes [Docket No.: FAA-2015-0497; Directorate Identifier 2012-NM-192-AD; Amendment 39-18128; AD 2015-06-10] (RIN: 2120-AA64) received May 20, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1581. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; The Boeing Company Airplanes [Docket No.: FAA-2011-0475; Directorate Identifier 2010-NM-199-AD; Amendment 39-18137; AD 2015-08-01] (RIN: 2120-AA64) received May 20, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1582. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Bombardier, Inc. Airplanes [Docket No.: FAA-2014-0528; Directorate Identifier 2014-NM-060-AD; Amendment 39-18139; AD 2015-08-03] (RIN: 2120-AA64) received May 20, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1583. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus Airplanes [Docket No.: FAA-2014-0655; Directorate Identifier 2013-NM-070-AD; Amendment 39-18142; AD 2015-08-06] (RIN: 2120-AA64) received May 20, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1584. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus Airplanes [Docket No.: FAA-2015-0930; Directorate Identifier 2015-NM-040-AD; Amendment 39-18144; AD 2015-08-08] (RIN: 2120-AA64) received May 20, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1585. A letter from the Acting Director, Regulation Policy and Management, Office of the General Counsel (02REG), Veterans Health Administration, Department of Veterans Affairs, transmitting the Department's final rule — Health Care for Homeless Veterans Program (RIN: 2900-AO71/WP2012-028) received May 20, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Veterans' Affairs.

1586. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting a report describing how the Iraq Train and Equip Fund supports the broader regional strategy in Iraq, pursuant to Sec. 1236(b)(2) of the National Defense Authorization Act; jointly to the Committees on Foreign Affairs and Armed Services.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. HOLDING (for himself and Mr. NUNES):

H.R. 2568. A bill to amend title XVIII of the Social Security Act to improve the process of audits by recovery audit contractors and the recovery of overpayments under the Medicare program; to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. YOHO (for himself, Ms. LEE, Mr. MASSIE, Mr. JONES, Mr. AMASH, Mr. CONYERS, Mr. MULVANEY, Mr. LABRADOR, Mr. DELANEY, and Mr. GRAYSON):

H.R. 2569. A bill to consolidate within the Department of Defense all executive authority regarding the use of armed unmanned aerial vehicles, and for other purposes; to the Committee on Armed Services, and in addition to the Committee on Intelligence (Permanent Select), for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. BLACK (for herself, Mr. BLUMENAUER, and Mrs. MCMORRIS RODGERS):

H.R. 2570. A bill to establish a demonstration program requiring the utilization of Value-Based Insurance Design to demonstrate that reducing the copayments or coinsurance charged to Medicare beneficiaries for selected high-value prescription medications and clinical services can increase their utilization and ultimately improve clinical outcomes and lower health care expenditures; to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. BASS (for herself, Mr. ROYCE, Mr. ENGEL, Mr. CRENSHAW, and Mr. SMITH of Washington):

H.R. 2571. A bill to amend the Millennium Challenge Act of 2003 to authorize concurrent compacts for purposes of regional economic integration and cross-border collaborations, and for other purposes; to the Committee on Foreign Affairs.

By Mr. KELLY of Pennsylvania (for himself, Mr. MCDERMOTT, and Mr. SAM JOHNSON of Texas):

H.R. 2572. A bill to amend the Internal Revenue Code of 1986 to prevent the extension of the tax collection period merely because the taxpayer is a member of the Armed Forces who is hospitalized as a result of combat zone injuries; to the Committee on Ways and Means.

By Mr. NORCROSS:

H.R. 2573. A bill to amend title 38, United States Code, to direct the Secretary of Veterans Affairs to furnish headstones and markers for the graves of dependents of veterans buried in county, private, or other cemeteries; to the Committee on Veterans' Affairs.

By Mr. WILSON of South Carolina (for himself and Mr. BRENDAN F. BOYLE of Pennsylvania) (both by request):

H.J. Res. 56. A joint resolution providing for the approval of the Congress of the proposed Agreement for Cooperation Between the Government of the United States of America and the Government of the People's Republic of China Concerning Peaceful Uses of Nuclear Energy transmitted on April 21, 2015; to the Committee on Foreign Affairs.

By Ms. FRANKEL of Florida:

H. Con. Res. 52. Concurrent resolution honoring American veterans disabled for life; to the Committee on Veterans' Affairs.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mr. HOLDING:

H.R. 2568.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 14 of the United States Constitution.

By Mr. YOHO:

H.R. 2569.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 14 of the Constitution of the United States, which grants Congress the Power ''To make Rules for the Government and Regulation of the land and naval Forces.''

By Mrs. BLACK:

H.R. 2570.

Congress has the power to enact this legislation pursuant to the following:

Section 8 of the U.S. Constitution which states, ''(t)he Congress shall have power to lay and collect taxes, duties, imposts, and excises, to pay the debts and provide for the common defence and general welfare of the United States.''

By Ms. BASS:

H.R. 2571.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article 1, Section 1.

Article. I.

Section 1.

All legislative Powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and House of Representatives.

By Mr. KELLY of Pennsylvania:

H.R. 2572.

Congress has the power to enact this legislation pursuant to the following:

The Congress enacts this bill pursuant to Clause 1 of Section 8 of Article I of the United States Constitution.

By Mr. NORCROSS:

H.R. 2573.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 14 and Article I, Section 8, Clause 18 of the U.S. Constitution.

By Mr. WILSON of South Carolina:

H.J. Res. 56.

Congress has the power to enact this legislation pursuant to the following:

Article I, section 8, clauses 3 and 18 of the United States Constitution.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions, as follows:

H.R. 6: Mr. BARTON, Mr. CRAMER, Mr. BUCSHON, Mr. BILIRAKIS, Mrs. BLACKBURN, Mrs. BROOKS of Indiana, Mr. BURGESS, Mrs. ELLMERS of North Carolina, Mr. GRIFFITH, Mr. GUTHRIE, Mr. LANCE, Mr. MCKINLEY, Mrs. MCMORRIS RODGERS, Mr. MULLIN, Mr. MURPHY of Pennsylvania, Mr. SHIMKUS, Mr. WALDEN, Mr. WHITFIELD, Mr. ROSKAM, Mr. HANNA, Mr. MCCAUL, Mrs. COMSTOCK, Mr. HARRIS, Mr. MARCHANT, Mr. YARMUTH, Ms. CASTOR of Florida, Mr. LOEBSACK, Ms. SCHAKOWSKY, Mr. TONKO, Ms. MOORE, Mr. VEASEY, Mrs. DINGELL, Mr. FATTAH, Mr. SCHRADER, Mr. NOLAN, Ms. ESHOO, Mr. WELCH, Mr. DAVID SCOTT of Georgia, Mr. PERLMUTTER, Mr. COURTNEY, Mr. COHEN, Mr. DESAULNIER, Mr. LONG, Mr. BUTTERFIELD, Ms. CLARKE of New York, Mr. MICHAEL F. DOYLE of Pennsylvania, Mr. RUSH, Mr. ENGEL, Mr. MCNERNEY, and Ms. MATSUI.

H.R. 204: Mr. DESJARLAIS.

H.R. 430: Ms. ESHOO.

H.R. 546: Mr. BRADY of Pennsylvania.

H.R. 600: Mr. NEWHOUSE.

H.R. 605: Ms. DELBENE.

H.R. 702: Mr. BUCSHON, Mr. TIPTON, Mr. GOSAR, and Mr. FLEISCHMANN.

H.R. 820: Ms. MCCOLLUM, Mr. BARLETTA, Ms. BROWNLEY of California, Mr. WILLIAMS, Ms. KELLY of Illinois, Mr. ROGERS of Kentucky, and Mr. YARMUTH.

H.R. 835: Mrs. ELLMERS of North Carolina.

H.R. 932: Mr. RUIZ.

H.R. 945: Mr. GOSAR.

H.R. 955: Mr. KILMER.

H.R. 997: Mr. WILSON of South Carolina and Ms. FOXX.

H.R. 1112: Mr. HULTGREN.

H.R. 1130: Mr. POCAN, Ms. MICHELLE LUJAN GRISHAM of New Mexico, Mr. RUSH, Mr. BRADY of Pennsylvania, and Mr. HARDY.

H.R. 1174: Mr. WILLIAMS and Mr. PAULSEN.

H.R. 1274: Mr. QUIGLEY.

H.R. 1331: Mr. LANGEVIN and Mr. WITTMAN.

H.R. 1338: Mr. LAMBORN, Mr. FATTAH, Mr. BRENDAN F. BOYLE of Pennsylvania, Mr. HANNA, Ms. NORTON, Mrs. NAPOLITANO, Mr. NOLAN, Ms. FRANKEL of Florida, and Mr. MEEKS.

H.R. 1384: Mr. DOLD.

H.R. 1479: Mr. LONG, Mrs. ROBY, and Mr. JOHNSON of Ohio.

H.R. 1482: Ms. LEE and Mr. MCGOVERN.

H.R. 1534: Ms. JUDY CHU of California and Mr. NOLAN.

H.R. 1618: Mr. FATTAH.

H.R. 1650: Mr. JOHNSON of Ohio.

H.R. 1670: Mr. MOULTON.

H.R. 1701: Mr. HUDSON.

H.R. 1726: Mr. JOHNSON of Ohio.

H.R. 1769: Mrs. LOWEY.

H.R. 1964: Mr. LOBIONDO.

H.R. 1986: Mr. GOSAR.

H.R. 2025: Mr. FATTAH and Ms. NORTON.

H.R. 2061: Mr. NEAL and Mr. MCGOVERN.

H.R. 2274: Mr. COSTELLO of Pennsylvania.

H.R. 2300: Mr. JOHNSON of Ohio and Mr. WEBER of Texas.

H.R. 2315: Mr. MOOLENAAR.

H.R. 2383: Mr. LAMALFA, Mr. ROSKAM, Mr. SCHWEIKERT, Mr. BABIN, Mr. WILSON of South Carolina, and Mr. POSEY.

H.R. 2412: Mr. LARSON of Connecticut.

H.R. 2429: Mr. MCGOVERN and Mrs. LAWRENCE.

H.R. 2493: Mr. LARSON of Connecticut.

H.R. 2497: Mr. NEWHOUSE.

H.R. 2522: Mr. GALLEGO and Mr. SHERMAN.

H.R. 2523: Mr. ADERHOLT, Mr. PASCRELL, Mr. REED, Mr. MCKINLEY, and Mr. JONES.

H.R. 2525: Mr. DOLD, Mr. HULTGREN, Mr. FOSTER, Ms. KELLY of Illinois, Mr. LIPINSKI, Mr. ROSKAM, Mr. RUSH, Ms. SCHAKOWSKY, and Mr. DANNY K. DAVIS of Illinois.

H.R. 2530: Mrs. BROOKS of Indiana.

H.R. 2531: Ms. BROWNLEY of California and Mr. CARNEY.

H.J. Res. 22: Mr. AGUILAR.

H. Con. Res. 49: Mrs. HARTZLER and Mr. BARR.

H. Res. 28: Ms. FRANKEL of Florida, Mr. LARSON of Connecticut, and Ms. SINEMA.

H. Res. 220: Mr. VAN HOLLEN, Mr. SALMON, Mr. BILIRAKIS, Ms. FRANKEL of Florida, Mr. PRICE of North Carolina, Mr. TED LIEU of California, and Mr. HUFFMAN.

H. Res. 233: Mr. GOSAR, Ms. DELAURO, Mr. LUETKEMEYER, Mr. AGUILAR, Mr. STIVERS, and Mrs. COMSTOCK.

H. Res. 244: Mr. LOWENTHAL, Mr. PERLMUTTER, Ms. EDWARDS, Ms. JENKINS of Kansas, Ms. SPEIER, Ms. KELLY of Illinois, and Mr. BEN RAY LUJÁN of New Mexico.

H. Res. 279: Ms. BROWN of Florida, Mr. ROHRABACHER, Mrs. WATSON COLEMAN, Ms. KELLY of Illinois, Mr. ENGEL, Mr. BEYER, Mr. SERRANO, Mr. GUTIÉRREZ, and Mr. PERLMUTTER.

SENATE—*Friday, May 22, 2015*

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

PRAYER

The PRESIDENT pro tempore. Today's prayer will be offered by Pastor Leroy Gilbert of Mount Gilead Baptist Church in Washington, DC.

The guest Chaplain offered the following prayer:

Let us pray.

O Lord, our God, restorer of the joy of those who find You. Lord, we praise Your Holy Name. Thank You for giving us lifetime favor and for Your unchanging faithfulness. Lord, You cloth us with gladness.

Today, we pray for our Senators. Shine Your light of wisdom on them and be gracious to them. Remove from them contention and strife, as You infuse them with humility. Lord, keep Your arms of protection around them and their loved ones in these most challenging times.

Rule in the midst of Your world, until the kingdom of Earth will acknowledge Your sovereignty.

We pray in Your great, marvelous Name. Amen.

The PRESIDENT pro tempore. Thank you, pastor.

PLEDGE OF ALLEGIANCE

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

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

RECOGNITION OF THE MAJORITY LEADER

The PRESIDING OFFICER (Mrs. CAPITO). The majority leader is recognized.

TRADE BILL AND BULK DATA PROGRAM

Mr. MCCONNELL. Madam President, I am glad the Senate voted yesterday to take another step forward on the important trade legislation that is before us. This bill represents an opportunity for Republicans and Democrats to stand together for the middle class, so I hope our friends across the aisle will allow us to seize this opportunity. I am optimistic. We all know that trade is important for American workers and American jobs. We all know that by passing this legislation, we can show we are serious about advancing new opportunities for bigger American paychecks, better American jobs, and a stronger American economy.

We want to process as many amendments as we can. The Republican and Democratic bill managers, Senator HATCH and Senator WYDEN, have done a great job managing this bill in a bipartisan spirit thus far. My hope is that, with some cooperation from across the aisle, we can vote on some amendments today and complete our work on this trade legislation today.

I appreciate all the hard work from both sides that got us to the point we are today. Let's keep the momentum going so we can finally pass a bill that Republicans, President Obama, and many Democrats all agree is good for the middle class, good for the economy, and good for our country.

Let's also move forward in the same spirit to finish our work on the other two important issues on the Senate's to-do list. I will speak about one of them in a moment. But the point is, we have to get our work done, however long it takes. With bipartisan cooperation, we can get it done as soon as this afternoon.

On the issue I mentioned, following the attacks of September 11, the United States improved its laws and legal authorities in an effort to better understand the terrorist threat and, rather than treat it as a crime to be handled by civilian prosecution, to combat it as a matter of warfare—not as a crime but as a matter of warfare. But that does not mean Al Qaeda and its affiliates stood still. The terrorist threat metastasized under regional affiliates such as Al Qaeda in the Arabian Peninsula, al-Shabaab, Al Qaeda in Iraq, and AQIM.

We have all seen the advance of the Islamic State in Iraq and the Levant, which, despite coalition air attacks and Iraqi military ground operations, actually seized Ramadi last weekend. Although ISIL has broken from core Al Qaeda, it is emblematic of how the threat continues to evolve.

Last week, the Director of the FBI explained how ISIL, operating from safe havens within Syria, is now using social media to radicalize Americans by making contact through Twitter and then directing them to encrypted venues. Moreover, through the publication of online magazines, Al Qaeda and ISIL are able to radicalize recruits and reveal the tactics needed for small-scale attacks here at home. These tactics, along with the information gained by terrorist networks from the unlawful disclosure of classified information by Edward Snowden, challenge counterterrorism officials in their efforts to detect terrorist plots and terrorist communications.

This all comes at a moment of elevated threats to the American people.

Let me read something the L.A. Times recently reported. This is what the Times had to say:

Alarmed about the growing threat from Islamic State, the Obama administration has dramatically stepped up warnings of potential terrorist attacks on American soil after several years of relative calm.

Behind the scenes, U.S. authorities have raised defenses at U.S. military bases, put local police forces on alert and increased surveillance at the nation's airports, railroads, shopping malls, energy plants and other potential targets. Driving the unease are FBI arrests of at least 30 Americans on terrorism-related charges this year in an array of ''lone wolf'' plots, none successful, but nearly all purportedly inspired by Islamic State propaganda or appeals.

I ask unanimous consent to have the article printed in the RECORD at the conclusion of my remarks.

We need to recognize that terrorist tactics and the nature of the threat have changed and that at a moment of elevated threat, it would be a mistake to take from our intelligence community any—any—of the valuable tools needed to build a complete picture of terrorist networks and their plans, such as the bulk data collection program of section 215. The intelligence community needs these tools to protect us from these attacks.

I would like to quote the observations that someone intimately familiar with this program made in the aftermath of the unauthorized leaks of classified material by Edward Snowden.

''This program does not involve the content of phone calls or the names of people making calls,'' he said. ''Instead, it provides a record of phone numbers and the times and lengths of calls, metadata that can be queried if and when we have a reasonable suspicion that a particular number is linked to a terrorist organization.''

He then described why the program was necessary.

''The program grew out of a desire to address a gap identified after 9/11,'' he said.

One of the 9/11 hijackers, Khalid A. Mihdhar, made a phone call from San Diego to a known Al Qaeda safe house in Yemen. NSA saw that call, but it could not see that the call was coming from an individual already in the United States. The telephone metadata program under Section 215 was designed to map the communications of terrorists, so we can see who they may be in contact with as quickly as possible.

Let me say that again: ''as quickly as possible.''

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

This capability could also prove valuable in a crisis. For example, if a bomb goes off in one of our cities and law enforcement is racing to determine whether a network is poised to conduct additional attacks, time is of the essence. Being able to quickly review telephone connections to assess whether a network exists is critical to that effort.

He concluded by noting this:

The Review Group turned up no indication that this database has been intentionally abused.

''[N]o indication that this database has been intentionally abused.''

And I believe it is important that the capability that this program is designed to meet is preserved.

The person who made those observations I just quoted was President Obama, and he made them just last year—just last year.

Unfortunately, there is now a huge gap between the capabilities the President rightly recognized as being necessary for our intelligence professionals and the legislation he is endorsing today. The untried—and as of yet, nonexistent—bulk collection system envisioned under that bill would be slower and more cumbersome than the one that currently helps keep us safe. At worst, it might not work at all due to, among many other problems, the lack of a requirement for telecommunications providers to retain the data to begin with—no requirement to retain the data.

Last week, the Obama administration briefed Senators on the current bulk data program under section 215. Senators were impressed with the safeguards built into the current program, and they were impressed that there had not been one incident—not one—of abuse of the program. But many Senators were disturbed by the administration's inability to answer basic, yet critical, questions about the alternate bulk data system that would be set up at some point—at some point—under the legislation the administration now supports. The administration could not guarantee whether a new system would work as well as the current system, and the administration could not guarantee whether there would be much, if any, data available to be analyzed under a new system given the lack of a data-retention requirement in the legislation.

Despite what the administration told us just last week about its inability to guarantee that this nonexistent system could even be built in time, it did an about-face earlier this week—sort of. The administration had the Director of NSA write that the nonexistent system could be built in time if—if—the providers cooperated in building it. And, of course, they are not required to.

The problem, of course, is that the providers have made it abundantly clear that they will not commit to retaining the data for any period of time as contemplated by the House-passed bill unless they are legally required to do so. There is no such requirement in the bill. For example, one provider said the following: ''[We are] not prepared to commit to voluntarily retain documents for any particular period of time pursuant to the proposed USA FREEDOM Act if not otherwise required by law.''

Far from addressing the concerns many have had about the USA FREEDOM Act, the administration in its letter only underscored the problem. It said the only way this nonexistent system could even be built in time is if the providers cooperate. But the providers have made it abundantly clear they will not cooperate, and there is nothing—absolutely nothing—in the bill that would require them to do so.

This is just as cynical as the letter from the Attorney General and the Director of National Intelligence that assured us they would let us know about any problems after the current program was replaced with a nonexistent system. Let me say that again. This is just as cynical as the letter from the Attorney General and the Director of National Intelligence that assured us they would let us know about any problems after the current program was replaced with a nonexistent system. Boy, that is reassuring.

This is beyond troubling. We should not establish an alternate system that contains a glaring hole in its ability to function—namely, the complete absence of any requirement for data retention.

I have begun the legislative process to advance a 60-day extension of section 215 and the other two authorities that will expire soon. This extension will allow for the Intelligence Committee to continue its efforts to produce a compromise bill we can send to the House that does not destroy an important counterterrorism tool that is needed to protect American lives.

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

[From the Los Angeles Times, May 19, 2015]

WHITE HOUSE STEPS UP WARNINGS ABOUT TERRORISM ON U.S. SOIL

(By Brian Bennett)

Alarmed about the growing threat from Islamic State, the Obama administration has dramatically stepped up warnings of potential terrorist attacks on American soil after several years of relative calm.

Behind the scenes, U.S. authorities have raised defenses at U.S. military bases, put local police forces on alert and increased surveillance at the nation's airports, railroads, shopping malls, energy plants and other potential targets.

Driving the unease are FBI arrests of at least 30 Americans on terrorism-related charges this year in an array of ''lone wolf'' plots, none successful, but nearly all purportedly inspired by Islamic State propaganda or appeals.

The group's leader, Abu Bakr Baghdadi, drove home the danger in a 34-minute audio recording released online Thursday. He urged Muslims everywhere to ''migrate to the Islamic State or fight in his land, wherever that may be.''

The audio was released with translations in English, French, German, Russian and Turkish, signaling the militants' increasingly ambitious attempts to draw new recruits—and to spark violence—around the world.

U.S. officials estimate the Sunni Muslim group has drawn 22,000 foreign fighters to Syria and Iraq, including about 3,700 from Western nations. About 180 Americans have gone, or tried to go.

U.S. counter-terrorism officials initially viewed Islamic State as primarily a regional security threat, focused on expanding and protecting its self-proclaimed Islamist caliphate in Syria and Iraq, rather than launching attacks abroad.

But the analysis has shifted sharply as gunmen inspired by the group, but not controlled or assisted by them, opened fire at the Parliament in Ottawa; at a cafe in Sydney, Australia; at a kosher grocery in Paris; and, on May 3, in Garland, Texas.

In the Texas case, two would-be terrorists apparently prompted by Islamic State social media messages tried to shoot their way into a provocative contest for caricatures of the prophet Muhammad. Both gunmen were shot to death, and no one else was killed. Islamic State later claimed responsibility for the assault, the first time it has done so for an attack on U.S. soil.

James B. Comey, the FBI director, warned this month that ''hundreds, maybe thousands'' of Americans are seeing recruitment pitches from Islamic State on Facebook, Twitter and other social media, as well as messages sent to smartphones of ''disturbed people'' who could be pushed to attack U.S. targets.

''It's like the devil sitting on their shoulders saying, 'Kill, kill, kill,''' Comey told reporters.

The United States has entered a ''new phase, in my view, in the global terrorist threat,'' Jeh Johnson, director of Homeland Security, said Friday on MSNBC.

''We have to be concerned about the independent actor, and the independent actor who is here in the homeland who may strike with little or no warning,'' he said. ''The nature of the global terrorist threat has evolved.''

That poses a special challenge for U.S. intelligence and law enforcement agencies, which spent years desperately trying to penetrate and understand Al Qaeda's rigid hierarchy and top-down approach to terrorism.

Now they are struggling to detect and prevent lethal attacks by individuals—such as the April 2013 bombing of the Boston Marathon by two Russian-born brothers—with little or no outside communication or support.

The administration has sought to stiffen homeland defenses, and intelligence gathering, in response.

This month, U.S. Northern Command boosted security at all bases in the United States. Officials cited the May 3 shooting in Texas, specific threats against military personnel and the increasing number of Americans communicating with Islamic State supporters.

In March, a group calling itself ''Islamic State Hacking Division'' posted online the names, home addresses and photos of 100 U.S. troops. The group wrote on Twitter that it was posting the apparent hit list ''so that our brothers residing in America can deal with you.''

More armed guards have been deployed at federal buildings across the country, and

Homeland Security officials have quietly urged more security at privately run facilities and infrastructure that could be targeted, including shopping malls, railroads, water treatment facilities and nuclear power generators.

''Since last summer we have ramped up security at federal installations across the country, and we have increased our outreach with critical infrastructure operators,'' a senior Homeland Security official said in an interview.

Authorities have urged companies to conduct more ''active shooter'' drills to ''heighten awareness and make sure people are leaning forward with security protocols,'' he said. The official was not authorized to publicly discuss internal communications and security measures.

Defeating Islamic State will take not only the ongoing military operations in Iraq and Syria, U.S. officials said, but stronger international efforts to block foreign recruits from joining and to cut the group's financing networks. Officials acknowledge they also need better messaging to counter a barrage of polished videos, social media and Internet appeals from the militants.

''It's a long-term challenge,'' Brett McGurk, deputy assistant secretary of State for Near Eastern affairs, told CNN. ''We have not seen this before. And it's going to take a very long time to defeat them.''

Still, attacking Western targets is not the group's top priority, as it was for Osama bin Laden, according to Seth Jones, a former U.S. counter-terrorism official now with Rand Corp., the Santa Monica-based think tank. The group is far more focused on the battleground in Iraq and Syria, and establishing ties to terrorist groups in Libya, Yemen, Algeria and elsewhere.

Without a strong hand to help direct and organize attacks abroad, they are ''likely to be less sophisticated,'' Jones said. ''You actually need a lot of training to conduct a Madrid-style attack or a London-style attack. Those kinds of bombs are hard to put together.''

Most of the 30 Americans arrested this year were suspected of aiding or trying to join Islamic State. Many were approached on social media or on chat programs designed for cellphones.

In March, for example, a 22-year-old Army National Guard specialist was arrested at Chicago Midway International Airport as he allegedly attempted to join Islamic State in Syria. The FBI said he had downloaded military training manuals to take with him and told an undercover agent he was prepared to ''bring the flames of war'' to the United States.

That same month, a retired Air Force avionics instrument specialist was indicted in Brooklyn, N.Y., on suspicion of trying to travel to Syria to join the group. Prosecutors in Brooklyn also have charged three other men with seeking to link up with the militants.

And on Thursday, the FBI arrested a former interpreter for the U.S. military in Iraq, now a naturalized American citizen, who had tried to travel to Syria from Texas. In June he had used Twitter to ''pledge obedience'' to Islamic State.

''As a numbers game, it is pretty easy for ISIS to reach out to a very large number of people using a very robust social media presence,'' said J.M. Berger, a nonresident fellow at the Brookings Institution, using a common acronym for Islamic State.

''I suspect we should see more plots going forward,'' he added.

RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER. The Democratic leader is recognized.

HELPING THE MIDDLE CLASS

Mr. REID. Madam President, I think everyone knows that I disagree with the reasoning for the trade bill. Based on my experience of looking at trade bills that have passed the Congress in years past, it is not going to help the people whom I want to help.

I am happy that multinational corporations are doing well, but my first goal is not them. It is people who work for a living, middle-class Americans, who work so hard, first of all to find a job, and then once they find a job, they do everything they can to hang on to that job. The trade bill is another example of how we have ignored in this Congress the working men and women of this country.

I so admire our ranking member of the banking committee, Senator BROWN of Ohio. He has done a remarkably good job of pointing out what is wrong with the trade bill. It passed, and I accept this. The vast majority of Democrats opposed it, but there are some who didn't. I respect them, and I respect their judgment. I am not here to criticize them. I am here to criticize the underlying legislation. This Republican-led Senate has done nothing to help the middle class. It doesn't matter what you look to—minimum wage, equal pay for men and women, the burden of student debt, and, of course, the tremendous lack of impetus to do something about our surface transportation system, our highways.

We have 64,000 bridges in America that are structurally deficient. Fifty percent of our highway roads are deficient, and we do nothing. Likely, what will happen here in the next day or two is that we will extend the highway authorization for 60 days. It should be pretty easy to do because we have done it 32 other times.

Since the Republicans came to town and started flexing their muscles, we found a situation where they were unwilling to help middle-class Americans. Think about that. Our country has 64,000 bridges that are structurally deficient. Does this really matter? Well, talk to the people of Minnesota. One of their bridges collapsed and 13 people died. Of course it matters, and we are ignoring it as a Congress, and that is not right.

Ray LaHood, a Republican, who was Secretary of Transportation for President Obama for a long time, said that our transportation system should be called the pothole because that is all the highways are anymore.

The trade bill is an example of not helping the middle class, and it is an example of how we focus on multinational corporations.

My friend the Republican leader talked about the FISA bill, the Foreign Intelligence Surveillance Act. The Republican leader and I are friends. We have served together for decades here in this body. But with all due respect to him, I think I will take the word and opinion of the head of the FBI, the Attorney General of the United States, and the man who is in charge of all of our intelligence, James Clapper, who has said, without any question, that the bill that passed the House of Representatives—by almost 390 votes—is what we should be doing here.

Among other things, in a letter they wrote to Senators LEAHY and LEE, they say:

> The Intelligence Community believes that the bill preserves essential operational capabilities of the telephone metadata program and enhances other intelligence capabilities needed to protect our Nation and its partners.

I repeat, the bill passed by a 4-to-1 margin in the House of Representatives. My friend the Republican leader talks continually about bipartisanship. We have a piece of legislation out of the House. It was one of the rare times where bipartisan efforts were made and they worked. They passed this bill, and we should do the same before we leave here rather than extend this program.

Efforts have been made to extend a program that has already been declared by the Second Circuit Court of Appeals of the United States as illegal. How can we extend an illegal act? That is what some of the talk is from the other side of the aisle. I think that is unfortunate, and I think we should make sure that before we leave here, we do what our intelligence community suggested to us, and in very strong words—that we simply move forward on the legislation that has a name that maybe says it all, and that is the USA FREEDOM Act. That is what that legislation is, and we should pass that.

We know there is work to be done on the trade legislation, and I am happy to work with Senator BROWN, Senator WYDEN, and anyone else who has a way of moving forward on that.

RESERVATION OF LEADER TIME

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

ENSURING TAX EXEMPT ORGANIZATIONS THE RIGHT TO APPEAL ACT

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of H.R. 1314, which the clerk will report.

The legislative clerk read as follows:

> A bill (H.R. 1314) to amend the Internal Revenue Code of 1986 to provide for a right to an administrative appeal relating to adverse determinations of tax-exempt status of certain organizations.

Pending:

Hatch amendment No. 1221, in the nature of a substitute.

Hatch (for Flake) amendment No. 1243 (to amendment No. 1221), to strike the extension of the trade adjustment assistance program.

Hatch (for Inhofe/Coons) modified amendment No. 1312 (to amendment No. 1221), to amend the African Growth and Opportunity Act to require the development of a plan for each sub-Saharan African country for negotiating and entering into free trade agreements.

Hatch (for McCain) amendment No. 1226 (to amendment No. 1221), to repeal a duplicative inspection and grading program.

Stabenow (for Portman) amendment No. 1299 (to amendment No. 1221), to make it a principal negotiating objective of the United States to address currency manipulation in trade agreements.

Brown amendment No. 1251 (to amendment No. 1221), to require the approval of Congress before additional countries may join the Trans-Pacific Partnership Agreement.

Wyden (for Shaheen) amendment No. 1227 (to amendment No. 1221), to make trade agreements work for small businesses.

Wyden (for Warren) amendment No. 1327 (to amendment No. 1221), to prohibit the application of the trade authorities procedures to an implementing bill submitted with respect to a trade agreement that includes investor-state dispute settlement.

Hatch modified amendment No. 1411 (to the language proposed to be stricken by amendment No. 1299), of a perfecting nature.

The PRESIDING OFFICER. The Senator from Utah.

Mr. HATCH. Madam President, as we resume the debate of our Nation's trade policy, I want to take a few minutes to provide an update about where things really are, where we are going, and the possibility of a path forward.

We took a big step yesterday, and I thank all of my colleagues who voted for cloture, once again, for helping us to get closer to the finish.

I am, of course, aware that a number of Senators have concerns about the process and amendments. I understand those concerns. As I said yesterday, I would have preferred a different path for moving this bill. It was always my preference to consider more amendments and have a fuller debate on these important issues. I know that is what the majority leader wanted, as well.

Sadly, there were some who just did not want to cooperate, and instead of moving directly to the bill, we had to negotiate around a filibuster. Then, instead of bringing up and debating amendments, we spent a lot of time addressing concerns and overcoming objections.

I am not going to point fingers or complain about anyone who chooses to exercise their rights under the Senate rules to slow down the debate. We are all well aware that a number of Senators would love to prolong this debate forever to keep the TPA bill from passing. But with a bill this important, we had to find a way forward, which led to a cloture motion and yesterday's vote.

But even now that cloture has been invoked, I am still working to try to reach a reasonable accommodation to address Senators' concerns. Both sides worked late into the night to try to come up with an agreement on time and amendments in order to give Senators an opportunity to make their case. Up to now, no deal has been reached, which from my point of view is unfortunate. And keep in mind that under the rules, we don't have an obligation to do that. We bent over backwards to try to solve this problem, but so far, no deal has been reached.

I am still willing to work with my colleagues to address their concerns, although it is becoming increasingly clear that some concerns are beyond accommodation. But I am always an optimist. As I said yesterday, if any of my colleagues have a reasonable proposal to solve this impasse and allow us to consider more amendments, I am all ears. But as of right now, cloture is invoked and only pending, germane amendments can be considered without an agreement.

Until that time, however, one thing is clear: Absent an agreement on time and votes, the Senate will deal with pending amendments and vote on whether to invoke cloture on TPA this evening. I am, of course, more than willing to wait that long, but I am sure there are many in this Chamber who would prefer to see a solution come together before then.

Let's work together. Let's find a way to hear more amendments and address more issues. I hope people will be willing to work with us on a reasonable path forward, but if not, it appears that the clock, more than anything else, will determine how this debate will unfold.

AMENDMENT NO. 1299

Mr. President, later today the Senate will vote on the Portman-Stabenow currency manipulation amendment.

Up to now, we have all heard more than our fair share of arguments about this amendment. I want to take a few more minutes today to express my opposition to the Portman-Stabenow amendment and to explain to my colleagues why they should vote against it.

I want to reiterate that the Obama administration has made it abundantly clear that if this amendment gets adopted, President Obama will veto the TPA bill. As I have already said a number of times, a vote for the Portman-Stabenow amendment is a vote to kill TPA. That would be, indeed, tragic.

I know that all of my colleagues are aware of the statements made by Secretary Lew and the White House on this matter. I also know that a number of my colleagues who support Portman-Stabenow have said that they don't believe the President would veto the TPA bill over this amendment.

Well, let's say, for the sake of argument, that they are right—but only for the sake of argument. Let's assume that the administration is bluffing. Should we call that bluff? Should we pass the amendment and dare the President to make good on his veto threat? The answer to that question is an emphatic no.

Even if we take veto threats and administration statements of opposition completely out of the equation, one fact still remains: The Portman-Stabenow amendment is bad policy for America, and it is far too risky.

Earlier this week, I laid out four separate negative consequences that would result from the Portman-Stabenow amendment, and I would like to reiterate those concerns here today.

First, the Portman-Stabenow amendment would derail the Trans-Pacific Partnership. Once again, we know that this is the case. I have chatted with Japanese leaders, and they tell me this is the case. That is a very important aspect of what we are trying to do here. We are trying to get Japan, for the first time, to agree to a trade policy that works. I think we have a new leadership there that wants to agree, and we ought to help them.

None of our negotiating partners would sign a trade agreement that included the kinds of rules mandated by the Portman-Stabenow amendment. We have already heard from countries such as Japan that they would walk away from the agreement if the United States were making these types of demands.

Furthermore, the United States would never agree to these types of demands, either. What country would willingly sign a trade agreement that would subject their monetary policies to potential trade sanctions? No country that I am aware of.

I heard some of my colleagues respond to these claims the same way they responded to the President's veto threat. They don't believe Japan when they say they will walk away from the TPP or they say that any country refusing to accede to these types of standards must be planning to manipulate their currency.

Now, I am all for healthy skepticism around here, but maybe—just maybe—if our government, as well as all of our negotiating partners, all say that Portman-Stabenow is bad policy that they cannot sign onto, there has to be something to those claims.

Guess what. There is something to them, which brings me to the second negative consequence that we would see under the Portman-Stabenow amendment. It would put the Federal Reserve's independence at risk and subject our own monetary policies to trade disputes and possible sanctions.

Once again, we have colleagues in the Senate who have simply decreed here on the floor that U.S. monetary policy is aimed at purely domestic objectives and that it is only other countries that manipulate their currencies to gain

trade advantage. But anyone who paid attention to these issues knows that not all of our trading partners share that assessment. Other countries have already accused the United States of currency manipulation, and the Portman-Stabenow amendment would set forth a clear and accessible process for turning those accusations into trade disputes subject to possible sanctions.

We may not agree with those allegations against U.S. monetary policy. I certainly don't. But the problem is that the Portman-Stabenow amendment would take those determinations out of our hands and give them over to international trade tribunals. So whether we agree or not, we are going to find ourselves in a mess no matter what happens, should that amendment be accepted.

At this point, the proponents of this amendment will likely point out that they have included language to exempt ''the exercise of domestic monetary policy'' from the enforceable rules mandated by the amendment. With all due respect to the authors of the amendment, that is a red herring.

Keep in mind that the U.S. dollar is a global currency, the primary reserve currency in the world today. That being the case, our Nation's monetary policies necessarily have a global impact, making it very difficult to determine what constitutes purely domestic monetary policy and what is meant to be international. Once again, after this amendment, that extremely difficult determination will not be made here in the United States but by international trade tribunals. I don't know about my colleagues, but I have to say that causes me great alarm.

We also need to keep in mind that under currently available economic models and methodologies, it is virtually impossible to definitively measure currency manipulation. There is no clear and obvious threshold at which anyone can, with certainty, declare that a country's currency has been manipulated.

Most like to point to the standards set by the International Monetary Fund. However, even their formulations have been unable to determine currency manipulation with any level of specificity.

For example, IMF models recently showed that in 2013, Japan's currency was anywhere between around 15 percent undervalued and 15 percent overvalued. In other words, existing standards for determining what is and what is not currency manipulation are flimsy and ill-defined. It would be very dangerous to subject U.S. monetary policies to enforceable rules based on these standards. Yet that is precisely what the Portman-Stabenow amendment would do.

Third, under the Portman-Stabenow amendment, the traditional role of the U.S. Treasury in setting U.S. exchange rate policies would be watered down and potentially overruled in international trade tribunals. Thus, adoption of the Portman-Stabenow negotiating objective cedes independence and full authority over not only monetary policy for the Federal Reserve but also the exchange rate policy for the Treasury.

Fourth, the Portman-Stabenow amendment would deal a serious setback to ongoing efforts to fight currency manipulation by encouraging our trading partners to evade regular reporting and transparency of exchange rate policies. If currency standards become enforceable and immediately subject to sanctions under a trade agreement, parties to that agreement would almost certainly start withholding full participation in reporting and monitoring mechanisms that are designed to uncover and combat currency manipulation.

Put simply, we cannot enforce rules against unfair exchange rate practices if we do not have information about them. The Portman-Stabenow amendment would make it far more difficult to obtain that type of information. Their approach would push currency manipulation practices into the shadows as countries would fear being hit with trade sanctions if a trade tribunal—once again using ill-defined standards—deems their policies to be manipulative.

As we can see, concerns about the Portman-Stabenow amendment extend well beyond the veto threats. Indeed, even if no veto threats had been issued—and make no mistake, they have definitely been issued—there are enough problems inherent in the approach taken by this amendment to warrant opposition on its own. Can we take those chances? I don't think so.

Colleagues don't have to take my word for it. Every living former U.S. Treasury Secretary, both Republicans and Democrats—every one—has expressed opposition to the approach taken by the Portman-Stabenow amendment. During the Finance Committee's consideration of the TPA bill, Congress received a letter signed by Tim Geithner, Hank Paulson, John Snow, Paul O'Neill, Larry Summers, Robert Rubin, Nicholas Brady, James Baker, Michael Blumenthal, and George Shultz stating, among other things, that ''it is impossible to get agreement on provisions that subject currency manipulation to trade sanctions in a manner that both the United States and other countries would find acceptable.''

It is ''impossible.'' That is their word, not mine.

We also received a letter from 14 former chairs of the Council of Economic Advisers, again both Republicans and Democrats, expressing similar views. The letter was signed by Alan Greenspan, Ben Bernanke, Charles Schultze, Martin Feldstein, Laura D'Andrea Tyson, Martin Baily, Glenn Hubbard, Austan Goolsbee, Alan Krueger, Christina Romer, Edward Lazear, Harvey Rosen, and Greg Mankiw.

All of these leaders—these experts in economic policy—have cautioned against requiring enforceable currency standards in our trade agreements that are subject to sanctions. They all noted such an approach, which would be required under the Portman-Stabenow amendment, would hinder our own economic policies.

Our current Secretary of Agriculture said much the same thing in a letter this week. In his letter, Secretary Vilsack stated:

> Enacting a TPA currency discipline that requires an enforceable negotiating objective would likely derail our efforts to complete the Trans Pacific Partnership and cause us to lose ground on holding countries accountable on currency.

He continued, arguing:

> An enforceable currency provision in our trade agreements . . . could give our training partners the power to challenge legitimate U.S. monetary policies needed to ensure strong employment and a healthy, robust economy.

We have also heard from leaders in the business community. In fact, we received letters signed by almost every major business association in this country, including the U.S. Chamber of Commerce, Business Roundtable, and countless others weighing in either against the Portman-Stabenow amendment, in favor of the Hatch-Wyden alternative or both.

We have heard the same from agricultural organizations, including the American Farm Bureau, the National Pork Producers Council, and many others.

In short, both the business and agricultural communities overwhelmingly—overwhelmingly—oppose Portman-Stabenow. This isn't about politics, this is about sensible policy.

Now, I am not arguing that we shouldn't do anything about currency manipulation. Senator WYDEN and I have submitted an alternative amendment that would take a much more sensible and effective approach to deal with these issues.

The Hatch-Wyden amendment would put a number of tools at our disposal to fight currency manipulation, including enhanced transparency, disclosure, reporting, monitoring, cooperative mechanisms, as well as enforceable rules—the only tool in the Portman-Stabenow amendment. The Portman-Stabenow amendment provides this single tool: enforceable rules, subject—and this is what a lot of people miss—subject to trade sanctions. This single tool is grossly unreliable and poses a serious threat to U.S. interests if we fail to monitor what is going on in international tribunals against the United States.

The Hatch-Wyden amendment would give us maximum transparency and effectiveness with the ability to specifically tailor our efforts at addressing currency manipulation.

The Portman-Stabenow amendment would tie our hands and give us no other option than to subject our trading partners and ourselves to potential sanctions based on unreliable, indefinite standards.

The Hatch-Wyden amendment would preserve the integrity of our current trade negotiations. It would pose no threats to the independence of the Federal Reserve and would not subject our own monetary or exchange rate policies to the whims of an international trade tribunal, and it would increase transparency and accountability of our trading partners' currency practices.

In pretty much every way, the Hatch-Wyden amendment provides a better approach to dealing with currency manipulation than the one offered by the Portman-Stabenow amendment.

So, once again, even if we think the President is blowing smoke when he said he would veto any TPA bill that includes Portman-Stabenow, that is no reason to vote in favor of the amendment—and I don't believe he is blowing smoke. Our alternative approach represents a better solution to a myriad of serious problems.

I urge my colleagues to oppose the Portman-Stabenow currency amendment and support the Hatch-Wyden alternative. I think my colleagues will be happy if they do that because I think I have made a very strong case this morning. There is more to be said, but this ought to cause everybody to think and to pause and to say, Should I really take the chance of voting for this? Is it really possible the President might veto it? Is it really possible it will interfere with our Federal Reserve policy? Is it really possible we could be subject to all kinds of international tribunals—over what? Something we could have avoided with the Hatch-Wyden amendment.

I could go on and on. All I can say is I hope our colleagues will vote for Hatch-Wyden. It is not a matter of wanting to win on something. It is a matter of needing to win on something for the betterment of our country and its foreign policy.

With that, I yield the floor.

Mr. WYDEN. Madam President, I ask unanimous consent that at the conclusion of my remarks, Senator DURBIN, who has been very gracious to let me follow the Finance Committee chairman, be allowed to speak.

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

Mr. WYDEN. Madam President, and colleagues, Chairman HATCH has made a number of important points this morning. I wish to follow up and give a little bit of an update on where we are and touch on one issue that has not been discussed.

First, under Chairman HATCH's leadership, both sides have been working together in good faith with respect to the amendments, and I think it would be fair to say the chairman and I are optimistic that we can have a good and fair list of amendments. That is No. 1. I wish to commend both the Democrats and the Republicans who were part of that amendment discussion.

Second, with respect to the currency issue which Chairman HATCH has addressed—and I certainly share his views—I would also sum it up by saying the Hatch-Wyden approach on currency provides a wider array of tools to deal with the currency issue without undermining our monetary policy. That is really the heart of the Hatch-Wyden proposal. We wanted to come up with the widest possible array of tools but at the same time not undermine monetary policy. That is what Janet Yellen has been concerned about. She has always been concerned about what would happen if, Heaven forbid, we had another financial crisis. She doesn't want her hands tied or the hands of the Fed tied in terms of being able to fight that challenge.

We know that during that period of quantitative easing, a number of countries said the United States was manipulating our currency. Now, of course, that was an outrageous assertion. Chairman HATCH and I certainly disagree with that, but that is what we are up against. To me, what we ought to be trying to do is to provide the widest array of tools to fight these currency manipulation issues while at the same time not undermining our monetary policy. So those are two concerns.

Now, I wish to provide an update from yesterday. Yesterday, I came to the floor because colleagues were talking about excessive secrecy in the way trade policy has been made in the past. I made clear that I have very much shared that view, and I went through in considerable detail how we have put in place a new approach that I am calling the sunshine trade policy. In particular, what it means is that before any Member of the Senate and the House vote on the Trans-Pacific Partnership or any other agreement—the American people will have that agreement in their hands for close to 4 months before any Member of the Senate or any Member of the House actually votes on the Trans-Pacific Partnership.

The way it works—and I thank Chairman HATCH also for his efforts to build this sunshine trade policy—is that before the President of the United States even signs the Trans-Pacific Partnership, that document has to be public for 60 days. On top of that, there are probably about another 2 months that the American people would have that document in their hands.

I know the Presiding Officer of the Senate is here. We welcomed her to the Senate. What this means is that when my colleague from West Virginia has a community meeting—and certainly people in West Virginia, like the rest of our country, care greatly about trade—people would be able to come to a townhall meeting in West Virginia with the Trans-Pacific Partnership document in their hands for close to 4 months before you or any other Member of Congress votes on it. So that is an awful lot of sunshine, Madam President, and it is long overdue. I thank Chairman HATCH again for working closely with me on this matter. This is required by law. It is required by law that the President of the United States make public the Trans-Pacific Partnership for 60 days before it is signed.

Beyond that, yesterday we talked about the labor and environmental issues. Once again, there is a very dramatic set of changes, and that is why the President and I have said this is the most progressive trade policy in our country's history.

For example, during the 1990s—my friend from Illinois is here. We remember all those fierce debates in the 1990s. One point that I think all Members now realize is that those labor and environmental positions meant very little. They weren't enforceable. They were off on the side. They were really shunted way out of real opportunities to affect the debate. That is different now because labor and environmental rights—I went through them in great detail yesterday—are now enforceable.

On the labor issue, we are going to comply with the International Labor Organization standards, the ILO. So this is going to be a very different day, and it is why the President and I have both said this is the most progressive trade policy in our country's history.

To just touch on one other topic briefly, I want to address some of the misstatements about what this trade package will and will not do. We have heard suggested, for example, that it is a backdoor route for immigration reform or action on climate change. We have heard some say that a future President could use trade deals to repeal the Affordable Care Act or water down Wall Street reforms. These hypotheticals somehow just seem to be getting more and more far-fetched. My sense is that at the rate these hypotheticals are going, one is bound to hear that a future President working on a trade deal might have second thoughts about the Louisiana Purchase.

Now, to me, it is pretty important to keep this debate grounded in facts, and the fact is that the bipartisan legislation passed by the Finance Committee says in clear terms that trade deals cannot change or override American laws or regulations. Let me repeat that. Trade deals cannot change or

override American laws or regulations. But there has been an awful lot of spin out there on this point, and I want to address some of those issues this morning.

Many of the hypotheticals are centered on a common part of trade agreements called investor-state dispute settlement, also known as ISDS. Over the course of three decades with this approach in our trade agreement, our country has never lost a single dispute settlement case or paid one dime in penalties. So I have heard all kinds of discussion about this. We never lost a single dispute settlement case. We have never paid a dime in penalties. In fact, our country has been sued 17 times, and if you look at the number of years we have had it, it is not as if there is some kind of tidal wave of litigation.

Some have said that even the mere threat of a lawsuit causes laws and regulations to get watered down. Again, when you have gone 17-for-17 in dispute settlement in those cases, you have to put that upfront in this discussion.

What we know is that our country has regulations challenged nearly every day in our own domestic court system, and there are thousands of lawsuits every year. This trade promotion legislation makes it clear that companies do not have greater rights under the investor-state dispute settlement approach than they do in U.S. courts.

The fact is that our country is a safe and welcoming environment for investment, but that sure hasn't been the case all over the world. Property can be stolen, governments can dream up regulations designed to discriminate against our investors, or companies in fields such as renewable energy can be targeted and punished in unfair ways. Those are companies that we think are right at the heart of a vibrant economy—renewable energy companies—and they have been targeted.

In some places, unlike the United States, there is not a reliable court to turn to for help. This raises serious questions. What happens, for example, if a Malaysian judge decides to vote against an American company and it costs them millions? In another era, our country turned to gunboat diplomacy to protect our economic interests, but, in my view, the rule of law is a better option than military force.

It is also important to recognize that there are an increasing number of cases brought by pro-environment plaintiffs. That looks to me like a positive trend, whether it is the renewable energy companies challenging a European Union state that has rolled back incentives for solar or wind energy or the ecotourism investors suing Barbados for the discharge of sewage in a wetlands area.

Skeptics have argued that the arbiters are invariably biased in favor of corporations and that the panels that decide cases are rife with conflict. The numbers, however, tell a different story, which is that the overwhelming majority of cases are decided in favor of government. The record does not support the proposition that all of the arbiters are unprincipled individuals who allow corporations in those dispute settlements to get laws and regulations tossed out.

Finally, I want it to be clear that I will only accept a plan for dispute settlement that uses a transparent process. What is true in trade negotiations overall has to be true with dispute settlement, too. America cannot be kept in the dark. The hearing briefs, the decisions—all of the important matters must be open to the public.

My bottom line is this: The bipartisan trade legislation that is now before the Senate will go further than ever before to protect American sovereignty and affirm the fact that only democratically elected leaders write the laws in our country.

Done right, our trade policies help guarantee that American companies that have grown up here, invested here, and found opportunities to sell brand Oregon and brand America around the world are going to get the same fair treatment abroad that they get here at home.

I thank my colleague, Senator DURBIN, for his patience.

I yield the floor.

The PRESIDING OFFICER. The Senator from Illinois.

Mr. DURBIN. Madam President, I thank the Senator from Oregon and the Senator from Utah for their leadership on this important issue. Although we may disagree on some elements, they have really poured their hearts and souls into this debate, which is one of the most important ones we have faced.

Thank you for your leadership on that.

ISSUES BEFORE THE SENATE

I would like to at this point kind of reflect on where we are in the Senate at this moment where we have three major issues facing us and say a word about each. I will address some aspects of the trade bill and questions about our national security that have been raised by the extension of FISA.

Before I get into those elements, in respect to the Presiding Officer of the Senate from the great State of West Virginia, I would like to reflect for a moment on McColloch's leap.

Samuel McColloch was a major during the Revolutionary War, and he was given the assignment of keeping the western border frontier of the United States safe, which at that time focused on Fort Henry in what is now Wheeling, WV. Major McColloch had this famous moment when he was turned away from the gates of Fort Henry and had to ride away with the Native Americans—the Indians—in hot pursuit. He rode up the side of this hill or mountain, and as he reached the top there were more Native Americans or Indians waiting for him. He was surrounded, in a desperate situation. As the story or legend goes, at that point, Major McColloch went to the edge and, on his horse, with his rifle in hand, leapt off the side of this mountain or hill. The Native Americans rushed to look down, feeling that he must have died, and looked down, as the legend goes, to see him ride away on his white horse. They say he made this 300-foot leap on a horse. I don't know if he did or didn't, but that is how the story goes.

What does that have to do with what we are facing here in the Senate? It is personal, but I used to drive Route 40 in those days between St. Louis and Washington, DC, when I went to college here at Georgetown. I had a 1962 red Volkswagen, and I used to drive it back and forth. No. 1, it was a long trip. It was a long trip because there were not many opportunities to avoid cities. You went right through the middle of Indianapolis, right through the middle of Columbus, and right through the middle of Wheeling, WV. On the famous hill or mountain of McColloch's leap, traffic would slow to a crawl—so slow that although I never stopped, I was able to read the sign above McColloch's leap because I was stuck in traffic and it was right in front of me.

I always thought about that—well, someday I will go back and take a closer look at it. Well, I did get back to Wheeling and found out that the old Route 40 has changed a lot, and it doesn't go through Wheeling, WV. I don't get to see that sign on the side of the building, ''Marsh Wheeling Stogies,'' and all the places that used to be there, because of the interstates.

There are amazing interstate opportunities now around Wheeling, WV; around Columbus, OH; around Indianapolis; around St. Louis; around Chicago, and it calls to mind one of the issues we are facing here at the close of this session: Why do we have such a great Interstate Highway System? Three words: Dwight David Eisenhower, the President of the United States, the successful general who led the D-day invasion and our conquest in World War II. When he was President, he envisioned the creation of an interstate highway system in America. Where did he get the idea? From Germany. He looked at their highway system and realized what an asset it was to that nation at war, that they could move people and supplies in such an efficient manner on the autobahns. He had a vision that the same thing would be available for America. He called it the Interstate Highway System. He created it in the 1950s.

Virtually everyone in America today would concede it was a brilliant idea. It

has created a backbone for commerce in America. In my State of Illinois, having an interstate near your town or passing through your town is really the best thing you could have for your economy except for one other thing—having the intersection of interstates nearby. Then you know what is going to happen. There is going to be a lot of retail, a lot of commerce, a lot of business opportunities.

So here we have this Interstate Highway System which for almost 60 years has proven to be such a great success in America.

Why do I dwell on this issue in the closing moments—we hope—of this session? There are Members of the Senate who have announced publicly that they want to put an end to this. They have said that from their political point of view, we have to put an end to this Federal, national highway transportation system. They believe it should all be done by States and the localities. They think whatever we have done is fine, but from this point forward, the Federal Government should have no role, no voice. We should not collect the Federal gas tax and put it into the construction of highways and bridges and mass transit across America.

That is their position. You would dismiss it as just a marginal political position, but it turns out they have power within the Republican Party. Add to that group those who believe we should not be collecting revenue—any more revenue—for the Federal highway trust fund. It explains where we are today.

Because of the opposition of these two groups within the Republican Party, those who want to do away with the Federal highway program and those who are unwilling to talk about any revenue for the program, today we are going to be asked for the 33rd short-term extension of surface transportation programs. Just to put this in perspective, we used to pass laws that reauthorized the Federal highway trust fund, Federal transportation trust fund for 5 and 6 years. That makes sense, doesn't it? If you are going to build a highway, it takes some time. It took a long time in Wheeling, WV, and Chicago and St. Louis. You need more than just a few months' commitment, you need several years of commitment to make an investment that pays off for America.

So we used to pass these transportation bills when I was in the House, even in the Senate. It was the easiest political lift that we were assigned. Why was it so easy? Because Members of Congress could not wait to go home and announce that Federal highway funds were going to come back home and make a difference. I was one of them. I do not know how many shovels I have collected over the years from groundbreakings for highways or scissors for ribbon cutting. We do a lot of that as politicians.

This Federal highway trust fund was a mother lode of public relations opportunities for Members of the House and Senate. Why? Because in my State 75 to 80 percent of all the money spent in Illinois on highway construction comes from Washington.

So if we can pass this bill, we can point to projects that make a difference. When I was a Congressman, there was a stretch of interstate called the Central Illinois Expressway that starts on the eastern border of my State at Danville and goes all the way across Central Illinois to Quincy, which has dramatically improved the economy of that region—dramatically.

I was happy to—every time we would complete a segment—be there for a photo and a press release. But then the argument started that maybe we should not do this and maybe we cannot afford to ask those who burn gasoline to pay a tax to build new highways and to repair the old ones.

Now we are stuck in this situation where we cannot pass a Federal highway bill. Madam President, 32 times now—32 times—we have given short-term extensions of surface transportation programs. This one is almost laughable. Listen to this: We are going to extend the Federal highway trust fund for 60 days. What can you build in 60 days? Well, you can fill a pothole—maybe quite a few of them, as a matter of fact. But if you are going to repair a bridge, 60 days does not really give you much to work with. If you are going to build a new highway, that is out of the question.

So what we are doing, limping along, extending the Federal highway trust fund for 60 days, 6 months, sadly, is ignoring the obvious. There are darn few things you can point to with certainty that the government can do to help build the American economy, but one, I am sure, is infrastructure, which used to be a bipartisan issue. Democrats and Republicans alike agreed: build the infrastructure for business to keep businesses, to attract businesses, and to create opportunities for jobs in America—not anymore.

Under the Republican leadership of the House and the Senate, they have refused to even schedule a hearing for a markup for the Federal highway trust fund. Nope, not going to do it. They want to extend this Federal highway trust fund for 60 days. They, I guess, believe that if you fill enough potholes you can build a highway. I don't think so. They think America can patch its way to prosperity. I don't think so.

I think we have to look at the obvious. If we are committed to this country, to its future, to building the economy and creating jobs and keeping them, if we want our children and grandchildren to have infrastructure that builds competition into the 21st century, you cannot do it with a 60-day highway bill. It cannot be done. I had a long discussion with my Democratic caucus over the last several weeks and told them I think we are making a serious mistake. I think this ''go along, get along, 60 days, we are living for a week for Memorial Day'' attitude has to come to an end.

I think the Republican leadership in the House and Senate has to stand and accept responsibility. That means passing a Federal highway bill, a Federal transportation bill. It is not just highways and bridges, as critically important as they are; it includes mass transit.

In the State I represent, Illinois, downstate we love our highways. You get up to the Chicago metropolitan area, we love our highways still, but without mass transit we could not move all the people we need to move to keep the economy humming in the Chicagoland area. Twenty percent of this Federal Transportation bill goes to mass transit. Now, I am all for it. I support that; more people in trains, more people in buses, fewer people on the highways, less congestion.

I think we ought to look at the big picture, too, even beyond the Federal Transportation bill. Can you imagine when that tragedy occurred on Amtrak just a little over a week ago—I believe eight people lost their lives and hundreds were injured—that the very next day, the next day, the House of Representatives held a hearing and decided to cut the appropriations for Amtrak. It is a classic case of ''what are they thinking?'' We want Amtrak to be safe, reliable, efficient. The people of America have told us they want it to grow.

If you want to ride an Amtrak train in my State, coming into Chicago or going out of Chicago, you better get a reservation because those cars on Amtrak trains are packed. Sadly, most Amtrak rolling stock is about 30 years old, and we are not investing in Amtrak for our future. Where I live, Amtrak makes a big difference. Without Amtrak service out of Chicago, headed downstate in Illinois, I can tell you a lot of university presidents will tell you they will not have enough students.

The students come from Chicago down to Champaign-Urbana to the University of Illinois; to Charleston, at Eastern Illinois University; Carbondale for Southern Illinois. They take that west side of our State run on Amtrak down to Quincy University in Western Illinois, Knox College.

Over and over again, Amtrak service is a critical part of our State and its economy. Yet those in leadership on the Republican side don't believe in it. They want to see it go away, just like they want to see the Interstate Highway System come to an end. I think they are wrong. I think they are shortsighted. I think the public of this country has to speak up.

So I guess I am serving notice here. This 60-day extension will go through.

I understand that. But from this point forward, it is not going to be automatic anymore. It is not going to be: Well, we will do another 60 days and then we will do maybe 180 days. No. I think we need to have a moment in the Senate and in the House where this convenient extension, at the expense of America's future, comes to an end. It is time for the Republican Speaker and the Republican majority leader to lead, to call together their committees and to pass Federal highway trust fund.

They have 60 days—60 days from the end of this month to get it done. That is enough. I hope they do it. Because if they don't, many of us are not going to stand by again and say: Let's just let this new approach of patchwork America become the symbol of our future.

The second issue which we still have not resolved, is what to do about the PATRIOT Act. It was 9/11/2001. I was in a meeting just off the Senate floor. We had just seen, on a small television in our room, the second plane crash into the New York Trade Towers. It was pretty clear at that moment this was not just an accident. This was done by design.

It was not 15 minutes later that somebody broke into the room and said: Leave immediately. Get out. There is another plane on the way. We evacuated the United States Capitol Building. I have never seen anything like it in my life. Tourists everywhere ran out those doors and stood out on the grass and looked at one another and said: Where are we supposed to go? What are we supposed to do? It had never happened before.

Because of that experience and the tragedy of losing 3,000 American lives, we came together as a nation and said: We are going to stop this from happening again. We passed something called the PATRIOT Act, which empowered our government to go further than it had ever gone to keep us safe. We put a sunset on it. That was a wise idea. We said: It is not permanent law. It is going to be reviewed in a matter of 2 or 3 years because we are acting now with this emotional feeling about what has happened to America. We think we are doing the right thing, but we want to reflect on it and revisit it on a regular basis.

Why? Because we are dedicated to the safety of this country, No. 1—security and safety—but we are also dedicated to the rights of American citizens, our rights to privacy. So we wanted to strike the right balance. We thought we did, but we would return to it. Now, we are returning again.

Here is the basic question we face; that is, what will be the reach of our Federal Government in gathering information to keep us safe? Specifically, in this case, we are talking about telephone records, not the substance of your phone conversations but your records. Whom did you call? How long did the call last? Whom did that person call? How long did the call last? Maybe two or three generations of telephone information.

''Bulk collection'' is the term that is used. It means, basically, that if you suspect someone in my home downstate area code of 217 in Illinois, if you suspected someone in that area code of being involved in terrorism or connected with a terrorist, the Federal Government would have the power to reach in and gather all of that phone information from area code 217.

You might say to yourself: Well, why would they want to take all of it? They certainly have a name or telephone number of the suspect. No, bulk collection suggests gathering all of that information. Many of us have questioned over the years whether that is needed or if it was too far.

I have offered amendments in the past which were unsuccessful because we did not know details about what the government was doing, and I could not disclose it. It was classified at that time, how much we were gathering, how often we were gathering. So over the years, my amendments would not succeed, but the cause continued to grow, to the point where we now have a USA FREEDOM Act, which says, basically, the Federal Government can reach into area code 217 to go after a suspect, that suspect's phone records, and the people that suspect may be in touch with.

So we are more or less localizing it, particularizing it, going to an individual rather than collecting all of this information, bulk collection. This is what USA FREEDOM Act does. It limits government reach. Now, we do not want to limit it to the point where it endangers us. So we went and asked the professional, the intelligence agencies and the Department of Justice: Is this new version of the law enough to keep America safe?

They came back to us and they said yes. As a result, we have a bipartisan bill, which has passed the House of Representatives, Democrats and Republicans, supported by Speaker BOEHNER, the Republican leader, passed overwhelmingly the USA FREEDOM Act, and it has now come over the Senate. Why do we have to take this up now? Because at the end of May, the authority of the Federal Government to collect information on telephone records expires. The sunset I talked about recurs.

So we have an obligation to do something before the end of May. I believe we should call up the USA FREEDOM Act that passed in the House of Representatives and pass it here. We are told by the President, the Attorney General, the head of our intelligence agencies that this is enough authority to keep us safe and not go too far. I failed to add, a recent court case in the State of New York found that this bulk collection of telephone records was illegal. So we clearly have to act and do something. We can, but it is tied up in knots. This morning, the majority leader came to the floor and took exception to some Members of his own party as well as my party and our position supporting the USA FREEDOM Act. I hope that he will give us a chance to pass that, and I hope there is a bipartisan majority to pass it.

The last issue which I wish to address is the trade bill that is pending. It is a controversial measure. I will not go into any depth. I can't add a great deal to what has been said by so many people on the floor about this legislation. But the currency question raises an interesting question for us. There are ways to have unfair trade practices that are not very obvious, and there are some that are. One of the obvious ways to deal unfairly in trade is to dump a product in another country.

What does that mean? It means if you are going to create and fabricate a ton of steel in Brazil and then sell it in the United States for less than your cost of production, you are dumping it. That is exactly what happened to us about 12 years ago. Brazil, Japan, and Russia decided to dump steel in the United States.

Why would any country want to sell steel at lower than the cost of production. They are going to lose money on it, right? They saw that in the short term, but in the long term they knew what would happen. U.S. steel producers couldn't compete. They couldn't sell at that price. So they kept dumping steel in the United States until more and more steel companies in America went out of business.

Oh, they filed their grievances for unfair trade practices, and therein lies the problem. Those grievances—those complaints—went to the International Trade Commission, which sat down to study the issue and make a decision on the issue. By the time they made a decision and found out that yes, there was dumping on, and yes, it was unfair to the United States, all of the U.S. steel companies that were affected had lost and gone out of business.

So when you have a trade agreement, it isn't just a matter of having provisions. They need to be enforceable in a timely fashion or we will lose business and we will lose jobs in America.

We have two other issues before us now. One of them relates to currency. You can price a product by the value of your currency against another country's currency. China and Japan have developed quite a reputation in the world for their currency manipulation to make sure they always had an advantage over the United States, no matter how good we were.

So currency is an important issue that has been brought up in an amendment today, and it is an indication to everyone who follows this debate of the complexity of the debate on trade.

There is a second issue that was brought up by Senator WYDEN of Oregon, who is the ranking member of the Senate Finance Committee, and that is the whole issue of what to do when you have a dispute with another country about a provision of law.

Here is an illustration. Australia passed a law, which required warnings on their tobacco packaging so that people in Australia understood the health risk of using tobacco. That is not uncommon. We do it in the United States. But Philip Morris, an international company that had offices in Hong Kong, protested to Australia that these labels, which discouraged people from buying their tobacco products, would cost them business. And they used this investor trade dispute mechanism, which meant they didn't have to go through the courts of Australia. They went through this basic mechanism, this tribunal created by the trade agreement. The net result of it was that Australia faced this prospect: Either to remove the law requiring labeling or to pay Philip Morris for the effectiveness of that labeling on their profits.

The argument for this separate tribunal is that you cannot always trust the courts of the country. I heard that from my friend from Oregon. But also, when you take this out of the court system and let it be decided by corporate leaders, it really puts you at risk.

What is going to happen when some company protests in America about our environmental laws, about our banning toxic chemicals, about our tobacco warnings? That means in addition to going through the courts of the United States, it may also go through a tribunal. I worry about that. Again, that is an aspect of trade which most people don't think about, but it could affect each and every one of us very personally.

We are likely to finish this session this weekend, I hope, and we have three important issues. We are probably going to extend the highway trust fund for 60 days—and I hope that comes very soon.

I see my friend from Tennessee on the floor. I want to say a word congratulating him for his leadership on the Senate Foreign Relations Committee and bringing about an extraordinary bill which passed on the floor of the Senate related to the negotiations with Iran. It is one of the highlights, I might say to my friend from Tennessee, of what we have achieved this year. I thank him for that.

I don't know if he serves on any appropriate committee, but if he could take his skill and wisdom to create a bipartisan highway trust fund bill, we need it, and I hope we can do it.

Secondly, I hope we can pass the USA FREEDOM Act. It is the right thing to do, striking a balance between security in America and privacy.

Finally, we are likely to complete this part of the trade debate. I hope we have a fulsome debate on the amendments, which raise some important issues, two of which I have spoken to this morning. It is important that we do this business and we do it right. A lot of people are counting on us.

I yield the floor.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. CORKER. Madam President, I rise today to speak on the matter before us, which is the trade promotion authority that is so important to our Nation.

I realize that whenever we deal with issues such as this, there are always parochial issues that people deal with in order to make sure their State's interests are represented well. I realize, for instance, that issues such as the Ex-Im Bank are very important to various people around our country based on manufacturing operations that happen to be in their States, and I respect that.

I appreciated yesterday that we were able to move beyond an issue that was holding us up and get to a place where we are going to be able to vote on some final amendments and, hopefully, move trade promotion authority into fruition.

I know we have talked a lot about these parochial issues. I want to move back to those in just one moment, but I want to talk about the importance of trade promotion authority and an agreement that I hope will come to fruition after we pass this, which is TPP.

I know that many in our country—especially now as we see things on our television screen and in newspapers about unrest that is taking place around the world—have been concerned about our foreign policy. We have been concerned about the effectiveness of what we have been doing.

One of the areas that our committee focused on this last week was much of what is happening in the South and East China Seas at present. Because of those activities, I was in Southeast Asia within the last 12 months.

Let me just say that there are concerns there among friends, people who want to move more toward a Western-based value system in their countries. They are very concerned about many of the activities that are taking place in the South China Sea but also about the economic dominance that is occurring now in China as it continues to export not only its strength into the South China Sea but also its economic dominance.

They have been very concerned about the fact that our pivot to Asia really hasn't borne much fruit. They haven't really been able to see anything very substantial taking place in that regard. I think people on both sides of the aisle have concerns about what is happening in that area.

But here we have an opportunity to do something that has nothing to do with military might, has nothing to do with things that could evolve down the road such as kinetic activity or anything along those lines.

We have an opportunity now to hugely shape that part of the world by passage of this trade promotion agreement, which will allow the countries to finally put their last deal on the table. Without this, there is no way we are going to get to a final TPP agreement that will bring that region more closely aligned to the United States.

It calls us to do much greater business with them, which will help people in Tennessee. It will help people in West Virginia. It will help people all across this country to be able to export goods to other places. But, importantly, it will draw those countries more closely to the United States, and it will act as a buffer against the dominance that is taking place now with China.

In meeting after meeting, constantly I was asked: Will the United States come together and deal with this issue in an appropriate way? Will the United States actually be our partner? Will the United States work with us to make sure that our economies expand as the United States' economy expands? Will we be able to count on the United States to enter into an agreement where we have a balance, where we have the opportunity not just to export our goods to China and deal with China but also have the opportunity to deal with the United States? Can we count on the fact that the United States is going to promote free enterprise, is going to promote the rule of law, is going to promote anticorruption, is going to move away from state-owned enterprises, which in many cases is dominating that area?

I just want to say that TPP—and passage of TPA, in order to cause us to come to a final agreement on TPP—is in our national security interest. It is the best way for us to counter what is happening in the region that we consider to be a threat. It is the best way to promote American values.

In the process, what we are doing is actually raising the standard of living of Americans. So this is a win-win. Again, I know we have a lot of parochial issues that people care about rightly—I don't challenge that—and that could possibly get in the way. I hope that over the course of the next several hours, we will figure out a way to appropriately deal with amendments that allow people to voice concerns, especially concerns that they have in their own respective States. But I hope, when we move beyond that, when we move beyond disposing of those amendments as a group, that we will come together and pass this TPA, which, more than anything else we can do now in the region, will cause us to

be a bulwark and will cause us to allow people to move toward the Western values that we hold so dear.

That brings me to an issue, first, on the national security front. We have a host of former Secretaries of Defense who have signed a letter—people on both sides of the aisle, former generals who have worked in the region. They know how important TPA is and TPP following on. They know how important they are to our national security interests.

In addition, I think you know we have had 10 Treasury Secretaries who signed a letter talking about one of the amendments that may be on the floor dealing with currency.

I don't know what the office of the Presiding Officer is like right now, but we are being inundated with emails, especially from the auto industry, regarding this currency issue. During the crisis, I know the Presiding Officer was serving in the House of Representatives, and I was in the Senate. During the auto crisis, the Senate debated issues relative to the auto crisis. I know the House did the same. But during that crisis, President Bush, late in December, decided that he would use U.S. taxpayer monies to bail out the auto industry. And President Barack Obama, who was elected and came into office shortly thereafter, followed up on what President Bush had put in place. Through something called TARP, which was unexpectedly put in place to be utilized to bail out the financial industry—again, something that was regrettable and had to take place—the auto industry was bailed out. Taxpayers of the United States bailed out the auto industry to the tune of $80 billion. So $80 billion we invested in the auto industry.

What that did was not just bail out the large entities that needed the money, but it bailed out the supply chain that worked to support what they did in their manufacturing operations. And so the taxpayers of this country, in a massive way, in an unprecedented way, back in 2008 and 2009, injected taxpayer money—taxpayer money—into private enterprises to make sure they would survive. It was obviously controversial. Today, obviously, many jobs have stayed in place as a result of that. People certainly have differing opinions about what should have happened during that time.

I fear what is happening right now is that the auto industry is back and asking for another bailout. In our office anyway, and I think other offices around the Capitol, we are hearing from the auto industry right now about a currency provision—a provision they want inserted in TPA in order to give them another bailout. They want to ensure, as we move into this agreement, that they will have a competitive advantage.

I think all of us understand that the President has said he would veto TPA if it has this currency provision in it. We have had Treasury Secretaries—10 of them, highly respected on both sides of the aisle—who have told us we should not have currency provisions of this type in a TPA agreement. I think we understand the difficulties having these currency provisions in TPA will create in actually completing the TPP agreement, which again I have mentioned before. Obviously, it is important to us economically, but it is hugely important to us from a national security standpoint and from our national interest standpoint.

So I know these currency issues sometimes are difficult to deal with. I think it is important certainly for Senators to be able to express concerns about things that may happen in their own States, and I respect that. I respect that, but I hope as a body we will rise above giving another bailout to the auto industry because, if we do, it will greatly complicate our ability to enter into an agreement called TPP, which will be in our national interest, it will be in our economic interest, and it certainly is something Treasury Secretaries, Defense Secretaries, and others who know of the great national interest at stake oppose.

I thank the chair for the time. I hope as a body we will do what is good for our Nation and not just for a small group of people; that we will do something that will stand the test of time; we will do something that will increase the standard of living for these pages who sit before us today and cause them to be safer; that will cause American values to be more prolific and certainly benefit our Nation's economy.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from New Hampshire.

Mrs. SHAHEEN. Madam President, I ask unanimous consent to speak as in morning business.

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

HIGHWAY TRUST FUND

Mrs. SHAHEEN. Madam President, in just 10 days, authorization for the highway trust fund will expire. The fund will run out of money entirely by the end of July, which means transportation projects in New Hampshire and across this country will grind to a halt.

What is Congress's response to this crisis? This week, leadership will bring to the floor yet another inadequate short-term extension of the highway trust fund authorization, and there is no plan whatsoever to address the insolvency of the fund. In other words, once again, we are kicking the can down the road. But in this case the road is overwhelmed by traffic, badly in need of modernization, and filled with patches and potholes. For a country that seeks to remain competitive in the 21st century global economy, this is totally dysfunctional and unacceptable.

I know my colleagues and the Presiding Officer travel around the city of Washington. Sometimes I feel like I am in a Third World country when I travel along the roads in DC. There are few more basic and necessary functions of government than providing for modernized highways, bridges, and other infrastructure. Yet Congress is grossly neglecting this responsibility. China spends about 9 percent of their gross domestic product on infrastructure, Brazil spends about 8 percent, but infrastructure spending in the United States has fallen to just 2 percent of our GDP. That is half of what we were spending in the 1960s.

Our highways and bridges face a more than $800 billion backlog of investment needs, including nearly one-half trillion dollars in critical repair work, and Americans spend a staggering 5.5 billion—that is billion not million—hours stuck in traffic each year. Yet earlier this month, the majority party in Congress voted almost unanimously for a budget resolution that will slash Federal funding for transportation by 40 percent over the next decade. This is just irresponsible. This isn't about cutting fat and extravagance from the transportation budget; this is about cutting the muscle, the sinew of our Nation's critical transportation infrastructure.

Last week, I went with the mayor and the city manager to Concord—New Hampshire's capital city—to inspect one of three bridges that are critical to the city of Concord. It is rusted out and it is now closed—the Sewalls Falls Bridge. Our office had worked with the city and U.S. DOT to get the approvals to replace this bridge. The city of Concord lined up all the permits—and then nothing. Because of uncertainty about Federal funding for the project, it was stopped dead in its tracks, until the city and State last week, when they realized we weren't going to act, stepped in with short-term funding in anticipation we would finally do the right thing.

Well, thousands of other road and bridge projects across the country have been put in this same jeopardy and limbo because of our failure to do our job. This neglect is creating bottlenecks in our economy, it is hurting our global competitiveness, and it is killing jobs, especially in the construction trades, where employment still has yet to recover from the recession. According to a Duke University study, providing Federal funding to meet the U.S. Department of Transportation's infrastructure requests would create nearly 2½ million jobs.

Earlier this month, I joined with a bipartisan group of eight Senators who previously served as Governors: Senators KING, ROUNDS, KAINE, HOEVEN, WARNER, CARPER, MANCHIN, and myself.

We sent a letter to our Senate colleagues urging them to commit to fully funding national infrastructure priorities and putting a stop to the destructive, dysfunctional short-term fixes that have become routine in recent years.

Madam President, you are too young to remember, but I remember being in elementary school when Dwight Eisenhower championed our great Interstate Highway System. That was a visionary move. I remember talking about it in class and being excited about it. The National Interstate and Defense Highways Act of 1956 ensured dedicated Federal funding to build a network that today encompasses more than 46,000 miles of roadways. That system has transformed our economy and it has created countless millions of jobs, but it is now six decades old. Its dedicated funding mechanism—the highway trust fund—is in constant shortfall and today is just 2 months away from becoming insolvent.

So for Congress to pass yet another short-term extension is damaging and dysfunctional. It kicks the can down a road that is crumbling, congested, and increasingly uncompetitive. It is time for Congress to come together, on a bipartisan basis, to break the cycle of patchwork fixes. It is time to pass a 5- to 6-year funding bill that will allow government at all levels to plan long-term capital investment projects and to build a 21st century transportation system that meets the needs of our 21st century economy.

Madam President, I yield the floor.

The PRESIDING OFFICER. The Senator from Pennsylvania.

EXCITING NEWS ON CANCER

Mr. TOOMEY. Madam President, I rise to speak about an amazing presentation I have had the privilege of witnessing twice now in the past several months at the University of Pennsylvania, at the medical center there. I want to speak a little about the work some scientists and doctors are doing that is extremely exciting and has great implications for all of us.

Let me start with a little background and some facts. In 2014, over 585,000 Americans died from cancer. There were over 1.6 million new cases diagnosed. I think it is fair to say that every one of us has a family member, a very close friend or we know somebody closely who has been afflicted with some form of this terrible disease. The fact is cancer is on the verge of overtaking heart disease as the leading cause of death in America.

Now, we have made a lot of progress on many forms of cancer, but we still have a long way to go. I want to speak a little about a very exciting new therapy, but let's start with talking about cancer a little bit itself.

The fact is cancer cells have this protective shield, if you will. It is a shield that allows the cancer cell to hide from our immune system. If our immune system were able to function normally with respect to cancer cells, we wouldn't have cancer. The immune system would destroy the harmful cells, but that doesn't happen in cancer, and it is because of this protective shield. So imagine if we could develop a therapy that would penetrate that protective shield and allow our immune system to break through and destroy the cancer cells.

Astonishingly, the very viruses that have been responsible for killing millions of people around the world—HIV, polio virus, measles—are now being used to create exactly this capability—this capability to break through cancer's protective shield.

Researchers at the University of Pennsylvania—a team of researchers led by Dr. Carl June—have developed a process to harness the body's immune system and enable it to identify, track down, attack, and destroy an important form of leukemia, a blood cancer that is most often found in children. In their trial, 90 percent of the patients with this relatively rare form of recurrent leukemia went into remission after they got this groundbreaking treatment and their cancer has not returned.

Dr. June and his colleagues don't ever say this, but they may be on the verge of curing leukemia, and it is very exciting. So let me talk a little bit specifically about this form of leukemia. Acute lymphoblastic leukemia is the most common cancer in children ages 1 through 7. For young children, this is the most common form of cancer that afflicts them. There are 60,000 cases in the United States alone of acute lymphoblastic leukemia. It is hard to say, so it goes by ALL. This cancer results when abnormal white blood cells accumulate in the bone marrow. The leukemia cells then are carried through the bloodstream to other organs and tissues, including the brain, liver, and other areas, where they continue to grow and divide.

Now, most ALL patients can be successfully treated with conventional chemotherapy, expensive and sometimes dangerous bone marrow transplants, and stem cell transplants. These therapies have improved enormously, and they work in most cases. I think about 80 percent of ALL cases can be cured with these conventional treatments. But the recurrent ALL—those who don't respond and are not cured by these conventional treatments—their prognosis is much worse. Approximately 3,000 pediatric patients relapse after the bone marrow transplant procedures, and most of these relapses are early relapses and, candidly, have a pretty dismal outcome—only a 15- to 20-percent survival rate for children with these kinds of relapses. This is where this new therapy comes in. It is called chimeric antigen receptor—or CAR-cell therapy.

What happens is doctors remove T-cells from the cancer patient. T-cells are a type of white blood cell we all have as part of our immune system. They then take those T-cells and they insert new genes from an inactive, harmless component of the HIV virus. They actually use part of the HIV virus to get into the T-cells, which gives the T-cells a new capability. Specifically, they develop the capability to identify and link to a protein that is on the surface of the cancer cell. That is the shield that protects the cancer cell. This enables the T-cell, in turn, to then destroy that cancer cell. So that is the idea. The T-cell is taken out, it is modified with a component of the HIV virus, and it is then injected back into the patient, where it multiplies massively and begins this wonderful search-and-destroy mission—searching for the cancer cells it has been programmed to find and killing them.

This treatment is specific to every individual patient and works in part because it works with a patient's own T-cells. So that creates a whole set of protocols and challenges. You have to make sure that you are withdrawing a person's T-cells. You can go through almost a manufacturing process whereby you transform them so that they can be used for this purpose.

One of the most exciting things about this therapy is that after a patient has been treated, after they have gotten their modified T-cells put back into their body and after the T-cells have served their purpose, they don't just vanish; they remain in a person's system. They remain as part of the immune system, sort of on standby, ready and able to attack if the cancer should emerge.

They are still in the trial phase of this new process. Dr. June and his team were willing to take on the most difficult cases. In fact, that is all they were allowed to take on initially. The first 30 patients they tried this therapy on had already undergone chemotherapy several times and the chemotherapy had failed. In fact, everything had failed for these patients. They had no treatment options left. By the time they got to Dr. Carl June and his team, these patients had weeks to live.

In the first trial, 27 of the 30 patients were cancer free 1 month later—So 1 month after receiving the treatment, no cancer—and 78 percent of the patients were alive 6 months after the treatment.

Now, 125 patients have received this personalized cellular therapy at the University of Pennsylvania for several kinds of leukemia. They have modified the treatment to address other forms of cancer, including non-Hodgkin's lymphoma, for instance. In more than 90 percent of the pediatric leukemia cases they treated, the patients are still in remission. Four out of five adults with non-Hodgkin's lymphoma have had complete remissions.

This is amazing stuff. It is very exciting. Scientists, medical researchers, and doctors across the country who are following this have been blown away by the success, and they refer to it as ''a major breakthrough,'' as ''phenomenal,'' and it has been what ''we've been . . . hoping for.''

Just last year, the FDA agreed that the progress is so stunning that they granted what they call ''breakthrough therapy'' designation for this therapy, for this treatment, because of the success they have shown in the early trials. This designation is going to allow Dr. June's team to treat more patients more quickly who are in these very difficult circumstances.

In fact, the University of Pennsylvania is already working with Novartis in anticipation of the time that they will be able to roll this out as a standard treatment, where it will one day—hopefully soon—no longer be considered experimental and no longer be the last resort for patients but an early resort. The conventional treatments—chemotherapy and bone marrow transplants and stem cell treatments—tend to have very unfortunate adverse side effects. It has been necessary because they can be successful. But one of the wonderful things about this therapy is there are no lingering side effects.

So it is enormously encouraging. It is very exciting. One of the things that are most exciting about this is that this technique conceptually could very well apply to any number of cancers, maybe all cancers. It is not a small matter. It is a challenge. But these guys are meeting this challenge. The challenge is to design the transformation of the T-cell in a way that will pierce that shield, that unique shield for each form of cancer, and they are making remarkable progress. They have also made tremendous progress on fighting multiple myeloma, which is another blood cancer that is very serious.

I should point out that Dr. June and his team at the University of Pennsylvania are not alone in pursuing this general direction. MD Anderson in Texas is working to use the common cold virus—the virus that causes the common cold—to help fight brain tumors in a similar fashion.

Penn researchers have already developed a way to engineer immune cells in mice to fight a very dangerous form of brain cancer, and that has been so successful in the animal trials that this fall they will be able to begin human trials on this as well. This kind of brain cancer that they will be trying to treat affects over 22,000 Americans. It is called glioblastoma. People who are diagnosed with stage IV glioblastoma are in very dire circumstances. The mean survival rate is less than 18 months. This is, in fact, the form of cancer that took the life of Senator Kennedy, a former colleague of so many of us. This is extremely exciting. And ''60 Minutes'' did a profile on some doctors at Duke University who are using a reformulated version of the polio virus. Instead of HIV, they are using the polio virus in a similar fashion to enable our immune system to attack this brain cancer, glioblastoma.

I am, frankly, fascinated and incredibly excited about the progress these scientists and these doctors are making. But along the way, to get there, it costs money, and there has been a struggle for the funds to get this done. Dr. June's study has been supported by the NIH, by the Leukemia & Lymphoma Society's Specialized Centers of Research Grant Program, and a Stand Up To Cancer-St. Baldrick's Dream Team translational research grant.

In 2008, the NCI had originally denied funding because they thought this was perhaps too risky. Fortunately, the Leukemia & Lymphoma Society and the Alliance for Cancer Gene Therapy stepped in.

After they treated the first several patients, despite their success, they ran out of money and they had to stop treating patients for over a year while additional funding was lined up.

The fact is, this research funded by the NIH has given us tremendous strides in early detection and treatment methods and survival rates for a variety of cancers but especially for this work.

I know my colleagues and I are committed to continuing to fund the kind of research that makes these breakthroughs possible in a responsible way. I wanted to come down to the floor today and talk about how important this is and how exciting this is. I personally think we are in an extraordinarily exciting moment for health care for our whole society. Technology is producing spectacular breakthroughs, and it seems to be happening on an accelerating basis. Some of the big, gigantic intellectual breakthroughs of recent years—the Human Genome Project, the gene sequencing—the technology that is available now wasn't even imagined a few years ago. The combination of these things is enabling us to make discoveries and breakthroughs and treatments that were beyond human imagination just a few years ago. So I think we could be on the threshold of some absolutely stunning and wonderful developments. Personalized medicine is a big part of it. Understanding how our genes contribute to the health care problems we have but also can be used to combat these problems—I think this is all readily within reach. I am very excited about it.

In closing, I guess my message is that when we think about where we are and how close we are to these stunning cures for some amazingly devastating diseases, I think we should set our goal at curing these diseases. Our goal shouldn't be to figure out how we treat this, how we extend life for a few months. We will do that for as long as we have to, but our goal should be to cure. Our goal should be to cure cancer. Our goal should be to cure heart disease. Our goal should be to cure Alzheimer's. We are going to be able to do this. We should make this a goal. We should make this a priority.

We have a lot of competing priorities for the limited resources available to the Federal Government. I can't think of any that are higher than this extremely noble effort, and I can't think of any reason not to support it. It is within reach. The progress is stunning and exciting, and it is happening all across America and very much in Pennsylvania. I am proud of the work that is being done in Pennsylvania, and I look forward to seeing it continue.

I yield the floor.

The PRESIDING OFFICER. The Senator from Michigan.

Ms. STABENOW. Madam President, I am speaking today on the underlying bill, but I do want to indicate, supporting my friend from Pennsylvania, that there is incredible, exciting work being done with the National Institutes of Health that is focused on those cures. I think the challenge for us is that the budget that was passed will actually end up cutting NIH, and with this very bad policy of sequestration that I hope we are going to be able to fix—if that continues, then we will not only not have the ability to move forward on exciting cures, but we will actually be seeing NIH cut, which I think would be foolish and devastating to all of us in the long run and, for a lot of reasons, going in the wrong direction. So I hope we can work together on a bipartisan basis to fix that.

AMENDMENT NO. 1299

Madam President, let me first say, coming to the floor on the Portman-Stabenow amendment, that I ask unanimous consent to add two more cosponsors today: Senator TESTER and Senator MARKEY. That brings us to a total of 30 bipartisan cosponsors on this very important, commonsense amendment outlining the importance of the biggest 21st-century trade barrier, and that is currency manipulation. So I thank everyone who has joined together to cosponsor this.

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

Ms. STABENOW. I also know there has been a tremendous amount of energy going on trying to defeat this amendment in the last day, and there are a lot of comments being made on the floor. I do want to first of all say in response to comments from someone whom I greatly respect, the Senator from Tennessee, who has played an incredibly important role in moving forward on some important foreign policy issues, that I would caution that we

call support for manufacturing—whether it be autos or others or supply chains or materials manufacturing—somehow a bailout when we are talking about protecting American jobs—I would point to the fact that there is a very important company, Alcoa, in Tennessee that just received an advanced technology vehicle loan. I was proud to author that loan program back in 2007 in the Energy bill. They make aluminum, as we all know, and they are retooling to be able to benefit from Ford Motor Company's policy of moving to aluminum to take 700 pounds out of the F–150 truck to make it more energy efficient. Alcoa is benefiting, a Tennessee company. I don't consider that loan a bailout any more than I consider any other loan programs we put together for manufacturing a bailout.

But I would suggest that we have literally millions of jobs across our country connected to the supply chain, whether it is autos, whether it is dishwashers, whatever it is that we are making.

We have manufacturers—large and small—telling us that if we are going to move forward and give negotiating objectives to this administration to negotiate a trade agreement with 40 percent of the global economy in Asia, we better understand that the No. 1 trading barrier used by Asian companies is currency manipulation—No. 1. I find it astounding. It would almost be funny if it were not so crazy. There are these arguments, on the one hand, that somehow, setting up a negotiating principle and just saying that if you negotiate something on currency, we want it to be enforceable for the first time—not just words—we have a lot of words. We have years and years of lots of words about currency manipulation. But this time, if you actually negotiate something, we want it to be enforceable. And somehow that is going to bring down the Trans-Pacific Partnership. If that is the case, then we have a lot more to be worried about than this amendment, in my judgment, in terms of what sounds like not a very good agreement overall.

We are continually hearing, on the one hand, that things are getting better with China, that Japan does not do this anymore, and that the Bank of Japan does not do this anymore. But if they do not do this anymore, then why do they care? How can anyone with a straight face say they will walk away from a major Trans-Pacific Partnership because we say to our negotiators, on the list of things we think are important on behalf of American businesses and workers, that we count currency manipulation in that list. And by the way, if you do something—and we do not prescribe what it ought to be—it ought to be enforceable.

I am astounded at the amount of energy going into this to say this is a poison pill. The reality is that in the House of Representatives this amendment would actually pick up votes, and there is going to be a lot of need to pick up votes in the House of Representatives.

I do not know anybody who says they are voting for this and that somehow because this is in here—or somebody who is not voting for it—they would not actually vote for the TPA.

It is amazing to me, and it is amazing to me that my partner in this is a former U.S. Trade Representative who sat at the negotiating table, who supports TPA, who is saying that this is reasonable and will not interfere with the ability to negotiate.

As I said before, I would like to go further. I would like to say that you do not get fast-track authority unless you do something on currency because this has cost us over 5 million jobs and counting. But that is what this amendment says. This creates maximum flexibility for the administration. It simply says on the list of things that are important that we care about wages, we care about the standard of living, we care about protecting the environment, we care about intellectual property rights, and we care about currency manipulation. And if you put something in there, it should be enforceable under the international rules under the WTO and meet the definition of the IMF. We are not mandating the outcome of any particular negotiation. If simply having this in here means that Japan walks away, then there is something else going on here that we ought to all be very, very concerned about.

We have also heard that this will affect countries to attack us on our domestic policy, including quantitative easing. Our amendment explicitly exempts domestic monetary policy. In fact, in the text of the amendment, it says: ''Nothing in the previous sentence shall be construed to restrict the exercise of domestic monetary policy.''

In the side-by-side by the leaders of our Finance Committee—by the way, they have no such exemptions, which is interesting. Some have contended that by adopting our amendment, particularly Japan will walk away. They really cannot have it both ways. Either the Bank of Japan is or is not doing what they have done for 376 times in the last 25 years—376 times, despite the fact that they signed on the dotted line with 188 countries, signed on the dotted line through the International Monetary Fund: We are part of the IMF, and we will not manipulate our currency. And they have done it 376 times. So if they are not going to do it anymore, why should they care that we put this in as a priority for the United States, for our workers and manufacturers? And if they care so much and if they would walk away just by our simply raising this and saying we ought to do something enforceable, it is obvious there is going to be 377. And we ought to all be extremely concerned about that, because what does that mean? What are we really talking about?

It means foreign products are cheaper here and American products are more expensive there, and in a global economy, when our manufacturers are competing not to get into Japan but competing around the world with Japan, we have already seen the results at other points in time—anywhere from $6,000 to $11,000 more on the cost of one vehicle. Think about that. As a consumer, you are going to buy a car, and there is a $6,000, $8,000, $10,000, $11,000 difference in price. That is a big deal. That is a very big deal. I mean, for all of us who say we want a level playing field on trade, that our people are smart and competent and compete successfully with anybody, we ought to care about this—that when the Bank of Japan intervenes, we are seeing anywhere from a $6,000 to $11,000 difference in the cost of an automobile. This has cost us over 5 million good-paying jobs in America.

I thought that was supposed to be our priority. That was our job—to be fighting, but not for the Bank of Japan. In fact, Ford Motor Company says they will compete with anybody around the world, but they cannot compete with the Bank of Japan. So this is about a level playing field.

Why does it matter? It is not just about selling in Japan. Unlike America, the Japanese have a preference for buying their own vehicles as a matter of patriotism in their country. I wish we had the same. So it is not just about getting into Japan, the little, small islands of Japan. It is about competing with them on everything in between. It is about the 1.2 billion people who live in India, where we are trying to sell to them and Japan is trying to sell to them. If they can sell a vehicle for $6,000 or $10,000 less, what do you think is going to happen? It is about the 200 million people in Brazil, whom we are trying to sell to and Japan is trying to sell to.

They are fighting so much, even having a negotiating principle that says: If we put language in, it ought to be enforceable. If they are fighting so much, it must be because they are really looking at those countries and saying: You know what; we want that $6,000 difference. We want that $10,000 difference. We do not want anything to get in the way of that.

Frankly, protecting Japan, Japanese automakers and suppliers, and Japanese workers is not our job. It is not our job. Our job is to stand up for American workers and American businesses, and that is what this amendment is all about.

By the way, the issue of currency manipulation affects every part of the economy—agriculture, medicines, and

every part of the economy. All we are saying is to give us a shot here. Give American manufacturers and workers a shot, at least by saying in fast-track that we want something done on currency. If you do it, it should be enforceable.

Countries have been signing up for years saying they will not manipulate their currency and nobody has ever enforced it. No one has ever enforced it. All we are asking is if we negotiate something, it should have enforceable standards. It is not enough to have a handshake agreement anymore.

How many years do we have to go on and how many millions of jobs do we have to lose, when all we get is good-faith assurances and handshakes?

Let me say this. I hope when this debate is done, the intensity to defeat this amendment that our manufacturers promote—by the way, they always support free trade. These are folks who are in the global economy, and they want to trade. But if we are going to put aside American manufacturers, American suppliers, American workers, I hope the next thing we will do is to focus on fast-tracking the middle class and have as much intensity, as many late-night calls, and as many meetings together to make sure we have a minimum wage in this country, to make sure we have a long-term investment in transportation that will not only deal with safety and fixing roads and bridges and transit and rail for our farmers but that creates millions of jobs. I hope we have as much intensity on that.

I hope we have as much intensity on lowering the cost of college so kids have a fair shot to do what we want them to do, which is work hard, to get the grades, to go to college, and to go to work. I hope we have as much intensity around that.

If we had more intensity around fast-tracking the middle class, we would not have to worry so much about what we are doing on trade agreements.

I hope we have intensity about closing loopholes that are allowing companies to go overseas on paper while they still drive on our roads, breathe our air, drink our water, and send their kids to schools here but avoid paying their fair share because they moved on paper.

I hope we have as much intensity around that. I hope we have as much intensity about making sure that in this global economy, we have a race up to increased standards of living, wages with which you can care for your family and send the kids to college and do all the things that we want to do for our families rather than having a race to the bottom where somebody is told if you just work for less and lose your pension and health care, we can be competitive. So let's have fast-track. Let's have fast-track about the things that really matter to people in this country, which is getting back to having a middle class where you can stay in the middle class.

While we are at it, let's pass an amendment that makes it clear we get how important currency manipulation is—when we are giving up our right to amend a trade agreement, when we are giving up our right to be able to use a 60-vote threshold on a trade agreement. And at least there ought to be a provision in there that says: Do your best on currency. And, by the way, if you get some language, how about we make it enforceable this time? Five million jobs and counting—that is what we lost and that is enough.

I hope my colleagues will come together and support the Portman-Stabenow amendment.

The PRESIDING OFFICER. The Senator from Georgia.

MEMORIAL DAY

Mr. ISAKSON. Madam President, as Chairman of the Veterans' Affairs Committee in the Senate, and on the eve of Memorial Day, I think it is appropriate that we pause for a moment. We debate as Democrats and Republicans today on the floor of the Senate currency, trade, national security, fast-track, and the issues of the day in a contentious debate. We do so freely. We do so without fear of retribution. We do so when we go home tonight knowing we are at peace and comfort and knowing that we are in a safe nation. We are because of the men and women who have worn the uniform, sacrificed, and given their lives so America could exist today.

I think it is only appropriate that each of us on the Senate floor take a moment to pause and give a prayer for our soldiers who risked their lives and gave their lives for our country.

For me, as the Chairman of the Veterans' Affairs Committee, I make an effort to go to the American cemeteries all over the world to make sure we are still taking care of them and honoring those who sacrificed the way they should be honored.

I want to share with the Senate a brief story to point out how important Memorial Day really is.

On Memorial Day in May of 2007, I went with Senator BURR and other Members of the Senate to the American Cemetery in Margraten in the Netherlands where over 8,000 Americans are buried who fought in the Battle of the Bulge to root the Nazis out of Germany and liberate the Jews from concentration camps. They were successful, but they died.

I walked down the rows of crosses and Stars of David looking at each name—ostensibly looking for Georgians so I could say a brief prayer for them. I came to the end of row H, toward the back of the cemetery, the last cross in that cemetery, and it said the following: Roy C. Irwin, New Jersey, died December 28, 1944. A tear welled up in my eye because that was the day I was born.

Mr. President, 70 years later I have existed as a free person in a free society, been elected to the United States Senate, served in the military, raised a family, have had nine grandchildren, and have had all of the joys everybody in the Senate has had thanks to people like Roy C. Irwin, who on the day I was born died on the battlefield of the Battle of the Bulge in the Netherlands while fighting for democracy, freedom, the liberation of Europe, and saving the Jewish people.

No matter what we debate or how contentious it gets, we must remember what Memorial Day is all about. It is about those who made the ultimate sacrifice for you and me to engage in this debate and to move our country forward.

One other point. We should say a special prayer for the parents of those young Americans who fought and died in Iraq and Afghanistan and the current wars today. We had a tragedy with the fall of Fallujah, and we had a tragedy with the fall of Ramadi. We need those parents to know their sons and daughters did not die in vain; they died for a cause that ultimately will prevail because we, as Senators, will see to it that America does what America always does, and that is liberate the oppressed of the world and only ask for one thing when we leave, and that is a couple of acres to bury our dead who sacrificed for democracy, freedom, and liberty.

On this Memorial Day, as chairman of the Veterans' Affairs Committee, I say thank God for the American soldiers who fought and died for our country, and thank God for the United States of America.

I yield back my time.

The PRESIDING OFFICER. The Senator from Alabama.

AMENDMENT NO. 1299

Mr. SESSIONS. Madam President, I appreciate the opportunity to share some remarks and show my support for the Portman-Stabenow currency amendment.

I think we are at a point in world history and world trade where our mercantilist trading partners have gotten to be very clever. On occasion, they use a variety of tools, some of which are used all of the time. Among these, we are seeing that we are unfairly subjecting American manufacturing to currency manipulation, and this is not free trade. It is not free trade. Currency manipulation and other trade barriers are just as much of an obstacle to free and fair trade as are tariffs. That is one of the things that we have to get a handle on if we are going to protect our workers here in America.

After the Korea trade agreement, which I voted for, the numbers did not materialize that were promised. In 2010, before the trade agreement

passed, President Obama's Web site said:

. . . the U.S.-Korea trade agreement . . . [would] add an estimated 70,000 jobs from increased goods exports alone, with additional job potential from the further opening of Korea's large services market to American firms, and other measures.

Well, that is what I had hoped would happen. He said it was an advancement of the idea of free and fair trade and so forth.

His own Web site said that the U.S.-Korea trade agreement would increase exports of American goods by $10 billion to $11 billion and that the agreement would help create 70,000. Well, I guess 4 or 5 years have passed now. Have we achieved a $10 billion increase in exports to our ally, our friend, our tough, smart trading partner Korea? Did we get that kind of improvement? The answer is no. We are at $0.8 billion, less than $1 billion. But what about Korea's imports to the United States? Did they go up or down? Korea's imports to the United States during this time have increased by $12 billion. It almost doubled the trade deficit between our countries.

I am saying this because it raises a fundamental question: What is happening here? In this trade agreement, people have been pretty careful—the promoters of it. They have not promised it would reduce the trade deficit, they have not promised it would create new jobs, and they have not promised it would increase wages. They suggest it. They say things like it will increase job prospects or wages in export industries. Well, we only export 13 percent of what we make. So this has been the only promise that they made.

I have asked the President—written him—and asked other colleagues: Tell me if you believe this agreement is going to increase jobs. Tell me what studies and documents you have that say it will increase wages. Tell me or show me any reports or data that would suggest this trade agreement we now have before us would in some way reduce our surging trade deficits, which hit a virtual record last month—or at least in March. They are not going give an answer, and I have to tell you why—because jobs are going down, not up, and the trade deficit is going up and not down, and that is not good.

Well, why do they persist in this? I suggest that it is an ideology. I have suggested that it is almost a religion. We are for any trade agreement or any file or stack of papers that has ''trade agreement'' on it. Why? Well, I recall that back in the late 1990s, then-Federal Reserve Chairman Alan Greenspan was before I believe the Budget Committee, which I was a member of, and I asked him a question. The question was this: Mr. Greenspan, if we are trading with a country and they stop buying all products from the United States and block our sales to them but want to sell products to the United States and want us to buy their products, should we buy them or not buy them? That is a pretty simple question, and I remember it well. Should we buy from them? What do you think his answer was? Yes.

I believe that is an extreme idea. I think that is an idea that in theory could have some validity, but you have to know, colleagues and friends, it is out there. It is a fundamental part of the movement for trade agreements that people don't really care whether they are reciprocal or not, and they are not worried about whether they shut down plants and facilities in your community, whether people lose their jobs, because their theory is that you are getting a better product at a cheaper price, and that is the only thing that counts, that is the most important thing, and somehow this is going to all work out.

The Wall Street guys who manage capital can move their capital to anyplace in the world, and they think they will do fine. But nobody is thinking about what it is like in the real world where people's jobs are at stake, where our steel industry is under stress and we are facing competition that is not fair. I just feel strongly about that.

I am reversing, in a way, my position on trade. I believe it is time for this country and this Congress to begin to ask tougher questions about why we continue to have huge trade deficits, why we continue to have a decline in wages, a decline in median family income—$3,000 since 2009—and why all of these things are happening. Part of it is that we have been unwilling—unlike our trading competitors—to ask these kinds of questions. I think we are operating on a religious view of trade.

How do you deal with that?

Mr. Dan DiMicco wrote a very important article in Forbes magazine a few months ago. The title of it is '''Fast Track' To Nowhere: Congress Shouldn't Give Obama Power To Ram Through TPP.'' He is a former CEO—actually, CEO emeritus, I think—of Nucor Steel. They have steel plants all over America, and they are in one of our most vibrant, competitive industries. They deal with foreign competition every day. He lives with it. Currency and issues like that are critical to him and anybody in the steel industry, automobile industry, or manufacturing industry. These things are real. It is not academic. It is not theory. It is real.

He said a number of things in this very important article. He talked about the cheerleaders for trade and said they make a big mistake.

That's net trade—not gross trade. In other words, net exports increase our economic size while net imports shrink it. This is not a liberal plot, or a Tea Party plot, or a protectionist plot. It is basic and uncontroversial economic math that the TPP cheerleaders either don't understand or don't want to.

He goes on to say:

In 2013, the U.S. economy amounted to $16.8 trillion. Consumption was 68% of GDP. Investment was about 16%. Government procurement was about 19%. But net trade subtracted about 3% from our economy (because imports exceeded exports.) This shrinkage is cumulative, compounding year after year.

America is the picture of an unbalanced economy, disproportionately relying upon unsustainable consumption. Investment is too small . . . Stated another way, we need to produce more of what we consume.

Isn't that true? So this theory—it doesn't make any difference where products are made as long as they are cheaper? This is comparative advantage? People can manipulate their currency, they can subsidize their industry so they can have more exports, more people working, and it makes no difference to us, and we can allow American businesses to fail?

Then he talks about mercantilism. This is the strategy of most of our competitors. He said: ''Free trade was crafted as an antidote to mercantilism, not an enabler of it.'' So he says our trade policies have not confronted our competitors' mercantilism and therefore we have enabled them and have allowed them to continue.

Then he quotes President Reagan. I know a lot of people say President Reagan believed in total free trade. He did not. He was a realist.

This is what Mr. DiMicco says:

President Reagan gave a speech that established the principle of ''free and fair trade with free trade and fair traders.'' More specifically, he established the 3 R's: Rules, Reciprocity, and Results.

''Rules'' mean that the trade must be rules based and every nation should follow them. ''Reciprocity'' meant that there will be reciprocal reduction in tariffs, quotas and other barriers rather than one-sized reduction. ''Results,'' the point forgotten most, meant that America must gain a net benefit from trade arrangements rather than being taken advantage of.

I believe it. My father always taught me that a good trading agreement, a good contract, a good business deal was when both parties received advantages.

Another person who knew Ronald Reagan well was Clyde Prestowitz. Clyde was the President's counselor to the Secretary of Commerce in President Reagan's administration and Vice Chairman of President Clinton's Commission on Trade. He negotiated Asia trade agreements with Japan and others. He was there. In his article he makes a very harsh statement about President Obama's statements. He said: Will the Japanese be driving Chevys in Tokyo?

The President suggested we want to see more American-made cars being driven in Tokyo. He quoted the President as saying:

Why wouldn't we want to rewrite those rules so there is some reciprocity and we can start opening up the Japanese market? That would be good for American workers.

Mr. Prestowitz responded to the President's statement saying:

Hearing that amazingly ignorant statement one could only wonder if there is no one in the White House to prevent the President from embarrassing himself. Apparently he is unaware of the endless efforts of U.S. trade negotiators over the past 50 years to open up the Japanese market. As one of the Reagan administration's lead negotiators with Japan and as the Vice Chairman of President Clinton's Commission on Trade and Investment in the Asia-Pacific Region, I can assure the President that reciprocity in trade with Japan has been the aim of every agreement signed by both Republican and Democratic administrations for half a century. I can also say that virtually no former U.S. negotiator believes the TPP will achieve reciprocity with Japan.

They have nontrade barriers that Mr. DiMicco lays out in his article; he names them. These are not allowing for free trade, reciprocal trade that produces results that are beneficial to America.

We can do better. We absolutely need more trade. We need to continue to negotiate good trade agreements, but this creates a situation that is dangerous.

What kind of numbers do we have about this agreement? Do we have any studies, anybody who says anything other than what I believe, which is that it is going to be a net negative to our balance of trade?

Well, the Wall Street Journal, that usually support trade agreements, had an article by Mr. Mauldin that examines a study by Mr. Peter Petri, professor of international finance at Brandeis University. This was just released this week, May 18—or at least this article was. He talks about the auto sector. Mr. Petri has done this study—the only study I know of that has dealt with the question.

The article says: In the transportation sector, led by cars, the TPP could boost imports to the United States from Japan by $30.8 billion by 2025, compared with export gains to Japan of $7.8 billion, according to Mr. Petri. That sounds like the Korea agreement.

So we would export $7.8 billion more, but Japan would export $30.8 billion more to us. The result is what? Less American manufacturing on net, more cars being bought from abroad, and a greater detriment to our trade balance. That is just the way it is.

So I believe we need to get away from the religious view of trade and we need to do what President Reagan said, which is to look at the results. Don't tell me some theory. Let's live in the real world. It is our duty to see our manufacturers, our workers get a fair chance to compete in the world marketplace. We are not sufficiently there now.

A part of this trade agreement that I have mentioned before and that I am very concerned about and that has gotten very little discussion and that needs to be discussed, I will take a minute to discuss it.

According to the Congressional Research Service—our own group—the TPP's ''living agreement'' provision is ''unprecedented.'' Indeed, I am one of the few, I think, who went to the secret room to read the secret document, and when it described the living agreement, it said it was unprecedented. I presume I will not be arrested for making that quote from the secret document.

The United States Trade Representative's Web site is very candid about the purpose of this living agreement provision. It is to ''enable the updating of the agreement as appropriate to address trade issues that emerge in the future as well as new issues that arise with the expansion of the agreement to include new countries.''

It creates a commission—another commission—consisting of representatives from each member nation, which has vast powers to govern the agreement and govern, to some degree, the countries that participate in it. Among the powers given to the Commission is the authority to consider any matter relating to implementation and operation of the agreement and to consider amendments and modifications.

What we have to understand is that this is a new entity, an international entity, of which we are a member, and it gets to meet and vote and set new behaviors unlike what we approved in the Senate. But it can be amended as time goes by. It is unprecedented. This has not been done before.

While the TPP states that those amendments must be agreed to ''in accordance with the applicable legal procedures of each party,'' that phrase is not defined. The TPP ''Chapter Summary''—a book that is provided to Members when we go to the secret room—states that this amendment process would occur similar to the process that occurs under the WTO, the World Trade Organization.

So it says how the—the procedure is being handled like WTO. But under WTO and its implementing legislation, changes to the agreement and the addition of new parties are not to be approved by Congress, and, more importantly, not by consensus or a unanimous vote. The ''Chapter Summary'' states that this process will be similar to the WTO under which the WTO can be—members can be added and certain amendments adopted by a two-thirds vote.

So it gives the appearance of having consensus as the basis.

In addition, new member nations under WTO can be added by only a two-thirds majority vote—that is pretty clear—and apparently would be cleared under this agreement.

So we have asked the President: What does this mean? Can China be added by a simple majority vote? We vote no and it happens anyway?

We asked the U.S. Trade Representative staff about this situation. They didn't have an answer. This is a staff of the administration pushing for the bill. They simply asserted that changes to the TPP affecting U.S. law would require congressional approval. We asked whether USTR would agree to make that explicit in the TPP so we didn't have—wouldn't have any ambiguity, and they have declined to give us a reply.

So if it is true that congressional approval is required, then why shouldn't they be willing to have it explicitly in the TPA and the TPP? In fact, there are already examples in the TPP of other countries making clear that certain procedures must comply with their domestic law. Why don't we make it ours? I have offered an amendment to that effect. I am disappointed that it is apparently not going to be given a vote.

While the TPA states no standard trade agreement that has not been legislatively implemented can trump existing Federal, State or local law or prevent any Federal, State or local government from amending or modifying its law, the implementing legislation of a trade agreement would do these things and could—and certainly will—in many areas. It will delegate congressional authority when we pass it to the new TPP Commission.

So by voting for it, we have delegated authority, it will be contended and probably correctly, that we gave it to them to amend the law. This is especially important because the whole purpose of fast-track is to implement and expedite this legislation.

So I think these trade agreements need to be considered carefully by Congress and the American people before the United States cedes one iota more of American authority and sovereignty, and Congress must retain the power to carefully review and vote on all future changes to these trade agreements.

So I have offered this amendment. As Mr. Mark Hendrickson recently wrote in Forbes magazine, discussing what I had said about this: TPP cannot be an ''open-ended document'' lest ''the rule of law and republican government itself be lost.''

That is why TPA must provide strong and enforceable protections against this kind of overreach.

We just have to be careful. The normal process for treaties is a rigorous one. It requires, in the end, a two-thirds vote. So they have written this not as a treaty but as an agreement. It will be moved forward in a way so that when the final agreement hits the floor, it will be unamendable, it will be not subject to a 60-vote threshold to move forward, and it can be passed within 20 hours, without a single amendment, on a simple up-or-down vote.

I really believe it is time for us, colleagues, to move away from a religious view of trade to ask what is happening in the real world. If our businesses, our

manufacturers, and our American workers are not being treated fairly on the world stage, we should take action to ensure they are. I believe in trade, and I have supported it over the years. But I think it is time for us, in light of declining wages, a declining middle class, surging trade deficits, to ask ourselves: Can't we do better with our trade agreements? Here we have this huge one, representing 40 percent of the world economy, creating a new commission with all kinds of powers to be able to add new members that we may not approve of, and we are just going to pass it, hardly without reading it. Very few Senators have been to the secret room to see what is in the document.

Mr. President, I thank the Chair and yield the floor.

The PRESIDING OFFICER (Mr. PERDUE.) The Senator from Florida.

ISSUES BEFORE THE SENATE

Mr. NELSON. Mr. President, I am going to speak on the three bills that are pending before the Senate: The trade bill, the highway bill, and the continuation of the PATRIOT Act.

Every one of us is in love with our cars. America is in love with their cars. Every one of us can remember the first time we learned to drive. I started out on country roads in an International pickup truck with cow bodies on the side—those are the wooden slats that go out—so I could put my heifers on the little Ranch that I had, so I could haul them around. That is how I got to and from high school. Every one of us has a different story like that. America has been spoiled because of the automobile. It has now become an exceptionally creature-comfort room in which we can suddenly climb in and lose ourselves in beautiful music, comfortable seats, while easily accessible in the cup holder is a cup of coffee. But America's love affair with the automobile will not do us any good if we don't have any roads to drive on and especially if the roads are just filled with potholes or if you can't go across the bridges because they are in danger of falling down.

Of course, that leads us to the obvious; that here in front of us is the highway bill, a transportation bill which involves other things as well—transportation safety and considerable transportation enhancements in urban areas. But we can't get together, even though probably every one of the Members of the Senate would agree we have to pass a highway bill.

The problem is we can't figure out how to fund it. It has to be funded with something called revenue. It either has to be taken out of the general revenues of the U.S. Government—and Lord knows those revenues are being cut back with this meat-cleaver approach across the board called the sequester, the results of which—for example, we have had the Joint Chiefs up here telling us this is going to severely hamper their ability to protect the national security. We have had the head of NIH up here telling us about the consequences of the sequester in the past. A few years ago, when the sequester kicked in, he had to cancel 700 medical research grants, all of which almost all of us would support because of the extraordinary medical research successes that were going on. So general revenue out of the U.S. Treasury is going to be hard to come by to fund the highway bill. If we do this month, 2-month, 6-month extension, all that is saying is that we are going to pull that out of general revenue.

Then, transportation companies, departments of transportation back in our respective States, can't plan on building the roads because they have to have such lead times for the design and engineering and the eventual building of the roads. It is similar to building an aircraft carrier. Money cannot be appropriated for an aircraft carrier in 1 year. It is going to take, in the case of an aircraft carrier, a decade to build. Well, it doesn't take a decade to build most of our roads, but clearly one has to plan ahead to know the money is there so you can proceed.

What good is America's love affair with the automobile if we don't have the efficient roads to drive on? Where is the money coming from? Well, some people have suggested a sales tax, others have suggested updating the gas tax, and others want to look to general revenue. It is time for us to come together and determine what that should be.

I can say to the Senate that this Senator will consider anything that will give us the revenue so we can build this crumbling infrastructure, particularly roads and bridges. One of the things that immediately does is it creates all kinds of jobs. I have seen one commentary. I don't know that this is accurate, but it illustrates the point. If you spend $1 billion in building roads, there is some huge number of thousands and thousands of construction jobs.

So let's get real. Let's come up with the revenue. Now that is the Finance Committee. One place to start is the gas tax. The gas tax has not been updated. Also, when it is updated, it needs to be calculated for the increases in the cost of living over time. Since it is a user tax, it perhaps needs to be combined with other sources of revenue because we are going to have to face the music and come up with the revenue. One of the issues that is holding us up right here, right now, on a Friday afternoon just before Memorial Day weekend, is figuring out what we are going to do on continuing the highway bill authorization.

Mr. President, one of the other issues in front of us is the trade bill. This Senator is one of the Democrats who has voted for the trade bill known as fast-track, which is to enact a procedure that when the Pacific trade agreement is negotiated, finalized, and announced, it can be considered by the Congress, after ample time for examination, and it would then be considered with an up-or-down vote, instead of the normal process where it would be subject to amendment.

Put a trade bill together with another 11 nations in the Pacific region. If it were subject to the amendatory process in the Senate and the House, it would get pecked to death. It would never survive the legislative wars; thus, the need for this trade promotion authority, the TPA, that we have in front of us.

I believe we will pass it, I believe it will be an overwhelmingly bipartisan vote, and I believe a big vote out of the Senate will send a significant message to the House, where there are some rumblings of a problem. At the end of the day, when the Joint Chiefs come in front of you and say that this is one of the most important things for them for the national security interests of the United States in that region of the world, the Pacific arena, then at the end of the day, it likely will pass, and in this Senator's judgment it will be in the interests of our country.

Mr. President, the third issue that is before the Senate is the PATRIOT Act. Now, every one of us, if we were here—whether you were here or not, you remember exactly where you were on that fateful day of September 11, 2001. A number of us were in a room right off the floor, right over here on the west front. We were in a meeting with the Democratic leader, the majority leader, Senator Daschle. The meeting started at 9 a.m. We saw on this grainy black-and-white TV what had happened in New York. The human mind wants to play tricks and deny the reality of what was happening; that, in fact, it was no accident that two planes had flown into the two distinct towers of the World Trade Center, but all doubt was cast aside when suddenly someone burst into the room and said, ''The Pentagon has been hit.''

We leapt to the window overlooking the west side of the Mall and looked in the direction of the Pentagon, and sure enough there was the black smoke rising where the third plane had hit. I immediately raced to a telephone to try to reach my wife because we had just moved into an apartment overlooking the southwest corner of the Pentagon. I wanted to tell her to get out of the apartment and move down into the basement. I couldn't reach her.

By the time I came back, the room was vacated. Out in the hallway, I saw security take the majority leader and the minority leader off in a different direction to a prearranged place for the congressional leadership in times of national security threats and national

attack. I will never forget going down those major stairs right out this door of the Senate Chamber, and at the bottom of the stairs the Capitol Police shouting at the top of their lungs: Get out of the building. Get out of the building. Run. Run.

They had heard the reports that there was a fourth airplane inbound. That was a fateful day.

I huddled up outside with Senator Rockefeller, trying to get hold of our staff to tell them to vacate. Later in the day, the Capitol Police told Senator Rockefeller and me not to come back to the Capitol Complex. We ended up at Senator Rockefeller's home. I was still desperately trying to get my wife on the telephone. I will never forget the eerie silence over Washington because all air traffic had been stopped, and that silence was pierced by F–15s and F–16s as they were flying CAPs over the Nation's Capitol.

Well, because of that attack that killed some 3,000 Americans—the first time, by the way, that we were rudely awakened to the fact that our national security was not protected here at home by two big oceans; that an enemy could, in fact, attack and attack within—then how to go after them to prevent it in the future.

That led to the PATRIOT Act. That led to trying to give our intelligence community and the NSA, the National Security Agency, the tools to, when the bad guys are planning—wherever they are, abroad or here—and we get some snippet of evidence that they are planning a dastardly deed, we can give our intelligence community and our law enforcement the tools to try to go after them.

Now, let me give you an example. It used to be that if we would invade somebody's privacy by going after their telephone, we would have to get a court order to be able to tap that telephone. Well, then came the present-day technology. The terrorist does not use just one telephone. The telephone they use now is multiple cell phones and, therefore, you had to update the law to allow you to be able to go after them and see whom they were calling—not from one telephone but from multiple telephones.

That is just one example of how the law was updated. The law was also updated to allow the NSA to be able, at the request of the telephone companies, to obtain the business records—not the private conversations but only the business records—which showed that on such and such a date this number called this number and for how long. All the telephone companies did not comply. A lot of them did.

The PATRIOT Act was enacted to allow a process whereby you would go to a special court classified for national security information, called the FISA Court, and that court would give the appropriate legal authority for the NSA to obtain those records.

Now, this whole disagreement in front of the Senate is over how you hold those business records. It has been misstated on the floor of the Senate that this is obtaining private conversations, invading privacy. This is just a question of how you hold those records.

There will be an attempt to extend the current law, toward which I have some degree of positive attitude, and that is at the request of the NSA. Those records are held by NSA—the telephone business records.

But the legislation that we are going to vote on, the USA FREEDOM Act, is a change—a slight change—of the current law. It says that those records would still be retained by the telephone companies; that they would have to retain those records and not destroy them for some period of time; that if the government suspects terrorist activity, it would go to get a court order to obtain the business records of a particular number or person subject to a judge's order, just as we do if law enforcement or the FBI wants to go into our home and get evidence. They have to go to a court to show probable cause to the judge that, in fact, there may have been a crime committed.

This is the same process. You go to the classified court that can handle the classified information. The court gives an order to obtain those business records. Why is that important? It is important because we might get a snippet of information about such and such a terrorist or such and such a number that has been used by the terrorist or someone suspected to have been talking to a terrorist. Then, in order to protect ourselves, the intelligence community and law enforcement are going to have to go and get the records so they can see where that call went and then, from that person or number, where it went one more hop, with a limit of two hops.

This Senator prefers not to have those limitations. But that is not what is in front of us. So this Senator from Florida is going to support the USA FREEDOM Act because it is so necessary that by the end of this month the PATRIOT Act does not cease to exist because of all the other provisions in it that allow our intelligence community to try to get the information to protect us before the terrorists can strike.

I can tell you, as a former member of the Intelligence Committee at the time that this PATRIOT Act was drawn up and later amended, and I can tell you as a senior member of the Senate Armed Services Committee, it is my judgment that this is clearly in the national security interest. We cannot take the risk to let the PATRIOT Act cease to exist so that we do not have the tools to protect ourselves.

My final comment is that every day these bad guys are trying to do us in. Every day they are trying all kinds of things to find what is the little flaw or what is the little defect in our defenses. If we do not continue this legislation, as I am suggesting it be amended by the legislation in front of us, then, in fact, we are not giving just a little crack in the door for the terrorists to get in, we are opening up the entire barn door. That clearly is not in the interests of the United States.

I yield the floor.

The PRESIDING OFFICER. The Senator from South Dakota.

THE MIDDLE EAST AND THE PRESIDENT'S LEADERSHIP

Mr. THUNE. Mr. President, I rise today to speak to the evolving situation in the Middle East. I have grave concerns, as do a majority of Americans, with the President's handling of the current situation in that region of the world. Under this President's watch, the world has become increasingly unsafe. Under this President's watch, despots have dug in, and the most horrific terrorist organization we have ever seen has risen to power and thrives.

This week the reality of this failure was brought to the forefront of the world's attention. The fall of Ramadi marks the capture of another major city. We lost more than 1,300 U.S. soldiers in Anbar Province. Thousands more were wounded. We fought across every foot of Al Anbar and now a handful of ISIS fighters have seized its Provincial capital. For those in Ramadi, this was not just a setback; this cost them everything. Hundreds have already been executed at the hands of ISIS. But the White House does not see it that way. The White House has tried to spin a different narrative, downplaying the significance of this defeat.

When this narrative is challenged, the White House doubles down. The White House Press Secretary said: ''Are we going to light our hair on fire every time that there is a setback in the campaign against ISIL?'' Such comments are dumbfounding and disturbing. The Obama administration is not only demonstrating a complete lack of situational awareness but a total disconnect with how this conflict is being viewed by the rest of the world.

In fact, this week, President Obama chose to lecture the graduating class of the Coast Guard Academy about climate change while Ramadi burned. To ISIS combatants in Syria and Iraq, the fall of Ramadi was a definitive victory. Even if it hands Ramadi back tomorrow, ISIS has shown it still has the capability to make major advances. To those living in Ramadi, ISIS has already won. Regardless of what happens next, for many of those people, their lives have been destroyed.

To potential recruits around the world, ISIS just won again, despite U.S. air strikes and 3,000 trainers for the Iraqi Army. However, according to

Secretary of State John Kerry, the fall of Ramadi was only ISIS taking advantage of ''a target of opportunity.''

Does the Obama administration not understand how terrorist organizations operate? ISIS is not going to line up and go toe-to-toe with the United States. It is going to seek out targets of opportunity wherever it can and avoid conflict where it knows it will lose. That is how it operates. That is how it has been operating since the beginning of this conflict, all the way back to January of 2014, when President Obama referred to ISIS as the junior varsity of terrorist organizations.

Ramadi can be retaken. America can defeat ISIS. But we cannot beat ISIS with half measures while consistently underestimating its capabilities. This terrorist organization must be stomped out. It must be defeated.

In Syria, ISIS is now in control of Palmyra, an ancient site with irreplaceable monuments that may soon be destroyed. Called the ''Venice of the Sands,'' this may be yet another historical scar left by ISIS that will never heal.

President Obama often speaks of regional powers needing to step up and take the lead. Well, let's just be honest here for a moment. The United States has the most powerful military in the history of the world. If our President does not show a little leadership, no one else is going to step up and lead.

If we are not going to utilize our overwhelming technological superiority to fight this enemy, at the very least—at the very least—embedding spotters with Iraqi forces to make air strikes more effective, why would others want to contribute their far more limited resources? We need our President to show absolute conviction that defeating ISIS is his No. 1 priority, not trying to reach a mediocre compromise on an Iranian nuclear deal, not having Secretary Kerry fly to Sochi to shake hands with Putin while he still occupies the territory of other countries, and not having a summit at Camp David to lecture our allies on what America thinks is in their best interests.

There is a terror organization killing people, as we speak, in a country that we fought to liberate from a brutal dictator. We had won in Iraq. We had defeated this insurgency until it was determined, for political reasons, that we should pack up and go home. The President claims he does not want to get into another prolonged war.

Well, unfortunately, that is exactly what he is doing. There is no way to defeat ISIS with half measures. There is no way to negotiate with ISIS. Unless ISIS is defeated, it will grow and spread like a cancer. This President, throughout his administration, has shown himself to be crippled by indecision. Against ISIS, we need decisive action. We need it now.

HONORING AMERICAN FIGHTER ACES

Mr. President, I also want to speak today to recognize the tremendous and selfless service of America's veterans. This week Congress honored American Fighter Aces, the 1,447 military pilots who have earned the special distinction of destroying five or more hostile aircraft in air-to-air combat, by awarding them the Congressional Gold Medal.

Of these distinguished aviators, 10 hailed from South Dakota. While they are no longer with us today, their heroism and valor have not only built the foundation of the modern air superiority that our Armed Forces employ today but have shaped who we are as South Dakotans and Americans.

Becoming an ace was no easy feat. In World War I, the pioneers of dogfighting faced perilous situations in wood and canvas biplanes that had limited ranges and could barely top 100 miles an hour. Still, these innovators refined the still-adolescent technology of flight and forever changed the nature of modern war.

Decades later, American pilots proved invaluable in turning the tide of World War II. Fighters flew attack and bomber escort sorties over Europe and attack and fleet protection missions in the Pacific. Just 2 weeks ago, when America and the world celebrated the 70th anniversary of V-E Day, 56 World War II-era aircraft in various formations flew over the National World War II Memorial, the National Mall, and the U.S. Capitol in an impressive display of the air power that helped secure victory for the allies.

The aerial parade included an F6F Hellcat, which one of my heroes, my dad Harold, flew off the USS *Intrepid* in the Pacific theater.

While my dad was one aerial victory short of achieving ace, his squadron mate and fellow South Dakotan, the late CAPT Cecil Harris, racked up 24 victories.

Harris, a farm boy from Cresbard, SD, ended the war as the second-highest Navy ace. South Dakota also produced the second-highest ace in the Marine Corps during World War II, Medal of Honor recipient Joe Foss. Foss earned the title of ''ace'' in just 1 week in 1942 on his way to a total of 26 air victories.

Foss's service and leadership continued after the war. He helped organize the South Dakota Air Guard unit. He was recalled to duty in the Korean war. He went on to serve two terms as South Dakota's Governor and even as the first commissioner of the American Football League.

Our airport in Sioux Falls, Foss's hometown, is home to the South Dakota Air National Guard 114th Fighter Wing and is appropriately named Joe Foss Field.

South Dakota is also proud and grateful for the service of our other eight aces: Clarence Johnson, from Aberdeen, who was killed in action over Holland in 1944; Robert Graham from Beresford; Robert Buttke from Lemmon; LeRoy Grosshuesch from Menno; Leslie Clark, from Mitchell; Arthur Johnson, Jr., from New Effington; Gene Markham from Turton; and Robert ''Duke'' Hedman, from Webster, who achieved ace in a single day over Burma on Christmas Day in 1941.

When you come from rural America, it can be hard sometimes to see how one might fit into the larger scheme of global events, let alone the defining moments in our history. Yet when the world erupted in chaos over the Second World War, these were 10 South Dakotans in the thick of it. These are but 10 heroic examples of the dedicated selflessness South Dakotans have shown in conflicts past and present. South Dakotans have always punched above their weight when it comes to military service.

As the age of jets arrived and the capabilities of aerial firepower and defense systems have increased, the title of ''ace'' became even more elusive. Still, on Wednesday, we celebrated the 40 American aces from the Korean war, as well as two pilots and three weapons systems officers from the Vietnam war.

The maturation of our air combat capabilities, from the origins of aerial combat in biplanes to the sophisticated airframes and advanced weapons systems on which we rely today, rest heavily on the courage of American fighter aces. These aviators represent the best of our American Armed Forces and helped shape history with their courage.

As we reflect on the gallant service of America's fighter aces, may we also remember all those who answered the call to serve, all those who supported the effort on the homefront, and those to whom, I should say, we are forever indebted—those who made the ultimate sacrifice.

This Memorial Day, as a free and grateful nation, may we remember those who have fought and died for this country.

I yield the floor.

The PRESIDING OFFICER. The Senator from Colorado.

Mr. GARDNER. Mr. President, I rise to talk and continue the conversation we were having in the Senate about trade and the need to pass trade promotion authority, all geared toward hopeful entry and final conclusion of a Trans-Pacific Partnership Agreement that this Senate will be able to vote on to approve or disapprove, if it is not a good bargain, and eventual conclusion of a treaty with the European Union, TTIP, and what we can do to make sure we are fashioning a trade partnership in this country to truly grow our economy.

One of the things that have made me so passionate over the years about public service has been the economic circumstance and the conditions of rural America, what happens to Main Streets across our great Nation that are suffering. They have more boarded-up storefronts than they have ever had at any other time in history. Perhaps one of the greatest things we could do right now to help Main Street, to help create new jobs and opportunities, is to pass trade promotion authority later today, tomorrow, whenever we get to it—to make sure it passes without provisions that could break up any future negotiations but do so in a way that allows agreements to be entered into like the Trans-Pacific Partnership—all benefiting rural America and particularly rural Colorado.

To make rural America more successful, we have to find new ways to bring new value to those things we can produce in rural America, whether it is wheat crops, corn crops or a small manufacturing business. How do we add value to what is produced in and across rural America?

According to a 2012 Peterson Institute for International Economics study, it is estimated that industries across this country could see a 2-percent increase in added value as a result of a finalized Trans-Pacific Partnership Agreement. So when we talk about adding value to crops, and we talk about adding value to goods produced in rural America, this study shows that if we pass the trade promotion authority and move to the successful conclusion of TPP, it adds value to what we produce across this country, creating jobs and opportunity.

There are a lot of people who are concerned about the trade promotion authority, people who are maybe opposed to it, people worried it may not create the kind of value others believe it will.

But the conservative Heritage Foundation had a study that showed trade was adding $1.7 billion to our GDP in 2013. In fact, this same study showed that, according to the Heritage Foundation, trade brings value to the average American household of over $13,000 per family. That is $13,000 per family added to income in a household, that they would be able to succeed with to achieve greater opportunity, to raise their value of life, to raise their quality of life—all because of and possible through trade.

Trade promotion authority is the first step we will take in this Chamber and across the hall to the House of Representatives to make sure we are giving the tools to our negotiators to develop the best, strongest, possible agreement.

Now this agreement doesn't just say do whatever you want, this agreement has sideboards on it, firewalls that create opportunities to enter into the best deal possible to direct our negotiators to tear down barriers.

Some of the concerns I hear from people who may be unsure about the passage of trade promotion authority seems to be: This is about big business, isn't it? This is only going to benefit those corporations that are the biggest in the United States.

But that is simply not true, because what free-trade agreements allow us to do is to tear down trade barriers. It allows us to break those barriers that are creating impediments to doing business. In fact, if you are in a big business, corporate welfare has become a common way that you are actually trying to succeed in this country. Corporate welfare, where you have a lobbyist you can pay—or a team of lobbyists you can pay—to provide, to get or to gain a special tax preference or maybe there is a trade barrier you would like thrown up against some other nation that is importing goods into the United States, and this big corporation says, you know what, we think we can stop this through special interest favors—so what is an advantage in big business is corporate welfare.

By entering into a free-trade agreement by passing trade promotion authority, allowing us to tear down those trade barriers like the TPP will, it actually helps all businesses in this country by eliminating corporate welfare, by taking out the advantage that a big business has to hire lobbyists to curry favor through legislation, giving small businesses an equal opportunity with that value that they added through a trade agreement to sell their goods around the world.

So the Trans-Pacific Partnership, trade promotion authority, these are agreements that focus on sending goods from Main Street to Malaysia, what we can do to create economic opportunity in Colorado and beyond, because everybody in Colorado is benefitting right now from free markets and free trade; 265,000 Colorado jobs are supported by trade with nations that are represented in the Trans-Pacific Partnership. In fact 48 percent of all Colorado goods, 48 percent of the goods we create in Colorado, were exported to nations represented in the TPP, the Trans-Pacific Partnership.

In a State that exported over $8.4 billion worth of goods, we can see the kinds of jobs and economic opportunity that trade promotion authority will lead to. In fact, there have been economists who have talked about pillars of our economy; one pillar being lower taxes, one pillar being spending restraint, one pillar being lessening the regulatory burden on businesses around this country. But another pillar is trade, the ability to create goods in the United States to send them overseas. That creates jobs and opportunity for all of us. Whether it is our agricultural commodities, whether it is manufacturing in Colorado, aerospace or technology, we know we will benefit from a strong agreement that tears down barriers giving big and small businesses alike the opportunity to enter into a promising economic opportunity that we will all share in.

MEMORIAL DAY

Mr. President, I also rise to talk about this upcoming weekend. People and families across this country will be celebrating Memorial Day, sharing time with family and friends celebrating the weekend. In Colorado, normally you would be celebrating by possibly going to the lake or going on a hike in the mountains or down the river, but unfortunately the weather may not be as nice as it has been in past years. We are receiving much needed rain and moisture, but it may not let up in time for a lot of the outdoor activities that we would normally enjoy over Memorial Day.

But one thing that will not be dampened, one thing that will not stop is the observation of Memorial Day and the tribute, the thoughts, the remembrance that we pay to those who served our country. Now, it may be a little wetter than normal, there may be more tents than perhaps the jackets we usually have, but Coloradans across the State will still go to the cemeteries paying their respects. They will still share stories with their families about the members of their family who have served this country, who have given so much and sacrificed so greatly for this country.

It is 70 years ago this year that one of the Colorado Guard units was involved in World War II in the liberation of Dachau. Seventy years ago, Felix Sparks was one of the first to arrive on that atrocious scene. That is something that will no doubt be on the minds of many veterans in this country and in Colorado this year, the sacrifices they have given so people all around this world will be able to enjoy liberty, share in the democracy that free people have, and where we can continue to provide opportunities to enrich liberty, to promote democracy. That is what this Nation will continue to do thanks to the sacrifices of our veterans and the noble goals and efforts of those men and women in uniform today.

I wish the people in this country a very good Memorial Day.

I yield back the remainder of my time.

The PRESIDING OFFICER. The Senator from Colorado.

ORDER FOR RECESS

Mr. GARDNER. Mr. President, I ask unanimous consent that following the remarks of Senator BLUMENTHAL for up to 5 minutes, the Senate recess today until 2 p.m., and that the time during recess count postcloture.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The Senator from Connecticut.

MEMORIAL DAY

Mr. BLUMENTHAL. Mr. President, I join my friend and colleague from Colorado in celebrating and saluting on this historic day the service and sacrifice of so many of our military men and women who have given their lives so we can enjoy the precious freedom all of us will benefit from over this weekend. The freedom to gather as we wish, speak as we please, worship, and gather together with friends—all of these freedoms are due to the service and sacrifice of the men and women whose lives we celebrate this weekend.

IDENTITY THEFT OF VETERANS

As it happens as well, my office is issuing a report that shows our veterans and servicemembers often are victims of practices around the discounts and promotions that will be offered this weekend. Many retailers will offer sales and discounts to our veterans and, in fact, our veterans are twice as likely as the ordinary population and the general public to be victims of identity theft and fraud because they are asked to provide information in connection with taking advantage of these discounts.

I am proposing reforms to be adopted by the Department of Defense under existing authority, and these reforms will save veterans from identity theft and fraud when retailers offer discounts but demand sensitive personal information.

A national recognition of service card will honor our heroes and save them from scammers who may prey on them after they provide this information. Retailers who commendably—and I emphasize commendably—offer veterans discounts, especially around this holiday and others, should not put them at undue risk in verifying their status.

As Memorial Day approaches and as we celebrate it today, the Department of Defense should adopt the recommendations of the report I am offering today. And I will offer legislation, if necessary, to compel these kinds of reforms. Our veterans and servicemembers need and deserve commonsense protections so discounts don't become really bad deals. The reforms, such as the national recognition of service card, can guarantee privacy and protection for our veterans and servicemembers, even as they take advantage of the discounts and promotions that will be offered to them over this Memorial Day weekend, and avoid disclosure of information to third parties who may not protect that information as they should.

USA FREEDOM ACT

I want to say a few words about the choice currently before this body in connection with the USA FREEDOM Act and the PATRIOT Act—words that come to mind over this Memorial Day weekend so often and frequently on our lips. This issue before our body is a profoundly important one. It has been framed as a question of whether the Senate passes the USA FREEDOM Act or the short-term extension of the PATRIOT Act that authorities say is a compromise.

There is supposedly a compromise before this body, but let's keep in mind that the USA FREEDOM Act is, in fact, a compromise. It reflects the views of hawks and doves, Democrats and Republicans, the House and the Senate, the Congress, the executive branch, and the judiciary.

Many of us have made significant concessions to reach the USA FREEDOM Act. In fact, I have wondered at times whether to walk away from this so-called compromise because it does too little in the way of reform and perhaps shortchanges the proposals I and others have made to protect privacy and balance that protection with the very profoundly important need to preserve our national security.

A short-term extension is not a compromise. The USA FREEDOM Act is, in fact, already a compromise, and that is why I have opposed and will continue to oppose a short-term extension, even when it is portrayed and depicted as a compromise, as has happened so far.

Another important point here is that a short-term extension will not solve our problem. A short-term extension is simply an invitation for more uncertainty, more litigation, more expense, and, in fact, more compromise to our national security.

The Second Circuit Court of Appeals has made it absolutely crystal clear that if Congress authorizes section 215, the Second Circuit will read it as disallowing bulk collection. That court held: ''If Congress fails to reauthorize Section 215 itself, or reenacts Section 215 without expanding it to authorize the telephone metadata program . . . the program will end.''

That means if Congress passes the so-called short-term reauthorization, phone companies in New York, Connecticut, and Vermont will not be able to comply with a bulk collection order. Around the Nation, the court of appeal's ruling is the law of the land, or should be given that respect, and it will be unclear around the land and throughout this country what kind of order, in fact, is demanding of them. The result is likely to be legal uncertainty that will last long after Congress decides to act.

The only way to avoid endless litigation is to pass legislation that specifies what section 215 allows, what it does not allow, and the only proposal that does that task is the USA FREEDOM Act.

I continue to believe that one of the central core provisions of the USA FREEDOM Act is that it requires transparency and the adversarial process, containing reforms that I proposed to make sure that this FISA Court is no longer a secret tribunal considering arguments in secret and issuing secret opinions—exactly the kind of court that prompted our rebellion from England. When it operates and when it hears arguments, it should hear both sides—it should hear from an adversary to the government that offers a different point of view. Courts make better decisions when they hear both sides of the argument. That is why I proposed from the start a constitutional advocate who will make arguments against the government without compromising the need for timely warrants and other surveillance and without in any way reducing the secrecy of this court where it is appropriate.

I hope this body reaches a result that includes the USA FREEDOM Act. I hope we pass it. I urge my colleagues to join in supporting it.

I yield the floor.

I suggest the absence of a quorum.

Mr. President, I withdraw my observation about the absence of a quorum.

RECESS

The PRESIDING OFFICER. Under the previous order, the Senate stands in recess until 2 p.m.

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

ENSURING TAX EXEMPT ORGANIZATIONS THE RIGHT TO APPEAL ACT—Continued

The PRESIDING OFFICER. The Senator from Rhode Island.

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

Mr. LEAHY. Will the Senator withhold?

Mr. WHITEHOUSE. I withhold.

The PRESIDING OFFICER. The Senator from Vermont.

USA FREEDOM ACT

Mr. LEAHY. Mr. President, I have been having a lot of people ask me where we are on the USA Freedom Act of 2015, and we actually have a very interesting, easy choice: We can either pass the bipartisan bill the House of Representatives passed with a majority of Republicans and a majority of Democrats voting for it, or we can let the expiring provisions of the USA PATRIOT Act sunset at the end of the month. Some may prefer that. I think the House made a number of improvements which protect our freedoms and protect our security, and that is what we ought to pass.

Some people have talked about short-term extensions. Well, we could have a 2-day extension or we could have a 5,000-year extension; we would be extending something that doesn't exist.

The fact is that the House gave us the USA FREEDOM Act in plenty of time to act upon it, to amend it if we wanted to, to send it back and go to a conference. But now the House has adjourned and gone on recess. If we don't vote for their bill, we will end up at the end of the month with nothing. There will be nothing to extend. We could feel good about passing an extension, but we can't extend something that is dead.

I have worked for more than two years with Members of Congress from both parties and in both Chambers to develop the USA FREEDOM Act of 2015. It is a commonsense, balanced reform bill that protects Americans' privacy, while also ensuring our national security.

The bill doesn't go nearly as far as the bill I first introduced in October of 2013 with Congressman SENSENBRENNER. It doesn't go as far as the USA FREEDOM Act that was filibustered last November by Senator MCCONNELL and others. At that time, the incoming majority leader wanted to wait and see how it would be with a Republican majority and was able to rally his Members to delay reform. But we shouldn't delay it any further. Americans deserve to have their privacy restored and their national security protected. There should be no more excuses.

In the bill Senator LEE and I have introduced and supported, the USA FREEDOM Act of 2015—it has not just our support, it has the administration's support, it has the support of the Director of National Intelligence, the Attorney General, the FBI Director, a supermajority of the House of Representatives, the technology industry, privacy and civil liberties groups, librarians, and the NRA. I mean, when are we ever going to find all these groups coming together? Well, they came together because they know the USA FREEDOM Act is a good bill, and the support for our bill continues to grow.

Just yesterday, national security experts at the conservative Heritage Foundation concluded that the USA FREEDOM Act ''strikes a balance between maintaining our national security capabilities and protecting privacy and civil liberties.'' Why? Because it is a reasonable and responsible bill. When we get the civil liberties groups, the NRA, the Heritage Foundation and privacy groups together, we have something.

I have been here 41 years. I have seen very few pieces of legislation where these diverse groups come together, and they did because the USA FREEDOM Act is a responsible and reasonable bill. But even if they hadn't come together, it is the only option left for any Senator who wants to avoid a sunset of the surveillance authorities at midnight on May 31. We won't be in session. The other body won't be in session. The one thing that will happen is our current authorities will sunset. They will go away. Wow. Can't you hear the cheers from some of our enemies?

Last year when the current Senate majority leader led the filibuster of the USA FREEDOM Act, we were told that the Senate needed more time to consider the issue and that the new Senate would take up the matter under new leadership. All right. We have known the sunsets were coming for years. That is why I brought up the bill last year. There has been nothing done on this urgent matter this year—no public hearings and no committee markups, unlike the six public hearings I held in the Judiciary Committee last year.

In contrast, the House leadership has acted responsibly and decisively. They moved the USA FREEDOM Act of 2015 through the Judiciary Committee and passed this bipartisan bill overwhelmingly.

We had significant debate on this issue this week. I have heard Senators across the political spectrum who have spoken at length on the Senate floor about their views. Most of these Senators have urged us to reform the government's bulk collection program—which is, of course, the same way the vast majority of Americans feel. But there have also been voices urging more surveillance. We have heard the familiar fear-mongering and demands for a data-retention mandate on the private telecom companies. Well, I disagree with those Senators who voiced that perspective, but they have at least been heard.

Unfortunately, the clock has been running. The House worked very hard, they completed their work, and they left. They are not coming back until after the surveillance authorities are set to expire. And the House leadership has made clear that they will not pass an extension. Even if they were in session and we passed an extension, they made it very clear to Republican and Democratic leadership that they will not take it up.

So here is the choice. It is a very simple one. We can let the three provisions at issue expire—some may like that; frankly, I don't—or we can pass the bipartisan and bicameral USA FREEDOM Act of 2015.

We all know that the NSA has for years been using section 215 of the USA PATRIOT Act to sweep up phone records of innocent Americans without any connection to terrorism. I am sure innocent Americans who may be in the Chamber or who are hearing what we are saying have had their phone records swept up. Well, I don't think anybody would feel very comfortable with that.

We also know that the NSA used a similar legal theory for years to collect massive amounts of metadata related to billions of emails sent to and from innocent Americans—a parent to a child asking, ''how is my granddaughter's cold coming along?'' or ''How did my grandson do in school?'' or somebody writing to a friend, back and forth.

The American people oppose this indiscriminate dragnet collection of their records—not only that, the courts do, too. They found it to be unlawful. The House of Representatives listened to the American people, they listened to the courts, and they voted overwhelmingly to end this program through the USA FREEDOM Act and assumed, of course, that the Senate would do what the courts have said and what the vast majority of the American people said.

Last November, when Senator MCCONNELL convinced his caucus to block the USA FREEDOM Act, I warned that we would not have much time in the new Congress, and that the American people were demanding action. People should go back and see the number of letters and emails that came pouring in to the Capitol saying: We want this passed. Yet, here we are—Congress racing against the clock to act before the sunsets take effect next weekend.

Well, this is a manufactured crisis. I think there are some who hope that enough Senators will be scared by the prospect of these authorities expiring that they will blindly vote in favor of a clean extension even though that will go nowhere. We have all seen this movie before. We know that opponents of the USA FREEDOM Act simply want to delay again. Well, I don't frighten.

Many Americans, especially my constituents, are wondering what opponents of the USA FREEDOM Act have been doing for the past six months? They are rapidly approaching a sunset that has been on the books for years—the original sunset provision written by myself and Republican leader Dick Armey. It is not as though this deadline suddenly snuck up on the leadership or the chairman of the Intelligence Committee, who is just now considering alternative proposals.

Remember, we are just a few days away from the expiration date. But despite this urgency and the extensive debate we have been having for many months, the only bill that has been filed by the opponents of the USA FREEDOM Act is a 2-month rubberstamp of the USA PATRIOT Act provisions—a bill the Senate sponsors know cannot pass the House even if they were in session. And because they are not in session, if we were to pass it here, it would become a ''nothingburger'' because there would be no law to extend.

I read in the press that there may be an alternative proposal in the works. It may include a provision to keep the

bulk collection program in place for more than two years. But even if we could legally pass that, it is entirely unnecessary.

Just this week, the NSA Director stated in a letter to Leaders MCCONNELL and REID that the NSA only needs 180 days to transition to the new targeted program established by the USA FREEDOM Act. Not 2 years. The 180-day transition has been part of the USA FREEDOM Act for more than a year. And during all the negotiations about the bill, neither the NSA nor the intelligence community ever raised a concern with me about this provision. In fact, we have on the record that they support it.

I ask unanimous consent to have printed in the RECORD a copy of the May 20 letter from Admiral Rogers, the head of NSA.

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

NATIONAL SECURITY AGENCY
Fort George G. Meade, MD, May 20 2015.

Hon. MITCH MCCONNELL,
Majority Leader, U.S. Senate,
Washington, DC.
Hon. HARRY REID,
Minority Leader, U.S. Senate,
Washington, DC.

DEAR SENATORS MCCONNELL AND REID: The USA Freedom Act would establish a 180-day period for transitioning from the current bulk-collection program for telephone metadata to a model where queries would be carried out against business records held by telephone service providers. Several questions have been raised about the feasibility of the 180-day deadline.

Should the USA Freedom Act of 2015 become law, NSA assesses that the transition of the program to a query at the provider model is achievable within 180 days, with provider cooperation. We base this judgment on the analysis that we have undertaken on how to make this model work. Upon passage of the law, we will work with the companies that are expected to be subject to Orders under the law by providing them the technical details, guidance, and compensation to create a fully operational query at the provider model. We are aware of no technical or security reasons why this cannot be tested and brought on line within the 180-day period.

We very much appreciate the time and attention the Senate continues to devote to this important issue.

MICHAEL S. ROGERS,
Admiral, U.S. Navy, Director,
National Security Agency.

Mr. LEAHY. We all know this last-ditch attempt at further delay is just too late. We have two options: Pass the USA FREEDOM Act or let the provisions expire. A growing majority of the Senate—a straight up-or-down vote—supports the USA FREEDOM Act. If we pass it today, the President can sign it today or tomorrow.

Also, the intelligence community says: Is the law going to be here or is the law gone? By passing the USA FREEDOM Act, they can move forward with the certainty they need to protect the American people.

Senator LEE and I, along with a bipartisan group of Senators ranging from Senator DURBIN, to Senator HELLER, to Senator SCHUMER, to Senator CRUZ—and that is going across the political spectrum—are moving for a responsible path forward.

We have worked for 2 years on this bill to end the NSA bulk collection of Americans' phone records. Republicans and Democrats have worked together for 2 years to end the NSA's bulk collection of Americans' phone records, something that every one of us, at a townhall meeting—I do not care what State you are in, if you ask Americans ''Do you want a bulk collection of all your phone records?'' you know what the answer would be: ''Of course not.''

The clock has run out, but there is a responsible choice before us. Let's pass the USA FREEDOM Act today. Then we will have important reforms, we will keep America secure, and we will not have all of these authorities expire.

Mr. President, I see other Senators on the floor.

I yield the floor.

The PRESIDING OFFICER. The Senator from Montana.

Mr. TESTER. Mr. President, I ask unanimous consent for Senator DAINES and I to speak as in morning business.

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

TRIBUTE TO CHUCK JOHNSON

Mr. TESTER. Mr. President, I rise today to honor a great Montana journalist. I got to know Chuck Johnson some 16 years ago when I was running for the State senate, but his distinguished career started long before that.

While attending the University of Montana School of Journalism, Mr. Johnson was accepted to be a congressional intern here with the journalists in Washington, DC. That gave him a taste of political reporting.

In 1972, Chuck Johnson was assigned to cover Montana's Constitutional Convention for the Associated Press. Little did he know at that time that this assignment would launch his professional career covering Montana politics, and little did he know that he would be writing history as he watched Montanans draft one of the most progressive State constitutions in the country.

In his long career, Chuck Johnson covered 9 Governors, 9 U.S. Senators, 10 Congressmen, and more legislative sessions than I can count, including the years I had the honor of serving the great State of Montana in Helena. He pushed for increased media access and stood up for more transparency and for a reporter's right to be in the room. Thanks to Chuck, Montana now has a requirement that political caucuses are open to the press.

Mr. Johnson and his colleague Mike Dennison worked hand in hand for years at the Lee State Bureau and wrote powerful stories that had sweeping impacts across our great State. So when news broke yesterday that Lee Enterprises was closing its State Bureau and Mr. Johnson would be retiring, the world of politics was buzzing. While a few politicians might be relieved, many of us recognize what a loss for journalism and for Montana this will be. As Chuck leaves political journalism, he leaves a giant hole that will be difficult, if not impossible, to fill.

In the day of a 24-hour news cycle and a demand for immediate information, the people of Montana still count on Chuck Johnson to present the facts. Even though he started writing his stories on a typewriter, he has adapted with the times, learning how to tweet.

Known as the ''Dean of the Capitol Press Corps,'' Mr. Johnson would take young reporters under his wing, teach them how to understand the governmental process, and share his vast knowledge of Montana politics.

From his reporting on taxes and budgets, he has a way of making it easy to make sense to the average reader. But where his reporting really stands out is in his ability to track and understand campaign finance. He has been known to plow through election reports late on a Friday night when all of the other reporters have called it quits and gone to bed, digging for a story, holding elected leaders accountable, and reporting the facts.

It is his integrity, his commitment to the truth, and fair reporting that have earned the respect of politicians and readers alike from both sides of the aisle.

It is in that spirit that I would ask my colleague Senator DAINES to join me.

I yield to the Senator.

Mr. DAINES. Mr. President, I thank the senior Senator from the State of Montana, Mr. TESTER.

I also rise today to recognize the career and service of Chuck Johnson, a longtime Montanan, a Montana reporter who will be entering into a well-deserved retirement at the end of next week.

Chuck's career covering Montana politics began more than 40 years ago when he was asked to cover the Montana Constitutional Convention for the Associated Press. Since then, he has covered nearly two dozen sessions of the Montana State Legislature and countless political conventions.

I remember seeing Chuck late at night at conventions, giving up a lot of his personal time for the sake of covering these stories across our State. He has covered hundreds of elected officials and has been a steady presence on Montana's campaign trail.

Over the past two decades, Chuck has led political reporting for Lee Newspapers, and he spent the past 10 years working alongside his fellow Lee State Bureau colleague Mike Dennison.

If it has to do with Montana politics, Chuck has probably covered it. I am told Chuck has the best political campaign button collection in all of Montana. Chuck's life has been spent in Montana. He grew up in Helena, and he went on to earn his degree in journalism at the University of Montana.

I can speak as a Montana State Bobcat. I know that Chuck is a testament to the quality of journalists produced by the University of Montana School of Journalism. It goes without saying as a Bobcat, I do not always see eye to eye with Chuck on important issues, like who to cheer for during the Brawl of the Wild or which colors are better—blue and gold or maroon and silver. But I do know that Chuck took a fair amount of joy in seeing this Bobcat receive a Montana Grizzlies shirt after a disappointing Cats loss during the 2013 game.

Setting aside our personal allegiances, it has been a great privilege and tremendous honor to work with Chuck in my years representing Montana and being involved in Montana politics.

With Chuck's retirement and the closing of the Lee State Bureau, Montana is saying farewell to not only a talented and dedicated reporter but also a historian of our State and a mentor to countless young reporters looking to make their own mark in Montana's news media.

I thank Chuck personally for his years of service to Montana and his lifelong commitment to making our State's government open and more accessible to all Montanans. He has made a lasting mark on the State of Montana. His depth of knowledge and his lifetime of experience will be difficult, if not impossible, to replace, and his byline on newspaper stories across Montana will be greatly missed.

Chuck, congratulations on your retirement. We appreciate all you have done, and we wish you the very best.

I would like to yield back to the senior Senator from Montana, Mr. TESTER.

Mr. TESTER. Thank you, Senator DAINES. It was a pleasure to share the Senate floor with you this afternoon.

As Chuck Johnson retires and puts away his pen and his notebook, I want to say thank you to Chuck. In this body, we often think we are irreplaceable when we are not. I will say this about Chuck Johnson: It will be a long time before Montana sees someone as good as Chuck in the reporting corps. So, as a body, we honor Chuck Johnson's contributions to Montana, to our country, and to our democracy.

Good luck, Chuck.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

HIGHWAY BILL

Mr. BLUNT. Mr. President, I want to talk today about one of the things we need to do before we leave here—the extension of the highway bill. And nobody is satisfied with a short-term extension of the highway bill. I would be among the group who would be least satisfied with that. But as we look at what has happened so far this year, we moved in a positive way in a number of areas. We don't have time while we are here to do what we need to do to have a truly long-term highway bill.

The last two bills under the two previous Congresses—the two previous Senates—were very unhelpful and unsatisfying in many ways: a 6-month extension of the highway bill—you cannot build roads and bridges 6 months at a time. Not only can you not do the work 6 months at a time, you cannot get the kind of competitive bidding process and planning to do this work in the right way. Before that, we only had a 2-year bill. I will be very disappointed if we cannot beat both of those standards. The reason to do the 2-month bill today will be the important reason that, one, we have enough money left, because of winter conditions, that we can do 2 months of further construction with the money that is available, and that way we don't do anything to slow down construction here at the best building time of the year.

We need to work really hard in the next 2 months—and we should be working right now, and I know we are working right now—to come up with that long-term solution that lets us look at the transportation needs of the country in a way that allows us to compete. So many great things are out there in the next few decades for our country, but they all involve a transportation system that works.

I think the country is clearly ready to make things work again. I was so pleased in the last Congress that we were able to add the advanced manufacturing bill to the arsenal of things we had. Senator BROWN and I worked together and passed that bill. Now we have the arsenal we need to be in the position of making things again. The right kind of energy policy can clearly get us to where we make things again.

Certainly what is going to happen in agriculture, manufacturing, and health care technology—all great opportunities with great potential, but we have to have a transportation system that works. We are the best located country in the world to deal in the commerce of the world. We are the best located country in the world to connect with the marketplace of the world, but we have to have a transportation system that allows us to do that.

I hope we are working hard, and I believe we are, to find what we need to do to fill that gap between what the current gas tax creates—at the Federal level I don't think there is any likelihood of increasing that tax in the next few years. We need to look at what that tax creates and what funding source is out there that helps us fill the gap between the gas tax and reasonable aspirations for our transportation system. This is one of the areas the American people think the government address.

There may be an argument about whether it should involve the Federal Government or the State government or how this works in terms of the government, but we know this is something we can't do for ourselves.

Since the very earliest days of the Congress, what the Federal Government could and should do regarding interstate commerce and transportation—and the Constitution itself talks about building postal roads and it talks about interstate commerce.

Hopefully, we will take this vote today or tomorrow or whenever we take this vote, to be sure that we continue the construction already underway, but don't stop for a minute in working on this process until we get a highway and bridge and construction bill for transportation that allows us to move forward and to move forward for a significant future of what we need to do.

We are going to lose the advantages we have if we don't maintain and improve the transportation network we have. I look forward to seeing that happen and encourage my colleagues to vote for that 2-month extension, but don't give a moment's relaxation seeking the multiyear highway bill—the multiyear transportation bill—that the country really needs.

MEMORIAL DAY AND CHOICES FOR VETERANS

Also, Mr. President, I wish to talk about one other subject before we take this work period for Memorial Day. This is an important time to honor those who have served, those who have sacrificed, people who have given their all for the country or even those who have served and were able to live a full life after service. We honor them on Memorial Day as well.

As I am thinking about Memorial Day this year, I am continuing to be frustrated with how we treat our veterans. The Veterans' Administration system is not what it should be, and it continues, it seems to me, that the Veterans' Administration wants to focus on what is good for the Veterans' Administration instead of what is good for veterans. I am tired of it. I think many people in the country are tired of it, and we need to do something about it. We got a report in our State this week about one of the St. Louis facilities—the John Cochran Hospital. This hospital has had seven acting directors in 2 years. It is a hospital with problems. It is a hospital that is not serving veterans the way it should, and it

has had seven acting directors in 2 years. I cannot contact the same director twice before they are gone, and the new director is trying to figure out what the problems are. It seems to me, before they can figure out what the problems are, there is another new acting director.

We just had an inspector general report on that hospital, and the inspector general report found 45 areas that needed improvement at a Veterans' Administration hospital. These are issues such as dirty patient care areas, expired medication, and inadequate staff training. We are not talking about having the most expensive or the best or the most up-to-date equipment; we are talking about getting the medicine off the shelf that is retired or having patient care areas that are clean. Certainly, like everywhere else at this facility, just simply getting patients scheduled to come has been a problem.

The Director of the Veterans' Administration, Mr. McDonald, needs to change the VA, not manage the VA. He came to this job with well-heralded management experiences, but this is not just a management job; this is a change job, and he needs to make those changes. There is no excuse for a 2-year vacancy in a troubled facility. There is no excuse for not looking at every way they can to provide more choices for veterans.

It is clear the Congress wants to have more choices. Senator MORAN, from Kansas, has a bill I am proud to cosponsor that emphasizes one more time—just in case we were not clear enough last year that we want veterans to have choices—that we want veterans to have choices. There is no reason for veterans to drive by a facility that could do a better job than a veterans facility only to stand in line at a veterans facility.

There are a few things the VA system should be better at than anybody else. They should be better at dealing with post-traumatic stress and they should be better at prosthetics, the replacement of arms and legs. This is something that—at least since before the Civil War—the Veterans' Administration has always been pretty good at because they had a lot of tragic reasons to be good in this particular area.

There is no reason to believe the Veterans' Administration hospital is necessarily the best place to get your heart stent put in. There is no reason to believe the Veterans' Administration is necessarily the best place available for you to have your cancer treatment. There is no reason to believe the Veterans' Administration is the best place to go and have your kidney surgery. We ought to let veterans go to the best place. We ought to let veterans have more choices, particularly young veterans.

Last year, I sponsored a bill called the Excellence in Mental Health Act. By the way, we are launching that program right now and looking for the first eight States that are properly qualified facilities and want to treat mental health just as they do all physical health.

The Excellence in Mental Health Act brought forth the mental health community and the law enforcement community. Veterans group after veterans group—particularly young veterans—said they want to have more choices. They want to be able to go to places where they can take care of their health care problem in a way that works with their family and in a way that works with their work.

These are important choices and Congress has spoken but apparently not quite loud enough. The Veterans' Administration wants to say, if a veteran is within 45 miles of any facility, whether it provides the service they need or not—the most technical reading of the law would suggest it really doesn't matter if they need a heart transplant. If they are within 45 miles of a facility where they can get their blood pressure checked, then they don't qualify for the program that gives them more choices. That is a ridiculous interpretation of the law.

We will do our best to try to make the law clearer, but I think the Veterans' Administration could make it clearer if they wanted to. They are afraid to compete, and we should wonder why they are afraid to compete.

We looked at the problems at the Cochran Hospital and other facilities. We should understand why they are afraid to compete. This is not the way veterans should be treated. This is not the way we should be honoring our veterans. It is not the way we should be going home on Memorial Day, and I hope we commit ourselves to do a better job on this topic and, more importantly, to force the Veterans' Administration to do the job it is supposed to do.

I yield the floor.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. SANDERS. Mr. President, at some point soon, I presume, the Senate is going to adjourn for the Memorial Day week break, and I want to say a few words on some of the important issues we are now confronting.

I suspect later today there will be a vote on the TPP. I suspect that those who are for the TPP have the 60 votes necessary to pass it. I know there are a number of amendments that will be offered, and I will support the strongest of those amendments. But the bottom line is, in my view, that the TPP is a continuation of failed trade policy which has resulted in the loss of millions of decent-paying jobs in this country, which has resulted in the loss of tens of thousands of manufacturing facilities as corporations have shut down in America and moved to China, Mexico, and to other low-wage countries.

In my view, it is wrong to ask American workers to compete against people in Vietnam, where the minimum wage is 56 cents an hour, to compete against people in Malaysia where, in some cases, you literally have indentured servitude, people who have lost their ability to leave the country and are working for incredibly low wages in horrendous working conditions. That is not what a trade policy should be.

I hope our colleagues in the House have more resolve than we have had in the Senate, and I hope they stand up and say enough is enough. Current trade policies have failed. We need trade policies that work for the average American and not just for the multinational corporations.

FREE COLLEGE FOR ALL ACT

Mr. President, I also want to say a word on another issue that I know is of deep concern in the State of Vermont and I am quite confident is of concern in 49 other States as well. We are in a competitive global economy right now, and we have hundreds of thousands of bright, young people who want to go to college, get a higher education but today are unable to afford that higher education.

Here we are desperately needing to have the best educated workforce in the world so we can compete effectively, and what we are saying to our bright, young people is, sorry, you are not going to be able to get the education you need in order to get the high-quality jobs that are available in this country.

What we are saying to hundreds of thousands of those young people is, no, you are not going to be doctors, you are not going to be nurses, you are not going to be scientists, you are not going to become teachers, you are not going to be able to become employees in high-tech companies because you just don't have the education.

Frankly, I think that is absolutely absurd not only for the dreams of low- and moderate-income young people who want to make it into the middle class, but also it is absurd if we are talking about the future of this country having a strong economy.

Thirty years ago, the United States led the world in terms of the percentage of our young people who had a college degree. Today, we are in 12th place. We are in 12th place, and we are competing against countries all over the world that understand the importance of their young people getting the education that is needed in this day and age.

We are also facing a related problem in that we have millions of people—many of whom are no longer young—who are dealing with incredibly oppressive and large student debt. The average graduate now of a 4-year college is approximately $29,000 in debt. That is

the average. So there are many more who are graduating $30,000 or $40,000 in debt. If a person goes to graduate school, that number goes much higher.

I recall speaking some months ago to a young woman in Burlington, VT, whose crime was that she went to medical school and is now practicing primary health care among low-income people, which is exactly what we need to see happening in this country. Yet she is saddled with a $300,000 debt. I talked to dentists who are also practicing in community health centers, where we need them. We have a major dental crisis in this country. They are saddled with a $250,000 debt.

Now, what is absurd about the current student debt situation is that at a time when a person can go out and get an auto loan for 1 percent or 2 percent, millions of our young and middle-aged people are paying interest rates on their student debt of 4, 5, 6, 7 percent, and even higher than that. So how does it happen that a person can go out and get an auto loan for 1 or 2 percent, how does it happen that a person can refinance their home mortgage to take advantage of low interest rates, yet people are stuck with 5, 6, 7 percent in interest rates on their student loans? It makes no sense to me at all.

The other part of that is that over a 10-year period, the Federal Government now makes over $80 billion in profits from student loans. Frankly, I would rather see the Federal Government make that money than the private banks. But, in fact, the Federal Government should not be profiting off of the loans that were needed by low- and moderate-income students and their families. That is not a way to make money.

So I have introduced legislation called the Free College For All Act, and it is a very simple piece of legislation. What it says is that, No. 1, we are going to make in this country tuition-free college for all public colleges and public universities in America—tuition-free. We are going to do that by establishing a matching grant program of 2 to 1 from the Federal Government—$1 for the State. When we do that, it will mean that every qualified young person in this country who wants to get a higher education will be able to go to their State colleges, their State University and do it tuition-free.

Now, is that an expensive proposition? It is an expensive proposition. But I think long term, by having a well-educated society, by allowing young people today who cannot afford to go to college to get that education, from an economic point of view, we will gain significantly by this legislation.

This legislation is also paid for in a fair and progressive way. It says to the people on Wall Street who have made huge, huge sums of money by speculating in a whole lot of arcane and dangerous financial tools that we are going to establish in this country a tax on stock transfer—a transfer-stock fee—of one-half of 1 percent. That will raise more than enough money to provide a tuition-free education in our public colleges and universities.

So this is an issue that I am going to pursue. I think it is important, if we want to deal with income inequality and if we want to make sure that everybody in this country gets the education they need, regardless of the income of their families.

USA PATRIOT ACT

Mr. President, there is another issue I wish to very briefly touch on as well today. That issue deals with the USA PATRIOT Act and FISA and civil liberties in this country. Let me make a few basic points.

There is nobody in the Senate, there is nobody in the House who does not understand that there are terrorist groups out there that want to attack the United States of America and our allies and that want to do us harm. There is nobody in the Senate or in the House or, I think, in the United States of America who does not believe that as a nation we have to do everything we can to protect the people of our country from terrorist attacks. There is no debate on that. What the debate is about is how we protect the American people without undermining the Constitution of the United States of America or undermining the privacy rights of the American people.

I think everybody does understand and should understand that modern technology in all of its forms—from iPhones to a dozen or 100 different ways—has greatly outstripped public policy in terms of protecting privacy rights. By and large, the privacy rights we have on the books now were written years and years before the development of the technologies we see right now.

It is absolutely imperative that as a nation we begin a serious conversation, which includes some of the most knowledgeable people in this country—people who know about what technology can do today and what it can do tomorrow, people who are concerned about civil liberties and privacy rights, our law enforcement officials, our national security people, and Members of Congress. What that discussion should be about is pretty simple: How do we protect our country against terrorism at the same time that we protect our privacy rights and our constitutional freedoms.

As we consider whether to reauthorize parts of the PATRIOT Act, we must take stock of where we are today. It is no secret that NSA collects vast sums of information and at one point or another has collected information on virtually every person in this country who uses a telephone. That is no great secret. Since June 2013, we have learned that the NSA collects phone call metadata, including the numbers of both parties, location, time, and duration. They collect text messages, email chat, and Internet browsing history; smart phone app data, including Google Maps, which can pinpoint a person's location to within a few yards. They collect maps of people's social networks, bank and credit card transactions. This is just the tip of the iceberg. There is undoubtedly much more being done that we simply don't know anything about.

Further, local governments and other agencies are also collecting information about the movements and the habits of law-abiding Americans. When we drive down the street, there are cameras that can take pictures of license plates. There are cameras on street corners, cameras in private buildings. The government knows where we are traveling and how long we are gone. Let's be clear. While today we are focusing appropriately on the role of the Federal Government in issues of civil liberties, we must also understand that it is not just the government that is collecting information on law-abiding Americans. In fact, the private sector's collection of information is just as intrusive and equally dangerous. Private companies, private corporations know a whole lot about what we do. Our every move can be tracked by a smart phone. Almost two-thirds of the American people, by the way, have smart phones.

Private companies can know what we read, what we are emailing about, what Web sites we visit. They know when we have purchased a ticket, and they know where that trip is taking us. They know whether we are going on a plane or a train or a bus. When we go to a grocery store, our discount card gets scanned and the grocery store knows exactly what we are eating. It is the same situation at the pharmacy. They know what kind of medicine we are buying, enabling people to make judgments about one's health. They know when a woman is pregnant based on her purchases. In the name of fitness, people are wearing watches and Fitbits that record our heart rate and exercise pattern and how much we sleep.

In the wrong hands, this information could prevent us from getting health insurance through our jobs. It could even prevent us from getting hired in the first place. In other words, enormous, enormous, undreamed of amounts of information are out there and, in the wrong hands, that could be a real danger to our country and to the lives of millions of innocent people.

This is what the attack on privacy looks like. Someone can access our phone calls. They can access our credit card records. They can comb through our purchases. They can analyze our spending habits. They can access our emails and our contacts. They can

track our movements. Pretty much anything and everything we do these days can be tracked and recorded.

Now, many of my colleagues come to the floor of the Senate and talk about America being a free country. Well, if somebody knows everything we are doing, maybe it is time to recognize that we are not quite as free as we think we are. I know that in response to the argument I am raising, people will say: Well, trust these large corporations; trust the government. They are honest people. By and large, many of them are. I am not suggesting otherwise.

In terms of government policy, however, let us not forget that 45 years ago we had a President of the United States named Richard Nixon. And what Richard Nixon believed was that anything the President of the United States did, by definition, was legal. The President can break into his or her opponent's political headquarters—not a problem. He is the President. He can spy on people—not a problem. He is the President.

So I ask my colleagues and the American people—and I do not suggest for one second that this is true of the Obama administration. But I ask the American people to think about what happens in the future if we have a President who really does believe that he or she is the law, that he or she can or should have access to the kinds of information that are out there. Think about the incredible power the administration has, the potential for blackmail, the political advantages that administration has.

People say: Well, it is a pretty crazy idea. It is never going to happen.

Well, a lot of things have happened that we never thought could happen.

It seems to me that now is the time for us as a nation, for us as elected officials to have a very important conversation about how we balance our need—of which there is no debate—to protect the American people against terrorist attacks while at the same time we respect the privacy rights and the constitutional rights of our people and how we maintain America as a free and open society.

I got involved in this issue a number of years ago when I voted against the USA PATRIOT Act. I remember some librarians in the State of Vermont came to me and they said: You know, as a result of section 215 of the USA PATRIOT Act, law enforcement officials—the FBI can come to a librarian and demand that the librarian provide information about the books people are borrowing from the library.

Of course, section 215 goes a lot further than that.

Do we want to be a nation in which we are looking over our shoulders and worrying about the books we are reading because somebody may say: Oh, well, you are reading a book about Osama bin Laden; clearly, you must be a terrorist. Is that really the kind of fear we want to see established in this country?

So I say to my colleagues, it is great to come to the floor and talk about freedom, but what freedom is about ultimately is the right of people to do what they want to do in a law-abiding way without harming other people. That is called freedom. In my view, people have a right to make a telephone call today without that information being collected by the government. People have a right to go on the Internet and send an email with the absolute assurance that as law-abiding citizens their visits to a Web site or the emails they send will not be tracked by the government. People have a right to go to a grocery store and make purchases without somebody knowing what they are buying.

I intend to introduce legislation shortly which will call for a comprehensive review of data collection by public and private entities and the impact that data is having on the American people. I don't know if this is a progressive piece of legislation or a conservative piece of legislation, but I would hope this concept would have broad support across the political spectrum from people who actually do believe in a free society, that our young people should not be worried about the kinds of books they read or the Web sites they visit.

We must bring together leaders in the technology world, people who not only know what technology today is doing as far as invading our privacy rights but what the future holds, because I am quite certain that every single day, this technology is growing more and more sophisticated and more and more intrusive, and sitting down with people who are experts on technology—we have to have civil libertarians, people who understand what the First Amendment is, what the Fourth Amendment is, what our Bill of Rights is about, what our Constitution is about, and, of course, involved in that discussion must be law enforcement and our security experts. The goal of all of this must be to create legislation which does everything we can to protect the safety of the American people but also protects our privacy rights and our constitutional rights.

I look forward to working with my colleagues on both sides of the aisle on that legislation.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from Ohio.

Mr. PORTMAN. Thank you, Mr. President.

I have been on the floor a number of times this week talking about the importance of trade and talking about the need for us to expand more exports around the world. The United States has not been in a position for 7 years to do that. That is why trade promotion authority is incredibly important to our workers, our farmers, and the people we represent. By doing so, we will give people a shot at actually increasing their salary and their family's income because trade jobs tend to pay better and have better benefits.

In my home State of Ohio, 60 percent of our soybean crop is exported. We want to be sure those farmers have access to more markets. Twenty-five percent of our manufacturing jobs—factory jobs—are now trade jobs. So these exports are very important.

Unfortunately, what has happened over the last 7 years is that as we try to sell our products and our services to the 95 percent of the world outside of our borders, it is getting harder because other countries are concluding trade agreements with each other.

So during this time when the United States has basically been sitting on the sidelines, other countries have negotiated trade-opening agreements. This means lowering tariffs and nontariff barriers, actually taking market share away from us that we would otherwise have. So this is an important issue. If you are for jobs, you should be for exports. You should be for the U.S. Government helping our workers and helping us to be able to knock down these barriers.

Other countries tend to have higher tariffs. They tend to have higher nontariff barriers. So this is part of what we ought to be about in this body. I am glad we are finally taking this up. The administration now supports this. That is good. However, as we do that, we also have to be darn sure that the playing field is more level.

What do I mean by that? Well, we know that other countries have higher tariffs than we do, on average. But they also do other things that make it harder for our workers to compete. One is that they subsidize their products. We know this because we have taken a number of these countries to court—meaning the World Trade Organization—about this very topic.

Here in the United States, we have the ability, if a company is selling into our market with a subsidized product, to seek relief for that. We should. It is not fair. Second, some countries just want to dump their products here in the United States at below their cost. Why? It is kind of like what they say in business: This is a loss leader. They will take a loss on it, but they will get market share and knock out a U.S. competitor. That takes jobs away from us. That is also not fair.

Again, there are international tribunals that deal with this, but also we have our laws here in this country that say: If you are dumping your product here in the United States, that is considered unfair. A company can bring a

case. If they can prove they are materially injured—that the company is materially injured—they can find some relief there.

So as we are expanding opportunities for trade all around the world, which is a good thing, we also have to be sure that our laws work to protect our workers who are not getting a fair shake. By the way, a lot of these workers are doing everything right, everything that is being asked of them. They are going through worker retraining to learn how to operate the most highly technical, sophisticated machines that are the most efficient.

Frankly, that often results in fewer jobs, but it results also in very high quality U.S. products that are being made with the best technology. Some of these workers have been asked to make concessions in their pay or their benefits in order to be competitive. What they say to me is: ROB, you know we are in a global marketplace. We know we are going to have to compete. We know it is not just about competing with Indiana anymore; it is about competing with India, China, Japan, Brazil, and the European Union. So we are willing to become more competitive, to learn these skills, to play by these global rules. But once we do that, we want that playing field to be level.

That is fair. That is the least that they should expect from us here in the Congress—to ensure that while they are making these changes to be more competitive that we are watching their back. That is what a lot of the debate has been about with regard to this trade promotion authority vote that we are having.

This is the opportunity for Congress to express its will as to what these trade negotiations ought to look like. It is not about a specific negotiation, the Trans-Pacific Partnership or the TTIP negotiations with the EU or other bilateral relationships, it is about establishing what Congress believes ought to be the right rules going forward.

AMENDMENT NO. 1299

I am very hopeful that today on the floor we will have the opportunity to vote on a couple of different amendments related to this. One that the Presiding Officer is very well aware of is a strong interest of mine. It is ensuring that other countries do not manipulate their currency so that their exports are less expensive to us and our exports that we send to them are more expensive. That is not fair.

When they intervene deliberately in their currency for that purpose and do it in a large-scale and protected way, that is called currency manipulation. There are rules against it. The International Monetary Fund has rules against it. As an example, every one of the partners in the trade agreement that is being negotiated now with the Pacific countries—every one of those countries in the Trans-Pacific Partnership—has signed up to those obligations already.

So the amendment we will be voting on today simply says: Here is the standard that you have already agreed to. Let's say that when you are negotiating a trade agreement with us to lower barriers—both here in the United States, to give them more access to our market, and to give us more access to their market, which, as I said earlier, is something we have to be doing to help our farmers and our workers—let's be sure that those benefits cannot be undone by them going in and manipulating their currency, which is a market distortion.

Most countries would say: We agree with that. We are not doing it. Currently that is true. I don't think any of the 12 countries we are talking about here are currently doing it. I will say that they have in the past. Since 2012, I do not believe Japan has been doing it. Don't take my word for it. Listen to the International Monetary Fund and the Department of Treasury. They give us a report every year on this.

But before that, they did it over 300 times. It makes it a whole lot harder for us to compete. Again, our workers and our farmers are willing to be the most productive, the most efficient. They know they have to compete. We should applaud them for that. We should support them and help them. But they want to be sure that after they have done all of that and after we have reduced some of these barriers, the playing field does not tilt, making it easier for these other countries to send their products here, which outcompete ours because of currency manipulation.

That is what that issue is all about. There will be two amendments, one of which will be offered by Senator HATCH and one offered by me and Senator STABENOW. The one that we are offering is one that does have teeth in it. In other words, it seems to be an enforceable provision. But it leaves the discretion within the Office of the U.S. Trade Representative to determine how that is done. This is an office that I had the honor of holding at one time. I had the great honor of representing our country all around the world in negotiating agreements and talking about these very issues with other countries.

I can tell you that sometimes other countries may not want to talk about it, but at the end of the day, they know that currency manipulation is bad for everybody. It is bad for the international trading system. It is tempting to do because short term, it makes your exports less expensive. If you want to be an export-driven economy, as China is, that helps sometimes.

But it is not ultimately in anybody's best interests. So let's have these disciplines, but let's make them enforceable, so that there is some ability for us to truly stop this manipulation, to discourage it, to have disciplines in place. That is what that amendment is going to be about. By the way, I know the administration has said they do not support this. It is interesting because here is Secretary Lew's letter this week to Congress: ''Holding our trade partners accountable for their currency practices has always been important to this administration.''

Well, let's hold them accountable. I agree with him. I agree with this letter. I do not agree with his recommended veto threat to the President, should we actually put accountable language into trade promotion authority. So I hope they will stick with this letter and not his recommendation to the President. The President himself has talked about this.

He has talked about his opposition to currency manipulation, and, by the way, so have 60 Senators. This was in 2013. They are not all currently serving in the Senate, but 60 Senators actually signed a letter saying: ''In our trade agreements, we must have accountable, enforceable currency manipulation provisions.''

So most of this body has been on record in the past. This is what the President said back in 2007. It was not this week, but it was 2007. He said he would work with his colleagues in the Senate to ensure that any trade agreement brought before this Congress is measured not against the administration's commitment—not just a commitment, but that we will do this—but instead against the rights of Americans to protection from unfair trade practices, including currency manipulation.

So the notion that the President might veto this because it has protections against currency manipulation—I do not think so. I think he understands the importance of trade promotion authority. I certainly do. I think he knows that we need to get off the sidelines and get back in the business of negotiating agreements that make sense for our farmers, our workers, and our service providers.

But I think in his heart, he also realizes he has to have this discipline in place. The alternative, by the way, would be interesting. You could end up with lowering tariffs and nontariff barriers in this agreement. Then one of these countries that has previously been involved in currency manipulation, such as Malaysia or Japan could step in and do it again and undo so many of the benefits. That would be pretty tough to explain to our constituents. We had the opportunity to address this and chose not to. Some are concerned about this being a poison pill. I would just say the obvious. If you have more protections in here, it won't be harder to pass this in the House of Representatives, because the concern, obviously, a lot of people have is that trade is somehow not fair.

I agree that we ought to pass trade promotion authority. It is incredibly important to the people I represent. It is incredibly important to our country. It is even a geopolitical issue now because America's footprint in that region of the world, Asia-Pacific, should be greater. We are competing with China in so many respects. One is with regard to commerce.

China is one of those countries that are negotiating agreements pretty rapidly with countries all throughout the region. It is important that we get back in the business of establishing those trade ties. That is the geopolitical issue.

I would even say it is a national security issue and a strategic issue. But it is also just important to our economy. We all want to give this economy a shot in the arm. This weak recovery we are working through right now is weaker because we are not seeing the gains in exports we would otherwise see if we were opening up these markets. By the way, we only have free trade agreements with 10 percent of the global GDP.

If you think about it, we don't have an agreement with the EU or with China or with Japan or with many other large economies, such as Brazil. But with about 10 percent of the world we do have trade agreements. We send 47 percent of our exports to that 10 percent of the world. From Ohio, by the way, it is more than half. It is about 52 percent of our exports. But again, as we do that, let's be darn sure that we are leveling that playing field, that we are addressing these issues we all know exist, whether it is dumping products here or whether it is illegally subsidizing products or whether it is manipulating currency. It seems to me that this is the right balance. It seems to me that this is something that Congress owes the people I represent—to watch their backs, to make sure they get a fair shake.

The other amendment that I hope we will have the opportunity to vote on this afternoon is being discussed right now in another room off this Chamber. It is an amendment that ensures that you have a more level playing field with regard to being able to bring these cases against companies that sell their products in the United States unfairly because they sell them at below cost, they dump them or they subsidize them.

There are governments that do a lot of subsidization. Again, that is another market distortion. We should fight against it. The rules that are currently in place have been there a long time. They are consistent with the World Trade Organization. Other countries have these rules in place as well. But I will tell you that the way in which companies seek relief and get relief right now is far from perfect, because so often, by the time a company can show that they are materially injured—which is the standard—it is too late. The market share is gone. Many of the workers are gone. Sometimes the companies themselves are gone.

This legislation is going to be offered by Senator BROWN, my colleague from Ohio, and me. Senator BROWN has been talking about this issue on the floor. He is passionate about it. When we travel around the State, both of us, to places such as Cleveland, Toledo, Youngstown, and Dayton, we hear about this issue.

We hear: Yes, we can operate on a level playing field, but please help us to ensure that when we find a product that is subsidized and when we find a product that is being dumped here, we have the chance to be able to get the relief that we deserve.

So this amendment enhances those protections for Ohio workers seeking relief from these illegally undersold or subsidized imports. By the way, the amendment is now backed by over 80 trade associations and companies, including some great companies in Ohio: Nucor, ArcelorMittal, U.S. Steel, Timken, and others. It is a commonsense, bipartisan measure that basically says that workers should not have to lose their jobs before their company can get relief from these illegal actions. And 78 out of 100 of my colleagues here on the floor of the Senate recently backed a Customs bill that included this language. So there is a lot of support for this here on the floor.

We would love to get this included in this legislation because this is the legislation that is the most likely to move through the House and to the President. This is the legislation where it ought to be, given that we are talking about how to expand exports. That is good. But also ensure that we have more fairness in terms of international trade situations.

Last night on the floor, I was talking about AK Steel, in West Chester, OH. They have 4,000 workers in the State of Ohio. I talked about their production facilities in Zanesville, OH. Some 250 workers are there—UAW workers. They make grain-oriented electrical steel. It is a specialty steel. It is exported all over the world.

I went through what happened to them. They were exporting it to China. China illegally shut out this kind of specialty steel. They lost 92 percent of their exports to China, even though it was illegal for China to do it. The U.S. Government took China to the World Trade Organization and won. China then appealed that. China used all the time they could to avoid complying with that order. By the time it was over, it was 5 or 6 years. They lost 92 percent of their exports. So they lost hundreds of jobs in Ohio because they couldn't get into that Chinese market.

By the way, it is now happening in the European Union. For other purposes—apparently because of concern about other products—the European Union is also now blocking some of this specialty steel made in my home State of Ohio.

So it happens overseas; we know that. Yet, when this same company goes to our Commerce Department and our International Trade Commission to seek relief for illegally traded imports coming in—these are imports which are illegally traded—they have a hard time getting relief in time for it to be helpful to them being able to get on their feet. So American products are shut out of China and the EU, but American workers cannot get the help they deserve in a timely manner to keep illegally traded imports from flooding our market.

This amendment would change that. This is the amendment we have been talking about. It is called the level the playing field amendment. It helps protect thousands of American jobs that would otherwise be put at risk because our trade laws frankly haven't kept up with the speed of international commerce.

I had some Ohio steel pipe and tube manufacturing companies in my office yesterday. As some of you know, Ohio is a leader in this part of the steel industry, which is a growth industry for the most part because there are a lot more oil and gas wells, natural gas wells cropping up around the country. These companies employ thousands of workers across my State.

Frankly, they are having a tough time because of the market—nothing to do with imports but the fact that the price of oil is such that it is harder to justify drilling new wells. So the fracking has slowed down and they have lost some business.

But the other thing that has happened is there has been a surge of foreign imports. So there are now a record number of imports of pipe and tube products coming into this country at a time when our companies are already seeing kind of a soft market because of the lower price of oil and less activity in the oilfields and natural gas fields in Ohio and around the country.

So there are companies, such as TimkenSteel, which has over 1,000 workers in Canton, OH, that are continuing to make investments in their plants so they can be updated, modern, and the most efficient plants in the world.

They just made a $300 million investment. Indeed, I was there recently. I was able to visit with them and see some of their new investments. It will be one of the most modern steel plants in the world. Their export products are very impressive. They send them all over the world. These are engineered steel products. Just yesterday, they told me they are now approaching about 50-percent capacity. That is barely breaking even for them. By the

way, they are at a higher capacity than most in the industry these days. Again, it is a combination of a soft market and a record number of imports of pipe and tube products.

A little further east, in the Mahoning Valley, Vallourec in Youngstown also produces pipe and tube products. Some of you have followed Vallourec because it has been in the news. It is kind of a poster child for what American manufacturers should be doing, which is investing in plant and equipment. It is the first new steel mill in Mahoning Valley in probably a couple of generations. It is very exciting. But, boy, they are having a tough time right now. Even though they have invested in their infrastructure and they are doing all the right things and they are becoming more competitive, they are having a tough time.

Some of you may know about them because actually just a couple of years ago President Obama was in that factory in Youngstown using it as a backdrop to tout our American manufacturing comeback.

A record level of import penetration is now causing incredible disruption in their production. These imports are entering our country at very low prices, and we all suspect this is the basis for a future trade remedy case. Again, it is either dumping, selling below cost, or a subsidized product. They want to make sure they have the ability to bring this case before it is too late. Our trade remedy laws haven't kept up with the fast pace of the global economy. Vallourec had 1,200 workers in Youngstown just a couple years ago. They have now had to furlough 300 workers, and I am told they are at about 20 percent capacity.

Last week when I was on the floor, I talked about another company, Wheatland Tube, which is also in Mahoning Valley. I now have an email from one of the officials at Wheatland Tube, and this is what he said:

As an individual employed in manufacturing, I understand better than most that trade is a key component for economic growth.

He starts off saying they know we need to trade. Then he says:

However, it's important for U.S. manufacturers (i.e. steel pipe and tube producers) to have the tools to challenge unfair trade, and that's why I believe that ANY and ALL future trade agreements considered must include enforcement provisions to ensure that trade is conducted fairly.

As a U.S. citizen who makes a living in manufacturing . . . provisions included in the Leveling the Playing Field Act—

That is the amendment I am talking about—

will close loop holes in the trade laws to ensure that companies can access these laws to challenge trade distorting practices. I also support language in the TPP that prevents currency manipulation and the ''dumping'' of foreign products in the U.S.

It's essential that provisions to close loop holes in trade laws are included in a final trade bill. After all, there's a huge difference between FAIR trade and FREE trade. JMC Steel Group—

Which is the parent of his organization—

relies on these laws, and has utilized them in recent years to challenge trade distorting practices that have injured our industry and our employees. Without laws to regulate unfair trade, I know my job—

''My job,'' he says—

and the jobs of thousands of other manufacturing workers, is at risk.

So to Mike Mack, who sent me this email from Wheatland Tube in Warren, OH, I appreciate your expressing your point of view, and I appreciate your supporting this amendment. I appreciate the fact that you understand that trade is important and that you have to be competitive. And that is not easy. It requires some concessions, and it requires some sacrifices. But once you do that, we have to be sure we have their back.

When these American pipe and tube manufacturers were in my office yesterday, they said one thing that really worried me. They said: If our trade remedy laws aren't fixed and fixed quickly, one of us will not be at this table next year because we will be out of business.

These are good companies. These are companies that are doing the right thing. And they are telling me: Look around the table. There are several of us here now. At least one of us may not be here next year.

Because of these concerns we are hearing from workers and companies, we are offering a very simple and modest clarification of U.S. law regarding the definition of ''material injury.'' In fact, I believe it is actually exactly what Congress intended originally.

The proposed legislation makes no changes to the definition of ''material injury.'' Instead, the legislation clarifies that ''the [International Trade] Commission shall not determine that there is no material injury or threat of material industry to a domestic industry merely because the domestic industry is profitable or because the performance of the domestic industry has recently improved.'' I think this clarification underscores what the current language already shows. The definition of ''material injury'' is not intended to be so burdensome on U.S. companies that they have to go under or at least see job loss before they can get the relief they deserve.

I hope this amendment will be supported, as it was in the Customs package. I hope we can get it to the floor for a vote. I think it is incredibly important that we make sure this goes along with something that is also very important, which is to expand our exports all around the world.

We want to be sure American companies that are being harmed by illegal imports feel we are here to back them up and know they won't have to wait and watch as subsidized or dumped imports put them on the verge of going out of business and laying off hundreds, if not thousands, of workers.

So the whole notion here is that before companies are gravely or severely injured, they have the chance to make their case, that they can have confidence that the U.S. trade laws will be enforced as Congress originally intended them to and that they will be able to compete on this level playing field.

Protecting workers and jobs is not a partisan issue; this is something both sides of the aisle believe in. It is about fairness. It is about ensuring that those factory workers and towns all across America understand that as we expand exports, as we open trade between countries, we are also looking out for them and ensuring it is done in a fair way.

But if they are willing to work hard, play by the rules, they can indeed not just succeed but thrive here in this, the greatest country on the face of the Earth, the country that has this economy that has been in the past the envy of the entire world, on the cutting edge. We need to get back to that. We need to continue making things in this country. We need to continue encouraging innovation and creativity. In doing so, we will be able to have the kind of robust economic recovery all of us hope for. Part of this is trade, more exports, and being sure it is fair. Part of this is ensuring that in this body, we provide those rules of the road. If we do so, I believe we will not only be able to help the people we represent, as we should, but also begin to rebuild a consensus around the importance of trade.

Some of you have probably followed what is going on in the House this week with regard to trade promotion authority. It is tough to find the votes, and I think that is reflective of the fact that a lot of our constituents back home are skeptical. They are skeptical about trade because they have seen too often, as I mentioned earlier, that other countries were not playing by the rules, and I gave the specific examples of the U.S. steel company trying to sell its product in China or the EU and being blocked but not getting relief here.

We can fix this. It is not a matter of changing our posture on trade. We are a country that is courageous. We believe in trade. We are not going to shrink from it. But we are also a country that believes in rules and believes in taking care of the people whom we represent so that they are not unfairly treated in the international marketplace. That is what this debate is about.

I hope we will have a good vote on the currency manipulation amendment we talked about. Whether or not we will be able to get up the other amendment is still a matter of debate, as I

understand it. I hope we will be able to work through that and offer this incredibly important amendment, which is bipartisan, called level the playing field that I talked about. I think having votes on both of those strengthens trade promotion authority. Frankly, it makes it easier to get that legislation through the House and also, in the end, get America back in the business of helping the workers and farmers and the service providers whom we represent.

I yield back the remainder of my time.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

THE PATRIOT ACT

Mr. SESSIONS. Mr. President, we will be talking about the PATRIOT Act and the USA FREEDOM Act that has been offered, and I think it is an important issue. I believe the PATRIOT Act provides critical tools that have helped protect America, and I believe it does so without any infringement on constitutional rights.

Some say we have to compromise rights or balance rights against the threats. Maybe sometimes we have to do that. But when we wrote the PATRIOT Act in the Judiciary Committee—of which I am a member, Senator LEAHY is a strong libertarian, Senator HATCH is a strong libertarian, Senator HATCH was chairman, Senator LEAHY was ranking member, I had been a Federal prosecutor for 15 years; people like Jon Kyl and DIANNE FEINSTEIN and so many others worked on it for months—it wasn't passed in a few days without thought. People talked about it. It was on the radio and television, we got letters, we had hearings with professors and constitutional scholars, law enforcement officers, some public and some classified briefings, and we tried to write a bill, and I believe did, that provided the Federal Government an expedited method to access phone call data, metadata as it is called, under section 215 of the act.

Now, this data has no content—no phone communications at all. It is just phone numbers, even less than you get on your telephone bill when it comes to you in the mail every month. That data is maintained at the telephone companies in their records. Everybody who makes a phone call should know that, if they are alert to the world. So that record is not your personal record. That record is the telephone company's record.

Now, if you have documents at home, if you have records in your desk, records anywhere in your house, if you have a gun or drugs that are illegal in your house, nobody can come in your house, they can't go into your car, can't go into your glove compartment or trunk without a court order because it is within your custody and you have a right, under the Fourth Amendment, to be free from an unreasonable search. The law enforcement officer has to get a court order, backed up by facts, before they can breach that Fourth Amendment.

Of course, the Fourth Amendment simply says that your right is against unreasonable search and seizure. It doesn't say the government can never conduct a search. An unreasonable search and seizure is what the Constitution talks about. I would say, first and foremost, it is reasonable the government be able to identify certain matters of evidence that could prevent a 9/11-type attack on America that could cause the deaths of thousands of Americans.

So what is it that is provided for under this act? I am raising this because I think my colleagues have misunderstood it, and they are more worried about it than they should be. In fact, I think many of their worries are based on a false understanding of how the system works and a false understanding of how law enforcement is conducted in America every day.

So these telephone companies all maintain these records and they are accessible by law enforcement. And it does not take a court order, colleagues; it takes a subpoena. A subpoena is an order for production issued by an entity empowered to issue subpoenas.

The basic standard for a Drug Enforcement Administration agent to get people's telephone records that are in the possession of a telephone company is the administrative subpoena. They do not have to go to a judge, they do not have to go to the U.S. attorney or any Federal prosecutor. They are empowered if the documents are relevant to an investigation they are conducting because they are not an individual's possession; they are the phone company's records. This is done every day.

Now, oddly, the FBI doesn't have that power. The FBI is the Agency charged with the responsibility of investigating and stopping terrorist attacks, but they have never been given this power. They have to issue their subpoenas simply by calling the Federal prosecutor in the U.S. attorney's office. I was a U.S. attorney for 12 years, an assistant U.S. attorney for 2½. I approved hundreds and hundreds, thousands of subpoenas.

In almost every major investigation you want telephone toll records. You are investigating a drug dealer and you capture somebody and he starts providing evidence. He says: I talked to the main drug dealer. How many times? Hundreds. Did you use a phone? Yes. So you immediately subpoena the telephone records. Those come right in, and they can prove he is telling you the truth. He has made 50 or 100 phone calls to the main drug dealer. That corroborates his testimony and builds truth and power in the prosecution's case that this person is indeed a drug dealer and this witness is telling the truth.

Now, there are all sorts of reasons for getting documents. That is just one of them, but it is done every day by a subpoena. As I said, a subpoena does not require a judge's approval.

So this all got stirred up in the PATRIOT Act, and we set up this procedure with judicial oversight where the phone companies' phone data—metadata—is simply put in one secure system that is accessible by the Federal Government. I don't believe that violates any constitutional rights. It is just a mechanism by which to further the system. And before they can access it, the FBI, the National Security Agency, has to have more proof and put out more evidence and go through more hoops than the drug enforcement agent does to get your telephone records. Remember, these records have no names. They have nothing but a telephone number, the date the number was called, and how long the conversation was.

Nobody is accessing those records for personal gain. Only 30-some people in the United States have the ability to access this system. That is the way it works, and so I believe, colleagues, this does not in any way impact the integrity of the constitutional right to be free from unreasonable search and seizure under the Constitution.

Somebody may say: Well, they could abuse that. Well, they could abuse it, that is true. But I have to tell you, I have seen this system. I have seen the people who operate it. They are not out there trying to corruptly spy on politicians or anyone else. I don't know how they could use the system to do that anyway. Anybody who works at the telephone company can access your telephone toll records now. So how much security do you have in your telephone toll records, pray tell?

But these people aren't doing that. They are intensely focused. If they have information connecting a phone number to a foreign terrorist or terrorist organization and they can see other people have called that number. They can do some preliminary investigations and if there is a hit and some information that coincides with other data they have, they may be able to investigate it. That may lead to other information that may stop an attack on the United States of America.

These people are not after drug dealers, they are not after bank cheats, fraudsters or armed robbers; they are after terrorists. That is all they are authorized to use the system for.

I just have difficulty having the words to express how I feel about this.

So this system can save this country from massive attacks. We know, and our officials are telling us, there are more threats out there than before.

A lot of people watch these television programs, these CSI shows and things, and they get the false impression of the power of the American Government to conduct surveillance and the extent to which it is limited. I have worked with FBI agents, DEA and IRS agents. They are not risking their careers. They are not signing false statements. You see that sometimes on television. Even the heroes do things that violate the rules. In my experience, none of the Federal officers I dealt with violated the rules. If criminals walked, they walked. Even though they desperately needed some information, the agents do not lie, defraud or cheat.

I will tell you, these people at the NSA aren't doing that. They are patriots. They are the best kind of people you want to have serving in America. So I think this is an exaggerated thing.

I hope, colleagues, we will spend more time identifying and looking through the challenges we face, the threats we face in America, and that we will examine this program and be sure we fully understand what is at stake and the advantages that it brings. The President has given us examples of what will happen. Director Comey of the FBI said that losing these authorities would be a big problem as the Agency uses section 215, the key section, in about 200 cases a year to get records through the Foreign Intelligence Surveillance Court.

By the way, colleagues, the Internal Revenue Service can issue an administrative subpoena to get your bank records. I think they have the power to issue telephone toll records too—but, no, not here in this system. You have to go through the court process.

We talk about the roving wiretap authority that would expire if we do not reauthorize these programs. That is used in counterespionage and counterterrorism investigations and it allows the FBI to conduct surveillance on a person who may be using a burner phone. In other words, using a telephone and then throwing it away and switching to a new phone so they maintain their ability to communicate without interception.

This is important when you actually do get a warrant that allows a title III wiretap of a terrorist phone. You get this ability when you go to court. In the affidavits I have seen—in all 12 years as a U.S. attorney, I think I had one or two wiretaps approved—they were hundreds of pages of affidavits. You have to monitor it all. It takes tremendous time, but if you are after a terrorist, a wiretap can be a decisive and important matter.

Then, you face the problem of, well, you have a wiretap and it names the phone and the number of it, but he throws that phone down and picks up another one. How do you deal with that? So this allows a roving wiretap and provides a mechanism for a person who changes phones, and it is consistent with the fundamental principle we use in drug cases and organized crime cases.

In a Washington Times article published today, the President of the Law Enforcement Legal Defense Fund and former Assistant Director of the FBI, Ron Hosko, said:

> ISIS is singing a siren song calling people to their death to crash on the rocks—and it's the rocks that ISIS will take credit for. They're looking for those who are disaffected, disconnected and willing to commit murder. So if we're willing to take away tools, OK, congressman, stand behind it [and] take the credit by putting the FBI in the dark.

In other words, be sure we will be taking credit for shutting off the ability of our investigators to protect America.

President Obama said it is indeed helping protect America. Last year, he said:

> The program grew out of a desire to address a gap identified after 9/11. One of the 9/11 hijackers, Khalid al-Mihdhar, made a phone call from San Diego to a known al-Qaida safehouse in Yemen. NSA [the National Security Agency] saw that call, but could not see that the call was coming from an individual already in the United States.

They didn't have the legal ability or a system at that time that could do it.

The President went on to say of the telephone metadata program:

> Section 215 was designed to map the communications of terrorists, so we can see who they may be in contact with as quickly as possible.

Speed is critical.

The President went on to say:

> This capability could also provide valuable information in a crisis. For example, if a bomb goes off in one of our cities and law enforcement is racing to determine whether a network is poised to conduct additional attacks, time is of the essence. Being able to quickly review telephone connections to assess whether a network exists is critical to that effort.

I think the President is right about that. We don't have superhuman abilities in this country. We don't monitor everybody's phone calls. There is no way humanly possible Federal agents can do that. But once they identify someone who is being connected to a terrorist group, they can at least follow their phone number and whom they may be calling.

Passing the House bill I believe is not the right thing. The bill would eliminate entirely the database through which our intelligence analysts are able to quickly access information to connect the dots.

The bill ends these programs. It just does. It ends the metadata program, replacing it with a nonexistent, untested system. It relies on the hope that private telephone companies will agree to retain this data. But these companies have made it clear they will not commit, and flatly refuse to commit, to retaining this telephone data in their computer systems for any period of time as contemplated by the House-passed bill, unless they are legally required to do so—and the bill does not require them to do so.

One provider said the following:

> [We are] not prepared to commit to voluntarily retain documents for any particular period of time pursuant to the proposed [House bill] if not otherwise required by law.

The House has refused to put that in.

Colleagues, when I was prosecuting, phone companies kept the data 3 years, some phone companies more. One rural phone company never got rid of their data. It was amazing how often older phone calls helped connect the dots, improved facts that are critical in a prosecution.

For example, somebody says: I never called John Jones, and then you find 50 calls from their phone document to John Jones. These things have tremendous importance. When we are looking to prevent an attack on America, trying to produce intelligence to prevent enemy attacks on this country, just the fact that one individual is calling another individual who is known to be a terrorist is exceedingly valuable information. My goodness, maybe it is an innocent call, but it is worthy of looking at and investigating. That is how investigation work. That is how crimes are solved. That is how attacks are stopped. One shred of evidence, one bit can lead to new bits that can lead to more and more evidence and reveals an entire organization poised to attack our country.

Let me repeat. I don't believe we have a violation of the Constitution. I am absolutely convinced the procedures utilized in this process are utterly consistent with the policies approved by thousands of court cases nationwide that law enforcement uses on a daily basis to investigate tax cheats and drug dealers. And we can't use these same tactics against terrorists who are enemies of the United States and seek to perhaps blow up and kill thousands of people?

I think this is a mistake. I urge my colleagues to be careful about it.

Yesterday, we received a letter from the Sergeants Benevolent Association. It pleads with us to do a short-term extension of the program: Congress, do your duty. The letter says:

> With provisions of the USA PATRIOT Act set to expire in less than two weeks, the responsible course is to pass a short-term extension of the expiring authorities—including section 215. This will allow time for the Senate to undertake the kind of serious deliberative process critical national security issues demand and that the American people expect of ''the world's greatest deliberative body.''

I think we are doing that now. That is my opinion. I was present when the

law was drafted, and we tried to be sure we did that and I believe we did. Some of the concerns are real. A lot of good people are concerned about it. So I think it is time for us to slow down, go back to the basics, lay out this program, see what the complaints are, and then see if they are justified. If they are, the program will have to end. But I don't believe it needs to end, and right now we are heading on a path that will end it.

I thank the Presiding Officer and I yield the floor.

I suggest the absence of a quorum.

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

The legislative clerk proceeded to call the roll.

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

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

REPUBLICAN LEADERSHIP IN CONGRESS

Mr. REID. Mr. President, as I read this morning's news, I was intrigued and struck by a Pew Research poll. Pew conducted a national survey to gauge Americans' satisfaction with Congress. Unsurprisingly, Americans are disillusioned with the Senate and the House Republicans.

I guess that is kind of an understatement, if you look at the content of the poll. Despite constant self-congratulations from the Republican leadership, the American people are rejecting the Republican leadership in Congress.

Just listen to a few of these findings: Seventy-two percent of Americans disapprove of the job being done by Republican leaders in Congress. That is an alltime high; just 4 percent of Americans say Republicans in Congress have exceeded expectations—4 percent; even self-identifying Republicans object to how their party has governed; 55 percent of Republicans disapprove of Republican congressional leadership's job performance; fewer than 4 in 10 Republicans say their party is doing a good job representing their views, but among the results of the Pew survey, there is an especially troubling trend. The survey found that 65 percent of Americans say Republicans have failed to live up to their campaign promises; only 27 percent of Republicans believe their party is keeping its campaign promises—not Independents, not Democrats but Republicans.

''Integrity'' is a simple word, but here in the Capitol it is everything. As elected officials, all we have to offer our constituents is our integrity. If we are not as good as our word, then we are no good for anything.

It is appalling that 5 months into this new Congress, most Americans believe the congressional Republicans cannot be trusted to keep their word.

What were those promises Republicans made? How about this one from the majority leader: ''Our focus would be on passing legislation that improves the economy, that makes it easier for Americans to find jobs, and that helps restore Americans' confidence in their country and their Government.''

That is what the majority leader said last year, but his record this year tells a completely different story. So far this year, Republicans have ignored the needs of their constituents. Just look at how Senate Republicans have spent their time so far this year:

The Keystone Pipeline legislation, which is a handout to billionaires and certainly special interests, is a bill that brings foreign oil into our country and then ships it right back to the foreign nations; a near shutdown of the Department of Homeland Security, even as ISIS and other terrorist groups were threatening our Nation; a senseless delay over funding for victims of human trafficking took weeks to finally finish; an unprecedented delay in the confirmation of the Attorney General of the United States being held longer than any prospective Attorney General in the history of the country, not only of her but many, many judges, not even holding hearings for them and other Cabinet and sub-Cabinet officers—not even holding hearings.

Of course, there is nothing on the calendar because the committees are reporting nothing out of the committees.

They passed an immoral budget that cuts taxes for the wealthiest individuals and corporations, while attacking working families and seniors; a trade bill that is tantamount to aid for foreign corporations and does nothing for the middle class; procrastinating a reauthorization of job creating legislation such as the highway bill.

We are going to be asked in the next few hours to extend the highway bill for the 33rd time—33rd time—for a couple of months. What a shame, when we have 64,000 bridges that are structurally deficient, 50 percent of our highways and roads are in really bad need of repair.

Now, 65 percent of Americans say yes, 53 percent of Republicans say so, too, that they are not living up to their campaign promises. So who can argue with that?

One need only look at Senate Republicans' legislative agenda to realize there is nothing on the horizon that helps working American families. At this rate, Congress will finish this year with nothing to show the middle class—nothing.

This trade bill, as I mentioned this morning, is a handout to multinational corporations and does nothing for the middle class, except cause them to lose jobs that will be shipped overseas. But the wealthiest 1 percent have reaped benefits during this first 5 months of this Congress. That is why Americans—72 percent of Americans—disapprove of the way Republicans are leading Congress.

But there is still time to right the ship. There are many things we can do in the Senate to help boost the middle class. We can pass a highway bill that immediately injects jobs into our economy, while ensuring that our businesses and families have safe roadways, rails, and bridges to navigate. We can give American workers a livable wage and ensure that no full-time employee is living in poverty.

We can address the mounting burden that student loan debt has on our economy, which is worse than any other debt, more than credit card debt, more than anything else. There are many other things we can do for American families that have not been done.

It is clear Republicans are not accomplishing much on their own, so why not work with us? Democrats are willing.

Together, we can all keep our word to our constituents. We can follow through on our commitment to help middle-class Americans and get them the help they need and deserve.

Mr. HATCH. Mr. President, I ask unanimous consent to enter into a colloquy with the distinguished ranking member of the Finance Committee, Senator WYDEN.

The PRESIDING OFFICER. Without objection it is so ordered.

OUTSTANDING ISSUES IN THE TRADE DEBATE

Mr. HATCH. First of all, I want to thank Senator WYDEN for his efforts in trying to accommodate the priorities of Members of the Senate during debate on this bill. We have been hard at work trying to address various concerns. Now, as we approach a final vote, we need to talk about some outstanding issues that we have not been able to resolve during this debate.

Specifically, there are four issues that we are committed to addressing.

First, during this debate we developed language to address Member concerns about immigration policy, particularly the concerns that trade negotiations could be used to alter U.S. immigration law or policy. An amendment filed by Senator CRUZ during the floor debate clarified this issue.

Second, one of the provisions of the TPA bill relates to forced labor and human trafficking. Senator MENENDEZ championed an effort to include these provisions in the bill reported by the Finance Committee. Since that time, Senator MENENDEZ worked with us to refine these provisions and to improve their operation. We supported an amendment filed by Senator MENENDEZ to make these refinements.

There is also strong bipartisan interest in providing more robust direction for trade in the fishing industry. Senator SULLIVAN has been a leader in this area.

Finally, there were proposed amendments to strengthen U.S. trade remedy laws. Senators BROWN and PORTMAN were key leaders in this area and filed

an amendment to address this issue on the floor. We supported this amendment as well.

I believe there was strong bipartisan consensus in favor of all four of these efforts. Unfortunately, we were unable to address them during consideration of the TPA bill on the floor. Going forward, I want to be clear that we are committed to address all four of these concerns in the context of the future conference of the Trade Facilitation and Trade Enforcement Act, which has already passed the Senate. I have a letter here from Chairman RYAN of the House Ways and Means Committee committing to work with us on these issues when that bill goes to conference.

I ask unanimous consent that the letter be printed in the RECORD.

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

COMMITTEE ON WAYS AND MEANS,
Washington, DC, May 22, 2015.

Hon. ORRIN G. HATCH,
Chairman, Committee on Finance, U.S. Senate, Washington, DC.

Hon. RON WYDEN,
Ranking Member, Committee on Finance, U.S. Senate, Washington, DC.

DEAR CHAIRMAN HATCH AND RANKING MEMBER WYDEN: As the Senate is considering the Bipartisan Congressional Trade Priorities and Accountability Act, I would like to convey that I intend to seek adoption of legislative changes to H.R. 1907, the Trade Facilitation and Trade Enforcement Act of 2015, when it is considered in the House. These changes will include the following four provisions:

Legislation sought by the House Congressional Steel Caucus (H.R. 2523), to make improvements to the antidumping and countervailing duty laws;

The text of Senate Amendment 1384, offered by Sen. Hatch and Senator Cruz, to ensure that trade agreements do not require changes to U.S. immigration laws;

The text of Senate Amendment 1430, offered by Senator Menendez, related to human trafficking; and

The text of Senate Amendment 1246, offered by Senator Sullivan, related to opportunities for trade in fish, seafood, and shellfish.

I look forward to continuing to work with you on this important legislation.

Sincerely,

PAUL RYAN.

Mr. HATCH. I would ask Senator WYDEN if he is willing to work with me to address these issues in this fashion.

Mr. WYDEN. I agree, that these are very important issues that we are committed to addressing in the coming conference on the Trade Facilitation and Trade Enforcement Act.

I will note that the Brown-Portman trade remedy legislation was included in the Senate version of the bill. I think it would be appropriate to try to address these other issues in that context as well, and I commit to working with Chairman HATCH to do so.

Mrs. FEINSTEIN. Mr. President, I ask unanimous consent to enter into a colloquy with Senators HATCH and WYDEN.

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

NEPALI EXPORTS

Mrs. FEINSTEIN. Senators HATCH and WYDEN, I appreciate your work on the trade promotion authority and trade adjustment assistance legislation. As you have said, this bill authorizes the President to conclude high-standard free-trade agreements, which are expected to tremendously benefit California and the Nation. It also reauthorizes the Trade Adjustment Assistance Program to provide retraining and income support for workers displaced by international trade. In 2013, more than 7,000 Californians received assistance from this program.

While I support H.R. 1314, I remain concerned that the United States must do more to help the people of Nepal recover from the earthquake and aftershocks that have devastated the country. As you know, the earthquakes have killed nearly 10,000 people, displaced more than 2.8 million others, and damaged or destroyed more than 500,000 homes. The U.S. Geological Survey estimates losses could exceed Nepal's $20 billion annual gross domestic product, which is a truly staggering figure for such a poor nation.

While the international community has rushed to provide humanitarian aid, the United States can do more to assist Nepal's long-term economic recovery.

Senator HATCH, do you agree that the United States should consider providing preferential treatment to Nepali exports to help the country recover?

Mr. HATCH. Thank you, Senator FEINSTEIN. Yes, I agree. The United States came to Haiti's aid after it suffered a devastating earthquake in 2010. We should do the same for Nepal today.

Mrs. FEINSTEIN. Thank you, Senator HATCH. To that end, I have filed an amendment, No. 1438, that would provide nonsensitive Nepali exports duty-free treatment in the U.S. market. Doing so would be consistent with our response to Haiti's devastating earthquake in 2010 and would attract much needed international investment in Nepal during this time of need.

While I understand that we will not have an opportunity to further amend H.R. 1314, I ask you to provide your commitment to work include my legislation in the Trade Facilitation and Trade Enforcement Act of 2015—also known as the Customs enforcement bill—or a similar bill as reported by a conference committee to reauthorize trade facilitation and trade enforcement functions and activities.

Mr. HATCH. You have my commitment to do so.

Mrs. FEINSTEIN. Thank you, Senator HATCH. I appreciate your commitment to assisting Nepal.

Senator WYDEN, do you also commit to include my Nepal legislation in the Trade Facilitation and Trade Enforcement Act of 2015?

Mr. WYDEN. Yes, I also commit to include your Nepal legislation in the Customs enforcement bill.

Mrs. FEINSTEIN. Thank you, Senator WYDEN.

Mr. GRASSLEY. Mr. President, I appreciate Chairman HATCH and Ranking Member WYDEN's work on this bill, and agree that this bill provides accountability and transparency. On immigration, I have expressed concerns every step of the way about the executive branch negotiating changes to immigration laws through trade agreements. Even before I became chairman of the Judiciary Committee—in fact, when I was chairman and ranking member of the Finance committee—I opposed previous administrations' attempts to include immigration provisions in trade agreements.

Because of that, I demanded that the Judiciary Committee be consulted on anything related to immigration. That has been done, and that has helped stop the administration in recent years from including provisions in trade agreements requiring changes to the immigration laws.

During consideration of this bill in the Finance Committee this year, I asked USTR Ambassador Froman about this issue, and specifically if they were including anything on immigration in the next agreement, specifically the Trans-Pacific Partnership. He gave us assurances that they were not. Ambassador Froman was clear that other countries are making offers to each other in the area of temporary entry, but that the U.S. has decided not to do so.

Nevertheless, Chairman HATCH and I wrote him a letter after he testified, and he wrote back with more assurances. Ambassador Froman acknowledged that there is a chapter in the Trans-Pacific Partnership agreement on the temporary entry of persons, but that this chapter only includes ''good governance provisions on transparency with respect to visa processing and cooperation on border security.'' He also said that this chapter includes commitments of other Trans-Pacific Partnership parties to make information on requirements for temporary entry publicly available. The U.S. already is very transparent about its visa application processes and eligibility requirements, and already processes visas as expeditiously as possible.

When the committee took up the bill, Chairman HATCH and Ranking Member WYDEN, at my request, included language in the accompanying report that would make it very clear that Congress will not tolerate changes to immigration laws, policies, or practices. This language is very strong and sends a signal to negotiators that trade agreements will not pass if they require changes to our immigration system, prevent us from changing our immigration laws or policies or even just repeat

commitments we may have unfortunately made in previous trade agreements.

I appreciate the Chairman and Ranking Member's attention to this issue.

Mrs. FEINSTEIN. Mr. President, I rise today in support of the trade legislation before the Senate.

What we have done so far has been to consider:

No. 1, the Trade Preferences Extension Act of 2015. This bill extends a number of trade preference programs related to Africa and Haiti. It also reauthorizes the Generalized System of Preferences Program, which expired in 2013.

No. 2, the Trade Facilitation and Trade Enforcement Act of 2015. This bill includes new trade enforcement mechanisms to protect American workers from unfair trade practices. The legislation also includes a complete ban on importing goods created by child labor, which I strongly support.

No. 3, trade adjustment assistance. This bill reauthorizes Federal assistance for worker retraining and income support to those displaced by trade. In fiscal year 2013, 7,609 Californians received training under the program, so I believe it is critical that we continue this assistance.

No. 4, trade promotion authority. This bill authorizes the President to conclude free-trade agreements with our trading partners. In exchange, those agreements will receive an up-or-down vote in the Congress.

I voted for these bills because they will update our trade policy in a smart, effective way.

The process of considering these bills has enabled me to see the extraordinary importance of trade to California's economy.

In 2013, California's total gross domestic product was an estimated $2.2 trillion. That makes it the eighth largest economy in the world, surpassing that of Russia and Italy and soon to overtake Brazil. The services industry—both high-skilled professional services and lower skilled jobs in accommodation, food and administration—have lead California's economic recovery since the 2008 recession. In fact, 66 percent of all new jobs in California created over the past year were in services.

Trade is critical to sustaining this job growth. In 2013, California exported $114 billion in services, which was a 58-percent growth since 2006. California's services exports substantially contributed to the overall services trade surplus of the United States, which reached over $200 billion in 2013.

The Trans-Pacific Partnership is expected to boost services exports even more by prohibiting customs duties for digital products; applying the same nondiscrimination standards for digital goods as manufactured goods; prohibiting countries from requiring companies to transfer their technology, business processes, or intellectual property; and requiring strong and enforceable intellectual property rights. From Silicon Valley to Hollywood, these expected provisions will continue to drive California's services exports and our overall economy.

In 2014, California exported $174.1 billion in total merchandise goods, supporting more than 775,000 jobs. That is a near 11 percent increase in jobs since 2009.

Now, there is a common perception that only large businesses benefit from trade. That has not been the case in my State. Small and medium-sized businesses—and their employees—have led the way in merchandise exports in California. Some 75,175 companies exported from California in 2013, of which 95.8 percent—72,032—were small and medium-sized businesses. Increased trade could grant these firms with new opportunities to grow, and their employees could see higher wages as a result. According to an economist at Dartmouth's Tuck School of Business, businesses that export pay wages on average 15 percent more than firms that do not. For a high-cost State like California, higher wages are a top priority. Increasing our exports is a commonsense means to that end.

I am confident that the Trans-Pacific Partnership will help California's small and medium businesses and our overall economy because that has been my State's experience with our existing free-trade partners.

In 2014, of California's total merchandise exports, $70.4 billion were to nations with which the United States already has free-trade agreements. Over the past 10 years, exports from California to these free-trade partners grew by 50 percent. If the Trans-Pacific Partnership substantially reduces tariff barriers—as other agreements have—California's exports will benefit substantially.

Today, my State's exports of computers and electronic products face tariffs as high as 35 percent; transportation equipment face tariffs as high as 70 percent; machinery face tariffs as high as 70 percent; and health products face tariffs as high as 30 percent. Reducing tariffs on these manufactured goods has proven to be a boon to California's economy, and I hope we can keep moving in that direction.

Finally, California agriculture relies on export markets. The State's agricultural exports were valued $21.2 billion in 2013. That is far more than any other State. This trade has helped the state's agricultural industry become the largest by value in the United States. In fact, the California Department of Food and Agriculture reports that California's 77,900 farms produced $44.7 billion in output in 2013. This is a massive sum, and it will only grow with trade.

According to a U.S. Department of Agriculture study, under TPP nationwide agriculture exports are expected to increase 54 percent by 2025.

For California's products, reduced tariffs and scientific-based sanitary and phytosanitary standards will be key. For example, California dairy products face a tariff of up to 35 percent in Japan, while California walnuts face a tariff of 30 percent in Vietnam. In Australia, California beef has been blocked due in part to unfounded fears of mad cow disease. Reducing these trade barriers is expected to benefit dozens of agricultural commodities in my State—especially fruits, tree nuts, vegetables, dairy, beef, wine, confections, rice and citrus exports. In fact, TPP can sustain the growth of California's agricultural exports to those countries, which from 2009 to 2013 increased in value from $4.8 billion to $7.5 billion. Overall, it is apparent that the Trans-Pacific Partnership will continue to support the immense success of California's farmers, ranchers, and producers.

Mr. President, the fact is that California relies on trade. It has been critical for our economic recovery and will be vital for sustaining our growth. Therefore, I am pleased to support passage of trade promotion authority and trade adjustment assistance. With trade promotion authority in place, I hope the President can send to Congress strong and fair trade agreements.

While the Trans-Pacific Partnership holds tremendous promise, it is my hope that the Obama administration concludes a final agreement that I can support.

I look forward to reviewing the Trans-Pacific Partnership in the coming months.

Mr. REED. Mr. President, International trade is a vital part of our Nation's economy. Nearly one-third of the country's gross domestic product is supported by trade in goods and services and, indeed, my State of Rhode Island exported goods totaling $2.4 billion in 2014. It is also a key component of our international partnerships and global security efforts.

However, the question today is not whether we should engage in trade. It is about the bill before us, and whether trade promotion authority, TPA, so-called ''fast-track,'' is in our best interest. It remains my view that Congress has a critical role to play in thoroughly vetting trade agreements. Passing this legislation takes away this role, reducing Congressional approval to an up-or-down vote. The bill before us today would also prohibit amendments and limit debate to just 20 hours. I believe that the scope and complexity of modern trade agreements demand more time for debate and a greater ability to contribute than this framework provides.

Further, this bill allows for a 6-year grant of TPA, meaning that any trade agreement under any administration

over the next several years could receive this expedited approval. A number of trade agreements are currently being negotiated and it is impossible to know what additional trade deals may be pursued and what other factors, both here and abroad, may change over the course of the next several years. Given this, I do not think that Congress should vote to limit its own oversight, particularly for such a long period of time.

I also have concerns about the negotiating objectives set forth in this package. We need negotiating objectives that are enforceable. Without stronger and more concrete language on a number of key issues including currency manipulation, labor, and environmental standards, these negotiating objectives are unlikely to make an impact or be seen as a critical component for reaching a deal by our partners. For this reason, I joined Senators PORTMAN and STABENOW and many of our colleagues in cosponsoring and voting for amendment 1299, which, had it passed, would have established a negotiating objective that urges the administration to press for rules against currency manipulation that are enforceable and consistent with IMF obligations. Without strengthening this and other objectives within TPA, they become mere suggestions, failing to afford critical protection to American workers and interests.

I commend the work of Chairman HATCH and Ranking Member WYDEN, along with Senator BROWN and other colleagues, to find a path forward for the customs and African Growth and Opportunity Act, AGOA, reauthorization bills that we passed last week, which I was pleased to join a majority of my colleagues in supporting. I am also pleased that a path forward has been found for Trade Adjustment Assistance, TAA, which I have consistently supported. Most recently, I cosponsored Senator BROWN's amendment to raise TAA funding levels to better support workers who have been displaced by trade. We all know that trade is not a tide that equally lifts all boats, and, so while I am pleased that TAA appears to be moving forward at this time, I am disappointed that the Brown amendment to enhance support for TAA did not pass.

We need to set the highest bar for our trade policy. It needs to advance our strategic and national interests while ensuring that American workers are in the best position to compete in this global economy. They deserve nothing less, and, in my view, TPA simply does not do enough to protect workers in my State of Rhode Island and across the country. For these reasons, I must oppose this legislation.

Ms. HEITKAMP. Mr. President, today I will vote to approve the Bipartisan Congressional Trade Priorities and Accountability Act, which will grant the President trade promotion authority, TPA, through 2021.

This was not an easy decision, but one I am confident is right for North Dakota. Exports are critical to the bottom line of our State's agricultural producers as well as our manufacturers.

Agricultural exports means jobs. In 2013, North Dakota exported over $4 billion in agricultural products ranging from beef to wheat to fresh vegetables. USDA estimates that in 2013, every $1 billion in U.S. agricultural exports, 7,580 American jobs are required. For North Dakota that translated into more than 30,000 jobs supported by agricultural exports. We must do everything we can to expand agricultural exports to support existing jobs and create new ones.

In 2013, total North Dakota grain exports totaled over $3.5 billion. North Dakota-grown hard red spring and durum wheat exports made us the No. 2 wheat exporting State in the Nation, with exports valued at over $1.2 billion in 2013. North Dakota was also the No. 2 exporting State for soybeans in 2014/15, exporting 182 million bushels. These commodities are exported around the world, but especially to the Pacific Rim and Europe, where the United States is currently negotiating free trade agreements which will remove barriers which make us less competitive.

North Dakota is also an important exporter of manufactured goods like farm machinery. CNH Industrial's plant in Fargo exported nearly 35 percent of the Case IH and New Holland Agriculture 4wd tractors it manufactured in 2014. The plant is supported by 23 North Dakota suppliers from across the State, among others.

I continue to have concerns with several provisions of this bill and our overall trade policy, particularly as it relates to currency manipulation and investor-state dispute settlement. As we have heard time and again, currency manipulation is one of the biggest threats to U.S. competitiveness, costing us millions of jobs. I supported amendments which would strengthen our negotiating position relating to currency, and I will continue to fight for policies which put U.S. exporters and workers on an even playing field.

Any trade package must also include strong enforcement provisions and assistance for workers whose jobs are impacted by trade. That is why I insisted the Senate vote on a Customs and enforcement bill as a condition for my support for moving TPA forward. This TPA bill also includes an important extension of trade adjustment assistance to make sure those negatively affected by new trade agreements receive the education and training they need to get new jobs and support their families.

Additionally, I received a commitment from the U.S. Trade Representative that he will continue working to improve the integrity of the investor-state dispute settlement system. I will continue to work to ensure this process does not put foreign companies at an advantage over our American industries or threaten the sovereignty of our States.

I also fought for and secured a path forward for voting for the Export-Import Bank in June, before the bank's charter expires, as part of my negotiations on TPA. When we talk about the United States' trade policy, we cannot leave out important tools which help our small businesses export and thrive. That includes reauthorizing the Export-Import Bank.

Today's vote is just the beginning of our work to open markets for our farmers, ranchers and workers. We live in a global economy. We can compete on a global playing field while also making sure we focus on building and supporting American jobs and businesses. I will continue to fight for North Dakota as we negotiate the Trans-Pacific Partnership Agreement and Transatlantic Trade and Investment Partnership to ensure that we not only have free trade, but fair trade.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

ACCESS TO COMMUNITY CARE FOR VETERANS ACT OF 2015

Mr. MORAN. Mr. President, I wish to bring S. 1463 to the attention of my colleagues.

The topic of the bill is one my colleagues have heard me speak about numerous times before in the Veterans' Affairs Committee, where I am a member. Just yesterday, I addressed this topic in the appropriations subcommittee markup of veterans and military construction, where I am a member and have many times on the Senate floor. The issue is the Department of Veterans Affairs and its interpretation of the CHOICE Act.

My colleagues will remember we passed the CHOICE Act back in August of last year. The important provision for today's conversation is what that law says, which is, if a veteran lives more than 40 miles from a VA facility, the Department of Veterans Affairs must provide services, if the veteran chooses, at a location in his or her home community.

Unfortunately, the Department of Veterans Affairs has interpreted it in a way that eliminates the opportunity for a veteran who happens to live within 40 miles of a facility from accessing

that care, even though that facility doesn't provide the service the veteran needs.

S. 1463 corrects that problem. It indicates that the 40-mile rule applies only in the circumstance where a veterans facility provides the service the veteran needs. The Senate has previously voted on this provision. In fact, in our budget, it was adopted 100 to 0 on a rollcall vote.

I think what I am presenting is something that is very noncontroversial. There is no fiscal consequence to the current spending. This is money that was appropriated in the CHOICE Act and should be something that can pass on a unanimous consent request, which I will make momentarily.

The question may be why are you doing this? It is because it is important and needs to be corrected quickly. This bill, if adopted today by unanimous consent, will go to the House of Representatives where it can be considered.

I also hope what happens here is that the Department of Veterans Affairs, which I believe can correct this problem on its own volition, will do so, and when they see the Senate pass this legislation, hopefully by unanimous consent, they will respond and solve this problem immediately.

There is no reason this can't be done by the Department, and I will outline the explanation of why that is true by reading the CHOICE Act and by the report that confirms our position.

Before I ask unanimous consent, I also wish to thank a number of my colleagues, but in particular I thank the chairman of the Veterans' Affairs Committee, who has worked side by side with me to make certain this legislation ultimately becomes law. In fact, the chairman and the ranking member, the Senator from Connecticut, Mr. BLUMENTHAL, has committed to me that on every occasion, should the House not pass this bill—I will say it this way: Three options can occur. If we pass this by unanimous consent today, the House picks it up, passes it, sends it to the President, the President signs it, and that would be a great outcome. Secondly, we pass this bill, the Department of Veterans Affairs realizes they can do this on their own, and that would be a great outcome. Thirdly, if neither one of those things happens, the chairman has committed to me that he will work side by side with all of us on the Committee on Veterans' Affairs and with other Senators to make sure, at every opportunity, the language included in this bill is included in every bill related to veterans affairs that is on its way to the White House. The chairman will work with me to make sure this language is enacted into law.

I ask, through the Chair, the Senator from Georgia, Mr. ISAKSON, if what I am indicating is accurate and have him explain his thoughts on this topic in the few moments we have.

The PRESIDING OFFICER. The Senator from Georgia.

Mr. ISAKSON. Mr. President, responding through the Chair to the Senator from Kansas, his language is precisely the language that was introduced by the committee in the Senate, which we were going to send to the House, but it got lost in the negotiations on the extension of the authorization in the House. A technical difficulty is the only reason it wasn't already a part of it.

I wholeheartedly endorse everything the Senator from Kansas said and pledge to him that if for some reason the House does not adopt the language, we will take it up immediately in the Senate when we have our next markup meeting in the Veterans' Affairs Committee and take care of it.

I personally wish to acknowledge Senator BENNET and Senator GARDNER for all the work they have done. We went to Colorado together to visit the VA hospital, which is the genesis of where this motion comes from. They have been champions for this, and I am glad we are reaching a resolution in the motion that will be made shortly to adopt the House position on the authorization. We will see to it that the hospital in Denver remains open until we can solve the problems we have in the Denver hospital.

I thank the Senator from Kansas for his cooperation, and I commend him on his language. I confirm everything he said as being accurate, true, and correct.

Mr. MORAN. Mr. President, I thank the chairman and very much appreciate his commitment to veterans. This is not about a specific piece of legislation, it is about keeping our commitment to those who served our country, always, every day but especially in advance of Memorial Day.

Therefore, Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. 1463, introduced earlier today.

The PRESIDING OFFICER. The clerk will report the bill by title.

The senior assistant legislative clerk read as follows:

A bill (S. 1463) to amend the Veterans Access, Choice, and Accountability Act of 2014 to modify the distance requirement for expanded availability of hospital care and medical services for veterans through the use of agreements with non-Department of Veterans Affairs entities.

There being no objection, the Senate proceeded to consider the bill.

Mr. MORAN. Mr. President, I ask unanimous consent that the bill be read a third time and passed, and the motion to reconsider be laid upon the table.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The bill (S. 1463) was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S. 1463

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Access to Community Care for Veterans Act of 2015''.

SEC. 2. MODIFICATION OF DISTANCE REQUIREMENT FOR EXPANDED AVAILABILITY OF HOSPITAL CARE AND MEDICAL SERVICES FOR VETERANS THROUGH THE USE OF AGREEMENTS WITH NON-DEPARTMENT OF VETERANS AFFAIRS ENTITIES.

(a) IN GENERAL.—Subparagraph (B) of section 101(b)(2) of the Veterans Access, Choice, and Accountability Act of 2014 (Public Law 113–146; 38 U.S.C. 1701 note) is amended to read as follows:

''(B) resides more than 40 miles (calculated based on distance traveled) from a medical facility of the Department, including a community-based outpatient clinic, that is the closest such medical facility to the residence of the veteran that is able to provide to the veteran the hospital care or medical services that the veteran needs;''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect on the date that is 60 days after the date of the enactment of this Act and shall apply with respect to care and services provided under section 101 of the Veterans Access, Choice, and Accountability Act of 2014 (Public Law 113–146; 38 U.S.C. 1701 note) on and after such effective date.

(c) EMERGENCY DESIGNATIONS.—

(1) IN GENERAL.—The amendment made by subsection (a) is designated as an emergency requirement pursuant to section 4(g) of the Statutory Pay-As-You-Go Act of 2010 (2 U.S.C. 933(g)).

(2) DESIGNATION IN SENATE.—In the Senate, the amendment made by subsection (a) is designated as an emergency requirement pursuant to section 403(a) of S. Con. Res. 13 (111th Congress), the concurrent resolution on the budget for fiscal year 2010.

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

The PRESIDING OFFICER. The Senator from Colorado.

CONSTRUCTION AUTHORIZATION AND CHOICE IMPROVEMENT ACT

Mr. BENNET. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of H.R. 2496, which was received from the House.

The PRESIDING OFFICER. The clerk will report the bill by title.

The senior assistant legislative clerk read as follows:

A bill (H.R. 2496) to extend the authorization for the replacement of the existing Department of Veterans Affairs Medical Center in Denver, Colorado, to make certain improvements in the Veterans Access, Choice, and Accountability Act of 2014, and for other purposes.

There being no objection, the Senate proceeded to consider the bill.

Mr. BENNET. Mr. President, I ask unanimous consent that the bill be read a third time.

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

The bill was ordered to a third reading and was read the third time.

The PRESIDING OFFICER. Is there further debate on the measure?

If not, the bill having been read the third time, the question is, Shall the bill pass?

The bill (H.R. 2496) was passed.

Mr. BENNET. Mr. President, I ask unanimous consent that the motion to reconsider be considered made and laid upon the table, and any statements relating to the bill be printed in the RECORD.

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

Mr. BENNET. Mr. President, I want to take this opportunity to thank my colleagues for lifting the authorization cap to allow construction to continue on the VA hospital in Aurora, CO. This project has been an absolutely shameful display of mismanagement from the very beginning. And the Colorado delegation has been screaming from the hilltops about a flawed strategy on the part of the VA for years now. But with the right accountability and transparency reforms, we have all concluded that the right thing to do is to move forward and complete this facility. And today, we have acknowledged that the worst possible thing we could do is to stop work on the construction site again. Doing so would add hundreds of millions of dollars in extra costs to the project and would be a grave disservice to veterans throughout Colorado. This is an important step, but we have a long way to go.

The VA and Congress are going to have to work together to get this project back on track. And finding the money to do this will be painful, which is why we need to ensure strong accountability and that we protect critical programs and services for our veterans. Failing to complete this hospital, though, simply is not an option. Having a half-finished hospital in Colorado would be a national disgrace. And the hundreds of thousands of veterans across the Rocky Mountain region that this hospital would service deserve better.

I especially want to thank Chairman ISAKSON and Ranking Member BLUMENTHAL for their work on this project and for their commitment to finishing the hospital. And, I want to thank my colleague Senator GARDNER for his work—especially in the last hours—to avoid a shut down.

Mr. President, before I turn this over to my colleague from Colorado, I thank Chairman ISAKSON for his extraordinary leadership in getting this done. It was very difficult to do.

Senator ISAKSON and Senator BLUMENTHAL came to Colorado. They are both men of their word, and I have never doubted that for an instant. The chairman has set an incredible example for this body.

I also thank the Senator from Kansas for his work on this legislation.

My colleague, Senator GARDNER, from Colorado, has been a true champion for our veterans. He has helped us keep our delegation together as we have gone through a rough patch here and, through the Chair, I thank him for his leadership.

I yield the floor to my colleague from Colorado.

Mr. GARDNER. Mr. President, I reiterate the thanks my colleague from Colorado has given to Chairman ISAKSON of the Veterans' Affairs Committee as well as to the Senator from Kansas who worked closely with us to make sure we could all get behind two measures we support, both of which would provide greater care and support for our veterans.

To my colleague Senator BENNET from Colorado, through the Chair, I thank him for the work we have been able to do. This has been a tireless effort in the hours leading up to Memorial Day to make sure we provide the resources necessary to continue a hospital project in Denver that has been, no doubt, beleaguered by problems, but something we must fulfill and must continue to fulfill to complete the project, to get this thing built, and to make sure it does not result in even higher costs than it has already undertaken.

This is an effort that is going to take continued cooperation, not only by the Colorado delegation but by the Veterans' Administration itself. Over the next 3 weeks, we have been given a reprieve to make sure we can find the policies and a viable path forward to get this job done that results in a hospital that will complete and fulfill the promises we made to the veterans in Colorado.

Through the Chair, I say to my colleague Senator BENNET great thanks for his leadership on all accounts, and I thank Chairman ISAKSON on behalf of veterans across Colorado for his leadership and work in making this happen.

I yield the floor.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. BLUMENTHAL. Mr. President, I thank all of my colleagues for the progress we have been making on a very bipartisan basis.

I particularly wish to thank the chairman of the Veterans' Affairs Committee for working so diligently on an immediate and temporary solution to advance the Aurora project and enable us to keep it going. Our visit out there illustrated to us the importance of this project which my two colleagues and friends from Colorado have described so well and eloquently.

I thank my friend from the great State of Kansas. He and I have worked to make sure veterans are really served by the CHOICE program, along with the chairman, who has understood and enabled us to work together on a bill which will be passed by unanimous consent, I hope, and will be passed by the House of Representatives, I hope, by unanimous consent. But if not, as I have committed to him, I will continue to work to make sure the 40-mile rule and choice mean veterans are served by a facility that can give them the care they need and deserve. Our heroes ought not to have to travel great distances or wait an inordinate amount of time to receive medical care that is so vital and so well deserved by them. They have earned it, and they ought to have it.

I thank my colleagues for working so well and diligently on this effort.

I yield the floor.

ENSURING TAX EXEMPT ORGANIZATIONS THE RIGHT TO APPEAL ACT—Continued

The PRESIDING OFFICER. The Senator from Oregon.

Mr. WYDEN. Mr. President, I ask unanimous consent to have printed in the RECORD a letter from Judge Stephen Schwebel, who is both a dispute arbitrator and president of the International Court of Justice. This letter provides a useful perspective on the investment matters that have been discussed this week.

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

MAY 5, 2015.

Senator RON WYDEN,
Senate Finance Committee, Dirksen Senate Office Building, Washington, DC.

DEAR SENATOR WYDEN: I have been asked to comment on statements that have recently been circulated that oppose inclusion in the projected Trans-Pacific Partnership (TPP) of provision for investor-State dispute settlement (ISDS). Please permit me to note that I addressed criticism of ISDS a year ago at some length in a speech to the Congress of the International Council for Commercial Arbitration. A copy of that speech is attached. I believe that it is of current pertinence.

For my part, as a former Judge and President of the International Court of Justice, with experience going back to 1954 in international arbitration between States, between corporations and States, and in international commercial arbitration, I remain convinced that investor-State dispute settlement is a progressive development in international law and relations that should be preserved and nurtured. It should certainly be included in the TPP and in the comparable transatlantic treaty under negotiation as it has been in more than 3000 bilateral investment treaties, and in important multilateral treaties, notably NAFTA and the Energy Charter Treaty.

A letter of April 30, 2015 written to leaders of the Senate and House by five distinguished professors of law and economics and a former Circuit Court Judge criticizes ISDS because it allows foreign investors to avoid U.S. courts by resorting to arbitral tribunals. The letter fails to take account of the fundamental fact that treaties are reciprocal. If the United States seeks to have disputes that arise between American investors

and foreign governments not resolved by foreign courts, some of which may be less than objective in their treatment of foreign investors; if the United States seeks to substitute the rule of law for its exercise of diplomatic protection which if and when episodically extended is often ineffective; if the United States seeks to avoid the gunboat diplomacy of earlier era, then it must be ready to extend to foreign investors investing in the United States the option of recourse to international arbitration which their governments reciprocally extend to U.S. investors. It is of course true that U.S. courts generally have high standards in their treatment of foreign parties. It is also true that the substantive provisions of treaties providing for investor/State arbitration are consistent with U.S. Constitutional guarantees. In point of fact, few arbitral cases have been filed against the United States in ISDS proceedings and so far the United States has won them all.

A report of the Transnational Institute of 2012 charges that a small group of arbitrators has decided a majority of investor/State disputes, that this group is ''riven with conflicts'', and that they exhibit a ''strong market orientation''. An example cited is that of Marc Lalonde ''who has served on the board for energy and mining company Sherritt International'' while energy and mining cases ''account for half of the 30 cases in which he has served as arbitrator''. But in fact Mr. Lalonde earlier was a very senior official of the Government of Canada for some 20 years, serving as a Minister of the Crown—a cabinet officer, in American parlance—for Health and Welfare, Status of Women, Federal-Provincial Relations, Justice, Energy, Mines and Resources, and Finance. By parity of reasoning, he should exhibit not a strong market orientation but a strong pro-State orientation. In point of fact, Mr. Lalonde exhibits an impartial orientation and has the confidence of both governments and investors, as his colleagues in the field do as well. If they did not, the system of investor/State arbitration would not have flourished as it has.

Charges by groups and individuals that the ISDS process manifests ''a serious pro-company tilt'' are contrary to fact. Of 144 publically available arbitral awards, as of January 2012, where arbitrators resolved a dispute arising under a treaty, States won 87 cases, and investors won 57. ICSID statistics show that of its disputes decided in 2013, jurisdiction was declined in 31%, the award dismissed all claims in 32%, and an award upholding claims in part or in fill issued in 37%. These figures in the large hardly support the allegation of a bias against States. If investment arbitrators were truly influenced by the prospects of remuneration for extended proceedings and for further appointments, why would they terminate so many arbitral proceedings at the jurisdictional stage? Moreover, the large majority of international arbitral awards are unanimous, a fact that suggests that arbitrators are not unduly responsive to the interests of the party that appointed them.

In short, the integrity of ISDS is demonstrably high.

Yours sincerely,

STEPHEN M. SCHWEBEL.

Mr. WYDEN. Mr. President, I am going to be brief because I know Chairman HATCH and I are going to be propounding some unanimous consent requests here in a moment.

On this currency issue, I want it understood that this is a serious, serious issue, and it is absolutely essential that our trade laws include tough enforceable currency rules and that we put in place those rules without doing damage to American monetary policy or to our ability to tackle the big economic challenges in the days ahead.

The Senate has a choice between the amendment offered by Senator HATCH and me and the amendment offered by Senator PORTMAN and Senator STABENOW. My view is this. The Portman amendment could outsource the question of the Federal Reserve's intent and decisionmaking to the whims of an international tribunal. This could take tools out of the economic toolbox that we could need—need greatly—during a potential financial crisis. We hope it will never happen, but the bottom line is the Congress must not set up the possibility of collateral damage for the Fed and our dollar.

The right solution, which Chairman HATCH and I have worked to offer as an alternative, will make sure that America gets the upside of cracking down on currency manipulators and avoids the downside of limiting the Federal Reserve's toolkit of monetary policy. Our view is that we strike the right balance. We make sure that we are going to have the widest array of effective tools available, including strong, enforceable rules. I think we ought to take that route. The alternative could subject our country to disputes over our own monetary policies. That means, as I indicated, that the alternative—the Portman-Stabenow amendment—would, in effect, outsource questions of the Federal Reserve's intent to the whims of an international tribunal.

Now, the Portman amendment tries to carve out domestic monetary policy. It sure sounds like a good idea. But when we have opened ourselves up to attack over our policies, other countries will not have to take our word that our policies are on the up and up. Even with that carve-out, other countries can still come after us.

For example, many countries argued that our quantitative easing policy unfairly devalued the dollar. They were dead wrong on that. But the Senate shouldn't do anything that could strengthen the hand of those countries that want to attack our monetary policies.

Now that Chairman HATCH is here, I wish to propound a unanimous consent request.

Over the past few days, Chairman HATCH and I have been working in a bipartisan and cooperative fashion to come up with a balanced package of amendments that can be voted on. I very much appreciate the work of the chairman and his bipartisan leadership and particularly of my northwest colleague, Senator MURRAY. It appears regrettable that we have come up short, but for the benefit of colleagues, I wish to propound a unanimous consent request that would be acceptable to our side. These are amendments that I believe are important for the Senate to consider as part of this debate.

I ask unanimous consent that it be in order for the following first-degree amendments to the Hatch substitute be made pending during today's session of the Senate and that no other first-degree amendments be in order:

Cruz-Grassley No. 1384 on immigration; Menendez No. 1430 on trafficking; Sullivan No. 1246 on fish and shellfish; Warren No. 1328 on financial services; Daines No. 1418 on Indian tribes; Donnelly No. 1406 on training programs; Sessions No. 1233 on congressional approval; Boxer No. 1371 on minimum wage; Paul No. 1383 on bonuses for cost cutters; Manchin No. 1413 on State effects; Paul No. 1408 on auditing the Fed; Cardin No. 1230 on human rights; Brown-Portman No. 1252 on leveling playing field; Whitehouse No. 1387 on unregulated fishing; Markey No. 1308 on clean air and water; Merkley No. 1404 on food information; Casey-Murphy No. 1436 on Buy American; Baldwin No. 1317 on trade remedy; Bennet No. 1309 on poverty/hunger;

Further, that the time until 5 p.m. today be equally divided in the usual form; that at 5 p.m. today the Senate vote in relation to the following amendments in the order listed: Hatch-Wyden No. 1411 on currency; Portman-Stabenow No. 1299 on currency; Warren No. 1327 on ISDS; Flake No. 1243 on striking TAA; Brown No. 1251 on China docking; Cruz-Grassley No. 1384 on immigration; Menendez No. 1430 on trafficking; Sullivan No. 1246 on fish and shellfish; Warren No. 1328 on financial services; Daines No. 1418 on Indian tribes; Donnelly No. 1406 on training programs; Boxer No. 1371 on minimum wage; Manchin No. 1413 on State effects; Cardin No. 1230 on human rights; Brown-Portman No. 1252 on level playing field; Whitehouse No. 1387 on unregulated fishing; Markey No. 1308 on clean air and water; Merkley No. 1404 on food information; Casey-Murphy No. 1436 on Buy American; Baldwin No. 1317 on trade remedy; Bennet No. 1309 on poverty/hunger;

Further, that no second-degree amendments be in order to the amendments prior to the votes; that all after the Brown amendment No. 1251 be subject to a 60-affirmative-vote threshold for adoption; that upon disposition of the Bennet amendment No. 1309, all other pending amendments, including Sessions No. 1233, Paul No. 1383, Paul No. 1408, Inhofe No. 1312, McCain No. 1226, and Shaheen No. 1227, to the Hatch substitute be withdrawn; that all postcloture time be considered expired; and the Senate vote on the adoption of the Hatch substitute amendment, as amended; finally, if cloture is invoked on H.R. 1314, all postcloture time be yielded back, the bill, as amended, be read a third time, and the

Senate vote on passage of the bill, as amended.

The PRESIDING OFFICER. Is there objection?

Mr. HATCH. Mr. President, on behalf of our side, I have to object.

The PRESIDING OFFICER. Objection is heard.

Mr. HATCH. Mr. President, I ask unanimous consent to set aside the pending amendments and call up the following amendments: Cruz No. 1384; Menendez No. 1430; and Brown-Portman No. 1252; further, that amendment No. 1252 not be subject to any points of order under rule XXII.

The PRESIDING OFFICER. Is there objection?

Mr. WYDEN. Reserving the right to object.

The PRESIDING OFFICER. The Senator from Oregon is recognized.

Mr. WYDEN. Mr. President, on my reservation, I don't have a problem with the Senate voting on the three amendments included in Chairman HATCH's request, but there are a number of other important amendments that are not included in that request that colleagues on my side feel very strongly about and want to have the Senate vote on. Because the chairman's request would not allow these important additional amendments to be considered, I must object.

The PRESIDING OFFICER. Objection is heard.

The Senator from Utah.

Mr. HATCH. Mr. President, as everybody should know, both the distinguished Senator from Oregon and I have tried to work these amendments out, and we were unsuccessful. There were objections and, therefore, I apologize that we weren't able to do more. But cloture was invoked, and that is the rule, I guess.

AMENDMENT NO. 1411, AS MODIFIED

I wish to urge my colleagues to vote in favor of the Hatch-Wyden amendment No. 1411. If adopted, our amendment would strengthen the negotiating objective in the TPA bill relating to currency manipulation. Specifically, it would provide our country with a multitude of tools to address currency manipulation in the context of free-trade agreements, including enhanced transparency, disclosure, reporting, monitoring, and cooperative mechanisms, as well as enforceable rules.

As we all know, this amendment is filed as an alternative to the Portman-Stabenow currency amendment, and it is superior in a number of ways.

I know that many of my colleagues are sincerely concerned about currency manipulation and want to do something to address this issue. I share those concerns, which is why Senator WYDEN and I introduced this alternative currency amendment that provides a more sensible approach—one that has been endorsed by leaders in the administration, the business community, and elsewhere.

Unlike the Portman-Stabenow amendment, the Hatch-Wyden amendment would not derail the TPP negotiations. Unlike Portman-Stabenow, the Hatch-Wyden amendment poses no threat to America's monetary independence. Unlike the Portman-Stabenow amendment, the Hatch-Wyden amendment would prevent future trade and currency wars. And unlike Portman-Stabenow, the Hatch-Wyden amendment would promote greater monitoring and transparency of our trading partners' currency practices and keep manipulation practices out of the shadows. And, probably most importantly, unlike Portman-Stabenow, the Hatch-Wyden amendment would not kill TPA.

The PRESIDING OFFICER. All time has expired.

Mr. HATCH. I ask unanimous consent for 1 more minute.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. HATCH. In fact, 30 seconds will be fine.

Indeed, of the two currency amendments that are now pending in the Senate, the Hatch-Wyden amendment is the only one that stands a chance of ever becoming law.

I urge my colleagues to support our amendment to allow us to more effectively address currency manipulation without killing the TPA bill.

With that, I yield the floor.

The PRESIDING OFFICER. All postcloture time has expired.

The question is on agreeing to amendment No. 1411, as modified, offered by the Senator from Utah, Mr. HATCH.

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

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. CORNYN. The following Senator is necessarily absent: the Senator from Wyoming (Mr. ENZI).

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

The result was announced—yeas 70, nays 29, as follows:

[Rollcall Vote No. 186 Leg.]

YEAS—70

Alexander	Collins	Gardner
Ayotte	Coons	Grassley
Barrasso	Corker	Hatch
Bennet	Cornyn	Heitkamp
Blumenthal	Cotton	Heller
Booker	Crapo	Hoeven
Boozman	Cruz	Inhofe
Cantwell	Daines	Isakson
Capito	Donnelly	Johnson
Cardin	Durbin	Kaine
Carper	Ernst	Kirk
Cassidy	Feinstein	Klobuchar
Coats	Fischer	Lankford
Cochran	Flake	Leahy
Lee	Paul	Tester
Manchin	Perdue	Thune
McCain	Risch	Tillis
McCaskill	Roberts	Toomey
McConnell	Rounds	Vitter
Mikulski	Rubio	Warner
Moran	Sasse	Wicker
Murkowski	Scott	Wyden
Murray	Shaheen	
Nelson	Sullivan	

NAYS—29

Baldwin	Hirono	Sanders
Blunt	King	Schatz
Boxer	Markey	Schumer
Brown	Menendez	Sessions
Burr	Merkley	Shelby
Casey	Murphy	Stabenow
Franken	Peters	Udall
Gillibrand	Portman	Warren
Graham	Reed	Whitehouse
Heinrich	Reid	

NOT VOTING—1

Enzi

The amendment (No. 1411), as modified, was agreed to.

AMENDMENT NO. 1299

The PRESIDING OFFICER. The question now occurs on amendment No. 1299, offered by the Senator from Michigan, Ms. STABENOW, for herself and Mr. PORTMAN.

The Senator from Ohio.

Mr. PORTMAN. Mr. President, I ask unanimous consent to address just for 1 minute, equally divided between Senator STABENOW and myself, this amendment.

The PRESIDING OFFICER. Is there objection?

Mr. HATCH. Mr. President, reserving the right to object—and I am not going to object—I think the Senator deserves a minute, but I would ask that I be given a minute after he finishes.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The Senator from Ohio.

Mr. PORTMAN. Mr. President, we just adopted an amendment that puts this Senate squarely in opposition to currency manipulation. Now the question is whether we have the courage of our convictions. The only difference between the amendment we just voted and the one we are about to vote on is whether we actually have enforcement as part of that.

I want you to be able to tell your workers that you not only disagree with currency manipulation but you want to be able to do something about it.

I yield for my colleague.

Ms. STABENOW. Mr. President, you have just heard a former U.S. Trade Representative who has led negotiations, a Senator who supports fast-track, tell you that this is a reasonable policy to include in TPA. Sixty Members signed a letter a year ago to the President of the United States saying any new trade agreement must include enforceable currency provisions.

This amendment makes that letter mean something. Currency manipulation has cost us 5 million jobs and counting. Enough is enough. Please join us in supporting the amendment.

The PRESIDING OFFICER. The Senator from Utah.

Mr. HATCH. Mr. President, I rise in opposition to the Portman-Stabenow amendment No. 1299. This is important to me. There has been a lot of debate and discussion on this amendment. Currency manipulation is a complex issue. But the fact is the vote on this amendment is not complex at all. A vote for the Portman-Stabenow amendment is a vote to kill TPA. We know that. The administration has made it abundantly clear that President Obama will veto any TPA bill that contains this amendment.

A vote for the Portman-Stabenow amendment is also a vote to kill TPP. We know that as well. Many of our negotiating partners have already indicated that they will not agree to standards required by this amendment.

The President of the United States opposes this amendment. The Secretary of the Treasury opposes this amendment. The Secretary of Agriculture opposes this amendment. All living former Treasury Secretaries, Republicans and Democrats alike, oppose the approach taken by this amendment.

All I can say is, that being the case, I urge my colleagues to vote no on the Portman-Stabenow amendment.

Mr. MCCONNELL. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The question is on agreeing to amendment No. 1299.

The clerk will call the roll.

The bill clerk called the roll.

Mr. Cornyn. The following Senator is necessarily absent: the Senator from Wyoming (Mr. ENZI).

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

The result was announced—yeas 48, nays 51, as follows:

[Rollcall Vote No. 187 Leg.]

YEAS—48

Ayotte	Gillibrand	Murphy
Baldwin	Graham	Peters
Blumenthal	Grassley	Portman
Blunt	Heinrich	Reed
Booker	Heitkamp	Reid
Boxer	Hirono	Sanders
Brown	King	Schatz
Burr	Klobuchar	Schumer
Capito	Leahy	Sessions
Cardin	Manchin	Shaheen
Casey	Markey	Shelby
Collins	McCaskill	Stabenow
Donnelly	Menendez	Tester
Durbin	Merkley	Udall
Ernst	Mikulski	Warren
Franken	Moran	Whitehouse

NAYS—51

Alexander	Coons	Flake
Barrasso	Corker	Gardner
Bennet	Cornyn	Hatch
Boozman	Cotton	Heller
Cantwell	Crapo	Hoeven
Carper	Cruz	Inhofe
Cassidy	Daines	Isakson
Coats	Feinstein	Johnson
Cochran	Fischer	Kaine
Kirk	Paul	Sullivan
Lankford	Perdue	Thune
Lee	Risch	Tillis
McCain	Roberts	Toomey
McConnell	Rounds	Vitter
Murkowski	Rubio	Warner
Murray	Sasse	Wicker
Nelson	Scott	Wyden

NOT VOTING—1

Enzi

The amendment (No. 1299) was rejected.

AMENDMENT NO. 1327

The PRESIDING OFFICER. The question now occurs on amendment No. 1327, offered on behalf of the Senator from Massachusetts, Ms. WARREN.

The Senator from Massachusetts.

Ms. WARREN. Mr. President, I ask unanimous consent to be heard for 2 minutes on this amendment.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. WYDEN. Mr. President, I ask unanimous consent to also be heard for 2 minutes in opposition.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The Senator from Massachusetts.

Ms. WARREN. Mr. President, together with Senator HEITKAMP, Senator MANCHIN, and a dozen other Senators, I propose a simple change to the fast-track bill. This amendment protects America's sovereignty and the rule of law by turning off fast-track for trade agreements that include investor-state dispute resolution—ISDS. This is not a partisan issue. Experts on the left and the right agree that ISDS is a real threat. According to the director of trade policy at the Cato Institute, purging both the TPP and the TTIP of ISDS makes sense economically and politically. In a recent letter, more than 100 law professors wrote that ISDS threatens domestic sovereignty and weakens the rule of law. A provision to give corporations special rights to challenge our laws outside of our legal system should not be part of our free-trade agreements.

I urge my colleagues to support this amendment.

I yield to Senator HEITKAMP.

Ms. HEITKAMP. Mr. President, I would like to take just a few minutes to say I want everyone to remember the day you voted on this amendment because in 10 years, when you look back and you see the mischief that will be created with ISDS without controls and without a broader framework for investor-state dispute settlements, you will be questioning why you did not support this amendment.

I yield the floor.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. WYDEN. Colleagues, for three decades, our country has never lost an investor dispute case and never paid one dime in penalties. Let me repeat that. We have never lost an investor dispute case and have never paid a dime in penalties. Here is our record: 17 cases, 17 victories.

These provisions are about raising the world to our economy's level of safety for investment. Without these protections, our small businesses with investments abroad will have nowhere to turn if a corrupt government steals a factory or a crooked judge targets them unfairly.

Each of our States has businesses that started in a garage, grew up, and looked abroad for new chances to expand. Let's make the world safer for the American brand.

I urge rejection of this amendment.

The PRESIDING OFFICER. The question is on agreeing to amendment No. 1327, offered by the Senator from Massachusetts, Ms. WARREN.

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

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. CORNYN. The following Senator is necessarily absent: the Senator from Wyoming (Mr. ENZI).

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

The result was announced—yeas 39, nays 60, as follows:

[Rollcall Vote No. 188 Leg.]

YEAS—39

Baldwin	Heinrich	Paul
Bennet	Heitkamp	Peters
Blumenthal	Hirono	Reed
Booker	King	Reid
Boxer	Klobuchar	Sanders
Brown	Leahy	Schatz
Cantwell	Manchin	Schumer
Cardin	Markey	Shaheen
Casey	Menendez	Stabenow
Donnelly	Merkley	Tester
Durbin	Mikulski	Udall
Franken	Murphy	Warren
Gillibrand	Murray	Whitehouse

NAYS—60

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

NOT VOTING—1

Enzi

The amendment (No. 1327) was rejected.

The PRESIDING OFFICER. The Senator from Utah.

AMENDMENT NO. 1227

Mr. HATCH. Mr. President, I raise a point of order against the Shaheen amendment No. 1227, as it is not germane to the substitute amendment.

I also ask unanimous consent that the votes in this series be 10 minutes in length and that there be 2 minutes equally divided prior to each vote.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. HATCH. I thank the Chair.

Mrs. SHAHEEN. Mr. President, I ask unanimous consent to speak for 1 minute on my small business amendment.

The PRESIDING OFFICER. The Senator is recognized.

Mrs. SHAHEEN. Mr. President, I understand it is not germane, so we are not going to vote on it. But I think it is important, as we are thinking about trade, to keep in mind that 40 percent of large corporations are able to trade internationally, but among small and medium-sized businesses, it is only 1 percent. Yet, 95 percent of markets are outside of the United States. What this amendment would do is it would allow small businesses to be able to get access to those international markets because it would provide help for them in exporting.

This is a program we passed with the Small Business Jobs Act. It worked very well. We need do this.

There is no score to this amendment. The CBO said there is no cost, and this is something we can do. We can help our small businesses, where two-thirds of jobs are being created. I hope that my colleagues will consider this in the future and that we can get this passed.

The PRESIDING OFFICER. The Senator from Utah.

Mr. HATCH. Mr. President, I thank the distinguished Senator. We intend to work with her and see what we can do. I want to put that in the RECORD.

The PRESIDING OFFICER. The Chair sustains the point of order, and the amendment falls.

AMENDMENT NO. 1251

The PRESIDING OFFICER. The question now occurs on amendment No. 1251, offered by the Senator from Ohio, Mr. BROWN.

There is 2 minutes equally divided.

The Senator from Ohio.

Mr. BROWN. Mr. President, before President Obama or President Hillary Clinton or President LINDSEY GRAHAM decides that China should be admitted to the Trans-Pacific Partnership, this amendment ensures that Congress play a role in that decision. A vote for this amendment is not a poison pill. It does not kill TPP or TPA. This amendment simply spells out a process for future countries to join the Trans-Pacific Partnership. It would require the President to notify Congress of intent to enter into negotiations, and it would require certification from Senate Finance and House Ways and Means and final approval by a vote of both Houses of Congress.

It is pretty simple. Before the world's second largest economy—the People's Republic of China—becomes part of TPP, there should be vigorous public debate and there should be congressional approval.

The PRESIDING OFFICER. The Senator from Utah.

Mr. HATCH. Mr. President, I rise in opposition to the Brown amendment, No. 1251. I agree that it would not be advantageous for the United States to become part of a trade agreement that includes China—or any other country, for that matter—without adequate oversight and approval by Congress. However, all of our existing trade agreements require congressional approval before new parties can be added after the agreement is signed. It is also required under our TPA bill.

The very possibility of a trade agreement with the United States is a powerful incentive we can use to encourage other countries to raise their standards and institute reforms in order to meet the objectives of existing agreements. If we require a separate congressional vote before our negotiators can even talk to new countries, we will be giving up one of our best tools that we can use to spur reform and advance our country's values abroad.

I urge my colleagues to vote against the Brown amendment.

I yield the floor.

I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The question is on agreeing to the amendment.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. CORNYN. The following Senator is necessarily absent: the Senator from Wyoming (Mr. ENZI).

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

The result was announced—yeas 47, nays 52, as follows:

[Rollcall Vote No. 189 Leg.]

YEAS—47

Ayotte	Grassley	Portman
Baldwin	Heinrich	Reed
Bennet	Hirono	Reid
Blumenthal	Kaine	Sanders
Booker	King	Schatz
Boxer	Klobuchar	Schumer
Brown	Leahy	Sessions
Cardin	Manchin	Shaheen
Casey	Markey	Shelby
Collins	Menendez	Stabenow
Coons	Merkley	Tester
Donnelly	Mikulski	Udall
Durbin	Moran	Warner
Franken	Murphy	Warren
Gillibrand	Paul	Whitehouse
Graham	Peters	

NAYS—52

Alexander	Blunt	Burr
Barrasso	Boozman	Cantwell
Capito	Hatch	Perdue
Carper	Heitkamp	Risch
Cassidy	Heller	Roberts
Coats	Hoeven	Rounds
Cochran	Inhofe	Rubio
Corker	Isakson	Sasse
Cornyn	Johnson	Scott
Cotton	Kirk	Sullivan
Crapo	Lankford	Thune
Cruz	Lee	Tillis
Daines	McCain	Toomey
Ernst	McCaskill	Vitter
Feinstein	McConnell	Wicker
Fischer	Murkowski	Wyden
Flake	Murray	
Gardner	Nelson	

NOT VOTING—1

Enzi

The amendment (No. 1251) was rejected.

AMENDMENT NO. 1226

The PRESIDING OFFICER. The question now occurs on amendment No. 1226, offered on behalf of the Senator from Arizona, Mr. MCCAIN.

The Senator from Arizona.

Mr. MCCAIN. Mr. President, this amendment is to try to repeal one of the great ripoffs in the history of this body. We waste $15 million a year on a catfish inspection office which is not only duplicative but disgraceful. This is a classic example of protectionism and the kind of thing we are trying to avoid with a free-trade agreement. It is an outrage.

Nine times the Government Accountability Office has said this is a waste of millions of taxpayer dollars. It is outrageous, and I urge my colleagues to vote aye on the amendment, because it is an absolute outrage and disgrace.

The PRESIDING OFFICER. The Senator from Utah.

Mr. HATCH. Mr. President, I appreciate the distinguished Senator's amendment, but I have to raise a point of order against McCain amendment No. 1226, as it is not germane to the substitute amendment.

The PRESIDING OFFICER. The point of order is sustained, and the amendment falls.

AMENDMENT NO. 1312, AS MODIFIED

The PRESIDING OFFICER. The question now ocurs on amendment No. 1312, as modified, offered on behalf of the Senator from Oklahoma, Mr. INHOFE.

There is 2 minutes of debate.

The Senator from Oklahoma.

Mr. INHOFE. Mr. President, I am afraid this may end up out of order. If we are going to pursue this further, it seems as though the forgotten continent has always been, in our experience, the African continent. So we are going to address equal trade with Africa, and that is the upcoming area on which we need to be concentrating. Ten years from now, we will look back and see that those were the real, live economies, and we have to quit ignoring them.

I withdraw the amendment.

The PRESIDING OFFICER. The Senator from Utah.

Mr. HATCH. Mr. President, it is with regret that I raise a point of order against Inhofe amendment No. 1312, as it is not germane to the substitute amendment.

The PRESIDING OFFICER. The point of order is sustained, and the amendment falls.

AMENDMENT NO. 1243

The PRESIDING OFFICER. The question now occurs on amendment No. 1243, offered on behalf of the Senator from Arizona, Mr. FLAKE.

There is 2 minutes equally divided.

If no one yields time, time will be charged equally to both sides.

The Senator from Washington.

Ms. CANTWELL. Mr. President, speaking against the Flake amendment No. 1243, this amendment would strike the extension of the Trade Adjustment Assistance Act. I support trade, but I am not going to tie the hands of the American workers from getting retrained or small businesses from getting Ex-Im support or making sure that we have enough people to do enforcement. If we are going to have trade, we will also have to have the tools to do trade.

I urge my colleagues to defeat the Flake amendment and keep TAA.

Mr. WYDEN. Mr. President, this trade package is about bringing our policies into 2015. This amendment would throw us back into the 1950s.

President Kennedy, who first proposed TAA, called it a program to afford time for American initiative, American adaptability, and American resiliency to assert itself. To me, those sound like sound bipartisan priorities.

This package will expand TAA and help ensure workers are not knocked off stride in tough times. Let's not turn our backs on this country's workers. Let's not break the bipartisan compact this bill represents.

I strongly urge my colleagues to oppose the amendment.

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

The Senator from Arizona.

Mr. FLAKE. Mr. President, I urge support for the amendment. Time and time again when we do TAA, along with TPA, we find GAO—or whoever studies it—finds that it is duplicative and wasteful. There are other Federal programs that do the same thing. And we find that people are claiming that because the stipulations are so loose, people in jobs that have nothing to do with trade or nothing to do with dislocations because of trade are actually claiming benefits because of it.

It is a large bill, and it is duplicative and wasteful, and we ought to get rid of it.

I yield back.

The PRESIDING OFFICER. The question is on agreeing to amendment No. 1243.

Mr. FLAKE. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The bill clerk called the roll.

Mr. HATCH (when his name was called). Present.

Mr. CORNYN. The following Senator is necessarily absent: the Senator from Wyoming (Mr. ENZI).

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

The result was announced—yeas 36, nays 62, as follows:

[Rollcall Vote No. 190 Leg.]

YEAS—36

Alexander	Gardner	Risch
Barrasso	Grassley	Roberts
Boozman	Inhofe	Rounds
Cassidy	Isakson	Rubio
Cornyn	Johnson	Sasse
Cotton	Lankford	Scott
Crapo	Lee	Sessions
Cruz	McCain	Shelby
Daines	McConnell	Thune
Ernst	Moran	Tillis
Fischer	Paul	Vitter
Flake	Perdue	Wicker

NAYS—62

Ayotte	Feinstein	Murphy
Baldwin	Franken	Murray
Bennet	Gillibrand	Nelson
Blumenthal	Graham	Peters
Blunt	Heinrich	Portman
Booker	Heitkamp	Reed
Boxer	Heller	Reid
Brown	Hirono	Sanders
Burr	Hoeven	Schatz
Cantwell	Kaine	Schumer
Capito	King	Shaheen
Cardin	Kirk	Stabenow
Carper	Klobuchar	Sullivan
Casey	Leahy	Tester
Coats	Manchin	Toomey
Cochran	Markey	Udall
Collins	McCaskill	Warner
Coons	Menendez	Warren
Corker	Merkley	Whitehouse
Donnelly	Mikulski	Wyden
Durbin	Murkowski	

ANSWERED ''PRESENT''—1

Hatch

NOT VOTING—1

Enzi

The amendment (No. 1243) was rejected.

CHANGE OF VOTE

Mr. CORNYN. Mr. President, on rollcall vote No. 190, I voted nay and intended to vote yea. Since it will not change the outcome of the vote, I ask unanimous consent that I be recorded as voting yea.

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

AMENDMENT NO. 1221, AS AMENDED

The PRESIDING OFFICER. The question now occurs on amendment No. 1221, as amended, offered by the Senator from Utah, Mr. HATCH.

Under the previous order, there is 2 minutes of debate, equally divided.

Mr. BARRASSO. Mr. President, I yield back all time.

The PRESIDING OFFICER (Mr. ALEXANDER). Without objection, all time is yielded back.

The question is on agreeing to the amendment.

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

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

Mr. CORNYN. The following Senator is necessarily absent: the Senator from Wyoming (Mr. ENZI).

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

The result was announced—yeas 62, nays 37, as follows:

[Rollcall Vote No. 191 Leg.]

YEAS—62

Alexander	Ernst	Murkowski
Ayotte	Feinstein	Murray
Barrasso	Fischer	Nelson
Bennet	Flake	Perdue
Blunt	Gardner	Portman
Boozman	Graham	Risch
Burr	Grassley	Roberts
Cantwell	Hatch	Rounds
Capito	Heitkamp	Rubio
Cardin	Heller	Sasse
Carper	Hoeven	Scott
Cassidy	Inhofe	Shaheen
Coats	Isakson	Sullivan
Cochran	Johnson	Thune
Coons	Kaine	Tillis
Corker	Kirk	Toomey
Cornyn	Lankford	Vitter
Cotton	McCain	Warner
Crapo	McCaskill	Wicker
Cruz	McConnell	Wyden
Daines	Moran	

NAYS—37

Baldwin	King	Reid
Blumenthal	Klobuchar	Sanders
Booker	Leahy	Schatz
Boxer	Lee	Schumer
Brown	Manchin	Sessions
Casey	Markey	Shelby
Collins	Menendez	Stabenow
Donnelly	Merkley	Tester
Durbin	Mikulski	Udall
Franken	Murphy	Warren
Gillibrand	Paul	Whitehouse
Heinrich	Peters	
Hirono	Reed	

NOT VOTING—1

Enzi

The amendment (No. 1221), as amended, was agreed to.

The PRESIDING OFFICER. The Senator from Utah.

Mr. HATCH. Mr. President, I ask unanimous consent that the mandatory quorum call with respect to the cloture vote be waived.

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

Mr. HATCH. Mr. President, I don't want to take too much time, but I do just say in advance of this next vote that I am very appreciative of my colleagues who have worked with us to get to this point. This next vote is obviously a big one. I hope we can keep together. The bipartisan coalition of Senators who have helped get us this far has been important. I think we will once again.

I just want to reiterate that this is a good bipartisan bill, one that reflects the priorities of Senators from both parties and in both Chambers of Congress. This next vote will take us one step closer to allowing Congress to set

the terms of our trade negotiations and giving our negotiators the tools they need to get the best deals possible. This bill will do a lot of good for the American economy, our workers, and our job creators looking to sell more of their products overseas.

But we are not there yet. We need to get past this next hurdle. I urge my colleagues to vote yes on cloture.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. WYDEN. Mr. President and colleagues, the Senate now has an opportunity to throw the 1990s NAFTA play book into the dustbin of history and begin a new forward-thinking era in trade. This can be a momentous day for creating more economic opportunity for our people, transparency and sunshine and the forward march of American values.

The legislation can help us pry open the booming markets for our exports. It will strengthen the American brand in the fight against trade cheats and bad actors who block our way. It will raise the bar for worker rights, environmental safeguards, and human rights. It will help strip out the excessive secrecy that makes people skeptical about trade. Colleagues, in a sentence, this is how you begin to get trade done right.

I yield the floor and urge support for cloture.

CLOTURE MOTION

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

The legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on H.R. 1314, an act to amend the Internal Revenue Code of 1986 to provide for a right to an administrative appeal relating to adverse determinations of tax-exempt status of certain organizations.

Mitch McConnell, John Cornyn, Orrin G. Hatch, Daniel Coats, John Boozman, Thom Tillis, Mike Rounds, Pat Roberts, Richard Burr, John Barrasso, Mike Crapo, Jeff Flake, Tom Cotton, Shelley Moore Capito, David Perdue, Chuck Grassley, Dan Sullivan.

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

The question is, Is it the sense of the Senate that debate on H.R. 1314, as amended, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. CORNYN. The following Senator is necessarily absent: the Senator from Wyoming (Mr. ENZI).

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

The yeas and nays resulted—yeas 61, nays 38, as follows:

[Rollcall Vote No. 192 Leg.]

YEAS—61

Alexander	Feinstein	Murray
Ayotte	Fischer	Nelson
Barrasso	Flake	Perdue
Bennet	Gardner	Portman
Blunt	Graham	Risch
Boozman	Grassley	Roberts
Burr	Hatch	Rounds
Cantwell	Heitkamp	Rubio
Capito	Heller	Sasse
Carper	Hoeven	Scott
Cassidy	Inhofe	Shaheen
Coats	Isakson	Sullivan
Cochran	Johnson	Thune
Coons	Kaine	Tillis
Corker	Kirk	Toomey
Cornyn	Lankford	Vitter
Cotton	McCain	Warner
Crapo	McCaskill	Wicker
Cruz	McConnell	Wyden
Daines	Moran	
Ernst	Murkowski	

NAYS—38

Baldwin	Hirono	Reed
Blumenthal	King	Reid
Booker	Klobuchar	Sanders
Boxer	Leahy	Schatz
Brown	Lee	Schumer
Cardin	Manchin	Sessions
Casey	Markey	Shelby
Collins	Menendez	Stabenow
Donnelly	Merkley	Tester
Durbin	Mikulski	Udall
Franken	Murphy	Warren
Gillibrand	Paul	Whitehouse
Heinrich	Peters	

NOT VOTING—1

Enzi

The PRESIDING OFFICER. On this vote, the yeas are 61, the nays are 38.

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

The Senator from Utah.

Mr. HATCH. Mr. President, soon the Senate will vote on final passage of the Bipartisan Congressional Trade Priorities Act of 2015. This is a historic piece of legislation that will renew trade promotion authority.

As I have already said here on the floor many times, this bill has been a long time coming. I personally have been focused on this for the last 4 years, but I know that for those whose lives and livelihoods revolve around American trade, the wait has been much longer.

This is an important bill, no doubt about it, and likely the most important bill we will pass this year. It is important to President Obama, and I know it is important to many of us here in this Chamber. It shows that when the President is right, we will support him.

From the beginning, TPA has been a bipartisan effort. Despite the difficulties we have faced here on the floor, I am glad it has remained that way throughout the process.

I am very appreciative of all those who have put in so much time and effort to get the bill to this point.

Going back to last year, I want to thank the former chairmen, Max Baucus and Dave Camp, who helped get the ball rolling on this TPA bill.

I would especially like to thank the staff, who put in a great deal of time on the initial draft of this legislation, including Amber Cottel, former staff director of the Senate Committee on Finance; Bruce Hirsh, former chief trade counsel; and international trade counsel Lisa Pearlman.

I want thank my colleagues on the Committee on Finance, whose input and support has been instrumental both in drafting and developing this legislation as well as helping it move forward. Most notably, I thank the ranking member on the Committee on Finance, the coauthor of this current legislation, Senator RON WYDEN. His commitment to his principles and constituents has been admirable. Although it has taken a lot of time for the two of us to get to this point, his efforts have undoubtedly improved the substance of the bill and helped broaden its support. I very much appreciate the efforts of Senator WYDEN in the drafting the bill and getting it through the committee and here on the floor.

There are other Senators who played key roles in getting us to where we are. I want to thank our distinguished majority leader and the majority whip. I also thank Senators CARPER and MURRAY.

Obviously, every Senator who has voted and worked to get us to this point deserves thanks. I will thank you all individually as the clerk calls the roll for this last vote.

Of course, I want to thank my staff on the Committee on Finance, who worked long hours for many months to get us here, and Senator WYDEN's staff as well. On the Republican side, I particularly want to thank Everett Eissenstat for leading the way, and his family, Janet, Alex, and Jacob Eissenstat, for lending him to us for so many hours. I want to thank the rest of the Republican trade staff: Shane Warren, Rebecca Eubank, Kevin Rosenbaum, Sahra Su, Andrew Rollo, and Kenneth Schmidt. I also want to thank my senior team: Chris Campbell, Mark Prater, Jay Khosla, Jeff Wrase, and Bryan Hickman. And of course I need to thank our communications team: Julia Lawless, Aaron Forbes, Amelia Breinig, and Joshua Blume.

On the Democratic side of the committee staff, I want to thank Josh Sheinkman, Jocelyn Moore, Mike Evans, Jayme White, and Elissa Alben for all their hard work, and others as well who worked on that side.

I also thank the Senate Republican leadership staff, who put a lot of blood, sweat, and tears into this endeavor. From their staffs, I need to particularly thank Sharon Soderstrom, Hazen Marshall, Brendan Dunn, Terry Van Doren, Erica Suares, Antonio Ferrier, Russ Thomasson, and Johnny Slemrod. From the Republican cloakroom staff, I want to single out the efforts of Laura Dove, Robert Duncan and Megan Mercer.

Of course, we need to mention the efforts of our attorneys at the legislative counsel's office, particularly Margaret Roth Warren and Thomas Haywood, who did a lot of heavy lifting in putting together the bill and the amendments.

The Parliamentarian's office has been immensely helpful as well. From their staff, I would like to thank Elizabeth McDonough, Leigh Hildebrand, Thomas Cuffie, and Michael Beaver.

Throughout this process, we received assistance from the United States Trade Representative. I thank Ambassador Froman and his staff for all their assistance in this effort.

Really, the list of people I need to thank is too long to cover in a single floor speech. I just hope it is clear to everyone on both sides of the floor who worked on this bill just how appreciative I am.

As far as the Senate is concerned, we have one more vote to go on this bill, but that is not the end for the bill. I am committed to working with my colleagues in the House and with the administration to get this bill across the finish line. As I said earlier this week, for me, the work on TPA doesn't finish until we have a bill on the President's desk.

I look forward to continuing this particular effort and to working with my colleagues on whatever challenge comes next.

With that, Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. WYDEN. Mr. President, I will be brief.

It would be an understatement to say there have been strong differences of opinion here in this Chamber and in our country with respect to this legislation. I have said from the very beginning that opponents of this effort—trade promotion authority—have a number of very valid points.

There is no question in my mind, colleagues, that there has been way too much secrecy in the past, so Senator HATCH and I set out to make some very significant changes in that. Now, starting with the TPP but with all other agreements, the American people will have that agreement in their hands for close to 4 months before anybody votes here in the Senate or in the House on TPP or a trade agreement. I think that is a step toward a sunshine trade policy.

Second, I thought opponents were spot-on with respect to their comments that we needed a completely new regime with respect to enforcing our trade laws. Again and again the American people say: What are you talking about in terms of passing a new trade deal if you aren't doing a better job of enforcing the laws on the books? So we set about to put in place a tough enforce act to go after cheats. We had Senator BROWN's leveling the playing field, which I think is a very important piece of legislation, and an early warning system so that for the first time, rather than waiting until it is too late, businesses and labor unions and others would see what is coming. I think that is a significant step forward.

Many skeptics said there isn't an aggressive approach to protect labor and the environment. It essentially gets shunted to the side. Now we have enforceable standards in this area.

Because of the good work of Senator BEN CARDIN, for the first time, colleagues, human rights will be a significant factor in trade legislation.

Finally, we put in place a new process so that this body can put the brakes on a bad deal. We have always talked about fast-track because we want people to have an opportunity to consider a new agreement. We also ought to put the brakes on a bad deal.

I will close with this point: At the end of the day, colleagues, we have always known that one of the paths to more good-paying jobs in our country is exports. There are going to be 1 billion middle-class people—1 billion—in the developing world in 2025. These will be people with money, colleagues. They are going to buy our wine, our computers, our helicopters, our planes, and all kinds of goods and services with the American brand. They are going to buy our products because they buy and use our products with great pride. We all ought to appreciate the opportunity for more exports.

I know there are strong differences of opinion on this legislation. I want it understood that we tried especially hard—and I appreciate the help of Chairman HATCH—to address as many of those concerns as we possibly could.

With that, I yield the floor.

The PRESIDING OFFICER. The majority leader.

Mr. MCCONNELL. For the information of all Senators, we are using postcloture debate time now. No Senator has to speak if he or she chooses not to. Any Senator who speaks will be limited to 1 hour. So this can go on for as long as Senators want or for as short a time as Senators prefer, provided no one is seeking recognition. But if anyone does seek recognition, they are limited to 1 hour, at which point the Chair puts the question. So I can't tell you with specificity when the vote will occur, but it will occur when no one is seeking recognition.

Once this bill is concluded later this evening, under the regular order, the cloture motions on the two FISA bills will ripen an hour after we convene tomorrow, which could be as early as 1 a.m. tonight.

So just to reiterate, if no Senators are seeking recognition, we would move to a vote shortly. If any Senator seeks recognition, they are limited to 1 hour. At the end of that, if no other Senator is seeking recognition, we will put the question and start the vote.

So I know of no other debate on this bill.

The PRESIDING OFFICER. Is there further debate?

The Senator from Oregon.

Mr. MERKLEY. Mr. President, I am seeking recognition.

The PRESIDING OFFICER. The Senator from Oregon is recognized.

Mr. MERKLEY. Mr. President, I think it is important, at this point in time, for us to be reminded of the concerns of working people across our Nation.

This has been an intense debate, because so often, in the course of the trade agreements we have pursued, the balance on the other end has been simply that millions of jobs have left this Nation.

We have lost 5 million jobs and 50,000 factories. That is a tremendous loss for workers across the States seeking for the foundation of successful families because there is no government program that can compare to the value of a living-wage job.

What we have seen in the wake of NAFTA and the free-trade agreements that have followed is not only a tremendous loss of jobs but a tremendous increase in inequality in this Nation.

Now, we have heard the opinion of some that this is a completely different structure and that we should not be concerned about this being the result of this particular agreement, this particular set of standards, that are going to be brought back to us in the Trans-Pacific Partnership. I disagree, and I disagree deeply, and I am going to tell you why.

Let's start with the most fundamental issue on level playing field, which is wages that are roughly comparable.

The old agreements have no minimum wage. This agreement has no minimum wage. We are creating a structure of a group of seven very poor nations with very low wages, five affluent nations with higher wages. Think about the difference between running an operation in Vietnam or Malaysia or Mexico with a minimum wage of less than $2 per hour and in Vietnam a minimum wage of only about 60 to 70 cents, depending on what part of the country you are in.

Think of the difference between that and the minimum wage in the United States. It is a 10-to-1 differential. If you throw in the type of benefits and the labor standards and the environmental standards, it is a differential of probably at least 20 to 1. That is why we are losing jobs in manufacturing. Now, is there anything that puts a minimum wage into this agreement and addresses this key missing factor? There is not.

Then let's turn to the rest of the labor and the environmental objectives

that are embedded. We have heard a lot that we are now going to have enforceable environmental standards and enforceable labor standards. But the fundamental structure disagreement is the same as agreements we have had before.

Now, I applaud my colleagues who are working to tighten the enforcement on cheating on tariffs. That is important. But those are not enforceable labor standards and those are not enforceable environmental standards.

Therefore, we can look back at the history of similar agreements and say: When did we ever bring any sort of action on environmental standards government-to-government?

The answer is: We have not.

When did we ever bring a complaint on labor standards?

The answer is: We have done it once. We did it in Guatemala. That was 7 years ago. We still don't have any resolution of that single complaint, that single challenge.

So in order to have something that was fundamentally different, we would have to have something like snapback tariffs—a situation where a country deeply violated its promises on labor standards, deeply violated its standards or promises on environmental standards, and that there be some sort of quick and certain reversal of the benefits of trade agreements, but there is nothing like that in this agreement. There is no change.

So here we are, repeating the same basic structure that has existed in the other agreements, with no changes for America and therefore no improvement for the workers of the United States of America.

Now, there are objectives that have been placed into fast-track, but those objectives require an agreement to come back with areas to be addressed, such as human rights and so forth that have been much vaunted. Those are objectives. Those are not standards.

If we were serious about saying what an agreement had to have in it to come and get the privileges of fast-track, we would have converted those objectives into standards. That was one of the amendments that we never debated on the floor of the Senate, so we never wrestled with this deep deficiency.

Then, of course, we have the investor-state dispute settlement portion of this, and we have been affirmed here that we normally win when we are challenged. And that is correct—we have mostly won when we are challenged. We have won because we have out-lawyered the other side because, in general, we don't expropriate. But we have not won under all the trade agreements.

We lost a case on tuna that was dolphin-free or dolphin-friendly tuna labels. Why did we lose it? Because under the WTO, Mexico challenged it. Under WTO, they challenged it and said: This discriminates against the way we fish, and we lost. We lost on turtles. We lost on cotton.

What happened last week? Well, we lost on the labeling of food grown in the United States of America. The WTO said we cannot label our beef as USA made or raised or born or harvested.

I tell you this. I want to live in a country where, if our legislators, at the local level, at the State level, at the Federal level, want to pass a law that informs every citizen about where food is grown because the citizens want to know, it should be possible to do so.

We should not give away our sovereignty to international panels that can make decisions that wipe out our consumer laws or our environmental laws—and there was a proposal to make sure we did not end up with that in this agreement, and it was defeated.

So we still have this substantial risk of losing future cases, just as we lost on dolphins, just as we lost on turtles, and just as we lost last week on the labeling of food in the United States of America.

This particular issue of labeling our food goes to the heart of who we are—free people who want to make decisions for the health and safety of our families. The way we do that is when we buy things, we find out information, and that information has to be on the label.

I was reading here earlier an article about how shrimp is raised in Vietnam. It is farmed in pools, and it doesn't meet any of the standards we would like, so they get artificial documentation and it is shipped at high volumes into the United States. Consumer Reports came out with a report recently, and they said: Don't buy shrimp unless it is produced in the United States, particularly don't buy it if it comes from Vietnam.

There is another example of why we should, if we want to be able to, have labels on our food that say ''Made in America'' or ''Made in Vietnam.'' Consumers should have a choice, so they can see Consumer Reports and find out that shrimp is full of deadly bacteria, when they receive Consumer Reports, and find out that shrimp is full of antibiotics that are put in because of deadly bacteria, and they don't want their children exposed to those bacteria. If they don't want them exposed to bacteria, they should be able to make that decision, but we can't do that if we give away our sovereignty to international dispute resolution panels.

So there are a host of problems inherent in this trade agreement and in this fast-track that have not been resolved.

We have not addressed having a minimum wage and steadily over time reducing the disparity between the lowest paid countries and the highest paid countries so our workers will not be at this massive disadvantage.

We have not addressed the enforcement of labor provisions because we have not developed anything different from what we have done before, and we are unable to enforce them. We have only tried once, and we are still out after 7 years with Guatemala. We haven't even tried with the environmental side, it is so difficult.

We have left intact an international panel of corporate lawyers who on one issue can be the advocate, on the next can be the judge. It is full of conflict of interest. We haven't addressed that.

So here is the bottom line: Do we want to live in an America where the middle class is going to be wiped out because we have pulled out all the barriers between very low-wage countries, low-enforcement countries, low-labor-standard countries, low environmental standards, and our economy—which then creates tremendous pressure for our own wages and standards to diminish. Why does it create pressure? Because companies say: You know what. If you push for higher wages or better working conditions, we are going to move our factory overseas or they say: You know what. We already have a factory overseas. We are going to increase our production there and decrease our production here. That is the pressure here on wages and working conditions in the United States of America.

What about the people overseas? This agreement is designed so companies who are producing in China—which will not be part of the agreement at this point in time—can say: If you raise your wages and your working conditions, we will go to Malaysia, and if Malaysia raises theirs, we will go to Vietnam.

So it isn't good for the foreign workers any more than it is for the American workers.

There was an article yesterday in the Washington Post. The columnist or the op-ed writer said: It is basically like this. This agreement is, like previous agreements, very good for the investor class. Because if companies can produce things at the lowest possible cost, that will raise their stock prices.

However, he said, it is really bad for the working class because less and less will go to the workers under these types of competitive pressures between the United States or taking the work overseas or between one nation overseas and another nation overseas.

So I will conclude this simply by saying: This is why I voted against this fast-track, because this fast-track is deeply flawed. It does not address the fundamental issues that have been identified in previous agreements. Going down this track and bringing the Trans-Pacific Partnership to this Chamber, with no ability to mend it, no ability to extend debate because debate will be limited, no ability to hold

it to the normal standards in the Senate in terms of closing the debate—because of all that, this is simply the wrong direction to go.

In this final effort, in this final set of time before we take the final vote, let's recognize it is important that we, as Senators representing the citizens of the United States, not simply fight for the investor class; let's fight to make work work for working Americans.

The PRESIDING OFFICER (Mrs. FISCHER). The Senator from Kentucky.

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

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

Mr. MCCONNELL. Madam President, I know of no further debate.

The PRESIDING OFFICER. Is there any further debate?

If not, the question in on the engrossment of the amendment and third reading of the bill.

The amendment was ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time.

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall the bill pass?

Mrs. BOXER. Madam President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. CORNYN. The following Senator is necessarily absent: the Senator from Wyoming (Mr. ENZI).

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

The result was announced—yeas 62, nays 37, as follows:

[Rollcall Vote No. 193 Leg.]

YEAS—62

Alexander	Ernst	Murkowski
Ayotte	Feinstein	Murray
Barrasso	Fischer	Nelson
Bennet	Flake	Perdue
Blunt	Gardner	Portman
Boozman	Graham	Risch
Burr	Grassley	Roberts
Cantwell	Hatch	Rounds
Capito	Heitkamp	Rubio
Cardin	Heller	Sasse
Carper	Hoeven	Scott
Cassidy	Inhofe	Shaheen
Coats	Isakson	Sullivan
Cochran	Johnson	Thune
Coons	Kaine	Tillis
Corker	Kirk	Toomey
Cornyn	Lankford	Vitter
Cotton	McCain	Warner
Crapo	McCaskill	Wicker
Cruz	McConnell	Wyden
Daines	Moran	

NAYS—37

Baldwin	King	Reid
Blumenthal	Klobuchar	Sanders
Booker	Leahy	Schatz
Boxer	Lee	Schumer
Brown	Manchin	Sessions
Casey	Markey	Shelby
Collins	Menendez	Stabenow
Donnelly	Merkley	Tester
Durbin	Mikulski	Udall
Franken	Murphy	Warren
Gillibrand	Paul	Whitehouse
Heinrich	Peters	
Hirono	Reed	

NOT VOTING—1

Enzi

The bill (H.R. 1314), as amended, was passed.

The PRESIDING OFFICER. The majority leader.

ORDER OF BUSINESS

Mr. MCCONNELL. Mr. President, for the benefit of all Senators, let me indicate where we are. Without reaching an agreement to go forward, which we have not reached at this point, the next vote will be at 1 a.m. If that changes, I will be the first to let everyone know. If it does, obviously we will try to expedite the process. But as of this moment, we will be voting at 1 a.m.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

ORDER FOR RECESS

Mr. MCCONNELL. Mr. President, I ask unanimous consent that following the remarks of Senator WYDEN for 5 minutes, the Senate stand in recess subject to the call of the Chair.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The Senator from Oregon.

Mr. WYDEN. Mr. President, as we bring this very dramatic chapter in U.S. trade policy to its conclusion in the Senate, I wish to take a few minutes to acknowledge the many people who helped in ways large and small to bring about the passage of the Bipartisan Congressional Trade Priorities and Accountability Act.

First and foremost, I thank Chairman HATCH for his partnership throughout the process. I think Chairman HATCH and I can smile a bit looking back on some very spirited debates in the process of getting to this point. I do want colleagues to understand that Chairman HATCH has been a true leader in this bipartisan effort in the Finance Committee and on the floor. I thank Chairman HATCH and his staff for all they have done.

I think both Chairman HATCH and I also want to acknowledge our partner in the House, Chairman RYAN. All through the discussions, Chairman HATCH, Chairman RYAN, and myself, all tried to make sure that we would have a bipartisan, bicameral collaborative effort. The three of us obviously don't see eye to eye on everything, but we thought it was very important to try to come together and move an extraordinarily important and challenging economic policy forward for the country. Chairman RYAN has been there every single step of the way, and we look forward to returning the favor as he moves this historic package through the House and on to the President's desk.

We also thank Leader MCCONNELL for his work in shepherding this package through the process. It has not been easy, but Leader MCCONNELL has had a single-minded focus in terms of getting this bill across the finish line.

While we are on the subject of Senate leadership, I especially want to acknowledge the extraordinary contributions of my Pacific Northwest colleague Senator MURRAY and her staff. Over the last few years, colleagues, we have seen time and time again Senator MURRAY demonstrate her extraordinary ability. She is a person of modest size, but she is sure good at getting big things done. This bill is no exception, and it could not have happened without her leadership and help.

Finally, I note Chairman HATCH and I wish to thank all the members of the Finance Committee because they had a lot of good ideas, and they were constructive in terms of bringing this debate along, recognizing that we had strong differences. Every single member of the Finance Committee made a meaningful contribution, whether it was to the policy or to the process. Chairman HATCH and I want to say that when you look at a full recounting of all the great work done by Finance Committee members, if we were to do it all night, we would keep you all the way through the recess.

I wrap up with a quick word of my thanks to my staff who have done an exceptional job putting the legislation together: Jayme White, Elissa Alben, Greta Peisch, Anderson Heiman, Keith Chu, Malcolm McGreary, Danielle Deraney, Kara Getz, and Juan Machado.

I close by way of saying I think it is fair to say that there were a lot of observers, both in and outside this body, who thought it would not be possible to move forward on an issue like this—which is going to affect 40 percent of the global economy—in a bipartisan fashion. We know there are going to be a billion middle-class consumers in the developing world in 2025, and they want to ''Buy American.'' They like our brand.

With the extraordinary leadership of Chairman HATCH and many others who contributed to this effort, I think once again there is going to be a very significant array of economic opportunities for the people we represent to get

high-skill, high-wage, export-related jobs with products and services that we sell to these countries.

So I close this part of the debate tonight—again, as we began, I think, 7 months ago, Chairman HATCH, by telling you that this, to me, is what we are sent to do, tackle the big issues in a bipartisan way.

With that, I yield the floor.

RECESS SUBJECT TO THE CALL OF THE CHAIR

The PRESIDING OFFICER. Under the previous order, the Senate stands in recess subject to the call of the Chair.

Thereupon, the Senate, at 9:36 p.m., recessed subject to the call of the Chair and reassembled at 11:13 p.m. when called to order by the Presiding Officer (Mr. SESSIONS).

The PRESIDING OFFICER. The majority leader.

USA FREEDOM ACT OF 2015—MOTION TO PROCEED

Mr. MCCONNELL. Mr. President, I move to proceed to H.R. 2048.

The PRESIDING OFFICER. The clerk will report the motion.

The legislative clerk read as follows:

Motion to proceed to Calendar No. 87, H.R. 2048, a bill to reform the authorities of the Federal Government to require the production of certain business records, conduct electronic surveillance, use pen registers and trap and trace devices, and use other forms of information gathering for foreign intelligence, counterterrorism, and criminal purposes, and for other purposes.

MORNING BUSINESS

THE GRAND STAIRCASE-ESCALANTE NATIONAL MONUMENT GRAZING PROTECTION ACT

Mr. HATCH. Mr. President, I have always been proud of Utah's rich heritage. Utah is blessed with incredible natural resources, beautiful landscapes, and breathtaking vistas. Utahns have always understood the importance of maintaining a responsible balance between the development of our abundant resources and the need to protect the unique natural features of our State. Today, though, the executive branch threatens to disrupt that delicate balance. Countless rural communities in Utah are currently facing difficult challenges to their way of life as the Bureau of Land Management, BLM, increases restrictions on traditional economic activities, such as ranching and grazing operations on Federal land.

Under President Theodore Roosevelt's leadership, Congress passed the Antiquities Act of 1906—a short, four-paragraph law that gave the President unilateral authority to designate areas as national monuments. Such designations were intended to protect special areas in our country that have particularly significant natural, historical, or cultural features. Congress crafted these designations to be limited in scope and ''confined to the smallest area compatible with proper care and management of the objects to be protected.'' At that time, the Antiquities Act was an essential tool to protect our Nation's historical treasures against growing dangers, such as looters and vandals. Congress drafted this law after archaeologists noticed that America's natural treasures were turning up in overseas museums and private collections.

After President Roosevelt signed the Antiquities Act into law, he subsequently set aside nearly 20 such natural and cultural landmarks. These monument designations were limited in scope and designed to protect specific locations rather than massive acreages. For example, the total area of our Nation's first national monument, Devil's Tower in Wyoming, spans only about 2 square miles. Unfortunately, over time, the use of the Antiquities Act has evolved from protecting historic landmarks to restricting development across vast swaths of land without any meaningful local input. For example, on September 18, 1996, President Bill Clinton issued a proclamation designating nearly 1.9 million acres in southern Utah as the Grand Staircase-Escalante National Monument. Utah's entire congressional delegation, the Utah State Legislature, and then-Governor Mike Leavitt all strongly opposed this proclamation. President Clinton's declaration was made without so much as a ''by your leave'' to the people of Utah. There were no consultations, no hearings, no townhall meetings, no TV or radio discussions, no input from Federal land managers, no maps, no boundaries—nothing. In fact, Utah's elected representatives in Washington had to learn about the proclamation from the Washington Post.

There are significant impacts on the ground when a monument is designated not only on Federal land but also on State and private land. Had President Clinton consulted with the State and the delegation, he would have learned that the designation would land-lock and render useless 200,000 acres of Utah School Trust Lands—lands held in trust for the education of Utah's children. This designation deprived Utah schools of a significant revenue source. Fortunately, Utah's congressional delegation was eventually able to pass legislation allowing these school trust lands to be swapped out of the monument boundary. While this legislation helped the schools, much of the local population still lost their jobs because of the President's declaration.

The only silver lining in this debacle was language written into the President's proclamation that protected livestock grazing on the monument. While the President blocked significant mineral development and other economic activity in the 1.9 million-acre area, he at least understood that blocking traditional grazing in the area was untenable. Sadly, since the 1996 monument designation, nearly 28 percent of the Federal livestock grazing animal unit-months, AUMs, have been suspended, according to the Utah Cattlemen's Association.

According to the 2015 Economic Report to the Governor prepared by the Utah Economic Council, ''[o]f Utah's 45 million acres of rangeland, 33 million acres are owned and managed by the federal government, while only 8 million acres are privately owned.'' With that in mind, most ranching operations in Utah must combine private grazing, feed importation, and access to the renewable grasses and forage through Federal grazing leases in order to be economically viable. Unfortunately, since the late 1940s, the Utah Farm Bureau found that the BLM and the Forest Service have drastically cut or suspended Utah's total livestock grazing AUMs from 5.4 million AUMs in 1949 to just over 2 million in 2012.

With grazing on Federal land already in peril, grazing on the monument is at even greater risk. Currently, the BLM is considering an amendment to the Management Plan that would eliminate grazing on the monument altogether. If the BLM eliminates grazing on the monument, there would be significant negative economic impacts to the area. Consider the economic benefits grazing already brings to these rural counties in Utah. The Utah Farm Bureau reports that ''around 11,500 feeder cattle sold out of Kane and Garfield County ranches brought in more than $16 million dollars and generated in excess of $25–$30 million based on a conservative economic multiplier. With about one-half of the calf crop coming from grazing allotments within the monument, of that total, about $8 million in direct feeder cattle sales and between $12–$15 million in economic activity is tied directly back to cattle grazing on the monument.''

Those ranching dollars create jobs in Utah's rural counties. The money also contributes to local tax revenue and supports vital public services. Eliminating grazing on the monument would have disastrous implications for the local economy.

The poor stewardship of the land presents another risk even beyond its effects on grazing and the local economy. The rangeland on the monument is being mismanaged. Even if the BLM decides to change course overnight and restore grazing to the historic levels that existed before the designation of the monument, the land in its current

state would not be able to sustain it. Over the last 20 years, we have witnessed a worrisome decline in rangeland health. With this decline, livestock carrying capacity has also decreased.

To protect rangeland health, I joined Senator MIKE LEE and Congressman CHRIS STEWART to introduce the Grand Staircase-Escalante National Monument Grazing Protection Act. This bill would direct the BLM to create and implement a management program within the areas of the monument to improve rangeland conditions for wildlife and livestock carrying capacity. It would also restore livestock grazing to the historic levels that existed before the designation. There are many things BLM can and should be doing to restore rangeland health. Improving the range would not only benefit ranchers and affected communities but also bring significant ecological and environmental benefits to the entire area. This legislation will direct the BLM in that effort.

This is a commonsense bill that will restore Utah's rangeland to health. I strongly urge my colleagues to support this legislation.

USA PATRIOT ACT

Mr. HATCH. Mr. President, today I wish to speak on a critical national security issue: the importance of renewing the authority for essential anti-terrorism tools which is set to expire by the time Congress returns to Washington after Memorial Day.

Every single Member of this body remembers where he or she was on September 11, 2001. I was here in the Senate. I remember evacuating the Capitol and the office building. I remember standing on the lawn outside, wondering if a plane was headed toward this very building.

That terrible day gave us a taste of what terrorists want to visit upon our country. We realized that these fanatics would stop at nothing to kill innocent men, women, and children and to bring our country to its knees.

Knowing the threat this country faced, we resolved not to let bureaucratic red tape hinder the ability of our law enforcement and intelligence communities to keep us safe. As the ranking member of the Judiciary Committee, I joined with colleagues of both parties as well as the Bush administration to craft the USA PATRIOT Act, which passed the Senate 98 to 1. The PATRIOT Act and its subsequent reauthorizations have proven critical to our ability to investigate terrorist threats and prevent another mass-casualty attack on the homeland.

Let me make one matter perfectly clear: we continue to face a very serious terrorist threat. The evil that struck us on September 11 has metastasized and continues to present a clear and present danger to the national security of the United States. As the American people's elected representatives, it is our primary duty to keep this country safe. Accordingly, we must continue to provide the necessary tools to the law enforcement and intelligence communities that have helped keep this Nation safe for the past 14 years.

Unfortunately, some of these tools have become quite controversial, despite the repeated showing of strong bipartisan support for them. The collection of telephone metadata under section 215 has drawn particular criticisms and worrisome calls for ''reform.'' I find this development enormously concerning.

Consider what President Obama himself had to say about our need for such a capability:

> The program grew out of a desire to address a gap identified after 9/11. One of the 9/11 hijackers, Khalid al-Mihdhar, made a phone call from San Diego to a known al-Qaeda safe house in Yemen. NSA saw that call, but it could not see that the call was coming from an individual already in the United States. The telephone metadata program under Section 215 was designed to map the communications of terrorists so we could see who they may be in contact with as quickly as possible.

The President was absolutely right. The collection of telephone metadata in bulk facilitates our mapping of terrorist networks and our ability to disrupt terrorist plots. Contrary to the wild fantasies that critics frequently spout, this collection does not meaningfully intrude on our privacy. It does not involve the NSA listening in on anyone's calls. It is simply a very important means of finding a proverbial needle in a haystack. We should reauthorize this authority without delay.

A number of my colleagues have taken a different approach, taking up the cause of the so-called USA FREEDOM Act to ''reform'' our counterterrorism efforts. I find the name of this bill ironic, in the sense that their legislation aims to restore a freedom that was never under threat while sacrificing critical tools that secure our freedom.

For instance, under this legislation, metadata would no longer be collected by the government but instead retained by private communications corporations. While this idea may seem initially appealing, I have strong reservations about such an approach. Their proposal contains no requirement for these companies to maintain this data for any length of time. Without such a requirement, the effectiveness of a search would obviously be compromised.

This is hardly my only concern. Consider also the provision of the so-called FREEDOM Act that would create a body of outside experts to advise the Foreign Intelligence Surveillance Court on the government's warrant applications. Such an unprecedented move would cause serious constitutional concerns and could undermine the adversarial system which is at the core of the judicial branch.

For these and many other reasons, I cannot support the so-called FREEDOM Act. While I would prefer to pass a long-term extension of our current authorities, I will support a short-term extension to facilitate the search for a long-term solution. I urge my colleagues in both Houses to support this effort.

TRIBUTE TO CHARLES E. BULLOCK

Mr. MCCONNELL. Mr. President, I rise to congratulate and pay tribute to an honored Kentuckian, Mr. Charles E. Bullock. Mr. Bullock is a veteran of World War II who enlisted in the Army after the attack on Pearl Harbor on December 7, 1941. But Mr. Bullock was a student at the old Hazel Green High School at the time. He missed his senior year because he was stationed in Europe fighting the Nazis. Mr. Bullock had gone from studying history to making it.

More than 70 years after putting on his country's uniform, Mr. Bullock received his high school diploma at long last from the Laurel County Board of Education at a meeting of that organization. This proud veteran and recipient of the Bronze Star received a warm, heartfelt round of applause from the assembled audience twice—once upon receiving his diploma, and again as he left the room.

I want to congratulate Mr. Bullock, 88, on receiving his diploma, and I thank him for his service to our Nation in uniform. This country owes him a debt that can never be truly repaid, for his valiant fight against the Axis Powers during World War II. It is appropriate as we approach Memorial Day that every American reflect on the freedoms we cherish and that Mr. Bullock fought to defend. I know my colleagues join me when I extend my deepest gratitude and appreciation to Mr. Charles E. Bullock in praise of his service.

An article detailing Mr. Bullock's receipt of his high school diploma appeared in the area newspaper the Sentinel-Echo. I ask unanimous consent that said article be printed in the RECORD following my remarks.

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

WORLD WAR II VETERAN RECEIVES HIGH SCHOOL DIPLOMA—BULLOCK JOINED ARMY IN WAKE OF PEARL HARBOR ATTACK

(By R. Scott Belzer)

Charles E. Bullock, 88, didn't know he would not finish his senior year of high school at Hazel Green in 1942. He also didn't know he would have to wait more than 70 years to receive his high school diploma.

Bullock—a World War II veteran—was honored on Monday at the bi-weekly meeting of

the Laurel County Board of Education with an official Laurel County high school diploma, 73 years after enlistment and deployment cut his high school career short.

''After the attack on December 7, 1941, many young men enlisted in the armed services to soldier on behalf of their country,'' said Dr. Doug Bennett, superintendent of Laurel County Schools. ''Some of the young men were high school students aged 17 or 18 who left their high school studies before graduation in order to enlist. We're pleased to have one of those young men with us this evening.''

Bennett went on to laud Bullock's choice to leave Hazel Green High School to fight in World War II, stating that Bullock chose to be a part of history rather than study it.

''He was called to fight and protect the freedoms we enjoy today,'' Bennett said. ''No longer was he reading about history but became part of making history on the front lines.''

Bennett said that Bullock represented the best and highest ideals of Laurel County and was glad to be a part of his formal recognition.

''I appreciate what you men have done,'' Bullock said. ''They took me out my senior year of Hazel Green High School because I wasn't in my second semester. They took six of us out of the high school and put us in the army. Three months later we were fighting in Belgium, France and Germany.''

Bullock said he stayed in the army until the war was over in 1945. He was awarded a Bronze Star, a medal awarded for acts of heroism, meritorious achievement or meritorious service within a combat zone. The medal, unfortunately, was another thing he had to wait for.

''I never got it when I came out,'' said Bullock. ''The dischargers said 'You can wait and get your medals, it'll only take 15 days,' and I said, 'I'm going home.' About 70 years later I got so mad about some things going on and went before Congressman Hal Rogers and he said he'd help me and he did.''

School board member Joe Schenkenfelder quoted Ronald Reagan in 1983 to end the presentation.

''I've been thinking about this all day and I finally found a quote—so often we don't know why we recognize our veterans or why we send men and women out to fight for our country,'' said Schenkenfelder. ''I thought this was very fitting: 'Freedom is never more than one generation away from extinction. We didn't pass it to our children in the bloodstream. It must be fought for, protected and handed down for them to do the same, or one day we will spend our sunset years telling our children and our children's children what it was once like in the United States where men were free.' ''

RECOGNIZING THE ADVOCATE-MESSENGER

Mr. MCCONNELL. Mr. President, one of my home State's great newspapers, the Advocate-Messenger, is celebrating its 150th anniversary this year, and I want to congratulate the staff and publishers of this venerable institution that is published out of Danville, Ky.

The newspaper that would become the Advocate-Messenger was first published on June 24, 1865, as The Kentucky Advocate. Created by James L. Marrs, it was guided to considerable success by a trio of editors: G.W. Doneghy, W. Vernon Richardson, and W.O. McIntyre. The paper became a daily in 1911 and a member of the Associated Press in 1914.

In the meantime, a local merchant named Hubert McGoodwin founded the Danville Messenger in 1910 as a competitor of the Kentucky Advocate. This paper was purchased in 1918 by J. Curtis Alcock, an experienced editor and publisher, and he guided The Danville Messenger to considerable success in the ensuing decades while also serving as secretary-treasurer of the Kentucky Press Association from 1911 to 1942.

In 1940, the two newspapers merged to become the Advocate-Messenger and published Monday through Friday under that name. The Kentucky Advocate became a Saturday afternoon paper for a decade before switching to a Sunday-only paper in 1950, continuing to this day.

Many able hands have steered the ship of the Advocate-Messenger over the years. Enos Swain, formerly the director of Centre College's public relations, became the Advocate-Messenger's editor in 1944 and served the longest tenure of any editor, 34 years. In 1977 current owner Schurz Communications bought the paper, and Mary Schurz became the editor and publisher in 1978 upon Enos Swain's retirement.

From 2006 to 2014, Scott Schurz, Jr., served as editor and publisher, and in July 2014, Larry Hensley was named president and publisher, posts he continues to fill today. John Nelson is the executive editor.

Under the supervision of Mr. Hensley, the Advocate-Messenger enjoys a healthy circulation throughout south-central Kentucky, with distribution primarily in Boyle, Lincoln, Casey, Mercer, and Garrard counties. Danville benefits from being recognized by Time magazine as one of 10 successful Main Street communities in the country and is the home of Centre College, one of the top liberal arts colleges in the region. I can attest to my colleagues that Danville is a wonderful place, and I believe the Advocate-Messenger truly has its finger on the pulse of the region.

A strong and vigorous free press being vital to the freedoms of our country, I wish to recognize the Advocate-Messenger as a newspaper that takes its dedication to journalism and to serving the people of its community seriously. One hundred and fifty years in publication is quite an accomplishment that few newspapers can claim, and I know my colleagues join me when I say congratulations to the Advocate-Messenger on the occasion of its sesquicentennial and best wishes for many more years of publication to come. And congratulations to the newspaper's president and publisher, Larry Hensley, and its executive editor, John Nelson.

FOREIGN MEDICAL SCHOOL ACCOUNTABILITY FAIRNESS ACT

Mr. DURBIN. Mr. President, this week I was pleased to be joined by my Republican colleague from Louisiana, Senator BILL CASSIDY, to introduce the Foreign Medical School Accountability Fairness Act.

I appreciate Senator CASSIDY's leadership on this issue and his willingness to work across the aisle. We were joined across the Capitol by Representatives MICHAEL BURGESS and ELIJAH CUMMINGS, who introduced a House companion bill today.

This bipartisan, common-sense bill fixes a loophole in Federal law used by for-profit medical schools in the Caribbean to gain access to Federal education dollars without meeting the same requirements as other foreign medical schools.

Under current law, a small number of medical schools—about six, four of which are for-profits—are exempt from meeting the same requirements to qualify for Title IV funding that all other medical schools outside of the U.S. and Canada must meet.

This loophole allows these schools to enroll large percentages of American students—which means access to more federal dollars.

The biggest of these schools are for-profits—St. George's, Ross, and American University of the Caribbean whose enrollments of Americans are 91 percent, 83 percent, and 86 percent respectively. Other schools are prohibited from having U.S. citizens or U.S. permanent residents make up more than 40 percent of enrollment.

These for-profit schools have turned the idea of being a foreign school on its head—they are located outside of the U.S., but have majority-American enrollments.

They don't have to meet the same high standards U.S. medical schools must meet, but also don't have to meet the same requirements as schools located outside of the U.S. to access hundreds of millions of dollars of federal funding. It's a pretty good deal for them.

In fact in 2012, the three schools I mentioned earlier—St. George's and Ross and American University of the Caribbean, both owned by DeVry, took in more than $450 million from the federal government—from American taxpayers. That amounted to more than two-thirds of all Title IV funding that went to all foreign medical schools.

To sum up—three schools, 2/3 of the Federal funding, exempt from the law.

Not only are these three schools exempt from the enrollment requirement, but they don't have to meet a minimum standard of success—having 75 percent of their students pass the U.S. board exams—a requirement for any of its students to actually practice medicine in the United States.

The University of Sydney, with its dozen or so American students, has to

meet this standard in order to receive Title IV dollars. But DeVry's Ross University, with 1,000 or more American students, does not.

It doesn't seem right to the Department of Education, which says there is no rationale for continuing the exemption. And it doesn't seem right to me either.

Especially when you consider what students are getting for this Federal investment—more debt, higher rates of attrition, and lower residency match rates than U.S. medical schools. Translation: More debt and less chance of becoming a doctor.

In September 2013, an article in Bloomberg by Janet Lorin entitled ''DeVry Lures Medical School Rejects as Taxpayers Fund Debt'' shined a bright light on the poor student outcomes of these schools.

It is no secret that for-profit foreign medical schools prey on students who have been rejected by traditional U.S. medical schools. They promise to fulfill the unrequited dreams for students who want to be doctors, but for one reason or another, did not make the cut in the U.S.

On average, scores on the MCAT, the test required to enter medical school, of students attending these offshore for-profit schools are lower than those of students who are admitted to medical schools in the U.S. In 2012, students at U.S. medical schools scored an average of 31 out of 45 on the MCAT while students at DeVry's Ross medical school scored an average of 24.

The attrition rate at U.S. medical schools averaged 3 percent for the class beginning in 2009 while rates at for-profit foreign medical schools can be up to 26 percent or higher. More than a quarter of the students at some of these schools drop out.

On average, students at for-profit medical schools operating outside of the United States and Canada amass more student debt than those at medical schools in the United States. For example, graduates of the American University of the Caribbean have a median of $309,000 in Federal student debt versus $180,000 for graduates of U.S. medical schools.

To add insult to injury, these foreign-trained graduates are on average less competitive candidates for coveted U.S. residency positions. In 2015, residency match rates for foreign-trained graduates averaged 53 percent compared to 94 percent for graduates of medical schools in the United States. They are even less likely to land a residency position the second time around.

According to the Bloomberg article I referenced earlier, one graduate of St. George's University, Michael Uva, amassed almost $400,000 in medical school loans, but failed to land a residency spot twice. Michael was forced to work at a blood donation clinic earning $30 an hour instead. Although he sacrificed years of his life training for it, without completing a residency, he will never get to practice medicine and this $400,000 debt will likely follow him throughout his life.

Congress has failed taxpayers and students by subsidizing these Caribbean schools with billions in Federal dollars for years without adequate accountability and oversight.

This bill takes a first step at addressing that failure—by ensuring these Caribbean schools must meet the same standards other schools outside of the United States and Canada must meet.

This bill should send a message to those schools down in the sunny Caribbean who may have thought they could continue to exploit taxpayers and students without anybody noticing.

It has broad support among the U.S. medical school community—endorsed by medical school deans of more than 60 venerable U.S. medical schools and the American Association of Colleges of Osteopathic Medicine.

I look forward to working with Senator CASSIDY as well as Chairman ALEXANDER and Ranking Member MURRAY to address this issue as the HELP Committee begins consideration of the Higher Education Act.

USA PATRIOT ACT

Mr. GRASSLEY. Mr. President, I wish to explain why I support a short-term reauthorization of the national security authorities that expire on June 1, and why I will not vote for cloture on the latest version of the USA FREEDOM Act at this time. These authorities need to be reauthorized and reformed in a way that appropriately balances national security with the privacy and civil liberties of all Americans. I am hopeful that during the next few weeks we can do a better job of doing just that.

I start with the premise that these are important national security tools that shouldn't be permitted to expire. If that were to happen, there is little doubt that the country would be placed at greater risk of terrorist attack, at a time when we can least afford it. This isn't exaggeration or hyperbole.

We have recently witnessed the emergence of ISIS, a terrorist organization that controls large swaths of Iraq and Syria, including, as of just days ago, the capital of the largest province in Iraq. ISIS is beheading Americans and burning its captives alive for propaganda value. And fueled in part by black market oil sales, ISIS reportedly has at least $2 billion.

The organization isn't just sitting on that money. Members of ISIS and related groups are actively recruiting would-be terrorists from around the world to come to Syria. They are inspiring attacks, often using social media, in the West, from Paris, to Sydney, to Ottawa, and even here in the United States, in places like New York City, Ohio, and Garland, TX. Director Comey has reported that the FBI has investigations of perhaps thousands of people in various stages of radicalization in all 50 States.

So this isn't the time to let these various authorities expire. This isn't the time to terminate the government's ability to conduct electronic surveillance of so-called ''lone wolf'' terrorists—people who are inspired by groups like ISIS but don't have direct contact with them. And this isn't the time to end the government's ability to seek roving wiretaps against terrorists. After all, this is a tool that prosecutors have used in criminal investigations since the mid-1980s.

Most of all, this isn't the time to sunset the government's ability to acquire records from businesses like hotels, car rental agencies, and supply companies, under section 215, in a targeted fashion. These kinds of records are routinely obtained by prosecutors in criminal investigations, though the use of grand jury subpoenas. It makes no sense for the government to be able to collect these records to investigate bank fraud, insider trading and public corruption, but not to help keep the country safe from terrorists.

While we must reauthorize these authorities, however, it is equally important that we reform them. But we don't yet have a reform bill that I am satisfied with.

The American people have made clear that they want the government to stop indiscriminately collecting their telephone metadata in bulk under section 215. They also want more transparency from the government and from the private sector about how section 215 and other national security authorities are being used. They want real reform.

I want to be clear that I emphatically agree with these goals. They can be achieved responsibly, and doing so will restore an important measure of trust in our intelligence community.

I agree with these reforms because the civil liberties implications of the collection of this type of bulk telephone metadata are concerning. This is especially so, given the scope and nature of the metadata collected through this program.

Now, there haven't been any cases of this metadata being intentionally abused for political or other ends. That is good. I recognize that the overwhelming majority of those who work in the intelligence community are law-abiding American heroes to whom we owe a great debt for helping to keep us safe.

But other national security authorities have been abused. Unfortunately, to paraphrase James Madison, all men aren't angels. I've been critical, for example, of the Department of Justice's handling of the so-called LOVEINT

cases uncovered by the NSA's Inspector General.

Given human nature, then, the mere potential for abuse makes the status quo concerning the bulk collection of telephone metadata under section 215 unsustainable, especially when measured against the real yet modest intelligence value the program has provided.

The USA FREEDOM Act would in some ways reauthorize and reform section 215 along these lines. It would end the bulk collection of telephone metadata in 6 months, and transition the program to a system where the phone companies hold the data for targeted searching by the government.

But the bill's serious flaws cause me to believe that we can do better. Let me discuss just a few.

First, while the system to which the bill would transition the program sounds promising, it does not exist at present, and may well not exist in 6 months. Intelligence community leaders don't know for sure how long it will take to build. They don't know for sure how fast it will be able to return search results to the government. They don't know for sure whether the phone companies will voluntarily keep the metadata for later searching by the government.

On this score, then, this bill feels like a leap into the dark when we can least afford it. While we need certainty that the bulk collection of telephone metadata under section 215 will end, we also need more certainty that the new system proposed will work and be effective.

Second, the bill contains reforms to the FISA Court that are unneeded and risky. I am strongly in favor of reforming the court to make clear that it can appoint a traditional amicus, or a friend of the court, to help it get the law right. This is a well understood legal concept.

But this bill goes further—potentially dangerously so. Under certain circumstances, the bill directs the FISA Court to name a panel of outside experts who would, in the words of the New York Times, ''challenge the government's pleadings'' before the court.

Especially when the bill already ends the kind of dragnet intelligence collection under section 215 that affects so many innocent Americans, this is wholly unnecessary. And for this reason, the Administrative Office of the U.S. Courts sent a letter alerting Congress to its concerns that this outside advocate could ''impede the court's work'' by delaying the process and chilling the government's candor.

In addition, this proposed advocate is contrary to our legal traditions, in which judges routinely make similar decisions on an ex parte basis, hearing only from the government. Mobsters don't get a public defender when the government seeks to wiretap their phones. Crooked bankers don't get a public defender when the government seeks a search warrant for their offices. There is no need to give ISIS a public defender when the government seeks to spy on its terrorists to keep the country safe.

Third, the bill also contains language that amends the federal criminal code to implement a series of important and widely-supported treaties aimed at preventing nuclear terrorism and proliferation. However, the bill doesn't authorize the death penalty for nuclear terrorists. Nor does it permit the government to request authorization from a judge to wiretap the telephones of these terrorists or allow those who provide them material support to be prosecuted. These common-sense provisions were requested by both the Bush and Obama Administrations, but for unknown reasons they were omitted from the bill.

In fact, Senator WHITEHOUSE and I have introduced separate legislation, the Nuclear Terrorism Conventions Implementation and Safety of Maritime Navigation Act of 2015, which would implement these treaties with these provisions included.

Recently, I have been heartened that there is a bipartisan group of members of the Judiciary and Intelligence Committees who share these and other concerns. We have been discussing an alternative reform bill that would also end the bulk collection of telephone metadata under section 215. But it would also do a better job of ensuring that our national security is still protected.

So I support a short, temporary reauthorization with the hope that an alternative reform bill can be crafted that addresses the core reform goals of the American people and that appropriately balances national security with the privacy and civil liberties of all Americans. There is work ahead, but it is important that we get this reform right.

USA FREEDOM ACT

Mrs. FEINSTEIN. Mr. President, I rise today to discuss the votes the Senate will soon take relating to three expiring provisions in the Foreign Intelligence Surveillance Act.

I will vote to support the USA FREEDOM Act, the bill passed by the House last week by a vote of 338 to 88, and strongly urge my colleagues to do the same. In my view, this is the only action that we can take right now that will prevent important intelligence authorities from expiring at the end of next week.

Let me describe the situation in a little more detail.

On Monday morning at 12:01 a.m. on June 1, three separate sections of the Foreign Intelligence Surveillance Act, or FISA, will expire. Two of those provisions were first added to FISA in 2001 in the USA PATRIOT Act, shortly after the terrorist attacks of September 11. They are the business records section, also known as section 215, and the roving wiretap provision.

The business records provision was originally intended to allow the government to go to the FISA Court to get an order to be able to obtain a variety of records relevant to an investigation. The authority was, and remains, very important for the FBI.

Since 2006, the business records authority in FISA has also been used by the NSA to get telephone metadata records from telephone companies—the records of the telephone numbers and the time and duration of a call. Metadata does not include the content or the location or names of the individuals on the phone.

The roving wiretap provision allows the government to use surveillance authorities under FISA, pursuant to a court order, against an individual who seeks to evade surveillance by switching communication devices. If a terrorist gets a new cell phone or changes an email address, the government can continue surveillance on that individual under the same probable cause warrant from the FISA court rather than having to go back to the Court for authority to collect information from each new phone number or email address.

The third provision, the so-called ''lone wolf'' provision, was added in 2004 over concern that the intelligence community may not be able to gather information on a known terrorist if it could not demonstrate his membership in a specific terrorist group. Given the threat we face today from individuals inspired by ISIL, for example, that threat is even more real today than it was a decade ago.

These provisions have been reviewed by the Intelligence and the Judiciary Committees for many years and have been subject to enormous public scrutiny.

For more than a year, there has been a strong desire by the American public, supported by the President and by the House of Representatives, to make a basic change in the use of the business records authority. That change is to end the bulk collection of phone records by the NSA and to replace it with a system for the government to get a FISA Court order to be able to obtain a much more specific set of records from the telecommunications providers when there is a ''reasonable, articulable suspicion'' that a phone number is associated with a foreign terrorist group.

The Director of National Intelligence and the Attorney General have written to the Senate to indicate their support for this change, which they state ''preserves essential operational capabilities of the telephone metadata program

and enhances other intelligence capabilities needed to protect our nation and its partners.''

I would also note that the USA FREEDOM Act will allow private companies that receive requests and orders from the government to produce information, at their own discretion, that allows them to be more transparent about those requests and orders from the government. I support this additional transparency and thank the sponsors of the USA FREEDOM legislation for including it.

I have spoken to a number of technology companies, including several founded and based in California, that believe that transparency is not only good policy but that it will help them show publicly that their products and services are secure and independent from government control.

So the choice before the Senate today is a clear one: whether to vote for the only sure way to continue the use of important intelligence authorities in a way that has the support of the American people, the President, the intelligence community, and the Department of Justice or to hope that the authorities will be renewed for 2 months despite clear communications from the House that it will not support such an extension.

FBI Director Comey said earlier this week that the expiration of the business records and roving wiretap authorities would be a ''huge problem,'' and I believe him.

Given the wide range of threats facing Americans, both at home and abroad—particularly from ISIL and Al Qaeda—we should not allow these valuable authorities to expire.

To me, this is an easy choice, and I will support the USA FREEDOM Act.

Mr. BROWN. Mr. President, I ask unanimous consent to engage in a colloquy with Senator CORNYN and Senator LEAHY, ranking member of the Judiciary Committee, regarding important aspects of S. 337, the FOIA Improvement Act of 2015, that could affect the essential work of our financial regulators.

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

FOIA IMPROVEMENT ACT OF 2015

Mr. BROWN. I recognize the principles of this legislation, which seeks to increase government transparency, but as the ranking member of the Senate Banking Committee, I also recognize the need for regulatory agencies to thoroughly fulfill their oversight and supervisory responsibilities over our Nation's financial institutions and the health and welfare of our financial system. The financial regulatory agencies are responsible for ensuring the safety and soundness of the financial system, compliance with Federal consumer financial law, and promoting fair, orderly, and efficient financial markets. Effective regulation requires that financial regulators have full access to information from regulated entities, and regulated entities should be confident that regulators will be able to protect an entity's confidential information from disclosure. Congress provided for this important exchange of information in the Freedom of Information Act, FOIA, by protecting supervisory information specifically in 5 U.S.C. §552(b)(8), commonly referred to as exemption 8, and more generally in other exemptions. Accordingly, I appreciate that S. 337 does not intend to limit the scope of the protections under exemption 8, or other exemptions relevant to financial regulators; nor does the bill intend to require release of confidential information about individuals, or information that a financial institution may have, the release of which could compromise the stability of the financial institution or the financial system, or undermine regulators' consumer protection efforts. Because the release of confidential or sensitive information relating to the supervision of regulated entities could cause harm to such entities, their customers, or the financial system, a financial regulatory agency could reasonably foresee that disclosure of such information requested under FOIA may harm an interest protected by exemption 8. This is precisely why Congress continues to provide these statutory exemptions.

Mr. LEAHY. I thank Senator BROWN for his interest and support for this legislation. I agree that the safety and soundness of our financial system and financial institutions depends on our financial regulators' ability to perform effective oversight and supervision of financial institutions. I also agree that the free flow of information between regulators and financial institutions is important to this process. Exemption 8 was intended by Congress, and has been interpreted by the courts, to be very broadly construed to ensure the security of financial institutions and to safeguard the relationship between financial institutions and their supervising agencies. The proposed amendments to FOIA are not intended to undermine the broad protection in exemption 8 or to undermine the integrity of the supervisory examination process. In addition, I note that some information that the government may withhold under exemption 8 is also protected under exemption 4, which exempts from disclosure commercial and financial information that is privileged or confidential. Exemption 4 covers information prohibited from disclosure under the Trade Secrets Act and similar laws, and as such does not provide for discretionary disclosure under FOIA. As with other exemptions that are based on separate legal restrictions, it is understood that the foreseeable harm standard will not apply to most of the information falling under exemption 4. I will continue to work with the banking committee and financial regulatory agencies to clarify the scope of the bill as we move forward in the legislative process and address any remaining concerns.

Mr. CORNYN. I, too, thank Senator BROWN for his remarks and for his interest and support for this legislation. I agree with Senator LEAHY that the important goals of this bill are not intended to impede regulatory agencies' oversight and supervisory responsibilities, nor are they meant to hinder communication between financial regulators and the institutions that they regulate. I agree that it is important to ensure that our financial regulators are able to do the work required to maintain the safety and soundness of our financial system. I will also work with the chair and ranking member of the banking committee and the financial regulatory agencies to address any remaining concerns on this issue as we advance this very important piece of legislation.

Mr. BROWN. I thank Senator CORNYN and Senator LEAHY for their work on this important legislation and for working with me to clarify the scope of this bill. I hope Senator CORNYN and Senator LEAHY continue to work on these issues with the financial regulatory agencies, including if the bill is considered in any conference with the House of Representatives, to ensure that this new standard will not undermine the broad protections currently afforded to confidential supervisory information and in turn undermine the cooperative relationship between regulators and their supervised institutions.

RECOGNIZING THE LEGACY OF THE HUI PANALAAU COLONISTS

Mr. SCHATZ. Mr. President, I am deeply honored to represent Hawaii—my home State is second to none when it comes to patriotism, public service, and personal sacrifice.

I thank the Senate for so swiftly passing S. Res. 109, a resolution I authored to acknowledge the deeds of 130 brave young men from Hawaii who answered the call to serve our country at a perilous time in our Nation's history.

Passage of this resolution commemorates the 80th anniversary of the landing of the first Native Hawaiian colonists on remote equatorial islands in the Pacific. It also marks the 79th year since President Franklin D. Roosevelt issued an Executive order to proclaim the islands of Jarvis, Howland, and Baker under the jurisdiction of the United States.

This was a 7-year colonization effort from 1935 to 1942 to secure and maintain the islands under the jurisdiction of the United States. The vast majority

of the 130 individuals involved in colonization efforts were Native Hawaiian—many recent high school graduates of the Kamehameha Schools. Later colonists included those of Asian ancestry and recent graduates from high schools across Hawaii.

These young men left their homes and families to be transported to barren equatorial islands, and were then largely left to fend for themselves and each other. They caught fish, constructed rudimentary lodgings, and throughout the years demonstrated great courage and self-reliance. What started as a dual purpose commercial and military venture, however, quickly evolved into a wartime strategy to extend American jurisdiction into the equatorial Pacific, establish radio communications and monitoring outposts, and prevent further Japanese encroachment in the region.

Three young men lost their lives and others sustained permanent injuries during their service. Jarvis, Howland, and Baker were distant from each other and located hundreds of miles away from any major landmass. One colonist died due to the lack of access to medical treatment. Two others were killed on December 8, 1941, when the islands came under attack by Japanese submarine and military aircraft.

The islands were targeted by the Japanese military numerous times. The U.S. Navy, consumed by the bombing of Pearl Harbor and official entry into World War II, could not rescue the surviving colonists until 2 months after the initial onslaught of Japanese military attacks.

Upon their arrival home, the colonists shared little about their experiences or the hardships they endured on those remote equatorial islands. They returned to Hawaii to enlist in the U.S. military, join the civilian workforce, pursue higher education, raise families, serve their communities, and live out their days in relative anonymity. In 1956, participants of the colonization project established an organization in Hawaii called Hui Panalaau, in part to preserve ''the fellowship of the group'' and ''to honor and esteem those who died as colonists.'' Still, few outside of that group were even aware that colonists had served on equatorial islands in the Pacific in the years before and during the advent of World War II.

A chance discovery of first source documents found in the possession of the Bernice Pauahi Bishop Museum, including handwritten journals and logs of colonists, led to an exhibition in 2002 and later the release of a documentary in 2012, based in part on those discoveries and supplemented with the personal recollections of a number of surviving colonists. This film introduced the subject to many in Hawaii. People in our State and across the Nation learned about a significant but previously unknown part of our history.

Last year, President Obama signed an Executive order expanding the Pacific Remote Islands Marine National Monument to include Jarvis, Howland, and Baker, and I worked to ensure that his proclamation cited the ''notable bravery and sacrifice by a small number of voluntary Hawaiian colonists, known as Hui Panalaau, who occupied the islands from 1935 to 1942 to help secure the U.S. territorial claim over the islands.''

And now the Senate has taken the formal action to extend our Nation's deep appreciation to the Hui Panalaau colonists as well as condolences to the families of the three men that lost their lives in service of their country. It is my hope that the story of the Hui Panalaau colonists will be shared even more widely in Hawaii. It is also my sincere hope that the sacrifices and valor of the 130 sons of Hawaii will be understood in the context of the broader geopolitical strategy of World War II and that their deeds will be more fully understood and appreciated by Americans across the Nation.

I would like to thank the chairman and ranking member of the Judiciary Committee and the majority and minority leaders of the Senate for their support of this resolution, and their efforts to expedite committee consideration and floor passage.

I also want to thank the entire Hawaii congressional delegation—Senator HIRONO, Representative TAKAI, and Representative GABBARD—for supporting this coordinated effort.

The fact that the Senate chose to recognize the legacy of the Hui Panalaau colonists today, during the month of May—Asian American and Pacific Islander Heritage Month—holds great significance. May is a time of year we celebrate the vibrant diversity and rich heritage of Asian Americans, Native Hawaiians, and Pacific Islanders and reflect on their contributions to our Nation's progress, and their prospective role in America's continuing promise.

ADDITIONAL STATEMENTS

REMEMBERING GEORGE HALEY

● Mr. ALEXANDER. Mr. President, I come to the floor to honor the life of George Haley, a distinguished Tennessean and distinguished American who died at the age of 89 on May 13.

President Clinton appointed George as Ambassador to Gambia, the country from which George's ninth generation grandfather, Kunta Kinte, was captured and brought to Annapolis, MD in the hold of a slave ship. George's brother, Alex, wrote the Pulitzer Prize-winning book, ''Roots,'' about the Haley family history.

Simon P. Haley, the father of George and Alex, was ''wasted'' when he was growing up. This meant, as Alex told the story, that Simon was allowed to continue his education, ''wasting'' the opportunity for him to work in the cotton fields. Alex wrote the story of Simon P. Haley in the Reader's Digest article, ''The Man on the Train,'' telling how his father had become the first black graduate of Cornell's agriculture college, and then came to Jackson, TN to teach at Lane College.

It was in the small West Tennessee town of Henning where Alex would sit by the front porch steps in the summer listening to his grandmother and great aunts tell the stories of Kunta Kinte that eventually became ''Roots.''

George Haley, after serving in the Air Force, entered The University of Arkansas Law School in 1949, where he was required to live and study in a cramped basement to separate him from the white students. ''It was reminiscent of a slave in the hold of a ship,'' he once said, ''I was the Kunta Kinte of the law school.'' He stuck it out, graduating as a member of the law review. Alex wrote about him as well in the Reader's Digest, ''The Man Who Wouldn't Quit.'' George had a remarkable and diverse career serving as a Republican state senator in Kansas and then between 1969 and his death, serving in the administration of Presidents Nixon, Ford, Carter, Reagan, George H.W. Bush, Clinton and George W. Bush.

I first met George when I was governor of Tennessee during the 1980s. He introduced me to Alex, who became one of our family's closest friends. Few men or women have shown the intelligence, courage and sense of public responsibility during their lifetimes that George Haley demonstrated. He was a kind man and a good friend. Honey and I offer our sympathies to his wife Doris and to other members of the Haley family. When remembering the life of George Haley, it is easy to do what his brother Alex always advised, ''Find the Good and Praise It.''

I ask unanimous consent to have printed in the RECORD ''The Man on the Train'' and ''The Man Who Wouldn't Quit,'' by Alex Haley.

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

[From the Reader's Digest, Feb. 1991]

THE MAN ON THE TRAIN

(By Alex Haley)

Though some people may attempt to live life from a purely selfish, self-centered perspective, it is in giving of ourselves to others that we find our greatest sense of meaning. And so, as we search for meaning, one of the best places to look is outward—toward others—using the principle of charity.

Too often the meaning of charity is reduced to the act of giving alms or donating sums of money to those who are economically disadvantaged. But charity in its purest forms involves so much more.

It includes the giving of our hearts, our minds, and our talents in ways that enrich

the lives of all people—regardless of whether they are poor or rich. Charity is selflessness. It is love in work clothes.

Alex Haley's father, Simon Alexander Haley, worked his way through college and graduate school as a Pullman porter until he met The Man On The Train. Always, Haley seems to be telling us, opportunity awaits those who are prepared.

A poignant example is found in the story of The Man On The Train. Recalled by distinguished and Pulitzer Prize-winning author Alex Haley, it is the true story of a man Alex never met, but one to whom he came to give great honor and credit.

In addition, Haley also shares why he broke down in tears when he first visited the offices of a famous newspaper. As you read his account, resist the temptation to reduce the story to that of a kind man offering a handout.

Whenever my brothers, sister and I get together we inevitably talk about Dad. We all owe our success in life to him—and to a mysterious man he met one night on a train. Our father, Simon Alexander Haley, was born in 1892 and reared in the small farming town of Savannah, Tennessee. He was the eighth child of Alec Haley—a tough-willed former slave and part-time sharecropper—and of a woman named Queen.

Although sensitive and emotional, my grandmother could be tough-willed herself, especially when it came to her children. One of her ambitions was that my father be educated.

Back then in Savannah a boy was considered ''wasted'' if he remained in school after he was big enough to do farm work. So when my father reached the sixth grade, Queen began massaging grandfather's ego.

''Since we have eight children,'' she would argue, ''wouldn't it be prestigious if we deliberately wasted one and got him educated?'' After many arguments, Grandfather let Dad finish the eighth grade. Still, he had to work in the fields after school.

But Queen was not satisfied. As eighth grade ended, she began planting seeds, saying Grandfather's image would reach new heights if their son went to high school.

Her barrage worked. Stern old Alec Haley handed my father five hard-earned ten-dollar bills, told him never to ask for more and sent him off to high school. Traveling first by mule cart and then by train—the first train he had ever seen—Dad finally alighted in Jackson, Tennessee, where he enrolled in the preparatory department of Lane College. The black Methodist school offered courses up through junior college.

Dad's $50 was soon used up, and to continue in school, he worked as a waiter, a handyman and a helper at a school for wayward boys. And when winter came, he'd arise at 4 a.m., go into prosperous white families' homes and make fires so the residents would awaken in comfort. Poor Simon became something of a campus joke with his one pair of pants and shoes, and his droopy eyes. Often he was found asleep with a textbook fallen into his lap.

The constant struggle to earn money took its toll. Dad's grades began to founder. But he pushed onward and completed senior high. Next he enrolled in A & T College in Greensboro, North Carolina, a land-grant school where he struggled through freshman and sophomore years. One bleak afternoon at the close of his second year, Dad was called into a teacher's office and told that he'd failed a course—one that required a textbook he'd been too poor to buy.

A ponderous sense of defeat descended upon him. For years he'd given his utmost, and now he felt he had accomplished nothing. Maybe he should return home to his original destiny of sharecropping.

But days later, a letter came from the Pullman Company saying he was one of 24 black college men selected from hundreds of applicants to be summertime sleeping-car porters. Dad was ecstatic. Here was a chance! He eagerly reported for duty and was assigned a Buffalo-to-Pittsburgh train.

The train was racketing along one morning about 2 a.m. when the porter's buzzer sounded. Dad sprang up, jerked on his white jacket, and made his way to the passenger berths. There, a distinguished-looking man said he and his wife were having trouble sleeping, and they both wanted glasses of warm milk. Dad brought milk and napkins on a silver tray. The man handed one glass through the lower-berth curtains to his wife and, sipping from his own glass, began to engage Dad in conversation.

Pullman Company rules strictly prohibited any conversation beyond ''Yes, sir'' or ''No, ma'am,'' but this passenger kept asking questions. He even followed Dad back into the porter's cubicle.

''Where are you from?''

''Savannah, Tennessee, sir.''

''You speak quite well.''

''Thank you, sir.''

''What work did you do before this?''

''I'm a student at A & T College in Greensboro, sir.'' Dad felt no need to add that he was considering returning home to sharecrop.

The man looked at him keenly, finally wished him well and returned to his bunk.

The next morning, the train reached Pittsburgh. At a time when 50 cents was a good tip, the man gave five dollars to Simon Haley, who was profusely grateful. All summer, he had been saving every tip he received, and when the job finally ended, he had accumulated enough to buy his own mule and plow. But he realized his savings could also pay for one full semester at A & T without his having to work a single odd job.

Dad decided he deserved at least one semester free of outside work. Only that way would he know what grades he could truly achieve.

He returned to Greensboro. But no sooner did he arrive on campus than he was summoned by the college president. Dad was full of apprehension as he seated himself before the great man. ''I have a letter here, Simon,'' the president said.

''Yes, sir.''

''You were a porter for Pullman this summer?''

''Yes, sir.''

''Did you meet a certain man one night and bring him warm milk?''

''Yes, sir.''

''Well, his name is Mr. R.S.M. Boyce, and he's a retired executive of the Curtis Publishing Company, which publishes The Saturday Evening Post. He has donated $500 for your board, tuition and books for the entire school year.''

My father was astonished.

The surprise grant not only enabled dad to finish A & T, but to graduate first in his class. And the achievement earned him a full scholarship to Cornell University in Ithaca, New York.

In 1920, Dad, then a newlywed, moved to Ithaca with his bride, Bertha. He entered Cornell to pursue his master's degree, and my mother enrolled at the Ithaca Conservatory of Music to study piano. I was born the following year.

One day decades later, editors of The Saturday Evening Post invited me to their editorial offices in New York to discuss the condensation of my first book, The Autobiography of Malcolm X. I was so proud, so happy, to be sitting in those wood-paneled offices on Lexington Avenue. Suddenly I remembered Mr. Boyce, and how it was his generosity that enabled me to be there amid those editors, as a writer. And then I began to cry. I just couldn't help it.

We children of Simon Haley often reflect on Mr. Boyce and his investment in a less fortunate human being. By the ripple effect of his generosity, we also benefited. Instead of being raised on a sharecrop farm, we grew up in a home with educated parents, shelves full of books, and with pride in ourselves, My brother George is chairman of the U.S. Postal Rate Commission; Julius is an architect, Lois a music teacher; and I'm a writer.

Mr. R.S.M. Boyce dropped like a blessing into my father's life. What some may see as a chance encounter, I see as the working of a mysterious power for good.

And I believe that each person blessed with success has an obligation to return part of that blessing. We must all live and act like the man on the train.

THE MAN WHO WOULDN'T QUIT

(By Alex Haley)

In low tones, the dean was explaining to a prospective law student the conduct expected of him. ''We have fixed up a room in the basement for you to stay in between classes. You are not to wander about the campus. Books will be sent down to you from the law library. Bring sandwiches and eat lunch in your room. Always enter and leave the university by the back route I have traced on this map.''

The dean felt no hostility toward this young man; along with the majority of the faculty and the trustees, he had approved the admission of 24-year-old George Haley to the University of Arkansas School of Law. But it was 1949, and this young Army Air Forces veteran was a Negro. The dean stressed that the key to avoiding violence in this Southern school was maximum isolation.

George was dismayed at the pattern of life laid out for him. He might have entered Harvard Law School, where he would not have had to live the life of a pariah. Yet he had chosen this! A letter from his father had determined him. During his last semester at Morehouse College in Atlanta, he had opened the letter to read: ''Segregation won't end until we open beachheads wherever it exists. The governor of Arkansas and educational officials have decided upon a quiet tryout of university integration. You have the needed scholastic record and temperament, and I understand that Arkansas has one of the South's best law schools. I can arrange your admission if you accept this challenge.''

George had great love and respect for his father, a college professor and pioneer in Negro education. He accepted the challenge.

The first day of school, he went quickly to his basement room, put his sandwich on the table, and started upstairs for class. He found himself moving through wave upon wave of white faces that all mirrored the same emotions—shock, disbelief, then choking, inarticulate rage. The lecture room was buzzing with conversation, but as he stepped through the door there was silence. He looked for his seat. It was on the side between the other students and the instructor. When the lecture began, he tried desperately to concentrate on what the professor was saying, but the hate in that room seeped into his conscience and obliterated thought.

On the second day, he was greeted with open taunts and threats: ''You, nigger, what are you doing here?'' ''Hey, nigger, go back to Africa.'' He tried not to hear; to walk with an even pace, with dignity.

The students devised new ways to harass him. Mornings when he came to his basement room, he found obscene and threatening notes shoved under the door. The trips from the campus back to his rented room in town became a test of nerve. One afternoon, at an intersection, a car full of students slowed down and waved him across. But the moment he stepped in front of the car they gunned the engine, making him scramble back and fall to his hands and knees in the gutter. As the car sped away he heard mocking laughter and the shouted taunt, ''Hey, missing link, why don't you walk on your hind legs?''

His basement room was near the editorial offices of the Law Review, a publication written and edited by 12 top honor students of the senior class. He had heard of their bitterness that he had to share their toilet. One afternoon his door flew open, and he whirled around to catch in the face a paper bag of urine. After this incident, he was offered a key to the faculty toilet; he refused it. Instead, he denied himself liquids during the day and used no toilet.

He began to worry that his passive acceptance of degrading treatment might be destroying him, killing something of his manhood. Wouldn't it be better for him to hate back, to fight back? He took his problems to his father and brother in long, agonized letters. His father answered, ''Always remember that they act the way they do out of fear. They are afraid that your presence at the university will somehow hurt it, and thus their own education and chance in life. Be patient with them. Give them a chance to know you and to understand that you are no threat.''

The day after this letter arrived, George found a noose dangling in the basement room.

His brother wrote, ''I know it is hard, but try to remember that all our people are with you in thought and prayer.'' George read this with a wry smile. He wondered what his brother would say if he knew how the town Negroes uneasily avoided him. They knew he walked the thin edge of violence, and they didn't want to be near if an explosion occurred. Only a few gave him encouragement. A church deacon proffered a rumpled dollar bill to help with expenses, saying, ''I work nights, son. Walkin' home I see your studyin' light.''

Despite his ''studyin' light,'' George barely passed the first semester exams. His trouble was that in class he couldn't really think; all his nerve endings were alert to the hate that surrounded him. So the second semester, using a semi-shorthand he had learned in the Army Air Forces, George laboriously recorded every word his professors said. Then at night he blotted out the day's harassments and studied the lectures until he could almost recite them.

By the end of the year George had lost over 28 pounds, and he went into the examinations exhausted, both physically and emotionally. Somehow he finished them without collapsing, but he had flunked, he thought. He had done his best, and now he could honorably leave. Some other Negro would have to do what he failed to do, some other man stronger and smarter.

The afternoon the marks were due, he went to his basement room, dropped into the chair, and put his head on the table. There was a knock on his door and he called, ''Come in!'' He could hardly believe what he saw. Into the room filed four of his classmates, smiling at him. One said, ''The marks were just posted and you made the highest A. We thought you'd want to know.'' Then, embarrassed, they backed out of the room.

For a moment he was stunned, but then a turmoil of emotion flooded through him. Mostly he felt relief that he didn't have to report failure to his father and friends.

When George Haley returned for his next semester at Arkansas, there was a sharp decrease in the hate mail under his door, and there was grudging respect for his scholastic accomplishments. But still, wherever he went, eyes looked at him as if he were a creature from a zoo.

One day a letter arrived: ''We are having a 'Race-Relations Sunday' and would enjoy having you join our discussion.'' It was signed by the secretary of the Westminster Presbyterian Student Foundation. His first reaction was anger. They wanted to discuss, did they? Where had all these do-gooders been all the time he'd been going through hell? Bitterly he tore up the invitation and threw it in the wastebasket. But that night he tossed restlessly. At last he got out of bed and wrote an acceptance.

At the church, he was met by a group of young men and women. There were the too-hasty handclasps and the too-bright smiles. At last the chairman stood up to introduce George. He said, ''We hope that Mr. Haley will tell us what we can do as a Christian body.''

George got to his feet and moved stonily to the podium. Those introductory words released something of a maelstrom of emotions. He forgot his carefully prepared speech. ''What can you do?'' he blurted out. ''You can speak to me!''

Suddenly, all that had been dammed up came pouring out. He told them what it was like to be treated like an enemy in your own country; what it did to the spirit to be hounded for no crime save that of skin color; what it did to the soul to begin to believe that Christ's teachings had no validity in this world. ''I've begun to hate,'' he confessed. ''I've drawn on every spiritual resource I have to fight off this hatred, but I'm failing.'' His eyes flooded with tears of anger, then of shame. He groped for his chair.

The silence vanished in a roar of applause and cheers. When the chairman's gavel finally restored order, George was unanimously voted a member of the group. Thereafter he spent a part of each weekend at Westminster House, enjoying the simple pleasure of human companionship.

A slight thaw also began to take place at the university. George's classmates gingerly began moments of shoptalk with him, discussing cases. One day he overheard a group discussing a legal point, and one of them said, ''Let's go down and ask Haley in the Noose Room.'' He knew only a moment of indignation—then he smiled! It was an important change.

Toward the end of his second year a senior asked him, with elaborate casualness, why he didn't write some articles for the Law Review. It was traditional that only the best students received such invitations, and he felt himself flushing with pride.

It was only after he returned to school for the third and final year that he decided to go to the cafeteria. He didn't really want to go. In this last year he longed to relax, to let down his guard. But he was in this school for more than an education.

He went and stood in the cafeteria line. The other students moved away from him in both directions so that he moved in his own private air space. His tray was almost loaded when three hulking students ahead shouted, ''Want to eat with us, nigger?''

They jostled him, knocking his tray to the floor with a clatter of breaking dishes. As George stooped to retrieve it, his eyes blazed up at his tormentors and for the first time he shouted back. ''You're adults!'' he said. ''Grow up!'' They shrank from him in mock terror.

Shaking, George replaced the dumped food and made his way over to a vacant table. He bent his head over the crockery. Suddenly, a balding student stopped beside him with his tray and drawled, ''My name is Miller Williams. Mind if I sit here?'' George nodded. Now the two of them were the center of all eyes. Now the taunts were directed at the white student, the words ''nigger lover.''

Miller Williams was hardly that. ''I was born in Hoxie, Arkansas,'' he said, ''and I have spent all my life in the South. But what's happening here just isn't right, and I'm taking my stand with you.''

Later that day, Williams brought several students to George's room for a bull session, and they laid it on the line. ''Don't all you niggers carry knives?'' George emptied his pockets, no knife. ''How often do you bathe?'' Every day, George told him. ''Don't most of you lust after white girls?'' George showed him snapshots of a pretty Negro girl he was dating in his hometown.

Following this session, he wrote his brother: ''Improving race relations is at least 50 percent a matter of simple communication. Now that I'm able to talk to a few whites, I realize what terrible beliefs cause that prejudice. I can see the emotional struggle they are going through just to see me as an equal human being.''

Increasingly the last year became a time of triumph, not only for George but for white students who were able to discard their own preconceptions. When a student sidled up to him and said, ''I wrote you a letter I'm sorry for,'' George stuck out his hand and the student shook it. When another silently offered him a cigarette, George, who didn't smoke, puffed away, knowing it was far more than a gesture.

He was named to the Law Review staff, and his writing won an award from the Arkansas Law Review Corp. His winning paper represented the university in a national competition. The faculty chose him as a moot-court defense attorney, and his Law Review colleagues picked him as comments editor—the man entrusted with the selection of articles to print.

School was drawing to a close, and he felt a deep satisfaction in having accomplished most of his goals. But then the old specter rose again. Each year, distinguished alumni returned for a faculty banquet to salute the Law Review staff. With a sinking feeling, George dreaded what would happen. And that evening when George entered the hotel banquet hall, the reaction was just what he feared. The moment the alumni saw him, a pall fell on the room.

George felt sick. The food passed his lips untasted. It came time for speeches. The law school dean, Robert A. Leflar, welcomed the alumni and introduced the student editors, one at a time. There seemed an eternity of names, and George felt a frozen smile on his face.

Dean Leflar said, ''The next young man demands, and receives, as much if not more respect than any other person in our law school.''

Eleven chairs scraped back, and 11 men stood up. They were the Law Review editors,

and they were looking at George and applauding vigorously. Then the faculty stood up and added cheers to the applause. Finally the old grads got up, the judges, lawyers and politicians from the Deep South, and the ovation became thunderous. ''Speech! Speech!'' they shouted. George Haley pushed himself to his feet. He could say no word for he was unashamedly crying. But that was kind of a speech too.

Today, ten years later, George is a respected lawyer in Kansas City, Kansas. He has been deputy city attorney since 1955. He is a steward in his church, has helped found a number of Negro business firms, and is vice president of the state Young Republicans.

Dozens of old schoolmates are now George's close friends, but perhaps the most touching acceptance of him as a man came a few years ago when he received a telephone call from Miller Williams, who had sat with him in the cafeteria. Williams, now an instructor of English at Louisiana State University, called to announce the birth of a daughter. ''Lucy and I were wondering,'' he said, ''whether you'd care to be her godfather?''

This simple request made forever real the love and respect between two people. George knew that the long struggle and pain had been worthwhile. He knew, too, that his father had been right in saying, ''Be patient with them. Give them a chance to know you.''

I know it too. For I am George's brother.●

CONGRATULATING SAINT ANSELM COLLEGE ON ITS 125TH ANNIVERSARY

● Ms. AYOTTE. Mr. President, today I honor a great institution of higher education in my home State of New Hampshire. This year Saint Anselm College will celebrate the 125th anniversary of its founding, and I am proud to recognize this historic event.

Founded in 1889 by Abbot Hilary Pfrangle, a member of the order of Saint Benedict, the world's oldest religious order, the college's mission is built on the credo of ''faith seeking understanding''—the guiding principle of its namesake, Saint Anselm of Canterbury.

Located in Goffstown, the college's picturesque campus is a perfect showcase for all the natural beauty New Hampshire has to offer. Since its inception, Saint Anselm has continued in the proud tradition of a strong Catholic education, which has prepared nurses, police chiefs, scientists, and politicians for successful careers for over a century. The student body continues to be comprised of highly motivated and gifted learners who are committed to achieving a diverse and challenging liberal arts education and are dedicated and enlightened members of the community.

The college is also home to the New Hampshire Institute of Politics and Political Library. As we prepare to celebrate the 100th anniversary of New Hampshire's first-in-the-Nation presidential primary, it is fitting that we also mark St. Anselm's longstanding tradition of fostering citizenship, engagement, and public service. Through the work of the institute, students have a front row seat to the political process. New Hampshire's well-deserved reputation as a proving ground for Presidential hopefuls is due in large part to the hard work of institutions like Saint Anselm that encourage students to be active and inquisitive and provide forums for the community at large to participate in government.

Saint Anselm has also fostered a long history of service. Named one of the country's ''Colleges with a Conscience'' by The Princeton Review, Saint Anselm students, faculty, and staff log more than 16,000 community service hours yearly. The school actively encourages its students to participate in service, both as a way to honor their faith and help those in need. Each year, over 200 students forego traditional spring-break activities to engage in service trips. From Costa Rica to Orland, ME, Anselmians spend their time and energy building homes, volunteering in schools, and serving at soup kitchens.

For over 100 years, Saint Anselm College's continued success has been driven by its clarity of vision and the hard work and dedication of its students, alumni, parents, and talented faculty and staff who share a sense of family and community.

I congratulate Saint Anselm College on 125 years of excellence in education, and wish the entire college community best of luck on 125 more years of providing high-quality education in the Granite State.●

RECOGNIZING AMARI WILLIAM

● Mr. GRAHAM. Mr. President, I ask my fellow colleagues to join me in recognizing Mr. Amari Williams, a student from Camden Middle School in South Carolina, and his essay titled What Does Freedom Mean to My Family?

I ask that the essay be printed in the RECORD. The essay follows.

WHAT DOES FREEDOM MEAN TO MY FAMILY?

Freedom has many meanings. For my family, freedom is living without fear and restrictions. Being fearless gives courage to make decisions that are not liked by everyone, but will help everyone. With no boundaries, help can be given to the less fortunate, those in bondage, and those in need of some other assistance. Each day, my family practices freedom by living in a neighborhood where we can fellowship with others no matter what they look like, how they sound, or what they believe. My parents work to make a difference in the world for my sister and me. My sister and I are able to go to school and learn so that one day we can help change the world. Freedom allow my family to worship God, be thankful for life, seek medical attention that helped save my life, and to be kind and patient with others.

My family understands that freedom does not come without a cost. Bravery is an important part of freedom. For freedom to be achieved, men and women put their lives and personal freedom at risk each day. Many of my family members have served in the military and fought for this freedom. Facing dangerous situations to help stop those who try to take away the freedom and liberty of others, make the freedom we have more special. As I have lived and began to learn more about freedom, I know that no matter what someone does to me, my family, or country, I can still have freedom in my heart. For my family, freedom starts from within and goes outward. No one can take our freedom away. Each day it is important to try and help others get that same freedom.●

REMEMBERING FRED CURLS

● Mrs. MCCASKILL. Mr. President, I ask the Senate to join me today in honoring the life and achievements of Fred Curls, who passed away on May 15, 2015. Fred was a dear friend and fought tirelessly to promote political and economic empowerment for African Americans. Fred was one of a kind, and will be remembered as a man committed to improving the lives of others and his community.

Fred was born in Kansas City, KS and grew up in both Kansas City and Norwata, OK. He was a member of the first class of graduates from Lincoln High School in Kansas City. In 1952, Fred began a career in real estate and opened his own business, Curls & Associates in 1954. He became the first African-American licensed real estate appraiser in Kansas City.

Based on his own experiences with discrimination in the workplace, Fred wanted something better for himself and his children. He became a pioneer for civil and political rights and was the last surviving founder of Freedom, Inc., one of the oldest and most active political organizations in the country. In 1962, he and four other influential leaders in Kansas City founded the organization with the belief that the primary way to get equal treatment was through the ballot box and the inception of a political party. The group helped give African Americans in Kansas City and throughout Missouri political power and strength by registering voters, backing civil rights efforts, and elevating candidates to elected office at the local, State and Federal level.

Throughout his life, Fred received numerous awards and commendations. He most recently received the Legacy Award from Jackson County and was inducted into the Missouri Walk of Fame. Several of Fred's own children and grandchildren have been involved in State and local politics including his late son Phil, who was a Missouri State senator, his daughter-in-law Melba who is a councilwoman in Kansas City, and his granddaughter Kiki, who is a Missouri State senator.

Fred had seven children over two marriages to Velma Wagner Curls and Bernice Curls Church. Three of his children preceded him in death. Millicent Curls Sillimon, Garland Michael Curls, and Senator Phillip Burnell Curls. He

is survived by his children Janice Curls Parker, Darwin Lenard Curls, Dr. Karen Elaine Curls, Darrell Dwain Curls, 22 grandchildren, 32 great-grandchildren and 4 great-great grandchildren.

To countless residents of my State and across the country, Fred Curls is a hero. He witnessed first-hand the harsh consequences of racial inequality and chose to devote his life to ending that injustice. Fred is an inspiration to so many Americans, across all racial lines, and to me personally. Because of leaders like him, who fought and sacrificed but ultimately believed in our country's ability to empathize and change, we are all better off and our lives more enriched. Fred left an indelible and permanent mark on Kansas City and will be fondly remembered and dearly missed. Fred's life and commitment to empower black voters serves as an inspiration to me and to all Missourians.

I ask that the Senate join me in honoring the life and legacy of Fred Curls.●

CELEBRATING GREEK-AMERICAN CULTURE

● Mr. MENENDEZ. Mr. President, I extend my congratulations to the National Herald for 100 years of respected journalism celebrating Greek-American culture and chronicling every minute of it, bringing vital news and analysis on issues of concern to the Greek-American community.

Socrates said, ''There is only one good, knowledge, and one evil, ignorance.'' For the last 100 years, the National Herald has provided the ''one good'' and has proudly reflected the fundamental democratic principles that have become Greece's gift to the world.

The Greek-American community has had a profound effect on American culture. Greek-Americans have been instrumental in advancing medicine, business, art, and academics. But the greatest impact has been on governance, and the continuation of the long history of democracy that began in Greece and continues today, as the gold-standard of governing principles. This year, I was proud to once again introduce and lead Senate passage of a resolution recognizing the anniversary of Greek independence and celebrating the long history of democracy that binds our two nations and I will continue to support that relationship, our shared history, and the interests of Greece, Cyprus, and the Hellenic-American community.

The National Herald has always been a valuable source for the latest information on these issues, and I know it will continue its tradition of respected journalism that reaches far beyond the Greek-American community.

I extend my deepest congratulations to the National Herald for 100 successful years and offer my best wishes for many more. Keep up the good work.●

MESSAGES FROM THE HOUSE

At 10:18 a.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the House has passed the following bill, in which it requests the concurrence of the Senate:

H.R. 2262. An act to facilitate a pro-growth environment for the developing commercial space industry by encouraging private sector investment and creating more stable and predictable regulatory conditions, and for other purposes.

ENROLLED BILL SIGNED

At 5:44 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the Speaker pro tempore (Mr. MESSER) has signed the following enrolled bill:

H.R. 2496. An act to extend the authorization for the replacement of the existing Department of Veterans Affairs Medical Center in Denver, Colorado, to make certain improvements in the Veterans Access, Choice, and Accountability Act of 2014, and for other purposes.

The enrolled bill was subsequently signed by the President pro tempore (Mr. HATCH).

MEASURES REFERRED

The following bill was read the first and the second times by unanimous consent, and referred as indicated:

H.R. 2262. An act to facilitate a pro-growth environment for the developing commercial space industry by encouraging private sector investment and creating more stable and predictable regulatory conditions, and for other purposes; to the Committee on Commerce, Science, and Transportation.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. THUNE, from the Committee on Commerce, Science, and Transportation, with an amendment in the nature of a substitute:

S. 253. A bill to amend the Communications Act of 1934 to consolidate the reporting obligations of the Federal Communications Commission in order to improve congressional oversight and reduce reporting burdens (Rept. No. 114–58).

By Mr. JOHNSON, from the Committee on Homeland Security and Governmental Affairs, without amendment:

S. 565. A bill to reduce the operation and maintenance costs associated with the Federal fleet by encouraging the use of remanufactured parts, and for other purposes (Rept. No. 114–59).

By Mr. BARRASSO, from the Committee on Indian Affairs, without amendment:

S. 286. A bill to amend the Indian Self-Determination and Education Assistance Act to provide further self-governance by Indian tribes, and for other purposes (Rept. No. 114–60).

EXECUTIVE REPORTS OF COMMITTEE

The following executive report of a nomination was submitted, Thursday, May 21, 2015:

By Mr. CORKER for the Committee on Foreign Relations.

*Mary Catherine Phee, of Illinois, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of South Sudan.

Nominee: Mary Catherine Phee.

Post: U.S. Ambassador to South Sudan.

(The following is a list of all members of my immediate family and their spouses. I have asked each of these persons to inform me of the pertinent contributions made by them. To the best of my knowledge, the information contained in this report is complete and accurate.)

Contributions, Amount, Date, and Donee:

1. Self: None.

2. Spouse: N/A.

3. Children and Spouses: N/A.

4. Parents: Mary Catherine Phee: N/A—deceased; Martin Joseph Phee: None.

5. Grandparents: N/A—deceased.

6. Brothers and Spouses: N/A.

7. Sisters and Spouses: Sarah Marie Phee: None; Amy Maureen Phee: $250, 2/12/2013, Schatz for Senate; $208, 11/15/2012, Glover Park Group PAC; $1,000, 8/11/2010, Friends of Blanche Lincoln; $1,000, 7/28/2010, Friends of Schumer; $208, 4/30/2010, Glover Park Group PAC; $208, 3/31/2010, Glover Park Group PAC; Margaret Ellen Phee: None.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. MARKEY (for himself, Mr. PAUL, Mrs. FEINSTEIN, Mr. DURBIN, Ms. HIRONO, Mr. BROWN, and Ms. BALDWIN):

S. 1455. A bill to provide access to medication-assisted therapy, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Ms. CANTWELL (for herself, Mr. THUNE, and Mrs. MURRAY):

S. 1456. A bill to amend title XVIII of the Social Security Act to improve the way beneficiaries are assigned under the Medicare shared savings program by also basing such assignment on primary care services furnished by Federally qualified health centers, rural health clinics, nurse practitioners, physician assistants, and clinical nurse specialists; to the Committee on Finance.

By Mr. TESTER:

S. 1457. A bill to restore an opportunity for tribal economic development on terms that are equal and fair, and for other purposes; to the Committee on Indian Affairs.

By Mr. COATS (for himself, Mr. MANCHIN, and Mrs. CAPITO):

S. 1458. A bill to amend the Surface Mining Control and Reclamation Act of 1977 to ensure scientific transparency in the development of environmental regulations and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. SCHUMER (for himself, Ms. COLLINS, Mr. LEAHY, Mr. MERKLEY, Mrs. SHAHEEN, and Mr. MANCHIN):

S. 1459. A bill to amend the Internal Revenue Code of 1986 to modify the types of wines taxed as hard cider; to the Committee on Finance.

By Mr. BROWN (for himself and Mr. TILLIS):

S. 1460. A bill to amend title 38, United States Code, to extend the Yellow Ribbon G.I. Education Enhancement Program to cover recipients of the Marine Gunnery Sergeant John David Fry scholarship, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. THUNE (for himself, Ms. CANTWELL, Mr. MORAN, and Mr. TESTER):

S. 1461. A bill to provide for the extension of the enforcement instruction on supervision requirements for outpatient therapeutic services in critical access and small rural hospitals through 2015; to the Committee on Finance.

By Mr. SCHUMER (for himself, Mr. DURBIN, Mrs. GILLIBRAND, Mrs. BOXER, and Mrs. FEINSTEIN):

S. 1462. A bill to improve the safety of oil shipments by rail and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. MORAN (for himself, Mr. BLUMENTHAL, Mr. WYDEN, Mr. BROWN, Mr. KING, Ms. COLLINS, and Mr. HOEVEN):

S. 1463. A bill to amend the Veterans Access, Choice, and Accountability Act of 2014 to modify the distance requirement for expanded availability of hospital care and medical services for veterans through the use of agreements with non-Department of Veterans Affairs entities; considered and passed.

By Mr. SCHUMER:

S. 1464. A bill to require all recreational vessels to have and to post passenger capacity limits and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. KIRK:

S. 1465. A bill to amend title XVIII of the Social Security Act to expand access to stroke telehealth services under the Medicare program; to the Committee on Finance.

By Mr. KIRK (for himself, Mr. MENENDEZ, Mr. BURR, Mr. SCHUMER, and Mr. CARPER):

S. 1466. A bill to amend title XVIII of the Social Security Act to modify payment under the Medicare program for outpatient department procedures that utilize drugs as supplies, and for other purposes; to the Committee on Finance.

By Mrs. GILLIBRAND (for herself, Mr. BLUMENTHAL, Mr. BOOKER, and Mr. SCHATZ):

S. 1467. A bill to require the Secretary of Transportation to establish new standards for automobile hoods and bumpers to reduce pedestrian injuries, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. WARNER (for himself, Mr. MCCAIN, and Mr. KAINE):

S. 1468. A bill to designate the arboretum at the Hunter Holmes McGuire VA Medical Center in Richmond, Virginia, as the ''Phyllis E. Galanti Arboretum''; to the Committee on Veterans' Affairs.

ADDITIONAL COSPONSORS

S. 192

At the request of Mr. ALEXANDER, the name of the Senator from Oregon (Mr. MERKLEY) was added as a cosponsor of S. 192, a bill to reauthorize the Older Americans Act of 1965, and for other purposes.

S. 303

At the request of Mr. ROBERTS, the name of the Senator from Missouri (Mrs. MCCASKILL) was added as a cosponsor of S. 303, a bill to amend title 5, United States Code, to provide that individuals having seriously delinquent tax debts shall be ineligible for Federal employment.

S. 311

At the request of Mr. CASEY, the names of the Senator from Rhode Island (Mr. REED), the Senator from New Mexico (Mr. HEINRICH) and the Senator from Florida (Mr. NELSON) were added as cosponsors of S. 311, a bill to amend the Elementary and Secondary Education Act of 1965 to address and take action to prevent bullying and harassment of students.

S. 491

At the request of Ms. KLOBUCHAR, the name of the Senator from Montana (Mr. TESTER) was added as a cosponsor of S. 491, a bill to lift the trade embargo on Cuba.

S. 524

At the request of Mr. WHITEHOUSE, the name of the Senator from South Carolina (Mr. GRAHAM) was added as a cosponsor of S. 524, a bill to authorize the Attorney General to award grants to address the national epidemics of prescription opioid abuse and heroin use.

S. 682

At the request of Mr. TOOMEY, the name of the Senator from Florida (Mr. RUBIO) was added as a cosponsor of S. 682, a bill to amend the Truth in Lending Act to modify the definitions of a mortgage originator and a high-cost mortgage.

S. 799

At the request of Mr. MCCONNELL, the names of the Senator from West Virginia (Mrs. CAPITO) and the Senator from Nebraska (Mrs. FISCHER) were added as cosponsors of S. 799, a bill to combat the rise of prenatal opioid abuse and neonatal abstinence syndrome.

S. 802

At the request of Mr. RUBIO, the name of the Senator from Mississippi (Mr. WICKER) was added as a cosponsor of S. 802, a bill to authorize the Secretary of State and the Administrator of the United States Agency for International Development to provide assistance to support the rights of women and girls in developing countries, and for other purposes.

S. 925

At the request of Mrs. SHAHEEN, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of S. 925, a bill to require the Secretary of the Treasury to convene a panel of citizens to make a recommendation to the Secretary regarding the likeness of a woman on the twenty dollar bill, and for other purposes.

S. 1020

At the request of Mr. VITTER, the name of the Senator from Kansas (Mr. ROBERTS) was added as a cosponsor of S. 1020, a bill to amend title XVIII of the Social Security Act to ensure the continued access of Medicare beneficiaries to diagnostic imaging services, and for other purposes.

S. 1081

At the request of Mr. BOOKER, the name of the Senator from Michigan (Mr. PETERS) was added as a cosponsor of S. 1081, a bill to end the use of body-gripping traps in the National Wildlife Refuge System.

S. 1121

At the request of Ms. AYOTTE, the name of the Senator from Maryland (Mr. CARDIN) was added as a cosponsor of S. 1121, a bill to amend the Horse Protection Act to designate additional unlawful acts under the Act, strengthen penalties for violations of the Act, improve Department of Agriculture enforcement of the Act, and for other purposes.

S. 1143

At the request of Ms. CANTWELL, the name of the Senator from Oregon (Mr. WYDEN) was added as a cosponsor of S. 1143, a bill to make the authority of States of Washington, Oregon, and California to manage Dungeness crab fishery permanent and for other purposes.

S. 1148

At the request of Mr. NELSON, the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of S. 1148, a bill to amend title XVIII of the Social Security Act to provide for the distribution of additional residency positions, and for other purposes.

S. 1193

At the request of Mr. ROBERTS, the name of the Senator from Mississippi (Mr. COCHRAN) was added as a cosponsor of S. 1193, a bill to amend the Internal Revenue Code of 1986 to make permanent and expand the temporary minimum credit rate for the low-income housing tax credit program.

S. 1347

At the request of Mr. ISAKSON, the name of the Senator from Mississippi (Mr. WICKER) was added as a cosponsor of S. 1347, a bill to amend title XVIII of the Social Security Act with respect to the treatment of patient encounters in ambulatory surgical centers in determining meaningful EHR use, and for other purposes.

S. 1369

At the request of Mrs. FEINSTEIN, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 1369, a bill to allow funds under title II of the Elementary and Secondary Education Act of 1965 to be

used to provide training to school personnel regarding how to recognize child sexual abuse.

S. 1378

At the request of Mr. PAUL, the names of the Senator from Colorado (Mr. BENNET) and the Senator from Montana (Mr. DAINES) were added as cosponsors of S. 1378, a bill to strengthen employee cost savings suggestions programs within the Federal Government.

S. 1434

At the request of Mr. HEINRICH, the name of the Senator from Maine (Mr. KING) was added as a cosponsor of S. 1434, a bill to amend the Public Utility Regulatory Policies Act of 1978 to establish an energy storage portfolio standard, and for other purposes.

S. CON. RES. 12

At the request of Mr. BLUMENTHAL, the name of the Senator from Delaware (Mr. COONS) was added as a cosponsor of S. Con. Res. 12, a concurrent resolution recognizing the need to improve physical access to many federally funded facilities for all people of the United States, particularly people with disabilities.

AMENDMENT NO. 1226

At the request of Mr. WYDEN, the name of the Senator from Wisconsin (Ms. BALDWIN) was added as a cosponsor of amendment No. 1226 proposed to H.R. 1314, a bill to amend the Internal Revenue Code of 1986 to provide for a right to an administrative appeal relating to adverse determinations of tax-exempt status of certain organizations.

AMENDMENT NO. 1246

At the request of Mr. SULLIVAN, the names of the Senator from Massachusetts (Ms. WARREN) and the Senator from Alaska (Ms. MURKOWSKI) were added as cosponsors of amendment No. 1246 intended to be proposed to H.R. 1314, a bill to amend the Internal Revenue Code of 1986 to provide for a right to an administrative appeal relating to adverse determinations of tax-exempt status of certain organizations.

AMENDMENT NO. 1252

At the request of Mr. BROWN, the names of the Senator from Michigan (Ms. STABENOW) and the Senator from Oregon (Mr. MERKLEY) were added as cosponsors of amendment No. 1252 intended to be proposed to H.R. 1314, a bill to amend the Internal Revenue Code of 1986 to provide for a right to an administrative appeal relating to adverse determinations of tax-exempt status of certain organizations.

AMENDMENT NO. 1299

At the request of Mr. PORTMAN, the names of the Senator from Montana (Mr. TESTER), the Senator from Massachusetts (Mr. MARKEY) and the Senator from New York (Mrs. GILLIBRAND) were added as cosponsors of amendment No. 1299 proposed to H.R. 1314, a bill to amend the Internal Revenue Code of 1986 to provide for a right to an administrative appeal relating to adverse determinations of tax-exempt status of certain organizations.

AMENDMENT NO. 1404

At the request of Mr. MERKLEY, the name of the Senator from West Virginia (Mr. MANCHIN) was added as a cosponsor of amendment No. 1404 intended to be proposed to H.R. 1314, a bill to amend the Internal Revenue Code of 1986 to provide for a right to an administrative appeal relating to adverse determinations of tax-exempt status of certain organizations.

AMENDMENTS SUBMITTED AND PROPOSED

SA 1438. Mrs. FEINSTEIN submitted an amendment intended to be proposed to amendment SA 1221 proposed by Mr. HATCH to the bill H.R. 1314, to amend the Internal Revenue Code of 1986 to provide for a right to an administrative appeal relating to adverse determinations of tax-exempt status of certain organizations; which was ordered to lie on the table.

SA 1439. Mr. DAINES submitted an amendment intended to be proposed to amendment SA 1221 proposed by Mr. HATCH to the bill H.R. 1314, supra; which was ordered to lie on the table.

SA 1440. Mr. SANDERS submitted an amendment intended to be proposed by him to the bill H.R. 2048, to reform the authorities of the Federal Government to require the production of certain business records, conduct electronic surveillance, use pen registers and trap and trace devices, and use other forms of information gathering for foreign intelligence, counterterrorism, and criminal purposes, and for other purposes; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 1438. Mrs. FEINSTEIN submitted an amendment intended to be proposed to amendment SA 1221 proposed by Mr. HATCH to the bill H.R. 1314, to amend the Internal Revenue Code of 1986 to provide for a right to an administrative appeal relating to adverse determinations of tax-exempt status of certain organizations; which was ordered to lie on the table; as follows:

At the end, add the following:

TITLE III—TRADE PREFERENCES FOR NEPAL

SEC. 301. SHORT TITLE.

This title may be cited as the ''Nepal Trade Preferences Act''.

SEC. 302. SENSE OF CONGRESS.

It is the sense of Congress that it should be an objective of the United States to use trade policies and trade agreements to contribute to the reduction of poverty and the elimination of hunger.

SEC. 303. ELIGIBILITY REQUIREMENTS.

(a) IN GENERAL.—The President may authorize the provision of preferential treatment under this title to articles that are imported directly from Nepal into the customs territory of the United States pursuant to section 304 if the President determines—

(1) that Nepal meets the requirements set forth in paragraphs (1), (2), and (3) of section 104(a) of the African Growth and Opportunity Act (19 U.S.C. 3703(a)); and

(2) after taking into account the factors set forth in paragraphs (1) through (7) of subsection (c) of section 502 of the Trade Act of 1974 (19 U.S.C. 2462), that Nepal meets the eligibility requirements of such section 502.

(b) WITHDRAWAL, SUSPENSION, OR LIMITATION OF PREFERENTIAL TREATMENT; MANDATORY GRADUATION.—The provisions of subsections (d) and (e) of section 502 of the Trade Act of 1974 (19 U.S.C. 2462) shall apply with respect to Nepal to the same extent and in the same manner as such provisions apply with respect to beneficiary developing countries under title V of that Act (19 U.S.C. 2461 et seq.).

SEC. 304. ELIGIBLE ARTICLES.

(a) IN GENERAL.—An article described in subsection (b) may enter the customs territory of the United States free of duty.

(b) ARTICLES DESCRIBED.—

(1) IN GENERAL.—An article is described in this subsection if—

(A)(i) the article is the growth, product, or manufacture of Nepal; and

(ii) in the case of a textile or apparel article, Nepal is the country of origin of the article, as determined under section 102.21 of title 19, Code of Federal Regulations (as in effect on the day before the date of the enactment of this Act);

(B) the article is imported directly from Nepal into the customs territory of the United States;

(C) the article is classified under any of the following subheadings of the Harmonized Tariff Schedule of the United States (as in effect on the day before the date of the enactment of this Act):

4202.11.00	4202.22.60	4202.92.08
4202.12.20	4202.22.70	4202.92.15
4202.12.40	4202.22.80	4202.92.20
4202.12.60	4202.29.50	4202.92.30
4202.12.80	4202.29.90	4202.92.45
4202.21.60	4202.31.60	4202.92.60
4202.21.90	4202.32.40	4202.92.90
4202.22.15	4202.32.80	4202.99.90
4202.22.40	4202.32.95	4203.29.50
4202.22.45	4202.91.00	
5701.10.90	5702.91.30	5703.10.80
5702.31.20	5702.91.40	5703.90.00
5702.49.20	5702.92.90	5705.00.20
5702.50.40	5702.99.15	
5702.50.59	5703.10.20	
6117.10.60	6214.20.00	6217.10.85
6117.80.85	6214.40.00	6301.90.00
6214.10.10	6214.90.00	6308.00.00
6214.10.20	6216.00.80	
6504.00.90	6505.00.30	6505.00.90
6505.00.08	6505.00.40	6506.99.30
6505.00.15	6505.00.50	6506.99.60
6505.00.20	6505.00.60	
6505.00.25	6505.00.80	

(D) the President determines, after receiving the advice of the United States International Trade Commission in accordance with section 503(e) of the Trade Act of 1974 (19 U.S.C. 2463(e)), that the article is not import-sensitive in the context of imports from Nepal; and

(E) subject to paragraph (3), the sum of the cost or value of the materials produced in, and the direct costs of processing operations performed in, Nepal or the customs territory of the United States is not less than 35 percent of the appraised value of the article at the time it is entered.

(2) EXCLUSIONS.—An article shall not be treated as the growth, product, or manufacture of Nepal for purposes of paragraph (1)(A)(i) by virtue of having merely undergone—

(A) simple combining or packaging operations; or

(B) mere dilution with water or mere dilution with another substance that does not materially alter the characteristics of the article.

(3) LIMITATION ON UNITED STATES COST.—For purposes of paragraph (1)(E), the cost or value of materials produced in, and the direct costs of processing operations performed in, the customs territory of the United States and attributed to the 35-percent requirement under that paragraph may not exceed 15 percent of the appraised value of the article at the time it is entered.

(c) VERIFICATION WITH RESPECT TO TRANSSHIPMENT FOR TEXTILE AND APPAREL ARTICLES.—

(1) IN GENERAL.—Not later than April 1, July 1, October 1, and January 1 of each year, the Commissioner responsible for U.S. Customs and Border Protection shall verify that textile and apparel articles imported from Nepal to which preferential treatment is extended under this title are not being unlawfully transshipped into the United States.

(2) REPORT TO PRESIDENT.—If the Commissioner determines pursuant to paragraph (1) that textile and apparel articles imported from Nepal to which preferential treatment is extended under this title are being unlawfully transshipped into the United States, the Commissioner shall report that determination to the President.

SEC. 305. TRADE FACILITATION AND CAPACITY BUILDING.

(a) FINDINGS.—Congress makes the following findings:

(1) As a land-locked least-developed country, Nepal has severe challenges reaching markets and developing capacity to export goods. As of 2015, exports from Nepal are approximately $800,000,000 per year, with India the major market at $450,000,000 annually. The United States imports about $80,000,000 worth of goods from Nepal, or 10 percent of the total goods exported from Nepal.

(2) The World Bank has found evidence that the overall export competitiveness of Nepal has been declining since 2005. Indices compiled by the World Bank and the Organization for Economic Co-operation and Development found that export costs in Nepal are high with respect to both air cargo and container shipments relative to other low-income countries. Such indices also identify particular weaknesses in Nepal with respect to automation of customs and other trade functions, involvement of local exporters and importers in preparing regulations and trade rules, and export finance.

(3) Implementation by Nepal of the Agreement on Trade Facilitation of the World Trade Organization could directly address some of the weaknesses described in paragraph (2).

(b) ESTABLISHMENT OF TRADE FACILITATION AND CAPACITY BUILDING PROGRAM.—Not later than 180 days after the date of the enactment of this Act, the President shall, in consultation with the Government of Nepal, establish a trade facilitation and capacity building program for Nepal—

(1) to enhance the central export promotion agency of Nepal to support successful exporters and to build awareness among potential exporters in Nepal about opportunities abroad and ways to manage trade documentation and regulations in the United States and other countries;

(2) to provide export finance training for financial institutions in Nepal and the Government of Nepal;

(3) to assist the Government of Nepal in maintaining publication of all trade regulations, forms for exporters and importers, tax and tariff rates, and other documentation relating to exporting goods on the Internet and developing a robust public-private dialogue, through its National Trade Facilitation Committee, for Nepal to identify timelines for implementation of key reforms and solutions, as provided for under the Agreement on Trade Facilitation of the World Trade Organization; and

(4) to increase access to guides for importers and exporters on the Internet, including rules and documentation for United States tariff preference programs.

SEC. 306. REPORTING REQUIREMENT.

Not later than one year after the date of the enactment of this Act, and annually thereafter, the President shall monitor, review, and report to Congress on the implementation of this title, the compliance of Nepal with section 303(a), and the trade and investment policy of the United States with respect to Nepal.

SEC. 307. TERMINATION OF PREFERENTIAL TREATMENT.

No preferential treatment extended under this title shall remain in effect after December 31, 2025.

SEC. 308. EFFECTIVE DATE.

The provisions of this title shall take effect on January 1, 2016.

SA 1439. Mr. DAINES submitted an amendment intended to be proposed to amendment SA 1221 proposed by Mr. HATCH to the bill H.R. 1314, to amend the Internal Revenue Code of 1986 to provide for a right to an administrative appeal relating to adverse determinations of tax-exempt status of certain organizations; which was ordered to lie on the table; as follows:

At the end of section 102(b), add the following:

(21) PROTECTION OF INDIAN EXPORTS AND TREATY RIGHTS.—

(A) IN GENERAL.—The principal negotiating objectives of the United States with respect to the protection of exports and treaty rights of Indian tribes are to ensure that—

(i) goods of or for the benefit of Indian tribes may be exported through ports in the United States;

(ii) treaty rights of Indian tribes are protected; and

(iii) goods of or for the benefit of Indian tribes have the opportunity to compete in the world market.

(B) DEFINITIONS.—In this paragraph:

(i) INDIAN TRIBE.—The term ''Indian tribe'' has the meaning given that term in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b).

(ii) TREATY RIGHTS OF INDIAN TRIBES.—The term ''treaty rights of Indian tribes'' means rights pursuant to treaties between Indian tribes and the United States that confirm the rights and privileges of each Indian tribe and the United States.

SA 1440. Mr. SANDERS submitted an amendment intended to be proposed by him to the bill H.R. 2048, to reform the authorities of the Federal Government to require the production of certain business records, conduct electronic surveillance, use pen registers and trap and trace devices, and use other forms of information gathering for foreign intelligence, counterterrorism, and criminal purposes, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

TITLE IX—COMMISSION ON PRIVACY RIGHTS IN THE DIGITAL AGE

SECTION 901. SHORT TITLE.

This title may be cited as the ''Commission on Privacy Rights in the Digital Age Act of 2015''.

SEC. 902. FINDINGS.

Congress makes the following findings:

(1) Today, technology that did not exist 30 years ago pervades every aspect of life in the United States.

(2) Nearly ⅔ of adults in the United States own a smartphone, and 43 percent of adults in the United States rely solely on their cell phone for telephone use.

(3) 84 percent of households in the United States own a computer and 73 percent of households in the United States have a computer with an Internet broadband connection.

(4) Federal policies on privacy protection have not kept pace with the rapid expansion of technology.

(5) Innovations in technology have led to the exponential expansion of data collection by both the public and private sectors.

(6) Consumers are often unaware of the collection of their data and how their information can be collected, bought, and sold by private companies.

SEC. 903. PURPOSE.

The purpose of this title is to establish, for a 2-year period, a Commission on Privacy Rights in the Digital Age to—

(1) examine—

(A) the ways in which public agencies and private companies gather data on the people of the United States; and

(B) the ways in which that data is utilized, either internally or externally; and

(2) make recommendations concerning potential policy changes needed to safeguard the privacy of the people of the United States.

SEC. 904. COMPOSITION OF THE COMMISSION.

(a) ESTABLISHMENT.—To carry out the purpose of this title, there is established in the legislative branch a Commission on Privacy Rights in the Digital Age (in this title referred to as the ''Commission'').

(b) COMPOSITION.—The Commission shall be composed of 12 members, as follows:

(1) Four members appointed by the President, of whom—

(A) 2 shall be appointed from the executive branch of the Government; and

(B) 2 shall be appointed from private life.

(2) Two members appointed by the majority leader of the Senate, of whom—

(A) 1 shall be a Member of the Senate; and

(B) 1 shall be appointed from private life.

(3) Two members appointed by the minority leader of the Senate, of whom—

(A) 1 shall be a Member of the Senate; and

(B) 1 shall be appointed from private life.

(4) Two members appointed by the Speaker of the House of Representatives, of whom—

(A) 1 shall be a Member of the House; and

(B) 1 shall be appointed from private life.

(5) Two members appointed by the minority leader of the House of Representatives, of whom—

(A) 1 shall be a Member of the House; and

(B) 1 shall be appointed from private life.

(c) CHAIRPERSON.—The Commission shall elect a Chairperson and Vice-Chairperson from among its members.

(d) MEETINGS; QUORUM; VACANCIES.—

(1) MEETINGS.—After its initial meeting, the Commission shall meet upon the call of the Chairperson or a majority of its members.

(2) QUORUM.—Seven members of the Commission shall constitute a quorum.

(3) VACANCIES.—Any vacancy in the Commission shall not affect its powers but shall be filled in the same manner in which the original appointment was made.

(e) APPOINTMENT OF MEMBERS; INITIAL MEETING.—

(1) APPOINTMENT OF MEMBERS.—Each member of the Commission shall be appointed not later than 60 days after the date of enactment of this Act.

(2) INITIAL MEETING.—On or after the date on which all members of the Commission have been appointed, and not later than 60 days after the date of enactment of this Act, the Commission shall hold its initial meeting.

SEC. 905. DUTIES OF THE COMMISSION.

The Commission shall—

(1) conduct an investigation of relevant facts and circumstances relating to the expansion of data collection practices in the public, private, and national security sectors, including implications for—

(A) surveillance;

(B) political, civil, and commercial rights of individuals and corporate entities;

(C) employment practices, including hiring and firing; and

(D) credit availability and reporting; and

(2) submit to the President and Congress reports containing findings, conclusions, and recommendations for corrective measures relating to the facts and circumstances investigated under paragraph (1), in accordance with section 911.

SEC. 906. POWERS OF THE COMMISSION.

(a) IN GENERAL.—

(1) HEARINGS AND EVIDENCE.—The Commission or, at its direction, any subcommittee or member of the Commission, may, for the purpose of carrying out this title—

(A) hold such hearings, sit and act at such times and places, take such testimony, receive such evidence, and administer such oaths as the Commission or such subcommittee or member determines advisable; and

(B) subject to paragraph (2)(A), require, by subpoena or otherwise, the attendance and testimony of such witnesses and the production of such books, records, correspondence, memoranda, papers, documents, tapes, and materials as the Commission or such subcommittee or member determines advisable.

(2) SUBPOENAS.—

(A) ISSUANCE.—

(i) IN GENERAL.—A subpoena may be issued under paragraph (1) only—

(I) by the agreement of the Chairperson and the Vice Chairperson; or

(II) by the affirmative vote of 8 members of the Commission.

(ii) SIGNATURE.—Subject to clause (i), a subpoena issued under paragraph (1) may—

(I) be issued under the signature of—

(aa) the Chairperson; or

(bb) a member designated by a majority of the Commission; and

(II) be served by—

(aa) any person designated by the Chairperson; or

(bb) a member designated by a majority of the Commission.

(B) ENFORCEMENT.—

(i) IN GENERAL.—In the case of contumacy or failure to obey a subpoena issued under paragraph (1), the United States district court for the judicial district in which the subpoenaed person resides, is served, or may be found, or where the subpoena is returnable, may issue an order requiring such person to appear at any designated place to testify or to produce documentary or other evidence.

(ii) CONTEMPT OF COURT.—Any failure to obey the order of the court under clause (i) may be punished by the court as a contempt of that court.

(3) WITNESS ALLOWANCES AND FEES.—

(A) IN GENERAL.—Section 1821 of title 28, United States Code, shall apply to witnesses requested or subpoenaed to appear at any hearing of the Commission.

(B) SOURCE OF FUNDS.—The per diem and mileage allowances for witnesses shall be paid from funds available to pay the expenses of the Commission.

(b) CONTRACTING.—The Commission may, to such extent and in such amounts as are provided in appropriations Acts, enter into contracts to enable the Commission to discharge its duties under this title.

(c) INFORMATION FROM FEDERAL AGENCIES.—

(1) IN GENERAL.—The Commission may secure directly from any Federal department or agency such information as the Commission considers necessary to carry out this Act.

(2) FURNISHING OF INFORMATION.—If the Chairperson, the chairperson of any subcommittee created by a majority of the Commission, or any member designated by a majority of the Commission submits to a Federal department or agency a request for information under paragraph (1), the head of the department or agency shall, to the extent authorized by law, furnish the information directly to the Commission.

(3) RECEIPT, HANDLING, STORAGE, AND DISSEMINATION.—Information furnished under paragraph (2) shall only be received, handled, stored, and disseminated by members of the Commission and its staff consistent with all applicable statutes, regulations, and executive orders.

(d) ASSISTANCE FROM FEDERAL AGENCIES.—

(1) GENERAL SERVICES ADMINISTRATION.—The Administrator of General Services shall provide to the Commission on a reimbursable basis administrative support and other services for the performance of the Commission's functions.

(2) OTHER DEPARTMENTS AND AGENCIES.—In addition to the assistance provided under paragraph (1), departments and agencies of the United States may provide to the Commission such services, funds, facilities, staff, and other support services as the departments and agencies may determine advisable and as authorized by law.

(e) POSTAL SERVICES.—The Commission may use the United States mails in the same manner and under the same conditions as a department or agency of the United States.

SEC. 907. NONAPPLICABILITY OF FEDERAL ADVISORY COMMITTEE ACT.

(a) IN GENERAL.—The Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to the Commission.

(b) PUBLIC MEETINGS AND RELEASE OF PUBLIC VERSIONS OF REPORTS.—The Commission shall—

(1) hold public hearings and meetings to the extent appropriate; and

(2) release public versions of the reports required under subsections (a) and (b) of section 911.

(c) PUBLIC HEARINGS.—Any public hearing of the Commission shall be conducted in a manner consistent with the protection of information provided to or developed for or by the Commission as required by any applicable statute, regulation, or executive order.

SEC. 908. STAFF OF COMMISSION.

(a) IN GENERAL.—

(1) APPOINTMENT AND COMPENSATION.—The Chairperson, in consultation with the Vice Chairperson and in accordance with rules agreed upon by the Commission, may appoint and fix the compensation of an executive director and such other personnel as may be necessary to enable the Commission to carry out the functions of the Commission, without regard to the provisions of title 5, United States Code, governing appointments in the competitive service, and without regard to the provisions of chapter 51 and subchapter III of chapter 53 of that title relating to classification and General Schedule pay rates, except that no rate of pay fixed under this paragraph may exceed the equivalent of that payable for a position at level V of the Executive Schedule under section 5316 of title 5, United States Code.

(2) PERSONNEL AS FEDERAL EMPLOYEES.—

(A) IN GENERAL.—The executive director and any personnel of the Commission who are employees shall be employees under section 2105 of title 5, United States Code, for purposes of chapters 63, 81, 83, 84, 85, 87, 89, 89A, 89B, and 90 of that title.

(B) MEMBERS OF COMMISSION.—Subparagraph (A) shall not be construed to apply to members of the Commission.

(b) DETAILEES.—Any Federal Government employee may be detailed to the Commission without reimbursement from the Commission, and such detailee shall retain the rights, status, and privileges of his or her regular employment without interruption.

(c) CONSULTANT SERVICES.—The Commission may procure the services of experts and consultants in accordance with section 3109 of title 5, United States Code, but at rates not to exceed the daily rate paid a person occupying a position at level IV of the Executive Schedule under section 5315 of that title.

SEC. 909. COMPENSATION AND TRAVEL EXPENSES.

(a) COMPENSATION.—Each member of the Commission who is not an officer or employee of the Federal Government may be compensated at not to exceed the daily equivalent of the annual rate of basic pay in effect for a position at level IV of the Executive Schedule under section 5315 of title 5, United States Code, for each day during which that member is engaged in the actual performance of the duties of the Commission.

(b) TRAVEL EXPENSES.—While away from their homes or regular places of business in the performance of services for the Commission, members of the Commission shall be allowed travel expenses, including per diem in lieu of subsistence, in the same manner as persons employed intermittently in the Government service are allowed expenses under section 5703 of title 5, United States Code.

SEC. 910. SECURITY CLEARANCES FOR COMMISSION MEMBERS AND STAFF.

The appropriate departments or agencies of the Federal Government shall cooperate with the Commission in expeditiously providing to the members and staff of the Commission appropriate security clearances to the extent possible under applicable procedures and requirements, and no person shall be provided with access to classified information under this title without the appropriate security clearances.

SEC. 911. REPORTS OF COMMISSION; TERMINATION.

(a) INTERIM REPORTS.—The Commission shall submit to the President and Congress interim reports containing such findings, conclusions, and recommendations for corrective measures as have been agreed to by a majority of Commission members.

(b) FINAL REPORT.—Not later than 2 years after the date of enactment of this Act, the Commission shall submit to the President and Congress a final report containing such findings, conclusions, and recommendations for corrective measures as have been agreed to by a majority of Commission members.

(c) CLASSIFIED INFORMATION.—Each report submitted under subsection (a) or (b) shall be in unclassified form, but may include a classified annex.

(d) TERMINATION.—

(1) IN GENERAL.—The Commission, and all the authorities under this title, shall terminate 60 days after the date on which Commission submits the final report under subsection (b).

(2) ADMINISTRATIVE ACTIVITIES BEFORE TERMINATION.—The Commission may use the 60-day period referred to in paragraph (1) for the purpose of concluding its activities, including providing testimony to committees of Congress concerning its reports and disseminating the final report.

SEC. 912. FUNDING.

(a) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated such sums as are necessary to carry out this title.

(b) DURATION OF AVAILABILITY.—Amounts made available to the Commission under subsection (a) shall remain available until the termination of the Commission.

RECESS UNTIL 12:01 A.M. TOMORROW

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate stand in recess until 12:01 a.m.

There being no objection, the Senate, at 11:13 p.m., recessed until Saturday, May 23, 2015, at 12:01 a.m.

CONFIRMATIONS

Executive nominations confirmed by the Senate May 23, 2015.

DEPARTMENT OF DEFENSE

PETER LEVINE, OF MARYLAND, TO BE DEPUTY CHIEF MANAGEMENT OFFICER OF THE DEPARTMENT OF DEFENSE.

DEPARTMENT OF STATE

PAUL A. FOLMSBEE, OF OKLAHOMA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICES, CLASS OF MINISTER-COUNSELOR, TO BE AMBASSADOR EXTRADORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF MALI.

STAFFORD FITZGERALD HANEY, OF NEW JERSEY, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF COSTA RICA.

FOREIGN SERVICE

FOREIGN SERVICE NOMINATION OF DOUGLAS A. KONEFF.

FOREIGN SERVICE NOMINATION OF JUDY R. REINKE.

FOREIGN SERVICE NOMINATIONS BEGINNING WITH BRIAN C. BRISSON AND ENDING WITH CATHERINE M. WERNER, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MARCH 4, 2015.

FOREIGN SERVICE NOMINATIONS BEGINNING WITH PETER J. OLSON AND ENDING WITH NICOLAS RUBIO, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON APRIL 15, 2015.

FOREIGN SERVICE NOMINATIONS BEGINNING WITH CRAIG A. ANDERSON AND ENDING WITH HENRY KAMINSKI, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON APRIL 15, 2015.

FOREIGN SERVICE NOMINATIONS BEGINNING WITH ANTHONY S. AMATOS AND ENDING WITH ELENA ZLATNIK, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON APRIL 15, 2015.

EXTENSIONS OF REMARKS

MEMORIAL DAY AND HONORING OUR FALLEN SERVICEMEMBERS

HON. JOYCE BEATTY

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Friday, May 22, 2015

Mrs. BEATTY. Mr. Speaker, Memorial Day represents one of our nation's most important holidays.

Each year, our nation unites, regardless of political differences and ideology, to remember the heroes from all branches of military service who paid the ultimate sacrifice to defend the very freedoms we hold so dear.

This Monday on Memorial Day, as we honor the courageous men and women in uniform who gave their lives to defend our country, we continue our nation's long-held tradition of paying tribute to America's fallen soldiers.

On this day of remembrance, let us recall that these brave men and women left behind countless loved ones and family members who also deserve our collective gratitude.

As we remember the remarkable lives of our nation's fallen soldiers and their families on this Memorial Day, we must continue to honor them each day, as a single day of commemoration is far short of what they deserve.

HONORING FALLEN VETERANS

HON. STACEY E. PLASKETT

OF THE VIRGIN ISLANDS

IN THE HOUSE OF REPRESENTATIVES

Friday, May 22, 2015

Ms. PLASKETT. Mr. Speaker, I rise today to honor the members of our armed forces who have given their lives in defense of our democracy. The men and women whose dedication has been to protect not just our land and people, but also the principles we hold so dear: the principles of life, liberty and the pursuit of happiness.

The veterans from my home district in the U.S. Virgin Islands have long been among the first to answer America's call to duty. In some cases, even fighting in defense of this great nation before they were officially a part of it.

Our territory had only been under the U.S. flag for a few months when America entered into World War I. Virgin Islanders had not yet been granted American Citizenship, but our people served—and they did so bravely, and with honor.

In the fight to preserve our democracy all Virgin Island veterans have given, but there are some, like the nine brave Virgin Island souls, who gave the ultimate sacrifice in the wars in Iraq and Afghanistan.

This Memorial Day, I ask that my colleagues join me in saluting the sacrifice and honoring the memory of these men. They are:

Army SSG Kendall Thomas; Army PFC Jason Lynch; Marine Lance Cpl. Shane L. Goldman; Army SPC Jose Rosario; Army SSG Gregory Rivera-Santiago; Army LTC David C. Canegata; Army SFC Floyd Lake; Army SGT Jorge Scatliffe and Army SGT Errol James.

This nation owes these men, and the countless others who have paid the ultimate sacrifice, a great debt; one which we can never really repay. Our resolve is that their sacrifice is not in vain as we rise up in their stead in the continuing fight for liberty and justice for all.

CONGRATULATING PHIL LaRUE

HON. RON KIND

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Friday, May 22, 2015

Mr. KIND. Mr. Speaker, I rise today to thank Phil LaRue for his many contributions to the New Democrat Coalition. Next month, Phil will be leaving the New Democrat Coalition to move back to Pennsylvania.

The New Democrat Coalition, which I have the honor to Chair, is a group of 46 pro-growth, innovation focused Members of the House Democratic Caucus. New Dems support policies to expand economic growth and foster the new economy; a fiscally responsible and efficient government; and a robust foreign policy that includes a pro-growth trade agenda.

Phil joined the New Dem staff as Communications Director in June 2013. Since then, he has been a trusted advisor to me and many Members of the Coalition. Over his tenure, the New Democrat Coalition has been at the forefront of many issues important to our country including working to reopen government during the shutdown in the fall of 2013, introducing and advocating for Comprehensive Immigration Reform, advancing a competitiveness agenda, building support for regulatory reform, and working to pass a pro-growth, pro-worker trade agenda. Phil's work sharpening our message, interacting with the press, identifying opportunities, and coordinating key stakeholders has been critical to the Coalition's success.

In addition, Phil was a key architect in the New Democrat Coalition's American Prosperity Agenda released in March 2015; the first comprehensive policy agenda in the Coalition's 18 year history. The American Prosperity Agenda lays out a vision for policies Congress should prioritize in three key areas: 1. Grow the Economy in Every Town and City, 2. Give Everyone a Shot at the American Dream, and 3. Make Government Work Better for the Middle Class.

Mr. Speaker, on behalf of the Members of the New Democrat Coalition, thank you Phil.

MAY AS NATIONAL FOSTER CARE MONTH

HON. JOYCE BEATTY

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Friday, May 22, 2015

Mrs. BEATTY. Mr. Speaker, this month, I join my colleagues in recognizing May as National Foster Care Month.

National Foster Care Month was established over 20 years ago to bring foster care issues to the forefront, highlight the importance of permanency for every child, and recognize the essential role that foster parents, social workers, and advocates have in the lives of children in foster care throughout the United States.

The goal of this special month is to raise awareness about the experiences and needs of the more than 400,000 youth in the foster care system.

It is also an opportunity to celebrate the thousands of dedicated foster families who care for these children as well as the social workers and service providers who support them.

I'd like to share a few statistics that showcase the child welfare landscape.

In 2013, there were an estimated 399,546 children in foster care.

In Ohio, there are about 14,000 children in foster care and 2,500 of these children are waiting for adoptive homes.

We cannot allow these statistics to shape the reality of our nation's foster youth.

All children deserve safe, loving, and permanent homes.

We have a responsibility to continue to create policies that will improve outcomes and the overall well-being of foster youth and their families.

While we have made progress, there is still much more to do.

I look forward to working with my colleagues to enable every child in foster care can succeed.

Every child in our country deserves the opportunity to succeed, and I hope that throughout the month of May, we'll be able to raise awareness to the needs of foster children across the United States.

COMMEMORATING THE 50-YEAR ANNIVERSARY OF HEAD START

HON. STACEY E. PLASKETT

OF THE VIRGIN ISLANDS

IN THE HOUSE OF REPRESENTATIVES

Friday, May 22, 2015

Ms. PLASKETT. Mr. Speaker, I rise today to commemorate the 50-year anniversary of Head Start in this country, and to honor the many professionals whose dedication to early

childhood education has kept the program going.

But as we are celebrating the successes of Head Start, let us not overlook the fact that our commitment to early education and our efforts as a body to preserve the Head Start program are not exactly even-keeled.

While Head Start has served more than 30 million children and families in urban and rural areas across the country, in many cities, families see long waiting lists.

In my home district in the U.S. Virgin Islands, the funded enrollment in Head Start is just under 900, but there are more than 750 children on the waiting list—an increase from the 600 who were on the list the year before. This in part, comes as a result of funding constraints that has prevented the expansion of Head Start.

I don't have to stress the importance of this program. Access to Head Start not only improves children's preschool outcomes, but has been shown to positively impact high school graduation rates and even help families move out of poverty.

It is my hope that this body continues to hold firm the commitment to providing quality early education for our children and work together in closing the educational opportunity gap.

Half a century later, President Lyndon Johnson's vision and words still hold true: this is, in fact, ''one of the most constructive, and one of the most sensible, and also one of the most exciting programs that this nation has ever undertaken.''

Let's continue investing in our most valuable resource: our children.

HONORING DIANA MAAS

HON. RON KIND

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Friday, May 22, 2015

Mr. KIND. Mr. Speaker, I rise today to thank Diana Maas for her many contributions to the House of Representatives and specifically to my office. Diana will be leaving my office to pursue opportunities back in her home state of Wisconsin.

Diana first came to Capitol Hill as a Staff Assistant for Congressman Dave Obey. She joined the staff of Senator Herb Kohl in 2011. In 2011, she joined my staff as Legislative Correspondent. From day one in my office, Diana worked tirelessly on behalf of the citizens of western and central Wisconsin. As Diana moved up in my office, she became an integral part of the legislative team. She was particularly successful in working on awarding the Medal of Honor to Lieutenant Alonzo Cushing. One hundred and fifty years after his death at the Battle of Gettysburg. Lieutenant Cushing now has received his due recognition, in part because of Diana's commitment to navigating legislation down the often complicated path of awarding the Medal of Honor. While working to honor Lt. Cushing, Diana simultaneously worked tirelessly on behalf of our veterans and students.

Diana has returned to the great state of Wisconsin and has joined the Spooner School District as their Communications Specialist. While I am sorry to see her leave my staff after three years, I wish her the best of luck in her new role. Diana embodies the term public service and has worked tirelessly to make our nation a better place, which has not been easy given the current toxic environment. It is unfortunate that we are losing such a competent and dedicated public servant.

Mr. Speaker, on my behalf; thank you to Diana for her service and dedication to not only the constituents of the Third District of Wisconsin, but to all Americans.

STROKE AWARENESS MONTH

HON. EARL BLUMENAUER

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Friday, May 22, 2015

Mr. BLUMENAUER. Mr. Speaker, as co-chair of the Congressional Neuroscience Caucus, I rise today to recognize the month of May as Stroke Awareness Month.

Stroke, an attack in which blood flow and oxygen to the brain are blocked, is the leading cause of long-term disability in the United States. Each year, more than 795,000 Americans suffer from stroke, and in my own home state of Oregon those numbers are above the national average. The health care expenses, including associated medications and missed days of work, cost the United States an estimated $34 billion each year.

The human costs, however, are more devastating. In the United States alone, an annual average of 130,000 of those who have had a stroke die. Even those who survive often experience a significant decrease in their quality of life. Over two-thirds of survivors must live with sometimes overwhelming long-term consequences, such as paralysis, motor activity, speech, and the ability to understand speech. Many of those survivors and their families also face financial repercussions. Some must even deplete their savings and sell their assets just to cover the costs associated with post-stroke care.

As part of Stroke Awareness Month, we must ensure our constituents understand that stroke is treatable and preventable, as long as citizens arm themselves with the proper diagnostic tools and health information. Common stroke symptoms include: crushing chest pain; sudden weakness of the face, arm, or leg; sudden confusion; trouble speaking or understanding speech; sudden trouble walking or seeing; loss of balance; and sudden, severe headache. The ability to recognize these symptoms and seek medical attention immediately is critical to surviving a stroke and minimizing long-term disability.

Stroke affects people of all ages, but several underlying factors that put individuals at higher risk include unhealthy diets, tobacco use, and physical inactivity. Understanding the risks involved with certain lifestyle choices and making healthier choices can often help reduce a person's risk of stroke.

The federal government needs to be a better partner with stroke survivors, and it is the aim of our Congressional Neuroscience Caucus to do just that. We must find ways to increase the effectiveness of the federal investment in developing new treatments. In addition, we have an obligation to work with survivors and their families to make the path to recovery less arduous. Options we should consider include improving access to post-stroke therapy and finding ways to reduce the financial impact on survivors and their families. One important first step is recognize May as Stroke Awareness month in order to continue to educate Americans about stroke symptoms, prevention, and treatments.

50TH ANNIVERSARY OF THE LAUNCH OF HEAD START

HON. JOYCE BEATTY

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Friday, May 22, 2015

Mrs. BEATTY. Mr. Speaker, I rise today in recognition of the 50th Anniversary of the launch of Head Start.

In 1965, President Lyndon B. Johnson started Head Start and the program has since grown to provide children from low-income families access to comprehensive preschool programs and prepare them for kindergarten and a successful future.

Head Start is a key component of our national commitment to give every child, regardless of circumstances at birth, an opportunity to succeed in school and in life.

Access to Head Start clearly improves children's preschool outcomes across developmental domains on multiple measures.

There are 39,293 Head Start students in Ohio.

Within my district, in Franklin County, Head Start serves 3,351 young students.

I support the President's budget request for Head Start, which increases funding by $1.5 billion.

I believe that we all should commit to supporting early childhood education, this crucial program, and work together, in a bipartisan way, to ensure that every child in America has an equal shot at success in school and beyond.

SENATE—*Saturday, May 23, 2015*

(Legislative day of Friday, May 22, 2015)

The Senate met at 12:01 a.m., on the expiration of the recess, and was called to order by the Honorable JAMES LANKFORD, a Senator from the State of Oklahoma.

PRAYER

The Presiding Officer offered the following prayer:

Let us pray.

Father, You are the One who forgives and restores in a place where pride comes really easy. I pray that You will give us the ability to humble ourselves so that we can encourage those who are broken and need help. Help us to speak with integrity in a day when this Nation needs role models.

We understand full well that You are our protector and shield, so we ask You to watch over us. Take care of our Nation. Take care of those dedicated men and women around the world who also protect and serve us.

We are grateful for Your wisdom, Your mercy, and Your loving kindness. Help us not to forget today that You are our Creator and You are the guide of this country, and we are Your servants. God, help us today to live and speak like it.

In the Name of Jesus, I pray.

Amen.

PLEDGE OF ALLEGIANCE

The Presiding Officer led the Pledge of Allegiance, as follows:

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

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. HATCH).

The legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, May 23, 2015.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable JAMES LANKFORD, a Senator from the State of Oklahoma, to perform the duties of the Chair.

ORRIN G. HATCH,
President pro tempore.

Mr. LANKFORD thereupon assumed the Chair as Acting President pro tempore.

RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

ORDER OF PROCEDURE

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the mandatory quorum calls with respect to the cloture votes on the motions to proceed to H.R. 2048 and S. 1357 be waived.

The ACTING PRESIDENT pro tempore. Is there objection?

Without objection, it is so ordered.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that notwithstanding rule XXII, the cloture vote on the motion to proceed to H.R. 2048 start immediately, followed immediately by the second cloture vote if cloture is not invoked.

The ACTING PRESIDENT pro tempore. Is there objection?

Without objection, it is so ordered.

CLOTURE MOTION

The ACTING PRESIDENT pro tempore. Pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

The senior assistant legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the motion to proceed to H.R. 2048, an act to reform the authorities of the Federal Government to require the production of certain business records, conduct electronic surveillance, use pen registers and trap and trace devises, and use other forms of information gathering for foreign intelligence, counterterrorism, and criminal purposes, and for other purposes.

Mitch McConnell, Lamar Alexander, Michael B. Enzi, David Vitter, John Cornyn, Johnny Isakson, Lisa Murkowski, John Barrasso, Richard Burr, Pat Roberts, Roy Blunt, Bob Corker, Orrin G. Hatch, Jerry Moran, Patrick J. Toomey, Mike Lee, Ted Cruz.

The ACTING PRESIDENT pro tempore. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on the motion to proceed to H.R. 2048, an act to reform the authorities of the Federal Government to require the production of certain business records, conduct electronic surveillance, use pen registers and trap and trace devices, and use other forms of information gathering for foreign intelligence, counterterrorism, and criminal purposes, and for other purposes, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. CORNYN. The following Senator is necessarily absent: the Senator from Wyoming (Mr. ENZI).

The ACTING OFFICER pro tempore. Are there any other Senators in the Chamber desiring to vote?

The yeas and nays resulted—yeas 57, nays 42, as follows:

[Rollcall Vote No. 194 Leg.]

YEAS—57

Baldwin	Gillibrand	Murphy
Bennet	Heinrich	Murray
Blumenthal	Heitkamp	Nelson
Booker	Heller	Peters
Boxer	Hirono	Reed
Brown	Hoeven	Reid
Cantwell	Johnson	Sanders
Cardin	Kaine	Schatz
Carper	Klobuchar	Schumer
Casey	Lankford	Scott
Coons	Leahy	Shaheen
Cruz	Lee	Stabenow
Daines	Manchin	Sullivan
Donnelly	Markey	Tester
Durbin	McCaskill	Udall
Feinstein	Menendez	Warner
Flake	Merkley	Warren
Franken	Mikulski	Whitehouse
Gardner	Murkowski	Wyden

NAYS—42

Alexander	Crapo	Perdue
Ayotte	Ernst	Portman
Barrasso	Fischer	Risch
Blunt	Graham	Roberts
Boozman	Grassley	Rounds
Burr	Hatch	Rubio
Capito	Inhofe	Sasse
Cassidy	Isakson	Sessions
Coats	King	Shelby
Cochran	Kirk	Thune
Collins	McCain	Tillis
Corker	McConnell	Toomey
Cornyn	Moran	Vitter
Cotton	Paul	Wicker

NOT VOTING—1

Enzi

The ACTING PRESIDENT pro tempore. On this vote, the yeas are 57, the nays are 42.

Three-fifths of the Senators duly chosen and sworn not having voted in the affirmative, the motion is rejected.

The majority leader.

Mr. MCCONNELL. Mr. President, I enter a motion to reconsider the vote.

The ACTING PRESIDENT pro tempore. The motion is entered.

Mr. MCCONNELL. Mr. President, the Senate has demonstrated that the House-passed bill lacks the support of 60 Senators. I would urge a ''yes'' vote on the 2-month extension. Senator

BURR, the chairman of the Intelligence Committee, and Senator FEINSTEIN, the ranking member, as we all know, have been working on a proposal that they think would improve the version that the Senate has not accepted that the House sent over. It would allow the committee to work on this bill, refine it, and bring it before us for consideration. So the 2-month extension, it strikes me, would be in the best interest of getting an outcome that is acceptable to both the Senate and the House and hopefully the President.

Mrs. BOXER. Mr. President.

Mr. MCCONNELL. So I would urge a ''yes'' vote.

The ACTING PRESIDENT pro tempore. The Senator from California.

UNANIMOUS CONSENT REQUEST—H.R. 2048

Mrs. BOXER. Mr. President, I ask unanimous consent that since a strong bipartisan majority of the Senate voted to invoke cloture on the motion to proceed to the USA FREEDOM Act, that the motion to proceed be agreed to, that the bill then be read a third time, and the Senate vote on passage of the USA FREEDOM Act.

The ACTING PRESIDENT pro tempore. Is there objection?

Mr. BURR. Objection.

The ACTING PRESIDENT pro tempore. Objection is heard.

Mrs. BOXER. Mr. President, let's be clear what happened here. We tried with the majority——

Mr. MCCONNELL. Regular order.

Mr. BURR. Regular order.

Mrs. BOXER. To protect this country, and the Republicans objected. Let's be clear.

The ACTING PRESIDENT pro tempore. Regular order has been called for. Debate is not in order.

Mrs. FEINSTEIN addressed the Chair.

The ACTING PRESIDENT pro tempore. Debate is not in order.

Mrs. FEINSTEIN. Mr. President, if I may a point of personal privilege.

Mr. President, I would like to correct the majority leader, regretfully. I did not support the Burr bill. I do not believe that is the way to go. I have taken a good look at this. For those who want reform and want to prevent the government from holding the data, the FREEDOM Act is the only way to do it. The House has passed it. The President wants it. All of the intelligence personnel have agreed to it, and I think not to pass that bill is really to throw the whole program—that whole section 215 as well as the whole business records, the ''lone wolf,'' the roving wiretaps—into serious legal jeopardy.

Mr. MCCONNELL. Regular order, Mr. President.

The ACTING PRESIDENT pro tempore. Regular order.

CLOTURE MOTION

The ACTING PRESIDENT pro tempore. Pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

The legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the motion to proceed to S. 1357, a bill to extend authority relating to roving surveillance, access to business records, and individual terrorists as agents of foreign powers under the Foreign Intelligence Surveillance Act of 1978 until July 31, 2015, and for other purposes.

Mitch McConnell, John Cornyn, Daniel Coats, Thom Tillis, Mike Rounds, Pat Roberts, Richard Burr, John Barrasso, Tom Cotton, Shelley Moore Capito, David Perdue, Lamar Alexander, Michael B. Enzi, David Vitter, Johnny Isakson, Roy Blunt.

The ACTING PRESIDENT pro tempore. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on the motion to proceed to S. 1357, a bill to extend authority relating to roving surveillance, access to business records, and individual terrorists as agents of foreign powers under the Foreign Intelligence Surveillance Act of 1978 until July 31, 2015, and for other purposes, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. CORNYN. The following Senator is necessarily absent: the Senator from Wyoming (Mr. ENZI).

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

The yeas and nays resulted—yeas 45, nays 54, as follows:

[Rollcall Vote No. 195 Leg.]

YEAS—45

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

NAYS—54

Baldwin	Cruz	King
Bennet	Daines	Klobuchar
Blumenthal	Durbin	Leahy
Booker	Feinstein	Lee
Boxer	Franken	Manchin
Brown	Gardner	Markey
Cantwell	Gillibrand	McCaskill
Cardin	Heinrich	McConnell
Carper	Heitkamp	Menendez
Casey	Heller	Merkley
Coons	Hirono	Mikulski
Crapo	Kaine	Moran
Murkowski	Reid	Tester
Murphy	Sanders	Udall
Murray	Schatz	Warner
Paul	Schumer	Warren
Peters	Shaheen	Whitehouse
Reed	Stabenow	Wyden

NOT VOTING—1

Enzi

The PRESIDING OFFICER. On this vote, the yeas are 45, the nays are 54.

Three-fifths of the Senators duly chosen and sworn not having voted in the affirmative, the motion is rejected.

The majority leader.

Mr. MCCONNELL. Mr. President, I would say to my colleagues that it is clear there aren't 60 votes in the Senate for the House-passed bill, and there aren't 60 votes for a 60-day extension.

So I am going to propound a series of unanimous consent requests to see if we can avoid having the program expire roughly 1 week from now.

UNANIMOUS CONSENT REQUESTS

Therefore, I ask unanimous consent that the Senate now proceed to a bill to extend the expiring provisions until June 8, and that the bill be read a third time and passed with no intervening action or debate.

The PRESIDING OFFICER. Is there objection?

The Senator from Kentucky.

Mr. PAUL. Reserving the right to object, we have entered into a momentous debate. This is a debate about whether or not a warrant with a single name of a single company can be used to collect all of the records—all of the phone records—of all of the people in our country with a single warrant.

Our forefathers would be aghast. One of the things they despised was general warrants. This is a debate that should be had. The reason I am objecting is because I have made a very simple request—to have amendments, to have them voted on, and to have a guarantee that they are voted on.

I started out the day with a request for six amendments. I am willing to compromise to have two amendments and a simple majority vote.

I think that is a very reasonable position. And if we can't have that and we can't have an extensive debate over something we have had 4 years to prepare for, I will object, and I do.

I object.

The PRESIDING OFFICER. Objection is heard.

Mr. MCCONNELL. Mr. President, I renew my unanimous consent request with an amendment to extend expiring authorities until June 5.

The PRESIDING OFFICER. Is there objection?

Mr. WYDEN. I object.

The PRESIDING OFFICER. Objection is heard.

The majority leader.

Mr. MCCONNELL. Mr. President, I renew my unanimous consent request with an amendment to extend expiring authorities until June 3.

The PRESIDING OFFICER. Is there objection?

The Senator from Kentucky.

Mr. PAUL. Mr. President, I will defer to the Senator from New Mexico if he wishes to make an objection.

Mr. HEINRICH. Mr. President, I object.

The PRESIDING OFFICER. Objection is heard.

Mr. MCCONNELL. Mr. President, I renew my unanimous consent request with an amendment to extend expiring authorities until June 2.

The PRESIDING OFFICER. Is there objection?

The Senator from Kentucky.

Mr. PAUL. I object.

The PRESIDING OFFICER. Objection is heard.

The majority leader.

Mr. MCCONNELL. Mr. President, I enter my motion to reconsider.

The PRESIDING OFFICER. The motion is entered.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

The PRESIDING OFFICER. Is there objection?

Mr. MCCONNELL. I object.

The PRESIDING OFFICER. Objection is heard.

The legislative clerk continued with the call of the roll.

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

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

ORDER OF BUSINESS

Mr. MCCONNELL. Mr. President, here is where we are. We are unable to clear any short-term extension, and the current law expires at midnight on Sunday. So the Senate will be back in session Sunday afternoon—a week from Sunday—on May 31, with one more opportunity to act responsibly and not allow this program to expire.

This is a high-threat period. We know what is going on overseas. We know what has been tried here at home. Do we really want this law to expire?

We have 1 week to discuss it. We will have 1 day to do it. So we better be ready next Sunday afternoon to prevent the country from being in danger by the total expiration of the program we are all familiar with.

Unless there is objection, and I understand there is not an objection, we will pass the highway extension on a voice vote tonight and we will be back in session Sunday a week.

Mr. REID. Will my friend yield for a question?

Mr. MCCONNELL. I yield for a question.

Mr. REID. We would be happy to cooperate in passing a surface transportation bill by voice, but I do say this—and I mentioned this to my colleague away from the microphones. For those of us living in the West, we cannot get back on a Sunday afternoon. I think it is very difficult for us to get back here on a weekday before 5 o'clock, so I would hope on a Sunday we wouldn't be expecting the Senate to come in session before 5 o'clock because we can't get here.

I am protecting the western part of my caucus, which is pretty big, but I am not going to agree to anything unless we can come in at least after 5 o'clock.

Mr. MCCONNELL. Well, as my friend the Democratic leader knows, I would be happy to work with him on that. He also knows I just tried to get a short-term extension of a variety of different lengths in order not to put us in this position, but we are left with this option only.

We will work with the Democratic leader about the actual time, but the law expires at midnight Sunday a week. I doubt if there are many of us comfortable with that—maybe a handful—but we need to act responsibly here on behalf of the American people.

Mr. REID. I agree.

MORNING BUSINESS

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to a period of morning business, with Senators permitted to speak for up to 10 minutes each.

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

ORDER OF BUSINESS

Mr. MCCONNELL. Mr. President, I am not sure I made it clear to everyone that there will be no more votes tonight. We will see you in a week.

The PRESIDING OFFICER. The Senator from North Carolina.

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

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

NATIONAL SECURITY LEGISLATION

Ms. MIKULSKI. Mr. President, I wanted to speak earlier because I wanted to encourage my colleagues on both sides of the aisle to come to a resolution on this problem. We cannot let this country go dark in terms of its ability to do its duty to defend the United States of America. We have to get off of what we are doing here and start getting down to the business of what we need to do.

I have to believe that tonight the world is watching us and they are saying: There goes the United States Senate, and there they go home, ha, ha, ha. They have a program that someone tried to render helpless in terms of our ability to protect ourselves. Edward Snowden literally tried to disgrace the United States.

Now here we are working on a program that went through the respective committees, that has the sound and sensible solution, and we have rejected it.

I am not here to talk about the program, but I will tell you whom I am ready to talk about—the thousands and thousands and thousands of people who work at the National Security Agency, and I want to talk about what they go through every day. They are out there working a 36-hour day trying to defend the United States of America, and they want to work under a law that is constitutional, is legal, is authorized, so they can do the necessary work to defend the United States of America. They thought they were doing that under the old FISA bill. They thought they were doing that. They were proud of what they were doing. They mustered everything they could give to this country. Then along comes Eric Snowden. Then along come the leaks. Then along comes the pontificating about ''My, my, my, we have to worry about privacy.''

I worry about privacy, too, but I also worry about the safety and security of the United States of America. And I watched the Nation vilify the men and women who work at this Agency.

So now, as we work under the current law—which will expire; make no mistake, it will expire—we don't have it together to pass a new law. So they have been vilified for what they have done. They have been vilified for what they have done, in many instances attacked by their neighbors, their children picked on and bullied because their parents work at this Agency. Morale was at a low ebb. Finally, now we are trying to deal with and cope with that. They are proud of their work. And what are we doing? We can't even pass a law. We can't even pass a law. I think that is absolutely outrageous.

I am so sorry we are going home. I am so sorry we are going home. So now we will come back next Sunday. I really urge those people—who I know are of good will and well-intentioned—to really work to find a way that when we come back next Sunday, we will be able to vote and move forward and not end up in this ongoing parliamentary quagmire.

I worry about our country, and I worry about our ability to govern. This is as serious as it gets. What is the role of a National Security Agency? To be able to operate and function in a way that is constitutional, legal, authorized, and obviously of necessity.

So I really feel very strongly about this. And I have watched all this go back and forth. So we spent hours and days and days and days on all of these amendments on trade. That is good. I am glad we did it. But I am not glad we took that long. We had this bill. We knew we had this bill. We waited until the last minute. We got ourselves into a jackpot. Now we really have to find our way out.

I just cannot speak more forcibly and enough about this. Well, I will have more to say next week. But I really urge others to do their very best. I know there are people here, such as my colleague Senator FEINSTEIN and others, who have worked on this.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

HIGHWAY AND TRANSPORTATION FUNDING ACT OF 2015

Mr. ROUNDS. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 89, H.R. 2353.

The PRESIDING OFFICER. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (H.R. 2353) to provide an extension of Federal-aid highway, highway safety, motor carrier safety, transit, and other programs funded out of the Highway Trust Fund, and for other purposes.

There being no objection, the Senate proceeded to consider the bill.

The PRESIDING OFFICER. Is there further debate?

The Senator from Illinois.

Mr. DURBIN. Mr. President, is there going to be a unanimous consent request made at this point?

The PRESIDING OFFICER. The Chair understands there will be.

Mr. DURBIN. I will reserve the right to object at that point.

Mr. President, in the interest of time—I know it is early in the morning—I would like to make a statement. I am not going to object to proceeding to this measure, but I would like to make a matter of record what I am sure the Senator from South Dakota already knows: that absent our action at this moment, the Federal highway program authority will expire May 31.

We have just spent the better part of the evening contemplating the expiration of important law relative to our national security, and we have not resolved it.

What is happening here, of course, is a request for a 60-day extension of the Federal highway program. I might say—and I am sure the Senator from South Dakota is well aware of this—this is the 33rd short-term extension of our Federal highway program.

I think all of us understand that the program that once was considered to be the centerpiece of America's infrastructure and its economy has now deteriorated to the point where we are extending it for 1 month, 2 months, and 3 months at a time. Frankly, it does not serve our country and it doesn't serve our economy. It is a reflection on the lack of leadership by those who have the authority in committees and in the House and Senate to propose a measure that becomes a long-term highway program.

I just want to make it clear that instead of enacting a 6-year transportation program worthy of our great Nation, this Congress continues to limp along down a political highway of excuses. It is coming to an end.

There have been lengthy discussions in our Democratic caucus that these continued short-term extensions are unacceptable in this great Nation. And I would just say that although we will agree to this 60-day extension, we are serving notice on the majority leader in the Senate as well as the Speaker to do their job and to enact a law that provides the kind of infrastructure that could build America's economy.

So I will not object to this request, but notice is given that in this 60 days, it is time for this Congress to act.

I yield the floor.

The PRESIDING OFFICER. If there is no further debate, the question is on the third reading of the bill.

The bill was ordered to a third reading and was read the third time.

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall the bill pass?

The bill (H.R. 2353) was passed.

The PRESIDING OFFICER. The Senator from South Dakota.

Mr. ROUNDS. Mr. President, I ask unanimous consent that the motion to reconsider be made and laid upon the table.

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

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

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mrs. FEINSTEIN (for herself, Mr. KING, and Mr. WHITEHOUSE)

S. 1469. A bill to amend the Foreign Intelligence Surveillance Act of 1978 and for other purposes; to the Committee on the Judiciary.

EXECUTIVE SESSION

NOMINATION OF PETER LEVINE TO BE DEPUTY CHIEF MANAGEMENT OFFICER OF THE DEPARTMENT OF DEFENSE

NOMINATION OF PAUL A. FOLMSBEE, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF MALI

NOMINATION OF STAFFORD FITZGERALD HANEY TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF COSTA RICA

Mr. ROUNDS. Mr. President, I ask unanimous consent that the Senate proceed to executive session to consider the following nominations: Executive Calendar Nos. 83, 126, and 128, and that the Senate proceed to vote without intervening action or debate on the nominations in the order listed; that following disposition of the nominations, the motions to reconsider be considered made and laid upon the table; that no further motions be in order to the nominations; that any statements related to the nominations be printed in the RECORD; and that the President be immediately notified of the Senate's action.

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

The clerk will report the nominations en bloc.

The legislative clerk read the nominations of Peter Levine, of Maryland, to be Deputy Chief Management Officer of the Department of Defense; Paul A. Folmsbee, of Oklahoma, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Mali; and Stafford Fitzgerald Haney, of New Jersey, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Costa Rica.

VOTE ON LEVINE NOMINATION

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the nomination of Peter Levine, of Maryland, to be Deputy Chief Management Officer of the Department of Defense?

The nomination was confirmed.

VOTE ON FOLMSBEE NOMINATION

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the nomination of Paul A. Folmsbee, of Oklahoma, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Mali?

The nomination was confirmed.

VOTE ON HANEY NOMINATION

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the nomination of Stafford Fitzgerald Haney, of New Jersey, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Costa Rica?

The nomination was confirmed.

EXECUTIVE CALENDAR

Mr. ROUNDS. Mr. President, I ask unanimous consent that the Senate proceed to consider all nominations placed on the Secretary's desk in the Foreign Service; that the nominations be confirmed, the motions to reconsider be considered made and laid upon the table with no intervening action or debate; that no further motions be in order; that any statements related to the nominations be printed in the RECORD; that the President be immediately notified of the Senate's actions, and the Senate then resume legislative session.

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

The nominations considered and confirmed en bloc are as follows:

NOMINATIONS PLACED ON THE SECRETARY'S DESK

IN THE FOREIGN SERVICE

PN72–3 FOREIGN SERVICE nomination of Douglas A. Koneff, which was received by the Senate and appeared in the Congressional Record of January 13, 2015.

PN259 FOREIGN SERVICE nomination of Judy R. Reinke, which was received by the Senate and appeared in the Congressional Record of March 4, 2015.

PN260 FOREIGN SERVICE nominations (56) beginning Brian C. Brisson, and ending Catherine M. Werner, which nominations were received by the Senate and appeared in the Congressional Record of March 4, 2015.

PN368 FOREIGN SERVICE nominations (3) beginning Peter J. Olson, and ending Nicolas Rubio, which nominations were received by the Senate and appeared in the Congressional Record of April 15, 2015.

PN369 FOREIGN SERVICE nominations (346) beginning Craig A. Anderson, and ending Henry Kaminski, which nominations were received by the Senate and appeared in the Congressional Record of April 15, 2015.

PN370 FOREIGN SERVICE nominations (212) beginning Anthony S. Amatos, and ending Elena Zlatnik, which nominations were received by the Senate and appeared in the Congressional Record of April 15, 2015.

LEGISLATIVE SESSION

The PRESIDING OFFICER. The Senate will now resume legislative session.

GIRLS COUNT ACT OF 2015

Mr. ROUNDS. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 91, S. 802.

The PRESIDING OFFICER pro tempore. The clerk will report the bill by title.

The senior assistant legislative clerk read as follows:

A bill (S. 802) to authorize the Secretary of State and the Administrator of the United States Agency for International Development to provide assistance to support the rights of women and girls in developing countries, and for other purposes.

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Foreign Relations, with an amendment to strike all after the enacting clause and insert in lieu thereof the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Girls Count Act of 2015''.

SEC. 2. FINDINGS.

Congress makes the following findings:

(1) According to the United States Census Bureau's 2013 international figures, 1 person in 12, or close to 900,000,000 people, is a girl or young woman age 10 through 24.

(2) The Census Bureau's data also illustrates that young people are the fastest growing segment of the population in developing countries.

(3) Even though most countries do have birth registration laws, four out of ten babies born in 2012 were not registered worldwide. Moreover, an estimated 36 percent of children under the age of five worldwide (about 230,000,000 children) do not possess a birth certificate.

(4) A nationally recognized proof of birth system is important to determining a child's citizenship, nationality, place of birth, parentage, and age. Without such a system, a passport, driver's license, or other identification card is difficult to obtain. The lack of such documentation can prevent girls and women from officially participating in and benefitting from the formal economic, legal, and political sectors in their countries.

(5) The lack of birth registration among girls worldwide is particularly concerning as it can exacerbate the disproportionate vulnerability of women to trafficking, child marriage, and lack of access to health and education services.

(6) A lack of birth registration among women and girls can also aggravate what, in many places, amounts to an already reduced ability to seek employment, participate in civil society, or purchase or inherit land and other assets.

(7) Girls undertake much of the domestic labor needed for poor families to survive: carrying water, harvesting crops, tending livestock, caring for younger children, and doing chores.

(8) Accurate assessments of access to education, poverty levels, and overall census activities are hampered by the lack of official information on women and girls. Without this rudimentary information, assessments of foreign assistance and domestic social welfare programs are difficult to gauge.

(9) To help ensure that women and girls are considered in United States foreign assistance policies and programs, that their needs are addressed in the design, implementation, and evaluation of foreign assistance programs, and that women and girls have the opportunity to succeed, it is important that girls be counted and have access to birth certificates and other official documentation.

SEC. 3. STATEMENT OF POLICY.

It is the policy of the United States to—

(1) encourage countries to support the rule of law and ensure girls and boys of all ages are able to fully participate in society, including by providing birth certifications and other official documentation;

(2) enhance training and capacity-building in key developing countries, local nongovernmental organizations, and other civil society organizations, including faith-based organizations and organizations representing children and families in the design, implementation, and monitoring of programs under this Act, to effectively address the needs of birth registries in countries where girls are systematically undercounted; and

(3) incorporate into the design, implementation, and evaluation of policies and programs measures to evaluate the impact that such policies and programs have on girls.

SEC. 4. UNITED STATES ASSISTANCE TO SUPPORT COUNTING OF GIRLS IN THE DEVELOPING WORLD.

(a) AUTHORIZATION.—The Secretary and the Administrator are authorized to prioritize and advance ongoing efforts to—

(1) support programs that will contribute to improved and sustainable Civil Registration and Vital Statistics Systems (CRVS) with a focus on birth registration;

(2) support programs that build the capacity of developing countries' national and local legal and policy frameworks to prevent discrimination against girls in gaining access to birth certificates, particularly where this may help prevent exploitation, violence, and other abuse; and

(3) support programs and key ministries, including, interior, youth, and education ministries, to help increase property rights, social security, home ownership, land tenure security, inheritance rights, access to education, and economic and entrepreneurial opportunities, particularly for women and girls.

(b) COORDINATION WITH MULTILATERAL ORGANIZATIONS.—The Secretary and the Administrator are authorized to coordinate with the World Bank, relevant United Nations agencies and programs, and other relevant organizations to encourage and work with countries to enact, implement, and enforce laws that specifically collect data on girls and establish registration programs to ensure girls are appropriately counted and have the opportunity to be active participants in the social, legal, and political sectors of society in their countries.

(c) COORDINATION WITH PRIVATE SECTOR AND CIVIL SOCIETY ORGANIZATIONS.—The Secretary and the Administrator are authorized to work with the United States, international, and local private sector and civil society organizations to advocate for the registration and documentation of all girls and boys in developing countries, in order to help prevent exploitation, violence, and other abuses and to help provide economic and social opportunities.

SEC. 5. REPORT.

The Secretary and the Administrator shall include in relevant evaluations and reports to Congress the following information:

(1) To the extent practicable, a breakdown of United States foreign assistance beneficiaries by age, gender, marital status, location, and school enrollment status.

(2) A description, as appropriate, of how United States foreign assistance benefits girls.

(3) Specific information, as appropriate, on programs that address the particular needs of girls.

SEC. 6. DEFINITIONS.

In this Act:

(1) ADMINISTRATOR.—The term ''Administrator'' means the Administrator of the United States Agency for International Development.

(2) FOREIGN ASSISTANCE.—The term ''foreign assistance'' has the meaning given the term in section 634(b) of the Foreign Assistance Act of 1961 (22 U.S.C. 2394(b)).

(3) SECRETARY.—The term ''Secretary'' means the Secretary of State.

SEC. 7. SUNSET.

This Act shall expire on the date that is five years after the date of the enactment of this Act.

Mr. ROUNDS. Mr. President, I ask unanimous consent that the committee-reported amendment be agreed to; the bill, as amended, be read a third time and passed; and the motion to reconsider be considered made and laid upon the table.

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

The committee-reported amendment in the nature of a substitute was agreed to.

The bill (S. 802), as amended, was ordered to be engrossed for a third reading, was read the third time, and passed.

NATIONAL PEDIATRIC STROKE AWARENESS MONTH

Mr. ROUNDS. Mr. President, I ask unanimous consent that the HELP Committee be discharged from further consideration of S. Res. 156 and the Senate proceed to its immediate consideration.

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

The clerk will report the resolution by title.

The senior assistant legislative clerk read as follows:

A resolution (S. Res. 156) expressing the sense of the Senate with respect to childhood stroke and recognizing May 2015 as ''National Pediatric Stroke Awareness Month.''

There being no objection, the Senate proceeded to consider the resolution.

Mr. ROUNDS. Mr. President, I further ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be considered made and laid upon the table with no intervening action or debate.

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

The resolution (S. Res. 156) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in the RECORD of April 30, 2015, under ''Submitted Resolutions.'')

APPOINTMENTS AUTHORITY

Mr. ROUNDS. Mr. President, I ask unanimous consent that notwithstanding the upcoming adjournment of the Senate, the President of the Senate, the President pro tempore, and the majority and minority leaders be authorized to make appointments to commissions, committees, boards, conferences, or interparliamentary conferences authorized by law, by concurrent action of the two Houses or by order of the Senate.

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

REPORTING AUTHORITY

Mr. ROUNDS. Mr. President, I ask unanimous consent that notwithstanding the adjournment of the Senate, committees be allowed to report bills and reports on Tuesday, May 26, between the hours of 2 p.m. and 4 p.m.

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

ORDERS FOR TUESDAY, MAY 26 THROUGH SUNDAY, MAY 31, 2015

Mr. ROUNDS. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until the following dates and times to convene for pro forma session only, with no business being conducted; further, that following each pro forma session, the Senate adjourn until the next pro forma session: Tuesday, May 26, 4 p.m., and Thursday, May 28, 8:30 a.m.; further, that the Senate adjourn on May 28 until 4 p.m., Sunday, May 31; that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, and the time for the two leaders be reserved for their use later in the day; that following leader remarks, the Senate resume consideration of the motion to proceed to H.R. 2048.

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

ADJOURNMENT UNTIL TUESDAY, MAY 26, 2015, AT 4 P.M.

Mr. ROUNDS. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the previous order.

There being no objection, the Senate, at 2 a.m., adjourned until Tuesday, May 26, 2015, at 4 p.m.

SENATE—*Tuesday, May 26, 2015*

The Senate met at 4:29 and 55 seconds p.m., and was called to order by the Honorable ROY BLUNT, a Senator from the State of Missouri.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. HATCH).

The senior assistant legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, May 26, 2015.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable ROY BLUNT, a Senator from the State of Missouri, to perform the duties of the Chair.

ORRIN G. HATCH,
President pro tempore.

Mr. BLUNT thereupon assumed the Chair as Acting President pro tempore.

ADJOURNMENT UNTIL THURSDAY, MAY 28, 2015, AT 8:30 A.M.

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate stands adjourned until 8:30 a.m. on Thursday, May 28, 2015.

Thereupon, the Senate, at 4:30 and 23 seconds p.m., adjourned until Thursday, May 28, 2015, at 8:30 a.m.

HOUSE OF REPRESENTATIVES—*Tuesday, May 26, 2015*

The House met at 3 p.m. and was called to order by the Speaker pro tempore (Mr. HARRIS).

DESIGNATION OF THE SPEAKER PRO TEMPORE

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

WASHINGTON, DC,
May 26, 2015.

I hereby appoint the Honorable ANDY HARRIS to act as Speaker pro tempore on this day.

JOHN A. BOEHNER,
Speaker of the House of Representatives.

PRAYER

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

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

We thank You once again that we can come before You and ask guidance for the men and women of this assembly. Send Your spirit of peace, honesty, and fairness during this week of constituent visits.

Bless the people of this great Nation with wisdom, knowledge, and understanding, that they might responsibly participate in our American democracy.

Please keep all who work for the people's House in good health. We thank You for their generosity, and the tremendous job so many did this past weekend so that millions of Americans could enjoy a wonderful Capitol concert celebrating Memorial Day.

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

Amen.

THE JOURNAL

The SPEAKER pro tempore. Pursuant to section 5(a) of House Resolution 273, the Journal of the last day's proceedings is approved.

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentleman from Michigan (Mr. AMASH) come forward and lead the House in the Pledge of Allegiance.

Mr. AMASH led the Pledge of Allegiance as follows:

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

COMMUNICATION FROM THE CLERK OF THE HOUSE

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

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, May 22, 2015.

Hon. JOHN A. BOEHNER,
The Speaker, U.S. Capitol, House of Representatives, Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on May 22, 2015 at 5:15 p.m.:

That the Senate passed S. 1463.

That the Senate passed without amendment H.R. 2496.

With best wishes, I am

Sincerely,

KAREN L. HAAS.

COMMUNICATION FROM THE CLERK OF THE HOUSE

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

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, May 26, 2015.

Hon. JOHN A. BOEHNER,
The Speaker, U.S. Capitol, House of Representatives, Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on May 26, 2015 at 9:54 a.m.:

That the Senate passed S. 802.

That the Senate passed without amendment H.R. 2353.

With best wishes, I am

Sincerely,

KAREN L. HAAS.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 4 of rule I, the following enrolled bill was signed by Speaker pro tempore MESSER on Friday, May 22, 2015:

H.R. 2496, to extend the authorization for the replacement of the existing Department of Veterans Affairs Medical Center in Denver, Colorado, to make certain improvements in the Veterans Access, Choice, and Accountability Act of 2014, and for other purposes.

SENATE BILL REFERRED

A bill of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. 1463. An act to amend the Veterans Access, Choice, and Accountability Act of 2014 to modify the distance requirement for expanded availability of hospital care and medical services for veterans through the use of agreements with non-Department of Veterans Affairs entities; to the Committee on Veterans' Affairs; in addition, to the Committee on the Budget for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

ENROLLED BILLS SIGNED

Karen L. Haas, Clerk of the House, reported and found truly enrolled a bill of the House of the following title, which was thereupon signed by the Speaker pro tempore, Mr. MESSER, on Friday, May 22, 2015:

H.R. 2496. An act to extend the authorization for the replacement of the existing Department of Veterans Affairs Medical Center in Denver, Colorado, to make certain improvements in the Veterans Access, Choice, and Accountability Act of 2014, and for other purposes.

Karen L. Haas, Clerk of the House, further reported and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker pro tempore, Mr. HARRIS, on Tuesday, May 26, 2015:

H.R. 1690. An act to designate the United States courthouse located at 700 Grant Street in Pittsburgh, Pennsylvania, as the ''Joseph F. Weis Jr. United States Courthouse''.

H.R. 2353. An act to provide an extension of Federal-aid highway, highway safety, motor carrier safety, transit, and other programs funded out of the Highway Trust Fund, and for other purposes.

ADJOURNMENT

The SPEAKER pro tempore. Pursuant to section 5(b) of House Resolution 273, the House stands adjourned until 10 a.m. on Friday, May 29, 2015.

Thereupon, (at 3 o'clock and 5 minutes p.m.), under its previous order, the House adjourned until Friday, May 29, 2015, at 10 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

1587. A letter from the Under Secretary, Acquisition, Technology and Logistics, Department of Defense, transmitting the Department's report on ''Fiscal Year 2014 Purchases From Foreign Entities'', pursuant to

41 U.S.C. 8305, Pub. Law 113-76, Sec. 8028; to the Committee on Armed Services.

1588. A letter from the Assistant Secretary, Logistics and Materiel Readiness, Department of Defense, transmitting a notification that the Department will submit the report required by 10 U.S.C. 2466(d)(1) by September 2015; to the Committee on Armed Services.

1589. A letter from the Chairman and President, Export-Import Bank, transmitting a statement, pursuant to Sec. 2(b)(3) of the Export-Import Bank Act of 1945, as amended, on a transaction involving Cargolux Airlines International, S.A. of Sandweiler, Luxembourg; to the Committee on Financial Services.

1590. A letter from the Chairman and President, Export-Import Bank, transmitting a statement, pursuant to Sec. 2(b)(3) of the Export-Import Bank Act of 1945, as amended, on a transaction involving Petroleos Mexicanos of Mexico City, Mexico; to the Committee on Financial Services.

1591. A letter from the Chairman and President, Export-Import Bank, transmitting a statement, pursuant to Sec. 2(b)(3) of the Export-Import Bank Act of 1945, as amended, on a transaction involving Emirates Airlines of Dubai, United Arab Emirates; to the Committee on Financial Services.

1592. A letter from the Chairman and President, Export-Import Bank, transmitting a statement, pursuant to Sec. 2(b)(3) of the Export-Import Bank Act of 1945, as amended, on a transaction involving Comair Limited of Bonagro Park, South Africa; to the Committee on Financial Services.

1593. A letter from the Acting Assistant General Counsel for Regulatory Services, Office of the General Counsel, Department of Education, transmitting the Department's final rule — Assistance to States for the Education of Children With Disabilities [Docket ID.: ED-2012-OSERS-0020] (RIN: 1820-AB65) received May 21, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

1594. A letter from the Acting Chief Administrative Law Judge, Office of Administrative Law Judges, Department of Labor, transmitting the Department's final rule — Rules of Practice and Procedure for Administrative Hearings Before the Office of Administrative Law Judges (RIN: 1290-AA26) received May 21, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

1595. A letter from the Assistant Secretary for Legislation, Department of Health and Human Services, transmitting the ''Fiscal Year 2012 Report on the Preventive Medicine and Public Health Training Grant and Integrative Medicine Programs'', pursuant to Public Law 111-148, Sec. 10501(m)(1); to the Committee on Energy and Commerce.

1596. A letter from the Assistant Secretary for Legislation, Department of Health and Human Services, transmitting the FY 2012 ''Report to Congress on the Nurse Education, Practice, Quality and Retention Program'', pursuant to Secs. 831 and 831A of Title VIII of the Public Health Service Act; to the Committee on Energy and Commerce.

1597. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; Illinois; Emission Limit Infrastructure SIP Requirements for the 2008 Ozone, 2010 NO2, and 2010 SO2 NAAQS [EPA-R05-OAR-2011-0969; EPA-R05-OAR-2012-0991; EPA-R05-OAR-2013-0435; FRL-9927-94-Region 5] received May 20, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1598. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; Maryland; Determination of Attainment of the 1997 8-Hour Ozone National Ambient Air Quality Standard for the Baltimore, Maryland Serious Nonattainment Area [EPA-R03-OAR-2014-0883; FRL-9928-15-Region 3] received May 20, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1599. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's direct final rule — Approval and Promulgation of Air Quality Implementation Plans; Ohio; Removal of General Conformity Regulations [EPA-R05-OAR-2014-0659; FRL-9927-98-Region 5] received May 20, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1600. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's direct final rule — Approval and Promulgation of Air Quality Implementation Plans; Virginia; Revisions to the Attainment Plans for the Commonwealth of Virginia Portion of the Washington, DC-MD-VA 1990 1-Hour and 1997 8-Hour Ozone Nonattainment Areas and the Maintenance Plan for the Fredericksburg 1997 8-Hour Ozone Maintenance Area to Remove the Stage II Vapor Recovery Program [EPA-R03-OAR-2014-0422; FRL-9927-90-Region 3] received May 20, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1601. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; West Virginia; Permits for Construction and Major Modification of Major Stationary Sources Which Cause or Contribute to Nonattainment Areas [EPA-R03-OAR-2014-0792; FRL-9928-02-Region 3] received May 20, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1602. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans; State of Colorado; Regional Haze State Implementation Plan [EPA-R08-OAR-2011-0770; FRL-9928-16-Region 8] received May 20, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1603. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's direct final rule — Approval of Air Quality Implementation Plans; Ohio: Cleveland and Delta; Determination of Attainment for the 2008 Lead Standard [EPA-R05-OAR-2015-0192; FRL-9927-96-Region 5] received May 20, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1604. A letter from the Chief of Staff, Media Bureau, Federal Communications Commission, transmitting the Commission's final rule — Amendment of Sec. 73.622(i), Post-Transition Table of DTV Allotments, Television Broadcast Stations (Bend, Oregon) [MB Docket No.: 15-88] [RM-11747] received May 21, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1605. A communication from the President of the United States, transmitting the termination of the national emergency declared in Executive Order 13617 of June 25, 2012, pursuant to 50 U.S.C. 1703(b); (H. Doc. No. 114—41); to the Committee on Foreign Affairs and ordered to be printed.

1606. A letter from the Senior Procurement Executive, Office of Acquisition Policy, General Services Administration, transmitting the Administration's final rule — General Services Administration Acquisition Regulation (GSAR); Unique Item Identification (UID) [GSAR Change 63; GSAR Case 2014-G504; Docket No.: 2015-0003; Sequence No. 1] (RIN: 3090-AJ53) received May 21, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Oversight and Government Reform.

1607. A letter from the Inspector General, U.S. House of Representatives, transmitting the ''United States House of Representatives Financial Audit Report'' for the fiscal year ending on September 30, 2014; to the Committee on House Administration.

1608. A letter from the Branch Chief, Endangered Species Listing, U.S. Fish and Wildlife Service, Department of the Interior, transmitting the Department's final rule — Endangered and Threatened Wildlife and Plants; Threatened Species Status for Dakota Skipper and Endangered Species Status for Poweshiek Skipperling [Docket No.: FWS-R3-ES-2013-0043; 4500030113] (RIN: 1018-AY01) received May 21, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

1609. A letter from the Chief, Branch of Permits and Regulations, Division of Migratory Bird Management, U.S. Fish and Wildlife Service, Department of the Interior, transmitting the Department's final rule — Migratory Bird Permits; Removal of Yellow-billed Magpie and Other Revisions to Depredation Order [Docket No.: FWS-R9-MB-2012-0027; FF09M29000-145-FXMB1232090000] (RIN: 1018-AY60) received May 21, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

1610. A letter from the Acting Chief, Endangered Species Branch of Listing, U.S. Fish and Wildlife Service, Department of the Interior, transmitting the Department's final rule — Endangered and Threatened Wildlife and Plants; Designation of Critical Habitat for Neosho Mucket and Rabbitsfoot [Docket No.: FWS-R4-ES-2013-0007] (RIN: 1018-AZ30) received May 21, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

1611. A letter from the Chief, Division of Policy and Programs, Wildlife and Sport Fish Restoration Program, U.S. Fish and Wildlife Service, Department of the Interior, transmitting the Department's final rule — Boating Infrastructure Grant Program [Docket No.: FWS-R9-WSR-2011-0083; FVWF941009000007B-XXX-FF09W11000] (RIN 1018-AW64) received May 21, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

1612. A letter from the Acting Director, Office of Sustainable Fisheries, National Oceanic and Atmospheric Administration, transmitting the Administration's temporary rule — Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Ocean Perch in the Bering Sea and Aleutian Islands Management Area [Docket No.: 131021878-4158-02] (RIN: 0648-XD909) received May 21, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

1613. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Modification of the Designations of the Caribbean Ocean Dredged Material Disposal Sites [EPA-R2-OW-2014-

0587; FRL-9928-04-Region 2] received May 20, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1614. A letter from the Deputy Director, ODRM, Department of Health and Human Services, transmitting the Department's final rule — Medicare and Medicaid Programs: Revisions to Deeming Authority Survey, Certification, and Enforcement Procedures [CMS-3255-F] (RIN: 0938-AQ33) received May 21, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); jointly to the Committees on Energy and Commerce and Ways and Means.

1615. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting certification to Congress under Sec. 609(b) of Pub. L. 101-162 ''Regarding the Incidental Capture of Sea Turtles in Commercial Shrimping Operations''; jointly to the Committees on Natural Resources and Appropriations.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mrs. RADEWAGEN:

H.R. 2574. A bill to amend the Fair Minimum Wage Act of 2007 to stop a scheduled increase in the minimum wage applicable to American Samoa and to provide that any future increases in such minimum wage shall be determined by the government of American Samoa; to the Committee on Education and the Workforce.

By Mrs. RADEWAGEN:

H.R. 2575. A bill to amend the Fair Minimum Wage Act of 2007 to postpone a scheduled increase in the minimum wage applicable to American Samoa; to the Committee on Education and the Workforce.

By Mr. SHIMKUS (for himself, Mr. UPTON, Mr. PALLONE, and Mr. TONKO):

H.R. 2576. A bill to modernize the Toxic Substances Control Act, and for other purposes; to the Committee on Energy and Commerce.

By Ms. FRANKEL of Florida (for herself, Mr. MILLER of Florida, Ms. BROWN of Florida, Mr. CONYERS, Mr. JOLLY, Mr. RANGEL, Mr. MURPHY of Florida, Mr. CURBELO of Florida, Ms. ESTY, Mr. JONES, Mr. MCGOVERN, Mr. CICILLINE, Mr. COSTELLO of Pennsylvania, Mr. TAKANO, Mr. SHUSTER, Mr. KILMER, Mr. LANGEVIN, Ms. MCSALLY, Ms. BORDALLO, Mr. SABLAN, Mr. KING of New York, Mr. MEEKS, Mr. LEWIS, Mr. YOHO, Mr. HASTINGS, Mr. DEUTCH, Mr. JOHNSON of Ohio, Mr. BRENDAN F. BOYLE of Pennsylvania, Mr. SERRANO, Mrs. LAWRENCE, Mr. LOEBSACK, Mr. CARTWRIGHT, Ms. ROS-LEHTINEN, and Mr. ISRAEL):

H. Con. Res. 53. Concurrent resolution honoring American veterans disabled for life; to the Committee on Veterans' Affairs.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mrs. RADEWAGEN:

H.R. 2574.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3—The Congress shall have power . . . to regulate commerce with foreign Nations, and among the several States, and with the Indian Tribes.

By Mrs. RADEWAGEN:

H.R. 2575.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3—The Congress shall have power . . . to regulate commerce with foreign Nations, and among the several States, and with the Indian Tribes.

By Mr. SHIMKUS:

H.R. 2576.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3: To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions, as follows:

H.R. 244: Mr. FORTENBERRY.

H.R. 304: Mr. RUSH, Mr. FATTAH, and Mr. FARR.

H.R. 590: Mr. BEYER.

H.R. 605: Mr. JOHNSON of Ohio.

H.R. 885: Ms. PINGREE.

H.R. 969: Mr. HECK of Nevada, Mr. BRENDAN F. BOYLE of Pennsylvania, and Mrs. HARTZLER.

H.R. 986: Mr. GIBBS and Mr. HURT of Virginia.

H.R. 1062: Mr. STEWART.

H.R. 1087: Mr. GOSAR.

H.R. 1197: Mrs. KIRKPATRICK.

H.R. 1198: Mr. PASCRELL.

H.R. 1385: Mr. LABRADOR.

H.R. 1399: Mr. BRENDAN F. BOYLE of Pennsylvania, Ms. BROWNLEY of California, Mrs. LOWEY, Ms. JACKSON LEE, and Ms. CLARK of Massachusetts.

H.R. 1516: Mr. NUNES, Mr. KILMER, Mr. QUIGLEY, Mr. FRELINGHUYSEN, Mr. BARTON, and Mr. SEAN PATRICK MALONEY of New York.

H.R. 1650: Mr. LANCE.

H.R. 1655: Mr. COFFMAN and Ms. FUDGE.

H.R. 1718: Mr. DENT and Mr. GUTHRIE.

H.R. 1739: Mrs. WAGNER and Mr. WOMACK.

H.R. 1811: Mr. SARBANES.

H.R. 2156: Mr. JOHNSON of Ohio.

H.R. 2173: Mr. FARR, Mr. GARAMENDI, Ms. LEE, Ms. MATSUI, Mr. SHERMAN, and Mr. TAKANO.

H.R. 2218: Miss RICE of New York and Mr. HIGGINS.

H.R. 2233: Mr. ISSA and Mr. GOSAR.

H.R. 2300: Mr. FLORES and Mr. WESTERMAN.

H.R. 2361: Mr. GARAMENDI.

H.R. 2405: Mr. TIBERI.

H.R. 2434: Mr. WITTMAN.

H.R. 2441: Mr. PEARCE and Ms. BORDALLO.

H.R. 2492: Mr. DESANTIS.

H. Con. Res. 49: Mr. ISSA.

H. Res. 12: Ms. SINEMA, Mr. ROE of Tennessee, and Mr. HECK of Washington.

H. Res. 193: Mr. VEASEY and Mr. COLE.

PETITIONS, ETC.

Under clause 3 of rule XII, petitions and papers were laid on the clerk's desk and referred as follows:

9. The SPEAKER presented a petition of Senator Terry Rice, State Capitol, Little Rock, Arkansas, relative to a letter regarding the Supreme Court ruling on King v. Burwell case challenging the legality of an Internal Revenue Service rule that distributes taxpayer-funded subsidies to enrollees in health plans administered through federally run insurance exchanges created by the Patient Protection and Affordable Care Act; to the Committee on Energy and Commerce.

10. Also, a petition of Senate Minority Whip Martin J. Quezada, State House, Phoenix, Arizona, relative to expressing support for House Resolution 1075, which would designate the Douglas, Arizona Port of Entry as the ''Raul Hector Castro Port of Entry'' in honor of Arizona's first Hispanic governor; to the Committee on Ways and Means.

EXTENSIONS OF REMARKS

RECOGNIZING MAY AS PREECLAMPSIA AWARENESS MONTH

HON. KRISTI L. NOEM

OF SOUTH DAKOTA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 26, 2015

Mrs. NOEM. Mr. Speaker, I rise to recognize May as Preeclampsia Awareness Month.

Despite advances in treatment and technology across the medical field, the disease of preeclampsia continues to affect mothers and infants across the country. As one of the leading causes of premature birth, illness, and maternal death, preeclampsia afflicts one in 12 women, according to the Preeclampsia Foundation.

Preeclampsia is characterized by high blood pressure, and its symptoms mimic common difficulties associated with pregnancy, like abdominal pain, the cause of headaches, vomiting, and anxiety. Because they are so common, many women may simply ignore these symptoms. Worse, little is known about preeclampsia. While current research suggests it is related to the placenta, we do not know why it occurs, we do not know how to cure it, and we are still learning about its long-term effects on mothers and their children.

Our lack of understanding about preeclampsia is why I strongly support the work of groups like the Preeclampsia Foundation to educate women about the symptoms of preeclampsia and how they can find care. I also support the research being done at the National Institute of Child Health and Human Development. I am hopeful that research and support from NIH and the Preeclampsia Foundation will help us understand and address this disease.

HONORING PRIVATE FIRST CLASS WILLIAM JOSEPH OAKLEY

HON. ELIZABETH H. ESTY

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 26, 2015

Ms. ESTY. Mr. Speaker, I rise today to honor and remember Private First Class William Joseph Oakley, the first casualty of the Vietnam War from Waterbury, Connecticut.

At the age of 17, PFC Oakley enlisted in the United States Army. He was extremely proud to serve his country. On May 28, 1965, PFC Oakley was killed when two Army helicopters collided. He was only 18 years old and had served for less than a year.

As we commemorate Memorial Day and remember all those who lost their lives while in service to our country, let us pause to think of PFC Oakley on the 50th anniversary of his death.

This year also marks the 50th anniversary of the ground offensive in Vietnam. Over 58,000 names are written on the Vietnam Veterans Memorial Wall in Washington, DC. Thirty of these brave Americans, including PFC Oakley, called Waterbury home.

The City of Waterbury and the Waterbury Veterans Memorial Committee will never forget the service and sacrifice of the men and women who died while serving in our nation's military throughout our history. I would like to take this opportunity to thank the Waterbury Veterans Memorial Committee for all they do to honor our veterans.

RECOGNIZING KEVIN AND SIMA ZLOCK

HON. MICHAEL G. FITZPATRICK

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 26, 2015

Mr. FITZPATRICK. Mr. Speaker, I am proud to join you today in recognition of Kevin and Sima Zlock for their efforts to advance and expand the mission at Bucks County Community College.

I am told, that Bucks County Community College will officially dedicate the new Kevin and Sima Zlock Performing Arts Center at the college's Newtown, Bucks County campus today.

This addition to an already amazing institution will enhance the educational experience of every Bucks student who walks through the door a valuable venue for the college and region's thriving arts community.

I consider myself so fortunate to be able to represent Bucks County, Pennsylvania here in the House, and to have grown up around the Community College.

The kindness of individuals, businesses and civic groups across my district continue to astound me, and the Zlock's commitment to Bucks County Community College is just the latest in a long line of residents investing in the success of our community.

So, I thank Kevin and Sima Zlock for their continued support of Bucks County Community College and wish the best for the dedication of the new Kevin and Sima Zlock Performing Arts Center. Have a great day, Bucks County.

THE INTERNATIONAL DAY TO END OBSTETRIC FISTULA

HON. ROSA L. DeLAURO

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 26, 2015

Ms. DELAURO. Mr. Speaker, I rise in recognition of the International Day to End Obstetric Fistula.

Obstetric fistula, a debilitating condition, has left hundreds of thousands of women suffering in solitude and shame. It is perhaps one of the most telling examples of inequitable access to maternal health care and, until recently, one of the most hidden.

Addressing this issue is not only a moral imperative for the United States, but it is also in our best strategic interest. When women are pushed out of society, they cannot contribute. By treating and preventing this condition, we empower women to care for themselves and their families, and be active participants in society, reducing global poverty.

Dr. Babatunde Osotimehin, United Nations Under-Secretary-General and Executive Director of UNFPA, the United Nations Population Fund, recently said, ''Let us decide, as a global community, that the world we want is one where fistula no longer exists. Let us, once and for all, put an end to this assault on women's and girls' health and human rights, which steals from them their very dignity and destroys the most fundamental of human qualities: hope. Much of the world has already virtually eliminated fistula. It is time to finish the job. Let us all work together to wipe fistula off the map.''

The International Day to End Obstetric Fistula is an important opportunity to raise awareness of a condition that is not well-understood, even in societies where it is prevalent. I urge everyone to use the day of recognition to help raise awareness and intensify actions towards ending obstetric fistula.

HONORING JOSEPH STRZELCZYK, THE MAYOR OF SUMMIT, ILLINOIS

HON. DANIEL LIPINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 26, 2015

Mr. LIPINSKI. Mr. Speaker, I rise today to honor Joseph Strzelczyk, the Mayor of Summit, Illinois who passed away on May 17, 2015 at the age of 75. Commonly known as ''Mayor Joe'' to residents of Summit, Joe Strzelczyk was recognized for his tremendous dedication to his town and its residents.

Mayor Strzelczyk began his career in public service in 1978 when he worked as a special

recreation instructor for the Chicago Park District. In 1990, he was elected as a Village Trustee in Summit, a position which he held until he was elected mayor.

Joe Strzelczyk was originally elected mayor in 1997 and won reelection four times. Over almost two decades as mayor, he focused on improving and revitalizing Summit through grassroots efforts along with attracting businesses and revenue to the city. Mayor Strzelczyk played a vital role in ensuring a revenue sharing agreement with the Rivers Casino in Des Plaines which brought in more than $604,000 to Summit in the first year alone. Mayor Strzelczyk was also active in organizing village cleanups.

Mayor Strzelczyk's love of his community stretched into all facets of his life. An avid softball player, he coached in the North American Pro Softball League and later hosted a local cable TV show in addition to being a sports commentator on radio. In 2012, he was inducted into the Chicago 16 Inch Softball Hall of Fame.

Today I ask my colleagues to join me in honoring Mayor Joseph Strzelczyk. A truly dedicated public servant, Joe Strzelczyk made Summit a great place to live. His leadership and dedication to his community was unparalleled and will truly be missed.

CELEBRATING THE 120TH ANNIVERSARY OF NEW HOPE BAPTIST CHURCH

HON. ELIZABETH H. ESTY

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 26, 2015

Ms. ESTY. Mr. Speaker, I rise today to celebrate the 120th anniversary of New Hope Baptist Church in Danbury, Connecticut.

This weekend, New Hope Baptist Church will celebrate over a century of visionary leadership and faithful service that has contributed to achieving a healthy, thriving community. In 1895, Rev. Thomas Garnett founded the New Hope Baptist Church of Danbury with area residents who were drawn together by faith and kinship.

Eight pastors have led New Hope over the past 120 years, shepherding the parish through many periods of growth. Increasing membership throughout the decades also necessitated expansions in church programs and services as well as physical additions to the church itself. This year, under the leadership of Rev. Leroy Parker, New Hope expanded its ministry to include services in Waterbury to reach even more individuals and families in western Connecticut. Rev. Parker is an inspiring preacher, and I was honored for him to join me at the National Prayer Breakfast in Washington, DC, earlier this year.

New Hope Baptist Church is an outstanding example of what a faith community can accomplish through ministry and fellowship. The parishioners are welcoming and eager to share their faith with community members and visitors alike. I enjoy worshiping at New Hope and cherish the friendships I have made.

Congratulations to New Hope Baptist Church on its 120th anniversary.

SENATE—*Thursday, May 28, 2015*

The Senate met at 8:35 and 55 seconds a.m. and was called to order by the Honorable ROY BLUNT, a Senator from the State of Missouri.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. HATCH).

The legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, May 28, 2015.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable ROY BLUNT, a Senator from the State of Missouri, to perform the duties of the Chair.

ORRIN G. HATCH,
President pro tempore.

Mr. BLUNT thereupon assumed the Chair as Acting President pro tempore.

ADJOURNMENT UNTIL SUNDAY, MAY 31, 2015, AT 4 P.M.

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate stands adjourned until 4 p.m., Sunday, May 31, 2015.

Thereupon, the Senate, at 8:36 and 25 seconds a.m., adjourned until Sunday, May 31, 2015, at 4 p.m.

HOUSE OF REPRESENTATIVES—*Friday, May 29, 2015*

The House met at 10 a.m. and was called to order by the Speaker pro tempore (Mr. MESSER).

DESIGNATION OF THE SPEAKER PRO TEMPORE

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

WASHINGTON, DC,
May 29, 2015.

I hereby appoint the Honorable LUKE MESSER to act as Speaker pro tempore on this day.

JOHN A. BOEHNER,
Speaker of the House of Representatives.

PRAYER

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

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

We ask Your blessing upon the men and women of this, the people's House, during their time away from the Capitol. Keep them aware of Your presence as they face the tasks of this day, that no burden be too heavy, no duty too difficult, and no work too wearisome.

Make this a glorious day in which all are glad to be alive, eager to work, and ready to serve You, our great Nation, and all our fellow brothers and sisters.

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

Amen.

THE JOURNAL

The SPEAKER pro tempore. Pursuant to section 5(a) of House Resolution 273, the Journal of the last day's proceedings is approved.

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentleman from Kentucky (Mr. MASSIE) come forward and lead the House in the Pledge of Allegiance.

Mr. MASSIE led the Pledge of Allegiance as follows:

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

ADJOURNMENT

The SPEAKER pro tempore. Pursuant to section 5(b) of House Resolution 273, the House stands adjourned until noon, Monday, June 1, 2015, for morning-hour debate and 2 p.m. for legislative business.

Thereupon (at 10 o'clock and 3 minutes a.m.), under its previous order, the House adjourned until Monday, June 1, 2015, at noon for morning-hour debate.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

1616. A letter from the Acting Director, Defense Procurement and Acquisition Policy, OUSD (AT&L) DPAP/DARS, Department of Defense, transmitting the Department's final rule — Defense Federal Acquisition Regulation Supplement: Multiyear Contracts-Statutory References and Cancellation Ceiling Threshold (DFARS Case 2014-D019) (RIN: 0750-AI37) received May 26, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Armed Services.

1617. A letter from the Acting Director, Defense Procurement and Acquisition Policy, OUSD (AT&L) DPAP/DARS, Department of Defense, transmitting the Department's final rule — Defense Federal Acquisition Regulation Supplement: Advancing Small Business Growth (DFARS Case 2014-D009) (RIN: 0750-A142) received May 26, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Armed Services.

1618. A letter from the General Counsel, Federal Housing Finance Agency, transmitting the Agency's final rule — Federal Home Loan Bank Community Support Program — Administrative Amendments (RIN: 2590-AA38) received May 26, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

1619. A letter from the General Counsel, Federal Housing Finance Agency, transmitting the Agency's final rule — Minimum Requirements for Appraisal Management Companies (RIN: 2590-AA61) received May 28, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

1620. A letter from the Director, Directorate of Construction, Occupational Safety and Health Administration, Department of Labor, transmitting the Department's Major final rule — Confined Spaces in Construction [Docket ID: OSHA-2007-0026] (RIN: 1218-AB47) received May 27, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

1621. A letter from the Chief, Planning and Regulatory Affairs Office, OPS, Food and Nutrition Service, Department of Agriculture, transmitting the Department's final rule — Professional Standards for State and Local School Nutrition Programs Personnel as Required by the Healthy, Hunger-Free Kids Act of 2010 [FNS-2011-0030] (RIN: 0584-AE19) received May 26, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

1622. A letter from the Assistant Secretary for Legislation, Department of Health and Human Services, transmitting the eighth report to Congress entitled ''Fiscal Year 2014 Annual Report on FDA Advisory Committee Vacancies and Public Disclosures'', pursuant to Sec. 712(e) of the Federal Food, Drug, and Cosmetic Act; to the Committee on Energy and Commerce.

1623. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans; Alaska [EPA-R10-OAR-2014-0532; FRL-9928-17-Region 10] received May 22, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1624. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — State Implementation Plans: Response to Petition for Rulemaking; Restatement and Update of EPA's SSM Policy Applicable to SIPs; Findings of Substantial Inadequacy; and SIP Calls to Amend Provisions Applying to Excess Emissions During Periods of Startup, Shutdown and Malfunction [EPA-HQ-OAR-2012-0322; FRL-9924-05-OAR] (RIN: 2060-AR68) received May 22, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1625. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Completion of Requirement to Promulgate Standards [EPA-HQ-OAR-2004-0505; FRL-9928-25-OAR] (RIN: 2060-AS42) received May 27, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1626. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans; New York; Infrastructure SIP for the 2008 Lead NAAQS [EPA-R02-OAR-2014-0683, FRL-9928-39-Region 2] received May 27, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1627. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; Maryland; Determination of Attainment of the 2008 8-Hour Ozone National Ambient Air Quality Standard for the Baltimore, Maryland Moderate Nonattainment Area [EPA-R03-OAR-2014-0884; FRL-9928-42-Region 3] received May 27, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1628. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Metconazole; Pesticide Tolerances [EPA-HQ-OPP-2014-0230; FRL-9927-11] received May 27, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1629. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Mesotrione; Pesticide Tolerances [EPA-HQ-OPP-2014-0303; FRL-9927-75] received May 27, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1630. A letter from the General Counsel, Federal Energy Regulatory Commission,

transmitting the Commission's final rule — Coordination of the Scheduling Processes of Interstate Natural Gas Pipelines and Public Utilities [Docket No.: RM14-2-000; Order No.: 809] received May 26, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1631. A letter from the Secretary, Federal Trade Commission, transmitting the Commission's final rules — Revisions to Rules of Practice received May 26, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1632. A letter from the Chairman, Nuclear Regulatory Commission, transmitting the Commission's ''Report to Congress on Abnormal Occurrences: Fiscal Year 2014'', pursuant to Public Law 93-438, Sec. 208 and Public Law 104-66; to the Committee on Energy and Commerce.

1633. A letter from the Director, Office of Congressional Affairs, Nuclear Security and Incident Response, Nuclear Regulatory Commission, transmitting the Commission's final rule — Interim Staff Guidance Emergency Planning Exemption Requests for Decommissioning Nuclear Power Plants [NSIR/DPR-ISG-02] received May 26, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1634. A letter from the Director, Office of Congressional Affairs, Research, Nuclear Regulatory Commission, transmitting the Commission's withdrawal of rule — Net Positive Suction Head for Emergency Core Cooling and Containment Heat Removal System Pumps [NRC-2015-0107] received May 26, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1635. A letter from the Director, Defense Security Cooperation Agency, transmitting reports for the second quarter of FY 2015, January 1, 2015–March 31, 2015, in accordance with Secs. 36(a) and 26(b) of the Arms Export Control Act, the March 24, 1979, Report by the Committee on Foreign Affairs (H. Rept. 96–70), and the July 31, 1981, Seventh Report by the Committee on Government Operations (H. Rept. 97–214); to the Committee on Foreign Affairs.

1636. A letter from the Secretary, Department of Commerce, transmitting a report certifying that the export of the listed item to the People's Republic of China is not detrimental to the U.S. space launch industry, pursuant to Sec. 1512 of the Strom Thurmond National Defense Authorization Act for FY 1999 (Pub. L. 105-261), as amended by Sec. 146 of the Omnibus Consolidated and Emergency Supplemental Appropriations Act for FY 1999 (Pub. L. 105-277), and the President's September 29, 2009 delegation of authority (74 Fed. Reg. 50,913 (Oct. 2, 2009)); to the Committee on Foreign Affairs.

1637. A letter from the Assistant Legal Adviser, Office of Treaty Affairs, Department of State, transmitting a list of international agreements other than treaties entered into by the United States to be transmitted to Congress within sixty days in accordance with the Case-Zablocki Act, 1 U.S.C. 112b; to the Committee on Foreign Affairs.

1638. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting the Department's final rule — Amendment to the International Traffic in Arms Regulations: Policy on Exports to the Republic of Fiji (RIN: 1400-AD77) received May 26, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Foreign Affairs.

1639. A letter from the Secretary, Department of the Treasury, transmitting pursuant to Sec. 401(c) of the National Emergencies Act, 50 U.S.C. 1641(c), and Sec. 204(c) of the International Emergency Economic Powers Act, 50 U.S.C. 1703(c), the six-month periodic report on the national emergency with respect to North Korea that was declared in Executive Order 13466 of June 26, 2008; to the Committee on Foreign Affairs.

1640. A letter from the Secretary, Department of the Treasury, transmitting pursuant to Sec. 401(c) of the National Emergencies Act, 50 U.S.C. 1641(c), and Sec. 204(c) of the International Emergency Economic Powers Act, 50 U.S.C. 1703(c), and pursuant to Executive Order 13313 of July 31, 2003, a six-month periodic report on the national emergency with respect to the Western Balkans that was declared in Executive Order 13219 of June 26, 2001; to the Committee on Foreign Affairs.

1641. A letter from the Assistant Director, Senior Executive Management Office, Department of Defense, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998, Pub. L. 105-277; to the Committee on Oversight and Government Reform.

1642. A letter from the Associate General Counsel for General Law, Department of Homeland Security, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998, Pub. L. 105-277; to the Committee on Oversight and Government Reform.

1643. A letter from the Attorney-Advisor, Federal Highway Administration, Department of Transportation, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998, Pub. L. 105-277; to the Committee on Oversight and Government Reform.

1644. A letter from the President and Chief Executive Officer, Federal Home Loan Bank of Seattle, transmitting the Federal Home Loan Bank of Seattle 2014 management report, pursuant to the Chief Financial Officers Act of 1990; to the Committee on Oversight and Government Reform.

1645. A letter from the Associate Administrator for Legislative and Intergovernmental Affairs, National Aeronautics and Space Administration, transmitting the Administration's FY 2014 annual report, pursuant to Sec. 203 of the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (No FEAR Act), Pub. L. 107-174; to the Committee on Oversight and Government Reform.

1646. A letter from the Attorney-Advisor, Pipeline and Hazardous Materials Safety Administration, Department of Transportation, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998, Pub. L. 105-277; to the Committee on Oversight and Government Reform.

1647. A letter from the Chair, Securities and Exchange Commission, transmitting the Commission's semiannual report from the Office of Inspector General for the period October 1, 2014 through March 31, 2015 along with a separate Management Report containing certain required information; to the Committee on Oversight and Government Reform.

1648. A letter from the Executive Director, United States Access Board, transmitting the Board's FY 2014 annual report, pursuant to Sec. 203(a) of the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (No FEAR Act), Pub. L. 107-174; to the Committee on Oversight and Government Reform.

1649. A letter from the Chairman, United States Capitol Police Board, transmitting the Board's 2014 Year in Review which provides a synopsis of the Board's many short- and long-term initiatives and highlights the achievements of the Board; to the Committee on House Administration.

1650. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's temporary rule — Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Ocean Perch in the Bering Sea and Aleutian Islands Management Area [Docket No.: 131021878-4158-02] (RIN: 0648-XD921) received May 26, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

1651. A letter from the Assistant Administrator for Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Magnuson-Stevens Act Provisions; Fisheries of the Northeastern United States; Northeast Multispecies Fishery; 2015 and 2016 Sector Operations Plans and 2015 Contracts and Allocation of Northeast Multispecies Annual Catch Entitlements [Docket No.: 140821699-5361-02] (RIN: 0648-XD461) received May 21, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

1652. A letter from the Assistant Administrator for Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's interim final rule — Magnuson-Stevens Fishery Conservation and Management Act Provisions; Fisheries of the Northeastern United States; Northeast Groundfish Fishery; Fishing Year 2015; Recreational Management Measures [Docket No.: 150305221-5221-01] (RIN: 0648-BE82) received May 21, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

1653. A letter from the Deputy Assistant Administrator for Regulatory Programs, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Reef Fish Fishery of the Gulf of Mexico; Red Snapper Management Measures [Docket No.: 150226189-5389-02] (RIN: 0648-BE91) received May 29, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

1654. A letter from the Acting Director, Office of Sustainable Fisheries, National Oceanic and Atmospheric Administration, transmitting the Administration's temporary rule — Fisheries Off West Coast States; Coastal Pelagic Species Fisheries; Closure [Docket No.: 140417346-4575-02] (RIN: 0648-XD916) received May 29, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

1655. A letter from the Deputy Assistant Administrator for Regulatory Programs, NMFS, Office of Protected Resources, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Taking and Importing Marine Mammals; Taking Marine Mammals Incidental to U.S. Marine Corps Training Exercises at Brant Island Bombing Target and Piney Island Bombing Range, USMC Cherry Point Range Complex, North Carolina [Docket No.: 131119976-5119-02] (RIN: 0648-BD79) received May 26, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

1656. A letter from the Assistant Attorney General, Office of Legislative Affairs, Department of Justice, transmitting the FY 2014 report on the activities of the Community Relations Service, pursuant to Sec. 1004 of the Civil Rights Act of 1964 (Pub. L. 88-352) and the Reorganization Plan No. 1 of 1966, as revised by 28 C.F.R. 0.30(b); to the Committee on the Judiciary.

1657. A letter from the Associate Administrator, Office of Congressional and Intergovernmental Affairs, General Services Administration, transmitting a report to Congress identifying the 9-1-1 capabilities of the multi-line telephone system in use by all Federal agencies in all Federal buildings and properties, pursuant to Sec. 6504 of the Middle Class Tax Relief and Job Creation Act of 2012; to the Committee on Transportation and Infrastructure.

1658. A letter from the Assistant Secretary for Legislation, Department of Health and Human Services, transmitting the Department's Low Income Home Energy Assistance Program Report to Congress for FY 2010, pursuant to Sec. 2610(a) of the Omnibus Budget Reconciliation Act of 1981, as amended, and the FY 2010 Low Income Home Energy Assistance Program Home Energy Notebook; jointly to the Committees on Energy and Commerce and Education and the Workforce.

1659. A letter from the Assistant Attorney General, Office of Legislative Affairs, Department of Justice, transmitting a legislative proposal that would ensure that American Indian and Alaska Natives have access to at least one polling place in their communities to cast their ballots; jointly to the Committees on House Administration and Natural Resources.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

[Pursuant to Sec. 4 of H. Res. 273, the following reports were filed on May 27, 2015]

Mr. DIAZ-BALART: Committee on Appropriations. H.R. 2577. A bill making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes (Rept. 114–129). Referred to the Committee of the Whole House on the state of the Union.

Mr. CULBERSON: Committee on Appropriations. H.R. 2578. A bill making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2016, and for other purposes (Rept. 114–130). Referred to the Committee of the Whole House on the state of the Union.

[Submitted May 29, 2015]

Mr. CONAWAY: Committee on Agriculture. H.R. 2393. A bill to amend the Agricultural Marketing Act of 1946 to repeal country of origin labeling requirements with respect to beef, pork, and chicken, and for other purposes; with an amendment (Rept. 114–131). Referred to the Committee of the Whole House on the state of the Union.

Mr. CONAWAY: Committee on Agriculture. H.R. 2051. A bill to amend the Agriculture Marketing Act of 1946 to extend the livestock mandatory price reporting requirements, and for other purposes; with an amendment (Rept. 114–132). Referred to the Committee of the Whole House on the state of the Union.

Mr. CONAWAY: Committee on Agriculture. H.R. 2088. A bill to amend the United States Grain Standards Act to improve inspection services performed at export elevators at export port locations, to reauthorize certain authorities of the Secretary of Agriculture under such Act, and for other purposes (Rept. 114–133). Referred to the Committee of the Whole House on the state of the Union.

Mr. CONAWAY: Committee on Agriculture. H.R. 2289. A bill to reauthorize the Commodity Futures Trading Commission, to better protect futures customers, to provide end-users with market certainty, to make basic reforms to ensure transparency and accountability at the Commission, to help farmers, ranchers, and end-users manage risks, to help keep consumer costs low, and for other purposes; with an amendment (Rept. 114–134). Referred to the Committee of the Whole House on the state of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mrs. BLACK (for herself, Mr. BLUMENAUER, Mr. GUTHRIE, and Mr. LOEBSACK):

H.R. 2579. A bill to amend title XVIII of the Social Security Act to improve the risk adjustment under the Medicare Advantage program, and for other purposes; to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BOUSTANY:

H.R. 2580. A bill to provide for a technical change to the Medicare long-term care hospital moratorium exception, and for other purposes; to the Committee on Ways and Means.

By Mr. BRADY of Texas:

H.R. 2581. A bill to amend title XVIII of the Social Security Act to establish a 3-year demonstration program to test the use of value-based insurance design methodologies under eligible Medicare Advantage plans, to preserve Medicare beneficiary choice under Medicare Advantage, to revise the treatment under the Medicare program of infusion drugs furnished through durable medical equipment, and for other purposes; to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BUCHANAN (for himself, Mr. RANGEL, Mrs. BLACKBURN, Mrs. BLACK, Mr. BLUMENAUER, Mr. GUTHRIE, and Mr. LOEBSACK):

H.R. 2582. A bill to amend title XVIII of the Social Security Act to improve the risk adjustment under the Medicare Advantage program, to delay the authority to terminate Medicare Advantage contracts for MA plans failing to achieve minimum quality ratings, and for other purposes; to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. WALDEN (for himself and Mr. KINZINGER of Illinois):

H.R. 2583. A bill to amend the Communications Act of 1934 to provide for greater transparency and efficiency in the procedures followed by the Federal Communications Commission, and for other purposes; to the Committee on Energy and Commerce.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mr. DIAZ-BALART:

H.R. 2577.

Congress has the power to enact this legislation pursuant to the following:

The principal constitutional authority for this legislation is clause 7 of section 9 of article I of the Constitution of the United States (the appropriation power), which states: ''No Money shall be drawn from the Treasury, but in Consequence of Appropriations made by Law . . . .'' In addition, clause 1 of section 8 of article I of the Constitution (the spending power) provides: ''The Congress shall have the Power . . . to pay the Debts and provide for the common Defence and general Welfare of the United States. . . .'' Together, these specific constitutional provisions establish the congressional power of the purse, granting Congress the authority to appropriate funds, to determine their purpose, amount, and period of availability, and to set forth terms and conditions governing their use.

By Mr. CULBERSON:

H.R. 2578.

Congress has the power, to enact this legislation pursuant to the following:

The principal constitutional authority for this legislation is clause 7 of section 9 of article I of the Constitution of the United States (the appropriation power), which states: ''No Money shall be drawn from the Treasury, but in Consequence of Appropriations made by Law. . . .'' In addition, clause 1 of section 8 of article I of the Constitution (the spending power) provides: ''The Congress shall have the Power . . . to pay the Debts and provide for the common Defence and general Welfare of the United States. . . .'' Together, these specific constitutional provisions establish the congressional power of the purse, granting Congress the authority to appropriate funds, to determine their purpose, amount, and period of availability, and to set forth terms and conditions governing their use.

By Mrs. BLACK:

H.R. 2579.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority on which this bill rests is the power of Congress to make rules for the government and regulation of the land and naval forces, as enumerated in Article I, Section 8, Clause 14 of the United States Constitution.

By Mr. BOUSTANY:

H.R. 2580.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority on which this bill rests is the power of Congress to make rules for the government and regulation of the land and naval forces, as enumerated in Article I, Section 8, Clause 14 of the United States Constitution.

By Mr. BRADY of Texas:

H.R. 2581.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority on which this bill rests is the power of Congress to make rules for the government and regulation of the land and naval forces, as enumerated in

Article 1, Section 8, Clause 14 of the United States Constitution.

By Mr. BUCHANAN:

H.R. 2582.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority on which this bill rests is the power of Congress to make rules for the government and regulation of the land and naval forces, as enumerated in Article I, Section 8, Clause 14 of the United States Constitution.

By Mr. WALDEN:

H.R. 2583.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the U.S. Constitution (''The Congress shall have Power . . . To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes'').

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions, as follows:

H.R. 270: Mrs. KIRKPATRICK.

H.R. 600: Mr. KELLY of Pennsylvania.

H.R. 662: Mr. ZINKE.

H.R. 721: Ms. DUCKWORTH and Ms. HAHN.

H.R. 784: Ms. SPEIER.

H.R. 803: Mr. WENSTRUP.

H.R. 932: Mrs. LAWRENCE.

H.R. 978: Mr. MILLER of Florida.

H.R. 985: Mr. HUNTER, Ms. JENKINS of Kansas, Mrs. BEATTY, Ms. SPEIER, Mr. CARNEY, Mr. HINOJOSA, Mr. MURPHY of Pennsylvania, and Ms. JACKSON LEE.

H.R. 1019: Mr. KENNEDY and Mr. ROGERS of Alabama.

H.R. 1117: Mr. TED LIEU of California.

H.R. 1188: Mr. THOMPSON of California.

H.R. 1197: Miss RICE of New York, Mr. COSTA, Mr. CARTER of Georgia, Mr. VAN HOLLEN, and Mr. WELCH.

H.R. 1221: Mr. GUTIÉRREZ, Mr. JOYCE, Mr. ISRAEL, Mr. JOLLY, and Mr. STIVERS.

H.R. 1323: Mr. COLLINS of Georgia.

H.R. 1356: Ms. DELBENE, Mr. JONES, Ms. ADAMS, Mr. SERRANO, and Ms. JUDY CHU of California.

H.R. 1413: Ms. JENKINS of Kansas.

H.R. 1466: Mr. BLUMENAUER.

H.R. 1478: Mr. GOSAR, Mr. WEBSTER of Florida, and Mr. JOYCE.

H.R. 1556: Ms. BROWN of Florida.

H.R. 1594: Ms. TITUS, Mr. JONES, Mr. MILLER of Florida, and Mr. KIND.

H.R. 1603: Mr. FORTENBERRY.

H.R. 1610: Mr. CONNOLLY.

H.R. 1650: Mr. TIPTON.

H.R. 1882: Mr. BRENDAN F. BOYLE of Pennsylvania.

H.R. 1986: Mr. MESSER.

H.R. 2036: Mr. BROOKS of Alabama.

H.R. 2046: Ms. MOORE and Mr. POCAN.

H.R. 2061: Mr. CLAY, Mr. ROYCE, Mrs. MILLER of Michigan, Mr. BERA, and Mr. HONDA.

H.R. 2079: Ms. SPEIER.

H.R. 2100: Mr. COSTA, Ms. DELAURO, Mr. SERRANO, Ms. JUDY CHU of California, and Mr. FARR.

H.R. 2216: Mr. FATTAH.

H.R. 2246: Mr. JOLLY.

H.R. 2272: Mr. YOHO.

H.R. 2290: Mr. SESSIONS.

H.R. 2309: Mr. VAN HOLLEN and Ms. BROWNLEY of California.

H.R. 2315: Mr. KILMER.

H.R. 2334: Mr. BUCHANAN.

H.R. 2393: Mr. GOSAR, Mrs. COMSTOCK, Mr. VALADAO, and Mr. HARDY.

H.R. 2400: Mr. GOWDY and Mr. RODNEY DAVIS of Illinois.

H.R. 2410: Mr. HUFFMAN.

H.R. 2461: Mr. MEEHAN.

H. Con. Res. 49: Mr. LEWIS, Mr. GRAVES of Georgia, and Mr. DAVID SCOTT of Georgia.

H. Res. 177: Ms. CASTOR of Florida.

H. Res. 210: Mr. CALVERT and Mr. SENSENBRENNER.

H. Res. 220: Mr. FORTENBERRY, Mr. CONNOLLY, Mr. WALDEN, and Ms. DELBENE.

EXTENSIONS OF REMARKS

RECOGNIZING WKIP NEWS RADIO

HON. CHRISTOPHER P. GIBSON

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, May 29, 2015

Mr. GIBSON. Mr. Speaker, I rise today to recognize WKIP, a news radio station serving the residents of New York's Hudson Valley. This year marks the station's 75th anniversary of operations, and I congratulate them on reaching this impressive milestone.

On Friday, June 5 WKIP will celebrate its anniversary with a live broadcast from the Henry A. Wallace Center at the Franklin D. Roosevelt Presidential Library and Museum in historic Hyde Park. As area residents gather for this special event, I want to take this opportunity to express my gratitude to the staff, hosts, and management of WKIP for their commitment to our community.

We rely on locally-operated media organizations like WKIP to keep us informed of news and weather and to partner with our small businesses to help them grow. This radio station is an important component of the social fabric in our region, broadcasting announcements from government officials, emergency information, and valuable updates on public events, school activities, local sports, and ways that we can be helpful to our neighbors. WKIP programming helps bring people together, and I am proud to recognize this organization's many contributions to community life and the economy in the Hudson Valley over the past 75 years.

WKIP listeners are also provided a daily platform for the exchange of ideas, which is crucial to the health of our democracy. I am deeply grateful to WKIP for carrying out this mission and for inviting me to be a part of its programming as I endeavor to represent the residents of the 19th District of New York.

Mr. Speaker, I want to send my best wishes to everyone assembled for the WKIP anniversary gala in Hyde Park.

DEDICATION OF THE LGBT MONUMENT IN ABRAHAM LINCOLN NATIONAL CEMETERY

HON. MIKE QUIGLEY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Friday, May 29, 2015

Mr. QUIGLEY. Mr. Speaker, I rise today to recognize the Chicago Chapter of American Veterans for Equal Rights, which dedicated a monument for LGBT Veterans in Abraham Lincoln National Cemetery in Elwood, IL on May 25, 2015. This is an historic day, as this is the first federally-approved monument honoring LGBT veterans to be dedicated in a National Cemetery in the United States.

It is fitting that this monument is located in the Abraham Lincoln National Cemetery. President Lincoln was not only our 16th President and from the great state of Illinois, but he was also the founder of the National Cemetery system. His Gettysburg Address of 1863 became a model of the principles of nationalism, republicanism, equal rights, liberty, and democracy.

I am grateful for the efforts of the American Veterans for Equal Rights (AVER) and their continued commitment and dedication to equal rights and equitable treatment for all present and former members of the United States Armed Forces.

Thanks to Stanley J. Jenczyk and his colleagues with the Chicago Chapter of AVER, the LGBT veteran community will have a lasting tribute honoring their achievements and sacrifices. This monument recognizes the innumerable accomplishments of our military and forever commemorates their endeavors as servants of our great nation.

Mr. Speaker, I ask my colleagues to join me in celebrating this significant dedication with the Chicago Chapter of American Veterans for Equal Rights. I am honored to have such an exceptional organization in my district.

SENATE—*Sunday, May 31, 2015*

The Senate met at 4 p.m. and was called to order by the President pro tempore (Mr. HATCH).

PRAYER

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

Let us pray.

O God, our rock and our fortress, thank You for guiding our lives. Without the unfolding of Your loving providence, we would miss life's music. Lord, You have set our feet on solid ground and delivered us from our enemies. You have kept us from sorrow and sighing for we trust You in life's storms.

Today, empower our lawmakers to be instruments of Your will. Remind them that their times are in Your hands as You save them in Your steadfast love. Give them serenity to accept what they cannot change and courage to change what they can.

We pray in Your Holy Name. Amen.

PLEDGE OF ALLEGIANCE

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

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

RECOGNITION OF THE MAJORITY LEADER

The PRESIDENT pro tempore. The majority leader is recognized.

REMEMBERING BEAU BIDEN

Mr. MCCONNELL. Mr. President, I will have more to say about the Senate business before the Senate later, but at this time I wish to express my sincere condolences to the entire Biden family in their moment of such deep and profound loss.

Beau Biden was known to many as a dedicated public servant, a loving father of two, and a devoted partner to the woman he loved, Hallie.

I have known the Vice President for many years, and it is hard to think of anything more important to him than his faith and his family. I hope he will find comfort in the former as he grieves such a terrible loss.

The Senate offers its Presiding Officer and every member of his family our prayers and our sympathy.

ORDER OF PROCEDURE

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the time until 5 p.m. be equally divided in the usual form and that the Senate recess at 5 p.m. subject to the call of the Chair.

The PRESIDENT pro tempore. Without objection, it is so ordered.

RECOGNITION OF THE MINORITY LEADER

The PRESIDENT pro tempore. The minority leader is recognized.

REMEMBERING BEAU BIDEN

Mr. REID. Mr. President, I join in my feelings about the JOE BIDEN family. I was saddened beyond words to hear of the passing of Beau. He was such a fine young man. He was a devoted husband, father, son, a dedicated servant to the people of Delaware, and a faithful, honorable veteran of the United States, having served in the Middle East in Iraq.

I, of course, extend all of the sympathy I am capable of extending to his family during this very difficult time. Beau left us far too soon. He was only 46 years old, but I am certain his family will take solace in knowing he lived a selfless, noble life.

To my friend JOE BIDEN, whom I served with in Congress for so many years, I extend my deepest thoughts and condolences to you, JOE.

There is a song ''Man of Constant Sorrow'' that certainly, if that ever applied to someone, it would be our friend JOE BIDEN. Not having been sworn in to the Senate, he experienced the tragic loss of his wife and little girl. Then, as to his two sons, Beau and Hunter, he spent time on a train going back and forth to Delaware virtually every night so he could take care of those two fine young men until he was fortunate enough to meet Jill Biden, his beautiful wife.

I am very sorry JOE has had to go through this terrible ordeal now of losing a son after having lost a daughter.

But, I repeat, there is no question that Delaware is a better place because of Beau, our country is a better place because of Beau, and the world is better place because of Beau Biden.

I, and the entire Senate family, as Senator MCCONNELL has indicated, send our deepest condolences as they grieve during this tragic time

NATIONAL SECURITY LEGISLATION

Mr. REID. Mr. President, we are here facing yet another manufactured crisis with the vitally important PATRIOT Act provision set to expire in a matter of hours. In fact, we have less than 8 hours before the expiration of this critical national security program. That is what we are faced with.

Tonight's deadline is certainly no surprise. As the junior Senator from Utah, a Republican, noted: ''We've known for four years that this deadline was approaching.''

Like so many other occasions in which brinksmanship has pushed the Senate and our Nation to the precipice, the dilemma we now face was completely avoidable. The job of the leader is to have a plan. In this case, it is clear the majority leader simply didn't have a plan. The majority leader had 5 months to introduce a bill from committee that would reform and extend the expiring PATRIOT Act provisions, but instead he bypassed the committees altogether and brought this to the floor unilaterally, with no committee hearing—none.

The majority leader recently said no more rule XIVs, but that pledge has not lasted very long, has it. The majority leader had, I repeat, 5 months.

In fact, my friend, the ranking member of the Judiciary Committee and a dean of the Senate, said this could have passed so easily in the last 2 years. The majority leader had 5 months during the time he has been the majority leader to coordinate with the House, which passed FISA reform weeks ago, but instead he went it alone.

In fact, it is as if the House and Senate Republican leaders appear to be on different pages. Everyone saw this coming. Weeks ago, it was clear the Senate didn't have adequate time to consider trade legislation, surveillance legislation, and, of course, the highway bill before the Memorial Day recess. I said that and others said that.

Listen to what one Republican Congressman said. His name is REID RIBBLE.

He could have handled it better by being more prepared in advance for it. They ran out the clock basically by working on trade first; he probably should have ran the clock out on [surveillance] instead. I don't know what his strategy is here. I'm a little bit flummoxed.

I say to my friend, Congressman RIBBLE, that he is not the only one who is flummoxed; so are we.

The Senate majority leader set up a collision course with no plan on how to resolve it. It seems the only plan the majority leader had on FISA was to jam it through last Friday night; this, despite the fact that an overwhelming majority of House Members oppose an

extension, the President opposes an extension, and a dozen Senate Republicans oppose an extension and so voted last Friday.

Is it any wonder, then, that even the majority leader's own Republican Senators felt it necessary to take matters into their own hands?

The majority leader was also caught off guard by a Member of his own Republican conference last week who refused to allow the Senate to extend the provisions for a program that the Second Circuit has determined is illegal.

But, again, the junior Senator from Kentucky did not hide his thoughts. He was on the floor for 10 hours or so. I disagree with the junior Senator from Kentucky, but we are not in the mess today because of the junior Senator of Kentucky; we are in the mess we are today because of the majority leader.

The majority leader should have seen this coming. Everyone else did, even those in his own party. Meanwhile, the Republican leader has repeatedly lectured this body as to how it should function, but his actions have helped the Senate to not function.

We can do without more lectures and defiant statements. We can do with more strategy, planning, and open lines of communication because it is the majority leader's job to have a plan and to prioritize what must get done over what he would like to get done.

In this case, my friend from Kentucky simply did not have a plan, and that is why we are here staring down the barrel of yet another unnecessary manufactured crisis that threatens our national security.

We heard what the head of the CIA said today on a Sunday show. He said he is afraid something will happen when this act expires. That is not just my assessment of the situation. This is from the head of the CIA. Senate Republicans even feel the same way.

The Republican junior Senator from Montana said yesterday:

> We could have done this a week ago. And this is the nature of Washington, D.C., always managing by crisis.

Fortunately, there is a clear way out: pass the USA FREEDOM Act, which the House overwhelmingly passed with 338 votes on a totally bipartisan basis. All we need are a few more Republican Senators to vote with Democrats and the bill will pass. Just three, maybe four, maybe five—but a few Senators is all we need to bring this unnecessary crisis to a screaming halt.

I am confident we can pass this bill if the majority leader will bring it to the floor for a fair vote.

Now, procedurally, it is going to be extremely difficult to not have this bill—this law expire. This is not a bill; this is a law that is expiring. Any other course than just passing this bill would require the House to act before midnight. They are not here, so it is not going to happen. There is not a quorum of House Members, and there are House Members who will object to a unanimous consent request anyway.

Passing the USA FREEDOM Act is the only way I can foresee where the PATRIOT Act provisions do not expire. Now is the time for the majority leader to do what is right for the privacy and security of all Americans.

I yield the floor.

RESERVATION OF LEADER TIME

The PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

USA FREEDOM ACT OF 2015—MOTION TO PROCEED

The PRESIDENT pro tempore. Under the previous order, the Senate will resume consideration of the motion to proceed to H.R. 2048, which the clerk will report.

The senior assistant legislative clerk read as follows:

> Motion to proceed to Calendar No. 87, H.R. 2048, a bill to reform the authorities of the Federal Government to require the production of certain business records, conduct electronic surveillance, use pen registers and trap and trace devices, and use other forms of information gathering for foreign intelligence, counterterrorism, and criminal purposes, and for other purposes.

The PRESIDENT pro tempore. The minority leader.

Mr. LEAHY. I ask, through the Chair, if the Democratic leader will yield to me for a comment.

Mr. REID. Mr. President, I am happy to yield to the Senator for a comment.

Mr. LEAHY. Mr. President, I was struck by what the Democratic leader said. He laid out the history of this. We are here in a manufactured, unnecessary crisis. It is a manufactured, unnecessary crisis

Last year, by an overwhelming majority, the Senate voted to make improvements to the PATRIOT Act. The legislation made reforms to the provisions that have now been declared illegal. We did that but could not get past a filibuster. We had 58 votes. Normally, you think of 51 votes being enough to pass a bill. The Democratic leader will recall how hard he worked to try to get that bill through. The Republican leader said: No, we will wait until next year. Well, next year came. We have wasted so much time. There has not been a single public hearing. There has not been any action on an alternative to the USA FREEDOM Act.

But, I say to my friend from Nevada, he is absolutely right when he says the House passed the USA FREEDOM Act by a 4 to 1 margin. It was an overwhelming vote, Republicans and Democrats together, to get rid of the illegal parts of the PATRIOT Act, to pass an improvement. We ought to just take up the USA FREEDOM Act and pass it.

If we were allowed to have a straight up-or-down vote in this body, I guarantee you, a majority of Senators—both parties—would vote for it.

So I just wanted to say that while the leader was on the floor.

I now ask for recognition in my own right.

The PRESIDENT pro tempore. The Senator from Vermont.

Mr. LEAHY. Mr. President, before I begin my comments on the USA FREEDOM Act, I am going to speak for a moment on a personal matter.

REMEMBERING BEAU BIDEN

Mr. President, Marcelle and I have known Beau Biden since he was a child. I am the longest serving Member of this Senate. When I came here, there was one Senator who was one term senior to me; that was JOE BIDEN. I knew of the tragedy his family had gone through, and I cherished the times, with his office right near mine, when his sons Beau and Hunter would be there with him. I watched them grow up. I saw Beau Biden become the epitome of what a State's attorney general should be. That is a model all attorneys general throughout the country could have followed. Progressive, worried about improving the law, improving peoples' lives—he did that.

I know how much we appreciated it when we would see him and Hallie at an event, when Marcelle and I would get a chance to talk with them. It was like picking up a conversation that had ended just a few minutes before.

I remember one thing especially about Beau. I was in Iraq during the war. It was a day when it was well over 100 degrees outside. I was being brought to a place where there was going to be a briefing, being zipped into this building. There were a number of soldiers wearing T-shirts, shorts, and sidearms playing ball outside in this 110-, 120-degree heat. As I went to the door, one of them turned around and gave me a big wave with his arm blocking his face. I was not sure who it was. I kind of waved back. Pretty soon, he came to the door. It was Beau Biden. I remember we gave each other a big hug. He was there as a captain in the Delaware Reserves. He was decorated for his service. We talked about what he was doing. He was praising the men and women who worked there. Nothing about anything he might be doing; he was praising everybody else. It was such a refreshing moment being with him, and it was so typical of who he was as a person.

I told him that I have a procedure that if I am in another country and I am with our military, that if there are Vermonters there, I always take their names and I ask them if they have family back home in Vermont. Most of them do. I get their phone number, and as soon as I get back, I call their mother or their father, their husband or their wife, brother or sister, whoever it

might be, and say: I saw a member of your family; here is what they are doing; they look well, and all that.

So I told Beau, I said: Look, I have known you since you were a youngster. I will call your father as soon as I can and tell him you are behaving yourself, and you are doing a good job. We laughed at that.

Shortly thereafter, I got on the phone we had available to us to go through the Whitehouse switchboard to reach the Vice President. Then I started to talk about the procedure I have, and JOE BIDEN started to laugh. He said: I just got an email from Beau that he had seen you there and that I should be expecting a call from you. We talked about what a great job Beau was doing. You could hear the pride in his father's voice. You could hear his pride. It was a pride that was deserved.

I remember JOE saying, when we were first here in the Senate—the two of us—he would be going home every night on the train. Why? Not as much even that the kids needed him, but he needed them.

Finally, when he met Jill, the boys were telling him: You should marry her.

So I grieve for them. Marcelle and I sat there and cried last night when we heard the news. I think, what a wonderful family. I think about a life cut too short—far too short.

Mr. President, I can and will say more later.

Mr. President, on the matter the distinguished Democratic leader was talking about, the USA FREEDOM Act, let's just take it up and pass it. Opponents of this bipartisan, commonsense legislation have run out of excuses. I see this as a manufactured crisis, and it is. This matter should have been taken up and voted on up or down a month ago. There is only one viable and responsible path remaining: Pass the USA FREEDOM Act that passed overwhelmingly in the House of Representatives. Pass it and send it to the President's desk and he will sign it. If we do not pass it, then those parts of the PATRIOT Act that most of us agree on are going to expire at midnight.

The irony of it is that the USA FREEDOM Act of 2015 is a carefully crafted, bipartisan compromise that both protects Americans' privacy and keeps this country safe. Before they were talking about, we are going to keep the country safe but Americans' privacy—not so much. This is a bill that does both.

The legislation would end the NSA's bulk collection of Americans' phone records. It adds significant new reforms to limit government surveillance. It increases transparency and also promotes greater accountability and oversight—something the original PATRIOT Act did not have.

The bill is the product of countless hours of painstaking negotiations with key Members—both Republicans and Democrats—in the House and the Senate, men and women I respect so much because they want to do what is best for the country. We have negotiated with the NSA, the FBI, the Justice Department, privacy and civil liberties groups, the technology industry, and other key stakeholders. We brought everybody together. When we began, we wondered if that would be possible. We did it. That is why the USA FREEDOM Act has such strong support, including from groups as diverse as the National Rifle Association and the Center for American Progress.

This broad consensus is what we saw by the overwhelming support it received in the House. They passed the USA FREEDOM Act by a vote of 338 to 88. Some in this country say that no branch of government could have a vote that strong to say the Sun rises in the east. Certainly there has been no major piece of legislation in years where we have seen a vote such as that—338 to 88.

But now a minority in the Senate has now twice blocked the USA FREEDOM Act from even getting a debate on the Senate floor. We were sent here not to vote maybe but to vote yes or no.

Last November, even though we had had all kinds of committee hearings on this, we heard complaints that there had not been enough of a committee process on the bill and that the Senate should wait to address Section 215 under the new Republican leadership. So the Republican leader led a successful filibuster against a bill which still had a majority of Members in this body voting for it. But what has happened in this Congress? Not a single public hearing on this issue; no committee process. And then last weekend, the Senate was blocked from even debating the House-passed bill and considering amendments.

Opponents of reform have failed to introduce any legislative alternative to the bipartisan USA FREEDOM Act, the bill which reforms many problems of the PATRIOT Act. They have come up with no legislative alternative other than a clean extension, which we know has no chance of becoming law. Of course, it makes no difference because at midnight it stops being the law.

The time for excuses and inaction has passed. The American people and the intelligence community professionals who strive to protect them deserve better.

We have a few hours remaining to work things out and pass the USA FREEDOM Act, but there is no room for error. There is very little time. Again, I said it is a manufactured crisis. The deadline to act is midnight tonight. The House will not return to the Capitol until tomorrow, after the deadline has passed. We could talk about passing a 100-year extension if we wanted; it makes no difference because the time will have passed. So if the Senate does not pass the House-passed USA FREEDOM Act or if we amend it in any way, the authorities are going to expire.

I have said repeatedly—and my cosponsor of the USA FREEDOM Act, Senator LEE, agrees with me—that we would like to have a debate on our bill and consider amendments. Because opponents of reform have run out the clock and jammed the Senate, we are not left with very much time.

Let's get this done today. If we pass the USA FREEDOM Act, the President could sign it tonight and the intelligence community could move forward with the certainty it needs to protect the American people.

Some may argue that if you had a short-term extension—which, of course, we do not have—they have said: Well, maybe we could work out some kind of a compromise bill. But let there be no misunderstanding: The USA FREEDOM Act is a solid, carefully negotiated compromise. For all those Senators on either side of the aisle who have not spent the hours and hours and hours, as Senator LEE and I and our staffs have spent, maybe they do not know the work that went into this—again, how you get groups from the left to the right supporting it.

It would be irresponsible to kick the can down the road once again, relying on the false hope that the House will agree to pass a short-term extension—something they said they will not do—and that we will somehow be able to agree on a half-baked alternative that has yet to be introduced in either body and most assuredly would not pass the House.

So do not be fooled or tempted by the promise of a short-term extension. That would guarantee nothing. Well, wait a minute. I take that back. Passing a short-term extension does guarantee something: It guarantees the expiration of these authorities at midnight tonight. It guarantees more uncertainty, more litigation, more risk for the intelligence community, and a repeat of the chaotic brinksmanship later on down the road with another manufactured crisis.

I know there are some who worry that the bill does not go far enough when it comes to reform. Well, then where were they in coming up with a better idea? If this passes, the USA FREEDOM Act would be the most significant set of reforms to government surveillance since the PATRIOT Act was enacted. The reason we are here to even debate it is that then-majority leader Dick Armey in the House and I put in sunset provisions. So we will have to show responsibility and vote, as the House did by a 4-to-1 margin.

Our bill—Senator LEE's and my bill—would not just end the NSA's bulk collection under Section 215, it would add new transparency and oversight reforms to other surveillance authorities,

and it would be a solid foundation upon which we could build our future reform efforts.

I have been in the Senate for more than 40 years. I have learned that when there is a chance to make real progress, we ought to seize it. But I also know we cannot let this be the end of our fight for greater privacy protections, transparency, and accountability. I remain committed to fighting that fight on behalf of Vermonters and all Americans.

So the choices before us this evening are clear: Either let these authorities expire completely or pass the USA FREEDOM Act. There is no more time for political maneuvering or fearmongering or scare tactics. It is time for us to do our jobs—to debate and then to vote. Don't duck the vote. Vote up or down on the bill the House gave us. Stand up and be counted either for or against it. As Senators, let's have the courage to do that.

The USA FREEDOM Act is a reasonable, responsible way forward, and we should pass it tonight. But don't duck behind not doing anything and pretend that is a solution. I don't think there is a single American, Republican or Democrat, who would believe that was a responsible solution.

Mr. President, I yield the floor.

Ms. MIKULSKI. Mr. President, I am back here during an unprecedented Sunday session hoping we can avoid a totally unnecessary disaster tonight; hoping we will do what is right for the country: Pass the USA FREEDOM Act today. Right now.

I will let others speak to the merits of the USA FREEDOM Act. It is our best opportunity to protect the Nation while balancing between privacy and constitutional surveillance.

I do support reforming the PATRIOT Act, but I do not support unilateral disarmament of our Nation's need to know what bad guys with predatory intent are planning against the United States of America.

But my comments today are not about standing up for the USA FREEDOM Act.

I am here to stand up for the men and women working for the NSA, FBI, and other intelligence agencies essential to protecting our country against terrorist attacks—whether it is a ''lone wolf'' or state sponsored. These dedicated, patriotic intelligence professionals want to operate under rule of law that is constitutional, legal, and authorized.

They are ready to do their jobs, but Congress needs to do our job and pass a bill that is constitutional, legal, and authorized.

Ever since Edward Snowden made his allegations, the men and women of our intelligence agencies have been vilified as if they were the enemy. They thought they were doing their jobs protecting us against the enemy.

Let me tell you—the men and women of the NSA, FBI, and our other intelligence agencies are patriots who have been wrongly vilified by those who don't bother to inform themselves about our national security structures and the vital functions they perform.

Now a special word about the NSA, which is headquartered in my home State of Maryland. The 30,000 men and women in the NSA serve in silence—without public accolades. They protect us from cyber attacks. They protect us against terrorist attacks. They support our warfighters. They are Ph.D.s and scientists. They are linguists, cyber geeks, and whiz kids—the treasured human capital of this Nation.

Remember that section 215 is such a small aspect of what the NSA, FBI, and other intelligence agencies do as they stand sentry in cyber space stopping attacks. People act like that is all NSA does. They haven't even bothered to educate themselves as to legality and constitutionality.

Congress passed the PATRIOT Act. President George W. Bush told us it was constitutional. We need good intelligence. In a world of ISIL, Nusra Front, and al Qaeda, the NSA is our front line of defense and the people of NSA make up that front line.

There is no evidence of abuse by NSA employees. The men and women of NSA have adhered to the law. They have submitted to oversight, audits, checks and balances, and reviews from Congress and the courts.

The employees of NSA know that everything has to be constitutional, legal, and authorized. They thought they were implementing the law, but some in the media and even some in this body have made them feel like they were wrongdoers. I find this infuriating and insulting. Morale has been devastated at NSA. Families have been harassed for working at the NSA and their kids are bullied at school.

They have also been devastated by actions of their own government. First, by sequester—then, by the government shutdown. Now, by Congress's failure to reform national security authorities that help them keep our country safe.

It is wrong. I want people to remember that tonight as we discuss important reforms. Let us not let them down, once again, with our own failure to act.

Mrs. FEINSTEIN. Mr. President, it is greatly disappointing that the Senate is in session today to reconsider a vote we took before the Memorial Day recess to extend the three expiring provisions of the Foreign Intelligence Surveillance Act.

Instead of passing the USA FREEDOM Act a week ago and sending it to the President, we are now poised to take the measure up this coming week, after the FISA authorities have expired. The result is that our intelligence agencies will lose important tools to protect against terrorist attacks. This is a self-inflicted harm, and one that was totally unnecessary.

As I did a week ago, I will vote to invoke cloture on the motion to proceed to the USA FREEDOM Act, and I intend to vote for the legislation through the upcoming procedural votes. The bill is not perfect, but it extends the business records, lone wolf, and roving wiretap provisions and it institutes some important reforms to FISA.

Unfortunately, what we have on the floor of the Senate tonight is political gamesmanship at its worst. We should have had this debate weeks or months ago, not up against the deadline. Failing that, the majority should not have defeated this motion last week when it is prepared today to pass it.

We should skip the unnecessary delay of voting separately on the motion to proceed, cloture on the bill, and on the bill itself. Clearly there are 60 votes in this chamber to pass the USA FREEDOM Act, whether we do it today or if we do it next week.

So the question comes: why not pass this bill today, reform the business records provision of FISA, and keep important intelligence authorities in effect? Unfortunately, the answer is that one Senator is holding this process hostage for his own political benefit. It is a travesty, and it is unconscionable.

We remain a nation under threat of terrorism. Our allies remain under threat of terrorism.

This is not hypothetical. The Islamic State in Iraq and the Levant—ISIL—is seeking to recruit individuals to conduct attacks against the United States. Tens of thousands of foreign fighters have entered Iraq and Syria to join ISIL. There are hundreds of people inside the United States right now that ISIL is seeking to inspire, direct, and assist in carrying out an attack.

Al Qaeda in the Arabian Peninsula—AQAP—is developing non-metallic, undetectable bombs for use on U.S. airliners and is teaching people how to make such devices themselves. These groups are competing to be worst of the worst in international terrorism and they are coming after us.

We aren't sending thousands of troops to confront ISIL in Iraq and Syria or to stop AQAP in Yemen. We aren't going to diminish their threats through partnership with local governments.

The only way we are going to stop attacks against the United States and our people is by collecting good intelligence. To me, that means we need to do everything lawful and effective in intelligence to identify and thwart those attacks.

The roving wiretap provision is important. It says that the FBI doesn't have to stop surveillance against a terrorist or a foreign spy when he buys a new cell phone or changes his email account. Having to do so in today's world would be ridiculous.

The ''lone wolf'' provision is important. To be clear—it hasn't been used. But to be equally clear, never before have we faced the exact threat that this provision was written to address: the threat of an individual, inside this country, plotting to kill Americans without traveling abroad and training with a terrorist group first.

The business records provision is important. It includes both routine requests for records—hotel bills, car rentals, travel information—that are regular parts of law enforcement and national security investigations. It also authorizes the NSA's phone metadata program. Under this provision, the NSA gets information about phone calls to include the numbers on either end of the line, the time, and the duration of the call. It does not include the words that are spoken as part of the phone conversation, the identities of the people involved, or their location.

What it does is help the Intelligence Community know more about people for whom there is a ''reasonable articulable suspicion'' of being tied to terrorist groups. If there is a terrorist in Syria talking to Americans at home, we want to know that. If a phone number, for example, in Garland, TX, is in touch with an ISIL operations chief, we need to know. That information allows the FBI to go to a court for a probable cause warrant to conduct electronic and physical surveillance of a suspect.

This program is conducted under strict oversight and operational limitations. The number of people at NSA with access to the data is small—it was 22 in 2013. They have to get approval each time they do a query of the phone records; today that approval comes from the FISA Court. The query only returns information on what numbers were called by, and called, the phone number in question, and then a second hop from that number. There were 288 phone numbers approved for queries in 2012, and those queries led to 12 probable cause warrants by the FBI.

The program is overseen within the NSA by multiple officials, including the inspector general and the privacy and civil liberties officer. It is overseen by the Department of Justice, which reviews every single query, and by the Office of the Director of National Intelligence. It is overseen by the Intelligence and Judiciary Committees of the House and the Senate, and it is overseen for compliance purposes by the FISA Court.

So these are important tools that, because of Senate inaction and recalcitrance, will expire tonight. As a result, we make ourselves more vulnerable.

I very much regret this situation that the Senate has created, and I urge my colleagues to vote for cloture and to quickly enact the USA FREEDOM Act.

The PRESIDING OFFICER (Mr. GRASSLEY). The Senator from Indiana is recognized.

Mr. COATS. Mr. President, I also regret that we are where we are.

REMEMBERING BEAU BIDEN

I would also like to defer for just a moment, before I make my remarks that I came to the floor to make, to add my condolences to Vice President BIDEN, his wife, and his family. I just learned the tragic news this morning. Some may have known that Beau was dealing with a form of cancer. I did not know that. It came as a shock to hear that information.

Having served with the current Vice President in the U.S. Senate and having gotten to know him and his family, establishing a relationship—a professional relationship as well as a friendship—I still cannot begin to comprehend the grief that comes from the loss of a child. I know there are Members in this body who have experienced that. I am fortunate that Marsha and I have not experienced that. But any parent's perhaps deepest fear is that they will outlive their children. That is not the natural order of things. It is not how we think. And the grief that comes from the death of a child, the death of a son or a daughter, is truly deep and has significant impact.

It was impossible not to feel the emotion and shed tears early this morning in our home in Indianapolis when we heard the news. Our condolences and deep sharing of grief that we can't even begin to fully comprehend because we haven't had to deal with it—all of that comes across. I think every Member of this body reaches out to them with our thoughts and our prayers as they go through this very tragic situation.

Mr. President, I am a little surprised to hear the Senator from Vermont talking about how the Senate ought to just completely concede to whatever the House sends to the Senate. The fact is that we had a very significant discussion and debate on this issue all week before the Memorial Day break and it had gone on for months, if not years, before in the Intelligence Committee on which I serve and among Members generally.

This is one of the most important pieces of legislation we will have to deal with. It was drafted and spawned as a result of 9/11 when the American people said: Are we doing everything we possibly can to prevent something such as this from happening again?

Congress debated extensively the PATRIOT Act and the tools the intelligence community suggested we give them the authority to use to try to prevent that catastrophe from ever happening again and doing everything we could to prevent terrorist attacks. Along the way, there have been modifications, and there have been changes.

Recently, there has been significant national debate over whether one of these many essential tools that help us gather the intelligence to try to prevent and to understand the nature of the threat should be used. There clearly is a difference of opinion among Members here in the Senate and even in the House of Representatives. Yes, the Senate did pass a reform measure that I think is flawed, personally. I think it diminishes—it doesn't eliminate, but it diminishes and some even believe it eliminates the usefulness of this particular program. We went back and forth on that for a significant part of the week before we adjourned.

The Senator from Vermont comes to the floor and basically says: Look, the House passed this; so therefore we ought to just go ahead and pass it. He said there was no other alternative presented, but that is not the case. We had a procedural vote on the House bill, and we had a vote on the bill to extend this program, so we can come spend a little more time to try to figure out how best to deal with this issue. Neither of those passed, indicating that the Senate did not have the same consensus the House reached, which was a partial consensus. That is what the Senate is all about. We are not just a rubberstamp for the House.

What is really ironic is the fact that for 4 years, under Democratic leadership of this Senate, the House, under Republican leadership, sent us hundreds of pieces of legislation, and if we followed the admonition to us of the Senator from Vermont, we would have just rubberstamped those. The House passed it, so why wouldn't we go forward? I don't think that argument makes a lot of sense.

Senators are here to address issues in the U.S. Senate. Are there many bills the House passes that I agree with? Yes. My party controls the House. Are there bills here that I don't agree with that they have passed? Yes. We, as Senators, use our prerogative in terms of where we stand, and ultimately we take a vote and we either win or we lose. Sometimes it coordinates with the House of Representatives and other times it doesn't, so then we go to conference and we pass an alternative. But to say there hasn't been debate relative to this program in the House-passed bill is simply not true.

Unfortunately, there has been such a significant misrepresentation of what this program is and what this program isn't, and that has caused a lot of angst which we are trying to deal with. Much of the public—at least some portion of the public—is convinced that the government is listening to every phone call they make. It has been said on this floor that they are listening to all our phone calls, that they are collecting all kinds of data. They know everything about us. That is the furthest from the point of this program and the operation of this program that we can conceive of. Yet, a portion of the public

has been led to believe that Big Government is in their bedroom, in their house, in their car, in their phone, and tracks them wherever they go; that they are collecting everything about people, including what they buy at Costco and the movies people rent through Netflix. Private industry does collect that kind of stuff, but it is not the government. It is not done under this program.

As a member of the Intelligence Committee, I can tell my colleagues that we have spent hundreds of hours dealing with this program to ensure that it doesn't violate anyone's privacy. It has more oversight through all three branches of government. The executive branch, the judicial branch, and the legislative branch oversee this program. There are six layers within NSA itself that it has to go through, that attorneys have to look at, that legal experts have to look at before they can even proceed to suspect and then take that suspicion to a court to have a judge say: Yes, you might have something here.

It has been said and it is true that unless a person's phone number is in communication with a foreign phone number that is at least strongly suspected of belonging to a terrorist organization—and ultimately the court has to make that decision—a member of Al Qaeda, ISIS, or some group overseas that is attempting to do harm to the United States—why is this particular phone number—not the name of the person who owns the phone number—why is this particular phone number being called by someone in Yemen or being called by what we strongly suspect is a foreign operative through ISIS, Al Qaeda, Yemen, or other points where we know terrorist activity is rampant?

There is a signal that comes up that matches phone numbers, and they say: We better look into this. But before they can look into it, it has to be vetted by a court. It has to be taken to a FISA Court or an intelligence court and judged by that court as something viable to pursue. At that point, it is similar to what a court would order if there were a warrant to go and find more information to see whether this suspicion actually is reality.

We read about it every day and we watch it on television—''Law and Order'' and all the shows and so forth—about how law enforcement suspects that this particular activity is a criminal organization or this is a drug house or they have reason to believe the perpetrator of the crime is this individual. They can't go raiding their house. They can't go downloading information about them until they go to a court and receive approval from a judge saying: Yes, here you are, here is your warrant. You can go and check this out.

Well, this intelligence program is based on the same principle; that is, nobody can collect any information on anybody unless that court approves that operation. Then it is turned over to the FBI, and they look to see if it is the real thing. It is a tool that has been of importance and has been a contribution to our ability to address the potential of terrorist threats and to thwart them before they happen. It has always been used as a way of proving the negative; that is, no, this is OK, we don't need to follow up on this.

The best example is the Boston bombing. When the Tsarnaev brothers' phone was accessed and it was run against the numbers, there was some suspicion that additional terrorist activity would take place in New York. It was proven that was not the case because there were no connections made. So it became a valuable tool in that regard. Instead of shutting down New York, putting them on a high terrorist alert—perhaps the Nation's largest economy in operation there—we were able to quickly determine that wasn't the case.

In response to those who basically say this has never stopped a terrorist attack, two things: No. 1, this is one of the many methods we use to collect the threads of intelligence that come from different sources to try to put together a mosaic or a puzzle as to whether this is something we need to deal with and take seriously. It is a major piece of that puzzle we obtain from the 215 program, which is the collection of phone numbers. We do not collect the names of people who own those numbers. It is the collection of what is called metadata. It has been described as simply the same data that is on our telephone bills that the Supreme Court has said is not a breach of the Fourth Amendment. It is not privileged for privacy purposes. It shows the date the call was made, the duration of the call, the number that was called, and that is it. And those numbers are put into a system whereby we can check against that a number that suspiciously is talking to a foreign operative in a foreign country. That then automatically triggers that you better look at this—it is kind of a ping—you better look at this one. Nobody has access, at this point, to any content related to the name of the individual until it reaches a level of suspicion that is vetted through six layers of oversight and then is sent to a court that looks at it to say: We agree with you or we don't agree with you. And if we agree with you, then it is the FBI who is alerted that they better look into this.

Now, there has never been a time since 9/11 when we have dealt with a higher threshold than we currently are dealing with. You hear about it every day. You read about it every day. ISIS has recruited more than 20,000, it is estimated—significantly more than that are those from 90 different foreign countries. It has made a direct threat toward the United States and its citizens. It is sponsoring and encouraging individuals to not only come over and train and join ISIS and then come back here and wreak havoc on the American people; it is also inspiring those, saying if you don't want to travel over here, just go out and kill somebody. Join the jihad from afar. You can be a part of what we are trying to accomplish simply by doing your own thing. We saw that happen down in Texas. We will see that in other places as people are inspired through ISIS, for whatever sick reason, to take up arms, to cause destruction, and to randomly kill and wreak havoc on the American public.

It has been offered that the House fix—the reform, which did have bipartisan support and did pass the House without a lot of debate—is the solution to this problem. Some agree it goes too far; some agree it doesn't go far enough. But there are problems with that particular FREEDOM Act, which the Senator from Vermont says is the golden grail here and will solve all the problems.

It is clear, and it is the testimony we have received from numerous officials in the counterterrorism business and in the intelligence business, that there are issues with this so-called FREEDOM Act fix that could render—well, No. 1, that do render the program less effective and could render it totally inoperative.

The fact that the NSA has not yet been able to come up with a program which would ensure that we could have the kind of collection we need in the timeframe we need it—some of this is urgent, some of this is pending, some of this is imminent, and it already goes through layers that delay coming to a conclusion and this adds more.

Also, they have indicated the system is untested and exists in name only. We don't know how the new program would be implemented and we don't know how it would be operated. That is why many of us said: Look, for whatever reason, yes, we are at this point, and, yes, it expires at midnight. What we were trying to do before we left was get a short-term extension. We were negotiating. We think it should have been for a significant amount of time, until NSA could test out its program, but we were willing to go much less than that so we could have an opportunity to come back and debate this further and get to the bottom of some of the misrepresented information that has been sent out to the American people and have an opportunity to counter that and also work together to find ways, through working with the House of Representatives, to come up with a more effective bill that wouldn't put the country in more jeopardy or, as some experts have said, would undermine the entire program.

We obviously will be less agile with the House bill. It requires an expansive

regulatory system to amass the level of oversight over the current program. I think the real problem is it requires no data retention mandate. The USA FREEDOM Act does not require companies to hold the data sought by the government. Therefore, the USA FREEDOM Act could be operationally useless as companies update their business model in response to changes in technology or market demand. The telephone companies—all 1,400 of them—many don't want to go through the expensive process of the oversight they need to have in the process. They want to sell phones. And they are hearing a lot from customers who basically say: I don't want to buy your phone if it is going to be subject to them listening to everything I do and say—being collected.

Well, first of all, that is factually wrong, but it is an error that has been said over and over on this floor by some Members. That is absolutely wrong. It is false. If we are going to go forward here, we need intellectual honesty about what the program is and what it isn't, and it shouldn't be labeled as something it isn't. I will address that at a later point in time.

But the USA FREEDOM Act, by not allowing retention for a fixed period of time, also lessens our ability to make this program effective. So I have much more to say on this, and I know we are going into caucus as a party to see how we might go forward, given where we are.

It was not necessary that we be here on a Sunday with the clock ticking toward midnight. We could have continued or we could have gone forward without getting to this particular point in time. But now we will have the opportunity—and, unfortunately, what it looks like is we will have the opportunity to debate this while the program expires.

That is a bet I didn't want to take—the bet being that nothing will happen if we don't have this tool in the amount of time that is going to be taken to now address this. That is running a risk I am not sure Members want to take. I don't want to be part of somebody who says this isn't important enough; therefore, we will let it expire and we will not extend it for a day or an hour or a month or a sufficient amount of time to come to a reasonable conclusion as to how we retain this very important intelligence-gathering tool to keep us safe from terrorists. To go dark on this is a risk of Americans' lives. It is a risk that we are taking, and we are going to be responsible for our vote, whatever that vote is. I, personally, don't want the responsibility of saying: Oh, don't worry. Nothing is going to happen out there. The hundreds of hours that I spend in the Intelligence Committee tells me there is a lot that can happen out there.

Members have every right, if they are not on that committee—every right to access what we access. We have invited people to come down and see it for themselves, so they at least understand what it is and what it isn't. To my knowledge, only two have taken us up on that. There may be more I have missed. But some of those who have stated this program in a totally false way have the siren song to the people out there who think Big Government is in their bedroom, Big Government is taking every piece of information they have about themselves, and Big Government is storing this and ''listening to all your phone calls.'' That is a bunch of hokum and it is wrong.

And for those who refuse to stand up and acknowledge that—because they have had access to the program and refused to take that access—have to bear the responsibility of sowing this wild theory and idea about Big Government in your bedroom and Big Government in your car and Big Government on your phone and Big Government collecting your emails and Big Government doing everything and storing it until the time that Big Government will come and take everything away from you.

I didn't come here to do that and this Senate isn't here to do that and we will not do that. That is why this program has more oversight than any other program in the entire United States Government, and we will put more oversight on there if that is necessary. I will stay up all night and stand over at NSA and make sure they are not listening to your phone calls. But it is irresponsible misrepresentation—irresponsible misrepresentation—to factually state a falsity and not tell the truth.

It is time we told the truth and it is time we stood up to this thing and make sure we are doing everything we can to protect Americans from threats of a lot of people and a lot of organizations that want to kill us all, that would like to see our heads on the chopping block. This is real in our country, as people who are trained by ISIS not only flock back here from Syria, but they inspire people here to pick up weapons and do harm to the American people.

I know the Senator from Arizona has a question.

Mr. PAUL addressed the Chair.

Mr. COATS. I have not yielded the floor.

Mr. PAUL addressed the Chair.

Mr. MCCAIN. Mr. President, I ask for the regular order, and I want to ask the Senator from Indiana a question.

The PRESIDING OFFICER. The Senator from Indiana has the floor.

Mr. COATS. I would be happy to yield to the Senator from Arizona for a question.

Mr. MCCAIN. Maybe the Senator from Kentucky should know the rules of the Senate, that the Senator from Indiana has the floor and the gentleman is open to respond to a question.

My question to the Senator from Indiana—and I want to say that his words are powerful and accurate.

Mr. PAUL. Mr. President, how much time remains on the clock for the Republican side?

Mr. MCCAIN. I would ask the Senator from Indiana if he has seen—

Mr. PAUL. Mr. President, how much time is remaining?

Mr. MCCAIN. I ask for the regular order.

The PRESIDING OFFICER. I think the Chair has made very clear that the Senator from Indiana has the floor.

Mr. COATS. Mr. President, I thank you.

I know the Senator from Kentucky understands that when a Senator has the floor, they are entitled to speak because he has used that rule himself.

Mr. MCCAIN. Twice the Senator from Kentucky has not observed the rules of the Senate.

I would ask the Senator from Indiana, you have seen the events lately that are transpiring. ISIS has taken Palmyra. They are in the streets burning bodies, killing people, going to destroy 2,000-year-old antiquities, and at the same time Ramadi has fallen with thousands of innocent men, women, and children being massacred. At this time, isn't this program as critical as it has ever been since its inception, given the fact that the Middle East is literally on fire and we are losing everywhere?

Mr. COATS. It is more essential than ever, in response to the question from the Senator from Arizona. It is more necessary than ever, as we have seen a higher threat level since 9/11. Of course, we didn't know what the threat was in 9/11, so I don't know how far we have to go back. But our intelligence today, whether it is any aspect of any of our intelligence agencies, they are sounding the alarm that we need to be as vigilant as possible. We need to, within the law—and we are operating within the law—use every tool possible to try to stop an attack on the American people. What happened on 9/11 was a catastrophe that none of us could have comprehended. A 9/11 with the possession of nuclear, radioactive, biological or chemical weapons would make New York look like just a small incident. It would be 3 million people instead of 3,000 people. I think we have an obligation to do what we can without invading anyone's privacy.

What we are trying to find is this balance between protecting privacy and protecting ourselves from terrorist attacks—protecting Americans from terrorist attacks. We have done this with this program. If what has been said about this program were true, if the falsehoods that have been said were

true, I would be the first to line up and say: No, we can't breach the privacy of the American people by doing what they are doing. But the fact is none of it is true. There has not been one act of abuse of this program over the years it has been in place. It has more oversight and layers of oversight. As former Attorney General Mukasey said: For the government to violate and bypass this, it would make Watergate look like kindergarten activity. It would be a conspiracy that would include hundreds of people, and they would all have to swear that they would not breach their conspiratorial process here—a program that is overseen by the Judiciary Committee, by the Senate Intelligence Committee, the House Intelligence Committee, the body of the Senate has access to this and the body of the House—that is 535 people—by the executive branch, a program that was endorsed by Barack Obama, until he changed his mind, apparently, because the public was going the other way based on false information. People are out here basically making the accusations that they are making to try to take this program down and all we are trying to do is work with the House to find a reasonable way of keeping this tool alive—keeping Americans safe.

Mr. MCCAIN. Will the Senator yield for a further question?

The PRESIDING OFFICER. Would the Senator suspend?

Under the previous order, all time for debate has expired.

Mr. PAUL. Mr. President, my understanding is there is still 5 minutes remaining on the opposition side. I request that time.

The PRESIDING OFFICER. Is there objection?

Mr. MCCAIN. I object.

Mr. PAUL. Mr. President, how can we have an objection when we already have a consent agreement that says we have 30 minutes of equally divided time and you still have 5 minutes remaining on the opposite side?

The PRESIDING OFFICER. The time was divided in the usual form, and the time for debate has expired.

Mr. PAUL. Mr. President, the time could not have been divided equally, because apparently somebody must have given one side more time than the other.

The PRESIDING OFFICER. The 5 minutes of time that was allotted to the Democratic side was unused, and it was equally divided at 23 minutes apiece.

Mr. PAUL. Mr. President, I was here for 30 minutes of the Republican side speaking. I sat at my seat for 30 minutes. It was not 23 minutes of equally divided time.

Mr. MCCAIN. Mr. President, regular order—obviously people don't know the rules of the Senate. Maybe they should learn them.

Mr. PAUL. Mr. President, I request the remaining 5 minutes of time on the opposite side.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Kentucky?

Mr. MCCAIN. I object.

Mr. PAUL. Mr. President, I challenge the ruling of the Chair and request the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is not a sufficient second.

Mr. PAUL. I request a live quorum call.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

Mr. PAUL. Mr. President, I ask unanimous consent to speak for 5 minutes—the 5 minutes that was remaining on the opposition side.

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

Mr. PAUL. Mr. President, let us be very clear about why we are here this evening. We are here this evening because this is an important debate. This is a debate over the Bill of Rights. This is a debate over the Fourth Amendment. This is a debate over your right to be left alone. Justice Brandeis said that the right to be left alone is the most cherished of rights. The right to be left alone is the most prized to civilized men.

Let us be clear. We are here tonight because the President continues to conduct an illegal program. The President has been rebuked by the court. In explicit terms, the President has been told that the program he is conducting is illegal. Now, the President opines on television. The President wants to blame—he says: Anybody but me.

But you know what. The President started this program without congressional permission. Even the authors of the PATRIOT Act say that the PATRIOT Act in no way gives authority to the President to collect all of your phone records all of the time. If there ever was a general warrant, if there ever was a generalized collection of information from people about whom there is no suspicion, this is it.

We are not collecting the information of spies. We are not collecting the information of terrorists. We are collecting all American citizens' records all of the time. This is what we fought the Revolution over. Are we going to so blithely give up our freedom? Are we going to so blithely go along and just say: Take it. Well, I am not going to take it anymore. I do not think the American people are going to take it anymore.

Eighty percent of those under 40 say we have gone too far—that this whole collection of all of our records all the time is too much. The court has said: How can records be relevant to an investigation that has not started? The court has said that even under these lower standards, even under these standards of saying that it would be relevant, all of the stuff they are collecting is precisely irrelevant.

Now people say: Well, they are not looking at it. They are not listening to it. It is the tip of the iceberg, what we are talking about here. Realize that they were dishonest about the program until we caught them. They kept saying over and over: We are not doing this. We are not collecting your records.

They were. The head of the intelligence agency lied to the American people, and he still works there. We should be upset. We should be marching in the streets and saying: He has to go. We cannot allow this. We cannot allow the rule of law to be so trod upon that we live in an arbitrary governmental world where they collect anything they want anytime they want.

This is the tip of the iceberg. They are collecting records through Executive order. They are collecting records through section 702. People say: How will we protect ourselves without these programs? What about using the Constitution? What about using judicial warrants? About the Tsarnaev boy, the Boston Bomber, they say: How will we look at his phone records? Get a warrant. Put his name on it. You can get a warrant. There is no reason in the world—the guy had already bombed us. Do you think anybody was going to turn down a warrant? We should have gotten a warrant before.

Get warrants on people we have suspicion on. The Simpson guy that was shot in Garland had already been arrested. We had suspicion.

Let's hire 1,000 more FBI agents. Let's hire people to do the investigation and quit wasting time on innocent American people. Let's be very clear why we are here: President Obama set up this program, the President Obama who once was against the PATRIOT Act. President Obama once said: You know what; we should have judges write warrants.

President Obama, who once believed in the Fourth Amendment, is the President who is now scooping up all of your records illegally. Then he feigns concern and says: Oh, we need to pass this new bill. He could stop it now. Why won't someone ask the President: Why do you continue? Why won't you stop this program now? The President has every ability to do it. We have every ability to keep our Nation safe. I intend to protect the Constitution.

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

RECESS

The PRESIDING OFFICER. Under the previous order, the Senate stands in recess subject to the call of the Chair.

Thereupon, the Senate, at 5:11 p.m., recessed subject to the call of the Chair and reassembled at 6:14 p.m. when called to order by the Presiding Officer (Mr. WICKER).

USA FREEDOM ACT OF 2015—MOTION TO PROCEED—Continued

The PRESIDING OFFICER. The majority leader.

Mr. MCCONNELL. Mr. President, before the recess, I tried to get a short-term extension of three provisions that will expire at midnight tonight: section 215, business records; section 206, roving wiretap authority; and the ''lone wolf'' provision. Unfortunately, those efforts were unsuccessful.

''Lone wolf'' and roving wiretap are not—I repeat, not—the subject of controversy with the House bill. So I would propose that we extend at least the ''lone wolf'' and the roving wiretap authorities while we continue to litigate the differing views on section 215. More specifically, I would propose that we extend those two provisions—''lone wolf'' and roving wiretaps—for up to 2 weeks.

UNANIMOUS CONSENT REQUEST

Mr. President, having said that, I ask unanimous consent that the Senate proceed to the immediate consideration of a bill, which is at the desk, to extend the expiring provisions relating to ''lone wolf'' and roving wiretaps for 2 weeks, and that the bill be read a third time and passed, and the motion to reconsider be considered made and laid upon the table with no intervening action or debate.

The PRESIDING OFFICER. Is there objection?

The Senator from Kentucky.

Mr. PAUL. Mr. President, reserving the right to object, one of the promises that was given when the PATRIOT Act was originally passed was that, in exchange for allowing a less than constitutional standard, we would only use the actions against——

The PRESIDING OFFICER. Is there objection?

Mr. PAUL. Terrorists and against foreigners. We found that 99 percent of the time, section 213 is used for domestic crime. I believe that no section of the PATRIOT Act should be passed unless our targets are terrorists—not Americans.

Mr. CORNYN. Mr. President, regular order.

The PRESIDING OFFICER. The Senator from Kentucky——

Mr. COTTON. Regular order.

Mr. PAUL. I object.

The PRESIDING OFFICER. Objection is heard.

Mr. MCCONNELL. Mr. President, last week, I proposed giving the Intelligence Committee the time it would need to work toward the kind of bipartisan legislative compromise Americans deserve—a compromise that would preserve important counterterrorism tools necessary to protect American lives. That effort was blocked.

Just now, I proposed an even narrower extension that would have only extended some of the least controversial—least controversial—but still critical tools to ensure they do not lapse as Senators work toward a more comprehensive legislative outcome. But even that very narrow offer was blocked. I think it should be worrying for our country because the nature of the threat we face is very serious. It is aggressive, it is sophisticated, it is geographically dispersed, and it is not—not—going away.

As the LA Times reported, ''the Obama administration has dramatically stepped up warnings of potential terrorist attacks on American soil after several years of relative calm.'' The paper reported that this is occurring in the wake of ''FBI arrests of at least 30 Americans on terrorism-related charges this year in an array of 'lone wolf' plots.''

So these aren't theoretical threats. They are not theoretical threats. They are with us every day. We have to face up to them. We shouldn't be disarming unilaterally as our enemies grow more sophisticated and aggressive, and we certainly should not be doing so based on a campaign of demagoguery and disinformation launched in the wake of the unlawful actions of Edward Snowden, who was last seen in Russia.

The opponents of this program have not been able to provide any—any—examples of the NSA abusing the authorities provided under section 215. And the record will show that, in fact, there has not been one documented instance of abuse of it.

I think it is also important to remember that the contents of calls are not captured. That is the general view, but it is an incorrect one. I will say it again: The contents of calls are not captured. I say this to the American people: If you have been told that, that is not correct. That is what I mean about a campaign of disinformation. The only things in question are the number dialed, the number from which the call was made, the length of the call, and the date. That is it. That is it. Detailed oversight procedures have been put in place, too, in order to protect the privacy of Americans.

Now, I believe this is a program that strikes a critical balance between privacy on the one hand and national security on the other. That doesn't mean the Senate still shouldn't have the opportunity to make some changes to it. That is precisely the outcome I had been hoping to facilitate by seeking several short-term extensions. And considering all that has come to light about the House-passed bill in recent weeks, I believe this was more than reasonable.

The administration's inability to answer even the most basic questions about the alternate bulk data system it would have to build under that legislation is, to say the least, pretty troubling—pretty troubling. And that is not just my view. That is the view of many in this body, including colleagues who have been favorably predisposed to the House bill.

In particular, I know Senators from both parties have been disturbed by the administration's continuing inability to guarantee whether the new system would work as well as the current one or whether there would even be any data available to analyze. While the administration has let it be known that this nonexistent system could only be built in time if telephone providers cooperated in building it, providers have made it abundantly clear that they are not going to commit to retaining the data. They are not going to commit to retaining the data for any period of time unless legally required to do so, and there is no such requirement in the House-passed bill—none at all.

Here is how one provider put it: ''[We are] not prepared to commit to voluntarily retain documents for any particular period of time pursuant to the proposed USA Freedom Act if not required by law''—if not required by law.

Now, these are just a few of the reasons I thought it prudent to try to give the Senate more space to advance better legislation through committee consideration and regular order, with input from both sides. But, my colleagues, it is now clear that will not be possible in the face of a determined opposition from those who simply wish to end the counterterrorism program altogether. No time to try to improve the House-passed bill will be allowed because some would like to end the program altogether.

So this is where we find ourselves. This is the reality. So it essentially leaves us with two options. Option one is to allow the program to expire altogether without attempting to replace it. That would mean disarming completely and arbitrarily, based on a campaign of disinformation, in the face of growing, aggressive, and sophisticated threats—growing, aggressive, and sophisticated threats. That is a totally unacceptable outcome—a completely and totally unacceptable outcome. So we won't be doing that.

So we are left with option two, the House-passed bill. It is certainly not ideal. But along with votes on some modest amendments that attempt to ensure the program can actually work as promised, it is now the only realistic way forward. So I remain determined

to continue working toward the best outcome for the American people possible under the circumstances.

This is where we are, colleagues. We have the House-passed bill with some serious flaws and an inability to get a short-term extension to try to improve the House-passed bill in the way we normally do this—through some kind of consultative process.

So bearing that in mind, I move to proceed to the motion to reconsider vote No. 194, the vote by which cloture was not invoked on the motion to proceed to H.R. 2048.

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

The motion was agreed to.

Mr. MCCONNELL. Mr. President, I move to reconsider the motion to invoke cloture on the motion to proceed to H.R. 2048.

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

The motion was agreed to.

CLOTURE MOTION

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

The senior assistant legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the motion to proceed to H.R. 2048, an act to reform the authorities of the Federal Government to require the production of certain business records, conduct electronic surveillance, use pen registers and trap and trace devices, and use other forms of information gathering for foreign intelligence, counterterrorism, and criminal purposes, and for other purposes.

Mitch McConnell, Lamar Alexander, Michael B. Enzi, David Vitter, John Cornyn, Johnny Isakson, Lisa Murkowski, John Barrasso, Richard Burr, Pat Roberts, Roy Blunt, Bob Corker, Orrin G. Hatch, Jerry Moran, Patrick J. Toomey, Mike Lee, Ted Cruz.

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

The question is, Is it the sense of the Senate that debate on the motion to proceed to H.R. 2048, an act to reform the authorities of the Federal Government to require the production of certain business records, conduct electronic surveillance, use pen registers and trap and trace devices, and use other forms of information gathering for foreign intelligence, counterterrorism, and criminal purposes, and for other purposes, shall be brought to a close, upon reconsideration?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Wyoming (Mr. ENZI), the Senator from South Carolina (Mr. GRAHAM), and the Senator from Nebraska (Mr. SASSE).

Mr. DURBIN. I announce that the Senator from New Jersey (Mr. MENENDEZ), the Senator from Washington (Mrs. MURRAY), and the Senator from Hawaii (Mr. SCHATZ) are necessarily absent.

The PRESIDING OFFICER (Mr. BARRASSO). Are there any Senators in the Chamber wishing to vote or to change their vote?

The yeas and nays resulted—yeas 77, nays 17, as follows:

[Rollcall Vote No. 196 Leg.]

YEAS—77

Alexander	Franken	Murkowski
Ayotte	Gardner	Murphy
Baldwin	Gillibrand	Nelson
Bennet	Hatch	Perdue
Blumenthal	Heinrich	Peters
Booker	Heitkamp	Portman
Boozman	Heller	Reed
Boxer	Hirono	Reid
Brown	Hoeven	Rounds
Burr	Inhofe	Sanders
Cantwell	Isakson	Schumer
Capito	Johnson	Scott
Cardin	Kaine	Shaheen
Carper	King	Stabenow
Casey	Kirk	Sullivan
Cassidy	Klobuchar	Tester
Cochran	Lankford	Tillis
Coons	Leahy	Toomey
Corker	Lee	Udall
Cornyn	Manchin	Vitter
Cruz	Markey	Warner
Daines	McCain	Warren
Donnelly	McCaskill	Whitehouse
Durbin	McConnell	Wicker
Feinstein	Merkley	Wyden
Flake	Mikulski	

NAYS—17

Barrasso	Ernst	Roberts
Blunt	Fischer	Rubio
Coats	Grassley	Sessions
Collins	Moran	Shelby
Cotton	Paul	Thune
Crapo	Risch	

NOT VOTING—6

Enzi	Menendez	Sasse
Graham	Murray	Schatz

The PRESIDING OFFICER. On this vote, the yeas are 77, the nays are 17.

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

The Senator from Kentucky.

Mr. PAUL. Mr. President, could we have order?

The PRESIDING OFFICER. The Senate will be in order.

Mr. PAUL. Will the Chair inform me when I have 5 minutes remaining?

The PRESIDING OFFICER. The Senator will be so notified.

Mr. PAUL. Mr. President, tonight begins the process of ending bulk collection. The bill will ultimately pass. We always look for silver linings. I think the bill may be replacing one form of bulk collection with another, but the government, after this bill passes, will no longer collect our phone records. My concern is that the phone companies still may do the same thing. Currently, my understanding is the NSA is at the phone company sucking up the phone records and sending them to Utah. My concern is——

The PRESIDING OFFICER. Order in the Senate, please. The Senator deserves to be heard.

Mr. PAUL. My concern is that under the new program, the records will still be sucked up into NSA computers, but the computers will be at the phone company, not in Utah. So the question is, Will it be a distinction without a difference? The question also will be, Will this be individualized?

One of the issues about the Fourth Amendment that was the biggest part of the Fourth Amendment for our Founding Fathers was that a warrant should be individualized. General warrants were what we fought the Revolution over. James Otis fought a famous case in the 1760s, and he fought against the British soldiers writing their own warrants.

What is interesting is that part of the PATRIOT Act allows our police to write their own warrants. We have something called national security letters. These have been done by the hundreds of thousands. Interestingly, when the President was in the Senate, he was opposed to national security letters and said that they should have judicial warrants. Now, it is interesting that in this bill that will pass, it is supported by the President, supported by the Director of National Intelligence, and now supported in a wide bipartisan fashion.

It concerns me whether or not——

The PRESIDING OFFICER. The Senate will be in order.

Will the Senator please suspend.

The Senate will be in order. Please take your conversations out of the well, out of the Chamber. The Senator deserves to be heard.

Mr. PAUL. It concerns me that the President, who supports the bulk data collection and has been performing it illegally for 6 years, now supports this bill. The devil is in the details.

The question is, Will the new bill still allow bulk collection by the phone companies? Will they be able to put into the search engine not an individual about whom we have suspicion but an entire corporation? This is what was revealed when we saw the warrant that had Tsarnaev's name on it.

The Director of National Intelligence came before the American people, came before Congress and swore under oath that they weren't doing this. Part of my problem with the intelligence-gathering in our country is it is hard for me to have trust. It is hard for me to have trust in the people to whom we are giving great power.

They also insist we won't be able to catch terrorists. They insist the bulk collection allowed them to catch terrorists. But then it turned out, when it was investigated, when we looked at the classified documents, when the President's bipartisan privacy and civil

liberties commission looked at this, when his review board looked at this, and then when the Department of Justice inspector general looked at this, they all found that there was no unique data, there was no great discovery, there was no great breaking up of a terrorist ring.

People have brought up the Boston Bomber, the Tsarnaev boy. They say: Well, we need this. We need the PATRIOT Act after the bombing to get his phone records.

That is the most absurd thing I have ever heard. He has already committed a bombing. In fact, I think he was dead at that point, and they are saying we couldn't get a warrant to look at his phone records? It is absolutely absurd.

I had a meeting with somebody from the intelligence community about 6 months ago, and I asked them this question: How do we get more information about terrorists—with a warrant with their name on it, where we can go as deep into the details as we want, or this metadata collection that uses a less-than-constitutional standard? And he said: Without question, we get more information with a warrant than we do through the metadata.

When someone commits an act of atrocity, there is no question we would get a warrant, but I would go even further. I would say that I want to get more warrants on people before they blow up things. I would say that we need more money spent on FBI agents analyzing data and trying to find out whom we have suspicion about so we can investigate their records. I think we spend so much money on people about whom there is no suspicion that we don't have enough time and money left to go after the people who would actually harm us.

The people who argue that the world will end at midnight tonight——

The PRESIDING OFFICER. The Senator will please suspend.

Order in the Chamber. Please take your conversations off the floor.

Mr. PAUL. The people who argue that the world will end and that we will be overrun by jihadists tonight are trying to use fear. They want to take just a little bit of our liberty, but they get it by making us afraid. They want us to fear and give up our liberty. They tell us that if we have nothing to hide, we have nothing to fear. That is a far cry from the standard we were founded upon—innocent until proven guilty.

One of the objections I tried to bring forward earlier but was interrupted repeatedly was that the PATRIOT Act was originally intended to go after foreigners and terrorists. We allowed a less-than-constitutional standard. We didn't ask for probable cause; we just said it had to be relevant, the information had to be relevant to an investigation about terrorists. But here is the problem, and this is one of the big problems I have with the PATRIOT Act.

We now use parts of the PATRIOT Act to arrest people for domestic crime. Section 213, sneak-and-peek, where the government can come into your house, place listening devices, never announce they were ever in your house, and then leave and monitor your behavior and never let you know they were there, is being used 99.5 percent of the time for domestic crime.

So, little by little, we have allowed our freedom to slip away. We allowed the Fourth Amendment to be diminished. We allowed the narrowing loss of something called probable cause.

People say: Well, how would we get terrorists with that?

The vast majority of warrants are approved in our country—the vast majority of warrants that are Fourth Amendment warrants where we individualized and put a name on it and asked probable cause. If tonight the police are looking for a rapist or a murderer, they will go to the house, and if they suspect the person is inside but nothing is imminently happening, they will stand on the curb and they almost always get a warrant.

Do you think there is a judge in this land who would not grant a warrant—particularly after the Boston bombing—to look at the Tsarnaev brothers' records? There is not a judge in the land who would say no. I would venture to say that in advance there is not much chance that a judge would say no if you went to them and said: The Russians have given us indication and evidence that he has been radicalized and has associated overseas with people who are training to attack us.

There is no reason why the Constitution can't be used. But we just have to not let those who are in power make us cower in fear. They use fear to take your freedom, and we have to be very, very careful of this.

Now, some are saying I am misrepresenting this, that I am saying the government is listening to your phone calls. I am saying they are collecting your phone records. There are programs, though, in which there may be looking at content—emails, for example. The current law says that after 6 months even the content of your email has no protection. We have a very good piece of legislation to try to fix that. But realize that those who are loud, those who are really wanting you to give up your freedom, don't believe the Fourth Amendment protects your records at all.

And this is a big debate. We went to the court. The Second Circuit Court of Appeals—the highest court in the land just below the Supreme Court—said that what they are doing is illegal, but we don't yet have a ruling on whether it is constitutional.

One of my fears about the bill we are going to pass—the sort of in-between step some think may be better—is that it could moot the case. This means the court case will never get heard by the Supreme Court. I have a court case against the NSA. There is another district court that has ruled against the NSA. We now have an appellate ruling against the NSA. The court may well look at the activity of the Senate and say: Well, you guys have fixed the problem. We don't need to look at it anymore. It is no longer relevant.

My other concern about this new bill that is going to pass is that the same people will judge it who judged the previous system. These people are called the rubberstamp courtroom, also known as FISA. Realize that the FISA Court is the court that said the collection of all Americans' records is relevant. The appellate court basically laughed at this notion and said that it sort of destroys any meaning to the word ''relevant'' if you collect everybody's records. It is not even a modifier. Instead of saying ''relevant,'' they should have said ''You can have everyone's records all the time.''

One of my other concerns about the in-between solution we are going to choose is that some are conjecturing—and you have to be suspicious of a government that often lies about their purpose—some are conjecturing that they are going to collect more phone data under the new system. One of the complaints last week, as there was discussion about this—in the newspaper, it was reported that really they were only collecting about 20 to 30 percent of your cell phone data. They were trying to collect all of your land line data, but they weren't for some reason collecting all of your cell phone data. One of my concerns is that as we go to this new system, they may actually be better at collecting our phone records and they may well be able to collect all of our cell phone data.

Unless we go to a system where we individualize the warrants, unless we go to a system where a person's name is on the warrant, I am going to be very, very concerned.

Now, we will present amendments on this bill. We tried to negotiate to be allowed to present amendments, but there wasn't a lot of negotiating that went on in the last week—in fact, there was none. We will still try. We will put amendments forward, and we will try to get amendments to make the bulk collection less bad when it does occur. One of the things we would like to do is to say that when they search the phone records, they can't put the name of a corporation in there; they would have to put in an individual's name.

It is kind of tricky, the way these things are worded. The wording of this bill will say they can only put a U.S. person into the selector term to search all phone records. The problem is that they define ''U.S. person'' as also meaning corporation or association or grouping. So there is a little bit of looseness to the language. So if we are

still going to allow corporations, what is to stop them from going back and putting AT&T or Verizon in the selection? Once again they will be looking at all the phone records, and all we will have done is transferred the phone records from government control in Utah to phone company control in another location. Will we be trading bulk collection in Utah for bulk collection under the phone companies?

There are good people who believe this bill will reform, and I think they are well-intended. I think they are good people who really think that we will end bulk collection and that it won't happen. My fear, though, is of the people who interpret this work at a place known as the rubberstamp factory over at FISA. It is a secret court, and it is a court in which 99.5 percent of the time they approve warrants. Warrants are simply rubberstamped over there. In fact, they approved that ''relevant'' meant all of your records. So my question is, If they put AT&T as a selector item, will we have the same thing, just in a different location?

I have several amendments I am interested in if we are able to amend the bill.

One is that the search would have to be an individual. That is more consistent with the Fourth Amendment.

Another one would change the standard to the constitutional standard, which would be that there would have to be probable cause, which is a higher standard than simply saying it is relevant. Then we would actually be sending a new signal to the FISA Court.

Another amendment I have, which I think would go a long way toward making the PATRIOT Act less bad—I think is the best way to put it—would be to say that any information gathered under a less-than-constitutional standard could only be used for foreigners and terrorists. See, that was the promise. At the time, there were people who opposed the PATRIOT Act—not enough, but there were a few—and when they opposed the PATRIOT Act, they said their fear was that it would be used against American citizens.

They said: No, no, we are only going after terrorists. But the law allows them to do it, and we now have sections of the PATRIOT Act which 99.5 percent of the time are being used for domestic crime. We have also seen that the Drug Enforcement Agency—it is alleged—is using information gathered under the PATRIOT Act to then go back and recreate cases against people for domestic crime.

The question we have to ask ourselves is, Are we so frightened that we are willing to give up our freedom? Are we really willing to trade liberty for security?

I think the U.S. Court of Appeals had some great points that they made when they ruled against the government, and I think what is important to know is that the President has continued to do this illegally. You have seen him on television. The President has been saying: Well, Congress is just getting in the way. If Congress would just do their job and get rid of this, everything would be OK. But the truth is that Congress never authorized this. Even the authors of the PATRIOT Act said this was not something Congress ever even contemplated. The court is now saying that as well. This was done by the executive branch—admittedly, both a Republican executive branch and a Democratic executive branch—but this wasn't created by Congress.

So when the President says ''Well, Congress should just do this,'' the question that has never been asked by anyone in the media is ''Why doesn't he stop it?'' Everybody who has given advice has said he would, and he will come out and say he believes in a balanced solution, but he really is just abdicating the solution and has never discontinued the program, even when he has been told explicitly by the court that the program is an illegal program.

This is what the U.S. court of appeals said in the case ACLU v. Clapper:

> We agree with the appellants that such an expansive concept of ''relevance'' is unprecedented and unwarranted. . . . The records demanded are not those of suspects under investigation, or of people or businesses that have contact with such subjects, or of people or businesses that have contact with others who are in contact with the subjects.

So even two steps removed, we are gathering records that are completely irrelevant to the investigation. We are gathering up the phone records of innocent Americans.

The other side will say: Well, we are not looking at them.

So I have been thinking about this. Our Founders objected to the British soldiers writing warrants. They objected to them coming into their house and grabbing their papers. Do you think our Framers would have been happy if the British Government said: OK, we are just breaking your door down, we are just getting your papers, but we are not going to look at them. Do you think that would have changed the mindset of the Framers? So the fact that they say they are not looking at our records—is that any comfort or should it be any comfort? The act of violation is in taking your records. The act of violation is in allowing the police or a form of the police—the FBI—to write warrants that are not signed by a judge.

The court goes on to say: ''The interpretation that the government asks us to adopt defies any limiting principle.'' The idea of a limiting principle when the court looks at things is that, the way I see it, is the difference between something being arbitrary, where there is no sort of principle that confines what would happen—if you have a law that has no limiting principle, it is essentially arbitrary.

This is what Hayek wrote about in ''The Road to Serfdom.'' Hayek talked about the difference between the rule of law and having an arbitrary interpretation of the law.

The danger of having an arbitrary interpretation of the law and the danger of having general warrants is that they have been used in the past with bias. People have brought their own bias into this. In the sixties, the bias was against civil rights activists and against Vietnam war activists. In the forties, the bias was in incarcerating and interring Japanese Americans. But what was consistent in all of these circumstances was that there was a generalization—a generalization based on the color of your skin, whether you were Asian American or African American, and also about the shade of your ideology. There is a danger in allowing the government to generalize without suspicion and to disobey the Fourth Amendment, and the danger comes that the government could one day generalize and bias could enter into things.

We have on our records right now laws that allow an American citizen to be detained. It is not specifically a part of the PATRIOT Act, but it is along the same lines as this, that you are getting rid of the due process amendments and the ability of the Bill of Rights to protect an individual. When we allow an individual to be detained without a trial, what happens is that there is the possibility that someone could decide we don't like ''those'' people. And when you say that could never happen, think about the times in our history when it has.

Richard Jewell, everybody said he was the Olympic Bomber. He was convicted on TV. Within hours, people said: Richard Jewell is guilty. Think about if he had been a Black man in 1920 in the South what may have happened to him. Think about the possibility for bias entering into our government. Think about what Madison said about government is—Madison said that we restrain government because we are worried that government may not be comprised of angels. If government were comprised of angels, we would not have to worry about restraining government.

Patrick Henry said that the Constitution was about restraining government, not the people. It is not enough for people to say: Oh, I am a good man or I am a good person or the NSA would never do this. The other problem that makes us doubtful is that the NSA has not been honest with us. If they want to develop trust again, the President should have immediately let the person who lied to us go, the Director of National Intelligence.

The appeals court concluded by saying that the government's bulk collection of telephone metadata exceeds the scope of what Congress has authorized

and therefore violates section 215 of the PATRIOT Act. Some will try to argue that this debate was not worth the time we took on it. I could not disagree more. I am like everybody else. You know, I prize my time with my family and being at home on the weekends. I wish we would have done this in a more sensitive way, where we would have had more time and had an open amendment process.

But we waited until the end. We waited until the final deadline. This is a characteristic of government. It is a flaw in government, frankly. We lurch from deadline to deadline. People wonder why Congress is so unpopular. It is because we go from deadline to deadline and then it is: Hurry up. We have no time to debate. We just must pass it as is.

The biggest debate against amendments is—and it finally convinced people who did not like this. They so much dislike amendments and slowing down the process, they are just going to take it. Even though they don't like it, they are going to pass what the House passed. It is unlikely any amendments will pass.

But the thing is, we need to get away from lurching from deadline to deadline. What happens, with budget or spending or any of these bills, is we are presented with thousand-page bills with only hours to go. About a year ago this came up. At that time, we were presented with a 1,000-page bill with 2 hours to go. I read the Senate rules. It said: We are supposed to be presented with the bill for 48 hours in advance.

So I raised my hand and made a motion. The motion I made was: Guys, we are breaking the rules here. Men and women, we are breaking the rules here. So they just voted to amend the rules for that bill and ignore the rules. This is why the American people are so frustrated. People here in town think I am making a huge mistake. Some of them, I think, secretly want there to be an attack on the United States so they can blame it on me. One of the people in the media the other day came up to me and said: Oh, when there is a great attack, are you going to feel guilty that you caused this great attack?

The people who attack us are responsible for attacks on us. Do we blame the police chief for the attack by the Boston Bombers? The thing is, is that there can be attacks even if we use the Constitution. But there have been attacks while collecting your bulk data. So the ones who say: Well, when an attack occurs, it is going to be all your fault, are any of them willing to accept the blame? We have bulk collection now. Are any of them willing to accept the blame for the Boston bombing, for the recent shooting in Garland?

No, but they will be the first to point fingers and say: Oh, yes, it is all your fault. We never should have given up on this great program. I am completely convinced that we can obey the Constitution, use the Fourth Amendment as intended, spirited letter of the law, and catch terrorists. When we look objectively at this program, when they analyzed the classified information, they found that there was no unique data. We had to fight them tooth and nail because they started out saying that 52 cases were cracked by the bulk data program.

But then when the President's own bipartisan commission looked at it, it turned out that none of that was true. This gets back to the trust issue. If we are going to be lied to by the Director of National Intelligence, it is hard for us to believe them when they come forward and they say: Oh, this is protecting us. We have to have it. But what we are hearing is information from someone who really did not think it was a big deal to lie to us about whether the program even existed.

Mark my words, the battle is not over. There are some—and I talked with one of the, I would say, smarter people in Silicon Valley, somebody who knows this from an intimate level, how things work, and how the codes and programs work.

He maintains that the bulk collection of phone data is the tip of the iceberg, that there is more information in other data pools that are classified. Some of this is done through an Executive order called 12333. I am not sure I know everything in it. I have had no briefings on it. So anything I will tell you is from the newspaper alone. But the thing is, is that I would like to know: Are we also collecting your credit card information? Are we collecting your texts? Are we collecting your emails?

They have already told us the Fourth Amendment does not protect your emails, even the content, after 6 months. In fact, really they have told you, the Fourth Amendment does not apply to your records at all. So be very careful about the people who say: Trust us. We will never violate your freedom. We will never take advantage of things. The President's Privacy and Civil Liberties Oversight Board's conclusion was that:

> Section 215 of the PATRIOT Act has shown minimal value in safeguarding the Nation from terrorism. We have not identified any single instance involving a threat to the United States in which the program made a concrete difference in the outcome.

The President's privacy board went on to say:

> The government's collection of a person's entire telephone calling history has a significant and detrimental effect on individual privacy.

When they talked about whether the phone records were relevant to an investigation, the President's Commission said this:

> First, the telephone records acquired under the program have no connection to any specific FBI investigation at the time of their collection. Second, because the records are collected in bulk, potentially encompassing all telephone calling records across the Nation, they cannot be regarded as relevant to any FBI investigation.

Here is the continuing danger to us, though: It is, I think, maybe a minor success that we are going to prevent the government from collecting these records. But realize that the interpretation of this will still occur in secret in the FISA Court. This is the FISA Court that said that collecting everyone's records was relevant.

It completely destroys the notion that the word ''relevant'' has any meaning at all. This will be the question: Whether we can trust the FISA Court to make an interpretation that is at a higher degree of discernment than the one in which they said ''relevant'' can mean anything. The original USA FREEDOM Act, as passed originally by the House committee, was a better bill. It was gradually watered down until even the Director of National Intelligence, the one who lied about the program, now supports it, which gives me some misgivings.

But the records that will be collected—the question is, How will we have an interpretation by the FISA Court? The original bill had an advocate. I thought this was a good part of the original bill. There would be a judicial advocate who would argue on the side of those who were having their records taken. So there would be an adversarial court, lawyers on both sides.

Many people who write about jurisprudence and trying to find justice say that one of the essential functions of a court system, in order to find justice, is that there has to be a lawyer on both sides. There has to be an advocate on both sides. The truth is not always easy to find. The truth is presentation of facts by one side, presentation of contrary facts by the other side, and someone has to figure out which facts are more believable or which facts trump other facts.

So I think a judicial advocate would have been good. They are still going to have it. They call it by a different name now, but it will be optional at the discretion of the FISA Court. So the court that ruled that all of your records are relevant now will have a choice as to whether to give you an advocate. That does not give me a great deal of comfort.

There are other ways we could do this. We occasionally do look at terrorism cases in regular Federal court. When names come up that could jeopardize someone's safety at our intelligence agency or a secret, Federal courts can go into secret session. I have heard the Senator from Oregon often mention this. I think it is a great point that no one wants to reveal the names of anyone or the code or the secrets of how we do this. But if we are

talking about constitutional principles, we want to do it in the open. Laws should not be discussed in secret.

As we move forward, the PATRIOT Act will expire tonight. It will only be temporary. They will ultimately get their way. But I think the majority of the American people actually do believe the government has gone too far. In Washington, it is the opposite, but I think Washington is out of touch. There will be 80 votes, you know, to say: Continue the PATRIOT Act—maybe more.

But if you go into the general public, if you get outside the beltway and visit America, you find it is completely the opposite. There was a poll a couple of weeks ago that said: Over 80 percent of people under age 40—over 80 percent of them—think that the government collecting your phone records is wrong and should not occur. So I think really this will be useful. People say: You are destroying yourself. You should have never done this. The American people will not side with you.

People wished me harm and wished that this would be unsuccessful. But you know what, I came here to defend the Bill of Rights and to defend the Constitution, popular or not. But I frankly think that the Bill of Rights and the Constitution are very popular, very important, and I will continue, as long as I have breath and as long as I am here to defend them.

I yield back the remainder of my time.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. WYDEN. Mr. President, before he leaves the floor, I just want to make sure, having worked with Senator PAUL for many, many months now, that I especially appreciate his efforts in the last few days in this week to try to accommodate this body with respect to amendments. My colleague has said repeatedly that he was very interested in a short list of amendments, that he hoped to have some modest time that would be available for these amendments.

He and I have worked together on a number of them. I think it is a reflection, as people think about this debate and on a topic that is of such enormous importance, that my colleague from Kentucky, especially with respect to this amendment issue, has tried continually to be reasonable and to be accommodating to this body.

Until just a few hours ago, I was at home in Oregon having townhall meetings, flew all night to be here for this extremely important session. Of course, the topic we discussed this evening was front and center in terms of my constituents.

The message from Oregonians at these townhall meetings was very clear. The people whom I have the honor to represent in the Senate want policies that advance their security and protect their liberties. The program we have been talking about tonight in the Senate really does not deliver either. It does not make us safer. It chips away at our liberties.

I am going to spend a little bit of time this evening making the case for those kinds of arguments and laying out the challenge for the days ahead.

Now, with respect to this safety issue, all of us understand—particularly the Presiding Officer, who has been on the Intelligence Committee, as I have, for over 14 years—that it is a dangerous world. Anyone who serves on the Intelligence Committee knows that beyond any kind of debate.

So we want policies that really deliver both security and liberty. This is what the President's own experts had to say with respect to this program that involves collecting millions and millions of phone records on law-abiding Americans. This was a group that was appointed and spent a considerable amount of time looking at the bulk phone records collection program. They issued a report, and will I just paraphrase what is the central finding, on page 104 of their report: As to information contributed to terrorist investigations by the use of section 215 telephony metadata—that is the collecting all of these millions and millions of phone records—these experts say that ''could readily have been obtained in a timely manner using conventional Section 215 orders.''

Now, the reason that is important is it spells out and recognizes that those who signed this report are individuals with some of the most pristine antiterror credentials in this country—Mike Morell, for example, the former Acting Director of the CIA; Richard Clarke, who held an extremely important position in two administrations and served with both Republicans and Democrats. Both of them are signatories to this important report.

Beyond that—and it has not received much attention—the reality is that our government, on top of everything else, has emergency authorities so that when those who are charged with protecting our country believe there is a threat to the Nation, they are allowed to issue an emergency authorization to get the information they need right away, and then they can go back and get the warrant approved after the fact.

Nobody is talking about eliminating that emergency authority. So what we have is a program that the most authoritative antiterror experts in the country believe does not make our Nation any safer. I read the most significant finding in their report.

On top of that, as I just indicated, emergency authorities are still preserved. In fact, I have indicated to our President and to those who work in the intelligence agencies that if at any point the executive branch and, particularly, the intelligence agencies feel that their emergency authorities are inadequate to protect the country, I personally would be willing to support efforts to ensure that those emergency capabilities are reformed and our country can take the steps it needs when it is necessary.

On top of this question, with respect to the issue of our safety, I want to talk about what I heard at some length earlier today with respect to how the program worked. I heard a number of Senators say that nobody in government is listening to these calls. That was repeated a number of times on the floor of this body.

When the government, under this program, knows whom you called, when you called, and where you called from, in many instances the government doesn't need to be listening. If the government knows, under this program, that a person called a psychiatrist 3 times in 36 hours—twice after midnight—that is a lot of private and personal information. The government doesn't need to be listening to that call.

So as to this notion that some who have wanted to make sure that our country would have both security and liberty are saying that it is a fantasy that the government is listening to calls, I could tell you that those who have been trying to reform the program have said, in effect, that the government doesn't need to listen to those calls. If the government has that amount of private and personal information, the government knows a lot about you, and it really doesn't need to listen. Certainly, if you are talking about a land line, then the government knows where you are calling from if they have a phone book.

So with respect to this question of the government listening, I want it particularly understood that a program such as this, when the government has this kind of information, I believe, represents a threat to our liberty. The reason why I think so is that hardly a week goes by when databases aren't violated. No. 1, we see that reported regularly in the press. No. 2, we have known about unfortunate times in our history—J. Edgar Hoover comes to mind—when this kind of information could be used. And, No. 3, I have been very concerned, given what our former colleague, Senator Udall, and I had to do with respect to bulk phone record collection of email. We battled to end this. Of course, this was email that could be read by government agencies. We battled with various intelligence leaders saying that we felt this was a violation of people's rights and it wasn't effective. They asserted for months and months that it was. Finally, one day they woke up and said the program wasn't needed any more.

None of this would have even happened had not Senator Udall and I

made that case repeatedly. The intelligence leadership knew that we were not going to give it up, but that is what goes on if there isn't a check on some of these kinds of procedures.

Senator PAUL made mention of the fact that the intelligence leadership has not exactly been straight with the American people on these issues. I emphasize that we are not talking about the thousands and thousands of law-abiding patriotic, dedicated, wonderful people who work in the intelligence field. Day in and day out they do so much for our country. We are so appreciative of all they do. They are the ones who do the hard work, for example, to capture Bin Laden and day in and day out to make us safer. But the intelligence leadership, on the other hand, as noted by our colleague from Kentucky, has not always been straight with the American people. I spent many months trying to decipher what the former NSA Director meant when he said the government doesn't collect any dossiers on millions of Americans.

I pointed out I had been on the Intelligence Committee for a long time and I had never heard the term ''dossier'' used. So I tried to learn more about it, used private opportunities and public opportunities, and just couldn't get the information. So, finally, I said: I have to ask this question in public.

On the Intelligence Committee you don't get but perhaps 20 or 25 minutes a year to ask questions in public, to hold intelligence leaders accountable on policy matters—not secret operations, because secret operations have to stay secret, but policy matters.

So, after being stonewalled for many months—many months—I finally said I have to ask this question in public. So to make sure no one would feel ambushed, I sent the question to the Director of National Intelligence, Mr. Clapper. I sent it a day ahead of time.

Then I didn't hear anything about its being inappropriate or in violation of classification rules. So I asked in public: Does the government collect any type of data at all on millions or hundreds of millions of Americans? I was told no, and that answer was obviously false. I tried to get it corrected, and we still couldn't get it corrected.

Of course, then Mr. Snowden spoke out publicly and pointed that out. Since that time, the Director of National Intelligence and his representatives have given these five different explanations for why that answer was given. So that is why you have to ask the hard questions. You have to ask the hard questions about these issues.

I see my friend and colleague Senator HEINRICH has joined us tonight. I am so pleased that he has joined the Intelligence Committee. Senator HEINRICH is one of those Senators who subscribes to that view that I just mentioned—that it is our job to ask the hard questions. It may be uncomfortable. It is not designed in any way to convey disrespect. We see it as our job to ask the hard questions.

I would be interested in my colleague's thoughts with respect to this issue and to have him be given a chance to participate in this colloquy.

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

Mr. HEINRICH. First, I thank my friend from Oregon and I recognize the substantial leadership he has shown on this issue over the years. Long before I came to the Intelligence Committee and long before Edward Snowden began to steal documents, Senator WYDEN, along with Senator Mark Udall and others, were doing everything they could—without disclosing classified information—to shine a light on the fact that the U.S. Government was collecting massive volumes of data on millions of law-abiding American citizens. My friend from Oregon deserves our thanks for that leadership.

Now, after the bulk call data collection program was revealed to the public, the government, frankly, defended it and defended it vigorously. It took a number of months for the intelligence community and the rest of the administration to take a deep breath and really assess whether bulk metadata collection was necessary, whether it was effective, and to consider whether there were other less intrusive, more constitutionally grounded ways to accomplish these same goals.

Starting with the President's Review Group on Intelligence and Communications Technologies, the administration began to agree that ''some of the authorities that were expanded or created in the aftermath of September 11 unduly sacrifice fundamental interests in individual liberty, personal privacy, and democratic governance.'' And they recommended changing those authorities in order to ''strike a better balance between the competing interests and providing for the common defense and securing 'the Blessings of Liberty to ourselves and our Posterity.' ''

Following that, multiple efforts have been made to update and reform FISA and to update and reform the USA PATRIOT Act. None of those have been successful. But now we are forced to come to a resolution through a combination of, frankly, procrastination, and, I think, misguided hope that the American people would look the other way while the government continued to vacuum up and store their personal information and data as part of a program that even the intelligence community acknowledges can be accomplished through less intrusive means.

I will be honest. The current USA FREEDOM Act isn't what I consider perfect. For example, I prefer that it include strong reform of section 702 collection, but I accept that circumstances require us to be pragmatic, require us to govern and move forward and to work with one another in both parties to find compromise. That is what the USA FREEDOM Act is. It is a product of bipartisan compromise.

That is why it passed the House of Representatives by a vote of 338 to 88. And let's be blunt, many of those who voted against it didn't do so because they support bulk collection. They did so because they want to see section 215 wither and die in its entirety. That is the political reality we face today, and we need to accept it rather than demanding a continuation of a program that the appeals court has determined is illegal.

Mr. WYDEN. I thank my colleague for his statements and would just want to explore this a little bit further. I hope that those who are following this debate understand that my colleague from New Mexico is a real rising star in the Senate. He and I would like the USA FREEDOM Act to go further, and we both worked together on legislation that would make additional reforms. Certainly, our colleagues on the Intelligence Committee and here in the Senate can expect to see us continuing to work together to advance these additional reforms over the coming months and years. For now, the two of us are saying we ought to support the USA FREEDOM Act and then move on—move on to other critical areas.

I particularly want to see closed what is called the backdoor search loophole, which my colleague from New Mexico talked about. What this means, colleagues, is that when you are engaged in a lawful search of someone who is a threat overseas, pursuant to section 702 of the Foreign Intelligence Surveillance Act, very often law-abiding Americans can get swept up in this search and have their emails looked at.

This is a problem today, and my view is it is likely to be a growing concern in the future because, increasingly, communications systems around the world are becoming globally integrated, so the amount of emails that are reviewed of Americans is likely to grow. But we can't get that change here tonight. So, as my colleague from New Mexico has mentioned, the USA FREEDOM Act would make several worthwhile reforms, such as increasing transparency, reducing the government's reliance on secret laws. But from my perspective, the centerpiece of it is ending the bulk collection of Americans' information under the PATRIOT Act.

I have been trying to close this particular loophole for close to a decade now. Some of our colleagues have said the bulk collection has never been abused; that no one's rights have been violated. My own view is—and I will ask what my colleague thinks—that vacuuming up all this information,

particularly when databases get violated all the time—we have seen historically instances where there has been improper conduct by the government. I believe dragnet surveillance violates the rights of millions of our people every day.

Vacuuming up the private phone records of millions of Americans with no connection to wrongdoing is simply a violation of their rights.

And vacuuming up Americans' email records, which I pointed out before my colleague came to the floor—which he and our former colleague Senator Udall and I battled—is surely a violation of the rights of Americans as well. Colleagues, that wouldn't have been pointed out at all—it wouldn't have been pointed out at all—unless Senator Udall and I, with the help of our friend from New Mexico, hadn't been pushing back on it. Finally, one day the government said: Well, we will get rid of it because it wasn't effective. They got rid of it because they saw they were going to get hard questions, the kinds of questions my friend from New Mexico has been asking.

Now, with respect to the legality of this program, I know my colleague and I actually filed a legal brief, along with our former colleague Mark Udall, when the Court of Appeals for the Second Circuit was examining that program. In our brief, it was argued that we were able to debunk many of the claims that had been made about the effectiveness of the program.

I think it would be helpful if my colleague from New Mexico laid out some of that analysis here tonight. I would ask the Senator from New Mexico to begin, and I would encourage him to start by addressing the claim that the bulk collection of Americans' phone records is essential for stopping terrorist attacks. My question to my colleague is, Is there any evidence, any real concrete evidence, to support that claim?

Mr. HEINRICH. I thank my friend from Oregon and begin by saying that despite what we may have heard from talking heads on the Sunday shows and on the cable news networks, the answer is no. There is simply no evidence to support those claims.

When this mass surveillance was first revealed to the public 2 years ago, the executive branch initially responded to questions like this by claiming that various post-9/11 authorities had resulted in the thwarting of approximately ''54 terrorist events in the U.S. homeland and abroad.''

Now, a number of us, including my friend from Oregon and my former colleague from Colorado, Senator Udall, began to pull on that thread to really parse down and see just what the executive branch was talking about. First, of those 54 terrorist events, it turned out that only 13 were actually focused in the United States. But more importantly, those numbers conflated multiple different programs, including authorities under section 215 and different authorities under section 702.

On June 19, 2013, my colleague from Oregon and Senator Udall pointed out that ''it appears that the bulk phone records collection program under section 215 of the USA PATRIOT Act played little or no role in most of these disruptions. Saying that 'these programs' have disrupted 'dozens of potential terrorist plots' is misleading if the bulk phone records collection program is actually providing little or no unique value.''

Of the original 54 instances the executive branch pointed to, every one of them crumbled under scrutiny. None of them actually justified the continued existence of the bulk collection program.

Let me take a moment, with the indulgence of our colleagues, and read what was written by Judge Leon of the District Court for the District of Columbia, when he ruled in the Klayman v. Obama case. This is a little long, but I think it is important this be part of the official record of this debate.

Judge Leon writes:

[T]he Government does not cite a single instance in which analysis of the NSA's bulk metadata collection actually stopped an imminent attack, or otherwise aided the Government in achieving any objective that was time-sensitive in nature. In fact, none of the three ''recent episodes'' cited by the Government that supposedly ''illustrate the role that telephony metadata analysis can play in preventing and protecting against terrorist attack'' involved any apparent urgency.

He continues to write that:

[]In the first example, the FBI learned of a terrorist plot still ''in its early stages'' and investigated that plot before turning to the metadata ''to ensure that all potential connections were identified.'' []Assistant Director Holley does not say that the metadata revealed any new information—much less time-sensitive information—that had not already come to light in the investigation up to that point.

The judge continues:

[]In the second example, it appears that the metadata analysis was used only after the terrorist was arrested ''to establish [his] foreign ties and put them in context with his U.S. based planning efforts.'' []And in the third, the metadata analysis ''revealed a previously unknown number for [a] co-conspirator . . . and corroborated his connection to [the target of the investigation] as well as to other U.S.-based extremists.''

Continuing to quote Judge Leon:

[]Again, there is no indication that these revelations were immediately useful or that they prevented an impending attack. Assistant Director Holley even concedes that bulk metadata analysis only ''sometimes provides information earlier than the FBI's other investigative methods and techniques.''

Finally, Judge Leon writes:

[]Given the limited record before me at this point in the litigation—most notably, the utter lack of evidence that a terrorist attack has ever been prevented because of searching the NSA database was faster than other investigative tactics—I have serious doubts about the efficacy of the metadata collection program as a means of conducting time-sensitive investigations in cases involving imminent threats of terrorism.

That is where the judge leaves off. And I will turn back to the Senator from Oregon to address the three cases we discussed in more detail in our amicus brief to the Second Circuit.

Mr. WYDEN. I thank my colleague. The first of these examples—and they really are kind of overblown examples about the effectiveness of bulk collection—is the case of an individual named Najibullah Zazi. Mr. Zazi was a known terrorism suspect, and a number of people have suggested that bulk phone records collection was somehow essential to stopping him because a query of the bulk phone records database for numbers linked to Mr. Zazi returned a previously unknown number belonging to another terrorism suspect.

However, since the government had already identified Zazi as a terrorism suspect prior to querying the bulk phone records database, it had all the evidence it needed to obtain the phone records of Zazi and his associates using an individualized section 215 order or other legal authorities.

In the second case, some have pointed to Mr. Moalin, the San Diego man convicted of sending $8,500 to support al-Shabaab in Somalia. The intelligence community has indicated that information from the bulk phone records database ''established a connection between a phone number known to be used by an extremist overseas . . . and an unknown San Diego-based number'' that belonged to Mr. Moalin. Yet there are ample existing authorities under which the United States can conduct surveillance on a phone number known to be used by extremists overseas and other phone numbers in contact with that phone number.

The argument that Mr. Moalin's case is an example of a unique value of bulk phone records collection is just not accurate. My view is this is yet another case that offers a misleading exaggeration with respect to the effectiveness of bulk phone records collection.

Finally, several supporters of the bulk metadata program have claimed that ''[i]f we had had [the bulk phone-records] program in place at the time [of the September 11, 2001 attacks,] we would have been able to identify'' the phone number of one of the hijackers, Khalid al-Mihdhar.

Just as in these other cases, however, the record indicates that Mr. Mihdhar's phone number could also have been obtained by the government using a variety of alternate means. Before September 11, the government was surveilling a safe house in Yemen but failed to realize that Mr. Mihdhar, who was in contact with the safe house, was

actually inside the United States. The government could have used any number of authorities to determine whether anyone in our country was in contact with the safe house it was already targeting. It didn't need a record of every Americans' phone calls to establish that simple connection.

Mr. HEINRICH. I wish to expound on that point a bit, about the many other ways the government can legitimately acquire phone records of terrorism suspects, because I think this is a very important point to understand the tools that already exist that have been very effective and have proven themselves over time.

There are actually a number of legal authorities that can get the same information without the government collecting billions of call records—billions of call records that, in large part, belong to innocent Americans.

For example, the Stored Communications Act permits the government to obtain precisely the same call records that are now acquired through bulk collection under section 215 when they are ''relevant and material to an ongoing criminal investigation.''

Additionally, national security letters, which I point out do not require a court order, can also be used by the government to obtain call records for intelligence purposes.

Further, the government can also acquire telephony metadata on a real-time basis by obtaining orders from either regular Federal courts or the FISC for the installation of pen registers or trap-and-trace devices.

Finally, individualized orders for phone records, as opposed to orders authorizing broad bulk collection, can also be obtained under section 215.

I think those of us early in this debate thought that was what was going to occur under the PATRIOT Act in the first place. But that is what the USA FREEDOM Act seeks to require while prohibiting the bulk collection of millions of personal records. It even includes emergency authorization authority for the government to get records prior to getting court approval, subject to later court approval, in an emergency.

The government can use any of these authorities without any more evidence than what is currently required to use the bulk phone records database, with less impact, I would point out, on the privacy interests of millions of innocent Americans.

I think at this point the Senator from Oregon and I have laid out our case as to why this dragnet bulk surveillance program fails to make our country measurably safer and why it should end. I am pleased to say that a number of people have finally come around to our way of thinking on this.

Mr. WYDEN. I thank my colleague. I will wrap up and then give the last word to my friend from New Mexico on the subject. He is absolutely right that some of the most authoritative leaders in our country—experts on terror—have reached the same judgment we have. I made mention of the President's Review Group on Intelligence and Communications Technologies, and I really would encourage colleagues who are following this debate and citizens across the country—that report is available online, and it is available in our office. Page 104 of that report is very explicit. It says that the information that would otherwise be obtained in collecting all of these phone records—millions of phone records of law-abiding Americans, people such as Mike Morell, former Acting Director of the CIA, and Richard Clark, who served in two administrations—they said it could have been obtained through conventional processes.

This is a program that is not making us safer. And it is not my judgment that ought to be the last word; it should be that of people like those I just quoted.

The Privacy and Civil Liberties Oversight Board's report on the telephone records program said pretty much the same thing:

> [T]he Section 215 program has shown minimal value in safeguarding the nation from terrorism. Based on the information provided to the Board, including classified briefings and documentation, we have not identified a single instance involving a threat to the United States in which the program made a concrete difference in the outcome of a counterterrorism investigation.

I will close by way of saying—and I touched on this before my friend from New Mexico arrived—I would like to do a lot more than I believe is likely to happen here quickly in the Senate. I do want to see us finally throw in the dustbin of history this bulk phone records collection program because it doesn't make us safer and it compromises our liberty. But, as I indicated to my friend from New Mexico, I would also like to close this backdoor search loophole in the FISA Act, which is going to be a bigger problem in the days ahead given the evolution of communications systems and how they have become globally integrated.

I will close by saying that one of the most important issues we are going to have to tackle in the days ahead is going to deal with encryption. Encryption, of course, is the encoding of data and messages so that they cannot be easily read. The reason this will be an enormously important issue—and my colleague and I have talked about this—is because of the NSA overreach, the collection of all these phone records of law-abiding people. A lot of our most innovative, cutting-edge companies have found their customers raising real questions about whether their products can be used safely, and a lot of the purchasers who buy their products around the world are saying: Maybe we shouldn't trust them. Maybe we should try to start taking control over their servers and have local storage requirements and that sort of thing. So what our companies did, because they saw the effect of the overreach by the NSA, was they started to use encryption to protect the data and messages of the consumers who buy their products.

Most recently, the head of the FBI, Mr. Comey, rather than try to come back with a solution that protected both our privacy and our security, he said he was interested in requiring companies to build weaknesses into their products. Just think about that—requiring companies to build weaknesses into their products. So the government—which, in effect, caused this problem with the overreach—in effect, rather than trying to find a solution that worked for both security and liberty, said: We will start talking about requiring companies to actually build weaknesses into their products.

I and others have pointed out that once you do that, hang on to your hat. When the good guys have the keys, that is one thing, but when companies are required to build weaknesses into their products, the bad guys are going to get the keys in a hurry, too. And with all the cyber hacking and the risks we already have, we ought to be really careful about going where Mr. Comey, our FBI Director, has proposed to go.

But that is not for tonight. Tonight is not an occasion where we will be able to, on a bipartisan basis, close the backdoor-search loophole or where we will be able to come up with a sensible policy with respect to encryption rather than requiring companies to actually build weaknesses in their products. We will not be able to do that tonight. But we will now have a chance here in the Senate to take steps that have been bipartisan both here in the Senate and in the other body, in the House of Representatives, to end the bulk phone records collection program because it doesn't make us safer and it threatens our liberties.

I always like to close by thinking about Ben Franklin, who said that anybody who gives up their liberty to have security really doesn't deserve either.

I am so pleased to have a chance to serve with my colleague from New Mexico on the Intelligence Committee, who is going to be a thoughtful advocate for these kinds of policies, in my view, for many years to come. I thank him for his involvement tonight and would be happy to give him the last word of our colloquy at this time.

I yield to my colleague.

Mr. HEINRICH. I thank my friend from Oregon. I think he could not have chosen a more appropriate way to end than to reference what Ben Franklin said so many years ago, that great quote that ''those who would give up essential Liberty, to purchase a little

temporary Safety, deserve neither Liberty nor Safety.''

While many reforms still lie in front of us, I think, as we move forward to approving the USA FREEDOM Act, we move a lot closer to the balance that Ben Franklin articulated so well over 200 years ago. I look forward to working with my colleague from Oregon and all of our colleagues in achieving that balance and standing up for our constituents.

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

Mr. LEAHY. Mr. President, we did not have to end up here, just hours away from the midnight expiration of three surveillance authorities, and having just moved to proceed to the USA FREEDOM Act.

I have tried since last year to move legislation through the Senate to address these sunsets. In November, Senator REID brought the USA FREEDOM Act to the floor but the Republican leadership of the Senate blocked debate on it. When they took over the Senate, they assured us that they would send bills—including this one—through appropriate committee process. There were promises that the new leadership would not fill the amendment tree, and would use a transparent legislative process. But not one of those promises has been fulfilled with respect to any legislation dealing with the upcoming sunsets.

Once again this year, I proposed with Senator LEE a new version of the USA FREEDOM Act. That bill had significant process in the House, where it passed by an overwhelming margin earlier this month. And once again, the bipartisan coalition here in the Senate tried to get the bill passed. Two Fridays ago, the Senate Republican leadership did not allow us to debate the bill.

Tonight, the Senate did the right thing by invoking cloture on the motion to proceed to the USA FREEDOM Act. I am glad to see several Republicans switched their votes. This is significant progress, but it is late in coming.

We should have proceeded to this bill two Fridays ago. Had we done so, we could have stayed here to do our work, considered amendments, and passed the bill well in advance of tonight's sunset. Instead, we are hours away from expiration and just now considering legislation that many of us have been working on for years. Our intelligence community needs predictability and certainty, not a manufactured crisis.

If all Senators cooperate, we can finish this bill tonight. We can consider a handful of amendments under a time agreement, and pass this bill before midnight. That would be the responsible thing to do.

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

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

The PRESIDING OFFICER (Mrs. CAPITO). Without objection, it is so ordered.

Mr. MCCONNELL. Madam President, I know of no further debate on the motion.

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

The motion was agreed to.

USA FREEDOM ACT OF 2015

The PRESIDING OFFICER. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (H.R. 2048) to reform the authorities of the Federal Government to require the production of certain business records, conduct electronic surveillance, use pen registers and trap and trace devices, and use other forms of information gathering for foreign intelligence, counterterrorism, and criminal purposes, and for other purposes.

AMENDMENT NO. 1449

(Purpose: In the nature of a substitute)

Mr. MCCONNELL. Madam President, I have a substitute amendment at the desk that I ask the clerk to report.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Kentucky [Mr. MCCONNELL] proposes an amendment numbered 1449.

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

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

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

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

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays were ordered.

AMENDMENT NO. 1450 TO AMENDMENT NO. 1449

Mr. MCCONNELL. Madam President, I have an amendment at the desk.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Kentucky [Mr. MCCONNELL] proposes an amendment numbered 1450 to amendment No. 1449.

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

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

The amendment is as follows:

Strike Sec. 110(a) and insert the following:

(a) IN GENERAL.—The amendments made by sections 101 through 103 shall take effect on the date that is 12 months after the date of the enactment of this Act.

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

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays were ordered.

AMENDMENT NO. 1451 TO AMENDMENT NO. 1450

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

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Kentucky [Mr. MCCONNELL] proposes an amendment numbered 1451 to amendment No. 1450.

The amendment is as follows:

(Purpose: To improve the amendment)

At the end, add the following:

(b) NONEFFECT OF CERTAIN PROVISIONS.—Section 401 of this Act, relating to appointment of amicus curiae, shall have no force or effect.

SEC. 110A. APPOINTMENT OF AMICUS CURIAE.

Section 103 (50 U.S.C. 1803) is amended by adding at the end the following new subsections:

''(i) AMICUS CURIAE.—

''(1) AUTHORIZATION.—A court established under subsection (a) or (b) is authorized, consistent with the requirement of subsection (c) and any other statutory requirement that the court act expeditiously or within a stated time—

''(A) to appoint amicus curiae to—

''(i) assist the court in the consideration of any application for an order or review that, in the opinion of the court, presents a novel or significant interpretation of the law; or

''(ii) provide technical expertise in any instance the court considers appropriate; or

''(B) upon motion, to permit an individual or organization leave to file an amicus curiae brief.

''(2) DESIGNATION.—The courts established by subsection (a) and (b) shall each designate 1 or more individuals who may be appointed to serve as amicus curiae and who are determined to be eligible for access to classified national security information necessary to participate in matters before such courts (if such access is necessary for participation in the matters for which they may be appointed). In appointing an amicus curiae pursuant to paragraph (1), the court may choose from among those so designated.

''(3) EXPERTISE.—An individual appointed as an amicus curiae under paragraph (1) may be an individual who possesses expertise on privacy and civil liberties, intelligence collection, communications technology, or any other area that may lend legal or technical expertise to the court.

''(4) DUTIES.—An amicus curiae appointed under paragraph (1) to assist with the consideration of a covered matter shall carry out the duties assigned by the appointing court. That court may authorize the amicus curiae to review any application, certification, petition, motion, or other submission that the court determines is relevant to the duties assigned by the court.

''(5) NOTIFICATION.—A court established under subsection (a) or (b) shall notify the Attorney General of each exercise of the authority to appoint an amicus curiae under paragraph (1).

''(6) ASSISTANCE.—A court established under subsection (a) or (b) may request and receive (including on a non-reimbursable basis) the assistance of the executive branch in the implementation of this subsection.

''(7) ADMINISTRATION.—A court established under subsection (a) or (b) may provide for the designation, appointment, removal, training, or other support of an amicus curiae appointed under paragraph (1) in a manner that is not inconsistent with this subsection.

''(j) REVIEW OF FISA COURT DECISIONS.—Following issuance of an order under this Act, a court established under subsection (a) shall certify for review to the court established under subsection (b) any question of law that may affect resolution of the matter in controversy that the court determines warrants such review because of a need for uniformity or because consideration by the court established under subsection (b) would serve the interests of justice. Upon certification of a question of law under this subsection, the court established under subsection (b) may give binding instructions or require the entire record to be sent up for decision of the entire matter in controversy.

''(k) REVIEW OF FISA COURT OF REVIEW DECISIONS.—

''(1) CERTIFICATION.—For purposes of section 1254(2) of title 28, United States Code, the court of review established under subsection (b) shall be considered to be a court of appeals.

''(2) AMICUS CURIAE BRIEFING.—Upon certification of an application under paragraph (1), the Supreme Court of the United States may appoint an amicus curiae designated under subsection (i)(3), or any other person, to provide briefing or other assistance.''.

AMENDMENT NO. 1452

Mr. MCCONNELL. I have an amendment to the text proposed to be stricken.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Kentucky [Mr. MCCONNELL] proposes an amendment numbered 1452 to the language proposed to be stricken by amendment No. 1449.

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

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

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays were ordered.

AMENDMENT NO. 1453 TO AMENDMENT NO. 1452

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

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Kentucky [Mr. MCCONNELL] proposes an amendment numbered 1453 to amendment No. 1452.

The amendment is as follows:

At the end of the amendment, add the following:

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

CLOTURE MOTION

Mr. MCCONNELL. Madam President, I have a cloture motion at the desk.

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

The legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on H.R. 2048, an act to reform the authorities of the Federal Government to require the production of certain business records, conduct electronic surveillance, use pen registers and trap and trace devices, and use other forms of information gathering for foreign intelligence, counterterrorism, and criminal purposes, and for other purposes.

Mitch McConnell, John Cornyn, Ron Johnson, Dean Heller, Steve Daines, Cory Gardner, Johnny Isakson, Richard Burr, Tim Scott, James Lankford, Jeff Flake, Mike Lee, Lisa Murkowski, John Barrasso, Thom Tillis, Chuck Grassley, Richard C. Shelby.

NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2016—MOTION TO PROCEED

Mr. MCCONNELL. I move to proceed to H.R. 1735.

The PRESIDING OFFICER. The clerk will report the motion.

The legislative clerk read as follows:

Motion to proceed to Calendar No. 99, H.R. 1735, a bill to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

CLOTURE MOTION

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

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

The legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the motion to proceed to H.R. 1735, an act to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

Mitch McConnell, John McCain, Lindsey Graham, Kelly Ayotte, Jeff Sessions, Shelley Moore Capito, Joni Ernst, Deb Fischer, Thom Tillis, Roger F. Wicker, Tom Cotton, Dan Sullivan, Mike Rounds, James M. Inhofe, John Cornyn, Mike Lee, Cory Gardner.

MORNING BUSINESS

Mr. MCCONNELL. Madam President, I ask unanimous consent that the Senate proceed to a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

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

REMEMBERING BEAU BIDEN

Mrs. BOXER. Madam President, my heart and the hearts of my entire family go out to Vice President JOE BIDEN and his family on the tragic loss of his son, Beau Biden.

As a mother of children about Beau's age I know that this is the age when our children are coming fully into their own and Beau Biden was already there.

He was a skilled attorney general, a promising candidate for Governor, and above all an extraordinarily loving family member.

The Vice President has suffered too many losses in his lifetime and each one has cut deep. I hope he knows that all of us who love him are praying that his faith and the deep love of his family will see him through this tragic loss.

I know the people of California join me in sending the deepest condolences to the Biden family.

ADDITIONAL STATEMENTS

TRIBUTE TO C. EDWARD BROWN

• Mr. GRASSLEY. Madam President, I wish to recognize C. Edward ''Ed'' Brown, FACHE, on his election to the American Medical Group Association's Policy Hall of Fame. Ed has a long track record in Iowa and Washington as a leading advocate in health care policy reform. He also served in numerous leadership roles at the American Medical Group Association, chairing its public policy committee for 4 years and serving as chairman of its board.

Mr. Brown has had a distinguished career in health care in Iowa, where he has served for the last 21 years as chief executive officer of the Iowa Clinic, a multispecialty group practice in Des Moines. The Iowa Clinic is the largest physician-owned multispecialty group in central Iowa, with nearly 200 physicians and health care providers practicing in 40 specialties. The clinic serves a population area of 1.1 million, averaging 400,000 patient visits each year.

Ed has a long list of achievements in delivering cutting edge, quality-focused health care to the benefit of Iowans, and his achievements include the Iowa Clinic's adoption of electronic medical records and information technology systems. He holds a bachelor's degree in nursing from the University of Evansville and a master's degree in health administration from Washington University in St. Louis. Also, he is a fellow of the American College of Healthcare Executives, with more than 30 years of experience in executive and senior levels of health care management.

As an advocate for multispecialty medical groups and AMGA, Ed has been a leader in promoting a model of care delivery and an organization that represents some of the Nation's highest quality and most prestigious health care delivery systems. It is wonderful

to see someone with such a distinguished health care record in Iowa recognized at the national level as a dedicated leader who is committed to improving health care at such an important time for our Nation's health care delivery system.

Ed's voice has been an invaluable contribution to the health care debate in this country, and I congratulate him on this deserved recognition for his countless achievements in the public policy realm. ●

MESSAGE FROM THE HOUSE RECEIVED DURING ADJOURMENT

ENROLLED BILLS SIGNED

Under the authority of the order of the Senate on January 6, 2015, the Secretary of the Senate, on May 26, 2015, during the adjournment of the Senate, received a message from the House of Representatives announcing that the Speaker pro tempore (Mr. HARRIS) has signed the following enrolled bills:

H.R. 1690. An act to designate the United States courthouse located at 700 Grant Street in Pittsburgh, Pennsylvania, as the ''Joseph F. Weis Jr. United States Courthouse''.

H.R. 2353. An act to provide an extension of Federal-aid highway, highway safety, motor carrier safety, transit, and other programs funded out of the Highway Trust Fund, and for other purposes.

The enrolled bills were subsequently signed by the acting President pro tempore (Mr. BLUNT).

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

By Mr. VITTER:

S. 1470. A bill to amend the Small Business Act to provide additional assistance to small business concerns for disaster recovery, and for other purposes; to the Committee on Small Business and Entrepreneurship.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

By Mr. CARDIN (for himself, Ms. COLLINS, Ms. CANTWELL, and Ms. AYOTTE):

S. Res. 188. A resolution expressing appreciation of the goals of American Craft Beer Week and commending the small and independent craft brewers of the United States; considered and agreed to.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 188—EXPRESSING APPRECIATION OF THE GOALS OF AMERICAN CRAFT BEER WEEK AND COMMENDING THE SMALL AND INDEPENDENT CRAFT BREWERS OF THE UNITED STATES

Mr. CARDIN (for himself, Ms. COLLINS, Ms. CANTWELL, and Ms. AYOTTE) submitted the following resolution; which was considered and agreed to:

S. RES. 188

Whereas American Craft Beer Week is celebrated annually in breweries, brew pubs, restaurants, and beer stores by craft brewers, home brewers, and beer enthusiasts nationwide;

Whereas in 2015, American Craft Beer Week is celebrated from May 11 to May 17;

Whereas craft brewers are a vibrant affirmation and expression of the entrepreneurial traditions of the United States, operating as community-based small businesses, providing employment for 115,000 full- and part-time workers, and generating annually more than $3,000,000,000 in wages and benefits;

Whereas the United States has craft brewers in every State and more than 3,500 craft breweries nationwide, each producing fewer than 6,000,000 barrels of beer annually;

Whereas in 2014, 615 new breweries opened in the United States, creating jobs and improving economic conditions in communities across the United States;

Whereas in 2014, craft breweries in the United States produced more than 22,000,000 barrels of beer, which is 3,300,000 more barrels than craft breweries produced in 2013;

Whereas the craft brewers of the United States now export more than 383,000 barrels of beer and are establishing new markets abroad, which creates more domestic jobs to meet the growing international demand for craft beer from the United States;

Whereas the craft brewers of the United States support United States agriculture by purchasing barley, malt, and hops that are grown, processed, and distributed in the United States;

Whereas the craft brewers of the United States produce more than 100 distinct styles of flavorful beers, including many sought-after new and unique styles ranging from smoked porters to pumpkin peach ales that—

(1) contribute to a favorable balance of trade by reducing United States dependence on imported beers;

(2) support United States exports; and

(3) promote United States tourism;

Whereas craft beers from the United States consistently win international quality and taste awards;

Whereas the craft brewers of the United States strive to educate the people of the United States who are of legal drinking age about the differences in beer flavor, aroma, color, alcohol content, body, and other complex variables, the gastronomic qualities of beer, beer history, and historical brewing traditions dating back to colonial times and earlier;

Whereas the craft brewers of the United States champion the message of responsible enjoyment to their customers and work within their communities and the industry to prevent alcohol abuse and underage drinking;

Whereas the craft brewers of the United States are frequently involved in local communities through philanthropy, volunteerism, and sponsorship opportunities, including parent-teacher associations, Junior Reserve Officers' Training Corps (JROTC), hospitals for children, chambers of commerce, humane societies, rescue squads, athletic teams, and disease research;

Whereas the craft brewers of the United States are fully vested in the future success, health, welfare, and vitality of their communities as local employers who provide a diverse array of quality local jobs that will not be outsourced, who contribute to the local tax base; and who keep money in the United States by reinvesting in their businesses; and

Whereas increased Federal, State, and local support of craft brewing is important to fostering the continued growth of an industry of the United States that creates jobs, greatly benefits local economies, and brings international accolades to small businesses in the United States: Now, therefore, be it

Resolved, That the United States Senate—

(1) appreciates the goals of American Craft Beer Week, established by the Brewers Association, which represents the small craft brewers of the United States;

(2) recognizes the significant contributions of the craft brewers of the United States to the economy and to the communities in which the craft brewers are located; and

(3) commends the craft brewers of the United States for providing jobs, supporting United States agriculture, improving the balance of trade, and educating the people of the United States and beer lovers around the world about the history and culture of beer while promoting the legal and responsible consumption of beer.

AMENDMENTS SUBMITTED AND PROPOSED

SA 1441. Mr. PAUL (for himself and Mr. WYDEN) submitted an amendment intended to be proposed by him to the bill H.R. 2048, to reform the authorities of the Federal Government to require the production of certain business records, conduct electronic surveillance, use pen registers and trap and trace devices, and use other forms of information gathering for foreign intelligence, counterterrorism, and criminal purposes, and for other purposes; which was ordered to lie on the table.

SA 1442. Mr. PAUL submitted an amendment intended to be proposed by him to the bill H.R. 2048, supra; which was ordered to lie on the table.

SA 1443. Mr. PAUL (for himself and Mr. WYDEN) submitted an amendment intended to be proposed by him to the bill H.R. 2048, supra; which was ordered to lie on the table.

SA 1444. Mr. PAUL (for himself and Mr. WYDEN) submitted an amendment intended to be proposed by him to the bill H.R. 2048, supra; which was ordered to lie on the table.

SA 1445. Mr. PAUL submitted an amendment intended to be proposed by him to the bill H.R. 2048, supra; which was ordered to lie on the table.

SA 1446. Mr. PAUL submitted an amendment intended to be proposed by him to the bill H.R. 2048, supra; which was ordered to lie on the table.

SA 1447. Mr. PAUL (for himself and Mr. WYDEN) submitted an amendment intended to be proposed by him to the bill H.R. 2048, supra; which was ordered to lie on the table.

SA 1448. Mr. PAUL (for himself and Mr. WYDEN) submitted an amendment intended to be proposed by him to the bill H.R. 2048, supra; which was ordered to lie on the table.

SA 1449. Mr. MCCONNELL (for himself and Mr. BURR) proposed an amendment to the bill H.R. 2048, supra.

SA 1450. Mr. MCCONNELL proposed an amendment to amendment SA 1449 proposed by Mr. MCCONNELL (for himself and Mr. BURR) to the bill H.R. 2048, supra.

SA 1451. Mr. MCCONNELL proposed an amendment to amendment SA 1450 proposed by Mr. MCCONNELL to the amendment SA 1449 proposed by Mr. MCCONNELL (for himself and Mr. BURR) to the bill H.R. 2048, supra.

SA 1452. Mr. MCCONNELL (for himself and Mr. BURR) proposed an amendment to the bill H.R. 2048, supra.

SA 1453. Mr. MCCONNELL proposed an amendment to amendment SA 1452 proposed by Mr. MCCONNELL (for himself and Mr. BURR) to the bill H.R. 2048, supra.

TEXT OF AMENDMENTS

SA 1441. Mr. PAUL (for himself and Mr. WYDEN) submitted an amendment intended to be proposed by him to the bill H.R. 2048, to reform the authorities of the Federal Government to require the production of certain business records, conduct electronic surveillance, use pen registers and trap and trace devices, and use other forms of information gathering for foreign intelligence, counterterrorism, and criminal purposes, and for other purposes; which was ordered to lie on the table; as follows:

On page 4, strike line 20 and all that follows through page 5, line 4, and insert the following:

protect against international terrorism, a statement of facts showing that there is probable cause to believe that—

''(i) the call detail records sought to be produced based on the specific selection term required under subparagraph (A) are relevant to such investigation; and

''(ii) such specific selection term

SA 1442. Mr. PAUL submitted an amendment intended to be proposed by him to the bill H.R. 2048, to reform the authorities of the Federal Government to require the production of certain business records, conduct electronic surveillance, use pen registers and trap and trace devices, and use other forms of information gathering for foreign intelligence, counterterrorism, and criminal purposes, and for other purposes; which was ordered to lie on the table; as follows:

On page 29, line 6, strike the quotation marks and the second period and insert the following:

''(iii) LIMITATION TO ACTS OF TERRORISM AND ESPIONAGE.—Notwithstanding clauses (i) and (ii), no information obtained or evidence derived from a part of certification or procedure relating to which the Court orders a correction of a deficiency under subparagraph (B) shall be disclosed in a criminal case by the Government unless the defendant is charged with an act of espionage under chapter 37 of title 18, United States Code, or an act of terrorism (as defined under section 3077 of title 18, United States Code).''.

SA 1443. Mr. PAUL (for himself and Mr. WYDEN) submitted an amendment intended to be proposed by him to the bill H.R. 2048, to reform the authorities of the Federal Government to require the production of certain business records, conduct electronic surveillance, use pen registers and trap and trace devices, and use other forms of information gathering for foreign intelligence, counterterrorism, and criminal purposes, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. REQUIREMENT OF NOTICE TO DEFENDANTS.

(a) IN GENERAL.—

(1) ELECTRONIC SURVEILLANCE.—Section 106 (50 U.S.C. 1806) is amended by striking subsections (c) and (d) and inserting the following:

''(c)(1) Whenever the Government initiates a proceeding in or before any court, department, officer, agency, regulatory body, or other authority of the United States against a person, the Government shall notify the person and the court or authority of—

''(A) each title of this Act the Government relied on to obtain the communications of the person or information about the communications or activities of the person, which contributed in any manner to the investigation of the person; and

''(B) each type of communication or information obtained under this Act, as described in the order or directive relied upon to obtain the communication or information.

''(2) The Government shall provide the notification required under paragraph (1) before or within a reasonable time after the commencement of the proceeding.

''(d) The notification requirement under subsection (c) shall apply to any State or political subdivision thereof whenever the State or political subdivision initiates a proceeding in or before any court, department, officer, agency, regulatory body, or other authority of the State or political subdivision against a person, in the same manner such subsection applies to the Government in connection with a proceeding against a person.''.

(2) PHYSICAL SEARCHES.—Section 305 (50 U.S.C. 1825) is amended by striking subsections (d) and (e) and inserting the following:

''(d)(1) Whenever the Government initiates a proceeding in or before any court, department, officer, agency, regulatory body, or other authority of the United States against a person, the Government shall notify the person and the court or authority of—

''(A) each title of this Act the Government relied on to obtain the communications of the person or information about the communications or activities of the person, which contributed in any manner to the investigation of the person; and

''(B) each type of communication or information obtained under this Act, as described in the order or directive relied upon to obtain the communication or information.

''(2) The Government shall provide the notification required under paragraph (1) before or within a reasonable time after the commencement of the proceeding.

''(e) The notification requirement under subsection (d) shall apply to any State or political subdivision thereof whenever the State or political subdivision initiates a proceeding in or before any court, department, officer, agency, regulatory body, or other authority of the State or political subdivision against a person, in the same manner such subsection applies to the Government in connection with a proceeding against a person.''.

(3) PEN REGISTER AND TRAP AND TRACE DEVICES.—Section 405 (50 U.S.C. 1845) is amended by striking subsections (c) and (d) and inserting the following:

''(c)(1) Whenever the Government initiates a proceeding in or before any court, department, officer, agency, regulatory body, or other authority of the United States against a person, the Government shall notify the person and the court or authority of—

''(A) each title of this Act the Government relied on to obtain the communications of the person or information about the communications or activities of the person, which contributed in any manner to the investigation of the person; and

''(B) each type of communication or information obtained under this Act, as described in the order or directive relied upon to obtain the communication or information.

''(2) The Government shall provide the notification required under paragraph (1) before or within a reasonable time after the commencement of the proceeding.

''(d) The notification requirement under subsection (c) shall apply to any State or political subdivision thereof whenever the State or political subdivision initiates a proceeding in or before any court, department, officer, agency, regulatory body, or other authority of the State or political subdivision against a person, in the same manner such subsection applies to the Government in connection with a proceeding against a person.''.

(b) TANGIBLE THINGS.—Section 501 (50 U.S.C. 1861), as amended by section 107 of this Act, is amended by adding at the end the following:

''(l) SUPPRESSION OF EVIDENCE.—

''(1) MOTION TO SUPPRESS.—

''(A) IN GENERAL.—Any person against whom evidence obtained or derived from the production of tangible things under this title is to be, or has been, introduced or otherwise used or disclosed in any trial, hearing, or other proceeding in or before any court, department, officer, agency, regulatory body, or other authority of the United States, a State, or a political subdivision thereof, may move to suppress the evidence obtained or derived from the production of the communications of the person or information about the communications or activities of the person on the grounds that—

''(i) the information was unlawfully acquired; or

''(ii) the production was not made in accordance with an order of authorization or approval.

''(B) TIMING.—A motion described in subparagraph (A) shall be made before the trial, hearing, or other proceeding commences, unless there was no opportunity to make such a motion or the person was not aware of the grounds of the motion.

''(2) IN CAMERA AND EX PARTE REVIEW BY COURT.—

''(A) DEFINITION.—In this paragraph, the term 'covered circumstance' means—

''(i) that—

''(I) a court or authority receives a notice under subsection (c) or (d) of section 106, subsection (d) or (e) of section 305, or subsection (c) or (d) of section 405 that relates to the production of tangible things under this title;

''(II) a motion is made under paragraph (1) of this subsection; or

''(III) a motion or request is made by a person under any other statute or rule of the United States or any State before a court or authority of the United States or any State to—

''(aa) discover or obtain applications or orders or other materials relating to the production of tangible things under this title; or

''(bb) discover, obtain, or suppress evidence or information obtained or derived from the production of tangible things under this title; and

''(ii) that the Attorney General files an affidavit under oath that disclosure or an adversary hearing would harm the national security of the United States.

''(B) AUTHORITY.—In a covered circumstance, the applicable district court of the United States, or if notice is given to or the motion is made before another authority, the district court of the United States in

the same judicial district as the authority, shall review in camera and ex parte the application, order, and such other materials relating to the production of tangible things under this title as may be necessary to determine whether the production was lawfully authorized and conducted.

''(C) DISCLOSURE.—In making a determination under subparagraph (B), the court may disclose to the applicable person, under appropriate security procedures and protective orders, portions of the application, order, or other materials relating to the production only if such disclosure would aid the court in making an accurate determination of the legality of the surveillance.

''(3) SUPPRESSION OF EVIDENCE; DENIAL OF MOTION.—If a district court of the United States determines under paragraph (2) that the production of tangible things under this title was not lawfully authorized or conducted, the court shall, in accordance with the requirements of law, suppress the evidence which was unlawfully obtained or derived from the production or otherwise grant the motion of the movant. If the court determines that the production was lawfully authorized and conducted, it shall deny the motion of the movant except to the extent that due process requires discovery or disclosure.

''(4) FINALITY OF ORDERS.—An order granting a motion or request under paragraph (3), a determination under this subsection that the production of tangible things under this title was not lawfully authorized or conducted, and an order of a district court of the United States requiring review or granting disclosure of an application, order, or other material relating to the production of tangible things under this title shall be a final order and binding upon all courts of the United States and the several States, except a United States court of appeals and the Supreme Court of the United States.

''(5) DESTRUCTION OF UNLAWFULLY OBTAINED EVIDENCE.—If a district court of the United States determines under paragraph (2) that the production of tangible things under this title was not lawfully authorized or conducted, the determination is a final order under paragraph (4), and the district court finds there is no reason to believe that destruction may endanger the national security of the United States, interfere with a criminal, counterterrorism, or counterintelligence investigation, interfere with diplomatic relations, or endanger the life or physical safety of any person, the Government shall destroy all copies of the tangible things produced under this title in the possession of the Government by not later than 30 days after the date of issuance of the final court order.''.

SA 1444. Mr. PAUL (for himself and Mr. WYDEN) submitted an amendment intended to be proposed by him to the bill H.R. 2048, to reform the authorities of the Federal Government to require the production of certain business records, conduct electronic surveillance, use pen registers and trap and trace devices, and use other forms of information gathering for foreign intelligence, counterterrorism, and criminal purposes, and for other purposes; which was ordered to lie on the table; as follows:

On page 17, line 4, strike ''an electronic'' and all that follows through ''Code)'' on line 9 and insert ''a corporation or other legal entity''.

SA 1445. Mr. PAUL submitted an amendment intended to be proposed by him to the bill H.R. 2048, to reform the authorities of the Federal Government to require the production of certain business records, conduct electronic surveillance, use pen registers and trap and trace devices, and use other forms of information gathering for foreign intelligence, counterterrorism, and criminal purposes, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____. COURT APPROVAL FOR NATIONAL SECURITY LETTERS.

(a) IN GENERAL.—Section 2709(b) of title 18, United States Code, is amended—

(1) in the subsection heading, by striking ''REQUIRED CERTIFICATION'' and inserting ''REQUEST UPON AUTHORIZATION BY COURT''; and

(2) in the matter preceding paragraph (1), by striking ''The Director'' and inserting ''If authorized by an order of a Federal court (other than the court established under section 103(a) of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1803(a))), the Director''.

(b) RIGHT TO FINANCIAL PRIVACY ACT OF 1978.—Section 1114(a)(5)(A) of the Right to Financial Privacy Act of 1978 (12 U.S.C. 3414(a)(5)(A)) is amended by adding at the end the following: ''A certification may only be made under this subparagraph if authorized by an order of a Federal court (other than the court established under section 103(a) of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1803(a))).''.

(c) FAIR CREDIT REPORTING ACT.—The Fair Credit Reporting Act (15 U.S.C. 1681 et seq.) is amended—

(1) in section 626 (15 U.S.C. 1681u)—

(A) in subsection (a), in the second sentence, by inserting ''if authorized by an order of a Federal court (other than the court established under section 103(a) of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1803(a))) and'' after ''The Director or the Director's designee may make such a certification only''; and

(B) in subsection (b), in the second sentence, by inserting ''if authorized by an order of a Federal court (other than the court established under section 103(a) of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1803(a))) and'' after ''The Director or the Director's designee may make such a certification only''; and

(2) in section 627(b) (15 U.S.C. 1681v(b))—

(A) in the subsection heading, by striking ''FORM OF'' and inserting ''REQUIREMENTS FOR''; and

(B) by striking ''described in subsection (a) shall be signed'' and inserting the following: ''described in subsection (a)—

''(1) may only be made if authorized by an order of a Federal court (other than the court established under section 103(a) of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1803(a))); and

''(2) shall be signed''.

SA 1446. Mr. PAUL submitted an amendment intended to be proposed by him to the bill H.R. 2048, to reform the authorities of the Federal Government to require the production of certain business records, conduct electronic surveillance, use pen registers and trap and trace devices, and use other forms of information gathering for foreign intelligence, counterterrorism, and criminal purposes, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____. FOURTH AMENDMENT PRESERVATION AND PROTECTION.

(a) SHORT TITLE.—This section may be cited as the ''Fourth Amendment Preservation and Protection Act of 2015''.

(b) FINDINGS.—Congress finds that the right under the Fourth Amendment to the Constitution of the United States of the people to be secure in their persons, houses, papers, and effects against unreasonable searches and seizures is violated when the Federal Government or a State or local government acquires information voluntarily relinquished by a person to another party for a limited business purpose without the express informed consent of the person to the specific request by the Federal Government or a State or local government or a warrant, upon probable cause, supported by oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized.

(c) DEFINITION.—In this section, the term ''system of records'' means any group of records from which information is retrieved by the name of the individual or by some identifying number, symbol, or other identifying particular associated with the individual.

(d) PROHIBITION.—

(1) IN GENERAL.—Except as provided in paragraph (2), the Federal Government and a State or local government may not obtain or seek to obtain information relating to an individual or group of individuals held by a third party in a system of records, and no such information shall be admissible in a criminal prosecution in a court of law.

(2) EXCEPTION.—The Federal Government or a State or local government may obtain, and a court may admit, information relating to an individual held by a third party in a system of records if—

(A) the individual whose name or identification information the Federal Government or State or local government is using to access the information provides express and informed consent to the search; or

(B) the Federal Government or State or local government obtains a warrant, upon probable cause, supported by oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized.

SA 1447. Mr. PAUL (for himself and Mr. WYDEN) submitted an amendment intended to be proposed by him to the bill H.R. 2048, to reform the authorities of the Federal Government to require the production of certain business records, conduct electronic surveillance, use pen registers and trap and trace devices, and use other forms of information gathering for foreign intelligence, counterterrorism, and criminal purposes, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. CLARIFICATION ON PROHIBITION ON SEARCHING OF COLLECTIONS OF COMMUNICATIONS TO CONDUCT WARRANTLESS SEARCHES FOR THE COMMUNICATIONS OF UNITED STATES PERSONS.

Section 702(b) of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1881a(b)) is amended—

(1) by redesignating paragraphs (1) through (5) as subparagraphs (A) through (E), respectively, and indenting such subparagraphs, as so redesignated, an additional two ems from the left margin;

(2) by striking ''An acquisition'' and inserting the following:

''(1) IN GENERAL.—An acquisition''; and

(3) by adding at the end the following:

''(2) CLARIFICATION ON PROHIBITION ON SEARCHING OF COLLECTIONS OF COMMUNICATIONS OF UNITED STATES PERSONS.—

''(A) IN GENERAL.—Except as provided in subparagraph (B), no officer or employee of the United States may conduct a search of a collection of communications acquired under this section in an effort to find communications of a particular United States person (other than a corporation).

''(B) CONCURRENT AUTHORIZATION AND EXCEPTION FOR EMERGENCY SITUATIONS.—Subparagraph (A) shall not apply to a search for communications related to a particular United States person if—

''(i) such United States person is the subject of an order or emergency authorization authorizing electronic surveillance or physical search under section 105, 304, 703, 704, or 705 of this Act, or under title 18, United States Code, for the effective period of that order;

''(ii) the entity carrying out the search has a reasonable belief that the life or safety of such United States person is threatened and the information is sought for the purpose of assisting that person; or

''(iii) such United States person has consented to the search.''.

SA 1448. Mr. PAUL (for himself and Mr. WYDEN) submitted an amendment intended to be proposed by him to the bill H.R. 2048, to reform the authorities of the Federal Government to require the production of certain business records, conduct electronic surveillance, use pen registers and trap and trace devices, and use other forms of information gathering for foreign intelligence, counterterrorism, and criminal purposes, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. PROHIBITION ON DATA SECURITY VULNERABILITY MANDATES.

(a) IN GENERAL.—Except as provided in subsection (b), no agency may mandate that a manufacturer, developer, or seller of covered products design or alter the security functions in its product or service to allow the surveillance of any user of such product or service, or to allow the physical search of such product, by any agency.

(b) EXCEPTION.—Subsection (a) shall not apply to mandates authorized under the Communications Assistance for Law Enforcement Act (47 U.S.C. 1001 et seq.).

(c) DEFINITIONS.—In this section—

(1) the term ''agency'' has the meaning given the term in section 3502 of title 44, United States Code; and

(2) the term ''covered product'' means any computer hardware, computer software, or electronic device that is made available to the general public.

SA 1449. Mr. MCCONNELL (for himself and Mr. BURR) proposed an amendment to the bill H.R. 2048, to reform the authorities of the Federal Government to require the production of certain business records, conduct electronic surveillance, use pen registers and trap and trace devices, and use other forms of information gathering for foreign intelligence, counterterrorism, and criminal purposes, and for other purposes; as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''Uniting and Strengthening America by Fulfilling Rights and Ensuring Effective Discipline Over Monitoring Act of 2015'' or the ''USA FREEDOM Act of 2015''.

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

SEC. 2. AMENDMENTS TO THE FOREIGN INTELLIGENCE SURVEILLANCE ACT OF 1978.

Except as otherwise expressly provided, whenever in this Act an amendment or repeal is expressed in terms of an amendment to, or a repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1801 et seq.).

TITLE I—FISA BUSINESS RECORDS REFORMS

SEC. 101. ADDITIONAL REQUIREMENTS FOR CALL DETAIL RECORDS.

(a) APPLICATION.—Section 501(b)(2) (50 U.S.C. 1861(b)(2)) is amended—

(1) in subparagraph (A)—

(A) in the matter preceding clause (i), by striking ''a statement'' and inserting ''in the case of an application other than an application described in subparagraph (C) (including an application for the production of call detail records other than in the manner described in subparagraph (C)), a statement''; and

(B) in clause (iii), by striking ''; and'' and inserting a semicolon;

(2) by redesignating subparagraphs (A) and (B) as subparagraphs (B) and (D), respectively; and

(3) by inserting after subparagraph (B) (as so redesignated) the following new subparagraph:

''(C) in the case of an application for the production on an ongoing basis of call detail records created before, on, or after the date of the application relating to an authorized investigation (other than a threat assessment) conducted in accordance with subsection (a)(2) to protect against international terrorism, a statement of facts showing that—

''(i) there are reasonable grounds to believe that the call detail records sought to be produced based on the specific selection term required under subparagraph (A) are relevant to such investigation; and

''(ii) there is a reasonable, articulable suspicion that such specific selection term is associated with a foreign power engaged in

international terrorism or activities in preparation therefor, or an agent of a foreign power engaged in international terrorism or activities in preparation therefor; and''.

(b) ORDER.—Section 501(c)(2) (50 U.S.C. 1861(c)(2)) is amended—

(1) in subparagraph (D), by striking ''; and'' and inserting a semicolon;

(2) in subparagraph (E), by striking the period and inserting ''; and''; and

(3) by adding at the end the following new subparagraph:

''(F) in the case of an application described in subsection (b)(2)(C), shall—

''(i) authorize the production on a daily basis of call detail records for a period not to exceed 180 days;

''(ii) provide that an order for such production may be extended upon application under subsection (b) and the judicial finding under paragraph (1) of this subsection;

''(iii) provide that the Government may require the prompt production of a first set of call detail records using the specific selection term that satisfies the standard required under subsection (b)(2)(C)(ii);

''(iv) provide that the Government may require the prompt production of a second set of call detail records using session-identifying information or a telephone calling card number identified by the specific selection term used to produce call detail records under clause (iii);

''(v) provide that, when produced, such records be in a form that will be useful to the Government;

''(vi) direct each person the Government directs to produce call detail records under the order to furnish the Government forthwith all information, facilities, or technical assistance necessary to accomplish the production in such a manner as will protect the secrecy of the production and produce a minimum of interference with the services that such person is providing to each subject of the production; and

''(vii) direct the Government to—

''(I) adopt minimization procedures that require the prompt destruction of all call detail records produced under the order that the Government determines are not foreign intelligence information; and

''(II) destroy all call detail records produced under the order as prescribed by such procedures.''.

SEC. 102. EMERGENCY AUTHORITY.

(a) AUTHORITY.—Section 501 (50 U.S.C. 1861) is amended by adding at the end the following new subsection:

''(i) EMERGENCY AUTHORITY FOR PRODUCTION OF TANGIBLE THINGS.—

''(1) Notwithstanding any other provision of this section, the Attorney General may require the emergency production of tangible things if the Attorney General—

''(A) reasonably determines that an emergency situation requires the production of tangible things before an order authorizing such production can with due diligence be obtained;

''(B) reasonably determines that the factual basis for the issuance of an order under this section to approve such production of tangible things exists;

''(C) informs, either personally or through a designee, a judge having jurisdiction under this section at the time the Attorney General requires the emergency production of tangible things that the decision has been made to employ the authority under this subsection; and

''(D) makes an application in accordance with this section to a judge having jurisdiction under this section as soon as practicable, but not later than 7 days after the Attorney General requires the emergency production of tangible things under this subsection.

''(2) If the Attorney General requires the emergency production of tangible things under paragraph (1), the Attorney General shall require that the minimization procedures required by this section for the issuance of a judicial order be followed.

''(3) In the absence of a judicial order approving the production of tangible things under this subsection, the production shall terminate when the information sought is obtained, when the application for the order is denied, or after the expiration of 7 days from the time the Attorney General begins requiring the emergency production of such tangible things, whichever is earliest.

''(4) A denial of the application made under this subsection may be reviewed as provided in section 103.

''(5) If such application for approval is denied, or in any other case where the production of tangible things is terminated and no order is issued approving the production, no information obtained or evidence derived from such production shall be received in evidence or otherwise disclosed in any trial, hearing, or other proceeding in or before any court, grand jury, department, office, agency, regulatory body, legislative committee, or other authority of the United States, a State, or a political subdivision thereof, and no information concerning any United States person acquired from such production shall subsequently be used or disclosed in any other manner by Federal officers or employees without the consent of such person, except with the approval of the Attorney General if the information indicates a threat of death or serious bodily harm to any person.

''(6) The Attorney General shall assess compliance with the requirements of paragraph (5).''.

(b) CONFORMING AMENDMENT.—Section 501(d) (50 U.S.C. 1861(d)) is amended—

(1) in paragraph (1)—

(A) in the matter preceding subparagraph (A), by striking ''pursuant to an order'' and inserting ''pursuant to an order issued or an emergency production required'';

(B) in subparagraph (A), by striking ''such order'' and inserting ''such order or such emergency production''; and

(C) in subparagraph (B), by striking ''the order'' and inserting ''the order or the emergency production''; and

(2) in paragraph (2)—

(A) in subparagraph (A), by striking ''an order'' and inserting ''an order or emergency production''; and

(B) in subparagraph (B), by striking ''an order'' and inserting ''an order or emergency production''.

SEC. 103. PROHIBITION ON BULK COLLECTION OF TANGIBLE THINGS.

(a) APPLICATION.—Section 501(b)(2) (50 U.S.C. 1861(b)(2)), as amended by section 101(a) of this Act, is further amended by inserting before subparagraph (B), as redesignated by such section 101(a) of this Act, the following new subparagraph:

''(A) a specific selection term to be used as the basis for the production of the tangible things sought;''.

(b) ORDER.—Section 501(c) (50 U.S.C. 1861(c)) is amended—

(1) in paragraph (2)(A), by striking the semicolon and inserting '', including each specific selection term to be used as the basis for the production;''; and

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

''(3) No order issued under this subsection may authorize the collection of tangible things without the use of a specific selection term that meets the requirements of subsection (b)(2).''.

SEC. 104. JUDICIAL REVIEW.

(a) MINIMIZATION PROCEDURES.—

(1) JUDICIAL REVIEW.—Section 501(c)(1) (50 U.S.C. 1861(c)(1)) is amended by inserting after ''subsections (a) and (b)'' the following: ''and that the minimization procedures submitted in accordance with subsection (b)(2)(D) meet the definition of minimization procedures under subsection (g)''.

(2) RULE OF CONSTRUCTION.—Section 501(g) (50 U.S.C. 1861(g)) is amended by adding at the end the following new paragraph:

''(3) RULE OF CONSTRUCTION.—Nothing in this subsection shall limit the authority of the court established under section 103(a) to impose additional, particularized minimization procedures with regard to the production, retention, or dissemination of nonpublicly available information concerning unconsenting United States persons, including additional, particularized procedures related to the destruction of information within a reasonable time period.''.

(3) TECHNICAL AND CONFORMING AMENDMENT.—Section 501(g)(1) (50 U.S.C. 1861(g)(1)) is amended—

(A) by striking ''Not later than 180 days after the date of the enactment of the USA PATRIOT Improvement and Reauthorization Act of 2005, the'' and inserting ''The''; and

(B) by inserting after ''adopt'' the following: '', and update as appropriate,''.

(b) ORDERS.—Section 501(f)(2) (50 U.S.C. 1861(f)(2)) is amended—

(1) in subparagraph (A)(i)—

(A) by striking ''that order'' and inserting ''the production order or any nondisclosure order imposed in connection with the production order''; and

(B) by striking the second sentence; and

(2) in subparagraph (C)—

(A) by striking clause (ii); and

(B) by redesignating clause (iii) as clause (ii).

SEC. 105. LIABILITY PROTECTION.

Section 501(e) (50 U.S.C. 1861(e)) is amended to read as follows:

''(e)(1) No cause of action shall lie in any court against a person who—

''(A) produces tangible things or provides information, facilities, or technical assistance in accordance with an order issued or an emergency production required under this section; or

''(B) otherwise provides technical assistance to the Government under this section or to implement the amendments made to this section by the USA FREEDOM Act of 2015.

''(2) A production or provision of information, facilities, or technical assistance described in paragraph (1) shall not be deemed to constitute a waiver of any privilege in any other proceeding or context.''.

SEC. 106. COMPENSATION FOR ASSISTANCE.

Section 501 (50 U.S.C. 1861), as amended by section 102 of this Act, is further amended by adding at the end the following new subsection:

''(j) COMPENSATION.—The Government shall compensate a person for reasonable expenses incurred for—

''(1) producing tangible things or providing information, facilities, or assistance in accordance with an order issued with respect to an application described in subsection (b)(2)(C) or an emergency production under subsection (i) that, to comply with subsection (i)(1)(D), requires an application described in subsection (b)(2)(C); or

''(2) otherwise providing technical assistance to the Government under this section or to implement the amendments made to this section by the USA FREEDOM Act of 2015.''.

SEC. 107. NOTICE TO THE ATTORNEY GENERAL ON CHANGES IN RETENTION OF CALL DETAIL RECORDS.

Section 501 (50 U.S.C. 1861), as amended by section 106 of this Act, is amended by adding at the end the following new subsection:

''(k) PROSPECTIVE CHANGES TO EXISTING PRACTICES RELATED TO CALL DETAIL RECORDS.—

''(1) IN GENERAL.—Consistent with subsection (c)(2)(F), an electronic communication service provider that has been issued an order to produce call detail records pursuant to an order under subsection (c) shall notify the Attorney General if that service provider intends to retain its call detail records for a period less than 18 months.

''(2) TIMING OF NOTICE.—A notification under paragraph (1) shall be made not less than 180 days prior to the date such electronic communications service provider intends to implement a policy to retain such records for a period less than 18 months.''.

SEC. 108. DEFINITIONS.

Section 501 (50 U.S.C. 1861), as amended by section 107 of this Act, is further amended by adding at the end the following new subsection:

''(l) DEFINITIONS.—In this section:

''(1) IN GENERAL.—The terms 'foreign power', 'agent of a foreign power', 'international terrorism', 'foreign intelligence information', 'Attorney General', 'United States person', 'United States', 'person', and 'State' have the meanings provided those terms in section 101.

''(2) ADDRESS.—The term 'address' means a physical address or electronic address, such as an electronic mail address or temporarily assigned network address (including an Internet protocol address).

''(3) CALL DETAIL RECORD.—The term 'call detail record'—

''(A) means session-identifying information (including an originating or terminating telephone number, an International Mobile Subscriber Identity number, or an International Mobile Station Equipment Identity number), a telephone calling card number, or the time or duration of a call; and

''(B) does not include—

''(i) the contents (as defined in section 2510(8) of title 18, United States Code) of any communication;

''(ii) the name, address, or financial information of a subscriber or customer; or

''(iii) cell site location or global positioning system information.

''(4) SPECIFIC SELECTION TERM.—

''(A) TANGIBLE THINGS.—

''(i) IN GENERAL.—Except as provided in subparagraph (B), a 'specific selection term'—

''(I) is a term that specifically identifies a person, account, address, or personal device, or any other specific identifier; and

''(II) is used to limit, to the greatest extent reasonably practicable, the scope of tangible things sought consistent with the purpose for seeking the tangible things.

''(ii) LIMITATION.—A specific selection term under clause (i) does not include an identifier that does not limit, to the greatest extent reasonably practicable, the scope of tangible things sought consistent with the purpose for seeking the tangible things, such as an identifier that—

''(I) identifies an electronic communication service provider (as that term is defined in section 701) or a provider of remote computing service (as that term is defined in section 2711 of title 18, United States Code), when not used as part of a specific identifier as described in clause (i), unless the provider is itself a subject of an authorized investigation for which the specific selection term is used as the basis for the production; or

''(II) identifies a broad geographic region, including the United States, a city, a county, a State, a zip code, or an area code, when not used as part of a specific identifier as described in clause (i).

''(iii) RULE OF CONSTRUCTION.—Nothing in this paragraph shall be construed to preclude the use of multiple terms or identifiers to meet the requirements of clause (i).

''(B) CALL DETAIL RECORD APPLICATIONS.—For purposes of an application submitted under subsection (b)(2)(C), the term 'specific selection term' means a term that specifically identifies an individual, account, or personal device.''.

SEC. 109. INSPECTOR GENERAL REPORTS ON BUSINESS RECORDS ORDERS.

Section 106A of the USA PATRIOT Improvement and Reauthorization Act of 2005 (Public Law 109–177; 120 Stat. 200) is amended—

(1) in subsection (b)—

(A) in paragraph (1), by inserting ''and calendar years 2012 through 2014'' after ''2006'';

(B) by striking paragraphs (2) and (3);

(C) by redesignating paragraphs (4) and (5) as paragraphs (2) and (3), respectively; and

(D) in paragraph (3) (as so redesignated)—

(i) by striking subparagraph (C) and inserting the following new subparagraph:

''(C) with respect to calendar years 2012 through 2014, an examination of the minimization procedures used in relation to orders under section 501 of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1861) and whether the minimization procedures adequately protect the constitutional rights of United States persons;''; and

(ii) in subparagraph (D), by striking ''(as such term is defined in section 3(4) of the National Security Act of 1947 (50 U.S.C. 401a(4)))'';

(2) in subsection (c), by adding at the end the following new paragraph:

''(3) CALENDAR YEARS 2012 THROUGH 2014.—Not later than 1 year after the date of enactment of the USA FREEDOM Act of 2015, the Inspector General of the Department of Justice shall submit to the Committee on the Judiciary and the Select Committee on Intelligence of the Senate and the Committee on the Judiciary and the Permanent Select Committee on Intelligence of the House of Representatives a report containing the results of the audit conducted under subsection (a) for calendar years 2012 through 2014.'';

(3) by redesignating subsections (d) and (e) as subsections (e) and (f), respectively;

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

''(d) INTELLIGENCE ASSESSMENT.—

''(1) IN GENERAL.—For the period beginning on January 1, 2012, and ending on December 31, 2014, the Inspector General of the Intelligence Community shall assess—

''(A) the importance of the information acquired under title V of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1861 et seq.) to the activities of the intelligence community;

''(B) the manner in which that information was collected, retained, analyzed, and disseminated by the intelligence community;

''(C) the minimization procedures used by elements of the intelligence community under such title and whether the minimization procedures adequately protect the constitutional rights of United States persons; and

''(D) any minimization procedures proposed by an element of the intelligence community under such title that were modified or denied by the court established under section 103(a) of such Act (50 U.S.C. 1803(a)).

''(2) SUBMISSION DATE FOR ASSESSMENT.—Not later than 180 days after the date on which the Inspector General of the Department of Justice submits the report required under subsection (c)(3), the Inspector General of the Intelligence Community shall submit to the Committee on the Judiciary and the Select Committee on Intelligence of the Senate and the Committee on the Judiciary and the Permanent Select Committee on Intelligence of the House of Representatives a report containing the results of the assessment for calendar years 2012 through 2014.'';

(5) in subsection (e), as redesignated by paragraph (3)—

(A) in paragraph (1)—

(i) by striking ''a report under subsection (c)(1) or (c)(2)'' and inserting ''any report under subsection (c) or (d)''; and

(ii) by striking ''Inspector General of the Department of Justice'' and inserting ''Inspector General of the Department of Justice, the Inspector General of the Intelligence Community, and any Inspector General of an element of the intelligence community that prepares a report to assist the Inspector General of the Department of Justice or the Inspector General of the Intelligence Community in complying with the requirements of this section''; and

(B) in paragraph (2), by striking ''the reports submitted under subsections (c)(1) and (c)(2)'' and inserting ''any report submitted under subsection (c) or (d)'';

(6) in subsection (f), as redesignated by paragraph (3)—

(A) by striking ''The reports submitted under subsections (c)(1) and (c)(2)'' and inserting ''Each report submitted under subsection (c)''; and

(B) by striking ''subsection (d)(2)'' and inserting ''subsection (e)(2)''; and

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

''(g) DEFINITIONS.—In this section:

''(1) INTELLIGENCE COMMUNITY.—The term 'intelligence community' has the meaning given that term in section 3 of the National Security Act of 1947 (50 U.S.C. 3003).

''(2) UNITED STATES PERSON.—The term 'United States person' has the meaning given that term in section 101 of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1801).''.

SEC. 110. EFFECTIVE DATE.

(a) IN GENERAL.—The amendments made by sections 101 through 103 shall take effect on the date that is 180 days after the date of the enactment of this Act.

(b) REVIEW AND CERTIFICATION.—The Director of National Intelligence shall—

(1) review the implementation of the transition from the existing procedures for the production of call detail records under title V of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1801 et seq.), as in effect prior to the effective date for the amendments made by sections 101 through 103 of this Act, to the new procedures pursuant to the amendments made by sections 101 through 103 of this Act; and

(2) not later than 30 days before the effective date specified in subsection (a), certify to Congress in writing that—

(A) the implementation of the transition described in paragraph (1) is operationally

effective to allow the timely retrieval of foreign intelligence information from recipients of an order issued under section 501(c)(2)(F) of the Foreign Intelligence Surveillance Act of 1978, as amended by section 101 of this Act; and

(B) the implementation of the amendments made by section 101 through 103 of this Act—

(i) will not harm the national security of the United States; and

(ii) will ensure the protection of classified information and classified intelligence sources and methods related to such production of call detail records.

(c) RULE OF CONSTRUCTION.—Nothing in this Act shall be construed to alter or eliminate the authority of the Government to obtain an order under title V of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1861 et seq.) as in effect prior to the effective date described in subsection (a) during the period ending on such effective date.

SEC. 111. RULE OF CONSTRUCTION.

Nothing in this Act shall be construed to authorize the production of the contents (as such term is defined in section 2510(8) of title 18, United States Code) of any electronic communication from an electronic communication service provider (as such term is defined in section 701(b)(4) of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1881(b)(4))) under title V of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1861 et seq.).

TITLE II—FISA PEN REGISTER AND TRAP AND TRACE DEVICE REFORM

SEC. 201. PROHIBITION ON BULK COLLECTION.

(a) PROHIBITION.—Section 402(c) (50 U.S.C. 1842(c)) is amended—

(1) in paragraph (1), by striking ''; and'' and inserting a semicolon;

(2) in paragraph (2), by striking the period at the end and inserting ''; and''; and

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

''(3) a specific selection term to be used as the basis for the use of the pen register or trap and trace device.''.

(b) DEFINITION.—Section 401 (50 U.S.C. 1841) is amended by adding at the end the following new paragraph:

''(4)(A) The term 'specific selection term'—

''(i) is a term that specifically identifies a person, account, address, or personal device, or any other specific identifier; and

''(ii) is used to limit, to the greatest extent reasonably practicable, the scope of information sought, consistent with the purpose for seeking the use of the pen register or trap and trace device.

''(B) A specific selection term under subparagraph (A) does not include an identifier that does not limit, to the greatest extent reasonably practicable, the scope of information sought, consistent with the purpose for seeking the use of the pen register or trap and trace device, such as an identifier that—

''(i) identifies an electronic communication service provider (as that term is defined in section 701) or a provider of remote computing service (as that term is defined in section 2711 of title 18, United States Code), when not used as part of a specific identifier as described in subparagraph (A), unless the provider is itself a subject of an authorized investigation for which the specific selection term is used as the basis for the use; or

''(ii) identifies a broad geographic region, including the United States, a city, a county, a State, a zip code, or an area code, when not used as part of a specific identifier as described in subparagraph (A).

''(C) For purposes of subparagraph (A), the term 'address' means a physical address or electronic address, such as an electronic mail address or temporarily assigned network address (including an Internet protocol address).

''(D) Nothing in this paragraph shall be construed to preclude the use of multiple terms or identifiers to meet the requirements of subparagraph (A).''.

SEC. 202. PRIVACY PROCEDURES.

(a) IN GENERAL.—Section 402 (50 U.S.C. 1842) is amended by adding at the end the following new subsection:

''(h) PRIVACY PROCEDURES.—

''(1) IN GENERAL.—The Attorney General shall ensure that appropriate policies and procedures are in place to safeguard nonpublicly available information concerning United States persons that is collected through the use of a pen register or trap and trace device installed under this section. Such policies and procedures shall, to the maximum extent practicable and consistent with the need to protect national security, include privacy protections that apply to the collection, retention, and use of information concerning United States persons.

''(2) RULE OF CONSTRUCTION.—Nothing in this subsection limits the authority of the court established under section 103(a) or of the Attorney General to impose additional privacy or minimization procedures with regard to the installation or use of a pen register or trap and trace device.''.

(b) EMERGENCY AUTHORITY.—Section 403 (50 U.S.C. 1843) is amended by adding at the end the following new subsection:

''(d) PRIVACY PROCEDURES.—Information collected through the use of a pen register or trap and trace device installed under this section shall be subject to the policies and procedures required under section 402(h).''.

TITLE III—FISA ACQUISITIONS TARGETING PERSONS OUTSIDE THE UNITED STATES REFORMS

SEC. 301. LIMITS ON USE OF UNLAWFULLY OBTAINED INFORMATION.

Section 702(i)(3) (50 U.S.C. 1881a(i)(3)) is amended by adding at the end the following new subparagraph:

''(D) LIMITATION ON USE OF INFORMATION.—

''(i) IN GENERAL.—Except as provided in clause (ii), if the Court orders a correction of a deficiency in a certification or procedures under subparagraph (B), no information obtained or evidence derived pursuant to the part of the certification or procedures that has been identified by the Court as deficient concerning any United States person shall be received in evidence or otherwise disclosed in any trial, hearing, or other proceeding in or before any court, grand jury, department, office, agency, regulatory body, legislative committee, or other authority of the United States, a State, or political subdivision thereof, and no information concerning any United States person acquired pursuant to such part of such certification or procedures shall subsequently be used or disclosed in any other manner by Federal officers or employees without the consent of the United States person, except with the approval of the Attorney General if the information indicates a threat of death or serious bodily harm to any person.

''(ii) EXCEPTION.—If the Government corrects any deficiency identified by the order of the Court under subparagraph (B), the Court may permit the use or disclosure of information obtained before the date of the correction under such minimization procedures as the Court may approve for purposes of this clause.''.

TITLE IV—FOREIGN INTELLIGENCE SURVEILLANCE COURT REFORMS

SEC. 401. APPOINTMENT OF AMICUS CURIAE.

Section 103 (50 U.S.C. 1803) is amended by adding at the end the following new subsections:

''(i) AMICUS CURIAE.—

''(1) DESIGNATION.—The presiding judges of the courts established under subsections (a) and (b) shall, not later than 180 days after the enactment of this subsection, jointly designate not fewer than 5 individuals to be eligible to serve as amicus curiae, who shall serve pursuant to rules the presiding judges may establish. In designating such individuals, the presiding judges may consider individuals recommended by any source, including members of the Privacy and Civil Liberties Oversight Board, the judges determine appropriate.

''(2) AUTHORIZATION.—A court established under subsection (a) or (b), consistent with the requirement of subsection (c) and any other statutory requirement that the court act expeditiously or within a stated time—

''(A) shall appoint an individual who has been designated under paragraph (1) to serve as amicus curiae to assist such court in the consideration of any application for an order or review that, in the opinion of the court, presents a novel or significant interpretation of the law, unless the court issues a finding that such appointment is not appropriate; and

''(B) may appoint an individual or organization to serve as amicus curiae, including to provide technical expertise, in any instance as such court deems appropriate or, upon motion, permit an individual or organization leave to file an amicus curiae brief.

''(3) QUALIFICATIONS OF AMICUS CURIAE.—

''(A) EXPERTISE.—Individuals designated under paragraph (1) shall be persons who possess expertise in privacy and civil liberties, intelligence collection, communications technology, or any other area that may lend legal or technical expertise to a court established under subsection (a) or (b).

''(B) SECURITY CLEARANCE.—Individuals designated pursuant to paragraph (1) shall be persons who are determined to be eligible for access to classified information necessary to participate in matters before the courts. Amicus curiae appointed by the court pursuant to paragraph (2) shall be persons who are determined to be eligible for access to classified information, if such access is necessary to participate in the matters in which they may be appointed.

''(4) DUTIES.—If a court established under subsection (a) or (b) appoints an amicus curiae under paragraph (2)(A), the amicus curiae shall provide to the court, as appropriate—

''(A) legal arguments that advance the protection of individual privacy and civil liberties;

''(B) information related to intelligence collection or communications technology; or

''(C) legal arguments or information regarding any other area relevant to the issue presented to the court.

''(5) ASSISTANCE.—An amicus curiae appointed under paragraph (2)(A) may request that the court designate or appoint additional amici curiae pursuant to paragraph (1) or paragraph (2), to be available to assist the amicus curiae.

''(6) ACCESS TO INFORMATION.—

''(A) IN GENERAL.—If a court established under subsection (a) or (b) appoints an amicus curiae under paragraph (2), the amicus curiae—

''(i) shall have access to any legal precedent, application, certification, petition, motion, or such other materials that the court determines are relevant to the duties of the amicus curiae; and

''(ii) may, if the court determines that it is relevant to the duties of the amicus curiae, consult with any other individuals designated pursuant to paragraph (1) regarding information relevant to any assigned proceeding.

''(B) BRIEFINGS.—The Attorney General may periodically brief or provide relevant materials to individuals designated pursuant to paragraph (1) regarding constructions and interpretations of this Act and legal, technological, and other issues related to actions authorized by this Act.

''(C) CLASSIFIED INFORMATION.—An amicus curiae designated or appointed by the court may have access to classified documents, information, and other materials or proceedings only if that individual is eligible for access to classified information and to the extent consistent with the national security of the United States.

''(D) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to require the Government to provide information to an amicus curiae appointed by the court that is privileged from disclosure.

''(7) NOTIFICATION.—A presiding judge of a court established under subsection (a) or (b) shall notify the Attorney General of each exercise of the authority to appoint an individual to serve as amicus curiae under paragraph (2).

''(8) ASSISTANCE.—A court established under subsection (a) or (b) may request and receive (including on a nonreimbursable basis) the assistance of the executive branch in the implementation of this subsection.

''(9) ADMINISTRATION.—A court established under subsection (a) or (b) may provide for the designation, appointment, removal, training, or other support for an individual designated to serve as amicus curiae under paragraph (1) or appointed to serve as amicus curiae under paragraph (2) in a manner that is not inconsistent with this subsection.

''(10) RECEIPT OF INFORMATION.—Nothing in this subsection shall limit the ability of a court established under subsection (a) or (b) to request or receive information or materials from, or otherwise communicate with, the Government or amicus curiae appointed under paragraph (2) on an ex parte basis, nor limit any special or heightened obligation in any ex parte communication or proceeding.

''(j) REVIEW OF FISA COURT DECISIONS.—Following issuance of an order under this Act, a court established under subsection (a) shall certify for review to the court established under subsection (b) any question of law that may affect resolution of the matter in controversy that the court determines warrants such review because of a need for uniformity or because consideration by the court established under subsection (b) would serve the interests of justice. Upon certification of a question of law under this subsection, the court established under subsection (b) may give binding instructions or require the entire record to be sent up for decision of the entire matter in controversy.

''(k) REVIEW OF FISA COURT OF REVIEW DECISIONS.—

''(1) CERTIFICATION.—For purposes of section 1254(2) of title 28, United States Code, the court of review established under subsection (b) shall be considered to be a court of appeals.

''(2) AMICUS CURIAE BRIEFING.—Upon certification of an application under paragraph (1), the Supreme Court of the United States may appoint an amicus curiae designated under subsection (i)(1), or any other person, to provide briefing or other assistance.''.

SEC. 402. DECLASSIFICATION OF DECISIONS, ORDERS, AND OPINIONS.

(a) DECLASSIFICATION.—Title VI (50 U.S.C. 1871 et seq.) is amended—

(1) in the heading, by striking ''**REPORTING REQUIREMENT**'' and inserting ''**OVERSIGHT**''; and

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

''SEC. 602. DECLASSIFICATION OF SIGNIFICANT DECISIONS, ORDERS, AND OPINIONS.

''(a) DECLASSIFICATION REQUIRED.—Subject to subsection (b), the Director of National Intelligence, in consultation with the Attorney General, shall conduct a declassification review of each decision, order, or opinion issued by the Foreign Intelligence Surveillance Court or the Foreign Intelligence Surveillance Court of Review (as defined in section 601(e)) that includes a significant construction or interpretation of any provision of law, including any novel or significant construction or interpretation of the term 'specific selection term', and, consistent with that review, make publicly available to the greatest extent practicable each such decision, order, or opinion.

''(b) REDACTED FORM.—The Director of National Intelligence, in consultation with the Attorney General, may satisfy the requirement under subsection (a) to make a decision, order, or opinion described in such subsection publicly available to the greatest extent practicable by making such decision, order, or opinion publicly available in redacted form.

''(c) NATIONAL SECURITY WAIVER.—The Director of National Intelligence, in consultation with the Attorney General, may waive the requirement to declassify and make publicly available a particular decision, order, or opinion under subsection (a), if—

''(1) the Director of National Intelligence, in consultation with the Attorney General, determines that a waiver of such requirement is necessary to protect the national security of the United States or properly classified intelligence sources or methods; and

''(2) the Director of National Intelligence makes publicly available an unclassified statement prepared by the Attorney General, in consultation with the Director of National Intelligence—

''(A) summarizing the significant construction or interpretation of any provision of law, which shall include, to the extent consistent with national security, a description of the context in which the matter arises and any significant construction or interpretation of any statute, constitutional provision, or other legal authority relied on by the decision; and

''(B) that specifies that the statement has been prepared by the Attorney General and constitutes no part of the opinion of the Foreign Intelligence Surveillance Court or the Foreign Intelligence Surveillance Court of Review.''.

(b) TABLE OF CONTENTS AMENDMENTS.—The table of contents in the first section is amended—

(1) by striking the item relating to title VI and inserting the following new item:

''TITLE VI—OVERSIGHT'';

and

(2) by inserting after the item relating to section 601 the following new item:

''Sec. 602. Declassification of significant decisions, orders, and opinions.''.

TITLE V—NATIONAL SECURITY LETTER REFORM

SEC. 501. PROHIBITION ON BULK COLLECTION.

(a) COUNTERINTELLIGENCE ACCESS TO TELEPHONE TOLL AND TRANSACTIONAL RECORDS.—Section 2709(b) of title 18, United States Code, is amended in the matter preceding paragraph (1) by striking ''may'' and inserting ''may, using a term that specifically identifies a person, entity, telephone number, or account as the basis for a request''.

(b) ACCESS TO FINANCIAL RECORDS FOR CERTAIN INTELLIGENCE AND PROTECTIVE PURPOSES.—Section 1114(a)(2) of the Right to Financial Privacy Act of 1978 (12 U.S.C. 3414(a)(2)) is amended by striking the period and inserting ''and a term that specifically identifies a customer, entity, or account to be used as the basis for the production and disclosure of financial records.''.

(c) DISCLOSURES TO FBI OF CERTAIN CONSUMER RECORDS FOR COUNTERINTELLIGENCE PURPOSES.—Section 626 of the Fair Credit Reporting Act (15 U.S.C. 1681u) is amended—

(1) in subsection (a), by striking ''that information,'' and inserting ''that information that includes a term that specifically identifies a consumer or account to be used as the basis for the production of that information,'';

(2) in subsection (b), by striking ''written request,'' and inserting ''written request that includes a term that specifically identifies a consumer or account to be used as the basis for the production of that information,''; and

(3) in subsection (c), by inserting '', which shall include a term that specifically identifies a consumer or account to be used as the basis for the production of the information,'' after ''issue an order ex parte''.

(d) DISCLOSURES TO GOVERNMENTAL AGENCIES FOR COUNTERTERRORISM PURPOSES OF CONSUMER REPORTS.—Section 627(a) of the Fair Credit Reporting Act (15 U.S.C. 1681v(a)) is amended by striking ''analysis.'' and inserting ''analysis and that includes a term that specifically identifies a consumer or account to be used as the basis for the production of such information.''.

SEC. 502. LIMITATIONS ON DISCLOSURE OF NATIONAL SECURITY LETTERS.

(a) COUNTERINTELLIGENCE ACCESS TO TELEPHONE TOLL AND TRANSACTIONAL RECORDS.—Section 2709 of title 18, United States Code, is amended by striking subsection (c) and inserting the following new subsection:

''(c) PROHIBITION OF CERTAIN DISCLOSURE.—

''(1) PROHIBITION.—

''(A) IN GENERAL.—If a certification is issued under subparagraph (B) and notice of the right to judicial review under subsection (d) is provided, no wire or electronic communication service provider that receives a request under subsection (b), or officer, employee, or agent thereof, shall disclose to any person that the Federal Bureau of Investigation has sought or obtained access to information or records under this section.

''(B) CERTIFICATION.—The requirements of subparagraph (A) shall apply if the Director of the Federal Bureau of Investigation, or a designee of the Director whose rank shall be no lower than Deputy Assistant Director at Bureau headquarters or a Special Agent in Charge of a Bureau field office, certifies that the absence of a prohibition of disclosure under this subsection may result in—

''(i) a danger to the national security of the United States;

''(ii) interference with a criminal, counterterrorism, or counterintelligence investigation;

''(iii) interference with diplomatic relations; or

''(iv) danger to the life or physical safety of any person.

''(2) EXCEPTION.—

''(A) IN GENERAL.—A wire or electronic communication service provider that receives a request under subsection (b), or officer, employee, or agent thereof, may disclose information otherwise subject to any applicable nondisclosure requirement to—

''(i) those persons to whom disclosure is necessary in order to comply with the request;

''(ii) an attorney in order to obtain legal advice or assistance regarding the request; or

''(iii) other persons as permitted by the Director of the Federal Bureau of Investigation or the designee of the Director.

''(B) APPLICATION.—A person to whom disclosure is made under subparagraph (A) shall be subject to the nondisclosure requirements applicable to a person to whom a request is issued under subsection (b) in the same manner as the person to whom the request is issued.

''(C) NOTICE.—Any recipient that discloses to a person described in subparagraph (A) information otherwise subject to a nondisclosure requirement shall notify the person of the applicable nondisclosure requirement.

''(D) IDENTIFICATION OF DISCLOSURE RECIPIENTS.—At the request of the Director of the Federal Bureau of Investigation or the designee of the Director, any person making or intending to make a disclosure under clause (i) or (iii) of subparagraph (A) shall identify to the Director or such designee the person to whom such disclosure will be made or to whom such disclosure was made prior to the request.''.

(b) ACCESS TO FINANCIAL RECORDS FOR CERTAIN INTELLIGENCE AND PROTECTIVE PURPOSES.—Section 1114 of the Right to Financial Privacy Act of 1978 (12 U.S.C. 3414) is amended—

(1) in subsection (a)(5), by striking subparagraph (D); and

(2) by inserting after subsection (b) the following new subsection:

''(c) PROHIBITION OF CERTAIN DISCLOSURE.—

''(1) PROHIBITION.—

''(A) IN GENERAL.—If a certification is issued under subparagraph (B) and notice of the right to judicial review under subsection (d) is provided, no financial institution that receives a request under subsection (a), or officer, employee, or agent thereof, shall disclose to any person that the Federal Bureau of Investigation has sought or obtained access to information or records under subsection (a).

''(B) CERTIFICATION.—The requirements of subparagraph (A) shall apply if the Director of the Federal Bureau of Investigation, or a designee of the Director whose rank shall be no lower than Deputy Assistant Director at Bureau headquarters or a Special Agent in Charge of a Bureau field office, certifies that the absence of a prohibition of disclosure under this subsection may result in—

''(i) a danger to the national security of the United States;

''(ii) interference with a criminal, counterterrorism, or counterintelligence investigation;

''(iii) interference with diplomatic relations; or

''(iv) danger to the life or physical safety of any person.

''(2) EXCEPTION.—

''(A) IN GENERAL.—A financial institution that receives a request under subsection (a), or officer, employee, or agent thereof, may disclose information otherwise subject to any applicable nondisclosure requirement to—

''(i) those persons to whom disclosure is necessary in order to comply with the request;

''(ii) an attorney in order to obtain legal advice or assistance regarding the request; or

''(iii) other persons as permitted by the Director of the Federal Bureau of Investigation or the designee of the Director.

''(B) APPLICATION.—A person to whom disclosure is made under subparagraph (A) shall be subject to the nondisclosure requirements applicable to a person to whom a request is issued under subsection (a) in the same manner as the person to whom the request is issued.

''(C) NOTICE.—Any recipient that discloses to a person described in subparagraph (A) information otherwise subject to a nondisclosure requirement shall inform the person of the applicable nondisclosure requirement.

''(D) IDENTIFICATION OF DISCLOSURE RECIPIENTS.—At the request of the Director of the Federal Bureau of Investigation or the designee of the Director, any person making or intending to make a disclosure under clause (i) or (iii) of subparagraph (A) shall identify to the Director or such designee the person to whom such disclosure will be made or to whom such disclosure was made prior to the request.''.

(c) IDENTITY OF FINANCIAL INSTITUTIONS AND CREDIT REPORTS.—Section 626 of the Fair Credit Reporting Act (15 U.S.C. 1681u) is amended by striking subsection (d) and inserting the following new subsection:

''(d) PROHIBITION OF CERTAIN DISCLOSURE.—

''(1) PROHIBITION.—

''(A) IN GENERAL.—If a certification is issued under subparagraph (B) and notice of the right to judicial review under subsection (e) is provided, no consumer reporting agency that receives a request under subsection (a) or (b) or an order under subsection (c), or officer, employee, or agent thereof, shall disclose or specify in any consumer report, that the Federal Bureau of Investigation has sought or obtained access to information or records under subsection (a), (b), or (c).

''(B) CERTIFICATION.—The requirements of subparagraph (A) shall apply if the Director of the Federal Bureau of Investigation, or a designee of the Director whose rank shall be no lower than Deputy Assistant Director at Bureau headquarters or a Special Agent in Charge of a Bureau field office, certifies that the absence of a prohibition of disclosure under this subsection may result in—

''(i) a danger to the national security of the United States;

''(ii) interference with a criminal, counterterrorism, or counterintelligence investigation;

''(iii) interference with diplomatic relations; or

''(iv) danger to the life or physical safety of any person.

''(2) EXCEPTION.—

''(A) IN GENERAL.—A consumer reporting agency that receives a request under subsection (a) or (b) or an order under subsection (c), or officer, employee, or agent thereof, may disclose information otherwise subject to any applicable nondisclosure requirement to—

''(i) those persons to whom disclosure is necessary in order to comply with the request;

''(ii) an attorney in order to obtain legal advice or assistance regarding the request; or

''(iii) other persons as permitted by the Director of the Federal Bureau of Investigation or the designee of the Director.

''(B) APPLICATION.—A person to whom disclosure is made under subparagraph (A) shall be subject to the nondisclosure requirements applicable to a person to whom a request under subsection (a) or (b) or an order under subsection (c) is issued in the same manner as the person to whom the request is issued.

''(C) NOTICE.—Any recipient that discloses to a person described in subparagraph (A) information otherwise subject to a nondisclosure requirement shall inform the person of the applicable nondisclosure requirement.

''(D) IDENTIFICATION OF DISCLOSURE RECIPIENTS.—At the request of the Director of the Federal Bureau of Investigation or the designee of the Director, any person making or intending to make a disclosure under clause (i) or (iii) of subparagraph (A) shall identify to the Director or such designee the person to whom such disclosure will be made or to whom such disclosure was made prior to the request.''.

(d) CONSUMER REPORTS.—Section 627 of the Fair Credit Reporting Act (15 U.S.C. 1681v) is amended by striking subsection (c) and inserting the following new subsection:

''(c) PROHIBITION OF CERTAIN DISCLOSURE.—

''(1) PROHIBITION.—

''(A) IN GENERAL.—If a certification is issued under subparagraph (B) and notice of the right to judicial review under subsection (d) is provided, no consumer reporting agency that receives a request under subsection (a), or officer, employee, or agent thereof, shall disclose or specify in any consumer report, that a government agency described in subsection (a) has sought or obtained access to information or records under subsection (a).

''(B) CERTIFICATION.—The requirements of subparagraph (A) shall apply if the head of the government agency described in subsection (a), or a designee, certifies that the absence of a prohibition of disclosure under this subsection may result in—

''(i) a danger to the national security of the United States;

''(ii) interference with a criminal, counterterrorism, or counterintelligence investigation;

''(iii) interference with diplomatic relations; or

''(iv) danger to the life or physical safety of any person.

''(2) EXCEPTION.—

''(A) IN GENERAL.—A consumer reporting agency that receives a request under subsection (a), or officer, employee, or agent thereof, may disclose information otherwise subject to any applicable nondisclosure requirement to—

''(i) those persons to whom disclosure is necessary in order to comply with the request;

''(ii) an attorney in order to obtain legal advice or assistance regarding the request; or

''(iii) other persons as permitted by the head of the government agency described in subsection (a) or a designee.

''(B) APPLICATION.—A person to whom disclosure is made under subparagraph (A) shall be subject to the nondisclosure requirements applicable to a person to whom a request under subsection (a) is issued in the same manner as the person to whom the request is issued.

''(C) NOTICE.—Any recipient that discloses to a person described in subparagraph (A) information otherwise subject to a nondisclosure requirement shall inform the person of the applicable nondisclosure requirement.

''(D) IDENTIFICATION OF DISCLOSURE RECIPIENTS.—At the request of the head of the government agency described in subsection (a) or a designee, any person making or intending to make a disclosure under clause (i) or (iii) of subparagraph (A) shall identify to the head or such designee the person to whom such disclosure will be made or to whom such disclosure was made prior to the request.''.

(e) INVESTIGATIONS OF PERSONS WITH ACCESS TO CLASSIFIED INFORMATION.—Section 802 of the National Security Act of 1947 (50 U.S.C. 3162) is amended by striking subsection (b) and inserting the following new subsection:

''(b) PROHIBITION OF CERTAIN DISCLOSURE.—

''(1) PROHIBITION.—

''(A) IN GENERAL.—If a certification is issued under subparagraph (B) and notice of the right to judicial review under subsection (c) is provided, no governmental or private entity that receives a request under subsection (a), or officer, employee, or agent thereof, shall disclose to any person that an authorized investigative agency described in subsection (a) has sought or obtained access to information under subsection (a).

''(B) CERTIFICATION.—The requirements of subparagraph (A) shall apply if the head of an authorized investigative agency described in subsection (a), or a designee, certifies that the absence of a prohibition of disclosure under this subsection may result in—

''(i) a danger to the national security of the United States;

''(ii) interference with a criminal, counterterrorism, or counterintelligence investigation;

''(iii) interference with diplomatic relations; or

''(iv) danger to the life or physical safety of any person.

''(2) EXCEPTION.—

''(A) IN GENERAL.—A governmental or private entity that receives a request under subsection (a), or officer, employee, or agent thereof, may disclose information otherwise subject to any applicable nondisclosure requirement to—

''(i) those persons to whom disclosure is necessary in order to comply with the request;

''(ii) an attorney in order to obtain legal advice or assistance regarding the request; or

''(iii) other persons as permitted by the head of the authorized investigative agency described in subsection (a) or a designee.

''(B) APPLICATION.—A person to whom disclosure is made under subparagraph (A) shall be subject to the nondisclosure requirements applicable to a person to whom a request is issued under subsection (a) in the same manner as the person to whom the request is issued.

''(C) NOTICE.—Any recipient that discloses to a person described in subparagraph (A) information otherwise subject to a nondisclosure requirement shall inform the person of the applicable nondisclosure requirement.

''(D) IDENTIFICATION OF DISCLOSURE RECIPIENTS.—At the request of the head of an authorized investigative agency described in subsection (a), or a designee, any person making or intending to make a disclosure under clause (i) or (iii) of subparagraph (A) shall identify to the head of the authorized investigative agency or such designee the person to whom such disclosure will be made or to whom such disclosure was made prior to the request.''.

(f) TERMINATION PROCEDURES.—

(1) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Attorney General shall adopt procedures with respect to nondisclosure requirements issued pursuant to section 2709 of title 18, United States Code, section 626 or 627 of the Fair Credit Reporting Act (15 U.S.C. 1681u and 1681v), section 1114 of the Right to Financial Privacy Act (12 U.S.C. 3414), or section 802 of the National Security Act of 1947 (50 U.S.C. 3162), as amended by this Act, to require—

(A) the review at appropriate intervals of such a nondisclosure requirement to assess whether the facts supporting nondisclosure continue to exist;

(B) the termination of such a nondisclosure requirement if the facts no longer support nondisclosure; and

(C) appropriate notice to the recipient of the national security letter, or officer, employee, or agent thereof, subject to the nondisclosure requirement, and the applicable court as appropriate, that the nondisclosure requirement has been terminated.

(2) REPORTING.—Upon adopting the procedures required under paragraph (1), the Attorney General shall submit the procedures to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives.

(g) JUDICIAL REVIEW.—Section 3511 of title 18, United States Code, is amended by striking subsection (b) and inserting the following new subsection:

''(b) NONDISCLOSURE.—

''(1) IN GENERAL.—

''(A) NOTICE.—If a recipient of a request or order for a report, records, or other information under section 2709 of this title, section 626 or 627 of the Fair Credit Reporting Act (15 U.S.C. 1681u and 1681v), section 1114 of the Right to Financial Privacy Act of 1978 (12 U.S.C. 3414), or section 802 of the National Security Act of 1947 (50 U.S.C. 3162), wishes to have a court review a nondisclosure requirement imposed in connection with the request or order, the recipient may notify the Government or file a petition for judicial review in any court described in subsection (a).

''(B) APPLICATION.—Not later than 30 days after the date of receipt of a notification under subparagraph (A), the Government shall apply for an order prohibiting the disclosure of the existence or contents of the relevant request or order. An application under this subparagraph may be filed in the district court of the United States for the judicial district in which the recipient of the order is doing business or in the district court of the United States for any judicial district within which the authorized investigation that is the basis for the request is being conducted. The applicable nondisclosure requirement shall remain in effect during the pendency of proceedings relating to the requirement.

''(C) CONSIDERATION.—A district court of the United States that receives a petition under subparagraph (A) or an application under subparagraph (B) should rule expeditiously, and shall, subject to paragraph (3), issue a nondisclosure order that includes conditions appropriate to the circumstances.

''(2) APPLICATION CONTENTS.—An application for a nondisclosure order or extension thereof or a response to a petition filed under paragraph (1) shall include a certification from the Attorney General, Deputy Attorney General, an Assistant Attorney General, or the Director of the Federal Bureau of Investigation, or a designee in a position not lower than Deputy Assistant Director at Bureau headquarters or a Special Agent in Charge in a Bureau field office designated by the Director, or in the case of a request by a department, agency, or instrumentality of the Federal Government other than the Department of Justice, the head or deputy head of the department, agency, or instrumentality, containing a statement of specific facts indicating that the absence of a prohibition of disclosure under this subsection may result in—

''(A) a danger to the national security of the United States;

''(B) interference with a criminal, counterterrorism, or counterintelligence investigation;

''(C) interference with diplomatic relations; or

''(D) danger to the life or physical safety of any person.

''(3) STANDARD.—A district court of the United States shall issue a nondisclosure order or extension thereof under this subsection if the court determines that there is reason to believe that disclosure of the information subject to the nondisclosure requirement during the applicable time period may result in—

''(A) a danger to the national security of the United States;

''(B) interference with a criminal, counterterrorism, or counterintelligence investigation;

''(C) interference with diplomatic relations; or

''(D) danger to the life or physical safety of any person.''.

SEC. 503. JUDICIAL REVIEW.

(a) COUNTERINTELLIGENCE ACCESS TO TELEPHONE TOLL AND TRANSACTIONAL RECORDS.—Section 2709 of title 18, United States Code, is amended—

(1) by redesignating subsections (d), (e), and (f) as subsections (e), (f), and (g), respectively; and

(2) by inserting after subsection (c) the following new subsection:

''(d) JUDICIAL REVIEW.—

''(1) IN GENERAL.—A request under subsection (b) or a nondisclosure requirement imposed in connection with such request under subsection (c) shall be subject to judicial review under section 3511.

''(2) NOTICE.—A request under subsection (b) shall include notice of the availability of judicial review described in paragraph (1).''.

(b) ACCESS TO FINANCIAL RECORDS FOR CERTAIN INTELLIGENCE AND PROTECTIVE PURPOSES.—Section 1114 of the Right to Financial Privacy Act of 1978 (12 U.S.C. 3414) is amended—

(1) by redesignating subsection (d) as subsection (e); and

(2) by inserting after subsection (c) the following new subsection:

''(d) JUDICIAL REVIEW.—

''(1) IN GENERAL.—A request under subsection (a) or a nondisclosure requirement imposed in connection with such request under subsection (c) shall be subject to judicial review under section 3511 of title 18, United States Code.

''(2) NOTICE.—A request under subsection (a) shall include notice of the availability of judicial review described in paragraph (1).''.

(c) IDENTITY OF FINANCIAL INSTITUTIONS AND CREDIT REPORTS.—Section 626 of the Fair Credit Reporting Act (15 U.S.C. 1681u) is amended—

(1) by redesignating subsections (e) through (m) as subsections (f) through (n), respectively; and

(2) by inserting after subsection (d) the following new subsection:

''(e) JUDICIAL REVIEW.—

''(1) IN GENERAL.—A request under subsection (a) or (b) or an order under subsection (c) or a non-disclosure requirement imposed in connection with such request under subsection (d) shall be subject to judicial review under section 3511 of title 18, United States Code.

''(2) NOTICE.—A request under subsection (a) or (b) or an order under subsection (c) shall include notice of the availability of judicial review described in paragraph (1).''.

(d) IDENTITY OF FINANCIAL INSTITUTIONS AND CREDIT REPORTS.—Section 627 of the Fair Credit Reporting Act (15 U.S.C. 1681v) is amended—

(1) by redesignating subsections (d), (e), and (f) as subsections (e), (f), and (g), respectively; and

(2) by inserting after subsection (c) the following new subsection:

''(d) JUDICIAL REVIEW.—

''(1) IN GENERAL.—A request under subsection (a) or a non-disclosure requirement imposed in connection with such request under subsection (c) shall be subject to judicial review under section 3511 of title 18, United States Code.

''(2) NOTICE.—A request under subsection (a) shall include notice of the availability of judicial review described in paragraph (1).''.

(e) INVESTIGATIONS OF PERSONS WITH ACCESS TO CLASSIFIED INFORMATION.—Section 802 of the National Security Act of 1947 (50 U.S.C. 3162) is amended—

(1) by redesignating subsections (c) through (f) as subsections (d) through (g), respectively; and

(2) by inserting after subsection (b) the following new subsection:

''(c) JUDICIAL REVIEW.—

''(1) IN GENERAL.—A request under subsection (a) or a nondisclosure requirement imposed in connection with such request under subsection (b) shall be subject to judicial review under section 3511 of title 18, United States Code.

''(2) NOTICE.—A request under subsection (a) shall include notice of the availability of judicial review described in paragraph (1).''.

TITLE VI—FISA TRANSPARENCY AND REPORTING REQUIREMENTS

SEC. 601. ADDITIONAL REPORTING ON ORDERS REQUIRING PRODUCTION OF BUSINESS RECORDS; BUSINESS RECORDS COMPLIANCE REPORTS TO CONGRESS.

(a) REPORTS SUBMITTED TO COMMITTEES.—Section 502(b) (50 U.S.C. 1862(b)) is amended—

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

(2) by inserting before paragraph (6) (as so redesignated) the following new paragraphs:

''(1) a summary of all compliance reviews conducted by the Government for the production of tangible things under section 501;

''(2) the total number of applications described in section 501(b)(2)(B) made for orders approving requests for the production of tangible things;

''(3) the total number of such orders either granted, modified, or denied;

''(4) the total number of applications described in section 501(b)(2)(C) made for orders approving requests for the production of call detail records;

''(5) the total number of such orders either granted, modified, or denied;''.

(b) REPORTING ON CERTAIN TYPES OF PRODUCTION.—Section 502(c)(1) (50 U.S.C. 1862(c)(1)) is amended—

(1) in subparagraph (A), by striking ''and'';

(2) in subparagraph (B), by striking the period at the end and inserting a semicolon; and

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

''(C) the total number of applications made for orders approving requests for the production of tangible things under section 501 in which the specific selection term does not specifically identify an individual, account, or personal device;

''(D) the total number of orders described in subparagraph (C) either granted, modified, or denied; and

''(E) with respect to orders described in subparagraph (D) that have been granted or modified, whether the court established under section 103 has directed additional, particularized minimization procedures beyond those adopted pursuant to section 501(g).''.

SEC. 602. ANNUAL REPORTS BY THE GOVERNMENT.

(a) IN GENERAL.—Title VI (50 U.S.C. 1871 et seq.), as amended by section 402 of this Act, is further amended by adding at the end the following new section:

''SEC. 603. ANNUAL REPORTS.

''(a) REPORT BY DIRECTOR OF THE ADMINISTRATIVE OFFICE OF THE UNITED STATES COURTS.—

''(1) REPORT REQUIRED.—The Director of the Administrative Office of the United States Courts shall annually submit to the Permanent Select Committee on Intelligence and the Committee on the Judiciary of the House of Representatives and the Select Committee on Intelligence and the Committee on the Judiciary of the Senate, subject to a declassification review by the Attorney General and the Director of National Intelligence, a report that includes—

''(A) the number of applications or certifications for orders submitted under each of sections 105, 304, 402, 501, 702, 703, and 704;

''(B) the number of such orders granted under each of those sections;

''(C) the number of orders modified under each of those sections;

''(D) the number of applications or certifications denied under each of those sections;

''(E) the number of appointments of an individual to serve as amicus curiae under section 103, including the name of each individual appointed to serve as amicus curiae; and

''(F) the number of findings issued under section 103(i) that such appointment is not appropriate and the text of any such findings.

''(2) PUBLICATION.—The Director shall make the report required under paragraph (1) publicly available on an Internet Web site, except that the Director shall not make publicly available on an Internet Web site the findings described in subparagraph (F) of paragraph (1).

''(b) MANDATORY REPORTING BY DIRECTOR OF NATIONAL INTELLIGENCE.—Except as provided in subsection (d), the Director of National Intelligence shall annually make publicly available on an Internet Web site a report that identifies, for the preceding 12-month period—

''(1) the total number of orders issued pursuant to titles I and III and sections 703 and 704 and a good faith estimate of the number of targets of such orders;

''(2) the total number of orders issued pursuant to section 702 and a good faith estimate of—

''(A) the number of search terms concerning a known United States person used to retrieve the unminimized contents of electronic communications or wire communications obtained through acquisitions authorized under such section, excluding the number of search terms used to prevent the return of information concerning a United States person; and

''(B) the number of queries concerning a known United States person of unminimized noncontents information relating to electronic communications or wire communications obtained through acquisitions authorized under such section, excluding the number of queries containing information used to prevent the return of information concerning a United States person;

''(3) the total number of orders issued pursuant to title IV and a good faith estimate of—

''(A) the number of targets of such orders; and

''(B) the number of unique identifiers used to communicate information collected pursuant to such orders;

''(4) the total number of orders issued pursuant to applications made under section 501(b)(2)(B) and a good faith estimate of—

''(A) the number of targets of such orders; and

''(B) the number of unique identifiers used to communicate information collected pursuant to such orders;

''(5) the total number of orders issued pursuant to applications made under section 501(b)(2)(C) and a good faith estimate of—

''(A) the number of targets of such orders;

''(B) the number of unique identifiers used to communicate information collected pursuant to such orders; and

''(C) the number of search terms that included information concerning a United States person that were used to query any database of call detail records obtained through the use of such orders; and

''(6) the total number of national security letters issued and the number of requests for information contained within such national security letters.

''(c) TIMING.—The annual reports required by subsections (a) and (b) shall be made publicly available during April of each year and include information relating to the previous calendar year.

''(d) EXCEPTIONS.—

''(1) STATEMENT OF NUMERICAL RANGE.—If a good faith estimate required to be reported under subparagraph (B) of any of paragraphs (3), (4), or (5) of subsection (b) is fewer than 500, it shall be expressed as a numerical range of 'fewer than 500' and shall not be expressed as an individual number.

''(2) NONAPPLICABILITY TO CERTAIN INFORMATION.—

''(A) FEDERAL BUREAU OF INVESTIGATION.—Paragraphs (2)(A), (2)(B), and (5)(C) of subsection (b) shall not apply to information or records held by, or queries conducted by, the Federal Bureau of Investigation.

''(B) ELECTRONIC MAIL ADDRESS AND TELEPHONE NUMBERS.—Paragraph (3)(B) of subsection (b) shall not apply to orders resulting in the acquisition of information by the Federal Bureau of Investigation that does not include electronic mail addresses or telephone numbers.

''(3) CERTIFICATION.—

''(A) IN GENERAL.—If the Director of National Intelligence concludes that a good faith estimate required to be reported under subsection (b)(2)(B) cannot be determined accurately because some but not all of the relevant elements of the intelligence community are able to provide such good faith estimate, the Director shall—

''(i) certify that conclusion in writing to the Select Committee on Intelligence and the Committee on the Judiciary of the Senate and the Permanent Select Committee on

Intelligence and the Committee on the Judiciary of the House of Representatives;

''(ii) report the good faith estimate for those relevant elements able to provide such good faith estimate;

''(iii) explain when it is reasonably anticipated that such an estimate will be able to be determined fully and accurately; and

''(iv) make such certification publicly available on an Internet Web site.

''(B) FORM.—A certification described in subparagraph (A) shall be prepared in unclassified form, but may contain a classified annex.

''(C) TIMING.—If the Director of National Intelligence continues to conclude that the good faith estimates described in this paragraph cannot be determined accurately, the Director shall annually submit a certification in accordance with this paragraph.

''(e) DEFINITIONS.—In this section:

''(1) CONTENTS.—The term 'contents' has the meaning given that term under section 2510 of title 18, United States Code.

''(2) ELECTRONIC COMMUNICATION.—The term 'electronic communication' has the meaning given that term under section 2510 of title 18, United States Code.

''(3) NATIONAL SECURITY LETTER.—The term 'national security letter' means a request for a report, records, or other information under—

''(A) section 2709 of title 18, United States Code;

''(B) section 1114(a)(5)(A) of the Right to Financial Privacy Act of 1978 (12 U.S.C. 3414(a)(5)(A));

''(C) subsection (a) or (b) of section 626 of the Fair Credit Reporting Act (15 U.S.C. 1681u(a), 1681u(b)); or

''(D) section 627(a) of the Fair Credit Reporting Act (15 U.S.C. 1681v(a)).

''(4) UNITED STATES PERSON.—The term 'United States person' means a citizen of the United States or an alien lawfully admitted for permanent residence (as defined in section 101(a) of the Immigration and Nationality Act (8 U.S.C. 1101(a))).

''(5) WIRE COMMUNICATION.—The term 'wire communication' has the meaning given that term under section 2510 of title 18, United States Code.''.

(b) TABLE OF CONTENTS AMENDMENT.—The table of contents, as amended by section 402 of this Act, is further amended by inserting after the item relating to section 602, as added by section 402 of this Act, the following new item:

''Sec. 603. Annual reports.''.

(c) PUBLIC REPORTING ON NATIONAL SECURITY LETTERS.—Section 118(c) of the USA PATRIOT Improvement and Reauthorization Act of 2005 (18 U.S.C. 3511 note) is amended—

(1) in paragraph (1)—

(A) in the matter preceding subparagraph (A), by striking ''United States''; and

(B) in subparagraph (A), by striking '', excluding the number of requests for subscriber information'';

(2) by redesignating paragraph (2) as paragraph (3); and

(3) by inserting after paragraph (1) the following:

''(2) CONTENT.—

''(A) IN GENERAL.—Except as provided in subparagraph (B), each report required under this subsection shall include a good faith estimate of the total number of requests described in paragraph (1) requiring disclosure of information concerning—

''(i) United States persons; and

''(ii) persons who are not United States persons.

''(B) EXCEPTION.—With respect to the number of requests for subscriber information under section 2709 of title 18, United States Code, a report required under this subsection need not separate the number of requests into each of the categories described in subparagraph (A).''.

(d) STORED COMMUNICATIONS.—Section 2702(d) of title 18, United States Code, is amended—

(1) in paragraph (1), by striking ''; and'' and inserting a semicolon;

(2) in paragraph (2)(B), by striking the period and inserting ''; and''; and

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

''(3) the number of accounts from which the Department of Justice has received voluntary disclosures under subsection (c)(4).''.

SEC. 603. PUBLIC REPORTING BY PERSONS SUBJECT TO FISA ORDERS.

(a) IN GENERAL.—Title VI (50 U.S.C. 1871 et seq.), as amended by sections 402 and 602 of this Act, is further amended by adding at the end the following new section:

''SEC. 604. PUBLIC REPORTING BY PERSONS SUBJECT TO ORDERS.

''(a) REPORTING.—A person subject to a nondisclosure requirement accompanying an order or directive under this Act or a national security letter may, with respect to such order, directive, or national security letter, publicly report the following information using one of the following structures:

''(1) A semiannual report that aggregates the number of orders, directives, or national security letters with which the person was required to comply into separate categories of—

''(A) the number of national security letters received, reported in bands of 1000 starting with 0–999;

''(B) the number of customer selectors targeted by national security letters, reported in bands of 1000 starting with 0–999;

''(C) the number of orders or directives received, combined, under this Act for contents, reported in bands of 1000 starting with 0–999;

''(D) the number of customer selectors targeted under orders or directives received, combined, under this Act for contents reported in bands of 1000 starting with 0–999;

''(E) the number of orders received under this Act for noncontents, reported in bands of 1000 starting with 0–999; and

''(F) the number of customer selectors targeted under orders under this Act for noncontents, reported in bands of 1000 starting with 0–999, pursuant to—

''(i) title IV;

''(ii) title V with respect to applications described in section 501(b)(2)(B); and

''(iii) title V with respect to applications described in section 501(b)(2)(C).

''(2) A semiannual report that aggregates the number of orders, directives, or national security letters with which the person was required to comply into separate categories of—

''(A) the number of national security letters received, reported in bands of 500 starting with 0–499;

''(B) the number of customer selectors targeted by national security letters, reported in bands of 500 starting with 0–499;

''(C) the number of orders or directives received, combined, under this Act for contents, reported in bands of 500 starting with 0–499;

''(D) the number of customer selectors targeted under orders or directives received, combined, under this Act for contents, reported in bands of 500 starting with 0–499;

''(E) the number of orders received under this Act for noncontents, reported in bands of 500 starting with 0–499; and

''(F) the number of customer selectors targeted under orders received under this Act for noncontents, reported in bands of 500 starting with 0–499.

''(3) A semiannual report that aggregates the number of orders, directives, or national security letters with which the person was required to comply in the into separate categories of—

''(A) the total number of all national security process received, including all national security letters, and orders or directives under this Act, combined, reported in bands of 250 starting with 0–249; and

''(B) the total number of customer selectors targeted under all national security process received, including all national security letters, and orders or directives under this Act, combined, reported in bands of 250 starting with 0–249.

''(4) An annual report that aggregates the number of orders, directives, and national security letters the person was required to comply with into separate categories of—

''(A) the total number of all national security process received, including all national security letters, and orders or directives under this Act, combined, reported in bands of 100 starting with 0–99; and

''(B) the total number of customer selectors targeted under all national security process received, including all national security letters, and orders or directives under this Act, combined, reported in bands of 100 starting with 0–99.

''(b) PERIOD OF TIME COVERED BY REPORTS.—

''(1) A report described in paragraph (1) or (2) of subsection (a) shall include only information—

''(A) relating to national security letters for the previous 180 days; and

''(B) relating to authorities under this Act for the 180-day period of time ending on the date that is not less than 180 days prior to the date of the publication of such report, except that with respect to a platform, product, or service for which a person did not previously receive an order or directive (not including an enhancement to or iteration of an existing publicly available platform, product, or service) such report shall not include any information relating to such new order or directive until 540 days after the date on which such new order or directive is received.

''(2) A report described in paragraph (3) of subsection (a) shall include only information relating to the previous 180 days.

''(3) A report described in paragraph (4) of subsection (a) shall include only information for the 1-year period of time ending on the date that is not less than 1 year prior to the date of the publication of such report.

''(c) OTHER FORMS OF AGREED TO PUBLICATION.—Nothing in this section prohibits the Government and any person from jointly agreeing to the publication of information referred to in this subsection in a time, form, or manner other than as described in this section.

''(d) DEFINITIONS.—In this section:

''(1) CONTENTS.—The term 'contents' has the meaning given that term under section 2510 of title 18, United States Code.

''(2) NATIONAL SECURITY LETTER.—The term 'national security letter' has the meaning given that term under section 603.''.

(b) TABLE OF CONTENTS AMENDMENT.—The table of contents, as amended by sections 402 and 602 of this Act, is further amended by inserting after the item relating to section 603, as added by section 602 of this Act, the following new item:

''Sec. 604. Public reporting by persons subject to orders.''.

SEC. 604. REPORTING REQUIREMENTS FOR DECISIONS, ORDERS, AND OPINIONS OF THE FOREIGN INTELLIGENCE SURVEILLANCE COURT AND THE FOREIGN INTELLIGENCE SURVEILLANCE COURT OF REVIEW.

Section 601(c)(1) (50 U.S.C. 1871(c)(1)) is amended to read as follows:

''(1) not later than 45 days after the date on which the Foreign Intelligence Surveillance Court or the Foreign Intelligence Surveillance Court of Review issues a decision, order, or opinion, including any denial or modification of an application under this Act, that includes significant construction or interpretation of any provision of law or results in a change of application of any provision of this Act or a novel application of any provision of this Act, a copy of such decision, order, or opinion and any pleadings, applications, or memoranda of law associated with such decision, order, or opinion; and''.

SEC. 605. SUBMISSION OF REPORTS UNDER FISA.

(a) ELECTRONIC SURVEILLANCE.—Section 108(a)(1) (50 U.S.C. 1808(a)(1)) is amended by striking ''the House Permanent Select Committee on Intelligence and the Senate Select Committee on Intelligence, and the Committee on the Judiciary of the Senate,'' and inserting ''the Permanent Select Committee on Intelligence and the Committee on the Judiciary of the House of Representatives and the Select Committee on Intelligence and the Committee on the Judiciary of the Senate''.

(b) PHYSICAL SEARCHES.—The matter preceding paragraph (1) of section 306 (50 U.S.C. 1826) is amended—

(1) in the first sentence, by striking ''Permanent Select Committee on Intelligence of the House of Representatives and the Select Committee on Intelligence of the Senate, and the Committee on the Judiciary of the Senate,'' and inserting ''Permanent Select Committee on Intelligence and the Committee on the Judiciary of the House of Representatives and the Select Committee on Intelligence and the Committee on the Judiciary of the Senate''; and

(2) in the second sentence, by striking ''and the Committee on the Judiciary of the House of Representatives''.

(c) PEN REGISTERS AND TRAP AND TRACE DEVICES.—Section 406(b) (50 U.S.C. 1846(b)) is amended—

(1) in paragraph (2), by striking ''; and'' and inserting a semicolon;

(2) in paragraph (3), by striking the period and inserting a semicolon; and

(3) by adding at the end the following new paragraphs:

''(4) each department or agency on behalf of which the Attorney General or a designated attorney for the Government has made an application for an order authorizing or approving the installation and use of a pen register or trap and trace device under this title; and

''(5) for each department or agency described in paragraph (4), each number described in paragraphs (1), (2), and (3).''.

(d) ACCESS TO CERTAIN BUSINESS RECORDS AND OTHER TANGIBLE THINGS.—Section 502(a) (50 U.S.C. 1862(a)) is amended by striking ''Permanent Select Committee on Intelligence of the House of Representatives and the Select Committee on Intelligence and the Committee on the Judiciary of the Senate'' and inserting ''Permanent Select Committee on Intelligence and the Committee on the Judiciary of the House of Representatives and the Select Committee on Intelligence and the Committee on the Judiciary of the Senate''.

TITLE VII—ENHANCED NATIONAL SECURITY PROVISIONS

SEC. 701. EMERGENCIES INVOLVING NON-UNITED STATES PERSONS.

(a) IN GENERAL.—Section 105 (50 U.S.C. 1805) is amended—

(1) by redesignating subsections (f), (g), (h), and (i) as subsections (g), (h), (i), and (j), respectively; and

(2) by inserting after subsection (e) the following:

''(f)(1) Notwithstanding any other provision of this Act, the lawfully authorized targeting of a non-United States person previously believed to be located outside the United States for the acquisition of foreign intelligence information may continue for a period not to exceed 72 hours from the time that the non-United States person is reasonably believed to be located inside the United States and the acquisition is subject to this title or to title III of this Act, provided that the head of an element of the intelligence community—

''(A) reasonably determines that a lapse in the targeting of such non-United States person poses a threat of death or serious bodily harm to any person;

''(B) promptly notifies the Attorney General of a determination under subparagraph (A); and

''(C) requests, as soon as practicable, the employment of emergency electronic surveillance under subsection (e) or the employment of an emergency physical search pursuant to section 304(e), as warranted.

''(2) The authority under this subsection to continue the acquisition of foreign intelligence information is limited to a period not to exceed 72 hours and shall cease upon the earlier of the following:

''(A) The employment of emergency electronic surveillance under subsection (e) or the employment of an emergency physical search pursuant to section 304(e).

''(B) An issuance of a court order under this title or title III of this Act.

''(C) The Attorney General provides direction that the acquisition be terminated.

''(D) The head of the element of the intelligence community conducting the acquisition determines that a request under paragraph (1)(C) is not warranted.

''(E) When the threat of death or serious bodily harm to any person is no longer reasonably believed to exist.

''(3) Nonpublicly available information concerning unconsenting United States persons acquired under this subsection shall not be disseminated during the 72 hour time period under paragraph (1) unless necessary to investigate, reduce, or eliminate the threat of death or serious bodily harm to any person.

''(4) If the Attorney General declines to authorize the employment of emergency electronic surveillance under subsection (e) or the employment of an emergency physical search pursuant to section 304(e), or a court order is not obtained under this title or title III of this Act, information obtained during the 72 hour acquisition time period under paragraph (1) shall not be retained, except with the approval of the Attorney General if the information indicates a threat of death or serious bodily harm to any person.

''(5) Paragraphs (5) and (6) of subsection (e) shall apply to this subsection.''.

(b) NOTIFICATION OF EMERGENCY EMPLOYMENT OF ELECTRONIC SURVEILLANCE.—Section 106(j) (50 U.S.C. 1806(j)) is amended by striking ''section 105(e)'' and inserting ''subsection (e) or (f) of section 105''.

(c) REPORT TO CONGRESS.—Section 108(a)(2) (50 U.S.C. 1808(a)(2)) is amended—

(1) in subparagraph (B), by striking ''and'' at the end;

(2) in subparagraph (C), by striking the period at the end and inserting ''; and''; and

(3) by adding at the end the following:

''(D) the total number of authorizations under section 105(f) and the total number of subsequent emergency employments of electronic surveillance under section 105(e) or emergency physical searches pursuant to section 301(e).''.

SEC. 702. PRESERVATION OF TREATMENT OF NON-UNITED STATES PERSONS TRAVELING OUTSIDE THE UNITED STATES AS AGENTS OF FOREIGN POWERS.

Section 101(b)(1) is amended—

(1) in subparagraph (A), by inserting before the semicolon at the end the following: '', irrespective of whether the person is inside the United States''; and

(2) in subparagraph (B)—

(A) by striking ''of such person's presence in the United States''; and

(B) by striking ''such activities in the United States'' and inserting ''such activities''.

SEC. 703. IMPROVEMENT TO INVESTIGATIONS OF INTERNATIONAL PROLIFERATION OF WEAPONS OF MASS DESTRUCTION.

Section 101(b)(1) is further amended by striking subparagraph (E) and inserting the following new subparagraph (E):

''(E) engages in the international proliferation of weapons of mass destruction, or activities in preparation therefor, for or on behalf of a foreign power, or knowingly aids or abets any person in the conduct of such proliferation or activities in preparation therefor, or knowingly conspires with any person to engage in such proliferation or activities in preparation therefor; or''.

SEC. 704. INCREASE IN PENALTIES FOR MATERIAL SUPPORT OF FOREIGN TERRORIST ORGANIZATIONS.

Section 2339B(a)(1) of title 18, United States Code, is amended by striking ''15 years'' and inserting ''20 years''.

SEC. 705. SUNSETS.

(a) USA PATRIOT IMPROVEMENT AND REAUTHORIZATION ACT OF 2005.—Section 102(b)(1) of the USA PATRIOT Improvement and Reauthorization Act of 2005 (50 U.S.C. 1805 note) is amended by striking ''June 1, 2015'' and inserting ''December 15, 2019''.

(b) INTELLIGENCE REFORM AND TERRORISM PREVENTION ACT OF 2004.—Section 6001(b)(1) of the Intelligence Reform and Terrorism Prevention Act of 2004 (50 U.S.C. 1801 note) is amended by striking ''June 1, 2015'' and inserting ''December 15, 2019''.

(c) CONFORMING AMENDMENT.—Section 102(b)(1) of the USA PATRIOT Improvement and Reauthorization Act of 2005 (50 U.S.C. 1805 note), as amended by subsection (a), is further amended by striking ''sections 501, 502, and'' and inserting ''title V and section''.

TITLE VIII—SAFETY OF MARITIME NAVIGATION AND NUCLEAR TERRORISM CONVENTIONS IMPLEMENTATION

Subtitle A—Safety of Maritime Navigation

SEC. 801. AMENDMENT TO SECTION 2280 OF TITLE 18, UNITED STATES CODE.

Section 2280 of title 18, United States Code, is amended—

(1) in subsection (b)—

(A) in paragraph (1)(A)(i), by striking ''a ship flying the flag of the United States'' and inserting ''a vessel of the United States or a vessel subject to the jurisdiction of the United States (as defined in section 70502 of title 46)'';

(B) in paragraph (1)(A)(ii), by inserting '', including the territorial seas'' after ''in the United States''; and

(C) in paragraph (1)(A)(iii), by inserting '', by a United States corporation or legal entity,'' after ''by a national of the United States'';

(2) in subsection (c), by striking ''section 2(c)'' and inserting ''section 13(c)'';

(3) by striking subsection (d);

(4) by striking subsection (e) and inserting after subsection (c) the following:

''(d) DEFINITIONS.—As used in this section, section 2280a, section 2281, and section 2281a, the term—

''(1) 'applicable treaty' means—

''(A) the Convention for the Suppression of Unlawful Seizure of Aircraft, done at The Hague on 16 December 1970;

''(B) the Convention for the Suppression of Unlawful Acts against the Safety of Civil Aviation, done at Montreal on 23 September 1971;

''(C) the Convention on the Prevention and Punishment of Crimes against Internationally Protected Persons, including Diplomatic Agents, adopted by the General Assembly of the United Nations on 14 December 1973;

''(D) International Convention against the Taking of Hostages, adopted by the General Assembly of the United Nations on 17 December 1979;

''(E) the Convention on the Physical Protection of Nuclear Material, done at Vienna on 26 October 1979;

''(F) the Protocol for the Suppression of Unlawful Acts of Violence at Airports Serving International Civil Aviation, supplementary to the Convention for the Suppression of Unlawful Acts against the Safety of Civil Aviation, done at Montreal on 24 February 1988;

''(G) the Protocol for the Suppression of Unlawful Acts against the Safety of Fixed Platforms Located on the Continental Shelf, done at Rome on 10 March 1988;

''(H) International Convention for the Suppression of Terrorist Bombings, adopted by the General Assembly of the United Nations on 15 December 1997; and

''(I) International Convention for the Suppression of the Financing of Terrorism, adopted by the General Assembly of the United Nations on 9 December 1999;

''(2) 'armed conflict' does not include internal disturbances and tensions, such as riots, isolated and sporadic acts of violence, and other acts of a similar nature;

''(3) 'biological weapon' means—

''(A) microbial or other biological agents, or toxins whatever their origin or method of production, of types and in quantities that have no justification for prophylactic, protective, or other peaceful purposes; or

''(B) weapons, equipment, or means of delivery designed to use such agents or toxins for hostile purposes or in armed conflict;

''(4) 'chemical weapon' means, together or separately—

''(A) toxic chemicals and their precursors, except where intended for—

''(i) industrial, agricultural, research, medical, pharmaceutical, or other peaceful purposes;

''(ii) protective purposes, namely those purposes directly related to protection against toxic chemicals and to protection against chemical weapons;

''(iii) military purposes not connected with the use of chemical weapons and not dependent on the use of the toxic properties of chemicals as a method of warfare; or

''(iv) law enforcement including domestic riot control purposes,

as long as the types and quantities are consistent with such purposes;

''(B) munitions and devices, specifically designed to cause death or other harm through the toxic properties of those toxic chemicals specified in subparagraph (A), which would be released as a result of the employment of such munitions and devices; and

''(C) any equipment specifically designed for use directly in connection with the employment of munitions and devices specified in subparagraph (B);

''(5) 'covered ship' means a ship that is navigating or is scheduled to navigate into, through or from waters beyond the outer limit of the territorial sea of a single country or a lateral limit of that country's territorial sea with an adjacent country;

''(6) 'explosive material' has the meaning given the term in section 841(c) and includes explosive as defined in section 844(j) of this title;

''(7) 'infrastructure facility' has the meaning given the term in section 2332f(e)(5) of this title;

''(8) 'international organization' has the meaning given the term in section 831(f)(3) of this title;

''(9) 'military forces of a state' means the armed forces of a state which are organized, trained, and equipped under its internal law for the primary purpose of national defense or security, and persons acting in support of those armed forces who are under their formal command, control, and responsibility;

''(10) 'national of the United States' has the meaning stated in section 101(a)(22) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(22));

''(11) 'Non-Proliferation Treaty' means the Treaty on the Non-Proliferation of Nuclear Weapons, done at Washington, London, and Moscow on 1 July 1968;

''(12) 'Non-Proliferation Treaty State Party' means any State Party to the Non-Proliferation Treaty, to include Taiwan, which shall be considered to have the obligations under the Non-Proliferation Treaty of a party to that treaty other than a Nuclear Weapon State Party to the Non-Proliferation Treaty;

''(13) 'Nuclear Weapon State Party to the Non-Proliferation Treaty' means a State Party to the Non-Proliferation Treaty that is a nuclear-weapon State, as that term is defined in Article IX(3) of the Non-Proliferation Treaty;

''(14) 'place of public use' has the meaning given the term in section 2332f(e)(6) of this title;

''(15) 'precursor' has the meaning given the term in section 229F(6)(A) of this title;

''(16) 'public transport system' has the meaning given the term in section 2332f(e)(7) of this title;

''(17) 'serious injury or damage' means—

''(A) serious bodily injury,

''(B) extensive destruction of a place of public use, State or government facility, infrastructure facility, or public transportation system, resulting in major economic loss, or

''(C) substantial damage to the environment, including air, soil, water, fauna, or flora;

''(18) 'ship' means a vessel of any type whatsoever not permanently attached to the sea-bed, including dynamically supported craft, submersibles, or any other floating craft, but does not include a warship, a ship owned or operated by a government when being used as a naval auxiliary or for customs or police purposes, or a ship which has been withdrawn from navigation or laid up;

''(19) 'source material' has the meaning given that term in the International Atomic Energy Agency Statute, done at New York on 26 October 1956;

''(20) 'special fissionable material' has the meaning given that term in the International Atomic Energy Agency Statute, done at New York on 26 October 1956;

''(21) 'territorial sea of the United States' means all waters extending seaward to 12 nautical miles from the baselines of the United States determined in accordance with international law;

''(22) 'toxic chemical' has the meaning given the term in section 229F(8)(A) of this title;

''(23) 'transport' means to initiate, arrange or exercise effective control, including decisionmaking authority, over the movement of a person or item; and

''(24) 'United States', when used in a geographical sense, includes the Commonwealth of Puerto Rico, the Commonwealth of the Northern Mariana Islands, and all territories and possessions of the United States.''; and

(5) by inserting after subsection (d) (as added by paragraph (4) of this section) the following:

''(e) EXCEPTIONS.—This section shall not apply to—

''(1) the activities of armed forces during an armed conflict, as those terms are understood under the law of war, which are governed by that law; or

''(2) activities undertaken by military forces of a state in the exercise of their official duties.

''(f) DELIVERY OF SUSPECTED OFFENDER.—The master of a covered ship flying the flag of the United States who has reasonable grounds to believe that there is on board that ship any person who has committed an offense under section 2280 or section 2280a may deliver such person to the authorities of a country that is a party to the Convention for the Suppression of Unlawful Acts against the Safety of Maritime Navigation. Before delivering such person to the authorities of another country, the master shall notify in an appropriate manner the Attorney General of the United States of the alleged offense and await instructions from the Attorney General as to what action to take. When delivering the person to a country which is a state party to the Convention, the master shall, whenever practicable, and if possible before entering the territorial sea of such country, notify the authorities of such country of the master's intention to deliver such person and the reasons therefor. If the master delivers such person, the master shall furnish to the authorities of such country the evidence in the master's possession that pertains to the alleged offense.

''(g)(1) CIVIL FORFEITURE.—Any real or personal property used or intended to be used to commit or to facilitate the commission of a violation of this section, the gross proceeds of such violation, and any real or personal property traceable to such property or proceeds, shall be subject to forfeiture.

''(2) APPLICABLE PROCEDURES.—Seizures and forfeitures under this section shall be governed by the provisions of chapter 46 of title 18, United States Code, relating to civil forfeitures, except that such duties as are imposed upon the Secretary of the Treasury under the customs laws described in section 981(d) shall be performed by such officers, agents, and other persons as may be designated for that purpose by the Secretary of Homeland Security, the Attorney General, or the Secretary of Defense.''.

SEC. 802. NEW SECTION 2280A OF TITLE 18, UNITED STATES CODE.

(a) IN GENERAL.—Chapter 111 of title 18, United States Code, is amended by adding after section 2280 the following new section:

''§ 2280a. Violence against maritime navigation and maritime transport involving weapons of mass destruction

''(a) OFFENSES.—

''(1) IN GENERAL.—Subject to the exceptions in subsection (c), a person who unlawfully and intentionally—

''(A) when the purpose of the act, by its nature or context, is to intimidate a population, or to compel a government or an international organization to do or to abstain from doing any act—

''(i) uses against or on a ship or discharges from a ship any explosive or radioactive material, biological, chemical, or nuclear weapon or other nuclear explosive device in a manner that causes or is likely to cause death to any person or serious injury or damage;

''(ii) discharges from a ship oil, liquefied natural gas, or another hazardous or noxious substance that is not covered by clause (i), in such quantity or concentration that causes or is likely to cause death to any person or serious injury or damage; or

''(iii) uses a ship in a manner that causes death to any person or serious injury or damage;

''(B) transports on board a ship—

''(i) any explosive or radioactive material, knowing that it is intended to be used to cause, or in a threat to cause, death to any person or serious injury or damage for the purpose of intimidating a population, or compelling a government or an international organization to do or to abstain from doing any act;

''(ii) any biological, chemical, or nuclear weapon or other nuclear explosive device, knowing it to be a biological, chemical, or nuclear weapon or other nuclear explosive device;

''(iii) any source material, special fissionable material, or equipment or material especially designed or prepared for the processing, use, or production of special fissionable material, knowing that it is intended to be used in a nuclear explosive activity or in any other nuclear activity not under safeguards pursuant to an International Atomic Energy Agency comprehensive safeguards agreement, except where—

''(I) such item is transported to or from the territory of, or otherwise under the control of, a Non-Proliferation Treaty State Party; and

''(II) the resulting transfer or receipt (including internal to a country) is not contrary to the obligations under the Non-Proliferation Treaty of the Non-Proliferation Treaty State Party from which, to the territory of which, or otherwise under the control of which such item is transferred;

''(iv) any equipment, materials, or software or related technology that significantly contributes to the design or manufacture of a nuclear weapon or other nuclear explosive device, with the intention that it will be used for such purpose, except where—

''(I) the country to the territory of which or under the control of which such item is transferred is a Nuclear Weapon State Party to the Non-Proliferation Treaty; and

''(II) the resulting transfer or receipt (including internal to a country) is not contrary to the obligations under the Non-Proliferation Treaty of a Non-Proliferation Treaty State Party from which, to the territory of which, or otherwise under the control of which such item is transferred;

''(v) any equipment, materials, or software or related technology that significantly contributes to the delivery of a nuclear weapon or other nuclear explosive device, with the intention that it will be used for such purpose, except where—

''(I) such item is transported to or from the territory of, or otherwise under the control of, a Non-Proliferation Treaty State Party; and

''(II) such item is intended for the delivery system of a nuclear weapon or other nuclear explosive device of a Nuclear Weapon State Party to the Non-Proliferation Treaty; or

''(vi) any equipment, materials, or software or related technology that significantly contributes to the design, manufacture, or delivery of a biological or chemical weapon, with the intention that it will be used for such purpose;

''(C) transports another person on board a ship knowing that the person has committed an act that constitutes an offense under section 2280 or subparagraph (A), (B), (D), or (E) of this section or an offense set forth in an applicable treaty, as specified in section 2280(d)(1), and intending to assist that person to evade criminal prosecution;

''(D) injures or kills any person in connection with the commission or the attempted commission of any of the offenses set forth in subparagraphs (A) through (C), or subsection (a)(2), to the extent that the subsection (a)(2) offense pertains to subparagraph (A); or

''(E) attempts to do any act prohibited under subparagraph (A), (B) or (D), or conspires to do any act prohibited by subparagraphs (A) through (E) or subsection (a)(2),

shall be fined under this title, imprisoned not more than 20 years, or both; and if the death of any person results from conduct prohibited by this paragraph, shall be imprisoned for any term of years or for life.

''(2) THREATS.—A person who threatens, with apparent determination and will to carry the threat into execution, to do any act prohibited under paragraph (1)(A) shall be fined under this title, imprisoned not more than 5 years, or both.

''(b) JURISDICTION.—There is jurisdiction over the activity prohibited in subsection (a)—

''(1) in the case of a covered ship, if—

''(A) such activity is committed—

''(i) against or on board a vessel of the United States or a vessel subject to the jurisdiction of the United States (as defined in section 70502 of title 46) at the time the prohibited activity is committed;

''(ii) in the United States, including the territorial seas; or

''(iii) by a national of the United States, by a United States corporation or legal entity, or by a stateless person whose habitual residence is in the United States;

''(B) during the commission of such activity, a national of the United States is seized, threatened, injured, or killed; or

''(C) the offender is later found in the United States after such activity is committed;

''(2) in the case of a ship navigating or scheduled to navigate solely within the territorial sea or internal waters of a country other than the United States, if the offender is later found in the United States after such activity is committed; or

''(3) in the case of any vessel, if such activity is committed in an attempt to compel the United States to do or abstain from doing any act.

''(c) EXCEPTIONS.—This section shall not apply to—

''(1) the activities of armed forces during an armed conflict, as those terms are understood under the law of war, which are governed by that law; or

''(2) activities undertaken by military forces of a state in the exercise of their official duties.

''(d)(1) CIVIL FORFEITURE.—Any real or personal property used or intended to be used to commit or to facilitate the commission of a violation of this section, the gross proceeds of such violation, and any real or personal property traceable to such property or proceeds, shall be subject to forfeiture.

''(2) APPLICABLE PROCEDURES.—Seizures and forfeitures under this section shall be governed by the provisions of chapter 46 of title 18, United States Code, relating to civil forfeitures, except that such duties as are imposed upon the Secretary of the Treasury under the customs laws described in section 981(d) shall be performed by such officers, agents, and other persons as may be designated for that purpose by the Secretary of Homeland Security, the Attorney General, or the Secretary of Defense.''.

(b) CONFORMING AMENDMENT.—The table of sections at the beginning of chapter 111 of title 18, United States Code, is amended by adding after the item relating to section 2280 the following new item:

''2280a. Violence against maritime navigation and maritime transport involving weapons of mass destruction.''.

SEC. 803. AMENDMENTS TO SECTION 2281 OF TITLE 18, UNITED STATES CODE.

Section 2281 of title 18, United States Code, is amended—

(1) in subsection (c), by striking ''section 2(c)'' and inserting ''section 13(c)'';

(2) in subsection (d), by striking the definitions of ''national of the United States,'' ''territorial sea of the United States,'' and ''United States''; and

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

''(e) EXCEPTIONS.—This section does not apply to—

''(1) the activities of armed forces during an armed conflict, as those terms are understood under the law of war, which are governed by that law; or

''(2) activities undertaken by military forces of a state in the exercise of their official duties.''.

SEC. 804. NEW SECTION 2281A OF TITLE 18, UNITED STATES CODE.

(a) IN GENERAL.—Chapter 111 of title 18, United States Code, is amended by adding after section 2281 the following new section:

''§ 2281a. Additional offenses against maritime fixed platforms

''(a) OFFENSES.—

''(1) IN GENERAL.—A person who unlawfully and intentionally—

''(A) when the purpose of the act, by its nature or context, is to intimidate a population, or to compel a government or an international organization to do or to abstain from doing any act—

''(i) uses against or on a fixed platform or discharges from a fixed platform any explosive or radioactive material, biological, chemical, or nuclear weapon in a manner that causes or is likely to cause death or serious injury or damage; or

''(ii) discharges from a fixed platform oil, liquefied natural gas, or another hazardous or noxious substance that is not covered by clause (i), in such quantity or concentration

that causes or is likely to cause death or serious injury or damage;

''(B) injures or kills any person in connection with the commission or the attempted commission of any of the offenses set forth in subparagraph (A); or

''(C) attempts or conspires to do anything prohibited under subparagraph (A) or (B),

shall be fined under this title, imprisoned not more than 20 years, or both; and if death results to any person from conduct prohibited by this paragraph, shall be imprisoned for any term of years or for life.

''(2) THREAT TO SAFETY.—A person who threatens, with apparent determination and will to carry the threat into execution, to do any act prohibited under paragraph (1)(A), shall be fined under this title, imprisoned not more than 5 years, or both.

''(b) JURISDICTION.—There is jurisdiction over the activity prohibited in subsection (a) if—

''(1) such activity is committed against or on board a fixed platform—

''(A) that is located on the continental shelf of the United States;

''(B) that is located on the continental shelf of another country, by a national of the United States or by a stateless person whose habitual residence is in the United States; or

''(C) in an attempt to compel the United States to do or abstain from doing any act;

''(2) during the commission of such activity against or on board a fixed platform located on a continental shelf, a national of the United States is seized, threatened, injured, or killed; or

''(3) such activity is committed against or on board a fixed platform located outside the United States and beyond the continental shelf of the United States and the offender is later found in the United States.

''(c) EXCEPTIONS.—This section does not apply to—

''(1) the activities of armed forces during an armed conflict, as those terms are understood under the law of war, which are governed by that law; or

''(2) activities undertaken by military forces of a state in the exercise of their official duties.

''(d) DEFINITIONS.—In this section—

''(1) 'continental shelf' means the sea-bed and subsoil of the submarine areas that extend beyond a country's territorial sea to the limits provided by customary international law as reflected in Article 76 of the 1982 Convention on the Law of the Sea; and

''(2) 'fixed platform' means an artificial island, installation, or structure permanently attached to the sea-bed for the purpose of exploration or exploitation of resources or for other economic purposes.''.

(b) CONFORMING AMENDMENT.—The table of sections at the beginning of chapter 111 of title 18, United States Code, is amended by adding after the item relating to section 2281 the following new item:

''2281a. Additional offenses against maritime fixed platforms.''.

SEC. 805. ANCILLARY MEASURE.

Section 2332b(g)(5)(B) of title 18, United States Code, is amended by inserting ''2280a (relating to maritime safety),'' before ''2281'', and by striking ''2281'' and inserting ''2281 through 2281a''.

Subtitle B—Prevention of Nuclear Terrorism

SEC. 811. NEW SECTION 2332I OF TITLE 18, UNITED STATES CODE.

(a) IN GENERAL.—Chapter 113B of title 18, United States Code, is amended by adding after section 2332h the following:

''§ 2332i. Acts of nuclear terrorism

''(a) OFFENSES.—

''(1) IN GENERAL.—Whoever knowingly and unlawfully—

''(A) possesses radioactive material or makes or possesses a device—

''(i) with the intent to cause death or serious bodily injury; or

''(ii) with the intent to cause substantial damage to property or the environment; or

''(B) uses in any way radioactive material or a device, or uses or damages or interferes with the operation of a nuclear facility in a manner that causes the release of or increases the risk of the release of radioactive material, or causes radioactive contamination or exposure to radiation—

''(i) with the intent to cause death or serious bodily injury or with the knowledge that such act is likely to cause death or serious bodily injury;

''(ii) with the intent to cause substantial damage to property or the environment or with the knowledge that such act is likely to cause substantial damage to property or the environment; or

''(iii) with the intent to compel a person, an international organization or a country to do or refrain from doing an act,

shall be punished as prescribed in subsection (c).

''(2) THREATS.—Whoever, under circumstances in which the threat may reasonably be believed, threatens to commit an offense under paragraph (1) shall be punished as prescribed in subsection (c). Whoever demands possession of or access to radioactive material, a device or a nuclear facility by threat or by use of force shall be punished as prescribed in subsection (c).

''(3) ATTEMPTS AND CONSPIRACIES.—Whoever attempts to commit an offense under paragraph (1) or conspires to commit an offense under paragraph (1) or (2) shall be punished as prescribed in subsection (c).

''(b) JURISDICTION.—Conduct prohibited by subsection (a) is within the jurisdiction of the United States if—

''(1) the prohibited conduct takes place in the United States or the special aircraft jurisdiction of the United States;

''(2) the prohibited conduct takes place outside of the United States and—

''(A) is committed by a national of the United States, a United States corporation or legal entity or a stateless person whose habitual residence is in the United States;

''(B) is committed on board a vessel of the United States or a vessel subject to the jurisdiction of the United States (as defined in section 70502 of title 46) or on board an aircraft that is registered under United States law, at the time the offense is committed; or

''(C) is committed in an attempt to compel the United States to do or abstain from doing any act, or constitutes a threat directed at the United States;

''(3) the prohibited conduct takes place outside of the United States and a victim or an intended victim is a national of the United States or a United States corporation or legal entity, or the offense is committed against any state or government facility of the United States; or

''(4) a perpetrator of the prohibited conduct is found in the United States.

''(c) PENALTIES.—Whoever violates this section shall be fined not more than $2,000,000 and shall be imprisoned for any term of years or for life.

''(d) NONAPPLICABILITY.—This section does not apply to—

''(1) the activities of armed forces during an armed conflict, as those terms are understood under the law of war, which are governed by that law; or

''(2) activities undertaken by military forces of a state in the exercise of their official duties.

''(e) DEFINITIONS.—As used in this section, the term—

''(1) 'armed conflict' has the meaning given that term in section 2332f(e)(11) of this title;

''(2) 'device' means:

''(A) any nuclear explosive device; or

''(B) any radioactive material dispersal or radiation-emitting device that may, owing to its radiological properties, cause death, serious bodily injury or substantial damage to property or the environment;

''(3) 'international organization' has the meaning given that term in section 831(f)(3) of this title;

''(4) 'military forces of a state' means the armed forces of a country that are organized, trained and equipped under its internal law for the primary purpose of national defense or security and persons acting in support of those armed forces who are under their formal command, control and responsibility;

''(5) 'national of the United States' has the meaning given that term in section 101(a)(22) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(22));

''(6) 'nuclear facility' means:

''(A) any nuclear reactor, including reactors on vessels, vehicles, aircraft or space objects for use as an energy source in order to propel such vessels, vehicles, aircraft or space objects or for any other purpose;

''(B) any plant or conveyance being used for the production, storage, processing or transport of radioactive material; or

''(C) a facility (including associated buildings and equipment) in which nuclear material is produced, processed, used, handled, stored or disposed of, if damage to or interference with such facility could lead to the release of significant amounts of radiation or radioactive material;

''(7) 'nuclear material' has the meaning given that term in section 831(f)(1) of this title;

''(8) 'radioactive material' means nuclear material and other radioactive substances that contain nuclides that undergo spontaneous disintegration (a process accompanied by emission of one or more types of ionizing radiation, such as alpha-, beta-, neutron particles and gamma rays) and that may, owing to their radiological or fissile properties, cause death, serious bodily injury or substantial damage to property or to the environment;

''(9) 'serious bodily injury' has the meaning given that term in section 831(f)(4) of this title;

''(10) 'state' has the same meaning as that term has under international law, and includes all political subdivisions thereof;

''(11) 'state or government facility' has the meaning given that term in section 2332f(e)(3) of this title;

''(12) 'United States corporation or legal entity' means any corporation or other entity organized under the laws of the United States or any State, Commonwealth, territory, possession or district of the United States;

''(13) 'vessel' has the meaning given that term in section 1502(19) of title 33; and

''(14) 'vessel of the United States' has the meaning given that term in section 70502 of title 46.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 113B of title 18, United States Code, is amended by inserting after the item relating to section 2332h the following:

''2332i. Acts of nuclear terrorism.''.

(c) DISCLAIMER.—Nothing contained in this section is intended to affect the applicability of any other Federal or State law that might pertain to the underlying conduct.

(d) INCLUSION IN DEFINITION OF FEDERAL CRIMES OF TERRORISM.—Section 2332b(g)(5)(B) of title 18, United States Code, is amended by inserting ''2332i (relating to acts of nuclear terrorism),'' before ''2339 (relating to harboring terrorists)''.

SEC. 812. AMENDMENT TO SECTION 831 OF TITLE 18, UNITED STATES CODE.

Section 831 of title 18, United States Code, is amended—

(a) in subsection (a)—

(1) by redesignating paragraphs (3) through (8) as paragraphs (4) through (9);

(2) by inserting after paragraph (2) the following:

''(3) without lawful authority, intentionally carries, sends or moves nuclear material into or out of a country;'';

(3) in paragraph (8), as redesignated, by striking ''an offense under paragraph (1), (2), (3), or (4)'' and inserting ''any act prohibited under paragraphs (1) through (5)''; and

(4) in paragraph (9), as redesignated, by striking ''an offense under paragraph (1), (2), (3), or (4)'' and inserting ''any act prohibited under paragraphs (1) through (7)'';

(b) in subsection (b)—

(1) in paragraph (1), by striking ''(7)'' and inserting ''(8)''; and

(2) in paragraph (2), by striking ''(8)'' and inserting ''(9)'';

(c) in subsection (c)—

(1) in subparagraph (2)(A), by adding after ''United States'' the following: ''or a stateless person whose habitual residence is in the United States'';

(2) by striking paragraph (5);

(3) in paragraph (4), by striking ''or'' at the end; and

(4) by inserting after paragraph (4), the following:

''(5) the offense is committed on board a vessel of the United States or a vessel subject to the jurisdiction of the United States (as defined in section 70502 of title 46) or on board an aircraft that is registered under United States law, at the time the offense is committed;

''(6) the offense is committed outside the United States and against any state or government facility of the United States; or

''(7) the offense is committed in an attempt to compel the United States to do or abstain from doing any act, or constitutes a threat directed at the United States.'';

(d) by redesignating subsections (d) through (f) as (e) through (g), respectively;

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

''(d) NONAPPLICABILITY.—This section does not apply to—

''(1) the activities of armed forces during an armed conflict, as those terms are understood under the law of war, which are governed by that law; or

''(2) activities undertaken by military forces of a state in the exercise of their official duties.''; and

(f) in subsection (g), as redesignated—

(1) in paragraph (6), by striking ''and'' at the end;

(2) in paragraph (7), by striking the period at the end and inserting a semicolon; and

(3) by inserting after paragraph (7), the following:

''(8) the term 'armed conflict' has the meaning given that term in section 2332f(e)(11) of this title;

''(9) the term 'military forces of a state' means the armed forces of a country that are organized, trained and equipped under its internal law for the primary purpose of national defense or security and persons acting in support of those armed forces who are under their formal command, control and responsibility;

''(10) the term 'state' has the same meaning as that term has under international law, and includes all political subdivisions thereof;

''(11) the term 'state or government facility' has the meaning given that term in section 2332f(e)(3) of this title; and

''(12) the term 'vessel of the United States' has the meaning given that term in section 70502 of title 46.''.

SA 1450. Mr. MCCONNELL proposed an amendment to amendment SA 1449 proposed by Mr. MCCONNELL (for himself and Mr. BURR) to the bill H.R. 2048, to reform the authorities of the Federal Government to require the production of certain business records, conduct electronic surveillance, use pen registers and trap and trace devices, and use other forms of information gathering for foreign intelligence, counterterrorism, and criminal purposes, and for other purposes; as follows:

Strike Sec. 110(a) and insert the following:

(a) IN GENERAL.—The amendments made by sections 101 through 103 shall take effect on the date that is 12 months after the date of the enactment of this Act.

SA 1451. Mr. MCCONNELL proposed an amendment to amendment SA 1450 proposed by Mr. MCCONNELL to the amendment SA 1449 proposed by Mr. MCCONNELL (for himself and Mr. BURR) to the bill H.R. 2048, to reform the authorities of the Federal Government to require the production of certain business records, conduct electronic surveillance, use pen registers and trap and trace devices, and use other forms of information gathering for foreign intelligence, counterterrorism, and criminal purposes, and for other purposes; as follows:

At the end, add the following:

(b) NONEFFECT OF CERTAIN PROVISIONS.—Section 401 of this Act, relating to appointment of amicus curiae, shall have no force or effect.

SEC. 110A. APPOINTMENT OF AMICUS CURIAE.

Section 103 (50 U.S.C. 1803) is amended by adding at the end the following new subsections:

''(i) AMICUS CURIAE.—

''(1) AUTHORIZATION.—A court established under subsection (a) or (b) is authorized, consistent with the requirement of subsection (c) and any other statutory requirement that the court act expeditiously or within a stated time—

''(A) to appoint amicus curiae to—

''(i) assist the court in the consideration of any application for an order or review that, in the opinion of the court, presents a novel or significant interpretation of the law; or

''(ii) provide technical expertise in any instance the court considers appropriate; or

''(B) upon motion, to permit an individual or organization leave to file an amicus curiae brief.

''(2) DESIGNATION.—The courts established by subsection (a) and (b) shall each designate 1 or more individuals who may be appointed to serve as amicus curiae and who are determined to be eligible for access to classified national security information necessary to participate in matters before such courts (if such access is necessary for participation in the matters for which they may be appointed). In appointing an amicus curiae pursuant to paragraph (1), the court may choose from among those so designated.

''(3) EXPERTISE.—An individual appointed as an amicus curiae under paragraph (1) may be an individual who possesses expertise on privacy and civil liberties, intelligence collection, communications technology, or any other area that may lend legal or technical expertise to the court.

''(4) DUTIES.—An amicus curiae appointed under paragraph (1) to assist with the consideration of a covered matter shall carry out the duties assigned by the appointing court. That court may authorize the amicus curiae to review any application, certification, petition, motion, or other submission that the court determines is relevant to the duties assigned by the court.

''(5) NOTIFICATION.—A court established under subsection (a) or (b) shall notify the Attorney General of each exercise of the authority to appoint an amicus curiae under paragraph (1).

''(6) ASSISTANCE.—A court established under subsection (a) or (b) may request and receive (including on a non-reimbursable basis) the assistance of the executive branch in the implementation of this subsection.

''(7) ADMINISTRATION.—A court established under subsection (a) or (b) may provide for the designation, appointment, removal, training, or other support of an amicus curiae appointed under paragraph (1) in a manner that is not inconsistent with this subsection.

''(j) REVIEW OF FISA COURT DECISIONS.—Following issuance of an order under this Act, a court established under subsection (a) shall certify for review to the court established under subsection (b) any question of law that may affect resolution of the matter in controversy that the court determines warrants such review because of a need for uniformity or because consideration by the court established under subsection (b) would serve the interests of justice. Upon certification of a question of law under this subsection, the court established under subsection (b) may give binding instructions or require the entire record to be sent up for decision of the entire matter in controversy.

''(k) REVIEW OF FISA COURT OF REVIEW DECISIONS.—

''(1) CERTIFICATION.—For purposes of section 1254(2) of title 28, United States Code, the court of review established under subsection (b) shall be considered to be a court of appeals.

''(2) AMICUS CURIAE BRIEFING.—Upon certification of an application under paragraph (1), the Supreme Court of the United States may appoint an amicus curiae designated under subsection (i)(3), or any other person, to provide briefing or other assistance.''.

SA 1452. Mr. MCCONNELL (for himself and Mr. BURR) proposed an amendment to the bill H.R. 2048, to reform the authorities of the Federal Government to require the production of certain business records, conduct electronic surveillance, use pen registers and trap and trace devices, and use other forms of information gathering

for foreign intelligence, counterterrorism, and criminal purposes, and for other purposes; as follows:

Strike all after the first word and insert the following:

1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''Uniting and Strengthening America by Fulfilling Rights and Ensuring Effective Discipline Over Monitoring Act of 2015'' or the ''USA FREEDOM Act of 2015''.

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

SEC. 2. AMENDMENTS TO THE FOREIGN INTELLIGENCE SURVEILLANCE ACT OF 1978.

Except as otherwise expressly provided, whenever in this Act an amendment or repeal is expressed in terms of an amendment to, or a repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1801 et seq.).

TITLE I—FISA BUSINESS RECORDS REFORMS

SEC. 101. ADDITIONAL REQUIREMENTS FOR CALL DETAIL RECORDS.

(a) APPLICATION.—Section 501(b)(2) (50 U.S.C. 1861(b)(2)) is amended—

(1) in subparagraph (A)—

(A) in the matter preceding clause (i), by striking ''a statement'' and inserting ''in the case of an application other than an application described in subparagraph (C) (including an application for the production of call detail records other than in the manner described in subparagraph (C)), a statement''; and

(B) in clause (iii), by striking ''; and'' and inserting a semicolon;

(2) by redesignating subparagraphs (A) and (B) as subparagraphs (B) and (D), respectively; and

(3) by inserting after subparagraph (B) (as so redesignated) the following new subparagraph:

''(C) in the case of an application for the production on an ongoing basis of call detail records created before, on, or after the date of the application relating to an authorized investigation (other than a threat assessment) conducted in accordance with subsection (a)(2) to protect against international terrorism, a statement of facts showing that—

''(i) there are reasonable grounds to believe that the call detail records sought to be produced based on the specific selection term required under subparagraph (A) are relevant to such investigation; and

''(ii) there is a reasonable, articulable suspicion that such specific selection term is associated with a foreign power engaged in international terrorism or activities in preparation therefor, or an agent of a foreign power engaged in international terrorism or activities in preparation therefor; and''.

(b) ORDER.—Section 501(c)(2) (50 U.S.C. 1861(c)(2)) is amended—

(1) in subparagraph (D), by striking ''; and'' and inserting a semicolon;

(2) in subparagraph (E), by striking the period and inserting ''; and''; and

(3) by adding at the end the following new subparagraph:

''(F) in the case of an application described in subsection (b)(2)(C), shall—

''(i) authorize the production on a daily basis of call detail records for a period not to exceed 180 days;

''(ii) provide that an order for such production may be extended upon application under subsection (b) and the judicial finding under paragraph (1) of this subsection;

''(iii) provide that the Government may require the prompt production of a first set of call detail records using the specific selection term that satisfies the standard required under subsection (b)(2)(C)(ii);

''(iv) provide that the Government may require the prompt production of a second set of call detail records using session-identifying information or a telephone calling card number identified by the specific selection term used to produce call detail records under clause (iii);

''(v) provide that, when produced, such records be in a form that will be useful to the Government;

''(vi) direct each person the Government directs to produce call detail records under the order to furnish the Government forthwith all information, facilities, or technical assistance necessary to accomplish the production in such a manner as will protect the secrecy of the production and produce a minimum of interference with the services that such person is providing to each subject of the production; and

''(vii) direct the Government to—

''(I) adopt minimization procedures that require the prompt destruction of all call detail records produced under the order that the Government determines are not foreign intelligence information; and

''(II) destroy all call detail records produced under the order as prescribed by such procedures.''.

SEC. 102. EMERGENCY AUTHORITY.

(a) AUTHORITY.—Section 501 (50 U.S.C. 1861) is amended by adding at the end the following new subsection:

''(i) EMERGENCY AUTHORITY FOR PRODUCTION OF TANGIBLE THINGS.—

''(1) Notwithstanding any other provision of this section, the Attorney General may require the emergency production of tangible things if the Attorney General—

''(A) reasonably determines that an emergency situation requires the production of tangible things before an order authorizing such production can with due diligence be obtained;

''(B) reasonably determines that the factual basis for the issuance of an order under this section to approve such production of tangible things exists;

''(C) informs, either personally or through a designee, a judge having jurisdiction under this section at the time the Attorney General requires the emergency production of tangible things that the decision has been made to employ the authority under this subsection; and

''(D) makes an application in accordance with this section to a judge having jurisdiction under this section as soon as practicable, but not later than 7 days after the Attorney General requires the emergency production of tangible things under this subsection.

''(2) If the Attorney General requires the emergency production of tangible things under paragraph (1), the Attorney General shall require that the minimization procedures required by this section for the issuance of a judicial order be followed.

''(3) In the absence of a judicial order approving the production of tangible things under this subsection, the production shall terminate when the information sought is

obtained, when the application for the order is denied, or after the expiration of 7 days from the time the Attorney General begins requiring the emergency production of such tangible things, whichever is earliest.

''(4) A denial of the application made under this subsection may be reviewed as provided in section 103.

''(5) If such application for approval is denied, or in any other case where the production of tangible things is terminated and no order is issued approving the production, no information obtained or evidence derived from such production shall be received in evidence or otherwise disclosed in any trial, hearing, or other proceeding in or before any court, grand jury, department, office, agency, regulatory body, legislative committee, or other authority of the United States, a State, or a political subdivision thereof, and no information concerning any United States person acquired from such production shall subsequently be used or disclosed in any other manner by Federal officers or employees without the consent of such person, except with the approval of the Attorney General if the information indicates a threat of death or serious bodily harm to any person.

''(6) The Attorney General shall assess compliance with the requirements of paragraph (5).''.

(b) CONFORMING AMENDMENT.—Section 501(d) (50 U.S.C. 1861(d)) is amended—

(1) in paragraph (1)—

(A) in the matter preceding subparagraph (A), by striking ''pursuant to an order'' and inserting ''pursuant to an order issued or an emergency production required'';

(B) in subparagraph (A), by striking ''such order'' and inserting ''such order or such emergency production''; and

(C) in subparagraph (B), by striking ''the order'' and inserting ''the order or the emergency production''; and

(2) in paragraph (2)—

(A) in subparagraph (A), by striking ''an order'' and inserting ''an order or emergency production''; and

(B) in subparagraph (B), by striking ''an order'' and inserting ''an order or emergency production''.

SEC. 103. PROHIBITION ON BULK COLLECTION OF TANGIBLE THINGS.

(a) APPLICATION.—Section 501(b)(2) (50 U.S.C. 1861(b)(2)), as amended by section 101(a) of this Act, is further amended by inserting before subparagraph (B), as redesignated by such section 101(a) of this Act, the following new subparagraph:

''(A) a specific selection term to be used as the basis for the production of the tangible things sought;''.

(b) ORDER.—Section 501(c) (50 U.S.C. 1861(c)) is amended—

(1) in paragraph (2)(A), by striking the semicolon and inserting '', including each specific selection term to be used as the basis for the production;''; and

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

''(3) No order issued under this subsection may authorize the collection of tangible things without the use of a specific selection term that meets the requirements of subsection (b)(2).''.

SEC. 104. JUDICIAL REVIEW.

(a) MINIMIZATION PROCEDURES.—

(1) JUDICIAL REVIEW.—Section 501(c)(1) (50 U.S.C. 1861(c)(1)) is amended by inserting after ''subsections (a) and (b)'' the following: ''and that the minimization procedures submitted in accordance with subsection (b)(2)(D) meet the definition of minimization procedures under subsection (g)''.

(2) RULE OF CONSTRUCTION.—Section 501(g) (50 U.S.C. 1861(g)) is amended by adding at the end the following new paragraph:

''(3) RULE OF CONSTRUCTION.—Nothing in this subsection shall limit the authority of the court established under section 103(a) to impose additional, particularized minimization procedures with regard to the production, retention, or dissemination of nonpublicly available information concerning unconsenting United States persons, including additional, particularized procedures related to the destruction of information within a reasonable time period.''.

(3) TECHNICAL AND CONFORMING AMENDMENT.—Section 501(g)(1) (50 U.S.C. 1861(g)(1)) is amended—

(A) by striking ''Not later than 180 days after the date of the enactment of the USA PATRIOT Improvement and Reauthorization Act of 2005, the'' and inserting ''The''; and

(B) by inserting after ''adopt'' the following: '', and update as appropriate,''.

(b) ORDERS.—Section 501(f)(2) (50 U.S.C. 1861(f)(2)) is amended—

(1) in subparagraph (A)(i)—

(A) by striking ''that order'' and inserting ''the production order or any nondisclosure order imposed in connection with the production order''; and

(B) by striking the second sentence; and

(2) in subparagraph (C)—

(A) by striking clause (ii); and

(B) by redesignating clause (iii) as clause (ii).

SEC. 105. LIABILITY PROTECTION.

Section 501(e) (50 U.S.C. 1861(e)) is amended to read as follows:

''(e)(1) No cause of action shall lie in any court against a person who—

''(A) produces tangible things or provides information, facilities, or technical assistance in accordance with an order issued or an emergency production required under this section; or

''(B) otherwise provides technical assistance to the Government under this section or to implement the amendments made to this section by the USA FREEDOM Act of 2015.

''(2) A production or provision of information, facilities, or technical assistance described in paragraph (1) shall not be deemed to constitute a waiver of any privilege in any other proceeding or context.''.

SEC. 106. COMPENSATION FOR ASSISTANCE.

Section 501 (50 U.S.C. 1861), as amended by section 102 of this Act, is further amended by adding at the end the following new subsection:

''(j) COMPENSATION.—The Government shall compensate a person for reasonable expenses incurred for—

''(1) producing tangible things or providing information, facilities, or assistance in accordance with an order issued with respect to an application described in subsection (b)(2)(C) or an emergency production under subsection (i) that, to comply with subsection (i)(1)(D), requires an application described in subsection (b)(2)(C); or

''(2) otherwise providing technical assistance to the Government under this section or to implement the amendments made to this section by the USA FREEDOM Act of 2015.''.

SEC. 107. NOTICE TO THE ATTORNEY GENERAL ON CHANGES IN RETENTION OF CALL DETAIL RECORDS.

Section 501 (50 U.S.C. 1861), as amended by section 106 of this Act, is amended by adding at the end the following new subsection:

''(k) PROSPECTIVE CHANGES TO EXISTING PRACTICES RELATED TO CALL DETAIL RECORDS.—

''(1) IN GENERAL.—Consistent with subsection (c)(2)(F), an electronic communication service provider that has been issued an order to produce call detail records pursuant to an order under subsection (c) shall notify the Attorney General if that service provider intends to retain its call detail records for a period less than 18 months.

''(2) TIMING OF NOTICE.—A notification under paragraph (1) shall be made not less than 180 days prior to the date such electronic communications service provider intends to implement a policy to retain such records for a period less than 18 months.''.

SEC. 108. DEFINITIONS.

Section 501 (50 U.S.C. 1861), as amended by section 107 of this Act, is further amended by adding at the end the following new subsection:

''(l) DEFINITIONS.—In this section:

''(1) IN GENERAL.—The terms 'foreign power', 'agent of a foreign power', 'international terrorism', 'foreign intelligence information', 'Attorney General', 'United States person', 'United States', 'person', and 'State' have the meanings provided those terms in section 101.

''(2) ADDRESS.—The term 'address' means a physical address or electronic address, such as an electronic mail address or temporarily assigned network address (including an Internet protocol address).

''(3) CALL DETAIL RECORD.—The term 'call detail record'—

''(A) means session-identifying information (including an originating or terminating telephone number, an International Mobile Subscriber Identity number, or an International Mobile Station Equipment Identity number), a telephone calling card number, or the time or duration of a call; and

''(B) does not include—

''(i) the contents (as defined in section 2510(8) of title 18, United States Code) of any communication;

''(ii) the name, address, or financial information of a subscriber or customer; or

''(iii) cell site location or global positioning system information.

''(4) SPECIFIC SELECTION TERM.—

''(A) TANGIBLE THINGS.—

''(i) IN GENERAL.—Except as provided in subparagraph (B), a 'specific selection term'—

''(I) is a term that specifically identifies a person, account, address, or personal device, or any other specific identifier; and

''(II) is used to limit, to the greatest extent reasonably practicable, the scope of tangible things sought consistent with the purpose for seeking the tangible things.

''(ii) LIMITATION.—A specific selection term under clause (i) does not include an identifier that does not limit, to the greatest extent reasonably practicable, the scope of tangible things sought consistent with the purpose for seeking the tangible things, such as an identifier that—

''(I) identifies an electronic communication service provider (as that term is defined in section 701) or a provider of remote computing service (as that term is defined in section 2711 of title 18, United States Code), when not used as part of a specific identifier as described in clause (i), unless the provider is itself a subject of an authorized investigation for which the specific selection term is used as the basis for the production; or

''(II) identifies a broad geographic region, including the United States, a city, a county, a State, a zip code, or an area code, when not used as part of a specific identifier as described in clause (i).

''(iii) RULE OF CONSTRUCTION.—Nothing in this paragraph shall be construed to preclude

the use of multiple terms or identifiers to meet the requirements of clause (i).

''(B) CALL DETAIL RECORD APPLICATIONS.—For purposes of an application submitted under subsection (b)(2)(C), the term 'specific selection term' means a term that specifically identifies an individual, account, or personal device.''.

SEC. 109. INSPECTOR GENERAL REPORTS ON BUSINESS RECORDS ORDERS.

Section 106A of the USA PATRIOT Improvement and Reauthorization Act of 2005 (Public Law 109–177; 120 Stat. 200) is amended—

(1) in subsection (b)—

(A) in paragraph (1), by inserting ''and calendar years 2012 through 2014'' after ''2006'';

(B) by striking paragraphs (2) and (3);

(C) by redesignating paragraphs (4) and (5) as paragraphs (2) and (3), respectively; and

(D) in paragraph (3) (as so redesignated)—

(i) by striking subparagraph (C) and inserting the following new subparagraph:

''(C) with respect to calendar years 2012 through 2014, an examination of the minimization procedures used in relation to orders under section 501 of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1861) and whether the minimization procedures adequately protect the constitutional rights of United States persons;''; and

(ii) in subparagraph (D), by striking ''(as such term is defined in section 3(4) of the National Security Act of 1947 (50 U.S.C. 401a(4)))'';

(2) in subsection (c), by adding at the end the following new paragraph:

''(3) CALENDAR YEARS 2012 THROUGH 2014.—Not later than 1 year after the date of enactment of the USA FREEDOM Act of 2015, the Inspector General of the Department of Justice shall submit to the Committee on the Judiciary and the Select Committee on Intelligence of the Senate and the Committee on the Judiciary and the Permanent Select Committee on Intelligence of the House of Representatives a report containing the results of the audit conducted under subsection (a) for calendar years 2012 through 2014.'';

(3) by redesignating subsections (d) and (e) as subsections (e) and (f), respectively;

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

''(d) INTELLIGENCE ASSESSMENT.—

''(1) IN GENERAL.—For the period beginning on January 1, 2012, and ending on December 31, 2014, the Inspector General of the Intelligence Community shall assess—

''(A) the importance of the information acquired under title V of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1861 et seq.) to the activities of the intelligence community;

''(B) the manner in which that information was collected, retained, analyzed, and disseminated by the intelligence community;

''(C) the minimization procedures used by elements of the intelligence community under such title and whether the minimization procedures adequately protect the constitutional rights of United States persons; and

''(D) any minimization procedures proposed by an element of the intelligence community under such title that were modified or denied by the court established under section 103(a) of such Act (50 U.S.C. 1803(a)).

''(2) SUBMISSION DATE FOR ASSESSMENT.—Not later than 180 days after the date on which the Inspector General of the Department of Justice submits the report required under subsection (c)(3), the Inspector General of the Intelligence Community shall submit to the Committee on the Judiciary and the Select Committee on Intelligence of the Senate and the Committee on the Judiciary and the Permanent Select Committee on Intelligence of the House of Representatives a report containing the results of the assessment for calendar years 2012 through 2014.'';

(5) in subsection (e), as redesignated by paragraph (3)—

(A) in paragraph (1)—

(i) by striking ''a report under subsection (c)(1) or (c)(2)'' and inserting ''any report under subsection (c) or (d)''; and

(ii) by striking ''Inspector General of the Department of Justice'' and inserting ''Inspector General of the Department of Justice, the Inspector General of the Intelligence Community, and any Inspector General of an element of the intelligence community that prepares a report to assist the Inspector General of the Department of Justice or the Inspector General of the Intelligence Community in complying with the requirements of this section''; and

(B) in paragraph (2), by striking ''the reports submitted under subsections (c)(1) and (c)(2)'' and inserting ''any report submitted under subsection (c) or (d)'';

(6) in subsection (f), as redesignated by paragraph (3)—

(A) by striking ''The reports submitted under subsections (c)(1) and (c)(2)'' and inserting ''Each report submitted under subsection (c)''; and

(B) by striking ''subsection (d)(2)'' and inserting ''subsection (e)(2)''; and

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

''(g) DEFINITIONS.—In this section:

''(1) INTELLIGENCE COMMUNITY.—The term 'intelligence community' has the meaning given that term in section 3 of the National Security Act of 1947 (50 U.S.C. 3003).

''(2) UNITED STATES PERSON.—The term 'United States person' has the meaning given that term in section 101 of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1801).''.

SEC. 110. EFFECTIVE DATE.

(a) IN GENERAL.—The amendments made by sections 101 through 103 shall take effect on the date that is 1 year after the date of the enactment of this Act.

(b) REVIEW AND CERTIFICATION.—The Director of National Intelligence shall—

(1) review the implementation of the transition from the existing procedures for the production of call detail records under title V of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1801 et seq.), as in effect prior to the effective date for the amendments made by sections 101 through 103 of this Act, to the new procedures pursuant to the amendments made by sections 101 through 103 of this Act; and

(2) not later than 30 days before the effective date specified in subsection (a), certify to Congress in writing that—

(A) the implementation of the transition described in paragraph (1) is operationally effective to allow the timely retrieval of foreign intelligence information from recipients of an order issued under section 501(c)(2)(F) of the Foreign Intelligence Surveillance Act of 1978, as amended by section 101 of this Act; and

(B) the implementation of the amendments made by section 101 through 103 of this Act—

(i) will not harm the national security of the United States; and

(ii) will ensure the protection of classified information and classified intelligence sources and methods related to such production of call detail records.

(c) RULE OF CONSTRUCTION.—Nothing in this Act shall be construed to alter or eliminate the authority of the Government to obtain an order under title V of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1861 et seq.) as in effect prior to the effective date described in subsection (a) during the period ending on such effective date.

SEC. 111. RULE OF CONSTRUCTION.

Nothing in this Act shall be construed to authorize the production of the contents (as such term is defined in section 2510(8) of title 18, United States Code) of any electronic communication from an electronic communication service provider (as such term is defined in section 701(b)(4) of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1881(b)(4))) under title V of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1861 et seq.).

TITLE II—FISA PEN REGISTER AND TRAP AND TRACE DEVICE REFORM

SEC. 201. PROHIBITION ON BULK COLLECTION.

(a) PROHIBITION.—Section 402(c) (50 U.S.C. 1842(c)) is amended—

(1) in paragraph (1), by striking ''; and'' and inserting a semicolon;

(2) in paragraph (2), by striking the period at the end and inserting ''; and''; and

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

''(3) a specific selection term to be used as the basis for the use of the pen register or trap and trace device.''.

(b) DEFINITION.—Section 401 (50 U.S.C. 1841) is amended by adding at the end the following new paragraph:

''(4)(A) The term 'specific selection term'—

''(i) is a term that specifically identifies a person, account, address, or personal device, or any other specific identifier; and

''(ii) is used to limit, to the greatest extent reasonably practicable, the scope of information sought, consistent with the purpose for seeking the use of the pen register or trap and trace device.

''(B) A specific selection term under subparagraph (A) does not include an identifier that does not limit, to the greatest extent reasonably practicable, the scope of information sought, consistent with the purpose for seeking the use of the pen register or trap and trace device, such as an identifier that—

''(i) identifies an electronic communication service provider (as that term is defined in section 701) or a provider of remote computing service (as that term is defined in section 2711 of title 18, United States Code), when not used as part of a specific identifier as described in subparagraph (A), unless the provider is itself a subject of an authorized investigation for which the specific selection term is used as the basis for the use; or

''(ii) identifies a broad geographic region, including the United States, a city, a county, a State, a zip code, or an area code, when not used as part of a specific identifier as described in subparagraph (A).

''(C) For purposes of subparagraph (A), the term 'address' means a physical address or electronic address, such as an electronic mail address or temporarily assigned network address (including an Internet protocol address).

''(D) Nothing in this paragraph shall be construed to preclude the use of multiple terms or identifiers to meet the requirements of subparagraph (A).''.

SEC. 202. PRIVACY PROCEDURES.

(a) IN GENERAL.—Section 402 (50 U.S.C. 1842) is amended by adding at the end the following new subsection:

''(h) PRIVACY PROCEDURES.—

''(1) IN GENERAL.—The Attorney General shall ensure that appropriate policies and procedures are in place to safeguard nonpublicly available information concerning United States persons that is collected through the use of a pen register or trap and trace device installed under this section. Such policies and procedures shall, to the maximum extent practicable and consistent with the need to protect national security, include privacy protections that apply to the collection, retention, and use of information concerning United States persons.

''(2) RULE OF CONSTRUCTION.—Nothing in this subsection limits the authority of the court established under section 103(a) or of the Attorney General to impose additional privacy or minimization procedures with regard to the installation or use of a pen register or trap and trace device.''.

(b) EMERGENCY AUTHORITY.—Section 403 (50 U.S.C. 1843) is amended by adding at the end the following new subsection:

''(d) PRIVACY PROCEDURES.—Information collected through the use of a pen register or trap and trace device installed under this section shall be subject to the policies and procedures required under section 402(h).''.

TITLE III—FISA ACQUISITIONS TARGETING PERSONS OUTSIDE THE UNITED STATES REFORMS

SEC. 301. LIMITS ON USE OF UNLAWFULLY OBTAINED INFORMATION.

Section 702(i)(3) (50 U.S.C. 1881a(i)(3)) is amended by adding at the end the following new subparagraph:

''(D) LIMITATION ON USE OF INFORMATION.—

''(i) IN GENERAL.—Except as provided in clause (ii), if the Court orders a correction of a deficiency in a certification or procedures under subparagraph (B), no information obtained or evidence derived pursuant to the part of the certification or procedures that has been identified by the Court as deficient concerning any United States person shall be received in evidence or otherwise disclosed in any trial, hearing, or other proceeding in or before any court, grand jury, department, office, agency, regulatory body, legislative committee, or other authority of the United States, a State, or political subdivision thereof, and no information concerning any United States person acquired pursuant to such part of such certification or procedures shall subsequently be used or disclosed in any other manner by Federal officers or employees without the consent of the United States person, except with the approval of the Attorney General if the information indicates a threat of death or serious bodily harm to any person.

''(ii) EXCEPTION.—If the Government corrects any deficiency identified by the order of the Court under subparagraph (B), the Court may permit the use or disclosure of information obtained before the date of the correction under such minimization procedures as the Court may approve for purposes of this clause.''.

TITLE IV—FOREIGN INTELLIGENCE SURVEILLANCE COURT REFORMS

SEC. 401. APPOINTMENT OF AMICUS CURIAE.

Section 103 (50 U.S.C. 1803) is amended by adding at the end the following new subsections:

''(i) AMICUS CURIAE.—

''(1) AUTHORIZATION.—A court established under subsection (a) or (b) is authorized, consistent with the requirement of subsection (c) and any other statutory requirement that the court act expeditiously or within a stated time—

''(A) to appoint amicus curiae to—

''(i) assist the court in the consideration of any application for an order or review that, in the opinion of the court, presents a novel or significant interpretation of the law; or

''(ii) provide technical expertise in any instance the court considers appropriate; or

''(B) upon motion, to permit an individual or organization leave to file an amicus curiae brief.

''(2) DESIGNATION.—The courts established by subsection (a) and (b) shall each designate 1 or more individuals who may be appointed to serve as amicus curiae and who are determined to be eligible for access to classified national security information necessary to participate in matters before such courts (if such access is necessary for participation in the matters for which they may be appointed). In appointing an amicus curiae pursuant to paragraph (1), the court may choose from among those so designated.

''(3) EXPERTISE.—An individual appointed as an amicus curiae under paragraph (1) may be an individual who possesses expertise on privacy and civil liberties, intelligence collection, communications technology, or any other area that may lend legal or technical expertise to the court.

''(4) DUTIES.—An amicus curiae appointed under paragraph (1) to assist with the consideration of a covered matter shall carry out the duties assigned by the appointing court. That court may authorize the amicus curiae to review any application, certification, petition, motion, or other submission that the court determines is relevant to the duties assigned by the court.

''(5) NOTIFICATION.—A court established under subsection (a) or (b) shall notify the Attorney General of each exercise of the authority to appoint an amicus curiae under paragraph (1).

''(6) ASSISTANCE.—A court established under subsection (a) or (b) may request and receive (including on a non-reimbursable basis) the assistance of the executive branch in the implementation of this subsection.

''(7) ADMINISTRATION.—A court established under subsection (a) or (b) may provide for the designation, appointment, removal, training, or other support of an amicus curiae appointed under paragraph (1) in a manner that is not inconsistent with this subsection.

''(j) REVIEW OF FISA COURT DECISIONS.—Following issuance of an order under this Act, a court established under subsection (a) shall certify for review to the court established under subsection (b) any question of law that may affect resolution of the matter in controversy that the court determines warrants such review because of a need for uniformity or because consideration by the court established under subsection (b) would serve the interests of justice. Upon certification of a question of law under this subsection, the court established under subsection (b) may give binding instructions or require the entire record to be sent up for decision of the entire matter in controversy.

''(k) REVIEW OF FISA COURT OF REVIEW DECISIONS.—

''(1) CERTIFICATION.—For purposes of section 1254(2) of title 28, United States Code, the court of review established under subsection (b) shall be considered to be a court of appeals.

''(2) AMICUS CURIAE BRIEFING.—Upon certification of an application under paragraph (1), the Supreme Court of the United States may appoint an amicus curiae designated under subsection (i)(3), or any other person, to provide briefing or other assistance.''.

TITLE V—NATIONAL SECURITY LETTER REFORM

SEC. 501. PROHIBITION ON BULK COLLECTION.

(a) COUNTERINTELLIGENCE ACCESS TO TELEPHONE TOLL AND TRANSACTIONAL RECORDS.—Section 2709(b) of title 18, United States Code, is amended in the matter preceding paragraph (1) by striking ''may'' and inserting ''may, using a term that specifically identifies a person, entity, telephone number, or account as the basis for a request''.

(b) ACCESS TO FINANCIAL RECORDS FOR CERTAIN INTELLIGENCE AND PROTECTIVE PURPOSES.—Section 1114(a)(2) of the Right to Financial Privacy Act of 1978 (12 U.S.C. 3414(a)(2)) is amended by striking the period and inserting ''and a term that specifically identifies a customer, entity, or account to be used as the basis for the production and disclosure of financial records.''.

(c) DISCLOSURES TO FBI OF CERTAIN CONSUMER RECORDS FOR COUNTERINTELLIGENCE PURPOSES.—Section 626 of the Fair Credit Reporting Act (15 U.S.C. 1681u) is amended—

(1) in subsection (a), by striking ''that information,'' and inserting ''that information that includes a term that specifically identifies a consumer or account to be used as the basis for the production of that information,'';

(2) in subsection (b), by striking ''written request,'' and inserting ''written request that includes a term that specifically identifies a consumer or account to be used as the basis for the production of that information,''; and

(3) in subsection (c), by inserting '', which shall include a term that specifically identifies a consumer or account to be used as the basis for the production of the information,'' after ''issue an order ex parte''.

(d) DISCLOSURES TO GOVERNMENTAL AGENCIES FOR COUNTERTERRORISM PURPOSES OF CONSUMER REPORTS.—Section 627(a) of the Fair Credit Reporting Act (15 U.S.C. 1681v(a)) is amended by striking ''analysis.'' and inserting ''analysis and that includes a term that specifically identifies a consumer or account to be used as the basis for the production of such information.''.

SEC. 502. LIMITATIONS ON DISCLOSURE OF NATIONAL SECURITY LETTERS.

(a) COUNTERINTELLIGENCE ACCESS TO TELEPHONE TOLL AND TRANSACTIONAL RECORDS.—Section 2709 of title 18, United States Code, is amended by striking subsection (c) and inserting the following new subsection:

''(c) PROHIBITION OF CERTAIN DISCLOSURE.—

''(1) PROHIBITION.—

''(A) IN GENERAL.—If a certification is issued under subparagraph (B) and notice of the right to judicial review under subsection (d) is provided, no wire or electronic communication service provider that receives a request under subsection (b), or officer, employee, or agent thereof, shall disclose to any person that the Federal Bureau of Investigation has sought or obtained access to information or records under this section.

''(B) CERTIFICATION.—The requirements of subparagraph (A) shall apply if the Director of the Federal Bureau of Investigation, or a designee of the Director whose rank shall be no lower than Deputy Assistant Director at Bureau headquarters or a Special Agent in Charge of a Bureau field office, certifies that the absence of a prohibition of disclosure under this subsection may result in—

''(i) a danger to the national security of the United States;

''(ii) interference with a criminal, counterterrorism, or counterintelligence investigation;

''(iii) interference with diplomatic relations; or

''(iv) danger to the life or physical safety of any person.

''(2) EXCEPTION.—

''(A) IN GENERAL.—A wire or electronic communication service provider that receives a request under subsection (b), or officer, employee, or agent thereof, may disclose information otherwise subject to any applicable nondisclosure requirement to—

''(i) those persons to whom disclosure is necessary in order to comply with the request;

''(ii) an attorney in order to obtain legal advice or assistance regarding the request; or

''(iii) other persons as permitted by the Director of the Federal Bureau of Investigation or the designee of the Director.

''(B) APPLICATION.—A person to whom disclosure is made under subparagraph (A) shall be subject to the nondisclosure requirements applicable to a person to whom a request is issued under subsection (b) in the same manner as the person to whom the request is issued.

''(C) NOTICE.—Any recipient that discloses to a person described in subparagraph (A) information otherwise subject to a nondisclosure requirement shall notify the person of the applicable nondisclosure requirement.

''(D) IDENTIFICATION OF DISCLOSURE RECIPIENTS.—At the request of the Director of the Federal Bureau of Investigation or the designee of the Director, any person making or intending to make a disclosure under clause (i) or (iii) of subparagraph (A) shall identify to the Director or such designee the person to whom such disclosure will be made or to whom such disclosure was made prior to the request.''.

(b) ACCESS TO FINANCIAL RECORDS FOR CERTAIN INTELLIGENCE AND PROTECTIVE PURPOSES.—Section 1114 of the Right to Financial Privacy Act of 1978 (12 U.S.C. 3414) is amended—

(1) in subsection (a)(5), by striking subparagraph (D); and

(2) by inserting after subsection (b) the following new subsection:

''(c) PROHIBITION OF CERTAIN DISCLOSURE.—

''(1) PROHIBITION.—

''(A) IN GENERAL.—If a certification is issued under subparagraph (B) and notice of the right to judicial review under subsection (d) is provided, no financial institution that receives a request under subsection (a), or officer, employee, or agent thereof, shall disclose to any person that the Federal Bureau of Investigation has sought or obtained access to information or records under subsection (a).

''(B) CERTIFICATION.—The requirements of subparagraph (A) shall apply if the Director of the Federal Bureau of Investigation, or a designee of the Director whose rank shall be no lower than Deputy Assistant Director at Bureau headquarters or a Special Agent in Charge of a Bureau field office, certifies that the absence of a prohibition of disclosure under this subsection may result in—

''(i) a danger to the national security of the United States;

''(ii) interference with a criminal, counterterrorism, or counterintelligence investigation;

''(iii) interference with diplomatic relations; or

''(iv) danger to the life or physical safety of any person.

''(2) EXCEPTION.—

''(A) IN GENERAL.—A financial institution that receives a request under subsection (a), or officer, employee, or agent thereof, may disclose information otherwise subject to any applicable nondisclosure requirement to—

''(i) those persons to whom disclosure is necessary in order to comply with the request;

''(ii) an attorney in order to obtain legal advice or assistance regarding the request; or

''(iii) other persons as permitted by the Director of the Federal Bureau of Investigation or the designee of the Director.

''(B) APPLICATION.—A person to whom disclosure is made under subparagraph (A) shall be subject to the nondisclosure requirements applicable to a person to whom a request is issued under subsection (a) in the same manner as the person to whom the request is issued.

''(C) NOTICE.—Any recipient that discloses to a person described in subparagraph (A) information otherwise subject to a nondisclosure requirement shall inform the person of the applicable nondisclosure requirement.

''(D) IDENTIFICATION OF DISCLOSURE RECIPIENTS.—At the request of the Director of the Federal Bureau of Investigation or the designee of the Director, any person making or intending to make a disclosure under clause (i) or (iii) of subparagraph (A) shall identify to the Director or such designee the person to whom such disclosure will be made or to whom such disclosure was made prior to the request.''.

(c) IDENTITY OF FINANCIAL INSTITUTIONS AND CREDIT REPORTS.—Section 626 of the Fair Credit Reporting Act (15 U.S.C. 1681u) is amended by striking subsection (d) and inserting the following new subsection:

''(d) PROHIBITION OF CERTAIN DISCLOSURE.—

''(1) PROHIBITION.—

''(A) IN GENERAL.—If a certification is issued under subparagraph (B) and notice of the right to judicial review under subsection (e) is provided, no consumer reporting agency that receives a request under subsection (a) or (b) or an order under subsection (c), or officer, employee, or agent thereof, shall disclose or specify in any consumer report, that the Federal Bureau of Investigation has sought or obtained access to information or records under subsection (a), (b), or (c).

''(B) CERTIFICATION.—The requirements of subparagraph (A) shall apply if the Director of the Federal Bureau of Investigation, or a designee of the Director whose rank shall be no lower than Deputy Assistant Director at Bureau headquarters or a Special Agent in Charge of a Bureau field office, certifies that the absence of a prohibition of disclosure under this subsection may result in—

''(i) a danger to the national security of the United States;

''(ii) interference with a criminal, counterterrorism, or counterintelligence investigation;

''(iii) interference with diplomatic relations; or

''(iv) danger to the life or physical safety of any person.

''(2) EXCEPTION.—

''(A) IN GENERAL.—A consumer reporting agency that receives a request under subsection (a) or (b) or an order under subsection (c), or officer, employee, or agent thereof, may disclose information otherwise subject to any applicable nondisclosure requirement to—

''(i) those persons to whom disclosure is necessary in order to comply with the request;

''(ii) an attorney in order to obtain legal advice or assistance regarding the request; or

''(iii) other persons as permitted by the Director of the Federal Bureau of Investigation or the designee of the Director.

''(B) APPLICATION.—A person to whom disclosure is made under subparagraph (A) shall be subject to the nondisclosure requirements applicable to a person to whom a request under subsection (a) or (b) or an order under subsection (c) is issued in the same manner as the person to whom the request is issued.

''(C) NOTICE.—Any recipient that discloses to a person described in subparagraph (A) information otherwise subject to a nondisclosure requirement shall inform the person of the applicable nondisclosure requirement.

''(D) IDENTIFICATION OF DISCLOSURE RECIPIENTS.—At the request of the Director of the Federal Bureau of Investigation or the designee of the Director, any person making or intending to make a disclosure under clause (i) or (iii) of subparagraph (A) shall identify to the Director or such designee the person to whom such disclosure will be made or to whom such disclosure was made prior to the request.''.

(d) CONSUMER REPORTS.—Section 627 of the Fair Credit Reporting Act (15 U.S.C. 1681v) is amended by striking subsection (c) and inserting the following new subsection:

''(c) PROHIBITION OF CERTAIN DISCLOSURE.—

''(1) PROHIBITION.—

''(A) IN GENERAL.—If a certification is issued under subparagraph (B) and notice of the right to judicial review under subsection (d) is provided, no consumer reporting agency that receives a request under subsection (a), or officer, employee, or agent thereof, shall disclose or specify in any consumer report, that a government agency described in subsection (a) has sought or obtained access to information or records under subsection (a).

''(B) CERTIFICATION.—The requirements of subparagraph (A) shall apply if the head of the government agency described in subsection (a), or a designee, certifies that the absence of a prohibition of disclosure under this subsection may result in—

''(i) a danger to the national security of the United States;

''(ii) interference with a criminal, counterterrorism, or counterintelligence investigation;

''(iii) interference with diplomatic relations; or

''(iv) danger to the life or physical safety of any person.

''(2) EXCEPTION.—

''(A) IN GENERAL.—A consumer reporting agency that receives a request under subsection (a), or officer, employee, or agent thereof, may disclose information otherwise subject to any applicable nondisclosure requirement to—

''(i) those persons to whom disclosure is necessary in order to comply with the request;

''(ii) an attorney in order to obtain legal advice or assistance regarding the request; or

''(iii) other persons as permitted by the head of the government agency described in subsection (a) or a designee.

''(B) APPLICATION.—A person to whom disclosure is made under subparagraph (A) shall be subject to the nondisclosure requirements applicable to a person to whom a request under subsection (a) is issued in the same manner as the person to whom the request is issued.

''(C) NOTICE.—Any recipient that discloses to a person described in subparagraph (A) information otherwise subject to a nondisclosure requirement shall inform the person of the applicable nondisclosure requirement.

''(D) IDENTIFICATION OF DISCLOSURE RECIPIENTS.—At the request of the head of the government agency described in subsection (a) or a designee, any person making or intending to make a disclosure under clause (i) or (iii) of subparagraph (A) shall identify to the head or such designee the person to whom such disclosure will be made or to whom such disclosure was made prior to the request.''.

(e) INVESTIGATIONS OF PERSONS WITH ACCESS TO CLASSIFIED INFORMATION.—Section 802 of the National Security Act of 1947 (50 U.S.C. 3162) is amended by striking subsection (b) and inserting the following new subsection:

''(b) PROHIBITION OF CERTAIN DISCLOSURE.—

''(1) PROHIBITION.—

''(A) IN GENERAL.—If a certification is issued under subparagraph (B) and notice of the right to judicial review under subsection (c) is provided, no governmental or private entity that receives a request under subsection (a), or officer, employee, or agent thereof, shall disclose to any person that an authorized investigative agency described in subsection (a) has sought or obtained access to information under subsection (a).

''(B) CERTIFICATION.—The requirements of subparagraph (A) shall apply if the head of an authorized investigative agency described in subsection (a), or a designee, certifies that the absence of a prohibition of disclosure under this subsection may result in—

''(i) a danger to the national security of the United States;

''(ii) interference with a criminal, counterterrorism, or counterintelligence investigation;

''(iii) interference with diplomatic relations; or

''(iv) danger to the life or physical safety of any person.

''(2) EXCEPTION.—

''(A) IN GENERAL.—A governmental or private entity that receives a request under subsection (a), or officer, employee, or agent thereof, may disclose information otherwise subject to any applicable nondisclosure requirement to—

''(i) those persons to whom disclosure is necessary in order to comply with the request;

''(ii) an attorney in order to obtain legal advice or assistance regarding the request; or

''(iii) other persons as permitted by the head of the authorized investigative agency described in subsection (a) or a designee.

''(B) APPLICATION.—A person to whom disclosure is made under subparagraph (A) shall be subject to the nondisclosure requirements applicable to a person to whom a request is issued under subsection (a) in the same manner as the person to whom the request is issued.

''(C) NOTICE.—Any recipient that discloses to a person described in subparagraph (A) information otherwise subject to a nondisclosure requirement shall inform the person of the applicable nondisclosure requirement.

''(D) IDENTIFICATION OF DISCLOSURE RECIPIENTS.—At the request of the head of an authorized investigative agency described in subsection (a), or a designee, any person making or intending to make a disclosure under clause (i) or (iii) of subparagraph (A) shall identify to the head of the authorized investigative agency or such designee the person to whom such disclosure will be made or to whom such disclosure was made prior to the request.''.

(f) TERMINATION PROCEDURES.—

(1) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Attorney General shall adopt procedures with respect to nondisclosure requirements issued pursuant to section 2709 of title 18, United States Code, section 626 or 627 of the Fair Credit Reporting Act (15 U.S.C. 1681u and 1681v), section 1114 of the Right to Financial Privacy Act (12 U.S.C. 3414), or section 802 of the National Security Act of 1947 (50 U.S.C. 3162), as amended by this Act, to require—

(A) the review at appropriate intervals of such a nondisclosure requirement to assess whether the facts supporting nondisclosure continue to exist;

(B) the termination of such a nondisclosure requirement if the facts no longer support nondisclosure; and

(C) appropriate notice to the recipient of the national security letter, or officer, employee, or agent thereof, subject to the nondisclosure requirement, and the applicable court as appropriate, that the nondisclosure requirement has been terminated.

(2) REPORTING.—Upon adopting the procedures required under paragraph (1), the Attorney General shall submit the procedures to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives.

(g) JUDICIAL REVIEW.—Section 3511 of title 18, United States Code, is amended by striking subsection (b) and inserting the following new subsection:

''(b) NONDISCLOSURE.—

''(1) IN GENERAL.—

''(A) NOTICE.—If a recipient of a request or order for a report, records, or other information under section 2709 of this title, section 626 or 627 of the Fair Credit Reporting Act (15 U.S.C. 1681u and 1681v), section 1114 of the Right to Financial Privacy Act of 1978 (12 U.S.C. 3414), or section 802 of the National Security Act of 1947 (50 U.S.C. 3162), wishes to have a court review a nondisclosure requirement imposed in connection with the request or order, the recipient may notify the Government or file a petition for judicial review in any court described in subsection (a).

''(B) APPLICATION.—Not later than 30 days after the date of receipt of a notification under subparagraph (A), the Government shall apply for an order prohibiting the disclosure of the existence or contents of the relevant request or order. An application under this subparagraph may be filed in the district court of the United States for the judicial district in which the recipient of the order is doing business or in the district court of the United States for any judicial district within which the authorized investigation that is the basis for the request is being conducted. The applicable nondisclosure requirement shall remain in effect during the pendency of proceedings relating to the requirement.

''(C) CONSIDERATION.—A district court of the United States that receives a petition under subparagraph (A) or an application under subparagraph (B) should rule expeditiously, and shall, subject to paragraph (3), issue a nondisclosure order that includes conditions appropriate to the circumstances.

''(2) APPLICATION CONTENTS.—An application for a nondisclosure order or extension thereof or a response to a petition filed under paragraph (1) shall include a certification from the Attorney General, Deputy Attorney General, an Assistant Attorney General, or the Director of the Federal Bureau of Investigation, or a designee in a position not lower than Deputy Assistant Director at Bureau headquarters or a Special Agent in Charge in a Bureau field office designated by the Director, or in the case of a request by a department, agency, or instrumentality of the Federal Government other than the Department of Justice, the head or deputy head of the department, agency, or instrumentality, containing a statement of specific facts indicating that the absence of a prohibition of disclosure under this subsection may result in—

''(A) a danger to the national security of the United States;

''(B) interference with a criminal, counterterrorism, or counterintelligence investigation;

''(C) interference with diplomatic relations; or

''(D) danger to the life or physical safety of any person.

''(3) STANDARD.—A district court of the United States shall issue a nondisclosure order or extension thereof under this subsection if the court determines that there is reason to believe that disclosure of the information subject to the nondisclosure requirement during the applicable time period may result in—

''(A) a danger to the national security of the United States;

''(B) interference with a criminal, counterterrorism, or counterintelligence investigation;

''(C) interference with diplomatic relations; or

''(D) danger to the life or physical safety of any person.''.

SEC. 503. JUDICIAL REVIEW.

(a) COUNTERINTELLIGENCE ACCESS TO TELEPHONE TOLL AND TRANSACTIONAL RECORDS.—Section 2709 of title 18, United States Code, is amended—

(1) by redesignating subsections (d), (e), and (f) as subsections (e), (f), and (g), respectively; and

(2) by inserting after subsection (c) the following new subsection:

''(d) JUDICIAL REVIEW.—

''(1) IN GENERAL.—A request under subsection (b) or a nondisclosure requirement imposed in connection with such request under subsection (c) shall be subject to judicial review under section 3511.

''(2) NOTICE.—A request under subsection (b) shall include notice of the availability of judicial review described in paragraph (1).''.

(b) ACCESS TO FINANCIAL RECORDS FOR CERTAIN INTELLIGENCE AND PROTECTIVE PURPOSES.—Section 1114 of the Right to Financial Privacy Act of 1978 (12 U.S.C. 3414) is amended—

(1) by redesignating subsection (d) as subsection (e); and

(2) by inserting after subsection (c) the following new subsection:

''(d) JUDICIAL REVIEW.—

''(1) IN GENERAL.—A request under subsection (a) or a nondisclosure requirement imposed in connection with such request under subsection (c) shall be subject to judicial review under section 3511 of title 18, United States Code.

''(2) NOTICE.—A request under subsection (a) shall include notice of the availability of judicial review described in paragraph (1).''.

(c) IDENTITY OF FINANCIAL INSTITUTIONS AND CREDIT REPORTS.—Section 626 of the Fair Credit Reporting Act (15 U.S.C. 1681u) is amended—

(1) by redesignating subsections (e) through (m) as subsections (f) through (n), respectively; and

(2) by inserting after subsection (d) the following new subsection:

''(e) JUDICIAL REVIEW.—

''(1) IN GENERAL.—A request under subsection (a) or (b) or an order under subsection (c) or a non-disclosure requirement imposed in connection with such request under subsection (d) shall be subject to judicial review under section 3511 of title 18, United States Code.

''(2) NOTICE.—A request under subsection (a) or (b) or an order under subsection (c) shall include notice of the availability of judicial review described in paragraph (1).''.

(d) IDENTITY OF FINANCIAL INSTITUTIONS AND CREDIT REPORTS.—Section 627 of the Fair Credit Reporting Act (15 U.S.C. 1681v) is amended—

(1) by redesignating subsections (d), (e), and (f) as subsections (e), (f), and (g), respectively; and

(2) by inserting after subsection (c) the following new subsection:

''(d) JUDICIAL REVIEW.—

''(1) IN GENERAL.—A request under subsection (a) or a non-disclosure requirement imposed in connection with such request under subsection (c) shall be subject to judicial review under section 3511 of title 18, United States Code.

''(2) NOTICE.—A request under subsection (a) shall include notice of the availability of judicial review described in paragraph (1).''.

(e) INVESTIGATIONS OF PERSONS WITH ACCESS TO CLASSIFIED INFORMATION.—Section 802 of the National Security Act of 1947 (50 U.S.C. 3162) is amended—

(1) by redesignating subsections (c) through (f) as subsections (d) through (g), respectively; and

(2) by inserting after subsection (b) the following new subsection:

''(c) JUDICIAL REVIEW.—

''(1) IN GENERAL.—A request under subsection (a) or a nondisclosure requirement imposed in connection with such request under subsection (b) shall be subject to judicial review under section 3511 of title 18, United States Code.

''(2) NOTICE.—A request under subsection (a) shall include notice of the availability of judicial review described in paragraph (1).''.

TITLE VI—FISA TRANSPARENCY AND REPORTING REQUIREMENTS

SEC. 601. ADDITIONAL REPORTING ON ORDERS REQUIRING PRODUCTION OF BUSINESS RECORDS; BUSINESS RECORDS COMPLIANCE REPORTS TO CONGRESS.

(a) REPORTS SUBMITTED TO COMMITTEES.—Section 502(b) (50 U.S.C. 1862(b)) is amended—

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

(2) by inserting before paragraph (6) (as so redesignated) the following new paragraphs:

''(1) a summary of all compliance reviews conducted by the Government for the production of tangible things under section 501;

''(2) the total number of applications described in section 501(b)(2)(B) made for orders approving requests for the production of tangible things;

''(3) the total number of such orders either granted, modified, or denied;

''(4) the total number of applications described in section 501(b)(2)(C) made for orders approving requests for the production of call detail records;

''(5) the total number of such orders either granted, modified, or denied;''.

(b) REPORTING ON CERTAIN TYPES OF PRODUCTION.—Section 502(c)(1) (50 U.S.C. 1862(c)(1)) is amended—

(1) in subparagraph (A), by striking ''and'';

(2) in subparagraph (B), by striking the period at the end and inserting a semicolon; and

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

''(C) the total number of applications made for orders approving requests for the production of tangible things under section 501 in which the specific selection term does not specifically identify an individual, account, or personal device;

''(D) the total number of orders described in subparagraph (C) either granted, modified, or denied; and

''(E) with respect to orders described in subparagraph (D) that have been granted or modified, whether the court established under section 103 has directed additional, particularized minimization procedures beyond those adopted pursuant to section 501(g).''.

SEC. 602. ANNUAL REPORTS BY THE GOVERNMENT.

(a) IN GENERAL.—Title VI (50 U.S.C. 1871 et seq.), as amended by section 402 of this Act, is further amended by adding at the end the following new section:

''SEC. 603. ANNUAL REPORTS.

''(a) REPORT BY DIRECTOR OF THE ADMINISTRATIVE OFFICE OF THE UNITED STATES COURTS.—

''(1) REPORT REQUIRED.—The Director of the Administrative Office of the United States Courts shall annually submit to the Permanent Select Committee on Intelligence and the Committee on the Judiciary of the House of Representatives and the Select Committee on Intelligence and the Committee on the Judiciary of the Senate, subject to a declassification review by the Attorney General and the Director of National Intelligence, a report that includes—

''(A) the number of applications or certifications for orders submitted under each of sections 105, 304, 402, 501, 702, 703, and 704;

''(B) the number of such orders granted under each of those sections;

''(C) the number of orders modified under each of those sections;

''(D) the number of applications or certifications denied under each of those sections;

''(E) the number of appointments of an individual to serve as amicus curiae under section 103, including the name of each individual appointed to serve as amicus curiae; and

''(F) the number of findings issued under section 103(i) that such appointment is not appropriate and the text of any such findings.

''(2) PUBLICATION.—The Director shall make the report required under paragraph (1) publicly available on an Internet Web site, except that the Director shall not make publicly available on an Internet Web site the findings described in subparagraph (F) of paragraph (1).

''(b) MANDATORY REPORTING BY DIRECTOR OF NATIONAL INTELLIGENCE.—Except as provided in subsection (d), the Director of National Intelligence shall annually make publicly available on an Internet Web site a report that identifies, for the preceding 12-month period—

''(1) the total number of orders issued pursuant to titles I and III and sections 703 and 704 and a good faith estimate of the number of targets of such orders;

''(2) the total number of orders issued pursuant to section 702 and a good faith estimate of—

''(A) the number of search terms concerning a known United States person used to retrieve the unminimized contents of electronic communications or wire communications obtained through acquisitions authorized under such section, excluding the number of search terms used to prevent the return of information concerning a United States person; and

''(B) the number of queries concerning a known United States person of unminimized noncontents information relating to electronic communications or wire communications obtained through acquisitions authorized under such section, excluding the number of queries containing information used to prevent the return of information concerning a United States person;

''(3) the total number of orders issued pursuant to title IV and a good faith estimate of—

''(A) the number of targets of such orders; and

''(B) the number of unique identifiers used to communicate information collected pursuant to such orders;

''(4) the total number of orders issued pursuant to applications made under section 501(b)(2)(B) and a good faith estimate of—

''(A) the number of targets of such orders; and

''(B) the number of unique identifiers used to communicate information collected pursuant to such orders;

''(5) the total number of orders issued pursuant to applications made under section 501(b)(2)(C) and a good faith estimate of—

''(A) the number of targets of such orders;

''(B) the number of unique identifiers used to communicate information collected pursuant to such orders; and

''(C) the number of search terms that included information concerning a United States person that were used to query any database of call detail records obtained through the use of such orders; and

''(6) the total number of national security letters issued and the number of requests for information contained within such national security letters.

''(c) TIMING.—The annual reports required by subsections (a) and (b) shall be made publicly available during April of each year and include information relating to the previous calendar year.

''(d) EXCEPTIONS.—

''(1) STATEMENT OF NUMERICAL RANGE.—If a good faith estimate required to be reported under subparagraph (B) of any of paragraphs (3), (4), or (5) of subsection (b) is fewer than 500, it shall be expressed as a numerical range of 'fewer than 500' and shall not be expressed as an individual number.

''(2) NONAPPLICABILITY TO CERTAIN INFORMATION.—

''(A) FEDERAL BUREAU OF INVESTIGATION.—Paragraphs (2)(A), (2)(B), and (5)(C) of subsection (b) shall not apply to information or records held by, or queries conducted by, the Federal Bureau of Investigation.

''(B) ELECTRONIC MAIL ADDRESS AND TELEPHONE NUMBERS.—Paragraph (3)(B) of subsection (b) shall not apply to orders resulting in the acquisition of information by the Federal Bureau of Investigation that does not include electronic mail addresses or telephone numbers.

''(3) CERTIFICATION.—

''(A) IN GENERAL.—If the Director of National Intelligence concludes that a good faith estimate required to be reported under subsection (b)(2)(B) cannot be determined accurately because some but not all of the relevant elements of the intelligence community are able to provide such good faith estimate, the Director shall—

''(i) certify that conclusion in writing to the Select Committee on Intelligence and the Committee on the Judiciary of the Senate and the Permanent Select Committee on

Intelligence and the Committee on the Judiciary of the House of Representatives;

''(ii) report the good faith estimate for those relevant elements able to provide such good faith estimate;

''(iii) explain when it is reasonably anticipated that such an estimate will be able to be determined fully and accurately; and

''(iv) make such certification publicly available on an Internet Web site.

''(B) FORM.—A certification described in subparagraph (A) shall be prepared in unclassified form, but may contain a classified annex.

''(C) TIMING.—If the Director of National Intelligence continues to conclude that the good faith estimates described in this paragraph cannot be determined accurately, the Director shall annually submit a certification in accordance with this paragraph.

''(e) DEFINITIONS.—In this section:

''(1) CONTENTS.—The term 'contents' has the meaning given that term under section 2510 of title 18, United States Code.

''(2) ELECTRONIC COMMUNICATION.—The term 'electronic communication' has the meaning given that term under section 2510 of title 18, United States Code.

''(3) NATIONAL SECURITY LETTER.—The term 'national security letter' means a request for a report, records, or other information under—

''(A) section 2709 of title 18, United States Code;

''(B) section 1114(a)(5)(A) of the Right to Financial Privacy Act of 1978 (12 U.S.C. 3414(a)(5)(A));

''(C) subsection (a) or (b) of section 626 of the Fair Credit Reporting Act (15 U.S.C. 1681u(a), 1681u(b)); or

''(D) section 627(a) of the Fair Credit Reporting Act (15 U.S.C. 1681v(a)).

''(4) UNITED STATES PERSON.—The term 'United States person' means a citizen of the United States or an alien lawfully admitted for permanent residence (as defined in section 101(a) of the Immigration and Nationality Act (8 U.S.C. 1101(a))).

''(5) WIRE COMMUNICATION.—The term 'wire communication' has the meaning given that term under section 2510 of title 18, United States Code.''.

(b) TABLE OF CONTENTS AMENDMENT.—The table of contents, as amended by section 402 of this Act, is further amended by inserting after the item relating to section 602, as added by section 402 of this Act, the following new item:

''Sec. 603. Annual reports.''.

(c) PUBLIC REPORTING ON NATIONAL SECURITY LETTERS.—Section 118(c) of the USA PATRIOT Improvement and Reauthorization Act of 2005 (18 U.S.C. 3511 note) is amended—

(1) in paragraph (1)—

(A) in the matter preceding subparagraph (A), by striking ''United States''; and

(B) in subparagraph (A), by striking '', excluding the number of requests for subscriber information'';

(2) by redesignating paragraph (2) as paragraph (3); and

(3) by inserting after paragraph (1) the following:

''(2) CONTENT.—

''(A) IN GENERAL.—Except as provided in subparagraph (B), each report required under this subsection shall include a good faith estimate of the total number of requests described in paragraph (1) requiring disclosure of information concerning—

''(i) United States persons; and

''(ii) persons who are not United States persons.

''(B) EXCEPTION.—With respect to the number of requests for subscriber information under section 2709 of title 18, United States Code, a report required under this subsection need not separate the number of requests into each of the categories described in subparagraph (A).''.

(d) STORED COMMUNICATIONS.—Section 2702(d) of title 18, United States Code, is amended—

(1) in paragraph (1), by striking ''; and'' and inserting a semicolon;

(2) in paragraph (2)(B), by striking the period and inserting ''; and''; and

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

''(3) the number of accounts from which the Department of Justice has received voluntary disclosures under subsection (c)(4).''.

SEC. 603. PUBLIC REPORTING BY PERSONS SUBJECT TO FISA ORDERS.

(a) IN GENERAL.—Title VI (50 U.S.C. 1871 et seq.), as amended by sections 402 and 602 of this Act, is further amended by adding at the end the following new section:

''SEC. 604. PUBLIC REPORTING BY PERSONS SUBJECT TO ORDERS.

''(a) REPORTING.—A person subject to a nondisclosure requirement accompanying an order or directive under this Act or a national security letter may, with respect to such order, directive, or national security letter, publicly report the following information using one of the following structures:

''(1) A semiannual report that aggregates the number of orders, directives, or national security letters with which the person was required to comply into separate categories of—

''(A) the number of national security letters received, reported in bands of 1000 starting with 0–999;

''(B) the number of customer selectors targeted by national security letters, reported in bands of 1000 starting with 0–999;

''(C) the number of orders or directives received, combined, under this Act for contents, reported in bands of 1000 starting with 0–999;

''(D) the number of customer selectors targeted under orders or directives received, combined, under this Act for contents reported in bands of 1000 starting with 0–999;

''(E) the number of orders received under this Act for noncontents, reported in bands of 1000 starting with 0–999; and

''(F) the number of customer selectors targeted under orders under this Act for noncontents, reported in bands of 1000 starting with 0–999, pursuant to—

''(i) title IV;

''(ii) title V with respect to applications described in section 501(b)(2)(B); and

''(iii) title V with respect to applications described in section 501(b)(2)(C).

''(2) A semiannual report that aggregates the number of orders, directives, or national security letters with which the person was required to comply into separate categories of—

''(A) the number of national security letters received, reported in bands of 500 starting with 0–499;

''(B) the number of customer selectors targeted by national security letters, reported in bands of 500 starting with 0–499;

''(C) the number of orders or directives received, combined, under this Act for contents, reported in bands of 500 starting with 0–499;

''(D) the number of customer selectors targeted under orders or directives received, combined, under this Act for contents, reported in bands of 500 starting with 0–499;

''(E) the number of orders received under this Act for noncontents, reported in bands of 500 starting with 0–499; and

''(F) the number of customer selectors targeted under orders received under this Act for noncontents, reported in bands of 500 starting with 0–499.

''(3) A semiannual report that aggregates the number of orders, directives, or national security letters with which the person was required to comply in the into separate categories of—

''(A) the total number of all national security process received, including all national security letters, and orders or directives under this Act, combined, reported in bands of 250 starting with 0–249; and

''(B) the total number of customer selectors targeted under all national security process received, including all national security letters, and orders or directives under this Act, combined, reported in bands of 250 starting with 0–249.

''(4) An annual report that aggregates the number of orders, directives, and national security letters the person was required to comply with into separate categories of—

''(A) the total number of all national security process received, including all national security letters, and orders or directives under this Act, combined, reported in bands of 100 starting with 0–99; and

''(B) the total number of customer selectors targeted under all national security process received, including all national security letters, and orders or directives under this Act, combined, reported in bands of 100 starting with 0–99.

''(b) PERIOD OF TIME COVERED BY REPORTS.—

''(1) A report described in paragraph (1) or (2) of subsection (a) shall include only information—

''(A) relating to national security letters for the previous 180 days; and

''(B) relating to authorities under this Act for the 180-day period of time ending on the date that is not less than 180 days prior to the date of the publication of such report, except that with respect to a platform, product, or service for which a person did not previously receive an order or directive (not including an enhancement to or iteration of an existing publicly available platform, product, or service) such report shall not include any information relating to such new order or directive until 540 days after the date on which such new order or directive is received.

''(2) A report described in paragraph (3) of subsection (a) shall include only information relating to the previous 180 days.

''(3) A report described in paragraph (4) of subsection (a) shall include only information for the 1-year period of time ending on the date that is not less than 1 year prior to the date of the publication of such report.

''(c) OTHER FORMS OF AGREED TO PUBLICATION.—Nothing in this section prohibits the Government and any person from jointly agreeing to the publication of information referred to in this subsection in a time, form, or manner other than as described in this section.

''(d) DEFINITIONS.—In this section:

''(1) CONTENTS.—The term 'contents' has the meaning given that term under section 2510 of title 18, United States Code.

''(2) NATIONAL SECURITY LETTER.—The term 'national security letter' has the meaning given that term under section 603.''.

(b) TABLE OF CONTENTS AMENDMENT.—The table of contents, as amended by sections 402 and 602 of this Act, is further amended by inserting after the item relating to section 603, as added by section 602 of this Act, the following new item:

''Sec. 604. Public reporting by persons subject to orders.''.

SEC. 604. REPORTING REQUIREMENTS FOR DECISIONS, ORDERS, AND OPINIONS OF THE FOREIGN INTELLIGENCE SURVEILLANCE COURT AND THE FOREIGN INTELLIGENCE SURVEILLANCE COURT OF REVIEW.

Section 601(c)(1) (50 U.S.C. 1871(c)(1)) is amended to read as follows:

''(1) not later than 45 days after the date on which the Foreign Intelligence Surveillance Court or the Foreign Intelligence Surveillance Court of Review issues a decision, order, or opinion, including any denial or modification of an application under this Act, that includes significant construction or interpretation of any provision of law or results in a change of application of any provision of this Act or a novel application of any provision of this Act, a copy of such decision, order, or opinion and any pleadings, applications, or memoranda of law associated with such decision, order, or opinion; and''.

SEC. 605. SUBMISSION OF REPORTS UNDER FISA.

(a) ELECTRONIC SURVEILLANCE.—Section 108(a)(1) (50 U.S.C. 1808(a)(1)) is amended by striking ''the House Permanent Select Committee on Intelligence and the Senate Select Committee on Intelligence, and the Committee on the Judiciary of the Senate,'' and inserting ''the Permanent Select Committee on Intelligence and the Committee on the Judiciary of the House of Representatives and the Select Committee on Intelligence and the Committee on the Judiciary of the Senate''.

(b) PHYSICAL SEARCHES.—The matter preceding paragraph (1) of section 306 (50 U.S.C. 1826) is amended—

(1) in the first sentence, by striking ''Permanent Select Committee on Intelligence of the House of Representatives and the Select Committee on Intelligence of the Senate, and the Committee on the Judiciary of the Senate,'' and inserting ''Permanent Select Committee on Intelligence and the Committee on the Judiciary of the House of Representatives and the Select Committee on Intelligence and the Committee on the Judiciary of the Senate''; and

(2) in the second sentence, by striking ''and the Committee on the Judiciary of the House of Representatives''.

(c) PEN REGISTERS AND TRAP AND TRACE DEVICES.—Section 406(b) (50 U.S.C. 1846(b)) is amended—

(1) in paragraph (2), by striking ''; and'' and inserting a semicolon;

(2) in paragraph (3), by striking the period and inserting a semicolon; and

(3) by adding at the end the following new paragraphs:

''(4) each department or agency on behalf of which the Attorney General or a designated attorney for the Government has made an application for an order authorizing or approving the installation and use of a pen register or trap and trace device under this title; and

''(5) for each department or agency described in paragraph (4), each number described in paragraphs (1), (2), and (3).''.

(d) ACCESS TO CERTAIN BUSINESS RECORDS AND OTHER TANGIBLE THINGS.—Section 502(a) (50 U.S.C. 1862(a)) is amended by striking ''Permanent Select Committee on Intelligence of the House of Representatives and the Select Committee on Intelligence and the Committee on the Judiciary of the Senate'' and inserting ''Permanent Select Committee on Intelligence and the Committee on the Judiciary of the House of Representatives and the Select Committee on Intelligence and the Committee on the Judiciary of the Senate''.

TITLE VII—ENHANCED NATIONAL SECURITY PROVISIONS

SEC. 701. EMERGENCIES INVOLVING NON-UNITED STATES PERSONS.

(a) IN GENERAL.—Section 105 (50 U.S.C. 1805) is amended—

(1) by redesignating subsections (f), (g), (h), and (i) as subsections (g), (h), (i), and (j), respectively; and

(2) by inserting after subsection (e) the following:

''(f)(1) Notwithstanding any other provision of this Act, the lawfully authorized targeting of a non-United States person previously believed to be located outside the United States for the acquisition of foreign intelligence information may continue for a period not to exceed 72 hours from the time that the non-United States person is reasonably believed to be located inside the United States and the acquisition is subject to this title or to title III of this Act, provided that the head of an element of the intelligence community—

''(A) reasonably determines that a lapse in the targeting of such non-United States person poses a threat of death or serious bodily harm to any person;

''(B) promptly notifies the Attorney General of a determination under subparagraph (A); and

''(C) requests, as soon as practicable, the employment of emergency electronic surveillance under subsection (e) or the employment of an emergency physical search pursuant to section 304(e), as warranted.

''(2) The authority under this subsection to continue the acquisition of foreign intelligence information is limited to a period not to exceed 72 hours and shall cease upon the earlier of the following:

''(A) The employment of emergency electronic surveillance under subsection (e) or the employment of an emergency physical search pursuant to section 304(e).

''(B) An issuance of a court order under this title or title III of this Act.

''(C) The Attorney General provides direction that the acquisition be terminated.

''(D) The head of the element of the intelligence community conducting the acquisition determines that a request under paragraph (1)(C) is not warranted.

''(E) When the threat of death or serious bodily harm to any person is no longer reasonably believed to exist.

''(3) Nonpublicly available information concerning unconsenting United States persons acquired under this subsection shall not be disseminated during the 72 hour time period under paragraph (1) unless necessary to investigate, reduce, or eliminate the threat of death or serious bodily harm to any person.

''(4) If the Attorney General declines to authorize the employment of emergency electronic surveillance under subsection (e) or the employment of an emergency physical search pursuant to section 304(e), or a court order is not obtained under this title or title III of this Act, information obtained during the 72 hour acquisition time period under paragraph (1) shall not be retained, except with the approval of the Attorney General if the information indicates a threat of death or serious bodily harm to any person.

''(5) Paragraphs (5) and (6) of subsection (e) shall apply to this subsection.''.

(b) NOTIFICATION OF EMERGENCY EMPLOYMENT OF ELECTRONIC SURVEILLANCE.—Section 106(j) (50 U.S.C. 1806(j)) is amended by striking ''section 105(e)'' and inserting ''subsection (e) or (f) of section 105''.

(c) REPORT TO CONGRESS.—Section 108(a)(2) (50 U.S.C. 1808(a)(2)) is amended—

(1) in subparagraph (B), by striking ''and'' at the end;

(2) in subparagraph (C), by striking the period at the end and inserting ''; and''; and

(3) by adding at the end the following:

''(D) the total number of authorizations under section 105(f) and the total number of subsequent emergency employments of electronic surveillance under section 105(e) or emergency physical searches pursuant to section 301(e).''.

SEC. 702. PRESERVATION OF TREATMENT OF NON-UNITED STATES PERSONS TRAVELING OUTSIDE THE UNITED STATES AS AGENTS OF FOREIGN POWERS.

Section 101(b)(1) is amended—

(1) in subparagraph (A), by inserting before the semicolon at the end the following: '', irrespective of whether the person is inside the United States''; and

(2) in subparagraph (B)—

(A) by striking ''of such person's presence in the United States''; and

(B) by striking ''such activities in the United States'' and inserting ''such activities''.

SEC. 703. IMPROVEMENT TO INVESTIGATIONS OF INTERNATIONAL PROLIFERATION OF WEAPONS OF MASS DESTRUCTION.

Section 101(b)(1) is further amended by striking subparagraph (E) and inserting the following new subparagraph (E):

''(E) engages in the international proliferation of weapons of mass destruction, or activities in preparation therefor, for or on behalf of a foreign power, or knowingly aids or abets any person in the conduct of such proliferation or activities in preparation therefor, or knowingly conspires with any person to engage in such proliferation or activities in preparation therefor; or''.

SEC. 704. INCREASE IN PENALTIES FOR MATERIAL SUPPORT OF FOREIGN TERRORIST ORGANIZATIONS.

Section 2339B(a)(1) of title 18, United States Code, is amended by striking ''15 years'' and inserting ''20 years''.

SEC. 705. SUNSETS.

(a) USA PATRIOT IMPROVEMENT AND REAUTHORIZATION ACT OF 2005.—Section 102(b)(1) of the USA PATRIOT Improvement and Reauthorization Act of 2005 (50 U.S.C. 1805 note) is amended by striking ''June 1, 2015'' and inserting ''December 15, 2019''.

(b) INTELLIGENCE REFORM AND TERRORISM PREVENTION ACT OF 2004.—Section 6001(b)(1) of the Intelligence Reform and Terrorism Prevention Act of 2004 (50 U.S.C. 1801 note) is amended by striking ''June 1, 2015'' and inserting ''December 15, 2019''.

(c) CONFORMING AMENDMENT.—Section 102(b)(1) of the USA PATRIOT Improvement and Reauthorization Act of 2005 (50 U.S.C. 1805 note), as amended by subsection (a), is further amended by striking ''sections 501, 502, and'' and inserting ''title V and section''.

TITLE VIII—SAFETY OF MARITIME NAVIGATION AND NUCLEAR TERRORISM CONVENTIONS IMPLEMENTATION

Subtitle A—Safety of Maritime Navigation

SEC. 801. AMENDMENT TO SECTION 2280 OF TITLE 18, UNITED STATES CODE.

Section 2280 of title 18, United States Code, is amended—

(1) in subsection (b)—

(A) in paragraph (1)(A)(i), by striking ''a ship flying the flag of the United States'' and inserting ''a vessel of the United States or a vessel subject to the jurisdiction of the United States (as defined in section 70502 of title 46)'';

(B) in paragraph (1)(A)(ii), by inserting '', including the territorial seas'' after ''in the United States''; and

(C) in paragraph (1)(A)(iii), by inserting '', by a United States corporation or legal entity,'' after ''by a national of the United States'';

(2) in subsection (c), by striking ''section 2(c)'' and inserting ''section 13(c)'';

(3) by striking subsection (d);

(4) by striking subsection (e) and inserting after subsection (c) the following:

''(d) DEFINITIONS.—As used in this section, section 2280a, section 2281, and section 2281a, the term—

''(1) 'applicable treaty' means—

''(A) the Convention for the Suppression of Unlawful Seizure of Aircraft, done at The Hague on 16 December 1970;

''(B) the Convention for the Suppression of Unlawful Acts against the Safety of Civil Aviation, done at Montreal on 23 September 1971;

''(C) the Convention on the Prevention and Punishment of Crimes against Internationally Protected Persons, including Diplomatic Agents, adopted by the General Assembly of the United Nations on 14 December 1973;

''(D) International Convention against the Taking of Hostages, adopted by the General Assembly of the United Nations on 17 December 1979;

''(E) the Convention on the Physical Protection of Nuclear Material, done at Vienna on 26 October 1979;

''(F) the Protocol for the Suppression of Unlawful Acts of Violence at Airports Serving International Civil Aviation, supplementary to the Convention for the Suppression of Unlawful Acts against the Safety of Civil Aviation, done at Montreal on 24 February 1988;

''(G) the Protocol for the Suppression of Unlawful Acts against the Safety of Fixed Platforms Located on the Continental Shelf, done at Rome on 10 March 1988;

''(H) International Convention for the Suppression of Terrorist Bombings, adopted by the General Assembly of the United Nations on 15 December 1997; and

''(I) International Convention for the Suppression of the Financing of Terrorism, adopted by the General Assembly of the United Nations on 9 December 1999;

''(2) 'armed conflict' does not include internal disturbances and tensions, such as riots, isolated and sporadic acts of violence, and other acts of a similar nature;

''(3) 'biological weapon' means—

''(A) microbial or other biological agents, or toxins whatever their origin or method of production, of types and in quantities that have no justification for prophylactic, protective, or other peaceful purposes; or

''(B) weapons, equipment, or means of delivery designed to use such agents or toxins for hostile purposes or in armed conflict;

''(4) 'chemical weapon' means, together or separately—

''(A) toxic chemicals and their precursors, except where intended for—

''(i) industrial, agricultural, research, medical, pharmaceutical, or other peaceful purposes;

''(ii) protective purposes, namely those purposes directly related to protection against toxic chemicals and to protection against chemical weapons;

''(iii) military purposes not connected with the use of chemical weapons and not dependent on the use of the toxic properties of chemicals as a method of warfare; or

''(iv) law enforcement including domestic riot control purposes,

as long as the types and quantities are consistent with such purposes;

''(B) munitions and devices, specifically designed to cause death or other harm through the toxic properties of those toxic chemicals specified in subparagraph (A), which would be released as a result of the employment of such munitions and devices; and

''(C) any equipment specifically designed for use directly in connection with the employment of munitions and devices specified in subparagraph (B);

''(5) 'covered ship' means a ship that is navigating or is scheduled to navigate into, through or from waters beyond the outer limit of the territorial sea of a single country or a lateral limit of that country's territorial sea with an adjacent country;

''(6) 'explosive material' has the meaning given the term in section 841(c) and includes explosive as defined in section 844(j) of this title;

''(7) 'infrastructure facility' has the meaning given the term in section 2332f(e)(5) of this title;

''(8) 'international organization' has the meaning given the term in section 831(f)(3) of this title;

''(9) 'military forces of a state' means the armed forces of a state which are organized, trained, and equipped under its internal law for the primary purpose of national defense or security, and persons acting in support of those armed forces who are under their formal command, control, and responsibility;

''(10) 'national of the United States' has the meaning stated in section 101(a)(22) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(22));

''(11) 'Non-Proliferation Treaty' means the Treaty on the Non-Proliferation of Nuclear Weapons, done at Washington, London, and Moscow on 1 July 1968;

''(12) 'Non-Proliferation Treaty State Party' means any State Party to the Non-Proliferation Treaty, to include Taiwan, which shall be considered to have the obligations under the Non-Proliferation Treaty of a party to that treaty other than a Nuclear Weapon State Party to the Non-Proliferation Treaty;

''(13) 'Nuclear Weapon State Party to the Non-Proliferation Treaty' means a State Party to the Non-Proliferation Treaty that is a nuclear-weapon State, as that term is defined in Article IX(3) of the Non-Proliferation Treaty;

''(14) 'place of public use' has the meaning given the term in section 2332f(e)(6) of this title;

''(15) 'precursor' has the meaning given the term in section 229F(6)(A) of this title;

''(16) 'public transport system' has the meaning given the term in section 2332f(e)(7) of this title;

''(17) 'serious injury or damage' means—

''(A) serious bodily injury,

''(B) extensive destruction of a place of public use, State or government facility, infrastructure facility, or public transportation system, resulting in major economic loss, or

''(C) substantial damage to the environment, including air, soil, water, fauna, or flora;

''(18) 'ship' means a vessel of any type whatsoever not permanently attached to the sea-bed, including dynamically supported craft, submersibles, or any other floating craft, but does not include a warship, a ship owned or operated by a government when being used as a naval auxiliary or for customs or police purposes, or a ship which has been withdrawn from navigation or laid up;

''(19) 'source material' has the meaning given that term in the International Atomic Energy Agency Statute, done at New York on 26 October 1956;

''(20) 'special fissionable material' has the meaning given that term in the International Atomic Energy Agency Statute, done at New York on 26 October 1956;

''(21) 'territorial sea of the United States' means all waters extending seaward to 12 nautical miles from the baselines of the United States determined in accordance with international law;

''(22) 'toxic chemical' has the meaning given the term in section 229F(8)(A) of this title;

''(23) 'transport' means to initiate, arrange or exercise effective control, including decisionmaking authority, over the movement of a person or item; and

''(24) 'United States', when used in a geographical sense, includes the Commonwealth of Puerto Rico, the Commonwealth of the Northern Mariana Islands, and all territories and possessions of the United States.''; and

(5) by inserting after subsection (d) (as added by paragraph (4) of this section) the following:

''(e) EXCEPTIONS.—This section shall not apply to—

''(1) the activities of armed forces during an armed conflict, as those terms are understood under the law of war, which are governed by that law; or

''(2) activities undertaken by military forces of a state in the exercise of their official duties.

''(f) DELIVERY OF SUSPECTED OFFENDER.—The master of a covered ship flying the flag of the United States who has reasonable grounds to believe that there is on board that ship any person who has committed an offense under section 2280 or section 2280a may deliver such person to the authorities of a country that is a party to the Convention for the Suppression of Unlawful Acts against the Safety of Maritime Navigation. Before delivering such person to the authorities of another country, the master shall notify in an appropriate manner the Attorney General of the United States of the alleged offense and await instructions from the Attorney General as to what action to take. When delivering the person to a country which is a state party to the Convention, the master shall, whenever practicable, and if possible before entering the territorial sea of such country, notify the authorities of such country of the master's intention to deliver such person and the reasons therefor. If the master delivers such person, the master shall furnish to the authorities of such country the evidence in the master's possession that pertains to the alleged offense.

''(g)(1) CIVIL FORFEITURE.—Any real or personal property used or intended to be used to commit or to facilitate the commission of a violation of this section, the gross proceeds of such violation, and any real or personal property traceable to such property or proceeds, shall be subject to forfeiture.

''(2) APPLICABLE PROCEDURES.—Seizures and forfeitures under this section shall be governed by the provisions of chapter 46 of title 18, United States Code, relating to civil forfeitures, except that such duties as are imposed upon the Secretary of the Treasury under the customs laws described in section 981(d) shall be performed by such officers, agents, and other persons as may be designated for that purpose by the Secretary of Homeland Security, the Attorney General, or the Secretary of Defense.''.

SEC. 802. NEW SECTION 2280A OF TITLE 18, UNITED STATES CODE.

(a) IN GENERAL.—Chapter 111 of title 18, United States Code, is amended by adding after section 2280 the following new section:

''§ 2280a. Violence against maritime navigation and maritime transport involving weapons of mass destruction

''(a) OFFENSES.—

''(1) IN GENERAL.—Subject to the exceptions in subsection (c), a person who unlawfully and intentionally—

''(A) when the purpose of the act, by its nature or context, is to intimidate a population, or to compel a government or an international organization to do or to abstain from doing any act—

''(i) uses against or on a ship or discharges from a ship any explosive or radioactive material, biological, chemical, or nuclear weapon or other nuclear explosive device in a manner that causes or is likely to cause death to any person or serious injury or damage;

''(ii) discharges from a ship oil, liquefied natural gas, or another hazardous or noxious substance that is not covered by clause (i), in such quantity or concentration that causes or is likely to cause death to any person or serious injury or damage; or

''(iii) uses a ship in a manner that causes death to any person or serious injury or damage;

''(B) transports on board a ship—

''(i) any explosive or radioactive material, knowing that it is intended to be used to cause, or in a threat to cause, death to any person or serious injury or damage for the purpose of intimidating a population, or compelling a government or an international organization to do or to abstain from doing any act;

''(ii) any biological, chemical, or nuclear weapon or other nuclear explosive device, knowing it to be a biological, chemical, or nuclear weapon or other nuclear explosive device;

''(iii) any source material, special fissionable material, or equipment or material especially designed or prepared for the processing, use, or production of special fissionable material, knowing that it is intended to be used in a nuclear explosive activity or in any other nuclear activity not under safeguards pursuant to an International Atomic Energy Agency comprehensive safeguards agreement, except where—

''(I) such item is transported to or from the territory of, or otherwise under the control of, a Non-Proliferation Treaty State Party; and

''(II) the resulting transfer or receipt (including internal to a country) is not contrary to the obligations under the Non-Proliferation Treaty of the Non-Proliferation Treaty State Party from which, to the territory of which, or otherwise under the control of which such item is transferred;

''(iv) any equipment, materials, or software or related technology that significantly contributes to the design or manufacture of a nuclear weapon or other nuclear explosive device, with the intention that it will be used for such purpose, except where—

''(I) the country to the territory of which or under the control of which such item is transferred is a Nuclear Weapon State Party to the Non-Proliferation Treaty; and

''(II) the resulting transfer or receipt (including internal to a country) is not contrary to the obligations under the Non-Proliferation Treaty of a Non-Proliferation Treaty State Party from which, to the territory of which, or otherwise under the control of which such item is transferred;

''(v) any equipment, materials, or software or related technology that significantly contributes to the delivery of a nuclear weapon or other nuclear explosive device, with the intention that it will be used for such purpose, except where—

''(I) such item is transported to or from the territory of, or otherwise under the control of, a Non-Proliferation Treaty State Party; and

''(II) such item is intended for the delivery system of a nuclear weapon or other nuclear explosive device of a Nuclear Weapon State Party to the Non-Proliferation Treaty; or

''(vi) any equipment, materials, or software or related technology that significantly contributes to the design, manufacture, or delivery of a biological or chemical weapon, with the intention that it will be used for such purpose;

''(C) transports another person on board a ship knowing that the person has committed an act that constitutes an offense under section 2280 or subparagraph (A), (B), (D), or (E) of this section or an offense set forth in an applicable treaty, as specified in section 2280(d)(1), and intending to assist that person to evade criminal prosecution;

''(D) injures or kills any person in connection with the commission or the attempted commission of any of the offenses set forth in subparagraphs (A) through (C), or subsection (a)(2), to the extent that the subsection (a)(2) offense pertains to subparagraph (A); or

''(E) attempts to do any act prohibited under subparagraph (A), (B) or (D), or conspires to do any act prohibited by subparagraphs (A) through (E) or subsection (a)(2),

shall be fined under this title, imprisoned not more than 20 years, or both; and if the death of any person results from conduct prohibited by this paragraph, shall be imprisoned for any term of years or for life.

''(2) THREATS.—A person who threatens, with apparent determination and will to carry the threat into execution, to do any act prohibited under paragraph (1)(A) shall be fined under this title, imprisoned not more than 5 years, or both.

''(b) JURISDICTION.—There is jurisdiction over the activity prohibited in subsection (a)—

''(1) in the case of a covered ship, if—

''(A) such activity is committed—

''(i) against or on board a vessel of the United States or a vessel subject to the jurisdiction of the United States (as defined in section 70502 of title 46) at the time the prohibited activity is committed;

''(ii) in the United States, including the territorial seas; or

''(iii) by a national of the United States, by a United States corporation or legal entity, or by a stateless person whose habitual residence is in the United States;

''(B) during the commission of such activity, a national of the United States is seized, threatened, injured, or killed; or

''(C) the offender is later found in the United States after such activity is committed;

''(2) in the case of a ship navigating or scheduled to navigate solely within the territorial sea or internal waters of a country other than the United States, if the offender is later found in the United States after such activity is committed; or

''(3) in the case of any vessel, if such activity is committed in an attempt to compel the United States to do or abstain from doing any act.

''(c) EXCEPTIONS.—This section shall not apply to—

''(1) the activities of armed forces during an armed conflict, as those terms are understood under the law of war, which are governed by that law; or

''(2) activities undertaken by military forces of a state in the exercise of their official duties.

''(d)(1) CIVIL FORFEITURE.—Any real or personal property used or intended to be used to commit or to facilitate the commission of a violation of this section, the gross proceeds of such violation, and any real or personal property traceable to such property or proceeds, shall be subject to forfeiture.

''(2) APPLICABLE PROCEDURES.—Seizures and forfeitures under this section shall be governed by the provisions of chapter 46 of title 18, United States Code, relating to civil forfeitures, except that such duties as are imposed upon the Secretary of the Treasury under the customs laws described in section 981(d) shall be performed by such officers, agents, and other persons as may be designated for that purpose by the Secretary of Homeland Security, the Attorney General, or the Secretary of Defense.''.

(b) CONFORMING AMENDMENT.—The table of sections at the beginning of chapter 111 of title 18, United States Code, is amended by adding after the item relating to section 2280 the following new item:

''2280a. Violence against maritime navigation and maritime transport involving weapons of mass destruction.''.

SEC. 803. AMENDMENTS TO SECTION 2281 OF TITLE 18, UNITED STATES CODE.

Section 2281 of title 18, United States Code, is amended—

(1) in subsection (c), by striking ''section 2(c)'' and inserting ''section 13(c)'';

(2) in subsection (d), by striking the definitions of ''national of the United States,'' ''territorial sea of the United States,'' and ''United States''; and

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

''(e) EXCEPTIONS.—This section does not apply to—

''(1) the activities of armed forces during an armed conflict, as those terms are understood under the law of war, which are governed by that law; or

''(2) activities undertaken by military forces of a state in the exercise of their official duties.''.

SEC. 804. NEW SECTION 2281A OF TITLE 18, UNITED STATES CODE.

(a) IN GENERAL.—Chapter 111 of title 18, United States Code, is amended by adding after section 2281 the following new section:

''§ 2281a. Additional offenses against maritime fixed platforms

''(a) OFFENSES.—

''(1) IN GENERAL.—A person who unlawfully and intentionally—

''(A) when the purpose of the act, by its nature or context, is to intimidate a population, or to compel a government or an international organization to do or to abstain from doing any act—

''(i) uses against or on a fixed platform or discharges from a fixed platform any explosive or radioactive material, biological, chemical, or nuclear weapon in a manner that causes or is likely to cause death or serious injury or damage; or

''(ii) discharges from a fixed platform oil, liquefied natural gas, or another hazardous or noxious substance that is not covered by clause (i), in such quantity or concentration

that causes or is likely to cause death or serious injury or damage;

''(B) injures or kills any person in connection with the commission or the attempted commission of any of the offenses set forth in subparagraph (A); or

''(C) attempts or conspires to do anything prohibited under subparagraph (A) or (B),

shall be fined under this title, imprisoned not more than 20 years, or both; and if death results to any person from conduct prohibited by this paragraph, shall be imprisoned for any term of years or for life.

''(2) THREAT TO SAFETY.—A person who threatens, with apparent determination and will to carry the threat into execution, to do any act prohibited under paragraph (1)(A), shall be fined under this title, imprisoned not more than 5 years, or both.

''(b) JURISDICTION.—There is jurisdiction over the activity prohibited in subsection (a) if—

''(1) such activity is committed against or on board a fixed platform—

''(A) that is located on the continental shelf of the United States;

''(B) that is located on the continental shelf of another country, by a national of the United States or by a stateless person whose habitual residence is in the United States; or

''(C) in an attempt to compel the United States to do or abstain from doing any act;

''(2) during the commission of such activity against or on board a fixed platform located on a continental shelf, a national of the United States is seized, threatened, injured, or killed; or

''(3) such activity is committed against or on board a fixed platform located outside the United States and beyond the continental shelf of the United States and the offender is later found in the United States.

''(c) EXCEPTIONS.—This section does not apply to—

''(1) the activities of armed forces during an armed conflict, as those terms are understood under the law of war, which are governed by that law; or

''(2) activities undertaken by military forces of a state in the exercise of their official duties.

''(d) DEFINITIONS.—In this section—

''(1) 'continental shelf' means the sea-bed and subsoil of the submarine areas that extend beyond a country's territorial sea to the limits provided by customary international law as reflected in Article 76 of the 1982 Convention on the Law of the Sea; and

''(2) 'fixed platform' means an artificial island, installation, or structure permanently attached to the sea-bed for the purpose of exploration or exploitation of resources or for other economic purposes.''.

(b) CONFORMING AMENDMENT.—The table of sections at the beginning of chapter 111 of title 18, United States Code, is amended by adding after the item relating to section 2281 the following new item:

''2281a. Additional offenses against maritime fixed platforms.''.

SEC. 805. ANCILLARY MEASURE.

Section 2332b(g)(5)(B) of title 18, United States Code, is amended by inserting ''2280a (relating to maritime safety),'' before ''2281'', and by striking ''2281'' and inserting ''2281 through 2281a''.

Subtitle B—Prevention of Nuclear Terrorism

SEC. 811. NEW SECTION 2332I OF TITLE 18, UNITED STATES CODE.

(a) IN GENERAL.—Chapter 113B of title 18, United States Code, is amended by adding after section 2332h the following:

''§ 2332i. Acts of nuclear terrorism

''(a) OFFENSES.—

''(1) IN GENERAL.—Whoever knowingly and unlawfully—

''(A) possesses radioactive material or makes or possesses a device—

''(i) with the intent to cause death or serious bodily injury; or

''(ii) with the intent to cause substantial damage to property or the environment; or

''(B) uses in any way radioactive material or a device, or uses or damages or interferes with the operation of a nuclear facility in a manner that causes the release of or increases the risk of the release of radioactive material, or causes radioactive contamination or exposure to radiation—

''(i) with the intent to cause death or serious bodily injury or with the knowledge that such act is likely to cause death or serious bodily injury;

''(ii) with the intent to cause substantial damage to property or the environment or with the knowledge that such act is likely to cause substantial damage to property or the environment; or

''(iii) with the intent to compel a person, an international organization or a country to do or refrain from doing an act,

shall be punished as prescribed in subsection (c).

''(2) THREATS.—Whoever, under circumstances in which the threat may reasonably be believed, threatens to commit an offense under paragraph (1) shall be punished as prescribed in subsection (c). Whoever demands possession of or access to radioactive material, a device or a nuclear facility by threat or by use of force shall be punished as prescribed in subsection (c).

''(3) ATTEMPTS AND CONSPIRACIES.—Whoever attempts to commit an offense under paragraph (1) or conspires to commit an offense under paragraph (1) or (2) shall be punished as prescribed in subsection (c).

''(b) JURISDICTION.—Conduct prohibited by subsection (a) is within the jurisdiction of the United States if—

''(1) the prohibited conduct takes place in the United States or the special aircraft jurisdiction of the United States;

''(2) the prohibited conduct takes place outside of the United States and—

''(A) is committed by a national of the United States, a United States corporation or legal entity or a stateless person whose habitual residence is in the United States;

''(B) is committed on board a vessel of the United States or a vessel subject to the jurisdiction of the United States (as defined in section 70502 of title 46) or on board an aircraft that is registered under United States law, at the time the offense is committed; or

''(C) is committed in an attempt to compel the United States to do or abstain from doing any act, or constitutes a threat directed at the United States;

''(3) the prohibited conduct takes place outside of the United States and a victim or an intended victim is a national of the United States or a United States corporation or legal entity, or the offense is committed against any state or government facility of the United States; or

''(4) a perpetrator of the prohibited conduct is found in the United States.

''(c) PENALTIES.—Whoever violates this section shall be fined not more than $2,000,000 and shall be imprisoned for any term of years or for life.

''(d) NONAPPLICABILITY.—This section does not apply to—

''(1) the activities of armed forces during an armed conflict, as those terms are understood under the law of war, which are governed by that law; or

''(2) activities undertaken by military forces of a state in the exercise of their official duties.

''(e) DEFINITIONS.—As used in this section, the term—

''(1) 'armed conflict' has the meaning given that term in section 2332f(e)(11) of this title;

''(2) 'device' means:

''(A) any nuclear explosive device; or

''(B) any radioactive material dispersal or radiation-emitting device that may, owing to its radiological properties, cause death, serious bodily injury or substantial damage to property or the environment;

''(3) 'international organization' has the meaning given that term in section 831(f)(3) of this title;

''(4) 'military forces of a state' means the armed forces of a country that are organized, trained and equipped under its internal law for the primary purpose of national defense or security and persons acting in support of those armed forces who are under their formal command, control and responsibility;

''(5) 'national of the United States' has the meaning given that term in section 101(a)(22) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(22));

''(6) 'nuclear facility' means:

''(A) any nuclear reactor, including reactors on vessels, vehicles, aircraft or space objects for use as an energy source in order to propel such vessels, vehicles, aircraft or space objects or for any other purpose;

''(B) any plant or conveyance being used for the production, storage, processing or transport of radioactive material; or

''(C) a facility (including associated buildings and equipment) in which nuclear material is produced, processed, used, handled, stored or disposed of, if damage to or interference with such facility could lead to the release of significant amounts of radiation or radioactive material;

''(7) 'nuclear material' has the meaning given that term in section 831(f)(1) of this title;

''(8) 'radioactive material' means nuclear material and other radioactive substances that contain nuclides that undergo spontaneous disintegration (a process accompanied by emission of one or more types of ionizing radiation, such as alpha-, beta-, neutron particles and gamma rays) and that may, owing to their radiological or fissile properties, cause death, serious bodily injury or substantial damage to property or to the environment;

''(9) 'serious bodily injury' has the meaning given that term in section 831(f)(4) of this title;

''(10) 'state' has the same meaning as that term has under international law, and includes all political subdivisions thereof;

''(11) 'state or government facility' has the meaning given that term in section 2332f(e)(3) of this title;

''(12) 'United States corporation or legal entity' means any corporation or other entity organized under the laws of the United States or any State, Commonwealth, territory, possession or district of the United States;

''(13) 'vessel' has the meaning given that term in section 1502(19) of title 33; and

''(14) 'vessel of the United States' has the meaning given that term in section 70502 of title 46.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 113B of title 18, United States Code, is amended by inserting after the item relating to section 2332h the following:

''2332i. Acts of nuclear terrorism.''.

(c) DISCLAIMER.—Nothing contained in this section is intended to affect the applicability of any other Federal or State law that might pertain to the underlying conduct.

(d) INCLUSION IN DEFINITION OF FEDERAL CRIMES OF TERRORISM.—Section 2332b(g)(5)(B) of title 18, United States Code, is amended by inserting ''2332i (relating to acts of nuclear terrorism),'' before ''2339 (relating to harboring terrorists)''.

SEC. 812. AMENDMENT TO SECTION 831 OF TITLE 18, UNITED STATES CODE.

Section 831 of title 18, United States Code, is amended—

(a) in subsection (a)—

(1) by redesignating paragraphs (3) through (8) as paragraphs (4) through (9);

(2) by inserting after paragraph (2) the following:

''(3) without lawful authority, intentionally carries, sends or moves nuclear material into or out of a country;'';

(3) in paragraph (8), as redesignated, by striking ''an offense under paragraph (1), (2), (3), or (4)'' and inserting ''any act prohibited under paragraphs (1) through (5)''; and

(4) in paragraph (9), as redesignated, by striking ''an offense under paragraph (1), (2), (3), or (4)'' and inserting ''any act prohibited under paragraphs (1) through (7)'';

(b) in subsection (b)—

(1) in paragraph (1), by striking ''(7)'' and inserting ''(8)''; and

(2) in paragraph (2), by striking ''(8)'' and inserting ''(9)'';

(c) in subsection (c)—

(1) in subparagraph (2)(A), by adding after ''United States'' the following: ''or a stateless person whose habitual residence is in the United States'';

(2) by striking paragraph (5);

(3) in paragraph (4), by striking ''or'' at the end; and

(4) by inserting after paragraph (4), the following:

''(5) the offense is committed on board a vessel of the United States or a vessel subject to the jurisdiction of the United States (as defined in section 70502 of title 46) or on board an aircraft that is registered under United States law, at the time the offense is committed;

''(6) the offense is committed outside the United States and against any state or government facility of the United States; or

''(7) the offense is committed in an attempt to compel the United States to do or abstain from doing any act, or constitutes a threat directed at the United States.'';

(d) by redesignating subsections (d) through (f) as (e) through (g), respectively;

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

''(d) NONAPPLICABILITY.—This section does not apply to—

''(1) the activities of armed forces during an armed conflict, as those terms are understood under the law of war, which are governed by that law; or

''(2) activities undertaken by military forces of a state in the exercise of their official duties.''; and

(f) in subsection (g), as redesignated—

(1) in paragraph (6), by striking ''and'' at the end;

(2) in paragraph (7), by striking the period at the end and inserting a semicolon; and

(3) by inserting after paragraph (7), the following:

''(8) the term 'armed conflict' has the meaning given that term in section 2332f(e)(11) of this title;

''(9) the term 'military forces of a state' means the armed forces of a country that are organized, trained and equipped under its internal law for the primary purpose of national defense or security and persons acting in support of those armed forces who are under their formal command, control and responsibility;

''(10) the term 'state' has the same meaning as that term has under international law, and includes all political subdivisions thereof;

''(11) the term 'state or government facility' has the meaning given that term in section 2332f(e)(3) of this title; and

''(12) the term 'vessel of the United States' has the meaning given that term in section 70502 of title 46.''.

SA 1453. Mr. MCCONNELL proposed an amendment to amendment SA 1452 proposed by Mr. MCCONNELL (for himself and Mr. BURR) to the bill H.R. 2048, to reform the authorities of the Federal Government to require the production of certain business records, conduct electronic surveillance, use pen registers and trap and trace devices, and use other forms of information gathering for foreign intelligence, counterterrorism, and criminal purposes, and for other purposes; as follows:

At the end of the amendment, add the following:

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

EXPRESSING APPRECIATION OF THE GOALS OF AMERICAN CRAFT BEER WEEK

Mr. MCCONNELL. Madam President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. Res. 188, submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 188) expressing appreciation of the goals of American Craft Beer Week and commending the small and independent craft brewers of the United States.

There being no objection, the Senate proceeded to consider the resolution.

Mr. MCCONNELL. Madam President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be made and laid upon the table with no intervening action or debate.

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

The resolution (S. Res. 188) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in today's RECORD under ''Submitted Resolutions.'')

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. MCCONNELL. Madam President, I ask unanimous consent that the Senate proceed to executive session to consider the following nominations en bloc: Calendar Nos. 95 and 125; that the nominations be confirmed, the motions to reconsider be considered made and laid upon the table with no intervening action or debate; that no further motions be in order; that any statements related to the nominations be printed in the RECORD; that the President be immediately notified of the Senate's actions, and the Senate then resume legislative session.

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

The nominations considered and confirmed en bloc are as follows:

IN THE AIR FORCE

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

To be general

Lt. Gen. David L. Goldfein

IN THE COAST GUARD

The following officer for appointment in the United States Coast Guard to the grade indicated while assigned to a position of importance and responsibility as Deputy Commandant for Mission Support under title 14, U.S.C., section 50:

To be vice admiral

Rear Adm. Sandra L. Stosz

LEGISLATIVE SESSION

The PRESIDING OFFICER. The Senate will now resume legislative session.

ORDERS FOR MONDAY, JUNE 1, 2015

Mr. MCCONNELL. Madam President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 12 noon on Monday, June 1; that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, and the time for the two leaders be reserved for their use later in the day; that following leader remarks, the Senate be in a period of morning business for 1 hour, with Senators permitted to speak therein for up to 10 minutes each; finally, that following morning business, the Senate then resume consideration of H.R. 2048.

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

ADJOURNMENT UNTIL TOMORROW

Mr. MCCONNELL. If there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the previous order.

There being no objection, the Senate, at 9:44 p.m., adjourned until Monday, June 1, 2015, at 12 noon.

CONFIRMATIONS

Executive nominations confirmed by the Senate May 31, 2015:

IN THE AIR FORCE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT AS VICE CHIEF OF STAFF, UNITED STATES AIR FORCE, AND APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTIONS 8034 AND 601:

To be general

LT. GEN. DAVID L. GOLDFEIN

IN THE COAST GUARD

THE FOLLOWING OFFICER FOR APPOINTMENT IN THE UNITED STATES COAST GUARD TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY AS DEPUTY COMMANDANT FOR MISSION SUPPORT UNDER TITLE 14, U.S.C., SECTION 50:

To be vice admiral

REAR ADM. SANDRA L. STOSZ

SENATE—*Monday, June 1, 2015*

The Senate met at 12 noon and was called to order by the President pro tempore (Mr. HATCH).

PRAYER

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

Let us pray.

God of all mercies, in whose love and wisdom lies all our hope, still our anxious hearts as we bring our weakness to Your might, our failure to Your perfection, and our smallness to Your greatness. From a world with its tragedies and setbacks, we turn for this hallowed moment to be still and know that You are God.

Continue to sustain our lawmakers. Save them from the dangers that lurk in a flawed judgment of confused reckoning and a narrow outlook. Bless the members of their staffs who labor with them to keep our Nation strong.

And, Lord, comfort the Biden family and all those who are grieving the loss of Beau Biden.

We pray in Your merciful Name. Amen.

PLEDGE OF ALLEGIANCE

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

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

RECOGNITION OF THE MAJORITY LEADER

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

USA FREEDOM ACT

Mr. MCCONNELL. Mr. President, last night the Senate voted to advance the House-passed FISA bill. We will have a vote on that legislation as soon as we can. On our way there, we should take some commonsense steps to ensure the new system envisioned by that legislation—a system we would soon have to rely upon to keep our country safe—will, in fact, actually work. The amendments filed last night would help do just that.

For example, one amendment would ensure that there is adequate time to build and test a system that doesn't yet exist. One amendment would ensure that there is adequate time to build and test a system that doesn't even exist yet. Another would require that once the new system is actually built, the Director of National Intelligence reviews it and certifies that it actually works. I will say that again. The second amendment would require that once the new system is actually built, the Director of National Intelligence reviews the new system and certifies that it will actually work. Amendment No. 3 would require simple notification if the providers decide to change their data-retention policies. It will just require them to notify us if the providers decide to change their data-retention policies. Three amendments to improve the bill.

These fixes are common sense, and whatever one thinks of the proposed new system, there needs to be basic assurance that it will function as its proponents say it will. The Senate should adopt these basic safeguards.

I had hoped to see committees working hard to advance bipartisan, compromise FISA legislation this week, which is why I had offered several temporary extensions of the existing program to allow the space for that to occur. But these proposed short-term extensions were either voted down or objected to, including a very narrow extension of some of the least controversial tools contained within the program that we are considering.

So this is where we are. It now falls on all of us to work diligently and responsibly to get the American people the best outcome that can be reasonably expected in this reality with which we are confronted. That is my commitment, and I know many of my colleagues share it as well.

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

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

RESERVATION OF LEADER TIME

The PRESIDING OFFICER (Mr. JOHNSON). Under the previous order, the leadership time is reserved.

MORNING BUSINESS

The PRESIDING OFFICER. Under the previous order, the Senate will be in a period of morning business for 1 hour, with Senators permitted to speak therein for up to 10 minutes each.

The Senator from Florida.

REMEMBERING BEAU BIDEN

Mr. NELSON. Mr. President, I wish to speak about the FISA bill, but before I do, I want to express what is in every one of our hearts—our grieving with the JOE BIDEN family. That family has had more than its share of tragedy, but what it has produced is, in the case of Beau Biden, an extraordinary public servant who served his country not only by elected office but by serving in uniform as well.

Most of us in this Chamber know the Biden family. The dad and the now mom, JOE and Jill, are extraordinary human beings who have contributed so much. It is not necessarily easy to be in public service as long as the Vice President has been and still raise a family that is so extraordinarily accomplished and contributes so much. Then to have that eldest son taken from him is like a dagger into our hearts.

So we grieve with the family. We grieve for them and with the Nation. I just wish to put that on the record.

NATIONAL SECURITY LEGISLATION

Mr. NELSON. Mr. President, we are here because the Senate is not functioning. We were here last night because the Senate is not functioning. Oh, it is functioning according to the rules, which say that you have to go through this arcane procedure of cloture on the motion to proceed and get 60 votes before you can ever get to the bill. Once you get to the bill, then you file another motion for cloture. The Senate rules say that there are 30 hours that have to run unless, as has been typical of Senate business, there is comity, there is understanding, and there is bipartisanship. But one Senator can withhold unanimous consent, and that has been done—so the 30 hours.

Now, normally that may be standard procedure for the Senate, but it is getting in the way of our national security. At midnight last night the law that allows our intelligence community to track the emails and the phone calls of the terrorists evaporated. It won't be reenacted until sometime later this week because of the lack of unanimous consent.

But this Senator from Florida is not putting it at the feet of just the one Senator who is withholding the unanimous consent. This Senator from Florida is saying that this should have been planned on over a week ago. This Senator is saying that we should have gone through the laborious procedures—not

assuming that we were going to have the votes last night, not assuming that there was going to have comity and unanimous consent. This Senator thinks that we should have done this because of the urgency of national security.

It is interesting that this Senator from Florida comes to the floor with mixed feelings. I voted for the Leahy bill, which is identical to the House bill, but I did that because we didn't have any other choice. When I had another choice, I voted for Senator BURR's—the chairman of the Senate Intelligence Committee—version, which was to continue existing law. I did so because I clearly thought that was in the interests of our national security.

But since that is not the prevailing vote of the Senate, we need to get on with it and pass the House bill. Then I would urge the chairman of the Intelligence Committee, who is on the floor, that—down the line—the 6-month transitional period from the old law to the new law be extended with a greater transition time to 12 or 18 months. I would further urge the chairman of the Intelligence Committee that as to a major flaw in the bill passed by the House, which we will eventually pass this week, we add to it a requirement for a certain amount of time that the telephone companies would have to keep those telephone business records, so that if there is an urgency of national security going through the FISA Court, those records would be available to the intelligence community to trace the telephone calls of the terrorists. That would be my recommendation, and I see the chairman nodding in somewhat agreement.

I hope we will get on. I hope better hearts and minds will prevail and that we can collapse this period of darkness where there is no law governing emails, phone calls, cell phones, et cetera, as we try to protect ourselves from the terrorists.

I would hope that this would be collapsed into a much shorter time instead of having to wait until late Tuesday or Wednesday or Thursday of this week.

I yield the floor.

The PRESIDING OFFICER. The Senator from North Carolina.

ORDER OF PROCEDURE

Mr. BURR. Mr. President, I ask unanimous consent that all morning business time be yielded back and the Senate resume consideration of H.R. 2048.

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

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

USA FREEDOM ACT OF 2015

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of H.R. 2048, which the clerk will report.

The senior assistant legislative clerk read as follows:

A bill (H.R. 2048) to reform the authorities of the Federal Government to require the production of certain business records, conduct electronic surveillance, use pen registers and trap and trace devices, and use other forms of information gathering for foreign intelligence, counterterrorism, and criminal purposes, and for other purposes.

Pending:

McConnell/Burr amendment No. 1449, in the nature of a substitute.

McConnell amendment No. 1450 (to amendment No. 1449), of a perfecting nature.

McConnell amendment No. 1451 (to amendment No. 1450), relating to appointment of amicus curiae.

McConnell/Burr amendment No. 1452 (to the language proposed to be stricken by amendment No. 1449), of a perfecting nature.

McConnell amendment No. 1453 (to amendment No. 1452), to change the enactment date.

The PRESIDING OFFICER. The Senator from North Carolina.

Mr. BURR. Mr. President, I rise while my good friend from Florida is on the floor to say that I wish I could have a magic wand with which I could collapse this time. But as he knows, under Senate rules, one Member can demand for the full 30 hours, and we are in a process like that. My hope is that there will be accommodation as we go through this because I think most Members would like to resolve this.

Let me say specifically to his two points that there is a substitute amendment that has the USA FREEDOM language with two additional pieces. Those two pieces are a 6-month notification to NSA by any telecom company that intends to change its retention program. As my good friend from Florida knows, in part, trying to move a bill is making sure we move a bill that can be passed and accepted by the House of Representatives. Mandatory retention right now does not meet that threshold. But I hope they will accept this requirement of notification of any change in their retention program, as well as a DNI certification at the end of whatever the transition period is.

Now, there will be a first-degree and a second-degree amendment, in addition to that, made in order and germane. The first-degree amendment will be to extend the transition period to 12 months. So we would go from 6 months—not to 2 years, as my colleague from Florida and I would prefer, and not to 18 but to 12. I think that is a happy spot for us to agree upon.

Then there will be a second-degree amendment to that to address some language that is in the bill that makes it mandatory on the part of the Justice Department that they get a panel of amicus individuals. What we have heard from the Justice Department and gotten a recommendation on is that that be voluntary on the part of the courts. We will second-degree that first-degree amendment with that language provided to us by the courts.

I would like to tell my colleague that by tomorrow afternoon, I hope, we can have this complete and send it to the House, and by the time we go to bed tomorrow night this might all be back in place.

I remind my colleagues that any law enforcement case that was in progress is not affected by the suspension of the roving or ''lone-wolf'' provisions. They are grandfathered in so those investigations can continue. But for the 48 hours we might be closed, it means they are going to delay the start of an investigation, if in fact they need those two tools.

From the standpoint of the bulk data program, it means that is frozen. It can't be queried for the period of time, but it hasn't gone away. Immediately, as we reinstitute the authorities in this program, that additional data will be brought in and the process that NSA would go through to query the data would, in fact, be available to the National Security Agency only—as is current law—once a FISA Court provides the authority for them to do it.

I think there are a lot of misstatements that have been made on this floor. Let me just state for my colleagues what is collected. What is metadata? It is a telephone number, it is a date, it is the time the call was made, and it is the duration of the phone call.

Now, I am not sure how we have invaded anybody's privacy by getting a telephone number that is deidentified. We don't know who it belongs to, and we would never know who it belongs to until it is turned over to law enforcement to investigate because it has now been connected to a known foreign terrorist's telephone number.

Stop and think about this. The CFPB—a government agency—collects financial transactions on every American. There is nobody down here trying to eliminate the CFPB. I would love to eliminate the CFPB tomorrow. But there is no outrage over it, and they collect a ton more information that is not deidentified. It is identified.

Every American has a discount card for their grocery store. You go in and you get a discount every time you use it. Your grocery store collects 20 times the amount of data the NSA does—all identified with you. There is a big difference between the NSA and your grocery store: We don't sell your data at the NSA; your grocery store does.

Now, I am for outrage, but let's make it equal. Let's understand we are in a society where data is transferred automatically. The fact is, No. 1, this is a program authorized by law, overseen

by the Congress—House and Senate—and the executive branch at the White House. It is a program that has never had—never, never had—a privacy violation, not one, in the time it has been in place.

Now, I am all for, if the American people say this is not a function we believe government should be in—and I think that is what we have heard—and we are transferring this data over to the telecom companies, where no longer are there going to be a limited number of people who can access that information. We are going to open it up to the telecom companies to search it in some way, shape or form. Whether they are trained or untrained or how exactly they are going to do it, it is going to delay the amount of time it will take us to connect a dot to another dot.

Mr. NELSON. Will the Senator yield for a question?

Mr. BURR. I will be happy to yield.

Mr. NELSON. Mr. President, this is a good example of the chairman of the intel committee, a Republican, and this Senator from Florida, a Democrat and a former member of the intel committee, agreeing and being so frustrated—as was just exemplified by the Senator from North Carolina—that there is so much misunderstanding of what this legislation does.

The fact is, as the chairman has just said, ''metadata''—a fancy term—is nothing more than business records of the telephone company. A telephone number is made to another telephone number on such and such a date, at such and such a time, for such and such duration. That is all. We don't know whom the call was from or to. It is when there is the suspicion, through other things that are authorized by court order, that the analyst can get in and open up as to what the content is in order to protect us.

Would the Senator from North Carolina agree there is so much misunderstanding in the press, as has been reported, about how this is an invasion of privacy, as if the conversations were the ones that were being held by the National Security Agency? Would the Senator agree with that statement?

Mr. BURR. I would agree exactly with that statement. The collection has nothing to do with the content of a call. To do that would take an investigation into an individual and an additional court process that would probably be pursued by the FBI, not the NSA, to look at the content.

I think when the American people see this thing dissected, in reality, they will see that my telephone number without my name isn't really an intrusion, the time the call was made really isn't an intrusion, the duration of the call really isn't an intrusion, and now I know they are not collecting anything that was said, that there is no content in it and that this metadata base is only telephone numbers.

There is a legitimate question the American people ask: Why did we create this program? Well, it was created in the Department of Defense. It was transferred over to the intelligence community. The purpose of it was in real time to be able to search or query a massive amount of data.

A few weeks ago, we, the United States, went into Syria and we got a bad guy. And we got hard drives and we got telephones and we got a lot of SIM cards. Those telephone numbers now, hopefully—don't know but hopefully—we are testing them in the metadata base to see if those phones talked to anybody in the United States. Why? I think the American people want us to know if terrorists are talking to somebody in this country. I think they really do want us to know that.

What we have tried to do since 9/11 is to structure something that lives within the law or a Presidential directive that gives us that head start in identifying who that individual is. But we only do it through telephone numbers, the date of the call, and the length of the call. We don't do it through listening to content.

That is why I think it is healthy for us to have this debate. I think my good friend from Florida shares my frustration. We are changing a program that didn't have a problem and didn't need to be changed, and we are accepting a lower threshold of our ability to intercept that individual in the United States who might have the intention of carrying out some type of an attack.

Now, I would only say this. I don't believe the threat level has dropped to a point where we can remove some of the tools. If anything, the threat level has gotten higher, and one would think we would be talking about an expansion of tools. But I accept the fact that this debate has gotten to a point where a bulk data storage capacity within the government is not going to be continued long term.

I would say to my good friend, who I think agrees with me, that although I believe 24 months is a safer transition period, hopefully our friends in the House will see 12 months as a good agreement between the two bodies. That 12-month agreement I think would give me confidence knowing we have taken care of the technology needed for the telecoms to search in real time their numbers.

Now, make no mistake, this will be a delay from where we currently are. I can't get into the classified nature of how long it takes us to query a database, given the way we do it, but there is no question this will lengthen the amount of time it takes us to connect the dots. Therefore, for something that might be in an operational mode, we may or may not hit that. That is a concern. But this is certainly something we can go back and look at as time goes on.

Mr. NELSON. Mr. President, if the Senator will further yield.

Mr. BURR. Absolutely.

Mr. NELSON. Has the Senator heard many times from the press: Well, nobody has come forward and shown us one case in which the holding of these telephone business bulk records has paid off. Has the Senator heard that statement by the press?

Mr. BURR. The Senator has heard that statement by the press and has heard it made by Members of this body.

Mr. NELSON. Has the Senator come to the conclusion that with regard to the holding of that data and the many cases that are classified, that that data has protected this country from terrorists by virtue of just the example he gave of terrorist records apprehended in the raid in Syria a couple of weeks ago and that those telephone numbers may well be like mining gold in finding other terrorists who want to hit us?

Mr. BURR. The Senator hits on a great point, and let me state it this way. Would any Member of the Intelligence Committee be on the floor battling to keep this program, if, in fact, in our oversight capacity, we had looked at a program that was absolutely worthless? Would we expend any capital to do that? The answer is, no, we wouldn't.

We are down here battling on the floor, those of us either on the committee or who have been on the committee since 9/11, because we have seen the impact of this program. We know what it has enabled us to do and we know what happens when we get a trove of technology in our hands that gives us the ability to see whether it was tied to somebody—whether we knew about them or we didn't.

The fact is, when you have groups such as ISIL today, that are saying on social media: Don't come to Syria, stay in the United States, stay in Europe, go buy a gun, here are 100 law enforcement officers, here are 100 military folks, that is how you can carry out the jihad, it makes the use of the tool we are talking about even more important because no longer do we get to look at no-fly lists, no longer do we get to look at individuals who have traveled or who intend to travel to Syria. It is individuals who grew up in neighborhoods that we never worried about. And the only way we will be able to find out about them is if we connect the conversation they have had or just the fact that a conversation took place, and then law enforcement can begin to peel the onion back with the proper authorities—the proper court order—to begin to look at whether this is a person we need to worry about.

The Senator from Florida is 100 percent correct that this is invaluable to the overall defense of this country.

Mr. NELSON. Mr. President, if the Senator will further yield, and I will conclude with this.

The American people need to understand there is so much agreement behind the closed doors on the Intelligence Committee, as they are invested with the oversight of what is going on in order to protect our blessed country. My plea now is we would get to the point that as the chairman has suggested, even by waiting until tomorrow, we can collapse this time and get on to passing this by sending down some minor modifications to the House that they can accept, then get it to the President so this important program that tries to protect us from terrorists can continue.

I thank the Senator for yielding.

Mr. BURR. I thank my good friend from Florida for his willingness to come to the floor and talk facts.

I see my good friend from Arizona here. Before I yield, let me just restate what the Senator from Florida asked me, which was, geez, we need a longer transition period and we need something addressed on the data that is held.

I say for my colleagues that there will be three votes at some point. One will be on a substitute amendment. It has the exact same language as the USA FREEDOM bill. It makes two changes to the USA FREEDOM bill. It has a requirement that the telecoms notify the government 6 months in advance of any change in the retention program for their data, which I think is very reasonable. The second would be that it requires the Director of National Intelligence to certify, on whatever the transition date is, that the software that needs to be provided to the telecoms has been provided so that search can go through.

In addition to that, there will be two other amendments. The first will deal with expanding the transition period from the current 6 months in the USA FREEDOM bill to 12 months. Again, I would have preferred 24 months. We have settled on 12 months. The last thing is that it would change the current amicus language in the bill to reflect something provided to us by the courts. It was the court's recommendation that we change it. This would be easier to fit within a program that has a time sensitivity to it.

So as we go through the debate today, as we go through tomorrow, hopefully we will have three amendments that pass, and we can report this bill out shortly after lunch tomorrow if everything works well.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. MCCAIN. Mr. President, I ask unanimous consent to address the Senate as in morning business.

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

TRIBUTE TO BOB SCHIEFFER

Mr. MCCAIN. Mr. President, I wish to pay tribute today to CBS broadcaster Bob Schieffer, who retired yesterday as the moderator of the most watched Sunday news show, ''Face the Nation,'' after a career in journalism that lasted more than half a century. Bob reported from Dallas that terrible weekend President Kennedy was assassinated. At that time, he was with the Fort Worth Star Telegram. He was CBS's Pentagon correspondent, congressional correspondent, White House correspondent, and chief Washington correspondent. He anchored the ''CBS Evening News'' at a time of transition and turmoil at the network. For 24 years he moderated ''Face the Nation,'' which became more popular every year Bob ran the show. He tried to retire before, several times. CBS begged him to stay. That is an impressive run by anyone's standards, all the more so considering Bob is probably the most respected and popular reporter in the country.

Familiarity might not always breed contempt, but it is certainly not a guarantee of enduring public admiration—except in Bob's case. The public's regard for Bob Schieffer never seemed to waver or even level off. He grew in stature the longer his career lasted. Not many of us can say that. The secret to his success, I suspect, is pretty simple: Americans just like Bob Schieffer. They like him a lot and trust him. That is pretty rare in his profession, which, like ours, has fallen precipitously in recent years in the esteem of the American people. I think it is attributable to the personal and professional values he honestly and seemingly effortlessly represented, old-fashioned values that in this modern communications age make him stand out.

Bob is courteous and respectful to the people he reports on and interviews. There are people in his profession who disdain that approach to journalism, but I doubt they will ever be as good at the job as Bob Schieffer was. He looked to get answers to questions the public had a right and a need to have answered. He was dogged in pursuit of those answers, and more often than not he succeeded. But he wasn't sarcastic or cynical. He wasn't rude. He didn't show off. He didn't do ''gotcha'' journalism. He was fair, he was honest, and he was very good at his job. He asked good questions, and he kept asking them until he got answers. He was determined to get at the truth not for the sake of one-upping you or embarrassing you but because that was a journalist's responsibility in a free society. If he caught someone being evasive or dishonest or pompous, he would persist long enough for them to expose themselves. He didn't yell or talk over them or insult them. He didn't need to.

I don't know how he votes. Most people in his profession have political views to the left of my party, and it wouldn't surprise me if Bob does, too. Almost all reporters claim they keep their personal views out of their reporting, but not many do it successfully, be they liberal or conservative. The best do, and Bob Schieffer is the best. I never once felt I had been treated unfairly by him because he disagreed with me. I think most Republicans Bob interviewed would say the same.

He moderated Presidential debates without receiving any criticism—or at least any deserved criticism—for loading his questions with his own views or mediating exchanges between candidates to favor one over the other. He was the model of a successful moderator, intent on informing the electorate, not drawing attention to himself. That is not to say he didn't make an impression on his audience. He did. He impressed them, as he always did, with his fairness, his honesty, and his restraint.

It is no secret that I have made an occasional appearance on a Sunday morning show. No doubt I have enjoyed those experiences more than some of my colleagues have enjoyed watching them. Some people might think I should take up golf or find something else to do with my Sunday mornings. I may have to now that Bob has retired.

I have appeared on ''Face the Nation'' over 100 times—more than any other guest. I acknowledge there are viewers who would prefer to see someone else claim that distinction. Too bad. I have the record, and I think I will have it for a while. I am kidding—sort of. But I am not kidding about my appreciation for Bob Schieffer and the opportunity he gave me and everyone who appeared on his show to communicate our views on issues without a third party editing or misconstruing them and to have those views tested by a capable, probing, and fair interviewer, which Bob Schieffer certainly was.

He is something else, too, in addition to being a very good and very fair reporter. He is a good guy. And there are never enough of those around. I am going to miss spending the occasional Sunday morning with him.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Mr. DURBIN. Mr. President, I ask unanimous consent to speak as in morning business.

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

REMEMBERING BEAU BIDEN

Mr. DURBIN. Mr. President, I gathered Saturday night in Springfield, IL, with my wife and a group of close

friends at the retirement party of Ann Dougherty, who served me so well here in the Senate office and in the congressional office in Springfield. It was a great night with a lot of enjoyment. That was interrupted by the sad news of the passing of Beau Biden. One of my other staffers came up and said that Beau Biden had passed away here in Washington on Saturday evening.

Beau, of course, the oldest son of Vice President JOE BIDEN, had been suffering from a serious cancer illness—brain cancer—for some period of time. Most of us knew there was something terribly wrong when we approached the Vice President about his son's illness, and JOE—the Vice President—in very hushed terms would say, ''Pray for him.''

We knew he was in a life struggle, but the fact that he would lose his life Saturday evening at age 46 is a personal and family tragedy. It is a tragedy which is compounded by the extraordinary person Beau Biden was. This young, 46-year-old man had achieved so many things in life. First and foremost, he had married Hallie—a wonderful marriage, two beautiful children. He was part of that expanded and warm Biden family.

He was known to most people around America by his introduction of his father at the Democratic National Convention. It was not a customary political introduction; it was an introduction of love by a son who truly loved his father. Beau Biden told the story of his mother's untimely death in an auto accident with his sister and how he and his brother Hunter had survived and drew closer to their father as they grew up.

Jill Biden married JOE at a later date, and the family expanded. As you watched this family in the world of politics, they were just different. They were so close and loving of one another that you knew there was an extraordinary bond there.

Beau Biden made his father proud and all of us proud in the contributions he made, first as attorney general in Delaware and then in his service with the Delaware National Guard, actually being posted overseas in harm's way and earning a Bronze Star for the extraordinary service he gave to our country. That is why his loss is felt on so many different levels. This life was cut short—a life which could have led to so many great things in public service beyond his service to the State of Delaware. But, in a way, it is a moment to reflect on this family, this Biden family.

I have been in politics for a long time, and I have met a lot of great people in both political parties, extraordinary people. I have never met someone quite like Vice President JOE BIDEN.

A friend of mine, a colleague from Illinois, Marty Russo, served in the U.S. House of Representatives for several decades. He was a friend of JOE BIDEN's. When Marty Russo's son was diagnosed with leukemia, Marty Russo called JOE BIDEN, who was then a Senator from Delaware. JOE BIDEN not only called Marty Russo's son but continued to call and visit him on a regular basis.

His empathy and caring for other people is so extraordinary. I don't know that there is another person quite like him in public life. The only one I can think of who rivaled him was Ted Kennedy, who had the same empathy. And, as I reflect on it, both of them had in their lives examples of personal tragedy and family tragedy, which I am sure made them more sensitive to the losses and suffering of others.

JOE BIDEN is the kind of person who does things in politics that really are so unusual in the level of compassion he shows. I can recall one time a year or two ago when we were setting out on a trip together that was canceled at the last minute. I called him and said: I am sorry we can't go together. I had hoped during the course of that trip to ask you to make a special phone call to the mother of one of my staffers who was celebrating her 90th birthday.

She was the wife of a disabled World War II veteran who had raised a large Irish Catholic family, the Hoolihan family, and I wanted JOE BIDEN to wish her a happy birthday.

Well, we didn't make the trip and I didn't get a chance to hand him the phone, but he took down the information, and as soon as he hung up the phone from talking to me, he called her.

He was on the phone with her for 30 minutes, talking about her family, his family, and thanking her for making such a great contribution to this country. It is the kind of person JOE BIDEN is and Jill, his wife, the same. How many times in my life and in others has she stepped forward to show a caring heart at a moment when it really, really counted.

The loss of Beau Biden is the loss of a young man who was destined for even greater things in public life, but it is another test of a great family, the Biden family, a test which I am sure they will pass and endure, not without a hole in their hearts for the loss of this great young man but with a growing strength that brings them together and inspires the rest of us to remember the real priorities in life—love of family and love of those who need a caring heart at an important moment.

UKRAINE, LITHUANIA, AND POLAND

Mr. President, I just returned from a visit to Ukraine, Lithuania, and Poland this last week. I went there to assess the ongoing Russian threat to our friends and NATO partners in Eastern Europe. What I saw was uplifting but deeply disturbing.

Most urgently is the so-called Minsk II treaty agreement reached in February between Russia, Ukraine, Germany, and France to bring an end to the fighting in Eastern Europe. This agreement was supposed to end the bloodshed in Ukraine, allow for the return of prisoners, ensure a pullback of heavy weapons, begin preparations for local elections, and return control of Ukraine's borders to the Ukraine.

I am sorry to report that this agreement has not lived up to its promise. The blame rests squarely, and not surprisingly, with the invading forces of Russia. Not only does fighting continue in Ukraine on a regular basis but Reuters recently reported that Russia is amassing troops and hundreds of pieces of weaponry, including mobile rocket launchers, tanks and artillery at a makeshift base near the Ukrainian border.

The equipment, along with Russian military personnel, had identifying marks and insignia that the Russians tried to remove to try to hide their real culpability. At this point, perhaps the only people in the world who do not believe Russia is behind the mayhem, human suffering, and displacement of innocent people in eastern Ukraine are the Russian people who have been lied to over and over again about what is actually going on with this invasion of Ukraine.

President Putin has repeatedly lied to his own people about Russian soldiers fighting in Ukraine. He has lied to them about what started this conflict, and he has lied to them about the treatment of ethnic Russians outside of Russia's borders. Yet, as more and more Russian soldiers have been killed in fighting, Putin has struggled to explain this dangerous and cynical canard to the families of those killed in the war.

Most recently, last week, he even went so far as to make it illegal in Russia to report war deaths—incredible.

Yet, while I was there—as if anyone needed proof—two Russian soldiers were captured deep inside of eastern Ukraine. They had killed at least one Ukrainian soldier, and when it appeared they were about to be caught—listen to this—when it appeared they were about to be captured by the Ukrainians, they were fired upon by their own Russian forces, an effort to kill them before they could be captured. These soldiers have disclosed that they are in the Russian military and carried ample evidence on their persons to support the now obvious truth that Russia is squarely behind perpetuating this invasion and conflict.

Mr. Putin, if you are going to drag your country into war to perpetuate your own political power, you ought to at least have the honesty to tell the Russian people the truth about that war, particularly those families of Russian soldiers most affected by this conflict. Going back to the old Soviet

playbook of lies and disinformation is an insult to the Russian families whose young men are being sent into your war.

So it is clear the Minsk agreement is in jeopardy. It is critical that the European Union now renew its sanctions in response to Russia's illegal aggression. We in the United States should continue to work with our key NATO allies to ensure that Ukraine succeeds as a free democratic state and that NATO members are protected against Russian provocations—more on that in a moment.

Not everything in Ukraine is negative. The new government coalition is working tirelessly to reform the nation and provide a model of free market democracy on Russia's borders. Perhaps that is why Putin is trying so hard to undermine Ukraine. Decades of corruption, bribery, inefficiency, and bureaucracy are being tackled by this new government. Security services are being reformed. Ukrainians are starting to free themselves from the stranglehold of dependence on Russian natural gas.

Keep in mind all of this is occurring while Russia has largely destroyed a key industrial section in Ukraine. Try to imagine rebuilding a neglected and corrupted economy in the midst of fighting a war against one of the world's superpowers, Russia, and losing key engines of a nation's economy. That is what the Ukrainians are up against. They have risked so much for a better future; one that is open and connected to the rest of the free world. Why this was and is such a threat to Russia I will never fully understand.

I will say one thing that Mr. Putin did not count on. His invasion of Ukraine has unified that country in a way that I could not have imagined even last year. You see, there was a question which direction Ukraine would go, West or East. The people of Ukraine stopped the former Prime Minister, Yanukovych, in his efforts to move toward Moscow believing that their future should be in the West, but there was divided opinion even within Ukraine until Vladimir Putin invaded. At that point, the people of Ukraine realized their future was in the West. They looked to the West, to the European Union, to America, not only for support in this conflict but for inspiration as to what their future may hold.

I was proud to see what our Nation has been doing in Ukraine. Under President Obama, we have provided significant nonlethal supplies and assistance to Ukraine and its military. In fact, we lead the world in supporting Ukraine's efforts to revitalize their economy and to strengthen their military. We have led that fight on establishing sanctions on Russia and making sure they are not lifted until Russia stops this invasion.

In the town of Lviv, in western Ukraine, we have 300 U.S. Army personnel training Ukrainian National Guardsmen. I had the privilege of meeting with our forces, our American forces, these trainers and the trainees. I must say it was amazing.

Now, listen, some of these Ukrainian National Guardsmen whom we are training had just returned from battle in the eastern part of Ukraine. One had been captured by the Russians for 5 days. They had been under gunfire and fighting in combat against the Russians and their skilled military who are being sent into an area called the Donbass.

After they were relieved from that responsibility in the east, they were brought back west to this training camp with America's best in terms of our Army leadership. It turns out the basic training these Ukrainians should have had before they went into battle was never given to them. So now, coming back from battle, our soldiers were trying to give them the basic training to make sure they could survive if sent to battle again and bring home their comrades in the process. They were deeply, deeply grateful for that training, and our men and women working there to train them were so proud to be part of this effort. I commend this effort. I thank the President for extending America's hand to help the Ukrainian military be trained so they can survive and repel this Russian aggression.

I went on to Lithuania and Poland. It was also clear the Russian bullying and aggression is not limited to Ukraine. In both Lithuania and Poland, these frontline NATO partners face a steady stream of Russian vitriol and military threats. Russian planes recklessly buzz NATO airspace, Russian leaders make threats of capturing cities like Vilnius, the capital of Lithuania, and dangerous missiles were moved into the Russian region of Kaliningrad, bordering both Lithuania and Poland. All the while, a steady stream of sophisticated yet crude Russian propaganda flows from its state-run media services.

I happened to be in Berlin at an Aspen conference not that long ago—just a few months ago—when we were moving NATO equipment and forces in a parade—a scheduled parade—of our military in NATO through Poland and the Baltics. There was a cable channel called RT, which stands for Russia Today, that was broadcasting what they called protesters protesting the presence of NATO soldiers and equipment. RT reported that these protesters were holding signs—and they showed small groups of them—saying, ''NATO, stop your invasion of the Baltics.''

Well, it turns out that was a phony. When I went there, I got the real story. In every town these NATO forces went through with their equipment, they were welcomed like conquering heroes. Women were holding out flowers and candy, and children were applauding as they went by, holding flags of Poland and of the United States. But RT, the Russia Today cable channel, was trying to twist the story and make it look as if the U.S. presence there was resented, when in fact it was welcomed.

The stakes here are very high. Putin is pumping Russian language incitement into areas of Europe where ethnic Russian populations live. He is promoting a message of victimhood and trying to justify further belligerence. What an insult to the talented and proud and outstanding Russian people.

I was pleased to see that the U.S. and NATO forces are maintaining regular rotations in these frontline nations. We are boosting our Baltic Air Patrol to protect the airspace and working with NATO allies to boost their own defenses.

One of the most amazing things in both Lithuania and Poland was the unequivocal request of the governments in those countries for the United States to have an even larger military presence in those countries. They are worried. They want to make sure NATO is there if they need it, and they think as long as the United States is there, they have more confidence about their future.

I had to tell them we are having our budget issues here. We are not talking about expanding U.S. military bases anywhere in the world at this point. We are trying to maintain our own military. It was heartwarming to think that they still believe in the United States as the one 911 number in the world that you want to call if you ever have a challenge.

It is a dangerous and tragic state of affairs in this part of the world. I was glad to see it firsthand and to reassure those leaders in Poland, Lithuania, and Ukraine that the United States shares their values and cares for their future.

What we have seen is an effort by Putin to undermine decades of security arrangements in Europe while perpetuating an insulting image of victimhood. He has challenged the entire West and its democratic systems. We cannot let him succeed, for Ukraine, for NATO, even for his own people. Despite our disagreements in Congress, I hope we can continue to provide strong funding for support to Ukraine and NATO.

I met with a group of eight members of the Parliament in Ukraine. Their Parliament is called the Rada. Of these eight members, at least six of them—maybe seven—were brand new to this business. They had come out of the protests in the Maidan—which is a large square in downtown Kiev, Ukraine—where the protesters had ousted the former government, installed a new government, and risked their lives to do it. Some lost their lives in the process. There were so many of those young people sitting across the table from me who 6 or 8

months ago had nothing to do with politics. They had jobs and they were artists and they were involved in their community, but they were so inspired by what they saw in the Maidan that they decided to run for Parliament. Now these young people are tackling the toughest issues that any government can tackle: ending the corruption, reforming their government, saving their economy, fighting the Russians on the eastern border.

It humbled me in a way. I have given so much of my life to Congress and the legislative process, and I thought how many times we find ourselves tied up in knots, just as we are today, with little or nothing happening on this floor of the U.S. Senate when there are so many challenges we face across this Nation. I thought about them, sitting in Kiev not knowing if tomorrow or the day after or a week after they would have to face an invasion of the Russians coming across their country trying to capture it. Yet they have the courage and determination to press on, to try to build a better country for the future, inspired by their own people who took to the streets to reclaim their nation.

Well, I left with some inspiration on my own part. I hope to encourage this administration to show even more support for the Ukrainians and to make it clear to our NATO allies that we will stand with them, as we have for so many decades, in the pursuit of democratic values.

I yield the floor.

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

Mr. KING. Mr. President, I rise to address the bill before us, the USA FREEDOM Act, and its predecessor, the PATRIOT Act. Before talking about the specifics of those bills, I will try to address the historical context of what it is we are wrestling with and why it is so hard.

What we are really trying to do in this body this week is to balance two critical constitutional provisions. The first is in the preamble, which is to provide for the common defense and ensure domestic tranquility. That is a fundamental purpose of this government. It is a fundamental purpose of any government—to provide for the common defense and ensure domestic tranquility. That is national security, and it is in the very core preamble to the Constitution of the United States.

Of course, the other provisions are found in the Bill of Rights, particularly in the Fourth Amendment, which talks about the rights of the people to be secure in their persons and papers from unreasonable searches and seizures. ''Unreasonable'' is a key word. The people who drafted our Constitution were geniuses and every word counts. The word was ''unreasonable.'' So there is no absolute right to privacy, just as there is no absolute right to national security. We have to try to find the right balance, and that is what we have to do year in and year out, decade in and decade out, in relation to developments in technology and developments in terms of the threats which we face. It is a calibration that we have to continue to try to make.

Now, I have been concerned, as a member of the Intelligence Committee, about the retention of large quantities of telephone data by the government. I think the program under which that data has been analyzed is important, and I will talk about that in a few minutes. I share the concern of many in this body who feel that simply having and retaining all of that information in government computers, even though it was hedged about with various protections and even though there were requirements for how it was to be accessed—and the level of attention to the detail of that access was important—and there is no evidence that it had ever been abused, was a danger to the liberty of our country. I feel the same as many of the Members of this body who have expressed that concern. Therefore, the USA FREEDOM Act, which we have before us now, proposes to move to leave the data with the phone companies. Instead of the government collecting and having it in the government's hands, the data will be in the phone companies. If it is necessary to access that information for national security purposes, the government will have to go through the process of going through the Justice Department and the court in order to get permission to access that data.

Why shouldn't the government simply hold it? I am a subscriber to Lord Acton's famous maxim that ''power tends to corrupt, and absolute power corrupts absolutely.''

While the current administration or the prior administration may have no inclination to misuse that data, we have no idea what may come in the future, what pressures there may be, what political pressures there may be. Therefore, it struck me as sensible to get it out of government's hands.

The trouble I have had with the USA FREEDOM Act is that I felt it went too far in the other direction because there was no requirement in the bill, as it passed the House, that the phone companies retain and hold the data for any particular period of time. They now hold it, as a matter of business practice, for 18 months to 2 years, which is all that is necessary in order to have the data available for a national security search if necessary. The problem is that there is no requirement that they maintain that level of retention.

In fact, in an open hearing, one of the vice presidents of one of the carriers said categorically: We will not accept a limitation on how long we have to hold the data. I think that is a glaring weakness in the USA FREEDOM Act, and, in fact, it led me to vote against the consideration of the motion to proceed when it came up last week.

Today or tomorrow—whenever the timing works out—there will be a series of amendments proposed by the Senator from North Carolina, the chair of the Intelligence Committee, designed to deal with several of these technical but very important aspects of this program. One of those amendments would require the carriers—if they decide to hold the data for a shorter period of time—to notify the government, notify the Congress, and we could then make a decision as to whether we thought that some additional required period of retention would be necessary in order to adequately protect our national security. Another amendment that I understand is going to be proposed is that the transition period from the current program to the private carriers holding the data will be extended from 6 months to 1 year, simply because this is a major, Herculean technical task to develop the software to be sure that this information will be available for national security purposes on a timely basis.

Now, the final question, and the one we have been debating and discussing here is this: Is it an important program? Is it worth maintaining? There has been a lot of argument that if you can't point to a specific plot that was specifically foiled by this narrow provision, then we don't need it at all. I don't buy that. It is part of our national security toolkit.

It is interesting to talk about the history of this provision. It came into being shortly after September 11, because a gap in our security analysis ability was identified at that time, and that was that we could not track phone connections—not content, and I will talk about that in a minute—between the people who were preparing for the September 11 attack. For that reason, the section 215 program was invented.

I want to stop for just a moment and make clear to the American people that this program does not collect or listen to or otherwise have anything to do with the content of phone calls.

As I talked to people in Maine and they approached me about this, they said: We don't want the government listening to all of our phone calls. The answer is: They don't. This program does not convey and has not conveyed any such authority. We are talking about a much more narrow ability to determine whether a particular phone number called another phone number, the duration and date of that phone call, and that is it.

An example of its usefulness was at the Boston Marathon bombing. The two brothers perpetrated that horrendous attack in Boston in April of 2013. This program allowed the authorities to check their phone numbers to see if they were in touch with other people in

the country so they could determine whether this was a nationwide plot or whether it was simply these two guys in Boston. That, I will submit, is an important and—some would say—critical piece of information. It turned out that they were acting on their own, but had there been connections with other similarly inclined people in the country at that time, that would have been important information for us to know, and that is the way this program is used.

Is it absolutely critical and indispensable in solving these cases? I don't think anybody can argue that that is the case. Is it important and useful as a part of the national security toolkit? Yes, particularly when the invasion of privacy, if you will, is so limited and really so narrowly defined. I liken it to a notebook that a police officer carries at the scene of a crime. A detective goes to the scene of a crime, takes out his notebook, and writes some notes. If we said that detectives can no longer carry notebooks, would it eliminate law enforcement's ability to solve crimes? No, but would it limit a tool that was helpful to them in solving that crime or another crime? The answer, I think, would be yes.

We should not take a tool away that is useful and important unless there is some compelling argument on the other side. Since we are not talking about the content of the phone conversations—we are simply talking about which number called which other number, and it can only be accessed through a process that involves the Justice Department and then permission from the court—I think it is a program that is worthy of protection and useful to this country, and I think it is particularly important now.

It is ironic that we are talking about, in effect, unilaterally disarming to this extent at a time when the threat to this country has never been greater and the nature of the threat is changing. September 11 is what I would call terrorism 1.0, a plot that was hatched abroad. The people who perpetrated it were smuggled into the country in various ways. They had a specific target and a specific plot that they were working on. That is terrorism 1.0, September 11. Terrorism 2.0 is a plot that is hatched abroad but communicated directly to people in the United States who are part of the jihadist group. But now we are on to terrorism 3.0, which is ISIS sending out what amounts to a terrorist APB to no particular person but to anyone in this country who has been radicalized by themselves or by the Internet. There is no direct connection between them and ISIS. It might be a Facebook post. That person then takes up arms and tries to kill Americans, and that is what their intent is. That is the hardest situation for us to counteract, and that is a situation where this ability to track numbers calling numbers can be extremely useful. In fact, it might be the only useful tool because we are not going to have the kind of specific plotting that we have seen in the past.

This is the most dangerous threat that I think we face today. To throw aside a protection or a safeguard that I believe passes constitutional and legal muster and goes the extra mile to protect the privacy rights of Americans by getting this data out of the hands of the government and that is worthy of the support and the active work in this Chamber to find that balance—the balance between the imperative, the most solemn responsibility we have in this body, which is to provide for the common defense and ensure domestic tranquility, and to protect the safety and security of the people of this country in light of the constitutional limitations in the Bill of Rights that protect our individual liberties that make us who we are—we can do both things. There is never going to be a final answer to this question. But what we have to do is just what we are doing this week, and that is to assess the threats, assess the technology developments, and try to find the right calibration and the right balance that will allow us to meet that most solemn of our responsibilities.

I look forward, hopefully, to the consideration of amendments later either today or tomorrow and look forward to what I hope will be a quick passage of this legislation in the next 24 to 48 hours so we can look our constituents and the people of this country in the eyes and say: We took the responsibility to protect your security seriously, and we also took seriously your rights, your liberty, and your understanding that the government is not going to impinge unreasonably in any way in violation of the principles of this Constitution.

I yield the floor.

The PRESIDING OFFICER. The Senator from North Carolina.

Mr. BURR. Mr. President, I thank my good friend, the Senator from Maine, a committed member of the Committee on Intelligence, and one who has been vitally involved in the oversight of section 215.

I think what has been left out of the debate is that 15 Members of the U.S. Senate have actively carried out oversight. This is probably one of the most looked at programs that exists within the jurisdiction of the Intelligence Committee. There are a couple more that probably get more constant attention, but this is not a program that is used that frequently. I think that is the key point.

I wish to reiterate some of the issues Senator KING brought up. We are not listening to people's phone calls. There is no content collected.

This program expired last night at midnight. That means the database cannot be queried, regardless of if we find a terrorist telephone number. I think it is important to remind my colleagues and the American people that this is all triggered by a nonterrorist number outside of the United States.

Now, in the case of the Tsarnaev brothers, we had the telephone number outside the country, and we wanted to see whether the connection had been made, so there was direction in that case. But this is triggered by not just going through the database and looking at who Americans are calling and trying to figure something out, it is triggered by a known foreign terrorist's telephone number, and we searched to see whom they may have contacted in the United States.

Now, the FISA Court only allows this data to be queried when there is a reasonable articulable suspicion—or RAS, as we call it—based on specific facts; that the basis for the query is associated with a foreign terrorist or terrorist organization. If the NSA can't make that case to the courts, that RAS is never authorized to go forward. The NSA is not searching through records to see whom ordinary Americans are calling; they are only looking for the terrorist links based upon the connection to a phone number known to be a terrorist phone number.

Now, my good friend, the Senator from Maine, spoke about the Boston bombings. Let me go back to some comments the Director of the FBI, Director Mueller, made earlier last year. He testified in the House that had the program been in place before September 11, 2001, those attacks might have been derailed. Why? Well, according to the Director of the FBI, before 9/11, the intelligence community lost track of al-Mihdhar. Al-Mihdhar was one of the two who lived in San Diego, and he was tied to a terrorist group in Yemen. We lost track of al-Mihdhar, but we knew the terrorist organization in Yemen. So if we would have had this program in place, we could have targeted the telephone numbers out of the cell in Yemen to see if they were contacting anybody in the United States—and they were contacting al-Mihdhar—and we could have put the connection together and found al-Mihdhar after we lost him in flight to the United States.

I think Director Mueller said we saw on 9/11 what happens when the right information is not put together. If this program had been in place, then it could have provided the necessary link between the safe house in Yemen and al-Mihdhar in San Diego.

For those who claim this program served no purpose prior to 9/11, here is the Director of the FBI saying it would have. Then we have the Boston Marathon bombing, and the program told us there was no terrorist link.

Then we come to the 2009 New York City subway bombing plot. In early September 2009, while monitoring the

activities of an Al Qaeda terrorist group in Pakistan, NSA noted contact from an individual in the United States who the FBI subsequently identified as Colorado-based Najibullah Zazi. Section 215 provided important lead information that helped thwart this plot.

I wish to say this one more time to my colleagues: This program works. It has worked. It has stopped attacks because we have been able to identify an individual before they carried out the attack.

Now, the threshold for my colleagues who say this program has not served any useful purpose, meaning we have to have an attack to be able to prove we thwarted an attack—that is not why we have this program in place. We are trying to get ahead of the terrorist act. In the case of the subway bombings in New York, we did that in 2009.

There was a Chicago terrorist investigation in 2009. David Coleman Headley, a Chicago businessman and dual U.S. and Pakistan citizen, was arrested by the FBI as he tried to depart Chicago O'Hare Airport to go to Europe. At the time of his arrest, Headley and his colleagues, at the behest of Al Qaeda, were plotting to attack the Danish newspaper that published the unflattering cartoons of Prophet Mohammed. Section 215 metadata analysis was used along with other FBI authorities to investigate Headley's overseas associates and their involvement in Headley's activities.

I am not sure how it gets any clearer than this. We have an individual who is radicalized, who intends to carry out an act, who has overseas connections that we never would have understood without section 215. I think that as my good friend from Maine knows, when we connect one dot, typically it leads to another dot and that leads to another dot. To say to law enforcement, to say to our intelligence community that we are not going to give you the tools to connect these dots is to basically stand up in front of the American people and say that we are supposed to keep you safe, but we are not going to do that.

So I thank my good friend, the Senator from Maine, for his support.

I say to my colleagues, I hope we are going to be able to reinstitute this program shortly after lunch tomorrow. Hopefully, we will be able to do it with three amendment votes and a final passage vote. One will be a substitute to the full bill. It has all the USA FREEDOM Act language, with two changes. It would require the telecom companies to provide 6 months' notification of any change in the retention program of their company. That language was the suggestion of the Senator from Maine, and it works extremely well.

The second piece of the substitute amendment will deal with the certification of the Director of National Intelligence that we have made the technological changes necessary for the telecom companies to actually query that data they are holding.

There will be two additional amendments. The first one will be to change the transition period from 6 months to 12 months, and I think the Senator from Maine would agree with me that—I would like to see it longer—anything longer than 6 months is beneficial as we talk about the safety and security of the American people.

The last amendment is the change in the amicus language or the friend of the court language. I will get into that in a little while. The current bill says the courts shall—''shall'' means they will do it. The administrator of the court has provided us with language that they think will allow the court the flexibility, when they need a friend of the court, to solicit a friend of the court in FISA Court but not require them, with the word ''shall,'' to always have a friend of the court.

Again, I think, as my good friend from Maine knows, the process we go through in section 215 through the FISA Court in many cases is an accelerated process. Any delay can defeat the purpose of what we are doing; that is, trying to be in front of an attack versus in the back of an attack. I say one last time for my colleagues, NSA, under the metadata program, collects a few things: They collect the telephone number, they collect a date, they collect the duration of time that the call took place. They don't get content. They don't get the person's name. They have no idea whose number it is. Were they to tie a domestic number to a foreign terrorist number, that then goes directly to the FBI because they say to the Bureau: We have a suspicious American because they have communicated with a terrorist, at which time it is out of the 215 program for the purposes of investigation of the individual. If there was ever a need to find out whose telephone number it was or if there was a need to see content, that would be sought by the FBI under an investigation through the normal court processes that are not part of the 215 program. Section 215 is limited to a telephone number, with no identifier for whose number it is, the collection of the date, and the duration of the call.

I think the Senator from Maine would agree with me. I would just as soon see the program stay at NSA, but that decision is a fait accompli. It is going to transition out. We would just like to make sure we have enough time so this can seamlessly happen versus an artificial date of 6 months and not knowing whether it can happen.

I thank the Senator from Maine.

Mr. President, I yield the floor.

NATIVE AMERICAN CHILDREN'S SAFETY ACT

ALYCE SPOTTED BEAR AND WALTER SOBOLEFF COMMISSION ON NATIVE CHILDREN ACT

Mr. HOEVEN. I ask unanimous consent that the Senate proceed to the consideration of the following bills en bloc: Calendar No. 77, S. 184, and Calendar No. 79, S. 246.

The PRESIDING OFFICER. The clerk will report the bills by title.

The bill clerk read as follows:

A bill (S. 184) to amend the Indian Child Protection and Family Violence Prevention Act to require background checks before foster care placements are ordered in tribal court proceedings, and for other purposes.

A bill (S. 246) to establish the Alyce Spotted Bear and Walter Soboleff Commission on Native Children, and for other purposes.

There being no objection, the Senate proceeded to consider the bill, S. 184.

There being no objection, the Senate proceeded to consider the bill, S. 246, which had been reported from the Committee on Indian Affairs, with an amendment to strike all after the enacting clause and insert in lieu thereof the following:

S. 246

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Alyce Spotted Bear and Walter Soboleff Commission on Native Children Act''.

SEC. 2. FINDINGS.

Congress finds that—

(1) the United States has a distinct legal, treaty, and trust obligation to provide for the education, health care, safety, social welfare, and other needs of Native children;

(2) chronic underfunding of Federal programs to fulfill the longstanding Federal trust obligation has resulted in limited access to critical services for the more than 2,100,000 Native children under the age of 24 living in the United States;

(3) Native children are the most at-risk population in the United States, confronting serious disparities in education, health, and safety, with 37 percent living in poverty;

(4) 17 percent of Native children have no health insurance coverage, and child mortality has increased 15 percent among Native children aged 1 to 14, while the overall rate of child mortality in the United States decreased by 9 percent;

(5) suicide is the second leading cause of death in Native children aged 15 through 24, a rate that is 2.5 times the national average, and violence, including intentional injuries, homicide, and suicide, account for 75 percent of the deaths of Native children aged 12 through 20;

(6) 58 percent of 3- and 4-year-old Native children are not attending any form of preschool, 15 percent of Native children are not in school and not working, and the graduation rate for Native high school students is 50 percent;

(7) 22.9 percent of Native children aged 12 and older report alcohol use, 16 percent report substance dependence or abuse, 35.8 percent report tobacco use, and 12.5 percent report illicit drug use;

(8) Native children disproportionately enter foster care at a rate more than 2.1 times the general population and have the third highest rate of victimization; and

(9) there is no resource that is more vital to the continued existence and integrity of Native

communities than Native children, and the United States has a direct interest, as trustee, in protecting Native children.

SEC. 3. DEFINITIONS.

In this Act:

(1) COMMISSION.—The term ''Commission'' means the Alyce Spotted Bear and Walter Soboleff Commission on Native Children established by section 4.

(2) INDIAN.—The term ''Indian'' has the meaning given the term in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b).

(3) INDIAN TRIBE.—The term ''Indian tribe'' has the meaning given the term in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b).

(4) NATIVE CHILD.—The term ''Native child'' means—

(A) an Indian child, as that term is defined in section 4 of the Indian Child Welfare Act of 1978 (25 U.S.C. 1903);

(B) an Indian who is between the ages of 18 and 24 years old; and

(C) a Native Hawaiian who is not older than 24 years old.

(5) NATIVE HAWAIIAN.—The term ''Native Hawaiian'' has the meaning given the term in section 7207 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7517).

(6) SECRETARY.—The term ''Secretary'' means the Secretary of the Interior.

(7) TRIBAL COLLEGE OR UNIVERSITY.—The term ''Tribal College or University'' has the meaning given the term in section 316(b) of the Higher Education Act of 1965 (20 U.S.C. 1059c(b)).

SEC. 4. COMMISSION ON NATIVE CHILDREN.

(a) IN GENERAL.—There is established a commission in the Office of Tribal Justice of the Department of Justice, to be known as the ''Alyce Spotted Bear and Walter Soboleff Commission on Native Children''.

(b) MEMBERSHIP.—

(1) IN GENERAL.—The Commission shall be composed of 11 members, of whom—

(A) 3 shall be appointed by the President, in consultation with—

(i) the Attorney General;

(ii) the Secretary;

(iii) the Secretary of Education; and

(iv) the Secretary of Health and Human Services;

(B) 3 shall be appointed by the Majority Leader of the Senate, in consultation with the Chairperson of the Committee on Indian Affairs of the Senate;

(C) 1 shall be appointed by the Minority Leader of the Senate, in consultation with the Vice Chairperson of the Committee on Indian Affairs of the Senate;

(D) 3 shall be appointed by the Speaker of the House of Representatives, in consultation with the Chairperson of the Committee on Natural Resources of the House of Representatives; and

(E) 1 shall be appointed by the Minority Leader of the House of Representatives, in consultation with the Ranking Member of the Committee on Natural Resources of the House of Representatives.

(2) REQUIREMENTS FOR ELIGIBILITY.—

(A) IN GENERAL.—Subject to subparagraph (B), each member of the Commission shall have significant experience and expertise in—

(i) Indian affairs; and

(ii) matters to be studied by the Commission, including—

(I) health care issues facing Native children, including mental health, physical health, and nutrition;

(II) Indian education, including experience with Bureau of Indian Education schools and public schools, tribally operated schools, tribal colleges or universities, early childhood education programs, and the development of extracurricular programs;

(III) juvenile justice programs relating to prevention and reducing incarceration and rates of recidivism; and

(IV) social service programs that are used by Native children and designed to address basic needs, such as food, shelter, and safety, including child protective services, group homes, and shelters.

(B) EXPERTS.—

(i) NATIVE CHILDREN.—1 member of the Commission shall—

(I) meet the requirements of subparagraph (A); and

(II) be responsible for providing the Commission with insight into and input from Native children on the matters studied by the Commission.

(ii) RESEARCH.—1 member of the Commission shall—

(I) meet the requirements of subparagraph (A); and

(II) have extensive experience in statistics or social science research.

(3) TERMS.—

(A) IN GENERAL.—Each member of the Commission shall be appointed for the life of the Commission.

(B) VACANCIES.—A vacancy in the Commission shall be filled in the manner in which the original appointment was made.

(c) OPERATION.—

(1) CHAIRPERSON.—Not later than 15 days after the date on which all members of the Commission have been appointed, the Commission shall select 1 member to serve as Chairperson of the Commission.

(2) MEETINGS.—

(A) IN GENERAL.—The Commission shall meet at the call of the Chairperson.

(B) INITIAL MEETING.—The initial meeting of the Commission shall take place not later than 30 days after the date described in paragraph (1).

(3) QUORUM.—A majority of the members of the Commission shall constitute a quorum, but a lesser number of members may hold hearings.

(4) RULES.—The Commission may establish, by majority vote, any rules for the conduct of Commission business, in accordance with this Act and other applicable law.

(d) NATIVE ADVISORY COMMITTEE.—

(1) ESTABLISHMENT.—The Commission shall establish a committee, to be known as the ''Native Advisory Committee''.

(2) MEMBERSHIP.—

(A) COMPOSITION.—The Native Advisory Committee shall consist of—

(i) 1 representative of Indian tribes from each region of the Bureau of Indian Affairs who is 25 years of age or older; and

(ii) 1 Native Hawaiian who is 25 years of age or older.

(B) QUALIFICATIONS.—Each member of the Native Advisory Committee shall have experience relating to matters to be studied by the Commission.

(3) DUTIES.—The Native Advisory Committee shall—

(A) serve as an advisory body to the Commission; and

(B) provide to the Commission advice and recommendations, submit materials, documents, testimony, and such other information as the Commission determines to be necessary to carry out the duties of the Commission under this section.

(4) NATIVE CHILDREN SUBCOMMITTEE.—The Native Advisory Committee shall establish a subcommittee that shall consist of at least 1 member from each region of the Bureau of Indian Affairs and 1 Native Hawaiian, each of whom shall be a Native child, and have experience serving on the council of a tribal, regional, or national youth organization.

(e) COMPREHENSIVE STUDY OF NATIVE CHILDREN ISSUES.—

(1) IN GENERAL.—The Commission shall conduct a comprehensive study of Federal, State, local, and tribal programs that serve Native children, including an evaluation of—

(A) the impact of concurrent jurisdiction on child welfare systems;

(B) the barriers Indian tribes and Native Hawaiians face in applying, reporting on, and using existing public and private grant resources, including identification of any Federal cost-sharing requirements;

(C) the obstacles to nongovernmental financial support, such as from private foundations and corporate charities, for programs benefitting Native children;

(D) the issues relating to data collection, such as small sample sizes, large margins of error, or other issues related to the validity and statistical significance of data on Native children;

(E) the barriers to the development of sustainable, multidisciplinary programs designed to assist high-risk Native children and families of those high-risk Native children;

(F) cultural or socioeconomic challenges in communities of Native children;

(G) any examples of successful program models and use of best practices in programs that serve children and families;

(H) the barriers to interagency coordination on programs benefitting Native children; and

(I) the use of memoranda of agreement or interagency agreements to facilitate or improve agency coordination, including the effects of existing memoranda or interagency agreements on program service delivery and efficiency.

(2) COORDINATION.—In conducting the study under paragraph (1), the Commission shall, to the maximum extent practicable—

(A) to avoid duplication of efforts, collaborate with other workgroups focused on similar issues, such as the Task Force on American Indian/Alaska Native Children Exposed to Violence of the Attorney General; and

(B) to improve coordination and reduce travel costs, use available technology.

(3) RECOMMENDATIONS.—Taking into consideration the results of the study under paragraph (1) and the analysis of any existing data relating to Native children received from Federal agencies, the Commission shall—

(A) develop recommendations for goals, and plans for achieving those goals, for Federal policy relating to Native children in the short-, mid-, and long-term, which shall be informed by the development of accurate child well-being measures, except that the Commission shall not consider or recommend the recognition or the establishment of a government-to-government relationship with—

(i) any entity not recognized on or before the date of enactment of this Act by the Federal Government through an Act of Congress, Executive action, judicial decree, or any other action; or

(ii) any entity not included in the list authorized pursuant to the Federally Recognized Indian Tribe List Act of 1994 (25 U.S.C. 479a et seq.);

(B) make recommendations on necessary modifications and improvements to programs that serve Native children at the Federal, State, and tribal levels, on the condition that the recommendations recognize the diversity in cultural values, integrate the cultural strengths of the communities of the Native children, and will result in—

(i) improvements to the child welfare system that—

(I) reduce the disproportionate rate at which Native children enter child protective services and the period of time spent in the foster system;

(II) increase coordination among social workers, police, and foster families assisting Native children while in the foster system to result in the increased safety of Native children while in the foster system;

(III) encourage the hiring and retention of licensed social workers in Native communities;

(IV) address the lack of available foster homes in Native communities; and

(V) reduce truancy and improve the academic proficiency and graduation rates of Native children in the foster system;

(ii) improvements to the mental and physical health of Native children, taking into consideration the rates of suicide, substance abuse, and access to nutrition and health care, including—

(I) an analysis of the increased access of Native children to Medicaid under the Patient Protection and Affordable Care Act (Public Law 111μ09148) and the effect of that increase on the ability of Indian tribes and Native Hawaiians to develop sustainable health programs; and

(II) an evaluation of the effects of a lack of public sanitation infrastructure, including in-home sewer and water, on the health status of Native children;

(iii) improvements to educational and vocational opportunities for Native children that will lead to—

(I) increased school attendance, performance, and graduation rates for Native children across all educational levels, including early education, post-secondary, and graduate school;

(II) localized strategies developed by educators, tribal and community leaders, and law enforcement to prevent and reduce truancy among Native children;

(III) scholarship opportunities at a Tribal College or University and other public and private postsecondary institutions;

(IV) increased participation of the immediate families of Native children;

(V) coordination among schools and Indian tribes that serve Native children, including in the areas of data sharing and student tracking;

(VI) accurate identification of students as Native children; and

(VII) increased school counseling services, improved access to quality nutrition at school, and safe student transportation;

(iv) improved policies and practices by local school districts that would result in improved academic proficiency for Native children;

(v) increased access to extracurricular activities for Native children that are designed to increase self-esteem, promote community engagement, and support academic excellence while also serving to prevent unplanned pregnancy, membership in gangs, drug and alcohol abuse, and suicide, including activities that incorporate traditional language and cultural practices of Indians and Native Hawaiians;

(vi) taking into consideration the report of the Indian Law and Order Commission issued pursuant to section 15(f) of the Indian Law Enforcement Reform Act (25 U.S.C. 2812(f)), improvements to Federal, State, and tribal juvenile justice systems and detention programs—

(I) to provide greater access to educational opportunities and social services for incarcerated Native children;

(II) to promote prevention and reduce incarceration and recidivism rates among Native children;

(III) to identify intervention approaches and alternatives to incarceration of Native children;

(IV) to incorporate families and the traditional cultures of Indians and Native Hawaiians in the juvenile justice process, including through the development of a family court for juvenile offenses; and

(V) to prevent unnecessary detentions and identify successful reentry programs;

(vii) expanded access to a continuum of early development and learning services for Native children from prenatal to age 5 that are culturally competent, support Native language preservation, and comprehensively promote the health, well-being, learning, and development of Native children, such as—

(I) high quality early care and learning programs for children starting from birth, including Early Head Start, Head Start, child care, and preschool programs;

(II) programs, including home visiting and family resource and support programs, that increase the capacity of parents to support the learning and development of the children of the parents, beginning prenatally, and connect the parents with necessary resources;

(III) early intervention and preschool services for infants, toddlers, and preschool-aged children with developmental delays or disabilities; and

(IV) professional development opportunities for Native providers of early development and learning services;

(viii) the development of a system that delivers wrap-around services to Native children in a way that is comprehensive and sustainable, including through increased coordination among Indian tribes, schools, law enforcement, health care providers, social workers, and families;

(ix) more flexible use of existing Federal programs, such as by—

(I) providing Indians and Native Hawaiians with more flexibility to carry out programs, while maintaining accountability, minimizing administrative time, cost, and expense and reducing the burden of Federal paperwork requirements; and

(II) allowing unexpended Federal funds to be used flexibly to support programs benefitting Native children, while taking into account—

(aa) the Indian Employment, Training and Related Services Demonstration Act of 1992 (25 U.S.C. 3401 note; 106 Stat. 2302);

(bb) the Coordinated Tribal Assistance Solicitation program of the Department of Justice;

(cc) the Federal policy of self-determination; and

(dd) any consolidated grant programs; and

(x) solutions to other issues that, as determined by the Commission, would improve the health, safety, and well-being of Native children;

(C) make recommendations for improving data collection methods that consider—

(i) the adoption of standard definitions and compatible systems platforms to allow for greater linkage of data sets across Federal agencies;

(ii) the appropriateness of existing data categories for comparative purposes;

(iii) the development of quality data and measures, such as by ensuring sufficient sample sizes and frequency of sampling, for Federal, State, and tribal programs that serve Native children;

(iv) the collection and measurement of data that are useful to Indian tribes and Native Hawaiians;

(v) the inclusion of Native children in longitudinal studies; and

(vi) tribal access to data gathered by Federal, State, and local governmental agencies; and

(D) identify models of successful Federal, State, and tribal programs in the areas studied by the Commission.

(f) REPORT.—Not later than 3 years after the date on which all members of the Commission are appointed and amounts are made available to carry out this Act, the Commission shall submit to the President, Congress, and the White House Council on Native American Affairs a report that contains—

(1) a detailed statement of the findings and conclusions of the Commission; and

(2) the recommendations of the Commission for such legislative and administrative actions as the Commission considers to be appropriate.

(g) POWERS.—

(1) HEARINGS.—

(A) IN GENERAL.—The Commission may hold such hearings, meet and act at such times and places, take such testimony, and receive such evidence as the Commission considers to be advisable to carry out the duties of the Commission under this section, except that the Commission shall hold not less than 5 hearings in Native communities.

(B) PUBLIC REQUIREMENT.—The hearings of the Commission under this paragraph shall be open to the public.

(2) WITNESS EXPENSES.—

(A) IN GENERAL.—A witness requested to appear before the Commission shall be paid the same fees and allowances as are paid to witnesses under section 1821 of title 28, United States Code.

(B) PER DIEM AND MILEAGE.—The fees and allowances for a witness shall be paid from funds made available to the Commission.

(3) INFORMATION FROM FEDERAL, TRIBAL, AND STATE AGENCIES.—

(A) IN GENERAL.—The Commission may secure directly from a Federal agency such information as the Commission considers to be necessary to carry out this section.

(B) TRIBAL AND STATE AGENCIES.—The Commission may request the head of any tribal or State agency to provide to the Commission such information as the Commission considers to be necessary to carry out this Act.

(4) POSTAL SERVICES.—The Commission may use the United States mails in the same manner and under the same conditions as other agencies of the Federal Government.

(5) GIFTS.—The Commission may accept, use, and dispose of gifts or donations of services or property related to the purpose of the Commission.

(h) COMMISSION PERSONNEL MATTERS.—

(1) TRAVEL EXPENSES.—A member of the Commission shall be allowed travel expenses, including per diem in lieu of subsistence, at rates authorized for an employee of an agency under subchapter I of chapter 57 of title 5, United States Code, while away from the home or regular place of business of the member in the performance of the duties of the Commission.

(2) DETAIL OF FEDERAL EMPLOYEES.—

(A) IN GENERAL.—On the affirmative vote of ⅔ of the members of the Commission—

(i) the Attorney General, the Secretary, the Secretary of Education, and the Secretary of the Health and Human Services shall each detail, without reimbursement, 1 or more employees of the Department of Justice, the Department of the Interior, the Department of Education, and the Department of Health and Human Services; and

(ii) with the approval of the appropriate Federal agency head, an employee of any other Federal agency may be, without reimbursement, detailed to the Commission.

(B) EFFECT ON DETAILEES.—Detail under this paragraph shall be without interruption or loss of civil service status, benefits, or privileges.

(3) PROCUREMENT OF TEMPORARY AND INTERMITTENT SERVICES.—

(A) IN GENERAL.—On request of the Commission, the Attorney General shall provide to the Commission, on a reimbursable basis, reasonable and appropriate office space, supplies, and administrative assistance.

(B) NO REQUIREMENT FOR PHYSICAL FACILITIES.—The Administrator of General Services shall not be required to locate a permanent, physical office space for the operation of the Commission.

(4) MEMBERS NOT FEDERAL EMPLOYEES.—No member of the Commission, the Native Advisory Committee, or the Native Children Subcommittee shall be considered to be a Federal employee.

(i) TERMINATION OF COMMISSION.—The Commission shall terminate 90 days after the date on which the Commission submits the report under subsection (f).

(j) NONAPPLICABILITY OF FACA.—The Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to the Commission, the Native Advisory Committee, or the Native Children Subcommittee.

(k) EFFECT.—This Act shall not be construed to recognize or establish a government-to-government relationship with—

(1) any entity not recognized on or before the date of enactment of this Act by the Federal Government through an Act of Congress, Executive action, judicial decree, or any other action; or

(2) any entity not included in the list authorized pursuant to the Federally Recognized Indian Tribe List Act of 1994 (25 U.S.C. 479a et seq.).

(l) FUNDING.—There is authorized to be appropriated to carry out this Act $2,000,000.

Mr. HOEVEN. I ask unanimous consent that the committee-reported substitute amendment to S. 246 be agreed to, the bills be read a third time and passed en bloc, and the motions to reconsider be considered made and laid upon the table with no intervening action or debate.

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

The bill (S. 184) was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S. 184

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Native American Children's Safety Act''.

SEC. 2. CRIMINAL RECORDS CHECKS.

Section 408 of the Indian Child Protection and Family Violence Prevention Act (25 U.S.C. 3207) is amended by adding at the end the following:

''(d) BY TRIBAL SOCIAL SERVICES AGENCY FOR FOSTER CARE PLACEMENTS IN TRIBAL COURT PROCEEDINGS.—

''(1) DEFINITIONS.—In this subsection:

''(A) COVERED INDIVIDUAL.—The term 'covered individual' includes—

''(i) any individual 18 years of age or older; and

''(ii) any individual who the tribal social services agency determines is subject to a criminal records check under paragraph (2)(A).

''(B) FOSTER CARE PLACEMENT.—The term 'foster care placement' means any action removing an Indian child from a parent or Indian custodian for temporary placement in a foster home or institution or the home of a guardian or conservator if—

''(i) the parent or Indian custodian cannot have the child returned on demand; and

''(ii)(I) parental rights have not been terminated; or

''(II) parental rights have been terminated but the child has not been permanently placed.

''(C) INDIAN CUSTODIAN.—The term 'Indian custodian' means any Indian—

''(i) who has legal custody of an Indian child under tribal law or custom or under State law; or

''(ii) to whom temporary physical care, custody, and control has been transferred by the parent of the child.

''(D) PARENT.—The term 'parent' means—

''(i) any biological parent of an Indian child; or

''(ii) any Indian who has lawfully adopted an Indian child, including adoptions under tribal law or custom.

''(E) TRIBAL COURT.—The term 'tribal court' means a court—

''(i) with jurisdiction over foster care placements; and

''(ii) that is—

''(I) a Court of Indian Offenses;

''(II) a court established and operated under the code or custom of an Indian tribe; or

''(III) any other administrative body of an Indian tribe that is vested with authority over foster care placements.

''(F) TRIBAL SOCIAL SERVICES AGENCY.—The term 'tribal social services agency' means the agency of an Indian tribe that has the primary responsibility for carrying out foster care licensing or approval (as of the date on which the proceeding described in paragraph (2)(A) commences) for the Indian tribe.

''(2) CRIMINAL RECORDS CHECK BEFORE FOSTER CARE PLACEMENT.—

''(A) IN GENERAL.—Except as provided in paragraph (3), no foster care placement shall be finally approved and no foster care license shall be issued until the tribal social services agency—

''(i) completes a criminal records check of each covered individual who resides in the household or is employed at the institution in which the foster care placement will be made; and

''(ii) concludes that each covered individual described in clause (i) meets such standards as the Indian tribe shall establish in accordance with subparagraph (B).

''(B) STANDARDS OF PLACEMENT.—The standards described in subparagraph (A)(ii) shall include—

''(i) requirements that each tribal social services agency described in subparagraph (A)—

''(I) perform criminal records checks, including fingerprint-based checks of national crime information databases (as defined in section 534(f)(3) of title 28, United States Code);

''(II) check any abuse registries maintained by the Indian tribe; and

''(III) check any child abuse and neglect registry maintained by the State in which the covered individual resides for information on the covered individual, and request any other State in which the covered individual resided in the preceding 5 years, to enable the tribal social services agency to check any child abuse and neglect registry maintained by that State for such information; and

''(ii) any other additional requirement that the Indian tribe determines is necessary and permissible within the existing authority of the Indian tribe, such as the creation of voluntary agreements with State entities in order to facilitate the sharing of information related to the performance of criminal records checks.

''(C) RESULTS.—Except as provided in paragraph (3), no foster care placement shall be ordered in any proceeding described in subparagraph (A) if an investigation described in clause (i) of that subparagraph reveals that a covered individual described in that clause has been found by a Federal, State, or tribal court to have committed any crime listed in clause (i) or (ii) of section 471(a)(20)(A) of the Social Security Act (42 U.S.C. 671(a)(20)(A)).

''(3) EMERGENCY PLACEMENT.—Paragraph (2) shall not apply to an emergency foster care placement, as determined by a tribal social services agency.

''(4) RECERTIFICATION OF FOSTER HOMES OR INSTITUTIONS.—

''(A) IN GENERAL.—Not later than 2 years after the date of enactment of this subsection, each Indian tribe shall establish procedures to recertify homes or institutions in which foster care placements are made.

''(B) CONTENTS.—The procedures described in subparagraph (A) shall include, at a minimum, periodic intervals at which the home or institution shall be subject to recertification to ensure—

''(i) the safety of the home or institution for the Indian child; and

''(ii) that each covered individual who resides in the home or is employed at the institution is subject to a criminal records check in accordance with this subsection, including any covered individual who—

''(I) resides in the home or is employed at the institution on the date on which the procedures established under subparagraph (A) commences; and

''(II) did not reside in the home or was not employed at the institution on the date on which the investigation described in paragraph (2)(A)(i) was completed.

''(C) GUIDANCE ISSUED BY THE SECRETARY.—The procedures established under subparagraph (A) shall be subject to any regulation or guidance issued by the Secretary that is in accordance with the purpose of this subsection.

''(5) GUIDANCE.—Not later than 2 years after the date of enactment of this subsection and after consultation with Indian tribes, the Secretary shall issue guidance regarding—

''(A) procedures for a criminal records check of any covered individual who—

''(i) resides in the home or is employed at the institution in which the foster care placement is made after the date on which the investigation described in paragraph (2)(A)(i) is completed; and

''(ii) was not the subject of an investigation described in paragraph (2)(A)(i) before the foster care placement was made;

''(B) self-reporting requirements for foster care homes or institutions in which any covered individual described in subparagraph (A) resides if the head of the household or the operator of the institution has knowledge that the covered individual—

''(i) has been found by a Federal, State, or tribal court to have committed any crime listed in clause (i) or (ii) of section 471(a)(20)(A) of the Social Security Act (42 U.S.C. 671(a)(20)(A)); or

''(ii) is listed on a registry described in clause (II) or (III) of paragraph (2)(B)(i);

''(C) promising practices used by Indian tribes to address emergency foster care placement procedures under paragraph (3); and

''(D) procedures for certifying compliance with this Act.''.

The committee-reported amendment to S. 246 in the nature of a substitute was agreed to.

The bill (S. 246), as amended, was ordered to be engrossed for a third reading, was read the third time, and passed.

Mr. HOEVEN. Mr. President, I rise to speak about the Native American Children's Safety Act, S. 184. This legislation, which I have introduced along with Senator TESTER, is about one thing: making sure that foster children

in Native American communities are placed in safe homes.

Without this legislation, there will continue to be inconsistent rules guiding the placement of Native American children in foster care. At this time, Native American tribes and their tribal courts use procedures and guidelines when placing a Native American child in a foster home that vary significantly from tribe to tribe.

S. 184 addresses this problem by creating a transparent pathway for the Federal Government and the tribes to partner together to establish safety standards and policies to ensure the safety of Native American foster care children. Moreover, this bill will strengthen the governance of the tribes and create safeguards for their foster care placement programs and the individuals those programs serve.

The Native American Children's Safety Act specifically includes the following reforms: It requires that all prospective foster care parents and adults living in the home undergo a background check prior to the placement of a Native American foster child in that home; it requires that background checks include checking for criminal activity as well as State and tribal child abuse and neglect registries; it requires adults who join the household after the foster care child has been placed there also undergo background checks; and, it requires that foster care homes undergo recertification periodically to ensure they remain safe for foster care children.

We worked on this legislation with the tribes, with the National Indian Child Welfare Association, with the Bureau of Indian Affairs, and the U.S. Department of Health and Human Services Administration for Children and Families. The reforms are just commonsense measures designed to protect those Native American children who are in need of a good, safe home. In fact, S. 184 has been endorsed by the National Indian Child Welfare Association as well as the Spirit Lake and Turtle Mountain tribes in my home State of North Dakota.

This bill has undergone many thoughtful efforts on the part of many people and plenty of thoughtful consideration, and it has gone through regular order in the Senate. It passed unanimously out of the Senate Committee on Indian Affairs on February 4, 2015. I am pleased this bill now has passed the full Senate so these children can receive the protection they deserve.

With that, I yield the floor.

Ms. HEITKAMP. Mr. President, I today can say that I am elated that the Senate unanimously passed my legislation that would create a commission on the status of Native American children.

This bipartisan bill, which was first introduced when I came to the Senate—in fact, it was my first bill—will study the challenges facing Native American kids, including poverty, crime, high unemployment, substance abuse, domestic violence, and dire economic opportunities, as well as making recommendations on how to make sure Native American youth receive the tools and educational resources they need to thrive.

This is not a new issue for me. This is an issue I worked on when I was North Dakota's attorney general and I saw the challenges for so many of our children living in Indian Country. I saw that sometimes they are the most forgotten children in America. I fought for Native families all during my time as North Dakota's attorney general, pledging to improve the lives of Native American youth once I was positioned to do so.

So this is truly an important day for tribes and Native communities, as well as Native children and their families. But we can't stop the momentum. I look forward to working with my colleagues in the House of Representatives to uphold the Federal Government's trust responsibility to Indian tribes and to pass this bill, because standing up for Native children is an issue on which we should all agree.

The Commission on Native Children will work to identify complex challenges faced by Native kids in North Dakota and across the United States. The comprehensive and first-of-its-kind commission would conduct an intensive study on issues affecting Native American youth.

The 11-member commission will issue a report to provide recommendations ensuring Native kids have access to sustainable wraparound systems, as well as the protection, economic resources, and educational tools necessary for success in both academia and in their careers.

In addition to the Commission on Native Children, the subcommittee will also provide advice in order to ensure that those in Washington don't lose sight of these children.

I thank all of my colleagues who have joined me in this effort, but I particularly want to single out Senator LISA MURKOWSKI from Alaska. She has been a cochampion and a copartner. She sees the same issues among Alaska Natives as I see among the Plains Indians in my State. And we have named this bill after two great educational and spiritual leaders of our States.

In my case, my bill is named after Alyce Spotted Bear, former tribal chairwoman of the Mandan, Hidatsa, and Arikara Nation in North Dakota. Alyce was a passionate advocate for Native children and a recognized leader in education. Unfortunately, she passed away much too soon, but I know her spirit is here in this bill.

I look forward to getting this bill passed in the House of Representatives. I look forward to the report, and I look forward to all of us pulling in the same direction to make sure all of our children are protected, all of our children are loved, and all of our children are given equal opportunity, including those children in Native American homes and those children in Indian Country.

I yield the floor.

USA FREEDOM ACT OF 2015—Continued

The PRESIDING OFFICER. The majority whip.

Mr. CORNYN. Mr. President, I would ask the Senate's indulgence. I actually have three topics that I need to discuss here today. One topic involves the historic flooding that we have experienced in Texas and the consequences of that, also the President's signing the Justice for Victims of Trafficking Act, and lastly, the bill that is before us on the floor today, which is another tool in the toolbox of the national security apparatus in this country to help keep Americans safe.

TEXAS FLOODS

First, Mr. President, let me talk about the flooding and storm damage that has affected Texas this last week or so. Over the course of a month, Texas has faced a deluge of storms and rain, and according to Texas A&M climatologists, May was the wettest month on record. Texas has been in a drought for a number of years now, and we are glad to get the rain, but we just wish that Mother Nature had spread it out over a longer period of time. The National Weather Service reported yesterday that in May Texas skies shed 37.3 trillion gallons of water, which translates into almost 8 inches of water covering the entire State—a state more than 268,000 square miles large.

Unfortunately, this historic volume of water quickly turned into tragedy and massive destruction. Many Texans have experienced great loss. Some have lost their homes as the rivers came down without any warning and washed their houses from their foundation. But, of course, losing your home does not compare to the heartbreak of losing a loved one, and tragically, at least 24 people have lost their lives in the floods.

As usual, despite the direst of circumstances, the Texas spirit remains alive, and we see many volunteers continuing to dedicate their time and efforts to lend a helping hand. In Wimberley, in central Texas, a town hit particularly hard by flooding and the overflowing Blanco River, a group of students and adults helped to organize a makeshift market in the high school gym. This same group helped consolidate and coordinate donations to give to those most in need. Locals in the town of about 2,500 people have

come to refer to this as the ''Wimberley Walmart.''

Fortunately, stories such as these of Texans helping one another are not isolated—far from it, in fact. Communities across the State are organizing donation drives to help those who have lost all their material possessions, and many individuals have selflessly risked their own lives to help rescue strangers from the floodwaters and the rubble. To these volunteers, and to the many first responders who are working tirelessly, we all thank you from the bottom of our heart. During these hard times, you not only provided relief but you also provided perhaps something more important, and that is hope.

I spoke to several local officials over the last couple of days, including Nim Kidd, who is chief of the Texas Department of Emergency Management. Nim is doing a terrific job in this very difficult position, and he is performing like the experienced public servant that you would come to expect, particularly in dealing with disasters such as this. Nim has said there is a lot of work to be done. He told me that the rivers may not actually be within their banks for 2 more weeks, assuming that we don't get more rain.

This weekend, with recovery efforts in full swing and Texans beginning the painstakingly slow process of answering the painful question of what now, several Texas rivers remain at flood stage in more than 100 different locations. So as we start to recover, we are reminded that we need to remain vigilant.

I was encouraged to hear Nim's report that the assistance of FEMA and other Federal agencies has been making a big difference. He was highly complimentary of their contributions. FEMA, as just one example, has rapidly deployed resources to help assess the damage done in local communities, and we were both glad to see the President quickly grant Governor Abbott's request for a major disaster declaration on Friday night, which will help Texans get the resources they need. I promised Nim and others I spoke to that I would continue to work with Governor Abbott and our State's congressional delegation to make sure that the Federal Government provides all the help Texans deserve during this difficult time.

So, to those suffering today, I want to offer my deepest condolences and prayers. We will continue to do everything we can here in Washington, in Austin, and in local communities that have been so severely affected, to give Texans the help they need. We have no time to lose in getting these communities back on their feet. I know the people of Texas will continue to help their neighbors across the State during their time of need to ensure that each affected community will make the fullest and fastest recovery possible.

JUSTICE FOR VICTIMS OF TRAFFICKING ACT

Mr. President, on the second topic, on Friday, the President signed into law the Justice for Victims of Trafficking Act. I know I speak for all those involved in the long journey on which this legislation has led us when I say that I am thrilled that we are able to mark this milestone. This is a perfect example of Congress working together in a bipartisan way along with the President to try to do something to help the most vulnerable people in our society—the victims of human trafficking. This is an important day, as it shows to both the victims of human trafficking as well as to the predators who exploit them that Congress, on both sides of the Capitol and on both sides of the aisle, takes this issue seriously.

I want to express my gratitude to the organizations and the people who have helped get this done, lending countless hours and endless expertise to this cause. Without their advocacy and their determination, this would not have been possible. I thank in particular groups such as Rights4Girls, Shared Hope International, the National Association to Protect Children, the Coalition Against Trafficking Women, and End Child Prostitution and Trafficking.

It is also important to remember whom this bill is for, and of course, it is for the victims—typically, a young girl between the ages of 12 and 14 who may have left home expecting some adventure or something else other than what they ultimately experienced. Many of them find themselves victims of modern day slavery and victims of habitual sexual abuse. This is for women such as Melissa Woodward, whom I have met. She is from the Dallas-Fort Worth area. At just 12 years old, Melissa was sold into the sex trade by a family member—as hard as that is to conceive of. Her life became a prison. She was chained to a bed in a warehouse and endured regular beatings and was raped. She was forced to sexually serve between 5 and 30 men every day. Melissa said that at one point she wished she was dead. As heartbreaking as her story is—and it is heartbreaking—it is good to know that strong people such as Melissa—along with the help we can give and others who care for them can give and with those who can help them from living a life of victimhood—can be transformed by their experience and regain a new and productive life. So with this law we begin to provide for people such as Melissa the help they need to heal, and, importantly, to treat her and others as the victims they are and not as criminals. While I am thankful for what will be accomplished through this legislation, my hope is that we continue to fight the scourge of human trafficking using this law as the first step of many.

Mr. President, I want to speak about the effort to reauthorize the critical provisions of the PATRIOT Act that expired at midnight last night.

As others have observed, there has been a lot of misleading rhetoric and downright demagoguery about this topic. The issue is pretty straightforward and simple. This is about how we use all of the tools available to us to keep our Nation safe amidst pervasive and growing threats, while at the same time preserving our essential liberties. This is not about trading one for the other. This is about how we achieve the correct balance.

Despite our efforts last night, this Chamber was unable to come up with even a short-term solution to ensure that the key provisions—including section 215—of the PATRIOT Act did not expire. We know that any single Senator could object to this extension that would allow us to continue our work without allowing this program to expire. Unfortunately, three of our colleagues chose to object to the commonsense unanimous consent request to allow those temporary extensions while the Senate and the House continued their work.

It is important to remember that these provisions of the law were created after September 11 and were designed to equip those investigating terrorism with the basic tools used by ordinary law enforcement. Why in the world would we want to deny law enforcement the investigatory tools they need to keep America safe from terrorist attacks? That is what section 215 did and does and will do again once we resurrect it.

Before it expired at midnight, these provisions helped our intelligence and law enforcement officials keep the country safe. As I think about this, and in discussing it with Chairman BURR and others who are very concerned about the safety and security of our country and who are determined to protect the country by making sure that our counterterrorism efforts maintain every available legal tool consistent with our civil liberties, I think what has happened is we have fallen victim again to the pre-9/11 mentality of considering counterterrorism efforts to be a law enforcement matter alone. Of course, the Fourth Amendment to the Constitution, which prohibits unreasonable searches and seizures, was designed primarily in a criminal law enforcement context to make sure that American citizens' privacy was protected. But what many of those who object to using these provisions fail to acknowledge is that our intelligence community has to be able to investigate and detect threats to the American homeland before they occur.

After 9/11, where almost 3,000 people lost their lives, there was plenty of time to do a criminal investigation and law enforcement action, but we had

failed in our most essential obligation, which is to detect these threats ahead of time and to prevent them from ever occurring.

Importantly, as we discussed the week before last, section 215 in particular included vigorous oversight measures. It is important for people to understand that the executive branch—in other words, the White House—and the legislative branch, which is both Houses of Congress, and the courts are all very much engaged in the vigorous oversight of these tools used to protect the American people. By taking this tool away from those investigating the constant threat stream to American citizens, we have unfortunately given terrorists an advantage right here in our own backyard.

As we have reiterated over and over that these threats to our homeland are real and they are growing. Why in the world would we take time to gamble with our national security?

Secretary of Homeland Security Jeh Johnson said that our country has entered ''a new phase in the global terrorism threat'' as the so-called Islamic State or ISIL continues to encourage people right here at home to take up the cause of global jihad. Perhaps, to me, the best and most concrete examples are events such as what happened in Garland, TX, just a few weeks ago, when two people who had been communicating overseas with representatives of the Islamic State were incited to take up arms against their fellow citizens here in the United States of America. Why in the world would we want to deny our law enforcement and intelligence authorities lawful tools available to them to be able to identify people plotting threats against the homeland and to prevent those threats from actually being carried out?

Thank goodness, due to the vigilance of local police and other law enforcement authorities, what could have been a bloodbath in Garland, TX, was averted. Why in the world would we want to take away a tool available to our intelligence and law enforcement authorities and raise the risk that an attack here in the homeland be successful rather than thwarted?

This is not just something that happened in Garland. A few weeks ago, FBI Director James Comey described the widespread nature of the threats—so widespread, in fact, that he said all 56 field divisions of the FBI have opened inquiries regarding suspected cases of homegrown terrorism. So let me repeat. Every FBI field division in the country is currently investigating at least one suspected case of homegrown terrorism.

As my colleagues must know, we do not have to go very far to find other examples like the one I mentioned that manifested itself in Garland. We read about examples regularly. Just 2 weeks ago, also in my home State of Texas, the FBI arrested a man who had reportedly pledged his allegiance to the leader of ISIL. According to the FBI, he is but one of hundreds of ISIL sympathizers here in the United States, which ought to alarm all of us, ought to be a call to vigilance and to make sure we maintain every available legal tool consistent with civil liberties to protect our citizens.

So I think it is obvious that section 215 and the two noncontroversial national security provisions at issue should not have been allowed to expire, but unfortunately they were, and now it is our responsibility to fill that gap by passing this legislation and taking up the important amendments, which will actually strengthen the House bill.

We know our country and our people are the target of terrorists again, and we need to do everything we can to stop them. Well, my initial preference was to extend these portions of the PATRIOT Act for a short period of time so we could begin the debate and discuss the next best move to address these issues without giving the terrorist any advantage by handicapping the men and women committed to protecting our homeland.

At a time when the threats to our country are increasing, we should be enabling our intelligence officials and law enforcement with the tools they need and not stripping them of the authorities they require in order to protect us. Clearly a full extension of section 215, which was easily extended in 2011, is not possible at this time. But the last thing any one of us should do is allow this program to continue to remain dark.

I encourage our colleagues to join me in quickly working together to reauthorize these critical provisions. Every day we allow these authorities to remain expired, our intelligence officials are forced to act with one hand tied behind their back.

We plan to make minor improvements to the House-passed bill, and I think they make a lot of sense, things such as actually getting a certification by the Director of National Intelligence and this plan to let the telecoms continue to hold this information and then, after a court order is provided, allow that search. But certainly we should want to know whether this actually will work in a way that is consistent with our national security.

So, essentially, the House provisions are the base bill here, but I think Chairman BURR and others on the Intelligence Committee have recommended some very positive, commonsense improvements which will make this bill better. Working together, the Senate and the House, I think we can make sure these necessary authorities are restored.

As elected representatives of the American people, it is our duty to make sure the balance between physical safety and civil liberties is struck. We will do that again. We can do that responsibly by extending these authorities and coming together to find a long-term solution that keeps these invaluable tools in place.

I yield the floor.

The PRESIDING OFFICER. The Senator from North Carolina.

Mr. BURR. Mr. President, I thank the majority whip for his comments and for his support of the extension of 215 and for what I think are some very reasonable changes to it. Some of what the Senator from Texas said took me back to some of the hearings I know the Presiding Officer was in where intelligence officials were asked about this transition. They were asked very simply ''Will it work?'' and the answer they gave was ''I think so.'' To an institution such as Congress, where our No. 1 responsibility is the defense of the country, ''I think so'' is not the answer on which you base the change of a program. Therefore, that is why there is a debate in Washington right now—now in the Senate, soon to be with the House—as to whether 6 months is sufficient time to be able to address it.

I know the Presiding Officer of the Senate heard individuals from the Justice Department say: Well, if this does not work, we will get back to you on changes.

One of the reasons this tool is in place is because we identified shortcomings in our capability to identify terrorists post-9/11.

Let me revert back—and I hate to go to history, but on 9/11, as the majority whip said, there was the loss of almost 3,000 lives, American and international lives. Washington, New York—could have been this building had some brave passengers not found out what they were up to and stopped them.

I remember those days and weeks and months right after 9/11 as a member of the House Intelligence Committee. There are not many of us left who were here. I think only 40 percent of the Senate was here on 9/11. What were the questions that went through our minds? Who did this? Why did they do it? How wide was the plan to attack us? We had to start from a dead stop and try to figure out the answer to all of those questions. It is amazing that in a very short period of time we were able to construct tools that made sure that America would never be faced with questions such as those again and that if we were, it would be a very short period of time, not weeks and months and in some cases years to connect the dots and try to figure out how to keep this from happening again. Section 215 was one of the tools that was created as a result of 9/11.

I revert back to the Director of the FBI, who said last year that had section 215 been in place prior to September 11, the likelihood is that we could have connected the dots between

a known terrorist we lost track of by the name of Al Mihdhar, who traveled from Kuala Lumpur to San Diego before we had a no-fly list, who communicated via cell phone with a terrorist cell operating out of Yemen—we had the numbers out of Yemen; we just did not have the number of Al Mihdhar. Had 215 been in place, we could have tested the terrorist cell phones against the database we had. The FBI Director's own words: We probably would have stopped that component of 9/11.

Al Mihdhar and his roommate, I believe, were the two who flew the plane into the Pentagon. Would it have captured everybody? Possibly not. Would identifying two individuals incorporated in a cell inside the United States have allowed the FBI to work through traditional means of investigation and find the rest of that cell, those planes directed—two planes toward New York and that fourth plane directed to the Capitol? Maybe. Maybe it would have.

Maybe when you are trying to stop something, it is good, but when you are talking about eliminating something, ''I think we can do it'' does not meet my test. That is why one of the amendments I will ask my colleagues to vote on is an amendment to make the transition period not 6 months but 12 months. It is to make sure we have allowed the NSA a sufficient amount of time to technologically prepare the telephone companies to be able to search their data in a timeframe that we need to get in front of an attack versus in back of an attack.

It is very simple: If it happens in front, it is intelligence. If it happens in back, it is an investigation. It is a legal investigation. It has already happened. We are trying to make sure we stay in front.

I would like to take a moment to go over some myths about the PATRIOT Act.

Here is myth No. 9: The President put in place two panels—a review panel and another one called the Privacy and Civil Liberties Oversight Board—and, interestingly, both panels told him the same thing: that what he was doing was illegal.

Fact: President Obama's review panel never opined on the legality of the metadata program. It said the question of the program's legality under the Fourth Amendment ''is not before us,'' and it is not the review panel's job to resolve these questions of whether the program was statutorily authorized.

Myth. Fact.

Myth No. 8: The national security letter is similar to what we fought the Revolution over.

I am not a lawyer, but given what we have been faced with since September 11, I think it would have been easier to go to law school than to try to figure out some of these things. The national security letter, despite its ominous-sounding name, is nothing more than an administrative subpoena. It has the authority equivalent to the authority postal inspectors employ to investigate mail fraud or IRS agents use to investigate tax fraud. Postal inspectors and IRS agents do not need judicial authorization to issue an administrative subpoena. Our Framers would likely be embarrassed if the post office had more authority to investigate postal fraud than the Federal Government had to protect us from terrorism.

Before 215, the FBI would issue a national security letter that gave them expansive investigatory tools. Now, they could not do it in a timely fashion, but eventually they could not only get to a search of telephone numbers, they could search financial records, and they could search anything about an individual.

Let me remind my colleagues that what we are talking about in section 215, the metadata program—we have never identified an American. All we have is a pool of telephone numbers with no person's name attached to them, and we collect the date the call was made, the duration of the call, and the telephone number that it talked to. The only time that information can be queried is when we have a foreign telephone number that we know to be the telephone number of a terrorist. Where we were before was much more expansive with a national security letter, but it was not timely, and if you want to be in front of an act, you have to be timely. That is how 215 was created.

Myth No. 7: NSA collects your address book, buddy lists, call records, et cetera, and then they put them into a data—I think the program is called SNAC—they put it all into this data program and they develop a network of who you are and who your friends are.

Myth.

Here is fact: SNAC is the National Security Agency Systems and Network Attack Center, which, among other things, publishes a configuration guide to assist entities in protecting their networks from intrusion. Its work could not be further from the allegation made.

Myth No. 6: Executive Order 12333 has no congressional oversight.

Boy, that is a strange one to the Intelligence Committee, which spends a lot of time on oversight of 12333. It is simply wrong. S. Res. 400 of the 94th Congress created the Select Committee on Intelligence. CRS—the Congressional Research Service—points out that the President has a statutory responsibility to ''ensure that the intelligence committees are kept fully and currently informed of the intelligence activities of the United States.'' The committee routinely receives reports on such matters, including reports on NSA activities under Executive Order 12333. It is a part of the committee's mandate that we do successful oversight, and it is a requirement of any President that they make sure their administration fully cooperates and reports to both the Senate select committee and the House select committee.

Myth No. 5: The President started this program by himself. He did not tell us about it. Maybe one or two people knew about it.

Again, that is factually incorrect. Every Senator was put on notice of the program's existence in 2010 and again in 2011. My gosh, it has been a national—international debate over the last several weeks.

Myth No. 4: The PATRIOT Act goes from probable cause, which is what the Constitution had, to articulable suspicion, down to relevance.

This statement conflates issues. Articulable suspicion and relevance are not two different standards for the same thing. They both must be present—both must be present—in the metadata program.

FISA, as amended by section 215 of the PATRIOT Act, allows the government to seek a court order requiring the production of ''tangible things'' upon a statement—articulation—of facts showing ''there are reasonable grounds to believe'' those things are ''relevant'' to an authorized investigation. This allows the government to seek call records from telecommunications companies. Then, when those records have been compiled into a database, that database can only be queried upon a reasonable articulable suspicion that the number to be queried is associated with a particular foreign terrorist organization.

We keep getting back to this, and of all the conversations that are had on this floor about intrusion into privacy—one, let me state the obvious fact again. It is hard for me to believe we have invaded anyone's privacy when we have done nothing but grab a telephone number and we have no earthly idea to whom it belongs. And the only reason we would be concerned with that telephone number is if we pull a foreign terrorist telephone number and we search it and find somebody in America they have talked to. That is it. That is the entirety of the program, and it is all predicated on the fact that we don't search any—we don't query any data unless we have a foreign terrorist telephone number known, and that is what triggers the program to begin to meet the threshold of the court for a query of the information.

Myth No. 3: The FISA Court has somewhat become a rubberstamp for the government.

First, if that characterization is correct, then the Federal criminal wiretap process is even more of a rubberstamp for the government. The approval rate for title III criminal wiretaps is higher than the approval rate for FISA applications.

Second, this claim does a disservice to the practice of the FISA Court, where there is often a back-and-forth between the government as applicant and the court. Again, this is not unlike the criminal wiretap process. The government often proposes to make an application before making its final application. The chief judge of the FISA Court has said it returns or demands modifications on these proposed applications 25 percent of the time. In this respect, the high approval rate of FISA applications does not ''reflect the fact that many applications are altered prior to final submission or even withheld from final submission entirely, often after an indication that a judge would not approve them'' because it had not met the threshold.

Third, the government has every interest in self-selecting only meritorious applications to bring to the court. The government is a repeat player at the FISA Court. It has a well-earned reputation as a broker of candor before the court, and there would be significant reputational costs to bringing nonmeritorious applications to the court.

Let me sort of put in layman's terms what that is. The current wiretap standard—equivalent to going to a FISA Court—approves at a 25-percent higher rate than the FISA Court. And the FISA Court is the court that expedites time-sensitive investigations and time-sensitive intelligence requests.

Myth No. 2: The problem in the FISA Court is that when they take you to this court, it is secret.

True, it is secret, but so are any other judicial hearings where classified information is before to the court, and that court shuts down and goes into a nonpublic setting, just the way this institution does. We will do it as we get into the appropriations bills, and when we get into classified, sensitive appropriations, these doors will shut, the Gallery will be cleared, the TVs will be cut off, and we will do our business on secret, classified information.

It is only realistic to believe that the court—especially the court that hears the most sensitive cases—would only hear those cases in secret because the cases cannot be presented in public.

The last, No. 1: The bulk collection of all Americans' phone records all of the time is a direct violation of the Fourth Amendment.

The Fourth Amendment protects against unreasonable searches. A search occurs when the government intrudes upon ''a reasonable expectation of privacy.'' The Supreme Court has noted ''that a person has no legitimate expectation of privacy in information he voluntarily turns over to third parties.''

The Court has also squarely determined that a person does not have a Fourth Amendment-protected privacy interest in the numbers he dialed on his phone. Telephone companies keep call records for billing purposes. When the government obtains those records from a third-party telecommunications provider, a search has not taken place for constitutional purposes, and therefore a warrant is not required.

This program has been approved over 40 times by the FISA Court to exist. The program was instituted by the executive branch. The executive branch could end the program today. Why don't they? They don't because this program is effective. This program has thwarted attacks here and abroad.

I know individuals have come on the floor and they have said: There is absolutely nothing that shows that section 215 has contributed to the safety of America.

I can only say that they are factually challenged in that. You would not have the majority of the Intelligence Committee on floor lobbying for this program to continue in its current form. Now we know that is not going to happen, so we are trying to reach a modification of the current language so, in fact, we have a greater comfort level that the intelligence community can be in front of attacks and not behind them.

I remind my colleagues that hopefully tomorrow afternoon we will be at a point where we are ready to vote on amendments. There will be three amendments to the USA FREEDOM Act.

The first one will be a full substitute. It will take all the identical language of USA FREEDOM with two changes:

One, it will require the telephone companies to notify the U.S. Government 6 months in advance of any change they make in their retention policy of the data, the telephone numbers. I think it is a very reasonable request that they give us 6 months' notice if, in fact, they are going to reduce the amount of time they keep that data.

The second piece is that we direct the Director of National Intelligence to certify at the end of the transition period that we can successfully make the transition and that the technology is in place at the telephone companies, provided by the government, that they can query those numbers—in other words, that they can search it and take a foreign terrorist telephone number and figure out whether they talked to an American.

In addition to that substitute amendment, there will be two additional amendments.

The first one will take the transition period that is currently 6 months in the bill and will simply make it 12 months. If I had my preference, it would be 24 months, but I think this is a fair compromise. And my hope is that, matched with the certification of the DNI, we will be prepared to transfer this data but to continue the program in a seamless fashion, although it will add some time—yet to be determined—to how quickly we can make the identification of any connection of dots.

The second amendment very specifically will be addressing the amicus provision in the USA FREEDOM Act. I am going to talk about amicus a little later, but let me just say for my colleagues that in the USA FREEDOM Act, in numerous places, it says that the courts shall provide a friend of the court.

I am not a lawyer, but my understanding from those who are lawyers is that ''shall'' is an indication of ''you must.'' The courts have told us that will be cumbersome and difficult and delay the ability of this process to move forward. So the courts have provided for us language that changes it to where the FISA Court can access a friend of the court when they feel it is necessary but not be required to have a friend of the court regardless of what their determination is.

We will talk about that over the next just shy of a day, but it is my hope to all the Members that all three of these amendments can be dealt with before 24 hours is up and that passage of the USA FREEDOM Act as amended by the Senate can be passed to the House for quick action by the U.S. House and hopefully by the end of business tomorrow can be signed by the President and these very important programs can be back in place.

I would make one last note—that I am sure Americans find it troubling that this program is going to be suspended for roughly 48 hours. In the case of investigations that are currently underway, they are grandfathered and the ''lone wolf'' and roving wiretap can still be used, but new investigations have to wait for the reauthorization of this bill. From the standpoint of the metadata program, last night at 8 o'clock it could no longer be queried, and it won't be able to be queried until this is reauthorized.

There is time sensitivity on us passing this, just as there is time sensitivity in getting the language of this bill correct so that, in fact, we can query it, we can connect the dots, and we can get in front of an attack prior to the attack happening.

I urge my colleagues in the Senate to spend the next 24 hours understanding what is in the USA FREEDOM Act. Look at the amendments. They are reasonable. They don't blow up this piece of legislation. They provide us the assurance that we can make this transition and that after we make the transition, the program will still work.

I urge my colleagues to support all three amendments.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER (Mrs. ERNST). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Mr. MCCONNELL. Madam President, it is time to get the job done on FISA. It is time to get the job done.

From the beginning of this debate, I had aimed to give Senators a chance to advance bipartisan compromise legislation through the regular order. That is why I offered extension proposals that sought to create the space needed to do that. But as we all know, by now, every effort to temporarily extend important counterterrorism tools—even noncontroversial ones—was either voted down or objected to.

So here is where we are. We find ourselves in a circumstance where important tools have already lapsed. We need to work quickly to remedy this situation. Everyone has had ample opportunity to say their piece at this point. Now is the time for action.

That is why, in just a moment, I will ask for unanimous consent to allow the Senate to consider cloture on the House-passed FISA bill, along with amendments to improve it, today—not tomorrow but today.

There is no point in letting another day lapse when the endgame is clear to absolutely everyone—we know how this is going to end—when we have seen such a robust debate already, a big debate, not only in the Senate but across the country, and when the need to act expeditiously could not be more apparent.

Madam President, I ask unanimous consent that at 6 p.m. today, the Senate vote on the pending cloture motion on H.R. 2048, the U.S. FREEDOM Act, and that if cloture is invoked, that all postcloture time be yielded back and the Senate proceed to vote on the pending amendments under the regular order; that upon disposition of the amendments, the bill be read a third time, as amended, if amended, and the Senate proceed to vote on passage of the bill, as amended, if amended.

The PRESIDING OFFICER. Is there objection?

The Senator from Kentucky.

Mr. PAUL. Madam President, reserving the right to object, I would be happy to agree to dispensing with the time and having a vote at the soonest possibility, if we were allowed to accommodate amendments for those of us who object to the bill. I think the bill would be made much better with amendments. If we can come to an arrangement to allow amendments to be voted on, I would be happy to allow my consent. But at this point, I object.

The PRESIDING OFFICER. Objection is heard.

Mr. MCCONNELL. Madam President, without consent to speed things up, the cloture vote will occur an hour after the Senate convenes tomorrow, on Tuesday. Therefore, Senators should expect the cloture vote at 11 a.m. tomorrow.

The PRESIDING OFFICER. The Senator from North Carolina.

Mr. BURR. Madam President, before the recess, there was an attempt to try to bring finality before this bill expired. At that time, I reached out to my friend and colleague from Kentucky, Senator PAUL, and offered him my assurance, as manager of the bill, that we would take up his amendments. But as the President of the Senate knows, if any one Senator objects to a vote, then a vote does not happen. I consented at that time that I would initiate a tabling of his amendment so that there could actually be a vote. There has been every attempt to try to accommodate amendments. I think that given the short time that we are dealing with, where we are trying to make sure that the expiration of these needed tools is as limited as we can, the leader is exactly right. You cannot go outside of the processes that were already triggered prior to this.

I think we have made every attempt to try to accommodate the current Senate rules, but unfortunately, there were objections to that as we departed town over a week ago, and we are where we are.

For my colleagues' sake, let me restate where we are. We have had the expiration as of midnight last night of section 215. Section 215 has many pieces to it, but there are three that are highlighted. One is the ''lone wolf'' provision, an individual who has no direct tie to a terrorist organization but could be radicalized in some type of communication, and ''lone wolf'' provides us the ability to target them without a direct association to a terrorist group. And roving wiretaps are the ability to target an individual and not a specific phone.

These two are noncontentious, and there was a request by unanimous consent yesterday before the expiration to extend those two pieces. There was an objection. The Senate operates by rules. When one Senator objects, everything stops. For that reason, those two provisions expired last night.

Let me say for the benefit of my colleagues and for the American people that any investigation that was currently under way as of 12 o'clock last night can continue to use those two tools. What is affected while we are in this expiration period is that you cannot open a new investigation and use those two tools to investigate that individual. So we are limited on anything that might have opened since 12:01 this morning.

My hope is that the Senate will dispose of all of the 215 provisions by 3 o'clock tomorrow. We can turn the faucet back on, and law enforcement can use those two tools.

But the third piece has been the focus of contention in the Senate and in the country, and it deals with a program called the metadata program. It is a scary word. Let me explain what the metadata program is.

The NSA receives from telephone companies a telephone number with no identity whatsoever. We refer to it as a deidentified number. They put all of that into one big database. The purpose of it is that when we find a known terrorist outside of the country and we have his telephone number, then we want the ability to query or search that big database to see if that known terrorist talked to anybody in the United States. We actually have to go to court—to the FISA Court—to get permission, and we have to have articulate, reasonable suspicion that there is a connection, that that known terrorist's telephone number can be tested against this database. We collect the telephone number, we collect the date the call was made, and we collect the duration of time of the call. There is absolutely zero—zero—content. There is zero identifier. There is not a person's name to it. People have questioned whether the program is legal. It is legal because the Supreme Court has said that when we turn over our data to a third party, we have no reason to believe there is a privacy protection. Therefore, when we get that telephone number from a telephone company, we throw it into a pool, and the only person who should ever be worried is somebody who is in that pool that actually carried on a conversation with a terrorist. And if we connect those two dots—a person in America and a known terrorist abroad—and they communicate, then it is immediately turned over to the FBI for an investigation. It is a person of suspicion. We turn it over to law enforcement. Law enforcement then goes through whatever court procedures they need to do to investigate that individual.

That is the metadata program. That is the contentious thing that has bogged this institution down to where we have let it expire—in most cases because people have suggested it is something other than what I have just described.

I have read a lot of the myths. Let me just go back through some of them again. I think it is important.

Myth No. 1: The NSA listens to Americans' phone calls and tracks their movement.

The NSA does not and cannot indiscriminately listen to Americans' phone calls, read their emails or track their movement. The NSA is not targeting or conducting surveillance of Americans. Under the Foreign Intelligence Surveillance Court—FISA Court—order, the only information acquired by the government from telephone companies is the time of call, the length of call, and the phone number

involved in the call. The government does not listen to the call. It does not acquire the personal information of the caller or the person who is called, which is obtained only through a separate legal process including, if necessary, a warrant based on probable cause, which is the highest standard that the judicial system has.

Frankly, there is more information available in a U.S. phonebook than what the NSA puts in the metadata base. There is more privacy information that Americans share with their grocery store when they use their discount card to get groceries. There is more data that is collected at the CFPB on the American people than the NSA ever dreamed about, but there is nobody down here trying to eliminate the CFPB, although I would love to do it tomorrow. But the fact is, if this is about privacy, how can we intrude on anybody's privacy when we do not know who the individuals are of the phone numbers that we have? And there is the fact that the Supreme Court has said that when you relinquish that information to your phone company, you have no right of privacy.

Myth No. 2: The NSA program is illegal.

There have been some who have come to the floor and said that. The Supreme Court held in Smith v. Maryland and in U.S. v. Miller that there is no reasonable expectation of privacy in telephone call records, such as those obtained under section 215. Those records are not protected by the Fourth Amendment.

Under the current 215 program, the judges of the FISA Court must approve any request by the FBI to obtain information from the telephone companies. Congress has reauthorized the PATRIOT Act seven times. The FISA Court reviews the act in an application every 90 days, and the FISA Court has approved the reauthorization of those 90-day extensions over 41 times.

This is not a car on cruise control. This is a program that every 90 days the court looks at and assesses whether for another 90 days we have the right to run the program. Put on top of that, the congressional oversight of the program is probably the second-most or third-most looked at program by the Senate and House Intelligence Committees of any program within our intelligence community.

Myth No. 3: The NSA dragnet repeatedly abuses government authority.

The government does not acquire content or personal information of Americans under the section 215 program. The names linked to the telephone numbers are not available unless the government obtains authorization through a separate legal process, including, if necessary, a warrant based on probable cause.

Careful oversight of the program reveals no pattern of government abuse whatsoever. In fact, after more than a decade, critics cannot cite a single case of intentional abuse associated with FISA authorities. That is a far cry from the debate that we have listened to and, I might say, that has been covered on some of the national media.

Myth No. 4: The government stopped only one plot using section 215.

For anybody that was listening earlier to me, I described four specific things that I can talk about in public. There were four plots. A plot is something that you get to before an act is done.

We even talked about the Tsarnaev brothers, who committed a violent act that killed and maimed a number of people in the Boston Marathon. We had the ability because we had a foreign telephone number that we thought was tied to the Tsarnaevs, and even after the fact, we were able to go back and use 215 to see if there was a foreign nexus to an act that had already been committed. In this case, we could not find that nexus, but we had the tools available so that law enforcement could responsibly look at the American people and say we have done everything to make sure that there are not additional participants in this act who might carry it out at the next marathon or the next race or the next festival. That is what our ability is supposed to be if, in fact, our oath of office as a Member of Congress is to defend the country, number one.

Myth No. 5: The FISA Court is a rubberstamp.

Despite all the claims that the FISA Court approves 99 percent of the government's applications, the FISA Court often returns or demands modifications to about 25 percent of the applications before they are even filed with the court. According to the FISA Court chief judge, the 99-percent figure does not reflect—does not reflect—the fact that many applications are altered prior to the final submission or even withheld from final submission entirely, often after an indication that a judge would not approve them.

Let me put this in perspective. Twenty-five percent more of the wiretap applications are approved than of FISA. I mean, that says enough right there. In comparison to Federal court documents which include wiretap applications as instructed, of the 13,593 wiretap applications filed from 2008 to 2012, the Federal district court approved 99.6.

The only reason that FISA is at 99 percent is because when the government sees that they are not going to be approved, they withdraw the application. That seldom happens in wiretap applications.

Myth No. 6: There is no oversight of the NSA.

The NSA conducts these programs under the strict oversight of three branches of government, including a judicial process overseen by Senate-confirmed judges appointed to the FISA Court and a chief judge of the United States. Republicans and Democrats in Congress together review, audit, and authorize all activities under FISA. There are few issues that garner more oversight attention by congressional Intelligence Committees than this program, as well as the responsibilities imposed on the executive branch to make sure that the Federal agencies in a timely fashion share all information with the select committees in the Senate and the House for the purposes of oversight of our intelligence community. Now, some have suggested that because the Director of the NSA says we think we can do this, we should just trust them. Please understand that the reason we are having this debate is because some have suggested that the NSA cannot be trusted.

Once again, I will state for my colleagues that we are going to do everything we can to wrap this up by 3 p.m. tomorrow. The debate about whether the data is going to transfer from the metadata program at NSA to the telephone companies has been decided. It will transfer. Over the next 24 hours, we will attempt to take up the USA FREEDOM Act—the exact language that was passed by the House—with a substitute amendment that embraces all of the House language with the exception of two issues. We will make two changes. One of the changes will require the telephone companies to provide a 6-month notice of any change in their data retention policy. In other words, if one telephone company has an 18-month retention program currently in place and they decide they are only going to hold the data for 12 months, they have to notify the Federal Government 6 months in advance of that change.

The second change will require the Director of National Intelligence to certify that on the transition date, that the government has provided the technology for the telephone companies to be able to search the data in a timely fashion for us to stay in front of attacks.

In addition to that substitute amendment, which I hope my colleagues will support because there are minimal changes, there will be two amendments to the bill.

The first amendment will change the transition period from 6 months to 12 months. So when the Director of the NSA says ''I think we can do it in 6 months,'' to the Intelligence Committee, ''I think we can do it'' is not a good answer. So what we are asking is that we go from 6 months to 12 months so we can make sure the technology is in place for this program to continue.

The last piece is a change in the amicus language of the bill or the friend-of-the-court language in the bill. The bill itself uses the words that the

courts shall—which means must—have a friend of the court, and that is not needed in all cases. If that is applied to all cases, it will put in place a very cumbersome and untimely process.

When we are dealing with trying to get in front of an attack and dealing with individuals who are linked to known terrorists abroad, we want to have a way to query that data, to search that data as quickly as we possibly can with the approval of the court. So what we have done is taken language that has already passed out of the Intelligence Committee and has been signed off by the courts that changes ''shall'' to ''must.'' It basically says that the court has the opportunity, anytime they need a friend of the court's advice, to turn to it and to get it, but it doesn't require that they have a panel set up that automatically sits in on every consideration, because a judge doesn't always need that.

As the Presiding Officer of the Senate knows, the FISA Court operates in secret, which is another criticism of many people. Well, I don't want to share any secrets, but sometimes the Senate operates in secret. Most of the time, the Intelligence Committee operates in secret. Believe it or not, some titans of the courts in our country operate in secret. They have the authority to do it anytime there is secret or classified information that can't be shared publicly.

Well, that is all the FISA Court does. That is the reason it is in secret. It is not because we don't want the American people to know that there is a FISA Court or that there is an application or a decision made by the FISA Court, but everything the FISA Court takes up is secret or classified, so it has to be done in secret, just like some of the budgets and some of the authorizations we do in the Senate that are classified. We shut these doors, we empty the Gallery, we cut off the TV, we hash out our differences, we come together, and we have a piece of legislation that only those people who are cleared can read. That is part of functioning. And part of functioning from a standpoint of getting in front of terrorism is to make sure the tools are in place to allow not only intelligence but law enforcement to do their job.

I think when the American people understand how simple this program is—we take the telephone numbers, we take the date the call was made, we take the duration of the call, and if it connects to a known foreign terrorist number, then we turn it over to the Federal Bureau of Investigation and they go to court to figure out whether this is an individual they need to look at. It is no longer a part of the intelligence community. It is a valuable tool. It has helped us to thwart attacks in the past. My hope is that after we get through with business tomorrow at about 3 p.m., that this will continue to be a useful tool.

I urge my colleagues to expeditiously consider not only the base language but the substitute and both amendments.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

REMEMBERING BEAU BIDEN

Ms. MIKULSKI. Madam President, I rise to speak about where we are as we debate the various aspects of the USA FREEDOM Act. However, before I proceed with my statement on the current issue before the Senate, I really wish to note the very sad passing of our Vice President's son, Beau Biden, who passed away at age 46 of brain cancer.

Of course, the world knows this now because of the news announcement. Standing on the Senate floor, where I served with the Vice President when he was a U.S. Senator, I just personally want to express my condolences to him on behalf of myself, his friend in the U.S. Senate and his colleague on so many issues, as well as the people of Maryland.

Once the news broke over the weekend, many people asked me in my home State: Did you know him? Had you ever met him? There is just a general outpouring of sadness for his family, his wife, his two children, and, of course, the Vice President and his stepmother Jill. So, Mr. Vice President, if you have the opportunity to listen, know that the U.S. Senate is sending our thoughts and our prayers to you during this difficult time.

Madam President, I wish to speak now about where we are in terms of our parliamentary situation. Once again, here we are in the Senate where, when all is said and done, more is getting said than is getting done. I am a very strong proponent of the oath I took to defend the Constitution of the United States against all enemies. By that I mean we have to be able to protect this country. We need to have a sense of urgency about it.

I am not only disappointed, I am deeply, deeply, deeply frustrated that the key authorities of the PATRIOT Act expired last night, when we had a path forward on legislation that would be constitutionally sound, would be legal, and would be authorized. But what did we do? We got ourselves into a parliamentary quagmire with the filibuster of one individual, which now has left us exposed in the world's eyes.

Major authorities were given to our intelligence community to be able to pursue the surveillance of potential terrorists, and they have expired. Those authorities included ''lone wolf,'' the roving wiretap, and some other aspects involving surveillance, and we have just let them expire at midnight. Right now, I hope we do what we can to pass the USA FREEDOM Act without delay. We need to get these authorities restored. Do we need reform? Absolutely. But let's not delay. Let's get it going.

Others are going to speak later on today on the merits of the USA FREEDOM Act. I believe it is our best opportunity to protect the Nation, while balancing privacy and constitutionally approved surveillance. I do support reforming the PATRIOT Act, but I don't support unilateral disarmament. I don't want to throw the PATRIOT Act away. I don't want to throw away our ability to place potential terrorists under surveillance. I don't want to give in under the guise of some false pretense about privacy where we say, Well, gee, I worry about my privacy, so the terrorists don't need to worry about us being able to pursue them.

Our Nation needs to know that when bad guys with predatory intent are plotting against the United States of America, we are going to know about it and we are going to stop it. We are going to know about it because we have the legal authority to track them, put them under surveillance, and we are going to stop them before they do very bad things to our country.

The purpose of my comments today is to stand up not only for the ability to have a law but also for the men and women who are working for the intel agencies—for the people who work at the National Security Agency in my own State, the FBI, and other agencies within our intel community who are essential to protecting our country against terrorist attacks, whether it is a ''lone wolf'' or State-sponsored terrorism.

These dedicated, patriotic, intelligence professionals want to operate under a rule of law. They want to operate under a rule of law that is constitutional, that is legal, and that is authorized by the U.S. Congress. They are ready to do their job, but they are wondering when we are going to do our job.

Congress needs to pass a bill, as promptly as it can, that is constitutional, legal, and authorized.

We on the Intelligence Committee have worked long and hard on such a legislative framework. We have cooperated with members of the Judiciary Committee, including Senators GRASSLEY of Iowa and LEAHY of Vermont, who have also worked on this. We worked together putting our best ideas forward, doing the targeted reform that was essential, not pursuing unilateral disarmament, and we now have legislation called the USA FREEDOM Act. Is it a perfect bill? No, it is not perfect, but it is constitutional. If we pass it, it will be legal, and it will be authorized.

I know the Presiding Officer is a military veteran and I support her for her service. The Presiding Officer knows what it is like when people try to trash America.

Ever since Eric Snowden made his allegations, the wrong people have been vilified. The men and women of our intelligence agencies have been vilified as if they were the enemy or the bad guys.

I have the great honor to be able to represent the men and women who work at the National Security Agency and some other key intelligence agencies located in my State. They work a 36-hour day. Many times they have worked a 10-day week. When others have been eating turkey or acting like turkeys, they were on their job, doing their job, trying to protect America.

Let me tell my colleagues, these people who work for the National Security Agency, for the FBI, and other intelligence agencies are patriots. They are deserving of our respect, and one way to respect them is to pass the law under which they can then operate in a way that is again appropriate. At times, these men and women, ever since Eric Snowden, have been wrongly vilified by those who don't bother to inform themselves about national security structures and the vital functions they perform. Good one-liners and snarky comments have been the order of the day.

Now, the National Security Agency is located in my State, but I am not here because it is in my State. I am here because it is located in the United States of America. Thousands of men and women serve in silence without public accolades, protecting us from cyber attacks, against terrorist attacks, as well as supporting our war fighters. I wish the Presiding Officer would have the opportunity to come with me to meet them sometime. They are linguists. They are Ph.D.s. The National Security Agency is the largest employer of mathematicians in America. They are the cyber geeks. Many of them are whiz kids. They are the treasured human capital of this Nation. If they had chosen to go to work in dotcom agencies, they would have stock options and time off and financial rewards far beyond what government service can offer. We need to be able to support them, again, by providing them with the legal authority necessary.

Remember, that section 215 is such a small aspect of what these intelligence agencies do as they stand sentry in cyber space protecting us. People act as though that is all NSA does. They haven't even bothered to educate themselves as to the legality and constitutionality of where we are.

Now, let's say where we are and let's say where we have been. Much has been said about the PATRIOT Act. It has been sharply criticized. There has been no doubt that it does require reform. That is why the Congress, in its wisdom, when it passed the bill right after 9/11, put in the safeguard of periodic sunsets so we could take a breather and reexamine the law to make sure what we did was appropriate and necessary.

Congress did pass the PATRIOT Act so the men and women at the intelligence agencies worked under what they thought was the rule of law that Congress supported. President George Bush also told us and his legal advisors told us that it was constitutional, so people believed it. Those men and women at the intelligence agencies thought they were working under legislation that was constitutional, legal, and authorized because we passed it. Well, now others say it wasn't. Others even want to filibuster about it. They want to quote the Founding Fathers. Well, I don't know about the Founding Fathers, but I know what the ''founding mothers'' would have said. The ''founding mothers'' would have said get off the dime and let's pass this legislation.

We do need good intelligence in a world of ISIL, al-Nusra Front, and Al Qaeda. NSA is one of our key agencies on the frontline of defense, and the people of the National Security Agency make up the frontline. As they looked at audits, checks and balances, and oversight, there was no evidence ever of any abuse of inappropriate surveillance on American citizens. We need to know that and we need to recognize that. Those employees thought they were implementing a law, but some in the media—and even some in this body—have made them feel as though they were the wrongdoers. I find this insulting and demeaning.

The morale at the National Security Agency was devastated for a long time. People were vilified, families were harassed for even working at the NSA, and, in some instances, I heard even their children were bullied in school. This isn't the way it should be. They thought they were patriots working for America. When the actions of our own government have placed these workers where they feel under attack—they were attacked by sequester and they felt under attack by a government shutdown because many of them were civilian employees at DOD—they were not paid—and now Congress's failure to reform national security has further then said: We can take our time. What you are doing is important, but we have to talk some more.

Gee, we have to talk some more. What do you mean we have to talk some more? The only person in the Chamber is my very distinguished colleague, the distinguished colleague from Indiana, whom I work with in such a wonderfully cooperative way on the Intelligence Committee. You know we are not bipartisan, we are nonpartisan for the good of the country.

Where is everybody who wanted to speak? Do we see 10, 20, 30, 40, 50 Senators lined up waiting to speak? No. We have to kill time. I don't want to kill time. I am afraid Americans will be killed. We have to get on this legislation and we have to get our act together and we have to pass it. I want the people to know we cannot let them down by our failure to act and to act promptly.

I come to the floor to say let's pass the USA FREEDOM Act and let's do it as soon as we can. I know a vote has been set for 11 o'clock tomorrow. That means that it will be almost 35 or 36 hours since the authorities expired, and then it has to go over to the House. So let's move it and let's keep our country safe and let's get our self-respect back.

For those who looked at our country, there were three attitudes toward America: One was great respect for who we are, our rule of law; the other was our fear, because we were once the arsenal of democracy; and, third, the yearning to be in a country that worked under a Constitution, a Congress that worked to solve the problems of our Nation. Can we get back to that? I know the Presiding Officer wants to get back to that. I know my colleague here wants to be part of that.

Let's get back together, where shoulder to shoulder we shoulder our responsibilities, pass the legislation we need to, protect our country, respect the men and women who work there, and say to any foe in the world that the United States of America stands united and is willing to protect us, and to the men and women who work for us in national security, we will support you by passing legislation promptly that is constitutional, legal, and authorized.

Madam President, I yield the floor.

The PRESIDING OFFICER. The Senator from Indiana.

Mr. COATS. Madam President, I want to thank my colleague from Maryland, a member of the Senate Intelligence Committee. It is obvious this is a bipartisan effort in dealing with the security of the American people. The Senator from Maryland is not from my party. Together, we serve on the Intelligence Committee. We have served hundreds of hours on that committee together doing everything we can to provide our country with the opportunity to protect Americans from harm.

The threat to Americans today has never been greater. We are dealing with fires raging in the Middle East and terrorist groups forming as we speak, targeting the United States and Americans, and inspiring Americans to take up arms against their fellow citizens for whatever jihadist cause they are using as the basis for the brutality that is spreading throughout the Middle East and that can happen here if they respond to these inspirational social

media requests from organizations such as ISIS, Al Qaeda, and many others.

I understand Americans' frustrations and concerns about their civil liberties and privacy. Those concerns have been bolstered by acts of government that can hardly be explained. Look at what has taken place with the IRS. Talk about targeting people, invading their privacy and civil rights and using the organization of government for political purposes is outrageous. Of course, people are up in arms about all of this, the debacle of Benghazi and Fast and Furious and on and on over the years. One can go into what has happened to instill distrust in the minds of the American people.

When a program such as this comes along and, unfortunately, the American people are told by Members of this Congress falsehoods as to what this program is and what it isn't, it just feeds the narrative that Washington is in their bedroom, Washington is in their home, it is in their phone, it is listening to their calls—Washington is monitoring everything they do—their locations.

This simply is not true. We have an organization and tools put in place with that organization, the National Security Agency, following the tragic events of 9/11 that the American people insisted on putting in place. Let's use the tools that we can to try to prevent another 9/11 from happening, to try to identify terrorist attacks before they happen, not to clean up after they happen.

The frustration for those of us on the Intelligence Committee is we are not able to come down and refute statements that are false that are made here without breaching our oath not to release classified information. We have had briefings with all of our Members. Some don't choose to attend, and therefore their narrative continues without any ability to publicly challenge what is being said. It has been said on this floor that Big Government is listening to everyone's phone calls. That is patently false.

First of all, it is impossible. There are trillions of phone calls made every day throughout the world. The calculation is that it would take 330 million employees sitting there monitoring Americans' phone calls to be able to listen to everyone's phone calls. It is an impossibility, No. 1.

No. 2, it is guaranteed that this is not happening because the authorities given to the National Security Agency prevent that from happening. There are layers and layers of attorneys and others who oversee this process, including those of us in the Intelligence Committees in the Senate and the House, the Justice Department, and the executive branch. All three branches of government are so concerned that this program could potentially be abused that the oversight is such that it would take a monumental conspiracy, involving hundreds and hundreds of people, to all agree that, yes, let's do this and breach the law.

If what has been said on this floor about the nature of this program was correct, I would be the first to line up and say I am here to defend the liberties that are being abused by the government. I guarantee to my constituents that this is a high priority for me, that I do not support anything that would violate their civil rights or violate their privacy. That is true of those of us on the Intelligence Committee, whether we are a Democrat or Republican.

We have heard today from Senator KING, who is on the committee. We have heard from Senator MIKULSKI of Maryland, who spoke. We heard from Senator NELSON, who was formerly on the committee on the Democratic side. On the Republican side, our leader of the committee, Senator BURR, has laid out in great detail how this works.

The tragedy is that in being forced to describe what the program is and what it isn't, we have had to declassify information. Guess who is listening.

I hope a lot of the American people are listening because they need to understand that much of what they have heard is simply a falsity. It is factually incorrect.

I am not going to go into why this has happened, why some Members choose to say things like—and I am stating what has been said on this floor—''Big Government is looking at every American's records, all Americans' phone records all the time. They have said the NSA collects Americans' contacts from address books, buddy lists, calling records, phone records, emails, and do we want to live in a world where the government has us under constant surveillance?''

None of us want to live in that kind of world. That is why we live in America. That is why America is what it is. This is not Stasi Germany. This is not a Communist regime. This is not a totalitarian society. We would not allow that here. Our Constitution guarantees privacy and we cherish that privacy and we protect that privacy. But to come down to this floor and make statements such as those is irresponsible, and it is a narrative that is just not the case.

Poor Ben Franklin has been dragged into this because the quote that has been attributed to Franklin that should drive our decision on this point was: ''Those who would give up essential Liberty to purchase a little temporary Safety deserve neither Liberty nor Safety.''

I agree with that, but the key word here is ''essential.'' This matter has come before the Supreme Court, and the Supreme Court has said that what the NSA is doing in storing phone numbers only—not names, not collecting information—is not essential to liberty. They have declared it as a necessary, effective tool that is open. The only information that is in your phone record is the date of the call, the number called, the duration, and the time of the call—nothing more than that.

Why is this done? It is done so that when we determine the phone number of a known terrorist in a foreign country, we can go into that haystack of phone numbers and say, Was that phone number connected to a phone number held by someone in America?

In fact, the former Director of the CIA said that we likely would have prevented 9/11 because we now know that a phone number in America was connected to a phone number of a terrorist group—Al Qaeda—and we could have taken that information to the FISA Court or to a court and gotten permission to check into that to see if that was leading to some kind of terror attacks.

It doesn't take much to recall the images of what happened on 9/11, where we were, what horror we stood and watched coming over the airwaves, and the tragedy and the loss of life that took place, changing the face of America.

So it is important that we tell the American people what it is and what it isn't. It is important that Members take responsibility to understand this is an issue that rises above politics. This is an issue that cannot be used and should not be used for political gain, whether it is monetary gain or whether it is feeding a base of support that responds to the scare tactics of America listening to all of your calls, Big Government in all of your business.

This is too important an issue. This is about the safety of America. This is about preventing us from terrorist attacks. The threat is real, and it is more real than it has been in a long, long time.

So I talked yesterday about the existing program, what it was and what it isn't. It has been talked about by my colleagues on the floor. We have moved to a point where we have to choose between the better of two bad choices.

One choice is that we eliminate the program. One of our Members in the Senate has publicly indicated that is what he wants to do. He claims it is unconstitutional. Unfortunately, he doesn't have the support of the Supreme Court that has dealt with this issue, nor the constitutional lawyers. That is a case that just simply cannot be made because it doesn't impede on anyone's liberty.

Again, I would say, if it did impede on Americans' liberty, I would be the first in line to state that and to fight against it. But it is a solution to something that is not a problem.

But secondly, because one individual would not grant even the shortest of

extensions, even an extension on two noncontroversial parts of this program that no one has challenged, to allow that to go forward so that we could keep something in place to address a potential threat that could happen—even that was denied us last evening as the clock was ticking toward midnight, and the program expired. Someone who is so determined to eliminate this entire program, who has misrepresented this program to the American people, so determined to stay with his narrative that he would not even allow an hour, not even allow a day, not even allow minutes for us to try to reconcile the differences here with the House of Representatives—and those differences are pretty small.

Senator BURR has been in negotiations with the House and with Members of the Senate relative to some changes and modifications in the USA FREEDOM Act, which was supported by a significant bipartisan majority in the House of Representatives. I think that is a step in the right direction. It does not solve all of the problems. My concern with the FREEDOM Act is a concern of many; that is, the act has some major flaws, some of which I thought were fatal. But I have to measure that against nothing.

Thanks to the procedural maneuvering by one Member here, we have been left with only two choices. The Senate majority leader laid those out with some clarity yesterday and today. The choices are completely eliminate the program, go completely dark, take away this tool, and put Americans more at risk—thanks very much, but it is over and try something else—or a provision that has been passed by the House of Representatives that moves collection of the phone numbers from NSA to the telephone companies. The problem with the bill is that it does not mandate that movement. It is a voluntary act that the phone companies are most likely not going to want to adhere to, primarily because they now have to set up a situation where they potentially could be liable for breaches of the people who are overseeing their program.

There are 1,400 telephone companies in the United States. Many of them are small. But to move this program, which has six layers of oversight at NSA, which has the oversight of the Senate Intelligence Committee and the House Intelligence Committee, which has the oversight of the Department of Justice and the administration, and which has the oversight of the Federal intelligence court called FISA—all of that security oversight—to make sure there is no breach will now get transferred over to up to 1,400 telephone companies.

The people who oversee this program—it is a very small number at NSA who operate this program—have had intensive background checks and security clearances. They have proven their commitment to make sure—to do everything possible not to abuse this program. There has never been a documented case, never one case of an abuse of this program—again, a solution to something that is not a problem.

All of a sudden, now we will have dozens, if not hundreds, if not more than 1,000 phone companies all putting their own programs in place. This is not something they would like to do, No. 1, because it is going to be very costly, and, No. 2, they cannot guarantee that every one of their people is going to have the same kind of background check and security check NSA has. They will not have the oversight of the Intelligence Committees, of the Justice Department, of the executive branch.

We are trusting a private entity to do the kinds of things that multiple agencies do. And you can just count on probably some breaches of security there as people want to use the capability to abuse that program for whatever reason—maybe checking up on their wife or their girlfriend or their business partner or who knows for what possible reasons they could use it. So it really does not add privacy protections; it detracts from privacy protections.

Secondly, the retention of records is voluntary. Now, if we have some amendments that are passed by this body and accepted by the House, we will get notification if a company does not want to retain those records. But there is no retention authority granted here to us to ensure that those companies will keep any phone numbers, and then the capability of the program will be significantly reduced.

We are having to look at a very sophisticated program that the NSA says: We are not sure it is going to work. We are not sure if this process that the FREEDOM Act requires to replace what we have now is going to be effective.

It is going to take many months to determine if that is the case. So it is an untested program that we are putting a bet on that this is going to work. It would be nice to know we had something in place we can easily replace this with. So we are going from the known to the unknown. We are making a bet that this is going to be more effective and provide more privacy for the American people. It is a diminishment and a significant degradation of the current program. It will not be as effective as the program that is currently in place. Nevertheless, we have to weigh this against nothing. That is the position we have been put in because one Senator would not allow an extension of time for us to have a more lengthy debate and reasonable negotiation in consultation with the House of Representatives to arrive at something that will give us more assurance that we have a program in place that does not breach privacy but allows us to detect potential terrorist attacks and stop those attacks before they take place.

Having had to go through all of this and raise these kinds of issues here and talk about a fellow colleague is not fun. It is not something I hoped I would ever have to do. But I could not stand by and watch a program that is helping protect American people from known terrorist threats and let their safety be jeopardized by falsehoods that are being said about what this program is and is not.

It looks like we are coming together on something that is far from what we need, that is going to significantly degrade our capability, but it is the only choice that we have. We are going to have to weigh that decision. Is something that is far less better than nothing? Ultimately, given the fact that these threats have never been greater, something—even if it is not what we now have—something is better than nothing.

But we have been put in this situation unnecessarily by misrepresentations and a public that has not been informed. It is not their fault. We have not been able to because so much of this has been classified. Now, much of it is. Our adversaries, the terrorist groups, know a lot about the program they did not know about before. Thanks to Edward Snowden and thanks to some misrepresentations, we are left with the devil's bargain, and that is to choose the best of the worst.

We will talk this through today. We will have a vote tomorrow. In my mind, it is absolutely essential that the modifications that are being made, that are being presented—I will not go into depth about those. It has already been talked about here. It is essential that those be passed by this body. It is, of course, essential that the House accept them. I know a lot of negotiation has gone on back and forth, and it will continue. But it is the only way to keep a program in place. Even as degraded as it is, even as compromised as it is, it is the only way to keep a program in place.

So I will be supporting those tweaks, those changes, even though I think they are far short of what we need to do to fix the issue that was rushed through the House without much deliberation. But to make it stronger, to put it in a better position, I will support those. If those amendments can be passed, then I will reluctantly choose to vote for something that is better than nothing, as degraded as it is, in order to keep this program as one of the essential tools—one of many—as we collect information, keep that in place.

I know my colleague from Ohio has been seeking the floor for some time. I apologize for taking too long.

I yield the floor.

The PRESIDING OFFICER. The Senator from Ohio.

Mr. BROWN. Madam President, I ask unanimous consent that following my remarks, Senator BLUMENTHAL be recognized.

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

Mr. BROWN. Madam President, I ask unanimous consent to speak as in morning business.

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

CONDOLENCES TO THE BIDEN FAMILY

Mr. BROWN. Madam President, first, I want to offer my deepest sympathy and condolences to Vice President BIDEN and the entire Biden family. The Vice President has been met with more personal tragedy than any person should have to endure in any lifetime. He has faced it all with remarkable grace. He has persevered to accomplish so much good for his family, for his State, and now for his country. We are all indebted to him for that. I know he and Jill and the whole family are in our thoughts and prayers today.

EXPORT-IMPORT BANK

Madam President, turning to the business before the Senate this month—business that should be in front of the Senate this month—the Senate banking committee will hold two hearings beginning tomorrow on the Export-Import Bank. It is urgent that the Senate move to reauthorize the Ex-Im Bank before the charter expires on June 30.

Frankly, I find it both curious and alarming and also troubling that we seem to be doing this over and over. We do a transportation bill only for a few weeks or a few months. We do the Ex-Im Bank for only a few weeks or a few months. When we act that way, it is wasteful, it is alarming to many, and it makes it almost impossible for companies and State departments of transportation and State development agencies to plan. It means that far too many companies simply cannot attract the investment they need because of the uncertainty.

When I hear people complain in this body about the uncertainty of government and of government acting, and then it is those same people who so often block the Export-Import Bank, who want to stumble along for a few weeks of reauthorization or block a transportation bill—that clearly undermines the ability for our economy to grow and clearly undermines and erodes any kind of investment and planning we should be doing.

In today's global economy, we should provide American businesses with predictability and support to sell their products around the globe. This should not be controversial. Like the Transportation bill, the Export-Import Bank—at least it used to be this way—there was almost unanimity. There was consensus. For instance, in 2006 the Export-Import Bank was passed by unanimous consent. For those obviously not necessarily conversant with Senate-speak, unanimous consent means nobody comes to the floor and objects. That means unanimous. It means that we move together as one to try to do something which obviously adds to our GDP, helps our workers, and helps our community.

In places such as Columbia and in Mahoning County in Ohio, in places such as Dayton and Toledo, I know what globalization has done for our economy. I know that when we can do some things like the Export-Import Bank and a long-term transportation bill and actual planning, it helps the economy grow.

I know what the plant closings in those communities have meant to places such as Mansfield and Gallopolis and Lima and Hamilton. When a plant closes, it not just hurts that family or the employee, it hurts the business, it hurts the community, and it hurts the local hardware store and everybody else.

We know the Ex-Im Bank supports thousands of businesses, large and small, and hundreds of thousands of American jobs. According to the Ex-Im Bank's estimates, it supported $27 billion in exports and 160,000 American jobs. It is supporting $250 million in deals in just Ohio alone, my State, 60 percent of which went to small business.

Opponents who like to talk about corporate welfare—the same people who by and large vote for trade agreements and tax cuts for the wealthy and trickle-down economics—those same people say this is corporate welfare.

No, really, it isn't. Our government actually makes money on this, and it is aimed primarily at small businesses. The Ex-Im Bank fills gaps in private export plans. It charges fees, and it charges interest on loan rate-related transactions. The Ex-Im Bank covers its operating costs and its loan costs. Last year, Ex-Im returned $600-plus million to our Treasury. So it doesn't cost taxpayers; it actually brings money to our country—money that otherwise might go to foreign imports. If we don't have a big enough trade deficit, this would make it worse.

We know that our competitors have their own export-import banks. There are some 60 of these around the world. Why should we unilaterally disarm and put our manufacturers and exporters at a competitive disadvantage? That is what we will do if the Bank's authorization expires at the end of this month. We need to give our companies, our businesses, and our workers the same leg up as they compete around the world. This should be about as obvious as it gets.

Leader MCCONNELL is committed to giving us a vote on Ex-Im reauthorization before it expires. I hope that he can manage it better than he managed the PATRIOT Act, FISA, the most recent issue, the NSA, which has been in front of the Senate, and better than he managed the trade bill that pushed all of this into this week and, as Senator COATS said rightly, caused this law to expire, which was a mistake.

We should be planning here better. We should be coming together on issues where we can come together. We could have come together earlier on NSA. We could have come together earlier on trade a little bit better. We can certainly come together on a transportation bill and an Ex-Im Bank bill.

I urge my colleagues in the House to act to reauthorize the Bank. Supporting U.S. exports should be a cause we all get behind. We have seen too many issues come out of this Senate with bipartisan support, only to watch them die a partisan death in the House. We can't let that happen with the Export-Import Bank.

Once again, I hope my colleagues will join in pressing our counterparts in the House to get this done. We need to do it. The House needs to do it. We need to provide American workers the support they need to sell our products around the globe.

I yield the floor.

The PRESIDING OFFICER (Mr. COATS). The Senator from Connecticut.

Mr. BLUMENTHAL. Mr. President, I feel my speaking at this moment is appropriate because much of what I have to say follows logically from the last words of the Presiding Officer when he spoke recently on the USA FREEDOM Act because I agree with the Presiding Officer when he said we need a bill. We need to move forward and approve reforms and changes in the law that are contained in the USA FREEDOM Act. We may be in disagreement about some of the specifics. We may be in contention about the extent of the changes made. But there is a general consensus that this decade-and-a-half old law is in some need of revision.

The USA FREEDOM Act contains many important and genuinely worthwhile changes in the rules that will apply as the United States helps to protect our security but also to safeguard and preserve essential rights and liberties. That is the balance which needs to be struck. It is a difficult balance in a democracy, one of the most difficult in an area where secrecy has to be maintained because surveillance is more useful if it is done in secret, but at the same time, rights need to be protected in an open society that prides itself on transparent and accessible courts.

Changes in the rules are welcome, such as the end to the present system of bulk collection of phone data. We may disagree on that point. Changes in the rules that I support may not be supported by many of my colleagues. I

believe the USA FREEDOM Act goes in the right direction on bulk collection of phone data by ending the current practice in its present form.

What brings me to the floor is not so much a discussion about the rules as the method of enforcing those rules and implementing and assuring that they are faithfully executed, which is the role and the responsibility of the Foreign Intelligence Surveillance Court in the first instance. There are means of appeal from that court, but, as with many courts in our system, that one is likely to be the end destination on most issues, particularly since it operates in secret.

The USA FREEDOM Act goes in the right direction by making it more transparent and requiring the disclosure of significant decisions and opinions when it is appropriate to do so and under circumstances that in no way should involve compromising our national security—striking, again, a good balance.

But this Court, we have to recognize, is an anomaly in an open, democratic system. Its secrecy makes it an anomaly. It works in secret, it hears arguments in secret, and it issues opinions in secret. Its decisions are almost never reviewable. It is, unlike most of our institutions, opaque and unaccountable—understandably so because it deals with classified, sensitive information, protecting our national security against threats that cannot be disclosed when they are thwarted in many instances. The success of actions resulting from the FISA Court are most valuable when they are known to most American people.

So this court is special. It is different. But let's not forget that if we were to say to the Founders of this country that there will be a court that works in secret, has hearings in secret, issues opinions that are kept secret, and its decisions will have sweeping consequences in constitutional rights and liberties, they would say: That sounds a lot like the courts that were abhorrent to us, so much so that we rebelled against the Crown, who said in the Star Chamber, in courts that England had at the time, that there was no need for two sides to be represented or for openness. Secret, one-sided courts were one of the reasons we rebelled. Men and women laid their lives on the line. They lost their homes, treasures, families, and paid a price for open and democratic institutions.

So we should be careful about this anomalous court. It may be necessary, but we should try to make it work better, and we have.

Transparency in the issuance of opinions is very much a step in the right direction where the issues are significant and the transparency of those decisions is consistent with our security at the moment. There may be a delay, but we should remember that the bulk collection of phone data, which the U.S. Court of Appeals for the Second Circuit said was illegal, persisted for so many years because the decision itself was never made known to the American people.

There is another reform that I think is equally if not more significant. Courts that are secret and one-sided are likely to be less accessible not only because they are secret but because they are one-sided. So as a part of this reform, I have worked hard and proposed, in fact, for the first time a bill that would create an adversarial process—two sides represented before the court.

A bill that I sponsored in 2013 to reform the Foreign Intelligence Surveillance Court was joined by 18 cosponsors. I thanked them for their support, both sides of the aisle. The basic structures that I proposed are reflected in the USA FREEDOM Act today.

Colleagues worked with me—and have since—on formulating that bill and in arriving at this moment where the central goals would be accomplished by section 401 of the USA FREEDOM Act, which provides for the appointment of individuals to serve as amicus curiae—friends of the court—in cases involving a novel or significant interpretation of the law.

That provision would be egregiously undercut—in fact, gutted—by McConnell amendment No. 1451 because it would prevent these lawyers—the amicus curiae who would be selected by the court—from obtaining the information and taking the actions they need to advance and protect the strongest and most accurate legal arguments, and that is really eviscerating the effectiveness of this provision as a protection. It is a protection of our rights and liberties because these amicus curiae would be public advocates protecting public constitutional rights, and they would help safeguard essential liberties not just for the individuals who might be subjects of surveillance, whether it be by wiretap or by other means, but for all of us, because the Foreign Intelligence Surveillance Court is a court. Its decisions have the force of law. Its members are article III judges selected to be on that court, sworn to uphold the law, both constitutional law and statutory law.

So this provision, in my view, is fundamental to the court as a matter of concept and constitutional integrity. That integrity is important because it is a court, but it is also important to the trust and confidence the people have in this institution.

I was a law clerk to the U.S. Supreme Court—specifically to Justice Blackmun—and I well recall one of the Justices saying to me: You know, we don't have armies; we don't have police forces; we don't have even the ability to hold press conferences. What we have is our credibility and the trust and confidence of the American people.

That is so fundamental to the courts of this Nation that consist of judges appointed for life, without any real direct accountability, as we can be held to through the election process.

The Foreign Intelligence Surveillance Court has taken a hit in public trust and confidence. There is a question about whether the American people will continue to have trust and confidence and whether that sense of legitimacy and credibility will continue. The best way to ensure it is, is to make the court's process as effective as possible not just in the way it operates but in the way it is seen and perceived to operate, the way the American people know it should operate, and the way they can be assured that their rights are protected before the court by an advocate, an amicus curiae who will protect those rights of privacy and liberty that are integral to our Constitution—and the reason why the Founders rebelled against the English.

But there is another reason an advocate presenting the side opposing the government is important to the Foreign Intelligence Surveillance Court; that is, everybody makes better decisions when they hear both sides of the argument. Judges testified at our hearings in the Judiciary Committee about the importance of hearing both sides of the argument, whether it is a routine contract case or a criminal trial—where, by the way, often a judge's worst nightmare is to have the defendant represent himself because the judge is deprived, and so is the jury, of an effective argument on the other side of the government. And so, too, here we were told again and again and again by the judicial officers who testified before our committee—and I have heard it again and again and again as I have litigated over the last 40 years—that judges and courts work best when they hear both sides.

I have no doubt the judges of the FISA Court believe as strongly in constitutional rights and implementation of the Constitution as anyone in this body, including myself. I have no doubt government litigators who appear before the court representing the intelligence agencies seeking warrants or other actions and approval by the court have a commitment no less than anybody in the United States Senate, including myself, to those essential values and ideals. But courts are contentious. They are places where people argue, where sides—different sides—are represented with different views of complex questions, and these issues before the court are extraordinarily complex. They also involve technology that is fast changing and often difficult to explain and comprehend and is easily minimized in the consequences that may flow from approval of them.

So the USA FREEDOM Act would provide for, in effect, a panel of advocates and experts with proper security

clearances that the court can call upon to give independent, informed opinions and advocacy in cases involving a novel or significant interpretation of law, not in every case, not every argument but where there is, for example, the issue of whether the statute authorizes the bulk collection of phone records.

I tend to think the outcome would have been different in that case if the court had been given the opposing side of the argument, the argument that eventually prevailed in the U.S. Court of Appeals for the Second Circuit by a unanimous bench.

So the court really deserves this expertise. It deserves the other side and it deserves to hear both sides of the argument. Just to clarify, those two sides of the argument should not be in any way given so as to detract from the time necessary. If it is an urgency, the warrant should be issued and the arguments heard later, just as they are in criminal court. When there is an exigency of time—and I have done it myself as a prosecutor—the government's lawyer should go to the judge, be given approval for whatever is necessary to protect the public or gain access to records that may be destroyed or otherwise safeguard security, public safety, and that should be the rule here too.

Now, in the normal criminal setting, at some point, a significant issue of law is going to be litigated if the evidence is ever used, and that is the basic principle here too. If there is a novel or significant issue of law, it should be litigated at some point, and that is where the amicus curiae would be involved. Security clearance is essential, timing is important, and there should be no compromise to our national security in the court hearing the argument that the advocate may present on the other side. It can only make for better decisions. In fact, it will benefit all of our rights.

These provisions were written in consultation with the Department of Justice attorneys who advocate before the FISA Court. They are supported by the Attorney General and the National Director of Intelligence. They reflect the balance and compromise that appear throughout the USA FREEDOM Act. Amendment No. 1451 would upset this balance. It would strike the current provisions providing for the appointment of a panel of amicus curiae—the provisions that represent a carefully crafted balance—and it would compromise those provisions in a way that need not be done because this balance has the support of numerous stakeholders, from civil liberties groups to the intelligence community, and it would replace this balance, this institution, with an ineffective, far less valuable advocate.

There is no need to water down and undercut and eviscerate the role of the independent experts by removing requirements for the court to appoint a panel of experts to be on call, for the experts to receive briefings on relevant issues, and significantly to provide those experts with access to relevant information. Those provisions are unnecessary and unwise and, therefore, I oppose strongly amendment No. 1451 because it does unnecessarily and unwisely weaken the role of these experts and amicus curiae.

Equally important, amendment No. 1451 would limit access and significantly restrict the experts in their going to legal precedents, petitions, motions or other materials that are crucial to making a well-reasoned argument. It would restrict their access unnecessarily and unwisely; thereby, endangering those rights and liberties the public advocates are there to protect. It would also restrict their ability to consult with one another and share insights they may have gained from related cases as government attorneys are currently able to do.

By undercutting these essential abilities and authorities, this amendment would hamstring any independence, both in reality and in perception; thereby, also undercutting the trust and confidence this act is designed to bolster and sustain.

In short, I know many people of good conscience may disagree over the best way to reform this law. I accept and I welcome that fact. I welcome also my colleagues' recognition that an amicus curiae procedure in some form would benefit this court, but I urge my colleagues to reject an amendment that would lessen its constructive and beneficial impact.

We have already delayed long enough. This amendment would not only weaken the bill, it would exacerbate the delay by sending this bill back to the House. We all want to avoid a very potentially troubling delay in approving this measure. I have been dismayed by the divisions and delays that have prevented us from finally approving the USA FREEDOM Act before the existing law expires. We should move now. We should act decisively. We should adopt the USA FREEDOM Act without amendment No. 1451, which would simply further erode the trust and confidence, the legitimacy, and credibility of the Foreign Intelligence Surveillance Court.

I urge my colleagues to join me in voting against this amendment, passing the USA FREEDOM Act in its current form, avoiding the delay of sending it back to the House and then potentially having it come back to the Senate, so we can tell the American people we are protecting the strongest, greatest country in the history of the world from some of the most pernicious and perilous terrorist forces ever in the world's history.

Mr. President, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. If the Senator will withhold his request, we may have a Member who would like to seek the floor.

Mr. BLUMENTHAL. I will withhold my request, and I will just add, while we are waiting for my colleague to take the floor, that I want to join a number of my colleagues and speak on another matter.

REMEMBERING BEAU BIDEN

Mr. President, I join many of my colleagues in our feelings and expressing deep sadness on the loss of Beau Biden, one of our Nation's greatest public servants, one whom I was privileged to join in serving with as attorney general—he as the attorney general of Delaware and I of Connecticut.

I knew Beau Biden well and, in fact, sat next to him at many of our meetings of the National Association of Attorneys General. There was no one I met as attorney general who was more dedicated to the rule of law, to protecting people from threats to public safety, and respecting their rights and liberties in doing so.

His loss is really a loss to our Nation as well as to the Vice President's family and my heart and prayers go out to them. I know how deeply the Vice President loved Beau Biden and how much, as a dad, his death will unspeakably and unimaginably affect him.

So, again, I want to express, on behalf of Cynthia and myself, our thoughts and prayers which are with the Vice President and his family at this time.

I yield the floor.

The PRESIDING OFFICER. The Senator from North Dakota.

ARTIFACTS TO HONOR NORTH DAKOTA SOLDIERS WHO LOST THEIR LIVES IN VIETNAM

Ms. HEITKAMP. Mr. President, since March, I have been speaking on the Senate floor about the 198 North Dakotans who died while serving in the Vietnam war. But today I want to talk about something a little different. I want to talk about projects that were made by the Bismarck High School juniors in commemoration of these servicemen who gave the ultimate sacrifice in Vietnam.

Three Bismarck High teachers, Laura Forde, Sara Rinas, and Allison Wendle, are working with their history and English class students to research the lives and deaths of North Dakota's fallen servicemen in Vietnam. I am partnering with these high school students to learn about and to honor these men.

In addition to conducting research, contacting families, and writing essays about these North Dakotans who died in Vietnam, the Bismarck High students took this information and created artifacts to further honor these men. It is their goal to place these artifacts by the soldiers' names at the Vietnam Memorial wall when these students come to Washington, DC, this fall.

Over 150 students worked in groups or individually to create some truly amazing artifacts. It was difficult to single out a few to share with you today on the Senate floor but know that the artifacts I describe today are truly examples of this wonderful project that has connected these young students with the stories and the families of the young men who gave their lives for our country almost 50 years ago.

The first artifact I will show you is for John Lundin.

McKenzie Rittel, Emily Schmid, Brittany Hawkinson, and Shelby Wittenberg are Bismarck High School juniors who reached out to John Lundin's son and daughter-in-law, Ray and Cheri Lundin. The girls learned that John wanted to be a farmer after completing his Army service and painted a farm scene on the scoop of a shovel. On the shovel's handle, they wrote John's dates of birth and death in purple to represent his Purple Heart Medal. Also on the handle, they painted a Bronze Star and a Silver Star—medals that John earned while in service.

John's family worked with the students to commemorate John's service. They mailed the students soil from the Kansas land where John intended to farm and a small John Deere tractor. The students placed the Kansas soil in a jar with North Dakota soil and put the tractor on the lid.

If it works out, John's son and daughter-in-law may try to join the students in visiting the Vietnam Veterans Memorial wall in November to place these artifacts by John's name.

Hunter Lauer and Kyra Wetzel paired up to research the life and death of Roy Wagner, who was a student at Bismarck High School about 50 years before them.

In high school, Roy was a lineman on the football team and wore No. 62. Hunter and Kyra decorated a Bismarck High School football jersey with Roy's last name and wrote his dates of birth, deployment, and death in the numeral ''6'' and the medals received for his service and sacrifice in the numeral ''2.'' Hunter and Kyra compared Roy's football position as a guard to his Army position on the battlefield protecting his comrades and his friends.

Hoping that his tribute to Navy seaman Mitchell Hansey will last a long time, Bismarck High School student Logan Mollman decided to carve Mitchell's name into a piece of wood. Learning that Mitchell served on the Navy APL 30 barge during his entire tour, Logan hand-carved the full APL 30 emblem into the wood and then protected the project with a coat of lacquer. The emblem consists of the Stars and Stripes on the left, three bars on the right, and an apple in the middle for APL, or Auxiliary Personnel Lighter. Logan is looking forward to the placement of his project in honor of Mitchell at the Vietnam Veterans Memorial wall.

Ashley Erickson, Kaleb Conitz, and Sam Stewart are the three students who researched the life and death of Marine Corps Capt. Ernest Bartolina.

Ernest was flying a Chinook helicopter on a medevac mission when his helicopter was shot down and he was killed. To honor him, the students placed a small Purple Heart Medal on a model Chinook helicopter. They decorated the board that holds the helicopter with music notes, because Ernest played the French horn, and with the Marine Corps and Purple Foxes emblems to represent that he belonged to the HMM–364 Squadron.

Kadon Freeman also created an artifact to commemorate the life of Ernest Bartolina. Kadon drew Ernest's Chinook medevac helicopter and a jungle setting of Vietnam. In the helicopter, he incorporated photos of men who served in Vietnam, stating:

> The reason I made this CH–46 collage of soldiers in Vietnam was to represent Ernest Bartolina and the fallen heroes of the war with the medevac which he died in. I think that this is a good representation of him because he volunteered to be in the war.

Bismarck High School student Shaydee Pretends Eagle and PFC Roger Alberts are both from the Spirit Lake Sioux Reservation in North Dakota. It is this connection that led Shaydee to research Roger's life and decide to make by hand a ''God's eye'' for a lost son of the Sioux Tribe. She hand-wove the yarn of her God's eye in red and yellow. She hand-beaded ''37E,'' the panel location of Roger's name on the Vietnam Veterans Memorial wall, in black and white. These four colors are the colors of the medicine wheel—very important colors to the Native American culture.

Let me read what Shaydee said in her own words about honoring Private First Class Alberts:

> I decided to make a God's Eye because as Native Americans, we believe that everything belongs to the Creator; the land, the animals, the food we eat, and ourselves. We believe that this life on earth is only temporary. We believe we were put here to grow, love and learn, and then we return home. Our culture has made most Natives artists. Some of the things we do consist of bead work, feather work, quill work, cloth work, buckskin work, painting and dentalium work. All is made by hand, which means whatever we decide to make, we put our mind, heart, and time into. Our elders say, ''always do things with a good heart,'' because the energy and vibes we have at the time stay with whatever we are making, which is why I hope I put my best into the God's Eye.

Taylor Anderson, Austin Wentz, and Miriah Leier are 11th graders who created a large F4D Phantom plane to leave at the Vietnam Veterans Memorial wall in honor of Air Force Lt. Col. Wendell Keller.

The students contacted Wendell's family, who shared mementos and photos of Wendell and told them about Wendell's life, the 1969 plane crash, and the 2012 identification of his remains. The family even mailed the students items recovered from Wendell's crash site, including pieces of a zipper and air tube.

Taylor, Austin, and Miriah built and decorated the plane with images of Wendell and the medals he was awarded in recognition of his extraordinary service. The students named the plane the Carol II, in honor of Wendell's wife.

Brenna Gilje and Courtney Hirvela learned that CPT Thomas Alderson was a multisport athlete and lettered in tennis, basketball, and track when he was a student at Grand Forks Central High School.

Brenna and Courtney contacted the school to obtain the school letters and had a dog tag made with Tom's information on it. In their report, these girls noted:

> This letter represents Alderson's high school years and it can easily be related to a lot of teenage boys today. The letter with the dog tag shows how quickly he had to grow up and mature in such a short amount of time. As Alderson joined the military, he turned in his letter, along with his childhood, for a dog tag.

When McKayla Boehm began her project, she looked at different soldiers' names to find the right person to research. She noticed one of the killed-in-action had the same last name as hers, and she started to look into the soldier's family tree and her own family tree. McKayla found that Army SGT Richard Boehm was a cousin to her grandfather. McKayla decided to draw a family tree to show how she was related to Sergeant Boehm. This connection made the project that much more meaningful to McKayla. She had no idea she was related to a soldier who was killed in action in Vietnam.

McKayla added some information about Richard by his name on her family tree and wrote a note to him, thanking him for his service and expressing her desire that he were still with us so she could have gotten to know him. This project also emphasized for McKayla the importance of appreciating family and friends because you never know when the people who are closest to you may be taken away.

Nicole Holmgren, Tiffani Friesz, Brandi Bieber, and Georgia Marion looked for Gerald ''Gerry'' Klein's family members and spoke on the phone with Gerry's brother Bob.

Bob told the students about Gerry's life growing up in rural North Dakota, about being the oldest of five kids and working on the family farm. In fact, Bob explained to the girls that Gerry made the farm his priority, choosing to spend all of his free time there.

The four students created a farm complete with grass, tractors, rocks, and farm animals to represent the place where Gerry felt happiest—on the

farm where he planned to return and make his life with his fiancee after serving in the Army.

Jaycee Walter and Kambri Schaner decorated a fishing hat to commemorate Thomas Welker, a staff sergeant who served in Vietnam in the Army.

The students learned that prior to being drafted, Thomas enjoyed spending his free time fishing with his young family. On the fishing hat, Jaycee and Kambri wrote Thomas' name and dates of birth and death. On eight fishing lures they hung from the hat, they wrote the names of Thomas' family members and the awards he received during his service to our country.

Bailee McEvers, Teagan McIntyre, Shandi Taix and Maisie Patzner filled a fishing tackle box with items that were important to Michael Meyhoff who served in the Army during the Vietnam war.

These four students communicated with Michael's family, who described Michael's interest in baseball, rock collecting, hunting, and fishing. The students filled the tackle box with a baseball, rocks, shotgun shells, and fishing lures to represent his hobbies. They also decorated the box with pictures of Michael and the baseball field in Center, ND, that is named after him.

Finally, the final photo I will show you today is of a young man who was impacted in a very meaningful way in his research. Zach Bohlin is a talented student who carved a piece of wood into the shape of North Dakota. Zach added a peace sign, the soldier's name, and then expressed his own feelings about the sacrifice made by the Vietnam soldier he researched.

I would like to share the beautiful sentiment expressed by Zach through his project at Bismarck High School.

The empty chair,
The absence of one voice in the air.
Emotions take over with fear.
You're all I can't hear.
Damn the opinions of the world,
It's only filled with selfish words.
Scream and never be heard,
Keep quiet, carry on Sir.
Bring with you your heartfelt rhymes,
From the uncharted waters of your mind.
Take your wounded skin and fly,
It takes true love to sacrifice your life.

This project has meant so much to the families of the soldiers who have been researched. This project has meant so much to these young students who are connected in a way where, without these three great teachers, they would never have been connected to those who were killed in action in Vietnam. They would never have appreciated the sacrifice, and, in many ways, these soldiers would never be remembered.

I can't say how proud I am, as their Senator, of the wonderful students of Bismarck High School and the great teachers who have taken on this project. It has meant so much to me, it has meant so much to the families, and I think it has really meant so much to so many of the Vietnam veterans of my State who are still with us, who see this period of commemoration—as dictated by the President—as an important time to heal the wounds of Vietnam.

The PRESIDING OFFICER. The Senator from Rhode Island.

COMMENDING SENATOR GRAHAM

Mr. WHITEHOUSE. Mr. President, I understand that the majority leader is on his way here to close out the Senate very shortly. I want to take 1 minute to recognize a significant milestone in the life of one of our colleagues here on the floor. That colleague is our friend Senator LINDSEY GRAHAM, and that milestone is his retirement from the U.S. Air Force and Reserve, which he has served for more than 30 years. I think that 30 years of service—particularly 30 years of service overlapping with the responsibilities of being a U.S. Senator—is something that is worth a kind word.

The quality of Senator GRAHAM's service was impeccable. He has been awarded the Bronze Star Medal for his service. He has been recognized for his loyalty to the Air Force by being appointed to the U.S. Air Force Academy Board of Visitors. Clearly, his contribution to the U.S. Air Force has been real. But I think Senator GRAHAM would also be the first one to say that he believes the U.S. Air Force made more of a contribution to him than he did to the U.S. Air Force. I think that is one of the reasons he was such a good U.S. Air Force and Reserve officer, and it is also one of the reasons that we have such affection for him here in the Senate.

I have to say that I disagree with Senator GRAHAM about a great number of things. He is a very, very conservative Member of the Senate. But we get to know one another in this body. I like Senator GRAHAM. I respect Senator GRAHAM, and I am pleased to come to the floor today to commend Senator GRAHAM for what must be a somewhat emotional milestone as he steps down from the uniform that he has now worn for more than 30 years for our country.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

MORNING BUSINESS

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

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

ADDITIONAL STATEMENTS

REMEMBERING GEORGE HALEY

• Mr. ALEXANDER. Mr. President, I recently paid tribute to George Haley, a distinguished Tennessean and distinguished American who died at the age of 89 on May 13.

I ask unanimous consent that the article ''George Haley, the Giant Who Never Quit,'' by Bankole Thompson, published in the Michigan Chronicle and a copy of a resolution passed by the Kansas Senate honoring George Haley be printed in the RECORD.

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

[From the Michigan Chronicle, May 18, 2015]

GEORGE HALEY, THE GIANT WHO NEVER QUIT

(By Bankole Thompson)

Malcolm X, in ''The Autobiography of Malcolm X: As Told to Alex Haley,'' described by Time magazine as one of the 10 best non-fiction books of the century, told Alex Haley to remind his younger brother, George Haley, not to forget that it was because of Malcolm and others raising hell in the streets as fighters for racial democracy that George was able to make it in Kansas where he became the first Black state senator in 1964.

Eight years ago in the basement of his Silver Spring home in Maryland, I asked George what he thought of Malcolm's remarks about him in that seminal book. He looked at me and laughed and called it ''a rather interesting distinction.'' I smiled back and we continued looking over materials he wanted to share with me including letters Alex wrote to him as he traveled around the country and the world. From the correspondences I deduced that he was Alex's secret weapon.

Last week, George Haley, the man known to many as ''Ambassador Haley'' died May 13 at his home at the age of 89 following an illness. No man has had a bigger impact on my life growing up than George Haley. He was an accomplished lawyer, a United States Ambassador, a veteran of the U.S. Air Force, a son of the South, a family man, a Morehouse man, a thinker of the Black experience and a person who did not allow Jim Crow to subdue him when he became the second Black to earn a law degree at the University of Arkansas. As he would explain later, he was living in a basement and would go upstairs to take his classes. He would go on to serve six U.S. presidents.

I met George when I was a teenager looking to explore the possibilities of the world and how to better myself living in a fatherless home. Being raised by a grandmother who was doing her best, I had the good fortune one day of meeting Ambassador Haley, who instantly took interest in me. He treasured my grandmother and congratulated her on many occasions for her efforts in raising a Black boy. Not knowing what the future would hold for me as a teenager because I did not have the typical structure of parental support, George entered my life, enamored by my germinating skills as a budding writer. As a mentor, he told me the world was my oyster and shared stories of his life with me.

One day, during one of my regular visits to his office, he started asking pointed questions about the unexplained absence of my dad. I told him the stories my grandmother shared with me about my father not being at home. He looked at me closely, tense and upset. He shook his head and told me never to feel bad about that because ''the man upstairs'' was in control. He was not an absent father. He was a present father who loved and always talked about his kids.

No doubt, having someone of his stature say that to a lad who was at a crucial stage in life was reassuring. Many young men today, especially Black boys, need the confidence and support of accomplished men who have crossed every Rubicon with grace and dignity, to tell them that their world is not going to fall apart and support them in ensuring that they too can be meaningfully and productively engaged and become change makers.

We developed a father-son relationship. He told me about Dr. Benjamin Elijah Mays, the former president of Morehouse College and the man who mentored him and Dr. Martin Luther King Jr. and others. His favorite phrase from Dr. Mays that he left me with was, ''The man who out thinks you, rules you.''

He talked about the need for critical thinkers in the Black community, and said we owed it to ourselves to provide an atmosphere that would illuminate the brilliance of Black boys and allow them to grow into manhood and find a sense of achievement.

He talked about the responsibilities of writers having the ability and power to narrate and shape history. Black writers in particular, he believed, should never fail to articulate the Black experience and tell stories that often could otherwise go missing. He referenced many times the book ''Roots,'' written by Alex and how it impacted the world. I still kept a copy of ''Roots'' in my study which he autographed for me as a birthday gift. We discussed on numerous times the importance of preserving a bibliography of Black writers of the last century.

As a Morehouse graduate of the class of 1949, the same time Dr. King was at Morehouse, he believed in the philosophy of Dr. Mays and what he did in training and preparing generations of Black men like him and others at Morehouse who would go on to change the world and better their communities.

George Haley was a first-rate gentleman of the era before and after Jim Crow. In 1963, Alex Haley wrote in Readers Digest, ''George Haley: The Man Who Wouldn't Quit,'' an article that chronicled the persistent racial humiliation he underwent at the University of Arkansas.

''The first day of school, he went quickly to his basement room, put his sandwich on the table, and headed upstairs for class. He found himself moving through wave upon wave of White faces that all mirrored the same emotions—shock, disbelief, then choking, inarticulate rage. The lecture room was buzzing with conversation, but as he stepped through the door there was silence. He looked for his seat. It was on the side between the other students and the instructor. When the lecture began, he tried desperately to concentrate on what the professor was saying, but the hate in that room seeped into his conscience and obliterated thought. On the second day, he was greeted with open taunts and threats: ''You, nigger, what are you doing here?'' ''Hey, nigger, go back to Africa.'' He tried not to hear, to walk with an even pace, with dignity,'' Alex wrote about George in a piece that was a classic exhibit of the Jim Crow era.

When Dr. King appeared at Kansas State University (KSU) in January of 1968, George came with him. Decades later, the university would invite him to return in 2011 to hear the rediscovered recordings of King's remarks. What was also discovered was another piece of history: After King's assassination, a handwritten note with George's name on it was found in his coat pocket.

In 2010, during one of his shuttle visits to Michigan, he asked me to meet him for lunch at the Westin Hotel in Southfield. There I asked him about the note found in King's jacket. He said he was happy the new information would allow the university to do more around race and justice and went on to explain how it happened.

King scribbled down names of individuals, including George, that he needed to recognize before speaking at KSU. George and three other university officials, including then KSU President McCain, had chartered a plane to pick King up in Manhattan, Kansas so he could come speak at the university.

George Haley believed in education and his life was shaped by seminal events. When he came out of law school, he joined the law firm of Stevens Jackson in Kansas, which provided work in the Brown v. Board of Education case in Topeka.

I treasured his mentorship. I cherished the father figure he was to me. I was honored to have known and spent a significant amount of time with him. I accompanied him to events he wanted me to be at.

For instance, when his close friend Simeon Booker, whose groundbreaking coverage of the Emmett Till murder trial made him one of the most iconic Black journalists of all time, celebrated his 50 years as Washington Bureau chief for Jet magazine, George asked me to accompany him to the celebration. The event was a Who's Who of the Black writers world.

His lasting impact on me would never wane with passage of time.

Before he became ill, I always expected an interrogating call from him at the office in a sagely voice wanting to know what the latest update was with me, especially if he didn't hear from me for a month or two. If his call went to voice mail, our receptionist Pauline Leatherwood, would leave a note to say that George Haley called from Maryland.

When my son was born he was excited. He sent a Christmas gift for him every year. It was always predictable—something to keep him warm in the winter. We talked about fatherhood and the challenges and opportunities that come with such responsibility, highlighted in Dr. Curtis Ivery's book ''Black Fatherhood: Reclaiming Our Legacy.''

He would remind me sometimes of the first day we met and the impression I made on him, and how life, often punctuated by challenges, has a way of taking us to places unthinkable.

George Williford Boyce Haley, born in Henning, Tennessee, will be missed by his wife, Doris Haley, a retired Washington, D.C. educator, and his children attorney Anne-Haley Brown, who works in the Los Angeles City Attorney's Office, and son David Haley, a Kansas state senator and his beloved grandchildren.

When I think about George Haley's demise, I think about the adage that, ''Those who have lived a good life do not fear death, but meet it calmly, and even long for it in the face of great suffering. But those who do not have a peaceful conscience dread death as though life means nothing but physical torment. The challenge is to live our life so that we will be prepared for death when it comes.''

George Haley lived a full life and he will continue to live on in the lives of those he helped and mentored.

He was a man of mark, and the giant who never quit.

SENATE RESOLUTION NO. 1707

A Resolution recognizing 50 years of black state senators in Kansas and honoring George W. Haley, the first elected black state senator in Kansas

Whereas, February of each year is designated ''Black History Month'' in the United States, and, in Kansas, Governor Sam Brownback has also designated the same, urging all Kansans to recognize accomplishments and contributions to Kansas made by people of color; and

Whereas, The 1965 session of the Kansas State Legislature was the first time in history that blacks would serve in the Kansas Senate, a legislative body that first commenced upon Statehood in 1861; and

Whereas, George Williford Boyce Haley was born on August 28, 1925, in Henning, Tennessee. After serving in World War II in the U.S. Air Force, George Haley attended Morehouse College with fellow student Martin Luther King, Jr. and became one of the first African-Americans to graduate from the University of Arkansas School of Law. George Williford Boyce Haley, a Republican Kansas City attorney and resident of Wyandotte County, and Democrat Curtis McClinton, Sr., a realtor from Wichita and member of the Kansas House of Representatives, were both elected to the Kansas Senate in the general election held in November, 1964. Haley was officially accorded first-elected status because his district number, 11, numerically preceded McClinton's district number, 26. Haley's last name alphabetically precedes McClinton's and Wyandotte County election officials reported election results to the Secretary of State's office before Sedgwick County election officials reported results; and

Whereas, Haley joined the firm of Stevens, Jackson and Davis in Kansas City, Kansas, who provided legal assistance in the landmark civil rights case, Brown v. Board of Education in Topeka, Kansas. Haley then served as Deputy City Attorney in Kansas City, Kansas; and

Whereas, In the Kansas Legislature, Senator George Haley was an advocate for personal liberties and social equity, and a visionary for inclusion. He was often not supported by fellow members of the Kansas Senate, including members from his own political party. A noted example of putting principles above partisan or popular politics was his near-solo support for fair and equal housing; and

Whereas, Haley went on to serve in six United States presidential administrations. He served as Chief Counsel of the Federal Transportation Administration under President Nixon, Associate Director for the Equal Employment Opportunity Commission at the U.S. Information Agency and General Counsel and Congressional Liaison under President Ford, Senior Advisor to the U.S. delegation of the United Nations Educational, Scientific and Cultural Organization under President Reagan, Chairman of the Postal Rate Commission under President George H.W. Bush and, under President Clinton, as the U.S. Ambassador to the Republic of The Gambia in West Africa, from whence Haley's

forefather Kuntah Kinteh was brought to America; and

Whereas, Haley now lives in Silver Spring, Maryland, with his wife of 60 years, Doris; and

Whereas, Over the last 50 years, beginning with George W. Haley, only eight other black people have served in the Kansas State Senate: Curtis R. McClinton; Bill McCray; Eugene Anderson; U.L. ''Rip'' Gooch; Sherman J. Jones; David B. Haley; Donald Betts Jr.; and Oletha Faust-Goudeau. Edward Sexton Jr. held the honorary title of Kansas State Senator, but did not serve: Now, therefore, be it

Resolved by the Senate of the State of Kansas, That we do hereby honor and recognize the half century of elected Afri-Kansans in this Chamber, cognizant during Black History Month of their contributions to the greatness of our state. We especially acknowledge the accomplishments of our first elected black member, George W. Haley, who, through determination, hard work and the grace of God, broke numerous barriers to become a distinguished and inspiring American statesman, and be it further

Resolved, That the Secretary of the Senate shall send two enrolled copies of this resolution to Ambassador George W. Haley.●

TRIBUTE TO SALOME RAHEIM

● Mr. BLUMENTHAL. Mr. President, I would like to pay tribute to one of my constituents, who has recently announced that she will be resigning from her position as dean of the University of Connecticut School of Social Work. Dr. Salome Raheim has served in this leadership position for 7 exemplary years, and she will return as a faculty member during July of this year.

Dr. Raheim has dedicated her career to advancing diversity and cultural competence across the board in areas from higher education to health and human services. During her time as dean, she has established numerous initiatives that have strengthened her department and contributed immensely to the future success of her students. Her tireless efforts and contributions as dean will be remembered fondly and will be missed by many.

Under Dr. Raheim's leadership, the school has developed a campus-wide Just Community initiative, which advocates for a safer, more diverse community that is both equal and inclusive. The school has also expanded engagement between private and public agencies, in order to better provide for local communities and underrepresented populations. Dr. Raheim has also aided in fostering international partnerships with universities in Germany and Armenia, to the West Indies and Jamaica. All of these efforts have been a part in the overall establishment of this department as a nationally-recognized faculty of experts.

As the first African-American woman to hold a deanship at UConn, and as a nationally recognized leader in the field of social work education, Dr. Raheim has undoubtedly left her mark on the UConn School of Social Work.

My wife Cynthia and I are honored to celebrate Dr. Raheim's achievements, and we wish her all the best as she begins the next chapter of her life. I know that many across the State of Connecticut will join me in congratulating her on this laudable occasion.●

CONCORD, NEW HAMPSHIRE 250TH ANNIVERSARY

● Mrs. SHAHEEN. Mr. President, New Hampshire's capital city, Concord, is celebrating its 250th anniversary this year. To be exact, this is the anniversary of the city's being rechristened as Concord in recognition of a peaceful agreement that resolved a boundary dispute with the adjacent town of Bow in 1765.

The city's beginnings go back to 1725, when the Province of Massachusetts Bay established the area as the Plantation of Penacook, borrowing an Abenaki Native American word meaning ''crooked place,'' which refers to the serpentine bends of the Merrimack River just east of the city. Since 1808, when Concord became our capital city, it has been the civic and cultural heart of the Granite State. Along with its central place in New Hampshire geography and history, Concord has retained the friendliness and charm of a classic New England community.

In a sense, it was in Concord that the United States of America was born as a constitutional republic. In June 21, 1788, in the city's Old North Meeting House, deputies from across the State approved the new federal constitution. And because New Hampshire was the decisive ninth of the original 13 States to approve the document, the Constitution was declared ratified and became the law of the land.

Likewise, it was men from Concord who were in the forefront of defending the Constitution during the Civil War. Following the bombardment of Fort Sumter, President Lincoln called for 75,000 troops. In Concord, a recruiting station was set up near the Statehouse, and 50 volunteers enlisted by the end of the first day. The first to volunteer was Concord police constable Edward Sturtevant, who 20 months later made the ultimate sacrifice at the Battle of Fredericksburg. It is said that the First New Hampshire Volunteer Regiment, mustered in Concord, was the first fully equipped regiment of volunteers to go to the front in 1861. Today, prominently displayed in the State capitol building in Concord, are the tattered, bloodstained regimental flags carried by Granite State soldiers at Bull Run, Antietam, Gettysburg, and other Civil War battlefields.

The magnificent gold-domed Statehouse, at the center of Main Street, was completed in 1819, and is the oldest State capitol in which both houses of the legislature meet in their original chambers. The house of representatives consists of 400 members and is the third largest legislative body in the English-speaking world, exceeded only by the U.S. House and the British House of Commons.

For two centuries, Concord has been a commercial center and transportation hub, connected first by canal and later by railway and highway with Boston. In the first half of the 19th century, the city's Abbot Downing carriage manufacturer was known worldwide for its Concord Stagecoach, famed as ''the coach that won the West.''

Since the late 1800s and continuing today, the city has been famous for its granite quarries. The local granite type, Concord granite, is prized for its fine texture and absence of discoloring oxides and minerals. It has been used in the construction of countless Civil War monuments, the Library of Congress, the Brooklyn Bridge, and the Pentagon, including portions of the Pentagon lost on 9/11.

Concord has been home to many people of renown, including Franklin Pierce, our Nation's 14th President. As a former public school teacher, my personal hero is Christa McAuliffe, a Concord High School social studies teacher who was selected by NASA from more than 11,000 applicants to become the first teacher in space. Tragically, she perished aboard the Space Shuttle *Challenger*, but she is memorialized in Concord at the Christa McAuliffe School and the McAuliffe-Shephard Discover Center.

From my 6 years as Governor, I can testify that Concord's greatest assets are the everyday people of the city, who are unfailingly gracious and friendly. And, though I am far from objective, I think that Concord's Main Street is one of the very best in New England. It takes its character not only from the historic architecture, but also from the stores, cafes, and restaurants—places where people know your name, and where the small business owners are right there, every day.

Concord is marking its 250th anniversary, this year, with multiple events and festivities, including a week-long celebration in August. And the city is also looking to the future, with an ambitious project to renew the city's center. Mayor Jim Bouley and the people of Concord are determined to preserve the historic character and charm of downtown, while also creating a 21st century Main Street. I salute their city's rich past and present, and I look forward to joining in the anniversary celebrations in the near future.●

RECOGNIZING DISTRICT DONUTS.SLIDERS.BREWS.

● Mr. VITTER. Mr. President, small businesses are often on the front lines of partnering with local organizations and non-profits to fight for change in their communities. I am proud to announce District Donuts.Sliders.Brews.

of New Orleans, LA, as Small Business of the Week.

Opened on the iconic Magazine Street in October 2013, District Donuts .Sliders.Brews., District D.S.B., has quickly become a Garden District staple. This establishment is not an ordinary doughnut shop. One can expect to find an ever-changing variety of treats ranging in selection from peanut butter chocolate raspberry to spicy maple praline to whiskey ginger. In addition to over 100 doughnut options, District D.S.B. also offers a variety of made-to-order sliders. The only brews one will find at District D.S.B. consist of the coffee variety. One of District D.S.B.'s most popular beverages is their cold pressed coffee, which has been nitrogen brewed for nearly 30 hours.

In addition to offering a diverse selection of doughnuts, sliders, and brews, District D.S.B. is also well-known for partnering with local community organizations and non-profits. Most recently, District D.S.B. embarked on a partnership with Crossroads NOLA—a nonprofit organization for the development of a citywide foster care and adoption initiative. Together, the two aim to educate and engage adults in the greater New Orleans community of Louisiana's foster care system through their campaign WeDon'tServeKids. The details of this innovative initiative touch at the heart of the Louisiana spirit. WeDon'tServeKids targets Louisianians' generosity, southern hospitality, love of food, and appreciation for tradition through the creation of their Streatcar food truck. On any given night, one can find District D.S.B.'s Streatcar catering weddings, receptions, parties, and events across the greater New Orleans area. One hundred percent of the profits from the Streatcar go to support Crossroads NOLA—aiding children in foster care and families across the State through a variety of services the organization offers.

Congratulations again to District Donuts.Sliders.Brews. for being selected as Small Business of the Week. Thank you for your continued commitment to serving kids and families in your community—effectively improving the lives of young folks in Louisiana for generations to come.●

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC–1661. A communication from the Chief of the Planning and Regulatory Affairs Branch, Food and Nutrition Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Professional Standards for State and Local School Nutrition Programs Personnel as Required by the Healthy, Hunger-Free Kids Act of 2010'' (RIN0584–AE19) received in the Office of the President of the Senate on May 20, 2015; to the Committee on Agriculture, Nutrition, and Forestry.

EC–1662. A communication from the Acting Director of Defense Procurement and Acquisition Policy, Department of Defense, transmitting, pursuant to law, the report of a rule entitled ''Defense Federal Acquisition Regulation Supplement: Past Performance Information Retrieval System—Statistical Reporting (PPIRS–SR)'' ((RIN0750–AI40) (DFARS Case 2014–D015)) received in the Office of the President of the Senate on May 20, 2015; to the Committee on Armed Services.

EC–1663. A communication from the Under Secretary of Defense (Acquisition, Technology and Logistics), transmitting, pursuant to law, a report entitled ''Report to Congress on Department of Defense Fiscal Year 2014 Purchases from Foreign Entities''; to the Committee on Armed Services.

EC–1664. A communication from the Assistant Director, Senior Executive Management Office, Department of Defense, transmitting, pursuant to law, a report relative to a vacancy in the position of Assistant Secretary of the Air Force (Manpower and Reserve Affairs), Department of the Air Force, received in the Office of the President of the Senate on May 20, 2015; to the Committee on Armed Services.

EC–1665. A communication from the Assistant Director, Senior Executive Management Office, Department of Defense, transmitting, pursuant to law, a report relative to a vacancy in the position of Under Secretary of Defense (Intelligence), Department of Defense, received in the Office of the President of the Senate on May 20, 2015; to the Committee on Armed Services.

EC–1666. A communication from the Associate General Counsel for Legislation and Regulations, Office of the Secretary, Department of Housing and Urban Development, transmitting, pursuant to law, the report of a rule entitled ''Final Affordability Determination—Energy Efficiency Standards'' (RIN2501–ZA01) received in the Office of the President of the Senate on May 13, 2015; to the Committee on Banking, Housing, and Urban Affairs.

EC–1667. A communication from the Chairman and President of the Export-Import Bank, transmitting, pursuant to law, a report relative to a transaction involving U.S. exports to Azerbaijan; to the Committee on Banking, Housing, and Urban Affairs.

EC–1668. A communication from the Secretary of Commerce, transmitting, pursuant to law, a report relative to the export to the People's Republic of China of items not detrimental to the U.S. space launch industry; to the Committee on Banking, Housing, and Urban Affairs.

EC–1669. A communication from the Assistant Secretary for Export Administration, Bureau of Industry and Security, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Wassenaar Arrangement 2014 Plenary Agreements Implementation and Country Policy Amendments.'' (RIN0694–AG44) received in the Office of the President of the Senate on May 20, 2015; to the Committee on Banking, Housing, and Urban Affairs.

EC–1670. A communication from the Chairman and President of the Export-Import Bank, transmitting, pursuant to law, a report relative to a transaction involving U.S. exports to Luxembourg; to the Committee on Banking, Housing, and Urban Affairs.

EC–1671. A communication from the Chairman and President of the Export-Import Bank, transmitting, pursuant to law, a report relative to a transaction involving U.S. exports to the United Arab Emirates; to the Committee on Banking, Housing, and Urban Affairs.

EC–1672. A communication from the Chairman and President of the Export-Import Bank, transmitting, pursuant to law, a report relative to a transaction involving U.S. exports to South Africa; to the Committee on Banking, Housing, and Urban Affairs.

EC–1673. A communication from the Chairman and President of the Export-Import Bank, transmitting, pursuant to law, a report relative to a transaction involving U.S. exports to Mexico; to the Committee on Banking, Housing, and Urban Affairs.

EC–1674. A communication from the Assistant Secretary, Energy Efficiency and Renewable Energy, Department of Energy, transmitting, pursuant to law, a report entitled ''Annual Report to Congress on Federal Government Energy Management and Conservation Programs, Fiscal Year 2012''; to the Committee on Energy and Natural Resources.

EC–1675. A communication from the Chief of the Branch of Permits and Regulations, Fish and Wildlife Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled ''Migratory Bird Permits; Removal of Yellow-billed Magpie and Other Revisions to Depredation Order'' (RIN1018–AY60) received in the Office of the President of the Senate on May 21, 2015; to the Committee on Environment and Public Works.

EC–1676. A communication from the Chief of the Endangered Species Listing Branch, Fish and Wildlife Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled ''Endangered and Threatened Wildlife and Plants; Threatened Species Status for Dakota Skipper and Endangered Species Status for Poweshiek Skipperling'' (RIN1018–AY01) received in the Office of the President of the Senate on May 21, 2015; to the Committee on Environment and Public Works.

EC–1677. A communication from the Director of Congressional Affairs, Nuclear Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled ''Net Positive Suction Head for Emergency Core Cooling and Containment Heat Removal System Pumps'' (NRC–2015–0107) received in the Office of the President of the Senate on May 20, 2015; to the Committee on Environment and Public Works.

EC–1678. A communication from the Chief of the Division of Policy and Programs, Fish and Wildlife Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled ''Boating Infrastructure Grant Program'' (RIN1018–AW64) received in the Office of the President of the Senate on May 21, 2015; to the Committee on Environment and Public Works.

EC–1679. A communication from the Acting Chief of the Endangered Species Branch of Listing, Fish and Wildlife Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled ''Endangered and Threatened Wildlife and Plants; Designation of Critical Habitat for Neosho Mucket and Rabbitsfoot'' (RIN1018–AZ30) received in the Office of the President of the Senate on May 21, 2015; to the Committee on Environment and Public Works.

EC–1680. A communication from the Deputy Director, Centers for Medicare and Medicaid Services, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled ''Medicare

and Medicaid Program; Revisions to Deeming Authority Survey, Certification, and Enforcement Procedures'' ((RIN0938–AQ33) (CMS–3255-F)) received in the Office of the President of the Senate on May 21, 2015; to the Committee on Finance.

EC–1681. A communication from the Chief Counsel, Foreign Claims Settlement Commission of the United States, Department of Justice, transmitting the Commission's annual report for 2014; to the Committee on Foreign Relations.

EC–1682. A communication from the Acting Chief Administrative Law Judge, Office of Administrative Law Judges, Department of Labor, transmitting, pursuant to law, the report of a rule entitled ''Rules of Practice and Procedure for Administrative Hearings Before the Office of Administrative Law Judges'' (RIN1290–AA26) received in the Office of the President of the Senate on May 19, 2015; to the Committee on Health, Education, Labor, and Pensions.

EC–1683. A communication from the Assistant Secretary for Legislation, Department of Health and Human Services, transmitting, pursuant to law, a report entitled ''Fiscal Year 2012 Report on the Preventive Medicine and Public Health Training Grant and Integrative Medicine Programs''; to the Committee on Health, Education, Labor, and Pensions.

EC–1684. A communication from the Assistant Secretary for Legislation, Department of Health and Human Services, transmitting, pursuant to law, the Department's fiscal year 2012 report on the Nurse Education, Practice, Quality, and Retention Program; to the Committee on Health, Education, Labor, and Pensions.

EC–1685. A communication from the General Counsel, Pension Benefit Guaranty Corporation, transmitting, pursuant to law, the report of a rule entitled ''Benefits Payable in Terminated Single-Employer Plans; Interest Assumptions for Valuing and Paying Benefits'' (29 CFR Part 4022) received in the Office of the President of the Senate on May 20, 2015; to the Committee on Health, Education, Labor, and Pensions.

EC–1686. A communication from the Acting Assistant General Counsel for Regulatory Services, Office of the General Counsel, Department of Education, transmitting, pursuant to law, the report of a rule entitled ''Assistance to States for the Education of Children With Disabilities'' (RIN1820–AB65) received in the Office of the President of the Senate on May 21, 2015; to the Committee on Health, Education, Labor, and Pensions.

EC–1687. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Air Quality Implementation Plans; Illinois; Emission Limit Infrastructure SIP Requirements for the 2008 Ozone, 2010 NO2, and 2010 SO2 NAAQS'' (FRL No. 9927–94–Region 5) received in the Office of the President of the Senate on May 20, 2015; to the Committee on Environment and Public Works.

EC–1688. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Air Quality Implementation Plans; Maryland; Determination of Attainment of the 1997 8-Hour Ozone National Ambient Air Quality Standard for the Baltimore, Maryland Serious Nonattainment Area'' (FRL No. 9928–15–Region 3) received in the Office of the President of the Senate on May 20, 2015; to the Committee on Environment and Public Works.

EC–1689. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Air Quality Implementation Plans; Ohio; Removal of General Conformity Regulations'' (FRL No. 9927–98–Region 5) received in the Office of the President of the Senate on May 20, 2015; to the Committee on Environment and Public Works.

EC–1690. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Air Quality Implementation Plans; Virginia; Revisions to the Attainment Plans for the Commonwealth of Virginia Portion of the Washington, DC-MD-VA 1990 1-Hour and the 1997 8-Hour Ozone Nonattainment Areas and the Maintenance Plan for the Fredericksburg 1997 8-Hour Ozone Maintenance Area to Remove the Stage II Vapor Recovery Program'' (FRL No. 9927–90–Region 3) received in the Office of the President of the Senate on May 20, 2015; to the Committee on Environment and Public Works.

EC–1691. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Air Quality Implementation Plans; West Virginia; Permits for Construction and Major Modification of Major Stationary Sources Which Cause or Contribute to Nonattainment Areas'' (FRL No. 9928–02–Region 3) received in the Office of the President of the Senate on May 20, 2015; to the Committee on Environment and Public Works.

EC–1692. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Implementation Plans; State of Colorado; Regional Haze State Implementation Plan'' (FRL No. 9928–16–Region 8) received in the Office of the President of the Senate on May 20, 2015; to the Committee on Environment and Public Works.

EC–1693. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval of Air Quality Implementation Plans; Ohio: Cleveland and Delta; Determination of Attainment for the 2008 Lead Standard'' (FRL No. 9927–96–Region 5) received in the Office of the President of the Senate on May 20, 2015; to the Committee on Environment and Public Works.

EC–1694. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Modification of the Designations of the Caribbean Ocean Dredged Material Disposal Sites'' (FRL No. 9928–04–Region 2) received in the Office of the President of the Senate on May 20, 2015; to the Committee on Environment and Public Works.

EC–1695. A communication from the Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Final Flood Elevation Determinations'' ((44 CFR Part 67) (Docket No. FEMA–2015–0001)) received in the Office of the President of the Senate on May 19, 2015; to the Committee on Banking, Housing, and Urban Affairs.

EC–1696. A communication from the Board Chairman and Chief Executive Officer, Farm Credit Administration, transmitting, pursuant to law, the Administration's Semi-Annual Report of the Inspector General for the period from October 1, 2014 through March 31, 2015 and the Management Response; to the Committee on Homeland Security and Governmental Affairs.

EC–1697. A communication from the Senior Procurement Executive, Office of Acquisition Policy, General Services Administration, transmitting, pursuant to law, the report of a rule entitled ''General Services Administration Acquisition Regulation (GSAR); Unique Item Identification (UID)'' (RIN3090–AJ53) received in the Office of the President of the Senate on May 20, 2015; to the Committee on Homeland Security and Governmental Affairs.

EC–1698. A communication from the Federal Co-Chair, Appalachian Regional Commission, transmitting, pursuant to law, the Commission's Semiannual Report of the Inspector General for the period from October 1, 2014 through March 31, 2015; to the Committee on Homeland Security and Governmental Affairs.

EC–1699. A communication from the Secretary of the Commission, Office of General Counsel, Federal Trade Commission, transmitting, pursuant to law, the report of a rule entitled ''Revisions to Rules of Practice'' (16 CFR Parts 3 and 4) received in the Office of the President of the Senate on May 20, 2015; to the Committee on Commerce, Science, and Transportation.

EC–1700. A communication from the Chief of Staff, Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled ''Amendment of Section 73.622(i), Post-Transition Table of DTV Allotments, Television Broadcast Stations (Bend, Oregon)'' (MB Docket No. 15–88, DA 15–584) received in the Office of the President of the Senate on May 20, 2015; to the Committee on Commerce, Science, and Transportation.

EC–1701. A communication from the Attorney-Advisor, Office of the General Counsel, Department of Transportation, transmitting, pursuant to law, a report relative to a vacancy in the position of Administrator, Federal Highway Administration, Department of Transportation, received in the Office of the President of the Senate on May 20, 2015; to the Committee on Commerce, Science, and Transportation.

EC–1702. A communication from the Associate General Counsel for General Law, Department of Homeland Security, transmitting, pursuant to law, a report relative to a vacancy in the position of Assistant Secretary/Administrator, Transportation Security Administration, Department of Homeland Security, received in the Office of the President of the Senate on May 20, 2015; to the Committee on Commerce, Science, and Transportation.

EC–1703. A communication from the Attorney-Advisor, Office of the General Counsel, Department of Transportation, transmitting, pursuant to law, a report relative to a vacancy in the position of Administrator, Pipeline and Hazardous Materials Safety Administration, Department of Transportation, received in the Office of the President of the Senate on May 20, 2015; to the Committee on Commerce, Science, and Transportation.

EC–1704. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries Off West Coast States; Coastal

Pelagic Species Fisheries; Closure'' (RIN0648–XD916) received in the Office of the President of the Senate on May 20, 2015; to the Committee on Commerce, Science, and Transportation.

EC–1705. A communication from the Deputy Assistant Administrator for Regulatory Programs, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Reef Fish Fishery of the Gulf of Mexico; Red Snapper Management Measures'' (RIN0648–BE91) received in the Office of the President of the Senate on May 20, 2015; to the Committee on Commerce, Science, and Transportation.

EC–1706. A communication from the Assistant Administrator for Fisheries, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Magnuson-Stevens Fishery Conservation and Management Act Provisions; Fisheries of the Northeastern United States; Northeast Groundfish Fishery; Framework Adjustment 53'' (RIN0648–BD93) received in the Office of the President of the Senate on May 20, 2015; to the Committee on Commerce, Science, and Transportation.

EC–1707. A communication from the Assistant Administrator for Fisheries, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Magnuson-Stevens Act Provisions; Northeast Multispecies Fishery; 2015 and 2016 Sector Operations Plans and 2015 Contracts and Allocation of Northeast Multispecies Annual Catch Entitlements'' (RIN0648–XD461) received in the Office of the President of the Senate on May 20, 2015; to the Committee on Commerce, Science, and Transportation.

EC–1708. A communication from the Assistant Administrator for Fisheries, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Magnuson-Stevens Fishery Conservation and Management Act Provisions; Fisheries of the Northeastern United States; Northeast Groundfish Fishery; Fishing Year 2015; Recreational Management Measures'' (RIN0648–BE82) received in the Office of the President of the Senate on May 20, 2015; to the Committee on Commerce, Science, and Transportation.

EC–1709. A communication from the Acting Director, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Exclusive Economic Zone Off Alaska; Groundfish Fishery by Non-Rockfish Program Catcher Vessels Using Trawl Gear in the Western and Central Regulatory Area of the Gulf of Alaska'' (RIN0648–XD929) received in the Office of the President of the Senate on May 20, 2015; to the Committee on Commerce, Science, and Transportation.

EC–1710. A communication from the Acting Director, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Ocean Perch in the Bering Sea and Aleutian Islands Management Area'' (RIN0648–XD909) received in the Office of the President of the Senate on May 20, 2015; to the Committee on Commerce, Science, and Transportation.

EC–1711. A communication from the Acting Director, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Ocean Perch in the Bering Sea and Aleutian Islands Management Area'' (RIN0648–XD918) received in the Office of the President of the Senate on May 20, 2015; to the Committee on Commerce, Science, and Transportation.

EC–1712. A communication from the Acting Director, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Ocean Perch in the Bering Sea and Aleutian Islands Management Area'' (RIN0648–XD921) received in the Office of the President of the Senate on May 20, 2015; to the Committee on Commerce, Science, and Transportation.

EC–1713. A communication from the Acting Director, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Cod by Trawl Catcher Vessels in the Central Regulatory Area of the Gulf of Alaska'' (RIN0648–XD910) received in the Office of the President of the Senate on May 20, 2015; to the Committee on Commerce, Science, and Transportation.

EC–1714. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Special Local Regulations and Safety Zones; Marine Events Held in the Sector Long Island Sound Captain of the Port Zone'' ((RIN1625–AA08 and RIN1625–AA00) (Docket No. USCG–2015–0125)) received in the Office of the President of the Senate on May 20, 2015; to the Committee on Commerce, Science, and Transportation.

EC–1715. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Special Local Regulation and Safety Zones; Recurring Marine Events Held in the Coast Guard Sector Northern New England Captain of the Port Zone'' ((RIN1625–AA08 and RIN1625–AA00) (Docket No. USCG–2014–0865)) received in the Office of the President of the Senate on May 20, 2015; to the Committee on Commerce, Science, and Transportation.

EC–1716. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Security Zone, U.S. Open Golf Championship, South Puget Sound; University Place, WA'' ((RIN1625–AA87) (Docket No. USCG–2014–1075)) received in the Office of the President of the Senate on May 20, 2015; to the Committee on Commerce, Science, and Transportation.

EC–1717. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Safety Zone; Agat Marina, Agat, Guam'' ((RIN1625–AA00) (Docket No. USCG–2015–0300)) received in the Office of the President of the Senate on May 20, 2015; to the Committee on Commerce, Science, and Transportation.

EC–1718. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Safety Zone; Marine Safety Unit Savannah Safety Zone for Heavy Weather and Other Natural Disasters, Savannah Captain of the Port Zone, Savannah, GA'' ((RIN1625–AA00) (Docket No. USCG–2014–1017)) received in the Office of the President of the Senate on May 20, 2015; to the Committee on Commerce, Science, and Transportation.

EC–1719. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Safety Zones and Regulated Navigation Area; Shell Arctic Drilling/Exploration Vessels and Associate Voluntary First Amendment Area, Puget Sound, WA'' ((RIN1625–AA00 and RIN 1625–AA11) (Docket No. USCG–2015–0295)) received in the Office of the President of the Senate on May 20, 2015; to the Committee on Commerce, Science, and Transportation.

EC–1720. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Safety Zone; Southern Branch Elizabeth River; Chesapeake, VA'' ((RIN1625–AA00) (Docket No. USCG–2015–0117)) received in the Office of the President of the Senate on May 20, 2015; to the Committee on Commerce, Science, and Transportation.

EC–1721. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Safety Zone; Floating Construction Platform, Chicago River, Chicago, IL'' ((RIN1625–AA00) (Docket No. USCG–2015–0333)) received in the Office of the President of the Senate on May 20, 2015; to the Committee on Commerce, Science, and Transportation.

EC–1722. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Safety Zone; Apra Outer Harbor and Adjacent Waters, Guam'' ((RIN1625–AA00) (Docket No. USCG–2015–0304)) received in the Office of the President of the Senate on May 20, 2015; to the Committee on Commerce, Science, and Transportation.

EC–1723. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Safety Zone; Monongahela River Mile 68.0–68.8; Rices Landing, PA'' ((RIN1625–AA00) (Docket No. USCG–2015–0284)) received in the Office of the President of the Senate on May 20, 2015; to the Committee on Commerce, Science, and Transportation.

EC–1724. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Safety Zone; Pamlico River; Washington, NC'' ((RIN1625–AA00) (Docket No. USCG–2015–0287)) received in the Office of the President of the Senate on May 20, 2015; to the Committee on Commerce, Science, and Transportation.

EC–1725. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Safety Zone; Portland Dragon Boat Races, Portland, OR'' ((RIN1625–AA00) (Docket No. USCG–2014–0492)) received in the Office of the President of the Senate on May 20, 2015; to the Committee on Commerce, Science, and Transportation.

EC–1726. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Safety Zone; 24 Mile Tampa Bay Marathon Swim, Tampa Bay; Tampa, FL'' ((RIN1625–AA00) (Docket No. USCG–2015–0071)) received in the Office of the President of the Senate on May 20, 2015; to the Committee on Commerce, Science, and Transportation.

EC–1727. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Drawbridge Operation Regulation; Manitowoc River, Manitowoc, WI'' ((RIN1625–AA09) (Docket No. USCG–2015–0132)) received in the Office of the President of the Senate on May 20, 2015; to the Committee on Commerce, Science, and Transportation.

EC–1728. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Drawbridge Operation Regulation; St. Marks River, Newport, FL'' ((RIN1625–AA09) (Docket No. USCG–2015–0120)) received in the Office of the President of the Senate on May 20, 2015; to the Committee on Commerce, Science, and Transportation.

EC–1729. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Amendment of Authority Citation for Part 71: Designation of Class A, B, C, D, and E Airspace Areas; Air Traffic Service Routes; and Reporting Points, and Part 73: Special Use Airspace'' (RIN2120–AA66) received in the Office of the President of the Senate on May 20, 2015; to the Committee on Commerce, Science, and Transportation.

EC–1730. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Amendment of Restricted Area Boundary Descriptions; Joint Base Lewis-McChord, WA'' (RIN2120–AA66) received in the Office of the President of the Senate on May 20, 2015; to the Committee on Commerce, Science, and Transportation.

EC–1731. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Amendment of Class E Airspace; Zephyrhills, FL'' ((RIN2120–AA66) (Docket No. FAA–2014–0917)) received in the Office of the President of the Senate on May 20, 2015; to the Committee on Commerce, Science, and Transportation.

EC–1732. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Amendment of Class E Airspace; Cando, ND'' ((RIN2120–AA66) (Docket No. FAA–2014–0746)) received in the Office of the President of the Senate on May 20, 2015; to the Committee on Commerce, Science, and Transportation.

EC–1733. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Amendment of Class E Airspace; Livingston, MT'' ((RIN2120–AA66) (Docket No. FAA–2015–0518)) received in the Office of the President of the Senate on May 20, 2015; to the Committee on Commerce, Science, and Transportation.

EC–1734. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Amendment of Class E Airspace; Alma, NE'' ((RIN2120–AA66) (Docket No. FAA–2014–0745)) received in the Office of the President of the Senate on May 20, 2015; to the Committee on Commerce, Science, and Transportation.

EC–1735. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Amendment of Class E Airspace; Encinal, TX'' ((RIN2120–AA66) (Docket No. FAA–2014–0741)) received in the Office of the President of the Senate on May 20, 2015; to the Committee on Commerce, Science, and Transportation.

EC–1736. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Amendment of Class E Airspace; Cypress, TX'' ((RIN2120–AA66) (Docket No. FAA–2014–0743)) received in the Office of the President of the Senate on May 20, 2015; to the Committee on Commerce, Science, and Transportation.

EC–1737. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Amendment of Class E Airspace; Edgeley, ND'' ((RIN2120–AA66) (Docket No. FAA–2014–0537)) received in the Office of the President of the Senate on May 20, 2015; to the Committee on Commerce, Science, and Transportation.

EC–1738. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Amendment of Class E Airspace; Key Largo, FL'' ((RIN2120–AA66) (Docket No. FAA–2014–0729)) received in the Office of the President of the Senate on May 20, 2015; to the Committee on Commerce, Science, and Transportation.

EC–1739. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Amendment of Class E Airspace; West Creek, NJ'' ((RIN2120–AA66) (Docket No. FAA–2014–0662)) received in the Office of the President of the Senate on May 20, 2015; to the Committee on Commerce, Science, and Transportation.

EC–1740. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Amendment of Class E Airspace; Manchester, NH'' ((RIN2120–AA66) (Docket No. FAA–2014–0601)) received in the Office of the President of the Senate on May 20, 2015; to the Committee on Commerce, Science, and Transportation.

EC–1741. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Amendment of Class E Airspace; Baton Rouge, LA'' ((RIN2120–AA66) (Docket No. FAA–2014–1072)) received in the Office of the President of the Senate on May 20, 2015; to the Committee on Commerce, Science, and Transportation.

EC–1742. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Amendment of Class E Airspace; Baltimore, MD'' ((RIN2120–AA66) (Docket No. FAA–2015–0793)) received in the Office of the President of the Senate on May 20, 2015; to the Committee on Commerce, Science, and Transportation.

EC–1743. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Airbus Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2015–0930)) received in the Office of the President of the Senate on May 20, 2015; to the Committee on Commerce, Science, and Transportation.

EC–1744. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Airbus Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2014–0655)) received in the Office of the President of the Senate on May 20, 2015; to the Committee on Commerce, Science, and Transportation.

EC–1745. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Bombardier, Inc. Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2014–0528)) received in the Office of the President of the Senate on May 20, 2015; to the Committee on Commerce, Science, and Transportation.

EC–1746. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Amendment of Class E Airspace; Sonora, TX'' ((RIN2120–AA66) (Docket No. FAA–2014–0427)) received in the Office of the President of the Senate on May 20, 2015; to the Committee on Commerce, Science, and Transportation.

EC–1747. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; The Boeing Company Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2011–0475)) received in the Office of the President of the Senate on May 20, 2015; to the Committee on Commerce, Science, and Transportation.

EC–1748. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; ATR–GIE Avions de Transport Regional Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2015–0497)) received in the Office of the President of the Senate on May 20, 2015; to the Committee on Commerce, Science, and Transportation.

EC–1749. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Dassault Aviation Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2015–0830)) received in the Office of the President of the Senate on May 20, 2015; to the Committee on Commerce, Science, and Transportation.

EC–1750. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Various Aircraft Equipped With Wing Lift Struts'' ((RIN2120–AA64) (Docket No. FAA–2014–1083)) received in the Office of the President of the Senate on May 20, 2015; to the Committee on Commerce, Science, and Transportation.

EC–1751. A communication from the Assistant Chief Counsel for Hazmat, Pipeline and Hazardous Materials Safety Administration, Department of Transportation, transmitting,

pursuant to law, the report of a rule entitled ''Hazardous Materials: Enhanced Tank Car Standards and Operational Controls for High-Hazard Flammable Trains'' (RIN2137–AE91) received in the Office of the President of the Senate on May 20, 2015; to the Committee on Commerce, Science, and Transportation.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. PAUL (for himself, Mr. WYDEN, and Mrs. GILLIBRAND):

S. 1471. A bill to require declassification of certain redacted information from the Joint Inquiry into Intelligence Community Activities Before and After the Terrorist Attacks of September 2001 and for other purposes; to the Select Committee on Intelligence.

By Mr. MURPHY (for himself, Mr. BOOKER, Mr. WYDEN, Mr. MARKEY, Ms. WARREN, and Mr. BLUMENTHAL):

S. 1472. A bill to amend the Communications Act of 1934 to reform and modernize the Universal Service Fund Lifeline Assistance Program; to the Committee on Commerce, Science, and Transportation.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. WHITEHOUSE (for himself and Mr. MCCAIN):

S. Res. 189. A resolution expressing the sense of the Senate regarding the 25th anniversary of democracy in Mongolia; to the Committee on Foreign Relations.

ADDITIONAL COSPONSORS

S. 139

At the request of Mr. WYDEN, the name of the Senator from Maine (Ms. COLLINS) was added as a cosponsor of S. 139, a bill to permanently allow an exclusion under the Supplemental Security Income program and the Medicaid program for compensation provided to individuals who participate in clinical trials for rare diseases or conditions.

S. 223

At the request of Mrs. BOXER, the name of the Senator from Maine (Ms. COLLINS) was added as a cosponsor of S. 223, a bill to require the Secretary of Veterans Affairs to establish a pilot program on awarding grants for provision of furniture, household items, and other assistance to homeless veterans to facilitate their transition into permanent housing, and for other purposes.

S. 248

At the request of Mr. MORAN, the name of the Senator from Colorado (Mr. GARDNER) was added as a cosponsor of S. 248, a bill to clarify the rights of Indians and Indian tribes on Indian lands under the National Labor Relations Act.

S. 257

At the request of Mr. MORAN, the name of the Senator from South Dakota (Mr. ROUNDS) was added as a cosponsor of S. 257, a bill to amend title XVIII of the Social Security Act with respect to physician supervision of therapeutic hospital outpatient services.

S. 275

At the request of Mr. ISAKSON, the name of the Senator from North Carolina (Mr. BURR) was added as a cosponsor of S. 275, a bill to amend title XVIII of the Social Security Act to provide for the coverage of home as a site of care for infusion therapy under the Medicare program.

S. 289

At the request of Mr. DURBIN, the name of the Senator from Hawaii (Ms. HIRONO) was added as a cosponsor of S. 289, a bill to prioritize funding for an expanded and sustained national investment in biomedical research.

S. 311

At the request of Mr. CASEY, the names of the Senator from Maryland (Mr. CARDIN), the Senator from New York (Mrs. GILLIBRAND) and the Senator from Michigan (Mr. PETERS) were added as cosponsors of S. 311, a bill to amend the Elementary and Secondary Education Act of 1965 to address and take action to prevent bullying and harassment of students.

S. 317

At the request of Ms. HIRONO, the name of the Senator from Maryland (Mr. CARDIN) was added as a cosponsor of S. 317, a bill to improve early education.

S. 335

At the request of Mr. GRASSLEY, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of S. 335, a bill to amend the Internal Revenue Code of 1986 to improve 529 plans.

S. 439

At the request of Mr. FRANKEN, the name of the Senator from Maryland (Mr. CARDIN) was added as a cosponsor of S. 439, a bill to end discrimination based on actual or perceived sexual orientation or gender identity in public schools, and for other purposes.

S. 553

At the request of Mr. CORKER, the name of the Senator from Hawaii (Mr. SCHATZ) was added as a cosponsor of S. 553, a bill to marshal resources to undertake a concerted, transformative effort that seeks to bring an end to modern slavery, and for other purposes.

S. 559

At the request of Mr. BURR, the name of the Senator from Illinois (Mr. KIRK) was added as a cosponsor of S. 559, a bill to prohibit the Secretary of Education from engaging in regulatory overreach with regard to institutional eligibility under title IV of the Higher Education Act of 1965, and for other purposes.

S. 637

At the request of Mr. CRAPO, the name of the Senator from New Mexico (Mr. UDALL) was added as a cosponsor of S. 637, a bill to amend the Internal Revenue Code of 1986 to extend and modify the railroad track maintenance credit.

S. 681

At the request of Mrs. GILLIBRAND, the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of S. 681, a bill to amend title 38, United States Code, to clarify presumptions relating to the exposure of certain veterans who served in the vicinity of the Republic of Vietnam, and for other purposes.

S. 682

At the request of Mr. DONNELLY, the name of the Senator from New Hampshire (Ms. AYOTTE) was added as a cosponsor of S. 682, a bill to amend the Truth in Lending Act to modify the definitions of a mortgage originator and a high-cost mortgage.

S. 683

At the request of Mr. BOOKER, the names of the Senator from Hawaii (Mr. SCHATZ) and the Senator from New Mexico (Mr. UDALL) were added as cosponsors of S. 683, a bill to extend the principle of federalism to State drug policy, provide access to medical marijuana, and enable research into the medicinal properties of marijuana.

S. 713

At the request of Mrs. BOXER, the name of the Senator from Oregon (Mr. MERKLEY) was added as a cosponsor of S. 713, a bill to prevent international violence against women, and for other purposes.

S. 740

At the request of Mr. HATCH, the name of the Senator from Arkansas (Mr. BOOZMAN) was added as a cosponsor of S. 740, a bill to improve the coordination and use of geospatial data.

S. 797

At the request of Mr. BOOKER, the name of the Senator from Delaware (Mr. CARPER) was added as a cosponsor of S. 797, a bill to amend the Railroad Revitalization and Regulatory Reform Act of 1976, and for other purposes.

S. 799

At the request of Mr. MCCONNELL, the name of the Senator from Louisiana (Mr. VITTER) was added as a cosponsor of S. 799, a bill to combat the rise of prenatal opioid abuse and neonatal abstinence syndrome.

S. 890

At the request of Ms. CANTWELL, the name of the Senator from Oregon (Mr. MERKLEY) was added as a cosponsor of S. 890, a bill to amend title 54, United States Code, to provide consistent and

reliable authority for, and for the funding of, the Land and Water Conservation Fund to maximize the effectiveness of the Fund for future generations, and for other purposes.

S. 928

At the request of Mrs. GILLIBRAND, the name of the Senator from Ohio (Mr. BROWN) was added as a cosponsor of S. 928, a bill to reauthorize the World Trade Center Health Program and the September 11th Victim Compensation Fund of 2001, and for other purposes.

S. 1056

At the request of Mr. CARDIN, the name of the Senator from Washington (Ms. CANTWELL) was added as a cosponsor of S. 1056, a bill to eliminate racial profiling by law enforcement, and for other purposes.

S. 1126

At the request of Mr. COONS, the name of the Senator from Pennsylvania (Mr. CASEY) was added as a cosponsor of S. 1126, a bill to modify and extend the National Guard State Partnership Program.

S. 1130

At the request of Mrs. BOXER, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 1130, a bill to amend title 10, United States Code, to improve procedures for legal justice for members of the Armed Forces, and for other purposes.

S. 1239

At the request of Mr. DONNELLY, the name of the Senator from Illinois (Mr. KIRK) was added as a cosponsor of S. 1239, a bill to amend the Clean Air Act with respect to the ethanol waiver for the Reid vapor pressure limitations under that Act.

S. 1250

At the request of Ms. KLOBUCHAR, the name of the Senator from Minnesota (Mr. FRANKEN) was added as a cosponsor of S. 1250, a bill to encourage States to require the installation of residential carbon monoxide detectors in homes, and for other purposes.

S. 1260

At the request of Mr. NELSON, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of S. 1260, a bill to direct the Federal Communications Commission to revise and update its sponsorship identification rules applicable to commercial and political advertising.

S. 1297

At the request of Mr. UDALL, his name was added as a cosponsor of S. 1297, a bill to update the Commercial Space Launch Act by amending title 51, United States Code, to promote competitiveness of the U.S. commercial space sector, and for other purposes.

S. 1300

At the request of Mrs. FEINSTEIN, the name of the Senator from Wisconsin (Ms. BALDWIN) was added as a cosponsor of S. 1300, a bill to amend the section 221 of the Immigration and Nationality Act to provide relief for adoptive families from immigrant visa fees in certain situations.

S. 1344

At the request of Mr. PORTMAN, the name of the Senator from Colorado (Mr. BENNET) was added as a cosponsor of S. 1344, a bill to clarify that nonprofit organizations such as Habitat for Humanity can accept donated mortgage appraisals, and for other purposes.

S. 1364

At the request of Mr. SANDERS, the name of the Senator from Massachusetts (Ms. WARREN) was added as a cosponsor of S. 1364, a bill to amend title XIX of the Social Security Act to require the payment of an additional rebate to the State Medicaid plan in the case of increase in the price of a generic drug at a rate that is greater than the rate of inflation.

S. 1380

At the request of Mrs. MURRAY, the name of the Senator from Maryland (Mr. CARDIN) was added as a cosponsor of S. 1380, a bill to support early learning.

S. 1382

At the request of Mrs. GILLIBRAND, the name of the Senator from Vermont (Mr. LEAHY) was added as a cosponsor of S. 1382, a bill to prohibit discrimination in adoption or foster care placements based on the sexual orientation, gender identity, or marital status of any prospective adoptive or foster parent, or the sexual orientation or gender identity of the child involved.

S. 1393

At the request of Mr. THUNE, the name of the Senator from North Carolina (Mr. TILLIS) was added as a cosponsor of S. 1393, a bill to require the Administrator of the Environmental Protection Agency to include in each regulatory impact analysis for a proposed or final rule an analysis that does not include any other proposed or unimplemented rule.

S. CON. RES. 17

At the request of Mr. ROUNDS, the name of the Senator from New Hampshire (Ms. AYOTTE) was added as a cosponsor of S. Con. Res. 17, a concurrent resolution establishing a joint select committee to address regulatory reform.

S. RES. 148

At the request of Mr. KIRK, the name of the Senator from Michigan (Mr. PETERS) was added as a cosponsor of S. Res. 148, a resolution condemning the Government of Iran's state-sponsored persecution of its Baha'i minority and its continued violation of the International Covenants on Human Rights.

S. RES. 176

At the request of Mr. MARKEY, the name of the Senator from New Hampshire (Ms. AYOTTE) was added as a cosponsor of S. Res. 176, a resolution designating September 2015 as ''National Brain Aneurysm Awareness Month''.

S. RES. 184

At the request of Mr. MANCHIN, his name was added as a cosponsor of S. Res. 184, a resolution expressing the sense of the Senate that conversion therapy, including efforts by mental health practitioners to change the sexual orientation, gender identity, or gender expression of an individual, is dangerous and harmful and should be prohibited from being practiced on minors.

At the request of Mr. BOOKER, the name of the Senator from Missouri (Mrs. MCCASKILL) was added as a cosponsor of S. Res. 184, supra.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 189—EXPRESSING THE SENSE OF THE SENATE REGARDING THE 25TH ANNIVERSARY OF DEMOCRACY IN MONGOLIA

Mr. WHITEHOUSE (for himself and Mr. MCCAIN) submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 189

Whereas the United States Government established diplomatic relations with the Government of Mongolia in January 1987;

Whereas, in 1990, the Government of Mongolia declared an end to a one-party, authoritarian, Communist political system and adopted a lasting, multiparty democracy and free market reforms;

Whereas the Government of Mongolia has demonstrated a commitment to democracy and continues to strengthen democratic institutions in Mongolia;

Whereas the Government of Mongolia is an important leader in, and model for, the successful and peaceful transition to democracy;

Whereas Mongolia successfully chaired the Community of Democracies, which was held in Ulaanbaatar in 2013, and sponsored a United Nations General Assembly resolution entitled ''Education for Democracy'' (United Nations General Assembly Resolution 69/268 (2015)) to promote democratic institutions, civic life, and human rights;

Whereas President Tsakhiagiin Elbegdorj has stated that Mongolia is willing to serve as ''a center of democracy education, a life model for challenges and opportunities of freedom'';

Whereas Mongolia is committed to freedom of expression and other basic human rights, becoming the first country in Asia to chair the Freedom Online Coalition and hosting the annual Freedom Online conference in Ulaanbaatar in May 2015;

Whereas Mongolia will host the 11th Asia-Europe Meeting (ASEM) Summit in 2016 in Ulaanbaatar, which will bring together European and Asian countries in an informal dialogue to address political, economic, social, cultural, and educational issues, with the objective of strengthening the relationship between the two regions in a spirit of mutual respect and equal partnership;

Whereas the Government of Mongolia established an International Cooperation Fund to share experiences and to support the advance of democracy and democratic values in other emerging nations, including Kyrgyzstan, Afghanistan, and Burma; and

Whereas the United States Government has a longstanding commitment, because of the interests and values of the United States, to encourage economic and political reforms in Mongolia: Now, therefore, be it

Resolved, That the Senate—

(1) congratulates the people and the Government of Mongolia on the 25th anniversary of the first democratic elections in Mongolia, which will be celebrated on July 29, 2015;

(2) commends Mongolia for a peaceful and successful democratic transition;

(3) expresses support for the continued efforts of the Government of Mongolia to promote democracy, transparency, rule of law, and other shared values between Mongolia and the United States;

(4) acknowledges the shared interest of the United States Government and the Government of Mongolia in promoting peace and stability in Northeast and Central Asia;

(5) recognizes the role of Mongolia as a global leader for emerging democracies;

(6) recognizes that the United States should continue to support actions taken by the Government of Mongolia to—

(A) further develop democratic institutions; and

(B) promote transparency, accountability, and community engagement; and

(7) recommends that the United States Government expand academic, cultural, and other people-to-people partnerships between Mongolia and the United States.

AMENDMENTS SUBMITTED AND PROPOSED

SA 1454. Mr. WYDEN (for himself and Mr. PAUL) submitted an amendment intended to be proposed by him to the bill H.R. 2048, to reform the authorities of the Federal Government to require the production of certain business records, conduct electronic surveillance, use pen registers and trap and trace devices, and use other forms of information gathering for foreign intelligence, counterterrorism, and criminal purposes, and for other purposes; which was ordered to lie on the table.

SA 1455. Mr. WYDEN (for himself and Mr. PAUL) submitted an amendment intended to be proposed by him to the bill H.R. 2048, supra; which was ordered to lie on the table.

SA 1456. Mr. MCCAIN submitted an amendment intended to be proposed by him to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table.

SA 1457. Mr. UDALL (for himself and Mr. WYDEN) submitted an amendment intended to be proposed by him to the bill H.R. 2048, to reform the authorities of the Federal Government to require the production of certain business records, conduct electronic surveillance, use pen registers and trap and trace devices, and use other forms of information gathering for foreign intelligence, counterterrorism, and criminal purposes, and for other purposes; which was ordered to lie on the table.

SA 1458. Mr. PAUL (for himself and Mr. WYDEN) submitted an amendment intended to be proposed by him to the bill H.R. 2048, supra; which was ordered to lie on the table.

SA 1459. Mr. PAUL (for himself and Mr. WYDEN) submitted an amendment intended to be proposed by him to the bill H.R. 2048, supra; which was ordered to lie on the table.

SA 1460. Mr. PAUL (for himself and Mr. WYDEN) submitted an amendment intended to be proposed by him to the bill H.R. 2048, supra; which was ordered to lie on the table.

SA 1461. Mr. MCCAIN submitted an amendment intended to be proposed by him to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table.

SA 1462. Mr. MCCAIN submitted an amendment intended to be proposed by him to the bill H.R. 1735, supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 1454. Mr. WYDEN (for himself and Mr. PAUL) submitted an amendment intended to be proposed by him to the bill H.R. 2048, to reform the authorities of the Federal Government to require the production of certain business records, conduct electronic surveillance, use pen registers and trap and trace devices, and use other forms of information gathering for foreign intelligence, counterterrorism, and criminal purposes, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. PROHIBITION ON DATA SECURITY VULNERABILITY MANDATES.

(a) IN GENERAL.—Except as provided in subsection (b), no agency may mandate that a manufacturer, developer, or seller of covered products design or alter the security functions in its product or service to allow the surveillance of any user of such product or service, or to allow the physical search of such product, by any agency.

(b) EXCEPTION.—Subsection (a) shall not apply to mandates authorized under the Communications Assistance for Law Enforcement Act (47 U.S.C. 1001 et seq.).

(c) DEFINITIONS.—In this section—

(1) the term ''agency'' has the meaning given the term in section 3502 of title 44, United States Code; and

(2) the term ''covered product'' means any computer hardware, computer software, or electronic device that is made available to the general public.

SA 1455. Mr. WYDEN (for himself and Mr. PAUL) submitted an amendment intended to be proposed by him to the bill H.R. 2048, to reform the authorities of the Federal Government to require the production of certain business records, conduct electronic surveillance, use pen registers and trap and trace devices, and use other forms of information gathering for foreign intelligence, counterterrorism, and criminal purposes, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____. CLARIFICATION ON PROHIBITION ON SEARCHING OF COLLECTIONS OF COMMUNICATIONS TO CONDUCT WARRANTLESS SEARCHES FOR THE COMMUNICATIONS OF UNITED STATES PERSONS.

Section 702(b) of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1881a(b)) is amended—

(1) by redesignating paragraphs (1) through (5) as subparagraphs (A) through (E), respectively, and indenting such subparagraphs, as so redesignated, an additional two ems from the left margin;

(2) by striking ''An acquisition'' and inserting the following:

''(1) IN GENERAL.—An acquisition''; and

(3) by adding at the end the following:

''(2) CLARIFICATION ON PROHIBITION ON SEARCHING OF COLLECTIONS OF COMMUNICATIONS OF UNITED STATES PERSONS.—

''(A) IN GENERAL.—Except as provided in subparagraph (B), no officer or employee of the United States may conduct a search of a collection of communications acquired under this section in an effort to find communications of a particular United States person (other than a corporation).

''(B) CONCURRENT AUTHORIZATION AND EXCEPTION FOR EMERGENCY SITUATIONS.—Subparagraph (A) shall not apply to a search for communications related to a particular United States person if—

''(i) such United States person is the subject of an order or emergency authorization authorizing electronic surveillance or physical search under section 105, 304, 703, 704, or 705 of this Act, or under title 18, United States Code, for the effective period of that order;

''(ii) the entity carrying out the search has a reasonable belief that the life or safety of such United States person is threatened and the information is sought for the purpose of assisting that person; or

''(iii) such United States person has consented to the search.''.

SA 1456. Mr. MCCAIN submitted an amendment intended to be proposed by him to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. ___. ADDITIONAL INFORMATION SUPPORTING LONG-RANGE PLANS FOR CONSTRUCTION OF NAVAL VESSELS.

Section 231(b)(2)(C) of title 10, United States Code, is amended by inserting ''by ship class in both graphical and tabular form'' after ''The estimated levels of annual funding''.

SA 1457. Mr. UDALL (for himself and Mr. WYDEN) submitted an amendment intended to be proposed by him to the bill H.R. 2048, to reform the authorities of the Federal Government to require the production of certain business records, conduct electronic surveillance, use pen registers and trap and trace devices, and use other forms of information gathering for foreign intelligence, counterterrorism, and

criminal purposes, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

TITLE IX—PRIVACY AND CIVIL LIBERTIES OVERSIGHT BOARD REFORM

SEC. 901. SHORT TITLES.

This title may be cited as the ''Strengthening Privacy, Oversight, and Transparency Act'' or the ''SPOT Act''.

SEC. 902. INCLUSION OF FOREIGN INTELLIGENCE ACTIVITIES IN OVERSIGHT AUTHORITY OF THE PRIVACY AND CIVIL LIBERTIES OVERSIGHT BOARD.

Section 1061 of the Intelligence Reform and Terrorism Prevention Act of 2004 (42 U.S.C. 2000ee) is amended by inserting ''and conduct foreign intelligence activities'' after ''terrorism'' in the following provisions:

(1) Paragraphs (1) and (2) of subsection (c).

(2) Subparagraphs (A) and (B) of subsection (d)(1).

(3) Subparagraphs (A), (B), and (C) of subsection (d)(2).

SEC. 903. SUBMISSION OF WHISTLEBLOWER COMPLAINTS TO THE PRIVACY AND CIVIL LIBERTIES OVERSIGHT BOARD.

Section 1061 of the Intelligence Reform and Terrorism Prevention Act of 2004 (42 U.S.C. 2000ee), as amended by section 902, is further amended—

(1) in subsection (d), by adding at the end the following new paragraph:

''(5) WHISTLEBLOWER COMPLAINTS.—

''(A) SUBMISSION TO BOARD.—An employee of, or contractor or detailee to, an element of the intelligence community may submit to the Board a complaint or information that such employee, contractor, or detailee believes relates to a privacy or civil liberties concern.

''(B) AUTHORITY OF BOARD.—The Board may take such action as the Board considers appropriate with respect to investigating a complaint or information submitted under subparagraph (A) or transmitting such complaint or information to any other Executive agency or the congressional intelligence committees.

''(C) RELATIONSHIP TO EXISTING LAWS.—The authority under subparagraph (A) of an employee, contractor, or detailee to submit to the Board a complaint or information shall be in addition to any other authority under another provision of law to submit a complaint or information. Any action taken under any other provision of law by the recipient of a complaint or information shall not preclude the Board from taking action relating to the same complaint or information.

''(D) RELATIONSHIP TO ACTIONS TAKEN UNDER OTHER LAWS.—Nothing in this paragraph shall prevent—

''(i) any individual from submitting a complaint or information to any authorized recipient of the complaint or information; or

''(ii) the recipient of a complaint or information from taking independent action on the complaint or information.''; and

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

''(n) DEFINITIONS.—In this section, the terms 'congressional intelligence committees' and 'intelligence community' have the meaning given such terms in section 3 of the National Security Act of 1947 (50 U.S.C. 3003).''.

SEC. 904. PRIVACY AND CIVIL LIBERTIES OVERSIGHT BOARD SUBPOENA POWER.

Section 1061(g) of the Intelligence Reform and Terrorism Prevention Act of 2004 (42 U.S.C. 2000ee(g)) is amended—

(1) in paragraph (1)(D), by striking ''submit a written request to the Attorney General of the United States that the Attorney General'';

(2) by striking paragraph (2); and

(3) by redesignating paragraphs (3) and (4) as paragraphs (2) and (3), respectively.

SEC. 905. APPOINTMENT OF STAFF OF THE PRIVACY AND CIVIL LIBERTIES OVERSIGHT BOARD.

Section 1061(j) of the Intelligence Reform and Terrorism Prevention Act of 2004 (42 U.S.C. 2000ee(j)) is amended—

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

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

''(2) APPOINTMENT IN ABSENCE OF CHAIRMAN.—If the position of chairman of the Board is vacant, during the period of the vacancy the Board, at the direction of the majority of the members of the Board, may exercise the authority of the chairman under paragraph (1).''.

SEC. 906. PRIVACY AND CIVIL LIBERTIES OVERSIGHT BOARD.

(a) IN GENERAL.—Section 1061 of the Intelligence Reform and Terrorism Prevention Act of 2004 (42 U.S.C. 2000ee), as amended by sections 902 and 903, is further amended—

(1) in subsection (h)—

(A) in paragraph (1), by inserting ''full-time'' after ''4 additional''; and

(B) in paragraph (4)(B), by striking '', except that'' and all that follows through the end and inserting a period;

(2) in subsection (i)(1)—

(A) in subparagraph (A), by striking ''level III of the Executive Schedule under section 5314'' and inserting ''level II of the Executive Schedule under section 5313''; and

(B) in subparagraph (B), by striking ''level IV of the Executive Schedule'' and all that follows through the end and inserting ''level III of the Executive Schedule under section 5314 of title 5, United States Code.''; and

(3) in subsection (j)(1), by striking ''level V of the Executive Schedule under section 5316'' and inserting ''level IV of the Executive Schedule under section 5315''.

(b) EFFECTIVE DATE; APPLICABILITY.—

(1) IN GENERAL.—The amendments made by subsection (a) shall—

(A) take effect on the date of enactment of this Act; and

(B) except as provided in paragraph (2), apply to any appointment to a position as a member of the Privacy and Civil Liberties Oversight Board made on or after the date of the enactment of this Act.

(2) EXCEPTIONS.—

(A) COMPENSATION CHANGES.—The amendments made by paragraphs (2)(A) and (3) of subsection (a) shall take effect on the first day of the first pay period beginning after the date of the enactment of this Act.

(B) ELECTION TO SERVE FULL TIME BY INCUMBENTS.—

(i) IN GENERAL.—An individual serving as a member of the Privacy and Civil Liberties Oversight Board on the date of the enactment of this Act, including a member continuing to serve as a member under section 1061(h)(4)(B) of the Intelligence Reform and Terrorism Prevention Act of 2004 (42 U.S.C. 2000ee(h)(4)(B)), (in this subparagraph referred to as a ''current member'') may make an election to—

(I) serve as a member of the Privacy and Civil Liberties Oversight Board on a full-time basis and in accordance with section 1061 of the Intelligence Reform and Terrorism Prevention Act of 2004 (42 U.S.C. 2000ee), as amended by this Act; or

(II) serve as a member of the Privacy and Civil Liberties Oversight Board on a part-time basis in accordance with such section 1061, as in effect on the day before the date of enactment of this Act, including the limitation on service after the expiration of the term of the member under subsection (h)(4)(B) of such section, as in effect on the day before the date of the enactment of this Act.

(ii) ELECTION TO SERVE FULL TIME.—A current member making an election under clause (i)(I) shall begin serving as a member of the Privacy and Civil Liberties Oversight Board on a full-time basis on the first day of the first pay period beginning not less than 60 days after the date on which the current member makes the election.

SEC. 907. PROVISION OF INFORMATION ABOUT GOVERNMENT ACTIVITIES UNDER THE FOREIGN INTELLIGENCE SURVEILLANCE ACT OF 1978 TO THE PRIVACY AND CIVIL LIBERTIES OVERSIGHT BOARD.

The Attorney General should fully inform the Privacy and Civil Liberties Oversight Board about any activities carried out by the Government under the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1801 et seq.), including by providing to the Board—

(1) copies of each detailed report submitted to a committee of Congress under such Act; and

(2) copies of each decision, order, and opinion of the Foreign Intelligence Surveillance Court or the Foreign Intelligence Surveillance Court of Review required to be included in the report under section 601(a) of such Act (50 U.S.C. 1871(a)).

SA 1458. Mr. PAUL (for himself and Mr. WYDEN) submitted an amendment intended to be proposed by him to the bill H.R. 2048, to reform the authorities of the Federal Government to require the production of certain business records, conduct electronic surveillance, use pen registers and trap and trace devices, and use other forms of information gathering for foreign intelligence, counterterrorism, and criminal purposes, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. PROHIBITION ON DATA SECURITY VULNERABILITY MANDATES.

(a) IN GENERAL.—Except as provided in subsection (b), no agency may mandate that a manufacturer, developer, or seller of covered products design or alter the security functions in its product or service to allow the surveillance of any user of such product or service, or to allow the physical search of such product, by any agency.

(b) EXCEPTION.—Subsection (a) shall not apply to mandates authorized under the Communications Assistance for Law Enforcement Act (47 U.S.C. 1001 et seq.).

(c) DEFINITIONS.—In this section—

(1) the term ''agency'' has the meaning given the term in section 3502 of title 44, United States Code; and

(2) the term ''covered product'' means any computer hardware, computer software, or electronic device that is made available to the general public.

SA 1459. Mr. PAUL (for himself and Mr. WYDEN) submitted an amendment intended to be proposed by him to the bill H.R. 2048, to reform the authorities

of the Federal Government to require the production of certain business records, conduct electronic surveillance, use pen registers and trap and trace devices, and use other forms of information gathering for foreign intelligence, counterterrorism, and criminal purposes, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. CLARIFICATION ON PROHIBITION ON SEARCHING OF COLLECTIONS OF COMMUNICATIONS TO CONDUCT WARRANTLESS SEARCHES FOR THE COMMUNICATIONS OF UNITED STATES PERSONS.

Section 702(b) of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1881a(b)) is amended—

(1) by redesignating paragraphs (1) through (5) as subparagraphs (A) through (E), respectively, and indenting such subparagraphs, as so redesignated, an additional two ems from the left margin;

(2) by striking ''An acquisition'' and inserting the following:

''(1) IN GENERAL.—An acquisition''; and

(3) by adding at the end the following:

''(2) CLARIFICATION ON PROHIBITION ON SEARCHING OF COLLECTIONS OF COMMUNICATIONS OF UNITED STATES PERSONS.—

''(A) IN GENERAL.—Except as provided in subparagraph (B), no officer or employee of the United States may conduct a search of a collection of communications acquired under this section in an effort to find communications of a particular United States person (other than a corporation).

''(B) CONCURRENT AUTHORIZATION AND EXCEPTION FOR EMERGENCY SITUATIONS.—Subparagraph (A) shall not apply to a search for communications related to a particular United States person if—

''(i) such United States person is the subject of an order or emergency authorization authorizing electronic surveillance or physical search under section 105, 304, 703, 704, or 705 of this Act, or under title 18, United States Code, for the effective period of that order;

''(ii) the entity carrying out the search has a reasonable belief that the life or safety of such United States person is threatened and the information is sought for the purpose of assisting that person; or

''(iii) such United States person has consented to the search.''.

SA 1460. Mr. PAUL (for himself and Mr. WYDEN) submitted an amendment intended to be proposed by him to the bill H.R. 2048, to reform the authorities of the Federal Government to require the production of certain business records, conduct electronic surveillance, use pen registers and trap and trace devices, and use other forms of information gathering for foreign intelligence, counterterrorism, and criminal purposes, and for other purposes; which was ordered to lie on the table; as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''Intelligence Oversight and Surveillance Reform Act''.

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

TITLE I—ACCESS TO CERTAIN BUSINESS RECORDS FOR FOREIGN INTELLIGENCE AND INTERNATIONAL TERRORISM INVESTIGATIONS

SEC. 101. END OF GOVERNMENT BULK COLLECTION OF BUSINESS RECORDS.

(a) PRIVACY PROTECTIONS FOR SECTION 215 BUSINESS RECORDS ORDERS.—

(1) IN GENERAL.—Section 501(b) of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1861(b)) is amended—

(A) in paragraph (1)(B), by striking ''and'' at the end;

(B) in paragraph (2), by striking subparagraphs (A) and (B) and inserting the following:

''(A) a statement of facts showing that there are reasonable grounds to believe that the records or other things sought—

''(i) are relevant to an authorized investigation (other than a threat assessment) conducted in accordance with subsection (a)(2) to obtain foreign intelligence information not concerning a United States person or to protect against international terrorism or clandestine intelligence activities; and

''(ii) pertain to—

''(I) a foreign power or an agent of a foreign power;

''(II) the activities of a suspected agent of a foreign power who is the subject of such authorized investigation; or

''(III) an individual in contact with, or known to, a suspected agent of a foreign power; and

''(B) a statement of proposed minimization procedures; and''; and

(C) by adding at the end the following:

''(3) if the applicant is seeking a nondisclosure requirement described in subsection (d), shall include—

''(A) a statement of specific and articulable facts providing reason to believe that disclosure of particular information about the existence or contents of the order requiring the production of tangible things under this section during the applicable time period will result in—

''(i) endangering the life or physical safety of any person;

''(ii) flight from prosecution;

''(iii) destruction of or tampering with evidence;

''(iv) intimidation of potential witnesses;

''(v) interference with diplomatic relations; or

''(vi) otherwise seriously endangering the national security of the United States by alerting a target, an associate of a target, or the foreign power of which the target is an agent, of the interest of the Government in the target;

''(B) an explanation of how the harm identified under subparagraph (A) is related to the authorized investigation to which the tangible things sought are relevant;

''(C) an explanation of how the nondisclosure requirement is narrowly tailored to address the specific harm identified under subparagraph (A); and

''(D) the time period during which the Government believes the nondisclosure requirement should apply.''.

(2) ORDER.—Section 501(c) of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1861(c)) is amended—

(A) in paragraph (1)—

(i) by striking ''subsections (a) and (b),'' and inserting ''subsection (a) and paragraphs (1) and (2) of subsection (b) and that the proposed minimization procedures meet the definition of minimization procedures under subsection (g),''; and

(ii) by striking the last sentence and inserting the following: ''If the judge finds that the requirements of subsection (b)(3) have been met, such order shall include a nondisclosure requirement, which may apply for not longer than 1 year, unless the facts justify a longer period of nondisclosure, subject to the principles and procedures described in subsection (d).''; and

(B) in paragraph (2)—

(i) in subparagraph (C), by striking ''(d);'' and inserting ''(d), if applicable;'';

(ii) in subparagraph (D), by striking ''and'' at the end;

(iii) in subparagraph (E), by striking the period at the end and inserting ''; and''; and

(iv) by adding at the end the following:

''(F) shall direct that the minimization procedures be followed.''.

(3) NONDISCLOSURE.—Section 501(d) of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1861(d)) is amended to read as follows:

''(d) NONDISCLOSURE.—

''(1) IN GENERAL.—No person who receives an order under subsection (c) that contains a nondisclosure requirement shall disclose to any person the particular information specified in the nondisclosure requirement during the time period to which the requirement applies.

''(2) EXCEPTION.—

''(A) DISCLOSURE.—A person who receives an order under subsection (c) that contains a nondisclosure requirement may disclose information otherwise subject to any applicable nondisclosure requirement to—

''(i) those persons to whom disclosure is necessary in order to comply with an order under this section;

''(ii) an attorney in order to obtain legal advice or assistance regarding the order; or

''(iii) other persons as permitted by the Director of the Federal Bureau of Investigation or the designee of the Director.

''(B) APPLICATION.—A person to whom disclosure is made under subparagraph (A) shall be subject to the nondisclosure requirements applicable to a person to whom an order is directed under this section in the same manner as the person to whom the order is directed.

''(C) NOTIFICATION.—Any person who discloses to a person described in subparagraph (A) information otherwise subject to a nondisclosure requirement shall notify the person of the applicable nondisclosure requirement.

''(3) EXTENSION.—The Director of the Federal Bureau of Investigation, or a designee of the Director (whose rank shall be no lower than Assistant Special Agent in Charge), may apply for renewals of the prohibition on disclosure of particular information about the existence or contents of an order requiring the production of tangible things under this section for additional periods of not longer than 1 year, unless the facts justify a longer period of nondisclosure. A nondisclosure requirement shall be renewed if a court having jurisdiction under paragraph (4) determines that the application meets the requirements of subsection (b)(3).

''(4) JURISDICTION.—An application for a renewal under this subsection shall be made to—

''(A) a judge of the court established under section 103(a); or

''(B) a United States Magistrate Judge under chapter 43 of title 28, United States Code, who is publicly designated by the Chief Justice of the United States to have the power to hear applications and grant orders for the production of tangible things under this section on behalf of a judge of the court established under section 103(a).''.

(4) MINIMIZATION.—Section 501(g) of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1861(g)) is amended—

(A) in paragraph (1), by striking ''Not later than'' and all that follows and inserting ''At or before the end of the period of time for the production of tangible things under an order approved under this section or at any time after the production of tangible things under an order approved under this section, a judge may assess compliance with the minimization procedures by reviewing the circumstances under which information concerning United States persons was acquired, retained, or disseminated.''; and

(B) in paragraph (2)(A), by inserting ''acquisition and'' after ''to minimize the''.

(b) JUDICIAL REVIEW OF SECTION 215 ORDERS.—Section 501(f)(2) of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1861(f)(2)) is amended—

(1) in subparagraph (A)(i)—

(A) by striking ''that order'' and inserting ''such production order or any nondisclosure order imposed in connection with such production order''; and

(B) by striking the second sentence;

(2) by striking subparagraph (C) and inserting the following new subparagraph:

''(C) A judge considering a petition to modify or set aside a nondisclosure order shall grant such petition unless the court determines that—

''(i) there is reason to believe that disclosure of the information subject to the nondisclosure requirement during the applicable time period will result in—

''(I) endangering the life or physical safety of any person;

''(II) flight from prosecution;

''(III) destruction of or tampering with evidence;

''(IV) intimidation of potential witnesses;

''(V) interference with diplomatic relations; or

''(VI) otherwise seriously endangering the national security of the United States by alerting a target, an associate of a target, or the foreign power of which the target is an agent, of the interest of the Government in the target;

''(ii) the harm identified under clause (i) relates to the authorized investigation to which the tangible things sought are relevant; and

''(iii) the nondisclosure requirement is narrowly tailored to address the specific harm identified under clause (i).''; and

(3) by adding at the end the following new subparagraph:

''(E) If a judge denies a petition to modify or set aside a nondisclosure order under this paragraph, no person may file another petition to modify or set aside such nondisclosure order until the date that is one year after the date on which such judge issues the denial of such petition.''.

SEC. 102. EMERGENCY AUTHORITY FOR ACCESS TO CALL DATA RECORDS.

(a) IN GENERAL.—Section 403 of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1843) is amended by adding at the end the following:

''(e)(1) Notwithstanding any other provision of this subsection, the Attorney General may require the production of call data records by the provider of a wire or electronic communication service on an emergency basis if—

''(A) such records—

''(i) are relevant to an authorized investigation (other than a threat assessment) conducted in accordance with section 402 or 501, as appropriate, to obtain foreign intelligence information not concerning a United States person or to protect against international terrorism or clandestine intelligence activities; and

''(ii) pertain to—

''(I) a foreign power or an agent of a foreign power;

''(II) the activities of a suspected agent of a foreign power who is the subject of such authorized investigation; or

''(III) an individual in contact with, or known to, a suspected agent of a foreign power;

''(B) the Attorney General reasonably determines—

''(i) an emergency requires the production of such records before an order requiring such production can with due diligence be obtained under section 402 or 501, as appropriate; and

''(ii) the factual basis for issuance of an order under section 402 or 501, as appropriate, to require the production of such records exists;

''(C) a judge referred to in section 402(b) or 501(b)(1), as appropriate, is informed by the Attorney General at the time of the required production of such records that the decision has been made to require such production on an emergency basis; and

''(D) an application in accordance with section 402 or 501, as appropriate, is made to such judge as soon as practicable, but not more than 7 days after the date on which the Attorney General requires the production of such records under this subsection.

''(2)(A) In the absence of an order issued under section 402 or 501, as appropriate, to approve the emergency required production of call data records under paragraph (1), the authority to require the production of such records shall terminate at the earlier of—

''(i) when the information sought is obtained;

''(ii) when the application for the order is denied under section 402 or 501, as appropriate; or

''(iii) 7 days after the time of the authorization by the Attorney General.

''(B) If an application for an order applied for under section 402 or 501, as appropriate, for the production of call data records required to be produced pursuant to paragraph (1) is denied, or in any other case where the emergency production of call data records under this section is terminated and no order under section 402 or 501, as appropriate, is issued approving the required production of such records, no information obtained or evidence derived from such records shall be received in evidence or otherwise disclosed in any trial, hearing, or other proceeding in or before any court, grand jury, department, office, agency, regulatory body, legislative committee, or other authority of the United States, a State, or political subdivision thereof, and no information concerning any United States person acquired from such records shall subsequently be used or disclosed in any other manner by Federal officers or employees without the consent of such person, except with the approval of the Attorney General if the information indicates a threat of death or serious bodily harm to any person.''.

(b) TERMINATION OF SECTION 501 REFERENCES.—On the date that section 102(b)(1) of the USA PATRIOT Improvement and Reauthorization Act of 2005 (Public Law 109–177; 50 U.S.C. 1805 note) takes effect, subsection (e) of section 403 of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1843), as added by paragraph (1), is amended—

(1) by striking ''or section 501, as appropriate,'' each place that term appears;

(2) in paragraph (1)—

(A) in subparagraph (B), by striking ''or 501, as appropriate;'' and by inserting a semicolon; and

(B) in subparagraph (C), by striking ''or 501(b)(1), as appropriate,''; and

(3) in paragraph (2)(A)(ii), by striking ''or 501, as appropriate;'' and by inserting a semicolon.

SEC. 103. CHALLENGES TO GOVERNMENT SURVEILLANCE.

(a) IN GENERAL.—Title V of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1861 et seq.) is amended by adding at the end the following:

''SEC. 503. CHALLENGES TO ORDERS TO PRODUCE CERTAIN BUSINESS RECORDS.

''(a) APPEAL.—

''(1) IN GENERAL.—A person who is required to produce any tangible thing pursuant to an order issued under section 501 may appeal the order to a United States court of appeals on the basis that the order violates the Constitution of the United States.

''(2) VENUE.—An appeal filed pursuant to paragraph (1) may be filed—

''(A) in the United States court of appeals for a circuit embracing a judicial district in which venue would be proper for a civil action under section 1391 of title 28, United States Code; or

''(B) United States Court of Appeals for the District of Columbia.

''(b) SUPREME COURT REVIEW.—A person may seek a writ of certiorari from the Supreme Court of the United States for review of a decision of an appeal filed under subsection (a)(1).''.

(b) TABLE OF CONTENTS AMENDMENT.—The table of contents in the first section of the Foreign Intelligence Surveillance Act of 1978 is amended by adding after the item relating to section 502 the following:

''Sec. 503. Challenges to orders to produce certain business records.''.

TITLE II—PRIVACY PROTECTIONS FOR PEN REGISTERS AND TRAP AND TRACE DEVICES

SEC. 201. PRIVACY PROTECTIONS FOR PEN REGISTERS AND TRAP AND TRACE DEVICES.

(a) APPLICATION.—Section 402(c) of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1842(c)) is amended—

(1) in paragraph (1), by striking ''and'' at the end; and

(2) by striking paragraph (2) and inserting the following new paragraphs:

''(2) a statement of facts showing that there are reasonable grounds to believe that the records sought—

''(A) are relevant to an authorized investigation to obtain foreign intelligence information not concerning a United States person or to protect against international terrorism or clandestine intelligence activities (other than a threat assessment), provided that such investigation of a United States person is not conducted solely upon the basis of activities protected by the first amendment to the Constitution; and

''(B) pertain to—

''(i) a foreign power or an agent of a foreign power;

''(ii) the activities of a suspected agent of a foreign power who is the subject of such authorized investigation; or

''(iii) an individual in contact with, or known to, a suspected agent of a foreign power; and

''(3) a statement of proposed minimization procedures.''.

(b) MINIMIZATION.—

(1) DEFINITION.—Section 401 of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1841) is amended by adding at the end the following:

''(4) The term 'minimization procedures' means—

''(A) specific procedures that are reasonably designed in light of the purpose and technique of an order for the installation and use of a pen register or trap and trace device, to minimize the acquisition and retention, and prohibit the dissemination, of nonpublicly available information concerning unconsenting United States persons consistent with the need of the United States to obtain, produce, and disseminate foreign intelligence information;

''(B) procedures that require that nonpublicly available information, which is not foreign intelligence information, as defined in section 101(e)(1), shall not be disseminated in a manner that identifies any United States person, without such person's consent, unless such person's identity is necessary to understand foreign intelligence information or assess its importance; and

''(C) notwithstanding subparagraphs (A) and (B), procedures that allow for the retention and dissemination of information that is evidence of a crime which has been, is being, or is about to be committed and that is to be retained or disseminated for law enforcement purposes.''.

(2) PEN REGISTERS AND TRAP AND TRACE DEVICES.—Section 402 of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1842) is amended—

(A) in subsection (d)—

(i) in paragraph (1), by inserting '', and that the proposed minimization procedures meet the definition of minimization procedures under this title'' before the period at the end; and

(ii) in paragraph (2)(B)—

(I) in clause (ii)(II), by striking ''and'' after the semicolon; and

(II) by adding at the end the following:

''(iv) the minimization procedures be followed; and''; and

(B) by adding at the end the following:

''(h) At or before the end of the period of time for which the installation and use of a pen register or trap and trace device is approved under an order or an extension under this section, the judge may assess compliance with the minimization procedures by reviewing the circumstances under which information concerning United States persons was acquired, retained, or disseminated.''.

(3) EMERGENCIES.—Section 403 of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1843), as amended by section 102(a), is further amended—

(A) by redesignating subsection (c) as (d); and

(B) by inserting after subsection (b) the following:

''(c) If the Attorney General authorizes the emergency installation and use of a pen register or trap and trace device under this section, the Attorney General shall require that minimization procedures required by this title for the issuance of a judicial order be followed.''.

(4) USE OF INFORMATION.—Section 405(a)(1) of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1845(a)(1)) is amended by striking the period at the end and inserting ''and the minimization procedures required under the order approving such pen register or trap and trace device.''.

TITLE III—PROCEDURES FOR TARGETING CERTAIN PERSONS OUTSIDE THE UNITED STATES OTHER THAN UNITED STATES PERSONS

SEC. 301. CLARIFICATION ON PROHIBITION ON SEARCHING OF COLLECTIONS OF COMMUNICATIONS TO CONDUCT WARRANTLESS SEARCHES FOR THE COMMUNICATIONS OF UNITED STATES PERSONS.

Section 702(b) of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1881a(b)) is amended—

(1) by redesignating paragraphs (1) through (5) as subparagraphs (A) through (E), respectively, and indenting such subparagraphs, as so redesignated, an additional two ems from the left margin;

(2) by striking ''An acquisition'' and inserting the following:

''(1) IN GENERAL.—An acquisition''; and

(3) by adding at the end the following:

''(2) CLARIFICATION ON PROHIBITION ON SEARCHING OF COLLECTIONS OF COMMUNICATIONS OF UNITED STATES PERSONS.—

''(A) IN GENERAL.—Except as provided in subparagraph (B), no officer or employee of the United States may conduct a search of a collection of communications acquired under this section in an effort to find communications of a particular United States person (other than a corporation).

''(B) CONCURRENT AUTHORIZATION AND EXCEPTION FOR EMERGENCY SITUATIONS.—Subparagraph (A) shall not apply to a search for communications related to a particular United States person if—

''(i) such United States person is the subject of an order or emergency authorization authorizing electronic surveillance or physical search under section 105, 304, 703, 704, or 705 of this Act, or under title 18, United States Code, for the effective period of that order;

''(ii) the entity carrying out the search has a reasonable belief that the life or safety of such United States person is threatened and the information is sought for the purpose of assisting that person; or

''(iii) such United States person has consented to the search.''.

SEC. 302. PROTECTION AGAINST COLLECTION OF WHOLLY DOMESTIC COMMUNICATIONS NOT CONCERNING TERRORISM UNDER FISA AMENDMENTS ACT.

(a) IN GENERAL.—Section 702 of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1881a) is amended—

(1) in subsection (d)(1)—

(A) in subparagraph (A), by striking ''and'' at the end;

(B) in subparagraph (B), by striking the period at the end and inserting ''; and''; and

(C) by adding at the end the following new subparagraph:

''(C) limit the acquisition of the contents of any communication to communications to which any party is a target of the acquisition or communications that refer to the target of the acquisition, if such communications are acquired to protect against international terrorism.''; and

(2) in subsection (i)(2)(B)—

(A) in clause (i), by striking ''and'' at the end;

(B) in clause (ii), by striking the period at the end and inserting ''; and''; and

(C) by adding at the end the following new clause:

''(iii) limit the acquisition of the contents of any communication to communications to which any party is a target of the acquisition or communications that refer to the target of the acquisition, if such communications are acquired to protect against international terrorism.''.

(b) CONFORMING AMENDMENT.—Section 701(a) of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1881(a)) is amended by inserting '' 'international terrorism','' after '' 'foreign power',''.

SEC. 303. PROHIBITION ON REVERSE TARGETING UNDER FISA AMENDMENTS ACT.

Section 702 of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1881a), as amended by sections 301 and 302 of this Act, is further amended—

(1) in paragraph (1)(B) of subsection (b), as redesignated by section 301, by striking ''the purpose'' and inserting ''a significant purpose'';

(2) in subsection (d)(1)(A)—

(A) by striking ''ensure that'' and inserting the following: ''ensure—

''(i) that''; and

(B) by adding at the end the following:

''(ii) that an application is filed under title I, if otherwise required, when a significant purpose of an acquisition authorized under subsection (a) is to acquire the communications of a particular, known person reasonably believed to be located in the United States; and'';

(3) in subsection (g)(2)(A)(i)(I)—

(A) by striking ''ensure that'' and inserting the following: ''ensure—

''(aa) that''; and

(B) by adding at the end the following:

''(bb) that an application is filed under title I, if otherwise required, when a significant purpose of an acquisition authorized under subsection (a) is to acquire the communications of a particular, known person reasonably believed to be located in the United States; and''; and

(4) in subsection (i)(2)(B)(i)—

(A) by striking ''ensure that'' and inserting the following: ''ensure—

''(I) that''; and

(B) by adding at the end the following:

''(II) that an application is filed under title I, if otherwise required, when a significant purpose of an acquisition authorized under subsection (a) is to acquire the communications of a particular, known person reasonably believed to be located in the United States; and''.

SEC. 304. LIMITS ON USE OF UNLAWFULLY OBTAINED INFORMATION UNDER FISA AMENDMENTS ACT.

Section 702(i)(3) of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1881a(i)(3)) is amended by striking subparagraph (B) and inserting the following:

''(B) CORRECTION OF DEFICIENCIES.—

''(i) IN GENERAL.—If the Court finds that a certification required by subsection (g) does not contain all of the required elements, or that the procedures required by subsections (d) and (e) are not consistent with the requirements of those subsections or the fourth amendment to the Constitution of the United States, the Court shall issue an order directing the Government to, at the Government's election and to the extent required by the order of the Court—

''(I) correct any deficiency identified by the order of the Court not later than 30 days after the date on which the Court issues the order; or

''(II) cease, or not begin, the implementation of the authorization for which such certification was submitted.

''(ii) LIMITATION ON USE OF INFORMATION.—

''(I) IN GENERAL.—Except as provided in subclause (II), no information obtained or evidence derived from an acquisition pursuant to a certification or targeting or minimization procedures subject to an order under clause (i) concerning any United States person shall be received in evidence or otherwise disclosed in any trial, hearing, or other proceeding in or before any court, grand jury, department, office, agency, regulatory body, legislative committee, or other authority of the United States, a State, or political subdivision thereof, and no information concerning any United States person acquired from the acquisition shall subsequently be used or disclosed in any other manner by Federal officers or employees without the consent of the United States person, except with the approval of the Attorney General if the information indicates a threat of death or serious bodily harm to any person.

''(II) EXCEPTION.—If the Government corrects any deficiency identified by the order of the Court under clause (i), the Court may permit the use or disclosure of information acquired before the date of the correction under such minimization procedures as the Court shall establish for purposes of this clause.''.

SEC. 305. CHALLENGES TO GOVERNMENT SURVEILLANCE.

Section 702 of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1881a), as amended by this title, is further amended by adding at the end the following new subsection:

''(m) CHALLENGES TO GOVERNMENT SURVEILLANCE.—

''(1) INJURY IN FACT.—In any claim in a civil action brought in a court of the United States relating to surveillance conducted under this section, the person asserting the claim has suffered an injury in fact if the person—

''(A) has a reasonable basis to believe that the person's communications will be acquired under this section; and

''(B) has taken objectively reasonable steps to avoid surveillance under this section.

''(2) REASONABLE BASIS.—A person shall be presumed to have demonstrated a reasonable basis to believe that the communications of the person will be acquired under this section if the profession of the person requires the person regularly to communicate foreign intelligence information with persons who—

''(A) are not United States persons; and

''(B) are located outside the United States.

''(3) OBJECTIVE STEPS.—A person shall be presumed to have taken objectively reasonable steps to avoid surveillance under this section if the person demonstrates that the steps were taken in reasonable response to rules of professional conduct or analogous professional rules.''.

TITLE IV—FOREIGN INTELLIGENCE SURVEILLANCE COURT REFORMS

SEC. 401. DEFINITIONS.

In this title:

(1) CONSTITUTIONAL ADVOCATE.—The term ''Constitutional Advocate'' means the Constitutional Advocate appointed under section 402(b).

(2) DECISION.—The term ''decision'' means a decision, order, or opinion issued by the FISA Court or the FISA Court of Review.

(3) FISA.—The term ''FISA'' means the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1801 et seq.).

(4) FISA COURT.—The term ''FISA Court'' means the court established under section 103(a) of FISA (50 U.S.C. 1803(a)).

(5) FISA COURT OF REVIEW.—The term ''FISA Court of Review'' means the court of review established under section 103(b) of FISA (50 U.S.C. 1803(b)).

(6) OFFICE.—The term ''Office'' means the Office of the Constitutional Advocate established under section 402(a).

(7) PETITION REVIEW POOL.—The term ''petition review pool'' means the petition review pool established by section 103(e) of FISA (50 U.S.C. 1803(e)) or any member of that pool.

(8) SIGNIFICANT CONSTRUCTION OR INTERPRETATION OF LAW.—The term ''significant construction or interpretation of law'' means a significant construction or interpretation of a provision, as that term is construed under section 601(c) of FISA (50 U.S.C. 1871(c)).

SEC. 402. OFFICE OF THE CONSTITUTIONAL ADVOCATE.

(a) ESTABLISHMENT.—There is established within the judicial branch of the United States an Office of the Constitutional Advocate.

(b) CONSTITUTIONAL ADVOCATE.—

(1) IN GENERAL.—The head of the Office is the Constitutional Advocate.

(2) APPOINTMENT AND TERM.—

(A) APPOINTMENT.—The Chief Justice of the United States shall appoint the Constitutional Advocate from the list of candidates submitted under subparagraph (B).

(B) CANDIDATES.—

(i) LIST OF CANDIDATES.—The Privacy and Civil Liberties Oversight Board shall submit to the Chief Justice a list of not less than 5 qualified candidates to serve as a Constitutional Advocate.

(ii) SELECTION OF CANDIDATES.—In preparing a list described in clause (i), the Privacy and Civil Liberties Oversight Board shall select candidates the Board believes will be zealous and effective advocates in defense of civil liberties and consider each potential candidate's—

(I) litigation and other professional experience;

(II) experience with the areas of law the Constitutional Advocate is likely to encounter in the course of the Advocate's duties; and

(III) demonstrated commitment to civil liberties.

(C) SECURITY CLEARANCE.—An individual may be appointed Constitutional Advocate without regard to whether the individual possesses a security clearance on the date of the appointment.

(D) TERM AND DISMISSAL.—A Constitutional Advocate shall be appointed for a term of 3 years and may be fired only for good cause shown, including the demonstrated inability to qualify for an adequate security clearance.

(E) REAPPOINTMENT.—There shall be no limit to the number of consecutive terms served by a Constitutional Advocate. The reappointment of a Constitutional Advocate shall be made in the same manner as appointment of a Constitutional Advocate.

(F) ACTING CONSTITUTIONAL ADVOCATE.—If the position of Constitutional Advocate is vacant, the Chief Justice may appoint an Acting Constitutional Advocate from among the qualified employees of the Office. If there are no such qualified employees, the Chief Justice may appoint an Acting Constitutional Advocate from the most recent list of candidates provided by the Privacy and Civil Liberties Oversight Board pursuant to subparagraph (B). The Acting Constitutional Advocate shall have all of the powers of a Constitutional Advocate and shall serve until a Constitutional Advocate is appointed.

(3) EMPLOYEES.—The Constitutional Advocate is authorized, without regard to the civil service laws and regulations, to appoint and terminate employees of the Office.

(c) SECURITY CLEARANCES.—The appropriate departments, agencies, and elements of the executive branch shall cooperate with the Office, to the extent possible under existing procedures and requirements, to expeditiously provide the Constitutional Advocate and appropriate employees of the Office with the security clearances necessary to carry out the duties of the Constitutional Advocate.

(d) DUTIES AND AUTHORITIES OF THE CONSTITUTIONAL ADVOCATE.—

(1) IN GENERAL.—The Constitutional Advocate—

(A) shall review each application to the FISA Court by the Attorney General;

(B) shall review each decision of the FISA Court, the petition review pool, or the FISA Court of Review issued after the date of the enactment of this Act and all documents and other material relevant to such decision in a complete, unredacted form;

(C) may participate in a proceeding before the petition review pool if such participation is requested by a party in such a proceeding or by the petition review pool;

(D) shall consider any request from a provider who has been served with an order, certification, or directive compelling the provider to provide assistance to the Government or to release customer information to assist that provider in a proceeding before the FISA Court or the petition review pool, including a request—

(i) to oppose the Government on behalf of the private party in such a proceeding; or

(ii) to provide guidance to the private party if the private party is considering compliance with an order of the FISA Court;

(E) shall participate in a proceeding before the FISA Court if appointed to participate by the FISA Court under section 403(a) and may participate in a proceeding before the petition review pool if authorized under section 404(a);

(F) may request to participate in a proceeding before the FISA Court or the petition review pool;

(G) shall participate in such a proceeding if such request is granted;

(H) may request reconsideration of a decision of the FISA Court under section 403(b);

(I) may appeal or seek review of a decision of the FISA Court, the petition review pool, or the FISA Court of Review, as permitted by this title; and

(J) shall participate in such appeal or review.

(2) ADVOCACY.—The Constitutional Advocate shall protect individual rights by vigorously advocating before the FISA Court, the petition review pool, or the FISA Court of Review, as appropriate, in support of legal interpretations that minimize the scope of surveillance and the extent of data collection and retention.

(3) UTILIZATION OF OUTSIDE COUNSEL.—The Constitutional Advocate—

(A) may delegate to a competent outside counsel any duty or responsibility of the Constitutional Advocate with respect to participation in a matter before the FISA Court, the FISA Court of Review, or the Supreme Court of the United States; and

(B) may not delegate to outside counsel any duty or authority set out in subparagraph (A), (B), (D), (F), (H), or (I) of paragraph (1).

(4) AVAILABILITY OF DOCUMENTS AND MATERIAL.—The FISA Court, the petition review pool, or the FISA Court of Review, as appropriate, shall order any agency, department, or entity to make available to the Constitutional Advocate, or appropriate outside counsel if utilized by the Constitutional Advocate under paragraph (3), any documents or other material necessary to carry out the duties described in paragraph (1).

SEC. 403. ADVOCACY BEFORE THE FISA COURT.

(a) APPOINTMENT TO PARTICIPATE.—

(1) IN GENERAL.—The FISA Court may appoint the Constitutional Advocate to participate in a FISA Court proceeding.

(2) STANDING.—If the Constitutional Advocate is appointed to participate in a FISA Court proceeding pursuant to paragraph (1), the Constitutional Advocate shall have standing as a party before the FISA Court in that proceeding.

(b) RECONSIDERATION OF A FISA COURT DECISION.—

(1) AUTHORITY TO MOVE FOR RECONSIDERATION.—The Constitutional Advocate may move the FISA Court to reconsider any decision of the FISA Court made after the date of the enactment of this Act by petitioning the FISA Court not later than 30 days after the date on which all documents and materials relevant to the decision are made available to the Constitutional Advocate.

(2) DISCRETION OF THE FISA COURT.—The FISA Court shall have discretion to grant or deny a motion for reconsideration made pursuant to paragraph (1).

(c) AMICUS CURIAE PARTICIPATION.—

(1) MOTION BY THE CONSTITUTIONAL ADVOCATE.—The Constitutional Advocate may file a motion with the FISA Court to permit and facilitate participation of amicus curiae, including participation in oral argument if appropriate, in any proceeding. The FISA Court shall have the discretion to grant or deny such a motion.

(2) FACILITATION BY THE FISA COURT.—The FISA Court may, sua sponte, permit and facilitate participation by amicus curiae, including participation in oral argument if appropriate, in proceedings before the FISA Court.

(3) REGULATIONS.—Not later than 180 days after the date of the enactment of this Act, the FISA Court shall promulgate rules to provide the public with information sufficient to allow interested parties to participate as amicus curiae.

SEC. 404. ADVOCACY BEFORE THE PETITION REVIEW POOL.

(a) AUTHORITY TO PARTICIPATE.—The petition review pool or any party to a proceeding before the petition review pool may authorize the Constitutional Advocate to participate in a petition review pool proceeding.

(b) RECONSIDERATION OF A PETITION REVIEW POOL DECISION.—

(1) AUTHORITY TO MOVE FOR RECONSIDERATION.—The Constitutional Advocate may move the petition review pool to reconsider any decision of the petition review pool made after the date of the enactment of this Act by petitioning the petition review pool not later than 30 days after the date on which all documents and materials relevant to the decision are made available to the Constitutional Advocate.

(2) DISCRETION OF THE PETITION REVIEW POOL.—The petition review pool shall have discretion to grant or deny a motion for reconsideration made pursuant to paragraph (1).

(c) AMICUS CURIAE PARTICIPATION.—

(1) MOTION BY THE CONSTITUTIONAL ADVOCATE.—The Constitutional Advocate may file a motion with the petition review pool to permit and facilitate participation of amicus curiae, including participation in oral argument if appropriate, in any proceeding. The petition review pool shall have the discretion to grant or deny such a motion.

(2) FACILITATION BY THE FISA COURT.—The petition review pool may, sua sponte, permit and facilitate participation by amicus curiae, including participation in oral argument if appropriate, in proceedings before the petition review pool.

(3) REGULATIONS.—Not later than 180 days after the date of the enactment of this Act, the petition review pool shall promulgate rules to provide the public with information sufficient to allow interested parties to participate as amicus curiae.

SEC. 405. APPELLATE REVIEW.

(a) APPEAL OF FISA COURT DECISIONS.—

(1) AUTHORITY TO APPEAL.—The Constitutional Advocate may appeal any decision of the FISA Court or the petition review pool issued after the date of the enactment of this Act not later than 90 days after the date the decision is issued, unless it would be apparent to all reasonable jurists that such decision is dictated by statute or by precedent handed down after such date of enactment.

(2) STANDING AS APPELLANT.—If the Constitutional Advocate appeals a decision of the FISA Court or the petition review pool pursuant to paragraph (1), the Constitutional Advocate shall have standing as a party before the FISA Court of Review in such appeal.

(3) MANDATORY REVIEW.—The FISA Court of Review shall review any FISA Court or petition review pool decision appealed by the Constitutional Advocate and issue a decision in such appeal.

(4) STANDARD OF REVIEW.—The standards for a mandatory review of a FISA Court or petition review pool decision pursuant to paragraph (3) shall be—

(A) de novo with respect to issues of law; and

(B) clearly erroneous with respect to determination of facts.

(5) AMICUS CURIAE PARTICIPATION.—

(A) IN GENERAL.—The FISA Court of Review shall accept amicus curiae briefs from interested parties in all mandatory reviews pursuant to paragraph (3) and shall provide for amicus curiae participation in oral argument if appropriate.

(B) REGULATIONS.—Not later than 180 days after the date of the enactment of this Act, the FISA Court of Review shall promulgate rules to provide the public with information sufficient to allow interested parties to participate as amicus curiae.

(b) REVIEW OF FISA COURT OF REVIEW DECISIONS.—

(1) AUTHORITY.—The Constitutional Advocate may seek a writ of certiorari from the Supreme Court of the United States for review of any decision of the FISA Court of Review.

(2) STANDING.—In any proceedings before the Supreme Court of the United States relating to a petition of certiorari filed under paragraph (1) and any proceedings in a matter for which certiorari is granted, the Constitutional Advocate shall have standing as a party.

SEC. 406. DISCLOSURE.

(a) REQUIREMENT TO DISCLOSE.—The Attorney General shall publicly disclose—

(1) all decisions issued by the FISA Court, the petition review pool, or the FISA Court of Review after July 10, 2003, that include a significant construction or interpretation of law;

(2) any decision of the FISA Court or the petition review pool appealed by the Constitutional Advocate pursuant to this title; and

(3) any FISA Court of Review decision that is issued after an appeal by the Constitutional Advocate.

(b) DISCLOSURE DESCRIBED.—For each disclosure required by subsection (a) with respect to a decision, the Attorney General shall make available to the public documents sufficient—

(1) to identify with particularity each legal question addressed by the decision and how such question was resolved;

(2) to describe in general terms the context in which the matter arises;

(3) to describe the construction or interpretation of any statute, constitutional provision, or other legal authority relied on by the decision; and

(4) to indicate whether the decision departed from any prior decision of the FISA Court, the petition review pool, or the FISA Court of Review.

(c) DOCUMENTS DESCRIBED.—The Attorney General shall satisfy the disclosure requirements in subsection (b) by—

(1) releasing a FISA Court, petition review pool, or FISA Court of Review decision in its entirety or as redacted;

(2) releasing a summary of a FISA Court, petition review pool, or FISA Court of Review decision; or

(3) releasing an application made to the FISA Court, a petition made to the petition review pool, briefs filed before the FISA Court, the petition review pool, or the FISA Court of Review, or other materials, in full or as redacted.

(d) EXTENSIVE DISCLOSURE.—The Attorney General shall release as much information regarding the facts and analysis contained in a decision described in subsection (a) or documents described in subsection (c) as is consistent with legitimate national security concerns.

(e) TIMING OF DISCLOSURE.—

(1) DECISIONS ISSUED PRIOR TO ENACTMENT.—A decision issued prior to the date of the enactment of this Act that is required to be disclosed under subsection (a)(1) shall be disclosed not later than 180 days after the date of the enactment of this Act.

(2) FISA COURT AND PETITION REVIEW POOL DECISIONS.—The Attorney General shall release FISA Court or petition review pool decisions appealed by the Constitutional Advocate not later than 30 days after the date the appeal is filed.

(3) FISA COURT OF REVIEW DECISIONS.—The Attorney General shall release FISA Court of Review decisions appealed by the Constitutional Advocate not later than 90 days after the date the appeal is filed.

(f) PETITION BY THE CONSTITUTIONAL ADVOCATE.—

(1) AUTHORITY TO PETITION.—The Constitutional Advocate may petition the FISA Court, the petition review pool, or the FISA Court of Review to order—

(A) the public disclosure of a decision of such a Court or review pool, and documents or other material relevant to such a decision, previously designated as classified information; or

(B) the release of an unclassified summary of such decisions and documents.

(2) CONTENTS OF PETITION.—Each petition filed under paragraph (1) shall contain a detailed declassification proposal or a summary of the decision and documents that the Constitutional Advocate proposes to have released publicly.

(3) ROLE OF THE ATTORNEY GENERAL.—

(A) COPY OF PETITION.—The Constitutional Advocate shall provide to the Attorney General a copy of each petition filed under paragraph (1).

(B) OPPOSITION.—The Attorney General may oppose a petition filed under paragraph (1) by submitting any objections in writing to the FISA Court, the petition review pool, or the FISA Court of Review, as appropriate, not later than 90 days after the date such petition was submitted.

(4) PUBLIC AVAILABILITY.—Not less than 91 days after receiving a petition under paragraph (1), and taking into account any objections from the Attorney General made under paragraph (3)(B), the FISA Court, the petition review pool, or the FISA Court of Review, as appropriate, shall declassify and make readily available to the public any decision, document, or other material requested in such petition, to the greatest extent possible, consistent with legitimate national security considerations.

(5) EFFECTIVE DATE.—The Constitutional Advocate may not file a petition under paragraph (1) until 181 days after the date of the enactment of this Act, except with respect to a decision appealed by the Constitutional Advocate.

SEC. 407. ANNUAL REPORT TO CONGRESS.

(a) REQUIREMENT FOR ANNUAL REPORT.—The Constitutional Advocate shall submit to Congress an annual report on the implementation of this title.

(b) CONTENTS.—Each annual report submitted under subsection (a) shall—

(1) detail the activities of the Office;

(2) provide an assessment of the effectiveness of this title; and

(3) propose any new legislation to improve the functioning of the Office or the operation of the FISA Court, the petition review pool, or the FISA Court of Review.

SEC. 408. PRESERVATION OF RIGHTS.

Nothing in this title shall be construed—

(1) to provide the Attorney General with authority to prevent the FISA Court, the petition review pool, or the FISA Court of Review from declassifying decisions or releasing information pursuant to this title; and

(2) to eliminate the public's ability to secure information under section 552 of title 5, United States Code (commonly known as the ''Freedom of Information Act'') or any other provision of law.

TITLE V—NATIONAL SECURITY LETTER REFORMS

SEC. 501. NATIONAL SECURITY LETTER AUTHORITY.

(a) NATIONAL SECURITY LETTER AUTHORITY FOR COMMUNICATIONS SUBSCRIBER RECORDS.—

(1) IN GENERAL.—Section 2709(b) of title 18, United States Code, is amended by amending paragraphs (1) and (2) to read as follows:

''(1) request the name, address, length of service, and local and long distance toll billing records of a person or entity if the Director (or the Director's designee) certifies in writing to the wire or electronic communication service provider to which the request is made that—

''(A) the name, address, length of service, and toll billing records sought are relevant to an authorized investigation to protect against international terrorism or clandestine intelligence activities, provided that such an investigation of a United States person is not conducted solely on the basis of activities protected by the first amendment to the Constitution of the United States; and

''(B) there are specific and articulable facts showing that there are reasonable grounds to believe that the name, address, length of service, and toll billing records sought—

''(i) pertain to a foreign power or agent of a foreign power;

''(ii) are relevant to the activities of a suspected agent of a foreign power who is the subject of such authorized investigation; or

''(iii) pertain to an individual in contact with, or known to, a suspected agent; and

''(2) request the name, address, and length of service of a person or entity if the Director (or the Director's designee) certifies in writing to the wire or electronic communication service provider to which the request is made that—

''(A) the information sought is relevant to an authorized investigation to protect against international terrorism or clandestine intelligence activities, provided that such an investigation of a United States person is not conducted solely upon the basis of activities protected by the first amendment to the Constitution of the United States; and

''(B) there are specific and articulable facts showing that there are reasonable grounds to believe that the information sought pertains to—

''(i) a foreign power or agent of a foreign power;

''(ii) the activities of a suspected agent of a foreign power who is the subject of such authorized investigation; or

''(iii) an individual in contact with, or known to, a suspected agent.''.

(b) NATIONAL SECURITY LETTER AUTHORITY FOR CERTAIN FINANCIAL RECORDS.—Section 1114 of the Right to Financial Privacy Act of 1978 (12 U.S.C. 3414) is amended to read as follows:

''SEC. 1114. NATIONAL SECURITY LETTER FOR CERTAIN FINANCIAL RECORDS.

''(a) AUTHORIZATION.—

''(1) IN GENERAL.—The Director of the Federal Bureau of Investigation, or a designee of the Director whose rank shall be no lower than Deputy Assistant Director at Bureau headquarters or Special Agent in Charge in a Bureau field office, or the Director of the United States Secret Service may issue in writing and cause to be served on a financial institution, a National Security Letter requiring the production of—

''(A) the name of a customer of the financial institution;

''(B) the address of a customer of the financial institution;

''(C) the length of time during which a person has been, or was, a customer of the financial institution (including the start date) and the type of service provided by the institution to the customer; and

''(D) any account number or other unique identifier associated with a customer of the financial institution.

''(2) LIMITATION.—A National Security Letter issued under this subsection may not require the production of records or information not listed in paragraph (1).

''(b) NATIONAL SECURITY LETTER REQUIREMENTS.—

''(1) IN GENERAL.—A National Security Letter issued under subsection (a) shall—

''(A) be subject to the requirements of subsections (b) through (f) of section 2709 of title 18, United States Code, in the same manner and to the same extent as those provisions apply with respect to a request under section 2709(b) of title 18, United States Code, to a wire or electronic communication service provider;

''(B)(i) in the case of a National Security Letter issued by the Director of the Federal Bureau of Investigation or the Director's designee, include a statement of facts showing that there are reasonable grounds to believe that the records or other things sought—

''(I) are relevant to an authorized investigation (other than a threat assessment) to obtain foreign intelligence information not concerning a United States person or to protect against international terrorism or clandestine intelligence activities; and

''(II) pertain to—

''(aa) a foreign power or an agent of a foreign power;

''(bb) the activities of a suspected agent of a foreign power who is the subject of such authorized investigation; or

''(cc) an individual in contact with, or known to, a suspected agent of a foreign power; and

''(ii) in the case of a National Security Letter issued by the Director of the United States Secret Service, include a statement of

facts showing that there are reasonable grounds to believe that the records or other things sought are relevant to the conduct of the protective functions of the United States Secret Service.

''(2) REPORTING.—On a semiannual basis the Director of the Federal Bureau of Investigation and the Director of the United States Secret Service shall fully inform the Select Committee on Intelligence, the Committee on the Judiciary, and the Committee on Banking, Housing, and Urban Affairs of the Senate and the Permanent Select Committee on Intelligence, the Committee on the Judiciary, and the Committee on Financial Services of the House of Representatives, concerning all requests made under subsection (a).

''(3) DEFINITIONS.—For purposes of this subsection, the terms 'agent of a foreign power', 'international terrorism', 'foreign intelligence information', and 'United States person' have the same meanings as in section 101 of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1801).

''(c) DEFINITION OF 'FINANCIAL INSTITUTION'.—For purposes of this section (and sections 1115 and 1117, insofar as the sections relate to the operation of this section), the term 'financial institution' has the same meaning as in subsections (a)(2) and (c)(1) of section 5312 of title 31, United States Code, except that the term shall include only a financial institution any part of which is located inside any State or territory of the United States, the District of Columbia, Puerto Rico, Guam, American Samoa, the Commonwealth of the Northern Mariana Islands, or the United States Virgin Islands.''.

(c) NATIONAL SECURITY LETTER AUTHORITY FOR CERTAIN CONSUMER REPORT RECORDS.—

(1) IN GENERAL.—Section 626 of the Fair Credit Reporting Act (15 U.S.C. 1681u) is amended—

(A) by striking the section heading and inserting the following:

''§ 626. National Security Letters for certain consumer report records'';

(B) by striking subsections (a) through (d) and inserting the following:

''(a) AUTHORIZATION.—

''(1) IN GENERAL.—The Director of the Federal Bureau of Investigation, or a designee of the Director whose rank shall be no lower than Deputy Assistant Director at Bureau headquarters or Special Agent in Charge in a Bureau field office, may issue in writing and cause to be served on a consumer reporting agency a National Security Letter requiring the production of—

''(A) the name of a consumer;

''(B) the current and former address of a consumer;

''(C) the current and former places of employment of a consumer; and

''(D) the name and address of any financial institution (as that term is defined in section 1101 of the Right to Financial Privacy Act of 1978 (12 U.S.C. 3401)) at which a consumer maintains or has maintained an account, to the extent that the information is in the files of the consumer reporting agency.

''(2) LIMITATION.—A National Security Letter issued under this subsection may not require the production of a consumer report.

''(b) NATIONAL SECURITY LETTER REQUIREMENTS.—

''(1) IN GENERAL.—A National Security Letter issued under subsection (a) shall—

''(A) be subject to the requirements of subsections (b) through (f) of section 2709 of title 18, United States Code, in the same manner and to the same extent as those provisions apply with respect to a request under section 2709(b) of title 18, United States Code, to a wire or electronic communication service provider; and

''(B) include a statement of facts showing that there are reasonable grounds to believe that the records or other things sought—

''(i) are relevant to an authorized investigation (other than a threat assessment) to obtain foreign intelligence information not concerning a United States person or to protect against international terrorism or clandestine intelligence activities; and

''(ii) pertain to—

''(I) a foreign power or an agent of a foreign power;

''(II) the activities of a suspected agent of a foreign power who is the subject of such authorized investigation; or

''(III) an individual in contact with, or known to, a suspected agent of a foreign power.

''(2) REPORTING.—On a semiannual basis the Director of the Federal Bureau of Investigation shall fully inform the Select Committee on Intelligence, the Committee on the Judiciary, and the Committee on Banking, Housing, and Urban Affairs of the Senate and the Permanent Select Committee on Intelligence, the Committee on the Judiciary, and the Committee on Financial Services of the House of Representatives, concerning all requests made under subsection (a).

''(3) DEFINITIONS.—For purposes of this subsection, the terms 'agent of a foreign power', 'international terrorism', 'foreign intelligence information', and 'United States person' have the same meanings as in section 101 of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1801).'';

(C) by striking subsections (f) through (h); and

(D) by redesignating subsections (e) and (i) through (m) as subsections (c) through (h), respectively.

(2) REPEAL.—Section 627 of the Fair Credit Reporting Act (15 U.S.C. 1681v) is repealed.

(d) TECHNICAL AND CONFORMING AMENDMENT.—

(1) TABLE OF SECTIONS AMENDMENT.—The table of sections for the Fair Credit Reporting Act (15 U.S.C. 1681 et seq.) is amended by striking the items relating to sections 626 and 627 and inserting the following:

''626. National Security Letters for certain consumer report records.

''627. [Repealed].''.

(2) CONFORMING AMENDMENTS.—

(A) NOTICE REQUIREMENTS.—Section 1109 of the Right to Financial Privacy Act of 1978 (12 U.S.C. 3409) is amended by striking subsection (c).

(B) TITLE 18, UNITED STATES CODE.—Title 18, United States Code, is amended—

(i) in section 1510(e), by striking ''section 626(d)(1) or 627(c)(1) of the Fair Credit Reporting Act (15 U.S.C. 1681u(d)(1) or 1681v(c)(1)), section 1114(a)(3)(A) or 1114(a)(5)(D)(i) of the Right to Financial Privacy Act (12 U.S.C. 3414(a)(3)(A) or 3414(a)(5)(D)(i)),'' and inserting ''section 626 of the Fair Credit Reporting Act (15 U.S.C. 1681u), section 1114 of the Right to Financial Privacy Act of 1978 (12 U.S.C. 3414),''; and

(ii) in section 3511—

(I) by striking ''section 1114(a)(5)(A) of the Right to Financial Privacy Act,'' each place that term appears and inserting ''section 1114 of the Right to Financial Privacy Act of 1978 (12 U.S.C. 3414),''; and

(II) by striking ''or section 627(a)'' each place that term appears.

(C) NATIONAL SECURITY ACT OF 1947.—Section 507(b) of the National Security Act of 1947 (50 U.S.C. 3106(b)) is amended—

(i) in paragraph (2), by striking ''section 626(h)(2) of the Fair Credit Reporting Act (15 U.S.C. 1681u(h)(2)).'' and inserting ''section 626(b)(2) of the Fair Credit Reporting Act (15 U.S.C. 1681u(b)(2)).''; and

(ii) in paragraph (3), by striking ''section 1114(a)(5)(C) of the Right to Financial Privacy Act of 1978 (12 U.S.C. 3414(a)(5)(C)).'' and inserting ''section 1114(b)(2) of the Right to Financial Privacy Act of 1978 (12 U.S.C. 3414(b)(2)).''.

(D) USA PATRIOT ACT.—

(i) SECTION 118.—Section 118 of the USA PATRIOT Improvement and Reauthorization Act of 2005 (Public Law 109–177; 18 U.S.C. 3511 note) is amended—

(I) in subsection (c)(1)—

(aa) in subparagraph (C), by inserting ''and'' at the end;

(bb) in subparagraph (D), by striking ''; and'' and inserting a period; and

(cc) by striking subparagraph (E); and

(II) in subsection (d)—

(aa) in paragraph (2), by striking ''Section 1114(a)(5)(A) of the Right to Financial Privacy Act (12 U.S.C. 3414(a)(5)(A))'' and inserting ''Section 1114 of the Right to Financial Privacy Act of 1978 (12 U.S.C. 3414)''; and

(bb) by striking paragraph (5).

(ii) SECTION 119.—Section 119(g) of the USA PATRIOT Improvement and Reauthorization Act of 2005 (Public Law 109–177; 120 Stat. 219) is amended—

(I) in paragraph (2), by striking ''Section 1114(a)(5)(A) of the Right to Financial Privacy Act (12 U.S.C. 3414(a)(5)(A))'' and inserting ''Section 1114 of the Right to Financial Privacy Act of 1978 (12 U.S.C. 3414)''; and

(II) by striking paragraph (5).

SEC. 502. PUBLIC REPORTING ON NATIONAL SECURITY LETTERS.

Section 118(c) of the USA PATRIOT Improvement and Reauthorization Act of 2005 (Public Law 109–177; 18 U.S.C. 3511 note), as amended by section 501(d)(2)(D)(i), is further amended—

(1) in paragraph (1)—

(A) in the matter preceding subparagraph (A), by striking ''concerning different United States persons''; and

(B) in subparagraph (A), by striking '', excluding the number of requests for subscriber information'';

(2) by redesignating paragraph (2) as paragraph (3); and

(3) by inserting after paragraph (1) the following:

''(2) CONTENT.—

''(A) IN GENERAL.—Except as provided in subparagraph (B), each report required under this subsection shall include the total number of requests described in paragraph (1) requiring disclosure of information concerning—

''(i) United States persons;

''(ii) persons who are not United States persons;

''(iii) persons who are the subjects of authorized national security investigations; or

''(iv) persons who are not the subjects of authorized national security investigations.

''(B) EXCEPTION.—With respect to the number of requests for subscriber information under section 2709 of title 18, United States Code, a report required under this subsection need not provide information separated into each of the categories described in subparagraph (A).''.

TITLE VI—REPORTING FISA ORDERS AND NATIONAL SECURITY LETTERS

SEC. 601. THIRD-PARTY REPORTING OF FISA ORDERS AND NATIONAL SECURITY LETTERS.

(a) IN GENERAL.—Each electronic service provider may report information to the public in accordance with this section about requests and demands for information made by any Government entity under a surveillance law, and is exempt in accordance with subsection (d) from liability with respect to that report, even if such provider would otherwise be prohibited by a surveillance law from reporting that information.

(b) PERIODIC AGGREGATE REPORTS.—An electronic service provider may report such information not more often than quarterly and only to the following extent:

(1) ESTIMATE OF NUMBERS OF DEMANDS AND REQUESTS MADE.—The report may reveal an estimate of the number of such demands and requests made during the period to which the report pertains.

(2) ESTIMATE OF NUMBERS OF DEMANDS AND REQUESTS COMPLIED WITH.—The report may reveal an estimate of the numbers of such demands and requests the service provider complied with during the period to which the report pertains, regardless of when the demands or requests were made.

(3) ESTIMATE OF NUMBER OF USERS OR ACCOUNTS.—The report may reveal an estimate of the numbers of users or accounts, or both, of the service provider, for which information was demanded, requested, or provided during the period to which the report pertains.

(c) SPECIAL RULES FOR REPORTS.—

(1) LEVEL OF DETAIL BY AUTHORIZING SURVEILLANCE LAW.—Any estimate disclosed under this section may be an overall estimate or broken down by categories of authorizing surveillance laws or by provisions of authorizing surveillance laws.

(2) LEVEL OF DETAIL BY NUMERICAL RANGE.—Each estimate disclosed under this section shall be rounded to the nearest 100. If an estimate is zero, an electronic service provider may report the estimate as zero.

(3) REPORT MAY BE BROKEN DOWN BY PERIODS NOT LESS THAN CALENDAR QUARTERS.—For any reporting period, the provider may break down the report by calendar quarters or any other time periods greater than a calendar quarter.

(d) LIMITATION ON LIABILITY.—An electronic service provider making a report that the provider reasonably believes in good faith is authorized by this section is not criminally or civilly liable in any court for making that report.

(e) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to prohibit disclosures other than those authorized by this section.

(f) DEFINITIONS.—In this section:

(1) The term ''electronic service provider'' means a provider of an electronic communications service (as that term is defined in section 2510 of title 18, United States Code) or a provider of a remote computing service (as that term is defined in section 2711 of title 18, United States Code).

(2) The term ''surveillance law'' means any provision of any of the following:

(A) The Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1801 et seq.).

(B) Section 802(a) of the National Security Act of 1947 (50 U.S.C. 3162(a)).

(C) Section 2709 of title 18, United States Code.

(D) Section 1114 of the Right to Financial Privacy Act of 1978 (12 U.S.C. 3414).

(E) Subsections (a) or (b) of section 626 of the Fair Credit Reporting Act (15 U.S.C. 1681u).

SEC. 602. GOVERNMENT REPORTING OF FISA ORDERS.

(a) ELECTRONIC SURVEILLANCE.—Section 107 of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1807) is amended—

(1) by redesignating subsections (a) and (b) as paragraphs (1) and (2), respectively;

(2) in the matter preceding paragraph (1) (as redesignated by paragraph (1) of this subsection)—

(A) by striking ''In April'' and inserting ''(a) In April''; and

(B) by striking ''Congress'' and inserting ''the Select Committee on Intelligence and the Committee on the Judiciary of the Senate and the Permanent Select Committee on Intelligence and the Committee on the Judiciary of the House of Representatives'';

(3) in subsection (a) (as designated by paragraph (2) of this subsection)—

(A) in paragraph (1) (as redesignated by paragraph (1) of this subsection), by striking ''and'' at the end;

(B) in paragraph (2) (as so redesignated), by striking the period at the end and inserting a semicolon; and

(C) by adding at the end the following new paragraphs:

''(3) the total number of individuals who were subject to electronic surveillance conducted under an order entered under this title, rounded to the nearest 100; and

''(4) the total number of United States persons who were subject to electronic surveillance conducted under an order entered under this title, rounded to the nearest 100.''; and

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

''(b)(1) Each report required under subsection (a) shall be submitted in unclassified form.

''(2) Not later than 7 days after a report is submitted under subsection (a), the Attorney General shall make such report publicly available.''.

(b) PEN REGISTER AND TRAP AND TRACE DEVICES.—Section 406 of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1846) is amended—

(1) in subsection (b)—

(A) in paragraph (2), by striking ''and'' at the end;

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

(C) by adding at the end the following new paragraphs:

''(4) a good faith estimate of the total number of individuals whose electronic or wire communications information was obtained through the use of pen register or trap and trace devices authorized under an order entered under this title, rounded to the nearest 100; and

''(5) a good faith estimate of the total number of United States persons whose electronic or wire communications information was obtained through the use of a pen register or trap and trace devices authorized under an order entered under this title, rounded to the nearest 100.''; and

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

''(c)(1) Each report required under subsection (b) shall be submitted in unclassified form.

''(2) Not later than 7 days after a report is submitted under subsection (b), the Attorney General shall make such report publicly available.''.

(c) ACCESS TO CERTAIN BUSINESS RECORDS.—Section 502 of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1862) is amended—

(1) in subsection (b)(3), by adding at the end the following new subparagraphs:

''(F) Records concerning electronic communications.

''(G) Records concerning wire communications.''; and

(2) in subsection (c)—

(A) in paragraph (1)—

(i) in subparagraph (A), by striking ''and'' at the end;

(ii) in subparagraph (B), by striking the period at the end and inserting a semicolon; and

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

''(C) a good faith estimate of the total number of individuals whose tangible things were produced under an order entered under section 501, rounded to the nearest 100; and

''(D) a good faith estimate of the total number of United States persons whose tangible things were produced under an order entered under section 501, rounded to the nearest 100.''; and

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

''(3) Not later than 7 days after the date on which a report is submitted under paragraph (1), the Attorney General shall make such report publicly available.''.

(d) ADDITIONAL PROCEDURES REGARDING CERTAIN PERSONS OUTSIDE THE UNITED STATES.—Section 707 of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1881f) is amended by adding at the end the following new subsection:

''(c) ADDITIONAL ANNUAL REPORT.—

''(1) REPORT REQUIRED.—In April of each year, the Attorney General shall submit to the congressional intelligence committees and the Committees on the Judiciary of the House of Representatives and the Senate a report setting forth with respect to the preceding year—

''(A) the total number of—

''(i) directives issued under section 702;

''(ii) orders granted under section 703; and

''(iii) orders granted under section 704;

''(B) good faith estimates of the total number of individuals, rounded to the nearest 100, whose electronic or wire communications or communications records were collected pursuant to—

''(i) an order granted under section 703; and

''(ii) an order granted under section 704; and

''(C) good faith estimates of the total number, rounded to the nearest 100, of United States persons whose electronic or wire communications or communications records were collected pursuant to—

''(i) an order granted under section 703; and

''(ii) an order granted under section 704.

''(2) FORM.—Each report required under paragraph (1) shall be submitted in unclassified form.

''(3) PUBLIC AVAILABILITY.—Not later than 7 days after the date on which a report is submitted under paragraph (1), the Attorney General shall make such report publicly available.''.

TITLE VII—OTHER MATTERS

SEC. 701. PRIVACY AND CIVIL LIBERTIES OVERSIGHT BOARD SUBPOENA AUTHORITY.

Section 1061(g) of the Intelligence Reform and Terrorism Prevention Act of 2004 (42 U.S.C. 2000ee(g)) is amended—

(1) in paragraph (1)(D), by striking ''submit a written request to the Attorney General of the United States that the Attorney General'';

(2) by striking paragraph (2); and

(3) by redesignating paragraphs (3) and (4) as paragraphs (2) and (3).

SEC. 702. SCOPE OF LIABILITY PROTECTION FOR PROVIDING ASSISTANCE TO THE GOVERNMENT.

Section 802 of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1885a) is amended—

(1) in subsection (a), in the matter preceding paragraph (1), by inserting ''and except as provided in subsection (j),'' after ''law,''; and

(2) by adding at the end the following:

''(j) VIOLATION OF USER AGREEMENTS.—Subsection (a) shall not apply to assistance provided by a person if the provision of assistance violates a user agreement, including any privacy policy associated with the user agreement, in effect at the time the assistance is provided between the person and the person relating to whom the assistance was provided.''.

SA 1461. Mr. MCCAIN submitted an amendment intended to be proposed by him to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

In section 113(b), strike ''The Secretary shall'' and insert ''Not later than 90 days after the date of the enactment of this Act, the Secretary shall''.

SA 1462. Mr. MCCAIN submitted an amendment intended to be proposed by him to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

In section 112(b), strike ''The Secretary shall'' and insert ''Not later than 90 days after the date of the enactment of this Act, the Secretary shall''.

ORDERS FOR TUESDAY, JUNE 2, 2015

Mr. MCCONNELL. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 9:30 a.m., Tuesday, June 2; that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, and the time for the two leaders be reserved for their use later in the day; that following leader remarks, the Senate then resume consideration of H.R. 2048; and finally, that the filing deadline for all second-degree amendments to H.R. 2048 be at 10 a.m. tomorrow.

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

PROGRAM

Mr. MCCONNELL. Mr. President, under the regular order, the cloture vote will occur at 10:30 in the morning.

ADJOURNMENT UNTIL 9:30 A.M. TOMORROW

Mr. MCCONNELL. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the previous order.

There being no objection, the Senate, at 5:51 p.m., adjourned until Tuesday, June 2, 2015, at 9:30 a.m.

HOUSE OF REPRESENTATIVES—*Monday, June 1, 2015*

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

DESIGNATION OF SPEAKER PRO TEMPORE

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

WASHINGTON, DC,
June 1, 2015.

I hereby appoint the Honorable STEVE WOMACK to act as Speaker pro tempore on this day.

JOHN A. BOEHNER,
Speaker of the House of Representatives.

MORNING-HOUR DEBATE

The SPEAKER pro tempore. Pursuant to the order of the House of January 6, 2015, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning-hour debate.

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

PATRIOT ACT REAUTHORIZATION

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

Mr. MASSIE. Mr. Speaker, I am here today because last night, at midnight, a wonderful thing happened. In what seems like a constant flow, a tide that has been washing away our liberties since the founding of this country, we experienced something unique.

The tide reversed, thanks to one Senator, Senator RAND PAUL of Kentucky, and now, we have some of our civil liberties restored. If only but for a brief second in history, they are restored. It may register only as an eddy current, but clearly, we changed the tide last night.

Now, what happened? The PATRIOT Act expired. How does a law expire, do you say? Why do we allow them to expire? It is because, when we enact laws, we know that we don't have the foresight to see how they will be carried out. We don't know everything that is going to happen as time transpires. It is important that we revisit these laws. In this case, this law expired.

I would like to pretend that, if I were here when the PATRIOT Act passed after the attacks on our country, that I wouldn't have voted for it, but I can't say that. I am not going to pass judgment on my colleagues that were here when it did pass. I can barely imagine the incredible pressure they were under from their constituents, from everybody, to do something—to do something to protect our country, and so they passed the PATRIOT Act. I don't blame them. I wasn't here. I might have done the same thing.

We have new facts today, so we revisit this law; we revisit the PATRIOT Act. What are the new facts? What are the things that have changed since it was issued? Let me list them.

First of all, our Director of National Intelligence lied to us, lied to Congress about how the law was being implemented. In fact, he said, ''I said the least untruthful thing I could,'' when he testified. Those were his words. He said the least untruthful thing he could.

That is not good enough. He is in charge of all of our intelligence, and you are spying on Americans, and you lied to Congress about it, so that has changed.

What else changed? The NSA broke the law. How do we know this? The second highest court in the land said they broke the law. Just a few weeks ago, they ruled this. Surely, we can't trust them to enforce the laws that we are giving them now without some major reform.

What is the next thing that has changed since the PATRIOT Act first passed? The Permanent Select Committee on Intelligence failed us. The Permanent Select Committee on Intelligence is privy to information that the rest of Congress cannot have, and I understand that. It would be hard to keep a secret if 435 Members knew about it, so we entrust some of our Members to know the Nation's most important secrets.

What do we trust them with? Oversight, oversight over the intelligence community to make sure that the laws that all 435 of us vote on are being implemented in the way that we intended them to be implemented—and that was not the case, so that has changed.

What is the fourth thing that has changed since the first PATRIOT Act was issued and the last time it was reauthorized? The FISA court, this is the secret court that issues the secret warrants, if you will—if you would call them warrants. I would not call them warrants.

They issued the mother of all general warrants. What are general warrants? These are warrants that are not specific. The warrant they issued would make King George III blush. Think about this: a warrant that covers every—every—American.

Let me read the Fourth Amendment to our Constitution here, and this is specifically about your right to privacy: ''The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no warrants shall issue, but upon probable cause, supported by oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized.''

The warrant that they issued, the one that went to Verizon which authorized the collection of everybody's phone records, was not constitutional; yet we trusted them with the oversight, and they betrayed us. They betrayed that trust.

Since 1979, there have been 34,000 surveillance orders requested of the FISA court by the intelligence community; 12 of the 34,000 have been denied.

Mr. Speaker, things have changed. I urge my colleagues not to reauthorize the PATRIOT Act. The Freedom Act does not go far enough.

MEDICAL MARIJUANA

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

Mr. BLUMENAUER. Mr. Speaker, there is a quiet revolution taking place across America to reform and modernize our marijuana laws. For over half a century, the official position has been one of prohibition, of incarceration, of obfuscation, and willful ignorance; yet almost 20 million Americans use marijuana every month.

A majority of the public now thinks that that should be legal, and an even larger majority thinks that, whatever their personal opinion about marijuana is, that the Federal Government should not interfere with what the States do, just like how we regulate alcohol.

In the vanguard of the reform movement has been medical marijuana since 1996, when California was the first State to legalize it. It has been followed now where almost three-quarters of the States provide some form of access to medical marijuana, and most of those decisions were made by a vote of the people. Well over 200 million Americans live where they have access to medical marijuana.

There have been many positive benefits achieved for our veterans, who suffer from a wide range of medical problems, many of which stem from their years of service: chronic pain, PTSD, controlling the symptoms of multiple sclerosis, or dealing with violent nausea as a result of chemotherapy; yet our veterans are discriminated against because, even in States where it is legal, their VA doctors are discouraged from working with them to see if medical marijuana is right for them or if it is not.

I am pleased to see some change taking place in Congress. We almost passed my amendment last month which would have given veterans fair treatment, enabling their primary doctor to consult with them. Just this last week in the Senate, there was approved in committee essentially the same amendment, and it is on its way to the Senate floor to give equal rights to veterans for medical marijuana.

This is the latest step in the evolution that we have seen now where four States and the District of Columbia have declared adult use legal, and we are seeing further progress at the local level.

The tide is building. We are turning away from a failed program of prohibiting; arresting; and, in some cases, incarcerating, while denying the science.

We as a Nation are turning to approaches that are more honest and workable, that tax and regulate to allow for important research and public education that will allow people to make informed choices about the use of these substances or not.

We are already seeing the social, economic, and law enforcement advantages in this shift at the State level, and we should capitalize on this movement at the national level as well.

It is exciting to see a bipartisan group of legislators in a sea of legislative dysfunction coming together to promote bringing this country into the 21st century in terms of marijuana policies, doing it right.

This week, during consideration of the Commerce, Justice, Science, and Related Agencies Appropriations bill, we are likely to see numerous amendments dealing with research, hemp, medical marijuana, cultivation, enforcement, and respecting States' laws.

This is an exciting and encouraging development to be able to make the Federal Government a full partner with the evolution that is taking place on the State and local level.

I urge my colleagues to vote in such a way that respects the will of the people and the rights of States to forge these new policies.

FISHING IN THE GULF OF MEXICO

The SPEAKER pro tempore. The Chair recognizes the gentleman from Georgia (Mr. AUSTIN SCOTT) for 5 minutes.

Mr. AUSTIN SCOTT of Georgia. Mr. Speaker, I rise today on behalf of the American recreational fishermen that, like myself and my family, used to have the opportunity to fish for red snapper in the Federal waters of the Gulf of Mexico.

I can't help but think how sad it is that we have people in here articulating why illegal drugs should be made legal while we continue to allow Federal agencies to take away the rights of the American sportsmen and the men and the women who just want to take their kids fishing.

Maybe if we spent more time outdoors fishing and hunting, we wouldn't have the problems that we have in this country with drugs.

Now, technically, Mr. Speaker, we still have the right to fish in the Gulf of Mexico in the Federal waters, as long as you can do it in the crumb of the season that has been left for the recreational fishermen.

Dr. Roy Crabtree and the National Marine Fisheries Services have left a 10-day season for the not-for-hire recreational angler who just wants to take his or her kid fishing, 10 days.

In 2007, Mr. Speaker—if you want to know how fast this has gone downhill—we got to fish 194 days; so, in the short span of about 8 years, they have taken 95 percent of the opportunity of the American sportsmen to fish in the Gulf of Mexico's Federal waters for red snapper away from them.

When they started the reductions, they promised that, as soon as the stock was restored, the season would be restored. Now, they give us the excuse: Well, because there are so many of them and they are so much bigger, you are catching that many that much faster.

You see, Mr. Speaker, this makes no sense. The commercial fishermen, ships, long lines and winches, and their powerful lobbyists, they get to fish year round for the same species. Dr. Roy Crabtree and the others at the National Marine Fisheries Services again virtually eliminated the fishing season for the recreational angler, reducing it to 10 days.

Now, I support the commercial fishing industry. I like to buy a piece of red snapper at the restaurant. I like to buy it at the grocery store. There is plenty of fish out there for all of us.

The 10 days that we have as recreational anglers—if it is bad weather, well, that is just too bad. If you have got to work that day, well, that is just too bad. You see, they pick the days. You don't get to pick the days, Mr. Speaker; and, if you can't fish on that day, that is just too bad for you. If you can afford it, the charter boat season now is 45 days.

Now, I will just tell you, I have never seen this much bias in anything I have ever done, especially in the rulemaking process, unless someone is being bribed or blackmailed or had a personal financial interest in the rulemaking, which brings me to the next point.

The vote to split the recreational season at the expense of the American angler, who just wants to fish with their family—not being forced to hire a charter boat—this was done by the Gulf Council on a split vote of 7 to 10 in which, according to news sources, 3 of the members that voted to do this didn't disclose that they sit on the board of a group that lobbies for the charter boat industry.

Again, I support the charter boat industry, but the idea that someone could sit there and vote to make a season for themselves 45 days as long as you can you pay them to take you, but 10 days if you don't pay them—Mr. Speaker, to be quite honest, Federal law stipulates those with a conflict must disclose it and shall not vote on those issues where a conflict exists.

The conduct of the National Marine Fisheries Services in allowing that vote is in direct contrast to the rights of the Americans who just want to fish in the Gulf of Mexico.

I, for one, am not going to sit back and let this continue; and, when the CJS appropriations act is on the floor, Mr. Speaker, I hope that we have the opportunity to correct what I believe to be illegal actions by the National Marine Fisheries Services and Dr. Roy Crabtree.

□ 1215

CELEBRATING THE 50TH ANNIVERSARY OF ODESSA PERMIAN HIGH SCHOOL FOOTBALL TEAM'S FIRST STATE CHAMPIONSHIP TITLE

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

Mr. CONAWAY. Mr. Speaker, I rise today to commemorate the 50th anniversary of Odessa Permian High School football team's first State championship title. As a member of that team, I am especially excited to gather with my teammates this weekend to look back over the 50 years.

They say everything is bigger in Texas, and high school football is no different.

Mr. Speaker, when our team earned the title that bitterly cold December day, it was the start of one of the most storied high school football dynasties in Texas. We were led by the Texas coaching legend, Gene Mayfield, who was as tough as his reputation suggests. He was known for his motivational skills, and he could motivate. Coach Mayfield and the coaching staff did not inherit a State-championship-caliber team that year; rather, through his influence and direction, he molded our team into something that many doubted we could ever become.

His emphasis on preparation, competition, and expectation to win drove

our team to demand more of each other. We suffered during his notoriously tough workouts. You could find our team running in the sandhills of Monahans Sandhills State Park or challenging each other with bicycle races, wrestling matches, or any of the other various events that he could find that would hone our competitive spirit and build a drive to win and a spirit to never quit.

Mr. Speaker, unbeknownst to us as kids, the values Coach Mayfield was instilling in us that year would carry with us for the rest of our lives. He was teaching us more than how to be good football players; he was teaching us how to become men. I personally view Coach Mayfield as one of the most influential men in my life, and I believe that my teammates would say the same.

It was through our shared experiences that our team bonded together. In 1965, it drove us to win, and we were seeing the fruits of our labors with each game night. Those experiences created relationships that have endured over five decades.

This Friday, my teammates and I will gather to renew those bonds and reminisce, but also to become the recipients of this year's Odessa Permian High School Black Shirt Award. Every year, this award is given to a school organization, individual, or group that have achieved a standard of excellence and inspired a passion in the Permian High School alumni and student body.

Mr. Speaker, I am proud to have been a part of that historic season and to have played with some of the best teammates you could ever ask for.

RECESS

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

Accordingly (at 12 o'clock and 17 minutes p.m.), the House stood in recess.

□ 1400

AFTER RECESS

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

PRAYER

Reverend Thomas More Garrett, OP, St. Pius V Catholic Church, Providence, Rhode Island, offered the following prayer:

Hear us O God, we pray, that we may begin these summer months refreshed and renewed. Give new vigor to our efforts. Help us to be always mindful of the guiding hand of providence as we seek to better our country and the world at large.

Let us remember that we are not always the best arbiters of our own good, that we can be wrong about what is best for us, and that our own desires can sometimes bring us harm. Confident in Your assistance, we turn to You for Your protection and ask You to save us from the difficulties that we bring upon ourselves.

Amen.

THE JOURNAL

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

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

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentleman from Michigan (Mr. KILDEE) come forward and lead the House in the Pledge of Allegiance.

Mr. KILDEE led the Pledge of Allegiance as follows:

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

COMMEMORATING THE SAMOAN EXILES

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

Mr. SABLAN. Mr. Speaker, this month, 72 Samoans who were exiled to my home, the Northern Mariana Islands, will receive the ceremonial farewell they were never given—100 years late.

In 1909, the 72 Samoans were exiled to the Mariana Islands by the Governor of German Samoa, Wilhelm Solf. Their crime: the chiefs had tried to reinstate traditional Samoan practices outlawed by the German colonial regime. The Samoans remained in the Marianas until 1915, when they were repatriated by another colonial power—Japan.

Their story was almost lost in time. But thanks to the work of the Northern Marianas Humanities Council, the history of these exiles has now been documented.

RECOGNIZING OUR AMERICAN MANUFACTURERS

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

Mr. TIBERI. Mr. Speaker, I rise today to recognize our American manufacturers. As we work to knock down trade barriers—barriers abroad—so American exporters can sell their products overseas, many opponents of free trade are spreading outright lies: lies about the impact of American trade agreements on American manufacturers.

Whirlpool is a great example, an example that continues to be cited as an American company that has virtually shut down its plants in America because of trade. It is astounding because it is not true.

There are 22,000 American Whirlpool workers. They are makers of iconic brands like Whirlpool, Maytag, and KitchenAid. More than 80 percent of Whirlpool products sold in the United States are made in the United States. Their products come from Ohio communities like Clyde, Marion, Greenville, Ottawa, and Findlay, Ohio, not to mention Whirlpool plants in other States.

Believe the numbers, Mr. Speaker. One in every five jobs in Ohio depends on trade. With new trade agreements, barriers abroad will be removed so Whirlpool and other manufacturers have the opportunity to sell their American-made products overseas.

Let's spread the truth: trade supports American jobs, and increased trade will build a healthy American economy.

PASS A LONG-TERM HIGHWAY AND TRANSIT TRUST FUND BILL

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

Mr. KILDEE. Mr. Speaker, Michigan, of all States, knows that we need to fix our crumbling roads and bridges if we are going to remain competitive as a nation.

It is long past time, long overdue, for this Congress to rebuild our infrastructure, to pass legislation to fully fund, on an extended basis, the highway and transit trust fund bill. Unfortunately, instead of working on a big infrastructure bill, last month Congress passed a mere 2-month extension, an extension that gets us no further in repairing our Nation's crumbling infrastructure.

Mr. Speaker, my constituents are fed up with more delays instead of real action on road funding. No city and no State is going to move forward on major projects because Congress extended this fund by 60 days.

No more temporary extensions. No more delays. Let's get to work on a bipartisan, long-term plan to invest in our Nation's roads, our bridges, and our ports. We have to believe in ourselves. We have to bet on the American worker and on American business. If we invest in infrastructure, they will pay us back with productivity.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until approximately 3 p.m. today.

Accordingly (at 2 o'clock and 6 minutes p.m.), the House stood in recess.

□ 1500

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. COLLINS of New York) at 3 p.m.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

Record votes on postponed questions will be taken later.

AUTHORIZING EARLY REPAYMENT OF CONSTRUCTION COSTS TO BUREAU OF RECLAMATION

Mr. BISHOP of Utah. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 404) to authorize early repayment of obligations to the Bureau of Reclamation within the Northport Irrigation District in the State of Nebraska.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 404

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

SECTION 1. EARLY REPAYMENT OF CONSTRUCTION COSTS.

(a) IN GENERAL.—Notwithstanding section 213 of the Reclamation Reform Act of 1982 (43 U.S.C. 390mm), any landowner within the Northport Irrigation District in the State of Nebraska (referred to in this section as the ''District'') may repay, at any time, the construction costs of project facilities allocated to the landowner's land within the District.

(b) APPLICABILITY OF FULL-COST PRICING LIMITATIONS.—On discharge, in full, of the obligation for repayment of all construction costs described in subsection (a) that are allocated to all land the landowner owns in the District in question, the parcels of land shall not be subject to the ownership and full-cost pricing limitations under Federal reclamation law (the Act of June 17, 1902, 32 Stat. 388, chapter 1093), and Acts supplemental to and amendatory of that Act (43 U.S.C. 371 et seq.), including the Reclamation Reform Act of 1982 (13 U.S.C. 390aa et seq.).

(c) CERTIFICATION.—On request of a landowner that has repaid, in full, the construction costs described in subsection (a), the Secretary of the Interior shall provide to the landowner a certificate described in section 213(b)(1) of the Reclamation Reform Act of 1982 (43 U.S.C. 390mm(b)(1)).

(d) EFFECT.—Nothing in this section—

(1) modifies any contractual rights under, or amends or reopens, the reclamation contract between the District and the United States; or

(2) modifies any rights, obligations, or relationships between the District and landowners in the District under Nebraska State law.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Utah (Mr. BISHOP) and the gentleman from Virginia (Mr. BEYER) each will control 20 minutes.

The Chair recognizes the gentleman from Utah.

GENERAL LEAVE

Mr. BISHOP of Utah. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and include extraneous materials on the bill under consideration.

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

There was no objection.

Mr. BISHOP of Utah. Mr. Speaker, I yield myself such time as I may consume.

As we begin the debate on this particular bill, I am pleased that the gentleman from Nebraska (Mr. SMITH) is here with us to introduce this very effective and important bill.

I yield such time as he may consume to the gentleman from Nebraska (Mr. SMITH) to explain his legislation.

Mr. SMITH of Nebraska. I thank my colleague from Utah for yielding.

Under Federal reclamation law, irrigation districts which receive water from a Bureau of Reclamation facility typically repay their portion of the capital costs of water projects under long-term contracts.

Under its current contract and current law, Northport is exempt from annual capital repayment if this carriage fee exceeds $8,000 per year. Given that the carriage fee has greatly exceeded this amount every year since the 1950s, Northport's capital repayment debt has been stagnant at over $923,000 since 1952.

So long as the debt endures, landowners are subject to burdensome reporting requirements and acreage limitations, and no leverage is generated for the Federal Government.

I introduced this bill to provide members of the Northport Irrigation District early repayment authority under their dated reclamation contract.

Allowing producers within the Northport Irrigation District to pay off their portion of the contract means the government will receive funds otherwise uncollected, and landowners will be relieved of costly constraints which threaten family-owned operations.

For example, at a Water, Power, and Oceans Subcommittee hearing last year, one member of the Northport district testified that acreage limitations will prohibit parents who own land in the district from passing down or even selling farmland to sons and daughters who also own land in the same district.

As the chairman mentioned, similar legislation has passed under bipartisan majorities and, according to the CBO, could generate as much as $440,000 in Federal revenue.

This is a very simple bill which would make a big difference to some family farmers in western Nebraska.

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

Mr. Speaker, H.R. 404 would authorize landowners served by the Northport Irrigation District to prepay the remaining portion of construction costs allocated to them for the North Platte project. In exchange, the landowners who pay will no longer be subject to acreage limitations and other requirements associated with the Reclamation Reform Act.

I ask my colleagues to join me in support of this good bill, and I yield back the balance of my time.

Mr. BISHOP of Utah. Mr. Speaker, I yield myself such time as I may consume.

This bill is an excellent piece of legislation that solves a problem that should never have existed in the first place.

It is curious that in many cases throughout the West, the current Federal law does not allow a landowner to make an early repayment on Federal irrigation projects. It is an outdated law and a hurdle that is silly. It is similar to a bank prohibiting a homeowner from paying off his or her mortgage early.

Congressman SMITH's bill removes the Federal Bureau of Reclamation repayment prohibition for individual landowners within the Northport Irrigation District. In return for those payments, though, these farmers will no longer be subject to the acreage limitation and the paperwork requirements imposed by the Reclamation Reform Act.

This bill will accelerate revenue coming into the Treasury. It is based on two recent precedents that passed in both Republican- and Democrat-controlled Houses. Today, we are trying to continue those efforts by adopting this particular bill.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Utah (Mr. BISHOP) that the House suspend the rules and pass the bill, H.R. 404.

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

A motion to reconsider was laid on the table.

NATIVE AMERICAN CHILDREN'S SAFETY ACT

Mr. BISHOP of Utah. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1168) to amend the Indian Child Protection and Family Violence

Prevention Act to require background checks before foster care placements are ordered in tribal court proceedings, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 1168

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Native American Children's Safety Act''.

SEC. 2. CRIMINAL RECORDS CHECKS.

Section 408 of the Indian Child Protection and Family Violence Prevention Act (25 U.S.C. 3207) is amended by adding at the end the following:

''(d) BY TRIBAL SOCIAL SERVICES AGENCY FOR FOSTER CARE PLACEMENTS IN TRIBAL COURT PROCEEDINGS.—

''(1) DEFINITIONS.—In this subsection:

''(A) COVERED INDIVIDUAL.—The term 'covered individual' includes—

''(i) any individual 18 years of age or older; and

''(ii) any individual who the tribal social services agency determines is subject to a criminal records check under paragraph (2)(A).

''(B) FOSTER CARE PLACEMENT.—The term 'foster care placement' means any action removing an Indian child from a parent or Indian custodian for temporary placement in a foster home or institution or the home of a guardian or conservator if—

''(i) the parent or Indian custodian cannot have the child returned on demand; and

''(ii)(I) parental rights have not been terminated; or

''(II) parental rights have been terminated but the child has not been permanently placed.

''(C) INDIAN CUSTODIAN.—The term 'Indian custodian' means any Indian—

''(i) who has legal custody of an Indian child under tribal law or custom or under State law; or

''(ii) to whom temporary physical care, custody, and control has been transferred by the parent of the child.

''(D) PARENT.—The term 'parent' means—

''(i) any biological parent of an Indian child; or

''(ii) any Indian who has lawfully adopted an Indian child, including adoptions under tribal law or custom.

''(E) TRIBAL COURT.—The term 'tribal court' means a court—

''(i) with jurisdiction over foster care placements; and

''(ii) that is—

''(I) a Court of Indian Offenses;

''(II) a court established and operated under the code or custom of an Indian tribe; or

''(III) any other administrative body of an Indian tribe that is vested with authority over foster care placements.

''(F) TRIBAL SOCIAL SERVICES AGENCY.—The term 'tribal social services agency' means the agency of an Indian tribe that has the primary responsibility for carrying out foster care licensing or approval (as of the date on which the proceeding described in paragraph (2)(A) commences) for the Indian tribe.

''(2) CRIMINAL RECORDS CHECK BEFORE FOSTER CARE PLACEMENT.—

''(A) IN GENERAL.—Except as provided in paragraph (3), no foster care placement shall be finally approved and no foster care license shall be issued until the tribal social services agency—

''(i) completes a criminal records check of each covered individual who resides in the household or is employed at the institution in which the foster care placement will be made; and

''(ii) concludes that each covered individual described in clause (i) meets such standards as the Indian tribe shall establish in accordance with subparagraph (B).

''(B) STANDARDS OF PLACEMENT.—The standards described in subparagraph (A)(ii) shall include—

''(i) requirements that each tribal social services agency described in subparagraph (A)—

''(I) perform criminal records checks, including fingerprint-based checks of national crime information databases (as defined in section 534(f)(3) of title 28, United States Code);

''(II) check any abuse registries maintained by the Indian tribe; and

''(III) check any child abuse and neglect registry maintained by the State in which the covered individual resides for information on the covered individual, and request any other State in which the covered individual resided in the preceding 5 years, to enable the tribal social services agency to check any child abuse and neglect registry maintained by that State for such information; and

''(ii) any other additional requirement that the Indian tribe determines is necessary and permissible within the existing authority of the Indian tribe, such as the creation of voluntary agreements with State entities in order to facilitate the sharing of information related to the performance of criminal records checks.

''(C) RESULTS.—Except as provided in paragraph (3), no foster care placement shall be ordered in any proceeding described in subparagraph (A) if an investigation described in clause (i) of that subparagraph reveals that a covered individual described in that clause has been found by a Federal, State, or tribal court to have committed any crime listed in clause (i) or (ii) of section 471(a)(20)(A) of the Social Security Act (42 U.S.C. 671(a)(20)(A)).

''(3) EMERGENCY PLACEMENT.—Paragraph (2) shall not apply to an emergency foster care placement, as determined by a tribal social services agency.

''(4) RECERTIFICATION OF FOSTER HOMES OR INSTITUTIONS.—

''(A) IN GENERAL.—Not later than 2 years after the date of enactment of this subsection, each Indian tribe shall establish procedures to recertify homes or institutions in which foster care placements are made.

''(B) CONTENTS.—The procedures described in subparagraph (A) shall include, at a minimum, periodic intervals at which the home or institution shall be subject to recertification to ensure—

''(i) the safety of the home or institution for the Indian child; and

''(ii) that each covered individual who resides in the home or is employed at the institution is subject to a criminal records check in accordance with this subsection, including any covered individual who—

''(I) resides in the home or is employed at the institution on the date on which the procedures established under subparagraph (A) commences; and

''(II) did not reside in the home or was not employed at the institution on the date on which the investigation described in paragraph (2)(A)(i) was completed.

''(C) GUIDANCE ISSUED BY THE SECRETARY.—The procedures established under subparagraph (A) shall be subject to any regulation or guidance issued by the Secretary that is in accordance with the purpose of this subsection.

''(5) GUIDANCE .—Not later than 2 years after the date of enactment of this subsection and after consultation with Indian tribes, the Secretary shall issue guidance regarding—

''(A) procedures for a criminal records check of any covered individual who—

''(i) resides in the home or is employed at the institution in which the foster care placement is made after the date on which the investigation described in paragraph (2)(A)(i) is completed; and

''(ii) was not the subject of an investigation described in paragraph (2)(A)(i) before the foster care placement was made;

''(B) self-reporting requirements for foster care homes or institutions in which any covered individual described in subparagraph (A) resides if the head of the household or the operator of the institution has knowledge that the covered individual—

''(i) has been found by a Federal, State, or tribal court to have committed any crime listed in clause (i) or (ii) of section 471(a)(20)(A) of the Social Security Act (42 U.S.C. 671(a)(20)(A)); or

''(ii) is listed on a registry described in clause (II) or (III) of paragraph (2)(B)(i);

''(C) promising practices used by Indian tribes to address emergency foster care placement procedures under paragraph (3); and

''(D) procedures for certifying compliance with this Act.''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Utah (Mr. BISHOP) and the gentleman from Virginia (Mr. BEYER) each will control 20 minutes.

The Chair recognizes the gentleman from Utah.

GENERAL LEAVE

Mr. BISHOP of Utah. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and include extraneous materials on the bill under consideration.

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

There was no objection.

Mr. BISHOP of Utah. Mr. Speaker, I yield such time as he may consume to the gentleman from North Dakota (Mr. CRAMER), the sponsor of this excellent piece of legislation, to explain his bill.

Mr. CRAMER. I thank the chairman for yielding and for his good work on this important legislation.

Mr. Speaker, during the last Congress, while I served on the Natural Resources Committee, we held an oversight hearing regarding the child protection crisis on the Spirit Lake Indian Reservation in North Dakota in response to the numerous child deaths, as well as whistleblower reports that were detailing unsafe tribal placement of almost 40 foster children in abusive homes, many of which were headed by known convicted child sex offenders.

In an effort to protect these children and children around the country, I introduced the Native American Children's Safety Act, a bill that Senator

JOHN HOEVEN of North Dakota has also introduced in the United States Senate.

This bill implements across-the-board minimum protections for children placed in foster care at the direction of a tribal court. These standards, Mr. Speaker, mirror existing national requirements for nontribal foster care placements, ensuring that tribal children receive at least the same, if not higher, standards of foster care as nontribal children placed in foster care.

This bill is bipartisan. I believe it is noncontroversial. It was reported out of the Natural Resources Committee in both this Congress and the last Congress with unanimous consent.

I also want to take the time to thank several members of the administration, particularly the BIA, as well as Health and Human Services, for their assistance in refining the bill. I also want to thank the National Indian Child Welfare Association, which assisted in refining the bill, as well as the National Congress of American Indians.

All of these refinements to the bill help make the bill better. More importantly, it provides flexibility to the tribes in fulfilling the obligations of the bill, and I think it makes it a much better bill.

I thank everybody who was involved, as well as my colleagues, and hope that we can pass it without objection today.

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

Currently, Native America tribes and their tribal courts use procedures and guidelines that vary significantly from tribe to tribe when placing a Native American child in a foster home.

Current law does not require that the Federal Government or Indian tribe perform vigorous background checks on foster parents or foster homes in order to ensure the safety, health, and protection of Native children.

Consequently, there have been appalling cases of Native American children ending up in dangerous and unsafe living conditions because they were placed in an overburdened foster care system that failed to ensure sufficient background checks of placement homes. We critically need background checks of individuals and institutions selected to foster Native youth.

H.R. 1168 strengthens background checks on prospective foster care parents prior to placement of Native children into foster homes and sets forth a uniform manner in which Federal and tribal agencies serving tribes may conduct such checks.

I ask my colleagues to stand with me in support of Native American children by supporting passage of Mr. CRAMER's bill, H.R. 1168, and I yield back the balance of my time.

Mr. BISHOP of Utah. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, this has been fully explained. To protect Indian foster children and provide these background checks is a wonderful thing. It is well overdue. I appreciate and commend the gentleman from North Dakota, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Utah (Mr. BISHOP) that the House suspend the rules and pass the bill, H.R. 1168.

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

A motion to reconsider was laid on the table.

REVOCATION OF MIAMI TRIBE OF OKLAHOMA CHARTER

Mr. BISHOP of Utah. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 533) to revoke the charter of incorporation of the Miami Tribe of Oklahoma at the request of that tribe, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 533

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

SECTION 1. REVOCATION OF CHARTER OF INCORPORATION.

The request of the Miami Tribe of Oklahoma to surrender the charter of incorporation issued to that tribe and ratified by its members on June 1, 1940, pursuant to the Act of June 26, 1936 (25 U.S.C. 501 et seq.; commonly known as the ''Oklahoma Welfare Act''), is hereby accepted and that charter of incorporation is hereby revoked.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Utah (Mr. BISHOP) and the gentleman from Virginia (Mr. BEYER) each will control 20 minutes.

The Chair recognizes the gentleman from Utah.

GENERAL LEAVE

Mr. BISHOP of Utah. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and include extraneous materials on the bill under consideration.

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

There was no objection.

Mr. BISHOP of Utah. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, we have another piece of legislation that does wonderful things. It should have been done earlier than this, but this time we are going to get it all the way through the system.

I yield such time as he may consume to the gentleman from Oklahoma (Mr. MULLIN) to explain his legislation.

Mr. MULLIN. I thank the chairman for yielding.

The Miami Tribe's current charter of incorporation is an outdated governing structure that harms business and economic development. We wrote this bill because these charters can only be removed literally by an act of Congress.

The Miami Tribe has said that the outdated charter is inoperable. It imposes restrictions on business operations that are unmanageable and unnecessary.

Oklahoma is known for its entrepreneurial spirit, especially among our State's tribes. It is important that Congress remove these hurdles for investors, business partners, and potential customers.

As lawmakers, it is our job in Congress to foster an atmosphere that promotes economic growth across the country. I take this responsibility very seriously, and I hope that you will join me today in eliminating a needless economic burden on the Miami Tribe in my home State of Oklahoma.

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

Mr. Speaker, at the request of the Miami Tribe of Oklahoma, H.R. 533 simply revokes a corporate charter issued to it by the Federal Government.

Under the Oklahoma Indian Welfare Act and the Indian Reorganization Act, many tribes were issued corporate charters in the 1930s and 1940s that were aimed at enabling them to better manage their own affairs and pursue business relationships with private entities.

For some tribes, these corporate charters have proven unnecessary and end up hindering their business opportunities, as they will inevitably come up in negotiations with private entities and are looked upon with suspicion.

The charter must be revoked by an act of Congress, and Mr. MULLIN, on behalf of his constituents, is simply being a good Congressman and complying with the tribe's request through this bill.

Similar legislation has passed over the years without event, and I ask my colleagues to stand with me in support of Mr. MULLIN's noncontroversial bill.

I reserve the balance of my time.

Mr. BISHOP of Utah. Mr. Speaker, I yield myself such time as I may consume.

Let me say just a few words about this particular piece legislation by myself. It is a one-page piece of legislation that should be easy to read—and those are always dangerous because they are easy to read—that grants the request from the Miami Tribe of Oklahoma to revoke a charter of incorporation which was issued back in the New Deal era—a 1936 law that was implemented in 1940. And as we know, any of those pieces of legislation that age that well have got to be reviewed at a specific period of time.

Right now, we have a situation in which this tribe funds itself in a cumbersome situation with an outdated

document that puts on limitations and uncertainty in the tribe business when they don't have to, because they are dealing instead with the business activities that come through their tribal constitution.

They are doing it the right way. And unfortunately, it requires an act of Congress to allow them to do what they ought to be doing and are doing in the first place and just clean up this act. So only we can do that.

It is in accordance with the tribal wishes, and it is in accordance with Congressman MULLIN, who represents this particular tribe in the House. He has sponsored this. This is a good bill. The Department of the Interior does not object to this piece of legislation. An identical version passed in the House in the 113th Congress by a voice vote. I would hope we would do it again, and this time make sure we go all the way through the system and do what is right for this particular tribe.

With that, I reserve the balance of my time.

□ 1515

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

Mr. BISHOP of Utah. Mr. Speaker, I am going to speak very slowly as I am waiting for someone else to show up on the next bill and would, therefore, yield as much time as he may consume to the gentleman from Oklahoma (Mr. MULLIN) for another couple of anecdotes as to why this piece of legislation is needed. I will tug on the gentleman's coat when he shows up and he can quit.

Mr. MULLIN. Mr. Speaker, you know, this is a piece of legislation that unfortunately we have tried 2½ years, way too long, to try to get through this body; but it also opens an important conversation about taking a look at all of these charters.

Why is it that Congress has to come together to pass commonsense legislation that should be up to the tribes themselves to make the decision? When they are hindering the businesses and the atmosphere that these tribes are able to operate under, they are not able to go out and provide jobs to not just their members but, also, to the communities which they live in and they thrive in.

Miami Tribe is a large employer of the city of Miami. The city of Miami has been in a situation where they have lost two major employers, and they look to these tribes like this in the community to create not just jobs at a casino, but manufacturing jobs, jobs that help our national defense. Yet they are hindered constantly by the effect that they can't simply do the work without asking Congress' permission.

They are a sovereign nation. Why is it that they would have to continue to come back on something that isn't needed, something that dates all the way back to the 1930s? Unfortunately, this is exactly where we find ourselves today.

I am so glad that this is actually one of those things that is a bipartisan approach. Common sense does prevail in these Halls sometimes when we can come together and we can work at something that is noncontroversial. Even at that, we started this in the 113th Congress; and now we are in the 114th Congress, and we are still talking about it. We are 6 months into the 114th Congress, and we are trying to get a commonsense piece of legislation passed.

If I remember correctly, last year, when we tried to put this through, there was only one ''no'' vote. If that is not bipartisanship, then, what is? This should have been on the President's desk already.

So I join my colleagues in supporting this bill, but I also want to thank them for their patience, for the city of Miami and the tribe of Miami for their patience and the opportunity to bring this up again.

Mr. BISHOP of Utah. Mr. Speaker, I certainly don't want to break any protocols we may have. So, therefore, I want to echo what the gentleman from Oklahoma so brilliantly and so fluently and obviously not slowly enough said.

With that, Mr. Speaker, once again, we will go through this concept that hopefully—does the gentleman from Virginia, even though I realize he has yielded back, would the gentleman like some of my time?

Mr. BEYER. I would be happy to take some if the chairman wouldn't mind.

Mr. BISHOP of Utah. Bless you.

I yield such time as he may consume to the gentleman from Virginia (Mr. BEYER).

Mr. BEYER. Mr. Speaker, I rise to extend my gratitude to the Congressman from Oklahoma for teaching me how to say ''Miami.'' I have been mispronouncing ''Miami'' all through my short presentation. I also want to thank him for his leadership and being so responsive.

I think that there are perhaps many other laws on the books that we should look at in a very simple way to revoke the charters, as necessary.

I would also like to offer my help to the Congressman from Miami with our two Virginia Senators. It sounds like, if it passed this House with only one negative vote last year, that perhaps the Senate is the place where this is being held up. If we can provide some support to him in his moving this through the Senate side, I would be delighted to do that.

Mr. BISHOP of Utah. Mr. Speaker, may I inquire how much time I have?

The SPEAKER pro tempore. The gentleman has 12½ minutes remaining.

Mr. BISHOP of Utah. I yield such time as he may consume to the gentleman from Alaska (Mr. YOUNG).

Mr. YOUNG of Alaska. Mr. Speaker, this bill is a good piece of legislation. I want to thank Mr. MULLIN for bringing it up.

While we are on the subject, I would like to talk about the necessity of ICWA, the Child Welfare Act of this Congress past which I was a sponsor of.

The gentleman is here. So we won't talk about ICWA today. We will just let Mr. MCCLINTOCK get in here and make his statement. Eventually, Mr. Speaker, I will talk about the foster care homes, the need for volunteers, so we don't have 300 children in my State staying with State supervision instead of adopted. So we will talk about that later.

Mr. BISHOP of Utah. Mr. Speaker, with great appreciation to my good friends from Oklahoma and Virginia and Alaska, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Utah (Mr. BISHOP) that the House suspend the rules and pass the bill, H.R. 533.

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

A motion to reconsider was laid on the table.

DESIGNATING A MOUNTAIN IN THE JOHN MUIR WILDERNESS AS SKY POINT

Mr. BISHOP of Utah. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 979) to designate a mountain in the John Muir Wilderness of the Sierra National Forest as ''Sky Point''.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 979

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

SECTION 1. FINDINGS.

Congress finds the following:

(1) Staff Sergeant Sky Mote, USMC, grew up in El Dorado, California.

(2) Staff Sergeant Mote graduated from Union Mine High School.

(3) Upon graduation, Staff Sergeant Mote promptly enlisted in the Marine Corps.

(4) Staff Sergeant Mote spent 9 years serving his country in the United States Marine Corps, including a deployment to Iraq and two deployments to Afghanistan.

(5) By his decisive actions, heroic initiative, and resolute dedication to duty, Staff Sergeant Mote gave his life to protect fellow Marines on August 10, 2012, by gallantly rushing into action during an attack by a rogue Afghan policeman inside the base perimeter in Helmand province.

(6) Staff Sergeant Mote was awarded the Navy Cross, a Purple Heart, the Navy-Marine Corps Commendation Medal, a Navy-Marine Corps Achievement Medal, 2 Combat Action Ribbons and 3 Good Conduct Medals.

(7) The Congress of the United States, in acknowledgment of this debt that cannot be repaid, honors Staff Sergeant Mote for his ultimate sacrifice and recognizes his service to his country, faithfully executed to his last, full measure of devotion.

(8) A presently unnamed peak in the center of Humphrey Basin holds special meaning to the friends and family of Sky Mote, as their annual hunting trips set up camp beneath this point; under the stars, the memories made beneath this rounded peak will be cherished forever.

SEC. 2. SKY POINT.

(a) DESIGNATION.—The mountain in the John Muir Wilderness of the Sierra National Forest in California, located at 37°15′16.10091″N 118°43′39.54102″W, shall be known and designated as ''Sky Point''.

(b) REFERENCES.—Any reference in a law, map, regulation, document, record, or other paper of the United States to the mountain described in subsection (a) shall be considered to be a reference to ''Sky Point''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Utah (Mr. BISHOP) and the gentleman from Virginia (Mr. BEYER) each will control 20 minutes.

The Chair recognizes the gentleman from Utah.

GENERAL LEAVE

Mr. BISHOP of Utah. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and include extraneous materials on the bill under consideration.

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

There was no objection.

Mr. BISHOP of Utah. Mr. Speaker, I yield myself such time as I may consume.

There are some times when we can do nothing to repay the sacrifice that our fellow men have done for us; but, in some small way, we can try to show our gratitude. This is one bill that does that.

I yield such time as he may consume to the gentleman from California (Mr. MCCLINTOCK), the sponsor of this piece of legislation.

Mr. MCCLINTOCK. Mr. Speaker, I thank the gentleman, the chairman of the Committee on Natural Resources, for yielding.

Mr. Speaker, Marine Staff Sergeant Sky Mote cared about a lot of things—his fellow Marines, his country, his family, his community—but his father, Russell, recalled, ''He never cared about medals. He never showed them to us. Once,'' he said, ''I found one in his laundry.''

The irony is that Staff Sergeant Sky Mote received the second highest medal that our country can bestow upon a Marine, the Navy Cross, for his heroism in defending his fellow Marines on the last day of his life, August 10, 2012.

The Navy Cross is in addition to the Purple Heart, the Navy and Marine Corps Commendation Medal, the Navy and Marine Corps Achievement Medal, two Combat Action Ribbons, and three Good Conduct Medals that he earned during his 9 years of exemplary service to our Nation.

In the U.S. Marine Corps, that prides itself on maintaining the highest standards of the American military tradition, Staff Sergeant Sky Mote stands conspicuously above and beyond.

On that day, that last day of his life, Sergeant Mote was at his post in the tactical operations center of the 1st Marine Special Operations Battalion in Helmand province. On that day, a so-called Afghan police officer opened fire on the Marines who had come there to help that country.

When the attack broke out, Sergeant Mote was in an adjoining room. He could have easily escaped to safety. According to the Navy's citation, ''He instead grabbed his M4 rifle and entered the operations room, courageously exposing himself to a hail of gunfire in order to protect his fellow Marines. In his final act of bravery, he boldly engaged the gunman, now less than 5 meters in front of him, until falling mortally wounded.''

According to the citation, it was Mote's actions that stopped the attack and forced the attacker to flee. It was this heroism for which he received the Navy Cross.

We know that he didn't care much about medals, but he cared so deeply about his Marine Corps brothers that he gave his life for them. Many who would have perished that day will go on to lead long and productive and prosperous lives because Sky Mote sacrificed his own for them, as did Captain Matthew Manoukian of Los Altos Hills, California, who also gave his life to defend his fellow Marines that day.

Staff Sergeant Mote and his unit had been in the thick of the fighting in Afghanistan, often functioning as a commando force. During their tour in Puzeh, he and his unit were often engaged in daylong firefights, and Mote in particular had often exposed himself to grave danger.

His family didn't know a lot of this at the time. His stepmother, Marcia, said: ''He'd always say, 'I'm going to be on a camping trip' or 'I'm going to go on a hike.' He didn't want to give us any reason to worry.''

His father said that, although his son was indifferent to medals, he was intentionally proud of his EOD badge designating his service as an explosive ordnance disposal technician.

Russell Mote explained: ''He was just a humble person doing his job, and his job was to protect his team. He was not like a gung ho military person. You wouldn't know he was in the Special Forces.''

To the EOD technicians, bombs are not something to be avoided, but something to be sought out and disarmed. On one such day, Mote defused two IEDs; crawled through a heavily seeded minefield to save the life of his team leader, who had been severely wounded by a third; and then directed the evacuation of his unit. On that day, Sergeant Mote had earned a Navy and Marine Corps Commendation Medal with a V for valor.

On another very different day nearly 3 years ago, Sergeant Mote returned home for the last time. Thousands of his countrymen stretched out more than a mile on El Dorado Hills Boulevard to silently express their gratitude and respect for this hometown hero.

Hundreds more lined overpasses to pay their respects along the motorcade route. Still more stood silent vigil in front of Silva Valley Elementary School and Rolling Hills Middle School, where he had attended, as the procession passed by. A thousand more waited for him at the church.

Many knew him by his deeds; a fortunate few knew him as a person and recounted stories of his growing up in that community. His father recalled: ''Sky loved life, family, and friends, and he loved being a Marine. He loved to surf. He loved to hunt and hike in the Sierra.''

Marcia perhaps put it best when she said: ''He was just everybody's friend, and he would do anything for anybody.''

Sky Mote was 27 on that fateful day in Afghanistan. He was born June 6, 1985, in Bishop, California. When he was still young, his parents divorced, and his father brought his children to El Dorado. He married Marcia, and there, they raised Sky and their four other sons.

There, Sky joined the 4–H. He raised pigs and rode horses. He joined the Civil Air Patrol. At Union Mine High School, he lettered in track and cross country. He camped and biked and hiked with his family throughout the Sierra.

From the time he was a child, he spoke of some day joining the military and defending his country. Right after graduation in 2003, he did just that. Nine years later, he returned home to be laid to rest by a country that honors him, a hometown that remembers him, and a family that misses him.

Mr. Speaker, I wanted to share a little of what I learned about Marine Staff Sergeant Sky Mote because it helps to answer the question that James Michener first asked: ''Where do we get such men?''

Well, we get them from the heart and soul of America. We get them from good and decent families like the Motes. We get them from little towns like El Dorado, California.

We come here today, to the Hall of the House of Representatives, to try to honor a hero who didn't care much about medals. Lincoln, at Gettysburg, noted our difficulty in doing so when he looked over the quiet battlefield and noted that ''in a larger sense, we cannot dedicate, we cannot consecrate, we cannot hallow this ground. The brave men, living and dead, who struggled

here have consecrated it far beyond our poor power to add or detract.''

□ 1530

But nevertheless, we try.

Lincoln was right: we cannot add to the honor of his deeds. We come, instead, to draw inspiration from them. We reflect on a young life, with all the hopes and joys and aspirations of a long and productive lifetime ahead, all sacrificed for a country that, to this day, represents what Lincoln called the ''last best hope of mankind.''

We come in gratitude to know that in every generation, there are such heroes among us who will step forth from the safety of hearth and home and into mortal peril to protect their fellow citizens. Patton put it best when he said: ''It is foolish and wrong to mourn the men who died. Rather, we should thank God that such men lived.''

We come out of recognition that although the suffering of these fallen heroes has ended, the suffering of their families goes on day in and day out. There are Gold Star families among us who spend their Memorial Days not at barbecues and beach parties but in solemn ceremonies and quiet vigils around honored graves. We honor their loved ones in hopes that in some small way, we can help fortify them against the loss that they bear every day of their lives.

But most of all, we come in recognition of Shakespeare's plea that ''this story shall the good man teach his son.''

A few years ago, I had the honor to visit members of the 3rd United States Infantry Old Guard who tend the Tomb of the Unknown Soldier at Arlington Cemetery. They are meticulously dressed and painstakingly drilled as they honor the memory of our fallen warriors.

It is quite an impressive sight. And on a warm spring day like this, thousands of tourists will show up to watch and to join the Old Guard for a moment to honor the sacrifices memorialized at the tomb.

Tourists don't often show up during hurricanes or in driving snowstorms or at 2 o'clock in the morning in sleet and hail, but the Old Guard does. They commit 2 years of their lives to this service, under the strictest of conditions.

I asked this young sergeant, ''Why? Why do you do this?''

His answer was simple and direct: ''Because, sir, we want to demonstrate to our fellow Americans that we will never forget.''

For that reason, Mr. Speaker, I bring this bill to the House today with the unanimous support of the entire California congressional delegation. We do so to ensure that our fellow Americans never forget Marine Staff Sergeant Sky Mote.

In consultation with his family, we have identified a mountain in the John Muir Wilderness of the Sierra National Forest overlooking where Sky Mote and his family often camped and hiked. This bill proposes that it forever more be known as Sky Point as a token of our Nation's respect of his heroism, its appreciation of his sacrifice, its sympathy for his family, and of its solemn pledge that succeeding generations of his countrymen will never forget him.

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

Mr. Speaker, H.R. 979 will designate a mountain peak in the John Muir Wilderness of the Sierra National Forest in California as Sky Point in recognition of fallen Marine Corps Staff Sergeant Sky Mote.

Sky served our country honorably as a U.S. marine for 9 years. He had one tour of duty in Iraq and two in Afghanistan. As a member of the 1st Marine Special Operations Battalion, he was deployed to Afghanistan as part of Operation Enduring Freedom. However, on August 10, 2012, Sky's battalion received heavy gunfire from an attacker dressed as an Afghan police officer.

Jumping into action, Sky exposed himself to the gunfire in order to distract the shooter and draw his attention away from his fellow Marines. In his final act of valor, he engaged the attacker in the open, allowing his comrades to find safety.

For his heroic actions, Sky received the Navy Cross, a Purple Heart, the Navy-Marine Corps Commendation Medal, a Navy-Marine Corps Achievement Medal, two Combat Action Ribbons, and three Good Conduct Medals.

The mountain peak this bill seeks to name in his honor was very special to him. Every year, creating lasting memories, Staff Sergeant Mote and his family would set up camp beneath its point on hunting trips to the area. By designating that mountain peak ''Sky Point,'' we will honor Sky Mote's memory and ensure his selfless sacrifice for his country and fellow Marines is not forgotten.

I just hope that the many hunters, mountaineers, and backpackers who visit Sky Point have an opportunity to learn of the man for whom the peak is named.

I yield back the balance of my time.

Mr. BISHOP of Utah. Mr. Speaker, we can name this unnamed peak as a small measure of our Nation's gratitude to this noble soldier, noble warrior, Staff Sergeant Sky Mote, for all he has done for us on our behalf. It is a fitting tribute, and it is the least that we can do for him and his family.

With that, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Utah (Mr. BISHOP) that the House suspend the rules and pass the bill, H.R. 979.

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

A motion to reconsider was laid on the table.

STRENGTHENING FISHING COMMUNITIES AND INCREASING FLEXIBILITY IN FISHERIES MANAGEMENT ACT

GENERAL LEAVE

Mr. BISHOP of Utah. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous materials on H.R. 1335.

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

There was no objection.

The SPEAKER pro tempore. Pursuant to House Resolution 274 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the consideration of the bill, H.R. 1335.

The Chair appoints the gentleman from New York (Mr. COLLINS) to preside over the Committee of the Whole.

□ 1537

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H.R. 1335) to amend the Magnuson-Stevens Fishery Conservation and Management Act to provide flexibility for fishery managers and stability for fishermen, and for other purposes, with Mr. COLLINS of New York in the chair.

The Clerk read the title of the bill.

The CHAIR. Pursuant to the rule, the bill is considered read the first time.

The gentleman from Utah (Mr. BISHOP) and the gentleman from Arizona (Mr. GRIJALVA) each will control 30 minutes.

The Chair recognizes the gentleman from Utah.

Mr. BISHOP of Utah. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, H.R. 1335 makes a decent Federal law a better Federal law, and I commend the gentleman from Alaska (Mr. YOUNG) for his leadership and his dedication to strengthening and updating our Federal fisheries laws.

The bill that we have before us today on the floor represents years of hard work on a comprehensive reauthorization of the Magnuson-Stevens Fishery Conservation and Management Act. That is why this bill was given such a high priority by our committee and was such a major effort of trying to make this one of the first bills we brought out.

This bill was originally passed in 1976, was updated in 1996 and again in 2006, and illustrates the same principle:

that all bills age. And though principles of government may be eternal, specific administrative laws are in need of constant review by a legislative body. That is our job. This bill does that. It is a good bill for our economy. It is a good bill for our jobs.

In 2012, the seafood industry had a sales impact of $141 billion, $59 billion in value-added impacts, and supported 1.3 million jobs earning $39 billion in income.

The U.S. commercial fishermen directly contributed with 9.6 billion pounds of fish and shellfish harvested, earning another $5.1 billion in revenue from their catches. There are 11 million recreational saltwater anglers, spending $25 billion on trips and gear in 2012, generating $58 billion in sales impacts and supporting 300,000 to 400,000 U.S. jobs.

Commercial and recreational fishermen and the seafood industry that manages how the fish get from the boat to our table, they support this legislation. I want to reemphasize that that is perhaps unique. For the first time, all three elements—commercial, seafood industry, recreational fishermen—are all in support of updating this law in this particular fashion.

This bill provides flexibility, and it is a bill for the entire Nation. So it provides the flexibility that is essential for the fishing community in New England. It provides and incorporates State and local data on making fish population assessments, which is significant for the fish community in the Gulf of Mexico. It provides greater transparency as to how management decisions are made in a very open way, which is what it is supposed to be doing in the first place.

The proposed changes were not developed overnight. The Natural Resources Committee held 10 hearings, heard more than 80 witnesses over the last 4 years in deliberating over the changes that are needed to this particular law. That is why I am very pleased with the positive statements that have been made by both sides of the aisle on this legislation.

During the last Congress, the ranking member at that time said ''the changes that were negotiated on a number of provisions of the bill'' were something for which he thanked the majority.

Another one of the minority members was quoted also as saying: ''I do appreciate the fact that you reached out to us on the Democratic side of the aisle and many of the provisions, as you mentioned, that are in the bill did come from input from the Democratic side.''

Those words speak for themselves. This bill is the product of years of work, having reached out to Members on both sides of the aisle, having reached out to Members in different regions of our country, reached out to stakeholders of varying perspectives, and we reached out to the agency to craft a reauthorization that improves the process. We have done that.

It is unfortunate in my mind the administration recently announced opposition to this bill. Rather than giving you my thoughts on that—or maybe that is a reason why you would support it in the first place—let me simply quote the New Bedford Standard-Times. They did an editorial in their paper in that bastion of conservatism, Massachusetts. They disagreed with the White House's opposition to the bill, and they ended by saying: ''Looking at the bill and its accomplishment of making management more responsive to science, and contrasting it with the empty arguments of the White House policy statement, it seems very clear where politics fits into this.''

Mr. Chairman, this bill is a win for consumers. It is a win for the industry that puts food on our tables. It is a win for the restaurants. It is a win for the recreational fishermen. It is a win for better and more transparent science. It is a win for our environment. It is a win for the American taxpayers. There is no significant increase in the cost, but there is a significant increase in the solutions in this area, which is, once again, why all the major players who were involved in this—both the commercial side, recreational side—are in common agreement that this is the way we need to go forward.

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

Mr. GRIJALVA. Mr. Chairman, I yield myself such time as I may consume.

Last year, the Natural Resources Committee reported a bill almost identical to this one with only one Democratic Member voting in favor. Dubbed the ''Empty Oceans Act'' by fishermen and conservationists across the country, the bill met stiff opposition both on and off Capitol Hill, and the Republican leadership did not bring it up for consideration by the full House. That showed remarkable restraint and good judgment.

Fast forward 1 year to today's debate and the vote on legislation that has the same flaws and has drawn the same opposition. The only real difference is this time around, not a single committee Democrat voted to report the bill. Committee Republicans did not reach out to us to discuss changes that might have made this a bipartisan effort, even though the original Magnuson-Stevens Act and the 1996 and 2006 reauthorizations were bipartisan and passed both Houses of Congress with virtually no opposition.

Those efforts made necessary, legitimate, and incremental changes to U.S. fisheries law that have moved us closer and closer to achieving the goal of sustainable, profitable fisheries. We had an opportunity to reauthorize Magnuson and continue moving in the right direction, but once again, House Republicans have let partisanship get in the way of progress.

Instead of working with us to craft thoughtful, targeted legislation to update Magnuson, Republicans have taken this as an opportunity to assault bedrock conservation laws while at the same time taking us back to fisheries management policies that we know have failed fishing communities in the past.

As Chairman BISHOP said himself, when testifying before the Rules Committee last month, these are ''not just modest amendments, these are major amendments.'' I could not agree more.

□ 1545

Provisions in the bill which will end successful efforts to rebuild overfished stocks and coastal economy are major amendments. Short-circuiting public review under NEPA is a major amendment. Overriding the Endangered Species Act, the Antiquities Act, and the National Marine Sanctuaries Act laws that have made fisheries more sustainable and productive by protecting vulnerable sea life and valuable ocean habitat are major, major amendments.

These amendments are also unnecessary. NOAA recently announced that the value of U.S. fisheries has reached an all-time high, while the number of overfished stock has reached an all-time low. We should celebrate these gains, but also recognize we have room for improvement.

Not all fisheries have received the benefit of the transition to the sustainable harvest levels because transition is still underway. For example, overfishing of Atlantic cod in New England waters occurred in 2013 and 2014, despite the Magnuson mandate to end overfishing. The science-based conservation measures in the law will end this overfishing, rebuild the stocks, but not if the bill before us were to become law.

We must stay the course: fully rebuild fisheries that can contribute and will contribute $31 billion to the economy and support half a million new jobs. We cannot afford to go back to the bad old days where politics trumped science in fishery management. Instead, let's go back to the drawing board and work together on a bill to reauthorize Magnuson-Stevens and keep improving on our fisheries.

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

The CHAIR. The Committee will rise informally.

The Speaker pro tempore (Mr. MCCLINTOCK) assumed the chair.

MESSAGE FROM THE SENATE

A message from the Senate by Ms. Curtis, one of its clerks, announced that the Senate has passed bills of the

following titles in which the concurrence of the House is requested:

S. 184. An act to amend the Indian Child Protection and Family Violence Prevention Act to require background checks before foster care placements are ordered in tribal court proceedings, and for other purposes.

S. 246. An act to establish the Alyce Spotted Bear and Walter Soboleff Commission on Native Children, and for other purposes.

The SPEAKER pro tempore. The Committee will resume its sitting.

STRENGTHENING FISHING COMMUNITIES AND INCREASING FLEXIBILITY IN FISHERIES MANAGEMENT ACT

The Committee resumed its sitting.

Mr. BISHOP of Utah. Mr. Chairman, I am pleased to yield 5 minutes to the gentleman from Alaska (Mr. YOUNG), the sponsor of this piece of legislation. He is the senior member of our committee, as well as someone who knows more about this issue than probably anyone else on the floor.

Mr. YOUNG of Alaska. Thank you to the chairman of the full committee.

Mr. Chairman, history is a wonderful thing. People who went through the same experiences see things differently. For the record, I would like to correct the ranking member. While he is correct that the Magnuson bill that eventually became public law, H.R. 4946, passed the House under suspension of the rules, the original bill which passed the Natural Resources Committee, H.R. 5018, passed after a very long markup, with a vote of 26–15, with only four Democrats voting in favor of the bill. The gentleman from Arizona voted against the bill and signed dissenting views with six other Democrats. So this point that the previous reauthorization acts were noncontroversial and nonpartisan is not true. I think whoever wrote that for the gentleman ought to, again, do a little correct history.

Mr. Chairman, as one who sponsored this bill way back in 1975, and it became law in 1976, it is probably the most successful legislation that ever passed this House to create a sustainable yield of fisheries for the United States of America. And to have someone try to hijack this legislation by interest groups when all those involved—the fishermen, the recreational, the commercial, the restaurants, the conservationists that know fisheries, the State of Alaska and all other States—support the Magnuson Act and the improvements we have made in this bill—yes, we have some flexibility.

The bill would amend the Magnuson-Stevens Fisheries Conservation Act, the premier law, as I mentioned before. It allows for regional management of fisheries. The law gives guidance through its national standards and creates the process that allows the councils to develop fishery management plans. The councils provide a regional or constituent-based approach.

Remember, this is not about the government. This bill was written by this Congress for the people, not NOAA, not NMSA, not the State Department, not the Sierra Club, and not the Pew group. It was written for fishermen for sustainable yields of fish for the communities. It provides a regional concept. It is critical to the protection of coastal economies and for allowing the stakeholders to be part of the management of the fisheries.

To address the ever-changing needs of fisheries and fishing communities—and I have been through this thing four times from the original to today—the Congress has passed various amendments to this act. Changes were based on knowledge of the times gained through experience, improvements in science, and better management techniques.

In the mid-1990s, Congress addressed overfishing, included protections for habitat, improvements for fisheries science, and reductions in bycatch. These were the issues of the time, and they were addressed as needed. A factor of that time also included the lack of resources to fund stock assessments to provide needed data to the regional fishery management councils, something that continues to be an issue today.

Mr. Chairman, a lot of decisions are made without science. The act was last amended in 2007. Congress included measures to set science-based annual catch limits to prevent overfishing, including a requirement to end overfishing within 2 years. Accountability measures were adopted, which meant harvest reductions if harvest levels were exceeded. According to the National Marine Fisheries Service, we have now reached the point where overfishing has effectively ended in this country.

H.R. 1335 started being developed 4 years ago. The committee held over a dozen hearings, with testimony from over 100 witnesses. As with past reauthorizations and in line with a main purpose of the act—to balance conservation with economic use of the resource—H.R. 1335 follows a middle road.

While many today may complain the bill's flexibility rolls back scientific protections, that is just not accurate. The flexibility in the bill is based on science. Rebuilding of fish stocks will be based on the biology of fish stock. Harvest levels will still be based on science and at levels where overfishing will not occur. The regional councils will continue to follow recommendations of their Science and Statistical Committee.

Mr. Chairman, during every reauthorization cycle, the Magnuson-Stevens Act is updated to be closely in sync with current-day science, management techniques, and knowledge. As the fishermen, communities, the councils, and fishery managers develop better techniques and learn lessons from implementing the law, Congress can take that knowledge to improve that law.

Flexibility is cornerstone of the law. The Magnuson-Stevens Act promotes regional flexibility recognizing differing ocean conditions, variations in regional fisheries, different harvesting methods and management techniques, and distinct community impacts.

Again, I want to stress this, Mr. Chairman. This bill was written for fish and communities, not all these other interest groups. As I said in the Rules Committee, I will not stand by and watch other interest groups hijack this piece of legislation, taking away the sustainable concept of our fisheries and the healthy concept of our fisheries and the healthy concept of our communities for other reasons and other causes. If you want to do that, do it in an independent legislation. We don't need any ocean antiquity acts.

The CHAIR. The time of the gentleman has expired.

Mr. BISHOP of Utah. Mr. Chairman, I yield the gentleman an additional 1 minute.

Mr. YOUNG of Alaska. Mr. Chairman, we don't need any sanctuaries in this bill. We don't need some outside groups telling the fishermen, the communities, and the scientists—it is our belief—when they know little about it.

I happen to have the largest coastline in the whole of the United States all put together, and we have done the job we should be able to do. This bill makes this job easier for the United States of America for giving us the ability to have a sustainable yield of fish and the communities to be taken care of.

With that, Mr. Chairman, I strongly urge the passage of this legislation.

Mr. GRIJALVA. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I agree with the distinguished chairman, Mr. YOUNG, that the Magnuson Act is working and that we should leave it alone and allow it to work. The inclusion of previous reauthorizations of the Alaskan model, science-based, has been a key reason why it continues to work.

Mr. Chairman, I yield 2½ minutes to the gentlewoman from California (Mrs. CAPPS), my colleague.

Mrs. CAPPS. Mr. Chairman, I thank my colleague for yielding.

Mr. Chairman, I rise today in strong opposition to H.R. 1335, which would undermine the proven and effective management of our Nation's fisheries. For nearly 40 years, the Magnuson-Stevens Fishery Conservation and Management Act, MSA, has worked to protect America's fisheries and coastal economies. In more recent years, it has

established programs to protect and restore depleted fish stocks, ensuring these resources will be around for years to come. And, Mr. Chairman, these programs are working. In fact, last year marked the lowest number of fishery stocks subject to overfishing or overfished.

Ensuring that fish stocks are healthy is essential to the long-term success of the fishing industry and to food and job security. But protecting and restoring these stocks require that we both acknowledge the need to manage our fisheries and fund the science necessary to properly assess their health. Unfortunately, H.R. 1335 does just the opposite.

Instead of working in a bipartisan manner to improve and modernize MSA, H.R. 1335 would dismiss and roll back existing effective management efforts. It would weaken proven management standards. It would reduce the efficacy of fish stock rebuilding programs, and it will undermine existing laws that work in concert with MSA to protect our fisheries. And it would create gaping loopholes that allow for overfishing and mismanagement under the guise of increasing flexibility. These misguided provisions would threaten the viability of an entire industry and harm the health of our oceans simply to benefit a few special interests.

Mr. Chairman, effective fishery management ensures a sustainable industry by accounting for uncertainty and environmental change. And MSA works hand in hand with other environmental legislation to ensure the long-term viability of fishery resources. Yet H.R. 1335 needlessly unravels this well-balanced system by undercutting other existing protections under key longstanding laws like the National Marine Sanctuaries Act, like the Endangered Species Act and the National Environmental Policy Act.

Mr. Chairman, there is bipartisan agreement on the need to protect and promote America's fishermen and the fishing industry, but rather than building on what is already working under current law, this bill would gut the proven management system that is currently in place.

We should work together and be striving to enhance smart, effective management and provide the resources our Nation's fishing communities are asking for. H.R. 1335 is shortsighted and counterproductive, and I urge all my colleagues to oppose it.

Mr. BISHOP of Utah. Mr. Chairman, I yield 3 minutes to the gentleman from Virginia (Mr. WITTMAN) to further speak about a position or an issue that has the support of the recreation community and the industry at the same time, which is unique. He is one of the senior members of our committee.

Mr. WITTMAN. Mr. Chairman, as co-chairman of the Congressional Sportsmen's Caucus, I rise in strong support of H.R. 1335, the Strengthening Fishing Communities and Increasing Flexibility in Fisheries Management Act, and would like to thank my colleagues, Chairman ROB BISHOP and Subcommittee Chairman DON YOUNG, for all their efforts to bring this important piece of legislation to the House floor for a vote.

Mr. Chairman, according to the latest report released by the National Oceanic and Atmospheric Administration, in 2012, the U.S. domestic seafood industry had a sales impact of $141 billion and supported approximately 1.3 million jobs. H.R. 1335 makes the necessary reforms to support these jobs and our fishermen by promoting better science and requiring State and local data to be considered in Federal decisionmaking about fisheries.

Last year I spoke with commercial fishermen from the Pacific Coast, Atlantic Coast, and the Gulf of Mexico, and the common theme in our discussions was the need for better data and scientific analysis to improve management.

The U.S. has a long and profitable heritage in fishing. To continue that heritage, we need to have quality, diverse data and scientific analysis to facilitate educated decisionmaking on fishery management. H.R. 1335 allows for just that.

Mr. Chairman, the bill increases transparency and provides much-needed flexibility in the law for fishery managers to properly consider the environmental and economic impacts of decisions affecting fishing communities. And it is important to note that H.R. 1335 makes all of these key reforms to fisheries management without authorizing any new additional Federal spending. We can do the job with the existing resources.

This bill also makes great strides in the saltwater recreational fisheries. Saltwater recreational fishing alone has a $70 billion impact on our Nation's economy and supports over 454,000 jobs. Marinas, grocery stores, restaurants, motels, lodges, tackle shops, boat dealerships, clothing manufacturers, gas stations, and a host of other businesses and entities benefit from the money spent by recreational anglers.

□ 1600

This industry does not just impact coastal communities but enables job creation and robust economic development in a variety of regions across the country.

Improving recreational data collection and a transparent review of allocations in the Southeast are all great tools that H.R. 1335 gives NOAA to effectively manage a recreational industry that is a significant economic player in the United States economy.

H.R. 1335 is widely supported by a coalition of sportsmen and conservation groups, including the Congressional Sportsmen's Foundation and the Center for Coastal Conservation.

I urge my colleagues to vote ''yes'' on H.R. 1335 in support of access to our Nation's resources and the 1.3 million jobs that are supported by fishing.

Mr. GRIJALVA. Mr. Chairman, I yield myself such time as I may consume.

In addition to more than 100 commercial and recreational fishing groups and related businesses that have all opposed this legislation from the Atlantic Coast, Pacific Coast, the Gulf of Mexico, and related fishery and commercial areas, John Sackton, Seafood News, a respected market analyst for seafood, said that this act is a ''recipe for overfishing, unsustainability, and would move U.S. world-class fisheries management backwards.''

I yield 2 minutes to the gentlewoman from Michigan (Mrs. DINGELL), ranking member of the Oversight and Investigations Subcommittee for the Natural Resources Committee.

Mrs. DINGELL. Mr. Chairman, I thank my colleague for yielding.

I rise in opposition to H.R. 1335, legislation that is very important to reauthorize the historically bipartisan Magnuson-Stevens Act.

While I have nothing but the utmost respect for my colleague from Alaska (Mr. YOUNG), I am afraid that I fear that this legislation would take our fisheries management system in the wrong direction.

The bottom line is Magnuson-Stevens is working today. U.S. fisheries have been remarkably successful since the last reauthorization in 2007, and if it isn't broken, why should we try to fix it?

According to NOAA, 37 important fish stocks have been rebuilt to healthy population levels since 2000, and the number of stocks subject to overfishing has been cut nearly in half since 2006.

H.R. 1335 would eliminate critical conservation tools that have been essential to our recent success and would also undermine critical environmental laws like the National Environmental Policy Act and the Endangered Species Act. I hope that we can work towards a compromise so that Magnuson-Stevens can be reauthorized in a bipartisan manner, as the last two bills were. Until then, I urge my colleagues to join me in opposing H.R. 1335.

Mr. BISHOP of Utah. Mr. Chairman, I am happy to yield 2 minutes to the gentleman from Georgia (Mr. JODY B. HICE), another great worker and a member of our committee.

Mr. JODY B. HICE of Georgia. Mr. Chairman, I rise in strong support of H.R. 1335, the Strengthening Fishing Communities and Increasing Flexibility in Fisheries Management Act.

Mr. Chairman, I would, first of all, like to thank the bill's sponsor, our

colleague from Alaska (Mr. YOUNG), for his continued leadership on this important issue. Additionally, I commend Chairman BISHOP for ensuring that this bill has gone through regular order while being considered by the Natural Resources Committee.

H.R. 1335 makes necessary improvements to the Magnuson-Stevens Act. As you know, Mr. Chairman, our U.S. commercial fishermen generated $5.1 billion in revenue between 2012 and 2014, and I know that with these necessary changes and improvements our fishermen will be able to contribute even more to our economy.

In addition to the impact that H.R. 1335 has had on our commercial fishing industry, this legislation also has a strong impact on the recreational side of the industry. For an industry that generates $58 billion in sales while supporting nearly 400,000 jobs, H.R. 1335 encourages our local professionals to have a more active role in determining regulatory measures rather than the one-size-fits-all management approach that has been used in the past.

Furthermore, H.R. 1335 will also adjust the method of counting red snapper mortality. This is an important issue for the recreational fishermen because it will increase access to the waters in the Gulf of Mexico so that our Nation's sportsmen have the ability to enjoy our natural resources while making valuable contributions to the economy at the same time.

Mr. Chairman, this legislation has been crafted in a delicate way to ensure the necessary balance between our commercial and recreational fishermen. Both sides of the fishing industry will benefit from this bill and provide our States with more input.

I urge my colleagues to support H.R. 1335.

Mr. GRIJALVA. Mr. Chairman, I yield 3 minutes to the gentleman from New Jersey (Mr. PALLONE).

Mr. PALLONE. Mr. Chairman, I rise in opposition to H.R. 1335, the Magnuson-Stevens Act reauthorization before us today.

Management of fisheries in the United States is extremely important, especially in my home State of New Jersey, where the fishing industry is an important economic driver of the State's economy, generating billions of dollars a year in revenue and supporting tens of thousands of jobs.

This bill passed out of the House Natural Resources Committee without a single Democratic vote, and President Obama has threatened to veto it. This doesn't need to be a partisan issue. We should be working together in a bipartisan fashion to make commonsense reforms to Magnuson-Stevens.

There are important fishery management reforms in this bill that I strongly support, such as the flexibility language and modifications to the annual catch limit requirements. However, I am troubled by the language in the bill that makes unnecessary changes to NEPA, the Endangered Species Act, the National Marine Sanctuaries Act, and the Antiquities Act.

This bill would vest much of the authority over these statutes in the fishery management councils instead of with the appropriate Federal agency. It is not appropriate to vest regulatory authority for these purposes in a body like a fishery management council.

Fishery managers play an important role in crafting fishery management measures in consultation with NOAA fisheries. Yet, they lack the expertise to appropriately review and analyze the impacts and requirements of NEPA or the Endangered Species Act.

The legislation, Mr. Chairman, does include specific language I authored on recreational data collection, and I would like to thank the authors for including this important section. The goal of this language is to ensure the fishery management councils are collecting the best information possible about recreational fishing. It would implement a grant program to allow States to improve recreational data collection and require the National Research Council to issue a report on improvements that have been made and need to be made with recreational fishing data collection and surveying. This will help us understand what is actually happening with fishing in any given year and ensure that we aren't needlessly closing healthy fisheries.

Mr. Chairman, there are positive reforms to Magnuson-Stevens in this legislation, but unfortunately it weakens important environmental laws such as NEPA and the ESA in the process. I think that is unfortunate. I wish we could have had a bipartisan bill that actually reforms Magnuson-Stevens in a preferable way.

Mr. BISHOP of Utah. Mr. Chairman, I yield myself such time as I may consume.

I appreciate the gentleman from New Jersey joining us here. I have to admit in somewhat chagrin, I quoted you earlier in my speech when you were saying something very positive about this bill last time around. But I would also like to state for the record the concept of the Garden State Seafood Association, which is from your home State of New Jersey and which also supports this bill, as they had said simply that it adjusts ''certain specific problematic regulations that have not proven to function as intended since they were added or amended in the last reauthorization a decade ago.''

There are problems with the status quo this bill fixes.

I yield 3 minutes to the gentleman from South Carolina (Mr. DUNCAN), also a farm worker of our committee, and with appreciation for an amendment that he added in committee that made a significant impact, especially for the recreational fisheries of America.

Mr. DUNCAN of South Carolina. Mr. Chairman, I want to thank the chairman of the committee.

I rise today in support of H.R. 1335, the Strengthening Fishing Communities and Increasing Flexibility in Fisheries Management Act.

I want to thank my colleagues on the Natural Resources Committee for including my amendment in support of the findings of the Morris-Deal Commission.

One of the top priorities of the Morris-Deal Commission was requiring a review, and adjustment if warranted, of the allocations of mixed-sector fisheries.

Despite the tremendous importance that allocation decisions have in maximizing the benefits that our fisheries provide to the Nation, Federal fisheries managers have refused to revisit allocations—most of which were determined decades ago—primarily because of a lack of clear guidance on how decisions should be made and because these decisions are inherently difficult.

My amendment included in the committee text would prompt the development of criteria that should be considered in allocation decisions and require periodic allocation reviews. The language does not prescribe any specific shifts in existing allocations but rather a science-based review and potential adjustment if needed.

Recognizing the high number of important recreational fisheries in the region, the geographic scope of this provision is limited to just the South Atlantic and the Gulf of Mexico.

You see the poster beside me. As vice chairman of the Congressional Sportsmen's Caucus, I represent 1.3 million anglers in the organizations on this poster that they belong to that support this bill.

Let us be clear: the goal here is to allow more fishermen, whether they are commercial fishermen or recreational anglers, to be able to take more fish in a responsible manner. We want policy based on sound science compatible with the facts in the water, not the uninformed opinions of an agenda-driven desk jockey bureaucrat in Washington, D.C.

This provision was in the MSA reauthorization bills introduced by Senators RUBIO and Begich in the 113th Congress.

Again, I want to thank my colleagues on the Natural Resources Committee for helping include this language, and I urge passage of the final bill. This is common sense to reauthorize Magnuson-Stevens. The gentleman from Alaska has done a tremendous job on this, and I urge passage.

Mr. GRIJALVA. Mr. Chairman, I yield 2 minutes to the gentlewoman from Maine (Ms. PINGREE).

Ms. PINGREE. Mr. Chairman, I thank Mr. GRIJALVA for the time.

I rise to support the reauthorization of the Magnuson-Stevens Act, but not the bill we have before us today.

Like many of my colleagues here in Congress who represent coastal States, I know the importance of a vibrant fishery and the importance of Federal policy in this area that keeps our Nation's fisheries moving forward. I live on a small offshore island, and many of my neighbors make their living as fishermen, as do many of my constituents.

The most lucrative fishery in my area is for lobsters, and it is one of the most successful and sustainable fisheries in America because lobstermen and -women have taken the long-term view.

It is so successful and so sustainable because it has been carefully regulated for decades. Strict rules have led to bigger and bigger catches and rising income for fishermen.

This fishery is proof that building a strong fishery happens first by ensuring there is a resource for fishermen to harvest.

Iconic species like haddock and pollock have been devastated by overfishing. They can still make a comeback, but not if we turn our backs on them and the fishermen who depend on them.

The collapse of many of these fisheries has taken its toll on fishing families and fishing communities, but slowly rebuilding these species is rebuilding our hope for the future.

Now is not the time to abandon these efforts. Now is not the time to give up on the progress we have already made.

The only way to guarantee healthy fishing communities over the long term is to rebuild the fish stocks using science-based methods, and I would ask my colleagues to support more funding for science.

The future of many coastal communities is based on sustainable fisheries, not rolling back management systems that give just a few fishermen a short-term boost.

I urge my colleagues to support many of the amendments that will be on the floor this afternoon that will try to improve this legislation, and I urge a ''no'' vote on the underlying bill.

□ 1615

Mr. BISHOP of Utah. Mr. Chairman, I am pleased to yield 2 minutes to the gentleman from New Jersey (Mr. MACARTHUR), another hard-working member of our committee.

Mr. MACARTHUR. Mr. Chairman, there are probably almost as many boats as people in my district, and that is because I represent one of the most beautiful stretches of the Atlantic Ocean, from north to south, the southern part of the Jersey Shore.

I have thousands of charter and commercial fishermen and tens of thousands of recreational fishermen who either make their living from the sea or get some respite and go out and do some recreational fishing.

I hear from them all the time that the current Magnuson-Stevens Act is simply not working any more for them. It is outdated. It is arbitrary. We are continuing to protect fish stocks that have been completely rebuilt, and it is based on knee jerk, not sound science today. It is desperately in need of reform.

The economic impact in my State alone is $1.3 billion from the recreational side and over $2 billion from the commercial side. It is 30,000 jobs. There is nobody who lives along the coast who wants to go back to the Wild West days when anyone can catch whatever they want and destroy the fish stocks. Nobody wants that, but the current system is not working, and it needs to be reformed. This is a good bill that offers real solutions.

It preserves fish stocks; yet it recognizes the needs of our fishermen, and it relies on fact-based science. An amendment that I proposed and I am particularly pleased with is that it encourages marine students to be involved in the data collection, and it requires the government to look to them for that. We can do it at a lower cost and with better results.

I encourage my colleagues not to let the perfect become the enemy of the good. It is a good bill, and it deserves to be approved. I urge my colleagues to stand behind it.

Mr. GRIJALVA. Mr. Chairman, I yield 2 minutes to the gentlewoman from Florida (Ms. GRAHAM).

Ms. GRAHAM. Mr. Chairman, in the panhandle of north Florida, red snapper is a way of life. Thousands of commercial fishermen and charter boat captains depend on a healthy catch to make a living.

Tens of thousands of recreational fishermen spend their free time and are personally invested in fishing, and hundreds of restaurants serve red snapper to hundreds of thousands of visitors to the area every year. Seafood is a $7 billion industry the Gulf, and red snapper is a big part of it.

Like any valuable asset, we need to preserve our fisheries for future generations. I applaud the chairman and the ranking member for opening this dialogue about how we can improve current law, protect our ocean resources, and best serve our constituents. Unfortunately, I think this bill falls short in its current form.

My constituents tell me there are more red snapper in the Gulf than there have been in a long time. I think that shows, at least in part, that this law is working, but I also hear of widespread distrust of the system and of the data that the system produces. In that regard, Magnuson isn't working nearly as well as it could, and I want to recognize some of the healthy reforms in this bill that could improve the situation.

It is an extraordinary challenge to count all of the fish in the sea—it is nearly as hard to count how many fish are being caught—but I think we could do both better by getting the States and stakeholders more involved and by promoting modern electronic monitoring technologies as this bill does.

Despite those good provisions, Florida would not be Florida without ample opportunities for recreational fishing and a robust commercial fishing sector. While current law isn't perfect, I think the contentious nature of this floor debate is a good indication that this bill isn't going to do anything to narrow the divisions between sectors.

The CHAIR. The time of the gentlewoman has expired.

Mr. GRIJALVA. I yield the gentlewoman an additional 30 seconds.

Ms. GRAHAM. The better alternative is to keep doing what is working and to improve data collection techniques where they are lacking.

To that end, I am proud to support an increase of $10 million, included in the CJS appropriations bill, aimed at improving the stock assessments and research needs for Gulf of Mexico fish stocks. These are the kinds of efforts that build real confidence in the fishery. I look forward to a meaningful conversation about how we can work together going forward.

Mr. BISHOP of Utah. Mr. Chairman, I appreciate the courtesy you gave to the gentlewoman from Florida in allowing her to finish her statement. She illustrates very clearly how the problems that exist are structural problems that can't simply be solved if we just add more money to the situation.

To further that issue, I yield 4 minutes to the gentleman from Texas (Mr. WEBER).

Mr. WEBER of Texas. Mr. Chairman, I thank the gentlewoman from Florida for her comments.

In Texas, we have a great snapper fishing industry as well—anglers, recreational. We have charter boat captains. We have a lot of commercial industry as well. By the way, my daughter and first three grandchildren live in Florida, so Florida is my second home.

Mr. Chairman, I rise to talk about H.R. 1335 and a proposed amendment by the gentleman from Louisiana, my great friend, GARRET GRAVES, to change the snapper fishing system.

The problem is that the plan that has been developed in his amendment is actually a plan that was developed by five people in secrecy who want to change the way NOAA does things and turn it over to the five States. That is a bad idea, and I will tell you why for just a whole bunch of reasons.

The current plan has been working since 2007, which actually doubled the population of snapper. Indeed, it has provided a 30 percent increase in the

quota this very season. Businesses have been working all along the Texas coast and—to my gentlewoman friend from Florida—the Florida coast and the whole Gulf Coast area to develop lasting fisheries because their livelihoods depend on it.

Mr. Chairman, I am an air conditioning contractor. We have an air conditioning commission there in Texas that regulates us. We want people on that commission who understand the HVAC industry. We do everything in the industry to promote the industry, to make sure that we have a good, stable industry that takes care of customers in Texas.

I have to know and believe that it is the same way about the fishing industry. They want the fisheries to last. Restaurants depend on it. Americans depend on it. It is not just the anglers but those who want to go eat at some of the restaurants the gentlewoman from Florida referenced. There are a lot of groups opposed to Mr. GRAVES' amendment—the National Restaurant Association, the Texas Restaurant Association. Mr. Chairman, I have a list of 42 others.

Gulf red snapper is an American treasure, and it should be accessible to all, not just to those who can get a boat and a trailer and go fish for themselves. They ought to be available to all of the restaurants. We have heard the facts and figures about the number of jobs and the amount of revenue that have been brought in and how big that industry is.

My good friend from Louisiana, Dr. JOHN FLEMING, who is a member of the committee, has publicly stated that some tweaking is needed, but by all three groups of stakeholders: charter boat fishing, the commercial fishing industry, and the individual anglers. I heard with my own ears the chairman of the Natural Resources Committee state his willingness to work with all three groups in the coming days.

Mr. Chairman, government should not be in the business of picking winners and losers. To allow the group of five States to implement a plan—an unknown plan, I might add—would only put pressure on those individual States to outsupply the other States with a longer fishing season to attract anglers, tourists, and their money to outcompete the other States.

Fisheries would be devastated, and the livelihoods, jobs, and markets that are supplying red snapper to restaurants all across the country would be gone. Ultimately, it is the American consumers, who have come to like the local seafood, who would be disenfranchised, not to mention the businesses that supply them.

Let's not throw the baby out with the bathwater or, dare I say, the fish with the saltwater. Let's bring all parties together in a thoughtful, deliberate, meaningful discussion that benefits all involved, not just a few.

For this reason, Mr. Chairman, I urge my colleagues to vote against the gentleman from Louisiana's amendment, well intentioned though it may be.

Mr. GRIJALVA. Mr. Chairman, may I inquire as to how much time remains?

The CHAIR. The gentleman from Arizona has 14 minutes remaining.

Mr. GRIJALVA. Mr. Chairman, I yield 2 minutes to my esteemed colleague from California (Mr. LOWENTHAL), a member of the Natural Resources Committee.

Mr. LOWENTHAL. Mr. Chairman, if gutting the successful conservation provisions of Magnuson were not enough, the problem also is that this bill will also weaken other bedrock environmental laws.

First, it makes Magnuson then in this reauthorization the controlling statute in the case of any kind of conflict with the Antiquities Act or the National Marine Sanctuaries Act.

If we think about this, there is no rationale for giving the councils that are authorized in Magnuson the authority to regulate fishing in marine sanctuaries or in monuments. Those areas represent just a tiny fraction of U.S. waters, and now, they are managed by scientists and other staff who consider more than just fishing interests.

We are really here to understand how do we balance fishing with the other purposes in order to protect vulnerable species and habitats. For the same reason that we don't allow State fish and game departments to make decisions about hunting in national parks or monuments on land, which we don't allow, these councils should not make decisions about fishing in our parks, our national marine sanctuaries, or in our national monuments at sea, but that is not enough.

The bill also takes a swipe at the Endangered Species Act by requiring these councils, not Federal agencies which are now responsible for the recovery of species, to implement the fishery restrictions necessary for Endangered Species compliance. These councils lack expertise, and they lack the resources to implement the Endangered Species Act.

What are we going to end up with? We are going to end up with recoveries that are going to be delayed, and the negative impacts to fishing communities are going to be prolonged, just the very thing that we wish not to happen.

The CHAIR. The time of the gentleman has expired.

Mr. GRIJALVA. Mr. Chairman, I yield the gentleman an additional 1 minute.

Mr. LOWENTHAL. As I said before, these assaults on key conservation laws are far outside the scope of a fisheries bill. We are really talking about a fisheries bill. We should not be talking about gutting key conservation laws.

It is unfortunate that an historically bipartisan effort like the Magnuson reauthorization has now become the subject of an antienvironmental crusade.

Mr. BISHOP of Utah. Mr. Chairman, I yield 2 minutes to the gentleman from Georgia (Mr. AUSTIN SCOTT), who will address an issue that will be part of this bill and the discussion as it comes up.

Mr. AUSTIN SCOTT of Georgia. I thank the chairman, and I would also like to thank DON YOUNG for helping those of us recreational anglers as we try to remedy an injustice that has been done to the American sportsmen of the Gulf of Mexico.

I have listened to some of my colleagues say we should be fair and people should come to the table. Let me tell you what is happening at the table.

Mr. Chairman, the commercial fishermen get to fish 365 days a year for red snapper in the Gulf of Mexico. They get to use long lines and winches; yet the National Marine Fisheries Services and Dr. Roy Crabtree, through the Gulf Council, have chosen to limit to 10 days the man and the woman who just want to take their kid fishing, 10 days.

They think, by expanding the recreational season back to where it was before, that somehow that would hurt the fish in the Gulf of Mexico.

□ 1630

Now they tell us that the reason they have had to cut us to 10 days is because there are so many more fish today and they are so much larger today that the recreational fishermen simply catch them much faster.

Well, in 2007, the recreational angler had 194 days to fish with their families in the Gulf of Mexico—194 days. In 8 years, they have taken the American family, the American sportsman, down to simply 10 days. It is proof that the American sportsman doesn't have a chance with the Federal Government in charge of the rulemaking process in the Gulf of Mexico with regard to the recreational snapper season.

The Garrett amendment, which I support, as I support the chairman's main piece of legislation, would simply give the States the right to set, based on science—not some arbitrary number, but based on science—the recreational seasons and bag limits for the recreational angler in the Gulf of Mexico.

Mr. Chairman, that is the only way—that is the only way—that the recreational season will be restored as we, the recreational anglers, were promised it would be restored when the stocks came back.

Now, one of the things I think we also need to discuss as we go forward with regard to snapper is who do the snapper belong to.

The CHAIR. The time of the gentleman has expired.

Mr. BISHOP of Utah. I yield an additional 30 seconds to the gentleman.

Mr. AUSTIN SCOTT of Georgia. Mr. Chairman, there are about 300 people

that are currently allocated about 50 percent of the fish, the red snapper, in the Gulf of Mexico. When the commercial quota goes up, they automatically get an increase. Those fish belong to the public, and I think it is time to discuss whether or not any increase in the commercial quota should actually come and be auctioned as any other public resource would be when we made those additional resources available.

For now, the Garrett amendment goes a long way towards restoring the rights of the American angler, and I certainly hope that this House will support it.

Mr. GRIJALVA. Mr. Chairman, I yield myself such time as I may consume.

In closing, Congress first enacted the Fishery Conservation and Management Act in 1976, and the primary goals were two: to end the unregulated fishing by foreign fleets in U.S. waters, and to develop our domestic fleets that could reap the economic benefits of all the fishery resources, considerable resources that our Nation had.

The law worked. Foreign fishing was phased out and investments in domestic fleets were increased. Unfortunately, this capitalization worked so well that domestic fishing soon replaced foreign fleets in overexploiting U.S. fisheries.

In 1996 to 2007, the reauthorizations were enacted to end overfishing, period, promote rebuilding of overfished stocks, protect fish habitats, improve fisheries and habitats, and minimize bycatch. These changes ended overfishing in nearly all fisheries and put overfished stocks on a path to rebuilding. Most important, they insulated fishery management councils from pressure to make politically driven decisions that hurt fishing communities in the long run.

Contrary to those previous reauthorizations, H.R. 1335 was developed with very little input from Democrats and was ordered reported on a party line. I should note, at the last reauthorization, the other body made significant changes to the House-passed legislation and created a more bipartisan template that many of us could support.

The supporters of this bill will argue that the requirement to rebuild overfished stocks needs more flexibility, but the Magnuson Act has already proven to be plenty flexible. The law allows councils to delay rebuilding when the biology of the stock environmental conditions or international management considerations present challenges. Because of these broad but fair exemptions, more than 50 percent of all overfished stocks have rebuilding plans longer than a 10-year baseline in the act.

Further, current law gives councils 2 years to put a rebuilding plan in place and an additional year to reduce, rather than end, overfishing. That is 3 years of lead time before significant harvest restrictions go into effect.

What is more, the act only requires a rebuilding plan to have a 50 percent likelihood of success. If a council loses this coin flip, it does not have to shut down the fishery; instead, it has to start over. This is exactly how things have played out over the past few years with Atlantic cod in New England, where many argue the act has been too flexible.

History shows us that when councils have an excuse to delay rebuilding overfished stocks, the job will never get done. This bill makes up the following excuses that allow councils to avoid rebuilding:

It is too hard to work with other countries that may be impacting the stock of the fish, so we should just catch more, too, and deplete the stock faster;

The stock of the fish cannot be rebuilt by only limited fishing, so there is no point to trying to limit fishing if the effort is 99 percent of the problem;

It is inconvenient to rebuild the overfished stocks that swim with healthy stocks, so we should just keep catching the weak ones until they are listed under the Endangered Species Act;

And my personal favorite, there are unusual events that make rebuilding more difficult.

These excuses are each bad enough alone, but together they would render the rebuilding requirements of Magnuson completely meaningless. This bill would not give the Magnuson Act more flexibility; it would break it. With that, I urge a ''no'' vote on the legislation.

I yield back the balance of my time.

Mr. BISHOP of Utah. Mr. Chairman, I yield myself such time as I may consume.

There are some agencies of government that, if a bird were to fly over the Capitol, they would claim credit for it. That, perhaps, is one of the situations in which we find ourselves today. The problem is the status quo is not effective; it is not working.

Those who work and live in this area deal with this industry. They recognize that there is something that needs to be changed. That is why, as I stated earlier, the Garden State Seafood Association said there are problematic regulations that have not proven to function as intended—that is, in the status quo—while the National Fisheries Institute, another group that actually supports this bill, wants to do so because it would more effectively coordinate with the councils who are currently there.

We have a situation right now in which Southerners have spoken here—the gentleman from Texas, the gentlewoman from Florida—about problems that exist within the status quo. We are presenting, now, a bill that is supported by those who are working in the industry, supported by those who are commercial fishermen, and it is also supported by all the groups that represent the recreational fishers. They realize that this bill needs more flexibility.

To have a standard 10-year plan for every species when some of those species don't last 10 years is silly; it lacks common sense. We need to do that. There needs to be transparency, as some decisions are made behind closed doors. This bill mandates that that would not be the case. It needs to make sure that scientific data from all sources is used and recognized. That is not happening in the status quo. There needs to be the ability of cutting red tape.

Some people have talked about the change of NEPA without recognizing first that the law already mandates a similar process to NEPA, which has the exact same information. Requiring all these agencies to go through their process and then go through NEPA does not add to effectiveness or efficiency but does add to the opportunity of greater litigation costs.

All those issues are addressed in this particular bill. It needs to be reauthorized. We need to move forward. This is one of the bills that has taken a long time. It is 4 years in the process, with lots of discussion, lots of amendments. We are now moving this bill forward so it can go to the Senate. They can work their will. We can come back to a conference if necessary, but we must move forward in this for the benefit of the communities that use this area as their livelihood as well as this area as their recreation. The present system has flaws that need to be fixed.

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

Mr. THOMPSON of California. Mr. Chair, I rise today in opposition to H.R. 1335, the Strengthening Fishing Communities and Increasing Flexibility in Fisheries Management Act. This short-sighted legislation undermines the longterm sustainability of fish populations putting fish stocks, coastal communities, and our nation's economy at risk.

In California, we are fortunate to have access to one of the world's most productive marine ecosystems. The California Current system drives highly productive fisheries that support 158,000 jobs and more than $25 billion annually in commercial and recreational sales impacts. Nationwide, fisheries generated $199 billion in sales impacts in 2012 and provided 1.7 million jobs. Commercial and recreational fisheries are a critical part of this nation's economy whose continued prosperity depends on getting fisheries management right.

In 2015, California entered its fourth year of extreme drought. This winter's snowpack levels were the lowest since 1950 and precipitation levels are at critical lows. That spells bad news for California salmon. High water temperatures lead to poor survival and low flows leave salmon stranded in drying pools. Unfortunately, this is not the first time we have

faced this problem. In 2008, low flows and high in-stream temperatures coupled with low ocean productivity caused a crash in salmon populations, and for the first time since 1848, the California salmon fishery was closed and declared a federal fishery disaster. The Pacific Fishery Management Council had already prepared a fishery management plan for salmon, in accordance with the Magnuson-Stevens Fishery Conservation and Management Act (MSA) guidelines, that prompted the fishery closure and set strict limits on harvest while the stock was rebuilding. Since the closure, salmon fisheries have rebounded, due in no small part to the swift action of the Council under the fishery management plan and rebuilding guidelines established by the MSA.

While we cannot make it rain in California, we can ensure that well-informed management of offshore salmon fisheries do not jeopardize the sustainability of this commercially-valuable species. The more fish we conserve in the ocean, the more return to streams to spawn, increasing our chances of making it through this drought with a salmon fishery intact.

The fact is, MSA is working. The implementation of stock rebuilding plans and annual catch limits have resulted in the recovery of 37 fish stocks since 2000. NOAA's 2014 Status of Stocks report indicates that fish stocks that are overfished or subject to overfishing are at an all-time low. This is a far cry from the over-exploited, overcapitalized fisheries of the past. We should be moving forward to build on those successes, not rolling them back. Since 2006, commercial fisheries revenue has risen 43 percent, and the rebuilding of all U.S. fish stocks would provide an additional $31 billion in annual sales impacts and support 500,000 new jobs. Instead, H.R. 1335 would delay rebuilding timelines and allow exemptions to continue overfishing on depleted stocks, which is both ecologically and economically irresponsible. Current MSA provisions have proven their effectiveness in rebuilding stocks and provide the way forward for realizing our fisheries' full economic potential. There's something to be said for the old adage, ''If it's not broken, don't fix it.''

That's not to say that fisheries management should remain stagnant. Just as scientific data collection and fisheries science is changing and improving, our fisheries management statute should also change to reflect the best available science. Fisheries managers and scientists have acknowledged that there are areas for improvement, including providing more clarity and flexibility within the current statutory limits. To that end, NOAA's National Marine Fisheries Service is currently undertaking a revision of the National Standard 1 guidelines, the regulations that govern fisheries management objectives and stock rebuilding timelines, to provide greater clarity on which fish stocks require rebuilding plans, greater flexibility for rebuilding timelines, and to incorporate the latest in ecosystem-based fisheries management. The proposed revisions would address many of the concerns outlined in this bill without undermining the critical conservation measures that have led to MSA's success. The determination on how to best manage fish stocks for a sustainable, profitable future is best left to the scientists, not Members of Congress.

Our oceans are increasingly under threat from climate change and ocean acidification, making strong, effective fisheries management more critical than ever. Unfortunately, H.R. 1335 does not deliver and I urge a NO vote on H.R. 1335.

Mr. LANGEVIN. Mr. Chair, I rise today deeply disappointed that the Magnuson-Stevens reauthorization before us does not follow in its long-held tradition of thoughtful bipartisanship.

The bill before us would roll back protections our citizens enjoy under the National Environmental Policy Act, the Endangered Species Act, the National Marine Sanctuaries Act, and the Antiquities Act. This bill would remove requirements that prevent overfishing, thereby preventing us from enjoying the benefits of healthy fisheries. We cannot simply wish for more fish in the ocean, we must create the conditions that make it possible.

Magnuson should promote innovation and responsible flexibility, while ensuring we have the resources to obtain the best data possible to make informed decisions about one of our most precious economic and food resources—our fisheries.

This is the kind of flexibility my bill, the Rhode Island Fishermen's Fairness Act, would provide. My bill would create two new spots for Rhode Island on the Mid-Atlantic Fisheries Management Council.

Rhode Island lands more Mid-Atlantic-regulated species than any other state in the Mid-Atlantic region besides New Jersey. Our circumstance parallels that of Florida and North Carolina, which each have voting membership on two different fishery management councils.

The decisions of the Mid-Atlantic Council directly affect the success of Rhode Island's fishing industry and the ability of our fishermen to maintain their businesses, and they deserve a say in how those resources are managed.

We all believe that Magnuson can be improved. The last Magnuson reauthorization was a bipartisan and widely supported bill. I am sorry to say that this bill does not follow the same path, and it is not a bill I can support.

I look forward to working with Mr. GRIJALVA and my Republican colleagues on a bipartisan product which includes provisions our fishermen need and support, like H.R. 2541, the Rhode Island Fishermen's Fairness Act.

The CHAIR. All time for general debate has expired.

Pursuant to the rule, the bill shall be considered for amendment under the 5-minute rule.

In lieu of the amendment in the nature of a substitute recommended by the Committee on Natural Resources, printed in the bill, it shall be in order to consider as an original bill for the purpose of amendment under the 5-minute rule an amendment in the nature of a substitute consisting of the text of Rules Committee Print 114–16. That amendment in the nature of a substitute shall be considered as read.

The text of the amendment in the nature of a substitute is as follows:

H.R. 1335

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Strengthening Fishing Communities and Increasing Flexibility in Fisheries Management Act''.

SEC. 2. DEFINITIONS.

In this Act, any term used that is defined in section 3 of the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1802) shall have the same meaning such term has under that section.

SEC. 3. REFERENCES.

Except as otherwise specifically provided, whenever in this Act an amendment or repeal is expressed in terms of an amendment to, or repeal of, a provision, the reference shall be considered to be made to a provision of the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1801 et seq.).

SEC. 4. FLEXIBILITY IN REBUILDING FISH STOCKS.

(a) GENERAL REQUIREMENTS.—Section 304(e) (16 U.S.C. 1854(e)) is amended—

(1) in paragraph (4)—

(A) in subparagraph (A)(i), by striking ''possible'' and inserting ''practicable'';

(B) by amending subparagraph (A)(ii) to read as follows:

''(ii) may not exceed the time the stock would be rebuilt without fishing occurring plus one mean generation, except in a case in which—

''(I) the biology of the stock of fish, other environmental conditions, or management measures under an international agreement in which the United States participates dictate otherwise;

''(II) the Secretary determines that the cause of the stock being depleted is outside the jurisdiction of the Council or the rebuilding program cannot be effective only by limiting fishing activities;

''(III) the Secretary determines that one or more components of a mixed-stock fishery is depleted but cannot be rebuilt within that timeframe without significant economic harm to the fishery, or cannot be rebuilt without causing another component of the mixed-stock fishery to approach a depleted status;

''(IV) the Secretary determines that recruitment, distribution, or life history of, or fishing activities for, the stock are affected by informal transboundary agreements under which management activities outside the exclusive economic zone by another country may hinder conservation and management efforts by United States fishermen; and

''(V) the Secretary determines that the stock has been affected by unusual events that make rebuilding within the specified time period improbable without significant economic harm to fishing communities;'';

(C) by striking ''and'' after the semicolon at the end of subparagraph (B), by redesignating subparagraphs (B) and (C) as subparagraphs (C) and (D), and by inserting after subparagraph (A) the following:

''(B) take into account environmental condition including predator/prey relationships;''; and

(D) by striking the period at the end of subparagraph (D) (as so redesignated) and inserting ''; and'', and by adding at the end the following:

''(E) specify a schedule for reviewing the rebuilding targets, evaluating environmental impacts on rebuilding progress, and evaluating progress being made toward reaching rebuilding targets.''; and

(2) by adding at the end the following:

''(8) A fishery management plan, plan amendment, or proposed regulations may use alternative rebuilding strategies, including harvest control rules and fishing mortality-rate targets to the extent they are in compliance with the requirements of this Act.

''(9) A Council may terminate the application of paragraph (3) to a fishery if the Council's scientific and statistical committee determines and

the Secretary concurs that the original determination that the fishery was depleted was erroneous, either—

''(A) within the 2-year period beginning on the effective date a fishery management plan, plan amendment, or proposed regulation for a fishery under this subsection takes effect; or

''(B) within 90 days after the completion of the next stock assessment after such determination.''.

(b) EMERGENCY REGULATIONS AND INTERIM MEASURES.—Section 305(c)(3)(B) (16 U.S.C. 1855(c)(3)(B)) is amended by striking ''180 days after'' and all that follows through ''provided'' and inserting ''1 year after the date of publication, and may be extended by publication in the Federal Register for one additional period of not more than 1 year, if''.

SEC. 5. MODIFICATIONS TO THE ANNUAL CATCH LIMIT REQUIREMENT.

Section 302 (16 U.S.C. 1852) is amended by adding at the end the following:

''(m) CONSIDERATIONS FOR MODIFICATIONS TO ANNUAL CATCH LIMIT REQUIREMENTS.—

''(1) CONSIDERATION OF ECOSYSTEM AND ECONOMIC IMPACTS.—In establishing annual catch limits a Council may, consistent with section 302(h)(6), consider changes in an ecosystem and the economic needs of the fishing communities.

''(2) LIMITATIONS TO ANNUAL CATCH LIMIT REQUIREMENT FOR SPECIAL FISHERIES.—Notwithstanding subsection (h)(6), a Council is not required to develop an annual catch limit for—

''(A) an ecosystem component species;

''(B) a fishery for a species that has a life cycle of approximately 1 year, unless the Secretary has determined the fishery is subject to overfishing; or

''(C) a stock for which—

''(i) more than half of a single-year class will complete their life cycle in less than 18 months; and

''(ii) fishing mortality will have little impact on the stock.

''(3) RELATIONSHIP TO INTERNATIONAL FISHERY EFFORTS.—Each annual catch limit may, consistent with section 302(h)(6), take into account—

''(A) management measures under international agreements in which the United States participates;

''(B) informal transboundary agreements under which fishery management activities by another country outside the exclusive economic zone may hinder conservation efforts by United States fishermen for a fish species for which any of the recruitment, distribution, life history, or fishing activities are transboundary; and

''(C) in instances in which no transboundary agreement exists, activities by another country outside the exclusive economic zone that may hinder conservation efforts by United States fisherman for a fish species for which any of the recruitment, distribution, life history, or fishing activities are transboundary.

''(4) AUTHORIZATION FOR MULTISPECIES COMPLEXES AND MULTIYEAR ANNUAL CATCH LIMITS.—For purposes of subsection (h)(6), a Council may establish—

''(A) an annual catch limit for a stock complex; or

''(B) annual catch limits for each year in any continuous period that is not more than three years in duration.

''(5) ECOSYSTEM COMPONENT SPECIES DEFINED.—In this subsection the term 'ecosystem component species' means a stock of fish that is a nontarget, incidentally harvested stock of fish in a fishery, or a nontarget, incidentally harvested stock of fish that a Council or the Secretary has determined—

''(A) is not subject to overfishing, approaching a depleted condition or depleted; and

''(B) is not likely to become subject to overfishing or depleted in the absence of conservation and management measures.''.

SEC. 6. DISTINGUISHING BETWEEN OVERFISHED AND DEPLETED.

(a) DEFINITIONS.—Section 3 (16 U.S.C. 1802) is amended—

(1) in paragraph (34), by striking ''The terms 'overfishing' and 'overfished' mean'' and inserting ''The term 'overfishing' means''; and

(2) by inserting after paragraph (8) the following:

''(8a) The term 'depleted' means, with respect to a stock of fish or stock complex, that the stock or stock complex has a biomass that has declined below a level that jeopardizes the capacity of the stock or stock complex to produce maximum sustainable yield on a continuing basis.''.

(b) SUBSTITUTION OF TERM.—The Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1801 et seq.) is amended—

(1) in the heading of section 304(e), by striking ''OVERFISHED'' and inserting ''DEPLETED''; and

(2) by striking ''overfished'' each place it appears and inserting ''depleted''.

(c) CLARITY IN ANNUAL REPORT.—Section 304(e)(1) (16 U.S.C. 1854(e)(1)) is amended by adding at the end the following: ''The report shall distinguish between fisheries that are depleted (or approaching that condition) as a result of fishing and fisheries that are depleted (or approaching that condition) as a result of factors other than fishing. The report shall state, for each fishery identified as depleted or approaching that condition, whether the fishery is the target of directed fishing.''.

SEC. 7. TRANSPARENCY AND PUBLIC PROCESS.

(a) ADVICE.—Section 302(g)(1)(B) (16 U.S.C. 1852(g)(1)(B)) is amended by adding at the end the following: ''Each scientific and statistical committee shall develop such advice in a transparent manner and allow for public involvement in the process.''.

(b) MEETINGS.—Section 302(i)(2) (16 U.S.C. 1852(i)(2)) is amended by adding at the end the following:

''(G) Each Council shall make available on the Internet Web site of the Council—

''(i) to the extent practicable, a Webcast, an audio recording, or a live broadcast of each meeting of the Council, and of the Council Coordination Committee established under subsection (l), that is not closed in accordance with paragraph (3); and

''(ii) audio, video (if the meeting was in person or by video conference), or a searchable audio or written transcript of each meeting of the Council and of the meetings of committees referred to in section 302(g)(1)(B) of the Council by not later than 30 days after the conclusion of the meeting.

''(H) The Secretary shall maintain and make available to the public an archive of Council and scientific and statistical committee meeting audios, videos, and transcripts made available under clauses (i) and (ii) of subparagraph (G).''.

(c) FISHERY IMPACT STATEMENTS.—

(1) REQUIREMENT.—Section 303 (16 U.S.C. 1853) is amended—

(A) in subsection (a), by striking paragraph (9) and redesignating paragraphs (10) through (15) as paragraphs (9) through (14), respectively; and

(B) by adding at the end the following:

''(d) FISHERY IMPACT STATEMENT.—

''(1) Any fishery management plan (or fishery management plan amendment) prepared by any Council or by the Secretary pursuant to subsection (a) or (b), or proposed regulations deemed necessary pursuant to subsection (c), shall include a fishery impact statement which shall assess, specify and analyze the likely effects and impact of the proposed action on the quality of the human environment.

''(2) The fishery impact statement shall describe—

''(A) a purpose of the proposed action;

''(B) the environmental impact of the proposed action;

''(C) any adverse environmental effects which cannot be avoided should the proposed action be implemented;

''(D) a reasonable range of alternatives to the proposed action;

''(E) the relationship between short-term use of fishery resources and the enhancement of long-term productivity;

''(F) the cumulative conservation and management effects; and

''(G) economic, and social impacts of the proposed action on—

''(i) participants in the fisheries and fishing communities affected by the proposed action;

''(ii) participants in the fisheries conducted in adjacent areas under the authority of another Council, after consultation with such Council and representatives of those participants; and

''(iii) the safety of human life at sea, including whether and to what extent such measures may affect the safety of participants in the fishery.

''(3) A substantially complete fishery impact statement, which may be in draft form, shall be available not less than 14 days before the beginning of the meeting at which a Council makes its final decision on the proposal (for plans, plan amendments, or proposed regulations prepared by a Council pursuant to subsection (a) or (c)). Availability of this fishery impact statement will be announced by the methods used by the council to disseminate public information and the public and relevant government agencies will be invited to comment on the fishery impact statement.

''(4) The completed fishery impact statement shall accompany the transmittal of a fishery management plan or plan amendment as specified in section 304(a), as well as the transmittal of proposed regulations as specified in section 304(b).

''(5) The Councils shall, subject to approval by the Secretary, establish criteria to determine actions or classes of action of minor significance regarding subparagraphs (A), (B), (D), (E), and (F) of paragraph (2), for which preparation of a fishery impact statement is unnecessary and categorically excluded from the requirements of this section, and the documentation required to establish the exclusion.

''(6) The Councils shall, subject to approval by the Secretary, prepare procedures for compliance with this section that provide for timely, clear, and concise analysis that is useful to decisionmakers and the public, reduce extraneous paperwork and effectively involve the public, including—

''(A) using Council meetings to determine the scope of issues to be addressed and identifying significant issues related to the proposed action;

''(B) integration of the fishery impact statement development process with preliminary and final Council decisionmaking in a manner that provides opportunity for comment from the public and relevant government agencies prior to these decision points; and

''(C) providing scientific, technical, and legal advice at an early stage of the development of the fishery impact statement to ensure timely transmittal and Secretarial review of the proposed fishery management plan, plan amendment, or regulations to the Secretary.

''(7) Actions taken in accordance with this section are deemed to fulfill the requirements of the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) and all related implementing regulations.''.

(2) EVALUATION OF ADEQUACY.—Section 304(a)(2) (16 U.S.C. 1854(a)(2)) is amended by striking ''and'' after the semicolon at the end of subparagraph (B), striking the period at the end

of subparagraph (C) and inserting ''; and'', and by adding at the end the following:

''(D) evaluate the adequacy of the accompanying fishery impact statement as basis for fully considering the environmental impacts of implementing the fishery management plan or plan amendment.''.

(3) REVIEW OF REGULATIONS.—Section 304(b) (16 U.S.C. 1854(b)) is amended by striking so much as precedes subparagraph (A) of paragraph (1) and inserting the following:

''(b) REVIEW OF REGULATIONS.—

''(1) Upon transmittal by the Council to the Secretary of proposed regulations prepared under section 303(c), the Secretary shall immediately initiate an evaluation of the proposed regulations to determine whether they are consistent with the fishery management plan, plan amendment, this Act and other applicable law. The Secretary shall also immediately initiate an evaluation of the accompanying fishery impact statement as a basis for fully considering the environmental impacts of implementing the proposed regulations. Within 15 days of initiating such evaluation the Secretary shall make a determination and—''.

(4) EFFECT ON TIME REQUIREMENTS.—Section 305(e) (16 U.S.C. 1855(e)) is amended by inserting ''the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.),'' after ''the Regulatory Flexibility Act (5 U.S.C. 601 et seq.),''.

SEC. 8. LIMITATION ON FUTURE CATCH SHARE PROGRAMS.

(a) CATCH SHARE DEFINED.—Section 3 (16 U.S.C. 1802) is amended by inserting after paragraph (2) the following:

''(2a) The term 'catch share' means any fishery management program that allocates a specific percentage of the total allowable catch for a fishery, or a specific fishing area, to an individual, cooperative, community, processor, representative of a commercial sector, or regional fishery association established in accordance with section 303A(c)(4), or other entity.''.

(b) CATCH SHARE REFERENDUM PILOT PROGRAM.—

(1) IN GENERAL.—Section 303A(c)(6)(D) (16 U.S.C. 1853a(c)(6)(D)) is amended to read as follows:

''(D) CATCH SHARE REFERENDUM PILOT PROGRAM.—

''(i) The New England, Mid-Atlantic, South Atlantic, and Gulf of Mexico Councils may not submit a fishery management plan or amendment that creates a catch share program for a fishery, and the Secretary may not approve or implement such a plan or amendment submitted by such a Council or a secretarial plan or amendment under section 304(c) that creates such a program, unless the final program has been approved, in a referendum in accordance with this subparagraph, by a majority of the permit holders eligible to participate in the fishery. For multispecies permits in the Gulf of Mexico, any permit holder with landings from within the sector of the fishery being considered for the catch share program within the 5-year period preceding the date of the referendum and still active in fishing in the fishery shall be eligible to participate in such a referendum. If a catch share program is not approved by the requisite number of permit holders, it may be revised and submitted for approval in a subsequent referendum.

''(ii) The Secretary may, at the request of the New England Fishery Management Council, allow participation in such a referendum for a fishery under the Council's authority, by fishing vessel crewmembers who derive a significant portion of their livelihood from such fishing.

''(iii) The Secretary shall conduct a referendum under this subparagraph, including notifying all permit holders eligible to participate in the referendum and making available to them—

''(I) a copy of the proposed program;

''(II) an estimate of the costs of the program, including costs to participants;

''(III) an estimate of the amount of fish or percentage of quota each permit holder would be allocated; and

''(IV) information concerning the schedule, procedures, and eligibility requirements for the referendum process.

''(iv) For the purposes of this subparagraph, the term 'permit holder eligible to participate' only includes the holder of a permit for a fishery under which fishing has occurred in 3 of the 5 years preceding a referendum for the fishery, unless sickness, injury, or other unavoidable hardship prevented the permit holder from engaging in such fishing.

''(v) The Secretary may not implement any catch share program for any fishery managed exclusively by the Secretary unless first petitioned by a majority of those permit holders eligible to participate in the fishery.''.

(2) LIMITATION ON APPLICATION.—The amendment made by paragraph (1) shall not apply to a catch share program that is submitted to, or proposed by, the Secretary of Commerce before the date of enactment of this Act.

(3) REGULATIONS.—Before conducting a referendum under the amendment made by paragraph (1), the Secretary of Commerce shall issue regulations implementing such amendment after providing an opportunity for submission by the public of comments on the regulations.

SEC. 9. REPORT ON FEE.

Section 304(d)(2) (16 U.S.C. 1854(d)(2)) is amended by adding at the end the following:

''(D) The Secretary shall report annually on the amount collected under this paragraph from each fishery and detail how the funds were spent in the prior year on a fishery-by-fishery basis, to—

''(i) Congress; and

''(ii) each Council from whose fisheries the fee under this paragraph were collected.''.

SEC. 10. DATA COLLECTION AND DATA CONFIDENTIALITY.

(a) ELECTRONIC MONITORING.—

(1) ISSUANCE OF REGULATIONS.—

(A) REQUIREMENT.—The Secretary shall issue regulations governing the use of electronic monitoring for the purposes of monitoring fisheries that are subject to the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1801 et seq.).

(B) CONTENT.—The regulations shall—

(i) distinguish between monitoring for data collection and research purposes and monitoring for compliance and enforcement purposes; and

(ii) include minimum criteria, objectives, or performance standards for electronic monitoring.

(C) PROCESS.—In issuing the regulations the Secretary shall—

(i) consult with the Councils and fishery management commissions;

(ii) publish the proposed regulations; and

(iii) provide an opportunity for the submission by the public of comments on the proposed regulations.

(2) IMPLEMENTATION OF MONITORING.—

(A) IN GENERAL.—Subject to subparagraph (B), and after the issuance of the final regulations, a Council, or the Secretary for fisheries referred to in section 302(a)(3) of the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1852(a)(3)), may, in accordance with the regulations, on a fishery-by-fishery basis and consistent with the existing objectives and management goals of a fishery management plan and the Act for a fishery issued by the Council or the Secretary, respectively, amend such plan—

(i) to incorporate electronic monitoring as an alternative tool for data collection and monitoring purposes or for compliance and enforcement purposes (or both); and

(ii) to allow for the replacement of a percentage of on-board observers with electronic monitoring.

(B) COMPARABILITY.—Subparagraph (A) shall apply to a fishery only if the Council or Secretary, respectively, determines that such monitoring will yield comparable data collection and compliance results.

(3) PILOT PROJECTS.—Before the issuance of final regulations, a Council, or the Secretary for fisheries referred to in section 302(a)(3), may, subject to the requirements of the Magnuson-Stevens Fishery Conservation and Management Act, on a fishery-by-fishery basis, and consistent with the existing objectives and management goals of a fishery management plan for a fishery issued by the Council or the Secretary, respectively, conduct a pilot project for the use of electronic monitoring for the fishery.

(4) DEADLINE.—The Secretary shall issue final regulations under this subsection by not later than 12 months after the date of enactment of this Act.

(b) VIDEO AND ACOUSTIC SURVEY TECHNOLOGIES.—The Secretary shall work with the Regional Fishery Management Councils and nongovernmental entities to develop and implement the use pursuant to the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1801 et seq.) of video survey technologies and expanded use of acoustic survey technologies.

(c) CONFIDENTIALITY OF INFORMATION.—

(1) IN GENERAL.—Section 402(b) (16 U.S.C. 1881a(b)) is amended—

(A) in paragraph (1)—

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

''(B) to State or Marine Fisheries Commission employees as necessary for achievement of the purposes of this Act, subject to a confidentiality agreement between the State or Commission, respectively, and the Secretary that prohibits public disclosure of the identity of any person and of confidential information;'';

(ii) in subparagraph (E), by striking ''limited access'' and inserting ''catch share''; and

(iii) in subparagraph (G), by striking ''limited access'' and inserting ''catch share'';

(B) in paragraph (2)—

(i) in the matter preceding subparagraph (A), by inserting '', and information obtained through a vessel monitoring system or other technology used onboard a fishing vessel for enforcement or data collection purposes,'' after ''information'';

(ii) by striking ''or'' after the semicolon at the end of subparagraph (B); and

(iii) by striking subparagraph (C) and inserting the following:

''(C) as authorized by any regulations issued under paragraph (6) allowing the collection of observer information, pursuant to a confidentiality agreement between the observers, observer employers, and the Secretary prohibiting disclosure of the information by the observers or observer employers, in order—

''(i) to allow the sharing of observer information among observers and between observers and observer employers as necessary to train and prepare observers for deployments on specific vessels; or

''(ii) to validate the accuracy of the observer information collected; or

''(D) to other persons if the Secretary has obtained written authorization from the person who submitted such information or from the person on whose vessel the information was collected, to release such information for reasons not otherwise provided for in this subsection.'';

(C) by redesignating paragraph (3) as paragraph (6); and

(D) by inserting after paragraph (2) the following:

''(3) Any information submitted to the Secretary, a State fisheries management agency, or a Marine Fisheries Commission by any person in compliance with the requirements of this Act, including confidential information, may only be used for purposes of fisheries management and monitoring and enforcement under this Act.

''(4) The Secretary may enter into a memorandum of understanding with the heads of other Federal agencies for the sharing of confidential information to ensure safety of life at sea or for fisheries enforcement purposes, including information obtained through a vessel monitoring system or other electronic enforcement and monitoring systems, if—

''(A) the Secretary determines there is a compelling need to do so; and

''(B) the heads of the other Federal agencies agree—

''(i) to maintain the confidentiality of the information in accordance with the requirements that apply to the Secretary under this section; and

''(ii) to use the information only for the purposes for which it was shared with the agencies.

''(5) The Secretary may not provide any vessel-specific or aggregate vessel information from a fishery that is collected for monitoring and enforcement purposes to any person for the purposes of coastal and marine spatial planning under Executive Order 13547, unless the Secretary determines that providing such information is important for maintaining or enhancing national security or for ensuring fishermen continued access to fishing grounds.''.

(2) CONFIDENTIAL INFORMATION DEFINED.—Section 3 (16 U.S.C. 1802) is further amended by inserting after paragraph (4) the following:

''(4a) The term 'confidential information' means—

''(A) trade secrets;

''(B) proprietary information;

''(C) observer information; and

''(D) commercial or financial information the disclosure of which is likely to result in harm to the competitive position of the person that submitted the information to the Secretary.''.

(d) INCREASED DATA COLLECTION AND ACTIONS TO ADDRESS DATA-POOR FISHERIES.—Section 404 (16 U.S.C. 1881c) is amended by adding at the end the following:

''(e) USE OF THE ASSET FORFEITURE FUND FOR FISHERY INDEPENDENT DATA COLLECTION.—

''(1) IN GENERAL.—

''(A) The Secretary, subject to appropriations, may obligate for data collection purposes in accordance with prioritizations under paragraph (3) a portion of amounts received by the United States as fisheries enforcement penalties.

''(B) Amounts may be obligated under this paragraph only in the fishery management region with respect to which they are collected.

''(2) INCLUDED PURPOSES.—The purposes referred to in paragraph (1) include—

''(A) the use of State personnel and resources, including fishery survey vessels owned and maintained by States to survey or assess data-poor fisheries for which fishery management plans are in effect under this Act; and

''(B) cooperative research activities authorized under section 318 to improve or enhance the fishery independent data used in fishery stock assessments.

''(3) DATA-POOR FISHERIES PRIORITY LISTS.—Each Council shall—

''(A) identify those fisheries in its region considered to be data-poor fisheries;

''(B) prioritize those fisheries based on the need of each fishery for up-to-date information; and

''(C) provide those priorities to the Secretary.

''(4) DEFINITIONS.—In this subsection:

''(A) The term 'data-poor fishery' means a fishery—

''(i) that has not been surveyed in the preceding 5-year period;

''(ii) for which a fishery stock assessment has not been performed within the preceding 5-year period; or

''(iii) for which limited information on the status of the fishery is available for management purposes.

''(B) The term 'fisheries enforcement penalties' means any fine or penalty imposed, or proceeds of any property seized, for a violation of this Act or of any other marine resource law enforced by the Secretary.

''(5) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Secretary for each fiscal year to carry out this subsection up to 80 percent of the fisheries enforcement penalties collected during the preceding fiscal year.''.

SEC. 11. COOPERATIVE RESEARCH AND MANAGEMENT PROGRAM.

Section 318 (16 U.S.C. 1867) is amended—

(1) in subsection (a), by inserting ''(1)'' before the first sentence, and by adding at the end the following:

''(2) Within one year after the date of enactment of the Strengthening Fishing Communities and Increasing Flexibility in Fisheries Management Act, and after consultation with the Councils, the Secretary shall publish a plan for implementing and conducting the program established in paragraph (1). Such plan shall identify and describe critical regional fishery management and research needs, possible projects that may address those needs, and estimated costs for such projects. The plan shall be revised and updated every 5 years, and updated plans shall include a brief description of projects that were funded in the prior 5-year period and the research and management needs that were addressed by those projects.''; and

(2) in subsection (c)—

(A) in the heading, by striking ''FUNDING'' and inserting ''PRIORITIES''; and

(B) in paragraph (1), by striking all after ''including'' and inserting an em dash, followed on the next line by the following:

''(A) the use of fishing vessels or acoustic or other marine technology;

''(B) expanding the use of electronic catch reporting programs and technology; and

''(C) improving monitoring and observer coverage through the expanded use of electronic monitoring devices.''.

SEC. 12. COUNCIL JURISDICTION FOR OVERLAPPING FISHERIES.

Section 302(a)(1) (16 U.S.C. 1852(a)) is amended—

(1) in subparagraph (A), in the second sentence—

(A) by striking ''18'' and inserting ''19''; and

(B) by inserting before the period at the end ''and a liaison who is a member of the Mid-Atlantic Fishery Management Council to represent the interests of fisheries under the jurisdiction of such Council''; and

(2) in subparagraph (B), in the second sentence—

(A) by striking ''21'' and inserting ''22''; and

(B) by inserting before the period at the end ''and a liaison who is a member of the New England Fishery Management Council to represent the interests of fisheries under the jurisdiction of such Council''.

SEC. 13. GULF OF MEXICO FISHERIES COOPERATIVE RESEARCH AND RED SNAPPER MANAGEMENT.

(a) REPEAL.—Section 407 (16 U.S.C. 1883), and the item relating to such section in the table of contents in the first section, are repealed.

(b) REPORTING AND DATA COLLECTION PROGRAM.—The Secretary of Commerce shall—

(1) in conjunction with the States, the Gulf of Mexico Fishery Management Council, and the recreational fishing sectors, develop and implement a real-time reporting and data collection program for the Gulf of Mexico red snapper fishery using available technology; and

(2) make implementation of this subsection a priority for funds received by the Secretary and allocated to this region under section 2 of the Act of August 11, 1939 (commonly known as the ''Saltonstall-Kennedy Act'') (15 U.S.C. 713c–3).

(c) FISHERIES COOPERATIVE RESEARCH PROGRAM.—The Secretary of Commerce—

(1) shall, in conjunction with the States, the Gulf States Marine Fisheries Commission and the Atlantic States Marine Fisheries Commission, the Gulf of Mexico and South Atlantic Fishery Management Councils, and the commercial, charter, and recreational fishing sectors, develop and implement a cooperative research program authorized under section 318 for the fisheries of the Gulf of Mexico and South Atlantic regions, giving priority to those fisheries that are considered data-poor; and

(2) may, subject to the availability of appropriations, use funds received by the Secretary under section 2 of the Act of August 11, 1939 (commonly known as the ''Saltonstall-Kennedy Act'') (15 U.S.C. 713c–3) to implement this subsection.

(d) STOCK SURVEYS AND STOCK ASSESSMENTS.—The Secretary of Commerce, acting through the National Marine Fisheries Service Regional Administrator of the Southeast Regional Office, shall for purposes of the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1801 et seq.)—

(1) develop a schedule of stock surveys and stock assessments for the Gulf of Mexico Region and the South Atlantic Region for the 5-year period beginning on the date of the enactment of this Act and for every 5-year period thereafter;

(2) direct the Southeast Science Center Director to implement such schedule; and

(3) in such development and implementation—

(A) give priority to those stocks that are commercially or recreationally important; and

(B) ensure that each such important stock is surveyed at least every 5 years.

(e) USE OF FISHERIES INFORMATION IN STOCK ASSESSMENTS.—The Southeast Science Center Director shall ensure that fisheries information made available through fisheries programs funded under Public Law 112–141 is incorporated as soon as possible into any fisheries stock assessments conducted after the date of the enactment of this Act.

(f) STATE FISHERIES MANAGEMENT IN THE GULF OF MEXICO WITH RESPECT TO RED SNAPPER.—Section 306(b) (16 U.S.C. 1856(b)) is amended by adding at the end the following:

''(4) Notwithstanding section 3(11), for the purposes of managing the recreational sector of the Gulf of Mexico red snapper fishery, the seaward boundary of a coastal State in the Gulf of Mexico is a line 9 miles seaward from the baseline from which the territorial sea of the United States is measured.''.

(g) FUNDING OF STOCK ASSESSMENTS.—The Secretary of Commerce and the Secretary of the Interior, acting through the Bureau of Ocean Energy Management, shall enter into a cooperative agreement for the funding of stock assessments that are necessitated by any action by the Bureau with respect to offshore oil rigs in the Gulf of Mexico that adversely impacts red snapper.

SEC. 14. NORTH PACIFIC FISHERY MANAGEMENT CLARIFICATION.

Section 306(a)(3)(C) (16 U.S.C. 1856(a)(3)(C)) is amended—

(1) by striking ''was no'' and inserting ''is no''; and

(2) by striking ''on August 1, 1996''.

SEC. 15. ENSURING CONSISTENT MANAGEMENT FOR FISHERIES THROUGHOUT THEIR RANGE.

(a) IN GENERAL.—The Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1801 et seq.) is amended by inserting after section 4 the following:

''SEC. 5. ENSURING CONSISTENT FISHERIES MANAGEMENT UNDER CERTAIN OTHER FEDERAL LAWS.

''(a) NATIONAL MARINE SANCTUARIES ACT AND ANTIQUITIES ACT OF 1906.—In any case of a conflict between this Act and the National Marine Sanctuaries Act (16 U.S.C. 1431 et seq.) or the Antiquities Act of 1906 (16 U.S.C. 431 et seq.), this Act shall control.

''(b) FISHERIES RESTRICTIONS UNDER ENDANGERED SPECIES ACT OF 1973.—To ensure transparency and consistent management of fisheries throughout their range, any restriction on the management of fish in the exclusive economic zone that is necessary to implement a recovery plan under the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.) shall be implemented—

''(1) using authority under this Act; and

''(2) in accordance with processes and time schedules required under this Act.''.

(b) CLERICAL AMENDMENT.—The table of contents in the first section is amended by inserting after the item relating to section 3 the following:

''Sec. 4. Authorization of appropriations.
''Sec. 5. Ensuring consistent fisheries management under certain other Federal laws.''.

SEC. 16. LIMITATION ON HARVEST IN NORTH PACIFIC DIRECTED POLLOCK FISHERY.

Section 210(e)(1) of the American Fisheries Act (title II of division C of Public Law 105–277; 16 U.S.C. 1851 note) is amended to read as follows:

''(1) HARVESTING.—

''(A) LIMITATION.—No particular individual, corporation, or other entity may harvest, through a fishery cooperative or otherwise, a percentage of the pollock available to be harvested in the directed pollock fishery that exceeds the percentage established for purposes of this paragraph by the North Pacific Council.

''(B) MAXIMUM PERCENTAGE.—The percentage established by the North Pacific Council shall not exceed 24 percent of the pollock available to be harvested in the directed pollock fishery.''.

SEC. 17. RECREATIONAL FISHING DATA.

(a) RECREATIONAL DATA COLLECTION.—Section 401(g) (16 U.S.C. 1881(g)) is amended by redesignating paragraph (4) as paragraph (5), and by inserting after paragraph (3) the following:

''(4) FEDERAL-STATE PARTNERSHIPS.—

''(A) ESTABLISHMENT.—The Secretary shall establish partnerships with States to develop best practices for implementation of State programs established pursuant to paragraph (2).

''(B) GUIDANCE.—The Secretary shall develop guidance, in cooperation with the States, that details best practices for administering State programs pursuant to paragraph (2), and provide such guidance to the States.

''(C) BIENNIAL REPORT.—The Secretary shall submit to the Congress and publish biennial reports that include—

''(i) the estimated accuracy of the registry program established under paragraph (1) and of State programs that are exempted under paragraph (2);

''(ii) priorities for improving recreational fishing data collection; and

''(iii) an explanation of any use of information collected by such State programs and by the Secretary, including a description of any consideration given to the information by the Secretary.

''(D) STATES GRANT PROGRAM.—The Secretary shall make grants to States to improve implementation of State programs consistent with this subsection. The Secretary shall prioritize such grants based on the ability of the grant to improve the quality and accuracy of such programs.''.

(b) STUDY ON RECREATIONAL FISHERIES DATA.—Section 401(g) (16 U.S.C. 1881(g)) is further amended by adding at the end the following:

''(6) STUDY ON PROGRAM IMPLEMENTATION.—

''(A) IN GENERAL.—Not later than 60 days after the enactment of this paragraph, the Secretary shall enter into an agreement with the National Research Council of the National Academy of Sciences to study the implementation of the programs described in this section. The study shall—

''(i) provide an updated assessment of recreational survey methods established or improved since the publication of the Council's report 'Review of Recreational Fisheries Survey Methods (2006)';

''(ii) evaluate the extent to which the recommendations made in that report were implemented pursuant to paragraph (3)(B); and

''(iii) examine any limitations of the Marine Recreational Fishery Statistics Survey and the Marine Recreational Information Program established under paragraph (1).

''(B) REPORT.—Not later than 1 year after entering into an agreement under subparagraph (A), the Secretary shall submit a report to Congress on the results of the study under subparagraph (A).''.

SEC. 18. STOCK ASSESSMENTS USED FOR FISHERIES MANAGED UNDER GULF OF MEXICO COUNCIL'S REEF FISH MANAGEMENT PLAN.

(a) IN GENERAL.—Title IV (16 U.S.C. 1881 et seq.) is amended by adding at the end the following:

''SEC. 409. STOCK ASSESSMENTS USED FOR FISHERIES MANAGED UNDER GULF OF MEXICO COUNCIL'S REEF FISH MANAGEMENT PLAN.

''(a) IN GENERAL.—The Gulf States Marine Fisheries Commission shall conduct all fishery stock assessments used for management purposes by the Gulf of Mexico Fishery Management Council for the fisheries managed under the Council's Reef Fish Management Plan.

''(b) USE OF OTHER INFORMATION AND ASSETS.—

''(1) IN GENERAL.—Such fishery assessments shall—

''(A) incorporate fisheries survey information collected by university researchers; and

''(B) to the extent practicable, use State, university, and private assets to conduct fisheries surveys.

''(2) SURVEYS AT ARTIFICIAL REEFS.—Any such fishery stock assessment conducted after the date of the enactment of the Strengthening Fishing Communities and Increasing Flexibility in Fisheries Management Act shall incorporate fishery surveys conducted, and other relevant fisheries information collected, on and around natural and artificial reefs.

''(c) CONSTITUENT AND STAKEHOLDER PARTICIPATION.—Each such fishery assessment shall—

''(1) emphasize constituent and stakeholder participation in the development of the assessment;

''(2) contain all of the raw data used in the assessment and a description of the methods used to collect that data; and

''(3) employ an assessment process that is transparent and includes—

''(A) includes a rigorous and independent scientific review of the completed fishery stock assessment; and

''(B) a panel of independent experts to review the data and assessment and make recommendations on the most appropriate values of critical population and management quantities.''.

(b) CLERICAL AMENDMENT.—The table of contents in the first section is amended by adding at the end of the items relating to title IV the following:

''Sec. 408. Deep sea coral research and technology program.
''Sec. 409. Stock assessments used for fisheries managed under Gulf of Mexico Council's Reef Fish Management Plan.''.

SEC. 19. ESTIMATION OF COST OF RECOVERY FROM FISHERY RESOURCE DISASTER.

Section 312(a)(1) (16 U.S.C. 1861a(1)) is amended—

(1) by inserting ''(A)'' after ''(1)'';

(2) by redesignating existing subparagraphs (A) through (C) as clauses (i) through (iii), respectively, of subparagraph (A) (as designated by the amendment made by paragraph (1)); and

(3) by adding at the end the following:

''(B) The Secretary shall publish the estimated cost of recovery from a fishery resource disaster no later than 30 days after the Secretary makes the determination under subparagraph (A) with respect to such disaster.''.

SEC. 20. DEADLINE FOR ACTION ON REQUEST BY GOVERNOR FOR DETERMINATION REGARDING FISHERY RESOURCE DISASTER.

Section 312(a) (16 U.S.C. 1861a(a)) is amended by redesignating paragraphs (2) through (4) as paragraphs (3) through (5), and by inserting after paragraph (1) the following:

''(2) The Secretary shall make a decision regarding a request from a Governor under paragraph (1) within 90 days after receiving an estimate of the economic impact of the fishery resource disaster from the entity requesting the relief.''.

SEC. 21. PROHIBITION ON CONSIDERING RED SNAPPER KILLED DURING REMOVAL OF OIL RIGS.

Any red snapper that are killed during the removal of any offshore oil rig in the Gulf of Mexico shall not be considered in determining under the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1801 et seq.) whether the total allowable catch for red snapper has been reached.

SEC. 22. PROHIBITION ON CONSIDERING FISH SEIZED FROM FOREIGN FISHING.

Any fish that are seized from a foreign vessel engaged in illegal fishing activities in the Exclusive Economic Zone shall not be considered in determining under the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1801 et seq.) the total allowable catch for that fishery.

SEC. 23. SUBSISTENCE FISHING.

(a) DEFINITION.—Section 3 (16 U.S.C. 1802) is amended by inserting after paragraph (43) the following:

''(43a)(A) The term 'subsistence fishing' means fishing in which the fish harvested are intended for customary and traditional uses, including for direct personal or family consumption as food or clothing; for the making or selling of handicraft articles out of nonedible byproducts taken for personal or family consumption, for barter, or sharing for personal or family consumption; and for customary trade.

''(B) In this paragraph—

''(i) the term 'family' means all persons related by blood, marriage, or adoption, or any person living within the household on a permanent basis; and

''(ii) the term 'barter' means the exchange of a fish or fish part—

''(I) for another fish or fish part; or

''(II) for other food or for nonedible items other than money if the exchange is of a limited and noncommercial nature.''.

(b) COUNCIL SEAT.—Section 302(b)(2) (16 U.S.C. 1852(b)(2)) is amended—

(1) in subparagraph (A), by striking ''or recreational'' and inserting '', recreational, or subsistence fishing''; and

(2) in subparagraph (C), in the second sentence, by inserting '', *and in the case of the Governor of Alaska with the subsistence fishing interests of the State,'' after ''interests of the State''.*

(c) PURPOSE.—Section 2(b)(3) (16 U.S.C. 1801(b)(3)) is amended by striking ''and recreational'' and inserting '', recreational, and subsistence''.

SEC. 24. INTER-SECTOR TRADING OF COMMERCIAL CATCH SHARE ALLOCATIONS IN THE GULF OF MEXICO.

Section 301 (16 U.S.C. 1851) is amended by adding at the end the following:

''(c) INTER-SECTOR TRADING OF COMMERCIAL CATCH SHARE ALLOCATIONS IN THE GULF OF MEXICO.—Notwithstanding any other provision of this Act, any commercial fishing catch share allocation in a fishery in the Gulf of Mexico may only be traded by sale or lease within the same commercial fishing sector.''.

SEC. 25. ARCTIC COMMUNITY DEVELOPMENT QUOTA.

Section 313 (16 U.S.C. 1862) is amended by adding at the end the following:

''(k) ARCTIC COMMUNITY DEVELOPMENT QUOTA.—If the North Pacific Fishery Management Council issues a fishery management plan for the exclusive economic zone in the Arctic Ocean, or an amendment to the Fishery Management Plan for Fish Resources of the Arctic Management Area issued by such Council, that makes available to commercial fishing, and establishes a sustainable harvest level, for any part of such zone, the Council shall set aside not less than 10 percent of the total allowable catch therein as a community development quota for coastal villages located north and east of the Bering Strait.''.

SEC. 26. PREFERENCE FOR STUDENTS STUDYING WATER RESOURCE ISSUES.

Section 402(e) (16 U.S.C. 1881a(e)) is amended by adding at the end the following:

''(4) The Secretary shall require that in the hiring of individuals to collect information regarding marine recreational fishing under this subsection, preference shall be given to individuals who are students studying water resource issues at an institution of higher education.''.

SEC. 27. PROCESS FOR ALLOCATION REVIEW FOR SOUTH ATLANTIC AND GULF OF MEXICO MIXED-USE FISHERIES.

(a) STUDY OF ALLOCATIONS IN MIXED-USE FISHERIES.—Not later than 60 days after the date of the enactment of this Act, the Secretary of Commerce shall enter into an arrangement with the National Academy of Sciences to conduct a study of the South Atlantic and Gulf of Mexico mixed-use fisheries—

(1) to provide guidance to Regional Fishery Management Councils established under section 302 of the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1852) on criteria that could be used for allocating fishing privileges, including consideration of the conservation and socioeconomic benefits of the commercial, recreational, and charter components of a fishery, in the preparation of a fishery management plan under that Act;

(2) to identify sources of information that could reasonably support the use of such criteria in allocation decisions; and

(3) to develop procedures for allocation reviews and potential adjustments in allocations based on the guidelines and requirements established by this section.

(b) PROCESS FOR ALLOCATION REVIEW AND ESTABLISHMENT.—The South Atlantic Fishery Management Council and the Gulf of Mexico Fishery Management Council shall—

(1) within 2 years after the date of the enactment of this Act, review the allocations of all mixed-use fisheries in the Councils' respective jurisdictions; and

(2) every 3 years thereafter, perform subsequent reviews of such allocations; and

(3) consider the conservation and socioeconomic benefits of each sector in any allocation decisions for such fisheries.

SEC. 28. AUTHORIZATION OF APPROPRIATIONS.

Section 4 (16 U.S.C. 1803) is amended—

(1) by striking ''this Act'' and all that follows through ''(7)'' and inserting ''this Act''; and

(2) by striking ''fiscal year 2013'' and inserting ''each of fiscal years 2015 through 2019''.

The CHAIR. No amendment to the amendment in the nature of a substitute shall be in order except those printed in House Report 114–128. Each such amendment may be offered only in the order printed in the report, by a Member designated in the report, shall be considered read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, may be withdrawn by the proponent at any time before action thereon, shall not be subject to amendment, and shall not be subject to a demand for division of the question.

AMENDMENT NO. 1 OFFERED BY MRS. DINGELL

The CHAIR. It is now in order to consider amendment No. 1 printed in House Report 114–128.

Mrs. DINGELL. I have an amendment at the desk, Mr. Chairman.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Beginning at page 14, strike line 15 and all that follows through page 16, line 3 and insert closing quotation marks and a following period.

The CHAIR. Pursuant to House Resolution 274, the gentlewoman from Michigan (Mrs. DINGELL) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Michigan.

Mrs. DINGELL. Mr. Chairman, the National Environmental Policy Act, also called NEPA, is a critically important law, not only for protecting the environment, but also for protecting the people's right to participate in government decisionmaking. Sadly, H.R. 1335, the bill we are considering today, would short-circuit public review and comment on fisheries management decisions, casting NEPA aside in favor of an inadequate, poorly defined process that would make regional fishery management councils the ultimate arbiters of whether or not their own decisions would impact coastal communities and ocean ecosystems.

Forcing important NEPA analysis to be fast-tracked onto a council's timeline would eliminate crucial oversight steps that provide stakeholders an opportunity to impact the public policy. While I know my colleagues had good intentions, the practical impact of this language means that local communities and businesses will not have the same opportunity to comment and have input on decisions that will impact their livelihood.

I don't think my colleagues on the other side of the aisle really want to limit public participation in this manner. My amendment simply strikes the harmful language from the bill that undermines NEPA because limiting transparency and accountability is not the right thing to do.

NEPA has a simple premise: look before you leap. For decades, NEPA has improved our environment and fostered fairness in our communities by ensuring that government remains accountable to the people. The NEPA process requires Federal agencies to review their proposed actions in light of their potential impacts on the human environment: the places where we all live, work, and play.

Most importantly, NEPA gives the public an opportunity to review and comment on actions proposed by the government, adding unique perspectives to the evaluation process that highly specialized, mission-driven agencies might otherwise ignore. In that way, NEPA is the ultimate check on Big Government, a uniquely American and quintessentially democratic—small D—law written and executed to help people protect their rights and freedoms. Our Founding Fathers would certainly be proud.

I hope that my colleagues will agree that existing NEPA protections should be preserved, and I ask that you vote in favor of my amendment.

I reserve the balance of my time.

Mr. BISHOP of Utah. Mr. Chairman, I claim time in opposition to the amendment.

The CHAIR. The gentleman is recognized for 5 minutes.

Mr. BISHOP of Utah. Mr. Chairman, in response to the amendment, I simply have to say no, it does not assume the system.

We do have a problem with transparency in the process that we have. The underlying bill changes that by requiring these decisions to be made public and made openly, but the specific issue that dealing with NEPA misses a step, misses an important point here.

Current law requires fishery management plans contain a fishery impact statement. That is required by law now, required by the bill as well. That is in line with everything you go through to do an environmental impact statement under NEPA.

What this amendment would do is simply require the process to do everything twice. You do a fishery impact statement first, and then you restate and redo the same business with the same cost attached to it for the NEPA analysis. That is simply red tape.

□ 1645

It is an unnecessary delay. It makes some of the scientific information obsolete before they are done. It burdens the management and the resource council, which is why those, once

again, who work in this system have said this is an unnecessary part and one of the reasons they like the efficiency that has been added by the basic, underlying bill.

The most important reason, though, why you don't want to accept this amendment is, if you add two different approaches, two different statements that have to be made, you give attorneys two different opportunities to litigate. You give more opportunities to litigate, more opportunities to delay, and that is ridiculous. It lacks common sense because you are doing the same thing in both processes. Cut the red tape, cut the litigation opportunity, cut the delays, and help us move forward.

I reject this amendment, and I reserve the balance of my time.

Mrs. DINGELL. Mr. Chairman, how much time do I have remaining?

The CHAIR. The gentlewoman from Michigan has 2 minutes remaining.

Mrs. DINGELL. I yield 1 minute to the gentlewoman from Maine (Ms. PINGREE).

Ms. PINGREE. Mr. Chairman, I rise today to support the Dingell amendment.

As many of us in Congress know, our Nation's fisheries do not work on artificial timelines. If we want to be sure that fishery plans are getting the critical National Environmental Policy Act analysis that conserve and preserve our resources, we can't force these NEPA studies to be fast-tracked.

The underlying bill would force important environmental analyses to be rushed and, therefore, cut stakeholders out of the process due to rapid timelines.

At a time when we are trying to make sure that we keep stakeholders engaged in the process, they would actually get less consideration under the bill that we have on the floor today.

We need to ensure that our communities are given a chance to weigh in on these plans, and in that process that we take a thorough look at the environmental impacts of these plans.

My colleague has said that her amendment would restore common sense and requires us to look before we leap. I couldn't agree more.

I urge my colleagues to oppose artificial timelines for environmental reviews, and I urge my colleagues to support the Dingell amendment.

Mr. BISHOP of Utah. I reserve the balance of my time.

Mrs. DINGELL. Mr. Chairman, I want to quickly respond to some of the comments made by the other side.

Federal agency responsibility for NEPA is effectively being eliminated by this law and an alternative, undefined process is being established hindering the public's ability to influence policies and protect their rights.

Stakeholders, including businesses and individuals, would get less consideration in the council process and would not have a way of voicing their concerns and influencing the directions of plans or projects that could threaten the environment or the livelihoods of these people. It is simply common sense that plans to manage our valuable resources be properly assessed before resources are harvested.

I urge adoption of my amendment, and I yield back the balance of my time.

Mr. BISHOP of Utah. I yield 1 minute to the gentleman from Alaska (Mr. YOUNG), the sponsor of the bill.

Mr. YOUNG of Alaska. I would just, again, like to remind my colleagues this was requested by the communities so there wouldn't be a delay. We are not eliminating NEPA. There is already a process in the Magnuson Act which was not there in the original act, I will say that, and I did support it when it went in. But to duplicate it and to require outside interests that they cannot respect those in the community—which is really what her amendment would do. It lets other outside interest groups get involved in this issue of sustainable fisheries.

This has always been a fishery community bill, not an outside bill or interest groups getting into the issues of sustainability and community activity through transparency. What you do is you start a duplication of the process. It is not necessary. We are not eliminating NEPA. We are just adding to it.

Mr. BISHOP of Utah. Let me close by simply saying this. The environmentally friendly approach would be not to accept this amendment because think of all the trees you are going to save from reprinting an extra report that says the same thing over again.

We are already doing this process in the law. Requiring NEPA plus the fishery statement is simply a replication of the process that is already there. It does not need to be there. You are not cutting anyone out, as has been said. It is simply one of those things that you need to do it the first time and do it right the first time, and you don't have to redo it a second time to allow lawyers to then come up with another chance to litigate one more time.

I reject the amendment. I urge its rejection.

I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentlewoman from Michigan (Mrs. DINGELL).

The question was taken; and the Chair announced that the noes appeared to have it.

Mrs. DINGELL. Mr. Chair, I demand a recorded vote.

The CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentlewoman from Michigan will be postponed.

The Chair understands that amendment No. 2 will not be offered.

AMENDMENT NO. 3 OFFERED BY MR. KEATING

The CHAIR. It is now in order to consider amendment No. 3 printed in House Report 114–128.

Mr. KEATING. Mr. Chair, I rise to offer an amendment.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 28, line 7, strike ''and''.

Page 28, line 11, strike the period and insert ''; and''.

Page 28, after line 11, insert the following:

''(C) fishery research and independent stock assessments, conservation gear engineering, at-sea and shoreside monitoring, fishery impact statements, and other priorities established by the Council as necessary to rebuild or maintain sustainable fisheries, ensure healthy ecosystems, and maintain fishing communities.''.

The CHAIR. Pursuant to House Resolution 274, the gentleman from Massachusetts (Mr. KEATING) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Massachusetts.

Mr. KEATING. Mr. Chairman, my amendment builds off of years of efforts to reform the use of the asset forfeiture fund. During this time, NOAA has conducted internal reviews and audits for the use of asset forfeiture monies. Yet I believe it is important that we authorize specific uses to help our struggling fishermen and, at the same time, promote sustainable fishing.

My amendment would ensure that forfeiture funds are used for five things: first, enhancing fishery research and stock assessments. This bill authorizes the use of State personnel and resources, things like cooperative research between industry and public science and use of vessels to serve a data-poor fisheries. My amendment expands beyond data-poor fisheries by authorizing broader use of forfeiture funds for research and independent stock assessments.

This is particularly important in the Northeast, where timely information may be the difference between the success or failure of a small fishing business.

Secondly, it deals with at-sea and shoreside monitoring. If there is one concern that I have heard consistently voiced from fishermen from New Bedford to the South Shore to Provincetown in Massachusetts, it is the transition of funding for monitoring from NOAA to fishermen.

It has been nearly 3 years since the Department of Commerce declared a fishing disaster in the Northeast. As the fishing industry continues to face the long-term challenges coming back from this disaster, this is no time to switch the burden of the cost of monitoring onto them.

Third, it advances conservation gear engineering. Additional funds will help fishermen develop and adopt new gear and technology to improve efficiency,

reduce the impact on the marine environment, and promote sustainable fishing for future generations.

Commercial and recreational fishermen use an array of gear to target their catch. An unfortunate and fatal consequence is the inclusion of untargeted fish, turtles, and marine mammals as bycatch. Fortunately, there have been efforts underway nationwide to promote sustainable means of fishing, like scallopers in New Bedford developing the turtle dredge to protect sea turtles from interaction during scalloping, and the New England Aquarium collaborative that has developed acoustic pingers that successfully warn marine mammals away from gill nets.

Fourth, the amendment will help with additional research for fishery impact statements. Under the bill, councils are required to develop fishery impact statements that take into account the purpose of a proposed management plan and its potential impact on fisheries and fishing communities. In doing so, the bill shifts the responsibility from NEPA to the councils. And while I have concerns about how this will be implemented, I do believe it is critical that we provide councils with adequate resources.

Finally, the bill and the amendment will help funding priorities of the regional fishery management councils, like efforts to rebuild or maintain sustainable fisheries and ensure healthy ecosystems.

There is no doubt that additional funding for these efforts is a win for fishermen on all coasts of our country.

With that, I yield the balance of my time to my colleague from Massachusetts (Mr. MOULTON).

Mr. MOULTON. I would like to thank my colleague and friend from Massachusetts (Mr. KEATING) for the time, and for all the work that he has done, along with Mr. LYNCH, on behalf of our Commonwealth's fishing communities.

I rise in strong support of this amendment, which clarifies the uses of NOAA's asset forfeiture fund so we can make smart investments in scientific research and preserve an economically viable fishing industry.

This amendment will provide our fishermen, shoreside businesses, and fishing communities with the assurance that the money in NOAA's asset forfeiture fund will go towards improving the science behind sustainable fishery management practices.

Additionally, the amendment offers fisheries councils the resources they need to better serve our fisheries and fishing communities.

At the end of the day, both the fishermen and the environmentalists want the same thing: healthy and sustainable fisheries. I believe that the amendment will help achieve this objective through meaningful and targeted uses of NOAA's asset forfeiture fund. I urge a ''yes'' vote on this amendment.

Mr. KEATING. I yield back the balance of my time.

Mr. BISHOP of Utah. Mr. Chairman, I ask unanimous consent to claim the time in opposition to the amendment, although I am not opposed to the amendment.

The CHAIR. Is there objection to the request of the gentleman from Utah?

There was no objection.

The CHAIR. The gentleman is recognized for 5 minutes.

Mr. BISHOP of Utah. In 2010, the Department of Commerce inspector general reported that NOAA was misusing these funds for all sorts of purposes not actually helping the fishing community. That is one of the reasons why we are clearly saying the status quo has problems, and this bill needs to go forward.

This bill recognized that these funds should not be used to add to the bureaucracy, and therefore in the base bill we actually put in provisions to allow up to 80 percent of these enforcement funds to be used for collection and data and science.

What Mr. KEATING and others have done, though, is take the process one step further in something I think is a very commonsense solution to a problem that we do have in the status quo. I appreciate what you are doing, and I support this amendment.

I urge everyone to vote ''yes,'' and I yield back balance of my time.

Mr. LYNCH. Mr. Chair, I rise in strong support of the Keating-Lynch-Moulton amendment to allow monies from the asset forfeiture fund to be available for expanded uses. I want to commend my colleagues from Massachusetts for their continued efforts on behalf of our fishing industry.

Massachusetts has a long and proud fishing history. in fact, the "sacred cod", a nearly five foot long woodcarving of an atlantic codfish, has hung in the Massachusetts House of Representatives since 1794, representing the importance of the cod fishery to the commonwealth.

We all know the state of the fishing industry today. Depleted stocks and the policies put in place to rebuild those stocks have exacted a heavy toll. And we have all heard the stories of fishing families struggling to make ends meet and keep their generations-long family businesses alive. Our amendment is a common sense amendment which, if adopted, will build on and improve the systems put in place to assess and rebuild stocks while also providing some financial relief to the men and women who continue to earn a living at sea.

Our amendment, if adopted, will provide the funding necessary for fisheries councils to undertake certain reporting requirements of the underlying bill. Our amendment will also provide funding for independent research and stock assessments and for the development and implementation of gear that will reduce the impact on the marine environment and promote sustainable fishing for future generations. And, importantly, this amendment will also provide a funding stream to pay for at-sea and shore-side monitoring, a financial burden that fishermen simply cannot bear.

We simply cannot allow the money in the NOAA's asset forfeiture fund to be wasted when fishermen stand to benefit from targeted scientific research and resources dedicated to the fishing industry.

The health of the resource is the basic building block upon which all industry dependents rely. And it is critical that all parties; fishermen, fisheries councils, researchers and conservationists work cooperatively and also strike an appropriate balance towards sustainability. Our amendment provides the financial support to help all stakeholders further invest in and maximize the outcomes of their piece of the larger puzzle.

I urge my colleagues to support the Keating-Lynch-Moulton Amendment.

The CHAIR. The question is on the amendment offered by the gentleman from Massachusetts (Mr. KEATING).

The amendment was agreed to.

AMENDMENT NO. 4 OFFERED BY MR. LOWENTHAL

The CHAIR. It is now in order to consider amendment No. 4 printed in House Report 114–128.

Mr. LOWENTHAL. Mr. Chairman, I have an amendment at the desk.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of section 13 (page 34, after line 22), add the following:

(h) PROCESS FOR DECOMMISSIONING OIL AND GAS PLATFORMS AND DRILLING RIGS.—The National Ocean Council, operating under Executive Order 13547, shall convene a meeting of representatives of the National Oceanic and Atmospheric Administration, the Bureau of Safety and Environmental Enforcement, the States represented on the Gulf of Mexico Fishery Management Council, and stakeholders, to develop a process for decommissioning oil and gas platforms and drilling rigs that eliminates harm to the Gulf of Mexico red snapper stock of fish and enhances conservation of habitat of such stock.

The CHAIR. Pursuant to House Resolution 274, the gentleman from California (Mr. LOWENTHAL) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California.

Mr. LOWENTHAL. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, unfortunately, the bill before us, H.R. 1335, undermines nearly two decades of progress making U.S. fisheries profitable and sustainable.

A few weeks ago, NOAA reported that overfishing has hit an all-time low, and the number of rebuilt stocks has hit an all-time high, largely because of the success of the Magnuson-Stevens Act reforms of both 1996 and 2007—the same reforms that this bill today before us would undercut.

In an attempt to add some good policy to an otherwise unproductive bill, I am offering an amendment to improve the management of one important fish stock: the Gulf of Mexico red snapper.

Last year, during a series of Natural Resources Committee hearings on fisheries policies, we heard from members and witnesses who were irate over the fact that the Interior Department was allowing offshore oil platforms and drilling rigs in the Gulf of Mexico to be decommissioned in a way that was killing red snapper and destroying important snapper habitat. After intense questioning, it became clear that in the current process for decommission rigs, NOAA, which is part of the Department of Commerce, is not regularly consulted by Interior agencies.

□ 1700

As a result, NOAA does not even conduct surveys to determine if the Department of the Interior is about to dismantle a productive artificial reef teeming with red snapper and other fish.

Mr. Chair, I agree with my colleagues from the Gulf States who feel this is ridiculous and needs to stop; but how do we do it? Then I remembered that we already have a mechanism in place for resolving exactly this kind of multistakeholder conflict at sea. It is called the National Ocean Policy.

Through the National Ocean Policy, the National Ocean Council facilitates commonsense governance of public resources. Like air traffic control for the seas, the council coordinates all of the users of our oceans and helps them determine safer, less contentious, and more efficient utilization of ocean resources.

My amendment would direct the agencies responsible for implementing the National Ocean Policy to work with the Gulf States and other stakeholders to develop a transparent process that would preserve red snapper habitat during rig decommissioning.

A vote for this amendment is a vote for more recreational fishing opportunities in the Gulf of Mexico and a vote for a bipartisan solution to promoting red snapper habitat.

I urge my colleagues to vote ''yes'' on the Lowenthal amendment.

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

Mr. BISHOP of Utah. Mr. Chairman, I claim time in opposition to the amendment

The CHAIR. The gentleman is recognized for 5 minutes.

Mr. BISHOP of Utah. Mr. Chairman, I yield 1 minute to the gentleman from Alaska (Mr. YOUNG) on this particular amendment.

Mr. YOUNG of Alaska. Mr. Chairman, this same amendment was offered in committee; it failed. It is my understanding that rigs and platforms are already required to eliminate harm under their leases. In fact, most of the fishermen I talk to on the Gulf say the platforms are really manmade reefs, and the red snapper love them.

Overall, I don't support giving the National Ocean Council any authorities. The council is created by executive action, and until the Congress passes legislation regarding the National Ocean Policy, Congress should not implement measures to support it.

This is not an action of Congress. This is an action by executive order. Remember, this bill originally was sustainable yield, sustainable communities, nothing to do with an ocean council deciding what is going to happen to override the Magnuson-Stevens Act.

This is a bad amendment, and I oppose the gentleman's amendment.

Mr. LOWENTHAL. Mr. Chairman, how much time do I have remaining?

The CHAIR. The gentleman has 2 minutes remaining.

Mr. LOWENTHAL. As you just heard from the other side of the aisle, Mr. Chair, they agree with me that there needs to be more coordination amongst all the stakeholders to make smart decisions about rig decommissioning in red snapper habitat; but they refuse to move forward with this proposal simply because they oppose the National Ocean Policy which incidentally, as we all know in this room, that its predecessor was the U.S. Commission on Ocean Policy, which was first established by President Bush.

They oppose the National Ocean Policy on the grounds that it is a program that is authorized by an executive action or an executive order of a President that they don't like. This seems to me to be pretty petty.

Why would we create now a new group to bring together the stakeholders to address just this one issue, when we already have a council and a policy that can do exactly what everyone wants to be done?

National Ocean Policy is not a failed policy like some suggest, nor is it an instance of executive overreach. It is merely a commonsense way to facilitate multistakeholder collaboration on complex ocean issues.

Mr. Chair, my amendment directs agencies and stakeholders to work together to come up with solutions to decommission rigs that work for everyone involved. This is a commonsense solution that promotes red snapper habitat and more recreational fishing opportunities.

I urge a ''yes'' vote on the Lowenthal amendment, and I yield back the balance of my time.

Mr. BISHOP of Utah. Mr. Chair, I yield 1 minute to the gentleman from Louisiana (Mr. GRAVES).

Mr. GRAVES of Louisiana. Mr. Chairman, I want to thank the gentleman from California for offering this amendment. We had the opportunity to discuss this in committee.

I am very sensitive to the fact that we do things in a manner that sustains all of our fisheries and protects our ecosystem.

However, as we discussed in committee, I did request of you, number one, that if you let us get together as Gulf States, continue to work together with the Department of the Interior—as I mentioned in committee, we have even larger concerns about the way that some of this important reef structure, such as rigs and reefs programs and others, have been handled by the Federal Government.

I respect the gentleman for offering this amendment, but I am going to vote in opposition, giving us time to work together with industry, work together with the fisherman, and find the right way to do this to ensure that we protect the species.

Mr. BISHOP of Utah. Mr. Chairman, allow me to conclude the debate, if I may.

Last year, in Congress, we had a hearing where we saw a huge number of red snappers who were killed by the removal of a decommissioned oil platform that had been authorized by the Department of the Interior. This amendment does not really change that.

What this amendment would do is an attempt—hopefully, futile attempt—to basically give validity to the administration's National Ocean Policy, a policy that was done without transparency, almost in the cover of darkness, and implemented by executive order.

What we are talking about is not something that is an executive action, but, as properly said by the last two speakers from our side, it is a legislative action, and this bill takes that legislative responsibility and does it the right way.

We do not need a nontransparent executive order to be enforced here. What we need to do is allow the agencies of jurisdiction to actually do their job, defend their rules, and allow the legislative branch to work its will.

I urge a ''no'' vote on this amendment, and I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentleman from California (Mr. LOWENTHAL).

The question was taken; and the Chair announced that the noes appeared to have it.

Mr. LOWENTHAL. Mr. Chair, I demand a recorded vote.

The CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from California will be postponed.

AMENDMENT NO. 5 OFFERED BY MR. YOUNG OF ALASKA

The Acting CHAIR (Mr. DUNCAN of Tennessee). It is now in order to consider amendment No. 5 printed in House Report 114–128.

Mr. YOUNG of Alaska. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 46, strike lines 5 through 9 and insert the following:

''(4) The Secretary shall, to the extent practicable, when hiring individuals to collect information regarding marine recreational fishing under this subsection, give preference to students studying fisheries conservation and management, water resource issues, or other relevant subjects at an institution of higher education in the United States.''.

Page 46, beginning at line 19, strike ''Regional Fishery'' and all that follows through line 22 and insert ''the South Atlantic Fishery Management Council and Gulf of Mexico Fishery Management Council on criteria that''.

Page 47, after line 22, insert the following:

SEC. ___. REQUIREMENTS FOR LIMITED ACCESS PRIVILEGES.

Section 3303A(c)(1)(G) (16 U.S.C. 1853a(c)(1)(G)) is amended to read as follows:

''(G) include provisions for a formal and detailed review 5 years after the implementation of the program, and thereafter the regular monitoring and review by the Council and the Secretary of the operations and impacts of the program, to coincide with scheduled Council review of the relevant fishery management plan (but no less frequently than once every 7 years) including—

''(i) determining progress in meeting the goals of the program and this Act;

''(ii) delineating the positive and negative economic effects of the program on fishermen and processors who are part of the program and the coastal communities in which they reside; and

''(iii) any necessary modification of the program to meet those goals, including a formal schedule for action to be taken within 2 years;''.

SEC. ___. HEALTHY FISHERIES THROUGH BETTER SCIENCE.

(a) DEFINITION OF STOCK ASSESSMENT.—Section 3 (16 U.S.C. 1802), as amended by section 23(a) of this Act, is further amended by redesignating the paragraphs after paragraph (42) in order as paragraphs (44) through (53), and by inserting after paragraph (42) the following:

''(43) The term 'stock assessment' means an evaluation of the past, present, and future status of a stock of fish, that includes—

''(A) a range of life history characteristics for such stock, including—

''(i) the geographical boundaries of such stock; and

''(ii) information on age, growth, natural mortality, sexual maturity and reproduction, feeding habits, and habitat preferences of such stock; and

''(B) fishing for the stock.''.

(b) STOCK ASSESSMENT PLAN.—

(1) IN GENERAL.—Section 404 (16 U.S.C. 1881c), as amended by section 10(d) of this Act, is further amended by adding at the end the following:

''(f) STOCK ASSESSMENT PLAN.—

''(1) IN GENERAL.—The Secretary shall develop and publish in the Federal Register, on the same schedule as required for the strategic plan required under subsection (b) of this section, a plan to conduct stock assessments for all stocks of fish for which a fishery management plan is in effect under this Act.

''(2) CONTENTS.—The plan shall—

''(A) for each stock of fish for which a stock assessment has previously been conducted—

''(i) establish a schedule for updating the stock assessment that is reasonable given the biology and characteristics of the stock; and

''(ii) subject to the availability of appropriations, require completion of a new stock assessment, or an update of the most recent stock assessment—

''(I) every 5 years; or

''(II) within such other time period specified and justified by the Secretary in the plan;

''(B) for each stock of fish for which a stock assessment has not previously been conducted—

''(i) establish a schedule for conducting an initial stock assessment that is reasonable given the biology and characteristics of the stock; and

''(ii) subject to the availability of appropriations, require completion of the initial stock assessment within 3 years after the plan is published in the Federal Register unless another time period is specified and justified by the Secretary in the plan; and

''(C) identify data and analysis, especially concerning recreational fishing, that, if available, would reduce uncertainty in and improve the accuracy of future stock assessments, including whether such data and analysis could be provided by fishermen, fishing communities, universities, and research institutions.

''(3) WAIVER OF STOCK ASSESSMENT REQUIREMENT.—Notwithstanding subparagraphs (A)(ii) and (B)(ii), a stock assessment is not required for a stock of fish in the plan if the Secretary determines that such a stock assessment is not necessary and justifies such determination in the Federal Register notice required by this subsection.''.

(2) DEADLINE.—Notwithstanding paragraph (1) of section 404(f) of the Magnuson-Stevens Fishery Conservation and Management Act, as amended by this section, the Secretary of Commerce shall issue the first stock assessment plan under such section by not later than 2 years after the date of enactment of this Act.

(c) IMPROVING SCIENCE.—

(1) INCORPORATION OF INFORMATION FROM WIDE VARIETY OF SOURCES.—Section 2(a)(8) of the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1801) is amended by adding at the end the following: ''Fisheries management is most effective when it incorporates information provided by governmental and nongovernmental sources, including State and Federal agency staff, fishermen, fishing communities, universities, and research institutions. As appropriate, such information should be considered the best scientific information available and form the basis of conservation and management measures as required by this Act.''.

(2) IMPROVING DATA COLLECTION AND ANALYSIS.—Section 404 (16 U.S.C. 1881c), as amended by this section, is further amended by adding at the end the following:

''(g) IMPROVING DATA COLLECTION AND ANALYSIS.—

''(1) IN GENERAL.—The Secretary, in consultation with the Councils acting in reliance on their science and statistical committees established under section 302(g), shall develop and publish in the Federal Register guidelines that will facilitate greater incorporation of data, analysis, and stock assessments from nongovernmental sources, including fishermen, fishing communities, universities, and research institutions, into fisheries management decisions.

''(2) CONTENT.—The guidelines shall—

''(A) identify types of data and analysis, especially concerning recreational fishing, that can be reliably used as the basis for establishing conservation and management measures as required by section 303(a)(1), including setting standards for the collection and use of such data and analysis in stock assessments and for other purposes; and

''(B) provide specific guidance for collecting data and performing analyses identified as necessary to reduce the uncertainty referred to in section 404(f)(2)(C).

''(3) ACCEPTANCE AND USE OF DATA AND ANALYSES.—The Secretary and Regional Fishery Management Councils shall—

''(A) use all data and analyses that meet the guidelines published under paragraph (1) as the best scientific information available for purposes of this Act in fisheries management decisions, unless otherwise determined by the science and statistical committee of the Councils established pursuant to section 302(g) of the Act; and

''(B) explain in the Federal Register notice announcing the fishery management decision how such data and analyses have been used to establish conservation and management measures.''.

(3) DEADLINE.—The Secretary of Commerce shall develop and publish guidelines under the amendment made by paragraph (2) by not later than 1 year after the date of enactment of this Act.

(d) COST REDUCTION REPORT.—Within 1 year after the date of enactment of this Act, the Secretary of Commerce, in consultation with the Regional Fishery Management Councils, shall submit a report to Congress that, with respect to each fishery governed by a fishery management plan in effect under the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1801 et seq.)—

(1) identifies the goals of the applicable programs governing monitoring and enforcement of fishing that is subject to such plan;

(2) identifies methods to accomplish those goals, including human observers, electronic monitoring, and vessel monitoring systems;

(3) certifies which such methods are most cost-effective for fishing that is subject to such plan; and

(4) explains why such most-cost-effective methods are not required, if applicable.

The Acting CHAIR. Pursuant to House Resolution 274, the gentleman from Alaska (Mr. YOUNG) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Alaska.

Mr. YOUNG of Alaska. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, the amendment I am offering today makes a few clarifications to the underlying bill.

It modifies language in the bill allowing for the use of graduate students in the collection of recreational fishing data. The fields of science the graduate students are studying is expanded, and when the students can be used is clarified.

The amendment also clarifies that guidance prepared by the National Academy of Sciences regarding the economic benefits of commercial and recreational fishing within the mixed-use fisheries is to be given to the south Atlantic and the Gulf of Mexico councils.

The amendment will also modify the provisions in law regarding the council

review of limited access programs to include not only the benefits of the program, but also any adverse impacts.

Lastly, the amendment includes language to allow stock assessments to include information from universities, fishermen, fishing communities, and research institutions, in addition to State and Federal fisheries data.

It will also require a schedule for when stock assessments should occur and allows for a waiver if certain stocks don't need assessments.

These are good additions to the legislation, and I urge the Members to support the amendment.

I yield back the balance of my time.

Mr. GRIJALVA. Mr. Chairman, I claim time in opposition to the amendment.

The Acting CHAIR. The gentleman from Arizona is recognized for 5 minutes.

Mr. GRIJALVA. The catch share reporting requirements and stock assessment mandates in this amendment would impose significant new costs on NOAA, but the amendment provides no additional funding.

The majority already complains that NOAA does not conduct stock assessments frequently or quickly enough. This unfunded mandate would further slow that process.

Further, these concepts have not been vetted by the Natural Resources Committee. We have not had an opportunity to get feedback on the legislation from NOAA, the agency that would inevitably be responsible for implementing it.

We need to hear from the administration about any potential costs or unintended consequences of this amendment.

In particular, the rigid requirements of the guidelines envisioned in this bill would take away the discretion of expert scientists and undermine an ongoing effort NOAA is conducting to improve stock assessments across regions.

Further, the mandates, deadlines, and reports would likely cost money that is not authorized to be appropriated.

I would like to have additional input on the requirements this bill imposes with respect to developing and following new guidelines on data collection and on cost recovery by the agency.

For these reasons, I urge a ''no'' vote on the amendment, and I reserve the balance of my time.

Mr. YOUNG of Alaska. Mr. Chairman, I ask unanimous consent to reclaim the balance of my time.

The Acting CHAIR. Is there objection to the request of the gentleman from Alaska?

There was no objection.

Mr. YOUNG of Alaska. Mr. Chairman, I disagree with the gentleman from New Mexico's comments on this. This does not add an additional cost, and why people say that, I don't know.

All this does is very simple, and I explained it when I explained my amendment, and I urge the passage of the amendment.

I yield back the balance of my time.

Mr. GRIJALVA. My good friend, Mr. YOUNG, is perpetually trying to move me to New Mexico. I still love Arizona and will remain in Arizona.

Mr. Chairman, I want to say that the reasons of opposition have not changed to the amendment. The unintended consequences, the lack of full information as to what the data collection will be, any impending costs that would be secured that NOAA would have to undertake, and feedback both by the agency that would be responsible, feedback from the Natural Resources Committee, and feedback by the administration to this amendment would be, I think, important additions in order for this House to be able to make an informed decision on the amendment.

Lacking that information, I remain urging a ''no'' vote on the amendment, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Alaska (Mr. YOUNG).

The amendment was agreed to.

AMENDMENT NO. 6 OFFERED BY MR. GRAVES OF LOUISIANA

The Acting CHAIR. It is now in order to consider amendment No. 6 printed in House Report 114–128.

Mr. GRAVES of Louisiana. Mr. Chairman, I have an amendment made in order.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Add at the end the following:

SEC. 29. TRANSFER TO STATES OF MANAGEMENT OF RED SNAPPER FISHERIES IN THE GULF OF MEXICO.

(a) IN GENERAL.—The Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1801 et seq.) is amended by adding at the end the following:

''TITLE V—TRANSFER TO STATES OF MANAGEMENT OF RED SNAPPER FISHERIES IN THE GULF OF MEXICO

''SEC. 501. SHORT TITLE.

''This title may be cited as the 'Gulf States Red Snapper Management Authority Act'.

''SEC. 502. DEFINITIONS.

''In this title:

''(1) COASTAL WATERS.—The term 'coastal waters' means all waters of the Gulf of Mexico—

''(A) shoreward of the baseline from which the territorial sea of the United States is measured; and

''(B) seaward from the baseline described in subparagraph (A) to the outer boundary of the exclusive economic zone.

''(2) GULF COASTAL STATES.—The term 'Gulf coastal State' means each of the following States:

''(A) Alabama.

''(B) Florida.

''(C) Louisiana.

''(D) Mississippi.

''(E) Texas.

''(3) GULF OF MEXICO FISHERY MANAGEMENT COUNCIL.—The term 'Gulf of Mexico Fishery Management Council' means the Gulf of Mexico Fishery Management Council established under section 302(a).

''(4) GULF OF MEXICO RED SNAPPER.—The term 'Gulf of Mexico red snapper' means members of stocks or populations of the species *Lutjanus campechanus*, which ordinarily are found within the waters of the exclusive economic zone and adjacent territorial waters of the Gulf of Mexico.

''(5) GULF STATES RED SNAPPER MANAGEMENT AUTHORITY.—The term 'Gulf States Red Snapper Management Authority' and 'GSRSMA', means the Gulf States Red Snapper Management Authority established under section 503(a).

''(6) RED SNAPPER FISHERY MANAGEMENT PLAN.—The term 'red snapper fishery management plan' means a plan created by one or more Gulf coastal States to manage Gulf of Mexico red snapper in the coastal waters adjacent to such State or States, respectively.

''(7) REEF FISH FEDERAL FISHERY MANAGEMENT PLAN.—The term 'Reef Fish Federal fishery management plan'″ means the Fishery Management Plan for the Reef Fish Resources of the Gulf of Mexico, as amended, prepared by the Gulf of Mexico Fishery Management Council pursuant to title III and implemented under part 622 of title 50, Code of Federal Regulations (or similar successor regulation).

''(8) STATE TERRITORIAL WATERS.—The term 'State territorial waters', with respect to a Gulf coastal State, means the waters adjacent to such State seaward to the line three marine leagues seaward from the baseline from which of the territorial sea of the United States is measured.

''SEC. 503. MANAGEMENT OF GULF OF MEXICO RED SNAPPER.

''(a) GULF STATES RED SNAPPER MANAGEMENT AUTHORITY.—

''(1) REQUIREMENT TO ESTABLISH.—Not later than 60 days after the date of the enactment of this title, the Secretary shall establish a Gulf States Red Snapper Management Authority that consists of the principal fisheries manager of each of the Gulf coastal States.

''(2) DUTIES.—The duties of the GSRSMA are as follows:

''(A) To review and approve red snapper fishery management plans, as set out in the Act.

''(B) To provide standards for each Gulf coastal State to use in developing fishery management measures to sustainably manage Gulf of Mexico red snapper in the coastal waters adjacent to such State.

''(C) To the maximum extent practicable, make scientific data, stock assessments and other scientific information upon which fishery management plans are based available to the public for inspection prior to meetings described in paragraph (c)(2).

''(b) REQUIREMENT FOR PLANS.—

''(1) DEADLINE FOR SUBMISSION OF PLANS.—The GSRSMA shall establish a deadline for each Gulf coastal State to submit to the GSRSMA a red snapper fishery management plan for such State.

''(2) CONSISTENCY WITH FEDERAL FISHERY MANAGEMENT PLANS.—To the extent practicable, the Gulf Coastal States fishery management plans shall be consistent with the requirements in section 303(a) of the Fishery Conservation and Management Act of 1976 (16 U.S.C. 1853(a)).

''(c) REVIEW AND APPROVAL OF PLANS.—

''(1) IN GENERAL.—Not later than 1 year after the date of the enactment of this title and not more than 60 days after one or more Gulf coastal States submits a red snapper fishery management plan and annually thereafter, the GSRSMA shall review and approve by majority vote the red snapper fishery management plan if such plan meets the requirements of this title.

''(2) PUBLIC PARTICIPATION.—Prior to approving a red snapper fishery management plan submitted by one or more Gulf coastal States, the GSRSMA shall provide an adequate opportunity for public participation, including—

''(A) at least 1 public hearing held in each respective Gulf coastal State; and

''(B) procedures for submitting written comments to GSRSMA on the fishery management plan.

''(3) PLAN REQUIREMENTS.—A red snapper fishery management plan submitted by one or more Gulf coastal States shall—

''(A) contain standards and procedures for the long-term sustainability of Gulf of Mexico red snapper based on the best available science;

''(B) comply with the standards described in subsection (a)(2)(B); and

''(C) determine quotas for the red snapper fishery in the coastal waters adjacent to such Gulf coastal State or States, respectively, based on stock assessments, and—

''(i) any recommendation by the GSRSMA to reduce quota apportioned to the commercial sector by more than 10 percent shall be reviewed and approved by the Gulf Fishery Management Council;

''(ii) during the 3-year period beginning on the date of enactment of this title and consistent with subsection (d), the GSRSMA shall not determine a quota apportioned to the commercial sector; and

''(iii) nothing in this Act shall be construed to change the individual quota shares currently in place in the commercial sector of the Gulf of Mexico red snapper fishery

''(4) REVIEW AND APPROVAL.—Not later than 60 days after the date the GSRSMA receives a red snapper fishery management plan from one or more Gulf coastal State or States, the GSRSMA shall review and approve such plan if such plan satisfies the requirements of subsection (b).

''(d) CONTINUED MANAGEMENT BY THE SECRETARY.—During the 3-year period beginning on the date of the enactment of this title, the Secretary, in coordination with the Gulf of Mexico Fishery Management Council, shall continue to manage the commercial sector of the Gulf of Mexico red snapper fishery.

''(e) REPORTING REQUIREMENTS.—

''(1) REPORTS BY GULF COASTAL STATES.—Each Gulf coastal State shall submit to the GSRSMA an annual report on the status of the Gulf of Mexico red snapper fishery in coastal waters adjacent to such State.

''(2) REPORT BY THE GSRSMA.—Not less often than once every 5 years, the GSRSMA shall use the information submitted in the annual reports required by paragraph (1) to prepare and submit to the Secretary a report on the status of the Gulf of Mexico red snapper fishery.

''(3) ANNUAL REPORT BY NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION.—The Administrator of the National Oceanic and Atmospheric Administration shall submit to Congress an annual report on the implementation of this title.

''SEC. 504. STATE IMPLEMENTATION OF THE RED SNAPPER FISHERY MANAGEMENT PLANS.

''(a) ALLOCATION OF MANAGEMENT TO THE GULF STATES.—

''(1) CERTIFICATION OF APPROVED PLANS.—The GSRSMA shall certify to the Secretary that a red snapper fishery management plan is approved under section 503 for each of the Gulf coastal States.

''(2) TRANSFER OF MANAGEMENT.—Upon receipt of the certification described in paragraph (1) and subject to section 503 (d), the Secretary shall—

''(A) publish a notice in the Federal Register revoking the regulations and portions of the Reef Fish Federal fishery management plan that are in conflict with any red snapper fishery management plan approved by the GSRSMA; and

''(B) transfer management of Gulf of Mexico red snapper to the GSRSMA.

''(b) IMPLEMENTATION.—

''(1) IN GENERAL.—Upon the transfer of management described in subsection (a)(2)(B) and subject to section 503 (d), each Gulf coastal State shall implement and enforce the red snapper fishery management plans approved under section 503 for the Gulf of Mexico red snapper fishery in the coastal waters adjacent to each Gulf coastal State.

''(2) FAILURE TO TRANSFER MANAGEMENT.—If the certification described in subsection (a)(1) is not made the transfer of management described in subsection (a)(2)(B) may not be accomplished and the Secretary shall remain responsible for management of the Gulf of Mexico red snapper.

''SEC. 505. OVERSIGHT OF GULF OF MEXICO RED SNAPPER MANAGEMENT.

''(a) IMPLEMENTATION AND ENFORCEMENT OF FISHERY MANAGEMENT PLANS.—Not later than December 1 of the year following the transfer of management described in section 504(a)(2), and at any other time the GSRSMA considers appropriate after that date, the GSRSMA shall determine if—

''(1) each Gulf coastal State has fully adopted and implemented the red snapper fishery management plan approved under section 503 for such State;

''(2) each such plan continues to be in compliance with the standards for sustainability provided by the GSRSMA pursuant to section 503(a)(2); and

''(3) the enforcement of the plan by each Gulf coastal State is satisfactory to maintain the long-term sustainability and abundance of Gulf of Mexico red snapper.

''(b) OVERFISHING AND REBUILDING PLANS.—

''(1) CERTIFICATION.—If the Gulf of Mexico red snapper in the coastal waters adjacent to a Gulf coastal State is experiencing overfishing or is subject to a rebuilding plan, such Gulf coastal State shall submit a certification to the GSRSMA showing that such State—

''(A) has implemented the necessary measures to end overfishing or rebuild the fishery; and

''(B) in consultation with the National Oceanic and Atmospheric Administration, has implemented a program to provide for data collection adequate to monitor the harvest of Gulf of Mexico red snapper by such State.

''(2) NOTIFICATION TO SECRETARY.—If, after such time as determined by the GSRSMA, a Gulf coastal State that submitted a certification under paragraph (1) has not implemented the measures and requirements described in subparagraphs (A) and (B) of such paragraph, the GSRSMA shall vote on whether to notify the Secretary of a recommendation of closure of the red snapper fishery in the waters adjacent to the State territorial waters of the Gulf coastal State.

''(c) CLOSURE OF THE GULF OF MEXICO RED SNAPPER FISHERY.—

''(1) CONDITIONS FOR CLOSURE.—Not later than 60 days after the receipt of a notice under subsection (b)(2) for a Gulf coastal State, the Secretary may declare a closure of the Gulf of Mexico red snapper fishery within the waters adjacent to the State territorial waters of the Gulf coastal State.

''(2) CONSIDERATIONS.—Prior to making a declaration under paragraph (2), the Secretary shall consider the comments of such Gulf coastal State and the GSRSMA.

''(3) ACTIONS PROHIBITED DURING CLOSURE.—During a closure of the Gulf of Mexico red snapper fishery under paragraph (1), it is unlawful for any person—

''(A) to engage in fishing for Gulf of Mexico red snapper within the waters adjacent to the State territorial waters of the Gulf coastal State covered by the closure;

''(B) to land, or attempt to land, the Gulf of Mexico red snapper in the area of the closure; or

''(C) to fail to return to the water any Gulf of Mexico red snapper caught in the area of the closure that are incidental to commercial harvest or in the recreational fisheries.

''(4) CONSTRUCTION.—Nothing in this subsection shall be construed to allow the Secretary to close the red snapper fishery in the State territorial waters of a Gulf coastal State.

''SEC. 506. GULF STATES MARINE FISHERIES COMMISSION.

''(a) FUNDING TO THE GULF STATES MARINE FISHERIES COMMISSION.—The Secretary shall provide all Federal funding to the Gulf States Marine Fisheries Commission for all necessary stock assessments, research, and management for the red snapper fishery.

''(b) FUNDING TO THE GULF COASTAL STATES.—The Gulf States Marine Fisheries Commission shall be responsible for administering the Federal funds referred to in paragraph (1) to each of the Gulf coastal States for proper management of the red snapper fishery.

''(c) NO ADDITIONAL APPROPRIATIONS AUTHORIZED.—Nothing in this section may be construed to increase the amount of Federal funds authorized to be appropriated for Gulf of Mexico red snapper fishery management.

''SEC. 507. NO EFFECT ON MANAGEMENT OF SHRIMP FISHERIES IN FEDERAL WATERS.

''(a) BYCATCH REDUCTION DEVICES.—Nothing in this title may be construed to effect any requirement related to the use of Gulf of Mexico red snapper bycatch reduction devices in the course of shrimp trawl fishing activity.

''(b) BYCATCH OF RED SNAPPER.—Nothing in this title shall be construed to apply to or affect in any manner the Federal management of commercial shrimp fisheries in the Gulf of Mexico as in effect on the date of the enactment of this section, including any incidental catch of red snapper''.

(b) CONFORMING AMENDMENTS.—

(1) DATA COLLECTION.—Section 401(g)(3)(C) of the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1881(g)(3)(G)) is amended by striking ''and'' after the semicolon at the end of clause (iv), by striking the period at the end of clause (v) and inserting ''; and'', and by adding at the end the following:

''(vi) in the case of each fishery in the Gulf of Mexico, taking into consideration all data collection activities related to fishery effort that are undertaken by the marine resources

division of each relevant State of the Gulf of Mexico Fishery Management Council.''.

(2) GULF STATE TERRITORIAL WATERS.—Section 306(b) of the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1856(b)) is amended by adding at the end the following:

''(4) Notwithstanding section 3(11) and subsection (a) of this section, for purposes of managing fisheries in the Gulf of Mexico, the seaward boundary of a coastal State in the Gulf of Mexico is a line three marine leagues seaward from the baseline from which the territorial sea of the United States is measured.''.

(c) CLERICAL AMENDMENT.—The table of contents in the first section of such Act is amended by adding at the end the following:

''TITLE V—TRANSFER TO STATES OF MANAGEMENT OF RED SNAPPER FISHERIES IN THE GULF OF MEXICO

''Sec. 501. Short title.
''Sec. 502. Definitions.
''Sec. 503. Management of Gulf of Mexico red snapper.
''Sec. 504. State implementation of the red snapper fishery management plans.
''Sec. 505. Oversight of Gulf of Mexico red snapper management.
''Sec. 506. Gulf States Marine Fisheries Commission.
''Sec. 507. No effect on management of shrimp fisheries in Federal waters.''.

The Acting CHAIR. Pursuant to House Resolution 274, the gentleman from Louisiana (Mr. GRAVES) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Louisiana.

Mr. GRAVES of Louisiana. Mr. Chairman, I yield myself 2 minutes.

Mr. Chairman, when I was a child growing up in south Louisiana, recreational fishing for red snapper, we were allowed to go out all year round. All year long, we could go out and go enjoy fishing with our family and access the bounties of the Gulf of Mexico.

As a matter of fact, the Gulf of Mexico is so productive, we don't just have great recreational fishing in south Louisiana; we have great commercial as well. We have some of the best restaurants in the Nation.

We have a very robust commercial fishing industry. In fact, Mr. Chairman, it is the second biggest commercial fishing industry only to the State of Alaska, which I think is unfair because they get to weigh their crab shells.

Mr. Chairman, the reality is that we have seen the National Marine Fisheries Service, over the last several years, continue to use science that is not as robust as what the States are using to manage their fisheries.

□ 1715

Mr. Chairman, access for the recreational fishermen went down from year round when I was a child. Even in the 1990s, it was nearly 200 days, down to this year, where the National Marine Fisheries Service says that it is limited to only 10 days for recreational fishing. Parents and their children can go out for 10 days.

Meanwhile, for the first time ever, the National Marine Fisheries Service has split up the charter for hire and the recreational to allow the charter for hire to go out for 45 days and effectively allow the commercial fishermen to go out year round.

I want to be clear, Mr. Chairman. This isn't about pitting the different fishing sectors against one another. What this is about is ensuring that we are using the best science and ensuring that we are providing access to all fishers—the recreational, the charter for hire, and the commercial. It needs to be based upon the best science. We can have much better management of that resource by ensuring consistency between State waters and Federal waters.

The five Gulf States have come up with a plan. Unanimously, the five Gulf States have come up with a plan to manage those fisheries by the five fish and game agencies among the five Gulf States.

Mr. Chairman, my amendment simply codifies that agreement of the five Gulf States and allows those States to manage the red snapper fishery identical to how the striped bass fishery is managed on the Atlantic coast.

I reserve the balance of my time.

Mr. GRIJALVA. Mr. Chairman, I claim time in opposition to the amendment.

The Acting CHAIR. The gentleman from Arizona is recognized for 5 minutes.

Mr. GRIJALVA. Mr. Chairman, I am disappointed to see this amendment back again after it failed to pass in committee.

I understand that recreational fishermen in the Gulf of Mexico want to be able to keep more of the red snapper they catch, but the solution is not to steal fish from a responsibly managed and accountable commercial sector that provides millions of Americans the opportunity to choose healthy, fresh, sustainable Gulf red snapper at stores and restaurants; nor is it the solution to hand management over to Gulf States before they have developed a plan for managing the resource that consists of more than just ''trust us.''

Simple arithmetic shows that there are too many people putting too much pressure on the red snapper stock just to sustain a recreational fishing season that lasts for more than a few days. To address that problem, private boat anglers will need to present creative solutions such as those that the commercial and charter for hire sectors have developed.

NOAA is doing an incredible job rebuilding this stock under Magnuson, and the Gulf Council has the ability to debate and adopt a regional management approach or other alternative management strategies without interference from Washington.

I urge a ''no'' vote on the amendment, and I reserve the balance of my time.

Mr. GRAVES of Louisiana. Mr. Chairman, I yield 1 minute to the gentleman from Alaska (Mr. YOUNG).

Mr. YOUNG of Alaska. Mr. Chairman, I understand the concern of the gentleman from Louisiana on the current status of red snapper management in the Gulf of Mexico and your interest to support actions taken by the Gulf States that are supported by many of your constituents.

The amendment being offered today is a start in the process, but I respectfully suggest it needs further discussion. I support regional solutions but have concerns with proposals that will take the red snapper fishery outside of the Magnuson-Stevens Act management process.

I am willing to continue to work with the gentleman from Louisiana, Chairman BISHOP, and other Members, as well as fishing groups involved, to try to find a resolution to the management issues impacting the red snapper fishery.

Mr. GRIJALVA. Mr. Chairman, I reserve the balance of my time.

Mr. GRAVES of Louisiana. Mr. Chairman, this amendment is supported by the American Sportfishing Association; the Billfish Foundation; CCA, the Coastal Conservation Association; the Center for Coastal Conservation; the Congressional Sportsmen's Foundation; the International Game Fish Association; National Marine Manufacturers Association; Guy Harvey Ocean Foundation; Recreational Fishing Alliance; and the Theodore Roosevelt Conservation Partnership.

Mr. Chairman, I am struggling with understanding the concerns that I recently heard expressed by the other side.

Mr. Chairman, this is identical to how the Atlantic striped bass is managed on our East Coast. Why is there not an amendment to withdraw that authority if it is so problematic to have the five Gulf States consistently manage the natural resources in their State waters, as they do today, and in the adjacent Federal waters?

It has been proven through various hearings that the committee has had that the science being used by the States is much better than the science that is being used by the Federal Government.

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

Mr. GRIJALVA. Mr. Chairman, I will continue to reserve the balance of my time.

Mr. GRAVES of Louisiana. I yield myself 30 seconds.

Mr. Chairman, I would like to include in the RECORD a one-pager that was released by the various groups that I cited, and I would also like to include

in the RECORD a document that was written in March of this year by the five Gulf States that explains the management.

THE STATE-BASED SOLUTION TO GULF OF MEXICO RED SNAPPER

In March 2015, the directors of the state fish and wildlife agencies from Alabama, Florida, Louisiana, Mississippi and Texas announced an agreement for state-based management of Gulf of Mexico red snapper, which in recent years has experienced increasing privatization of this public resource and decreasing recreational fishing opportunities.

Gulf of Mexico red snapper is presently managed by the Gulf of Mexico Fishery Management Council, under the National Marine Fisheries Service. The states' agreement, which is predicated on transferring management authority away from the Council, describes the key elements of a plan in which the five Gulf states would coordinate management of red snapper throughout the Gulf of Mexico through the proposed Gulf States Red Snapper Management Authority.

Numerous regional and national fisheries organizations have come out in support of the states' plan. The recreational fishing community has long had a strong relationship with state fish and wildlife agencies because of their ability to manage fisheries resources in a way that allows for healthy populations and public access. Most all of the nation's most popular saltwater recreational fisheries are managed by the states. Rarely, if ever, does overfishing occur in state-managed recreational fisheries.

States are also tremendously successful at managing commercial fisheries. Nothing in the Gulf states' plan proposes to change how the commercial red snapper fishery is managed.

It has become abundantly clear that the current Gulf red snapper management system cannot produce successful outcomes for recreational fishermen. Somewhere along the way of rebuilding the fishery, to where it's now at an abundance level beyond anyone's expectations, management went off the tracks. A new path forward is needed, the states' are to be commended for their willingness to take on this task.

Representatives Garret Graves of Louisiana and Jeff Miller of Florida are championing this plan. They are working to ensure congressional action on this issue aligns with the five Gulf states.

MARCH 13, 2015.

TO WHOM IT MAY CONCERN: Management of the red snapper fishery in the Gulf of Mexico continues to be a major challenge with increasing dissatisfaction among anglers and serious calls for restructuring the Gulf red snapper management system. As a result, a number of proposals and various drafts of legislation for changing this system have emerged. Recognizing that significant changes are being considered, the marine fisheries directors from the five Gulf States have been engaged in an effort to develop and document an alternative to the current management strategy that has mutual agreement and support. Together, we have developed a framework for cooperative state-based management of Gulf red snapper; the enclosed document outlines the conceptual elements of that plan.

Under this alternative concept, the Gulf States would coordinate management of red snapper throughout the Gulf of Mexico through a new, independent body called the Gulf States Red Snapper Management Authority (GSRSMA). The GSRSMA would be comprised of the principle marine fisheries managers from each Gulf States, and the management authority for Gulf-red snapper would no longer reside within the Gulf of Mexico Fishery Management Council.

The GSRSMA framework outlines a straightforward process that would allow states to use flexible management approaches to manage red snapper to meet local needs as well as Gulf-wide conservation goals. Each state would be responsible for all management of red snapper in their respective state and adjacent federal waters. The GSRSMA would approve each state's management plan, coordinate population assessments, provide consistent accountability measures, and distribute federal funding for research, assessment, and management.

Each state fisheries management agency places great value in working together in partnership and collaboration to ensure we have a robust, sustainable, and accessible red snapper fishery in the Gulf. The states recognize the importance of the red snapper fishery to the fabric and identity of local communities throughout the Gulf as well as the tremendous economic impact that it provides each state.

Thank you for the opportunity to present to you the GSRSMA concept agreed upon by each state. If there are any questions or comments about the concept, please do not hesitate to contact any of us directly.

Sincerely,

ROBIN RIECHERS,
Director of Coastal Fisheries, Texas Parks and Wildlife Department.

RANDY PAUSINA,
Assistant Secretary, Office of Fisheries, Louisiana Department of Wildlife and Fisheries.

JAMIE MILLER,
Executive Director, Mississippi Department of Marine Resources.

CHRIS BLANKENSHIP,
Director, Marine Resources Division, Alabama Department of Conservation and Natural Resources.

JESSICA MCCAWLEY,
Director, Division of Marine Fisheries Management, Florida Fish and Wildlife Conservation Commission.

Enclosure.

GULF STATES RED SNAPPER MANAGEMENT AUTHORITY (GSRSMA)

This document outlines elements of a plan in which the Gulf States would coordinate management of red snapper throughout the Gulf of Mexico through the Gulf States Red Snapper Management Authority (GSRSMA).

MANAGEMENT

The governing body of GSRSMA would be comprised of the principal fisheries manager (or his/her proxy) from each of the five Gulf States. There would be a rotating chair serving a two-year term. All actions of GSRSMA would be by majority vote. The primary function of the GSRSMA would be approval of each state's or group of states' Red Snapper Fisheries Management Plan (hereafter referred to as the Plan) which would address all components (commercial and recreational) of the Gulf States red snapper fishery. The Plan may extend to multiple years with annual review of specific components to include, but not limited to: assessment methodology, data collection, annual management measures and timelines.

The Plan would include an initial three-year prohibition on any actions that might affect individual fishing quotas or management structure of the commercial fishery, effective from date of adoption by GSRSMA. During this period, NOAA Fisheries through the Gulf of Mexico Fishery Management Council would continue to manage the commercial fishery under existing regulations.

Each state would be responsible for the management of the fishery in their respective state territorial sea and adjacent exclusive economic zone (EEZ) water using the best available science and information. The states would be required to ensure overfishing will not occur through the full range of management and assessment strategies available to each state or group of states acting in concert. These strategies would not be limited to those based on total allowable catch. The GSRSMA, as a whole would annually review and approve the red snapper management actions of an individual state or groups of states acting in concert. If the status of the fishery in each state is in equilibrium or expanding, no change in management actions may be required. If the status of the fishery is below equilibrium or declining, the responsible state or states would be required to take appropriate action to revise existing management actions to establish equilibrium, and those actions would have to be approved by the GSRSMA.

The GSRSMA or each state would be required to prepare an annual report on the status of the fishery based on the individual states (or states acting in concert) management strategies and assessment methodologies. The GSRSMA will conduct a periodic gulf-wide population review of red snapper on a schedule not to exceed every 5 years.

ASSESSMENT

Each individual state or group of states would conduct an assessment of the status of red snapper populations within their adjacent waters. The full range of assessment methodologies would be available to each state or group of states using the best available science to inform management actions.

Assessments would be conducted periodically on a timeline determined by the GSRSMA. Assessment methodologies and data collection strategies for both fisheries dependent and independent data would be approved by the GSRSMA. The GSRSMA would be required to conduct a periodic and Gulf-wide population review of the health of the fishery and status of red snapper on a schedule not to exceed five years between such assessments.

ACCOUNTABILITY

Each Gulf state would formally agree to comply fully with management measures developed through the GSRSMA-approved Plan under a memorandum of agreement. The GSRSMA could request additional accountability actions through the Secretary of Commerce if a Gulf state or group of Gulf states adopted management measures or regulations significantly inconsistent from the red snapper management framework identified in the Plan when such inconsistent measures could negatively impact the interests of other Gulf states with regard to red snapper management.

The procedures established as part of the Striped Bass Act, Sec. 5153—Monitoring of Implementation and Enforcement by Coastal States would serve as a model for developing procedures for action through the Secretary of Commerce specific to the red snapper fishery in the Gulf of Mexico. Federal action to provide accountability and ensure consistency would be limited to the federal waters adjacent to the state(s) that adopted inconsistent management measures or actions. Under no circumstances would federal authority or action supersede that of an individual state within designated state waters. The following link provides greater detail on the procedures used by the Atlantic States Marine Fisheries Commission in regards to management of striped bass: http://www.asmfc.org/uploads/file/Striped_Bass_Act.pdf

State regulation of red snapper would extend seaward from a state's shoreline to the 200 mile limit (Figure 1). Individual states would enforce regulations within their boundaries under licensing to that state or with agreement and appropriate licensing in other adjacent states. State regulations related to red snapper under the Plan would apply to all fishing activities associated with red snapper landed in a given state, not just state registered vessels.

State waters for all Gulf States would extend to nine nautical miles for the purpose of uniform enforcement and management actions related to red snapper.

FUNDING

Federal funding specific to red snapper now going to federal research, assessment and management would be appropriated to the Gulf States Marine Fisheries Commission and passed through to the states for use and distribution under the GSRSMA.

Federal funding of enforcement that is currently provided to the Gulf States for fisheries enforcement shall not be reduced because of transfer of red snapper management to GSRSMA. Federal agents will work in concert with deputized state agents to enforce state regulations approved by the GSRSMA.

The National Marine Fisheries Service will continue to provide access to all fisheries data and services available before transfer of red snapper management under the same arrangements and conditions after the transfer of management authority to GSRSMA.

Figure 1. Jurisdictional boundaries designated for enforcement purposes at a state level. These boundaries may be adjusted based on state(s) exercising the option to work in concert on regulations with each other.

STATUTORY PROVISIONS

In order to establish the GSRSMA, the management of red snapper must be vacated from the Gulf of Mexico Fishery Management Council Reef Fish Fishery Management Plan and any provisions that have been established for red snapper with that plan or any amendments to that plan.

Additionally, this Act and any provisions of this Act regarding management and enforcement of any regulations and management provisions to the extent that there is any conflict will take precedence over the MSA and any portions of the Gulf of Mexico Fishery Management Council's Reef Fish Fishery Management Plan.

KEY PROVISIONS

GULF STATES RED SNAPPER MANAGEMENT AUTHORITY (GSRSMA)

This document provides a summary of the key elements of a plan in which the Gulf states would coordinate management of red snapper throughout the Gulf of Mexico through the proposed Gulf States Red Snapper Management Authority (GSRSMA).

MANAGEMENT & ASSESSMENT

The governing body for the GSRSMA would be comprised of the principal fisheries manager (or his/her proxy) from each of the five Gulf States.

Primary function of the GSRSMA would be approval of each state's Red Snapper Fisheries Management Plan which would address all components of the fishery.

Within each Plan there would be an initial three year prohibition on actions affecting individual fishing quotas.

Using the best available science, each state would be responsible for the management of the fishery in their respective state territorial sea and adjacent exclusive economic zone (EEZ) waters to ensure that overfishing would not occur.

Reporting requirements will include an annual report on the status of the fishery from each state(s) and a gulf-wide population review will be conducted at least every 5 years.

ACCOUNTABILITY

Each state would formally agree to comply fully with management measures developed through the GSRSMA-approved Plan.

The GSRSMA could request additional accountability actions through the Secretary of Commerce if a Gulf state or group of Gulf states adopted management measures or regulations significantly inconsistent with the Plan.

Any accountability action based on a request to the Secretary of Commerce would be limited to federal waters adjacent to the state or states that adopted measures inconsistent with the Plan.

State regulations and enforcement of those regulations for red snapper would extend seaward from a states shoreline to the 200 mile limit.

State waters for all Gulf States would extend to nine nautical miles for the purpose of uniform enforcement and management actions related to red snapper.

FUNDING

Federal funding for research, assessment and management of red snapper would be appropriated to the Gulf States Marine Fisheries Commission and passed to the states.

Federal funding for fisheries enforcement shall continue at current levels and NMFS will continue to share fisheries data and other data necessary for management after transfer of authority.

STATUTORY PROVISIONS

Provisions of this Act will take precedence over the MSA and any portions of the Gulf of Mexico Fishery Management Council Reef Fish Fishery Management Plan.

Mr. GRAVES of Louisiana. I yield such time as he may consume to the gentleman from Utah (Mr. BISHOP), the distinguished chairman.

Mr. BISHOP of Utah. Mr. Chairman, in the same way Federal lands must be accessible to sportsmen and -women, so must our Federal waters as well.

I concur with the gentleman that there is an access problem with the red snapper. The underlying bill extends the Gulf State coastal waters to 9 miles, requires fish to be counted around reefs, and requires the incorporation of State and local data on red snapper management so that the red snapper population will be counted.

Almost everyone agrees that the population is undercounted, but counting more fish does not guarantee that recreational fishermen will have more days in Federal waters.

I want to work with the gentleman from Louisiana, Mr. MILLER of Florida, and any other coastal States Representatives to have hearings and move along other bills that may come about.

Mr. GRAVES of Louisiana. Mr. Chairman, in closing, I just want to say that I appreciate Chairman BISHOP's offer to move legislation that the distinguished chairman of the Veterans' Affairs Committee and I will be introducing soon that pertains to this exact issue and to have hearings on this as well.

Mr. BOUSTANY. Mr. Chair, in Louisiana, we fish—whether that's enjoying a Saturday on the water for fun or making a living as a commercial or charter fisherman.

That's why I stand with my Louisiana colleague, GARRET GRAVES, in support of this common-sense amendment.

As an expert on policies affecting our Gulf Coast, Congressman GRAVES knows it is rare for all 5 Gulf states to agree when it comes to ocean management and conservation policy.

So it's remarkable when these 5 states come together on a proposal to transfer Red Snapper management in the Gulf of Mexico away from the federally managed program that continues to fail recreational anglers.

That's all this common-sense amendment does—make this existing management agreement into law.

I believe as Representative GRAVES does when states come together to present a working proposal to Congress, we as their Representatives should listen.

I urge my colleagues to support states' rights and support this amendment.

Mr. GRAVES of Louisiana. With that, I withdraw the amendment.

The Acting CHAIR. The amendment is withdrawn.

AMENDMENT NO. 7 OFFERED BY MR. WITTMAN

The Acting CHAIR. It is now in order to consider amendment No. 7 printed in House Report 114–128.

Mr. WITTMAN. Mr. Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of the bill, add the following:

SEC. 29. AUTHORITY TO USE ALTERNATIVE FISHERY MANAGEMENT MEASURES.

Section 302(h) (16 U.S.C. 1852(h)) is amended—

(1) by redesignating paragraph (8) as paragraph (9); and

(2) by inserting after paragraph (7), the following:

''(8) have the authority to use alternative fishery management measures in a recreational fishery (or the recreational component of a mixed-use fishery), including extraction rates, fishing mortality targets, and harvest control rules, in developing a fishery management plan, plan amendment, or proposed regulations.''.

The Acting CHAIR. Pursuant to House Resolution 274, the gentleman

from Virginia (Mr. WITTMAN) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Virginia.

Mr. WITTMAN. Mr. Chairman, my amendment would give the National Oceanic and Atmospheric Administration, NOAA, Fisheries the authority to implement management practices better suited to the nature and scope of recreational fishing.

I hope we can all agree that commercial and recreational fisheries are fundamentally different activities, with dissimilar harvest data collection systems that can benefit from different management techniques.

Commercial fisheries are managed for yield. Commercial landings can usually be counted or weighed in realtime; thus, quotas can be enforced in realtime. This allows managers to close a fishery well before the allowable catch is exceeded. In short, a commercial fishery's catch can be managed in realtime based on data from verified landings.

Recreational fisheries are different and should be managed for expectation, as opposed to yield. Anglers fish for a variety of reasons, but a lack of fish will make them go less frequently or stop altogether. Anglers and fishermen need to believe they will have opportunity to encounter fish, with the hopes they may catch some, possibly including some large enough to take home.

Instead of yield, abundance and age structure are key elements to recreational fisheries since those factors govern both the rate of encounters and the size of fish caught. Maximizing yield has little meaning in most recreational fisheries. That is why NOAA's National Marine Fisheries Service should manage recreational fisheries based on expected long-term harvest rates, not strictly on yield or poundage-based quotas.

This strategy has been successfully used by State fisheries managers in our freshwater and coastal fisheries, providing exceptional recreational fishing opportunities while ensuring sustainable fish populations.

By managing the recreational sector based on harvest rate as opposed to a poundage-based quota, managers have been able to provide predictability in regulations while also sustaining a healthy population.

While the Magnuson-Stevens Act does not specifically prohibit such an approach, it should specifically direct the National Marine Fisheries Service and regional councils to consider alternative strategies to commercial management for appropriate recreationally valuable fisheries.

I urge my colleagues to support this amendment that provides additional flexibility to improve the management of important recreational fisheries.

I reserve the balance of my time.

Mr. GRIJALVA. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from Arizona is recognized for 5 minutes.

Mr. GRIJALVA. Mr. Chairman, I understand and appreciate the motivation behind the gentleman's amendment. Recreational fisheries are inherently different from commercial fisheries. The language is similar to the alternative rebuilding strategy section in the underlying bill, one of the few parts that does not harm conservation efforts.

However, that provision states clearly that the alternative strategies must be in compliance with the requirements of the Magnuson-Stevens Act, including ending overfishing, setting science-based catch limits, and sticking to rebuilding timelines.

This amendment does not include those safeguards and, therefore, could be construed as to allow overfishing or delay the rebuilding of overfished stock. We have made too much progress in managing fisheries to backtrack now.

I urge a ''no'' vote on the amendment and reserve the balance of my time.

Mr. WITTMAN. Mr. Chairman, I would tell the gentleman from Arizona that this amendment does not in any way stop National Marine Fisheries Service or the councils from preventing overfishing and making the needed changes to management.

This bill purely provides them the flexibility and adaptability to properly manage recreational fisheries which, as the gentleman from Arizona said, we all know are different than those commercial fisheries.

I want to make sure that they have the opportunity to manage the fisheries properly and especially in light of recreational fishermen and the local economies that depend on viable, sustainable recreational fisheries.

We know that we have to make sure we are making good resource decisions, and we do that by providing that flexibility and adaptability. This amendment allows us to do that.

It allows recreational fisheries and the management thereof to be treated different than commercial fisheries which we have all seen through time we must do if we are to manage them in the best interest not only of the resource itself—that is the fish—but to manage it in the best interest of our recreational fishermen and the economies that depend on them.

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

Mr. GRIJALVA. Mr. Chairman, without the safeguards that are included in the Magnuson-Stevens Act being part of this amendment, we continue to recommend a ''no'' vote on the amendment.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Virginia (Mr. WITTMAN).

The amendment was agreed to.

AMENDMENT NO. 8 OFFERED BY MR. HUFFMAN

The Acting CHAIR. It is now in order to consider amendment No. 8 printed in House Report 114–128.

Mr. HUFFMAN. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Strike all and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Fishing Economy Improvement Act''.

SEC. 2. REFERENCES.

Except as otherwise specifically provided, whenever in this Act an amendment or repeal is expressed in terms of an amendment to, or repeal of, a provision, the reference shall be considered to be made to a provision of the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1801 et seq.).

SEC. 3. AMENDMENTS TO DEFINITIONS.

Section 3 (16 U.S.C. 1802) is amended—

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

''(1a) The term 'artisanal fishing' means subsistence or small scale traditional fishing involving fishing households (as opposed to commercial companies)—

''(A) using a relatively small amount of capital and energy and relatively small fishing vessels (if any);

''(B) making short fishing trips, close to shore; and

''(C) mainly for local consumption.'';

(2) by inserting after paragraph (27) the following:

''(27a) The term 'marine aquaculture' means the propagation and rearing of aquatic species in controlled or selected environments in the exclusive economic zone.''; and

(3) in paragraph (16), by adding at the end the following: ''Such term does not include marine aquaculture.''.

SEC. 4. TRANSPARENCY AND PUBLIC PROCESS.

(a) ADVICE.—Section 302(g)(1)(B) (16 U.S.C. 1852(g)(1)(B)) is amended by adding at the end the following: ''Each scientific and statistical committee shall develop such advice in a transparent manner and allow for public involvement in the process.''.

(b) MEETINGS.—Section 302(i)(2) (16 U.S.C. 1852(i)(2)) is amended by adding at the end the following:

''(G) Each Council shall make available on the Internet website of the Council—

''(i) to the extent practicable, a Web cast or a live audio or video broadcast of each meeting of the Council, and of the Council Coordination Committee established under subsection (l), that is not closed in accordance with paragraph (3); and

''(ii) an audio or video recording (if the meeting was in person or by video conference), or a searchable audio recording or written transcript, of each meeting of the Council and of the meetings of committees referred to in section 302(g)(1)(B) of the Council, by not later than 30 days after the conclusion of the meeting.

''(H) The Secretary shall maintain and make available to the public an archive of Council and scientific and statistical committee meeting audios, videos, and transcripts made available under clauses (i) and (ii) subparagraph (G).''.

SEC. 5. INCLUSION OF ARTISANAL FISHING SECTORS IN FISHERY MANAGEMENT PLANS.

Section 303(a)(13) (16 U.S.C. 1853(a)(13)) is amended by inserting ''artisanal,'' after ''include a description of the commercial, recreational,''.

SEC. 6. IMPROVING FISHERIES DATA COLLECTION.

(a) ELECTRONIC MONITORING.—

(1) ISSUANCE OF GUIDANCE.—

(A) REQUIREMENT.—The Secretary of Commerce shall issue guidance regarding the use of electronic monitoring for the purposes of monitoring fisheries that are subject to the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1801 et seq.).

(B) CONTENT.—The guidance shall—

(i) distinguish between monitoring for data collection and research purposes and monitoring for compliance and enforcement purposes; and

(ii) include minimum criteria, objectives, or performance standards for electronic monitoring.

(C) PROCESS.—In issuing the guidance the Secretary shall—

(i) consult with the Regional Fishery Management Councils and interstate fishery management commissions;

(ii) publish the proposed guidance; and

(iii) provide an opportunity for the submission by the public of comments on the proposed guidance.

(2) IMPLEMENTATION OF MONITORING.—

(A) IN GENERAL.—Subject to subparagraph (B), and after the issuance of the final guidance, a Council, or the Secretary for fisheries referred to in section 302(a)(3) of the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1852(a)(3)), may, in accordance with the guidance, on a fishery-by-fishery basis and consistent with the existing objectives and management goals of a fishery management plan and the Act for a fishery issued by the Council or the Secretary, respectively, amend such plan—

(i) to incorporate electronic monitoring as an alternative tool for data collection and monitoring purposes or for compliance and enforcement purposes (or both); and

(ii) to allow for the replacement of a percentage of on-board observers with electronic monitoring.

(B) COMPARABILITY.—Subparagraph (A) shall apply to a fishery only if the Council or Secretary, respectively, determines that such monitoring will yield comparable data collection and compliance results.

(3) PILOT PROJECTS.—Before the issuance of final guidance, a Council, or the Secretary for fisheries referred to in section 302(a)(3) of the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1852(a)(3)), may, subject to the requirements of such Act, on a fishery-by-fishery basis, and consistent with the existing objectives and management goals of a fishery management plan for a fishery issued by the Council or the Secretary, respectively, conduct a pilot project for the use of electronic monitoring for the fishery.

(4) DEADLINE.—The Secretary shall issue final guidance under this subsection by not later than 12 months after the date of enactment of this Act.

(b) VIDEO AND ACOUSTIC SURVEY TECHNOLOGIES.—The Secretary shall work with the Regional Fishery Management Councils and nongovernmental entities to develop and implement the use pursuant to the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1801 et seq.) of video survey technologies and expanded use of acoustic survey technologies.

SEC. 7. COOPERATIVE RESEARCH AND MANAGEMENT PROGRAM.

(a) PLAN.—Section 318 (16 U.S.C. 1867) is amended—

(1) in subsection (a), by inserting ''(1)'' before the first sentence, and by adding at the end the following:

''(2) Not later than one year after the date of enactment of the Fishing Economy Improvement Act, and after consultation with the Councils, the Secretary shall publish a plan for implementing and conducting the program established in paragraph (1). Such plan shall identify and describe critical regional fishery management and research needs, including for data-poor stocks for which limited scientific or commercial information is available, possible projects that may address those needs, and estimated costs for such projects. The plan shall be revised and updated every 5 years, and updated plans shall include a brief description of projects that were funded in the prior 5-year period and the research and management needs that were addressed by those projects.'';

(2) in subsection (b), by striking ''in consultation with the Secretary.'' and inserting ''. Each Council shall provide a list of such needs to the Secretary on an annual basis, identifying and prioritizing such needs.''; and

(3) in subsection (c)—

(A) in the heading, by striking ''FUNDING'' and inserting ''PRIORITIES''; and

(B) in paragraph (1), by striking all after ''including'' and inserting an em dash, followed on the next line by the following:

''(A) the use of fishing vessels or acoustic or other marine technology;

''(B) expanding the use of electronic catch reporting programs and technology; and

''(C) improving monitoring and observer coverage through the expanded use of electronic monitoring devices and satellite tracking systems such as vessel monitoring systems (VMS) on small vessels.''.

(b) ZEKE GRADER FISHERIES CONSERVATION AND MANAGEMENT FUND.—

(1) IN GENERAL.—Section 208 of the Magnuson-Stevens Fishery Conservation and Management Reauthorization Act of 2006 (16 U.S.C. 1891b) is amended—

(A) in the section heading, by inserting ''**ZEKE GRADER**'' before ''**FISHERIES CONSERVATION AND MANAGEMENT FUND**'';

(B) in subsection (a), by inserting ''Zeke Grader'' before ''Fisheries Conservation and Management Fund''; and

(C) in subsection (c), by striking ''Fishery Conservation and Management Fund'' each place it appears and inserting ''Zeke Grader Fisheries Conservation and Management Fund''.

(2) CLERICAL AMENDMENT.—The table of contents is amended by striking the item relating to section 208 and inserting the following:

''Sec. 208. Zeke Grader Fisheries Conservation and Management Fund.''.

(3) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the ''Fisheries Conservation and Management Fund'' is deemed to be a reference to the ''Zeke Grader Fisheries Conservation and Management Fund''.

SEC. 8. GULF OF MEXICO FISHERIES COOPERATIVE RESEARCH AND RED SNAPPER MANAGEMENT.

(a) REPORTING AND DATA COLLECTION PROGRAM.—The Secretary of Commerce shall—

(1) in conjunction with the States, the Gulf of Mexico Fishery Management Council, and the recreational fishing sectors, develop and implement a real-time reporting and data collection program for the Gulf of Mexico red snapper fishery using available technology; and

(2) make implementation of this subsection a priority for funds received by the Secretary and allocated to the Gulf of Mexico region under section 2 of the Act of August 11, 1939 (commonly known as the ''Saltonstall-Kennedy Act'') (15 U.S.C. 713c–3).

(b) STOCK SURVEYS AND STOCK ASSESSMENTS.—The Secretary of Commerce, acting through the National Marine Fisheries Service Regional Administrator of the Southeast Regional Office, shall for purposes of the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1801 et seq.)—

(1) develop a schedule of stock surveys and stock assessments for the Gulf of Mexico Region and the South Atlantic Region for the 5-year period beginning on the date of the enactment of this Act and for every 5-year period thereafter;

(2) direct the Southeast Science Center Director to implement such schedule; and

(3) in such development and implementation—

(A) give priority to those stocks that are commercially or recreationally important; and

(B) ensure that each such important stock is surveyed at least every 5 years.

(c) USE OF FISHERIES INFORMATION IN STOCK ASSESSMENTS.—The Southeast Science Center Director shall ensure that fisheries information made available through fisheries programs funded under Public Law 112–141 is incorporated as soon as possible into any fisheries stock assessments conducted after the date of the enactment of this Act.

SEC. 9. RECREATIONAL FISHING DATA.

(a) RECREATIONAL DATA COLLECTION.—Section 401(g) (16 U.S.C. 1881(g)) is amended by redesignating paragraph (4) as paragraph (5), and by inserting after paragraph (3) the following:

''(4) FEDERAL-STATE PARTNERSHIPS.—

''(A) ESTABLISHMENT.—The Secretary shall establish partnerships with States to develop best practices for implementation of State programs that are exempted under paragraph (2).

''(B) GUIDANCE.—The Secretary shall develop guidance, in cooperation with the States, that details best practices for administering State programs that are exempted under paragraph (2), and provide such guidance to the States.

''(C) BIENNIAL REPORT.—The Secretary shall submit to the Congress and publish biennial reports that include—

''(i) the estimated accuracy of the registry program established under paragraph (1) and of State programs that are exempted under paragraph (2);

''(ii) priorities for improving recreational fishing data collection; and

''(iii) an explanation of any use of information collected by such State programs and by the Secretary, including a description of any consideration given to the information by the Secretary.

''(D) STATE GRANT PROGRAM.—The Secretary shall make grants to States to improve implementation of State programs consistent with this subsection. The Secretary shall prioritize such grants based on the ability of the grant to improve the quality and accuracy of such programs.''.

(b) STUDY OF RECREATIONAL FISHERIES DATA.—

(1) IN GENERAL.—Not later than 60 days after the date of the enactment of this Act,

the Secretary of Commerce shall enter into an agreement with the National Research Council of the National Academy of Sciences to study the implementation of the programs described in section 401 of the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1881). The study shall—

(A) provide an updated assessment of recreational survey methods established or improved since the publication of the Council's report entitled ''Review of Recreational Fisheries Survey Methods (2006)'';

(B) evaluate the extent to which the recommendations made in that report were implemented pursuant to subsection (g)(3)(B) of that section; and

(C) examine any limitations of the Marine Recreational Fishery Statistics Survey and the marine recreational information program established under subsection (g)(3)(A) of that section.

(2) REPORT.—Not later than 1 year after entering into an agreement under paragraph (1) the Secretary shall submit a report to Congress on the results of the study under paragraph (1).

SEC. 10. AUTHORIZATION OF APPROPRIATIONS.

Section 4 (16 U.S.C. 1803) is amended—

(1) by striking ''this Act'' and all that follows through ''(7)'' and inserting ''this Act''; and

(2) by striking ''fiscal year 2013'' and inserting ''each of fiscal years 2016 through 2021''.

The Acting CHAIR. Pursuant to House Resolution 274, the gentleman from California (Mr. HUFFMAN) and a Member opposed each will control 10 minutes.

The Chair recognizes the gentleman from California.

Mr. HUFFMAN. Mr. Chairman, I yield myself such time as I may consume.

I rise in support of our amendment in the nature of a substitute.

I do want to express my respect and appreciation for the gentleman from Alaska (Mr. YOUNG) and his commitment to fisheries management issues over the years. I know many Members, including myself, are very concerned about the sustainability of the fishing industry in our own districts.

I represent about a third of the California coast, including many working coastal communities; and the importance of marine fisheries to my district and, I would say, to our country cannot be overstated.

U.S. fisheries have not only shaped the cultural identity of coastal communities, such as those I represent and our country, but they have also contributed economically in a very significant way, nearly $90 billion and 1.5 million jobs.

□ 1730

Recreational fishing provides important opportunities to bring families and communities together, and, of course, subsistence fishing is a culturally significant tradition that provides an important food source for many people.

However, I do not believe that H.R. 1335 represents a constructive approach to ensuring abundant resources for current and future generations of fishermen. This bill would take us backward in many respects. It would roll back important elements of the Magnuson Act that are critical to making fisheries and the fishing industry in the United States economically and environmentally sustainable. I also don't believe that successful fisheries management has to include taking potshots at bedrock environmental laws like the Endangered Species Act, the Antiquities Act, and NEPA, as this bill seeks to do. For these reasons, I can't support it.

Congress first enacted the Magnuson-Stevens Act in 1976, with two main goals: first, to put an end to unregulated fishing by foreign fleets in U.S. waters, and, second, to develop domestic fleets that could reap the economic benefit of our considerable fisheries resources. It worked, and it worked so well that domestic fishing soon replaced foreign fleets in overexploiting U.S. fisheries.

The 1996 reauthorization required regional fisheries management councils, for the first time, to end domestic overfishing and to develop rebuilding plans, and then the 2007 reauthorization added an important timeline for rebuilding plans and also enforced catch limits. The original law, together with these amendments, established a fisheries management system in the United States that is now a model for the rest of the world.

The important point here is that all three of these acts were bipartisan bills, developed and approved by Republicans and Democrats alike, because everybody recognized the need to maintain sustainable fish stocks and to support domestic commercial and recreational fishing. Now, these were also effective progressive endeavors that drastically improved the fisheries in our country. In fact, our Federal fisheries today have the lowest ever number of stocks that are overfished or subject to overfishing, and a total of 37 stocks have been rebuilt. This is evidence that our science-based approach to determining stock status and the managing for sustainability is working.

But contrary to previous bipartisan acts of Congress, this bill was developed with very little input from Democrats. Subsequently, it was passed out of committee on a strict party-line vote—no Democrats voting in favor and not a single Democratic amendment accepted. Every witness at each hearing that the committee held on this topic in the last Congress agreed on one thing: the Magnuson-Stevens Act was largely working.

This is not a situation where we should be overhauling the law in a wholesale way. It is a situation where we should be making small improvements so that the law can continue to work well into the future.

Now, Mr. Chairman, we want to have meaningful discussions with our Republican colleagues and develop bipartisan legislation in the spirit of previous successful Magnuson Act authorizations. To this end, I introduced the Fishing Economy Improvement Act with my friend, Mr. SABLAN, and we are offering a germane version as a substitute amendment that would reauthorize Magnuson and leave intact the core conservation and management provisions, including the requirements to rebuild overfished stocks and set annual catch limits.

The substitute amendment would also make improvements to the act. It would prioritize cooperation between scientists and fishermen on research efforts, a collaboration that produces useful information, breeds confidence in the system, and improves management outcomes. It infuses new funding into cooperative research, allowing the agency to accept outside funding, and it modernizes fishery collection and management by encouraging the use of electronic monitoring.

The amendment makes improvements to the operations of the regional fishery management councils, as well, by increasing transparency and public participation in the process; and it requires that the councils consider the interests of Native Alaskans, Pacific Islanders, and American Indians, who often depend on fish for their livelihoods, in fishery management plans.

Our hope is that we can use this reauthorization process to start a thoughtful, constructive, and bipartisan conversation about fisheries management in the United States. At a time when our oceans face many stressors, including the combined effects of pollution, acidification, and ocean warming, it is essential that we reauthorize Magnuson and build on the act's legacy of successful science-based management.

Mr. Chairman, the fishermen and coastal communities I represent and those whom my colleagues represent deserve that conversation; and, more importantly, they deserve a bill that honors the decades of work that have gone into making American fishery management more sustainable, both economically and ecologically. I urge my colleagues to support our substitute amendment, and I reserve the balance of my time.

Mr. BISHOP of Utah. I claim the time in opposition.

The Acting CHAIR. The gentleman is recognized for 10 minutes.

Mr. BISHOP of Utah. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I appreciate the amendment that has been presented by the gentleman from California. It is a much better amendment than was presented in the committee in which there were elements that were in there that dealt with the California drought, that

dealt with NGOs being able to contribute that should never have been a part of it, and I appreciate his not putting those in this particular amendment that is on the floor. But at the same time, it does roll back all the flexibility that was significant and important here. It rolls back the transparency that needs to be in effect.

The underlying bill specifically requires the scientific and statistical committees to develop the scientific advice provided to the councils in a transparent manner and allows them to allow for public involvement in the process. It requires councils to provide Webcasts or audio of each council meeting and posting such recordings on their Web site within 30 days of that particular meeting, and it requires an opportunity for public comment or proposals that are relating to the use of electronic monitoring technology. Those would also not be included if this amendment were to take place.

Some of the ''bedrock'' laws that are referred to here are indeed not taken out of the process. That was handled in one of the other debates we had on a different amendment, which simply says what we are trying to do is avoid just going through the motions a second time, to try and cut the red tape for more efficiency so that a NEPA law or fish management act, they are the same thing, why do it twice when once is sufficient? Why waste the time, energy, and effort of public bodies to do that? And all those, once again, would be reinstated, that double effort would be reinstated at the same time.

With that, Mr. Chairman, this bill, as a 4-year process, not a recent process, goes back to several other times. And in my opening statement, I did quote from the leadership of the minority party at the time 2 years ago, in that committee, how much they were grateful for the input they had on this bill and for taking ideas from the Democrat side that were incorporated, and those ideas are still in the base bill.

It is one of the concepts here that I would love to have a bipartisan bill. But more importantly, I want to have a good bill, a bill that solves the problems. You have heard speeches from both sides of the aisle that simply the status quo is not working. There are too many problems that need to be solved. That is one of the reasons why the underlying bill is still being supported by all the people who are involved in the industry—by the commercial side, by the charter fishing side, and by the recreation people—and the first time that has ever happened.

So I commend the gentleman from Alaska for having done a good process, and I would say go with the underlying bill. It has a better chance of moving us forward to provide better progress and better significance in the future.

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

Mr. HUFFMAN. Mr. Chairman, I yield 2 minutes to the gentlewoman from Maine (Ms. PINGREE), a district that certainly understands the importance of sustainable commercial and recreational fisheries.

Ms. PINGREE. I thank Mr. HUFFMAN for giving this opportunity and for caring so deeply about our coastal communities and our fisheries.

Mr. Chairman, I rise today to support the Huffman-Sablan amendment because it would update the process we use to manage our Nation's fisheries without throwing away core programs. In particular, the Huffman-Sablan amendment would modernize fishery data collection by using electronic monitoring and fisheries survey technologies. These are the technologies that our fishermen need to update the current program, and they are the wave of the future—no pun intended.

I think it is helpful for all of us to recognize the fact that NOAA's budget for the so-called wetside programs has been facing devastating cuts as well as the sequester cuts over the past several years. As a result, now more than ever, we need to look at about how we can make our dollars do more with our fisheries. Electronic monitoring is a place where we can make an investment in the future that will help our fishermen today.

Also, the substitute amendment will ensure that we leave intact conservation programs that have been helping us to address overfished stocks. In the Gulf of Maine, we have seen the crisis in our fisheries firsthand, and we want to make sure that we are not forgetting all the work that our men and women who make their livings on the water have done. We do not want to roll back important conservation and management guidelines.

So again, Mr. Chairman, I support the Huffman-Sablan amendment. I appreciate my colleagues for working on this, and I urge all of my other colleagues to do the same.

Mr. BISHOP of Utah. Mr. Chairman, I yield 2 minutes to the gentleman from Alaska (Mr. YOUNG), the sponsor of the bill.

Mr. YOUNG of Alaska. Mr. Chairman, the gentleman's amendment, I am pleased to report he has accepted some portion of our bill, but there is some question about the Endangered Species Act. We had a case in Alaska where NOAA, which I don't know how it happened, they put the Steller sea lion on endangered species because of fishing. There was no real connection between the fishing and the so-called decline in the Steller sea lions, and they killed a community with no science. We come to find out the Steller sea lion had moved away from the area where there was more abundant food, not from fishing. The fishing hadn't caused any problem at all, but it killed that community.

I argue that in this case, if any of the fishing is endangered, that is okay, the fish itself. But when you have a species hurt the fishing community and it didn't affect the sustainable yield, you see why I think this amendment is incorrect.

I think you have to consider, again, the purposes of the Magnuson-Stevens Act, which originated in the House, was for sustainable fisheries and sustainable communities. When you have another act interfere with that, that doesn't have any science, then I think it is incorrect.

So I understand what the gentleman is saying. Electronically monitoring fisheries is good. The gentlewoman from Maine mentioned that. It is in the bill. There is a lot in this bill that is in the Sablan amendment. But what you are trying to suggest, you roll back the transparency and, I think, the community activity, which hurts the original base bill, which is the bill that I sponsored.

Mr. HUFFMAN. Mr. Chairman, I would just note that the process for listing under the Endangered Species Act requires best available science. It is a very rigorous and public process, and it is subject to being challenged in various ways. So we think it is robust and has proven itself.

With that, Mr. Chairman, I yield 2 minutes to the gentleman from Virginia (Mr. BEYER), who also represents a coastal State that understands the importance of sustainably managing our fisheries.

Mr. BEYER. Mr. Chairman, I thank Mr. HUFFMAN.

Mr. Chairman, I am proud to speak in support of the Huffman-Sablan substitute amendment. This amendment would complement, rather than overhaul, the fishery management process in place under the Magnuson-Stevens Act, MSA.

While the current MSA may not be perfect, we have heard from many groups again and again that it works. We have made incredible gains since the last reauthorization in 2007.

In its annual report issued in April, NOAA reported that the number of domestic fish stocks listed as overfished or subject to overfishing has dropped to an all-time low since 1997. Three more fish stocks were rebuilt to target levels in 2014, bringing the total number of rebuilt U.S. marine fish stocks to 37 since 2000. This amazing progress is a result of the combined efforts of NOAA, the regional fishery management councils, the fishing industry, and other stakeholders.

NOAA currently has pending proposals to tweak the implementation of MSA. That process should be allowed to continue. What is needed now are updates to the MSA that address specific issues that keep the law current, not a weakening of the law and rollback of conservation measures such as those proposed in H.R. 1335.

H.R. 1335 would undermine the great improvements we have made to make our fisheries economically and environmentally sustainable, without addressing some important factors impacting our fisheries today. For example, I had hoped to offer an amendment to H.R. 1335 that would have product councils with a way of taking the effects of climate change into account when establishing annual catch limits and rebuilding timelines, but the Rules Committee declined to allow me to offer it on the floor today, despite the critical need for us to deal with the very real impacts that climate change is already having on our oceans and our fisheries.

Mr. Chairman, I urge my colleagues to support the Huffman-Sablan amendment, which would modernize the data collection and management of fisheries data, improve recreational fisheries data collection and reporting, and provide a way for NOAA to accept outside funding to support cooperative research efforts between scientists and fishermen.

□ 1745

Mr. BISHOP of Utah. Mr. Chairman, I reserve the balance of my time.

Mr. HUFFMAN. Mr. Chairman, I have nothing further, and I urge an ''aye'' vote on the amendment in the nature of a substitute.

With that, I yield back the balance of my time.

Mr. BISHOP of Utah. Mr. Chairman, I appreciate the opportunity of going through all these amendments. This is one amendment that does not necessarily move us forward in the process. I wish it did. It did not. Sometimes there are even little tiny bits and pieces that happen to be in there that are one of the reasons why, if we were starting from scratch again, I would ask to be removed.

For example, Mr. HUFFMAN does name one of the funds in here—the fisheries conservation and management fund—after a gentleman whose association's members have been party to more than 20 Federal cases brought against the Federal agency since 2007. Much of that litigation has been aimed at the Bureau of Reclamation water projects and farmers and ranchers who serve by them. Congress should not be rewarding such serial litigation. That is one of the things I would have asked to have been removed had we started from scratch in this process.

But above all, the amendment simply erases the flexibility, erases the transparency, and erases the science improvements that are part of the underlying bill that are so essential; that the elements of those people who live in these communities, who recreate in these areas, who use the commercial side, the fishing side, have all said we are not doing what we need to do; that the present system does have flaws in it and needs to be changed, and we need to move forward on that bill. The underlying bill does that. This amendment does not do that.

I urge a ''no'' vote on this particular amendment and urge us to move forward with the bill as written.

With that, I yield back the balance of my time.

Mr. SABLAN. Mr. Chair, I am offering an Amendment in the Nature of a Substitute for H.R. 1335, which was submitted to the Rules Committee by my colleague Mr. HUFFMAN.

Mr. Chair, the Magnuson-Stevens Fishery Conservation and Management Act is a sterling example of good federal policy and has helped make the United States the world leader in sustainable fisheries management.

When we last reauthorized Magnuson-Stevens in 2007, we required the use of annual catch limits to end and prevent overfishing.

Using this management tool—annual catch limits—we have increased the number of American fish stocks with populations sufficiently large that we can count on their ability to continue reproducing.

Using annual catch limits as our guide, we have reduced the number of stocks being fished in excess of maximum sustainable yield—to an all-time low.

Magnuson-Stevens has proven to be effective environmental policy.

It is also good economic policy.

U.S. fisheries contributed nearly $90 billion and 1.5 million jobs to the economy in 2012. And the National Oceanic and Atmospheric Administration estimates that, when we have fully rebuilt our fisheries, they will add another $31 billion to our national economy and produce 500,000 new jobs.

Of course, we learn as we go; and there are ways that Magnuson-Stevens could be made even more effective as environmental and economic policy. The Huffman-Sablan amendment in the nature of a substitute provides some of that fine-tuning.

And our amendment does that without undermining the annual catch limits regime and other core principles that have made Magnuson-Stevens so effective.

H.R. 1335, on the other hand, risks backsliding on the progress we have made.

I recognize that some of these issues are technical in nature, but bear with me.

H.R. 1335 would allow non-target stocks in a fishery to be defined as ecosystem component species, which are not subject to annual catch limits, even if these non-target stocks are depleted or overfished. For instance, H.R. 1335 would allow Atlantic halibut to be reclassified as an ecosystem component species, no longer subject to an annual catch limit. Yet, Atlantic halibut today are finally rebuilding after decades of decline. H.R. 1335 would put that progress at risk.

Another problem with H.R. 1335 is that it tries to conform the timelines in the National Environmental Policy Act with timelines in Magnuson-Stevens. This could force the Secretary of Commerce to approve fishery management plans that have not had the full benefit of National Environmental Policy Act analysis—particularly, by reducing the amount of time that the public has to comment on federal action. I do not think we want to be cutting the public out of this important decision-making process.

A third problem area for H.R. 1335 is that it prohibits information sharing. Fisheries data collected by NOAA in the process of administering Magnuson-Stevens could not be used in the management of other marine resources managed under the Marine Mammal Protection Act, the National Marine Sanctuaries Act, the Antiquities Act, the Endangered Species Act, and the Migratory Bird Treaty Act. Nor could the Magnuson-Stevens fisheries data be used in managing offshore energy exploration and development, or water pollution, or coastal resources. That does not really make much sense.

The substitute amendment Mr. HUFFMAN and I are offering avoids these pitfalls. We simply want to improve fisheries research and management to benefit fishermen and fishing communities.

How does our amendment do that?

By implementing electronic monitoring to lower costs for the fishing fleet;

By improving the collection of fisheries data, which we all agree is lacking;

By increasing cooperative research and management efforts between scientists and fishermen;

By making the operations of the Regional Fishery Management Councils more transparent and open to public participation;

By allowing the Councils to select individuals who have expertise on subsistence fishing practices, so we incorporate the interests and expertise of Alaska Natives, Pacific Islanders, and Indian Tribes; and

By recognizing the subsistence fishing may encompass more than personal consumption, but also includes some small-scale, low technology, commercial fishing.

And our amendment makes these improvements in Magnuson-Stevens without undermining core policies that have made the Act so effective.

Magnuson-Stevens is passed due for reauthorization. But let us do so in a way that does not jeopardize the progress we have made, so we can keep building more sustainable and more profitable fisheries for today and for our nation's future.

I ask my colleagues to support the Huffman-Sablan amendment.

The Acting CHAIR. The question is on the amendment offered by the gentleman from California (Mr. HUFFMAN).

The amendment was rejected.

Mr. BISHOP of Utah. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. LOBIONDO) having assumed the chair, Mr. DUNCAN of Tennessee, Acting Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 1335) to amend the Magnuson-Stevens Fishery Conservation and Management Act to provide flexibility for fishery managers and stability for fishermen, and for other purposes, had come to no resolution thereon.

CONVEYANCE OF CERTAIN FEDERAL PROPERTY TO MUNICIPALITY OF ANCHORAGE, ALASKA

Mr. YOUNG of Alaska. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 336) to direct the Administrator of General Services, on behalf of the Archivist of the United States, to convey certain Federal property located in the State of Alaska to the Municipality of Anchorage, Alaska.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 336

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

SECTION 1. REAL PROPERTY CONVEYANCE.

(a) IN GENERAL.—As soon as practicable after the date of enactment of this Act and after completion of the survey and appraisal described in this section, the Administrator of General Services, on behalf of the Archivist of the United States, shall convey to the City by quitclaim deed for the consideration described in subsection (c), all right, title, and interest of the United States in and to a parcel of real property described in subsection (b).

(b) LEGAL DESCRIPTION OF PROPERTY.—

(1) IN GENERAL.—The parcel to be conveyed under subsection (a) consists of approximately 9 acres and improvements located at 400 East Fortieth Avenue in the City that is administered by the National Archives and Records Administration.

(2) SURVEY REQUIRED.—As soon as practicable after the date of enactment of this Act, the exact acreage and legal description of the real property to be conveyed under subsection (a) shall be determined by a survey, paid for by the City, that is satisfactory to the Archivist.

(c) TERMS AND CONDITIONS.—

(1) CONSIDERATION.—

(A) IN GENERAL.—As consideration for the conveyance of the property under subsection (a), the City shall pay to the Archivist an amount not less than the fair market value of the conveyed property, to be determined as provided in subparagraph (B).

(B) APPRAISAL.—The fair market value of the property to be conveyed under subsection (a) shall be determined based on an appraisal that—

(i) is conducted by a licensed, independent appraiser that is approved by the Archivist and the City;

(ii) is based on the highest and best use of the property;

(iii) is approved by the Archivist; and

(iv) is paid for by the City.

(2) PRECONVEYANCE ENTRY.—The Archivist, on terms and conditions the Archivist determines to be appropriate, may authorize the City to enter the property at no charge for preconstruction and construction activities.

(3) ADDITIONAL TERMS AND CONDITIONS.—The Archivist may require additional terms and conditions in connection with the conveyance under subsection (a) as the Archivist considers appropriate to protect the interests of the United States.

(d) CITY DEFINED.—In this section, the term ''City'' means the Municipality of Anchorage, Alaska.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Alaska (Mr. YOUNG) and the gentleman from Washington (Mr. LARSEN) each will control 20 minutes.

The Chair recognizes the gentleman from Alaska.

GENERAL LEAVE

Mr. YOUNG of Alaska. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and to include extraneous material on H.R. 336.

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

There was no objection.

Mr. YOUNG of Alaska. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, H.R. 336 would direct the General Services Administration on behalf of the National Archives to convey property in Alaska to the city of Anchorage.

I am pleased to be the sponsor of this legislation, which will bring savings to the taxpayer. The National Archives has determined that it no longer needs the property to be conveyed in the bill and wants to sell it as part of its efforts to shrink its space footprint and reduce costs to the taxpayer.

The bill will require fair market value for the property based on an independent appraisal.

I urge my colleagues to support the passage of this legislation, and I yield back the balance of my time.

Mr. LARSEN of Washington. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise to support H.R. 336 which directs the General Services Administration, the GSA, on behalf of the Archivist of the U.S., to convey 9 acres of property in Anchorage, Alaska, to the local municipality in exchange for its fair market value.

The Archivist and GSA has reported this property as underutilized and that there is no need to keep this property in the Federal real estate inventory. This sale is consistent with the policy supported by the Committee on Transportation and Infrastructure, which has directed GSA to help other Federal agencies identify and dispose of unneeded property.

As a result, I encourage my colleagues to support this legislation, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Alaska (Mr. YOUNG) that the House suspend the rules and pass the bill, H.R. 336.

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

A motion to reconsider was laid on the table.

NATIONAL ESTUARY PROGRAM REAUTHORIZATION

Mr. GIBBS. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 944) to reauthorize the National Estuary Program, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 944

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

SECTION 1. COMPETITIVE AWARDS.

Section 320(g) of the Federal Water Pollution Control Act (33 U.S.C. 1330(g)) is amended by adding at the end the following:

''(4) COMPETITIVE AWARDS.—

''(A) IN GENERAL.—Using the amounts made available under subsection (i)(2)(B), the Administrator shall make competitive awards under this paragraph.

''(B) APPLICATION FOR AWARDS.—The Administrator shall solicit applications for awards under this paragraph from State, interstate, and regional water pollution control agencies and entities, State coastal zone management agencies, interstate agencies, other public or nonprofit private agencies, institutions, organizations, and individuals.

''(C) SELECTION OF RECIPIENTS.—In selecting award recipients under this paragraph, the Administrator shall select recipients that are best able to address urgent and challenging issues that threaten the ecological and economic well-being of coastal areas. Such issues shall include—

''(i) extensive seagrass habitat losses resulting in significant impacts on fisheries and water quality;

''(ii) recurring harmful algae blooms;

''(iii) unusual marine mammal mortalities;

''(iv) invasive exotic species that may threaten wastewater systems and cause other damage;

''(v) jellyfish proliferation limiting community access to water during peak tourism seasons;

''(vi) flooding that may be related to sea level rise or wetland degradation or loss; and

''(vii) low dissolved oxygen conditions in estuarine waters and related nutrient management.''.

SEC. 2. AUTHORIZATION OF APPROPRIATIONS.

Section 320 of the Federal Water Pollution Control Act (33 U.S.C. 1330) is amended by striking subsection (i) and inserting the following:

''(i) AUTHORIZATION OF APPROPRIATIONS.—

''(1) IN GENERAL.—There is authorized to be appropriated to the Administrator $27,000,000 for each of fiscal years 2016 through 2020 for—

''(A) expenses relating to the administration of grants or awards by the Administrator under this section, including the award and oversight of grants and awards, except that such expenses may not exceed 5 percent of the amount appropriated under this subsection for a fiscal year; and

''(B) making grants and awards under subsection (g).

''(2) ALLOCATIONS.—

''(A) CONSERVATION AND MANAGEMENT PLANS.—Not less than 80 percent of the amount made available under this subsection for a fiscal year shall be used by the Administrator for the development, implementation, and monitoring of each of the conservation and management plans eligible for grant assistance under subsection (g)(2).

''(B) COMPETITIVE AWARDS.—Not less than 15 percent of the amount made available under this subsection for a fiscal year shall be used by the Administrator for making competitive awards described in subsection (g)(4).''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Ohio (Mr. GIBBS) and the gentleman from Washington (Mr. LARSEN) each will control 20 minutes.

The Chair recognizes the gentleman from Ohio.

Mr. GIBBS. Mr. Chairman, I yield myself such time as I may consume.

H.R. 944, introduced by my colleague, Representative LOBIONDO, reauthorizes the National Estuary Program found in section 320 of the Clean Water Act. Estuaries are unique and highly productive waters that are important to the ecological and economic basis of our Nation.

Congress first authorized the National Estuary Program in 1987, amendments to the Clean Water Act to promote the protection of the national significant estuaries in the United States that are deemed to be threatened by pollution, development, or overuse.

Unlike many of the programs under the Clean Water Act, the National Estuary Program is a nonregulatory program. Instead, it is designed to support collaborative, voluntary efforts of Federal, State, and local stakeholders to restore degraded estuaries.

Using consensus building in a collaborative decisionmaking process instead of a top-down regulatory approach, the National Estuary Program has been effective at promoting locally based involvement. In addition, it leverages non-Federal money for restoration activities by providing funding for the program.

In reauthorization of the National Estuary Program, H.R. 944 makes prudent fiscal adjustments. The bill reauthorizes section 320 of the Clean Water Act through 2018 in the amount of $27 million a year. This amount is consistent with appropriations over the past 5 years, and, in recognition of the fiscal realities of today, decreases the authorized level of funding by $8 million a year.

H.R. 944 also directs more funds to where they need to be in the individual estuaries in the program. The bill achieves this by reducing the amount of discretionary funds made available to the EPA.

Finally, the bill allocates a portion of eligible program funds for competitive awards to Federal, State, and local stakeholders to address certain high priority estuary needs, including algae blooms, hypoxia, flooding, and invasive species. This is identical to a bill that passed the House by voice vote in the last Congress.

I urge all Members to support H.R. 944, and I reserve the balance of my time.

Mr. LARSEN of Washington. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of H.R. 944.

I am pleased the House is considering H.R. 944, a bill that I introduced along with Congressman LOBIONDO and Congressman MURPHY to reauthorize the National Estuary Program through 2020.

I want to thank my colleagues for their hard work in pulling this legislation together.

Estuaries are critically important to the health of our Nation's environment and our economy. Their waters are a unique mixture of freshwater, drainage from the land, and salty seawater. Estuaries provide vital nesting and feeding areas for many aquatic plants and animals. They also help maintain healthy ocean environments by filtering out sediment and pollutants from rivers and streams before they flow into the ocean.

In addition to improving habitat for critical wildlife like salmon, restoring estuaries can have important carbon sequestration effects.

For example, a report last year on the Snohomish Estuary in my district found that currently planned and in-progress restoration projects will result in at least 2.55 million tons of CO_2 sequestered from the atmosphere over the next 100 years. That is the equivalent of a year's worth of emissions from a half a million automobiles.

Over half of the U.S. population lives in coastal areas, including along the shores of estuaries. These areas provided 69 million jobs and contributed $7.9 trillion to the economy recently. These gains come from commercial and recreational fishing, as well as tourism and other forms of regulation recreation. By one estimate, restoring our estuary areas could create more than 30 jobs for every $1 million invested.

In the Pacific Northwest and across the country, healthy estuaries like the Puget Sound support fish, birds, and other wildlife, and sustain important economic and recreational activities like trade, fishing, tourism, and many other forms of outdoor recreation.

Estuaries in the Pacific Northwest also serve as habitat and spawning areas for salmon, another critical driver for our regional economy.

Unfortunately, human activities have led to a decline in the health of estuaries, threatening them in many coastal parts of the country. Population growth in areas abutting estuaries have led to an increase in storm water runoff and sewage discharges, ultimately polluting the waters with toxins.

Fortunately, the National Estuary Program, which would be authorized by H.R. 944, is an important part of remedying these problems facing our Nation's estuaries. Since 1987, the program has operated successfully at the EPA in partnership with other State and local entities and has fostered innovative solutions to local water quality programs.

Funding from the program helps create solutions to nurture estuaries back to health, like the comprehensive plan we have for the Puget Sound recovery.

This bipartisan legislation that we have today will ensure that local organizations across the country, in partnership with the EPA, can protect and restore estuaries for the benefit of future generations.

I support this legislation, and I urge my colleagues to support it as well.

With that, I reserve the balance of my time.

Mr. GIBBS. Mr. Speaker I yield such time as he may consume to the gentleman from New Jersey (Mr. LOBIONDO).

Mr. LOBIONDO. Mr. Speaker, first, I would like to thank Chairman GIBBS and Chairman SHUSTER and Ranking Members DEFAZIO and NAPOLITANO for helping bring H.R. 944, the National Estuary Program Reauthorization, to the floor.

I would also like to thank my colleagues Mr. POSEY and Mr. MURPHY of Florida, and especially Mr. LARSEN, who has been great to work with on a number of issues.

This version of the National Estuary Program Reauthorization is fiscally responsible by reducing the authorization levels by $8 million while ultimately increasing the amount of money each estuary program will receive. It is a very commonsense approach that helps get the job done.

This reauthorization will detail just how the EPA is to spend the authorized and appropriated money.

Unlike many of the programs under the Clean Water Act, the National Estuary Program is a nonregulatory program. That was mentioned before, but I think it bears repeating: it is a nonregulatory program.

Instead, it is designed to support collaborative, voluntary efforts of Federal, State, and local stakeholders to restore degraded estuaries. I think this is exactly the approach that will get results, and an approach that will encourage people to be working together for something that really can actually see a very positive result with our estuaries.

Unfortunately, the National Estuary Program has been losing money due to EPA administrative costs. By setting limits of 5 percent for administrative costs for the EPA, we can guarantee 80 percent of the funding goes to the end user, the NEP, and not bureaucratic salaries and red tape.

□ 1800

In this year's reauthorization, we have set aside 15 percent of the funding for a competitive award program. This program will seek applications meant to deal with urgent and challenging issues that threaten the ecological and economic well-being of coastal areas.

By structuring how the money is spent and lowering authorization levels, this legislation strikes the right

balance of fiscal and environmental responsibility.

I urge all Members to support H.R. 944.

Mr. LARSEN of Washington. Mr. Speaker, we have no further speakers, so I urge my colleagues to support H.R. 944.

I yield back the balance of my time.

Mr. GIBBS. Mr. Speaker, I urge support for H.R. 944, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Ohio (Mr. GIBBS) that the House suspend the rules and pass the bill, H.R. 944.

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

A motion to reconsider was laid on the table.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until approximately 6:30 p.m. today.

Accordingly (at 6 o'clock and 1 minute p.m.), the House stood in recess.

□ 1830

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. MILLER of Florida) at 6 o'clock and 30 minutes p.m.

STRENGTHENING FISHING COMMUNITIES AND INCREASING FLEXIBILITY IN FISHERIES MANAGEMENT ACT

The SPEAKER pro tempore. Pursuant to House Resolution 274 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the further consideration of the bill, H.R. 1335.

Will the gentleman from Illinois (Mr. RODNEY DAVIS) kindly take the chair.

□ 1831

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H.R. 1335) to amend the Magnuson-Stevens Fishery Conservation and Management Act to provide flexibility for fishery managers and stability for fishermen, and for other purposes, with Mr. RODNEY DAVIS of Illinois (Acting Chair) in the chair.

The Clerk read the title of the bill.

The Acting CHAIR. When the Committee of the Whole rose earlier today, amendment No. 8 printed in House Report 114–128 offered by the gentleman from California (Mr. HUFFMAN) had been disposed of.

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, proceedings will now resume on those amendments printed in House Report 114–128 on which further proceedings were postponed, in the following order:

Amendment No. 1 by Mrs. DINGELL of Michigan.

Amendment No. 4 by Mr. LOWENTHAL of California.

The Chair will reduce to 2 minutes the minimum time for any electronic vote after the first vote in this series.

AMENDMENT NO. 1 OFFERED BY MRS. DINGELL

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentlewoman from Michigan (Mrs. DINGELL) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 155, noes 223, not voting 54, as follows:

[Roll No. 264]

AYES—155

Adams
Aguilar
Ashford
Bass
Beatty
Bera
Beyer
Blumenauer
Bonamici
Boyle, Brendan F.
Brady (PA)
Brown (FL)
Brownley (CA)
Bustos
Butterfield
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Cartwright
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Cohen
Connolly
Conyers
Cooper
Costa
Courtney
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
DeSaulnier
Deutch
Dingell
Doggett
Duckworth
Edwards
Ellison
Engel
Eshoo
Esty
Farr
Fattah
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Graham
Grayson
Grijalva
Hahn
Hastings
Heck (WA)
Higgins
Himes
Honda
Hoyer
Huffman
Israel
Jeffries
Johnson (GA)
Johnson, E. B.
Keating
Kelly (IL)
Kennedy
Kildee
Kilmer
Kirkpatrick
Kuster
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lee
Levin
Lieu, Ted
Loebsack
Lofgren
Lowenthal
Lowey
Luján, Ben Ray (NM)
Lynch
Matsui
McCollum
McDermott
McGovern
McNerney
Meeks
Moulton
Murphy (FL)
Nadler
Neal
Norcross
O'Rourke
Pallone
Pascrell
Payne
Pelosi
Perlmutter
Peters
Pingree
Price (NC)
Quigley
Rangel
Rice (NY)
Roybal-Allard
Ruiz
Ruppersberger
Ryan (OH)
Sánchez, Linda T.
Sarbanes
Schakowsky
Schiff
Schrader
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Sherman
Sinema
Sires
Slaughter
Smith (WA)
Speier
Swalwell (CA)
Takano
Thompson (CA)
Titus
Tonko
Torres
Tsongas
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman Schultz
Watson Coleman
Welch
Yarmuth

NOES—223

Abraham
Allen
Amash
Amodei
Babin
Barletta
Barr
Barton
Benishek
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Bost
Boustany
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Bucshon
Burgess
Byrne
Calvert
Carter (GA)
Carter (TX)
Chabot
Chaffetz
Clawson (FL)
Coffman
Cole
Collins (GA)
Collins (NY)
Comstock
Conaway
Cook
Costello (PA)
Cramer
Crenshaw
Culberson
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Donovan
Duncan (SC)
Duncan (TN)
Emmer (MN)
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Garrett
Gibbs
Gibson
Gohmert
Goodlatte
Gosar
Graves (GA)
Graves (LA)
Graves (MO)
Griffith
Grothman
Guinta
Guthrie
Hanna
Hardy
Harper
Harris
Hartzler
Heck (NV)
Hensarling
Hice, Jody B.
Hill
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (OH)
Johnson, Sam
Jones
Jordan
Joyce
Katko
Kelly (PA)
King (IA)
King (NY)
Kinzinger (IL)
Kline
Knight
Labrador
LaMalfa
Lamborn
Lance
Latta
LoBiondo
Long
Loudermilk
Love
Lucas
Luetkemeyer
Lummis
MacArthur
Marchant
Marino
Massie
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris Rodgers
McSally
Meadows
Meehan
Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Newhouse
Nunes
Olson
Palazzo
Palmer
Pearce
Perry
Peterson
Pitts
Poliquin
Pompeo
Posey
Price, Tom
Ratcliffe
Reed
Reichert
Renacci
Ribble
Rice (SC)
Rigell
Roby
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney (FL)
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Royce
Russell
Ryan (WI)
Salmon
Sanford
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shuster
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Stefanik
Stewart
Stivers
Stutzman
Thompson (PA)
Thornberry
Tiberi
Tipton
Trott
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Westmoreland
Whitfield
Williams
Wittman
Womack
Woodall
Yoho
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

NOT VOTING—54

Aderholt
Becerra
Bishop (GA)
Castor (FL)
Clyburn
Crawford
Crowley
Cuellar
Curbelo (FL)
Dold
Doyle, Michael F.
Duffy
Ellmers (NC)
Farenthold
Fincher
Fitzpatrick
Gowdy
Granger
Green, Al
Green, Gene
Gutiérrez
Herrera Beutler
Hinojosa
Jackson Lee
Jolly
Kaptur

Kind	Napolitano	Roe (TN)
Lewis	Noem	Rush
Lipinski	Nolan	Sanchez, Loretta
Lujan Grisham (NM)	Nugent	Shimkus
	Paulsen	Takai
Maloney, Carolyn	Pittenger	Thompson (MS)
	Pocan	Waters, Maxine
Maloney, Sean	Poe (TX)	Wilson (FL)
Meng	Polis	Wilson (SC)
Moore	Richmond	Yoder

□ 1902

Messrs. LATTA, MCKINLEY, PEARCE, and DIAZ-BALART changed their vote from ''aye'' to ''no.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

Stated for:

Mrs. NAPOLITANO. Mr. Chair, on Monday, June 1st, 2015, I was absent during rollcall vote No. 264. Had I been present, I would have voted "yea" on the Dingell Amendment to H.R. 1335—Strengthening Fishing Communities and Increasing Flexibility in Fisheries Management Act.

(By unanimous consent, Mr. WITTMAN was allowed to speak out of order.)

SPORTSMEN'S TROPHY PRESENTATION

Mr. WITTMAN. Mr. Chairman, recently, the Congressional Sportsmen's Caucus held its annual Member shoot-out, where Members get together from the Republican and Democrat sides and shoot a round of sporting clays, skeets, and trap. It is a friendly day where we get together and have some great competition. It is in the interest of the shooting sports and of our outdoor efforts there. And it was a great privilege to be there with the other Members.

We had a record turnout this year of Members from both sides of the aisle. We are blessed that Team Republican will retain the shoot-out trophy this year but by a narrow margin, with a winning score of 235–227.

It is a real honor for me to serve as the co-chair of the Congressional Sportsmen's Foundation. I have Congressman JEFF DUNCAN of South Carolina here, who is our co-vice chairman; and we also have Congressman TIM WALZ, who is our other co-chairman.

With that, Mr. Chairman, I yield to the gentleman from the great State of Minnesota (Mr. WALZ), the co-chair of our caucus.

Mr. WALZ. Mr. Chairman, I thank my friend, the gentleman from Virginia for yielding.

Congratulations to the gentleman and his team and to everyone who participated.

Congratulations to Mr. DUNCAN of South Carolina, who was the Republican top gun, and to MIKE THOMPSON of California, who was the overall top gun. Congratulations to them.

As the gentleman said, this is the largest bipartisan caucus in the Congress. The Congressional Sportsmen's Foundation—the folks who are out there protecting our hunting, fishing, and outdoor heritage—thank you to all of them and to all the sponsors who made this possible.

It is great day for a great cause, and it shows that there are many things that bind us together.

So I congratulate the gentlemen, and we look forward to a friendly competition again next year.

AMENDMENT NO. 4 OFFERED BY MR. LOWENTHAL

The Acting CHAIR. Without objection, 2-minute voting will continue.

There was no objection.

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from California (Mr. LOWENTHAL) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 149, noes 227, not voting 56, as follows:

[Roll No. 265]

AYES—149

Adams	Fattah	Neal
Aguilar	Foster	Norcross
Bass	Frankel (FL)	O'Rourke
Beatty	Fudge	Pallone
Bera	Gabbard	Pascrell
Beyer	Gallego	Payne
Blumenauer	Garamendi	Pelosi
Bonamici	Graham	Peters
Boyle, Brendan F.	Grayson	Pingree
	Grijalva	Price (NC)
Brady (PA)	Hahn	Quigley
Brown (FL)	Hastings	Rangel
Brownley (CA)	Heck (WA)	Rice (NY)
Bustos	Higgins	Roybal-Allard
Butterfield	Himes	Ruiz
Capps	Honda	Ruppersberger
Capuano	Hoyer	Ryan (OH)
Cárdenas	Huffman	Sánchez, Linda T.
Carney	Israel	
Carson (IN)	Jeffries	Sarbanes
Cartwright	Johnson, E. B.	Schakowsky
Castro (TX)	Keating	Schiff
Chu, Judy	Kelly (IL)	Schrader
Cicilline	Kennedy	Scott (VA)
Clark (MA)	Kildee	Scott, David
Clarke (NY)	Kilmer	Serrano
Clay	Kirkpatrick	Sewell (AL)
Cleaver	Kuster	Sherman
Cohen	Langevin	Sires
Connolly	Larsen (WA)	Slaughter
Conyers	Larson (CT)	Smith (WA)
Cooper	Lawrence	Speier
Courtney	Lee	Swalwell (CA)
Cummings	Levin	Takano
Davis (CA)	Lieu, Ted	Thompson (CA)
Davis, Danny	Loebsack	Titus
DeFazio	Lofgren	Tonko
DeGette	Lowenthal	Torres
DeLauro	Lowey	Tsongas
DelBene	Luján, Ben Ray (NM)	Van Hollen
DeSaulnier		Vargas
Deutch	Lynch	Veasey
Dingell	Matsui	Vela
Doggett	McCollum	Velázquez
Duckworth	McDermott	Visclosky
Edwards	McGovern	Walz
Ellison	McNerney	Wasserman Schultz
Engel	Meeks	
Eshoo	Moulton	Watson Coleman
Esty	Murphy (FL)	Welch
Farr	Nadler	Yarmuth

NOES—227

Abraham	Guthrie	Perry
Allen	Hanna	Peterson
Amash	Hardy	Pitts
Amodei	Harper	Poliquin
Ashford	Harris	Pompeo
Babin	Hartzler	Posey
Barletta	Heck (NV)	Price, Tom
Barr	Hensarling	Ratcliffe
Barton	Hice, Jody B.	Reed
Benishek	Hill	Reichert
Bilirakis	Holding	Renacci
Bishop (MI)	Hudson	Ribble
Bishop (UT)	Huelskamp	Rice (SC)
Black	Huizenga (MI)	Rigell
Blackburn	Hultgren	Roby
Blum	Hunter	Rogers (AL)
Bost	Hurd (TX)	Rogers (KY)
Boustany	Hurt (VA)	Rohrabacher
Brady (TX)	Issa	Rokita
Brat	Jenkins (KS)	Rooney (FL)
Bridenstine	Jenkins (WV)	Ros-Lehtinen
Brooks (AL)	Johnson (OH)	Roskam
Brooks (IN)	Johnson, Sam	Ross
Buchanan	Jones	Rothfus
Buck	Jordan	Rouzer
Bucshon	Joyce	Royce
Burgess	Katko	Russell
Byrne	Kelly (PA)	Ryan (WI)
Calvert	King (IA)	Salmon
Carter (GA)	King (NY)	Sanford
Carter (TX)	Kinzinger (IL)	Scalise
Chabot	Kline	Schweikert
Chaffetz	Knight	Scott, Austin
Clawson (FL)	Labrador	Sensenbrenner
Coffman	LaMalfa	Sessions
Cole	Lamborn	Shuster
Collins (GA)	Lance	Simpson
Collins (NY)	Latta	Sinema
Comstock	LoBiondo	Smith (MO)
Conaway	Long	Smith (NE)
Cook	Loudermilk	Smith (NJ)
Costa	Love	Smith (TX)
Costello (PA)	Lucas	Stefanik
Cramer	Luetkemeyer	Stewart
Crenshaw	Lummis	Stivers
Culberson	MacArthur	Stutzman
Davis, Rodney	Marchant	Thompson (PA)
Denham	Marino	Thornberry
Dent	Massie	Tiberi
DeSantis	McCarthy	Tipton
DesJarlais	McCaul	Trott
Diaz-Balart	McClintock	Turner
Donovan	McHenry	Upton
Duncan (SC)	McKinley	Valadao
Duncan (TN)	McMorris Rodgers	Wagner
Emmer (MN)		Walberg
Fleischmann	McSally	Walden
Fleming	Meadows	Walker
Flores	Meehan	Walorski
Forbes	Messer	Walters, Mimi
Fortenberry	Mica	Weber (TX)
Foxx	Miller (FL)	Webster (FL)
Franks (AZ)	Miller (MI)	Wenstrup
Frelinghuysen	Moolenaar	Westerman
Garrett	Mooney (WV)	Westmoreland
Gibbs	Mullin	Whitfield
Gibson	Mulvaney	Williams
Gohmert	Murphy (PA)	Wittman
Goodlatte	Neugebauer	Womack
Gosar	Newhouse	Woodall
Graves (GA)	Nunes	Yoho
Graves (LA)	Olson	Young (AK)
Graves (MO)	Palazzo	Young (IA)
Griffith	Palmer	Young (IN)
Grothman	Pearce	Zeldin
Guinta	Perlmutter	Zinke

NOT VOTING—56

Aderholt	Fincher	Lujan Grisham (NM)
Becerra	Fitzpatrick	
Bishop (GA)	Gowdy	Maloney, Carolyn
Castor (FL)	Granger	
Clyburn	Green, Al	Maloney, Sean
Crawford	Green, Gene	Meng
Crowley	Gutiérrez	Moore
Cuellar	Herrera Beutler	Napolitano
Curbelo (FL)	Hinojosa	Noem
Delaney	Jackson Lee	Nolan
Dold	Johnson (GA)	Nugent
Doyle, Michael F.	Jolly	Paulsen
	Kaptur	Pittenger
Duffy	Kind	Pocan
Ellmers (NC)	Lewis	Poe (TX)
Farenthold	Lipinski	Polis

Richmond	Shimkus	Wilson (FL)
Roe (TN)	Takai	Wilson (SC)
Rush	Thompson (MS)	Yoder
Sanchez, Loretta	Waters, Maxine	

□ 1912

So the amendment was rejected.

The result of the vote was announced as above recorded.

Stated for:

Mrs. NAPOLITANO. Mr. Chair, on Monday, June 1st, 2015, I was absent during rollcall vote No. 265. Had I been present, I would have voted "yea" on the Lowenthal Amendment to H.R. 1335—Strengthening Fishing Communities and Increasing Flexibility in Fisheries Management Act.

The Acting CHAIR. The question is on the amendment in the nature of a substitute, as amended.

The amendment was agreed to.

The Acting CHAIR. Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. FLEISCHMANN) having assumed the chair, Mr. RODNEY DAVIS of Illinois, Acting Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 1335) to amend the Magnuson-Stevens Fishery Conservation and Management Act to provide flexibility for fishery managers and stability for fishermen, and for other purposes, and, pursuant to House Resolution 274, he reported the bill back to the House with an amendment adopted in the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment to the amendment reported from the Committee of the Whole?

If not, the question is on the amendment in the nature of a substitute, as amended.

The amendment was agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

□ 1915

MOTION TO RECOMMIT

Mr. PETERS. Mr. Speaker, I have a motion to recommit at the desk.

The SPEAKER pro tempore (Mr. RODNEY DAVIS of Illinois). Is the gentleman opposed to the bill?

Mr. PETERS. I am opposed.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. Peters moves to recommit the bill H.R. 1335 to the Committee on Natural Resources with instructions to report the same back to the House forthwith with the following amendment:

Add at the end the following:

SEC. ___. PROTECTING FISHING COMMUNITIES FROM TOXIC POLLUTION.

In the aftermath of an oil or hazardous materials spill none of the amendments to fishery conservation requirements made by sections 4, 5, 7, 10, 13, and 15 of this Act shall apply to any fishery impacted by such spill until—

(1) the relevant Regional Fishery Management Council has fully assessed the impacts of the spill to stocks of fish, fishing communities, and the marine environment;

(2) the polluter has paid for any cleanup or removal of pollution related to the spill in the marine environment that impacts a fishery, restored such fisheries to limit the long-term impact on stocks of fish, and provided compensation for the economic and job loss to the United States fishing industry and communities; and

(3) the polluter has paid for testing of fish to ensure that consumers are protected from toxins that have entered the food chain, and for testing of water quality to help fishermen avoid areas of pollution and find the safest areas to fish.

Mr. PETERS (during the reading). Mr. Speaker, I ask unanimous consent to dispense with the reading.

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

There was no objection.

The SPEAKER pro tempore. The gentleman from California is recognized for 5 minutes.

Mr. PETERS. Mr. Speaker, this is the final amendment to the bill, which will not kill the bill or send it back to committee. If adopted, the bill will proceed immediately to final passage, as amended.

Mr. Speaker, preserving our beaches and bays and our coastal communities for future generations has to be a bipartisan endeavor. Congress passed landmark fisheries legislation in 1976 and reauthorized it in 1996 and 2006 with broad support from both parties.

Unfortunately, today's bill is a partisan one that will undermine our four-decade history of responsible and successful fisheries management. It creates loopholes and lessens transparency and accountability, which can only harm our coastal communities.

My amendment today is simple: give communities and regional experts at fishery management councils input, and increase the ability of local agencies to hold polluters more accountable after a spill.

Just a few weeks ago, on the California coast north of Santa Barbara, a pipeline ruptured beneath a coastal cliff, spilling 105,000 gallons of crude oil onto the beach and tidelands and into the Pacific Ocean. Despite rapid cleanup efforts from environmental officials and volunteers from across the State, the leak killed abundant marine life, including lobsters, seals, kelp bass, and local fish populations. It also forced the closure of local State beaches during the Memorial Day weekend, depriving local businesses of revenue from visitors coming to enjoy the scenic California coast.

Now, the short-term harm has been evident, but the long-term damage to the marine life, coastal ecosystems, and biodiversity, including fisheries and food stocks that are part of the region's economy, that damage won't be known for some time.

What is clear is that coastal communities deal with the harm from a spill long after the initial cleanup ends, and they deserve greater oversight over those who caused the damage.

My amendment addresses this issue in three ways: first, it directs the regional fishery management council to conduct a full environmental assessment of the spill; second, it requires the responsible party to pay for any pollution cleanup and restoration of the harmed fishers, and to provide compensation for economic and job losses due to the spill; and third, it protects public safety and food quality by requiring that polluters pay for testing of toxins in fish and in local waters to help fishermen determine the safest areas for fishing.

These provisions are necessary because, as we have seen from past cleanups, the long-term direct and indirect environmental damage is not always immediately apparent, particularly on fish and wildlife populations and marine biodiversity. This is our experience.

For example, despite massive cleanup efforts following the infamous Exxon Valdez oil spill in 1989, a 2007 study conducted by NOAA found that 26,000 gallons of oil from the Exxon Valdez were still trapped in the sand along the shoreline of Alaska. Those thousands of gallons of oil that remain decades later continue to damage fragile marine ecosystems and wildlife habitat and breeding grounds.

That 1989 spill caused more than $300 million in economic harm to more than 32,000 Alaskans whose livelihoods depended on commercial fishing in that region. And in Santa Barbara, where last month's spill occurred, tourism, both on- and offshore, are central to the regional economy and will undoubtedly be harmed by this pollution.

Mr. Speaker, I represent San Diego, California, where the marine industry, the maritime industry, and our large natural harbor are key to the region's tourism economy which supports 158,000 local jobs and $18.3 billion in economic impact. A spill like this could devastate our local economy and irreparably harm our delicate ecosystem.

It is imperative that Congress hold responsible parties accountable in the case of a destructive oil spill. We should all agree that supporting coastal communities and the businesses that depend on rivers, bays, lakes, beaches, and oceans deserve support and shouldn't be forced to pay for the mistakes of polluters.

Join me in supporting our local economies, protecting our coastal environments, ensuring public safety for consumers, and setting a higher standard for accountability.

Mr. Speaker, I urge my colleagues to vote for this motion to recommit, and I yield back the balance of my time.

Mr. BISHOP of Utah. Mr. Speaker, I rise in opposition to the motion to recommit.

The SPEAKER pro tempore. The gentleman is recognized for 5 minutes.

Mr. BISHOP of Utah. Mr. Speaker, on the policy level, this stuff is already covered in the Oil Pollution Act, the Superfund covers it, and if you are really serious about doing this, lines 8 and 9 would be changed to ''NOAA,'' as they are in the current statute. They have the expertise and the money to actually accomplish it.

But, Mr. Speaker, if I could say to all of you, with apologies to those who have been sending emails and dear colleagues around here, this amendment, you should simply throw it back. It is not a keeper. This is simply a fish story that is based on a big whopper. This amendment would actually take the bill, and it would gut it, clean it, and filet it. So, please, do not fall for this hook, line, and sinker.

I am not fishing for compliments here. But we have been floundering to find a solution for a long time, and that is why the underlying bill has a boatload of support for it.

I realize this is as good as it gets. I am okay, but those involved in the fishing community recognize that the status quo is not working as it was intended to work and needs to be fixed in some particular way. That is why, on the underlying bill, the commercial industry, the fishing industry, and the recreationists already are in support and have publicly said that. That is the first time all three groups have actually gotten together on this particular bill.

They realize there needs to be change in the status quo. They realize there needs to be transparency, which the underlying bill gives and is not there in the status quo. They realize that the science that has been used under the status quo is crappy and that this mandates multiple sources, better sources being used to make these final decisions.

So, just for the halibut—and I had one for ''bass,'' but I have already censored it myself—vote ''no'' on the amendment and support the underlying bill.

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

The SPEAKER pro tempore. Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to recommit.

The question was taken; and the Speaker pro tempore announced that the noes appeared to have it.

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

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 9 of rule XX, this 5-minute vote on the motion to recommit will be followed by a 5-minute vote on passage of the bill, if ordered.

The vote was taken by electronic device, and there were—yeas 155, nays 233, not voting 54, as follows:

[Roll No. 266]

YEAS—155

Adams
Aguilar
Ashford
Bass
Beatty
Bera
Beyer
Blumenauer
Bonamici
Boyle, Brendan F.
Brady (PA)
Brown (FL)
Brownley (CA)
Bustos
Butterfield
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Cartwright
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Cohen
Connolly
Conyers
Cooper
Costa
Courtney
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
DeLauro
DelBene
DeSaulnier
Deutch
Dingell
Doggett
Duckworth
Edwards
Ellison
Engel
Eshoo
Esty
Farr
Fattah
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Graham
Grayson
Grijalva
Hahn
Hastings
Heck (WA)
Higgins
Himes
Honda
Hoyer
Huffman
Israel
Jeffries
Johnson (GA)
Johnson, E. B.
Keating
Kelly (IL)
Kennedy
Kildee
Kilmer
Kirkpatrick
Kuster
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lee
Levin
Lieu, Ted
Loebsack
Lofgren
Lowenthal
Lowey
Luján, Ben Ray (NM)
Lynch
Matsui
McCollum
McDermott
McGovern
McNerney
Meeks
Moulton
Murphy (FL)
Nadler
Neal
Norcross
O'Rourke
Pallone
Pascrell
Payne
Pelosi
Perlmutter
Peters
Peterson
Pingree
Price (NC)
Quigley
Rangel
Rice (NY)
Roybal-Allard
Ruiz
Ruppersberger
Ryan (OH)
Sánchez, Linda T.
Sarbanes
Schakowsky
Schiff
Schrader
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Sherman
Sinema
Sires
Slaughter
Smith (WA)
Speier
Swalwell (CA)
Takano
Thompson (CA)
Titus
Tonko
Torres
Tsongas
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman Schultz
Watson Coleman
Welch
Yarmuth

NAYS—223

Abraham
Allen
Amash
Amodei
Babin
Barletta
Barr
Barton
Benishek
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Bost
Boustany
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Bucshon
Burgess
Byrne
Calvert
Carter (GA)
Carter (TX)
Chabot
Chaffetz
Clawson (FL)
Coffman
Cole
Collins (GA)
Collins (NY)
Comstock
Conaway
Cook
Costello (PA)
Cramer
Crenshaw
Culberson
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Donovan
Duncan (SC)
Duncan (TN)
Emmer (MN)
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Garrett
Gibbs
Gibson
Gohmert
Goodlatte
Gosar
Graves (GA)
Graves (LA)
Graves (MO)
Griffith
Grothman
Guinta
Guthrie
Hanna
Hardy
Harper
Harris
Hartzler
Heck (NV)
Hensarling
Herrera Beutler
Hice, Jody B.
Hill
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (OH)
Johnson, Sam
Jones
Jordan
Joyce
Katko
Kelly (PA)
King (IA)
King (NY)
Kinzinger (IL)
Kline
Knight
Labrador
LaMalfa
Lamborn
Lance
Latta
LoBiondo
Long
Loudermilk
Love
Lucas
Luetkemeyer
Lummis
MacArthur
Marchant
Marino
Massie
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris Rodgers
McSally
Meadows
Meehan
Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Newhouse
Nunes
Olson
Palazzo
Palmer
Pearce
Perry
Pitts
Poliquin
Pompeo
Posey
Price, Tom
Ratcliffe
Reed
Reichert
Renacci
Ribble
Rice (SC)
Rigell
Roby
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney (FL)
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Royce
Russell
Ryan (WI)
Salmon
Sanford
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shuster
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Stefanik
Stewart
Stivers
Stutzman
Thompson (PA)
Thornberry
Tiberi
Tipton
Trott
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Westmoreland
Whitfield
Williams
Wittman
Womack
Woodall
Yoho
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

NOT VOTING—54

Aderholt
Becerra
Bishop (GA)
Castor (FL)
Clyburn
Crawford
Crowley
Cuellar
Curbelo (FL)
Delaney
Dold
Doyle, Michael F.
Duffy
Ellmers (NC)
Farenthold
Fincher
Fitzpatrick
Gowdy
Granger
Green, Al
Green, Gene
Gutiérrez
Hinojosa
Jackson Lee
Jolly
Kaptur
Kind
Lewis
Lipinski
Lujan Grisham (NM)
Maloney, Carolyn
Maloney, Sean
Meng
Moore
Napolitano
Noem
Nolan
Nugent
Paulsen
Pittenger
Pocan
Poe (TX)
Polis
Richmond
Roe (TN)
Rush
Sanchez, Loretta
Shimkus
Takai
Thompson (MS)
Waters, Maxine
Wilson (FL)
Wilson (SC)
Yoder

□ 1931

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

Stated for:

Mrs. NAPOLITANO. Mr. Speaker, on Monday, June 1st, 2015, I was absent during rollcall vote No. 266. Had I been present, I would have voted ''yea'' on the Democratic Motion to Recommit H.R. 1335—Strengthening Fishing Communities and Increasing Flexibility in Fisheries Management Act.

PERSONAL EXPLANATION

Mr. DOLD. Mr. Speaker, on rollcall No. 264, 265, 266, I was unavoidably detained by American Airlines on the tarmac at Ronald

Reagan National Airport in Washington, D.C. Had I been present, I would have voted ''nay'' on all three rollcall votes.

The SPEAKER pro tempore. The question is on the passage of the bill.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

RECORDED VOTE

Mr. GRIJALVA. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This is a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 225, noes 152, not voting 55, as follows:

[Roll No. 267]

AYES—225

Abraham	Graves (MO)	Mooney (WV)
Allen	Griffith	Moulton
Amash	Grothman	Mullin
Amodei	Guinta	Mulvaney
Babin	Guthrie	Murphy (PA)
Barletta	Hardy	Neugebauer
Barr	Harper	Newhouse
Barton	Harris	Nunes
Benishek	Hartzler	Olson
Bilirakis	Heck (NV)	Palazzo
Bishop (MI)	Hensarling	Palmer
Bishop (UT)	Herrera Beutler	Pearce
Black	Hice, Jody B.	Perry
Blackburn	Hill	Peterson
Blum	Holding	Pitts
Bost	Hudson	Poliquin
Boustany	Huelskamp	Pompeo
Brady (TX)	Huizenga (MI)	Posey
Brat	Hultgren	Price, Tom
Bridenstine	Hunter	Ratcliffe
Brooks (AL)	Hurd (TX)	Reed
Brooks (IN)	Hurt (VA)	Reichert
Buchanan	Issa	Renacci
Buck	Jenkins (KS)	Ribble
Bucshon	Jenkins (WV)	Rice (SC)
Burgess	Johnson (OH)	Rigell
Byrne	Johnson, Sam	Roby
Calvert	Jones	Rogers (AL)
Carter (GA)	Jordan	Rogers (KY)
Carter (TX)	Joyce	Rohrabacher
Chabot	Katko	Rokita
Chaffetz	Keating	Rooney (FL)
Clawson (FL)	Kelly (PA)	Ros-Lehtinen
Coffman	King (IA)	Roskam
Cole	King (NY)	Ross
Collins (GA)	Kinzinger (IL)	Rothfus
Collins (NY)	Kline	Rouzer
Comstock	Knight	Royce
Conaway	Labrador	Russell
Cook	LaMalfa	Ryan (WI)
Costello (PA)	Lamborn	Salmon
Courtney	Lance	Sanford
Cramer	Latta	Scalise
Crenshaw	LoBiondo	Schweikert
Culberson	Long	Scott, Austin
Davis, Rodney	Loudermilk	Sensenbrenner
Denham	Love	Sessions
Dent	Lucas	Shuster
DeSantis	Luetkemeyer	Simpson
DesJarlais	Lummis	Smith (MO)
Diaz-Balart	Lynch	Smith (NE)
Donovan	MacArthur	Smith (NJ)
Duncan (SC)	Marchant	Smith (TX)
Duncan (TN)	Marino	Stefanik
Emmer (MN)	Massie	Stewart
Fleischmann	McCarthy	Stivers
Fleming	McCaul	Stutzman
Flores	McClintock	Thompson (PA)
Forbes	McHenry	Thornberry
Fortenberry	McKinley	Tiberi
Foxx	McMorris Rodgers	Tipton
Franks (AZ)	McSally	Trott
Frelinghuysen	Meadows	Turner
Garrett	Meehan	Upton
Gibbs	Messer	Valadao
Gohmert	Mica	Wagner
Goodlatte	Miller (FL)	Walberg
Gosar	Miller (MI)	Walden
Graves (GA)	Moolenaar	Walker
Graves (LA)	Mooney (WV)	Walorski
Walters, Mimi	Williams	Young (IA)
Webster (FL)	Wittman	Young (IN)
Wenstrup	Womack	Zeldin
Westerman	Woodall	Zinke
Westmoreland	Yoho	
Whitfield	Young (AK)	

NOES—152

Adams	Fattah	Norcross
Aguilar	Foster	O'Rourke
Ashford	Frankel (FL)	Pallone
Bass	Fudge	Pascrell
Beatty	Gabbard	Payne
Bera	Gallego	Pelosi
Beyer	Garamendi	Perlmutter
Blumenauer	Gibson	Peters
Bonamici	Graham	Pingree
Boyle, Brendan F.	Grayson	Price (NC)
	Grijalva	Quigley
Brady (PA)	Hahn	Rice (NY)
Brown (FL)	Hanna	Roybal-Allard
Brownley (CA)	Hastings	Ruiz
Bustos	Heck (WA)	Ruppersberger
Butterfield	Higgins	Ryan (OH)
Capps	Himes	Sánchez, Linda T.
Capuano	Honda	
Cárdenas	Hoyer	Sarbanes
Carney	Huffman	Schakowsky
Carson (IN)	Israel	Schiff
Cartwright	Jeffries	Schrader
Castro (TX)	Johnson (GA)	Scott (VA)
Chu, Judy	Johnson, E. B.	Scott, David
Cicilline	Kelly (IL)	Serrano
Clark (MA)	Kennedy	Sewell (AL)
Clarke (NY)	Kildee	Sherman
Clay	Kilmer	Sinema
Cleaver	Kirkpatrick	Sires
Cohen	Kuster	Slaughter
Connolly	Langevin	Smith (WA)
Conyers	Larsen (WA)	Speier
Cooper	Larson (CT)	Swalwell (CA)
Costa	Lawrence	Takano
Cummings	Lee	Thompson (CA)
Davis (CA)	Levin	Titus
Davis, Danny	Lieu, Ted	Tonko
DeFazio	Loebsack	Torres
DeGette	Lofgren	Tsongas
DeLauro	Lowenthal	Van Hollen
DelBene	Lowey	Vargas
DeSaulnier	Luján, Ben Ray (NM)	Veasey
Deutch		Vela
Dingell	Matsui	Velázquez
Doggett	McCollum	Visclosky
Duckworth	McDermott	Walz
Edwards	McGovern	Wasserman Schultz
Ellison	McNerney	
Engel	Meeks	Watson Coleman
Eshoo	Murphy (FL)	Weber (TX)
Esty	Nadler	Welch
Farr	Neal	Yarmuth

NOT VOTING—55

Aderholt	Green, Al	Nugent
Becerra	Green, Gene	Paulsen
Bishop (GA)	Gutiérrez	Pittenger
Castor (FL)	Hinojosa	Pocan
Clyburn	Jackson Lee	Poe (TX)
Crawford	Jolly	Polis
Crowley	Kaptur	Rangel
Cuellar	Kind	Richmond
Curbelo (FL)	Lewis	Roe (TN)
Delaney	Lipinski	Rush
Dold	Lujan Grisham (NM)	Sanchez, Loretta
Doyle, Michael F.	Maloney, Carolyn	Shimkus
		Takai
Duffy	Maloney, Sean	Thompson (MS)
Ellmers (NC)	Meng	Waters, Maxine
Farenthold	Moore	Wilson (FL)
Fincher	Napolitano	Wilson (SC)
Fitzpatrick	Noem	Yoder
Gowdy	Nolan	
Granger		

□ 1941

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. DOLD. Mr. Speaker, on rollcall No. 267, I was unavoidably detained due to weather. Had I been present, I would have voted ''aye.''

Ms. GRANGER. Mr. Speaker, on rollcall No. 267 on passage of the Strengthening Fishing Communities and Increasing Flexibility in Fisheries Management Act (H.R. 1335), I am not recorded because of prior commitments in my Congressional District. Had I been present, I would have voted ''aye.''

Stated against:

Mrs. NAPOLITANO. Mr. Speaker, on Monday, June 1st, 2015, I was absent during rollcall vote No. 267. Had I been present, I would have voted ''nay'' on the final passage of H.R. 1335—Strengthening Fishing Communities and Increasing Flexibility in Fisheries Management Act.

PERSONAL EXPLANATION

Mr. AL GREEN of Texas. Mr. Speaker, today I missed the following votes: Dingell Amendment. Had I been present, I would have voted ''yes'' on this bill; Lowenthal Amendment. Had I been present, I would have voted ''yes'' on this bill; Democratic Motion to Recommit H.R. 1335. Had I been present, I would have voted ''yes'' on this bill; Final Passage of H.R. 1335. Had I been present, I would have voted ''no'' on this bill.

AUTHORIZING THE CLERK TO MAKE CORRECTIONS IN ENGROSSMENT OF H.R. 1335, STRENGTHENING FISHING COMMUNITIES AND INCREASING FLEXIBILITY IN FISHERIES MANAGEMENT ACT

Mr. BISHOP of Utah. Mr. Speaker, I ask unanimous consent that the Clerk be authorized to make technical corrections in the engrossment of H.R. 1335, to correct section numbers, punctuation, and cross-references, and to make such other technical and conforming changes as may be necessary to accurately reflect the actions of the House, including in section 15 (page 35, beginning on line 10), striking ''The Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1801 et seq.)'' and inserting ''The Act''.

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

There was no objection.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 2577, TRANSPORTATION, HOUSING AND URBAN DEVELOPMENT, AND RELATED AGENCIES APPROPRIATIONS ACT, 2016, AND PROVIDING FOR CONSIDERATION OF H.R. 2578, COMMERCE, JUSTICE, SCIENCE, AND RELATED AGENCIES APPROPRIATIONS ACT, 2016

Mr. SESSIONS, from the Committee on Rules, submitted a privileged report (Rept. No. 114–135) on the resolution (H. Res. 287) providing for consideration of the bill (H.R. 2577) making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the

fiscal year ending September 30, 2016, and for other purposes, and providing for consideration of the bill (H.R. 2578) making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2016, and for other purposes, which was referred to the House Calendar and ordered to be printed.

AUTHORIZING THE USE OF EMANCIPATION HALL IN THE CAPITOL VISITOR CENTER FOR A CEREMONY TO COMMEMORATE THE 50TH ANNIVERSARY OF THE VIETNAM WAR

Mr. HARPER. Mr. Speaker, I ask unanimous consent that the Committee on House Administration be discharged from further consideration of House Concurrent Resolution 48, and ask for its immediate consideration in the House.

The Clerk read the title of the concurrent resolution.

The SPEAKER pro tempore (Ms. STEFANIK). Is there objection to the request of the gentleman from Mississippi?

There was no objection.

The text of the concurrent resolution is as follows:

H. CON. RES. 48

Resolved by the House of Representatives (the Senate concurring),

SECTION 1. USE OF EMANCIPATION HALL FOR CEREMONY TO COMMEMORATE 50TH ANNIVERSARY OF THE VIETNAM WAR.

(a) AUTHORIZATION.—Emancipation Hall in the Capitol Visitor Center is authorized to be used on July 8, 2015, for a ceremony to commemorate the 50th anniversary of the Vietnam War.

(b) PREPARATIONS.—Physical preparations for the conduct of the ceremony described in subsection (a) shall be carried out in accordance with such conditions as may be prescribed by the Architect of the Capitol.

The concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

□ 1945

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 2036

Mr. POSEY. Madam Speaker, I ask unanimous consent that Congressman BROOKS from Alabama be removed as a cosponsor of H.R. 2036.

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

There was no objection.

GIRLS COUNT ACT OF 2015

Mr. CHABOT. Madam Speaker, I move to suspend the rules and pass the bill (S. 802) to authorize the Secretary of State and the Administrator of the United States Agency for International Development to provide assistance to support the rights of women and girls in developing countries, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

S. 802

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Girls Count Act of 2015''.

SEC. 2. FINDINGS.

Congress makes the following findings:

(1) According to the United States Census Bureau's 2013 international figures, 1 person in 12, or close to 900,000,000 people, is a girl or young woman age 10 through 24.

(2) The Census Bureau's data also illustrates that young people are the fastest growing segment of the population in developing countries.

(3) Even though most countries do have birth registration laws, four out of ten babies born in 2012 were not registered worldwide. Moreover, an estimated 36 percent of children under the age of five worldwide (about 230,000,000 children) do not possess a birth certificate.

(4) A nationally recognized proof of birth system is important to determining a child's citizenship, nationality, place of birth, parentage, and age. Without such a system, a passport, driver's license, or other identification card is difficult to obtain. The lack of such documentation can prevent girls and women from officially participating in and benefitting from the formal economic, legal, and political sectors in their countries.

(5) The lack of birth registration among girls worldwide is particularly concerning as it can exacerbate the disproportionate vulnerability of women to trafficking, child marriage, and lack of access to health and education services.

(6) A lack of birth registration among women and girls can also aggravate what, in many places, amounts to an already reduced ability to seek employment, participate in civil society, or purchase or inherit land and other assets.

(7) Girls undertake much of the domestic labor needed for poor families to survive: carrying water, harvesting crops, tending livestock, caring for younger children, and doing chores.

(8) Accurate assessments of access to education, poverty levels, and overall census activities are hampered by the lack of official information on women and girls. Without this rudimentary information, assessments of foreign assistance and domestic social welfare programs are difficult to gauge.

(9) To help ensure that women and girls are considered in United States foreign assistance policies and programs, that their needs are addressed in the design, implementation, and evaluation of foreign assistance programs, and that women and girls have the opportunity to succeed, it is important that girls be counted and have access to birth certificates and other official documentation.

SEC. 3. STATEMENT OF POLICY.

It is the policy of the United States to—

(1) encourage countries to support the rule of law and ensure girls and boys of all ages are able to fully participate in society, including by providing birth certifications and other official documentation;

(2) enhance training and capacity-building in key developing countries, local nongovernmental organizations, and other civil society organizations, including faith-based organizations and organizations representing children and families in the design, implementation, and monitoring of programs under this Act, to effectively address the needs of birth registries in countries where girls are systematically undercounted; and

(3) incorporate into the design, implementation, and evaluation of policies and programs measures to evaluate the impact that such policies and programs have on girls.

SEC. 4. UNITED STATES ASSISTANCE TO SUPPORT COUNTING OF GIRLS IN THE DEVELOPING WORLD.

(a) AUTHORIZATION.—The Secretary and the Administrator are authorized to prioritize and advance ongoing efforts to—

(1) support programs that will contribute to improved and sustainable Civil Registration and Vital Statistics Systems (CRVS) with a focus on birth registration;

(2) support programs that build the capacity of developing countries' national and local legal and policy frameworks to prevent discrimination against girls in gaining access to birth certificates, particularly where this may help prevent exploitation, violence, and other abuse; and

(3) support programs and key ministries, including, interior, youth, and education ministries, to help increase property rights, social security, home ownership, land tenure security, inheritance rights, access to education, and economic and entrepreneurial opportunities, particularly for women and girls.

(b) COORDINATION WITH MULTILATERAL ORGANIZATIONS.—The Secretary and the Administrator are authorized to coordinate with the World Bank, relevant United Nations agencies and programs, and other relevant organizations to encourage and work with countries to enact, implement, and enforce laws that specifically collect data on girls and establish registration programs to ensure girls are appropriately counted and have the opportunity to be active participants in the social, legal, and political sectors of society in their countries.

(c) COORDINATION WITH PRIVATE SECTOR AND CIVIL SOCIETY ORGANIZATIONS.—The Secretary and the Administrator are authorized to work with the United States, international, and local private sector and civil society organizations to advocate for the registration and documentation of all girls and boys in developing countries, in order to help prevent exploitation, violence, and other abuses and to help provide economic and social opportunities.

SEC. 5. REPORT.

The Secretary and the Administrator shall include in relevant evaluations and reports to Congress the following information:

(1) To the extent practicable, a breakdown of United States foreign assistance beneficiaries by age, gender, marital status, location, and school enrollment status.

(2) A description, as appropriate, of how United States foreign assistance benefits girls.

(3) Specific information, as appropriate, on programs that address the particular needs of girls.

SEC. 6. DEFINITIONS.

In this Act:

(1) ADMINISTRATOR.—The term ''Administrator'' means the Administrator of the United States Agency for International Development.

(2) FOREIGN ASSISTANCE.—The term ''foreign assistance'' has the meaning given the term in section 634(b) of the Foreign Assistance Act of 1961 (22 U.S.C. 2394(b)).

(3) SECRETARY.—The term ''Secretary'' means the Secretary of State.

SEC. 7. SUNSET.

This Act shall expire on the date that is five years after the date of the enactment of this Act.

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

The Chair recognizes the gentleman from Ohio.

GENERAL LEAVE

Mr. CHABOT. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and to include extraneous material on this bill.

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

There was no objection.

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

I rise today in support of S. 802, the Girls Count Act of 2015. It is identical to H.R. 2100, the House version of the bill, which my staff has worked on for 3 years now.

I want to thank Senator MARCO RUBIO and his staff for moving this bill through the Senate so we can soon get this important piece of legislation to the President's desk.

Madam Speaker, the Girls Count Act of 2015 is an important measure because what many people don't realize is that approximately 51 million children around the world are not registered at their births. That is one-third of all children under the age of 5 worldwide.

What does this mean? It means that these children lack a birth certificate, preventing them, oftentimes, from having access to fundamental rights which we here in the United States take for granted. It means they have no proof of their ages, parentage, or even of their citizenship. They are essentially nonpeople, oftentimes, in the eyes of the law.

For girls in particular, the lack of a birth registration certificate increases their vulnerability to trafficking and exploitation. These girls grow up facing high barriers to work, education, and political participation. Tragically, too often, these girls are treated in their own countries as if they really don't exist, as if they really don't count at all.

All of this is happening in places where we need women and girls to actively shape their countries' futures because, indeed, women serve as the backbone of stable, healthy societies all around the world. They are breadwinners and caregivers and peacemakers and the educators of the next generation.

For these reasons, I introduced and authored the Girls Count Act to direct the Department of State and the U.S. Agency for International Development to support efforts aimed at improving birth registry-birth certificate programs in developing countries and others.

This step, which actually seems quite simple, will ensure that every child gets access to voting rights, land tenure rights, health services, and an education. Critically, Girls Count authorizes the State Department and USAID to support programs to protect girls' legal rights, particularly economic and property rights, and to build legal and policy frameworks to prevent discrimination against women and girls.

Your support of the Girls Count Act of 2015—those who have supported this legislation—will not only help to prevent human and sex trafficking in developing countries by aiding in identifying displaced persons and international adoption cases, but it will give girls and women around the world access to the fundamental rights that they so rightly deserve.

I want to thank Congresswoman MCCOLLUM and Congressmen SMITH and SHERMAN for their support in introducing this legislation in the House, as well as to thank the 44 other bipartisan Members—this is a Republican and a Democratic bill—who have given their support.

I also want to thank my colleagues in the Senate, especially Senator MARCO RUBIO, for backing this legislation.

I reserve the balance of my time.

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

I rise in strong support of S. 802, the Girls Count Act of 2015.

I want to thank Representatives CHABOT and MCCOLLUM for introducing the House companion to this bill.

Madam Speaker, around the world, over a third of children under the age of 5 have no registration of their births. Most of these children are girls.

I remember my grandmother—my mother's mother—who came to this country before World War I from Eastern Europe. She didn't have a certificate and didn't really know for sure what year she was born or what time she was born.

She knew it was December—she thought it was December—but she didn't have it, I remember. Here we are now, many, many years later, and we have the same problem in many areas around the world.

Not existing on paper can shatter a person's life. With official documentation comes certain protections, and without those protections a person becomes an easy target for child labor, human trafficking, and child marriage. Down the line, many of these children will be unable to inherit land or money, to start a business, or even to open a bank account.

This sort of marginalization often hits women the hardest. Unregistered women are more likely to be confined to their homes and to be invisible to the outside world. They enjoy only limited choices and opportunities, and their marginalization drags down the prosperity of their communities.

Birth registration has most recently become an acute problem in Syria. The ongoing civil war has caused countless internally displaced and refugee children to go unregistered. As a result, these children face a high risk of entering into early or illegal marriages, of being sex trafficked, of being forced into child labor, or of being recruited by terrorist groups.

S. 802 will ramp up efforts to get more children registered around the world. It authorizes the State Department and USAID to work with local governments to ensure equal access to registration programs. It uses existing funding to more effectively address this increasingly serious problem.

This bill would complement the work of organizations around the world engaged in the important work of protecting vulnerable children, and it would put pressure on other governments to act.

While improving birth registration systems helps the most vulnerable populations, it has positive ripple effects across a society. Governments with better records can provide better services, tailor more effective policies, and bring more people into full participation in their economies. This basic practice can help make entire countries stronger.

Getting children registered at birth helps get them off to a good start, and this bill will help make that happen. Madam Speaker, I urge my colleagues to support this important legislation.

I reserve the balance of my time.

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

Mr. ENGEL. Madam Speaker, it is now my great pleasure to yield 2 minutes to the gentlewoman from Minnesota (Ms. MCCOLLUM), one of the coauthors of this bill and someone who has worked endlessly to make sure this bill passes.

Ms. MCCOLLUM. Madam Speaker, today, I rise to support the Girls Count Act.

I want to thank Mr. CHABOT and his staff for working alongside my office on this important bill. I want to thank Mr. ROYCE and, of course, Mr. ENGEL for their support in moving this bill forward.

Madam Speaker, we can all agree that every child deserves to have his birth, name, and identity recognized by his government. Every child deserves access to an education and to health services. Without a recognized identity, that is just not possible. Unfortunately, UNICEF estimates that 230 million children under the age of 5—and that is mostly girls—do not have birth certificates.

Without this piece of paper, they are effectively invisible to their governments, invisible to the world. These invisible girls are likely not to be able to attend school or to access the needed health services. It would be difficult, if not impossible, for a girl to inherit, to vote, or to simply be a full and active member of her community.

This girl would be at high risk of being confined to her home, of being forced into early marriage, or of being sold into human trafficking. Without a birth certificate, she will likely face a bleak future. None of us would want this for her.

The Girls Count Act is exactly what the title says; it helps ensure that all girls and boys are counted by their governments. The bill helps support the efforts of the Secretary of State and the Administrator of USAID to work with international organizations and NGOs to improve birth registration for all children. Every child deserves to have his birth recognized, and it deserves to be recognized by his government.

I urge my colleagues to support this bill.

Mr. CHABOT. Madam Speaker, I reserve the balance of my time and my right to close.

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

Once again, let me say that getting children registered at birth helps get them off to a good start. This bill encourages governments to enact laws and policies that give all children, including girls, a chance at being full participants in society. I strongly support this bill, and I urge my colleagues to do so as well.

I want to again compliment Ms. MCCOLLUM and Mr. CHABOT for their hard work on this very important piece of legislation. This should be a unanimous ''yes.'' I urge my colleagues to support this bill.

I yield back the balance of my time.

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

I would like to thank Congresswoman MCCOLLUM and also the ranking member, Mr. ENGEL, for their leadership on this issue. Both of them have been very important parts of seeing this through the House. It went through the other body recently as well, so it is working its way to the President's desk, and we are very encouraged by that.

Madam Speaker, many of us are deeply concerned by the appalling acts of injustice that are committed against women and girls around the world on a daily basis. The headlines are, oftentimes, hard to believe—acid attacks in Iran, death at the hands of a savage mob in Afghanistan, the kidnapping of schoolgirls in Nigeria—yet the disenfranchisement of women and girls around the world is not just an humanitarian issue; it is a development issue, and it is a security issue as well.

How can a nation thrive when half of its citizens are oftentimes denied their most basic human rights? The Girls Count Act—this act, the one that we are talking about this evening—recognizes the suffering and aims to empower those who have been cast into the shadows of their societies.

Birth registration is one of the first steps in the fight to preserve an individual's basic rights under the law in that particular country. It is also a critical means to ensuring the full participation of women and girls in their communities. Whether it is voting or owning property or employment or health care or a whole range of things. Let's help girls count.

Agai2n, I want to thank the House for supporting the passage of this measure. This will be the second year now—2 years in a row—that this House, I believe, will support it, and I encourage all of my colleagues to support it.

I yield back the balance of my time.

Mrs. LAWRENCE. Madam Speaker, as we pass the bipartisan Girls Count Act of 2015, I'd like to emphasize the importance of advancing women's rights around the world. In 2015, it is completely unacceptable that women still do not possess the same rights as men.

My grandmother raised her family and put food on the table to ensure that her children and grandchildren received the education and care they deserved. I am incredibly proud of my grandmother and all women like her who are the rocks of their families. I am fighting for women's rights because it is each generation's obligation's to ensure that the next generation is better off than the previous. I fight for my daughter and granddaughter, who I hope will one day live in a world where there is true gender equality.

In a time where women should be equal to men, there are unspeakable atrocities being committed all over the world. For example, Boko Haram kidnapped over 300 school girls, drawing the ire of global activists. By passing this legislation, we will become leaders in the worldwide fight against misogyny. This bill requires countries around the world to develop civil registration and statistical programs to better trace women's information. In addition, it prevents governments from discriminating against women, while creating a policy framework to improve access to economic and property ownership. I sincerely hope that governments draft strong legislation that changes the current policy.

I am grateful that our chamber has taken this important step to ensure that countries around the world recognize the need to improve women's access to basic rights. I want to thank my colleagues on both sides of the aisle for supporting women's rights.

Mr. SMITH of New Jersey. Madam Speaker, I would like to begin by thanking my good friend and colleague Congressman STEVE CHABOT for his leadership and hard work in shepherding the Girls Count Act as it makes its way to the President's desk. It is important legislation that will make an impact in the lives of so many girls and young women around the world.

Like last year, I am an original co-sponsor of the House version of the Girls Count Act, and I think that the version introduced in both Houses this Congress is even better than the one that the House passed last year, as it explicitly recognizes the great work that so many faith-based organizations do around the globe.

There is a need for the legislation, because in too many parts of the world, girls are discriminated against simply for being a girl. Indeed, this disregard for the value of the girl child often begins in the womb, in countries such as India and China, where we see the horrific practice of sex-selective abortion. This cruel practice in turn has led to a gender imbalance which has fed other crimes against women, such as sex trafficking, bride selling and prostitution.

I chaired a hearing two years ago on the problem of ''India's Missing Girls,'' which addressed the problem of violence against the girl child in India. Sex-selective abortion and female infanticide have led to lopsided sex ratios: in parts of India, for example, 126 boys are born for every 100 girls. Perhaps the best figures we have concerning the magnitude of the problem come from India's 2011 census figures, which find that there are approximately 37 million more men than women in India.

In China, too, we see the brutal effects of a one-child policy that causes baby girls to be killed before birth; where only one child per couple is permitted in a society that has a traditional preference for sons, the predictable result is that a disproportionate number of girls will be killed in the womb.

As Mara Hvistendahl recounted in a book I recommend to all of my colleagues, Unnatural Selection: Choosing Boys Over Girls, and the Consequences of a World Full of Men, in Asia alone, there are 160 million missing girls, roughly the same amount of women and girls as there are in the United States. The result of this sex-imbalance is a world where there is greater political instability, with violence inside the womb begetting violence outside as well.

Today's legislation, which seeks to have every girl counted and registered, marks a small but important step toward a world where every child, boy or girl, is equally valued and cherished for her or his inherent, God-given dignity from the moment of conception.

Ms. JACKSON LEE. Madam Speaker, as the Chair of the Congressional Children's Caucus and a senior member of the Judiciary and Homeland Security Committees, I rise in strong support of S. 802, the ''Girls Count Act of 2015.''

I support this legislation which authorizes the Secretary of State and the Administrator of the U.S. Agency for International development to: (1) support programs that will contribute improved civil registration and vital statistics systems with a focus on birth registration; and (2) promote programs that build the capacity of developing countries' national and local legal and policy framework to prevent discrimination against girls, and help increase property rights, social security, land tenure, and inheritance rights for women.

In addition, this bill authorizes the Secretary and the U.S. AID Administrator to cooperate

with multilateral organizations to promote such programs.

As co-chair of the Pakistan, Afghanistan, and Algeria Caucuses, I have long advocated for the rights for women around the world. In the current Congress, I introduced H.R. 69 and H.R. 57, two bills that promote women's rights.

H.R. 69 is a bill awarding a Congressional Gold Medal to Malala Yousafzai, the Nobel Laureate for Peace, in recognition of her devoted service to education, justice, and equality.

Malala Yousafzai is an inspiration to young people in the United States and children who must struggle to receive an education.

In a speech before the United Nations, she called for a global struggle against literacy, poverty and terrorism.

She closed her remarks by saying ''One child, one teacher, one pen, and one book can change the world.''

The Taliban remains unrepentant while she remains defiant and said that the day she was shot ''weakness, fear and hopelessness died.''

While her road to recovery proved to be amazing and complete, she has not been deterred in pursuing her goal of education rights for young girls in her native land and for this, her life continues to be threatened by the Taliban.

H.R. 57 requires that activities carried out by the United States in South Sudan relating to governance, post-conflict reconstruction and development, police and military training, and refugee relief and assistance support the human rights of women and their full political, social, and economic participation.

According to the United States Census Bureau's 2013 international figures, 1 person in 12, or close to 900 million people, is a girl or woman age 10 through 24.

The Census Bureau's data also illustrates that young people are the fastest growing segment of the population in developing countries.

Even though most countries have birth registration laws, four out of ten babies born in 2012 were not registered worldwide.

Moreover, an estimated 36 percent of children under the age of five worldwide (about 230,000,000 children) do not possess a birth certificate.

A nationally recognized proof of birth system is important to determining a child's citizenship, nationality, place of birth, parentage, and age.

Without such a system, a passport, driver's license or other identification card is difficult to obtain.

The lack of such documentation can prevent girls and women from officially participating in and contributing to the formal economic, legal, and political sectors in their country.

The lack of birth registration among girls worldwide is particularly concerning as it can exacerbate the disproportionate vulnerability of women to trafficking, child marriage, and lack of access to health and education services.

A lack of birth registration among women and girls can also aggravate what, in many places, amounts to an already reduced ability to seek employment, participate in civil society, or purchase or inherit land and other assets.

Girls undertake much of the domestic labor needed for poor families to survive: carrying water, harvesting crops, tending livestock, caring for younger children, and doing chores.

Mr. Speaker, to help ensure that women and girls are considered in United States foreign assistance policies and programs, that their needs are addressed in the design, implementation, and evaluation of foreign assistance programs, and that women and girls have the opportunity to succeed, it is important that girls be counted and have access to birth certificates and other official documentation.

I urge all of my colleagues to join me in strong support for S. 802.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Ohio (Mr. CHABOT) that the House suspend the rules and pass the bill, S. 802.

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

A motion to reconsider was laid on the table.

PROTECT AND PRESERVE INTERNATIONAL CULTURAL PROPERTY ACT

Mr. CHABOT. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 1493) to protect and preserve international cultural property at risk due to political instability, armed conflict, or natural or other disasters, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 1493

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Protect and Preserve International Cultural Property Act''.

SEC. 2. DEFINITION.

In this Act:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ''appropriate congressional committees'' means the Committee on Foreign Affairs, the Committee on Ways and Means, the Committee on Armed Services, and the Committee on the Judiciary of the House of Representatives and the Committee on Foreign Relations, the Committee on Finance, the Committee on Armed Services, and the Committee on the Judiciary of the Senate.

(2) CULTURAL PROPERTY.—The term ''cultural property'' includes property covered under—

(A) the Hague Convention for the Protection of Cultural Property in the Event of Armed Conflict, concluded at The Hague on May 14, 1954 (Treaty Doc. 106–1(A));

(B) Article 1 of the Convention Concerning the Protection of the World's Cultural and Natural Heritage, adopted by UNESCO on November 23, 1972 (commonly referred to as the ''1972 Convention''); or

(C) Article 1 of the Convention on the Means of Prohibiting and Preventing the Illicit Import, Export, and Transfer of Ownership of Cultural Property, adopted by UNESCO on November 14, 1970 (commonly referred to as the ''1970 UNESCO Convention'').

SEC. 3. FINDINGS AND STATEMENT OF POLICY.

(a) FINDINGS.—Congress finds the following:

(1) Over the years, international cultural property has been looted, trafficked, lost, damaged, or destroyed due to political instability, armed conflict, natural disasters, and other threats.

(2) During China's Cultural Revolution, many antiques were destroyed, including a large portion of old Beijing, and Chinese authorities are now attempting to rebuild portions of China's lost architectural heritage.

(3) In 1975, the Khmer Rouge, after seizing power in Cambodia, systematically destroyed mosques and nearly every Catholic church in the country, along with many Buddhist temples, statues, and Buddhist literature.

(4) In 2001, the Taliban destroyed the Bamiyan Buddhas, ancient statues carved into a cliffside in central Afghanistan, leading to worldwide condemnation.

(5) After the fall of Saddam Hussein, thieves looted the Iraq Museum in Baghdad, resulting in the loss of approximately 15,000 items, including ancient amulets, sculptures, ivories, and cylinder seals. Many of these items remain unrecovered.

(6) The 2004 Indian Ocean earthquake and tsunami not only affected 11 countries, causing massive loss of life, but also damaged or destroyed libraries, archives, and World Heritage Sites such as the Mahabalipuram in India, the Sun Temple of Koranak on the Bay of Bengal, and the Old Town of Galle and its fortifications in Sri Lanka.

(7) In Haiti, the 2010 earthquake destroyed art, artifacts, and archives, and partially destroyed the 17th century Haitian city of Jacmel.

(8) In Mali, the Al-Qaeda affiliated terrorist group Ansar Dine destroyed tombs and shrines in the ancient city of Timbuktu—a major center for trade, scholarship, and Islam in the 15th and 16th centuries—and threatened collections of ancient manuscripts.

(9) In Egypt, recent political instability has led to the ransacking of museums, resulting in the destruction of countless ancient artifacts that will forever leave gaps in humanity's record of the ancient Egyptian civilization.

(10) In Syria, the ongoing civil war has resulted in the shelling of medieval cities, damage to five World Heritage Sites, and the looting of museums containing artifacts that date back more than six millennia and include some of the earliest examples of writing.

(11) In Iraq and Syria, the militant group ISIL has destroyed numerous cultural sites and artifacts, such as the Tomb of Jonah in July 2014, in an effort to eradicate ethnic and religious minorities from contested territories. Concurrently, cultural antiquities that escape demolition are looted and trafficked to help fund ISIL's militant operations.

(12) On February 12, 2015, the United Nations Security Council unanimously adopted resolution 2199 (2015), which ''[r]eaffirms its decision in paragraph 7 of resolution 1483 (2003) and decides that all Member States shall take appropriate steps to prevent the trade in Iraqi and Syrian cultural property and other items of archaeological, historical, cultural, rare scientific, and religious importance illegally removed from Iraq since 6 August 1990 and from Syria since 15 March 2011, including by prohibiting cross-border trade in such items, thereby allowing for their eventual safe return to the Iraqi and Syrian people.''.

(13) United Nations Security Council resolution 2199 (2015) also warns that ISIL and other extremist groups are trafficking cultural heritage items from Iraq and Syria to fund their recruitment efforts and carry out terrorist attacks.

(14) The destruction of cultural property represents an irreparable loss of humanity's common cultural heritage and is therefore a loss for all Americans.

(15) Protecting international cultural property is a vital part of United States cultural diplomacy, showing the respect of the United States for other cultures and the common heritage of humanity.

(16) The United States Armed Forces have played important roles in preserving and protecting cultural property. In 1943, President Franklin D. Roosevelt established a commission to advise the United States military on the protection of cultural property. The commission formed teams of individuals known as the ''Monuments Men'' who are credited with securing, cataloguing, and returning hundreds of thousands of works of art stolen by the Nazis during World War II.

(17) The Department of State, in response to the Convention on Cultural Property Implementation Act, noted that ''the legislation is important to our foreign relations, including our international cultural relations. The expanding worldwide trade in objects of archaeological and ethnological interest has led to wholesale depredations in some countries, resulting in the mutilation of ceremonial centers and archaeological complexes of ancient civilizations and the removal of stone sculptures and reliefs.''. The Department further noted that ''[t]he United States considers that on grounds of principle, good foreign relations, and concern for the preservation of the cultural heritage of mankind, it should render assistance in these situations.''.

(18) The U.S. Committee of the Blue Shield was founded in 2006 to support the implementation of the 1954 Hague Convention for the Protection of Cultural Property in the Event of Armed Conflict and to coordinate with the United States military, other branches of the United States Government, and other cultural heritage nongovernmental organizations in preserving international cultural property threatened by political instability, armed conflict, or natural or other disasters.

(b) STATEMENT OF POLICY.—It shall be the policy of the United States to—

(1) protect and preserve international cultural property at risk of looting, trafficking, and destruction due to political instability, armed conflict, or natural or other disasters;

(2) protect international cultural property pursuant to its obligations under international treaties to which the United States is a party;

(3) prevent, in accordance with existing laws, importation of cultural property pillaged, looted, stolen, or trafficked at all times, including during political instability, armed conflict, or natural or other disasters; and

(4) ensure that existing laws and regulations, including import restrictions imposed through the Office of Foreign Asset Control (OFAC) of the Department of the Treasury, are fully implemented to prevent trafficking in stolen or looted cultural property.

SEC. 4. UNITED STATES COORDINATOR FOR INTERNATIONAL CULTURAL PROPERTY PROTECTION.

The Secretary of State shall designate a Department of State employee at the Assistant Secretary level or above to serve concurrently as the United States Coordinator for International Cultural Property Protection. The Coordinator shall—

(1) coordinate and promote efforts to protect international cultural property, especially activities that involve multiple Federal agencies;

(2) act as Chair of the Coordinating Committee on International Cultural Property Protection established under section 5;

(3) resolve interagency differences;

(4) develop strategies to reduce illegal trade and trafficking in international cultural property in the United States and abroad, including by reducing consumer demand for such trade;

(5) support activities to assist countries that are the principle sources of trafficked cultural property to protect cultural heritage sites and to prevent cultural property looting and theft;

(6) work with and consult domestic and international actors such as foreign governments, intergovernmental organizations, nongovernmental organizations, museums, educational institutions, and research institutions to protect international cultural property; and

(7) submit to the appropriate congressional committees the annual report required under section 6.

SEC. 5. COORDINATING COMMITTEE ON INTERNATIONAL CULTURAL PROPERTY PROTECTION.

(a) ESTABLISHMENT.—There is established a Coordinating Committee on International Cultural Property Protection (in this section referred to as the ''Committee'').

(b) FUNCTIONS.—The full Committee shall meet not less often than annually to coordinate and inform Federal efforts to protect international cultural property and to facilitate the work of the United States Coordinator for International Cultural Property Protection designated under section 4.

(c) MEMBERSHIP.—The Committee shall be composed of the United States Coordinator for International Cultural Property Protection, who shall act as Chair, and representatives of the following:

(1) The Department of State.

(2) The Department of Defense.

(3) The Department of Homeland Security, including U.S. Immigration and Customs Enforcement and U.S. Customs and Border Protection.

(4) The Department of the Interior.

(5) The Department of Justice, including the Federal Bureau of Investigation.

(6) The United States Agency for International Development.

(7) The Smithsonian Institution.

(8) Such other entities as the Chair determines appropriate.

(d) SUBCOMMITTEES.—The Committee may include such subcommittees and taskforces as the Chair determines appropriate. Such subcommittees or taskforces may be comprised of a subset of the Committee members or of such other members as the Chair determines appropriate. At the discretion of the Chair, the provisions of the Federal Advisory Committee Act (5 U.S.C. App.) and section 552b of title 5 of the United States Code (relating to open meetings) shall not apply to activities of such subcommittees or taskforces.

(e) CONSULTATION.—The Committee shall consult with governmental and nongovernmental organizations, including the U.S. Committee of the Blue Shield, museums, educational institutions, and research institutions on efforts to promote and protect international cultural property.

SEC. 6. REPORTS ON ACTIVITIES TO PROTECT INTERNATIONAL CULTURAL PROPERTY.

Not later than one year after the date of the enactment of this Act and annually thereafter for the next six years, the Secretary of State, acting through the United States Coordinator for International Cultural Property Protection, and in consultation with the Administrator of the United States Agency for International Development, the Secretary of Defense, the Attorney General, and the Secretary of Homeland Security, as appropriate, shall submit to the appropriate congressional committees a report that includes information on activities of—

(1) the United States Coordinator and the Coordinating Committee on International Cultural Property Protection to protect international cultural property;

(2) the Department of State to protect international cultural property, including activities undertaken pursuant to the Hague Convention for the Protection of Cultural Property in the Event of Armed Conflict, and other statutes, international agreements, and policies, including—

(A) procedures the Department has instituted to protect international cultural property at risk of destruction due to political instability, armed conflict, or natural or other disasters; and

(B) actions the Department has taken to protect international cultural property in conflicts to which the United States is a party;

(3) the United States Agency for International Development (USAID) to protect international cultural property, including activities and coordination with other Federal agencies, international organizations, and nongovernmental organizations regarding the protection of international cultural property at risk due to political unrest, armed conflict, natural or other disasters, and USAID development programs;

(4) the Department of Defense to protect international cultural property, including activities undertaken pursuant to the Hague Convention for the Protection of Cultural Property in the Event of Armed Conflict and other cultural property protection statutes and international agreements, including—

(A) directives, policies, and regulations the Department has instituted to protect international cultural property at risk of destruction due to political instability, armed conflict, or natural or other disasters; and

(B) actions the Department has taken to avoid damage to cultural property through construction activities abroad; and

(5) the Department of Homeland Security and the Department of Justice, including the Federal Bureau of Investigation, to protect both international cultural property abroad and international cultural property located in, or attempted to be imported into, the United States, including activities undertaken pursuant to statutes and international agreements, including—

(A) statutes and regulations the Department has employed in criminal, civil, and civil forfeiture actions to prevent and interdict trafficking in stolen and smuggled cultural property, including investigations into transnational organized crime and smuggling networks; and

(B) actions the Department has taken in order to ensure the consistent and effective application of law in cases relating to both international cultural property abroad and international cultural property located in, or attempted to be imported into, the United States.

SEC. 7. AUTHORIZATION FOR FEDERAL AGENCIES TO ENGAGE IN INTERNATIONAL CULTURAL PROPERTY PROTECTION ACTIVITIES WITH THE SMITHSONIAN INSTITUTION.

Notwithstanding any other provision of law, any agency that is involved in international cultural property protection activities is authorized to enter into agreements or memoranda of understanding with the Smithsonian Institution to temporarily engage personnel from the Smithsonian Institution for the purposes of furthering such international cultural property protection activities.

SEC. 8. EMERGENCY PROTECTION FOR SYRIAN CULTURAL PROPERTY.

(a) PRESIDENTIAL DETERMINATION.—Notwithstanding subsection (b) of section 304 of the Convention on Cultural Property Implementation Act (19 U.S.C. 2603) (relating to a Presidential determination that an emergency condition applies with respect to any archaeological or ethnological material of any State Party to the Convention), the President shall apply the import restrictions referred to in such section 304 with respect to any archaeological or ethnological material of Syria, except that subsection (c) of such section 304 shall not apply. Such import restrictions shall take effect not later than 120 days after the date of the enactment of this Act.

(b) ANNUAL DETERMINATION REGARDING CERTIFICATION.—

(1) DETERMINATION.—

(A) IN GENERAL.—The President shall, not less often than annually, determine whether at least one of the conditions specified in subparagraph (B) is met, and shall notify the appropriate congressional committees of such determination.

(B) CONDITIONS.—The conditions referred to in subparagraph (A) are the following:

(i) The Government of Syria is incapable, at the time a determination under such subparagraph is made, of fulfilling the requirements to request an agreement under section 303 of the Convention on Cultural Property Implementation Act (19 U.S.C. 2602).

(ii) It would be against the United States national interest to enter into such an agreement.

(2) TERMINATION OF RESTRICTIONS.—The import restrictions referred to in subsection (a) shall terminate on the date that is five years after the date on which the President determines that neither of the conditions specified in paragraph (1)(B) are met, unless before such termination date Syria requests to enter into an agreement with the United States pursuant to section 303 of the Convention on Cultural Property Implementation Act, in which case such import restrictions may remain in effect until the earliest of either—

(A) the date that is three years after the date on which Syria makes such a request; or

(B) the date on which the United States and Syria enter into such an agreement.

(c) WAIVER.—

(1) IN GENERAL.—The President may waive the import restrictions referred to in subsection (a) for specified cultural property if the President certifies to the appropriate congressional committees that the conditions described in paragraph (2) are met.

(2) CONDITIONS.—The conditions referred to in paragraph (1) are the following:

(A) The foreign owner or custodian of the specified cultural property has requested such property be temporarily located in the United States for protection purposes.

(B) Such property shall be returned to the foreign owner or custodian when requested by such foreign owner or custodian.

(C) Granting a waiver under this subsection will not contribute to illegal trafficking in cultural property or financing of criminal or terrorist activities.

(3) ACTION.—If the President grants a waiver under this subsection, the specified cultural property that is the subject of such waiver shall be placed in the temporary custody of the United States Government or in the temporary custody of a cultural or educational institution within the United States for the purpose of protection, restoration, conservation, study, or exhibition, without profit.

(4) RULE OF CONSTRUCTION.—Nothing in this Act shall prevent application of the Act to render immune from seizure under judicial process certain objects of cultural significance imported into the United States for temporary display or exhibition, and for other purposes (22 U.S.C. 2459; Public Law 89–259) with respect to archaeological or ethnological material of Syria.

(d) DEFINITIONS.—In this section—

(1) the term ''archaeological or ethnological material of Syria'' means cultural property of Syria and other items of archaeological, historical, cultural, rare scientific, or religious importance unlawfully removed from Syria on or after March 15, 2011; and

(2) the term ''State Party'' has the meaning given such term in section 302 of the Convention on Cultural Property Implementation Act (19 U.S.C. 2601).

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

The Chair recognizes the gentleman from Ohio.

GENERAL LEAVE

Mr. CHABOT. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and to include extraneous material on this bill.

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

There was no objection.

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

Madam Speaker, the history of civilization is under attack. The Islamic State, also known as ISIS, continues to wreak havoc throughout Iraq and Syria, laying a path of death and destruction in order to establish and expand its caliphate.

□ 2000

No offense is more appalling than the terrorists' complete disregard for human life. ISIS has unleashed a campaign of sickening violence against Shi'a Muslims and fellow Sunnis who do not share their radical beliefs, as well as against vulnerable religious and ethnic minorities. This includes its public beheadings and executions and the selling of women and girls into sexual slavery.

Besides the human toll of ISIS' deplorable acts, we also mourn the loss of society's cultural heritage, as the extremists loot and destroy their way through ancient sites in the territories they conquer. We have seen heartbreaking footage of ISIS drilling their way through priceless artifacts in Mosul and bulldozing magnificent Mesopotamian ruins in the 3000-year-old city of Nimrud. ISIS claims the annihilation of cultural sites is meant to counter idolatry, but clearly these terrorists have another goal: to remove all traces of the region's rich and diverse religious and cultural past. By eliminating all evidence of humanity's common heritage, they are paving the way for their own horrifying brand of Islamist extremism.

What we are witnessing is a cultural genocide. For ISIS, however, this looting of antiquities is big business. Some reports indicate that they are earning as much as $100 million annually from the sale of stolen artifacts, which they often sell to middlemen who can peddle these treasures in old-fashioned markets or online.

Earlier this year, the United Nations Security Council adopted a resolution that urged member states to take steps to prevent the trafficking of Iraqi and Syrian cultural properties, and just last week, all 193 U.N. members agreed to step up the prosecution of those engaged in this illegal trade.

I want to commend the Committee on Foreign Affairs' ranking member, Eliot Engel, for introducing this bipartisan bill that we have before us this evening and for his continued leadership on this critical issue. This bill, the Protect and Preserve International Cultural Property Act, will help the U.S. do its part to counter the smuggling and sale of stolen Syrian antiquities.

Specifically, the bill will improve coordination of U.S. efforts to protect cultural property and prevent these artifacts from being removed since the start of Syria's civil war from being sold or imported into this country, into the United States. It is important to note that the legislation's emergency import restrictions are not designed to continue into perpetuity and can be waived under certain conditions for the temporary safekeeping of cultural property within the United States.

I also want to make clear that this bill only restricts the import of certain Syrian antiquities that have been removed from that country during the current conflict. Nothing in this legislation is meant to interfere with the legal sale of antiquities that do not fall under this category nor with other aspects of the import process.

I want to again thank ELIOT ENGEL, the ranking member of our committee, for his work on this measure.

I reserve the balance of my time.

COMMITTEE ON WAYS AND MEANS,
HOUSE OF REPRESENTATIVES,
Washington, DC, May 29, 2015.

Hon. EDWARD R. ROYCE,
Chairman, Committee on Foreign Affairs, Rayburn House Office Building, Washington, DC.

DEAR CHAIRMAN ROYCE: I am writing with respect to H.R. 1493, the ''Protect and Preserve International Cultural Property Act.'' As a result of your having consulted with us on provisions in H.R. 1493 that fall within the Rule X jurisdiction of the Committee on Ways and Means, I agree to waive consideration of this bill so that it may proceed expeditiously to the House floor.

The Committee on Ways and Means takes this action with the mutual understanding that by forgoing consideration of H.R. 1493 at this time, we do not waive any jurisdiction over the subject matter contained in this or similar legislation, and the Committee will be appropriately consulted and involved as the bill or similar legislation moves forward so that we may address any remaining issues that fall within our Rule X jurisdiction. The Committee also reserves the right to seek appointment of an appropriate number of conferees to any House-Senate conference involving this or similar legislation, and requests your support for such request.

Finally, I would appreciate your response to this letter confirming this understanding, and would ask that a copy of our exchange of letters on this matter be included in the Congressional Record during floor consideration thereof.

Sincerely,

PAUL RYAN,
Chairman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON FOREIGN AFFAIRS,
Washington, DC, May 29, 2015.

Hon. PAUL RYAN,
Chairman, House Committee on Ways and Means, Longworth House Office Building, Washington, DC.

DEAR MR. CHAIRMAN: Thank you for consulting with the Committee on Foreign Affairs on H.R. 1493, the Protect and Preserve International Cultural Property Act, and for agreeing to be discharged from further consideration of that bill.

I agree that your forgoing further action on this measure does not in any way diminish or alter the jurisdiction of the Committee on Ways and Means, or prejudice its jurisdictional prerogatives on this bill or similar legislation in the future. I would support your effort to seek appointment of an appropriate number of conferees to any House-Senate conference involving this legislation.

I will seek to place our letters on H.R. 1493 into the Congressional Record during floor consideration of the bill. I appreciate your cooperation regarding this legislation and look forward to continuing to work with your Committee as this measure moves through the legislative process.

Sincerely,

EDWARD R. ROYCE,
Chairman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON HOMELAND SECURITY,
Washington, DC, June 1, 2015.

Hon. ED ROYCE,
Chairman, Committee on Foreign Affairs, Washington, DC.

DEAR CHAIRMAN ROYCE: I am writing to you concerning the jurisdictional interest of the Committee on Homeland Security in H.R. 1493, the ''Protect and Preserve International Cultural Property Act.'' The bill contains provisions that fall within the jurisdiction of the Committee on Homeland Security.

I recognize and appreciate the desire to bring this legislation before the House of Representatives in an expeditious manner, and accordingly, the Committee on Homeland Security will not assert its jurisdictional claim over this bill by seeking a sequential referral. The Committee takes this action with the mutual understanding that by foregoing consideration of H.R. 1493 at this time, we do not waive any jurisdiction over subject matter contained in this or similar legislation.

This waiver is also given with the understanding that the Committee on Homeland Security expressly reserves its authority to seek conferees on any provision within its jurisdiction during any House-Senate conference that may be convened on this or any similar legislation, and requests your support for such a request.

I would appreciate your response to this letter confirming this understanding with respect to H.R. 1493, and ask that a copy of this letter and your response be included in the Congressional Record during consideration of this bill on the House floor.

Sincerely,

MICHAEL T. MCCAUL,
Chairman, Committee on Homeland Security.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON FOREIGN AFFAIRS,
Washington, DC, June 1, 2015.

Hon. MICHAEL MCCAUL,
Chairman, House Committee on Homeland Security, Washington, DC.

DEAR MR. CHAIRMAN: Thank you for consulting with the Committee on Foreign Affairs on H.R. 1493, the Protect and Preserve International Cultural Property Act, and for agreeing to forgo a sequential referral request of that bill to the Committee on Homeland Security.

I agree that your forgoing further action on this measure does not in any way diminish or alter the jurisdiction of the Committee on Homeland Security, or prejudice its jurisdictional prerogatives on this bill or similar legislation in the future. I would support your effort to seek appointment of an appropriate number of conferees to any House-Senate conference involving this legislation.

I will seek to place our letters on H.R. 1493 into the CONGRESSIONAL RECORD during floor consideration of the bill. I appreciate your cooperation regarding this legislation and look forward to continuing to work with your Committee as this measure moves through the legislative process.

Sincerely,

EDWARD R. ROYCE,
Chairman.

COMMITTEE ON ARMED SERVICES,
HOUSE OF REPRESENTATIVES,
Washington, DC, June 1, 2015.

Hon. EDWARD R. ROYCE,
Chairman, Committee on Foreign Affairs, House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: Thank you for your letter concerning H.R. 1493, the Protect and Preserve International Cultural Property Act, as amended. I am writing to confirm that, although there are certain provisions in the bill that fall within the Rule X jurisdiction of the Committee on Armed Services, the committee will forgo action on this bill in order to expedite this legislation for floor consideration.

I am glad we agree that forgoing consideration of the bill does not prejudice the Committee on Armed Services with respect to any future jurisdictional claim over the provisions contained in the bill or similar legislation that fall within the committee's Rule X jurisdiction. I appreciate your support for the appointment of committee members to any House-Senate conference convened to consider such provisions.

Thank you for agreeing to place a copy of your letter acknowledging our jurisdictional interest, along with this response, into the CONGRESSIONAL RECORD during consideration of the measure on the House floor. I look forward to continuing to work together as this legislation moves toward final passage.

Sincerely,

WILLIAM M. ''MAC'' THORNBERRY,
Chairman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON FOREIGN AFFAIRS,
Washington, DC, May 29, 2015.

Hon. WILLIAM M. ''MAC'' THORNBERRY,
Chairman, House Armed Services Committee, 2216 Rayburn House Office Building, Washington, DC.

DEAR MR. CHAIRMAN: Thank you for consulting with the Committee on Foreign Affairs on H.R. 1493, the Protect and Preserve International Cultural Property Act, and for agreeing to be discharged from further consideration of that bill.

I agree that your forgoing further action on this measure does not in any way diminish or alter the jurisdiction of the Committee on Armed Services, or prejudice its jurisdictional prerogatives on this bill or similar legislation in the future. I would support your effort to seek appointment of an appropriate number of conferees to any House-Senate conference involving this legislation.

I will seek to place our letters on H.R. 1493 into the Congressional Record during floor consideration of the bill. I appreciate your cooperation regarding this legislation and look forward to continuing to work with your Committee as this measure moves through the legislative process.

Sincerely,

EDWARD R. ROYCE,
Chairman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON THE JUDICIARY,
Washington, DC, June 1, 2015.

Hon. ED ROYCE,
Chairman, Committee on Foreign Affairs, 2170 Rayburn House Office Building, Washington, DC.

DEAR CHAIRMAN ROYCE, I am writing with respect to H.R. 1493, the ''Protect and Preserve International Cultural Property Act,'' which was referred to the Committee on Foreign Affairs and in addition to the Committee on the Judiciary. As a result of your having consulted with us on provisions in H.R. 1493 that fall within the Rule X jurisdiction of the Committee on the Judiciary, I agree to discharge our Committee from further consideration of this bill so that it may proceed expeditiously to the House floor for consideration.

The Judiciary Committee takes this action with our mutual understanding that by foregoing consideration of H.R. 1493 at this time, we do not waive any jurisdiction over subject matter contained in this or similar legislation, and that our Committee will be appropriately consulted and involved as this bill or similar legislation moves forward so that we may address any remaining issues in our

jurisdiction. Our Committee also reserves the right to seek appointment of an appropriate number of conferees to any House-Senate conference involving this or similar legislation, and asks that you support any such request.

I would appreciate a response to this letter confirming this understanding with respect to H.R. 1493, and would ask that a copy of our exchange of letters on this matter be included in the Congressional Record during Floor consideration of H.R. 1493.

Sincerely,

BOB GOODLATTE,
Chairman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON FOREIGN AFFAIRS,
Washington, DC, May 29, 2015.

Hon. BOB GOODLATTE,
Chairman, House Committee on the Judiciary, 2138 Rayburn House Office Building, Washington, DC.

DEAR MR. CHAIRMAN: Thank you for consulting with the Committee on Foreign Affairs on H.R. 1493, the Protect and Preserve International Cultural Property Act, and for agreeing to be discharged from further consideration of that bill.

I agree that your forgoing further action on this measure does not in any way diminish or alter the jurisdiction of the Committee on the Judiciary, or prejudice its jurisdictional prerogatives on this bill or similar legislation in the future. I would support your effort to seek appointment of an appropriate number of conferees to any House-Senate conference involving this legislation.

I will seek to place our letters on H.R. 1493 into the Congressional Record during floor consideration of the bill. I appreciate your cooperation regarding this legislation and look forward to continuing to work with your Committee as this measure moves through the legislative process.

Sincerely,

EDWARD R. ROYCE,
Chairman.

Mr. ENGEL. Madam Speaker, I rise in strong support of my legislation, H.R. 1493, as amended, and yield myself such time as I may consume.

Madam Speaker, we have worked very, very hard on this bill. This is a very, very important bill. So let me first thank Chairman ED ROYCE for his efforts to move this bill forward. He is a good partner on the committee, and we couldn't have gone this far without him. I also want to thank the lead cosponsors, Representative CHRIS SMITH and Representative BILL KEATING, who have been champions on this issue. I want to thank Mr. CHABOT for his support and his eloquence in speaking for the bill.

One of the things that we do on the Committee on Foreign Affairs is, wherever possible, we work in a bipartisan fashion, and this is a perfect example of working together in a bipartisan fashion for something that is really just so important.

Madam Speaker, by now we have all seen footage of ISIS extremists taking sledgehammers, as Mr. CHABOT mentioned, to ancient, irreplaceable artifacts across the territory they control. Now, these are not random acts of vandalism. We are witnessing a deliberate campaign to attempt to rewrite world history. From the tomb of Jonah in Mosul to Yazidi shrines in Sinjar, ISIS is leveling sites that preserve a record of the region's rich and diverse past. I think Mr. CHABOT put it very well when he said the same thing.

We have seen this tactic before. In Afghanistan, the Taliban wiped out the Bamiyan Buddhas in March of 2000. Who can forget that? During the Holocaust, the Nazis systematically targeted Jewish property as part of their effort to wipe out an entire race.

Now, some people will say why are we talking about the destruction of ancient ruins while so many people are suffering and dying at the hands of ISIS? That is not important. Of course, we need to stay focused on stopping the violence and alleviating the dire humanitarian situation festering across the region, but the reality is that we cannot separate these issues so easily. After all, before ISIS reduces these sites to rubble, the group loots everything they can carry, traffics the artifacts on the black market, and uses those resources to fund their violent rampage.

So it is directly connected to the murder and killing of so many civilians and their brutality. They use these artifacts to get money so that they can keep their war machine going, so that they can keep their killings going, so that they can keep their brutality going. So the two are connected.

ISIS has ransacked thousands of artifacts from dozens of World Heritage Sites, places like cities of Mari and Dura Europos, which were virtually untouched before this crisis. These places are now lost to history, and their destruction has funneled, as I said before, millions of dollars into ISIS' coffers.

We need to cut off the source of funding and at the same time work to preserve this imperiled cultural history. There is already a good effort underway, a global effort underway.

In February, the U.N. Security Council passed a resolution calling on governments to prohibit trade of cultural property looted from Syria and Iraq. The Security Council found that this step would reduce ISIS' operational capability to organize and carry out terrorist attacks. Our Western allies have cracked down on traffickers trying to sell looted artifacts from Iraq and Syria. Now is the time for the United States to do more, and that is precisely what this bill does.

First of all, this bill takes steps to ensure the antiquities trafficking that is lining ISIS' pockets is not taking place within our borders. This legislation would impose tough, new import restrictions on cultural artifacts removed from Syria similar to restrictions we passed in 2004 with respect to Iraq. So we are doing the same thing that we did in Iraq in 2004 with Syria, trying to prevent these looted artifacts from funding the terrorist machine.

Nothing in this legislation would interfere with the legal sale or exhibition of antiquities that were not smuggled out of Syria during the current crisis, and there are exceptions to allow artifacts to come here for protection and restoration. These new rules would remain in effect until the crisis in Syria is resolved and America is able to work with a new Syrian Government to protect cultural property from trafficking under a bilateral agreement in accordance with America's national interests.

Secondly, this bill enhances collaboration among government agencies already working on this problem. This bill would bring together programs, from the Smithsonian, to the Pentagon, to Homeland Security, through a new interagency body with a single coordinator. It would improve congressional oversight to make sure we are efficient in the way we are addressing this challenge. These steps will not replace the authorities of existing bodies but will help ensure their programs work together effectively.

This bill represents the newest chapter in a long tradition. Since World War II, America has led the world in protecting historical property from those bent on its destruction. That leadership is needed today. We must act swiftly to confront this threat, to cut off a critical source of ISIS funding, to stand up to this barbaric brand of psychological warfare, and to stop those determined to rewrite history. I urge all colleagues to support this legislation.

I thank Mr. CHABOT again.

Madam Speaker, let me close by noting that with each passing day, ISIS is selling looted artifacts to the highest bidder, further financing death and destruction. Whatever is left behind, they reduce to rubble, leveling religious sites, digging up ancient cities, and erasing the last traces of long lost civilizations whose histories have remained in soil and sand for thousands of years, and these people destroy that.

We must stand up to these acts. We must do more to cut off ISIS' funding and save cultural property. That is why it is so important. To help achieve this effort, we need to pass H.R. 1493. I urge my colleagues to support this bipartisan legislation.

I yield back the balance of my time.

GENERAL LEAVE

Mr. CHABOT. Madam Speaker, I would first ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on H.R. 944.

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

There was no objection.

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

Madam Speaker, the whole world continues to recoil in horror at ISIS' depravity. The ancient cities that face destruction at its hands are considered the birthplace of modern civilization. Just weeks ago, ISIS conquered the ancient city of Palmyra, the so-called jewel of the desert. Recent reports that ISIS has not destroyed these sites may give some of us hope, but judging from their prior barbaric acts, it is probably just a matter of time before they do the same thing there as they have done so horrifically in other places.

The legislation before us today—and I again want to thank Mr. ENGEL for introducing the legislation—and oversight of the U.S. agencies responsible for recognizing and protecting cultural property, ensuring that such treasures are protected to the best of our ability, that is what this legislation would do.

I appreciate the other committees of jurisdiction for working with the Committee on Foreign Affairs on this measure, particularly the Committee on Ways and Means for its assistance on the critical import restrictions on this bill.

As Mr. ENGEL mentioned, when one is looking at this, we are looking at cultural things which have been—let's face it—destroyed forever. Some of these things are thousands of years old, and you can't bring them back. And you can't help but think—we are talking about physical things here, but we have also seen them do other horrific things.

When they take a Jordanian pilot and in a particularly barbaric fashion essentially set him on fire in a cage, when they take people out to a beach and one by one behead them, when they sell innocent women and young girls into slavery, over and over again, we have seen these horrific things happening, and it is time the world stood up to this group, both for the horrific things they are doing on historic artifacts which can't be brought back, but also the human lives that they have so callously extinguished. This group must be stopped. Let's hope that this evening we are at least taking a step in that direction.

I again thank Mr. ENGEL, and I yield back the balance of my time.

Mrs. LAWRENCE. Madam Speaker, as we vote on H.R. 1493 in the House today, I would like to share with you the series of unfortunate and barbaric events that have plagued The Cultural Museum of Mosul and robbed the people of Iraq, Afghanistan, and Pakistan of their historical lineage.

No stranger to war and tribal conflict, the people of Mosul, Iraq have suffered persecution and displacement under the Ottoman Empire, British colonial rule, and various tyrannical regimes. Despite all these hardships, Mosul was once a city of commercial importance to the region. Commerce and trade brought a rich exchange of history and culture to Mosul, which was preserved in the Museum of Mosul.

The museum provided a connection to a national identity and pride, which was once flourishing and prosperous. They say it is important to know your past so that you can learn from the mistakes of previous generations and better prepare for the future that is ahead. The people of Mosul were robbed of that opportunity in April of this year by ISIS. Just days before the reopening of the museum, which was looted during the Iraq War in 2003, ISIS released a horrific video showing militants using sledgehammers to demolish stone sculptures and other centuries-old artifacts.

The world watched in horror and disbelief as centuries of Assyrian history were obliterated in minutes. As we fight against the injustices perpetrated by ISIS militants around the world we must also fight to preserve the cultural integrity of these historical civilizations. I want to thank my colleagues on both sides of the aisle for their dedication in preserving the historical treasures of the people of Mosul. ISIS has robbed these people of their freedoms but we must protect their past so that they may have a better future.

Mr. SMITH of New Jersey. Madam Speaker, I would like to begin by thanking Mr. ELIOT ENGEL, the Ranking Member of the House Foreign Affairs Committee, for his bill, the Protect and Preserve International Cultural Property Act, H.R. 1493.

I am privileged to be the lead co-sponsor of this bill, just as I was last year.

This bill could not be more timely, given the depredations of ISIS that we see played out on our TV screens when we turn on the nightly news—the horrific beheadings and killing of Christians and other religious minorities such as Yezidis by Islamist fanatics.

These murderers help finance their terror in part by looting cultural antiquities and coins from areas of Syria and Iraq that they control. Congress has already acted with respect to banning importation of ''blood antiquities'' from Iraq, which this bill would now extend to Syria. As such, this bill is part of the war on terror, helping to dry up sources of terror financing.

We also see that these fanatics will destroy what they cannot loot. This bill increases the inter-agency cooperation, including involvement of ''Monuments Men'' units of our armed forces, in striving to protect a cultural heritage which is part of our world's patrimony.

Finally, I want to highlight a provision of this bill that was not in the version we passed in the last Congress, but one which is an important addition, namely, a safe-harbor provision for those who seek to bring into the country important cultural artifacts that are being threatened with destruction, This safe harbor provision allows them to be placed in the temporary protective custody of the United States government or a museum.

I want to close by thanking Ranking Member ENGEL for introducing this important piece of legislation, and would like to thank him and all staff members who worked so hard on bringing this important legislation to the floor tonight.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Ohio (Mr. CHABOT) that the House suspend the rules and pass the bill, H.R. 1493, as amended.

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

A motion to reconsider was laid on the table.

REMEMBERING THE FIREFIGHTERS LOST IN HOUSTON'S FIRE OFF THE SOUTHWEST FREEWAY

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

Mr. OLSON. Madam Speaker, May 31, 2013, 2 years ago yesterday, at 12:08 p.m., a call is made to Houston 911. A large fire was burning off the Southwest Freeway. At 12:11, 3 minutes later, station 51 arrived. At 12:16 p.m., 5 minutes after that, station 68 arrived. At 12:23, a mayday was heard over the radio. The roof had collapsed.

That call was the last alarm for four firefighters: Matthew Renaud, 35 years old, station 51; Robert Bebee, 41 years old, station 51 as well; Robert Garner, 29 years old, station 68; and a young lady from my hometown, Anne Sullivan, 24 years old, fire station 68. They are in God's hands, and we will never forget them.

□ 2015

HONORING RABBI LES GUTTERMAN

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

Mr. CICILLINE. Madam Speaker, I rise today to recognize Rabbi Les Gutterman, my rabbi and a man who has served for more than 40 years as the senior rabbi for Temple Beth-El in Providence, Rhode Island.

Rabbi Gutterman's unique insight and his sharp sense of humor have served the members of his congregation magnificently during times of personal struggle and times of great celebration.

As a member of the congregation at Temple Beth-El, I have often relied on Rabbi Gutterman's wise counsel and spiritual guidance, and I consider his friendship a great blessing in my life.

A native of Flint, Michigan, Rabbi Gutterman first came to Providence 45 years ago after earning a bachelor's degree from the University of Michigan and a Doctor of Divinity from Hebrew Union College.

At the time, just 27 years old, he could not have imagined the impact he would have on our State and on the families in his congregation. But just 3 years later, Rabbi Gutterman would be appointed the senior rabbi for Temple Beth-El, making him one of the youngest senior rabbis in the United States.

Today, he is known to all of us as ''Rhode Island's rabbi,'' a humble, caring servant of God who has tended to the spiritual needs of this great community for nearly half a century.

While we will miss his presence at Temple Beth-El, I know that all of us are wishing him, his wife Janet, and his daughters Rebecca and Elizabeth the very best as he embarks on a well-deserved retirement.

Thank you, Rabbi Gutterman, for your devotion to our community and for the gentle, caring guidance and love you have provided to us for so many years.

TRADE PROMOTION AUTHORITY

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 2015, the gentleman from Oklahoma (Mr. RUSSELL) is recognized for 60 minutes as the designee of the majority leader.

Mr. RUSSELL. Madam Speaker, with trade deals on the horizon, President Obama has asked Congress to grant him trade promotional authority, also called fast track, to ''write the rules for the world's economy.'' This measure would allow the President to pass sweeping trade partnerships without the input of the American people through their elected representatives in the normal process. Despite the various myths circulating about TPA, I sincerely believe that it is not in the best interest of our Nation, as written at this time.

You have heard it said that a vote against TPA is a vote against international trade, but actually, a vote against TPA is a vote for a better construct and trade agreement.

I am a strong supporter of trade when deals are negotiated strategically in the best interest of the United States economically, militarily, and diplomatically. With the President leaving office in just months, I have serious concerns about the rapid pace and content of any deal that could have decades of implication.

Many have said TPA will strengthen our international relationships, and that may be, but while TPA would fast-track the Trans-Pacific Partnership, in specific, currently being negotiated by the President with 11 other Pacific nations, I am not convinced that this is a partnership that must be done in haste before the President leaves office.

We currently trade with 6 of the 11 other members. Our vital yet delicate relationship with China—a country not included in the Trans-Pacific Partnership—would likely be damaged by a rivalry for economic influence in the region. The Trans-Pacific Partnership rewards nations with serious human rights violations while slighting our faithful trade partners with shared values in Europe. While I support the lifting of trade barriers and promoting better standards of living, I believe we must do the right track, not the fast track.

Others have claimed TPA will strengthen national security. On this point we should take careful note. The President has used dangerous and isolating language regarding China, with words coming from the White House like ''hegemony'' and ''containment'' to ask for the TPA, or the trade promotional authority, but we must note that China is not our enemy. Therefore, we should not put it on the path to become one.

By isolating China, we could easily transform our capabilities-based defense strategy to a threat-based one, with all of the implication and decades of effort that that would entail. It would affect all of our future defense spending and could even begin Cold War II. The trade promotional authority can be granted and trade agreements inked without making China excluded, or worse, our enemy. We need to use the next 20 months to repair the relationships as we move towards better trade agreements.

The trade promotional authority, some say, gives Congress a seat at the negotiating table. But the TPA allows Congress to set broad objectives for negotiation—and that comes at a high price. Under the trade promotional authority, Congress sacrifices its authority to make any changes on the final deal, and they are left with a simple ''yes'' or ''no'' vote.

I believe the American people deserve their voice in trade agreements which impact all of our livelihoods and affect all of our families' finances. And while trade is vital to economic opportunity and our international friendships, I cannot support granting the President permission in light of these concerns with trade promotional authority.

Madam Speaker, America has long been fascinated with China. From the time of Columbus, who sought to find a western approach to China and instead discovered America, we have been drawn to its ancient culture and its people. The earliest American vessel pulled into a Canton port in 1748. Forty years later, we began free trade with the Cantonese.

The first mention of China obtaining a favored nation status was actually as early as 1844, when we signed the Treaty of Wanghia. The way seemed open to engage China and her market. But there were concerns. Wrote one negotiating diplomat regarding this treaty: ''It is the most uncivilized and remote of all nations . . . it is in an isolated place outside the pale, solitary, and ignorant. Not only are the people entirely unversed in the forms of edicts and laws, but if the meaning be rather deep, they would probably not even be able to comprehend. It would seem that we must make our words somewhat simple.''

What is amusing is that the diplomat was Chinese, and his comments were directed toward the United States.

China moved ahead slowly and cautiously with its relations with the West. The interplay of Western covetousness with Chinese reluctance kept the door to China at a mere crack. European attempts to force the crack with opium and acquisition of port cities broadened the natural distrust.

Unlike demands of Europe, though, the United States wanted trade, not territory. U.S. Ambassador Burlingame was able to secure the first treaty that China ever made with any Western nation in 1861, and China was regarded as an equal. Chinese workers began to flock to the United States and literally began to move mountains in California as economic opportunity thrived.

Unfortunately, the goodwill of Lincoln faded in just one generation. The plundering of Chinese port cities by European competitors changed how Americans began to view China. The flood of Chinese immigrants to California became an easy target for any setback on its economic ascent. Equals were now called coolies. Racism reached such a height that in 1882 the United States Congress—this body—passed and the President signed the first ever act that excluded a specific race on immigration. We did not even make any pretense about it, calling it the Chinese Exclusion Act. The provisions remained in effect for nearly 60 years.

As these events played out, Commodore Perry of the United States Navy entered Tokyo in 1850 and demanded that Japan ''open up.'' The Japanese obliged.

Japan embarked on a stunning modernization program, where China was reluctant. In an incredible span of only 50 years, Japan adopted Western technology, governance, law, industry, and military doctrines. Her rise from mystic feudalism to world power alarmed the West. In response, the goodwill of Lincoln towards China would take hold again in the form of his youthful personal secretary, John Hay, now an older, wiser, and towering figure of respect serving as the Secretary of State in 1900.

Hay saw the best way to compete with Japan would be to open up China to trade while protecting her territory. Hays' open-door policy was widely heralded across the globe as the solution to imperial Japanese ascendancy. This would have long-lasting implication, but one important side effect was to restore U.S.-Chinese relations. Hay even secured a guarantee from Japan in 1908 to respect China's ''open door,'' independence, and territory. It would last only 7 years.

As China moved to become more enlightened to the West with Sun Yatsen's revolution in self-governance in China, Imperial Japan made what was known as the 21 Demands during World War I.

Great Britain and U.S. Secretary of State William Jennings Bryan moved

quickly to prevent Japan from attempting to make China its own protectorate. American-Chinese relations warmed even further when the United States declared China's right to autonomy with tariffs and trade in 1928.

As once-warm Japanese relations with the United States turned sour over Imperial Japanese policy in China regarding Manchuria, America established what became the Stimson doctrine, which refused to recognize Japanese acquisitions in China and upheld China's rights to its own sovereignty.

The 1930s saw a mercurial Imperial Japan plunder China, pull out of the League of Nations, and commit horrific atrocities in Nanking and Hong Kong. The U.S. responded by calling for a global quarantine against Japan in defense of China in 1937. China's own struggles internally with Mao Zedong's Communists paled in comparison to losing its industrial heart and its coast to the Imperial Japanese army.

By 1941, America was sending lend-lease war material and economic aid to China in her defense. American volunteer pilots cut dashing figures as they flew American P–40 Warhawks for the Chinese Air Force as the famed Flying Tigers.

Ultimately, America's defense of China led it to be attacked at Pearl Harbor and resulted in a brutal Pacific and Chinese theater of war during World War II.

□ 2030

The United States committed an entire effort in China, with ''Vinegar Joe'' Stilwell as the commanding general; the building of the Burma Road; and by training, equipping, and launching a Chinese Army to attack Japanese forces. Immigration restrictions that were imposed in 1882 were now finally repealed. America had sympathy for China's struggle.

By war's end, China was an important partner and ally. Her struggle did not end, however. Ripped again internally by civil war once the Japanese were defeated, China would be led by Mao Zedong and the Communist Party.

The United States did not recognize Communist China, but neither did it materially aid fleeing Nationalist Chinese on the continent. A period of isolation and strained relations with the United States began once again under Mao.

In 1949, China began to arm Communists in French Indochina. The U.S. became embroiled in a deadly struggle with North Korea and countered her assault in the south with an attack that pushed them all the way north to the Yalu River on the Chinese border.

Alarmed, China struck back. For the first time since 1900, Americans and Chinese were fighting each other. By 1953, an uneasy line had settled on the Korean Peninsula.

Chinese relations remained cool with the West, but were not always promising with the Soviet Russia. When the U.S. fought in Vietnam, China continued to arm and send troops to the Communist government of Ho Chi Minh.

Then a series of odd events from 1969 to 1971 brought Americans and Chinese back to warmer relations in the most unlikely way. When Soviet Russia attacked outposts on the northern border of China, Mao Zedong reassessed relationships with the United States.

He reasoned that China could not be isolated by both world powers. Overtures from President Nixon in his inaugural address and a series of ping-pong matches created dialogue for the first time in decades.

In 1971, Henry Kissinger went on a secret mission to China, opening the way for Nixon's visit with Mao. Who would have thought that the man that shunned the United States in favor of communism and the President that built his reputation on fighting communism would both come to realize that our nations, despite their differences, needed each other.

Mainland China was now officially recognized by the United Nations. The U.S. set up diplomatic offices. Trade agreements opened. Relations warmed by the 1980s, with state visits from both countries. As the horizon brightened and the Chinese people hoped, the Chinese Government cracked down on dissidents in Tiananmen Square. The U.S., alarmed, imposed sanctions and restrictions.

Tensions loomed through the 1990s, culminating with the U.S. bombing of the Chinese Embassy in Belgrade, Serbia, in 1999, during the Kosovo campaign.

Calmer heads prevailed and tensions eased. By 2001, trade restrictions were loosened once again. China pledged a deep commitment to fight the war on terror and committed material aid in great amounts for the effort.

By 2006, China-U.S. relations deepened under the strategic economic dialogue. Business in both countries increased as commerce offered great economic opportunity for both countries.

On the verge of a bright future, we now see today with timidity and fear, where we should see opportunity and favor with regard to China.

China needs us, and we need China; yet we see, in the last week, Madam Speaker, a week of a barrage of negative press on China, covering everything from hedging them on trade, to condemning them and their development of island outposts in the China Sea, to framing them up as the new military threat that must be checked by the United States.

Dialogue and diplomacy are cheaper than tanks and tomahawks. Does the United States really wish to believe that we can leave a capabilities-based military to create some new threat-based military and it would be in our favor?

While China is not our enemy, we could certainly set the conditions to make them one in the future. It would be a tragic mistake. It would devour our diplomacy, drain our defense, and diminish our domestic priorities.

Worse, it could set the course for some future horrific conflict between dozens of friendly nations that we currently trade with, including China—including China. Where is the dialogue on including China in the Trans-Pacific Partnership?

I have not heard it from this Chamber or the White House. Sure, we claim they can join if they meet the standard, only after we use every anti-Chinese statement in trying to make the case for the trade promotion authority. That is not very reassuring.

Some say we must not include China at all in the Trans-Pacific Partnership because of their human rights record. Others object because they are a Communist nation. Others cite the fact that China has been our former enemy.

Well, here are some thoughts to ponder. If we can forgive Germany and Japan for horrific human rights violations in World War II, can we not reach out to China? If we can embrace former enemies who reformed their existing Communist governments, such as Vietnam, can we not reach out to China?

If we can turn former enemies, such as Great Britain, Canada, Mexico, Spain, the Philippines, Germany, Austria, Hungary, Italy, Japan, and Vietnam, into our top trading partners, can we not also reach out to China?

China needs petroleum and natural gas, and we have plenty of it. We have both ready to export. China wants to lay thousands of miles of road in ambitious projects for her commerce. We have the raw materials for asphalt, industry to make their road-paving machines, and colleges to educate their engineers.

Madam Speaker, we need China; 3.8 million Chinese nationals live and work in the United States. That is more than the population of my home State of Oklahoma. China constitutes our greatest trading partner, working with thousands of businesses that bolster our economy and better our quality of life. Our peoples are historically and deeply intertwined. We must proceed with wisdom and caution.

While we love trade and while we love economy, we can work out differences, rather than magnify them and deepen suspicion and concern. Instead, we can dialogue.

The same standards that people often cite with regard to China and how she is stealing technologies or making shoddy goods were the same charges that we leveled against Japan in the 1960s and South Korea in the 1980s; yet we no longer have those concerns about those allies today with their incredible effort, economy, and technology.

Our peoples are historically and deeply entwined, the United States and

China, and we must work hard to maintain that.

Madam Speaker, I would hope that our colleagues and our President would temper the rhetoric with regard to discussions on trade and using it as some new effort to hedge or contain China, rather than to embrace and trade with that nation.

Whatever differences we may have can be worked out in the spirit and good will of Lincoln.

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

THE CONGRESSIONAL BLACK CAUCUS

The SPEAKER pro tempore (Mr. WESTERMAN). Under the Speaker's announced policy of January 6, 2015, the gentlewoman from Illinois (Ms. KELLY) is recognized for 60 minutes as the designee of the minority leader.

GENERAL LEAVE

Ms. KELLY of Illinois. Mr. Speaker, I ask unanimous consent that all Members be given 5 days to revise and extend their remarks.

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

There was no objection.

Ms. KELLY of Illinois. Mr. Speaker, it is an honor and a privilege to once again have the opportunity to stand on the House floor and to anchor the Congressional Black Caucus' Special Order hour with the distinguished gentleman from New Jersey.

Today, we will discuss the many economic challenges facing so many everyday Americans; and, specifically, tonight, we want to examine some of the economic barriers, some of the policy possibilities, and the outlook on job prospects for African Americans in districts that we represent across the country.

It is worth beginning with the fact that we are now about 6 years removed from the end of what historians and economists deem the Great Recession. America's economy has rallied. We have inched our way closer and closer to full recovery. In fact, the beginning of 2015 saw the most sustained period of job creation in this century.

The fact remains that, in spite of the steady stream of progress and even in the midst of our positive job numbers, there are still too many people being left behind. Many of these people live in communities like the ones I represent in Cook County and Kankakee. Many of these people can be found in urban, central, or rural America.

I guarantee that we all know someone out there who is still in the midst of their own personal economic recovery. The fact remains that many communities of color are struggling mightily in their recovery. In many Black and Brown neighborhoods, unemployment remains at a crisis level—this, even as our economy continues to rebound.

I am reminded of a quote by a former National Urban League president and civil rights hero that the hardest work in the world is being out of work. That is something that I personally believe.

So often, I will hear folks say that America's unemployed have made a choice to not work, that vulnerable Americans looking for work are doing so because they have made poor decisions. We hear this time and time again, especially in this Chamber, about folks need to go pull themselves up by their bootstraps.

I can tell you that I have seen people tug in vain on their bootstraps to no avail. Many families still need help in their recovery. As Representatives, we need to hear their cry and do more.

Marc Morial, who has followed in the footsteps of Whitney Young and taken the helm of the National Urban League, was recently quoted as saying: ''It is clear that for too many Blacks and Latinos, our Nation's economic recovery is only something they read or hear about.''

America's comeback is bypassing large swaths of people in Black and Brown neighborhoods, and that is dangerous not only to those communities, but to our Nation. A recovery that leaves millions of its citizens behind will ultimately threaten America's sustained growth.

Even before the Great Recession, Black unemployment has consistently been twice as high as White unemployment. I think Congressman PAYNE and my colleagues gathered here this evening would agree that we have to address this problem now.

To again quote Mr. Morial, of the National Urban League, ''For Blacks and Latinos in America, the economic devastation of the Great Recession is as real today as it was when it began in 2007.''

Consider these statistics on the economic reality of many Africans Americans, according to a Brandeis University study. A typical Black household has accumulated less than one-tenth of the wealth of a typical White one, and that number is getting worse.

Over the past 25 years, the wealth gap between Blacks and Whites has nearly tripled. Now, this is largely because homeownership among Blacks is so much lower. Housing is often America's greatest asset and a major component of their overall wealth.

African Americans typically have lower incomes than Whites, which also makes it harder for them to save and build wealth. The median income for Black households is less than 60 percent of that of White ones. Finally, the jobless rate for Black Americans is twice that of Whites.

Mr. Speaker, the time to act is now. The necessity in responding to this economic crisis should be an American imperative. We cannot be limited by narrowly focusing on a pre-Recession economy.

The Members of this House should be strategizing to support a bold and inclusive economy that propels us into a sustainable future. More can be done by us, and this administration has proven to have been willing to take the positive steps necessary to put us on a more prosperous path.

Regardless of where some of our colleagues are when it comes to the President, I think we are all in agreement that more Americans in the workforce and more economic stimulation benefits all of us.

□ 2045

The question is still relevant: How do we create a stronger economy and a more perfect union? Where do we go from here?

I am very pleased again to be joined tonight by my distinguished colleague from the Congressional Black Caucus as we discuss this important analysis of the economy and job opportunity in our communities.

The insight and policy prescriptions are critical and valuable in our continuing march toward a more perfect union. Let me first yield to the gentleman from New Jersey (Mr. PAYNE), my dynamic coanchor.

Mr. PAYNE. Mr. Speaker, I first want to start by thanking my colleague from Illinois, Congresswoman KELLY, for coanchoring this Special Order with me.

Thanks also to the members of the Congressional Black Caucus that will be joining us, and a special thanks to everyone watching at home.

It is wonderful to be here to talk about our shared priorities. Tonight, as stated by my colleague, we are going to address two of the most pressing issues for African American communities, jobs and economic development.

Since the Recession ended, much of the United States has experienced economic recovery. However, African American communities continue to face significant challenges to securing jobs, escaping poverty, and accumulating wealth.

It is a disturbing and unacceptable reality and a reminder that Congress has a moral responsibility to create avenues of economic prosperity for African American communities. Our focus must be on the economic issues that matter most to African American communities, including employment, income, and wealth.

According to an April report by the U.S. Congress Joint Economic Committee, at 10.1 percent, the unemployment rate for African Americans is double the rate for White Americans. African Americans are 2.5 times more likely than White Americans to face long-term unemployment, and over 20 percent of African Americans in their

early twenties are still unemployed. This hurts earning prospects and long-term employment.

Given the higher rates of unemployment in African American communities, it is no surprise that African American communities also have lower incomes and less wealth, and African Americans are more likely to live and stay in poverty.

According to the April Joint Economic Committee report, the median income of an African American household is only $34,600, almost $24,000 less than White households in this country. African Americans are almost three times more likely to live in poverty than White Americans. African American households have 13 times less wealth than White households.

In my State of New Jersey, the statistics are equally as grim. In New Jersey, the poverty rate for African Americans hovers at 22 percent and is three times that of White Americans, at 6.6 percent. The unemployment rate for African Americans is 11.1 percent, and that is twice that of White Americans, at 5.5 percent.

According to U.S. Census Bureau estimates, in New Jersey, in the 10th Congressional District, the unemployment rate for African Americans is 19.1 percent, which was 2.5 times that of White Americans, at 7.5 percent. These glaring disparities betray the American promise, that working hard leads to economic stability.

African American women's unemployment today—more women are the primary breadwinners for their families than ever. In fact, 30 percent of women earn more than their husbands. Women make up nearly half of our Nation's workforce.

However, on average, full-time working women earn just 77 cents for every dollar a man earns, and African American women earn just 64 cents for every dollar a man earns.

African American women have been hit particularly hard by unemployment. According to the National Women's Law Center, in April, African American women's unemployment was at 8.8 percent, higher than the peak of total women's unemployment during the Recession. Compare that to the 4.2 percent unemployment rate for White women and to the national unemployment rate of 5.4 percent.

We need a more widely shared recovery. We cannot strengthen our households or our economy when such large disparities exist.

The Congressional Black Caucus is committed to tackling this challenge. The CBC has fought for much-needed investment in job training, in education, and in employment opportunities to equip people of color and people from low-income communities with the skills needed to compete in today's economy.

Education is definitely key to this prosperity. It is best when we invest in it and make it possible for all youngsters—all Americans—to get a good education.

Education is the path to success, but many people simply can't afford it. African Americans lag sharply behind White Americans in educational attainment as well. It is a consistent theme that we hear—whether it is poverty, education, wealth, job opportunities—that these communities lag behind.

We need a strong nation, irrespective of what community you live in. Here in Congress and at this CBC, we fight every day to make sure that all Americans have an equal opportunity to prosper in this Nation.

I see we have been very fortunate to be joined by several of our colleagues.

Ms. KELLY of Illinois. It is my pleasure and delight to yield to the gentlewoman from Oakland, California (Ms. LEE), who always has great things to share with us.

Ms. LEE. First, let me thank you, Congresswoman KELLY and Congressman PAYNE, for hosting this Special Order. Your leadership is so important for these critical discussions.

We are trying in many ways under your leadership to really tell the truth and let the entire country know exactly what the economic status is, what the job opportunities and educational opportunities are in the African American community, and how those disparities continue to grow and, really, how we need to really do everything we can here to begin to close those gaps and disparities, so thank you very much once again.

We stand here tonight to discuss economic opportunity—of course, I have to say the lack of opportunity in the Black community. In recent months, we have seen communities across this country—including Baltimore and my hometown of Oakland, California, in my congressional district—demand an end to the systemic and institutional racial biases that plague our society.

People, especially young people, are calling for an end to centuries of oppression. They are fighting for equality of opportunity, the opportunity for every American to live the American Dream.

Too many places in our Nation are tales of two cities. One city is bright, shiny, and new. It is home to new condominiums and fancy restaurants. The other city is left with boarded up stores, abandoned homes, and too many people without a job and without hope.

I know Congresswoman KELLY, Congressman PAYNE, Congressman JEFFRIES, myself, all of us represent these cities, these two cities within one context, one environment, one framework, one boundary.

We all know that the inequality of opportunity really is not a new phenomenon. We have lived with these structural injustices for centuries, but it wasn't until the race riots erupted in Watts, Chicago, and Detroit in 1968 that our government began to take some notice.

After the riots, President Johnson convened the Kerner Commission to investigate the root causes of the unrest. The Kerner report clearly showed a nation moving towards two societies: one Black, one White—separate and unequal. While the Kerner report identified the problem, our Nation failed to truly address it. There still is not liberty and justice for all.

The Kerner report also called for better training for police, new investments in jobs and in housing, and the end of de facto segregation. Now, this report really could have been written last month.

Sadly, nearly 50 years later, we still live in a country where the color of your skin and the ZIP Code in which you were born determines your future, but I am proud to be working with members of the Congressional Black Caucus to continue to address these persistent inequalities in our Nation by working on policies and programs to create economic growth, educational opportunities, and job opportunities.

For example, we know that Black children are disadvantaged from day one. More than one in three Black children are born in poverty. That is one in three. In the world's richest and most powerful Nation, a third of all African American children are forced to grow up with the harsh reality of poverty, day in and day out. This is outrageous. It is unacceptable.

The cycle of poverty continues in the school systems that institutionalize this discrimination. While Black students represent just 18 percent of preschool enrollment, they account for 42 percent of preschool student expulsions.

Can you believe that? Preschool student expulsions—that is really a disgrace. We are talking about kids ages 2 to 5 years old. These kids don't even get a start, let alone a Head Start. What in the world are children that young doing being expelled from preschool?

Then in high school, the graduation rate for Black students is 16 points lower than the rate for their White peers. Black students are far less likely than their White counterparts to obtain a 4-year college degree, and the crisis and inequality extends from education to the economy itself.

Over the past four decades, the unemployment rate for Blacks has remained nearly double the rate for Whites. Today, the unemployment rate in the Black community stands at 10.1 percent; that is reported. Now, to put that into context, the current African American unemployment rate is higher than the national average was at the height of the Great Recession.

In addition to higher unemployment rates, African Americans are also nearly completely locked out of some key economic sectors, especially the tech sector.

Only 1 in 14 technical workers in Silicon Valley is African American or Latino. That is 1 in 14. That is why the CBC has launched the TECH 2020 initiative to work with the tech sector to increase workforce diversity and investments in STEM education and to expand market opportunities for businesses to ensure that the jobs of today and tomorrow are open to all.

For African Americans in the workforce, our Nation's inequalities are also evident in their paychecks. Congressman PAYNE just laid out the statistics for women. While women earn 77 cents on the dollar that a man earns, it is just 64 cents for African American women. The median income for Blacks is a mere $34,000. That is nearly $24,000 less than the median income for Whites.

Most Black families hold their wealth in home equity, so the Great Recession hit the Black community particularly hard. Too many families lost everything, and many more Black families are struggling as home prices fail to keep pace with the stock market. Of course, the net worth now of African American families is now 6 cents to the dollar for White families.

The time for action is now. These communities, our communities, cannot wait any longer. We must come together like never before to address the inequalities in our Nation that leave Black families behind.

In my role as co-chair of the CBC's Task Force on Poverty and the Economy and chair of the Democratic whip's Task Force on Poverty, Income Inequality, and Opportunity, we are working very hard to give Black families a fair shot. We are talking about all families, not leaving any family behind.

I am proud to be working with more than 100 of my colleagues to advance policies that build pathways out of poverty into the middle class for everyone, for all Americans.

□ 2100

Yes, Black lives, like all lives, do count.

We have introduced the Half in Ten Act to develop a national strategy to cut poverty in half in the next decade. This bill would lift more than 22 million Americans out of poverty into the middle class in just the next 10 years by doubling down and coordinating proven antipoverty programs.

The Congressional Black Caucus also took a stand on poverty in its alternative budget proposal. We called for robust investments in education, infrastructure, and affordable housing programs that would ensure opportunities for all. We must keep up this fight until Congress makes these long overdue investments.

We need to strengthen the social safety net and invest in proven antipoverty programs such as the earned income tax credit and the Supplemental Nutritional Assistance Program. These were initiatives begun 50 years ago under President Lyndon Johnson's Great Society program, and they are working.

We also need to raise the minimum wage and fight for a living wage. That is why we are cosponsors, and we are very proud to be cosponsors, of H.R. 122, the Original Living Wage Act, sponsored by Congressman AL GREEN, which starts by raising the minimum wage for Federal workers and building up to a living wage. And Congressman BOBBY SCOTT's Raise the Wage Act, H.R. 2150, would increase the minimum wage to $12 by 2020. Thirty-five million Americans would benefit from this.

Also we wrote a letter signed by 72 colleagues urging the President to adopt a fair chance hiring policy at the Federal level for individuals who have been previously incarcerated. A fair chance hiring policy would level the playing field and help stop the cycle of recidivism that is plaguing our communities. This is simply the right thing to do. The Federal Government should not put up barriers to work for those trying to rebuild their lives after making a mistake and having paid their dues to society.

Finally, Mr. Speaker, I am saying tonight, and I think all of us are saying, that we need to give families the opportunity to build wealth and live the American Dream. We can end poverty not just in the African American community, but in the entire United States as a whole. So we have got to keep calling for action.

As Dr. King said in his ''Two Americas'' speech that he gave on April 14, 1968, at Stanford University, 1968, he said: ''We must come to see that social progress never rolls in on the wheels of inevitability. It comes through the tireless efforts and persistent work of dedicated individuals.''

Mr. Speaker, we must be those dedicated individuals working for the social progress that is so desperately needed. When you look at the analysis of the economy, job opportunities and educational opportunities in the African American community, we must win this fight because the gaps and the disparities are too great. Only then will America be strong, because we have to remember that we are a country where everyone is equal under the law. In fact, when you have communities with such horrible statistics as we are laying out tonight, such horrible economic and educational gaps, our country is not as strong as it could be. And so we are saying that we want liberty and justice for everyone, that all lives matter, including Black lives.

Ms. KELLY of Illinois. Thank you, Congresswoman LEE. Thank you for your hard work, your dedication, and all of your insight. You are so right about ZIP Codes that determine so much, unfortunately. And we have to give every young child, every family, a fair chance, and hopefully we will see the day when some of the bills that we have put forward actually are brought to the floor and voted on in a positive way. So thank you so very much.

It is now my pleasure and honor to call to the floor and introduce Congressman HAKEEM JEFFRIES, from the great State of New York and the borough of Brooklyn. Thank you HAKEEM.

Mr. JEFFRIES. I thank my good friend, the distinguished gentlewoman from Illinois, ROBIN KELLY, for yielding, for her very generous introduction, and certainly to my good friend and classmate, DONALD PAYNE, for co-anchoring this Special Order. And as well, I want to acknowledge the presence of distinguished Congresswoman BARBARA LEE from California for her continued eloquence and contribution on such a significant issue.

I really count it an honor and a privilege to once again have the opportunity to come to the House floor to participate in this Special Order hour, this CBC hour of power, co-anchored by the dynamic duo of D. PAYNE and R. KELLY. We really appreciate their continued involvement, eloquence, and leadership in helping to articulate for the American people, as part of this conversation that we are able to have periodically, the issues of great importance to the African American community, but issues that I believe are also of great importance to the broader American community.

Poverty is an issue that certainly impacts the city of Newark that Congressman PAYNE represents, the city of Oakland that BARBARA LEE represents, the city of Chicago that Congresswoman KELLY represents, and part of the city of New York that I represent in part. Even though the ZIP Codes for those four particular municipalities may be different, the issues of lack of economic community opportunity, of course, are largely the same. Far too many people do not robustly have an opportunity to pursue the American Dream in a manner that is consistent with what America is supposed to be, a place where, if you just work hard and stay on the right path, you have an opportunity to lift yourself up out of the station that you may have been born into in life. But we know, unfortunately, that race seems to play a role in that capacity to pull yourself up by your bootstraps.

In fact, while one in three Whites who find themselves in poverty have the ability, it appears, to elevate themselves out of it—and those numbers may even be a little higher—only one in five African Americans appear to

have the capacity to lift themselves out of an impoverished condition that they find themselves in.

Why that is the case is something that I think we need to be able to explore, because regardless of race, it should be a matter of fact here in America that everyone has got a chance to be able to provide for their families to live a middle class lifestyle.

Now, the interesting thing that I found upon my arrival here at the Congress is that issues related to poverty really shouldn't be a Black issue or a White issue, a Democratic issue or a Republican issue. It shouldn't be an urban issue or a rural issue. It is an American issue. In fact, when you look at what has often been defined as persistently poor counties, counties where 20 percent of the population have been below the Federal poverty line for 30 or more years, more of those persistently poor counties are actually represented in this wonderful body by Republicans than by Democrats. So for the life of me, I haven't been able to figure out why we have not been able to come together and find common ground to deal with the problem of poverty in America, because this is not some narrow constituent issue that those of us in the Congressional Black Caucus happen to have and our friends on the other side of the aisle aren't experiencing in terms of the people that they represent. This is actually an issue that needs to be addressed by everybody.

So I am hopeful that as we stand on this House floor, as we extend our hands out in partnership to the other side of the aisle, that we can begin to deal with some of these issues, like, for instance, giving America a raise. For the life of me, I haven't been able to figure out why we would essentially endorse a policy, a minimum wage standard that means you can work full-time, 52 weeks a year, 40 hours a week, and still, when raising a family of three or four, live below the Federal poverty line. Why aren't we making work pay in America?

Now, we are seeing that places like Los Angeles that recently raised the minimum wage to $15 an hour are leading the way at the local level, and I guess that makes sense. Brandeis once said that State government, local governments, are laboratories of democracy, and here I found that the House is probably more like the lion's den of democracy. But it seems to me that we should be able to figure out a pathway toward dealing with some commonsense solutions to dealing with the economic problems that face everyday Americans, like investing in research and development, investing in education and job training, investing in technology and innovation, investing in transportation and infrastructure, and investing in the American worker in a way that makes sense because the deck has been stacked against him, the African American worker or the individual within the African American community that is desperately trying to seek work.

We are suffering from double-digit unemployment in this recovery. When other communities seem to have been able to get back on track and our unemployment numbers are still higher than the collective number during the Great Recession, that is a scandal. We should all have a problem with that.

But the deck generally is stacked against the American worker. Since the early 1970s, the productivity of the American worker has increased in excess of 275 percent. American workers have been more productive over the last 40-plus years, yet during that same time period, wages have increased less than 10 percent. They have remained stagnant. The deck is stacked.

The increase in productivity of the American worker has gone to the privileged few, and we have seen that that has continued during this recovery where corporate profits are way up, the stockmarket is way up, and CEO compensation is way up, but people in the African American community and others are still struggling to be able to recover from the devastating impact that the collapse of the economy had on our community and on many communities throughout America.

So, Mr. Speaker, I just want to thank my good friends for raising the issue, for once again standing before the American people to address this great issue of significance.

We were all in recess over the last few days back at home, spread across the country, but now we have come back. We are here for 4 consecutive weeks to do the people's business, and I am hopeful we can figure out a way to deal with a laser-like focus the problems confronting the persistently poor and those who are in the middle class or trying to become part of the great American middle class.

Ms. KELLY of Illinois. Thank you very much, Congressman JEFFRIES. You always have great words, well thought out and so meaningful. I really appreciate your comments.

With that, I would like to turn it over to the woman from the great State of Ohio, my colleague, my freshman colleague and now sophomore colleague, Congressman JOYCE BEATTY.

Mrs. BEATTY. Thank you to my colleague, the gentlewoman from Illinois, and to my colleague, the gentleman from New Jersey.

Mr. Speaker, I want to thank the Congressional Black Caucus this evening for holding this Special Order hour focusing on the economy and job opportunities in our community. I know tonight that we will speak to America and to the folks in this Chamber talking about the issues that revolve around the economy and jobs and how it affects African Americans.

I want to join my colleagues tonight and talk about those things that get in the way when we talk about our education system, when we talk about the young African Americans going to prison, and when we talk about the cost of higher education, Mr. Speaker. But I also want to say thank you, thank you to the HBC universities for educating African Americans. I want to say thank you to those African Americans who are in positions to help spur the economy, and having an African American in the White House. That is because along the way there has been hope and opportunity.

□ 2115

So before I talk about those things that get in the way, I want to make sure that we send the message to a 12-year-old boy in my district, to a freshman in college, to individuals like my young nephew and my nieces and my grandchildren, that there will be hope and opportunity because there are Members in this Chamber and members in the Congressional Black Caucus who will come and stand up and build that hope and opportunity to make a difference because we will come with resolve.

But tonight, I want to share that, while much has changed for African Americans since the 1963 March on Washington, one thing has not changed. The unemployment rate among Blacks is about double that among Whites, as it has been for almost the past six decades.

Mr. Speaker, the current unemployment rate for African Americans is 9.6 percent. This is nearly twice the 4.7 percent unemployment rate for White Americans.

Although the national unemployment rate has continued to decline since 2008, a significant race gap still remains. African Americans are almost three times more likely to live in poverty than White Americans.

African Americans, like all Americans, want economic mobility, access to high wages, the ability to support themselves and their families in a middle class lifestyle, while earning wages to allow for the accumulation of wealth.

To move forward in creating economic opportunities in the African American community, we must remain focused, focused as the members of the Congressional Black Caucus are, on how we can bridge the divides in our society, and how we can bring our Nation closer together.

It is well established in the fact that students of color face harsher punishments in schools than their White peers, leading to a higher number of youth of color in detention, suspension, and even being expelled.

African American students are arrested far more often than their White classmates. Black and Hispanic students, Mr. Speaker, represent more

than 70 percent of those in school-related arrests or referrals to law enforcement. African Americans make up two-fifths and Hispanics one-fifth of confined youth today.

Disparities are found not only in how we punish behavior in our schools, but also how we fund education. This is true in K–12, and it is also true with higher education.

While we know that a college degree is a path to a middle class life, African Americans are less likely to obtain education beyond high school than White students, and they are less likely to earn a degree.

And for those African American college students who are able to make it to graduation, after graduating they graduate with more student debt than White students. Continued Federal and State cuts to tuition assistance, grant programs, and work study opportunities continue to threaten African American access to a better education.

We must confront these injustices head on. We have an obligation to find real solutions to these problems that have plagued our communities for generations. We must promote policies that increase the pace of job creation, expand opportunities for the long-term unemployed to reenter the workforce. We must provide incentives for businesses to hire and make investments in revitalizing schools, infrastructures, and our neighborhoods.

Like we did 50 years ago as we were in Selma, we must continue to do that again today. We must continue to stand arm in arm so we can bring an end to the disparities that hold our hard-working families back from achieving the middle class dream and the dreams of all Americans that we all should be equal, Mr. Speaker.

And again, to my colleagues, thank you for holding this Special Order hour. Thank you for working with the members of the Congressional Black Caucus and all of our colleagues so we could move forward and not have the disparities that you have heard about tonight.

Ms. KELLY of Illinois. Thank you Congresswoman BEATTY, and thank you for your words, and also thank you for your insight, as well as our other colleagues that have shared this evening with us tonight. We really, really appreciate it. And we hope that when we come back next year this time that we can see some improvements and not have to talk about the same things over and over and over. We have heard back from 1968 some of the same statistics, and here we are so many years later still having to talk about the same thing. So we hope to see progress toward this economic stability for the African American family.

We have heard from my colleagues some staggering statistics. The story is even more disconcerting for our Nation's youth. Workers 19 years old and younger are finding it more difficult than ever to find quality afterschool and summer employment. The unemployment rate for White youth age 16 to 19 stands at 14.5 percent—again, roughly half that of their Black teenage counterparts, who have an unemployment rate of 27.5 percent.

Over one in four Black teenagers who are looking for work are unable to find it. Over one in four. This is simply unacceptable. As a Nation, we must do more to invest in underserved communities and provide opportunities for self-empowerment and growth for our Nation's youth.

Denying African American teens a summer job could cause them to miss out on a lifetime of opportunities and experiences. Many high school students use the summer months to work and put money aside for college. But if there are no jobs to be found, Mr. Speaker, many students will be denied the opportunity to attend college and will forever be shut out from many opportunities and will forever be shut out also from the many jobs that require a college degree.

With college graduates earning an average of $45,000 per year, compared to those only with a high school diploma earning an average of $28,000 per year, lacking a college degree can set non-college graduates up for a lifetime of economic difficulties and frustrations. That is almost $1 million in lost wages over the course of a lifetime.

I have been working in my district to connect employers with eager young employees. In April, I hosted my second annual Youth Employment Summit, where local youth aged 15 to 24 could connect with area companies. Many were hired on the spot, and even more were scheduled interviews for jobs and internships this summer.

But job fairs alone are not the answer, Mr. Speaker. As a Nation, we need increased investment in job training, infrastructure investment, and community development. In the long run, any economic growth that doesn't allow for full participation of all Americans, including those traditionally marginalized like minorities and young people, will not be sustainable. Our economy must work for everyone, not just a select few.

Continuing to leave underserved communities behind will only perpetuate and expand the great disparities in wealth between American citizens and continue to breed a cycle of poverty, violence, and a sense of helplessness in those communities.

Reinvesting in our Nation's youth and our Nation's minority communities is not only vital to our country's economic health but to its public health as well.

Lack of economic opportunity leads to violence, and violence only perpetuates a lack of economic opportunity. The two go hand-in-hand, and, if not addressed, it will create a downward spiral, preventing any positive growth for our Nation's youth and disadvantaged communities.

Mr. Speaker, tomorrow we will recognize the first annual National Gun Violence Awareness Day. Like many of my colleagues, I will wear orange. Orange is the color hunters wear to alert their companions of their presence, to avoid being shot. It is a warning color. Orange screams: ''Don't shoot.''

Too many of my constituents often feel like they have to wear orange while walking down their block on Chicago's South Side. In fact, tomorrow is Hadiya Pendleton's birthday. As we all know, she was shot while playing in a park or running away.

Mr. Speaker, I often say that nothing stops a bullet like a job. The surest way to decrease violence and increase economic prosperity in underserved communities is to expand access to jobs and education.

Mr. PAYNE. I thank the gentlewoman from Illinois and also the gentlewoman from Ohio for joining us this evening. Her thoughts and comments are always salient and to the point, and we appreciate her supporting us in this effort. We sophomores have to stick together. It is just always a delight for me to be able to hear what Mrs. BEATTY has to say in terms of the topics that we discuss. She has demonstrated true leadership in the CBC since her arrival.

Mr. Speaker, this is the greatest Nation on the face of the Earth, and there are many issues, many mottos, many sayings that go along with this Nation. And one of them is that all men are created equal. But why do we continue to find such gaps in all people being created equal and the circumstances some communities find themselves in?

Like anyone, young African Americans would like to grow up, educated well, raise their families, and eke out an income that sustains them and creates a quality of life that all people deserve. But that doesn't happen. We have the haves and the have-nots, the 99 percent and the 1 percent. And too often it seems like that is what our Nation is built on. Sure, we talk about equality, we talk about equal rights, but for some reason, in many instances, it just doesn't seem to fit the circumstance.

Wages for working people have stagnated, as my colleague from New York said, over 15 years, but we have watched the top 1 percent make more and more money. Their quality of life is something people would dream about, hear about in fairy tales. But, no, some people are living that well while others struggle every single day.

And what would it be in a Nation if we were held to these different virtues, to these different mottos, to these different sayings? Well, it would mean, Mr. Speaker, that people needing food

stamps wouldn't be going up. That is not something people look forward to. That is a last-ditch effort to feed your family. That is desperation. That is not a goal to aspire to.

Too many times we feel that people in this country that have not made it or have found it difficult to be successful, well, they are just not doing what they need to do. There are systemic structural circumstances in this Nation that keep people from attaining success. And until we deal with those issues, we will continue to see what we see.

And let me just say that why wouldn't we want more people to have prosperity? Why wouldn't we want more people to be doing well? That means they are paying into the system, that they don't have to rely on the system and take out of the system. The more people paying in, the more it reduces the burden of the rest of us. I don't see why that is not clear.

I made the same example during our talks about the Affordable Care Act. The more people you have paying into the system, the less we have to pay because, guess what. When there is someone who is not paying into the system, guess who picks up the burden—the rest of us.

□ 2130

If you disburse that cost over more people—it is basic economics—guess what happens? It reduces it for everyone.

Here we are in the greatest nation in the world—no question about it—and at times, we are talking around the world about how other countries should treat their people. You have to look inside, and people are able to point back at us and say: Wait a minute. Why do you have communities such as that? Why is there such disparity? How can you tell us when we see what is happening in your nation?

Mr. Speaker, we can't talk out of both sides of our mouths. If we are going to be the greatest nation, then we have to act like it and stand up and do the things that make it a great nation.

There is no reason we cannot find a way out of this problem. We are able to create jobs as we have smart business people throughout this Nation if there were an incentive for them to do it, but the status quo is all right with them because their value continues to go up, that of the 1 percent, so why should they change?

If it ain't broke, don't fix it. That is their motto. They are doing better and better while, for the rest of us, our quality of life goes down or remains stagnant.

Mr. Speaker, this has had an adverse impact on African American businesses, and in an increasingly connected economy, it is also detrimental to the broader economic growth in this country in that all people are not able to have a living wage or to take care of their families.

I want to thank my colleague, Congresswoman KELLY, for her leadership and for leading tonight's Congressional Black Caucus' Special Order hour.

In closing, as we welcome the continued recovery and growth of our economy, we must keep in mind that work remains to build an equal society and to expand opportunities for African Americans across the country. African American communities are not sharing in the economic recovery.

We have a moral obligation to tackle the economic challenges facing Black communities and to create avenues of economic prosperity for all Americans. The CBC will be at that fight for as long as necessary. It is our agenda that works for all Americans, African Americans, Hispanic Americans, White Americans.

Ms. KELLY of Illinois. Thank you, Congressman PAYNE.

Mr. Speaker, I, too, want to thank my colleagues for giving the Congressional Black Caucus and this Congress the opportunity to put the important economic concerns of this Nation's in the spotlight this evening. Millions of Americans are living on the brink.

These aren't merely concerns for these individuals and their families; they are national concerns. I have always believed that what makes our Nation great is our recognition that everyone should have the ability to live and rise to their full potential. Economic parity is one of the most fundamental issues facing us as a nation right now.

I hope, in this hour, we have appropriately shed some light on some of the concerns of the Congressional Black Caucus when it comes to the economy and to job opportunities in our communities—or the lack of them.

Again, I want to thank my coanchor, the Honorable Donald Payne, Jr., who himself is a strong defender of the economic possibilities of Newark, of Orange, and of communities across New Jersey's 10th Congressional District.

I will close as I began this evening in saying that the time to act is now. The necessity in responding to the economic crises of Black employment and underemployment should be an American imperative. The time is now to support a bold and inclusive economy that propels us into a sustainable future.

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

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I rise today with my colleagues of the Congressional Black Caucus in opposition to income inequality in the United States. As millions of Americans remain without work, while others are underpaid or underemployed, it is imperative that we address the growing threat to our country that is income inequality.

Since the 1970s, we have witnessed a dangerous trend develop where wage growth for middle and lower income households has become stagnant while incomes at the very top continue to rise sharply. From 1973 to 2005, real hourly wages for the top 10 percent rose by 30 percent or more, whereas the bottom 50 percent of all Americans experienced only marginal real wage increases of a little more than 5 percent.

The income gap is further amplified when comparing races. Overall, Caucasian males earn a median income of more than $40,000 per year while African American males average roughly $30,000 during the same time period. Hispanic Americans average just over $26,000 each year. These discrepancies by race are particularly alarming, considering that these figures are even lower for women.

The percentage of wealth controlled by the richest Americans is another disturbing fact that is often overlooked. The top 1 percent of Americans own 40 percent of our entire nation's wealth, while the bottom 80 percent of Americans share only 7 percent of the nation's wealth. In historical terms, the last time our nation faced such a wide income gap was during the 1920s leading up to the Great Depression.

Mr. Speaker, while Congress struggles with raising the minimum wage, millions of working individuals and families across the country continue to struggle with stagnant pay and rising inflation. Until we take a serious look at comprehensive reform to curb income inequality, the consequences will continue harming our communities of color, and prove catastrophic for our nation's economy.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. JOLLY (at the request of Mr. MCCARTHY) for today on account of a flight delay.

Mr. BISHOP of Georgia (at the request of Ms. PELOSI) for today.

Ms. CASTOR of Florida (at the request of Ms. PELOSI) for today on account of her daughter's high school graduation.

Mr. CLYBURN (at the request of Ms. PELOSI) for today and June 2.

Mr. GENE GREEN of Texas (at the request of Ms. PELOSI) for today on account of a delayed flight.

Ms. JACKSON LEE (at the request of Ms. PELOSI) for today and the balance of the week on account of official business.

Mrs. NAPOLITANO (at the request of Ms. PELOSI) for today.

Mr. TAKAI (at the request of Ms. PELOSI) for today on account of attending daughter's graduation.

SENATE BILL REFERRED

A bill of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. 246. An act to establish the Alyce Spotted Bear and Walter Soboleff Commission on Native Children, and for other purposes; to the Committee on Natural Resources.

BILLS PRESENTED TO THE PRESIDENT

Karen L. Haas, Clerk of the House, reported that on May 22, 2015, she presented to the President of the United States, for his approval, the following bill:

H.R. 2496. To extend the authorization for the replacement of the existing Department of Veterans Affairs Medical Center in Denver, Colorado, to make certain improvements in the Veterans Access, Choice, and Accountability Act of 2014, and for other purposes.

Karen L. Haas, Clerk of the House, further reported that on May 26, 2015, she presented to the President of the United States, for his approval, the following bill:

H.R. 2353. To provide an extension of Federal-aid highway, highway safety, motor carrier safety, transit, and other programs funded out of the Highway Trust Fund, and for other purposes.

H.R. 1690. To designate the United States courthouse located at 700 Grant Street in Pittsburgh, Pennsylvania, as the ''Joseph F. Weis, Jr. United States Courthouse''.

ADJOURNMENT

Ms. KELLY of Illinois. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 9 o'clock and 35 minutes p.m.), under its previous order, the House adjourned until tomorrow, Tuesday, June 2, 2015, at 10 a.m. for morning-hour debate.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

1660. A letter from the Acting Under Secretary, Personnel and Readiness, Department of Defense, transmitting a letter on the approved retirement of Lieutenant General James M. Kowalski, United States Air Force, and his advancement to the grade of lieutenant general on the retired list; to the Committee on Armed Services.

1661. A letter from the Director, Regulations Policy and Management Staff, Department of Health and Human Services, transmitting the Department's final rule — Requirements for Blood and Blood Components Intended for Transfusion or for Further Manufacturing Use [Docket No.: FDA-2006-N-0040 (formerly Docket No.: 2006N-0221)] (RIN: 0910-AG87) received May 29, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1662. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting the ''Iran-Related Multilateral Sanctions Regime Efforts'' report, pursuant to Sec. 10(a) of the Iran Sanctions Act of 1996, as amended (50 U.S.C. 1701 note); to the Committee on Foreign Affairs.

1663. A letter from the Chairman, Council of the District of Columbia, transmitting D.C. Act 21-67, ''Prohibition of Pre-Employment Marijuana Testing Act of 2015'', pursuant to Public Law 93-198, Sec. 602(c)(1); to the Committee on Oversight and Government Reform.

1664. A letter from the Chairman, Council of the District of Columbia, transmitting D.C. Act 21-68, ''Events DC Technical Clarification Amendment Act of 2015'', pursuant to Public Law 93-198, Sec. 602(c)(1); to the Committee on Oversight and Government Reform.

1665. A letter from the Chairman, Council of the District of Columbia, transmitting D.C. Act 21-69, ''Workforce Job Development Grant-Making Reauthorization Temporary Amendment Act of 2015'', pursuant to Public Law 93-198, Sec. 602(c)(1); to the Committee on Oversight and Government Reform.

1666. A letter from the Chairman, Council of the District of Columbia, transmitting D.C. Act 21-70, ''Soccer Stadium Development Technical Clarification Temporary Amendment Act of 2015'', pursuant to Public Law 93-198, Sec. 602(c)(1); to the Committee on Oversight and Government Reform.

1667. A letter from the Chairman, Council of the District of Columbia, transmitting D.C. Act 21-71, ''Medical Marijuana Supply Shortage Temporary Amendment Act of 2015'', pursuant to Public Law 93-198, Sec. 602(c)(1); to the Committee on Oversight and Government Reform.

1668. A letter from the Chairman, Council of the District of Columbia, transmitting D.C. Act 21-72, ''Jubilee Maycroft TOPA Notice Exemption Temporary Act of 2015'', pursuant to Public Law 93-198, Sec. 602(c)(1); to the Committee on Oversight and Government Reform.

1669. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's IRB only rule — Purchase Price Safe Harbors for sections 143 and 25 (Rev. Proc. 2015-31) received June 1, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

1670. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's IRB only rule — Applicable Federal Rates — June 2015 (Rev. Rul. 2015-14) received June 1, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

1671. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's IRB only rule — Credit for Renewable Electricity Production and Refined Coal Production, and Publication of Inflation Adjustment Factor and Reference Prices for Calendar Year 2015 (Notice 2015-32) received June 1, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. SESSIONS: Committee on Rules. House Resolution 287. Resolution providing for consideration of the bill (H.R. 2577) making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes, and providing for consideration of the bill (H.R. 2578) making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2016, and for other purposes (Rept. 114–135). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. CHABOT (for himself and Mr. SCOTT of Virginia):

H.R. 2584. A bill to regulate certain State taxation of interstate commerce, and for other purposes; to the Committee on the Judiciary.

By Mr. ISRAEL (for himself and Ms. MICHELLE LUJAN GRISHAM of New Mexico):

H.R. 2585. A bill to amend title II of the Social Security Act to eliminate the five-month waiting period in the disability insurance program, and for other purposes; to the Committee on Ways and Means.

By Mr. CHABOT (for himself and Mr. CONNOLLY):

H.R. 2586. A bill to amend the Export Enhancement Act of 1988 to make improvements to the trade promotion policies and programs of the United States Government; to the Committee on Foreign Affairs.

By Mr. CHABOT (for himself and Mr. LARSEN of Washington):

H.R. 2587. A bill to further enhance the promotion of exports of United States goods and services, and for other purposes; to the Committee on Foreign Affairs.

By Mr. ALLEN (for himself, Mr. CRAMER, Mr. LAMALFA, Mr. BOST, Mr. WESTMORELAND, Mr. RICE of South Carolina, Mr. BUCK, Mr. WILSON of South Carolina, Mr. BISHOP of Georgia, and Mr. MESSER):

H.R. 2588. A bill to reform the H-2A program for nonimmigrant agricultural workers, and for other purposes; to the Committee on the Judiciary.

By Mrs. ELLMERS of North Carolina:

H.R. 2589. A bill to amend the Communications Act of 1934 to require the Federal Communications Commission to publish on its Internet website changes to the rules of the Commission not later than 24 hours after adoption; to the Committee on Energy and Commerce.

By Mr. GIBSON (for himself and Mr. COURTNEY):

H.R. 2590. A bill to amend the Higher Education Act of 1965 to include certain individuals who work on farms or ranches as individuals who are employed in public service jobs for purposes of eligibility for loan forgiveness under the Federal Direct Loan program; to the Committee on Education and the Workforce.

By Mr. ISRAEL (for himself, Mr. MURPHY of Pennsylvania, Ms. FRANKEL of Florida, Mr. CARTWRIGHT, Ms. BORDALLO, Mr. LOWENTHAL, Mr. HONDA, Mr. LOEBSACK, Mr. GRIJALVA, and Mrs. DINGELL):

H.R. 2591. A bill to amend the Internal Revenue Code of 1986 to allow taxpayers to designate overpayments of tax as contributions and to make additional contributions to the Homeless Veterans Assistance Fund, and for other purposes; to the Committee on Ways and Means, and in addition to the Committee on Veterans' Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. KINZINGER of Illinois (for himself and Mr. ALLEN):

H.R. 2592. A bill to amend the Communications Act of 1934 to require the Federal Communications Commission to publish on the

website of the Commission documents to be voted on by the Commission; to the Committee on Energy and Commerce.

By Mr. LATTA:

H.R. 2593. A bill to amend the Communications Act of 1934 to require identification and description on the website of the Federal Communications Commission of items to be decided on authority delegated by the Commission; to the Committee on Energy and Commerce.

By Mr. MACARTHUR:

H.R. 2594. A bill to amend the Robert T. Stafford Disaster Relief and Emergency Assistance Act to ensure that the receipt of certain loans provided by the Small Business Administration does not violate the prohibition against receiving duplicative financial assistance in the case of a disaster; to the Committee on Transportation and Infrastructure.

By Ms. NORTON (for herself, Mr. CONNOLLY, Mr. BEYER, Ms. EDWARDS, and Mr. VAN HOLLEN):

H.R. 2595. A bill to amend title 23, United States Code, to establish a nationally significant Federal lands and tribal projects program, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. NUNES:

H.R. 2596. A bill to authorize appropriations for fiscal year 2016 for intelligence and intelligence-related activities of the United States Government, the Community Management Account, and the Central Intelligence Agency Retirement and Disability System, and for other purposes; to the Committee on Intelligence (Permanent Select), and in addition to the Committee on the Budget, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. PAULSEN (for himself, Mr. KIND, Mr. SHIMKUS, and Mrs. MIMI WALTERS of California):

H.R. 2597. A bill to amend title XVIII of the Social Security Act to promote health care technology innovation and access to medical devices and services for which patients choose to self-pay under the Medicare program, and for other purposes; to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. POLIS (for himself and Mr. PERLMUTTER):

H.R. 2598. A bill to amend title 23, United States Code, to establish requirements relating to marijuana-impaired driving, to direct the Administrator of the National Highway Traffic Safety Administration to issue comprehensive guidance on the best practices to prevent marijuana-impaired driving, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. ROUZER:

H.R. 2599. A bill to prohibit the obligation of certain funds until the Administrator of the Environmental Protection Agency withdraws the rule relating to the definition of ''waters of the United States''; to the Committee on Energy and Commerce, and in addition to the Committees on Agriculture, Transportation and Infrastructure, and Science, Space, and Technology, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SHERMAN (for himself and Mr. GRAYSON):

H.R. 2600. A bill to address the concept of ''Too Big To Fail'' with respect to certain financial entities; to the Committee on Financial Services.

By Mrs. TORRES (for herself and Mr. HOYER):

H.R. 2601. A bill to amend the Workforce Innovation and Opportunity Act to establish a pilot program to facilitate education and training programs in the field of advanced manufacturing; to the Committee on Education and the Workforce.

By Mrs. MILLER of Michigan:

H. Con. Res. 54. Concurrent resolution authorizing the reprinting of the 25th edition of the pocket version of the United States Constitution; to the Committee on House Administration.

By Mrs. LAWRENCE:

H. Res. 286. A resolution expressing the sense of the House of Representatives that investing in the Nation's skilled workforce is investing in the Nation's economy, and that in accordance with existing law, the House of Representatives should promote public and private partnerships to increase training programs, tax incentives, industry and State apprenticeships, and for other purposes; to the Committee on Education and the Workforce.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mr. CHABOT:

H.R. 2584.

Congress has the power to enact this legislation pursuant to the following:

The Congress shall have power to lay and collect taxes, duties, imposts and excises, to pay the debts and provide for the common defense and general welfare of the United States.

By Mr. ISRAEL:

H.R. 2585.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 of the United States Constitution

By Mr. CHABOT:

H.R. 2586.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3

By Mr. CHABOT:

H.R. 2587.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3

By Mr. ALLEN:

H.R. 2588.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 3

The Congress shall have the Power . . . To establish an uniform Rule of Naturalization, and uniform Laws on the subject of Bankruptcies throughout the United States

By Mrs. ELLMERS of North Carolina:

H.R. 2589.

Congress has the power to enact this legislation pursuant to the following:

The authority to enact this bill is derived from, but may not be limited to, Clause 3 of Section 8 of Article I of the United States Constitution.

''To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes;''

By Mr. GIBSON:

H.R. 2590.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the United States Constitution.

By Mr. ISRAEL:

H.R. 2591.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8.

By Mr. KINZINGER of Illinois:

H.R. 2592.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 of the U.S. Constitution

By Mr. LATTA:

H.R. 2593.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3: Congress shall have the Power . . . ''to regulate Commerce with foreign Nations, and among the several States, and with the Indian tribes.''

By Mr. MACARTHUR:

H.R. 2594.

Congress has the power to enact this legislation pursuant to the following:

The General Welfare Clause (Article 1, Section 8, Clause 1) and the Necessary and Proper Clause (Article 1, Section 8, Clause 18)

By Ms. NORTON:

H.R. 2595.

Congress has the power to enact this legislation pursuant to the following:

Clause 17 of section 8 of article I of the Constitution.

By Mr. NUNES:

H.R. 2596.

Congress has the power to enact this legislation pursuant to the following:

The intelligence and intelligence-related activities of the United States government are carried out to support the national security interests of the United States, to support and assist the armed forces of the United States, and to support the President in the execution of the foreign policy of the United States.

Article I, section 8 of the Constitution of the United States provides, in pertinent part, that ''Congress shall have power . . . to pay the debts and provide for the common defense and general welfare of the United States''; ''. . . to raise and support armies . . .''; ''To provide and maintain a Navy''; ''To make Rules for the Government and Regulation of the land and naval Forces''; and ''To make all laws which shall be necessary and proper for carrying into Execution the foregoing Powers and all other Powers vested in this Constitution in the Government of the United States, or in any Department or Officer thereof.''

By Mr. PAULSEN:

H.R. 2597.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8 of the United States Constitution

By Mr. POLIS:

H.R. 2598.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 of the U.S. Constitution (relating to the general welfare of the United States); and Article I, Section 8, Clause 3 of the U.S. Constitution (relating

to the power to regulate interstate commerce).

By Mr. ROUZER:

H.R. 2599.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18 of the United States Constitution states that ''The Congress shall have Power To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States or in any Department of Officer thereof''

By Mr. SHERMAN:

H.R. 2600.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8

By Mrs. TORRES:

H.R. 2601.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the U.S. Constitution.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions, as follows:

H.R. 6: Mr. FLORES, Mr. JOHNSON of Ohio, Mr. GIBSON, Mr. KENNEDY, Mr. BEN RAY LUJÁN of New Mexico, Mr. WALZ, Mr. CASTRO of Texas, Mrs. BUSTOS, Ms. FRANKEL of Florida, Ms. BROWNLEY of California, Mr. COSTA, Mrs. WAGNER, and Mr. RODNEY DAVIS of Illinois.

H.R. 169: Mr. JOHNSON of Ohio and Mr. YOUNG of Alaska.

H.R. 232: Mr. SEAN PATRICK MALONEY of New York and Ms. MICHELLE LUJAN GRISHAM of New Mexico.

H.R. 265: Ms. DEGETTE.

H.R. 288: Mr. STIVERS.

H.R. 320: Mr. RODNEY DAVIS of Illinois.

H.R. 359: Ms. MCSALLY, Mr. TIBERI, Mr. FARENTHOLD and Mr. CARTER of Texas.

H.R. 402: Mr. WENSTRUP.

H.R. 425: Mr. MCGOVERN.

H.R. 465: Mr. ROKITA.

H.R. 503: Mr. DUNCAN of Tennessee.

H.R. 511: Ms. MICHELLE LUJAN GRISHAM of New Mexico.

H.R. 525: Ms. SPEIER.

H.R. 540: Mr. MOONEY of West Virginia, Ms. BROWN of Florida, Mr. JOYCE, Mr. YOHO, and Mr. FRANKS of Arizona.

H.R. 551: Mrs. CAROLYN B. MALONEY of New York.

H.R. 590: Ms. MATSUI.

H.R. 592: Ms. BASS, Mr. WALKER, Mr. TONKO, and Mr. TURNER.

H.R. 602: Mr. KATKO.

H.R. 607: Mrs. TORRES and Mr. STIVERS.

H.R. 662: Mr. FINCHER.

H.R. 664: Mr. EMMER of Minnesota.

H.R. 699: Mr. ENGEL.

H.R. 702: Mr. MCKINLEY, Mr. KELLY of Pennsylvania, Mr. SAM JOHNSON of Texas, and Mr. LUCAS.

H.R. 706: Ms. BROWN of Florida.

H.R. 712: Mr. CRAWFORD.

H.R. 721: Mr. GUINTA and Mr. HARDY.

H.R. 742: Mr. AGUILAR.

H.R. 767: Mr. KATKO, Ms. KAPTUR, and Mr. SEAN PATRICK MALONEY of New York.

H.R. 789: Mr. COSTELLO of Pennsylvania.

H.R. 793: Mr. SEAN PATRICK MALONEY of New York and Mr. WESTERMAN.

H.R. 815: Mr. MURPHY of Florida, Mr. AGUILAR, and Mr. CRAMER.

H.R. 825: Mr. RATCLIFFE.

H.R. 835: Mr. MCDERMOTT.

H.R. 842: Mr. CAPUANO, Mr. COOK, and Mr. RICE of South Carolina.

H.R. 855: Mr. CÁRDENAS.

H.R. 879: Mr. NEWHOUSE and Mr. STIVERS.

H.R. 921: Mr. JOHNSON of Ohio.

H.R. 932: Ms. ADAMS.

H.R. 952: Ms. MATSUI.

H.R. 953: Ms. CLARK of Massachusetts.

H.R. 985: Mr. MICHAEL F. DOYLE of Pennsylvania, Mr. SMITH of Texas, and Mr. SESSIONS.

H.R. 986: Mr. POSEY, Mr. STEWART, Mr. YOHO, Mr. ROONEY of Florida, and Mr. MULVANEY.

H.R. 995: Mr. COSTELLO of Pennsylvania.

H.R. 997: Mr. BISHOP of Utah and Mr. DUNCAN of Tennessee.

H.R. 1027: Mr. ELLISON and Mr. HASTINGS.

H.R. 1057: Mr. CAPUANO.

H.R. 1062: Mr. MURPHY of Pennsylvania.

H.R. 1073: Mr. WEBER of Texas, Mr. ROE of Tennessee, Mr. SCHWEIKERT, Mrs. BLACKBURN, and Mr. GARAMENDI.

H.R. 1089: Ms. SINEMA, Mr. KING of New York, and Mr. HASTINGS.

H.R. 1101: Ms. SPEIER.

H.R. 1142: Mr. HASTINGS and Ms. JENKINS of Kansas.

H.R. 1178: Ms. LOFGREN, Mr. RANGEL, Mrs. ELLMERS of North Carolina, Mr. LONG, and Mr. KELLY of Pennsylvania.

H.R. 1185: Mr. JOYCE, Ms. ESTY, and Mr. HUFFMAN.

H.R. 1190: Ms. MCSALLY.

H.R. 1202: Mrs. MIMI WALTERS of California, Mr. GARAMENDI, Mr. HASTINGS, and Mr. HUFFMAN.

H.R. 1209: Mrs. MIMI WALTERS of California and Mr. HECK of Washington.

H.R. 1210: Mr. GOSAR.

H.R. 1247: Mr. RODNEY DAVIS of Illinois and Mr. LOEBSACK.

H.R. 1270: Mr. ROYCE.

H.R. 1275: Mr. BEYER and Mr. ELLISON.

H.R. 1276: Mr. SCHIFF and Mr. BEYER.

H.R. 1277: Mr. HUFFMAN and Ms. DELBENE.

H.R. 1278: Mr. BEYER, Mr. GRIJALVA, and Mr. ENGEL.

H.R. 1283: Mr. FLEISCHMANN.

H.R. 1288: Mr. TONKO.

H.R. 1299: Mr. JOHNSON of Ohio and Mr. MURPHY of Pennsylvania.

H.R. 1301: Mr. WEBER of Texas, Mr. KATKO, Mr. MILLER of Florida, Mr. JONES, Mr. ROKITA, and Mr. CÁRDENAS.

H.R. 1308: Mr. BLUMENAUER and Ms. DELBENE.

H.R. 1310: Mr. REED.

H.R. 1321: Mr. CONNOLLY.

H.R. 1336: Mr. CICILLINE.

H.R. 1338: Mr. GARAMENDI, Mr. ROSS, Mr. GRAVES of Missouri, Mr. GIBBS, Mr. SIRES, Mr. FRANKS of Arizona, and Ms. SINEMA.

H.R. 1340: Mr. REED, Mr. MCGOVERN, Mr. COFFMAN, and Mr. FARR.

H.R. 1343: Mr. EMMER of Minnesota, Ms. BROWNLEY of California, Mrs. BEATTY, and Mr. HECK of Washington.

H.R. 1344: Mr. JOHNSON of Ohio, Mr. THOMPSON of California, and Mr. STIVERS.

H.R. 1369: Mr. FORTENBERRY.

H.R. 1375: Mr. DOLD, Mr. WELCH, Ms. KUSTER, Mr. GRIJALVA, Mr. TED LIEU of California, Mr. HECK of Washington, Mr. NOLAN, Mrs. CAROLYN B. MALONEY of New York, and Ms. DELBENE.

H.R. 1389: Mr. GOSAR and Ms. JENKINS of Kansas.

H.R. 1413: Mr. CARTER of Georgia and Mr. NEWHOUSE.

H.R. 1424: Mr. SHUSTER and Mrs. BLACK.

H.R. 1427: Mr. JOYCE, Mr. HECK of Washington, Ms. DELBENE, Mr. AL GREEN of Texas, Mr. LIPINSKI, Mr. THOMPSON of Pennsylvania, Mr. HANNA, and Mr. MCGOVERN.

H.R. 1439: Ms. ADAMS.

H.R. 1475: Mr. HINOJOSA, Ms. BORDALLO, Mr. GOWDY, Mr. SALMON, Mr. HURD of Texas, Ms. KAPTUR, Mr. COSTELLO of Pennsylvania, Mr. YARMUTH, and Mr. RYAN of Ohio.

H.R. 1478: Mrs. ROBY.

H.R. 1486: Mr. HUIZENGA of Michigan.

H.R. 1504: Mr. HARDY.

H.R. 1516: Ms. MATSUI, Mr. DEUTCH, Mr. COURTNEY, and Mr. KING of Iowa.

H.R. 1519: Mr. TED LIEU of California, Mr. PETERS, Mr. HUFFMAN, and Ms. MATSUI.

H.R. 1528: Mr. MARINO.

H.R. 1547: Mr. JOHNSON of Ohio.

H.R. 1559: Mr. JONES, Mr. TAKAI, Mr. DUFFY, Mr. COOPER, Mr. COFFMAN, and Mr. BRENDAN F. BOYLE of Pennsylvania.

H.R. 1567: Mr. DANNY K. DAVIS of Illinois, Mrs. BUSTOS, Mr. VEASEY, and Mr. CAPUANO.

H.R. 1575: Mr. RUIZ.

H.R. 1599: Mr. MACARTHUR, Mr. WENSTRUP, Mr. JOHNSON of Ohio, and Mr. COLLINS of Georgia.

H.R. 1602: Ms. BROWN of Florida.

H.R. 1603: Mr. DOLD and Mr. RICE of South Carolina.

H.R. 1604: Ms. STEFANIK, Mr. BUCK, Mr. YODER, and Mr. COFFMAN.

H.R. 1614: Mrs. HARTZLER.

H.R. 1624: Mrs. ELLMERS of North Carolina and Mr. AGUILAR.

H.R. 1634: Mr. HENSARLING.

H.R. 1655: Ms. KAPTUR, Mr. CARTWRIGHT, and Mr. RODNEY DAVIS of Illinois.

H.R. 1670: Mr. CAPUANO.

H.R. 1684: Mr. LOWENTHAL.

H.R. 1718: Mr. BYRNE.

H.R. 1725: Ms. CLARK of Massachusetts and Mr. MCGOVERN.

H.R. 1742: Mr. DANNY K. DAVIS of Illinois.

H.R. 1752: Mr. YOUNG of Alaska and Mr. KINZINGER of Illinois.

H.R. 1769: Mr. GRIJALVA, Mr. SARBANES, Mr. SCHIFF, and Mr. TED LIEU of California.

H.R. 1786: Mr. DENT, Ms. JACKSON LEE, Mr. CAPUANO, and Mr. YARMUTH.

H.R. 1818: Ms. NORTON.

H.R. 1854: Ms. CASTOR of Florida and Mr. GUINTA.

H.R. 1877: Mr. THOMPSON of California and Mr. SCHIFF.

H.R. 1899: Mr. GRAYSON and Mrs. TORRES.

H.R. 1900: Ms. NORTON and Mr. QUIGLEY.

H.R. 1901: Mr. GRIFFITH.

H.R. 1919: Mr. LARSON of Connecticut.

H.R. 1941: Mr. ROTHFUS, Mrs. BLACK, Mr. YOHO, Mr. NUGENT, Mr. JOLLY, and Ms. JENKINS of Kansas.

H.R. 1948: Mrs. LOWEY, Mr. PETERS, and Mr. LANGEVIN.

H.R. 1964: Ms. WILSON of Florida.

H.R. 1977: Mr. CICILLINE and Mr. RANGEL.

H.R. 1994: Mr. THORNBERRY, Mr. SALMON, Mr. MCCAUL, Mr. JODY B. HICE of Georgia, and Mr. PEARCE.

H.R. 1996: Mr. KING of Iowa.

H.R. 1998: Mrs. LOWEY and Mr. JEFFRIES.

H.R. 2009: Mr. GALLEGO.

H.R. 2014: Ms. NORTON, Mrs. BEATTY, and Ms. LOFGREN.

H.R. 2016: Mr. O'ROURKE, Ms. BORDALLO, and Mr. TONKO.

H.R. 2025: Mr. SEAN PATRICK MALONEY of New York.

H.R. 2072: Ms. PINGREE, Mr. CARTWRIGHT, Mr. CONNOLLY, and Ms. NORTON.

H.R. 2100: Mr. HINOJOSA, Mr. ROSS, Mr. GIBSON, Ms. TSONGAS, and Mr. NADLER.

H.R. 2126: Mr. WESTMORELAND.

H.R. 2140: Mr. MEADOWS.

H.R. 2152: Mr. SEAN PATRICK MALONEY of New York.

H.R. 2191: Mrs. LAWRENCE.

H.R. 2193: Mr. HUFFMAN.

H.R. 2205: Mr. MEEKS.
H.R. 2216: Ms. DELAURO and Mr. VAN HOLLEN.
H.R. 2233: Mr. COHEN and Mrs. BLACK.
H.R. 2248: Mrs. CAPPS.
H.R. 2259: Mr. CULBERSON.
H.R. 2272: Mr. HUELSKAMP.
H.R. 2275: Mr. COSTELLO of Pennsylvania.
H.R. 2278: Mr. BROOKS of Alabama.
H.R. 2290: Mr. HENSARLING, Mr. HANNA, and Mr. FARENTHOLD.
H.R. 2300: Mr. LONG.
H.R. 2302: Ms. FUDGE.
H.R. 2309: Mr. MCGOVERN.
H.R. 2315: Mr. MARINO, Mr. HENSARLING, Mr. FINCHER, Mr. TROTT, and Mr. SMITH of Missouri.
H.R. 2360: Mr. COFFMAN, Mrs. RADEWAGEN, and Mr. COSTELLO of Pennsylvania.
H.R. 2368: Mr. SEAN PATRICK MALONEY of New York.
H.R. 2380: Mrs. LOWEY, Mr. MICHAEL F. DOYLE of Pennsylvania, and Ms. MATSUI.
H.R. 2382: Mr. JOYCE.
H.R. 2400: Mr. SAM JOHNSON of Texas and Mr. TOM PRICE of Georgia.
H.R. 2404: Mr. JOHNSON of Ohio and Mr. KELLY of Pennsylvania.
H.R. 2410: Ms. MOORE, Mr. RANGEL, and Mr. BUTTERFIELD.
H.R. 2418: Mr. CURBELO of Florida.
H.R. 2450: Ms. SINEMA, Mr. ISRAEL, and Mr. SMITH of Washington.
H.R. 2461: Mr. PERLMUTTER and Mrs. CAPPS.
H.R. 2490: Mr. BROOKS of Alabama and Mr. RENACCI.
H.R. 2493: Mr. BEN RAY LUJÁN of New Mexico, Mr. CAPUANO, and Mr. LOBIONDO.
H.R. 2498: Mr. DELANEY.
H.R. 2500: Mr. GROTHMAN.
H.R. 2505: Mr. SESSIONS.
H.R. 2510: Mr. SAM JOHNSON of Texas and Mr. BLUM.
H.R. 2516: Mr. GRIJALVA.
H.R. 2523: Mr. TURNER, Mr. TIPTON, Mr. KINZINGER of Illinois, Mr. BENISHEK, Mr. DENT, and Mr. BROOKS of Alabama.
H.R. 2545: Mr. MCGOVERN, Mr. ISRAEL, and Mr. DEUTCH.
H.R. 2551: Mr. GARAMENDI.
H.R. 2555: Mr. ROONEY of Florida.
H.R. 2563: Ms. NORTON.
H.J. Res. 22: Mr. SCOTT of Virginia and Mr. MEEKS.
H.J. Res. 51: Mr. LEWIS.
H. Con. Res. 30: Mr. LUCAS.
H. Res. 12: Ms. WASSERMAN SCHULTZ.
H. Res. 112: Mr. PETERS.
H. Res. 139: Mr. DOLD.
H. Res. 207: Mr. CARTER of Georgia and Mr. RYAN of Ohio.
H. Res. 230: Mr. GRIJALVA, Mr. RANGEL, Ms. DELBENE, and Mr. COFFMAN.
H. Res. 279: Mr. SCHWEIKERT.
H. Res. 282: Mr. LANCE and Mr. HANNA.

DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

Under clause 7 of rule XII, sponsors were deleted from public bills and resolutions, as follows:

H.R. 2036: Mr. BROOKS of Alabama.

AMENDMENTS

Under clause 8 of rule XVIII, proposed amendments were submitted as follows:

H.R. 2578

OFFERED BY: MRS. BLACKBURN

AMENDMENT NO. 1: At the end of the bill, before the short title, insert the following:

Sec. ____. (a) Each amount made available by this Act, except those amounts made available to the Federal Bureau of Investigation, is hereby reduced by 1 percent.

(b) The reduction in subsection (a) shall not apply with respect to the following accounts of the Department of Justice:

(1) ''Fees and Expenses of Witnesses''.
(2) ''Public Safety Officer Benefits''.
(3) ''United States Trustee System Fund''.

H.R. 2578

OFFERED BY: MR. KING OF IOWA

AMENDMENT NO. 2: At the end of the bill (before the short title), insert the following:

Sec. _____. None of the funds made available by this Act may be used for the legal defense of individuals who are unlawfully present in the United States.

H.R. 2578

OFFERED BY: MR. KING OF IOWA

AMENDMENT NO. 3: At the end of the bill (before the short title), insert the following:

Sec. _____. None of the funds made available by this Act may be used with respect to the case State of Texas, et al. v. United States of America, et al. (No. B–14–254 in the United States District Court for the Southern District of Texas and No. 15–40238 in the United States Court of Appeals for the Fifth Circuit).

H.R. 2578

OFFERED BY: MS. BONAMICI

AMENDMENT NO. 4: Page 14, line 1, after the dollar amount, insert ''(reduced by $21,559,000) (increased by $21,559,000)''.

H.R. 2578

OFFERED BY: MS. BONAMICI

AMENDMENT NO. 5: Page 15, lines 16, 19, and 20, after the dollar amount insert ''(increased by $380,000,000)''.

H.R. 2578

OFFERED BY: MR. ROUZER

AMENDMENT NO. 6: At the end of the bill (before the short title), insert the following:

Sec. ____. None of the funds made available by this Act may be used by the State of North Carolina to implement any State law or rule that establishes or governs a logbook reporting requirement for fisherman of any kind.

H.R. 2578

OFFERED BY: MR. BABIN

AMENDMENT NO. 7: Page 58, line 20, after the dollar amount insert ''(reduced by $103,700,000)''.

Page 61, lines 10 and 12, after the dollar amount insert ''(increased by $67,000,000)''.

H.R. 2578

OFFERED BY: MR. KING OF IOWA

AMENDMENT NO. 8: At the end of the bill (before the short title), insert the following:

Sec. __. None of the funds made available by this Act may be used to negotiate, participate, finalize, or communicate with any other country's representatives about trade agreements that include provisions relating to visas issued under section 101(a)(15)(L) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)(L)). The limitation described in this section shall not apply in the case of an administration of a tax or tariff.

H.R. 2578

OFFERED BY: MS. BONAMICI

AMENDMENT NO. 9: At the end of the bill (before the short title), insert the following:

Sec. ____. None of the funds made available in this Act to the Department of Justice may be used to prevent a State from implementing its own State laws that authorize the use, distribution, possession, or cultivation of industrial hemp, as defined in section 7606 of the Agricultural Act of 2014 (Public Law 113–79).

EXTENSIONS OF REMARKS

HONORING THE PERMIAN BASIN HONOR FLIGHT

HON. K. MICHAEL CONAWAY
OF TEXAS
IN THE HOUSE OF REPRESENTATIVES

Monday, June 1, 2015

Mr. CONAWAY. Mr. Speaker, I rise to recognize the 82 Veterans from West Texas who will be visiting our Washington, D.C., this week, sponsored by the Permian Basin Honor Flight. On behalf of a grateful state and nation, we welcome these heroes to the nation's capital.

The Veterans on this Honor Flight are: Clinton Adams, James Barbee, Johnny Barbee, Jerry Barker, Mike Barker, Emil Baker, Louie Bramley, Ewel Butler, Robert Caldwell, Oscar Campbell, Thomas Chandler, James Clark, Billy Cobb, Bert Cornelius, Gordon Cornelius, D.W. Day, David Dixon, Ruth Eaton, Reymundo Falcon, Othal Ike Fitzgerald, Jerry Flippin, Donothan Flourney, Ellis Fulton, Richard Galloway, Hector Garcia, Oscar Gonzales, Sipriano Gonzales, Andrew Greenfield, Martin Hammer, Wilbur Harkness III, Wilbur Harkness, Joshua Hernandez, Leonardo Hernandez, Andres Hernandez, Elyceo Herrera, Jimmy Herrera, Manuel Herrera, Ruben Herrera, Eugene Hirt, Ezra Holliman, Franklin Hughes, James Ingram, Bobby Jumper, Demencio Luna, Demencio Luna, Catarino Martinez, Pedro Martinez, Windord McClure, Jerry McNeese, James Merriman, Roy Miller, Ronnie Millsap, Linvel Mosby, Lloyd Munoz, Sylvia Munoz, Ellis Norwood, Maria Pauls, Charles Pinkerton, Dewayne Poindexter, Clifford Ray, William Reed, Rosendo Reyes, Joseph Rhode, Barney Rodriguez, Benny Rogers, Darrell Sanders, Frank Sandoval, Donald Schwartz, George Schwartz, Ernest Showalter, Harold Stallcup, Steven Stone, Frank Taylor, John Urban, Randy Vest, Robert Vest, Harry Washam, Val Wilcox, Charles Wolf, James Woods, James Woodwick, and Woody Wayne.

Mr. Speaker, I am humbled to have the opportunity to meet these brave men and women who exemplify the best of our country. Their sacrifice and commitment to duty to our nation can never be fully repaid, and I hope that when they visit our nation's monuments in Washington, D.C., the gratitude and respect we have for them will truly be reflected.

Colleagues, please join me in thanking these veterans and their families for their exemplary dedication and service to this great nation. I would also like to extend a special thank you to the local communities, all of the volunteers, and Mr. Jeremy West and Mr. John West for their extensive work in organizing this Honor Flight. This trip would not have been possible without all the financial and emotional support of the people who have put in so much hard work and personal time to make sure this trip could be possible.

HONORING THE RETIREMENT OF MR. HERSHELL E. WOLFE

HON. ROBERT J. WITTMAN
OF VIRGINIA
IN THE HOUSE OF REPRESENTATIVES

Monday, June 1, 2015

Mr. WITTMAN. Mr. Speaker, I rise today to honor a dear friend and exemplary public servant, Mr. Hershell E. Wolfe, for his 46 years of dedicated, distinguished, and admirable service to our nation. Mr. Wolfe retires on May 29, 2015, leaving behind a legacy of excellence and devotion to the United States Army and the Federal government.

Mr. Wolfe entered the Senior Executive Service following a 33-year career in the United States Army. From 1997 to 2002, Colonel Wolfe served as the Assistant Chief, Medical Service Corps and Consultant to the Army Surgeon General for Environmental Science and Engineering. In this capacity he managed the Army careers of several hundred Preventive Medicine officers and provided professional consultation to the Army Surgeon General, the Army Medical Department, the Army Staff, Department of Defense, other military departments and Federal agencies. In 2002, Mr. Wolfe became the Special Assistant for Environment, Safety and Occupational Health, and served as the principal advisor and provided senior staff leadership on all environmental, safety, occupational and environmental health issues for nearly two years.

In his final assignment, Mr. Wolfe served as the Deputy Assistant Secretary of the Army for Environment, Safety and Occupational Health. His responsibilities spanned a global organization that includes a $1.5 billion annual environmental program and oversight for the safety and occupational health of over 1.2 million Soldiers and Army Civilian employees worldwide. Mr. Wolfe has provided exceptional leadership for all Army sustainability, environment, natural resources, safety and occupational health programs over the past eleven years.

Mr. Wolfe earned a B.S. from East Tennessee State University and a Masters of Public Health in Occupational Health and Industrial Hygiene from the University of Texas. His recognitions are many, but a few are the Defense Meritorious Service Medal and the Legion of Merit, Army and Defense Staff Badges, the Order of Military Medical Merit, the "A" prefix awarded by the Army Medical Department, and Adjunct Assistant Professor for Preventive Medicine and Biometrics at the Department of Defense Uniform Services University of Health Sciences. Mr. Wolfe authored and established Department of Defense Instruction 1010.15, Smoke-Free Workplace and is a plank holder of the Army's health hazard assessment program.

Mr. Wolfe can certainly reflect on his 46 years of service with pride and satisfaction. I want to commend Mr. Wolfe for his service and dedication to our Armed Services and our nation. I wish the very best as he starts a new journey and exceptional chapter of his life. I wish him and his wife Lois all the best in their much-deserved retirement.

MRS. SYBIL MERVIS

HON. JOHN SHIMKUS
OF ILLINOIS
IN THE HOUSE OF REPRESENTATIVES

Monday, June 1, 2015

Mr. SHIMKUS. Mr. Speaker, I rise today to acknowledge Mrs. Sybil Mervis of Danville, IL, for being named regional Outstanding Philanthropist for 2015.

Noted for her civic involvement and charitable activities by the Association of Fundraising Professionals of East Central Illinois, Sybil Mervis has achieved an enviable record of philanthropy, especially in the areas of education, art, and faith.

I salute Sybil Mervis, who has given so much to her hometown, and thank her for her philanthropy.

RECOGNIZING DR. FARUK KOREISHI FOR RETIREMENT AFTER 40 YEARS OF PUBLIC SERVICE

HON. BRIAN HIGGINS
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES

Monday, June 1, 2015

Mr. HIGGINS. Mr. Speaker, I stand before you today to recognize and congratulate Dr. Faruk Koreishi on his retirement after serving 40 years with the Retina Consultants of Western New York. Dr. Koreishi is the founder of the Retina Consultants of Western New York and has dedicated his career to not only bringing vitally important vitreoretinal surgery to Western New York but also to serving his community.

Dr. Koreishi was the very first physician in the Western New York area who was dedicated to the practice of vitreoretinal surgery. This type of surgery focuses on the vitreous fluid which fills the eye. Among his many accomplishments is the fact that he performed vision-saving surgery on then-Buffalo Mayor Anthony Masiello.

While working to help those suffering from severe vision impairments Dr. Koreishi was also an active and engaged member of his community. He served on the board of the Islamic Society of the Niagara Frontier, the Family Justice Center, and the Coalition for the Advancement of Muslim Women. He has also been a large supporter of various other organizations such as the Western New York

Food Bank, Hospice of Buffalo, Meals on Wheels, the Salvation Army, and the public television station WNED.

Mr. Speaker, thank you for allowing me a few moments to honor and recognize Dr. Faruk Koreishi. I ask that my colleagues join me in congratulating Dr. Koreishi on an accomplished career, and to commend him for the exemplary work he has done to enrich the communities of Western New York.

HONORING THE SUCCESS OF DANIEL K. CHURCH

HON. SUZAN K. DelBENE

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Monday, June 1, 2015

Ms. DELBENE. Mr. Speaker, I rise today to honor Daniel K. Church, President of Bastyr University, who will be retiring from his position on June 30, 2015.

Building on the work of the University's founders and his predecessors, Dr. Church has led Bastyr University to preeminence in the field of natural medicine. The school is now respected worldwide as one of the leading academic centers for the natural arts and sciences.

Over his ten-year tenure as President, the University has grown to become one of the most trusted resources for understandable, useful and evidence-based information on healthy living. It is widely regarded for excellence in providing innovative academic programs that are deeply rooted in the historical teachings of natural health, while also incorporating the most up-to-date data to address human health.

I greatly admire Dr. Church for his accomplishments, including creating nine new accredited degree programs, supporting the achievement of the United Nations Millennial Development Goals, and contributing to the 24 percent growth of the Bastyr student body, among many others.

Dr. Church has embodied the very best attributes of a respected leader and has led the University to a position where it has never been stronger and more capable of fulfilling its mission. He will truly be missed.

I want to congratulate Dr. Church on his remarkable achievements and successful tenure, and I thank him for his commitment to health and education.

TRADE AND MANUFACTURING IN OHIO

HON. PATRICK J. TIBERI

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, June 1, 2015

Mr. TIBERI. Mr. Speaker, I rise today to recognize our American manufacturers. As we work to expand American manufacturing by knocking down barriers so American exporters can sell their products all over the world while creating jobs here at home—manufacturers are taking a beating. Not because jobs are disappearing—they aren't—but because so many people, including members of this Chamber, are spreading outright lies about the impact of American trade agreements.

One company with plants in my home state of Ohio continues to be cited as a company that's virtually shuttered their American plants because of NAFTA. It's astounding because it's not true. Twenty-two thousand Whirlpool workers, including 15,000 manufacturing employees—makers of iconic brands like Whirlpool, Maytag, KitchenAid, Jenn-Air, and Gladiator—are likely shocked to hear these words because not only are they headquartered in Michigan, more than 80 percent of Whirlpool's products sold in the United States are made in the United States. I recently heard one opponent of trade say on this Floor that Maytag washers are being imported from Mexico. In reality Maytag builds almost all of their washers sold in the U.S. right in my home state of Ohio. They come from Ohio communities like Clyde, Marion, Greenville, Ottawa, and Findlay, not to mention from Whirlpool plants in Tennessee, Oklahoma and Iowa. It's not just Whirlpool employees who benefit; the company has 4,900 direct and indirect U.S. suppliers, supporting even more American jobs.

Not only does Whirlpool maintain a strong U.S. manufacturing presence, they've actively been reshoring—bringing manufacturing jobs back to America. Shortly after acquiring and restructuring Maytag 10 years ago, Whirlpool began repatriating laundry manufacturing from Germany and Mexico to their Clyde, Ohio plant—the world's largest laundry facility. Since then, they also have brought back hand mixer manufacturing from China and commercial laundry production from Mexico, creating approximately 500 new jobs in the process, not to mention increasing U.S. exports.

Don't believe the hyperbole . . . believe the numbers. One in five jobs in Ohio depends on trade. Trade-related jobs pay 18 percent more than non-trade jobs. With new trade agreements, barriers will be removed so Whirlpool and other manufacturers have the opportunity to sell their American-made products overseas. Let's spread the truth . . . trade supports American jobs and increased trade will build a healthier American economy.

HONORING DR. JUDY BONNER AND HER COMMITMENT TO ALABAMA GIRLS STATE

HON. BRADLEY BYRNE

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 1, 2015

Mr. BYRNE. Mr. Speaker, I rise today to honor Dr. Judy Bonner, President of the University of Alabama, for her leadership and commitment to the Alabama Girls State program. Throughout her career, Dr. Bonner has encouraged young women to set high goals and never give up on their dreams.

As a child, her father would cut out articles from newspapers about impressive achievements by women around the world. So from an early age, Dr. Bonner learned to dream beyond the confines of her charming hometown of Camden, Alabama.

In 1964, Dr. Bonner was selected by her school to attend Girls State, which was held at Huntingdon College in Montgomery. There she made many friends and learned a great deal about how our state and local governments work. While many things inspired Dr. Bonner over the years, Alabama Girls State certainly made a big impression.

Dr. Bonner went on to serve as President of the Future Homemakers of America, was selected as ''Most Intelligent'' in the Who's Who of her senior class, and served as editor-in-chief of her high school newspaper, The Tiger Rag. She received her Bachelor of Science and Master of Science degrees from The University of Alabama and her doctorate from Ohio State University.

Girls State helped motivate Dr. Bonner to do great things in her life and to have a positive impact on her community and state. It is only fitting that Dr. Bonner would go on to become the first female President of the University of Alabama and the first female President from a school in the Southeastern Conference.

Under her leadership, Dr. Bonner has guided The University of Alabama through record-breaking growth and expansion. University of Alabama System Chancellor Dr. Robert E. Witt is quoted as saying, ''I can say firsthand that she is one of the most intelligent, well-focused and forward thinking academic administrators in the nation.''

During her tenure at Alabama, Dr. Bonner has continued to play a key role in the Alabama Girls State program. She successfully recruited the American Legion Auxiliary's Girls State program to the campus of the University of Alabama in 2013. This year, Dr. Bonner will once again have a key impact on the over 350 young women taking part in the Girls State program.

Mr. Speaker, I applaud Dr. Bonner for her continued commitment to inspiring and motivating young women in Alabama and across the United States to reach beyond ordinary expectations and never give up on their dreams.

HONORING THE PASSING OF MR. SEBASTIAN J. BRUSCA

HON. ROBERT J. WITTMAN

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 1, 2015

Mr. WITTMAN. Mr. Speaker, I rise today to recognize the passing of Mr. Sebastian J. Brusca, of Williamsburg, VA. Mr. Brusca passed away peacefully on May 2, 2015, where he joins his wife, Antoinette. He is survived by his four children: Rita Brusca Schmidt, Salvatore Brusca, Carol Panholzer, and James Brusca, and his four grandsons: J.R. Craig, Justin Panholzer, and Matthew Brusca. Mr. Brusca was a loving father, grandfather, and family man. Mr. Brusca was also a loyal patriot who served in the Marine Corp during WWII and was an active member in his local DAV, VFW, and the Young at Heart. Mr. Brusca will be dearly missed by his fellow veterans as well as his family and friends.

HONORING LA GRANGE POLICE SERGEANT MARGE KIELCZYNSKI FOR 36 YEARS IN LAW ENFORCEMENT

HON. DANIEL LIPINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, June 1, 2015

Mr. LIPINSKI. Mr. Speaker, I rise today to honor La Grange Police Sergeant Marge Kielczynski, who is retiring from the La Grange Police Department after 36 years in law enforcement.

Sergeant Kielczynski, affectionately known as ''Sarge Marge,'' received her Bachelor's Degree in criminal justice from Lewis University and her Master's Degree in Management & Organizational Behavior from Benedictine University. She is a life-long resident of La Grange, and her outstanding service has made her a valuable asset to the community. In partnership with her local YMCA, Kielczynski organized Mom's GED—a program which provided training to predominately single mothers who had been forced to drop out of high school. Kielczynski also oversaw several programs designed to aid at-risk youths and encourage volunteer work, including Kids at Work, Friday Night Family Gym, and Cops 'N' Kids.

Sergeant Kielczynski has also served as an international ambassador for our nation's law enforcement. In Europe, she worked with the Romanian National Police as they transitioned from a military to civilian police force. Additionally, she served as an instructor and guest speaker at Police Academies in France, Monaco, Slovenia, Germany, Spain, and South Africa.

Sergeant Kielczynski's colleagues in the La Grange Police Department identify her as an exceptional leader and mentor. She is widely known and loved throughout the village and the surrounding areas. I have had the privilege of personally witnessing the positive impact that ''Sarge Marge'' has had on her community.

Mr. Speaker, I ask my colleagues to join me in thanking Sergeant Marge Kielczynski—''Sarge Marge''—for her many years of service to her community and wish her the best in her future endeavors.

2015 MAJOR NORMAN HATCH AWARD WINNER, BOB ZIMMERMAN

HON. JOHN SHIMKUS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, June 1, 2015

Mr. SHIMKUS. Mr. Speaker, I rise today to acknowledge the 2015 Major Norman Hatch Award being awarded to filmmaker Bob Zimmerman of Tuscola, Illinois.

On April 25, 2015, the Marine Corps Heritage Foundation presented this award to Zimmerman during a special ceremony at the National Museum of the Marine Corps. These annual awards go to Marines and civilians from across the nation to recognize their work in preserving Marine Corps history. Zimmerman received the Feature Documentary award for his work, Rise of the Valiant.

Zimmerman's documentary is the story of veterans from the 6th Marine Division, starting with their enlistment through their return home during World War II. The documentary combines interviews, war footage, and photographs to mainly focus on the 82-day Battle of Okinawa that claimed 250,000 lives.

Footage and photographs from the National Archives, the Marine Corps History Division, the National Museum of the Pacific War, and personal collections, combined with historical commentary from Bill Sloan bestir this extraordinary work. I would like to extend my congratulations to Bob Zimmerman on his distinguished accomplishment.

TRIBUTE TO THE HONOR FLIGHT OF OREGON

HON. GREG WALDEN

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Monday, June 1, 2015

Mr. WALDEN. Mr. Speaker, I rise to recognize the 26 World War II veterans from Oregon who will be visiting their memorial this Saturday in Washington, D.C. through Honor Flight of Oregon. On behalf of a grateful state and country, we welcome these heroes to our nation's capital.

The veterans on this flight from Oregon are: Howard L. Huffman, Army; John Kincaid, Army; Thomas D. Lloyd Sr., Army; Richard P. Swanson, Army; Harold Von Werner, Army; Alfred Willstatter, Army; Wallace Wilson, Army; Albert J. Bochsler, Army Air Force; Lincoln G. Ekman, Army Air Force; Douglas I. Ernst, Army Air Force; Ernest L. Henderson, Army Air Force; Richard I. Kuehl, Army Air Force; Leonard E. Lonigan, Army Air Force; William D. McDonald, Army Air Force; Richard A. Wright; Army Air Force; Edwin H. Bietshek, Merchant Marines; Walter F. Behrle, Navy; Gerald J. Bowerly, Navy; Darrell D. Ervin, Navy; Otis E. Huskey, Navy; William E. Kelly, Navy; Nathan D. Laster, Navy; Clyde C. Martin, Navy; Paul W. Morgan, Navy; Wayne E. Sparks, Navy; and David G. Wienecke, Navy.

These 26 heroes join more than 138,000 veterans from across the country who, since 2005, have journeyed from their home states to Washington, D.C. to reflect at the memorials built in honor of our nation's veterans.

Mr. Speaker, each of us is humbled by the courage of these brave Americans who put themselves in harm's way for our country and way of life. As a nation, we can never fully repay the debt of gratitude owed to them for their honor, commitment, and sacrifice in defense of the freedoms we have today.

My colleagues, please join me in thanking these veterans and the volunteers of Honor Flight of Oregon for their exemplary dedication and service to this great country. I especially want to recognize and thank Gail Yakopatz for her tireless work as president of Southern Oregon Honor Flight.

HONORING THE ACCOMPLISHMENTS OF LIEUTENANT COMMANDER JAY W. GUYER

HON. CANDICE S. MILLER

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Monday, June 1, 2015

Mrs. MILLER of Michigan. Mr. Speaker, I rise today to recognize the service and dedication of Lieutenant Commander Jay Guyer, who is leaving his post as Deputy U.S. Coast Guard Liaison to the House of Representatives.

During his time as a liaison to the House, Lieutenant Commander Guyer was a consummate professional who exemplified the Coast Guard's values of honor, respect, and devotion to duty. Over the last three years, Lieutenant Commander Guyer's extensive knowledge of Coast Guard operations and strategic priorities has been invaluable to the Members of the Coast Guard's oversight Committees as critical decisions were made in an era of lean budgets.

Lieutenant Commander Guyer was instrumental in the education of Congressional Members and staff on Coast Guard missions, operations, and significant recapitalization needs. Lieutenant Commander Guyer worked tirelessly to showcase interagency operations throughout the Department of Homeland Security, highlighting the interoperability of homeland security agencies along the California coastline and leading delegations that examined the national security impact of illicit maritime smuggling throughout the Caribbean.

The men and women who serve as Congressional Liaisons make significant contributions to the success of the Coast Guard through their work with the Congress. Most notably, Lieutenant Commander Guyer played a key role in the transfer of 14 C–27J Spartan aircraft from the Air Force, avoiding over $500 million in Coast Guard acquisition costs. His continued support for vital recapitalization and modernization efforts was integral throughout the 113th and 114th Congresses.

Lieutenant Commander Guyer's extensive knowledge of the Coast Guard's response operations ensured oversight committees were kept continually apprised of rapidly unfolding events during Hurricane Sandy, the Boston Marathon bombing, and surges in alien-migrant interdiction operations. On a personal note, he has been a tremendous help to me and my staff, especially in coordinating oversight of the Coast Guard's vital missions on the Great Lakes.

I would like to thank Lieutenant Commander Guyer for his dedication and service in this challenging position and congratulate him on his upcoming position as Executive Officer on Coast Guard Cutter *THETIS* in Key West, Florida.

I wish Lieutenant Commander Guyer fair winds and following seas as he continues his outstanding service to our Nation and thank his wife, Jennifer, and his children, Adam, and Kaitlin for their continued support to the Coast Guard family.

HONORING AMERICAN LEGION POST #1871 45TH ANNIVERSARY

HON. ELIOT L. ENGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, June 1, 2015

Mr. ENGEL. Mr. Speaker, all across America, hundreds of American Legion programs are actively engaging in their respective communities, making the neighborhoods in which they operate better places to live. In New York's 16th Congressional District, which I represent, American Legion Post 1871 in Co-op City is celebrating its 45th year of actively engaging and strengthening the bonds between the residents in the Co-op City community.

Legion Post 1871 was chartered October 27, 1970 as a veteran organization devoted to mutual helpfulness. The organization has gained a reputation as being one of the nation's most active groups of veterans. The programs run by the members, or Legionnaires, include everything from youth mentorship to wholesome family events. American Legion Baseball, which Post 1871 participates in, is one of America's most successful youth programs, educating young people about the importance of sportsmanship, citizenship and fitness. And every time one of those remarkable events takes place, Post 1871 is advocating patriotism, honor, and the promotion of strong national security.

Legion Post 1871 is also very active with issue advocacy, and often takes a stand on issues most important to the nation's veterans community through the passage resolutions passed by the volunteer leadership.

Legion Post 1871 has also benefitted over the years by having strong Commanders at the helm, no surprise considering the array of decorated service members in the Legionnaires' ranks. Sol Cohen served as the very first Commander, and was later followed by Harley J. Mosley Sr., who became the post's longest serving leader. Past Commander Robert Feliciano became the first member from Post 1871 to serve as Bronx County Commander, and in 2012 Jerome L. Rice became the first Commander from the post to have been both selected and graduated from the National American Legion College.

Legion Post 1871 has been a pillar of patriotism and strength in the community for 45 years, and I am honored to recognize their leaders and members for all of their incredible efforts. The work this fine organization has performed in and around Co-op City has unquestionably left an indelible mark on the community for the better, and I am certain they will continue to do so for many more years to come. Congratulations to the Legionnaires on this wonderful anniversary.

IN RECOGNITION OF SUTTER MEDICAL CENTER, SACRAMENTO ON THE COMPLETION OF THE ANDERSON LUCCHETTI WOMEN'S AND CHILDREN'S CENTER

HON. DORIS O. MATSUI

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 1, 2015

Ms. MATSUI. Mr. Speaker, I rise today to recognize Sutter Medical Center, Sacramento and its employees as the Center celebrates the opening of the Anderson Lucchetti Women's and Children's Center. Sutter Medical Center, Sacramento is a community based, not-for-profit hospital, with the mission of enhancing the well-being of the people in the communities it serves through a commitment to compassion and excellence in health care services.

Sutter Health does more than just deliver quality health care. Sutter Health serves as a major economic driver, with more than 12,000 employees in the greater Sacramento Region. Moreover, Sutter Health provided more than $100 million in Community Benefit and Charity Care investments to the underserved in the Sacramento community in 2014 alone.

Sutter Medical Center, Sacramento is embarking on a new era in its mission to deliver the latest and highest quality health care. The new Anderson Lucchetti Women's and Children's Center and the comprehensive renovation of Sutter General Hospital into the Ose Adams Medical Pavilion are opening in the coming weeks. It has resulted in a state-of-the-art medical campus designed to meet the growing health care needs of the greater Sacramento region.

The medical center renovation project required an investment of $750 million and created nearly half a million square footage of new space. This new facility will allow Sutter Health to bring its medical expertise, technology and patient-focused care into one easily accessible campus to better serve the greater Sacramento community. By locating all primary and specialty care services in a central location, patients and families will gain faster and easier access to needed medical services.

The 242-bed Anderson Lucchetti Women's and Children's Center is a 10-story acute-care hospital, where patients and their families can obtain the highest level of neonatal and pediatric intensive care services, pediatric cardiac care, pediatric neurosurgery services, pediatric cancer services, high-risk and conventional maternity services. When the new hospital officially opens on August 8th, it will replace Sutter Memorial Hospital as Sacramento's ''baby hospital'' and home to the Sutter Children's Center.

Additionally, Sutter General Hospital has been significantly renovated, transforming it into the 274-bed Ose Adams Medical Pavilion. These two acute-care facilities are connected seamlessly by a unique, three-story spanning structure across L Street that also houses clinical space. This effectively blends the two facilities into one comprehensive medical campus.

Mr. Speaker, as Sutter Health's staff, patient, and the Sacramento community come together to celebrate the opening of the Anderson Lucchetti Women's and Children's Center, I ask all my colleagues to join me in congratulating Sutter Health on completion of this integrated medical campus and in thanking Sutter Medical Center, Sacramento for the quality care it provides every patient who walks through its doors.

HONORING EDEN SKOOP AWARDED THE BEST-IN-CLASS AND PERFECT ATTENDANCE AWARDS

HON. THEODORE E. DEUTCH

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 1, 2015

Mr. DEUTCH. Mr. Speaker, I rise today in honor of Eden Skoop, a graduating senior from Marjory Stoneman Douglas High School, who has been awarded the Best-in-Class and Perfect Attendance Awards from the Broward County School District Attendance Committee.

The Best-in-Class Award is presented to students who have been continuously enrolled in Broward County Public Schools from kindergarten through 12th grades, with the best attendance. Eden has not missed a single day of school since entering kindergarten 13 years ago, for a total 2,340 school days. She has demonstrated a sincere commitment to her education and the Broward school community. The amount of time and effort she has committed to her education is truly admirable and exhibits a level of passion worthy of recognition.

I happily congratulate Eden and wish her best of luck as she continues her academic pursuits in the Honors Program at American University. It is with great pleasure that I honor her, and I know that she will continue to inspire young South Floridians to live by her example.

CELEBRATING THE CENTENNIAL ANNIVERSARY OF FORT LAUDERDALE HIGH SCHOOL

HON. LOIS FRANKEL

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 1, 2015

Ms. FRANKEL of Florida. Mr. Speaker, I rise today to celebrate the centennial anniversary of Fort Lauderdale High School, a vibrant and innovative school in South Florida. The home of the Flying L's that opened its doors in 1915 to a graduating class of 5 people has now grown to a diverse community of more than 2,100 students.

Fort Lauderdale High School is celebrating a long history of academic excellence. It has consistently been ranked among the best public high schools, not only in Florida but also across the nation, with US News awarded Fort Lauderdale High School the silver medal for education in 2015.

Under the current leadership of Principal Priscilla Ribeiro, the school is working to meet

the needs of a new generation, offering students many opportunities through a state-recognized magnet program, an array of Advanced Placement courses, a competitive athletic program, as well as an active alumni community. The school continues to strive to embrace their motto, ''Strong and True, White and Blue.''

In honor of Fort Lauderdale High School's centennial anniversary, I want to congratulate the faculty, administration, students, and alumni on all of their successes and wish them a bright and prosperous future.

HONORING MR. JOE LOMBARDO

HON. EARL L. ''BUDDY'' CARTER

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 1, 2015

Mr. CARTER of Georgia. Mr. Speaker, I rise today to recognize Mr. Joe Lombardo for his contributions to the aerospace industry, General Dynamics and Gulfstream Aerospace, the largest private employer in the First District of Georgia.

Mr. Joe Lombardo's career in the aerospace industry spans over 40 years, beginning in 1975 when he worked two different program operations at Douglas Aircraft, a division of McDonnell Douglas Corporation. Mr. Lombardo's disciplined and systematic approach to aviation production operations led to his recruitment by Gulfstream in 1996. He started as vice president of Co-Production and was vital to the successful ramp-up and dual production of the Gulfstream IV-SP and Gulfstream GV. His visionary leadership and commitment to Lean practices transformed Gulfstream's Savannah-based manufacturing facility from a single to a dual production line, a practice that continues today. He served as the company's chief operating officer and then president from 2007 until 2011. Mr. Lombardo was instrumental in the development of the Gulfstream G650 and Gulfstream G280. Since 1997, he has also served as the executive vice president of the Aerospace Group for General Dynamics.

Prior to his career at Gulfstream, Mr. Lombardo earned a bachelor's degree in sociology from San Diego State University and a master's degree in business administration from California State University Long Beach. Mr. Lombardo received the National Management Association's Silver Knight award and was recognized for his leadership in aviation when he was awarded the Cliff Henderson Trophy by the National Aeronautic Association in 2012. Mr. Lombardo served on the Corporate Angel Network's board of directors and as the Chairman of the Board of Governors of Ocean Exchange.

Mr. Speaker, I am honored to join Mr. Joe Lombardo's colleagues, family, and friends in celebrating many years of hard work and dedication to our community and our Country.

HONORING THE 10TH ANNIVERSARY OF HYUNDAI MOTOR MANUFACTURING ALABAMA

HON. TERRI A. SEWELL

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 1, 2015

Ms. SEWELL of Alabama. Mr. Speaker, it is an honor to represent the vibrant community of Montgomery, Alabama—which includes constituents from Alabama's second, third, and seventh congressional districts—alongside with my colleagues Representatives MARTHA ROBY and MIKE ROGERS.

Montgomery is the proud home of Hyundai Motor Manufacturing Alabama (HMMA), and today we would like to congratulate Hyundai on celebrating an incredible milestone—its 10th anniversary of manufacturing vehicles in the United States—on Wednesday, May 20, 2015.

HMMA is responsible for more than 35,000 direct and indirect jobs throughout Alabama and has had an economic impact of nearly $4 billion in the state. Additionally, approximately 75 suppliers throughout North America support the Hyundai plant and provide jobs for over 6,000 people.

Since breaking ground in 2002, Hyundai has invested over $1.8 billion in the Montgomery facility, which is now recognized as being one of the most advanced and efficient manufacturing and assembly plants in the world.

Over 3,700 Hyundai Team Members at the Montgomery plant are building Hyundai's Sonata and Elantra sedans. In previous years, Team Members have also built the Hyundai Santa Fe sport utility vehicle.

With annual production capacity now approaching 400,000 vehicles, Hyundai Team Members will soon reach another milestone as they build the plant's 3 millionth vehicle in the coming weeks.

We are also proud to recognize Hyundai for its efforts to recruit students from the surrounding area for internships. Internships are often valuable stepping stones for future careers. Each year, Hyundai selects students from Alabama State University, the University of Alabama and Auburn University to participate in summer internships. College students are given the opportunity to work 10 weeks during the summer in a variety of roles supporting the finance, accounting, human resources, legal, public relations, part logistics, engineering and maintenance departments. Hyundai also selects students from Trenholm Technical College to participate in an intern maintenance program.

On a personal note, Hyundai has worked closely with my office to promote Project READY, an initiative I launched in 2013 to promote workforce development and job creation throughout the 7th Congressional District. Representatives from Hyundai's human resources department have served as presenters during our Project READY workforce development seminars in Montgomery, and have recruited talented employees at each of the 7th Congressional Job Fairs since 2012.

Hyundai is truly committed to the people of Alabama's River Region as well as its U.S. consumers, and we are proud to have Hyundai as a leading corporate citizen in our community.

IN SPECIAL RECOGNITION OF ROSS CAYWOOD ON HIS OFFER OF APPOINTMENT TO ATTEND THE UNITED STATES MILITARY ACADEMY

HON. ROBERT E. LATTA

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, June 1, 2015

Mr. LATTA. Mr. Speaker, it is my great pleasure to pay special tribute to an outstanding student from Ohio's Fifth Congressional District. I am pleased to announce that Ross Caywood of Perrysburg, Ohio has been offered an appointment to the United States Military Academy in West Point, New York.

Ross' offer of appointment poises him to attend the United States Military Academy this fall with the incoming Class of 2019. Attending one of our nation's military academies not only offers the opportunity to serve our country but also guarantees a world-class education, while placing demands on those who undertake one of the most challenging and rewarding experiences of their lives.

Ross brings an enormous amount of leadership, service, and dedication to the incoming Class of 2019. While attending Perrysburg High School in Perrysburg, Ohio, Ross was consistently on the honor roll, academic all-Ohio, and graduated with cum laude honors.

Throughout high school, Ross was a member of his school's wrestling and football teams, having excelled at wrestling being the 2014 Division 1 State Champion in Ohio. I am confident that Ross will carry the lessons of his student and athletic leadership to the Military Academy.

Mr. Speaker, I ask my colleagues to join me in congratulating Ross Caywood on the offer of his appointment to the United States Military Academy. Our service academies offer the finest military training and education available. I am positive that Ross will excel during his career at the Military Academy, and I ask my colleagues to join me in extending their best wishes to him as he begins his service to the Nation.

IN TRIBUTE TO THE HONORABLE PEG LAUTENSCHLAGER

HON. GWEN MOORE

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Monday, June 1, 2015

Ms. MOORE. Mr. Speaker, I rise today to recognize Former Attorney General Peg Lautenschlager, who is being honored by ''Emerge Wisconsin'' on June 3, 2015. Attorney Peg Lautenschlager has not only been a leading voice for women but has served as a mentor and supporter of women, a Democratic leader, and a defender of civil and human rights during her 30 plus year career.

Attorney Peg Lautenschlager is a native of Fond du Lac, Wisconsin where she continues

to reside. She is a Phi Beta Kappa graduate of Lake Forest College, honoring in history and mathematics and a graduate of the University of Wisconsin Law School. She is married to her soul mate Bill Rippl, a retired police officer from the city of Neenah, Wisconsin, and has five children.

Attorney Peg Lautenschlager has shattered many glass ceilings along the way as a woman and as a Democrat: she served as the first woman District Attorney for Winnebago County, Wisconsin; she was elected to the Wisconsin State Assembly beating a 32-year Republican incumbent and was the first democrat elected to this seat since the Great Depression and she was the first woman to represent her district; she was appointed U.S. Attorney for the Western District of Wisconsin by President Bill Clinton and was the first woman to serve in that office; she was elected Wisconsin Attorney General and was the first woman Attorney General for the State of Wisconsin. Lautenschlager is a former member of the Wisconsin State Elections Board, the Governor's Council on Domestic Abuse, the Democratic National Committee and the Oshkosh Rape Crisis Center. Since leaving public office, Peg is a practicing lawyer and educator. She has worked tirelessly to help other Democrats, women and disenfranchised people.

Mr. Speaker, I am proud to recognize my friend and former colleague in the Wisconsin State Assembly, Attorney Peg Lautenschlager. Peg and her family have become a part of my family and she is a confidante. I am both privileged and blessed to have her support, loyalty, and friendship. Attorney Peg Lautenschlager's legacy is not just her family but the countless women and Democrats who follow in her footsteps. The citizens of the Fourth Congressional District, the State of Wisconsin and the nation have benefited tremendously from her dedicated service. I am honored for these reasons to pay tribute to Attorney Peg Lautenschlager.

IN RECOGNITION OF THE RETIREMENT OF ROLANDA DUCHESNE AFTER THREE DECADES OF SERVICE AT GRANITE UNITED WAY OF NEW HAMPSHIRE

HON. ANN M. KUSTER

OF NEW HAMPSHIRE

IN THE HOUSE OF REPRESENTATIVES

Monday, June 1, 2015

Ms. KUSTER. Mr. Speaker, I rise in recognition of Rolanda Duchesne on the occasion of her retirement from Granite United Way of New Hampshire. Rolanda is embarking on a well-earned retirement after 33 years as a dedicated public servant, working to help her neighbors in need of assistance in New Hampshire's North Country. Be it flood or fire, hunger or shelter, dislocation or disaster, Rolanda's efforts at the United Way have brought relief and hope to hundreds of people in distress.

Rolanda served for almost 30 years as the Executive Director of United Way of Northern New Hampshire, until it merged with the other regional United Way organizations throughout the state to become Granite United Way. Since then, she has served as Director of Community Impact for the Northern Region.

Rolanda's commitment to service does not stop with her day job. She is the town welfare officer in her community of Milan, a Justice of the Peace, and a Notary Public. She is on the Advisory Board of Health and Human Services at White Mountain Community College, a Fellow at the University of New Hampshire's Carsey Institute, and a Member of the New Hampshire Charitable Trust's North Country Board.

During her tenure in the North Country, Rolanda has witnessed a rash of mill closings, high unemployment, natural disasters, and an economy in freefall. Yet even when it affected her own family, she did everything in her power to meet the needs of the communities around her. People were warm during the cold winters, food banks were well-stocked for the hungry, and children had clothes for school.

Her life in service is one that is rarely matched. Thus, it is my honor to recognize and thank Rolanda for her outstanding citizenship and service to her neighbors, the Granite State, and the United States. I wish her a happy retirement and wish her the best of luck on the adventures to come.

COMMEMORATING THE SAMOAN EXILES

HON. GREGORIO KILILI CAMACHO SABLAN

OF THE NORTHERN MARIANA ISLANDS

IN THE HOUSE OF REPRESENTATIVES

Monday, June 1, 2015

Mr. SABLAN. Mr. Speaker, on June 20 a group of seventy-two Samoans who were exiled from their home to my home, the Northern Mariana Islands, will receive the ceremonial farewell they were never given—one hundred years late.

Allow me to add the story of their exile to the CONGRESSIONAL RECORD, where it may be held in trust and remembered. And let me acknowledge the work of historian Scott Russell in assembling these details.

In May 1909, the seventy-two Samoans, 10 chiefs, their families and servants were exiled to the island of Saipan in the Mariana Islands by the governor of German Samoa Wilhelm Solf. These chiefs were involved in a movement known as the Mau a Pule (the opinion of Pule) which sought to reinstate traditional Samoan practices abolished by the German colonial regime in the late nineteenth century. The leader of the movement was Lauaki Namulau'ulu, an orator of high standing from Safotulafai, one of the most senior villages in Savai'i. Lauaki and his followers, however, failed to secure support from other factions in Samoa and they were subsequently exiled to distant Saipan by Governor Solf.

The Samoans established themselves on Saipan just south of the village of Tanapag. They built eleven fale, the distinctive round Samoan residential house, one each for the ten chiefs and one for the Samoan pastor and his family who accompanied the chiefs in exile. The German administration provided each family with tools, seeds and livestock. Water was brought in by bamboo piping from nearby Saddok Agaton and the people of Tanapag gave their new neighbors assistance. It is reported that the Samoans acclimated well since Saipan's environment was very similar to that of their homeland. The Samoans remained on Saipan until June 1915 when they were repatriated home by the Japanese military administration that had been on the island since October 1914.

The story of these political exiles was almost lost in time. No significant body of oral history regarding the Samoans survives in the Marianas. Local recollections about the Samoan presence are limited to a couple short magazine articles dating to the late 1960s. And the German, Japanese, and New Zealand/British government records associated with this event have not been readily available.

In the late 1990s, however, the Division of Historic Preservation of the Commonwealth of the Northern Mariana Islands did acquire an account written by the youngest exiled chief, Iiga Pisa. Pisa's account, written in 1942, provides some details about exile life on Saipan but its main focus is Pisa's own remarkable voyage from Saipan to Guam in a small Samoan paddling canoe. Pisa was an ambitious youth and had spent his time on Saipan learning the German language with the aim of obtaining employment in the colonial government in Samoa after returning home. World War I, however, ended his plans when English-speaking New Zealanders replaced Germans as colonial administrators in what is now Independent Samoa.

Pisa decided that rather than return to his home unprepared, he would paddle his way to American-controlled Guam where he hoped to learn English. Without informing the elder chiefs, Pisa secretly departed Saipan at night in a borrowed Samoan paddling canoe. After reaching Rota in the Northern Marianas, where he was provided food and shelter by the Alcalde, Pisa continued on to Guam where he came ashore at Ritidian. After convincing the American military governor of his identity, he was given a job in the Navy printing office. Pisa quickly learned English and requested to be returned home in 1919. He then had a successful career in the local government. He was the only exiled chief to survive the influenza epidemic that claimed millions of lives worldwide in 1918. Today, Pisa is still remembered in Samoa for his daring voyage to Guam.

This month all of this remarkable piece of Pacific history will be remembered in a series of events arranged by the Northern Marianas Humanities Council. Dignitaries, scholars, and keepers of the islands' oral history will convene from Samoa, New Zealand, and the Mariana Islands. The culmination will be a farewell ceremony conducted in accordance with the precepts of Samoan culture.

In commemoration of this event and in remembrance of those Samoans, who were exiled for their political beliefs, I submit this brief history.

IN RECOGNITION OF THE 50TH ANNIVERSARY OF THE MONMOUTH CONSERVATORY OF MUSIC

HON. FRANK PALLONE, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Monday, June 1, 2015

Mr. PALLONE. Mr. Speaker, I rise today to congratulate the Monmouth Conservatory of Music on its 50th anniversary this year. The Monmouth Conservatory of Music has been a premier music school in New Jersey and this milestone is truly deserving of this body's recognition.

The only non-profit music school in Monmouth County, New Jersey, the Monmouth Conservatory of Music is a valuable and influential institution of the local arts community and an outstanding educational and recreational resource for the greater Monmouth County area. It focuses its efforts on reaching everyone in the community, including underserved populations, and works to make music education and experiences accessible to all, offering scholarships, lectures, programs and free public concerts. Its mission to introduce music to the general public and its positive impact on the community is commendable.

Founded in 1964 by Felix and Jeannette Molzer, the Monmouth Conservatory of Music remains dedicated to fostering musical excellence in its students and imparting the importance of musical education and musical understanding to future generations. Its commitment to promoting music has contributed to the thriving cultural landscape of the community. Under the direction of Artistic and Executive Director Vladislav Kovalsky and Associate Director Irina Kovalsky, the Monmouth Conservatory of Music offers expert teachers and high standards for its students. It is committed to enriching its students and the community through music.

Once again, I sincerely hope my colleagues will join me in recognizing the contributions and achievements of the Monmouth Conservatory of Music and honoring its 50th anniversary.

REMEMBERING MARCUS BELGRAVE

HON. JOHN CONYERS, JR.

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Monday, June 1, 2015

Mr. CONYERS. Mr. Speaker, I rise today to recognize and honor the life and career of my friend and fellow Detroiter, Marcus Belgrave, who passed away last Sunday, May 24th.

Mr. Belgrave was a consummate gentleman; a legendary jazz impresario; and a gifted player, composer, and teacher. It is difficult to fathom how one achieves all that Marcus did—he started his career at just 18 years old, playing with Ray Charles. He went on to share the stage with luminaries like Ella Fitzgerald, Charles Mingus, McCoy Tyner, Dizzy Gillespie, Eric Dolphy, Aretha Franklin, Wynton Marsalis, and Joe Henderson. Everyone has heard the power of his talent in Motown classics like ''My Girl'' and ''Dancing in the Street.'' As a Jazz Ambassador, Marcus Belgrave carried his American sound to Latin America, Europe, Asia, Africa, and the Middle East.

But he was not just a musician, not just a composer—he was a mentor of the highest order. He taught Jazz to some of our greatest contemporary artists, including Geri Allen, Regina Carter, Kenny Garnett, Robert Hurst, and Karriem Riggens. Virtually every Jazz artist to come out of Detroit in the past 50 years was influenced by Marcus. Though he may be gone and his trumpet is finally silent, his talent and voice will continue to inspire new generations through the lives he helped shape. His shadow will loom large over every Detroiter who picks up the trumpet.

He will also live on through the institutions of Jazz that he founded, chartered, and fostered. He was an original member of the Lincoln Center Jazz Orchestra. He established the Jazz Development Workshop and Jazz Studies program at the Detroit Metro Arts Complex. He served as a Professor of Jazz at Oberlin College in Ohio. Motown would not have been the same without him. Detroit's place in Jazz history would not be the same without him.

The world lost a living legend last week, and Detroit lost a champion. But Mr. Belgrave lived his life in such a way that he will remembered forever. I offer my heartfelt condolences to his wife Joan, his children, and all the family, friends, and fans who mourn the passing of a legend.

IN RECOGNITION OF THE C.K. McCLATCHY GIRLS BASKETBALL TEAM

HON. DORIS O. MATSUI

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 1, 2015

Ms. MATSUI. Mr. Speaker, I rise today to recognize and congratulate the C.K. McClatchy High School Girls Basketball Team for winning the 2015 Division I State Championship. As the team's players, coaches, student body and faculty look back on this terrific season, I ask my colleagues to join me in honoring the team for its remarkable success.

The 2014–2015 McClatchy Lady Lions are comprised of an excellent group of student-athletes who play a tenacious, gritty brand of basketball that energized not only the school, but the entire Sacramento community. Their selfless play and team spirit exemplified the best that high school athletics has to offer.

The Lady Lions culminated their brilliant season on March 27, 2015 by defeating Serra of Gardena 65–61 in double-overtime to win the California Interscholastic Federation Division I State Championship. Their state championship is the first for McClatchy High School in any sport, and also was the first in Sacramento City Unified School District history.

McClatchy's victory is a fitting conclusion to the season for a group of players who have demonstrated tremendous skill, perseverance, and effort throughout the year. Each player, whether senior, junior, or sophomore, exhibited a steadfast commitment to the team. The Lady Lions outstanding roster includes Lauren Nubla, Destiney Lee, Jordan Cruz, Kelsey Wong, Kristi Wong, Alex Washington, Sara Shimizu, Ka'maree Donald, Haley Arakaki, Jade Fonseca, and the Sacramento Bee's 2014–2015 Basketball Player of the Year, Gigi Garcia.

In addition to their talented roster, the McClatchy team also benefitted greatly from the tutelage of one of the best coaching staffs in the area. Head Coach Jessica Kunisaki and her able assistant coaches, Jeff Ota, Que Ngo, and Carlos Vicenty cultivated a spirit of camaraderie and hard work under which the players thrived.

Mr. Speaker, as McClatchy's 2014–2015 school year concludes, I am honored to pay tribute to the exemplary members of the C.K. McClatchy High School girls basketball team, who have brought so much enthusiasm and pride to McClatchy and the Sacramento community. Their success this year is highly commendable and I am pleased to have the opportunity to recognize their accomplishments. I ask all of my colleagues to join me in congratulating the C.K. McClatchy girls basketball team on a wonderful season and wish them continued success in future years.

HONORING CAPTAIN SCOTT BIERWILER

HON. RICHARD B. NUGENT

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 1, 2015

Mr. NUGENT. Mr. Speaker, I rise today to honor and remember the life of Captain Scott Bierwiler, a fellow colleague of the Hernando County Sheriff's Department, a dedicated husband and father of three, and my good friend.

Captain Bierwiler met his untimely death in an automobile accident that devastated the community. The sadness and grief felt upon hearing the news of his passing still stings fresh in my mind, even though risk is an inherent part of the law enforcement description. As sheriff, it was a day that I always feared and hoped I would never have to face. Yet I found myself mourning my friend.

It is tough to recall the days that followed and how full they were of tears, sorrow, and disbelief. However, the memories of Captain Bierwiler quickly came to light and the transition from sadness to acceptance began. As if it were from a page in his own book, the focus of his early death quickly became more about the celebration of his life and the impact he had on so many.

I first met Scott through his parents, who are family friends, and I immediately recognized the potential he radiated even as a young man. After graduating from the police academy, Scott joined the Hernando Sheriff's Department where he served proudly for twenty-three years. He was a hard worker and was dedicated to his job, his fellow officers, and the community where he lived and worked.

His work ethic was unlike any other. No matter how big or small the task, nor noteworthy or publicly known the result. And his determinations didn't go unnoticed. Scott was

awarded the Hernando County Sheriff's Office Medal of Valor, the Hernando County Ribbon of Commendation, the New Jersey State Medal of Valor, the Meritorious Service Award from Bergen County Prosecutors Office, and the Combat Cross. But above all accolades, there was not one person who didn't have the upmost respect for Captain Bierwiler. Respect was mutual and he made sure that it was always known. There was no question that Captain Bierwiler would have made an honorable and just sheriff for Hernando County.

He was a quintessential family man—loving, dependable, and as devoted as they come. There was never a question that his children were his sole purpose in life and his greatest achievement. He would tell stories of the moments of laughter they would share, the times spent together boating on the Gulf of Mexico, and the hopes he had for their futures. He gave all that he had to his family and I can only hope that as his children grow, they flourish in the love that surrounds them from their father.

On Thursday, May 28, 2015, the Hernando County Sheriff's Department unveiled a memorial for Captain Scott M. Bierwiler. It will never be easy to look back on the day that Scott was taken from his family, his friends, and the Hernando community. But my hope for the memorial sign dedicated in his honor is to allow us to remember the times we shared with him, the happy and blessed life he lived, and the legacy he left behind. I am humbled and will forever be thankful to have been a friend of Captain Scott Bierwiler and I will continue to remember his memory fondly.

HONORING COLONEL GREG SCHANNEP, USA, RETIRED

HON. JOHN R. CARTER

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, June 1, 2015

Mr. CARTER of Texas. Mr. Speaker, I rise today to honor Colonel Greg Schannep, USA, Retired. As a man of deep faith, he knows that scripture tells us, ''And let us not grow weary of doing good, for in due season we will reap, if we do not give up.'' Greg has brought these powerful words to life throughout his career as a servant of God, the Army, and his fellow man.

Greg was born in El Segundo, California and first served in the U.S. Army from 1965 to 1967. He was among the elite Special Forces at Fort Bragg before being honorably discharged at the rank of Sergeant. Education was next on his agenda. While he holds a Bachelor's Degree in Marketing from Northern Arizona University, Greg's lasting faith led him to pursue a Master's Degree in Theology from Fuller Theological Seminary in California.

Greg couldn't resist the call to serve and, after completing his education, returned to active duty in 1977 as an Army Chaplain. There are no closed doors to a chaplain in the military and Greg was as welcome among his fellow officers as he was among the enlisted. His life experience, Special Forces background, and pastoral skills made him a blessing to the Army family. He served as a Chaplain for twenty-nine years, retiring in 2004 at the rank of Colonel.

Most would use the passing of one career as an opportunity to enjoy a well-deserved rest. Yet Greg's need to serve led him to, within days of his military retirement ceremony, start a new career as my liaison to Fort Hood. It's a role he is uniquely suited for as he understands both the importance of the mission at The Great Place and the unique culture that sustains our warriors there. He's been a steady, calming presence through times both good and bad for the thousands of brave warriors stationed at one of the world's largest military bases.

Greg's genial nature is equaled only by his hard-earned wisdom from years of ministry. He knows there are two sides to every story and that everyone deserves to have their voice heard. This has proven invaluable as he's worked tirelessly on behalf of his beloved Fort Hood and the people of Central Texas. His patient and positive attitude remains a source of strength and inspiration for both friends and colleagues.

Yet through it all, family remains the center of his life. He is married to the former Martha (Marty) E. Haley. Greg's six children know him has a devoted and loving dad to them and a proud grandfather to his seven grandchildren.

Greg Schannep signs all his emails with the stirring words Pro Deo et Patria (''Still Serving God and Country''). All who've been blessed by his presence know that to him this isn't a meaningless expression but a deep and lasting creed that has been the guiding force of his life.

Greg's been a trusted advisor, superb public servant, and vital part of Team Carter. I join my staff in wishing him a well-deserved retirement and nothing but the best in the years ahead.

HONORING DAVID JOHN GOTAAS

HON. ROBERT J. DOLD

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, June 1, 2015

Mr. DOLD. Mr. Speaker, I rise today to honor the life of David John Gotaas, a resident of Northbrook, who passed away on May 23, 2015.

Born in Chicago to Lois and David S. Gotaas on March 2, 1951, David was raised a missionary child in Venezuela until his family returned to the Chicago area where David attended New Trier High School (1968), Wheaton College (BA, Economics, 1972) and Northwestern University (MBA, 1974). Although he began his career as a Certified Public Accountant, David was an entrepreneur at heart, and gladly traded corporate pursuits for self-made ventures in real estate, which he viewed as both business and ministry.

In 1978, David married the love of his life and best friend, Sally Slingerland, who attended Winnetka Bible Church where his father pastored. David and Sally settled in Northbrook where they raised four daughters.

David's childhood on the mission field marked him with a passion to serve others around the world. An active member of the Winnetka Rotary Club, David helped initiate the first Rotary Club in the country of Kosovo in 2005. David's involvement in Kosovo also included service on the Advisory Board for the Kosovo American Education Fund and the Board of Trustees for the American Councils for International Education.

David's travels brought him not only to Kosovo, but to over 80 countries around the world. A member of the Circumnavigators Club of Chicago, David's favorite travel destinations were far from the typical tourist trail, including recent trips to Myanmar and Bangladesh, where he purposefully sought out the humblest accommodations to connect with locals and practice simplicity. Despite the breadth of his adventures, perhaps his favorite destination was Yosemite National Park, where he enjoyed bringing anyone willing to keep up with him. Wherever he traveled, David was known to share his adventures via postcards to family, friends and acquaintances.

David will be remembered for his passionate love for Jesus Christ, love for family, integrity, thoughtfulness and generosity. He is survived by his wife, Sally, and his four daughters, Anne, Kathryn, Mary and Laura. In his final years, perhaps David's greatest joy was his grandchildren: Nathan, Nora, Kate, Silas and a fifth due in September.

HONORING COMMUNITY CHAMPION YVONNE CLARK

HON. MIKE KELLY

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 1, 2015

Mr. KELLY of Pennsylvania. Mr. Speaker, I would like to recognize one of my constituents from Western Pennsylvania, Yvonne Clark. Yvonne, the Director of Walker's Neighborhood House in Lawrence County, has served both her family and community with excellence, leaving behind her a legacy of compassion and integrity that has impacted many.

The seventh of sixteen children, Yvonne worked for both American Cleaners and First National Bank before putting her professional ambitions on hold in order to raise her family. She has been happily married to Robert Clark for forty-seven years, and together they have three children: Robert Jr., Adella, and Aaron. Yvonne and Robert are also blessed to be the grandparents of nine grandchildren.

In 1979, Yvonne enrolled in the Pittsburgh Beauty Academy in Beaver Falls, Pennsylvania and graduated with honors shortly thereafter. Under the mentorship of a respected and accomplished local salon-owner, Yvonne learned the skills of the trade and eventually opened her own salon in 1984. When health issues demanded a change of course, Yvonne worked as a family service worker and then a job coach before returning to school at Midwestern Baptist School of Ministry. Again, she graduated with honors and received her Associate's Degree in Women's Ministry in 2006. Additionally, valuing her role as mother and grandmother, Yvonne became the primary caregiver for her three grandchildren when her daughter was diagnosed with multiple sclerosis.

It was around this time that Walker's Neighborhood House, a division of the Gussie M. Walker Community Outreach Organization, was established. The mission of this afterschool program is to empower youth and families to be the best they can be by obtaining a better education, while also learning that with God all things are possible. By providing both tutoring and structured recreational opportunities for local youth in an area where 85% of the population is considered low-income, Walker's Neighborhood House is breathing life back into the community and empowering our next generation of leaders. Under Yvonne's devoted and impassioned leadership, over 2,500 students have walked through its doors and left changed for the better.

In serving her family and community, Yvonne has shown herself to be a leader in the truest sense of the word and a role model for the many who are privileged to know her. Furthermore, her dedication to directing the St John United Holy Church Choir for thirty-five years gives evidence to the core Christian values that inform her experiences. On behalf of the Third District of Pennsylvania, I would like to express sincere gratitude and appreciation to Mrs. Yvonne Clark, a true Community Champion.

IN RECOGNITION OF THE NJROTC AWARD WINNERS

HON. DUNCAN HUNTER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 1, 2015

Mr. HUNTER. Mr. Speaker, it's with a profound sense of pride that I rise today in recognition of our nation's Naval Junior Reserve Officer Training Corps (NJROTC) program, its cadets and the excellent cadre of leadership that instructs and guides these future naval officers. Our nation is defended by a military that is second-to-none, but it's no mistake that the quality and pedigree of our nation's armed forces is beyond comparison. Training is only part of what makes a good military leader. The principles of commitment, organization, teamwork and respect are not always learned—in many ways, they are innate, and those who serve in the NJROTC program show a level of talent and dedication that consistently demonstrates why our military—and our Navy, especially—possesses so many first-rate leaders.

Most recently, a national competition was launched to determine the 2015 Navy League Most Improved Unit and the 2015 Most Outstanding Unit. Most improved honors went to the Pearl River Central High School in Carriere, Mississippi. The Most Outstanding Unit award was given to the Allen D. Nease High School in Ponte Vedra, Florida. Two impressive units, Mr. Speaker, and both showed strong attributes in their respective award areas. There was plenty of competition, and every unit gave their best—and for that, both the award winners and the entire field of competitors can take great pride in their accomplishments.

Receiving a top award is really quite an honor, Mr. Speaker. In fact, awards often reflect years of hard work and development, even though awards are given yearly. The award criteria is exhaustive—evaluating participation in the classroom, physical fitness and extracurricular activities. Cadets even participate in community service projects—with one unit, Pearl River, completing more than 5,000 hours of community service alone. However, Mr. Speaker, as we extend our congratulations to the cadets, I would be remiss if we didn't recognize the amazing work of the many program instructors. In particular, I want to recognize Naval Science Instructors Col. Todd Ryder and Chief Ron Hazlewood, whose leadership, professionalism and knowledge have been integral to successful mentorship in the NJROTC program at Pearl River. And I know their commitment to the cadets has translated into the development of community leaders and positive influences within the school system. A special thank you to Todd and Ron, for all you do to encourage future patriots with the same tenacity and work ethic that defined your own service careers.

Mr. Speaker, once again, I ask that this body join me in recognizing this fine group of Americans for all they have accomplished—and their continued and future service to this great nation.

HONORING ED ZABROCKI FOR HIS 34 YEARS OF SERVICE AS MAYOR OF TINLEY PARK, ILLINOIS

HON. DANIEL LIPINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, June 1, 2015

Mr. LIPINSKI. Mr. Speaker, I rise today to honor Ed Zabrocki who recently retired after serving 34 years as Mayor of Tinley Park, Illinois. Throughout his time in office, Mayor Zabrocki demonstrated tremendous dedication to his community and its residents.

Ed Zabrocki began his career in public service by serving on the Tinley Park Human Resources Commission and became a Village Trustee in 1979. Two years later he was elected Mayor of Tinley Park.

Throughout his tenure in office, Mayor Zabrocki maintained a strong commitment to Tinley Park's residents. Under his leadership, the village became one of the fastest growing municipalities in the nation. In 2005 he was named as a finalist for the World Mayor Award. In 2006, the Commerce Department recognized Mayor Zabrocki with the Excellence in Economic Development Award for ''recognizing commitment to sound, research-based, market driven economic development in helping to grow the local economy.'' In addition to his service to Tinley Park, Ed Zabrocki was elected to be the 37th District's State Representative in the 89th Illinois General Assembly.

Ed Zabrocki has also been dedicated to education. After two years as a teacher at Bishop Noll, he was hired to teach at Brother Rice High School in Chicago in 1965. Forty years later he retired as Director of Guidance. Over the years he had a great influence on his students, with five of them going on to be elected to public office in the Chicago area.

Mayor Zabrocki and his wife Emily are the parents of two children and the grandparents of seven. In retirement he plans to spend more time with his family as well as his Lionel train sets and his baritone sax.

RECOGNIZING BOBBY WALTERS

HON. TOM RICE

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 1, 2015

Mr. RICE of South Carolina. Mr. Speaker, today is the official start of Hurricane Season. As a lifelong resident of a coastal area and a representative of a coastal district, hurricane preparedness is a priority of mine.

I would like to recognize a young man in my district who is committed to hurricane safety, Bobby Walters. Bobby is a resident of Georgetown County, South Carolina, and has spent the last three years marking 861 street signs with their corresponding hurricane evacuation zone.

Now, Georgetown residents can easily determine which evacuation zone they are in, and should inclement weather occur, proceed to the nearest evacuation route.

Bobby is a member of Boy Scout Troop 360 in Pawleys Island and completed this project to earn his Eagle Scout rank.

On behalf of the Seventh Congressional District, thank you Bobby and Troop 360 for all of your hard work to keep our community safe.

THE PHOENIX MERCURY, 2014 WNBA CHAMPIONS

HON. KYRSTEN SINEMA

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 1, 2015

Ms. SINEMA. Mr. Speaker, I rise today to recognize the Phoenix Mercury, our 2014 WNBA Champions, who on Friday June 5, 2015 begin their nineteenth season. During the opening game, the team will receive their third championship ring in seven years and the 2014 Championship Banner will be unveiled before thousands of fans. The enthusiastic crowds that have supported the players for almost two decades will be there to cheer them on as they play the San Antonio Stars. As the team begins their new season, I proudly recognize the exceptional team members, captains and managers who have built the most successful professional women's basketball team in the world—our Phoenix Mercury.

In addition to their talent on the court, Phoenix Mercury team members are an integral part of the Valley of the Sun. The team dedicates a great deal of their free time engaging children, neighborhoods and schools, serving as mentors and role models to the young people who look up to them.

Our Phoenix Mercury has the strongest fan base and attendance in the WNBA and the team credits their success as a team to this ''X-Factor''—the power of their fans. Congratulations to the Phoenix Mercury as they begin their nineteenth season and thank you for

demonstrating to young girls, boys and the world, the heart and strength of women athletes.

HONORING RABBI MELVIN AND LENORE SIRNER

HON. ELIOT L. ENGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, June 1, 2015

Mr. ENGEL. Mr. Speaker, religious institutions and the men and women who lead them have the power to shape and bind communities in many incredible ways. For over forty years in New Rochelle, Rabbi Melvin Sirner and his wife, Lenore, have led Beth El Synagogue Center in New Rochelle with incredible grace, and as a result have left an indelible mark on the entire community.

A native of Chicago and a graduate of the University of Michigan, Rabbi Sirner came to New Rochelle in August 1972 following his ordination at the Jewish Theological Seminary. Scheduled only to stay at Beth El for two years, Rabbi Sirner extended his stay several years and, upon the retirement of Rabbi Golovensky, was elected Senior Rabbi of the Center.

Lenore Richman Sirner was born and raised in Boro Park, Brooklyn, and received a wonderful early Jewish education at Shulamith School for Girls, and later at Yeshiva of Flatbush High School. A graduate of George Washington University, Lenore earned her Master's degree in social work from New York University, before serving for many years as Director of Social Work Case management at the Burke Rehabilitation Hospital, and later as Administrator of Clinical Services.

As Lenore volunteered at Beth El, she met Rabbi Sirner, and the rest as they say is history.

Together, Rabbi Sirner and Lenore have led Beth El by emphasizing high quality and meaningful Jewish experiences. Under their stewardship, Beth El went from a community that did not permit participation of women in religious ritual, to a fully egalitarian synagogue. The establishment of the Keruv Committee, which works to ensure that all feel fully embraced and welcomed by the Beth El community, has helped shaped the synagogue under Rabbi Sirner's watch, and the Sylvia and Robert Scher Chesed Committee, which works to help shape the larger New Rochelle community as a whole, has become a great beacon of light for the entire neighborhood due to its fine work.

But Rabbi and Lenore Sirner's greatest joy and accomplishment is their family. They are the proud parents of Gabrielle, her husband Morris, Abby, and Ari. They are also adoring grandparents to Lev, who I'm told is currently on the verge of mastering the sippy cup.

This year, the Beth El Synagogue Center is honoring Rabbi Sirner and Lenore for their decades of dedicated service to the Beth El, as well as the entire New Rochelle, communities. It is my pleasure to offer congratulations to Rabbi Sirner and Lenore on this wonderful occasion, and thank them for all they have done to better our community.

WELCOMING AKHAN SEMICONDUCTOR INCORPORATED TO GURNEE, IL

HON. ROBERT J. DOLD

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, June 1, 2015

Mr. DOLD. Mr. Speaker, I rise today in recognition of AKHAN Semiconductor Incorporated and its founder and Chief Executive Officer, Adam Khan. AKHAN Semiconductor has become the most advanced diamond semiconductor platform in the world due to the hard work and meticulous training of Mr. Khan and his team.

AKHAN will begin operations in Gurnee, Illinois this June. Mr. Speaker, the 10th District of Illinois that I represent is a manufacturing hub, and a fantastic place for industry to form and grow. In fact, Gurnee was the perfect choice for AKHAN because it is rich with human talent and world class education institutions, is a transportation hub that makes it easy to ship materials and product, and perhaps most critically, Gurnee has strong pro-industry municipal and county leadership beginning with its Mayor Kristy Kovarik and Lake County Partners.

One reason in particular that I am very excited about AKHAN being here is that its leaders understand that they have a responsibility to partner with local educators to ensure that we are preparing our local workforce for the career demands of the 21st Century. I have long been impressed with the College of Lake County and its commitment to partnering with local industry, and so it is no surprise that AKHAN and the College of Lake County are partnering to create an incubator to offer vocational training that will allow students to attain certification to operate AKHAN's high tech machinery.

AKHAN is also tapping into another jewel of our region, Argonne National Laboratories. In fact, I understand that they will soon announce a broadened IP agreement where AKHAN's patent portfolio will be expanded to cover even more intellectual property.

Mr. Speaker, AKHAN is an exciting new member of our community, and it is my great pleasure to recognize their achievements and welcome them to Gurnee.

CONGRATULATING SIX MUSSELMAN HIGH SCHOOL STUDENTS FOR WINNING H&R BLOCK BUDGET CHALLENGE SCHOLARSHIPS

HON. ALEXANDER X. MOONEY

OF WEST VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 1, 2015

Mr. MOONEY of West Virginia. Mr. Speaker, I would like to express my warmest congratulations to six exceptional students from Musselman High School for winning scholarships from the H&R Block Budget Challenge; Shelbi Fisher, Mitch Anton, Kirsten Campbell, Vanessa Beddow, Taylor Stocks, Sarah Muskett, and their teacher Mr. Chad Spencer. In this challenge, these students managed a budget based on their current and future cash needs, as well as learn a number of important financial concepts. The reward for winning this challenge is a $20,000 scholarship, which will help send these bright students to college.

As a Member of the United States House of Representatives, I am particularly pleased when I see young people take initiative to learn about fiscal responsibility. The excellence these Musselman High School students have demonstrated by winning the H&R Block Budget Challenge Scholarships is an example of the promise that young West Virginians and Americans show.

I join with their families, friends, and loved ones in congratulating the winning students from Musselman High School on this impressive accomplishment. I urge them to continue their hard work, and wish them all the best in their future endeavors.

HONORING DR. CHARLES BANTZ FOR HIS LEADERSHIP AND DEDICATION

HON. SUSAN W. BROOKS

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 1, 2015

Mrs. BROOKS of Indiana. Mr. Speaker, I rise today to honor the extraordinary accomplishments of Dr. Charles Bantz. After serving over a decade as Chancellor at Indiana University-Purdue University Indianapolis, Dr. Bantz will be stepping down as chancellor. IUPUI, one of the country's leading urban universities, flourished under Chancellor Bantz's leadership, and Hoosiers are eternally grateful for his contributions.

IUPUI's location in the heart of Indiana's capital city has long brought with it a special responsibility of service to the residents of Indianapolis and Indiana. Chancellor Bantz understood this and the campus has significantly strengthened its ties to the city and state during his tenure. He helped transform and improve the university, which had positive impacts on students, faculty, and the surrounding communities.

Chancellor Bantz is a persistent advocate for student success with a clear dedication to education. He successfully facilitated an increase in the number of students who earn their degrees; provided a wider range of educational options available to students; added eleven bachelor degree programs, ten doctoral, and ten masters programs as well as schools for public health and philanthropy. Research dollars for IUPUI increased by over $100 million dollars under his leadership and his commitment to research and community service did not stop there, as evidenced by the endowment of the Bantz-Petronio Translating Research into Practice Award. He also serves as a Board Member and Executive Committee Member for United Way of Central Indiana, was a member of the NCAA Division I Board of Directors and NCAA Executive Committee, and is the Director of Urban Serving Universities, among many other boards.

Chancellor Bantz has served his students, faculty, and the City of Indianapolis exceedingly well. Although Charles is stepping down

from his position as Chancellor, his commitment to IUPUI will live on as a faculty member. He built a legacy of community service and left a lasting impact on the IUPUI community, and for that we extend a huge thank you. On behalf of all Hoosiers, I'd like to congratulate Charles on his success and wish him and his wife, Professor Sandra Petronio, the best as they begin their next adventure in our community they have worked so hard to make a wonderful place.

IN SPECIAL RECOGNITION OF ALEXANDER MOSSING ON HIS OFFER OF APPOINTMENT TO ATTEND THE UNITED STATES AIR FORCE ACADEMY

HON. ROBERT E. LATTA

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, June 1, 2015

Mr. LATTA. Mr. Speaker, it is my great pleasure to pay special tribute to an outstanding student from Ohio's Fifth Congressional District. I am pleased to announce that Alexander Mossing of Holland, Ohio has been offered an appointment to the United States Air Force Academy in Colorado Springs, Colorado.

Alexander's offer of appointment poises him to attend the United States Air Force Academy this fall with the incoming Class of 2019. Attending one of our nation's military academies not only offers the opportunity to serve our country but also guarantees a world-class education, while placing demands on those who undertake one of the most challenging and rewarding experiences of their lives.

Alexander brings an enormous amount of leadership, service, and dedication to the incoming Class of 2019. While attending Central Catholic High School in Toledo, Ohio, Alexander maintained a 3.99 grade point average and earned scholastic honors of summa cum laude each year.

Throughout high school, Alexander was a member of his school's wrestling, golf, and tennis teams, excelling in wrestling as he earned a varsity letter each of his four years and was state champion his junior and senior year. I am confident that Alexander will carry the lessons of his student and athletic leadership to the Air Force Academy.

Mr. Speaker, I ask my colleagues to join me in congratulating Alexander Mossing on the offer of his appointment to the United States Air Force Academy. Our service academies offer the finest military training and education available. I am positive that Alexander will excel during his career at the Air Force Academy, and I ask my colleagues to join me in extending their best wishes to him as he begins his service to the Nation.

TRIBUTE TO IOWA STATE TROOPER TRACY BOHLEN

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 1, 2015

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize the heroic efforts of Iowa State Trooper Tracy Bohlen, who provided lifesaving medical treatment to a man in need.

Trooper Bohlen went to investigate what appeared to be a fight inside of a truck. Upon opening the door he saw a panicked young man trying to help his father who was having a medical emergency. Trooper Bohlen leapt into action and laid the man down in the middle of the interstate to do chest compressions for 50 seconds. Due to his quick action, he was able to get the man breathing again within a minute.

Several Iowans also stopped to make sure the man in need and his son made it to the hospital to receive care. I thank Iowa State Trooper Tracy Bohlen for his decisive action and his commitment to service. It is an honor to represent Trooper Bohlen in the United States Congress and wish him continued success well into the future.

INTRODUCTION OF THE SAVE OUR NATIONAL PARKS TRANSPORTATION ACT

HON. ELEANOR HOLMES NORTON

OF THE DISTRICT OF COLUMBIA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 1, 2015

Ms. NORTON. Mr. Speaker, I rise to introduce the ''Save Our National Parks Transportation Act.'' The bill authorizes $460 million for the National Park Service (NPS) from the Federal Lands Transportation Program for each of fiscal years 2016 to 2021, and establishes the Nationally Significant Federal Lands and Tribal Transportation Projects program authorized at $150 million each of fiscal years 2016 to 2021.

Unlike other infrastructure, NPS roads and bridges rely exclusively on federal funds. These roads and bridges are located in districts across the country, and the needs are spread across most of the 50 States. These roads and bridges are not funded out of state apportionments, and Members may not realize that there are few alternative sources of funds for maintenance and improvements of these assets.

Infrastructure in our national parks continues to crumble at an alarming rate, threatening not only our largest and most famous parks, but also the significant revenue that states and localities earn from the presence of national parks and from federal roads and bridges that are essential for daily commerce.

Significant investments are needed for roads, bridges, and related transportation infrastructure on NPS land. Under the Moving Ahead for Progress in the 21st Century Act (Map–21), the Federal Lands Transportation Program is funded at $300 million per fiscal year, with NPS receiving $240 million. Yet, NPS has an $11.5 billion maintenance backlog and needs $460 million per year just to maintain the existing condition of its core transportation infrastructure.

NPS also has several ''mega-projects'' that are in critical need, but the current annual transportation allocation for NPS does not allow for any progress on these projects. Last week, NPS announced weight restrictions and lane closures on the iconic Arlington Memorial Bridge, spanning the Potomac River between Virginia and the District of Columbia. Memorial Bridge carries more than 68,000 vehicles per day, and it's a critical transportation artery to Arlington National Cemetery, Mount Vernon and for the National Capital Region. With a cost of $250 million to replace the bridge, the necessary improvements to this one bridge exceed the entire annual Federal Lands Transportation Program allocation for NPS. There are other large projects across the country that require equally significant investments, including the Tamiami Trail in Florida; the Foothills Parkway project in Great Smoky Mountains National Park in Tennessee; the Yellowstone National Park Road Reconstruction in Wyoming; and the Water Gap National Recreation Area Road Reconstruction project in Delaware, New Jersey, and Pennsylvania.

To address the need to fund these large projects, the bill establishes a Nationally Significant Federal Lands and Tribal Transportation Projects program. The authorized funding for the program will be $150 million per year for five years and would cover projects with a minimum cost of $25 million. Under the program, the Federal Land Management Agencies and Indian Tribes are eligible to compete for funding to construct, reconstruct, and rehabilitate nationally significant federal lands and tribal transportation projects. This provision is also included in H.R. 2410, the ''Generating Renewal, Opportunity, and Work with Accelerated Mobility, Efficiency, and Rebuilding of Infrastructure and Communities throughout America Act'' (GROW AMERICA Act), which I have introduced along with my Democratic colleagues on the Transportation and Infrastructure Committee.

The federal government has a responsibility to maintain the highway and transit assets it owns. Neglect has now reached crisis proportions. This bill is an important step in empowering NPS to fulfill its responsibility.

I urge my colleagues to join me in supporting this bill.

TRIBUTE TO BOB SCHIEFFER

HON. EDDIE BERNICE JOHNSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, June 1, 2015

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I rise in recognition of the remarkable career of Mr. Bob Schieffer who retired yesterday from CBS. For more than half a century, Bob Schieffer served the nation by covering the most pertinent issues with candor and journalistic dexterity. For the past 24 years, he served as the anchor of what is reported as the most watched news show in America, 'Face the Nation.'

Prior to his work with CBS, Mr. Schieffer served in the U.S. Air Force for three years.

As a native Texan, he began his career in journalism as a reporter at the Fort Worth Star-Telegram, where he became the first reporter from a Texas newspaper to report from Vietnam. He is also one of only a handful of journalists in Washington to have covered the Pentagon, the White House, Congress and the State Department.

Mr. Schieffer has obtained nearly every journalism award imaginable, including: eight Emmys; the Overseas Press Club Award; the Paul White Award presented by the TV News Directors Association; and the Edward R. Murrow Award from Washington State University. Mr. Schieffer and I both attended Texas Christian University. In 2005, our alma mater named its journalism school in Bob Schieffer's honor; and in 2013, they followed by establishing the Bob Schieffer College of Communication. The list of accolades goes on.

Mr. Speaker, to refer to Mr. Schieffer as a living legend somehow falls short. Mr. Schieffer is an unparalleled journalist and a pillar of American television. His method of journalism will serve as a model for aspiring journalists for years to come. I am happy to congratulate him on his retirement, and I wish him many enjoyable years ahead. I urge my colleagues to join me in recognizing the career and accomplishments of one of America's finest journalists, Mr. Bob Schieffer.

PREECLAMPSIA AWARENESS MONTH

HON. LOIS CAPPS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 1, 2015

Mrs. CAPPS. Mr. Speaker, I rise today in recognition of May as Preeclampsia Awareness Month.

Despite great strides in maternity care over the years, there is an immediate need for further research into preeclampsia as well as related hypertensive disorders of pregnancy—eclampsia and HELLP syndrome.

While at least 5–8% of pregnant women suffer from these conditions each year, 60% of preventable pregnancy-related deaths are the result of preeclampsia alone.

These diseases occur only during pregnancy and the immediate post-partum period, affecting the health, and sometimes the lives, of the mother and baby.

And those women who develop preeclampsia during pregnancy can feel the effects years later; these women are four times more likely to develop hypertension later in life, and are twice as likely to develop heart disease, stroke, and blood clots.

The only known cure for preeclampsia is delivery, which is often conducted prior to a pregnancy being full term in the context of an emergency situation.

This is not ideal for the woman or her baby.

As a nurse and longtime public health advocate, I know that robust funding for maternal and child health research and education is one of the most important investments we can make.

I strongly encourage Congress to prioritize continued research on preeclampsia and related diseases.

Let's protect women and children from this progressive and often misdiagnosed disorder.

A TRIBUTE TO DOLL DISTRIBUTING BEVERAGE COMPANY

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 1, 2015

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and congratulate a great Iowa company, Doll Distributing Beverage Company of Council Bluffs, Iowa. Doll Distributing is celebrating its 50th anniversary in business. Their motto is: "Building Brands. Building Relationships." Doll Distributing is a distributor of Anheuser-Busch and other products.

Merlin Doll's sales and wholesaling career spanned over 60 years starting with the Storz Brewery in Omaha as a territory sales manager. Mr. Doll wanted to purchase a distributorship and when none were available he was approached by Anheuser-Busch and was given an opportunity to purchase one. In 1965 Mr. Doll, with his wife Edith, sold their distributorship in order to purchase a distributing operation in Council Bluffs, Iowa, the Doll Distributing of today.

The second generation, which includes: Jeff Doll, Mark Doll, Tami Doll, Scott Doll and Jay Doll, purchased the company from their parents. Since 1988 they have expanded the business from distributing in 3 counties to 11 counties, and after several additional purchases of distributing operations, the Doll Family distributes their products to over 40 counties, amounting to 3,569 accounts in Iowa. Andrew Doll and Lauren Doll are continuing the Doll family tradition as the third generation currently involved in the business.

The Doll Distributing Beverage Company has made a positive impact on the Council Bluffs community and the State of Iowa. For the past 50 years the Doll Family has accomplished a number of milestones and are a true testament to the meaning of hard work and dedication to success. I commend Doll Distributing and their employees for a job well done. I know that my colleagues in the House join me in honoring this company and family for their commitment to business and their community. I wish them and their employees continued success moving forward.

SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate of February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules Committee—of the time, place and purpose of the meetings, when scheduled and any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Meetings scheduled for Tuesday, June 2, 2015 may be found in the Daily Digest of today's RECORD.

MEETINGS SCHEDULED

JUNE 3

9:30 a.m.

Committee on Environment and Public Works

To hold hearings to examine challenges and implications of EPA's proposed national ambient air quality standard for ground-level ozone, including S. 638, to amend the Clean Air Act with respect to exceptional event demonstrations, S. 751, to improve the establishment of any lower ground-level ozone standards, and S. 640, to amend the Clean Air Act to delay the review and revision of the national ambient air quality standards for ozone.

SD–406

Committee on Foreign Relations

To hold hearings to examine implications of the Iran nuclear agreement for United States policy in the Middle East.

SD–419

10 a.m.

Committee on Finance

Business meeting to consider an original bill entitled, ''Audit & Appeal Fairness, Integrity, and Reforms in Medicare Act of 2015''.

SD–215

Committee on Health, Education, Labor, and Pensions

To hold hearings to examine reauthorizing the Higher Education Act, focusing on ensuring college affordability.

SD–430

Committee on Homeland Security and Governmental Affairs

To hold hearings to examine top government investigator positions left unfilled for years.

SD–342

Committee on Small Business and Entrepreneurship

Business meeting to consider S. 1292, to amend the Small Business Act to treat certain qualified disaster areas as HUBZones and to extend the period for HUBZone treatment for certain base closure areas, an original bill entitled, ''Recovery Improvements for Small Entities (RISE) After Disaster Act of 2015'', an original resolution expressing the sense of the Committee on Small Business and Entrepreneurship of the Senate that the rule relating to the definition of the term ''waters of the United States'' under the Clean Water Act will have a significant economic impact on a substantial number of small entities, the nomination of Douglas J. Kramer, of Kansas, to be Deputy Administrator of the Small Business Administration, and other pending calendar business.

SR–428A

2:30 p.m.

Committee on Veterans' Affairs

To hold hearings to examine S. 207, to require the Secretary of Veterans Affairs to use existing authorities to furnish

health care at non-Department of Veterans Affairs facilities to veterans who live more than 40 miles driving distance from the closest medical facility of the Department that furnishes the care sought by the veteran, S. 297, to revive and expand the Intermediate Care Technician Pilot Program of the Department of Veterans Affairs, S. 425, to amend title 38, United States Code, to provide for a five-year extension to the homeless veterans reintegration programs and to provide clarification regarding eligibility for services under such programs, S. 471, to improve the provision of health care for women veterans by the Department of Veterans Affairs, S. 684, to amend title 38, United States Code, to improve the provision of services for homeless veterans, and other pending calendar business.

SR–418

Joint Economic Committee

To hold hearings to examine the employment effects of the Affordable Care Act.

SD–562

JUNE 4

Time to be announced

Committee on Commerce, Science, and Transportation

Business meeting to consider the nomination of Peter V. Neffenger, of Ohio, to be an Assistant Secretary of Homeland Security.

TBA

9:30 a.m.

Committee on the Judiciary

Business meeting to consider S. 1137, to amend title 35, United States Code, and the Leahy-Smith America Invents Act to make improvements and technical corrections, and the nominations of Dale A. Drozd, to be United States District Judge for the Eastern District of California, Lawrence Joseph Vilardo, to be United States District Judge for the Western District of New York, LaShann Moutique DeArcy Hall, and Ann Donnelly, both to be a United States District Judge for the Eastern District of New York, John W. Huber, of Utah, to be United States Attorney for the District of Utah for the term of four years, Eileen Maura Decker, of California, to be United States Attorney for the Central District of California for the term of four years, and Eric Steven Miller, of Vermont, to be United States Attorney for the District of Vermont for the term of four years.

SD–226

10 a.m.

Committee on Banking, Housing, and Urban Affairs

To hold an oversight hearing to examine the Export-Import Bank of the United States.

SD–538

Committee on Foreign Relations

Subcommittee on Africa and Global Health Policy

To hold hearings to examine security assistance in Africa.

SD–419

1:15 p.m.

Committee on Homeland Security and Governmental Affairs

Subcommittee on Regulatory Affairs and Federal Management

To hold hearings to examine practical solutions to improve the federal regulatory process.

SD–342

2 p.m.

Committee on the Judiciary

Subcommittee on Oversight, Agency Action, Federal Rights and Federal Courts

To hold hearings to examine the process that led to the Affordable Care Act subsidy rule.

SD–226

2:30 p.m.

Select Committee on Intelligence

To receive a closed briefing on certain intelligence matters.

SH–219

JUNE 9

9:30 a.m.

Committee on Energy and Natural Resources

To hold hearings to examine S. 15, to amend the Mineral Leasing Act to recognize the authority of States to regulate oil and gas operations and promote American energy security, development, and job creation, S. 454, to amend the Department of Energy High-End Computing Revitalization Act of 2004 to improve the high-end computing research and development program of the Department of Energy, S. 784, to direct the Secretary of Energy to establish microlabs to improve regional engagement with national laboratories, S. 1033, to amend the Department of Energy Organization Act to replace the current requirement for a biennial energy policy plan with a Quadrennial Energy Review, S. 1054, to improve the productivity and energy efficiency of the manufacturing sector by directing the Secretary of Energy, in coordination with the National Academies and other appropriate Federal agencies, to develop a national smart manufacturing plan and to provide assistance to small-and medium-sized manufacturers in implementing smart manufacturing programs, S. 1068, to amend the Federal Power Act to protect the bulk-power system from cyber security threats, S. 1181, to expand the Advanced Technology Vehicle Manufacturing Program to include commercial trucks and United States flagged vessels, to return unspent funds and loan proceeds to the United States Treasury to reduce the national debt, S. 1187, to improve management of the National Laboratories, enhance technology commercialization, facilitate public-private partnerships, S. 1216, to amend the Natural Gas Act to modify a provision relating to civil penalties, S. 1218, to establish an interagency coordination committee or subcommittee with the leadership of the Department of Energy and the Department of the Interior, focused on the nexus between energy and water production, use, and efficiency, S. 1221, to amend the Federal Power Act to require periodic reports on electricity reliability and reliability impact statements for rules affecting the reliable operation of the bulk-power system, S. 1223, to amend the Energy Policy Act of 2005 to improve the loan guarantee program for innovative technologies, S. 1229, to require the Secretary of Energy to submit a plan to implement recommendations to improve interactions between the Department of Energy and National Laboratories, S. 1230, to direct the Secretary of the Interior to establish a program under which the Director of the Bureau of Land Management shall enter into memoranda of understanding with States providing for State oversight of oil and gas productions activities, S. 1241, to provide for the modernization, security, and resiliency of the electric grid, to require the Secretary of Energy to carry out programs for research, development, demonstration, and information-sharing for cybersecurity for the energy sector, S. 1256, to require the Secretary of Energy to establish an energy storage research program, loan program, and technical assistance and grant program, S. 1258, to require the Secretary of Energy to establish a distributed energy loan program and technical assistance and grant program, S. 1259, to establish a grant program to allow National Laboratories to provide vouchers to small business concerns to improve commercialization of technologies developed at National Laboratories and the technology-driven economic impact of commercialization in the regions in which National Laboratories are located, S. 1263, to provide for the establishment of a Clean Energy Technology Manufacturing and Export Assistance Fund to assist United States businesses with exporting clean energy technology products and services, S. 1274, to amend the National Energy Conservation Policy Act to reauthorize Federal agencies to enter into long-term contracts for the acquisition of energy, S. 1275, to establish a Financing Energy Efficient Manufacturing Program in the Department of Energy to provide financial assistance to promote energy efficiency and onsite renewable technologies in manufacturing and industrial facilities, S. 1277, to improve energy savings by the Department of Defense, S. 1293, to establish the Department of Energy as the lead agency for coordinating all requirements under Federal law with respect to eligible clean coal and advanced coal technology generating projects, S. 1306, to amend the Energy Policy Act of 2005 to use existing funding available to further projects that would improve energy efficiency and reduce emissions, S. 1310, to prohibit the Secretary of the Interior from issuing new oil or natural gas production leases in the Gulf of Mexico under the Outer Continental Shelf Lands Act to a person that does not renegotiate its existing leases in order to require royalty payments if oil and natural gas prices are greater than or equal to specified price thresholds, S. 1311, to amend the Federal Oil and Gas Royalty Management Act of 1982 and the Outer Continental Shelf Lands Act to modify certain penalties to deter oil spills, S. 1312, to modernize Federal policies regarding the supply and distribution of energy in the United States, S. 1338, to amend the Federal Power Act to provide licensing procedures for certain

types of projects, S. 1340, to amend the Mineral Leasing Act to improve coal leasing, S. 1346, to require the Secretary of Energy to establish an e-prize competition pilot program to provide up to 4 financial awards to eligible entities that develop and verifiably demonstrate technology that reduces the cost of electricity or space heat in a high-cost region, S. 1363, to require the Secretary of Energy to submit to Congress a report assessing the capability of the Department of Energy to authorize, host, and oversee privately funded fusion and fission reactor prototypes and related demonstration facilities at sites owned by the Department of Energy, S. 1398, to extend, improve, and consolidate energy research and development programs, S. 1405, to require a coordinated response to coal fuel supply emergencies that could impact electric power system adequacy or reliability, S. 1407, to promote the development of renewable energy on public land, S. 1408, to provide for a program of research, development, demonstration, and commercial application in vehicle technologies at the Department of Energy, S. 1420, to amend the Department of Energy Organization Act to provide for the collection of information on critical energy supplies, to establish a Working Group on Energy Markets, S. 1422, to require the Secretary of Energy to establish a comprehensive program to improve education and training for energy-and manufacturing-related jobs to increase the number of skilled workers trained to work in energy and manufacturing-related fields, S. 1428, to amend the USEC Privatization Act to require the Secretary of Energy to issue a long-term Federal excess uranium inventory management plan, S. 1432, to require the Secretary of Energy to conduct a study on the technology, potential lifecycle energy savings, and economic impact of recycled carbon fiber, S. 1434, to amend the Public Utility Regulatory Policies Act of 1978 to establish an energy storage portfolio standard, S. 1449, to amend the Energy Independence and Security Act of 2007 to add certain medium-duty and heavy-duty vehicles to the advanced technology vehicles manufacturing incentive program, and H.R. 35, to increase the understanding of the health effects of low doses of ionizing radiation.

SD–366

10:30 a.m.

Committee on Homeland Security and Governmental Affairs

To hold an oversight hearing to examine the Transportation Security Administration, focusing on first-hand and government watchdog accounts of agency challenges.

SD–342

JUNE 10

2:15 p.m.

Committee on Indian Affairs

Business meeting to consider S. 248, to clarify the rights of Indians and Indian tribes on Indian lands under the National Labor Relations Act; to be immediately followed by an oversight hearing to examine addressing the need for victim services in Indian County.

SD–628

2:30 p.m.

Committee on Energy and Natural Resources

Subcommittee on National Parks

To hold hearings to examine S. 145, to require the Director of the National Park Service to refund to States all State funds that were used to reopen and temporarily operate a unit of the National Park System during the October 2013 shutdown, S. 146, to authorize the Secretary of the Interior or the Secretary of Agriculture to enter into agreements with States and political subdivisions of States providing for the continued operation, in whole or in part, of public land, units of the National Park System, units of the National Wildlife Refuge System, and units of the National Forest System in the State during any period in which the Secretary of the Interior or the Secretary of Agriculture is unable to maintain normal level of operations at the units due to a lapse in appropriations, S. 319, to designate a mountain in the State of Alaska as Mount Denali, S. 329, to amend the Wild and Scenic Rivers Act to designate certain segments of the Farmington River and Salmon Brook in the State of Connecticut as components of the National Wild and Scenic Rivers System, S. 403, to revise the authorized route of the North Country National Scenic Trail in northeastern Minnesota and to extend the trail into Vermont to connect with the Appalachian National Scenic Trail, S. 521, to authorize the Secretary of the Interior to conduct a special resource study of President Station in Baltimore, Maryland, S. 610, to authorize the Secretary of the Interior to conduct a special resource study of P.S. 103 in West Baltimore, Maryland and for other purposes, S. 782, to direct the Secretary of the Interior to establish a bison management plan for Grand Canyon National Park, and S. 873, to designate the wilderness within the Lake Clark National Park and Preserve in the State of Alaska as the Jay S. Hammond Wilderness Area.

SD–366

JUNE 11

10:30 a.m.

Committee on Homeland Security and Governmental Affairs

To hold hearings to examine accounts of current and former federal agency whistleblowers.

SD–342

JUNE 16

10 a.m.

Committee on Energy and Natural Resources

To hold hearings to examine the nominations of Jonathan Elkind, of Maryland, to be an Assistant Secretary of Energy (International Affairs), and Monica C. Regalbuto, of Illinois, to be an Assistant Secretary of Energy (Environmental Management).

SD–366

JULY 9

10 a.m.

Committee on Energy and Natural Resources

To hold hearings to examine the backend of the nuclear fuel cycle and related legislation, including S. 854, to establish a new organization to manage nuclear waste, provide a consensual process for siting nuclear waste facilities, ensure adequate funding for managing nuclear waste.

SD–366

SENATE—*Tuesday, June 2, 2015*

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

PRAYER

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

Let us pray.

God of our forebears, Author of liberty, search our hearts and minds in order that we might better know ourselves. Lord, help us to comprehend what we need to better represent You. Empower us to live exemplary lives that are worthy of Your great love.

Give our lawmakers a renewed loyalty to protecting the freedoms that Americans hold dear. May our Senators use their stewardship of position and influence to ensure that America is a shining city upon a hill. May their highest incentive be not to win over one another but to win with one another by doing Your will for all.

We pray in Your great Name. Amen.

PLEDGE OF ALLEGIANCE

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

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

RECOGNITION OF THE MAJORITY LEADER

The PRESIDING OFFICER (Ms. COLLINS). The majority leader is recognized.

NATIONAL SECURITY LEGISLATION

Mr. MCCONNELL. Madam President, I wish we had been able to move the cloture and amendment votes we will consider today to yesterday. I made an offer to do so because it is hard to see the point in allowing yet another day to elapse when everyone has already had a chance to say their piece, when the end game appears obvious to all, and when the need to move forward in a thoughtful but expeditious manner seems perfectly clear. But this is the Senate, and Members are entitled to different views and Members have tools to assert those views. It is the nature of the body where we work.

Moreover, it is important to remember that it was not just the denial of consent which brought us to where we are. The kind of short-term extension that would have provided the Senate with the time and space it needed to advance bipartisan compromise legislation through regular order was also blocked in a floor vote.

But what has happened has happened, and we are where we are. Now is the time to put all that in the past and work together to diligently make some discrete and sensible improvements to the House bill.

Before scrapping an effective system that has helped protect us from attack in favor of an untried one, we should at least work toward securing some modest degree of assurance that the new system can, in fact, actually work. The Obama administration also already told us that it would not be able to make any firm guarantees in that regard—that it would work—at least the way the bill currently reads. And the way the bill currently reads, there is also no requirement—no requirement—for the retention and availability of significant data for analysis. These are not small problems.

The legislation we are considering proposes major changes to some of our Nation's most fundamental and necessary counterterrorism tools. That is why the revelations from the administration shocked many Senators, including a lot of supporters of this legislation. It is simply astounding that the very government officials charged with implementing the bill would tell us, both in person and in writing, that if it turns out this new system doesn't work, then they will just come back to us and let us know. If it doesn't work, they will just come back and let us know. This is worrying for many reasons, not the least of which is that we don't want to find out the system doesn't work in a far more tragic way. That is why we need to do what we can today to ensure that this legislation is as strong as it can be under the circumstances.

Here are the kinds of amendments I hope every Senator will join me in supporting today.

One amendment would allow for more time for the construction and testing of a system that does not yet exist. Again, one amendment would allow for more time for the construction and testing of a system that does not yet exist.

Another amendment would ensure that the Director of National Intelligence is charged with at least reviewing and certifying the readiness of the system.

Another amendment would require simple notification if telephone providers—the entities charged with holding data under this bill—elect to change their data-retention policies. Let me remind my colleagues that one provider has already said expressly and in writing that it would not commit to holding the data for any period of time under the House-passed bill unless compelled by law. So this amendment represents the least we can do to ensure we will be able to know, especially in an emergency, whether the dots we need to connect have actually been wiped away.

We will also consider an amendment that would address concerns we have heard from the nonpartisan Administrative Office of the U.S. Courts—in other words, the lifetime Federal judges who actually serve on the FISA Court. In a recent letter, they wrote that the proposed amicus provision ''could impede the FISA Courts' role in protecting the civil liberties of Americans.''

I ask unanimous consent that the full text of that letter be printed in the RECORD at the conclusion of my remarks.

So the bottom line is this: The basic fixes I have just mentioned are common sense. Anyone who wants to see the system envisioned under this bill actually work will want to support them. And anyone who has heard the administration's ''we will get back to you if there is a problem'' promise should support these modest safeguards as well.

We may have been delayed getting to the point at which we have arrived, but now that we are here, let's work cooperatively, seriously, and expeditiously to move the best legislation possible and prevent any more delay and uncertainty.

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

ADMINISTRATIVE OFFICE OF THE
UNITED STATES COURTS,
Washington, DC, May 4, 2015.

Hon. DEVIN NUNES,
Chairman, Permanent Select Committee on Intelligence, House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: I write regarding H.R. 2048, the ''USA Freedom Act,'' which was recently ordered reported by the Judiciary Committee, to provide perspectives on the legislation, particularly an assessment that the pending version of the bill could impede the effective operation of the Foreign Intelligence Surveillance Courts.

In letters to the Committee on January 13, 2014 and May 13, 2014, we commented on various proposed changes to the Foreign Intelligence Surveillance Act (FISA). Our comments focused on the operational impact of certain proposed changes on the Judicial Branch, particularly the Foreign Intelligence Surveillance Court (''FISC'') and the Foreign Intelligence Surveillance Court of Review (collectively ''FISA Courts''), but did

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

not express views on core policy choices that the political branches are considering regarding intelligence collection. In keeping with that approach, we offer views on aspects of H.R. 2048 that bear directly on the work of the FISA Courts and how that work is presented to the public. We sincerely appreciate the ongoing efforts of the bipartisan leadership of all the congressional committees of jurisdiction to listen to and attempt to accommodate our perspectives and concerns.

We respectfully request that, if possible, this letter be included with your Committee's report to the House on the bill.

SUMMARY OF CONCERNS

We have three main concerns. First, H.R. 2048 proposes a ''panel of experts'' for the FISA Courts which could, in our assessment, impair the courts' ability to protect civil liberties by impeding their receipt of complete and accurate information from the government (in contrast to the helpful amicus curiae approach contained in the FISA Improvements Act of 2013 (''FIA''), which was approved in similar form by the House in 2014). Second, we continue to have concerns with the prospect of public ''summaries'' of FISA Courts' opinions when the opinions themselves are not released to the public. Third, we have a few other specific technical concerns with H.R. 2048 as drafted.

NATURE OF THE FISA COURTS

With the advent of a new Congress and newly proposed legislation, it seems helpful to restate briefly some key attributes of the work of the FISA Courts.

The vast majority of the work of the FISC involves individual applications in which experienced judges apply well-established law to a set of facts presented by the government—a process not dissimilar to the ex parte consideration of ordinary criminal search warrant applications. Review of entire programs of collection and applications involving bulk collection are a relatively small part of the docket, and applications involving novel legal questions, though obviously important, are rare.

In all matters, the FISA Courts currently depend on—and will always depend on—prompt and complete candor from the government in providing the courts with all relevant information because the government is typically the only source of such information.

A ''read copy'' practice—similar to the practices employed in some federal district courts for Title III wiretap applications—wherein the government provides the FISC with an advance draft of each planned application, is the major avenue for court modification of government-sought surveillance. About a quarter of ''read copies'' are modified or withdrawn at the instigation of the FISC before the government presents a final application—in contrast to the overwhelming majority of formal applications that are approved by the Court because modifications at the ''read copy'' stage have addressed the Court's concerns in cases where final applications are submitted.

The FISC typically operates in an environment where, for national security reasons and because of statutory requirements, time is of the essence, and collateral litigation, including for discovery, would generally be completely impractical.

At times, the FISA Courts are presented with challenging issues regarding how existing law applies to novel technologies. In these instances, the FISA Courts could benefit from a conveniently available explanation or evaluation of the technology from an informed non-government source. Congress could assist in this regard by clarifying the law to provide mechanisms for this to occur easily (e.g., by providing for precleared experts with whom the Court can share and receive information to the extent it deems necessary).

THE ''PANEL OF EXPERTS'' APPROACH OF H.R. 2048 COULD IMPEDE THE FISA COURTS' WORK

H.R. 2048 provides for what proponents have referred to as a ''panel of experts'' and what in the bill is referred to as a group of at least five individuals who may serve as an ''amicus curiae'' in a particular matter. However, unlike a true amicus curiae, the FISA Courts would be required to appoint such an individual to participate in any case involving a ''novel or significant interpretation of law'' (emphasis added)—unless the court ''issues a finding'' that appointment is not appropriate. Once appointed, such amici are required to present to the court, ''as appropriate,'' legal arguments in favor of privacy, information about technology, or other ''relevant'' information. Designated amici are required to have access to ''all relevant'' legal precedent, as well as certain other materials ''the court determines are relevant.''

Our assessment is that this ''panel of experts'' approach could impede the FISA Courts' role in protecting the civil liberties of Americans. We recognize this may not be the intent of the drafters, but nonetheless it is our concern. As we have indicated, the full cooperation of rank and file government personnel in promptly conveying to the FISA Courts complete and candid factual information is critical. A perception on their part that the FISA process involves a ''panel of experts'' officially charged with opposing the government's efforts could risk deterring the necessary and critical cooperation and candor. Specifically, our concern is that imposing the mandatory ''duties''—contained in subparagraph (i)(4) of proposed section 401 (in combination with a quasi-mandatory appointment process)—could create such a perception within the government that a standing body exists to oppose intelligence activities.

Simply put, delays and difficulties in receiving full and accurate information from Executive Branch agencies (including, but not limited to, cases involving non-compliance) present greater challenges to the FISA Courts' role in protecting civil liberties than does the lack of a non-governmental perspective on novel legal issues or technological developments. To be sure, we would welcome a means of facilitating the FISA Courts' obtaining assistance from non-governmental experts in unusual cases, but it is critically important that the means chosen to achieve that end do not impair the timely receipt of complete and accurate information from the government.

It is on this point especially that we believe the ''panel of experts'' system in H.R. 2048 may prove counterproductive. The information that the FISA Courts need to examine probable cause, evaluate minimization and targeting procedures, and determine and enforce compliance with court authorizations and orders is exclusively in the hands of the government—specifically, in the first instance, intelligence agency personnel. If disclosure of sensitive or adverse information to the FISA Courts came to be seen as a prelude to disclosure to a third party whose mission is to oppose or curtail the agency's work, then the prompt receipt of complete and accurate information from the government would likely be impaired—ultimately to the detriment of the national security interest in expeditious action and the effective protection of privacy and civil liberties.

In contrast, a ''true'' amicus curiae approach, as adopted, for example, in the FIA, facilitates appointment of experts outside the government to serve as amici curiae and render any form of assistance needed by the court, without any implication that such experts are expected to oppose the intelligence activities proposed by the government. For that reason, we do not believe the FIA approach poses any similar risk to the courts' obtaining relevant information.

''SUMMARIES'' OF UNRELEASED FISA COURT OPINIONS COULD MISLEAD THE PUBLIC

In our May 13, 2014, letter to the Committee on H.R. 3361, we shared the nature of our concerns regarding the creation of public ''summaries'' of court opinions that are not themselves released. The provisions in H.R. 2048 are similar and so are our concerns. To be clear, the FISA Courts have never objected to their opinions—whether in full or in redacted form—being released to the public to the maximum extent permitted by the Executive's assessment of national security concerns. Likewise, the FISA Courts have always facilitated the provision of their full opinions to Congress. See, e.g., FISC Rule of Procedure 62(c). Thus, we have no objection to the provisions in H.R. 2048 that call for maximum public release of court opinions. However, a formal practice of creating summaries of court opinions without the underlying opinion being available is unprecedented in American legal administration. Summaries of court opinions can be inadvertently incorrect or misleading, and may omit key considerations that can prove critical for those seeking to understand the import of the court's full opinion. This is particularly likely to be a problem in the fact-focused area of FISA practice, under circumstances where the government has already decided that it cannot release the underlying opinion even in redacted form, presumably because the opinion's legal analysis is inextricably intertwined with classified facts.

ADDITIONAL TECHNICAL COMMENTS ON H.R. 2048

The Judiciary, like the public, did not participate in the discussions between the Administration and congressional leaders that led to H.R. 2048 (publicly released on April 28, 2015 and reported by the Judiciary Committee without changes on April 30). In the few days we have had to review the bill, we have noted a few technical concerns that we hope can be addressed prior to finalization of the legislation, should Congress choose to enact it. These concerns (all in the amicus curiae subsection) include:

Proposed subparagraph (9) appears inadvertently to omit the ability of the FISA Courts to train and administer amici between the time they are designated and the time they are appointed.

Proposed subparagraph (6) does not make any provision for a ''true amicus'' appointed under subparagraph (2)(B) to receive necessary information.

We are concerned that a lack of parallel construction in proposed clause (6)(A)(i) (apparently differentiating between access to legal precedent as opposed to access to other materials) could lead to confusion in its application.

We recommend adding additional language to clarify that the exercise of the duties under proposed subparagraph (4) would occur in the context of Court rules (for example, deadlines and service requirements).

We believe that slightly greater clarity could be provided regarding the nature of the obligations referred to in proposed subparagraph (10). These concerns would generally be avoided or addressed by substituting the FIA approach. Furthermore, it bears emphasis that, even if H.R. 2048 were amended to address all of these technical points, our more fundamental concerns about the ''panel of experts'' approach would not be fully assuaged. Nonetheless, our staff stands ready to work with your staff to provide suggested textual changes to address each of these concerns.

Finally, although we have no particular objection to the requirement in this legislation of a report by the Director of the AO, Congress should be aware that the AO's role would be to receive information from the FISA Courts and then simply transmit the report as directed by law.

For the sake of brevity, we are not restating here all the comments in our previous correspondence to Congress on proposed legislation similar to H.R. 2048. However, the issues raised in those letters continue to be of importance to us.

We hope these comments are helpful to the House of Representatives in its consideration of this legislation. If we may be of further assistance in this or any other matter, please contact me or our Office of Legislative Affairs at 202–502–1700.

Sincerely,

JAMES C. DUFF,
Director.

ORDER OF PROCEDURE

Mr. MCCONNELL. Madam President, I ask unanimous consent that the Senate stand in recess from 12:30 p.m. until 2:15 p.m. to allow for the weekly conference meetings.

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

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

RESERVATION OF LEADER TIME

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

USA FREEDOM ACT OF 2015

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of H.R. 2048, which the clerk will report.

The senior assistant legislative clerk read as follows:

A bill (H.R. 2048) to reform the authorities of the Federal Government to require the production of certain business records, conduct electronic surveillance, use pen registers and trap and trace devices, and use other forms of information gathering for foreign intelligence, counterterrorism, and criminal purposes, and for other purposes.

Pending:

McConnell/Burr amendment No. 1449, in the nature of a substitute.

McConnell amendment No. 1450 (to amendment No. 1449), of a perfecting nature.

McConnell amendment No. 1451 (to amendment No. 1450), relating to appointment of amicus curiae.

McConnell/Burr amendment No. 1452 (to the language proposed to be stricken by amendment No. 1449), of a perfecting nature.

McConnell amendment No. 1453 (to amendment No. 1452), to change the enactment date.

Mr. DURBIN. Mr. President, I ask unanimous consent to speak for 2 minutes as in morning business.

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

REMEMBERING HADIYA PENDLETON AND COMMEMORATING NATIONAL GUN VIOLENCE AWARENESS DAY

Mr. DURBIN. Mr. President, on January 29, 2013, Hadiya Pendleton was gunned down while standing in a park on the South Side of Chicago. Hadiya was a talented, beautiful, caring young woman with a bright future ahead of her. She was 15 years old, a sophomore honor student at King College Prep. Her family described her as a spectacular source of joy and pride for them.

One week before her death, Hadiya was here in Washington with her school band, performing for President Obama's second inauguration. She was thrilled by that opportunity. But a few days later, she was gone, murdered by men who mistook her and friends for members of a rival gang.

What a senseless tragedy to lose children to gun violence. It happens every day in America. Overall, on average, 88 Americans are killed by gun violence every day.

Today, June 2, 2015, would have been Hadiya Pendleton's 18th birthday. Today also marks the first annual National Gun Violence Awareness Day. It is an idea that was inspired by Hadiya's family and friends in Chicago. They decided they would ask us to wear something orange today. It is a color that hunters use when they are in the woods to make sure that no one shoots them.

All across the Nation, Americans are wearing orange in tribute to Hadiya Pendleton, in tribute to the tens of thousands of other Americans killed by gun violence every year, and in support of a simple goal: Keep our kids safe. I am proud to join them in wearing orange today. I want to commend Hadiya's parents—my friends—Nate and Cleo, her brother Nate, Jr., and her friends who have turned their pain into purpose.

They are working to reduce the scourge of gun violence and to spare other families and loved ones what they have gone through. I hope lawmakers here in Washington and throughout the Nation will pay attention and commit themselves to do something about these terrible shootings and deaths. We need to do all that we can to keep guns out of the hands of those who would misuse them and, especially, keep our children safe.

I yield the floor.

The PRESIDING OFFICER. The Senator from Maine.

Ms. COLLINS. Mr. President, in the aftermath of the terrorist attacks on our country on 9/11/2001—terrorist attacks that killed some 3,000 people—I authored legislation, along with former Senator Joe Lieberman of Connecticut, to implement the recommendations of the 9/11 Commission to reform and restructure the intelligence community, to improve its capabilities, and also to increase accountability and oversight.

Now, this law is different and distinct from the PATRIOT Act. Our law established the Office of the Director of National Intelligence to coordinate all of the agencies involved in intelligence gathering so that we would reduce the possibility of the dots not being connected and to allow terrorist attacks and plots to be detected and thwarted.

Our legislation also created the National Counterterrorism Center, which helps to synthesize the information across government and share it with State and local governments to help keep us safer. Our bill created the Privacy and Civil Liberties Oversight Board, and it installed privacy officers in the major intelligence agencies.

But our law, the Intelligence Reform and Terrorism Protection Act, shared the common goal of the PATRIOT Act of better protecting our Nation from terrorist attacks because none of us who lived through that terrible day ever wanted to see Americans die again because our Nation failed to use the tools and capabilities it had to prevent terrorist attacks.

We have had terrorist attacks since that time. The Boston Marathon is an example of a terrorist attack that occurred despite our best efforts, but we have been able to thwart and uncover and detect and stop terrorist attacks—both here and abroad—due to the important tools and capabilities our government has. Like the Presiding Officer, I serve on the Senate Select Committee on Intelligence. I have sat through countless hours of briefings, I have asked the hard questions about our intelligence programs, and I have challenged those who have come before us.

I wish to explain how the current program works at NSA because I believe there is so much misinformation about this important program. One of the most egregious misinformation points that have been made is that the NSA is listening to the content of calls made by American citizens to other American citizens. That is simply not true.

Let me tell you how this program works. First, it starts with a call, a

phone number from a foreign terrorist or a foreign terrorist organization. When we get a foreign terrorist's—who is based overseas—telephone number, the NSA is allowed to query a database to see if that foreign-based terrorist is calling someone in our country. Why is that important? Well, we know ISIS and other terrorist groups have been recruiting Americans and trying to train them to attack our country. That is why it is important.

Only 34 highly trained, vetted Federal employees are allowed to query that database, and even then they are allowed to do so only if a Federal judge finds that a standard has been reached to allow that query to be made. Even if that query is approved by that Federal judge, the analyst can only see the phone numbers called by the terrorist, the date, the time, and the duration of the call.

If there is a match, then the case is turned over to the FBI for further investigation. The FBI must get a court order to wiretap the phone of the American who is talking to that foreign terrorist.

Last month, during a Senate Appropriations Committee hearing, I asked the Attorney General whether there have ever been any privacy violations regarding that telephone data. She replied no.

I am truly perplexed that anyone would argue that telephone data are better protected in the hands of 1,400 telecom companies and 160 wireless carriers than in a secure NSA database that only 34 carefully vetted and trained employees are allowed to query under the supervision of a Federal judge.

Under the USA FREEDOM Act—the House bill—when we get the telephone number of an overseas terrorist, we potentially are going to have to go to each one of those 1,400 telecom companies, 160 wireless carriers, which potentially will involve thousands of people. The privacy implications are far greater if we have the telecoms control the data, far greater.

Moreover, we know private sector data is far more susceptible to hackers, to criminals. Look at all the breaches of sensitive data that have occurred during the past year alone. Plus, I simply don't think the system will work without a data-retention requirement now that most carriers have flat-rate telephone plans that don't require detailed call data records. The telecom companies have made very clear they will oppose any bill with a data-retention requirement, and there will be a race to the bottom to market the data in a way that says to people: Sign up with us and your data will be safe from the government.

That kind of demagoguery—even though the commerce committee has done an excellent study that shows the data broker companies sell our personal data, including our names, our phone numbers, our addresses to the highest bidder for telemarketing and other purposes, and some of that data ends up in the hands of con artists.

So I don't see how vesting the authority in the telecom communications companies increases the privacy of our data, safeguards it. I think just the opposite is the case. It is going to be less secure because it is going to be more exposed to hackers and criminals who will attempt to do data breaches and have successfully done so. It is going to be less secure because instead of 34 people having access to just the phone numbers and call duration data, we are going to have potentially thousands of people who are going to be asked to query their database. The system is going to be less effective because there is absolutely no guarantee this data will be retained by the telecom companies and the wireless carriers.

Finally, I am persuaded by the cautions given to us, by the direct warnings of former Director of the FBI Robert Mueller and the former Deputy Director of the CIA Mike Morell, who tell us that had this program been in place prior to 9/11, it is likely that terrorist plot would have been uncovered and thwarted.

The fact is the House bill substantially weakens a vital tool in our counterterrorism efforts at a time when the terrorist threat has never been higher. The current program has never been abused. The government cannot listen to your phone calls or read your emails unless there is a court order—because you are directly communicating with an overseas terrorist—and then it goes to the FBI for investigation.

It is a false choice that we have to choose between our civil liberties and keeping our country safe. There are actions we can and should take to strengthen the privacy protections in the NSA program. Several were included in the bipartisan bill reported by the Intelligence Committee last year. Unfortunately, the USA FREEDOM Act provides a false sense of privacy at the expense of our national security.

For these reasons, while I will support the amendments today to try to make modest improvements to the House bill, I simply cannot support the bill on final passage.

I yield the floor.

The PRESIDING OFFICER. The Senator from Utah.

Mr. LEE. Mr. President, I ask unanimous consent to speak for an additional 7 minutes, to be divided between Senator LEAHY and myself.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. LEAHY. Mr. President, I thank the Senator from Utah for his courtesy.

The fact is the USA FREEDOM Act that was passed overwhelmingly in the House of Representatives—that has strong bipartisan support here—is supported by the Director of National Intelligence. It is also supported by our Attorney General. It is supported by our intelligence community. And it is a step forward because, ultimately, the legislation protects the privacy of individuals.

I agree with the Senator from Maine that we have strong restrictions at the NSA on the information. However, they were not strong enough, of course, to stop Edward Snowden from walking off with all the information that was there.

We had six public hearings on these issues in the Senate Judiciary Committee last Congress. The original USA FREEDOM Act was introduced by Senator LEE and me and Congressman JIM SENSENBRENNER in the other body.

We all knew section 215, the roving wiretap authority, and ''lone wolf'' provision, would expire June 1, 2015. That is why we started working to change it. We are also well aware of the Second Circuit Court of Appeals decision that made part of the program illegal.

I think what we have in the USA FREEDOM Act is a carefully crafted bill by both Republicans and Democrats in the House and the Senate. That is why it passed 338 to 88 in the House. If we start amending it, we don't know how much longer it is going to take and we end up with no protections. I think that is not a choice we want to make.

On Sunday night, with only a few hours before the sunset of section 215 and the other two expiring FISA authorities, Republican leadership in the Senate finally agreed to begin debate on the USA FREEDOM Act.

For nearly 2 years, I have been working on a bipartisan basis with members in both the Senate and the House to address these matters. As chairman of the Senate Judiciary Committee last Congress, I convened six public hearings to examine the NSA's bulk collection program and consider reforms to section 215 and other surveillance authorities.

In October 2013, I introduced the original USA FREEDOM Act with Congressman JIM SENSENBRENNER, Senator LEE, and others. We introduced an updated version of the USA FREEDOM Act in 2014 and pushed for the Senate to pass that bill last November, months before Sunday's expiration date.

The American people were demanding meaningful reforms, but the intelligence community also needed operational certainty.

We all knew that section 215, the roving wiretap authority, and the lone wolf provision would expire on June 1. That is why I started working months ago with Members of Congress from both parties and both Chambers to forge a compromise that protects both

Americans' privacy and our national security.

We were able to reach agreement on a bill that certainly does not go as far as I would like, but that definitively ends the NSA's bulk collection of phone records, improves transparency and accountability, and includes other important reforms. Our bill—the USA FREEDOM Act of 2015—is a carefully crafted bill that has now earned the support of the intelligence community, privacy and civil liberties groups, librarians, the tech industry, and a bipartisan super-majority of the Republican-led House of Representatives. Our bill represents significant progress toward real surveillance reform.

Unfortunately, the Republican leadership in the Senate has tried to block this progress at every turn. They blocked the Senate from debating the USA FREEDOM Act last November. They again blocked the Senate from debating the bill 2 weeks ago, despite knowing full well that failure to swiftly consider the House-passed bill would lead to expiration of these critical surveillance authorities. This brinksmanship is not a responsible way to govern.

The expiration of the PATRIOT Act provisions on Sunday night was entirely avoidable, and the unfortunate consequence of a manufactured crisis. The Senate must now act responsibly and swiftly. It is time to pass the USA FREEDOM Act, which would restore the expired provisions and add much needed improvements and reforms.

I hope that we will invoke cloture and then quickly dispense with any germane amendments so that we can move to passage of the bill. The House passed the USA FREEDOM Act almost 3 weeks ago by an overwhelming 338 to 88 vote.

Senator LEE and I sought an open amendment process in the Senate, but we were blocked. Now, we simply do not have any time to spare. The Senate must pass this bill without any amendments so that the President can sign it into law immediately and restore these expired provisions today.

A vote for any amendment is a vote to prolong the expiration of the surveillance authorities that ended on Sunday. If the Senate changes the underlying bill in any way, it must go back to the House for its consideration, and there are no guarantees that it will pass the new bill.

In fact, Chairman GOODLATTE of the House Judiciary Committee, Ranking Member CONYERS, Congressman SENSENBRENNER, and Congressman NADLER warned that ''[t]he House is not likely to accept the changes proposed by Senator MCCONNELL. Section 215 has already expired. These amendments will likely make that sunset permanent.''

Let us have no more unnecessary delay or political brinksmanship. It is time to do our jobs for the American people—to protect their privacy and maintain our national security. Now is not the time to seek unnecessary changes to this bill. If Senators believe that the Senate should consider some of these changes, we can consider them after we pass the USA FREEDOM Act.

I urge Senators to vote for cloture because we need to move forward. We cannot afford to waste any more time. The USA FREEDOM Act includes important reforms, and we need to give the intelligence community the tools they need to keep us safe. That means we must pass the USA FREEDOM Act without change and without any more unnecessary delay.

Mr. President, I yield to the Senator from Utah.

Mr. LEE. Mr. President, I first want to thank my friend and colleague, the senior Senator from Vermont, for his tireless work on this issue. Senator LEAHY and I, along with Senator HEINRICH and so many others who are participating in this process, have worked together to develop a legislative strategy that is both bicameral and bipartisan. This legislation we are about to vote on today was passed with an overwhelming supermajority in the House of Representatives—338 votes to 88 votes. This is a testament to the fact that in so many instances there is more that unites us than divides us in today's political environment. This is an example of the type of win-win situation we can develop.

This bill protects America's national security, and it does so in a way that is respectful of the privacy interests and both the letter and the spirit of the Fourth Amendment.

The American people understand intuitively that it is none of the government's business whom they are calling, when they are calling them, who calls them, and how long their calls last. The American people intuitively understand what graduate researchers have confirmed, which is that this type of calling data—even just the data itself, not anything having to do with recorded conversations, just the data—reveals a lot about an individual, about his or her political preferences, religious views, marital status, the number of children the person may have, and all kinds of interests that are none of the government's business.

Moreover, the way this data is collected is inconsistent with the way our government is supposed to operate. Rather than going out and demonstrating some type of connection between the data set requested and a particular investigation, under the current system the government simply issues orders saying: Send us all of your data. Send us all your data on all calls made by all of your customers. We want all of it. If that means 300 million phone numbers, we want all of that regardless of its connection to any suspected terrorist operation.

That is wrong. Our bill would change that, and it would change it quite simply by requiring the government to request information connected to a particular phone number—a phone number that is itself suspected of being involved in some type of terrorist activity.

This bill represents a good compromise. This bill represents reason. This bill would protect America's national security while also protecting privacy. This bill, in so doing, recognizes that our privacy is not and ought not ever be deemed to be in conflict with our security. Our privacy is, in fact, part of our security.

We are, unfortunately, considering this bill with too little time left. In effect, we are considering this bill after the PATRIOT Act provisions at issue have expired. This is unfortunate. It was unnecessary, and it represents a longstanding bipartisan problem within the Senate—a problem pursuant to which we establish cliffs. We establish these artificially designed deadlines.

We have known about this particular deadline for 4 years. For 4 years, we knew these provisions were going to expire. We should have taken up these provisions far in advance of now. Many of us tried. We did so unsuccessfully. Senator LEAHY and I and others have been working on this legislation for years. We have been ready, willing, eager, and anxious to do so, and we haven't been able to do so until very recently. Now, because of the fact that these provisions have expired, it is incumbent upon us to move these things forward in all deliberate speed.

Whatever the outcome of this vote and of those votes which will follow later today, the American people deserve better than this. Vital national security programs that touch on our fundamental civil liberties deserve a full, open, honest, and unrushed debate. This should not be subject to cynical, government-by-cliff brinksmanship. If Members of Congress—particularly Republican Members of Congress—ever want to improve their standing among the American people, then we must abandon this habit of political gamesmanship.

Finally, it is time for us to pass this bill—this bill which passed overwhelmingly in the House of Representatives, this bill which carefully balances important interests the American people care deeply about.

I urge my colleagues to support this legislation.

Mr. President, this week the Senate will consider the USA FREEDOM Act of 2015, H.R. 2048. I am proud to have introduced the Senate companion to this bill, S. 1123, along with Senator PATRICK LEAHY, ranking member of the Senate Judiciary Committee. We have worked closely with our partners in the House of Representatives, House Judiciary Committee Chairman BOB GOODLATTE, Ranking Member JOHN CONYERS, and Congressmen JIM SENSENBRENNER and JERROLD NADLER.

Since revelations in June 2013 that the National Security Agency was secretly and indiscriminately collecting Americans' telephone records, Senator LEAHY and I have worked together on legislation to end this mass surveillance program and to enact greater transparency and oversight over the government's intelligence gathering operations. The USA FREEDOM Act of 2015 is the result of that 2-year collaboration, and it contains strong reforms. Most importantly, it would definitively end the NSA's bulk collection of Americans' telephone metadata and ensure that the Foreign Intelligence Surveillance Act pen register statute and the national security letter statutes cannot be used to justify bulk collection.

On May 13, 2015, the House passed the USA FREEDOM Act by an overwhelming, bipartisan 338-to-88 vote. More than 80 percent of House Republicans and 75 percent of House Democrats voted for the bill, including the chairmen and ranking members of the House Judiciary and Intelligence Committees, as well as the leadership of both parties.

The resounding vote in the House is a direct result of the commonsense and meaningful reforms contained in the bill. It is also a testament to the will of the American people, who have been unequivocal in their demand for reform and their demand that the NSA stop the indiscriminate collection of their private records.

As our colleagues in the Senate consider the USA FREEDOM Act of 2015, Senator LEAHY and I want to detail the extensive legislative process undertaken to develop this bill and provide additional clarity on the bill's provisions.

Senator LEAHY, I know that you have a long history of pushing for meaningful oversight and transparency of our government's intelligence gathering operations.

Mr. LEAHY. I thank the Senator from Utah for his advocacy on behalf of Americans' privacy rights and for his dedicated efforts to end the NSA's illegal program.

In June 2013, Americans learned for the first time that section 215 of the USA PATRIOT Act has for years been secretly interpreted to authorize the collection of Americans' phone records on an unprecedented scale. And they learned that the NSA has engaged in repeated, substantial legal violations in its implementation of section 215 and other surveillance authorities.

Since that time, Congress and the American public have been engaged in an important debate about the breadth of government surveillance powers and the legal rationale used to authorize the collection of Americans' data. Under my chairmanship last Congress, the Senate Judiciary Committee held six open and public hearings that sharpened the committee's thinking and furthered the public dialogue on these important issues. Senator LEE, Congressman JIM SENSENBRENNER, Congressman JOHN CONYERS, and I introduced bicameral, bipartisan legislation, the USA FREEDOM Act of 2013, S. 1599/H.R. 3361, on October 29, 2013, to end bulk collection and reform our surveillance laws. The President announced his support for ending the bulk collection of Americans' phone records in March 2014. The House of Representatives passed a new version of the USA FREEDOM Act in May 2014, and after lengthy discussions with the executive branch, the technology industry, privacy advocates, and other stakeholders, Senator LEE and I introduced the USA FREEDOM Act of 2014, S. 2685, on July 29, 2014. On November 18, 2014, the full Senate failed to invoke cloture on the motion to proceed to the USA FREEDOM Act of 2014, by a vote of 58 to 42.

Despite falling two votes shy last Congress, Senator LEE and I knew that the May 31, 2015, expiration date was approaching, and we continued to work on a bill to reform these authorities. Senator LEE, can you explain the process we have undertaken this year?

Mr. LEE. Since November 2014, Senator LEAHY and I have been engaged in conversations with House Judiciary Committee Chairman GOODLATTE, Ranking Member CONYERS, and Congressmen SENSENBRENNER and NADLER to develop a new version of the USA FREEDOM Act. After extensive negotiations with the administration, intelligence community officials, privacy and civil liberties groups, the technology industry, and other stakeholders, we introduced the USA FREEDOM Act of 2015, S. 1123/H.R. 2048, on April 28, 2015.

Of course, the USA FREEDOM Act of 2015 was not introduced in a vacuum. Nearly 2 years ago, on June 5, 2013, the Guardian newspaper published an article and posted a classified FISA Court order revealing that the U.S. Government had been engaging in the bulk collection of Americans' telephone metadata. One day later, on June 6, 2013, the Washington Post published an article and posted further classified information about a separate government surveillance program called PRISM involving the collection of the contents of Internet communications. The administration subsequently acknowledged that the NSA's bulk collection of telephone metadata was being conducted pursuant to section 215 of the USA PATRIOT Act. The NSA's PRISM program to collect the contents of Internet communications of certain overseas targets was being conducted pursuant to section 702 of FISA, which was enacted as part of the FISA Amendments Act.

Once these programs were revealed, then-Chairman LEAHY convened a number of hearings so that the American people could better understand what the NSA was doing.

Senator LEAHY, can you remind us of the Judiciary Committee's activities in the 113th Congress?

Mr. LEAHY. As I mentioned, during the last Congress, the Senate Judiciary Committee held six open, public hearings to examine the legal basis, effectiveness, and impact of these programs on Americans' privacy rights and civil liberties. We heard testimony from a wide range of government officials, legal scholars, technologists, and outside experts as the Committee sought to understand and evaluate the numerous issues raised by these activities.

On July 31, 2013, I chaired the first full Judiciary Committee hearing to examine government surveillance programs with administration officials and outside experts. At the hearing, the NSA Deputy Director confirmed that the NSA's bulk telephony program did not help to thwart dozens of terrorist plots, as some administration officials defending the program had been contending. He confirmed that section 215 was only uniquely valuable in thwarting one terrorist ''plot''—the case of Basaaly Moalin, a Somali immigrant who was convicted of material support for sending $8,500 to al-Shabaab in Somalia.

As a result of continued public debate about the government's surveillance activities, on August 9, 2013, President Obama announced that he was ordering the Director of National Intelligence, DNI, to establish a group of outside experts to review the government's intelligence and communications technologies and provide recommendations on possible reforms to surveillance authorities. He also announced the public release of additional documents, including a Department of Justice white paper outlining the legal justification for the section 215 bulk collection program.

Over the course of the following months, the DNI declassified and released a host of documents related to activities conducted under section 215 of the USA PATRIOT Act and section 702 of FISA. The released documents detailed serious incidents of noncompliance and violations of law in implementing both of these programs. For example, the documents revealed that for several years, the NSA was unlawfully collecting thousands of wholly domestic emails and other electronic communications as part of its section 702 collection. In addition, FISA Court orders relating to the section 215 program revealed significant compliance problems and were highly critical of the NSA's oversight and operation of the program.

On October 2, 2013, I chaired a second full Judiciary Committee hearing on government surveillance authorities. NSA Director Alexander revealed for the first time that the NSA had previously conducted a pilot program to

test its capability of handling location data as part of the section 215 phone records program, although he emphasized that it was only a test. The second panel of witnesses at the hearing testified about the government's legal justification for the collection of telephone records under section 215. A technologist and computer scientist provided testimony to illustrate the power of metadata and the blurring distinction between content and metadata in the digital age.

Shortly after that hearing, on October 29, 2013, I joined with Senator LEE, Congressman SENSENBRENNER, and Congressman CONYERS to introduce the bipartisan, bicameral USA FREEDOM Act of 2013 to comprehensively reform a range of surveillance authorities. This legislation served as the basis for many of the reforms Congress is now debating.

On November 13, 2013, Senator FRANKEN chaired a Judiciary Committee subcommittee hearing on legislation that he had introduced, the Surveillance Transparency Act of 2013, components of which were included in the USA FREEDOM Act. Government witnesses testified about executive branch efforts to promote greater transparency of surveillance activities. In addition, several outside witnesses, including representatives from the U.S. technology industry, spoke about the economic harm and damage to American technology companies as a result of revelations of government surveillance activities. These witnesses testified that American businesses stand to lose billions of dollars in the coming years as a result of revelations about U.S. surveillance activities.

On November 18, 2013, the DNI declassified and released a host of documents related to a previously classified program that collected bulk Internet metadata. The documents included a FISA Court opinion authorizing the bulk collection of Internet metadata under the FISA pen register and trap and trace device authority. As with the section 215 telephone metadata program, the declassified documents revealed that the bulk Internet metadata collection program also encountered major compliance problems during its operation. In 2011, the program was ended by the government because it was not meeting operational expectations.

On December 9, 2013, eight leading technology companies—AOL, Apple, Facebook, Google, LinkedIn, Microsoft, Twitter, and Yahoo!—wrote an open letter to President Obama and Congress laying out five surveillance reform proposals. The companies called for a prohibition on the bulk collection of Internet data and argued that governments should limit surveillance to specific, known users for lawful purposes. The companies also urged stronger checks and balances, including an adversarial process at the FISA Court.

On December 11, 2013, the Judiciary Committee held its fourth hearing on these issues. At the hearing, government witnesses discussed the possibility of placing a privacy advocate at the FISA Court, the recently declassified documents about the bulk collection of Internet metadata, and the scope of collection that is permitted under traditional section 215 orders. We learned that the problems with the Internet metadata program were so severe that the FISA Court suspended the program entirely for a period of time before approving its renewal. But then, in 2011, the government ended this Internet metadata program because, as Director Clapper explained, it was no longer meeting ''operational expectations.'' However, senior government lawyers testified that under the statute, there was no legal impediment to restarting this bulk Internet data collection program. If the executive branch—or a future administration—wanted to do so, it would simply apply for an order from the FISA Court.

On December 18, 2013, the President's Review Group on Intelligence and Communications Technology publicly released its final report, which included 46 recommendations and findings to reform government surveillance activities. The review group members included Richard Clarke, former counterterrorism adviser to Presidents George H.W. Bush, Bill Clinton, and George W. Bush; Michael Morell, former Acting Director of the CIA; Geoffrey Stone, professor at the University of Chicago Law School; Cass Sunstein, Harvard Law School professor and former senior OMB official in the Obama administration; and Peter Swire, a professor at the Georgia Institute of Technology and former adviser to Presidents Obama and Clinton. They concluded that the section 215 phone records program had not been essential to national security, saying: ''The information contributed to terrorist investigations by the use of section 215 telephony meta-data was not essential to preventing attacks and could readily have been obtained in a timely manner using conventional section 215 orders.'' The review group further stated that ''Section 215 has generated relevant information in only a small number of cases, and there has been no instance in which NSA could say with confidence that the outcome would have been different without the section 215 telephony meta-data program.''

This sort of massive surveillance presents significant privacy implications in the digital age, and the review group's report provided valuable insights. The report explained that keeping a record of every phone call an individual has made over the course of several years ''can reveal an enormous amount about that individual's private life.'' The report further explained that in the 21st century, revealing private information to third party services ''does not reflect a lack of concern for the privacy of the information, but a necessary accommodation to the realities of modern life.'' And the report questioned whether we can continue to draw a rational line between communications metadata and content. This is a critically important question given that many of our surveillance laws depend upon the distinction between the two.

The review group also addressed the national security letter, NSL, statutes. Using NSLs, the FBI can obtain detailed information about individuals' communications records, financial transactions, and credit reports without judicial approval. Recipients of NSLs are subject to permanent gag orders. The review group report made a series of important recommendations to change the way national security letters operate. I have been fighting to impose additional safeguards on this controversial authority for years—to limit their use, to ensure that NSL gag orders comply with the First Amendment, and to provide recipients of NSLs with a meaningful opportunity for judicial review.

Following release of the review group's report, the Judiciary Committee then held its fifth hearing on the NSA's programs and called the members of the review group to testify. On January 14, 2014, the members of the review group testified before the Senate Judiciary Committee and explained that in light of changing technology and the creation of more and more data, it recommended transitioning to a system where the government does not hold massive databases of Americans' metadata. Rather, metadata could be held by providers or a third party, and could be searched by the government only with advance judicial approval. The five members of the panel made clear that while we must always consider ongoing threats to national security, policymakers should consider all of the risks associated with intelligence activities: the risk to individual privacy, to free expression and freedom of association, to an open and decentralized Internet, to America's relationships with other nations, to trade and commerce, and to maintaining the public trust.

Following the review group's report, in January 2014, President Obama took an important step to restore American's privacy and civil liberties by embracing the growing consensus that the section 215 phone records program should not continue in its current form. During a speech at the Department of Justice, the President announced that he had directed the intelligence community to develop alternatives to the program and asked the Justice Department to seek advance

judicial approval from the FISA Court to query the section 215 phone call database. Additionally, he ordered the government to limit searches of the section 215 database to two ''hops,'' instead of three. He also recommended reforms to the secrecy surrounding national security letters.

A January 23, 2014, report by the Privacy and Civil Liberties Oversight Board, PCLOB, added to the growing chorus calling for an end to the government's dragnet collection of Americans' phone records. On February 12, 2014, the Judiciary Committee held its sixth public hearing, this time with the members of the PCLOB to explain the conclusions in their report. As with the President's review group, the PCLOB report likewise determined that the section 215 program has not been effective, saying: ''We have not identified a single instance involving a threat to the United States in which the program made a concrete difference in the outcome of a counterterrorism investigation. Moreover, we are aware of no instance in which the program directly contributed to the discovery of a previously unknown terrorist plot or the disruption of a terrorist attack.''

The PCLOB report also provided the public with a detailed constitutional and statutory analysis of this program and concluded that the program ''lacks a viable legal foundation under Section 215'' and ''implicates constitutional concerns under the First and Fourth Amendments.'' The PCLOB report further revealed that although the FISA Court first authorized this program in 2006, it did not issue an opinion setting forth a full legal and constitutional analysis of the program until 2013.

In March 2014, after consulting with the intelligence community, President Obama announced that his administration would work with Congress to pass legislation to end the NSA's section 215 bulk phone records collection program and to transition to a new program in which the data is not held by the government. Ending bulk collection is a key element of what I, Senator LEE, and others have included in the various iterations of the USA FREEDOM Act.

After the President's announcement, the House of Representatives took action. Senator LEE, would you like to expand on what transpired in the House?

Mr. LEE. On May 5, 2014, House Judiciary Committee Chairman GOODLATTE announced that he had agreed with Representatives SENSENBRENNER and CONYERS on a new version of the USA FREEDOM Act. On May 7, 2014, the House Judiciary Committee voted unanimously to report this revised USA FREEDOM Act. The next day, the House Permanent Select Committee on Intelligence convened a markup to consider the version of the bill reported by the House Judiciary Committee and voted unanimously to report the bill to the full House.

Following action by the House Judiciary and Intelligence Committees, further changes to the text of the reported bill were considered and a substitute amendment to the USA FREEDOM Act was unveiled on May 20, 2014, when the House Rules Committee adopted a rule for floor consideration. Following the release of the substitute amendment, some concerns were raised that the substitute amendment did not effectively prohibit bulk collection, even though that was clearly its intent. On May 22, 2014, the House of Representatives passed the amended version of the USA FREEDOM Act by a vote of 303 to 121. Many of those who voted no on the bill did so because they were concerned that its reforms did not go far enough.

After the House passed its version of the USA FREEDOM Act, Senator LEAHY and I worked hard to build on that legislation.

Senator LEAHY, can you talk about what led to the USA FREEDOM Act of 2014, S. 2685?

Mr. LEAHY. Immediately following passage of the House version in May 2014, Senator LEE and I began working to address concerns that the text of the House bill, although clearly intended to end bulk collection, did not do so effectively. We spent several months in discussions with the intelligence community and a wide range of stakeholders, including other Senators, privacy and civil liberties groups, and the U.S. technology industry, to build on the framework established by the House-passed bill.

Those negotiations led to the introduction of the USA FREEDOM Act of 2014, S. 2685, on July 29, 2014. More than 50 organizations, interest groups, trade associations, and technology companies from across the political spectrum publicly endorsed the bill. On September 2, 2014, the Attorney General and DNI wrote a letter in support of the USA FREEDOM Act of 2014. The letter noted that the bill preserved the intelligence community's capabilities while also enhancing privacy and civil liberties and increasing transparency. Likewise, members of the President's review group wrote a letter to myself and Senator GRASSLEY, explaining that the USA FREEDOM Act of 2014 was consistent with the recommendations contained in their December 2013 report.

On November 12, 2014, Senator REID filed cloture on the motion to proceed to the USA FREEDOM Act of 2014. A few days later, on November 17, 2014, the Obama administration released a Statement of Administration Policy on the USA FREEDOM Act of 2014 strongly supporting passage.

Despite the wide-ranging support for these commonsense reforms, on November 18, 2014, the full Senate failed to invoke cloture on the motion to proceed to the USA FREEDOM Act of 2014, by a vote of 58 to 42. I was extremely disappointed that the Republican leadership in the Senate decided to use a procedural vote to block debate and amendments on such an important piece of legislation.

With the start of the 114th Congress, Senator LEE and I began discussions with the House to develop a new version of the USA FREEDOM Act. We knew that the June 1, 2015, sunset of several surveillance authorities, including section 215 of the USA PATRIOT Act, would come up fast. For several months, we engaged in conversations with House Judiciary Committee Chairman GOODLATTE, Representative SENSENBRENNER, and House Judiciary Committee Ranking Member CONYERS, as well as officials from the administration, intelligence community, privacy and civil liberties groups, the technology industry, and other stakeholders on a path forward. Those extensive deliberations produced another set of bipartisan, bicameral surveillance reforms to end the bulk collection of Americans' phone records and amend other surveillance laws.

On April 28, 2015, Senator LEE and I introduced the USA FREEDOM Act of 2015, S. 1123, and Representatives SENSENBRENNER, GOODLATTE, CONYERS, NADLER, and others in the House introduced the House companion, H.R. 2048. The Senate version of the bill was originally cosponsored by Senators HELLER, DURBIN, CRUZ, FRANKEN, MURKOWSKI, BLUMENTHAL, DAINES, and SCHUMER. It has also received the support of the administration, privacy groups, and the technology industry.

On May 11, 2015, the Attorney General and Director of National Intelligence wrote a letter in strong support of the USA FREEDOM Act of 2015. The letter notes that the legislation ''is a reasonable compromise that preserves vital national security authorities, enhances privacy and civil liberties and codifies requirements for increased transparency.'' The Obama administration also issued a Statement of Administration Policy on May 12, 2015, in strong support of the USA FREEDOM Act of 2015.

In early May, as the House and Senate were preparing to consider the USA FREEDOM Act of 2015, the Second Circuit issued a decision confirming what we knew all along.

Senator LEE?

Mr. LEE. It did. On May 7, 2015, a three-judge panel from the U.S. Court of Appeals for the Second Circuit unanimously concluded that the NSA's bulk collection program is illegal. The court held that section 215 of the USA PATRIOT Act does not authorize bulk collection of Americans' private records and roundly rejected the argument that all of our phone records can be ''relevant'' to any particular authorized investigation.

In ACLU v. Clapper, the Second Circuit provided a detailed statutory and

legal analysis of section 215 and the bulk collection program. It stated that the government's ''expansive'' interpretation of ''relevance'' in the context of Section 215 ''is unprecedented and unwarranted.'' The court further stated:

The interpretation that the government asks us to adopt defies any limiting principle. The same rationale that it proffers for the ''relevance'' of telephone metadata cannot be cabined to such data, and applies equally well to other sets of records. If the government is correct, it could use §215 to collect and store in bulk any other existing metadata available anywhere in the private sector, including metadata associated with financial records, medical records, and electronic communications (including e-mail and social media information) relating to all Americans.

Such expansive development of government repositories of formerly private records would be an unprecedented contraction of the privacy expectations of all Americans.

The court also rejected the government's attempt to compare the NSA's section 215 orders for bulk collection of telephony metadata to grand jury subpoenas, citing the expansive scope and breadth of the information requested. The court correctly noted:

The sheer volume of information sought is staggering; while search warrants and subpoenas for business records may encompass large volumes of paper documents or electronic data, the most expansive of such evidentiary demands are dwarfed by the volume of records obtained pursuant to the orders in question here. . . . The government can point to no grand jury subpoena that is remotely comparable to the real-time data collection undertaken under this program.

While the Second Circuit held that the NSA bulk collection program was illegal, it did not issue a preliminary injunction to enjoin the program. The Second Circuit remanded the case with instructions for the district court to consider whether an injunction was appropriate in light of the upcoming June 1, 2015, expiration of section 215 and ongoing efforts in Congress to enact legislation before the sunset.

As both Senator LEAHY and I have mentioned, the USA FREEDOM Act of 2015 passed the House of Representatives less than a week later by an overwhelming and bipartisan vote of 338 to 88.

In order to aid Senators' consideration of this bill, and to prevent misinterpretations of Congress's intent, we want to state clearly that we agree with the section-by-section analysis contained in House Report 114–109, ''UNITING AND STRENGTHENING AMERICA BY FULFILLING RIGHTS AND ENSURING EFFECTIVE DISCIPLINE OVER MONITORING ACT OF 2015,'' to accompany H.R. 2048 as adopted by the House Judiciary Committee on May 8, 2015. There are a few additional matters that Senator LEAHY and I should take an opportunity to clarify. Senator LEAHY?

Mr. LEAHY. The core of this legislation is its prohibition on the bulk collection of records under section 215 of the USA PATRIOT Act, the FISA pen register and trap-and-trace device statute, and the national security letter statutes. Though there are some minor wording changes, these provisions are substantively identical to the version in the USA FREEDOM Act of 2014. For section 215 and the FISA pen register and trap and trace device statutes, under the bill the government must use a ''specific selection term'' to limit its collection and demonstrate reasonable grounds to believe that the records sought are relevant to the underlying investigation, which cannot be a threat assessment. These requirements are independent of each other, and both must be satisfied.

The USA FREEDOM Act of 2015 is being considered with full knowledge of the Second Circuit's decision in ACLU v. Clapper and its interpretation of the term ''relevant,'' which rejects the prior reading of the Foreign Intelligence Surveillance Court. According to the Second Circuit, information that the government seeks to obtain must be presently relevant to the specific underlying investigation. The Second Circuit correctly noted:

''Relevance'' does not exist in the abstract; something is ''relevant'' or not in relation to a particular subject. Thus, an item relevant to a grand jury investigation may not be relevant at trial. In keeping with this usage, §215 does not permit an investigative demand for any information relevant to fighting the war on terror, or anything relevant to whatever the government might want to know. It permits demands for documents ''relevant to an authorized investigation.'' The government has not attempted to identify to what particular ''authorized investigation'' the bulk metadata of virtually all Americans' phone calls are relevant. Throughout its briefing, the government refers to the records collected under the telephone metadata program as relevant to ''counterterrorism investigations,'' without identifying any specific investigations to which such bulk collection is relevant. . . . Put another way, the government effectively argues that there is only one enormous ''anti-terrorism'' investigation, and that any records that might ever be of use in developing any aspect of that investigation are relevant to the overall counterterrorism effort. The government's approach essentially reads the ''authorized investigation'' language out of the statute. Indeed, the government's information-gathering under the telephone metadata program is inconsistent with the very concept of an ''investigation.''

The USA FREEDOM Act of 2015 reauthorizes section 215, but it does so in light of the understanding of how the Second Circuit interprets ''relevance.''

Mr. LEE. I agree that the new requirement for a ''specific selection term'' in the USA FREEDOM Act of 2015 is separate from the requirement of ''relevance.'' I would like to clarify one last point. Section 104 of the bill authorizes the FISA Court to impose additional, particularized minimization procedures for information obtained under section 501 of FISA. That section provides that the FISA Court may impose additional procedures related to ''the destruction of information within a reasonable time period.'' That provision therefore provides authority for the FISA Court to specify a time period within which the government must destroy information.

Mr. LEAHY. I have been proud to work with Senator LEE for nearly 2 years to develop the legislation that we have been discussing. It has involved many hours of hard work over many months. The result is a solid bill with a set of commonsense reforms that has overwhelming support. The Senate should pass it today.

CLOTURE MOTION

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

The senior assistant legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on H.R. 2048, an act to reform the authorities of the Federal Government to require the production of certain business records, conduct electronic surveillance, use pen registers and trap and trace devices, and use other forms of information gathering for foreign intelligence, counterterrorism, and criminal purposes, and for other purposes.

Mitch McConnell, John Cornyn, Ron Johnson, Dean Heller, Steve Daines, Cory Gardner, Johnny Isakson, Richard Burr, Tim Scott, James Lankford, Jeff Flake, Mike Lee, Lisa Murkowski, John Barrasso, Thom Tillis, Chuck Grassley, Richard C. Shelby.

The PRESIDING OFFICER. Pursuant to rule XXII, the Chair now directs the clerk to call the roll to ascertain the presence of a quorum.

Mr. LEAHY. Mr. President, I ask unanimous consent that we waive the mandatory quorum.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The question is, Is it the sense of the Senate that debate on H.R. 2048, an act to reform the authorities of the Federal Government to require the production of certain business records, conduct electronic surveillance, use pen registers and trap and trace devices, and use other forms of information gathering for foreign intelligence, counterterrorism, and criminal purposes, and for other purposes, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Missouri (Mr. BLUNT) and the Senator from South Carolina (Mr. GRAHAM).

Mr. DURBIN. I announce that the Senator from Virginia (Mr. WARNER) is necessarily absent.

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

The yeas and nays resulted—yeas 83, nays 14, as follows:

[Rollcall Vote No. 197 Leg.]

YEAS—83

Alexander	Flake	Mikulski
Ayotte	Franken	Murkowski
Baldwin	Gardner	Murphy
Bennet	Gillibrand	Murray
Blumenthal	Grassley	Nelson
Booker	Hatch	Perdue
Boozman	Heinrich	Peters
Boxer	Heitkamp	Portman
Brown	Heller	Reed
Burr	Hirono	Reid
Cantwell	Hoeven	Rounds
Capito	Inhofe	Sasse
Cardin	Isakson	Schatz
Carper	Johnson	Schumer
Casey	Kaine	Scott
Cassidy	King	Shaheen
Coats	Kirk	Stabenow
Cochran	Klobuchar	Sullivan
Collins	Lankford	Tester
Coons	Leahy	Thune
Corker	Lee	Tillis
Cornyn	Manchin	Toomey
Cruz	Markey	Vitter
Daines	McCain	Warren
Donnelly	McCaskill	Whitehouse
Durbin	McConnell	Wicker
Feinstein	Menendez	Wyden
Fischer	Merkley	

NAYS—14

Barrasso	Moran	Sanders
Cotton	Paul	Sessions
Crapo	Risch	Shelby
Enzi	Roberts	Udall
Ernst	Rubio	

NOT VOTING—3

Blunt	Graham	Warner

The PRESIDING OFFICER. On this vote, the yeas are 83, the nays are 14.

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

The majority whip.

Mr. CORNYN. Madam President, the Senate will hold a series of votes this afternoon on the underlying bill, and I think it is important for all of us to understand exactly what those amendments will do.

The underlying House bill makes some changes in the way the National Security Agency operates and uses what the Supreme Court of the United States has held is not private information—in other words, the time, duration, and number involved in a telephone call that is contained in a typical telephone bill.

The Supreme Court of the United States has said there is no right of privacy in that information. As the Senate knows, what the House bill does is it leaves these phone records in the possession of the telephone company. Then, over a period of 6 months, the National Security Agency is supposed to come up with a means of querying those records in the possession of the various phone companies.

Some, like me, have wondered why it is that we are trying to fix a system that is not broken, because there is absolutely no documented record of any abuse of this information as it is currently retained by the NSA. The way it is used is to help the intelligence community discover people who have communicated with known or suspected terrorists abroad in a way that will help to provide an additional piece of data that will hopefully help them prevent terrorist attacks from occurring on our home soil.

The FBI Director has said that in the 56 field offices in the United States, every single one of these field offices has an open inquiry with regard to potential homegrown terrorist attacks.

As I mentioned before, in Garland, TX, just a few weeks ago, two men traveled from Phoenix, AZ, and obtained full-body armor and automatic weapons and were prepared to wreak havoc and murder innocent people in Garland, TX, because they were exercising their First Amendment rights and were displaying cartoons that these two jihadists felt insulted the Prophet Muhammad.

Thanks to the good police work of a Garland police officer, both of those people were taken out of action before they could kill anybody there at that site. But why in the world would we want to take away from our intelligence authorities the ability to detect whether individuals, such as these two jihadists from Phoenix who traveled to Garland, had been communicating with known terrorist telephone numbers in Syria or anywhere else in the world? These are foreign telephone numbers that are matched up and provide an essential link and, really, a tripwire for the intelligence community.

What the amendments that we will vote on this afternoon would do is to slow the transition from NSA storage to the telephone company stewardship from the 6 months prescribed in the underlying bill. For those who believe that the underlying bill is the correct policy, I do not know why they would object to a little bit of extra time so we can make sure that this is going to work as intended.

Indeed, the second amendment does relate specifically to that. It would require a certification by the Director of National Intelligence that the software is actually in place that will allow the National Security Agency to query the phone records in the possession of the telephone companies.

Another amendment would provide that the Foreign Intelligence Surveillance Court, which is a group of experienced Federal judges who review the requests from the FBI and other law enforcement authorities, would be able to query these telephone records. It would establish a panel of experts, so to speak, to argue against the government's case in front of the Foreign Intelligence Surveillance Court. As somebody who used to be a judge for some time, this is a rather strange provision because what it does, essentially, is to put a defense attorney in the grand jury room and create an adversarial process at the early stages of an investigation, which may or may not lead up to an indictment in that case.

The final amendment would require the phone companies to notify Congress if they are going to change their policy for retaining customer records. This is a serious concern because it could well be that some telephone companies will start marketing to potential customers that they will not retain any records, thus eliminating an important tool which helps keep Americans safe and has absolutely zero threat to civil liberties.

There has been so much misrepresentation about what this so-called metadata program has done. I think that is one of the reasons we find ourselves here today. Many who believe the program is useful are reluctant to even talk about it in public because, as we know, so much of what is done to protect our country is classified. So rather than have a public debate and actually correct the misstatements of fact and the demagoguery that unfortunately attends this subject, many people are simply confused about what exactly is going on and what Congress is doing. But I would just point out that oversight of these programs is absolutely rigorous. It is executive, judicial, and legislative oversight. It is not a matter of trust as to whether these programs work the way they are supposed to; it is actually verified on a regular basis, universally verified.

Also, we have to go before these Federal judges known as a FISA Court—a Foreign Intelligence Surveillance Court—in order to make our case. Unless we can make our case to these judges that there is reason to continue the investigation, they will shut it down.

One of the things I think we have forgotten is that we want to treat intelligence gathering and prevention as we do ordinary law enforcement. What I mean by that is that ordinarily, in the criminal law context, government doesn't get involved in a case unless something bad has already happened. If there has been an explosion or a murder or a bank robbery or something like that, it is after the fact that we try to figure out what happened and then, if we can, to identify the perpetrator and to bring them to justice. That satisfies an important need in our society to enforce our criminal law, but that is far different from what our intelligence community is supposed to be doing because they are supposed to be detecting threats and intervening in those ongoing schemes and stopping them before they ultimately occur.

That is the important lesson we learned on 9/11. Unfortunately, it has

been so long ago now that many people have simply forgotten or they don't feel as though this is an imminent threat. But when Director Comey says they have open inquiries in all 56 FBI field offices about the potential threat of homegrown terrorists, I take that very seriously. I believe it is absolutely reckless for us to take any unnecessary chances.

There are some who say this underlying bill is important because instead of the National Security Agency collecting these telephone numbers, we are going to leave the data with the telephone companies. But none of the people who are going to be querying these records at the phone companies have security clearances. One can just imagine the potential for abuse at the phone companies of these phone records once they receive some sort of request from the government.

We know the current system as run at the National Security Agency is subject to rigorous oversight, as I mentioned. In addition to the executive, judicial, and legislative oversight, we actually have a private and civil liberties oversight board which makes sure that we strike the right balance. Nobody wants to see the privacy rights of American citizens undermined, but we all are adult enough to know that there has to be a balance and that in order to provide for security and to avoid terrorist attacks such as occurred on 9/11, we are going to have to take some actions to reach the right balance, and I believe the current law does that.

Unfortunately, we have a traitor such as Edward Snowden who selectively leaked certain portions of this program, and it has created an uproar. I think that unfortunately, as a result of his leaks and the ensuing political environment after that, America is at greater risk, and that is a terrible shame.

So I think it is reckless to take a chance. We have been fortunate that there have been no terrorist attacks on our homeland since 9/11. Well, I take that back. Five years ago, at Fort Hood, MAJ Nidal Hasan killed 13 people and injured 30-something more. Of course, we know now that he had been in constant communication over the Internet with Anwar al-Awlaki, who subsequently was killed in a drone strike—even though he was an American citizen—overseas. He was overseas because he was recruiting people to Islamic extremism, including Nidal Hasan, who killed 13 people at Fort Hood 5 years ago.

It is simply a fact that the Fourth Amendment of the U.S. Constitution involving searches and seizures doesn't apply to foreign terrorists; it applies to Americans. Under the procedures used under current law, all requests for additional information are subject to Federal court supervision and permission.

So we will vote on a number of amendments this afternoon. I can tell my colleagues, after talking to a number of our colleagues, many of them have said they don't really have any disagreement over the content or the policy of these amendments. Actually, these amendments are designed to try to strengthen the underlying House bill.

We all understand that the House is going to prevail in the basic structure of the underlying piece of legislation, but since when did the U.S. Senate outsource its decisionmaking to the other body across the Capitol? We have a bicameral legislature—a Senate and a House—for a reason. We know we make better decisions when we have consultation between the two branches of the legislature—not capitulation but consultation. The Senate should not be a rubberstamp for the House or vice versa.

I have heard some of our colleagues say that if the Senate were to change a period or a comma or a dash in the underlying legislation, it would be a poison pill, that the House would reject it and we would have nothing to show for our efforts. But I have great faith that if the Senate will do its job and vote to pass these underlying amendments and strengthen this underlying bill, the House will take up the bill and vote on it and it will pass. So if my colleagues feel as though these amendments would actually strengthen the underlying House bill and represent good policy, why in the world would they vote against these amendments because of some fantasy that the House will simply reject any changes at all? Why would they essentially capitulate any of their prerogatives as U.S. Senators to represent their constituents in this body? We all know we make better decisions in consultation with other people.

Certainly I think it is true that the House's bill is not holy writ. It is not something we have to accept in its entirety without any changes. I think where the policy debate should go would be to embrace these amendments and to say that we understand the House wants to change the current custody policy of these phone records and leave them with the phone company, but we sure need to know the new system will actually work. Doesn't that make sense? That is why the certification from the Director of National Intelligence is so important. It makes sense to provide a little bit more time—from 6 months to a year—in order to make sure this transition goes smoothly.

I know no Member of the Senate and no Member of the House and no American wants to look back on our hasty treatment of this underlying legislation and say: If we were just a little more careful, if we had just taken a little bit more time, if we had just been a little more thoughtful, a little more deliberative, and talked about the facts as they are and not some misrepresentation of the facts, we could have actually prevented a terrorist attack on our home soil.

Unfortunately, by increasing the risk to the American people, as I believe this underlying legislation will do, we may not find out about that until it is too late. I hope and pray that is not the case, but why should we take the risk to the homeland? Why should we risk anyone being injured or potentially killed as a result of a homegrown terrorist attack on our own soil because we have simply blinded ourselves in a significant way to the risks? Not that this is a panacea, not that this is some litmus test, but it is one essential piece of information that will help law enforcement make the case to not just prosecute crimes after they occur but to prevent them from occurring in the first place through the good and sound use of constitutional intelligence gathering in a way that respects the privacy of all Americans but lives up to our first and foremost responsibility, and that is to keep the American people safe.

Madam President, I yield to the distinguished ranking member.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. LEAHY. Madam President, nobody disputes that we all want to keep America safe. We all agree on that. We also want to make sure that we keep Americans free and that their constitutional freedoms are protected. None of us would think that we were making the country safer if we were to try to pass a law that said law enforcement or anybody else can walk into our homes at any time they want and go through any files we have, follow us anywhere they wanted just on a whim. We would be totally opposed to that. But some would say that in the aftermath of 9/11, in some of the aspects of the PATRIOT Act, we did just that.

Congressman Armey, who was the Republican leader, the majority leader of the House at the time—a very conservative Republican—he and I joined together after consultation to put into the PATRIOT Act sunset provisions which would require us to have the debate we are having right now.

We talk about consultation. The fact is that there have been hours and days and weeks and months of consultation between the House and the Senate on the USA FREEDOM Act. We had a bill before us last year that was filibustered. It still got 58 votes. That was done in consultation with the House. The majority leader of the House has already said—the Republican leader—he has warned the Senate not to move ahead with planned changes to the House bill because it could bring real challenges in getting the USA FREEDOM Act passed through the House again.

The fact is that we have had so much consultation. Senator LEE, I, Republicans and Democrats have met continuously for months—even a year—with House Republicans and House Democrats to get the bill that is before us now. That is probably why it passed by such a lopsided margin in the House of Representatives.

My distinguished friend from Texas says these are minor changes. Well, actually, they are not. One would weaken the FISA Court amicus authority. We know that for years the FISA Court secretly misinterpreted section 215. As a result, after the program leak, that is the only time the FISA Court finally heard the government's argument. Before that, they only heard the government. Once a legal reason justifying this program became public, challenges were brought, and the Second Circuit last month ruled unanimously that the program was unlawful.

Having amicus in there is not having a defense attorney in a grand jury room at all. Amicus on questions of law can be invited by the court to step in. This could be a relatively rare case, completely in the discretion of the court. It is hard to talk about weakening that further, especially when we are talking about a secret court.

I oppose the amendment to extend the current bulk collection program in place for a full year. We have a 180-day transition period. And the Director of the NSA said: ''We are aware of no technical or security reason why this cannot be tested and brought online within the 180-day period.'' I think the NSA Director is as knowledgeable about this subject as anybody in this Chamber, and he says we can go forward with it.

I think all of these amendments that are talked about would simply delay passing an excellent piece of legislation, one that has been worked on by Republicans and Democrats for months and even years. Let's pass it today.

We hear about stopping terrorism attacks. We all want to do that. But I remember some of the statements made by a former NSA Director that this had stopped 54 terrorist attacks. When he was pressed on that claim, it came out that the bulk collection program was only important after the fact in one case—and that was not a terrorist attack.

We also know that 9/11 could have been avoided. The evidence was there. The information was there. But the dots had not been connected. Everybody was frantically taking information they already had—recordings they already had after 9/11—and saying: We ought to get around to translating what is in these things. We know that in Minnesota, the FBI warned that people were taking flight lessons and there was no good reason. That warning was ignored. They basically were told: We know better.

I remember the day or so after the attack, at FBI Headquarters, people were calling in with information from different field offices. Somebody would write it down and would hand it to somebody else who would rewrite it and hand it to somebody else who would put it in a file. They would charter planes to bring photographs around to different places so our offices could see them. And I said: Well, why don't we just email the photographs? They would say: Well, we don't have the ability to do that. I said: Well, my 11-year-old neighbor could do it for you if that would help.

The fact of the matter is we had the information prior to our own new laws, and it didn't make us safer—any more safer than when we voted for $2 to $3 trillion to go into Iraq because, as the Vice President and others were saying, they were about to attack us with nuclear weapons, and they were implying they were involved in 9/11.

Mr. WYDEN. Will the distinguished ranking member yield?

Mr. LEAHY. Yes.

Mr. WYDEN. I think the ranking member has made a number of very important points here.

The fact of the matter is that we are all here because the majority leader wasn't able to defeat the surveillance reform. So instead, he has chosen to introduce amendments designed to water it down. I am disappointed by this. I will oppose all of these amendments, and I want to have a colloquy briefly with the ranking minority member.

The ranking minority member and our colleague from Connecticut, Senator BLUMENTHAL, have done very good reform work with respect to the FISA Court. In particular, what the distinguished Senator from Vermont has done, with the help of the Senator from Connecticut, is to bring some very important sunshine and transparency to the court. As my two colleagues have pointed out on the Judiciary Committee, we really meet on the major questions—not all of them, as the Senator from Vermont has just said—but what is really needed is to make sure that both sides get a chance to be heard, not just the government side.

So what troubles me—and I am interested in the reaction of my colleague from Vermont, and I want to praise him and my colleague from Connecticut—is that it seems to me that what the Senate majority leader wants to do is basically to take us back to the days of secret law.

What is important, as we get into this, and particularly with this amendment, is that there is a difference between secret operations and secret law. Operations always have to be kept secret.

I see my friend Chairman BURR here. We serve on the Intelligence Committee together. The two of us feel so strongly about making sure secret operations are kept secret because otherwise Americans are going to die. We can't have secret operations splayed all hither and yon in the public square.

But the law always ought to be public. As Senator LEAHY has pointed out for some time—and I warned about it here on the floor—what we would see is, if you live in Connecticut or Vermont, the PATRIOT Act talked about collecting information relevant to investigation. Nobody thought that meant millions and millions of records on law-abiding people. That decision was made in secret. It was made without the reforms advocated by the Senator from Connecticut and the Senator from Vermont.

So I would be interested in my colleague from Vermont's reaction to the majority leader's amendment to scale back your very constructive reforms on the FISA Court. And my sense is that what the majority leader's approach would do would take us back to the days of secret law. I think that is a mistake, and I would be curious about the reaction of my colleague from Vermont on this.

Mr. LEAHY. I would say to my friend from Oregon that the American people want to know how the laws are being interpreted. They want to know what the courts are doing.

As to secret operations, of course, you have had briefings on those. I have had briefings on those. I have been in places I will not name here. They are places overseas where I was there in the operations center as operations were taking place and being briefed on what they did, where they got the information, and what they were going to do next. Of course, none of that you want to be reading in the press or seeing in real time.

But I also know that when we are dealing with Americans and with their lives and with their sense of privacy, we have to protect them. The USA FREEDOM Act makes very simple changes to the FISA court. The bill provides the FISA Court with the authority to designate individuals who have security clearances to be able to serve as an amicus or a friend of the court. It is triggered in only relatively rare cases involving a novel or significant issue of law, and the decision of appointment is left entirely up to the court. That is about as narrowly drawn as you can get. But I think we have to have this ability to know what the court is doing because we have known for years that the FISA Court secretly misinterpreted Section 215 to allow for the dragnet collection of Americans' phone records.

I would be happy to yield to the Senator from Connecticut, who has worked so hard on this and is a former attorney general of his own State.

My own experience in getting search warrants for phone records or anything else as a prosecutor—and I realize it is

not of the complexity of what we have today, but I realize we had to follow the law—is that, ultimately, that protects us more than anything else. I do not want this administration or any other administration to have the ability just to go anywhere they want. I am not encouraged by those who say this is so carefully maintained. We were given information earlier that just a small number of people can have access to those records. I guess it is one less since Edward Snowden walked out the door with all of it.

I will yield to the Senator from Connecticut if he would like to speak on this subject.

The Senator from Oregon has been such a strong and passionate leader on this, and I know from what I hear from the people of my State and when I am down in his State that people want us to be safe, but they also want their privacy protected.

The PRESIDING OFFICER (Mr. FLAKE). The Senator from Connecticut.

Mr. BLUMENTHAL. I thank the Chair.

Mr. President, I am very grateful for the opportunity to follow my distinguished colleague from Vermont and to emphasize some of the points that he has just made. But first let me thank Senator WYDEN for his leadership and his courage on this issue of foreign intelligence surveillance reform. He has helped to lead this effort, long before I was in the Senate, in favor of more transparency and accountability. Those are among the overarching objectives here.

My colleague from Vermont, who shares with me a background as a prosecutor, rightly makes a point that warrants and other means of surveillance when prosecutors seek them are sought ultimately from judges. I want to speak to some of the myths and misconceptions here that endanger this key reform.

Our colleague from Texas, whom I greatly respect, has argued that the FISA Court is like a grand jury. In fact, he has said that an amicus should not be appointed, in effect, to intervene with a body that is like a grand jury. Well, the Foreign Intelligence Surveillance Court is not a grand jury, as my colleague from Oregon has said very well. The FISA Court makes law. It interprets the law in ways that are binding as legal precedents. Far from being like a grand jury, as a truly investigative tool of the court, the Foreign Intelligence Surveillance Court is a court. In fact, it is composed of article III judges who do as they do on their own district courts or appellate courts; that is, they interpret law and thereby, in effect, make law.

To keep that law secret is a disservice to the American people and to our legal system. To have only one side represented skews and, in effect, impedes the operations of that court because we know that judges make better decisions when they hear both sides and rights are better protected. Even so, the FISA Court needs to hear from that amicus panel only when it chooses to do so, ultimately.

It has the discretion under the statute, as it exists now, to decide to appoint an amicus in any particular matter. It is required to appoint an amicus in novel or significant cases unless—and the word ''unless'' is in the statute—it issues a finding that the appointment is not appropriate. It can make that finding whenever it wishes to do so. So the discretion is for the FISA Court in whether to hear from an amicus, even under the bill that the USA FREEDOM Act is now. It can permit the amicus to address privacy, technology or any other area relevant to the matter before the court—not just constitutional rights. And that leads to the second misinterpretation, if I may say so, in the remarks made by my colleague from Texas.

The bill does not direct an amicus to oppose intelligence activity or to oppose the government's view or position. In fact, it is to enlighten the court. In some instances it may oppose the government, but it is as part of that process of constructively arriving at the correct legal interpretation—not as a kind of knee-jerk reaction to oppose the government.

Again, I stress, a novel or significant issue in the discretion of the court may be addressed by the amicus. What the amendment does is to deprive the amicus or expert panel of the access it needs to facts and law to be the best that it can be in interpreting, arguing, and protecting rights. It, in effect, bars access to past precedents of the court, to briefings from intelligence experts, to facts that may be known to the Department of Justice or intelligence agencies. That hampering and hobbling of the amicus in no way serves the cause of justice. It in no way serves the cause of intelligent intelligence activities—in fact, it undermines that activity.

It undermines trust and confidence in the court. This court has operated in secret. It has heard arguments in secret. It has issued opinions in secret. It is the kind of court our Founders would have found an anathema to their vision of democracy and freedom. We may need such a court now to authorize surveillance activities that must be kept secret, but we need to strike a balance that protects very precious constitutional rights and liberties.

After all, what does our surveillance and intelligence system protect if not these fundamental values and rights of privacy and liberties that have lasted and served us well because we respect them?

More than a physical structure that we seek to protect through this system, it is those values and rights that are fundamentally paramount and important. So this FISA Court reform goes to the core of the changes—constructive changes that we seek to make. I hope my colleagues will defeat amendment 1451, along with all of the other amendments, because the practical effect of adopting amendments is it further delays implementation of the USA FREEDOM Act at a time when our country may be at risk from the expiration of the PATRIOT Act. We cannot afford for this country——

Mr. WYDEN. Will my colleague yield for a question on that point?

Mr. BLUMENTHAL. I will be happy to yield.

Mr. WYDEN. Because I think, again, my colleague from Connecticut has spoken to what the stakes are here. For the last decade, intelligence officials have been relying on secret interpretations of their authorities that have been very different from the plain reading of public law. The public has seen the consequences of that, and they are angry because the American people know we can have policies that promote both security and liberty.

I would just like to ask a question of my colleague with the respect to what the implications would be of hollowing out the good work you and Senator LEAHY have done with respect to having more transparency and both sides making a case on key questions with respect to the FISA Court. I would like to note that the majority leader's second amendment delays implementation of other important reforms that you all have dealt with.

For example, one question I was asked about at a townhall meeting just this past weekend in Tillamook, OR, where I was, is people were concerned about what would we do to protect our Nation when there was an emergency. You all, in your good work, have, in effect, said you would strengthen the language to make sure that when there was an emergency—government officials already can issue an emergency authorization to get the business records and you would then seek court approval, and you all strengthen that.

All of you on the Judiciary Committee said: We are going to provide another measure of security for the American people; in other words, we are going to protect their liberty and we are going to strengthen their security. It looks to me like the combination of the majority leader's two amendments scaling back the reforms, the transparency reforms in the FISA Court, and delaying the strengthening of emergency authorities that can protect the American people without jeopardizing their liberty would really roll back the kind of reforms the American people want.

I would be interested in my colleague's reaction to that.

Mr. BLUMENTHAL. I am happy for that very pertinent and important

question from my colleague from Oregon. In fact, the majority leader's amendments would not only scale back and roll back the protections for the American people in the event of exigent or urgent situations, they would also undermine the confidence and trust of the American people in this system to protect the homeland.

Delaying these kinds of reforms undermines the goal of protecting our national security as well as preserving our fundamental constitutional rights. Delay is an enemy here. Uncertainty is an adversary. We owe it to the American people not only to restore their trust and confidence and sustain the faith of the American people in the intelligence agencies but also to make it more transparent, where it can be made so without compromising security and increasing accountability.

That is what the FISA Court reforms do. That is why the Director of National Intelligence as well as the Attorney General, the Privacy and Civil Liberties Oversight Board, the President's Review Group, at least two former FISA Court judges, civil rights advocates, and representatives of many of the most informed and able in our intelligence community all support these reforms.

The Director of National Intelligence and the Attorney General said in 2014, ''The appointment of an amicus in selected cases as appropriate need not interfere with the important aspects of the FISA process, including the process of ex parte consultation between the court and the government.''

Ex parte communication, in effect, secret conversation or consultation, can continue to go forward under this bill. The amendment would not alter that fact. The amendment simply makes the amicus less effective by depriving that amicus of access to facts and law that are necessary to do its job. So, in my view, these amendments fundamentally undermine the purpose of reforms that a vast bipartisan majority of this body has already approved today. It is an increasingly large margin that has voted for these reforms, recognizing what I hear from Connecticut, what my colleagues hear in their States; that people want to believe the Foreign Intelligence Surveillance Court is, in fact, operating as a court, hearing both sides, keeping secrets but at the same time increasing public access to facts and laws that are important to them without compromising our national security.

I hope my colleagues will vote to reject these amendments. As the Senator from Oregon has said, adopting them will simply serve to delay reforms that are necessary.

I yield the floor.

The PRESIDING OFFICER. The Senator from North Carolina.

Mr. BURR. Mr. President, there are always two sides of every picture, two sides of every story. I have tremendous affection for Ranking Member LEAHY. We are friends. We look at this issue differently. I have deep respect for Senator BLUMENTHAL, Senator WYDEN.

The fact is I look at history a little bit differently and I look at the future a little bit differently because I think what the American people want to believe is that America is doing everything possible to keep them safe. I think, at the end of the day, that is the single most important issue: Are we doing everything we can to keep America safe?

Now, Senator WYDEN opposes section 215. He talked about changes. He is opposed to section 215. He is a member of the committee. I know exactly where he stands, and I respect it. The fact is that 215 is a very effective program. My colleagues are right. It was not a public program until Eric Snowden, a traitor to the United States, published a lot of information about what the intelligence community does. This was one small piece. Eric Snowden put the lives of Americans and foreigners at risk in what he released.

You cannot put the genie back in the bottle, but you also cannot hide from the fact that this program enabled us to thwart terrorist attacks here and abroad. I quoted the four of them yesterday. This program itself was what we were able to use post the Boston Marathon bombing to figure out whether the Tsarnaev brothers had an international connection that directed that horrific event at that marathon.

Yes, the FISA Court operates in secret. Why? It is the same reason the Senate sometimes clears the Galleries, shuts the doors, cuts off the TV, and as an institution only cleared people here—classified and top secret information—can make decisions. Therein describes the FISA Court. They always deal with classified and top secret documents. They are called on a minute's notice. No other court in the world responds like that. There is a FISA judge on the bench 24/7, 365 days a year. It rotates. These are the best of the best of the judicial system around the country, picked by the Chief Justice of the Supreme Court.

Could it be open? Sure. But we would then expose either classified and top secret documents or we could not use the documents to make the case to the FISA Court that we have a suspected individual of terrorism and we need the authority to see who that person is. Well, we have heard a lot about the FISA Court. A lot of it is true.

The people who serve on the bench are heroes because they take the toughest cases America is presented with, and they rule on them in the most judicial way they possibly can, demanding, over 25 percent of the time, that an application be resubmitted after changes because they did not think it had met the threshold.

Much has been focused on the changes to the amicus language or the ''friend of the court.'' This is not a normal court. When the choice is to go to the FISA Court, it is because we are concerned. We are concerned about an imminent threat.

Let me explain, once again, for my colleagues and for the American people what the section 215 program is. It is a program where at the NSA we collect raw telephone numbers from telephone companies—numbers, not names.

We have a number that does not have a person's name with it. They are deidentified. We collect a number, the date the call was made, and the duration of the call. For us to trigger any search or we call it query of that database, we have to have a foreign telephone number that we know is a telephone number used by a terrorist.

Those are all the components of the section 215 program. That is it. We can have a database, but without a foreign terrorist telephone number, we cannot search the database. If we have a foreign terrorist telephone number and no database, which is where we are moving to—I concede this legislation is going to move, and we are going to transition over to hundreds of telephone companies.

Now, rather than have a number of people controlled and supervised within the NSA to carry out these queries, we are going to have telephone company employees carry out a query with a known foreign terrorist's telephone number against all of the numbers in their database. Again, hopefully, they will not tie a person's name to it. We do not even get a person's name at the NSA.

The only people who should be worried are Americans who have actually had a communication with a known terrorist abroad. Now, I think when the American people hear me talk about this, up to this point they are saying: That is a good thing. We want to know if somebody here has talked to a terrorist because we want to be kept safe.

Well, not only are we shifting the database out of the NSA over to the telephone companies, which means our response time is going to be delayed—let me remind everybody that whether we search the meta database at NSA or whether we search the database at the telephone company, we first have to go to the FISA Court and get a court order that says: You have the authority to do this based upon what you have presented the court.

Now we have to go to the telephone companies, and in a timeframe that is conducive to them, they are going to search their database for a known terrorist's cell phone number, and now we are relying on hundreds of companies to search their database in a timely fashion and get back to us because we are trying to be in front of a threat versus behind a threat. In front of a

threat, it is called intelligence; behind a threat, it is called an investigation.

When we thwarted the New York City subway bombing, we were in front of the threat. That was intelligence. When we reacted to the Boston Marathon, that was an investigation led by the FBI, not the NSA.

So when you inject this new requirement for a friend of the court—and I would disagree with my colleagues. This is not a voluntary thing for the FISA Court. It is something that is available to the FISA Court today if they choose to have somebody come in to counsel them on something. This is mandatory. In the legislation, it says ''shall.'' The court shall set up a panel. The court shall choose a friend of the court. A friend of the court is not there to facilitate a timely processing of information.

Let me remind everybody that we are dealing with the safety of the American people. They always stress this at the end of the conversation: We want the confidence and trust to be rebuilt that we are protecting our homeland. If you are moving a database, you are making it slower. Now you are setting up a mechanism inside to slow it down even more.

What we are doing is shifting from intelligence gathering to investigations. Nobody knows how long it is going to take from the time we present the FISA Court with a foreign terrorist's telephone number before we actually complete a search process within this new database.

I happen to be the one behind a 12-month transition versus a 6-month transition, and it was all stimulated off of exactly the same person whom Senator BLUMENTHAL or Senator WYDEN quoted. They said the Director of the NSA said: We think we can do this in 6 months.

Well, I am telling you, if I am the general public in America and I am concerned about my safety and the people who are supposed to be protecting me say ''I think I can do this in 6 months''—I would like somebody to say ''I am absolutely 100 percent sure I can do it in 6 months.'' But they think they can do it in 6 months. There is the reason for a year. There is the reason for a longer transition period.

If privacy were really the concern—and everybody has come down and said: I want to protect the privacy of the American people. Let me point out a couple of things.

No. 1, we didn't collect anybody's name in this program. It is hard to intrude on somebody's privacy when you didn't collect their name. We collected the number, the date of the call, and the duration of the call. That is it. Anything else that turns into an investigation is the Federal Bureau of Investigation going to a court and saying: We have to have more information because we know the President of the Senate is a potential threat to us. And then more information can be found out, such as his identity and anything else that might be part of the investigation. But from the standpoint of the NSA, those are the only things we have—a telephone number, a date, and the duration of the call.

If privacy is the concern, I don't think we have breached it. As a matter of fact, since this program has been in existence, there has not been one case of a breach of anybody's privacy—not one.

If they were truly concerned about privacy, they would be on the floor today with a bill abolishing the CFPB, which is a government agency, a government entity that collects every financial transaction of the American people by name, by date, by amount, by transaction. But they are not down here doing that. Why? Because they don't like the fact that the FISA Court operates in secret. They don't think there should be classified or top-secret documents. They believe everything should be transparent.

Well, let me say to my colleagues, my friends, and to the American people that we have done more over the last month to destroy the capacity of this program because of the debate we have had. There is not a terrorist in the world now who doesn't understand that using a cell phone or a land line is probably a pretty bad thing. It probably puts a target on their backs. We have done a great job of chasing people to alternative methods of communication, and I would suggest to you that is not making America any safer. If anything, maybe we should have had this debate in secret simply so we wouldn't give them a roadmap as to what we do.

Therein lies the reason that there are some things on which I think there is a determination made by the executive branch and by the legislative branch and I think in many cases at the dining room tables around America where Americans say: You know, you don't need to share everything with me. I am tired of hearing things on the nightly news that I think shouldn't be discussed.

This probably happens to be one of them because it doesn't make us more safe, it makes us less safe.

I will end the same way Senator BLUMENTHAL did. People want to believe—question mark. I think people want to believe we are doing everything we possibly can to strengthen our national security, to eliminate the threat of terrorism here and abroad. My fear, quite frankly, is that this bill doesn't accomplish that.

Again, I have deep affection for those whose names are on the bill and for what they believe is the intent. But I think that at the end of the day the only responsible thing to do right now is to accept three amendments—one, a substitute, and two, a first-degree and a second-degree amendment.

Let me say briefly that the substitute incorporates two changes. One change is that the telephone companies would be required to notify 6 months in advance of any change in their retention program—in other words, how long they hold the data. I have received calls from both big telecom companies today, and they have both said: We have no problem with that.

The second one would have the Director of National Intelligence certify at the end of the transition period that technologically we can make the transition. I don't find anybody who has really objected to that.

Then there is an amendment that extends the transition period from 6 months to 12 months. There have been people who object to that. I would only tell you we have a difference of opinion. They are willing to trust the NSA on their ability to make the transition in 6 months. I think that is ironic because the reason we are here having this debate is because they have made us believe we can't trust NSA. Yet, they are willing to trust the NSA relative to a transition time that is sufficient to accomplish the transition.

Let's err on the side of caution. Let's do it at 12 months. If they can do it sooner, then let them petition us, Congress can pass it, and we will turn to it sooner. But let's not get to 6 months and be challenged with not being ready to make that transition.

The last one is a change to amicus language. Clearly, that is the biggest difference we have. I would say to my colleagues that you either vote for the amendment or you vote against it. If you vote for it, you will delay the time it will take for us to connect the dots between a foreign terrorist's telephone number and a domestic telephone number they might have talked to. If that doesn't bother Members and it doesn't bother the public, I am all for giving the American people what they want. But I think most American citizens sit at home and say: You know, the faster you do this, the safer I am. I have a responsibility first and foremost to the protection of the American people. It is in our oath.

I also share something with the Presiding Officer and my colleagues who are here—to protect the rights and liberties of the American people. And as the chairman of the Intelligence Committee, I don't think we have in any way infringed on that.

I am now in year 21. I have come a lot closer to the line than I ever dreamed when I came to Congress in 1995. But I also never envisioned an event as horrific as 9/11. I never envisioned an enemy as brutal as ISIL or Al Qaeda or the Houthis. I could go on and on.

What has changed since 9/11? On 9/11, we had one terrorist organization that had America in its crosshairs. Today,

we have tens to twenties of organizations that are offshoots of terrorist organizations that would like to commit something right here in the United States. The threat hasn't become less; it has become more. We are on the floor today talking about taking away some of the tools that have been effective in helping us thwart attacks. It is the wrong debate to have, but we are here.

I would only ask my colleagues to show some reason. Extend by 6 months the transition period. Make sure it doesn't take longer to search these databases. Make sure we are ready for the telephone companies to carry out the searches because there is one certainty on which I think I would find agreement from all of my colleagues here: The terrorists aren't going away. America is still their target. No matter what we say on this floor, we are still in the crosshairs of their terrorist acts.

Only by providing the intelligence community and the law enforcement community the tools to carry out their job can they actually fulfill their obligation of making sure America is safe well into the future.

I yield the floor.

The PRESIDING OFFICER (Mr. CRUZ). The Senator from South Dakota.

Mr. THUNE. Mr. President, I hope our colleagues in the Senate and the American people are listening to this discussion because there isn't anything that is more important than defending our country. The debate we are having in the Senate today is really about the tools our intelligence community uses to prevent terrorist attacks.

As we look at and discuss the legislation in front of us, I think it is very important that we not forget we are living in dangerous times. This is the most dangerous time, literally, since 9/11 in terms of the terrorist activity that is out there. As the Senator from North Carolina pointed out, we have a big bull's-eye. The United States and people in this country, the things we believe in—the terrorists would love nothing more than to be able to take out and destroy, through some terrorist act, Americans and American interests. So I think it is very critical.

The Senator from North Carolina did a great job. I know the Senator from Indiana is going to speak here on the subject in a few minutes. But I hope everyone listens carefully because we are on the cusp of doing something that does weaken the very tools that have been used, the very capabilities that have been used to prevent those terrorist attacks.

The ironic thing about it, as you frame this up, you look at the threats that are out there, the dangerous times in which we live, and the success of these programs and how effective they have been in the past at preventing a terrorist attack, and what is being talked about are potential abuses, hypothetical examples of how these programs could be abused, but they haven't been. The fact is, they haven't been.

We have a long period of time now in which to examine the effectiveness of these tools relative to the arguments that are being made about their abuse. They just don't exist. There isn't a documented case, in the time these tools have been in existence, of anybody's privacy being breached.

So it is very important that we look at these issues in light of what we are up against and what our No. 1 responsibility is; that is, defending Americans and Americans' interests. And this discussion is critical to that.

THE ECONOMY

Mr. President, I wish to speak on another subject this morning, and that has to do with the headline of the New York Times from Friday morning of last week, which I thought was pretty grim, and that is ''U.S. Economy Contracted 0.7% in First Quarter.'' Let me repeat that. Not only did our economy fail to grow in the first quarter of 2015, it actually shrank.

That is pretty discouraging news for millions of Americans still struggling in the Obama economy, and the Obama administration didn't offer them any consolation. Too often the administration has met stories of economic woe with excuses: uncertainty in the eurozone, not enough foreign demand, the Japanese tsunami, too much snow, too many congressional Republicans, and of course the Obama administration's favorite excuse, the Bush administration.

This time, among other things, the administration is blaming the measurements themselves. The administration claims the Bureau of Economic Analysis is not accurately measuring economic growth from quarter to quarter. Now, of course, the Department of Commerce should always be looking for ways to modernize our measurements and adjust for seasonal changes, but no arithmetical sleight of hand can disguise the fact that our underlying economy is so weak that isolated events can shut down economic growth altogether and actually push our economy into the red.

Economic growth has averaged an abysmal 2.2 percent under this administration since the end of the recession. That is one of the weakest economic recoveries in the past 70 years. If the Obama recovery had met the average economic growth experienced in all post-World War II recoveries, our economy would be $1.9 trillion larger than it is today.

If you look at the President's record, it is easy to see why our economy is still sputtering along: a failed $1 trillion stimulus, $1.6 trillion in new taxes, the President's health care law, which raised premiums for families and increased costs for small businesses, 2,222 new regulations costing more than $653 billion in new compliance costs, a Federal debt that has doubled on the President's watch, a financial reform bill that has overreached and is stifling community banks and lending across the country, and a runaway EPA that wants to increase electricity rates on families who are already struggling with stagnant wages and now—now—wants to regulate ditches and ponds in farm fields across the country.

All of this has led some economists to wonder if 2 percent growth is the new normal. If it is, it is very bad news for American families who will face a future that is less prosperous with less economic opportunity and mobility.

During the entire postwar period, from 1947 to 2013, our Nation averaged 3.3 percent growth. At that pace, the standard of living in America almost doubles every 30 years. Incomes rise, financial security increases, and more people are able to afford homes, take vacations, and save for higher education. At the pace of growth we have seen since 2007, on the other hand, it will take closer to 99 years for the standard of living to double.

Unfortunately, our recent weak economic growth shows every sign of continuing. The Congressional Budget Office projects our economy will grow at an average pace of 2.5 percent through 2018 and just 2.2 percent from 2020 through 2025.

That is not good news for American families. For generations, individuals have clung to the promise America has always held out: If you work hard, you could build a better life for yourself and an even better one for your children. But after years of economic stagnation, that promise is now in jeopardy.

A survey released last September reported that nearly half of Americans over 18 believe their children will be worse off financially than they are. A similar percentage of Americans no longer believe if you work hard you will get ahead.

Their disillusionment is not surprising. The weak economic growth we have experienced over the past several years has left families struggling to make ends meet. Americans are struggling to make health care costs and to make mortgage payments. They are no longer sure they can put their children through college and retire comfortably. Some have even lost their homes. Good-paying jobs are few and far between.

The U.S. Census Bureau reports that for the time since the government began tracking the number, more businesses are closing each year than are being opened. Think about that. More businesses are closing. There are more business deaths than there are business births in this country today.

Millions of Americans are unemployed, and millions more are being

forced to work part time because they can't find full-time work. Forty percent of unemployed Americans have become so disillusioned with the lack of opportunity, they have given up entirely looking for work—40 percent. That is a staggering number. If the unemployment rate were changed to reflect the number of unemployed who have given up looking for work, our current unemployment rate would be well over 9 percent.

The good news is that things don't have to stay that way. We can enact progrowth policies that will return our economy to a more prosperous path in the 21st century. According to former CBO Director Douglas Holtz-Eakin, the differences between 2.5 percent growth and 3.5 percent growth would have a major impact on the quality of life for low- and middle-income families.

If our economy grows at a rate that is just 1 percentage point faster than what is projected, we will have 2½ million more jobs and average incomes will be $9,000 higher. Average incomes would be $9,000 higher if we grow just 1 percentage point faster than what is projected. For a lot of Americans, that is the difference between owning your home and renting one. It is the difference between being able to send your kids to college or forcing them to go deeply into debt to pay for their education. It is the difference between a secure retirement and being forced to work well into old age.

Additionally, the CBO estimates that for every additional one-tenth percent increase in economic growth, it reduces our deficits by $300 billion over the next 10 years. That means an additional percentage point in economic growth will reduce our deficits by $3 trillion over the next 10 years, and that in turn—reducing deficits—would further enhance economic growth.

Senate Republicans have laid out a number of policies to help grow the economy and open up opportunities for low- and middle-income Americans. We proposed energy policies that will expand domestic energy development which will help drive down energy prices. We are advancing trade policies that will help create more opportunities for American workers here at home by increasing the market for U.S. goods and services abroad. We have proposed tax reform that will simplify our outdated Tax Code and make our businesses more competitive, which will open up new jobs and opportunities for American workers. We have laid out entitlement reforms that will keep our promises to our seniors while protecting our economy by reducing our long-term deficits. We are pushing for regulatory reforms that will rein in the out-of-control government bureaucracies that are stifling economic growth.

Years and years of government overspending, burdensome taxation, massive government programs—many of which don't work—and excessive regulation have taken their toll on our economy, but we can still undo that damage. For generations, America has held out the promise of hope and opportunity, and Republicans are committed to ensuring it does so again. We invite our colleagues to join us because we can have a better, brighter, and more prosperous future for future generations of Americans by changing directions, changing the policies, doing away with the regulations, the overreaching government that has made it so difficult for so many Americans to get ahead.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Indiana.

Mr. COATS. Mr. President, we are fortunately moving forward on this issue of extreme importance to the security of the American people. These are necessary procedures we should take to do everything we can to ensure our safety, to publicly discuss and debate the issue of terrorist threat and the measures the people's government is taking to defend our country and to defend each individual American from being a victim of terrorism.

As Senator BURR, chairman of the Intelligence Committee, just related, the threat to our certain security and to our safety has never been stronger, never been more threatening, with the proliferation of terrorist organizations, the unfortunate proliferation of the inspiration that is being provided through social media to any number of American citizens—and those who may not be citizens but are residing in this country—to take up arms or to create a bomb or bring harm to Americans in the name of support for jihad, in the name of ISIS, in the name of Al Qaeda, in the name of support for the extreme fundamentalist activities of terrorists that are prevailing not only through the Middle East but affecting the world in various places.

We know through intelligence gathering and through public statements, the United States has been put in the crosshairs. ''Kill Americans, no matter how you do it, take it up. We will learn today, if we haven't learned already,'' something that has just come across the wires of someone who was attempting to do just that, and we just see more and more references to these types of attacks.

Unfortunately, we are in a period of time when one of the methods we had to try to detect these threats is no longer in operation. It is not in operation because the authorization for going forward with this program, described as section 215 of the PATRIOT Act—the collection of raw telephone numbers, not anybody's name but raw telephone numbers—that we could use as a base to determine whether, from a foreign source, a known terrorist or someone connected to a terrorist organization is talking to somebody in the United States. That is the program. Unfortunately, that program is dark. It is shut down. It shut down at midnight Sunday.

The program was shut down because we could not achieve support for even a minimum extension of time for which to better understand the program, to better debate and discuss the program, to make adjustments necessary to ensure that Americans' privacy was not being breached. Several requests were made and, unfortunately, one Member, exercised his right to say no to a unanimous consent request, and we were in a position where we had to ask for consent driven by our procedural process we have to go through to achieve a vote. But, that vote was rejected time after time after time. So on the basis of one Member's objection, we have what I believe, what many believe, and what those who better understand this now that we have been able to disclose what it is believe is a necessary tool that ought to be in place.

This program ought to be in place for the very purpose of doing everything we can to prevent another 9/11, to prevent something much worse than 9/11, which would involve a 9/11 type of action coupled and married with a weapon of mass destruction. Where an attack in New York would not result in 3,000 in casualties—it would potentially result in 3 million casualties or even more or something concocted by a small group of people who would shoot up a shopping mall or rush into an elementary school or just simply take down someone on the subway system or an individual attack by someone with a knife or an ax or a gun.

One of the essential programs we have had that has been successful has been under attack in terms of breaching the privacy of American citizens. I think it has been made clear in the last few days that there has been no abuse of this program and that no one's privacy has been breached. The only allegation that holds true is that it has the potential to breach someone's privacy. Over the years, there has never been documented abuse. No one's privacy has been breached. To shut down a program with that kind of record on the basis that something could happen, that government could use this, I know resonates with a number of people in the United States. I really don't blame them.

This current administration's policies have created great distrust among the American people as to their leadership, as to their operations, as to their policies.

When we look at what has taken place with the IRS, definitely breaching people's privacy for political purposes, when we look at Benghazi and the coverup that has taken place in

Benghazi, with the administration refusing to stand up and take responsibility for not responding adequately and changing the narrative and rewriting the intelligence. And when we look at Fast and Furious and the agency responsible there. I fully understand not just the frustration but the anger that American people have and the distrust they have.

One of the most difficult issues those of us in the Intelligence Committee have had to deal with is that when there are descriptions of policies that are implemented in terms of providing for an intelligence gathering and necessary response to prevent terrorist attacks, that information is classified. So when we see the program being misrepresented and described as something that it isn't, we don't have the ability to respond. We can't go to the press without breaching our oath to secrecy. We do not and cannot release classified material.

So while we now are in a position of having to unclassify this material, we have to understand that everything we say is not only listened to by the American people in an attempt to ensure their privacy is not being breached—and that this is an essential tool to help prevent terrorist attacks. Terrorist groups know everything that is being said and done, and they will make behavioral changes. They will make changes in terms of how they communicate.

So the program is being compromised by the very fact that we have had to come on the floor and publicly address it and release information as to what it is to help assure the American people that, in fact, what has been said about the program is simply false.

I have been on the floor several times raising that issue, using the quotes of what has been said by Members on this floor—particularly one Member. That is blatantly false. It is a blatant misrepresentation of what the program is. Now, I am not questioning their motive. I am not questioning the individual's decision in terms of whether he is for or against or wants to support or not support. All I want to do is clarify so that the public has the facts and they can make their own determination. We make a valid case that privacy is not breached. If someone comes to the conclusion that they don't trust what we say, don't believe what we say or don't agree with what we say, that is their decision. All I want is for them to have the facts in front of them so that when they make that decision, it is based on fact and not based on what has been misrepresented.

That is why I took the actual words stated on this floor relative to the program—which I believe misrepresented the program—and challenged them. I challenged them with the factual information. I am not going to repeat them. That is a matter of record.

We now are at the point, however—because we were not able to achieve any support for any kind of extension to either clarify what the bill does and doesn't do or to clarify with the House of Representatives how we best can coordinate this process and come up with a good solution to the issue—where, procedurally, we only have two options.

One option is essentially to do nothing. The program does not secure the votes to be reauthorized, and that program is taken off the books and is no longer there. In my opinion and in the opinion of many, that makes us more vulnerable. That gives us less access to be able to stop a terrorist attack.

The second option is to support an effort that was passed by the House of Representatives, the USA FREEDOM Act, which I wish I could say addressed the issue and doesn't compromise the program. But it severely goes against what this program attempts to do. It compromises the program to the point where I am not even sure the program can exist under the provisions that have been enacted by the House of Representatives.

Three very experienced and trustworthy individuals who don't have to salute the Commander in Chief and can give their own unbiased opinions on this came before our Intelligence Committee and basically said that with the structure of the USA FREEDOM Act, you might as well not have the program in it because it will take down the program. There are a couple of major issues here that these amendments try to address but don't technically address. I am going to be supporting those amendments. I think they make a bad piece of legislation a little bit better. But I have real questions as to whether it addresses the problems that really render the program inoperable.

The first is retention. There is no mandatory retention among telephone companies that they keep the information—the phone numbers—that we need in order to create a haystack of numbers from which we can identify connections between foreign terrorist organizations and operatives inside the United States. That is not done by somebody looking at anybody's records. Before the NSA can even use a phone number, it needs to have outside approval—legal approval—to query that.

If the telephone companies don't retain those numbers, we can't go out and match them up. And there is no mandatory retention of those numbers. It is simply an amendment now that would basically say they would have to give us notice that they don't retain them. But there is no mandatory retention.

I can just see a lot of companies saying—and I have heard from a lot of companies: We don't want to be responsible for trying to build in the protections and hire the people who have the background checks and the security clearances to put a regulatory process in place to make sure our people don't abuse this or use it for the wrong purpose.

So here we have a program that is accessible only by a very limited number of people at the National Security Agency, overseen by layers and layers of lawyers and legal experts and others to make sure it is not abused in any way. They have been successful because there has not been one case of an abusiveness process against anybody's personal liberties. There are six layers of oversight that are in place before they can even take it to the court and say: We think we have a problem here. We think there is a suspicion—a reasonable suspicion—that a phone number may be associated with a terrorist organization.

Then the court looks at that and says: We think you have something here. But let's check it further before we give you the authority to turn this over to the FBI so they can then look into this in greater detail to determine whether this is a live terrorist act.

As Senator BURR said, it works on the negative side, also, and there are some examples of live situations—as in the Boston bombing and so forth—that proved the negative. It proved there wasn't a conspiracy. It proved that just two people were involved in this. There were no connections. So they didn't have to waste a lot of time trying to query and pull up a bunch of information about whom they had talked to, and the police were then allowed to focus their efforts on Boston and what then took place in Boston and not throw the alarm out to New York City—the allegation was that they were on the way to New York City—and shut down New York City, causing panic and causing scare and alerting police and so forth. They were able to prove the negative of that. So it works both ways. But without that retention, we are not going to be able to accomplish that.

So I don't understand how the USA FREEDOM Act is a better way of protecting privacy and a better way of dealing with the fact that time is of the essence here. Instead of querying one area, we now have to go to multiple telephone companies, and there are 1,400 in the country. Let's say there are 100 major companies or let's say there are 10 major companies. We have to go to all 10 or to all 100 or more in order to find out whether in their database that telephone number exists. Time is of the essence here. If you are detecting a terrorist attempt and you build in all kinds of steps you have to take in order to get to the point where you think you really have something here, the act could have already been undertaken.

So those two issues, I think, are major problems with the FREEDOM Act.

The third is simply to think that the layers of protection and judicial oversight, executive oversight, and congressional oversight that take place to make sure we don't abuse the program through NSA—every telephone company has to insert that same level of oversight, and they simply won't be able to do it. It will take months. It takes months to get background checks and security clearances. Many telephone companies don't have the capacity to do that. They do not have the financial ability to do that. The irony is that individuals' privacy is more at risk by the telephone companies holding the numbers than the NSA holding the numbers, but, of course, we have not been able to convince the American people of that partly because the program has been so distortedly reported. But this as the saving grace to protect everybody's privacy by turning it over to the phone companies instead of turning it over to NSA just doesn't add up.

It is going to be very difficult for me and I think for many of my colleagues to think—while many of us are going to support these very limited amendments, which we don't even know the House will accept, it does not resolve the issue and does not solve the problem that we are dealing with here and, in effect, could render the program inoperable.

I think when Members are making decisions about which option to choose, it is a devil's choice. Is something better than nothing or is something really nothing and you end up with nothing and nothing? None of us wants our country to be put into that position, but that is where we are. If we are not able to secure passage of these amendments to improve this and the House rejects it—or we reject it or the House rejects it, then the program will stay inoperable.

I think the American people will then be picking up their phones and writing and emailing us and urging us to rethink this program through now that they know more about it, now that they know that much of what has been said irresponsibly by Members of this body and others is not true. Once they learn more about it, I think they will be calling on us to take a new look, and they will take a new look.

The arguments simply do not hold up because they are not factual. Now that we have been able to release some of this classified information and now that people have the ability to understand, if they so choose—to take another look at this and the proof we have provided relative to the success of the program and relative to the need for the program.

That is what is before us. There has been a constitutional argument here regarding the Fourth Amendment, and it is important to note: ''The right of the people to be secure in the persons, houses, papers, and effects against unreasonable searches.'' Unreasonable. I think we have proven this is not an unreasonable search. It does not identify anybody's name. Only after a court approves and gives the NSA the authority to go forward, similar to seeking the authority of a judge for other suspected criminal activity taking place in every jurisdiction across America, every town, every police department going to court. We tune in to ''Law & Order'' and ''CSI'' and all these programs and we see exactly how this works. You cannot go barging into a house without a warrant. You cannot collect information without a warrant.

The case being made that there is a violation here of the Fourth Amendment simply has not held up with legal authorities. Secondly—this is interesting. This was just pointed out to me. I am not a constitutional scholar. I took constitutional law in law school and probably have forgotten half of it. But I do carry it around. I do look at it, but I am not a scholar. But I think it is pretty clear and pretty interesting that article I, section 5, talking about the legislature, says:

Each House shall keep a Journal of its Proceedings, and from time to time publish the same—

It is on our desks here. Every day, our CONGRESSIONAL RECORD, these are our proceedings—

excepting such Parts as may in their Judgment require secrecy.

That is why we have an Intelligence Committee. There are some things that require secrecy. Unfortunately, we have had to unclassify information to try to let the public know that what they have been told by their government, elected members of their government, is breaching their privacy, which is not true. We have a constitutional right as a body to make a decision and a judgment requiring secrecy. On this program, we require secrecy because once our adversaries know what we are doing, they are going to change what they are doing and it will not be worthwhile anymore.

Also, relative to the statements made by the Senator from Connecticut, who opposes the amendment on the amicus issue, it is my understanding that the Administrative Office of the United States Courts, Director Duff, sent a letter to the House asking for their concerns about the amicus issue effect on the court be placed in the bill. That was turned down by the House, unfortunately.

The letter says, ''We respectfully request that, if possible, this letter be included with your Committee's report to the House on the bill.''

It was sent to the chairman of the Permanent Select Committee on Intelligence, United States House of Representatives. It is in regard to H.R. 2048, the USA FREEDOM Act.

Mr. President, I ask unanimous consent that the letter I am referencing be printed in the RECORD.

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

ADMINISTRATIVE OFFICE OF THE
UNITED STATES COURTS
Washington, DC, May 4, 2015.

Hon. DEVIN NUNES,
Chairman, Permanent Select Committee on Intelligence, House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: I write regarding H.R. 2048, the ''USA Freedom Act,'' which was recently ordered reported by the Judiciary Committee, to provide perspectives on the legislation, particularly an assessment that the pending version of the bill could impede the effective operation of the Foreign Intelligence Surveillance Courts.

In letters to the Committee on January 13, 2014 and May 13, 2014, we commented on various proposed changes to the Foreign Intelligence Surveillance Act (FISA). Our comments focused on the operational impact of certain proposed changes on the Judicial Branch, particularly the Foreign Intelligence Surveillance Court (''FISC'') and the Foreign Intelligence Surveillance Court of Review (collectively ''FISA Courts''), but did not express views on core policy choices that the political branches are considering regarding intelligence collection. In keeping with that approach, we offer views on aspects of H.R. 2048 that bear directly on the work of the FISA Courts and how that work is presented to the public. We sincerely appreciate the ongoing efforts of the bipartisan leadership of all the congressional committees of jurisdiction to listen to and attempt to accommodate our perspectives and concerns.

We respectfully request that, if possible, this letter be included with your Committee's report to the House on the bill.

SUMMARY OF CONCERNS

We have three main concerns. First, H.R. 2048 proposes a ''panel of experts'' for the FISA Courts which could, in our assessment, impair the courts' ability to protect civil liberties by impeding their receipt of complete and accurate information from the government (in contrast to the helpful amicus curiae approach contained in the FISA Improvements Act of 2013 (''FIA''), which was approved in similar form by the House in 2014). Second, we continue to have concerns with the prospect of public ''summaries'' of FISA Courts' opinions when the opinions themselves are not released to the public. Third, we have a few other specific technical concerns with H.R. 2048 as drafted.

NATURE OF THE FISA COURTS

With the advent of a new Congress and newly proposed legislation, it seems helpful to restate briefly some key attributes of the work of the FISA Courts.

The vast majority of the work of the FISC involves individual applications in which experienced judges apply well-established law to a set of facts presented by the government—a process not dissimilar to the ex parte consideration of ordinary criminal search warrant applications. Review of entire programs of collection and applications involving bulk collection are a relatively small part of the docket, and applications involving novel legal questions, though obviously important, are rare.

In all matters, the FISA Courts currently depend on—and will always depend on—prompt and complete candor from the government in providing the courts with all relevant information because the government is typically the only source of such information.

A ''read copy'' practice—similar to the practices employed in some federal district courts for Title III wiretap applications—wherein the government provides the FISC with an advance draft of each planned application, is the major avenue for court modification of government-sought surveillance. About a quarter of ''read copies'' are modified or withdrawn at the instigation of the FISC before the government presents a final application—in contrast to the overwhelming majority of formal applications that are approved by the Court because modifications at the ''read copy'' stage have addressed the Court's concerns in cases where final applications are submitted.

The FISC typically operates in an environment where, for national security reasons and because of statutory requirements, time is of the essence, and collateral litigation, including for discovery, would generally be completely impractical.

At times, the FISA Courts are presented with challenging issues regarding how existing law applies to novel technologies. In these instances, the FISA Courts could benefit from a conveniently available explanation or evaluation of the technology from an informed non-government source. Congress could assist in this regard by clarifying the law to provide mechanisms for this to occur easily (e.g., by providing for precleared experts with whom the Court can share and receive information to the extent it deems necessary).

THE ''PANEL OF EXPERTS'' APPROACH OF H.R. 2048 COULD IMPEDE THE FISA COURTS' WORK

H.R. 2048 provides for what proponents have referred to as a ''panel of experts'' and what in the bill is referred to as a group of at least five individuals who may serve as an ''amicus curiae'' in a particular matter. However, unlike a true amicus curiae, the FISA Courts would be required to appoint such an individual to participate in any case involving a ''novel *or* significant interpretation of law'' (emphasis added)—unless the court ''issues a finding'' that appointment is not appropriate. Once appointed, such amici are required to present to the court, ''as appropriate,'' legal arguments in favor of privacy, information about technology, or other ''relevant'' information. Designated amici are required to have access to ''all relevant'' legal precedent, as well as certain other materials ''the court determines are relevant.''

Our assessment is that this ''panel of experts'' approach could impede the FISA Courts' role in protecting the civil liberties of Americans. We recognize this may not be the intent of the drafters, but nonetheless it is our concern. As we have indicated, the full cooperation of rank and file government personnel in promptly conveying to the FISA Courts complete and candid factual information is critical. A perception on their part that the FISA process involves a ''panel of experts'' officially charged with opposing the government's efforts could risk deterring the necessary and critical cooperation and candor. Specifically, our concern is that imposing the mandatory ''duties''—contained in subparagraph (i)(4) of proposed section 401 (in combination with a quasi-mandatory appointment process)—could create such a perception within the government that a standing body exists to oppose intelligence activities.

Simply put, delays and difficulties in receiving full and accurate information from Executive Branch agencies (including, but not limited to, cases involving non-compliance) present greater challenges to the FISA Courts' role in protecting civil liberties than does the lack of a non-governmental perspective on novel legal issues or technological developments. To be sure, we would welcome a means of facilitating the FISA Courts' obtaining assistance from non-governmental experts in unusual cases, but it is critically important that the means chosen to achieve that end do not impair the timely receipt of complete and accurate information from the government.

It is on this point especially that we believe the ''panel of experts'' system in H.R. 2048 may prove counterproductive. The information that the FISA Courts need to examine probable cause, evaluate minimization and targeting procedures, and determine and enforce compliance with court authorizations and orders is exclusively in the hands of the government—specifically, in the first instance, intelligence agency personnel. If disclosure of sensitive or adverse information to the FISA Courts came to be seen as a prelude to disclosure to a third party whose mission is to oppose or curtail the agency's work, then the prompt receipt of complete and accurate information from the government would likely be impaired—ultimately to the detriment of the national security interest in expeditious action and the effective protection of privacy and civil liberties.

In contrast, a ''true'' amicus curiae approach, as adopted, for example, in the FIA, facilitates appointment of experts outside the government to serve as amici curiae and render any form of assistance needed by the court, without any implication that such experts are expected to oppose the intelligence activities proposed by the government. For that reason, we do not believe the FIA approach poses any similar risk to the courts' obtaining relevant information.

''SUMMARIES'' OF UNRELEASED FISA COURT OPINIONS COULD MISLEAD THE PUBLIC

In our May 13, 2014, letter to the Committee on H.R. 3361, we shared the nature of our concerns regarding the creation of public ''summaries'' of court opinions that are not themselves released. The provisions in H.R. 2048 are similar and so are our concerns. To be clear, the FISA Courts have never objected to their opinions—whether in full or in redacted form—being released to the public to the maximum extent permitted by the Executive's assessment of national security concerns. Likewise, the FISA Courts have always facilitated the provision of their full opinions to Congress. See, e.g., FISC Rule of Procedure 62(c). Thus, we have no objection to the provisions in H.R. 2048 that call for maximum public release of court opinions. However, a formal practice of creating summaries of court opinions without the underlying opinion being available is unprecedented in American legal administration. Summaries of court opinions can be inadvertently incorrect or misleading, and may omit key considerations that can prove critical for those seeking to understand the import of the court's full opinion. This is particularly likely to be a problem in the fact-focused area of FISA practice, under circumstances where the government has already decided that it cannot release the underlying opinion even in redacted form, presumably because the opinion's legal analysis is inextricably intertwined with classified facts.

ADDITIONAL TECHNICAL COMMENTS ON H.R. 2048

The Judiciary, like the public, did not participate in the discussions between the Administration and congressional leaders that led to H.R. 2048 (publicly released on April 28, 2015 and reported by the Judiciary Committee without changes on April 30). In the few days we have had to review the bill, we have noted a few technical concerns that we hope can be addressed prior to finalization of the legislation, should Congress choose to enact it. These concerns (all in the amicus curiae subsection) include:

Proposed subparagraph (9) appears inadvertently to omit the ability of the FISA Courts to train and administer amici between the time they are designated and the time they are appointed.

Proposed subparagraph (6) does not make any provision for a ''true amicus'' appointed under subparagraph (2)(B) to receive necessary information.

We are concerned that a lack of parallel construction in proposed clause (6)(A)(i) (apparently differentiating between access to legal precedent as opposed to access to other materials) could lead to confusion in its application.

We recommend adding additional language to clarify that the exercise of the duties under proposed subparagraph (4) would occur in the context of Court rules (for example, deadlines and service requirements).

We believe that slightly greater clarity could be provided regarding the nature of the obligations referred to in proposed subparagraph (10).

These concerns would generally be avoided or addressed by substituting the FIA approach. Furthermore, it bears emphasis that, even if H.R. 2048 were amended to address all of these technical points, our more fundamental concerns about the ''panel of experts'' approach would not be fully assuaged. Nonetheless, our staff stands ready to work with your staff to provide suggested textual changes to address each of these concerns.

Finally, although we have no particular objection to the requirement in this legislation of a report by the Director of the AO, Congress should be aware that the AO's role would be to receive information from the FISA Courts and then simply transmit the report as directed by law.

For the sake of brevity, we are not restating here all the comments in our previous correspondence to Congress on proposed legislation similar to H.R. 2048. However, the issues raised in those letters continue to be of importance to us.

We hope these comments are helpful to the House of Representatives in its consideration of this legislation. If we may be of further assistance in this or any other matter, please contact me or our Office of Legislative Affairs at 202–502–1700.

Sincerely,

JAMES C. DUFF,
Director.

Mr. COATS. There is a lot more that could be said. We will shortly be voting on the amendments here. I probably said more than I should.

Mr. ISAKSON. Will the Senator from Indiana yield?

Mr. COATS. I will be happy to yield.

This is one of the most important issues I have had to deal with during my times of service on behalf of our State and our country. I think getting the facts out has been necessary. It is a momentous decision that has momentous consequences. I hope each of

us will take very seriously all that has been said and weigh that in their own judgment and hopefully make the right decisions for the future of this country.

I will be happy to yield to my colleague.

Mr. ISAKSON. I know we are about to adjourn for lunch, but I have to come to the floor and pay the Senator a great compliment. For the last 6 days, the Senator has tried to illuminate some misperceptions and, quite frankly, half-truths that have been talked about in terms of the NSA program. You have provided great information to the Senate and to the people of the United States of America, and I think it is ironic—and I do not believe the Senator from Indiana knows this—but today in the Finance Committee at 10:30 we had a hearing before the IRS Commissioner, Mr. Koskinen, who was trying to explain what the IRS was doing with the 104,000 identities that were stolen from the IRS, which included the Social Security numbers, church contributions, home residences, rent payments, debts, obligations, the entire amount of information of 104,000 American citizens. Nobody is talking about giving the IRS to the phone companies. Nobody is talking about the amount of information the IRS has and whether the government abuses or uses it. And here we are worried about 41 individuals who have the ability to know 2 telephone numbers, the origination of a call and the duration of that call, without its association to a name, unless a judge says it is OK.

I think there has been a lot of misdirection this week. The American people are starting to listen. I think the Senator from Indiana has done a great job of illuminating the truth behind this issue. We have a great country. You do not find anybody trying to break out of the United States of America. They are all trying to break in. They are because we are safe and secure. I commend the Senator for fighting for the safety, the security, and the rights of the American people.

I yield back.

Mr. COATS. I thank the Senator for those words. I think this is a fight for all of us. How I wish we had been putting our time and our passion into what the Senator from Georgia just mentioned—a clear breach of people's privacy on the record and a clear defense effort by this administration to not have us go forward and examine this. If we had been putting half of the passion into that, we would really be servicing the American people and the breaches of their privacy that are just apparent.

Here we have a program that has never had a case of a breach of privacy, that has more oversight than any other program in the entire U.S. Government, that involves all three branches of our government—the judicial, the legislative, and the executive—all with the intent of having something in place that can stop Americans from being killed by terrorists, and we have to spend weeks arguing just to correct the record, when so clearly in front of us are abuses by this administration that we are not putting attention to—the irony of that and the irony of the fact that every day we have more information about the scope of these potential terrorist attacks against Americans. Here we are releasing five known terrorist leaders from Guantanamo to a country. We are combing the world to see if somebody will take them because we do not want to retain them here, and we know they are going to go back. They are not going back to be baristas at Starbucks. They are not going back to do lawn work back home or start a microbusiness. They are going back to join the enemy attack against us. They are going back to the Taliban. They are going back to Al Qaeda. They are going back to do what they were arrested for in the first place.

How ironic and how uncertain our situation here is relative to our security, and we are arguing over a tool that can help protect us instead of focusing on the real threat.

Anyway, I got worked up during the 6 days a number of times. I appreciate the opportunity to, once again, try to clarify where we are. Hopefully, the American people are listening.

We have a momentous decision to make coming up here very shortly. I hope each of us will use not polls and not what the public perception is, I hope each of us will use the judgment that we have had and the access to information that we have had to make a decision on the basis of what is best for the American people, not about what is best politically, not what gets us past the next election, not what is pleasing to people who want to hear things back at home, not on any other basis than what is necessary to do everything we can to keep us safe from known terrorist attacks that are multiplying faster than we can keep up with across the world, and Americans are in the crosshairs. Our decision should be based on that and that alone.

I yield the floor.

RECESS

The PRESIDING OFFICER. Under the previous order, the Senate stands in recess until 2:15 p.m.

Thereupon, the Senate, at 12:59 p.m., recessed until 2:15 p.m. and reassembled when called to order by the Presiding Officer (Mr. PORTMAN).

USA FREEDOM ACT OF 2015—Continued

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. INHOFE. Mr. President, I would like to inquire as to the order.

The PRESIDING OFFICER. The Senate is considering H.R. 2048 postcloture.

Mr. INHOFE. Mr. President, I ask that I be recognized.

The PRESIDING OFFICER. The Senator is recognized.

Mr. INHOFE. Mr. President, I know we have all had a chance to talk about this and the seriousness of what is now before us at this time. I look at the seriousness of this, and I listened to a lot of people standing on the floor and saying things that sound popular to people back home, and I have heard from some of the people in my State of Oklahoma, saying: They talk about the privacy problems and all these things that might be existing. Then I always think about my 20 kids and grandkids and think that they are the ones who are at stake.

This world we have right now is a much more dangerous world than it has ever been before. I look wistfully back at the good old days of the Cold War when we had a couple superpowers. We knew what they had—mutual assured destruction. It really meant something at that time. Now we have crazy people with capabilities, people in countries who have the ability to use weapons of mass destruction.

So right after 9/11 we formed the NSA. We have been talking about that down here. It is not perfect, but I think it is important at this last moment to point out the fact that a lot of lies have been told down here. I heard one person—I think two or three different ones talking about and making the statement that since the NSA procedure was set up after 9/11, that has not stopped one attack on America. I would like to suggest to you that a good friend of mine and a good friend of the Chair's, General Alexander, who is a very knowledgeable person and ran that program for a while, said—and this was way back 2 years ago, 2013—information ''gathered from these programs provided government with critical leads to prevent over 50 potential terrorist events in more than 20 countries around the world'' and that the phone database played a role in stopping 10 terrorist acts since the 9/11 attacks.

I was very pleased to hear from my good friend, Senator SESSIONS, a few minutes ago that a brand new poll that just came out of the field shows that almost two-thirds of the people in America want to go back and give back to the NSA those tools we took away 2 days ago.

Now we have a situation where we can talk about a few of the cases where major attacks on this country were stopped by the process we put in place after 9/11.

One was a planned attack in 2009. Najibullah Zazi was going to bomb the New York City subway system. The plan was for him and two high school

friends to conduct coordinated suicide bombings, detonating backpack bombs on New York City subway trains near New York's two busiest subway stations; that is, Grand Central Station and Times Square.

Sean Joyce, the Deputy FBI Director, said that the NSA intercepted an email from a suspected terrorist in Pakistan communicating with someone in the United States ''about perfecting a recipe for explosives.''

On September 9, 2009, Afghan-American Zazi drove from his home in Aurora, CO, to New York City, after he emailed Ahmed—that was his Al Qaeda facilitator in Pakistan—that ''the marriage is ready.'' That was a code that meant ''We are ready now to perform our task.'' The FBI followed Zazi to New York and broke up the plan of attack, and they stated it was because of the email that was intercepted by the NSA that allowed them to do that.

How big of a deal is that? People do not stop and think about the fact that if you look at the New York City subway stations down there, we know that the average ridership of the New York City subway during peak hours averages just under 900,000 people—that is 900,000 people, Americans who are living in New York City.

What we do know is that when they came to New York City to perform their plan at Grand Central Station and Times Square, it was the NSA using the very tools we took away from them 2 days ago, and you wonder, how many lives would have been lost? If there are 900,000 riders on the subway and they are ready to do this at two stations, are we talking about 100,000 lives, 100,000 Americans being buried alive? That attack was precluded by the tools that were used by the NSA that we took away from them just 2 days ago. Many more have not been declassified.

GEN Michael Hayden and GEN Keith Alexander, who are both former Directors of the NSA, and others have confirmed to me personally that at least one of the three terrorist attacks on 9/11 could have been avoided, and perhaps all three could have been avoided if we had had the tools we gave the NSA right after 9/11, and also the attack on the USS *Cole* could have been prevented entirely.

So you have to stop and think, it is a dangerous thing to stand on the floor and say we have formed this thing in this dangerous world and it has not stopped any attacks on America. That is what we are faced with today.

I voted against the program the House passed that is going to be considered in just a few minutes. I felt it was better to leave it as we had it. Now that is gone. I look at it this way: I do support the amendments that are coming up. I do think the last opportunity we will have will be the program we will be voting on in just a few minutes.

So let's think about this, take a deep breath, and go ahead and pass something so we at least have some capability to stop these attacks and to gather information from those who would perpetrate these attacks and then have time to put together a program that will be very workable and make some changes if necessary.

With that, Mr. President, I yield the floor.

EXTENDING FISA PROVISIONS

Mr. LEAHY. It is unfortunate that we were unable to pass the USA FREEDOM Act before the June 1, 2015, sunset of sections 206 and 215 of the USA PATRIOT Act and the so-called ''lone wolf'' provision of the Intelligence Reform and Terrorism Prevention Act. Senator LEE and I both sought to bring up the USA FREEDOM Act well before the sunset date to avoid just this situation. Now that the roving wiretap, business records, and so-called ''lone wolf'' provisions have lapsed, it is important that we make clear our intent in passing the USA FREEDOM Act this week—albeit a few days after the sunset. Could the Senator comment on the intent of the Senate in passing the USA FREEDOM Act after June 1, 2015?

Mr. LEE. Although we have gone past the June 1 sunset date by a few days, our intent in passing the USA FREEDOM Act is that the expired provisions be restored in their entirety just as they were on May 31, 2015, except to the extent that they have been amended by the USA FREEDOM Act. Specifically, it is both the intent and the effect of the USA FREEDOM Act that the now-expired provisions of the Foreign Intelligence Surveillance Act, FISA, will, upon enactment of the USA FREEDOM Act, read as those provisions read on May 31, 2015, except insofar as those provisions are modified by the USA FREEDOM Act, and that they will continue in that form until December 15, 2019. Extending the effect of those provisions for 4 years is the reason section 705 is part of the act.

Mr. LEAHY. I would also point out that when we drafted the USA FREEDOM Act, we included a provision to allow the government to collect call detail records, CDRs, for a 180-day transition period, as it was doing pursuant to Foreign Intelligence Surveillance Court orders prior to June 1, 2015. This provision was intended to provide as seamless a transition as possible to the new CDR program under section 101 of the USA FREEDOM Act. I thank the junior Senator from Utah for his partnership on this bill.

Mr. HATCH. Mr. President, our terrorist enemies continue to present a clear and present danger to our Nation's safety. We must use a broad array of information gathering tools to be successful in thwarting their plots and preventing future attacks. As the top Republican on the Senate Judiciary Committee after 9/11, I worked across party lines to give our law enforcement and intelligence communities the authorities they need to keep us safe. Having served longer than any other Republican on the Intelligence Committee, I can personally attest to the critical importance of these authorities in combating real terrorist threats.

Given the extensive and effective privacy and civil liberties safeguards already in place, I strongly supported a clean reauthorization of the existing law. Unfortunately, such legislation could not gather sufficient support in today's climate of misinformation about our efforts to stay one step ahead of the terrorists. Contrary to the claims of its proponents, the so-called USA FREEDOM Act will hamper our ability to address serious terrorist threats. My concerns about this legislation were further enhanced when the Senate voted down several reasonable amendments that represented modest changes needed to preserve our security. Accordingly, I voted against the bill because it will not provide the protections we need and will put our Nation at risk.

One of the fundamental flaws of the USA FREEDOM Act is its creation of unnecessary delays and impediments to our efforts to protect the American people. Under this legislation, telephone metadata-consisting of information like the number calling and the length of the call-would no longer be collected by the government but instead be retained by private communications corporations. Proponents of the bill argue that this move is necessary to protect privacy. This argument is unpersuasive, given that the data collected does not include the identities of the callers or the content of their communications. I oppose this approach because the bill lacks any requirement for these companies to retain this data for any length of time. Without such a requirement, the effectiveness of a search of telephone metadata would obviously be compromised.

One of the other major flaws of the USA FREEDOM Act is its amicus curiae provision, which would insert a legal advisor into the FISA COURT process to make arguments to advance privacy and civil liberties. Such an approach threatens to insert leftwing activists into an incredibly sensitive and already well-functioning process, a radical move that would stack the deck against our law enforcement and intelligence communities. Given that previous law already provided intense scrutiny and oversight from the Justice Department, Congress, and the courts, this new provision is both unnecessary and potentially quite dangerous.

The Senate's action today undermines not only the operational effectiveness of one of our most critical

tools to safeguard our national security. Going forward, I will do everything within my power to ensure that our law enforcement and intelligence professionals have all the tools they need to keep us safe.

Mrs. BOXER. Mr. President, Sunday night was just another self-inflicted crisis from Senator MCCONNELL and the Republican leadership. Playing politics with our national security is reckless. And allowing others to play politics with our national security, against the majority of the U.S. Senate and House, is not leadership.

The Republicans said, ''Put us in the majority and we will govern responsibly.'' They claimed there would be no more shutdowns, no more governing by crisis. Yet, on Sunday night our intelligence professionals were left without the important tools they need to fight terrorism. And now Republicans are at it again—proposing amendments that would delay the process and leave us without these critical capabilities for even longer.

FBI Director Comey said that his Agency uses section 215 fewer than 200 times per year, but when the FBI uses it, ''it matters tremendously.'' And the White House National Security Council's Ned Price said that a sunset would result ''in the loss, going forward, of a critical national security tool.''

I can't believe Republicans would take us to the brink and put our country at risk. It is shameful. The USA FREEDOM Act is supported by a wide, bipartisan majority in both Chambers. It passed the House with 338 votes. A little over a week ago, a clear majority of Senators, 57, voted to proceed to this legislation. That still wasn't enough. Senator MCCONNELL and his Republican colleagues blocked it from moving forward. On Sunday night, even more Senators did the right thing and voted in support of the USA FREEDOM Act. Mr. President, 77 Senators voted to proceed to a debate on the USA FREEDOM Act.

I want to thank my colleagues who worked tirelessly on this legislation, who reached out to the intelligence community, technology companies, and privacy and civil liberties groups to come up with a set of reforms that maintains the important balance between protecting privacy and keeping our country safe. It is not easy to get this level of support. The USA FREEDOM Act strikes an important balance between protecting our privacy and defending our country.

The bill reforms the PATRIOT Act by ending the bulk collection of Americans' telephone records while still providing the ability for investigators to get the records in a more targeted manner. It would improve the transparency of the government's surveillance activities by adding additional reporting requirements and giving private companies a greater ability to publically report when they receive requests for information from the FBI or NSA. And it would add a panel of experts to the FISA Court who can assist in providing additional points of view when cases involve significant or novel interpretations of the law.

We need to pass this bipartisan bill immediately and send it to the President, without amendments to water it down and further delay the intelligence community's access to these important authorities.

The PRESIDING OFFICER. The Senator from Minnesota.

Mr. FRANKEN. Mr. President, thank you.

I rise today to urge prompt passage of the House-passed USA FREEDOM Act of 2015 and to urge opposition to the amendments offered by the majority leader. Those amendments are unnecessary. They would weaken the bill in unacceptable ways, and they would only serve to prolong and deepen the uncertainty around the reform and continuation of important national security authorities.

The House-passed USA FREEDOM Act is measured, compromise legislation that is the result of lengthy negotiations that bring much needed reforms to some of our surveillance authorities, ensuring that we safeguard Americans' rights while increasing the government's accountability. I am proud to have worked with Senator DEAN HELLER of Nevada to craft the bill's transparency provisions, which draw support from privacy advocates, the business community, and national security experts.

The USA FREEDOM Act works to end bulk collection programs that our intelligence community has told us are not necessary. At the same time, the bill makes sure our national security agencies have legal tools that are necessary to protect our Nation. Put simply, the USA FREEDOM Act of 2015 strikes the balance we need—making sure that our government can keep our Nation safe without trampling on our citizens' fundamental privacy rights.

Of course, the public cannot know if we are succeeding in striking that balance if they do not have access to even the most basic information about our major surveillance programs. That is why my focus has been on the legislation's transparency provisions. Under the provisions I wrote with Senator HELLER, the American people will be better able to decide for themselves whether we are getting this right.

For all these reasons, the act has my strong support. And I am in good company. The House has passed it. The President is ready to sign it. We have the votes here to pass it. So what are we waiting for?

Senator MCCONNELL has offered several amendments. And here is the problem: They deviate from the House bill without improving the legislation. At best, the result of adopting these amendments would be further delay, further negotiation, and a highly uncertain outcome.

Now that we have allowed the national security authorities at issue to expire, we simply do not know how the House would proceed if we sent them back a modified bill. Maybe that kind of risk and delay would be justified if these amendments improved the bill, but they do not. I would like to talk a little bit about why these amendments are both unnecessary and problematic.

The majority leader's main substitute amendment makes two additions to the bill. The first is a requirement that electronic communications service providers notify the government if they plan to shorten the length of time they retain call detail records—records that the government may seek to query under the USA FREEDOM Act.

The fact is, based on how our country's telecom infrastructure is set up, the government only goes to a handful of companies for call detail records, and those companies have told us they have business reasons for retaining records. Based on a long history of working with these companies—under these authorities, other authorities—the Attorney General and the Director of National Intelligence have told us the USA FREEDOM Act is fine as it is. There simply is not a problem in need of a solution here. And look, this is the kind of thing that we can revisit if in the future some change in circumstances means that data retention threatens to become a problem. It certainly does not need to risk derailing the bill and its reforms now.

The second change in the majority leader's substitute amendment is a certification requirement asking the Director of National Intelligence to certify to Congress that the USA FREEDOM Act's transition from bulk collection of call detail records to a more targeted approach is operationally effective.

To be clear, this certification, whether issued or not, in no way affects the effective date of the bill or the timeline for the transition. It has no statutory limitations. It is a wholly unnecessary deviation from the House-passed bill. If there is a problem with the operational effectiveness of the transition, you can bet that the Director of National Intelligence is going to let us know, and I would certainly hope and expect that we would all be ready to listen and work with him at that point. Again, this is the kind of thing that should not risk derailing the bill now.

The majority leader has offered other amendments that seek to weaken the USA FREEDOM Act more directly. One amendment would lengthen the time before the bill with its various reforms goes into full effect. That would do

nothing but unnecessarily extend bulk collection programs. NSA has told us they can transition in 6 months, as provided for in the bill as it stands. There is no justification for extending the timeline now.

Another amendment would render ineffective one of the safeguards for Americans' privacy rights and civil liberties in the bill. This amendment would weaken the role of outside, nongovernment experts in participating in certain cases before the FISA Court. That is an unacceptable change to a provision that has already been the subject of bipartisan negotiations and compromise.

That is really the thing to remember—this is a compromise bill. In writing our transparency provisions, Senator HELLER and I had to compromise a great deal. We didn't get everything we wanted when we initially negotiated these provisions last year, and we had to compromise further still this year. I am disappointed that the bill doesn't include all of the requirements that were agreed to in our discussions with the intelligence community and that were included in the Senate bill last Congress. But that is the nature of bipartisan compromise. And I recognize that right now we need to start by taking one big step in the right direction, and that is by passing the USA FREEDOM Act.

Down the road, we will have the opportunity to revisit these issues as needed. For my part, I am committed to pushing my colleagues to revisit the transparency provisions. We still have work to do, particularly with regard to section 702, which has to deal with the collection of communications of foreigners abroad. But, again, right now it is clear what needs to happen in this Chamber. We need to pass the House-passed USA FREEDOM Act without further amendment. If we do that, we can get these authorities back up and running. That is exactly what we should do.

I thank the Chair, and I yield the floor.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. LEAHY. Mr. President, I wish to thank the Senator from Minnesota for his words. The press and everybody else does not see the hundreds of hours of negotiations between Democrats and Republicans, Senators and Members of the House of Representatives working on this. The Senator from Minnesota is one of those who worked very hard to get us to the point where we are today. It has not been easy. Nobody got everything they wanted. I didn't get everything I wanted. Senator LEE didn't get everything he wanted. The Senator from Minnesota didn't get everything he wanted. But because of the work of people such as the Senator from Minnesota, we have a far better piece of legislation, and it is probably why it passed overwhelmingly in the other body, with Republicans and Democrats agreeing. In fact, that is why we have to reject these amendments and we have to cleanly pass the House-passed USA FREEDOM Act.

Again, I cannot emphasize to Senators how much time has gone into this by key Republicans and key Democrats in the House and key Republicans and key Democrats in the Senate. We have worked behind the scenes for days, weeks, and months to get here.

Cleanly passing the House-passed USA FREEDOM Act is the only way to avoid prolonging the uncertainty that the intelligence community now faces because of the lapse in the three authorities this past Sunday. I think both Senator LEE and I would agree the lapse in authorities was entirely avoidable. The Senate majority has put the intelligence community and the American people in this position because of a manufactured crisis, procedural delays.

Understand that any changes in this bill—as I have stated and as the distinguished senior Senator from California has indicated, as well as others, any changes in the bill will force it back to the House, and there is absolutely no guarantee that the House will accept the Senate's changes and pass the new bill. In fact, the House Republican majority leader said this morning that it would be a challenge to pass any bill that came back with changes. The Republican chairman of the House Judiciary Committee put it more bluntly. He warned that any amendments would likely make the sunsets permanent. Keep that in mind.

We can pass some amendments we may not think are major, although some of us think they are, but by passing them, all those who say they want to give the tools to the intelligence community—they are making the sunsets permanent if we pass these amendments.

So I urge Senators to oppose all of the amendments that are being offered by the majority leader. Senator BLUMENTHAL, Senator FRANKEN, and others have spoken about the reasons to oppose the FISA Court amicus amendment and the substitute amendment. I agree with them wholeheartedly, and I thank them for their leadership. As I said earlier to others, Senator BLUMENTHAL used his experience as a former attorney general, former U.S. attorney to work on the amicus provision.

I also urge Senators to oppose the amendment which would leave the current bulk collection program in place for a full year. Extending the current bulk collection program for a full year is unnecessary. Beyond being unnecessary, it creates significant legal uncertainty for the government. Remember, a Federal appellate court has already ruled that the program is unlawful, and they upheld a provision assuming that Congress is going to change it. But it is very obvious when we read the Second Circuit opinion that they mean a relatively short time, not a year.

So the amendment to leave the bulk collection program in place for a full year is only going to invite further legal challenges. It will also delay implementation of tools the intelligence community has asked us to provide, including what is in this bill—a new emergency authority to request business records under section 215.

I can't say enough about all of the work we have put in for 2 years across the aisle and across the Capitol. This is a bill which brings much needed reform to the government's surveillance authorities, but it also ensures that the intelligence community has the tools to keep us safe.

The USA FREEDOM Act is milestone legislation. It will enact the most significant reforms of government surveillance powers since the USA PATRIOT Act. I am proud of the bipartisan and the bicameral effort that led to this bill.

Today, we can pass important surveillance reform legislation and then work to build on these reforms in coming years.

So I urge Senators to oppose all amendments and then vote to pass the USA FREEDOM Act, just as the House passed it. We don't need to inject any more uncertainty or delay into the process. None of these amendments are worth causing further delay. Pass it. This will be signed into law tonight by the President.

I see the distinguished majority leader on the floor, so I yield the floor.

The PRESIDING OFFICER. The majority leader.

Mr. MCCONNELL. Mr. President, I know of no further debate on the bill.

The PRESIDING OFFICER. Is there further debate?

AMENDMENT NO. 1453

If not, the question is on agreeing to amendment No. 1453.

AMENDMENT NO. 1452

Mr. MCCONNELL. I move to table amendment No. 1452.

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

The motion was agreed to.

VOTE ON AMENDMENT NO. 1451

The PRESIDING OFFICER. The question is on agreeing to amendment No. 1451.

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

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The bill clerk called the roll.

Mr. CORNYN. The following Senator is necessarily absent: the Senator from South Carolina (Mr. GRAHAM).

Mr. DURBIN. I announce that the Senator from Virginia (Mr. WARNER) is necessarily absent.

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

The result was announced—yeas 42, nays 56, as follows:

[Rollcall Vote No. 198 Leg.]

YEAS—42

Alexander	Crapo	Perdue
Ayotte	Ernst	Portman
Barrasso	Fischer	Risch
Blunt	Flake	Roberts
Boozman	Grassley	Rounds
Burr	Hatch	Rubio
Capito	Hoeven	Sasse
Cassidy	Inhofe	Sessions
Coats	Isakson	Shelby
Cochran	Johnson	Thune
Collins	King	Tillis
Corker	Kirk	Toomey
Cornyn	McCain	Vitter
Cotton	McConnell	Wicker

NAYS—56

Baldwin	Gillibrand	Murray
Bennet	Heinrich	Nelson
Blumenthal	Heitkamp	Paul
Booker	Heller	Peters
Boxer	Hirono	Reed
Brown	Kaine	Reid
Cantwell	Klobuchar	Sanders
Cardin	Lankford	Schatz
Carper	Leahy	Schumer
Casey	Lee	Scott
Coons	Manchin	Shaheen
Cruz	Markey	Stabenow
Daines	McCaskill	Sullivan
Donnelly	Menendez	Tester
Durbin	Merkley	Udall
Enzi	Mikulski	Warren
Feinstein	Moran	Whitehouse
Franken	Murkowski	Wyden
Gardner	Murphy	

NOT VOTING—2

Graham	Warner

The amendment (No. 1451) was rejected.

The PRESIDING OFFICER. The majority leader.

UNANIMOUS CONSENT AGREEMENT—H.R. 1735

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the cloture motion with respect to the motion to proceed to H.R. 1735, which is the Defense bill, be withdrawn; further, that at 11 a.m. on Wednesday, June 3, the Senate proceed to the consideration of H.R. 1735, and it be in order for Senator MCCAIN to offer amendment No. 1463, the text of which is identical to S. 1376, the Armed Services Committee-reported NDAA bill; finally, that the time until 2:30 p.m. be for debate only and equally divided between the bill managers or their designees.

The PRESIDING OFFICER. Is there objection?

Mr. REID. Mr. President, reserving the right to object, we are not the sort of minority party that objects to virtually everything. We want to help move things forward. But I also want to be clear that we are not going to require a vote to move forward on the Defense authorization bill. But everyone should be aware that the President said he would veto this bill. It has all of this strange funding in it—funding that my Republican colleagues railed against on previous occasions. Now they are using it.

We have grave concerns about this bill. Unless it is changed, I repeat, the President will veto it. I hope there are some significant changes in the bill while it is on the floor so we can help to vote to get it off the floor. So based upon that, I do not object.

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

VOTE ON AMENDMENT NO. 1450

The question is on agreeing to amendment No. 1450.

The yeas and nays have been previously ordered.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. CORNYN. The following Senator is necessarily absent: the Senator from South Carolina (Mr. GRAHAM).

Mr. DURBIN. I announce that the Senator from Virginia (Mr. WARNER) is necessarily absent.

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

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

[Rollcall Vote No. 199 Leg.]

YEAS—44

Alexander	Ernst	Risch
Ayotte	Fischer	Roberts
Barrasso	Flake	Rounds
Blunt	Grassley	Rubio
Boozman	Hatch	Sasse
Burr	Hoeven	Schatz
Capito	Inhofe	Scott
Cassidy	Isakson	Sessions
Coats	Johnson	Shelby
Cochran	Kirk	Thune
Collins	McCain	Tillis
Corker	McConnell	Toomey
Cornyn	Nelson	Vitter
Cotton	Perdue	Wicker
Crapo	Portman	

NAYS—54

Baldwin	Gardner	Moran
Bennet	Gillibrand	Murkowski
Blumenthal	Heinrich	Murphy
Booker	Heitkamp	Murray
Boxer	Heller	Paul
Brown	Hirono	Peters
Cantwell	Kaine	Reed
Cardin	King	Reid
Carper	Klobuchar	Sanders
Casey	Lankford	Schumer
Coons	Leahy	Shaheen
Cruz	Lee	Stabenow
Daines	Manchin	Sullivan
Donnelly	Markey	Tester
Durbin	McCaskill	Udall
Enzi	Menendez	Warren
Feinstein	Merkley	Whitehouse
Franken	Mikulski	Wyden

NOT VOTING—2

Graham	Warner

The amendment (No. 1450) was rejected.

VOTE ON AMENDMENT NO. 1449

The PRESIDING OFFICER. The question is on agreeing to amendment No. 1449.

The yeas and nays have been previously ordered.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. CORNYN. The following Senator is necessarily absent: the Senator from South Carolina (Mr. GRAHAM).

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

The result was announced—yeas 43, nays 56, as follows:

[Rollcall Vote No. 200 Leg.]

YEAS—43

Alexander	Ernst	Risch
Ayotte	Fischer	Roberts
Barrasso	Grassley	Rounds
Blunt	Hatch	Rubio
Boozman	Hoeven	Sasse
Burr	Inhofe	Scott
Capito	Isakson	Sessions
Cassidy	Johnson	Shelby
Coats	King	Thune
Cochran	Kirk	Tillis
Collins	McCain	Toomey
Corker	McConnell	Vitter
Cornyn	Nelson	Wicker
Cotton	Perdue	
Crapo	Portman	

NAYS—56

Baldwin	Gardner	Murphy
Bennet	Gillibrand	Murray
Blumenthal	Heinrich	Paul
Booker	Heitkamp	Peters
Boxer	Heller	Reed
Brown	Hirono	Reid
Cantwell	Kaine	Sanders
Cardin	Klobuchar	Schatz
Carper	Lankford	Schumer
Casey	Leahy	Shaheen
Coons	Lee	Stabenow
Cruz	Manchin	Sullivan
Daines	Markey	Tester
Donnelly	McCaskill	Udall
Durbin	Menendez	Warner
Enzi	Merkley	Warren
Feinstein	Mikulski	Whitehouse
Flake	Moran	Wyden
Franken	Murkowski	

NOT VOTING—1

Graham

The amendment (No. 1449) was rejected.

The PRESIDING OFFICER. The majority leader.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that Senator LEAHY be recognized for 3 minutes. Then, I would say to my colleagues, I am going to use my leader time to make a final statement, and then we will be ready for the final vote.

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

The Senator from Vermont.

Mr. LEAHY. Mr. President, I thank the distinguished majority leader for his courtesy.

Very briefly, we worked for 2 years across the aisle and actually across the Capitol. I don't know how many meetings Senator LEE, and others, and I have had. Now the Senate is finally poised to pass our USA FREEDOM Act and send it to the President for his signature. This bill brings much-needed reform to the government's surveillance authorities. It will end the bulk collection of Americans' phone records, increase transparency, improve oversight, and, most importantly, help restore Americans' privacy—all while ensuring that the intelligence community has the tools it needs to keep us safe.

I am proud to have done this. I have fought to protect the privacy and constitutional rights of Vermonters and

all Americans since 1975, when I cast my first-ever vote as a Senator to approve the establishment of the Church Committee. I will continue to fight for Americans' privacy.

I urge Senators to vote to pass the USA FREEDOM Act.

The PRESIDING OFFICER. The majority leader.

Mr. MCCONNELL. I will now proceed on my leader time.

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

Mr. MCCONNELL. Mr. President, earlier this year I observed that President Obama's national security policy has been noteworthy for its consistent objectives. He has been very consistent—drawing down our conventional and nuclear forces, withdrawing from Iraq and Afghanistan, ending the tools developed by the previous administration to wage the war on terror, and placing a greater reliance upon international organizations and diplomacy. That has been the hallmark of the Obama foreign policy.

None of this is a surprise. The President ran in 2008 as the candidate who would end the wars in Iraq and Afghanistan and the war on terror. And our Nation has a regrettable history of drawing down our forces and capabilities after each conflict, only to find ourselves ill prepared for the next great struggle.

The book ends to the President's policies were the Executive order signed his very first week in office that included the declaration that Guantanamo would be closed within a year, without any plan for what to do with its detainees, and the Executive order that ended the Central Intelligence Agency's detention and interrogation programs. Now, some of these detainees, my colleagues, are now in Qatar, preparing to rejoin the Taliban. Some are in Uruguay, camped out in a park across from the American embassy. And, regrettably, some are back on the battlefield in Yemen, Afghanistan, and Syria. These are other hallmarks of the Obama foreign policy.

Last year the President announced that all of our combat forces would be withdrawn from Afghanistan by the end of his term in office, whether or not—whether or not—the Taliban were successful in capturing parts of Afghanistan, whether or not Al Qaeda senior leadership has found a more permissive environment in the tribal areas of Pakistan, and whether or not Al Qaeda has been completely driven from Afghanistan.

I will repeat. The pattern is clear. The President has been a reluctant Commander in Chief. And between those two book ends, my colleagues, much has occurred that has undermined our national security.

There was the failure to negotiate a status of forces agreement with Iraq that would have allowed for a residual military force and prevented the assault by the Islamic State of Syria and the Levant. China is aggressively expanding its sphere of influence. There is the threat to veto funding for the troops—we just heard it from the minority leader—and their equipment without similar increases at the IRS and EPA.

Let me say that again. The President is threatening to veto the Defense bill unless we increase funding for the IRS and EPA. Now, this is going to diminish our military's ability to respond to the myriad of threats that are facing us today. And we all know what they are. Al Qaeda in the Arabian Peninsula has doggedly pursued tactics and capabilities to circumvent all that we have done since September 11, 2001, to defend our country.

So while the President has inflexibly clung to campaign promises made in 2008, the threat from Al Qaeda has metastasized around the world. ISIL, which has broken off from Al Qaeda, uses social media to communicate with Americans, divert them to encrypted communications, encourage travel to the would-be caliphate, and encourage attacks right here at home. Al Qaeda and ISIL publish online magazines instructing individuals in terrorist tactics. And in the long run, the al-Nusra Front in Syria may present the greatest long-term threat—the greatest long-term threat—to our homeland.

The President's efforts to dismantle our counterterrorism tools have not only been inflexible, but they are especially ill timed.

So today the Senate will vote on whether we should take one more tool away from those who defend this country every day: the ability of a trained analyst, under exceedingly close supervision, and only with the approval of the Foreign Intelligence Surveillance Court, to query a database of call data records based on reasonable articulable suspicion—no content, no names, no listings of phone calls of law-abiding citizens. None of that is going on. We are talking about call data records.

These are the providers' records, which is not what the Fourth Amendment speaks to. It speaks to ''the right of the people to be secure in their persons, houses, papers, and effects.'' But these records belong to the phone companies. Let me remind the Senate that the standard for reasonable articulable suspicion is that the terror suspect is associated with a ''foreign terrorist organization'' as determined by a court. Nobody's civil liberties are being violated here.

The President's campaign to destroy the tools used to prevent another terrorist attack has been aided by those seeking to prosecute officers in the intelligence community, to diminish our military capabilities, and, despicably, to leak and reveal classified information—putting our Nation further at risk.

Those who reveal the tactics, sources, and methods of our military and intelligence community give a playbook—a playbook—to ISIL and to Al Qaeda. As the Associated Press declared today, the end of the section 215 program is a ''resounding victory for Edward Snowden''—a ''resounding victory for Edward Snowden.'' It is also a resounding victory for those currently plotting attacks against our homeland.

Where was the defense of the National Security Agency from the President? Our chairman of the Intelligence Committee and his committee colleagues have worked with determination to educate the Senate concerning the legal, technical, and oversight safeguards currently in place.

We hear concerns about public opinion. A CNN poll was released today—just today. The CNN poll is not exactly part of the rightwing conspiracy. It states that 61 percent of Americans—61 percent of Americans—think that the expiring provisions of the PATRIOT Act, including data collection, should be renewed.

So if there is widespread concern out of America about privacy, we are not picking it up. They are not reporting it to CNN. Sixty-one percent say: I am not concerned about my privacy. I am concerned about my security.

So my view is that the determined effort to fulfill campaign promises made by the President back in 2008 reflects an inability to adapt to the current threat—what we have right now—an inflexible view of past political grievances and a policy that will leave the next President in a weaker position to combat ISIL.

I cannot support passage of the so-called USA FREEDOM Act. It does not enhance the privacy protections of American citizens, and it surely undermines Americans' security by taking one more tool from our war fighters, in my view, at exactly the wrong time.

The PRESIDING OFFICER. The Democratic leader.

Mr. REID. Mr. President, if my friend the majority leader is concerned, as he should be, about why the country is less secure—especially in the last couple of weeks—he should look in the mirror. We have a situation where he has tried to divert attention from what has gone on here. It was as if there had been a big neon sign flashing saying: You can't do highway reauthorization, you can't do FISA reauthorization, and you can't do trade in 4 or 5 days.

To do this right, we should have spent some time on FISA. Because of the mad rush to do trade, that did not happen. So today to try to divert attention from what I believe has been a miscalculation of the majority leader, it is making this country less safe. Every day that goes by with the FISA bill not being reauthorized is a bad day for our country. It makes us less safe. And to try to divert attention, as he

has tried doing in the last few minutes—blaming the Obama administration for stopping torture, the detention centers, pulling troops out of Iraq—I say, my friend is looking in the wrong direction.

The issue before us is not to be—and he is, in effect, criticizing the House of Representatives for passing this FISA bill, to reauthorize it in a way that is more meaningful to the American people and makes us more safe. It makes it so people feel more secure about the intelligence operations we have going on in this country.

Is he criticizing the Speaker for working hard to get this bill reauthorized and in a fashion the American people accept? Because his criticism today is not directed toward people who voted here today; it is directed toward the bipartisan efforts in the House of Representatives that passed this bill overwhelmingly, with 338 votes. It is one of a few bipartisan things they have done over there, and they did it for the security of this Nation. I do not think any of us needs a lecture on why we are less secure today than we were a few days ago. I hope everyone will vote to continue the surveillance possibilities that we have available if this law passes. If it does not pass, what are we going to do? It will go to the House of Representatives. The majority leader of the House of Representatives, the distinguished House Member from California, Mr. MCCARTHY, said: They do not want anything from us. They want this bill passed. They want the USA FREEDOM bill passed today. That is what the chairman of the Judiciary Committee, Mr. GOODLATTE, said. Of course, that is what the Democratic leader says also.

Let's vote. A vote today to pass this bill will make our country safer immediately, not a week from now. That is how long it will take, at a minimum, if this bill is changed when it goes to the House—I am sorry—if it does not go to the President directly, and it should go directly from here to the President of the United States. He can sign this in a matter of hours and put us back on a more secure footing to protect ourselves from the bad guys around the world.

The PRESIDING OFFICER. The majority leader.

Mr. MCCONNELL. Mr. President, as my good friend, the minority leader, frequently reminded me over the last few years, the majority leader always gets the last word.

Look, his fundamental complaint is he does not get to schedule the Senate anymore. He wanted to kill the President's trade bill, and so he did not like the fact that we moved to the trade bill early enough before the opposition to it might become more severe.

I say to the Senator, the minority leader, he does not get to set the schedule anymore. My observations about the President's foreign policy are directly related to the vote we are about to cast. It remains my view—I know there are differences of opinion, and I respect everybody in here who has a different opinion—that this bill is part of a pattern to pull back, going back to the time the President took office. I remember the speech in Cairo back in 2009 to the Muslim world, which sought to question American exceptionalism. We are all pretty much alike. If we just talked to each other more, everything would be OK. In almost every measurable way, all the places I listed, plus Ukraine—you name them—we have been pulling back. My view with regard to my position and my vote is that this is a step in the wrong direction. But I respect the views of others, and I suspect the minority leader will be happy at the end of the day. It appears to me the votes are probably there to pass this bill, and it will go to the President. I still think it is a step backward from where we are. It has been a great debate. I respect all of those who engaged in it on both sides. I think it is time to vote.

I yield the floor.

The bill was ordered to a third reading and was read the third time.

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall the bill pass?

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

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. CORNYN. The following Senator is necessarily absent: the Senator from South Carolina (Mr. GRAHAM).

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

The result was announced—yeas 67, nays 32, as follows:

[Rollcall Vote No. 201 Leg.]

YEAS—67

Alexander	Gardner	Murkowski
Ayotte	Gillibrand	Murphy
Bennet	Grassley	Murray
Blumenthal	Heinrich	Nelson
Booker	Heitkamp	Peters
Boozman	Heller	Reed
Boxer	Hirono	Reid
Brown	Hoeven	Rounds
Cantwell	Inhofe	Schatz
Capito	Johnson	Schumer
Cardin	Kaine	Scott
Carper	King	Shaheen
Casey	Kirk	Stabenow
Cassidy	Klobuchar	Sullivan
Coons	Lankford	Tester
Cornyn	Leahy	Udall
Cruz	Lee	Vitter
Daines	Manchin	Warner
Donnelly	Markey	Warren
Durbin	McCaskill	Whitehouse
Feinstein	Menendez	Wyden
Flake	Merkley	
Franken	Mikulski	

NAYS—32

Baldwin	Ernst	Roberts
Barrasso	Fischer	Rubio
Blunt	Hatch	Sanders
Burr	Isakson	Sasse
Coats	McCain	Sessions
Cochran	McConnell	Shelby
Collins	Moran	Thune
Corker	Paul	Tillis
Cotton	Perdue	Toomey
Crapo	Portman	Wicker
Enzi	Risch	

NOT VOTING—1

Graham

The bill (H.R. 2048) was passed.

The PRESIDING OFFICER. The majority leader.

MORNING BUSINESS

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate be in a period of morning business, with Senators permitted to speak therein for up to 10 minutes each; further, that at 5 p.m., Senator ROUNDS be recognized to deliver his maiden speech.

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

The PRESIDING OFFICER. The Senator from Vermont.

USA FREEDOM ACT

Mr. LEAHY. Mr. President, the bill we just passed is a historic moment. It is the first major overhaul of government surveillance laws in decades that adds significant privacy protections for the American people. It has been a long and difficult road, but I am proud of what the Congress has achieved today. This is how democracy is supposed to work. Congress is ending the bulk collection of Americans' private phone records once and for all.

To my partners in the Senate on both sides of the aisle, I thank you. Senator LEE, whose name is on our bill here in the Senate, believes strongly in our constitutional system of government. He has worked tirelessly to advance this bill from the day we first introduced the USA FREEDOM Act. Senator FRANKEN has devoted himself to the transparency measures in the bill. Senator BLUMENTHAL shaped the FISA Court amicus provisions. This was hard fought, and they never wavered.

I also want to thank Senators HELLER, CRUZ, MURKOWSKI, DAINES, DURBIN, and SCHUMER, the other original cosponsors of this bill. They have each worked to help advance this legislation and build the coalition we needed to finally get to our strong bipartisan vote in the Senate for passage. I must also mention Senator FEINSTEIN, who provided invaluable support to get this bill across the finish line. Of course, I also need to thank Minority Leader REID, who has never wavered in his strong support and responsible leadership.

On the House side, Chairman GOODLATTE and Congressmen SENSENBRENNER, CONYERS, and NADLER have

been the kind of bipartisan partners on this bill that every legislator wants in their corner.

I also need to thank Senators WYDEN and HEINRICH and former Senator Mark Udall, who used their positions on the Senate Intelligence Committee to ask the hard questions behind closed doors and who have fought to end this program for so long.

While we have much work to do, we have accomplished something momentous today. We are a better nation for it.

I also want to thank the many staffers who have worked long hours on this legislation for nearly two years now. On my own Judiciary Committee staff, I thank Chan Park, Lara Flint, Jessica Brady, Hasan Ali, Patrick Sheahan, Logan Gregoire, Jonathan Hoadley, Joel Park and Kristine Lucius. My personal office staff, including J.P. Dowd, Erica Chabot, David Carle, John Tracy and Diane Derby, also worked hard on this effort, and I am grateful for that. I also want to thank Democratic and Republican Senate staffers who have toiled countless hours on this effort, including Matt Owen, Mike Lemon, Wendy Baig, James Wallner, Josh Finestone, Scarlet Doyle, Ayesha Khanna, Alvaro Bedoya, Helen Gilbert, Samantha Chaifetz, Sam Simon, John Dickas, Chad Tanner, and Jennifer Barrett.

We not only worked across the aisle on this legislation, but we also worked across the Capitol. The bipartisan group of House staff who helped to craft this compromise bill and generated such an overwhelming vote on this legislation deserve enormous credit for their work: Caroline Lynch (who along with Lara Flint deserves a perfect attendance award for extensive negotiating sessions), Bart Forsyth, Aaron Hiller (whose wife deserves our thanks as she had a baby just weeks before the House considered the bill), Jason Herring, Shelley Husband, Branden Ritchie, and Perry Apelbaum.

I thank those at the White House who devoted countless hours including Josh Pollack, Jeff Ratner, Ryan Gillis, Michael Bosworth, and Chris Fonzone. I also appreciate the work of so many other executive branch officials at the Justice Department, Federal Bureau of Investigation, Office of the Director of National Intelligence, and National Security Agency who work so hard to keep our country safe and answered our questions at all hours of the day and night.

I also need to thank the many public interest groups, on all ends of the political spectrum, who stuck with us despite many challenges. There are too many to name, but without their energy and expertise, this reform effort would never have come to fruition. Likewise, the technology industry provided invaluable input and support for this legislation.

And finally, I would like to thank the dedicated staff in the Office of Senate Legislative Counsel, whose tremendous work in assisting us with legislative drafting often goes unnoticed and unrecognized. In particular, I want to thank John Henderson, Kim Albrecht-Taylor, and James Ollen-Smith for their assistance and technical expertise.

Seeing nobody else seeking recognition, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

The PRESIDING OFFICER (Ms. AYOTTE). Without objection, it is so ordered.

CLIMATE CHANGE

Mr. WHITEHOUSE. Madam President, today I am here for the 101st time to urge this body to wake up to the threat of climate change. It is real, it is caused by carbon pollution, and it is dangerous.

There is a legislative answer to this problem that my Republican colleagues should consider, and that is a carbon fee.

The unpleasant fact here in Congress presently, anyway, is that Congress is ruled by the lobbyists and the political enforcers for the fossil fuel industry. But outside this Chamber, where the fossil fuel industry's power is less fierce, there is considerable conservative support for a carbon fee.

Leading right-of-center economists, conservative think tanks, and former Republican officials, both legislative and executive, all say that putting a price on carbon pollution is the right way to deal with climate change. They know that climate denial cannot stand against the facts. As the Washington Post reported last month, prominent thinkers on the right are ''increasingly pushing'' for a climate policy based on conservative principles and on values such as property rights, market efficiency, and personal liberty. They recommend pricing carbon.

Jerry Taylor, a former vice president at the CATO Institute now leads his own Libertarian think tank, which is making the case for a carbon fee. He recognized that ''the scientific evidence became stronger and stronger over time.'' He knows climate denial is not an option. He says that ''because catastrophic climate change is a non-diversifiable risk, we should logically be willing to pay extra to avoid climate risks.'' Taylor points out that hedging against terrible outcomes is what we expect in our financial markets. Why should we not do the same for climate change?

Conservatives have also long agreed that government should prevent one group harming another. Conservative economist Milton Friedman still tops the reading lists of Republicans in Congress. Republican Presidential hopefuls still invoke his name to show their free market bona fides. Asked whether the government had any role to play in reducing pollution, Friedman said:

> There's always a case for the government to do something about it. Because there is always a case for the government to some extent when what two people do affects a third party.

Friedman is describing what he called ''neighborhood effects'' or what many economists call ''negative externalities.'' A negative externality is when two parties engage in a transaction and the result of that transaction causes damage to a third party—a third party that did not consent to the arrangement. That is an externality, and when the consequence is harmful, it is a negative externality. In a free society, wrote Friedman, government exists, in part, to diminish those negative externalities.

When the costs of such negative externalities don't get factored into the price of a product, even conservative economic doctrine classifies that as a subsidy. For the polluters who traffic and burn fossil fuels, that subsidy is huge.

In a finding it describes as ''shocking,'' the International Monetary Fund estimated the true costs of fossil fuel energy, taking into account public health problems, climate change, and other negative externalities, and they added it up to a polluter world subsidy of $5.3 trillion a year. The subsidy here in the United States for the fossil fuel industry will hit $699 billion this year.

It is no wonder the fossil fuel enforcers wield their clout in Congress so energetically. At $700 billion a year just in the United States, why would the big polluters not want to squeeze one more fiscal quarter, one more year of public subsidy out of the rest of us at $700 billion a year? We usually talk about big numbers here in the Senate over a 10-year period. That is the way our budget works. Over a 10-year budget period, that is $7 trillion. No wonder they are so remorseless.

From their point of view, lunch is good when someone else is picking up the tab, and Senate Republicans have been far too willing to let the polluters dine for free. Outside of this Chamber, however, conservative economists call such an enormous public subsidy a market failure. The price of fossil fuel energy does not match its true costs. That market imbalance artificially favors polluting fuels and their producers—picking winners and losers, if you will.

A carbon fee can make the markets more efficient and level the playing

field for different types of energy. Anyone who really believes in a free market should favor a carbon fee. That is what makes it work.

Harvard Professor N. Gregory Mankiw has been an economic adviser to President George W. Bush and to Presidential candidate Mitt Romney. He has pointed out that a carbon fee can help repair such a market failure and that ''the idea of using taxes to fix problems, rather than merely raise government revenue, has a long history.''

In a 2013 New York Times op-ed, former Republican EPA Administrators Bill Ruckelshaus, Christine Todd Whitman, Lee Thomas, and William Reilly wrote: ''A market-based approach, like a carbon tax, would be the best path to reducing greenhouse-gas emissions.''

A carbon fee can also generate significant revenue, and this could help achieve conservative priorities, such as lowering taxes. Art Laffer, one of the architects of President Reagan's economic plan, popularizer of the famous ''Laffer curve,'' has looked at using a carbon tax to fund a payroll tax cut. He said: ''I think that would be very good for the economy.''

Did you get that? Arthur Laffer, President Reagan's economic adviser, said that a carbon tax, funding a payroll tax cut, ''would be very good for the economy.'' And as an adjunct, he continues: ''It would also reduce carbon emissions into the environment.''

It is a pretty simple idea. You can lessen the tax burden on things that you do want—employment, jobs, profits—and make up for the lost revenue by ending the subsidy of something you don't want—pollution.

What is not to love unless you are a big polluter? Dr. Irwin Stelzer, an editor at the Weekly Standard and director of economic policy studies at the conservative Hudson Institute, said that for a tax-swapping carbon fee, ''conservative support would depend solely on a desire to get the economy growing faster by shifting the tax burden from good stuff like work to bad stuff like pollutants.''

The fundamental conservative faith in the free market points to a carbon fee. A carbon fee priced at the true social cost of carbon would allow the market—not the polluters, not the government—to sort out which energy mix is best for society. On this question, Republicans have a choice to make: Are they real conservatives who will support a free market solution or are they the playthings of the fossil fuel industry, which will not pick up this question at all?

Well, if you do not like picking winners and losers, then quit favoring fossil fuel to the tune of $700 billion a year just in America and level the playing field with a good, conservative, deficit neutral carbon fee. Level the playing field.

That is how George Shultz sees it. George Shultz was President Nixon's Treasury Secretary and President Reagan's Secretary of State. He and Nobel laureate economist Gary S. Becker made the case for a carbon fee in the Wall Street Journal:

> Americans like to compete on a level playing field. All the players should have an equal opportunity to win based on their competitive merits, not on some artificial imbalance that gives someone or some group a special advantage.

That is why Secretary Shultz supports a price on carbon.

As an addition, there is also a huge economic win that will result, according to knowledgeable conservatives. Last year, George W. Bush's Treasury Secretary, Hank Paulson, said, ''A tax on carbon emissions will unleash a wave of innovation to develop technologies, lower the costs of clean energy and create jobs as we and other nations develop new energy products and infrastructure.''

Former Republican Congressman Bob Inglis has become a leading conservative voice in the fight against climate change. He specifically supports using a carbon fee and even introduced legislation when he was in Congress to price carbon and cut payroll taxes, the Laffer combination. Last year, he told the Dallas Morning News that this would create economic opportunity.

He said:

> [W]e are discovering in climate science . . . that there is a risk that we can avoid from the creative innovation that comes from free enterprise. We have a danger and an opportunity. As a conservative, I say what a great opportunity to create wealth, innovate, and sell innovation around the world.

By the way, Representative Inglis's dedication to this issue recently earned him the John F. Kennedy Profile in Courage Award. I offer him my sincere congratulations. It does, indeed, take courage to come out from behind the veil of skepticism and denial to face the plain truth and to propose real, concrete solutions. That is especially true when the fossil fuel industry wields such relentless, remorseless power over the Republican Party today.

President Obama's Clean Power Plan is at last putting an end to the free lunch for the fossil fuel industry. This ought to motivate the industry to rethink its inequitable, subsidy-ridden business model. Which is more efficient, anyway—government regulation or proper market pricing?

As American Enterprise Institute scholars Kevin Hassett, Steven Hayward, and Kenneth Greene put it, ''Because a carbon tax would cause carbon emissions to be reduced efficiently across the entire market, other measures that are less efficient—and sometimes even perverse in their impacts—could be eliminated . . . As regulations impose significant costs and distort markets, the potential to displace a fairly broad swath of environmental regulations with a carbon tax offers benefits beyond [greenhouse gas] reductions''—i.e., economic benefits.

Republicans in Congress have a real chance to help remake the U.S. energy market under conservative, free market principles. As far back as 1992, former Chairman of President Reagan's Council of Economic Advisers, Martin Feldstein, wrote in the Wall Street Journal:

> Although a general carbon fuel tax is moot for the moment, the idea will not go away. If carbon dioxide emissions are to be reduced further in the U.S., such a tax will achieve the goal with less economic waste than new bureaucratic hurdles.

Why don't today's Republicans abide by this conservative principle? As Douglas Holtz-Eakin, CBO Director under the prior Republican Congress and economic adviser to our friend Senator MCCAIN's Presidential bid, wrote in the National Review, ''In the bad old days, Democrats bad-mouthed trading systems and price mechanisms; Republicans opposed rifle-shot subsidies and mandates. Weirdly, conservatives have a need to relearn these lessons.''

Well, the carbon fee is right in line with Douglas Holtz-Eakin's lessons to be learned.

On June 10, I will introduce my carbon fee proposal at an event hosted by the American Enterprise Institute. I hope that once my colleagues see the details, they will take seriously the promise of a free market solution to climate change. For any Senator who wants to engage on this issue, I am interested. I will gladly work with any Republican colleague. What we cannot do is stay in denial. For both our environment and our economy, and indeed our honor, we cannot afford to keep sleepwalking. It is time to wake up.

I yield the floor.

The PRESIDING OFFICER. The Senator from Pennsylvania.

USA FREEDOM ACT

Mr. TOOMEY. Madam President, I rise today to speak on H.R. 2048, the USA FREEDOM Act. I want to put it in some context and discuss why I voted the way I did today, but first, a little background.

It has been now more than a decade since Al Qaeda launched its deadly attacks on U.S. soil that we all remember so well, killing 2,977 people in New York City, in Washington, DC, and just outside of Shanksville, PA, injuring about 2,700 more, and taking away far too many parents, children, wives, husbands, families, and friends.

As we gather here today, we face other grave threats as well. One of the most grave threats is the threat of the Islamic State of ISIS. Secretary of Defense Hagel described it this way. He said ISIS is ''beyond anything that

we've seen'' and constitutes an ''imminent threat to every interest we have.''

We know this is a brutal group. They behead people. They crucify people. They burn people alive. They systematically sell young girls into slavery. They control large regions in the Middle East now. They have their sights set on attacking the United States.

We know there are radicalized ISIS sympathizers and adherents here in the United States. Many of them are eager to carry out this group's destructive ambitions right here in our own country.

We know ISIS has the resources to carry out attacks on our homeland. Al Qaeda spent about half a million dollars. That is what it cost them to plan and execute the entire attack on the World Trade Center and the Pentagon. ISIS has amassed a $2 billion fortune—4,000 times as much money as Al Qaeda spent on September 11. ISIS collects something on the order of an additional $1 million to $2 million every day through the variety of means it has because of the land it controls. So this is a very serious threat.

Like any other threat, we have an obligation to protect the American people from this to the extent we can. In the process, we have an obligation to strike an appropriate balance between the national security we owe our constituents, the American people, and the robust civil liberties we ought to protect because they are enshrined in our Constitution and important to our country. In my view, section 215—the controversial part of the USA PATRIOT Act—appropriately struck that balance.

The best policy we could have pursued this week would have been to reauthorize section 215 in pretty much the form it has been in. If we had done so, we would have been repeating what we had done many times before by overwhelming bipartisan majorities I think seven previous times. In 2005, 2006, 2009, 2010, and 2011, Congress reauthorized the USA PATRIOT Act, including section 215. Congress did that because there is nothing radical about section 215 or the PATRIOT Act. This—what became a very controversial section recently—simply gave our national security officials the same kind of ability to access documents, reports, and other tangible items when investigating a potential international terrorist attack that a grand jury has and has long had when investigating ordinary criminal events such as a car theft.

It is important to note what section 215 did not authorize. It did not authorize the NSA to conduct wiretaps or listen in on any phone conversations. That has never happened. Despite that, there has been rampant misinformation about the telephone metadata program, as it is referred to, that was conducted under section 215, so I want to discuss that a little bit.

I think one of the most important things to stress here is that this metadata program contained only information a third party had. It was not private information that an individual possessed; it was third-party information held by a telephone company. What is that information the phone companies have always had? It is a phone number. It is a date and time of a call. It is the duration of a call. It is the number being called. That is it. That is the sum total of all of the information in this so-called metadata program. Because that is all the information, it was completely anonymous. Not only did it not include any context of any conversation—that was not possible. Conversations have never been recorded, so the contents have never been captured. But it also did not contain any identifying information with the phone numbers. There are no names, no addresses, no financial information. There is no information that would in any way identify anybody with any particular number.

So what did the government do with the metadata it had received? Well, it stored it all in a big database, on a big spreadsheet with all of those numbers. That is all it was, was a lot of numbers.

When the government discovered a phone number from a known terrorist, when a group of special ops American forces took down a terrorist group somewhere and grabbed a cell phone, then the government could conduct a search of the metadata, but first a Federal judge would have to give permission.

After running the search to determine whether in that metadata there had been phone calls between the known terrorists and numbers in that database, even after doing the search, the government still had no information identifying the phone number because that is not in the database. Of course, as I said before, certainly there was no content because content had never been recorded.

But a link might be established—and if it were to be established, if Federal investigators discovered that the known terrorist was in regular phone communications, for instance, with someone in the United States, then that fact could be turned over to the FBI, and the FBI could conduct an investigation, which might be a very useful investigation to have.

Well, we have had a number of officials who have told us how important this program has been, the intelligence value we have received. President Obama, himself, explained that had the section 215 metadata program been in place prior to 9/11, the government might have been able to prevent the attack. Remember, we learned afterward about our inability to connect the dots. This was a program that was designed to enable us to connect those dots.

Even the critics of this program—which, as we know, there are many—have never suggested this program was in any way abused, that any individual person had their rights violated, that there was any breach. That case has never been made, not that I have heard. Given the value of the program—as we have heard from multiple sources—and the complete absence of any record of any abuse of the program, in my view, Congress should have reauthorized this program, including section 215.

But, instead, we have passed an alternative, and that is the USA FREEDOM Act. I voted against this measure today because I am concerned the USA FREEDOM Act does not provide us with the tools we need at a time when the risks have been as great as ever. Let me just mention some of these.

First, under the USA FREEDOM Act, it is entirely possible that the government may not be able to continue any metadata program at all. I say that because the bill explicitly forbids the government from maintaining the database that we have been maintaining and instead the bill assumes that private phone companies will retain the data, and then the government will be able to access that data as needed.

But there is a problem with this assumption. The problem is the bill doesn't require the phone companies to preserve any of this data. Under the USA FREEDOM Act, the phone companies could destroy the metadata instantaneously after a phone call occurs.

They have a regulatory obligation to keep billing information, but a lot of bills are unlimited calls with a single monthly charge. They have no statutory or regulatory requirement to retain the records of these calls. As currently practiced, I am not aware of any phone companies that retain this data for the 5 years our intelligence officials believe is the necessary timeframe to provide the security they would like to provide.

There is another problem, it seems to me, with the USA FREEDOM Act; that is, it is entirely possible the time period contemplated for establishing the software that will enable the government to query the many different private phone company databases—that timeframe will not be long enough. We don't know whether it is going to be long enough. We will just find out, I suppose, when the time comes. But this is a complex exercise that has to be carried out in real time, and the USA FREEDOM Act simply creates a deadline. It doesn't ensure that we will have this in place.

A second concern I have is that the USA FREEDOM Act weakens other intelligence-gathering tools that are unrelated to any of the metadata programs which have received most of the attention.

So the USA FREEDOM Act gives intelligence officials——

The PRESIDING OFFICER. The Senator from Pennsylvania has used 10 minutes.

There is an order to recognize the Senator from South Dakota.

Mr. TOOMEY. Madam President, I ask unanimous consent for 30 seconds to wrap up.

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

Mr. TOOMEY. Madam President, I conclude by saying that we are at least at as great a risk as we have ever been, and the first priority of the Federal Government of the United States is to protect people of the United States.

I am deeply concerned that the USA FREEDOM Act diminishes an important tool for providing for this security, and I hope that in the coming months we can address this bill and try to correct the many flaws it has.

I yield the floor.

The PRESIDING OFFICER. The Senator from South Dakota.

REGULATORY REFORM

Mr. ROUNDS. Madam President, I rise, for the first time speaking in this Chamber, to discuss the future of our great Nation, how truly fortunate we are to live in the greatest country in the world.

We are protected by the best military that has ever existed and that, in turn, allows us to live freely here at home, to focus on our God-given rights of life, liberty, and the pursuit of happiness.

In my home State of South Dakota, we cherish these rights. We have the opportunity to make our dreams come true because we have these rights and because we have a commonsense value system to guide us.

When I was elected, I promised to bring South Dakota common sense to Washington and to work to solve problems for the good of every South Dakotan and every American. But, unfortunately, when I travel back home, I continue to hear from my fellow South Dakotans about the Federal Government infringing on these rights and values.

You see, our great Nation has been bogged down in recent years with what I believe is one of the greatest hindrances to job growth and economic productivity; that is, the overregulation of our citizens. Overregulation is not a Democratic or a Republican issue, it is an issue that affects every single one of us. But I believe it is a challenge we can solve through cooperation and perseverance. It doesn't matter if you are talking about a doctor or a small business owner or a farmer or a rancher, overregulation has affected every single sector of our society.

The regulatory burden on this country is nearly $2 trillion annually, and this is in addition to the tax burden already placed on our American citizens. That regulatory burden is larger than Canada's entire economy. In fact, the cost to comply with Federal regulations is larger than the entire GDP of all but only eight other countries in the entire world.

Even more staggering, just a few years ago, we surpassed 1 million Federal regulations in America—1 million Federal regulations. Regulations are stifling economic growth and innovation and hurting the future of this country by crushing the can-do American spirit that founded our Nation, settled the West, won two World Wars, and put a man on the Moon—and every year more than 3,500 new Federal regulations are added.

This just does not make sense, and it certainly is not South Dakota common sense. What alarms me is not only the volume of regulations being thrust upon our citizens but also the process for creating them. The purpose of Congress is to be the voice of the people when making laws. Unfortunately, the voice of the people in the rulemaking process has been cut out and replaced by unelected government bureaucrats who think they know better than the farmer or the scientist or the entrepreneur.

Our Founders recognized the need for making laws, granting the power to create laws to Congress and only Congress. They meant that process to be difficult so our government would not overburden citizens and restrict their freedom, freedom that those Founding Fathers had just fought so hard to obtain. Through Congress, every citizen should have a voice, but unfortunately that is not what is happening today.

Our Founding Fathers created three branches of government with checks and balances for each one. They could never have imagined that we would have a regulatory process in place today where unelected bureaucrats would both write and have the final approval of the rules and regulations under which our people must live.

This regulatory regime, which is responsible for the 3,500 new rules each year, has essentially become a fourth branch of government and a de facto legislative body. The problem is exacerbated because these bureaucrats in Washington have this misperception that they know how to run our lives better than we do.

While working as a business owner, a State legislator, as a Governor, and now as a Senator, I have seen just how detrimental this ''Washington knows best'' mentality is on the daily lives of South Dakotans and Americans.

Many of my friends on both sides of the aisle have come to the Senate floor in recent weeks and months with some great ideas and legislation to limit or stop or repeal or remove some of the worst regulations currently on the books. I applaud them for these efforts, many of which I also support.

I look forward to working with the senior Senator from South Dakota, my friend JOHN THUNE, as well as anyone who is willing to work with me to remove these burdens that are stunting American greatness and, well, bring a little South Dakota common sense back to our regulatory environment.

The regulatory system in America has run amok. Too often, burdensome, costly regulations are crafted by bureaucrats at the highest level of government, behind closed doors, with little input from everyday Americans who disproportionately feel the effects of these one-size-fits-all policies.

It is regulation without representation—and it is wrong. The American people are being squeezed out, their voices falling on deaf ears in Washington. Small businesses, which drive our economy and create the majority of jobs in America, are especially hurt by overregulation because they, too, have to hire lawyers and employees to comply with these rules. This takes away capital that could be used to hire new production employees and expand their businesses.

People in my home State of South Dakota feel victimized by their own Federal Government. It is keeping crops from getting to market, and it is keeping businesses from growing. The idea that unelected and unaccountable bureaucrats should be allowed to make sweeping rules and regulations with no recourse should be a concern to every American, regardless of political affiliation, because it impacts everyone. No party has a lock on the American dream, and American innovation doesn't have a party affiliation.

From the stack of paperwork required to process a bank loan to the regulatory price of putting food on the table, the cost of Federal regulations are ultimately passed down to each and every American. Without excessive regulation, imagine how much more money American families could have in their pockets to spend on what they want, instead of what the government wants. If we cut our redtape, families can stop having to cut their budgets.

The regulatory regime is a dark cloud over our entire economy. I am not saying there isn't a place for rules in our society; there is. Rules are meant to keep us safe and to promote the greater good, and I do believe there are some good rules and regulations which are on the books today. The problem I have is with the bad rules that keep good people from going about their daily lives.

Unfortunately, there are too many of these bad rules that are hindering our freedoms and stifling our growth. These are the regulations which we should have a process in place to reexamine.

Today, I come to the floor to discuss bipartisan legislation, which we have already introduced, to permanently end regulation without representation. It takes a giant leap forward in restoring the people's role in the rulemaking

process. After all, if the American people don't like the laws we make, they can vote us out, but they have no such power with unelected bureaucrats. They are stuck.

You see, the bipartisan legislation we have submitted, S. Con. Res. 17, would create a Joint Select Committee on Regulatory Reform, whose purpose includes reviewing regulations currently on the books and proposing a new rules review process that includes the elected representatives of the American people. It is rooted in South Dakota common sense and the principles that have made this country great, making government work for Americans, rather than against them.

Madam President, this committee would make several recommendations to Congress to rebalance this broken regulatory scheme.

First, the committee would be tasked with exploring options for Congress to review regulations written by agencies before they are enacted, providing much needed oversight through the possibility of a permanent joint rules review committee, which would be tasked with reviewing rules with a cost of $50 million or more. This permanent joint rules review committee would have the ability to delay the imposition of these rules for not more than a year from the time the agency submits the rule for a review to enable Congress to act on the rule if they do not care for the rule.

Second, the committee would examine an option for agencies to submit each regulation with a $50 million or more impact to the appropriate committees of Congress for review before the rule is enacted.

Finally, the joint select committee could recommend ways to reduce the financial burden regulations place on the economy as well as sunsetting onerous and outdated ones.

This joint select committee would not be a permanent one, but it would be bipartisan, bicameral, and hold meaningful hearings so that a permanent solution to our overregulation problem can be properly addressed.

This legislation also offers a starting point for the committee by requiring certain possible solutions to our regulatory problem to be considered. I firmly believe that regulations should be reviewed by elected officials, those who are accountable to the American people through the democratic process.

This is not a new concept. It is not rocket science. It is a common practice at the State level. In fact, 41 of the 50 States, including my home State of South Dakota, have a rules review process to make sure the executive branch is faithfully executing the laws they seek to implement.

It is worth repeating that regulations are estimated to cost $1.88 trillion annually in the United States, and that is above and beyond the tax burden our citizens already share. That amounts to just under $5 billion every single day, and it just doesn't make sense. It is unfair to those who still believe in and are working to achieve the American dream. Whether Americans are seeking to buy a car, take out a mortgage on a house, start a business, or see the doctor, regulations obstruct them.

When I think of those who sacrificed everything so that our children and grandchildren could create their own version of the American dream, I think about the freedoms and liberties they fought so bravely to defend. They fought so that we could pursue life, liberty, and happiness and trust that our government would not hinder these lifelong endeavors. It is not Washington that will continue to make this country great; rather, it is the collective spirit of individual Americans who want to work hard to be successful for their families and their communities. But they need the heavy hand of government to be lifted.

Here in Washington, it is not our job to dictate how Americans run their lives but to allow them to achieve their dreams, not make them into nightmares.

The phrase ''Washington is broken'' is far too common. It seems as though whenever we go home, there is someone who suggests that Washington is broken. We hear it regularly. People use it to describe the current state of our Federal Government. ''Washington'' is now used in a derogatory manner.

This city, the Capital of our Nation, named after our very first Commander in Chief, the man who led us to victory in the Revolutionary War and birthed this great Nation, has become, over time, the same as a four-letter word. Remember, George Washington left the Presidency voluntarily after two terms in office. He wanted to get away from the monarch style of government in which rulers held their positions for life. And now this city that bears his name is full of lifelong bureaucrats—and even worse, they are unaccountable to the people. It is a far cry from the Republic our Founders envisioned.

Madam President, in the year 2026 our country will celebrate its 250th birthday. That is just over a decade away. When we get to that point, I hope to join my fellow Americans in looking back with great pride in all we have accomplished and all we have to pass on to future generations.

President Kennedy challenged our Nation to put a man on the Moon before the decade of the 1960s had passed—less than 10 years. I am not asking us to do anything as tough as putting a man back on the Moon, but I think we should commit ourselves to removing the barrier of government regulations that is weighing on the American spirit and again set free the American economy before the decade preceding our 250th birthday.

I have not submitted legislation to start a new committee that exists in name and does no deed. Americans want us and expect us to be up to this challenge, and I believe we are. We can lift the heavy hand of government. The Founding Fathers did not anticipate thousands of regulators and a million regulations when they created this country. It is time to end this regulation without representation and restore the lawmaking process to the people.

I thank my friends on both sides of the aisle who have cosponsored RESTORE and encourage the rest of my colleagues to sign on to this commonsense approach to addressing the issue of overregulation so we can work to make this country even greater and safer than we found it. Then, during our 250th birthday celebration, we can be proud that we restored a little South Dakota and American common sense for our children and their children.

With that, Madam President, I yield the floor.

The PRESIDING OFFICER. The majority leader.

CONGRATULATING SENATOR ROUNDS

Mr. MCCONNELL. Madam President, let me say to our colleague from South Dakota how much all of us enjoyed his first major speech and also congratulate him on focusing on what I think is the single biggest problem confronting our country, creating the slow growth rate we have had throughout the Obama Presidency.

The Senator from South Dakota has focused on the biggest drag on our economy, the single biggest thing holding this country back from reaching its potential, and I would say to my friend from South Dakota that he has picked the perfect subject and has laid out a good solution to it. I hope lots of colleagues on both sides of the aisle will rally around this excellent proposal as a good way forward in dealing with the single biggest domestic problem we have regarding the future growth of our country.

I yield the floor.

The PRESIDING OFFICER. The Senator from South Dakota.

Mr. THUNE. Madam President, I, too, wish to congratulate my colleague from South Dakota, Senator ROUNDS, because he has already been a great leader on this subject. As a successful two-term Governor, a leader in our State legislature, he was a practical, commonsense, down-to-earth Governor who just liked to get things done.

I think coming here to Washington, DC, and finding the massive bureaucracy—in some cases, dysfunction—that surrounds this city, there can be a lot of disillusionment at times for people across the country. I think the new

Senator from South Dakota is going to be a great voice, a clear voice on solutions for how to break through that. He will be a great partner and someone I look forward to continuing to work with. We worked together a lot during his time as Governor and while in the State legislature, but I am delighted he is here in the Senate, where he can take his skills and experience and the passion he has to bring about positive change for our country and put it to work on behalf of the people of South Dakota and the people of our country.

I look forward to working with him on the very issue he talked about today because there is probably nothing right now that has a greater economic impact and creates more economic harm for the people we represent in South Dakota than regulatory overreach. This is evidenced on an almost daily basis as new regulations emanate from various agencies around this town that make it more difficult and more expensive for people to create jobs, more difficult for farmers and ranchers and small business people to do the things they do best, and just create a higher burden, a higher level of harm for people across the State because everything that comes out of Washington, DC, that drives up the cost of doing business in this country gets passed on to consumers in our State and all across the country.

I congratulate the Senator from South Dakota on his remarks and am grateful for his great service to our State in so many ways already and now adding to that here as a Member of the Senate, where we have big problems, big challenges, but he meets that with not only big enthusiasm but big experience when it comes to knocking down these barriers and making it more possible for people in this country to live more prosperous lives, safer lives, and hopefully more fulfilled lives when they can get government out of the way and allow their greatest aspirations to surface.

So I hope we have the opportunity to deal with a lot of those issues and do it in a way that creates greater prosperity for people across South Dakota and across this country.

I yield the floor.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. INHOFE. Madam President, let me observe that after hearing all the Senator from South Dakota said and what his goals are, he sure chose the right committee, the committee I chair, the Environment and Public Works Committee. That is what we talk about. That is what we do.

I had the honor of being in South Dakota before the election, and as I walked around in South Dakota and looked around, I thought, I could just as well be in Oklahoma. While I was there, I talked to the farm bureau people there, and they said it is the regulations. That is a farm State. Oklahoma is a farm State, and we understand that.

Of all the regulations they have and the problems they have, they say the EPA overregulates and causes the greatest problems. They singled one out—endangered species. They singled another one out—the waters of the United States. Currently, we are doing legislation on the waters of the United States, and it is legislation that is going to get that burden off of the people from South Dakota and Oklahoma. Right now, we are considering the most expensive of all the regulations, which is the ozone regulations. It would constitute the greatest single increase in expenditures or taxes of anything in the history of this country.

So it is nice to know we have someone who is so committed to the goals of this committee to be singling this out in a maiden speech as his greatest concern. I appreciate that as the chairman of that committee, and we are going to do wonderful things together for South Dakota, Oklahoma, and America.

Madam President, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Mr. WYDEN. Mr. President, I ask unanimous consent to speak in morning business for up to 15 minutes.

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

DROUGHT AND WILDFIRES

Mr. WYDEN. Mr. President, this afternoon I wish to call attention to the severe drought and wildfires that are already burning in my home State of Oregon and across the West.

Earlier today, the Energy and Natural Resources Committee, on which I serve, held a hearing on drought. There is no question that communities in many of our Western States are experiencing very uncertain times. Our farmers are concerned about water for their crops. Outdoorsmen and business owners fear low reservoir and river levels are going to ruin the summer season. Conservationists worry about a lack of cold water for fish habitats.

Drought and fire are a dangerous combination and create a trend continuing this year. Fire seasons have gotten drier. The fires have gotten hotter, and they have become far more expensive to fight. And severe drought is now compounding the crisis. We ought to make no mistake about what is going on in the West. The West is now bone dry, and the tragic fact is that this is the new normal for Oregon farmers and ranchers. Water is an increasingly scarce and precious resource.

Right now, every last square mile of Oregon is experiencing abnormally dry conditions, and almost 70 percent of my State is under severe drought. Fifteen of Oregon's 36 counties have declared drought emergencies or have been declared a drought emergency by the Governor. The unusually warm winter in my home State meant record low snowpack, which devastates summertime runoff, which is so important to Oregon's water supply.

Drought raises enormous issues for communities and State and Federal agencies. They have to find ways to cope while using less water. Authorities feel they are in a position, or are forced into a position, to have to make seemingly impossible choices about where to dedicate increasingly scarce resources. All of these rural communities have to face challenges that are heightened by drought—particularly the threat of wildfires.

Drought conditions mean that western forests and grasslands are especially likely to go up in flames. It means that more acres will burn, more people and more structures will be at risk, and more funds are going to be needed to put the fires out.

Fire season this year has started earlier than normal. In fact, I received a fire briefing at home this March. That is the earliest I have had a fire briefing in all of my time in Congress. It certainly bodes badly for the extra costs that we are likely to see. I recently got a letter from the Forest Service with the estimate of anticipated wildfire suppression costs for fiscal year 2015. The middle-of-the-road estimate for how much it will cost to fight wildfires is nearly $1.25 billion. On the high end, it could cost more than $1.6 billion. But the funding, however, that has been dedicated to fighting fires does not come close—not close—to covering those costs. The appropriated amount is $200 million less than even the most conservative median forecast. Wishful thinking in the budget is not going to be very useful in putting the fires out. Fighting fires costs money, and it can't be punted into the future like some minor budget line item. Once again, then, we are looking at the prospect of the Forest Service having to raid other accounts in order to put out the blazes.

According to the Forest Service, in 2013, $40 million was essentially stolen from the National Forest Fund, which would pay for the stewardship and management of the 193 million acres of national forests and grasslands. And $30 million was stolen from the account that funds the disposal of brush and other debris from timber operations. This brush and debris is essentially fuel for future fires.

Those figures represent the stark reality that the broken funding system

in place is shortchanging the resources needed for sensibly fighting wildfires. The cycle of stealing money from prevention accounts to pay for suppression of forest fires just repeats itself again and again without end, and it will continue until this funding problem is finally fixed.

Senator CRAPO, our colleague from Idaho, and I have been working on a bipartisan basis to fix this flawed policy for quite some time now. He and I introduced the Wildfire Disaster Funding Act to end this damaging cycle, which I have described and which in the West we call fire borrowing. Our bill would raise the Federal disaster cap to allow the agencies to treat wildfire-fighting efforts like other natural disasters because wildfires are natural disasters, destructive and costly, no different than hurricanes, floods, and tornadoes.

When our governmental agencies are forced to borrow from other accounts to fight fires that have bankrupted these accounts for fire suppression, they rob from the funds that are needed to reduce hazardous fuels in the forests, which leads to even more choked and overstocked forests ripe for future fires.

In effect, what happens is the prevention funds—the funds for thinning, cleaning out all of that debris—get shorted. So then you might have a lightning strike or something in our part of the world and you have an inferno on your hands. The government, in effect, borrows from the prevention fund to put the fire out, and the problem just gets worse and worse. It is that problem that Senator CRAPO and I are trying to fix.

On a bipartisan basis, we seek to give the agencies the tools they need to support the courageous firefighters on the ground, men and women who put their lives at risk to ensure that Americans, their homes and communities are protected from destructive wildfires.

I know there are other Members of the Senate who are very interested in solving the fire-borrowing problem. I encourage all those Members to work with me, Senator CRAPO, and our staff to find a solution that is acceptable to Congress and can be passed soon.

This is an urgent matter. This is not something you can sort of let go and offer the amendment to the amendment to the amendment, the kind of thing that happens here, and it just gets shunted off for years on end. This is urgent business because the West has to be in a position to clear these hazardous fuels and get out in front of these increasingly dangerous and ominous fires. We have to end—we have to end this cycle of catastrophic wildfires in the West. It is long past time for action. I urge colleagues to join Senator CRAPO and I to work with us and our staff so this body moves, and moves quickly, to fix this problem.

There is an awful lot of uncertainty when it comes to calculating the Federal budget. But what we know for sure—for sure—is that this problem of wildfires in the West is getting increasingly serious. The fires are bigger, the fires are hotter, and they last longer. It is time to budget for reducing this problem in a sensible way.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

GEORGE SCHENK, CELEBRATING 30 YEARS OF FLATBREAD

Mr. LEAHY. Mr. President, I wish to recognize George Schenk, founder of one of Vermont's most beloved restaurants, American Flatbread. Thirty years ago, American Flatbread was built from the ground up, driven by George's own enthusiasm, innovation, and drive. He baked his first pizza—flatbread as he prefers to call it—in a wood-fired stone oven of his own design. Today, American Flatbread still bakes its creations in the same stone ovens.

George started with a vision where his food was not just great tasting and nutritional, but also nurturing and healing the soul. He accomplished that and so much more. Anyone who has sat down at American Flatbread after a long day hiking, skiing or even just to visit understands the satisfaction of eating at George's restaurant. He and his staff maintain a commitment to the core values of the integrity of a meal, using organic and locally sourced ingredients, including those grown in a greenhouse next door. George cultivates these ingredients to deliver on his promise of ''good, flavorful, nutritious food that gives both joy and health.''

American Flatbread also reflects the best of Vermont's community traditions—caring for one another. Food is often given to help local hospitals and families in need, and those same citizens give back when they can. Like many Vermont towns, Waitsfield was devastated by Tropical Storm Irene, and among the damaged businesses was American Flatbread. Despite the damage, they were able to reopen in just a few short days thanks to the work of hundreds of local volunteers in both their time and in donations.

Since the fire was lit in that first stone oven, George has stayed true to his vision of a sustainable and community-oriented business, one that has flourished while calling Vermont its home. In honor of American Flatbread turning 30, I ask unanimous consent to have printed in the RECORD Sally Pollak's story from the May 28, 2015, edition of the Burlington Free Press.

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

[From the Burlington Free Press, May 28, 2015]

AMERICAN FLATBREAD TURNS 30, THROWS COMMUNITY PARTY

WAITSFIELD.—Thirty years ago in his side yard in Warren, George Schenk made a pizza in his wood-fired field stone oven.

The toppings were simple: olive oil, garlic, Parmesan and herbs from his garden.

''I didn't know if it was going to stick to the rock,'' Schenk said. ''I didn't know if it was going to bake. The oven had no door.''

Two couples who were hanging out drinking wine shared that pizza, or flatbread in Schenk vernacular.

Their response was like a wave at a football stadium on a smaller scale, Schenk said. Smiles moved from face to face.

''We just thought it was great,'' said Lyndon Virkler, dean of education at New England Culinary Institute, who was one of the original flatbread eaters. ''Because of the nice hot rock it had a nice, crisp crust. And real simple, pure flavors.''

What was meant to be a side dish became the ''highlight of the evening,'' Virkler said. He had met Schenk—a ski bum—five years earlier in the kitchen at Sam Rupert's, a Warren restaurant. Virkler was chef and Schenk was a salad maker with creativity and drive, Virkler said.

''We've often reflected on our place in history,'' Virkler said. ''My wife and I being able to sample the first flatbread.''

Schenk knew that night 30 years ago he had made something he and other people enjoyed eating. Beyond that, he found something that was gratifying to make: from building the oven to splitting wood and making a fire to kneading the dough.

''I was looking for a professional cooking opportunity that felt right,'' Schenk said. ''Not necessarily being on a line behind closed doors.''

Schenk's pizza—American Flatbread—has been around ever since: never behind closed doors and often outside. It started once a week at Tucker Hill Inn before Schenck opened American Flatbread at Lareau Farm in Waitsfield in 1992. That restaurant spawned a dozen American Flatbreads in New England, one in Hawaii and one in British Columbia.

American Flatbread will be available to all next Saturday, when Schenk celebrates 30 years of flatbread with free pizza and salad at his Waitsfield restaurant. Bigger than the birthday party, the event is to recognize community members who give to their communities in a variety of ways, he said.

''It's the whole range of human experience,'' Schenk said, listing the spheres of people and organizations he intends to honor: religious, local government, volunteer fire and ambulance personnel, people who serve seniors and the ill and injured, those who are involved in the arts and work to protect the environment.

''Here in this small valley there are 54 registered nonprofits,'' Schenk said.

Schenk spoke of the help his business received after two floods—in 1998 and 2011—damaged the restaurant and grounds at Lareau Farm, site of American Flatbread.

''Over 400 peopled helped us dig out,'' Schenk said. ''People donated tractors, cleaned firewood, mucked out the basement and moved debris. In the absence of that help, this little business would have failed.''

Money also was donated, including a $25,000 interest-free loan.

''People get really squirrely about money,'' Schenk said. But this loan was without that kind of attitude. The check came with a post-it note that read: ''Thinking of you.'' When Schenk repaid his last loan installment of $1,000, the check was returned uncashed, he said.

''In various iterations that story repeated itself over and over,'' Schenk said. ''With acts of profound kindness, at a time of need and loss.''

The celebration next Saturday is to do something ''nice,'' Schenk said—choosing with care a word an English teacher advised him long ago to stay away from.

WORDS WITH A SIDE OF PIZZA

Words matter to Schenk. Over the years they have achieved a place of importance in his business.

The restaurant in Waitsfield has gardens that grow food for flatbreads and salad, a campfire on the stone patio, and banners printed with Schenk's writings on food, family, community, philosophy, and social issues.

His compositions, which he calls ''dedications,'' appear in the menus at American Flatbread. Schenck has written more than 1,400 over the past 28 years.

''I have often felt as though if I didn't write, the flatbread wasn't complete, it wasn't as good,'' Schenk said. ''Maybe in truth, I was not as good or complete. It provided an internal discipline that I needed.''

In his semi-retirement, Schenk, 62, is reading through the archive of his dedications with plans to publish them in a book.

Reading through his dedications, the ones that emerge as most meaningful to him are about his family and the time he spent raising his two children, now grown, Schenk said.

''I'm acutely aware that those days and events are past and will never come again,'' Schenk said. ''The dedications captured something about their childhoods and my experiences that I wouldn't otherwise have.''

A dedication called ''The Family Bed'' is on the porch at American Flatbread.

It reads in part:

''We are together. Laughing and talking, getting ready for bed. 'Read to me first,' cries Willis who is three. I look at Hanna, half grown at eight years; she looks back at me with patience. 'Pick out your books and jump into bed, I'll be with you in just a minute.' (I go downstairs and fill the old stove with big chunks of wood. It is cold for April.) I hop back up, two stairs at a time, and join them in the big bed.''

Nearby is a dedication titled ''Children and the Kitchen.'' Schenk wrote:

''Children have a natural curiosity about the goings on in a kitchen. It is important to nurture this curiosity so that they have as their own the skills and care of good cooking. Almost all food work, from the garden to washing dishes, including knife-work, is child-friendly.''

DREAMING IN THE DIRT

The garden is where Schenk prefers to spend time these days. He has a plot in the staff garden at Flatbread, and he works in a greenhouse at Lareau Farm.

Schenk loves the physical activity of gardening, and being outside in sunlight and fresh air. He has a particular interest in the nutrient content of the soil, and values the way garden work helps produce food that is ''nutrient dense'' and rich in flavor, Schenk said.

''There's a kind of psychological peace and health that comes with the work,'' he said. ''Our palates really can guide us to health affirming food.''

He has built in his garden a structure he calls a ''soil invertebrate condominium.''

Soil invertebrates, insects and worms, stimulate soil bacteria, which improve the biology and chemistry of the soil. The creatures also aerate the soil, and help with pest control, Schenk said. They allow Schenk to play in the dirt, and peek into that ''magic place'' where they live.

''I've come to take an enormous amount of happiness from this work, and peace,'' Schenk said last week in his garden. ''As I become older, that peace and well being has become something that I value greatly. My goal wasn't to go out and create a pizza empire. It was to have a healthy and happy life.''

He sold his restaurant development group a few years ago, and now works as a Flatbread consultant. Thursday, he trucked buckets of clay gathered at Lareau Farm and sapling alders from a swamp in Roxbury to Rockport, Maine, to build an oven for a new American Flatbread restaurant.

''It was about letting go of my ego,'' Schenk said of his selling the development group. ''When we idealize the American corporate dream and growth, that's what we see and hold up as a model of success.

''I got caught up in someone else's dream. As I grew, I came to realize that it wasn't my dream.''

Schenk dreams in the dirt these days, a place he hopes is teeming with activity.

''Systems that are more complex tend to be more stable,'' he said. ''It's stability that we're looking for in our lives.''

TRIBUTE TO LAURA PECHAITIS

Mr. BROWN. Mr. President, I rise today to honor the career of Laura Pechaitis, a dedicated public servant who has made a profound difference in the lives of thousands of Ohioans. For 13 years, I have been honored to have Laura on my staff, where she has helped veterans dealing with problems large and small. Laura retires on May 8, 2015, after more than 30 years of service to her community.

From the moment Laura contacted my then-congressional office about a job, I should have recognized that I was encountering a woman of uncharacteristic zeal and dedication. Laura wrote to me after she—along with her husband, Theodore, and two sons, Marc and Scott—had moved back home to Ohio from New York. She had worked for 18 years in the New York Assembly for State Representative Michael Bragman as his director of constituent services. During her time in the New York Assembly she helped develop a program used by all assembly offices to track and manage casework. Hiring her should have been an obvious decision, but it was only after she had written to me three times that I finally recognized the dedication and passion of the person I was dealing with. Hiring Laura has made a difference in the lives of thousands of Ohioans.

On my staff, Laura primarily focused her efforts on assisting Ohio's veterans. Our veterans and servicemembers dedicate their lives to our Nation, and Laura worked to make sure that they received the respect, gratitude, and assistance befitting their service. Inspired by her father—a World War II naval veteran—Laura has been committed all of her adult life to serving those who served us. As a student at Miami University, she helped form an auxiliary for the Navy ROTC program, serving as its commander.

She helped all generations of veterans. She helped men who stormed the beach on D-day secure long-overdue medals they had earned, and she helped recent Iraq war veterans access VA benefits to attend college and transition to civilian life. Her ability to resolve seemingly intractable cases was legendary. For veterans who had been waiting months, she was able to expedite their cases and get them the attention they deserved, many within 24 hours. One constituent had been told by the VA that his claim would take 20 days to process. Frustrated and distraught, he called Laura while driving to the VA clinic. By the time he pulled into the VA clinic, Laura had resolved the issue. Another veteran in Columbus had lived in her house for 27 months, but she was too afraid to unpack out of fear of being evicted. Laura helped ensure that this veteran had the VA benefits that would enable her to stay in her home.

Going above and beyond the call of duty was the norm for Laura. One veteran even had a term for her dedication, dubbing such exemplary service the ''typical Pechaitis fashion.'' Another constituent from Warren was having his TRICARE bills denied by the VA. Not only did Laura have the issue resolved within 24 hours, but she worked to help him reenroll in college and went so far as to put him in touch with a mentor at a local university to make sure he went back to school.

Her drive for public service, however, went beyond veterans. In fact, long before he became the star of the Cleveland Cavaliers, a young LeBron James used to come into my Akron office to spend time with a friend whose mother worked for me. During one those visits, Laura helped LeBron James register for the draft—the Selective Service draft that is, not the NBA draft.

Since 2006, Laura helped coordinate more than 10,000 cases for veterans and Active-Duty members of the armed services. She brought the same energy and empathy to each one. Laura has been a champion of veterans in Ohio, and the breadth of her impact is remarkable. She has been a model public servant, and I am proud to have worked with her.

Our actions in Congress are closely watched, but what too often goes unnoticed is the work of dedicated staff members whose only goal is to serve those we are elected to represent. I ask

that my colleagues join me in thanking Laura Pechaitis for her service to our Nation.

VOTE EXPLANATION

Mr. MENENDEZ. Mr. President, I was unavoidably detained for rollcall vote No. 196 on cloture on the motion to proceed to H.R. 2048. Had I been present, I would have voted yea.

ADDITIONAL STATEMENTS

RECOGNIZING O'KEEFE FUNERAL HOMES

● Mr. COCHRAN. Mr. President, I wish to recognize O'Keefe Funeral Homes of Biloxi, MS, on the occasion of their 150 years of service to residents of the Mississippi gulf coast. Since its inception in 1895, O'Keefe Funeral Homes has grown to include six locations throughout South Mississippi.

In addition to meeting the needs of the bereaved for generations, the O'Keefe family has been pivotal to the growth, support, and success of other economic and cultural enterprises across South Mississippi, assisting with the formation of the Walter Anderson Museum and the Ohr-O'Keefe Museum.

This sesquicentennial anniversary of O'Keefe Funeral Homes represents a great milestone for all coast communities and businesses as it is not only one of the oldest recurring businesses in Mississippi but has also survived and thrived in the face of many of our Nation's most devastating natural disasters.

Six generations of O'Keefes have served South Mississippi with grace and valor. The O'Keefe's service has added value to economic sustainability while providing a better way of life for gulf coast residents and businesses.

I am pleased to recognize the O'Keefe family for their 150 years of exemplary service and ongoing devotion to the Mississippi gulf coast.●

REMEMBERING AMMALINE HELEN HOWARD

● Mr. MANCHIN. Mr. President, I wish to honor Ammaline Helen ''Amy'' Howard, a beloved member of the Charleston, WV community.

The Howard family is a great, well-respected family in my beautiful State and I am honored to call the members of this family my dear friends. I had the privilege of meeting Amy, who was affectionately known by so many as Aunt Amy, many times. She was always humble, welcoming, and supportive. She was a pillar in the Howard family, standing strong on values with a captivating yet calming spirit. Her nieces and nephews knew if their parents told them ''no'' to something, that they could go to Aunt Amy and she would find a way to help them out.

Put simply, individuals like Amy stand out. She was the epitome of what West Virginians are all about, with her welcoming nature and unwavering commitment to help those in need. Amy led by example and treated her neighbors as friends and her friends as family. She instilled this same loyal community service mindset throughout her family. She leaves behind her loving brother Victor, sister-in-law Elaine, and many nieces, nephews, great-nieces, and great-nephews.

She was a second mother to many, and truly brought the whole family together. She made sure a hot meal was ready every evening, and if she saw you, she made sure you were invited to dinner that night.

A native of Charleston, Amy graduated from Charleston High School in 1933 and gave back to her hometown in many ways. She began working at the Naval Ordinance and Armor Plant in South Charleston before joining her brother in his successful grocery business, Sabe Howard's Market. She then worked for many years as a loyal employee of the Kanawha County Clerk's Office before her retirement in 1974.

Among her many roles, she was a member of the Charleston Hightop Club and the West Virginia Woman's American Syrian League. Amy also supported the West Virginia Symphony League and the St. Jude Hospital because she was passionate about investing her time and efforts to helping others in any way that she could.

She was a lifelong member of St. George Orthodox Cathedral, and was also a member of the Order of St. Ignatius of Antioch and the St. George Ladies Guild, serving as an officer. Amy was fiercely committed to her church family, always willing to lend a helping hand or prepare food for church functions. Every year at the annual dinner she would help prepare food and make sure there were plenty of her legendary cabbage rolls.

Aunt Amy was a model for the ages. She understood what really mattered in life and I enjoyed chatting with her about the jewels in the treasure box of life—family, faith, community, and service. She believed that staying active was the key to living a long, happy life. Amy loved to walk and visit the mall to get her favorite coffee and biscuits, and remained active until her late 90s.

I recall one time being invited to Aunt Amy's basement kitchen where the heavy cooking really took place. It was filled with freezers, refrigerators, microwaves, and every cooking utensil you can think of. Not many people were invited down to her kitchen, so I knew I was really taken in as part of the family. She truly had that effect on people—it was a second home, and you were considered family. And family comes first.

Amy was a beloved aunt, friend, and inspiration to the Charleston community. Her glowing smile and positive attitude were contagious and will live on in the memories and hearts of all those who had the privilege of knowing her. Amy's service was greatly appreciated and will certainly never be forgotten.●

RECOGNIZING STANFORD OVSHINSKY

● Mr. PETERS. Mr. President, I wish to recognize Mr. Stanford Ovshinsky, on the occasion of his induction into the National Inventors Hall of Fame. Mr. Ovshinsky, the eldest son of working-class Jewish parents in Akron, OH, displayed an early conviction to improving the lives of all Americans. This conviction inspired a lifelong dedication to advancing labor rights, civil rights, and civil liberties. Despite no formal education after receiving his high school diploma, Mr. Ovshinsky became one of the 20th century's most prolific inventors. His vision and concern for the greater good led to over 400 patents, including major contributions to flexible solar panels, computer memory, flat-screen TV displays, and the development of the nickel-metal hydride battery.

Mr. Ovshinsky's belief in the ability of science and technology to advance environmental stewardship and quality of life was rooted in his experience as a member of the Workmen's Circle, a Jewish fraternal organization committed to community, an enlightened Jewish culture, and social justice since it was established in 1900. The Workmen's Circle inspired Mr. Ovshinsky to pursue science and develop advanced technology dedicated to heightening economic opportunity and improving people's relationship with the environment around the world. After starting his career as a toolmaker in Akron, Mr. Ovshinsky moved to Detroit in 1952, where he was director of research at the Hupp Corporation and established General Automation with his younger brother, Herb Ovshinsky.

At General Automation, Mr. Ovshinsky continued his research on intelligent machines, as well as early work on various information and energy technologies. He was invited by Wayne State University to conduct research at the university's neuroscience lab, where he discovered the connection between the amorphous structure of brain cells and amorphous glassy materials. This discovery encouraged Mr. Ovshinsky and his brother to construct the Ovitron, a mechanical model of a nerve cell constructed of thin layers of amorphous material, creating the first nanostructure, and establishing the foundation of his research for decades.

Following his experience at General Automation, Mr. Ovshinsky founded

Energy Conversion Devices in 1960 with Iris Dibner, who would become his wife and partner for over 50 years. It was at Energy Conversion Devices that he established Ovonics—the process of turning glassy, thin films into semiconductors with the application of low voltage—and developed new electronic and optical switches, including Ovonic Phase Change Memory and the Threshold Switch. These became the basis for the invention of rewritable CDs and DVDs, as well as the cognitive computer. Mr. Ovshinsky's work also revolutionized the construction of solar panels and resulted in the nickel-metal hydride battery, which became an important power source for electric vehicles, consumer electronics, industrial equipment, and telecommunications.

Time Magazine celebrated Mr. Ovshinsky as a ''Hero for the Planet'' in 1991. In 2006, The Economist recognized him as the ''Edison of our age.'' At the time of his death in 2012, he was credited on more than 300 publications and had received over 20 major awards and honorary degrees. Throughout his life, however, Mr. Ovshinsky displayed as much vigor for fighting for justice outside his laboratory as within. His efforts contributed to the introduction of affordable housing in his affluent neighborhood in Birmingham, MI, and he was a proud member of the Mechanist's Union, as well as an early supporter of Walter P. Reuther and the United Auto Workers. It is an honor to recognize someone whose work not only helped usher the world into the modern age, but was also based in a belief that each of us has a responsibility to serve our community and leave the world a better place for generations to come.●

RECOGNIZING THE 125TH STEVENS FAMILY REUNION

● Mr. WYDEN. Mr. President, I would like to recognize and honor an exemplary Oregonian family who will soon gather for their 125th family reunion. Family reunions are difficult to organize and even harder to make longlasting traditions. Nonetheless, since 1891 the children of Hanson and Lavina Stevens have managed to hold yearly family reunions, with the exception of one missed reunion during the First World War—truly an amazing feat.

In many ways, the history of the Stevens family is the history of the State of Oregon. In 1852, the Stevens family decided to take advantage of the Donation Land Claim Act of 1850, which encouraged settlement of the Oregon Territory. Hanson and Lavina Stevens, their eight children and a wagon loaded with vital supplies traveled the treacherous Oregon Trail.

Twenty-two other wagons traveled alongside the Stevens family and undertook the Oregon Trail's most dangerous migration year ever recorded. While all of the other families decided to stop near Fort Bridger, WY, in search of gold, Hanson Stevens concluded that mining camps were not suitable for raising his family. Instead, the Stevens, like thousands of other pioneers, chose to settle in Oregon. They chose the ''Promised Land.'' Ever since, the Stevens and their descendants have contributed to the territory and then the State of Oregon.

In June of 1891, the entire family gathered for the birthday of the family patriarch at the time, Isaac Stevens. That tradition continued on each year, and eventually turned from a birthday party into a more formal family reunion.

Today the Stevens decedents are six clans strong, and they rotate the responsibility for hosting their memorable reunions. This year the Ringo Clan will be hosting the 125th reunion on July 19, 2015 at Champoeg Park in St. Paul, OR.

The family tells me that each year the various clans all give a report to the family, and the details are recorded in a leather-bound journal. As you can imagine, this journal traces not just the history of the Stevens family but also provides a view into the history of Oregon and the United States.

And that is part of what makes family reunions so wonderful. They don't just connect us to the aunts, uncles and cousins we don't see very often; they also connect us to our past, our heritage. Family reunions are a place to share family lore, shared values, and traditions.

I am thrilled to recognize the Stevens family 125th annual reunion. I hope to see the Stevens family tradition continue for many, many years to come.●

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Pate, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations and a withdrawal which were referred to the appropriate committees.

(The messages received today are printed at the end of the Senate proceedings.)

MESSAGE FROM THE HOUSE

At 2:32 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has passed the following bill, without amendment:

S. 802. An act to authorize the Secretary of State and the Administrator of the United States Agency for International Development to provide assistance to support the rights of women and girls in developing countries, and for other purposes.

The message also announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 336. An act to direct the Administrator of General Services, on behalf of the Archivist of the United States, to convey certain Federal property located in the State of Alaska to the Municipality of Anchorage, Alaska.

H.R. 404. An act to authorize early repayment of obligations to the Bureau of Reclamation within the Northport Irrigation District in the State of Nebraska.

H.R. 533. An act to revoke the charter of incorporation of the Miami Tribe of Oklahoma at the request of that tribe, and for other purposes.

H.R. 944. An act to reauthorize the National Estuary Program, and for other purposes.

H.R. 979. An act to designate a mountain in the John Muir Wilderness of the Sierra National Forest as ''Sky Point''.

H.R. 1168. An act to amend the Indian Child Protection and Family Violence Prevention Act to require background checks before foster care placements are ordered in tribal court proceedings, and for other purposes.

H.R. 1335. An act to amend the Magnuson-Stevens Fishery Conservation and Management Act to provide flexibility for fishery managers and stability for fishermen, and for other purposes.

H.R. 1493. An act to protect and preserve international cultural property at risk due to political instability, armed conflict, or natural or other disasters, and for other purposes.

The message further announced that the House has agreed to the following concurrent resolution, in which it requests the concurrence of the Senate:

H. Con. Res. 48. Concurrent resolution authorizing the use of Emancipation Hall in the Capitol Visitor Center for a ceremony to commemorate the 50th anniversary of the Vietnam War.

MEASURES REFERRED

The following bills were read the first and the second times by unanimous consent, and referred as indicated:

H.R. 336. An act to direct the Administrator of General Services, on behalf of the Archivist of the United States, to convey certain Federal property located in the State of Alaska to the Municipality of Anchorage, Alaska; to the Committee on Homeland Security and Governmental Affairs.

H.R. 404. An act to authorize early repayment of obligations to the Bureau of Reclamation within the Northport Irrigation District in the State of Nebraska; to the Committee on Energy and Natural Resources.

H.R. 533. An act to revoke the charter of incorporation of the Miami Tribe of Oklahoma at the request of that tribe, and for other purposes; to the Committee on Indian Affairs.

H.R. 944. An act to reauthorize the National Estuary Program, and for other purposes; to the Committee on Environment and Public Works.

H.R. 979. An act to designate a mountain in the John Muir Wilderness of the Sierra National Forest as ''Sky Point''; to the Committee on Energy and Natural Resources.

H.R. 1335. An act to amend the Magnuson-Stevens Fishery Conservation and Management Act to provide flexibility for fishery managers and stability for fishermen, and for other purposes; to the Committee on Commerce, Science, and Transportation.

H.R. 1493. An act to protect and preserve international cultural property at risk due to political instability, armed conflict, or natural or other disasters, and for other purposes; to the Committee on Foreign Relations.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC–1752. A communication from the Acting Director of Defense Procurement and Acquisition Policy, Department of Defense, transmitting, pursuant to law, the report of a rule entitled ''Defense Federal Acquisition Regulation Supplement: Approval Threshold for Time-and-Materials and Labor-Hour Contracts'' ((RIN0750–AI56) (DFARS Case 2014–D020)) received during adjournment of the Senate in the Office of the President of the Senate on May 26, 2015; to the Committee on Armed Services.

EC–1753. A communication from the Acting Under Secretary of Defense (Personnel and Readiness), transmitting a report on the approved retirement of Vice Admiral Nanette M. DeRenzi, United States Navy, and her advancement to the grade of vice admiral on the retired list; to the Committee on Armed Services.

EC–1754. A communication from the Acting Under Secretary of Defense (Personnel and Readiness), transmitting a report on the approved retirement of Lieutenant General Steven A. Hummer, United States Marine Corps, and his advancement to the grade of lieutenant general on the retired list; to the Committee on Armed Services.

EC–1755. A communication from the Acting Director of Defense Procurement and Acquisition Policy, Department of Defense, transmitting, pursuant to law, the report of a rule entitled ''Defense Federal Acquisition Regulation Supplement: Appendix F—Energy Receiving Reports'' ((RIN0750–AI46) (DFARS Case 2014–D024)) received during adjournment of the Senate in the Office of the President of the Senate on May 26, 2015; to the Committee on Armed Services.

EC–1756. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Metconazole; Pesticide Tolerances'' (FRL No. 9927–11) received during adjournment of the Senate in the Office of the President of the Senate on May 27, 2015; to the Committee on Agriculture, Nutrition, and Forestry.

EC–1757. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Mesotrione; Pesticide Tolerances'' (FRL No. 9927–75) received during adjournment of the Senate in the Office of the President of the Senate on May 27, 2015; to the Committee on Agriculture, Nutrition, and Forestry.

EC–1758. A communication from the President of the United States, transmitting, pursuant to law, an Executive Order that terminates the national emergency declared in Executive Order 13617 of June 25, 2012, and revokes Executive Order 13617, received during adjournment of the Senate in the Office of the President of the Senate on May 27, 2015; to the Committee on Banking, Housing, and Urban Affairs.

EC–1759. A communication from the General Counsel of the Federal Housing Finance Agency, transmitting, pursuant to law, the report of a rule entitled ''Federal Home Loan Bank Community Support Program - Administrative Amendments'' (RIN2590–AA38) received in the Office of the President of the Senate on May 22, 2015; to the Committee on Banking, Housing, and Urban Affairs.

EC–1760. A communication from the Secretary of the Treasury, transmitting, pursuant to law, a six-month periodic report on the national emergency with respect to North Korea that was declared in Executive Order 13466 of June 26, 2008; to the Committee on Banking, Housing, and Urban Affairs.

EC–1761. A communication from the Secretary of the Treasury, transmitting, pursuant to law, a six-month periodic report on the national emergency with respect to the Western Balkans that was declared in Executive Order 13219 of June 26, 2001; to the Committee on Banking, Housing, and Urban Affairs.

EC–1762. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Completion of Requirement to Promulgate Standards'' ((RIN2060–AS42) (FRL No. 9928–25–OAR)) received during adjournment of the Senate in the Office of the President of the Senate on May 27, 2015; to the Committee on Environment and Public Works.

EC–1763. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Implementation Plans; Alaska'' (FRL No. 9928–17–Region 10) received in the Office of the President of the Senate on May 22, 2015; to the Committee on Environment and Public Works.

EC–1764. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''State Implementation Plans: Response to Petition for Rulemaking; Restatement and Updated of EPA's SSM Policy Applicable to SIPs; Findings of Substantial Inadequacy; and SIP Calls to Amend Provisions Applying to Excess Emissions During Periods of Startup, Shutdown and Malfunction'' ((RIN2060–AR68) (FRL No. 9924–05–OAR) received in the Office of the President of the Senate on May 22, 2015; to the Committee on Environment and Public Works.

EC–1765. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Implementation Plans; New York; Infrastructure SIP for the 2008 Lead NAAQS'' (FRL No. 9928–39–Region 2) received during adjournment of the Senate in the Office of the President of the Senate on May 27, 2015; to the Committee on Environment and Public Works.

EC–1766. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Air Quality Implementation Plans; Maryland; Determination of Attainment of the 2008 8-Hour Ozone National Ambient Air Quality Standard for the Baltimore, Maryland Moderate Nonattainment Area'' (FRL No. 9928–42–Region 3) received during adjournment of the Senate in the Office of the President of the Senate on May 27, 2015; to the Committee on Environment and Public Works.

EC–1767. A communication from the Chairman, Nuclear Regulatory Commission, transmitting, pursuant to law, a report entitled ''Report to Congress on Abnormal Occurrences: Fiscal Year (FY) 2014''; to the Committee on Environment and Public Works.

EC–1768. A communication from the Director of Congressional Affairs, Nuclear Regulatory Research, Nuclear Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled ''Interim Staff Guidance Emergency Planning Exemption Requests for Decommissioning Nuclear Power Plants'' (NSIR/DPR–ISG–02) received during adjournment of the Senate in the Office of the President of the Senate on May 26, 2015; to the Committee on Environment and Public Works.

EC–1769. A communication from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting, pursuant to the Case-Zablocki Act, 1 U.S.C. 112b, as amended, the report of the texts and background statements of international agreements, other than treaties (List 2015–0051—2015–0058); to the Committee on Foreign Relations.

EC–1770. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, the report of a rule entitled ''Amendment to the International Traffic in Arms Regulations: Policy on Exports to the Republic of Fiji'' (RIN1400–AD77) received during adjournment of the Senate in the Office of the President of the Senate on May 27, 2015; to the Committee on Foreign Relations.

EC–1771. A communication from the General Counsel, Pension Benefit Guaranty Corporation, transmitting, pursuant to law, the report of a rule entitled ''Benefits Payable in Terminated Single-Employer Plans; Interest Assumptions for Paying Benefits'' (29 CFR Part 4022) received in the Office of the President of the Senate on May 22, 2015; to the Committee on Health, Education, Labor, and Pensions.

EC–1772. A communication from the Director, Directorate of Construction, Occupational Safety and Health Administration, transmitting, pursuant to law, the report of a rule entitled ''Confined Spaces in Construction'' (RIN1218–AB47) received in the Office of the President of the Senate on May 22, 2015; to the Committee on Health, Education, Labor, and Pensions.

EC–1773. A communication from the Chair of the Securities and Exchange Commission, transmitting, pursuant to law, the Semiannual Report of the Inspector General and a Management Report for the period from October 1, 2014 through March 31, 2015; to the Committee on Homeland Security and Governmental Affairs.

EC–1774. A communication from the Deputy Assistant Administrator for Regulatory Programs, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Taking and Importing Marine Mammals; Taking Marine Mammals Incidental to U.S. Marine Corps Training Exercises at Brant Island Bombing Target and Piney Island

Bombing Range, USMC Cherry Point Range Complex, North Carolina'' (RIN0648–BD79) received during adjournment of the Senate in the Office of the President of the Senate on May 27, 2015; to the Committee on Commerce, Science, and Transportation.

EC–1775. A communication from the Assistant Attorney General, Office of Legislative Affairs, Department of Justice, transmitting, a report of proposed legislation entitled ''Tribal Equal Access to Voting Act of 2015''; to the Committee on Indian Affairs.

EC–1776. A communication from the Assistant Attorney General, Office of Legislative Affairs, Department of Justice, transmitting, pursuant to law, a report on the activities of the Community Relations Service for Fiscal Year 2014; to the Committee on the Judiciary.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. SHELBY, from the Committee on Banking, Housing, and Urban Affairs, without amendment:

S. 1484. An original bill to improve accountability and transparency in the United States financial regulatory system, protect access to credit for consumers, provide sensible relief to financial institutions, and for other purposes.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. MARKEY (for himself, Mr. SCHATZ, Mr. BLUMENTHAL, Ms. WARREN, Mr. SCHUMER, Mr. DURBIN, Mr. MURPHY, Mrs. GILLIBRAND, Mr. WHITEHOUSE, Ms. HIRONO, Mrs. MURRAY, and Mrs. BOXER):

S. 1473. A bill to authorize the appropriation of funds to the Centers for Disease Control and Prevention for conducting or supporting research on firearms safety or gun violence prevention; to the Committee on Health, Education, Labor, and Pensions.

By Mr. MARKEY (for himself and Ms. WARREN):

S. 1474. A bill to provide for the development and use of technology for personalized handguns, to require that all handguns manufactured or sold in, or imported into, the United States incorporate such technology, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. BARRASSO (for himself and Mrs. CAPITO):

S. 1475. A bill to provide for the creation of a safe harbor for defendants in medical malpractice actions who demonstrate adherence to clinical practice guidelines; to the Committee on the Judiciary.

By Mrs. BOXER (for herself and Mr. BOOKER):

S. 1476. A bill to require States to report to the Attorney General certain information regarding shooting incidents involving law enforcement officers, and for other purposes; to the Committee on the Judiciary.

By Mr. ROUNDS:

S. 1477. A bill to require a report on the future mix of aircraft platforms for the Armed Forces; to the Committee on Armed Services.

By Mr. ROUNDS:

S. 1478. A bill to require the Secretary of Defense to develop a comprehensive plan to support civil authorities in response to cyber attacks by foreign powers, and for other purposes; to the Committee on Armed Services.

By Mr. INHOFE (for himself, Mr. MARKEY, Mr. ROUNDS, Mrs. BOXER, Mr. CRAPO, and Mr. BOOKER):

S. 1479. A bill to amend the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 to modify provisions relating to grants, and for other purposes; to the Committee on Environment and Public Works.

By Mr. BENNET:

S. 1480. A bill to provide limits on bundling, to reform the lobbying registration process, and for other purposes; to the Committee on Rules and Administration.

By Mr. DURBIN (for himself and Mr. WHITEHOUSE):

S. 1481. A bill to direct the Administrator of the Federal Emergency Management Agency to enter into an agreement with the National Academy of Sciences to conduct a study on urban flooding, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. GRASSLEY (for himself, Mr. LEAHY, and Mr. LEE):

S. 1482. A bill to improve and reauthorize provisions relating to the application of the antitrust laws to the award of need-based educational aid; to the Committee on the Judiciary.

By Mr. ALEXANDER:

S. 1483. A bill to direct the Secretary of the Interior to study the suitability and feasibility of designating the James K. Polk Home in Columbia, Tennessee, as a unit of the National Park System, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. SHELBY:

S. 1484. An original bill to improve accountability and transparency in the United States financial regulatory system, protect access to credit for consumers, provide sensible relief to financial institutions, and for other purposes; from the Committee on Banking, Housing, and Urban Affairs; placed on the calendar.

By Ms. BALDWIN:

S. 1485. A bill to provide for the advancement of energy-water efficiency research, development, and deployment activities; to the Committee on Energy and Natural Resources.

By Mr. DURBIN (for himself, Mr. BROWN, Mr. REED, Ms. WARREN, Mr. SANDERS, and Ms. BALDWIN):

S. 1486. A bill to amend the Internal Revenue Code of 1986 to provide a tax credit to Patriot employers, and for other purposes; to the Committee on Finance.

ADDITIONAL COSPONSORS

S. 514

At the request of Mr. MURPHY, the name of the Senator from Michigan (Mr. PETERS) was added as a cosponsor of S. 514, a bill to amend the Elementary and Secondary Education Act of 1965 to establish the Promise Neighborhoods program.

S. 689

At the request of Mr. THUNE, the name of the Senator from Kansas (Mr. MORAN) was added as a cosponsor of S. 689, a bill to provide protections for certain sports medicine professionals who provide certain medical services in a secondary State.

S. 746

At the request of Mr. GRASSLEY, the name of the Senator from Missouri (Mr. BLUNT) was added as a cosponsor of S. 746, a bill to provide for the establishment of a Commission to Accelerate the End of Breast Cancer.

S. 763

At the request of Mr. REED, the name of the Senator from Louisiana (Mr. VITTER) was added as a cosponsor of S. 763, a bill to amend title XII of the Public Health Service Act to reauthorize certain trauma care programs, and for other purposes.

S. 798

At the request of Mr. VITTER, the names of the Senator from Montana (Mr. DAINES) and the Senator from Alabama (Mr. SESSIONS) were added as cosponsors of S. 798, a bill to provide for notice to, and input by, State insurance commissioners when requiring an insurance company to serve as a source of financial strength or when the Federal Deposit Insurance Corporation places a lien against an insurance company's assets, and for other purposes.

S. 811

At the request of Mr. MURPHY, the name of the Senator from Maryland (Mr. CARDIN) was added as a cosponsor of S. 811, a bill to amend the Elementary and Secondary Education Act of 1965 to require States to develop policies on positive school climates and school discipline.

S. 843

At the request of Mr. BROWN, the names of the Senator from Vermont (Mr. LEAHY) and the Senator from Minnesota (Ms. KLOBUCHAR) were added as cosponsors of S. 843, a bill to amend title XVIII of the Social Security Act to count a period of receipt of outpatient observation services in a hospital toward satisfying the 3-day inpatient hospital requirement for coverage of skilled nursing facility services under Medicare.

S. 862

At the request of Ms. MIKULSKI, the name of the Senator from Oregon (Mr. WYDEN) was added as a cosponsor of S. 862, a bill to amend the Fair Labor Standards Act of 1938 to provide more effective remedies to victims of discrimination in the payment of wages on the basis of sex, and for other purposes.

S. 897

At the request of Mr. BLUMENTHAL, the name of the Senator from Washington (Ms. CANTWELL) was added as a cosponsor of S. 897, a bill to support evidence-based social and emotional learning programing.

S. 966

At the request of Mrs. SHAHEEN, the name of the Senator from Minnesota (Mr. FRANKEN) was added as a cosponsor of S. 966, a bill to extend the low-interest refinancing provisions under the

Local Development Business Loan Program of the Small Business Administration.

S. 996

At the request of Mr. BROWN, the name of the Senator from Maryland (Mr. CARDIN) was added as a cosponsor of S. 996, a bill to facilitate nationwide availability of volunteer income tax assistance for low-income and underserved populations, and for other purposes.

S. 1013

At the request of Mr. COCHRAN, the name of the Senator from Kansas (Mr. MORAN) was added as a cosponsor of S. 1013, a bill to amend title XVIII of the Social Security Act to provide for coverage and payment for complex rehabilitation technology items under the Medicare program, and for other purposes.

S. 1121

At the request of Ms. AYOTTE, the name of the Senator from Connecticut (Mr. MURPHY) was added as a cosponsor of S. 1121, a bill to amend the Horse Protection Act to designate additional unlawful acts under the Act, strengthen penalties for violations of the Act, improve Department of Agriculture enforcement of the Act, and for other purposes.

S. 1140

At the request of Mr. BARRASSO, the names of the Senator from North Carolina (Mr. TILLIS), the Senator from Tennessee (Mr. ALEXANDER), the Senator from Montana (Mr. DAINES), the Senator from Indiana (Mr. COATS), the Senator from Texas (Mr. CORNYN) and the Senator from Nevada (Mr. HELLER) were added as cosponsors of S. 1140, a bill to require the Secretary of the Army and the Administrator of the Environmental Protection Agency to propose a regulation revising the definition of the term ''waters of the United States'', and for other purposes.

S. 1170

At the request of Mrs. FEINSTEIN, the names of the Senator from Minnesota (Ms. KLOBUCHAR), the Senator from New York (Mr. SCHUMER) and the Senator from Wyoming (Mr. BARRASSO) were added as cosponsors of S. 1170, a bill to amend title 39, United States Code, to extend the authority of the United States Postal Service to issue a semipostal to raise funds for breast cancer research, and for other purposes.

S. 1178

At the request of Mr. FLAKE, the names of the Senator from Texas (Mr. CORNYN) and the Senator from Georgia (Mr. ISAKSON) were added as cosponsors of S. 1178, a bill to prohibit implementation of a proposed rule relating to the definition of the term ''waters of the United States'' under the Clean Water Act, or any substantially similar rule, until a Supplemental Scientific Review Panel and Ephemeral and Intermittent Streams Advisory Committee produce certain reports, and for other purposes.

S. 1182

At the request of Mr. BLUNT, the names of the Senator from Illinois (Mr. DURBIN) and the Senator from Wisconsin (Mr. JOHNSON) were added as cosponsors of S. 1182, a bill to exempt application of JSA attribution rule in case of existing agreements.

S. 1193

At the request of Ms. CANTWELL, the name of the Senator from Oregon (Mr. MERKLEY) was added as a cosponsor of S. 1193, a bill to amend the Internal Revenue Code of 1986 to make permanent and expand the temporary minimum credit rate for the low-income housing tax credit program.

S. 1212

At the request of Mr. CARDIN, the name of the Senator from Kansas (Mr. MORAN) was added as a cosponsor of S. 1212, a bill to amend the Internal Revenue Code of 1986 and the Small Business Act to expand the availability of employee stock ownership plans in S corporations, and for other purposes.

S. 1300

At the request of Mrs. FEINSTEIN, the name of the Senator from Nebraska (Mrs. FISCHER) was added as a cosponsor of S. 1300, a bill to amend the section 221 of the Immigration and Nationality Act to provide relief for adoptive families from immigrant visa fees in certain situations.

S. 1375

At the request of Mr. DURBIN, the name of the Senator from Hawaii (Mr. SCHATZ) was added as a cosponsor of S. 1375, a bill to designate as wilderness certain Federal portions of the red rock canyons of the Colorado Plateau and the Great Basin Deserts in the State of Utah for the benefit of present and future generations of people in the United States.

S. 1382

At the request of Mrs. GILLIBRAND, the name of the Senator from Oregon (Mr. WYDEN) was added as a cosponsor of S. 1382, a bill to prohibit discrimination in adoption or foster care placements based on the sexual orientation, gender identity, or marital status of any prospective adoptive or foster parent, or the sexual orientation or gender identity of the child involved.

S. 1407

At the request of Mr. HELLER, the name of the Senator from Colorado (Mr. GARDNER) was added as a cosponsor of S. 1407, a bill to promote the development of renewable energy on public land, and for other purposes.

S. 1412

At the request of Mr. FRANKEN, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of S. 1412, a bill to amend the Internal Revenue Code of 1986 to qualify homeless youth and veterans who are full-time students for purposes of the low income housing tax credit.

S. CON. RES. 4

At the request of Mr. BARRASSO, the name of the Senator from New Hampshire (Ms. AYOTTE) was added as a cosponsor of S. Con. Res. 4, a concurrent resolution supporting the Local Radio Freedom Act.

S. RES. 134

At the request of Ms. STABENOW, the name of the Senator from Ohio (Mr. BROWN) was added as a cosponsor of S. Res. 134, a resolution expressing the sense of the Senate that the President and the Secretary of State should ensure that the Government of Canada does not permanently store nuclear waste in the Great Lakes Basin.

S. RES. 143

At the request of Mr. SCHATZ, the name of the Senator from New Hampshire (Mrs. SHAHEEN) was added as a cosponsor of S. Res. 143, a resolution supporting efforts to ensure that students have access to debt-free higher education.

AMENDMENT NO. 1455

At the request of Mr. WYDEN, the name of the Senator from Wisconsin (Ms. BALDWIN) was added as a cosponsor of amendment No. 1455 intended to be proposed to H.R. 2048, a bill to reform the authorities of the Federal Government to require the production of certain business records, conduct electronic surveillance, use pen registers and trap and trace devices, and use other forms of information gathering for foreign intelligence, counterterrorism, and criminal purposes, and for other purposes.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mrs. BOXER (for herself and Mr. BOOKER):

S. 1476. A bill to require States to report to the Attorney General certain information regarding shooting incidents involving law enforcement officers, and for other purposes; to the Committee on the Judiciary.

Mr. BOOKER. Mr. President, I am proud to join with Senator BOXER to introduce the Police Reporting of Information, Data, and Evidence Act of 2015, PRIDE Act, a critical data collection bill designed to advance public safety, strengthen police-community relations, and foster mutual trust and respect. I thank Senator BOXER for her leadership on this issue.

A critical issue in our Nation today is the issue of trust between law enforcement and the communities they serve. Tragic events across the country—in New York, Ferguson, North Charleston, Baltimore, and subsequent protests—remind us how critical trust is to the fabric of a democracy. These incidents raised the public's awareness

and sparked a national debate about how police and citizens interact and how they should interact. But the issue is not unique now. The Kerner Commission's 1968 report on urban violence declared that minorities believed a ''double standard'' of justice and protection existed for whites and blacks. Sadly, that distrust continues today. It is contrary to who we are and what we stand for.

Our nation was founded on shared and timeless values. Liberty and justice for all. Equal justice under law. The former was enshrined in our founding charter. The latter was written on the marble of Supreme Court. But when any American feels that they have not been treated fairly, we undermine those values. That makes the issue of police and community relations a problem for all of us—not just a specific city or a specific race. It is a problem for the Nation as a whole. We must do all we can to restore justice to our criminal justice system. That includes tracking when officers use deadly or serious force against people in the community.

We must ensure that police officers feel respected and honored. Each day, law enforcement officers put their lives on the line to keep our communities safe. They deserve our respect. They should not feel attacked or undervalued. They routinely make split-second decisions every day that do not escalate into uses of force. As the senseless killings of NYPD Officers Rafael Ramos and Wanjian Liu remind us, officers often serve the public at considerable personal risk. We should provide them with the tools they need to do their jobs effectively and safely. That includes tracking the uses of force by civilians against our men and women in uniform.

To bridge the wide trust gap between law enforcement and citizens, we must shine a light on the problem. The first step to solve any problem is to be honest about the facts. We need objective data. We need to study trends. We need to examine the evidence. That is why I am encouraged by the words of FBI Director, James Comey, who said ''We simply must find ways to see each other more clearly. Part of that has to involve collecting and sharing better information about encounters between police and citizens, especially violent encounters.''

For too long, the way we have collected information and data from States and local governments on violent encounters between law enforcement and civilians has been inconsistent. Under current law, demographic data regarding officer-involved shootings is inconsistently reported to the FBI under the Uniform Crime Reporting Program. According to a study by the Washington Post this month, since 2011, less than three percent of the Nation's 18,000 State and local police agencies reported fatal shootings by their officers to the FBI. That is unacceptable. Incomplete and unreliable reporting makes it tougher to get a true scope of the problem and more difficult to obtain a policy solution.

The PRIDE Act would fix that problem and increase accountability for law enforcement by creating a comprehensive national data collection program. It would require law enforcement at the State, local, and tribal levels to report to the Attorney General information regarding police-involved shootings and any incident in which use of force by or against a law enforcement officer or civilian results in serious injury or death. By making the voluntary reporting of uses of force by, and against, police officers mandatory, we ensure that more accountability and transparency will exist between the police and the citizens they protect.

I have worked closely with Senator BOXER on crafting this legislation, and appreciate my friend and colleague welcoming several recommendations to strengthen the bill, including clarifications that use-of-force policies for law enforcement officers be made publicly available. I believe this change would promote transparency. It shines a spotlight on the scope of shootings and uses of force involving police and civilians, which in turn enhances public confidence in our justice system.

I also appreciate that the bill includes grant funds for public awareness campaigns designed to gain information from the public on uses of force against police officers. This was a recommendation drawn from being a former mayor. I have seen first-hand how helpful tip lines, hotlines, and public service announcements can be in helping law enforcement capture dangerous people. When someone uses violence against our men and women in uniform, we must respond quickly. That means we should do all that we can to ensure that information on the suspect gets out to the public in a timely manner. That way, the offender can promptly be caught and brought to justice.

Lastly, I recommended the bill include grant funds for use of force training for law enforcement agencies and personnel, including de-escalation training. Officers deserve to receive the best and most up to date training we can offer. They must feel confident that they are trained to use force in a way that allows them to safely come home to their families. Equally, the public deserves to have confidence that when an officer uses force he or she does so appropriately. That means training officers to ensure that force is a last resort and officers know how to de-escalate a situation to avoid using force at all.

Many of the bill's provisions were recommendations from the President's Task Force on 21st Century Policing. It put forth a series of recommendations aimed at rebuilding trust between the law enforcement officers and the communities they protect. Its recommendations included use of force data collection, de-escalation training, transparency, and officer safety measures. I am glad that many of the task force recommendations were included in this bill.

It is time we address the plague of shootings by and against police officers in our country. We must come together to ensure that we do see each other clearly and restore public confidence in our system of justice. The first step is to shine a light on the problem and collect accurate data. I thank Senator BOXER again for her leadership, and I urge my colleagues to support the PRIDE Act and work towards its speedy passage.

By Mr. DURBIN (for himself and Mr. WHITEHOUSE):

S. 1481. A bill to direct the Administrator of the Federal Emergency Management Agency to enter into an agreement with the National Academy of Sciences to conduct a study on urban flooding, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

Mr. DURBIN. Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

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

S. 1481

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Urban Flooding Awareness Act of 2015''.

SEC. 2. URBAN FLOODING DEFINED.

(a) IN GENERAL.—In this Act, the term ''urban flooding'' means the inundation of property in a built environment, particularly in more densely populated areas, caused by rain falling on increased amounts of impervious surface and overwhelming the capacity of drainage systems, such as storm sewers.

(b) INCLUSIONS.—In this Act, the term ''urban flooding'' includes—

(1) situations in which stormwater enters buildings through windows, doors, or other openings;

(2) water backup through sewer pipes, showers, toilets, sinks, and floor drains;

(3) seepage through walls and floors;

(4) the accumulation of water on property or public rights-of-way; and

(5) the overflow from water bodies, such as rivers and lakes.

(c) EXCLUSION.—In this Act, the term ''urban flooding'' does not include flooding in undeveloped or agricultural areas.

SEC. 3. URBAN FLOODING STUDY.

(a) AGREEMENT WITH NATIONAL ACADEMY OF SCIENCES.—The Administrator of the Federal Emergency Management Agency shall enter into an agreement with the National Academy of Sciences under which the National Academy of Sciences will conduct a study on urban flooding in accordance with the requirements of this section. The primary

focus of the study shall be on urban areas outside of special flood hazard areas, as defined by the Federal Emergency Management Agency.

(b) CONTENTS.—

(1) GENERAL REVIEW AND EVALUATION.—In conducting the study, the National Academy of Sciences shall review and evaluate the latest available research, laws, regulations, policies, best practices, procedures, and institutional knowledge regarding urban flooding.

(2) SPECIFIC ISSUE AREAS.—The study shall include, at a minimum, an examination of the following:

(A) The prevalence and costs associated with urban flooding events across the United States, with a focus on the largest metropolitan areas and any clear trends in frequency and severity over the past 2 decades.

(B) The adequacy of existing federally provided flood risk information and the most cost effective methods and products to identify, map, or otherwise characterize the risk of property damage from urban flooding on a property-by-property basis, whether or not a property is in or adjacent to a 1-percent (100-year) flood plain, and the potential for training and certifying local experts in flood risk characterization as a service to property purchasers and owners and their communities.

(C) The causes of urban flooding and its apparent increase over the past 20 years, including the impacts of—

(i) global climate change;

(ii) increasing urbanization and the associated increase in impervious surfaces; and

(iii) undersized, deteriorating, and otherwise ineffective stormwater infrastructure.

(D) The most cost-effective strategies, practices, technologies, policies, standards, or rules used to reduce the impacts of urban flooding, with a focus on decentralized, easy-to-install, and low-cost approaches, such as nonstructural and natural infrastructure on public and private property. The examination under this subparagraph shall include an assessment of opportunities for implementing innovative strategies and practices on government-controlled land, such as Federal, State, and local roads, parking lots, alleys, sidewalks, buildings, recreational areas, and open space.

(E) The role of the Federal Government and State governments, as conveners, funders, and advocates, in spurring market innovations based on public-private-nonprofit partnerships. Such innovations may include smart home technologies for improved flood warning systems connected to high-resolution weather forecast data and Internet- and cellular-based communications systems.

(F) The most sustainable and effective methods for funding flood risk and flood damage reduction at all levels of government, including—

(i) the potential for establishing a State revolving fund program for flood prevention projects similar to the revolving fund programs under the Federal Water Pollution Control Act and the Safe Drinking Water Act;

(ii) stormwater fee programs using impervious surface as the basis for fee rates and providing credits for the installation of flood prevention or other stormwater management features;

(iii) grant programs; and

(iv) public-private partnerships.

(G) Information and education strategies and practices, including nontraditional approaches such as the use of community colleges and social media, for community leaders, government staff, and property owners on—

(i) flood risks;

(ii) flood risk reduction strategies and practices; and

(iii) the availability and effectiveness of different types of flood insurance policies.

(H) The relevance of the National Flood Insurance Program and Community Rating System to urban flooding areas outside traditional flood plains, and strategies for improving compliance, broadening coverage, and increasing participation under the programs.

(I) Strategies for protecting communities in the lower elevations of a watershed or drainage area from the flooding impacts of development in upstream communities, including a review of—

(i) potential standards for watershed-wide flood protection planning; and

(ii) cost-effective and equitable legal options for a downstream community when upstream communities act in a way that increases flooding downstream.

(J) Cost-effective strategies for reducing infiltration/inflow into combined and separate sewer systems.

(K) Opportunities to increase coordination between stormwater management programming under the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.) and flood risk management and mitigation programming under various laws, including the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.) and the National Flood Insurance Act of 1968 (42 U.S.C. 4001 et seq.).

(c) CONSULTATION.—

(1) IN GENERAL.—The Administrator of the Federal Emergency Management Agency shall carry out this section in consultation with the Secretary of the Army (acting through the Chief of Engineers), the Secretary of Housing and Urban Development, the Administrator of the Environmental Protection Agency, the Director of the United States Geological Survey, the Chief of the Natural Resources Conservation Service, the Small Business Administration, State, regional, and local stormwater management agencies, State insurance commissioners, and such other interested parties as the Administrator of the Federal Emergency Management Agency considers appropriate.

(2) COOPERATION.—The head of each Federal agency referred to in paragraph (1) shall cooperate with the Administrator of the Federal Emergency Management Agency in carrying out this section as requested by the Administrator.

(d) REPORT TO CONGRESS.—Not later than December 31, 2016, the Administrator of the Federal Emergency Management Agency shall submit to the Committee on Financial Services and the Committee on Appropriations of the House of Representatives and the Committee on Banking, Housing, and Urban Affairs and the Committee on Appropriations of the Senate a report containing the findings of the National Academy of Sciences based on the results of the study, including recommendations for implementation of strategies, practices, and technologies relating to urban flooding by Congress and the executive branch.

By Mr. GRASSLEY (for himself, Mr. LEAHY, and Mr. LEE):

S. 1482. A bill to improve and reauthorize provisions relating to the application of the antitrust laws to the award of need-based educational aid; to the Committee on the Judiciary.

Mr. GRASSLEY. Mr. President, I rise to introduce the Need-Based Educational Aid Act of 2015, a bill that extends the Section 568 antitrust exemption for higher education institutions. I am pleased that Senator LEAHY and Senator LEE are cosponsoring this bill.

The Section 568 exemption enables colleges and universities to collaborate on need-blind financial aid policies. It allows these institutions to collaborate on a common formula for calculating a family's ability to pay for college, by permitting certain specific activities. The exemption was enacted in 1994, and since then has been reauthorized by Congress on three occasions. In addition, a 2006 GAO report found that the activities permitted by Section 568 did not result in harm to competition.

Our bill would provide a 7-year extension for this exemption, and also remove one of the four previously permitted activities under the exemption that no school has ever used. By allowing financial aid professionals to work together in these ways, Section 568 provides increased access to higher education to low-income students, while preventing needless litigation over the development of principles for determining financial need.

I am proud to introduce this important, bipartisan bill, which will ensure these benefits remain available for students and will encourage access to higher education for years to come.

I thank my colleagues, Senators LEAHY and LEE, for their support of this effort.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

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

S. 1482

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Need-Based Educational Aid Act of 2015''.

SEC. 2. EXTENSION RELATING TO THE APPLICATION OF THE ANTRITRUST LAWS TO THE AWARD OF NEED-BASED EDUCATIONAL AID.

Section 568 of the Improving America's Schools Act of 1994 (15 U.S.C. 1 note) is amended—

(1) in subsection (a)—

(A) in paragraph (2), by inserting ''or'' after the semicolon;

(B) in paragraph (3), by striking ''; or'' and inserting a period at the end; and

(C) by striking paragraph (4); and

(2) in subsection (d), by striking ''2015'' and inserting ''2022''.

Mr. LEAHY. Mr. President, today I am joining with Senators GRASSLEY and LEE in introducing legislation to extend for an additional 7 years the antitrust exemption permitting colleges and universities to collaborate on issues of need-based financial aid. This

exemption, which was first enacted by Congress in 1994, allows colleges and universities that admit students on a need-blind basis to collaborate on the formula used to determine how much families can pay for college. The Need-Based Educational Aid Act of 2015 is the fourth reauthorization of this exemption, which is set to expire this year.

Congress must always carefully consider the benefits and drawbacks of creating exemptions to the antitrust laws. These laws serve as an important bulwark to protect consumers from anticompetitive conduct. The Government Accountability Office has studied the effect of this particular exemption in the past and concluded that allowing universities to talk among themselves about financial aid policies and procedures has not caused any harm.

Antitrust exemptions should not be a blank check, however, which is why this exemption is not permanent. Our legislation will sunset the exemption once again in 2022 and we have removed one of the permitted activities that no school has ever used. A time-limited exemption ensures that Congress will continue to conduct oversight in order to assess the impact on consumers. I have long been skeptical of permanent antitrust exemptions and the effect they have on the marketplace. For example, I have worked for years with a number of Senators from both parties to repeal the McCarran-Ferguson Act, a permanent exemption for the insurance industry in place since 1945.

Allowing covered universities to focus their resources on ensuring the most qualified students can attend some of the best schools in the nation, regardless of family income, is a bipartisan and bicameral goal. I thank Congressmen SMITH and JOHNSON for introducing this bill in the House and urge the Senate to pass this narrow legislation.

By Mr. DURBIN (for himself, Mr. BROWN, Mr. REED, Ms. WARREN, Mr. SANDERS, and Ms. BALDWIN):

S. 1486. A bill to amend the Internal Revenue Code of 1986 to provide a tax credit to Patriot employers, and for other purposes; to the Committee on Finance.

Mr. DURBIN. Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

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

S. 1486

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Patriot Employer Tax Credit Act''.

SEC. 2. PATRIOT EMPLOYER TAX CREDIT.

(a) IN GENERAL.—Subpart D of part IV of subchapter A of chapter 1 of the Internal Revenue Code of 1986 is amended by adding at the end the following new section:

''SEC. 45S. PATRIOT EMPLOYER TAX CREDIT.

''(a) DETERMINATION OF AMOUNT.—

''(1) IN GENERAL.—For purposes of section 38, the Patriot employer credit determined under this section with respect to any taxpayer who is a Patriot employer for any taxable year shall be equal to 10 percent of the qualified wages paid or incurred by the Patriot employer.

''(2) LIMITATION.—The amount of qualified wages which may be taken into account under paragraph (1) with respect to any employee for any taxable year shall not exceed $15,000.

''(b) PATRIOT EMPLOYER.—

''(1) IN GENERAL.—For purposes of subsection (a), the term 'Patriot employer' means, with respect to any taxable year, any taxpayer—

''(A) which—

''(i) maintains its headquarters in the United States if the taxpayer (or any predecessor) has ever been headquartered in the United States, and

''(ii) is not (and no predecessor of which is) an expatriated entity (as defined in section 7874(a)(2)) for the taxable year or any preceding taxable year ending after March 4, 2003,

''(B) with respect to which no assessable payment has been imposed under section 4980H with respect to any month occurring during the taxable year, and

''(C) in the case of—

''(i) a taxpayer which employs an average of more than 50 employees on business days during the taxable year, which—

''(I) provides compensation for at least 90 percent of its employees for services provided by such employees during the taxable year at an hourly rate (or equivalent thereof) not less than an amount equal to 156 percent of the Federal poverty level for a family of three for the calendar year in which the taxable year begins divided by 2,080,

''(II) meets the retirement plan requirements of subsection (c) with respect to at least 90 percent of its employees providing services during the taxable year who are not highly compensated employees, and

''(III) meets the additional requirements of subparagraphs (A) and (B) of paragraph (2), or

''(ii) any other taxpayer, which meets the requirements of either subclause (I) or (II) of clause (i) for the taxable year.

''(2) ADDITIONAL REQUIREMENTS FOR LARGE EMPLOYERS.—

''(A) UNITED STATES EMPLOYMENT.—The requirements of this subparagraph are met for any taxable year if—

''(i) in any case in which the taxpayer increases the number of employees performing substantially all of their services for the taxable year outside the United States, the taxpayer either—

''(I) increases the number of employees performing substantially all of their services inside the United States by an amount not less than the increase in such number for employees outside the United States, or

''(II) has a percentage increase in such employees inside the United States which is not less than the percentage increase in such employees outside the United States,

''(ii) in any case in which the taxpayer decreases the number of employees performing substantially all of their services for the taxable year inside the United States, the taxpayer either—

''(I) decreases the number of employees performing substantially all of their services outside the United States by an amount not less than the decrease in such number for employees inside the United States, or

''(II) has a percentage decrease in employees outside the United States which is not less than the percentage decrease in such employees inside the United States, and

''(iii) there is not a decrease in the number of employees performing substantially all of their services for the taxable year inside the United States by reason of the taxpayer contracting out such services to persons who are not employees of the taxpayer.

''(B) TREATMENT OF INDIVIDUALS IN THE UNIFORMED SERVICES AND THE DISABLED.—The requirements of this subparagraph are met for any taxable year if—

''(i) the taxpayer provides differential wage payments (as defined in section 3401(h)(2)) to each employee described in section 3401(h)(2)(A) for any period during the taxable year in an amount not less than the difference between the wages which would have been received from the employer during such period and the amount of pay and allowances which the employee receives for service in the uniformed services during such period, and

''(ii) the taxpayer has in place at all times during the taxable year a written policy for the recruitment of employees who have served in the uniformed services or who are disabled.

''(3) SPECIAL RULES FOR APPLYING THE MINIMUM WAGE AND RETIREMENT PLAN REQUIREMENTS.—

''(A) MINIMUM WAGE.—In determining whether the minimum wage requirements of paragraph (1)(C)(i)(I) are met with respect to 90 percent of a taxpayer's employees for any taxable year—

''(i) a taxpayer may elect to exclude from such determination apprentices or learners that an employer may exclude under the regulations under section 14(a) of the Fair Labor Standards Act of 1938, and

''(ii) if a taxpayer meets the requirements of paragraph (2)(B)(i) with respect to providing differential wage payments to any employee for any period (without regard to whether such requirements apply to the taxpayer), the hourly rate (or equivalent thereof) for such payments shall be determined on the basis of the wages which would have been paid by the employer during such period if the employee had not been providing service in the uniformed services.

''(B) RETIREMENT PLAN.—In determining whether the retirement plan requirements of paragraph (1)(C)(i)(II) are met with respect to 90 percent of a taxpayer's employees for any taxable year, a taxpayer may elect to exclude from such determination—

''(i) employees not meeting the age or service requirements under section 410(a)(1) (or such lower age or service requirements as the employer provides), and

''(ii) employees described in section 410(b)(3).

''(c) RETIREMENT PLAN REQUIREMENTS.—

''(1) IN GENERAL.—The requirements of this subsection are met for any taxable year with respect to an employee of the taxpayer who is not a highly compensated employee if the employee is eligible to participate in 1 or more applicable eligible retirement plans maintained by the employer for a plan year ending with or within the taxable year.

''(2) APPLICABLE ELIGIBLE RETIREMENT PLAN.—For purposes of this subsection, the term 'applicable eligible retirement plan' means an eligible retirement plan which, with respect to the plan year described in paragraph (1), is either—

''(A) a defined contribution plan which—

''(i) requires the employer to make nonelective contributions of at least 5 percent of the compensation of the employee, or

''(ii) both—

''(I) includes an eligible automatic contribution arrangement (as defined in section 414(w)(3)) under which the uniform percentage described in section 414(w)(3)(B) is at least 5 percent, and

''(II) requires the employer to make matching contributions of 100 percent of the elective deferrals (as defined in section 414(u)(2)(C)) of the employee to the extent such deferrals do not exceed the percentage specified by the plan (not less than 5 percent) of the employee's compensation, or

''(B) a defined benefit plan—

''(i) with respect to which the accrued benefit of the employee derived from employer contributions, when expressed as an annual retirement benefit, is not less than the product of—

''(I) the lesser of 2 percent multiplied by the employee's years of service (determined under the rules of paragraphs (4), (5), and (6) of section 411(a)) with the employer or 20 percent, multiplied by

''(II) the employee's final average pay, or

''(ii) which is an applicable defined benefit plan (as defined in section 411(a)(13)(B))—

''(I) which meets the interest credit requirements of section 411(b)(5)(B)(i) with respect to the plan year, and

''(II) under which the employee receives a pay credit for the plan year which is not less than 5 percent of compensation.

''(3) DEFINITIONS AND SPECIAL RULES.—For purposes of this subsection—

''(A) ELIGIBLE RETIREMENT PLAN.—The term 'eligible retirement plan' has the meaning given such term by section 402(c)(8)(B), except that in the case of an account or annuity described in clause (i) or (ii) thereof, such term shall only include an account or annuity which is a simplified employee pension (as defined in section 408(k)).

''(B) FINAL AVERAGE PAY.—For purposes of paragraph (2)(B)(i)(II), final average pay shall be determined using the period of consecutive years (not exceeding 5) during which the employee had the greatest compensation from the taxpayer.

''(C) ALTERNATIVE PLAN DESIGNS.—The Secretary may prescribe regulations for a taxpayer to meet the requirements of this subsection through a combination of defined contribution plans or defined benefit plans described in paragraph (1) or through a combination of both such types of plans.

''(D) PLANS MUST MEET REQUIREMENTS WITHOUT TAKING INTO ACCOUNT SOCIAL SECURITY AND SIMILAR CONTRIBUTIONS AND BENEFITS.—A rule similar to the rule of section 416(e) shall apply.

''(d) QUALIFIED WAGES AND COMPENSATION.—For purposes of this section—

''(1) IN GENERAL.—The term 'qualified wages' means wages (as defined in section 51(c), determined without regard to paragraph (4) thereof) paid or incurred by the Patriot employer during the taxable year to employees—

''(A) who perform substantially all of their services for such Patriot employer inside the United States, and

''(B) with respect to whom—

''(i) in the case of a Patriot employer which employs an average of more than 50 employees on business days during the taxable year, the requirements of subclauses (I) and (II) of subsection (b)(1)(C)(i) are met, and

''(ii) in the case of any other Patriot employer, the requirements of either subclause (I) or (II) of subsection (b)(1)(C)(i) are met.

''(2) SPECIAL RULES FOR AGRICULTURAL LABOR AND RAILWAY LABOR.—Rules similar to the rules of section 51(h) shall apply.

''(3) COMPENSATION.—For purposes of subsections (b)(1)(C)(i)(I) and (c), the term 'compensation' has the same meaning as qualified wages, except that section 51(c)(2) shall be disregarded in determining the amount of such wages.

''(e) AGGREGATION RULES.—For purposes of this section—

''(1) IN GENERAL.—All persons treated as a single employer under subsection (a) or (b) of section 52 shall be treated as a single taxpayer.

''(2) SPECIAL RULES FOR CERTAIN REQUIREMENTS.—For purposes of applying paragraphs (1)(A) and (2)(A) of subsection (b)—

''(A) the determination under subsections (a) and (b) of section 52 for purposes of paragraph (1) shall be made without regard to section 1563(b)(2)(C) (relating to exclusion of foreign corporations), and

''(B) if any person treated as a single taxpayer under this subsection (after application of subparagraph (A)), or any predecessor of such person, was an expatriated entity (as defined in section 7874(a)(2)) for any taxable year ending after March 4, 2003, then all persons treated as a single taxpayer with such person shall be treated as expatriated entities.

''(f) ELECTION TO HAVE CREDIT NOT APPLY.—

''(1) IN GENERAL.—A taxpayer may elect to have this section not apply for any taxable year.

''(2) TIME FOR MAKING ELECTION.—An election under paragraph (1) for any taxable year may be made (or revoked) at any time before the expiration of the 3-year period beginning on the last date prescribed by law for filing the return for such taxable year (determined without regard to extensions).

''(3) MANNER OF MAKING ELECTION.—An election under paragraph (1) (or revocation thereof) shall be made in such manner as the Secretary may by regulations prescribe.''.

(b) ALLOWANCE AS GENERAL BUSINESS CREDIT.—Section 38(b) of the Internal Revenue Code of 1986 is amended by striking ''plus'' at the end of paragraph (35), by striking the period at the end of paragraph (36) and inserting '', plus'', and by adding at the end the following:

''(37) in the case of a Patriot employer (as defined in section 45S(b)) for any taxable year, the Patriot employer credit determined under section 45S(a).''.

(c) DENIAL OF DOUBLE BENEFIT.—Subsection (a) of section 280C of the Internal Revenue Code of 1986 is amended by inserting ''45S(a),'' after ''45P(a)''.

(d) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2015.

SEC. 3. DEFER DEDUCTION OF INTEREST EXPENSE RELATED TO DEFERRED INCOME.

(a) IN GENERAL.—Section 163 of the Internal Revenue Code of 1986 (relating to deductions for interest expense) is amended by redesignating subsection (n) as subsection (o) and by inserting after subsection (m) the following new subsection:

''(n) DEFERRAL OF DEDUCTION FOR INTEREST EXPENSE RELATED TO DEFERRED INCOME.—

''(1) GENERAL RULE.—The amount of foreign-related interest expense of any taxpayer allowed as a deduction under this chapter for any taxable year shall not exceed an amount equal to the applicable percentage of the sum of—

''(A) the taxpayer's foreign-related interest expense for the taxable year, plus

''(B) the taxpayer's deferred foreign-related interest expense.

For purposes of the paragraph, the applicable percentage is the percentage equal to the current inclusion ratio.

''(2) TREATMENT OF DEFERRED DEDUCTIONS.—If, for any taxable year, the amount of the limitation determined under paragraph (1) exceeds the taxpayer's foreign-related interest expense for the taxable year, there shall be allowed as a deduction for the taxable year an amount equal to the lesser of—

''(A) such excess, or

''(B) the taxpayer's deferred foreign-related interest expense.

''(3) DEFINITIONS AND SPECIAL RULE.—For purposes of this subsection—

''(A) FOREIGN-RELATED INTEREST EXPENSE.—The term 'foreign-related interest expense' means, with respect to any taxpayer for any taxable year, the amount which bears the same ratio to the amount of interest expense for such taxable year allocated and apportioned under sections 861, 864(e), and 864(f) to income from sources outside the United States as—

''(i) the value of all stock held by the taxpayer in all section 902 corporations with respect to which the taxpayer meets the ownership requirements of subsection (a) or (b) of section 902, bears to

''(ii) the value of all assets of the taxpayer which generate gross income from sources outside the United States.

''(B) DEFERRED FOREIGN-RELATED INTEREST EXPENSE.—The term 'deferred foreign-related interest expense' means the excess, if any, of the aggregate foreign-related interest expense for all prior taxable years beginning after December 31, 2015, over the aggregate amount allowed as a deduction under paragraphs (1) and (2) for all such prior taxable years.

''(C) VALUE OF ASSETS.—Except as otherwise provided by the Secretary, for purposes of subparagraph (A)(ii), the value of any asset shall be the amount with respect to such asset determined for purposes of allocating and apportioning interest expense under sections 861, 864(e), and 864(f).

''(D) CURRENT INCLUSION RATIO.—The term 'current inclusion ratio' means, with respect to any domestic corporation which meets the ownership requirements of subsection (a) or (b) of section 902 with respect to one or more section 902 corporations for any taxable year, the ratio (expressed as a percentage) of—

''(i) the sum of all dividends received by the domestic corporation from all such section 902 corporations during the taxable year plus amounts includible in gross income under section 951(a) from all such section 902 corporations, in each case computed without regard to section 78, divided by

''(ii) the aggregate amount of post-1986 undistributed earnings.

''(E) AGGREGATE AMOUNT OF POST-1986 UNDISTRIBUTED EARNINGS.—The term 'aggregate amount of post-1986 undistributed earnings' means, with respect to any domestic corporation which meets the ownership requirements of subsection (a) or (b) of section 902 with respect to one or more section 902 corporations, the domestic corporation's pro rata share of the post-1986 undistributed earnings (as defined in section 902(c)(1)) of all such section 902 corporations.

''(F) FOREIGN CURRENCY CONVERSION.—For purposes of determining the current inclusion ratio, and except as otherwise provided by the Secretary, the aggregate amount of

post-1986 undistributed earnings for the taxable year shall be determined by translating each section 902 corporation's post-1986 undistributed earnings into dollars using the average exchange rate for such year.

''(G) SECTION 902 CORPORATION.—The term 'section 902 corporation' has the meaning given to such term by section 909(d)(5).

''(4) TREATMENT OF AFFILIATED GROUPS.—The current inclusion ratio of each member of an affiliated group (as defined in section 864(e)(5)(A)) shall be determined as if all members of such group were a single corporation.

''(5) APPLICATION TO SEPARATE CATEGORIES OF INCOME.—This subsection shall be applied separately with respect to the categories of income specified in section 904(d)(1).

''(6) REGULATIONS.—The Secretary may prescribe such regulations or other guidance as is necessary or appropriate to carry out the purposes of this subsection, including regulations or other guidance providing—

''(A) for the proper application of this subsection with respect to changes in ownership of a section 902 corporation,

''(B) that certain corporations that otherwise would not be members of the affiliated group will be treated as members of the affiliated group for purposes of this subsection,

''(C) for the proper application of this subsection with respect to the taxpayer's share of a deficit in earnings and profits of a section 902 corporation,

''(D) for appropriate adjustments to the determination of the value of stock in any section 902 corporation for purposes of this subsection or to the foreign-related interest expense to account for income that is subject to tax under section 882(a)(1), and

''(E) for the proper application of this subsection with respect to interest expense that is directly allocable to income with respect to certain assets.''.

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2015.

AMENDMENTS SUBMITTED AND PROPOSED

SA 1463. Mr. MCCAIN submitted an amendment intended to be proposed by him to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table.

SA 1464. Ms. BALDWIN submitted an amendment intended to be proposed to amendment SA 1463 submitted by Mr. MCCAIN and intended to be proposed to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1465. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1463 submitted by Mr. MCCAIN and intended to be proposed to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1466. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1463 submitted by Mr. MCCAIN and intended to be proposed to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1467. Mr. CARDIN submitted an amendment intended to be proposed by him to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1468. Mr. CARDIN submitted an amendment intended to be proposed to amendment SA 1463 submitted by Mr. MCCAIN and intended to be proposed to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1469. Mr. CARDIN submitted an amendment intended to be proposed to amendment SA 1463 submitted by Mr. MCCAIN and intended to be proposed to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1470. Mr. CARDIN submitted an amendment intended to be proposed to amendment SA 1463 submitted by Mr. MCCAIN and intended to be proposed to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1471. Mr. BARRASSO submitted an amendment intended to be proposed by him to the bill S. 286, to amend the Indian Self-Determination and Education Assistance Act to provide further self-governance by Indian tribes, and for other purposes; which was ordered to lie on the table.

SA 1472. Mr. VITTER submitted an amendment intended to be proposed to amendment SA 1463 submitted by Mr. MCCAIN and intended to be proposed to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense and for military construction, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table.

SA 1473. Mr. VITTER submitted an amendment intended to be proposed to amendment SA 1463 submitted by Mr. MCCAIN and intended to be proposed to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1474. Mr. COONS submitted an amendment intended to be proposed to amendment SA 1463 submitted by Mr. MCCAIN and intended to be proposed to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1475. Mr. DONNELLY (for himself, Mr. CRUZ, Mr. BLUNT, and Mr. LEAHY) submitted an amendment intended to be proposed to amendment SA 1463 submitted by Mr. MCCAIN and intended to be proposed to the bill H.R. 1735, supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 1463. Mr. MCCAIN submitted an amendment intended to be proposed by him to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the ''National Defense Authorization Act for Fiscal Year 2016''.

SEC. 2. ORGANIZATION OF ACT INTO DIVISIONS; TABLE OF CONTENTS.

(a) DIVISIONS.—This Act is organized into four divisions as follows:

(1) Division A—Department of Defense Authorizations.

(2) Division B—Military Construction Authorizations.

(3) Division C—Department of Energy National Security Authorizations.

(4) Division D—Funding tables.

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

SEC. 3. CONGRESSIONAL DEFENSE COMMITTEES.

In this Act, the term ''congressional defense committees'' has the meaning given that term in section 101(a)(16) of title 10, United States Code.

SEC. 4. BUDGETARY EFFECTS OF THIS ACT.

The budgetary effects of this Act, for the purposes of complying with the Statutory Pay-As-You-Go Act of 2010, shall be determined by reference to the latest statement titled ''Budgetary Effects of PAYGO Legislation'' for this Act, jointly submitted for printing in the Congressional Record by the Chairmen of the House and Senate Budget Committees, provided that such statement has been submitted prior to the vote on passage in the House acting first on the conference report or amendment between the Houses.

DIVISION A—DEPARTMENT OF DEFENSE AUTHORIZATIONS

TITLE I—PROCUREMENT

Subtitle A—Authorization of Appropriations

SEC. 101. AUTHORIZATION OF APPROPRIATIONS.

Funds are hereby authorized to be appropriated for fiscal year 2016 for procurement for the Army, the Navy and the Marine Corps, the Air Force, and Defense-wide activities, as specified in the funding table in section 4101.

Subtitle B—Navy Programs

SEC. 111. AMENDMENT TO COST LIMITATION BASELINE FOR CVN–78 CLASS AIRCRAFT CARRIER PROGRAM.

Section 122(a)(2) of the John Warner National Defense Authorization Act for Fiscal Year 2007 (Public Law 109–364; 120 Stat. 2104), as amended by section 121(a) of the National Defense Authorization Act for Fiscal Year 2014 (Public Law 113–66; 127 Stat. 691), is further amended by striking ''$11,498,000,000'' and inserting ''$11,398,000,000''.

SEC. 112. LIMITATION ON AVAILABILITY OF FUNDS FOR USS JOHN F. KENNEDY (CVN–79).

(a) LIMITATION.—Of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2016 for procurement for the USS JOHN F. KENNEDY (CVN–79), $100,000,000 may not be obligated or expended until the date on which the Secretary of the Navy submits to the Committees on Armed Services of the Senate and of the House of Representatives the certification required under subsection (b) and the reports required under subsection (c) and (d).

(b) CERTIFICATION REGARDING FULL SHIP SHOCK TRIALS.—The Secretary of the Navy shall submit to the Committees on Armed Services of the Senate and of the House of Representatives a certification that the Navy will conduct by not later than September 30, 2017, full ship shock trials on the USS GERALD R. FORD (CVN–78).

(c) REPORT.—

(1) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Secretary of the Navy shall submit to the Committees on Armed Services of the Senate and of the House of Representatives a report that evaluates cost issues related to the USS JOHN F. KENNEDY (CVN–79) and the USS ENTERPRISE (CVN–80).

(2) ELEMENTS.—The report required under paragraph (1) shall include the following elements:

(A) Options to achieve ship end cost of no more than $10,000,000,000.

(B) Options to freeze the design of CVN–79 for CVN–80, with exceptions only for changes due to full ship shock trials or other significant test and evaluation results.

(C) Options to reduce the plans cost for CVN–80 to less than 50 percent of the CVN–79 plans cost.

(D) Options to transition all non-nuclear government furnished equipment, including launch and arresting equipment, to contractor furnished equipment.

(E) Options to build the ships at the most economic pace, such as four years between ships.

(F) A business case analysis for the Enterprise Air Search Radar modification to CVN–79 and CVN–80.

(G) A business case analysis for the two-phase CVN–79 delivery proposal and impact on fleet deployments.

(d) REPORT.—

(1) IN GENERAL.—Not later than April 1, 2016, the Secretary of the Navy shall submit to the Committees on Armed Services of the Senate and of the House of Representatives a report on potential requirements, capabilities, and alternatives for future development of aircraft carriers that would replace or supplement the CVN–78 class aircraft carrier.

(2) ELEMENTS.—The report required under paragraph (1) shall include the following elements:

(A) A description of fleet, sea-based tactical aviation capability requirements for a range of operational scenarios beginning in the 2025 timeframe.

(B) A description of alternative aircraft carrier designs that meet the requirements described under subparagraph (A).

(C) A description of nuclear and non-nuclear propulsion options.

(D) A description of tonnage options ranging from less than 20,000 tons to greater than 100,000 tons.

(E) Requirements for unmanned systems integration from inception.

(F) Developmental, procurement, and lifecycle cost assessment of alternatives.

(G) A notional acquisition strategy for development and construction of alternatives.

(H) A description of shipbuilding industrial base considerations and a plan to ensure opportunity for competition among alternatives.

(I) A description of funding and timing considerations related to developing the Annual Long-Range Plan for Construction of Naval Vessels required under section 231 of title 10, United States Code.

SEC. 113. LIMITATION ON AVAILABILITY OF FUNDS FOR USS ENTERPRISE (CVN–80).

(a) LIMITATION.—Of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2016 for advance procurement for the USS ENTERPRISE (CVN–80), $191,400,000 may not be obligated or expended until the Secretary of the Navy submits to the Committees on Armed Services of the Senate and the House of Representatives the certification required under subsection (b) and the report required under subsection (c).

(b) CERTIFICATION REGARDING CVN–80 DESIGN.—The Secretary of the Navy shall submit to the Committees on Armed Services of the Senate and the House of Representatives a certification that the design of CVN–80 will repeat that of CVN–79, with modifications only for significant test and evaluation results or significant cost reduction initiatives that still meet threshold requirements.

(c) REPORT.—

(1) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Secretary of the Navy shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report that details the plans costs related to the USS ENTERPRISE (CVN–80).

(2) ELEMENTS.—The report required under paragraph (1) shall include the following elements, reported by total cost and cost by fiscal year, with a detailed description and a justification for why each cost is recurring and attributable to CVN–80:

(A) Overall plans.

(B) Propulsion plant detail design.

(C) Platform detail design.

(D) Lead yard services and hull planning yard.

(E) Platform detail design (Steam and Electric Plant Planning Yard).

(F) Other.

SEC. 114. MODIFICATION OF CVN–78 CLASS AIRCRAFT CARRIER PROGRAM.

Subsection (f) of section 122 of the John Warner National Defense Authorization Act for Fiscal Year 2007 (Public Law 109–364; 120 Stat. 2104), as added by section 121(c) of the National Defense Authorization Act for Fiscal Year 2014 (Public Law 113–66; 127 Stat. 692), is amended by adding at the end the following new paragraph:

''(3)(A) As part of the report required under paragraph (1), the Secretary of the Navy shall include a description of new design and engineering changes to CVN–78 class aircraft carriers if applicable.

''(B) The additional reporting requirement in subparagraph (A) shall include, with respect to CVN–78 class aircraft carriers in each reporting period—

''(i) any design or engineering change with an associated cost greater than $5,000,000;

''(ii) program or ship cost increases for each design or engineering change identified in subparagraph (A); and

''(iii) cost reduction achieved.

''(C) The Secretary of the Navy and Chief of Naval Operations shall each personally sign (not autopen) the additional reporting requirement in subparagraph (A). This certification may not be delegated. The certification shall include a determination that each change—

''(i) serves the national security interests of the United States;

''(ii) cannot be deferred to a future ship due to operational necessity, safety, or substantial cost reduction that still meets threshold requirements; and

''(iii) was personally reviewed and endorsed by the Secretary of the Navy and Chief of Naval Operations.''.

SEC. 115. LIMITATION ON AVAILABILITY OF FUNDS FOR LITTORAL COMBAT SHIP.

Of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2016 for research and development, design, construction, procurement or advanced procurement of materials for the Littoral Combat Ships designated as LCS 33 or subsequent, not more than 25 percent may be obligated or expended until the Secretary of the Navy submits to the Committees on Armed Services of the Senate and the House of Representatives each of the following:

(1) A Capabilities Based Assessment to assess capability gaps and associated capability requirements and risks for the upgraded Littoral Combat Ship, which is proposed to commence with LCS 33. This assessment shall conform with the Joint Capabilities Integration and Development System, including Chairman of the Joint Chiefs of Staff Instruction 3170.01H.

(2) A certification that the Joint Requirements Oversight Council has validated an updated Capabilities Development Document for the upgraded Littoral Combat Ship.

(3) A report describing the upgraded Littoral Combat Ship modernization, which shall, at a minimum, include the following elements:

(A) A description of capabilities that the LCS program delivers, and a description of how these relate to the characteristics of the future joint force identified in the Capstone Concept for Joint Operations, concept of operations, and integrated architecture documents.

(B) A summary of analyses and studies conducted on LCS modernization.

(C) A concept of operations for LCS modernization ships at the operational level and tactical level describing how they integrate and synchronize with joint and combined forces to achieve the Joint Force Commander's intent.

(D) A description of threat systems of potential adversaries that are projected or assessed to reach initial operational capability within 15 years against which the lethality and survivability of the LCS should be determined.

(E) A plan and timeline for LCS modernization program execution.

(F) A description of system capabilities required for LCS modernization, including key performance parameters and key system attributes.

(G) A plan for family of systems or systems of systems synchronization.

(H) A plan for information technology and national security systems supportability.

(I) A plan for intelligence supportability.

(J) A plan for electromagnetic environmental effects (E3) and spectrum supportability.

(K) A description of assets required to achieve initial operational capability (IOC) of an LCS modernization increment.

(L) A schedule and initial operational capability and full operational capability definitions.

(M) A description of doctrine, organization, training, materiel, leadership, education, personnel, facilities, and policy considerations.

(N) A description of other system attributes.

(4) A plan for future periodic combat systems upgrades, which are necessary to ensure relevant capability throughout the Littoral Combat Ship or Frigate class service lives, using the process described in paragraph (3).

SEC. 116. EXTENSION AND MODIFICATION OF LIMITATION ON AVAILABILITY OF FUNDS FOR LITTORAL COMBAT SHIP.

Section 124(a) of the National Defense Authorization Act for Fiscal Year 2014 (Public Law 113–66; 127 Stat. 693), as amended by section 123 of the Carl Levin and Howard P. ''Buck'' McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113–291; 128 Stat. 3314), is further amended—

(1) by striking ''this Act, the Carl Levin and Howard P. 'Buck' McKeon National Defense Authorization Act for Fiscal Year 2015, or otherwise made available for fiscal years 2014 or 2015'' and inserting ''this Act, the National Defense Authorization Act for Fiscal Year 2016, or otherwise made available for fiscal years 2014, 2015, or 2016''; and

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

''(6) A Littoral Combat Ship seaframe acquisition strategy for the Littoral Combat Ships designated as LCS 25 through LCS 32, including upgrades to be installed on these ships that were identified for the upgraded Littoral Combat Ship, which is proposed to commence with LCS 33.

''(7) A Littoral Combat Ship mission module acquisition strategy to reach the total acquisition quantity of each mission module.

''(8) A cost and schedule plan to outfit Flight 0 and Flight 0+ Littoral Combat Ships with capabilities identified for the upgraded Littoral Combat Ship.

''(9) A current Test and Evaluation Master Plan for the Littoral Combat Ship Mission Modules, approved by the Director of Operational Test and Evaluation, which includes the performance levels expected to be demonstrated during developmental testing for each component and mission module prior to commencing the associated operational test phase.''.

SEC. 117. CONSTRUCTION OF ADDITIONAL ARLEIGH BURKE DESTROYER.

(a) IN GENERAL.—The Secretary of the Navy may enter into a contract beginning with the fiscal year 2016 program year for the procurement of one Arleigh Burke class destroyer in addition to the ten DDG–51s in the fiscal year 2013 through 2017 multiyear procurement contract or for one DDG–51 in fiscal year 2018. The Secretary may employ incremental funding for such procurement.

(b) CONDITION ON OUT-YEAR CONTRACT PAYMENTS.—A contract entered into under subsection (a) shall provide that any obligation of the United States to make a payment under such contract for any fiscal year after fiscal year 2016 is subject to the availability of appropriations for that purpose for such fiscal year.

SEC. 118. FLEET REPLENISHMENT OILER PROGRAM.

(a) CONTRACT AUTHORITY.—The Secretary of the Navy may enter into one or more contracts to procure up to six Fleet Replenishment Oilers. Such procurements may also include advance procurement for Economic Order Quantity (EOQ) and long lead time materials, beginning with the lead ship, commencing not earlier than fiscal year 2016.

(b) LIABILITY.—Any contract entered into under subsection (a) shall provide that any obligation of the United States to make a payment under the contract is subject to the availability of appropriations for that purpose, and that total liability to the government for termination of any contract entered into shall be limited to the total amount of funding obligated at the time of termination.

SEC. 119. REPORTING REQUIREMENT FOR OHIO-CLASS REPLACEMENT SUBMARINE PROGRAM.

The Secretary of Defense shall include in the budget justification materials for the Ohio-class replacement submarine program submitted to Congress in support of the Department of Defense budget for that fiscal year (as submitted with the budget of the President under section 1105(a) of title 31, United States Code) a report including the following elements, described in terms of both fiscal 2010 and current fiscal year dollars:

(1) Lead ship end cost (with plans).

(2) Lead ship end cost (less plans).

(3) Lead ship non-recurring engineering cost.

(4) Average follow-on ship cost.

(5) Average operations and sustainment cost per hull per year.

(6) Office of the Under Secretary of Defense for Acquisition, Technology, and Logistics average follow-on ship affordability target.

(7) Office of the Under Secretary of Defense for Acquisition, Technology, and Logistics operations and sustainment cost per hull per year affordability target.

Subtitle C—Air Force Programs

SEC. 131. LIMITATIONS ON RETIREMENT OF B–1, B–2, AND B–52 BOMBER AIRCRAFT.

(a) IN GENERAL.—Except as provided in subsection (b), no B–1, B–2, or B–52 bomber aircraft may be retired during a fiscal year prior to initial operational capability (IOC) of the LRS–B unless the Secretary of Defense certifies, in the materials submitted in support of the budget of the President for that fiscal year (as submitted to Congress under section 1105(a) of title 31, United States Code), that—

(1) the retirement of the aircraft is required to reallocate funding and manpower resources to enable LRS–B to reach IOC and full operational capability (FOC); and

(2) the Secretary has concluded that retirements of B–1, B–2, and B–52 bomber aircraft in the near-term will not detrimentally affect operational capability.

(b) EXCEPTION.—A certification described in sub-section (a) is not required with respect to the retirement of B–1 bomber aircraft carried out in accordance with section 132(c)(2) of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112–81; 125 Stat. 1320).

SEC. 132. LIMITATION ON RETIREMENT OF AIR FORCE FIGHTER AIRCRAFT.

(a) INVENTORY REQUIREMENT.—Section 8062 of title 10, United States Code, is amended by

adding at the end the following new subsection:

''(i) INVENTORY REQUIREMENT.—(1) Effective October 1, 2015, the Secretary of the Air Force shall maintain a total aircraft inventory of fighter aircraft of not less than 1,950 aircraft, and a total primary mission aircraft inventory (combat-coded) of not less than 1,116 fighter aircraft.

''(2) In this subsection:

''(A) The term 'fighter aircraft' means an aircraft that—

''(i) is designated by a mission design series prefix of F– or A–;

''(ii) is manned by one or two crewmembers; and

''(iii) executes single-role or multi-role missions, including air-to-air combat, air-to-ground attack, air interdiction, suppression or destruction of enemy air defenses, close air support, strike control and reconnaissance, combat search and rescue support, or airborne forward air control.

''(B) The term 'primary mission aircraft inventory' means aircraft assigned to meet the primary aircraft authorization to a unit for the performance of its wartime mission.''.

(b) LIMITATION ON RETIREMENT OF AIR FORCE FIGHTER AIRCRAFT.—

(1) LIMITATION.—The Secretary of the Air Force may not proceed with a decision to retire fighter aircraft in any number that would reduce the total number of such aircraft in the Air Force total active inventory (TAI) below 1,950, and shall maintain a minimum of 1,116 fighter aircraft designated as primary mission aircraft inventory (PMAI).

(2) ADDITIONAL LIMITATIONS ON RETIREMENT OF FIGHTER AIRCRAFT.—The Secretary of the Air Force may not retire fighter aircraft from the total active inventory as of the date of the enactment of this Act until the later of the following:

(A) The date that is 30 days after the date on which the Secretary submits the report required under paragraph (3).

(B) The date that is 30 days after the date on which the Secretary certifies to the congressional defense committees that—

(i) the retirement of such fighter aircraft will not increase the operational risk of meeting the National Defense Strategy; and

(ii) the retirement of such aircraft will not reduce the total fighter force structure below 1,950 fighter aircraft or the primary mission aircraft inventory below 1,116.

(3) REPORT ON RETIREMENT OF AIRCRAFT.—The Secretary of the Air Force shall submit to the congressional defense committees a report setting forth the following:

(A) The rationale for the retirement of existing fighter aircraft and an operational analysis of replacement fighter aircraft that demonstrates performance of the designated mission at an equal or greater level of effectiveness as the retiring aircraft.

(B) An assessment of the implications for the Air Force, the Air National Guard, and the Air Force Reserve of the force mix ratio of fighter aircraft.

(C) Such other matters relating to the retirement of fighter aircraft as the Secretary considers appropriate.

(c) REPORTS ON FIGHTER AIRCRAFT.—

(1) IN GENERAL.—At least 90 days before the date on which a fighter aircraft is retired, the Secretary of the Air Force, in consultation with (where applicable) the Director of the Air National Guard or Chief of the Air Force Reserve, shall submit to the congressional defense committees a report on the proposed force structure and basing of fighter aircraft.

(2) ELEMENTS.—Each report submitted under paragraph (1) shall include the following elements:

(A) A list of each aircraft in the inventory of fighter aircraft, including for each such aircraft—

(i) the mission design series type;

(ii) the variant; and

(iii) the assigned unit and military installation where such aircraft is based.

(B) A list of each fighter aircraft proposed for retirement, including for each such aircraft—

(i) the mission design series type;

(ii) the variant; and

(iii) the assigned unit and military installation where such aircraft is based.

(C) A list of each unit affected by a proposed retirement listed under subparagraph (B) and a description of how such unit is affected.

(D) For each military installation and unit listed under subparagraph (B)(iii), a description of changes, if any, to the designed operational capability (DOC) statement of the unit as a result of a proposed retirement.

(E) A description of any anticipated changes in manpower authorizations as a result of a proposed retirement listed under subparagraph (B).

(d) FIGHTER AIRCRAFT DEFINED.—In this section, the term ''fighter aircraft'' has the meaning given the term in subsection (i)(2)(A) of section 8062 of title 10, United States Code, as added by subsection (a) of this section.

SEC. 133. LIMITATION ON AVAILABILITY OF FUNDS FOR F–35A AIRCRAFT PROCUREMENT.

Of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2016 for aircraft procurement, Air Force, not more than $4,285,000,000 may be made available for the procurement of F–35A aircraft until the Secretary of Defense certifies to the congressional defense committees that F–35A aircraft delivered in fiscal year 2018 will have full combat capability as currently planned with Block 3F hardware, software, and weapons carriage.

SEC. 134. PROHIBITION ON RETIREMENT OF A–10 AIRCRAFT.

(a) PROHIBITION ON AVAILABILITY OF FUNDS FOR RETIREMENT.—None of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2016 for the Air Force may be obligated or expended to retire, prepare to retire, or place in storage or on backup aircraft inventory status any A–10 aircraft.

(b) ADDITIONAL LIMITATIONS ON RETIREMENT.—

(1) IN GENERAL.—In addition to the limitation in subsection (a), during the period before December 31, 2016, the Secretary of the Air Force may not retire, prepare to retire, or place in storage or on backup flying status any A–10 aircraft.

(2) MINIMUM INVENTORY REQUIREMENT.—The Secretary of the Air Force shall ensure the Air Force maintains a minimum of 171 A–10 aircraft designated as primary mission aircraft inventory (PMAI).

(c) PROHIBITION ON AVAILABILITY OF FUNDS FOR SIGNIFICANT REDUCTIONS IN MANNING LEVELS.—None of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2016 for the Air Force may be obligated or expended to make significant reductions to manning levels with respect to any A–10 aircraft squadrons or divisions.

(d) ADDITIONAL LIMITATION ON SIGNIFICANT REDUCTIONS IN MANNING LEVELS.—-In addition to the limitation in subsection (c), during the period before December 31, 2016, the Secretary of the Air Force may not make significant reductions to manning levels with respect to any A–10 aircraft squadrons or divisions.

(e) STUDY ON REPLACEMENT CAPABILITY REQUIREMENTS OR MISSION PLATFORM FOR THE A–10 AIRCRAFT.—

(1) INDEPENDENT ASSESSMENT REQUIRED.—

(A) IN GENERAL.—The Secretary of the Air Force shall commission an appropriate entity outside the Department of Defense to conduct an assessment of the required capabilities or mission platform to replace the A–10 aircraft. This assessment would represent preparatory work to inform an analysis of alternatives.

(B) ELEMENTS.—The assessment required under subparagraph (A) shall include each of the following:

(i) Future needs analysis for the current A–10 aircraft mission set to include troops-in-contact/close air support, air interdiction, strike control and reconnaissance, and combat search and rescue support in both contested and uncontested battle environments. At a minimum, the needs analysis should specifically address the following areas:

(I) The ability to safely and effectively conduct troops-in-contact/danger close missions or missions in close proximity to civilians in the presence of the air defenses found with enemy ground maneuver units.

(II) The ability to effectively target and destroy moving, camouflaged, or dug-in troops, artillery, armor, and armored personnel carriers.

(III) The ability to remain within visual range of friendly forces and targets to facilitate responsiveness to ground forces and minimize re-attack times.

(IV) The ability to safely conduct close air support beneath low cloud ceilings and in reduced visibilities at low airspeeds in the presence of the air defenses found with enemy ground maneuver units.

(V) The capability to enable the pilot and aircraft to survive attacks stemming from small arms, machine guns, MANPADs, and lower caliber anti-aircraft artillery organic or attached to enemy ground forces and maneuver units.

(VI) The ability to communicate effectively with ground forces and downed pilots, including in communications jamming or satellite-denied environments.

(VII) The ability to execute the missions described in subclauses (I), (II), (III), and (IV) in a GPS- or satellite-denied environment with or without sensors.

(VIII) The ability to deliver multiple lethal firing passes and sustain long loiter endurance to support friendly forces throughout extended ground engagements.

(IX) The ability to operate from unprepared dirt, grass, and narrow road runways and to generate high sortie rates under these austere conditions.

(ii) Identification and assessment of gaps in the ability of existing and programmed mission platforms in providing required capabilities to conduct missions specified in clause (i) in both contested and uncontested battle environments.

(iii) Assessment of operational effectiveness of existing and programmed mission platforms to conduct missions specified in clause (i) in both contested and uncontested battle environments.

(iv) Assessment of probability of likelihood of conducting missions requiring troops-in-contact/close air support operations specified in clause (i) in contested environments as compared to uncontested environments.

(v) Any other matters the independent entity or the Secretary of the Air Force determines to be appropriate.

(2) REPORT.—

(A) IN GENERAL.—Not later than September 30, 2016, the Secretary of the Air Force shall submit to the congressional defense committees a report that includes the assessment required under paragraph (1).

(B) FORM.—The report required under subparagraph (A) may be submitted in classified form, but shall also contain an unclassified executive summary and may contain an unclassified annex.

(3) NONDUPLICATION OF EFFORT.—If any information required under paragraph (1) has been included in another report or notification previously submitted to Congress by law, the Secretary of the Air Force may provide a list of such reports and notifications at the time of submitting the report required under paragraph (2) in lieu of including such information in the report required under paragraph (2).

SEC. 135. PROHIBITION ON AVAILABILITY OF FUNDS FOR RETIREMENT OF EC–130H COMPASS CALL AIRCRAFT.

(a) PROHIBITION ON RETIREMENT.—None of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2016 for the Air Force may be obligated or expended to retire, prepare to retire, or place in storage or backup aircraft inventory status any EC–130H Compass Call aircraft.

(b) ADDITIONAL LIMITATIONS ON RETIREMENT OF EC–130H COMPASS CALL AIRCRAFT.—In addition to the limitation in subsection (a), during the period preceding December 31, 2016, the Secretary of the Air Force may not retire, prepare to retire, or place in storage or on backup flying status any EC-130H Compass Call aircraft.

(c) REPORT ON RETIREMENT OF EC–130H COMPASS CALL AIRCRAFT.—Not later than September 30, 2016, the Secretary of the Air Force shall submit to the congressional defense committees a report setting forth the following:

(1) The rationale for the retirement of existing EC–130H Compass Call aircraft, including an operational analysis of the impact of such retirements on combatant commander warfighting requirements.

(2) A plan for how the Air Force will fulfill the capability requirement of the EC–130H mission, transition the mission capabilities of the EC–130H into a replacement platform, or integrate the required capabilities into other mission platforms.

(3) Such other matters relating to the required mission capabilities and transition of the EC–130H Compass Call fleet as the Secretary considers appropriate.

SEC. 136. LIMITATION ON TRANSFER OF C–130 AIRCRAFT.

None of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2016 for the Air Force may be obligated or expended to transfer from one facility of the Department of Defense to another any C–130H aircraft, initiate any C–130 manpower authorization adjustments, retire or prepare to retire any C–130H aircraft, or close any C–130H unit until 90 days after the date on which the Secretary of the Air Force, in consultation with the Secretary of the Army, and after certification by the commanders of the XVIII Airborne Corps, 82nd Airborne Division and United States Army Special Operations Command, certifies to the Committees on Armed Services of the Senate and of the House of Representatives that—

(1) the United States Air Force will maintain dedicated C–130 wings to support the daily training and contingency requirements of the XVIII Airborne Corps, 82nd Airborne Division, and United States Army Special Operations Command at manning levels required to support and operate the number of aircraft that existed as part of regular and reserve Air Force operations in support of such units as of September 30, 2014; and

(2) failure to maintain such Air Force operations will not adversely impact the daily training requirement of those airborne and special operations units.

SEC. 137. LIMITATION ON USE OF FUNDS FOR T–1A JAYHAWK AIRCRAFT.

None of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2016 for avionics modification to the T–1A Jayhawk aircraft may be obligated or expended until 30 days after the Secretary of the Air Force submits to the congressional defense committees the report required under section 142 of the Carl Levin and Howard P. ''Buck'' McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113–291; 128 Stat. 3320).

SEC. 138. RESTRICTION ON RETIREMENT OF THE JOINT SURVEILLANCE TARGET ATTACK RADAR SYSTEM (JSTARS), EC-130H COMPASS CALL, AND AIRBORNE EARLY WARNING AND CONTROL (AWACS) AIRCRAFT.

The Secretary of the Air Force may not retire any operational Joint Surveillance Target Attack Radar System (JSTARS), EC-130H Compass Call, or Airborne Early Warning and Control (AWACS) aircraft until the follow-on replacement aircraft program enters Low-Rate Initial Production.

SEC. 139. SENSE OF CONGRESS REGARDING THE OCONUS BASING OF THE F–35A AIRCRAFT.

(a) FINDING.—Congress finds that the Department of Defense is continuing its process of permanently stationing the F–35 aircraft at installations in the Continental United States (in this section referred to as ''CONUS'') and forward-basing Outside the Continental United States (in this section referred to as ''OCONUS'').

(b) SENSE OF CONGRESS.—It is the sense of Congress that the Secretary of the Air Force, in the strategic basing process for the F–35A aircraft, should continue to consider the benefits derived from sites that—

(1) are capable of hosting fighter-based bilateral and multilateral training opportunities with international partners;

(2) have sufficient airspace and range capabilities and capacity to meet the training requirements;

(3) have existing facilities to support personnel, operations, and logistics associated with the flying mission;

(4) have limited encroachment that would adversely impact training or operations; and

(5) minimize the overall construction and operational costs.

SEC. 140. SENSE OF CONGRESS ON F–16 ACTIVE ELECTRONICALLY SCANNED ARRAY (AESA) RADAR UPGRADE.

(a) FINDINGS.—Congress makes the following findings:

(1) National Guard F–16 aircraft are protecting the United States from terrorist air attack from inside or outside the contiguous United States 24 hours a day, 365 days a year.

(2) These aircraft, stationed throughout the United States, are tasked with the zero-fail mission of guarding and securing United States airspace.

(3) The United States is facing an increased threat from both state and non-state actors.

(4) The National Guard F–16 aircraft performing the Aerospace Control Alert (ACA) mission are operating legacy radar systems.

(5) Air Force Chief of Staff General Mark Welsh testified to Congress in March 2015, stating, ''We need to develop an AESA radar plan for our F–16s who are conducting the homeland defense mission in particular.''

(6) First Air Force, United States Northern Command, issued a Joint Urgent Operational Need (JUON) request in March 2015 for radar upgrades to its F–16 fleet.

(b) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) it is essential to our Nation's defense that Air Force aircraft modification funding is made available to purchase these Active Electronically Scanned Array (AESA) radars as the United States Air Force bridges the gap between 4th and 5th generation fighters;

(2) the United States Government must invest in radar upgrades which ensure that 4th generation aircraft succeed at this zero-fail mission; and

(3) the First Air Force JUON request should be met as soon as possible.

Subtitle D—Defense-wide, Joint, and Multiservice Matters

SEC. 151. REPORT ON ARMY AND MARINE CORPS MODERNIZATION PLAN FOR SMALL ARMS.

(a) REPORT REQUIRED.—Not later than one year after the date of the enactment of this Act, the Secretary of the Army and the Secretary of the Navy shall jointly submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the plan of the Army and the Marine Corps to modernize small arms for the Army and the Marine Corps during the 15-year period beginning on the date of such plan, including the mechanisms to be used to promote competition among suppliers of small arms and small arms parts in achieving the plan.

(b) SMALL ARMS.—The small arms covered by the plan under subsection (a) shall include the following:

(1) Pistols.

(2) Carbines.

(3) Rifles and automatic rifles.

(4) Light machine guns.

(5) Such other small arms as the Secretaries consider appropriate for purposes of the report required by subsection (a).

(c) NON-STANDARD SMALL ARMS.—In addition to the arms specified in subsection (b), the plan under subsection (a) shall also address non-standard small arms not currently in the small arms inventory of the Army or the Marine Corps.

TITLE II—RESEARCH, DEVELOPMENT, TEST, AND EVALUATION

Subtitle A—Authorization of Appropriations

SEC. 201. AUTHORIZATION OF APPROPRIATIONS.

Funds are hereby authorized to be appropriated for fiscal year 2016 for the use of the Department of Defense for research, development, test, and evaluation as specified in the funding table in section 4201.

Subtitle B—Program Requirements, Restrictions, and Limitations

SEC. 211. CENTERS FOR SCIENCE, TECHNOLOGY, AND ENGINEERING PARTNERSHIP.

(a) IN GENERAL.—Chapter 139 of title 10, United States Code, is amended by inserting after section 2367 the following new section:

''§ 2368. Centers for Science, Technology, and Engineering Partnership

''(a) DESIGNATION.—(1) The Secretary of Defense, in coordination with the Secretaries of the military departments, shall designate

each science and technology reinvention laboratory as a Center for Science, Technology, and Engineering Partnership in the recognized core competencies of the designee.

''(2) The Secretary of Defense shall establish a policy to encourage the Secretary of each military department to reengineer management and business processes and adopt best-business and personnel practices at their Centers for Science, Technology, and Engineering Partnership in connection with their core competency requirements, so as to serve as recognized leaders in their core competencies throughout the Department of Defense and in the national technology and industrial base (as defined in section 2500 of this title).

''(3) The Secretary of Defense, acting through the directors of the Centers for Science, Technology, and Engineering Partnership, may conduct one or more pilot programs, consistent with applicable requirements of law, to test any practices referred to in paragraph (2) that the Directors determine could—

''(A) improve the efficiency and effectiveness of operations at Centers for Science, Technology, and Engineering Partnership;

''(B) improve the support provided by the Centers for the Department of Defense users of the services of the Centers; and

''(C) enhance capabilities by reducing the cost and improving the performance and efficiency of executing laboratory missions.

''(4) In this subsection, the term 'science and technology reinvention laboratory' means a science and technology reinvention laboratory designated under section 1105 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84; 10 U.S.C. 2358 note).

''(b) PUBLIC-PRIVATE PARTNERSHIPS.—(1) To achieve one or more objectives set forth in paragraph (2), the Secretary may authorize and establish incentives for the Director of a Center for Science, Technology, and Engineering Partnership to enter into public-private cooperative arrangements (in this section referred to as a 'public-private partnership') to provide for any of the following:

''(A) For employees of the Center, private industry, or other entities outside the Department of Defense to perform (under contract, subcontract, or otherwise) work related to the core competencies of the Center, including any work that involves one or more core competencies of the Center.

''(B) For private industry or other entities outside the Department of Defense to use, for any period of time determined to be consistent with the needs of the Department of Defense, any facilities or equipment of the Center that are not fully used for Department of Defense activities.

''(2) The objectives for exercising the authority provided in paragraph (1) are as follows:

''(A) To maximize the use of the capacity of a Center for Science, Technology, and Engineering Partnership.

''(B) To reduce or eliminate the cost of ownership and maintenance of a Center by the Department of Defense.

''(C) To reduce the cost of research and testing activities of the Department of Defense.

''(D) To leverage private sector investment in—

''(i) such efforts as research and equipment recapitalization for a Center; and

''(ii) the promotion of the undertaking of commercial business ventures based on the core competencies of a Center, as determined by the director of the Center.

''(E) To foster cooperation between the armed forces, academia, and private industry.

''(F) To increase access by a Center to a skilled technical workforce that can contribute to the effective and efficient execution of Department of Defense missions.

''(c) PRIVATE SECTOR USE OF EXCESS CAPACITY.—Any facilities or equipment of a Center for Science, Technology, and Engineering Partnership made available to private industry may be used to perform research and testing activities in order to make more efficient and economical use of Government-owned facilities and encourage the creation and preservation of jobs to ensure the availability of a workforce with the necessary research and technical skills to meet the needs of the armed forces.

''(d) CREDITING OF AMOUNTS FOR PERFORMANCE.—Amounts received by a Center for Science, Technology, and Engineering Partnership for work performed under a public-private partnership may—

''(1) be credited to the appropriation or fund, including a working-capital fund, that incurs the cost of performing the work; or

''(2) be used by the Director of the Center as the Director considers appropriate and consistent with section 219 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110–417; 10 U.S.C. 2358 note).

''(e) AVAILABILITY OF EXCESS EQUIPMENT TO PRIVATE-SECTOR PARTNERS.—Equipment or facilities of a Center for Science, Technology, and Engineering Partnership may be made available for use by a private-sector entity under this section only if—

''(1) the use of the equipment or facilities will not have a significant adverse effect on the performance of the Center or the ability of the Center to achieve its mission, as determined by the Director of the Center; and

''(2) the private-sector entity agrees—

''(A) to reimburse the Department of Defense for the direct and indirect costs (including any rental costs) that are attributable to the entity's use of the equipment or facilities, as determined by that Secretary; and

''(B) to hold harmless and indemnify the United States from—

''(i) any claim for damages or injury to any person or property arising out of the use of the equipment or facilities, except under the circumstances described in section 2563(c)(3) of title 10, United States Code; and

''(ii) any liability or claim for damages or injury to any person or property arising out of a decision by the Secretary to suspend or terminate that use of equipment or facilities during a war or national emergency.

''(f) CONSTRUCTION OF PROVISION.—Nothing in this section may be construed to authorize a change, otherwise prohibited by law, from the performance of work at a Center for Science, Technology, and Engineering Partnership by Department of Defense personnel to performance by a contractor.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 139 of such title is amended by inserting after the item relating to section 2367 the following new item:

''2368. Centers for Science, Technology, and Engineering Partnership.''.

SEC. 212. DEPARTMENT OF DEFENSE TECHNOLOGY OFFSET PROGRAM TO BUILD AND MAINTAIN THE MILITARY TECHNOLOGICAL SUPERIORITY OF THE UNITED STATES.

(a) PROGRAM ESTABLISHED.—

(1) IN GENERAL.—The Secretary of Defense shall establish a technology offset program to build and maintain the military technological superiority of the United States by—

(A) accelerating the fielding of offset technologies that would help counter technological advantages of potential adversaries of the United States, including directed energy, low-cost, high-speed munitions, autonomous systems, undersea warfare, cyber technology, and intelligence data analytics, developed using Department of Defense research funding and accelerating the commercialization of such technologies; and

(B) developing and implementing new policies and acquisition and business practices.

(2) GUIDELINES.—Not later than one year after the date of the enactment of this Act, the Secretary shall issue guidelines for the operation of the program, including—

(A) criteria for an application for funding by a military department, defense agency, or a combatant command;

(B) the purposes for which such a department, agency, or command may apply for funds and appropriate requirements for technology development or commercialization to be supported using program funds;

(C) the priorities, if any, to be provided to field or commercialize offset technologies developed by certain types of Department research funding; and

(D) criteria for evaluation of an application for funding or changes to policies or acquisition and business practices by a department, agency, or command for purposes of the program.

(b) DEVELOPMENT OF DIRECTED ENERGY STRATEGY.—

(1) IN GENERAL.—Not later than one year after the date of the enactment of this Act, the Secretary, in consultation with such officials and third-party experts as the Secretary considers appropriate, shall develop a directed energy strategy to ensure that the United States directed energy technologies are being developed and deployed at an accelerated pace.

(2) COMPONENTS OF STRATEGY.—The strategy required by paragraph (1) shall include the following:

(A) A technology roadmap for directed energy that can be used to manage and assess investments and policies of the Department in this high priority technology area.

(B) Proposals for legislative and administrative action to improve the ability of the Department to develop and deploy technologies and capabilities consistent with the directed energy strategy.

(C) An approach to program management that is designed to accelerate operational prototyping of directed energy technologies and develop cost-effective, real-world military applications for such technologies.

(3) BIENNIAL REVISIONS.—Not less frequently than once every 2 years, the Secretary shall revise the strategy required by paragraph (1).

(4) SUBMITTAL TO CONGRESS.—(A) Not later than 90 days after the date on which the Secretary completes the development of the strategy required by paragraph (1) and not later than 90 days after the date on which the Secretary completes a revision to such strategy under paragraph (3), the Secretary shall submit to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives a copy of such strategy.

(B) The strategy submitted under subparagraph (A) shall be submitted in unclassified form, but may include a classified annex.

(c) APPLICATIONS FOR FUNDING.—

(1) IN GENERAL.—Under the program, the Secretary shall, not less frequently than annually, solicit from the heads of the military

departments, the defense agencies, and the combatant commands applications for funding to be used to enter into contracts, cooperative agreements, or other transaction agreements entered into pursuant to section 845 of the National Defense Authorization Act for Fiscal Year 1994 (Public Law 103–160; 10 U.S.C. 2371 note) with appropriate entities for the fielding or commercialization of technologies.

(2) TREATMENT PURSUANT TO CERTAIN CONGRESSIONAL RULES.—Nothing in this section shall be interpreted to require any official of the Department of Defense to provide funding under this section to any earmark as defined pursuant to House Rule XXI, clause 9, or any congressionally directed spending item as defined pursuant to Senate Rule XLIV, paragraph 5.

(d) FUNDING.—

(1) IN GENERAL.—Subject to the availability of appropriations for such purpose, of the amounts authorized to be appropriated for research, development, test, and evaluation, Defense-wide for fiscal year 2016, not more than $400,000,000 may be used for any such fiscal year for the program established under subsection (a).

(2) AMOUNT FOR DIRECTED ENERGY.—Of this amount, not more than $200,000,000 may be used for activities in the field of directed energy.

(e) TRANSFER AUTHORITY.—

(1) IN GENERAL.—The Secretary may transfer funds available for the program to the research, development, test, and evaluation accounts of a military department, defense agency, or a combatant command pursuant to an application, or any part of an application, that the Secretary determines would support the purposes of the program.

(2) SUPPLEMENT NOT SUPPLANT.—The transfer authority provided in this subsection is in addition to any other transfer authority available to the Department of Defense.

(f) TERMINATION.—

(1) IN GENERAL.—The authority to carry out a program under this section shall terminate on September 30, 2020.

(2) TRANSFER AFTER TERMINATION.—Any amounts made available for the program that remain available for obligation on the date the program terminates may be transferred under subsection (e) during the 180-day period beginning on the date of the termination of the program.

SEC. 213. REAUTHORIZATION OF DEFENSE RESEARCH AND DEVELOPMENT RAPID INNOVATION PROGRAM.

(a) EXTENSION OF PROGRAM.—Section 1073 of the Ike Skelton National Defense Authorization Act for Fiscal Year 2011 (Public Law 111–383; 10 U.S.C. 2359a note) is amended—

(1) in subsection (d), by striking ''2015'' and inserting ''2020''; and

(2) in subsection (g), by striking ''September 30, 2015'' and inserting ''September 30, 2020''.

(b) MODIFICATION OF GUIDELINES FOR OPERATION OF PROGRAM.—Subsection (b) of such section is amended—

(1) by amending paragraph (1) to read as follows:

''(1) The issuance of an annual broad agency announcement or the use of any other competitive or merit-based processes by the Department of Defense for candidate proposals in support of defense acquisition programs as described in subsection (a).'';

(2) in paragraph (3), by striking the second sentence;

(3) in paragraph (4)—

(A) in the first sentence, by striking ''be funded under the program for more than two years'' and inserting ''receive more than a total of two years of funding under the program''; and

(B) by striking the second sentence; and

(4) by adding at the end, the following new paragraphs:

''(5) Mechanisms to facilitate transition of follow-on or current projects carried out under the program into defense acquisition programs, through the use of the authorities of section 819 of the National Defense Authorization Act for Fiscal year 2010 (Public Law 111–84; 10 U.S.C. 2302 note) or such other authorities as may be appropriate to conduct further testing, low rate production, or full rate production of technologies developed under the program.

''(6) Projects are selected using merit based selection procedures and the selection of projects is not subject to undue influence by Congress or other Federal agencies.''.

(c) REPEAL OF REPORT REQUIREMENT.—Such section is further amended—

(1) by striking subsection (f); and

(2) by redesignating subsection (g) as subsection (f).

SEC. 214. REAUTHORIZATION OF GLOBAL RESEARCH WATCH PROGRAM.

Section 2365 of title 10, United States Code, is amended—

(1) in paragraphs (1) and (2) of subsection (b), by inserting ''and private sector persons'' after ''foreign nations'' both places it appears; and

(2) in subsection (f), by striking ''September 30, 2015'' and inserting ''September 30, 2025''.

SEC. 215. SCIENCE AND TECHNOLOGY ACTIVITIES TO SUPPORT BUSINESS SYSTEMS INFORMATION TECHNOLOGY ACQUISITION PROGRAMS.

(a) IN GENERAL.—The Secretary of Defense, acting through the Undersecretary of Acquisition, Technology, and Logistics, the Deputy Chief Management Officer, and the Chief Information Officer shall establish a set of science, technology, and innovation activities to improve the acquisition outcomes of major automated information systems through improved performance and reduced developmental and life cycle costs.

(b) EXECUTION OF ACTIVITIES.—The activities established under subsection (a) shall be carried out by such military departments and defense agencies as the Under Secretary and the Deputy Chief Management Officer consider appropriate.

(c) ACTIVITIES.—The set of activities established under subsection (a) may include the following:

(1) Development of capabilities in Department of Defense laboratories, test centers, and Federally-funded research and development centers to provide technical support for acquisition program management and business process re-engineering activities.

(2) Funding of intramural and extramural research and development activities as described in subsection (d).

(d) FUNDING OF INTRAMURAL AND EXTRAMURAL RESEARCH AND DEVELOPMENT.—

(1) IN GENERAL.—In carrying out the set of activities required by subsection (a), the Secretary may award grants or contracts to eligible entities to carry out intramural or extramural research and development in areas of interest described in paragraph (3).

(2) ELIGIBLE ENTITIES.—For purposes of this subsection, an eligible entity includes the following:

(A) Entities in the defense industry.

(B) Institutions of higher education.

(C) Small businesses.

(D) Nontraditional defense contractors (as defined in section 2302 of title 10, United States Code).

(E) Federally-funded research and development centers, primarily for the purpose of improving technical expertise to support acquisition efforts.

(F) Nonprofit research institutions.

(G) Government laboratories and test centers, primarily for the purpose of improving technical expertise to support acquisition efforts.

(3) AREAS OF INTEREST.—The areas of interest described in this paragraph are the following:

(A) Management innovation, including personnel and financial management policy innovation.

(B) Business process re-engineering.

(C) Systems engineering of information technology business systems.

(D) Cloud computing to support business systems and business processes.

(E) Software development, including systems and techniques to limit unique interfaces and simplify processes to customize commercial software to meet the needs of the Department of Defense.

(F) Hardware development, including systems and techniques to limit unique interfaces and simplify processes to customize commercial hardware to meet the needs of the Department of Defense.

(G) Development of methodologies and tools to support development and operational test of large and complex business systems.

(H) Analysis tools to allow decision makers to balance between requirements, costs, technical risks, and schedule in major automated information system acquisition programs

(I) Information security in major automated information system systems.

(J) Innovative acquisition policies and practices to streamline acquisition of information technology systems.

(K) Such other areas as the Secretary considers appropriate.

(e) PRIORITIES.—

(1) IN GENERAL.—In carrying out the set of activities required by subsection (a), the Secretary shall give priority to—

(A) projects that—

(i) address the innovation and technology needs of the Department of Defense; and

(ii) support activities of initiatives, programs and offices identified by the Under Secretary and Deputy Chief Management Officer; and

(B) the projects and programs identified in paragraph (2).

(2) PROJECTS AND PROGRAMS IDENTIFIED.—The projects and programs identified in this paragraph are the following:

(A) Major automated information system programs.

(B) Projects and programs under the oversight of the Deputy Chief Management Officer.

(C) Projects and programs relating to defense procurement acquisition policy.

(D) Projects and programs of the Defense Contract Audit Agency.

(E) Military and civilian personnel policy development for information technology workforce.

SEC. 216. EXPANSION OF ELIGIBILITY FOR FINANCIAL ASSISTANCE UNDER DEPARTMENT OF DEFENSE SCIENCE, MATHEMATICS, AND RESEARCH FOR TRANSFORMATION PROGRAM TO INCLUDE CITIZENS OF COUNTRIES PARTICIPATING IN THE TECHNICAL COOPERATION PROGRAM.

Section 2192a(b)(1)(A) of title 10, United States Code, is amended by inserting ''or a country the government of which is a party

to The Technical Cooperation Program (TTCP) memorandum of understanding of October 24, 1995'' after ''United States''.

SEC. 217. STREAMLINING THE JOINT FEDERATED ASSURANCE CENTER.

Section 937(c)(2) of the National Defense Authorization Act for Fiscal Year 2014 (Public Law 113–66; 10 U.S.C. 2224 note) is amended—

(1) in subparagraph (C), by striking '', in coordination with the Center for Assured Software of the National Security Agency,''; and

(2) in subparagraph (E), by striking '', in coordination with the Defense Microelectronics Activity,''.

SEC. 218. LIMITATION ON AVAILABILITY OF FUNDS FOR DEVELOPMENT OF THE SHALLOW WATER COMBAT SUBMERSIBLE.

(a) LIMITATION.—Of the amounts authorized to be appropriated in this Act or otherwise made available for fiscal year 2016 for Special Operations Command for development of the Shallow Water Combat Submersible, not more than 25 percent may be obligated or expended until the date that is 15 days after the later of the date on which—

(1) the Under Secretary of Defense for Acquisition, Technology, and Logistics designates a civilian official responsible for oversight and assistance to Special Operations Command for all undersea mobility programs; and

(2) the Under Secretary, in coordination with the Assistant Secretary of Defense for Special Operations and Low-Intensity Conflict, submits to the congressional defense committees the report described in subsection (b).

(b) REPORT DESCRIBED.—The report described in this subsection is a report on the Shallow Water Combat Submersible that includes the following:

(1) An analysis of the reasons for cost and schedule overruns associated with the Shallow Water Combat Submersible program.

(2) A revised timeline for initial and full operational capability of the Shallow Water Combat Submersible.

(3) The projected cost to meet the total unit acquisition objective.

(4) A plan to prevent, identify, and mitigate any additional cost and schedule overruns.

(5) A description of such opportunities as may be to recover cost or schedule.

(6) A description of such lessons as the Under Secretary may have learned from the Shallow Water Combat Submersible program that could be applied to future undersea mobility acquisition programs.

(7) Such other matters as the Under Secretary considers appropriate.

SEC. 219. LIMITATION ON AVAILABILITY OF FUNDS FOR DISTRIBUTED COMMON GROUND SYSTEM OF THE ARMY.

(a) LIMITATION.—Of the amounts authorized to be appropriated for fiscal year 2016 for the Department of Defense by section 201 and available for research, development, test, and evaluation, Army, for the distributed common ground system of the Army as specified in the funding tables in title XLII, not more than 75 percent may be obligated or expended until the Secretary of the Army—

(1) conducts a review of the program planning for the distributed common ground system of the Army; and

(2) submits to the appropriate congressional committees the report required by subsection (b)(1).

(b) REPORT.—

(1) IN GENERAL.—The Secretary shall submit to the appropriate congressional committees a report on the review of the distributed common ground system of the Army conducted under subsection (a)(1).

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

(A) A review of the segmentation of Increment 2 of the distributed common ground system program of the Army into discrete software components with the associated requirements of each component.

(B) Identification of each component of Increment 2 of the distributed common ground system of the Army for which commercial software exists that is capable of fulfilling most or all of the system requirements for each such component.

(C) A cost analysis of each such commercial software that compares performance with projected cost.

(D) Determination of the degree to which commercial software solutions are compliant with the standards required by the framework and guidance for the Intelligence Community Information Technology Enterprise, the Defense Intelligence Information Enterprise, and the Joint Information Environment.

(E) Identification of each component of Increment 2 of the distributed common ground system of the Army that the Secretary determines may be acquired through competitive means.

(F) An acquisition plan for Increment 2 of the distributed common ground system of the Army that prioritizes the acquisition of commercial software components, including a data integration layer, in time to meet the projected deployment schedule for Increment 2.

(G) A review of the timetable for the distributed common ground system program of the Army in order to determine whether there is a practical, executable acquisition strategy, including the use of operational capability demonstrations, that could lead to an initial operating capability of Increment 2 of the distributed common ground system of the Army prior to fiscal year 2017.

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

(1) the congressional defense committees; and

(2) the Select Committee on Intelligence of the Senate and the Permanent Select Committee on Intelligence of the House of Representatives.

SEC. 220. LIMITATION ON AVAILABILITY OF FUNDS FOR DISTRIBUTED COMMON GROUND SYSTEM OF THE UNITED STATES SPECIAL OPERATIONS COMMAND.

(a) LIMITATION.—Of the amounts authorized to be appropriated for fiscal year 2016 for the Department of Defense by section 201 and available for research, development, test, and evaluation, Defense-wide, for the United States Special Operations Command for the distributed common ground system, not more than 75 percent may be obligated or expended until the Commander of the United States Special Operations Command submits to the congressional defense committees the report required by subsection (b).

(b) REPORT REQUIRED.—The Commander shall submit to the congressional defense committees a report on the distributed common ground system. Such report shall include the following:

(1) A review of the segmentation of the distributed common ground system special operations forces program into discrete software components with the associated requirements of each component.

(2) Identification of each component of the distributed common ground system special operations forces program for which commercial software exists that is capable of fulfilling most or all of the system requirements for each such component.

(3) A cost analysis of each such commercial software that compares performance with projected cost.

(4) A determination of the degree to which commercial software solutions are compliant with the standards required by the framework and guidance for the Intelligence Community Information Technology Enterprise, the Defense Intelligence Information Enterprise, and the Joint Information Environment.

(5) Identification of each component of the distributed common ground system special operations forces program that the Commander determines may be acquired through competitive means.

(6) An assessment of the extent to which elements of the distributed common ground system special operations forces program could be modified to increase commercial acquisition opportunities.

(7) An acquisition plan that leads to full operational capability prior to fiscal year 2019.

Subtitle C—Other Matters

SEC. 231. ASSESSMENT OF AIR-LAND MOBILE TACTICAL COMMUNICATIONS AND DATA NETWORK REQUIREMENTS AND CAPABILITIES.

(a) ASSESSMENT REQUIRED.—The Director of Cost Assessment and Program Evaluation, in consultation with the Director of Operational Test and Evaluation, shall contract with an independent entity to conduct a comprehensive assessment of current and future requirements and capabilities of the Department of Defense with respect to an air-land ad hoc, mobile tactical communications, and data network, including the technological feasibility, suitability, and survivability of such a network.

(b) ELEMENTS.—The assessment required under subsection (a) shall include the following elements:

(1) Concepts, capabilities, and capacities of current or future communications and data network systems to meet the requirements of current or future tactical operations effectively, efficiently, and affordably.

(2) Software requirements and capabilities, particularly with respect to communications and data network waveforms.

(3) Hardware requirements and capabilities, particularly with respect to receiver/transmission technology, tactical communications, and data radios at all levels and on all platforms, all associated technologies, and their integration, compatibility, and interoperability.

(4) Any other matters that in the judgment of the independent entity are relevant or necessary to a comprehensive assessment of tactical networks or networking.

(c) INDEPENDENT ENTITY.—The Director of Cost Assessment and Program Evaluation shall select an independent entity with direct, long-standing, and demonstrated experience and expertise in program test and evaluation of concepts, requirements, and technologies for joint tactical communications and data networking to perform the assessment under subsection (a).

(d) REPORT REQUIRED.—Not later than April 30, 2016, the Secretary of Defense shall submit to the congressional defense committments a report including the findings and recommendations of the assessment conducted under subsection (a), together with the Secretary's comments.

(e) AVAILABILITY OF FUNDS.—The Secretary of Defense shall use funds authorized by this Act or otherwise made available for fiscal year 2016 for Operation and Maintenance, Defense-wide to carry out activities under this section.

(f) LIMITATION ON OBLIGATION OF FUNDS.—The Secretary of the Army may not obligate or expend more than 50 percent of the funds authorized by this Act or otherwise made available for fiscal year 2016 for Other Procurement, Army and available for the Warfighter Information Network—Tactical (Increment 2) until the Secretary of Defense submits the report required under subsection (d).

SEC. 232. STUDY OF FIELD FAILURES INVOLVING COUNTERFEIT ELECTRONIC PARTS.

(a) IN GENERAL.—The Secretary of Defense shall conduct a hardware assurance study to assess the presence, scope, and effect on Department of Defense operations of counterfeit electronic parts that have passed through the Department supply chain and into field systems.

(b) EXECUTION AND TECHNICAL ANALYSIS.—

(1) IN GENERAL.—The Secretary shall direct the federation established under section 937(a)(1) of the National Defense Authorization Act for Fiscal Year 2014 (Public Law 113–66; 10 U.S.C. 2224 note) to coordinate execution of the study required by subsection (a) using capabilities of the Department in effect on the day before the date of the enactment of this Act to conduct technical analysis on a sample of failed electronic parts in field systems.

(2) ELEMENTS.—The technical analysis required by paragraph (1) shall include the following:

(A) Selection of a representative sample of electronic component types, including digital, mixed-signal, and analog integrated circuits.

(B) An assessment of the presence of counterfeit parts, including causes and attributes of failures of any identified counterfeit part.

(C) For components found to have counterfeit parts present, an assessment of the impact of the counterfeit part in the failure mechanism.

(D) For cases with counterfeit parts contributing to the failure, a determination of the failure attributes, factors, and effects on subsystem and system level reliability, readiness, and performance.

(c) RECOMMENDATIONS.—As part of the study required by subsection (a), the Secretary shall develop recommendations for such legislative and administrative action, including budget requirements, as the Secretary considers necessary to conduct sampling and technical hardware analysis of counterfeit parts in identified areas of high concern.

(d) REPORT.—

(1) IN GENERAL.—Not later than 540 days after the date of the enactment of this Act, the Secretary shall submit to the congressional defense committees a report on the study carried out under subsection (a).

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

(A) The findings of the Secretary with respect to the study conducted under subsection (a).

(B) The recommendations developed under subsection (c).

SEC. 233. DEMONSTRATION OF PERSISTENT CLOSE AIR SUPPORT CAPABILITIES.

(a) JOINT DEMONSTRATION REQUIRED.—The Secretary of the Air Force, the Secretary of the Army, and the Director of the Defense Advanced Research Projects Agency shall jointly conduct a demonstration of the Persistent Close Air Support (PCAS) capability in fiscal year 2016.

(b) PARAMETERS OF DEMONSTRATION.—

(1) SELECTION AND EQUIPMENT OF AIRCRAFT.—As part of the demonstration required by subsection (a), the Secretary of the Air Force shall select and equip at least two aircraft for use in the demonstration that the Secretary otherwise intends to use for close air support, as identified by the United States Air Force Close Air Support Forum.

(2) CLOSE AIR SUPPORT OPERATIONS.—The demonstration required by subsection (a) shall include close air support operations that involve the following:

(A) Multiple tactical radio networks representing diverse ground force user communities.

(B) Two-way digital exchanges of situational awareness data, video, and calls for fire between aircraft and ground users without modification to aircraft operational flight profiles.

(C) Real-time sharing of blue force, aircraft, and target location data to reduce risks of fratricide.

(D) Lightweight digital tools based on commercial-off-the-shelf technology for pilots and joint tactical air controllers.

(E) Operations in simple and complex operating environments.

(c) ASSESSMENT.—The Secretary of the Air Force, the Secretary of the Army, and the Director of the Defense Advanced Research Projects Agency shall jointly—

(1) assess the effect of the capabilities demonstrated as part of the demonstration required by subsection (a) on—

(A) the time required to conduct close air support operations;

(B) the effectiveness of blue force in achieving tactical objectives; and

(C) the risk of fratricide and collateral damage; and

(2) estimate the costs that would be incurred in transitioning the technology used in the Persistent Close Air Support capability to the Army and the Air Force.

SEC. 234. AIRBORNE DATA LINK PLAN.

(a) PLAN REQUIRED.—The Under Secretary of Defense for Acquisition, Technology, and Logistics and the Vice Chairman of the Joint Chiefs of Staff shall jointly, in consultation with the Secretary of the Air Force and the Secretary of the Navy, develop a plan—

(1) to provide objective survivable communications gateways to enable—

(A) the secure dissemination of national and tactical intelligence information to fourth-generation fighter aircraft and supporting airborne platforms and to low-observable penetrating platforms such as the F–22 and F–35; and

(B) the secure reception and dissemination of sensor data from low-observable penetrating aircraft, such as the F–22 and F–35;

(2) to provide secure data sharing between the fifth-generation fighter aircraft of the Air Force, Navy, and Marine Corps, with minimal changes to the outer surfaces of the aircraft and to aircraft operational flight programs; and

(3) to enable secure data sharing between fifth-generation and fourth-generation aircraft in jamming environments.

(b) ADDITIONAL PLAN REQUIREMENTS.—The plan required by subsection (a) shall include non-proprietary and open systems approaches that are compatible with the Rapid Capabilities Office Open Mission Systems initiative of the Air Force and the Future Airborne Capability Environment initiative of the Navy.

(c) PROHIBITION.—No funds may be obligated or expended by the Department of Defense on the interim communications initiatives identified as Talon Hate and Multi-Domain Adaptable Processing System until the congressional defense committees are briefed by the Under Secretary or the Vice Chairman about the plan required by subsection (a).

SEC. 235. REPORT ON TECHNOLOGY READINESS LEVELS OF THE TECHNOLOGIES AND CAPABILITIES CRITICAL TO THE LONG RANGE STRIKE BOMBER AIRCRAFT.

(a) REPORT REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to Congress a report on the Technology Readiness Levels (TRLs) of the technologies and capabilities critical to the Long Range Strike Bomber aircraft.

(b) REVIEW BY COMPTROLLER GENERAL OF THE UNITED STATES.—Not later than 60 days after the report of the Secretary is submitted under subsection (a), the Comptroller General of the United States shall review the report and submit to the congressional defense committees an assessment of the matters contained in the report.

TITLE III—OPERATION AND MAINTENANCE

Subtitle A—Authorization of Appropriations

SEC. 301. AUTHORIZATION OF APPROPRIATIONS.

Funds are hereby authorized to be appropriated for fiscal year 2016 for the use of the Armed Forces and other activities and agencies of the Department of Defense for expenses, not otherwise provided for, for operation and maintenance, as specified in the funding table in section 4301.

Subtitle B—Energy and Environment

SEC. 311. MODIFICATION OF ENERGY MANAGEMENT REPORTING REQUIREMENTS.

Section 2925(a) of title 10, United States Code, is amended—

(1) by striking paragraphs (4) and (7);

(2) by redesignating paragraphs (5), (6), (8), (9), (10), (11), and (12) as paragraphs (4), (5), (6), (7), (8), (9), and (10), respectively;

(3) by amending paragraph (7), as redesignated by paragraph (2) of this section, to read as follows:

''(7) A description and estimate of the progress made by the military departments in meeting current high performance and sustainable building standards under the Unified Facilities Criteria.'';

(4) by amending paragraph (9), as redesignated by such paragraph (2), to read as follows:

''(9) Details of all commercial utility outages caused by threats and those caused by hazards at military installations that last eight hours or longer, whether or not the outage was mitigated by backup power, including non-commercial utility outages and Department of Defense-owned infrastructure, including the total number and location of outages, the financial impact of the outages, and measure taken to mitigate outages in the future at the affected locations and across the Department of Defense.''; and

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

''(11) At the discretion of the Secretary of Defense, a classified annex, as appropriate.''.

SEC. 312. REPORT ON EFFORTS TO REDUCE HIGH ENERGY COSTS AT MILITARY INSTALLATIONS.

(a) REPORT.—

(1) REPORT REQUIRED.—Not later than 270 days after the date of the enactment of this

Act, the Under Secretary of Defense for Acquisition, Technology, and Logistics, in conjunction with the assistant secretaries responsible for installations and environment for the military services and the Defense Logistics Agency, shall submit to the congressional defense committees a report detailing the efforts to achieve cost savings at military installations with high energy costs.

(2) ELEMENTS.—The report required under paragraph (1) shall include the following elements:

(A) A comprehensive, installation-specific assessment of feasible and mission-appropriate energy initiatives supporting energy production and consumption at military installations with high energy costs.

(B) An assessment of current sources of energy in areas with high energy costs and potential future sources that are technologically feasible, cost-effective, and mission-appropriate for military installations.

(C) A comprehensive implementation strategy to include required investment for feasible energy efficiency options determined to be the most beneficial and cost-effective, where appropriate, and consistent with Department of Defense priorities.

(D) An explanation on how military services are working collaboratively in order to leverage lessons learned on potential energy efficiency solutions.

(E) An assessment of extent of which activities administered under the Federal Energy Management Program could be used to assist with the implementation strategy.

(F) An assessment of State and local partnership opportunities that could achieve efficiency and cost savings, and any legislative authorities required to carry out such partnerships or agreements.

(3) COORDINATION WITH STATE AND LOCAL AND OTHER ENTITIES.—In preparing the report required under paragraph (1), the Under Secretary may work in conjunction and coordinate with the States containing areas of high energy costs, local communities, and other Federal departments and agencies.

(b) DEFINITIONS.—In this section, the term ''high energy costs'' means costs for the provision of energy by kilowatt of electricity or British Thermal Unit of heat or steam for a military installation in the United States that is in the highest 20 percent of all military installations for a military department.

SEC. 313. SOUTHERN SEA OTTER MILITARY READINESS AREAS.

(a) ESTABLISHMENT OF THE SOUTHERN SEA OTTER MILITARY READINESS AREAS.—Chapter 631 of title 10, United States Code, is amended by adding at the end the following new section:

''§ 7235. Establishment of the Southern Sea Otter Military Readiness Areas

''(a) ESTABLISHMENT.—The Secretary of the Navy shall establish areas, to be known as 'Southern Sea Otter Military Readiness Areas', for national defense purposes. Such areas shall include each of the following:

''(1) The area that includes Naval Base Ventura County, San Nicolas Island, and Begg Rock and the adjacent and surrounding waters within the following coordinates:

''N. Latitude/W. Longitude
33°27.8′/119°34.3′
33°20.5′/119°15.5′
33°13.5′/119°11.8′
33°06.5′/119°15.3′
33°02.8′/119°26.8′
33°08.8′/119°46.3′
33°17.2′/119°56.9′
33°30.9′/119°54.2′.

''(2) The area that includes Naval Base Coronado, San Clemente Island and the adjacent and surrounding waters running parallel to shore to 3 nautical miles from the high tide line designated by part 165 of title 33, Code of Federal Regulations, on May 20, 2010, as the San Clemente Island 3NM Safety Zone.

''(b) ACTIVITIES WITHIN THE SOUTHERN SEA OTTER MILITARY READINESS AREAS.—

''(1) INCIDENTAL TAKINGS UNDER ENDANGERED SPECIES ACT OF 1973.—Sections 4 and 9 of the Endangered Species Act of 1973 (16 U.S.C. 1533, 1538) shall not apply with respect to the incidental taking of any southern sea otter in the Southern Sea Otter Military Readiness Areas in the course of conducting a military readiness activity.

''(2) INCIDENTAL TAKINGS UNDER MARINE MAMMAL PROTECTION ACT OF 1972.—Sections 101 and 102 of the Marine Mammal Protection Act of 1972 (16 U.S.C. 1371, 1372) shall not apply with respect to the incidental taking of any southern sea otter in the Southern Sea Otter Military Readiness Areas in the course of conducting a military readiness activity.

''(3) TREATMENT AS SPECIES PROPOSED TO BE LISTED.—For purposes of conducting a military readiness activity, any southern sea otter while within the Southern Sea Otter Military Readiness Areas shall be treated for the purposes of section 7 of the Endangered Species Act of 1973 (16 U.S.C. 1536) as a member of a species that is proposed to be listed as an endangered species or a threatened species under section 4 of the Endangered Species Act of 1973 (16 U.S.C. 1533).

''(c) REMOVAL.—Nothing in this section or any other Federal law shall be construed to require that any southern sea otter located within the Southern Sea Otter Military Readiness Areas be removed from the Areas.

''(d) REVISION OR TERMINATION OF EXCEPTIONS.—The Secretary of the Interior may revise or terminate the application of subsection (b) if the Secretary of the Interior, in consultation with the Secretary of the Navy and the Marine Mammal Commission, determines that military activities occurring in the Southern Sea Otter Military Readiness Areas are impeding the southern sea otter conservation or the return of southern sea otters to optimum sustainable population levels.

''(e) MONITORING.—

''(1) IN GENERAL.—The Secretary of the Navy shall conduct monitoring and research within the Southern Sea Otter Military Readiness Areas to determine the effects of military readiness activities on the growth or decline of the southern sea otter population and on the near-shore ecosystem. Monitoring and research parameters and methods shall be determined in consultation with the Service and the Marine Mammal Commission.

''(2) REPORTS.—Not later than 24 months after the date of the enactment of this section and every three years thereafter, the Secretary of the Navy shall report to Congress and the public on monitoring undertaken pursuant to paragraph (1).

''(f) DEFINITIONS.—In this section:

''(1) SOUTHERN SEA OTTER.—The term 'southern sea otter' means any member of the subspecies Enhydra lutris nereis.

''(2) TAKE.—The term 'take'—

''(A) when used in reference to activities subject to regulation by the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.), shall have the meaning given such term in that Act; and

''(B) when used in reference to activities subject to regulation by the Marine Mammal Protection Act of 1972 (16 U.S.C. 1361 et seq.) shall have the meaning given such term in that Act.

''(3) INCIDENTAL TAKING.—The term 'incidental taking' means any take of a southern sea otter that is incidental to, and not the purpose of, the carrying out of an otherwise lawful activity.

''(4) MILITARY READINESS ACTIVITY.—The term 'military readiness activity' has the meaning given that term in section 315(f) of the Bob Stump National Defense Authorization Act for Fiscal Year 2003 (16 U.S.C. 703 note) and includes all training and operations of the armed forces that relate to combat and the adequate and realistic testing of military equipment, vehicles, weapons, and sensors for proper operation and suitability for combat use.

''(5) OPTIMUM SUSTAINABLE POPULATION.—The term 'optimum sustainable population' means, with respect to any population stock, the number of animals that will result in the maximum productivity of the population or the species, keeping in mind the carrying capacity of the habitat and the health of the ecosystem of which they form a constituent element.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by adding at the end the following new item:

''7235. Establishment of the Southern Sea Otter Military Readiness Areas.''.

(c) CONFORMING AMENDMENT.—Section 1 of Public Law 99–625 (16 U.S.C. 1536 note) is repealed.

Subtitle C—Logistics and Sustainment

SEC. 321. REPEAL OF LIMITATION ON AUTHORITY TO ENTER INTO A CONTRACT FOR THE SUSTAINMENT, MAINTENANCE, REPAIR, OR OVERHAUL OF THE F117 ENGINE.

Section 341 of the Carl Levin and Howard P. ''Buck'' McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113–291; 128 Stat. 3345) is repealed.

Subtitle D—Reports

SEC. 331. MODIFICATION OF ANNUAL REPORT ON PREPOSITIONED MATERIEL AND EQUIPMENT.

Section 2229a(a)(8) of title 10, United States Code, is amended to read as follows:

''(8) A list of any equipment used in support of contingency operations slated for retrograde and subsequent inclusion in the prepositioned stocks.''.

Subtitle E—Limitations and Extensions of Authority

SEC. 341. MODIFICATION OF REQUIREMENTS FOR TRANSFERRING AIRCRAFT WITHIN THE AIR FORCE INVENTORY.

(a) MODIFICATION OF REQUIREMENTS.—Section 345 of the National Defense Authorization Act for Fiscal Year 2011 (Public Law 111–383; 10 U.S.C. 8062 note) is amended—

(1) in subsection (a)—

(A) by striking the first sentence and inserting the following: ''Before making an aircraft transfer described in subsection (c), the Secretary of the Air Force shall ensure that a written agreement regarding such transfer has been entered into between the Chief of Staff of the Air Force and the Director of the Air National Guard or the Chief of Air Force Reserve.''; and

(B) in paragraph (3), by striking ''depot'';

(2) by amending subsection (b) to read as follows:

''(b) SUBMITTAL OF AGREEMENTS TO THE DEPARTMENT OF DEFENSE AND CONGRESS.—The Secretary of the Air Force may not take any

action to transfer an aircraft until the Secretary ensures that the Air Force has complied with applicable Department of Defense regulations and, for a transfer described in subsection (c)(1), until the Secretary submits to the congressional defense committees an agreement entered into pursuant to subsection (a) regarding the transfer of the aircraft.''; and

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

''(c) COVERED AIRCRAFT TRANSFERS.—(1) An aircraft transfer described in this subsection is the transfer (other than as specified in paragraph (2)) from a reserve component of the Air Force to the regular component of the Air Force of—

''(A) the permanent assignment of an aircraft that terminates a reserve component's equitable interest in the aircraft; or

''(B) possession of an aircraft for a period in excess of 90 days.

''(2) Paragraph (1) does not apply to the following:

''(A) A routine temporary transfer of possession of an aircraft from a reserve component that is made solely for the benefit of the reserve component for the purpose of maintenance, upgrade, conversion, modification, or testing and evaluation.

''(B) A routine permanent transfer of assignment of an aircraft that terminates a reserve component's equitable interest in the aircraft if notice of the transfer has previously been provided to the congressional defense committees and the transfer has been approved by the Secretary of Defense pursuant to Department of Defense regulations.

''(C) A transfer described in paragraph (1)(A) when there is a reciprocal permanent assignment of an aircraft from the regular component of the Air Force to the reserve component that does not degrade the capability of, or reduce the total number of, aircraft assigned to the reserve component.

''(d) RETURN OF AIRCRAFT AFTER ROUTINE TEMPORARY TRANSFER.—In the case of an aircraft transferred from a reserve component of the Air Force to the regular component of the Air Force for which an agreement under subsection (a) is not required by reason of subparagraph (A) of subsection (c)(2), possession of the aircraft shall be transferred back to the reserve component upon completion of the work described in such subparagraph.''.

(b) CONFORMING AMENDMENT.—Subsection (a)(7) of such section is amended by striking ''Commander of the Air Force Reserve Command'' and inserting ''Chief of Air Force Reserve''.

(c) TECHNICAL AMENDMENTS TO DELETE REFERENCES TO AIRCRAFT OWNERSHIP.—Subsection (a) of such section is further amended by striking ''the ownership of'' each place it appears.

SEC. 342. LIMITATION ON USE OF FUNDS FOR DEPARTMENT OF DEFENSE SPONSORSHIPS, ADVERTISING, OR MARKETING ASSOCIATED WITH SPORTS-RELATED ORGANIZATIONS OR SPORTING EVENTS.

No amounts authorized to be appropriated for the Department of Defense by this Act or otherwise made available to the Department may be used for any sponsorship, advertising, or marketing associated with a sports-related organization or sporting event until the Under Secretary of Defense for Personnel and Readiness, in consultation with the Director of Accessions Policy—

(1) conducts a review of current contracts and task orders for such sponsorships, advertising, and marketing (as awarded by the regular and reserve components of the Armed Forces) in order to assess—

(A) whether such sponsorships, advertising, and marketing are effective in meeting the recruiting objectives of the Department;

(B) whether consistent metrics are used to evaluate the effectiveness of each such activity in generating leads and recruit accessions; and

(C) whether the return on investment for such activities is sufficient to warrant continuing use of Department funds for such activities; and

(2) submits to the Committees on Armed Services of the Senate and the House of Representatives a report that includes—

(A) a description of the actions being taken to coordinate efforts of the Department relating to such sponsorships, advertising, and marketing, and to minimize duplicative contracts for such sponsorships, advertising, and marketing, as applicable; and

(B) the results of the review required by paragraph (1), including an assessment of the extent to which continuing use of Department funds for such sponsorships, advertising, and marketing is warranted in light of the review and the actions described pursuant to subparagraph (A).

SEC. 343. TEMPORARY AUTHORITY TO EXTEND CONTRACTS AND LEASES UNDER ARMS INITIATIVE.

Contracts or subcontracts entered into pursuant to section 4554(a)(3)(A) of title 10, United States Code, on or before the date that is five years after the date of the enactment of this Act may include an option to extend the term of the contract or subcontract for an additional 25 years.

Subtitle F—Other Matters

SEC. 351. STREAMLINING OF DEPARTMENT OF DEFENSE MANAGEMENT AND OPERATIONAL HEADQUARTERS.

(a) COMPREHENSIVE REVIEW OF HEADQUARTERS.—

(1) IN GENERAL.—The Secretary of Defense shall conduct a comprehensive review of the management and operational headquarters of the Department of Defense for purposes of consolidating and streamlining headquarters functions.

(2) ELEMENTS.—The review required by paragraph (1) shall address the following:

(A) The extent, if any, to which the staff of the Secretaries of the military departments and the Chiefs of Staff of the Armed Forces have duplicative staff functions and services and could be consolidated into a single service staff.

(B) The extent, if any, to which the staff of the Office of the Secretary of Defense, the military departments, the Defense Agencies, and temporary organizations have duplicative staff functions and services and could be streamlined with respect to—

(i) performing oversight and making policy;

(ii) performing staff functions and services specific to the military department concerned;

(iii) performing multi-department staff functions and services; and

(iv) performing functions and services across the Department of Defense with respect to intelligence collection and analysis.

(C) The extent, if any, to which the Joint Staff, the combatant commands, and their subordinate service component commands have duplicative staff functions and services that could be shared, consolidated, eliminated, or otherwise streamlined with—

(i) the Joint Staff performing oversight and execution;

(ii) the staff of the combatant commands performing only staff functions and services specific to the combatant command concerned; and

(iii) the staff of the service component commands of the combatant commands performing only staff functions and services specific to the service component command concerned.

(D) The extent, if any, to which reductions in military and civilian end-strength in management or operational headquarters could be used to create, build, or fill shortages in force structure for operational units.

(E) The extent, if any, to which revisions are required to the Defense Officers Personnel Management Act, including requirements for officers to serve in joint billets, the number of qualifying billets, the rank structure in the joint billets, and the joint qualification requirement for officers to be promoted while serving for extensive periods in critical positions such as program managers of major defense acquisition programs, and officers in units of component forces supporting joint commands, in order to achieve efficiencies, provide promotion fairness and equity, and obtain effective governance in the management of the Department of Defense.

(F) The structure and staffing of the Joint Staff, and the number, structure, and staffing of the combatant commands and their subordinate service component commands, including, in particular—

(i) whether or not the staff organization of each such entity has documented and periodically validated requirements for such entity;

(ii) whether or not there are an appropriate number of combatant commands relative to the requirements of the National Security Strategy, the Quadrennial Defense Review, and the National Military Strategy; and

(iii) whether or not opportunities exist to consolidate staff functions and services common to the Joint Staff and the service component commands into a single staff organization that provides the required functions, services, capabilities, and capacities to the Chairman of the Joint Chiefs of Staff and supported combatant commanders, and if so—

(I) where in the organizational structure such staff functions, services, capabilities, and capacities would be established; and

(II) whether or not the military departments could execute such staff functions, services, capabilities, and capacities while executing their requirements to organize, train, and equip the Armed Forces.

(G) The statutory and regulatory authority of the combatant commands to establish subordinate joint commands or headquarters, including joint task forces, led by a general or flag officer, and the extent, if any, to which the combatant commands have used such authority—

(i) to establish temporary or permanent subordinate joint commands or headquarters, including joint task forces, led by general or flag officers;

(ii) to disestablish temporary or permanent subordinate joint commands or headquarters, including joint task forces, led by general or flag officers;

(iii) to increase requirements for general and flag officers in the joint pool which are exempt from the end strength limitations otherwise applicable to general and flag officers in the Armed Forces;

(iv) to participate in the management of joint officer qualification in order to ensure the efficient and effective quality and quantity of officers needed to staff headquarters functions and services and return to the services officers with required professional experience and skills necessary to remain

competitive for increased responsibility and authority through subsequent assignment or promotion, including by identifying—

(I) circumstances, if any, in which officers spend a disproportionate amount of time in their careers to attain joint officer qualifications with corresponding loss of opportunities to develop in the service-specific assignments needed to gain the increased proficiency and experience to qualify for service and command assignments; and

(II) circumstances, if any, in which the military departments detail officers to joint headquarters staffs in order to maximize the number of officers receiving joint duty credit with a focus on the quantity, instead of the quality, of officers achieving joint duty credit;

(v) to establish commanders' strategic planning groups, advisory groups, or similar parallel personal staff entities that could risk isolating function and staff processes, including an assessment of the justification used to establish such personal staff organizations and their impact on the effectiveness and efficiency of organizational staff functions, services, capabilities, and capacities; and

(vi) to ensure the identification and management of officers serving or having served in units in subordinate service component or joint commands during combat operations and did not receive joint credit for such service.

(3) CONSULTATION.—The Secretary shall, to the extent practicable and as the Secretary considers appropriate, conduct the review required by paragraph (1) in consultation with such experts on matters covered by the review who are independent of the Department of Defense.

(4) REPORT.—Not later than March 1, 2016, the Secretary shall submit to the congressional defense committees a report setting forth the results of the review required by paragraph (1).

(b) PLAN ON REDUCTION IN AMOUNTS USED FOR ADMINISTRATION IN FISCAL YEARS 2016 THROUGH 2019.—

(1) IN GENERAL.—Not later than January 31, 2016, the Secretary of Defense shall submit to the congressional defense committees, and implement, a plan designed to ensure that the amount used by the Department of Defense for administration from amounts authorized to be appropriated for a fiscal year for operation and maintenance shall be as follows:

(A) In fiscal year 2016, an amount that is 7.5 percent less than the amount authorized to be appropriated for fiscal year 2015 for operation and maintenance, Defense-wide, and available for administration (in this paragraph referred to as the ''fiscal year 2015 administration amount'').

(B) In fiscal year 2017, an amount that is 15 percent less than the fiscal year 2015 administration amount.

(C) In fiscal year 2018, an amount that is 22.5 percent less than the fiscal year 2015 administration amount.

(D) In fiscal year 2019, an amount that is 30 percent less than the fiscal year 2015 administration amount.

(2) ACHIEVEMENT OF REDUCTIONS.—As part of meeting the requirements in paragraph (1), the plan shall provide for reductions in personnel (including military and civilian personnel of the Department of Defense and contract personnel in support of the Department) in the Office of the Secretary of Defense, the secretariats and military staffs of the military departments, the staffs of the Defense Agencies, the staffs of the Joint Staff, the staffs of the combatant commands, and the staffs of their subordinate service component commands.

(3) EXCLUSION.—The plan may not meet the requirements in paragraph (1) through reductions in funding for administration for the following:

(A) The United States Special Operations Command.

(B) The Department of Defense Education Activity.

(C) Any classified program.

(D) Any program relating to sexual assault prevention and response.

(c) COMPTROLLER GENERAL OF THE UNITED STATES REPORTS.—Not later than 90 days after the end of each of fiscal years 2016, 2017, 2018, and 2019, the Comptroller General of the United States shall submit to the congressional defense committees a report setting forth the assessment of the Comptroller General of the extent to which the Department of Defense met the applicable requirement in subsection (b)(1) during such fiscal year.

(d) LIMITATION ON AVAILABILITY OF FUNDS FOR CONTRACT PERSONNEL SUPPORT FOR OSD.—In each of fiscal years 2017, 2018, 2019, and 2020, amounts authorized to be appropriated for the Department of Defense and available for the Office of the Secretary of Defense may not be obligated or expended for contract personnel in support of the Office of the Secretary of Defense until the Secretary of Defense certifies to the congressional defense committees that the applicable requirement in subsection (b)(1) was met during the preceding fiscal year.

SEC. 352. ADOPTION OF RETIRED MILITARY WORKING DOGS.

(a) TRANSFER FOR ADOPTION.—Subsection (f) of section 2583 of title 10, United States Code, is amended in the matter preceding paragraph (1) by striking ''may transfer'' and inserting ''shall transfer''.

(b) PREFERENCE IN ADOPTION FOR FORMER HANDLERS.—Such section is further amended—

(1) by redesignating subsection (g) as subsection (h); and

(2) by inserting after subsection (f) the following new subsection (g):

''(g) PREFERENCE IN ADOPTION OF RETIRED MILITARY WORKING DOGS FOR FORMER HANDLERS.—(1) In providing for the adoption under this section of a retired military working dog described in paragraph (1) or (3) of subsection (a), the Secretary of the military department concerned shall accord a preference to the former handler of the dog unless the Secretary determines that adoption of the dog by the former handler would not be in the best interests of the dog.

''(2) In the case of a dog covered by paragraph (1) with more than one former handler seeking adoption of the dog at the time of adoption, the Secretary shall provide for the adoption of the dog by such former handler whose adoption of the dog will best serve the interests of the dog and such former handlers. The Secretary shall make any determination required by this paragraph with respect to a dog following consultation with the kennel master of the unit at which the dog was last located before adoption under this section.

''(3) Nothing in this subsection shall be construed as altering, revising, or overriding any policy of a military department for the adoption of military working dogs by law enforcement agencies before the end of the dogs' useful lives.''.

SEC. 353. MODIFICATION OF REQUIRED REVIEW OF PROJECTS RELATING TO POTENTIAL OBSTRUCTIONS TO AVIATION.

Section 358 of the Ike Skelton National Defense Authorization Act for Fiscal Year 2011 (Public Law 111–383; 124 Stat. 4200; 49 U.S.C. 44718 note) is amended—

(1) in subsection (c)—

(A) in paragraph (3), by striking ''from State and local officials or the developer of a renewable energy development or other energy project'' and inserting ''from a State government, an Indian tribal government, a local government, a landowner, or the developer of an energy project''; and

(B) in paragraph (4), by striking ''readiness, and'' and all that follows through the period at the end and inserting ''readiness and to clearly communicate actions being taken by the Department of Defense to the party requesting an early project review under this section.'';

(2) in subsection (d)(2)(B), by striking ''as high, medium, or low''; and

(3) in subsection (j), by adding at the end the following new paragraph:

''(4) The term 'landowner' means a person or other legal entity that owns a fee interest in real property on which a proposed energy project is planned to be located.''.

SEC. 354. PILOT PROGRAM ON INTENSIVE INSTRUCTION IN CERTAIN ASIAN LANGUAGES.

(a) PILOT PROGRAM AUTHORIZED.—The Secretary of Defense may, in consultation with the National Security Education Board, carry out a pilot program to assess the feasibility and advisability of providing scholarships in accordance with the David L. Boren National Security Education Act of 1991 (50 U.S.C. 1901 et seq.) to individuals otherwise eligible for scholarships under that Act for intensive language instruction in a covered Asian language.

(b) COVERED ASIAN LANGUAGE.—For purposes of this section, a covered Asian language is any of the five Asian languages that would be treated as a language in which deficiencies exist for purposes of section 802(a)(1)(A) of the David L. Boren National Security Education Act of 1991 (50 U.S.C. 1902(a)(2)(A)) if the National Security Education Board could treat an additional five Asian languages as a language in which such deficiencies exist.

(c) USE OF SCHOLARSHIPS.—Notwithstanding any provision of the David L. Boren National Security Education Act of 1991, a scholarship awarded pursuant to the pilot program may be used for intensive language instruction in—

(1) the United States; or

(2) a country in which the covered Asian language concerned is spoken by a significant portion of the population (as determined by the Secretary for purposes of the pilot program).

(d) NATIONAL SECURITY EDUCATION BOARD DEFINED.—In this section, the term ''National Security Education Board'' means the National Security Education Board established pursuant to section 803 of the David L. Boren National Security Education Act of 1991 (50 U.S.C. 1903).

(e) TERMINATION.—No scholarship may be awarded under the pilot program after the date that is five years after the date on which the pilot program is established.

TITLE IV—MILITARY PERSONNEL AUTHORIZATIONS

Subtitle A—Active Forces

SEC. 401. END STRENGTHS FOR ACTIVE FORCES.

The Armed Forces are authorized strengths for active duty personnel as of September 30, 2016, as follows:

(1) The Army, 475,000.

(2) The Navy, 329,200.

(3) The Marine Corps, 184,000.

(4) The Air Force, 317,000.

SEC. 402. ENHANCEMENT OF AUTHORITY FOR MANAGEMENT OF END STRENGTHS FOR MILITARY PERSONNEL.

(a) REPEAL OF SPECIFICATION OF PERMANENT END STRENGTHS TO SUPPORT TWO MAJOR REGIONAL CONTINGENCIES.—

(1) REPEAL.—Section 691 of title 10, United States Code, is repealed.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 39 of such title is amended by striking the item relating to section 691.

(b) ENHANCED AUTHORITY FOR END STRENGTH MANAGEMENT.—

(1) SECRETARY OF DEFENSE AUTHORITY.—Subsection (f) of section 115 of title 10, United States Code, is amended by striking ''increase'' each place it appears and inserting ''vary''.

(2) SERVICE SECRETARY AUTHORITY.—Subsection (g) of such section is amended—

(A) in paragraph (1), by striking ''increase'' each place it appears and inserting ''vary''; and

(B) in paragraph (2), by striking ''increase'' each place it appears and inserting ''variance''.

Subtitle B—Reserve Forces

SEC. 411. END STRENGTHS FOR SELECTED RESERVE.

(a) IN GENERAL.—The Armed Forces are authorized strengths for Selected Reserve personnel of the reserve components as of September 30, 2016, as follows:

(1) The Army National Guard of the United States, 342,000.

(2) The Army Reserve, 198,000.

(3) The Navy Reserve, 57,400.

(4) The Marine Corps Reserve, 38,900.

(5) The Air National Guard of the United States, 105,500.

(6) The Air Force Reserve, 69,200.

(7) The Coast Guard Reserve, 7,000.

(b) END STRENGTH REDUCTIONS.—The end strengths prescribed by subsection (a) for the Selected Reserve of any reserve component shall be proportionately reduced by—

(1) the total authorized strength of units organized to serve as units of the Selected Reserve of such component which are on active duty (other than for training) at the end of the fiscal year; and

(2) the total number of individual members not in units organized to serve as units of the Selected Reserve of such component who are on active duty (other than for training or for unsatisfactory participation in training) without their consent at the end of the fiscal year.

(c) END STRENGTH INCREASES.—Whenever units or individual members of the Selected Reserve of any reserve component are released from active duty during any fiscal year, the end strength prescribed for such fiscal year for the Selected Reserve of such reserve component shall be increased proportionately by the total authorized strengths of such units and by the total number of such individual members.

SEC. 412. END STRENGTHS FOR RESERVES ON ACTIVE DUTY IN SUPPORT OF THE RESERVES.

(a) FINDINGS.—The Senate makes the following findings:

(1) Several States routinely recruit and retain members of the Army National Guard of the United States in excess of State authorizations to offset States that do not recruit to State authorizations.

(2) The States that routinely recruit and retain members of the Army National Guard of the United States in excess of authorizations do not receive any extra full-time operational support duty personnel to support excess members.

(b) SENSE OF SENATE.—It is the sense of the Senate that the National Guard Bureau should account for States that routinely recruit and retain members in excess of State authorizations when allocating full-time operational support duty personnel.

(c) END STRENGTHS.—Within the end strengths prescribed in section 411(a), the reserve components of the Armed Forces are authorized, as of September 30, 2016, the following number of Reserves to be serving on full-time active duty or full-time duty, in the case of members of the National Guard, for the purpose of organizing, administering, recruiting, instructing, or training the reserve components:

(1) The Army National Guard of the United States, 30,770.

(2) The Army Reserve, 16,261.

(3) The Navy Reserve, 9,934.

(4) The Marine Corps Reserve, 2,260.

(5) The Air National Guard of the United States, 14,748.

(6) The Air Force Reserve, 3,032.

(d) ALLOCATION AMONG STATES.—In allocating Reserves on full-time duty in the Army National Guard of the United States authorized by subsection (c)(1) among the States, the Chief of the National Guard Bureau shall take into account the actual number of members of the Army National Guard of the United States serving in each State as of September 30 each year.

SEC. 413. END STRENGTHS FOR MILITARY TECHNICIANS (DUAL STATUS).

The minimum number of military technicians (dual status) as of the last day of fiscal year 2016 for the reserve components of the Army and the Air Force (notwithstanding section 129 of title 10, United States Code) shall be the following:

(1) For the Army National Guard of the United States, 26,099.

(2) For the Army Reserve, 7,395.

(3) For the Air National Guard of the United States, 22,104.

(4) For the Air Force Reserve, 9,814.

SEC. 414. FISCAL YEAR 2016 LIMITATION ON NUMBER OF NON-DUAL STATUS TECHNICIANS.

(a) LIMITATIONS.—

(1) NATIONAL GUARD.—Within the limitation provided in section 10217(c)(2) of title 10, United States Code, the number of non-dual status technicians employed by the National Guard as of September 30, 2016, may not exceed the following:

(A) For the Army National Guard of the United States, 1,600.

(B) For the Air National Guard of the United States, 350.

(2) ARMY RESERVE.—The number of non-dual status technicians employed by the Army Reserve as of September 30, 2016, may not exceed 595.

(3) AIR FORCE RESERVE.—The number of non-dual status technicians employed by the Air Force Reserve as of September 30, 2016, may not exceed 90.

(b) NON-DUAL STATUS TECHNICIANS DEFINED.—In this section, the term ''non-dual status technician'' has the meaning given that term in section 10217(a) of title 10, United States Code.

SEC. 415. MAXIMUM NUMBER OF RESERVE PERSONNEL AUTHORIZED TO BE ON ACTIVE DUTY FOR OPERATIONAL SUPPORT.

During fiscal year 2016, the maximum number of members of the reserve components of the Armed Forces who may be serving at any time on full-time operational support duty under section 115(b) of title 10, United States Code, is the following:

(1) The Army National Guard of the United States, 17,000.

(2) The Army Reserve, 13,000.

(3) The Navy Reserve, 6,200.

(4) The Marine Corps Reserve, 3,000.

(5) The Air National Guard of the United States, 16,000.

(6) The Air Force Reserve, 14,000.

SEC. 416. CHIEF OF THE NATIONAL GUARD BUREAU AUTHORITY TO INCREASE CERTAIN END STRENGTHS APPLICABLE TO THE ARMY NATIONAL GUARD.

(a) AUTHORITY.—Subject to subsection (b), the Chief of the National Guard Bureau may increase each of the end strengths for fiscal year 2016 applicable to the Army National Guard as follows:

(1) The end strength for Selected Reserve personnel of the Army National Guard of the United States in section 411(a)(1) by up to 3,000 members in addition to the number specified in section 411(a)(1).

(2) The end strength for Reserves serving on full-time duty for the purpose of organizing, administering, recruiting, instructing, or training for the Army National Guard of the United States specified in section 412(1) by up to 615 Reserves in addition to the number specified in section 412(1).

(3) The end strength for military technicians (dual status) for the Army National Guard of the United States specified in section 413(1) by up to 1,111 technicians in addition to the number specified in section 413(1).

(b) LIMITATION.—The Chief of the National Guard Bureau may increase an end strength using the authority in subsection (a) only if such increase is paid for out of funds appropriated for fiscal year 2016 for Operation and Maintenance, Army National Guard.

Subtitle C—Authorization of Appropriations

SEC. 421. MILITARY PERSONNEL.

(a) AUTHORIZATION OF APPROPRIATIONS.—Funds are hereby authorized to be appropriated for fiscal year 2016 for the use of the Armed Forces and other activities and agencies of the Department of Defense for expenses, not otherwise provided for, for military personnel, as specified in the funding table in section 4401.

(b) CONSTRUCTION OF AUTHORIZATION.—The authorization of appropriations in subsection (a) supersedes any other authorization of appropriations (definite or indefinite) for such purpose for fiscal year 2016.

TITLE V—MILITARY PERSONNEL POLICY

Subtitle A—Officer Personnel Policy

SEC. 501. AUTHORITY OF PROMOTION BOARDS TO RECOMMEND OFFICERS OF PARTICULAR MERIT BE PLACED AT THE TOP OF THE PROMOTION LIST.

(a) AUTHORITY OF PROMOTION BOARDS TO RECOMMEND OFFICERS OF PARTICULAR MERIT BE PLACED AT TOP OF PROMOTION LIST.—Section 616 of title 10, United States Code, is amended by adding at the end the following new subsection:

''(g)(1) In selecting the officers to be recommended for promotion, a selection board may, when authorized by the Secretary of the military department concerned, recommend officers of particular merit, from among those officers selected for promotion, to be placed at the top of the promotion list promulgated by the Secretary under section 624(a)(1) of this title.

''(2) The determination whether an officer is an officer of particular merit for purposes of this subsection shall be made in accordance with criteria prescribed by the Secretary of the military department concerned for such purposes.

''(3) The number of such officers placed at the top of the promotion list may not exceed

the number equal to 10 percent of the maximum number of officers that the board is authorized to recommend for promotion in such competitive category. If the number determined under this subsection is less than one, the board may recommend one such officer.

''(4) No officer may be recommended to be placed at the top of the promotion list unless the officer receives the recommendation of at least three-quarters of the members of a board for such placement.

''(5) For the officers recommended to be placed at the top of the promotion list, the board shall recommend the order in which these officers should be promoted.''.

(b) OFFICERS OF PARTICULAR MERIT APPEARING AT TOP OF PROMOTION LIST.—Section 624(a)(1) of such title is amended by inserting '', except such officers of particular merit who were approved by the President and recommended by the board to be placed at the top of the promotion list under section 616(g) of this title as these officers shall be placed at the top of the promotion list in the order recommended by the board'' after ''officers on the active-duty list''.

SEC. 502. MINIMUM GRADES FOR CERTAIN CORPS AND RELATED POSITIONS IN THE ARMY, NAVY, AND AIR FORCE.

(a) ARMY.—

(1) CHIEF OF LEGISLATIVE LIAISON.—Section 3023(a) of title 10, United States Code, is amended in the second sentence by striking ''the grade of major general'' and inserting ''a grade above the grade of colonel''.

(2) ASSISTANT SURGEON GENERAL.—Section 3039(b) of such title is amended by striking the last sentence and inserting the following new sentence: ''An officer appointed to that position shall be an officer in a grade above the grade of colonel.''.

(3) CHIEF OF THE NURSE CORPS.—Section 3069(b) of such title is amended by striking ''whose regular grade'' and all that follows through ''major general.'' and inserting ''. An officer appointed to that position shall be an officer in a grade above the grade of colonel.''.

(4) CHIEF OF THE VETERINARY CORPS.—Section 3084 of such title is amended by striking the last sentence and inserting the following new sentence: ''An officer appointed to that position shall be an officer in a grade above the grade of lieutenant colonel.''.

(b) NAVY.—

(1) CHIEF OF LEGISLATIVE AFFAIRS.—Section 5027(a) of title 10, United States Code, is amended by striking ''the grade of rear admiral'' and inserting ''a grade above the grade of captain''.

(2) CHIEF OF THE DENTAL CORPS.—Section 5138 of such title is amended—

(A) by striking subsections (a) and (b) and inserting the following new subsection (a):

''(a) There is a Chief of the Dental Corps in the Department of the Navy. An officer assigned to that position shall be an officer in a grade above the grade of captain.''; and

(B) by redesignating subsections (c) and (d) as subsections (b) and (c), respectively.

(3) DIRECTORS OF MEDICAL CORPS.—Section 5150(c) of such title is amended—

(A) in the first sentence, by striking ''for promotion'' and all that follows through the end of the sentence and inserting a period; and

(B) by inserting after the first sentence the following new sentence: ''An officer so selected shall be an officer in a grade above the grade of captain.''.

(c) AIR FORCE.—

(1) CHIEF OF LEGISLATIVE LIAISON.—Section 8023(a) of title 10, United States Code, is amended in the second sentence by striking ''the grade of major general'' and inserting ''a grade above the grade of colonel''.

(2) CHIEF OF THE NURSE CORPS.—Section 8069(b) of such title is amended by striking ''whose regular grade'' and all that follows through ''major general.'' and inserting ''. An officer appointed to that position shall be an officer in a grade above the grade of colonel.''.

(3) ASSISTANT SURGEON GENERAL FOR DENTAL SERVICES.—Section 8081 of such title is amended by striking the second sentence and inserting the following new sentence: ''An officer appointed to that position shall be an officer in a grade above the grade of colonel.''.

(d) TRANSITION.—In the case of an officer who on the date of the enactment of this Act is serving in a position that is covered by an amendment made by this section, the continued service of that officer in such position after the date of the enactment of this Act shall not be affected by that amendment.

SEC. 503. ENHANCEMENT OF MILITARY PERSONNEL AUTHORITIES IN CONNECTION WITH THE DEFENSE ACQUISITION WORKFORCE.

(a) INCLUSION OF ACQUISITION MATTERS WITHIN JOINT MATTERS FOR OFFICER MANAGEMENT.—

(1) JOINT MATTERS.—Subsection (a)(1) of section 688 of title 10, United States Code, is amended—

(A) in subparagraph (D), by striking ''or'' at the end;

(B) in subparagraph (E), by striking the period at the end and inserting ''; or''; and

(C) by adding at the end the following new subparagraph:

''(E) acquisition addressed by military personnel acting under chapter 87 of this title.''.

(2) JOINT DUTY ASSIGNMENT.—Subsection (b)(1)(A) of such section is amended by striking ''limited to assignments in which'' and all that follows and inserting ''limited to—

''(i) assignments in which the officer gains significant experience in joint matters; and

''(ii) assignments pursuant to chapter 87 of this title; and''.

(b) REQUIREMENTS FOR MILITARY PERSONNEL IN THE ACQUISITION FIELD.—

(1) CONSULTATION OF SERVICE CHIEFS IN POLICIES AND GUIDANCE.—Subsection (a) of section 1722a of title 10, United States Code, is amended by inserting after ''such military department)'' the following: '', in consultation with the Chief of Staff of the Army, the Chief of Naval Operations, the Chief of Staff of the Air Force, and the Commandant of the Marine Corps (with respect to the armed force under the jurisdiction of each),''.

(2) ENHANCED CAREER PATHS FOR PERSONNEL.—Subsection (b) of such section is amended—

(A) in paragraph (1), by inserting ''single-tracked'' before ''career path'';

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

(C) by inserting after paragraph (1) the following new paragraph (2):

''(2) A dual-tracked career path that attracts the highest quality officers and enlisted personnel and allows them to gain experience in, and receive credit for, a primary career in combat arms and a functional secondary career in the acquisition field in order to more closely align the military operational requirements and acquisition workforces of each armed force.''.

(c) JOINT PROFESSIONAL MILITARY EDUCATION.—

(1) INCLUSION OF BUSINESS AND COMMERCIAL TRAINING IN JOINT PROFESSIONAL MILITARY EDUCATION.—Subsection (a) of section 2151 of title 10, United States Code, is amended—

(A) by inserting ''(1)'' before ''Joint professional military education''; and

(B) by striking the second sentence and inserting the following new paragraphs:

''(2) The subject matter to be covered by joint professional military education shall include at least the following:

''(A) National Military Strategy.

''(B) Joint planning at all levels of war.

''(C) Joint doctrine.

''(D) Joint command and control.

''(E) Joint force and joint requirements development.

''(F) Operational contract support.

''(3) In lieu of the subject matters covered by paragraph (2), or in supplement to one or more of such matters, the subject matter to be covered by joint professional military education may include subjects addressed in training programs under section 2013(a) of this title by, in, or through organizations described in paragraph (2)(D) of that section.''.

(2) SENIOR LEVEL SERVICE SCHOOLS.—Subsection (b)(1) of such section is amended by adding at the end the following new subparagraph:

''(E) A training program section 2013(a) of this title by, in, or through an organization described in paragraph (2)(D) of that section.''.

(3) THREE-PHASE APPROACH.—Section 2154(a)(2) of such title is amended—

(A) in the matter preceding subparagraph (A), by striking ''in residence at'';

(B) by striking subparagraph (A) and inserting the following new subparagraph (A):

''(A) in residence at the Joint Forces Staff College;''; and

(C) in subparagraph (B), by striking ''a senior level service school'' and inserting ''in residence at a senior level service school, or by, in, or though a senior level service school described in section 2151(b)(1)(E) of this title,''.

(4) JOINT PROFESSIONAL MILITARY EDUCATION PHASE II.—Section 2155 of such title is amended—

(A) in subsection (b)—

(i) in the subsection caption, by inserting ''FOR JOINT MILITARY SUBJECTS'' after ''PHASE II REQUIREMENTS''; and

(ii) by inserting ''described in section 2151(a)(2) of this title'' after ''joint professional military education'';

(B) in subsection (c)—

(i) in the subsection caption, by inserting ''FOR JOINT MILITARY SUBJECTS'' after ''CURRICULUM CONTENT'';

(ii) by striking ''section 2151(a)'' and inserting ''section 2151(a)(2)''; and

(iii) by inserting ''described in such section'' after ''joint professional military education'';

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

(D) by inserting after subsection (c) the following new subsection (d):

''(d) CURRICULUM CONTENT FOR BUSINESS AND COMMERCIAL TRAINING.—The curriculum for Phase II joint professional military education described in section 2151(a)(3) of this title shall include such matters as the Secretary shall specify in connection with training programs described in that section in order to satisfy requirements for successful performance in the acquisition or acquisition-related field.''; and

(E) in subsection (e), as redesignated by subparagraph (C), by inserting ''(other than a service school described in section 2151(b)(1)(E) of this title)'' after ''senior level service school''.

(d) ACQUISITION-RELATED FUNCTIONS OF SERVICE CHIEFS.—Section 2547 of title 10, United States Code, is amended—

(1) in subsection (b), by striking ''this subsection'' the first place it appears and inserting ''subsection (a)'';

(2) by redesignating subsection (c) as subsection (d); and

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

''(c) ANNUAL REPORT ON PROMOTION RATES FOR OFFICERS IN ACQUISITION POSITIONS.—(1) Not later than January 1 each year, the Chief of Staff of the Army, the Chief of Naval Operations, the Chief of Staff of the Air Force, and the Commandant of the Marine Corps shall each submit to Congress a report on the promotion rates during the preceding fiscal year of officers who are serving in, or have served in, positions covered by chapter 87 of this title, and officers who have been certified under that chapter, in the grades specified in paragraph (2). If promotion rates for any such grade of officers failed to meet objectives for the fiscal year concerned for promotion rates for such grade, the chief of the armed force concerned shall include in the report for such fiscal year information on such failure and on the actions taken or to be taken by such chief to prevent further such failures.

''(2) The grades specified in this paragraph are as follows:

''(A) The grade of colonel (or captain, in the case of the Navy).

''(B) The grade of lieutenant colonel (or commander, in the case of the Navy).

''(C) The grade of major (or lieutenant commander, in the case of the Navy).''.

SEC. 504. ENHANCED FLEXIBILITY FOR DETERMINATION OF OFFICERS TO CONTINUE ON ACTIVE DUTY AND FOR SELECTIVE EARLY RETIREMENT AND EARLY DISCHARGE.

Section 638a(d)(2) of title 10, United States Code, is amended by striking ''officers considered—'' and all that follows and inserting ''officers considered.''.

SEC. 505. AUTHORITY TO DEFER UNTIL AGE 68 MANDATORY RETIREMENT FOR AGE OF A GENERAL OR FLAG OFFICER SERVING AS CHIEF OR DEPUTY CHIEF OF CHAPLAINS OF THE ARMY, NAVY, OR AIR FORCE.

(a) AUTHORITY.—Section 1253 of title 10, United States Code, is amended by adding at the end the following new subsection:

''(c) EXCEPTION FOR CHIEFS OF CHAPLAINS AND DEPUTY CHIEFS OF CHAPLAINS.—The Secretary of the military department concerned may defer the retirement under subsection (a) of an officer serving in a general or flag officer grade who is the Chief of Chaplains or Deputy Chief of Chaplains of that officer's armed force. Such a deferment may not extend beyond the first day of the month following the month in which the officer becomes 68 years of age.''.

(b) CONFORMING AMENDMENTS.—

(1) HEADING.—The heading of such section is amended by striking ''**exception**'' and inserting ''**exceptions**''.

(2) TABLE OF SECTIONS.—The table of sections at the beginning of chapter 63 of such title is amended in the item relating to section 1253 by striking ''exception'' and inserting ''exceptions''.

SEC. 506. REINSTATEMENT OF ENHANCED AUTHORITY FOR SELECTIVE EARLY DISCHARGE OF WARRANT OFFICERS.

Section 580a of title 10, United States Code, is amended—

(1) in subsection (a), by striking ''November 30, 1993, and ending on October 1, 1999'' and inserting ''October 1, 2015, and ending on October 1, 2019''; and

(2) in subsection (c)—

(A) by striking paragraph (3); and

(B) by redesignating paragraphs (4) and (5) as paragraphs (3) and (4), respectively.

SEC. 507. AUTHORITY TO CONDUCT WARRANT OFFICER RETIRED GRADE DETERMINATIONS.

Section 1371 of title 10, United States Code, is amended—

(1) by inserting ''highest'' after ''in the''; and

(2) by striking ''that he held on the day before the date of his retirement, or in any higher warrant officer grade''.

Subtitle B—Reserve Component Management

SEC. 511. AUTHORITY TO DESIGNATE CERTAIN RESERVE OFFICERS AS NOT TO BE CONSIDERED FOR SELECTION FOR PROMOTION.

Section 14301 of title 10, United States Code, is amended by adding at the end the following new subsection:

''(j) CERTAIN OFFICERS NOT TO BE CONSIDERED FOR SELECTION FOR PROMOTION.—The Secretary of the military department concerned may provide that an officer who is in an active status, but is in a duty status in which the only points the officer accrues under section 12732(a)(2) of this title are pursuant to subparagraph (C)(i) of that section (relating to membership in a reserve component), shall not be considered for selection for promotion at any time the officer otherwise would be so considered. Any such officer may remain on the reserve active-status list.''.

SEC. 512. CLARIFICATION OF PURPOSE OF RESERVE COMPONENT SPECIAL SELECTION BOARDS AS LIMITED TO CORRECTION OF ERROR AT A MANDATORY PROMOTION BOARD.

Section 14502(b) of title 10, United States Code, is amended—

(1) in paragraph (1)—

(A) in the matter preceding subparagraph (A), by striking ''a selection board'' and inserting ''a mandatory promotion board convened under section 14101(a) of this title''; and

(B) in subparagraphs (A) and (B), by striking ''selection board'' and inserting ''mandatory promotion board''; and

(2) in the first sentence of paragraph (3), by striking ''selection board'' and inserting ''mandatory promotion board''.

SEC. 513. RECONCILIATION OF CONTRADICTORY PROVISIONS RELATING TO CITIZENSHIP QUALIFICATIONS FOR ENLISTMENT IN THE RESERVE COMPONENTS OF THE ARMED FORCES.

Section 12102(b) of title 10, United States Code, is amended by striking paragraphs (1) and (2) and inserting the following new paragraphs:

''(1) that person has met the citizenship or residency requirements established in section 504(b)(1) of this title; or

''(2) that person is authorized to enlist by the Secretary concerned under section 504(b)(2) of this title.''.

SEC. 514. AUTHORITY FOR CERTAIN AIR FORCE RESERVE COMPONENT PERSONNEL TO PROVIDE TRAINING AND INSTRUCTION REGARDING PILOT INSTRUCTOR TRAINING.

(a) AUTHORITY.—

(1) IN GENERAL.—During fiscal year 2016, the Secretary of the Air Force may authorize personnel described in paragraph (2) to provide training and instruction regarding pilot instructor training to the following:

(A) Members of the Armed Forces on active duty.

(B) Members of foreign military forces who are in the United States.

(2) PERSONNEL.—The personnel described in this paragraph are the following:

(A) Members of the reserve components of the Air Force on active Guard and Reserve duty (as that term is defined in section 101(d) of title 10, United States Code) who are not otherwise authorized to conduct the training described in paragraph (1) due to the limitations in section 10216 of title 10, United States Code.

(B) Members of the Air Force who are military technicians (dual status) who are not otherwise authorized to conduct the training described in paragraph (1) due to the limitations in section 328(b) of title 32, United States Code

(3) LIMITATION.—The total number of personnel described in paragraph (2) who may provide training and instruction under the authority in paragraph (1) at any one time may not exceed 50.

(4) FEDERAL TORT CLAIMS ACT.—Members of the uniformed services described in paragraph (2) who provide training and instruction pursuant to the authority in paragraph (1) shall be covered by the Federal Tort Claims Act for purposes of any claim arising from the employment of such individuals under that authority.

(b) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Secretary of the Air Force shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report setting forth a plan to eliminate pilot instructor shortages within the Air Force using authorities available to the Secretary under current law.

Subtitle C—General Service Authorities

SEC. 521. DUTY REQUIRED FOR ELIGIBILITY FOR PRESEPARATION COUNSELING FOR MEMBERS BEING DISCHARGED OR RELEASED FROM ACTIVE DUTY.

(a) REQUIREMENT FOR 180 CONTINUOUS DAYS OF ACTIVE DUTY SERVICE FOR ELIGIBILITY.—Subparagraph (A) of section 1142(a)(4) of title 10, United States Code, is amended by inserting ''continuous'' after ''first 180''.

(b) EXCLUSION OF TRAINING FROM PERIODS OF ACTIVE DUTY.—Such section is further amended by adding at the end the following new subparagraph:

''(C) For purposes of subparagraph (A), the term 'active duty' does not include full-time training duty, annual training duty, and attendance, while in the active military service, at a school designated as a service school by law or by the Secretary of the military department concerned.''.

SEC. 522. EXPANSION OF PILOT PROGRAMS ON CAREER FLEXIBILITY TO ENHANCE RETENTION OF MEMBERS OF THE ARMED FORCES.

Section 533 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (10 U.S.C. prec. 701 note) is amended by striking subsections (b) and (c).

SEC. 523. SENSE OF SENATE ON DEVELOPMENT OF GENDER-NEUTRAL OCCUPATIONAL STANDARDS FOR OCCUPATIONAL ASSIGNMENTS IN THE ARMED FORCES.

(a) FINDING.—The Senate remains interested in the integration of women into the combat arms of the Armed Forces and the development of gender-neutral occupational standards for occupational assignments in the Armed Forces.

(b) SENSE OF SENATE.—It is the sense of the Senate that—

(1) the development of gender-neutral occupational standards is vital in determining the occupational assignments of all members of the Armed Forces;

(2) studies being conducted by the Armed Forces are important to the development of

these standards and should incorporate the best scientific practices available; and

(3) the Armed Forces should consider such studies on these standards carefully in order to ensure that—

(A) such studies do not result in unnecessary barriers to service in the Armed Forces; and

(B) all decisions on occupational assignments in the Armed Forces—

(i) are based on an objective analysis of the tasks required to perform the occupational assignment concerned; and

(ii) do not negatively impact the required combat capabilities of the Armed Forces, including units whose primary mission is to engage in direct combat at the tactical level.

Subtitle D—Member Education and Training

PART I—EDUCATIONAL ASSISTANCE REFORM

SEC. 531. LIMITATION ON TUITION ASSISTANCE FOR OFF-DUTY TRAINING OR EDUCATION.

Section 2007(a) of title 10, United States Code, is amended by inserting '', but only if the Secretary determines that such education or training is likely to contribute to the member's professional development'' after ''during the member's off-duty periods''.

SEC. 532. TERMINATION OF PROGRAM OF EDUCATIONAL ASSISTANCE FOR RESERVE COMPONENT MEMBERS SUPPORTING CONTINGENCY OPERATIONS AND OTHER OPERATIONS.

(a) IN GENERAL.—Chapter 1607 of title 10, United States Code, is amended by adding at the end the following new section:

''§ 16167. Sunset

''(a) SUNSET.—The authority to provide educational assistance under this chapter shall terminate on the date that is four years after the date of the enactment of the National Defense Authorization Act for Fiscal Year 2016.

''(b) LIMITATION ON PROVISION OF ASSISTANCE PENDING SUNSET.—Notwithstanding any other provision of this chapter, during the period beginning on the date of the enactment of the National Defense Authorization Act for Fiscal Year 2016 and ending on the date that is four years after the date of the enactment of that Act, educational assistance may be provided under this chapter only to a member otherwise eligible for educational assistance under this chapter who received educational assistance under this chapter for a course of study at an educational institution for the enrollment period at the educational institution that immediately preceded the date of the enactment of that Act.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 1607 of such title is amended by adding at the end the following new item:

''16167. Sunset.''.

SEC. 533. REPORTS ON EDUCATIONAL LEVELS ATTAINED BY CERTAIN MEMBERS OF THE ARMED FORCES AT TIME OF SEPARATION FROM THE ARMED FORCES.

(a) ANNUAL REPORTS REQUIRED.—Each Secretary concerned shall submit to Congress each year a report on the educational levels attained by members of the Armed Forces described in subsection (b) under the jurisdiction of such Secretary who separated from the Armed Forces during the preceding year.

(b) COVERED MEMBERS.—The members of the Armed Forces described in this subsection are members of the Armed Forces who transferred unused education benefits to family members pursuant to section 3319 of title 38, United States Code, while serving as members of the Armed Forces.

(c) SECRETARY CONCERNED DEFINED.—In this section, the term ''Secretary concerned'' has the meaning given that term in section 101 of title 38, United States Code.

SEC. 534. SENSE OF CONGRESS ON TRANSFERABILITY OF UNUSED EDUCATION BENEFITS TO FAMILY MEMBERS.

(a) IN GENERAL.—It is the sense of Congress that each Secretary concerned should—

(1) exercise the authority in section 3319(a) of title 38, United States Code, relating to the transferability of unused education benefits to family members, in a manner that encourages the retention of individuals in the Armed Forces; and

(2) be more selective in permitting such transferability.

(b) DEFINITIONS.—In this section, the terms ''Armed Forces'' and ''Secretary concerned'' have the meaning given such terms in section 101 of title 38, United States Code.

SEC. 535. NO ENTITLEMENT TO UNEMPLOYMENT INSURANCE WHILE RECEIVING POST-9/11 EDUCATION ASSISTANCE.

Section 8525(b) of title 5, United States Code, is amended—

(1) in paragraph (1), by striking ''or'' after the semicolon;

(2) in paragraph (2), by striking the period and inserting ''; or''; and

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

''(3) an educational assistance allowance under chapter 33 of title 38.''.

PART II—OTHER MATTERS

SEC. 536. REPEAL OF STATUTORY SPECIFICATION OF MINIMUM DURATION OF IN-RESIDENT INSTRUCTION FOR COURSES OF INSTRUCTION OFFERED AS PART OF PHASE II JOINT PROFESSIONAL MILITARY EDUCATION.

(a) REPEAL OF STATUTORY REQUIREMENT FOR IN-RESIDENT INSTRUCTION.—Section 2154(a)(2)(A) of title 10, United States Code, is amended by striking ''taught in residence at'' and inserting ''offered through''.

(b) REPEAL OF STATUTORY DURATIONAL MINIMUM.—

(1) REPEAL.—Section 2156 of such title is repealed.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 107 of such title amended by striking the item relating to section 2156.

SEC. 537. QUALITY ASSURANCE OF CERTIFICATION PROGRAMS AND STANDARDS FOR PROFESSIONAL CREDENTIALS OBTAINED BY MEMBERS OF THE ARMED FORCES.

Section 2015 of title 10, United States Code, as amended by section 551 of the Carl Levin and Howard P. ''Buck'' McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113–291; 128 Stat. 3376), is further amended—

(1) by redesignating subsections (c) and (d) as subsections (d) and (e), respectively; and

(2) by inserting after subsection (b) the following new subsection (c):

''(c) QUALITY ASSURANCE OF CERTIFICATION PROGRAMS AND STANDARDS.—(1) Commencing not later than three years after the date of the enactment of the National Defense Authorization Act for Fiscal Year 2016, each Secretary concerned shall ensure that any credentialing program used in connection with the program under subsection (a) is accredited by an accreditation body that meets the requirements specified in paragraph (2).

''(2) The requirements for accreditation bodies specified in this paragraph are requirements that an accreditation body—

''(A) be an independent body that has in place mechanisms to ensure objectivity and impartiality in its accreditation activities;

''(B) meet a recognized national or international standard that directs its policy and procedures regarding accreditation;

''(C) apply a recognized national or international certification standard in making its accreditation decisions regarding certification bodies and programs;

''(D) conduct on-site visits, as applicable, to verify the documents and records submitted by credentialing bodies for accreditation;

''(E) have in place policies and procedures to ensure due process when addressing complaints and appeals regarding its accreditation activities;

''(F) conduct regular training to ensure consistent and reliable decisions among reviewers conducting accreditations; and

''(G) meet such other criteria as the Secretary concerned considers appropriate in order to ensure quality in its accreditation activities.''.

SEC. 538. SUPPORT FOR ATHLETIC PROGRAMS OF THE UNITED STATES MILITARY ACADEMY.

(a) IN GENERAL.—Chapter 403 of title 10, United States Code, is amended by adding at the end the following new section:

''§ 4362. Support of athletic and physical fitness programs

''(a) AUTHORITY.—

''(1) CONTRACTS AND COOPERATIVE AGREEMENTS.—The Secretary of the Army may enter into contracts and cooperative agreements with the Army West Point Athletic Association for the purpose of supporting the athletic and physical fitness programs of the Academy. Notwithstanding section 2304(k) of this title, the Secretary may enter such contracts or cooperative agreements on a sole source basis pursuant to section 2304(c)(5) of this title. Notwithstanding chapter 63 of title 31, a cooperative agreement under this section may be used to acquire property or services for the direct benefit or use of the Academy.

''(2) FINANCIAL CONTROLS.—(A) Before entering into a contract or cooperative agreement under paragraph (1), the Secretary shall ensure that such contract or agreement includes appropriate financial controls to account for Academy and Association resources in accordance with accepted accounting principles.

''(B) Any such contract or cooperative agreement shall contain a provision that allows the Secretary, at the Secretary's discretion, to review the financial accounts of the Association to determine whether the operations of the Association—

''(i) are consistent with the terms of the contract or cooperative agreement; and

''(ii) will not compromise the integrity or appearance of integrity of any program of the Department of the Army.

''(3) LEASES.—Section 2667(h) of this title shall not apply to any leases the Secretary may enter into with the Association for the purpose of supporting the athletic and physical fitness programs of the Academy.

''(b) SUPPORT SERVICES.—

''(1) AUTHORITY.—To the extent required by a contract or cooperative agreement under subsection (a), the Secretary may provide support services to the Association while the Association conducts its support activities at the Academy. The Secretary may provide support services described in paragraph (2) only if the Secretary determines that the provision of such services is essential for the support of the athletic and physical fitness programs of the Academy.

''(2) SUPPORT SERVICES DEFINED.—(A) In this subsection, the term 'support services' includes utilities, office furnishings and equipment, communications services, records staging and archiving, audio and video support, and security systems in conjunction with the leasing or licensing of property.

''(B) Such term includes—

''(i) housing for Association personnel on United States Army Garrison, West Point, New York; and

''(ii) enrollment of dependents of Association personnel in elementary and secondary schools under the same criteria applied to dependents of Federal employees under section 2164(a) of this title, except that educational services provided pursuant to this clause shall be provided on a reimbursable basis.

''(3) NO LIABILITY OF THE UNITED STATES.—Any such support services may only be provided without any liability of the United States to the Association.

''(c) ACCEPTANCE OF SUPPORT.—

''(1) SUPPORT RECEIVED FROM THE ASSOCIATION.—Notwithstanding section 1342 of title 31, the Secretary may accept from the Association funds, supplies, and services for the support of the athletic and physical fitness programs of the Academy. For the purposes of this section, employees or personnel of the Association may not be considered to be employees of the United States.

''(2) FUNDS RECEIVED FROM NCAA.—The Secretary may accept funds from the National Collegiate Athletic Association to support the athletic and physical fitness programs of the Academy.

''(3) LIMITATION.—The Secretary shall ensure that contributions under this subsection and expenditure of funds pursuant to subsection (e) do not reflect unfavorably on the ability of the Department of the Army, any of its employees, or any member of the armed forces to carry out any responsibility or duty in a fair and objective manner, or compromise the integrity or appearance of integrity of any program of the Department of the Army, or any individual involved in such a program.

''(d) TRADEMARKS AND SERVICE MARKS.—

''(1) LICENSING, MARKETING, AND SPONSORSHIP AGREEMENTS.—An agreement under subsection (a) may, consistent with section 2260 of this title (other than subsection (d) of such section), authorize the Association to enter into licensing, marketing, and sponsorship agreements relating to trademarks and service marks identifying the Academy, subject to the approval of the Secretary of the Army.

''(2) LIMITATIONS.—No licensing, marketing, or sponsorship agreement may be entered into under paragraph (1) if—

''(A) such agreement would reflect unfavorably on the ability of the Department of the Army, any of its employees, or any member of the armed forces to carry out any responsibility or duty in a fair and objective manner; or

''(B) the Secretary determines that the use of the trademark or service mark would compromise the integrity or appearance of integrity of any program of the Department of the Army, or any individual involved in such a program.

''(e) RETENTION AND USE OF FUNDS.—

''(1) IN GENERAL.—Any funds received by the Secretary under this section other than money rentals received for property leased pursuant to section 2667 of this title shall be used by the Academy for one or more of the following purposes:

''(A) To benefit participating cadets.

''(B) To enhance the ability of the Academy to compete against other colleges and universities.

''(2) AVAILABILITY OF FUNDS.—Funds described in paragraph (1) shall remain available until expended.

''(f) SERVICE ON ASSOCIATION BOARD OF DIRECTORS.—The Association is a designated entity for which authorization under sections 1033(a) and 1589(a) of this title may be provided.

''(g) CONDITIONS.—The authority provided in this section with respect to the Association is available only so long as the Association continues—

''(1) to qualify as a nonprofit organization under section 501(c)(3) of the Internal Revenue Code of 1986 and operates in accordance with this section, the law of the State of New York, and the constitution and bylaws of the Association; and

''(2) to operate exclusively to support the athletic and physical fitness programs of the Academy.

''(h) ASSOCIATION DEFINED.—In this section, the term 'Association' means the Army West Point Athletic Association.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 403 of such title is amended by adding at the end the following new item:

''4362. Support of athletic and physical fitness programs.''.

SEC. 539. ONLINE ACCESS TO THE HIGHER EDUCATION COMPONENT OF THE TRANSITION ASSISTANCE PROGRAM.

(a) NOTICE TO PROGRAM PARTICIPANTS OF AVAILABILITY OF COMPONENT ONLINE THROUGH THE DEPARTMENT OF DEFENSE.—If a member of the Armed Forces, veteran, or dependent requests a certificate of eligibility from the Secretary of Veterans Affairs to prove the eligibility of the member, veteran, or dependent, as the case may be, for educational assistance under chapter 33 of title 38, United States Code, the Secretary shall notify the member, veteran, or dependent of the availability of the higher education component of the Transition Assistance Program (TAP) on the Transition GPS Standalone Training Internet website of the Department of Defense.

(b) AVAILABILITY OF COMPONENT ONLINE THROUGH THE DEPARTMENT OF VETERANS AFFAIRS.—

(1) IN GENERAL.—The Secretary of Defense shall, in collaboration with the Secretary of Veterans Affairs, assess the feasibility of—

(A) providing access for veterans and dependents to the higher education component of the Transition Assistance Program on the eBenefits Internet website of the Department of Veterans Affairs; and

(B) tracking the completion of that component through that Internet website.

(2) REPORT TO CONGRESS.—The Secretary of Defense shall submit to Congress a report setting forth a description of the cost and length of time required to provide access and begin tracking completion of the higher education component of the Transition Assistance Program as described in paragraph (1).

Subtitle E—Military Justice

SEC. 546. MODIFICATION OF RULE 304 OF THE MILITARY RULES OF EVIDENCE RELATING TO THE CORROBORATION OF A CONFESSION OR ADMISSION.

Not later than 180 days after the date of the enactment of this Act, Rule 304(c) of the Military Rules of Evidence shall be modified as follows:

(1) To provide that an admission or a confession of the accused may be considered as evidence against the accused on the question of guilt or innocence only if independent evidence, either direct or circumstantial, has been admitted into evidence which would tend to establish the trustworthiness of the admission or confession.

(2) To provide that not every element or fact contained in the admission or confession must be independently proven for the admission or confession to be admitted into evidence in its entirety.

(3) To strike the rule that if independent evidence raises an inference of the truth of some but not all of the essential facts admitted, the confession or admission may be considered as evidence against the accused only with respect to those essential facts stated in the confession or admission that are corroborated by the independent evidence.

(4) With respect to the quantum of evidence needed to establish corroboration, to provide that the independent evidence need raise only an inference of the truth of the admission or confession.

SEC. 547. MODIFICATION OF RULE 104 OF THE RULES FOR COURTS-MARTIAL TO ESTABLISH CERTAIN PROHIBITIONS CONCERNING EVALUATIONS OF SPECIAL VICTIMS' COUNSEL.

Not later than 180 days after the date of the enactment of this Act, Rule 104(b) of the Rules for Courts-Martial shall be modified to provide that the prohibitions concerning evaluations established by that Rule shall apply to the giving of a less favorable rating or evaluation to any member of the Armed Forces serving as a Special Victims' Counsel because of the zeal with which such counsel represented a victim.

SEC. 548. RIGHT OF VICTIMS OF OFFENSES UNDER THE UNIFORM CODE OF MILITARY JUSTICE TO TIMELY DISCLOSURE OF CERTAIN MATERIALS AND INFORMATION IN CONNECTION WITH PROSECUTION OF OFFENSES.

Section 806b(a) of title 10, United States Code (article 6b(a) of the Uniform Code of Military Justice), is amended—

(1) by redesignating paragraphs (3) through (8) as paragraphs (4) through (9), respectively; and

(2) by inserting after paragraph (2) the following new paragraph (3):

''(3) The right to the timely disclosure by trial counsel to the victim (or the Special Victims' Counsel of the victim if the victim is so represented) of the following:

''(A) Any charges and specifications related to the offense.

''(B) Any motions filed by trial counsel or defense counsel in connection with the court-martial of the offense, unless otherwise protected from disclosure.

''(C) All statements by the accused related to the offense.

''(D) Any statement by the victim in connection with the offense that is in the possession of the government.

''(E) Any portions relating to the victim in any report of an investigation of the offense that is in the possession of the government.

''(F) In the event the staff judge advocate advises pursuant to section 834 of this title (article 34) that any charge or specification in connection with the offense not be referred for trial, the advice making such recommendation, with such advice to be so provided before the convening authority acts on the advice.''.

SEC. 549. ENFORCEMENT OF CERTAIN CRIME VICTIMS' RIGHTS BY THE COURT OF CRIMINAL APPEALS.

Section 806b of title 10, United States Code (article 6b of the Uniform Code of Military Justice), is amended—

(1) by redesignating subsection (d) as subsection (e); and

(2) by inserting after subsection (c) the following new subsection (d):

''(d) ENFORCEMENT OF CERTAIN RIGHTS BY COURT OF CRIMINAL APPEALS.—(1)(A) If the victim of an offense under this chapter believes that a preliminary hearing ruling under section 832 of this title (article 32), or a court-martial ruling, violates the victim's rights afforded by a section (article) or rule specified in paragraph (2), the victim may file an interlocutory appeal of such ruling by petitioning the Court of Criminal Appeals for an order to require the judge advocate conducting such preliminary hearing, or the court-martial, as the case may be, to comply with the section (article) or rule, as applicable.

''(B) A victim of an offense under this chapter who is subject to an order to submit to a deposition notwithstanding the fact that the victim shall be available to testify at the court-martial of the offense may file an interlocutory appeal of such order by petitioning the Court of Criminal Appeals for an order to quash such order.

''(C) The Court of Criminal Appeals shall provide a de novo review of the question or questions raised by a petition filed under this paragraph. A single judge or panel of judges shall take up and decide the petition within 72 hours after the petition is filed.

''(2) Paragraph (1)(A) applies with respect to the protections afforded by the following:

''(A) This section (article).

''(B) Military Rule of Evidence 412, relating to the admission of evidence regarding a victim's sexual background.

''(C) Military Rule of Evidence 513, relating to the psychotherapist-patient privilege.

''(D) Military Rule of Evidence 514, relating to the victim advocate-victim privilege.

''(E) Military Rule of Evidence 615, relating to the exclusion of witnesses.

''(3) The proceedings of a preliminary hearing under section 832 of this title (article 32), or a court-martial, may not be stayed or subject to a continuance of more than five days for purposes of enforcing this subsection. If the Court of Criminal Appeals denies the relief sought, the reasons for the denial shall be clearly stated on the record in a written opinion.''.

SEC. 550. RELEASE TO VICTIMS UPON REQUEST OF COMPLETE RECORD OF PROCEEDINGS AND TESTIMONY OF COURTS-MARTIAL IN CASES IN WHICH SENTENCES ADJUDGED COULD INCLUDE PUNITIVE DISCHARGE.

(a) IN GENERAL.—Section 854(e) of title 10, United States Code (article 54(e) of the Uniform Code of Military Justice), is amended—

(1) by inserting ''(1)'' after ''(e)'';

(2) in paragraph (1), as so designated, by inserting ''or the victim requests such records'' before the period at the end of the first sentence; and

(3) by adding at the end the following new paragraphs:

''(2) In the case of a general or special court-martial involving an offense (other than an offense covered by paragraph (1)) for which the sentence as adjudged could include punitive discharge from the armed forces, a copy of all prepared records of the proceedings of the court-martial shall be given to the victim of the offense if the victim requests such records.

''(3) Records given to a victim under this subsection at the request of the victim in a case where the court-martial concerned resulted in the acquittal of the accused may include restrictions on release or use of such records or information in such records in order to protect the privacy or other interests of the accused.''.

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall take effect on the date of the enactment of this Act, and shall apply with respect to courts-martial first convened on or after that date.

SEC. 551. REPRESENTATION AND ASSISTANCE OF VICTIMS BY SPECIAL VICTIMS' COUNSEL IN QUESTIONING BY MILITARY CRIMINAL INVESTIGATORS.

Section 1044e(f) of title 10, United States Code, is amended by adding at the end the following new paragraph:

''(3)(A) In carrying out paragraph (1), a military criminal investigator seeking to question an individual eligible for the assistance of a Special Victims' Counsel under this section shall inform the individual of the individual's right to be represented by a Special Victims' Counsel in connection with such questioning.

''(B) If an individual described in subparagraph (A) requests representation by a Special Victims' Counsel in connection with questioning described in that subparagraph—

''(i) a Special Victims' Counsel shall represent and assist the individual during and in connection with such questioning;

''(ii) the military criminal investigator shall contact and question the individual only through the Special Victims' Counsel representing the individual; and

''(iii) the military criminal investigation may not contact or question the individual without the consent of such Special Victims' Counsel.

''(C) Nothing in this paragraph confers any right on an accused under investigation.

''(D) A violation of this paragraph shall not be a basis for the suppression of any statement of an individual described in subparagraph (A), or derivative evidence of such a statement, in a proceeding against a person accused with committing an offense against such individual.''.

SEC. 552. AUTHORITY OF SPECIAL VICTIMS' COUNSEL TO PROVIDE LEGAL CONSULTATION AND ASSISTANCE IN CONNECTION WITH VARIOUS GOVERNMENT PROCEEDINGS.

Section 1044e(b) of title 10, United States Code, is amended—

(1) by redesignating paragraph (9) as paragraph (10); and

(2) by inserting after paragraph (8) the following new paragraph (9):

''(9) Legal consultation and assistance in connection with—

''(A) any complaint against the Government, including an allegation under review by an inspector general and a complaint regarding equal employment opportunities;

''(B) any request to the Government for information, including a request under section 552a of title 5 (commonly referred to as a 'Freedom of Information Act request'); and

''(C) any correspondence or other communications with Congress.''.

SEC. 553. ENHANCEMENT OF CONFIDENTIALITY OF RESTRICTED REPORTING OF SEXUAL ASSAULT IN THE MILITARY.

(a) PREEMPTION OF STATE LAW TO ENSURE CONFIDENTIALITY OF REPORTING.—Subsection (b) of section 1565b of title 10, United States Code, is amended by adding at the end the following new paragraph:

''(3) In the case of information disclosed pursuant to paragraph (1), any State law or regulation that would require an individual specified in paragraph (2) to disclose the personally identifiable information of the adult victim or alleged perpetrator of the sexual assault to a State or local law enforcement agency shall not apply, except when reporting is necessary to prevent or mitigate a serious and imminent threat to the health or safety of an individual.''.

(b) CLARIFICATION OF SCOPE.—Paragraph (1) of such subsection is amended by striking ''a dependent'' and inserting ''an adult dependent''.

(c) DEFINITIONS.—Such section is further amended by adding at the end the following new subsection:

''(c) DEFINITIONS.—In this section:

''(1) SEXUAL ASSAULT.—The term 'sexual assault' includes the offenses of rape, sexual assault, forcible sodomy, aggravated sexual contact, abusive sexual contact, and attempts to commit such offenses, as punishable under applicable Federal or State law.

''(2) STATE.—The term 'State' includes the District of Columbia, the Commonwealth of Puerto Rico, the Commonwealth of the Northern Mariana Islands, and any territory or possession of the United States.''.

SEC. 554. ESTABLISHMENT OF OFFICE OF COMPLEX INVESTIGATIONS WITHIN THE NATIONAL GUARD BUREAU.

(a) IN GENERAL.—Chapter 1101 of title 10, United States Code, is amended by adding at the end the following new section:

''§ 10509. Office of Complex Investigations

''(a) IN GENERAL.—There is in the National Guard Bureau an Office of Complex Investigations (in this section referred to as the 'Office') under the authority, direction, and control of the Chief of the National Guard Bureau.

''(b) DISPOSITION AND FUNCTIONS.—The Office shall be organized, trained, equipped, and managed to conduct administrative investigations in order to assist the States in the organization, maintenance, and operation of the National Guard as follows:

''(1) In investigations of allegations of sexual assault involving members of the National Guard.

''(2) In Investigations in circumstances involving members of the National Guard in which other law enforcement agencies within the Department of Defense do not have, or have limited, jurisdiction or authority to investigate.

''(3) In investigations in such other circumstances involving members of the National Guard as the Chief of the National Guard Bureau may direct.

''(c) SCOPE OF INVESTIGATIVE AUTHORITY.—Individuals performing investigations described in subsection (b)(1) are authorized—

''(1) to have access to all records, reports, audits, reviews, documents, papers, recommendations, or other material available to the applicable establishment which relate to programs and operations with respect to the National Guard; and

''(2) to request such information or assistance as may be necessary for carrying out those duties from any Federal, State, or local governmental agency or unit thereof.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 1101 of such title is amended by adding at the end the following new item:

''10509. Office of Complex Investigations.''.

SEC. 555. MODIFICATION OF DEADLINE FOR ESTABLISHMENT OF DEFENSE ADVISORY COMMITTEE ON INVESTIGATION, PROSECUTION, AND DEFENSE OF SEXUAL ASSAULT IN THE ARMED FORCES.

Section 546(a)(2) of the Carl Levin and Howard P. ''Buck'' McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113–291; 128 Stat. 3374; 10 U.S.C. 1561 note) is amended by striking ''not later

than'' and all that follows and inserting ''not later than 90 days after the date of the enactment of the National Defense Authorization Act for Fiscal Year 2016.''.

SEC. 556. COMPTROLLER GENERAL OF THE UNITED STATES REPORTS ON PREVENTION AND RESPONSE TO SEXUAL ASSAULT BY THE ARMY NATIONAL GUARD AND THE ARMY RESERVE.

(a) INITIAL REPORT.—Not later than April 1, 2016, the Comptroller General of the United States shall submit to Congress a report on the preliminary assessment of the Comptroller General (made pursuant to a review conducted by the Comptroller General for purposes of this section) of the extent to which the Army National Guard and the Army Reserve—

(1) have in place policies and programs to prevent and respond to incidents of sexual assault involving members of the Army National Guard or the Army Reserve, as applicable;

(2) provide medical and mental health care services to members of the Army National Guard or the Army Reserve, as applicable, following a sexual assault; and

(3) have identified whether the nature of service in the Army National Guard or the Army Reserve, as the case may be, poses challenges to the prevention of or response to sexual assault.

(b) ADDITIONAL REPORTS.—If after submitting the report required by subsection (a) the Comptroller General makes additional assessments as a result of the review described in that subsection, the Comptroller General shall submit to Congress such reports on such additional assessments as the Comptroller General considers appropriate.

SEC. 557. SENSE OF CONGRESS ON THE SERVICE OF MILITARY FAMILIES AND ON SENTENCING RETIREMENT-ELIGIBLE MEMBERS OF THE ARMED FORCES.

(a) FINDINGS.—Congress makes the following findings:

(1) Military families serve alongside their member of the Armed Forces, enduring hardships, lending support, and contributing to the member's career. These family members endure frequent moves, long periods of separation, and other unique hardships associated with military life.

(2) Innocent family members are sometimes inadvertently punished when the member they depend on forfeits retirement benefit eligibility due to a court-martial sentence.

(3) When a retirement-eligible member forfeits retirement eligibility, that member's innocent family members lose the security of benefits they had planned for and helped earn.

(4) Military juries may choose to impose unjustly light sentences on convicted members out of concern for the innocent family members when a just sentence would require stripping the member of retirement eligibility.

(b) SENSE OF CONGRESS.—It is the sense of Congress—

(1) that military juries should not face the difficult choice between imposing a fair sentence or protecting the benefits of a member of the Armed Forces for the sake of innocent family members;

(2) that innocent military family members of retirement-eligible members should not be made to forgo benefits they have sacrificed for and helped to earn; and

(3) to welcome the opportunity to work with the Department of Defense to develop the necessary laws and regulations to improve the military justice system and to protect the benefits that military families have helped earn.

Subtitle F—Defense Dependents Education and Military Family Readiness

SEC. 561. CONTINUATION OF AUTHORITY TO ASSIST LOCAL EDUCATIONAL AGENCIES THAT BENEFIT DEPENDENTS OF MEMBERS OF THE ARMED FORCES AND DEPARTMENT OF DEFENSE CIVILIAN EMPLOYEES.

(a) ASSISTANCE TO SCHOOLS WITH SIGNIFICANT NUMBERS OF MILITARY DEPENDENT STUDENTS.—Of the amount authorized to be appropriated for fiscal year 2016 by section 301 and available for operation and maintenance for Defense-wide activities as specified in the funding table in section 4301, $25,000,000 shall be available only for the purpose of providing assistance to local educational agencies under subsection (a) of section 572 of the National Defense Authorization Act for Fiscal Year 2006 (Public Law 109–163; 20 U.S.C. 7703b).

(b) LOCAL EDUCATIONAL AGENCY DEFINED.—In this section, the term ''local educational agency'' has the meaning given that term in section 8013(9) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7713(9)).

SEC. 562. IMPACT AID FOR CHILDREN WITH SEVERE DISABILITIES.

Of the amount authorized to be appropriated for fiscal year 2016 pursuant to section 301 and available for operation and maintenance for Defense-wide activities as specified in the funding table in section 4301, $5,000,000 shall be available for payments under section 363 of the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001 (as enacted into law by Public Law 106–398; 114 Stat. 1654A–77; 20 U.S.C. 7703a).

SEC. 563. AUTHORITY TO USE APPROPRIATED FUNDS TO SUPPORT DEPARTMENT OF DEFENSE STUDENT MEAL PROGRAMS IN DOMESTIC DEPENDENT ELEMENTARY AND SECONDARY SCHOOLS LOCATED OUTSIDE THE UNITED STATES.

(a) AUTHORITY.—Section 2243 of title 10, United States Code, is amended—

(1) in subsection (a)—

(A) by striking ''the defense dependents' education system'' and inserting ''overseas defense dependents' schools''; and

(B) by striking ''students enrolled in that system'' and inserting ''students enrolled in such a school'';

(2) in subsection (d), by striking ''Department of Defense dependents' schools which are located outside the United States'' and inserting ''overseas defense dependents' schools''; and

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

''(e) OVERSEAS DEFENSE DEPENDENTS' SCHOOL DEFINED.—In this section, the term 'overseas defense dependents' school' means the following:

''(1) A school established as part of the defense dependents' education system provided for under the Defense Dependents' Education Act of 1978 (20 U.S.C. 921 et seq.).

''(2) An elementary or secondary school established pursuant to section 2164 of this title that is located in a territory, commonwealth, or possession of the United States.''.

(b) CONFORMING AMENDMENTS.—

(1) HEADING AMENDMENT.—The heading of such section is amended by inserting ''**defense**'' after ''**overseas**''.

(2) TABLE OF SECTIONS.—The table of sections at the beginning of subchapter I of chapter 134 of such title is amended in the item relating to section 2243 by inserting ''defense'' after ''overseas''.

SEC. 564. BIENNIAL SURVEYS OF MILITARY DEPENDENTS ON MILITARY FAMILY READINESS MATTERS.

(a) BIENNIAL SURVEYS REQUIRED.—The Director of the Office of Family Policy of the Department of Defense shall undertake every other year a survey of adult dependents of members of the Armed Forces on the matters specified in subsection (b). Participation by dependents in the survey shall be voluntary.

(b) MATTERS.—The matters specified in this subsection are the following:

(1) Mental health of dependents of members of the Armed Forces.

(2) Incidence of suicide and suicidal ideation among dependents of members of the Armed Forces.

(3) Incidence of divorce among dependents of members of the Armed Forces.

(4) Incidence of spousal abuse, child abuse, sexual assault, and harassment among dependents of members of the Armed Forces.

(5) Financial health and financial literacy of military families.

(6) Employment and education of dependents of members of the Armed Forces.

(7) Adequacy and availability of child care for dependents of members of the Armed Forces.

(8) Quality of programs for military families.

(9) Such other matters relating to military family readiness as the Director considers appropriate.

Subtitle G—Miscellaneous Reporting Requirements

SEC. 571. EXTENSION OF SEMIANNUAL REPORTS ON THE INVOLUNTARY SEPARATION OF MEMBERS OF THE ARMED FORCES.

Section 525(a) of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112–239; 126 Stat. 1724) is amended by striking ''calendar years 2013 and 2014'' and ''each of calendar years 2013 through 2017''.

SEC. 572. REMOTELY PILOTED AIRCRAFT CAREER FIELD MANNING SHORTFALLS.

(a) LIMITATION.—Of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2016 for operation and maintenance for the Office of the Secretary of the Air Force, not more than 85 percent may be obligated or expended until a period of 15 days has elapsed following the date on which the Secretary of the Air Force submits to the congressional defense committees the report described in subsection (b).

(b) REPORT REQUIRED.—

(1) IN GENERAL.—Not later than 60 days after the date of enactment of this Act, the Secretary of the Air Force shall submit to the congressional defense committees a report on remotely piloted aircraft career field manning levels and actions the Air Force will take to rectify personnel shortfalls.

(2) ELEMENTS.—The report required under paragraph (1) shall include the following elements:

(A) A description of current and projected manning requirements and inventory levels for remotely piloted aircraft systems.

(B) A description of rated and non-rated officer and enlisted manning policies for authorization and inventory levels in effect for remotely piloted aircraft systems and units, to include whether remotely piloted aircraft duty is considered as a permanent Air Force Specialty Code or treated as an ancillary single assignment duty, and if both are used, the division of authorizations between permanently assigned personnel and those who will return to a different primary career field.

(C) Comparisons to other Air Force manned combat aircraft systems and units with respect to personnel policies, manpower authorization levels, and projected personnel inventory.

(D) Identification and assessment of mitigation actions to increase unit manning levels, including recruitment and retention bonuses, incentive pay, use of enlisted personnel, and increased weighting to remotely piloted aircraft personnel on promotion boards, and to ensure the school house for remotely piloted aircraft personnel is sufficient to meet increased manning demands.

(E) Analysis demonstrating the requirements determination for how remotely piloted aircraft pilot and sensor operators are selected, including whether individuals are prior rated or non-rated qualified, what prerequisite training or experience is necessary, and required and types of basic and advanced qualification training for each mission design series of remotely piloted aircraft in the Air Force inventory.

(F) Recommendations for changes to existing legislation required to implement mitigation actions.

(G) An assessment of the authorization levels of government civilian and contractor support required for sufficiency of remotely piloted aircraft career field manning.

(H) A description and associated timeline of actions the Air Force will take to increase remotely piloted aircraft career field manpower authorizations and manning levels to at least the equal of the normative levels of manning and readiness of all other combat aircraft career fields.

(I) A description of any other matters concerning remotely piloted aircraft career field manning levels the Secretary of the Air Force determines to be appropriate.

(3) FORM.—The report required under paragraph (1) may be submitted in classified form, but shall also contain an unclassified executive summary and may contain an unclassified annex.

(4) NONDUPLICATION OF EFFORT.—If any information required under paragraph (1) has been included in another report or notification previously submitted to Congress by law, the Secretary of the Air Force may provide a list of such reports and notifications at the time of submitting the report required under this subsection in lieu of including such information in the report.

Subtitle H—Other Matters

PART I—FINANCIAL LITERACY AND PREPAREDNESS OF MEMBERS OF THE ARMED FORCES

SEC. 581. IMPROVEMENT OF FINANCIAL LITERACY AND PREPAREDNESS OF MEMBERS OF THE ARMED FORCES.

(a) IN GENERAL.—Section 992 of title 10, United States Code, is amended—

(1) in subsection (a)—

(A) in the subsection heading, by striking ''CONSUMER EDUCATION'' and inserting ''FINANCIAL LITERACY TRAINING'';

(B) in paragraph (1), by striking ''education'' in the matter preceding subparagraph (A) and inserting ''financial literacy training'';

(C) in paragraph (2)—

(i) in the matter preceding subparagraph (A), by striking ''as'';

(ii) in subparagraph (A)—

(I) by inserting ''as'' before ''a component'';

(II) by striking ''orientation''; and

(III) by striking ''and'' after the semicolon;

(iii) by redesignating subparagraph (B) as subparagraph (J); and

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

''(B) upon arrival at the first duty station;

''(C) upon arrival at each duty station following the first duty station in the case of each member in pay grade E–4 or below or in pay grade O–3 or below;

''(D) on the date of promotion, in the case of each member in pay grade E–5 or below or in pay grade O–4 or below;

''(E) when the member vests in the Thrift Savings Plan (TSP);

''(F) at each major life event during the member's service, such as—

''(i) marriage;

''(ii) divorce;

''(iii) birth of first child; or

''(iv) disabling sickness or condition;

''(G) during leadership training;

''(H) during pre-deployment training and during post-deployment training;

''(I) at transition points in military service, such as—

''(i) transition from a regular component to a reserve component;

''(ii) separation from service; or

''(iii) retirement; and''; and

(v) in subparagraph (J), as redesignated by clause (iii), by inserting ''as'' before ''a component'';

(D) in paragraph (3), by striking ''(2)(B)'' and inserting ''(2)(J)''; and

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

''(4) The Secretary concerned shall prescribe regulations setting forth any additional events and circumstances (other than those described in paragraph (2)) for which the Secretary determines that training under this subsection shall be required.''.

(b) FINANCIAL LITERACY AND PREPAREDNESS SURVEY.—Such section is further amended—

(1) by redesignating subsection (d) as subsection (e); and

(2) by inserting after subsection (c) the following new subsection (d):

''(d) FINANCIAL LITERACY AND PREPAREDNESS SURVEY.—(1) The Director of the Defense Manpower Data Center shall annually include in the status of forces survey a survey of the status of the financial literacy and preparedness of members of the armed forces.

''(2) The results of the annual financial literacy and preparedness survey—

''(A) shall be used by each of the Secretaries concerned as a benchmark to evaluate and update training provided under this section; and

''(B) shall be submitted to the Committees on Armed Services of the Senate and the House of Representatives.''.

(c) ADDITIONAL FINANCIAL SERVICES COVERED BY LITERACY TRAINING.—Subsection (e) of such section, as redesignated by subsection (b)(1) of this section, is amended by adding at the end the following new paragraph:

''(4) Health insurance, budget management, Thrift Savings Plan (TSP), retirement lump sum payments (including rollover options and tax consequences), and Survivor Benefit Plan (SBP) .''.

(d) CONFORMING AND CLERICAL AMENDMENTS.—

(1) SECTION HEADING.—The heading of such section is amended to read as follows:

''§ 992. Financial literacy training: financial services''.

(2) TABLE OF SECTIONS.—The table of sections at the beginning of chapter 50 of such title is amended by striking the item related to section 992 and inserting the following new item:

''992. Financial literacy training: financial services.''.

SEC. 582. FINANCIAL LITERACY TRAINING WITH RESPECT TO CERTAIN FINANCIAL SERVICES FOR MEMBERS OF THE UNIFORMED SERVICES.

(a) IN GENERAL.—The Secretary concerned shall provide the financial literacy training under section 992 of title 10, United States Code, for the financial services described in paragraph (4) of section 992(e) of such title (as amended and added by section 581 of this Act) to members of the uniformed services under the jurisdiction of such Secretary commencing not later than six months after the date of the enactment of this Act.

(b) DEFINITIONS.—In this section, the terms ''uniformed services'' and ''Secretary concerned'' have the meaning given such terms in section 101(a) of title 10, United States Code.

SEC. 583. SENSE OF CONGRESS ON FINANCIAL LITERACY AND PREPAREDNESS OF MEMBERS OF THE ARMED FORCES.

It is the sense of Congress that—

(1) the Secretary of Defense should strengthen arrangements with other departments and agencies of the Federal Government, as well as with nonprofit organizations, in order to improve the financial literacy and preparedness of members of the Armed Forces; and

(2) the Chairman of the Joint Chiefs of Staff and the Chiefs of Staff of the Armed Forces should provide support for the financial literacy and preparedness training carried out under section 992 of title 10, United States Code (as amended by section 581 of this Act).

PART II—OTHER MATTERS

SEC. 586. AUTHORITY FOR APPLICATIONS FOR CORRECTION OF MILITARY RECORDS TO BE INITIATED BY THE SECRETARY CONCERNED.

Section 1552(b) of title 10, United States Code, is amended—

(1) by striking ''or his heir or legal representative'' and inserting ''(or the claimant's heir or legal representative) or the Secretary concerned''; and

(2) by striking ''he discovers'' and inserting ''discovering''.

SEC. 587. RECORDATION OF OBLIGATIONS FOR INSTALLMENT PAYMENTS OF INCENTIVE PAYS, ALLOWANCES, AND SIMILAR BENEFITS WHEN PAYMENT IS DUE.

(a) IN GENERAL.—Chapter 19 of title 37, United States Code, is amended by adding at the end the following new section:

''§ 1015. Recordation of installment payment obligations for incentive pays and similar benefits

''(a) IN GENERAL.—In the case of any pay, allowance, bonus, or other benefit described in subsection (b) that is paid to a member of the uniformed services on an installment basis, each installment payment shall be charged to appropriations that are available for obligation at the time such payment is payable.

''(b) COVERED PAY AND BENEFITS.—Subsection (a) applies to any incentive pay, special pay, or bonus, or similar periodic payment of pay or allowances, or of educational benefits or stipends, that is paid to a member of the uniformed services under this title or title 10.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 19 of such title is amended by adding at the end the following new item:

''1015. Recordation of installment payment obligations for incentive pays and similar benefits.''.

SEC. 588. ENHANCEMENTS TO YELLOW RIBBON REINTEGRATION PROGRAM.

(a) SCOPE AND PURPOSE.—Section 582 of the National Defense Authorization Act for Fiscal Year 2008 (10 U.S.C. 10101 note) is amended—

(1) in subsection (a), by striking ''combat veteran''; and

(2) in subsection (b), by striking ''informational events and activities'' and inserting ''information, events, and activities''.

(b) ELIGIBILITY.—Such section is further amended—

(1) in subsection (a), by striking ''National Guard and Reserve members and their families'' and inserting ''eligible individuals'';

(2) in subsection (b), by striking ''members of the reserve components of the Armed Forces, their families,'' and inserting ''eligible individuals'';

(3) in subsection (d)(2)(C), by striking ''members of the Armed Forces and their families'' and inserting ''eligible individuals'';

(4) in subsection (h), in the matter preceding paragraph (1)—

(A) by striking ''members of the Armed Forces and their family members'' and inserting ''eligible individuals''; and

(B) by striking ''such members and their family members'' and inserting ''such eligible individuals'';

(5) in subsection (j), by striking ''members of the Armed Forces and their families'' and inserting ''eligible individuals'';

(6) in subsection (k), by striking ''individual members of the Armed Forces and their families'' and inserting ''eligible individuals''; and

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

''(l) ELIGIBLE INDIVIDUALS.—For the purposes of this section, the term 'eligible individual' means a member of a reserve component, a member of their family, or a designated representative who the Secretary of Defense determines to be eligible for the Yellow Ribbon Reintegration Program.''.

(c) OFFICE FOR REINTEGRATION PROGRAMS.—

(1) OVERSIGHT OF YELLOW RIBBON REINTEGRATION PROGRAM.—Paragraph (1)(A) of subsection (d) of such section is amended by striking the second and third sentence and inserting ''The office shall exercise oversight over the Yellow Ribbon Reintegration Program, and shall be responsible for coordination with State National Guard and Reserve organizations, including existing family and support programs.''.

(2) PARTNERSHIPS TO PROVIDE QUALITY OF LIFE SERVICES.—Paragraph (1)(B) of such subsection is amended by striking ''substance abuse and mental health treatment services'' and inserting ''substance abuse, mental health treatment, and other quality of life services''.

(3) GRANT AUTHORITY.—Such subsection is further amended by adding at the end the following new paragraph:

''(3) GRANTS.—The Office for Reintegration Programs may make grants to conduct data collection, trend analysis, and curriculum development, and to prepare reports, in support of activities under this section.''.

(d) COORDINATION WITH COAST GUARD RESERVE.—Such section is further amended—

(1) in subsection (d)(1)(A), by striking ''and Air Force Reserve'' and inserting ''Air Force Reserve, and Coast Guard Reserve''; and

(2) in subsection (e)(1), by striking ''and Air Force Reserve'' and inserting ''Air Force Reserve, and Coast Guard Reserve''.

(e) DUE DATE OF ADVISORY BOARD ANNUAL REPORT.—Subsection (e)(4) of such section is amended by striking ''March'' and inserting ''April''.

(f) SUPPORT TEAMS.—Subsection (f) of such section is amended—

(1) in the matter preceding paragraph (1), by striking ''administer the Yellow Ribbon Reintegration Program at the State level'' and inserting ''support and assist State National Guard and Reserve organization reintegration efforts''; and

(2) by amending paragraph (1) to read as follows:

''(1) to provide reintegration curriculum and information;''.

(g) OPERATION OF PROGRAM.—

(1) ENHANCED FLEXIBILITY.—Subsection (g) of such section is amended to read as follows:

''(g) OPERATION OF PROGRAM.—

''(1) IN GENERAL.—The Office for Reintegration Programs shall assist State National Guard and Reserve organizations with the development and provision of information, events, and activities to support the health and well-being of eligible individuals before, during, and after periods of activation, mobilization, or deployment.

''(2) FOCUS OF INFORMATION, EVENTS, AND ACTIVITIES.—

''(A) BEFORE ACTIVATION, MOBILIZATION, OR DEPLOYMENT.—Before such a period, the information, events, and activities described in paragraph (1) should focus on preparing eligible individuals and affected communities for the rigors of activation, mobilization, and deployment.

''(B) DURING ACTIVATION, MOBILIZATION, OR DEPLOYMENT.—During such a period, the information, events, and activities described in paragraph (1) should focus on—

''(i) helping eligible individuals cope with the challenges and stress associated with such period;

''(ii) decreasing the isolation of eligible individuals during such period; and

''(iii) preparing eligible individuals for the challenges associated with reintegration.

''(C) AFTER ACTIVATION, MOBILIZATION, OR DEPLOYMENT.—After such a period, the information, events, and activities described in paragraph (1) should focus on—

''(i) reconnecting the member with their families, friends, and communities;

''(ii) providing information on employment opportunities;

''(iii) helping eligible individuals deal with the challenges of reintegration;

''(iv) ensuring that eligible individuals understand what benefits they are entitled to and what resources are available to help them overcome the challenges of reintegration; and

''(v) providing a forum for addressing negative behaviors related to operational stress and reintegration.

''(3) MEMBER PAY.—Members shall receive appropriate pay for days spent attending such events and activities.

''(4) MINIMUM NUMBER OF EVENTS AND ACTIVITIES.—State National Guard and Reserve organizations shall provide to eligible individuals—

''(A) one event or activity before a period of activation, mobilization, or deployment;

''(B) one event or activity during a period of activation, mobilization, or deployment; and

''(C) two events or activities after a period of activation, mobilization, or deployment.''.

(2) CONFORMING AMENDMENTS.—Such section is further amended—

(A) in subsection (a), by striking ''throughout the entire deployment cycle'';

(B) in subsection (b)—

(i) in the subsection heading, by striking ''; DEPLOYMENT CYCLE''; and

(ii) by striking ''well-being through the 4 phases'' through the end of the subsection and inserting ''well-being.'';

(C) in subsection (d)(2)(C), by striking ''throughout the deployment cycle described in subsection (g)''; and

(D) in subsection (f), by striking ''STATE DEPLOYMENT CYCLE'' in the subsection heading.

(h) ADDITIONAL PERMITTED OUTREACH SERVICE.—Subsection (h) of such section is amended by adding at the end the following new paragraph:

''(16) Stress management and positive coping skills.''.

(i) SUPPORT OF DEPARTMENT-WIDE SUICIDE PREVENTION EFFORTS.—Such section is further amended by inserting after subsection (h) the following new subsection:

''(i) SUPPORT OF SUICIDE PREVENTION EFFORTS.—The Office for Reintegration Programs shall assist the Defense Suicide Prevention Office and the Defense Centers of Excellence for Psychological Health and Traumatic Brain Injury to collect and analyze information, suggestions, and best practices from State National Guard and Reserve organizations with respect to suicide prevention and community response programs.''.

(j) TECHNICAL AMENDMENTS.—Such section is further amended—

(1) in subsection (d)(1)(B), by striking ''Substance Abuse and the Mental Health Services Administration'' and inserting ''Substance Abuse and Mental Health Services Administration''; and

(2) in subsection (e)(3)(C), by striking ''Office of Reintegration Programs'' and inserting ''Office for Reintegration Programs''.

SEC. 589. PRIORITY PROCESSING OF APPLICATIONS FOR TRANSPORTATION WORKER IDENTIFICATION CREDENTIALS FOR MEMBERS UNDERGOING DISCHARGE OR RELEASE FROM THE ARMED FORCES.

(a) PRIORITY PROCESSING.—The Secretary of Defense shall consult with the Secretary of Homeland Security to afford a priority in the processing of applications for a Transportation Worker Identification Credential (TWIC) to applications submitted by members of the Armed Forces who are undergoing separation, discharge, or release from the Armed Forces under honorable conditions, with such priority to provide for the review and adjudication of such an application by not later than 14 days after submittal, unless an appeal or waiver applies or further application documentation is necessary. The priority shall be so afforded commencing not later than 180 days after the date of the enactment of this Act to members who undergo separation, discharge, or release from the Armed Forces after the date on which the priority so commences being afforded.

(b) MEMORANDUM OF UNDERSTANDING.—The Secretary of Defense and the Secretary of Homeland Security shall enter into a memorandum of understanding in connection with achieving the requirement in subsection (a).

(c) REPORT.—Not later than one year after the date of the enactment of this Act, the Secretary of Defense and the Secretary of Homeland Security shall jointly submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the implementation of the requirements of this section. The report shall set forth the following:

(1) The memorandum of understanding required pursuant to subsection (b).

(2) A description of the number of individuals who applied for, and the number of individuals who have been issued, a Transportation Worker Identification Credential pursuant to the memorandum of understanding as of the date of the report.

(3) If any applications for a Transportation Worker Identification Credential covered by paragraph (2) were not reviewed and adjudicated within the deadline specified in subsection (a), a description of the reasons for the failure and of the actions being taken to assure that future applications for a Credential are reviewed and adjudicated within the deadline.

SEC. 590. ISSUANCE OF RECOGNITION OF SERVICE ID CARDS TO CERTAIN MEMBERS SEPARATING FROM THE ARMED FORCES.

(a) ISSUANCE REQUIRED.—

(1) IN GENERAL.—The Secretary of Defense shall issue to each covered individual a card that identifies such individual as a veteran and includes a photo of the individual and the name of the individual.

(2) DESIGNATION.—A card issued under paragraph (1) may be known as a ''Recognition of Service ID Card''.

(b) COVERED INDIVIDUALS.—For purposes of this section, a ''covered individual'' is an individual who is undergoing discharge or release from the Armed Forces (other than as the result of a punitive discharge adjudicated as part of a sentence at a court-martial after the effective date of this section) on or after the effective date provided for in subsection (e).

(c) COLLECTION OF AMOUNTS.—

(1) IN GENERAL.—The Secretary may collect from civilian employees of the Department of Defense and contractor personnel of the Department who are issued a replacement card for a lost or stolen Department of Defense identification card such amount as the Secretary considers appropriate to defray the cost of the issuance of cards under subsection (a), and to implement the issuance of cards without the assignment of additional personnel for that purpose.

(2) TREATMENT OF AMOUNTS.—The Secretary shall deposit amounts collected under this subsection to the account or accounts providing funds for the issuance of cards under subsection (a).

(d) RECOGNITION OF RECOGNITION OF SERVICE ID CARDS FOR REDUCED PRICES OF SERVICES, CONSUMER PRODUCTS, AND PHARMACEUTICALS.—The Secretary of Defense may work with national retail chains that offer reduced prices on services, consumer products, and pharmaceuticals to veterans to ensure that such retail chains recognize cards issued under subsection (a) for purposes of offering reduced prices on services, consumer products, and pharmaceuticals.

(e) EFFECTIVE DATE.—This section shall take effect on the date that is one year after the date of the enactment of this Act.

SEC. 591. REVISED POLICY ON NETWORK SERVICES FOR MILITARY SERVICES.

(a) ESTABLISHMENT OF POLICY.—It is the policy of the United States that the Secretary of Defense shall minimize and reduce, to the maximum extent practicable, the number of uniformed military personnel providing network services to military installations within the United States.

(b) PROHIBITION.—Except as provided in subsection (c), each military service shall be prohibited from using uniform military personnel to provide network services to military installations within the United States 2 years after the date of the enactment of this Act.

(c) EXCEPTION.—Nothing in subsection (b) shall be construed as prohibiting the use of military personnel providing network services in support of combatant commands, special operations, the intelligence community, or the United States Cyber Command, including training for these organizations.

(d) WAIVER.—The Secretary of Defense or the Chief Information Officer may waive the prohibition in subsection (b) if necessary for the safety of human life, protection of property, or providing network services in support of a combat operation.

(e) REPORT.—

(1) IN GENERAL.—Not later than March 30, 2016, the Chief Information Officer shall submit to the congressional defense committees a plan for the transition of the current performance of network services from military personnel to other means.

(2) ELEMENTS.—The report required under paragraph (1) shall include the following elements:

(A) An assessment of the costs of using military personnel versus other means to provide network services for the military services.

(B) An estimate of the savings of transitioning the current performance of network services from military personnel to other means.

(C) An estimate of the number of military personnel that could be reallocated for military-unique missions.

(f) VALIDATION OF COST AND SAVINGS ESTIMATES.—The report required under subsection (e) shall be validated by the Director of Cost Assessment and Program Evaluation.

SEC. 592. INCREASE IN NUMBER OF DAYS OF ACTIVE DUTY REQUIRED TO BE PERFORMED BY RESERVE COMPONENT MEMBERS FOR DUTY TO BE CONSIDERED FEDERAL SERVICE FOR PURPOSES OF UNEMPLOYMENT COMPENSATION FOR EXSERVICEMEMBERS.

(a) INCREASE OF NUMBER OF DAYS.—Section 8521(a)(1) of title 5, United States Code, is amended by striking ''90 days'' in the matter preceding subparagraph (A) and inserting ''180 days''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect on the date of the eanctment of this Act, and shall apply with respect to periods of Federal service commencing on or after that date.

TITLE VI—COMPENSATION AND OTHER PERSONNEL BENEFITS

Subtitle A—Pay and Allowances

SEC. 601. FISCAL YEAR 2016 INCREASE IN MILITARY BASIC PAY.

(a) WAIVER OF SECTION 1009 ADJUSTMENT.—The adjustment to become effective during fiscal year 2016 required by section 1009 of title 37, United States Code, in the rates of monthly basic pay authorized members of the uniformed services shall not be made.

(b) INCREASE IN BASIC PAY.—Effective on January 1, 2016, the rates of monthly basic pay for members of the uniformed services are increased by 1.3 percent for enlisted member pay grades, warrant officer pay grades, and commissioned officer pay grades below pay grade O–7.

(c) APPLICATION OF EXECUTIVE SCHEDULE LEVEL II CEILING ON PAYABLE RATES FOR GENERAL AND FLAG OFFICERS.—Section 203(a)(2) of title 37, United States Code, shall be applied for rates of basic pay payable for commissioned officers in pay grades O–7 through O–10 during calendar year 2016 by using the rate of pay for level II of the Executive Schedule in effect during 2014.

SEC. 602. MODIFICATION OF PERCENTAGE OF NATIONAL AVERAGE MONTHLY COST OF HOUSING USABLE IN COMPUTATION OF BASIC ALLOWANCE FOR HOUSING INSIDE THE UNITED STATES.

(a) MODIFICATION OF PERCENTAGE USABLE.—Section 403(b)(3)(B) of title 37, United States Code, is amended by striking ''one percent'' and inserting ''five percent''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect on January 1, 2016, and shall apply with respect to computations of monthly amounts of basic allowance for housing inside the United States that occur for years beginning on or after that date.

SEC. 603. EXTENSION OF AUTHORITY TO PROVIDE TEMPORARY INCREASE IN RATES OF BASIC ALLOWANCE FOR HOUSING.

Section 403(b)(7)(E) of title 37, United States Code, is amended by striking ''December 31, 2015'' and inserting ''December 31, 2016''.

SEC. 604. BASIC ALLOWANCE FOR HOUSING FOR MARRIED MEMBERS OF THE UNIFORMED SERVICES ASSIGNED FOR DUTY WITHIN NORMAL COMMUTING DISTANCE AND FOR OTHER MEMBERS LIVING TOGETHER.

(a) BAH FOR MARRIED MEMBERS ASSIGNED FOR DUTY WITHIN NORMAL COMMUTING DISTANCE.—Section 403 of title 37, United States Code, is amended by adding at the end the following new subsection:

''(p) SINGLE ALLOWANCE FOR MARRIED MEMBERS ASSIGNED FOR DUTY WITHIN NORMAL COMMUTING DISTANCE.—In the event two members of the uniformed services entitled to receive a basic allowance for housing under this section are married to one another and are each assigned for duty within normal commuting distance, basic allowance for housing under this section shall be paid only to the member having the higher pay grade, or to the member having rank in grade if both members have the same pay grade, and at the rate payable for a member of such pay grade with dependents (regardless of whether or not such members have dependents).''.

(b) BAH FOR OTHER MEMBERS LIVING TOGETHER.—Such section is further amended by adding at the end the following new subsection:

''(q) REDUCED ALLOWANCE FOR MEMBERS LIVING TOGETHER.—(1) In the event two or more members of the uniformed services who are entitled to receive a basic allowance for housing under this section live together, basic allowance for housing under this section shall be paid to each such member at the rate as follows:

''(A) In the case of such a member in a pay grade below pay grade E–4, the rate otherwise payable to such member under this section.

''(B) In the case of such a member in a pay grade above pay grade E–3, the rate equal to the greater of—

''(i) 75 percent of the rate otherwise payable to such member under this section; or

''(ii) the rate payable for a member in pay grade E–4 without dependents.

''(2) This subsection does not apply to members covered by subsection (p).''.

(c) EFFECTIVE DATE.—

(1) IN GENERAL.—The amendments made by this section shall take effect on October 1, 2015, and shall, except as provided in paragraph (2), apply with respect to allowances for basic housing payable for months beginning on or after that date.

(2) PRESERVATION OF CURRENT BAH FOR MEMBERS WITH UNINTERRUPTED ELIGIBILITY

FOR BAH.—Notwithstanding any amendment made by this section, the monthly amount of basic allowance for housing payable to a member of the uniformed services under section 403 of title 37, United States Code, as of September 30, 2015, shall not be reduced by reason of such amendment so long as the member retains uninterrupted eligibility for such basic allowance for housing within an area of the United States or within an overseas location (as applicable).

SEC. 605. REPEAL OF INAPPLICABILITY OF MODIFICATION OF BASIC ALLOWANCE FOR HOUSING TO BENEFITS UNDER THE LAWS ADMINISTERED BY THE SECRETARY OF VETERANS AFFAIRS.

(a) REPEAL.—Subsection (b) of section 604 of the Carl Levin and Howard P. ''Buck'' McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113–291) is repealed.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect on January 1, 2016.

SEC. 606. LIMITATION ON ELIGIBILITY FOR SUPPLEMENTAL SUBSISTENCE ALLOWANCES TO MEMBERS SERVING OUTSIDE THE UNITED STATES AND ASSOCIATED TERRITORY.

Section 402a(b) of title 37, United States Code, is amended—

(1) in paragraph (1), by inserting ''and paragraph (4)'' after ''subsection (d)''; and

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

''(4) After September 30, 2016, a member is eligible for a supplemental subsistence allowance under this section only if the member is serving outside the United States, the Commonwealth of Puerto Rico, the United States Virgin Islands, or Guam.''.

SEC. 607. AVAILABILITY OF INFORMATION.

In administering the supplemental nutrition assistance program established under the Food and Nutrition Act of 2008 (7 U.S.C. 2011 et seq.), the Secretary of Agriculture shall ensure that any safeguards that prevent the use or disclosure of information obtained from applicant households shall not prevent the use of that information by, or the disclosure of that information to, the Secretary of Defense for purposes of determining the number of applicant households that contain one or more members of a regular component or reserve component of the Armed Forces.

Subtitle B—Bonuses and Special and Incentive Pays

SEC. 611. ONE-YEAR EXTENSION OF CERTAIN BONUS AND SPECIAL PAY AUTHORITIES FOR RESERVE FORCES.

The following sections of title 37, United States Code, are amended by striking ''December 31, 2015'' and inserting ''December 31, 2016'':

(1) Section 308b(g), relating to Selected Reserve reenlistment bonus.

(2) Section 308c(i), relating to Selected Reserve affiliation or enlistment bonus.

(3) Section 308d(c), relating to special pay for enlisted members assigned to certain high-priority units.

(4) Section 308g(f)(2), relating to Ready Reserve enlistment bonus for persons without prior service.

(5) Section 308h(e), relating to Ready Reserve enlistment and reenlistment bonus for persons with prior service.

(6) Section 308i(f), relating to Selected Reserve enlistment and reenlistment bonus for persons with prior service.

(7) Section 478a(e), relating to reimbursement of travel expenses for inactive-duty training outside of normal commuting distance.

(8) Section 910(g), relating to income replacement payments for reserve component members experiencing extended and frequent mobilization for active duty service.

SEC. 612. ONE-YEAR EXTENSION OF CERTAIN BONUS AND SPECIAL PAY AUTHORITIES FOR HEALTH CARE PROFESSIONALS.

(a) TITLE 10 AUTHORITIES.—The following sections of title 10, United States Code, are amended by striking ''December 31, 2015'' and inserting ''December 31, 2016'':

(1) Section 2130a(a)(1), relating to nurse officer candidate accession program.

(2) Section 16302(d), relating to repayment of education loans for certain health professionals who serve in the Selected Reserve.

(b) TITLE 37 AUTHORITIES.—The following sections of title 37, United States Code, are amended by striking ''December 31, 2015'' and inserting ''December 31, 2016'':

(1) Section 302c-1(f), relating to accession and retention bonuses for psychologists.

(2) Section 302d(a)(1), relating to accession bonus for registered nurses.

(3) Section 302e(a)(1), relating to incentive special pay for nurse anesthetists.

(4) Section 302g(e), relating to special pay for Selected Reserve health professionals in critically short wartime specialties.

(5) Section 302h(a)(1), relating to accession bonus for dental officers.

(6) Section 302j(a), relating to accession bonus for pharmacy officers.

(7) Section 302k(f), relating to accession bonus for medical officers in critically short wartime specialties.

(8) Section 302l(g), relating to accession bonus for dental specialist officers in critically short wartime specialties.

SEC. 613. ONE-YEAR EXTENSION OF SPECIAL PAY AND BONUS AUTHORITIES FOR NUCLEAR OFFICERS.

The following sections of title 37, United States Code, are amended by striking ''December 31, 2015'' and inserting ''December 31, 2016'':

(1) Section 312(f), relating to special pay for nuclear-qualified officers extending period of active service.

(2) Section 312b(c), relating to nuclear career accession bonus.

(3) Section 312c(d), relating to nuclear career annual incentive bonus.

SEC. 614. ONE-YEAR EXTENSION OF AUTHORITIES RELATING TO TITLE 37 CONSOLIDATED SPECIAL PAY, INCENTIVE PAY, AND BONUS AUTHORITIES.

The following sections of title 37, United States Code, are amended by striking ''December 31, 2015'' and inserting ''December 31, 2016'':

(1) Section 331(h), relating to general bonus authority for enlisted members.

(2) Section 332(g), relating to general bonus authority for officers.

(3) Section 333(i), relating to special bonus and incentive pay authorities for nuclear officers.

(4) Section 334(i), relating to special aviation incentive pay and bonus authorities for officers.

(5) Section 335(k), relating to special bonus and incentive pay authorities for officers in health professions.

(6) Section 336(g), relating to contracting bonus for cadets and midshipmen enrolled in the Senior Reserve Officers' Training Corps.

(7) Section 351(h), relating to hazardous duty pay.

(8) Section 352(g), relating to assignment pay or special duty pay.

(9) Section 353(i), relating to skill incentive pay or proficiency bonus.

(10) Section 355(h), relating to retention incentives for members qualified in critical military skills or assigned to high priority units.

SEC. 615. ONE-YEAR EXTENSION OF AUTHORITIES RELATING TO PAYMENT OF OTHER TITLE 37 BONUSES AND SPECIAL PAYS.

The following sections of title 37, United States Code, are amended by striking ''December 31, 2015'' and inserting ''December 31, 2016'':

(1) Section 301b(a), relating to aviation officer retention bonus.

(2) Section 307a(g), relating to assignment incentive pay.

(3) Section 308(g), relating to reenlistment bonus for active members.

(4) Section 309(e), relating to enlistment bonus.

(5) Section 316a(g), relating to incentive pay for members of precommissioning programs pursuing foreign language proficiency.

(6) Section 324(g), relating to accession bonus for new officers in critical skills.

(7) Section 326(g), relating to incentive bonus for conversion to military occupational specialty to ease personnel shortage.

(8) Section 327(h), relating to incentive bonus for transfer between Armed Forces.

(9) Section 330(f), relating to accession bonus for officer candidates.

SEC. 616. INCREASE IN MAXIMUM ANNUAL AMOUNT OF NUCLEAR OFFICER BONUS PAY.

(a) INCREASE.—Section 333(d)(1)(A) of title 37, United States Code, is amended by striking ''$35,000'' and inserting ''$50,000''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect on January 1, 2016, and shall apply with respect to agreements entered into under section 333 of title 37, United States Code, on or after that date.

SEC. 617. REPEAL OF OBSOLETE AUTHORITY TO PAY BONUS TO ENCOURAGE ARMY PERSONNEL TO REFER PERSONS FOR ENLISTMENT IN THE ARMY.

(a) REPEAL.—Section 3252 of title 10, United States Code, is repealed.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 333 of such title is amended by striking the item relating to section 3252.

Subtitle C—Travel and Transportation Allowances

SEC. 621. REPEAL OF OBSOLETE SPECIAL TRAVEL AND TRANSPORTATION ALLOWANCE FOR SURVIVORS OF DECEASED MEMBERS FROM THE VIETNAM CONFLICT.

Section 481f of title 37, United States Code, is amended by striking subsection (d).

Subtitle D—Disability Pay, Retired Pay, and Survivor Benefits

PART I—RETIRED PAY REFORM

SEC. 631. THRIFT SAVINGS PLAN PARTICIPATION FOR MEMBERS OF THE UNIFORMED SERVICES.

(a) MODERNIZED RETIREMENT SYSTEM.—Section 8440e of title 5, United States Code, is amended by striking subsection (e) and inserting the following:

''(e) MODERNIZED RETIREMENT SYSTEM.—

''(1) TSP CONTRIBUTIONS.—The Secretary concerned shall make contributions to the Thrift Savings Fund, in accordance with section 8432, except to the extent the requirements under such section are modified by this subsection, for the benefit of a member who—

''(A) first enters a uniformed service on or after January 1, 2018; or

''(B) makes an election described in section 1409(b)(4)(B) or 12739(f) of title 10.

''(2) MAXIMUM AMOUNT.—The amount contributed under this subsection by the Secretary concerned for the benefit of a member

described in paragraph (1) for any pay period shall be not more than 5 percent of such member's basic pay for such pay period.

''(3) TIMING AND DURATION OF CONTRIBUTIONS.—

''(A) AUTOMATIC CONTRIBUTIONS.—The Secretary concerned shall make a contribution described in section 8432(c)(1) under this subsection for the benefit of a member described in paragraph (1) for any pay period during the period that—

''(i) begins on or after the day that is 60 days after the date the member first enters a uniformed service; and

''(ii) ends on the day such member completes 20 years of service as a member of the uniformed services.

''(B) MATCHING CONTRIBUTIONS.—The Secretary concerned shall make a contribution described in section 8432(c)(2) under this subsection for the benefit of a member described in paragraph (1) for any pay period during the period that—

''(i) begins on or after the day that is 2 years and 1 day after the date the member first enters a uniformed service; and

''(ii) ends on the day such member completes 20 years of service as a member of the uniformed services.

''(4) PROTECTIONS FOR SPOUSES AND FORMER SPOUSES.—Section 8435 shall apply to a member described in paragraph (1) in the same manner as such section is applied to an employee or Member under such section.

''(5) DEFINITION OF SECRETARY CONCERNED.—In this subsection the term 'Secretary concerned' has the meaning given the term in section 101 of title 37.''.

(b) AUTOMATIC ENROLLMENT IN TSP.—Section 8432(b)(2) of title 5, United States Code, is amended—

(1) in subparagraph (D)(ii)—

(A) by striking ''(ii) Members'' and inserting ''(ii)(I) Except as provided in subclause (II), members''; and

(B) by adding at the end the following:

''(II) A member described in section 8440e(e)(1) shall be an eligible individual for purposes of this paragraph.''; and

(2) by adding at the end the following:

''(F) Notwithstanding any other provision of this paragraph, a member described in section 8440e(e)(1) who has declined automatic enrollment into the Thrift Savings Plan shall be automatically reenrolled, on January 1 of the year succeeding the year for which the determination is made, to make contributions under subsection (a) at the default percentage of basic pay.

''(G) In this paragraph the term 'member' has the meaning given the term in section 211 of title 37.''.

(c) VESTING.—Section 8432(g) of title 5, United States Code, is amended—

(1) in paragraph (2)—

(A) in subparagraph (A)(iii), by striking ''or'' after the semicolon;

(B) in subparagraph (B), by striking the period and inserting ''; or''; and

(C) by adding at the end the following:

''(C) 2 years of service in the case of a member of the uniformed services.''; and

(2) by adding at the end the following:

''(6) For purposes of this subsection, a member of the uniformed services shall be considered to have separated from Government employment if the member is discharged or released from service in the uniformed services.''.

(d) THRIFT SAVINGS PLAN DEFAULT INVESTMENT FUND.—Section 8438(c)(2) of title 5, United States Code, as amended by section 2(a) of the Smarter Savings Act (Public Law 113–255), is amended—

(1) in subparagraph (A), by striking ''(A) Consistent with the requirements of subparagraph (B), if an'' and inserting ''If an''; and

(2) by striking subparagraph (B).

(e) CONFORMING AMENDMENTS.—

(1) Section 211 of title 37, United States Code, is amended—

(A) by striking subsection (d); and

(B) by redesignating subsection (e) as subsection (d).

(2) Section 8432b(c)(2)(B) of title 5, United States Code, is amended by striking ''(including pursuant to an agreement under section 211(d) of title 37)''.

(f) ACTIONS TO ASSURE IMPLEMENTATION BY EFFECTIVE DATE.—

(1) IN GENERAL.—The Secretaries concerned, the Director of the Office of Personnel Management, and the Federal Retirement Thrift Investment Board shall each and jointly take appropriate actions to ensure the full and effective commencement of the implementation of the amendments made by this section as of January 1, 2018.

(2) SECRETARY CONCERNED DEFINED.—In this subsection, the term ''Secretary concerned'' has the meaning given that term in section 101 of title 37, United States Code.

(g) EFFECTIVE DATES.—

(1) MODERNIZED RETIREMENT SYSTEM.—The amendment made by subsection (a) shall take effect on the date of the enactment of this Act.

(2) OTHER AMENDMENTS.—The amendments made by subsections (b) through (e) shall take effect on January 1, 2018.

SEC. 632. MODERNIZED RETIREMENT SYSTEM FOR MEMBERS OF THE UNIFORMED SERVICES.

(a) MODERNIZED RETIREMENT SYSTEM.—

(1) IN GENERAL.—Section 1409(b) of title 10, United States Code, is amended by adding at the end the following new paragraph:

''(4) MODERNIZED RETIREMENT SYSTEM.—

''(A) REDUCED MULTIPLIERS FOR MEMBERS RECEIVING TSP MATCHING CONTRIBUTIONS.—Notwithstanding paragraphs (1), (2), and (3), in the case of a member who first becomes a member of the uniformed services after January 1, 2018, or a member who makes the election described in subparagraph (B)—

''(i) subparagraph (A) of paragraph (1) shall be applied by substituting '2' for '2½'';

''(ii) clause (i) of paragraph (3)(B) shall be applied by substituting '60 percent' for '75 percent'; and

''(iii) subclause (I) of paragraph (3)(B)(ii) shall be applied by substituting '2' for '2½'.

''(B) ELECTION TO PARTICIPATE IN MODERNIZED RETIREMENT SYSTEM.—

''(i) ELECTION.—A member of a uniformed service serving on January 1, 2018, may elect to accept the reduced multipliers described in subparagraph (A) for purposes of calculating the retired pay of the member.

''(ii) EFFECT OF ELECTION.—A member making the election described in clause (i) shall—

''(I) have the retired pay of the member calculated using the reduced multipliers described in subparagraph (A);

''(II) receive Thrift Savings Plan (TSP) matching contributions pursuant to section 8440e(e) of title 5 for periods of service between the completion of 2 years of service and the completion of 20 years of service in accordance with paragraph (3)(B) of such section; and

''(III) be eligible for lump sum payments under section 1415 of this title.

''(iii) ELECTION PERIOD.—

''(I) IN GENERAL.—Except as provided in subclauses (II) and (III), a member of a uniformed service may make the election described in clause (i) during the period that begins on July 1, 2018, and ends on December 31, 2018.

''(II) HARDSHIP EXTENSION.—The Secretary concerned may extend the election period described in subclause (I) for a member who experiences a hardship as determined by the Secretary concerned.

''(III) MEMBERS EXPERIENCING BREAK IN SERVICE.—A member of a uniformed service returning to service after a break in service in which falls the election period specified in subclause (I) shall make the election described in clause (i) on the date of the reentry into service of the member.

''(iv) NO RETROACTIVE MATCHING CONTRIBUTIONS PURSUANT TO ELECTION.—Thrift Savings Plan matching contributions may not be made for a member under this subparagraph for any pay period beginning before the date of the member's election under clause (i).

''(C) REGULATIONS.—Each Secretary concerned shall prescribe regulations to implement this paragraph.''.

(2) NON-REGULAR SERVICE.—Section 12739 of such title is amended by adding at the end the following new subsection:

''(f) MODERNIZED RETIREMENT SYSTEM.—

''(1) REDUCED MULTIPLIERS FOR PERSONS RECEIVING TSP MATCHING CONTRIBUTIONS.—In the case of a person who first performs reserve component service after January 1, 2018, after not having performed regular or reserve component service on or before that date, or a person who makes the election described in paragraph (2)—

''(A) paragraph (2) of subsection (a) shall be applied by substituting '2 percent' for '2½ percent';

''(B) subparagraph (A) of subsection (c)(2) shall be applied by substituting '60 percent' for '75 percent'; and

''(C) clause (ii) of subsection (c)(2)(B) shall be applied by substituting '2 percent' for '2½ percent'.

''(2) ELECTION TO PARTICIPATE IN MODERNIZED RETIREMENT SYSTEM.—

''(A) ELECTION.—A person performing reserve component service on January 1, 2018, may elect to accept the reduced multipliers described in paragraph (1) for purposes of calculating the retired pay of the person.

''(B) EFFECT OF ELECTION.—A person making the election described in subparagraph (A) shall—

''(i) have the retired pay of the person calculated using the reduced multipliers described in paragraph (1):

''(ii) receive Thrift Savings Plan (TSP) matching contributions pursuant to section 8440e(e) of title 5 for periods of service between the completion of 2 years of service and the completion of 20 years of service in accordance with paragraph (3)(B) of such section; and

''(iii) be eligible for lump sum payments under section 1415 of this title.

''(C) ELECTION PERIOD.—

''(i) IN GENERAL.—Except as provided in clauses (ii) and (iii), a person performing reserve component service may make the election described in subparagraph (A) during the period that begins on July 1, 2018, and ends on December 31, 2018.

''(ii) HARDSHIP EXTENSION.—The Secretary concerned may extend the election period described in clause (i) for a person who experiences a hardship as determined by the Secretary concerned.

''(iii) PERSONS EXPERIENCING BREAK IN SERVICE.—A person returning to reserve component service after a break in reserve component service in which falls the election period specified in clause (i) shall make the

election described in subparagraph (A) on the date of the reentry into service of the person.

''(iv) NO RETROACTIVE MATCHING CONTRIBUTIONS PURSUANT TO ELECTION.—Thrift Savings Plan matching contributions may not be made for a person under this paragraph for any pay period beginning before the date of the person's election under subparagraph (A).

''(3) REGULATIONS.—Each Secretary concerned shall prescribe regulations to implement this subsection.''.

(b) COORDINATING AMENDMENTS TO OTHER RETIREMENT AUTHORITIES.—

(1) DISABILITY, WARRANT OFFICERS, AND DOPMA RETIRED PAY.—

(A) COMPUTATION OF RETIRED PAY.—The table in section 1401(a) of title 10, United States Code, is amended—

(i) in paragraph (1) in column 2 of formula number 1, by striking ''2½% of years of service credited to him under section 1208'' and inserting ''the retired pay multiplier determined for the member under section 1409 of this title'';

(ii) in paragraph (1) in column 2 of formula number 2, by striking ''2½% of years of service credited to him under section 1208'' and inserting ''the retired pay multiplier determined for the member under section 1409 of this title''; and

(iii) in column 2 of each of formula number 4 and formula number 5, by striking ''section 1409(a)'' and inserting ''section 1409''.

(B) CLARIFICATION REGARDING MODERNIZED RETIREMENT SYSTEM.—Section 1401a(b) of such title is amended—

(i) by redesignating paragraph (5) as paragraph (6); and

(ii) by inserting after paragraph (4) the following new paragraph (5):

''(5) ADJUSTMENTS FOR PARTICIPANTS IN MODERNIZED RETIREMENT SYSTEM.—Notwithstanding paragraph (3), if a member makes the election described in section 1409(b)(4) of this title, the Secretary shall increase the retired pay of such member in accordance with paragraph (2).''.

(2) NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION COMMISSIONED OFFICER CORPS ACT OF 2002.—Paragraph (2) of section 245(a) of the National Oceanic and Atmospheric Administration Commissioned Officer Corps Act of 2002 (33 U.S.C. 3045(a)) is amended to read as follows:

''(2) the retired pay multiplier determined under section 1409 of such title for the number of years of service that may be credited to the officer under section 1405 of such title as if the officer's service were service as a member of the Armed Forces.''.

(3) TITLE 37, UNITED STATES CODE.—

(A) 15-YEAR CAREER STATUS BONUS REPAYMENT.—Subsection (f) of section 354 of title 37, United States Code, is amended—

(i) by striking ''If a'' and inserting ''(1) If a''; and

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

''(2) If a person who is paid a bonus under this section subsequently makes an election described in section 1409(b)(4) or 12739(f) of title 10, the person shall repay any bonus payments received under this section in the same manner as repayments are made under section 373 of this title.''.

(B) SUNSET AND CONTINUATION OF PAYMENTS.—Such section 354 is further amended by adding at the end the following new subsection:

''(g) SUNSET AND CONTINUATION OF PAYMENTS.—(1) A Secretary concerned may not pay a new bonus under this section after December 31, 2017.

''(2) Subject to subsection (f)(2), the Secretary concerned may continue to make payments after December 31, 2017, for bonuses that were awarded under this section on or before that date.''.

(4) PUBLIC HEALTH SERVICE ACT.—Paragraph (4) of section 211(a) of the Public Health Service Act (42 U.S.C. 212) is amended—

(A) in the matter preceding subparagraph (A), by striking ''at the rate of 2 ½ per centum of the basic pay of the highest grade held by him as such officer'' and inserting ''calculated by multiplying the retired pay base determined under section 1406 of title 10, United States Code, by the retired pay multiplier determined under section 1409 of such title for the numbers of years of service credited to the officer under this paragraph''; and

(B) in the matter following subparagraph (B)(iii)—

(i) in subparagraph (C), by striking ''such pay, and'' and inserting ''such pay,''; and

(ii) in subparagraph (D), by striking ''such basic pay.'' and inserting ''such basic pay, and (E) in the case of any officer who makes the election described in section 1409(b)(4) of title 10, United States Code, subparagraph (C) shall be applied by substituting '40 per centum' for '50 per centum' each place the term appears and subparagraph (D) shall be applied by substituting '60 per centum' for '75 per centum'.''.

(c) EFFECTIVE DATES.—

(1) MODERNIZED RETIREMENT SYSTEMS.—The amendments made by subsection (a) shall take effect on the date of the enactment of this Act.

(2) COORDINATING AMENDMENTS.—

(A) IN GENERAL.—Except as provided in subparagraph (B), the amendments made by subsection (b) shall take effect on January 1, 2018.

(B) TITLE 37 AMENDMENTS.—The amendments made by paragraph (3) of subsection (b) shall take effect on the date of the enactment of this Act.

SEC. 633. LUMP SUM PAYMENTS OF CERTAIN RETIRED PAY.

(a) LUMP SUM PAYMENTS OF CERTAIN RETIRED PAY.—

(1) IN GENERAL.—Chapter 71 of title 10, United States Code, is amended by adding at the end the following new section:

''§ 1415. Lump sum payment of certain retired pay

''(a) DEFINITIONS.—In this section:

''(1) COVERED RETIRED PAY.—The term 'covered retired pay' means retired pay under—

''(A) this title;

''(B) title 14;

''(C) the National Oceanic and Atmospheric Administration Commissioned Officer Corps Act of 2002 (33 U.S.C. 3001 et seq.); or

''(D) the Public Health Service Act (42 U.S.C. 201 et seq.).

''(2) ELIGIBLE PERSON.—The term 'eligible person' means a person who—

''(A)(i) first becomes a member of a uniformed service on or after January 1, 2018; or

''(ii) makes the election described in section 1409(b)(4) or 12739(f) of this title; and

''(B) does not retire or separate under chapter 61 of this title.

''(3) RETIREMENT AGE.—The term 'retirement age' has the meaning given the term in section 216(l) of the Social Security Act (42 U.S.C. 416(l)).

''(b) ELECTION OF LUMP SUM PAYMENT OF CERTAIN RETIRED PAY.—

''(1) IN GENERAL.—An eligible person entitled to covered retired pay (including an eligible person who is entitled to such pay by reason of an election described in subsection (a)(2)(A)(ii)) may elect—

''(A) to receive a lump sum payment of the discounted present value at the time of the election of the amount of the covered retired pay that the eligible person is otherwise entitled to receive for the period beginning on the date of retirement and ending on the date the eligible person attains the eligible person's retirement age; or

''(B) to receive—

''(i) a lump sum payment of an amount equal to 50 percent of the amount otherwise receivable by the eligible person pursuant to subparagraph (A); and

''(ii) a monthly amount during the period described in subparagraph (A) equal to 50 percent of the amount of monthly covered retired pay the eligible person is otherwise entitled to receive during such period.

''(2) DISCOUNTED PRESENT VALUE.—The Secretary of Defense shall compute the discounted present value of amounts of covered retired pay that an eligible person is otherwise entitled to receive for a period for purposes of paragraph (1)(A) by—

''(A) estimating the aggregate amount of retired pay the person would receive for the period, taking into account cost-of-living adjustments under section 1401a of this title projected by the Secretary at the time the person separates from service and would otherwise begin receiving covered retired pay; and

''(B) reducing the aggregate amount estimated pursuant to subparagraph (A) by an appropriate percentage determined by the Secretary—

''(i) using average personal discount rates (as defined and calculated by the Secretary taking into consideration applicable and reputable studies of personal discount rates for military personnel and past actuarial experience in the calculation of personal discount rates under this paragraph); and

''(ii) in accordance with generally accepted actuarial principles and practices.

''(3) TIMING OF ELECTION.—An eligible person shall make the election under this subsection not later than 90 days before the date of the retirement of the eligible person from the uniformed services.

''(4) SINGLE PAYMENT OR COMBINATION OF PAYMENTS.—An eligible person may elect to receive a lump sum payment under this subsection in a single payment or in a combination of payments.

''(5) COMMENCEMENT OF PAYMENT.—An eligible person who makes an election under this subsection shall receive the lump sum payment, or the first installment of a combination of payments of the lump sum payment if elected under paragraph (4), as follows:

''(A) Not later than 60 days after the date of the retirement of the eligible person from the uniformed services.

''(B) In the case of an eligible person who is a member of a reserve component, not later than 60 days after the later of—

''(i) the date on which the eligible person attains 60 years of age; or

''(ii) the date on which the eligible person first becomes entitled to covered retired pay.

''(6) NO SUBSEQUENT ADJUSTMENT.—An eligible person who accepts payment of a lump sum under this subsection may not seek the review of or otherwise challenge the amount of the lump sum in light of any variation in cost-of-living adjustments under section 1401a of this title, actuarial assumptions, or other factors used by the Secretary in calculating the amount of the lump sum that occur after the Secretary pays the lump sum.

''(c) RESUMPTION OF MONTHLY ANNUITY.—

''(1) GENERAL RULE.—Subject to paragraph (2), an eligible person who makes an election

described in subsection (b) shall be entitled to receive the eligible person's monthly covered retired pay calculated in accordance with paragraph (2) after the eligible person attains the eligible person's retirement age.

''(2) RESTORATION OF FULL RETIREMENT AMOUNT AT RETIREMENT AGE.—The retired pay of an eligible person who makes an election described in subsection (a) shall be recomputed, effective on the first day of the first month beginning after the person attains the eligible person's retirement age, so as to be an amount equal to the amount of covered retired pay to which the eligible person would otherwise be entitled on that date if the annual increases, in the retired pay of the eligible person made to reflect changes in the Consumer Price Index, had been made in accordance with section 1401a of this title.

''(d) PAYMENT OF RETIRED PAY TO PERSONS NOT MAKING ELECTION.—An eligible person who does not make the election described in subsection (b) shall be paid the retired pay to which the eligible person is otherwise entitled under the applicable provisions of law referred to in subsection (a)(1).

''(e) REGULATIONS.—The Secretary of Defense concerned shall prescribe regulations to carry out the provisions of this section.''.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 71 of such title is amended by adding at the end the following new item:

''1415. Lump sum payment of certain retired pay.''.

(3) PAYMENTS FROM DEPARTMENT OF DEFENSE MILITARY RETIREMENT FUND.—Section 1463(a)(1) of title 10, United States Code, is amended by striking ''or 1414'' and inserting '', 1414, or 1415''.

(b) OFFSET OF VETERANS PENSION AND COMPENSATION BY AMOUNT OF LUMP SUM PAYMENTS.—Section 5304 of title 38, United States Code, is amended by adding at the end the following new subsection:

''(d)(1) Other than amounts payable under section 1413a or 1414 of title 10, the amount of pension and compensation benefits payable to a person under this title shall be reduced by the amount of any lump sum payment made to such person under section 1415 of title 10.

''(2) The Secretary shall collect any reduction under paragraph (1) from amounts otherwise payable to the person under this title, including pension and compensation payable under this title, before any pension and compensation payments under this title may be paid to the person.''.

SEC. 634. CONTINUATION PAY AFTER 12 YEARS OF SERVICE FOR MEMBERS OF THE UNIFORMED SERVICES PARTICIPATING IN THE MODERNIZED RETIREMENT SYSTEMS.

(a) CONTINUATION PAY.—

(1) IN GENERAL.—Subchapter II of chapter 5 of title 37, United States Code, is amended by adding at the end the following new sections:

''§ 356. Continuation pay after 12 years of service: members participating in modernized retirement systems

''(a) CONTINUATION PAY.—

''(1) IN GENERAL.—The Secretary concerned shall make a payment of continuation pay to each member of the uniformed services under the jurisdiction of the Secretary who—

''(A)(i) first becomes a member of a uniformed service after January 1, 2018; or

''(ii) subject to paragraph (2), makes the election described in section 1409(b)(4) or 12739(f) of title 10; and

''(B) after the date on which the member satisfies the applicable requirement in subparagraph (A)—

''(i) completes 12 years of service; and

''(ii) enters into an agreement with the Secretary to serve for an additional 4 years of obligated service.

''(2) ELIGIBILITY DEPENDENT ON ELECTION BEFORE COMPLETION OF 12 YEARS OF SERVICE.—A member who makes an election described in paragraph (1)(A)(ii) after the member completes 12 years of service is not eligible for continuation pay under this section.

''(b) AMOUNT.—The amount of continuation pay payable to a member under this section shall be the amount that is equal to—

''(1) in the case of a member of a regular component—

''(A) the monthly basic pay of the member at 12 years of service multiplied by 2.5; plus

''(B) at the discretion of the Secretary concerned, the monthly basic pay of the member at 12 years of service multiplied by such number of months (not to exceed 13 months) as the Secretary concerned shall specify in the agreement of the member under subsection (a); and

''(2) in the case of a member of a reserve component—

''(A) the amount of monthly basic pay to which the member would be entitled at 12 years of service if the member were a member of a regular component multiplied by 0.5; plus

''(B) at the discretion of the Secretary concerned, the amount of monthly basic pay described in subparagraph (A) multiplied by such number of months (not to exceed 6 months) as the Secretary concerned shall specify in the agreement of the member under subsection (a).

''(c) TIMING OF PAYMENT.—The Secretary concerned shall pay continuation pay under this section to a member when the member completes 12 years of service.

''(d) LUMP SUM OR INSTALLMENTS.—A member may elect to receive continuation pay under this section in a lump sum or in a series of not more than 4 payments.

''(e) RELATIONSHIP TO OTHER PAY AND ALLOWANCES.—Continuation pay under this section is in addition to any other pay or allowance to which the member is entitled.

''(f) REPAYMENT.—A member who receives continuation pay under this section and fails to complete the obligated service required under subsection (a)(2)(B)(ii) shall be subject to the repayment provisions of section 373 of this title.

''(g) REGULATIONS.—Each Secretary concerned shall prescribe regulations to carry out this section.''.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 5 of such title is amended by adding at the end the following new item:

''356. Continuation pay after 12 years of service: members participating in modernized retirement systems.''.

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall take effect on January 1, 2018, and shall apply with respect to agreements entered into under section 356 of title 37, United States Code, after that date.

SEC. 635. AUTHORITY FOR RETIREMENT FLEXIBILITY FOR MEMBERS OF THE UNIFORMED SERVICES.

(a) AUTHORITY FOR RETIREMENT FLEXIBILITY.—Chapter 63 of title 10, United States Code, is amended by adding at the end the following new item:

''§ 1276. Retirement flexibility: authority to modify years of service required for retirement for particular occupational specialities or other groupings

''(a) AUTHORITY.—Notwithstanding any other provision of law, the Secretary concerned may modify the years of service required for an eligible member to retire, to greater than or fewer than 20 years of service, in order to facilitate management actions that shape the personnel profile or correct manpower shortages within an occupational specialty or other grouping of members of the uniformed services.

''(b) ELIGIBLE MEMBER DEFINED.—In this section, the term 'eligible member' means a member of the uniformed services working in an occupational specialty or other grouping designated by the Secretary concerned as in need of a management action described in subsection (a).

''(c) NOTICE-AND-WAIT.—

''(1) NOTICE REQUIRED.—The Secretary concerned shall submit to Congress notice of any proposed modification under subsection (a).

''(2) LIMITATION.—The Secretary concerned may not implement a proposed modification under subsection (a) until one year after the day on which the notice of the modification is submitted to Congress under paragraph (1).

''(d) APPLICABILITY.—The Secretary concerned may only modify the required years of service under subsection (a) for an eligible member who first becomes a member of a uniformed service on or after the date of the expiration of the one year period described in subsection (c)(2) that is applicable to the occupational specialty or other grouping in which the eligible member works.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 63 of such title is amended by adding at the end the following new item:

''1276. Retirement flexibility: authority to modify years of service required for retirement for particular occupational specialities or other groupings.''.

SEC. 636. TREATMENT OF DEPARTMENT OF DEFENSE MILITARY RETIREMENT FUND AS A QUALIFIED TRUST.

(a) IN GENERAL.—Chapter 74 of title 10, United States Code, is amended by adding at the end the following new section:

''§ 1468. Treatment as a qualified trust

''For purposes of the Internal Revenue Code of 1986 (26 U.S.C. 1 et seq.)—

''(1) the Fund shall be treated as a trust described in section 401(a) of such Code (26 U.S.C. 401(a)) which is exempt from taxation under section 501(a) of such Code (26 U.S.C. 501(a)); and

''(2) any contribution to, or distribution from, the Fund shall be treated in the same manner as contributions to or distributions from such a trust.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 74 of such title is amended by adding at the end the following new item:

''1468. Treatment as a qualified trust.''.

PART II—OTHER MATTERS

SEC. 641. DEATH OF FORMER SPOUSE BENEFICIARIES AND SUBSEQUENT REMARRIAGES UNDER SURVIVOR BENEFIT PLAN.

(a) IN GENERAL.—Section 1448(b) of title 10, United States Code, is amended by adding at the end the following new paragraph:

''(7) EFFECT OF DEATH OF FORMER SPOUSE BENEFICIARY.—

''(A) TERMINATION OF PARTICIPATION IN PLAN.—A person who elects to provide an annuity to a former spouse under paragraph (2) or (3) and whose former spouse subsequently dies is no longer a participant in the Plan, effective on the date of death of the former spouse.

''(B) AUTHORITY FOR ELECTION OF NEW SPOUSE BENEFICIARY.—If a person's participation in the Plan is discontinued by reason of the death of a former spouse beneficiary, the person may elect to resume participation in the Plan and to elect a new spouse beneficiary as follows:

''(i) MARRIED ON THE DATE OF DEATH OF FORMER SPOUSE.—A person who is married at the time of the death of the former spouse beneficiary may elect to provide coverage to that person's spouse. Such an election must be received by the Secretary concerned within one year after the date of death of the former spouse beneficiary.

''(ii) MARRIAGE AFTER DEATH OF FORMER SPOUSE BENEFICIARY.—A person who is not married at the time of the death of the former spouse beneficiary and who later marries may elect to provide spouse coverage. Such an election must be received by the Secretary concerned within one year after the date on which that person marries.

''(C) EFFECTIVE DATE OF ELECTION.—The effective date of election under this paragraph shall be as follows:

''(i) An election under subparagraph (B)(i) is effective as of the first day of the first calendar month following the death of the former spouse beneficiary.

''(ii) An election under subparagraph (B)(ii) is effective as of the first day of the first calendar month following the month in which the election is received by the Secretary concerned.

''(D) LEVEL OF COVERAGE.—A person making an election under subparagraph (B) may not reduce the base amount previously elected.

''(E) PROCEDURES.—An election under this paragraph shall be in writing, signed by the participant, and made in such form and manner as the Secretary concerned may prescribe.

''(F) IRREVOCABILITY.—An election under this paragraph is irrevocable.''.

(b) EFFECTIVE DATE.—Paragraph (7) of section 1448(b) of title 10, United States Code, as added by subsection (a), shall apply with respect to any person whose former spouse beneficiary dies on or after the date of the enactment of this Act.

(c) APPLICABILITY TO FORMER SPOUSE DEATHS BEFORE ENACTMENT.—

(1) IN GENERAL.—A person—

(A) who before the date of the enactment of this Act had a former spouse beneficiary under the Survivor Benefit Plan who died before that date; and

(B) who on the date of the enactment of this Act is married,

may elect to provide spouse coverage for such spouse under the Plan, regardless of whether the person married such spouse before or after the death of the former spouse beneficiary. Any such election may only be made during the one-year period beginning on the date of the enactment of this Act.

(2) EFFECTIVE DATE OF ELECTION IF MARRIED AT LEAST A YEAR AT DEATH FORMER SPOUSE.—If the person providing the annuity was married to the spouse beneficiary for at least one year at the time of the death of the former spouse beneficiary, the effective date of such election shall be the first day of the first month after the death of the former spouse beneficiary.

(3) OTHER EFFECTIVE DATE.—If the person providing the annuity married the spouse beneficiary after (or during the one-year period preceding) the death of the former spouse beneficiary, the effective date of the election shall be the first day of the first month following the first anniversary of the person's marriage to the spouse beneficiary.

(4) RESPONSIBILITY FOR PREMIUMS.—A person electing to participate in the Plan under this subsection shall be responsible for payment of all premiums due from the effective date of the election.

SEC. 642. TRANSITIONAL COMPENSATION AND OTHER BENEFITS FOR DEPENDENTS OF MEMBERS OF THE ARMED FORCES INELIGIBLE TO RECEIVE RETIRED PAY AS A RESULT OF COURT-MARTIAL SENTENCE.

(a) IN GENERAL.—Chapter 53 of title 10, United States Code, is amended by inserting after section 1059 the following new section:

''§ 1059a. Dependents of members of the armed forces ineligible to receive retired pay as a result of court-martial sentence: transitional compensation and other benefits; commissary and exchange benefits

''(a) AUTHORITY TO PAY COMPENSATION.—The Secretary of Defense, with respect to the armed forces (other than the Coast Guard when it is not operating as a service in the Navy), and the Secretary of Homeland Security, with respect to the Coast Guard when it is not operating as a service in the Navy, may each carry out a program under which the Secretary may pay monthly transitional compensation in accordance with this section to dependents or former dependents of a member of the armed forces described in subsection (b) who is under the jurisdiction of the Secretary.

''(b) MEMBERS COVERED.—This section applies in the case of a member of the armed forces eligible for retired or retainer pay under this title for years of service who—

''(1) is separated from the armed forces pursuant to the sentence of a court-martial as a result of misconduct while a member; and

''(2) has eligibility to receive retired pay terminated pursuant to such sentence.

''(c) RECIPIENT OF PAYMENTS.—(1) In the case of a member of the armed forces described in subsection (b), the Secretary may pay compensation under this section to dependents or former dependents of the member as follows:

''(A) If the member was married at the time of the commission of the offense resulting in separation from the armed forces, such compensation may be paid to the spouse or former spouse to whom the member was married at that time, including an amount for each, if any, dependent child of the member who resides in the same household as that spouse or former spouse.

''(B) If there is a spouse or former spouse who is or, but for subsection (d)(2), would be eligible for compensation under this section and if there is a dependent child of the member who does not reside in the same household as that spouse or former spouse, compensation under this section may be paid to each such dependent child of the member who does not reside in that household.

''(C) If there is no spouse or former spouse who is or, but for subsection (d)(2), would be eligible under this section, compensation under this section may be paid to the dependent children of the member.

''(2) A dependent or former dependent of a member described in subsection (b) is not eligible for transitional compensation under this section if the Secretary concerned determines (under regulations prescribed under subsection (g)) that the dependent or former dependent either—

''(A) was an active participant in the conduct constituting the offense under chapter 47 of this title (the Uniform Code of Military Justice) for which the member was convicted and separated from the armed forces; or

''(B) did not cooperate with the investigation of such conduct.

''(d) COMMENCEMENT AND DURATION OF PAYMENT.—(1) Payment of transitional compensation under this section shall commence—

''(A) as of the date the court-martial sentence is adjudged if the sentence, as adjudged, includes—

''(i) a dismissal, dishonorable discharge, or bad conduct discharge; and

''(ii) forfeiture of all pay and allowances; or

''(B) if there is a pretrial agreement that provides for disapproval or suspension of the dismissal, dishonorable discharge, bad conduct discharge, or forfeiture of all pay and allowances, as of the date of the approval of the court-martial sentence by the person acting under section 860(c) of this title (article 60(c) of the Uniform Code of Military Justice) if the sentence, as approved, includes—

''(i) an unsuspended dismissal, dishonorable discharge, or bad conduct discharge; and

''(ii) forfeiture of all pay and allowances.

''(2) Paragraphs (2) and (3) of subsection (e), paragraphs (1) and (2) of subsection (g), and subsections (f) and (h) of section 1059 of this title shall apply in determining—

''(A) the amount of transitional compensation to be paid under this section;

''(B) the period for which such compensation may be paid; and

''(C) the circumstances under which the payment of such compensation may or will cease.

''(e) COMMISSARY AND EXCHANGE BENEFITS.—A dependent or former dependent who receives transitional compensation under this section shall, while receiving such payments, be entitled to use commissary and exchange stores in the same manner as provided in subsection (j) of section 1059 of this title.

''(f) COORDINATION OF BENEFITS.—(1) The Secretary concerned may not make payments to a spouse or former spouse under both this section, on the one hand, and section 1059, 1408(h), or 1408(i) of this title, on the other hand. In the case of a spouse or former spouse for whom a court order provides for payments pursuant to section 1408(h) or 1408(i) of this title and to whom the Secretary offers payments under this section or section 1059 of this title, the spouse or former spouse shall elect which payments to receive.

''(2) Upon the cessation of payments of transitional compensation to a spouse or former spouse under this section pursuant to subsection (d)(2), a spouse or former spouse who elected payments of transitional compensation under this section and either remains or becomes eligible for payments under section 1408(h) or 1408(i) of this title, as applicable, may commence receipt of payments under such section 1408(h) or 1408(i) in accordance with such section.

''(g) REGULATIONS.—The Secretary of Defense shall prescribe regulations to carry out this section with respect to the armed forces (other than the Coast Guard when it is not operating as a service in the Navy). The Secretary of Homeland Security shall prescribe regulations to carry out this section with respect to the Coast Guard when it is not operating as a service in the Navy.

''(h) DEPENDENT CHILD DEFINED.—In this section, the term 'dependent child', with respect to a member or former member of the armed forces referred to in subsection (b), has the meaning given such term in subsection (l) of section 1059 of this title, except that status as a 'dependent child' shall be determined as of the date on which the member described in subsection (b) is convicted of the offense concerned.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 53 of such title is amended by inserting after the item relating to section 1059 the following new item:

''1059a. Dependents of members of the armed forces ineligible to receive retired pay as a result of court-martial sentence: transitional compensation and other benefits; commissary and exchange benefits.''.

(c) CONFORMING AMENDMENT.—Subsection (i) of section 1059 of title 10, United States Code, is amended to read as follows:

''(i) COORDINATION OF BENEFITS.—The Secretary concerned may not make payments to a spouse or former spouse under both this section, on the one hand, and section 1059a, 1408(h), or 1408(i) of this title, on the other hand. In the case of a spouse or former spouse for whom a court order provides for payments pursuant to section 1408(h) or 1408(i) of this title and to whom the Secretary offers payments under this section or section 1059a of this title, the spouse or former spouse shall elect which payments to receive.''.

Subtitle E—Commissary and Non-Appropriated Fund Instrumentality Benefits and Operations

SEC. 651. COMMISSARY SYSTEM MATTERS.

(a) OPERATING EXPENSES.—Section 2483 of title 10, United States Code, is amended—

(1) in subsection (b)—

(A) in paragraph (4), by striking ''supplies and'';

(B) by striking (5); and

(C) by redesignating paragraph (6) as paragraph (5); and

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

''(d) TRANSPORTATION COSTS FOR CERTAIN GOODS AND SUPPLIES.—Appropriated funds may be used to pay any costs associated with the transportation of commissary goods and supplies to overseas areas, but only to the extent that the working capital fund for commissary operations is reimbursed for the payment of such costs. The sales prices in commissary stores worldwide shall be adjusted in an equal percentage to the extent necessary to provide sufficient gross revenues from such sales to make such reimbursements.

''(e) UNIFORM SYSTEM-WIDE PRICING.—The defense commissary system shall be managed with the objective of attaining uniform system-wide pricing.''.

(b) PRICING AND SURCHARGES.—Section 2484 of such title is amended—

(1) by striking subsection (e) and inserting the following new subsection (e):

''(e) SALES PRICE ESTABLISHMENT.—The Secretary of Defense shall establish the sales price of merchandise sold in, at, or by commissary stores in amounts sufficient to finance operating expenses as prescribed in section 2483(b) of this title and the replenishment of inventories.''; and

(2) in subsection (h)—

(A) in the subsection caption, by striking ''AND MAINTENANCE'' and inserting ''MAINTENANCE, AND PURCHASE OF OPERATING SUPPLIES''; and

(B) in paragraph (1)(A)—

(i) in clause (i), by striking ''and'' at the end;

(ii) in clause (ii), by striking the period at the end and inserting ''; and''; and

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

''(iii) to purchase operating supplies for commissary stores.''.

(c) OVERSEAS TRANSPORTATION.—Section 2643(b) of such title is amended by striking the first sentence and inserting the following new sentence: ''Defense working capital funds may be used to cover the transportation costs of commissary goods and supplies as provided in section 2483(d) of this title.''.

SEC. 652. PLAN ON PRIVATIZATION OF THE DEFENSE COMMISSARY SYSTEM.

(a) PLAN REQUIRED.—

(1) IN GENERAL.—Not later than March 1, 2016, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report setting forth a plan for the privatization, in whole or in part, of the defense commissary system of the Department of Defense.

(2) CONSULTATION.—The Secretary shall consult with major grocery retailers in the continental United States in developing the plan.

(b) ELEMENTS.—

(1) PLAN ELEMENTS.—The plan required by subsection (a) shall ensure the provision of high quality grocery goods and products, discount savings to patrons, and high levels of customer satisfaction while achieving savings for the Department of Defense.

(2) REPORT ELEMENTS.—The report required by subsection (a) should include—

(A) an evaluation of the current rates of basic pay and basic allowance for subsistence payable to members of the Armed Forces, and an assessment whether such pay and allowance should be adjusted to ensure that members maintain purchasing power for grocery goods and products under the plan; and

(B) an estimate of any initial and long-term costs or savings to the Department as a result of the implementation of the plan.

(3) RECOMMENDATIONS FOR LEGISLATIVE ACTION.—The plan shall include recommendations for such legislative action as the Secretary considers appropriate to implement the plan.

(c) COMPTROLLER GENERAL OF THE UNITED STATES ASSESSMENT OF PLAN.—Not later than 120 days after the submittal of the report required by subsection (a), the Comptroller General of the United States shall submit to the committees of Congress referred to in that subsection a report setting forth an assessment by the Comptroller General of the plan set forth in the report required by that subsection.

(d) PILOT PROGRAM ON PRIVATIZATION.—

(1) PILOT PROGRAM REQUIRED.—Commencing as soon as practicable after the submittal to Congress of the report required by subsection (c), the Secretary shall carry out a pilot program to assess the feasibility and advisability of the plan set forth in the report required by subsection (a).

(2) NUMBER AND LOCATION OF COMMISSARIES.—The pilot program shall involve not fewer than five commissaries selected by the Secretary for purposes of the pilot program from among commissaries in the largest markets of the defense commissary system in the United States.

(3) SCOPE OF PILOT PROGRAM.—The Secretary shall carry out the pilot program in accordance with the plan described in paragraph (1) as modified by the Secretary in light of the assessment of the plan by the Comptroller General pursuant to subsection (c). The Secretary shall submit to the Committees on Armed Services of the Senate and the House of Representatives a notice on any modifications made to the plan for purposes of the pilot program in light of the assessment.

(4) ADDITIONAL ELEMENT ON ONLINE PURCHASES.—In an addition to any requirements under paragraph (3), the Secretary may include in the pilot program a component designed to permit eligible beneficiaries of the defense commissary system in the catchment areas of the commissaries selected for participation in the pilot program to order and purchase grocery goods and products otherwise available through the defense commissary system through the Internet and to receive items so ordered through home delivery.

(5) DURATION.—The duration of the pilot program shall be two years.

(6) REPORT.—Not later than 180 days after the completion of the pilot program, the Secretary shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the pilot program, including—

(A) an assessment of the feasibility and advisability of carrying out the plan described in paragraph (1), as modified, if at all, as described in paragraph (3); and

(B) a description of any modifications to the plan the Secretary considers appropriate in light of the pilot program.

SEC. 653. COMPTROLLER GENERAL OF THE UNITED STATES REPORT ON THE COMMISSARY SURCHARGE, NON-APPROPRIATED FUND, AND PRIVATELY-FINANCED MAJOR CONSTRUCTION PROGRAM.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Comptroller General of the United States shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the Commissary Surcharge, Non-appropriated Fund and Privately-Financed Major Construction Program of the Department of Defense.

(b) ELEMENTS.—The report under subsection (a) shall include the following:

(1) An assessment whether the Secretary of Defense has established policies and procedures to ensure the timely submittal to the committees of Congress referred to in subsection (a) of notice on construction projects proposed to be funded through the program referred to in that subsection.

(2) An assessment whether the Secretaries of the military departments have developed and implemented policies and procedures to comply with the policies and directives of the Department of Defense for the submittal to such committees of Congress of notice on such construction projects.

(3) An assessment whether the Secretary of Defense has established policies and procedures to notify such committees of Congress when such construction projects have been commenced without notice to Congress.

(4) An assessment whether construction projects described in paragraph (3) have been completed before submittal of notice to Congress as described in that paragraph and, if so, a list of such projects.

TITLE VII—HEALTH CARE PROVISIONS

Subtitle A—TRICARE and Other Health Care Benefits

SEC. 701. URGENT CARE AUTHORIZATION UNDER THE TRICARE PROGRAM.

(a) URGENT CARE.—

(1) IN GENERAL.—In accordance with the regulations prescribed under this section, a covered beneficiary under the TRICARE program shall have access to up to four urgent care visits per year under that program without the need for preauthorization for such visits.

(2) REGULATIONS.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall prescribe regulations to carry out paragraph (1).

(b) PUBLICATION.—The Secretary shall—

(1) publish information on any modifications made pursuant to subsection (a) to the authorization requirements for the receipt of urgent care under the TRICARE program—

(A) on the primary Internet website that is available to the public of the Department; and

(B) on the primary Internet website that is available to the public of each military medical treatment facility; and

(2) ensure that such information is made available on the primary Internet website that is available to the public of each current managed care contractor that has established a health care provider network under the TRICARE program.

(c) DEFINITIONS.—In this section, the terms ''covered beneficiary'' and ''TRICARE program'' have the meaning given such terms in section 1072 of title 10, United States Code.

SEC. 702. MODIFICATIONS OF COST-SHARING REQUIREMENTS FOR THE TRICARE PHARMACY BENEFITS PROGRAM.

Paragraph (6) of section 1074g(a) of title 10, United States Code, is amended to read as follows:

''(6)(A) In the case of any of the years 2016 through 2025, the cost-sharing amounts under this subsection shall be determined in accordance with the following table:

''For:	The cost-sharing amount for 30-day supply of a retail generic is:	The cost-sharing amount for 30-day supply of a retail formulary is:	The cost-sharing amount for a 90-day supply of a mail order generic is:	The cost-sharing amount for a 90-day supply of a mail order formulary is:	The cost-sharing amount for a 90-day supply of a mail order non-formulary is:
2016	$8	$28	$0	$28	$54
2017	$8	$30	$0	$30	$58
2018	$8	$32	$0	$32	$62
2019	$9	$34	$9	$34	$66
2020	$10	$36	$10	$36	$70
2021	$11	$38	$11	$38	$75
2022	$12	$40	$12	$40	$80
2023	$13	$43	$13	$43	$85
2024	$14	$45	$14	$45	$90
2025	$14	$46	$14	$46	$92

''(B) For any year after 2025, the cost-sharing amounts under this subsection shall be equal to the cost-sharing amounts for the previous year adjusted by an amount, if any, determined by the Secretary to reflect changes in the costs of pharmaceutical agents and prescription dispensing, rounded to the nearest dollar.

''(C) Notwithstanding subparagraphs (A) and (B), the cost-sharing amounts under this subsection for any year for a dependent of a member of the uniformed services who dies while on active duty, a member retired under chapter 61 of this title, or a dependent of such a member shall be equal to the cost-sharing amounts, if any, for 2015.''.

SEC. 703. EXPANSION OF CONTINUED HEALTH BENEFITS COVERAGE TO INCLUDE DISCHARGED AND RELEASED MEMBERS OF THE SELECTED RESERVE.

(a) IN GENERAL.—Subsection (b) of section 1078a of title 10, United States Code, is amended—

(1) by redesignating paragraphs (2) through (4) as paragraphs (3) through (5), respectively; and

(2) by inserting after paragraph (1) the following new paragraph (2):

''(2) A member of the Selected Reserve of the Ready Reserve of a reserve component of the armed forces who—

''(A) is discharged or released from service in the Selected Reserve, whether voluntarily or involuntarily, under other than adverse conditions, as characterized by the Secretary concerned;

''(B) immediately preceding that discharge or release, is eligible to enroll in TRICARE Standard coverage under section 1076d of this title; and

''(C) after that discharge or release, would not otherwise be eligible for any benefits under this chapter.''.

(b) NOTIFICATION OF ELIGIBILITY.—Subsection (c)(2) of such section is amended by inserting ''or subsection (b)(2)'' after ''subsection (b)(1)''.

(c) ELECTION OF COVERAGE.—Subsection (d) of such section is amended—

(1) by redesignating paragraphs (2) through (4) as paragraphs (3) through (5), respectively; and

(2) by inserting after paragraph (1) the following new paragraph (2):

''(2) In the case of a member described in subsection (b)(2), the written election shall be submitted to the Secretary concerned before the end of the 60-day period beginning on the later of—

''(A) the date of the discharge or release of the member from service in the Selected Reserve; and

''(B) the date the member receives the notification required pursuant to subsection (c).''.

(d) COVERAGE OF DEPENDENTS.—Subsection (e) of such section is amended by inserting ''or subsection (b)(2)'' after ''subsection (b)(1)''.

(e) PERIOD OF CONTINUED COVERAGE.—Subsection (g)(1) of such section is amended—

(1) by redesignating subparagraphs (B) through (D) as subparagraphs (C) through (E); and

(2) by inserting after subparagraph (A) the following new subparagraph (B):

''(B) in the case of a member described in subsection (b)(2), the date which is 18 months after the date the member ceases to be eligible to enroll in TRICARE Standard coverage under section 1076d of this title;''.

(f) CONFORMING AMENDMENTS.—Such section is further amended—

(1) in subsection (c)—

(A) in paragraph (3), by striking ''subsection (b)(2)'' and inserting ''subsection (b)(3)''; and

(B) in paragraph (4), by striking ''subsection (b)(3)'' and inserting ''subsection (b)(4)'';

(2) in subsection (d)—

(A) in paragraph (3), as redesignated by subsection (c)(1), by striking ''subsection (b)(2)'' and inserting ''subsection (b)(3)'';

(B) in paragraph (4), as so redesignated, by striking ''subsection (b)(3)'' and inserting ''subsection (b)(4)''; and

(C) in paragraph (5), as so redesignated, by striking ''subsection (b)(4)'' and inserting ''subsection (b)(5)'';

(3) in subsection (e), by striking ''subsection (b)(2) or subsection (b)(3)'' and inserting ''subsection (b)(3) or subsection (b)(4)''; and

(4) in subsection (g)—

(A) in paragraph (1)—

(i) in subparagraph (C), as redesignated by subsection (e)(1), by striking ''subsection (b)(2)'' and inserting ''subsection (b)(3)'';

(ii) in subparagraph (D), as so redesignated, by striking ''subsection (b)(3)'' and inserting ''subsection (b)(4)''; and

(iii) in subparagraph (E), as so redesignated, by striking ''subsection (b)(4)'' and inserting ''subsection (b)(5)'';

(B) in paragraph (2)—

(i) by striking ''paragraph (1)(B)'' and inserting ''paragraph (1)(C)''; and

(ii) by striking ''subsection (b)(2)'' and inserting ''subsection (b)(3)''; and

(C) in paragraph (3)—

(i) by striking ''paragraph (1)(C)'' and inserting ''paragraph (1)(D)''; and

(ii) by striking ''subsection (b)(3)'' and inserting ''subsection (b)(4)''.

SEC. 704. EXPANSION OF REIMBURSEMENT FOR SMOKING CESSATION SERVICES FOR CERTAIN TRICARE BENEFICIARIES.

Section 713(f) of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110–417; 122 Stat. 4503) is amended—

(1) in paragraph (1)(A), by striking ''during fiscal year 2009'';

(2) in paragraph (1)(B), by striking ''during such period''; and

(3) in paragraph (2), by striking ''during fiscal year 2009'' and inserting ''after September 30, 2008''.

SEC. 705. PILOT PROGRAM ON TREATMENT OF MEMBERS OF THE ARMED FORCES FOR POST-TRAUMATIC STRESS DISORDER RELATED TO MILITARY SEXUAL TRAUMA.

(a) IN GENERAL.—The Secretary of Defense may conduct a pilot program to provide intensive outpatient programs to treat members of the Armed Forces suffering from post-traumatic stress disorder resulting from military sexual trauma, including treatment for substance abuse, depression, and other issues related to such conditions.

(b) GRANTS TO COMMUNITY PARTNERS.—

(1) IN GENERAL.—The Secretary of Defense may carry out the pilot program through the award of grants to community partners described in paragraph (2).

(2) COMMUNITY PARTNERS.—A community partner described in this paragraph is a private health care organization or institution that—

(A) provides health care to members of the Armed Forces;

(B) provides evidence-based treatment for psychological and neurological conditions that are common among members of the Armed Forces, including post-traumatic stress disorder, traumatic brain injury, substance abuse, and depression;

(C) provides health care, support, and other benefits to family members of members of the Armed Forces; and

(D) provides health care under the TRICARE program (as that term is defined in section 1072 of title 10, United States Code).

(c) REQUIREMENTS OF GRANT RECIPIENTS.—Each community partner awarded a grant under subsection (b) shall—

(1) carry out intensive outpatient programs of short duration to treat members of the Armed Forces suffering from post-traumatic stress disorder resulting from military sexual trauma, including treatment for substance abuse, depression, and other issues related to such conditions;

(2) use evidence-based and evidence-informed treatment strategies in carrying out such programs;

(3) share clinical and outreach best practices with other community partners participating in the pilot program; and

(4) annually assess outcomes for members of the Armed Forces individually and throughout the community partner with respect to the treatment of conditions described in paragraph (1).

(d) FEDERAL SHARE.—The Federal share of the costs of a program carried out by a community partner using a grant under this section may not exceed 50 percent.

(e) TERMINATION.—The Secretary of Defense may not carry out the conduct of the pilot program after the date that is three years after the date of the enactment of this Act.

Subtitle B—Health Care Administration

SEC. 711. ACCESS TO HEALTH CARE UNDER THE TRICARE PROGRAM.

(a) ACCESS TO HEALTH CARE.—

(1) IN GENERAL.—The Secretary of Defense shall ensure that covered beneficiaries under the TRICARE program seeking an appointment for health care under such program at a military medical treatment facility obtain such an appointment at such facility within the wait-time goals specified for the receipt of such health care pursuant to the health care access standards established under subsection (b).

(2) USE OF CONTRACT AUTHORITY.—If a covered beneficiary is unable to obtain an appointment within the wait-time goals described in paragraph (1), such covered beneficiary shall be offered an appointment within such wait-time goals with a health care provider with which a contract has been entered into under the TRICARE program.

(b) STANDARDS FOR ACCESS TO CARE.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall establish health care access standards, including wait-time goals for appointments, for the receipt of health care under the TRICARE program, whether received at military medical treatment facilities or from health care providers with which a contract has been entered into under such program.

(2) CATEGORIES OF CARE.—The health care access standards established under paragraph (1) shall include standards with respect to the following categories of health care:

(A) Primary care, including pediatric care, maternity care, gynecological care, and other subcategories of primary care.

(B) Specialty care, including behavioral health care and other subcategories of specialty care.

(3) MODIFICATIONS.—The Secretary may modify the health care access standards established under paragraph (1) whenever the Secretary considers the modification of such standards appropriate.

(4) PUBLICATION.—The Secretary shall publish the health care access standards established under paragraph (1), and any modifications to such standards, in the Federal Register and on a publicly accessible Internet website of the Department of Defense.

(c) PUBLICATION OF APPOINTMENT WAIT TIMES.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall publish on a publicly accessible Internet website of each military medical treatment facility that offers a category or subcategory of health care covered by the standards under subsection (b)(2) the average wait-time for a covered beneficiary for an appointment at such facility for the receipt of each such category and subcategory of health care.

(2) MODIFICATIONS.—Whenever there is a modification of a wait-time for a category or subcategory of health care published under this subsection, the Secretary shall publish on a publicly accessible Internet website of each military medical treatment facility that provides such category or subcategory of health care the modified wait-time for such category or subcategory of health care.

(d) DEFINITIONS.—In this section, the terms ''covered beneficiary'' and ''TRICARE program'' have the meaning given such terms in section 1072 of title 10, United States Code.

SEC. 712. PORTABILITY OF HEALTH PLANS UNDER THE TRICARE PROGRAM.

(a) HEALTH PLAN PORTABILITY.—

(1) IN GENERAL.—The Secretary of Defense shall ensure that covered beneficiaries under the TRICARE program who are covered under a health plan under such program are able to seamlessly access health care under such health plan in each TRICARE program region.

(2) REGULATIONS.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall prescribe regulations to carry out paragraph (1).

(b) MECHANISMS TO ENSURE PORTABILITY.—In carrying out subsection (a), the Secretary shall do the following:

(1) Provide for the automatic electronic transfer of demographic, enrollment, and claims information between the contractors responsible for administering the TRICARE program in each TRICARE region when covered beneficiaries under the TRICARE program relocate between such regions.

(2) Ensure such covered beneficiaries are able to obtain a new primary health care provider within ten days of undergoing such relocation.

(3) Develop a process for such covered beneficiaries to receive urgent care without preauthorization while undergoing such relocation.

(c) PUBLICATION.—The Secretary shall—

(1) publish information on any modifications made pursuant to subsection (a) with respect to the ability of covered beneficiaries under the TRICARE program who are covered under a health plan under such program to access health care in each TRICARE region on the primary Internet website of the Department that is available to the public; and

(2) ensure that such information is made available on the primary Internet website that is available to the public of each current contractor responsible for administering the TRICARE program.

(d) DEFINITIONS.—In this section, the terms ''covered beneficiary'' and ''TRICARE program'' have the meaning given such terms in section 1072 of title 10, United States Code.

SEC. 713. IMPROVEMENT OF MENTAL HEALTH CARE PROVIDED BY HEALTH CARE PROVIDERS OF THE DEPARTMENT OF DEFENSE.

(a) TRAINING ON RECOGNITION AND MANAGEMENT OF RISK OF SUICIDE.—

(1) INITIAL TRAINING.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall ensure that all primary care and mental health care providers of the Department of Defense receive, or have already received, evidence-based training on the recognition and assessment of individuals at risk for suicide and the management of such risk.

(2) ADDITIONAL TRAINING.—The Secretary shall ensure that providers who receive, or have already received, training described in paragraph (1) receive such additional training thereafter as may be required based on evidence-based changes in health care practices.

(b) ASSESSMENT OF MENTAL HEALTH WORKFORCE.—

(1) IN GENERAL.—Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report assessing the mental health workforce of the Department of Defense and the long-term mental health care needs of members of the Armed Forces and their dependents for purposes of determining the long-term requirements of the Department for mental health care providers.

(2) ELEMENTS.—The report submitted under paragraph (1) shall include an assessment of the following:

(A) The number of mental health care providers of the Department of Defense as of the

date of the submittal of the report, disaggregated by specialty, including psychiatrists, psychologists, social workers, mental health counselors, and marriage and family therapists.

(B) The number of mental health care providers that are anticipated to be needed by the Department.

(C) The types of mental health care providers that are anticipated to be needed by the Department.

(D) Locations in which mental health care providers are anticipated to be needed by the Department.

(c) PLAN FOR DEVELOPMENT OF PROCEDURES TO MEASURE MENTAL HEALTH DATA.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a plan for the Department of Defense to develop procedures to compile and assess data relating to the following:

(1) Outcomes for mental health care provided by the Department.

(2) Variations in such outcomes among different medical facilities of the Department.

(3) Barriers, if any, to the implementation by mental health care providers of the Department of the clinical practice guidelines and other evidence-based treatments and approaches recommended for such providers by the Secretary.

SEC. 714. COMPREHENSIVE STANDARDS AND ACCESS TO CONTRACEPTION COUNSELING FOR MEMBERS OF THE ARMED FORCES.

(a) PURPOSE.—The purpose of this section is to ensure that all health care providers employed by the Department of Defense who provide care for members of the Armed Forces, including general practitioners, are provided, through clinical practice guidelines, the most current evidence-based and evidence-informed standards of care with respect to methods of contraception and counseling on methods of contraception.

(b) CLINICAL PRACTICE GUIDELINES.—

(1) IN GENERAL.—Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall compile clinical practice guidelines for health care providers described in subsection (a) on standards of care with respect to methods of contraception and counseling on methods of contraception for members of the Armed Forces.

(2) SOURCES.—The Secretary shall compile clinical practice guidelines under this subsection from among clinical practice guidelines established by appropriate health agencies and professional organizations, including the following:

(A) The United States Preventive Services Task Force.

(B) The Centers for Disease Control and Prevention.

(C) The Office of Population Affairs of the Department of Health and Human Services.

(D) The American College of Obstetricians and Gynecologists.

(E) The Association of Reproductive Health Professionals.

(F) The American Academy of Family Physicians.

(G) The Agency for Healthcare Research and Quality.

(3) UPDATES.—The Secretary shall from time to time update the list of clinical practice guidelines compiled under this subsection to incorporate into such guidelines new or updated standards of care with respect to methods of contraception and counseling on methods of contraception.

(4) DISSEMINATION.—

(A) INITIAL DISSEMINATION.—As soon as practicable after the compilation of clinical practice guidelines pursuant to paragraph (1), but commencing not later than one year after the date of the enactment of this Act, the Secretary shall provide for rapid dissemination of the clinical practice guidelines to health care providers described in subsection (a).

(B) UPDATES.—As soon as practicable after the adoption under paragraph (3) of any update to the clinical practice guidelines compiled pursuant to this subsection, the Secretary shall provide for the rapid dissemination of such clinical practice guidelines, as so updated, to health care providers described in subsection (a).

(C) PROTOCOLS.—Clinical practice guidelines, and any updates to such guidelines, shall be disseminated under this paragraph in accordance with administrative protocols developed by the Secretary for that purpose.

(c) CLINICAL DECISION SUPPORT TOOLS.—

(1) IN GENERAL.—Not later than one year after the date of the enactment of this Act, the Secretary shall, in order to assist health care providers described in subsection (a), develop and implement clinical decision support tools that reflect, through the clinical practice guidelines compiled pursuant to subsection (b), the most current evidence-based and evidence-informed standards of care with respect to methods of contraception and counseling on methods of contraception.

(2) UPDATES.—The Secretary shall from time to time update the clinical decision support tools developed under this subsection to incorporate into such tools new or updated guidelines on methods of contraception and counseling on methods of contraception.

(3) DISSEMINATION.—Clinical decision support tools, and any updates to such tools, shall be disseminated under this subsection in accordance with administrative protocols developed by the Secretary for that purpose. Such protocols shall be similar to the administrative protocols developed under subsection (b)(4)(C).

(d) ACCESS TO CONTRACEPTION COUNSELING.—As soon as practicable after the date of the enactment of this Act, the Secretary shall ensure that women members of the Armed Forces have access to comprehensive counseling on the full range of methods of contraception provided by health care providers described in subsection (a) during health care visits, including visits as follows:

(1) During predeployment health care visits, including counseling that provides specific information women need regarding the interaction between anticipated deployment conditions and various methods of contraception.

(2) During health care visits during deployment.

(3) During annual physical examinations.

(e) INCORPORATION INTO SURVEYS OF QUESTIONS ON SERVICEWOMEN EXPERIENCES WITH FAMILY PLANNING SERVICES AND COUNSELING.—

(1) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Secretary shall integrate into the surveys by the Department of Defense specified in paragraph (2) questions designed to obtain information on the experiences of women members of the Armed Forces—

(A) in accessing family planning services and counseling;

(B) in using family planning methods, including information on which method was preferred and whether deployment conditions affected the decision on which family planning method or methods to be used; and

(C) with respect to women members of the Armed Forces who are pregnant, whether the pregnancy was intended.

(2) COVERED SURVEYS.—The surveys into which questions shall be integrated as described in paragraph (1) are the following:

(A) The Health Related Behavior Survey of Active Duty Military Personnel.

(B) The Health Care Survey of Department of Defense Beneficiaries.

(f) EDUCATION ON FAMILY PLANNING FOR MEMBERS OF THE ARMED FORCES.—

(1) EDUCATION PROGRAMS.—Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall establish a uniform standard curriculum to be used in education programs on family planning for all members of the Armed Forces, including both men and women members.

(2) SENSE OF CONGRESS.—It is the sense of Congress that the education programs described in paragraph (1) should use the latest technology available to efficiently and effectively deliver information to members of the Armed Forces.

(3) ELEMENTS.—The uniform standard curriculum under paragraph (1) shall include the following:

(A) Information for members of the Armed Forces on active duty to make informed decisions regarding family planning.

(B) Information about the prevention of unintended pregnancy and sexually transmitted infections, including human immunodeficiency virus (HIV).

(C) Information on the importance of providing comprehensive family planning for members of the Armed Forces, and their commanding officers, and on the positive impact family planning can have on the health and readiness of the Armed Forces.

(D) Current, medically accurate information.

(E) Clear, user-friendly information on the full range of methods of contraception and where members of the Armed Forces can access their chosen method of contraception.

(F) Information on all applicable laws and policies so that members are informed of their rights and obligations.

(G) Information on patients' rights to confidentiality.

(H) Information on the unique circumstances encountered by members of the Armed Forces, and the effects of such circumstances on the use of contraception.

SEC. 715. WAIVER OF RECOUPMENT OF ERRONEOUS PAYMENTS DUE TO ADMINISTRATIVE ERROR UNDER THE TRICARE PROGRAM.

(a) IN GENERAL.—Chapter 55 of title 10, United States Code, is amended by inserting after section 1095f the following new section:

''§ 1095g. TRICARE program: waiver of recoupment of erroneous payments due to administrative error

''(a) WAIVER OF RECOUPMENT.—The Secretary of Defense may waive recoupment from a covered beneficiary who has benefitted from an erroneous TRICARE payment in a case in which each of the following applies:

''(1) The payment was made due to an administrative error by an employee of the Department of Defense or a contractor under the TRICARE program.

''(2) The covered beneficiary (or in the case of a minor, the parent or guardian of the covered beneficiary) had a good faith, reasonable belief that the covered beneficiary was entitled to the benefit of such payment under this chapter.

''(3) The covered beneficiary relied on the expectation of such entitlement.

''(4) The Secretary determines that a waiver of recoupment of such payment is necessary to prevent an injustice.

''(b) RESPONSIBILITY OF CONTRACTOR.—In any case in which the Secretary waives recoupment under subsection (a) and the administrative error was on the part of a contractor under the TRICARE program, the Secretary shall, consistent with the requirements and procedures of the applicable contract, impose financial responsibility on the contractor for the erroneous payment.

''(c) FINALITY OF DETERMINATIONS.—Any determination by the Secretary under this section to waive or decline to waive recoupment under subsection (a) is a final determination and shall not be subject to appeal or judicial review.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 55 of such title is amended by inserting after the item relating to section 1095f the following new item:

''1095g. TRICARE program: waiver of recoupment of erroneous payments due to administrative error.''.

SEC. 716. DESIGNATION OF CERTAIN NON-DEPARTMENT MENTAL HEALTH CARE PROVIDERS WITH KNOWLEDGE RELATING TO TREATMENT OF MEMBERS OF THE ARMED FORCES.

(a) MENTAL HEALTH PROVIDER READINESS DESIGNATION.—

(1) IN GENERAL.—Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall develop a system by which any non-Department mental health care provider that meets eligibility criteria established by the Secretary relating to the knowledge described in paragraph (2) receives a mental health provider readiness designation from the Department of Defense.

(2) KNOWLEDGE DESCRIBED.—The knowledge described in this paragraph is the following:

(A) Knowledge and understanding with respect to the culture of members of the Armed Forces and family members and caregivers of members of the Armed Forces.

(B) Knowledge with respect to evidence-based treatments that have been approved by the Department for the treatment of mental health issues among members of the Armed Forces.

(b) AVAILABILITY OF INFORMATION ON DESIGNATION.—

(1) REGISTRY.—The Secretary of Defense shall establish and update as necessary a registry that is available to the public of all non-Department mental health care providers that are currently designated under subsection (a)(1).

(2) PROVIDER LIST.—The Secretary shall update all lists maintained by the Secretary of non-Department mental health care providers that provide mental health care under the laws administered by the Secretary by indicating the providers that are currently designated under subsection (a)(1).

(c) NON-DEPARTMENT MENTAL HEALTH CARE PROVIDER DEFINED.—In this section, the term ''non-Department mental health care provider''—

(1) means a health care provider that—

(A) specializes in mental health;

(B) is not a health care provider of the Department of Defense; and

(C) provides health care to members of the Armed Forces; and

(2) includes psychiatrists, psychologists, psychiatric nurses, social workers, mental health counselors, marriage and family therapists, and other mental health care providers designated by the Secretary of Defense.

SEC. 717. LIMITATION ON CONVERSION OF MILITARY MEDICAL AND DENTAL POSITIONS TO CIVILIAN MEDICAL AND DENTAL POSITIONS.

(a) LIMITED AUTHORITY FOR CONVERSION.—Chapter 49 of title 10, United States Code, is amended by inserting after section 976 the following new section:

''§ 977. Conversion of military medical and dental positions to civilian medical and dental positions: limitation

''(a) REQUIREMENTS RELATING TO CONVERSION.—A military medical or dental position within the Department of Defense may not be converted to a civilian medical or dental position unless the Secretary of Defense determines that—

''(1) the position is not a military essential position;

''(2) conversion of the position would not result in the degradation of medical or dental care or the medical or dental readiness of the armed forces; and

''(3) conversion of the position to a civilian medical or dental position is more cost effective than retaining the position as a military medical or dental position, consistent with Department of Defense Instruction 7041.04.

''(b) DEFINITIONS.—In this section:

''(1) The term 'military medical or dental position' means a position for the performance of health care functions within the armed forces held by a member of the armed forces.

''(2) The term 'civilian medical or dental position' means a position for the performance of health care functions within the Department of Defense held by an employee of the Department or of a contractor of the Department.

''(3) The term 'military essential', with respect to a position, means that the position must be held by a member of the armed forces, as determined in accordance with regulations prescribed by the Secretary.

''(4) The term 'conversion', with respect to a military medical or dental position, means a change of the position to a civilian medical or dental position, effective as of the date of the manning authorization document of the military department making the change (through a change in designation from military to civilian in the document, the elimination of the listing of the position as a military position in the document, or through any other means indicating the change in the document or otherwise).''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 49 of such title is amended by inserting after the item relating to section 976 the following new item:

''977. Conversion of military medical and dental positions to civilian medical and dental positions: limitation.''.

(c) REPEAL OF RELATED PROHIBITION.—Section 721 of the National Defense Authorization Act for Fiscal Year 2008 (10 U.S.C. 129c note) is repealed.

SEC. 718. EXTENSION OF AUTHORITY FOR JOINT DEPARTMENT OF DEFENSE-DEPARTMENT OF VETERANS AFFAIRS MEDICAL FACILITY DEMONSTRATION FUND.

Section 1704(e) of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84; 123 Stat. 2573), as amended by section 722 of the Carl Levin and Howard P. ''Buck'' McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113–291), is further amended by striking ''September 30, 2016'' and inserting ''September 30, 2017''.

SEC. 719. EXTENSION OF AUTHORITY FOR DOD-VA HEALTH CARE SHARING INCENTIVE FUND.

Section 8111(d)(3) of title 38, United States Code, is amended by striking ''September 30, 2015'' and inserting ''September 30, 2020''.

SEC. 720. PILOT PROGRAM ON INCENTIVE PROGRAMS TO IMPROVE HEALTH CARE PROVIDED UNDER THE TRICARE PROGRAM.

(a) PILOT PROGRAM.—The Secretary of Defense shall carry out a pilot program to assess whether a reduction in the rate of increase in health care spending by the Department of Defense and an enhancement of the operation of the military health system may be achieved by developing and implementing value-based incentive programs to encourage health care providers under the TRICARE program (including physicians, hospitals, and others involved in providing health care to patients) to improve the following:

(1) The quality of health care provided to covered beneficiaries under the TRICARE program.

(2) The experience of covered beneficiaries in receiving health care under the TRICARE program.

(3) The health of covered beneficiaries.

(b) INCENTIVE PROGRAMS.—

(1) DEVELOPMENT.—In developing an incentive program under this section, the Secretary shall—

(A) consider the characteristics of the population of covered beneficiaries affected by the incentive program;

(B) consider how the incentive program would impact the receipt of health care under the TRICARE program by such covered beneficiaries;

(C) establish or maintain a reasonable assurance that such covered beneficiaries will have timely access to health care during operation of the incentive program;

(D) ensure that there are no additional financial costs to such covered beneficiaries of implementing the incentive program; and

(E) consider such other factors as the Secretary considers appropriate.

(2) ELEMENTS.—With respect to an incentive program developed and implemented under this section, the Secretary shall ensure that—

(A) the size, scope, and duration of the incentive program is reasonable in relation to the purpose of the incentive program; and

(B) appropriate criteria and data collection are used to ensure adequate evaluation of the feasibility and advisability of implementing the incentive program throughout the TRICARE program.

(3) USE OF EXISTING MODELS.—In developing an incentive program under this section, the Secretary may adapt a value-based incentive program conducted by the Centers for Medicare & Medicaid Services or any other governmental or commercial health care program.

(c) TERMINATION.—The authority of the Secretary to carry out the pilot program under this section shall terminate on December 31, 2019.

(d) REPORT.—Not later than March 15, 2019, the Secretary shall submit to the congressional defense committees a report on the pilot program that includes the following:

(1) An assessment of each incentive program developed and implemented under this section, including whether such incentive program—

(A) improves the quality of health care provided to covered beneficiaries, the experience of covered beneficiaries in receiving health care under the TRICARE program, or the health of covered beneficiaries;

(B) reduces the rate of increase in health care spending by the Department of Defense; or

(C) enhances the operation of the military health system.

(2) Such recommendations for administrative or legislative action as the Secretary considers appropriate in light of the pilot program, including to implement any such incentive program or programs throughout the TRICARE program.

(e) DEFINITIONS.—In this section, the terms ''covered beneficiary'' and ''TRICARE program'' have the meanings given those terms in section 1072 of title 10, United States Code.

Subtitle C—Reports and Other Matters

SEC. 731. PUBLICATION OF CERTAIN INFORMATION ON HEALTH CARE PROVIDED BY THE DEPARTMENT OF DEFENSE THROUGH THE HOSPITAL COMPARE WEBSITE OF THE DEPARTMENT OF HEALTH AND HUMAN SERVICES.

(a) MEMORANDUM OF UNDERSTANDING REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall enter into a memorandum of understanding with the Secretary of Health and Human Services for the provision by the Secretary of Defense of such information as the Secretary of Health and Human Services may require to report and make publicly available information on quality of care and health outcomes regarding patients at military medical treatment facilities through the Hospital Compare Internet website of the Department of Health and Human Services, or any successor Internet website.

(b) INFORMATION PROVIDED.—The information provided by the Secretary of Defense to the Secretary of Health and Human Services under subsection (a) shall include the following:

(1) Measures of the timeliness and effectiveness of the health care provided by the Department of Defense.

(2) Measures of the prevalence of—

(A) readmissions, including the 30-day readmission rate;

(B) complications resulting in death, including the 30-day mortality rate;

(C) surgical complications; and

(D) health care related infections.

(3) Survey data of patient experiences, including the Hospital Consumer Assessment of Healthcare Providers and Systems or any similar survey developed by the Department of Defense.

(4) Any other measures or data required of or reported with respect to hospitals participating in the Medicare program under title XVIII of the Social Security Act (42 U.S.C. 1395 et seq.).

SEC. 732. PUBLICATION OF DATA ON PATIENT SAFETY, QUALITY OF CARE, SATISFACTION, AND HEALTH OUTCOME MEASURES UNDER THE TRICARE PROGRAM.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall publish on an Internet website of the Department of Defense that is available to the public data on all measures used by the Department to assess patient safety, quality of care, patient satisfaction, and health outcomes for health care provided under the TRICARE program at each military medical treatment facility.

(b) UPDATES.—The Secretary shall publish an update to the data published under subsection (a) not less frequently than once each quarter during each fiscal year.

(c) ACCESSIBILITY.—The Secretary shall ensure that the data published under subsection (a) and updated under subsection (b) is accessible to the public through the primary Internet website of the Department and the primary Internet website of the military medical treatment facility with respect to which such data applies.

(d) TRICARE PROGRAM DEFINED.—In this section, the term ''TRICARE program'' has the meaning given such terms in section 1072 of title 10, United States Code.

SEC. 733. ANNUAL REPORT ON PATIENT SAFETY, QUALITY OF CARE, AND ACCESS TO CARE AT MILITARY MEDICAL TREATMENT FACILITIES.

(a) IN GENERAL.—Not later than March 1 each year beginning in 2016, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a comprehensive report on patient safety, quality of care, and access to care at military medical treatment facilities.

(b) ELEMENTS.—Each report required by subsection (a) shall include the following:

(1) The number of sentinel events, as defined by the Joint Commission, that occurred at military medical treatment facilities during the year preceding the submittal of the report, disaggregated by—

(A) military medical treatment facility; and

(B) military department with jurisdiction over such facilities.

(2) With respect to each sentinel event described in paragraph (1)—

(A) a synopsis of such event; and

(B) a description of any actions taken by the Secretary of the military department concerned in response to such event, including any actions taken to hold individuals accountable.

(3) The number of practitioners providing health care in military medical treatment facilities that were reported to the National Practitioner Data Bank during the year preceding the submittal of the report.

(4) The results of any internal analyses conducted by the Patient Safety Center of the Department of Defense during such year on matters relating to patient safety at military medical treatment facilities.

(5) With respect to each military medical treatment facility—

(A) the current accreditation status of such facility, including any recommendations for corrective action made by the relevant accrediting body;

(B) any policies or procedures implemented during such year by the Secretary of the military department concerned that were designed to improve patient safety, quality of care, and access to care at such facility;

(C) data on surgical and maternity care outcomes during such year;

(D) data on appointment wait times during such year; and

(E) data on patient safety, quality of care, and access to care as compared to standards established by the Department with respect to patient safety, quality of care, and access to care.

SEC. 734. REPORT ON PLANS TO IMPROVE EXPERIENCE WITH AND ELIMINATE PERFORMANCE VARIABILITY OF HEALTH CARE PROVIDED BY THE DEPARTMENT OF DEFENSE.

(a) COMPREHENSIVE REPORT.—

(1) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a comprehensive report setting forth the current and future plans of the Secretary, with estimated dates of completion, to carry out the following:

(A) To improve the experience of beneficiaries with health care provided in military medical treatment facilities and through purchased care.

(B) To eliminate performance variability with respect to the provision of such health care.

(2) ELEMENTS.—The comprehensive report required by paragraph (1) shall include the plans of the Secretary of Defense, in consultation with the Secretaries of the military departments, as follows:

(A) To align performance measures for health care provided in military medical treatment facilities with performance measures for health care provided through purchased care.

(B) To improve underperformance in the provision of health care by the Department of Defense by eliminating performance variability with respect to the provision of health care in military medical treatment facilities and through purchased care.

(C) To use innovative, high-technology services to improve access to care, coordination of care, and the experience of care in military medical treatment facilities and through purchased care.

(D) To collect and analyze data throughout the Department with respect to health care provided in military medical treatment facilities and through purchased care to improve the quality of such care, patient safety, and patient satisfaction.

(E) To develop a performance management system, including by adoption of common measures for access to care, quality of care, safety, and patient satisfaction, that holds medical leadership throughout the Department personally accountable for sustained improvement of performance.

(F) To use such other methods as the Secretary considers appropriate to improve the experience of beneficiaries with and eliminate performance variability with respect to health care received from the Department.

(b) COMPTROLLER GENERAL REPORT.—

(1) IN GENERAL.—Not later than 180 days after the submittal of the comprehensive report required by subsection (a), the Comptroller General of the United States shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the plans of the Secretary of Defense set forth in the comprehensive report submitted under such subsection.

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

(A) An assessment whether the plans included in the comprehensive report submitted under subsection (a) will, with respect to members of the Armed Forces and covered beneficiaries under the TRICARE program—

(i) improve health outcomes;

(ii) create lasting health value; and

(iii) ensure that such individuals are able to equitably obtain quality health care in all military medical treatment facilities and through purchased care.

(B) An assessment whether such plans can be reasonably achieved within the estimated dates of completion set forth by the Department under such subsection.

(C) An assessment whether any such plan would require legislative action for the implementation of such plan.

(D) An assessment whether the Department of Defense has adequately budgeted

amounts to fund the carrying out of such plans.

(c) DEFINITIONS.—In this section:

(1) The term ''purchased care'' means health care provided pursuant to a contract entered into under the TRICARE program.

(2) The terms ''covered beneficiary'' and ''TRICARE program'' have the meaning given such terms in section 1072 of title 10, United States Code.

SEC. 735. REPORT ON PLAN TO IMPROVE PEDIATRIC CARE AND RELATED SERVICES FOR CHILDREN OF MEMBERS OF THE ARMED FORCES.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report setting forth a plan of the Department of Defense to improve pediatric care and related services for children of members of the Armed Forces.

(b) ELEMENTS.—The report required by subsection (a) shall include the following:

(1) In order to ensure that children receive developmentally-appropriate and age-appropriate health care services from the Department, a plan to align preventive pediatric care under the TRICARE program with—

(A) standards for such care as required by the Patient Protection and Affordable Care Act (Public Law 111–148);

(B) guidelines established for such care by the Early and Periodic Screening, Diagnosis, and Treatment program under the Medicaid program carried out under title XIX of the Social Security Act (42 U.S.C. 1396 et seq.); and

(C) recommendations by organizations that specialize in pediatrics.

(2) A plan to develop a uniform definition of ''pediatric medical necessity'' for the Department that aligns with recommendations of organizations that specialize in pediatrics in order to ensure that a consistent definition of such term is used in providing health care in military medical treatment facilities and by health care providers under the TRICARE program.

(3) A plan to revise certification requirements for residential treatment centers of the Department to expand the access of children of members of the Armed Forces to services at such centers.

(4) A plan to develop measures to evaluate and improve access to pediatric care, coordination of pediatric care, and health outcomes for such children.

(5) A plan to include an assessment of access to pediatric specialty care in the annual report to Congress on the effectiveness of the TRICARE program.

(6) A plan to improve the quality of and access to behavioral health care under the TRICARE program for such children, including intensive outpatient and partial hospitalization services.

(7) A plan to mitigate the impact of permanent changes of station and other service-related relocations of members of the Armed Forces on the continuity of health care services received by such children who have special medical or behavioral health needs.

(8) A plan to mitigate deficiencies in data collection, data utilization, and data analysis to improve pediatric care and related services for children of members of the Armed Forces.

(c) TRICARE PROGRAM DEFINED.—In this section, the term ''TRICARE program'' has the meaning given such term in section 1072 of title 10, United States Code.

SEC. 736. REPORT ON PRELIMINARY MENTAL HEALTH SCREENINGS FOR INDIVIDUALS BECOMING MEMBERS OF THE ARMED FORCES.

(a) REPORT ON RECOMMENDATIONS IN CONNECTION WITH SCREENINGS.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on mental health screenings of individuals enlisting or accessioning into the Armed Forces before enlistment or accession.

(b) ELEMENTS.—The report under subsection (a) shall include the following:

(1) Recommendations with respect to establishing a secure, electronically-based preliminary mental health screening of members of the Armed Forces to bring mental health screenings to parity with physical screenings of members.

(2) Recommendations with respect to the composition of the mental health screening, evidenced-based best practices, and how to track changes in mental health screenings relating to traumatic brain injuries, posttraumatic stress disorder, and other conditions.

(c) COORDINATION AND CONSULTATION.—The Secretary shall prepare the report under subsection (a)—

(1) in coordination with the Secretary of Veterans Affairs, the Secretary of Health and Human Services, and the surgeons general of the military departments; and

(2) in consultation with experts in the field, including the National Institute of Mental Health of the National Institutes of Health.

SEC. 737. COMPTROLLER GENERAL REPORT ON USE OF QUALITY OF CARE METRICS AT MILITARY TREATMENT FACILITIES.

(a) IN GENERAL.—Not later than one year after the date of the enactment of this Act, the Comptroller General of the United States shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the use by the Department of Defense of metrics with respect to the quality of care provided at military treatment facilities.

(b) ELEMENTS.—The report required by subsection (a) shall include the following:

(1) The extent to which the Department of Defense and each military department use metrics to monitor and assess the quality of care provided at military treatment facilities.

(2) How, if at all, the use of such metrics varies among the Department of Defense and each military department.

(3) The extent to which the Department of Defense and each military department use the information from such metrics to identify and address issues such as the performance of individual health care providers and areas in need of improvement system-wide.

(4) The extent to which the Department of Defense and each military department oversee the process of using metrics to monitor and assess the quality of care provided at military treatment facilities.

TITLE VIII—ACQUISITION POLICY, ACQUISITION MANAGEMENT, AND RELATED MATTERS

Subtitle A—Acquisition Policy and Management

SEC. 801. ROLE OF SERVICE CHIEFS IN THE ACQUISITION PROCESS.

(a) SERVICE CHIEFS AS CUSTOMER OF ACQUISITION PROCESS.—

(1) IN GENERAL.—Chapter 149 of title 10, United States Code, is amended by inserting after section 2546 the following new section:

''§ 2546a. Customer-oriented acquisition system

''(a) OBJECTIVE.—It shall be the objective of the defense acquisition system to meet the needs of its customers in the most cost-effective manner practicable. The acquisition policies, directives, and regulations of the Department of Defense shall be modified as necessary to ensure the development and implementation of a customer-oriented acquisition system.

''(b) CUSTOMER.—The customer of the defense acquisition system is the military service that will have primary responsibility for fielding the system or systems acquired. The customer is represented with regard to a major defense acquisition program by the Secretary of the relevant military department and the Chief of the relevant military service.

''(c) ROLE OF CUSTOMER.—The customer of a major defense acquisition program shall be responsible for balancing resources against priorities on the acquisition program and ensuring that appropriate trade-offs are made among cost, schedule, technical feasibility, and performance on a continuing basis throughout the life of the acquisition program.''.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 149 of such title is amended by inserting after the item relating to section 2546 the following new item:

''2546a. Customer-oriented acquisition system.''.

(b) RESPONSIBILITIES OF CHIEFS.—Section 2547(a) of title 10, United States Code, is amended—

(1) by redesignating paragraphs (2) through (6) as paragraphs (3) through (7), respectively;

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

''(2) Decisions regarding the balancing of resources and priorities, and associated trade-offs among cost, schedule, technical feasibility, and performance on major defense acquisition programs.''; and

(3) in paragraph (6), as redesignated by paragraph (1) of this subsection, by striking ''The development'' and inserting ''The development and management''.

(c) RESPONSIBILITIES OF MILITARY DEPUTIES.—Section 908(d) of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–181; 122 Stat. 278; 10 U.S.C. 2430 note) is amended to read as follows:

''(d) DUTIES OF PRINCIPAL MILITARY DEPUTIES.—Each Principal Military Deputy to a service acquisition executive shall be responsible for—

''(1) keeping the Chief of Staff of the Armed Force concerned informed of the progress of major defense acquisition programs;

''(2) informing the Chief of Staff on a continuing basis of any developments on major defense programs, which may require new or revisited trade-offs among cost, schedule, technical feasibility, and performance, including—

''(A) significant cost growth or schedule slippage; and

''(B) requirements creep (as defined in section 2547(c)(1) of title 10, United States Code); and

''(3) ensuring that the views of the Chief of Staff on cost, schedule, technical feasibility, and performance trade-offs are strongly considered by program managers and program

executive officers in all phases of the acquisition process.''.

(d) CONFORMING AMENDMENTS.—

(1) JOINT REQUIREMENTS OVERSIGHT COUNCIL.—Section 181(d) of title 10, United States Code, is amended by adding at the end the following new paragraph:

''(3) The Council shall seek, and strongly consider, the views of the Chiefs of Staff of the Armed Forces, in their roles as customers of the acquisition system, on matters pertaining to trade-offs among cost, schedule, technical feasibility, and performance under subsection (b)(1)(C) and the balancing of resources with priorities pursuant to subsection (b)(3).''.

(2) MILESTONE A DECISIONS.—The chief of the relevant military service shall advise the milestone decision authority for a major defense acquisition program of the chief's views on cost, schedule, technical feasibility, and performance trade-offs that have been made with regard to the program, as provided in section 2366a(a)(2) of title 10, United States Code, as amended by section 844 of this Act, prior to a Milestone A decision on the program.

(3) MILESTONE B DECISIONS.—The chief of the relevant military service shall advise the milestone decision authority for a major defense acquisition program of the chief's views on cost, schedule, technical feasibility, and performance trade-offs that have been made with regard to the program, as provided in section 2366b(b)(3) of title 10, United States Code, as amended by section 845 of this Act, prior to a Milestone B decision on the program.

(4) DUTIES OF CHIEFS.—

(A) Section 3033(d)(5) of title 10, United States Code, is amended by striking ''section 171'' and inserting ''sections 171 and 2547''.

(B) Section 5033(d)(5) of title 10, United States Code, is amended by striking ''section 171'' and inserting ''sections 171 and 2547''.

(C) Section 5043(e)(5) of title 10, United States Code, is amended by striking ''section 171'' and inserting ''sections 171 and 2547''.

(D) Section 8033(d)(5) of title 10, United States Code, is amended by striking ''section 171'' and inserting ''sections 171 and 2547''.

SEC. 802. EXPANSION OF RAPID ACQUISITION AUTHORITY.

Section 806(c) of the Bob Stump National Defense Authorization Act for Fiscal Year 2003 (Public Law 107–314; 10 U.S.C. 2302 note) is amended to read as follows:

''(c) RESPONSE TO COMBAT EMERGENCIES AND CERTAIN URGENT OPERATIONAL NEEDS.—

''(1) DETERMINATION OF NEED FOR RAPID ACQUISITION AND DEPLOYMENT.—(A) In the case of any supplies and associated support services that, as determined in writing by the Secretary of Defense, are urgently needed to eliminate a documented deficiency that has resulted in combat casualties, or is likely to result in combat casualties, the Secretary may use the procedures developed under this section in order to accomplish the rapid acquisition and deployment of the needed supplies and associated support services.

''(B) In the case of any supplies and associated support services that, as determined in writing by the Secretary of Defense, are urgently needed to eliminate a documented deficiency that impacts an ongoing or anticipated contingency operation and that, if left unfulfilled, could potentially result in loss of life or critical mission failure, the Secretary may use the procedures developed under this section in order to accomplish the rapid acquisition and deployment of the needed supplies and associated support services.

''(C)(i) In the case of any supplies and associated support services that, as determined in writing by the Secretary of Defense without delegation, are urgently needed to eliminate a deficiency that as the result of a cyber attack has resulted in critical mission failure, the loss of life, property destruction, or economic effects, or if left unfilled is likely to result in critical mission failure, the loss of life, property destruction, or economic effects, the Secretary may use the procedures developed under this section in order to accomplish the rapid acquisition and deployment of the needed offensive or defensive cyber capabilities, supplies, and associated support services.

''(ii) In this subparagraph, the term 'cyber attack' means a deliberate action to alter, disrupt, deceive, degrade, or destroy computer systems or networks or the information or programs resident in or transiting these systems or networks.

''(2) DESIGNATION OF SENIOR OFFICIAL RESPONSIBLE.—(A) Whenever the Secretary makes a determination under subparagraph (A), (B), or (C) of paragraph (1) that certain supplies and associated support services are urgently needed to eliminate a deficiency described in that subparagraph, the Secretary shall designate a senior official of the Department of Defense to ensure that the needed supplies and associated support services are acquired and deployed as quickly as possible, with a goal of awarding a contract for the acquisition of the supplies and associated support services within 15 days.

''(B) Upon designation of a senior official under subparagraph (A), the Secretary shall authorize that official to waive any provision of law, policy, directive, or regulation described in subsection (d) that such official determines in writing would unnecessarily impede the rapid acquisition and deployment of the needed supplies and associated support services. In a case in which the needed supplies and associated support services cannot be acquired without an extensive delay, the senior official shall require that an interim solution be implemented and deployed using the procedures developed under this section to minimize adverse consequences resulting from the urgent need.

''(3) USE OF FUNDS.—(A) In any fiscal year in which the Secretary makes a determination described in subparagraph (A), (B), or (C) of paragraph (1), the Secretary may use any funds available to the Department of Defense for acquisitions of supplies and associated support services if the determination includes a written finding that the use of such funds is necessary to address the deficiency in a timely manner.

''(B) The authority of this section may only be used to acquire supplies and associated support services—

''(i) in the case of determinations by the Secretary under paragraph (1)(A), in an amount aggregating not more than $200,000,000 during any fiscal year;

''(ii) in the case of determinations by the Secretary under paragraph (1)(B), in an amount aggregating not more than $200,000,000 during any fiscal year; and

''(iii) in the case of determinations by the Secretary under paragraph (1)(C), in an amount aggregating not more than $200,000,000 during any fiscal year.

''(4) NOTIFICATION TO CONGRESSIONAL DEFENSE COMMITTEES.—(A) In the case of a determination by the Secretary under paragraph (1)(A), the Secretary shall notify the congressional defense committees of the determination within 15 days after the date of the determination.

''(B) In the case of a determination by the Secretary under paragraph (1)(B) the Secretary shall notify the congressional defense committees of the determination at least 10 days before the date on which the determination is effective.

''(C) A notice under this paragraph shall include the following:

''(i) The supplies and associated support services to be acquired.

''(ii) The amount anticipated to be expended for the acquisition.

''(iii) The source of funds for the acquisition.

''(D) A notice under this paragraph shall be sufficient to fulfill any requirement to provide notification to Congress for a new start program.

''(E) A notice under this paragraph shall be provided in consultation with the Director of the Office of Management and Budget.

''(5) TIME FOR TRANSITIONING TO NORMAL ACQUISITION SYSTEM.—Any acquisition initiated under this subsection shall transition to the normal acquisition system not later than two years after the date on which the Secretary makes the determination described in paragraph (1) with respect to the supplies and associated support services concerned.

''(6) LIMITATION ON OFFICERS WITH AUTHORITY TO MAKE A DETERMINATION.—The authority to make a determination under subparagraph (A), (B), or (C) of paragraph (1) may be exercised only by the Secretary or Deputy Secretary of Defense.''.

SEC. 803. MIDDLE TIER OF ACQUISITION FOR RAPID PROTOTYPING AND RAPID FIELDING.

(a) GUIDANCE REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Under Secretary of Defense for Acquisition, Technology, and Logistics, in consultation with the Comptroller of the Department of Defense and the Vice Chairman of the Joint Chiefs of Staff, shall establish guidance for a ''middle tier'' of acquisition programs that are intended to be completed in a period of two to five years.

(b) ACQUISITION PATHWAYS.—The guidance required by subsection (a) shall cover the following two acquisition pathways:

(1) RAPID PROTOTYPING.—The rapid prototyping pathway shall provide for the use of innovative technologies to rapidly develop fieldable prototypes to demonstrate new capabilities and meet emerging military needs. The objective of an acquisition program under this pathway shall be to field a prototype that can be demonstrated in an operational environment and provide for a residual operational capability within five years of the development of an approved requirement.

(2) RAPID FIELDING.—The rapid fielding pathway shall provide for the use of proven technologies to field production quantities of new or upgraded systems with minimal development required. The objective of an acquisition program under this pathway shall be to begin production within six months and complete fielding within five years of the development of an approved requirement.

(c) EXPEDITED PROCESS.—

(1) IN GENERAL.—The guidance required by subsection (a) shall provide for a streamlined and coordinated requirements, budget, and acquisition process that results in the development of an approved requirement for each program in a period of not more than six months from the time that the process is initiated. Programs that are subject to the guidance shall not be subject to the Joint Capabilities Integration and Development System Manual and Department of Defense Directive 5000.01, except to the extent specifically provided in the guidance.

(2) RAPID PROTOTYPING.—With respect to the rapid prototyping pathway, the guidance shall include—

(A) a merit-based process for the consideration of innovative technologies and new capabilities to meet needs communicated by the Joint Chiefs of Staff and the combatant commanders;

(B) a process for developing and implementing acquisition and funding strategies for the program;

(C) a process for cost-sharing with the military departments on rapid prototype projects, to ensure an appropriate commitment to the success of such projects;

(D) a process for demonstrating and evaluating the performance of fieldable prototypes developed pursuant to the program in an operational environment; and

(E) a process for transitioning successful prototypes to new or existing acquisition programs for production and fielding under the rapid fielding pathway or the traditional acquisition system.

(3) RAPID FIELDING.—With respect to the rapid fielding pathway, the guidance shall include—

(A) a merit-based process for the consideration of existing products and proven technologies to meet needs communicated by the Joint Chiefs of Staff and the combatant commanders;

(B) a process for demonstrating performance and evaluating for current operational purposes the proposed products and technologies;

(C) a process for developing and implementing acquisition and funding strategies for the program; and

(D) a process for considering lifecycle costs and addressing issues of logistics support and system interoperability.

(4) STREAMLINED PROCEDURES.—The guidance for the programs may provide for any of the following streamlined procedures:

(A) The service acquisition executive of the military department concerned shall appoint a program manager for such program from among candidates from among civilian employees or members of the armed forces who have significant and relevant experience managing large and complex programs.

(B) The program manager for each program shall report with respect to such program directly, without intervening review or approval, to the service acquisition executive of the military department concerned.

(C) The service acquisition executive of the military department concerned shall evaluate the job performance of such manager on an annual basis. In conducting an evaluation under this paragraph, a service acquisition executive shall consider the extent to which the manager has achieved the objectives of the program for which the manager is responsible, including quality, timeliness, and cost objectives.

(D) The program manager of a defense streamlined program shall be authorized staff positions for a technical staff, including experts in business management, contracting, auditing, engineering, testing, and logistics, to enable the manager to manage the program without the technical assistance of another organizational unit of an agency to the maximum extent practicable.

(E) The program manager of a defense streamlined program shall be authorized, in coordination with the users of the equipment and capability to be acquired and the test community, to make trade-offs among lifecycle costs, requirements, and schedules to meet the goals of the program.

(F) The service acquisition executive, acting in coordination with the defense acquisition executive, shall serve as the milestone decision authority for the program.

(G) The program manager of a defense streamlined program shall be provided a process to expeditiously seek a waiver from Congress from any statutory or regulatory requirement that the program manager determines adds little or no value to the management of the program.

(d) RAPID PROTOTYPING FUND.—

(1) IN GENERAL.—The Secretary of Defense shall establish a fund to be known as the ''Department of Defense Rapid Prototyping Fund'' to provide funds, in addition to other funds that may be available for acquisition programs under the rapid prototyping pathway established pursuant to this section. The Fund shall be managed by a senior official of the Department of Defense designated by the Under Secretary of Defense for Acquisition, Technology, and Logistics. The Fund shall consist of amounts appropriated to the Fund and amounts credited to the Fund pursuant to section 849 of this Act.

(2) TRANSFER AUTHORITY.—Amounts available in the Fund may be transferred to a military department for the purpose of carrying out an acquisition program under the rapid prototyping pathway established pursuant to this section. Any amount so transferred shall be credited to the account to which it is transferred. The transfer authority provided in this subsection is in addition to any other transfer authority available to the Department of Defense.

(3) CONGRESSIONAL NOTICE.—The senior official designated to manage the Fund shall notify the congressional defense committees of all transfers under paragraph (2). Each notification shall specify the amount transferred, the purpose of the transfer, and the total projected cost and estimated cost to complete the acquisition program to which the funds were transferred.

SEC. 804. AMENDMENTS TO OTHER TRANSACTION AUTHORITY.

(a) AUTHORITY OF THE DEFENSE ADVANCED RESEARCH PROJECTS AGENCY TO CARRY OUT CERTAIN PROTOTYPE PROJECTS.—

(1) IN GENERAL.—Chapter 193 of title 10, United States Code, is amended by inserting after section 2371a the following new section:

''§ 2371b. Authority of the Defense Advanced Research Projects Agency to carry out certain prototype projects

''(a) AUTHORITY.—(1) Subject to paragraph (2), the Director of the Defense Advanced Research Projects Agency, the Secretary of a military department, or any other official designated by the Secretary of Defense may, under the authority of section 2371 of this title, carry out prototype projects that are directly relevant to enhancing the mission effectiveness of military personnel and the supporting platforms, systems, components, or materials proposed to be acquired or developed by the Department of Defense, or to improvement of platforms, systems, components, or materials in use by the armed forces.

''(2) The authority of this section—

''(A) may be exercised for a prototype project that is expected to cost the Department of Defense in excess of $50,000,000 but not in excess of $250,000,000 (including all options) only upon a written determination by the senior procurement executive for the agency as designated for the purpose of section 1702(c) of title 41, or, for the Defense Advanced Research Projects Agency or the Missile Defense Agency, the director of the agency that—

''(i) the requirements of subsection (d) will be met; and

''(ii) the use of the authority of this section is essential to promoting the success of the prototype project; and

''(B) may be exercised for a prototype project that is expected to cost the Department of Defense in excess of $250,000,000 (including all options) only if—

''(i) the Under Secretary of Defense for Acquisition, Technology, and Logistics determines in writing that—

''(I) the requirements of subsection (d) will be met; and

''(II) the use of the authority of this section is essential to meet critical national security objectives; and

''(ii) the congressional defense committees are notified in writing at least 30 days before such authority is exercised.

''(3) The authority of a senior procurement executive or director of the Defense Advanced Research Projects Agency or Missile Defense Agency under paragraph (2)(A), and the authority of the Under Secretary of Defense for Acquisition, Technology, and Logistics under paragraph (2)(B), may not be delegated.

''(b) EXERCISE OF AUTHORITY.—

''(1) Subsections (e)(1)(B) and (e)(2) of such section 2371 shall not apply to projects carried out under subsection (a).

''(2) To the maximum extent practicable, competitive procedures shall be used when entering into agreements to carry out projects under subsection (a).

''(c) COMPTROLLER GENERAL ACCESS TO INFORMATION.—(1) Each agreement entered into by an official referred to in subsection (a) to carry out a project under that subsection that provides for payments in a total amount in excess of $5,000,000 shall include a clause that provides for the Comptroller General, in the discretion of the Comptroller General, to examine the records of any party to the agreement or any entity that participates in the performance of the agreement.

''(2) The requirement in paragraph (1) shall not apply with respect to a party or entity, or a subordinate element of a party or entity, that has not entered into any other agreement that provides for audit access by a Government entity in the year prior to the date of the agreement.

''(3)(A) The right provided to the Comptroller General in a clause of an agreement under paragraph (1) is limited as provided in subparagraph (B) in the case of a party to the agreement, an entity that participates in the performance of the agreement, or a subordinate element of that party or entity if the only agreements or other transactions that the party, entity, or subordinate element entered into with Government entities in the year prior to the date of that agreement are cooperative agreements or transactions that were entered into under this section or section 2371 of this title.

''(B) The only records of a party, other entity, or subordinate element referred to in subparagraph (A) that the Comptroller General may examine in the exercise of the right referred to in that subparagraph are records of the same type as the records that the Government has had the right to examine under the audit access clauses of the previous agreements or transactions referred to in such subparagraph that were entered into by that particular party, entity, or subordinate element.

''(4) The head of the contracting activity that is carrying out the agreement may waive the applicability of the requirement in paragraph (1) to the agreement if the head of the contracting activity determines that it would not be in the public interest to apply

the requirement to the agreement. The waiver shall be effective with respect to the agreement only if the head of the contracting activity transmits a notification of the waiver to Congress and the Comptroller General before entering into the agreement. The notification shall include the rationale for the determination.

''(5) The Comptroller General may not examine records pursuant to a clause included in an agreement under paragraph (1) more than three years after the final payment is made by the United States under the agreement.

''(d) APPROPRIATE USE OF AUTHORITY.—(1) The Secretary of Defense shall ensure that no official of an agency enters into a transaction (other than a contract, grant, or cooperative agreement) for a prototype project under the authority of this section unless one of following conditions is met:

''(A) There is at least one nontraditional defense contractor participating to a significant extent in the prototype project.

''(B) All parties to the transaction other than the Federal Government are innovative small businesses and non-traditional contractors with unique capabilities relevant to the prototype project.

''(C) At least one third of the total cost of the prototype project is to be paid out of funds provided by parties to the transaction other than the Federal Government.

''(D) The senior procurement executive for the agency determines in writing that exceptional circumstances justify the use of a transaction that provides for innovative business arrangements or structures that would not be feasible or appropriate under a contract.

''(2)(A) Except as provided in subparagraph (B), the amounts counted for the purposes of this subsection as being provided, or to be provided, by a party to a transaction with respect to a prototype project that is entered into under this section other than the Federal Government do not include costs that were incurred before the date on which the transaction becomes effective.

''(B) Costs that were incurred for a prototype project by a party after the beginning of negotiations resulting in a transaction (other than a contract, grant, or cooperative agreement) with respect to the project before the date on which the transaction becomes effective may be counted for purposes of this subsection as being provided, or to be provided, by the party to the transaction if and to the extent that the official responsible for entering into the transaction determines in writing that—

''(i) the party incurred the costs in anticipation of entering into the transaction; and

''(ii) it was appropriate for the party to incur the costs before the transaction became effective in order to ensure the successful implementation of the transaction.

''(e) DEFINITIONS.—In this section:

''(1) The term 'nontraditional defense contractor' has the meaning given the term under section 2302(9) of this title.

''(2) The term 'small business' means a small business concern as defined under section 3 of the Small Business Act (15 U.S.C. 632).

''(f) FOLLOW-ON PRODUCTION CONTRACTS OR TRANSACTIONS.—(1) A transaction entered into under this section for a prototype project may provide for the award of a follow-on production contract or transactions to the participants in the transaction.

''(2) A follow-on production contract or transaction provided for in a transaction under paragraph (1) may be awarded to the participants in the transaction without the use of competitive procedures, notwithstanding the requirements of section 2304 of this title, if—

''(A) competitive procedures were used for the selection of parties for participation in the transaction; and

''(B) the participants in the transaction successfully completed the prototype project provided for in the transaction.

''(3) Contracts and transactions entered into pursuant to this subsection may be awarded using the authority in subsection (a), under the authority of chapter 137 of this title, or under such procedures, terms, and conditions as the Secretary of Defense may establish by regulation.

''(g) AUTHORITY TO PROVIDE PROTOTYPES AND FOLLOW-ON PRODUCTION ITEMS AS GOVERNMENT FURNISHED EQUIPMENT.—An agreement entered pursuant to the authority of subsection (a) or a follow-on contract entered pursuant to the authority of subsection (f) may provide for prototypes or follow-on production items to be provided to another contractor as government-furnished equipment.

''(h) APPLICABILITY OF PROCUREMENT ETHICS REQUIREMENTS.—An agreement entered into under the authority of this section shall be treated as a Federal agency procurement for the purposes of chapter 21 of title 41.''.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 139 of such title is amended by inserting after the item relating to section 2371a the following new item:

''2371b. Authority of the Defense Advanced Research Projects Agency to carry out certain prototype projects.''.

(b) MODIFICATION TO DEFINITION OF NONTRADITIONAL CONTRACTOR.—Section 2302(9) of such title is amended to read as follows:

''(9) The term 'nontraditional defense contractor', with respect to a procurement or with respect to a transaction authorized under section 2371(a) of this title, means an entity that—

''(A) is not currently performing and has not performed, for at least the one-year period preceding the solicitation of sources by the Department of Defense for the procurement or transaction, any contract or subcontract that is subject to full coverage under the cost accounting standards prescribed pursuant to 1502 of title 41 and the regulations implementing such section; and

''(B) has not been awarded, for at least the one-year period preceding the solicitation of sources by the Department of Defense for the procurement or transaction, any other contract under which the contractor was required to submit certified cost or pricing data under section 2306a of this title.''.

(c) REPEAL OF OBSOLETE AUTHORITY.—Section 845 of the National Defense Authorization Act for Fiscal Year 1994 (Public Law 103–160; 10 U.S.C. 2371 note) is hereby repealed.

(d) TECHNICAL AND CONFORMING AMENDMENT.—Section 1601(c)(1) of the National Defense Authorization Act for Fiscal Year 2004 (Public Law 108–136; 10 U.S.C. 2370a note) is amended by restating subparagraph (B) to read as follows:

''(B) sections 2371 and 2371b of title 10, United States Code.''.

SEC. 805. USE OF ALTERNATIVE ACQUISITION PATHS TO ACQUIRE CRITICAL NATIONAL SECURITY CAPABILITIES.

(a) GUIDELINES.—The Secretary of Defense shall establish procedures and guidelines for alternative acquisition pathways to acquire capital assets and services that meet critical national security needs. The guidelines shall—

(1) be separate from existing acquisition procedures and guidelines;

(2) be supported by streamlined contracting, budgeting, and requirements processes;

(3) establish alternative acquisition paths based on the capabilities being bought and the time needed to deploy these capabilities; and

(4) maximize the use of flexible authorities in existing law and regulation.

(b) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report that includes a summary of the guidelines established under subsection (a) and recommendations for any legislation necessary to meet the objectives set forth in subsection (a) and to implement the guidelines established under such subsection.

SEC. 806. SECRETARY OF DEFENSE WAIVER OF ACQUISITION LAWS TO ACQUIRE VITAL NATIONAL SECURITY CAPABILITIES.

(a) WAIVER AUTHORITY.—The Secretary of Defense is authorized to waive any provision of acquisition law or regulation described in subsection (c) for the purpose of acquiring a capability that would not otherwise be available to the Armed Forces of the United States, upon a determination that—

(1) the acquisition of the capability is in the vital national security interest of the United States;

(2) the application of the law or regulation to be waived would impede the acquisition of the capability in a manner that would undermine the national security of the United States; and

(3) the underlying purpose of the law or regulation to be waived can be addressed in a different manner or at a different time.

(b) DESIGNATION OF RESPONSIBLE OFFICIAL.—Whenever the Secretary of Defense makes a determination under subsection (a)(1) that the acquisition of a capability is in the vital national security interest of the United States, the Secretary shall designate a senior official of the Department of Defense who shall be personally responsible and accountable for the rapid and effective acquisition and deployment of the needed capability. The Secretary shall provide the designated official such authority as the Secretary determines necessary to achieve this objective, and may use the waiver authority in subsection (a) for this purpose.

(c) ACQUISITION LAWS AND REGULATIONS.—

(1) IN GENERAL.—Upon a determination described in subsection (a), the Secretary of Defense is authorized to waive any provision of law or regulation addressing—

(A) the establishment of a requirement or specification for the capability to be acquired;

(B) research, development, test, and evaluation of the capability to be acquired;

(C) production, fielding, and sustainment of the capability to be acquired; or

(D) solicitation, selection of sources, and award of contracts for the capability to be acquired.

(2) LIMITATIONS.—Nothing in this subsection authorizes the waiver of—

(A) the requirements of this section;

(B) any provision of law imposing civil or criminal penalties; or

(C) any provision of law governing the proper expenditure of appropriated funds.

(d) REPORT TO CONGRESS.—The Secretary of Defense shall notify the congressional defense committees at least 30 days before exercising the waiver authority under subsection (a). Each such notice shall include—

(1) an explanation of the basis for determining that the acquisition of the capability is in the vital national security interest of the United States;

(2) an identification of each provision of law or regulation to be waived; and

(3) for each provision identified pursuant to paragraph (2)—

(A) an explanation of why the application of the provision would impede the acquisition in a manner that would undermine the national security of the United States; and

(B) a description of the time or manner in which the underlying purpose of the law or regulation to be waived will be addressed.

(e) NON-DELEGATION.—The authority of the Secretary to waive provisions of laws and regulations under subsection (a) is non-delegable.

SEC. 807. ACQUISITION AUTHORITY OF THE COMMANDER OF UNITED STATES CYBER COMMAND.

(a) AUTHORITY.—

(1) IN GENERAL.—The Commander of the United States Cyber Command shall be responsible for, and shall have the authority to conduct, the following acquisition activities:

(A) Development and acquisition of cyber operations-peculiar equipment and capabilities.

(B) Acquisition of cyber capability-peculiar equipment, capabilities, and services.

(2) ACQUISITION FUNCTIONS.—Subject to the authority, direction, and control of the Secretary of Defense, the Commander shall have authority to exercise the functions of the head of an agency under chapter 137 of title 10, United States Code.

(b) COMMAND ACQUISITION EXECUTIVE.—

(1) IN GENERAL.—The staff of the Commander shall include a command acquisition executive, who shall be responsible for the overall supervision of acquisition matters for the United States Cyber Command. The command acquisition executive shall have the authority—

(A) to negotiate memoranda of agreement with the military departments to carry out the acquisition of equipment, capabilities, and services described in subsection (a)(1) on behalf of the Command;

(B) to supervise the acquisition of equipment, capabilities, and services described in subsection (a)(1);

(C) to represent the Command in discussions with the military departments regarding acquisition programs for which the Command is a customer; and

(D) to work with the military departments to ensure that the Command is appropriately represented in any joint working group or integrated product team regarding acquisition programs for which the Command is a customer.

(2) DELIVERY OF ACQUISITION SOLUTIONS.—The command acquisition executive of the United States Cyber Command shall be—

(A) responsible to the Commander for rapidly delivering acquisition solutions to meet validated cyber operations-peculiar requirements;

(B) subordinate to the defense acquisition executive in matters of acquisition;

(C) subject to the same oversight as the service acquisition executives; and

(D) included on the distribution list for acquisition directives and instructions of the Department of Defense.

(c) ACQUISITION PERSONNEL.—

(1) IN GENERAL.—The Secretary of Defense shall provide the United States Cyber Command with the personnel or funding equivalent to ten full-time equivalent personnel to support the Commander in fulfilling the acquisition responsibilities provided for under this section with experience in—

(A) program acquisition;

(B) the Joint Capabilities Integration and Development System Process;

(C) program management;

(D) system engineering; and

(E) costing.

(2) EXISTING PERSONNEL.—The personnel provided under this subsection shall be provided from among the existing personnel of the Department of Defense.

(d) INSPECTOR GENERAL ACTIVITIES.—The staff of the Commander of the United States Cyber Command shall on a periodic basis include a representative from the Department of Defense Office of Inspector General who shall conduct internal audits and inspections of purchasing and contracting actions through the United States Cyber Command and such other Inspector General functions as may be assigned.

(e) BUDGET.—In addition to the activities of a combatant command for which funding may be requested under section 166(b) of title 10, United States Code, the budget proposal of the United States Cyber Command shall include requests for funding for—

(1) development and acquisition of cyber operations-peculiar equipment; and

(2) acquisition of other capabilities or services that are peculiar to offensive cyber operations activities.

(f) CYBER OPERATIONS PROCUREMENT FUND.—There is authorized to be appropriated for each of fiscal years 2016 through 2021, out of funds made available for procurement, Defense-wide, $75,000,000 for a Cyber Operations Procurement Fund to support acquisition activities provided for under this section.

(g) RULE OF CONSTRUCTION REGARDING INTELLIGENCE AND SPECIAL ACTIVITIES.—Nothing in this section shall be construed to constitute authority to conduct any activity which, if carried out as an intelligence activity by the Department of Defense, would require a notice to the Select Committee on Intelligence of the Senate and the Permanent Select Committee on Intelligence of the House of Representatives under title V of the National Security Act of 1947 (50 U.S.C. 3091 et seq.).

(h) SUNSET.—

(1) IN GENERAL.—The authority under this section shall terminate on September 30, 2021.

(2) LIMITATION ON DURATION OF ACQUISITIONS.—The authority under this section does not include major defense acquisitions or acquisitions of foundational infrastructure or software architectures the duration of which is expected to last more than five years.

SEC. 808. ADVISORY PANEL ON STREAMLINING AND CODIFYING ACQUISITION REGULATIONS.

(a) ESTABLISHMENT.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall establish under the sponsorship of the Defense Acquisition University and the National Defense University an advisory panel on streamlining acquisition regulations.

(b) MEMBERSHIP.—The panel shall be composed of at least nine individuals who are recognized experts in acquisition and procurement policy. In making appointments to the advisory panel, the Under Secretary shall ensure that the members of the panel reflect diverse experiences in the public and private sectors.

(c) DUTIES.—The panel shall—

(1) review the acquisition regulations applicable to the Department of Defense with a view toward streamlining and improving the efficiency and effectiveness of the defense acquisition process and maintaining defense technology advantage; and

(2) make any recommendations for the amendment or repeal of such regulations that the panel considers necessary, as a result of such review, to—

(A) establish and administer appropriate buyer and seller relationships in the procurement system;

(B) improve the functioning of the acquisition system;

(C) ensure the continuing financial and ethical integrity of defense procurement programs;

(D) protect the best interests of the Department of Defense; and

(E) eliminate any regulations that are unnecessary for the purposes described in subparagraphs (A) through (D).

(d) ADMINISTRATIVE MATTERS.—

(1) IN GENERAL.—The Secretary of Defense shall provide the advisory panel established pursuant to subsection (a) with timely access to appropriate information, data, resources, and analysis so that the advisory panel may conduct a thorough and independent assessment as required under such subsection.

(2) INAPPLICABILITY OF FACA.—The requirements of the Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to the advisory panel established pursuant to subsection (a).

(e) REPORT.—

(1) PANEL REPORT.—Not later than two years after the date on which the Secretary of Defense establishes the advisory panel, the panel shall transmit a final report to the Secretary.

(2) ELEMENTS.—The final report shall contain a detailed statement of the findings and conclusions of the panel, including—

(A) a history of each current acquisition regulation and a recommendation as to whether the regulation and related law (if applicable) should be retained, modified, or repealed; and

(B) such additional recommendations for legislation as the panel considers appropriate.

(3) INTERIM REPORTS.—(A) Not later than 6 months and 18 months after the date of the enactment of this Act, the Secretary of Defense shall submit a report to or brief the congressional defense committees on the interim findings of the panel with respect to the elements set forth in paragraph (2).

(B) The panel shall provide regular updates to the Secretary of Defense for purposes of providing the interim reports required under this paragraph.

(4) FINAL REPORT.—Not later than 30 days after receiving the final report of the advisory panel, the Secretary of Defense shall transmit the final report, together with such comments as the Secretary determines appropriate, to the congressional defense committees.

(f) DEFENSE ACQUISITION WORKFORCE DEVELOPMENT FUND SUPPORT.—The Secretary of Defense may use amounts available in the Department of Defense Acquisition Workforce Development Fund established under section 1705 of title 10, United States Code, to support activities of the advisory panel under this section.

SEC. 809. REVIEW OF TIME-BASED REQUIREMENTS PROCESS AND BUDGETING AND ACQUISITION SYSTEMS.

(a) TIME-BASED REQUIREMENTS PROCESS.—The Secretary of Defense and the Chairman of the Joint Chiefs of Staff shall review the requirements process with the goal of establishing an agile and streamlined system that develops requirements that provide stability and foundational direction for acquisition programs. The requirements system should be informed by technological market research and provide a time-based or phased distinction between capabilities needed to be deployed urgently, within 2 years, within 5 years, and longer than 5 years.

(b) BUDGETING AND ACQUISITION SYSTEMS.—The Secretary of Defense shall review and ensure that the acquisition and budgeting systems are structured to meet time-based or phased requirements in a manner that is predictable, cost effective, and efficient and takes advantage of emerging technological developments. The Secretary shall make all necessary changes in regulation and policy to achieve a time-based requirements, budgeting, and acquisition system and shall identify and report to Congress within 180 days after the date of the enactment of this Act on any statutory impediments to achieving such a system.

SEC. 810. IMPROVEMENT OF PROGRAM AND PROJECT MANAGEMENT BY THE DEPARTMENT OF DEFENSE.

(a) DEPARTMENT-WIDE RESPONSIBILITIES OF SECRETARY OF DEFENSE.—In fulfilling the responsibilities under chapter 87 of title 10, United States Code, the Secretary of Defense shall—

(1) develop Department-wide standards, policies, and guidelines for program and project management for the Department of Defense based on appropriate and applicable nationally accredited standards for program and project management;

(2) develop polices to monitor compliance with the standards, policies, and guidelines developed under paragraph (1); and

(3) engage with the private sector on matters relating to program and project management for the Department.

(b) RESPONSIBILITIES OF USD (ATL).—In fulfilling the responsibilities under chapter 87 of title 10, United States Code, for the military departments and the Defense Agencies, the Under Secretary of Defense for Acquisition, Technology, and Logistics shall—

(1) advise and assist Secretary of Defense with respect Department of Defense practices related to program and project management;

(2) review programs identified as high-risk in program and project management by the Government Accountability Office, and make recommendations for actions to be taken by the Secretary to mitigate such risks;

(3) assess matters of importance to the workforce in program and project management, including—

(A) career development and workforce development;

(B) policies to support continuous improvement in program and project management; and

(C) major challenges of the Department in managing programs and projects; and

(4) advise on the development and applicability of standards Department-wide for program and project management transparency.

(c) RESPONSIBILITIES OF ACQUISITION EXECUTIVES.—In fulfilling the responsibilities under chapter 87 of title 10, United States Code, for the military departments, the service acquisition executives (in consultation with the Chiefs of the Armed Forces with respect to military program managers), and the component acquisition executives for the Defense Agencies, shall—

(1) ensure the compliance of the department or Agency concerned with standards, policies, and guidelines for program and project management for the Department of Defense developed by the Secretary of Defense under subsection (a)(1); and

(2) ensure the effective career development of program managers through—

(A) training and educational opportunities for program managers, including exchange programs with the private sector;

(B) mentoring of current and future program managers by experienced public and private sector senior executives and program managers;

(C) continued refinement of career paths and career opportunities for program managers;

(D) incentives for the recruitment of highly qualified individuals to serve as program managers;

(E) improved means of collecting and disseminating best practices and lessons learned to enhance program management; and

(F) improved methods to support improved data gathering and analysis for program management and oversight purposes.

(d) DEADLINE FOR STANDARDS, POLICIES, AND GUIDELINES.—Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall issue the standards, policies, and guidelines required by subsection (a)(1). The Secretary shall provide Congress an interim update on the progress made in implementing this section not later than six months after the date of the enactment of this Act.

Subtitle B—Amendments to General Contracting Authorities, Procedures, and Limitations

SEC. 821. PREFERENCE FOR FIXED-PRICE CONTRACTS IN DETERMINING CONTRACT TYPE FOR DEVELOPMENT PROGRAMS.

(a) ESTABLISHMENT OF PREFERENCE.—Not later than 180 days after the date of the enactment of this Act, the Defense Federal Acquisition Regulation Supplement shall be revised to establish a preference for fixed-price contracts, including fixed-price incentive fee contracts, in the determination of contract type for development programs.

(b) TECHNICAL AND CONFORMING CHANGES.—Section 818(c) of the John Warner National Defense Authorization Act for Fiscal Year 2007 (Public Law 109–364; 120 Stat. 2329) is amended—

(1) in the first sentence, by inserting ''or major automated information system'' after ''major defense acquisition program''; and

(2) by striking the second sentence.

SEC. 822. APPLICABILITY OF COST AND PRICING DATA AND CERTIFICATION REQUIREMENTS.

Section 2306a(b)(1) of title 10, United States Code, is amended—

(1) in subparagraph (B), by striking ''; or'' and inserting a semicolon;

(2) in subparagraph (C), by striking the period at the end and inserting ''; or''; and

(3) by adding at the end the following new subparagraph:

''(D) to the extent such data relates to an offset agreement in connection with a contract for the sale of a weapon system or defense-related item to a foreign country or foreign firm.''.

SEC. 823. RISK-BASED CONTRACTING FOR SMALLER CONTRACT ACTIONS UNDER THE TRUTH IN NEGOTIATIONS ACT.

(a) INCREASE IN THRESHOLDS.—Subsection (a) of section 2306a of title 10, United States Code, is amended—

(1) in paragraph (1)—

(A) by striking ''December 5, 1990'' each place it appears and inserting ''January 15, 2016'';

(B) by striking ''$500,000'' each place it appears and inserting ''$5,000,000''; and

(C) by striking ''$100,000'' each place it appears and inserting ''$750,000''; and

(2) in paragraph (7), by striking ''fiscal year 1994 constant dollar value'' and inserting ''fiscal year 2016 constant dollar value''.

(b) RISK-BASED CONTRACTING.—Subsection (c) of such section is amended to read as follows:

''(c) COST OR PRICING DATA ON BELOW-THRESHOLD CONTRACTS.—

''(1) AUTHORITY TO REQUIRE SUBMISSION.—Subject to paragraph (4), when certified cost or pricing data are not required to be submitted by subsection (a) for a contract, subcontract, or modification of a contract or subcontract, such data may nevertheless be required to be submitted by the head of the procuring activity, if the head of the procuring activity—

''(A) determines that such data are necessary for the evaluation by the agency of the reasonableness of the price of the contract, subcontract, or modification of a contract or subcontract; or

''(B) requires the submission of such data in accordance with a risk-based contracting approach established pursuant to paragraph (3).

''(2) WRITTEN DETERMINATION REQUIRED.—In any case in which the head of the procuring activity requires certified cost or pricing data to be submitted under paragraph (1)(A), the head of the procuring activity shall justify in writing the reason for such requirement.

''(3) RISK-BASED CONTRACTING.—The head of an agency shall establish a risk-based sampling approach under which the submission of certified cost or pricing data may be required for a risk-based sample of contracts, the price of which is expected to exceed the dollar amount in subsection (a)(1)(A)(ii), but not the amount in subsection (a)(1)(A)(i). The authority to require certified cost or pricing data under this paragraph shall not apply to any contract of an offeror that has not been awarded, for at least the one-year period preceding the issuance of a solicitation for the contract, any other contract in excess of the amount in subsection (a)(1)(A)(i) under which the offeror was required to submit certified cost or pricing data under this section.

''(4) EXCEPTION.—The head of the procuring activity may not require certified cost or pricing data to be submitted under this subsection for any contract or subcontract, or modification of a contract or subcontract, covered by the exceptions in subparagraph (A) or (B) of subsection (b)(1).

''(5) DELEGATION OF AUTHORITY PROHIBITED.—The head of a procuring activity may not delegate functions under this subsection.''.

SEC. 824. LIMITATION ON USE OF REVERSE AUCTION AND LOWEST PRICE TECHNICALLY ACCEPTABLE CONTRACTING METHODS.

Not later than 180 days after the date of the enactment of this Act, the Federal Acquisition Regulation and the Defense Supplement to the Federal Acquisition Regulation shall be amended—

(1) to prohibit the use by the Department of Defense of reverse auction or lowest price technically acceptable contracting methods for the procurement of personal protective equipment where the level of quality or failure of the item could result in combat casualties; and

(2) to establish a preference for the use of best value contracting methods for the procurement of such equipment.

SEC. 825. RIGHTS IN TECHNICAL DATA.

(a) RIGHTS IN TECHNICAL DATA RELATING TO MAJOR WEAPON SYSTEMS.—Paragraph (2) of section 2321(f) of title 10, United States Code, is amended to read as follows:

''(2) In the case of a challenge to a use or release restriction that is asserted with respect to technical data of a contractor or subcontractor for a major system or a subsystem or component thereof on the basis that the major weapon system, subsystem, or component was developed exclusively at private expense—

''(A) the presumption in paragraph (1) shall apply—

''(i) with regard to a commercial subsystem or component of a major system, if the major system was acquired as a commercial item in accordance with section 2379(a) of this title;

''(ii) with regard to a component of a subsystem, if the subsystem was acquired as a commercial item in accordance with section 2379(b) of this title; and

''(iii) with regard to any other component, if the component is a commercially available off-the-shelf item or a commercially available off-the-shelf item with modifications of a type customarily available in the commercial marketplace or minor modifications made to meet Federal Government requirements; and

''(B) in all other cases, the challenge to the use or release restriction shall be sustained unless information provided by the contractor or subcontractor demonstrates that the item was developed exclusively at private expense.''.

(b) GOVERNMENT-INDUSTRY ADVISORY PANEL.—

(1) ESTABLISHMENT.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense, acting through the Under Secretary of Defense for Acquisition, Technology, and Logistics, shall establish a government-industry advisory panel for the purpose of reviewing sections 2320 and 2321 of title 10, United States Code, regarding rights in technical data and the validation of proprietary data restrictions and the regulations implementing such sections, for the purpose of ensuring that such statutory and regulatory requirements are best structured to serve the interests of the taxpayers and the national defense.

(2) MEMBERSHIP.—The panel shall be chaired by an individual selected by the Under Secretary, and the Under Secretary shall ensure that—

(A) the government members of the advisory panel are knowledgeable about technical data issues and appropriately represent the three military departments, as well as the legal, acquisition, logistics, and research and development communities in the Department of Defense; and

(B) the private sector members of the advisory panel include independent experts and individuals appropriately representative of the diversity of interested parties, including large and small businesses, traditional and non-traditional government contractors, prime contractors and subcontractors, suppliers of hardware and software, and institutions of higher education.

(3) SCOPE OF REVIEW.—In conducting the review required by paragraph (1), the advisory panel shall give appropriate consideration to the following factors:

(A) Ensuring that the Department of Defense does not pay more than once for the same work.

(B) Ensuring that Department of Defense contractors are appropriately rewarded for their innovation and invention.

(C) Providing for cost-effective reprocurement, sustainment, modification, and upgrades to Department of Defense systems.

(D) Encouraging the private sector to invest in new products, technologies, and processes relevant to the missions of the Department of Defense.

(E) Ensuring that the Department of Defense has appropriate access to innovative products, technologies, and processes developed by the private sector for commercial use.

(4) FINAL REPORT.—Not later than September 30, 2016, the advisory panel shall submit its final report and recommendations to the Secretary of Defense. Not later than 60 days after receiving the report, the Secretary shall submit a copy of the report, together with any comments or recommendations, to the congressional defense committees.

SEC. 826. PROCUREMENT OF SUPPLIES FOR EXPERIMENTAL PURPOSES.

(a) ADDITIONAL PROCUREMENT AUTHORITY.—Subsection (a) of section 2373 of title 10, United States Code, is amended by inserting ''transportation, energy, medical, spaceflight,'' before ''and aeronautical supplies''.

(b) APPLICABILITY OF CHAPTER 137 OF TITLE 10, UNITED STATES CODE.—Subsection (b) of such section is amended by striking ''only when such purchases are made in quantity'' and inserting ''only when such purchases are made in quantities greater than necessary for experimentation, technical evaluation, assessment of operational utility, or safety or to provide a residual operational capability''.

SEC. 827. EXTENSION OF AUTHORITY TO ACQUIRE PRODUCTS AND SERVICES PRODUCED IN COUNTRIES ALONG A MAJOR ROUTE OF SUPPLY TO AFGHANISTAN.

Section 801(f) of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84; 123 Stat. 2399), as most recently amended by section 832(a) of the National Defense Authorization Act for Fiscal Year 2014 (Public Law 113–66; 127 Stat. 814), is further amended by striking ''December 31, 2015'' and inserting ''December 31, 2016''.

SEC. 828. REPORTING RELATED TO FAILURE OF CONTRACTORS TO MEET GOALS UNDER NEGOTIATED COMPREHENSIVE SMALL BUSINESS SUBCONTRACTING PLANS.

Paragraph (2) of section 834(d) of the National Defense Authorization Act for Fiscal Years 1990 and 1991 (15 U.S.C. 637 note), as added by section 821(d)(2) of the Carl Levin and Howard P. ''Buck'' McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113–291; 128 Stat. 3434) is amended by striking ''may not negotiate'' and all that follows through the period at the end and inserting ''shall report to Congress on any negotiated comprehensive subcontracting plan that the Secretary determines did not meet the subcontracting goals negotiated in the plan for the prior fiscal year.''.

SEC. 829. COMPETITION FOR RELIGIOUS SERVICES CONTRACTS.

The Department of Defense may not preclude a non-profit organization from competing for a contract for religious related services on a United States military installation.

SEC. 830. TREATMENT OF INTERAGENCY AND STATE AND LOCAL PURCHASES WHEN THE DEPARTMENT OF DEFENSE ACTS AS CONTRACT INTERMEDIARY FOR THE GENERAL SERVICES ADMINISTRATION.

Contracts executed by the Department of Defense as a result of the transfer of contracts from the General Services Administration or for which the Department serves as an item manager for products on behalf of the General Services Administration shall not be subject to requirements under chapter 148 of title 10, United States Code, to the extent such contracts are for purchases of products by other Federal agencies or State or local governments.

SEC. 831. PILOT PROGRAM FOR STREAMLINING AWARDS FOR INNOVATIVE TECHNOLOGY PROJECTS.

(a) EXCEPTION FROM CERTIFIED COST AND PRICING DATE REQUIREMENTS.—The requirements under section 2306a(a) of title 10, United States Code, shall not apply to a contract, subcontract, or modification of a contract or subcontract valued at less than $7,500,000 awarded to a small business or nontraditional defense contractor pursuant to—

(1) a technical merit based selection procedure, such as a broad agency announcement; or

(2) the Small Business Innovation Research Program,

unless the head of the agency determines that submission of cost and pricing data should be required based on past performance of the specific small business or nontraditional defense contractor, or based on analysis of other information specific to the award.

(b) EXCEPTION FROM RECORDS EXAMINATION REQUIREMENT.—The requirements under section 2313 of title 10, United States Code, shall not apply to a contract valued at less than $7,500,000 awarded to a small business or nontraditional defense contractor pursuant to—

(1) a technical merit based selection procedure, such as a broad agency announcement; or

(2) the Small Business Innovation Research Program,

unless the head of the agency determines that auditing of records should be required based on past performance of the specific small business or non-traditional defense contractor, or based on analysis of other information specific to the award.

(c) SUNSET.—The exceptions under subsections (a) and (b) shall terminate on October 1, 2020.

Subtitle C—Provisions Relating to Major Defense Acquisition Programs

SEC. 841. ACQUISITION STRATEGY REQUIRED FOR EACH MAJOR DEFENSE ACQUISITION PROGRAM.

(a) CONSOLIDATION OF REQUIREMENTS RELATING TO ACQUISITION STRATEGY.—

(1) IN GENERAL.—Chapter 144 of title 10, United States Code, is amended by inserting after section 2431 the following new section:

''§ 2431a. Acquisition strategy

''(a) REQUIREMENT.—(1) There shall be an acquisition strategy for each major defense acquisition program. The acquisition strategy for a major defense acquisition program shall be reviewed by the milestone decision authority for the program at each time specified in paragraph (2). The milestone decision authority may approve, disapprove, or revise the acquisition strategy at any such time.

''(2) The times at which the acquisition strategy for a major defense acquisition program shall be reviewed by the milestone decision authority for the program under paragraph (1) are the following:

''(A) Program initiation.

''(B) Each subsequent milestone.

''(C) Full-Rate Production Decision Review.

''(D) Any other time considered relevant by the milestone decision authority.

''(b) GUIDANCE.—The Under Secretary of Defense for Acquisition, Technology, and Logistics shall issue policies and procedures governing the contents of, and the review and approval process for, the acquisition strategy for a major defense acquisition program.

''(c) CONTENTS.—The acquisition strategy for a major defense acquisition program shall present a top-level description of the business and technical management approach designed to achieve the objectives of the program within the resource constraints imposed. The strategy shall be tailored to address program requirements and constraints, and shall express the program manager's approach to the program in sufficient detail to allow the milestone decision authority to assess the viability of approach, method of implementation of laws and policies, and program objectives. Subject to guidance issued pursuant to subsection (b), each acquisition strategy shall address the following:

''(1) An acquisition approach, including industrial base considerations in accordance with section 2440 of this title, and consideration of alternative acquisition approaches.

''(2) A risk management strategy, addressing cost, schedule, and technical risk.

''(3) An approach to ensuring the maturity of technologies and avoiding unnecessary or excessive concurrency.

''(4) A strategy for dividing the acquisition into increments or spirals, and continuously adopting commercial and defense technologies, where appropriate.

''(5) A business strategy, including measures to ensure continuing competition in through the life of the acquisition program.

''(6) A contracting strategy addressing the selection of sources, contract types, and small business participation.

''(7) An intellectual property strategy, in accordance with section 2320 of this title.

''(8) An approach to international involvement, including foreign military sales and cooperative opportunities, in accordance with section 2350a of this title.

''(d) In this section, the term 'milestone decision authority', with respect to a major defense acquisition program, means the official within the Department of Defense designated with the overall responsibility and authority for acquisition decisions for the program, including authority to approve entry of the program into the next phase of the acquisition process.''.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 2431 the following new item:

''2431a. Acquisition strategy.''.

(b) CONFORMING AMENDMENTS.—

(1) Section 2350a(e) of such title is amended—

(A) in the subsection heading, by striking ''DOCUMENT'';

(B) in paragraph (1), by striking ''the Under Secretary of Defense for'' and all that follows through ''of the Board'' and inserting ''opportunities for such cooperative research and development shall be addressed in the acquisition strategy for the project''; and

(C) in paragraph (2)—

(i) in the matter preceding subparagraph (A)—

(I) by striking ''document'' and inserting ''discussion''; and

(II) by striking ''include'' and inserting ''consider'';

(ii) in subparagraph (A), by striking ''A statement indicating whether'' and inserting ''Whether'';

(iii) in subparagraph (B)—

(I) by striking ''by the Under Secretary of Defense for Acquisition, Technology, and Logistics''; and

(II) by striking ''of the United States under consideration by the Department of Defense''; and

(iv) in subparagraph (D)—

(I) by striking ''The'' and inserting ''A''; and

(II) by striking ''of the Under Secretary'' and inserting ''to the milestone decision authority''.

(2) Section 803 of the Bob Stump National Defense Authorization Act for Fiscal Year 2003 (Public Law 107–314; 10 U.S.C. 2430 note) is repealed.

SEC. 842. RISK REDUCTION IN MAJOR DEFENSE ACQUISITION PROGRAMS.

(a) GUIDANCE ON RISK REDUCTION IN MAJOR DEFENSE ACQUISITION PROGRAMS.—The Secretary of Defense shall ensure that the acquisition strategy developed pursuant to section 2431a of title 10, United States Code, as added by section 841, for each major defense acquisition program for which development activities are required includes the following elements:

(1) A comprehensive approach to continuously identifying and addressing risk (including technical, cost, and schedule risk) beginning at program initiation and continuing until the start of full rate production as a means to improve programmatic decision making and appropriately minimize and manage program concurrency.

(2) Documentation of the major sources of risk identified and the approach to retiring that risk.

(b) ELEMENTS OF COMPREHENSIVE APPROACH TO RISK REDUCTION.—The comprehensive approach to identifying and addressing risk for purposes of subsection (a)(1) shall include some combination of the following elements as appropriate for the item or system being acquired:

(1) Development planning.

(2) Systems engineering.

(3) Integrated developmental and operational testing.

(4) Preliminary and critical design reviews and technical reviews.

(5) Prototyping (including prototyping at the system or subsystem level and competitive prototyping, where appropriate).

(6) Modeling and simulation.

(7) Technology demonstrations and technology off ramps.

(8) Manufacturability and industrial base availability.

(9) Multiple design approaches.

(10) Alternative, lower risk reduced performance designs.

(11) Schedule and funding margins for or specific risks.

(12) Independent risk element assessments by outside subject matter experts.

(13) Program phasing to address high risk areas as early as possible.

(c) PREFERENCE FOR PROTOTYPING.—To the maximum extent practicable and consistent with the economical use of available financial resources, the milestone decision authority for each major defense acquisition program shall ensure that the acquisition strategy for the program provides for—

(1) the production of competitive prototypes at the system or subsystem level before Milestone B approval; or

(2) if the production of competitive prototypes is not practicable, the production of single prototypes at the system or subsystem level.

(d) REPEAL OF MANDATORY PROTOTYPING PROVISION.—Section 203 of the Weapon Systems Acquisition Reform Act of 2009 (Public Law 111–23; 10 U.S.C. 2430 note) is repealed.

SEC. 843. DESIGNATION OF MILESTONE DECISION AUTHORITY.

(a) IN GENERAL.—Section 2430 of title 10, United States Code, is amended by adding at the end the following new subsection:

''(d)(1) The milestone decision authority for major defense acquisition programs shall be the service acquisition executive of the military service that is managing the program, unless the Secretary of Defense designates another official to serve as the milestone decision authority.

''(2) The Secretary of Defense may designate an alternate milestone decision authority in programs where—

''(A) the Secretary determines that the program is addressing a joint requirement;

''(B) the Secretary determines that the program is best managed by a defense agency;

''(C) the program has incurred a unit cost increase greater than the significant cost threshold or critical cost threshold under section 2433 of this title;

''(D) the program has failed to develop an acquisition program baseline within 2 years of program initiation;

''(E) the program is critical to a major interagency requirement or technology development effort, or has significant international partner involvement; or

''(F) the Secretary certifies that an alternate official serving as the milestone decision authority will best position the program to achieve desired cost, schedule, and performance outcomes.

''(3)(A) The Secretary of Defense may redelegate the position of milestone decision authority for a program designated above upon request of the Secretary of the military department concerned. A decision on redelegation must be made within 180 days of the request of the Secretary of the military department concerned.

''(B) If the Secretary of Defense denies the request for redelegation, the Secretary shall certify to the congressional defense committees that an alternate official serving as milestone decision authority will best position the program to achieve desired cost, schedule, and performance outcomes. No such redelegation is authorized after a program has incurred a unit cost increase greater than the significant cost threshold or critical cost threshold under section 2433 of this title, except for exceptional circumstances.

''(4) For major defense acquisition programs where the service acquisition executive of the military service that is managing the program is the milestone decision authority—

''(A) the Secretary of Defense shall ensure that no documentation is required outside of the military service organization, without a determination by the Deputy Chief Management Officer that the documentation supports a specific statutory requirement and is implemented in a manner that will not result in program delays or increased costs, and no acquisition programmatic approvals shall be required outside of the military

service organization, with the exception of approval of the Director of Operational Test and Evaluation of the Test and Evaluation Master Plan; and

''(B) the Secretary of the military department concerned and the chief of the Armed Force concerned shall, in each Selected Acquisition Report required under section 2432 of this title, certify that program requirements are stable and funding is adequate to meet cost, schedule, and performance objectives for the program and identify and report to the congressional defense committees on any increased risk to the program since the last report.''.

(b) CONFORMING AMENDMENT.—Section 133(b)(5) of such title is amended by inserting before the period at the end the following: '', except that the Under Secretary shall exercise only advisory authority over service acquisition programs for which the service acquisition executive is the milestone decision authority''.

(c) IMPLEMENTATION.—

(1) IMPLEMENTATION PLAN.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a plan for implementing subsection (d) of section 2430 of title 10, United States Code, as added by subsection (a) of this section.

(2) GUIDANCE.—The Deputy Chief Management Officer of the Department of Defense, in consultation with the Under Secretary of Defense for Acquisition, Technology and Logistics and the service acquisition executives, shall issue guidance to ensure that by not later than October 1, 2016, the acquisition policy, guidance, and practices of the Department of Defense conform to the requirements of subsection (d) of section 2430 of title 10, United States Code, as added by subsection (a) of this section. The guidance shall be designed to ensure a streamlined decision-making and approval process and to minimize any information requests, consistent with the requirement of paragraph (4)(A) of such subsection (d).

(3) EFFECTIVE DATE.—The amendments made by subsections (a) and (b) shall take effect on October 1, 2016.

SEC. 844. REVISION OF MILESTONE A DECISION AUTHORITY RESPONSIBILITIES FOR MAJOR DEFENSE ACQUISITION PROGRAMS.

(a) REVISION TO MILESTONE A REQUIREMENTS.—

(1) IN GENERAL.—Section 2366a of title 10, United States Code, is amended to read as follows:

''§ 2366a. Major defense acquisition programs: responsibilities at Milestone A approval

''(a) RESPONSIBILITIES.—Before granting Milestone A approval for a major defense acquisition program or a major subprogram, the milestone decision authority for the program or subprogram shall ensure that—

''(1) information about the program or subprogram is sufficient to warrant entry of the program or subprogram into the risk reduction phase;

''(2) the Secretary of the relevant military department and the chief of the relevant military service concur in cost, schedule, technical feasibility, and performance tradeoffs that have been made with regard to the program; and

''(3) there are sound plans for progression of the program or subprogram to the development phase.

''(b) CONSIDERATIONS.—In carrying out subsection (a), the milestone decision authority shall take appropriate action to ensure that—

''(1) the program or subprogram—

''(A) meets a joint military requirement and responds to an anticipated or likely threat;

''(B) has been developed in light of appropriate market research and a review of alternative approaches and does not unnecessarily duplicate a capability already provided by an existing system; and

''(C) is affordable in light of cost estimates developed pursuant to the guidance of the Director of Cost Assessment and Program Evaluation; and

''(2) the acquisition strategy for the program or subprogram—

''(A) identifies areas of risk and, for each such identified area of risk, includes a plan to reduce the risk;

''(B) addresses planning for sustainment; and

''(C) complies with the requirements of section 2431a of this title and the policies and procedures implementing such section; and

''(3) the program or subprogram meets any other considerations the milestone decision authority considers relevant.

''(c) NOTIFICATION.—Not later than 30 days after granting Milestone A approval for a major defense acquisition program or major subprogram, the milestone decision authority for that program or subprogram shall submit to the congressional defense committees notice of the approval in writing. The milestone decision authority's decision memorandum with respect to such approval shall be available to the congressional defense committees upon request, consistent with any relevant classification requirements.

''(d) DEFINITIONS.—In this section:

''(1) The term 'major defense acquisition program' means a Department of Defense acquisition program that is a major defense acquisition program for purposes of section 2430 of this title.

''(2) The term 'major subprogram' means a major subprogram of a major defense acquisition program designated under section 2430a(a)(1) of this title.

''(3) The term 'milestone decision authority', with respect to a major defense acquisition program or a major subprogram, means the official within the Department of Defense designated with the overall responsibility and authority for acquisitions decisions for the program or subprogram, including authority to approve entry of the program or subprogram into the next phase of the acquisition process.

''(4) The term 'Milestone A approval' means a decision to enter into a risk reduction phase pursuant to guidance prescribed by the Secretary of Defense for the management of Department of Defense acquisition programs.

''(5) The term 'joint military requirement' has the meaning given that term in section 181(g)(1) of this title.''.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 139 of such title is amended by striking the item relating to section 2366a and inserting the following:

''2366a. Major defense acquisition programs: responsibilities at Milestone A approval.''.

(b) CONSIDERATIONS IN MAKING MILESTONE A DETERMINATIONS.—In making a Milestone A determination pursuant to section 2366a of title 10, United States Code, the milestone decision authority shall include consideration of the following:

(1) With respect to joint military requirements, the factors outlined under section 181(b) of title 10, United States Code.

(2) With respect to alternative approaches, the factors outlined under section 201(a) of the Weapon Systems Acquisition Reform Act of 2009 (Public Law 111–23; 10 U.S.C. 2302 note).

(3) With respect to affordability and cost estimates and analyses, the factors outlined under section 2334(a) of title 10, United States Code.

(4) With respect to risk, the factors outlined under—

(A) section 138b(b) of title 10, United States Code; and

(B) section 842.

(5) With respect to sustainment, the factors outlined under section 2337 and section 2464 of this title 10, United States Code.

SEC. 845. REVISION OF MILESTONE B DECISION AUTHORITY RESPONSIBILITIES FOR MAJOR DEFENSE ACQUISITION PROGRAMS.

(a) REVISION TO MILESTONE B REQUIREMENTS.—Section 2366b of title 10, United Stated Code, is amended to read as follows:

''§ 2366b. Major defense acquisition programs: certification required before Milestone B approval

''(a) CERTIFICATION.—A major defense acquisition program may not receive Milestone B approval until the milestone decision authority certifies that the technology in the program has been demonstrated in a relevant environment, as determined by the Milestone Decision Authority on the basis of an independent review and assessment by the Assistant Secretary of Defense for Research and Engineering, in consultation with the Deputy Assistant Secretary of Defense for Developmental Test and Evaluation.

''(b) DETERMINATION.—A major defense acquisition program may not receive Milestone B approval until the milestone decision authority determines that appropriate steps have been taken to ensure that—

''(1) the program is affordable when considering the ability of the Department of Defense to accomplish the program's mission using alternative systems;

''(2) trade-offs among cost, schedule, technical feasibility, and performance objectives have been made to ensure that the program is affordable when considering the per unit cost and the total acquisition cost in the context of the total resources available during the period covered by the future-years defense program submitted during the fiscal year in which the certification is made;

''(3) the Secretary of the relevant military department and the chief of the relevant military service concur in the trade-offs made in accordance with paragraph (2);

''(4) reasonable cost and schedule estimates have been developed to execute, with the concurrence of the Director of Cost Assessment and Program Evaluation, the product development and production plan under the program;

''(5) funding is available to execute the product development and production plan under the program, through the period covered by the future-years defense program submitted during the fiscal year in which the certification is made, consistent with the estimates described in paragraph (4) for the program;

''(6) market research has been conducted prior to technology development to reduce duplication of existing technology and products;

''(7) the Department of Defense has completed an analysis of alternatives and a business case analysis with respect to the program;

''(8) the Joint Requirements Oversight Council has accomplished its duties with respect to the program pursuant to section 181(b) of this title, including an analysis of the operational requirements for the program;

''(9) life-cycle sustainment planning, including corrosion prevention and mitigation planning, has identified and evaluated relevant sustainment costs throughout development, production, operation, sustainment, and disposal of the program, and any alternatives, and that such costs are reasonable and have been accurately estimated;

''(10) an estimate has been made of the requirements for core logistics capabilities and the associated sustaining workloads required to support such requirements;

''(11) there is a plan to mitigate and account for any costs in connection with any anticipated de-certification of cryptographic systems and components during the production and procurement of the major defense acquisition program to be acquired;

''(12) a preliminary design review or assessment of engineering design knowledge of the system has been satisfactorily completed; and

''(13) the program complies with all relevant policies, regulations, and directives of the Department of Defense.

''(c) CHANGES TO CERTIFICATION.—(1) The program manager for a major defense acquisition program that has received milestone B approval under this section shall immediately notify the milestone decision authority of any changes to the program or a designated major subprogram of such program that—

''(A) alter the substantive basis for the certification of the milestone decision authority under subsection (a) or any element of the determination of the milestone decision authority under subsection (b); or

''(B) otherwise cause the program or subprogram to deviate significantly from the material provided to the milestone decision authority in support of such certification or determination.

''(2) Upon receipt of information under paragraph (1), the milestone decision authority may withdraw the certification or determination concerned or rescind Milestone B approval if the milestone decision authority determines that such certification, determination, or approval is no longer valid.

''(d) SUBMISSION TO CONGRESS.—(1) The certification required under subsection (a) and the determination under subsection (b) with respect to a major defense acquisition program shall be submitted to the congressional defense committees with the first Selected Acquisition Report submitted under section 2432 of this title after completion of the certification.

''(2) A summary of any information provided to the milestone decision authority pursuant to subsection (c) and a description of the actions taken as a result of such information shall be submitted with the first Selected Acquisition Report submitted under section 2432 of this title after receipt of such information by the milestone decision authority.

''(e) WAIVER FOR NATIONAL SECURITY.—(1) The milestone decision authority may waive the applicability to a major defense acquisition program of the certification requirement in subsection (a) or one or more components of the determination requirement in subsection (b) if the milestone decision authority determines that, but for such a waiver, the Department would be unable to meet critical national security objectives.

''(2) Whenever the milestone decision authority makes such a determination and authorizes such a waiver the waiver, the determination, and the reasons for the determination shall be submitted in writing to the congressional defense committees within 30 days after the waiver is authorized.

''(f) NONDELEGATION.—The milestone decision authority may not delegate the certification requirement under subsection (a), the determination requirement under subsection (b), or the authority to waive any component of such requirement under subsection (e).

''(g) DEFINITIONS.—In this section:

''(1) The term 'major defense acquisition program' means a Department of Defense acquisition program that is a major defense acquisition program for purposes of section 2430 of this title.

''(2) The term 'designated major subprogram' means a major subprogram of a major defense acquisition program designated under section 2430a(a)(1) of this title.

''(3) The term 'milestone decision authority', with respect to a major defense acquisition program, means the individual within the Department of Defense designated with overall responsibility for the program.

''(4) The term 'Milestone B approval' has the meaning provided that term in section 2366(e)(7) of this title.

''(5) The term 'core logistics capabilities' means the core logistics capabilities identified under section 2464(a) of this title.''.

(b) CONSIDERATIONS IN MAKING MILESTONE B DETERMINATIONS.—In making a Milestone B determination pursuant to section 2366b of title 10, United States Code, the milestone decision authority shall review the acquisition strategy required by section 2431a of title 10, as added by section 841 of this Act and include consideration of the following:

(1) With respect to affordability, the factors outlined under section 2334 of title 10, United States Code.

(2) With respect to risk, the factors outlined under—

(A) section 842; and

(B) section 138b(b) of title 10, United States Code.

(3) With respect to fulfilling a joint military requirement, the factors outlined under section 181 of title 10, United States Code.

(4) With respect to competition—

(A) the factors outlined under section 202 of the Weapon Systems Acquisition Reform Act of 2009 (Public Law 111-23; 10 U.S.C. 2430 note); and

(B) the requirements of section 2304 of title 10, United States Code.

(5) With respect to sustainment, the factors outlined under section 2337 and section 2464 of title 10, United States Code.

(c) CONFORMING CHANGE.—Section 2334(a) of title 10, United States Code, is amended in paragraph (6)(A)(i) by striking ''any certification under'' and inserting in lieu thereof ''any decision to grant milestone approval pursuant to''.

SEC. 846. TENURE AND ACCOUNTABILITY OF PROGRAM MANAGERS FOR PROGRAM DEVELOPMENT PERIODS.

(a) REVISED GUIDANCE REQUIRED.—Not later than 180 days after date of the enactment of this Act, the Secretary of Defense shall revise Department of Defense guidance for defense acquisition programs to address the tenure and accountability of program managers for the program development period of defense acquisition programs.

(b) PROGRAM DEVELOPMENT PERIOD.—For the purpose of this section, the term ''program development period'' refers to the period before a decision on Milestone B approval (or Key Decision Point B approval in the case of a space program).

(c) RESPONSIBILITIES.—The revised guidance required by subsection (a) shall provide that the program manager for the program development period of a defense acquisition program is responsible for—

(1) bringing to maturity the technologies and manufacturing processes that will be needed to carry out the program;

(2) ensuring continuing focus during program development on meeting stated mission requirements and other requirements of the Department of Defense;

(3) making trade-offs between program cost, schedule, and performance for the lifecycle of the program;

(4) developing a business case for the program; and

(5) ensuring that appropriate information is available to the milestone decision authority to make a decision on Milestone B approval (or Key Decision Point B approval in the case of a space program), including information necessary to make the certification required by section 2366a of title 10, United States Code.

(d) QUALIFICATIONS, RESOURCES, AND TENURE.—The Secretary of Defense shall ensure that each program manager for the program development period of a defense acquisition program—

(1) has the appropriate management, engineering, technical, and financial expertise needed to meet the responsibilities assigned pursuant to subsection (c);

(2) is provided the resources and support (including systems engineering expertise, cost estimating expertise, and software development expertise) needed to meet such responsibilities; and

(3) is assigned to the program manager position for such program until such time as such program is ready for a decision on Milestone B approval (or Key Decision Point B approval in the case of a space program), unless removed for cause or due to exceptional circumstances.

SEC. 847. TENURE AND ACCOUNTABILITY OF PROGRAM MANAGERS FOR PROGRAM EXECUTION PERIODS.

(a) REVISED GUIDANCE REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall revise Department of Defense guidance for defense acquisition programs to address the tenure and accountability of program managers for the program execution period of defense acquisition programs.

(b) PROGRAM EXECUTION PERIOD.—For purposes of this section, the term ''program execution period'' refers to the period after Milestone B approval (or Key Decision Point B approval in the case of a space program).

(c) RESPONSIBILITIES.—The revised guidance required by subsection (a) shall—

(1) require the program manager for the program execution period of a defense acquisition program to enter into a performance agreement with the milestone decision authority for such program within six months of assignment, that—

(A) establishes expected parameters for the cost, schedule, and performance of the program consistent with the business case for the program;

(B) provides the commitment of the milestone decision authority to provide the level of funding and resources required to meet such parameters; and

(C) provides the assurance of the program manager that such parameters are achievable and that the program manager will be accountable for meeting such parameters; and

(2) provide the program manager with the authority to—

(A) veto the addition of new program requirements that would be inconsistent with the parameters established in the performance agreement entered into pursuant to paragraph (1), subject to the authority of the Under Secretary of Defense for Acquisition, Technology, and Logistics to override the veto based on critical national security reasons;

(B) make trade-offs between cost, schedule, and performance, provided that such trade-offs are consistent with the parameters established in the performance agreement entered into pursuant to paragraph (1);

(C) redirect funding within such program, to the extent necessary to achieve the parameters established in the performance agreement entered into pursuant to paragraph (1);

(D) develop such interim goals and milestones as may be required to achieve the parameters established in the performance agreement entered into pursuant to paragraph (1); and

(E) use program funds to recruit and hire such technical experts as may be required to carry out the program, if necessary expertise is not otherwise provided by the Department of Defense.

(d) QUALIFICATIONS, RESOURCES, AND TENURE.—The Secretary shall ensure that each program manager for the program execution period of a defense acquisition program—

(1) has the appropriate management, engineering, technical, and financial expertise needed to meet the responsibilities assigned pursuant to subsection (c);

(2) is provided the resources and support (including systems engineering expertise, cost estimating expertise, and software development expertise) needed to meet such responsibilities; and

(3) is assigned to the program manager position for such program at the time of Milestone B approval (or Key Decision Point B approval in the case of a space program) and continues in such position until the delivery of the first production units of the program, unless removed for cause or due to exceptional circumstances.

(e) LIMITED WAIVER AUTHORITY.—The Secretary may waive the requirement in paragraph (3) of subsection (d) that a program manager for the program execution period of a defense acquisition program serve in that position until the delivery of the first production units of such program upon submitting to the congressional defense committees a written determination that—

(1) the program is so complex, and the delivery of the first production units will take so long, that it would not be feasible for a single individual to serve as program manager for the entire period covered by such paragraph; and

(2) the complexity of the program, and length of time that will be required to deliver the first production units, are not the result of a failure to meet the certification requirements under section 2366a of title 10, United States Code.

SEC. 848. REPEAL OF REQUIREMENT FOR STAND-ALONE MANPOWER ESTIMATES FOR MAJOR DEFENSE ACQUISITION PROGRAMS.

(a) REPEAL OF REQUIREMENT.—Subsection (a)(1) of section 2434 of title 10, United States Code, is amended by striking ''and a manpower estimate for the program have'' and inserting ''has''.

(b) CONFORMING AMENDMENTS RELATING TO REGULATIONS.—Subsection (b) of such section is amended—

(1) by striking paragraph (2);

(2) by striking ''shall require—'' and all that follows through ''that the independent'' and inserting ''shall require that the independent'';

(3) by redesignating subparagraphs (A) and (B) as paragraphs (1) and (2), respectively, and moving those paragraphs, as so redesignated, two ems to the left; and

(4) in paragraph (2), as so redesignated—

(A) by striking ''and operations and support,'' and inserting ''operations and support, and manpower to operate, maintain, and support the program upon full operational deployment,''; and

(B) by striking ''; and'' and inserting a period.

(c) CLERICAL AMENDMENTS.—

(1) SECTION HEADING.—The heading of such section is amended to read as follows:

''§ 2434. Independent cost estimates''.

(2) TABLE OF SECTIONS.—The table of sections at the beginning of chapter 144 of such title is amended by striking the item relating to section 2434 and inserting the following:

''2434. Independent cost estimates.''.

SEC. 849. PENALTY FOR COST OVERRUNS.

(a) IN GENERAL.—For each fiscal year beginning with fiscal year 2015, the Secretary of each military department shall pay a penalty for cost overruns on the covered major defense acquisition programs of the military department.

(b) CALCULATION OF PENALTY.—For the purposes of this section:

(1) The amount of the cost overrun or underrun on any major defense acquisition program or subprogram in a fiscal year is the difference between the current program acquisition unit cost for the program or subprogram and the program acquisition unit cost for the program as shown in the original Baseline Estimate for the program or subprogram, multiplied by the quantity of items to be purchased under the program or subprogram, as reported in the final Selected Acquisition Report for the fiscal year in accordance with section 2432 of title 10, United States Code.

(2) Cost overruns or underruns for covered major defense acquisition programs that are joint programs of more than one military department shall be allocated among the military departments in percentages determined by the Under Secretary of Defense for Acquisition, Technology, and Logistics.

(3) The cumulative amount of cost overruns for a military department in a fiscal year is the sum of the cost overruns and cost underruns for all covered major defense acquisition programs of the department in the fiscal year (including cost overruns or underruns allocated to the military department in accordance with paragraph (2)).

(4) The cost overrun penalty for a military department in a fiscal year is three percent of the cumulative amount of cost overruns of the military department in the fiscal year, as determined pursuant to paragraph (3), except that the cost overrun penalty may not be a negative amount.

(c) TRANSFER OF FUNDS.—

(1) REDUCTION OF RESEARCH, DEVELOPMENT, TEST, AND EVALUATION ACCOUNTS.—Not later than 60 days after the end of each fiscal year beginning with fiscal year 2015, the Secretary of each military department shall reduce each research, development, test, and evaluation account of the military department by the percentage determined under paragraph (2), and remit such amount to the Secretary of Defense.

(2) DETERMINATION OF AMOUNT.—The percentage reduction to research, development, test, and evaluation accounts of a military department referred to in paragraph (1) is the percentage reduction to such accounts necessary to equal the cost overrun penalty for the fiscal year for such department determined pursuant to subsection (b)(4).

(3) CREDITING OF FUNDS.—Any amount remitted under paragraph (1) shall be credited to the Rapid Prototyping Fund established pursuant to section 803 of this Act.

(d) COVERED PROGRAMS.—A major defense acquisition program is covered under this section if the original Baseline Estimate was established for such program under section 2435(d) (1) or (2) on or after the date of the enactment of the Weapon Systems Acquisition Reform Act of 2009 (Public Law 111–23).

SEC. 850. STREAMLINING OF REPORTING REQUIREMENTS APPLICABLE TO ASSISTANT SECRETARY OF DEFENSE FOR RESEARCH AND ENGINEERING REGARDING MAJOR DEFENSE ACQUISITION PROGRAMS.

(a) REPORTING TO UNDER SECRETARY OF DEFENSE FOR ACQUISITION, TECHNOLOGY, AND LOGISTICS BEFORE MILESTONE B APPROVAL.—Subparagraph (A) of paragraph (8) of section 138(b) of title 10, United States Code, as amended by section 901(h)(2) of the Carl Levin and Howard P. ''Buck'' McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113–291; 128 Stat. 3466), is further amended—

(1) by striking ''periodically'';

(2) by striking ''the major defense acquisition programs'' and inserting ''each major defense acquisition program'';

(3) by inserting ''before the Milestone B approval for that program'' after ''Department of Defense''; and

(4) by striking ''such reviews and assessments'' and inserting ''such review and assessment''.

(b) ANNUAL REPORT TO SECRETARY OF DEFENSE AND CONGRESSIONAL DEFENSE COMMITTEES.—Subparagraph (B) of such paragraph is amended by inserting ''for which a Milestone B approval occurred during the preceding fiscal year'' after ''Department of Defense''.

SEC. 851. CONFIGURATION STEERING BOARDS FOR COST CONTROL UNDER MAJOR DEFENSE ACQUISITION PROGRAMS.

Section 814(c)(1) of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110–417; 122 Stat. 4529) is amended—

(1) by redesignating subparagraphs (A), (B), and (C) as subparagraphs (B), (C), and (D), respectively; and

(2) by inserting after ''for the following:'' the following new subparagraph:

''(A) Monitoring changes in program requirements and ensuring all such changes receive the approval of the Chief of the relevant military service, in consultation with the Secretary of the relevant military department.''.

Subtitle D—Provisions Relating to Commercial Items

SEC. 861. INAPPLICABILITY OF CERTAIN LAWS AND REGULATIONS TO THE ACQUISITION OF COMMERCIAL ITEMS AND COMMERCIALLY AVAILABLE OFF-THE-SHELF ITEMS.

(a) AMENDMENT TO TITLE 10, UNITED STATES CODE.—Section 2375 of title 10, United States Code, is amended to read as follows:

''§ 2375. Relationship of commercial item provisions to other provisions of law

''(a) APPLICABILITY OF GOVERNMENT-WIDE STATUTES.—(1) No contract for the procurement of a commercial item entered into by the head of an agency shall be subject to any law properly listed in the Federal Acquisition Regulation pursuant to section 1906(b) of title 41.

''(2) No subcontract under a contract for the procurement of a commercial item entered into by the head of an agency shall be subject to any law properly listed in the Federal Acquisition Regulation pursuant to section 1906(c) of title 41.

''(3) No contract for the procurement of a commercially available off-the-shelf item entered into by the head of an agency shall be subject to any law properly listed in the Federal Acquisition Regulation pursuant to section 1907 of title 41.

''(b) APPLICABILITY OF DEFENSE-UNIQUE STATUTES TO CONTRACTS FOR COMMERCIAL ITEMS.—(1) The Defense Federal Acquisition Regulation Supplement shall include a list of defense-unique provisions of law that are inapplicable to contracts for the procurement of commercial items. A provision of law properly included on the list pursuant to paragraph (2) does not apply to purchases of commercial items by the Department of Defense. This section does not render a provision of law not included on the list inapplicable to contracts for the procurement of commercial items.

''(2) A provision of law described in subsection (e) that is enacted after January 1, 2015, shall be included on the list of inapplicable provisions of law required by paragraph (1) unless the Under Secretary of Defense for Acquisition, Technology, and Logistics makes a written determination that it would not be in the best interest of the Department of Defense to exempt contracts for the procurement of commercial items from the applicability of the provision.

''(c) APPLICABILITY OF DEFENSE-UNIQUE STATUTES TO SUBCONTRACTS FOR COMMERCIAL ITEMS.—(1) The Defense Federal Acquisition Regulation Supplement shall include a list of provisions of law that are inapplicable to subcontracts under a Department of Defense contract or subcontract for the procurement of commercial items. A provision of law properly included on the list pursuant to paragraph (2) does not apply to those subcontracts. This section does not render a provision of law not included on the list inapplicable to subcontracts under a contract for the procurement of commercial items.

''(2) A provision of law described in subsection (e) shall be included on the list of inapplicable provisions of law required by paragraph (1) unless the Under Secretary of Defense for Acquisition, Technology, and Logistics makes a written determination that it would not be in the best interest of the Department of Defense to exempt subcontracts under a contract for the procurement of commercial items from the applicability of the provision.

''(3) In this subsection, the term 'subcontract' includes a transfer of commercial items between divisions, subsidiaries, or affiliates of a contractor or subcontractor. The term does not include agreements entered into by a contractor for the supply of commodities that are intended for use in the performance of multiple contracts with the Department of Defense and other parties and are not identifiable to any particular contract.

''(4) This subsection does not authorize the waiver of the applicability of any provision of law with respect to any first-tier subcontract under a contract with a prime contractor reselling or distributing commercial items of another contractor without adding value.

''(d) APPLICABILITY OF DEFENSE-UNIQUE STATUTES TO CONTRACTS FOR COMMERCIALLY AVAILABLE, OFF-THE-SHELF ITEMS.—(1) The Defense Federal Acquisition Regulation Supplement shall include a list of provisions of law that are inapplicable to contracts for the procurement of commercially available off-the-shelf items. A provision of law properly included on the list pursuant to paragraph (2) does not apply to Department of Defense contracts for the procurement of commercially available off-the-shelf items. This section does not render a provision of law not included on the list inapplicable to contracts for the procurement of commercially available off-the-shelf items.

''(2) A provision of law described in subsection (e) shall be included on the list of inapplicable provisions of law required by paragraph (1) unless the Under Secretary of Defense for Acquisition, Technology, and Logistics makes a written determination that it would not be in the best interest of the Department of Defense to exempt contracts for the procurement of commercially available off-the-shelf items from the applicability of the provision.

''(e) COVERED PROVISION OF LAW.—A provision of law referred to in subsections (b)(2), (c)(2), and (d)(2) is a provision of law that the Under Secretary of Defense for Acquisition, Technology, and Logistics determines sets forth policies, procedures, requirements, or restrictions for the procurement of property or services by the Federal Government, except for a provision of law that—

''(1) provides for criminal or civil penalties; or

''(2) specifically refers to this section and provides that, notwithstanding this section, it shall be applicable to contracts for the procurement of commercial items.''.

(b) CHANGES TO DEFENSE FEDERAL ACQUISITION REGULATION SUPPLEMENT.—

(1) IN GENERAL.—To the maximum extent practicable, the Under Secretary of Defense for Acquisition, Technology, and Logistics shall ensure that—

(A) the Defense Federal Acquisition Regulation Supplement does not require the inclusion of contract clauses in contracts for the procurement of commercial items or contracts for the procurement of commercially available off-the-shelf items, unless such clauses are—

(i) required to implement provisions of law or executive orders applicable to such contracts; or

(ii) determined to be consistent with standard commercial practice; and

(B) the flow-down of contract clauses to subcontracts under contracts for the procurement of commercial items or commercially available off-the-shelf items is prohibited unless such flow-down is required to implement provisions of law or executive orders applicable to such subcontracts.

(2) SUBCONTRACTS.—In this subsection, the term ''subcontract'' includes a transfer of commercial items between divisions, subsidiaries, or affiliates of a contractor or subcontractor. The term does not include agreements entered into by a contractor for the supply of commodities that are intended for use in the performance of multiple contracts with the Department of Defense and other parties and are not identifiable to any particular contract.

(c) REPORT ON INCLUSION OF CONTRACT CLAUSES.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report listing all standard contract clauses included in contracts awarded using commercial acquisition procedures under part 12 of the Federal Acquisition Regulation, including a justification for the inclusion of each such clause.

SEC. 862. MARKET RESEARCH AND PREFERENCE FOR COMMERCIAL ITEMS.

(a) GUIDANCE REQUIRED.—Not later than 90 days after the date of the enactment of this Act, the Under Secretary of Defense for Acquisition, Technology, and Logistics shall issue guidance to ensure that acquisition officials of the Department of Defense fully comply with the requirements of section 2377 of title 10, United States Code, regarding market research and commercial items. The guidance issued pursuant to this subsection shall, at a minimum—

(1) provide that the head of an agency may not enter into a contract in excess of the simplified acquisition threshold for information technology products or services that are not commercial items unless the head of the agency determines in writing that no commercial items are suitable to meet the agency's needs as provided in subsection (c)(2) of such section; and

(2) ensure that market research conducted in accordance with subsection (c) of such section is used, where appropriate, to inform price reasonableness determinations.

(b) REVIEW REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Chairman and the Vice Chairman of the Joint Chiefs of Staff, in consultation with the Under Secretary of Defense for Acquisition, Technology, and Logistics, shall review Chairman of the Joint Chiefs of Staff Instruction 3170.01, the Manual for the Operation of the Joint Capabilities Integration and Development System, and other documents governing the requirements development process and revise these documents as necessary to ensure that the Department of Defense fully complies with the requirement in section 2377(c) of title 10, United States Code, and section 10.001 of the Federal Acquisition Regulation for Federal agencies to conduct appropriate market research before developing new requirements.

(c) MARKET RESEARCH DEFINED.—For the purposes of this section, the term ''market research'' means a review of existing systems, subsystems, capabilities, and technologies that are available or could be made available to meet the needs of the Department of Defense in whole or in part. The review may include any of the techniques for conducting market research provided in section 10.002(b)(2) of the Federal Acquisition Regulation and shall include, at a minimum, contacting knowledgeable individuals in Government and industry regarding existing market capabilities.

SEC. 863. CONTINUING VALIDITY OF COMMERCIAL ITEM DETERMINATIONS.

(a) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Defense Federal Acquisition Regulation Supplement shall be modified to address the validity of commercial item determinations for multiple procurements.

(b) REQUIRED ELEMENTS.—The modification required by paragraph (1) shall, at a minimum—

(1) provide that a written determination by an authorized agency official that an item is a commercial item for the purposes of section 2306a of title 10, United States Code, shall be presumed to be valid for any subsequent procurement unless the contracting

officer for such procurement determines in writing that the earlier determination was made in error or was based on inadequate information; and

(2) establish a process by which the contractor may appeal a determination by a contracting officer that an earlier determination was made in error or was based on inadequate information to the head of contracting for the agency.

(c) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to preclude the contracting officer for the procurement of a commercial item from requiring the contractor to supply information that is sufficient to determine the reasonableness of price, regardless whether or not the contractor was required to provide such information in connection with any earlier procurement.

SEC. 864. TREATMENT OF COMMERCIAL ITEMS PURCHASED AS MAJOR WEAPON SYSTEMS.

(a) AMENDMENTS TO REQUIREMENTS RELATED TO MAJOR WEAPON SYSTEMS.—Section 2379 of title 10, United States Code, is amended—

(1) in subsection (a)—

(A) in paragraph (1)—

(i) in subparagraph (A), by striking ''section 4(12) of the Office of Federal Procurement Policy Act (41 U.S.C. 403(12))'' and inserting ''section 103 of title 41, United States Code''; and

(ii) in subparagraph (B), by striking the semicolon at the end and inserting ''; and'';

(B) by striking paragraph (2); and

(C) by redesignating paragraph (3) as paragraph (2);

(2) in subsection (b)—

(A) by striking ''section 35(c) of the Office of Federal Procurement Policy Act (41 U.S.C. 431(c))'' and inserting ''section 104 of title 41, United States Code,''; and

(B) in paragraph (2)—

(i) by striking ''in writing that—'' and all that follows through ''(A) the subsystem'' and inserting ''in writing that the subsystem'';

(ii) by striking ''section 4(12) of the Office of Federal Procurement Policy Act (41 U.S.C. 403(12)); and'' and inserting ''section 103 of title 41, United States Code.''; and

(iii) by striking subparagraph (B);

(3) in subsection (c)(1)—

(A) by striking ''section 35(c) of the Office of Federal Procurement Policy Act (41 U.S.C. 431(c))'' and inserting ''section 104 of title 41, United States Code,''; and

(B) in subparagraph (B)—

(i) by striking ''in writing that—'' and all that follows through ''(i) the component'' and inserting ''in writing that the component'';

(ii) by striking ''section 4(12) of the Office of Federal Procurement Policy Act (41 U.S.C. 403(12)); and'' and inserting ''section 103 of title 41, United States Code.''; and

(iii) by striking clause (ii); and

(4) by amending subsection (d) to read as follows:

''(d) INFORMATION SUBMITTED.—(1) To the extent necessary to determine the reasonableness of the price for items acquired under this section, the contracting officer shall require the offeror to submit—

''(A) prices paid for the same or similar commercial items under comparable terms and conditions by both government and commercial customers;

''(B) if the contracting officer determines that the offeror does not have access to and cannot provide sufficient information described in subparagraph (A) to determine the reasonableness of price, information on—

''(i) prices for the same or similar items sold under different terms and conditions;

''(ii) prices for similar levels of work or effort on related products or services;

''(iii) prices for alternative solutions or approaches; and

''(iv) other relevant information that can serve as the basis for a price assessment; and

''(C) if the contracting officer determines that the information submitted pursuant to subparagraphs (A) and (B) is not sufficient to determine the reasonableness of price, other relevant information regarding the basis for price or cost, including information on labor costs, material costs, and overhead rates.

''(2) An offeror may not be required to submit information described in paragraph (1)(C) with regard to a commercially available off-the-shelf item or any other item that was developed exclusively at private expense.''.

(b) CONFORMING AMENDMENT TO TRUTH IN NEGOTIATIONS ACT.—Section 2306a(d)(1) of such title is amended by adding at the end the following new sentence: ''If the contracting officer determines that the offeror does not have access to and cannot provide sufficient information on prices for the same or similar items to determine the reasonableness of price, the contracting officer shall require the submission of information on prices for similar levels of work or effort on related products or services, prices for alternative solutions or approaches, and other information that is relevant to the determination of a fair and reasonable price.''.

SEC. 865. LIMITATION ON CONVERSION OF PROCUREMENTS FROM COMMERCIAL ACQUISITION PROCEDURES.

(a) LIMITATION.—

(1) IN GENERAL.—The Secretary of Defense may not convert the procurement of commercial items or services from commercial acquisition procedures under part 12 of the Federal Acquisition Regulation to non-commercial acquisition procedures under part 15 of the Federal Acquisition Regulation unless the Secretary, in consultation with the head of the acquisition component, certifies to the congressional defense committees that the Department of Defense will realize a significant cost savings compared to the cost of procuring a similar quantity or level of such item or service using commercial acquisition procedures.

(2) CERTIFICATION FACTORS.—In making a certification under paragraph (1), the Secretary of Defense shall consider the following factors:

(A) The estimated cost of foregone research and development to be performed by the existing contractor to improve future products or services.

(B) The transaction costs for the Department of Defense and the contractor in assessing and responding to data requests to support a conversion to non-commercial acquisition procedures.

(C) Changes in purchase quantities.

(D) Costs associated with potential procurement delays resulting from the conversion.

(b) REPORTING REQUIREMENTS.—

(1) INVENTORY.—The Secretary of Defense shall prepare an inventory of all contracts and subcontracts converted from commercial acquisition procedures to non-commercial procedures during the previous five years.

(2) REPORTS.—Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report on each conversion identified in the inventory prepared under paragraph (1) that identifies and compares per unit costs and prices paid for the item or service under commercial acquisition procedures with those paid under non-commercial procurement procedures.

(c) COMPTROLLER GENERAL REVIEW.—

(1) REVIEW OF REPORTS.—Not later than 180 days after the Secretary of Defense submits a report under subsection (b)(2), the Comptroller General of the United States shall submit to the congressional defense committees a review of the accuracy of the report.

(2) RECOMMENDATIONS.—

(A) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, and annually thereafter, the Comptroller General shall submit to the congressional defense committees a report including any recommendations for additional costs and benefits that should be considered when the Department of Defense is planning to convert a procurement of items or services from commercial to non-commercial procurement procedures.

(B) FACTORS.—In making recommendations under subparagraph (A), the Comptroller General shall consider the following factors:

(i) Industrial base considerations.

(ii) The estimated cost of foregone research and development to be performed by existing contractors to improve future products or services.

(iii) The transaction costs for the Department of Defense and contractors in assessing and responding to data requests to support conversions to non-commercial acquisition procedures.

(iv) Costs associated with potential procurement delays resulting from conversions.

(d) SUNSET.—The requirements of this section shall terminate 5 years after the date of the enactment of this Act.

SEC. 866. TREATMENT OF GOODS AND SERVICES PROVIDED BY NONTRADITIONAL CONTRACTORS AS COMMERCIAL ITEMS.

(a) IN GENERAL.—Chapter 140 of title 10, United States Code, is amended by adding at the end the following new section:

''§ 2380. Treatment of goods and services provided by nontraditional contractors as commercial items

''Notwithstanding section 2376(1) of this title, items and services provided by nontraditional contractors (as that term is defined in section 2302(9) of this title) may be treated by the head of an agency as commercial items for purposes of this chapter.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 140 of such title is amended by inserting after the item relating to section 2379 the following new item:

''2380. Treatment of goods and services provided by nontraditional contractors as commercial items.''.

Subtitle E—Other Matters

SEC. 871. STREAMLINING OF REQUIREMENTS RELATING TO DEFENSE BUSINESS SYSTEMS.

(a) STREAMLINING OF REQUIREMENTS.—

(1) IN GENERAL.—Section 2222 of title 10, United States Code, is amended to read as follows:

''§ 2222. Defense business systems: business process reengineering; enterprise architecture; management

''(a) DEFENSE BUSINESS SYSTEMS GENERALLY.—The Secretary of Defense shall ensure that each covered defense business system developed, deployed, and operated by the Department of Defense—

''(1) is integrated into a comprehensive defense business enterprise architecture;

''(2) is managed in a manner that provides visibility into, and traceability of, expenditures for the system; and

''(3) uses an acquisition and sustainment strategy that prioritizes use of commercial software and business practices.

''(b) DEFENSE BUSINESS PROCESSES GENERALLY.—The Secretary of Defense shall ensure that defense business processes are reviewed, and as appropriate revised through business process reengineering to match best commercial practices, to the maximum extent practicable, so as to minimize customization of commercial business systems.

''(c) ISSUANCE OF GUIDANCE.—

''(1) SECRETARY OF DEFENSE GUIDANCE.—The Secretary shall issue guidance to provide for the coordination of, and decision making for, the planning, programming, and control of investments in covered defense business systems.

''(2) SUPPORTING GUIDANCE.—The Secretary shall direct the Deputy Chief Management Officer of the Department of Defense, the Under Secretary of Defense for Acquisition, Technology, and Logistics, the Chief Information Officer, and the Chief Management Officer of each of the military departments to issue and maintain supporting guidance for the guidance of the Secretary issued under paragraph (1), within their respective areas of responsibility, as necessary.

''(d) GUIDANCE ELEMENTS.—The guidance issued pursuant to subsection (c)(1) shall include the following elements:

''(1) Policy to ensure that the business processes of the Department of Defense are continuously evolved to—

''(A) implement the most streamlined and efficient business process practicable; and

''(B) eliminate or reduce the need to tailor commercial-off-the-shelf systems to meet unique requirements or incorporate unique requirements or incorporate unique interfaces to the maximum extent practicable.

''(2) A process to establish requirements for covered defense business systems.

''(3) Policy requiring the periodic review of covered defense business systems that have been fully deployed, by portfolio, to ensure that investments in such portfolios are appropriate.

''(4) Policy to ensure full consideration of sustainability and technological refreshment requirements, and the appropriate use of open architectures.

''(e) DEFENSE BUSINESS COUNCIL.—The Secretary shall establish a Defense Business Council to provide advice to the Secretary on reengineering the Department's business processes and developing and deploying defense business systems. The Council shall be chaired by the Deputy Chief Management Officer of the Department of Defense, and shall include membership from the public sector, defense industry, and commercial industry.

''(f) APPROVALS REQUIRED FOR DEVELOPMENT.—(1) The Secretary shall ensure that a covered defense business system program cannot proceed into development (or, if no development is required, into production or fielding) unless the appropriate approval officials (as specified in paragraph (3)) have determined that—

''(A) a business process has been, or is being, reengineered to be as streamlined and efficient as practicable, and the implementation of the business process will maximize the elimination of unique software requirements and unique interfaces;

''(B) the system has valid, achievable requirements and a viable plan for implementing those requirements (including, as appropriate, market research, business process reengineering, and prototyping activities);

''(C) the system has an acquisition strategy designed to eliminate or reduce the need to tailor commercial-off-the-shelf systems to meet unique requirements or incorporate unique requirements or incorporate unique interfaces to the maximum extent practicable; and

''(D) the system is in compliance with the Department's auditability requirements.

''(2)(A) For any fiscal year in which funds are expended for development or sustainment pursuant to a covered defense business system program, the appropriate approval officials shall review the system and certify, certify with conditions, or decline to certify, as the case may be, that—

''(i) it continues to satisfy the requirements of paragraph (1);

''(ii) an acquisition program baseline has been established within two years of program initiation; and

''(iii) program requirements and have not changed in a manner that is increasing acquisition costs or schedule, without sufficient cause and only after maximum efforts to reengineer business processes prior to changing requirements.

''(B) If an approval officially determines that full certification cannot be granted, the approval official shall notify the acquisition milestone decision authority for the program and provide a recommendation for corrective action, and provide a copy of such recommendations to the congressional defense committees within 60 days.

''(3) For purposes of paragraph (1), the appropriate approval officials with respect to a covered defense business system are the following:

''(A) In the case of a priority defense business system, the Deputy Chief Management Officer of the Department of Defense.

''(B) In the case of other covered business systems, an official designated under procedures established by the Secretary of Defense.

''(g) RESPONSIBILITY OF MILESTONE DECISION AUTHORITY.—The milestone decision authority for a covered defense business system program shall be responsible for the acquisition of such system and shall ensure that acquisition process approvals are not considered for such system until the relevant certifications and approvals have been made under this section.

''(h) DEFINITIONS.—In this section:

''(1) DEFENSE BUSINESS SYSTEM.—(A) The term 'defense business system' means an information system that is operated by, for, or on behalf of the Department of Defense, including any of the following:

''(i) A financial system.

''(ii) A financial data feeder system.

''(iii) A contracting system.

''(iv) A logistics system.

''(v) A planning and budgeting system.

''(vi) An installations management system.

''(vii) A human resources management system.

''(viii) A training and readiness system.

''(B) The term does not include—

''(i) a national security system; or

''(ii) an information system used exclusively by and within the defense commissary system or the exchange system or other instrumentality of the Department of Defense conducted for the morale, welfare, and recreation of members of the armed forces using nonappropriated funds.

''(2) COVERED DEFENSE BUSINESS SYSTEM.—The term 'covered defense business system' means a defense business system that is expected to have a total amount of budget authority over the period of the current future-years defense program submitted to Congress under section 221 of this title, in excess of $50,000,000.

''(3) COVERED DEFENSE BUSINESS SYSTEM PROGRAM .—The term 'covered defense business system program' means a defense acquisition program to develop and field a covered defense business system or an increment of a covered defense business system.

''(4) PRIORITY DEFENSE BUSINESS SYSTEM PROGRAM.—The term 'priority defense business system' means a defense business system that is—

''(A) expected to have a total amount of budget authority over the period of the current future-years defense program submitted to Congress under section 221 of this title in excess of $250,000,000; or

''(B) designated by the Deputy Chief Management Officer of the Department of Defense as a priority defense business system, based on specific program analyses of factors including complexity, scope, and technical risk, and after notification to Congress of such designation.

''(5) ENTERPRISE ARCHITECTURE.—The term 'enterprise architecture' has the meaning given that term in section 3601(4) of title 44.

''(6) INFORMATION SYSTEM.—The term 'information system' has the meaning given that term in section 11101 of title 40, United States Code.

''(7) NATIONAL SECURITY SYSTEM.—The term 'national security system' has the meaning given that term in section 3552(b)(2) of title 44.

''(8) MILESTONE DECISION AUTHORITY.—The term 'milestone decision authority', with respect to a defense acquisition program, means the individual within the Department of Defense designated with the responsibility to grant milestone approvals for that program.

''(9) BUSINESS PROCESS MAPPING.—The term 'business process mapping' means a procedure in which the steps in a business process are clarified and documented in both written form and in a flow chart.''.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 131 of such title is amended to read as follows:

''2222. Defense business systems: business process reengineering; enterprise architecture; management.''.

(b) IMPLEMENTATION OF PREVIOUSLY ENACTED TITLE CHANGE.—Effective February 1, 2017, section 2222 of title 10, United States Code, as amended by subsection (a), is further amended by striking ''the Deputy Chief Management Officer'' each place that it appears and inserting ''the Under Secretary of Defense for Business Management and Information''.

(c) DEADLINE FOR GUIDANCE.—The guidance required by subsection (b)(1) of section 2222 of title 10, United States Code, as amended by subsection (a)(1), shall be issued not later than December 31, 2016.

(d) MODIFICATION OF COMPTROLLER GENERAL ASSESSMENT.—Section 332(d) of the Ronald W. Reagan National Defense Authorization Act for Fiscal Year 2005 (Public Law 108–375; 118 Stat. 1856) is amended to read as follows:

''(d) COMPTROLLER GENERAL ASSESSMENT.—In each odd-numbered year, the Comptroller General of the United States shall submit to the congressional defense committees an assessment of the extent to which the actions taken by the Department of Defense comply with the requirements of such section.''.

SEC. 872. ACQUISITION WORKFORCE.

(a) MODIFICATIONS TO DEPARTMENT OF DEFENSE ACQUISITION WORKFORCE DEVELOPMENT FUND.—Section 1705 of title 10, United States Code, is amended—

(1) in subsection (d)—

(A) in paragraph (2), by amending subparagraph (C) to read as follows:

''(C) For purposes of this paragraph, the applicable percentage for a fiscal year is the percentage that results in the credit to the Fund of $500,000,000 in each fiscal year.''; and

(B) in paragraph (3), by striking ''24-month period'' and inserting ''36-month period'';

(2) in subsection (f), by striking ''60 days'' and inserting ''120 days''; and

(3) in subsection (g)(2), by striking ''September 30, 2017'' and inserting ''September 30, 2023''.

(b) MODIFICATIONS TO BIENNIAL STRATEGIC WORKFORCE PLAN.—Section 115b(d) of title 10, United States Code, is amended—

(1) in paragraph (1), by striking ''the defense acquisition workforce, including both military and civilian personnel'' and inserting ''the military, civilian, and contractor personnel that directly support the acquisition processes of the Department of Defense, including persons serving in acquisition-related positions designated by the Secretary of Defense under section 1721 of this title'';

(2) in paragraph (2)(D)—

(A) in clause (i), by striking ''; and'' and inserting a semicolon;

(B) by redesignating clause (ii) as clause (iii); and

(C) by inserting after clause (i) the following new clause:

''(ii) a description of steps that will be taken to address any new or expanded critical skills and competencies the civilian employee workforce will need to address recent trends in defense acquisition, emerging best practices, changes in the government and commercial marketplace, and new requirements established in law or regulation; and''; and

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

''(3) For the purposes of paragraph (1), contractor personnel shall be treated as directly supporting the acquisition processes of the Department if, and to the extent that, such contractor personnel perform functions in support of personnel in Department of Defense positions designated by the Secretary of Defense under section 1721 of this title.''.

SEC. 873. UNIFIED INFORMATION TECHNOLOGY SERVICES.

(a) BUSINESS CASE ANALYSIS.—

(1) IN GENERAL.—Not later than one year after the date of the enactment of this Act, the Deputy Chief Management Officer, the Chief Information Officer of the Department of Defense, and the Under Secretary of Defense for Acquisition, Technology and Logistics shall jointly complete a business case analysis, using the resources of the Director of Cost Analysis and Program Evaluation, to determine the most effective and efficient way to procure and deploy information technology services.

(2) ELEMENTS.—The business case analysis required by paragraph (1) shall include an assessment of whether the Department of Defense should—

(A)(i) acquire a unified set of commercially provided common or enterprise information technology services, including such services as messaging, collaboration, directory, security, and content delivery; or

(ii) allow the military departments and other components of the Department to acquire such services separately;

(B)(i) acquire such services from a single provider that bundles all of the services; or

(ii) require that each common service be independently defined and use open standards to enable continuous adoption of best commercial technology; and

(C) enable availability of multiple versions of each type of service and application to enable choice and competition while supporting interoperability where necessary.

(b) GOVERNANCE MECHANISM AND PROCESS.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall, in consultation with the Deputy Chief Management Officer and the Chief Information Officer, establish a governance mechanism and process to ensure essential interoperability across Department networks through the imposition of a minimum set of standards or common solutions.

SEC. 874. CLOUD STRATEGY FOR DEPARTMENT OF DEFENSE.

(a) CLOUD STRATEGY FOR SECRET INTERNET PROTOCOL NETWORK.—

(1) IN GENERAL.—The Chief Information Officer of the Department of Defense shall, in consultation with the Under Secretary of Defense for Intelligence, the Director of National Intelligence, the Vice Chairman of the Joint Chiefs of Staff, the Under Secretary of Defense for Acquisition, Technology, and Logistics, and the chief information officers of the military departments, develop a cloud strategy for the Secret Internet Protocol Network (SIPRNet) of the Department.

(2) MATTERS ADDRESSED.—This strategy required by paragraph (1) shall address the following:

(A) Security requirements.

(B) The compatibility of applications currently utilized within the Secret Internet Protocol Network with a cloud computing environment.

(C) How a Secret Internet Protocol Network cloud capability should be competitively acquired.

(D) How a Secret Internet Protocol Network cloud system would achieve interoperability with the cloud systems of the intelligence community (as defined in section 3 of the National Security Act of 1947 (50 U.S.C. 3003)) operating at the security level Sensitive Compartmented Information.

(b) PRICING POLICY AND COST RECOVERY PROCESS FOR CERTAIN CLOUD SERVICES.—The Chief Information Officer of the Department of Defense shall, in coordination with the Director of National Intelligence and in consultation with the Under Secretary of Defense for Intelligence, develop a consistent pricing policy and cost recovery process for the use by Department of Defense components of the cloud services provided through the Intelligence Community Information Technology Environment.

(c) ASSESSMENT OF FEASIBILITY AND ADVISABILITY OF IMPOSING MINIMUM STANDARDS.—

(1) IN GENERAL.—The Chief Information Officer of the Department of Defense shall assess the feasibility and advisability of imposing a minimum set of open standards for cloud infrastructure, middle-ware, metadata, and application programming interfaces to promote interoperability, information sharing, and ease of access to data, and competition across all of the cloud computing systems and services utilized by components of the Department of Defense.

(2) COORDINATION.—The Chief Information Officer shall coordinate the assessment required by paragraph (1) with the Director of National Intelligence with respect to the cloud services offered through the Intelligence Community Information Technology Environment.

SEC. 875. DEVELOPMENT PERIOD FOR DEPARTMENT OF DEFENSE INFORMATION TECHNOLOGY SYSTEMS.

(a) FLEXIBLE LIMITATION ON DEVELOPMENT PERIOD.—Section 2445b of title 10, United States Code is amended—

(1) by redesignating subsection (d) as subsection (e); and

(2) by inserting after subsection (c) the following new subsection:

''(d) TIME-CERTAIN DEVELOPMENT.—If the baseline documents prepared under subsection (c) for a major automated information system that is not a national security system provide for a period in excess of five years from the time of program initiation to the time of a full deployment decision, the documents submitted pursuant to subsection (a) shall include a written determination by the senior Department of Defense official responsible for the program justifying the need for the longer period.''.

(b) REPEAL OF INCONSISTENT REQUIREMENTS.—

(1) Section 2445c(c)(2) of title 10, United States Code, is amended—

(A) in subparagraph (B), by striking the semicolon at the end and inserting ''; or'';

(B) in subparagraph (C), by striking ''; or'' and inserting a period; and

(C) by striking subparagraph (D), as added by section 802(a)(3) of the Carl Levin and Howard ''Buck'' McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113–291; 128 Stat. 3427).

(2) Section 811 of the John Warner National Defense Authorization Act for Fiscal Year 2007 (Public Law 109–364; 120 Stat. 2316) is repealed.

SEC. 876. REVISIONS TO PILOT PROGRAM ON ACQUISITION OF MILITARY PURPOSE NON-DEVELOPMENTAL ITEMS.

Section 866 of the Ike Skelton National Defense Authorization Act for Fiscal Year 2011 (Public Law 111–383; 10 U.S.C. 2302 note) is amended—

(1) in subsection (a)(2), by striking ''with nontraditional defense contractors''; and

(2) in subsection (b)—

(A) in paragraph (1), by striking ''awarded using competitive procedures in accordance with chapter 137 of title 10, United States Code''; and

(B) in paragraph (2), by striking ''$50,000,000'' and inserting ''$100,000,000''.

SEC. 877. EXTENSION OF THE DEPARTMENT OF DEFENSE MENTOR-PROTEGE PILOT PROGRAM.

Section 831(j) of the National Defense Authorization Act for Fiscal Year 1991 (10 U.S.C. 2302 note) is amended—

(1) in paragraph (1), by striking ''September 30, 2015'' and inserting ''September 30, 2016''; and

(2) in paragraph (2), by striking ''September 30, 2018'' and inserting ''September 30, 2019''.

SEC. 878. IMPROVED AUDITING OF CONTRACTS.

(a) ADDRESSING AUDIT BACKLOG.—

(1) IN GENERAL.—Beginning October 1, 2016, the Defense Contract Audit Agency may provide audit support for non-Defense Agencies once the Secretary of Defense certifies that the backlog for incurred cost audits is less than 12 months of incurred cost inventory.

(2) ADJUSTMENT IN FUNDING FOR REIMBURSEMENTS FROM NON-DEFENSE AGENCIES.—The amount appropriated and otherwise available to the Defense Contract Audit Agency for a fiscal year beginning after September 30, 2016, shall be reduced by an amount equivalent to any reimbursements received by the Agency from non-Defense Agencies for support provided in violation of the limitation under paragraph (1).

(b) USE OF THIRD PARTY AUDITS.—The Secretary of Defense shall use up to 5 percent of the auditing staff of the service audit agencies augmented by private sector auditors to help eliminate the audit backlog in incurred cost, pre-award accounting systems audits and to reduce the time to complete pre-award audits.

(c) USE OF INSPECTOR GENERAL AUDITING STAFF.—The Office of the Inspector General of the Department of Defense shall make available 5 percent of its auditing staff to the Defense Contract Audit Agency to help eliminate the audit backlog in incurred cost, pre-award accounting systems audits and to reduce the time to complete pre-award audits.

(d) DEFENSE CONTRACT AUDIT AGENCY ANNUAL REPORT.—Section 2313a(a) of title 10, United States Code, is amended—

(1) in paragraph (2), by amending subparagraph (D) to read as follows:

''(D) the total costs of sustained or recovered costs both as a total number and as a percentage of questioned costs; and'';

(2) in paragraph (3), by striking ''; and'' and inserting a semicolon;

(3) by redesignating paragraph (4) as paragraph (6); and

(4) by inserting after paragraph (3) the following new paragraphs:

''(4) a description of actions taken to ensure alignment of policies and practices across the Defense Contract Audit Agency regional organizations, offices, and individual auditors;

''(5) a description of outreach actions toward industry to promote more effective use of audit resources; and''.

(e) ACQUISITION OVERSIGHT AND AUDITS.—The Secretary of Defense shall review the oversight and audit structure of the Department of Defense with the goal of enhancing the productivity of oversight and program and contract auditing to avoid duplicative audits and the streamlining of oversight reviews. The Secretary shall take all necessary measures to streamline oversight reviews and avoid duplicative audits and make recommendation for any necessary changes in law.

(f) REPORT.—

(1) IN GENERAL.—Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report on actions taken to avoid duplicative audits and streamline oversight reviews.

(2) ELEMENTS.—The report required under paragraph (1) shall include the following elements:

(A) A description of actions taken to avoid duplicative audits and streamline oversight reviews based on the review conducted under subsection (e).

(B) A comparison of commercial industry accounting practices, including requirements under the Sarbanes-Oxley Act of 2002 (Public Law 107–204), with the Cost Accounting Standards (CAS) to determine if some portions of CAS compliance can be met through such practices or requirements.

(C) A description of standards of materiality used by the Defense Contract Audit Agency and the Inspector General of the Department of Defense for defense contract audits.

(D) An estimate of average delay and range of delays in contract awards due to time necessary for the Defense Contract Audit Agency to complete pre-award audits.

(g) INCURRED COST INVENTORY DEFINED.—In this section, the term ''incurred cost inventory'' means the level of contractor incurred cost proposals in inventory from prior fiscal years that are currently being audited by the Defense Contract Audit Agency.

SEC. 879. SURVEY ON THE COSTS OF REGULATORY COMPLIANCE.

(a) SURVEY.—The Secretary of Defense shall conduct a survey of the top ten contractors with the highest level of reimbursements for cost type contracts with the Department of Defense during fiscal year 2014 to estimate industry's cost of regulatory compliance (as a percentage of total costs) with government unique acquisition regulations and requirements in the categories of quality assurance, accounting and financial management, contracting and purchasing, program management, engineering, logistics, material management, property administration, and other unique requirements not imposed on contracts for commercial items.

(b) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report on the findings of the survey conducted under subsection (a). The data received as a result of the survey and included in the report shall be aggregated to protect against the public release of proprietary information.

SEC. 880. GOVERNMENT ACCOUNTABILITY OFFICE REPORT ON BID PROTESTS.

(a) REPORT REQUIRED.—Not later than 270 days after the date of the enactment of this Act, the Comptroller General of the United States shall submit to the congressional defense committees a report on the prevalence and impact of bid protests on Department of Defense acquisitions over the previous 10 years, including both protests to the Government Accountability Office and protests filed in Federal court.

(b) ELEMENTS.—The report required by subsection (a) shall include, at a minimum, the following elements:

(1) A description of trends in the number of bid protests filed, and the rate of such bid protests compared to the number of procurements.

(2) A description of comparative rates for bid protests filed by incumbent contractors and bid protests filed by non-incumbent contractors.

(3) An assessment of the cost and schedule impact of successful and unsuccessful bid protests filed by incumbent contractors on contracts for services with a value in excess of $100,000,000.

(4) A description of trends in the number of bid protests filed and the rate of such bid protests on contracts for the procurement of major defense acquisition programs.

(5) An assessment of the cost and schedule impact of successful and unsuccessful bid protests filed on contracts for the procurement of major defense acquisition programs.

(6) A description of any views the Comptroller General may have on the likely impact of a provision requiring a losing protester on a contract for the procurement of a major defense acquisition program to pay the legal fees of the government.

SEC. 881. STEPS TO IDENTIFY AND ADDRESS POTENTIAL UNFAIR COMPETITIVE ADVANTAGE OF TECHNICAL ADVISORS TO ACQUISITION OFFICIALS.

(a) GUIDANCE REQUIRED.—Not later than 120 days after the date of the enactment of this Act, the Under Secretary of Defense for Acquisition, Technology, and Logistics shall issue guidance on steps that should be taken to identify and evaluate, and to avoid, neutralize, or mitigate, any potentially unfair competitive advantage of entities providing technical advice to acquisition officials in the award of research and development work by such officials.

(b) DEFINITIONS.—For the purposes of this section—

(1) the term ''potentially unfair competitive advantage'' means unequal access to acquisition officials responsible for award decisions or allocation of resources or to acquisition information relevant to award decisions or allocation of resources; and

(2) the term ''entity providing technical advice to acquisition officials'' means a contractor, Federally-funded research and development center and other non-profit entity, or Federal laboratory that provides systems engineering and technical direction, participates in technical evaluations, helps prepare specifications or work statements, or otherwise provides technical advice to acquisition officials on the conduct of defense acquisition programs.

SEC. 882. HUBZONE QUALIFIED DISASTER AREAS.

(a) IN GENERAL.—The Small Business Act (15 U.S.C. 631 et seq.)) is amended—

(1) in section 3(p) (15 U.S.C. 632(p))—

(A) in paragraph (1)—

(i) in subparagraph (D), by striking ''or'';

(ii) in subparagraph (E), by striking the period at the end and inserting ''; or''; and

(iii) by adding at the end the following:

''(F) qualified disaster areas.''; and

(B) in paragraph (4), by adding at the end the following:

''(E) QUALIFIED DISASTER AREA.—

''(i) IN GENERAL.—The term 'qualified disaster area' means any census tract or nonmetropolitan county located in an area for which the President has declared a major disaster under section 401 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170) or located in an area in which a catastrophic incident has occurred, if—

''(I) in the case of a census tract, the census tract ceased to be a qualified census tract during the period beginning 5 years before and ending 2 years after the date on which—

''(aa) the President declared the major disaster; or

''(bb) the catastrophic incident occurred; or

''(II) in the case of a nonmetropolitan county, the nonmetropolitan county ceased to be a qualified nonmetropolitan county during the period beginning 5 years before and ending 2 years after the date on which—

''(aa) the President declared the major disaster; or

''(bb) the catastrophic incident occurred.

''(ii) TREATMENT.—A qualified disaster area shall only be treated as a HUBZone—

''(I) in the case of a major disaster declared by the President, during the 5-year period beginning on the date on which the President declared the major disaster for the area in which the census tract or nonmetropolitan county, as applicable, is located; and

''(II) in the case of a catastrophic incident, during the 10-year period beginning on the date on which the catastrophic incident occurred in the area in which the census tract or nonmetropolitan county, as applicable, is located.''; and

(2) in section 31(c)(3) (15 U.S.C. 657a(c)(3)), by inserting ''the Administrator of the Federal Emergency Management Agency,'' after ''the Secretary of Labor,''.

(b) APPLICABILITY.—The amendments made by subsection (a) shall apply to a major disaster declared by the President under section 401 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170) or a catastrophic incident that occurs on or after the date of enactment of this Act.

SEC. 883. BASE CLOSURE HUBZONES.

(a) IN GENERAL.—Section 3(p)(5)(A)(i)(I) of the Small Business Act (15 U.S.C. 632(p)(5)(A)(i)(I)) is amended—

(1) in item (aa), by striking ''or'' at the end;

(2) by redesignating item (bb) as item (cc); and

(3) by inserting after item (aa) the following:

''(bb) pursuant to subparagraph (A), (B), (C), (D), or (E) of paragraph (3), that its principal office is located in a HUBZone described in paragraph (1)(E) (relating to base closure areas) (in this item referred to as the 'base closure HUBZone'), and that not fewer than 35 percent of its employees reside in—

''(AA) a HUBZone;

''(BB) the census tract in which the base closure HUBZone is wholly contained;

''(CC) a census tract the boundaries of which intersect the boundaries of the base closure HUBZone; or

''(DD) a census tract the boundaries of which are contiguous to a census tract described in subitem (BB) or (CC); or''.

(b) PERIOD FOR BASE CLOSURE AREAS.—

(1) AMENDMENTS.—

(A) IN GENERAL.—Section 152(a)(2) of title I of division K of the Consolidated Appropriations Act, 2005 (15 U.S.C. 632 note) is amended by striking ''5 years'' and inserting ''8 years''.

(B) CONFORMING AMENDMENT.—Section 1698(b)(2) of National Defense Authorization Act for Fiscal Year 2013 (15 U.S.C. 632 note) is amended by striking ''5 years'' and inserting ''8 years''.

(2) EFFECTIVE DATE; APPLICABILITY.—The amendments made by paragraph (1) shall—

(A) take effect on the date of enactment of this Act; and

(B) apply to—

(i) a base closure area (as defined in section 3(p)(4)(D) of the Small Business Act (15 U.S.C. 632(p)(4)(D))) that, on the day before the date of enactment of this Act, is treated as a HUBZone described in section 3(p)(1)(E) of the Small Business Act (15 U.S.C. 632(p)(1)(E)) under—

(I) section 152(a)(2) of title I of division K of the Consolidated Appropriations Act, 2005 (15 U.S.C. 632 note); or

(II) section 1698(b)(2) of National Defense Authorization Act for Fiscal Year 2013 (15 U.S.C. 632 note); and

(ii) a base closure area relating to the closure of a military instillation under the authority described in clauses (i) through (iv) of section 3(p)(4)(D) of the Small Business Act (15 U.S.C. 632(p)(4)(D)) that occurs on or after the date of enactment of this Act.

TITLE IX—DEPARTMENT OF DEFENSE ORGANIZATION AND MANAGEMENT

SEC. 901. UPDATE OF STATUTORY SPECIFICATION OF FUNCTIONS OF CHAIRMAN OF THE JOINT CHIEFS OF STAFF RELATING TO ADVICE ON REQUIREMENTS, PROGRAMS, AND BUDGET.

Section 153(a)(4) of title 10, United States Code, is amended by adding at the end the following new subparagraph:

''(H) Advising the Secretary on development of joint command, control, communications, and cyber capabilities, including integration and interoperability of such capabilities, through requirements, integrated architectures, data standards, and assessments.''.

SEC. 902. REORGANIZATION AND REDESIGNATION OF OFFICE OF FAMILY POLICY AND OFFICE OF COMMUNITY SUPPORT FOR MILITARY FAMILIES WITH SPECIAL NEEDS.

(a) OFFICE OF FAMILY POLICY.—

(1) REDESIGNATION AS OFFICE OF MILITARY FAMILY READINESS POLICY.—Section 1781(a) of title 10, United States Code, is amended—

(A) by striking ''Office of Family Policy'' and inserting ''Office of Military Family Readiness Policy''; and

(B) by striking ''Director of Family Policy'' and inserting ''Director of Military Family Readiness Policy''.

(2) REQUIREMENT FOR DIRECTOR TO BE MEMBER OF SENIOR EXECUTIVE SERVICE OR GENERAL OR FLAG OFFICER.—Such section is further amended by adding at the end the following new sentence: ''The Director shall be a member of the Senior Executive Service or a general officer or flag officer.''.

(3) INCLUSION OF DIRECTOR ON MILITARY FAMILY READINESS COUNCIL.—Subsection (b)(1)(E) of section 1781a of such title is amended by striking ''Office of Community Support for Military Families with Special Needs'' and inserting ''Office of Military Family Readiness Policy''.

(4) CONFORMING AMENDMENT.—Section 131(b)(7)(F) of such title is amended by striking ''Director of Family Policy'' and inserting ''Director of Military Family Readiness Policy''.

(5) HEADING AND CLERICAL AMENDMENTS.—

(A) SECTION HEADING.—The heading of section 1781 of such title is amended to read as follows:

''§ 1781. Office of Military Family Readiness Policy''.

(B) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 88 of such title is amended by striking the item relating to section 1781 and inserting the following new item:

''1781. Office of Military Family Readiness Policy.''.

(b) OFFICE OF COMMUNITY SUPPORT FOR MILITARY FAMILIES WITH SPECIAL NEEDS.—

(1) REDESIGNATION AS OFFICE OF SPECIAL NEEDS.—Subsection (a) of section 1781c of title 10, United States Code, is amended by striking ''Office of Community Support for Military Families with Special Needs'' and inserting ''Office of Special Needs''.

(2) REORGANIZATION UNDER OFFICE OF MILITARY FAMILY READINESS POLICY.—Such subsection is further amended by striking ''Office of the Under Secretary of Defense for Personnel and Readiness'' and inserting ''Office of Military Family Readiness Policy''.

(3) REPEAL OF REQUIREMENT FOR HEAD OF OFFICE TO BE MEMBER OF SENIOR EXECUTIVE SERVICE OR GENERAL OR FLAG OFFICER.—Such section is further amended by striking subsection (c).

(4) CONFORMING AMENDMENTS.—Such section is further amended—

(A) by redesignating subsections (d) through (i) as subsections (c) through (h), respectively;

(B) by striking ''subsection (e)'' each place it appears and inserting ''subsection (d)'';

(C) in subsection (c), as so redesignated, by striking ''subsection (f)'' in paragraph (2) and inserting ''subsection (e)''; and

(D) in subsection (g), as so redesignated, by striking ''subsection (d)(4)'' in paragraph (2)(B) and inserting ''subsection (c)(4)''.

(5) HEADING AND CLERICAL AMENDMENTS.—

(A) SECTION HEADING.—The heading of such section is amended to read as follows:

''§ 1781c. Office of Special Needs''.

(B) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 88 of such title is amended by striking the item relating to section 1781c and inserting the following new item:

''1781c. Office of Special Needs.''.

SEC. 903. REPEAL OF REQUIREMENT FOR ANNUAL DEPARTMENT OF DEFENSE FUNDING FOR OCEAN RESEARCH ADVISORY PANEL.

Section 7903 of title 10, United States Code, is amended by striking subsection (c).

TITLE X—GENERAL PROVISIONS

Subtitle A—Financial Matters

SEC. 1001. GENERAL TRANSFER AUTHORITY.

(a) AUTHORITY TO TRANSFER AUTHORIZATIONS.—

(1) AUTHORITY.—Upon determination by the Secretary of Defense that such action is necessary in the national interest, the Secretary may transfer amounts of authorizations made available to the Department of Defense in this division for fiscal year 2016 between any such authorizations for that fiscal year (or any subdivisions thereof). Amounts of authorizations so transferred shall be merged with and be available for the same purposes as the authorization to which transferred.

(2) LIMITATION.—Except as provided in paragraph (3), the total amount of authorizations that the Secretary may transfer under the authority of this section may not exceed $4,500,000,000.

(3) EXCEPTION FOR TRANSFERS BETWEEN MILITARY PERSONNEL AUTHORIZATIONS.—A transfer of funds between military personnel authorizations under title IV shall not be counted toward the dollar limitation in paragraph (2).

(b) LIMITATIONS.—The authority provided by subsection (a) to transfer authorizations—

(1) may only be used to provide authority for items that have a higher priority than the items from which authority is transferred; and

(2) may not be used to provide authority for an item that has been denied authorization by Congress.

(c) EFFECT ON AUTHORIZATION AMOUNTS.—A transfer made from one account to another under the authority of this section shall be deemed to increase the amount authorized for the account to which the amount is transferred by an amount equal to the amount transferred.

(d) NOTICE TO CONGRESS.—The Secretary shall promptly notify Congress of each transfer made under subsection (a).

SEC. 1002. ANNUAL AUDIT OF FINANCIAL STATEMENTS OF DEPARTMENT OF DEFENSE COMPONENTS BY INDEPENDENT EXTERNAL AUDITORS.

(a) AUDITS REQUIRED.—For purposes of satisfying the requirement under section 3521(e) of title 31, United States Code, for audits of financial statements of Department of Defense components identified by the Director of the Office of Management and Budget under section 3515(c) of such title, the Inspector General of the Department of Defense shall obtain each year audits of the financial statements of each such component by an independent external auditor.

(b) INSPECTOR GENERAL SELECTION AND OVERSIGHT.—The Inspector General shall—

(1) select independent external auditors for purposes of subsection (a) based, among other appropriate criteria, on their qualifications, independence, and capacity to conduct audits described in subsection (a) in accordance with applicable generally accepted government auditing standards; and

(2) shall monitor the conduct of such audits.

(c) REPORTS ON AUDITS.—

(1) IN GENERAL.—The Inspector General shall require the independent external auditors conducting audits under subsection (a)

to submit a report on their audits each year to the Secretary of Defense, the Controller of the Office of Federal Financial Management in the Office of Management and Budget, and the appropriate committees of Congress.

(2) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this subsection, the term ''appropriate committees of Congress'' means—

(A) the Committee on Armed Services, the Committee on Homeland Security and Governmental Affairs, and the Committee on Appropriations of the Senate; and

(B) the Committee on Armed Services, the Committee on Oversight and Government Reform, and the Committee on Appropriations of the House of Representatives.

(d) RELATIONSHIP TO EXISTING LAW.—The requirements of this section—

(1) shall be implemented in a manner that is consistent with the requirements of section 1008 of the National Defense Authorization Act for Fiscal Year 2002 (10 U.S.C. 2222 note);

(2) shall not be construed to alter the requirement under section 3521(e) of title 31, United States Code, that the financial statements of the Department of Defense as a whole be audited by the Inspector General or by an independent external auditor, as determined by the Inspector General; and

(3) shall not be construed to limit or alter the authorities of the Comptroller General of the United States under section 3521(g) of title 31, United States Code.

SEC. 1003. TREATMENT AS PART OF THE BASE BUDGET OF CERTAIN AMOUNTS AUTHORIZED FOR OVERSEAS CONTINGENCY OPERATIONS UPON ENACTMENT OF AN ACT REVISING THE BUDGET CONTROL ACT DISCRETIONARY SPENDING LIMITS FOR FISCAL YEAR 2016.

(a) IN GENERAL.—In the event of the enactment of an Act revising in proportionally equal amounts the defense and non-defense discretionary spending limits for fiscal year 2016, the amount authorized to be appropriated by title XV that is in excess of the $50,900,000,000 that is authorized to be appropriated by that title for revised security category activities, and is also not greater than the amount of the increase in the discretionary spending limit for revised security category activities revised by that Act, shall be deemed to have been authorized to be appropriated by title III.

(b) DEFINITIONS.—In this section:

(1) The term ''Act revising the defense and non-defense discretionary spending limits for fiscal year 2016'' means an Act—

(A) enacted after the date of enactment of this Act; and

(B) that—

(i) increases in proportionally equal amounts the discretionary spending limits for fiscal year 2016 for the revised security category and the revised nonsecurity category; and

(ii) may include increases to the discretionary spending limits for fiscal years 2017 through 2021.

(2) The terms ''discretionary spending limit'', ''revised nonsecurity category'', and ''revised security category'' have the meanings given such terms in section 250 of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 900).

SEC. 1004. SENSE OF SENATE ON SEQUESTRATION.

It is the sense of the Senate that—

(1) the nation's fiscal challenges are a top priority for Congress, and sequestration—non-strategic, across-the-board budget cuts—remains an unreasonable and inadequate budgeting tool to address the nation's deficits and debt;

(2) sequestration relief must be accomplished for fiscal years 2016 and 2017;

(3) sequestration relief should include equal defense and non-defense relief; and

(4) sequestration relief should be offset through targeted changes in mandatory and discretionary categories and revenues.

Subtitle B—Counter-Drug Activities

SEC. 1011. EXTENSION OF AUTHORITY TO SUPPORT UNIFIED COUNTERDRUG AND COUNTERTERRORISM CAMPAIGN IN COLOMBIA.

(a) EXTENSION OF AUTHORITY.—Section 1021 of the Ronald W. Reagan National Defense Authorization Act for Fiscal Year 2005 (Public Law 108–375; 118 Stat. 2042), as most recently amended by section 1011(a) of the Carl Levin and Howard P. ''Buck'' McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113–291), is further amended—

(1) In subsection (a), by striking ''2016'' and inserting ''2017''; and

(2) In subsection (c), by striking ''2016'' and inserting ''2017''.

(b) EXTENSION OF ANNUAL NOTICE TO CONGRESS ON ASSISTANCE.—Section 1011(b) of the Carl Levin and Howard P. ''Buck'' McKeon National Defense Authorization Act for Fiscal Year 2015 is amended by striking ''(as amended by subsection (a)) using funds available for fiscal year 2015'' and inserting ''using funds available for any fiscal year''.

SEC. 1012. EXTENSION AND EXPANSION OF AUTHORITY TO PROVIDE ADDITIONAL SUPPORT FOR COUNTER-DRUG ACTIVITIES OF CERTAIN FOREIGN GOVERNMENTS.

(a) EXTENSION.—Subsection (a)(2) of section 1033 of the National Defense Authorization Act for Fiscal Year 1998 (Public Law 105–85; 111 Stat. 1881), as most recently amended by section 1013 of the National Defense Authorization Act for Fiscal Year 2014 (Public Law 113–66; 127 Stat. 844), is further amended by striking ''2016'' and inserting ''2017''.

(b) MAXIMUM AMOUNT OF SUPPORT.—Subsection (e)(2) of such section 1033, as so amended, is further amended by striking ''2016'' and inserting ''2017''.

(c) ADDITIONAL GOVERNMENTS ELIGIBLE TO RECEIVE SUPPORT.—Subsection (b) of such section 1033, as so amended, is further amended by adding at the end of the following new paragraphs:

''(40) Government of Kenya.

''(41) Government of Tanzania.

''(42) Government of Somalia.''.

Subtitle C—Naval Vessels and Shipyards

SEC. 1021. STUDIES OF FLEET PLATFORM ARCHITECTURES FOR THE NAVY.

(a) INDEPENDENT STUDIES.—

(1) IN GENERAL.—The Secretary of Defense shall provide for the performance of three independent studies of alternative future fleet platform architectures for the Navy in the 2030 timeframe.

(2) SUBMISSION TO CONGRESS.—Not later than May 1, 2016, the Secretary shall forward the results of each study to the congressional defense committees.

(3) FORM.—Each such study shall be submitted in unclassified form, but may contain a classified annex as necessary.

(b) ENTITIES TO PERFORM STUDIES.—The Secretary of Defense shall provide for the studies under subsection (a) to be performed as follows:

(1) One study shall be performed by the Department of the Navy and shall include participants from—

(A) the Office of Net Assessment within the Office of the Secretary of Defense; and

(B) the Naval Surface Warfare Center Dahlgren Division.

(2) The second study shall be performed by a federally funded research and development center.

(3) The final study shall be conducted by an independent, non-governmental institute which is described in section 501(c)(3) of the Internal Revenue Code of 1986, and exempt from tax under section 501(a) of such Code, and has recognized credentials and expertise in national security and military affairs.

(c) PERFORMANCE OF STUDIES.—

(1) INDEPENDENT PERFORMANCE.—The Secretary of Defense shall require the three studies under this section to be conducted independently of each other.

(2) MATTERS TO BE CONSIDERED.—In performing a study under this section, the organization performing the study, while being aware of the current and projected fleet platform architectures, shall not be limited by the current or projected fleet platform architecture and shall consider the following matters:

(A) The National Security Strategy of the United States.

(B) Potential future threats to the United States and to United States naval forces in the 2030 timeframe.

(C) Traditional roles and missions of United States naval forces.

(D) Alternative roles and missions for United States naval forces.

(E) Other government and non-government analyses that would contribute to the study through variations in study assumptions or potential scenarios.

(F) The role of evolving technology on future naval forces, including unmanned systems.

(G) Opportunities for reduced personnel and sustainment costs.

(H) Current and projected capabilities of other United States military services that could affect force structure capability and capacity requirements of United States naval forces.

(d) STUDY RESULTS.—The results of each study under this section shall—

(1) present the alternative fleet platform architectures considered, with assumptions and possible scenarios identified for each;

(2) provide for presentation of minority views of study participants; and

(3) for the recommended architecture, provide—

(A) the numbers, kinds, and sizes of vessels, the numbers and types of associated manned and unmanned vehicles, and the basic capabilities of each of those platforms;

(B) other information needed to understand that architecture in basic form and the supporting analysis;

(C) deviations from the current Annual Long-Range Plan for Construction of Naval Vessels required under section 231 of title 10, United States Code;

(D) options to address ship classes that begin decommissioning prior to 2035; and

(E) implications for naval aviation, including the future carrier air wing and land-based aviation platforms.

SEC. 1022. AMENDMENT TO NATIONAL SEA-BASED DETERRENCE FUND.

Section 1022(b)(1) of the Carl Levin and Howard P. ''Buck'' McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113–291) is amended by striking ''for the Navy for the Ohio Replacement Program''.

SEC. 1023. EXTENSION OF AUTHORITY FOR REIMBURSEMENT OF EXPENSES FOR CERTAIN NAVY MESS OPERATIONS AFLOAT.

(a) EXTENSION.—Subsection (b) of section 1014 of the Duncan Hunter National Defense

Authorization Act for Fiscal Year 2009 (Public Law 110–417; 122 Stat. 4585), as amended by section 1021 of the Ike Skelton National Defense Authorization Act for Fiscal Year 2011 (Public Law 111–383; 124 Stat. 4348), is further amended by striking ''September 30, 2015'' and inserting ''September 30, 2020''.

(b) TECHNICAL AND CLARIFYING AMENDMENTS.—Subsection (a) of such section, as so amended, is further amended—

(1) in the matter preceding paragraph (1), by striking ''not more that'' and inserting ''not more than''; and

(2) in paragraph (2), by striking ''Naval vessels'' and inserting ''such vessels''.

Subtitle D—Counterterrorism

SEC. 1031. PROHIBITION ON USE OF FUNDS TO CONSTRUCT OR MODIFY FACILITIES IN THE UNITED STATES TO HOUSE DETAINEES TRANSFERRED FROM UNITED STATES NAVAL STATION, GUANTANAMO BAY, CUBA.

(a) PROHIBITION.—No amounts authorized to be appropriated by this Act or otherwise available for the Department of Defense may be used, during the period beginning on the date of the enactment of this Act and ending on the effective date specified in section 1032(f), to construct or modify any facility in the United States, its territories, or possessions to house an individual detained at Guantanamo for the purpose of detention or imprisonment in the custody or control of the United States Government unless authorized by Congress.

(b) EXCEPTION.—The prohibition in subsection (a) shall not apply to any modification of facilities at United States Naval Station, Guantanamo Bay, Cuba.

(c) INDIVIDUAL DETAINED AT GUANTANAMO DEFINED.—In this section, the term ''individual detained at Guantanamo'' means any individual located at United States Naval Station, Guantanamo Bay, Cuba, as of October 1, 2009, who—

(1) is not a citizen of the United States or a member of the Armed Forces of the United States; and

(2) is—

(A) in the custody or under the control of the Department of Defense; or

(B) otherwise under detention at United States Naval Station, Guantanamo Bay, Cuba.

(d) REPEAL OF SUPERSEDED PROHIBITION.—Section 1033 of the National Defense Authorization Act for Fiscal Year 2014 (Public Law 113–66; 127 Stat. 850), as amended by section 1032 of the Carl Levin and Howard P. ''Buck'' McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113–291), is repealed.

SEC. 1032. LIMITATION ON THE TRANSFER OR RELEASE OF INDIVIDUALS DETAINED AT UNITED STATES NAVAL STATION, GUANTANAMO BAY, CUBA.

(a) IN GENERAL.—Except as provided in subsection (b), no amounts authorized to be appropriated by this Act or otherwise available for the Department of Defense may be used to transfer, release, or assist in the transfer or release to or within the United States, its territories, or possessions of Khalid Sheikh Mohammed or any other detainee who—

(1) is not a United States citizen or a member of the Armed Forces of the United States; and

(2) is or was held on or after January 20, 2009, at United States Naval Station, Guantanamo Bay, Cuba, by the Department of Defense.

(b) TRANSFER FOR DETENTION AND TRIAL.—The Secretary of Defense may transfer a detainee described in subsection (a) to the United States for detention pursuant to the Authorization for Use of Military Force (Public Law 107–40), trial, and incarceration if the Secretary—

(1) determines that the transfer is in the national security interest of the United States;

(2) determines that appropriate actions have been taken, or will be taken, to address any risk to public safety that could arise in connection with detention and trial in the United States; and

(3) notifies the appropriate committees of Congress not later than 30 days before the date of the proposed transfer.

(c) NOTIFICATION ELEMENTS.—A notification on a transfer under subsection (b)(3) shall include the following:

(1) A statement of the basis for the determination that the transfer is in the national security interest of the United States.

(2) A description of the action the Secretary determines have been taken, or will be taken, to address any risk to the public safety that could arise in connection with the detention and trial in the United States.

(d) STATUS WHILE IN THE UNITED STATES.—A detainee who is transferred to the United States under this section—

(1) shall not be permitted to apply for asylum under section 208 of the Immigration and Nationality Act (8 U.S.C. 1158) or be eligible to apply for admission into the United States;

(2) shall be considered to be paroled into the United States temporarily pursuant to section 212(d)(5)(A) of the Immigration and Nationality Act (8 U.S.C. 1182(d)(5)(A));

(3) shall not at any time be subject to, and may not apply for or obtain, or be deemed to enjoy, any right, privilege, status, benefit, or eligibility for any benefit under any provision of the immigration laws (as defined in section 101(a)(17) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(17)), or any other law or regulation; and

(4) shall not, as a result of such transfer, have a change in designation as an unprivileged enemy belligerent eligible for detention pursuant to the Authorization for Use of Military Force, as determined in accordance with applicable law and regulations.

(e) LIMITATIONS ON JUDICIAL REVIEW.—

(1) LIMITATIONS.—Except as provided for in paragraph (2), no court, justice, or judge shall have jurisdiction to hear or consider any action against the United States or its agents relating to any aspect of the detention, transfer, treatment, or conditions of confinement of a detainee described in subsection (a) who is held by the Armed Forces of the United States.

(2) EXCEPTION.—A detainee who is transferred to the United States under this section shall not be deprived of the right to challenge his designation as an unprivileged enemy belligerent by filing a writ of habeas corpus as provided by the Supreme Court in Hamdan v. Rumsfeld (548 U.S. 557 (2006)) and Boumediene v. Bush (553 U.S. 723 (2008)).

(3) NO CAUSE OF ACTION IN DECISION NOT TO TRANSFER.—A decision not to transfer a detainee to the United States under this section shall not give rise to a judicial cause of action.

(f) EFFECTIVE DATE.—Subsections (b), (c), (d), and (e) shall take effect on the effective date of a joint resolution approved pursuant to subsection (h) on the plan on the disposition of detainees held at United States Naval Station, Guantanamo Bay, Cuba, submitted pursuant to subsection (g).

(g) PLAN FOR DISPOSITION OF DETAINEES.—

(1) REPORT ON PLAN REQUIRED.—The Secretary of Defense shall submit to the appropriate committees of Congress a report setting forth a comprehensive plan on the disposition of detainees held at United States Naval Station, Guantanamo Bay, Cuba.

(2) ELEMENTS.—The report required by paragraph (1) shall contain the following:

(A) A case-by-case determination made for each individual detained at Guantanamo of whether such individual is intended to be transferred to a foreign country, transferred to the United States for the purpose of civilian or military trial, or transferred to the United States or another country for continued detention under the law of armed conflict.

(B) The specific facility or facilities that are intended to be used, or modified to be used, to hold individuals inside the United States for the purpose of trial, for detention in the aftermath of conviction, or for continued detention under the law of armed conflict.

(C) The estimated costs associated with the detention inside the United States of individuals detained at Guantanamo.

(D) A description of the legal implications associated with the detention inside the United States of an individual detained at Guantanamo, including but not limited to the right to challenge such detention as unlawful.

(E) A detailed description and assessment, made in consultation with the Secretary of State and the Director of National Intelligence, of the actions that would be taken prior to the transfer to a foreign country of an individual detained at Guantanamo that would substantially mitigate the risk of such individual engaging or reengaging in any terrorist or other hostile activity that threatens the United States or United States person or interests.

(F) What additional authorities, if any, may be necessary to detain an individual detained at Guantanamo inside the United States as an unprivileged enemy belligerent pursuant to the Authorization for Use of Military Force, pending the end of hostilities or a future determination by the Secretary of Defense that such individual no longer poses a threat to the United States or United States persons or interests.

(G) A plan for the disposition of any individuals who are detained by the United States under the law of armed conflict after the date of the report, including a plan to detain and interrogate such individuals for the purposes of—

(i) protecting the security of the United States, its persons, allies, and interests; and

(ii) collecting intelligence necessary to ensure the security of the United States, its person, allies, and interests.

(3) FORM.—The report required by paragraph (1) shall be submitted in unclassified form, but may include a classified annex.

(h) CONSIDERATION BY CONGRESS OF SECRETARY OF DEFENSE PLAN.—

(1) TERMS OF THE RESOLUTION.—For purposes of this section the term ''joint resolution'' means only a joint resolution which is introduced within the 10-day period beginning on the date on which the Secretary of Defense submits to Congress a report under subsection (g) and—

(A) which does not have a preamble;

(B) the matter after the resolving clause of which is as follows: ''That Congress approves the plan of the Secretary of Defense on the disposition of detainees held at United States Naval Station, Guantanamo Bay, Cuba, under section 1032(g) of the National

Defense Authorization Act for Fiscal Year 2016 as submitted by the Secretary of Defense to Congress on _____'', the blank space being filled in with the appropriate date; and

(C) the title of which is as follows: ''Joint resolution approving the plan of the Secretary of Defense on the disposition of detainees held at United States Naval Station, Guantanamo Bay, Cuba.''.

(2) REFERRAL.—A resolution described in paragraph (1) that is introduced in the House of Representatives shall be referred to the Committee on Armed Services of the House of Representatives. A resolution described in paragraph (1) introduced in the Senate shall be referred to the Committee on Armed Services of the Senate.

(3) DISCHARGE.—If the committee to which a resolution described in paragraph (1) is referred has not reported such resolution (or an identical resolution) by the end of the 20-day period beginning on the date on which the Secretary submits to Congress a report under subsection (g), such committee shall be, at the end of such period, discharged from further consideration of such resolution, and such resolution shall be placed on the appropriate calendar of the House involved.

(4) CONSIDERATION.—(A) On or after the third day after the date on which the committee to which such a resolution is referred has reported, or has been discharged (under paragraph (3)) from further consideration of, such a resolution, it is in order (even though a previous motion to the same effect has been disagreed to) for any Member of the respective House to move to proceed to the consideration of the resolution. A Member may make the motion only on the day after the calendar day on which the Member announces to the House concerned the Member's intention to make the motion, except that, in the case of the House of Representatives, the motion may be made without such prior announcement if the motion is made by direction of the committee to which the resolution was referred. All points of order against the resolution (and against consideration of the resolution) are waived. The motion is highly privileged in the House of Representatives and is privileged in the Senate and is not debatable. The motion is not subject to amendment, or to a motion to postpone, or to a motion to proceed to the consideration of other business. A motion to reconsider the vote by which the motion is agreed to or disagreed to shall not be in order. If a motion to proceed to the consideration of the resolution is agreed to, the respective House shall immediately proceed to consideration of the joint resolution without intervening motion, order, or other business, and the resolution shall remain the unfinished business of the respective House until disposed of.

(B) Debate on the resolution, and on all debatable motions and appeals in connection therewith, shall be limited to not more than 2 hours, which shall be divided equally between those favoring and those opposing the resolution. An amendment to the resolution is not in order. A motion further to limit debate is in order and not debatable. A motion to postpone, or a motion to proceed to the consideration of other business, or a motion to recommit the resolution is not in order. A motion to reconsider the vote by which the resolution is agreed to or disagreed to is not in order.

(C) Immediately following the conclusion of the debate on a resolution described in paragraph (1) and a single quorum call at the conclusion of the debate if requested in accordance with the rules of the appropriate House, the vote on final passage of the resolution shall occur.

(D) Appeals from the decisions of the Chair relating to the application of the rules of the Senate or the House of Representatives, as the case may be, to the procedure relating to a resolution described in paragraph (1) shall be decided without debate.

(5) CONSIDERATION BY OTHER HOUSE.—(A) If, before the passage by one House of a resolution of that House described in paragraph (1), that House receives from the other House a resolution described in paragraph (1), then the following procedures shall apply:

(i) The resolution of the other House shall not be referred to a committee and may not be considered in the House receiving it except in the case of final passage as provided in clause (ii)(II).

(ii) With respect to a resolution described in paragraph (1) of the House receiving the resolution—

(I) the procedure in that House shall be the same as if no resolution had been received from the other House; but

(II) the vote on final passage shall be on the resolution of the other House.

(B) Upon disposition of the resolution received from the other House, it shall no longer be in order to consider the resolution that originated in the receiving House.

(6) RULES OF THE SENATE AND THE HOUSE OF REPRESENTATIVES.—This subsection is enacted by Congress—

(A) as an exercise of the rulemaking power of the Senate and House of Representatives, respectively, and as such it is deemed a part of the rules of each House, respectively, but applicable only with respect to the procedure to be followed in that House in the case of a resolution described in paragraph (1), and it supersedes other rules only to the extent that it is inconsistent with such rules; and

(B) with full recognition of the constitutional right of either House to change the rules (so far as relating to the procedure of that House) at any time, in the same manner, and to the same extent as in the case of any other rule of that House.

(i) LIMITATION ON TRANSFER OR RELEASE OF DETAINEES TRANSFERRED TO THE UNITED STATES.—

(1) LIMITATION PENDING ENACTMENT OF JOINT RESOLUTION APPROVING PLAN.—Notwithstanding any other provision of law and subject to paragraph (2), any individual detained at Guantanamo who is transferred to the United States after the date of the enactment of this Act shall not be released within the United States or its territories, and may only be transferred or released in accordance with the procedures under section 1033.

(2) LIMITATION ON TRANSFER OVERSEAS AFTER ENACTMENT OF JOINT RESOLUTION APPROVING PLAN.—Effective on the effective date specified in subsection (f)—

(A) the provisions of section 1035 of the National Defense Authorization Act for Fiscal Year 2014 (Public Law 113–66; 127 Stat. 851; 10 U.S.C. 801 note), as previously repealed by section 1033, shall be revived;

(B) the procedures under such section 1035, as so revived, shall apply to the transfer of individuals detained at Guantanamo to foreign countries rather than the procedures under section1033; and

(C) in the application of procedures under such section 1035 as described in subparagraph (B), any reference to an individual detained at Guantanamo shall be deemed to refer also to any such individual transferred to the United States after such effective date.

(j) REPEAL OF SUPERSEDED PROHIBITION.—Section 1034 of the National Defense Authorization Act for Fiscal Year 2014 (Public Law 113–66; 127 Stat. 851), as amended by section 1033 of the Carl Levin and Howard P. ''Buck'' McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113–291), is repealed.

(k) DEFINITIONS.—In this section:

(1) The term ''appropriate committees of Congress'' means—

(A) the Committee on Armed Services, the Committee on Appropriations, and the Select Committee on Intelligence of the Senate; and

(B) the Committee on Armed Services, the Committee on Appropriations, and the Permanent Select Committee on Intelligence of the House of Representatives.

(2) The term ''individual detained at Guantanamo'' means any individual located at United States Naval Station, Guantanamo Bay, Cuba, as of October 1, 2009, who—

(A) is not a citizen of the United States or a member of the Armed Forces of the United States; and

(B) is—

(i) in the custody or under the control of the Department of Defense; or

(ii) otherwise under detention at United States Naval Station, Guantanamo Bay, Cuba.

SEC. 1033. REENACTMENT AND MODIFICATION OF CERTAIN PRIOR REQUIREMENTS FOR CERTIFICATIONS RELATING TO TRANSFER OF DETAINEES AT UNITED STATES NAVAL STATION, GUANTANAMO BAY, CUBA, TO FOREIGN COUNTRIES AND OTHER FOREIGN ENTITIES.

(a) CERTIFICATION REQUIRED PRIOR TO TRANSFER.—

(1) IN GENERAL.—Except as provided in paragraph (2) and subsection (d), the Secretary of Defense may not use any amounts authorized to be appropriated or otherwise available to the Department of Defense to transfer any individual detained at Guantanamo to the custody or control of the individual's country of origin, any other foreign country, or any other foreign entity unless the Secretary submits to the appropriate committees of Congress the certification described in subsection (b) not later than 30 days before the transfer of the individual.

(2) EXCEPTION.—Paragraph (1) shall not apply to any action taken by the Secretary to transfer any individual detained at Guantanamo to effectuate an order affecting the disposition of the individual that is issued by a court or competent tribunal of the United States having lawful jurisdiction (which the Secretary shall notify the appropriate committees of Congress of promptly after issuance).

(b) CERTIFICATION.—A certification described in this subsection is a written certification made by the Secretary of Defense, with the concurrence of the Secretary of State and in consultation with the Director of National Intelligence, that—

(1) the government of the foreign country or the recognized leadership of the foreign entity to which the individual detained at Guantanamo is to be transferred—

(A) is not a designated state sponsor of terrorism or a designated foreign terrorist organization;

(B) maintains control over each detention facility in which the individual is to be detained if the individual is to be housed in a detention facility;

(C) is not, as of the date of the certification, facing a threat that is likely to substantially affect its ability to exercise control over the individual;

(D) has taken or agreed to take effective actions to ensure that the individual cannot take action to threaten the United States, its citizens, or its allies in the future;

(E) has taken or agreed to take such actions as the Secretary of Defense determines are necessary to ensure that the individual cannot engage or reengage in any terrorist activity; and

(F) has agreed to share with the United States any information that—

(i) is related to the individual or any associates of the individual; and

(ii) could affect the security of the United States, its citizens, or its allies;

(2) the United States Government and the government of the foreign country have entered into a written memorandum of understanding (MOU) regarding the transfer of the individual and such memorandum of understanding has previously been transmitted to the appropriate committees of Congress; and

(3) includes an assessment, in classified or unclassified form, of the capacity, willingness, and past practices (if applicable) of the foreign country or entity in relation to the Secretary's certifications.

(c) PROHIBITION IN CASES OF PRIOR CONFIRMED RECIDIVISM.—

(1) PROHIBITION.—Except as provided in paragraph (2) and subsection (d), the Secretary of Defense may not use any amounts authorized to be appropriated or otherwise available to the Department of Defense to transfer any individual detained at Guantanamo to the custody or control of the individual's country of origin, any other foreign country, or any other foreign entity if there is a confirmed case of any individual who was detained at United States Naval Station, Guantanamo Bay, Cuba, at any time after September 11, 2001, who was transferred to such foreign country or entity and subsequently engaged in any terrorist activity.

(2) EXCEPTION.—Subject to subsection (e), paragraph (1) shall not apply to any action taken by the Secretary to transfer any individual detained at Guantanamo to effectuate an order affecting the disposition of the individual that is issued by a court or competent tribunal of the United States having lawful jurisdiction (which the Secretary shall notify the appropriate committees of Congress of promptly after issuance).

(d) NATIONAL SECURITY WAIVER.—

(1) IN GENERAL.—Subject to subsection (e), the Secretary of Defense may waive the applicability to a detainee transfer of a certification requirement specified in subparagraph (D) or (E) of subsection (b)(1), or the prohibition in subsection (c), if the Secretary certifies the rest of the criteria required by subsection (b) for transfers prohibited by subsection (c) and, with the concurrence of the Secretary of State and in consultation with the Director of National Intelligence, determines that—

(A) alternative actions will be taken to address the underlying purpose of the requirement or requirements to be waived;

(B) in the case of a waiver of subparagraph (D) or (E) of subsection (b)(1), it is not possible to certify that the risks addressed in the paragraph to be waived have been completely eliminated, but the actions to be taken under subparagraph (A) will substantially mitigate such risks with regard to the individual to be transferred;

(C) in the case of a waiver of subsection (c), the Secretary has considered any confirmed case in which an individual who was transferred to the country subsequently engaged in terrorist activity, and the actions to be taken under subparagraph (A) will substantially mitigate the risk of recidivism with regard to the individual to be transferred; and

(D) the transfer is in the national security interests of the United States.

(2) REPORTS.—Whenever the Secretary makes a determination under paragraph (1), the Secretary shall submit to the appropriate committees of Congress, not later than 30 days before the transfer of the individual concerned, the following:

(A) A copy of the determination and the waiver concerned.

(B) A statement of the basis for the determination, including—

(i) an explanation why the transfer is in the national security interests of the United States;

(ii) in the case of a waiver of paragraph (D) or (E) of subsection (b)(1), an explanation why it is not possible to certify that the risks addressed in the paragraph to be waived have been completely eliminated; and

(iii) a classified summary of—

(I) the individual's record of cooperation while in the custody of or under the effective control of the Department of Defense; and

(II) the agreements and mechanisms in place to provide for continuing cooperation.

(C) A summary of the alternative actions to be taken to address the underlying purpose of, and to mitigate the risks addressed in, the paragraph or subsection to be waived.

(D) The assessment required by subsection (b)(2).

(e) RECORD OF COOPERATION.—

(1) IN GENERAL.—In assessing the risk that an individual detained at Guantanamo will engage in terrorist activity or other actions that could affect the security of the United States if released for the purpose of making a certification under subsection (b) or a waiver under subsection (d), the Secretary of Defense may give favorable consideration to any such individual—

(A) who has substantially cooperated with United States intelligence and law enforcement authorities, pursuant to a pre-trial agreement, while in the custody of or under the effective control of the Department of Defense; and

(B) for whom agreements and effective mechanisms are in place, to the extent relevant and necessary, to provide for continued cooperation with United States intelligence and law enforcement authorities.

(2) REPORTS.—Each certification under subsection (b) or report under subsection (d)(2) that includes an assessment in which favorable consideration was given an individual as described in paragraph (1) shall also include the following:

(A) A description of the cooperation for which favorable consideration was so given.

(B) A description of operational outcomes, if any, affected by such cooperation.

(f) DEFINITIONS.—In this section:

(1)(A) The term ''appropriate committees of Congress'' means—

(i) the Committee on Armed Services, the Committee on Appropriations, and the Select Committee on Intelligence of the Senate; and

(ii) the Committee on Armed Services, the Committee on Appropriations, and the Permanent Select Committee on Intelligence of the House of Representatives.

(B) In connection with a certification made under subsection (b), the term also includes the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives, but only with respect to the submittal to such committees of a copy of the written memorandum of understanding concerned described in subsection (b)(2).

(2) The term ''individual detained at Guantanamo'' means any individual located at United States Naval Station, Guantanamo Bay, Cuba, as of October 1, 2009, who—

(A) is not a citizen of the United States or a member of the Armed Forces of the United States; and

(B) is—

(i) in the custody or under the control of the Department of Defense; or

(ii) otherwise under detention at United States Naval Station, Guantanamo Bay, Cuba.

(3) The term ''foreign terrorist organization'' means any organization so designated by the Secretary of State under section 219 of the Immigration and Nationality Act (8 U.S.C. 1189).

(4) The term ''state sponsor of terrorism'' has the meaning given that term in section 301(13) of the Comprehensive Iran Sanctions, Accountability, and Divestment Act of 2010 (22 U.S.C. 8541(13)).

(g) REPEAL OF SUPERSEDED REQUIREMENTS AND LIMITATIONS.—Section 1035 of the National Defense Authorization Act for Fiscal Year 2014 (Public Law 113–66; 127 Stat. 851; 10 U.S.C. 801 note) is repealed.

SEC. 1034. AUTHORITY TO TEMPORARILY TRANSFER INDIVIDUALS DETAINED AT UNITED STATES NAVAL STATION, GUANTANAMO BAY, CUBA, TO THE UNITED STATES FOR EMERGENCY OR CRITICAL MEDICAL TREATMENT.

(a) TRANSFER FOR EMERGENCY OR CRITICAL MEDICAL TREATMENT AUTHORIZED.—Notwithstanding any other provision of this subtitle, or any other provision of law enacted after September 30, 2013, but subject to subsection (b), the Secretary of Defense may temporarily transfer any individual detained at Guantanamo to a Department of Defense medical facility in the United States for the sole purpose of providing the individual medical treatment if the Secretary determines that—

(1) the Senior Medical Officer, Joint Task Force–Guantanamo Bay, Cuba, has determined that the medical treatment is necessary to prevent death or imminent significant injury or harm to the health of the individual;

(2) based on the recommendation of the Senior Medical Officer, Joint Task Force–Guantanamo Bay, Cuba, the medical treatment is not available to be provided at United States Naval Station, Guantanamo Bay, Cuba, without incurring excessive and unreasonable costs;

(3) the Department of Defense has provided for appropriate security measures for the custody and control of the individual during any period in which the individual is temporarily in the United States under this subsection; and

(4) except in cases involving the especially immediate need for the provision of medical treatment to prevent death or imminent significant injury or harm to the health of the individual, the estimated aggregate cost of providing the individual medical treatment in a Department of Defense medical facility in the United States (including the cost of transferring and securing the individual in such facility during any period in which the individual is temporarily in the United States for treatment and the cost of treatment) would be less than the estimated cost of providing the individual such medical treatment at United States Naval Station, Guantanamo Bay.

(b) NOTICE TO CONGRESS REQUIRED BEFORE TRANSFER.—

(1) IN GENERAL.—In addition to the requirements in subsection (a), an individual may not be temporarily transferred under the authority in that subsection unless the Secretary of Defense submits to the appropriate committees of Congress the notice described in paragraph (2)—

(A) not later than 30 days before the date of the proposed transfer; or

(B) if notice cannot be provided in accordance with subparagraph (A) because of an especially immediate need for the provision of medical treatment to prevent death or imminent significant injury or harm to the health of the individual, as soon as is practicable, but not later than 5 days after the date of transfer.

(2) NOTICE ELEMENTS.—The notice on the transfer of an individual under this subsection shall include the following:

(A) A statement of the basis for the determination that the transfer is necessary to prevent death or imminent significant injury or harm to the health of the individual.

(B) The specific Department of Defense medical facility that will provide medical treatment to the individual.

(C) A description of the actions the Secretary determines have been taken, or will be taken, to address any risk to the public safety that could arise in connection with the provision of medical treatment to the individual in the United States.

(c) LIMITATION ON EXERCISE OF AUTHORITY.—The authority of the Secretary of Defense under subsection (a) may be exercised only by the Secretary of Defense or by another official of the Department of Defense at the level of Under Secretary of Defense or higher.

(d) CONDITIONS OF TRANSFER.—An individual who is temporarily transferred under the authority in subsection (a) shall—

(1) while in the United States, remain in the custody and control of the Secretary of Defense at all times; and

(2) be returned to United States Naval Station, Guantanamo Bay, Cuba, as soon as feasible after a Department of Defense physician determines that—

(A) the individual is medically cleared to travel; and

(B) in consultation with the Commander, Joint Task Force–Guantanamo Bay, Cuba, any necessary follow-up medical care may reasonably be provided the individual at United States Naval Station, Guantanamo Bay, Cuba.

(e) STATUS WHILE IN UNITED STATES.—An individual who is temporarily transferred under the authority in subsection (a), while in the United States—

(1) shall be deemed at all times and in all respects to be in the uninterrupted custody of the Secretary of Defense, as though the individual remained physically at United States Naval Station, Guantanamo Bay, Cuba;

(2) shall not at any time be subject to, and may not apply for or obtain, or be deemed to enjoy, any right, privilege, status, benefit, or eligibility for any benefit under any provision of the immigration laws (as defined in section 101(a)(17) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(17)), or any other law or regulation;

(3) shall not be permitted to avail himself of any right, privilege, or benefit of any law of the United States beyond those available to individuals detained at United States Naval Station, Guantanamo Bay, Cuba; and

(4) shall not, as a result of such transfer, have a change in any designation that may have attached to that detainee while detained at United States Naval Station, Guantanamo Bay, Cuba, pursuant to the Authorization for Use of Military Force (Public Law 107–40), as determined in accordance with applicable law and regulations..

(f) JUDICIAL REVIEW PRECLUDED.—

(1) NO CREATION OF ENFORCEABLE RIGHTS.—Nothing in this section is intended to create any enforceable right or benefit, or any claim or cause of action, by any party against the United States, or any other person or entity.

(2) LIMITATION ON JUDICIAL REVIEW.—Except as provided in paragraph (3), no court, justice, or judge shall have jurisdiction to hear or consider any claim or action against the United States or its agents relating to any aspect of the detention, transfer, treatment, or conditions of confinement of an individual transferred under this section.

(3) HABEAS CORPUS.—

(A) JURISDICTION.—The United States District Court for the District of Columbia shall have exclusive jurisdiction to consider an application for writ of habeas corpus challenging the fact or duration of detention and seeking release from custody filed by or on behalf of an individual who is in the United States pursuant to a temporary transfer under subsection (a). Such jurisdiction shall be limited to that required by the Constitution with respect to the fact or duration of detention.

(B) SCOPE OF AUTHORITY.—A court order in a proceeding covered by paragraph (3) may not—

(i) review, halt, or stay the return of the individual who is the object of the application to United States Naval Station, Guantanamo Bay, Cuba, including pursuant to subsection (d); or

(ii) order the release of the individual within the United States.

(g) NOTIFICATION.—The Secretary of Defense shall notify the Committees on Armed Services of the Senate and the House of Representatives of any temporary transfer of an individual under the authority in subsection (a) not later than 5 days after the transfer of the individual under that authority.

(h) DEFINITIONS.—In this section:

(1) The term ''appropriate committees of Congress'' means—

(A) the Committee on Armed Services, the Committee on Appropriations, and the Select Committee on Intelligence of the Senate; and

(B) the Committee on Armed Services, the Committee on Appropriations, and the Permanent Select Committee on Intelligence of the House of Representatives.

(2) The term ''individual detained at Guantanamo'' means any individual located at United States Naval Station, Guantanamo Bay, Cuba, as of October 1, 2009, who—

(A) is not a citizen of the United States or a member of the Armed Forces of the United States; and

(B) is—

(i) in the custody or under the control of the Department of Defense; or

(ii) otherwise under detention at United States Naval Station, Guantanamo Bay, Cuba.

SEC. 1035. PROHIBITION ON USE OF FUNDS FOR TRANSFER OR RELEASE TO YEMEN OF INDIVIDUALS DETAINED AT UNITED STATES NAVAL STATION, GUANTANAMO BAY, CUBA.

Notwithstanding any other provision of law, no amounts authorized to be appropriated by this Act or otherwise available for the Department of Defense may be used, during the period beginning on the date of the enactment of this Act and ending on December 31, 2016, to transfer, release, or assist in the transfer or release of any individual detained in the custody or under the control of the Department of Defense at United States Naval Station, Guantanamo Bay, Cuba, to the custody or control of the Republic of Yemen or any entity within Yemen.

SEC. 1036. REPORT ON CURRENT DETAINEES AT UNITED STATES NAVAL STATION, GUANTANAMO BAY, CUBA, DETERMINED OR ASSESSED TO BE HIGH RISK OR MEDIUM RISK.

(a) REPORT REQUIRED.—Not later than 60 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the appropriate committees and members of Congress a report, in unclassified form, setting forth a list of the individuals detained at Guantanamo as of the date of the enactment of this Act who have been determined or assessed by Joint Task Force Guantanamo, at any time before the date of the report, to be a high-risk or medium-risk threat to the United States, its interests, or its allies.

(b) ELEMENTS.—The report under subsection (a) shall set forth, for each individual covered by the report, the following:

(1) The name and country of origin.

(2) The date on which first designated or assessed as a high-risk or medium-risk threat to the United States, its interests, or its allies.

(3) Whether, as of the date of the report, currently designated or assessed as a high-risk or medium-risk threat to the United States, its interests, or its allies.

(4) If the designation or assessment changed between the date specified pursuant to paragraph (2) and the date of the report, the year and month in which the designation or assessment changed and the designation or assessment to which changed.

(5) To the extent practicable, without jeopardizing intelligence sources and methods—

(A) prior actions in support of terrorism, hostile actions against the United States or its allies, gross violations of human rights, and other violations of international law; and

(B) any affiliations with al Qaeda, al Qaeda affiliates, or other terrorist groups.

(c) DEFINITIONS.—In this section:

(1) The term ''appropriate committees and members of Congress'' means—

(A) the Committee on Armed Services, the Committee on Appropriations, and the Select Committee on Intelligence of the Senate;

(B) the Majority Leader and the Minority Leader of the Senate;

(C) the Committee on Armed Services, the Committee on Appropriations, and the Permanent Select Committee on Intelligence of the House of Representatives; and

(D) the Speaker of the House of Representatives and the Minority Leader of the House of Representatives.

(2) The term ''individual detained at Guantanamo'' means any individual located at United States Naval Station, Guantanamo Bay, Cuba, as of October 1, 2009, who—

(A) is not a citizen of the United States or a member of the Armed Forces of the United States; and

(B) is—

(i) in the custody or under the control of the Department of Defense; or

(ii) otherwise under detention at United States Naval Station, Guantanamo Bay, Cuba.

SEC. 1037. REPORT TO CONGRESS ON MEMORANDA OF UNDERSTANDING WITH FOREIGN COUNTRIES REGARDING TRANSFER OF DETAINEES AT UNITED STATES NAVAL STATION, GUANTANAMO BAY, CUBA.

(a) REPORT REQUIRED.—

(1) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall transmit to the appropriate committees of Congress a report setting forth the written memorandum of understanding between the United States Government and the government of the foreign country concerned regarding each individual detained at Guantanamo who was transferred to a foreign country during the 18-month period ending on the date of the enactment of this Act.

(2) STATEMENT ON LACK OF MOU.—If an individual detained at Guantanamo was transferred to a foreign country during the period described in paragraph (1) and no memorandum of understanding exists between the United States Government and the government of the foreign country regarding such individual, the report under paragraph (1) shall include an unclassified statement of that fact.

(b) DEFINITIONS.—In this section:

(1) The term ''appropriate committees of Congress'' means—

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

(B) the Committee on Armed Services, the Committee on Foreign Affairs, the Committee on Appropriations, and the Permanent Select Committee on Intelligence of the House of Representatives.

(2) The term ''individual detained at Guantanamo'' means any individual located at United States Naval Station, Guantanamo Bay, Cuba, as of October 1, 2009, who—

(A) is not a citizen of the United States or a member of the Armed Forces of the United States; and

(B) is—

(i) in the custody or under the control of the Department of Defense; or

(ii) otherwise under detention at United States Naval Station, Guantanamo Bay, Cuba.

SEC. 1038. SEMIANNUAL REPORTS ON USE OF UNITED STATES NAVAL STATION, GUANTANAMO BAY, CUBA, AND ANY OTHER DEPARTMENT OF DEFENSE OR BUREAU OF PRISONS PRISON OR OTHER DETENTION OR DISCIPLINARY FACILITY IN RECRUITMENT AND OTHER PROPAGANDA OF TERRORIST ORGANIZATIONS.

(a) IN GENERAL.—Not later than six months after the date of the enactment of this Act, and every six months thereafter, the Secretary of Defense shall, in consultation with the Director of National Intelligence, submit to Congress a report on the use by terrorist organizations and their leaders of images and symbols relating to United States Naval Station, Guantanamo Bay, Cuba, and any other Department of Defense or Bureau of Prisons prison or other detention or disciplinary facility for recruitment and other propaganda purposes during the six-month period ending on the date of such report. Each report shall include the following:

(1) A description and assessment of the effectiveness of the use of such images and symbols for recruitment and other propaganda purposes.

(2) A description and assessment of the efforts of the United States Government to counter the use of such images and symbols for such purposes and to disseminate accurate information about such facilities.

(b) ADDITIONAL MATERIAL IN FIRST REPORT.—The first report under subsection (a) shall include a description of the use by terrorist organizations and their leaders of images and symbols relating to United States Naval Station, Guantanamo Bay, Cuba, and any other Department of Defense or Bureau of Prisons prison or other detention or disciplinary facility for recruitment and other propaganda purposes before the date of the enactment of this Act.

SEC. 1039. EXTENSION AND MODIFICATION OF AUTHORITY TO MAKE REWARDS FOR COMBATING TERRORISM.

(a) EXTENSION OF AUTHORITY TO MAKE REWARDS THROUGH GOVERNMENT PERSONNEL OF ALLIED FORCES.—Subsection (c)(3)(C) of section 127b of title 10, United States Code, is amended by striking ''September 30, 2015'' and inserting ''December 31, 2016''.

(b) MODIFICATION OF REPORTING REQUIREMENTS.—Subsection (f)(2) of such section is amended—

(1) by striking subparagraph (D);

(2) by redesignating subparagraphs (E), (F), and (G), as subparagraphs (D), (E), and (F), respectively; and

(3) in subparagraph (D), as redesignated by paragraph (2), by inserting before the period at the end the following: '', including in which countries the program is being operated''.

(c) REPORT ON DESIGNATION OF COUNTRIES FOR WHICH REWARDS MAY BE PAID.—Such section is further amended by adding at the end the following new subsection:

''(h) REPORT ON DESIGNATION OF COUNTRIES FOR WHICH REWARDS MAY BE PAID.—Not later than 15 days after the date on which the Secretary designates a country as a country in which an operation or activity of the armed forces is occurring in connection with which rewards may be paid under this section, the Secretary shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the designation. Each report shall include the following:

''(1) The country so designated.

''(2) The reason for the designation of the country.

''(3) A justification for the designation of the country for purposes of this section.''.

(d) CHANGE OF SECTION HEADING TO REFLECT NAME OF PROGRAM.—

(1) IN GENERAL.—The heading of such section is amended to read as follows:

''§ 127b. Department of Defense Rewards Program''.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 3 of such title is amended by striking the item relating to section 127b and inserting the following new item:

''127b. Department of Defense Rewards Program.''.

Subtitle E—Miscellaneous Authorities and Limitations

SEC. 1041. ASSISTANCE TO SECURE THE SOUTHERN LAND BORDER OF THE UNITED STATES.

(a) IN GENERAL.—The Secretary of Defense shall provide assistance to United States Customs and Border Protection for purposes of increasing ongoing efforts to secure the southern land border of the United States.

(b) CONCURRENCE IN ASSISTANCE.—Assistance under subsection (a) shall be provided with the concurrence of the Secretary of Homeland Security.

(c) TYPES OF ASSISTANCE AUTHORIZED.—The assistance provided under subsection (a) may include the following:

(1) Deployment of members and units of the regular and reserve components of the Armed Forces to the southern land border of the United States.

(2) Deployment of manned aircraft, unmanned aerial surveillance systems, and ground-based surveillance systems to support continuous surveillance of the southern land border of the United States.

(3) Intelligence analysis support.

(d) MATERIEL AND LOGISTICAL SUPPORT.—The Secretary of Defense is authorized to deploy such materiel and equipment and logistics support as is necessary to ensure the effectiveness of assistance provided under subsection (a).

(e) FUNDING.—Of the amounts authorized to be appropriated for the Department of Defense by this Act, the Secretary of Defense may use up to $75,000,000 to provide assistance under this section.

(f) REPORTS.—Not later than 90 days after the date of the enactment of this Act, and every 90 days thereafter, the Secretary of Defense shall submit to the congressional defense committees a report on any provision of assistance under subsection (a) during the 90-day period ending on the date of such report. Each report shall include, for the period covered by such report, the following:

(1) A description of the assistance provided.

(2) A description of the sources and amounts of funds used to provide such assistance.

(3) A description of the amounts obligated to provide such assistance.

SEC. 1042. PROTECTION OF DEPARTMENT OF DEFENSE INSTALLATIONS.

(a) SECRETARY OF DEFENSE AUTHORITY.—Chapter 159 of title 10, United States Code, is amended by inserting after section 2671 the following new section:

''§ 2672. Protection of buildings, grounds, property, and persons

''(a) IN GENERAL.—The Secretary of Defense shall protect the buildings, grounds, and property that are under the jurisdiction, custody, or control of the Department of Defense and the persons on that property.

''(b) OFFICERS AND AGENTS.—(1)(A) The Secretary of Defense may designate military or civilian personnel of the Department of Defense as officers and agents to perform the functions of the Secretary under subsection (a), including, with regard to civilian officers and agents, duty in areas outside the property specified in that subsection to the extent necessary to protect that property and persons on that property.

''(B) A designation under subparagraph (A) may be made by individual, by position, by installation, or by such other category of personnel as the Secretary determines appropriate.

''(C) In making a designation under subparagraph (A) with respect to any category of personnel, the Secretary shall specify each of the following:

''(i) The personnel or positions to be included in the category.

''(ii) Which authorities provided for in paragraph (2) may be exercised by personnel in that category.

''(iii) In the case of civilian personnel in that category—

''(I) which authorities provided for in paragraph (2), if any, are authorized to be exercised outside the property specified in subsection (a); and

''(II) with respect to the exercise of any such authorities outside the property specified in subsection (a), the circumstances

under which coordination with law enforcement officials outside of the Department of Defense should be sought in advance.

''(D) The Secretary may make a designation under subparagraph (A) only if the Secretary determines, with respect to the category of personnel to be covered by that designation, that—

''(i) the exercise of each specific authority provided for in paragraph (2) to be delegated to that category of personnel is necessary for the performance of the duties of the personnel in that category and such duties cannot be performed as effectively without such authorities; and

''(ii) the necessary and proper training for the authorities to be exercised is available to the personnel in that category.

''(2) Subject to subsection (h) and to the extent specifically authorized by the Secretary, while engaged in the performance of official duties pursuant to this section, an officer or agent designated under this subsection may—

''(A) enforce Federal laws and regulations for the protection of persons and property;

''(B) carry firearms;

''(C) make arrests—

''(i) without a warrant for any offense against the United States committed in the presence of the officer or agent; or

''(ii) for any felony cognizable under the laws of the United States if the officer or agent has reasonable grounds to believe that the person to be arrested has committed or is committing a felony;

''(D) serve warrants and subpoenas issued under the authority of the United States; and

''(E) conduct investigations, on and off the property in question, of offenses that may have been committed against property under the jurisdiction, custody, or control of the Department of Defense or persons on such property.

''(c) REGULATIONS.—(1) The Secretary of Defense may prescribe regulations, including traffic regulations, necessary for the protection and administration of property under the jurisdiction, custody, or control of the Department of Defense and persons on that property. The regulations may include reasonable penalties, within the limits prescribed in paragraph (2), for violations of the regulations. The regulations shall be posted and remain posted in a conspicuous place on the property to which they apply.

''(2) A person violating a regulation prescribed under this subsection shall be fined under title 18, imprisoned for not more than 30 days, or both.

''(d) LIMITATION ON DELEGATION OF AUTHORITY.—The authority of the Secretary of Defense under subsections (b) and (c) may be exercised only by the Secretary or the Deputy Secretary of Defense.

''(e) DISPOSITION OF PERSONS ARRESTED.—A person who is arrested pursuant to authority exercised under subsection (b) may not be held in a military confinement facility, other than in the case of a person who is subject to chapter 47 of this title (the Uniform Code of Military Justice).

''(f) FACILITIES AND SERVICES OF OTHER AGENCIES.—In implementing this section, when the Secretary of Defense determines it to be economical and in the public interest, the Secretary may utilize the facilities and services of Federal, State, Indian tribal, and local law enforcement agencies, with the consent of those agencies, and may reimburse those agencies for the use of their facilities and services. Such services of State, Indian tribal, and local law enforcement, including application of their powers of law enforcement, may be provided notwithstanding that the property is subject to the legislative jurisdiction of the United States.

''(g) AUTHORITY OUTSIDE FEDERAL PROPERTY.—For the protection of property under the jurisdiction, custody, or control of the Department of Defense and persons on that property, the Secretary of Defense may enter into agreements with Federal agencies and with State, Indian tribal, and local governments to obtain authority for civilian officers and agents designated under this section to enforce Federal laws and State, Indian tribal, and local laws concurrently with other Federal law enforcement officers and with State, Indian tribal, and local law enforcement officers.

''(h) ATTORNEY GENERAL APPROVAL.—The powers granted pursuant to subsection (b)(2) to officers and agents designated under subsection (b)(1) shall be exercised in accordance with guidelines approved by the Attorney General. Such guidelines may include specification of the geographical extent of property outside of the property specified in subsection (a) within which those powers may be exercised.

''(i) LIMITATION WITH REGARD TO OTHER FEDERAL AGENCIES.—Nothing in this section shall be construed as affecting the authority of the Secretary of Homeland Security to provide for the protection of facilities (including the buildings, grounds, and properties of the General Services Administration) that are under the jurisdiction, custody, or control, in whole or in part, of a Federal agency other than the Department of Defense and that are located off of a military installation.

''(j) COOPERATION WITH LOCAL LAW ENFORCEMENT AGENCIES.—Before authorizing civilian officers and agents to perform duty in areas outside the property specified in subsection (a), the Secretary of Defense shall consult with, and is encouraged to enter into agreements with, local law enforcement agencies exercising jurisdiction over such areas for the purposes of avoiding conflicts of jurisdiction, promoting notification of planned law enforcement actions, and otherwise facilitating productive working relationships.

''(k) LIMITATION ON STATUTORY CONSTRUCTION.—Nothing in this section shall be construed—

''(1) to preclude or limit the authority of any Federal law enforcement agency;

''(2) to restrict the authority of the Secretary of Homeland Security under the Homeland Security Act of 2002 or of the Administrator of General Services, including the authority to promulgate regulations affecting property under the custody and control of that Secretary or the Administrator, respectively;

''(3) to expand or limit section 21 of the Internal Security Act of 1950 (50 U.S.C. 797);

''(4) to affect chapter 47 of this title;

''(5) to restrict any other authority of the Secretary of Defense or the Secretary of a military department; or

''(6) to restrict the authority of the Director of the National Security Agency under section 11 of the National Security Agency Act of 1959 (50 U.S.C. 3609).''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 159 of such title is amended by inserting after the item relating to section 2671 the following new item:

''2672. Protection of buildings, grounds, property, and persons.''.

SEC. 1043. STRATEGY TO PROTECT UNITED STATES NATIONAL SECURITY INTERESTS IN THE ARCTIC REGION.

(a) REPORT ON STRATEGY REQUIRED.—Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report that sets forth an updated military strategy for the protection of United States national security interests in the Arctic region.

(b) ELEMENTS.—The report required by subsection (a) shall include the following:

(1) A description of United States military interests in the Arctic region.

(2) A description of operational plans and associated military requirements for the protection of United States national security interests in the Arctic region, including United States citizens, territory, freedom of navigation, and economic and trade interests.

(3) An identification of any operational seams and a plan to enhance unity of effort among the combatant commands with responsibility for the Arctic region.

(4) A description of the security environment in the Arctic region, including the activities of foreign nations operating within the Arctic region.

(5) A description of United States military capabilities required to implement the strategy required by subsection (a).

(6) An identification of any capability gaps and resource gaps, including in installations, infrastructure, and personnel in the Arctic region, that would impact the implementation of the strategy required by subsection (a) or the execution of any associated operational plan, and a mitigation plan to address such gaps.

(7) A plan to enhance military-to-military cooperation with partner nations that have mutual security interests in the Arctic region.

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

SEC. 1044. EXTENSION OF LIMITATIONS ON THE TRANSFER TO THE REGULAR ARMY OF AH–64 APACHE HELICOPTERS ASSIGNED TO THE ARMY NATIONAL GUARD.

(a) EXTENSION.—Section 1712 of the Carl Levin and Howard P. ''Buck'' McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113–291) is amended by striking ''March 31, 2016'' each place it appears and inserting ''September 30, 2016''.

(b) READINESS OF AIRCRAFT AND PERSONNEL.—Subsection (c) of such section is amended by striking ''fiscal year 2015'' and inserting ''fiscal years 2015 and 2016''.

SEC. 1045. TREATMENT OF CERTAIN PREVIOUSLY TRANSFERRED ARMY NATIONAL GUARD HELICOPTERS AS COUNTING AGAINST NUMBER TRANSFERRABLE UNDER EXCEPTION TO LIMITATION ON TRANSFER OF ARMY NATIONAL GUARD HELICOPTERS.

(a) NOTICE TO CONGRESS.—Not later than 90 days after the date of the enactment of this Act, the Secretary of the Army shall submit to the congressional defense committees a report setting forth the number of AH–64D Apache helicopters that have been transferred from the Army National Guard to the original equipment manufacturer for the purpose of remanufacture to the AH–64E Apache helicopter variant.

(b) TREATMENT AS COUNTING AGAINST NUMBER TRANSFERRABLE.—The Secretary of the Army shall treat the number of helicopters specified in the report under subsection (a) as counting against the total number of AH–

64 Apache helicopters that may be transferred from the Army National Guard to the regular Army pursuant to subsection (e) of section 1712 of the Carl Levin and Howard B. ''Buck'' McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113–291; 128 Stat. 3668).

(c) CONSTRUCTION WITH REQUIRED CERTIFICATION.—Nothing in this subsection may be construed to alter or terminate the requirement for a certification by the Secretary of Defense pursuant to subsection (f) of section 1712 of the Carl Levin and Howard B. ''Buck'' McKeon National Defense Authorization Act for Fiscal Year 2015 as a precondition for any action under subsection (e) of such section.

SEC. 1046. MANAGEMENT OF MILITARY TECHNICIANS.

(a) CONVERSION OF CERTAIN MILITARY TECHNICIAN (DUAL STATUS) POSITIONS TO CIVILIAN POSITIONS.—

(1) IN GENERAL.—The Secretary of Defense shall convert not fewer than 20 percent of the positions described in paragraph (2) as of January 1, 2017, from military technician (dual status) positions to positions filled by individuals who are employed under section 3101 of title 5, United States Code, and are not military technicians.

(2) COVERED POSITIONS.—The positions described in this paragraph are military technician (dual status) positions as follows:

(A) Military technician (dual status) positions identified as general administration, clerical, and office service occupations in the report of the Secretary of Defense under section 519 of the National Defense Authorization Act for Fiscal Year 2011 (Public Law 112–81; 125 Stat. 1397).

(B) Such other military technician (dual status) positions as the Secretary shall specify for purposes of this subsection.

(b) PHASED-IN TERMINATION OF ARMY RESERVE, AIR FORCE RESERVE, AND NATIONAL GUARD NON-DUAL STATUS TECHNICIANS.—

(1) IN GENERAL.—Section 10217 of title 10, United States Code, is amended by adding at the end the following new subsection:

''(d) PHASED-IN TERMINATION OF POSITIONS.—(1) No individual may be newly hired or employed, or rehired or reemployed, as a non-dual status technician for the purposes of this section after December 31, 2016.

''(2) Commencing January 1, 2017, the maximum number of non-dual status technicians employable by the Army Reserve and by the Air Force Reserve shall be reduced from the number otherwise provided by subsection (c)(1) by one for each individual who retires, is separated from, or otherwise ceases service as a non-dual status technician of the Army Reserve or the Air Force Reserve, as the case may be, after such date until the maximum number of non-dual status technicians employable by the Army Reserve or the Air Force Reserve, as the case may be, is zero.

''(3) Commencing January 1, 2017, the maximum number of non-dual status technicians employable by the National Guard shall be reduced from the number otherwise provided by subsection (c)(2) by one for each individual who retires, is separated from, or otherwise ceases service as a non-dual status technician of the National Guard after such date until the maximum number of non-dual status technicians employable by the National Guard is zero.

''(4) Any individual newly hired or employed, or rehired or employed, to a position required to be filled by reason of the amendment made by paragraph (1) shall be an individual employed in such position under section 3101 of title 5, and may not be a military technician.

''(5) Nothing in this subsection shall be construed to terminate the status as a non-dual status technician under this section after December 31, 2016, of any individual who is a non-dual status technician for the purposes of this section on that date.''.

(2) REPORT ON PHASED-IN TERMINATIONS.—Not later than February 1, 2016, the Secretary of Defense shall submit to Congress a report setting forth a plan for implementing the amendment made by paragraph (1).

SEC. 1047. SENSE OF CONGRESS ON CONSIDERATION OF THE FULL RANGE OF DEPARTMENT OF DEFENSE MANPOWER WORLDWIDE IN DECISIONS ON THE PROPER MIX OF MILITARY, CIVILIAN, AND CONTRACTOR PERSONNEL TO ACCOMPLISH THE NATIONAL DEFENSE STRATEGY.

It is the sense of Congress that, as the Department of Defense makes decisions on military end strength requests, proper sizing of the civilian workforce, and the proper mix of these sources of manpower with contractor personnel to accomplish the National Defense Strategy, the Secretary of Defense should consider the full range of manpower available to the Secretary in all locations worldwide in order to arrive at the proper mix and size of manpower to accomplish that Strategy without arbitrarily protecting or exempting any particular group or location of manpower.

SEC. 1048. SENSE OF SENATE ON THE UNITED STATES MARINE CORPS.

(a) FINDINGS.—The Senate makes the following findings:

(1) As senior United States statesmen Dr. Henry Kissinger wrote in testimony submitted to the Committee on Armed Services of the Senate on January 29, 2015, ''[t]he United States has not faced a more diverse and complex array of crises since the end of the Second World War.''.

(2) The rise of committed, non-state forces and near peer competitors has introduced destabilizing pressures around the globe.

(3) Advances in information and weapons technology have reduced the time available for the United States to prepare for a respond to crises against either known or unknown threats.

(4) The importance of the maritime domain cannot be overstated. As acknowledged in the March 2015 Navy, Marine Corps, and Coast Guard maritime strategy entitled ''A Cooperative Strategy for 21st Century Seapower: Forward, Engaged, Ready'', ''[o]ceans are the lifeblood of the interconnected global community. . .90 percent of trade by volume across the oceans. Approximately 70 percent of the world's population lives within 100 miles of the coastline''.

(5) In this global security environment, it is critical that the United States possess a maritime forces whose mission and ethos is readiness, a fight tonight force, forward deployed, that can respond immediately to emergent crises across the full range of military operations around the globe either from the sea or home station.

(6) The need for such forces was recognized by the 82nd Congress during the Korean War, when it mandated a core mission for the Nation's leanest force, the Marine Corps, to be most ready when the nation is least ready.

(7) In recognition of this continued need and the wisdom of the 82nd Congress, the Senate reaffirms section 5063 of title 10, United States Code, uniquely charging the United States Marine Corps with this responsibility.

(b) SENSE OF SENATE.—It is the sense of the Senate that—

(1) the Marine Corps, within the Department of the Navy, should remain the Nation's expeditionary, crisis response force; and

(2) as provided in section 5063 of title 10, United States Code, the Marine Corps should—

(A) be organized to include no less than three combat divisions and three air wings, and such other land combat, aviation, and other services as may be organic to it;

(B) be organized, trained, and equipped to provide fleet marine forces of combined arms, together with supporting air components, for service with the fleet in the seizure or defense of advanced naval bases and for the conduct of such land operations as may be essential to the prosecution of a naval campaign; and

(C) provide detachments and organizations for service on armed vessels of the Navy, provide security detachments for the protection of naval property at naval stations and bases, and perform such other duties as the President may direct;

(D) develop, in coordination with the Army and the Air Force, those phases of amphibious operations that pertain to the tactics, techniques, and equipment used by landing forces; and

(E) be responsible, in accordance with the integrated joint mobilization plans, for the expansion of peacetime components of the Marine Corps to meet the needs of war.

Subtitle F—Studies and Reports

SEC. 1061. REPEAL OF REPORTING REQUIREMENTS.

(a) REPORTS UNDER TITLE 10, UNITED STATES CODE.—

(1) ANNUAL REPORT ON GIFTS MADE FOR THE BENEFIT OF MILITARY MUSICAL UNITS.—Section 974(d) of title 10, United States Code, is amended by striking paragraph (3).

(2) BIENNIAL REPORT ON SPACE SCIENCE AND TECHNOLOGY STRATEGY.—Section 2272(a) of title 10, United States Code, is amended by striking paragraph (5).

(3) ANNUAL REPORT ON PRIZES FOR ADVANCED TECHNOLOGY ACHIEVEMENTS.—Section 2374a of title 10, United States Code, is amended—

(A) by striking subsection (e); and

(B) by redesignating subsection (f) as subsection (e).

(b) REPORTS UNDER PUBLIC LAW 113–66.—

(1) REPORTS ON USE OF TEMPORARY AUTHORITIES FOR CERTAIN POSITIONS AT DOD RESEARCH AND ENGINEERING FACILITIES.—Section 1107 of the National Defense Authorization Act for Fiscal Year 2014 (10 U.S.C. 2358 note) is amended—

(A) by striking subsection (g); and

(B) by redesignating subsection (h) as subsection (g).

(2) ANNUAL REPORT ON ADVANCING SMALL BUSINESS GROWTH.—Section 1611 of the National Defense Authorization Act for Fiscal Year 2014 (127 Stat. 946) is amended by striking subsection (d).

(c) REPORTS UNDER PUBLIC LAW 112–239.—

(1) ANNUAL REPORTS ON QUALITY ASSURANCE PROGRAMS FOR MEDICAL EVALUATION BOARDS AND PHYSICIAN EVALUATION BOARDS AND RELATED PERSONNEL.—Section 524 of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112–239; 126 Stat. 1723; 10 U.S.C. 1222 note) is amended by striking subsection (c).

(2) ANNUAL IMPACT STATEMENT ON NUMBER OF MEMBERS IN INTEGRATED DISABILITY EVALUATION SYSTEM ON READINESS REQUIREMENTS.—Section 528 of the National Defense Authorization Act for Fiscal Year 2013 (126 Stat. 1725) is repealed.

(3) SENSE OF CONGRESS ON NOTICE ON UNFUNDED PRIORITIES.—Section 1003 of the National Defense Authorization Act for Fiscal Year 2013 (126 Stat. 1903) is repealed.

(d) ANNUAL UPDATES ON IMPLEMENTATION PLAN FOR WHOLE-OF-GOVERNMENT VISION PRESCRIBED IN THE NATIONAL SECURITY STRATEGY.—Section 1072 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112–81; 125 Stat. 1592; 50 U.S.C. 3043 note) is amended—

(1) by striking subsection (b); and

(2) by redesignating subsection (c) as subsection (b).

(e) REPORTS UNDER PUBLIC LAW 111–383.—

(1) REPORTS ON DEFENSE RESEARCH AND DEVELOPMENT RAPID INNOVATION PROGRAM.—Section 1073 of the Ike Skelton National Defense Authorization Act for Fiscal Year 2011 (Public Law 111–383; 124 Stat. 4366; 10 U.S.C. 2359 note) is amended—

(A) by striking subsection (f); and

(B) by redesignating subsection (g) as subsection (f).

(2) REPORT ON TASK FORCE FOR BUSINESS AND STABILITY OPERATIONS IN AFGHANISTAN.—Section 1535(a) of the Ike Skelton National Defense Authorization Act for Fiscal Year 2011 (124 Stat. 4426) is amended by striking paragraph (6).

(f) ANNUAL REPORT ON THE ELECTRONIC WARFARE STRATEGY OF THE DEPARTMENT OF DEFENSE.—Section 1053 of National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84; 123 Stat. 2458) is repealed.

(g) REPORTS UNDER PUBLIC LAW 110–417.—

(1) MITIGATION OF POWER OUTAGE RISKS FOR DEPARTMENT OF DEFENSE FACILITIES AND ACTIVITIES.—Section 335 of the Duncan Hunter Nation Defense Authorization Act for Fiscal Year 2009 (Public Law 110–417; 122 Stat. 4422; 10 U.S.C. 2911 note) is amended by striking subsection (c).

(2) UPDATES OF INCREASES IN NUMBER OF UNITS OF JROTC.—Section 548 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (122 Stat. 4466) is amended by striking subsection (e).

(3) ANNUAL REPORTS ON CENTER OF EXCELLENCE ON TRAUMATIC EXTREMITY INJURIES AND AMPUTATIONS.—Section 723 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (122 Stat. 4508) is amended by striking (d).

(4) SEMI-ANNUAL REPORT ON STATUS OF NAVY NEXT GENERATION ENTERPRISE NETWORKS PROGRAM.—Section 1034 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (122 Stat. 4593) is hereby repealed.

(h) REPORTS UNDER PUBLIC LAW 110–181.—

(1) BIENNIAL UPDATE OF STRATEGIC MANAGEMENT PLAN.—Section 904(d) of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–181; 122 Stat. 275) is amended by striking paragraph (3).

(2) REPORTS ON ACCESS OF RECOVERING SERVICEMEMBERS TO ADEQUATE OUTPATIENT RESIDENTIAL FACILITIES.—Section 1662 of the Wounded Warrior Act (title XVI of Public Law 110–181; 122 Stat. 479; 10 U.S.C. 1071 note) is amended—

(A) by striking ''(a) REQUIRED INSPECTIONS OF FACILITIES.—''; and

(B) by striking subsection (b).

(i) REPORTS UNDER PUBLIC LAW 109–364.—

(1) ROADMAPS AND REPORTS ON HYPERSONICS DEVELOPMENT.—Section 218 of the John Warner National Defense Authorization Act for Fiscal Year 2007 (10 U.S.C. 2358 note) is amended—

(A) in subsection (d), by striking paragraph (4); and

(B) by striking subsection (f).

(2) UPDATES OF ASSISTANCE TO LOCAL EDUCATIONAL AGENCIES EXPERIENCING GROWTH IN ENROLLMENT DUE TO FORCE STRUCTURE CHANGE AND OTHER CIRCUMSTANCES.—Section 574 of the John Warner National Defense Authorization Act for Fiscal Year 2007 (20 U.S.C. 7703b note) is amended—

(A) by striking subsection (c); and

(B) by redesignating subsections (d) and (e) as subsections (c) and (d), respectively.

(3) ANNUAL REPORT ON OVERHAUL, REPAIR, AND MAINTENANCE OF VESSELS UNDER ACQUISITION POLICY ON OBTAINING CARRIAGE BY VESSEL.—Section 1017 of the John Warner National Defense Authorization Act for Fiscal Year 2007 (120 Stat. 2379) is amended—

(A) by striking subsection (e); and

(B) by redesignating subsection (f) as subsection (e).

(j) REPORTS ON ANNUAL REVIEW OF ROLES AND MISSIONS OF THE RESERVE COMPONENTS.—Section 513(h) of the Ronald W. Reagan National Defense Authorization Act for Fiscal Year 2005 (Public Law 108–375; 118 Stat. 1882; 10 U.S.C. 10101 note) is amended—

(1) by striking paragraph (2); and

(2) by redesignating paragraph (3) as paragraph (2).

(k) ANNUAL SUBMITTAL OF INFORMATION REGARDING INFORMATION TECHNOLOGY CAPITAL ASSETS.—Section 351 of the Bob Stump National Defense Authorization Act for Fiscal Year 2003 (Public Law 107–314; 10 U.S.C. 221 note) is hereby repealed.

(l) REPORTS ON EXPERIMENTAL PERSONNEL MANAGEMENT PROGRAM FOR SCIENTIFIC AND TECHNICAL PERSONNEL.—Section 1101 of the Strom Thurmond National Defense Authorization Act for Fiscal Year 1999 (5 U.S.C. 3104 note) is amended by striking subsection (g).

SEC. 1062. TERMINATION OF REQUIREMENT FOR SUBMITTAL TO CONGRESS OF REPORTS REQUIRED OF THE DEPARTMENT OF DEFENSE BY STATUTE.

(a) TERMINATION.—Effective on the date that is two years after the date of the enactment of this Act, each report described in subsection (b) that is still required to be submitted to Congress as of such effective date shall no longer be required to be submitted to Congress.

(b) COVERED REPORTS.—A report described in this subsection is a report that is required to be submitted to Congress by the Department of Defense, or by any officer, official, component, or element of the Department, by a provision of statute (including title 10, United States Code, and any annual national defense authorization Act) as of April 1, 2015.

SEC. 1063. ANNUAL SUBMITTAL TO CONGRESS OF MUNITIONS ASSESSMENTS.

Not later than March 1, 2016, and each year thereafter, the Secretary of Defense shall submit to the congressional defense committees each of the following:

(1) The most current Munitions Assessments, as defined by Department of Defense Instruction Number 3000.04, relating to the Department of Defense munitions process.

(2) The most current Sufficiency Assessments, as defined by that Department of Defense Instruction.

(3) The most current approved memorandum of the Joint Requirements Oversight Council resulting from the Munitions Requirements Process (MRP).

SEC. 1064. POTENTIAL ROLE FOR UNITED STATES GROUND FORCES IN THE PACIFIC THEATER.

(a) GENERAL ASSESSMENT REQUIRED.—

(1) IN GENERAL.—The Secretary of Defense and the Chairman of the Joint Chiefs of Staff shall jointly conduct a comprehensive operational assessment of a potential future role for United States ground forces in the island chains of the western Pacific in creating anti-access and area denial capabilities in cooperation with host nations in order to deter and defeat aggression in the western Pacific region.

(2) CAPABILITIES TO BE EXAMINED.—In conducting the assessment, the Secretary and the Chairman shall assess the feasibility and potential effectiveness of the deployment by United States ground forces, jointly with host nations, of the following:

(A) Anti-ship mines and mobile missiles as a means of neutralizing adversary naval forces, including amphibious forces, and inhibiting their movement, and protecting the shores of host nations and friendly naval forces and supply operations.

(B) Mobile air defense surveillance and missile systems to protect host-nation territory and ground, naval, and air forces, and to deny access to defended airspace by adversaries.

(C) Electronic warfare capabilities to support air and naval operations.

(D) Hardened ground-based communications capabilities for host-nation defense and for augmentation and extension of naval, air, and satellite communications.

(E) Maneuver forces to assist in host-nation defense, deny access to adversaries, and provide security for air and naval deployments.

(b) GEOPOLITICAL IMPACT OF ENHANCED GROUND FORCE ROLE.—The Secretary and the Chairman shall also jointly assess the potential geopolitical impact on the United States posture in the Pacific theater of a strategy of long-term engagement by United States ground forces with the island nations of the western Pacific to enhance United States strategic relationships with potential partners in the region.

(c) TYPES OF ANALYSES TO BE CONDUCTED.—The Secretary and the Chairman shall conduct the assessment required by subsection (a) using operations research methods and war gaming, in addition to historical analysis of the use of ground forces by the United States and Japan in the Pacific theater during World War II.

(d) RESOURCES.—In conducting the assessment required by subsection (a), the Secretary and the Chairman shall use the following, as appropriate:

(1) The United States Pacific Command.

(2) The Joint Requirements and Analysis Division and the war gaming resources of the Warfighting Analysis Division of the Force Structure, Resources, and Assessment Directorate of the Joint Staff, augmented as necessary and appropriate from the war colleges of the military departments.

(3) The Office of Net Assessment.

(4) Appropriate Federally funded research and development centers (FFRDCs).

(e) COMPLETION DATE.—The assessments required by this section shall be completed not later than one year after the date of the enactment of this Act

(f) BRIEFING OF CONGRESS.—Upon the completion of the assessments required by this section, the Secretary and the Chairman shall provide a briefing on the assessments to—

(1) the Committee on Armed Services, the Committee on Foreign Relations, and the Committee on Appropriations of the Senate; and

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

Subtitle G—Other Matters

SEC. 1081. TECHNICAL AND CLERICAL AMENDMENTS.

(a) AMENDMENTS TO TITLE 10, UNITED STATES CODE.—Title 10, United States Code, is amended as follows:

(1) The tables of chapters at the beginning of subtitle A, and at the beginning of part I of such subtitle, are each amended by striking the item relating to chapter 19 and inserting the following new item:

"19. Cyber Matters ..... 391".

(2) The heading of section 130e is amended to read as follows:

"§ 130e. Treatment under Freedom of Information Act of certain critical infrastructure security information".

(3) The heading of section 153(a)(5) is amended to read as follows: ''JOINT FORCE DEVELOPMENT ACTIVITIES.—''.

(4) The table of sections at the beginning of chapter 19 is amended by striking the item relating to section 391 and inserting the following new item:

''391. Reporting on cyber incidents with respect to networks and information systems of operationally critical contractors and certain other contractors.''.

(5) The table of sections at the beginning of subchapter I of chapter 21 is amended by inserting after the item relating to section 429 the following new item:

''430. Tactical exploitation of national capabilities executive agent.''.

(6) Section 2006a is amended—

(A) in subsection (a), by striking ''August, 1'' and inserting ''August 1''; and

(B) by striking ''the such program or authorities'' and inserting ''the program''.

(7) Sections 2222(j)(5), 2223(c)(3), and 2315 are each amended by striking ''section 3552(b)(5)'' and inserting ''section 3552(b)(6)''.

(8) Section 2229(d)(1) is amended by striking ''certification'' and inserting ''a certification''.

(9) Section 2679, as transferred, redesignated, and amended by section 351 of the Carl Levin and Howard P. ''Buck'' McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113–291; 128 Stat. 3346), is amended in subsection (a)(1) by striking ''with'' before '', on a sole source''.

(10) Section 2684(d)(1) is amended by striking ''section 101(a) of the National Historic Preservation Act (16 U.S.C. 470a(a))'' and inserting ''section 302101 of title 54''.

(11) Section 2687a(d)(2) is amended by inserting ''fair market'' before ''value''.

(12) Section 2926, as added and amended by section 901(g) of the Carl Levin and Howard P. ''Buck'' McKeon National Defense Authorization Act for Fiscal Year 2015 (128 Stat. 3464), is amended in subsections (a), (b), (c), and (d) by striking ''for Installations, Energy,'' each place it appears and inserting ''for Energy, Installations,''.

(13) Section 9314a(b) is amended by striking ''only so long at'' and inserting ''only so long as''.

(b) NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2015.—Effective as of December 19, 2014, and as if included therein as enacted, the Carl Levin and Howard P. ''Buck'' McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113–291) is amended as follows:

(1) Section 351(b)(1) (128 Stat. 3346) is amended by striking the period at the end of subparagraph (C) and inserting ''; and''.

(2) Section 901(g)(1)(F) (128 Stat. 3465) is amended by inserting ''paragraph (4) of'' before ''subsection (b) of section 2926''.

(3) Section 1072(a)(2) (128 Stat. 3516) is amended by inserting ''in the table of sections'' before ''at the beginning of''.

(4) Section 1079(a)(1) (128 Stat. 3561) is amended by striking ''section 12102 of title 42, United States Code'' and inserting ''section 3 of the Americans with Disabilities Act of 1990 (42 U.S.C. 12102)''.

(5) Section 1104(b)(2) (128 Stat. 3526) is amended by striking ''paragraph (2)'' and inserting ''paragraph (1)(A)''.

(6) Section 1208 (128 Stat. 3551) is amended by striking ''of Fiscal Year'' each place it appears and inserting ''for Fiscal Year''.

(7) Section 2803(a) (128 Stat. 3696) is amended in paragraph (2) of the subsection (f) being added by the amendment to be made by that section by inserting ''section'' before ''1105 of title 31''.

(8) Section 2832(c)(3) (128 Stat. 3704) is amended by striking ''United State Code'' and inserting ''United States Code''.

(9) Section 3006(i) (128 Stat. 3744) is amended—

(A) in paragraph (1), by striking ''Section 8'' and inserting ''Section 18''; and

(B) in paragraph (2), by striking ''S1/2 N1/2 SE'' and inserting ''S1/2 N1/2 SE1/4''.

(10) Section 3023 (128 Stat. 3762) is amended—

(A) by redesignating paragraphs (1), (2), and (3) as paragraphs (2), (3), and (4), respectively;

(B) in paragraph (2), as so redesignated, in the matter being added by subparagraph (C)—

(i) by inserting ''has been waived,'' after ''expired,''; and

(ii) by striking ''the permit or lease required'' and inserting ''the allotment management plan, permit, or lease required'';

(C) in paragraph (4), as so redesignated, in the matter being added as subsection (h)(1)—

(i) by striking ''a grazing permit or lease'' in the matter preceding subparagraph (A) of such subsection and inserting ''an allotment management plan or grazing permit or lease'';

(ii) in subparagraph (A) of such subsection, by striking ''permit or lease'' and inserting ''allotment management plan, permit, or lease''; and

(iii) in subparagraph (B)(i) of such subsection, by striking ''lease or permit'' and inserting ''allotment management plan, permit, or lease''; and

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

''(1) in subsection (a), by striking 'by the Secretary of Agriculture, with respect to lands within National Forests in the sixteen contiguous Western States' and inserting 'on National Forest System land by the Secretary of Agriculture (notwithstanding, for purposes of this section, the definition in section 103(p))';''.

(11) Section 3024 (16 U.S.C. 6214; 128 Stat. 3764) is amended—

(A) in subsection (e), by inserting before the period at the end the following: ''report using National Median Price values''; and

(B) in subsection (f)(3)—

(i) in subparagraph (A), by striking ''by regulation establish criteria pursuant to which the annual fee determined in accordance with this section may be suspended or reduced temporarily'' and inserting ''provide for suspension or reduction temporarily of the annual fee determined in accordance with this section''; and

(ii) in subparagraph (B), by striking ''by regulation''.

(c) NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2014.—Section 1709(b) of the National Defense Authorization Act for Fiscal Year 2014 (Public Law 113–66; 127 Stat. 962; 10 U.S.C. 113 note) is amended—

(1) by striking ''RETALIATION AND PERSONNEL ACTION DESCRIBED.—'' and all that follows through ''For purposes of the'' and inserting ''RETALIATION DESCRIBED.—For purposes of the'';

(2) by striking ''at a minimum—'' and that follows through ''ostracism'' and inserting ''at a minimum ostracism''; and

(3) by striking paragraph (2).

(d) NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2009.—Section 943(d)(1) of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110–417; 122 Stat. 4578) by striking the second period at the end of the first sentence.

(e) NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2005.—Section 1208(f)(2) of the Ronald W. Reagan National Defense Authorization Act for Fiscal Year 2005 (Public Law 108–375; 118 Stat. 2086), as amended by section 1202(a) of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–181; 122 Stat. 363) and section 1202(c) of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84; 123 Stat 2512), is further amended—

(1) by redesignating the paragraphs (1) through (8) added by section 1202(c) of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84; 123 Stat 2512) as subparagraphs (A) through (H), respectively; and

(2) by moving the margins of such subparagraphs, as so redesignated, two ems to the right.

(f) COORDINATION WITH OTHER AMENDMENTS MADE BY THIS ACT.—For purposes of applying amendments made by provisions of this Act other than this section, the amendments made by this section shall be treated as having been enacted immediately before any such amendments by other provisions of this Act.

SEC. 1082. AUTHORITY TO PROVIDE TRAINING AND SUPPORT TO PERSONNEL OF FOREIGN MINISTRIES OF DEFENSE.

(a) AUTHORITY.—Section 1081 of the National Defense Authorization Act for Fiscal Year 2012 (10 U.S.C. 168 note), as amended by section 1047 of the Carl Levin and Howard P. ''Buck'' McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113–291), is further amended—

(1) by redesignating subsections (b) through (e) as subsections (c) through (f), respectively; and

(2) by inserting after subsection (a) the following new subsection (b):

''(b) TRAINING OF PERSONNEL OF FOREIGN MINISTRIES WITH SECURITY MISSIONS.—

''(1) IN GENERAL.—The Secretary of Defense may, with the concurrence of the Secretary of State, carry out a program to provide training and associated training support services to personnel of foreign ministries of defense (or ministries with security force oversight) or regional organizations with security missions—

''(A) for the purpose of—

''(i) enhancing civilian oversight of foreign security forces;

''(ii) establishing responsible defense governance and internal controls in order to help build effective, transparent, and accountable defense institutions;

''(iii) assessing organizational weaknesses and establishing a roadmap for addressing shortfalls; and

''(iv) enhancing ministerial, general or joint staff, or service level core management competencies; and

''(B) for such other purposes as the Secretary considers appropriate, consistent with the authority in subsection (a).

''(2) NOTICE TO CONGRESS.—Each fiscal year quarter, the Secretary of Defense shall submit to the appropriate committees of Congress a report on activities under the program under paragraph (1) during the preceding fiscal year quarter. Each report shall include, for the fiscal year quarter covered by such report, the following:

''(A) A list of activities under the program.

''(B) A list of any organization described in paragraph (1) to which the Secretary assigned employees under the program, including the number of such employees so assigned, the duration of each assignment, a brief description of each assigned employee's activities, and a statement of the cost of each assignment.

''(C) A comprehensive justification of any activities conducted pursuant to paragraph (1)(B).''.

(b) CONFORMING AMENDMENTS.—Such section is further amended—

(1) in subsection (a), by inserting ''MINISTRY OF DEFENSE ADVISOR'' before ''AUTHORITY'';

(2) in subsections (d) and (e), as redesignated by subsection (a)(1) of this section, by striking ''the Committees on Armed Services and Foreign Relations of the Senate and the Armed Services and Foreign Affairs of the House of Representatives'' and inserting ''the appropriate committees of Congress''; and

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

''(g) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this section, the term 'appropriate committees of Congress' means—

''(1) the Committees on Armed Services and Foreign Relations of the Senate; and

''(2) the Committees on Armed Services and Foreign Affairs of the House of Representatives.''.

(c) CONFORMING AMENDMENT TO SECTION HEADING TO REFLECT NAME OF PROGRAM.—The heading of such section is amended to read as follows:

''SEC. 1081. DEFENSE INSTITUTION CAPACITY BUILDING PROGRAM.''.

SEC. 1083. EXPANSION OF OUTREACH FOR VETERANS TRANSITIONING FROM SERVING ON ACTIVE DUTY.

(a) EXPANSION OF PILOT PROGRAM.—Subsection (c)(2) of section 5 of the Clay Hunt Suicide Prevention for American Veterans Act (Public Law 114–2; 38 U.S.C. 1712A note) is amended—

(1) in subparagraph (C), by striking ''; and'' and inserting a semicolon;

(2) in subparagraph (D), by striking the period at the end and inserting ''; and''; and

(3) by adding at the end the following new subparagraph:

''(E) conducts outreach to individuals transitioning from serving on active duty in the Armed Forces who are participating in the Transition Assistance Program of the Department of Defense or other similar transition programs to inform such individuals of the community oriented veteran peer support network under paragraph (1) and other support programs and opportunities that are available to such individuals.''.

(b) INCLUSION OF INFORMATION IN INTERIM REPORT.—Subsection (d)(1) of such section is amended—

(1) in subparagraph (C), by striking ''; and'' and inserting a semicolon;

(2) in subparagraph (D), by striking the period at the end and inserting ''; and''; and

(3) by adding at the end the following new subparagraph:

''(E) the number of veterans who—

''(i) received outreach from the Department of Veterans Affairs while serving on active duty as a member of the Armed Forces; and

''(ii) participated in a peer support program under the pilot program for veterans transitioning from serving on active duty.''.

SEC. 1084. MODIFICATION OF CERTAIN REQUIREMENTS APPLICABLE TO MAJOR MEDICAL FACILITY LEASE FOR A DEPARTMENT OF VETERANS AFFAIRS OUTPATIENT CLINIC IN TULSA, OKLAHOMA.

Section 601(b) of the Veterans Access, Choice, and Accountability Act of 2014 (Public Law 113–146; 128 Stat. 1793) is amended—

(1) by striking out ''IN TULSA.—'' and all that follows through ''In carrying out'' and inserting ''IN TULSA.—In carrying out'';

(2) by striking paragraph (2);

(3) by redesignating subparagraphs (A) through (E) as paragraphs (1) through (5), respectively, and adjusting the indentation of the margin of such paragraphs, as so redesignated, two ems to the left;

(4) in paragraph (1), as so redesignated, by striking ''140,000 gross square feet'' and inserting ''140,000 net usable square feet'';

(5) in paragraph (2), as so redesignated, by striking ''not more than the average'' and all that follows and inserting ''not more than the average of equivalent medical facility leases executed by the Department of Veterans Affairs over the last five years, plus 20 percent;''; and

(6) in paragraph (5), as so redesignated, by striking ''30-year life cycle'' and inserting ''20-year life cycle''.

TITLE XI—CIVILIAN PERSONNEL MATTERS

SEC. 1101. REQUIRED PROBATIONARY PERIOD FOR NEW EMPLOYEES OF THE DEPARTMENT OF DEFENSE.

(a) REQUIRED PROBATIONARY PERIOD.—

(1) IN GENERAL.—Chapter 81 of title 10, United States Code, is amended by adding at the end the following new section:

''§ 1599e. Probationary period for employees

''(a) IN GENERAL.—Notwithstanding sections 3321 and 3393(d) of title 5, the appointment of a covered employee shall become final only after such employee has served a probationary period of two years. The Secretary of the military department concerned may extend a probationary period under this subsection at the discretion of such Secretary.

''(b) COVERED EMPLOYEE DEFINED.—In this section, the term 'covered employee' means any individual—

''(1) appointed to a permanent position within the competitive service at the Department of Defense; or

''(2) appointed as a career appointee (as that term is defined in section 3132(a)(4) of title 5) within the Senior Executive Service at the Department.

''(c) EMPLOYMENT BECOMES FINAL.—Upon the expiration of a covered employee's probationary period under subsection (a), the supervisor of the employee shall determine whether the appointment becomes final based on regulations prescribed for such purpose by the Secretary.''.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 81 of such title is amended by adding at the end the following new item:

''1599e. Probationary period for employees.''.

(b) APPLICATION.—The amendments made by subsection (a) shall apply to any covered employee (as that term is defined in section 1599e of title 10, United States Code, as added by such subsection) appointed after the date of the enactment of this section.

(c) CONFORMING AMENDMENTS.—Title 5, United States Code, is amended—

(1) in section 3321(c)—

(A) by striking ''Service or'' and inserting ''Service,''; and

(B) by inserting at the end before the period the following: '', or any individual covered by section 1599e of title 10''; and

(2) in section 3393(d), by adding at the end the following: ''The preceding sentence shall not apply to any individual covered by section 1599e of title 10.''.

SEC. 1102. DELAY OF PERIODIC STEP INCREASE FOR CIVILIAN EMPLOYEES OF THE DEPARTMENT OF DEFENSE BASED UPON UNACCEPTABLE PERFORMANCE.

(a) DELAY.—Under procedures established by the Secretary of Defense, upon a determination by the Secretary that the work of an employee is not at an acceptable level of competence, the period of time during which the work of the employee is not at an acceptable level of competence shall not count toward completion of the period of service required for purposes of subsection (a) of section 5335 of title 5, United States Code, or subsection (e)(1) or (e)(2) of section 5343 of such title.

(b) APPLICABILITY TO PERIODS OF SERVICE.—Subsection (a) shall not apply with respect to any period of service performed before the date of the enactment of this Act.

SEC. 1103. PROCEDURES FOR REDUCTION IN FORCE OF DEPARTMENT OF DEFENSE CIVILIAN PERSONNEL.

Section 1597 of title 10, United States Code, is amended by adding at the end the following new subsection:

''(f) REDUCTIONS BASED PRIMARILY ON PERFORMANCE.—The Secretary of Defense shall establish procedures to provide that, in implementing any reduction in force for civilian positions in the Department of Defense in the competitive service or the excepted service, the determination of which employees shall be separated from employment in the Department shall be made primarily on the basis of performance, as determined under any applicable performance management system.''.

SEC. 1104. UNITED STATES CYBER COMMAND WORKFORCE.

(a) IN GENERAL.—Chapter 81 of title 10, United States Code, is amended by adding at the end the following new section:

''§ 1599e. United States Cyber Command recruitment and retention

''(a) GENERAL AUTHORITY.—(1) The Secretary of Defense may—

''(A) establish, as positions in the excepted service, such qualified positions in the Department as the Secretary determines necessary to carry out the responsibilities of the United States Cyber Command including—

''(i) staff of the headquarters of the United States Cyber Command provided to the Command by the Air Force;

''(ii) elements of the United States Cyber Command enterprise relating to cyberspace operations;

''(iii) elements of the United States Cyber Command provided by the armed forces; and

''(iv) positions formerly identified as—

''(I) senior level positions designated under section 5376 of title 5; and

''(II) positions in the Senior Executive Service;

''(B) appoint an individual to a qualified position (after taking into consideration the availability of preference eligibles for appointment to the position); and

''(C) subject to the requirements of subsections (b) and (c), fix the compensation of an individual for service in a qualified position.

''(2) The authority of the Secretary under this subsection applies without regard to the provisions of any other law relating to the appointment, number, classification, or compensation of employees.

''(b) BASIC PAY.—(1) In accordance with this section, the Secretary shall fix the rates of basic pay for any qualified position established under subsection (a)—

''(A) in relation to the rates of pay provided for employees in comparable positions in the Department, in which the incumbent performs, manages, or supervises functions that execute the cyber mission of the Department; and

''(B) subject to the same limitations on maximum rates of pay established for such employees by law or regulation.

''(2) The Secretary may—

''(A) consistent with section 5341 of title 5, adopt such provisions of that title as provide for prevailing rate systems of basic pay; and

''(B) apply those provisions to qualified positions for employees in or under which the Department may employ individuals described by section 5342(a)(2)(A) of such title.

''(c) ADDITIONAL COMPENSATION, INCENTIVES, AND ALLOWANCES.—(1) The Secretary may provide employees in qualified positions compensation (in addition to basic pay), including benefits, incentives, and allowances, consistent with, and not in excess of the level authorized for, comparable positions authorized by title 5.

''(2) An employee in a qualified position whose rate of basic pay is fixed under subsection (b)(1) shall be eligible for an allowance under section 5941 of title 5 on the same basis and to the same extent as if the employee was an employee covered by such section, including eligibility conditions, allowance rates, and all other terms and conditions in law or regulation.

''(d) PLAN FOR EXECUTION OF AUTHORITIES.—Not later than 120 days after the date of enactment of this section, the Secretary shall submit a report to the appropriate committees of Congress with a plan for the use of the authorities provided under this section.

''(e) COLLECTIVE BARGAINING AGREEMENTS.—Nothing in subsection (a) may be construed to impair the continued effectiveness of a collective bargaining agreement with respect to an office, component, subcomponent, or equivalent of the Department that is a successor to an office, component, subcomponent, or equivalent of the Department covered by the agreement before the succession.

''(f) REQUIRED REGULATIONS.—The Secretary, in coordination with the Director of the Office of Personnel Management, shall prescribe regulations for the administration of this section.

''(g) ANNUAL REPORT.—(1) Not later than one year after the date of the enactment of this section and not less frequently than once each year thereafter until the date that is five years after the date of the enactment of this section, the Director of the Office of Personnel Management, in coordination with the Secretary, shall submit to the appropriate committees of Congress a detailed report on the administration of this section during the most recent one-year period.

''(2) Each report submitted under paragraph (1) shall include, for the period covered by the report, the following:

''(A) A discussion of the process used in accepting applications, assessing candidates, ensuring adherence to veterans' preference, and selecting applicants for vacancies to be filled by an individual for a qualified position.

''(B) A description of the following:

''(i) How the Secretary plans to fulfill the critical need of the Department to recruit and retain employees in qualified positions.

''(ii) The measures that will be used to measure progress.

''(iii) Any actions taken during the reporting period to fulfill such critical need.

''(C) A discussion of how the planning and actions taken under subparagraph (B) are integrated into the strategic workforce planning of the Department.

''(D) The metrics on actions occurring during the reporting period, including the following:

''(i) The number of employees in qualified positions hired, disaggregated by occupation, grade, and level or pay band.

''(ii) The placement of employees in qualified positions, disaggregated by directorate and office within the Department.

''(iii) The total number of veterans hired.

''(iv) The number of separations of employees in qualified positions, disaggregated by occupation and grade and level or pay band.

''(v) The number of retirements of employees in qualified positions, disaggregated by occupation, grade, and level or pay band.

''(vi) The number and amounts of recruitment, relocation, and retention incentives paid to employees in qualified positions, disaggregated by occupation, grade, and level or pay band.

''(E) A description of the training provided to supervisors of employees in qualified positions at the Department on the use of the new authorities.

''(h) THREE-YEAR PROBATIONARY PERIOD.—The probationary period for all employees hired under the authority established in this section shall be three years.

''(i) INCUMBENTS OF EXISTING COMPETITIVE SERVICE POSITIONS.—(1) An individual serving in a position on the date of enactment of this section that is selected to be converted to a position in the excepted service under this section shall have the right to refuse such conversion.

''(2) After the date on which an individual who refuses a conversion under paragraph (1) stops serving in the position selected to be converted, the position may be converted to a position in the excepted service.

''(j) DEFINITIONS.—In this section:

''(1) The term 'appropriate committees of Congress' means—

''(A) the Committee on Armed Services, the Committee on Homeland Security and Governmental Affairs, and the Committee on Appropriations of the Senate; and

''(B) the Committee on Armed Services and the Committee on Appropriations of the House of Representatives.

''(2) The term 'collective bargaining agreement' has the meaning given that term in section 7103(a)(8) of title 5.

''(3) The term 'excepted service' has the meaning given that term in section 2103 of title 5.

''(4) The term 'preference eligible' has the meaning given that term in section 2108 of title 5.

''(5) The term 'qualified position' means a position, designated by the Secretary for the purpose of this section, in which the incumbent performs, manages, or supervises functions that execute the responsibilities of the United States Cyber Command relating to cyber operations.

''(6) The term 'Senior Executive Service' has the meaning given that term in section 2101a of title 5.''.

(b) CONFORMING AMENDMENT.—Section 3132(a)(2) of title 5, United States Code, is amended in the matter following subparagraph (E)—

(1) in clause (ii), by striking ''or'' at the end;

(2) in clause (iii), by inserting ''or'' after the semicolon; and

(3) by inserting after clause (iii) the following new clause:

''(iv) any position established as a qualified position in the excepted service by the Secretary of Defense under section 1599e of title 10;''.

(c) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 81 of title 10, United States Code, is amended by inserting after the item relating to section 1599d the following new item:

''1599e. United States Cyber Command recruitment and retention.''.

SEC. 1105. ONE-YEAR EXTENSION OF AUTHORITY TO WAIVE ANNUAL LIMITATION ON PREMIUM PAY AND AGGREGATE LIMITATION ON PAY FOR FEDERAL CIVILIAN EMPLOYEES WORKING OVERSEAS.

Effective January 1, 2016, section 1101(a) of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110–417; 122 Stat. 4615), as most recently amended by section 1101 of the Carl Levin and Howard P. ''Buck'' McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113–291), is further amended by striking ''through 2015'' and inserting ''through 2016''.

SEC. 1106. FIVE-YEAR EXTENSION OF EXPEDITED HIRING AUTHORITY FOR DESIGNATED DEFENSE ACQUISITION WORKFORCE POSITIONS.

Section 1705(g)(2) of title 10, United States Code, is amended by striking ''September 30, 2017'' and inserting ''September 30, 2022''.

SEC. 1107. ONE-YEAR EXTENSION OF DISCRETIONARY AUTHORITY TO GRANT ALLOWANCES, BENEFITS, AND GRATUITIES TO CIVILIAN PERSONNEL ON OFFICIAL DUTY IN A COMBAT ZONE.

Paragraph (2) of section 1603(a) of the Emergency Supplemental Appropriations Act for Defense, the Global War on Terror, and Hurricane Recovery, 2006 (Public Law 109–234; 120 Stat. 443), as added by section 1102 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110–417; 122 Stat. 4616) and most recently amended by section 1102 of the Carl Levin and Howard P. ''Buck'' McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113–291), is further amended by striking ''2016'' and inserting ''2017''.

SEC. 1108. EXTENSION OF RATE OF OVERTIME PAY FOR DEPARTMENT OF THE NAVY EMPLOYEES PERFORMING WORK ABOARD OR DOCKSIDE IN SUPPORT OF THE NUCLEAR-POWERED AIRCRAFT CARRIER FORWARD DEPLOYED IN JAPAN.

Section 5542(a)(6)(B) of title 5, United States Code, is amended by striking ''September 30, 2015'' and inserting ''September 30, 2017''.

SEC. 1109. EXPANSION OF TEMPORARY AUTHORITY TO MAKE DIRECT APPOINTMENTS OF CANDIDATES POSSESSING BACHELOR'S DEGREES TO SCIENTIFIC AND ENGINEERING POSITIONS AT SCIENCE AND TECHNOLOGY REINVENTION LABORATORIES.

(a) EXPANSION.—Section 1107(c)(1) of the National Defense Authorization Act for Fiscal Year 2014 (10 U.S.C. 2358 note) is amended

by striking ''3 percent'' and inserting ''5 percent''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect on January 1, 2016, and shall apply with respect to appointments of candidates under section 1107(a)(1) of the National Defense Authorization Act for Fiscal Year 2014 on or after that date.

SEC. 1110. EXTENSION OF AUTHORITY FOR THE CIVILIAN ACQUISITION WORKFORCE PERSONNEL DEMONSTRATION PROJECT.

(a) EXTENSION.—Section 1762(g) of title 10, United States Code, is amended by striking ''September 30, 2017'' and inserting ''December 31, 2020''.

(b) TECHNICAL AMENDMENT.—Such section is further amended by striking ''demonstration program'' and inserting ''demonstration project''.

SEC. 1111. PILOT PROGRAM ON DYNAMIC SHAPING OF THE WORKFORCE TO IMPROVE THE TECHNICAL SKILLS AND EXPERTISE AT CERTAIN DEPARTMENT OF DEFENSE LABORATORIES.

(a) PILOT PROGRAM REQUIRED.—The Secretary of Defense shall carry out a pilot program to assess the feasability and advisability of the use of the authorities specified in subsection (b) at the Department of Defense laboratories specified in subsection (c) to permit the directors of such laboratories to dynamically shape the mix of technical skills and expertise in the workforces of such laboratories in order to achieve one or more of the following:

(1) To meet organizational and Department-designated missions in the most cost-effective and efficient manner.

(2) To upgrade and enhance the scientific quality of the workforces of such laboratories.

(3) To shape such workforces to better respond to such missions.

(4) To reduce the average unit cost of such workforces.

(b) WORKFORCE SHAPING AUTHORITIES.—The authorities that may be used by the director of a Department of Defense laboratory under the pilot program are the following:

(1) FLEXIBLE LENGTH AND RENEWABLE TERM TECHNICAL APPOINTMENTS.—

(A) IN GENERAL.—Subject to the provisions of this paragraph, authority otherwise available to the director by law (and within the available budgetary resources of the laboratory) to appoint qualified scientific and technical personnel who are not currently Department of Defense civilian employees into any scientific or technical position in the laboratory for a period of more than one year but not more than six years.

(B) BENEFITS.—Personnel appointed under this paragraph shall be provided with benefits comparable to those provided to similar employees at the laboratory concerned, including professional development opportunities, eligibility for all laboratory awards programs, and designation as ''status applicants'' for the purposes of eligibility for positions in the Federal service.

(C) EXTENSION OF APPOINTMENTS.—The appointment of any individual under this paragraph may be extended at any time during any term of service of the individual under this paragraph for an additional period of up to six years under such conditions as the director concerned shall establish for purposes of this paragraph.

(D) CONSTRUCTION WITH CERTAIN LIMITATION.—For purposes of determining the workforce size of a laboratory in connection with compliance with section 955 of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112–239; 126 Stat. 1896; 10 U.S.C. 129a note), any individual serving in an appointment under this paragraph shall be treated as a fractional employee of the laboratory, which fraction is—

(i) the current term of appointment of the individual under this paragraph; divided by

(ii) the average length of tenure of a career employee at the laboratory, as calculated at the end of the last fiscal year ending before the date of the most recent appointment or extension of the individual under this paragraph.

(2) REEMPLOYMENT OF ANNUITANTS.—Authority to reemploy annuitants in accordance with section 9902(g) of title 5, United States Code, except that as a condition for reemployment the director may authorize the deduction from the pay of any annuitant so reemployed of an amount up to the amount of the annuity otherwise payable to such annuitant allocable to the period of actual employment of such annuitant, which amount shall be determined in a manner specified by the director for purposes of this paragraph to ensure the most cost effective execution of designated missions by the laboratory while retaining critical technical skills.

(3) EARLY RETIREMENT INCENTIVES.—Authority to authorize voluntary early retirement of employees in accordance with section 8336 of title 5, United States Code, without regard to section 8336(d)(2)(D) or 3522 of such title, and with employees so separated voluntarily from service under regulations prescribed by the Secretary of Defense for purposes of the pilot program.

(4) SEPARATION INCENTIVE PAY.—Authority to pay voluntary separation pay to employees in accordance with section 8414(b)(1)(B) of title 5, United States Code, without regard to clause (iv) or (v) of such section or section 3522, of such title, and with—

(A) employees so separated voluntarily from service under regulations prescribed by the Secretary of Defense for purposes of the pilot program; and

(B) payments to employees so separated authorized under section 3523 of such title without regard to—

(i) the plan otherwise required by section 3522 of such title; and

(ii) paragraph (1) or (3) of section 3523(b) of such title.

(c) LABORATORIES.—The Department of Defense laboratories specified in this subsection are the laboratories specified in section 1105(a) of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84; 123 Stat. 2486; 10 U.S.C. 2358 note).

(d) EXPIRATION.—

(1) IN GENERAL.—The authority in this section shall expire on December 31, 2023.

(2) CONTINUATION OF AUTHORITIES EXERCISED BEFORE TERMINATION.—The expiration in paragraph (1) shall not be construed to effect the continuation after the date specified in paragraph (1) of any term of employment or other benefit authorized under this section before that date in accordance with the terms of such authorization.

SEC. 1112. PILOT PROGRAM ON TEMPORARY EXCHANGE OF FINANCIAL MANAGEMENT AND ACQUISITION PERSONNEL.

(a) IN GENERAL.—The Secretary of Defense shall carry out a pilot program to assess the feasibility and advisability of the temporary assignment of covered employees of the Department of Defense to nontraditional defense contractors and of covered employees of such contractors to the Department.

(b) COVERED EMPLOYEES; NONTRADITIONAL DEFENSE CONTRACTORS.—

(1) COVERED EMPLOYEES.—An employee of the Department of Defense or a nontraditional Defense contractor is a covered employee for purposes of this section if the employee—

(A) works in the field of financial management or in the acquisition field;

(B) is considered by the Secretary of Defense to be an exceptional employee; and

(C) is compensated at not less than the GS–11 level (or the equivalent).

(2) NONTRADITIONAL DEFENSE CONTRACTORS.—For purposes of this section, the term ''nontraditional defense contractor'' has the meaning given that term in section 2302(9) of title 10, United States Code.

(c) AGREEMENTS.—

(1) IN GENERAL.—The Secretary of Defense shall provide for a written agreement among the Department of Defense, the nontraditional defense contractor concerned, and the employee concerned regarding the terms and conditions of the employee's assignment under this section.

(2) ELEMENTS.—An agreement under this subsection—

(A) shall require, in the case of an employee of the Department, that upon completion of the assignment, the employee will serve in the civil service for a period at least equal to three times the length of the assignment, unless the employee is sooner involuntarily separated from the service of the employee's agency; and

(B) shall provide that if the employee of the Department or of the contractor (as the case may be) fails to carry out the agreement, or if the employee is voluntarily separated from the service of the employee's agency before the end of the period stated in the agreement, the employee shall be liable to the United States for payment of all expenses of the assignment unless that failure or voluntary separation was for good and sufficient reason, as determined by the Secretary.

(3) DEBT TO THE UNITED STATES.—An amount for which an employee is liable under paragraph (2)(B) shall be treated as a debt due the United States. The Secretary may waive, in whole or in part, collection of such a debt based on a determination that the collection would be against equity and good conscience and not in the best interests of the United States.

(d) TERMINATION.—An assignment under this section may, at any time and for any reason, be terminated by the Department of Defense or the nontraditional defense contractor concerned.

(e) DURATION.—An assignment under this section shall be for a period of not less than three months and not more than one year.

(f) STATUS OF FEDERAL EMPLOYEES ASSIGNED TO CONTRACTORS.—An employee of the Department of Defense who is assigned to a nontraditional defense contractor under this section shall be considered, during the period of assignment, to be on detail to a regular work assignment in the Department for all purposes. The written agreement established under subsection (c) shall address the specific terms and conditions related to the employee's continued status as a Federal employee.

(g) TERMS AND CONDITIONS FOR PRIVATE SECTOR EMPLOYEES.—An employee of a nontraditional defense contractor who is assigned to a Department of Defense organization under this section—

(1) shall continue to receive pay and benefits from the contractor from which such employee is assigned;

(2) shall be deemed to be an employee of the Department of Defense for the purposes of—

(A) chapter 73 of title 5, United States Code;

(B) sections 201, 203, 205, 207, 208, 209, 603, 606, 607, 643, 654, 1905, and 1913 of title 18, United States Code, and any other conflict of interest statute;

(C) sections 1343, 1344, and 1349(b) of title 31, United States Code;

(D) the Federal Tort Claims Act and any other Federal tort liability statute;

(E) the Ethics in Government Act of 1978;

(F) section 1043 of the Internal Revenue Code of 1986;

(G) chapter 21 of title 41, United States Code; and

(H) subchapter I of chapter 81 of title 5, United States Code, relating to compensation for work-related injuries; and

(3) may not have access, while the employee is assigned to a Department organization, to any trade secrets or to any other nonpublic information which is of commercial value to the contractor from which such employee is assigned.

(h) PROHIBITION AGAINST CHARGING CERTAIN COSTS TO FEDERAL GOVERNMENT.—A nontraditional defense contractor may not charge the Department of Defense or any other agency of the Federal Government, as direct or indirect costs under a Federal contract, the costs of pay or benefits paid by the contractor to an employee assigned to a Department organization under this section for the period of the assignment.

(i) CONSIDERATION.—In providing for assignments of employees under this section, the Secretary of Defense shall take into consideration the question of how assignments might best be used to help meet the needs of the Department of Defense with respect to the training of employees in financial management or in acquisition.

(j) NUMERICAL LIMITATIONS.—

(1) DEPARTMENT EMPLOYEES.—The number of employees of the Department of Defense who may be assigned to nontraditional defense contractors under this section at any given time may not exceed the following:

(A) Five employees in the field of financial management.

(B) Five employees in the acquisition field.

(2) NONTRADITIONAL DEFENSE CONTRACTOR EMPLOYEES.—The total number of nontraditional defense contractor employees who may be assigned to the Department under this section at any given time may not exceed 10 such employees.

(k) TERMINATION OF AUTHORITY FOR ASSIGNMENTS.—No assignment of an employee may commence under this section after September 30, 2019.

SEC. 1113. PILOT PROGRAM ON ENHANCED PAY AUTHORITY FOR CERTAIN ACQUISITION AND TECHNOLOGY POSITIONS IN THE DEPARTMENT OF DEFENSE.

(a) PILOT PROGRAM AUTHORIZED.—The Secretary of Defense may carry out a pilot program to assess the feasibility and advisability of using the pay authority specified in subsection (d) to fix the rate of basic pay for positions described in subsection (c) in order to assist the Office of the Secretary of Defense and the military departments in attracting and retaining high quality acquisition and technology experts in positions responsible for managing and developing complex, high cost, technological acquisition efforts of the Department of Defense.

(b) APPROVAL REQUIRED.—The pilot program may be carried out only with approval as follows:

(1) Approval of the Under Secretary of Defense for Acquisition, Technology, and Logistics, in the case of positions in the Office of the Secretary of Defense.

(2) Approval of the Service Acquisition Executive of the military department concerned, in the case of positions in a military department.

(c) POSITIONS.—The positions described in this subsection are positions that—

(1) require expertise of an extremely high level in a scientific, technical, professional, or acquisition management field; and

(2) are critical to the successful accomplishment of an important acquisition or technology development mission.

(d) RATE OF BASIC PAY.—The pay authority specified in this subsection is authority as follows:

(1) Authority to fix the rate of basic pay for a position at a rate not to exceed 150 percent of the rate of basic pay payable for level I of the Executive Schedule, upon the approval of the Under Secretary of Defense for Acquisition, Technology, and Logistics or the Service Acquisition Executive concerned, as applicable.

(2) Authority to fix the rate of basic pay for a position at a rate in excess of 150 percent of the rate of basic pay payable for level I of the Executive Schedule, upon the approval of the Secretary of Defense.

(e) LIMITATIONS.—

(1) IN GENERAL.—The authority in subsection (a) may be used only to the extent necessary to competitively recruit or retain individuals exceptionally well qualified for positions described in subsection (c).

(2) NUMBER OF POSITIONS.—The authority in subsection (a) may not be used with respect to more than five positions in the Office of the Secretary of Defense and more than five positions in each military department at any one time.

(3) TERM OF POSITIONS.—The authority in subsection (a) may be used only for positions having terms less than five years.

(f) TERMINATION.—

(1) IN GENERAL.—The authority to fix rates of basic pay for a position under this section shall terminate on October 1, 2020.

(2) CONTINUATION OF PAY.—Nothing in paragraph (1) shall be construed to prohibit the payment after October 1, 2020, of basic pay at rates fixed under this section before that date for positions whose terms continue after that date.

SEC. 1114. PILOT PROGRAM ON DIRECT HIRE AUTHORITY FOR VETERAN TECHNICAL EXPERTS INTO THE DEFENSE ACQUISITION WORKFORCE.

(a) PILOT PROGRAM.—The Secretary of Defense shall carry out a pilot program to assess the feasibility and advisability of appointing qualified veteran candidates to positions described in subsection (b) in the defense acquisition workforce of the military departments without regard to the provisions of subchapter I of chapter 33 of title 5, United States Code. The Secretary shall carry out the pilot program in each military department through the Service Acquisition Executive of such military department.

(b) POSITIONS.—The positions described in this subsection are scientific, technical, engineering, and mathematics positions, including technicians, within the defense acquisition workforce.

(c) LIMITATION.—Authority under subsection (a) may not, in any calendar year and with respect to any military department, be exercised with respect to a number of candidates greater than the number equal to 1 percent of the total number positions the acquisition workforce of that military department that are filled as of the close of the fiscal year last ending before the start of such calendar year.

(d) DEFINITIONS.—In this section:

(1) The term ''employee'' has the meaning given that term in section 2105 of title 5, United States Code.

(2) The term ''veteran'' has the meaning given that term in section 101 of title 38, United States Code.

(e) TERMINATION.—

(1) IN GENERAL.—The authority to appoint candidates to positions under the pilot program shall expire on the date that is five years after the date of the enactment of this Act.

(2) EFFECT ON EXISTING APPOINTMENTS.—The termination by paragraph (1) of the authority in subsection (a) shall not affect any appointment made under that authority before the termination date specified in paragraph (1) in accordance with the terms of such appointment.

SEC. 1115. DIRECT HIRE AUTHORITY FOR TECHNICAL EXPERTS INTO THE DEFENSE ACQUISITION WORKFORCE.

(a) AUTHORITY.—Each Secretary of a military department may appoint qualified candidates possessing a scientific or engineering degree to positions described in subsection (b) for that military department without regard to the provisions of subchapter I of chapter 33 of title 5, United States Code.

(b) APPLICABILITY.—Positions described in this subsection are scientific and engineering positions within the defense acquisition workforce.

(c) LIMITATION.—Authority under this section may not, in any calendar year and with respect to any military department, be exercised with respect to a number of candidates greater than the number equal to 5 percent of the total number of scientific and engineering positions within the acquisition workforce of that military department that are filled as of the close of the fiscal year last ending before the start of such calendar year.

(d) NATURE OF APPOINTMENT.—Any appointment under this section shall be treated as an appointment on a full-time equivalent basis, unless such appointment is made on a term or temporary basis.

(e) EMPLOYEE DEFINED.—In this section, the term ''employee'' has the meaning given that term in section 2105 of title 5, United States Code.

(f) TERMINATION.—The authority to make appointments under this section shall not be available after December 31, 2020.

TITLE XII—MATTERS RELATING TO FOREIGN NATIONS

Subtitle A—Training and Assistance

SEC. 1201. ONE-YEAR EXTENSION OF FUNDING LIMITATIONS FOR AUTHORITY TO BUILD THE CAPACITY OF FOREIGN SECURITY FORCES.

Section 1205(d) of the Carl Levin and Howard P. ''Buck'' McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113–291) is amended—

(1) in paragraph (1)—

(A) by striking ''for fiscal year 2015'' and all that follows through ''section 4301'' and inserting ''for fiscal year 2015 or 2016 for the Department of Defense for operation and maintenance''; and

(B) by inserting '', in such fiscal year'' before the period; and

(2) in paragraph (2), by striking ''for fiscal year 2015'' and inserting ''for a fiscal year specified in that paragraph''.

SEC. 1202. EXTENSION AND EXPANSION OF AUTHORITY FOR REIMBURSEMENT TO THE GOVERNMENT OF JORDAN FOR BORDER SECURITY OPERATIONS.

(a) EXPANSION TO GOVERNMENT OF LEBANON.—Subsection (a) of section 1207 of the

National Defense Authorization Act for Fiscal Year 2014 (Public Law 113–66; 127 Stat. 902; 22 U.S.C. 2151 note) is amended—

(1) by inserting ''and the Government of Lebanon'' after ''the Government of Jordan'' each place it appears; and

(2) by striking ''armed forces of Jordan'' each place it appears and inserting ''armed forces of the country concerned''.

(b) SCOPE OF AUTHORITY.—Subsection (a) of such section is further amended—

(1) in paragraph (1)—

(A) by striking ''maintaining'' and inserting ''enhancing''; and

(B) by striking ''increase security and sustain increased security along the border between Jordan and Syria'' and inserting ''sustain security along the border of Jordan with Syria and Iraq and increase or sustain security along the border of Lebanon with Syria, as applicable''; and

(2) in paragraph (3)—

(A) by striking ''maintain'' and inserting ''enhance''; and

(B) by striking ''increase security or sustain increased security along the border between Jordan and Syria'' and inserting ''sustain security along the border of Jordan with Syria and Iraq or increase or sustain security along the border of Lebanon with Syria, as applicable''.

(c) FUNDS.—Subsection (b) of such section is amended to read as follows:

''(b) FUNDS AVAILABLE FOR ASSISTANCE.—While the authority in this section is in effect, amounts may be used to provide assistance under the authority in subsection (a) as follows:

''(1) Amounts authorized to be appropriated for a fiscal year for the Department of Defense and available for reimbursement of certain coalition nations for support provided to United States military operations pursuant to section 1233 of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–81).

''(2) Amounts authorized to be appropriated for a fiscal year for the Department of Defense for the Counterterrorism Partnerships Fund.''.

(d) LIMITATIONS.—Subsection (c) of such section is amended—

(1) in paragraph (1), by striking ''may not exceed $150,000,000'' and inserting ''in any fiscal year may not exceed $125,000,000''; and

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

''(2) ASSISTANCE TO GOVERNMENT OF LEBANON.—Assistance provided under the authority in subsection (a) to the Government of Lebanon may be used only for the armed forces of Lebanon, and may not be used for or to reimburse Hezbollah or any forces other than the armed forces of Lebanon.''.

(e) EXPIRATION OF AUTHORITY.—Subsection (f) of such section is amended by striking ''December 31, 2015'' and inserting ''December 31, 2020''.

(f) CONFORMING AMENDMENT.—The heading of such section is amended to read as follows:

''SEC. 1207. ASSISTANCE TO THE GOVERNMENT OF JORDAN AND THE GOVERNMENT OF LEBANON FOR BORDER SECURITY OPERATIONS.''.

SEC. 1203. EXTENSION OF AUTHORITY TO CONDUCT ACTIVITIES TO ENHANCE THE CAPABILITY OF FOREIGN COUNTRIES TO RESPOND TO INCIDENTS INVOLVING WEAPONS OF MASS DESTRUCTION.

Section 1204(h) of the National Defense Authorization Act for Fiscal Year 2014 (Public Law 113–66; 127 Stat. 897; 10 U.S.C. 401 note) is amended by striking ''September 30, 2017'' and inserting ''September 30, 2018''.

SEC. 1204. REDESIGNATION, MODIFICATION, AND EXTENSION OF NATIONAL GUARD STATE PARTNERSHIP PROGRAM.

(a) REDESIGNATION.—The heading of section 1205 of the National Defense Authorization Act for Fiscal Year 2014 (Public Law 113–66; 127 Stat. 897; 32 U.S.C. 107 note) is amended to read as follows:

''SEC. 1205. DEPARTMENT OF DEFENSE STATE PARTNERSHIP PROGRAM.''.

(b) SCOPE OF AUTHORITY.—Subsection (a) of such section is amended—

(1) in paragraph (1), by striking ''a program of exchanges'' and all that follows and inserting ''a program of activities described in paragraph (2) between members of the National Guard of a State or territory and any of the following:

''(A) The military forces of a foreign country.

''(B) The security forces of a foreign country.

''(C) Governmental organizations of a foreign country whose primary functions include disaster response or emergency response.''; and

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

''(2) STATE PARTNERSHIP.—Each program established under this subsection shall be known as a 'State Partnership'.''.

(c) LIMITATION.—Subsection (b) of such section is amended by striking ''activity under a program'' and all that follows through ''State or territory,'' and inserting ''activity with forces referred to in subsection (a)(1)(B) or organizations described in subsection (a)(1)(C) under a program established under subsection (a)''.

(d) STATE PARTNERSHIP PROGRAM FUND.—Not later than 180 days after the date of the enactment of this Act, the Under Secretary of Defense for Policy and the Under Secretary of Defense (Comptroller) shall jointly submit to the congressional defense committees a report setting forth a joint assessment of the feasibility and advisability of establishing a central fund to manage funds for programs and activities under the Department of Defense State Partnership Program under section 1205 of the National Defense Authorization Act for Fiscal Year 2014, as amended by this section.

(e) CONFORMING AMENDMENTS.—Subsection (e)(2) of such section is amended—

(1) by striking ''a program'' and inserting ''each program''; and

(2) by striking ''the program'' and inserting ''such program''.

(f) PERMANENT AUTHORITY.—Such section is further amended by striking subsection (i).

SEC. 1205. AUTHORITY TO PROVIDE SUPPORT TO NATIONAL MILITARY FORCES OF ALLIED COUNTRIES FOR COUNTERTERRORISM OPERATIONS IN AFRICA.

(a) IN GENERAL.—The Secretary of Defense is authorized, in coordination with the Secretary of State, to provide, on a nonreimbursable basis, logistic support, supplies, and services to the national military forces of an allied country conducting counterterrorism operations in Africa if the Secretary of Defense determines that the provision of such logistic support, supplies, and services, on a nonreimbursable basis, is—

(1) in the national security interests of the United States; and

(2) critical to the timely and effective participation of such national military forces in such operations.

(b) NOTICE TO CONGRESS ON SUPPORT PROVIDED.—Not later than 15 days after providing logistic support, supplies, or services under subsection (a), the Secretary of Defense shall submit to the congressional defense committees a notice setting forth the following:

(1) The determination of the Secretary specified in subsection (a).

(2) The type of logistic support, supplies, or services provided.

(3) The national military forces supported.

(4) The purpose of the operations for which such support was provided, and the objectives of such support.

(5) The estimated cost of such support.

(6) The intended duration of such support.

(c) LIMITATIONS.—

(1) IN GENERAL.—The Secretary of Defense may not use the authority in subsection (a) to provide any type of support that is otherwise prohibited by any other provision of law.

(2) AMOUNT.—The aggregate amount of logistic support, supplies, and services provided under subsection (a) in any fiscal year may not exceed $100,000,000.

(d) REPORTS.—Not later than six months after the date of the enactment of this Act, and every six months thereafter through the expiration date in subsection (f) of the authority provided by this section, the Secretary of Defense shall submit to the congressional defense committees a report setting forth a description of the use of the authority provided by this section during the six-month period ending on the date of such report. Each report shall include the following:

(1) An assessment of the extent to which the support provided under this section during the period covered by such report facilitated the national military forces of allied countries so supported in conducting counterterrorism operations in Africa.

(2) A description of any efforts by countries that received such support to address, as practicable, the requirements of their forces for logistics support, supplies, or services for conducting counterterrorism operations in Africa, including under acquisition and cross-servicing agreements.

(e) LOGISTIC SUPPORT, SUPPLIES, AND SERVICES DEFINED.—In this section, the term ''logistic support, supplies, and services'' has the meaning given that term in section 2350(1) of title 10, United States Code.

(f) EXPIRATION.—The authority provided by this section may not be exercised after September 30, 2018.

SEC. 1206. AUTHORITY TO BUILD THE CAPACITY OF FOREIGN MILITARY INTELLIGENCE FORCES.

(a) IN GENERAL.—The Secretary of Defense, with the concurrence of the Director of National Intelligence and the Secretary of State, is authorized to conduct or support a program or programs to train the military intelligence forces of a foreign county in order for that country to—

(1) improve interoperability with United States and allied forces;

(2) enhance the capacity of such forces to receive and act upon time-sensitive intelligence;

(3) increase the capacity and capability of such forces to fuse and analyze intelligence; and

(4) ensure the ability of such forces to support the military forces of that country in conducting lawful military operations in which intelligence plays a critical role.

(b) TYPES OF SUPPORT.—

(1) AUTHORIZED ELEMENTS.—A program under subsection (a) may include the provision of training, and associated supplies and support.

(2) REQUIRED ELEMENTS.—A program under subsection (a) shall include elements that promote the following:

(A) Observance of and respect for human rights and fundamental freedoms.

(B) Respect for civilian control of the military.

(c) LIMITATIONS.—

(1) ANNUAL FUNDING LIMITATION.—Of the amount authorized to be appropriated for the Department of Defense for a fiscal year and available for the military intelligence program (MIP), the Secretary of Defense may use up to $25,000,000 in such fiscal year to carry out programs authorized by subsection (a).

(2) ASSISTANCE OTHERWISE PROHIBITED BY LAW.—The Secretary of Defense may not use the authority in subsection (a) to provide any type of assistance described in subsection (b) that is otherwise prohibited by any provision of law.

(3) LIMITATION ON ELIGIBLE COUNTRIES.—The Secretary of Defense may not use the authority in subsection (a) to provide assistance described in subsection (b) to any foreign country that is otherwise prohibited from receiving such assistance under any other provision of law.

(d) CONGRESSIONAL NOTIFICATION.—Not less than 15 days before initiating activities under a program under subsection (a), the Secretary of Defense shall submit to the appropriate committees of Congress a notice on the following:

(1) The country whose capacity to engage in activities in subsection (a) will be built under the program.

(2) The budget, implementation timeline with milestones, military department responsible for management and associated program executive office, and completion date for the program.

(3) Assurances, if any, provided with respect to an enduring arrangement between the United States and the forces provided training pursuant to subsection (a).

(4) The objectives and assessment framework to be used to develop capability and performance metrics associated with operational outcomes for the recipient forces.

(5) An assessment of the capacity of the recipient country to absorb assistance under the program.

(6) An assessment of the manner in which the program fits into the theater security cooperation strategy of the applicable geographic combatant command.

(e) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this section, the term ''appropriate committees of Congress'' means—

(1) the Committee on Armed Services, the Committee on Foreign Relations, the Committee on Appropriations, and the Select Committee on Intelligence of the Senate; and

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

SEC. 1207. PROHIBITION ON ASSISTANCE TO ENTITIES IN YEMEN CONTROLLED BY THE HOUTHI MOVEMENT.

(a) PROHIBITION.—No amounts authorized to be appropriated for fiscal year 2016 for the Department of Defense by this Act may be used to provide assistance to an entity in Yemen that is controlled by members of the Houthi movement.

(b) NATIONAL SECURITY EXCEPTION.—

(1) IN GENERAL.—The prohibition in subsection (a) shall not apply if the Secretary of Defense, in consultation with the Director of National Intelligence, determines that the provision of assistance as described in that subsection is important to the national security interests of the United States.

(2) NOTICE REQUIRED.—Not later than 30 days after providing assistance under this subsection, the Secretary shall submit to the congressional defense committees notice on such assistance, including the following:

(A) The assistance provided.

(B) The rationale for the provision of such assistance.

(C) The national security interests of the United States in providing such assistance.

(3) FORM.—Each notice under paragraph (2) shall be submitted in an unclassified form, but may include a classified annex.

SEC. 1208. REPORT ON POTENTIAL SUPPORT FOR THE VETTED SYRIAN OPPOSITION.

(a) REPORT REQUIRED.—Not later than 30 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report setting forth a detailed description of the military support the Secretary considers it necessary to provide to recipients of assistance under section 1209 of the Carl Levin and Howard P. ''Buck'' McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113–291; 128 Stat. 3541) upon their return to Syria to make use of such assistance.

(b) COVERED POTENTIAL SUPPORT.—The support the Secretary may consider it necessary to provide for purposes of the report is the following:

(1) Logistical support.

(2) Defensive supportive fire.

(3) Intelligence.

(4) Medical support.

(5) Any other support the Secretary considers appropriate for purposes of the report.

(c) ELEMENTS.—The report shall include the following:

(1) For each type of support the Secretary considers it necessary to provide as described in subsection (a), a description of the actions to be taken by the Secretary to ensure that such support would not benefit any of the following:

(A) The Islamic State of Iraq and Syria (ISIS), the Al-Nusra Front, al-Qaeda, the Khorasan Group, or any other extremist Islamic organization

(B) The Syrian Arab Army or any group or organization supporting President Bashir Assad.

(2) An estimate of the cost of providing such support.

(d) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to constitute an authorization for the use of force in Syria.

Subtitle B—Matters Relating to Afghanistan, Pakistan, and Iraq

SEC. 1221. DRAWDOWN OF UNITED STATES FORCES IN AFGHANISTAN.

(a) SENSE OF SENATE.—It is the sense of the Senate that—

(1) the drawdown of United States forces in Afghanistan should be based on security conditions in Afghanistan and United States security interests in the region; and

(2) as the Afghan National Defense Security Forces develop security capabilities and capacity, an appropriate United States and international presence should continue, upon invitation by the Government of Afghanistan, to provide adequate capability and capacity to preserve gains made to date and continue counterterrorism operations in Afghanistan against terrorist organizations that can threaten United States interests or the United States homeland.

(b) CERTIFICATION ON REDEPLOYMENTS OF US FORCES FROM AFGHANISTAN.—

(1) IN GENERAL.—Not later than 10 days after the approval by the Secretary of Defense of orders to redeploy United States forces from Afghanistan in order to effect a reduction of the United States force presence in Afghanistan by a significant amount in accordance with plans approved by the President to drawdown United States forces in Afghanistan, the President shall certify to the congressional defense committees that the reduction of such force presence will result in an acceptable level of risk to United States national security objectives taking into consideration the security conditions on the ground.

(2) SIGNIFICANT AMOUNT.—For the purposes of this subsection, a significant amount in the reduction of the force presence of United States forces shall be a reduction by the lesser of—

(A) 1,000 or more troops; or

(B) the number of troops equal to 20 percent of the troops in Afghanistan at the time of the reduction.

(3) WAIVER.—The President may waive the requirement for a certification under paragraph (1) if the making of the certification would impede national security objectives of the United States. The President shall submit to the congressional defense committees a report on each such waiver, including the national security objectives that would otherwise be impeded if not for the waiver.

SEC. 1222. EXTENSION AND MODIFICATION OF COMMANDERS' EMERGENCY RESPONSE PROGRAM.

(a) ONE-YEAR EXTENSION.—Section 1201 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112–81; 125 Stat. 1619), as most recently amended by section 1221 of the Carl Levin and Howard P. ''Buck'' McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113–291; 128 Stat. 3546), is further amended by striking ''fiscal year 2015'' in subsections (a), (b), and (f) and inserting ''fiscal year 2016''.

(b) RESTRICTION ON AMOUNT OF PAYMENTS.—Subsection (e) of such section 1201, as so amended, is further amended by striking ''$2,000,000'' and inserting ''$500,000''.

(c) SUBMITTAL OF REVISED GUIDANCE.—Not later than 15 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a copy of the guidance issued by the Secretary to the Armed Forces concerning the Commanders' Emergency Response Program in Afghanistan as revised to take into account the amendments made by this section.

(d) AUTHORITY FOR CERTAIN PAYMENTS TO REDRESS INJURY AND LOSS IN IRAQ.—

(1) IN GENERAL.—During fiscal year 2016, amounts available pursuant to section 1201 of the National Defense Authorization Act for Fiscal Year 2012, as amended by this section, shall also be available for ex gratia payments for damage, personal injury, or death that is incident to combat operations of the Armed Forces in Iraq.

(2) AUTHORITIES APPLICABLE TO PAYMENT.—Any payment made pursuant to this subsection shall be made in accordance with the authorities and limitations in section 8121 of the Department of Defense Appropriations Act, 2015 (division C of Public Law 113–235), other than subsection (h) of such section.

(3) CONSTRUCTION WITH RESTRICTION ON AMOUNT OF PAYMENTS.—For purposes of the application of subsection (e) of such section 1201, as so amended, to any payment under this subsection, such payment shall be deemed to be a project described by such subsection (e).

SEC. 1223. EXTENSION OF AUTHORITY TO TRANSFER DEFENSE ARTICLES AND PROVIDE DEFENSE SERVICES TO THE MILITARY AND SECURITY FORCES OF AFGHANISTAN.

(a) EXTENSION.—Subsection (h) of section 1222 of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112–239; 126 Stat. 1992), as amended by section 1231 of the Carl Levin and Howard P. ''Buck'' McKeon National Defense Authorization Act for Fiscal Year 2105 (Public Law 113–291), is further amended by striking ''December 31, 2015'' and inserting ''December 31, 2016''.

(b) QUARTERLY REPORTS.—Subsection (f)(1) of such section, as so amended, is further amended by striking ''March 31, 2016'' and inserting ''March 31, 2017''.

(c) EXCESS DEFENSE ARTICLES.—Subsection (i)(2) of such section, as so amended, is further amended by striking '', 2014, and 2015'' each place it appears and inserting ''through 2016''.

SEC. 1224. EXTENSION AND MODIFICATION OF AUTHORITY FOR REIMBURSEMENT OF CERTAIN COALITION NATIONS FOR SUPPORT PROVIDED TO UNITED STATES MILITARY OPERATIONS.

(a) EXTENSION.—Subsection (a) of section 1233 of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–81; 122 Stat. 393), as most recently amended by section 1222 of the Carl Levin and Howard P. ''Buck'' McKeon National Defense Act for Fiscal Year 2015 (Public Law 113–291), is further amended—

(1) by striking ''fiscal year 2015'' and inserting ''fiscal year 2016''; and

(2) in paragraph (1), by striking ''Operation Enduring Freedom'' and inserting ''Operation Freedom's Sentinel''.

(b) OTHER SUPPORT.—Subsection (b) of such section 1233, as so amended, is further amended by striking ''Operation Enduring Freedom'' and inserting ''Operation Freedom's Sentinel''.

(c) LIMITATION ON AMOUNTS AVAILABLE.—Subsection (d)(1) of such section 1233, as so amended, is further amended—

(1) in the second sentence, by striking ''during fiscal year 2015 may not exceed $1,200,000,000'' and inserting ''during fiscal year 2016 may not exceed $1,160,000,000''; and

(2) in the third sentence, by striking ''during fiscal year 2015 may not exceed $1,000,000,000'' and inserting ''during fiscal year 2016 may not exceed $900,000,000''.

(d) QUARTERLY REPORTS.—Subsection (f) of such section 1233, as added by section 1223(e) of the National Defense Authorization act for Fiscal Year 2010 (Public Law 111–84; 123 Stat. 2520), is amended by striking ''on any'' and all that follows and inserting ''on any reimbursements made during such quarter under the authorities as follows:

''(1) Subsection (a).

''(2) Subsection (b).

''(3) Section 1224(h) of the National Defense Authorization Act for Fiscal Year 2016.''.

(e) EXTENSION OF NOTICE REQUIREMENT RELATING TO REIMBURSEMENT OF PAKISTAN FOR SUPPORT PROVIDED BY PAKISTAN.—Section 1232(b)(6) of the National Defense Authorization Act for Fiscal Year 2008 (122 Stat. 393), as most recently amended by section 1222 of the Carl Levin and Howard P. ''Buck'' McKeon National Defense Act for Fiscal Year 2015, is further amended by striking ''September 30, 2015'' and inserting ''September 30, 2016''.

(f) EXTENSION OF LIMITATION ON REIMBURSEMENT OF PAKISTAN PENDING CERTIFICATION ON PAKISTAN.—Section 1227(d)(1) of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112–239; 126 Stat. 2001), as so amended, is further amended by striking ''fiscal year 2015'' and inserting ''fiscal year 2016''.

(g) ADDITIONAL LIMITATION ON REIMBURSEMENT OF PAKISTAN PENDING CERTIFICATION ON PAKISTAN.—Of the total amount of reimbursements and support authorized for Pakistan during fiscal year 2016 pursuant to the third sentence of section 1233(d)(1) of the National Defense Authorization Act for Fiscal Year 2008 (as amended by subsection (c)(2)), $300,000,000 shall not be eligible for the waiver under section 1227(d)(2) of the National Defense Authorization Act for Fiscal Year 2013 (126 Stat. 2001) unless the Secretary of Defense certifies to the congressional defense committees that—

(1) Pakistan has undertaken military operations in North Waziristan that have contributed to significantly disrupting the safe haven and freedom of movement of the Haqqani network in Pakistan;

(2) Pakistan has taken actions that have demonstrated a commitment to ensuring that North Waziristan does not return to being a safe haven for the Haqqani network; and

(3) the Government of Pakistan has taken actions to promote stability in Afghanistan, including encouraging the participation of the Taliban in reconciliation talks with the Government of Afghanistan.

(h) AVAILABILITY OF CERTAIN FUNDS FOR STABILITY ACTIVITIES IN FATA.—

(1) IN GENERAL.—Of the total amount of reimbursements and support authorized for Pakistan during fiscal year 2016 pursuant to the third sentence of section 1233(d)(1) of the National Defense Authorization Act for Fiscal Year 2008 (as so amended), $100,000,000 may be available for stability activities undertaken by Pakistan in the Federally Administered Tribal Areas (FATA), including the provision of funds to the Pakistan military and the Pakistan Frontier Corps Khyber Pakhtunkhwa for activities undertaken in support of the following:

(A) Building and maintaining border outposts.

(B) Strengthening cooperative efforts between the Pakistan military and the Afghan National Defense Security Forces in activities that include—

(i) bilateral meetings to enhance border security coordination;

(ii) sustaining critical infrastructure within the Federally Administered Tribal Areas, such as maintaining key ground lines of communication;

(iii) increasing training for the Pakistan Frontier Corps Khyber Pakhtunkhwa; and

(iv) training to improve interoperability between the Pakistan military and the Pakistan Frontier Corps Khyber Pakhtunkwha.

(2) REPORT.—Not later than December 31, 2017, the Secretary of Defense shall submit to the appropriate congressional committees a report on the expenditure of funds available under paragraph (1), including a description of the following:

(A) The purpose for which such funds were expended.

(B) Each organization on whose behalf such funds were expended, including the amount expended on such organization and the number of members of such organization trained with such amount.

(C) Any limitation imposed on the expenditure of funds under that paragraph, including on any recipient of funds or any use of funds expended.

(3) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this subsection, the term ''appropriate congressional committees'' has the meaning given that term in section 1233(g) of the National Defense Authorization Act for Fiscal Year 2008.

SEC. 1225. PROHIBITION ON TRANSFER TO VIOLENT EXTREMIST ORGANIZATIONS OF EQUIPMENT OR SUPPLIES PROVIDED BY THE UNITED STATES TO THE GOVERNMENT OF IRAQ.

(a) PROHIBITION.—No assistance authorized by section 1236 of the Carl Levin and Howard P. ''Buck'' McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113–291) may be provided to the Government of Iraq after the date that is 30 days after the date of the enactment of this Act unless the Secretary of Defense certifies to Congress, after the date of the enactment of this Act, that appropriate steps have been taken by the Government of Iraq to safeguard against transferring or otherwise providing such assistance to violent extremist organizations.

(b) VIOLENT EXTREMIST ORGANIZATION.—For purposes of this section, an organization is a violent extremist organization if the organization—

(1) is a terrorist group or is associated with a terrorist group; or

(2) is known to be under the command and control of, or is associated with, the Government of Iran.

(c) REPORTS ON TRANSFERS OF EQUIPMENT OR SUPPLIES TO VIOLENT EXTREMIST ORGANIZATIONS.—

(1) REPORTS REQUIRED.—Not later than 30 days after the Secretary of Defense makes any determination that equipment or supplies provided pursuant to section 1236 of the Carl Levin and Howard P. ''Buck'' McKeon National Defense Authorization Act for Fiscal Year 2015 have been transferred to a violent extremist organization, the Secretary shall submit to Congress a report on the determination and the transfer.

(2) ELEMENTS.—Each report under paragraph (1) shall include, for the transfer covered by such report, the following:

(A) An assessment of the type and quantity of equipment or supplies so transferred.

(B) A description of the criteria used to determine that the organization to which transferred was a violent extremist organization.

(C) A description, if known, of how such equipment or supplies were transferred or acquired by the violent extremist organization concerned.

(D) If such equipment or supplies are determined to remain under the current control of any violent extremist organization, a description of each such organization, including its relationship, if any, with the security forces of the Government of Iraq.

(E) A description of end use monitoring or other policies and procedures in place for the equipment or supplies so transferred in order prevent the transfer or acquisition of such equipment or supplies by violent extremist organizations.

(d) SUBMITTAL TIME FOR QUARTERLY PROGRESS REPORTS ON ASSISTANCE TO COUNTER ISIL.—Section 1236(d) of the Carl Levin and Howard P. ''Buck'' McKeon National Defense Authorization Act for Fiscal Year 2015 is amended by striking ''30 days thereafter'' and inserting ''90 days thereafter''.

SEC. 1226. REPORT ON LINES OF COMMUNICATION OF ISLAMIC STATE OF IRAQ AND THE LEVANT AND OTHER FOREIGN TERRORIST ORGANIZATIONS.

(a) REPORT REQUIRED.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the appropriate committees of Congress a report setting forth the following:

(1) An assessment of the lines of communication that enable the Islamic State of Iraq and the Levant (ISIL), Jabhal al-Nusra, and other foreign terrorist organizations by facilitating the delivery of foreign fighters, funding, equipment, or other assistance through countries bordering on Syria.

(2) An assessment of the impacts of the lines of communication described in paragraph (1) on the security of the United States homeland and the protection of personnel and installations of the Department of Defense and diplomatic facilities in Europe and the Middle East.

(b) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this section, the term ''appropriate committees of Congress'' means—

(1) the Committee on Armed Services and the Committee on Foreign Relations of the Senate; and

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

SEC. 1227. MODIFICATION OF PROTECTION FOR AFGHAN ALLIES.

(a) COVERED AFGHANS.—

(1) TERM OF EMPLOYMENT.—Clause (ii) of section 602(b)(2)(A) of the Afghan Allies Protection Act of 2009 (8 U.S.C. 1101 note) is amended by striking ''year—'' and inserting ''year, or, if submitting a petition after September 30, 2015, for a period of not less than 2 years—''.

(2) TECHNICAL AMENDMENTS.—

(A) SUCCESSOR NAME FOR INTERNATIONAL SECURITY ASSISTANCE FORCE.—Subclause (II) of section 602(b)(2)(A)(ii) of the Afghan Allies Protection Act of 2009 (8 U.S.C. 1101 note) is amended—

(i) in the matter preceding item (aa), by striking ''Force'' and inserting ''Force (or any successor name for such Force)'';

(ii) in item (aa), by striking ''Force,'' and inserting ''Force (or any successor name for such Force),''; and

(iii) in item (bb), by striking ''Force;'' and inserting ''Force (or any successor name for such Force);''.

(B) SHORT TITLE.—Section 601 of the Afghan Allies Protection Act of 2009 is amended by striking ''This Act'' and inserting ''This title''.

(C) EXECUTIVE AGENCY REFERENCE.—Section 602(c)(4) of the Afghan Allies Protection Act of 2009 is amended by striking ''section 4 of the Office of Federal Procurement Policy Act (41 U.S.C. 403)'' and inserting ''section 133 of title 41, United States Code''.

(b) NUMERICAL LIMITATIONS.—Subparagraph (F) of section 602(b)(3) of the Afghan Allies Protection Act of 2009 (8 U.S.C. 1101 note) is amended—

(1) in the heading, by striking ''2015 AND 2016'' and inserting ''2015, 2016, AND 2017'';

(2) in the matter preceding clause (i)—

(A) by striking ''and ending on September 30, 2016,'' and inserting ''until such time that available special immigrant visas under subparagraphs (D) and (E) and this subparagraph are exhausted,'' and

(B) by striking ''4,000.'' and inserting ''7,000.'';

(3) in clause (i), by striking ''September 30, 2015;'' and inserting ''December 31, 2016;'';

(4) in clause (ii), by striking ''December 31, 2015;'' and inserting ''December 31, 2016;''; and

(5) in clause (iii), by striking ''March 31, 2017.'' and inserting ''the date such visas are exhausted.''.

(c) REPORTS AND SENSE OF CONGRESS.—Section 602(b) of the Afghan Allies Protection Act of 2009 (8 U.S.C. 1101 note) is amended by adding at the end the following:

''(15) REPORTS INFORMING THE CONCLUSION OF THE AFGHAN SPECIAL IMMIGRANT VISA PROGRAM.—Not later than June 1, 2016, and every six months thereafter, the Secretary of Defense, in conjunction with the Secretary of State, shall submit to the Committee on Armed Services and the Committee on the Judiciary of the Senate and the Committee on Armed Services and the Committee on the Judiciary of the House of Representatives a report that contains—

''(A) a description of the United States force presence in Afghanistan during the previous 6 months;

''(B) a description of the projected United States force presence in Afghanistan;

''(C) the number of citizens or nationals of Afghanistan who were employed by or on behalf of the entities described in paragraph (2)(A)(ii) during the previous 6 months; and

''(D) the projected number of such citizens or nationals who will be employed by or on behalf of such entities.

''(16) SENSE OF CONGRESS.—It is the sense of Congress that the necessity of providing special immigrant status under this subsection should be assessed at regular intervals by the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives, taking into account the scope of the current and planned presence of United States troops in Afghanistan, the current and prospective numbers of citizens and nationals of Afghanistan employed by or on behalf of the entities described in paragraph (2)(A)(ii), and the security climate in Afghanistan.''.

SEC. 1228. EXTENSION OF AUTHORITY TO SUPPORT OPERATIONS AND ACTIVITIES OF THE OFFICE OF SECURITY COOPERATION IN IRAQ.

(a) EXTENSION OF AUTHORITY.—Subsection (f)(1) of section 1215 of the National Defense Authorization Act for Fiscal Year 2012 (10 U.S.C. 113 note) is amended by striking ''fiscal year 2015'' and inserting ''fiscal year 2016''.

(b) AMOUNT AVAILABLE.—Such section is further amended—

(1) in subsection (c), by striking ''fiscal year 2015'' and all that follows and inserting ''fiscal year 2016 may not exceed $80,000,000.''; and

(2) in subsection (d), by striking ''fiscal year 2015'' and inserting ''fiscal year 2016''.

(c) SUPERSEDING REPORT REQUIREMENTS.—Subsection (g) of such section is amended to read as follows:

''(g) REPORTS.—

''(1) IN GENERAL.—Not later than September 30, 2015, and every 180 days thereafter until the authority in this section expires, the Secretary of Defense shall, in consultation with the Secretary of State, submit to the appropriate committees of Congress a report on the activities of the Office of Security Cooperation in Iraq.

''(2) ELEMENTS.—Each report under this subsection shall include the following:

''(A) A current description of capability gaps in the security forces of Iraq, including capability gaps relating to intelligence matters, protection of Iraq airspace, and logistics and maintenance, and a current description of the extent, if any, to which the Government of Iraq has requested assistance in addressing such capability gaps.

''(B) A current description of the activities of the Office of Security Cooperation in Iraq and the extent, if any, to which the programs conducted by the Office in conjunction with other United States programs (such as the Foreign Military Financing program, the Foreign Military Sales program, and the assistance provided pursuant to section 1236 of the Carl Levin and Howard P. 'Buck' McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113–291)) will address the capability gaps described pursuant to subparagraph (A).

''(C) A current description of how the activities of the Office of Security Cooperation in Iraq are coordinated with, and complement and enhance, the assistance provided pursuant to section 1236 of the Carl Levin and Howard P. 'Buck' McKeon National Defense Authorization Act for Fiscal Year 2015.

''(D) A current description of end use monitoring programs, and any other programs or procedures, used to improve accountability for equipment provided to the Government of Iraq.

''(E) A current description of the measures of effectiveness used to evaluate the activities of the Office of the Security Cooperation in Iraq, and an analysis of any determinations to expand, alter, or terminate specific activities of the Office based on such evaluations.

''(F) A current evaluation of the effectiveness of the training described in subsection (f)(2) in promoting respect for human rights, military professionalism, and respect for legitimate civilian authority in Iraq.

''(3) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this subsection, the term 'appropriate committees of Congress' means—

''(A) the Committee on Armed Services, the Committee on Foreign Relations, and the Committee on Appropriations of the Senate; and

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

SEC. 1229. SENSE OF SENATE ON SUPPORT FOR THE KURDISTAN REGIONAL GOVERNMENT.

(a) SENSE OF SENATE.—It is the sense of the Senate that—

(1) the Islamic State of Iraq and the Levant (ISIL) poses an acute threat to the people and territorial integrity of Iraq, including the Iraqi Kurdistan Region, and the security and stability of the Middle East and the world;

(2) the United States should, in coordination with coalition partners, provide, in an expeditious and responsive manner and without undue delay, the security forces of the Kurdistan Regional Government associated with the Government of Iraq with defense articles and assistance described in subsection (b), defense services, and related training to more effectively partner with the United States and other international coalition members to defeat the Islamic State of Iraq and the Levant;

(3) defeating the Islamic State of Iraq and the Levant is critical to maintaining a unified Iraq in which all faiths, sects, and ethnicities are afforded equal protection and full integration into the Government and society of Iraq;

(4) due to the threat to United States national security and a free and inclusive Iraq brought by the Islamic State of Iraq and the Levant, section 1236 of the Carl Levin and Howard P. ''Buck'' McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113–291) authorizes the Secretary of Defense to provide assistance, including training, equipment, logistics support, supplies, and services, stipends, facility and infrastructure repair and renovation, and sustainment, to military and other security forces of or associated with the Government of Iraq, including Kurdish forces;

(5) leaders of the Islamic State of Iraq and the Levant have stated that they intend to conduct terrorist attacks internationally, including against the United States, its citizens, and its interests; and

(6) the Kurdistan Regional Government is the democratically elected government of the Iraqi Kurdistan Region, and Iraqi Kurds have been a reliable, stable, and capable partner of the United States, particularly in support of United States military and civilian personnel during Operation Iraqi Freedom and Operation New Dawn.

(b) DEFENSE ARTICLES AND ASSISTANCE.—The defense articles and assistance described in this subsection include anti-tank and anti-armor weapons, armored vehicles, long-range artillery, crew-served weapons and ammunition, secure command and communications equipment, body armor, helmets, logistics equipment, night optical devices, and other excess defense articles and military assistance considered appropriate by the President.

Subtitle C—Matters Relating to Iran

SEC. 1241. MODIFICATION AND EXTENSION OF ANNUAL REPORT ON THE MILITARY POWER OF IRAN.

(a) ELEMENT ON CYBER CAPABILITIES IN DESCRIPTION OF STRATEGY.—Paragraph (1) of subsection (b) of section 1245 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84; 123 Stat. 2542) is amended—

(1) in subparagraph (B), by striking ''and'' at the end;

(2) in subparagraph (C), by striking the period at the end and inserting ''; and''; and

(3) by adding at the end the following new subparagraph:

''(D) Iranian strategy regarding offensive cyber capabilities and defensive cyber capabilities.''.

(b) ELEMENTS ON CYBER CAPABILITIES IN ASSESSMENTS OF UNCONVENTIONAL FORCES.—Paragraph (3) of such subsection, as amended by section 1232(a) of the National Defense Authorization Act for Fiscal Year 2014 (Public Law 113–66; 127 Stat. 920), is further amended—

(1) in subparagraph (D), by striking ''and'' at the end;

(2) in subparagraph (E), by striking the period at the end and inserting a semicolon; and

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

''(F) offensive cyber capabilities and defensive cyber capabilities; and

''(G) Iranian ability to manipulate the information environment both domestically and against the interests of the United States and its allies.''.

(c) EXTENSION OF REPORTS.—Subsection (d) of such section 1245, as amended by section 1277 of the Carl Levin and Howard P. ''Buck'' McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113–291; 128 Stat. 3592), is further amended by striking ''December 31, 2016'' and inserting ''December 31, 2021''.

(d) EFFECTIVE DATE.—The amendments made by subsections (a) and (b) shall take effect on the date of the enactment of this Act, and shall apply with respect to reports required to be submitted under section 1245 of the National Defense Authorization Act for Fiscal Year 2010, as so amended, after that date.

Subtitle D—Matters Relating to the Russian Federation

SEC. 1251. UKRAINE SECURITY ASSISTANCE INITIATIVE.

(a) AUTHORITY TO PROVIDE ASSISTANCE.—Of the amounts authorized to be appropriated for fiscal year 2016 by title XV and available for overseas contingency operations as specified in the funding tables in division D, $300,000,000 may be available to the Secretary of Defense, in coordination with the Secretary of State, to provide appropriate security assistance and intelligence support, including training, equipment, and logistics support, supplies and services, to military and other security forces of the Government of Ukraine for the purposes as follows:

(1) To enhance the capabilities of the military and other security forces of the Government of Ukraine to defend against further aggression.

(2) To assist Ukraine in developing the combat capability to defend its sovereignty and territorial integrity.

(3) To support the Government of Ukraine in defending itself against actions by Russia and Russian-backed separatists that violate the ceasefire agreements of September 4, 2014, and February 11, 2015.

(b) APPROPRIATE SECURITY ASSISTANCE AND INTELLIGENCE SUPPORT.—For purposes of subsection (a), appropriate security assistance and intelligence support includes the following:

(1) Real time or near real time actionable intelligence.

(2) Lethal assistance such as anti-armor weapon systems, mortars, crew-served weapons and ammunition, grenade launchers and ammunition, and small arms and ammunition.

(3) Counter-artillery radars.

(4) Unmanned aerial tactical surveillance systems.

(5) Cyber capabilities.

(6) Counter-electronic warfare capabilities such as secure communications equipment and other electronic protection systems.

(7) Other electronic warfare capabilities.

(8) Training required to maintain and employ systems and capabilities described in paragraphs (1) through (7).

(9) Training for critical combat operations such as planning, command and control, small unit tactics, counter-artillery tactics, logistics, countering improvised explosive devices, battle-field first aid, and medical evacuation.

(c) FUNDING AVAILABILITY AND LIMITATION.—

(1) TRAINING.—Up to 20 percent of the amount described in subsection (a) may be used to support training pursuant to section 1207 of the National Defense Authorization Act for Fiscal Year 2012 (22 U.S.C. 2151 note), relating to the Global Security Contingency Fund.

(2) LIMITATION.—Not more than 50 percent of the amount described in subsection (a) may be obligated or expended until an amount equal to 20 percent of such amount has been obligated or expended for appropriate security assistance described in subparagraphs (2) and (3) of subsection (b) for the Government of Ukraine.

(3) ALTERNATIVE OF FUNDS.—In the event funds otherwise available pursuant to subsection (a) are not used by reason of the limitation in paragraph (2), such funds may be used at the discretion of the Secretary of Defense, with concurrence of the Secretary of State, to provide security assistance and intelligence support, including training, equipment, logistics support, supplies and services to military and other national-level security forces of Partnership for Peace nations other than Ukraine that the Secretary of Defense determines to be appropriate to assist such governments in preserving their sovereignty and territorial integrity against Russian aggression.

(d) UNITED STATES INVENTORY AND OTHER SOURCES.—

(1) IN GENERAL.—In addition to any assistance provided pursuant to subsection (a), the Secretary of Defense is authorized, with the concurrence of the Secretary of State, to make available to the Government of Ukraine weapons and other defense articles, from the United States inventory and other sources, and defense services, in such quantity as the Secretary of Defense determines to be appropriate to achieve the purposes specified in subsection (a).

(2) REPLACEMENT.—Amounts for the replacement of any items provided to the Government of Ukraine pursuant to paragraph (1) shall be derived from amounts authorized to be appropriated for the Department of Defense for overseas contingency operations for weapons procurement.

(e) CONSTRUCTION OF AUTHORIZATION.—Nothing in this section shall be construed to constitute a specific statutory authorization for the introduction of United States Armed Forces into hostilities or into situations wherein hostilities are clearly indicated by the circumstances.

(f) TERMINATION OF AUTHORITY.—Assistance may not be provided under the authority in this section after December 31, 2017.

SEC. 1252. EASTERN EUROPEAN TRAINING INITIATIVE.

(a) AUTHORITY.—The Secretary of Defense may, with the concurrence of the Secretary of State, carry out a program (to be known as the ''Eastern European Training Initiative'') to provide training, and pay the incremental expenses incurred by a country as the direct result of participation in such training, for the national military forces of the following:

(1) A country that is a signatory to the Partnership for Peace Framework Documents, but is not a member of the North Atlantic Treaty Organization (NATO).

(2) A country that became a member of the North Atlantic Treaty Organization after January 1, 1999.

(b) TYPES OF TRAINING.—The training provided to the national military forces of a country under subsection (a) shall be limited to multilateral or regional training—

(1) to maintain and increase interoperability and readiness;

(2) to increase capacity to respond to external threats;

(3) to increase capacity to respond to hybrid warfare; or

(4) to increase capacity to respond to calls for collective action within the North Atlantic Treaty Organization.

(c) REQUIRED ELEMENTS.—Training provided to the national military forces of a country under subsection (a) shall include elements that promote—

(1) observance of and respect for human rights and fundamental freedoms; and

(2) respect for legitimate civilian authority within that country.

(d) FUNDING.—

(1) ANNUAL FUNDING LIMITATION.—Of the amounts authorized to be appropriated for a fiscal year for the Department of Defense for operation and maintenance, up to $28,000,000 may be used to provide training and pay incremental expenses under subsection (a) in that fiscal year.

(2) AVAILABILITY OF FUNDS FOR ACTIVITIES ACROSS FISCAL YEARS.—Amounts available in a fiscal year to carry out the authority in subsection (a) may be used for training under that authority that begins in that fiscal year and ends in the next fiscal year.

(e) BRIEFING TO CONGRESS ON USE OF AUTHORITY.—Not later that 90 days after the

end of each fiscal year in which the authority in subsection (a) is used, the Secretary shall brief the Committees on Armed Services of the Senate and the House of Representatives on the use of the authority during such fiscal year, including each country with which training under the authority was conducted and the types of training provided.

(f) CONSTRUCTION OF AUTHORITY.—The authority provided in subsection (a) is in addition to any other authority provided by law authorizing the provision of training for the national military forces of a foreign country, including section 2282 of title 10, United States Code.

(g) INCREMENTAL EXPENSES DEFINED.—In this section, the term ''incremental expenses'' means the reasonable and proper cost of the goods and services that are consumed by a country as a direct result of that country's participation in training under the authority of this section, including rations, fuel, training ammunition, and transportation. Such term does not include pay, allowances, and other normal costs of a country's personnel.

(h) TERMINATION OF AUTHORITY.—The authority under this section shall terminate on September 30, 2018. Any activity under this section initiated before that date may be completed, but only using funds available for fiscal years 2016 through 2018.

SEC. 1253. INCREASED PRESENCE OF UNITED STATES GROUND FORCES IN EASTERN EUROPE TO DETER AGGRESSION ON THE BORDER OF THE NORTH ATLANTIC TREATY ORGANIZATION.

(a) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) the increased presence of United States and allied ground forces in Eastern Europe since April 2014 has provided a level of reassurance to North Atlantic Treaty Organization (NATO) members in the region and strengthened the capability of the Organization to respond to any potential Russian aggression against Organization members;

(2) at the North Atlantic Treaty Organization Wales summit in September 2014 member countries agreed on a Readiness Action Plan which is intended to improve the ability of the Organization to respond quickly and effectively to security threats on the borders of the Organization, including in Eastern Europe, and the challenges posed by hybrid warfare;

(3) the capability of the North Atlantic Treaty Organization to respond to threats on the eastern border of the Organization would be enhanced by a more sustained presence on the ground of Organization forces on the territories of Organization members in Eastern Europe; and

(4) an increased presence of United States ground forces in Eastern Europe should be matched by an increased force presence of European allies.

(b) REPORT.—

(1) IN GENERAL.—Not later than 120 days after the date of the enactment of this Act, the Secretary of Defense shall, in consultation with the Secretary of State, submit to the congressional defense committees a report setting forth an assessment of options for expanding the presence of United States ground forces of the size of a Brigade Combat Team in Eastern Europe to respond, along with European allies and partners, to the security challenges posed by Russia and increase the combat capability of forces able to respond to unconventional or hybrid warfare tactics such as those used by the Russian Federation in Crimea and Eastern Ukraine.

(2) ELEMENTS.—The report under this subsection shall include the following:

(A) An evaluation of the optimal location or locations of the enhanced ground force presence described in paragraph (1) that considers such factors as—

(i) proximity, suitability, and availability of maneuver and gunnery training areas;

(ii) transportation capabilities;

(iii) availability of facilities, including for potential equipment storage and prepositioning;

(iv) ability to conduct multinational training and exercises;

(v) a site or sites for prepositioning of equipment, a rotational presence or permanent presence of troops, or a combination of options; and

(vi) costs.

(B) A description of any initiatives by other members of the North Atlantic Treaty Organization, or other European allies and partners, for enhancing force presence on a permanent or rotational basis in Eastern Europe to match or exceed the potential increased presence of United States ground forces in the region.

SEC. 1254. SENSE OF CONGRESS ON EUROPEAN DEFENSE AND NORTH ATLANTIC TREATY ORGANIZATION SPENDING.

(a) FINDINGS.—Congress makes the following findings:

(1) North Atlantic Treaty Organization (NATO) countries, at the 2014 North Atlantic Treaty Organization Summit in Wales, pledged to ''reverse the trend of declining defense budgets, to make the most effective use of our funds and to further a more balanced sharing of costs and responsibilities''.

(2) Former Secretary of Defense Chuck Hagel stated on May 2, 2014, that ''[t]oday, America's GDP is smaller than the combined GDPs of our 27 NATO allies. But America's defense spending is three times our Allies' combined defense spending. Over time, this lopsided burden threatens NATO's integrity, cohesion, and capability, and ultimately both European and transatlantic security''.

(3) Former North Atlantic Treaty Organization Secretary General Anders Fogh Rasmussen stated on July 3, 2014, that ''[d]uring the last five years, Russia has increased defense spending by 50 percent, while NATO allies on average have decrease their defense spending by 20 percent. That is not sustainable, we need more investment in defense and security''.

(b) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) it is in the national security and fiscal interests of the United States that prompt efforts should be undertaken by North Atlantic Treaty Organization allies to meet defense budget commitments made in Declaration 14 of the Wales Summit Declaration of September 2014;

(2) the United States Government should continue efforts through the Department of Defense and other agencies to encourage North Atlantic Treaty Organization allies towards meeting the defense spending goals set out at the Wales Summit;

(3) some North Atlantic Treaty Organization allies have already taken positive steps to reverse declines in defense spending and should continue to be supported in those efforts; and

(4) thoughtful and coordinated defense investments by European allies in military capabilities would add deterrence value to the posture of the North Atlantic Treaty Organization against Russian aggression and terrorist organizations and more appropriately balance the share of Atlantic defense spending.

SEC. 1255. ADDITIONAL MATTERS IN ANNUAL REPORT ON MILITARY AND SECURITY DEVELOPMENTS INVOLVING THE RUSSIAN FEDERATION.

(a) ADDITIONAL MATTERS.—Subsection (b) of section 1245 of the Carl Levin and Howard P. ''Buck'' McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113–291) is amended—

(1) by redesignating paragraphs (4) through (15) as paragraphs (6) through (17), respectively; and

(2) by inserting after paragraph (3) the following new paragraphs (4) and (5):

''(4) An assessment of the force structure and capabilities of Russian military forces stationed in each of the Arctic, Kaliningrad, and Crimea, including a description of any changes to such force structure or capabilities during the one-year period ending on the date of such report and with a particular emphasis on the anti-access and area denial capabilities of such forces.

''(5) An assessment of Russian military strategy and objectives for the Arctic region.''.

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall take effect on the date of the enactment of this Act, and shall apply with respect to reports submitted under section 1245 of the Carl Levin and Howard P. ''Buck'' McKeon National Defense Authorization Act for Fiscal Year 2015 after that date.

SEC. 1256. REPORT ON ALTERNATIVE CAPABILITIES TO PROCURE AND SUSTAIN NONSTANDARD ROTARY WING AIRCRAFT HISTORICALLY PROCURED THROUGH ROSOBORONEXPORT.

(a) REPORT ON ASSESSMENT OF ALTERNATIVE CAPABILITIES.—Not later than 180 days after the date of the enactment of this Act, the Under Secretary of Defense for Acquisition, Technology, and Logistics shall, in consultation with the Chairman of the Joint Chiefs of Staff, submit to the congressional defense committees a report setting forth an assessment, obtained by the Under Secretary for purposes of the report, of the feasibility and advisability of using alternative industrial base capabilities to procure and sustain, with parts and service, nonstandard rotary wing aircraft historically acquired through Rosoboronexport, or nonstandard rotary wing aircraft that are in whole or in part reliant upon Rosoboronexport for continued sustainment, in order to benefit United States national security interests.

(b) INDEPENDENT ASSESSMENT.—The assessment obtained for purposes of subsection (a) shall be conducted by a federally funded research and development center (FFRDC), or another appropriate independent entity with expertise in the procurement and sustainment of complex weapon systems, selected by the Under Secretary for purposes of the assessment.

(c) ELEMENTS.—The assessment obtained for purposes of subsection (a) shall include the following:

(1) An identification and assessment of international industrial base capabilities, other than Rosoboronexport, to provide one or more of the following:

(A) Means of procuring nonstandard rotary wing aircraft historically procured through Rosoboronexport.

(B) Reliable and timely supply of required and appropriate parts, spares, and consumables of such aircraft.

(C) Certifiable maintenance of such aircraft, including major periodic overhauls, damage repair, and modifications.

(D) Access to required reference data on such aircraft, including technical manuals and service bulletins.

(E) Credible certification of airworthiness of such aircraft through physical inspection, notwithstanding any current administrative requirements to the contrary.

(2) An assessment (including an assessment of associated costs and risks) of alterations to administrative processes of the United States Government that may be required to procure any of the capabilities specified in paragraph (1), including waivers to Department of Defense or Department of State requirements applicable to foreign military sales or alterations to procedures for approval of airworthiness certificates.

(3) An assessment of the potential economic impact to Rosoboronexport of procuring nonstandard rotary wing aircraft described in paragraph (1)(A) through entities other than Rosoboronexport.

(4) An assessment of the risks and benefits of using the entities identified pursuant to paragraph (1)(A) to procure aircraft described in that paragraph.

(5) Such other matters as the Under Secretary considers appropriate.

(d) USE OF PREVIOUS STUDIES.—The entity conducting the assessment for purposes of subsection (a) may use and incorporate information from previous studies on matters appropriate to the assessment.

(e) FORM OF REPORT.—The report under subsection (a) shall be submitted in unclassified form, but may include a classified annex.

Subtitle E—Matters Relating to the Asia-Pacific Region

SEC. 1261. SOUTH CHINA SEA INITIATIVE.

(a) ASSISTANCE AUTHORIZED.—

(1) IN GENERAL.—The Secretary of Defense, with the concurrence of the Secretary of State, is authorized, for the purpose of increasing maritime security and maritime domain awareness of foreign countries along the South China Sea—

(A) to provide assistance to national military or other security forces of such countries that have among their functional responsibilities maritime security missions; and

(B) to provide training to ministry, agency, and headquarters level organizations for such forces.

(2) DESIGNATION OF ASSISTANCE AND TRAINING.—The provision of assistance and training under this section may be referred to as the ''South China Sea Initiative''.

(b) RECIPIENT COUNTRIES.—The foreign countries that may be provided assistance and training under subsection (a) are the following:

(1) Indonesia.
(2) Malaysia,
(3) The Philippines.
(4) Thailand.
(5) Vietnam.

(c) TYPES OF ASSISTANCE AND TRAINING.—

(1) AUTHORIZED ELEMENTS OF ASSISTANCE.—Assistance provided under subsection (a)(1)(A) may include the provision of equipment, supplies, training, and small-scale military construction.

(2) REQUIRED ELEMENTS OF ASSISTANCE AND TRAINING.—Assistance and training provided under subsection (a) shall include elements that promote the following:

(A) Observance of and respect for human rights and fundamental freedoms.

(B) Respect for legitimate civilian authority within the country to which the assistance is provided.

(d) PRIORITIES FOR ASSISTANCE AND TRAINING.—In developing programs for assistance or training to be provided under subsection (a), the Secretary of Defense shall accord a priority to assistance, training, or both that will enhance the maritime capabilities of the recipient foreign country, or a regional organization of which the recipient country is a member, to respond to emerging threats to maritime security.

(e) INCREMENTAL EXPENSES OF PERSONNEL OF CERTAIN OTHER COUNTRIES FOR TRAINING.—

(1) AUTHORITY FOR PAYMENT.—If the Secretary of Defense determines that the payment of incremental expenses in connection with training described in subsection (a)(1)(B) will facilitate the participation in such training of organization personnel of foreign countries specified in paragraph (2), the Secretary may use amounts available under subsection (f) for assistance and training under subsection (a) for the payment of such incremental expenses.

(2) COVERED COUNTRIES.—The foreign countries specified in this paragraph are the following:

(A) Brunei.
(B) Singapore.
(C) Taiwan.

(f) FUNDING.—Funds may be used to provide assistance and training under subsection (a) as follows:

(1) In fiscal year 2016, $50,000,000 from amounts authorized to be appropriated for the Department of Defense for that fiscal year for operation and maintenance, Defense-wide.

(2) In fiscal year 2017, $75,000,000 from amounts authorized to be appropriated for the Department of Defense for that fiscal year for operation and maintenance, Defense-wide.

(3) In each of fiscal years 2018 through 2020, $100,000,000 from amounts authorized to be appropriated for the Department of Defense for such fiscal year for operation and maintenance, Defense-wide.

(g) NOTICE TO CONGRESS ON ASSISTANCE AND TRAINING.—Not later than 15 days before exercising the authority under subsection (a) or (e) with respect to a recipient foreign country, the Secretary of Defense shall submit to the congressional defense committees a notification containing the following:

(1) The recipient foreign country.

(2) A detailed justification of the program for the provision of the assistance or training concerned, and its relationship to United States security interests.

(3) The budget for the program, including a timetable of planned expenditures of funds to implement the program, an implementation timeline for the program with milestones (including anticipated delivery schedules for any assistance under the program), the military department or component responsible for management of the program, and the anticipated completion date for the program.

(4) A description of the arrangements, if any, to support host nation sustainment of any capability developed pursuant to the program, and the source of funds to support sustainment efforts and performance outcomes to be achieved under the program beyond its completion date, if applicable.

(5) A description of the program objectives and an assessment framework to be used to develop capability and performance metrics associated with operational outcomes for the recipient force.

(6) Such other matters as the Secretary considers appropriate.

(h) EXPIRATION.—The authority provided under this section may not be exercised after September 30, 2020.

SEC. 1262. SENSE OF CONGRESS REAFFIRMING THE IMPORTANCE OF IMPLEMENTING THE REBALANCE TO THE ASIA-PACIFIC REGION.

(a) FINDINGS.—Congress makes the following findings:

(1) The United States has a longstanding national interest in maintaining security in the Asia-Pacific region.

(2) The Asia-Pacific region is home to the world's three largest economies, four most populous countries, and five largest militaries. The Asia-Pacific's rapid economic growth and mounting security tensions require a renewed focus from the United States on the region to maintain security, expand prosperity, and support common values.

(3) In 2011, President Barack Obama announced that the United States would rebalance to the Asia-Pacific. Since then, there have been a number of actions taken to strengthen the United States posture and relationships in the region, including the negotiation of the Enhanced Defense Cooperation Agreement with the Philippines, the distributed laydown of the United States Marines Corps in the Pacific, the rotational stationing of the Littoral Combat Ship in Singapore, and a new comprehensive partnership with Vietnam on defense and security.

(4) Leaders in regional states remain concerned about a variety of regional military challenges. These include China's military modernization and its increasingly assertive actions in the East and South China Sea and North Korea's continued belligerence and its pursuit of nuclear and ballistic missile technology. United States allies and partners are looking to the United States to demonstrate its willingness and ability to maintain regional peace and security by fully implementing the rebalance to the Asia-Pacific.

(5) In April 2015, the Commander of the United States Pacific Command Admiral Samuel Locklear warned, ''Our relative superiority I think has declined and continues to decline. . .we rely very heavily on power projection, which means we have to be able to get the forces forward. . .''. Admiral Locklear also noted, ''Any significant force structure moves out of my AOR in the middle of a rebalance would have to be understood and have to be explained because it would counterintuitive to a rebalance to move significant forces in another direction.''

(b) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) in order to maintain the credibility of the United States rebalance, it is vital that the United States continue to shift forces to the Asia-Pacific region to strengthen the ability of the United States Armed Forces to project power to shape the choices of regional states and to deter, and if necessary defend, against hostile military actions;

(2) United States allies and partners in the Asia-Pacific region, as well as potential adversaries, would take note of any withdrawal of forces from the Asia-Pacific theater;

(3) any withdrawal of United States forces from Outside the Continental United States (''OCONUS'') Asia-Pacific region or from United States Pacific Command would therefore seriously undermine the rebalance; and

(4) in order to properly implement United States rebalance policy, United States forces under the operational control of the United States Pacific Command should be increased consistent with commitments already made by the Department of Defense and aligned with the requirement to maintain a balance of military power that favors the United

States and United States allies in the Asia-Pacific region.

SEC. 1263. SENSE OF SENATE ON TAIWAN ASYMMETRIC MILITARY CAPABILITIES AND BILATERAL TRAINING ACTIVITIES.

It is the sense of the Senate that—

(1) the United States, in accordance with the Taiwan Relations Act (Public Law 96–8), should continue to make available to Taiwan such defense articles and services as may be necessary to enable Taiwan to maintain a sufficient self-defense;

(2) the United States should continue to support the efforts of Taiwan to integrate innovative and asymmetric measures to balance the growing military capabilities of the People's Republic of China, including fast-attack craft, coastal-defense cruise missiles, rapid-runway repair systems, offensive mines, and submarines optimized for defense of the Taiwan straits;

(3) the military forces of Taiwan should be permitted to participate in bilateral training activities hosted by the United States that increase credible deterrent capabilities of Taiwan, particularly those that emphasize the defense of Taiwan Island from missile attack, maritime blockade, and amphibious invasion by the People's Republic of China;

(4) toward that goal, Taiwan should be encouraged to participate in exercises that include realistic air-to-air combat training, including the exercise conducted at Eielson Air Force Base, Alaska, and Nellis Air Force Base, Nevada, commonly referred to as ''Red Flag''; and

(5) Taiwan should also be encouraged to participate in advanced bilateral training for its ground forces, Apache attack helicopters, and P–3C surveillance aircraft in island-defense scenarios.

Subtitle F—Reports and Related Matters

SEC. 1271. ITEM IN QUARTERLY REPORTS ON ASSISTANCE TO COUNTER THE ISLAMIC STATE OF IRAQ AND THE LEVANT ON FORCES INELIGIBLE TO RECEIVE ASSISTANCE DUE TO A GROSS VIOLATION OF HUMAN RIGHTS.

(a) ITEM IN REPORTS.—Section 1236(d) of the Carl Levin and Howard P. ''Buck'' McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113–291) is amended by adding at the end the following new paragraph

''(11) A list of the forces or elements of forces restricted from receiving assistance under subsection (a), unless waived pursuant to subsection (j), as a result of vetting required by subsection (e) or section 2249e of title 10, United States Code, and a detailed description of the reasons for such restriction, including for each force or element—

''(A) information relating to gross violation of human rights by such force or element (including the timeframe of the alleged violation);

''(B) the source of the information described in subparagraph (A), and an assessment of the veracity of the information;

''(C) the association of such force or element with terrorist groups or groups associated with the Government of Iran; and

''(D) the amount and type of any assistance provided such force or element by the Government of Iran.''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect on the date of the enactment of this Act, and shall apply with respect to reports submitted pursuant to section 1236(d) of the Carl Levin and Howard P. ''Buck'' McKeon National Defense Authorization Act for Fiscal Year 2015 after that date.

SEC. 1272. REPORT ON BILATERAL AGREEMENT WITH ISRAEL ON JOINT ACTIVITIES TO ESTABLISH AN ANTI-TUNNELING DEFENSE SYSTEM.

(a) REPORT REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall, in consultation with the Secretary of State, submit to the appropriate committees of Congress a report on the feasibility and advisability of the entry by the United States and Israel into a bilateral agreement through which the governments of the two countries carry out research, development, and test activities on a joint basis to establish an anti-tunneling defense system to detect, map, and neutralize underground tunnels into and directed at the territory of Israel.

(b) APPROPRIATE COMMITTEE OF CONGRESS DEFINED.—In this section, the term ''appropriate committees of Congress'' means—

(1) the Committee on Armed Services, the Committee on Foreign Relations, and the Committee on Appropriations of the Senate; and

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

SEC. 1273. SENSE OF SENATE AND REPORT ON QATAR FIGHTER AIRCRAFT CAPABILITY CONTRIBUTION TO REGIONAL SECURITY.

(a) SENSE OF SENATE.—It is the sense of the Senate that—

(1) the United States should consider, in a timely manner, opportunities to enhance the strike capability of fighter aircraft of the Qatar air force that would contribute to Qatar's self-defense and deter Iran's regional ambitions and simultaneously preserve the qualitative military edge of Israel; and

(2) Qatar should be afforded the opportunity through acquisition of appropriate technologies and exercises with the United States Armed Forces and the armed forces of partner nations to develop improved self-defense and counter force aviation capabilities that advanced fighter aircraft would provide.

(b) REPORT REQUIRED.—

(1) IN GENERAL.—Not later than March 31, 2016, the Secretary of Defense, shall, in consultation with the Secretary of State, submit to the congressional defense committees, the Committee on Foreign Relations of the Senate, and the Committee on Foreign Affairs of the House of Representatives a report on the risks and benefits under consideration as they relate to capabilities described in subsection (a).

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

(A) A description of the key assumptions regarding the increase to Qatar air force capabilities as a result of potential pending transfer of technologies and weapons systems.

(B) A description of the key assumptions regarding items described in subparagraph (A) as they impact considerations regarding preservation of Israel's qualitative military edge.

(C) Estimated timelines for final adjudication of decisions to approve such transfers.

(3) FORM.—The report required by paragraph (1) may be submitted in classified or unclassified form.

Subtitle G—Other Matters

SEC. 1281. NATO SPECIAL OPERATIONS HEADQUARTERS.

Section 1244(a) of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84; 123 Stat. 2541), as most recently amended by section 1272(a) of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112–239; 126 Stat. 2023), is further amended by striking ''each of fiscal years 2013, 2014, and 2015'' and inserting ''each of fiscal years 2016, 2017, and 2018''.

SEC. 1282. TWO-YEAR EXTENSION AND MODIFICATION OF AUTHORIZATION FOR NON-CONVENTIONAL ASSISTED RECOVERY CAPABILITIES.

(a) EXTENSION.—Subsection (h) of section 943 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110–417; 122 Stat. 4579), as most recently amended by section 1261(a) of the National Defense Authorization Act for Fiscal Year 2015 (Public Law 113–291), is further amended by striking ''2016'' and inserting ''2018''.

(b) SOURCE OF FUNDS.—Subsection (a) of such section 943, as amended by section 1205(a) of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112–81; 125 Stat. 1623), is further amended by striking ''for 'Operation and Maintenance, Defense-wide' '' and inserting ''for the Department of Defense for operation and maintenance''.

(c) OVERSIGHT.—Subsection (b) of such section 943 is amended—

(1) by striking ''(b) PROCEDURES.—The Secretary'' and inserting the following:

''(b) PROCEDURES AND OVERSIGHT.—

''(1) PROCEDURES.—The Secretary''; and

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

''(2) PROGRAMMATIC AND POLICY OVERSIGHT.—The Assistant Secretary of Defense for Special Operations and Low-Intensity Conflict shall have primary programmatic and policy oversight of non-conventional assisted recovery activities authorized by this section.''.

TITLE XIII—COOPERATIVE THREAT REDUCTION

SEC. 1301. SPECIFICATION OF COOPERATIVE THREAT REDUCTION FUNDS.

(a) FISCAL YEAR 2016 COOPERATIVE THREAT REDUCTION FUNDS DEFINED.—As used in this title, the term ''fiscal year 2016 Cooperative Threat Reduction funds'' means the funds appropriated pursuant to the authorization of appropriations in section 301 and made available by the funding table in section 4301 for the Department of Defense Cooperative Threat Reduction Program established under section 1321 of the Department of Defense Cooperative Threat Reduction Act (50 U.S.C. 3711).

(b) AVAILABILITY OF FUNDS.—Funds appropriated pursuant to the authorization of appropriations in section 301 and made available by the funding table in section 4301 for the Department of Defense Cooperative Threat Reduction Program shall be available for obligation for fiscal years 2016, 2017, and 2018.

SEC. 1302. FUNDING ALLOCATIONS.

Of the $358,496,000 authorized to be appropriated to the Department of Defense for fiscal year 2016 in section 301 and made available by the funding table in section 4301 for the Department of Defense Cooperative Threat Reduction Program established under section 1321 of the Department of Defense Cooperative Threat Reduction Act (50 U.S.C. 3711), the following amounts may be obligated for the purposes specified:

(1) For strategic offensive arms elimination, $1,289,000.

(2) For chemical weapons destruction, $942,000.

(3) For global nuclear security, $20,555,000.

(4) For cooperative biological engagement, $264,608,000.

(5) For proliferation prevention, $38,945,000.
(6) For threat reduction engagement, $2,827,000.
(7) For activities designated as Other Assessments/Administrative Costs, $29,320,000.

TITLE XIV—OTHER AUTHORIZATIONS

Subtitle A—Military Programs

SEC. 1401. WORKING CAPITAL FUNDS.

Funds are hereby authorized to be appropriated for fiscal year 2016 for the use of the Armed Forces and other activities and agencies of the Department of Defense for providing capital for working capital and revolving funds, as specified in the funding table in section 4501.

SEC. 1402. NATIONAL DEFENSE SEALIFT FUND.

Funds are hereby authorized to be appropriated for fiscal year 2016 for the National Defense Sealift Fund, as specified in the funding table in section 4501.

SEC. 1403. CHEMICAL AGENTS AND MUNITIONS DESTRUCTION, DEFENSE.

(a) AUTHORIZATION OF APPROPRIATIONS.—Funds are hereby authorized to be appropriated for the Department of Defense for fiscal year 2016 for expenses, not otherwise provided for, for Chemical Agents and Munitions Destruction, Defense, as specified in the funding table in section 4501.

(b) USE.—Amounts authorized to be appropriated under subsection (a) are authorized for—

(1) the destruction of lethal chemical agents and munitions in accordance with section 1412 of the Department of Defense Authorization Act, 1986 (50 U.S.C. 1521); and

(2) the destruction of chemical warfare materiel of the United States that is not covered by section 1412 of such Act.

SEC. 1404. DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES, DEFENSE-WIDE.

Funds are hereby authorized to be appropriated for the Department of Defense for fiscal year 2016 for expenses, not otherwise provided for, for Drug Interdiction and Counter-Drug Activities, Defense-wide, as specified in the funding table in section 4501.

SEC. 1405. DEFENSE INSPECTOR GENERAL.

Funds are hereby authorized to be appropriated for the Department of Defense for fiscal year 2016 for expenses, not otherwise provided for, for the Office of the Inspector General of the Department of Defense, as specified in the funding table in section 4501.

SEC. 1406. DEFENSE HEALTH PROGRAM.

Funds are hereby authorized to be appropriated for fiscal year 2016 for the Defense Health Program, as specified in the funding table in section 4501, for use of the Armed Forces and other activities and agencies of the Department of Defense in providing for the health of eligible beneficiaries.

Subtitle B—Other Matters

SEC. 1411. AUTHORITY FOR TRANSFER OF FUNDS TO JOINT DEPARTMENT OF DEFENSE-DEPARTMENT OF VETERANS AFFAIRS MEDICAL FACILITY DEMONSTRATION FUND FOR CAPTAIN JAMES A. LOVELL HEALTH CARE CENTER, ILLINOIS.

(a) AUTHORITY FOR TRANSFER OF FUNDS.—Of the funds authorized to be appropriated by section 1406 and available for the Defense Health Program for operation and maintenance, $120,400,000 may be transferred by the Secretary of Defense to the Joint Department of Defense–Department of Veterans Affairs Medical Facility Demonstration Fund established by subsection (a)(1) of section 1704 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84; 123 Stat. 2571). For purposes of subsection (a)(2) of such section 1704, any funds so transferred shall be treated as amounts authorized and appropriated specifically for the purpose of such a transfer.

(b) USE OF TRANSFERRED FUNDS.—For the purposes of subsection (b) of such section 1704, facility operations for which funds transferred under subsection (a) may be used are operations of the Captain James A. Lovell Federal Health Care Center, consisting of the North Chicago Veterans Affairs Medical Center, the Navy Ambulatory Care Center, and supporting facilities designated as a combined Federal medical facility under an operational agreement covered by section 706 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110–417; 122 Stat. 4500).

SEC. 1412. AUTHORIZATION OF APPROPRIATIONS FOR ARMED FORCES RETIREMENT HOME.

There is hereby authorized to be appropriated for fiscal year 2016 from the Armed Forces Retirement Home Trust Fund the sum of $64,300,000 for the operation of the Armed Forces Retirement Home.

SEC. 1413. INSPECTIONS OF THE ARMED FORCES RETIREMENT HOME BY THE INSPECTOR GENERAL OF THE DEPARTMENT OF DEFENSE.

(a) INSPECTIONS.—Subsection (b)(1) of section 1518 of the Armed Forces Retirement Home Act of 1991 (24 U.S.C. 418) is amended by striking ''a comprehensive inspection of all aspects of each facility of the Retirement Home'' and all that follows and inserting ''an inspection of the Retirement Home. The Inspector General shall determine the scope of each such inspection using a risk-based analysis of the operations of the Retirement Home.''.

(b) REPORTS.—Subsection (c)(1) of such section is amended in the second sentence by striking ''Not later than 90 days after completing the inspection of the facility, the Inspector General'' and inserting ''The Inspector General''.

TITLE XV—AUTHORIZATION OF ADDITIONAL APPROPRIATIONS FOR OVERSEAS CONTINGENCY OPERATIONS

Subtitle A—Authorization of Appropriations

SEC. 1501. PURPOSE.

The purpose of this subtitle is to authorize appropriations for the Department of Defense for fiscal year 2016 to provide additional funds for overseas contingency operations being carried out by the Armed Forces.

SEC. 1502. OVERSEAS CONTINGENCY OPERATIONS.

Funds are hereby authorized to be appropriated for fiscal year 2016 for the Department of Defense for overseas contingency operations in such amounts as may be designated as provided in section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

SEC. 1503. PROCUREMENT.

Funds are hereby authorized to be appropriated for fiscal year 2016 for procurement accounts for the Army, the Navy and the Marine Corps, the Air Force, and Defense-wide activities, as specified in the funding table in section 4102.

SEC. 1504. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION.

Funds are hereby authorized to be appropriated for fiscal year 2016 for the use of the Department of Defense for research, development, test, and evaluation, as specified in the funding table in section 4202.

SEC. 1505. OPERATION AND MAINTENANCE.

Funds are hereby authorized to be appropriated for fiscal year 2016 for the use of the Armed Forces and other activities and agencies of the Department of Defense for expenses, not otherwise provided for, for operation and maintenance, as specified in the funding table in section 4302.

SEC. 1506. MILITARY PERSONNEL.

Funds are hereby authorized to be appropriated for fiscal year 2016 for the use of the Armed Forces and other activities and agencies of the Department of Defense for expenses, not otherwise provided for, for military personnel, as specified in the funding table in section 4402.

SEC. 1507. WORKING CAPITAL FUNDS.

Funds are hereby authorized to be appropriated for fiscal year 2016 for the use of the Armed Forces and other activities and agencies of the Department of Defense for providing capital for working capital and revolving funds, as specified in the funding table in section 4502.

SEC. 1508. DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES, DEFENSE-WIDE.

Funds are hereby authorized to be appropriated for the Department of Defense for fiscal year 2016 for expenses, not otherwise provided for, for Drug Interdiction and Counter-Drug Activities, Defense-wide, as specified in the funding table in section 4502.

SEC. 1509. DEFENSE INSPECTOR GENERAL.

Funds are hereby authorized to be appropriated for the Department of Defense for fiscal year 2016 for expenses, not otherwise provided for, for the Office of the Inspector General of the Department of Defense, as specified in the funding table in section 4502.

SEC. 1510. DEFENSE HEALTH PROGRAM.

Funds are hereby authorized to be appropriated for the Department of Defense for fiscal year 2016 for expenses, not otherwise provided for, for the Defense Health Program, as specified in the funding table in section 4502.

SEC. 1511. COUNTERTERRORISM PARTNERSHIPS FUND.

(a) AUTHORIZATION OF APPROPRIATIONS.—Funds are hereby authorized to be appropriated for the Department of Defense for fiscal year 2016 for expenses, not otherwise provided for, for the Counterterrorism Partnerships Fund, as specified in the funding table in section 4502.

(b) DURATION OF AVAILABILITY.—Amounts appropriated pursuant to the authorization of appropriations in subsection (a) shall remain available for obligation through September 30, 2017.

Subtitle B—Financial Matters

SEC. 1521. TREATMENT AS ADDITIONAL AUTHORIZATIONS.

The amounts authorized to be appropriated by this title are in addition to amounts otherwise authorized to be appropriated by this Act.

SEC. 1522. SPECIAL TRANSFER AUTHORITY.

(a) AUTHORITY TO TRANSFER AUTHORIZATIONS.—

(1) AUTHORITY.—Upon determination by the Secretary of Defense that such action is necessary in the national interest, the Secretary may transfer amounts of authorizations made available to the Department of Defense in this title for fiscal year 2016 between any such authorizations for that fiscal year (or any subdivisions thereof). Amounts of authorizations so transferred shall be merged with and be available for the same purposes as the authorization to which transferred.

(2) LIMITATION.—The total amount of authorizations that the Secretary may transfer under the authority of this subsection may not exceed $4,000,000,000.

(b) TERMS AND CONDITIONS.—Transfers under this section shall be subject to the same terms and conditions as transfers under section 1001.

(c) ADDITIONAL AUTHORITY.—The transfer authority provided by this section is in addition to the transfer authority provided under section 1001.

Subtitle C—Limitations, Reports, and Other Matters

SEC. 1531. AFGHANISTAN SECURITY FORCES FUND.

(a) CONTINUATION OF PRIOR AUTHORITIES AND NOTICE AND REPORTING REQUIREMENTS.—Funds available to the Department of Defense for the Afghanistan Security Forces Fund for fiscal year 2016 shall be subject to the conditions contained in subsections (b) through (g) of section 1513 of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–181; 122 Stat. 428), as amended by section 1531(b) of the Ike Skelton National Defense Authorization Act for Fiscal Year 2011 (Public Law 111–383; 124 Stat. 4424).

(b) EXTENSION OF AUTHORITY TO ACCEPT CERTAIN EQUIPMENT.—Section 1532(b)(1) of the Carl Levin and Howard P. ''Buck'' McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113–291) is amended by striking ''this Act'' and inserting ''Acts enacted before the date of the enactment of the National Defense Authorization Act for Fiscal Year 2016.''.

SEC. 1532. JOINT IMPROVISED EXPLOSIVE DEVICE DEFEAT FUND.

(a) USE AND TRANSFER OF FUNDS.—Subsections (b) and (c) of section 1514 of the John Warner National Defense Authorization Act for Fiscal Year 2007 (Public Law 109–364; 120 Stat. 2439), as in effect before the amendments made by section 1503 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110–417; 122 Stat. 4649), shall apply to the funds made available to the Department of Defense for the Joint Improvised Explosive Device Defeat Fund for fiscal year 2016.

(b) EXTENSION OF INTERDICTION OF IMPROVISED EXPLOSIVE DEVICE PRECURSOR CHEMICALS AUTHORITY.—Section 1532(c) of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112–239; 126 Stat. 2057) is amended—

(1) in paragraph (1), by inserting ''and for fiscal year 2016,'' after ''fiscal year 2013,''; and

(2) in paragraph (4), as most recently amended by section 1533(c) of the Carl Levin and Howard P. ''Buck'' McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113–291), by striking ''December 31, 2015'' and inserting ''December 31, 2016''.

(c) LIMITATION ON USE OF FUNDS FOR CERTAIN ASSIGNMENTS OF PERSONNEL.—None of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2016 for the Joint Improvised Explosive Device Defeat Organization may be used for the purposes of the Joint Improvised Explosive Device Defeat Organization assigning personnel or contractors on a permanent or temporary basis, or as a detail, to the combatant commands or associated military components, or the combat support agencies, unless such personnel or contractors are supporting—

(1) Operation Freedom's Sentinel or any successor operation to that operation;

(2) Operation Inherent Resolve or any successor operation to that operation; or

(3) another operation that, as determined by the Secretary of Defense, requires the direct support of the Joint Improvised Explosive Device Defeat Organization.

(d) NOTICE TO CONGRESS.—If after the date of the enactment of this Act the Secretary of Defense makes a determination described in subsection (c)(3) that an operation requires the direct support of the Joint Improvised Explosive Device Defeat Organization, the Secretary shall submit to the congressional defense committees a notice of the determination and the reasons for the determination.

(e) LIMITATION ON IMPLEMENTATION OF JIEDDO AS COMBAT SUPPORT AGENCY.—Relating to the determination by the Deputy Secretary of Defense on March 11, 2015, to make the Joint Improvised Explosive Device Defeat Organization a combat support agency, the Secretary of Defense is prohibited from implementing such determination until 90 days after the date on which the Secretary submits to the congressional defense committees a report setting forth the following

(1) A detailed plan for the disposition of the Organization as a combat support agency, including the enduring requirements and key functions of the Organization, the chain of command for the Organization, and funding for the Organization as such an agency.

(2) A statement of potential alternative means to achieving the objective of designating the Organization as a combat support agency, including the assumption of one or more functions of the Organization by one or more other components or elements of the Department of Defense, and an assessment of the feasibility and advisability of each such alternative.

SEC. 1533. AVAILABILITY OF JOINT IMPROVISED EXPLOSIVE DEVICE DEFEAT FUND FUNDS FOR TRAINING OF FOREIGN SECURITY FORCES TO DEFEAT IMPROVISED EXPLOSIVE DEVICES.

(a) AVAILABILITY OF FUNDS.—Of the amounts authorized to be appropriated for fiscal year 2016 for the Joint Improvised Explosive Device Defeat Fund, up to $30,000,000 may be available to provide training to foreign security forces in defeating improvised explosive devices under authority provided the Department of Defense under any other provision of law.

(b) CONSTRUCTION OF AVAILABILITY OF FUNDS.—The availability of funds under subsection (a) shall not be construed as authority in and of itself for the provision of training as described in that subsection.

(c) GEOGRAPHIC LIMITATION.—Training may be provided using funds available under subsection (a) only—

(1) in locations in which the Department of Defense is conducting a named operation; or

(2) in geographic areas in which the Secretary of Defense has determined that a foreign security force is facing a significant threat from improvised explosive devices.

(d) COORDINATION WITH GEOGRAPHIC COMBATANT COMMANDS.—The Secretary shall, to the extent practicable, coordinate the provision of training using funds available under subsection (a) with requests received from the commanders of the geographic combatant commands.

(e) EXPIRATION.—The authority to use funds described in subsection (a) in accordance with this section shall expire on December 31, 2018.

TITLE XVI—STRATEGIC PROGRAMS, CYBER, AND INTELLIGENCE MATTERS

Subtitle A—Space Activities

SEC. 1601. INTEGRATED POLICY TO DETER ADVERSARIES IN SPACE.

(a) IN GENERAL.—The President shall establish an interagency process to provide for the development of a policy to deter adversaries in space—

(1) with the objectives of—

(A) reducing risks to the United States and allies of the United States in space; and

(B) protecting and preserving the rights, access, capabilities, use, and freedom of action of the United States in space and the right of the United States to respond to an attack in space and, if necessary, deny adversaries the use of space capabilities hostile to the national interests of the United States; and

(2) that integrates the interests and responsibilities of the agencies participating in the process.

(b) REPORT REQUIRED.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the President shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report setting forth the policy developed pursuant to subsection (a).

(2) FUNDING RESTRICTION.—If the President has not submitted the policy developed under subsection (a) and the answers to Enclosure 1, regarding offensive space control policy, of the classified annex to this Act, to the Committees on Armed Services of the Senate and the House of Representatives by the date required by paragraph (1), an amount equal to $10,000,000 of the amount authorized to be appropriated or otherwise made available to the Department of Defense for fiscal year 2016 to provide support services to the Executive Office of the President shall be withheld from obligation or expenditure until the policy and such answers are submitted to such Committees.

(3) FORM OF REPORT.—The report required by paragraph (1) shall be submitted in unclassified form, but may include a classified annex.

SEC. 1602. PRINCIPAL ADVISOR ON SPACE CONTROL.

(a) IN GENERAL.—Chapter 135 of title 10, United States Code is amended by adding at the end the following new section:

''§ 2279a. Principal Advisor on Space Control

''(a) IN GENERAL.—The Secretary of Defense shall designate an individual to serve as the Principal Space Control Advisor, who shall act as the principal advisor to the Secretary on space control activities.

''(b) RESPONSIBILITIES.—The Principal Space Control Advisor shall be responsible for the following:

''(1) Supervision of space control activities related to the development, procurement, and employment of, and strategy relating to, space control capabilities.

''(2) Oversight of policy, resources, personnel, and acquisition and technology relating to space control activities.

''(c) CROSS-FUNCTIONAL TEAM.—The Principal Space Control Advisor shall integrate the space control expertise and perspectives of appropriate organizational entities of the Office of the Secretary of Defense, the Joint Staff, the military departments, the Defense Agencies, and the combatant commands, by establishing and maintaining a full-time, cross-functional team of subject-matter experts from those entities.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 2799 the following new item:

''2279a. Principal Advisor on Space Control.''.

SEC. 1603. EXCEPTION TO THE PROHIBITION ON CONTRACTING WITH RUSSIAN SUPPLIERS OF ROCKET ENGINES FOR THE EVOLVED EXPENDABLE LAUNCH VEHICLE PROGRAM.

Section 1608 of the Carl Levin and Howard P. ''Buck'' McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113–291; 128 Stat. 3626; 10 U.S.C. 2271 note) is amended—

(1) in subsection (a), by striking ''subsections (b) and (c)'' and inserting ''subsections (b), (c), and (d)''; and

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

''(d) SPECIAL RULE FOR PHASE 1A COMPETITIVE OPPORTUNITIES.—

''(1) IN GENERAL.—For not more than 9 competitive opportunities described in paragraph (2), the Secretary of Defense may award a contract—

''(A) requiring the use of a rocket engine designed or manufactured in the Russian Federation that is eligible for a waiver under subsection (b) or an exception under subsection (c); or

''(B) if a rocket engine described in subparagraph (A) is not available, requiring the use of a rocket engine designed or manufactured in the Russian Federation that is not eligible for such a waiver or exception.

''(2) COMPETITIVE OPPORTUNITIES DESCRIBED.—A competitive opportunity described in this paragraph is—

''(A) an opportunity to compete for a contract for the procurement of property or services for space launch activities under the evolved expendable launch vehicle program; and

''(B) one of the 9 Phase 1A competitive opportunities for fiscal years 2015 through 2017, as specified in the budget justification materials submitted to Congress in support of the budget of the President for fiscal year 2016 (as submitted to Congress under section 1105(a) of title 31, United States Code).''.

SEC. 1604. ELIMINATION OF LAUNCH CAPABILITIES CONTRACTS UNDER EVOLVED EXPENDABLE LAUNCH VEHICLE PROGRAM.

(a) IN GENERAL.—Except as provided by subsections (b) and (c), on and after the date of the enactment of this Act, the Secretary of Defense may not award or renew a contract, or maintain a separate contract line item, for the procurement of property or services for space launch capabilities under the evolved expendable launch vehicle program.

(b) WAIVER.—The Secretary of Defense may waive the prohibition under subsection (a) and award or renew a contract or maintain a separate contract line item for the procurement of property or services for space launch capabilities if the Secretary of Defense determines, and reports to the congressional defense committees not later than 30 days before the waiver takes effect, that—

(1) awarding or renewing such a contract or maintaining such a contract line item is necessary for the national security interests of the United States and the contract or contract line item does not support space launch activities using rocket engines designed or manufactured in the Russian Federation; and

(2) failing to award or renew such a contract or maintain such a contract line item will have significant consequences to national security and will result in the significant loss of life or property or economic harm.

(c) EXCEPTION.—

(1) IN GENERAL.—The prohibition under subsection (a) shall not apply to the placement of orders or the exercise of options under the contract numbered FA8811–13–C–0003 and awarded on December 18, 2013.

(2) TERMINATION.—The exception under paragraph (1) shall terminate on September 30, 2019.

(d) SPACE LAUNCH CAPABILITIES DEFINED.—In this section, the term ''space launch capabilities'' includes all work associated with space launch infrastructure maintenance and sustainment, program management, systems engineering, launch site operations, launch site depreciation, and maintenance commodities.

SEC. 1605. ALLOCATION OF FUNDING FOR EVOLVED EXPENDABLE LAUNCH VEHICLE PROGRAM.

(a) IN GENERAL.—The amount requested in the budget of the President submitted to Congress under section 1105(a) of title 31, United States Code, for fiscal year 2017, 2018, or 2019 for the Air Force for the launch of Air Force satellites under the evolved expendable launch vehicle launch capability program shall bear the same ratio to the total amount requested in that budget for that fiscal year for the launch of national security satellites under the evolved expendable launch vehicle launch capability program as the amount requested in that budget for that fiscal year for the procurement of cores for the Air Force for the launch of Air Force satellites under the evolved expendable launch vehicle launch services program bears to the total amount requested in that budget for that fiscal year for the procurement of cores for the launch of national security satellites under the evolved expendable launch vehicle launch services program.

(b) NATIONAL SECURITY SATELLITE DEFINED.—In this section, the term ''national security satellite'' is a satellite launched for national security purposes, including such a satellite launched by the Air Force, the Navy, or the National Reconnaissance Office, or any other element of the Department of Defense.

SEC. 1606. INCLUSION OF PLAN FOR DEVELOPMENT AND FIELDING OF A FULL-UP ENGINE IN ROCKET PROPULSION SYSTEM DEVELOPMENT PROGRAM.

Section 1604(b) of the Carl Levin and Howard P. ''Buck'' McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113–291; 128 Stat. 3623; 10 U.S.C. 2273 note) is amended—

(1) in paragraph (2), by striking ''; and'' and inserting a semicolon;

(2) in paragraph (3), by striking the period and inserting ''; and''; and

(3) by adding at the end the following:

''(4) a plan for the development and fielding of a full-up engine.''.

SEC. 1607. LIMITATIONS ON AVAILABILITY OF FUNDS FOR THE DEFENSE METEOROLOGICAL SATELLITE PROGRAM.

(a) IN GENERAL.—None of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2016 for the Defense Meteorological Satellite program (PE# 0305160F and line number MS0554) or for the launch of Defense Meteorological Satellite program satellite #20 (in this section referred to as ''DMSP20''), and none of the funds authorized to be appropriated or otherwise made available for fiscal year 2015 for that program or the launch of DMSP20 that remain available for obligation as of the date of the enactment of this Act, may be obligated or expended until the Secretary of Defense and the Chairman of the Joint Chiefs of Staff jointly certify to the congressional defense committees that—

(1) relying on civil and international contributions to meet space-based environmental monitoring requirements is insufficient or is a risk to national security and launching DMSP20 will meet those requirements;

(2) launching DMSP20 is the most affordable solution to meeting requirements validated by the Joint Requirements Oversight Council; and

(3) nonmaterial solutions within the Department of Defense, the National Oceanic and Atmospheric Administration, and the National Aeronautics and Space Administration are incapable of meeting the cloud characterization and theater weather requirements validated by the Joint Requirements Oversight Council.

(b) COMPARATIVE COST AND CAPABILITY ASSESSMENT.—If the Secretary and the Chairman determine that a material solution is required to meet the cloud characterization and theater weather requirements validated by the Joint Requirements Oversight Council, the Secretary and the Chairman shall jointly submit to the congressional defense committees a cost and capability assessment that compares the cost of meeting those requirements with DMSP20 and with an alternate material solution that includes electro-optical infrared weather imaging or other comparable solutions.

SEC. 1608. QUARTERLY REPORTS ON GLOBAL POSITIONING SYSTEM III SPACE SEGMENT, GLOBAL POSITIONING SYSTEM OPERATIONAL CONTROL SEGMENT, AND MILITARY GLOBAL POSITIONING SYSTEM USER EQUIPMENT ACQUISITION PROGRAMS.

(a) REPORTS REQUIRED.—Not later than 90 days after the date of the enactment of this Act, and every 90 days thereafter, the Secretary of the Air Force shall submit to the Comptroller General of the United States a report on the Global Positioning System III space segment, the Global Positioning System operational control segment, and the Military Global Positioning System user equipment acquisition programs.

(b) ELEMENTS.—Each report required by subsection (a) shall include, with respect to an acquisition program specified in that subsection, the following:

(1) A statement of the status of the program with respect to cost, schedule, and performance.

(2) A description of any changes to the requirements of the program.

(3) A description of any technical risks impacting the cost, schedule, and performance of the program.

(4) An assessment of how such risks are to be addressed and the costs associated with such risks.

(5) An assessment of the extent to which the segments of the program are synchronized.

(c) BRIEFINGS BY COMPTROLLER GENERAL.—The Comptroller General shall provide to the congressional defense committees a briefing on a report submitted under subsection (a)—

(1) in the case of the first such report, not later than 30 days after receiving that report; and

(2) as the Comptroller General considers appropriate thereafter.

(d) TERMINATION.—The requirement under subsection (a) shall terminate with respect to an acquisition program specified in that subsection on the date on which that program reaches full operational capability.

SEC. 1609. PLAN FOR CONSOLIDATION OF ACQUISITION OF COMMERCIAL SATELLITE COMMUNICATIONS SERVICES.

(a) IN GENERAL.—Not later than January 31, 2016, the Department of Defense Executive Agent for Space shall submit to the congressional defense committees a plan for the

consolidation, during the three-year period beginning on the date on which the plan is submitted, of the acquisition of commercial satellite communications services from across the Department of Defense into a program office in the Space and Missile Systems Center of the Air Force.

(b) REQUIREMENTS.—

(1) IN GENERAL.—The plan required by subsection (a) shall include—

(A) an assessment of the management and overhead costs relating to the acquisition of commercial satellite communications services across the Department of Defense; and

(B) an estimate of—

(i) the costs of implementing the consolidation of the acquisition of such services described in subsection (a); and

(ii) the projected savings of the consolidation.

(2) VALIDATION BY DIRECTOR OF COST ASSESSMENT AND PROGRAM EVALUATION.—The assessment required by paragraph (1)(A) and the estimates required by paragraph (1)(B) shall be validated by the Director of Cost Assessment and Program Evaluation.

SEC. 1610. COUNCIL ON OVERSIGHT OF THE DEPARTMENT OF DEFENSE POSITIONING, NAVIGATION, AND TIMING ENTERPRISE.

(a) IN GENERAL.—Chapter 135 of title 10, United States Code, as amended by section 1602, is further amended by adding at the end the following new section:

''§ 2279b. Council on Oversight of the Department of Defense Positioning, Navigation, and Timing Enterprise

''(a) ESTABLISHMENT.—There is within the Department of Defense a council to be known as the 'Council on Oversight of the Department of Defense Positioning, Navigation, and Timing Enterprise' (in this section referred to as the 'Council').

''(b) MEMBERSHIP.—The members of the Council shall be as follows:

''(1) The Under Secretary of Defense for Policy.

''(2) The Under Secretary of Defense for Acquisition, Technology, and Logistics.

''(3) The Vice Chairman of the Joint Chiefs of Staff.

''(4) The Commander of the United States Strategic Command.

''(5) The Commander of the United States Northern Command.

''(6) The Commander of United States Cyber Command.

''(7) The Director of the National Security Agency.

''(8) The Chief Information Officer of the Department of Defense.

''(9) Such other officers of the Department of Defense as the Secretary may designate.

''(c) CO-CHAIR.—The Council shall be co-chaired by the Under Secretary of Defense for Acquisition, Technology, and Logistics and the Vice Chairman of the Joint Chiefs of Staff.

''(d) RESPONSIBILITIES.—(1) The Council shall be responsible for oversight of the Department of Defense positioning, navigation, and timing enterprise, including positioning, navigation, and timing services provided to civil, commercial, scientific, and international users.

''(2) In carrying out the responsibility for oversight of the Department of Defense positioning, navigation, and timing enterprise as specified in paragraph (1), the Council shall be responsible for the following:

''(A) Oversight of performance assessments (including interoperability).

''(B) Vulnerability identification and mitigation.

''(C) Architecture development.

''(D) Resource prioritization.

''(E) Such other responsibilities as the Secretary of Defense shall specify for purposes of this section.

''(e) ANNUAL REPORTS.—At the same time each year that the budget of the President is submitted to Congress under section 1105(a) of title 31, the Council shall submit to the congressional defense committees a report on the activities of the Council. Each report shall include the following:

''(1) A description and assessment of the activities of the Council during the previous fiscal year.

''(2) A description of the activities proposed to be undertaken by the Council during the period covered by the current future-years defense program under section 221 of this title.

''(3) Any changes to the requirements of the Department of Defense positioning, navigation, and timing enterprise made during the previous year, along with an explanation for why the changes were made and a description of the effects of the changes to the capability of such enterprise.

''(4) A breakdown of each program element in such budget that relates to the Department of Defense positioning, navigation, and timing enterprise, including how such program element relates to the operation and sustainment, research and development, procurement, or other activity of such enterprise.

''(f) BUDGET AND FUNDING MATTERS.—(1) Not later than 30 days after the President submits to Congress the budget for a fiscal year under section 1105(a) of title 31, the Commander of the United States Strategic Command shall submit to the Chairman of the Joint Chiefs of Staff an assessment of—

''(A) whether such budget allows the Federal Government to meet the required capabilities of the Department of Defense positioning, navigation, and timing enterprise during the fiscal year covered by the budget and the four subsequent fiscal years; and

''(B) if the Commander determines that such budget does not allow the Federal Government to meet such required capabilities, a description of the steps being taken to meet such required capabilities.

''(2) Not later than 30 days after the date on which the Chairman of the Joint Chiefs of Staff receives the assessment of the Commander of the United States Strategic Command under paragraph (1), the Chairman shall submit to the congressional defense committees—

''(A) such assessment as it was submitted to the Chairman; and

''(B) any comments of the Chairman.

''(3) If a House of Congress adopts a bill authorizing or appropriating funds for the activities of the Department of Defense positioning, navigation, and timing enterprise that, as determined by the Council, provides insufficient funds for such activities for the period covered by such bill, the Council shall notify the congressional defense committees of the determination.

''(g) NOTIFICATION OF ANOMALIES.—(1) The Secretary of Defense shall submit to the congressional defense committees written notification of an anomaly in the Department of Defense positioning, navigation, and timing enterprise that is reported to the Secretary or the Council by not later than 14 days after the date on which the Secretary or the Council learns of such anomaly, as the case may be.

''(2) In this subsection, the term 'anomaly' means any unplanned, irregular, or abnormal event, whether unexplained or caused intentionally or unintentionally by a person or a system.

''(h) TERMINATION.—The Council shall terminate on the date that is 10 years after the date of the enactment of the National Defense Authorization Act for Fiscal Year 2016.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter, as amended by section 1602, is further amended by inserting after the item relating to section 2799a the following new item:

''2279b. Council on Oversight of the Department of Defense Positioning, Navigation, and Timing Enterprise.''.

SEC. 1611. ANALYSIS OF ALTERNATIVES FOR WIDE-BAND COMMUNICATIONS.

(a) IN GENERAL.—The Secretary of Defense shall conduct an analysis of alternatives for a follow-on wide-band communications system to the Wideband Global SATCOM System that includes space, air, and ground layer communications capabilities of the Department of Defense.

(b) REPORT REQUIRED.—Not later than March 31, 2017, the Secretary shall submit to the congressional defense committees a report on the analysis conducted under subsection (a).

SEC. 1612. EXPANSION OF GOALS FOR PILOT PROGRAM FOR ACQUISITION OF COMMERCIAL SATELLITE COMMUNICATION SERVICES.

Section 1605(b) of the Carl Levin and Howard P. ''Buck'' McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113–291; 128 Stat. 3623; 10 U.S.C. 2208 note) is amended—

(1) in paragraph (3), by striking ''; and'' and inserting a semicolon;

(2) in paragraph (4), by striking the period at the end and inserting ''; and''; and

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

''(5) demonstrates the potential to achieve order-of-magnitude improvements in satellite communications capability.''.

SEC. 1613. STREAMLINE COMMERCIAL SPACE LAUNCH ACTIVITIES.

(a) SENSE OF CONGRESS.—It is the sense of Congress that eliminating duplicative requirements and approvals for commercial launch and reentry operations will promote and encourage the development of the commercial space sector.

(b) REAFFIRMATION OF POLICY.—Congress reaffirms that the Secretary of Transportation, in overseeing and coordinating commercial launch and reentry operations, should—

(1) promote commercial space launches and reentries by the private sector;

(2) facilitate Government, State, and private sector involvement in enhancing United States launch sites and facilities;

(3) protect public health and safety, safety of property, national security interests, and foreign policy interests of the United States; and

(4) consult with the head of another executive agency, including the Secretary of Defense or the Administrator of the National Aeronautics and Space Administration, as necessary to provide consistent application of licensing requirements under chapter 509 of title 51, United States Code.

(c) REQUIREMENTS.—

(1) IN GENERAL.—The Secretary of Transportation under section 50918 of title 51, United States Code, and subject to section 50905(b)(2)(C) of that title, shall consult with the Secretary of Defense, the Administrator

of the National Aeronautics and Space Administration, and the heads of other executive agencies, as appropriate—

(A) to identify all requirements that are imposed to protect the public health and safety, safety of property, national security interests, and foreign policy interests of the United States relevant to any commercial launch of a launch vehicle or commercial reentry of a reentry vehicle; and

(B) to evaluate the requirements identified in subparagraph (A) and, in coordination with the licensee or transferee and the heads of the relevant executive agencies—

(i) determine whether the satisfaction of a requirement of one agency could result in the satisfaction of a requirement of another agency; and

(ii) resolve any inconsistencies and remove any outmoded or duplicative requirements or approvals of the Federal Government relevant to any commercial launch of a launch vehicle or commercial reentry of a reentry vehicle.

(2) REPORTS.—Not later than 180 days after the date of enactment of this Act, and annually thereafter until the Secretary of Transportation determines no outmoded or duplicative requirements or approvals of the Federal Government exist, the Secretary of Transportation, in consultation with the Secretary of Defense, the Administrator of the National Aeronautics and Space Administration, the commercial space sector, and the heads of other executive agencies, as appropriate, shall submit to the Committee on Commerce, Science, and Transportation of the Senate, the Committee on Science, Space, and Technology of the House of Representatives, and the congressional defense committees a report that includes the following:

(A) A description of the process for the application for and approval of a permit or license under chapter 509 of title 51, United States Code, for the commercial launch of a launch vehicle or commercial reentry of a reentry vehicle, including the identification of—

(i) any unique requirements for operating on a United States Government launch site, reentry site, or launch property; and

(ii) any inconsistent, outmoded, or duplicative requirements or approvals.

(B) A description of current efforts, if any, to coordinate and work across executive agencies to define interagency processes and procedures for sharing information, avoiding duplication of effort, and resolving common agency requirements.

(C) Recommendations for legislation that may further—

(i) streamline requirements in order to improve efficiency, reduce unnecessary costs, resolve inconsistencies, remove duplication, and minimize unwarranted constraints; and

(ii) consolidate or modify requirements across affected agencies into a single application set that satisfies the requirements identified in paragraph (1)(A).

(3) DEFINITIONS.—For purposes of this subsection—

(A) any applicable definitions set forth in section 50902 of title 51, United States Code, shall apply;

(B) the terms ''launch'', ''reenter'', and ''reentry'' include landing of a launch vehicle or reentry vehicle; and

(C) the terms ''United States Government launch site'' and ''United States Government reentry site'' include any necessary facility, at that location, that is commercially operated on United States Government property.

Subtitle B—Cyber Warfare, Cyber Security, and Related Matters

SEC. 1621. AUTHORIZATION OF MILITARY CYBER OPERATIONS.

(a) IN GENERAL.—Chapter 3 of title 10, United States Code, is amended by adding at the end the following new section:

''§ 130g. Authorities concerning military cyber operations

''The Secretary of Defense shall develop, prepare, coordinate, and, when authorized by the President to do so, conduct a military cyber operation in response to malicious cyber activity carried out against the United States or a United States person by a foreign power (as defined in section 101 of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1801)).''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 3 of such title is amended by adding at the end the following new item:

''130g. Authorities concerning military cyber operations.''.

SEC. 1622. DESIGNATION OF DEPARTMENT OF DEFENSE ENTITY RESPONSIBLE FOR ACQUISITION OF CRITICAL CYBER CAPABILITIES.

(a) DESIGNATION.—

(1) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall, for each critical cyber capability described in paragraph (2), designate an entity of the Department of Defense to be responsible for the acquisition of the critical cyber capability.

(2) CRITICAL CYBER CAPABILITIES DESCRIBED.—The critical cyber capabilities described in this paragraph are all of the cyber capabilities that the Secretary considers critical to the mission of the Department of Defense, including the following:

(A) The Unified Platform.

(B) A persistent cyber training environment.

(C) A cyber situational awareness and battle management system.

(b) REPORT.—

(1) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Secretary shall submit to the congressional defense committees a report on the designations made under subsection (a).

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

(A) Identification of each designation made under subsection (a).

(B) Estimates of the funding requirements and acquisition timelines for each critical cyber capability for which a designation was made under subsection (a).

(C) An explanation of whether critical cyber capabilities could be acquired more quickly with changes to acquisition authorities.

(D) Such recommendations as the Secretary may have for legislation or administrative action to improve the acquisition of, or acquire more quickly, the critical cyber capabilities for which designations are made under subsection (a).

SEC. 1623. INCENTIVE FOR SUBMITTAL TO CONGRESS BY PRESIDENT OF INTEGRATED POLICY TO DETER ADVERSARIES IN CYBERSPACE.

Until the President submits to the congressional defense committees the report required by section 941 of the National Defense Authorization Act for Fiscal Year 2014 (127 Stat. 837; Public Law 113–66), $10,000,000 of the unobligated balance of the amounts appropriated or otherwise made available to the Department of Defense to provide support services to the Executive Office of the President may not be obligated or expended.

SEC. 1624. AUTHORIZATION FOR PROCUREMENT OF RELOCATABLE SENSITIVE COMPARTMENTED INFORMATION FACILITY.

Of the unobligated amounts appropriated or otherwise made available in fiscal years 2014 and 2015 for procurement for the Army, $10,600,000 may be used for the procurement of a relocatable Sensitive Compartmented Information Facility for the Cyber Center of Excellence at Fort Gordon, Georgia, as described in the reprogramming action prior approval request submitted by the Under Secretary of Defense (Comptroller) to Congress on February 6, 2015.

SEC. 1625. EVALUATION OF CYBER VULNERABILITIES OF MAJOR WEAPON SYSTEMS OF THE DEPARTMENT OF DEFENSE.

(a) EVALUATION REQUIRED.—

(1) IN GENERAL.—The Secretary of Defense shall complete an evaluation of the cyber vulnerabilities of each major weapon system of the Department of Defense by not later than December 31, 2019.

(2) EXCEPTION.—The Secretary may waive the requirement of paragraph (1) with respect to a weapon system or complete the evaluation of a weapon system required by such paragraph after the date specified in such paragraph if the Secretary certifies to the congressional defense committees before that date that all known cyber vulnerabilities in the weapon system have minimal consequences for the capability of the weapon system to meet operational requirements or otherwise satisfy mission requirements.

(b) PLAN FOR EVALUATION.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall submit to the congressional defense committees the plan of the Secretary for the evaluations of major weapon systems required by subsection (a), including an identification of each of the weapon systems to be evaluated and an estimate of the funding required to conduct the evaluations.

(2) PRIORITY IN EVALUATIONS.—The plan under paragraph (1) shall accord a priority among evaluations based on the criticality of major weapon systems, as determined by the Chairman of the Joint Chiefs of Staff based on an assessment of employment of forces and threats.

(3) INTEGRATION WITH OTHER EFFORTS.—The plan under paragraph (1) shall build upon existing efforts regarding the identification and mitigation of cyber vulnerabilities of major weapon systems, and shall not duplicate similar ongoing efforts such as ''Task Force Cyber Awakening'' of the Navy or ''Task Force Cyber Secure'' of the Air Force.

(c) STATUS ON PROGRESS.—On a regular basis, the Secretary shall inform the congressional defense committees of the activities undertaken in the evaluation of major weapon systems under this section.

(d) RISK MITIGATION STRATEGIES.—As part of the evaluation of cyber vulnerabilities of major weapon systems of the Department under this section, the Secretary shall develop strategies for mitigating the risks of cyber vulnerabilities identified in the course of such evaluations.

(e) AUTHORIZATION OF APPROPRIATIONS.—Of amounts appropriated or otherwise made available under section 201, $200,000,000 shall be available to the Secretary to conduct the evaluations required by subsection (a)(1).

SEC. 1626. ASSESSMENT OF CAPABILITIES OF UNITED STATES CYBER COMMAND TO DEFEND THE UNITED STATES FROM CYBER ATTACKS.

(a) INDEPENDENT ASSESSMENT.—

(1) IN GENERAL.—The Principal Cyber Advisor, with the assistance of the Under Secretary of Defense for Acquisition, Technology, and Logistics, shall sponsor an independent panel to assess the ability of the National Mission Forces of the United States Cyber Command to reliably prevent or block large-scale attacks on the United States by foreign powers with capabilities comparable to the capabilities of China, Iran, North Korea, and Russia expected in the years 2020 and 2025.

(2) INDEPENDENT EXPERTS.—The panel sponsored under paragraph (1) shall include—

(A) independent experts in cyber warfare technology, intelligence, and operations; and

(B) independent experts in non-cyber military operations.

(b) WAR GAMES.—The Chairman of the Joint Chiefs of Staff, in consultation with the Principal Cyber Advisor, shall conduct a series of war games through the Warfighting Analysis Division of the Force Structure, Resources, and Assessment Directorate to assess the strategy, assumptions, and capabilities of the United States Cyber Command to prevent large-scale cyber attacks by foreign powers with capabilities described in subsection (a)(1) from reaching United States targets.

(c) FINDINGS.—Not later than one year after the date of the enactment of this Act—

(1) the Principal Cyber Advisor shall convey to the congressional defense committees the findings of the Principal Cyber Advisor with respect to the assessment conducted by the panel sponsored under subsection (a)(1); and

(2) the Chairman of the Joint Chiefs of Staff shall convey to the congressional defense committees the findings of the Chairman with respect to the war games conducted under subsection (b)(1).

(d) FOREIGN POWER DEFINED.—In this section, the term ''foreign power'' has the meaning given the term in section 101 of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1801).

SEC. 1627. BIENNIAL EXERCISES ON RESPONDING TO CYBER ATTACKS AGAINST CRITICAL INFRASTRUCTURE.

(a) BIENNIAL EXERCISES REQUIRED.—Not less frequently than once every two years until the date that is six years after the date of the enactment of this Act, the Secretary of Defense shall, in coordination with the Secretary of Homeland Security, the Director of National Intelligence, the Director of the Federal Bureau of Investigation, and the heads of the critical infrastructure sector-specific agencies designated under Presidential Policy Directive–21 (entitled ''Critical Infrastructure Security Resilience'' and dated February 12, 2013) and in consultation with governors of the States and the owners and operators of critical infrastructure, organize and execute one or more exercises based on scenarios in which—

(1) critical infrastructure of the United States is attacked through cyberspace; and

(2) the President directs the Secretary to—

(A) defend the United States; and

(B) provide support to civil authorities in responding to and recovering from cyber attacks.

(b) PURPOSES.—The purposes of the exercises required by subsection (a) are as follows:

(1) To improve cooperation and coordination between various parts of the Government and industry so that the Government and industry can more effectively and efficiently respond to cyber attacks.

(2) To exercise command and control, coordination, communications, and information sharing capabilities under the stressing conditions of an ongoing cyber attack.

(3) To identify gaps and problems that require new enhanced training, capabilities, procedures, or authorities.

(4) To identify—

(A) interdependencies;

(B) strengths that should be leveraged; and

(C) weaknesses that need to be mitigated.

(c) REQUIREMENT FOR VARIATION OF ASSUMPTIONS AND CONDITIONS.—In conducting the exercises required by subsection (a), the Secretary shall ensure that there is an appropriate degree of variation from exercise to exercise of the following:

(1) The size, scope, duration, and sophistication of the cyber attacks.

(2) The degree of warning and knowledge that is available to the Department of Defense about the attack and the means used in the attack and the degree of delegation of authority from the President to react, including with pre-planned responses.

(3) The effectiveness of the National Mission Force of the United States Cyber Command in preempting and defeating the attack.

(4) The effectiveness of the attacks on critical infrastructure in general and particularly in specific industry sectors.

(5) The effectiveness of resilience and recovery mechanisms.

(d) COST SHARING AGREEMENTS.—The Secretary shall coordinate with those with whom the Secretary is required to coordinate under subsection (a) to develop equitable cost sharing agreements to defray the expenses of the exercises required by subsection (a).

Subtitle C—Nuclear Forces

SEC. 1631. DESIGNATION OF AIR FORCE OFFICIALS TO BE RESPONSIBLE FOR POLICY ON AND PROCUREMENT OF NUCLEAR COMMAND, CONTROL, AND COMMUNICATIONS SYSTEMS.

(a) DESIGNATION OF OFFICIALS.—

(1) IN GENERAL.—Chapter 24 of title 10, United States Code, is amended by adding at the end the following new section:

''§ 499. Designation of Air Force officials to be responsible for policy on and procurement of nuclear command, control, and communications systems

''(a) PROCUREMENT.—The Secretary of the Air Force shall designate a senior acquisition official of the Air Force to be responsible for ensuring the procurement and integration of the nuclear command, control, and communication systems of the Air Force.

''(b) POLICY.—The Secretary shall designate an official of the Air Force to be responsible for—

''(1) formulating an integrated policy for the nuclear command, control, and communications systems of the Air Force that includes long-term requirements to satisfy the requirements of the Department of Defense for nuclear command, control, and communications; and

''(2) ensuring that such policy is integrated across all Air Force systems using nuclear command, control, and communications systems.''.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 24 of title 10, United States Code, is amended by inserting after the item relating to section 498 the following new item:

''499. Designation of Air Force officials to be responsible for policy on and procurement of nuclear command, control, and communications systems.''.

(b) DEADLINE.—The Secretary of the Air Force shall—

(1) designate the officials required by section 499 of title 10, United States Code, as added by subsection (a)(1), not later than 90 days after the date of the enactment of this Act; and

(2) promptly notify the congressional defense committees of such designation.

SEC. 1632. COMPTROLLER GENERAL OF THE UNITED STATES REVIEW OF RECOMMENDATIONS RELATING TO THE NUCLEAR SECURITY ENTERPRISE.

(a) IN GENERAL.—The Comptroller General of the United States shall, in each of fiscal years 2016 through 2021, conduct a review of the process of the Department of Defense for addressing the recommendations of the Department of Defense Internal Nuclear Enterprise Review, the Independent Review of the Department of Defense Nuclear Enterprise, and the Nuclear Deterrence Enterprise Review Group, that are evaluated by the Office of Cost Assessment and Program Evaluation of the Department of Defense.

(b) BRIEFING AND REPORT.—After conducting each review under subsection (a), the Comptroller General shall—

(1) provide to the congressional defense committees an initial briefing on the review; and

(2) after providing the briefing under paragraph (1), submit to those committees a written report on the review and such other topics as the committees request during the briefing.

SEC. 1633. ASSESSMENT OF GLOBAL NUCLEAR ENVIRONMENT.

(a) FINDINGS.—Congress makes the following findings:

(1) Nuclear competition among countries has become both different and in some ways more complex than was the case during the Cold War.

(2) During the 25 years preceding the date of the enactment of this Act, additional countries have obtained nuclear weapons. North Korea is a nuclear-armed country and Iran aspires to acquire a nuclear weapons capability.

(3) A regional nuclear competition has emerged in South Asia between India and Pakistan. Another such competition may emerge in the Middle East between Iran and Israel, triggering a nuclear proliferation cascade across the Middle East, involving Saudi Arabia, Turkey, and perhaps other countries as well.

(4) The proliferation of nuclear weapons to countries the cultures of which are quite different from that of the United States raises concerns regarding how leaders in those countries calculate cost, benefit, and risk with respect to decisions regarding the use of nuclear weapons.

(b) ASSESSMENT REQUIRED.—The Director of Net Assessment of the Department of Defense shall, in coordination with the Commander of the United States Strategic Command, conduct an assessment of the global environment with respect to nuclear weapons and the role of United States nuclear forces, policy, and strategy in that environment.

(c) OBJECTIVES.—The objectives of the assessment required by subsection (b) are to inform the long-term planning of the Department of Defense and policies relating to regional nuclear crises and operations that may involve the escalation of nuclear competition among countries.

(d) REQUIREMENTS.—

(1) IN GENERAL.—In conducting the assessment required by subsection (b), the Director

shall develop and analyze a range of contingencies and scenarios, including crises that may emerge from nuclear competition during the 10-year period beginning on the date of the enactment of this Act that involve the following:

(A) The United States and one other country that possesses a nuclear weapon.

(B) The United States and multiple such countries.

(C) Two other such countries.

(D) Three or more other such countries.

(E) Regional and cross-regional geography, including contingencies and scenarios in Europe, the Middle East, South Asia, and East Asia, and contingencies and scenarios that transcend regions.

(F) The long-term geopolitical and military-technical competition as it relates to nuclear weapons and strategic warfare.

(2) ANALYSIS OF COMPETITIVE DISCONTINUITIES.—In analyzing the long-term geopolitical and military-technical competition as it relates to nuclear weapons and strategic warfare under paragraph (1)(F), the Director shall identify—

(A) prospective discontinuities in that competition; and

(B) strategies and capabilities the United States could adopt to improve its competitive position following such discontinuities.

(e) STAFFING.—In conducting the assessment required by subsection (b), the Director shall engage the best talent available, with particular emphasis on engaging individuals and independent entities with demonstrated expertise in strategy and net assessment methodology.

(f) REPORT REQUIRED.—Not later than November 15, 2016, the Director shall submit to the congressional defense committees a report on the assessment required by subsection (b).

SEC. 1634. DEADLINE FOR MILESTONE A DECISION ON LONG-RANGE STANDOFF WEAPON.

Not later than May 31, 2016, the Secretary of Defense shall make a Milestone A decision on the long-range standoff weapon.

SEC. 1635. AVAILABILITY OF AIR FORCE PROCUREMENT FUNDS FOR CERTAIN COMMERCIAL OFF-THE-SHELF PARTS FOR INTERCONTINENTAL BALLISTIC MISSILE FUZES.

(a) AVAILABILITY OF PROCUREMENT FUNDS.—Notwithstanding section 1502(a) of title 31, United States Code, of the amount authorized to be appropriated for fiscal year 2016 by section 101 and available for Missile Procurement, Air Force, as specified in the funding table in section 4101, $13,700,000 shall be available for the procurement of covered parts pursuant to contracts entered into under section 1645 of the Carl Levin and Howard P. ''Buck'' McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113–291; 128 Stat. 3651).

(b) COVERED PARTS DEFINED.—In this section, the term ''covered parts'' has the meaning given that term in section 1645(c) of such Act.

SEC. 1636. SENSE OF CONGRESS ON POLICY ON THE NUCLEAR TRIAD.

(a) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) the triad of strategic nuclear delivery systems plays a critical role in ensuring the national security of the United States; and

(2) retaining all three legs of the nuclear triad is among the highest priorities of the Department of Defense and will best maintain strategic stability at a reasonable cost, while hedging against potential technical problems and vulnerabilities.

(b) STATEMENT OF POLICY.—It is the policy of the United States—

(1) to operate, sustain, and modernize or replace the triad of strategic nuclear delivery systems consisting of—

(A) heavy bombers equipped with nuclear gravity bombs and air-launched nuclear cruise missiles;

(B) land-based intercontinental ballistic missiles equipped with nuclear warheads that are capable of carrying multiple independently targetable reentry vehicles; and

(C) ballistic missile submarines equipped with submarine launched ballistic missiles and multiple nuclear warheads;

(2) to operate, sustain, and modernize or replace a capability to forward-deploy nuclear weapons and dual-capable fighter-bomber aircraft;

(3) to deter potential adversaries and assure allies and partners of the United States through strong and long-term commitment to the nuclear deterrent of the United States and the personnel, systems, and infrastructure that comprise such deterrent;

(4) to ensure that the members of the Armed Forces who operate the nuclear deterrent of the United States have the training, resources, and national support required to execute the critical national security mission of the members; and

(5) to achieve a modern and responsive nuclear infrastructure to support the full spectrum of deterrence requirements.

Subtitle D—Missile Defense Programs

SEC. 1641. PLAN FOR EXPEDITING DEPLOYMENT TIME OF CONTINENTAL UNITED STATES INTERCEPTOR SITE.

(a) IN GENERAL.—Not later than 30 days after the date on which the Secretary of Defense completes preparation of an environmental impact statement pursuant to section 227(b) of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112–239), the Secretary of Defense shall—

(1) develop a plan for expediting the deployment time for a potential future continental United States interceptor site by at least two years, in the case that the President decides to proceed with such deployment; and

(2) submit to the congressional defense committees a report on such plan.

(b) REPORT ELEMENTS.—The report submitted under subsection (a)(2) shall include the following:

(1) A description of the plan, including estimates of the cost of carrying out the plan and a schedule for carrying out the plan.

(2) A description of such legislative or administrative action as may be necessary to carry out the plan.

(3) An assessment of the risks associated with decreasing the deployment time, including with respect to cost and the operational effectiveness and reliability of interceptors.

(4) Identification of any deviation in the plan from robust acquisition processes, including with respect to testing prior to full operational capability designation.

(c) ASSESSMENT BY COMPTROLLER GENERAL OF THE UNITED STATES.—

(1) IN GENERAL.—Not later than 90 days after the date on which the Secretary submits a report under subsection (a)(2), the Comptroller General shall—

(A) complete a review of the report submitted under subsection (a)(2); and

(B) submit to the congressional defense committees a report on the review conducted pursuant to subparagraph (A).

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

(A) The findings of the Comptroller General with respect to the review conducted pursuant to paragraph (1)(A); and

(B) such recommendations as the Comptroller General may have for legislative or administrative action.

SEC. 1642. ADDITIONAL MISSILE DEFENSE SENSOR COVERAGE FOR THE PROTECTION OF THE UNITED STATES HOMELAND.

(a) FINDINGS.—Congress makes the following findings:

(1) According to the Director of the Missile Defense Agency, there are two fundamental means for improving homeland missile defense capability and capacity, ''one, is the reliability of the interceptor, and two, is the discrimination capability of the system''.

(2) The Department of Defense will deploy a new midcourse tracking radar to provide persistent coverage and improve discrimination capabilities against threats to the United States homeland from the Pacific region.

(3) According to the Director of the Missile Defense Agency, a long-range discrimination radar will provide larger hit assessment coverage thereby enabling improved warfighting capabilities to manage ground-based interceptor (GBI) inventory and improve the capacity of the ballistic missile defense system.

(4) According to the Principal Deputy Under Secretary of Defense for Policy, ''while Iran has not yet deployed an intercontinental ballistic missile, its progress on space launch vehicles—along with its desire to deter the United States and its allies—provides Tehran with the means and motivation to develop longer-range missiles, including an ICBM. Iran publically stated that it intends to launch a space-launch vehicle as early as this year capable of intercontinental ranges, if configured as such''.

(b) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) the currently deployed ground-based midcourse defense system protects the entire United States homeland, including the East Coast, against the threat of limited ballistic missile attack from North Korea and Iran; and

(2) additional missile defense sensor discrimination capabilities are needed to enhance the protection of the United States homeland against potential long-range ballistic missiles from Iran that, according to the Department of Defense, could soon be obtained by Iran as a result of its active space launch program.

(c) DEPLOYMENT OF ADDITIONAL COVERAGE.—The Director of the Missile Defense Agency shall, in cooperation with the relevant combatant command, deploy by not later than December 31, 2020, a long-range discrimination radar or other appropriate tracking and discrimination sensor capabilities in a location optimized to support the defense of the homeland of the United States from emerging long-range ballistic missile threats from Iran.

SEC. 1643. AIR DEFENSE CAPABILITY AT NORTH ATLANTIC TREATY ORGANIZATION MISSILE DEFENSE SITES.

(a) SENSE OF CONGRESS.—It is the sense of Congress that the Secretary of Defense, in consultation with the relevant combatant command, should ensure that arrangements are in place, including support from other members of the North Atlantic Treaty Organization (NATO), to provide anti-air defense capability at all missile defense sites of the North Atlantic Treaty Organization in support of phases 2 and 3 of the European Phased Adaptive Approach.

(b) REPORTS.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall submit to the congressional defense committees a report describing—

(1) the plan to provide anti-air defense capability as described in subsection (a); and

(2) the contributions being made by the North Atlantic Treaty Organization and members of such organization to support the provision of the capability described in such subsection.

SEC. 1644. AVAILABILITY OF FUNDS FOR IRON DOME SHORT-RANGE ROCKET DEFENSE SYSTEM.

(a) AVAILABILITY OF FUNDS.—Of the amount authorized to be appropriated for fiscal year 2016 for Procurement, Defense-wide, and available for the Missile Defense Agency, not more than $41,400,000 may be provided to the Government of Israel to procure the Iron Dome short-range rocket defense system, including for co-production of Iron Dome parts and components in the United States by industry of the United States.

(b) CONDITIONS.—

(1) AGREEMENT.—Funds described in subsection (a) to produce the Iron Dome short-range rocket defense program shall be available subject to the terms and conditions in the ''Agreement Between the Department of Defense of the United States of America and the Ministry of Defense of the State of Israel Concerning Iron Dome Defense System Procurement'', signed on March 5, 2014, including any terms and conditions applicable to coproduction of Iron Dome radar components under a negotiated amendment to that agreement.

(2) CERTIFICATION.—Not later than 30 days prior to the initial obligation of funds described in subsection (a), the Director of the Missile Defense Agency and the Under Secretary of Defense for Acquisition, Technology, and Logistics shall jointly submit to the congressional defense committees—

(A) a certification that the agreement specified in paragraph (1) is being implemented as provided in such agreement; and

(B) an assessment detailing any risks relating to the implementation of such agreement.

SEC. 1645. ISRAELI COOPERATIVE MISSILE DEFENSE PROGRAM CODEVELOPMENT AND POTENTIAL COPRODUCTION.

(a) IN GENERAL.—Except as otherwise provided in this section, of the amount authorized to be appropriated for fiscal year 2016 for Procurement, Defense-wide, and available for the Missile Defense Agency, $150,000,000 may be provided to the Government of Israel to procure the David's Sling Weapon System and $15,000,000 for the Arrow 3 Upper Tier Interceptor Program, including for co-production of parts and components in the United States by United States industry.

(b) CERTIFICATION.—Following successful completion of milestones and production readiness reviews in the research, development, and technology agreements for the David's Sling Weapon System and the Arrow 3 Upper Tier Development Program, the Director of the Missile Defense Agency may disburse amounts available pursuant to subsection (a) on the basis of a one-for-one cash match with such funds provided by the Government of Israel, or in amounts that otherwise meet best efforts (as mutually agreed by the United States and Israel), on or after the date that is 90 days after the date the Director and the Under Secretary of Defense for Acquisition, Technology and Logistics jointly submit to the congressional defense committees a certification that the United States has entered into a bilateral agreement with the Government of Israel that accomplishes the following:

(1) Establishes the terms of co-production of parts and components of the respective systems—

(A) on the basis of what will minimize nonrecurring engineering and facilitization expenses; and

(B) that ensures that, in the case of co-production for the David's Sling Weapon System, not less than half of such co-production is carried out by United States persons.

(2) Establishes complete transparency on the Israeli requirement for the number of interceptors and batteries of the respective systems that will be procured.

(3) Allows the Director of the Missile Defense Agency and the Under Secretary of Defense for Acquisition, Technology and Logistics to establish technical milestones for co-production and procurement of the respective systems.

(4) Establishes joint approval processes for third party sales of such systems.

SEC. 1646. DEVELOPMENT AND DEPLOYMENT OF MULTIPLE-OBJECT KILL VEHICLE FOR MISSILE DEFENSE OF THE UNITED STATES HOMELAND.

(a) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) the defense of the United States homeland against the threat of limited ballistic missile attack (whether accidental, unauthorized, or deliberate) is a national priority; and

(2) as the threat described in paragraph (1) continues to evolve, the multiple-object kill vehicle could contribute critical capabilities to the future of the ballistic missile defense of the United States homeland.

(b) MULTIPLE-OBJECT KILL VEHICLE.—

(1) DEVELOPMENT.—The Director of the Missile Defense Agency shall develop a highly reliable, cost-effective multiple-object kill vehicle for the ground-based midcourse defense system.

(2) DEPLOYMENT.—The Director shall—

(A) conduct flight testing of the multiple-object kill vehicle developed under paragraph (1) by not later than 2020; and

(B) field such vehicle as soon as technically practicable.

(c) CAPABILITIES AND CRITERIA.—The Director shall ensure that the multiple-object kill vehicle developed under subsection (b)(1) meets, at a minimum, the following capabilities and criteria:

(1) Vehicle-to-vehicle communications.

(2) Vehicle-to-ground communications.

(3) Kill assessment capability.

(4) The ability to counter advanced counter measures, decoys, and penetration aids.

(5) Produceability and manufacturability.

(6) Use of technology involving high technology readiness levels.

(7) Options to be integrated onto other missile defense interceptor vehicles other than the ground-based interceptors of the ground-based midcourse defense system.

(8) Sound acquisition processes, in coordination with the Under Secretary of Defense for Acquisition, Technology, and Logistics and the Missile Defense Executive Board.

(d) PROGRAM MANAGEMENT.—The management of the multiple-object kill vehicle program under subsection (b) shall report directly to the Deputy Director of the Missile Defense Agency.

SEC. 1647. REQUIREMENT TO REPLACE CAPABILITY ENHANCEMENT I EXOATMOSPHERIC KILL VEHICLES.

(a) IN GENERAL.—Subject to subsection (b), the Director of the Missile Defense Agency shall ensure, to the maximum extent practicable, that all remaining ground-based interceptors of the ground-based midcourse defense system that are armed with the capability enhancement I exoatmospheric kill vehicle are replaced with the redesigned exoatmospheric kill vehicle before September 30, 2022.

(b) CONDITION.—Subsection (a) shall not apply if the Director determines that flight and intercept testing of the redesigned exoatmospheric kill vehicle is not successful.

SEC. 1648. AIRBORNE BOOST PHASE DEFENSE SYSTEM.

(a) FINDINGS.—Congress makes the following findings:

(1) To address the growing threat posed by increasingly accurate and longer-ranged ballistic and cruise missiles, the Missile Defense Agency, in collaboration with the Defense Advanced Research Projects Agency and the military services, is pursuing a suite of laser technologies that could serve as a cost-effective solution for destroying cruise missiles and ballistic missiles in the boost phase.

(2) A successful airborne boost phase defense system could transform United States missile defense capabilities against a broad range of missile threats, and place defense on the winning side of the offense-defense cost-curve.

(b) POLICY.—The Secretary of Defense shall—

(1) prioritize technology investments in the Department of Defense to support efforts by the Missile Defense Agency to develop and field an airborne boost phase defense system by fiscal year 2025;

(2) ensure that development and fielding of the airborne boost phase defense system supports multiple warfighter missile defense requirements, including, specifically, protection of the homeland and allies against cruise missiles and ballistic missiles, particularly in the boost phase;

(3) continue development and fielding of high-energy lasers and high-power microwave systems as part of a layered architecture to defend ships and theater bases against air and cruise missile strikes;

(4) encourage collaboration amongst the military services and the Defense Advanced Research Projects Agency with respect to their high energy laser and directed energy efforts carried out in support of the Missile Defense Agency; and

(5) ensure cooperation and coordination between the Missile Defense Agency in its plans to develop an airborne laser and the Air Force in its requirements for unmanned aerial vehicles.

(c) REPORT TO CONGRESS.—

(1) IN GENERAL.—Not later than 120 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report on the efforts of the Department of Defense to develop and deploy an airborne boost phase defense system for missile defense by fiscal year 2025.

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

(A) Such schedules, costs, warfighter requirements, operational concept, constraints, potential alternative boost phase approaches, and other information regarding the efforts described in paragraph (1) as the Secretary considers appropriate.

(B) Analysis of the efforts described in paragraph (1) with respect to the following cases:

(i) A case in which the Department is under no funding constraints with respect to such efforts and progress is based on the state of the technology.

(ii) A case in which the Department is under funding constraints and the efforts are

carried out in accordance with a moderately aggressive schedule and are subject to moderate technical risk.

(iii) A case in which the Department is under funding constraints and the efforts are carried out in accordance with a less aggressive schedule and are subject to less technical risk.

(C) An update on related efforts of the Department to develop high energy lasers and high power microwave systems to defend ships and theater bases against air and cruise missile strikes.

(D) Such recommendations as the Secretary may have for legislative or administrative action to enable more rapid fielding of a directed-energy based missile defense system.

(3) FORM.—The report required by paragraph (1) shall be submitted in unclassified form, but may include a classified annex.

SEC. 1649. EXTENSION OF LIMITATION ON PROVIDING CERTAIN SENSITIVE MISSILE DEFENSE INFORMATION TO THE RUSSIAN FEDERATION.

Section 1246(c)(2) of the National Defense Authorization Act for Fiscal Year 2014 (Public Law 113–66; 127 Stat. 923), as amended by section 1243(2)(A) of the Carl Levin and Howard P. ''Buck'' McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113–291; 128 Stat. 3564), is further amended by striking ''for fiscal year 2014 or 2015'' and inserting ''for fiscal years 2014 through 2017''.

SEC. 1650. EXTENSION OF REQUIREMENT FOR COMPTROLLER GENERAL OF THE UNITED STATES REVIEW AND ASSESSMENT OF MISSILE DEFENSE ACQUISITION PROGRAMS.

Section 232 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112–81) is amended—

(1) in subsection (a)—

(A) in paragraph (1), by striking ''through 2015'' and inserting ''through 2020''; and

(B) in paragraph (2), in the first sentence, by striking ''through 2016'' and inserting ''through 2021''; and

(2) in subsection (b), in the matter before paragraph (1), by striking ''first three''.

Subtitle E—Other Matters

SEC. 1661. MEASURES IN RESPONSE TO VIOLATIONS OF THE INTERMEDIATE-RANGE NUCLEAR FORCES TREATY BY THE RUSSIAN FEDERATION.

(a) FINDINGS.—Congress makes the following findings:

(1) On July 31, 2014, the Department of State released its annual report entitled ''Adherence to and Compliance With Arms Control, Nonproliferation, and Disarmament Agreements and Commitments'', which included the finding that ''[t]he United States has determined that the Russian Federation is in violation of its obligations under the INF Treaty not to possess, produce, or flight-test a ground-launched cruise missile (GLCM) with a range capability of 500 km to 5,500 km, or to possess or produce launchers of such missiles''.

(2) The United States has undertaken diplomatic efforts to address with the Russian Federation its violations of the INF Treaty since 2013, and the Russian Federation has failed to respond to those efforts in any way.

(3) The Commander of the United States European Command, and Supreme Allied Commander of Europe, General Philip Breedlove stated that ''[a] weapon capability that violates the I.N.F., that is introduced into the greater European land mass, is absolutely a tool that will have to be dealt with'' and ''[i]t can't go unanswered''.

(4) The Secretary of Defense has informed Congress that the range of options in response to the violation by the Russian Federation of the INF Treaty could include ''active defenses to counter intermediate-range ground-launched cruise missiles; counterforce capabilities to prevent intermediate-range ground-launched cruise missile attacks; and countervailing strike capabilities to enhance U.S. or allied forces''.

(b) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) the development and deployment of a nuclear ground-launched cruise missile by the Russian Federation in violation of the INF Treaty would pose a dangerous threat to the United States and its allies;

(2) the Russian Federation has established an increasing role for nuclear weapons in its military strategy;

(3) efforts taken by the President to compel the Russian Federation to return to compliance with the INF Treaty must be persistent and are in the best interests of the United States, but cannot be open-ended; and

(4) efforts by the United States to develop military and nonmilitary options for responding to violations of the INF Treaty could encourage the Russian Federation to return to compliance with the INF Treaty.

(c) NOTIFICATION.—Not later than 180 days after the date of the enactment of this Act, and every 180 days thereafter, the President shall notify the appropriate congressional committees with respect to whether the Russian Federation—

(1) has flight-tested, has deployed, or possesses a military system that has achieved an initial operating capability that is either a ground-launched ballistic missile or ground-launched cruise missile with a flight-tested range of between 500 and 5,500 kilometers; or

(2) has begun taking measures to return to full compliance with the INF Treaty, including verification measures necessary to achieve high confidence that any missile described in paragraph (1) will be eliminated.

(d) UPDATES TO ALLIES.—Not later than 180 days after the date of the enactment of this Act, and every 180 days thereafter, the Secretary of Defense and the Chairman of the Joint Chiefs of Staff shall, in coordination with the Secretary of State and the Director of National Intelligence, submit to the appropriate congressional committees a report that describes—

(1) the status of updates provided to the North Atlantic Treaty Organization and other allies of the United States on the Russian Federation's flight testing, operating capability, and deployment of ground-launched ballistic missiles or ground-launched cruise missiles with a flight-tested range of between 500 and 5,500 kilometers; and

(2) efforts to develop, with the North Atlantic Treaty Organization and such allies, collective responses, including economic and military responses, to arms control violations by the Russian Federation, including violations of the INF Treaty.

(e) PLAN ON RESPONSE OPTIONS.—

(1) MILITARY RESPONSE OPTIONS.—

(A) IN GENERAL.—If, as of the date of the enactment of this Act, the Russian Federation has not begun taking measures to return to full compliance with the INF Treaty, including by agreeing to verification measures necessary to achieve high confidence that any ground-launched ballistic missile or ground-launched cruise missile with a flight-tested range of between 500 and 5,500 kilometers will be eliminated, the Secretary of Defense shall, not later than 120 days after such date of enactment, submit to Congress a plan with respect to developing the following military capabilities:

(i) Counterforce capabilities to prevent intermediate-range ground-launched ballistic missile and cruise missile attacks, whether or not such capabilities are in compliance with the INF Treaty and including capabilities that may be acquired from allies of the United States.

(ii) Countervailing strike capabilities to enhance the forces of the United States or allies of the United States, whether or not such capabilities are in compliance with the INF Treaty and including capabilities that may be acquired from allies of the United States.

(iii) Active defenses to defend against intermediate-range ground-launched cruise missile attacks.

(B) COST AND SCHEDULE ESTIMATES.—The Secretary shall include, in the plan required by subparagraph (A), with respect to each military capability described in clauses (i), (ii), and (iii) of that subparagraph, an estimate of cost and the approximate time for achieving a Milestone A decision, if such a decision is required.

(C) AVAILABILITY OF FUNDS FOR RECOMMENDED CAPABILITIES.—The Secretary may use funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2016 for research, development, test, and evaluation, Defense-wide, as specified in the funding table in section 4201, to carry out the development of capabilities pursuant to subparagraph (A) that are recommended by the Chairman of the Joint Chiefs of Staff to meet military requirements and current capability gaps. In making such a recommendation, the Chairman shall give priority to such capabilities that the Chairman determines could be tested and fielded most expediently, with the most priority given to capabilities that the Chairman determines could be fielded in two years.

(2) OTHER RESPONSE OPTIONS.—The President shall include in the plan required by paragraph (1)(A) such other options as the President considers useful to encourage the Russian Federation to return to full compliance with the INF Treaty or necessary to respond to the failure of the Russian Federation to return to full compliance with the INF Treaty.

(f) DEFINITIONS.—In this section:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ''appropriate congressional committees'' means—

(A) the congressional defense committees;

(B) the Committee on Foreign Relations and the Select Committee on Intelligence of the Senate; and

(C) the Committee on Foreign Affairs and the Permanent Select Committee on Intelligence of the House of Representatives.

(2) INF TREATY.—The term ''INF Treaty'' means the Treaty between the United States of America and the Union of Soviet Socialist Republics on the Elimination of Their Intermediate-Range and Shorter-Range Missiles, signed at Washington December 8, 1987, and entered into force June 1, 1988 (commonly referred to as the ''Intermediate-Range Nuclear Forces Treaty'' or ''INF Treaty'').

SEC. 1662. MODIFICATION OF NOTIFICATION AND ASSESSMENT OF PROPOSAL TO MODIFY OR INTRODUCE NEW AIRCRAFT OR SENSORS FOR FLIGHT BY THE RUSSIAN FEDERATION UNDER THE OPEN SKIES TREATY.

(a) IN GENERAL.—Section 1242(b) of the Carl Levin and Howard P. ''Buck'' McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113–291) is amended—

(1) in paragraph (1), by striking ''30 days'' and inserting ''90 days''; and

(2) in paragraph (2), by adding at the end the following new sentence: ''The assessment shall also include an assessment of the proposal by the commander of each combatant command potentially affected by the proposal, including an assessment of the potential effects of the proposal on operations and any potential vulnerabilities raised by the proposal.''.

(b) REPORTS ON MEETINGS OF OPEN SKIES CONSULTATIVE COMMISSION.—

(1) IN GENERAL.—Not later than 30 days after the date of any meeting of the Open Skies Consultative Commission that occurs after the date of the enactment of this Act, the Secretary of Defense shall submit to the appropriate committees of Congress a report setting forth a description of such meeting, including a description of any agreements entered into during such meeting and whether any such agreement will result in a modification to the aircraft or sensors of any State Party to the Open Skies Treaty that will be subject to the Open Skies Treaty.

(2) DEFINITIONS.—In this subsection, the term ''appropriate committees of Congress'' and ''Open Skies Treaty'' have the meaning given such terms in section 1242 of the Carl Levin and Howard P. ''Buck'' McKeon National Defense Authorization Act for Fiscal Year 2015.

SEC. 1663. MILESTONE A DECISION FOR THE CONVENTIONAL PROMPT GLOBAL STRIKE WEAPONS SYSTEM.

The Secretary of Defense shall make a Milestone A decision for the Conventional Prompt Global Strike Weapons System not later than the earlier of—

(1) September 30, 2020; or

(2) the date that is 8 months after the successful completion of Intermediate Range Flight 2 of that System.

DIVISION B—MILITARY CONSTRUCTION AUTHORIZATIONS

SEC. 2001. SHORT TITLE.

This division may be cited as the ''Military Construction Authorization Act for Fiscal Year 2016''.

SEC. 2002. EXPIRATION OF AUTHORIZATIONS AND AMOUNTS REQUIRED TO BE SPECIFIED BY LAW.

(a) EXPIRATION OF AUTHORIZATIONS AFTER THREE YEARS.—Except as provided in subsection (b), all authorizations contained in titles XXI through XXVII for military construction projects, land acquisition, family housing projects and facilities, and contributions to the North Atlantic Treaty Organization Security Investment Program (and authorizations of appropriations therefor) shall expire on the later of—

(1) October 1, 2018; or

(2) the date of the enactment of an Act authorizing funds for military construction for fiscal year 2019.

(b) EXCEPTION.—Subsection (a) shall not apply to authorizations for military construction projects, land acquisition, family housing projects and facilities, and contributions to the North Atlantic Treaty Organization Security Investment Program (and authorizations of appropriations therefor), for which appropriated funds have been obligated before the later of—

(1) October 1, 2018; or

(2) the date of the enactment of an Act authorizing funds for fiscal year 2019 for military construction projects, land acquisition, family housing projects and facilities, or contributions to the North Atlantic Treaty Organization Security Investment Program.

TITLE XXI—ARMY MILITARY CONSTRUCTION

SEC. 2101. AUTHORIZED ARMY CONSTRUCTION AND LAND ACQUISITION PROJECTS.

(a) INSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2104(a) and available for military construction projects inside the United States as specified in the funding table in section 4601, the Secretary of the Army may acquire real property and carry out military construction projects for the installations or locations inside the United States, and in the amounts, set forth in the following table:

Army: Inside the United States

State	Installation or Location	Amount
Alaska	Fort Greely	$7,800,000
California	Concord	$98,000,000
Colorado	Fort Carson	$5,800,000
Georgia	Fort Gordon	$90,000,000
Maryland	Fort Meade	$34,500,000
New York	Fort Drum	$19,000,000
	U. S. Military Academy	$70,000,000
Oklahoma	Fort Sill	$69,400,000
Texas	Corpus Christi	$85,000,000
Virginia	Fort Lee	$33,000,000

(b) OUTSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2104(a) and available for military construction projects outside the United States as specified in the funding table in section 4601, the Secretary of the Army may acquire real property and carry out the military construction projects for the installations or locations outside the United States, and in the amounts, set forth in the following table:

Army: Outside the United States

Country	Installation or Location	Amount
Cuba	Guantanamo Bay	$76,000,000
Germany	Grafenwoehr	$51,000,000

SEC. 2102. FAMILY HOUSING.

(a) CONSTRUCTION AND ACQUISITION.—Using amounts appropriated pursuant to the authorization of appropriations in section 2104(a) and available for military family housing functions as specified in the funding table in section 4601, the Secretary of the Army may construct or acquire family housing units (including land acquisition and supporting facilities) at the installations or locations, in the number of units, and in the amounts set forth in the following table:

Army: Family Housing

State/Country	Installation or Location	Units	Amount
Florida	Camp Rudder	Family Housing New Construction	$8,000,000
Illinois	Rock Island	Family Housing New Construction	$20,000,000
Korea	Camp Walker	Family Housing New Construction	$61,000,000

(b) PLANNING AND DESIGN.—Using amounts appropriated pursuant to the authorization of appropriations in section 2104(a) and available for military family housing functions as specified in the funding table in section 4601, the Secretary of the Army may carry out architectural and engineering services and construction design activities with respect

to the construction or improvement of family housing units in an amount not to exceed $7,195,000.

SEC. 2103. IMPROVEMENTS TO MILITARY FAMILY HOUSING UNITS.

Subject to section 2825 of title 10, United States Code, and using amounts appropriated pursuant to the authorization of appropriations in section 2104(a) and available for military family housing functions as specified in the funding table in section 4601, the Secretary of the Army may improve existing military family housing units in an amount not to exceed $3,500,000.

SEC. 2104. AUTHORIZATION OF APPROPRIATIONS, ARMY.

(a) AUTHORIZATION OF APPROPRIATIONS.—Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2015, for military construction, land acquisition, and military family housing functions of the Department of the Army as specified in the funding table in section 4601.

(b) LIMITATION ON TOTAL COST OF CONSTRUCTION PROJECTS.—Notwithstanding the cost variations authorized by section 2853 of title 10, United States Code, and any other cost variation authorized by law, the total cost of all projects carried out under section 2101 of this Act may not exceed the sum of the following:

(1) The total amount authorized to be appropriated under subsection (a), as specified in the funding table in section 4601.

(2) $226,400,000 (the balance of the amount authorized under section 2101(a) of the Military Construction Authorization Act for Fiscal Year 2015 (division B of Public Law 113–291) for a Command and Control Facility at Fort Shafter, Hawaii).

(3) $6,000,000 (the balance of the amount authorized under section 2101(a) of the Military Construction Authorization Act for Fiscal Year 2013 (division B of Public Law 112–239; 126 Stat. 2119) for cadet barracks at the United States Military Academy, New York).

(4) $78,000,000 (the balance of the amount authorized under section 2101(a) of the Military Construction Authorization Act for Fiscal Year 2013 (division B of Public Law 112–239; 126 Stat. 2119), as amended by section 2105(d) of this Act, for a Secure Administration/Operations Facility at Fort Belvoir, Virginia).

SEC. 2105. MODIFICATION OF AUTHORITY TO CARRY OUT CERTAIN FISCAL YEAR 2013 PROJECT.

In the case of the authorization contained in the table in section 2101(a) of the Military Construction Authorization Act for Fiscal Year 2013 (division B of Public Law 112–239; 126 Stat. 2119) for the United States Military Academy, New York, for construction of a Cadet barracks building at the installation, the Secretary of the Army may install mechanical equipment and distribution lines sufficient to provide chilled water for air conditioning the nine existing historical Cadet barracks which are being renovated through the Cadet Barracks Upgrade Program.

SEC. 2106. EXTENSION OF AUTHORIZATIONS OF CERTAIN FISCAL YEAR 2012 PROJECTS.

(a) EXTENSION.—Notwithstanding section 2002 of the Military Construction Authorization Act for Fiscal Year 2012 (division B of Public Law 112–81; 125 Stat. 1660), the authorizations set forth in the table in subsection (b), as provided in section 2101 of that Act (125 Stat. 1661), shall remain in effect until October 1, 2016, or the date of the enactment of an Act authorizing funds for military construction for fiscal year 2017, whichever is later.

(b) TABLE.—The table referred to in subsection (a) is as follows:

Army: Extension of 2012 Project Authorizations

State	Installation or Location	Project	Amount
Georgia	Fort Benning	Land Acquisition	$25,000,000
	Fort Benning	Land Acquisition	$5,100,000
Virginia	Fort Belvoir	Road and Infrastructure Improvements	$25,000,000

SEC. 2107. EXTENSION OF AUTHORIZATIONS OF CERTAIN FISCAL YEAR 2013 PROJECTS.

(a) EXTENSION.—Notwithstanding section 2002 of the Military Construction Authorization Act for Fiscal Year 2013 (division B of Public Law 112–239; 126 Stat. 2118), the authorizations set forth in the table in subsection (b), as provided in section 2101 of that Act (126 Stat. 2119) shall remain in effect until October 1, 2016, or the date of the enactment of an Act authorizing funds for military construction for fiscal year 2017, whichever is later.

(b) TABLE.—The table referred to in subsection (a) is as follows:

Army: Extension of 2013 Project Authorizations

State or Country	Installation or Location	Project	Amount
District of Columbia	Fort McNair	Vehicle Storage Building, Installation	$7,191,000
Kansas	Fort Riley	Unmanned Aerial Vehicle Complex	$12,184,000
North Carolina	Fort Bragg	Aerial Gunnery Range	$41,945,000
Texas	Joint Base San Antonio	Barracks	$20,971,000
Virginia	Fort Belvoir	Secure Admin/Operations Facility	$93,876,000
Italy	Camp Ederle	Barracks	$35,952,000
Japan	Sagami	Vehicle Maintenance Shop	$17,976,000

SEC. 2108. ADDITIONAL AUTHORITY TO CARRY OUT CERTAIN FISCAL YEAR 2016 PROJECT.

(a) PROJECT AUTHORIZATION.—The Secretary of the Army may carry out a military construction project to construct a vehicle bridge and traffic circle to facilitate traffic flow to and from the Medical Center at Rhine Ordnance Barracks, Germany, in the amount of $12,400,000.

(b) USE OF HOST-NATION PAYMENT-IN-KIND FUNDS.—The Secretary may use available host-nation payment-in-kind funding for the project described in subsection (a).

SEC. 2109. LIMITATION ON CONSTRUCTION OF NEW FACILITIES AT GUANTANAMO BAY, CUBA.

(a) LIMITATION.—None of the amounts authorized to be appropriated by this Act or otherwise made available for fiscal year 2016 for the Department of Defense may be used to construct new facilities at Guantanamo Bay, Cuba, until the Secretary of Defense certifies to the congressional defense committees that any new construction of facilities at Guantanamo Bay, Cuba, has enduring military value independent of a high value detention mission.

(b) RULE OF CONSTRUCTION.—Nothing in subsection (a) shall be construed as limiting the ability of the Department of Defense to obligate or expend available funds to correct a deficiency that is life-threatening, health-threatening, or safety-threatening.

TITLE XXII—NAVY MILITARY CONSTRUCTION

SEC. 2201. AUTHORIZED NAVY CONSTRUCTION AND LAND ACQUISITION PROJECTS.

(a) INSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2204(a) and available for military construction projects inside the United States as specified in the funding table in section 4601, the Secretary of the Navy may acquire real property and carry out military construction projects for the installations or locations inside the United States, and in the amounts, set forth in the following table:

Inside the United States

State	Installation or Location	Amount
Arizona	Yuma	$50,635,000

Inside the United States—Continued

State	Installation or Location	Amount
California	Coronado	$4,856,000
	Lemoore	$71,830,000
	Miramar	$11,200,000
	Pendleton	$83,800,000
	Point Mugu	$22,427,000
	San Diego	$37,366,000
	Twentynine Palms	$9,160,000
Florida	Jacksonville	$16,751,000
	Mayport	$16,159,000
	Pensacola	$18,347,000
	Whiting Field	$10,421,000
Georgia	Albany	$7,851,000
	Kings Bay	$8,099,000
	Townsend	$43,279,000
Hawaii	Barking Sands	$30,623,000
	Joint Base Pearl Harbor-Hickam	$14,881,000
	Kaneohe Bay	$106,618,000
	Marine Corps Base Hawaii	$12,800,000
Maryland	Patuxent River	$40,935,000
North Carolina	Camp Lejeune	$74,249,000
	Cherry Point Marine Corps Air Station	$57,726,000
	New River	$8,230,000
South Carolina	Parris Island	$27,075,000
Virginia	Dam Neck	$23,066,000
	Norfolk	$126,677,000
	Portsmouth	$45,513,000
	Quantico	$75,399,000
Washington	Bangor	$34,177,000
	Bremerton	$22,680,000
	Indian Island	$4,472,000

(b) OUTSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2204(a) and available for military construction projects outside the United States as specified in the funding table in section 4601, the Secretary of the Navy may acquire real property and carry out military construction projects for the installation or location outside the United States, and in the amounts, set forth in the following table:

Navy: Outside the United States

Country	Installation or Location	Amount
Bahrain Island	Southwest Asia	$89,791,000
Guam	Joint Region Marianas	$181,768,000
Italy	Sigonella	$102,943,000
Japan	Camp Butler	$11,697,000
	Iwakuni	$17,923,000
	Kadena Air Base	$23,310,000
	Yokosuka	$13,846,000
Poland	RedziKowo Base	$51,270,000

SEC. 2202. FAMILY HOUSING.

(a) CONSTRUCTION AND ACQUISITION.—Using amounts appropriated pursuant to the authorization of appropriations in section 2204(a) and available for military family housing functions as specified in the funding table in section 4601, the Secretary of the Navy may construct or acquire family housing units (including land acquisition and supporting facilities) at the installations or locations, in the number of units, and in the amounts set forth in the following table:

Navy: Family Housing

State	Installation or Location	Units	Amount
Virginia	Wallops Island	Family Housing New Construction	$438,000

(b) PLANNING AND DESIGN.—Using amounts appropriated pursuant to the authorization of appropriations in section 2204(a) and available for military family housing functions as specified in the funding table in section 4601, the Secretary of the Navy may carry out architectural and engineering services and construction design activities with respect to the construction or improvement of family housing units in an amount not to exceed $4,588,000.

SEC. 2203. IMPROVEMENTS TO MILITARY FAMILY HOUSING UNITS.

Subject to section 2825 of title 10, United States Code, and using amounts appropriated pursuant to the authorization of appropriations in section 2204(a) and available for military family housing functions as specified in the funding table in section 4601, the Secretary of the Navy may improve existing military family housing units in an amount not to exceed $11,515,000.

SEC. 2204. AUTHORIZATION OF APPROPRIATIONS, NAVY.

(a) AUTHORIZATION OF APPROPRIATIONS.—Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2015, for military construction, land acquisition, and military family housing functions of the Department of the Navy, as specified in the funding table in section 4601.

(b) LIMITATION ON TOTAL COST OF CONSTRUCTION PROJECTS.—Notwithstanding the cost variations authorized by section 2853 of title 10, United States Code, and any other cost variation authorized by law, the total cost of all projects carried out under section 2201 of this Act may not exceed the sum of the following:

(1) The total amount authorized to be appropriated under subsection (a), as specified in the funding table in section 4601.

(2) $274,099,000 (the balance of the amount authorized under section 2201(a) of the Military Construction Authorization Act for Fiscal Year 2012 (division B of Public Law 112–

81; 125 Stat. 1666) for an explosive handling wharf at Kitsap, Washington).

(3) $68,196,000 (the balance of the amount authorized under section 2201(b) of the Military Construction Authorization Act for Fiscal Year 2010 (division B of Public Law 111–84; 123 Stat. 2633) for ramp parking at Joint Region Marianas, Guam.

SEC. 2205. EXTENSION OF AUTHORIZATIONS OF CERTAIN FISCAL YEAR 2012 PROJECTS.

(a) EXTENSION.—Notwithstanding section 2002 of the Military Construction Authorization Act for Fiscal Year 2012 (division B of Public Law 112–81; 125 Stat. 1660), the authorizations set forth in the table in subsection (b), as provided in section 2201 of that Act (125 Stat. 1666) and extended by section 2208 of the Military Construction Authorization Act for Fiscal Year 2015 (division B of Public Law 113–291; 128 Stat. 3678), shall remain in effect until October 1, 2016, or the date of the enactment of an Act authorizing funds for military construction for fiscal year 2017, whichever is later.

(b) TABLE.—The table referred to in subsection (a) is as follows:

Navy: Extension of 2012 Project Authorizations

State	Installation or Location	Project	Amount
California	Camp Pendleton	Infantry Squad Defense Range	$29,187,000
Florida	Jacksonville	P–8A Hangar Upgrades	$6,085,000
Georgia	Kings Bay	Crab Island Security Enclave	$52,913,000

SEC. 2206. EXTENSION OF AUTHORIZATIONS OF CERTAIN FISCAL YEAR 2013 PROJECTS.

(a) EXTENSION.—Notwithstanding section 2002 of the Military Construction Authorization Act for Fiscal Year 2013 (division B of Public Law 112–239; 126 Stat. 2118), the authorizations set forth in the table in subsection (b), as provided in section 2201 of that Act (126 Stat. 2122), shall remain in effect until October 1, 2016, or the date of the enactment of an Act authorizing funds for military construction for fiscal year 2017, whichever is later.

(b) TABLE.—The table referred to in subsection (a) is as follows:

Navy: Extension of 2013 Project Authorizations

State/Country	Installation or Location	Project	Amount
California	Camp Pendleton	Comm. Information Systems Ops Complex	$78,897,000
	Coronado	Bachelor Quarters	$76,063,000
	Twentynine Palms	Land Expansion Phase 2	$47,270,000
Greece	Souda Bay	Intermodal Access Road	$4,630,000
South Carolina	Beaufort	Recycling/Hazardous Waste Facility	$3,743,000
Virginia	Quantico	Infrastructure—Widen Russell Road	$14,826,000
Worldwide Unspecified	Various Worldwide Locations	BAMS Operational Facilities	$34,048,000

TITLE XXIII—AIR FORCE MILITARY CONSTRUCTION

SEC. 2301. AUTHORIZED AIR FORCE CONSTRUCTION AND LAND ACQUISITION PROJECTS.

(a) INSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2304(a) and available for military construction projects inside the United States as specified in the funding table in section 4601, the Secretary of the Air Force may acquire real property and carry out military construction projects for the installations or locations inside the United States, and in the amounts, set forth in the following table:

Air Force: Inside the United States

State	Installation or Location	Amount
Alaska	Eielson Air Force Base	$71,400,000
Arizona	Davis-Monthan Air Force Base	$16,900,000
	Luke Air Force Base	$77,700,000
Colorado	U. S. Air Force Academy	$10,000,000
CONUS Classified	Classified Location	$77,130,000
Florida	Cape Canaveral Air Force Station	$21,000,000
	Eglin Air Force Base	$8,700,000
	Hurlburt Field	$14,200,000
Hawaii	Joint Base Pearl Harbor-Hickam	$46,000,000
Kansas	McConnell Air Force Base	$15,500,000
Louisiana	Barksdale	$20,000,000
Missouri	Whiteman Air Force Base	$29,500,000
Montana	Malmstrom Air Force Base	$19,700,000
Nebraska	Offutt Air Force Base	$21,000,000
Nevada	Nellis Air Force Base	$68,950,000
New Mexico	Cannon Air Force Base	$7,800,000
	Holloman Air Force Base	$6,200,000
	Kirtland Air Force Base	$12,800,000
New York	Fort Drum	$6,000,000
North Carolina	Seymour Johnson Air Force Base	$17,100,000
Oklahoma	Altus Air Force Base	$28,400,000
	Tinker Air Force Base	$49,900,000
South Dakota	Ellsworth Air Force Base	$23,000,000
Texas	Joint Base San Antonio	$106,000,000
Utah	Hill Air Force Base	$38,400,000
Wyoming	F. E. Warren Air Force Base	$95,000,000

(b) OUTSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2304(a) and available for military construction projects outside the United States as specified in the funding table in section 4601, the Secretary of the Air Force may acquire

real property and carry out military construction projects for the installation or location outside the United States, and in the amount, set forth in the following table:

Air Force: Outside the United States

Country	Installation or Location	Amount
Greenland	Thule Air Base	$41,965,000
Guam	Joint Region Marianas	$50,800,000
Japan	Kadena Air Base	$3,000,000
	Yokota Air Base	$8,461,000
Niger	Agadez	$50,000,000
Oman	Al Musannah Air Base	$25,000,000
United Kingdom	Royal Air Force Croughton	$130,615,000

SEC. 2302. FAMILY HOUSING.

Using amounts appropriated pursuant to the authorization of appropriations in section 2304(a) and available for military family housing functions as specified in the funding table in section 4601, the Secretary of the Air Force may carry out architectural and engineering services and construction design activities with respect to the construction or improvement of family housing units in an amount not to exceed $9,849,000.

SEC. 2303. IMPROVEMENTS TO MILITARY FAMILY HOUSING UNITS.

Subject to section 2825 of title 10, United States Code, and using amounts appropriated pursuant to the authorization of appropriations in section 2304(a) and available for military family housing functions as specified in the funding table in section 4601, the Secretary of the Air Force may improve existing military family housing units in an amount not to exceed $150,649,000.

SEC. 2304. AUTHORIZATION OF APPROPRIATIONS, AIR FORCE.

(a) AUTHORIZATION OF APPROPRIATIONS.—Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2015, for military construction, land acquisition, and military family housing functions of the Department of the Air Force, as specified in the funding table in section 4601.

(b) LIMITATION ON TOTAL COST OF CONSTRUCTION PROJECTS.—Notwithstanding the cost variations authorized by section 2853 of title 10, United States Code, and any other cost variation authorized by law, the total cost of all projects carried out under section 2301 of this Act may not exceed the sum of the following:

(1) The total amount authorized to be appropriated under subsection (a), as specified in the funding table in section 4601.

(2) $21,000,000 (the balance of the amount authorized under section 2301(a) of the Military Construction Act for Fiscal Year 2014 (division B of Public Law 113–66; 127 Stat. 992) for the CYBERCOM Joint Operations Center at Fort Meade, Maryland).

SEC. 2305. MODIFICATION OF AUTHORITY TO CARRY OUT CERTAIN FISCAL YEAR 2010 PROJECT.

In the case of the authorization contained in the table in section 2301(a) of the Military Construction Authorization Act for Fiscal Year 2010 (division B of Public Law 111–84; 123 Stat. 2636), for Hickam Air Force Base, Hawaii, for construction of a ground control tower at the installation, the Secretary of the Air Force may install communications cabling.

SEC. 2306. MODIFICATION OF AUTHORITY TO CARRY OUT CERTAIN FISCAL YEAR 2014 PROJECT.

In the case of the authorization contained in the table in section 2301(b) of the Military Construction Authorization Act for Fiscal Year 2014 (division B of Public Law 113–66; 127 Stat. 993) for RAF Lakenheath, United Kingdom, for construction of a Guardian Angel Operations Facility at the installation, the Secretary of the Air Force may construct the facility at an unspecified worldwide location.

SEC. 2307. MODIFICATION OF AUTHORITY TO CARRY OUT CERTAIN FISCAL YEAR 2015 PROJECT.

In the case of the authorization contained in the table in section 2301(a) of the Military Construction Authorization Act for Fiscal Year 2015 (division B of Public Law 113–291; 128 Stat. 3679) for McConnell Air Force Base, Kansas, for construction of a KC-46A Alter Composite Maintenance Shop at the installation, the Secretary of the Air Force may construct a 696 square meter (7,500 square foot) facility consistent with Air Force guidelines for composite maintenance shops.

SEC. 2308. EXTENSION OF AUTHORIZATION OF CERTAIN FISCAL YEAR 2012 PROJECT.

(a) EXTENSION.—Notwithstanding section 2002 of the Military Construction Authorization Act for Fiscal Year 2012 (division B of Public Law 112–81; 125 Stat. 1660), the authorization set forth in the table in subsection (b), as provided in section 2301 of that Act (125 Stat. 1670), shall remain in effect until October 1, 2016, or the date of the enactment of an Act authorizing funds for military construction for fiscal year 2017, whichever is later.

(b) TABLE.—The table referred to in subsection (a) is as follows:

Air Force: Extension of 2012 Project Authorization

Country	Installation or Location	Project	Amount
Italy	Sigonella Naval Air Station	UAS SATCOM Relay Pads and Facility	$15,000,000

SEC. 2309. EXTENSION OF AUTHORIZATION OF CERTAIN FISCAL YEAR 2013 PROJECT.

(a) EXTENSION.—Notwithstanding section 2002 of the Military Construction Authorization Act for Fiscal Year 2013 (division B of Public Law 112–239; 126 Stat. 2118), the authorization set forth in the table in subsection (b), as provided in section 2301 of that Act (126 Stat. 2126), shall remain in effect until October 1, 2016, or the date of the enactment of an Act authorizing funds for military construction for fiscal year 2017, whichever is later.

(b) TABLE.—The table referred to in subsection (a) is as follows:

Air Force: Extension of 2013 Project Authorization

Country	Installation or Location	Project	Amount
Portugal	Lajes Field	Sanitary Sewer Lift/Pump Station	$2,000,000

TITLE XXIV—DEFENSE AGENCIES MILITARY CONSTRUCTION

SEC. 2401. AUTHORIZED DEFENSE AGENCIES CONSTRUCTION AND LAND ACQUISITION PROJECTS.

(a) INSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2403(a) and available for military construction projects inside the United States as specified in the funding table in section 4601, the Secretary of Defense may acquire real property and carry out military construction projects for the installations or locations inside the United States, and in the amounts, set forth in the following table:

Defense Agencies: Inside the United States

State	Installation or Location	Amount
Alabama	Fort Rucker	$46,787,000
	Maxwell Air Force Base	$32,968,000
Arizona	Fort Huachuca	$3,884,000
California	Camp Pendleton	$20,552,000
	Coronado	$47,218,000
	Fresno Yosemite IAP ANG	$10,700,000
Colorado	Fort Carson	$8,243,000
CONUS Classified	Classified Location	$20,065,000
Delaware	Dover Air Force Base	$21,600,000
Florida	Hurlburt Field	$17,989,000
	MacDill Air Force Base	$39,142,000
Georgia	Moody Air Force Base	$10,900,000
Hawaii	Kaneohe Bay	$122,071,000
	Schofield Barracks	$123,838,000
Kentucky	Fort Campbell	$12,553,000
	Fort Knox	$23,279,000
Maryland	Fort Meade	$816,077,000
Nevada	Nellis Air Force Base	$39,900,000
New Mexico	Cannon Air Force Base	$45,111,000
New York	West Point	$55,778,000
North Carolina	Camp Lejeune	$69,006,000
	Fort Bragg	$168,811,000
Ohio	Wright-Patterson Air Force Base	$6,623,000
Oregon	Klamath Falls IAP	$2,500,000
South Carolina	Fort Jackson	$26,157,000
Texas	Joint Base San Antonio	$61,776,000
Virginia	Fort Belvoir	$9,500,000
	Joint Base Langley-Eustis	$28,000,000
	Joint Expeditionary Base Little Creek-Story	$23,916,000

(b) OUTSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2403(a) and available for military construction projects outside the United States as specified in the funding table in section 4601, the Secretary of Defense may acquire real property and carry out military construction projects for the installations or locations outside the United States, and in the amounts, set forth in the following:

Defense Agencies: Outside the United States

Country	Installation or Location	Amount
Djibouti	Camp Lemonier	$43,700,000
Germany	Garmisch	$14,676,000
	Grafenwoehr	$38,138,000
	Spangdahlem Air Base	$39,571,000
	Stuttgart-Patch Barracks	$49,413,000
Japan	Kadena Air Base	$37,485,000
Poland	RedziKowo Base	$169,153,000
Spain	Rota	$13,737,000

SEC. 2402. AUTHORIZED ENERGY CONSERVATION PROJECTS.

(a) INSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2403(a) and available for energy conservation projects inside the United States as specified in the funding table in section 4601, the Secretary of Defense may carry out energy conservation projects under chapter 173 of title 10, United States Code, for the installations or locations inside the United States, and in the amounts, set forth in the following table:

Energy Conservation Projects: Inside the United States

State	Installation or Location	Amount
American Samoa	Wake Island	$5,331,000
	Edwards Air Force Base	$4,550,000
	Fort Hunter Liggett	$22,000,000
Colorado	Schriever Air Force Base	$4,400,000
District of Columbia	NSA Washington/NRL	$10,990,000
Guam	Naval Base Guam	$5,330,000
Hawaii	Joint Base Pearl Harbor-Hickam	$13,780,000
	Marine Corps Recruiting Command Kaneohe Bay	$5,740,000
Idaho	Moutain Home Air Force Base	$6,471,000
Montana	Malmstrom Air Force Base	$4,260,000
Virginia	Pentagon	$4,528,000
Washington	Joint Base Lewis-McChord	$14,770,000
Various locations	Various locations	$25,809,000

(b) OUTSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2403(a) and available for energy conservation projects outside the United States as specified in the funding table in section 4601, the Secretary of Defense may carry out energy conservation projects under chapter 173 of title 10, United States Code, for the installations or locations outside the United States, and in the amounts, set forth in the following table:

Energy Conservation Projects: Outside the United States

Country	Installation or Location	Amount
Bahamas	Ascension Aux Airfield St. Helena	$5,500,000
Japan	Yokoska	$12,940,000
Various locations	Various locations	$3,600,000

SEC. 2403. AUTHORIZATION OF APPROPRIATIONS, DEFENSE AGENCIES.

(a) AUTHORIZATION OF APPROPRIATIONS.—Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2015, for military construction, land acquisition, and military family housing functions of the Department of Defense (other than the military departments), as specified in the funding table in section 4601.

(b) LIMITATION ON TOTAL COST OF CONSTRUCTION PROJECTS.—Notwithstanding the cost variations authorized by section 2853 of title 10, United States Code, and any other cost variation authorized by law, the total cost of all projects carried out under section 2401 of this Act may not exceed the sum of the following:

(1) The total amount authorized to be appropriated under subsection (a), as specified in the funding table in section 4601.

(2) $747,435,000 (the balance of the amount authorized under section 2401(a) of this Act for an operations facility at Fort Meade, Maryland).

(3) $20,800,000 (the balance of the amount authorized under section 2401(b) of the Military Construction Authorization Act for Fiscal Year 2013 (division B of Public Law 112–239; 126 Stat. 2129) for the Aegis Ashore Missile Defense System Complex at Deveselu, Romania).

(4) $141,039,000 (the balance of the amount authorized under section 2401(a) of the Military Construction Authorization Act for Fiscal Year 2012 (division B of Public Law 112–81; 125 Stat. 1672), as amended by section 2404(a) of the Military Construction Authorization Act for Fiscal Year 2013 (division B Public Law 112–239; 126 Stat. 2131), for a data center at Fort Meade, Maryland).

(5) $50,500,000 (the balance of the amount authorized under section 2401(a) of the Military Construction Authorization Act for Fiscal Year 2012 (division B of Public Law 112–81; 125 Stat. 1672) for an Ambulatory Care Center at Joint Base Andrews, Maryland).

(6) $54,300,000 (the balance of the amount authorized under section 2401(a) of the Military Construction Authorization Act for Fiscal Year 2012 (division B of Public Law 112–81; 125 Stat. 1672) for an Ambulatory Care Center at Joint Base San Antonio, Texas).

(7) $441,134,000 (the balance of the amount authorized under section 2401(b) of the Military Construction Authorization Act for Fiscal Year 2012 (division B of Public Law 112–81; 125 Stat. 1673) for a hospital at the Rhine Ordnance Barracks, Germany).

(8) $41,441,000 (the balance of the amount authorized under section 2401(a) of the Military Construction Authorization Act for Fiscal Year 2010 (division B of Public Law 111–84; 123 Stat. 2640) for a hospital at Fort Bliss, Texas).

(9) $123,827,000 (the balance of the amount authorized as a Military Construction, Defense-Wide project by title X of the Supplemental Appropriations Act, 2009 (Public Law 111–32; 123 Stat. 1888) for a data center at Camp Williams, Utah).

SEC. 2404. MODIFICATION OF AUTHORITY TO CARRY OUT CERTAIN FISCAL YEAR 2012 PROJECT.

In the case of the authorization in the table in section 2401(a) of the Military Construction Authorization Act for Fiscal Year 2012 (division B of Public Law 112–81; 125 Stat. 1672), as amended by section 2404(a) of the Military Construction Authorization Act for Fiscal Year 2013 (division B of Public Law 112–239; 126 Stat. 2131), for Fort Meade, Maryland, for construction of the High Performance Computing Center at the installation, the Secretary of Defense may construct a generator plant capable of producing up to 60 megawatts of back-up electrical power in support of the 60 megawatt technical load.

SEC. 2405. EXTENSION OF AUTHORIZATIONS OF CERTAIN FISCAL YEAR 2012 PROJECTS.

(a) EXTENSION.—Notwithstanding section 2002 of the Military Construction Authorization Act for Fiscal Year 2012 (division B of Public Law 112–81; 125 Stat. 1660), the authorization set forth in the table in subsection (b), as provided in section 2401 of that Act (125 Stat. 1672) and as amended by section 2405 of the Military Construction Authorization Act for Fiscal Year 2015 (division B of Public Law 113–291; 128 Stat. 3685), shall remain in effect until October 1, 2016, or the date of the enactment of an Act authorizing funds for military construction for fiscal year 2017, whichever is later.

(b) TABLE.—The table referred to in subsection (a) is as follows:

Defense Agencies: Extension of 2012 Project Authorizations

State	Installation or Location	Project	Amount
California	Naval Base Coronado	SOF Support Activity Operations Facility	$38,800,000
Virginia	Pentagon Reservation	Heliport Control Tower and Fire Station	$6,457,000
		Pedestrian Plaza	$2,285,000

SEC. 2406. EXTENSION OF AUTHORIZATIONS OF CERTAIN FISCAL YEAR 2013 PROJECTS.

(a) EXTENSION.—Notwithstanding section 2002 of the Military Construction Authorization Act for Fiscal Year 2013 (division B of Public Law 112–239; 126 Stat. 2118), the authorizations set forth in the table in subsection (b), as provided in section 2401 of that Act (126 Stat. 2127), shall remain in effect until October 1, 2016, or the date of the enactment of an Act authorizing funds for military construction for fiscal year 2017, whichever is later.

(b) TABLE.—The table referred to in subsection (a) is as follows:

Defense Agencies: Extension of 2013 Project Authorizations

State/Country	Installation or Location	Project	Amount
California	Naval Base Coronado	SOF Mobile Communications Detachment Support Facility	$9,327,000
Colorado	Pikes Peak	High Altitude Medical Research Center	$3,600,000
Germany	Ramstein AB	Replace Vogelweh Elementary School	$61,415,000
Hawaii	Joint Base Pearl Harbor-Hickam	SOF SDVT–1 Waterfront Operations Facility	$22,384,000
Japan	CFAS Sasebo	Replace Sasebo Elementary School	$35,733,000
	Camp Zama	Renovate Zama High School	$13,273,000
Pennsylvania	DEF Distribution Depot New Cumberland	Replace reservoir	$4,300,000
United Kingdom	RAF Feltwell	Feltwell Elementary School Addition	$30,811,000

SEC. 2407. MODIFICATION AND EXTENSION OF AUTHORITY TO CARRY OUT CERTAIN FISCAL YEAR 2014 PROJECT.

In the case of the authorization contained in the table in section 2401(a) of the Military Construction Authorization Act for Fiscal Year 2014 (division B of Public Law 113–66; 127 Stat. 995) for Fort Knox, Kentucky, for construction of an Ambulatory Care Center at that location, subsequently cancelled by the Department of Defense, substitute authorization is provided for a 102,000-square foot Medical Clinic Replacement at that location in the amount of $80,000,000, using appropriations available for the original project pursuant to the authorization of appropriations in section 2403 of such Act (127 Stat. 997). This substitute authorization shall remain in effect until October 1, 2018, or the date of the enactment of an Act authorizing funds for military construction for fiscal year 2019.

TITLE XXV—NORTH ATLANTIC TREATY ORGANIZATION SECURITY INVESTMENT PROGRAM

SEC. 2501. AUTHORIZED NATO CONSTRUCTION AND LAND ACQUISITION PROJECTS.

The Secretary of Defense may make contributions for the North Atlantic Treaty Organization Security Investment Program as provided in section 2806 of title 10, United States Code, in an amount not to exceed the sum of the amount authorized to be appropriated for this purpose in section 2502 and the amount collected from the North Atlantic Treaty Organization as a result of construction previously financed by the United States.

SEC. 2502. AUTHORIZATION OF APPROPRIATIONS, NATO.

Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2015, for contributions by the Secretary of Defense under section 2806 of title 10, United States Code, for the share of the United States of the cost of projects for the North Atlantic Treaty Organization Security Investment Program authorized by section 2501 as specified in the funding table in section 4601.

TITLE XXVI—GUARD AND RESERVE FORCES FACILITIES

Subtitle A—Project Authorizations and Authorization of Appropriations

SEC. 2601. AUTHORIZED ARMY NATIONAL GUARD CONSTRUCTION AND LAND ACQUISITION PROJECTS.

Using amounts appropriated pursuant to the authorization of appropriations in section 2606 and available for the National Guard and Reserve as specified in the funding table in section 4601, the Secretary of the Army may acquire real property and carry out military construction projects for the Army National Guard locations inside the United States, and in the amounts, set forth in the following table:

Army National Guard

State	Location	Amount
Alabama	Camp Foley	$4,500,000
Connecticut	Camp Hartell	$11,000,000
Florida	Palm Coast	$18,000,000
Georgia	Fort Stewart	$6,800,000
Illinois	Sparta	$1,900,000
Kansas	Salina	$6,700,000
Maryland	Easton	$13,800,000
Mississippi	Gulfport	$40,000,000
Nevada	Reno	$8,000,000
Ohio	Camp Ravenna	$3,300,000
Oregon	Salem	$16,500,000
Pennsylvania	Fort Indiantown Gap	$16,000,000
Vermont	North Hyde Park	$7,900,000
Virginia	Richmond	$29,000,000

SEC. 2602. AUTHORIZED ARMY RESERVE CONSTRUCTION AND LAND ACQUISITION PROJECTS.

(a) INSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2606 and available for the National Guard and Reserve as specified in the funding table in section 4601, the Secretary of the Army may acquire real property and carry out military construction projects for the Army Reserve locations inside the United States, and in the amounts, set forth in the following table:

Army Reserve: Inside the United States

State	Location	Amount
California	Miramar	$24,000,000
Florida	MacDill Air Force Base	$55,000,000
New York	Orangeburg	$4,200,000
Pennsylvania	Conneaut Lake	$5,000,000
Virginia	A.P. Hill	$24,000,000

(b) OUTSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2606 and available for the National Guard and Reserve as specified in the funding table in section 4601, the Secretary of the Army may acquire real property and carry out a military construction project for the Army Reserve location outside the United States, and in the amount, set forth in the following table:

Army Reserve: Outside the United States

Country	Location	Amount
Puerto Rico	Fort Buchanan	$10,200,000

SEC. 2603. AUTHORIZED NAVY RESERVE AND MARINE CORPS RESERVE CONSTRUCTION AND LAND ACQUISITION PROJECTS.

Using amounts appropriated pursuant to the authorization of appropriations in section 2606 and available for the National Guard and Reserve as specified in the funding table in section 4601, the Secretary of the Navy may acquire real property and carry out military construction projects for the Navy Reserve and Marine Corps Reserve locations inside the United States, and in the amounts, set forth in the following table:

Navy Reserve and Marine Corps Reserve

State	Location	Amount
Nevada	Fallon	$11,408,000
New York	Brooklyn	$2,479,000
Virginia	Dam Neck	$18,443,000

SEC. 2604. AUTHORIZED AIR NATIONAL GUARD CONSTRUCTION AND LAND ACQUISITION PROJECTS.

Using amounts appropriated pursuant to the authorization of appropriations in section 2606 and available for the National Guard and Reserve as specified in the funding table in section 4601, the Secretary of the Air Force may acquire real property and carry out military construction projects for the Air National Guard locations inside the United States, and in the amounts, set forth in the following table:

Air National Guard

State	Location	Amount
Alabama	Dannelly Field	$7,600,000
California	Moffett Field	$6,500,000
Colorado	Buckley Air Force Base	$5,100,000
Connecticut	Bradley	$6,300,000
Florida	Cape Canaveral	$6,100,000
Georgia	Savannah/Hilton Head IAP	$9,000,000
Hawaii	Joint Base Pearl Harbor-Hickam	$9,700,000
Iowa	Des Moines Map	$6,700,000
Kansas	Smokey Hill ANG Range	$2,900,000
Louisiana	New Orleans	$10,000,000
Maine	Bangor IAP	$7,200,000
New Hampshire	Pease International Tradeport	$4,300,000
New Jersey	Atlantic City IAP	$10,200,000
New York	Niagara Falls IAP	$7,700,000
North Carolina	Charlotte/Douglas IAP	$9,000,000
North Dakota	Hector IAP	$7,300,000
Oklahoma	Will Rogers World Airport	$7,600,000
Oregon	Klamath Falls IAP	$7,200,000
West Virginia	Yeager Airport	$3,900,000

SEC. 2605. AUTHORIZED AIR FORCE RESERVE CONSTRUCTION AND LAND ACQUISITION PROJECTS.

Using amounts appropriated pursuant to the authorization of appropriations in section 2606 and available for the National Guard and Reserve as specified in the funding table in section 4601, the Secretary of the Air Force may acquire real property and carry out military construction projects for the Air Force Reserve locations inside the United States, and in the amounts, set forth in the following table:

Air Force Reserve

State	Location	Amount
California	March Air Force Base	$4,600,000
Florida	Patrick Air Force Base	$3,400,000
Georgia	Dobbins Air Reserve Base	$10,400,000
Ohio	Youngstown	$9,400,000
Texas	Joint Base San Antonio	$9,900,000

SEC. 2606. AUTHORIZATION OF APPROPRIATIONS, NATIONAL GUARD AND RESERVE.

Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2015, for the costs of acquisition, architectural and engineering services, and construction of facilities for the Guard and Reserve Forces, and for contributions therefor, under chapter 1803 of title 10, United States Code (including the cost of acquisition of land for those facilities), as specified in the funding table in section 4601.

Subtitle B—Others Matters

SEC. 2611. MODIFICATION AND EXTENSION OF AUTHORITY TO CARRY OUT CERTAIN FISCAL YEAR 2013 PROJECT.

(a) MODIFICATION.—In the case of the authorization contained in the table in section 2602 of the Military Construction Authorization Act for Fiscal Year 2013 (division B of Public Law 112–239; 126 Stat. 2135) for Aberdeen Proving Ground, Maryland, for construction of an Army Reserve Center at that location, the Secretary of the Army may construct a new facility in the vicinity of Aberdeen Proving Ground, Maryland.

(b) DURATION OF AUTHORITY.—Notwithstanding section 2002 of the Military Construction Act for Fiscal Year 2013 (division B of Public Law 112–239; 126 Stat. 2118), the authorization set forth in subsection (a) shall remain in effect until October 1, 2016, or the date of the enactment of an Act authorizing funds for military construction for fiscal year 2017, whichever is later.

SEC. 2612. MODIFICATION OF AUTHORITY TO CARRY OUT CERTAIN FISCAL YEAR 2015 PROJECTS.

(a) DAVIS-MONTHAN AFB.—In the case of the authorization contained in the table in section 2605 of the Military Construction Authorization Act for Fiscal Year 2015 (division B of Public Law 113–291; 128 Stat. 3689) for Davis-Monthan Air Force Base, Arizona, for construction of a Guardian Angel Operations facility at that location, the Secretary of the Air Force may construct a new 5,913 square meter (63,647 square foot) facility in the amount of $18,200,000.

(b) FORT SMITH.—In the case of the authorization contained in the table in section 2604 of the Military Construction Authorization Act for Fiscal Year 2015 (division B of Public Law 113–291; 128 Stat. 3689) for Fort Smith Municipal Airport, Arkansas, for construction of a consolidated Secure Compartmented Information Facility at that location, the Secretary of the Air Force may construct a new facility in the amount of $15,200,000.

SEC. 2613. EXTENSION OF AUTHORIZATIONS OF CERTAIN FISCAL YEAR 2012 PROJECTS.

(a) EXTENSION.—Notwithstanding section 2002 of the Military Construction Authorization Act for Fiscal Year 2012 (division B of Public Law 112–81; 125 Stat. 1660), the authorizations set forth in the table in subsection (b), as provided in section 2602 of that Act (125 Stat. 1678), and extended by section 2611 of the Military Construction Authorization Act for Fiscal Year 2015 (division B of Public Law 113–291; 128 Stat. 3690, 3691), shall remain in effect until October 1, 2016, or the date of the enactment of an Act authorizing funds for military construction for fiscal year 2017, whichever is later.

(b) TABLE.—The table referred to in subsection (a) is as follows:

Extension of 2012 National Guard and Reserve Project Authorization

State	Location	Project	Amount
Kansas	Kansas City	Army Reserve Center	$13,000,000
Massachusetts	Attleboro	Army Reserve Center	$22,000,000

SEC. 2614. EXTENSION OF AUTHORIZATIONS OF CERTAIN FISCAL YEAR 2013 PROJECTS.

(a) EXTENSION.—Notwithstanding section 2002 of the Military Construction Authorization Act for Fiscal Year 2013 (division B of Public Law 112–239; 126 Stat. 2118), the authorizations set forth in the table in subsection (b), as provided in sections 2601, 2602, and 2603 of that Act (126 Stat. 2134, 2135) shall remain in effect until October 1, 2016, or the date of the enactment of an Act authorizing funds for military construction for fiscal year 2017, whichever is later.

(b) TABLE.—The table referred to in subsection (a) is as follows:

Extension of 2013 National Guard and Reserve Project Authorization

State	Location	Project	Amount
Arizona	Yuma	Reserve Training Facility—Yuma	$5,379,000
California	Tustin	Army Reserve Center	$27,000,000
Iowa	Fort Des Moines	Joint Reserve Center—Des Moines	$19,162,000
Louisiana	New Orleans	Transient Quarters	$7,187,000
New York	Camp Smith (Stormville)	Combined Support Maintenance Shop Phase 1	$24,000,000

TITLE XXVII—BASE REALIGNMENT AND CLOSURE ACTIVITIES

SEC. 2701. AUTHORIZATION OF APPROPRIATIONS FOR BASE REALIGNMENT AND CLOSURE ACTIVITIES FUNDED THROUGH DEPARTMENT OF DEFENSE BASE CLOSURE ACCOUNT.

Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2015, for base realignment and closure activities, including real property acquisition and military construction projects, as authorized by the Defense Base Closure and Realignment Act of 1990 (part A of title XXIX of Public Law 101–510; 10 U.S.C. 2687 note) and funded through the Department of Defense Base Closure Account established by section 2906 of such Act (as amended by section 2711 of the Military Construction Authorization Act for Fiscal Year 2013 (division B of Public Law 112–239; 126 Stat. 2140)), as specified in the funding table in section 4601.

SEC. 2702. PROHIBITION ON CONDUCTING ADDITIONAL BASE REALIGNMENT AND CLOSURE (BRAC) ROUND.

Nothing in the Act shall be construed to authorize an additional round of defense base closure and realignment.

TITLE XXVIII—MILITARY CONSTRUCTION GENERAL PROVISIONS

Subtitle A—Military Construction Program and Military Family Housing Changes

SEC. 2801. AUTHORITY FOR ACCEPTANCE AND USE OF CONTRIBUTIONS FOR CERTAIN MUTUALLY BENEFICIAL PROJECTS.

(a) AUTHORITY.—Subchapter II of chapter 138 of title 10, United States Code, is amended by adding at the end the following new section:

''§ 2350n. Construction, maintenance, and repair projects mutually beneficial to the Department of Defense and armed forces of a partner nation

''(a) AUTHORITY TO ACCEPT CONTRIBUTIONS.—The Secretary of Defense, after consultation with the Secretary of State, may accept cash contributions from any partner nation for the purposes specified in subsection (c).

''(b) ACCOUNTING.—Contributions accepted under subsection (a) shall be placed in an account established by the Secretary of Defense and shall remain available until expended for the purposes specified in subsection (c).

''(c) AVAILABILITY OF CONTRIBUTIONS.—Contributions accepted under subsection (a) shall be available only for payment of costs in connection with mutually beneficial construction (including military construction not otherwise authorized by law), maintenance, and repair projects.

''(d) PROHIBITION ON USE OF CONTRIBUTIONS TO OFFSET BURDEN SHARING CONTRIBUTIONS REQUIRED OF PARTNER NATIONS.—Contributions accepted under subsection (a) may not be used to offset burden sharing contributions that are otherwise required to be provided by partner nations.

''(e) MUTUALLY BENEFICIAL DEFINED.—A project shall be considered to be 'mutually beneficial' for purposes of this section if—

''(1) the project is in support of a bilateral defense cooperation agreement between the United States and a partner nation; or

''(2) the Secretary of Defense determines that the United States may derive a benefit from the project, including—

''(A) access to and use of facilities of the armed forces of a partner nation;

''(B) ability or capacity for future force posture; and

''(C) increased interoperability between the Department of Defense and the armed forces of a partner nation.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such subchapter is amended by adding at the end the following new item:

''2350n. Construction, maintenance, and repair projects mutually beneficial to the Department of Defense and armed forces of a partner nation.''.

SEC. 2802. CHANGE IN AUTHORITIES RELATING TO SCOPE OF WORK VARIATIONS FOR MILITARY CONSTRUCTION PROJECTS.

(a) LIMITED AUTHORITY FOR SCOPE OF WORK INCREASE.—Section 2853 of title 10, United States Code, is amended—

(1) in subsection (b)(2), by striking ''The scope of work'' and inserting ''Except as provided in subsection (d), the scope of work'';

(2) by redesignating subsections (d) and (e) as subsections (e) and (f), respectively; and

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

''(d) The limitation in subsection (b)(2) on an increase in the scope of work does not apply if—

''(1) the increase in the scope of work is not more than 10 percent of the amount specified for that project, construction, improvement, or acquisition in the justification data provided to Congress as part of the request for authorization of the project, construction, improvement, or acquisition;

''(2) the increase is approved by the Secretary concerned;

''(3) the Secretary concerned notifies the congressional defense committees in writing of the increase in scope and the reasons therefor; and

''(4) a period of 21 days has elapsed after the date on which the notification is received by the committees or, if over sooner, a period of 14 days has elapsed after the date on which a copy of the notification is provided in an electronic medium pursuant to section 480 of this title.''.

(b) CROSS-REFERENCE AMENDMENTS.—

(1) Subsection (a) of such section is amended by striking ''subsection (c) or (d)'' and inserting ''subsection (c), (d), or (e)''.

(2) Subsection (f) of such section, as redesignated by subsection (a)(2), is amended by striking ''through (d)'' and inserting ''through (e)''.

(c) ADDITIONAL TECHNICAL AMENDMENT.—Subsection (a) of such section is further amended by inserting ''of this title'' after ''section 2805(a)''.

SEC. 2803. EXTENSION OF TEMPORARY, LIMITED AUTHORITY TO USE OPERATION AND MAINTENANCE FUNDS FOR CONSTRUCTION PROJECTS OUTSIDE THE UNITED STATES.

(a) EXTENSION OF AUTHORITY.—Subsection (h) of section 2808 of the Military Construction Authorization Act for Fiscal Year 2004 (division B of Public Law 108–136; 117 Stat. 1723), as most recently amended by section 2806 of the Military Construction Authorization Act for Fiscal Year 2015 (division B of Public Law 113–291; 128 Stat. 3699), is amended—

(1) in paragraph (1), by striking ''December 31, 2015'' and inserting ''December 31, 2016''; and

(2) in paragraph (2), by striking ''fiscal year 2016'' and inserting ''fiscal year 2017''.

(b) LIMITATION ON USE OF AUTHORITY.—Subsection (c)(1) of such section is amended—

(1) by striking ''October 1, 2014'' and inserting ''October 1, 2015'';

(2) by striking ''December 31, 2015'' and inserting ''December 31, 2016''; and

(3) by striking ''fiscal year 2016'' and inserting ''fiscal year 2017''.

(c) ELIMINATION OF REPORTING REQUIREMENT.—Such section is further amended by striking subsection (d).

SEC. 2804. MODIFICATION OF REPORTING REQUIREMENT ON IN-KIND CONSTRUCTION AND RENOVATION PAYMENTS.

(a) REPORT REQUIRED.—

(1) IN GENERAL.—Not later than December 31, 2016, and annually thereafter, the Secretary of Defense shall provide the congressional defense committees a report on in-kind construction and renovation payments received during the preceding fiscal year.

(2) ELEMENTS.—Each report required under paragraph (1) shall include the following elements:

(A) A listing of each facility constructed or renovated for the Department of Defense as payment in-kind.

(B) An estimate of the value in United States dollars of that construction or renovation.

(C) A description of the source of the in-kind payment.

(D) A description of the agreement pursuant to which the in-kind payment was made.

(E) A description of the purpose and need for the construction or renovation.

(b) REPEAL OF EXISTING REPORTING REQUIREMENT.—Section 2805 of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112–239; 126 Stat. 2149) is repealed.

SEC. 2805. LAB MODERNIZATION PILOT PROGRAM.

(a) AUTHORITY TO USE RESEARCH, DEVELOPMENT, TEST, AND EVALUATION FUNDS.—The Secretary of Defense may fund military construction projects at the Department of Defense science and technology reinvention laboratories (as designated by section 1105(a) of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84; 10 U.S.C. 2358 note)), using amounts appropriated or otherwise made available to the Department of Defense for research, development, test, and evaluation.

(b) CONDITIONS.—Amounts made available pursuant to subsection (a) may be used for the purpose of funding major military construction projects that meet the following conditions:

(1) Projects are subject to the requirements of section 2802 of title 10, United States Code.

(2) Projects are included in the budget submitted to Congress pursuant to section 1105 of title 31, United States Code.

(3) Funds are specifically appropriated for the projects.

(c) CERTIFICATION.—The Secretary shall certify, as part of the budget submitted to Congress pursuant to section 1105 of title 31, United States Code, that military construction projects proposed pursuant to subsection (a)—

(1) will support the research and development activities at Department of Defense science and technology reinvention laboratories (as designated by section 1105(a) of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84; 10 U.S.C. 2358 note)) of more than one military department or Defense Agency or a technology development program that is consistent with the fielding of offset technologies as described in section 212.

(2) have been endorsed for funding by more than one military department or Defense Agency;

(3) will establish facilities that will have significant potential for use by entities outside the Department of Defense, including universities, industrial partners, and other Federal agencies; and

(4) cannot be fully funded under the thresholds specified by section 2805 of title 10, United States Code.

(d) FUNDS.—Amounts used for the pilot program established under this section may not exceed $100,000,000 for any fiscal year.

(e) TERMINATION OF AUTHORITY.—The authority provided under this section terminates on October 1, 2020.

SEC. 2806. CONVEYANCE TO INDIAN TRIBES OF CERTAIN HOUSING UNITS.

(a) DEFINITIONS.—In this section:

(1) EXECUTIVE DIRECTOR.—The term ''Executive Director'' means the Executive Director of Walking Shield, Inc.

(2) INDIAN TRIBE.—The term ''Indian tribe'' means any Indian tribe included on the list published by the Secretary of the Interior under section 104 of the Federally Recognized Indian Tribe List Act of 1994 (25 U.S.C.479a–1).

(b) REQUESTS FOR CONVEYANCE.—

(1) IN GENERAL.—The Executive Director may submit to the Secretary of the military department concerned, on behalf of any Indian tribe, a request for conveyance of any relocatable military housing unit located at a military installation in the United States.

(2) CONFLICTS.—The Executive Director shall resolve any conflict among requests of Indian tribes for housing units described in paragraph (1) before submitting a request to the Secretary of the military department concerned under this subsection.

(c) CONVEYANCE BY A SECRETARY.—Notwithstanding any other provision of law, on receipt of a request under subsection (b)(1), the Secretary of the military department concerned may convey to the Indian tribe that is the subject of the request, at no cost to such military department and without consideration, any relocatable military housing unit described in subsection (b)(1) that, as determined by such Secretary, is in excess of the needs of the military.

Subtitle B—Real Property and Facilities Administration

SEC. 2811. UTILITY SYSTEM CONVEYANCE AUTHORITY.

Section 2688(j) of title 10, United States Code, is amended—

(1) in the subsection heading, by striking ''CONSTRUCTION OF'' and inserting ''CONVEYANCE OF ADDITIONAL''; and

(2) in paragraph (1)—

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

(B) by redesignating subparagraphs (B) and (D) as subparagraphs (A) and (B), respectively;

(C) in subparagraph (A), as redesignated by subparagraph (B) of this paragraph, by striking ''utility system;'' and inserting '', or operating the additional utility infrastructure would be in the best interest of the government using a business case analysis similar to the analysis required under subsection (d)(2); and''; and

(D) in subparagraph (B), as so redesignated, by striking ''amount equal to the fair market value of'' and inserting ''amount for''.

SEC. 2812. LEASING OF NON-EXCESS PROPERTY OF MILITARY DEPARTMENTS AND DEFENSE AGENCIES; TREATMENT OF VALUE PROVIDED BY LOCAL EDUCATION AGENCIES AND ELEMENTARY AND SECONDARY SCHOOLS.

Section 2667 of title 10, United States Code, is amended by adding at the end the following new subsection:

''(k) LEASES FOR EDUCATION.—Notwithstanding subsection (b)(4), the Secretary concerned may accept consideration in an amount that is less than the fair market value of the lease, if the lease is to a local education agency or an elementary or secondary school (as those terms are defined in section 9101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801)).''.

SEC. 2813. MODIFICATION OF FACILITY REPAIR NOTIFICATION REQUIREMENT.

Section 2811 of title 10, United States Code, is amended—

(1) in subsection (d), by inserting ''or 75 percent of the estimated cost of a military construction project to replace the facility, or the facility is located at an overseas location that has not been designated a main operating base or forward operating site'' after ''in excess of $7,500,000'';

(2) by redesignating subsection (e) as subsection (f); and

(3) by inserting after subsection (d) the following new subsection:

''(e) NOTIFICATION THRESHOLD.—The congressional notification requirement under subsection (d) does not apply to a repair project costing less than $1,000,000.''.

SEC. 2814. INCREASE OF THRESHOLD OF NOTICE AND WAIT REQUIREMENT FOR CERTAIN FACILITIES FOR RESERVE COMPONENTS AND PARITY WITH AUTHORITY FOR UNSPECIFIED MINOR MILITARY CONSTRUCTION AND REPAIR PROJECTS.

(a) NOTICE AND WAIT REQUIREMENT.—Subsection (a) of section 18233a of title 10, United States Code, is amended by striking ''$750,000'' and inserting ''the amount specified in section 2805(b)(1) of this title''.

(b) REPAIR PROJECTS.—Subsection (b)(3) of such section is amended by striking ''$7,500,000'' and inserting ''the amount specified in section 2811(b) of this title''.

Subtitle C—Land Conveyances

SEC. 2821. RELEASE OF REVERSIONARY INTEREST RETAINED AS PART OF CONVEYANCE TO THE ECONOMIC DEVELOPMENT ALLIANCE OF JEFFERSON COUNTY, ARKANSAS.

(a) RELEASE OF CONDITIONS AND RETAINED INTERESTS.—With respect to a parcel of real property in Jefferson County, Arkansas, consisting of approximately 1,447 acres and conveyed by deed to the Economic Development Alliance of Jefferson County, Arkansas (in this section referred to as the ''Economic Development Alliance'') by the United States for use as the facility known as the ''Bioplex'' and related activities pursuant to section 2827 of the National Defense Authorization Act for Fiscal Year 1997 (Public Law 104–201), the Secretary of the Army may release subject to the conditions of subsections (b) and (d) below, the conditions of conveyance of subsection (c) of such section 2827 and the reversionary interest retained by the United States under subsection (e) of such section.

(b) CONSIDERATION.—

(1) EFFECT OF RECONVEYANCE.—Notwithstanding subsection (d) of such section 2827, the release authorized by subsection (a) of this section shall be subject to the condition that, if the Economic Development Alliance reconveys all or any part of the conveyed property during the 25-year period referred to in subsection (c)(2) of such section, the Economic Development Alliance shall pay to the United States, upon reconveyance, an amount equal to the fair market value of the reconveyed property as of the time of the reconveyance, excluding the value of any improvements made to the property by the Economic Development Alliance.

(2) DETERMINATION OF FAIR MARKET VALUE.—The Secretary of the Army shall determine fair market value in accordance

with Federal appraisal standards and procedures.

(3) TREATMENT OF LEASES.—The Secretary of the Army may treat a lease of the property within such 25-year period as a reconveyance if the Secretary determines that the lease is being used to avoid application of paragraph (1).

(4) DEPOSIT OF PROCEEDS.—The Secretary of the Army shall deposit any proceeds received under this subsection in the special account established pursuant to section 572(b) of title 40, United States Code.

(c) INSTRUMENT OF RELEASE.—The Secretary of the Army may execute and file in the appropriate office a deed of release, amended deed, or other appropriate instrument reflecting the release of conditions and retained interests under subsection (a).

(d) PAYMENT OF ADMINISTRATIVE COSTS.—

(1) PAYMENT REQUIRED.—The Secretary of the Army shall require the Economic Development Alliance to cover costs to be incurred by the Secretary, or to reimburse the Secretary for costs incurred by the Secretary, to carry out the release of conditions and retained interests under subsection (a), including survey costs, costs related to environmental documentation, and other administrative costs related to the release. If amounts paid to the Secretary in advance exceed the costs actually incurred by the Secretary to carry out the release, the Secretary shall refund the excess amount to the Economic Development Alliance.

(2) TREATMENT OF AMOUNTS RECEIVED.—Amounts received under paragraph (1) as reimbursement for costs incurred by the Secretary to carry out the release under subsection (a) shall be credited to the fund or account that was used to cover the costs incurred by the Secretary in carrying out the release. Amounts so credited shall be merged with amounts in such fund or account and shall be available for the same purposes, and subject to the same conditions and limitations, as amounts in such fund or account.

(e) ADDITIONAL TERMS AND CONDITIONS.—The Secretary of the Army may require such additional terms and conditions in connection with the release of conditions and retained interests under subsection (a) as the Secretary considers appropriate to protect the interests of the United States, including provisions that the Secretary determines are necessary to preclude any use of the property that would interfere with activities at Pine Bluff Arsenal.

DIVISION C—DEPARTMENT OF ENERGY NATIONAL SECURITY AUTHORIZATIONS AND OTHER AUTHORIZATIONS

TITLE XXXI—DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS

Subtitle A—National Security Programs Authorizations

SEC. 3101. NATIONAL NUCLEAR SECURITY ADMINISTRATION.

(a) AUTHORIZATION OF APPROPRIATIONS.—Funds are hereby authorized to be appropriated to the Department of Energy for fiscal year 2016 for the activities of the National Nuclear Security Administration in carrying out programs as specified in the funding table in section 4701.

(b) AUTHORIZATION OF NEW PLANT PROJECTS.—From funds referred to in subsection (a) that are available for carrying out plant projects, the Secretary of Energy may carry out the following new plant project for the National Nuclear Security Administration:

Project 16–D–621, Substation Replacement at Technical Area 3, Los Alamos National Laboratory, Los Alamos, New Mexico, $25,000,000.

SEC. 3102. DEFENSE ENVIRONMENTAL CLEANUP.

Funds are hereby authorized to be appropriated to the Department of Energy for fiscal year 2016 for defense environmental cleanup activities in carrying out programs as specified in the funding table in section 4701.

SEC. 3103. OTHER DEFENSE ACTIVITIES.

Funds are hereby authorized to be appropriated to the Department of Energy for fiscal year 2016 for other defense activities in carrying out programs as specified in the funding table in section 4701.

Subtitle B—Program Authorizations, Restrictions, and Limitations

SEC. 3111. RESPONSIVE CAPABILITIES PROGRAM.

(a) IN GENERAL.—Subtitle A of title XLII of the Atomic Energy Defense Act (50 U.S.C. 2521 et seq.) is amended by adding at the end the following new section:

''SEC. 4220. RESPONSIVE CAPABILITIES PROGRAM.

''(a) IN GENERAL.—The Administrator shall establish and carry out a program to exercise the technical capabilities of the Administration with respect to design and production of nuclear weapons to ensure that the Administration is ready to respond to future uncertainties not addressed by existing life extension programs.

''(b) PROGRAM ELEMENTS.—The Administrator shall ensure that the program required by subsection (a)—

''(1) is integrated across the science, engineering, design, and manufacturing cycle of the Administration;

''(2) results in—

''(A) physics models of components and systems the understanding of which will ensure existing models and experimental capabilities are robust, capable of being certified as safe and reliable in the absence of testing, and contribute to the predictive design framework;

''(B) shortened engineering design cycles that minimize the amount of time leading to an engineering prototype; and

''(C) rapid manufacturing capabilities to reduce the time and cost of production; and

''(3) integrates physics, engineering, and production capabilities into joint test assemblies and designs.''.

(b) CLERICAL AMENDMENT.—The table of contents for the Atomic Energy Defense Act is amended by inserting after the item relating to section 4219 the following new item:

''Sec. 4220. Responsive capabilities program.''.

SEC. 3112. LONG-TERM PLAN FOR MEETING NATIONAL SECURITY REQUIREMENTS FOR UNENCUMBERED URANIUM.

(a) IN GENERAL.—Subtitle A of title XLII of the Atomic Energy Defense Act (50 U.S.C. 2521 et seq.), as amended by section 3111, is further amended by adding at the end the following new section:

''SEC. 4221. LONG-TERM PLAN FOR MEETING NATIONAL SECURITY REQUIREMENTS FOR UNENCUMBERED URANIUM.

''(a) IN GENERAL.—Concurrent with the submission to Congress of the budget of the President under section 1105(a) of title 31, United States Code, in each even-numbered year beginning in 2016, the Secretary of Energy shall submit to the congressional defense committees a plan for meeting national security requirements for unencumbered uranium through 2065.

''(b) PLAN REQUIREMENTS.—The plan required by subsection (a) shall include the following:

''(1) An inventory of unencumbered uranium (other than depleted uranium), by program source and enrichment level, that, as of the date of the plan, is allocated to national security requirements.

''(2) An inventory of unencumbered uranium (other than depleted uranium), by program source and enrichment level, that, as of the date of the plan, is not allocated to national security requirements but could be allocated to such requirements.

''(3) An identification of national security requirements for unencumbered uranium, by program source and enrichment level.

''(4) A description of any shortfall in obtaining unencumbered uranium to meet national security requirements and an assessment of whether that shortfall could be mitigated through the blending down of uranium that is of a higher enrichment level.

''(5) An inventory of unencumbered depleted uranium, an assessment of the portion of that uranium that could be allocated to national security requirements through re-enrichment, and an estimate of the costs of re-enriching that uranium.

''(6) A description of the swap and barter agreements involving unencumbered uranium needed to meet national security requirements that are in effect on the date of the plan.

''(7) An assessment of whether additional enrichment of uranium will be required to meet national security requirements and an estimate of the time for production operations and the cost for each type of enrichment being considered.

''(8) A description of changes in policy that would mitigate any shortfall in obtaining unencumbered uranium to meet national security requirements and the implications of those changes.

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

''(d) DEFINITIONS.—In this section:

''(1) The term 'depleted', with respect to uranium, means that the uranium is depleted in uranium-235 compared with natural uranium.

''(2) The term 'unencumbered', with respect to uranium, means that the United States has no obligation to foreign governments to use the uranium for only peaceful purposes.''.

(b) CLERICAL AMENDMENT.—The table of contents for the Atomic Energy Defense Act, as amended by section 3111, is further amended by inserting after the item relating to section 4220 the following new item:

''Sec. 4221. Long-term plan for meeting national security requirements for unencumbered uranium.''.

SEC. 3113. DEFENSE NUCLEAR NONPROLIFERATION MANAGEMENT PLAN.

(a) IN GENERAL.—Title XLIII of the Atomic Energy Defense Act (50 U.S.C. 2563 et seq.) is amended by adding at the end the following new section:

''SEC. 4309. DEFENSE NUCLEAR NONPROLIFERATION MANAGEMENT PLAN.

''(a) IN GENERAL.—Concurrent with the submission to Congress of the budget of the President under section 1105(a) of title 31, United States Code, in each odd-numbered year beginning in 2017, the Administrator shall submit to the congressional defense committees a five-year management plan for activities associated with the defense nuclear nonproliferation programs of the Administration.

''(b) ELEMENTS.—The plan required by subsection (a) shall include, with respect to each

defense nuclear nonproliferation program of the Administration, the following:

''(1) A description of the following:

''(A) The policy context in which the program operates, including—

''(i) a list of relevant laws, policy directives issued by the President, and international agreements; and

''(ii) nuclear nonproliferation activities carried out by other Federal agencies.

''(B) The objectives and priorities of the program during the year preceding the submission of the plan required by subsection (a).

''(C) The activities carried out under the program during that year.

''(D) The accomplishments and challenges of the program during that year.

''(2) Plans for activities of the program during the five-year period beginning on the date on which the plan required by subsection (a) is submitted, including activities with respect to the following:

''(A) Preventing nuclear and radiological proliferation and terrorism, including through—

''(i) material management and minimization;

''(ii) global nuclear material security;

''(iii) nonproliferation and arms control;

''(iv) defense nuclear research and development; and

''(v) nonproliferation construction programs, including activities associated Department of Energy Order 413.1 (relating to program management controls).

''(B) Countering nuclear and radiological proliferation and terrorism.

''(C) Responding to nuclear and radiological proliferation and terrorism, including through—

''(i) crisis operations;

''(ii) consequences management; and

''(iii) emergency management, including international capacity building.

''(3) A threat analysis in support of the plans described in paragraph (2).

''(4) A plan for funding the program during the five-year period beginning on the date on which the plan required by subsection (a) is submitted.

''(5) A description of funds for the program received through contributions from or cost-sharing agreements with foreign governments consistent section 3132(f) of the Ronald W. Reagan National Defense Authorization Act for Fiscal Year 2005 (50 U.S.C. 2569(f)).

''(6) Such other matters as the Administrator considers appropriate.

''(c) FORM OF REPORT.—The plan required by subsection (a) may be submitted to the congressional defense committees in classified form if necessary.''.

(b) CLERICAL AMENDMENT.—The table of contents for the Atomic Energy Defense Act is amended by inserting after the item relating to section 4308 the following new item:

''Sec. 4309. Defense nuclear nonproliferation management plan.''.

(c) CONFORMING REPEALS.—

(1) Section 3122 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112–81; 125 Stat. 1710) is amended—

(A) by striking subsections (a) and (b);

(B) by redesignating subsections (c), (d), and (e) as subsections (a), (b), and (c), respectively; and

(C) in paragraph (2) of subsection (b), as redesignated by subparagraph (B), by striking ''subsection (c)(2)'' and inserting ''subsection (a)(2)''.

(2) Section 3145 of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112–239; 126 Stat. 2197) is repealed.

SEC. 3114. PLAN FOR DEACTIVATION AND DECOMMISSIONING OF NONOPERATIONAL DEFENSE NUCLEAR FACILITIES.

(a) IN GENERAL.—Subtitle B of title XLIV of the Atomic Energy Defense Act (50 U.S.C. 2602 et seq.) is amended by adding at the end the following new section:

''SEC. 4423. PLAN FOR DEACTIVATION AND DECOMMISSIONING OF NONOPERATIONAL DEFENSE NUCLEAR FACILITIES.

''(a) IN GENERAL.—During each even-numbered year beginning in 2016, the Secretary of Energy shall develop a plan to provide guidance for the activities of the Department of Energy relating to the deactivation and decommissioning of nonoperational defense nuclear facilities.

''(b) ELEMENTS.—The plan required by subsection (a) shall include the following:

''(1) A list of nonoperational defense nuclear facilities, prioritized for deactivation and decommissioning based on the potential to reduce risks to human health, property, or the environment and to maximize cost savings.

''(2) An assessment of the life cycle costs of each nonoperational defense nuclear facility during the period beginning on the date on which the plan is submitted under subsection (c) and ending on the earlier of—

''(A) the date that is 25 years after the date on which the plan is submitted; or

''(B) the estimated date for deactivation and decommissioning of the facility.

''(3) An estimate of the cost and time needed to deactivate and decommission each nonoperational defense nuclear facility, if available.

''(4) An estimate of the time at which the Office of Environmental Management anticipates accepting nonoperational defense nuclear facilities for deactivation and decommissioning.

''(5) An estimate of costs that could be avoided by—

''(A) accelerating the cleanup of nonoperational defense nuclear facilities; or

''(B) other means, such as reusing such facilities for another purpose.

''(c) SUBMISSION TO CONGRESS.—Not later than March 31 of each even-numbered year beginning in 2016, the Secretary shall submit to the congressional defense committees a report that includes—

''(1) the plan required by subsection (a);

''(2) a description of the deactivation and decommissioning actions expected to be taken during the following fiscal year pursuant to the plan; and

''(3) in the case of a report submitted during 2018 or any year thereafter, a description of the deactivation and decommissioning actions taken at each nonoperational defense nuclear facility during the preceding fiscal year.

''(d) TERMINATION.—The requirements of this section shall terminate after the submission to the congressional defense committees of the report required by subsection (c) to be submitted not later than March 31, 2026.

''(e) DEFINITIONS.—In this section:

''(1) The term 'life cycle costs', with respect to a facility, means—

''(A) the present and future costs of all resources and associated cost elements required to develop, produce, deploy, or sustain the facility; and

''(B) the present and future costs to deactivate, decommission, and deconstruct the facility.

''(2) The term 'nonoperational defense nuclear facility' means a production facility or utilization facility (as those terms are defined in section 11 of the Atomic Energy Act of 1954 (42 U.S.C. 2014)) under the control or jurisdiction of the Secretary of Energy and operated for national security purposes that is no longer needed for the mission of the Department of Energy, including the National Nuclear Security Administration.''.

(b) CLERICAL AMENDMENT.—The table of contents for the Atomic Energy Defense Act is amended by inserting after the item relating to section 4422 the following new item:

''Sec. 4423. Plan for deactivation and decommissioning of nonoperational defense nuclear facilities.''.

SEC. 3115. HANFORD WASTE TREATMENT AND IMMOBILIZATION PLANT CONTRACT OVERSIGHT.

(a) IN GENERAL.—Subtitle C of title XLIV of the Atomic Energy Defense Act (50 U.S.C. 2621 et seq.) is amended by adding at the end the following new section:

''SEC. 4446. HANFORD WASTE TREATMENT AND IMMOBILIZATION PLANT CONTRACT OVERSIGHT.

''(a) IN GENERAL.—Not later than 180 days after the date of the enactment of the National Defense Authorization Act for Fiscal Year 2016, the Secretary of Energy shall arrange to have an owner's agent assist the Secretary in carrying out the oversight responsibilities of the Secretary with respect to the contract described in subsection (b).

''(b) CONTRACT DESCRIBED.—The contract described in this subsection is the contract between the Office of River Protection of the Department of Energy and Bechtel National, Inc. or its successor relating to the Hanford Waste Treatment and Immobilization Plant (contract number DE–AC27–01RV14136).

''(c) DUTIES.—The duties of the owner's agent under subsection (a) shall include the following:

''(1) Performing design, construction, nuclear safety, and operability oversight of each facility covered by the contract described in subsection (b).

''(2) Beginning not later than one year after the date of the enactment of the National Defense Authorization Act for Fiscal Year 2016, ensuring that the preliminary documented safety analyses for all facilities covered by the contract meet the requirements of all applicable Department of Energy regulations and guidance, including section 830.206 of title 10, Code of Federal Regulations, and the Department of Energy Standard on the Integration of Safety into the Design Process (DOE–STD–1189–2008).

''(3) Assisting the Secretary in ensuring that, until the Secretary approves the documented safety analysis for each facility covered by the contract, the contractor ensures that each preliminary documented safety analysis is current.

''(4) Ensuring that the contractor acts to promptly resolve any unreviewed safety questions.

''(d) REPORT REQUIRED.—

''(1) IN GENERAL.—Not later than one year after the date of the enactment of the National Defense Authorization Act for Fiscal Year 2016, and every 180 days thereafter, the owner's agent specified in subsection (a) shall submit to the Secretary and the congressional defense committees a report on the assistance provided by the owner's agent to the Secretary under that subsection with respect to oversight of the contract described in subsection (b).

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

''(A) Information on the status of, and the plan for resolving, each unreviewed safety

question at each facility covered by the contract described in subsection (b).

''(B) An identification of each instance of disagreement between the owner's agent and the contractor with respect to whether an unreviewed safety question exists and the plan for resolution of the disagreement.

''(C) An identification of each aspect of each preliminary documented safety analysis that is not current, the plan for making that aspect current, and the status of the corrective efforts.

''(D) Information on the status of, and the plan for resolving, each unresolved technical issue at each facility covered by the contract, and the status of corrective efforts.

''(e) DEFINITIONS.—In this section:

''(1) The term 'contractor' means Bechtel National, Inc.

''(2) The term 'current', with respect to a documented safety analysis, means that the documented safety analysis includes any design changes approved by the contractor and any safety evaluation reports issued by the Secretary with respect to the facility covered by the analysis before the date that is 60 days before the date of the analysis.

''(3) The terms 'documented safety analysis', 'safety evaluation report', and 'unreviewed safety question' have the meanings given those terms in section 830.3 of title 10, Code of Federal Regulations (or any corresponding similar ruling or regulation).

''(4) The term 'owner's agent' means a private third-party entity with nuclear safety management expertise and without any contractual relationship with the contractor or conflict of interest.''.

(b) CLERICAL AMENDMENT.—The table of contents for the Atomic Energy Defense Act is amended by inserting after the item relating to section 4445 the following new item:

''Sec. 4446. Hanford Waste Treatment and Immobilization Plant contract oversight.''.

SEC. 3116. ASSESSMENT OF EMERGENCY PREPAREDNESS OF DEFENSE NUCLEAR FACILITIES.

(a) IN GENERAL.—Subtitle A of title XLVIII of the Atomic Energy Defense Act (50 U.S.C. 2781 et seq.) is amended by inserting after section 4802 the following new section:

''SEC. 4802A. ASSESSMENTS OF EMERGENCY PREPAREDNESS OF DEFENSE NUCLEAR FACILITIES.

''(a) IN GENERAL.—The Secretary of Energy shall include, in each award-fee evaluation conducted under section 16.401 of title 48, Code of Federal Regulations, of a management and operating contract for a Department of Energy defense nuclear facility in 2016 or any even-numbered year thereafter, an assessment of the adequacy of the emergency preparedness of that facility, including an assessment of the seniority level of employees and contractors of the Department of Energy that participate in emergency preparedness exercises at that facility.

''(b) REPORT REQUIRED.—Not later than 60 days after conducting an assessment under subsection (a), the Secretary shall submit to the congressional defense committees a report on the assessment.''.

(b) CLERICAL AMENDMENT.—The table of contents for the Atomic Energy Defense Act is amended by inserting after the item relating to section 4802 the following new item:

''Sec. 4802A. Assessments of emergency preparedness of defense nuclear facilities.''.

SEC. 3117. LABORATORY- AND FACILITY-DIRECTED RESEARCH AND DEVELOPMENT PROGRAMS.

(a) FUNDING FOR LABORATORY-DIRECTED RESEARCH AND DEVELOPMENT.—Section 4811(c) of the Atomic Energy Defense Act (50 U.S.C. 2791(c)) is amended by striking ''not to exceed 6 percent'' and inserting ''of not less than 5 percent and not more than 8 percent''.

(b) FACILITY-DIRECTED RESEARCH AND DEVELOPMENT.—

(1) IN GENERAL.—Subtitle B of title XLVIII of such Act (50 U.S.C. 2791 et seq.) is amended by inserting after section 4811 the following new section:

''SEC. 4811A. FACILITY-DIRECTED RESEARCH AND DEVELOPMENT.

''(a) AUTHORITY.—A covered facility that is funded out of funds available to the Department of Energy for national security programs may carry out facility-directed research and development.

''(b) REGULATIONS.—The Secretary of Energy shall prescribe regulations for the conduct of facility-directed research and development under subsection (a).

''(c) FUNDING.—Of the funds provided by the Department of Energy to covered facilities, the Secretary shall provide a specific amount, not to exceed 4 percent of such funds, to be used by such facilities for facility-directed research and development.

''(d) DEFINITIONS.—In this section:

''(1) COVERED FACILITY.—The term 'covered facility' means a nuclear weapons production facility or the Nevada Site Office of the Department of Energy.

''(2) FACILITY-DIRECTED RESEARCH AND DEVELOPMENT.—The term 'facility-directed research and development' means research and development work of a creative and innovative nature that, under the regulations prescribed pursuant to subsection (b), is selected by the director or manager of a covered facility for the purpose of maintaining the vitality of the facility in defense-related scientific disciplines.''.

(2) CLERICAL AMENDMENT.—The table of contents for the Atomic Energy Defense Act is amended by inserting after the item relating to section 4811 the following new item:

''Sec. 4811A. Facility-directed research and development.''.

SEC. 3118. LIMITATION ON BONUSES FOR EMPLOYEES OF THE NATIONAL NUCLEAR SECURITY ADMINISTRATION WHO ENGAGE IN IMPROPER PROGRAM MANAGEMENT.

(a) IN GENERAL.—Subtitle C of the National Nuclear Security Administration Act (50 U.S.C. 2441 et seq.) is amended by adding at the end the following new section:

''SEC. 3245. LIMITATION ON BONUSES FOR EMPLOYEES WHO ENGAGE IN IMPROPER PROGRAM MANAGEMENT.

''(a) LIMITATION.—If the Secretary of Energy or the Administrator determines that a senior employee of the Administration committed improper program management, the Secretary and the Administrator may not pay a bonus to that employee during the one-year period beginning on the date of the determination.

''(b) WAIVER.—The Secretary or the Administrator may waive the limitation on the payment of bonuses under subsection (a) on a case-by-case basis if—

''(1) the Secretary or the Administrator, as the case may be, notifies the congressional defense committees of the waiver; and

''(2) a period of 60 days elapses following the notification before the bonus is paid.

''(c) DEFINITIONS.—In this section:

''(1) The term 'bonus' means any bonus or cash award, including—

''(A) an award under chapter 45 of title 5, United States Code;

''(B) an additional step-increase under section 5336 of title 5, United States Code;

''(C) an award under section 5384 of title 5, United States Code;

''(D) a recruitment or relocation bonus under section 5753 of title 5, United States Code; and

''(E) a retention bonus under section 5754 of title 5, United States Code.

''(2) The term 'covered project' means—

''(A) a construction project of the Administration that is not a minor construction project (as defined in section 4703(d) of the Atomic Energy Defense Act (50 U.S.C. 2743(d))); or

''(B) a life extension program.

''(3) The term 'improper program management' means actions relating to the management of a covered project that significantly—

''(A) delay the project;

''(B) reduce the scope of the project; or

''(C) increase the cost of the project.''.

(b) CLERICAL AMENDMENT.—The table of contents for such Act is amended by inserting after the item relating to section 3244 the following new item:

''Sec. 3245. Limitation on bonuses for employees who engage in improper program management.''.

SEC. 3119. MODIFICATION OF AUTHORIZED PERSONNEL LEVELS OF THE OFFICE OF THE ADMINISTRATOR FOR NUCLEAR SECURITY.

Section 3241A(b)(3) of the National Nuclear Security Administration Act (50 U.S.C. 2441a(b)(3)) is amended by adding at the end the following new subparagraph:

''(E) 100 employees in positions established under section 3241.''.

SEC. 3120. MODIFICATION OF SUBMISSION OF ASSESSMENTS OF CERTAIN BUDGET REQUESTS RELATING TO THE NUCLEAR WEAPONS STOCKPILE.

Section 3255(a)(2) of the National Nuclear Security Administration Act (50 U.S.C. 2455(a)(2)) is amended by inserting ''in each even-numbered year and 150 days in each odd-numbered year'' after ''90 days''.

SEC. 3121. REPEAL OF PHASE THREE REVIEW OF CERTAIN DEFENSE ENVIRONMENTAL CLEANUP PROJECTS.

Section 3134 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84; 123 Stat. 2713), as amended by section 3134(a) of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112–239; 126 Stat. 2193), is further amended—

(1) in subsection (a), by striking ''a series of three reviews, as described in subsections (b), (c), and (d)'' and inserting ''two reviews, as described in subsections (b) and (c)''; and

(2) by striking subsection (d).

SEC. 3122. MODIFICATIONS TO COST-BENEFIT ANALYSES FOR COMPETITION OF MANAGEMENT AND OPERATING CONTRACTS.

Section 3121 of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112–239; 126 Stat. 2175), as amended by section 3124 of the National Defense Authorization Act for Fiscal Year 2014 (Public Law 113–66; 127 Stat. 1062), is further amended—

(1) in subsection (b)—

(A) by redesignating paragraphs (4) and (5) as paragraphs (6) and (7), respectively; and

(B) by striking paragraphs (1) through (3) and inserting the following new paragraphs:

''(1) a clear and complete description of the cost savings the Administrator expects to result from the competition for the contract over the life of the contract, including associated analyses, assumptions, and information sources used to determine such cost savings;

''(2) a description of any key limitations or uncertainties that could affect such costs

savings, including costs savings that are anticipated but not fully known;

''(3) the costs of the competition for the contract, including the immediate costs of conducting the competition;

''(4) a description of any expected disruptions or delays in mission activities or deliverables resulting from the competition for the contract;

''(5) a clear and complete description of the benefits expected by the Administrator with respect to mission performance or operations resulting from the competition;'';

(2) by redesignating subsections (c) and (d) as subsections (d) and (e), respectively;

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

''(c) INFORMATION QUALITY.—A report required by subsection (a) shall be prepared in accordance with—

''(1) the information quality guidelines of the Department of Energy that are relevant to the clear and complete presentation of information on each matter required to be included in the report under subsection (b); and

''(2) best practices of the Government Accountability Office and relevant industries for cost estimating, if appropriate.'';

(4) in subsection (d), as redesignated by paragraph (2), by striking paragraph (1) and inserting the following new paragraph (1):

''(1) IN GENERAL.—Except as provided in paragraph (2), the Comptroller General of the United States shall submit to the congressional defense committees a review of each report required by subsection (a) with respect to a contract not later than 3 years after the report is submitted to such committees that includes an assessment, based on the most current information available, of the following:

''(A) The actual cost savings achieved compared to cost savings estimated under subsection (b)(1), and any increased costs incurred under the contract that were unexpected or uncertain at the time the contract was awarded.

''(B) Any disruptions or delays in mission activities or deliverables resulting from the competition for the contract compared to the disruptions and delayed estimated under subsection (b)(4).

''(C) Whether expected benefits of the competition with respect to mission performance or operations have been achieved.''; and

(5) in subsection (e), as so redesignated—

(A) in paragraph (1), by striking ''2013 through 2017'' and inserting ''2015 through 2020'';

(B) by striking paragraph (2);

(C) by redesignating paragraph (3) as paragraph (2); and

(D) in paragraph (2), as redesignated by subparagraph (C), by striking ''subsections (a) and (d)(2)'' and inserting ''subsection (a)''.

SEC. 3123. REVIEW OF IMPLEMENTATION OF RECOMMENDATIONS OF THE CONGRESSIONAL ADVISORY PANEL ON THE GOVERNANCE OF THE NUCLEAR SECURITY ENTERPRISE.

(a) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Administrator for Nuclear Security shall enter into an agreement with the National Academy of Sciences and the National Academy of Public Administration (in this section referred to as the ''joint panel'') to review the implementation of the recommendations specified in subsection (b) of the Congressional Advisory Panel on the Governance of the Nuclear Security Enterprise established by section 3166 of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112–239; 126 Stat. 2208).

(b) RECOMMENDATIONS SPECIFIED.—The recommendations specified in this subsection are recommendations 4 through 10, 12, 13, and 15 through 19 in the table of recommendations in the report of the Congressional Advisory Panel on the Governance of the Nuclear Security Enterprise entitled ''A New Foundation for the Nuclear Security Enterprise'' and submitted to Congress pursuant to section 3166 of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112–239; 126 Stat. 2208), as amended by section 3142 of the National Defense Authorization Act for Fiscal Year 2014 (Public Law 113–66; 127 Stat. 1069).

(c) REPORT REQUIRED.—Not later than March 31, 2016, and annually thereafter through 2020, the joint panel shall submit to the congressional defense committees a report on the review required by subsection (a) that includes an assessment of—

(1) the status of the implementation of the recommendations specified in subsection (b); and

(2) the extent to which the implementation of the recommendations is resulting in the desired effect as envisioned by the Congressional Advisory Panel on the Governance of the Nuclear Security Enterprise.

TITLE XXXII—DEFENSE NUCLEAR FACILITIES SAFETY BOARD

SEC. 3201. AUTHORIZATION.

There are authorized to be appropriated for fiscal year 2016, $29,150,000 for the operation of the Defense Nuclear Facilities Safety Board under chapter 21 of the Atomic Energy Act of 1954 (42 U.S.C. 2286 et seq.).

DIVISION D—FUNDING TABLES

SEC. 4001. AUTHORIZATION OF AMOUNTS IN FUNDING TABLES.

(a) IN GENERAL.—Whenever a funding table in this division specifies a dollar amount authorized for a project, program, or activity, the obligation and expenditure of the specified dollar amount for the project, program, or activity is hereby authorized, subject to the availability of appropriations.

(b) MERIT-BASED DECISIONS.—A decision to commit, obligate, or expend funds with or to a specific entity on the basis of a dollar amount authorized pursuant to subsection (a) shall—

(1) be based on merit-based selection procedures in accordance with the requirements of sections 2304(k) and 2374 of title 10, United States Code, or on competitive procedures; and

(2) comply with other applicable provisions of law.

(c) RELATIONSHIP TO TRANSFER AND PROGRAMMING AUTHORITY.—An amount specified in the funding tables in this division may be transferred or reprogrammed under a transfer or reprogramming authority provided by another provision of this Act or by other law. The transfer or reprogramming of an amount specified in such funding tables shall not count against a ceiling on such transfers or reprogrammings under section 1001 or section 1522 of this Act or any other provision of law, unless such transfer or reprogramming would move funds between appropriation accounts.

(d) APPLICABILITY TO CLASSIFIED ANNEX.—This section applies to any classified annex that accompanies this Act.

(e) ORAL AND WRITTEN COMMUNICATIONS.—No oral or written communication concerning any amount specified in the funding tables in this division shall supersede the requirements of this section.

SEC. 4002. CLARIFICATION OF APPLICABILITY OF UNDISTRIBUTED REDUCTIONS OF CERTAIN OPERATION AND MAINTENANCE FUNDING AMONG ALL OPERATION AND MAINTENANCE FUNDING.

Any undistributed reduction in funding available for fiscal year 2016 for the Department of Defense for operation and maintenance, as specified in the funding table in section 4301, that is attributable to savings in connection with foreign currency fluctuations or bulk fuel purchases, may be applied against any funds available for that fiscal year for the Department for operation and maintenance, regardless of whether available as specified in the funding table in section 4301 or available as specified in the funding table in section 4302.

TITLE XLI—PROCUREMENT

SEC. 4101. PROCUREMENT.

SEC. 4101. PROCUREMENT
(In Thousands of Dollars)

Line	Item	FY 2016 Request	Senate Authorized
	AIRCRAFT PROCUREMENT, ARMY		
	FIXED WING		
2	UTILITY F/W AIRCRAFT	879	879
4	MQ–1 UAV	260,436	260,436
	ROTARY		
6	HELICOPTER, LIGHT UTILITY (LUH)	187,177	187,177
7	AH–64 APACHE BLOCK IIIA REMAN	1,168,461	1,168,461
8	AH–64 APACHE BLOCK IIIA REMAN (AP)	209,930	209,930
11	UH–60 BLACKHAWK M MODEL (MYP)	1,435,945	1,435,945
12	UH–60 BLACKHAWK M MODEL (MYP) (AP)	127,079	127,079
13	UH–60 BLACK HAWK A AND L MODELS	46,641	46,641
14	CH–47 HELICOPTER	1,024,587	1,024,587
15	CH–47 HELICOPTER (AP)	99,344	99,344
	MODIFICATION OF AIRCRAFT		
16	MQ–1 PAYLOAD (MIP)	97,543	97,543

SEC. 4101. PROCUREMENT
(In Thousands of Dollars)

Line	Item	FY 2016 Request	Senate Authorized
19	MULTI SENSOR ABN RECON (MIP)	95,725	95,725
20	AH–64 MODS	116,153	116,153
21	CH–47 CARGO HELICOPTER MODS (MYP)	86,330	86,330
22	GRCS SEMA MODS (MIP)	4,019	4,019
23	ARL SEMA MODS (MIP)	16,302	16,302
24	EMARSS SEMA MODS (MIP)	13,669	13,669
25	UTILITY/CARGO AIRPLANE MODS	16,166	16,166
26	UTILITY HELICOPTER MODS	13,793	13,793
28	NETWORK AND MISSION PLAN	112,807	112,807
29	COMMS, NAV SURVEILLANCE	82,904	82,904
30	GATM ROLLUP	33,890	33,890
31	RQ–7 UAV MODS	81,444	81,444
	GROUND SUPPORT AVIONICS		
32	AIRCRAFT SURVIVABILITY EQUIPMENT	56,215	56,215
33	SURVIVABILITY CM	8,917	8,917
34	CMWS	78,348	104,348
	Army UPL for AH–64 ASE: urgent survivability requirement		[26,000]
	OTHER SUPPORT		
35	AVIONICS SUPPORT EQUIPMENT	6,937	6,937
36	COMMON GROUND EQUIPMENT	64,867	64,867
37	AIRCREW INTEGRATED SYSTEMS	44,085	44,085
38	AIR TRAFFIC CONTROL	94,545	94,545
39	INDUSTRIAL FACILITIES	1,207	1,207
40	LAUNCHER, 2.75 ROCKET	3,012	3,012
	TOTAL AIRCRAFT PROCUREMENT, ARMY	**5,689,357**	**5,715,357**
	MISSILE PROCUREMENT, ARMY		
	SURFACE-TO-AIR MISSILE SYSTEM		
1	LOWER TIER AIR AND MISSILE DEFENSE (AMD)	115,075	115,075
2	MSE MISSILE	414,946	614,946
	Army UPL for Patriot PAC 3 for improved ballistic missile defense		[200,000]
	AIR-TO-SURFACE MISSILE SYSTEM		
3	HELLFIRE SYS SUMMARY	27,975	27,975
4	JOINT AIR-TO-GROUND MSLS (JAGM)	27,738	27,738
	ANTI-TANK/ASSAULT MISSILE SYS		
5	JAVELIN (AAWS-M) SYSTEM SUMMARY	77,163	77,163
6	TOW 2 SYSTEM SUMMARY	87,525	87,525
8	GUIDED MLRS ROCKET (GMLRS)	251,060	251,060
9	MLRS REDUCED RANGE PRACTICE ROCKETS (RRPR)	17,428	17,428
	MODIFICATIONS		
11	PATRIOT MODS	241,883	241,883
12	ATACMS MODS	30,119	20,119
	Early to need		[–10,000]
13	GMLRS MOD	18,221	18,221
14	STINGER MODS	2,216	2,216
15	AVENGER MODS	6,171	6,171
16	ITAS/TOW MODS	19,576	19,576
17	MLRS MODS	35,970	35,970
18	HIMARS MODIFICATIONS	3,148	3,148
	SPARES AND REPAIR PARTS		
19	SPARES AND REPAIR PARTS	33,778	33,778
	SUPPORT EQUIPMENT & FACILITIES		
20	AIR DEFENSE TARGETS	3,717	3,717
21	ITEMS LESS THAN $5.0M (MISSILES)	1,544	1,544
22	PRODUCTION BASE SUPPORT	4,704	4,704
	TOTAL MISSILE PROCUREMENT, ARMY	**1,419,957**	**1,609,957**
	PROCUREMENT OF W&TCV, ARMY		
	TRACKED COMBAT VEHICLES		
1	STRYKER VEHICLE	181,245	181,245
	MODIFICATION OF TRACKED COMBAT VEHICLES		
2	STRYKER (MOD)	74,085	74,085
3	STRYKER UPGRADE	305,743	305,743
5	BRADLEY PROGRAM (MOD)	225,042	225,042
6	HOWITZER, MED SP FT 155MM M109A6 (MOD)	60,079	60,079
7	PALADIN INTEGRATED MANAGEMENT (PIM)	273,850	273,850
8	IMPROVED RECOVERY VEHICLE (M88A2 HERCULES)	123,629	195,629
	16 M88A2s to supports modernization of ABCTs and industrial base		[72,000]
9	ASSAULT BRIDGE (MOD)	2,461	2,461
10	ASSAULT BREACHER VEHICLE	2,975	2,975
11	M88 FOV MODS	14,878	14,878
12	JOINT ASSAULT BRIDGE	33,455	33,455
13	M1 ABRAMS TANK (MOD)	367,939	367,939
	SUPPORT EQUIPMENT & FACILITIES		
15	PRODUCTION BASE SUPPORT (TCV-WTCV)	6,479	6,479
	WEAPONS & OTHER COMBAT VEHICLES		
16	MORTAR SYSTEMS	4,991	4,991

SEC. 4101. PROCUREMENT
(In Thousands of Dollars)

Line	Item	FY 2016 Request	Senate Authorized
17	XM320 GRENADE LAUNCHER MODULE (GLM)	26,294	26,294
18	PRECISION SNIPER RIFLE	1,984	0
	Early to need		[–1,984]
19	COMPACT SEMI-AUTOMATIC SNIPER SYSTEM	1,488	0
	Early to need		[–1,488]
20	CARBINE	34,460	34,460
21	COMMON REMOTELY OPERATED WEAPONS STATION	8,367	14,767
	Transferred funds		[6,400]
22	HANDGUN	5,417	0
	RFP release delayed, early to need		[–5,417]
	MOD OF WEAPONS AND OTHER COMBAT VEH		
23	MK–19 GRENADE MACHINE GUN MODS	2,777	2,777
24	M777 MODS	10,070	10,070
25	M4 CARBINE MODS	27,566	27,566
26	M2 50 CAL MACHINE GUN MODS	44,004	44,004
27	M249 SAW MACHINE GUN MODS	1,190	1,190
28	M240 MEDIUM MACHINE GUN MODS	1,424	1,424
29	SNIPER RIFLES MODIFICATIONS	2,431	1,031
	Early to need		[–1,400]
30	M119 MODIFICATIONS	20,599	20,599
32	MORTAR MODIFICATION	6,300	6,300
33	MODIFICATIONS LESS THAN $5.0M (WOCV-WTCV)	3,737	3,737
	SUPPORT EQUIPMENT & FACILITIES		
34	ITEMS LESS THAN $5.0M (WOCV-WTCV)	391	2,891
	Transfer funds		[2,500]
35	PRODUCTION BASE SUPPORT (WOCV-WTCV)	9,027	9,027
36	INDUSTRIAL PREPAREDNESS	304	304
37	SMALL ARMS EQUIPMENT (SOLDIER ENH PROG)	2,392	2,392
	TOTAL PROCUREMENT OF W&TCV, ARMY	**1,887,073**	**1,957,684**
	PROCUREMENT OF AMMUNITION, ARMY		
	SMALL/MEDIUM CAL AMMUNITION		
1	CTG, 5.56MM, ALL TYPES	43,489	43,489
2	CTG, 7.62MM, ALL TYPES	40,715	40,715
3	CTG, HANDGUN, ALL TYPES	7,753	6,801
	Program funding ahead of need		[–952]
4	CTG, .50 CAL, ALL TYPES	24,728	24,728
5	CTG, 25MM, ALL TYPES	8,305	8,305
6	CTG, 30MM, ALL TYPES	34,330	34,330
7	CTG, 40MM, ALL TYPES	79,972	69,972
	Early to need		[–10,000]
	MORTAR AMMUNITION		
8	60MM MORTAR, ALL TYPES	42,898	42,898
9	81MM MORTAR, ALL TYPES	43,500	43,500
10	120MM MORTAR, ALL TYPES	64,372	64,372
	TANK AMMUNITION		
11	CARTRIDGES, TANK, 105MM AND 120MM, ALL TYPES	105,541	105,541
	ARTILLERY AMMUNITION		
12	ARTILLERY CARTRIDGES, 75MM & 105MM, ALL TYPES	57,756	57,756
13	ARTILLERY PROJECTILE, 155MM, ALL TYPES	77,995	77,995
14	PROJ 155MM EXTENDED RANGE M982	45,518	45,518
15	ARTILLERY PROPELLANTS, FUZES AND PRIMERS, ALL	78,024	78,024
	ROCKETS		
16	SHOULDER LAUNCHED MUNITIONS, ALL TYPES	7,500	7,500
17	ROCKET, HYDRA 70, ALL TYPES	33,653	33,653
	OTHER AMMUNITION		
18	CAD/PAD, ALL TYPES	5,639	5,639
19	DEMOLITION MUNITIONS, ALL TYPES	9,751	9,751
20	GRENADES, ALL TYPES	19,993	19,993
21	SIGNALS, ALL TYPES	9,761	9,761
22	SIMULATORS, ALL TYPES	9,749	9,749
	MISCELLANEOUS		
23	AMMO COMPONENTS, ALL TYPES	3,521	3,521
24	NON-LETHAL AMMUNITION, ALL TYPES	1,700	1,700
25	ITEMS LESS THAN $5 MILLION (AMMO)	6,181	6,181
26	AMMUNITION PECULIAR EQUIPMENT	17,811	17,811
27	FIRST DESTINATION TRANSPORTATION (AMMO)	14,695	14,695
	PRODUCTION BASE SUPPORT		
29	PROVISION OF INDUSTRIAL FACILITIES	221,703	221,703
30	CONVENTIONAL MUNITIONS DEMILITARIZATION	113,250	113,250
31	ARMS INITIATIVE	3,575	3,575
	TOTAL PROCUREMENT OF AMMUNITION, ARMY	**1,233,378**	**1,222,426**
	OTHER PROCUREMENT, ARMY		
	TACTICAL VEHICLES		
1	TACTICAL TRAILERS/DOLLY SETS	12,855	12,855
2	SEMITRAILERS, FLATBED:	53	53

SEC. 4101. PROCUREMENT
(In Thousands of Dollars)

Line	Item	FY 2016 Request	Senate Authorized
4	JOINT LIGHT TACTICAL VEHICLE	308,336	308,336
5	FAMILY OF MEDIUM TACTICAL VEH (FMTV)	90,040	90,040
6	FIRETRUCKS & ASSOCIATED FIREFIGHTING EQUIP	8,444	8,444
7	FAMILY OF HEAVY TACTICAL VEHICLES (FHTV)	27,549	27,549
8	PLS ESP	127,102	127,102
10	TACTICAL WHEELED VEHICLE PROTECTION KITS	48,292	48,292
11	MODIFICATION OF IN SVC EQUIP	130,993	130,993
12	MINE-RESISTANT AMBUSH-PROTECTED (MRAP) MODS	19,146	19,146
	NON-TACTICAL VEHICLES		
14	PASSENGER CARRYING VEHICLES	1,248	1,248
15	NONTACTICAL VEHICLES, OTHER	9,614	9,614
	COMM—JOINT COMMUNICATIONS		
16	WIN-T—GROUND FORCES TACTICAL NETWORK	783,116	583,116
	Delayed obligation of prior year funds		[–200,000]
17	SIGNAL MODERNIZATION PROGRAM	49,898	49,898
18	JOINT INCIDENT SITE COMMUNICATIONS CAPABILITY	4,062	4,062
19	JCSE EQUIPMENT (USREDCOM)	5,008	5,008
	COMM—SATELLITE COMMUNICATIONS		
20	DEFENSE ENTERPRISE WIDEBAND SATCOM SYSTEMS	196,306	196,306
21	TRANSPORTABLE TACTICAL COMMAND COMMUNICATIONS	44,998	29,998
	Early to need in FY16 due to one year delay		[–15,000]
22	SHF TERM	7,629	7,629
23	NAVSTAR GLOBAL POSITIONING SYSTEM (SPACE)	14,027	14,027
24	SMART-T (SPACE)	13,453	13,453
25	GLOBAL BRDCST SVC—GBS	6,265	6,265
26	MOD OF IN-SVC EQUIP (TAC SAT)	1,042	1,042
27	ENROUTE MISSION COMMAND (EMC)	7,116	7,116
	COMM—C3 SYSTEM		
28	ARMY GLOBAL CMD & CONTROL SYS (AGCCS)	10,137	10,137
	COMM—COMBAT COMMUNICATIONS		
29	JOINT TACTICAL RADIO SYSTEM	64,640	64,640
30	MID-TIER NETWORKING VEHICULAR RADIO (MNVR)	27,762	27,762
31	RADIO TERMINAL SET, MIDS LVT(2)	9,422	9,422
32	AMC CRITICAL ITEMS—OPA2	26,020	26,020
33	TRACTOR DESK	4,073	4,073
34	SPIDER APLA REMOTE CONTROL UNIT	1,403	1,403
35	SPIDER FAMILY OF NETWORKED MUNITIONS INCR	9,199	9,199
36	SOLDIER ENHANCEMENT PROGRAM COMM/ELECTRONICS	349	349
37	TACTICAL COMMUNICATIONS AND PROTECTIVE SYSTEM	25,597	25,597
38	UNIFIED COMMAND SUITE	21,854	21,854
40	FAMILY OF MED COMM FOR COMBAT CASUALTY CARE	24,388	24,388
	COMM—INTELLIGENCE COMM		
42	CI AUTOMATION ARCHITECTURE	1,349	1,349
43	ARMY CA/MISO GPF EQUIPMENT	3,695	3,695
	INFORMATION SECURITY		
45	INFORMATION SYSTEM SECURITY PROGRAM-ISSP	19,920	19,920
46	COMMUNICATIONS SECURITY (COMSEC)	72,257	72,257
	COMM—LONG HAUL COMMUNICATIONS		
47	BASE SUPPORT COMMUNICATIONS	16,082	16,082
	COMM—BASE COMMUNICATIONS		
48	INFORMATION SYSTEMS	86,037	86,037
50	EMERGENCY MANAGEMENT MODERNIZATION PROGRAM	8,550	8,550
51	INSTALLATION INFO INFRASTRUCTURE MOD PROGRAM	73,496	73,496
	ELECT EQUIP—TACT INT REL ACT (TIARA)		
54	JTT/CIBS-M	881	881
55	PROPHET GROUND	63,650	48,650
	Unjustified program growth		[–15,000]
57	DCGS-A (MIP)	260,268	260,268
58	JOINT TACTICAL GROUND STATION (JTAGS)	3,906	3,906
59	TROJAN (MIP)	13,929	13,929
60	MOD OF IN-SVC EQUIP (INTEL SPT) (MIP)	3,978	3,978
61	CI HUMINT AUTO REPRTING AND COLL(CHARCS)	7,542	7,542
62	CLOSE ACCESS TARGET RECONNAISSANCE (CATR)	8,010	8,010
63	MACHINE FOREIGN LANGUAGE TRANSLATION SYSTEM-M	8,125	8,125
	ELECT EQUIP—ELECTRONIC WARFARE (EW)		
64	LIGHTWEIGHT COUNTER MORTAR RADAR	63,472	63,472
65	EW PLANNING & MANAGEMENT TOOLS (EWPMT)	2,556	2,556
66	AIR VIGILANCE (AV)	8,224	8,224
67	CREW	2,960	2,960
68	FAMILY OF PERSISTENT SURVEILLANCE CAPABILITIE	1,722	1,722
69	COUNTERINTELLIGENCE/SECURITY COUNTERMEASURES	447	447
70	CI MODERNIZATION	228	228
	ELECT EQUIP—TACTICAL SURV. (TAC SURV)		
71	SENTINEL MODS	43,285	43,285
72	NIGHT VISION DEVICES	124,216	124,216
74	SMALL TACTICAL OPTICAL RIFLE MOUNTED MLRF	23,216	23,216
76	INDIRECT FIRE PROTECTION FAMILY OF SYSTEMS	60,679	60,679
77	FAMILY OF WEAPON SIGHTS (FWS)	53,453	53,453
78	ARTILLERY ACCURACY EQUIP	3,338	3,338

SEC. 4101. PROCUREMENT
(In Thousands of Dollars)

Line	Item	FY 2016 Request	Senate Authorized
79	PROFILER	4,057	4,057
81	JOINT BATTLE COMMAND—PLATFORM (JBC-P)	133,339	133,339
82	JOINT EFFECTS TARGETING SYSTEM (JETS)	47,212	47,212
83	MOD OF IN-SVC EQUIP (LLDR)	22,314	22,314
84	COMPUTER BALLISTICS: LHMBC XM32	12,131	12,131
85	MORTAR FIRE CONTROL SYSTEM	10,075	10,075
86	COUNTERFIRE RADARS	217,379	142,379
	Under execution of prior year funds		[–75,000]
	ELECT EQUIP—TACTICAL C2 SYSTEMS		
87	FIRE SUPPORT C2 FAMILY	1,190	1,190
90	AIR & MSL DEFENSE PLANNING & CONTROL SYS	28,176	28,176
91	IAMD BATTLE COMMAND SYSTEM	20,917	20,917
92	LIFE CYCLE SOFTWARE SUPPORT (LCSS)	5,850	5,850
93	NETWORK MANAGEMENT INITIALIZATION AND SERVICE	12,738	12,738
94	MANEUVER CONTROL SYSTEM (MCS)	145,405	145,405
95	GLOBAL COMBAT SUPPORT SYSTEM-ARMY (GCSS-A)	162,654	146,654
	Program growth		[–16,000]
96	INTEGRATED PERSONNEL AND PAY SYSTEM-ARMY (IPP	4,446	4,446
98	RECONNAISSANCE AND SURVEYING INSTRUMENT SET	16,218	16,218
99	MOD OF IN-SVC EQUIPMENT (ENFIRE)	1,138	1,138
	ELECT EQUIP—AUTOMATION		
100	ARMY TRAINING MODERNIZATION	12,089	12,089
101	AUTOMATED DATA PROCESSING EQUIP	105,775	93,775
	Reduce IT procurement		[–12,000]
102	GENERAL FUND ENTERPRISE BUSINESS SYSTEMS FAM	18,995	18,995
103	HIGH PERF COMPUTING MOD PGM (HPCMP)	62,319	62,319
104	RESERVE COMPONENT AUTOMATION SYS (RCAS)	17,894	17,894
	ELECT EQUIP—AUDIO VISUAL SYS (A/V)		
106	ITEMS LESS THAN $5M (SURVEYING EQUIPMENT)	4,242	4,242
	ELECT EQUIP—SUPPORT		
107	PRODUCTION BASE SUPPORT (C-E)	425	425
108	BCT EMERGING TECHNOLOGIES	7,438	7,438
	CLASSIFIED PROGRAMS		
108A	CLASSIFIED PROGRAMS	6,467	6,467
	CHEMICAL DEFENSIVE EQUIPMENT		
109	PROTECTIVE SYSTEMS	248	248
110	FAMILY OF NON-LETHAL EQUIPMENT (FNLE)	1,487	1,487
112	CBRN DEFENSE	26,302	26,302
	BRIDGING EQUIPMENT		
113	TACTICAL BRIDGING	9,822	9,822
114	TACTICAL BRIDGE, FLOAT-RIBBON	21,516	21,516
115	BRIDGE SUPPLEMENTAL SET	4,959	4,959
116	COMMON BRIDGE TRANSPORTER (CBT) RECAP	52,546	52,546
	ENGINEER (NON-CONSTRUCTION) EQUIPMENT		
117	GRND STANDOFF MINE DETECTN SYSM (GSTAMIDS)	58,682	58,682
118	HUSKY MOUNTED DETECTION SYSTEM (HMDS)	13,565	13,565
119	ROBOTIC COMBAT SUPPORT SYSTEM (RCSS)	2,136	2,136
120	EOD ROBOTICS SYSTEMS RECAPITALIZATION	6,960	6,960
121	EXPLOSIVE ORDNANCE DISPOSAL EQPMT (EOD EQPMT)	17,424	17,424
122	REMOTE DEMOLITION SYSTEMS	8,284	8,284
123	< $5M, COUNTERMINE EQUIPMENT	5,459	5,459
124	FAMILY OF BOATS AND MOTORS	8,429	8,429
	COMBAT SERVICE SUPPORT EQUIPMENT		
125	HEATERS AND ECU'S	18,876	18,876
127	SOLDIER ENHANCEMENT	2,287	2,287
128	PERSONNEL RECOVERY SUPPORT SYSTEM (PRSS)	7,733	7,733
129	GROUND SOLDIER SYSTEM	49,798	49,798
130	MOBILE SOLDIER POWER	43,639	43,639
132	FIELD FEEDING EQUIPMENT	13,118	13,118
133	CARGO AERIAL DEL & PERSONNEL PARACHUTE SYSTEM	28,278	28,278
135	FAMILY OF ENGR COMBAT AND CONSTRUCTION SETS	34,544	34,544
136	ITEMS LESS THAN $5M (ENG SPT)	595	595
	PETROLEUM EQUIPMENT		
137	QUALITY SURVEILLANCE EQUIPMENT	5,368	5,368
138	DISTRIBUTION SYSTEMS, PETROLEUM & WATER	35,381	35,381
	MEDICAL EQUIPMENT		
139	COMBAT SUPPORT MEDICAL	73,828	73,828
	MAINTENANCE EQUIPMENT		
140	MOBILE MAINTENANCE EQUIPMENT SYSTEMS	25,270	25,270
141	ITEMS LESS THAN $5.0M (MAINT EQ)	2,760	2,760
	CONSTRUCTION EQUIPMENT		
142	GRADER, ROAD MTZD, HVY, 6X4 (CCE)	5,903	5,903
143	SCRAPERS, EARTHMOVING	26,125	26,125
146	TRACTOR, FULL TRACKED	27,156	27,156
147	ALL TERRAIN CRANES	16,750	16,750
148	PLANT, ASPHALT MIXING	984	984
149	HIGH MOBILITY ENGINEER EXCAVATOR (HMEE)	2,656	2,656
150	ENHANCED RAPID AIRFIELD CONSTRUCTION CAPAP	2,531	2,531
151	FAMILY OF DIVER SUPPORT EQUIPMENT	446	446

SEC. 4101. PROCUREMENT
(In Thousands of Dollars)

Line	Item	FY 2016 Request	Senate Authorized
152	CONST EQUIP ESP	19,640	19,640
153	ITEMS LESS THAN $5.0M (CONST EQUIP)	5,087	5,087
	RAIL FLOAT CONTAINERIZATION EQUIPMENT		
154	ARMY WATERCRAFT ESP	39,772	39,772
155	ITEMS LESS THAN $5.0M (FLOAT/RAIL)	5,835	5,835
	GENERATORS		
156	GENERATORS AND ASSOCIATED EQUIP	166,356	166,356
157	TACTICAL ELECTRIC POWER RECAPITALIZATION	11,505	11,505
	MATERIAL HANDLING EQUIPMENT		
159	FAMILY OF FORKLIFTS	17,496	17,496
	TRAINING EQUIPMENT		
160	COMBAT TRAINING CENTERS SUPPORT	74,916	74,916
161	TRAINING DEVICES, NONSYSTEM	303,236	278,236
	Unjustified program growth		[–25,000]
162	CLOSE COMBAT TACTICAL TRAINER	45,210	45,210
163	AVIATION COMBINED ARMS TACTICAL TRAINER	30,068	30,068
164	GAMING TECHNOLOGY IN SUPPORT OF ARMY TRAINING	9,793	9,793
	TEST MEASURE AND DIG EQUIPMENT (TMD)		
165	CALIBRATION SETS EQUIPMENT	4,650	4,650
166	INTEGRATED FAMILY OF TEST EQUIPMENT (IFTE)	34,487	34,487
167	TEST EQUIPMENT MODERNIZATION (TEMOD)	11,083	11,083
	OTHER SUPPORT EQUIPMENT		
169	RAPID EQUIPPING SOLDIER SUPPORT EQUIPMENT	17,937	17,937
170	PHYSICAL SECURITY SYSTEMS (OPA3)	52,040	52,040
171	BASE LEVEL COMMON EQUIPMENT	1,568	1,568
172	MODIFICATION OF IN-SVC EQUIPMENT (OPA–3)	64,219	64,219
173	PRODUCTION BASE SUPPORT (OTH)	1,525	1,525
174	SPECIAL EQUIPMENT FOR USER TESTING	3,268	3,268
176	TRACTOR YARD	7,191	7,191
	OPA2		
177	INITIAL SPARES—C&E	48,511	48,511
	TOTAL OTHER PROCUREMENT, ARMY	**5,899,028**	**5,541,028**
	AIRCRAFT PROCUREMENT, NAVY		
	COMBAT AIRCRAFT		
2	F/A–18E/F (FIGHTER) HORNET	0	1,150,000
	Additional 12 aircraft, unfunded requirement		[1,150,000]
3	JOINT STRIKE FIGHTER CV	897,542	873,042
	Efficiencies and excess cost growth		[–24,500]
4	JOINT STRIKE FIGHTER CV (AP)	48,630	48,630
5	JSF STOVL	1,483,414	2,508,314
	Efficiencies and excess cost growth		[–25,100]
	Additional 6 aircraft, unfunded requirement		[1,050,000]
6	JSF STOVL (AP)	203,060	203,060
7	CH–53K (HEAVY LIFT)	41,300	41,300
8	V–22 (MEDIUM LIFT)	1,436,355	1,436,355
9	V–22 (MEDIUM LIFT) (AP)	43,853	43,853
10	H–1 UPGRADES (UH–1Y/AH–1Z)	800,057	800,057
11	H–1 UPGRADES (UH–1Y/AH–1Z) (AP)	56,168	56,168
12	MH–60S (MYP)	28,232	28,232
14	MH–60R (MYP)	969,991	969,991
16	P–8A POSEIDON	3,008,928	3,008,928
17	P–8A POSEIDON (AP)	269,568	269,568
18	E–2D ADV HAWKEYE	857,654	857,654
19	E–2D ADV HAWKEYE (AP)	195,336	195,336
	TRAINER AIRCRAFT		
20	JPATS	8,914	8,914
	OTHER AIRCRAFT		
21	KC–130J	192,214	192,214
22	KC–130J (AP)	24,451	24,451
23	MQ–4 TRITON	494,259	494,259
24	MQ–4 TRITON (AP)	54,577	54,577
25	MQ–8 UAV	120,020	120,020
26	STUASL0 UAV	3,450	3,450
	MODIFICATION OF AIRCRAFT		
28	EA–6 SERIES	9,799	9,799
29	AEA SYSTEMS	23,151	23,151
30	AV–8 SERIES	41,890	45,190
	AV–8B Link 16 upgrades, unfunded requirement		[3,300]
31	ADVERSARY	5,816	5,816
32	F–18 SERIES	978,756	1,148,756
	Jamming protection upgrades, unfunded requirement		[170,000]
34	H–53 SERIES	46,887	46,887
35	SH–60 SERIES	107,728	107,728
36	H–1 SERIES	42,315	42,315
37	EP–3 SERIES	41,784	41,784
38	P–3 SERIES	3,067	3,067
39	E–2 SERIES	20,741	20,741

SEC. 4101. PROCUREMENT
(In Thousands of Dollars)

Line	Item	FY 2016 Request	Senate Authorized
40	TRAINER A/C SERIES	27,980	27,980
41	C–2A	8,157	8,157
42	C–130 SERIES	70,335	70,335
43	FEWSG	633	633
44	CARGO/TRANSPORT A/C SERIES	8,916	8,916
45	E–6 SERIES	185,253	185,253
46	EXECUTIVE HELICOPTERS SERIES	76,138	76,138
47	SPECIAL PROJECT AIRCRAFT	23,702	23,702
48	T–45 SERIES	105,439	105,439
49	POWER PLANT CHANGES	9,917	9,917
50	JPATS SERIES	13,537	13,537
51	COMMON ECM EQUIPMENT	131,732	131,732
52	COMMON AVIONICS CHANGES	202,745	202,745
53	COMMON DEFENSIVE WEAPON SYSTEM	3,062	3,062
54	ID SYSTEMS	48,206	48,206
55	P–8 SERIES	28,492	28,492
56	MAGTF EW FOR AVIATION	7,680	7,680
57	MQ–8 SERIES	22,464	22,464
58	RQ–7 SERIES	3,773	3,773
59	V–22 (TILT/ROTOR ACFT) OSPREY	121,208	144,208
	MV–22 Integrated Aircraft Survivability		[15,000]
	MV–22 Ballistic Protection		[8,000]
60	F–35 STOVL SERIES	256,106	256,106
61	F–35 CV SERIES	68,527	68,527
62	QRC	6,885	6,885
	AIRCRAFT SPARES AND REPAIR PARTS		
63	SPARES AND REPAIR PARTS	1,563,515	1,563,515
	AIRCRAFT SUPPORT EQUIP & FACILITIES		
64	COMMON GROUND EQUIPMENT	450,959	450,959
65	AIRCRAFT INDUSTRIAL FACILITIES	24,010	24,010
66	WAR CONSUMABLES	42,012	42,012
67	OTHER PRODUCTION CHARGES	2,455	2,455
68	SPECIAL SUPPORT EQUIPMENT	50,859	50,859
69	FIRST DESTINATION TRANSPORTATION	1,801	1,801
	TOTAL AIRCRAFT PROCUREMENT, NAVY	**16,126,405**	**18,473,105**
	WEAPONS PROCUREMENT, NAVY		
	MODIFICATION OF MISSILES		
1	TRIDENT II MODS	1,099,064	1,099,064
	SUPPORT EQUIPMENT & FACILITIES		
2	MISSILE INDUSTRIAL FACILITIES	7,748	7,748
	STRATEGIC MISSILES		
3	TOMAHAWK	184,814	214,814
	Combined with 47 FY15 OCO missiles, returns production to MSR		[30,000]
	TACTICAL MISSILES		
4	AMRAAM	192,873	207,873
	Additional captive air training missiles		[15,000]
5	SIDEWINDER	96,427	96,427
6	JSOW	21,419	21,419
7	STANDARD MISSILE	435,352	435,352
8	RAM	80,826	80,826
11	STAND OFF PRECISION GUIDED MUNITIONS (SOPGM)	4,265	4,265
12	AERIAL TARGETS	40,792	40,792
13	OTHER MISSILE SUPPORT	3,335	3,335
	MODIFICATION OF MISSILES		
14	ESSM	44,440	44,440
15	ESSM (AP)	54,462	54,462
16	HARM MODS	122,298	122,298
	SUPPORT EQUIPMENT & FACILITIES		
17	WEAPONS INDUSTRIAL FACILITIES	2,397	2,397
18	FLEET SATELLITE COMM FOLLOW-ON	39,932	39,932
	ORDNANCE SUPPORT EQUIPMENT		
19	ORDNANCE SUPPORT EQUIPMENT	57,641	61,309
	Classified Program		[3,668]
	TORPEDOES AND RELATED EQUIP		
20	SSTD	7,380	7,380
21	MK–48 TORPEDO	65,611	65,611
22	ASW TARGETS	6,912	6,912
	MOD OF TORPEDOES AND RELATED EQUIP		
23	MK–54 TORPEDO MODS	113,219	113,219
24	MK–48 TORPEDO ADCAP MODS	63,317	63,317
25	QUICKSTRIKE MINE	13,254	13,254
	SUPPORT EQUIPMENT		
26	TORPEDO SUPPORT EQUIPMENT	67,701	67,701
27	ASW RANGE SUPPORT	3,699	3,699
	DESTINATION TRANSPORTATION		
28	FIRST DESTINATION TRANSPORTATION	3,342	3,342
	GUNS AND GUN MOUNTS		

SEC. 4101. PROCUREMENT
(In Thousands of Dollars)

Line	Item	FY 2016 Request	Senate Authorized
29	SMALL ARMS AND WEAPONS	11,937	11,937
	MODIFICATION OF GUNS AND GUN MOUNTS		
30	CIWS MODS	53,147	53,147
31	COAST GUARD WEAPONS	19,022	19,022
32	GUN MOUNT MODS	67,980	67,980
33	AIRBORNE MINE NEUTRALIZATION SYSTEMS	19,823	19,823
	SPARES AND REPAIR PARTS		
35	SPARES AND REPAIR PARTS	149,725	149,725
	TOTAL WEAPONS PROCUREMENT, NAVY	**3,154,154**	**3,202,822**
	PROCUREMENT OF AMMO, NAVY & MC		
	NAVY AMMUNITION		
1	GENERAL PURPOSE BOMBS	101,238	101,238
2	AIRBORNE ROCKETS, ALL TYPES	67,289	67,289
3	MACHINE GUN AMMUNITION	20,340	20,340
4	PRACTICE BOMBS	40,365	40,365
5	CARTRIDGES & CART ACTUATED DEVICES	49,377	49,377
6	AIR EXPENDABLE COUNTERMEASURES	59,651	59,651
7	JATOS	2,806	2,806
8	LRLAP 6″ LONG RANGE ATTACK PROJECTILE	11,596	11,596
9	5 INCH/54 GUN AMMUNITION	35,994	35,994
10	INTERMEDIATE CALIBER GUN AMMUNITION	36,715	36,715
11	OTHER SHIP GUN AMMUNITION	45,483	45,483
12	SMALL ARMS & LANDING PARTY AMMO	52,080	52,080
13	PYROTECHNIC AND DEMOLITION	10,809	10,809
14	AMMUNITION LESS THAN $5 MILLION	4,469	4,469
	MARINE CORPS AMMUNITION		
15	SMALL ARMS AMMUNITION	46,848	46,848
16	LINEAR CHARGES, ALL TYPES	350	350
17	40 MM, ALL TYPES	500	500
18	60MM, ALL TYPES	1,849	1,849
19	81MM, ALL TYPES	1,000	1,000
20	120MM, ALL TYPES	13,867	13,867
22	GRENADES, ALL TYPES	1,390	1,390
23	ROCKETS, ALL TYPES	14,967	14,967
24	ARTILLERY, ALL TYPES	45,219	45,219
26	FUZE, ALL TYPES	29,335	29,335
27	NON LETHALS	3,868	3,868
28	AMMO MODERNIZATION	15,117	15,117
29	ITEMS LESS THAN $5 MILLION	11,219	11,219
	TOTAL PROCUREMENT OF AMMO, NAVY & MC	**723,741**	**723,741**
	SHIPBUILDING AND CONVERSION, NAVY		
	OTHER WARSHIPS		
1	CARRIER REPLACEMENT PROGRAM	1,634,701	1,634,701
2	CARRIER REPLACEMENT PROGRAM (AP)	874,658	874,658
3	VIRGINIA CLASS SUBMARINE	3,346,370	3,346,370
4	VIRGINIA CLASS SUBMARINE (AP)	1,993,740	2,793,740
	Accelerate shipbuilding funding		[800,000]
5	CVN REFUELING OVERHAULS	678,274	678,274
6	CVN REFUELING OVERHAULS (AP)	14,951	14,951
7	DDG 1000	433,404	433,404
8	DDG–51	3,149,703	3,549,703
	Incremental funding for one DDG–51		[400,000]
10	LITTORAL COMBAT SHIP	1,356,991	1,356,991
	AMPHIBIOUS SHIPS		
12	LPD–17	550,000	550,000
13	AFLOAT FORWARD STAGING BASE	0	97,000
	Accelerate shipbuilding funding		[97,000]
15	LHA REPLACEMENT	277,543	476,543
	Accelerate LHA–8 advanced procurement		[199,000]
XX	LX (R) AP	0	51,000
	Accelerate LX (R)		[51,000]
XXX	LCU Replacement	0	34,000
	Accelerate LCU replacement		[34,000]
	AUXILIARIES, CRAFT AND PRIOR YR PROGRAM COST		
17	TAO FLEET OILER	674,190	674,190
19	MOORED TRAINING SHIP (AP)	138,200	138,200
20	OUTFITTING	697,207	697,207
21	SHIP TO SHORE CONNECTOR	255,630	255,630
22	SERVICE CRAFT	30,014	30,014
23	LCAC SLEP	80,738	80,738
24	YP CRAFT MAINTENANCE/ROH/SLEP	21,838	21,838
25	COMPLETION OF PY SHIPBUILDING PROGRAMS	389,305	389,305
XX	T-ATS(X) Fleet Tug	0	75,000
	Accelerate T-ATS(X)		[75,000]

SEC. 4101. PROCUREMENT
(In Thousands of Dollars)

Line	Item	FY 2016 Request	Senate Authorized
	TOTAL SHIPBUILDING AND CONVERSION, NAVY	**16,597,457**	**18,253,457**
	OTHER PROCUREMENT, NAVY		
	SHIP PROPULSION EQUIPMENT		
1	LM–2500 GAS TURBINE	4,881	4,881
2	ALLISON 501K GAS TURBINE	5,814	5,814
3	HYBRID ELECTRIC DRIVE (HED)	32,906	32,906
	GENERATORS		
4	SURFACE COMBATANT HM&E	36,860	36,860
	NAVIGATION EQUIPMENT		
5	OTHER NAVIGATION EQUIPMENT	87,481	87,481
	PERISCOPES		
6	SUB PERISCOPES & IMAGING EQUIP	63,109	63,109
	OTHER SHIPBOARD EQUIPMENT		
7	DDG MOD	364,157	424,157
	Restore additional DDG BMD modernization (CNO UPL)		[60,000]
8	FIREFIGHTING EQUIPMENT	16,089	16,089
9	COMMAND AND CONTROL SWITCHBOARD	2,255	2,255
10	LHA/LHD MIDLIFE	28,571	28,571
11	LCC 19/20 EXTENDED SERVICE LIFE PROGRAM	12,313	12,313
12	POLLUTION CONTROL EQUIPMENT	16,609	16,609
13	SUBMARINE SUPPORT EQUIPMENT	10,498	10,498
14	VIRGINIA CLASS SUPPORT EQUIPMENT	35,747	35,747
15	LCS CLASS SUPPORT EQUIPMENT	48,399	48,399
16	SUBMARINE BATTERIES	23,072	23,072
17	LPD CLASS SUPPORT EQUIPMENT	55,283	55,283
18	STRATEGIC PLATFORM SUPPORT EQUIP	18,563	18,563
19	DSSP EQUIPMENT	7,376	7,376
21	LCAC	20,965	20,965
22	UNDERWATER EOD PROGRAMS	51,652	51,652
23	ITEMS LESS THAN $5 MILLION	102,498	102,498
24	CHEMICAL WARFARE DETECTORS	3,027	3,027
25	SUBMARINE LIFE SUPPORT SYSTEM	7,399	7,399
	REACTOR PLANT EQUIPMENT		
27	REACTOR COMPONENTS	296,095	296,095
	OCEAN ENGINEERING		
28	DIVING AND SALVAGE EQUIPMENT	15,982	15,982
	SMALL BOATS		
29	STANDARD BOATS	29,982	29,982
	TRAINING EQUIPMENT		
30	OTHER SHIPS TRAINING EQUIPMENT	66,538	66,538
	PRODUCTION FACILITIES EQUIPMENT		
31	OPERATING FORCES IPE	71,138	71,138
	OTHER SHIP SUPPORT		
32	NUCLEAR ALTERATIONS	132,625	132,625
33	LCS COMMON MISSION MODULES EQUIPMENT	23,500	23,500
34	LCS MCM MISSION MODULES	85,151	29,351
	Procurement in excess of need ahead of satisfactory testing		[–55,800]
35	LCS SUW MISSION MODULES	35,228	35,228
36	REMOTE MINEHUNTING SYSTEM (RMS)	87,627	22,027
	Procurement in excess of need ahead of satisfactory testing		[–65,600]
	LOGISTIC SUPPORT		
37	LSD MIDLIFE	2,774	2,774
	SHIP SONARS		
38	SPQ–9B RADAR	20,551	20,551
39	AN/SQQ–89 SURF ASW COMBAT SYSTEM	103,241	103,241
40	SSN ACOUSTICS	214,835	234,835
	Towed Array-unfunded requirement		[20,000]
41	UNDERSEA WARFARE SUPPORT EQUIPMENT	7,331	7,331
42	SONAR SWITCHES AND TRANSDUCERS	11,781	11,781
	ASW ELECTRONIC EQUIPMENT		
44	SUBMARINE ACOUSTIC WARFARE SYSTEM	21,119	21,119
45	SSTD	8,396	8,396
46	FIXED SURVEILLANCE SYSTEM	146,968	146,968
47	SURTASS	12,953	12,953
48	MARITIME PATROL AND RECONNSAISANCE FORCE	13,725	13,725
	ELECTRONIC WARFARE EQUIPMENT		
49	AN/SLQ–32	324,726	352,726
	SEWIP Block II unfunded requirement		[28,000]
	RECONNAISSANCE EQUIPMENT		
50	SHIPBOARD IW EXPLOIT	148,221	148,221
51	AUTOMATED IDENTIFICATION SYSTEM (AIS)	152	152
	SUBMARINE SURVEILLANCE EQUIPMENT		
52	SUBMARINE SUPPORT EQUIPMENT PROG	79,954	79,954
	OTHER SHIP ELECTRONIC EQUIPMENT		
53	COOPERATIVE ENGAGEMENT CAPABILITY	25,695	25,695
54	TRUSTED INFORMATION SYSTEM (TIS)	284	284
55	NAVAL TACTICAL COMMAND SUPPORT SYSTEM (NTCSS)	14,416	14,416
56	ATDLS	23,069	23,069

SEC. 4101. PROCUREMENT
(In Thousands of Dollars)

Line	Item	FY 2016 Request	Senate Authorized
57	NAVY COMMAND AND CONTROL SYSTEM (NCCS)	4,054	4,054
58	MINESWEEPING SYSTEM REPLACEMENT	21,014	21,014
59	SHALLOW WATER MCM	18,077	18,077
60	NAVSTAR GPS RECEIVERS (SPACE)	12,359	12,359
61	AMERICAN FORCES RADIO AND TV SERVICE	4,240	4,240
62	STRATEGIC PLATFORM SUPPORT EQUIP	17,440	17,440
	TRAINING EQUIPMENT		
63	OTHER TRAINING EQUIPMENT	41,314	41,314
	AVIATION ELECTRONIC EQUIPMENT		
64	MATCALS	10,011	10,011
65	SHIPBOARD AIR TRAFFIC CONTROL	9,346	9,346
66	AUTOMATIC CARRIER LANDING SYSTEM	21,281	21,281
67	NATIONAL AIR SPACE SYSTEM	25,621	25,621
68	FLEET AIR TRAFFIC CONTROL SYSTEMS	8,249	8,249
69	LANDING SYSTEMS	14,715	14,715
70	ID SYSTEMS	29,676	29,676
71	NAVAL MISSION PLANNING SYSTEMS	13,737	13,737
	OTHER SHORE ELECTRONIC EQUIPMENT		
72	DEPLOYABLE JOINT COMMAND & CONTROL	1,314	1,314
74	TACTICAL/MOBILE C4I SYSTEMS	13,600	13,600
75	DCGS-N	31,809	31,809
76	CANES	278,991	278,991
77	RADIAC	8,294	8,294
78	CANES-INTELL	28,695	28,695
79	GPETE	6,962	6,962
80	MASF	290	290
81	INTEG COMBAT SYSTEM TEST FACILITY	14,419	14,419
82	EMI CONTROL INSTRUMENTATION	4,175	4,175
83	ITEMS LESS THAN $5 MILLION	44,176	44,176
	SHIPBOARD COMMUNICATIONS		
84	SHIPBOARD TACTICAL COMMUNICATIONS	8,722	8,722
85	SHIP COMMUNICATIONS AUTOMATION	108,477	108,477
86	COMMUNICATIONS ITEMS UNDER $5M	16,613	16,613
	SUBMARINE COMMUNICATIONS		
87	SUBMARINE BROADCAST SUPPORT	20,691	20,691
88	SUBMARINE COMMUNICATION EQUIPMENT	60,945	60,945
	SATELLITE COMMUNICATIONS		
89	SATELLITE COMMUNICATIONS SYSTEMS	30,892	30,892
90	NAVY MULTIBAND TERMINAL (NMT)	118,113	118,113
	SHORE COMMUNICATIONS		
91	JCS COMMUNICATIONS EQUIPMENT	4,591	4,591
92	ELECTRICAL POWER SYSTEMS	1,403	1,403
	CRYPTOGRAPHIC EQUIPMENT		
93	INFO SYSTEMS SECURITY PROGRAM (ISSP)	135,687	135,687
94	MIO INTEL EXPLOITATION TEAM	970	970
	CRYPTOLOGIC EQUIPMENT		
95	CRYPTOLOGIC COMMUNICATIONS EQUIP	11,433	11,433
	OTHER ELECTRONIC SUPPORT		
96	COAST GUARD EQUIPMENT	2,529	2,529
	SONOBUOYS		
97	SONOBUOYS—ALL TYPES	168,763	168,763
	AIRCRAFT SUPPORT EQUIPMENT		
98	WEAPONS RANGE SUPPORT EQUIPMENT	46,979	46,979
100	AIRCRAFT SUPPORT EQUIPMENT	123,884	123,884
103	METEOROLOGICAL EQUIPMENT	15,090	15,090
104	DCRS/DPL	638	638
106	AIRBORNE MINE COUNTERMEASURES	14,098	14,098
111	AVIATION SUPPORT EQUIPMENT	49,773	49,773
	SHIP GUN SYSTEM EQUIPMENT		
112	SHIP GUN SYSTEMS EQUIPMENT	5,300	5,300
	SHIP MISSILE SYSTEMS EQUIPMENT		
115	SHIP MISSILE SUPPORT EQUIPMENT	298,738	298,738
120	TOMAHAWK SUPPORT EQUIPMENT	71,245	71,245
	FBM SUPPORT EQUIPMENT		
123	STRATEGIC MISSILE SYSTEMS EQUIP	240,694	240,694
	ASW SUPPORT EQUIPMENT		
124	SSN COMBAT CONTROL SYSTEMS	96,040	96,040
125	ASW SUPPORT EQUIPMENT	30,189	30,189
	OTHER ORDNANCE SUPPORT EQUIPMENT		
129	EXPLOSIVE ORDNANCE DISPOSAL EQUIP	22,623	22,623
130	ITEMS LESS THAN $5 MILLION	9,906	9,906
	OTHER EXPENDABLE ORDNANCE		
134	TRAINING DEVICE MODS	99,707	99,707
	CIVIL ENGINEERING SUPPORT EQUIPMENT		
135	PASSENGER CARRYING VEHICLES	2,252	2,252
136	GENERAL PURPOSE TRUCKS	2,191	2,191
137	CONSTRUCTION & MAINTENANCE EQUIP	2,164	2,164
138	FIRE FIGHTING EQUIPMENT	14,705	14,705
139	TACTICAL VEHICLES	2,497	2,497

SEC. 4101. PROCUREMENT
(In Thousands of Dollars)

Line	Item	FY 2016 Request	Senate Authorized
140	AMPHIBIOUS EQUIPMENT	12,517	12,517
141	POLLUTION CONTROL EQUIPMENT	3,018	3,018
142	ITEMS UNDER $5 MILLION	14,403	14,403
143	PHYSICAL SECURITY VEHICLES	1,186	1,186
	SUPPLY SUPPORT EQUIPMENT		
144	MATERIALS HANDLING EQUIPMENT	18,805	18,805
145	OTHER SUPPLY SUPPORT EQUIPMENT	10,469	10,469
146	FIRST DESTINATION TRANSPORTATION	5,720	5,720
147	SPECIAL PURPOSE SUPPLY SYSTEMS	211,714	211,714
	TRAINING DEVICES		
148	TRAINING SUPPORT EQUIPMENT	7,468	7,468
	COMMAND SUPPORT EQUIPMENT		
149	COMMAND SUPPORT EQUIPMENT	36,433	36,433
150	EDUCATION SUPPORT EQUIPMENT	3,180	3,180
151	MEDICAL SUPPORT EQUIPMENT	4,790	4,790
153	NAVAL MIP SUPPORT EQUIPMENT	4,608	4,608
154	OPERATING FORCES SUPPORT EQUIPMENT	5,655	5,655
155	C4ISR EQUIPMENT	9,929	9,929
156	ENVIRONMENTAL SUPPORT EQUIPMENT	26,795	26,795
157	PHYSICAL SECURITY EQUIPMENT	88,453	88,453
159	ENTERPRISE INFORMATION TECHNOLOGY	99,094	99,094
	OTHER		
160	NEXT GENERATION ENTERPRISE SERVICE	99,014	99,014
	CLASSIFIED PROGRAMS		
160A	CLASSIFIED PROGRAMS	21,439	21,439
	SPARES AND REPAIR PARTS		
161	SPARES AND REPAIR PARTS	328,043	328,043
	TOTAL OTHER PROCUREMENT, NAVY	**6,614,715**	**6,601,315**
	PROCUREMENT, MARINE CORPS		
	TRACKED COMBAT VEHICLES		
1	AAV7A1 PIP	26,744	26,744
2	LAV PIP	54,879	54,879
	ARTILLERY AND OTHER WEAPONS		
3	EXPEDITIONARY FIRE SUPPORT SYSTEM	2,652	2,652
4	155MM LIGHTWEIGHT TOWED HOWITZER	7,482	7,482
5	HIGH MOBILITY ARTILLERY ROCKET SYSTEM	17,181	17,181
6	WEAPONS AND COMBAT VEHICLES UNDER $5 MILLION	8,224	8,224
	OTHER SUPPORT		
7	MODIFICATION KITS	14,467	14,467
8	WEAPONS ENHANCEMENT PROGRAM	488	488
	GUIDED MISSILES		
9	GROUND BASED AIR DEFENSE	7,565	7,565
10	JAVELIN	1,091	1,091
11	FOLLOW ON TO SMAW	4,872	4,872
12	ANTI-ARMOR WEAPONS SYSTEM-HEAVY (AAWS-H)	668	668
	OTHER SUPPORT		
13	MODIFICATION KITS	12,495	152,495
	Additional missiles		[140,000]
	COMMAND AND CONTROL SYSTEMS		
14	UNIT OPERATIONS CENTER	13,109	13,109
15	COMMON AVIATION COMMAND AND CONTROL SYSTEM (C	35,147	35,147
	REPAIR AND TEST EQUIPMENT		
16	REPAIR AND TEST EQUIPMENT	21,210	21,210
	OTHER SUPPORT (TEL)		
17	COMBAT SUPPORT SYSTEM	792	792
	COMMAND AND CONTROL SYSTEM (NON-TEL)		
19	ITEMS UNDER $5 MILLION (COMM & ELEC)	3,642	3,642
20	AIR OPERATIONS C2 SYSTEMS	3,520	3,520
	RADAR + EQUIPMENT (NON-TEL)		
21	RADAR SYSTEMS	35,118	35,118
22	GROUND/AIR TASK ORIENTED RADAR (G/ATOR)	130,661	98,546
	Not meeting performance reqs reduce until technology is refined		[–32,115]
23	RQ–21 UAS	84,916	84,916
	INTELL/COMM EQUIPMENT (NON-TEL)		
24	FIRE SUPPORT SYSTEM	9,136	9,136
25	INTELLIGENCE SUPPORT EQUIPMENT	29,936	29,936
28	DCGS-MC	1,947	1,947
	OTHER COMM/ELEC EQUIPMENT (NON-TEL)		
31	NIGHT VISION EQUIPMENT	2,018	2,018
	OTHER SUPPORT (NON-TEL)		
32	NEXT GENERATION ENTERPRISE NETWORK (NGEN)	67,295	67,295
33	COMMON COMPUTER RESOURCES	43,101	43,101
34	COMMAND POST SYSTEMS	29,255	29,255
35	RADIO SYSTEMS	80,584	80,584
36	COMM SWITCHING & CONTROL SYSTEMS	66,123	66,123
37	COMM & ELEC INFRASTRUCTURE SUPPORT	79,486	79,486
	CLASSIFIED PROGRAMS		

SEC. 4101. PROCUREMENT
(In Thousands of Dollars)

Line	Item	FY 2016 Request	Senate Authorized
37A	CLASSIFIED PROGRAMS	2,803	2,803
	ADMINISTRATIVE VEHICLES		
38	COMMERCIAL PASSENGER VEHICLES	3,538	3,538
39	COMMERCIAL CARGO VEHICLES	22,806	22,806
	TACTICAL VEHICLES		
41	MOTOR TRANSPORT MODIFICATIONS	7,743	7,743
43	JOINT LIGHT TACTICAL VEHICLE	79,429	79,429
44	FAMILY OF TACTICAL TRAILERS	3,157	3,157
	OTHER SUPPORT		
45	ITEMS LESS THAN $5 MILLION	6,938	6,938
	ENGINEER AND OTHER EQUIPMENT		
46	ENVIRONMENTAL CONTROL EQUIP ASSORT	94	94
47	BULK LIQUID EQUIPMENT	896	896
48	TACTICAL FUEL SYSTEMS	136	136
49	POWER EQUIPMENT ASSORTED	10,792	10,792
50	AMPHIBIOUS SUPPORT EQUIPMENT	3,235	3,235
51	EOD SYSTEMS	7,666	7,666
	MATERIALS HANDLING EQUIPMENT		
52	PHYSICAL SECURITY EQUIPMENT	33,145	33,145
53	GARRISON MOBILE ENGINEER EQUIPMENT (GMEE)	1,419	1,419
	GENERAL PROPERTY		
57	TRAINING DEVICES	24,163	24,163
58	CONTAINER FAMILY	962	962
59	FAMILY OF CONSTRUCTION EQUIPMENT	6,545	6,545
60	FAMILY OF INTERNALLY TRANSPORTABLE VEH (ITV)	7,533	7,533
	OTHER SUPPORT		
62	ITEMS LESS THAN $5 MILLION	4,322	4,322
	SPARES AND REPAIR PARTS		
63	SPARES AND REPAIR PARTS	8,292	8,292
	TOTAL PROCUREMENT, MARINE CORPS	**1,131,418**	**1,239,303**
	AIRCRAFT PROCUREMENT, AIR FORCE		
	TACTICAL FORCES		
1	F–35	5,260,212	5,161,112
	Efficiencies and excess cost growth		[–99,100]
2	F–35 (AP)	460,260	460,260
	TACTICAL AIRLIFT		
3	KC–46A TANKER	2,350,601	2,326,601
	FY15 excess to need by $24 million due to program delays		[–24,000]
	OTHER AIRLIFT		
4	C–130J	889,154	889,154
5	C–130J (AP)	50,000	50,000
6	HC–130J	463,934	463,934
7	HC–130J (AP)	30,000	30,000
8	MC–130J	828,472	828,472
9	MC–130J (AP)	60,000	60,000
	MISSION SUPPORT AIRCRAFT		
11	CIVIL AIR PATROL A/C	2,617	2,617
	OTHER AIRCRAFT		
12	TARGET DRONES	132,028	132,028
14	RQ–4	37,800	37,800
15	MQ–9	552,528	1,032,528
	Accelerating procurement schedule to meet CCDR demand		[480,000]
	STRATEGIC AIRCRAFT		
17	B–2A	32,458	32,458
18	B–1B	114,119	114,119
19	B–52	148,987	148,987
20	LARGE AIRCRAFT INFRARED COUNTERMEASURES	84,335	84,335
	TACTICAL AIRCRAFT		
22	F–15	464,367	713,671
	EPAWSS upgrade		[11,600]
	F–15C AESA radars		[48,000]
	F–15D AESA radars		[192,500]
	ADCP II upgrades		[10,000]
	F–15C MIDS JTRS transfer to RDT&E		[–6,387]
	F–15E MIDS JTRS transfer to RDT&E		[–6,409]
23	F–16	17,134	17,134
24	F–22A	126,152	126,152
25	F–35 MODIFICATIONS	70,167	70,167
26	INCREMENT 3.2B	69,325	69,325
	AIRLIFT AIRCRAFT		
28	C–5	5,604	5,604
30	C–17A	46,997	46,997
31	C–21	10,162	10,162
32	C–32A	44,464	44,464
33	C–37A	10,861	10,861
	TRAINER AIRCRAFT		
34	GLIDER MODS	134	134

SEC. 4101. PROCUREMENT
(In Thousands of Dollars)

Line	Item	FY 2016 Request	Senate Authorized
35	T–6	17,968	17,968
36	T–1	23,706	23,706
37	T–38	30,604	30,604
	OTHER AIRCRAFT		
38	U–2 MODS	22,095	22,095
39	KC–10A (ATCA)	5,611	5,611
40	C–12	1,980	1,980
42	VC–25A MOD	98,231	98,231
43	C–40	13,171	13,171
44	C–130	7,048	130,248
	C–130H Electronic Prop Control System – UPL		[13,500]
	C–130H In-flight Prop Balancing System – UPL		[1,500]
	C–130H T–56 3.5 Engine Mods		[33,200]
	Funds added to comply with Sec 134, FY15 NDAA		[75,000]
45	C–130J MODS	29,713	29,713
46	C–135	49,043	49,043
47	COMPASS CALL MODS	68,415	97,115
	Modification for restored EC–130H		[28,700]
48	RC–135	156,165	156,165
49	E–3	13,178	13,178
50	E–4	23,937	23,937
51	E–8	18,001	18,001
52	AIRBORNE WARNING AND CONTROL SYSTEM	183,308	183,308
53	FAMILY OF BEYOND LINE-OF-SIGHT TERMINALS	44,163	44,163
54	H–1	6,291	6,291
55	UH–1N REPLACEMENT	2,456	2,456
56	H–60	45,731	45,731
57	RQ–4 MODS	50,022	50,022
58	HC/MC–130 MODIFICATIONS	21,660	21,660
59	OTHER AIRCRAFT	117,767	115,521
	C2ISR TDL transfer to COMSEC equipment		[–2,246]
60	MQ–1 MODS	3,173	3,173
61	MQ–9 MODS	115,226	115,226
63	CV–22 MODS	58,828	58,828
	AIRCRAFT SPARES AND REPAIR PARTS		
64	INITIAL SPARES/REPAIR PARTS	656,242	656,242
	COMMON SUPPORT EQUIPMENT		
65	AIRCRAFT REPLACEMENT SUPPORT EQUIP	33,716	33,716
	POST PRODUCTION SUPPORT		
67	B–2A	38,837	38,837
68	B–52	5,911	5,911
69	C–17A	30,108	30,108
70	CV–22 POST PRODUCTION SUPPORT	3,353	3,353
71	C–135	4,490	4,490
72	F–15	3,225	3,225
73	F–16	14,969	14,969
74	F–22A	971	971
76	MQ–9	5,000	5,000
	INDUSTRIAL PREPAREDNESS		
77	INDUSTRIAL RESPONSIVENESS	18,802	18,802
	WAR CONSUMABLES		
78	WAR CONSUMABLES	156,465	156,465
	OTHER PRODUCTION CHARGES		
79	OTHER PRODUCTION CHARGES	1,052,814	1,111,900
	Transfer from RDT&E for NATO AWACS		[59,086]
	CLASSIFIED PROGRAMS		
79A	CLASSIFIED PROGRAMS	42,503	42,503
	TOTAL AIRCRAFT PROCUREMENT, AIR FORCE	**15,657,769**	**16,472,713**
	MISSILE PROCUREMENT, AIR FORCE		
	MISSILE REPLACEMENT EQUIPMENT—BALLISTIC		
1	MISSILE REPLACEMENT EQ-BALLISTIC	94,040	94,040
	TACTICAL		
3	JOINT AIR-SURFACE STANDOFF MISSILE	440,578	440,578
4	SIDEWINDER (AIM–9X)	200,777	200,777
5	AMRAAM	390,112	390,112
6	PREDATOR HELLFIRE MISSILE	423,016	423,016
7	SMALL DIAMETER BOMB	133,697	133,697
	INDUSTRIAL FACILITIES		
8	INDUSTR'L PREPAREDNS/POL PREVENTION	397	397
	CLASS IV		
9	MM III MODIFICATIONS	50,517	50,517
10	AGM–65D MAVERICK	9,639	9,639
11	AGM–88A HARM	197	197
12	AIR LAUNCH CRUISE MISSILE (ALCM)	25,019	25,019
	MISSILE SPARES AND REPAIR PARTS		
14	INITIAL SPARES/REPAIR PARTS	48,523	48,523
	SPECIAL PROGRAMS		

SEC. 4101. PROCUREMENT
(In Thousands of Dollars)

Line	Item	FY 2016 Request	Senate Authorized
28	SPECIAL UPDATE PROGRAMS	276,562	276,562
	CLASSIFIED PROGRAMS		
28A	CLASSIFIED PROGRAMS	893,971	893,971
	TOTAL MISSILE PROCUREMENT, AIR FORCE	**2,987,045**	**2,987,045**
	SPACE PROCUREMENT, AIR FORCE		
	SPACE PROGRAMS		
1	ADVANCED EHF	333,366	333,366
2	WIDEBAND GAPFILLER SATELLITES(SPACE)	53,476	53,476
3	GPS III SPACE SEGMENT	199,218	0
	GPS III SV10 early to need		[–199,218]
4	SPACEBORNE EQUIP (COMSEC)	18,362	18,362
5	GLOBAL POSITIONING (SPACE)	66,135	66,135
6	DEF METEOROLOGICAL SAT PROG(SPACE)	89,351	0
	Cut DMSP #20		[–89,351]
7	EVOLVED EXPENDABLE LAUNCH CAPABILITY	571,276	571,276
8	EVOLVED EXPENDABLE LAUNCH VEH(SPACE)	800,201	800,201
9	SBIR HIGH (SPACE)	452,676	452,676
	TOTAL SPACE PROCUREMENT, AIR FORCE	**2,584,061**	**2,295,492**
	PROCUREMENT OF AMMUNITION, AIR FORCE		
	ROCKETS		
1	ROCKETS	23,788	23,788
	CARTRIDGES		
2	CARTRIDGES	131,102	169,602
	Increase to match size of A–10 fleet		[38,500]
	BOMBS		
3	PRACTICE BOMBS	89,759	89,759
4	GENERAL PURPOSE BOMBS	637,181	637,181
5	MASSIVE ORDNANCE PENETRATOR (MOP)	39,690	39,690
6	JOINT DIRECT ATTACK MUNITION	374,688	374,688
	OTHER ITEMS		
7	CAD/PAD	58,266	58,266
8	EXPLOSIVE ORDNANCE DISPOSAL (EOD)	5,612	5,612
9	SPARES AND REPAIR PARTS	103	103
10	MODIFICATIONS	1,102	1,102
11	ITEMS LESS THAN $5 MILLION	3,044	3,044
	FLARES		
12	FLARES	120,935	120,935
	FUZES		
13	FUZES	213,476	213,476
	SMALL ARMS		
14	SMALL ARMS	60,097	60,097
	TOTAL PROCUREMENT OF AMMUNITION, AIR FORCE	**1,758,843**	**1,797,343**
	OTHER PROCUREMENT, AIR FORCE		
	PASSENGER CARRYING VEHICLES		
1	PASSENGER CARRYING VEHICLES	8,834	8,834
	CARGO AND UTILITY VEHICLES		
2	MEDIUM TACTICAL VEHICLE	58,160	58,160
3	CAP VEHICLES	977	977
4	ITEMS LESS THAN $5 MILLION	12,483	12,483
	SPECIAL PURPOSE VEHICLES		
5	SECURITY AND TACTICAL VEHICLES	4,728	4,728
6	ITEMS LESS THAN $5 MILLION	4,662	4,662
	FIRE FIGHTING EQUIPMENT		
7	FIRE FIGHTING/CRASH RESCUE VEHICLES	10,419	10,419
	MATERIALS HANDLING EQUIPMENT		
8	ITEMS LESS THAN $5 MILLION	23,320	23,320
	BASE MAINTENANCE SUPPORT		
9	RUNWAY SNOW REMOV & CLEANING EQUIP	6,215	6,215
10	ITEMS LESS THAN $5 MILLION	87,781	87,781
	COMM SECURITY EQUIPMENT(COMSEC)		
11	COMSEC EQUIPMENT	136,998	139,244
	Transfer for Link 16 upgrades		[2,246]
12	MODIFICATIONS (COMSEC)	677	677
	INTELLIGENCE PROGRAMS		
13	INTELLIGENCE TRAINING EQUIPMENT	4,041	4,041
14	INTELLIGENCE COMM EQUIPMENT	22,573	22,573
15	MISSION PLANNING SYSTEMS	14,456	14,456
	ELECTRONICS PROGRAMS		
16	AIR TRAFFIC CONTROL & LANDING SYS	31,823	31,823
17	NATIONAL AIRSPACE SYSTEM	5,833	5,833
18	BATTLE CONTROL SYSTEM—FIXED	1,687	1,687
19	THEATER AIR CONTROL SYS IMPROVEMENTS	22,710	22,710
20	WEATHER OBSERVATION FORECAST	21,561	21,561

SEC. 4101. PROCUREMENT
(In Thousands of Dollars)

Line	Item	FY 2016 Request	Senate Authorized
21	STRATEGIC COMMAND AND CONTROL	286,980	286,980
22	CHEYENNE MOUNTAIN COMPLEX	36,186	36,186
24	INTEGRATED STRAT PLAN & ANALY NETWORK (ISPAN)	9,597	9,597
	SPCL COMM-ELECTRONICS PROJECTS		
25	GENERAL INFORMATION TECHNOLOGY	27,403	27,403
26	AF GLOBAL COMMAND & CONTROL SYS	7,212	7,212
27	MOBILITY COMMAND AND CONTROL	11,062	30,962
	Additional battlefield air operations kits to meet need		[19,900]
28	AIR FORCE PHYSICAL SECURITY SYSTEM	131,269	131,269
29	COMBAT TRAINING RANGES	33,606	33,606
30	MINIMUM ESSENTIAL EMERGENCY COMM N	5,232	5,232
31	C3 COUNTERMEASURES	7,453	7,453
32	INTEGRATED PERSONNEL AND PAY SYSTEM	3,976	3,976
33	GCSS-AF FOS	25,515	25,515
34	DEFENSE ENTERPRISE ACCOUNTING AND MGMT SYSTEM	9,255	9,255
35	THEATER BATTLE MGT C2 SYSTEM	7,523	7,523
36	AIR & SPACE OPERATIONS CTR-WPN SYS	12,043	12,043
37	AIR OPERATIONS CENTER (AOC) 10.2	24,246	24,246
	AIR FORCE COMMUNICATIONS		
38	INFORMATION TRANSPORT SYSTEMS	74,621	74,621
39	AFNET	103,748	86,748
	Restructure program		[–17,000]
41	JOINT COMMUNICATIONS SUPPORT ELEMENT (JCSE)	5,199	5,199
42	USCENTCOM	15,780	15,780
	SPACE PROGRAMS		
43	FAMILY OF BEYOND LINE-OF-SIGHT TERMINALS	79,592	79,592
44	SPACE BASED IR SENSOR PGM SPACE	90,190	90,190
45	NAVSTAR GPS SPACE	2,029	2,029
46	NUDET DETECTION SYS SPACE	5,095	5,095
47	AF SATELLITE CONTROL NETWORK SPACE	76,673	76,673
48	SPACELIFT RANGE SYSTEM SPACE	113,275	113,275
49	MILSATCOM SPACE	35,495	35,495
50	SPACE MODS SPACE	23,435	23,435
51	COUNTERSPACE SYSTEM	43,065	43,065
	ORGANIZATION AND BASE		
52	TACTICAL C-E EQUIPMENT	77,538	113,538
	Increase JTAC training and rehearsal simulators per AF unfunded priority list		[36,000]
54	RADIO EQUIPMENT	8,400	8,400
55	CCTV/AUDIOVISUAL EQUIPMENT	6,144	6,144
56	BASE COMM INFRASTRUCTURE	77,010	77,010
	MODIFICATIONS		
57	COMM ELECT MODS	71,800	71,800
	PERSONAL SAFETY & RESCUE EQUIP		
58	NIGHT VISION GOGGLES	2,370	2,370
59	ITEMS LESS THAN $5 MILLION	79,623	79,623
	DEPOT PLANT+MTRLS HANDLING EQ		
60	MECHANIZED MATERIAL HANDLING EQUIP	7,249	7,249
	BASE SUPPORT EQUIPMENT		
61	BASE PROCURED EQUIPMENT	9,095	9,095
62	ENGINEERING AND EOD EQUIPMENT	17,866	17,866
64	MOBILITY EQUIPMENT	61,850	61,850
65	ITEMS LESS THAN $5 MILLION	30,477	30,477
	SPECIAL SUPPORT PROJECTS		
67	DARP RC135	25,072	25,072
68	DCGS-AF	183,021	183,021
70	SPECIAL UPDATE PROGRAM	629,371	629,371
71	DEFENSE SPACE RECONNAISSANCE PROG.	100,663	100,663
	CLASSIFIED PROGRAMS		
71A	CLASSIFIED PROGRAMS	15,038,333	15,038,333
	SPARES AND REPAIR PARTS		
73	SPARES AND REPAIR PARTS	59,863	59,863
	TOTAL OTHER PROCUREMENT, AIR FORCE	**18,272,438**	**18,313,584**
	PROCUREMENT, DEFENSE-WIDE		
	MAJOR EQUIPMENT, DCAA		
1	ITEMS LESS THAN $5 MILLION	1,488	1,488
	MAJOR EQUIPMENT, DCMA		
2	MAJOR EQUIPMENT	2,494	2,494
	MAJOR EQUIPMENT, DHRA		
3	PERSONNEL ADMINISTRATION	9,341	9,341
	MAJOR EQUIPMENT, DISA		
7	INFORMATION SYSTEMS SECURITY	8,080	18,080
	Sharkseer increase		[10,000]
8	TELEPORT PROGRAM	62,789	62,789
9	ITEMS LESS THAN $5 MILLION	9,399	9,399
10	NET CENTRIC ENTERPRISE SERVICES (NCES)	1,819	1,819
11	DEFENSE INFORMATION SYSTEM NETWORK	141,298	141,298
12	CYBER SECURITY INITIATIVE	12,732	12,732

SEC. 4101. PROCUREMENT
(In Thousands of Dollars)

Line	Item	FY 2016 Request	Senate Authorized
13	WHITE HOUSE COMMUNICATION AGENCY	64,098	64,098
14	SENIOR LEADERSHIP ENTERPRISE	617,910	617,910
15	JOINT INFORMATION ENVIRONMENT	84,400	84,400
	MAJOR EQUIPMENT, DLA		
16	MAJOR EQUIPMENT	5,644	5,644
	MAJOR EQUIPMENT, DMACT		
17	MAJOR EQUIPMENT	11,208	11,208
	MAJOR EQUIPMENT, DODEA		
18	AUTOMATION/EDUCATIONAL SUPPORT & LOGISTICS	1,298	1,298
	MAJOR EQUIPMENT, DSS		
20	MAJOR EQUIPMENT	1,048	1,048
	MAJOR EQUIPMENT, DEFENSE THREAT REDUCTION AGENCY		
21	VEHICLES	100	100
22	OTHER MAJOR EQUIPMENT	5,474	5,474
	MAJOR EQUIPMENT, MISSILE DEFENSE AGENCY		
23	THAAD	464,067	464,067
24	AEGIS BMD	558,916	706,681
	Increase SM–3 Block IB purchase		[117,880]
	Increase SM–3 Block IB canisters		[2,565]
	Undifferentiated Block IB test and evaluation costs		[27,320]
25	AEGIS BMD (AP)	147,765	0
	Early to need		[–147,765]
26	BMDS AN/TPY–2 RADARS	78,634	78,634
27	AEGIS ASHORE PHASE III	30,587	30,587
28	IRON DOME	55,000	41,100
	Request excess of requirement		[–13,900]
XX	DAVIDS SLING	0	150,000
	Increase for David's Sling co-production		[150,000]
XXX	ARROW 3	0	15,000
	Increase for Arrow 3 co-production		[15,000]
	MAJOR EQUIPMENT, NSA		
35	INFORMATION SYSTEMS SECURITY PROGRAM (ISSP)	37,177	37,177
	MAJOR EQUIPMENT, OSD		
36	MAJOR EQUIPMENT, OSD	46,939	46,939
	MAJOR EQUIPMENT, TJS		
38	MAJOR EQUIPMENT, TJS	13,027	13,027
	MAJOR EQUIPMENT, WHS		
40	MAJOR EQUIPMENT, WHS	27,859	27,859
	CLASSIFIED PROGRAMS		
40A	CLASSIFIED PROGRAMS	617,757	617,757
	AVIATION PROGRAMS		
41	MC–12	63,170	0
	SOCOM requested realignment		[–63,170]
42	ROTARY WING UPGRADES AND SUSTAINMENT	135,985	135,985
44	NON-STANDARD AVIATION	61,275	61,275
45	U–28	0	63,170
	SOCOM requested realignment		[63,170]
47	RQ–11 UNMANNED AERIAL VEHICLE	20,087	20,087
48	CV–22 MODIFICATION	18,832	18,832
49	MQ–1 UNMANNED AERIAL VEHICLE	1,934	1,934
50	MQ–9 UNMANNED AERIAL VEHICLE	11,726	21,726
	MQ–9 capability enhancements		[10,000]
51	STUASL0	1,514	1,514
52	PRECISION STRIKE PACKAGE	204,105	204,105
53	AC/MC–130J	61,368	61,368
54	C–130 MODIFICATIONS	66,861	31,412
	C–130 TF/TA adjustments		[–35,449]
	SHIPBUILDING		
55	UNDERWATER SYSTEMS	32,521	32,521
	AMMUNITION PROGRAMS		
56	ORDNANCE ITEMS <$5M	174,734	174,734
	OTHER PROCUREMENT PROGRAMS		
57	INTELLIGENCE SYSTEMS	93,009	93,009
58	DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS	14,964	14,964
59	OTHER ITEMS <$5M	79,149	79,149
60	COMBATANT CRAFT SYSTEMS	33,362	33,362
61	SPECIAL PROGRAMS	143,533	143,533
62	TACTICAL VEHICLES	73,520	73,520
63	WARRIOR SYSTEMS <$5M	186,009	186,009
64	COMBAT MISSION REQUIREMENTS	19,693	19,693
65	GLOBAL VIDEO SURVEILLANCE ACTIVITIES	3,967	3,967
66	OPERATIONAL ENHANCEMENTS INTELLIGENCE	19,225	19,225
68	OPERATIONAL ENHANCEMENTS	213,252	213,252
	CBDP		
74	CHEMICAL BIOLOGICAL SITUATIONAL AWARENESS	141,223	141,223
75	CB PROTECTION & HAZARD MITIGATION	137,487	137,487
	UNDISTRIBUTED		
XX	USCC CYBER CAPABILITIES	0	75,000
	Cyber capabilities		[75,000]

SEC. 4101. PROCUREMENT
(In Thousands of Dollars)

Line	Item	FY 2016 Request	Senate Authorized
	TOTAL PROCUREMENT, DEFENSE-WIDE	**5,130,853**	**5,341,504**
	JOINT URGENT OPERATIONAL NEEDS FUND		
	JOINT URGENT OPERATIONAL NEEDS FUND		
1	JOINT URGENT OPERATIONAL NEEDS FUND	99,701	99,701
	TOTAL JOINT URGENT OPERATIONAL NEEDS FUND	**99,701**	**99,701**
	TOTAL PROCUREMENT	**106,967,393**	**111,847,577**

SEC. 4102. PROCUREMENT FOR OVERSEAS CONTINGENCY OPERATIONS.

SEC. 4102. PROCUREMENT FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

Line	Item	FY 2016 Request	Senate Authorized
	AIRCRAFT PROCUREMENT, ARMY		
	FIXED WING		
3	AERIAL COMMON SENSOR (ACS) (MIP)	99,500	99,500
4	MQ–1 UAV	16,537	16,537
	MODIFICATION OF AIRCRAFT		
16	MQ–1 PAYLOAD (MIP)	8,700	8,700
23	ARL SEMA MODS (MIP)	32,000	32,000
31	RQ–7 UAV MODS	8,250	8,250
	TOTAL AIRCRAFT PROCUREMENT, ARMY	**164,987**	**164,987**
	MISSILE PROCUREMENT, ARMY		
	AIR-TO-SURFACE MISSILE SYSTEM		
3	HELLFIRE SYS SUMMARY	37,260	37,260
	TOTAL MISSILE PROCUREMENT, ARMY	**37,260**	**37,260**
	PROCUREMENT OF W&TCV, ARMY		
	WEAPONS & OTHER COMBAT VEHICLES		
16	MORTAR SYSTEMS	7,030	7,030
21	COMMON REMOTELY OPERATED WEAPONS STATION	19,000	19,000
	TOTAL PROCUREMENT OF W&TCV, ARMY	**26,030**	**26,030**
	PROCUREMENT OF AMMUNITION, ARMY		
	SMALL/MEDIUM CAL AMMUNITION		
4	CTG, .50 CAL, ALL TYPES	4,000	4,000
	MORTAR AMMUNITION		
8	60MM MORTAR, ALL TYPES	11,700	11,700
9	81MM MORTAR, ALL TYPES	4,000	4,000
10	120MM MORTAR, ALL TYPES	7,000	7,000
	ARTILLERY AMMUNITION		
12	ARTILLERY CARTRIDGES, 75MM & 105MM, ALL TYPES	5,000	5,000
13	ARTILLERY PROJECTILE, 155MM, ALL TYPES	10,000	10,000
15	ARTILLERY PROPELLANTS, FUZES AND PRIMERS, ALL	2,000	2,000
	ROCKETS		
17	ROCKET, HYDRA 70, ALL TYPES	136,340	136,340
	OTHER AMMUNITION		
19	DEMOLITION MUNITIONS, ALL TYPES	4,000	4,000
21	SIGNALS, ALL TYPES	8,000	8,000
	TOTAL PROCUREMENT OF AMMUNITION, ARMY	**192,040**	**192,040**
	OTHER PROCUREMENT, ARMY		
	TACTICAL VEHICLES		
5	FAMILY OF MEDIUM TACTICAL VEH (FMTV)	243,998	243,998
9	HVY EXPANDED MOBILE TACTICAL TRUCK EXT SERV	223,276	223,276
11	MODIFICATION OF IN SVC EQUIP	130,000	130,000
12	MINE-RESISTANT AMBUSH-PROTECTED (MRAP) MODS	393,100	393,100
	COMM—SATELLITE COMMUNICATIONS		
21	TRANSPORTABLE TACTICAL COMMAND COMMUNICATIONS	5,724	5,724
	COMM—BASE COMMUNICATIONS		
51	INSTALLATION INFO INFRASTRUCTURE MOD PROGRAM	29,500	29,500
	ELECT EQUIP—TACT INT REL ACT (TIARA)		
57	DCGS-A (MIP)	54,140	54,140
59	TROJAN (MIP)	6,542	6,542
61	CI HUMINT AUTO REPRTING AND COLL(CHARCS)	3,860	3,860
	ELECT EQUIP—ELECTRONIC WARFARE (EW)		

SEC. 4102. PROCUREMENT FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

Line	Item	FY 2016 Request	Senate Authorized
68	FAMILY OF PERSISTENT SURVEILLANCE CAPABILITIE	14,847	14,847
69	COUNTERINTELLIGENCE/SECURITY COUNTERMEASURES	19,535	19,535
	ELECT EQUIP—TACTICAL SURV. (TAC SURV)		
84	COMPUTER BALLISTICS: LHMBC XM32	2,601	2,601
	ELECT EQUIP—TACTICAL C2 SYSTEMS		
87	FIRE SUPPORT C2 FAMILY	48	48
94	MANEUVER CONTROL SYSTEM (MCS)	252	252
	ELECT EQUIP—AUTOMATION		
101	AUTOMATED DATA PROCESSING EQUIP	652	652
	CHEMICAL DEFENSIVE EQUIPMENT		
111	BASE DEFENSE SYSTEMS (BDS)	4,035	4,035
	COMBAT SERVICE SUPPORT EQUIPMENT		
131	FORCE PROVIDER	53,800	53,800
133	CARGO AERIAL DEL & PERSONNEL PARACHUTE SYSTEM	700	700
	MATERIAL HANDLING EQUIPMENT		
159	FAMILY OF FORKLIFTS	10,486	10,486
	OTHER SUPPORT EQUIPMENT		
169	RAPID EQUIPPING SOLDIER SUPPORT EQUIPMENT	8,500	8,500
	TOTAL OTHER PROCUREMENT, ARMY	**1,205,596**	**1,205,596**
	JOINT IMPR EXPLOSIVE DEV DEFEAT FUND		
	FORCE TRAINING		
3	TRAIN THE FORCE	7,850	7,850
	JIEDDO DEVICE DEFEAT		
2	DEFEAT THE DEVICE	77,600	77,600
	NETWORK ATTACK		
1	ATTACK THE NETWORK	219,550	215,086
	Adjustment due to low execution in prior years		[–4,464]
	STAFF AND INFRASTRUCTURE		
4	OPERATIONS	188,271	144,464
	Maintain prior year funding level		[–43,807]
	TOTAL JOINT IMPR EXPLOSIVE DEV DEFEAT FUND	**493,271**	**445,000**
	AIRCRAFT PROCUREMENT, NAVY		
	OTHER AIRCRAFT		
26	STUASL0 UAV	55,000	55,000
	MODIFICATION OF AIRCRAFT		
30	AV–8 SERIES	41,365	41,365
32	F–18 SERIES	8,000	8,000
37	EP–3 SERIES	6,300	6,300
47	SPECIAL PROJECT AIRCRAFT	14,198	14,198
51	COMMON ECM EQUIPMENT	72,700	72,700
52	COMMON AVIONICS CHANGES	13,988	13,988
59	V–22 (TILT/ROTOR ACFT) OSPREY	4,900	4,900
	AIRCRAFT SUPPORT EQUIP & FACILITIES		
65	AIRCRAFT INDUSTRIAL FACILITIES	943	943
	TOTAL AIRCRAFT PROCUREMENT, NAVY	**217,394**	**217,394**
	WEAPONS PROCUREMENT, NAVY		
	TACTICAL MISSILES		
10	LASER MAVERICK	3,344	3,344
	TOTAL WEAPONS PROCUREMENT, NAVY	**3,344**	**3,344**
	PROCUREMENT OF AMMO, NAVY & MC		
	NAVY AMMUNITION		
1	GENERAL PURPOSE BOMBS	9,715	9,715
2	AIRBORNE ROCKETS, ALL TYPES	11,108	11,108
3	MACHINE GUN AMMUNITION	3,603	3,603
6	AIR EXPENDABLE COUNTERMEASURES	11,982	11,982
11	OTHER SHIP GUN AMMUNITION	4,674	4,674
12	SMALL ARMS & LANDING PARTY AMMO	3,456	3,456
13	PYROTECHNIC AND DEMOLITION	1,989	1,989
14	AMMUNITION LESS THAN $5 MILLION	4,674	4,674
	MARINE CORPS AMMUNITION		
20	120MM, ALL TYPES	10,719	10,719
23	ROCKETS, ALL TYPES	3,993	3,993
24	ARTILLERY, ALL TYPES	67,200	67,200
26	FUZE, ALL TYPES	3,299	3,299
25	DEMOLITION MUNITIONS, ALL TYPES	518	518
	TOTAL PROCUREMENT OF AMMO, NAVY & MC	**136,930**	**136,930**
	OTHER PROCUREMENT, NAVY		
	CIVIL ENGINEERING SUPPORT EQUIPMENT		
135	PASSENGER CARRYING VEHICLES	186	186

SEC. 4102. PROCUREMENT FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

Line	Item	FY 2016 Request	Senate Authorized
	CLASSIFIED PROGRAMS		
160A	CLASSIFIED PROGRAMS	12,000	12,000
	TOTAL OTHER PROCUREMENT, NAVY	**12,186**	**12,186**
	PROCUREMENT, MARINE CORPS		
	GUIDED MISSILES		
10	JAVELIN	7,679	7,679
	OTHER SUPPORT		
13	MODIFICATION KITS	10,311	10,311
	COMMAND AND CONTROL SYSTEMS		
14	UNIT OPERATIONS CENTER	8,221	8,221
	OTHER SUPPORT (TEL)		
18	MODIFICATION KITS	3,600	3,600
	COMMAND AND CONTROL SYSTEM (NON-TEL)		
19	ITEMS UNDER $5 MILLION (COMM & ELEC)	8,693	8,693
	INTELL/COMM EQUIPMENT (NON-TEL)		
27	RQ–11 UAV	3,430	3,430
	MATERIALS HANDLING EQUIPMENT		
52	PHYSICAL SECURITY EQUIPMENT	7,000	7,000
	TOTAL PROCUREMENT, MARINE CORPS	**48,934**	**48,934**
	AIRCRAFT PROCUREMENT, AIR FORCE		
	OTHER AIRCRAFT		
15	MQ–9	13,500	13,500
	OTHER AIRCRAFT		
44	C–130	1,410	1,410
56	H–60	39,300	39,300
58	HC/MC–130 MODIFICATIONS	5,690	5,690
61	MQ–9 MODS	69,000	69,000
	TOTAL AIRCRAFT PROCUREMENT, AIR FORCE	**128,900**	**128,900**
	MISSILE PROCUREMENT, AIR FORCE		
	TACTICAL		
6	PREDATOR HELLFIRE MISSILE	280,902	280,902
7	SMALL DIAMETER BOMB	2,520	2,520
	CLASS IV		
10	AGM–65D MAVERICK	5,720	5,720
	TOTAL MISSILE PROCUREMENT, AIR FORCE	**289,142**	**289,142**
	PROCUREMENT OF AMMUNITION, AIR FORCE		
	CARTRIDGES		
2	CARTRIDGES	8,371	8,371
	BOMBS		
4	GENERAL PURPOSE BOMBS	17,031	17,031
6	JOINT DIRECT ATTACK MUNITION	184,412	184,412
	FLARES		
12	FLARES	11,064	11,064
	FUZES		
13	FUZES	7,996	7,996
	TOTAL PROCUREMENT OF AMMUNITION, AIR FORCE	**228,874**	**228,874**
	OTHER PROCUREMENT, AIR FORCE		
	SPCL COMM-ELECTRONICS PROJECTS		
25	GENERAL INFORMATION TECHNOLOGY	3,953	3,953
27	MOBILITY COMMAND AND CONTROL	2,000	2,000
	AIR FORCE COMMUNICATIONS		
42	USCENTCOM	10,000	10,000
	ORGANIZATION AND BASE		
52	TACTICAL C-E EQUIPMENT	4,065	4,065
56	BASE COMM INFRASTRUCTURE	15,400	15,400
	PERSONAL SAFETY & RESCUE EQUIP		
58	NIGHT VISION GOGGLES	3,580	3,580
59	ITEMS LESS THAN $5 MILLION	3,407	3,407
	BASE SUPPORT EQUIPMENT		
62	ENGINEERING AND EOD EQUIPMENT	46,790	46,790
64	MOBILITY EQUIPMENT	400	400
65	ITEMS LESS THAN $5 MILLION	9,800	9,800
	SPECIAL SUPPORT PROJECTS		
71	DEFENSE SPACE RECONNAISSANCE PROG.	28,070	28,070
	CLASSIFIED PROGRAMS		
71A	CLASSIFIED PROGRAMS	3,732,499	3,732,499
	TOTAL OTHER PROCUREMENT, AIR FORCE	**3,859,964**	**3,859,964**

SEC. 4102. PROCUREMENT FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

Line	Item	FY 2016 Request	Senate Authorized
	PROCUREMENT, DEFENSE-WIDE		
	MAJOR EQUIPMENT, DISA		
8	TELEPORT PROGRAM	1,940	1,940
	CLASSIFIED PROGRAMS		
40A	CLASSIFIED PROGRAMS	35,482	35,482
	AVIATION PROGRAMS		
41	MC–12	5,000	5,000
	AMMUNITION PROGRAMS		
56	ORDNANCE ITEMS <$5M	35,299	35,299
	OTHER PROCUREMENT PROGRAMS		
61	SPECIAL PROGRAMS	15,160	15,160
63	WARRIOR SYSTEMS <$5M	15,000	15,000
68	OPERATIONAL ENHANCEMENTS	104,537	104,537
	TOTAL PROCUREMENT, DEFENSE-WIDE	**212,418**	**212,418**
	TOTAL PROCUREMENT	**7,257,270**	**7,208,999**

TITLE XLII—RESEARCH, DEVELOPMENT, TEST, AND EVALUATION

SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION
(In Thousands of Dollars)

Line	Program Element	Item	FY 2016 Request	Senate Authorized
		RESEARCH, DEVELOPMENT, TEST & EVAL, ARMY		
		BASIC RESEARCH		
1	0601101A	IN-HOUSE LABORATORY INDEPENDENT RESEARCH	13,018	13,018
2	0601102A	DEFENSE RESEARCH SCIENCES	239,118	279,118
		Basic research program increase		[40,000]
3	0601103A	UNIVERSITY RESEARCH INITIATIVES	72,603	72,603
4	0601104A	UNIVERSITY AND INDUSTRY RESEARCH CENTERS	100,340	100,340
		SUBTOTAL, BASIC RESEARCH	**425,079**	**465,079**
		APPLIED RESEARCH		
5	0602105A	MATERIALS TECHNOLOGY	28,314	28,314
6	0602120A	SENSORS AND ELECTRONIC SURVIVABILITY	38,374	38,374
7	0602122A	TRACTOR HIP	6,879	6,879
8	0602211A	AVIATION TECHNOLOGY	56,884	56,884
9	0602270A	ELECTRONIC WARFARE TECHNOLOGY	19,243	19,243
10	0602303A	MISSILE TECHNOLOGY	45,053	45,053
11	0602307A	ADVANCED WEAPONS TECHNOLOGY	29,428	29,428
12	0602308A	ADVANCED CONCEPTS AND SIMULATION	27,862	27,862
13	0602601A	COMBAT VEHICLE AND AUTOMOTIVE TECHNOLOGY	68,839	68,839
14	0602618A	BALLISTIAG TECHNOLOGY	92,801	92,801
15	0602622A	CHEMICAL, SMOKE AND EQUIPMENT DEFEATING TECHNOLOGY	3,866	3,866
16	0602623A	JOINT SERVICE SMALL ARMS PROGRAM	5,487	5,487
17	0602624A	WEAPONS AND MUNITIONS TECHNOLOGY	48,340	48,340
18	0602705A	ELECTRONIAG AND ELECTRONIC DEVICES	55,301	55,301
19	0602709A	NIGHT VISION TECHNOLOGY	33,807	33,807
20	0602712A	COUNTERMINE SYSTEMS	25,068	25,068
21	0602716A	HUMAN FACTORS ENGINEERING TECHNOLOGY	23,681	23,681
22	0602720A	ENVIRONMENTAL QUALITY TECHNOLOGY	20,850	20,850
23	0602782A	COMMAND, CONTROL, COMMUNICATIONS TECHNOLOGY	36,160	36,160
24	0602783A	COMPUTER AND SOFTWARE TECHNOLOGY	12,656	12,656
25	0602784A	MILITARY ENGINEERING TECHNOLOGY	63,409	63,409
26	0602785A	MANPOWER/PERSONNEL/TRAINING TECHNOLOGY	24,735	24,735
27	0602786A	WARFIGHTER TECHNOLOGY	35,795	35,795
28	0602787A	MEDICAL TECHNOLOGY	76,853	76,853
		SUBTOTAL, APPLIED RESEARCH	**879,685**	**879,685**
		ADVANCED TECHNOLOGY DEVELOPMENT		
29	0603001A	WARFIGHTER ADVANCED TECHNOLOGY	46,973	46,973
30	0603002A	MEDICAL ADVANCED TECHNOLOGY	69,584	69,584
31	0603003A	AVIATION ADVANCED TECHNOLOGY	89,736	89,736
32	0603004A	WEAPONS AND MUNITIONS ADVANCED TECHNOLOGY	57,663	57,663
33	0603005A	COMBAT VEHICLE AND AUTOMOTIVE ADVANCED TECHNOLOGY	113,071	113,071
34	0603006A	SPACE APPLICATION ADVANCED TECHNOLOGY	5,554	5,554
35	0603007A	MANPOWER, PERSONNEL AND TRAINING ADVANCED TECHNOLOGY	12,636	12,636
37	0603009A	TRACTOR HIKE	7,502	7,502
38	0603015A	NEXT GENERATION TRAINING & SIMULATION SYSTEMS	17,425	17,425
39	0603020A	TRACTOR ROSE	11,912	11,912
40	0603125A	COMBATING TERRORISM—TECHNOLOGY DEVELOPMENT	27,520	27,520
41	0603130A	TRACTOR NAIL	2,381	2,381

SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION
(In Thousands of Dollars)

Line	Program Element	Item	FY 2016 Request	Senate Authorized
42	0603131A	TRACTOR EGGS	2,431	2,431
43	0603270A	ELECTRONIC WARFARE TECHNOLOGY	26,874	26,874
44	0603313A	MISSILE AND ROCKET ADVANCED TECHNOLOGY	49,449	49,449
45	0603322A	TRACTOR CAGE	10,999	10,999
46	0603461A	HIGH PERFORMANCE COMPUTING MODERNIZATION PROGRAM	177,159	167,159
		Encourage use of commercial technology		[–10,000]
47	0603606A	LANDMINE WARFARE AND BARRIER ADVANCED TECHNOLOGY	13,993	13,993
48	0603607A	JOINT SERVICE SMALL ARMS PROGRAM	5,105	5,105
49	0603710A	NIGHT VISION ADVANCED TECHNOLOGY	40,929	40,929
50	0603728A	ENVIRONMENTAL QUALITY TECHNOLOGY DEMONSTRATIONS	10,727	10,727
51	0603734A	MILITARY ENGINEERING ADVANCED TECHNOLOGY	20,145	20,145
52	0603772A	ADVANCED TACTICAL COMPUTER SCIENCE AND SENSOR TECHNOLOGY	38,163	38,163
53	0603794A	C3 ADVANCED TECHNOLOGY	37,816	37,816
		SUBTOTAL, ADVANCED TECHNOLOGY DEVELOPMENT	**895,747**	**885,747**
		ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES		
54	0603305A	ARMY MISSLE DEFENSE SYSTEMS INTEGRATION	10,347	10,347
55	0603308A	ARMY SPACE SYSTEMS INTEGRATION	25,061	25,061
56	0603619A	LANDMINE WARFARE AND BARRIER—ADV DEV	49,636	49,636
57	0603627A	SMOKE, OBSCURANT AND TARGET DEFEATING SYS-ADV DEV	13,426	13,426
58	0603639A	TANK AND MEDIUM CALIBER AMMUNITION	46,749	46,749
60	0603747A	SOLDIER SUPPORT AND SURVIVABILITY	6,258	6,258
61	0603766A	TACTICAL ELECTRONIC SURVEILLANCE SYSTEM—ADV DEV	13,472	13,472
62	0603774A	NIGHT VISION SYSTEMS ADVANCED DEVELOPMENT	7,292	7,292
63	0603779A	ENVIRONMENTAL QUALITY TECHNOLOGY—DEM/VAL	8,813	8,813
65	0603790A	NATO RESEARCH AND DEVELOPMENT	6,075	6,075
67	0603804A	LOGISTIAG AND ENGINEER EQUIPMENT—ADV DEV	21,233	21,233
68	0603807A	MEDICAL SYSTEMS—ADV DEV	31,962	31,962
69	0603827A	SOLDIER SYSTEMS—ADVANCED DEVELOPMENT	22,194	22,194
71	0604100A	ANALYSIS OF ALTERNATIVES	9,805	9,805
72	0604115A	TECHNOLOGY MATURATION INITIATIVES	40,917	40,917
73	0604120A	ASSURED POSITIONING, NAVIGATION AND TIMING (PNT)	30,058	30,058
74	0604319A	INDIRECT FIRE PROTECTION CAPABILITY INCREMENT 2–INTERCEPT (IFPC2)	155,361	155,361
		SUBTOTAL, ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES	**498,659**	**498,659**
		SYSTEM DEVELOPMENT & DEMONSTRATION		
76	0604201A	AIRCRAFT AVIONIAG	12,939	12,939
78	0604270A	ELECTRONIC WARFARE DEVELOPMENT	18,843	18,843
79	0604280A	JOINT TACTICAL RADIO	9,861	9,861
80	0604290A	MID-TIER NETWORKING VEHICULAR RADIO (MNVR)	8,763	8,763
81	0604321A	ALL SOURCE ANALYSIS SYSTEM	4,309	4,309
82	0604328A	TRACTOR CAGE	15,138	15,138
83	0604601A	INFANTRY SUPPORT WEAPONS	74,128	76,628
		Transfer from WTCV		[2,500]
85	0604611A	JAVELIN	3,945	3,945
87	0604633A	AIR TRAFFIC CONTROL	10,076	10,076
88	0604641A	TACTICAL UNMANNED GROUND VEHICLE (TUGV)	40,374	40,374
89	0604710A	NIGHT VISION SYSTEMS—ENG DEV	67,582	67,582
90	0604713A	COMBAT FEEDING, CLOTHING, AND EQUIPMENT	1,763	1,763
91	0604715A	NON-SYSTEM TRAINING DEVICES—ENG DEV	27,155	27,155
92	0604741A	AIR DEFENSE COMMAND, CONTROL AND INTELLIGENCE—ENG DEV	24,569	24,569
93	0604742A	CONSTRUCTIVE SIMULATION SYSTEMS DEVELOPMENT	23,364	23,364
94	0604746A	AUTOMATIC TEST EQUIPMENT DEVELOPMENT	8,960	8,960
95	0604760A	DISTRIBUTIVE INTERACTIVE SIMULATIONS (DIS)—ENG DEV	9,138	9,138
96	0604780A	COMBINED ARMS TACTICAL TRAINER (CATT) CORE	21,622	21,622
97	0604798A	BRIGADE ANALYSIS, INTEGRATION AND EVALUATION	99,242	99,242
98	0604802A	WEAPONS AND MUNITIONS—ENG DEV	21,379	21,379
99	0604804A	LOGISTIAG AND ENGINEER EQUIPMENT—ENG DEV	48,339	48,339
100	0604805A	COMMAND, CONTROL, COMMUNICATIONS SYSTEMS—ENG DEV	2,726	2,726
101	0604807A	MEDICAL MATERIEL/MEDICAL BIOLOGICAL DEFENSE EQUIPMENT—ENG DEV	45,412	45,412
102	0604808A	LANDMINE WARFARE/BARRIER—ENG DEV	55,215	55,215
104	0604818A	ARMY TACTICAL COMMAND & CONTROL HARDWARE & SOFTWARE	163,643	163,643
105	0604820A	RADAR DEVELOPMENT	12,309	12,309
106	0604822A	GENERAL FUND ENTERPRISE BUSINESS SYSTEM (GFEBS)	15,700	15,700
107	0604823A	FIREFINDER	6,243	6,243
108	0604827A	SOLDIER SYSTEMS—WARRIOR DEM/VAL	18,776	18,776
109	0604854A	ARTILLERY SYSTEMS—EMD	1,953	1,953
110	0605013A	INFORMATION TECHNOLOGY DEVELOPMENT	67,358	67,358
111	0605018A	INTEGRATED PERSONNEL AND PAY SYSTEM-ARMY (IPPS-A)	136,011	86,011
		Restructure program		[–50,000]
112	0605028A	ARMORED MULTI-PURPOSE VEHICLE (AMPV)	230,210	230,210
113	0605030A	JOINT TACTICAL NETWORK CENTER (JTNC)	13,357	13,357
114	0605031A	JOINT TACTICAL NETWORK (JTN)	18,055	18,055
115	0605032A	TRACTOR TIRE	5,677	5,677
116	0605035A	COMMON INFRARED COUNTERMEASURES (CIRCM)	77,570	101,570
		Army UPL for AH–64 ASE development		[24,000]
117	0605051A	AIRCRAFT SURVIVABILITY DEVELOPMENT	18,112	78,112
		Army UPL for AH–64 ASE development		[60,000]
118	0605350A	WIN-T INCREMENT 3—FULL NETWORKING	39,700	39,700

SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION
(In Thousands of Dollars)

Line	Program Element	Item	FY 2016 Request	Senate Authorized
119	0605380A	AMF JOINT TACTICAL RADIO SYSTEM (JTRS)	12,987	6,155
		Only for SALT program		[–6,832]
120	0605450A	JOINT AIR-TO-GROUND MISSILE (JAGM)	88,866	88,866
121	0605456A	PAC–3/MSE MISSILE	2,272	2,272
122	0605457A	ARMY INTEGRATED AIR AND MISSILE DEFENSE (AIAMD)	214,099	214,099
123	0605625A	MANNED GROUND VEHICLE	49,247	49,247
124	0605626A	AERIAL COMMON SENSOR	2	2
125	0605766A	NATIONAL CAPABILITIES INTEGRATION (MIP)	10,599	10,599
126	0605812A	JOINT LIGHT TACTICAL VEHICLE (JLTV) ENGINEERING AND MANUFACTURING DEVELOPMENT PH	32,486	32,486
127	0605830A	AVIATION GROUND SUPPORT EQUIPMENT	8,880	8,880
128	0210609A	PALADIN INTEGRATED MANAGEMENT (PIM)	152,288	152,288
129	0303032A	TROJAN—RH12	5,022	5,022
130	0304270A	ELECTRONIC WARFARE DEVELOPMENT	12,686	12,686
		SUBTOTAL, SYSTEM DEVELOPMENT & DEMONSTRATION	**2,068,950**	**2,098,618**
		RDT&E MANAGEMENT SUPPORT		
131	0604256A	THREAT SIMULATOR DEVELOPMENT	20,035	20,035
132	0604258A	TARGET SYSTEMS DEVELOPMENT	16,684	16,684
133	0604759A	MAJOR T&E INVESTMENT	62,580	62,580
134	0605103A	RAND ARROYO CENTER	20,853	20,853
135	0605301A	ARMY KWAJALEIN ATOLL	205,145	205,145
136	0605326A	CONCEPTS EXPERIMENTATION PROGRAM	19,430	19,430
138	0605601A	ARMY TEST RANGES AND FACILITIES	277,646	277,646
139	0605602A	ARMY TECHNICAL TEST INSTRUMENTATION AND TARGETS	51,550	51,550
140	0605604A	SURVIVABILITY/LETHALITY ANALYSIS	33,246	33,246
141	0605606A	AIRCRAFT CERTIFICATION	4,760	4,760
142	0605702A	METEOROLOGICAL SUPPORT TO RDT&E ACTIVITIES	8,303	8,303
143	0605706A	MATERIEL SYSTEMS ANALYSIS	20,403	20,403
144	0605709A	EXPLOITATION OF FOREIGN ITEMS	10,396	10,396
145	0605712A	SUPPORT OF OPERATIONAL TESTING	49,337	49,337
146	0605716A	ARMY EVALUATION CENTER	52,694	52,694
147	0605718A	ARMY MODELING & SIM X-CMD COLLABORATION & INTEG	938	938
148	0605801A	PROGRAMWIDE ACTIVITIES	60,319	60,319
149	0605803A	TECHNICAL INFORMATION ACTIVITIES	28,478	28,478
150	0605805A	MUNITIONS STANDARDIZATION, EFFECTIVENESS AND SAFETY	32,604	24,604
		Under execution of prior year funds		[–8,000]
151	0605857A	ENVIRONMENTAL QUALITY TECHNOLOGY MGMT SUPPORT	3,186	3,186
152	0605898A	MANAGEMENT HQ—R&D	48,955	48,955
		SUBTOTAL, RDT&E MANAGEMENT SUPPORT	**1,027,542**	**1,019,542**
		OPERATIONAL SYSTEMS DEVELOPMENT		
154	0603778A	MLRS PRODUCT IMPROVEMENT PROGRAM	18,397	18,397
155	0603813A	TRACTOR PULL	9,461	9,461
156	0607131A	WEAPONS AND MUNITIONS PRODUCT IMPROVEMENT PROGRAMS	4,945	4,945
157	0607133A	TRACTOR SMOKE	7,569	7,569
158	0607135A	APACHE PRODUCT IMPROVEMENT PROGRAM	69,862	69,862
159	0607136A	BLACKHAWK PRODUCT IMPROVEMENT PROGRAM	66,653	66,653
160	0607137A	CHINOOK PRODUCT IMPROVEMENT PROGRAM	37,407	37,407
161	0607138A	FIXED WING PRODUCT IMPROVEMENT PROGRAM	1,151	1,151
162	0607139A	IMPROVED TURBINE ENGINE PROGRAM	51,164	51,164
163	0607140A	EMERGING TECHNOLOGIES FROM NIE	2,481	2,481
164	0607141A	LOGISTIAG AUTOMATION	1,673	1,673
166	0607665A	FAMILY OF BIOMETRIAG	13,237	13,237
167	0607865A	PATRIOT PRODUCT IMPROVEMENT	105,816	105,816
169	0202429A	AEROSTAT JOINT PROJECT—COCOM EXERCISE	40,565	40,565
171	0203728A	JOINT AUTOMATED DEEP OPERATION COORDINATION SYSTEM (JADOAG)	35,719	35,719
172	0203735A	COMBAT VEHICLE IMPROVEMENT PROGRAMS	257,167	297,167
		Stryker modification and improvement		[40,000]
173	0203740A	MANEUVER CONTROL SYSTEM	15,445	15,445
175	0203752A	AIRCRAFT ENGINE COMPONENT IMPROVEMENT PROGRAM	364	364
176	0203758A	DIGITIZATION	4,361	4,361
177	0203801A	MISSILE/AIR DEFENSE PRODUCT IMPROVEMENT PROGRAM	3,154	3,154
178	0203802A	OTHER MISSILE PRODUCT IMPROVEMENT PROGRAMS	35,951	35,951
179	0203808A	TRACTOR CARD	34,686	34,686
180	0205402A	INTEGRATED BASE DEFENSE—OPERATIONAL SYSTEM DEV	10,750	10,750
181	0205410A	MATERIALS HANDLING EQUIPMENT	402	402
183	0205456A	LOWER TIER AIR AND MISSILE DEFENSE (AMD) SYSTEM	64,159	64,159
184	0205778A	GUIDED MULTIPLE-LAUNCH ROCKET SYSTEM (GMLRS)	17,527	17,527
185	0208053A	JOINT TACTICAL GROUND SYSTEM	20,515	20,515
187	0303028A	SECURITY AND INTELLIGENCE ACTIVITIES	12,368	12,368
188	0303140A	INFORMATION SYSTEMS SECURITY PROGRAM	31,154	31,154
189	0303141A	GLOBAL COMBAT SUPPORT SYSTEM	12,274	12,274
190	0303142A	SATCOM GROUND ENVIRONMENT (SPACE)	9,355	9,355
191	0303150A	WWMCAG/GLOBAL COMMAND AND CONTROL SYSTEM	7,053	7,053
193	0305179A	INTEGRATED BROADCAST SERVICE (IBS)	750	750
194	0305204A	TACTICAL UNMANNED AERIAL VEHICLES	13,225	13,225
195	0305206A	AIRBORNE RECONNAISSANCE SYSTEMS	22,870	22,870
196	0305208A	DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS	25,592	25,592

SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION
(In Thousands of Dollars)

Line	Program Element	Item	FY 2016 Request	Senate Authorized
199	0305233A	RQ–7 UAV	7,297	7,297
201	0310349A	WIN-T INCREMENT 2—INITIAL NETWORKING	3,800	3,800
202	0708045A	END ITEM INDUSTRIAL PREPAREDNESS ACTIVITIES	48,442	48,442
	9999999999	CLASSIFIED PROGRAMS	4,536	4,536
		SUBTOTAL, OPERATIONAL SYSTEMS DEVELOPMENT	**1,129,297**	**1,169,297**
		TOTAL RESEARCH, DEVELOPMENT, TEST & EVAL, ARMY	**6,924,959**	**7,016,627**
		RESEARCH, DEVELOPMENT, TEST & EVAL, NAVY		
		BASIC RESEARCH		
1	0601103N	UNIVERSITY RESEARCH INITIATIVES	116,196	116,196
2	0601152N	IN-HOUSE LABORATORY INDEPENDENT RESEARCH	19,126	19,126
3	0601153N	DEFENSE RESEARCH SCIENCES	451,606	506,606
		Basic research program increase		[55,000]
		SUBTOTAL, BASIC RESEARCH	**586,928**	**641,928**
		APPLIED RESEARCH		
4	0602114N	POWER PROJECTION APPLIED RESEARCH	68,723	68,723
5	0602123N	FORCE PROTECTION APPLIED RESEARCH	154,963	154,963
6	0602131M	MARINE CORPS LANDING FORCE TECHNOLOGY	49,001	49,001
7	0602235N	COMMON PICTURE APPLIED RESEARCH	42,551	42,551
8	0602236N	WARFIGHTER SUSTAINMENT APPLIED RESEARCH	45,056	45,056
9	0602271N	ELECTROMAGNETIC SYSTEMS APPLIED RESEARCH	115,051	115,051
10	0602435N	OCEAN WARFIGHTING ENVIRONMENT APPLIED RESEARCH	42,252	42,252
11	0602651M	JOINT NON-LETHAL WEAPONS APPLIED RESEARCH	6,119	6,119
12	0602747N	UNDERSEA WARFARE APPLIED RESEARCH	123,750	142,350
		Accelerate undersea warfare research		[18,600]
13	0602750N	FUTURE NAVAL CAPABILITIES APPLIED RESEARCH	179,686	179,686
14	0602782N	MINE AND EXPEDITIONARY WARFARE APPLIED RESEARCH	37,418	37,418
		SUBTOTAL, APPLIED RESEARCH	**864,570**	**883,170**
		ADVANCED TECHNOLOGY DEVELOPMENT		
15	0603114N	POWER PROJECTION ADVANCED TECHNOLOGY	37,093	37,093
16	0603123N	FORCE PROTECTION ADVANCED TECHNOLOGY	38,044	38,044
17	0603271N	ELECTROMAGNETIC SYSTEMS ADVANCED TECHNOLOGY	34,899	34,899
18	0603640M	USMC ADVANCED TECHNOLOGY DEMONSTRATION (ATD)	137,562	137,562
19	0603651M	JOINT NON-LETHAL WEAPONS TECHNOLOGY DEVELOPMENT	12,745	12,745
20	0603673N	FUTURE NAVAL CAPABILITIES ADVANCED TECHNOLOGY DEVELOPMENT	258,860	248,860
		Capable manpower, enablers, and sea basing		[–10,000]
21	0603680N	MANUFACTURING TECHNOLOGY PROGRAM	57,074	57,074
22	0603729N	WARFIGHTER PROTECTION ADVANCED TECHNOLOGY	4,807	4,807
23	0603747N	UNDERSEA WARFARE ADVANCED TECHNOLOGY	13,748	13,748
24	0603758N	NAVY WARFIGHTING EXPERIMENTS AND DEMONSTRATIONS	66,041	66,041
25	0603782N	MINE AND EXPEDITIONARY WARFARE ADVANCED TECHNOLOGY	1,991	1,991
		SUBTOTAL, ADVANCED TECHNOLOGY DEVELOPMENT	**662,864**	**652,864**
		ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES		
26	0603207N	AIR/OCEAN TACTICAL APPLICATIONS	41,832	41,832
27	0603216N	AVIATION SURVIVABILITY	5,404	5,404
28	0603237N	DEPLOYABLE JOINT COMMAND AND CONTROL	3,086	3,086
29	0603251N	AIRCRAFT SYSTEMS	11,643	11,643
30	0603254N	ASW SYSTEMS DEVELOPMENT	5,555	5,555
31	0603261N	TACTICAL AIRBORNE RECONNAISSANCE	3,087	3,087
32	0603382N	ADVANCED COMBAT SYSTEMS TECHNOLOGY	1,636	1,636
33	0603502N	SURFACE AND SHALLOW WATER MINE COUNTERMEASURES	118,588	118,588
34	0603506N	SURFACE SHIP TORPEDO DEFENSE	77,385	77,385
35	0603512N	CARRIER SYSTEMS DEVELOPMENT	8,348	8,348
36	0603525N	PILOT FISH	123,246	123,246
37	0603527N	RETRACT LARCH	28,819	28,819
38	0603536N	RETRACT JUNIPER	112,678	112,678
39	0603542N	RADIOLOGICAL CONTROL	710	710
40	0603553N	SURFACE ASW	1,096	1,096
41	0603561N	ADVANCED SUBMARINE SYSTEM DEVELOPMENT	87,160	98,160
		Accelerate unmanned underwater vehicle development		[11,000]
42	0603562N	SUBMARINE TACTICAL WARFARE SYSTEMS	10,371	10,371
43	0603563N	SHIP CONCEPT ADVANCED DESIGN	11,888	11,888
44	0603564N	SHIP PRELIMINARY DESIGN & FEASIBILITY STUDIES	4,332	4,332
45	0603570N	ADVANCED NUCLEAR POWER SYSTEMS	482,040	482,040
46	0603573N	ADVANCED SURFACE MACHINERY SYSTEMS	25,904	25,904
47	0603576N	CHALK EAGLE	511,802	511,802
48	0603581N	LITTORAL COMBAT SHIP (LAG)	118,416	118,416
49	0603582N	COMBAT SYSTEM INTEGRATION	35,901	35,901
50	0603595N	OHIO REPLACEMENT	971,393	971,393
51	0603596N	LAG MISSION MODULES	206,149	206,149
52	0603597N	AUTOMATED TEST AND RE-TEST (ATRT)	8,000	8,000
53	0603609N	CONVENTIONAL MUNITIONS	7,678	7,678
54	0603611M	MARINE CORPS ASSAULT VEHICLES	219,082	219,082
55	0603635M	MARINE CORPS GROUND COMBAT/SUPPORT SYSTEM	623	623
56	0603654N	JOINT SERVICE EXPLOSIVE ORDNANCE DEVELOPMENT	18,260	18,260

SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION
(In Thousands of Dollars)

Line	Program Element	Item	FY 2016 Request	Senate Authorized
57	0603658N	COOPERATIVE ENGAGEMENT	76,247	76,247
58	0603713N	OCEAN ENGINEERING TECHNOLOGY DEVELOPMENT	4,520	4,520
59	0603721N	ENVIRONMENTAL PROTECTION	20,711	20,711
60	0603724N	NAVY ENERGY PROGRAM	47,761	47,761
61	0603725N	FACILITIES IMPROVEMENT	5,226	5,226
62	0603734N	CHALK CORAL	182,771	182,771
63	0603739N	NAVY LOGISTIC PRODUCTIVITY	3,866	3,866
64	0603746N	RETRACT MAPLE	360,065	360,065
65	0603748N	LINK PLUMERIA	237,416	237,416
66	0603751N	RETRACT ELM	37,944	37,944
67	0603764N	LINK EVERGREEN	47,312	47,312
68	0603787N	SPECIAL PROCESSES	17,408	17,408
69	0603790N	NATO RESEARCH AND DEVELOPMENT	9,359	9,359
70	0603795N	LAND ATTACK TECHNOLOGY	887	887
71	0603851M	JOINT NON-LETHAL WEAPONS TESTING	29,448	29,448
72	0603860N	JOINT PRECISION APPROACH AND LANDING SYSTEMS—DEM/VAL	91,479	91,479
73	0603925N	DIRECTED ENERGY AND ELECTRIC WEAPON SYSTEMS	67,360	67,360
74	0604112N	GERALD R. FORD CLASS NUCLEAR AIRCRAFT CARRIER (CVN 78—80)	48,105	127,205
		Full ship shock trials for CVN–78		[79,100]
75	0604122N	REMOTE MINEHUNTING SYSTEM (RMS)	20,089	20,089
76	0604272N	TACTICAL AIR DIRECTIONAL INFRARED COUNTERMEASURES (TADIRCM)	18,969	18,969
77	0604279N	ASE SELF-PROTECTION OPTIMIZATION	7,874	7,874
78	0604292N	MH-XX	5,298	5,298
79	0604454N	LX (R)	46,486	75,486
		Accelerate LX (R)		[29,000]
80	0604653N	JOINT COUNTER RADIO CONTROLLED IED ELECTRONIC WARFARE (JCREW)	3,817	3,817
81	0604659N	PRECISION STRIKE WEAPONS DEVELOPMENT PROGRAM	9,595	9,595
82	0604707N	SPACE AND ELECTRONIC WARFARE (SEW) ARCHITECTURE/ENGINEERING SUPPORT	29,581	29,581
83	0604786N	OFFENSIVE ANTI-SURFACE WARFARE WEAPON DEVELOPMENT	285,849	285,849
84	0605812M	JOINT LIGHT TACTICAL VEHICLE (JLTV) ENGINEERING AND MANUFACTURING DEVELOPMENT PH	36,656	36,656
85	0303354N	ASW SYSTEMS DEVELOPMENT—MIP	9,835	9,835
86	0304270N	ELECTRONIC WARFARE DEVELOPMENT—MIP	580	580
		SUBTOTAL, ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES	**5,024,626**	**5,143,726**
		SYSTEM DEVELOPMENT & DEMONSTRATION		
87	0603208N	TRAINING SYSTEM AIRCRAFT	21,708	21,708
88	0604212N	OTHER HELO DEVELOPMENT	11,101	11,101
89	0604214N	AV–8B AIRCRAFT—ENG DEV	39,878	39,878
90	0604215N	STANDARDS DEVELOPMENT	53,059	53,059
91	0604216N	MULTI-MISSION HELICOPTER UPGRADE DEVELOPMENT	21,358	21,358
92	0604218N	AIR/OCEAN EQUIPMENT ENGINEERING	4,515	4,515
93	0604221N	P–3 MODERNIZATION PROGRAM	1,514	1,514
94	0604230N	WARFARE SUPPORT SYSTEM	5,875	5,875
95	0604231N	TACTICAL COMMAND SYSTEM	81,553	81,553
96	0604234N	ADVANCED HAWKEYE	272,149	272,149
97	0604245N	H–1 UPGRADES	27,235	27,235
98	0604261N	ACOUSTIC SEARCH SENSORS	35,763	35,763
99	0604262N	V–22A	87,918	87,918
100	0604264N	AIR CREW SYSTEMS DEVELOPMENT	12,679	12,679
101	0604269N	EA–18	56,921	56,921
102	0604270N	ELECTRONIC WARFARE DEVELOPMENT	23,685	23,685
103	0604273N	EXECUTIVE HELO DEVELOPMENT	507,093	507,093
104	0604274N	NEXT GENERATION JAMMER (NGJ)	411,767	411,767
105	0604280N	JOINT TACTICAL RADIO SYSTEM—NAVY (JTRS-NAVY)	25,071	25,071
106	0604307N	SURFACE COMBATANT COMBAT SYSTEM ENGINEERING	443,433	443,433
107	0604311N	LPD–17 CLASS SYSTEMS INTEGRATION	747	747
108	0604329N	SMALL DIAMETER BOMB (SDB)	97,002	97,002
109	0604366N	STANDARD MISSILE IMPROVEMENTS	129,649	129,649
110	0604373N	AIRBORNE MCM	11,647	11,647
111	0604376M	MARINE AIR GROUND TASK FORCE (MAGTF) ELECTRONIC WARFARE (EW) FOR AVIATION	2,778	2,778
112	0604378N	NAVAL INTEGRATED FIRE CONTROL—COUNTER AIR SYSTEMS ENGINEERING	23,695	23,695
113	0604404N	UNMANNED CARRIER LAUNCHED AIRBORNE SURVEILLANCE AND STRIKE (UCLASS) SYSTEM	134,708	0
		Excess FY15 funds buy down FY16 requirements		[–134,708]
114	0604501N	ADVANCED ABOVE WATER SENSORS	43,914	43,914
115	0604503N	SSN–688 AND TRIDENT MODERNIZATION	109,908	109,908
116	0604504N	AIR CONTROL	57,928	57,928
117	0604512N	SHIPBOARD AVIATION SYSTEMS	120,217	120,217
118	0604522N	AIR AND MISSILE DEFENSE RADAR (AMDR) SYSTEM	241,754	241,754
119	0604558N	NEW DESIGN SSN	122,556	122,556
120	0604562N	SUBMARINE TACTICAL WARFARE SYSTEM	48,213	60,213
		Accelerate submarine combat and weapon system modernization		[12,000]
121	0604567N	SHIP CONTRACT DESIGN/ LIVE FIRE T&E	49,712	49,712
122	0604574N	NAVY TACTICAL COMPUTER RESOURCES	4,096	4,096
123	0604580N	VIRGINIA PAYLOAD MODULE (VPM)	167,719	167,719
124	0604601N	MINE DEVELOPMENT	15,122	15,122
125	0604610N	LIGHTWEIGHT TORPEDO DEVELOPMENT	33,738	33,738

SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION
(In Thousands of Dollars)

Line	Program Element	Item	FY 2016 Request	Senate Authorized
126	0604654N	JOINT SERVICE EXPLOSIVE ORDNANCE DEVELOPMENT	8,123	8,123
127	0604703N	PERSONNEL, TRAINING, SIMULATION, AND HUMAN FACTORS	7,686	7,686
128	0604727N	JOINT STANDOFF WEAPON SYSTEMS	405	405
129	0604755N	SHIP SELF DEFENSE (DETECT & CONTROL)	153,836	153,836
130	0604756N	SHIP SELF DEFENSE (ENGAGE: HARD KILL)	99,619	99,619
131	0604757N	SHIP SELF DEFENSE (ENGAGE: SOFT KILL/EW)	116,798	116,798
132	0604761N	INTELLIGENCE ENGINEERING	4,353	4,353
133	0604771N	MEDICAL DEVELOPMENT	9,443	9,443
134	0604777N	NAVIGATION/ID SYSTEM	32,469	32,469
135	0604800M	JOINT STRIKE FIGHTER (JSF)—EMD	537,901	525,401
		F–35B Block 4 development early to need		[–12,500]
136	0604800N	JOINT STRIKE FIGHTER (JSF)—EMD	504,736	492,236
		F–35C Block 4 development early to need		[–12,500]
137	0604810M	JOINT STRIKE FIGHTER FOLLOW ON DEVELOPMENT—MARINE CORPS	59,265	59,265
138	0604810N	JOINT STRIKE FIGHTER FOLLOW ON DEVELOPMENT—NAVY	47,579	47,579
139	0605013M	INFORMATION TECHNOLOGY DEVELOPMENT	5,914	5,914
140	0605013N	INFORMATION TECHNOLOGY DEVELOPMENT	89,711	89,711
141	0605212N	CH–53K RDTE	632,092	632,092
142	0605220N	SHIP TO SHORE CONNECTOR (SSC)	7,778	7,778
143	0605450N	JOINT AIR-TO-GROUND MISSILE (JAGM)	25,898	25,898
144	0605500N	MULTI-MISSION MARITIME AIRCRAFT (MMA)	247,929	247,929
145	0204202N	DDG–1000	103,199	103,199
146	0304231N	TACTICAL COMMAND SYSTEM—MIP	998	998
147	0304785N	TACTICAL CRYPTOLOGIC SYSTEMS	17,785	17,785
148	0305124N	SPECIAL APPLICATIONS PROGRAM	35,905	35,905
		SUBTOTAL, SYSTEM DEVELOPMENT & DEMONSTRATION	**6,308,800**	**6,161,092**
		MANAGEMENT SUPPORT		
149	0604256N	THREAT SIMULATOR DEVELOPMENT	30,769	30,769
150	0604258N	TARGET SYSTEMS DEVELOPMENT	112,606	112,606
151	0604759N	MAJOR T&E INVESTMENT	61,234	61,234
152	0605126N	JOINT THEATER AIR AND MISSILE DEFENSE ORGANIZATION	6,995	6,995
153	0605152N	STUDIES AND ANALYSIS SUPPORT—NAVY	4,011	4,011
154	0605154N	CENTER FOR NAVAL ANALYSES	48,563	48,563
155	0605285N	NEXT GENERATION FIGHTER	5,000	5,000
157	0605804N	TECHNICAL INFORMATION SERVICES	925	925
158	0605853N	MANAGEMENT, TECHNICAL & INTERNATIONAL SUPPORT	78,143	78,143
159	0605856N	STRATEGIC TECHNICAL SUPPORT	3,258	3,258
160	0605861N	RDT&E SCIENCE AND TECHNOLOGY MANAGEMENT	76,948	76,948
161	0605863N	RDT&E SHIP AND AIRCRAFT SUPPORT	132,122	132,122
162	0605864N	TEST AND EVALUATION SUPPORT	351,912	351,912
163	0605865N	OPERATIONAL TEST AND EVALUATION CAPABILITY	17,985	17,985
164	0605866N	NAVY SPACE AND ELECTRONIC WARFARE (SEW) SUPPORT	5,316	5,316
165	0605867N	SEW SURVEILLANCE/RECONNAISSANCE SUPPORT	6,519	6,519
166	0605873M	MARINE CORPS PROGRAM WIDE SUPPORT	13,649	13,649
		SUBTOTAL, MANAGEMENT SUPPORT	**955,955**	**955,955**
		OPERATIONAL SYSTEMS DEVELOPMENT		
174	0101221N	STRATEGIC SUB & WEAPONS SYSTEM SUPPORT	107,039	107,039
175	0101224N	SSBN SECURITY TECHNOLOGY PROGRAM	46,506	46,506
176	0101226N	SUBMARINE ACOUSTIC WARFARE DEVELOPMENT	3,900	4,700
		Accelerate combat rapid attack weapon		[800]
177	0101402N	NAVY STRATEGIC COMMUNICATIONS	16,569	16,569
178	0203761N	RAPID TECHNOLOGY TRANSITION (RTT)	18,632	18,632
179	0204136N	F/A–18 SQUADRONS	133,265	133,265
181	0204163N	FLEET TELECOMMUNICATIONS (TACTICAL)	62,867	62,867
182	0204228N	SURFACE SUPPORT	36,045	36,045
183	0204229N	TOMAHAWK AND TOMAHAWK MISSION PLANNING CENTER (TMPC)	25,228	25,228
184	0204311N	INTEGRATED SURVEILLANCE SYSTEM	54,218	54,218
185	0204413N	AMPHIBIOUS TACTICAL SUPPORT UNITS (DISPLACEMENT CRAFT)	11,335	11,335
186	0204460M	GROUND/AIR TASK ORIENTED RADAR (G/ATOR)	80,129	80,129
187	0204571N	CONSOLIDATED TRAINING SYSTEMS DEVELOPMENT	39,087	39,087
188	0204574N	CRYPTOLOGIC DIRECT SUPPORT	1,915	1,915
189	0204575N	ELECTRONIC WARFARE (EW) READINESS SUPPORT	46,609	46,609
190	0205601N	HARM IMPROVEMENT	52,708	52,708
191	0205604N	TACTICAL DATA LINKS	149,997	149,997
192	0205620N	SURFACE ASW COMBAT SYSTEM INTEGRATION	24,460	24,460
193	0205632N	MK–48 ADCAP	42,206	47,706
		Accelerate torpedo upgrades		[5,500]
194	0205633N	AVIATION IMPROVEMENTS	117,759	117,759
195	0205675N	OPERATIONAL NUCLEAR POWER SYSTEMS	101,323	101,323
196	0206313M	MARINE CORPS COMMUNICATIONS SYSTEMS	67,763	67,763
197	0206335M	COMMON AVIATION COMMAND AND CONTROL SYSTEM (CAC2S)	13,431	13,431
198	0206623M	MARINE CORPS GROUND COMBAT/SUPPORTING ARMS SYSTEMS	56,769	56,769
199	0206624M	MARINE CORPS COMBAT SERVICES SUPPORT	20,729	20,729
200	0206625M	USMC INTELLIGENCE/ELECTRONIC WARFARE SYSTEMS (MIP)	13,152	13,152
201	0206629M	AMPHIBIOUS ASSAULT VEHICLE	48,535	48,535
202	0207161N	TACTICAL AIM MISSILES	76,016	76,016
203	0207163N	ADVANCED MEDIUM RANGE AIR-TO-AIR MISSILE (AMRAAM)	32,172	32,172

SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION
(In Thousands of Dollars)

Line	Program Element	Item	FY 2016 Request	Senate Authorized
208	0303109N	SATELLITE COMMUNICATIONS (SPACE)	53,239	53,239
209	0303138N	CONSOLIDATED AFLOAT NETWORK ENTERPRISE SERVICES (CANES)	21,677	21,677
210	0303140N	INFORMATION SYSTEMS SECURITY PROGRAM	28,102	28,102
211	0303150M	WWMCAG/GLOBAL COMMAND AND CONTROL SYSTEM	294	294
213	0305160N	NAVY METEOROLOGICAL AND OCEAN SENSORS-SPACE (METOC)	599	599
214	0305192N	MILITARY INTELLIGENCE PROGRAM (MIP) ACTIVITIES	6,207	6,207
215	0305204N	TACTICAL UNMANNED AERIAL VEHICLES	8,550	8,550
216	0305205N	UAS INTEGRATION AND INTEROPERABILITY	41,831	41,831
217	0305208M	DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS	1,105	1,105
218	0305208N	DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS	33,149	33,149
219	0305220N	RQ–4 UAV	227,188	227,188
220	0305231N	MQ–8 UAV	52,770	52,770
221	0305232M	RQ–11 UAV	635	635
222	0305233N	RQ–7 UAV	688	688
223	0305234N	SMALL (LEVEL 0) TACTICAL UAS (STUASL0)	4,647	4,647
224	0305239M	RQ–21A	6,435	6,435
225	0305241N	MULTI-INTELLIGENCE SENSOR DEVELOPMENT	49,145	49,145
226	0305242M	UNMANNED AERIAL SYSTEMS (UAS) PAYLOADS (MIP)	9,246	9,246
227	0305421N	RQ–4 MODERNIZATION	150,854	150,854
228	0308601N	MODELING AND SIMULATION SUPPORT	4,757	4,757
229	0702207N	DEPOT MAINTENANCE (NON-IF)	24,185	24,185
231	0708730N	MARITIME TECHNOLOGY (MARITECH)	4,321	4,321
231A	9999999999	CLASSIFIED PROGRAMS	1,252,185	1,252,185
		SUBTOTAL, OPERATIONAL SYSTEMS DEVELOPMENT	**3,482,173**	**3,488,473**
		TOTAL RESEARCH, DEVELOPMENT, TEST & EVAL, NAVY	**17,885,916**	**17,927,208**
		RESEARCH, DEVELOPMENT, TEST & EVAL, AF		
		BASIC RESEARCH		
1	0601102F	DEFENSE RESEARCH SCIENCES	329,721	374,721
		Basic research program increase		[45,000]
2	0601103F	UNIVERSITY RESEARCH INITIATIVES	141,754	141,754
3	0601108F	HIGH ENERGY LASER RESEARCH INITIATIVES	13,778	13,778
		SUBTOTAL, BASIC RESEARCH	**485,253**	**530,253**
		APPLIED RESEARCH		
4	0602102F	MATERIALS	125,234	115,234
		Nanostructured and biological materials		[–10,000]
5	0602201F	AEROSPACE VEHICLE TECHNOLOGIES	123,438	123,438
6	0602202F	HUMAN EFFECTIVENESS APPLIED RESEARCH	100,530	100,530
7	0602203F	AEROSPACE PROPULSION	182,326	182,326
8	0602204F	AEROSPACE SENSORS	147,291	147,291
9	0602601F	SPACE TECHNOLOGY	116,122	116,122
10	0602602F	CONVENTIONAL MUNITIONS	99,851	99,851
11	0602605F	DIRECTED ENERGY TECHNOLOGY	115,604	115,604
12	0602788F	DOMINANT INFORMATION SCIENCES AND METHODS	164,909	164,909
13	0602890F	HIGH ENERGY LASER RESEARCH	42,037	42,037
		SUBTOTAL, APPLIED RESEARCH	**1,217,342**	**1,207,342**
		ADVANCED TECHNOLOGY DEVELOPMENT		
14	0603112F	ADVANCED MATERIALS FOR WEAPON SYSTEMS	37,665	37,665
15	0603199F	SUSTAINMENT SCIENCE AND TECHNOLOGY (S&T)	18,378	18,378
16	0603203F	ADVANCED AEROSPACE SENSORS	42,183	42,183
17	0603211F	AEROSPACE TECHNOLOGY DEV/DEMO	100,733	100,733
18	0603216F	AEROSPACE PROPULSION AND POWER TECHNOLOGY	168,821	168,821
19	0603270F	ELECTRONIC COMBAT TECHNOLOGY	47,032	47,032
20	0603401F	ADVANCED SPACECRAFT TECHNOLOGY	54,897	54,897
21	0603444F	MAUI SPACE SURVEILLANCE SYSTEM (MSSS)	12,853	12,853
22	0603456F	HUMAN EFFECTIVENESS ADVANCED TECHNOLOGY DEVELOPMENT	25,448	25,448
23	0603601F	CONVENTIONAL WEAPONS TECHNOLOGY	48,536	48,536
24	0603605F	ADVANCED WEAPONS TECHNOLOGY	30,195	30,195
25	0603680F	MANUFACTURING TECHNOLOGY PROGRAM	42,630	42,630
26	0603788F	BATTLESPACE KNOWLEDGE DEVELOPMENT AND DEMONSTRATION	46,414	46,414
		SUBTOTAL, ADVANCED TECHNOLOGY DEVELOPMENT	**675,785**	**675,785**
		ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES		
27	0603260F	INTELLIGENCE ADVANCED DEVELOPMENT	5,032	5,032
29	0603438F	SPACE CONTROL TECHNOLOGY	4,070	4,070
30	0603742F	COMBAT IDENTIFICATION TECHNOLOGY	21,790	21,790
31	0603790F	NATO RESEARCH AND DEVELOPMENT	4,736	4,736
33	0603830F	SPACE SECURITY AND DEFENSE PROGRAM	30,771	30,771
34	0603851F	INTERCONTINENTAL BALLISTIC MISSILE—DEM/VAL	39,765	39,765
36	0604015F	LONG RANGE STRIKE	1,246,228	786,228
		Delayed EMD contract award		[–460,000]
37	0604317F	TECHNOLOGY TRANSFER	3,512	3,512
38	0604327F	HARD AND DEEPLY BURIED TARGET DEFEAT SYSTEM (HDBTDS) PROGRAM	54,637	54,637
40	0604422F	WEATHER SYSTEM FOLLOW-ON	76,108	76,108
44	0604857F	OPERATIONALLY RESPONSIVE SPACE	6,457	19,957
		Increase to match previous year funding level		[13,500]

SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION
(In Thousands of Dollars)

Line	Program Element	Item	FY 2016 Request	Senate Authorized
45	0604858F	TECH TRANSITION PROGRAM	246,514	246,514
46	0605230F	GROUND BASED STRATEGIC DETERRENT	75,166	75,166
49	0207110F	NEXT GENERATION AIR DOMINANCE	8,830	8,830
50	0207455F	THREE DIMENSIONAL LONG-RANGE RADAR (3DELRR)	14,939	14,939
51	0305164F	NAVSTAR GLOBAL POSITIONING SYSTEM (USER EQUIPMENT) (SPACE)	142,288	142,288
52	0306250F	CYBER OPERATIONS TECHNOLOGY DEVELOPMENT	81,732	96,732
		Increase USCC Cyber Operations Technology Development		[15,000]
		SUBTOTAL, ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES	**2,062,575**	**1,631,075**
		SYSTEM DEVELOPMENT & DEMONSTRATION		
55	0604270F	ELECTRONIC WARFARE DEVELOPMENT	929	929
56	0604281F	TACTICAL DATA NETWORKS ENTERPRISE	60,256	60,256
57	0604287F	PHYSICAL SECURITY EQUIPMENT	5,973	5,973
58	0604329F	SMALL DIAMETER BOMB (SDB)—EMD	32,624	32,624
59	0604421F	COUNTERSPACE SYSTEMS	24,208	24,208
60	0604425F	SPACE SITUATION AWARENESS SYSTEMS	32,374	32,374
61	0604426F	SPACE FENCE	243,909	243,909
62	0604429F	AIRBORNE ELECTRONIC ATTACK	8,358	8,358
63	0604441F	SPACE BASED INFRARED SYSTEM (SBIRS) HIGH EMD	292,235	292,235
64	0604602F	ARMAMENT/ORDNANCE DEVELOPMENT	40,154	40,154
65	0604604F	SUBMUNITIONS	2,506	2,506
66	0604617F	AGILE COMBAT SUPPORT	57,678	57,678
67	0604706F	LIFE SUPPORT SYSTEMS	8,187	8,187
68	0604735F	COMBAT TRAINING RANGES	15,795	15,795
69	0604800F	F–35—EMD	589,441	564,441
		F–35A Block 4 development early to need		[–25,000]
71	0604853F	EVOLVED EXPENDABLE LAUNCH VEHICLE PROGRAM (SPACE)—EMD	84,438	84,438
72	0604932F	LONG RANGE STANDOFF WEAPON	36,643	36,643
73	0604933F	ICBM FUZE MODERNIZATION	142,551	142,551
74	0605213F	F–22 MODERNIZATION INCREMENT 3.2B	140,640	140,640
75	0605214F	GROUND ATTACK WEAPONS FUZE DEVELOPMENT	3,598	3,598
76	0605221F	KC–46	602,364	402,364
		Schedule delay and availability of unobligated prior year funds		[–200,000]
77	0605223F	ADVANCED PILOT TRAINING	11,395	11,395
78	0605229F	AGAR HH–60 RECAPITALIZATION	156,085	156,085
80	0605431F	ADVANCED EHF MILSATCOM (SPACE)	228,230	228,230
81	0605432F	POLAR MILSATCOM (SPACE)	72,084	72,084
82	0605433F	WIDEBAND GLOBAL SATCOM (SPACE)	56,343	56,343
83	0605458F	AIR & SPACE OPS CENTER 10.2 RDT&E	47,629	47,629
84	0605931F	B–2 DEFENSIVE MANAGEMENT SYSTEM	271,961	271,961
85	0101125F	NUCLEAR WEAPONS MODERNIZATION	212,121	212,121
86	0207171F	F–15 EPAWSS	186,481	215,981
		NRE for ADCPII upgrade		[28,000]
		Flight test support		[1,500]
87	0207701F	FULL COMBAT MISSION TRAINING	18,082	18,082
88	0305176F	COMBAT SURVIVOR EVADER LOCATOR	993	993
89	0307581F	NEXTGEN JSTARS	44,343	44,343
91	0401319F	PRESIDENTIAL AIRCRAFT REPLACEMENT (PAR)	102,620	102,620
92	0701212F	AUTOMATED TEST SYSTEMS	14,563	14,563
		SUBTOTAL, SYSTEM DEVELOPMENT & DEMONSTRATION	**3,847,791**	**3,652,291**
		MANAGEMENT SUPPORT		
93	0604256F	THREAT SIMULATOR DEVELOPMENT	23,844	23,844
94	0604759F	MAJOR T&E INVESTMENT	68,302	68,302
95	0605101F	RAND PROJECT AIR FORCE	34,918	34,918
97	0605712F	INITIAL OPERATIONAL TEST & EVALUATION	10,476	10,476
98	0605807F	TEST AND EVALUATION SUPPORT	673,908	673,908
99	0605860F	ROCKET SYSTEMS LAUNCH PROGRAM (SPACE)	21,858	21,858
100	0605864F	SPACE TEST PROGRAM (STP)	28,228	28,228
101	0605976F	FACILITIES RESTORATION AND MODERNIZATION—TEST AND EVALUATION SUPPORT	40,518	40,518
102	0605978F	FACILITIES SUSTAINMENT—TEST AND EVALUATION SUPPORT	27,895	27,895
103	0606017F	REQUIREMENTS ANALYSIS AND MATURATION	16,507	16,507
104	0606116F	SPACE TEST AND TRAINING RANGE DEVELOPMENT	18,997	18,997
106	0606392F	SPACE AND MISSILE CENTER (SMC) CIVILIAN WORKFORCE	185,305	185,305
107	0308602F	ENTEPRISE INFORMATION SERVICES (EIS)	4,841	4,841
108	0702806F	ACQUISITION AND MANAGEMENT SUPPORT	15,357	15,357
109	0804731F	GENERAL SKILL TRAINING	1,315	1,315
111	1001004F	INTERNATIONAL ACTIVITIES	2,315	2,315
		SUBTOTAL, MANAGEMENT SUPPORT	**1,174,584**	**1,174,584**
		OPERATIONAL SYSTEMS DEVELOPMENT		
112	0603423F	GLOBAL POSITIONING SYSTEM III—OPERATIONAL CONTROL SEGMENT	350,232	350,232
113	0604233F	SPECIALIZED UNDERGRADUATE FLIGHT TRAINING	10,465	10,465
114	0604445F	WIDE AREA SURVEILLANCE	24,577	24,577
117	0605018F	AF INTEGRATED PERSONNEL AND PAY SYSTEM (AF-IPPS)	69,694	24,294
		Restructure program		[–45,400]
118	0605024F	ANTI-TAMPER TECHNOLOGY EXECUTIVE AGENCY	26,718	26,718
119	0605278F	HC/MC–130 RECAP RDT&E	10,807	10,807
121	0101113F	B–52 SQUADRONS	74,520	74,520

SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION
(In Thousands of Dollars)

Line	Program Element	Item	FY 2016 Request	Senate Authorized
122	0101122F	AIR-LAUNCHED CRUISE MISSILE (ALCM)	451	451
123	0101126F	B–1B SQUADRONS	2,245	2,245
124	0101127F	B–2 SQUADRONS	108,183	108,183
125	0101213F	MINUTEMAN SQUADRONS	178,929	178,929
126	0101313F	STRAT WAR PLANNING SYSTEM—USSTRATCOM	28,481	28,481
127	0101314F	NIGHT FIST—USSTRATCOM	87	87
128	0101316F	WORLDWIDE JOINT STRATEGIC COMMUNICATIONS	5,315	5,315
131	0105921F	SERVICE SUPPORT TO STRATCOM—SPACE ACTIVITIES	8,090	8,090
132	0205219F	MQ–9 UAV	123,439	123,439
134	0207131F	A–10 SQUADRONS	0	16,200
		Sustain avionics software development		[16,200]
135	0207133F	F–16 SQUADRONS	148,297	148,297
136	0207134F	F–15E SQUADRONS	179,283	192,079
		Transfer from procurement		[12,796]
137	0207136F	MANNED DESTRUCTIVE SUPPRESSION	14,860	14,860
138	0207138F	F–22A SQUADRONS	262,552	262,552
139	0207142F	F–35 SQUADRONS	115,395	115,395
140	0207161F	TACTICAL AIM MISSILES	43,360	43,360
141	0207163F	ADVANCED MEDIUM RANGE AIR-TO-AIR MISSILE (AMRAAM)	46,160	46,160
143	0207224F	COMBAT RESCUE AND RECOVERY	412	412
144	0207227F	COMBAT RESCUE—PARARESCUE	657	657
145	0207247F	AF TENCAP	31,428	31,428
146	0207249F	PRECISION ATTACK SYSTEMS PROCUREMENT	1,105	1,105
147	0207253F	COMPASS CALL	14,249	14,249
148	0207268F	AIRCRAFT ENGINE COMPONENT IMPROVEMENT PROGRAM	103,942	103,942
149	0207325F	JOINT AIR-TO-SURFACE STANDOFF MISSILE (JASSM)	12,793	12,793
150	0207410F	AIR & SPACE OPERATIONS CENTER (AOC)	21,193	21,193
151	0207412F	CONTROL AND REPORTING CENTER (CRC)	559	559
152	0207417F	AIRBORNE WARNING AND CONTROL SYSTEM (AWAAG)	161,812	161,812
153	0207418F	TACTICAL AIRBORNE CONTROL SYSTEMS	6,001	6,001
155	0207431F	COMBAT AIR INTELLIGENCE SYSTEM ACTIVITIES	7,793	7,793
156	0207444F	TACTICAL AIR CONTROL PARTY-MOD	12,465	12,465
157	0207448F	C2ISR TACTICAL DATA LINK	1,681	1,681
159	0207452F	DCAPES	16,796	16,796
161	0207590F	SEEK EAGLE	21,564	21,564
162	0207601F	USAF MODELING AND SIMULATION	24,994	24,994
163	0207605F	WARGAMING AND SIMULATION CENTERS	6,035	6,035
164	0207697F	DISTRIBUTED TRAINING AND EXERCISES	4,358	4,358
165	0208006F	MISSION PLANNING SYSTEMS	55,835	55,835
167	0208087F	AF OFFENSIVE CYBERSPACE OPERATIONS	12,874	12,874
168	0208088F	AF DEFENSIVE CYBERSPACE OPERATIONS	7,681	7,681
171	0301017F	GLOBAL SENSOR INTEGRATED ON NETWORK (GSIN)	5,974	5,974
177	0301400F	SPACE SUPERIORITY INTELLIGENCE	13,815	13,815
178	0302015F	E–4B NATIONAL AIRBORNE OPERATIONS CENTER (NAOC)	80,360	80,360
179	0303001F	FAMILY OF ADVANCED BLOS TERMINALS (FAB-T)	3,907	3,907
180	0303131F	MINIMUM ESSENTIAL EMERGENCY COMMUNICATIONS NETWORK (MEECN)	75,062	75,062
181	0303140F	INFORMATION SYSTEMS SECURITY PROGRAM	46,599	46,599
183	0303142F	GLOBAL FORCE MANAGEMENT—DATA INITIATIVE	2,470	2,470
186	0304260F	AIRBORNE SIGINT ENTERPRISE	112,775	112,775
189	0305099F	GLOBAL AIR TRAFFIC MANAGEMENT (GATM)	4,235	4,235
192	0305110F	SATELLITE CONTROL NETWORK (SPACE)	7,879	7,879
193	0305111F	WEATHER SERVICE	29,955	29,955
194	0305114F	AIR TRAFFIC CONTROL, APPROACH, AND LANDING SYSTEM (ATCALS)	21,485	21,485
195	0305116F	AERIAL TARGETS	2,515	2,515
198	0305128F	SECURITY AND INVESTIGATIVE ACTIVITIES	472	472
199	0305145F	ARMS CONTROL IMPLEMENTATION	12,137	12,137
200	0305146F	DEFENSE JOINT COUNTERINTELLIGENCE ACTIVITIES	361	361
203	0305173F	SPACE AND MISSILE TEST AND EVALUATION CENTER	3,162	3,162
204	0305174F	SPACE INNOVATION, INTEGRATION AND RAPID TECHNOLOGY DEVELOPMENT	1,543	1,543
205	0305179F	INTEGRATED BROADCAST SERVICE (IBS)	7,860	7,860
206	0305182F	SPACELIFT RANGE SYSTEM (SPACE)	6,902	6,902
207	0305202F	DRAGON U–2	34,471	34,471
209	0305206F	AIRBORNE RECONNAISSANCE SYSTEMS	50,154	50,154
210	0305207F	MANNED RECONNAISSANCE SYSTEMS	13,245	13,245
211	0305208F	DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS	22,784	22,784
212	0305219F	MQ–1 PREDATOR A UAV	716	716
213	0305220F	RQ–4 UAV	208,053	208,053
214	0305221F	NETWORK-CENTRIC COLLABORATIVE TARGETING	21,587	21,587
215	0305236F	COMMON DATA LINK EXECUTIVE AGENT (CDL EA)	43,986	43,986
216	0305238F	NATO AGS	197,486	138,400
		Transfer from procurement for NATO AWACS		[−59,086]
217	0305240F	SUPPORT TO DCGS ENTERPRISE	28,434	28,434
218	0305265F	GPS III SPACE SEGMENT	180,902	180,902
220	0305614F	JSPOC MISSION SYSTEM	81,911	81,911
221	0305881F	RAPID CYBER ACQUISITION	3,149	3,149
222	0305913F	NUDET DETECTION SYSTEM (SPACE)	14,447	14,447
223	0305940F	SPACE SITUATION AWARENESS OPERATIONS	20,077	20,077
225	0308699F	SHARED EARLY WARNING (SEW)	853	853
226	0401115F	C–130 AIRLIFT SQUADRON	33,962	33,962

SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION
(In Thousands of Dollars)

Line	Program Element	Item	FY 2016 Request	Senate Authorized
227	0401119F	C–5 AIRLIFT SQUADRONS (IF)	42,864	42,864
228	0401130F	C–17 AIRCRAFT (IF)	54,807	54,807
229	0401132F	C–130J PROGRAM	31,010	31,010
230	0401134F	LARGE AIRCRAFT IR COUNTERMEASURES (LAIRCM)	6,802	6,802
231	0401219F	KC–10S	1,799	1,799
232	0401314F	OPERATIONAL SUPPORT AIRLIFT	48,453	48,453
233	0401318F	CV–22	36,576	36,576
235	0408011F	SPECIAL TACTIAG / COMBAT CONTROL	7,963	7,963
236	0702207F	DEPOT MAINTENANCE (NON-IF)	1,525	1,525
237	0708610F	LOGISTIAG INFORMATION TECHNOLOGY (LOGIT)	112,676	81,676
		Program growth		[–31,000]
238	0708611F	SUPPORT SYSTEMS DEVELOPMENT	12,657	12,657
239	0804743F	OTHER FLIGHT TRAINING	1,836	1,836
240	0808716F	OTHER PERSONNEL ACTIVITIES	121	121
241	0901202F	JOINT PERSONNEL RECOVERY AGENCY	5,911	5,911
242	0901218F	CIVILIAN COMPENSATION PROGRAM	3,604	3,604
243	0901220F	PERSONNEL ADMINISTRATION	4,598	4,598
244	0901226F	AIR FORCE STUDIES AND ANALYSIS AGENCY	1,103	1,103
246	0901538F	FINANCIAL MANAGEMENT INFORMATION SYSTEMS DEVELOPMENT	101,840	101,840
246A	9999999999	CLASSIFIED PROGRAMS	12,780,142	12,945,142
		Three program increases		[165,000]
		SUBTOTAL, OPERATIONAL SYSTEMS DEVELOPMENT	**17,010,339**	**17,068,849**
		TOTAL RESEARCH, DEVELOPMENT, TEST & EVAL, AF	**26,473,669**	**25,940,179**
		RESEARCH, DEVELOPMENT, TEST & EVAL, DW		
		BASIC RESEARCH		
1	0601000BR	DTRA BASIC RESEARCH INITIATIVE	38,436	38,436
2	0601101E	DEFENSE RESEARCH SCIENCES	333,119	333,119
3	0601110D8Z	BASIC RESEARCH INITIATIVES	42,022	42,022
4	0601117E	BASIC OPERATIONAL MEDICAL RESEARCH SCIENCE	56,544	56,544
5	0601120D8Z	NATIONAL DEFENSE EDUCATION PROGRAM	49,453	49,453
6	0601228D8Z	HISTORICALLY BLACK COLLEGES AND UNIVERSITIES/MINORITY INSTITUTIONS	25,834	25,834
7	0601384BP	CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM	46,261	46,261
		SUBTOTAL, BASIC RESEARCH	**591,669**	**591,669**
		APPLIED RESEARCH		
8	0602000D8Z	JOINT MUNITIONS TECHNOLOGY	19,352	19,352
9	0602115E	BIOMEDICAL TECHNOLOGY	114,262	114,262
10	0602234D8Z	LINCOLN LABORATORY RESEARCH PROGRAM	51,026	51,026
11	0602251D8Z	APPLIED RESEARCH FOR THE ADVANCEMENT OF S&T PRIORITIES	48,226	33,226
		General program decrease		[–15,000]
12	0602303E	INFORMATION & COMMUNICATIONS TECHNOLOGY	356,358	356,358
14	0602383E	BIOLOGICAL WARFARE DEFENSE	29,265	29,265
15	0602384BP	CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM	208,111	208,111
16	0602668D8Z	CYBER SECURITY RESEARCH	13,727	13,727
18	0602702E	TACTICAL TECHNOLOGY	314,582	309,582
		Multi-azimuth defense fast intercept round engagement system		[–5,000]
19	0602715E	MATERIALS AND BIOLOGICAL TECHNOLOGY	220,115	210,115
		Decrease in program growth		[–10,000]
20	0602716E	ELECTRONIAG TECHNOLOGY	174,798	174,798
21	0602718BR	WEAPONS OF MASS DESTRUCTION DEFEAT TECHNOLOGIES	155,415	155,415
22	0602751D8Z	SOFTWARE ENGINEERING INSTITUTE (SEI) APPLIED RESEARCH	8,824	8,824
23	1160401BB	SOF TECHNOLOGY DEVELOPMENT	37,517	37,517
		SUBTOTAL, APPLIED RESEARCH	**1,751,578**	**1,721,578**
		ADVANCED TECHNOLOGY DEVELOPMENT		
24	0603000D8Z	JOINT MUNITIONS ADVANCED TECHNOLOGY	25,915	25,915
26	0603122D8Z	COMBATING TERRORISM TECHNOLOGY SUPPORT	71,171	71,171
27	0603133D8Z	FOREIGN COMPARATIVE TESTING	21,782	21,782
28	0603160BR	COUNTERPROLIFERATION INITIATIVES—PROLIFERATION PREVENTION AND DEFEAT	290,654	290,654
30	0603176C	ADVANCED CONCEPTS AND PERFORMANCE ASSESSMENT	12,139	12,139
31	0603177C	DISCRIMINATION SENSOR TECHNOLOGY	28,200	28,200
32	0603178C	WEAPONS TECHNOLOGY	45,389	75,389
		Fiber laser prototype development		[20,000]
		Divert attitude control tech to support MOKV		[10,000]
33	0603179C	ADVANCED C4ISR	9,876	9,876
34	0603180C	ADVANCED RESEARCH	17,364	17,364
35	0603225D8Z	JOINT DOD-DOE MUNITIONS TECHNOLOGY DEVELOPMENT	18,802	18,802
36	0603264S	AGILE TRANSPORTATION FOR THE 21ST CENTURY (AT21)—THEATER CAPABILITY	2,679	2,679
37	0603274C	SPECIAL PROGRAM—MDA TECHNOLOGY	64,708	64,708
38	0603286E	ADVANCED AEROSPACE SYSTEMS	185,043	185,043
39	0603287E	SPACE PROGRAMS AND TECHNOLOGY	126,692	126,692
40	0603288D8Z	ANALYTIC ASSESSMENTS	14,645	9,645
		General program decrease		[–5,000]
41	0603289D8Z	ADVANCED INNOVATIVE ANALYSIS AND CONCEPTS	59,830	59,830
42	0603294C	COMMON KILL VEHICLE TECHNOLOGY	46,753	66,753
		Increase for Multiple Object Kill Vehicle		[20,000]
43	0603384BP	CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM—ADVANCED DEVELOPMENT	140,094	140,094

SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION
(In Thousands of Dollars)

Line	Program Element	Item	FY 2016 Request	Senate Authorized
44	0603527D8Z	RETRACT LARCH	118,666	118,666
45	0603618D8Z	JOINT ELECTRONIC ADVANCED TECHNOLOGY	43,966	43,966
46	0603648D8Z	JOINT CAPABILITY TECHNOLOGY DEMONSTRATIONS	141,540	131,540
		General program decrease		[–10,000]
47	0603662D8Z	NETWORKED COMMUNICATIONS CAPABILITIES	6,980	6,980
50	0603680D8Z	DEFENSE-WIDE MANUFACTURING SCIENCE AND TECHNOLOGY PROGRAM	157,056	157,056
51	0603699D8Z	EMERGING CAPABILITIES TECHNOLOGY DEVELOPMENT	33,515	33,515
52	0603712S	GENERIC LOGISTIAG R&D TECHNOLOGY DEMONSTRATIONS	16,543	16,543
53	0603713S	DEPLOYMENT AND DISTRIBUTION ENTERPRISE TECHNOLOGY	29,888	29,888
54	0603716D8Z	STRATEGIC ENVIRONMENTAL RESEARCH PROGRAM	65,836	65,836
55	0603720S	MICROELECTRONIAG TECHNOLOGY DEVELOPMENT AND SUPPORT	79,037	79,037
56	0603727D8Z	JOINT WARFIGHTING PROGRAM	9,626	9,626
57	0603739E	ADVANCED ELECTRONIAG TECHNOLOGIES	79,021	79,021
58	0603760E	COMMAND, CONTROL AND COMMUNICATIONS SYSTEMS	201,335	201,335
59	0603766E	NETWORK-CENTRIC WARFARE TECHNOLOGY	452,861	432,861
		Decrease to reduce inefficiency		[–20,000]
60	0603767E	SENSOR TECHNOLOGY	257,127	257,127
61	0603769SE	DISTRIBUTED LEARNING ADVANCED TECHNOLOGY DEVELOPMENT	10,771	10,771
62	0603781D8Z	SOFTWARE ENGINEERING INSTITUTE	15,202	15,202
63	0603826D8Z	QUICK REACTION SPECIAL PROJECTS	90,500	70,500
		Program decrease		[–20,000]
66	0603833D8Z	ENGINEERING SCIENCE & TECHNOLOGY	18,377	18,377
67	0603941D8Z	TEST & EVALUATION SCIENCE & TECHNOLOGY	82,589	82,589
68	0604055D8Z	OPERATIONAL ENERGY CAPABILITY IMPROVEMENT	37,420	37,420
69	0303310D8Z	CWMD SYSTEMS	42,488	42,488
70	1160402BB	SOF ADVANCED TECHNOLOGY DEVELOPMENT	57,741	57,741
		SUBTOTAL, ADVANCED TECHNOLOGY DEVELOPMENT	**3,229,821**	**3,224,821**
		ADVANCED COMPONENT DEVELOPMENT AND PROTOTYPES		
71	0603161D8Z	NUCLEAR AND CONVENTIONAL PHYSICAL SECURITY EQUIPMENT RDT&E ADC&P	31,710	31,710
73	0603600D8Z	WALKOFF	90,567	90,567
74	0603714D8Z	ADVANCED SENSORS APPLICATION PROGRAM	15,900	19,900
		Increase to match previous year funding level		[4,000]
75	0603851D8Z	ENVIRONMENTAL SECURITY TECHNICAL CERTIFICATION PROGRAM	52,758	52,758
76	0603881C	BALLISTIC MISSILE DEFENSE TERMINAL DEFENSE SEGMENT	228,021	228,021
77	0603882C	BALLISTIC MISSILE DEFENSE MIDCOURSE DEFENSE SEGMENT	1,284,891	1,284,891
78	0603884BP	CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM—DEM/VAL	172,754	172,754
79	0603884C	BALLISTIC MISSILE DEFENSE SENSORS	233,588	233,588
80	0603890C	BMD ENABLING PROGRAMS	409,088	409,088
81	0603891C	SPECIAL PROGRAMS—MDA	400,387	400,387
82	0603892C	AEGIS BMD	843,355	843,355
83	0603893C	SPACE TRACKING & SURVEILLANCE SYSTEM	31,632	31,632
84	0603895C	BALLISTIC MISSILE DEFENSE SYSTEM SPACE PROGRAMS	23,289	23,289
85	0603896C	BALLISTIC MISSILE DEFENSE COMMAND AND CONTROL, BATTLE MANAGEMENT AND COMMUNICATI	450,085	450,085
86	0603898C	BALLISTIC MISSILE DEFENSE JOINT WARFIGHTER SUPPORT	49,570	49,570
87	0603904C	MISSILE DEFENSE INTEGRATION & OPERATIONS CENTER (MDIOC)	49,211	49,211
88	0603906C	REGARDING TRENCH	9,583	9,583
89	0603907C	SEA BASED X-BAND RADAR (SBX)	72,866	72,866
90	0603913C	ISRAELI COOPERATIVE PROGRAMS	102,795	268,795
		Increase for Arrow/David's Sling		[166,000]
91	0603914C	BALLISTIC MISSILE DEFENSE TEST	274,323	274,323
92	0603915C	BALLISTIC MISSILE DEFENSE TARGETS	513,256	513,256
93	0603920D8Z	HUMANITARIAN DEMINING	10,129	10,129
94	0603923D8Z	COALITION WARFARE	10,350	10,350
95	0604016D8Z	DEPARTMENT OF DEFENSE CORROSION PROGRAM	1,518	11,518
		Program Increase		[10,000]
96	0604115C	TECHNOLOGY MATURATION INITIATIVES	96,300	96,300
97	0604250D8Z	ADVANCED INNOVATIVE TECHNOLOGIES	469,798	469,798
98	0604400D8Z	DEPARTMENT OF DEFENSE (DOD) UNMANNED AIRCRAFT SYSTEM (UAS) COMMON DEVELOPMENT	3,129	3,129
103	0604826J	JOINT C5 CAPABILITY DEVELOPMENT, INTEGRATION AND INTEROPERABILITY ASSESSMENTS	25,200	25,200
105	0604873C	LONG RANGE DISCRIMINATION RADAR (LRDR)	137,564	137,564
106	0604874C	IMPROVED HOMELAND DEFENSE INTERCEPTORS	278,944	298,944
		Redesigned kill vehicle development		[20,000]
107	0604876C	BALLISTIC MISSILE DEFENSE TERMINAL DEFENSE SEGMENT TEST	26,225	26,225
108	0604878C	AEGIS BMD TEST	55,148	55,148
109	0604879C	BALLISTIC MISSILE DEFENSE SENSOR TEST	86,764	86,764
110	0604880C	LAND-BASED SM–3 (LBSM3)	34,970	34,970
111	0604881C	AEGIS SM–3 BLOCK IIA CO-DEVELOPMENT	172,645	172,645
112	0604887C	BALLISTIC MISSILE DEFENSE MIDCOURSE SEGMENT TEST	64,618	64,618
114	0303191D8Z	JOINT ELECTROMAGNETIC TECHNOLOGY (JET) PROGRAM	2,660	2,660
115	0305103C	CYBER SECURITY INITIATIVE	963	963
		SUBTOTAL, ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES	**6,816,554**	**7,016,554**
		SYSTEM DEVELOPMENT AND DEMONSTRATION		
116	0604161D8Z	NUCLEAR AND CONVENTIONAL PHYSICAL SECURITY EQUIPMENT RDT&E SDD	8,800	8,800
117	0604165D8Z	PROMPT GLOBAL STRIKE CAPABILITY DEVELOPMENT	78,817	88,817

SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION
(In Thousands of Dollars)

Line	Program Element	Item	FY 2016 Request	Senate Authorized
		CPGS development and flight test		[10,000]
118	0604384BP	CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM—EMD	303,647	303,647
119	0604764K	ADVANCED IT SERVICES JOINT PROGRAM OFFICE (AITS-JPO)	23,424	23,424
120	0604771D8Z	JOINT TACTICAL INFORMATION DISTRIBUTION SYSTEM (JTIDS)	14,285	14,285
121	0605000BR	WEAPONS OF MASS DESTRUCTION DEFEAT CAPABILITIES	7,156	7,156
122	0605013BL	INFORMATION TECHNOLOGY DEVELOPMENT	12,542	12,542
123	0605021SE	HOMELAND PERSONNEL SECURITY INITIATIVE	191	191
124	0605022D8Z	DEFENSE EXPORTABILITY PROGRAM	3,273	3,273
125	0605027D8Z	OUSD(C) IT DEVELOPMENT INITIATIVES	5,962	5,962
126	0605070S	DOD ENTERPRISE SYSTEMS DEVELOPMENT AND DEMONSTRATION	13,412	13,412
127	0605075D8Z	DCMO POLICY AND INTEGRATION	2,223	2,223
128	0605080S	DEFENSE AGENCY INTIATIVES (DAI)—FINANCIAL SYSTEM	31,660	31,660
129	0605090S	DEFENSE RETIRED AND ANNUITANT PAY SYSTEM (DRAS)	13,085	13,085
130	0605210D8Z	DEFENSE-WIDE ELECTRONIC PROCUREMENT CAPABILITIES	7,209	7,209
131	0303141K	GLOBAL COMBAT SUPPORT SYSTEM	15,158	5,158
		Early to need		[–10,000]
132	0305304D8Z	DOD ENTERPRISE ENERGY INFORMATION MANAGEMENT (EEIM)	4,414	4,414
		SUBTOTAL, SYSTEM DEVELOPMENT & DEMONSTRATION	**545,258**	**545,258**
		MANAGEMENT SUPPORT		
133	0604774D8Z	DEFENSE READINESS REPORTING SYSTEM (DRRS)	5,581	5,581
134	0604875D8Z	JOINT SYSTEMS ARCHITECTURE DEVELOPMENT	3,081	3,081
135	0604940D8Z	CENTRAL TEST AND EVALUATION INVESTMENT DEVELOPMENT (CTEIP)	229,125	229,125
136	0604942D8Z	ASSESSMENTS AND EVALUATIONS	28,674	28,674
138	0605100D8Z	JOINT MISSION ENVIRONMENT TEST CAPABILITY (JMETC)	45,235	45,235
139	0605104D8Z	TECHNICAL STUDIES, SUPPORT AND ANALYSIS	24,936	24,936
141	0605126J	JOINT INTEGRATED AIR AND MISSILE DEFENSE ORGANIZATION (JIAMDO)	35,471	35,471
144	0605142D8Z	SYSTEMS ENGINEERING	37,655	32,655
		Reducing reporting and inefficiencies		[–5,000]
145	0605151D8Z	STUDIES AND ANALYSIS SUPPORT—OSD	3,015	3,015
146	0605161D8Z	NUCLEAR MATTERS-PHYSICAL SECURITY	5,287	5,287
147	0605170D8Z	SUPPORT TO NETWORKS AND INFORMATION INTEGRATION	5,289	5,289
148	0605200D8Z	GENERAL SUPPORT TO USD (INTELLIGENCE)	2,120	2,120
149	0605384BP	CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM	102,264	102,264
158	0605790D8Z	SMALL BUSINESS INNOVATION RESEARCH (SBIR)/ SMALL BUSINESS TECHNOLOGY TRANSFER	2,169	2,169
159	0605798D8Z	DEFENSE TECHNOLOGY ANALYSIS	13,960	13,960
160	0605801KA	DEFENSE TECHNICAL INFORMATION CENTER (DTIC)	51,775	51,775
161	0605803SE	R&D IN SUPPORT OF DOD ENLISTMENT, TESTING AND EVALUATION	9,533	9,533
162	0605804D8Z	DEVELOPMENT TEST AND EVALUATION	17,371	17,371
163	0605898E	MANAGEMENT HQ—R&D	71,571	71,571
164	0606100D8Z	BUDGET AND PROGRAM ASSESSMENTS	4,123	4,123
165	0203345D8Z	DEFENSE OPERATIONS SECURITY INITIATIVE (DOSI)	1,946	1,946
166	0204571J	JOINT STAFF ANALYTICAL SUPPORT	7,673	7,673
169	0303166J	SUPPORT TO INFORMATION OPERATIONS (IO) CAPABILITIES	10,413	10,413
170	0303260D8Z	DEFENSE MILITARY DECEPTION PROGRAM OFFICE (DMDPO)	971	971
171	0305193D8Z	CYBER INTELLIGENCE	6,579	6,579
173	0804767D8Z	COCOM EXERCISE ENGAGEMENT AND TRAINING TRANSFORMATION (CE2T2)—MHA	43,811	43,811
174	0901598C	MANAGEMENT HQ—MDA	35,871	35,871
176	0903230D8W	WHS—MISSION OPERATIONS SUPPORT - IT	1,072	1,072
176A	9999999999	CLASSIFIED PROGRAMS	49,500	49,500
		SUBTOTAL, MANAGEMENT SUPPORT	**856,071**	**851,071**
		OPERATIONAL SYSTEM DEVELOPMENT		
178	0604130V	ENTERPRISE SECURITY SYSTEM (ESS)	7,929	7,929
179	0605127T	REGIONAL INTERNATIONAL OUTREACH (RIO) AND PARTNERSHIP FOR PEACE INFORMATION MANA	1,750	1,750
180	0605147T	OVERSEAS HUMANITARIAN ASSISTANCE SHARED INFORMATION SYSTEM (OHASIS)	294	294
181	0607210D8Z	INDUSTRIAL BASE ANALYSIS AND SUSTAINMENT SUPPORT	22,576	22,576
182	0607310D8Z	CWMD SYSTEMS: OPERATIONAL SYSTEMS DEVELOPMENT	1,901	1,901
183	0607327T	GLOBAL THEATER SECURITY COOPERATION MANAGEMENT INFORMATION SYSTEMS (G-TSCMIS)	8,474	8,474
184	0607384BP	CHEMICAL AND BIOLOGICAL DEFENSE (OPERATIONAL SYSTEMS DEVELOPMENT)	33,561	33,561
186	0208043J	PLANNING AND DECISION AID SYSTEM (PDAS)	3,061	3,061
187	0208045K	C4I INTEROPERABILITY	64,921	64,921
189	0301144K	JOINT/ALLIED COALITION INFORMATION SHARING	3,645	3,645
193	0302016K	NATIONAL MILITARY COMMAND SYSTEM-WIDE SUPPORT	963	963
194	0302019K	DEFENSE INFO INFRASTRUCTURE ENGINEERING AND INTEGRATION	10,186	10,186
195	0303126K	LONG-HAUL COMMUNICATIONS—DAG	36,883	36,883
196	0303131K	MINIMUM ESSENTIAL EMERGENCY COMMUNICATIONS NETWORK (MEECN)	13,735	13,735
197	0303135G	PUBLIC KEY INFRASTRUCTURE (PKI)	6,101	6,101
198	0303136G	KEY MANAGEMENT INFRASTRUCTURE (KMI)	43,867	43,867
199	0303140D8Z	INFORMATION SYSTEMS SECURITY PROGRAM	8,957	8,957
200	0303140G	INFORMATION SYSTEMS SECURITY PROGRAM	146,890	146,890
201	0303150K	GLOBAL COMMAND AND CONTROL SYSTEM	21,503	21,503
202	0303153K	DEFENSE SPECTRUM ORGANIZATION	20,342	20,342
203	0303170K	NET-CENTRIC ENTERPRISE SERVICES (NCES)	444	444
205	0303610K	TELEPORT PROGRAM	1,736	1,736
206	0304210BB	SPECIAL APPLICATIONS FOR CONTINGENCIES	65,060	65,060

SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION
(In Thousands of Dollars)

Line	Program Element	Item	FY 2016 Request	Senate Authorized
210	0305103K	CYBER SECURITY INITIATIVE	2,976	2,976
215	0305186D8Z	POLICY R&D PROGRAMS	4,182	4,182
216	0305199D8Z	NET CENTRICITY	18,130	18,130
218	0305208BB	DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS	5,302	5,302
221	0305208K	DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS	3,239	3,239
225	0305327V	INSIDER THREAT	11,733	11,733
226	0305387D8Z	HOMELAND DEFENSE TECHNOLOGY TRANSFER PROGRAM	2,119	2,119
234	0708011S	INDUSTRIAL PREPAREDNESS	24,605	24,605
235	0708012S	LOGISTIAG SUPPORT ACTIVITIES	1,770	1,770
236	0902298J	MANAGEMENT HQ—OJAG	2,978	2,978
237	1105219BB	MQ–9 UAV	18,151	23,151
		MQ–9 capability enhancements		[5,000]
238	1105232BB	RQ–11 UAV	758	758
240	1160403BB	AVIATION SYSTEMS	173,934	191,141
		ISR payload technology improvements		[2,000]
		C–130 TF/TA Program Adjustment		[15,207]
241	1160405BB	INTELLIGENCE SYSTEMS DEVELOPMENT	6,866	6,866
242	1160408BB	OPERATIONAL ENHANCEMENTS	63,008	63,008
243	1160431BB	WARRIOR SYSTEMS	25,342	25,342
244	1160432BB	SPECIAL PROGRAMS	3,401	3,401
245	1160480BB	SOF TACTICAL VEHICLES	3,212	3,212
246	1160483BB	MARITIME SYSTEMS	63,597	63,597
247	1160489BB	GLOBAL VIDEO SURVEILLANCE ACTIVITIES	3,933	3,933
248	1160490BB	OPERATIONAL ENHANCEMENTS INTELLIGENCE	10,623	10,623
248A	9999999999	CLASSIFIED PROGRAMS	3,564,272	3,564,272
		SUBTOTAL, OPERATIONAL SYSTEMS DEVELOPMENT	**4,538,910**	**4,561,117**
		UNDISTRIBUTED		
xx	xxxxx	DEFENSE WIDE CYBER VULNERABILITY ASSESSMENT	0	200,000
		Assess all major weapon systems for cyber vulnerability		[200,000]
xxx	xxxxxx	UCAS-D DEVELOPMENT AND FOLLOW ON PROTOTYPING	0	725,000
		Supports continued efforts on UCAS-D and follow on prototyping		[725,000]
x	xxxxx	TECHNOLOGY OFFSET INITIATIVE	0	400,000
		Supports innovative technology development		[400,000]
		SUBTOTAL, UNDISTRIBUTED	**0**	**1,325,000**
		TOTAL RESEARCH, DEVELOPMENT, TEST & EVAL, DW	**18,329,861**	**19,837,068**
		OPERATIONAL TEST & EVAL, DEFENSE MANAGEMENT SUPPORT		
1	0605118OTE	OPERATIONAL TEST AND EVALUATION	76,838	76,838
2	0605131OTE	LIVE FIRE TEST AND EVALUATION	46,882	46,882
3	0605814OTE	OPERATIONAL TEST ACTIVITIES AND ANALYSES	46,838	46,838
		SUBTOTAL, MANAGEMENT SUPPORT	**170,558**	**170,558**
		TOTAL OPERATIONAL TEST & EVAL, DEFENSE	**170,558**	**170,558**
		TOTAL RDT&E	**69,784,963**	**70,891,640**

SEC. 4202. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION FOR OVERSEAS CONTINGENCY OPERATIONS.

SEC. 4202. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

Line	Program Element	Item	FY 2016 Request	Senate Authorized
		RESEARCH, DEVELOPMENT, TEST & EVAL, ARMY		
		ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES		
60	0603747A	SOLDIER SUPPORT AND SURVIVABILITY	1,500	1,500
		SUBTOTAL, ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES	**1,500**	**1,500**
		TOTAL RESEARCH, DEVELOPMENT, TEST & EVAL, ARMY	**1,500**	**1,500**
		RESEARCH, DEVELOPMENT, TEST & EVAL, NAVY		
		OPERATIONAL SYSTEMS DEVELOPMENT		
231A	9999999999	CLASSIFIED PROGRAMS	35,747	35,747
		SUBTOTAL, OPERATIONAL SYSTEMS DEVELOPMENT	**35,747**	**35,747**
		TOTAL RESEARCH, DEVELOPMENT, TEST & EVAL, NAVY	**35,747**	**35,747**
		RESEARCH, DEVELOPMENT, TEST & EVAL, AF		
		OPERATIONAL SYSTEMS DEVELOPMENT		
133	0205671F	JOINT COUNTER RCIED ELECTRONIC WARFARE	300	300
246A	9999999999	CLASSIFIED PROGRAMS	16,800	16,800
		SUBTOTAL, OPERATIONAL SYSTEMS DEVELOPMENT	**17,100**	**17,100**
		TOTAL RESEARCH, DEVELOPMENT, TEST & EVAL, AF	**17,100**	**17,100**

SEC. 4202. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

Line	Program Element	Item	FY 2016 Request	Senate Authorized
		RESEARCH, DEVELOPMENT, TEST & EVAL, DW		
		OPERATIONAL SYSTEM DEVELOPMENT		
248A	9999999999	CLASSIFIED PROGRAMS	137,087	137,087
		SUBTOTAL, OPERATIONAL SYSTEM DEVELOPMENT	**137,087**	**137,087**
		TOTAL RESEARCH, DEVELOPMENT, TEST & EVAL, DW	**137,087**	**137,087**
		TOTAL RDT&E	**191,434**	**191,434**

TITLE XLIII—OPERATION AND MAINTENANCE

SEC. 4301. OPERATION AND MAINTENANCE.

SEC. 4301. OPERATION AND MAINTENANCE
(In Thousands of Dollars)

Line	Item	FY 2016 Request	Senate Authorized
	OPERATION & MAINTENANCE, ARMY		
	OPERATING FORCES		
010	MANEUVER UNITS	1,094,429	0
	Transfer base requirement to OCO due to BCA		[–1,094,429]
020	MODULAR SUPPORT BRIGADES	68,873	68,873
030	ECHELONS ABOVE BRIGADE	508,008	508,008
040	THEATER LEVEL ASSETS	763,300	0
	Transfer base requirement to OCO due to BCA		[–763,300]
050	LAND FORCES OPERATIONS SUPPORT	1,054,322	0
	Transfer base requirement to OCO due to BCA		[–1,054,322]
060	AVIATION ASSETS	1,546,129	0
	Transfer base requirement to OCO due to BCA		[–1,546,129]
070	FORCE READINESS OPERATIONS SUPPORT	3,158,606	0
	Transfer base requirement to OCO due to BCA		[–3,158,606]
080	LAND FORCES SYSTEMS READINESS	438,909	438,909
090	LAND FORCES DEPOT MAINTENANCE	1,214,116	1,291,316
	Readiness funding increase		[77,200]
100	BASE OPERATIONS SUPPORT	7,616,008	7,626,508
	Readiness funding increase		[10,500]
110	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	2,617,169	2,651,169
	Kwajalein facilities restoration		[34,000]
120	MANAGEMENT AND OPERATIONAL HEADQUARTERS	421,269	421,269
130	COMBATANT COMMANDERS CORE OPERATIONS	164,743	164,743
170	COMBATANT COMMANDS DIRECT MISSION SUPPORT	448,633	436,276
	Streamlining of Army Combatant Commands Direct Mission Support		[–12,357]
	SUBTOTAL, OPERATING FORCES	**21,114,514**	**13,607,071**
	MOBILIZATION		
180	STRATEGIC MOBILITY	401,638	401,638
190	ARMY PREPOSITIONED STOCKS	261,683	261,683
200	INDUSTRIAL PREPAREDNESS	6,532	6,532
	SUBTOTAL, MOBILIZATION	**669,853**	**669,853**
	TRAINING AND RECRUITING		
210	OFFICER ACQUISITION	131,536	131,536
220	RECRUIT TRAINING	47,843	47,843
230	ONE STATION UNIT TRAINING	42,565	42,565
240	SENIOR RESERVE OFFICERS TRAINING CORPS	490,378	490,378
250	SPECIALIZED SKILL TRAINING	981,000	1,014,200
	Readiness funding increase		[33,200]
260	FLIGHT TRAINING	940,872	940,872
270	PROFESSIONAL DEVELOPMENT EDUCATION	230,324	230,324
280	TRAINING SUPPORT	603,519	603,519
290	RECRUITING AND ADVERTISING	491,922	491,922
300	EXAMINING	194,079	194,079
310	OFF-DUTY AND VOLUNTARY EDUCATION	227,951	227,951
320	CIVILIAN EDUCATION AND TRAINING	161,048	161,048
330	JUNIOR RESERVE OFFICER TRAINING CORPS	170,118	170,118
	SUBTOTAL, TRAINING AND RECRUITING	**4,713,155**	**4,746,355**
	ADMIN & SRVWIDE ACTIVITIES		
350	SERVICEWIDE TRANSPORTATION	485,778	485,778
360	CENTRAL SUPPLY ACTIVITIES	813,881	813,881
370	LOGISTIC SUPPORT ACTIVITIES	714,781	714,781
380	AMMUNITION MANAGEMENT	322,127	322,127
390	ADMINISTRATION	384,813	384,813
400	SERVICEWIDE COMMUNICATIONS	1,781,350	1,781,350
410	MANPOWER MANAGEMENT	292,532	292,532

SEC. 4301. OPERATION AND MAINTENANCE
(In Thousands of Dollars)

Line	Item	FY 2016 Request	Senate Authorized
420	OTHER PERSONNEL SUPPORT	375,122	375,122
430	OTHER SERVICE SUPPORT	1,119,848	1,115,348
	Army outreach reduction		[–4,500]
440	ARMY CLAIMS ACTIVITIES	225,358	225,358
450	REAL ESTATE MANAGEMENT	239,755	239,755
460	FINANCIAL MANAGEMENT AND AUDIT READINESS	223,319	223,319
470	INTERNATIONAL MILITARY HEADQUARTERS	469,865	469,865
480	MISC. SUPPORT OF OTHER NATIONS	40,521	40,521
480A	CLASSIFIED PROGRAMS	1,120,974	1,146,474
	Additional SOUTHCOM ISR and intel support		[20,000]
	Readiness increase		[5,500]
xx	UNDISTRIBUTED	0	–238,451
	Streamlining of Army Management Headquarters		[–238,451]
	SUBTOTAL, ADMIN & SRVWIDE ACTIVITIES	**8,610,024**	**8,392,573**
	UNDISTRIBUTED		
xx	UNDISTRIBUTED FOREIGN CURRENCY ADJUSTMENT	0	–281,500
	Foreign currency adjustment		[–281,500]
xxx	UNDISTRIBUTED BULK FUEL SAVINGS	0	–260,100
	Bulk fuel savings		[–260,100]
	SUBTOTAL, UNDISTRIBUTED	**0**	**–541,600**
	TOTAL OPERATION & MAINTENANCE, ARMY	**35,107,546**	**26,874,252**
	OPERATION & MAINTENANCE, ARMY RES		
	OPERATING FORCES		
020	MODULAR SUPPORT BRIGADES	16,612	16,612
030	ECHELONS ABOVE BRIGADE	486,531	486,531
040	THEATER LEVEL ASSETS	105,446	105,446
050	LAND FORCES OPERATIONS SUPPORT	516,791	516,791
060	AVIATION ASSETS	87,587	87,587
070	FORCE READINESS OPERATIONS SUPPORT	348,601	348,601
080	LAND FORCES SYSTEMS READINESS	81,350	81,350
090	LAND FORCES DEPOT MAINTENANCE	59,574	91,974
	Readiness funding increase		[32,400]
100	BASE OPERATIONS SUPPORT	570,852	570,852
110	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	245,686	245,686
120	MANAGEMENT AND OPERATIONAL HEADQUARTERS	40,962	40,962
	SUBTOTAL, OPERATING FORCES	**2,559,992**	**2,592,392**
	ADMIN & SRVWD ACTIVITIES		
130	SERVICEWIDE TRANSPORTATION	10,665	10,665
140	ADMINISTRATION	18,390	18,390
150	SERVICEWIDE COMMUNICATIONS	14,976	14,976
160	MANPOWER MANAGEMENT	8,841	8,841
170	RECRUITING AND ADVERTISING	52,928	52,928
xx	UNDISTRIBUTED	0	–6,011
	Streamlining of Army Reserve Management Headquarters		[–6,011]
	SUBTOTAL, ADMIN & SRVWIDE ACTIVITIES	**105,800**	**99,790**
	UNDISTRIBUTED		
xxx	UNDISTRIBUTED BULK FUEL SAVINGS	0	–7,600
	Bulk fuel savings		[–7,600]
	SUBTOTAL, UNDISTRIBUTED	**0**	**–7,600**
	TOTAL OPERATION & MAINTENANCE, ARMY RES	**2,665,792**	**2,684,581**
	OPERATION & MAINTENANCE, ARNG		
	OPERATING FORCES		
010	MANEUVER UNITS	709,433	709,433
020	MODULAR SUPPORT BRIGADES	167,324	167,324
030	ECHELONS ABOVE BRIGADE	741,327	741,327
040	THEATER LEVEL ASSETS	88,775	96,475
	ARNG border security enhancement		[7,700]
050	LAND FORCES OPERATIONS SUPPORT	32,130	32,130
060	AVIATION ASSETS	943,609	996,209
	Readiness funding increase		[39,600]
	ARNG border security enhancement		[13,000]
070	FORCE READINESS OPERATIONS SUPPORT	703,137	703,137
080	LAND FORCES SYSTEMS READINESS	84,066	84,066
090	LAND FORCES DEPOT MAINTENANCE	166,848	189,348
	Readiness funding increase		[22,500]
100	BASE OPERATIONS SUPPORT	1,022,970	1,022,970
110	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	673,680	673,680
120	MANAGEMENT AND OPERATIONAL HEADQUARTERS	954,574	954,574
	SUBTOTAL, OPERATING FORCES	**6,287,873**	**6,370,673**
	ADMIN & SRVWD ACTIVITIES		
130	SERVICEWIDE TRANSPORTATION	6,570	6,570

SEC. 4301. OPERATION AND MAINTENANCE
(In Thousands of Dollars)

Line	Item	FY 2016 Request	Senate Authorized
140	ADMINISTRATION	59,629	59,379
	Reduction to National Guard Heritage Paintings		[–250]
150	SERVICEWIDE COMMUNICATIONS	68,452	68,452
160	MANPOWER MANAGEMENT	8,841	8,841
170	OTHER PERSONNEL SUPPORT	283,670	272,170
	Reduction to Army Marketing Program		[–11,500]
180	REAL ESTATE MANAGEMENT	2,942	2,942
xx	UNDISTRIBUTED	0	–26,631
	Streamlining of Army National Guard Management Headquarters		[–26,631]
	SUBTOTAL, ADMIN & SRVWIDE ACTIVITIES	**430,104**	**391,723**
	UNDISTRIBUTED		
xxx	UNDISTRIBUTED BULK FUEL SAVINGS	0	–25,300
	Bulk fuel savings		[–25,300]
	SUBTOTAL, UNDISTRIBUTED	**0**	**–25,300**
	TOTAL OPERATION & MAINTENANCE, ARNG	**6,717,977**	**6,737,096**
	OPERATION & MAINTENANCE, NAVY		
	OPERATING FORCES		
010	MISSION AND OTHER FLIGHT OPERATIONS	4,940,365	0
	Transfer base requirement to OCO due to BCA		[–4,940,365]
020	FLEET AIR TRAINING	1,830,611	1,830,611
030	AVIATION TECHNICAL DATA & ENGINEERING SERVICES	37,225	37,225
040	AIR OPERATIONS AND SAFETY SUPPORT	103,456	103,456
050	AIR SYSTEMS SUPPORT	376,844	390,744
	Readiness funding increase		[13,900]
060	AIRCRAFT DEPOT MAINTENANCE	897,536	0
	Transfer base requirement to OCO due to BCA		[–897,536]
070	AIRCRAFT DEPOT OPERATIONS SUPPORT	33,201	33,201
080	AVIATION LOGISTICS	544,056	549,356
	Readiness funding increase		[5,300]
090	MISSION AND OTHER SHIP OPERATIONS	4,287,658	0
	Transfer base requirement to OCO due to BCA		[–4,287,658]
100	SHIP OPERATIONS SUPPORT & TRAINING	787,446	787,446
110	SHIP DEPOT MAINTENANCE	5,960,951	0
	Transfer base requirement to OCO due to BCA		[–5,960,951]
120	SHIP DEPOT OPERATIONS SUPPORT	1,554,863	1,554,863
130	COMBAT COMMUNICATIONS	704,415	704,415
140	ELECTRONIC WARFARE	96,916	96,916
150	SPACE SYSTEMS AND SURVEILLANCE	192,198	192,198
160	WARFARE TACTICS	453,942	453,942
170	OPERATIONAL METEOROLOGY AND OCEANOGRAPHY	351,871	351,871
180	COMBAT SUPPORT FORCES	1,186,847	1,186,847
190	EQUIPMENT MAINTENANCE	123,948	123,948
200	DEPOT OPERATIONS SUPPORT	2,443	2,443
210	COMBATANT COMMANDERS CORE OPERATIONS	98,914	98,914
220	COMBATANT COMMANDERS DIRECT MISSION SUPPORT	73,110	67,628
	Streamlining of Navy Combatant Commanders Direct Mission Support		[–5,483]
230	CRUISE MISSILE	110,734	110,734
240	FLEET BALLISTIC MISSILE	1,206,736	1,206,736
250	IN-SERVICE WEAPONS SYSTEMS SUPPORT	141,664	141,664
260	WEAPONS MAINTENANCE	523,122	523,122
270	OTHER WEAPON SYSTEMS SUPPORT	371,872	371,872
280	ENTERPRISE INFORMATION	896,061	896,061
290	SUSTAINMENT, RESTORATION AND MODERNIZATION	2,220,423	2,220,423
300	BASE OPERATING SUPPORT	4,472,468	4,486,468
	Funding increase for Behavioral Counseling		[14,000]
	SUBTOTAL, OPERATING FORCES	**34,581,896**	**18,523,103**
	MOBILIZATION		
310	SHIP PREPOSITIONING AND SURGE	422,846	422,846
320	AIRCRAFT ACTIVATIONS/INACTIVATIONS	6,464	6,964
	Readiness funding increase		[500]
330	SHIP ACTIVATIONS/INACTIVATIONS	361,764	361,764
340	EXPEDITIONARY HEALTH SERVICES SYSTEMS	69,530	69,530
350	INDUSTRIAL READINESS	2,237	2,237
360	COAST GUARD SUPPORT	21,823	21,823
	SUBTOTAL, MOBILIZATION	**884,664**	**885,164**
	TRAINING AND RECRUITING		
370	OFFICER ACQUISITION	149,375	149,375
380	RECRUIT TRAINING	9,035	9,035
390	RESERVE OFFICERS TRAINING CORPS	156,290	156,290
400	SPECIALIZED SKILL TRAINING	653,728	653,728
410	FLIGHT TRAINING	8,171	8,171
420	PROFESSIONAL DEVELOPMENT EDUCATION	168,471	168,471
430	TRAINING SUPPORT	196,048	196,048
440	RECRUITING AND ADVERTISING	234,233	234,233

SEC. 4301. OPERATION AND MAINTENANCE
(In Thousands of Dollars)

Line	Item	FY 2016 Request	Senate Authorized
450	OFF-DUTY AND VOLUNTARY EDUCATION	137,855	137,855
460	CIVILIAN EDUCATION AND TRAINING	77,257	77,257
470	JUNIOR ROTC	47,653	47,653
	SUBTOTAL, TRAINING AND RECRUITING	**1,838,116**	**1,838,116**
	ADMIN & SRVWD ACTIVITIES		
480	ADMINISTRATION	923,771	923,771
490	EXTERNAL RELATIONS	13,967	13,967
500	CIVILIAN MANPOWER AND PERSONNEL MANAGEMENT	120,812	120,812
510	MILITARY MANPOWER AND PERSONNEL MANAGEMENT	350,983	350,983
520	OTHER PERSONNEL SUPPORT	265,948	265,948
530	SERVICEWIDE COMMUNICATIONS	335,482	335,482
550	SERVICEWIDE TRANSPORTATION	197,724	197,724
570	PLANNING, ENGINEERING AND DESIGN	274,936	274,936
580	ACQUISITION AND PROGRAM MANAGEMENT	1,122,178	1,122,178
590	HULL, MECHANICAL AND ELECTRICAL SUPPORT	48,587	48,587
600	COMBAT/WEAPONS SYSTEMS	25,599	25,599
610	SPACE AND ELECTRONIC WARFARE SYSTEMS	72,768	72,768
620	NAVAL INVESTIGATIVE SERVICE	577,803	577,803
680	INTERNATIONAL HEADQUARTERS AND AGENCIES	4,768	4,768
680A	CLASSIFIED PROGRAMS	560,754	560,754
xx	UNDISTRIBUTED	0	–209,823
	Streamlining of Navy Management Headquarters		[–209,823]
	SUBTOTAL, ADMIN & SRVWIDE ACTIVITIES	**4,896,080**	**4,686,257**
	UNDISTRIBUTED		
xx	UNDISTRIBUTED FOREIGN CURRENCY ADJUSTMENT	0	–59,900
	Foreign currency adjustment		[–59,900]
xxx	UNDISTRIBUTED BULK FUEL SAVINGS	0	–482,300
	Bulk fuel savings		[–482,300]
	SUBTOTAL, UNDISTRIBUTED	**0**	**–542,200**
	TOTAL OPERATION & MAINTENANCE, NAVY	**42,200,756**	**25,390,440**
	OPERATION & MAINTENANCE, MARINE CORPS		
	OPERATING FORCES		
010	OPERATIONAL FORCES	931,079	0
	Transfer base requirement to OCO due to BCA		[–931,079]
020	FIELD LOGISTICS	931,757	0
	Transfer base requirement to OCO due to BCA		[–931,757]
030	DEPOT MAINTENANCE	227,583	227,583
040	MARITIME PREPOSITIONING	86,259	86,259
050	SUSTAINMENT, RESTORATION & MODERNIZATION	746,237	746,237
060	BASE OPERATING SUPPORT	2,057,362	2,058,562
	Readiness funding increase for Criminal Investigative Equipment		[1,200]
	SUBTOTAL, OPERATING FORCES	**4,980,277**	**3,118,641**
	TRAINING AND RECRUITING		
070	RECRUIT TRAINING	16,460	16,460
080	OFFICER ACQUISITION	977	977
090	SPECIALIZED SKILL TRAINING	97,325	97,325
100	PROFESSIONAL DEVELOPMENT EDUCATION	40,786	40,786
110	TRAINING SUPPORT	347,476	347,476
120	RECRUITING AND ADVERTISING	164,806	164,806
130	OFF-DUTY AND VOLUNTARY EDUCATION	39,963	39,963
140	JUNIOR ROTC	23,397	23,397
	SUBTOTAL, TRAINING AND RECRUITING	**731,190**	**731,190**
	ADMIN & SRVWD ACTIVITIES		
150	SERVICEWIDE TRANSPORTATION	37,386	37,386
160	ADMINISTRATION	358,395	358,395
180	ACQUISITION AND PROGRAM MANAGEMENT	76,105	76,105
180A	CLASSIFIED PROGRAMS	45,429	45,429
xx	UNDISTRIBUTED	0	–32,588
	Streamlining of Marine Corps Management Headquarters		[–32,588]
	SUBTOTAL, ADMIN & SRVWIDE ACTIVITIES	**517,315**	**484,727**
	UNDISTRIBUTED		
xx	UNDISTRIBUTED FOREIGN CURRENCY ADJUSTMENT	0	–19,800
	Foreign currency adjustment		[–19,800]
xxx	UNDISTRIBUTED BULK FUEL SAVINGS	0	–17,000
	Bulk fuel savings		[–17,000]
	SUBTOTAL, UNDISTRIBUTED	**0**	**–36,800**
	TOTAL OPERATION & MAINTENANCE, MARINE CORPS	**6,228,782**	**4,297,758**
	OPERATION & MAINTENANCE, NAVY RES		
	OPERATING FORCES		
010	MISSION AND OTHER FLIGHT OPERATIONS	563,722	563,722

SEC. 4301. OPERATION AND MAINTENANCE
(In Thousands of Dollars)

Line	Item	FY 2016 Request	Senate Authorized
020	INTERMEDIATE MAINTENANCE	6,218	6,218
030	AIRCRAFT DEPOT MAINTENANCE	82,712	82,712
040	AIRCRAFT DEPOT OPERATIONS SUPPORT	326	326
050	AVIATION LOGISTICS	13,436	13,436
070	SHIP OPERATIONS SUPPORT & TRAINING	557	557
090	COMBAT COMMUNICATIONS	14,499	14,499
100	COMBAT SUPPORT FORCES	117,601	117,601
120	ENTERPRISE INFORMATION	29,382	29,382
130	SUSTAINMENT, RESTORATION AND MODERNIZATION	48,513	48,513
140	BASE OPERATING SUPPORT	102,858	102,858
	SUBTOTAL, OPERATING FORCES	**979,824**	**979,824**
	ADMIN & SRVWD ACTIVITIES		
150	ADMINISTRATION	1,505	1,505
160	MILITARY MANPOWER AND PERSONNEL MANAGEMENT	13,782	13,782
170	SERVICEWIDE COMMUNICATIONS	3,437	3,437
180	ACQUISITION AND PROGRAM MANAGEMENT	3,210	3,210
xx	UNDISTRIBUTED	0	–1,386
	Streamlining of Navy Reserve Management Headquarters		[–1,386]
	SUBTOTAL, ADMIN & SRVWIDE ACTIVITIES	**21,934**	**20,548**
	UNDISTRIBUTED		
xxx	UNDISTRIBUTED BULK FUEL SAVINGS	0	–39,700
	Bulk fuel savings		[–39,700]
	SUBTOTAL, UNDISTRIBUTED	**0**	**–39,700**
	TOTAL OPERATION & MAINTENANCE, NAVY RES	**1,001,758**	**960,672**
	OPERATION & MAINTENANCE, MC RESERVE		
	OPERATING FORCES		
010	OPERATING FORCES	97,631	97,631
020	DEPOT MAINTENANCE	18,254	18,254
030	SUSTAINMENT, RESTORATION AND MODERNIZATION	28,653	28,653
040	BASE OPERATING SUPPORT	111,923	111,923
	SUBTOTAL, OPERATING FORCES	**256,461**	**256,461**
	ADMIN & SRVWD ACTIVITIES		
050	SERVICEWIDE TRANSPORTATION	924	924
060	ADMINISTRATION	10,866	10,866
070	RECRUITING AND ADVERTISING	8,785	8,785
xx	UNDISTRIBUTED	0	–1,473
	Streamlining of Marine Corps Reserve Management Headquarters		[–1,473]
	SUBTOTAL, ADMIN & SRVWIDE ACTIVITIES	**20,575**	**19,102**
	UNDISTRIBUTED		
xxx	UNDISTRIBUTED BULK FUEL SAVINGS	0	–1,000
	Bulk fuel savings		[–1,000]
	SUBTOTAL, UNDISTRIBUTED	**0**	**–1,000**
	TOTAL OPERATION & MAINTENANCE, MC RESERVE	**277,036**	**274,563**
	OPERATION & MAINTENANCE, AIR FORCE		
	OPERATING FORCES		
010	PRIMARY COMBAT FORCES	3,336,868	0
	Transfer base requirement to OCO due to BCA		[–3,336,868]
020	COMBAT ENHANCEMENT FORCES	1,897,315	0
	Transfer base requirement to OCO due to BCA		[–1,897,315]
030	AIR OPERATIONS TRAINING (OJT, MAINTAIN SKILLS)	1,797,549	1,757,249
	Cancel transition of A–10 to F–15E training		[–78,000]
	Readiness increase		[37,700]
040	DEPOT MAINTENANCE	6,537,127	0
	Transfer base requirement to OCO due to BCA		[–6,537,127]
050	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	1,997,712	1,997,712
060	BASE SUPPORT	2,841,948	2,841,948
070	GLOBAL C3I AND EARLY WARNING	930,341	930,341
080	OTHER COMBAT OPS SPT PROGRAMS	924,845	924,845
100	LAUNCH FACILITIES	271,177	271,177
110	SPACE CONTROL SYSTEMS	382,824	382,824
120	COMBATANT COMMANDERS DIRECT MISSION SUPPORT	900,965	885,586
	Streamlining of Air Force Combatant Commanders Direct Mission Support		[–15,380]
130	COMBATANT COMMANDERS CORE OPERATIONS	205,078	164,078
	Cutting Joint Enabling Capabilities Command		[–41,000]
xxx	CLASSIFIED PROGRAMS	907,496	924,296
	Increase One Program		[20,000]
	Unjustified increase		[–3,200]
	SUBTOTAL, OPERATING FORCES	**22,931,245**	**11,080,055**
	MOBILIZATION		
140	AIRLIFT OPERATIONS	2,229,196	2,229,196

SEC. 4301. OPERATION AND MAINTENANCE
(In Thousands of Dollars)

Line	Item	FY 2016 Request	Senate Authorized
150	MOBILIZATION PREPAREDNESS	148,318	148,318
160	DEPOT MAINTENANCE	1,617,571	0
	Transfer base requirement to OCO due to BCA		[–1,617,571]
170	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	259,956	259,956
180	BASE SUPPORT	708,799	708,799
	SUBTOTAL, MOBILIZATION	**4,963,840**	**3,346,269**
	TRAINING AND RECRUITING		
190	OFFICER ACQUISITION	92,191	92,191
200	RECRUIT TRAINING	21,871	21,871
210	RESERVE OFFICERS TRAINING CORPS (ROTC)	77,527	77,527
220	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	228,500	228,500
230	BASE SUPPORT	772,870	772,870
240	SPECIALIZED SKILL TRAINING	359,304	402,404
	Readiness increase for RPA training		[43,100]
250	FLIGHT TRAINING	710,553	710,553
260	PROFESSIONAL DEVELOPMENT EDUCATION	228,252	228,252
270	TRAINING SUPPORT	76,464	76,464
280	DEPOT MAINTENANCE	375,513	375,513
290	RECRUITING AND ADVERTISING	79,690	79,690
300	EXAMINING	3,803	3,803
310	OFF-DUTY AND VOLUNTARY EDUCATION	180,807	180,807
320	CIVILIAN EDUCATION AND TRAINING	167,478	167,478
330	JUNIOR ROTC	59,263	59,263
	SUBTOTAL, TRAINING AND RECRUITING	**3,434,086**	**3,477,186**
	ADMIN & SRVWD ACTIVITIES		
340	LOGISTICS OPERATIONS	1,141,491	1,141,491
350	TECHNICAL SUPPORT ACTIVITIES	862,022	852,022
	Acquisition Management Adjustment		[–10,000]
360	DEPOT MAINTENANCE	61,745	61,745
370	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	298,759	298,759
380	BASE SUPPORT	1,108,220	1,096,220
	Reduce IT procurement		[–12,000]
390	ADMINISTRATION	689,797	669,097
	DEAMS reduction-Funding ahead of need		[–20,700]
400	SERVICEWIDE COMMUNICATIONS	498,053	498,053
410	OTHER SERVICEWIDE ACTIVITIES	900,253	900,253
420	CIVIL AIR PATROL	25,411	25,411
450	INTERNATIONAL SUPPORT	89,148	89,148
450A	CLASSIFIED PROGRAMS	1,187,859	1,182,959
	Unjustified increase		[–4,900]
xx	UNDISTRIBUTED	0	–276,203
	Streamlining of Air Force Management Headquarters		[–276,203]
	SUBTOTAL, ADMIN & SRVWIDE ACTIVITIES	**6,862,758**	**6,538,955**
	UNDISTRIBUTED		
xx	Restore EC–130 Compass Call	0	27,300
	Costs associated with preventing divestiture of EC–130		[27,300]
x	Restore A–10	0	235,300
	Costs associated with preventing divestiture of A–10 fleet		[235,300]
xxx	UNDISTRIBUTED BULK FUEL SAVINGS	0	–618,300
	Bulk fuel savings		[–618,300]
	UNDISTRIBUTED FOREIGN CURRENCY ADJUSTMENT	0	–137,800
	Foreign currency adjustment		[–137,800]
	SUBTOTAL, UNDISTRIBUTED	**0**	**–493,500**
	TOTAL OPERATION & MAINTENANCE, AIR FORCE	**38,191,929**	**23,948,965**
	OPERATION & MAINTENANCE, AF RESERVE		
	OPERATING FORCES		
010	PRIMARY COMBAT FORCES	1,779,378	1,779,378
020	MISSION SUPPORT OPERATIONS	226,243	226,243
030	DEPOT MAINTENANCE	487,036	487,036
040	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	109,342	109,342
050	BASE SUPPORT	373,707	373,707
	SUBTOTAL, OPERATING FORCES	**2,975,706**	**2,975,706**
	ADMINISTRATION AND SERVICEWIDE ACTIVITIES		
060	ADMINISTRATION	53,921	53,921
070	RECRUITING AND ADVERTISING	14,359	14,359
080	MILITARY MANPOWER AND PERS MGMT (ARPC)	13,665	13,665
090	OTHER PERS SUPPORT (DISABILITY COMP)	6,606	6,606
xx	UNDISTRIBUTED	0	–2,116
	Costs associated with preventing divestiture of A–10 fleet		[2,500]
	Streamlining of Air Force Reserve Management Headquarters		[–4,616]
	SUBTOTAL, ADMINISTRATION AND SERVICE-WIDE ACTIVITIES	**88,551**	**86,435**
	UNDISTRIBUTED		

SEC. 4301. OPERATION AND MAINTENANCE
(In Thousands of Dollars)

Line	Item	FY 2016 Request	Senate Authorized
xxxx	UNDISTRIBUTED BULK FUEL SAVINGS	0	–101,100
	Bulk fuel savings		[–101,100]
	SUBTOTAL, UNDISTRIBUTED	**0**	**–101,100**
	TOTAL OPERATION & MAINTENANCE, AF RESERVE	**3,064,257**	**2,961,041**
	OPERATION & MAINTENANCE, ANG		
	OPERATING FORCES		
010	AIRCRAFT OPERATIONS	3,526,471	3,526,471
020	MISSION SUPPORT OPERATIONS	740,779	743,379
	ARNG border security enhancement		[2,600]
030	DEPOT MAINTENANCE	1,763,859	1,763,859
040	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	288,786	288,786
050	BASE SUPPORT	582,037	582,037
	SUBTOTAL, OPERATING FORCES	**6,901,932**	**6,904,532**
	ADMINISTRATION AND SERVICE-WIDE ACTIVITIES		
060	ADMINISTRATION	23,626	23,626
070	RECRUITING AND ADVERTISING	30,652	30,652
xx	UNDISTRIBUTED	0	–3,015
	Streamlining of Air National Guard Management Headquarters		[–3,015]
xxx	UNDISTRIBUTED	0	42,200
	Costs associated with preventing divestiture of A–10 fleet		[42,200]
	SUBTOTAL, ADMINISTRATION AND SERVICE-WIDE ACTIVITIES	**54,278**	**93,463**
	UNDISTRIBUTED		
xxxx	UNDISTRIBUTED BULK FUEL SAVINGS	0	–162,600
	Bulk fuel savings		[–162,600]
	SUBTOTAL, UNDISTRIBUTED	**0**	**–162,600**
	TOTAL OPERATION & MAINTENANCE, ANG	**6,956,210**	**6,835,395**
	OPERATION AND MAINTENANCE, DEFENSE-WIDE		
	OPERATING FORCES		
010	JOINT CHIEFS OF STAFF	485,888	505,888
	Middle East Assurance Initiative		[20,000]
020	OFFICE OF THE SECRETARY OF DEFENSE	534,795	530,795
	DOD Rewards reduction-funding ahead of need		[–4,000]
030	SPECIAL OPERATIONS COMMAND/OPERATING FORCES	4,862,368	4,862,368
	SUBTOTAL, OPERATING FORCES	**5,883,051**	**5,899,051**
	TRAINING AND RECRUITING		
040	DEFENSE ACQUISITION UNIVERSITY	142,659	142,659
050	NATIONAL DEFENSE UNIVERSITY	78,416	78,416
060	SPECIAL OPERATIONS COMMAND/TRAINING AND RECRUITING	354,372	354,372
	SUBTOTAL, TRAINING AND RECRUITING	**575,447**	**575,447**
	ADMINISTRATION AND SERVICEWIDE ACTIVITIES		
070	CIVIL MILITARY PROGRAMS	160,320	160,320
090	DEFENSE CONTRACT AUDIT AGENCY	570,177	570,177
100	DEFENSE CONTRACT MANAGEMENT AGENCY	1,374,536	1,374,536
110	DEFENSE HUMAN RESOURCES ACTIVITY	642,551	642,551
120	DEFENSE INFORMATION SYSTEMS AGENCY	1,282,755	1,292,755
	Sharkseer increase		[10,000]
140	DEFENSE LEGAL SERVICES AGENCY	26,073	26,073
150	DEFENSE LOGISTICS AGENCY	366,429	366,429
160	DEFENSE MEDIA ACTIVITY	192,625	192,625
180	DEFENSE PERSONNEL ACCOUNTING AGENCY	115,372	115,372
190	DEFENSE SECURITY COOPERATION AGENCY	524,723	517,723
	Reduction to Combating Terrorism Fellowship		[–7,000]
200	DEFENSE SECURITY SERVICE	508,396	508,396
230	DEFENSE TECHNOLOGY SECURITY ADMINISTRATION	33,577	33,577
240	DEFENSE THREAT REDUCTION AGENCY	415,696	415,696
260	DEPARTMENT OF DEFENSE EDUCATION ACTIVITY	2,753,771	2,784,021
	Impact Aid		[30,000]
	School lunches for territories		[250]
270	MISSILE DEFENSE AGENCY	432,068	432,068
290	OFFICE OF ECONOMIC ADJUSTMENT	110,612	57,512
	Guam outside the fence infastructure		[–20,000]
	Defense industry adjustment		[–33,100]
300	OFFICE OF THE SECRETARY OF DEFENSE	1,388,285	1,378,785
	BRAC 2017 Planning and Support		[–10,500]
	OSD fleet architecture study		[1,000]
310	SPECIAL OPERATIONS COMMAND/ADMIN & SVC-WIDE ACTIVITIES	83,263	83,263
320	WASHINGTON HEADQUARTERS SERVICES	621,688	621,688
320A	CLASSIFIED PROGRAMS	14,379,428	14,379,428
xx	UNDISTRIBUTED	0	–897,552
	Streamlining of Department of Defense Management Headquarters		[–897,552]
	SUBTOTAL, ADMINISTRATION AND SERVICE-WIDE ACTIVITIES	**25,982,345**	**25,055,443**

SEC. 4301. OPERATION AND MAINTENANCE
(In Thousands of Dollars)

Line	Item	FY 2016 Request	Senate Authorized
	UNDISTRIBUTED		
xx	UNDISTRIBUTED FOREIGN CURRENCY ADJUSTMENT	0	–51,900
	Foreign currency adjustment		[–51,900]
xxx	UNDISTRIBUTED BULK FUEL SAVINGS	0	–36,000
	Bulk fuel savings		[–36,000]
	SUBTOTAL, UNDISTRIBUTED	**0**	**–87,900**
	TOTAL OPERATION AND MAINTENANCE, DEFENSE-WIDE	**32,440,843**	**31,442,041**
	MISCELLANEOUS APPROPRIATIONS		
	US COURT OF APPEALS FOR ARMED FORCES, DEF		
010	US COURT OF APPEALS FOR THE ARMED FORCES, DEFENSE	14,078	14,078
	SUBTOTAL, US COURT OF APPEALS FOR ARMED FORCES, DEF	**14,078**	**14,078**
	OVERSEAS HUMANITARIAN, DISASTER, AND CIVIC AID		
010	OVERSEAS HUMANITARIAN, DISASTER AND CIVIC AID	100,266	100,266
	SUBTOTAL, OVERSEAS HUMANITARIAN, DISASTER, AND CIVIC AID	**100,266**	**100,266**
	COOPERATIVE THREAT REDUCTION ACCOUNT		
010	FORMER SOVIET UNION (FSU) THREAT REDUCTION	358,496	358,496
	SUBTOTAL, COOPERATIVE THREAT REDUCTION ACCOUNT	**358,496**	**358,496**
	DOD ACQUISITION WORKFORCE DEVELOPMENT FUND		
010	ACQ WORKFORCE DEV FD	84,140	84,140
	SUBTOTAL, DOD ACQUISITION WORKFORCE DEVELOPMENT FUND	**84,140**	**84,140**
	ENVIRONMENTAL RESTORATION, ARMY		
040	ENVIRONMENTAL RESTORATION, ARMY	234,829	234,829
	SUBTOTAL, ENVIRONMENTAL RESTORATION, ARMY	**234,829**	**234,829**
	ENVIRONMENTAL RESTORATION, NAVY		
050	ENVIRONMENTAL RESTORATION, NAVY	292,453	292,453
	SUBTOTAL, ENVIRONMENTAL RESTORATION, NAVY	**292,453**	**292,453**
	ENVIRONMENTAL RESTORATION, AIR FORCE		
060	ENVIRONMENTAL RESTORATION, AIR FORCE	368,131	368,131
	SUBTOTAL, ENVIRONMENTAL RESTORATION, AIR FORCE	**368,131**	**368,131**
	ENVIRONMENTAL RESTORATION, DEFENSE		
070	ENVIRONMENTAL RESTORATION, DEFENSE	8,232	8,232
	SUBTOTAL, ENVIRONMENTAL RESTORATION, DEFENSE	**8,232**	**8,232**
	ENVIRONMENTAL RESTORATION FORMERLY USED SITES		
080	ENVIRONMENTAL RESTORATION FORMERLY USED SITES	203,717	203,717
	SUBTOTAL, ENVIRONMENTAL RESTORATION FORMERLY USED SITES	**203,717**	**203,717**
	TOTAL MISCELLANEOUS APPROPRIATIONS	**1,664,342**	**1,664,342**
	TOTAL OPERATION AND MAINTENANCE	**176,517,228**	**134,071,146**

SEC. 4302. OPERATION AND MAINTENANCE FOR OVERSEAS CONTINGENCY OPERATIONS.

SEC. 4302. OPERATION AND MAINTENANCE FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

Line	Item	FY 2016 Request	Senate Authorized
	OPERATION & MAINTENANCE, ARMY		
	OPERATING FORCES		
010	MANEUVER UNITS	257,900	1,352,329
	Transfer base requirement to OCO due to BCA		[1,094,429]
040	THEATER LEVEL ASSETS	1,110,836	1,874,136
	Transfer base requirement to OCO due to BCA		[763,300]
050	LAND FORCES OPERATIONS SUPPORT	261,943	1,316,265
	Transfer base requirement to OCO due to BCA		[1,054,322]
060	AVIATION ASSETS	22,160	1,568,289
	Transfer base requirement to OCO due to BCA		[1,546,129]
070	FORCE READINESS OPERATIONS SUPPORT	1,119,201	4,277,807
	Transfer base requirement to OCO due to BCA		[3,158,606]
080	LAND FORCES SYSTEMS READINESS	117,881	117,881
100	BASE OPERATIONS SUPPORT	50,000	50,000
140	ADDITIONAL ACTIVITIES	4,500,666	4,500,666
150	COMMANDERS EMERGENCY RESPONSE PROGRAM	10,000	10,000
160	RESET	1,834,777	1,834,777

SEC. 4302. OPERATION AND MAINTENANCE FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

Line	Item	FY 2016 Request	Senate Authorized
	SUBTOTAL, OPERATING FORCES	**9,285,364**	**16,902,150**
	MOBILIZATION		
190	ARMY PREPOSITIONED STOCKS	40,000	40,000
	SUBTOTAL, MOBILIZATION	**40,000**	**40,000**
	ADMIN & SRVWIDE ACTIVITIES		
350	SERVICEWIDE TRANSPORTATION	529,891	529,891
380	AMMUNITION MANAGEMENT	5,033	5,033
420	OTHER PERSONNEL SUPPORT	100,480	100,480
450	REAL ESTATE MANAGEMENT	154,350	154,350
480A	CLASSIFIED PROGRAMS	1,267,632	1,267,632
	SUBTOTAL, ADMIN & SRVWIDE ACTIVITIES	**2,057,386**	**2,057,386**
	TOTAL OPERATION & MAINTENANCE, ARMY	**11,382,750**	**18,999,536**
	OPERATION & MAINTENANCE, ARMY RES		
	OPERATING FORCES		
030	ECHELONS ABOVE BRIGADE	2,442	2,442
050	LAND FORCES OPERATIONS SUPPORT	813	813
070	FORCE READINESS OPERATIONS SUPPORT	779	779
100	BASE OPERATIONS SUPPORT	20,525	20,525
	SUBTOTAL, OPERATING FORCES	**24,559**	**24,559**
	TOTAL OPERATION & MAINTENANCE, ARMY RES	**24,559**	**24,559**
	OPERATION & MAINTENANCE, ARNG		
	OPERATING FORCES		
010	MANEUVER UNITS	1,984	1,984
030	ECHELONS ABOVE BRIGADE	4,671	4,671
060	AVIATION ASSETS	15,980	15,980
070	FORCE READINESS OPERATIONS SUPPORT	12,867	12,867
100	BASE OPERATIONS SUPPORT	23,134	23,134
120	MANAGEMENT AND OPERATIONAL HEADQUARTERS	1,426	1,426
	SUBTOTAL, OPERATING FORCES	**60,062**	**60,062**
	ADMIN & SRVWD ACTIVITIES		
150	SERVICEWIDE COMMUNICATIONS	783	783
	SUBTOTAL, ADMIN & SRVWIDE ACTIVITIES	**783**	**783**
	TOTAL OPERATION & MAINTENANCE, ARNG	**60,845**	**60,845**
	AFGHANISTAN SECURITY FORCES FUND		
	MINISTRY OF DEFENSE		
010	SUSTAINMENT	2,214,899	2,214,899
030	EQUIPMENT AND TRANSPORTATION	182,751	182,751
040	TRAINING AND OPERATIONS	281,555	281,555
	SUBTOTAL, MINISTRY OF DEFENSE	**2,679,205**	**2,679,205**
	MINISTRY OF INTERIOR		
060	SUSTAINMENT	901,137	901,137
080	EQUIPMENT AND TRANSPORTATION	116,573	116,573
090	TRAINING AND OPERATIONS	65,342	65,342
	SUBTOTAL, MINISTRY OF INTERIOR	**1,083,052**	**1,083,052**
	TOTAL AFGHANISTAN SECURITY FORCES FUND	**3,762,257**	**3,762,257**
	IRAQ TRAIN AND EQUIP FUND		
	IRAQ TRAIN AND EQUIP FUND		
010	IRAQ TRAIN AND EQUIP FUND	715,000	715,000
	SUBTOTAL, IRAQ TRAIN AND EQUIP FUND	**715,000**	**715,000**
	TOTAL IRAQ TRAIN AND EQUIP FUND	**715,000**	**715,000**
	SYRIA TRAIN AND EQUIP FUND		
	SYRIA TRAIN AND EQUIP FUND		
010	SYRIA TRAIN AND EQUIP FUND	600,000	600,000
	SUBTOTAL, SYRIA TRAIN AND EQUIP FUND	**600,000**	**600,000**
	TOTAL SYRIA TRAIN AND EQUIP FUND	**600,000**	**600,000**
	OPERATION & MAINTENANCE, NAVY		
	OPERATING FORCES		
010	MISSION AND OTHER FLIGHT OPERATIONS	358,417	5,302,082
	Transfer base requirement to OCO due to BCA		[4,940,365]
	Readiness funding increase		[3,300]
030	AVIATION TECHNICAL DATA & ENGINEERING SERVICES	110	110
040	AIR OPERATIONS AND SAFETY SUPPORT	4,513	4,513
050	AIR SYSTEMS SUPPORT	126,501	126,501

SEC. 4302. OPERATION AND MAINTENANCE FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

Line	Item	FY 2016 Request	Senate Authorized
060	AIRCRAFT DEPOT MAINTENANCE	75,897	990,433
	Transfer base requirement to OCO due to BCA		[897,536]
	Readiness funding increase		[17,000]
070	AIRCRAFT DEPOT OPERATIONS SUPPORT	2,770	2,770
080	AVIATION LOGISTICS	34,101	34,101
090	MISSION AND OTHER SHIP OPERATIONS	1,184,878	5,472,536
	Transfer base requirement to OCO due to BCA		[4,287,658]
100	SHIP OPERATIONS SUPPORT & TRAINING	16,663	16,663
110	SHIP DEPOT MAINTENANCE	1,922,829	7,883,780
	Transfer base requirement to OCO due to BCA		[5,960,951]
130	COMBAT COMMUNICATIONS	33,577	33,577
160	WARFARE TACTICS	26,454	26,454
170	OPERATIONAL METEOROLOGY AND OCEANOGRAPHY	22,305	22,305
180	COMBAT SUPPORT FORCES	513,969	513,969
190	EQUIPMENT MAINTENANCE	10,007	10,007
250	IN-SERVICE WEAPONS SYSTEMS SUPPORT	60,865	60,865
260	WEAPONS MAINTENANCE	275,231	275,231
290	SUSTAINMENT, RESTORATION AND MODERNIZATION	7,819	7,819
300	BASE OPERATING SUPPORT	61,422	61,422
	SUBTOTAL, OPERATING FORCES	**4,738,328**	**20,845,138**
	MOBILIZATION		
340	EXPEDITIONARY HEALTH SERVICES SYSTEMS	5,307	5,307
360	COAST GUARD SUPPORT	160,002	160,002
	SUBTOTAL, MOBILIZATION	**165,309**	**165,309**
	TRAINING AND RECRUITING		
400	SPECIALIZED SKILL TRAINING	44,845	44,845
	SUBTOTAL, TRAINING AND RECRUITING	**44,845**	**44,845**
	ADMIN & SRVWD ACTIVITIES		
480	ADMINISTRATION	2,513	2,513
490	EXTERNAL RELATIONS	500	500
510	MILITARY MANPOWER AND PERSONNEL MANAGEMENT	5,309	5,309
520	OTHER PERSONNEL SUPPORT	1,469	1,469
550	SERVICEWIDE TRANSPORTATION	156,671	156,671
580	ACQUISITION AND PROGRAM MANAGEMENT	8,834	8,834
620	NAVAL INVESTIGATIVE SERVICE	1,490	1,490
680A	CLASSIFIED PROGRAMS	6,320	6,320
	SUBTOTAL, ADMIN & SRVWIDE ACTIVITIES	**183,106**	**183,106**
	TOTAL OPERATION & MAINTENANCE, NAVY	**5,131,588**	**21,238,398**
	OPERATION & MAINTENANCE, MARINE CORPS		
	OPERATING FORCES		
010	OPERATIONAL FORCES	353,133	1,284,212
	Transfer base requirement to OCO due to BCA		[931,079]
020	FIELD LOGISTICS	259,676	1,191,433
	Transfer base requirement to OCO due to BCA		[931,757]
030	DEPOT MAINTENANCE	240,000	240,000
060	BASE OPERATING SUPPORT	16,026	16,026
	SUBTOTAL, OPERATING FORCES	**868,835**	**2,731,671**
	TRAINING AND RECRUITING		
110	TRAINING SUPPORT	37,862	37,862
	SUBTOTAL, TRAINING AND RECRUITING	**37,862**	**37,862**
	ADMIN & SRVWD ACTIVITIES		
150	SERVICEWIDE TRANSPORTATION	43,767	43,767
180A	CLASSIFIED PROGRAMS	2,070	2,070
	SUBTOTAL, ADMIN & SRVWIDE ACTIVITIES	**45,837**	**45,837**
	TOTAL OPERATION & MAINTENANCE, MARINE CORPS	**952,534**	**2,815,370**
	OPERATION & MAINTENANCE, NAVY RES		
	OPERATING FORCES		
010	MISSION AND OTHER FLIGHT OPERATIONS	4,033	4,033
020	INTERMEDIATE MAINTENANCE	60	60
030	AIRCRAFT DEPOT MAINTENANCE	20,300	20,300
100	COMBAT SUPPORT FORCES	7,250	7,250
	SUBTOTAL, OPERATING FORCES	**31,643**	**31,643**
	TOTAL OPERATION & MAINTENANCE, NAVY RES	**31,643**	**31,643**
	OPERATION & MAINTENANCE, MC RESERVE		
	OPERATING FORCES		
010	OPERATING FORCES	2,500	2,500
040	BASE OPERATING SUPPORT	955	955
	SUBTOTAL, OPERATING FORCES	**3,455**	**3,455**

SEC. 4302. OPERATION AND MAINTENANCE FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

Line	Item	FY 2016 Request	Senate Authorized
	TOTAL OPERATION & MAINTENANCE, MC RESERVE	**3,455**	**3,455**
	OPERATION & MAINTENANCE, AIR FORCE		
	OPERATING FORCES		
010	PRIMARY COMBAT FORCES	1,505,738	4,839,106
	Transfer base requirement to OCO due to BCA		[3,336,868]
	Retain Current A–10 Fleet		[–1,400]
	Unjustified Increase		[–2,100]
020	COMBAT ENHANCEMENT FORCES	914,973	2,802,588
	Transfer base requirement to OCO due to BCA		[1,897,315]
	Unjustified Increase		[–14,000]
	Readiness funding increase		[4,300]
030	AIR OPERATIONS TRAINING (OJT, MAINTAIN SKILLS)	31,978	31,978
040	DEPOT MAINTENANCE	1,192,765	7,729,892
	Transfer base requirement to OCO due to BCA		[6,537,127]
050	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	85,625	85,625
060	BASE SUPPORT	917,269	917,269
070	GLOBAL C3I AND EARLY WARNING	30,219	30,219
080	OTHER COMBAT OPS SPT PROGRAMS	174,734	174,734
100	LAUNCH FACILITIES	869	869
110	SPACE CONTROL SYSTEMS	5,008	5,008
120	COMBATANT COMMANDERS DIRECT MISSION SUPPORT	100,190	100,190
xxx	CLASSIFIED PROGRAMS	22,893	22,893
	SUBTOTAL, OPERATING FORCES	**4,982,261**	**16,740,371**
	MOBILIZATION		
140	AIRLIFT OPERATIONS	2,995,703	2,995,703
150	MOBILIZATION PREPAREDNESS	108,163	108,163
160	DEPOT MAINTENANCE	511,059	2,128,630
	Transfer base requirement to OCO due to BCA		[1,617,571]
180	BASE SUPPORT	4,642	4,642
	SUBTOTAL, MOBILIZATION	**3,619,567**	**5,237,138**
	TRAINING AND RECRUITING		
190	OFFICER ACQUISITION	92	92
240	SPECIALIZED SKILL TRAINING	11,986	11,986
	SUBTOTAL, TRAINING AND RECRUITING	**12,078**	**12,078**
	ADMIN & SRVWD ACTIVITIES		
340	LOGISTICS OPERATIONS	86,716	86,716
380	BASE SUPPORT	3,836	3,836
400	SERVICEWIDE COMMUNICATIONS	165,348	165,348
410	OTHER SERVICEWIDE ACTIVITIES	204,683	141,683
	Reduction to the Office of Security Cooperation in Iraq		[–63,000]
450	INTERNATIONAL SUPPORT	61	61
450A	CLASSIFIED PROGRAMS	15,463	15,463
	SUBTOTAL, ADMIN & SRVWIDE ACTIVITIES	**476,107**	**413,107**
	TOTAL OPERATION & MAINTENANCE, AIR FORCE	**9,090,013**	**22,402,694**
	OPERATION & MAINTENANCE, AF RESERVE		
	OPERATING FORCES		
030	DEPOT MAINTENANCE	51,086	51,086
050	BASE SUPPORT	7,020	7,020
	SUBTOTAL, OPERATING FORCES	**58,106**	**58,106**
	TOTAL OPERATION & MAINTENANCE, AF RESERVE	**58,106**	**58,106**
	OPERATION & MAINTENANCE, ANG		
	OPERATING FORCES		
020	MISSION SUPPORT OPERATIONS	19,900	19,900
	SUBTOTAL, OPERATING FORCES	**19,900**	**19,900**
	TOTAL OPERATION & MAINTENANCE, ANG	**19,900**	**19,900**
	OPERATION AND MAINTENANCE, DEFENSE-WIDE		
	OPERATING FORCES		
010	JOINT CHIEFS OF STAFF	9,900	9,900
030	SPECIAL OPERATIONS COMMAND/OPERATING FORCES	2,345,835	2,345,835
	SUBTOTAL, OPERATING FORCES	**2,355,735**	**2,355,735**
	ADMINISTRATION AND SERVICEWIDE ACTIVITIES		
090	DEFENSE CONTRACT AUDIT AGENCY	18,474	18,474
120	DEFENSE INFORMATION SYSTEMS AGENCY	29,579	29,579
140	DEFENSE LEGAL SERVICES AGENCY	110,000	110,000
160	DEFENSE MEDIA ACTIVITY	5,960	5,960
190	DEFENSE SECURITY COOPERATION AGENCY	1,677,000	1,577,000
	Reduction from Coalition Support Funds		[–100,000]

SEC. 4302. OPERATION AND MAINTENANCE FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

Line	Item	FY 2016 Request	Senate Authorized
260	DEPARTMENT OF DEFENSE EDUCATION ACTIVITY	73,000	73,000
300	OFFICE OF THE SECRETARY OF DEFENSE	106,709	106,709
320	WASHINGTON HEADQUARTERS SERVICES	2,102	2,102
320A	CLASSIFIED PROGRAMS	1,427,074	1,427,074
	SUBTOTAL, ADMINISTRATION AND SERVICEWIDE ACTIVITIES	**3,449,898**	**3,349,898**
	TOTAL OPERATION AND MAINTENANCE, DEFENSE-WIDE	**5,805,633**	**5,705,633**
	TOTAL OPERATION AND MAINTENANCE	**37,638,283**	**76,437,396**

TITLE XLIV—MILITARY PERSONNEL

SEC. 4401. MILITARY PERSONNEL.

SEC. 4401. MILITARY PERSONNEL
(In Thousands of Dollars)

Item	FY 2016 Request	Senate Authorized
MILITARY PERSONNEL		
MILITARY PERSONNEL APPROPRIATIONS		
MILITARY PERSONNEL APPROPRIATIONS	130,491,227	129,236,727
Military Personnel Underexecution		[–987,200]
Additional support for the National Guard's Operation Phalanx		[21,700]
Reduction for anticipated cost of TRICARE consolidation		[–85,000]
TRICARE program improvement initiatives		[15,000]
Financial literacy improvement		[85,000]
Reduction from Foreign Currency Gains, Army		[–65,200]
Reduction from Foreign Currency Gains, Navy		[–81,400]
Reduction from Foreign Currency Gains, Marine Corps		[–27,000]
Reduction from Foreign Currency Gains, Air Force		[–130,400]
SUBTOTAL, MILITARY PERSONNEL APPROPRIATIONS	**130,491,227**	**129,236,727**
MEDICARE-ELIGIBLE RETIREE HEALTH FUND CONTRIBUTIONS		
MEDICARE-ELIGIBLE RETIREE HEALTH FUND CONTRIBUTIONS	6,243,449	6,243,449
SUBTOTAL, MEDICARE-ELIGIBLE RETIREE HEALTH FUND CONTRIBUTIONS	**6,243,449**	**6,243,449**
TOTAL, MILITARY PERSONNEL	**136,734,676**	**135,480,176**

SEC. 4402. MILITARY PERSONNEL FOR OVERSEAS CONTINGENCY OPERATIONS.

SEC. 4402. MILITARY PERSONNEL FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

Item	FY 2016 Request	Senate Authorized
MILITARY PERSONNEL		
MILITARY PERSONNEL APPROPRIATIONS		
MILITARY PERSONNEL APPROPRIATIONS	3,204,758	3,204,758
SUBTOTAL, MILITARY PERSONNEL APPROPRIATIONS	**3,204,758**	**3,204,758**
TOTAL, MILITARY PERSONNEL	**3,204,758**	**3,204,758**

TITLE XLV—OTHER AUTHORIZATIONS

SEC. 4501. OTHER AUTHORIZATIONS.

SEC. 4501. OTHER AUTHORIZATIONS
(In Thousands of Dollars)

Line	Item	FY 2016 Request	Senate Authorized
	WORKING CAPITAL FUND		
	WORKING CAPITAL FUND, ARMY		
020	SUPPLY MANAGEMENT—ARMY	50,432	50,432
	SUBTOTAL, WORKING CAPITAL FUND, ARMY	**50,432**	**50,432**
	WORKING CAPITAL FUND, AIR FORCE		
010	SUPPLIES AND MATERIALS	62,898	62,898
	SUBTOTAL, WORKING CAPITAL FUND, AIR FORCE	**62,898**	**62,898**
	WORKING CAPITAL FUND, DEFENSE-WIDE		
030	DEFENSE LOGISTICS AGENCY (DLA)	45,084	45,084
	SUBTOTAL, WORKING CAPITAL FUND, DEFENSE-WIDE	**45,084**	**45,084**

SEC. 4501. OTHER AUTHORIZATIONS
(In Thousands of Dollars)

Line	Item	FY 2016 Request	Senate Authorized
	WORKING CAPITAL FUND, DECA		
020	WORKING CAPITAL FUND, DECA	1,154,154	1,154,154
	SUBTOTAL, WORKING CAPITAL FUND, DECA	**1,154,154**	**1,154,154**
	TOTAL WORKING CAPITAL FUND	**1,312,568**	**1,312,568**
	NATIONAL DEFENSE SEALIFT FUND		
040	POST DELIVERY AND OUTFITTING	15,456	15,456
060	LG MED SPD RO/RO MAINTENANCE	124,493	124,493
070	DOD MOBILIZATION ALTERATIONS	8,243	8,243
080	TAH MAINTENANCE	27,784	27,784
090	RESEARCH AND DEVELOPMENT	25,197	25,197
100	READY RESERVE FORCE	272,991	272,991
	SUBTOTAL, NATIONAL DEFENSE SEALIFT FUND	**474,164**	**474,164**
	TOTAL NATIONAL DEFENSE SEALIFT FUND	**474,164**	**474,164**
	CHEM AGENTS & MUNITIONS DESTRUCTION		
	OPERATION & MAINTENANCE		
01	CHEM DEMILITARIZATION—O&M	139,098	139,098
	SUBTOTAL, OPERATION & MAINTENANCE	**139,098**	**139,098**
	RDT&E		
02	CHEM DEMILITARIZATION—RDT&E	579,342	579,342
	SUBTOTAL, RDT&E	**579,342**	**579,342**
	PROCUREMENT		
03	CHEM DEMILITARIZATION—PROC	2,281	2,281
	SUBTOTAL, PROCUREMENT	**2,281**	**2,281**
	TOTAL CHEM AGENTS & MUNITIONS DESTRUCTION	**720,721**	**720,721**
	DRUG INTERDICTION & CTR-DRUG ACTIVITIES, DEF		
	DRUG INTERDICTION AND COUNTER DRUG ACTIVITIES		
010	DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES, DEFENSE	739,009	761,009
	SOUTHCOM Operational support		[30,000]
	Transfer to Demand Reduction Program		[–8,000]
	SUBTOTAL, DRUG INTERDICTION AND COUNTER DRUG ACTIVITIES	**739,009**	**761,009**
	DRUG DEMAND REDUCTION PROGRAM		
020	DRUG DEMAND REDUCTION PROGRAM	111,589	119,589
	Expanded drug testing		[8,000]
	SUBTOTAL, DRUG DEMAND REDUCTION PROGRAM	**111,589**	**119,589**
	TOTAL DRUG INTERDICTION & CTR-DRUG ACTIVITIES, DEF	**850,598**	**880,598**
	OFFICE OF THE INSPECTOR GENERAL		
	OPERATION AND MAINTENANCE		
010	OFFICE OF THE INSPECTOR GENERAL	310,459	310,459
	SUBTOTAL, OPERATION AND MAINTENANCE	**310,459**	**310,459**
	RDT&E		
020	OFFICE OF THE INSPECTOR GENERAL	4,700	2,100
	Funding ahead of need		[–2,600]
	SUBTOTAL, RDT&E	**4,700**	**2,100**
	PROCUREMENT		
030	OFFICE OF THE INSPECTOR GENERAL	1,000	0
	Funding ahead of need		[–1,000]
	SUBTOTAL, PROCUREMENT	**1,000**	**0**
	TOTAL OFFICE OF THE INSPECTOR GENERAL	**316,159**	**312,559**
	DEFENSE HEALTH PROGRAM		
	OPERATION & MAINTENANCE		
010	IN-HOUSE CARE	9,082,298	9,082,298
020	PRIVATE SECTOR CARE	14,892,683	14,892,683
030	CONSOLIDATED HEALTH SUPPORT	2,415,658	2,405,368
	Reduction of funds related to Combating Antibiotic Resistant Bacteria (CARB) project		[–10,290]
040	INFORMATION MANAGEMENT	1,677,827	1,677,827
050	MANAGEMENT ACTIVITIES	327,967	327,967
060	EDUCATION AND TRAINING	750,614	750,614
070	BASE OPERATIONS/COMMUNICATIONS	1,742,893	1,742,893
xx	UNDISTRIBUTED FOREIGN CURRENCY ADJUSTMENT	0	–36,400
	Foreign currency adjustment		[–36,400]
	SUBTOTAL, OPERATION & MAINTENANCE	**30,889,940**	**30,843,250**
	RDT&E		

SEC. 4501. OTHER AUTHORIZATIONS
(In Thousands of Dollars)

Line	Item	FY 2016 Request	Senate Authorized
090	R&D RESEARCH	10,996	10,996
100	R&D EXPLORATRY DEVELOPMENT	59,473	56,323
	Reduction of funds related to Combating Antibiotic Resistant Bacteria (CARB) project		[–3,150]
110	R&D ADVANCED DEVELOPMENT	231,356	228,256
	Reduction of funds related to Combating Antibiotic Resistant Bacteria (CARB) project		[–3,100]
120	R&D DEMONSTRATION/VALIDATION	103,443	103,443
130	R&D ENGINEERING DEVELOPMENT	515,910	515,910
140	R&D MANAGEMENT AND SUPPORT	41,567	41,567
150	R&D CAPABILITIES ENHANCEMENT	17,356	17,356
	SUBTOTAL, RDT&E	**980,101**	**973,851**
	PROCUREMENT		
160	PROC INITIAL OUTFITTING	33,392	33,392
170	PROC REPLACEMENT & MODERNIZATION	330,504	330,504
180	PROC THEATER MEDICAL INFORMATION PROGRAM	1,494	1,494
190	PROC IEHR	7,897	7,897
	SUBTOTAL, PROCUREMENT	**373,287**	**373,287**
	TOTAL DEFENSE HEALTH PROGRAM	**32,243,328**	**32,190,388**
	TOTAL OTHER AUTHORIZATIONS	**35,917,538**	**35,890,998**

SEC. 4502. OTHER AUTHORIZATIONS FOR OVERSEAS CONTINGENCY OPERATIONS.

SEC. 4502. OTHER AUTHORIZATIONS FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

Line	Item	FY 2016 Request	Senate Authorized
	WORKING CAPITAL FUND		
	WORKING CAPITAL FUND, AIR FORCE		
020	TRANSPORTATION OF FALLEN HEROES	2,500	2,500
	SUBTOTAL, WORKING CAPITAL FUND, AIR FORCE	**2,500**	**2,500**
	WORKING CAPITAL FUND, DEFENSE-WIDE		
030	DEFENSE LOGISTICS AGENCY (DLA)	86,350	86,350
	SUBTOTAL, WORKING CAPITAL FUND, DEFENSE-WIDE	**86,350**	**86,350**
	TOTAL WORKING CAPITAL FUND	**88,850**	**88,850**
	DRUG INTERDICTION & CTR-DRUG ACTIVITIES, DEF		
	DRUG INTERDICTION AND COUNTER DRUG ACTIVITIES		
010	DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES, DEFENSE	186,000	186,000
	SUBTOTAL, DRUG INTERDICTION AND COUNTER DRUG ACTIVITIES	**186,000**	**186,000**
	TOTAL, DRUG INTERDICTION & CTR-DRUG ACTIVITIES, DEF	**186,000**	**186,000**
	OFFICE OF THE INSPECTOR GENERAL		
	OPERATION AND MAINTENANCE		
010	OFFICE OF THE INSPECTOR GENERAL	10,262	10,262
	SUBTOTAL, OPERATION AND MAINTENANCE	**10,262**	**10,262**
	TOTAL, OFFICE OF THE INSPECTOR GENERAL	**10,262**	**10,262**
	DEFENSE HEALTH PROGRAM		
	OPERATION & MAINTENANCE		
010	IN-HOUSE CARE	65,149	65,149
020	PRIVATE SECTOR CARE	192,210	192,210
030	CONSOLIDATED HEALTH SUPPORT	9,460	9,460
060	EDUCATION AND TRAINING	5,885	5,885
	SUBTOTAL, OPERATION & MAINTENANCE	**272,704**	**272,704**
	TOTAL, DEFENSE HEALTH PROGRAM	**272,704**	**272,704**
	COUNTERTERRORISM PARTNERSHIPS FUND		
	COUNTERTERRORISM PARTNERSHIPS FUND		
090	COUNTERTERRORISM PARTNERSHIPS FUND	2,100,000	1,000,000
	Request excess to need		[–1,100,000]
	SUBTOTAL, COUNTERTERRORISM PARTNERSHIPS FUND	**2,100,000**	**1,000,000**
	TOTAL, COUNTERTERRORISM PARTNERSHIPS FUND	**2,100,000**	**1,000,000**
	UKRAINE SECURITY ASSISTANCE INITIATIVE		
	UKRAINE SECURITY ASSISTANCE INITIATIVE		
xxx	UKRAINE SECURITY ASSISTANCE INITIATIVE	0	300,000
	Provides assistance to Ukraine		[300,000]

SEC. 4502. OTHER AUTHORIZATIONS FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

Line	Item	FY 2016 Request	Senate Authorized
	SUBTOTAL, UKRAINE SECURITY ASSISTANCE INITIATIVE	**0**	**300,000**
	TOTAL, UKRAINE SECURITY ASSISTANCE INITIATIVE	**0**	**300,000**
	TOTAL OTHER AUTHORIZATION	**2,657,816**	**1,857,816**

TITLE XLVI—MILITARY CONSTRUCTION

SEC. 4601. MILITARY CONSTRUCTION.

SEC. 4601. MILITARY CONSTRUCTION
(In Thousands of Dollars)

Account	State or Country and Installation	Project Title	Budget Request	Senate Authorized
MILITARY CONSTRUCTION				
MILCON, ARMY				
	Alaska			
MILCON, ARMY	Fort Greely	Physical Readiness Training Facility	7,800	7,800
	California			
MILCON, ARMY	Concord	Pier	98,000	98,000
	Colorado			
MILCON, ARMY	Fort Carson, Colorado	Rotary Wing Taxiway	5,800	5,800
	Georgia			
MILCON, ARMY	Fort Gordon	Command and Control Facility	90,000	90,000
	Germany			
MILCON, ARMY	Grafenwoehr	Vehicle Maintenance Shop	51,000	51,000
	Guantanamo Bay, Cuba			
MILCON, ARMY	Guantanamo Bay	Unaccompanied Personnel Housing	0	76,000
	Maryland			
MILCON, ARMY	Fort Meade	Access Control Point-Reece Road	0	19,500
MILCON, ARMY	Fort Meade	Access Control Point-Mapes Road	0	15,000
	New York			
MILCON, ARMY	Fort Drum, New York	NCO Academy Complex	19,000	19,000
MILCON, ARMY	U.S. Military Academy	Waste Water Treatment Plant	70,000	70,000
	Oklahoma			
MILCON, ARMY	Fort Sill	Reception Barracks Complex Ph2	56,000	56,000
MILCON, ARMY	Fort Sill	Training Support Facility	13,400	13,400
	Texas			
MILCON, ARMY	Corpus Christi	Powertrain Facility (Infrastructure/Metal)	85,000	85,000
MILCON, ARMY	Joint Base San Antonio	Homeland Defense Operations Center	43,000	0
	Virginia			
MILCON, ARMY	Fort Lee	Training Support Facility	33,000	33,000
MILCON, ARMY	Joint Base Myer-Henderson	Instruction Building	37,000	0
	Worldwide Unspecified			
MILCON, ARMY	Unspecified Worldwide Locations	Host Nation Support	36,000	36,000
MILCON, ARMY	Unspecified Worldwide Locations	Minor Construction	25,000	25,000
MILCON, ARMY	Unspecified Worldwide Locations	Planning and Design	73,245	73,245
MILCON, ARMY	Unspecified Worldwide Locations	Prior Year Unobligated Amounts	0	–52,000
	SUBTOTAL, MILCON, ARMY		**743,245**	**721,745**
MIL CON, NAVY				
	Arizona			
MIL CON, NAVY	Yuma	Aircraft Maint. Facilities & Apron (So. CALA)	50,635	50,635
	Bahrain Island			

SEC. 4601. MILITARY CONSTRUCTION
(In Thousands of Dollars)

Account	State or Country and Installation	Project Title	Budget Request	Senate Authorized
MIL CON, NAVY	SW Asia	Mina Salman Pier Replacement	37,700	37,700
MIL CON, NAVY	SW Asia	Ship Maintenance Support Facility	52,091	52,091
	California			
MIL CON, NAVY	Camp Pendleton, California	Raw Water Pipeline Pendleton to Fallbrook	44,540	0
MIL CON, NAVY	Camp Pendleton, California	Pendleton Ops Center	0	25,000
MIL CON, NAVY	Coronado	Coastal Campus Utilities	4,856	4,856
MIL CON, NAVY	Lemoore	F–35C Hangar Modernization and Addition	56,497	56,497
MIL CON, NAVY	Lemoore	F–35C Training Facilities	8,187	8,187
MIL CON, NAVY	Lemoore	RTO and Mission Debrief Facility	7,146	7,146
MIL CON, NAVY	Miramar	KC–130J Enlisted Air Crew Trainer	0	11,200
MIL CON, NAVY	Point Mugu	E–2C/D Hangar Additions and Renovations	19,453	19,453
MIL CON, NAVY	Point Mugu	Triton Avionics and Fuel Systems Trainer	2,974	2,974
MIL CON, NAVY	San Diego	LCS Support Facility	37,366	37,366
MIL CON, NAVY	Twentynine Palms, California	Microgrid Expansion	9,160	9,160
	Florida			
MIL CON, NAVY	Jacksonville	Fleet Support Facility Addition	8,455	8,455
MIL CON, NAVY	Jacksonville	Triton Mission Control Facility	8,296	8,296
MIL CON, NAVY	Mayport	LCS Mission Module Readiness Center	16,159	16,159
MIL CON, NAVY	Pensacola	A-School Unaccopanied Housing (Corry Station)	18,347	18,347
MIL CON, NAVY	Whiting Field	T–6B JPATS Training Operations Facility	10,421	10,421
	Georgia			
MIL CON, NAVY	Albany	Ground Source Heat Pumps	7,851	7,851
MIL CON, NAVY	Kings Bay	Industrial Control System Infrastructure	8,099	8,099
MIL CON, NAVY	Townsend	Townsend Bombing Range Expansion Phase 2	48,279	43,279
	Guam			
MIL CON, NAVY	Joint Region Marianas	Live-Fire Training Range Complex (NW Field)	125,677	125,677
MIL CON, NAVY	Joint Region Marianas	Municipal Solid Waste Landfill Closure	10,777	10,777
MIL CON, NAVY	Joint Region Marianas	Sanitary Sewer System Recapitalization	45,314	45,314
	Hawaii			
MIL CON, NAVY	Barking Sands	PMRF Power Grid Consolidation	30,623	30,623
MIL CON, NAVY	Joint Base Pearl Harbor-Hickam	UEM Interconnect Sta C to Hickam	6,335	6,335
MIL CON, NAVY	Joint Base Pearl Harbor-Hickam	Welding School Shop Consolidation	8,546	8,546
MIL CON, NAVY	Kaneohe Bay	Airfield Lighting Modernization	26,097	26,097
MIL CON, NAVY	Kaneohe Bay	Bachelor Enlisted Quarters	68,092	68,092
MIL CON, NAVY	Kaneohe Bay	P–8A Detachment Support Facilities	12,429	12,429
MIL CON, NAVY	Mcb Hawaii	LHD Pad Conversions MV22 Landing Pads	0	12,800
	Italy			
MIL CON, NAVY	Sigonella	P–8A Hangar and Fleet Support Facility	62,302	62,302
MIL CON, NAVY	Sigonella	Triton Hangar and Operation Facility	40,641	40,641
	Japan			
MIL CON, NAVY	Camp Butler	Military Working Dog Facilities (Camp Hansen)	11,697	11,697
MIL CON, NAVY	Iwakuni	E–2D Operational Trainer Complex	8,716	8,716
MIL CON, NAVY	Iwakuni	Security Modifications—CVW5/MAG12 HQ	9,207	9,207

SEC. 4601. MILITARY CONSTRUCTION
(In Thousands of Dollars)

Account	State or Country and Installation	Project Title	Budget Request	Senate Authorized
MIL CON, NAVY	Kadena AB	Aircraft Maint. Shelters & Apron	23,310	23,310
MIL CON, NAVY	Yokosuka	Child Development Center	13,846	13,846
	Maryland			
MIL CON, NAVY	Patuxent River	Unaccompanied Housing	40,935	40,935
	North Carolina			
MIL CON, NAVY	Camp Lejeune	Range Safety Improvements	0	19,400
MIL CON, NAVY	Camp Lejeune, North Carolina	Simulator Integration/Range Control Facility	54,849	54,849
MIL CON, NAVY	Cherry Point Marine Corps Air Station	Air Field Security Improvements	0	23,300
MIL CON, NAVY	Cherry Point Marine Corps Air Station	KC130J Enlsited Air Crew Trainer Facility	4,769	4,769
MIL CON, NAVY	Cherry Point Marine Corps Air Station	Unmanned Aircraft System Facilities	29,657	29,657
MIL CON, NAVY	New River	Operational Trainer Facility	3,312	3,312
MIL CON, NAVY	New River	Radar Air Traffic Control Facility Addition	4,918	4,918
	Poland			
MIL CON, NAVY	RedziKowo Base	AEGIS Ashore Missile Defense Complex	51,270	51,270
	South Carolina			
MIL CON, NAVY	Parris Island	Range Safety Improvements & Modernization	27,075	27,075
	Virginia			
MIL CON, NAVY	Dam Neck	Maritime Surveillance System Facility	23,066	23,066
MIL CON, NAVY	Norfolk	Communications Center	75,289	75,289
MIL CON, NAVY	Norfolk	Electrical Repairs to Piers 2,6,7, and 11	44,254	44,254
MIL CON, NAVY	Norfolk	MH60 Helicopter Training Facility	7,134	7,134
MIL CON, NAVY	Portsmouth	Waterfront Utilities	45,513	45,513
MIL CON, NAVY	Quantico	ATFP Gate	5,840	5,840
MIL CON, NAVY	Quantico	Electrical Distribution Upgrade	8,418	8,418
MIL CON, NAVY	Quantico	Embassy Security Guard BEQ & Ops Facility	43,941	43,941
MIL CON, NAVY	Quantico	TBS Fire Station Replacement	0	17,200
	Washington			
MIL CON, NAVY	Bangor	WRA Land/Water Interface	34,177	34,177
MIL CON, NAVY	Bremerton	Dry Dock 6 Modernization & Utility Improve.	22,680	22,680
MIL CON, NAVY	Indian Island	Shore Power to Ammunition Pier	4,472	4,472
	Worldwide Unspecified			
MIL CON, NAVY	Unspecified Worldwide Locations	MCON Design Funds	91,649	91,649
MIL CON, NAVY	Unspecified Worldwide Locations	Unspecified Minor Construction	22,590	22,590
SUBTOTAL, MIL CON, NAVY			**1,605,929**	**1,665,289**
MILCON, AIR FORCE				
	Alaska			
MILCON, AIR FORCE	Eielson AFB	F–35A Flight Sim/Alter Squad Ops/AMU Facility	37,000	37,000
MILCON, AIR FORCE	Eielson AFB	Rpr Central Heat & Power Plant Boiler Ph3	34,400	34,400
	Arizona			
MILCON, AIR FORCE	Davis-Monthan AFB	HC–130J Age Covered Storage	4,700	4,700
MILCON, AIR FORCE	Davis-Monthan AFB	HC–130J Wash Rack	12,200	12,200

SEC. 4601. MILITARY CONSTRUCTION
(In Thousands of Dollars)

Account	State or Country and Installation	Project Title	Budget Request	Senate Authorized
MILCON, AIR FORCE	Luke AFB	Communications Facility	0	21,000
MILCON, AIR FORCE	Luke AFB	F–35A ADAL Fuel Offload Facility	5,000	5,000
MILCON, AIR FORCE	Luke AFB	F–35A Aircraft Maintenance Hangar/Sq 3	13,200	13,200
MILCON, AIR FORCE	Luke AFB	F–35A Bomb Build-Up Facility	5,500	5,500
MILCON, AIR FORCE	Luke AFB	F–35A Sq Ops/AMU/Hangar/Sq 4	33,000	33,000
	Colorado			
MILCON, AIR FORCE	U.S. Air Force Academy	Front Gates Force Protection Enhancements	10,000	10,000
	Florida			
MILCON, AIR FORCE	Cape Canaveral AFS	Range Communications Facility	21,000	21,000
MILCON, AIR FORCE	Eglin AFB	F–35A Consolidated HQ Facility	8,700	8,700
MILCON, AIR FORCE	Hurlburt Field	ADAL 39 Information Operations Squad Facility	14,200	14,200
	Greenland			
MILCON, AIR FORCE	Thule AB	Thule Consolidation Ph 1	41,965	41,965
	Guam			
MILCON, AIR FORCE	Joint Region Marianas	APR—Dispersed Maint Spares & SE Storage Fac	19,000	19,000
MILCON, AIR FORCE	Joint Region Marianas	APR—Installation Control Center	22,200	22,200
MILCON, AIR FORCE	Joint Region Marianas	APR—South Ramp Utilities Phase 2	7,100	7,100
MILCON, AIR FORCE	Joint Region Marianas	PRTC Roads	2,500	2,500
	Hawaii			
MILCON, AIR FORCE	Joint Base Pearl Harbor-Hickam	F–22 Fighter Alert Facility	46,000	46,000
	Japan			
MILCON, AIR FORCE	Yokota AB	C–130J Flight Simulator Facility	8,461	8,461
	Kansas			
MILCON, AIR FORCE	McConnell AFB	Air Traffic Control Tower	0	11,200
MILCON, AIR FORCE	McConnell AFB	KC–46A ADAL Deicing Pads	4,300	4,300
	Louisiana			
MILCON, AIR FORCE	Barksdale AFB	Consolidated Communications Facility	0	20,000
	Maryland			
MILCON, AIR FORCE	Fort Meade	CYBERCOM Joint Operations Center, Increment 3	86,000	86,000
	Missouri			
MILCON, AIR FORCE	Whiteman AFB	Consolidated Stealth Ops & Nuclear Alert Fac	29,500	29,500
	Montana			
MILCON, AIR FORCE	Malmstrom AFB	Tactical Response Force Alert Facility	19,700	19,700
	Nebraska			

SEC. 4601. MILITARY CONSTRUCTION
(In Thousands of Dollars)

Account	State or Country and Installation	Project Title	Budget Request	Senate Authorized
MILCON, AIR FORCE	Offutt AFB	Dormitory (144 RM)	21,000	21,000
	Nevada			
MILCON, AIR FORCE	Nellis AFB	F–35A Airfield Pavements	31,000	31,000
MILCON, AIR FORCE	Nellis AFB	F–35A Live Ordnance Loading Area	34,500	34,500
MILCON, AIR FORCE	Nellis AFB	F–35A Munitions Maintenance Facilities	3,450	3,450
	New Mexico			
MILCON, AIR FORCE	Cannon AFB	Construct AT/FP Gate—Portales	7,800	7,800
MILCON, AIR FORCE	Holloman AFB	Marshalling Area ARM/DE-ARM Pad D	3,000	3,000
MILCON, AIR FORCE	Holloman AFB	Fixed Ground Control	0	3,200
MILCON, AIR FORCE	Kirtland AFB	Space Vehicles Component Development Lab	12,800	12,800
	New York			
MILCON, AIR FORCE	Fort Drum, New York	ASOS Expansion	0	6,000
	Niger			
MILCON, AIR FORCE	Agadez	Construct Airfield and Base Camp	50,000	50,000
	North Carolina			
MILCON, AIR FORCE	Seymour Johnson AFB	Air Traffic Control Tower/Base Ops Facility	17,100	17,100
	Oklahoma			
MILCON, AIR FORCE	Altus AFB	Dormitory (120 RM)	18,000	18,000
MILCON, AIR FORCE	Altus AFB	KC–46A FTU ADAL Fuel Cell Maint Hangar	10,400	10,400
MILCON, AIR FORCE	Tinker AFB	Air Traffic Control Tower	12,900	12,900
MILCON, AIR FORCE	Tinker AFB	KC–46A Depot Maintenance Dock	37,000	37,000
	Oman			
MILCON, AIR FORCE	AL Musannah AB	Airlift Apron	25,000	25,000
	South Dakota			
MILCON, AIR FORCE	Ellsworth AFB	Dormitory (168 RM)	23,000	23,000
	Texas			
MILCON, AIR FORCE	Joint Base San Antonio	BMT Classrooms/Dining Facility 3	35,000	35,000
MILCON, AIR FORCE	Joint Base San Antonio	BMT Recruit Dormitory 5	71,000	71,000
	United Kingdom			
MILCON, AIR FORCE	Croughton Raf	Consolidated SATCOM/Tech Control Facility	36,424	36,424
MILCON, AIR FORCE	Croughton Raf	JIAC Consolidation—Ph 2	94,191	94,191
	Utah			
MILCON, AIR FORCE	Hill AFB	F–35A Flight Simulator Addition Phase 2	5,900	5,900

SEC. 4601. MILITARY CONSTRUCTION
(In Thousands of Dollars)

Account	State or Country and Installation	Project Title	Budget Request	Senate Authorized
MILCON, AIR FORCE	Hill AFB	F–35A Hangar 40/42 Additions and AMU	21,000	21,000
MILCON, AIR FORCE	Hill AFB	Hayman Igloos	11,500	11,500
	Worldwide Classified			
MILCON, AIR FORCE	Classified Location	Long Range Strike Bomber	77,130	77,130
MILCON, AIR FORCE	Classified Location	Munitions Storage	3,000	3,000
	Worldwide Unspecified			
MILCON, AIR FORCE	Unspecified Worldwide Locations	Prior Year Unobligated Amounts	0	–50,000
MILCON, AIR FORCE	Various Worldwide Locations	Planning and Design	89,164	89,164
MILCON, AIR FORCE	Various Worldwide Locations	Unspecified Minor Military Construction	22,900	22,900
	Wyoming			
MILCON, AIR FORCE	F. E. Warren AFB	Weapon Storage Facility	95,000	95,000
SUBTOTAL, MILCON, AIR FORCE			**1,354,785**	**1,366,185**
MIL CON, DEF-WIDE				
	Alabama			
MIL CON, DEF-WIDE	Fort Rucker	Fort Rucker ES/PS Consolidation/Replacement	46,787	46,787
MIL CON, DEF-WIDE	Maxwell AFB	Maxwell ES/MS Replacement/Renovation	32,968	32,968
	Arizona			
MIL CON, DEF-WIDE	Fort Huachuca	JITC Buildings 52101/52111 Renovations	3,884	3,884
	California			
MIL CON, DEF-WIDE	Camp Pendleton, California	SOF Combat Service Support Facility	10,181	10,181
MIL CON, DEF-WIDE	Camp Pendleton, California	SOF Performance Resiliency Center-West	10,371	10,371
MIL CON, DEF-WIDE	Coronado	SOF Logistics Support Unit One Ops Fac. #2	47,218	47,218
MIL CON, DEF-WIDE	Fresno Yosemite IAP ANG	Replace Fuel Storage and Distrib. Facilities	10,700	10,700
	Colorado			
MIL CON, DEF-WIDE	Fort Carson, Colorado	SOF Language Training Facility	8,243	8,243
	Conus Classified			
MIL CON, DEF-WIDE	Classified Location	Operations Support Facility	20,065	20,065
	Delaware			
MIL CON, DEF-WIDE	Dover AFB	Construct Hydrant Fuel System	21,600	21,600
	Djibouti			
MIL CON, DEF-WIDE	Camp Lemonier, Djibouti	Construct Fuel Storage & Distrib. Facilities	43,700	43,700
	Florida			
MIL CON, DEF-WIDE	Hurlburt Field	SOF Fuel Cell Maintenance Hangar	17,989	17,989
MIL CON, DEF-WIDE	MacDill AFB	SOF Operational Support Facility	39,142	39,142
	Georgia			

SEC. 4601. MILITARY CONSTRUCTION
(In Thousands of Dollars)

Account	State or Country and Installation	Project Title	Budget Request	Senate Authorized
MIL CON, DEF-WIDE	Moody AFB	Replace Pumphouse and Truck Fillstands	10,900	10,900
	Germany			
MIL CON, DEF-WIDE	Garmisch	Garmisch E/MS-Addition/Modernization	14,676	14,676
MIL CON, DEF-WIDE	Grafenwoehr	Grafenwoehr Elementary School Replacement	38,138	38,138
MIL CON, DEF-WIDE	Rhine Ordnance Barracks	Medical Center Replacement Incr 5	85,034	85,034
MIL CON, DEF-WIDE	Spangdahlem AB	Construct Fuel Pipeline	5,500	5,500
MIL CON, DEF-WIDE	Spangdahlem AB	Medical/Dental Clinic Addition	34,071	34,071
MIL CON, DEF-WIDE	Stuttgart-Patch Barracks	Patch Elementary School Replacement	49,413	49,413
	Hawaii			
MIL CON, DEF-WIDE	Kaneohe Bay	Medical/Dental Clinic Replacement	122,071	122,071
MIL CON, DEF-WIDE	Schofield Barracks	Behavioral Health/Dental Clinic Addition	123,838	123,838
	Japan			
MIL CON, DEF-WIDE	Kadena AB	Airfield Pavements	37,485	37,485
	Kentucky			
MIL CON, DEF-WIDE	Fort Campbell, Kentucky	SOF Company HQ/Classrooms	12,553	12,553
MIL CON, DEF-WIDE	Fort Knox	Fort Knox HS Renovation/MS Addition	23,279	23,279
	Maryland			
MIL CON, DEF-WIDE	Fort Meade	NSAW Campus Feeders Phase 2	33,745	33,745
MIL CON, DEF-WIDE	Fort Meade	NSAW Recapitalize Building #2 Incr 1	34,897	34,897
	Nevada			
MIL CON, DEF-WIDE	Nellis AFB	Replace Hydrant Fuel System	39,900	39,900
	New Mexico			
MIL CON, DEF-WIDE	Cannon AFB	Construct Pumphouse and Fuel Storage	20,400	20,400
MIL CON, DEF-WIDE	Cannon AFB	SOF Squadron Operations Facility	11,565	11,565
MIL CON, DEF-WIDE	Cannon AFB	SOF ST Operational Training Facilities	13,146	13,146
	New York			
MIL CON, DEF-WIDE	West Point	West Point Elementary School Replacement	55,778	55,778
	North Carolina			
MIL CON, DEF-WIDE	Camp Lejeune, North Carolina	SOF Combat Service Support Facility	14,036	14,036
MIL CON, DEF-WIDE	Camp Lejeune, North Carolina	SOF Marine Battalion Company/Team Facilities	54,970	54,970
MIL CON, DEF-WIDE	Fort Bragg	Butner Elementary School Replacement	32,944	32,944
MIL CON, DEF-WIDE	Fort Bragg	SOF 21 STS Operations Facility	16,863	16,863

SEC. 4601. MILITARY CONSTRUCTION
(In Thousands of Dollars)

Account	State or Country and Installation	Project Title	Budget Request	Senate Authorized
MIL CON, DEF-WIDE	Fort Bragg	SOF Battalion Operations Facility	38,549	38,549
MIL CON, DEF-WIDE	Fort Bragg	SOF Indoor Range	8,303	8,303
MIL CON, DEF-WIDE	Fort Bragg	SOF Intelligence Training Center	28,265	28,265
MIL CON, DEF-WIDE	Fort Bragg	SOF Special Tactics Facility (PH 2)	43,887	43,887
	Ohio			
MIL CON, DEF-WIDE	Wright-Patterson AFB	Satellite Pharmacy Replacement	6,623	6,623
	Oregon			
MIL CON, DEF-WIDE	Klamath Falls IAP	Replace Fuel Facilities	2,500	2,500
	Pennsylvania			
MIL CON, DEF-WIDE	Philadelphia	Replace Headquarters	49,700	0
	Poland			
MIL CON, DEF-WIDE	RedziKowo Base	Aegis Ashore Missile Defense System Complex	169,153	169,153
	South Carolina			
MIL CON, DEF-WIDE	Fort Jackson	Pierce Terrace Elementary School Replacement	26,157	26,157
	Spain			
MIL CON, DEF-WIDE	Rota	Rota ES and HS Additions	13,737	13,737
	Texas			
MIL CON, DEF-WIDE	Fort Bliss	Hospital Replacement Incr 7	239,884	239,884
MIL CON, DEF-WIDE	Joint Base San Antonio	Ambulatory Care Center Phase 4	61,776	61,776
	Virginia			
MIL CON, DEF-WIDE	Fort Belvoir	Construct Visitor Control Center	5,000	5,000
MIL CON, DEF-WIDE	Fort Belvoir	Replace Ground Vehicle Fueling Facility	4,500	4,500
MIL CON, DEF-WIDE	Joint Base Langley-Eustis	Replace Fuel Pier and Distribution Facility	28,000	28,000
MIL CON, DEF-WIDE	Joint Expeditionary Base Little Creek—Story	SOF Applied Instruction Facility	23,916	23,916
	Worldwide Unspecified			
MIL CON, DEF-WIDE	Unspecified Worldwide Locations	Contingency Construction	10,000	10,000
MIL CON, DEF-WIDE	Unspecified Worldwide Locations	ECIP Design	10,000	10,000
MIL CON, DEF-WIDE	Unspecified Worldwide Locations	Energy Conservation Investment Program	150,000	150,000
MIL CON, DEF-WIDE	Unspecified Worldwide Locations	Exercise Related Minor Construction	8,687	8,687
MIL CON, DEF-WIDE	Unspecified Worldwide Locations	Planning and Design	118,632	118,632
MIL CON, DEF-WIDE	Unspecified Worldwide Locations	Unspecified Minor Construction	23,676	23,676
MIL CON, DEF-WIDE	Unspecified Worldwide Locations	Prior year savings, including rescoped medical facility at Fort Knox.	0	–120,000

SEC. 4601. MILITARY CONSTRUCTION
(In Thousands of Dollars)

Account	State or Country and Installation	Project Title	Budget Request	Senate Authorized
MIL CON, DEF-WIDE	Various Worldwide Locations	Planning & Design	31,772	31,772
	SUBTOTAL, MIL CON, DEF-WIDE		**2,300,767**	**2,131,067**
MILCON, ARNG				
	Alabama			
MILCON, ARNG	Camp Foley	Vehicle Maintenance Shop	0	4,500
	Connecticut			
MILCON, ARNG	Camp Hartell	Ready Building (CST-WMD)	11,000	11,000
	Delaware			
MILCON, ARNG	Dagsboro	National Guard Vehicle Maintenance Shop	10,800	10,800
	Florida			
MILCON, ARNG	Palm Coast	National Guard Readiness Center	18,000	18,000
	Georgia			
MILCON, ARNG	Fort Stewart	Tactical Aerial Unmanned Systems	0	6,800
	Illinois			
MILCON, ARNG	Sparta	Basic 10M–25M Firing Range (Zero)	1,900	1,900
	Kansas			
MILCON, ARNG	Salina	Automated Combat Pistol/MP Firearms Qual Cour	2,400	2,400
MILCON, ARNG	Salina	Modified Record Fire Range	4,300	4,300
	Maryland			
MILCON, ARNG	Easton	National Guard Readiness Center	13,800	13,800
	Mississippi			
MILCON, ARNG	Gulfport	Aviation Classification and Repair	0	40,000
	Nevada			
MILCON, ARNG	Reno	National Guard Vehicle Maintenance Shop Add/A	8,000	8,000
	Ohio			
MILCON, ARNG	Camp Ravenna	Modified Record Fire Range	3,300	3,300
	Oregon			
MILCON, ARNG	Salem	National Guard/Reserve Center Bldg Add/Alt (J	16,500	16,500
	Pennsylvania			
MILCON, ARNG	Fort Indiantown Gap	Training Aids Center	16,000	16,000
	Vermont			
MILCON, ARNG	North Hyde Park	National Guard Vehicle Maintenance Shop Addit	7,900	7,900
	Virginia			
MILCON, ARNG	Richmond	National Guard/Reserve Center Building (JFHQ)	29,000	29,000
	Washington			
MILCON, ARNG	Yakima	Enlisted Barracks, Transient Training	19,000	19,000
	Worldwide Unspecified			
MILCON, ARNG	Unspecified Worldwide Locations	Planning and Design	20,337	20,337
MILCON, ARNG	Unspecified Worldwide Locations	Unspecified Minor Construction	15,000	15,000
	SUBTOTAL, MILCON, ARNG		**197,237**	**248,537**
MILCON, ANG				
	Alabama			
MILCON, ANG	Dannelly Field	TFI—Replace Squadron Operations Facility	7,600	7,600
	California			
MILCON, ANG	Moffett Field	Replace Vehicle Maintenance Facility	6,500	6,500
	Colorado			
MILCON, ANG	Buckley Air Force Base	ASE Maintenance and Storage Facility	5,100	5,100
	Connecticut			
MILCON, ANG	Bradley	Ops and Deployment Facility	0	6,300
	Florida			

SEC. 4601. MILITARY CONSTRUCTION
(In Thousands of Dollars)

Account	State or Country and Installation	Project Title	Budget Request	Senate Authorized
MILCON, ANG	Cape Canaveral AFS	Space Control Facility	0	6,100
	Georgia			
MILCON, ANG	Savannah/Hilton Head IAP	C–130 Squadron Operations Facility	9,000	9,000
	Hawaii			
MILCON, ANG	Joint Base Pearl Harbor-Hickam	F–22 Composite Repair Facility	0	9,700
	Iowa			
MILCON, ANG	Des Moines Map	Air Operations Grp/CYBER Beddown-Reno Blg 430	6,700	6,700
	Kansas			
MILCON, ANG	Smokey Hill ANG Range	Range Training Support Facilities	2,900	2,900
	Louisiana			
MILCON, ANG	New Orleans	Replace Squadron Operations Facility	10,000	10,000
	Maine			
MILCON, ANG	Bangor IAP	Add to and Alter Fire Crash/Rescue Station	7,200	7,200
	New Hampshire			
MILCON, ANG	Pease International Trade Port	Bldg Mo KC–46 Fuselage Trainer	0	1,500
MILCON, ANG	Pease International Trade Port	KC–46A ADAL Flight Simulator Bldg 156	2,800	2,800
	New Jersey			
MILCON, ANG	Atlantic City IAP	Fuel Cell and Corrosion Control Hangar	10,200	10,200
	New York			
MILCON, ANG	Niagara Falls IAP	Remotely Piloted Aircraft Beddown Bldg 912	7,700	7,700
	North Carolina			
MILCON, ANG	Charlotte/Douglas IAP	Replace C–130 Squadron Operations Facility	9,000	9,000
	North Dakota			
MILCON, ANG	Hector IAP	Intel Targeting Facilities	7,300	7,300
	Oklahoma			
MILCON, ANG	Will Rogers World Airport	Medium Altitude Manned ISR Beddown	7,600	7,600
	Oregon			
MILCON, ANG	Klamath Falls IAP	Replace Fire Crash/Rescue Station	7,200	7,200
	West Virginia			
MILCON, ANG	Yeager Airport	Force Protection—Relocate Coonskin Road	3,900	3,900
	Worldwide Unspecified			
MILCON, ANG	Various Worldwide Locations	Planning and Design	5,104	5,104
MILCON, ANG	Various Worldwide Locations	Unspecified Minor Construction	7,734	7,734
SUBTOTAL, MILCON, ANG			**123,538**	**147,138**
MILCON, ARMY R				
	California			
MILCON, ARMY R	Miramar	Army Reserve Center	24,000	24,000
	Florida			
MILCON, ARMY R	MacDill AFB	AR Center/AS Facility	55,000	55,000
	Mississippi			
MILCON, ARMY R	Starkville	Army Reserve Center	9,300	9,300
	New York			
MILCON, ARMY R	Orangeburg	Organizational Maintenance Shop	4,200	4,200
	Pennsylvania			
MILCON, ARMY R	Conneaut Lake	DAR Highway Improvement	5,000	5,000
	Puerto Rico			
MILCON, ARMY R	Fort Buchanan	Access Control Point	0	10,200
	Virginia			
MILCON, ARMY R	Fort AP Hill	Equipment Concentration	0	24,000
	Worldwide Unspecified			
MILCON, ARMY R	Unspecified Worldwide Locations	Planning and Design	9,318	9,318

SEC. 4601. MILITARY CONSTRUCTION
(In Thousands of Dollars)

Account	State or Country and Installation	Project Title	Budget Request	Senate Authorized
MILCON, ARMY R	Unspecified Worldwide Locations	Unspecified Minor Construction	6,777	6,777
SUBTOTAL, MILCON, ARMY R			**113,595**	**147,795**
MIL CON, NAVY RES				
	Nevada			
MIL CON, NAVY RES	Fallon	NAVOPSPTCEN Fallon	11,480	11,480
	New York			
MIL CON, NAVY RES	Brooklyn	Reserve Center Storage Facility	2,479	2,479
	Virginia			
MIL CON, NAVY RES	Dam Neck	Reserve Training Center Complex	18,443	18,443
	Worldwide Unspecified			
MIL CON, NAVY RES	Unspecified Worldwide Locations	MCNR Planning & Design	2,208	2,208
MIL CON, NAVY RES	Unspecified Worldwide Locations	MCNR Unspecified Minor Construction	1,468	1,468
SUBTOTAL, MIL CON, NAVY RES			**36,078**	**36,078**
MILCON, AF RES				
	California			
MILCON, AF RES	March AFB	Satellite Fire Station	4,600	4,600
	Florida			
MILCON, AF RES	Patrick AFB	Aircrew Life Support Facility	3,400	3,400
	Georgia			
MILCON, AF RES	Dobbins	Fire Station/Security Complex	0	10,400
	Ohio			
MILCON, AF RES	Youngstown	Indoor Firing Range	9,400	9,400
	Texas			
MILCON, AF RES	Joint Base San Antonio	Consolidate 433 Medical Facility	9,900	9,900
	Worldwide Unspecified			
MILCON, AF RES	Various Worldwide Locations	Planning and Design	13,400	13,400
MILCON, AF RES	Various Worldwide Locations	Unspecified Minor Military Construction	6,121	6,121
SUBTOTAL, MILCON, AF RES			**46,821**	**57,221**
NATO SEC INV PRGM				
	Worldwide Unspecified			
NATO SEC INV PRGM	NATO Security Investment Program	NATO Security Investment Program	120,000	120,000
SUBTOTAL, NATO SEC INV PRGM			**120,000**	**120,000**
TOTAL MILITARY CONSTRUCTION			**6,641,995**	**6,641,055**
FAMILY HOUSING				
FAM HSG CON, ARMY				
	Florida			
FAM HSG CON, ARMY	Camp Rudder	Family Housing Replacement Construction	8,000	8,000
	Germany			
FAM HSG CON, ARMY	Wiesbaden Army Airfield	Family Housing Improvements	3,500	3,500
	Illinois			
FAM HSG CON, ARMY	Rock Island	Family Housing Replacement Construction	20,000	20,000
	Korea			

SEC. 4601. MILITARY CONSTRUCTION
(In Thousands of Dollars)

Account	State or Country and Installation	Project Title	Budget Request	Senate Authorized
FAM HSG CON, ARMY	Camp Walker	Family Housing New Construction	61,000	61,000
	Worldwide Unspecified			
FAM HSG CON, ARMY	Unspecified Worldwide Locations	Family Housing P & D	7,195	7,195
SUBTOTAL, FAM HSG CON, ARMY			**99,695**	**99,695**
FAM HSG O&M, ARMY				
	Worldwide Unspecified			
FAM HSG O&M, ARMY	Unspecified Worldwide Locations	Furnishings	25,552	25,552
FAM HSG O&M, ARMY	Unspecified Worldwide Locations	Leased Housing	144,879	144,879
FAM HSG O&M, ARMY	Unspecified Worldwide Locations	Maintenance of Real Property Facilities	75,197	75,197
FAM HSG O&M, ARMY	Unspecified Worldwide Locations	Management Account	48,515	48,515
FAM HSG O&M, ARMY	Unspecified Worldwide Locations	Military Housing Privitization Initiative	22,000	22,000
FAM HSG O&M, ARMY	Unspecified Worldwide Locations	Miscellaneous	840	840
FAM HSG O&M, ARMY	Unspecified Worldwide Locations	Services	10,928	10,928
FAM HSG O&M, ARMY	Unspecified Worldwide Locations	Utilities	65,600	65,600
SUBTOTAL, FAM HSG O&M, ARMY			**393,511**	**393,511**
FAM HSG CON, N/MC				
	Virginia			
FAM HSG CON, N/MC	Wallops Island	Construct Housing Welcome Center	438	438
	Worldwide Unspecified			
FAM HSG CON, N/MC	Unspecified Worldwide Locations	Design	4,588	4,588
FAM HSG CON, N/MC	Unspecified Worldwide Locations	Improvements	11,515	11,515
SUBTOTAL, FAM HSG CON, N/MC			**16,541**	**16,541**
FAM HSG O&M, N/MC				
	Worldwide Unspecified			
FAM HSG O&M, N/MC	Unspecified Worldwide Locations	Furnishings Account	17,534	17,534
FAM HSG O&M, N/MC	Unspecified Worldwide Locations	Leasing	64,108	64,108
FAM HSG O&M, N/MC	Unspecified Worldwide Locations	Maintenance of Real Property	99,323	99,323
FAM HSG O&M, N/MC	Unspecified Worldwide Locations	Management Account	56,189	56,189
FAM HSG O&M, N/MC	Unspecified Worldwide Locations	Miscellaneous Account	373	373
FAM HSG O&M, N/MC	Unspecified Worldwide Locations	Privatization Support Costs	28,668	28,668
FAM HSG O&M, N/MC	Unspecified Worldwide Locations	Services Account	19,149	19,149

SEC. 4601. MILITARY CONSTRUCTION
(In Thousands of Dollars)

Account	State or Country and Installation	Project Title	Budget Request	Senate Authorized
FAM HSG O&M, N/MC	Unspecified Worldwide Locations	Utilities Account	67,692	67,692
SUBTOTAL, FAM HSG O&M, N/MC			**353,036**	**353,036**
FAM HSG CON, AF				
	Worldwide Unspecified			
FAM HSG CON, AF	Unspecified Worldwide Locations	Improvements	150,649	150,649
FAM HSG CON, AF	Unspecified Worldwide Locations	Planning and Design	9,849	9,849
SUBTOTAL, FAM HSG CON, AF			**160,498**	**160,498**
FAM HSG O&M, AF				
	Worldwide Unspecified			
FAM HSG O&M, AF	Unspecified Worldwide Locations	Furnishings Account	38,746	38,746
FAM HSG O&M, AF	Unspecified Worldwide Locations	Housing Privatization	41,554	41,554
FAM HSG O&M, AF	Unspecified Worldwide Locations	Leasing	28,867	28,867
FAM HSG O&M, AF	Unspecified Worldwide Locations	Maintenance	114,129	114,129
FAM HSG O&M, AF	Unspecified Worldwide Locations	Management Account	52,153	52,153
FAM HSG O&M, AF	Unspecified Worldwide Locations	Miscellaneous Account	2,032	2,032
FAM HSG O&M, AF	Unspecified Worldwide Locations	Services Account	12,940	12,940
FAM HSG O&M, AF	Unspecified Worldwide Locations	Utilities Account	40,811	40,811
SUBTOTAL, FAM HSG O&M, AF			**331,232**	**331,232**
FAM HSG O&M, DW				
	Worldwide Unspecified			
FAM HSG O&M, DW	Unspecified Worldwide Locations	Furnishings Account	4,203	4,203
FAM HSG O&M, DW	Unspecified Worldwide Locations	Leasing	51,952	51,952
FAM HSG O&M, DW	Unspecified Worldwide Locations	Maintenance of Real Property	1,448	1,448
FAM HSG O&M, DW	Unspecified Worldwide Locations	Management Account	388	388
FAM HSG O&M, DW	Unspecified Worldwide Locations	Services Account	31	31
FAM HSG O&M, DW	Unspecified Worldwide Locations	Utilities Account	646	646
SUBTOTAL, FAM HSG O&M, DW			**58,668**	**58,668**
TOTAL FAMILY HOUSING			**1,413,181**	**1,413,181**
DEFENSE BASE REALIGNMENT AND CLOSURE				
DOD BRAC—ARMY				
	Worldwide Unspecified			
DOD BRAC—ARMY	Base Realignment & Closure, Army	Base Realignment and Closure	29,691	29,691
SUBTOTAL, DOD BRAC—ARMY			**29,691**	**29,691**
DOD BRAC—NAVY				
	Worldwide Unspecified			
DOD BRAC—NAVY	Base Realignment & Closure, Navy	Base Realignment & Closure	118,906	118,906
DOD BRAC—NAVY	Unspecified Worldwide Locations	DON–100: Planing, Design and Management	7,787	7,787
DOD BRAC—NAVY	Unspecified Worldwide Locations	DON–101: Various Locations	20,871	20,871
DOD BRAC—NAVY	Unspecified Worldwide Locations	DON–138: NAS Brunswick, ME	803	803

SEC. 4601. MILITARY CONSTRUCTION
(In Thousands of Dollars)

Account	State or Country and Installation	Project Title	Budget Request	Senate Authorized
DOD BRAC—NAVY	Unspecified Worldwide Locations	DON–157: MCSA Kansas City, MO	41	41
DOD BRAC—NAVY	Unspecified Worldwide Locations	DON–172: NWS Seal Beach, Concord, CA	4,872	4,872
DOD BRAC—NAVY	Unspecified Worldwide Locations	DON–84: JRB Willow Grove & Cambria Reg AP	3,808	3,808
SUBTOTAL, DOD BRAC—NAVY			**157,088**	**157,088**
DOD BRAC—AIR FORCE				
DOD BRAC—AIR FORCE	Worldwide Unspecified Unspecified Worldwide Locations	DoD BRAC Activities—Air Force	64,555	64,555
SUBTOTAL, DOD BRAC—AIR FORCE			**64,555**	**64,555**
TOTAL DEFENSE BASE REALIGNMENT AND CLOSURE			**251,334**	**251,334**
TOTAL MILITARY CONSTRUCTION, FAMILY HOUSING, AND BRAC			**8,306,510**	**8,305,570**

TITLE XLVII—DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS

SEC. 4701. DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS.

SEC. 4701. DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS
(In Thousands of Dollars)

Program	FY 2016 Request	Senate Authorized
Discretionary Summary By Appropriation		
Energy and Water Development, and Related Agencies		
Appropriation Summary:		
Energy Programs		
Nuclear Energy	135,161	135,161
Atomic Energy Defense Activities		
National nuclear security administration:		
Weapons activities	8,846,948	9,026,948
Defense nuclear nonproliferation	1,940,302	1,945,302
Naval reactors	1,375,496	1,375,496
Federal salaries and expenses	402,654	402,654
Total, National nuclear security administration	**12,565,400**	**12,750,400**
Environmental and other defense activities:		
Defense environmental cleanup	5,527,347	5,075,550
Other defense activities	774,425	774,425
Total, Environmental & other defense activities	**6,301,772**	**5,849,975**
Total, Atomic Energy Defense Activities	**18,867,172**	**18,600,375**
Total, Discretionary Funding	**19,002,333**	**18,735,536**
Nuclear Energy		
Idaho sitewide safeguards and security	126,161	126,161
Used nuclear fuel disposition	9,000	9,000
Total, Nuclear Energy	**135,161**	**135,161**
Weapons Activities		
Directed stockpile work		
Life extension programs		
B61 Life extension program	643,300	643,300
W76 Life extension program	244,019	244,019
W88 Alt 370	220,176	220,176
W80–4 Life extension program	195,037	195,037
Total, Life extension programs	**1,302,532**	**1,302,532**
Stockpile systems		
B61 Stockpile systems	52,247	52,247
W76 Stockpile systems	50,921	50,921
W78 Stockpile systems	64,092	64,092
W80 Stockpile systems	68,005	68,005
B83 Stockpile systems	42,177	42,177
W87 Stockpile systems	89,299	89,299

SEC. 4701. DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS
(In Thousands of Dollars)

Program	FY 2016 Request	Senate Authorized
W88 Stockpile systems	115,685	115,685
Total, Stockpile systems	**482,426**	**482,426**
Weapons dismantlement and disposition		
Operations and maintenance	48,049	48,049
Stockpile services		
Production support	447,527	447,527
Research and development support	34,159	34,159
R&D certification and safety	192,613	192,613
Management, technology, and production	264,994	264,994
Total, Stockpile services	**939,293**	**939,293**
Nuclear material commodities		
Uranium sustainment	32,916	32,916
Plutonium sustainment	174,698	174,698
Tritium sustainment	107,345	107,345
Domestic uranium enrichment	100,000	100,000
Total, Nuclear material commodities	**414,959**	**414,959**
Total, Directed stockpile work	**3,187,259**	**3,187,259**
Research, development, test and evaluation (RDT&E)		
Science		
Advanced certification	50,714	50,714
Primary assessment technologies	98,500	98,500
Dynamic materials properties	109,000	109,000
Advanced radiography	47,000	47,000
Secondary assessment technologies	84,400	84,400
Total, Science	**389,614**	**389,614**
Engineering		
Enhanced surety	50,821	50,821
Weapon systems engineering assessment technology	17,371	17,371
Nuclear survivability	24,461	24,461
Enhanced surveillance	38,724	48,724
Program increase		[10,000]
Total, Engineering	**131,377**	**141,377**
Inertial confinement fusion ignition and high yield		
Ignition	73,334	73,334
Support of other stockpile programs	22,843	22,843
Diagnostics, cryogenics and experimental support	58,587	58,587
Pulsed power inertial confinement fusion	4,963	4,963
Joint program in high energy density laboratory plasmas	8,900	8,900
Facility operations and target production	333,823	333,823
Total, Inertial confinement fusion and high yield	**502,450**	**502,450**
Advanced simulation and computing	623,006	623,006
Response Capabilities Program	0	20,000
Supports flexible design capability for national labs		[20,000]
Advanced manufacturing		
Component manufacturing development	112,256	112,256
Processing technology development	17,800	17,800
Total, Advanced manufacturing	**130,056**	**130,056**
Total, RDT&E	**1,776,503**	**1,806,503**
Readiness in technical base and facilities (RTBF)		
Operating		
Program readiness	75,185	75,185
Material recycle and recovery	173,859	173,859
Storage	40,920	40,920
Recapitalization	104,327	104,327
Total, Operating	**394,291**	**394,291**
Construction:		
15–D–302, TA–55 Reinvestment project, Phase 3, LANL	18,195	18,195
11–D–801 TA–55 Reinvestment project Phase 2, LANL	3,903	3,903
07–D–220 Radioactive liquid waste treatment facility upgrade project, LANL	11,533	11,533
07–D–220-04 Transuranic liquid waste facility, LANL	40,949	40,949
06–D–141 PED/Construction, Uranium Capabilities Replacement Project Y–12	430,000	430,000
04–D–125 Chemistry and metallurgy replacement project, LANL	155,610	155,610
Total, Construction	**660,190**	**660,190**
Total, Readiness in technical base and facilities	**1,054,481**	**1,054,481**
Secure transportation asset		
Operations and equipment	146,272	146,272
Program direction	105,338	105,338

SEC. 4701. DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS
(In Thousands of Dollars)

Program	FY 2016 Request	Senate Authorized
Total, Secure transportation asset	**251,610**	**251,610**
Infrastructure and safety		
Operations of facilities		
Kansas City Plant	100,250	100,250
Lawrence Livermore National Laboratory	70,671	70,671
Los Alamos National Laboratory	196,460	196,460
Nevada National Security Site	89,000	89,000
Pantex	58,021	58,021
Sandia National Laboratory	115,300	115,300
Savannah River Site	80,463	80,463
Y–12 National security complex	120,625	120,625
Total, Operations of facilities	**830,790**	**830,790**
Safety operations	107,701	107,701
Maintenance	227,000	227,000
Recapitalization	257,724	407,724
Increase to support deferred maintenance		[150,000]
Construction:		
16–D–621 Substation replacement at TA–3, LANL	25,000	25,000
15–D–613 Emergency Operations Center, Y–12	17,919	17,919
Total, Construction	**42,919**	**42,919**
Total, Infrastructure and safety	**1,466,134**	**1,616,134**
Site stewardship		
Nuclear materials integration	17,510	17,510
Minority serving institution partnerships program	19,085	19,085
Total, Site stewardship	**36,595**	**36,595**
Defense nuclear security		
Operations and maintenance	619,891	619,891
Construction:		
14–D–710 Device assembly facility argus installation project, NV	13,000	13,000
Total, Defense nuclear security	**632,891**	**632,891**
Information technology and cybersecurity	157,588	157,588
Legacy contractor pensions	283,887	283,887
Total, Weapons Activities	**8,846,948**	**9,026,948**
Defense Nuclear Nonproliferation R&D		
Global material security	426,751	426,751
Material management and minimization	311,584	311,584
Nonproliferation and arms control	126,703	126,703
Defense Nuclear Nonproliferation R&D	419,333	419,333
Nonproliferation Construction:		
99–D–143 Mixed Oxide (MOX) Fuel Fabrication Facility, SRS	345,000	345,000
Analysis of Alternatives	0	5,000
Assess alternatives to MOX		[5,000]
Total, Nonproliferation construction	**345,000**	**350,000**
Total, Defense Nuclear Nonproliferation Programs	**1,629,371**	**1,634,371**
Legacy contractor pensions	94,617	94,617
Nuclear counterterrorism and incident response program	234,390	234,390
Use of prior-year balances	–18,076	–18,076
Subtotal, Defense Nuclear Nonproliferation	**1,940,302**	**1,945,302**
Total, Defense Nuclear Nonproliferation	**1,940,302**	**1,945,302**
Naval Reactors		
Naval reactors operations and infrastructure	445,196	445,196
Naval reactors development	444,400	444,400
Ohio replacement reactor systems development	186,800	186,800
S8G Prototype refueling	133,000	133,000
Program direction	45,000	45,000
Construction:		
15–D–904 NRF Overpack Storage Expansion 3	900	900
15–D–903 KL Fire System Upgrade	600	600
15–D–902 KS Engineroom team trainer facility	3,100	3,100
14–D–902 KL Materials characterization laboratory expansion, KAPL	30,000	30,000
14–D–901 Spent fuel handling recapitalization project, NRF	86,000	86,000
10-D–903, Security upgrades, KAPL	500	500
Total, Construction	**121,100**	**121,100**
Total, Naval Reactors	**1,375,496**	**1,375,496**
Federal Salaries And Expenses		

SEC. 4701. DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS
(In Thousands of Dollars)

Program	FY 2016 Request	Senate Authorized
Program direction	402,654	402,654
Total, Office Of The Administrator	**402,654**	**402,654**
Defense Environmental Cleanup		
Closure sites:		
Closure sites administration	4,889	4,889
Hanford site:		
River corridor and other cleanup operations:		
River corridor and other cleanup operations	196,957	196,957
Central plateau remediation:		
Central plateau remediation	555,163	555,163
Richland community and regulatory support	14,701	14,701
Construction:		
15–D–401 Containerized sludge removal annex, RL	77,016	77,016
Total, Hanford site	**843,837**	**843,837**
Idaho National Laboratory:		
Idaho cleanup and waste disposition	357,783	357,783
Idaho community and regulatory support	3,000	3,000
Total, Idaho National Laboratory	**360,783**	**360,783**
NNSA sites		
Lawrence Livermore National Laboratory	1,366	1,366
Nevada	62,385	62,385
Sandia National Laboratories	2,500	2,500
Los Alamos National Laboratory	188,625	208,625
Accelerate cleanup of transuranic waste		[20,000]
Total, NNSA sites and Nevada off-sites	**254,876**	**274,876**
Oak Ridge Reservation:		
OR Nuclear facility D & D		
OR Nuclear facility D & D	75,958	75,958
Construction:		
14–D–403 Outfall 200 Mercury Treatment Facility	6,800	6,800
Total, OR Nuclear facility D & D	**82,758**	**82,758**
U233 Disposition Program	26,895	26,895
OR cleanup and disposition:		
OR cleanup and disposition	60,500	60,500
Total, OR cleanup and disposition	**60,500**	**60,500**
OR reservation community and regulatory support	4,400	4,400
Solid waste stabilization and disposition		
Oak Ridge technology development	2,800	2,800
Total, Oak Ridge Reservation	**177,353**	**177,353**
Office of River Protection:		
Waste treatment and immobilization plant		
01–D–416 A-D/ORP-0060 / Major construction	595,000	595,000
01–D–16E Pretreatment facility	95,000	95,000
Total, Waste treatment and immobilization plant	**690,000**	**690,000**
Tank farm activities		
Rad liquid tank waste stabilization and disposition	649,000	649,000
Construction:		
15–D–409 Low Activity Waste Pretreatment System, Hanford	75,000	75,000
Total, Tank farm activities	**724,000**	**724,000**
Total, Office of River protection	**1,414,000**	**1,414,000**
Savannah River sites:		
Savannah River risk management operations	386,652	386,652
SR community and regulatory support	11,249	11,249
Radioactive liquid tank waste:		
Radioactive liquid tank waste stabilization and disposition	581,878	581,878
Construction:		
15–D–402—Saltstone Disposal Unit #6	34,642	34,642
05–D–405 Salt waste processing facility, Savannah River	194,000	194,000
Total, Construction	**228,642**	**228,642**
Total, Radioactive liquid tank waste	**810,520**	**810,520**
Total, Savannah River site	**1,208,421**	**1,208,421**
Waste Isolation Pilot Plant		
Waste isolation pilot plant	212,600	212,600
Construction:		
15–D–411 Safety significant confinement ventilation system, WIPP	23,218	23,218

SEC. 4701. DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS
(In Thousands of Dollars)

Program	FY 2016 Request	Senate Authorized
15–D–412 Exhaust shaft, WIPP	7,500	7,500
Total, Construction	**30,718**	**30,718**
Total, Waste Isolation Pilot Plant	**243,318**	**243,318**
Program direction	281,951	281,951
Program support	14,979	14,979
Safeguards and Security:		
Oak Ridge Reservation	17,228	17,228
Paducah	8,216	8,216
Portsmouth	8,492	8,492
Richland/Hanford Site	67,601	67,601
Savannah River Site	128,345	128,345
Waste Isolation Pilot Project	4,860	4,860
West Valley	1,891	1,891
Technology development	14,510	14,510
Subtotal, Defense environmental cleanup	**5,055,550**	**5,075,550**
Uranium enrichment D&D fund contribution	471,797	0
Requires industry match authorization that will not be forthcoming		[–471,797]
Total, Defense Environmental Cleanup	**5,527,347**	**5,075,550**
Other Defense Activities		
Specialized security activities	221,855	221,855
Environment, health, safety and security		
Environment, health, safety and security	120,693	120,693
Program direction	63,105	63,105
Total, Environment, Health, safety and security	**183,798**	**183,798**
Enterprise assessments		
Enterprise assessments	24,068	24,068
Program direction	49,466	49,466
Total, Enterprise assessments	**73,534**	**73,534**
Office of Legacy Management		
Legacy management	154,080	154,080
Program direction	13,100	13,100
Total, Office of Legacy Management	**167,180**	**167,180**
Defense-related activities		
Defense related administrative support		
Chief financial officer	35,758	35,758
Chief information officer	83,800	83,800
Management	3,000	3,000
Total, Defense related administrative support	**122,558**	**122,558**
Office of hearings and appeals	5,500	5,500
Subtotal, Other defense activities	**774,425**	**774,425**
Total, Other Defense Activities	**774,425**	**774,425**

SA 1464. Ms. BALDWIN submitted an amendment intended to be proposed to amendment SA 1463 submitted by Mr. McCAIN and intended to be proposed to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle E of title VIII, add the following:

SEC. 884. REQUIREMENT THAT CERTAIN SHIP COMPONENTS BE MANUFACTURED IN THE NATIONAL TECHNOLOGY AND INDUSTRIAL BASE.

(a) ADDITIONAL PROCUREMENT LIMITATION.—Section 2534(a) of title 10, United States Code, is amended by adding at the end the following new paragraph:

''(6) COMPONENTS FOR AUXILIARY SHIPS.—Subject to subsection (k), the following components:

''(A) Auxiliary equipment, including pumps, for all shipboard services.

''(B) Propulsion system components, including engines, reduction gears, and propellers.

''(C) Shipboard cranes.

''(D) Spreaders for shipboard cranes.''.

(b) IMPLEMENTATION.—Such section is further amended by adding at the end the following new subsection:

''(k) IMPLEMENTATION OF AUXILIARY SHIP COMPONENT LIMITATION.—Subsection (a)(6) applies only with respect to contracts awarded by the Secretary of a military department for new construction of an auxiliary ship after the date of the enactment of the National Defense Authorization Act for Fiscal Year 2016 using funds available for National Defense Sealift Fund programs or Shipbuilding and Conversion, Navy.''.

SA 1465. Mr. McCAIN submitted an amendment intended to be proposed to amendment SA 1463 submitted by Mr. McCAIN and intended to be proposed to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

On page 718, strike ''has emerged'' on line 15 and all that follows through ''such competition'' on line 17.

SA 1466. Mr. McCAIN submitted an amendment intended to be proposed to amendment SA 1463 submitted by Mr. McCAIN and intended to be proposed to

the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle B of title VII, add the following:

SEC. 721. ESTABLISHMENT OF STRATEGIC UNIFORM DRUG FORMULARY FOR THE PROVISION OF HEALTH CARE SERVICES TO MEMBERS OF THE ARMED FORCES UNDERGOING SEPARATION FROM THE ARMED FORCES.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense and the Secretary of Veterans Affairs shall jointly make available to individuals undergoing the transition from the receipt of health care services through the Department of Defense to the receipt of such services through the Department of Veterans Affairs certain drugs, particularly pain and psychiatric drugs, that are critical to the Department of Defense and the Department of Veterans Affairs for the appropriate and effective provision of health care services to such individuals.

(b) STRATEGIC UNIFORM FORMULARY.—In carrying out subsection (a), the Secretary of Defense and the Secretary of Veterans Affairs shall jointly establish, and periodically update, a strategic uniform formulary for the Department of Defense and the Department of Veterans Affairs that includes certain drugs, particularly pain and psychiatric drugs, that the Secretary of Defense and the Secretary of Veterans Affairs jointly determine are critical to the Department of Defense and the Department of Veterans Affairs for the appropriate and effective provision of health care services to individuals described in such subsection.

(c) REPORT.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense and the Secretary of Veterans Affairs shall jointly submit to the appropriate committees of Congress a report on the establishment of the strategic uniform formulary under subsection (b).

(2) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this subsection, the term ''appropriate committees of Congress'' means—

(A) the Committee on Armed Services and the Committee on Veterans' Affairs of the Senate; and

(B) the Committee on Armed Services and the Committee on Veterans' Affairs of the House of Representatives.

SA 1467. Mr. CARDIN submitted an amendment intended to be proposed by him to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 1085. MAKING PERMANENT SPECIAL EFFECTIVE DATE FOR AWARDS OF DISABILITY COMPENSATION BY SECRETARY OF VETERANS AFFAIRS FOR VETERANS WHO SUBMIT APPLICATIONS FOR ORIGINAL CLAIMS THAT ARE FULLY-DEVELOPED.

Section 5110(b)(2)(C) of title 38, United States Code, is amended by striking ''and shall not apply with respect to claims filed after the date that is three years after the date of the enactment of such Act''.

SEC. 1086. PROVISIONAL BENEFITS AWARDED BY SECRETARY OF VETERANS AFFAIRS FOR FULLY DEVELOPED CLAIMS PENDING FOR MORE THAN 180 DAYS.

(a) IN GENERAL.—Chapter 53 of title 38, United States Code, is amended by adding at the end the following:

''§ 5319A. Provisional benefits awarded for fully developed claims pending for extended period

''(a) PROVISIONAL AWARDS REQUIRED.—For each application for disability compensation that is filed for an individual with the Secretary, that sets forth an original claim that is fully-developed (as determined by the Secretary) as of the date of submittal, and for which the Secretary has not made a decision, beginning on the date that is 180 days after the date on which such application is filed with the Secretary, the Secretary shall award the individual a provisional benefit under this section.

''(b) PROVISIONAL AWARDS ESTABLISHED.—A provisional benefit awarded pursuant to subsection (a) for a claim for disability compensation shall be for such monthly amount as the Secretary shall establish for each classification of disability claimed as the Secretary shall establish.

''(c) RECOVERY.—Notwithstanding any other provision of law, the Secretary may recover a payment of a provisional benefit awarded under this section for an application for disability compensation only—

''(1) in a case in which the Secretary awards the disability compensation for which the individual filed the application and the Secretary may only recover such provisional benefit by subtracting it from payments made for the disability compensation awarded; or

''(2) in a case in which the Secretary determines not to award the disability compensation for which the individual filed the application and the Secretary determines that the application was the subject of intentional fraud, misrepresentation, or bad faith on behalf of the individual.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 53 of such title is amended by inserting after the item relating to section 5319 the following new item:

''5319A. Provisional benefits awarded for fully developed claims pending for extended period.''.

SA 1468. Mr. CARDIN submitted an amendment intended to be proposed to amendment SA 1463 submitted by Mr. MCCAIN and intended to be proposed to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle F of title III, add the following:

SEC. 355. PILOT PROGRAM FOR IMPROVING ACCESS TO HEALTHY FOODS AT MILITARY INSTALLATIONS.

(a) PILOT PROGRAM AUTHORIZED.—The Secretary of Defense may develop and carry out a pilot program to provide and test the efficacy of fruit and vegetable incentive programs in improving health outcomes, producing positive behavior change, and reducing diet-related diseases among members of the Armed Forces and their families.

(b) LOCATIONS.—The pilot program shall be established on not fewer than three military installations in fiscal year 2016, determined in conjunction with the Secretary of Defense and the Healthy Bases Initiative office.

(c) ACTIVITIES.—The pilot program shall include the following elements:

(1) Provision of incentives for preferable fresh fruits and vegetables at farmers markets, if established, and other food retail outlets on each military installation for enrolled patients and their family members.

(2) Provision of nutrition counseling for enrolled patients.

(3) Provision of appropriate medical care and testing for enrolled patients.

(d) COORDINATION.—In establishing and carrying out these pilot programs, the Secretary of Defense shall contract with an appropriate non-profit service provider for technical assistance, data monitoring, and evaluation.

(e) REPORT.—Not later than two years after the date of the enactment of this Act, the Secretary shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on activities carried out under the pilot program.

SA 1469. Mr. CARDIN submitted an amendment intended to be proposed to amendment SA 1463 submitted by Mr. MCCAIN and intended to be proposed to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle B of title V, add the following:

SEC. 515. EDUCATIONAL ASSISTANCE TO ENCOURAGE MEMBERSHIP IN THE RESERVE COMPONENTS OF THE ARMED FORCES.

(a) PROGRAMS OF ASSISTANCE AUTHORIZED.—Chapter 1611 of title 10, United States Code, is amended by adding at the end the following new section:

''§ 16402. National Guard and Reserves: educational assistance to encourage membership

''(a) AUTHORITY.—Each Secretary of a military department may carry out a program to encourage membership in the reserve components of the armed forces under the jurisdiction of such Secretary through the provision of educational assistance to individuals who participate in such program in order to develop skills that are critical to such reserve components as determined by such Secretary.

''(b) PARTICIPATION BY INDIVIDUALS BEFORE COMMENCEMENT OF GRADE 12.—(1) An individual who is more than sixteen years of age may participate in a program under this section before commencing grade 12 in a secondary school with the written consent of

the individual's parent or guardian (if the individual has a parent or guardian entitled to the custody and control of the individual).

''(2) An individual who participates in a program under this section pursuant to paragraph (1) may complete entry level and skill training before commencing grade 12 in a secondary school.

''(c) ADMINISTRATION REQUIREMENTS.—In carrying out a program under this section, the Secretary of a military department shall—

''(1) establish and maintain a current list of the skills that are, or are anticipated to become, critical to one or more reserve components under the jurisdiction of such Secretary; and

''(2) prescribe academic and other performance standards to be met by individuals participating in the program.

''(d) PARTICIPATION AGREEMENT.—An individual who participates in a program under this section shall enter into a written agreement with the Secretary of the military department concerned—

''(1) to enlist in or accept an appointment as an officer in a reserve component of the armed forces;

''(2) to complete entry level and skill training (if enlisting) or entry level training and officer candidate school (if accepting appointment as an officer);

''(3) to pursue on a full-time basis a course of education—

''(A) leading to a bachelor's or associate's degree at an institution of higher education; or

''(B) that—

''(i) is offered by an institution of higher education; and

''(ii) upon completion, will provide the individual with a level of education that is similar to a course of education described in subparagraph (A), as determined pursuant to subsection (c)(2);

''(4) while pursuing a course of education under paragraph (3), to perform such active duty for training during periods between academic terms of the institution of higher education involved as such Secretary shall specify in the agreement; and

''(5) as provided in subsection (i), to serve in the reserve component of the armed forces specified in such agreement for two years for each academic year for which the individual receives educational assistance under this section.

''(e) AMOUNT OF EDUCATIONAL ASSISTANCE.—The amount of educational assistance provided under a program under this section to an individual pursuing a course of education described in subsection (d)(3) during an academic year shall be the lesser of—

''(1) the maximum amount of in-State tuition and fees assessed during such academic year for programs of education leading to a bachelor's degree by public institutions of higher education in the State whose National Guard the individual is a member of or where the individual resides, as applicable; or

''(2) the amount of tuition and fees assessed during such academic year for such course of education by the institution of higher education providing such course of education.

''(f) PAYMENT OF EDUCATIONAL ASSISTANCE.—(1) The Secretary of the military department concerned shall pay educational assistance to individuals participating in programs under this section on a monthly basis.

''(2) The maximum number of months of educational assistance payable to an individual participating in a program under this section may not exceed the aggregate number of months comprising four academic years at the institution or institutions attended by the individual pursuant to the program.

''(g) RESERVE STATUS.—(1) Each individual participating in a program under this section shall, while pursuing a course of education under such program, be the following:

''(A) A member of the inactive National Guard or the Individual Ready Reserve, as applicable, during academic terms of pursuit of such course of education pursuant to subsection (d)(3).

''(B) A member of the National Guard or the Ready Reserve, as applicable, in active status while performing training during periods between such academic terms pursuant to subsection (d)(4)

''(2) Notwithstanding status under paragraph (1), an individual may not be called or ordered to active duty (other than active duty for training in accordance with subsection (d)(4)) while pursuing a course of education under a program under this section.

''(h) INELIGIBILITY FOR OTHER EDUCATIONAL ASSISTANCE DURING PARTICIPATION IN PROGRAM.—(1) An individual who participates in a program under this section is not, while so participating, eligible for educational assistance under any other provision of this title, any other law administered by the Secretary of Defense or the Secretaries of the military departments, any law administered by the Secretary of Homeland Security (with respect to the Coast Guard when it is not operating as a service in the Navy), or any law administered by the Secretary of Veterans Affairs.

''(2) Any service in the armed forces by an individual described in paragraph (1) while participating in a program under this section shall be treated as qualifying the individual for education assistance under provisions of law referred to in that paragraph to the extent provided in such provisions of law.

''(i) COMMENCEMENT OF SERVICE REQUIREMENT.—The service requirement of an individual pursuant to subsection (d)(5) shall commence as follows:

''(1) When the individual obtains the bachelor's or associate's degree, or completes the course of education described in subsection (d)(3)(B), for which the individual was paid educational assistance under this section.

''(2) If the individual ceases pursuit on a full-time basis of a course of education at an institution of higher education as agreed to pursuant to subsection (d)(3).

''(3) If the individual otherwise fails the obtain a bachelor's or associate's degree, or course of education described in subsection (d)(3)(B), as so agreed to.

''(j) REPAYMENT.—An individual who participates in a program under this section and who fails to complete the equivalent of a single academic year of education pursuant to subsection (d)(3) or complete the period of service or meet the types or conditions of serve for which educational assistance was provided the individual under the program, as specified in the written agreement of the individual under subsection (d), shall be subject to the repayment provisions of section 373 of title 37.

''(k) FUNDING.—Amounts available to the Secretary of the military department concerned for the payment of recruitment and retention bonuses and special pays shall be available to such Secretary to carry out a program under this section.

''(l) DEFINITIONS.—In this section:

''(1) The term 'entry level and skill training' means the following:

''(A) In the case of members of the Army National Guard of the United States or the Army Reserve, Basic Combat Training and Advanced Individual Training or One Station Unit Training.

''(B) In the case of members of the Navy Reserve, Recruit Training (or Boot Camp) and Skill Training (or so-called 'A School').

''(C) In the case of members of the Air National Guard of the United States of the Air Force Reserve, Basic Military Training and Technical Training.

''(D) In the case of members of the Marine Corps Reserve, Recruit Training and Marine Corps Training (or School of Infantry Training).

''(2) The term 'institution of higher education' has the meaning given that term in section 102 of the Higher Education Act of 1965 (20 U.S.C. 1002).''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 1611 of such title is amended by adding at the end the following new item:

''16402. National Guard and Reserves: educational assistance to encourage membership.''.

SA 1470. Mr. CARDIN submitted an amendment intended to be proposed to amendment SA 1463 submitted by Mr. MCCAIN and intended to be proposed to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 1005. ECONOMICAL AND EFFICIENT OPERATION OF WORKING CAPITAL FUND ACTIVITIES.

Section 2208(e) of title 10, United States Code, is amended—

(1) by inserting ''(1)'' after ''(e)''; and

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

''(2) The accomplishment of the most economical and efficient organization and operation of working capital fund activities for purposes of paragraph (1) shall include actions toward the following:

''(A) The implementation of a workload plan that optimizes the efficiency of the workforce operating within a working capital fund activity and reduces the rate structure.

''(B) Encouraging a working capital fund activity to perform reimbursable work for other entities to sustain the efficient use of the workforce.

''(C) Delegating the approval process for the acceptance of work from other entities to the lowest level for efficient management and oversight.''.

SA 1471. Mr. BARRASSO submitted an amendment intended to be proposed by him to the bill S. 286, to amend the Indian Self-Determination and Education Assistance Act to provide further self-governance by Indian tribes, and for other purposes; which was ordered to lie on the table; as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''Department of the Interior Tribal Self-Governance Act of 2015''.

(b) TABLE OF CONTENTS.—The table of contents of this Act is as follows:

TITLE I—INDIAN SELF-DETERMINATION

SEC. 101. DEFINITIONS; REPORTING AND AUDIT REQUIREMENTS; APPLICATION OF PROVISIONS.

(a) DEFINITIONS.—Section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b) is amended by striking subsection (j) and inserting the following:

''(j) 'self-determination contract' means a contract entered into under title I (or a grant or cooperative agreement used under section 9) between a tribal organization and the appropriate Secretary for the planning, conduct, and administration of programs or services that are otherwise provided to Indian tribes and members of Indian tribes pursuant to Federal law, subject to the condition that, except as provided in section 105(a)(3), no contract entered into under title I (or grant or cooperative agreement used under section 9) shall be—

''(1) considered to be a procurement contract; or

''(2) except as provided in section 107(a)(1), subject to any Federal procurement law (including regulations);''.

(b) REPORTING AND AUDIT REQUIREMENTS.—Section 5 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450c) is amended—

(1) in subsection (b)—

(A) by striking ''after completion of the project or undertaking referred to in the preceding subsection of this section'' and inserting ''after the retention period for the report that is submitted to the Secretary under subsection (a)''; and

(B) by adding at the end the following: ''The retention period shall be defined in regulations promulgated by the Secretary pursuant to section 414.''; and

(2) in subsection (f)(1), by inserting ''if the tribal organization expends $500,000 or more in Federal awards during that fiscal year'' after ''under this Act,''.

(c) EFFECTIVE DATE.—The amendment made by subsection (b)(2) shall not take effect until 14 months after the date of enactment of this Act.

(d) APPLICATION OF OTHER PROVISIONS.—Sections 4, 5, 6, 7, 102(c), 104, 105(a)(1), 105(f), 110, and 111 of the Indian Self-Determination and Education Assistance Act, as amended (25 U.S.C. 450 et seq.) (Public Law 93–638; 88 Stat. 2203) and section 314 of the Department of the Interior and Related Agencies Appropriations Act, 1991 (Public Law 101–512; 104 Stat. 1959), apply to compacts and funding agreements entered into under title IV.

SEC. 102. CONTRACTS BY SECRETARY OF THE INTERIOR.

Section 102 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450f) is amended—

(1) in subsection (c)(2), by striking ''economic enterprises'' and all that follows through ''except that'' and inserting ''economic enterprises (as defined in section 3 of the Indian Financing Act of 1974 (25 U.S.C. 1452)), except that''; and

(2) by adding at the end the following:

''(f) GOOD FAITH REQUIREMENT.—In the negotiation of contracts and funding agreements, the Secretary shall—

''(1) at all times negotiate in good faith to maximize implementation of the self-determination policy; and

''(2) carry out this Act in a manner that maximizes the policy of tribal self-determination, in a manner consistent with—

''(A) the purposes specified in section 3; and

''(B) the Department of the Interior Tribal Self-Governance Act of 2015.

''(g) RULE OF CONSTRUCTION.—Subject to section 202 of the Department of the Interior Tribal Self-Governance Act of 2015, each provision of this Act and each provision of a contract or funding agreement shall be liberally construed for the benefit of the Indian tribe participating in self-determination, and any ambiguity shall be resolved in favor of the Indian tribe.''.

SEC. 103. ADMINISTRATIVE PROVISIONS.

Section 105 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450j) is amended—

(1) in subsection (b), in the first sentence, by striking ''pursuant to'' and all that follows through ''of this Act'' and inserting ''pursuant to sections 102 and 103''; and

(2) by adding at the end the following:

''(p) INTERPRETATION BY SECRETARY.—Except as otherwise provided by law (including section 202 of the Department of the Interior Tribal Self-Governance Act of 2015), the Secretary shall interpret all Federal laws (including regulations) and Executive orders in a manner that facilitates, to the maximum extent practicable—

''(1) the inclusion in self-determination contracts and funding agreements of—

''(A) applicable programs, services, functions, and activities (or portions thereof); and

''(B) funds associated with those programs, services, functions, and activities;

''(2) the implementation of self-determination contracts and funding agreements; and

''(3) the achievement of tribal health objectives.

''(q)(1) TECHNICAL ASSISTANCE FOR INTERNAL CONTROLS.—In considering proposals for, amendments to, or in the course of, a contract under this title and compacts under titles IV and V of this Act, if the Secretary determines that the Indian tribe lacks adequate internal controls necessary to manage the contracted program or programs, the Secretary shall, as soon as practicable, provide the necessary technical assistance to assist the Indian tribe in developing adequate internal controls. As part of that technical assistance, the Secretary and the tribe shall develop a plan for assessing the subsequent effectiveness of such technical assistance. The inability of the Secretary to provide technical assistance or lack of a plan under this subsection shall not result in the reassumption of an existing agreement, contract, or compact, or declination or rejection of a new agreement, contract, or compact.

''(2) The Secretary shall prepare a report to be included in the information required for the reports under sections 405(b)(1) and 514(b)(2)(A). The Secretary shall include in this report, in the aggregate, a description of the internal controls that were inadequate, the technical assistance provided, and a description of Secretarial actions taken to address any remaining inadequate internal controls after the provision of technical assistance and implementation of the plan required by paragraph (1).''.

SEC. 104. CONTRACT FUNDING AND INDIRECT COSTS.

Section 106(a)(3) of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450j–1(a)(3)) is amended—

(1) in subparagraph (A)—

(A) in clause (i), by striking '', and'' and inserting ''; and''; and

(B) in clause (ii), by striking ''expense related to the overhead incurred'' and inserting ''expense incurred by the governing body of the Indian tribe or tribal organization and any overhead expense incurred'';

(2) by redesignating subparagraph (B) as subparagraph (C); and

(3) by inserting after subparagraph (A) the following:

''(B) In calculating the reimbursement rate for expenses described in subparagraph (A)(ii), not less than 50 percent of the expenses described in subparagraph (A)(ii) that are incurred by the governing body of an Indian tribe or tribal organization relating to a Federal program, function, service, or activity carried out pursuant to the contract shall be considered to be reasonable and allowable.''.

SEC. 105. CONTRACT OR GRANT SPECIFICATIONS.

Section 108 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450l) is amended—

(1) in subsection (a)(2), by inserting ''subject to subsections (a) and (b) of section 102,'' before ''contain'';

(2) in subsection (f)(2)(A)(ii) of the model agreement contained in subsection (c), by inserting ''subject to subsections (a) and (b) of section 102 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450f),'' before ''such other provisions''; and

(3) in section 1(b)(7)(C) of the model agreement contained in subsection (c), in the second sentence of the matter preceding clause (i), by striking ''one performance monitoring visit'' and inserting ''two performance monitoring visits''.

TITLE II—TRIBAL SELF-GOVERNANCE

SEC. 201. TRIBAL SELF-GOVERNANCE.

(a) DEFINITIONS.—Section 401 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 458aa) is amended to read as follows:

''SEC. 401. DEFINITIONS.

''In this title:

''(1) COMPACT.—The term 'compact' means a self-governance compact entered into under section 404.

''(2) CONSTRUCTION PROGRAM; CONSTRUCTION PROJECT.—The term 'construction program' or 'construction project' means a tribal undertaking relating to the administration, planning, environmental determination, design, construction, repair, improvement, or expansion of roads, bridges, buildings, structures, systems, or other facilities for purposes of housing, law enforcement, detention, sanitation, water supply, education, administration, community, health, irrigation, agriculture, conservation, flood control, transportation, or port facilities, or for other tribal purposes.

''(3) DEPARTMENT.—The term 'Department' means the Department of the Interior.

''(4) FUNDING AGREEMENT.—The term 'funding agreement' means a funding agreement entered into under section 403.

''(5) GROSS MISMANAGEMENT.—The term 'gross mismanagement' means a significant

violation, shown by a preponderance of the evidence, of a compact, funding agreement, or statutory or regulatory requirement applicable to Federal funds—

''(A) for a program administered by an Indian tribe; or

''(B) under a compact or funding agreement that results in a significant reduction of funds available for the programs assumed by an Indian tribe.

''(6) INHERENT FEDERAL FUNCTION.—The term 'inherent Federal function' means a Federal function that may not legally be delegated to an Indian tribe.

''(7) PROGRAM.—The term 'program' means any program, function, service, or activity (or portion thereof) within the Department that is included in a funding agreement.

''(8) SECRETARY.—The term 'Secretary' means the Secretary of the Interior.

''(9) SELF-GOVERNANCE.—The term 'self-governance' means the Tribal Self-Governance Program established under section 402.

''(10) TRIBAL SHARE.—The term 'tribal share' means the portion of all funds and resources of an Indian tribe that—

''(A) support any program within the Bureau of Indian Affairs, the Office of the Special Trustee, or the Office of the Assistant Secretary for Indian Affairs; and

''(B) are not required by the Secretary for the performance of an inherent Federal function.''.

(b) ESTABLISHMENT.—Section 402 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 458bb) is amended to read as follows:

''SEC. 402. TRIBAL SELF-GOVERNANCE PROGRAM.

''(a) ESTABLISHMENT.—The Secretary shall establish and carry out a program within the Department to be known as the 'Tribal Self-Governance Program'.

''(b) SELECTION OF PARTICIPATING INDIAN TRIBES.—

''(1) IN GENERAL.—

''(A) ELIGIBILITY.—The Secretary, acting through the Director of the Office of Self-Governance, may select up to 50 new Indian tribes per year from those eligible under subsection (c) to participate in self-governance.

''(B) JOINT PARTICIPATION.—On the request of each participating Indian tribe, two or more otherwise eligible Indian tribes may be treated as a single Indian tribe for the purpose of participating in self-governance.

''(2) OTHER AUTHORIZED INDIAN TRIBE OR TRIBAL ORGANIZATION.—If an Indian tribe authorizes another Indian tribe or a tribal organization to plan for or carry out a program on its behalf under this title, the authorized Indian tribe or tribal organization shall have the rights and responsibilities of the authorizing Indian tribe (except as otherwise provided in the authorizing resolution).

''(3) JOINT PARTICIPATION.—Two or more Indian tribes that are not otherwise eligible under subsection (c) may be treated as a single Indian tribe for the purpose of participating in self-governance as a tribal organization if—

''(A) each Indian tribe so requests; and

''(B) the tribal organization itself, or at least one of the Indian tribes participating in the tribal organization, is eligible under subsection (c).

''(4) TRIBAL WITHDRAWAL FROM A TRIBAL ORGANIZATION.—

''(A) IN GENERAL.—An Indian tribe that withdraws from participation in a tribal organization, in whole or in part, shall be entitled to participate in self-governance if the Indian tribe is eligible under subsection (c).

''(B) EFFECT OF WITHDRAWAL.—If an Indian tribe withdraws from participation in a tribal organization, the Indian tribe shall be entitled to its tribal share of funds and resources supporting the programs that the Indian tribe is entitled to carry out under the compact and funding agreement of the Indian tribe.

''(C) PARTICIPATION IN SELF-GOVERNANCE.—The withdrawal of an Indian tribe from a tribal organization shall not affect the eligibility of the tribal organization to participate in self-governance on behalf of one or more other Indian tribes, if the tribal organization still qualifies under subsection (c).

''(D) WITHDRAWAL PROCESS.—

''(i) IN GENERAL.—An Indian tribe may, by tribal resolution, fully or partially withdraw its tribal share of any program in a funding agreement from a participating tribal organization.

''(ii) NOTIFICATION.—The Indian tribe shall provide a copy of the tribal resolution described in clause (i) to the Secretary.

''(iii) EFFECTIVE DATE.—

''(I) IN GENERAL.—A withdrawal under clause (i) shall become effective on the date that is specified in the tribal resolution and mutually agreed upon by the Secretary, the withdrawing Indian tribe, and the tribal organization that signed the compact and funding agreement on behalf of the withdrawing Indian tribe or tribal organization.

''(II) NO SPECIFIED DATE.—In the absence of a date specified in the resolution, the withdrawal shall become effective on—

''(aa) the earlier of—

''(AA) 1 year after the date of submission of the request; and

''(BB) the date on which the funding agreement expires; or

''(bb) such date as may be mutually agreed upon by the Secretary, the withdrawing Indian tribe, and the tribal organization that signed the compact and funding agreement on behalf of the withdrawing Indian tribe or tribal organization.

''(E) DISTRIBUTION OF FUNDS.—If an Indian tribe or tribal organization eligible to enter into a self-determination contract under title I or a compact or funding agreement under this title fully or partially withdraws from a participating tribal organization, the withdrawing Indian tribe—

''(i) may elect to enter into a self-determination contract or compact, in which case—

''(I) the withdrawing Indian tribe or tribal organization shall be entitled to its tribal share of unexpended funds and resources supporting the programs that the Indian tribe will be carrying out under its own self-determination contract or compact and funding agreement (calculated on the same basis as the funds were initially allocated to the funding agreement of the tribal organization); and

''(II) the funds referred to in subclause (I) shall be withdrawn by the Secretary from the funding agreement of the tribal organization and transferred to the withdrawing Indian tribe, on the condition that sections 102 and 105(i), as appropriate, shall apply to the withdrawing Indian tribe; or

''(ii) may elect not to enter into a self-determination contract or compact, in which case all unexpended funds and resources associated with the withdrawing Indian tribe's returned programs (calculated on the same basis as the funds were initially allocated to the funding agreement of the tribal organization) shall be returned by the tribal organization to the Secretary for operation of the programs included in the withdrawal.

''(F) RETURN TO MATURE CONTRACT STATUS.—If an Indian tribe elects to operate all or some programs carried out under a compact or funding agreement under this title through a self-determination contract under title I, at the option of the Indian tribe, the resulting self-determination contract shall be a mature self-determination contract as long as the Indian tribe meets the requirements set forth in section 4(h).

''(c) ELIGIBILITY.—To be eligible to participate in self-governance, an Indian tribe shall—

''(1) successfully complete the planning phase described in subsection (d);

''(2) request participation in self-governance by resolution or other official action by the tribal governing body; and

''(3) demonstrate, for the 3 fiscal years preceding the date on which the Indian tribe requests participation, financial stability and financial management capability as evidenced by the Indian tribe having no uncorrected significant and material audit exceptions in the required annual audit of its self-determination or self-governance agreements with any Federal agency.

''(d) PLANNING PHASE.—

''(1) IN GENERAL.—An Indian tribe seeking to begin participation in self-governance shall complete a planning phase as provided in this subsection.

''(2) ACTIVITIES.—The planning phase shall—

''(A) be conducted to the satisfaction of the Indian tribe; and

''(B) include—

''(i) legal and budgetary research; and

''(ii) internal tribal government planning, training, and organizational preparation.

''(e) GRANTS.—

''(1) IN GENERAL.—Subject to the availability of appropriations, an Indian tribe or tribal organization that meets the requirements of paragraphs (2) and (3) of subsection (c) shall be eligible for grants—

''(A) to plan for participation in self-governance; and

''(B) to negotiate the terms of participation by the Indian tribe or tribal organization in self-governance, as set forth in a compact and a funding agreement.

''(2) RECEIPT OF GRANT NOT REQUIRED.—Receipt of a grant under paragraph (1) shall not be a requirement of participation in self-governance.''.

(c) FUNDING AGREEMENTS.—Section 403 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 458cc) is amended—

(1) by striking subsection (a) and inserting the following:

''(a) AUTHORIZATION.—The Secretary shall, on the request of any Indian tribe or tribal organization, enter into a written funding agreement with the governing body of the Indian tribe or the tribal organization in a manner consistent with—

''(1) the trust responsibility of the Federal Government, treaty obligations, and the government-to-government relationship between Indian tribes and the United States; and

''(2) subsection (b).'';

(2) in subsection (b)—

(A) in paragraph (1)—

(i) in the matter preceding subparagraph (A), by striking ''without regard to the agency or office of the Bureau of Indian Affairs'' and inserting ''the Office of the Assistant Secretary for Indian Affairs, and the Office of the Special Trustee, without regard to the agency or office of that Bureau or those Offices'';

(ii) in subparagraph (B), by striking ''and'';

(iii) in subparagraph (C), by inserting ''and'' after the semicolon at the end; and

(iv) by adding at the end the following:

''(D) any other programs, services, functions, or activities (or portions thereof) that are provided through the Bureau of Indian Affairs, the Office of the Assistant Secretary for Indian Affairs, or the Office of the Special Trustee with respect to which Indian tribes or Indians are primary or significant beneficiaries;'';

(B) in paragraph (2)—

(i) by striking ''section 405(c)'' and inserting ''section 413(c)''; and

(ii) by inserting ''and'' after the semicolon at the end;

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

(D) by striking paragraphs (4) through (9); and

(3) by adding at the end the following:

''(m) OTHER PROVISIONS.—

''(1) EXCLUDED FUNDING.—A funding agreement shall not authorize an Indian tribe to plan, conduct, administer, or receive tribal share funding under any program that—

''(A) is provided under the Tribally Controlled Colleges and Universities Assistance Act of 1978 (25 U.S.C. 1801 et seq.); or

''(B) is provided for elementary and secondary schools under the formula developed under section 1127 of the Education Amendments of 1978 (25 U.S.C. 2007).

''(2) SERVICES, FUNCTIONS, AND RESPONSIBILITIES.—A funding agreement shall specify—

''(A) the services to be provided under the funding agreement;

''(B) the functions to be performed under the funding agreement; and

''(C) the responsibilities of the Indian tribe and the Secretary under the funding agreement.

''(3) BASE BUDGET.—A funding agreement shall, at the option of the Indian tribe, provide for a stable base budget specifying the recurring funds (which may include funds available under section 106(a)) to be transferred to the Indian tribe, for such period as the Indian tribe specifies in the funding agreement, subject to annual adjustment only to reflect changes in congressional appropriations.

''(4) NO WAIVER OF TRUST RESPONSIBILITY.—A funding agreement shall prohibit the Secretary from waiving, modifying, or diminishing in any way the trust responsibility of the United States with respect to Indian tribes and individual Indians that exists under treaties, Executive orders, court decisions, and other laws.

''(n) AMENDMENT.—The Secretary shall not revise, amend, or require additional terms in a new or subsequent funding agreement without the consent of the Indian tribe, unless such terms are required by Federal law.

''(o) EFFECTIVE DATE.—A funding agreement shall become effective on the date specified in the funding agreement.

''(p) EXISTING AND SUBSEQUENT FUNDING AGREEMENTS.—

''(1) SUBSEQUENT FUNDING AGREEMENTS.—Absent notification from an Indian tribe that the Indian tribe is withdrawing or retroceding the operation of one or more programs identified in a funding agreement, or unless otherwise agreed to by the parties to the funding agreement or by the nature of any noncontinuing program, service, function, or activity contained in a funding agreement—

''(A) a funding agreement shall remain in full force and effect until a subsequent funding agreement is executed, with funding paid annually for each fiscal year the agreement is in effect; and

''(B) the term of the subsequent funding agreement shall be retroactive to the end of the term of the preceding funding agreement for the purposes of calculating the amount of funding to which the Indian tribe is entitled.

''(2) DISPUTES.—Disputes over the implementation of paragraph (1)(A) shall be subject to section 406(c).

''(3) EXISTING FUNDING AGREEMENTS.—An Indian tribe that was participating in self-governance under this title on the date of enactment of the Department of the Interior Tribal Self-Governance Act of 2015 shall have the option at any time after that date—

''(A) to retain its existing funding agreement (in whole or in part) to the extent that the provisions of that funding agreement are not directly contrary to any express provision of this title; or

''(B) to negotiate a new funding agreement in a manner consistent with this title.

''(4) MULTIYEAR FUNDING AGREEMENTS.—An Indian tribe may, at the discretion of the Indian tribe, negotiate with the Secretary for a funding agreement with a term that exceeds 1 year.''.

(d) GENERAL REVISIONS.—Title IV of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 458aa et seq.) is amended by striking sections 404 through 408 and inserting the following:

''SEC. 404. COMPACTS.

''(a) IN GENERAL.—The Secretary shall negotiate and enter into a written compact with each Indian tribe participating in self-governance in a manner consistent with the trust responsibility of the Federal Government, treaty obligations, and the government-to-government relationship between Indian tribes and the United States.

''(b) CONTENTS.—A compact under subsection (a) shall—

''(1) specify and affirm the general terms of the government-to-government relationship between the Indian tribe and the Secretary; and

''(2) include such terms as the parties intend shall control during the term of the compact.

''(c) AMENDMENT.—A compact under subsection (a) may be amended only by agreement of the parties.

''(d) EFFECTIVE DATE.—The effective date of a compact under subsection (a) shall be—

''(1) the date of the execution of the compact by the parties; or

''(2) such date as is mutually agreed upon by the parties.

''(e) DURATION.—A compact under subsection (a) shall remain in effect—

''(1) for so long as permitted by Federal law; or

''(2) until termination by written agreement, retrocession, or reassumption.

''(f) EXISTING COMPACTS.—An Indian tribe participating in self-governance under this title, as in effect on the date of enactment of the Department of the Interior Tribal Self-Governance Act of 2015, shall have the option at any time after that date—

''(1) to retain its negotiated compact (in whole or in part) to the extent that the provisions of the compact are not directly contrary to any express provision of this title; or

''(2) to negotiate a new compact in a manner consistent with this title.

''SEC. 405. GENERAL PROVISIONS.

''(a) APPLICABILITY.—An Indian tribe and the Secretary shall include in any compact or funding agreement provisions that reflect the requirements of this title.

''(b) CONFLICTS OF INTEREST.—An Indian tribe participating in self-governance shall ensure that internal measures are in place to address, pursuant to tribal law and procedures, conflicts of interest in the administration of programs.

''(c) AUDITS.—

''(1) SINGLE AGENCY AUDIT ACT.—Chapter 75 of title 31, United States Code, shall apply to a funding agreement under this title.

''(2) COST PRINCIPLES.—An Indian tribe shall apply cost principles under the applicable Office of Management and Budget circular, except as modified by—

''(A) any provision of law, including section 106; or

''(B) any exemptions to applicable Office of Management and Budget circulars subsequently granted by the Office of Management and Budget.

''(3) FEDERAL CLAIMS.—Any claim by the Federal Government against an Indian tribe relating to funds received under a funding agreement based on any audit under this subsection shall be subject to section 106(f).

''(d) REDESIGN AND CONSOLIDATION.—Except as provided in section 407, an Indian tribe may redesign or consolidate programs or reallocate funds for programs in any manner that the Indian tribe determines to be in the best interest of the Indian community being served, so long as that the redesign or consolidation does not have the effect of denying eligibility for services to population groups otherwise eligible to be served under applicable Federal law, except that, with respect to the reallocation, consolidation, and redesign of programs described in subsection (b)(2) or (c) of section 403, a joint agreement between the Secretary and the Indian tribe shall be required.

''(e) RETROCESSION.—

''(1) IN GENERAL.—An Indian tribe may fully or partially retrocede to the Secretary any program under a compact or funding agreement.

''(2) EFFECTIVE DATE.—

''(A) AGREEMENT.—Unless an Indian tribe rescinds a request for retrocession under paragraph (1), the retrocession shall become effective on the date specified by the parties in the compact or funding agreement.

''(B) NO AGREEMENT.—In the absence of a specification of an effective date in the compact or funding agreement, the retrocession shall become effective on—

''(i) the earlier of—

''(I) 1 year after the date on which the request is submitted; and

''(II) the date on which the funding agreement expires; or

''(ii) such date as may be mutually agreed upon by the Secretary and the Indian tribe.

''(f) NONDUPLICATION.—A funding agreement shall provide that, for the period for which, and to the extent to which, funding is provided to an Indian tribe under this title, the Indian tribe—

''(1) shall not be entitled to contract with the Secretary for funds under section 102, except that the Indian tribe shall be eligible for new programs on the same basis as other Indian tribes; and

''(2) shall be responsible for the administration of programs in accordance with the compact or funding agreement.

''(g) RECORDS.—

''(1) IN GENERAL.—Unless an Indian tribe specifies otherwise in the compact or funding agreement, records of an Indian tribe shall not be considered to be Federal records for purposes of chapter 5 of title 5, United States Code.

''(2) RECORDKEEPING SYSTEM.—An Indian tribe shall—

''(A) maintain a recordkeeping system; and

''(B) on a notice period of not less than 30 days, provide the Secretary with reasonable

access to the records to enable the Department to meet the requirements of sections 3101 through 3106 of title 44, United States Code.

"SEC. 406. PROVISIONS RELATING TO THE SECRETARY.

''(a) TRUST EVALUATIONS.—A funding agreement shall include a provision to monitor the performance of trust functions by the Indian tribe through the annual trust evaluation.

''(b) REASSUMPTION.—

''(1) IN GENERAL.—A compact or funding agreement shall include provisions for the Secretary to reassume a program and associated funding if there is a specific finding relating to that program of—

''(A) imminent jeopardy to a trust asset, a natural resource, or public health and safety that—

''(i) is caused by an act or omission of the Indian tribe; and

''(ii) arises out of a failure to carry out the compact or funding agreement; or

''(B) gross mismanagement with respect to funds transferred to an Indian tribe under a compact or funding agreement, as determined by the Secretary in consultation with the Inspector General, as appropriate.

''(2) PROHIBITION.—The Secretary shall not reassume operation of a program, in whole or part, unless—

''(A) the Secretary first provides written notice and a hearing on the record to the Indian tribe; and

''(B) the Indian tribe does not take corrective action to remedy the mismanagement of the funds or programs, or the imminent jeopardy to a trust asset, natural resource, or public health and safety.

''(3) EXCEPTION.—

''(A) IN GENERAL.—Notwithstanding paragraph (2), the Secretary may, on written notice to the Indian tribe, immediately reassume operation of a program if—

''(i) the Secretary makes a finding of imminent and substantial jeopardy and irreparable harm to a trust asset, a natural resource, or the public health and safety caused by an act or omission of the Indian tribe; and

''(ii) the imminent and substantial jeopardy, and irreparable harm to the trust asset, natural resource, or public health and safety arises out of a failure by the Indian tribe to carry out the terms of an applicable compact or funding agreement.

''(B) REASSUMPTION.—If the Secretary reassumes operation of a program under subparagraph (A), the Secretary shall provide the Indian tribe with a hearing on the record not later than 10 days after the date of reassumption.

''(c) INABILITY TO AGREE ON COMPACT OR FUNDING AGREEMENT.—

''(1) FINAL OFFER.—If the Secretary and a participating Indian tribe are unable to agree, in whole or in part, on the terms of a compact or funding agreement (including funding levels), the Indian tribe may submit a final offer to the Secretary.

''(2) DETERMINATION.—Not more than 60 days after the date of receipt of a final offer by the one or more officials designated pursuant to paragraph (4), the Secretary shall review and make a determination with respect to the final offer.

''(3) EXTENSIONS.—The deadline described in paragraph (2) may be extended for any length of time, as agreed upon by both the Indian tribe and the Secretary.

''(4) DESIGNATED OFFICIALS.—

''(A) IN GENERAL.—The Secretary shall designate one or more appropriate officials in the Department to receive a copy of the final offer described in paragraph (1).

''(B) NO DESIGNATION.—If no official is designated, the Executive Secretariat of the Secretary shall be the designated official.

''(5) NO TIMELY DETERMINATION.—Except as otherwise provided in section 202 of the Department of the Interior Tribal Self-Governance Act of 2015, if the Secretary fails to make a determination with respect to a final offer within the period specified in paragraph (2), the Secretary shall be deemed to have agreed to the offer.

''(6) REJECTION OF FINAL OFFER.—

''(A) IN GENERAL.—If the Secretary rejects a final offer (or one or more provisions or funding levels in a final offer), the Secretary shall—

''(i) provide timely written notification to the Indian tribe that contains a specific finding that clearly demonstrates, or that is supported by a controlling legal authority, that—

''(I) the amount of funds proposed in the final offer exceeds the applicable funding level as determined under section 106(a)(1);

''(II) the program that is the subject of the final offer is an inherent Federal function or is subject to the discretion of the Secretary under section 403(c);

''(III) the Indian tribe cannot carry out the program in a manner that would not result in significant danger or risk to the public health or safety, to natural resources, or to trust resources;

''(IV) the Indian tribe is not eligible to participate in self-governance under section 402(c);

''(V) the funding agreement would violate a Federal statute or regulation; or

''(VI) with respect to a program or portion of a program included in a final offer pursuant to section 403(b)(2), the program or the portion of the program is not otherwise available to Indian tribes or Indians under section 102(a)(1)(E);

''(ii) provide technical assistance to overcome the objections stated in the notification required by clause (i);

''(iii) provide the Indian tribe with—

''(I) a hearing on the record with the right to engage in full discovery relevant to any issue raised in the matter; and

''(II) the opportunity for appeal on the objections raised (except that the Indian tribe may, in lieu of filing such appeal, directly proceed to initiate an action in a United States district court under section 110(a)); and

''(iv) provide the Indian tribe the option of entering into the severable portions of a final proposed compact or funding agreement (including a lesser funding amount, if any), that the Secretary did not reject, subject to any additional alterations necessary to conform the compact or funding agreement to the severed provisions.

''(B) EFFECT OF EXERCISING CERTAIN OPTION.—If an Indian tribe exercises the option specified in subparagraph (A)(iv)—

''(i) the Indian tribe shall retain the right to appeal the rejection by the Secretary under this section; and

''(ii) clauses (i), (ii), and (iii) of subparagraph (A) shall apply only to the portion of the proposed final compact or funding agreement that was rejected by the Secretary.

''(d) BURDEN OF PROOF.—In any administrative action, hearing, or appeal or civil action brought under this section, the Secretary shall have the burden of proof—

''(1) of demonstrating, by a preponderance of the evidence, the validity of the grounds for a reassumption under subsection (b); and

''(2) of clearly demonstrating the validity of the grounds for rejecting a final offer made under subsection (c).

''(e) GOOD FAITH.—

''(1) IN GENERAL.—In the negotiation of compacts and funding agreements, the Secretary shall at all times negotiate in good faith to maximize implementation of the self-governance policy.

''(2) POLICY.—The Secretary shall carry out this title in a manner that maximizes the policy of tribal self-governance.

''(f) SAVINGS.—

''(1) IN GENERAL.—To the extent that programs carried out for the benefit of Indian tribes and tribal organizations under this title reduce the administrative or other responsibilities of the Secretary with respect to the operation of Indian programs and result in savings that have not otherwise been included in the amount of tribal shares and other funds determined under section 408(c), except for funding agreements entered into for programs under section 403(c), the Secretary shall make such savings available to the Indian tribes or tribal organizations for the provision of additional services to program beneficiaries in a manner equitable to directly served, contracted, and compacted programs.

''(2) DISCRETIONARY PROGRAMS OF SPECIAL SIGNIFICANCE.—For any savings generated as a result of the assumption of a program by an Indian tribe under section 403(c), such savings shall be made available to that Indian tribe.

''(g) TRUST RESPONSIBILITY.—The Secretary may not waive, modify, or diminish in any way the trust responsibility of the United States with respect to Indian tribes and individual Indians that exists under treaties, Executive orders, other laws, or court decisions.

''(h) DECISIONMAKER.—A decision that constitutes final agency action and relates to an appeal within the Department conducted under subsection (c)(4) may be made by—

''(1) an official of the Department who holds a position at a higher organizational level within the Department than the level of the departmental agency in which the decision that is the subject of the appeal was made; or

''(2) an administrative law judge.

''(i) RULES OF CONSTRUCTION.—Subject to section 202 of the Department of the Interior Tribal Self-Governance Act of 2015, each provision of this title and each provision of a compact or funding agreement shall be liberally construed for the benefit of the Indian tribe participating in self-governance, and any ambiguity shall be resolved in favor of the Indian tribe.

"SEC. 407. CONSTRUCTION PROGRAMS AND PROJECTS.

''(a) IN GENERAL.—Indian tribes participating in tribal self-governance may carry out construction projects under this title.

''(b) TRIBAL OPTION TO CARRY OUT CERTAIN FEDERAL ENVIRONMENTAL ACTIVITIES.—In carrying out a construction project under this title, an Indian tribe may, subject to the agreement of the Secretary, elect to assume some Federal responsibilities under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.), the National Historic Preservation Act (16 U.S.C. 470 et seq.), and related provisions of law and regulations that would apply if the Secretary were to undertake a construction project, by adopting a resolution—

''(1) designating a certifying tribal officer to represent the Indian tribe and to assume the status of a responsible Federal official under those Acts or regulations; and

''(2) accepting the jurisdiction of the United States courts for the purpose of enforcing the responsibilities of the certifying tribal officer assuming the status of a responsible Federal official under those Acts or regulations.

''(c) SAVINGS CLAUSE.—Notwithstanding subsection (b), nothing in this section authorizes the Secretary to include in any compact or funding agreement duties of the Secretary under the National Environmental Policy Act (42 U.S.C. 4321 et seq.), the National Historic Preservation Act (16 U.S.C. 470 et seq.), and other related provisions of law that are inherent Federal functions.

''(d) CODES AND STANDARDS.—In carrying out a construction project under this title, an Indian tribe shall—

''(1) adhere to applicable Federal, State, local, and tribal building codes, architectural and engineering standards, and applicable Federal guidelines regarding design, space, and operational standards, appropriate for the particular project; and

''(2) use only architects and engineers who—

''(A) are licensed to practice in the State in which the facility will be built; and

''(B) certify that—

''(i) they are qualified to perform the work required by the specific construction involved; and

''(ii) upon completion of design, the plans and specifications meet or exceed the applicable construction and safety codes.

''(e) TRIBAL ACCOUNTABILITY.—

''(1) IN GENERAL.—In carrying out a construction project under this title, an Indian tribe shall assume responsibility for the successful completion of the construction project and of a facility that is usable for the purpose for which the Indian tribe received funding.

''(2) REQUIREMENTS.—For each construction project carried out by an Indian tribe under this title, the Indian tribe and the Secretary shall negotiate a provision to be included in the funding agreement that identifies—

''(A) the approximate start and completion dates for the project, which may extend over a period of one or more years;

''(B) a general description of the project, including the scope of work, references to design criteria, and other terms and conditions;

''(C) the responsibilities of the Indian tribe and the Secretary for the project;

''(D) how project-related environmental considerations will be addressed;

''(E) the amount of funds provided for the project;

''(F) the obligations of the Indian tribe to comply with the codes referenced in subsection (d)(1) and applicable Federal laws and regulations;

''(G) the agreement of the parties over who will bear any additional costs necessary to meet changes in scope, or errors or omissions in design and construction; and

''(H) the agreement of the Secretary to issue a certificate of occupancy, if requested by the Indian tribe, based upon the review and verification by the Secretary, to the satisfaction of the Secretary, that the Indian tribe has secured upon completion the review and approval of the plans and specifications, sufficiency of design, life safety, and code compliance by qualified, licensed, and independent architects and engineers.

''(f) FUNDING.—

''(1) IN GENERAL.—Funding appropriated for construction projects carried out under this title shall be included in funding agreements as annual or semiannual advance payments at the option of the Indian tribe.

''(2) ADVANCE PAYMENTS.—The Secretary shall include all associated project contingency funds with each advance payment, and the Indian tribe shall be responsible for the management of such contingency funds.

''(g) NEGOTIATIONS.—At the option of the Indian tribe, construction project funding proposals shall be negotiated pursuant to the statutory process in section 105, and any resulting construction project agreement shall be incorporated into the funding agreement as addenda.

''(h) FEDERAL REVIEW AND VERIFICATION.—

''(1) IN GENERAL.—On a schedule negotiated by the Secretary and the Indian tribe—

''(A) the Secretary shall review and verify, to the satisfaction of the Secretary, that project planning and design documents prepared by the Indian tribe in advance of initial construction are in conformity with the obligations of the Indian tribe under subsection (d); and

''(B) before the project planning and design documents are implemented, the Secretary shall review and verify to the satisfaction of the Secretary that subsequent document amendments which result in a significant change in construction are in conformity with the obligations of the Indian tribe under subsection (d).

''(2) REPORTS.—The Indian tribe shall provide the Secretary with project progress and financial reports not less than semiannually.

''(3) OVERSIGHT VISITS.—The Secretary may conduct onsite project oversight visits semiannually or on an alternate schedule agreed to by the Secretary and the Indian tribe.

''(i) APPLICATION OF OTHER LAWS.—Unless otherwise agreed to by the Indian tribe and except as otherwise provided in this Act, no provision of the Office of Federal Procurement Policy Act (41 U.S.C. 401 et seq.), the Federal Acquisition Regulations issued pursuant to that Act, or any other law or regulation pertaining to Federal procurement (including Executive orders) shall apply to any construction program or project carried out under this title.

''(j) FUTURE FUNDING.—Upon completion of a facility constructed under this title, the Secretary shall include the facility among those eligible for annual operation and maintenance funding support comparable to that provided for similar facilities funded by the Department as annual appropriations are available and to the extent that the facility size and complexity and other factors do not exceed the funding formula criteria for comparable buildings.

''(k) APPLICABILITY.—Notwithstanding any other provision of this section, section 202 of the Department of the Interior Tribal Self-Governance Act of 2015 applies to subsections (a) through (j).

''SEC. 408. PAYMENT.

''(a) IN GENERAL.—At the request of the governing body of an Indian tribe and under the terms of an applicable funding agreement, the Secretary shall provide funding to the Indian tribe to carry out the funding agreement.

''(b) ADVANCE ANNUAL PAYMENT.—At the option of the Indian tribe, a funding agreement shall provide for an advance annual payment to an Indian tribe.

''(c) AMOUNT.—

''(1) IN GENERAL.—Subject to subsection (e) and sections 403 and 405, the Secretary shall provide funds to the Indian tribe under a funding agreement for programs in an amount that is equal to the amount that the Indian tribe would have been entitled to receive under contracts and grants under this Act (including amounts for direct program and contract support costs and, in addition, any funds that are specifically or functionally related to the provision by the Secretary of services and benefits to the Indian tribe or its members) without regard to the organization level within the Department at which the programs are carried out.

''(2) SAVINGS CLAUSE.—Nothing in this section reduces programs, services, or funds of, or provided to, another Indian tribe.

''(d) TIMING.—

''(1) IN GENERAL.—Pursuant to the terms of any compact or funding agreement entered into under this title, the Secretary shall transfer to the Indian tribe all funds provided for in the funding agreement, pursuant to subsection (c), and provide funding for periods covered by joint resolution adopted by Congress making continuing appropriations, to the extent permitted by such resolution.

''(2) TRANSFERS.—Not later than 1 year after the date of enactment of the Department of the Interior Tribal Self-Governance Act of 2015, in any instance in which a funding agreement requires an annual transfer of funding to be made at the beginning of a fiscal year or requires semiannual or other periodic transfers of funding to be made commencing at the beginning of a fiscal year, the first such transfer shall be made not later than 10 days after the apportionment of such funds by the Office of Management and Budget to the Department, unless the funding agreement provides otherwise.

''(e) AVAILABILITY.—Funds for trust services to individual Indians shall be available under a funding agreement only to the extent that the same services that would have been provided by the Secretary are provided to individual Indians by the Indian tribe.

''(f) MULTIYEAR FUNDING.—A funding agreement may provide for multiyear funding.

''(g) LIMITATIONS ON AUTHORITY OF THE SECRETARY.—The Secretary shall not—

''(1) fail to transfer to an Indian tribe its full share of any central, headquarters, regional, area, or service unit office or other funds due under this title for programs eligible under paragraph (1) or (2) of section 403(b), except as required by Federal law;

''(2) withhold any portion of such funds for transfer over a period of years; or

''(3) reduce the amount of funds required under this title—

''(A) to make funding available for self-governance monitoring or administration by the Secretary;

''(B) in subsequent years, except as necessary as a result of—

''(i) a reduction in appropriations from the previous fiscal year for the program to be included in a compact or funding agreement;

''(ii) a congressional directive in legislation or an accompanying report;

''(iii) a tribal authorization;

''(iv) a change in the amount of pass-through funds subject to the terms of the funding agreement; or

''(v) completion of an activity under a program for which the funds were provided;

''(C) to pay for Federal functions, including—

''(i) Federal pay costs;

''(ii) Federal employee retirement benefits;

''(iii) automated data processing;

''(iv) technical assistance; and

''(v) monitoring of activities under this title; or

''(D) to pay for costs of Federal personnel displaced by self-determination contracts under this Act or self-governance under this title.

''(h) FEDERAL RESOURCES.—If an Indian tribe elects to carry out a compact or funding agreement with the use of Federal personnel, Federal supplies (including supplies available from Federal warehouse facilities), Federal supply sources (including lodging, airline transportation, and other means of transportation, including the use of interagency motor pool vehicles), or other Federal resources (including supplies, services, and resources available to the Secretary under any procurement contracts in which the Department is eligible to participate), the Secretary shall, as soon as practicable, acquire and transfer such personnel, supplies, or resources to the Indian tribe under this title.

''(i) PROMPT PAYMENT ACT.—Chapter 39 of title 31, United States Code, shall apply to the transfer of funds due under a compact or funding agreement authorized under this title.

''(j) INTEREST OR OTHER INCOME.—

''(1) IN GENERAL.—An Indian tribe may retain interest or income earned on any funds paid under a compact or funding agreement to carry out governmental purposes.

''(2) NO EFFECT ON OTHER AMOUNTS.—The retention of interest or income under paragraph (1) shall not diminish the amount of funds an Indian tribe is entitled to receive under a funding agreement in the year the interest or income is earned or in any subsequent fiscal year.

''(3) INVESTMENT STANDARD.—Funds transferred under this title shall be managed by the Indian tribe using the prudent investment standard, provided that the Secretary shall not be liable for any investment losses of funds managed by the Indian tribe that are not otherwise guaranteed or insured by the Federal Government.

''(k) CARRYOVER OF FUNDS.—

''(1) IN GENERAL.—Notwithstanding any provision of an appropriations Act, all funds paid to an Indian tribe in accordance with a compact or funding agreement shall remain available until expended.

''(2) EFFECT OF CARRYOVER.—If an Indian tribe elects to carry over funding from 1 year to the next, the carryover shall not diminish the amount of funds the Indian tribe is entitled to receive under a funding agreement in that fiscal year or any subsequent fiscal year.

''(l) LIMITATION OF COSTS.—

''(1) IN GENERAL.—An Indian tribe shall not be obligated to continue performance that requires an expenditure of funds in excess of the amount of funds transferred under a compact or funding agreement.

''(2) NOTICE OF INSUFFICIENCY.—If at any time the Indian tribe has reason to believe that the total amount provided for a specific activity under a compact or funding agreement is insufficient, the Indian tribe shall provide reasonable notice of such insufficiency to the Secretary.

''(3) SUSPENSION OF PERFORMANCE.—If, after notice under paragraph (2), the Secretary does not increase the amount of funds transferred under the funding agreement, the Indian tribe may suspend performance of the activity until such time as additional funds are transferred.

''(4) SAVINGS CLAUSE.—Nothing in this section reduces any programs, services, or funds of, or provided to, another Indian tribe.

''(m) DISTRIBUTION OF FUNDS.—The Office of Self-Governance shall be responsible for distribution of all Bureau of Indian Affairs funds provided under this title unless otherwise agreed by the parties to an applicable funding agreement.

''(n) APPLICABILITY.—Notwithstanding any other provision of this section, section 202 of the Department of the Interior Tribal Self-Governance Act of 2015 applies to subsections (a) through (m).

''SEC. 409. FACILITATION.

''(a) IN GENERAL.—Except as otherwise provided by law (including section 202 of the Department of the Interior Tribal Self-Governance Act of 2015), the Secretary shall interpret each Federal law and regulation in a manner that facilitates—

''(1) the inclusion of programs in funding agreements; and

''(2) the implementation of funding agreements.

''(b) REGULATION WAIVER.—

''(1) REQUEST.—An Indian tribe may submit to the Secretary a written request for a waiver of applicability of a Federal regulation, including—

''(A) an identification of the specific text in the regulation sought to be waived; and

''(B) the basis for the request.

''(2) DETERMINATION BY THE SECRETARY.—Not later than 120 days after receipt by the Secretary and the designated officials under paragraph (4) of a request under paragraph (1), the Secretary shall approve or deny the requested waiver in writing to the Indian tribe.

''(3) EXTENSIONS.—The deadline described in paragraph (2) may be extended for any length of time, as agreed upon by both the Indian tribe and the Secretary.

''(4) DESIGNATED OFFICIALS.—The Secretary shall designate one or more appropriate officials in the Department to receive a copy of the waiver request described in paragraph (1).

''(5) GROUNDS FOR DENIAL.—The Secretary may deny a request under paragraph (1)—

''(A) for a program eligible under paragraph (1) or (2) of section 403(b), only upon a specific finding by the Secretary that the identified text in the regulation may not be waived because such a waiver is prohibited by Federal law; and

''(B) for a program eligible under section 403(c), upon a specific finding by the Secretary that the waiver is prohibited by Federal law or is inconsistent with the express provisions of the funding agreement.

''(6) FAILURE TO MAKE DETERMINATION.—If the Secretary fails to approve or deny a waiver request within the period required under paragraph (2), the Secretary shall be deemed to have approved the request.

''(7) FINALITY.—A decision of the Secretary under this section shall be final for the Department.

''SEC. 410. DISCLAIMERS.

''Nothing in this title expands or alters any statutory authority of the Secretary in a manner that authorizes the Secretary to enter into any agreement under section 403—

''(1) with respect to an inherent Federal function;

''(2) in a case in which the law establishing a program explicitly prohibits the type of participation sought by the Indian tribe (without regard to whether one or more Indian tribes are identified in the authorizing law); or

''(3) that limits or reduces in any way the services, contracts, or funds that any other Indian tribe or tribal organization is eligible to receive under section 102 or any other applicable Federal law.

''SEC. 411. DISCRETIONARY APPLICATION OF OTHER SECTIONS.

''(a) IN GENERAL.—Except as otherwise provided in section 101(c), at the option of a participating Indian tribe or Indian tribes, any of the provisions of title I may be incorporated in any compact or funding agreement under this title.

''(b) EFFECT.—Each incorporated provision under subsection (a) shall—

''(1) have the same force and effect as if set out in full in this title;

''(2) supplement or replace any related provision in this title; and

''(3) apply to any agency otherwise governed by this title.

''(c) EFFECTIVE DATE.—If an Indian tribe requests incorporation at the negotiation stage of a compact or funding agreement, the incorporation shall—

''(1) be effective immediately; and

''(2) control the negotiation and resulting compact and funding agreement.

''SEC. 412. ANNUAL BUDGET LIST.

''The Secretary shall list, in the annual budget request submitted to Congress under section 1105 of title 31, United States Code, any funds proposed to be included in funding agreements authorized under this Act.

''SEC. 413. REPORTS.

''(a) IN GENERAL.—

''(1) REQUIREMENT.—On January 1 of each year, the Secretary shall submit to Congress a report regarding the administration of this title.

''(2) ANALYSIS.—Any Indian tribe may submit to the Office of Self-Governance and to the appropriate Committees of Congress a detailed annual analysis of unmet tribal needs for funding agreements under this title.

''(b) CONTENTS.—The report under subsection (a)(1) shall—

''(1) be compiled from information contained in funding agreements, annual audit reports, and data of the Secretary regarding the disposition of Federal funds;

''(2) identify—

''(A) the relative costs and benefits of self-governance;

''(B) with particularity, all funds that are specifically or functionally related to the provision by the Secretary of services and benefits to self-governance Indian tribes and members of Indian tribes;

''(C) the funds transferred to each Indian tribe and the corresponding reduction in the Federal employees and workload; and

''(D) the funding formula for individual tribal shares of all Central Office funds, together with the comments of affected Indian tribes, developed under subsection (d);

''(3) before being submitted to Congress, be distributed to the Indian tribes for comment (with a comment period of no less than 30 days);

''(4) include the separate views and comments of each Indian tribe or tribal organization; and

''(5) include a list of—

''(A) all such programs that the Secretary determines, in consultation with Indian tribes participating in self-governance, are eligible for negotiation to be included in a funding agreement at the request of a participating Indian tribe; and

''(B) all such programs which Indian tribes have formally requested to include in a funding agreement under section 403(c) due to the special geographic, historical, or cultural significance of the program to the Indian tribe, indicating whether each request was granted or denied, and stating the grounds for any denial.

''(c) REPORT ON NON-BIA, NON-OST PROGRAMS.—

''(1) IN GENERAL.—In order to optimize opportunities for including non-Bureau of Indian Affairs and non-Office of Special Trustee programs in agreements with Indian

tribes participating in self-governance under this title, the Secretary shall review all programs administered by the Department, other than through the Bureau of Indian Affairs or Office of the Special Trustee, without regard to the agency or office concerned.

''(2) PROGRAMMATIC TARGETS.—The Secretary shall establish programmatic targets, after consultation with Indian tribes participating in self-governance, to encourage bureaus of the Department to ensure that an appropriate portion of those programs are available to be included in funding agreements.

''(3) PUBLICATION.—The lists under subsection (b)(5) and targets under paragraph (2) shall be published in the Federal Register and made available to any Indian tribe participating in self-governance.

''(4) ANNUAL REVIEW.—

''(A) IN GENERAL.—The Secretary shall annually review and publish in the Federal Register, after consultation with Indian tribes participating in self-governance, revised lists and programmatic targets.

''(B) CONTENTS.—In preparing the revised lists and programmatic targets, the Secretary shall consider all programs that were eligible for contracting in the original list published in the Federal Register in 1995, except for programs specifically determined not to be contractible as a matter of law.

''(d) REPORT ON CENTRAL OFFICE FUNDS.—Not later than January 1, 2016, the Secretary shall, in consultation with Indian tribes, develop a funding formula to determine the individual tribal share of funds controlled by the Central Office of the Bureau of Indian Affairs and the Office of the Special Trustee for inclusion in the compacts.

''SEC. 414. REGULATIONS.

''(a) IN GENERAL.—

''(1) PROMULGATION.—Not later than 90 days after the date of enactment of the Department of the Interior Tribal Self-Governance Act of 2015, the Secretary shall initiate procedures under subchapter III of chapter 5 of title 5, United States Code, to negotiate and promulgate such regulations as are necessary to carry out this title.

''(2) PUBLICATION OF PROPOSED REGULATIONS.—Proposed regulations to implement this title shall be published in the Federal Register not later than 21 months after the date of enactment of the Department of the Interior Tribal Self-Governance Act of 2015.

''(3) EXPIRATION OF AUTHORITY.—The authority to promulgate regulations under paragraph (1) shall expire on the date that is 30 months after the date of enactment of the Department of the Interior Tribal Self-Governance Act of 2015.

''(b) COMMITTEE.—

''(1) MEMBERSHIP.—A negotiated rulemaking committee established pursuant to section 565 of title 5, United States Code, to carry out this section shall have as its members only representatives of the Federal Government and tribal government.

''(2) LEAD AGENCY.—Among the Federal representatives described in paragraph (1), the Office of Self-Governance shall be the lead agency for the Department.

''(c) ADAPTATION OF PROCEDURES.—The Secretary shall adapt the negotiated rulemaking procedures to the unique context of self-governance and the government-to-government relationship between the United States and Indian tribes.

''(d) EFFECT.—

''(1) REPEAL.—The Secretary may repeal any regulation that is inconsistent with this Act.

''(2) CONFLICTING PROVISIONS.—Subject to section 202 of the Department of the Interior Tribal Self-Governance Act of 2015, this title shall supersede any conflicting provision of law (including any conflicting regulations).

''(3) EFFECTIVENESS WITHOUT REGARD TO REGULATIONS.—The lack of promulgated regulations on an issue shall not limit the effect or implementation of this title.

''SEC. 415. EFFECT OF CIRCULARS, POLICIES, MANUALS, GUIDANCE, AND RULES.

''Unless expressly agreed to by a participating Indian tribe in a compact or funding agreement, the participating Indian tribe shall not be subject to any agency circular, policy, manual, guidance, or rule adopted by the Department, except for—

''(1) the eligibility provisions of section 105(g); and

''(2) regulations promulgated pursuant to section 414.

''SEC. 416. APPEALS.

''Except as provided in section 406(d), in any administrative action, appeal, or civil action for judicial review of any decision made by the Secretary under this title, the Secretary shall have the burden of proof of demonstrating by a preponderance of the evidence—

''(1) the validity of the grounds for the decision; and

''(2) the consistency of the decision with the requirements and policies of this title.

''SEC. 417. APPLICATION OF OTHER PROVISIONS.

''Section 314 of the Department of the Interior and Related Agencies Appropriations Act, 1991 (Public Law 101–512; 104 Stat. 1959), shall apply to compacts and funding agreements entered into under this title.

''SEC. 418. AUTHORIZATION OF APPROPRIATIONS.

''There are authorized to be appropriated such sums as are necessary to carry out this title.''.

SEC. 202. EFFECT OF CERTAIN PROVISIONS.

(a) DEFINITIONS.—In this section:

(1) FUNDING AGREEMENT.—The term ''funding agreement'' means a funding agreement entered into under section 403 of the ISDEAA (25 U.S.C. 458cc).

(2) ISDEAA.—The term ''ISDEAA'' means the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450 et seq.).

(3) NON-BIA PROGRAM.—The term ''non-BIA program'' means all or a portion of a program, function, service, or activity that is administered by any bureau, service, office, or agency of the Department of the Interior other than through—

(A) the Bureau of Indian Affairs;

(B) the Office of the Assistant Secretary for Indian Affairs; or

(C) the Office of the Special Trustee for American Indians.

(4) SECRETARY.—The term ''Secretary'' means the Secretary of the Interior.

(5) SELF-DETERMINATION CONTRACT.—The term ''self-determination contract'' means a self-determination contract entered into under section 102 of the ISDEAA (25 U.S.C. 450f).

(6) TRIBAL WATER RIGHTS SETTLEMENT.—The term ''tribal water rights settlement'' means any settlement, compact, or other agreement expressly ratified or approved by an Act of Congress that—

(A) includes an Indian tribe and the United States as parties; and

(B) quantifies or otherwise defines any water right of the Indian tribe.

(b) EFFECT OF PROVISIONS.—Nothing in this Act—

(1) modifies, limits, expands, or otherwise affects—

(A) the authority of the Secretary, as provided for under the ISDEAA on the day before the date of enactment of this Act, to include any non-BIA program in a self-determination contract under section 102(a)(1)(E) of the ISDEAA (25 U.S.C. 450f(a)(1)(E)) or a funding agreement under section 403(b)(2) or 403(c) of the ISDEAA (25 U.S.C. 458cc(b)(2), 458cc(c)); or

(B) the implementation of any contract or agreement described in subparagraph (A) that is in effect on the day before the date of enactment of this Act;

(2) modifies or otherwise affects the meaning, application, or effect of any provision of law that—

(A) is not contained in the ISDEAA; and

(B) expressly authorizes or prohibits contracting or compacting under title I or title IV of the ISDEAA with respect to a specific program or project that is identified or otherwise referred to in that provision of law;

(3) modifies or otherwise affects the meaning, application, or effect of, or the performance required of a party to, or any payment or funding under a tribal water rights settlement; or

(4) authorizes any self-determination contract or funding agreement that contains one or more provisions that are inconsistent with the terms of a tribal water rights settlement.

SA 1472. Mr. VITTER submitted an amendment intended to be proposed to amendment SA 1463 submitted by Mr. MCCAIN and intended to be proposed to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle E of title VIII, add the following:

SEC. 884. EXCEPTION FOR ABILITYONE GOODS FROM AUTHORITY TO ACQUIRE GOODS AND SERVICES MANUFACTURED IN AFGHANISTAN, CENTRAL ASIAN STATES, AND DJIBOUTI.

(a) EXCLUSION OF CERTAIN ITEMS NOT MANUFACTURED IN AFGHANISTAN.—Section 886 of the National Defense Authorization Act for Fiscal Year 2008 (10 U.S.C. 2302 note) is amended—

(1) in subsection (a), by inserting ''and except as provided in subsection (d),'' after ''subsection (b),''; and

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

''(d) EXCLUSION OF ITEMS ON THE ABILITYONE PROCUREMENT CATALOG.—The requirements of this section shall not apply to any good that is contained in the procurement catalog described in section 8503(a) of title 41.''.

(b) EXCLUSION OF CERTAIN ITEMS NOT MANUFACTURED IN CENTRAL ASIAN STATES.—Section 801 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84; 123 Stat. 2399) is amended—

(1) in subsection (a), by inserting ''and except as provided in subsection (h),'' after ''subsection (b),''; and

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

''(h) EXCLUSION OF ITEMS ON THE ABILITYONE PROCUREMENT CATALOG.—The requirements of this section shall not apply to any good that is contained in the procurement catalog described in section 8503(a) of title 41.''.

(c) EXCLUSION OF CERTAIN ITEMS NOT MANUFACTURED IN DJIBOUTI.—Section 1263 of the Carl Levin and Howard P. ''Buck'' McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113–291; 128 Stat. 3581) is amended—

(1) in subsection (b), by inserting ''and except as provided in subsection (g),'' after ''subsection (c),''; and

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

''(g) EXCLUSION OF ITEMS ON THE ABILITYONE PROCUREMENT CATALOG.—The requirements of this section shall not apply to any good that is contained in the procurement catalog described in section 8503(a) of title 41.''.

SA 1473. Mr. VITTER submitted an amendment intended to be proposed to amendment SA 1463 submitted by Mr. MCCAIN and intended to be proposed to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

On page 38, line 12, insert after ''**FIGHTER AIRCRAFT**'' the following: ''**AND ARMY COMBAT UNITS**''.

On page 43, between lines 3 and 4, insert the following:

(e) MINIMUM NUMBER OF ARMY BRIGADE COMBAT TEAMS.—Section 3062 of title 10, United States Code, is amended by adding at the end the following new subsection:

''(e)(1) Effective October 1, 2015, the Secretary of the Army shall maintain a total number of brigade combat teams for the regular and reserve components of the Army of not fewer than 32 brigade combat teams.

''(2) In this subsection, the term ' brigade combat team' means any unit that consists of—

''(A) an arms branch maneuver brigade;

''(B) its assigned support units; and

''(C) its assigned fire teams''.

(f) LIMITATION ON ELIMINATION OF ARMY BRIGADE COMBAT TEAMS.—

(1) LIMITATION.—The Secretary of the Army may not proceed with any decision to reduce the number of brigade combat teams for the regular Army to fewer than 32 brigade combat teams.

(2) ADDITIONAL LIMITATION ON RETIREMENT.—The Secretary may not eliminate any brigade combat team from the brigade combat teams of the regular Army as of the date of the enactment of this Act until the later of the following:

(A) The date that is 30 days after the date on which the Secretary submits the report required under paragraph (3).

(B) The date that is 30 days after the date on which the Secretary certifies to the congressional defense committees that—

(i) the elimination of Army brigade combat teams will not increase the operational risk of meeting the National Defense Strategy; and

(ii) the reduction of such combat teams does not reduce the total number of brigade combat teams of the Army to fewer than 32 brigade combat teams.

(3) REPORT ON ELIMINATION OF BRIGADE COMBAT TEAMS.—The Secretary shall submit to the congressional defense committees a report setting forth the following:

(A) The rationale for any proposed reduction of the total strength of the Army, including the National Guard and Reserves, below the strength provided in subsection (e) of section 3062 of title 10, United States Code (as amended by subsection (e) of this section), and an operational analysis of the total strength of the Army that demonstrates performance of the designated mission at an equal or greater level of effectiveness as the personnel of the Army so reduced.

(B) An assessment of the implications for the Army, the Army National Guard of the United States, and the Army Reserve of the force mix ratio of Army troop strengths and combat units after such reduction.

(C) Such other matters relating to the reduction of the total strength of the Army as the Secretary considers appropriate.

(g) ADDITIONAL REPORTS.—

(1) IN GENERAL.—At least 90 days before the date on which the total strength of the Army, including the National Guard and Reserves, is reduced below the strength provided in subsection (e) of section 3062 of title 10, United States Code (as amended by subsection (e) of this section), the Secretary of the Army, in consultation with (where applicable) the Director of the Army National Guard or Chief of the Army Reserve, shall submit to the congressional defense committees a report on the reduction.

(2) ELEMENTS.—Each report submitted under paragraph (1) shall include the following:

(A) A list of each major combat unit of the Army that will remain after the reduction, organized by division and enumerated down to the brigade combat team-level or its equivalent, including for each such brigade combat team—

(i) the mission it is assigned to; and

(ii) the assigned unit and military installation where it is based.

(B) A list of each brigade combat team proposed for disestablishment, including for each such unit—

(i) the mission it is assigned to; and

(ii) the assigned unit and military installation where it is based.

(C) A list of each unit affected by a proposed disestablishment listed under subparagraph (B) and a description of how such unit is affected.

(D) For each military installation and unit listed under subparagraph (B)(ii), a description of changes, if any, to the designed operational capability (DOC) statement of the unit as a result of a proposed disestablishment.

(E) A description of any anticipated changes in manpower authorizations as a result of a proposed disestablishment listed under subparagraph (B).

SA 1474. Mr. COONS submitted an amendment intended to be proposed to amendment SA 1463 submitted by Mr. MCCAIN and intended to be proposed to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

Strike section 1204 and insert the following:

SEC. 1204. PERMANENCE AND MODIFICATION OF AUTHORITIES RELATING TO NATIONAL GUARD STATE PARTNERSHIP PROGRAM.

(a) AUTHORITY.—Subsection (a)(1) of section 1205 of the National Defense Authorization Act for Fiscal Year 2014 (Public Law 113–66; 127 Stat. 897; 32 U.S.C. 107 note) is amended by adding at the end before the period the following: ''to support the national interests and security cooperation goals and objectives of the United States, including applicable policy and guidelines for United States security sector assistance''.

(b) LIMITATION.—Subsection (b) of such section is amended by inserting ''that is not'' after ''an activity that the Secretary of Defense determines is a matter''.

(c) PROCEDURES.—Such section, as so amended, is further amended—

(1) by redesignating subsections (c) through (g) as subsections (d) through (h), respectively; and

(2) by inserting after subsection (b) the following:

''(c) PROCEDURES.—

''(1) IN GENERAL.—The Chief of the National Guard Bureau shall—

''(A) establish, maintain, and update as appropriate a list of core competencies to support each program established under subsection (a), collectively and for each State and territory, and shall submit for approval to the Secretary of Defense the list of core competencies and additional information needed to make use of such core competencies; and

''(B) designate a director for each State and territory who shall be responsible for the coordination of activities under a program established under subsection (a) for such State or territory and reporting on activities under the program.

''(2) MILITARY-TO-CIVILIAN CORE COMPETENCIES.—The Secretary of Defense, with the concurrence of the Secretary of State, may conduct an activity under a program established under subsection (a) relating to military-to-civilian core competencies.''.

(d) NATIONAL GUARD STATE PARTNERSHIP PROGRAM FUND.—Subsection (e) of such section (as redesignated) is amended by adding at the end the following:

''(3) NATIONAL GUARD STATE PARTNERSHIP PROGRAM FUND.—

''(A) ESTABLISHMENT.—

''(i) BOOKS OF DOD.—Except as provided in clause (ii), the Secretary of Defense shall establish on the books of the Department of Defense a National Guard State Partnership Program Fund.

''(ii) BOOKS OF TREASURY.—If not later than February 1, 2016, the Secretary determines and reports to the appropriate congressional committees that in the opinion of the Secretary a fund such as the Fund described in clause (i) should be established on the books of the Department of the Treasury, the Secretary of the Treasury shall establish on the books of the Treasury on that date a Fund to be known as the National Guard State Partnership Program Fund.

''(B) CREDITS.—In administering the Fund established under subparagraph (A), the Secretary shall, to the extent the Secretary determines it to be appropriate, provide for the following amounts to be credited to the Fund:

''(i) Amounts authorized and appropriated to carry out operations under this section.

''(ii) Amounts that the Secretary of Defense transfers, in such amounts as provided in appropriations Acts, to the Fund from amounts authorized and appropriated to the Department of Defense, including amounts

authorized to be appropriated for the Army National Guard and the Air National Guard.

''(C) INCLUSION IN ANNUAL BUDGET.—The President shall include the Fund established under subparagraph (A) in the budget that the President submits to Congress under section 1105(a) of title 31, United States Code, for each fiscal year in which the authority under subsection (a) is in effect.''.

(e) ANNUAL REPORT.—Paragraph (2)(B) of subsection (f) of such section (as redesignated) is amended—

(1) in clause (iii), by inserting ''or other government organizations'' after ''and security forces'';

(2) in clause (iv), by adding at the end before the period the following: ''and country'';

(3) in clause (v), by striking ''training'' and inserting ''activities''; and

(4) by adding at the end the following:

''(vi) An assessment of the extent to which the activities conducted during the previous year met the objectives described in clause (v).

''(vii) The list of core competencies required by subsection (c)(1) and any update to any changes to the list of core competencies required by subsection (c)(1).''.

(f) DEFINITIONS.—Subsection (h) of such section (as redesignated) is amended—

(1) in paragraph (1), by striking subparagraphs (A) and (B) and inserting the following:

''(A) the congressional defense committees; and

''(B) the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives.'';

(2) by redesignating paragraph (2) as paragraph (3);

(3) by inserting after paragraph (1) (as amended) the following:

''(2) CORE COMPETENCIES.—The term 'core competencies' means military-to-military and military-to-civilian skills and capabilities of the National Guard, consistent with the roles and missions of the Armed Forces as established by the Secretary of Defense.''; and

(4) by adding at the end the following:

''(4) STATE.—The term 'State' means each of the several States and the District of Columbia.

''(5) TERRITORY.—The term 'territory' means the Commonwealth of Puerto Rico, Guam, and the Virgin Islands.''.

(g) PERMANENT AUTHORITY.—Such section is further amended by striking subsection (i).

SA 1475. Mr. DONNELLY (for himself, Mr. CRUZ, Mr. BLUNT, and Mr. LEAHY) submitted an amendment intended to be proposed to amendment SA 1463 submitted by Mr. MCCAIN and intended to be proposed to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title XI, add the following:

SEC. 1116. TIERED PREFERENCE ELIGIBILITY FOR MEMBERS OF RESERVE COMPONENTS OF THE ARMED FORCES.

(a) PREFERENCE ELIGIBILITY FOR MEMBERS OF RESERVE COMPONENTS OF THE ARMED FORCES.—Section 2108 of title 5, United States Code, is amended—

(1) in paragraph (3)—

(A) in subparagraph (G)(iii), by striking ''and'' at the end;

(B) in subparagraph (H), by adding ''and'' at the end; and

(C) by inserting after subparagraph (H) the following:

''(I) a qualified reservist;'';

(2) in paragraph (4), by striking ''and'' at the end;

(3) in paragraph (5), by striking the period at the end and inserting a semicolon; and

(4) by adding at the end the following:

''(6) 'qualified reservist' means an individual who is a member of a reserve component of the Armed Forces on the date of the applicable determination—

''(A) who—

''(i) has completed at least 6 years of service in a reserve component of the Armed Forces; and

''(ii) in each year of service in a reserve component of the Armed Forces, was credited with at least 50 points under section 12732 of title 10; or

''(B) who—

''(i) has completed at least 10 years of service in a reserve component of the Armed Forces; and

''(ii) in each year of service in a reserve component of the Armed Forces, was credited with at least 50 points under section 12732 of title 10; and

''(7) 'reserve component of the Armed Forces' means a reserve component specified in section 101(27) of title 38.''.

(b) TIERED HIRING PREFERENCE FOR MEMBERS OF RESERVE COMPONENTS OF THE ARMED FORCES.—Section 3309 of title 5, United States Code, is amended—

(1) in paragraph (1), by striking ''and'' at the end; and

(2) in paragraph (2), by striking the period at the end and inserting a semicolon; and

(3) by adding at the end the following:

''(3) a preference eligible described in section 2108(6)(B) — 3 points; and

''(4) a preference eligible described in section 2108(6)(A) — 2 points.''.

(c) GAO REVIEW.—Not later than 3 years after the date of enactment of this Act, the Comptroller General of the United States shall submit to Congress a report that—

(1) assesses Federal employment opportunities for members of a reserve component of the Armed Forces;

(2) evaluates the impact of the amendments made by this section on the hiring of reservists and veterans by the Federal Government; and

(3) provides recommendations, if any, for strengthening Federal employment opportunities for members of a reserve component of the Armed Forces.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

Mr. CORNYN. Mr. President, I ask unanimous consent that the Committee on Banking, Housing, and Urban Affairs be authorized to meet during the session of the Senate on June 2, 2015, at 10 a.m., to conduct a hearing entitled ''Perspectives on the Export-Import Bank of the United States.''

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

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

Mr. CORNYN. Mr. President, I ask unanimous consent that the Committee on Commerce, Science, and Transportation be authorized to meet during the session of the Senate on June 2, 2015, at 9:30 a.m., in room SR–253 of the Russell Senate Office Building to conduct a Subcommittee hearing entitled ''Lifeline: Improving Accountability and Effectiveness.''

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

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. CORNYN. Mr. President, I ask unanimous consent that the Committee on Energy and Natural Resources be authorized to meet during the session of the Senate on June 2, 2015, at 10 a.m., in room SD–366 of the Dirksen Senate Office building.

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

COMMITTEE ON FINANCE

Mr. CORNYN. Mr. President, I ask unanimous consent that the Committee on Finance be authorized to meet during the session of the Senate on June 2, 2015, at 10 a.m. in room SD–215 of the Dirksen Senate Office Building, to conduct a hearing entitled '' Internal Revenue Service Data Theft Affecting Taxpayer Information.''

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

COMMITTEE ON FOREIGN RELATIONS

Mr. CORNYN. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on June 2, 2015, at 5 p.m., to conduct a hearing entitled ''Understanding Iran's Nuclear Program.''

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

COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

Mr. CORNYN. Mr. President, I ask unanimous consent that the Committee on Homeland Security and Governmental Affairs be authorized to meet during the session of the Senate on June 2, 2015, at 2 p.m., to conduct a hearing entitled ''The IRS Data Breach: Steps to protect Americans' Personal Information.''

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

SELECT COMMITTEE ON INTELLIGENCE

Mr. CORNYN. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on June 2, 2015, at 2:30 p.m.

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

SIGNING AUTHORITY

Mr. MCCONNELL. Mr. President, I ask unanimous consent that during today's session of the Senate, the junior

Senator from Montana be authorized to sign duly enrolled bills or joint resolutions.

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

EXECUTIVE SESSION

NOMINATION OF MICHAEL KEITH YUDIN TO BE ASSISTANT SECRETARY FOR SPECIAL EDUCATION AND REHABILITATIVE SERVICES, DEPARTMENT OF EDUCATION

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to executive session to consider the following nomination: Calendar No. 79; that the Senate proceed to vote without intervening action or debate; that the motion to reconsider be considered made and laid upon the table with no intervening action or debate; that no further motions be in order to the nomination; that any statements related to the nomination be printed in the RECORD; that the President be immediately notified of the Senate's action, and the Senate then resume legislative session.

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

The clerk will report the nomination.

The legislative clerk read the nomination of Michael Keith Yudin, of the District of Columbia, to be Assistant Secretary for Special Education and Rehabilitative Services, Department of Education.

The PRESIDING OFFICER. Is there further debate?

If not, the question is, Will the Senate advise and consent to the nomination of Michael Keith Yudin, of the District of Columbia, to be Assistant Secretary for Special Education and Rehabilitative Services, Department of Education?

The nomination was confirmed.

LEGISLATIVE SESSION

The PRESIDING OFFICER. The Senate will now resume legislative session.

ORDERS FOR WEDNESDAY, JUNE 3, 2015

Mr. MCCONNELL. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 9:30 a.m., Wednesday, June 3; that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, and the time of the two leaders be reserved for their use later in the day; that following leader remarks, the Senate be in a period of morning business until 11 a.m., with Senators permitted to speak therein, and the time be equally divided, with the majority controlling the first half and the minority controlling the final half.

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

ORDER FOR ADJOURNMENT

Mr. MCCONNELL. If there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the previous order, following the remarks of Senator MENENDEZ and Senator MERKLEY.

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

ADJOURNMENT UNTIL 9:30 A.M. TOMORROW

Mr. DAINES. Mr. President, I ask unanimous consent that the Senate stand adjourned under the previous order.

There being no objection, the Senate, at 6:35 p.m., adjourned until Wednesday, June 3, 2015, at 9:30 a.m.

NOMINATIONS

Executive nominations received by the Senate:

DEPARTMENT OF TRANSPORTATION

MARIE THERESE DOMINGUEZ, OF VIRGINIA, TO BE ADMINISTRATOR OF THE PIPELINE AND HAZARDOUS MATERIALS SAFETY ADMINISTRATION, DEPARTMENT OF TRANSPORTATION, VICE CYNTHIA L. QUARTERMAN, RESIGNED.

SARAH ELIZABETH FEINBERG, OF WEST VIRGINIA, TO BE ADMINISTRATOR OF THE FEDERAL RAILROAD ADMINISTRATION, VICE JOSEPH C. SZABO, RESIGNED.

DEPARTMENT OF STATE

ROBERTA S. JACOBSON, OF MARYLAND, A CAREER MEMBER OF THE SENIOR EXECUTIVE SERVICE, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE UNITED MEXICAN STATES.

IN THE AIR FORCE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

LT. GEN. JOHN W. HESTERMAN III

IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be brigadier general

COL. LEELA J. GRAY

THE FOLLOWING ARMY NATIONAL GUARD OF THE UNITED STATES OFFICER FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12211:

To be major general

BRIG. GEN. DONALD B. TATUM

THE FOLLOWING ARMY NATIONAL GUARD OF THE UNITED STATES OFFICER FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12211:

To be major general

BRIG. GEN. TIMOTHY E. GOWEN

IN THE NAVY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be vice admiral

VICE ADM. WILLIAM A. BROWN

IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY UNDER TITLE 10, U.S.C., SECTION 624:

To be colonel

KAREN M. WRANCHER

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY NURSE CORPS UNDER TITLE 10, U.S.C., SECTIONS 624 AND 3064:

To be colonel

SUSAN R. CLOFT

IN THE NAVY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be captain

JACKY P. CHENG

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be captain

CHARLES S. ABBOT
RAFAEL A. ACEVEDO
SEAN R. ANDERSON
BRADLEY J. ANDROS
BRAD L. ARTHUR
SCOTT M. ASACK
KUMAR ATARTHI
ADAM M. AYCOCK
VINCE W. BAKER
JAMES S. BATES II
STEWART L. BATESHANSKY
DAVID E. BAUER
AMY N. BAUERNSCHMIDT
WILLIAM H. BAXTER
BRIAN C. BECKER
ANDREE E. BERGMANN
ANDREW M. BIEHN
BRENT M. BLACKMER
PAUL D. BOWDICH
ERIC J. BOWER
FRANK E. BRANDON
ERIC D. BRAY
PHILIP M. BROCK
TIMOTHY M. BROSNAN
CHRISTOPHER D. BROWN
BRANDON S. BRYAN
ARON F. BUCKLES
DAVID E. BURKE
MATTHEW S. BURTON
BRADLEY W. BUSCH
DANIEL B. CALDWELL
JOHN R. CALLAWAY
GARRETT I. CAMPBELL
DARRELL S. CANADY
MARVIN W. CARLIN II
ANDREW F. CARLSON
JAMES D. CHRISTIE
CHRISTOPHER F. CIGNA
BENEDICT D. CLARK
KYLE J. COLTON
JOHN C. COMPTON
MICHAEL R. CONNER
MARK E. COOPER
JENNIFER S. COUTURE
JOHN C. COWAN
CHRISTOPHER A. COX
RYAN P. CROLEY
WARREN E. CUPPS
MICHAEL B. DAVIES
TRES D. DEHAY
KEVIN H. DELANO
PAUL C. DEMARCELLUS
JERROD E. DEVINE
THOMAS J. DICKINSON
MICHAEL J. DILLENDER
THOMAS J. DIXON
JAKE B. DOUGLAS
RONALD A. DOWDELL
DAVID G. DUFF
JONATHAN C. DUFFY
DAVID S. DULL
JAMES P. DUNN III
MICHAEL L. EGAN
BRIAN P. ELKOWITZ
BRIAN C. ERICKSON
FERMIN ESPINOZA
TODD M. EVANS
DARIN A. EVENSON
DENNIS L. FARRELL
JOSEPH D. FEMINO
TODD A. FIGANBAUM
JOHN A. FISCHER
CHRISTOPHER F. FLAHERTY
STEPHEN A. FLAHERTY
DEREK A. FLECK
DAVID E. FOWLER
BRODY L. FRAILEY
FRANCIS G. FRANKY
JOEY L. FRANTZEN
TODD C. FREISCHLAG
NICKOLAS G. GARCIA
BRENT C. GAUT
JOSEPH L. GEARY
ROBERT E. F. GENTRY
JOSEPH C. GIRARD
TODD S. GLASSER
NOEL D. GONZALEZ

JOHN P. GREENE
JAMES F. HARTMAN
STEPHEN C. HAYES
ROGER D. HEINKEN, JR.
CHAD F. HENNINGS
WILLIAM C. HERRMANN
ANDREW C. HERTEL
TRENTON D. HESSLINK
JOHN W. HEWITT
DANIEL P. HOPKINS
BRIAN S. HORSTMAN
JOHN L. HOWREY
TODD C. HUBER
JAMES E. JACOBS
STEVEN M. JAUREGUIZAR
ROBERT B. JOHNS
DAVID E. KAUFMAN
MATTHEW J. KAWAS
KEVIN M. KENNEDY
CHRISTOPHER A. KIJEK
JONATHAN P. KLINE
BRIAN S. KNOWLES
JOHN N. KOCHENDORFER
JUSTIN A. KUBU
PAUL J. LANZILOTTA
JOSHUA LASKY
ERIC C. LINDFORS
MARCUS LOPEZ
SCOTT C. LUERS
HANS E. LYNCH
DANIEL P. MALATESTA
DONALD W. MARKS
RAYMOND B. MARSH II
MICHAEL A. MARSTON
CRAIG T. MATTINGLY
EARL L. MCDOWELL
LAWRENCE E. MEEHAN
MICHAEL W. MEREDITH
RICHARD M. MEYER
ANDREW S. MILLER
ANDREW T. MILLER
MICHAEL J. MILLER
PHILIP S. MILLER
JON H. MORETTY
MURZBAN F. MORRIS
MARTIN J. MUCKIAN
NICHOLAS A. MUNGAS
WILLIAM J. P. MURPHY
SEAN M. MUTH
DAVID D. NEAL
CHRISTOPHER M. NELSON
MARK A. NICHOLSON
MATTHEW R. NIEDZWIECKI
PETER K. NILSEN
DANIEL A. NOWICKI
MICHAEL B. ODRISCOLL
GERALD R. OLIN II
CHESTER T. PARKS
CHASE D. PATRICK
CHRISTOPHER L. PESILE
ROBERT E. PETERS
ANDREW G. PETERSON III
TRAVIS M. PETZOLDT
PAUL E. PEVERLY
MATTHEW A. PHILLIPS
GELL T. L. PITTMAN III
TIMOTHY J. POE
BARTLEY A. RANDALL
WILLIAM R. REED
LINCOLN M. REIFSTECK
RICHARD G. J. RHINEHART
FRANK A. RHODES IV
MATTHEW S. RICK
JASON E. RIMMER
JOSEPH J. RING
RICHARD A. RIVERA
TRISTAN G. RIZZI
JESUS A. RODRIGUEZ
BRADLEY N. ROSEN
JOSHUA A. SAGER
LUIS E. SANCHEZ, JR.
ANTHONY M. SAUNDERS
MARK A. SCHAFER
JASON J. SCHNEIDER
KEVIN P. SCHULTZ
JOHN M. SEIP
CHRISTOPHER M. SENENKO
ERIC L. SEVERSEIKE
WILLIAM K. SHAFLEY III
BLANE T. SHEARON
THOMAS A. SHEPPARD
WILLIAM R. SHERROD
THOMAS E. SHULTZ
BENJAMIN A. SHUPP
CRAIG C. SICOLA
CLINTON T. SMITH
EDWARD S. SMITH
GABRIEL E. SOLTERO
ERNEST L. SPENCE
LOUIS J. SPRINGER
BRAD L. STALLINGS
CHRISTOPHER D. STONE
BRENT M. STRONG
LANCE E. THOMPSON
JASON P. VELIVLIS
MICHAEL R. VITALI
ALEXIS T. WALKER
WAYNE C. WALL
CHARLOS D. WASHINGTON
MICHAEL J. WEAVER
BRIAN D. WEISS
CHRISTOPHER C. WESTPHAL
TODD E. WHALEN
JENNIFER L. WHEREATT
JENNIFER K. WILDERMAN
CHRISTIAN B. WILLIAMS
CHAD A. WORTHLEY
STACEY W. YOPP
FORREST O. YOUNG
TIMOTHY H. YOUNG
GREGORY M. ZETTLER
DAVID G. ZOOK

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be commander

JOHN J. ANDREW
ANTHONY H. BEASTER
DANIELE BRAHAM
FRANCIS P. BROWN
JAMES M. CARROLL
DANA J. CHAPIN
PATRICK M. COPELAND
JAMES C. DARKENWALD
ADAM J. DIAZ
BRIAN D. DOHERTY
GARTH H. GIMMESTAD
LESTER ISAAC
JASON M. JUERGENS
DEMETRIUS D. MACK
KATHLEEN L. MAHONEY
THOMAS J. MCKEON II
MARK G. MORAN
ROBERT L. MORAN
JAMES D. PAFFENROTH
RICHARD E. SCHMITT
MARCO D. SPIVEY
GENEVIEVE G. UBINA
MARK C. WADSWORTH, JR.

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be commander

DAVID A. BACKER
CARL T. BIGGS
LAWRENCE BRANDON, JR.
JAMES M. CENA
WILLIAM B. CLEVELAND, JR.
CHRISTOPHER T. CLOTFELTER
JOSEPH DARCY
ETHAN R. FIEDEL
FRANKLIN J. GASPERETTI
JONATHAN S. GIBBS
CHRISTOPHER J. HALL
SAMUEL H. HALLOCK
DAVID G. HANTHORN
ROSEMARY M. HARDESTY
WILLIAM E. HARLEY
SHAUN P. HAYES
BRIAN D. HEBERLEY
RICHARD L. HILL
JOSEPH E. KLOPFER
ANDREW M. LAVALLEY
CLINTON T. LAWLER
JOHN A. LUKACS IV
ANDREW F. MAURICE
MARK A. MINTON
JESSE H. NICE
DEREK T. PETERSON
BRIAN E. PHILLIPS
KIAH B. RAHMING
MARK A. SCHUCHMANN
LUIS F. SOCIAS
PAUL L. STENCE, JR.
JASON D. TUTHILL
SCOTT E. WILLIAMS

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be commander

ANTONIO ALEMAR
KYLE N. BOCKEY
JOSHUA E. CALLOWAY
JOSH A. CASSADA
GREGORY M. HARKINS
ELIZABETH A. HERNANDEZ
JERIN T. JAMES
SHAUN P. LYNCH
DANIEL P. MARTIN
BISHER F. MUFTI, JR.
DAVID S. PAXTON
DANIEL C. SHORT
ROGER F. STANTON
JAMES G. THURSTON II
JOHN A. WALSH
JOHN L. YOUNG III

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be commander

LYLE P. AINSWORTH
KEVIN D. BITTLE
ERIC W. EDGE
VICTOR M. FEAL, JR.
CLAYTON B. MASSEY
MARIA C. REYMAN
CLAUDE E. TAYLOR III
JUAN C. VARELA

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be commander

KARIN R. BURZYNSKI
PATRICK L. EVANS
SARAH C. HIGGINS
FRANCISCO E. MAGALLON

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be commander

PAOLO CARCAVALLO, JR.
VINCENT P. CHEN
ROBERT E. EILERS, JR.
JUSTIN D. GOSS
RAJA G. HUSSAIN
JESSICA Y. LIN
DAVID J. MCELYEA, JR.
RAMON L. MEDINA
CONSTANTINE N. PANAYIOTOU
TYLER R. ROSS
HENRY T. SAITO
MATTHEW G. ZUBLIC

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be commander

SHELLEY D. CAPLAN
JACQUELYN C. CROOK
KATHRYN M. HERMSDORFER
BRANDON K. MCWILLIAMS
MARK MURNANE
JEFFREY M. PALMER
SCOTT W. PARKER
FRANK D. PRICE, JR.
MIKE E. SVATEK

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be commander

AUDREY G. ADAMS
DAVID S. BARNES
RICHARD G. BENSING
MARK L. BOGGIS
SCOTT L. CONE
BRIAN CONNETT
ROBERT R. ELLISON III
DOROTHY A. FENTON
ANDREW P. GRABUS
MICHAEL J. HERLANDS
CLAY C. HERRING
LUCAS J. HODGKINS
MISTY D. HODGKINS
JASON B. HOMER
KENNETH W. KEMMERLY, JR.
LEMUEL S. LAWRENCE
MICHAEL J. MCCAFFREY
ZACHARY D. MCKEEHAN
PAUL N. MCKELVEY
DAVID M. MICHALAK
SHELLEE A. MORRIS
MATTHEW S. MORTON
TORIANO A. MURPHY
JOHN J. NELSON
STEVE J. SOLLON
WILLIAM K. TIRRELL
CRAIG A. WIGHTMAN
JOEL A. YATES

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be commander

EUGENE A. ALBIN
EDWIN J. BERRIOSORTIZ
IAN A. BROWN
BOBBY T. CARMICKLE
MATTHEW J. CEGELSKE
MELISSA M. CLARADY
WILFREDO CRUZBAEZ
ERICA DOBBS
CHRISTOPHER J. GOODSON
CHRISTINA M. HICKS
JAIME L. HILL
CHRISTINA HINES
MICAH R. KELLEY
AARON M. LITTLEJOHN
KENNETH J. MAROON
SEAN F. OLONE
OSCAR W. SIMMONS IV
DAVID C. WEST
MICHAEL R. WIDMANN
DANIELLE S. WILLIAMS
KENYA D. WILLIAMSON

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be commander

ALLAN M. BAKER
KARL L. BENDER
JONATHAN V. BERIS
AMANDA M. BORNGEN
ANDREW W. BOYDEN

LISA M. BRENNEN
ERIC T. CASTILLO
TIMOTHY P. CHESSER
ALFRED J. CORKRAN III
MITCHELL H. FINKE
CATALINA L. GASPER
DANIEL C. GRAY
STUART A. GREEN
MEGAN M. HALLINAN
ROBERT J. HAMILTON
MICHAEL A. HUBBARD
ROBERT W. JOHNSTON
JAMES H. KING
DAVID C. LUNDQUIST
YERODIN J. MACK
PETER N. MADSON
WILLIAM H. NESBITT
ANDREW G. PLUMER
JOSIE J. ROSLANSKY
NOEL A. SAWATZKY
REGINA SLAVIN
RYAN C. SMITH
LANCE A. TAYLOR
WILLIAM R. WALSH
BRADLEY J. WALTERMIRE
NICK G. WICKER, JR.
RICHARD M. YEATMAN
DENNIS M. ZOGG

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be commander

ROBERT E. BEATON
ALAN D. BEATY
JOHN F. CLARK
JOSE A. COLON
TRAVIS E. DAVIS
STEVEN J. DWYER
DAVID F. ETHERIDGE
CASSIUS A. FARRELL
JAMES F. FLINT
STEPHEN A. FOLSOM
DEAN A. GAYLE
ALEJANDRO W. GRIFFEN
RONNIE C. HARPER, JR.
MARVIN D. HARRIS
ANTHONY W. HUGHES
COREY D. HURD
MARK J. KAUL
TIMOTHY J. KELLY
MARK A. KENNEDY
JOHN C. LEITNER
RODERICK V. LITTLE
OMAR G. MARTINEZ
CHARLES G. MCDERMOTT
MICHAEL L. MCDONOUGH
JOSEPH T. MORRISON
ROSALIND D. MORRISON
ENRIQUE ORTIGUERRA
MARK A. PABON
ALBIN T. PEARSON
DARRIN P. PITRE
STEPHAN H. POMEROY
DONALD B. PORTER
ROCKY B. PULLEY
MARSHALL G. RIGGALL
ANDREW R. RINCHETTI
ERIC T. RUIZ
RAUL SANTOSPIEVE
ANTHONY D. SCHERMERHORN
GARY M. SHELLEY
JOSEPH L. THOMPSON
RICHARD A. THOUSAND
JAMES T. UNCAPHER
RONALD VIGGIANI, JR.
STEPHEN M. VOSSLER
CLINT J. WAGGONER
JAMES L. WILLETT

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY RESERVE UNDER TITLE 10, U.S.C., SECTION 12203:

To be captain

PAUL T. ANTONY
ROBERT W. BJORAKER
CHARLES G. BRISENO, JR.
STEPHEN W. BURGHER
DANIEL J. COMBS
THOMAS A. DAMATO
WILLIAM G. FERNANDEZ
PATRICK B. GREGORY
BENJAMIN T. GRIFFETH
CHRISTOPHER M. HULTS
JEFFREY JONES
LAURENCE M. LEVETT
DAVID G. MALONE
MARGUERITE MCGUIGANSHUSTER
ROBERT N. MCLAY
DOUGLAS E. PETERSON
MATTHEW T. PROVENCHER
JONATHAN A. PRYOR
JON H. RISLEY
MARK A. SCHMIDHEISER
JOSEPH E. STRAUSS
KARA C. TAGGART
GREGORY M. TAYLOR
PETER C. WAGNER

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY RESERVE UNDER TITLE 10, U.S.C., SECTION 12203:

To be captain

JEFFREY M. CLARK
ALBERT H. FU
DENNIS HOPKINS, JR.
RODDY E. MILLER
TRONG D. NGUYEN
SHERMA R. SAIF
SHARON S. VETTER
CAROL W. WATT

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY RESERVE UNDER TITLE 10, U.S.C., SECTION 12203:

To be captain

LAURA M. MUSSULMAN
JENNIFER S. REED
KENNETH W. WAGNER

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY RESERVE UNDER TITLE 10, U.S.C., SECTION 12203:

To be captain

KERRY L. ABRAMSON
JEFFREY P. AMES
ROBERT ATTANASIO
JAMES C. BAILEY
JAMES W. CALEY
KEVIN M. COMSTOCK
MICHAEL E. EVERSOLE
PHILIP N. FLUHR
SCOTT F. HALLAUER
TIMOTHY F. KEETON
DONALD J. KENNEY
LUIS P. LEME
MARTIN T. LUNDQUIST
MICHELLE M. PETTIT
CHRISTOPHER L. PHILLIPS
IAN K. THORNHILL

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY RESERVE UNDER TITLE 10, U.S.C., SECTION 12203:

To be captain

TAMBERLYNN W. BAKER
DENISE R. ELLIOTT
ROBIN D. GIBBS
LISA M. GITTLEMAN
DENISE Y. HARRINGTON
CHARLENE T. HOGAN
ALAN K. MINTZ
ROLF MULDBAKKEN
MELISSA L. ROSINE
ANGELIA W. THOMPSON

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY RESERVE UNDER TITLE 10, U.S.C., SECTION 12203:

To be captain

SARAVOOT P. BAGWELL
MICHAEL R. BERRY, JR.
ROBERT G. BOH
DAVID A. BUEHLER
ROBERT S. CARROLL
STEWART D. CLARKE
RONALD R. COLEMAN
PHILIP L. COYLE
ANTHONY G. ERICKSON
STEPHANY L. HARTSTIRN
DAVID E. LUDWA
DANIELLE L. PELCZARSKI
JOSE M. RODRIGUEZ
ALAN J. SCHMITT
KATHY M. WARREN

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY RESERVE UNDER TITLE 10, U.S.C., SECTION 12203:

To be captain

GREGORY T. STEHMAN
RODNEY E. TUGADE

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY RESERVE UNDER TITLE 10, U.S.C., SECTION 12203:

To be captain

TERRY W. EDDINGER
DAVID R. GLASSMIRE

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY RESERVE UNDER TITLE 10, U.S.C., SECTION 12203:

To be captain

DARYLL D. LONG
WILLIAM R. MOCK, JR.
JAMES A. ROBBINS
MILTON W. WASHINGTON

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be commander

HOLMAN R. AGARD
CHAD D. ALBOLD
MICHAEL E. ALBRECHT
WILLIAM J. ALLEN
JASON D. ANDERSON
JOHN K. ANDERSON
NATHANIEL S. ANDERSON
AUNTOWHAN M. ANDREWS
STEPHEN ANSUINI
JOSHUA A. APPEZZATO
TIMOTHY D. ARBULU
TIMOTHY P. ATHERTON
ALEXANDER T. BAERG
JOSHUA T. BAILEY
MATTHEW P. BAKER
PATRICK T. BAKER
ADRIAN C. BAREFIELD
JEREMY M. BAUER
MICHAEL A. BAXTER
CHRISTIAN M. BEARD
MICHAEL S. BEATY
RYAN T. BEATY
ROBERT B. BEEMAN
SHAUN M. BELLEMARE
MICHAEL A. BEMIS
JOHN B. BENFIELD
ALBERT L. BENOIT III
PETER M. BERNARD
JEREMIAH J. BINKLEY
MICHAEL D. BISHOP
JON G. BOGER
DREW A. BOROVIES
DESOBRY E. BOWENS
JAMES P. BRASSFIELD
JACOB F. BRAUN
WILBERT B. BREEDEN
CHRISTOPHER R. BRENNER
MICHAEL J. BRITT
WILLIAM F. BRODY
JOSEPH D. BROGREN
CHRISTOPHER M. BROWN
CHRISTOPHER V. BROWN
DANIEL W. BROWN
GREGORY S. BROWN
JOSEPH C. BROWN III
WESLEY A. BROWN
JAMES M. BRUNSON
CHRISTOPHER K. BRUSCA
ANDREW D. BUCHER
JASON C. BUDDE
THOMAS H. BUNKER
ELISHA J. BURLESON
MATTHEW V. BURNS
KEVIN B. CAHILL
DANIEL L. CAIN
JUSTIN M. CANFIELD
JOSEPH J. CAPALBO
RONALD D. J. CAPPELLINI
HECTOR M. CARDENAS
WILLIAM D. CARMACK
KEVIN R. CASAGRANDE
JASON C. CASSISI
ANDREW M. CENISEROZ
MATTHEW A. CHESTER
SHAUN A. CHITTICK
PETER P. CHRAPKIEWICZ
ALLISON N. CHRISTY
JOHN H. CIGANOVICH
CLIFFORD D. CLOSE II
MATTHEW A. COLE
DAVID S. COLES
KENNETH R. COLMAN
SHAWN E. CONNIFF
ANDREW N. COOK
DAMON J. COOK
SHANNON A. COREY
CHARLES T. COURSEY
JOHN R. COURTRIGHT
JANUARY J. CRIVELLO
KEVIN D. CULVER
PETER J. CURRAN
JACK E. CURTIS
JASON A. DALBY
JAMES A. DAVENPORT
FRANK W. DAVIS, JR.
LUKE H. DAVIS
KEVIN T. DEAN
JASON W. DEBLOCK
CHRISTOPHER P. DELEON
JEFFREY M. DEMARCO
AARON P. DEMEYER
PATRICK S. DENNIS
JOSEPH C. DENTON
CHRISTOPHER S. DENTZER
MARCUS A. DEVINE
MARY K. DEVINE
MICHAEL R. DOLBEC
JAMES A. DOMACHOWSKI
MARK D. DOMENICO
SEAN P. DONAGHAY
CHAD R. DONNELLY
MICHAEL P. DONNELLY
JONAS I. DOWNING
CHRISTOPHER M. DUDLEY
TODD A. DUEZ
JAMES A. DUNDON
MICHAEL S. DWAN
WILLIAM G. EASTHAM
ARIC H. EDMONDSON
THOMAS J. EHRING
OLUKEMI O. ELEBUTE
DAVID V. ELIAS
PATRICK R. ELIASON
THEODORE J. ELKINS
ANDREW J. ELLIS
PETER H. EUDY, JR.
RUSSELL H. EVERITT

CHARLES D. FAIRBANK
JONATHAN M. FAY
MARTIN N. FENTRESS, JR.
ROGER C. FERGUSON
MICHAEL A. FERRARA
DAROL D. FIALA
JUSTIN D. FISHER
MICHAEL D. FISHER
THOMAS P. FLAHERTY III
DOYLE P. FLANNERY
KELLY C. FLYNN
CHRISTOPHER J. FORCH
MATTHEW W. FOSTER
JOSHUA P. FULLER
EDWARD R. FULTZ
RYAN T. FULWIDER
JOHN L. GAINES III
GABRIEL J. GAMMACHE
NATHAN J. GAMMACHE
JACK A. GARCIA
RICHARD H. GARCIA
ANDREW C. GASTRELL
RYAN J. GAUL
BRADLEY D. GEARY
MARK E. GILLASPIE
LEONARDO GIOVANNELLI
BRIAN J. GLASER
JOHN A. GOFFRIER
BRUCE W. GOLDEN
MICAELA K. GOLDING
NATHANIEL D. GORDON
JONATHAN D. GRAY
MARTIN J. GRIGGS
MICHAEL S. GRUELL
EARL P. HADLER
JOHN M. HAESLER
DUSTIN R. HAGY
CHRISTOPHER S. HAHN
WARREN A. HAKES
ANDREW B. HALL
DAVID M. HALPERN
JOHN M. HALTTUNEN
JOHN W. HAMILTON
JOSHUA S. HANES
BARNET L. HARRIS II
SCOTT E. HARRIS
WILLIAM P. HARRIS
KELLY K. HARRISON
PAT W. HART
WILLIAM J. HARTING
PETER J. HATCHER
CAMERON J. HAVLIK
MICHAEL J. HAYMON, JR.
LEONARD E. HAYNES
ALBERT B. HEAD III
CHRISTOPHER A. HEDRICK
CHAD J. HEIRIGS
STEPHEN J. HENZ
SHAD H. HERRENKOHL
CORY F. HESS
STEPHEN C. HINES
MATTHEW D. HOEKSTRA
JEFFREY T. HOLDSWORTH
SHANNON L. HOOVER
NATHAN HORNBACK
GEORGE A. HOWELL
DAVID A. HULJACK
ERIC A. HUNTER
KEVIN INABNIT
TRAVIS T. INOUYE
JUSTIN T. ISSLER
JEREMIAH D. JACKSON
RODOLFO JACOBO
ANTHONY C. JAMES
DENNIS W. JENSEN
JIMMIE J. JENSEN III
HEATH E. JOHNMEYER
COREY A. JOHNSON
MICHAEL A. JOHNSON
MICHAEL J. JOHNSON
KELLEY T. JONES
MICHAEL G. KAMAS
MICHAEL P. KEAVENY
GREGORY C. KEENEY
JOSHUA G. KELLEY
CHRISTOPHER J. KENDRICK
JOHN H. KERR
KENNETH M. KERR
BRIAN C. KESSELRING
ZACHARY S. KING
ZACHARY T. KIRBY
MATTHEW J. KISER
ADAM M. KLEIN
ANDREW J. KLUG
ARAS KNASAS
SCOTT C. KOCH
GREGORY R. KOEPP II
JOHN A. KOLLAR IV
JEROD M. KONOWAL
JOSEPH E. KRIEWALDT
JUSTON R. KUCH
JOHN E. KUTA
ROBERT M. LAIRD, JR.
JOHN W. LAMBERT
JOHN C. LANEY III
BRANDON L. LANTIS
BRIAN M. LAUBER
MARK W. LAWRENCE
RYAN B. LEARY
JULIO A. LEDESMA
MATTHEW P. LEHMANN
RICHARD T. LESIW
KYLE P. LESLIE
JASON N. LESTER
CHAVIUS G. LEWIS
MATTHEW H. LEWIS
SEAN P. LEWIS
SHAUN T. LIEB
STUART G. LINDLEY
ERIC A. LITTLE
FRANK M. LOFORTI
JENNIFER L. LORIO
DEREK W. LOTHRINGER
BRETT M. LUKASIK
ERIK T. LUNDBERG
KEVIN P. LYONS
MARCUS M. MACCARIO
GREGORY A. MACHI
JIWAN A. MACK
ROBERT F. MACYNSKI
KELLY J. MAHAFFEY
SEAN M. MAHONEY
JUDSON D. MALLORY
ALEXANDER S. MAMIKONIAN
WALTER F. MANUEL
MICHAEL S. MARGOLIUS
KEITH E. MARINICS
ROBERT J. MARSH
MATTHEW V. MARTIN
MATTHEW G. MAXWELL
JUSTIN T. MCCAFFREE
STEVEN J. MCCAULEY
COREY S. MCCOLLUM
BRETT M. MCDANIEL
ROBERT W. MCFARLIN IV
JOSEPH A. MCGRAW II
PATRICK M. MCKENNA
ERIC W. MCQUEEN
KEVIN M. MEINERT
TERRY E. MENTEER, JR.
BRIAN D. MERRIMAN
BRETT M. MESKIMEN
KRISTOPHER K. MEYER
MATTHEW C. MEYERS
JEREMY A. MILLER
MARK J. MILLER
LESLIE A. MINTZ
CHRISTOPHER M. MIRANDA
LENARD C. MITCHELL
MICHAEL S. MITCHELL
PATRICK L. MITCHELL
NICHOLAS L. MOLLENHAUER
MICHAEL K. MORELAND
MATTHEW J. MORGAN
PETER A. MORGAN
JAMES B. MORRISON
THOMAS K. MORROW II
MICHAEL G. MORTENSEN
JASON E. MUCH
MATTHEW L. MUEHLBAUER
KURT J. MUHLER
SEAN P. MULROONEY
MICAH D. MURPHY
EDWARD H. MURRAY IV
MICHAEL J. NANOFF
DAVID F. NASH
JOHN M. NEUHART II
MATTHEW L. NICHOLAS
SCOTT C. NIETZEL
NOEL M. NORTON
ROBERT L. NOWLIN
KEVIN B. OBRIEN
SHAWN P. OCONNOR
MICHAEL J. ODONNELL
JAMES B. ODONOVAN
PATRICK R. OLOUGHLIN
MATTHEW C. OLSON
TIMOTHY L. OSBORNE
EDWIN E. OSTROOT II
MANUEL J. PARDO
EDDIE J. PARK
WILLIAM G. PARKHURST
WAYNE A. PATRAS
DAVID L. PAYNE, JR.
KYLE PEITZMEIER
ROBERT J. PEREZ
AARON C. PETERSON
KEITH A. PETERSON
JOHN T. PIANETTA
THOMAS P. PICKERING
EDWARD J. PLEDGER
CORY D. POPE
JONATHAN M. POWERS
TIMOTHY J. POWERS
JAMES R. PROUTY, JR.
JESSE C. PRUETT
CHRISTOPHER M. PURCELL
THEODORE M. O. QUIDEM
EDWARD M. RAISNER
JOHN L. RANDAZZO
JAMES D. RAYMOND
TARA A. REFO
DAVID L. REYES
RONEL C. REYES
TIMOTHY L. RHATIGAN
JOHN P. RILEY
GLENN P. RIOUX
DENNIS B. RIPPY II
NATHANIEL J. ROBBINS
MORGAN D. ROBERTS
MARK T. ROBINSON
ANTHONY A. ROJAS
PRESTON J. ROLAND
ROBERT W. ROSE
ADAM C. ROSENSWEET
GIANCARLO ROSSI
CHAD J. ROUM
NATHAN L. ROWAN
FRANK J. RYAN III
CHRISTOPHER R. RYDER
DOUGLAS R. SATTLER, JR.
JON P. SCHAFFNER
MATTHEW T. SCHLARMANN
NATHAN K. SCHNEIDER
KEITH SCHROEDER
ERICH C. SCHWARZ
ANTHONY A. SCIGLIANO
CLAYTON G. SHANE
ZOE B. SHERMAN
NATHANIEL R. SHICK
AARON D. SHIFFER
JOSEPH B. SHIPP
LEROY M. SHOESMITH, JR.
NICHOLAS C. SMETANA
MATTHEW A. SMIDT
LAWRENCE P. SMITH
NATHANIEL C. SPURR
ZACHARY S. STANG
JOHN B. STANTON
SHANNON M. STANTON
JUSTIN E. STEENSON
AXEL L. STEINER
ERIK S. STINSON
MICHAEL A. STOKER
MICHAEL J. STRAUSS
JAMES A. STRICKLAND
ABRAM M. STROOT
CHARLES M. SUBBIONDO
PATRICK J. SULLIVAN
CHRISTOPHER R. SWANSON
MARK A. SWINGER
DAVID N. TAFT
MATTHEW W. TALLYN
STEVEN TARR III
TROY T. TARTAGLIA
CHERIE TAYLOR
THOMAS G. TAYLOR
CHRISTOPHER J. TEJEDA
RUSSELL P. THIEM
JOHN E. THOE
ERIK M. THOMAS
JENNIFER L. THOMAS
ERIC C. THOMPSON
JASON D. THOMPSON
MATTHEW F. THOMPSON
GLENN R. TODD
JAMES J. TOMASZESKI
ROBBY D. TROTTER
SHIPOR TSUI
JASON L. TUMLINSON
CLIFF J. UDDENBERG
ANTHONY R. UNIEWSKI, JR.
STACY L. UTTECHT
JOEL S. UZARSKI
WARREN VANALLEN
HENRY S. VASQUEZ III
ANNA E. VILLALPANDO
JOHN C. VINSON, JR.
MATHIAS J. VORACHEK
JASON D. WALKER
EMILY M. WALL
EDWARD F. WARD III
JASON J. WARD
ROBERT WEBSTER
DAVID J. WEGMUELLER
THOMAS G. WEILER
MATTHEW S. WELLMAN
MARK A. WEYMOUTH
DAVID W. WHETSTONE
DOUGLAS M. WHITE
LYNDEN D. WHITMER, JR.
SHANNON L. WIENS
TY C. WIESE
ROBIN V. WILHELM
JASON A. WILKERSON
ROBERT A. WILKERSON
ROBERT A. WILLIAMS
RUSTY J. WILLIAMSON
JASON K. WILSON
BRITTON D. WINDELER
LEONARD A. WISE III
CHADRICK O. WITHROW
RICHARD J. WITT
NICHOLAS F. WOODWORTH
MATTHEW W. WRIGHT
STACY M. WUTHIER
JOSHUA D. WYNN
JARED W. WYRICK
NICHOLAS T. WYZEWSKI
ROBERT D. YOUNG
TYSON M. YOUNG
MARK E. ZEMATIS

IN THE MARINE CORPS

THE FOLLOWING NAMED OFFICERS FOR REGULAR APPOINTMENT IN THE GRADES INDICATED IN THE UNITED STATES MARINE CORPS UNDER TITLE 10, U.S.C., SECTION 531:

To be lieutenant colonel

ROBERT A. PETERSEN

To be major

SEAN P. COX
JONATHAN M. GEORGE
BRANDON P. LOKEY
GENE C. WYNNE

CONFIRMATION

Executive nomination confirmed by the Senate June 2, 2015:

DEPARTMENT OF EDUCATION

MICHAEL KEITH YUDIN, OF THE DISTRICT OF COLUMBIA, TO BE ASSISTANT SECRETARY FOR SPECIAL EDUCATION AND REHABILITATIVE SERVICES, DEPARTMENT OF EDUCATION.

WITHDRAWAL

Executive Message transmitted by the President to the Senate on June 2, 2015 withdrawing from further Senate consideration the following nomination:

FOREIGN SERVICE NOMINATION OF STUART MACKENZIE HATCHER, WHICH WAS SENT TO THE SENATE ON MAY 7, 2015.

HOUSE OF REPRESENTATIVES—*Tuesday, June 2, 2015*

The House met at 10 a.m. and was called to order by the Speaker pro tempore (Mr. HULTGREN).

DESIGNATION OF SPEAKER PRO TEMPORE

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

WASHINGTON, DC,
June 2, 2015.

I hereby appoint the Honorable RANDY HULTGREN to act as Speaker pro tempore on this day.

JOHN A. BOEHNER,
Speaker of the House of Representatives.

MORNING-HOUR DEBATE

The SPEAKER pro tempore. Pursuant to the order of the House of January 6, 2015, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning-hour debate.

The Chair will alternate recognition between the parties, with each party limited to 1 hour and each Member other than the majority and minority leaders and the minority whip limited to 5 minutes, but in no event shall debate continue beyond 11:50 a.m.

TRADE PROMOTION AUTHORITY SHIFTS TO HOUSE

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

Mr. BLUMENAUER. Mr. Speaker, in our fast-changing world, the global economy looms large. America has long been the leader in promoting freer and fairer trade, promoting the economy at home while strengthening ties overseas. The current issue that is before us now deals with a trade promotion authority and the Trans-Pacific Partnership, an agreement with 12 countries, representing almost 40 percent of the global economy.

After the recent bipartisan vote in the Senate on the trade promotion authority and related package, attention now shifts to the House where we are likely to be voting on this in the next couple of weeks. Many confuse support for the trade promotion authority with the TPP, the Trans-Pacific Partnership. They are two distinct items.

The Trans-Pacific Partnership is an ongoing series of negotiations which has yet to be concluded. Indeed, one of the reasons we are looking at trade promotion authority now, establishing the rules of the game and how Congress will evaluate and process it, is to make sure that we get into the final stages.

Trade promotion authority historically, something we have done repeatedly in the past, provides for Congress to vote on an up-or-down basis on a trade agreement once it is finalized. This is what happens in negotiations routinely in the United States, an up-or-down vote. I find it somewhat ironic that some of my friends in organized labor think that it somehow should be negotiated in Congress, that it ought to be subject to amendment in Congress. Yet there is no labor union that I am aware of that has its contracts voted piecemeal. Members aren't allowed to amend. It is up or down, and that is what is necessary to be able to reach a conclusion with these negotiations.

Some are demanding that Members of Congress oppose an agreement that is not yet completed. Well, I, for one, am not going to support or oppose an agreement until I can see what is in it and until the agreement is finalized. Until it is finished, I am going to continue to work to make it as strong as possible.

I have been working on provisions to strengthen enforcement, establishing a trust fund to make sure that provisions in trade agreements have the resources to make sure that they are, in fact, enforced, such as having provisions known as the Green 301 that has greater strength to be able to enforce environmental provisions. This makes a difference for my community.

Oregon's small- and medium-sized businesses, family farmers, winemakers, bike manufacturers say that enhanced trade authority is critical to creating more jobs at home and increased value for customers. That is something that gets lost in this debate because, as a result of our policies promoting freer trade between countries, Americans have seen their standard of living increase. Americans today are paying less for clothing, less for food, less for electronics as a result of the benefits of these agreements. Some estimates say it is about $8,000 per family.

Well, we will see what the current trade agreement looks like when it is completed. As I mentioned, the trade promotion authority is necessary to reach the final stages.

Thanks to the efforts of my friend and my constituent Senator RON WYDEN, the ranking member of the Senate Finance Committee, this trade promotion authority that we will be dealing with makes it mandatory that everybody in the country will be able to look at the final agreement for 60 days before the President even signs it, and then it will be public for another 90 days—5 months, essentially—before Congress will vote up or down on whether or not it is worthy of our support.

Well, I will do what I have done in trade agreements in the past. I will consider each element with the same principles: Is this package good for the people I represent in Oregon? Does it align with our values? Will it be a net positive for areas that I care about, like labor and the environment? More fundamentally, are we going to be better off with an agreement or with none?

PUTTING A STOP TO MISMANAGEMENT AT THE VA

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from North Carolina (Ms. FOXX) for 5 minutes.

Ms. FOXX. Mr. Speaker, in 2014, Congress passed legislation with broad bipartisan support to improve access to and the quality of care for veterans in response to the nationwide scandal over manipulated wait times at the VA.

The Veterans' Access to Care through Choice, Accountability, and Transparency Act created a 3-year program to allow veterans to seek care from private providers if they live too far from a VA facility or cannot otherwise get an appointment within 14 days.

It also gave the VA Secretary the authority to fire senior executives for poor performance and required a top-to-bottom study of the entire Department to be completed within 1 year of enactment.

When government failure is exposed and legislation aimed at restoring accountability is enacted, it makes sense that action would be swift and immediate, people would be fired, and wrongs would begin to be made right. Unfortunately, that has not been the case at the Department of Veterans Affairs.

While there are as many as 1,000 employees that could potentially face disciplinary actions, the VA has punished a total of eight for involvement in the scandal. We continue to hear about unacceptable patient wait times, unanswered benefit inquiries, patient safety

concerns, medical malpractice, flagrant mismanagement, infighting, corruption, and years of construction delays that total millions of dollars.

Frustration, anger, outrage, Mr. Speaker, these are just a few of the words that describe how I and other Americans felt when we read these latest stories about problems within the Department of Veterans Affairs. The continued ineptitude at the highest levels of the Department of Veterans Affairs is simply unacceptable. It is past time to put an end to this agency-wide pattern of mismanagement.

Last month, the House continued its efforts to fulfill the commitment we have made to those who have served by approving several pieces of legislation to further improve accountability at the VA.

We also passed legislation to increase access to education programs for veterans and to encourage small businesses to hire them. While it will never be enough, this legislation is a positive step forward in meeting our responsibility to America's veterans.

However, Congress cannot transform the VA alone. It is the President's responsibility to ensure changes are made within the agency and that employees are held accountable for their actions. Unfortunately, that is not happening.

Every day, we hear only more stories about further misdeeds. President Obama must commit to reforming the VA with more than just lip service. America's veterans deserve a meaningful, decisive plan to right the many wrongs.

As a country, we are uniquely blessed. We live in a nation where each of us has the possibility of nearly limitless fulfillment and prosperity in the world's finest democracy. That unparalleled freedom and opportunity has been made available to us because of the profound sacrifices of those who have fought for and defended our Nation.

America's veterans deserve better than the inexcusable misconduct and neglect that we have seen over the last few years at the VA. It is critically important that we provide high-quality, timely care for those who have sacrificed so much to our country.

Republicans are committed to that principle and to the veterans of this country.

URBAN FLOODING AWARENESS ACT

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

Mr. QUIGLEY. Mr. Speaker, as Members of Congress continue to debate whether or not climate change is real, Americans are paying the price. To the climate doubters that I serve with, I will remind them that there are over 200 peer-reviewed scientific studies that conclude that climate change is real and that man contributes to it, and there are zero peer-reviewed scientific studies that say the opposite.

Climate change often brings images to mind of melting icecaps and rising sea levels, but the effects of climate change are being felt every day by people around the country. Climate change is causing even more destructive storms which, when combined with our aging infrastructure, is resulting in cities around the country being pummeled by urban flooding.

A little more than 2 years ago, residents in my district endured their second 100-year flood in a mere 3 years. A 100-year storm means that there is a 1 percent chance that a storm of that magnitude will happen every year, but folks in Chicago are experiencing these storms with greater intensity and frequency.

The morning after the rains bombarded Chicago in 2013, I visited numerous community members and their homes. The damage I saw was devastating: thousands of homes and businesses flooded; tons of carpeting, furniture, and memories are ruined; businesses shattered; and entrepreneurs' dreams crushed, along with millions of dollars in damages.

Throughout the region, we saw the closure of schools, libraries, and even hospitals were forced to relocate patients. That kind of devastation cannot be ignored. Our constituents cannot be ignored.

In Chicago, over the past century, we have seen countless storms that have caused pipes to back up into houses and dump upwards of 1.5 inches of rain in a single day. What is more, rains of more than 2.5 inches a day are expected to increase another 50 percent in the next 20 years.

The National Climate Assessment, released by the Obama administration last year, predicted that the frequency and intensity of the Midwest's heaviest downpours will more than double over the next 100 years. That means even more trouble for our Nation's already deteriorating infrastructure and the cities around the country that rely on that infrastructure to keep them safe. Storm drains are outdated; sewers are inadequate, and families are at risk.

Whether it is because of flooded pipes or the lack of permeable surfaces in our cities, our constituents are paying the prices. Thousands of households in America are affected every year by urban flooding, yielding catastrophic economic, environmental, and social damage in some of our country's largest cities. Basements with water damage decrease property values by an estimated 10 to 25 percent.

But the impacts don't end there. Chronically damp houses can cause respiratory problems and higher insurance costs. Additionally, almost two out of five small businesses cannot open after experiencing a flooding disaster. Urban flooding erodes streams and riverbeds and degrades the quality of our drinking water sources and the health of our aquatic ecosystems.

It is time we come up with a national response to this growing problem. That is why I am proud to introduce the Urban Flooding Awareness Act. This legislation will finally create a definition of urban flooding to be used when designing flood maps and will require a first-of-its-kind study to analyze the costs associated with urban flooding and develop solutions. It would also help us better protect downstream communities from the flooding impacts of development in upstream areas.

Existing regulatory and policy mechanisms are not adequate for this task. It is time we develop new strategies. By identifying the most effective and economical remedies to urban flooding, we are better preparing our communities to defend themselves against the devastation caused by increasingly intense weather.

□ 1015

And investing in real solutions to this problem now is the only way to avoid higher costs down the road. We can learn from our successes and investigate innovative new strategies for funding crucial new programs that eliminate flood risk and damage. Our cities need the best tools available if they are going to survive this era of supersized storms.

THE RAINS OF MAY

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

Mr. POE of Texas. Mr. Speaker, the rains came down and the floods came up. And although Texas did not receive Noah's 40 days and 40 nights of rain, the recent 10 days of rain were of Biblical proportions.

The whole State received the incessant rain. And about the time we thought it was all over on Saturday morning, it all happened again Saturday night, flooding many of the same homes and communities throughout the State.

In Houston, six, so far, have died. Statewide, there are now 24 deaths. Eleven are still missing in Hays County when the Blanco River rose so fast at night it trapped people in over 200 resort homes that were on the river—homes that eventually washed away. Many of Texas' rivers—the Trinity, the Colorado, the Brazos, and the San Jacinto—rose at rapid record rates and are still out of their banks.

Weather experts, Mr. Speaker, said so much rain fell in Texas in May that it was enough moisture to cover the entire State in 8 inches of water. That is a lot of rain. Seventy counties have

been designated disaster areas. But the rainbow news, Mr. Speaker, is that many, many voluntarily helped their neighbors and strangers survive the troubled waters of the floods.

Here is just one example. The hard rain in Dallas flooded the Trinity River. Dallas is in north Texas. The Trinity River flows south down to southeast Texas near Houston, and the added rain in southeast Texas had the Trinity River the size of the Mississippi River.

As the river rose in southeast Texas, a herd of cattle were trapped in the middle of the river on high ground. This high ground was eventually going to be overcome with water and the cattle would be washed out to sea. The river at this point is between the two small towns of Liberty and Dayton, about 6 miles apart, separated by U.S. highway 90.

So Sunday, in a scene reminiscent of the 1800s roundups, cowboys mounted airboats—yes, airboats, Mr. Speaker—to force the hundreds of cattle into the river and have them swim to safer ground. The only area that had high ground was U.S. highway 90. The highway was above the water, even though water was on both sides of the highway.

The roundup took several hours because, Mr. Speaker, cattle are hardheaded. They did not want to leave the high ground and swim to a highway. So it took several hours to do this. Even the cowboys were lassoing calves and tying them to the airboat so they wouldn't drown. Finally, after many hours, all the cattle were forced up on U.S. highway 90 between Liberty and Dayton, Texas.

Now, what do you do with them? Well, the cowboys, now on horses, along with citizens and other volunteers, herded the cattle down U.S. highway 90 to Dayton, Texas, through Main Street of Dayton, Texas. The citizens came out with their kids to see the cattle drive through Dayton, Texas, and they moved these several hundred of cattle to a rail yard where they will be kept, that is the highest area in the county, until the flood waters finally are diminished.

Of course, local businesses helped out: a local store, Casa Don Boni in Liberty; and, of course, the Sonic, always present in Dayton, supported the volunteers with food and drinks; and other businesses as well helped. This is an example of how, during a troubled time, tough times, Texans are helping each other survive this catastrophic flooding.

So, now, Mr. Speaker, that the rains that came down and the flood that came up have subsided and the earth has returned to its dry land, our prayers go out to the ones who lost family, friends, and property. God bless every one of them. And we also give grateful thanks to those that helped each other during the floods of May.

And that is just the way it is.

RECOGNIZING LE GRAND UNION HIGH SCHOOL AND DOS PALOS HIGH SCHOOL IN SAN JOAQUIN VALLEY, CALIFORNIA

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

Mr. COSTA. Mr. Speaker, I rise today to recognize two exemplary high schools in my district: Le Grand Union High School and Dos Palos High School.

In California's San Joaquin Valley, one of the most economically challenged regions of the Nation, having access to a quality education is critical for our young people, and these two schools shine on both the State and national levels.

Recently, both Le Grand and Dos Palos were acknowledged by the U.S. News & World Report's annual grading as among the top high schools in America. Not only are Le Grand High School and Dos Palos among the best in Merced County, but they both ranked among the top five high schools in our region. Their accomplishments show how our students, with the right encouragement and support, in fact, can succeed.

Students, regardless of their socioeconomic status or being college bound, deserve a quality education that prepares them for the road ahead. And both Le Grand and Dos Palos High Schools are doing just that. Mr. Speaker, 81 percent of the students at Le Grand High School and 97 percent of the students at Dos Palos High School qualify as low-income.

These are challenging and difficult areas. I am proud to say that, at both Le Grand High School and Dos Palos, approximately half of all enrollees are in AP classes and taking the end-of-year test for college credit. Now, what does that mean? It means that every day these students are actively seizing opportunities to change their lives for the better, and for that, we are glad.

Mr. Speaker, when our students succeed, our Nation succeeds because, after all, they are the future of America. The great success of these students would not be possible without the amazing support of both the faculty and the staff at both high schools. These are the teachers and educators who see promise in our students and inspire them to follow their dreams and progress, teachers who have dedicated their professional careers to public education in America.

To Le Grand Union High School Principal Javier Martinez, the Le Grand Union High School faculty and staff, their board of directors, and the Le Grand student body, job well done.

To the Dos Palos High School Principal Heather Ruiz, the Dos Palos High School faculty and staff, the Dos Palos-Oro Loma School District Board of Trustees, and to that student body, again, a job well done.

Let me take this opportunity to say a big thank-you to all of you, and congratulations in achieving the Silver Medal Award given annually by the U.S. News & World Report. Your collective academic achievement is a source of pride not only in our community, but throughout the Nation.

Most importantly, all of you are making a difference, making a difference for our students. Thank you for setting the example, and thank you for the difference you are making in their lives. It is an honor and a privilege to represent you, and keep up the good work.

TRADE PROMOTION AUTHORITY

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

Mr. POMPEO. Mr. Speaker, I rise today to discuss an issue that is incredibly important not only to America, but to the folks who I represent in south central Kansas. We need to make sure that in south central Kansas we have the opportunity to access markets all over the world and to sell the great products that we make.

Mr. Speaker, it sometimes sounds like just statistics, but in 2014, $12 billion in goods from over 3,000 companies were exported outside of Kansas. In the Fourth District alone, over $3.8 billion was exported, making Wichita and south central Kansas one of the three top exporting metros in the entire United States of America.

When you visit Wichita, you can see that. If you travel around south central Kansas, you will find great aerospace companies, companies like Learjet, Cessna, Beechcraft, and Airbus, manufacturing goods that are sold all across the world. They need access to these markets overseas. We make the 737 fuselage right in Wichita, Kansas.

And we all know the hundreds of small businesses that supply them, machine shops like DJ Engineering and McGinty Machine, that hire hundreds of people in good-paying jobs that are dependent on the capacity for south central Kansas to ship their products around the world, companies like Rubbermaid and Case New Holland that makes farm equipment and Coleman that makes camping goods.

This doesn't begin to mention all the petroleum products that move out of Kansas. And, of course, we sell lots of agricultural products as well. Kansas is the top exporter of wheat, with over $1.5 billion per year. It ranks second in the export of meat products and third in cattle.

International trade is incredibly important to the people of south central Kansas. These aren't just numbers. These are about real, hard-working Kansans and good-paying jobs.

We need to make sure, here in Congress, that we provide outlines for our President to go negotiate deals with both Europe and Asia such that companies like Excel that makes lawn mowing equipment in Hesston, Kansas, can continue to grow. It is their objective to double over the next 5 years. They cannot do so without the capacity to sell their products into Europe and to Asia.

Now, Mr. Speaker, there is much controversy about some pieces of trade promotion authority in some of the trade agreements. I have read the document as it currently stands. I can assure everyone who is listening today that this Congress will retain its full authority to approve every agreement that is entered into to make sure that it is, in fact, in the best interests of reducing taxes, reducing tariffs, and reducing regulatory barriers so that Americans and Kansans can sell their products all across the globe.

Sometimes the word ''trade'' gets bandied about, but what it really means is the capacity for innovation, creativity, the rule of law, and competitiveness to triumph around the world. Those are the hallmarks of the people of south central Kansas. If we get these trade agreements right, we can enhance the lives of so many folks all across the Fourth District of Kansas.

Mr. Speaker, I encourage my colleagues on both sides of the aisle to join me in supporting passage of trade promotion authority when it comes before the House for a full vote. It is about trade, which is about jobs, which is so important for the American people.

CELEBRATING THE TENNESSEE VALLEY AUTHORITY'S WATTS BAR NUCLEAR FACILITY

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from Tennessee (Mrs. BLACKBURN) for 5 minutes.

Mrs. BLACKBURN. Mr. Speaker, on June 1, 1796, Tennessee became the 16th member of these United States. For some 200 years, Tennessee has been a part of the innovative vanguard that makes this country great, whether it be through culture, science, or even our fabulous barbecue.

Last week, I had the opportunity to tour the latest energy innovation the State of Tennessee has to offer—the Tennessee Valley Authority's Watts Bar Nuclear facility. With the construction of Watts Bar Unit 2 now approximately 98 percent complete, TVA will soon mark the 21st century's first new American nuclear unit to come online. And I am so pleased, Mr. Speaker, that today The Hill newspaper has an article about this very facility.

The project is indeed to be celebrated. It is a model of safety and quality. The dedicated TVA employees at Watts Bar have put in a million hours of work without a lost-time accident. At the same time, they have maintained a quality acceptance rate above 97 percent. That also should be celebrated. Together with Watts Bar Unit 1, the complete facility will be able to power 1.3 million homes in the Tennessee Valley.

Mr. Speaker, America must pursue an all-of-the-above energy policy that includes nuclear. Nuclear is a clean, responsible option and one that strengthens our Nation's energy security grid. Unfortunately, though, the EPA, the Obama administration, has proposed sweeping regulations that wage a war on coal while also dismissing the benefits and the power of nuclear energy.

Under the EPA's Clean Power Plan, Tennessee is actually penalized for taking a leading role in providing the region and the country with a clean and reliable source of energy. When drafting the Clean Power Plan, the EPA counted the Watts Bar Unit 2 as being completed and operating at 90 percent efficiency.

□ 1030

It is not online yet, it is not complete, and it is not yet helping to power homes and businesses.

As a result, Tennessee's emission targets under this rule are more difficult to reach because the State is not able to count the emission reductions from this cleaner plant towards its required cuts.

Rather than recognizing TVA's forward-looking work to construct Watts Bar 2, EPA unfairly, and significantly, increased the emission reduction rate for Tennessee.

I was sent to Congress to ensure that the needs of my constituents are represented here in Washington. As the vice chair of the House Energy and Commerce Committee, I will continue my efforts to stop the EPA from its overreach and to stop them from implementing this administration's special interest agenda, which has no regard for the economic impact or energy needs of the people of Tennessee.

Mr. Speaker, this is important, and I want to thank the TVA team for showing me the Watts Bar facility and for allowing me to have a remarkable visit, and I encourage them in their continued good work.

SCHOOL MILK NUTRITION ACT OF 2015

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

Mr. THOMPSON of Pennsylvania. Mr. Speaker, I recently teamed up with Congressman JOE COURTNEY of Connecticut to introduce H.R. 2407, the bipartisan School Milk Nutrition Act of 2015.

Between 2012 and 2014, schools across the country served 187 million fewer pints of milk, despite an increase in public school enrollment. Mr. Speaker, this is an alarming statistic considering milk is the number one source of nine essential nutrients in young Americans' diets and provides many significant health benefits.

The School Milk Nutrition Act, which has the strong support of the International Dairy Foods Association and the National Milk Producers Federation, seeks to reverse the decline of milk consumption in schools throughout Pennsylvania and across the country.

To help achieve this goal, the bill would reaffirm the requirement that milk is offered with each meal and also give schools the option of offering low-fat flavored milk, rather than only fat free.

I urge my colleagues on both sides of the aisle to get behind this legislation and become a cosponsor of the School Milk Nutrition Act of 2015.

THE VETERANS E-HEALTH AND TELEMEDICINE SUPPORT ACT OF 2015

Mr. THOMPSON of Pennsylvania. Mr. Speaker, with this past week being celebrated and remembering Memorial Day—Memorial Day having just passed—it is important that we continue to remember and honor our fallen soldiers and the new generation of heroes who equally deserve our respect, our gratitude, and the promise of continued support.

This is why I recently joined with New York Congressman CHARLES RANGEL to introduce H.R. 2516, the Veterans E-Health and Telemedicine Support Act of 2015.

This bipartisan legislation would allow Veterans Affairs health professionals, including contractors, to practice telemedicine across State borders if they are qualified and practice within the scope of their authorized Federal duties.

Currently, overly cumbersome location requirements can make it difficult for veterans, especially those struggling with mental health issues, to get the help they need and deserve.

Mr. Speaker, under current law, the VA can only waive the State license requirement for treatment if both the physician and the patient are located in a federally owned facility.

The Veterans E-Health and Telemedicine Support Act of 2015 removes these barriers and allows the VA to provide treatment through physicians free of this restriction. Veterans will no longer be required to travel to a VA facility but, rather, can receive telemedicine treatment from anywhere, including their home or a community center.

Mr. Speaker, these brave men and women put so much on the line each and every day in service to our country that when they return home it is our

shared duty to be there for these heroes by making lifesaving resources readily available.

This legislation will eliminate the multiple layers of bureaucracy, allowing our veterans to have greater access to mental and behavioral health services, especially in rural areas.

I rise today and ask my colleagues in both parties to get behind this bipartisan, commonsense legislation.

Mr. Speaker, sadly, 22 veterans commit suicide every day. Let's end that crisis.

OBAMACARE RATE HIKES

The SPEAKER pro tempore. The Chair recognizes the gentleman from West Virginia (Mr. MOONEY) for 5 minutes.

Mr. MOONEY of West Virginia. Mr. Speaker, it has now been more than 5 years since President Obama signed his landmark achievement, which he called the Affordable Care Act, into law. At that time, the President and the Democrats in Congress promised that their massive Federal takeover of our healthcare system would lower costs on American families. Affordability was its central selling point.

But 5 years later, they must face the facts. Their law, which they forced on the American people, is a failure.

According to yesterday's much-anticipated Congressional Budget Office reports—an independent agency—insurance premiums are expected to increase even more significantly next year than they did this year.

One insurer in New Mexico, Blue Cross and Blue Shield, called for a 50 percent increase in premiums. And New Mexico is just the tip of the iceberg. Tennessee is also seeking an increase of 30 percent.

The average West Virginia family—the State I am blessed to represent—pays about the same as the residents in the State of New York, which is $17,105 a year on their health insurance. That is $271 above the national average.

We cannot pretend that the Affordable Care Act is anywhere close to ''affordable.'' ObamaCare adds taxes, regulations, and unfunded mandates onto the American consumers. The limited choice in health insurance plans is harming families and their budgets.

In my district in West Virginia, there is only one insurance provider through the exchange. And this one plan is asking for a rate increase as high as 21.6 percent.

President Obama has routinely and blatantly forced his failed policies on the American people. According, again, to the independent Congressional Budget Office report of February 4, 2014, ObamaCare has killed 2.5 million jobs a year.

Who are these 2.5 million Americans who have lost their jobs thanks to ObamaCare? They are disproportionately low-wage workers. The people who are hurt the most by ObamaCare are the same ones who ObamaCare was supposed to help. What we really should call it is the ''Non-Affordable Care Act.''

West Virginians who get their healthcare insurance through their work are paying some of the highest rates in the United States for premiums and deductibles, according to a report from The Commonwealth Fund. The 33,421 West Virginians who are currently enrolled in ObamaCare cannot afford to have their rates hiked yet again.

Many Americans are left wondering how much more will we have to pay each year because of the Non-Affordable Care Act. To make matters worse, the Non-Affordable Care Act has added $1 trillion in tax increases. This is money taken out of the pockets of hard-working American families.

The top Democrat leader here in Congress famously said on March 10, 2010: ''We have to pass the Affordable Care Act to find out what's in it.'' You should know what it is before you vote on it—come on. Well, it has been 5 years since the bill was shoved through Congress, and the American people deserve better.

We must halt ObamaCare's takeover of the U.S. healthcare system and pass commonsense reforms that lower costs for hard-working families and expand access to health care. The State of West Virginia and the Nation need lower costs and personal control over healthcare decisions, not more Federal Government intervention.

The budget that was recently passed by the House and the Senate repealed ObamaCare—including all of its taxes, regulations, and mandates—and ObamaCare's outrageous requirement that the taking of unborn human lives be covered as so-called ''health care.''

Republican healthcare plans pave the way for patient-centered healthcare solutions. We need to focus on reform that will help reconnect doctors and patients and give patients better care through more options.

The goal of patient-centered healthcare reform is to empower the patients. Republicans in Congress have multiple proposals to address the healthcare issue. Republicans propose increasing competition and transparency in the health insurance market and stopping frivolous lawsuits against doctors and hospitals.

Americans should not be forced to buy into something that simply doesn't work. The Non-Affordable Care Act does not work. The estimated premium increases that were announced yesterday are yet another example of the failings of this bill and this President.

RECESS

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

Accordingly (at 10 o'clock and 40 minutes a.m.), the House stood in recess.

□ 1200

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. HARDY) at noon.

PRAYER

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

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

There are many important issues facing our Nation—concerns about immigration, our national security, our personal privacy, the economy, and levels of unemployment. Bless abundantly the Members of this people's House.

Help them to see new ways to productive service, fresh approaches to understanding each other, especially those across the aisle, and renewed commitment to solving the problems facing our Nation.

May they, and may we all, be transformed by Your grace and better reflect the sense of wonder, even joy, at the opportunities to serve that are ever before us.

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

Amen.

THE JOURNAL

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

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

Mr. WILSON of South Carolina. Mr. Speaker, pursuant to clause 1, rule I, I demand a vote on agreeing to the Speaker's approval of the Journal.

The SPEAKER pro tempore. The question is on the Speaker's approval of the Journal.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. WILSON of South Carolina. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

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

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentleman from Rhode Island (Mr. CICILLINE) come forward and lead the House in the Pledge of Allegiance.

Mr. CICILLINE led the Pledge of Allegiance as follows:

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

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair will entertain up to 15 requests for 1-minute speeches on each side of the aisle.

AMERICA NEEDS A CHANGE

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

Mr. WILSON of South Carolina. Mr. Speaker, as American families continue to be under attack from radical Islam, it can be credited President Obama was correct on December 14, 2011, addressing troops at Fort Bragg: ''We are leaving behind a sovereign, stable, and self-reliant Iraq . . . a moment of success.''

Clearly, then-President George W. Bush's strategy of denying mass murderers safe havens to kill Americans anywhere was admitted successful. I am grateful my two oldest sons served in Iraq to protect American families.

President Obama's failure to achieve a status of forces agreement in Iraq and his failure to uphold his declared red line in Syria led to murderous advances of ISIL/Daesh, which he publicly dismissed as junior varsity.

I hope President Obama changes course for victory in the global war on terrorism, which began with the declarations of war in 1997 against America with a goal of death to America, death to Israel, and mass slaughter of Muslims who do not submit.

President Obama's legacy should be peace through strength, not weakness, as future attacks threaten American families.

In conclusion, God bless our troops, and may the President by his actions never forget September the 11th in the global war on terrorism.

SUPPORTING THE EXPORT-IMPORT BANK

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

Mr. CICILLINE. Mr. Speaker, the Export-Import Bank is a critical resource for small- and medium-sized businesses in Rhode Island's First Congressional District and all across this country.

In fact, over the last 8 years, the Ex-Im Bank has provided more than $20 million in insured shipments, guaranteed credit, or disbursed loans for companies in my district, enabling them to export products valued at nearly $50 million.

The Ex-Im Bank provides financing that enables these companies to access foreign markets, compete in the global economy, and create good-paying jobs here in America. American jobs are supported by the Ex-Im Bank, 164,000 American jobs. It generated $675 million for the taxpayers in 2014, and the default rate for the Ex-Im Bank was less than one-fifth of 1 percent, 0.175 percent.

Support for the reauthorization of the Ex-Im Bank is bipartisan. 180 Democrats have signed a discharge petition to force a vote on reauthorizing the Ex-Im Bank before it expires on June 30, and many Republicans have publicly supported reauthorization.

I have had the opportunity to meet with companies in my district that rely on the Ex-Im Bank, companies like the Cooley Group in Pawtucket that designs, develops, and manufactures a diversified industry-leading portfolio of premier engineered coated fabrics used across an array of industrial, commercial, and military applications.

This issue is too important for the usual partisan politics that Washington has grown used to. We need to stand up for small- and medium-sized companies and reauthorize the Ex-Im Bank before the end of this month.

ALZHEIMER'S & BRAIN AWARENESS MONTH

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

Mr. BILIRAKIS. Mr. Speaker, June is Alzheimer's & Brain Awareness Month. Alzheimer's is the only top 10 cause of death in America that cannot be prevented or cured; however, we are making strides.

Mr. Speaker, H.R. 6, the 21st Century Cures Act, is a historic, nonpartisan bill that will help spur the development of cures and treatments more quickly to help patients with chronic or rare conditions.

I am an original cosponsor of a provision in H.R. 6 to create a national data collection system for neurological diseases. Better data will pave the path toward better treatments.

In April, I held a neurological disease roundtable in my district to engage with doctors and patients, including Ron Hall, a constituent and Alzheimer's patient. We discussed how to advance the development of treatments and cures for diseases like Alzheimer's.

Mr. Speaker, by working together, we can help Alzheimer's patients.

WESTERN NEW YORK'S PRIDE WEEK

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

Mr. HIGGINS. Mr. Speaker, yesterday I joined the Pride Center of Western New York to celebrate the LGBTQ community and kick off Buffalo Pride Week. Last week Niagara Falls Mayor Paul Dyster, Councilwoman Kristen Grandinetti, and the Rainbow City Coalition raised the rainbow flag for the first time at city hall in Niagara Falls.

Western New York's Pride Week comes at a particularly historic time. The Supreme Court is expected to rule soon on whether the Constitution guarantees same-sex couples the right to marry. I believe that it does. I was proud to join 211 of my colleagues in Congress in filing an amicus brief urging the Court to find such a right in its ruling.

Mr. Speaker, marriage equality is one of the important components of a larger effort to ensure that everyone has the same basic rights as each and every American. I congratulate the Pride Center of Western New York and the Rainbow City Coalition for their community efforts this week and advocacy for equality each and every day, and I hope next year Pride Week will celebrate a Supreme Court decision that honors the right of all Americans to marry the person they love.

HIGHLIGHTING ACCOMPLISHMENTS OF TIMBERLAND SHOE COMPANY

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

Mr. GUINTA. Mr. Speaker, I rise today to highlight the significant contributions of a New Hampshire-based business that employs almost 1,500 people and contributes approximately $1.8 billion in economic revenue.

For nearly 40 years, Timberland Shoe Company has remained a staple in the New England region business community. From what started out as a small shoe company in Boston, Timberland has grown into a worldwide leader of outdoor footwear and apparel.

Headquartered in Exeter, New Hampshire, Timberland employs over 400 Granite Staters in a variety of departments such as marketing, operations, retail, administration, and more. The accomplishments of Timberland also transcend the workplace in ways where they have logged 8,300 hours of community service just in the last year.

Mr. Speaker, giving back to the community is an important aspect of successful business, and Timberland sets a great example for what all businesses should strive for. It was a privilege to visit Timberland's headquarters last month, and I look forward to their next 40 years in the great State of New Hampshire.

NATIONAL GUN VIOLENCE AWARENESS DAY

(Mrs. DAVIS of California asked and was given permission to address the House for 1 minute.)

Mrs. DAVIS of California. Today we recognize the first National Gun Violence Awareness Day, and when you look around, you will see a lot of people wearing orange.

This day was declared in memory of Hadiya Pendleton, a teen-age girl who was shot and killed in a park 2 years ago. She would have turned 18 today. Hadiya's story is sadly familiar. For Americans under the age of 20, gun violence is now the second leading cause of death.

Mr. Speaker, in recent years, we have lost more children to guns here at home than we did soldiers in Iraq and Afghanistan. It shouldn't be political to say that these shootings need to stop. I hope we can all agree that America's young people deserve better.

We owe it to Hadiya and those like her to come together on this issue and work to prevent future tragedies. We know that simple solutions like mandatory background checks, which a majority of Americans support, can make all the difference.

Mr. Speaker, the situation is dire, and action is long overdue. I urge my colleagues to act now on sensible gun control.

SUPPORT FOR MORE BORDER CONTROL HITS FOUR-YEAR HIGH

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

Mr. SMITH of Texas. Mr. Speaker, a recent poll shows that a great majority of the American people continue to oppose President Obama's immigration policies. The new Rasmussen Reports national survey found that 77 percent of likely voters view illegal immigration as a serious problem in America today. Just 19 percent do not.

Most voters, 63 percent, believe that controlling our borders is more important than providing a legal status to those already in the country illegally. This is the highest level of support for border security since 2011. And almost three-fifths of voters think that a pathway to citizenship for illegal immigrants will just encourage more unlawful immigration. Just one-quarter disagree.

As in prior polls, Mr. Speaker, a strong majority of voters, 62 percent, feel that the United States is not aggressive enough in deporting illegal immigrants. A similar percentage of voters want to use our military along our southern border to prevent unlawful entries.

It is time for the President to heed voters' views on illegal immigration and to enforce immigration laws.

NATIONAL GUN VIOLENCE AWARENESS DAY

(Ms. KELLY of Illinois asked and was given permission to address the House for 1 minute.)

Ms. KELLY of Illinois. Mr. Speaker, today I am wearing orange in recognition of the first annual National Gun Violence Awareness Day. Orange is the safety color hunters wear to alert others of their presence, and this is the perfect color to represent safety with respect to firearms and the value of human life.

Last week, as we honored our troops and celebrated Memorial Day weekend, a wave of gun violence ripped through the city of Chicago, wounding more than 50 people and killing 12. Among the victims were a 17-year-old boy, a 15-year-old girl, and a 4-year-old child.

Mr. Speaker, Congress needs to act now. We can't equip every American with an orange hunting vest, but we can surely take sensible approaches to reduce the threat of gun violence in our communities.

This Congress, I have introduced H.R. 224, which would require the Surgeon General to compile a report on the public health impact of gun violence. This commonsense gun bill can help us understand the public health impact of gun violence and prevent future shootings.

Mr. Speaker, I urge my colleagues to stand with me and support commonsense legislation to curb the violence that plagues our Nation. And I want to say happy birthday, Hadiya, and happy birthday, Blair Holt.

□ 1215

SUPPORT OUR NATION'S TRUCKERS

(Mrs. ELLMERS of North Carolina asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. ELLMERS of North Carolina. Mr. Speaker, as we prepare to debate the Transportation, Housing and Urban Development Appropriations bill, I stand in support of our Nation's truckers.

The trucking industry not only provides Americans with access to goods we need to use every day, but it is also critical to our Nation's economy.

In my home State of North Carolina, there are over 70,000 truckers working for more than 16,000 small businesses.

Perhaps even more impressive is that 86 percent of North Carolina communities depend exclusively on trucks in order to transport consumer products and goods across our State.

This industry is essential to ensure a growing and thriving U.S. economy and to provide crucial support to our Nation's small businesses.

Mr. Speaker, I would like to thank the hard-working men and women of this industry who eat their dinners on the road so that we can eat ours at home.

IN MEMORY OF JOHN AND ALICIA NASH

(Mrs. WATSON COLEMAN asked and was given permission to address the House for 1 minute.)

Mrs. WATSON COLEMAN. Mr. Speaker, I rise today in memory of Princeton University mathematician John Forbes Nash, Jr., and his wife, Alicia, two beloved members of the Princeton, New Jersey, community, who died tragically over the Memorial Day weekend.

Many of us knew Dr. Nash for his groundbreaking, award-winning work in mathematics, his practical contributions to economic theory, and his journey to conquer mental illness.

Many more learned his story through its passionate portrayal in ''A Beautiful Mind.''

He shared the 1994 Nobel Prize, and had just returned from celebrating his receipt of mathematics' highest honor, the Abel Prize.

A University of Chicago economist, Roger Myerson, described Mr. Nash's theories as equivalent to ''that of the discovery of the DNA double helix in the biological sciences.''

But in New Jersey, we knew both Dr. Nash and Alicia Nash for their kindness, their humility, their devotion to the community, and the many other ways they remained so down to earth after accomplishments that drew international praise and recognition.

HONORING JUAN JOSE MALO

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

Ms. ROS-LEHTINEN. Mr. Speaker, I rise today to honor Juan Jose Malo on his retirement as the president of Miami's Ecuadorian-American Chamber of Commerce.

Juan Jose has tirelessly worked to help the Ecuadorian American-owned and -operated businesses in south Florida to prosper, to thrive, and to grow. And he has always demonstrated his trademark diligence by enthusiastically advocating on behalf of all of south Florida's business community.

Juan Jose's generosity has also pushed the Ecuadorian-American Chamber of Commerce to undertake seven medical and humanitarian missions to Ecuador and one to the Dominican Republic.

Juan Jose specifically has sought to bring attention to the plight of the Ecuadorian people by founding the magazine ''Revista Remesa,'' ensuring that our community had the latest political and economic news about Ecuador.

Juan Jose, congratulations on your years of leadership. We know that you

will continue your stellar work on behalf of all of south Floridians and the entire Ecuadorian American community.

AMERICA'S RED ROCK WILDERNESS ACT

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

Mr. LOWENTHAL. Mr. Speaker, I am pleased to introduce America's Red Rock Wilderness Act, a bill to designate as wilderness southern Utah's incredible public lands, such as Desolation Canyon, the Dirty Devil, and the Greater Cedar Mesa.

These wild and precious lands are our birthright as Americans, and they are essential to who we are as a Nation. My bill safeguards these special lands and the waters, the flora, and the fauna within them. It furthers the great American conservation ethic of John Muir, of Theodore Roosevelt, and of the many others who helped to preserve the great wild places we cannot imagine today living without.

As we advance toward a cleaner economy, we must protect the $646 billion outdoor recreation economy, which employs more than 6 million people nationwide. None of that is possible without protecting our public lands.

America's Red Rock Wilderness Act would do just that.

NATIONAL GUN VIOLENCE AWARENESS DAY

(Ms. HAHN asked and was given permission to address the House for 1 minute.)

Ms. HAHN. Mr. Speaker, I rise to recognize the first annual National Gun Violence Awareness Day.

In just the past year, gun violence has killed 372 people in Los Angeles County, including 43 in my own congressional district and 20 in the city of Compton alone.

My communities continue to mourn these victims: victims like 16-year-old Lontrell Lee Turner, who was gunned down walking home from church in Compton last December; 65-year-old Jose Padilla, the father who was shot and killed while closing up his restaurant in Lynwood; and 72-year-old Mary Motsumoto, who was shot to death by her husband in their home in San Pedro.

I have mourned with too many parents and comforted too many children who have lost loved ones through gun violence. My communities have suffered through the scourge of gun violence for too long. The children of my community can no longer be targets.

Today, I am proud to stand for gun violence awareness and wear an orange ribbon, representing the value of human life and the efforts we must take to protect it.

MENTAL HEALTH AWARENESS

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

Mr. KENNEDY. Mr. Speaker, according to a report I read recently, serious mental health problems are declining among our children, and that is very good news. But the same report found that over half of severely troubled youth get absolutely no help at all. That is a glaring gap in our system that must be addressed today.

Far too often, the only thing standing in the way of treatment is the negative stigma associated with this disease. The stigma of treatment and medication, the stigma of anger and instability, the stigma of fear of the disease itself.

At a time when there are 10 times more people with mental illness in jail than in State-funded psychiatric beds, we are not doing our job to help our loved ones wage this silent battle alone.

Last month during Mental Health Awareness Month, we recognized and thanked organizations like the Massachusetts Association for Behavioral Health for their critical work to fill the gaps in our system and wipe away the stigmas that deter so many from pursuing treatment.

NATIONAL GUN VIOLENCE AWARENESS DAY

(Ms. ADAMS asked and was given permission to address the House for 1 minute.)

Ms. ADAMS. Mr. Speaker, I rise today on the first National Gun Violence Awareness Day.

Gun violence is an increasingly growing problem in our country, claiming the lives of hundreds of thousands nationwide each year. This must be addressed now.

Gun violence has taken the lives of America's men, women, and children. In 2010, nearly 3,000 infants, children, and teens died as a result of gun violence. This is unacceptable.

In my State of North Carolina, gun violence is rampant. According to a 2013 Center for American Progress report, North Carolina ranked 15th in the Nation for gun violence. From 2001 through 2010, more than 11,000 North Carolinians died as a result of gun violence. These senseless crimes instill fear, pain, and insecurity in our communities.

My colleagues, we must band together to repair our communities and help stop gun violence.

PROVIDING FOR CONSIDERATION OF H.R. 2577, TRANSPORTATION, HOUSING AND URBAN DEVELOPMENT, AND RELATED AGENCIES APPROPRIATIONS ACT, 2016, AND PROVIDING FOR CONSIDERATION OF H.R. 2578, COMMERCE, JUSTICE, SCIENCE, AND RELATED AGENCIES APPROPRIATIONS ACT, 2016

Mr. SESSIONS. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 287 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 287

Resolved, That (a) at any time after adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of any bill specified in section 2 of this resolution. The first reading of each such bill shall be dispensed with. All points of order against consideration of each such bill are waived. General debate on each such bill shall be confined to that bill and shall not exceed one hour equally divided and controlled by the chair and ranking minority member of the Committee on Appropriations. After general debate each such bill shall be considered for amendment under the five-minute rule. Points of order against provisions in each such bill for failure to comply with clause 2 of rule XXI are waived.

(b) During consideration of each such bill for amendment—

(1) each amendment, other than amendments provided for in paragraph (2), shall be debatable for 10 minutes equally divided and controlled by the proponent and an opponent and shall not be subject to amendment except as provided in paragraph (2);

(2) no pro forma amendment shall be in order except that the chair and ranking minority member of the Committee on Appropriations or their respective designees may offer up to 10 pro forma amendments each at any point for the purpose of debate; and

(3) the chair of the Committee of the Whole may accord priority in recognition on the basis of whether the Member offering an amendment has caused it to be printed in the portion of the Congressional Record designated for that purpose in clause 8 of rule XVIII. Amendments so printed shall be considered as read.

(c) When the committee rises and reports any such bill back to the House with a recommendation that the bill do pass, the previous question shall be considered as ordered on that bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

SEC. 2. The bills referred to in the first section of this resolution are as follows:

(a) The bill (H.R. 2577) making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes.

(b) The bill (H.R. 2578) making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2016, and for other purposes.

The SPEAKER pro tempore. The gentleman from Texas is recognized for 1 hour.

Mr. SESSIONS. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentleman from Florida (Mr. HASTINGS), my friend, pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

GENERAL LEAVE

Mr. SESSIONS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks.

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

There was no objection.

Mr. SESSIONS. Mr. Speaker, House Resolution 287 provides for a modified open rule for separate consideration of H.R. 2578 and H.R. 2577. Under this rule, any Member may offer any amendments to the bills in question that comply with the rules of the House. It also provides for 10 minutes of debate on each amendment considered. This approach has been what we call a standard rule for appropriations bills and was established and has been followed for this last year and the year before, and I believe it has been effective and, really, a good way for this body to be able to effectively operate, allowing each and every Member of this body the chance to offer their amendments.

This rule also accomplishes two important goals:

First, it reflects the majority's commitment to an open and transparent appropriations process. This rule will also allow for all Members to bring to this body their ideas that they have that they bring from back home, perhaps ideas from their own individual constituents about how we can make this appropriations process even better. I think it is important that Members of Congress be given an opportunity to do this in the appropriations process, and that is exactly what we are trying to do today for a robust opportunity for discussion. If an amendment complies with the rules of the House, it certainly will be given an up-or-down vote, if that Member chooses to do so.

Secondly, this rule provides for reasonable time constraints. It is my belief that if Members' ideas are heard and the process by which we consider appropriations bills is done on a timely basis, then the House will benefit, and so will the American people, so that we work effectively and efficiently at the same time. This rule, I believe, strikes a good balance, allowing all Members an opportunity to offer necessary amendments but also allowing the House to get its work done.

□ 1230

I estimate that we will spend about 18 hours in the process to get these bills done. Throughout this open process, the House will be able to make two great bills, I think, even better.

Mr. Speaker, the open process by which these two bills will be considered, if the rule is adopted, is not only a good thing, but I think it says something about the work that the Rules Committee is doing. I am proud to support these two underlying bills because they make tough decisions, and they prioritize the responsibilities of the Federal Government. We simply do not have enough money to spread around to not have to make tough decisions. These are tough decisions that are made.

Yesterday, at the Rules Committee, both of these bills were equally addressed on a bipartisan basis, and both the ranking member and the chairman of the subcommittee said they worked well together.

Obviously, not everybody was happy with how much money they had to spend, but both of the ranking members—the Democrats who were present—addressed our committee and said that they were treated fairly, that they were treated respectfully, and that it was an open and transparent process to achieve good things for the bills.

That is the hope that I have as we come to the floor today in that you will see groups of Members who will come to the floor with an open opportunity as a result of what we did in the Rules Committee, knowing that the process that took place back in the Appropriations Committee was well done.

Alarmingly, however, yesterday, we learned that President Obama has threatened to veto both of these bills because, as I quote him, they ''drastically underfund critical investments.''

Let me see if I can break this down for you. It is our job to determine what those appropriations levels would be. We heard from the President of the United States when he presented his budget, and year after year after year, the President of the United States has failed to receive more than only several votes on his budget.

I believe that what we have done by working carefully and meticulously through the budget process and through the appropriations process gives us a better angle on the needs and the priorities of these agencies from a congressional and, I believe, a ''back home'' experience.

The people of this country elected their Representatives, and their Representatives have come to Washington and have had a fair and open process, notwithstanding that we are not spending as much as people want us to spend.

I believe that the President is saying that he will veto these bills because he does not believe that we simply continue to spend more and more and more. This President has an insatiable appetite that we saw and have seen year after year after year.

Based upon his words, I would say back to him: Mr. President, please look at the merits of the work that the House of Representatives is doing on a bipartisan basis. We are trying to live within the parameters of a budget that has been established and that was voted on by Members of this body, that has the vast majority of the Members of this body to say, when compared to the President's budget, this is the budget that I believe best represents not only what we can accomplish but what will work in the best interests of the American people, our constituents. Mr. President, they are the same ones that you have across this great Nation. Mr. President, we are asking you to take a second look at how you will listen to us and to watch the process that is going on here. I think it will develop itself into a better way for us to do business, and I would encourage the White House to look at that.

Mr. Speaker, a great nation simply cannot spend money that it does not have and be a great nation for very long. This last month, we crossed over the terrible, terrible threshold of going from $17 trillion to $18 trillion in debt, and we continue to add up this debt and live off that debt and add to the debt with the spending that we do. We believe that what we have got to do is become more responsible with the taxpayers' dollars and the future of this great Nation.

The law of the land and the law that the President has signed requires Congress to act within the requirements of the Budget Control Act. These were agreements that were made with the President. That is what we are sticking to, and that is what these bills do; yet the President, once again, is telling us: Please set aside the agreement that was made. I don't now like the thing that I agreed to, that I signed into law.

In some instances, they were some of the President's own ideas.

We need to understand that the American people want and expect us to see problems and to solve them and to stick to it. That is what this budget process is about, and that is exactly what this appropriations process is about.

Look, I disagree with the President. I believe that what we need to do is to live within the agreement of the Budget Control Act. My party, the Republicans, have worked to lower discretionary spending from nearly $1.5 trillion in 2009, where we were, to today in 2015, $1.014 trillion.

That is the difference between 2009 and 2015, years in which excessive and out-of-control spending could have taken place but for the discipline of the Republican Party and the discipline of our Members and, might I say, of the American people, who have heard our call for having a plan, a plan which

carefully moves America into the future, that lessens the amount of debt the American people have to take on, and that makes better opportunities for our children and grandchildren not to have to pay back our excessive spending just because we are a group of people who thinks it is smarter than the people back home. We aren't.

They get also, Mr. Speaker, that we have to have a defined goal. We have to do exactly what they do back home, and that is to be responsible about a family budget, about a State budget, about a Federal Government budget.

That means disciplined accountability and a plan that you are willing to stick to. That is exactly what we have done. We have worked hard to lower discretionary spending over these years, and the effort has saved more than $2 trillion over this period of time and, I believe, over what would have been spent.

I think this is a big win for the American people, and I think it is a big win for people who want, need, and expect Members of Congress to come to Washington and stick not only to a plan, but to a disciplined approach in trying to balance together the needs of this great Nation and its people and the need for us to look over the horizon at what our future would be.

I think that we have lowered spending and that we have had a chance to shrink the size of government. Certainly, what we are trying to do is to work at lowering the deficit or the amount of money that would have been added to that deficit. These are the discussions that people back home have with their Members of Congress: What lies ahead? And how are you going to be able to make tough decisions?

I hope that the President of the United States is listening to this because we are, on a bipartisan basis, having these same discussions in the House of Representatives and in the committees on which our Members serve. Now is the time not to go back to liberal, reckless spending opportunities. They will always abound.

It is always easier to spend somebody else's money. I just don't think it is right, so the Republican Party is here on the floor today with two more appropriations bills, and it is going to sell to the American people the confidence that we have that we can make this government work more effectively and more efficiently—yes, with fewer dollars but with greater opportunities for efficiency.

I believe that both of these bills strike what is a balance, a balance between funding critical projects while making smart financial decisions. These two can be accomplished, and that is why we are trying to work together to prioritize it.

H.R. 2578, the Commerce, Justice, Science, and Related Agencies Appropriations Act of 2016, focuses on the true governmental interest: fighting crime; making decisions about how we keep terrorists at bay; keeping the American people safe; and supporting the U.S. economy at the same time by making critical investments in science, space, exports, and manufacturing. Certainly, in tough economic times, tough decisions are required, and that is exactly where we are.

Yesterday, we had a chance to hear from two Members of Congress—Republicans—one of them, the gentleman from Houston, Texas (Mr. CULBERSON), the subcommittee chairman. He talked about the bill reflecting smart but fair decisions. The decisions that he spoke about were that the legislation provided $51.4 billion in total discretionary, which was $661 million below the President's request.

H.R. 2578 also prioritizes vital programs that are, essentially, built around law enforcement—Federal law enforcement—and their ability to aim at the problems that our citizens see and that, certainly, our law enforcement sees and to put a priority on national security and public safety and initiatives that also aim for job creation and economic growth. These are part of the priorities that have to be taken up, and, in fact, they were.

The second bill, H.R. 2577, the Transportation, Housing and Urban Development, and Related Agencies Appropriations Act of 2016, I believe, similarly had many of the same characteristics.

First of all, they are going to stick to exactly what we talked about in the budget, and they are going to have to strike a balance—a tough balance—but one which is based on the priorities of essential programs and on making responsible reductions to low-priority activities.

This bill provides $55.3 billion in discretionary funding, which is $9.7 billion below what the President wanted. Once again, the President does not want to stick to the budget agreement—an agreement which he signed into law—but that is what this body is going to do.

We are going to live within the law, and living within the law is what the American people expect as part of the plan. This bill allows for important investments in national transportation infrastructure, including investments in our national highways, railways, and airports. It also provides help to people who are in dire need of affordable housing options.

Mr. Speaker, I learned a long time ago, when I became a scoutmaster for the Boy Scouts of America, that needs always outpace resources. Needs are always out there, and they are something that you just simply want to continue to be a part of, but money is not always the answer.

Sometimes, a prioritization of the needs that you have to meet will then define you to a better process, one which people can then better understand. That is what we are doing here today.

Like most Members, who will have an opportunity as a result of the work that we did last night in the Rules Committee, I have ideas that, I think, can help improve H.R. 2577. One of those ideas, I have brought to the floor many, many times in a bill; and during the debate on funding, I think I will have good ideas that will help make our country stronger—in this case, make transportation stronger.

It became clear to me a number of years ago that government subsidized rail service on Amtrak does not make economic sense. What we have looked at is that Amtrak takes money. Years and years and years ago, they agreed that they would quit taking government subsidies and would run the railroad as an east and west operation.

Instead, what did they do? They became a cross-country hauler. Every single long-distance route that Amtrak provides—those of more than 400 miles in length—operate at a loss every single month. There are 11 routes that cost double the amount of revenue that they create. That is why I have offered two important opportunities, which were amendments, to eliminate this.

The first would eliminate the funding for Amtrak's long-distance routes, which have a total direct cost of more than twice the revenue. That means, if the cost is twice the revenue, then it would be eliminated.

The second would eliminate the funding for Amtrak's worst performing line, the Sunset Limited. The Sunset Limited, which is an east-west and west-east operation is subsidized for every single ticket and for every single train by over $400 in government subsidies, a loss totalling $41.9 million last year alone.

□ 1245

Mr. Speaker, these are just some of the ideas. Mr. Speaker, you will be hearing about lots of them over the next 18-some hours of debate that will take place. This is a good thing about this rule. Members just like myself will have a chance to come and put their ideas as opportunities on the floor for other Members to consider. I think that is why we are here today, to work together on a process that will make our country even stronger.

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

The SPEAKER pro tempore. Members are reminded to address their remarks to the Chair.

Mr. HASTINGS. Mr. Speaker, I thank the gentleman from Texas, the chair of the Committee on Rules and my friend, for yielding the customary 30 minutes for debate.

I yield myself such time as I may consume, and I rise today in opposition to the rule and underlying bill.

Mr. Speaker, this rule provides for consideration of both H.R. 2578, the Commerce, Justice, Science, and Related Agencies Appropriations Act, as well as H.R. 2577, the Transportation, Housing and Urban Development, and Related Agencies Appropriations Act. Both, in my opinion, are woefully inadequate and underfunded pieces of legislation that serve as a slap in the face to hard-working Americans and a reminder of my Republican colleagues' shortsighted and irresponsible attempt at achieving a balanced budget.

Last night, in his testimony before the Committee on Rules on H.R. 2577, Ranking Member DAVID PRICE made a statement that was not only profound but incredibly accurate. He responded to Republican sentiments that slashing domestic appropriations in isolation is a necessary evil by stating that ''a great nation must invest in its future.''

Indeed, the importance of this investment cannot be overstated. For too long, we have forced austerity measures upon appropriators that prevent the funding of programs that create jobs; bolster our economy; repair and improve our Nation's decrepit highways, transit systems, and infrastructure; that fund medical research; and provide safe, decent, and affordable housing for poor and vulnerable families, the elderly, and disabled.

It both saddens and frustrates me that my Republican friends continue to go after domestic programs that would unequivocally improve the lives of so many Americans while at the same time refusing to address the real drivers of the fiscal crisis, which are tax expenditures and mandatory spending.

It is unconscionable to me that we, as a nation, cannot come up with the money to fund projects that repair and improve our country's transportation infrastructure. I pointed out yesterday in the Committee on Rules that aside from all of the bridges that I talked about from Florida that are in need of repair, right here in Washington, the Memorial Bridge that leads from Virginia into this city is in need of repair.

The initiative that provides grants to local law enforcement and first responders would also improve in our country. But we provide ourselves with an unlimited budget to fight foreign wars without a mechanism to pay for those costs. Enough already, Congress. How about an authorization for the use of force rather than the methods that are employed now for ongoing, undetermined, indefinite—it appears—wars?

The solution to our current fiscal circumstances lies not in withholding of necessary funding for essential domestic programs, but in comprehensive reform that considers—yes, considers—tax increases in addition to entitlement and appropriations cuts. That is how we balanced the budget in 1994 and to a relative degree in 1997, and we had, at that time, 4 years of balanced budgets. Adherence to these Republican budget limits self-imposed by sequestration is ineffective, detrimental to our national progress, and just plain wrong.

The Commerce, Justice, Science Appropriations measure before us today is the instrument used to provide funding for many vital programs and agencies, such as the Department of Justice, Commerce, NASA, and the National Science Foundation. Despite the importance of fully funding these agencies, this bill is a prime example of the mindless austerity of sequestration and the misguided priorities of my Republican colleagues.

Time won't permit to add context to how we got to sequestration, and my friend from Texas, the chairman of the Committee on Rules, is absolutely correct. The President did sign this measure, but that was at the instance of an awful lot of negotiations and the government being shut down.

I don't stand here and point fingers at either side in this regard. I said yesterday in the Committee on Rules, and I repeat here, it is the fault of 435 voting Members of Congress that we allow for this measure to put us in the position that we are in on these two measures as well as others to come.

For example, this bill fails to adequately fund several Department of Justice grant programs and outright eliminates others, programs and funding that are critical to many State and local law enforcement activities. Specifically, the bill cuts $180 million from the Community Oriented Policing Services hiring program. This effectively eliminates a program that would put an additional 1,300 police officers on the streets. At a time when the relationship between many of our communities and law enforcement is strained, why are we decimating a program dedicated to building trust and mutual respect between the police and the communities they serve?

In another startling policy decision by the majority, this bill eliminates, in its entirety, several other important programs, including the substance abuse program.

I come to the floor today from a meeting this morning dealing with institutions for mental disease in which the community of persons who work in substance abuse, addiction, and mental health are pleading for the changes necessary for them to be able to address the significant problem that our population faces from veterans, to civilians, to children, and to the elderly, and yet what we did in this measure is eliminate the Substance Abuse Treatment program.

We eliminate the Violent Gang and Gun Crime Reduction initiative at a time when we are witnessing, in our Nation, serious gun violence, and many of us today are about the business of trying to highlight, at least on this one day, the epidemic of gun violence in our society and how it has cost lives and treasure.

This program, as offered, eliminates the National Center for Campus Public Safety.

Perhaps the most indicative of the misplaced funding priorities by the majority is the gun policy rider—yep, yep, a rider, not part of this bill, just kind of tacked on like we tacked on something having to do with Cuba. We just tack these riders on, and this has been attached to this legislation.

Not only has the majority completely eviscerated important violence and gun crime reduction programs, they have attached a policy rider that cancels out a narrow, targeted reporting requirement on the sale of certain long guns sold in four border States. The purpose of this requirement is to discourage straw purchasers from buying weapons for Mexican drug cartels. This reporting requirement has been proven to be effective. Courts agreed that it does not restrict Second Amendment rights, so why is the majority including this irresponsible gun rider in a bill that largely funds public safety? The irony of this provision should not be lost on any of us.

Finally, in addition to cutting funding to important public safety programs, this bill showcases my Republican colleagues' remarkable ability to bury their heads in the sand when it comes to climate change, employing their ill-conceived strategy of defunding any program that might help us understand and address this important issue. This legislation intentionally underfunds the Geosciences directorate at the National Science Foundation and the Earth Science Office at NASA, where scientists are studying the most effective ways to respond to climate change.

The second bill, H.R. 2577, provides $55.3 billion in discretionary funding for transportation and housing programs for fiscal year 2016. While this allocation appears to be an increase from fiscal year 2015, after inflationary adjustments, including declining Federal Housing Administration receipts and increasing Section 8 renewal costs, this bill actually designates $1.5 billion less than last year's enacted level.

The shortcomings of this piece of legislation are so numerous that I would far exceed the time allotted to me if I were to attempt to discuss them all. Instead, I will just graze the surface by addressing just a few of the most egregious provisions.

This bill reduces funding for Amtrak by 18 percent from last year's level and $1.3 billion below the President's request. This reduction eliminates funding for positive train control, a technology that the Transportation Safety Board has stated publicly may have prevented last month's tragic Amtrak

derailment in Philadelphia, and provides no funding for intercity passenger rail or the installation of additional safety mechanisms.

It also slashes funding for the Federal Transit Administration's Capital Investment Grant program, cuts TIGER funding by $400 million—it does have a placeholder for something that may take place in the future—and it reduces the Federal Aviation Administration's capital program, which impedes the FAA's ability to implement its NextGen program as well as maintain and improve aging facilities.

In addition to its funding inadequacies, as has become custom under Republican leadership, this bill offers up legislative handouts to the trucking industry and other powerful interests at the expense of the safety of our constituents. Specifically, it is going to allow trucks to carry longer trailers across the country, make it harder for the Department of Transportation to mandate that drivers get more rest before they hit the road, and forbid the Department from raising the minimum insurance it requires trucks and buses to carry.

I wonder if we ever really talk to truckers and really ask them do they want to carry trains on roads—that is what it amounts to—and do they need the rest that they have requested for years. None of us are against the trucking industry, but these measures allow for something that should not occur. The latest data which is available shows that nearly 4,000 people died in accidents involving large trucks.

□ 1300

Last week, there were no less than three in the constituency I serve, including a 17-year-old extremely bright young girl who lost her life at the instance of a trucking incident.

Most of these 4,000 people were riding in another vehicle or were pedestrians. That is a 17 percent increase from the year 2009.

These provisions will make our highways less safe and do not belong in an appropriations bill. Trucking regulations should be openly debated as part of a comprehensive surface transportation bill, which, incidentally, we have been assured is on the horizon.

Currently, one out of every nine bridges in our country is structurally deficient, and congestion has never been worse. At the same time, our population is expected to grow by 70 million over the next 30 years. Knowing this, we must not continue to wait for our bridges to collapse, our public transit systems to malfunction, and our highways to deteriorate before we agree to provide adequate funding.

Just as it does for transportation and infrastructure initiatives, H.R. 2577 makes dramatic cuts to funding for housing support programs for poor and vulnerable individuals and families. One of the most striking of these reductions is the one levied against the public housing capital fund, making it only slightly higher than the monetary amount allocated in 1989, without accounting for inflation.

I held a housing forum on Saturday in the congressional district that I am privileged to serve, and I saw the pain that was expressed by the people in long waiting lines for section 8 housing and in the deteriorating public housing that is in that 30-year at-risk period. It just pains me even to talk about it and then to come up here and in this very week do more, if we follow our Republican friends, to cut these programs.

This bill also reduces funding for the Department of Housing and Urban Development's Choice Neighborhoods initiative. It slashes funding for Healthy Homes and lead hazard control grants, exposing the most underprivileged children to toxic lead poisoning.

It transfers money from the housing trust fund to fund the HOME program, taking funding away from a program which is reserved for the most economically disadvantaged and in the most need of assistance, and does nothing to increase access to safe and affordable housing for the elderly or disabled.

In short, this legislation undermines the continued viability of our Nation's infrastructure and threatens our country's economic competitiveness.

I fear that without these necessary investments in transportation, housing, science, commerce, and justice programs, the negative implication of Representative PRICE's statement will become a reality. We will fail to remain a great Nation because we will fail to accommodate the demands of the future.

For these very important reasons, and many more that I could express, I oppose both the rule and the underlying bills, and I reserve the balance of my time.

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

I know that I see one of our colleagues from the Rules Committee who wants to come speak, but I want to take just a second and respond in kind for my party, and that is that my party does recognize that there is much that does get accomplished because of the efforts of this government and the efforts of this Congress that fund good ideas and do things.

A number of years ago, we became faced with, however, a circumstance where what lies in our immediate future is too much spending, which means that this country has to borrow money. It is money that needs to be paid back.

But in the process of taking money, setting priorities, and spending money, there also is something called interest on the debt. And that is, if money were free and you could just borrow money but not pay interest for it, I am sure we would not mind how much we borrowed.

But the bottom line is that is not the reality. The reality is that we have to pay for money that we borrow. And that debt which we have to pay money back for means that every single year the amount of money that we pay and that comes out of the pot of money gets larger and larger and larger. And paying back debt competes against money that we can spend on behalf of people.

And so, at some point, if you just buy off on that we have got to spend more and more and more, that means that we have to take more as debt and pay more of interest. And that competes in a marketplace, in a budget, against projects that we would like to do and that do actually help people and that do focus on the most needy and the most vulnerable in our society.

But we are spending, Mr. Speaker, an incredible amount of money. And we are trying to learn over time how to become more efficient, how to make our cities even better, how to create jobs, and how to educate people and to bring them forth in a mature way. That is what every great nation really will be ultimately charged with: how can you make your country better not just today, but for the future.

And so Republicans do stand for not spending more than what we make so that we have more that we can make in a balanced budget today and spend in a way that creates a better future for our children and grandchildren.

The bottom line is, over the last 6 years, we have gone from a debt of $9 trillion to $18 trillion. Some could say that was while we slept, but that is not true. It happened while we were trying to offer better opportunities and resolve.

So, for the last 5 years, Republicans have said we are going to quit this runaway spending, we are going to make tough decisions, and we are going to protect this great Nation at the same time. But we are asking for the American people to also recognize what we are doing, Mr. Speaker. And just as I speak to you today, I speak to people back home, as other Members of Congress do to their constituents, and say we are trying to balance what we do over time with the efficiencies that keep this great Nation great.

I will be honest with you. We live in the greatest Nation in the world. And thank God we are Americans. We trust in God, but we also trust in discipline to make this great Nation even better. And that is what appropriations bills are about: priority, making this great Nation still great tomorrow with discipline. And discipline has a lot to do with our ability to be a great Nation.

I reserve the balance of my time.

Mr. HASTINGS. Mr. Speaker, may I inquire how much time is remaining?

The SPEAKER pro tempore. The gentleman from Florida has 12 minutes remaining, and the gentleman from Texas has 7 minutes remaining.

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

Before making my remarks, I just want to say in a challenging way to the chairman of the Rules Committee that if we were to fix a bridge, it takes people to fix that bridge. And the people who fix that bridge spend their money in the local areas and pay taxes, which brings revenue back in. And that is why we need to fix bridges, in my judgment.

I am pleased at this time to yield such time as he may consume to the gentleman from Massachusetts (Mr. MCGOVERN), my good friend with whom it is a pleasure to serve with on the Rules Committee.

Mr. MCGOVERN. I thank the gentleman from Florida for yielding, and I want to associate myself with his remarks.

Mr. Speaker, I rise today in strong opposition to this rule, which provides for consideration of the Transportation-HUD and CJS appropriations bills.

First, let me express my astonishment at the big giveaways to the trucking industry in this Transportation-HUD bill. This bill is loaded up with pet projects of the trucking industry that threaten the health and safety of the traveling public.

The lack of regard for the safety and well-being of those on the roads and bridges is stunning. It is hard to believe that some of the provisions that are contained as policy riders in these appropriations bills are actually there.

This bill should focus on strengthening America's infrastructure, repairing crumbling bridges, investing in public transportation, and making our roads safer, but instead puts the trucking industry in the driving seat, leaving the average American left behind.

The bill would, one, increase truck weights in Idaho and Kansas; two, allow twin 33-foot trailers on interstates; three, delay full implementation of DOT's hours of service rule, which requires minimum rest periods for truckers; and, four, prohibit the Department of Transportation from increasing minimum insurance requirements for big trucks and motor coaches.

Mr. Speaker, with all that we know, it is simply outrageous that we would allow bigger and heavier trucks on our highways.

Today's bill is intended specifically to appropriate funds, not authorize new policy. Yet this is exactly what these policy riders are doing. They don't belong on this bill.

Furthermore, there was not a single hearing on these trucking riders: not one subcommittee hearing, not one full committee hearing. These issues are important enough where they should be openly debated as part of a comprehensive surface transportation authorization bill, not tacked on to an appropriations bill. They don't belong here. But this process has become so corrupted that anything goes. Committees of jurisdiction are routinely disregarded and disrespected.

Making these controversial policy changes before the Department of Transportation finishes their comprehensive truck size and weight study that was required by MAP–21 would be irresponsible. We should allow the Department of Transportation the time it needs to get their study right.

Simply put, these trucking industry riders will make our highways less safe at a time when our infrastructure funding is woefully inadequate and our roads and bridges are crumbling.

In just the past 4 years, we have seen a dramatic 17 percent increase in the number of truck crash deaths and an alarming 28 percent increase in injuries. Instead of advancing safety measures to make our roads safer, Congress is about to roll back significant safety laws and regulations that will result in more deaths and more injuries on our roads and highways. In fatal truck and car crashes, 96 percent of the fatalities are occupants of the passenger car.

Mr. Speaker, public opinion is clear: Americans do not want bigger trucks or tired truck drivers on the road. Seventy-six percent of Americans opposed longer and heavier trucks, and 80 percent were opposed to increasing truck driver working and driving hours.

Yet here we are with authorizing language on an appropriations bill to make our roads less safe. Why are my friends doing this? It might be good policy for fundraising purposes, but it is lousy policy for the American people.

These dangerous riders don't belong here. They threaten the safety of everyday Americans on the road, and we ought to insist that they be removed.

Mr. Speaker, I also wish to express my concern about the dangerous and backward-thinking riders that are included in both the CJS and Transportation-HUD Appropriations bills regarding Cuba.

Obviously, there are several Members here in this House who are nostalgic for the cold war, who are still living in the past. I just want to say, thanks to the leadership of President Obama and this administration, we are making real progress in normalizing relations with Cuba and connecting them with a 21st century economy. We are ending an embarrassing, dumb, and counterproductive policy that by all accounts has been a miserable failure for the last five decades.

In 2011, after President Obama reinstated the rules allowing Cuban Americans to visit their relatives on the island and permitting all Americans to send remittances to Cuba, hard-liners used the appropriations process to prevent the policies from being implemented. Thankfully, Senate Democrats kept the hard-liners' provisions out of the omnibus bill, and legislation reversing the modest but hopeful travel and remittance reforms never reached the President's desk.

□ 1315

As a result, hundreds of thousands of trips between the U.S. and Cuba have taken place every year since, reuniting families and increasing the number of Cubans receiving the economic support they need to run their own businesses and lead more independent lives.

Instead of celebrating the progress, hard-liners are once again trying to shut down the new openings for greater citizen diplomacy created by this administration. This is the wrong thing to do for America; this is the wrong thing to do for American companies, and it is the wrong thing to do for the American people.

Mr. Speaker, for the first time in six decades, the United States Government is encouraging citizen diplomacy, greater travel and trade, and telecommunications and other industries to build relationships and stronger ties with counterparts among the Cuban people and new entrepreneurs.

American businesses are already seeing the potential for economic growth. That is why JetBlue and other airlines are expanding charter services and planning commercial routes, why ferry companies are planning to set sail for Havana, why Airbnb and Netflix are hoping to build real businesses in the Cuban market, why Governors in red and blue States alike are trying to position companies in their States to succeed.

The provisions in these bills are antibusiness. Airlines and maritime businesses have already taken steps to initiate travel service to and from Cuba based on the administration's December 17, 2014, announcement, and these provisions in these bills will block them.

Even the United States Chamber of Commerce strongly opposes these provisions, and they have sent a letter to Congress basically making the case why we ought to have better and more open travel and trade with Cuba.

It is why Americans across the country and Cuban Americans in communities where they live are so deeply committed to a policy that puts the cold war behind us and puts our country on a path to creating a new and brighter future with Cuba.

Simply put, these provisions in these appropriations bills are trying to pull the plug on new efforts by U.S. citizens and U.S. companies to expand their presence in Cuba. As the policy moves forward, they keep trying to pull us back into the cold war and a policy that has failed for over 50 years.

Let's be clear. The Transportation-HUD Appropriations bill would ground new commercial or charter flights that came into being after March 15, 2015. JetBlue and Tampa International Airport are just two beneficiaries of the President's new policy who would be adversely affected.

With new ferries leaving port, as much as $340 million would be pumped into Florida's economy. These provisions would hold back that economic growth, hurting American businesses in Fort Lauderdale, Tampa, Orlando, and Miami.

Mr. Speaker, the CJS bill would shut down U.S. exports to Cuba in ways that will affect telecommunications firms now in negotiations to open up phone and Internet connections on the island.

Do we want Cubans to be better connected to the outside world? I thought the answer was a huge bipartisan yes, but apparently not. The ugly truth is that these provisions in these bills are hiding their real intent, and that is to shut down the growing connections between Cuba and the United States and our citizens and U.S. companies.

Mr. Speaker, I would just say to my colleagues that these provisions, first of all, do not belong in appropriations bills. They are authorizing language. They don't belong even in this debate.

I would suggest to them that these appropriations bills aren't going to see the light of day as long as these provisions are in this bill. I would urge my colleagues to put the cold war behind them and to get rid of these provisions, and let's move on to a better and more productive relationship.

Mr. SESSIONS. Mr. Speaker, the beautiful part about these last two speakers is that the rule allows them to come to the floor and to present an amendment to strike or to add anything that they would like to add into this bill. That is the beauty of what we are trying to do here today, Mr. Speaker.

I reserve the balance of my time.

Mr. HASTINGS. Mr. Speaker, I yield 30 seconds to the gentleman from Massachusetts (Mr. MCGOVERN).

Mr. MCGOVERN. I would just respond to the chairman by saying the thing about this rule that is so frustrating is that important amendments are only given 10 minutes of debate, 5 minutes on each side. Some of these issues are important and deserve more than 5 minutes of debate.

We are not going to have debates. We are going to offer amendments and then, essentially, vote. I am not so excited about the way this rule has been constructed, especially given the fact that very little time is being allotted to discuss some of these important issues.

Mr. HASTINGS. Mr. Speaker, I would ask that you ask my good friend, the chairman of the Rules Committee, if he is ready to close. I have no additional speakers at this time.

Mr. SESSIONS. Mr. Speaker, I appreciate the gentleman asking. I have no further speakers and, in fact, would, as we have done many times, allow the gentleman to offer his close, and then I would also.

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

These bills exemplify the recklessness and the foolishness of the majority's almost exclusive focus on domestic appropriations for deficit reduction, while leaving the main drivers of the deficit unaddressed. We cannot continue on this path if we intend to maintain our country's economic competitiveness.

I urge my colleagues to vote ''no'' on the rule and underlying bills, and I yield back the balance of my time.

Mr. SESSIONS. Mr. Speaker, I want to thank my two colleagues who serve on the Rules Committee, the gentleman Mr. MCGOVERN and the gentleman Mr. HASTINGS.

They are both not only extremely committed men to their constituency, but also to bettering this House of Representatives. Their voice and their words and their opportunities of which they stand up for, I have great respect for, and want to thank them for the character in which they have come after today's not only debate, but yesterday's debate that took a number of hours as we heard from four Members of this body about their ideas about how we should pursue these two appropriations bills today.

Mr. Speaker, I want to confine my comments to a perspective, and that is satisfaction that I have for the way in which this process is working today. I understand, as acknowledged in the very beginning, we have an issue with how much money we are going to spend.

I recognize we are back at 2008 levels in 2015 in most of these bills. I do acknowledge that. I do acknowledge that we are asking—requiring—on government a chance to run their agencies—spend money back at 2008 spending levels.

I think that the process that we are going through will also be an advantage ultimately, sure, in the short-term, but ultimately, where we will look at this as a prioritization basis, where we will empower the government, if they work with us and if we work with them, to understand how we can keep this country great—even spending less money—how we can continue to prioritize the decisionmaking to where we can pick and choose what needs to be done.

Look, it doesn't make me happy. It makes no Member of this body happy. Certainly, the Speaker, the gentleman from Florida, would recognize—you have needs in your district. I do, from Dallas, Texas, have needs in my immediate district and districts that are around.

The overwhelming need is all of us—and that is not to spend more than we can say and justify for our future because the dollars that we spend are borrowed. The dollars that we borrow and spend show up on our bottom-line debt, and it impacts everybody.

The bottom line is we have to pay back interest on that money, just like any family that takes out money on a home loan or a credit card or something else. They have to be able to understand that takes away because they are paying for that, their ability to spend money in a different way.

Our Republican majority is well aware of the demand that is placed on us, that we cannot go and do all the things that we would wish to do, but we have accepted and taken a pledge that we have given to the American people that they do get an understanding—that is we are not going to keep in the circumstance of spending money based upon taking out a loan because it is not good for our children, our grandchildren. It is not good for our future.

Mr. Speaker, today, we have had a chance to debate these two bills in this one rule. I think, once again, as I stated earlier, it is a commitment to transparency and openness that this body has and every Member retains here on the floor. You saw part of it today.

Through this open modified rule, each Member will have the opportunity to submit their ideas to two underlying bills, H.R. 2578 and H.R. 2577. Through this rule, the House will be able to work its way through majority rule floor votes and to make sure that the vital appropriations process is vigorous, is timely, and reflects the will of this body.

When this rule is adopted, a robust debate will take place in a way that will allow us to fund these important measures, over $100 billion.

I think that, as we talk about this, you can see, Mr. Speaker, that this body is getting its work done. It is getting its work done. We passed a budget. We will pass the appropriations bills.

We go home every weekend; we look our constituents in the eye, and we have to justify what we are doing. We are following a process that we said we would do. It is for the betterment of this country, to keep this country strong.

I am proud of the Members of this body; and, as a Republican member of our leadership team, I can tell you that we intend to follow through with the process, the promise that we make to the American people.

Mr. Speaker, I urge support for the underlying bills, for this rule.

I yield back the balance of my time, and I move the previous question on the resolution.

The previous question was ordered.

The SPEAKER pro tempore (Mr. JOLLY). The question is on the resolution.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

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

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, this 15-minute vote on adoption of this resolution will be followed by a 5-minute vote on approval of the Journal.

The vote was taken by electronic device, and there were—yeas 242, nays 180, not voting 10, as follows:

[Roll No. 268]

YEAS—242

Abraham
Aderholt
Allen
Amash
Amodei
Ashford
Babin
Barletta
Barr
Barton
Benishek
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Bost
Boustany
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Bucshon
Burgess
Byrne
Calvert
Carney
Carter (GA)
Carter (TX)
Chabot
Chaffetz
Clawson (FL)
Coffman
Cole
Collins (GA)
Collins (NY)
Comstock
Conaway
Cook
Costello (PA)
Cramer
Crawford
Crenshaw
Culberson
Curbelo (FL)
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Dold
Donovan
Duffy
Duncan (SC)
Duncan (TN)
Ellmers (NC)
Emmer (MN)
Farenthold
Fincher
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Garrett
Gibbs
Gibson
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Griffith
Grothman
Guinta
Guthrie
Hanna
Hardy
Harper
Harris
Hartzler
Heck (NV)
Hensarling
Herrera Beutler
Hice, Jody B.
Hill
Holding
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (OH)
Johnson, Sam
Jolly
Jones
Jordan
Joyce
Katko
Kelly (PA)
King (IA)
King (NY)
Kinzinger (IL)
Kline
Knight
Labrador
LaMalfa
Lamborn
Lance
Latta
LoBiondo
Long
Loudermilk
Love
Lucas
Luetkemeyer
Lummis
MacArthur
Marchant
Marino
Massie
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris Rodgers
McSally
Meadows
Meehan
Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Mullin
Mulvaney
Murphy (PA)
Newhouse
Noem
Nugent
Nunes
Olson
Palazzo
Palmer
Paulsen
Pearce
Perry
Pittenger
Pitts
Poe (TX)
Poliquin
Pompeo
Posey
Price, Tom
Ratcliffe
Reed
Reichert
Renacci
Ribble
Rice (SC)
Rigell
Roby
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney (FL)
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Royce
Russell
Ryan (WI)
Salmon
Sanford
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Sinema
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Stefanik
Stewart
Stivers
Stutzman
Thompson (PA)
Thornberry
Tiberi
Tipton
Trott
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Westmoreland
Whitfield
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

NAYS—180

Aguilar
Bass
Beatty
Becerra
Bera
Beyer
Bishop (GA)
Blumenauer
Bonamici
Boyle, Brendan F.
Brady (PA)
Brown (FL)
Brownley (CA)
Bustos
Butterfield
Capps
Capuano
Cárdenas
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Cohen
Connolly
Conyers
Cooper
Costa
Courtney
Crowley
Cuellar
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
DeLauro
DelBene
DeSaulnier
Deutch
Dingell
Doggett
Doyle, Michael F.
Duckworth
Edwards
Ellison
Engel
Eshoo
Esty
Farr
Fattah
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Graham
Grayson
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hahn
Hastings
Heck (WA)
Higgins
Himes
Hinojosa
Honda
Hoyer
Huffman
Israel
Jeffries
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kelly (IL)
Kennedy
Kildee
Kilmer
Kind
Kirkpatrick
Kuster
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lee
Levin
Lewis
Lieu, Ted
Lipinski
Loebsack
Lofgren
Lowenthal
Lowey
Luján, Ben Ray (NM)
Lynch
Maloney, Carolyn
Maloney, Sean
Matsui
McCollum
McDermott
McGovern
McNerney
Meeks
Meng
Moore
Moulton
Murphy (FL)
Nadler
Napolitano
Neal
Nolan
Norcross
O'Rourke
Pallone
Pascrell
Payne
Pelosi
Perlmutter
Peters
Peterson
Pingree
Pocan
Polis
Price (NC)
Quigley
Rangel
Rice (NY)
Richmond
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Sherman
Sires
Slaughter
Smith (WA)
Speier
Swalwell (CA)
Takai
Takano
Thompson (CA)
Thompson (MS)
Titus
Tonko
Torres
Tsongas
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Welch
Wilson (FL)
Yarmuth

NOT VOTING—10

Adams
Clyburn
Delaney
Fitzpatrick
Hudson
Jackson Lee
Lujan Grisham (NM)
Neugebauer
Roe (TN)
Yoho

□ 1353

Mr. BILIRAKIS changed his vote from ''nay'' to ''yea.''

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

THE JOURNAL

The SPEAKER pro tempore. The unfinished business is the question on agreeing to the Speaker's approval of the Journal, on which the yeas and nays were ordered.

The question is on the Speaker's approval of the Journal.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 240, nays 170, answered ''present'' 2, not voting 20, as follows:

[Roll No. 269]

YEAS—240

Abraham
Allen
Ashford
Babin
Barletta
Barr
Barton
Beatty
Becerra
Bilirakis
Bishop (GA)
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Blumenauer
Bonamici
Boustany
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Bustos
Butterfield
Byrne
Calvert
Capps
Carney
Carter (GA)
Carter (TX)
Cartwright
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clay
Cohen
Cole
Collins (NY)
Comstock
Conaway
Conyers
Cook
Cooper
Cramer
Crawford
Crenshaw
Crowley
Cuellar
Culberson
Cummings
Davis (CA)
Davis, Danny
DeGette
DeLauro
DelBene
Dent
DeSaulnier
Deutch
Diaz-Balart
Doggett
Donovan
Doyle, Michael F.
Duckworth
Duncan (SC)
Duncan (TN)
Edwards
Emmer (MN)
Engel
Eshoo
Esty
Farr
Fattah
Fincher
Fleischmann
Forbes
Fortenberry
Foster
Frankel (FL)
Franks (AZ)
Frelinghuysen
Gabbard
Gallego
Goodlatte
Gosar
Gowdy
Graham
Granger
Grayson
Green, Al
Grothman
Guthrie
Hahn
Hardy
Harper
Harris
Heck (WA)
Hensarling
Higgins
Himes
Hinojosa
Huelskamp
Huffman
Hultgren
Hunter
Hurt (VA)
Issa
Johnson (GA)
Johnson, Sam
Jolly
Kaptur
Katko
Keating
Kennedy
King (IA)
King (NY)
Kline
Knight
Kuster
Labrador
LaMalfa
Langevin
Larsen (WA)
Larson (CT)
Latta
Lipinski
Loebsack
Lofgren
Long
Loudermilk
Lowey
Lucas
Luetkemeyer
Luján, Ben Ray (NM)
Lummis
Lynch
Marchant
Marino
Massie
Matsui
McCarthy
McCaul
McClintock
McCollum
McHenry
McMorris Rodgers
McNerney
Meadows
Meeks
Meng
Mica
Miller (MI)
Moolenaar
Mooney (WV)
Moulton
Mullin
Murphy (PA)
Nadler
Napolitano
Newhouse
Noem
Nugent
Nunes
O'Rourke
Olson
Palmer
Pelosi
Perlmutter
Pocan
Polis
Pompeo
Posey
Price (NC)
Quigley
Rangel
Ribble
Roby
Rogers (KY)
Rohrabacher
Rokita
Roskam
Ross
Rothfus
Royce
Ruiz
Ruppersberger
Russell
Ryan (WI)
Salmon
Sanchez, Loretta
Sanford
Scalise
Schiff
Schweikert
Scott (VA)
Scott, Austin
Scott, David
Sensenbrenner
Serrano
Sessions
Shimkus
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Speier
Stefanik
Stewart
Stutzman
Swalwell (CA)
Takai
Takano
Thornberry
Tipton
Titus
Trott
Tsongas
Upton
Van Hollen
Wagner
Walden
Walorski
Walters, Mimi
Walz
Wasserman Schultz
Webster (FL)
Welch
Westerman
Westmoreland
Whitfield
Williams
Wilson (FL)

Wilson (SC)	Young (IA)	Zeldin
Womack	Young (IN)	Zinke

NAYS—170

Aderholt	Hanna	Peters
Aguilar	Hartzler	Peterson
Amash	Hastings	Pittenger
Bass	Heck (NV)	Poe (TX)
Benishek	Herrera Beutler	Poliquin
Bera	Hice, Jody B.	Price, Tom
Beyer	Hill	Ratcliffe
Bost	Holding	Reed
Boyle, Brendan F.	Honda	Reichert
Brady (PA)	Hoyer	Renacci
Brooks (IN)	Huizenga (MI)	Rice (NY)
Brown (FL)	Hurd (TX)	Rice (SC)
Brownley (CA)	Israel	Richmond
Buchanan	Jeffries	Rigell
Buck	Jenkins (KS)	Rogers (AL)
Bucshon	Jenkins (WV)	Rooney (FL)
Burgess	Johnson (OH)	Ros-Lehtinen
Capuano	Johnson, E. B.	Rouzer
Cárdenas	Jones	Roybal-Allard
Carson (IN)	Jordan	Rush
Castor (FL)	Joyce	Ryan (OH)
Chabot	Kelly (IL)	Sarbanes
Chaffetz	Kelly (PA)	Schakowsky
Clarke (NY)	Kilmer	Schrader
Clawson (FL)	Kind	Sewell (AL)
Cleaver	Kinzinger (IL)	Sherman
Coffman	Kirkpatrick	Shuster
Collins (GA)	Lance	Sinema
Connolly	Lawrence	Sires
Costa	Lee	Slaughter
Costello (PA)	Levin	Smith (MO)
Courtney	Lewis	Stivers
Curbelo (FL)	Lieu, Ted	Thompson (CA)
Davis, Rodney	LoBiondo	Thompson (MS)
DeFazio	Love	Thompson (PA)
Denham	Lowenthal	Tiberi
DeSantis	MacArthur	Torres
Dingell	Maloney, Carolyn	Turner
Dold	Maloney, Sean	Valadao
Duffy	McDermott	Vargas
Ellison	McGovern	Veasey
Ellmers (NC)	McKinley	Vela
Farenthold	McSally	Velázquez
Fleming	Meehan	Visclosky
Flores	Miller (FL)	Walberg
Foxx	Moore	Walker
Fudge	Mulvaney	Waters, Maxine
Garamendi	Murphy (FL)	Watson Coleman
Garrett	Neal	Weber (TX)
Gibbs	Nolan	Wenstrup
Gibson	Norcross	Wittman
Graves (GA)	Palazzo	Woodall
Graves (LA)	Pallone	Yarmuth
Graves (MO)	Paulsen	Yoder
Green, Gene	Payne	Yoho
Griffith	Pearce	Young (AK)
Guinta	Perry	

ANSWERED ''PRESENT''—2

Gohmert	Tonko

NOT VOTING—20

Adams	Hudson	Pascrell
Amodei	Jackson Lee	Pingree
Clyburn	Kildee	Pitts
Delaney	Lamborn	Roe (TN)
DesJarlais	Lujan Grisham (NM)	Sánchez, Linda T.
Fitzpatrick	Messer	
Grijalva	Neugebauer	
Gutiérrez		

□ 1401

So the Journal was approved.

The result of the vote was announced as above recorded.

PERSONAL EXPLANATION

Mr. ROE of Tennessee. Mr. Speaker, I was unable to vote today because of the death of a close friend. Had I been present, I would have voted: rollcall No. 268—''yea;'' rollcall No. 269—''yea.''

PERSONAL EXPLANATION

Mr. DELANEY. Mr. Speaker, I was unable to cast my vote on rollcalls Nos. 265 through 269.

Had I been present to vote on rollcall No. 265, I would have voted ''aye.''

Had I been present to vote on rollcall No. 266, I would have voted ''yea.''

Had I been present to vote on rollcall No. 267, I would have voted ''no.''

On this bill, H.R. 1335, I want to emphasize that I oppose this legislation because it would roll back the progress we've made in protecting fisheries, damaging our environment and economy, especially in the Chesapeake Bay.

Had I been present to vote on rollcall No. 268, I would have voted ''nay.''

Had I been present to vote on rollcall No. 269, I would have voted ''nay.''

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 1994

Mrs. LAWRENCE. Mr. Speaker, I ask unanimous consent to withdraw myself as a cosponsor of H.R. 1994. While I strongly support our American veterans, I am concerned about permanent changes to hard-won labor agreements.

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

There was no objection.

COMMERCE, JUSTICE, SCIENCE, AND RELATED AGENCIES APPROPRIATIONS ACT, 2016

GENERAL LEAVE

Mr. CULBERSON. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and to include extraneous material on H.R. 2578, and that I may include tabular material on the same.

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

There was no objection.

The SPEAKER pro tempore. Pursuant to House Resolution 287 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the consideration of the bill, H.R. 2578.

The Chair appoints the gentleman from West Virginia (Mr. MOONEY) to preside over the Committee of the Whole.

□ 1403

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H.R. 2578) making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2016, and for other purposes, with Mr. MOONEY of West Virginia in the chair.

The Clerk read the title of the bill.

The CHAIR. Pursuant to the rule, the bill is considered read the first time.

The gentleman from Texas (Mr. CULBERSON) and the gentleman from Pennsylvania (Mr. FATTAH) each will control 30 minutes.

The Chair recognizes the gentleman from Texas.

Mr. CULBERSON. Mr. Chairman, I yield myself such time as I may consume.

Today, I am very pleased to present to the House the fiscal year 2016 Commerce, Justice, Science, and Related Agencies Appropriations bill with my colleague, Mr. CHAKA FATTAH of Pennsylvania.

I would like to begin by thanking my ranking member CHAKA FATTAH of Pennsylvania. It has been a pleasure to work with him. We have worked together closely on this legislation. I appreciate Mr. FATTAH's approach to the bill. His input has improved the bill considerably. I look forward to working with him and all the members of the subcommittee as we move forward and go into conference with the Senate on this important legislation. I also want to thank Chairman HAL ROGERS of Kentucky and Ranking Member NITA LOWEY of New York for their help in putting this legislation together.

This is my first year chairing the Commerce, Justice, Science, and Related Agencies Subcommittee. It is an extraordinarily important committee that oversees so many noble and worthwhile efforts that the Federal Government is engaged, both in preserving and protecting lives and property of the American people and advancing scientific research and space exploration.

I am especially grateful to Chairman HAL ROGERS for his trust in me in this extraordinarily important assignment. I want to thank him also for his generous allocation to this subcommittee. As the Congress under the Republican leadership has done our very best to live within our means, as every American must do, every business and every private citizen knows how important it is to only spend the money that you have on hand. Don't spend more than you have got. We have in this Republican Congress done our very best through the appropriations process to live within our means.

Our subcommittee has—with that in mind, I am a personal follower of Dave Ramsey's advice. I do so in my personal life and try to do so in representing the people of west Houston—don't spend more money than you have got, and the money you have got you want to prioritize—and we have in this subcommittee prioritized the many agencies that we have responsibility for. In priority order, we have approached it with law enforcement number one and made sure that the FBI has got the resources they need to do their

job of protecting this Nation against terrorists and espionage, cyber espionage. They are a growing problem that we see in so many ways. The enemies of the United States have figured out how to hardwire Trojan horses and back doors into telecommunications equipment. The FBI has just done a spectacular job of protecting this Nation in the area of cyber espionage and terrorism, and we have made the FBI a top priority in this legislation and made sure that they have got all the money that they need to do their job.

We have also prioritized the work the Department of Justice is doing in enforcing our laws. We have made sure that scientific research, space exploration are prioritized, and America will preserve its leadership in the world in space exploration.

We have made sure that weather forecasting is funded and taken care of.

Managing the Nation's fisheries is extraordinarily important.

As you work down that list of priorities, we have made sure those at the top of the list are fully funded and those that tend to fall towards the bottom—we have just simply had to drop some programs that are no longer authorized, the length of time for which Congress approved them is expired, or they weren't fulfilling the function for which they were originally intended.

But we in the bill before us today, Mr. Chairman, have provided $51.4 billion in funding for this year, which is a $1.3 billion increase over last year but $661 million below the President's request. The President's budget assumed a number of tax increases and fee increases that are simply not going to happen. We, again, wanted to live within our means and do our very best to minimize the debt that we are passing on to our children and grandchildren, so we have done our best in this environment to fund the priority programs while reducing funding for activities that are not essential to the operations of the Federal Government.

Once we have taken care of the FBI and made sure they have got the funding they need to protect this Nation in an era of evolving threats, we have also included funding, Mr. Chairman, for 55 new immigration judges. Our committee has jurisdiction over these executive branch judges who handle immigration cases. Because of the tremendous backlog of immigration cases, we have added 55 new immigration judges to reduce that backlog and made sure at the same time that we are providing for fully funding the U.S. Attorney's Offices, the Marshals Service, the Drug Enforcement Agency, the ATF—Alcohol, Tobacco, Firearms and Explosives—and our prison system.

Now, for State and local law enforcement, Mr. Chairman, the subcommittee has increased funding for priority programs such as the Byrne Formula Program and the State Criminal Alien Assistance Program funding, which compensate State and local taxpayers for the cost of housing people who are in the country illegally and have committed criminal acts in violation of State law and are housed in State prison facilities—that is the responsibility of the Federal Government—and we have funded that program to the highest extent that we can.

We have also funded youth mentoring programs, which have done such great work. We have created, in addition, Mr. Chairman, in this bill a $53 million community trust program that will fund police body cameras, body camera demonstration programs, and justice reinvestment initiatives.

I want to say a special thanks to our Texas State Senator Royce West, who just concluded the Texas legislative session. Texas became the first State in the Union to pass legislation controlling when, where, and how body camera data can be provided to law enforcement or in a criminal trial to make sure to protect the privacy rights of individuals. We respect that. In our legislation we make sure that State law controls when, where, and how police body camera data will be used.

We have also made sure, Mr. Chairman, that NASA is fully funded in this legislation. We have provided an $18.5 billion funding level this year for NASA, which is a $519 million increase and is equal to the request we received from the President.

We have made sure to preserve America's leadership role in manned space exploration, planetary science, and made sure that we are also continuing to advance aeronautics research that NASA does such an extraordinarily important job in.

We have funded the continued development of the Orion crew vehicle at the level asked for by the White House and increased our resources for the Space Launch System to speed up when we will use that important launch system to get Americans back into orbit.

We have made sure that the National Science Foundation is fully funded. We increased the funding level for the National Science Foundation by $50 million above the historically high level they had in last year's bill.

We also included full funding for the very important BRAIN Initiative, which Ranking Member FATTAH has championed over the years, which promises to unlock the secrets of the single most important organ in the human body and promises great things for the future.

Mr. Chairman, we have also funded the National Oceanic and Atmospheric Administration, prioritizing weather forecasting and fisheries management in particular.

We made sure the Joint Polar Satellite System is funded, as well as the Geostationary Operational Environmental Satellite series.

We have, though, in order to live within our allocation, had to reduce funding in some other areas, eliminating those that no longer were necessary, those whose authorizations had expired, and, in fact, cut funding for more than a dozen bureaus and agencies that can operate with a little less.

Let me also point out in conclusion, Mr. Chairman, that we have in this legislation extraordinarily important oversight language that requires each agency under our jurisdiction to submit a spending plan to the subcommittee. We have capped the life cycle costs for poorly performing programs. And we have also withheld some funding for the Department of Justice until the new Attorney General can demonstrate to us that the inspector general's recommendations regarding sexual harassment and inappropriate conduct are being implemented. I cannot stress that highly enough. When I met with the new Attorney General, that was one of the first things I brought to her attention.

We have also required, Mr. Chairman, that agencies that purchase very sensitive information technology or telecommunication systems conduct a supply chain risk assessment in consultation with the FBI to be sure that there are no hardwired Trojan horses or back doors in that communications equipment or computer equipment being purchased by the Federal Government in those agencies under our jurisdiction.

We are also requiring quarterly reporting on immigration judge performance and requiring agencies to provide inspectors general with timely information.

Finally, Mr. Chairman, I want to point out that our legislation today continues Second Amendment protections that have been built into the bill before. We have withheld funding, for example, to make sure that the United Nation's arms control treaty there has been some discussion about is not funded.

We have also prohibited the transfer or housing of GTMO prisoners into the United States.

But above all, the bottom line on this legislation is we want to ensure that the law as enacted by Congress is enforced. If an agency wants to have access to our constituents' hard-earned tax dollars, Mr. Chairman, they are going to need to demonstrate that they are enforcing the law as written by Congress, not based on some memorandum or some internal document. The law as written by Congress is fundamental to our entire system of government. Our liberty lies in the enforcement of law. It is the most fundamental principle of a republic. This great Nation was founded on that principle that no one is above the law and the law shall be enforced equally and fairly to everybody with due process.

Through our work on this subcommittee with the checks and balances that we have built into this legislation, the agencies under our jurisdiction are going to need to demonstrate that they are enforcing the law as written by Congress in order to entitle them to access to our taxpayers' very precious and hard-earned tax dollars.

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

COMMERCE, JUSTICE, SCIENCE, AND RELATED AGENCIES APPROPRIATIONS BILL, 2016 (H.R. 2578)
(Amounts in thousands)

	FY 2015 Enacted	FY 2016 Request	Bill	Bill vs. Enacted	Bill vs. Request
TITLE I - DEPARTMENT OF COMMERCE					
International Trade Administration					
Operations and administration	472,000	506,750	472,000	---	-34,750
Offsetting fee collections	-10,000	-10,000	-10,000	---	---
Direct appropriation	462,000	496,750	462,000	---	-34,750
Bureau of Industry and Security					
Operations and administration	66,500	79,086	74,000	+7,500	-5,086
Defense function	36,000	36,000	36,000	---	---
Total, Bureau of Industry and Security	102,500	115,086	110,000	+7,500	-5,086
Economic Development Administration					
Economic Development Assistance Programs	213,000	227,500	213,000	---	-14,500
Salaries and expenses	37,000	45,528	37,000	---	-8,528
Total, Economic Development Administration	250,000	273,028	250,000	---	-23,028
Minority Business Development Agency					
Minority Business Development	30,000	30,016	32,000	+2,000	+1,984
Economic and Statistical Analysis					
Salaries and expenses	100,000	113,849	100,000	---	-13,849
Bureau of the Census					
Salaries and expenses	248,000	---	---	-248,000	---
Current Surveys and Programs	---	277,873	265,000	+265,000	-12,873
Periodic censuses and programs (old structure)	840,000	---	---	-840,000	---
Periodic censuses and programs (new structure)	---	1,222,101	848,000	+848,000	-374,101
Total, Bureau of the Census	1,088,000	1,499,974	1,113,000	+25,000	-386,974
National Telecommunications and Information Administration					
Salaries and expenses	38,200	49,232	35,200	-3,000	-14,032
United States Patent and Trademark Office					
Salaries and expenses, current year fee funding	3,458,000	3,272,000	3,272,000	-186,000	---
Offsetting fee collections	-3,458,000	-3,272,000	-3,272,000	+186,000	---
Total, United States Patent and Trademark Office	---	---	---	---	---
National Institute of Standards and Technology					
Scientific and Technical Research and Services	675,500	754,661	675,000	-500	-79,661
(transfer out)	(-2,000)	(-2,000)	(-2,000)	---	---
Industrial Technology Services	138,100	306,000	130,000	-8,100	-176,000
Manufacturing extension partnerships	(130,000)	(141,000)	(130,000)	---	(-11,000)
Advanced manufacturing technology consortia	(8,100)	(15,000)	---	(-8,100)	(-15,000)
Manufacturing innovation institutes coordination	---	(150,000)	---	---	(-150,000)
Construction of research facilities	50,300	59,000	50,000	-300	-9,000
Working Capital Fund (by transfer)	(2,000)	(2,000)	(2,000)	---	---
Total, National Institute of Standards and Technology	863,900	1,119,661	855,000	-8,900	-264,661

COMMERCE, JUSTICE, SCIENCE, AND RELATED AGENCIES APPROPRIATIONS BILL, 2016 (H.R. 2578)
(Amounts in thousands)

	FY 2015 Enacted	FY 2016 Request	Bill	Bill vs. Enacted	Bill vs. Request
National Oceanic and Atmospheric Administration					
Operations, Research, and Facilities	3,202,398	3,413,360	3,147,877	-54,521	-265,483
(by transfer)	(116,000)	(130,164)	(130,164)	(+14,164)	---
Promote and Develop Fund (transfer out)	(-116,000)	(-130,164)	(-130,164)	(-14,164)	---
Subtotal	3,202,398	3,413,360	3,147,877	-54,521	-265,483
Procurement, Acquisition and Construction	2,179,225	2,498,679	1,960,034	-219,191	-538,645
Pacific Coastal Salmon Recovery	65,000	58,000	65,000	---	+7,000
Fishermen's Contingency Fund	350	350	350	---	---
Fisheries Finance Program Account	-6,000	-6,000	-6,000	---	---
Pacific groundfish fishing capacity reduction loan	---	10,300	---	---	-10,300
Total, National Oceanic and Atmospheric Administration	5,440,973	5,974,689	5,167,261	-273,712	-807,428
Departmental Management					
Salaries and expenses	56,000	71,095	50,000	-6,000	-21,095
Renovation and Modernization	4,500	24,062	3,989	-511	-20,073
Office of Inspector General	30,596	35,190	32,000	+1,404	-3,190
Total, Departmental Management	91,096	130,347	85,989	-5,107	-44,358
Total, title I, Department of Commerce	8,466,669	9,802,632	8,210,450	-256,219	-1,592,182
(by transfer)	118,000	132,164	132,164	+14,164	---
(transfer out)	-118,000	-132,164	-132,164	-14,164	---
TITLE II - DEPARTMENT OF JUSTICE					
General Administration					
Salaries and expenses	111,500	119,437	105,000	-6,500	-14,437
Justice Information Sharing Technology	25,842	37,440	25,842	---	-11,598
Total, General Administration	137,342	156,877	130,842	-6,500	-26,035
Administrative review and appeals	351,072	488,381	426,791	+75,719	-61,590
Transfer from immigration examinations fee account	-4,000	-4,000	-4,000	---	---
Direct appropriation	347,072	484,381	422,791	+75,719	-61,590
Office of Inspector General	88,577	93,709	92,000	+3,423	-1,709
United States Parole Commission					
Salaries and expenses	13,308	13,547	13,308	---	-239
Legal Activities					
Salaries and expenses, general legal activities	885,000	1,037,386	885,000	---	-152,386
Vaccine Injury Compensation Trust Fund	7,833	9,358	8,000	+167	-1,358
Salaries and expenses, Antitrust Division	162,246	164,977	162,246	---	-2,731
Offsetting fee collections - current year	-100,000	-124,000	-124,000	-24,000	---
Direct appropriation	62,246	40,977	38,246	-24,000	-2,731
Salaries and expenses, United States Attorneys	1,960,000	2,032,216	1,995,000	+35,000	-37,216
United States Trustee System Fund	225,908	228,107	225,908	---	-2,199
Offsetting fee collections	-225,908	-162,000	-162,000	+63,908	---
Direct appropriation	---	66,107	63,908	+63,908	-2,199

COMMERCE, JUSTICE, SCIENCE, AND RELATED AGENCIES APPROPRIATIONS BILL, 2016 (H.R. 2578)
(Amounts in thousands)

	FY 2015 Enacted	FY 2016 Request	Bill	Bill vs. Enacted	Bill vs. Request
Salaries and expenses, Foreign Claims Settlement Commission	2,326	2,374	2,326	---	-48
Fees and expenses of witnesses	270,000	270,000	270,000	---	---
Salaries and expenses, Community Relations Service	12,250	14,446	13,000	+750	-1,446
Assets Forfeiture Fund	20,514	20,514	---	-20,514	-20,514
Total, Legal Activities	3,220,169	3,493,378	3,275,480	+55,311	-217,898
United States Marshals Service					
Salaries and expenses	1,195,000	1,230,581	1,220,000	+25,000	-10,581
Construction	9,800	15,000	11,000	+1,200	-4,000
Federal Prisoner Detention	495,307	1,454,414	1,058,081	+562,774	-396,333
Total, United States Marshals Service	1,700,107	2,699,995	2,289,081	+588,974	-410,914
National Security Division					
Salaries and expenses	93,000	96,596	95,000	+2,000	-1,596
Interagency Law Enforcement					
Interagency Crime and Drug Enforcement	507,194	519,301	510,000	+2,806	-9,301
Federal Bureau of Investigation					
Salaries and expenses	3,378,089	3,413,813	3,444,306	+66,217	+30,493
Counterintelligence and national security	4,948,480	5,000,812	5,045,480	+97,000	+44,668
Subtotal	8,326,569	8,414,625	8,489,786	+163,217	+75,161
Construction	110,000	68,982	57,982	-52,018	-11,000
Total, Federal Bureau of Investigation	8,436,569	8,483,607	8,547,768	+111,199	+64,161
Drug Enforcement Administration					
Salaries and expenses	2,400,000	2,463,123	2,445,459	+45,459	-17,664
Diversion control fund	-366,680	-371,514	-371,514	-4,834	---
Total, Drug Enforcement Administration	2,033,320	2,091,609	2,073,945	+40,625	-17,664
Bureau of Alcohol, Tobacco, Firearms and Explosives					
Salaries and expenses	1,201,000	1,261,158	1,250,000	+49,000	-11,158
Federal Prison System					
Salaries and expenses	6,815,000	7,204,158	6,951,500	+136,500	-252,658
Buildings and facilities	106,000	140,564	230,000	+124,000	+89,436
Limitation on administrative expenses, Federal Prison Industries, Incorporated	2,700	2,700	2,700	---	---
Total, Federal Prison System	6,923,700	7,347,422	7,184,200	+260,500	-163,222
State and Local Law Enforcement Activities					
Office on Violence Against Women:					
Prevention and prosecution programs	430,000	473,500	479,000	+49,000	+5,500
Office of Justice Programs:					
Research, evaluation and statistics	111,000	151,900	---	-111,000	-151,900
State and local law enforcement assistance	1,241,000	1,142,300	1,015,400	-225,600	-126,900
Juvenile justice programs	251,500	339,400	183,500	-68,000	-155,900

COMMERCE, JUSTICE, SCIENCE, AND RELATED AGENCIES APPROPRIATIONS BILL, 2016 (H.R. 2578)
(Amounts in thousands)

	FY 2015 Enacted	FY 2016 Request	Bill	Bill vs. Enacted	Bill vs. Request
Public safety officer benefits:					
Death benefits	71,000	72,000	72,000	+1,000	---
Disability and education benefits	16,300	16,300	16,300	---	---
Subtotal	87,300	88,300	88,300	+1,000	---
Total, Office of Justice Programs	1,690,800	1,721,900	1,287,200	-403,600	-434,700
Community Oriented Policing Services:					
COPS programs	208,000	303,500	237,500	+29,500	-66,000
Total, State and Local Law Enforcement Activities	2,328,800	2,498,900	2,003,700	-325,100	-495,200
Total, title II, Department of Justice	27,030,158	29,240,480	27,888,115	+857,957	-1,352,365
TITLE III - SCIENCE					
Office of Science and Technology Policy	5,555	5,566	5,555	---	-11
National Aeronautics and Space Administration					
Science	5,244,700	5,288,600	5,237,500	-7,200	-51,100
Aeronautics	651,000	571,400	600,000	-51,000	+28,600
Space Technology	596,000	724,800	625,000	+29,000	-99,800
Exploration	4,356,700	4,505,900	4,759,300	+402,600	+253,400
Space Operations	3,827,800	4,003,700	3,957,300	+129,500	-46,400
Education	119,000	88,900	119,000	---	+30,100
Safety, Security and Mission Services	2,758,900	2,843,100	2,768,600	+9,700	-74,500
Construction and environmental compliance and restoration	419,100	465,300	425,000	+5,900	-40,300
Office of Inspector General	37,000	37,400	37,400	+400	---
Total, National Aeronautics and Space Administration	18,010,200	18,529,100	18,529,100	+518,900	---
National Science Foundation					
Research and related activities	5,866,125	6,118,780	5,916,125	+50,000	-202,655
Defense function	67,520	67,520	67,520	---	---
Subtotal	5,933,645	6,186,300	5,983,645	+50,000	-202,655
Major Research Equipment and Facilities Construction	200,760	200,310	200,030	-730	-280
Education and Human Resources	866,000	962,570	866,000	---	-96,570
Agency Operations and Award Management	325,000	354,840	325,000	---	-29,840
Office of the National Science Board	4,370	4,370	4,370	---	---
Office of Inspector General	14,430	15,160	15,160	+730	---
Total, National Science Foundation	7,344,205	7,723,550	7,394,205	+50,000	-329,345
Total, title III, Science	25,359,960	26,258,216	25,928,860	+568,900	-329,356
TITLE IV - RELATED AGENCIES					
Commission on Civil Rights					
Salaries and expenses	9,200	9,413	9,200	---	-213
Equal Employment Opportunity Commission					
Salaries and expenses	364,500	373,112	364,500	---	-8,612

COMMERCE, JUSTICE, SCIENCE, AND RELATED AGENCIES APPROPRIATIONS BILL, 2016 (H.R. 2578)
(Amounts in thousands)

	FY 2015 Enacted	FY 2016 Request	Bill	Bill vs. Enacted	Bill vs. Request
International Trade Commission					
Salaries and expenses	84,500	131,500	84,500	---	-47,000
Legal Services Corporation					
Payment to the Legal Services Corporation	375,000	452,000	300,000	-75,000	-152,000
Marine Mammal Commission					
Salaries and expenses	3,340	3,431	3,340	---	-91
Office of the U.S. Trade Representative					
Salaries and expenses	54,250	56,268	54,250	---	-2,018
State Justice Institute					
Salaries and expenses	5,121	5,121	5,121	---	---
Total, title IV, Related Agencies	895,911	1,030,845	820,911	-75,000	-209,934
TITLE V - GENERAL PROVISIONS					
DOC Departmental Management, Franchise Fund (rescission)	-2,906	---	---	+2,906	---
DOC, National Technical Information Service (rescission)	---	---	-10,000	-10,000	-10,000
DOC, Economic Development Assistance Programs (rescission)	-5,000	---	---	+5,000	---
DOJ, Working Capital Fund (rescission)	-99,000	-55,000	-100,000	-1,000	-45,000
DOJ, Tactical Law Enforcement Wireless Communications (rescission)	-2,000	---	---	+2,000	---
DOJ, Detention Trustee (rescission)	-23,000	---	---	+23,000	---
DOJ, Assets Forfeiture Fund (rescission)	-193,000	-304,000	---	+193,000	+304,000
FBI, Salaries and Expenses, nondefense (rescission)	---	-49,000	-49,000	-49,000	---
FBI, Salaries and Expenses, defense (rescission)	---	-71,000	-71,000	-71,000	---
DOJ, Salaries and expenses, general legal activities (rescission)	-10,000	---	---	+10,000	---
DOJ, Salaries and expenses, Antitrust Division (rescission)	-6,000	---	---	+6,000	---
DOJ, Salaries and expenses, U.S. Attorneys (rescission)	-9,000	---	---	+9,000	---
Federal Prisoner Detention (rescission)	-188,000	-69,500	-69,500	+118,500	---
DOJ, ATF, Salaries and expenses (rescission)	-3,200	---	---	+3,200	---
Violence against women prevention and prosecution programs (rescission)	-16,000	-5,020	-15,000	+1,000	-9,980
Office of Justice programs (rescission)	-82,500	---	-40,000	+42,500	-40,000
COPS (rescission)	-40,000	-10,000	-20,000	+20,000	-10,000
Total, title V, General Provisions	-679,606	-563,520	-374,500	+305,106	+189,020
Grand total	61,073,092	65,768,653	62,473,836	+1,400,744	-3,294,817
Appropriations	(61,752,698)	(66,332,173)	(62,848,336)	(+1,095,638)	(-3,483,837)
Rescissions	(-679,606)	(-563,520)	(-374,500)	(+305,106)	(+189,020)
(by transfer)	118,000	132,164	132,164	+14,164	---
(transfer out)	-118,000	-132,164	-132,164	-14,164	---

□ 1415

Mr. FATTAH. Mr. Chair, I yield myself such time as I may consume.

Let me first, since this is my first appearance on the floor since the tragic news of the Vice President's son's death, offer my condolences. I am sure all of my colleagues and the people of Philadelphia consider the Biden family one of our own since they are nearby neighbors.

I also want to offer my sincere condolences and concern for the people of Texas, given the tragedy of the deaths and the severe weather incidents there that have occasioned the flooding.

We rise today in moving an appropriations bill, the Commerce, Justice, Science bill. The chairman and the ranking member from New York have assisted the subcommittee in its work. I want to thank the subcommittee chairman for all of the cooperation that has been extended.

He has pointed to a number of the circumstances in which he has helped make sure that priorities that we were interested in were accommodated in the bill, and I want to talk a little bit about that.

One is in the area of brain science, neuroscience. The BRAIN Initiative is critically important. We have some 50 million Americans suffering from brain-related diseases or disorders. Fifty million in a country of a little over 300 million is a very significant number.

The diseases themselves, everything from Alzheimer's to epilepsy, autism, brain cancer—in the case of the Vice President's son—a whole host of challenges that cost our country in not just financial ways, but affect so many families.

I want to thank the chairman for his continued cooperation and work with me on what I think is the most important area of scientific discovery that we need to be focused on as a nation.

Also, in the area of youth mentoring, the work in terms of supporting our efforts to make sure that millions of the Nation's young people have the appropriate guidance that they need, such as the great congressionally chartered organizations like the Boys & Girls Clubs of America; the YMCA; and Big Brothers Big Sisters of America, which is celebrating their 100th anniversary this month. I want to thank him for that.

I could go on through a laundry list of areas, manufacturing and the like, in which we have worked very closely together; and there is nothing that could be improved upon in terms of the process between the interactions between the majority and the minority on this bill.

There is an elephant in the room, no pun intended, in the sense that the majority has an absolute view about the budget allocations, given the Budget Control Act, and see that as something that limits our ability to meet the challenges of our great Nation.

The minority has the view that we need to move away from that budget control agreement and move away from these automatic caps and meet the needs, as the Constitution indicated that the Appropriations Committee's job was, to meet the needs of our great Nation. We know that there are needs that are not going to be met.

The chairman just talked about how important our system of laws were. Well, in this bill, we fall short, at least at this moment, of what we need to fully do to fund the Legal Services Corporation, which was established under a Republican administration; but it provides services, not to Democrats or Republicans, but to Americans all across our country, to provide access to the courts and to make sure that they can have due process in civil litigations. We know that we are short there.

We have a constitutional responsibility to fund the Census. We are going to, at this moment, fall shy of that.

Now, we hope that we will improve this bill. We can't improve the process, but we can improve the product as we go toward a conference with the Senate.

There are areas related to NASA, even though we funded above $18 billion, which is a historic commitment to NASA, that we still are not dealing with the pressing issues of fully funding Commercial Crew which requires—we have now paid out $500 million to our Russian counterparts to transport astronauts to the International Space Station, and we are going to have to continue that longer than we need to because we are not able, under the allocation, to meet our responsibilities and the needs on the Commercial Crew appropriations.

Now, Galileo, 400 years ago, pointed us toward Europa. I agree with the chairman that the need to fully explore and to bring back a sample and to do everything else necessary to fully understand what the potential may be is an important effort, but also funding space technology and our Commercial Crew Program—and I know the chairman agrees with me—are going to be important efforts for us to try to improve in this bill as we go towards conference with the Senate.

The minority can't shirk its responsibility to point out these shortcomings. Having pointed them out, I do want to make the point, though, that the working relationship is one that I think appropriately reflects the kind of process we want to have in the House. We want all views to be considered, and I know that every offering of a view from the minority has been fully considered by the chairman.

I thank him, and I want to thank his staff, and I want to thank my staff of the committee because they have worked very hard for us to come to this moment.

We are at a point in the process in which the majority will have its way. There eventually will be a Senate bill, but we also have to weigh in the administration's viewpoint in order to have a law of the land.

The administration has issued a statement on this bill, and in appropriate ways, it compliments the subcommittee for its foresight on a range of points, but it also strongly recommends changes in directions in appropriations in a variety of areas that the administration thinks would hold our country back.

I think that there is a lot to be said about fiscal prudence. We need to make sure that we are operating in a fiscally responsible way.

This Nation at its founding, at the point in which we had to separate ourselves from the British, we borrowed a few dollars. It costs us something at almost every point in the history of our country, as in the case for most families and most businesses, in which you have to make investments and which sometimes those investments cause you to have an imbalance for a moment or for a period of time.

There is a reason why we have mortgages, so that people can buy homes, and we invest in student loans so that young people can get an education. There is a need for our country, from time to time, to look beyond the immediate balance of the books to understand what our calling is.

We say, sometimes, that we are an exceptional nation. Exceptionalism requires us to have some foresight. We know that this is an age of innovation and scientific discovery. Some have suggested that there is nothing new under the Sun, but we know that that is not so.

Just in recent months, we found the largest volcano on Earth—just discovered. We found in drought-stricken parts of Africa, deep down underneath the earth, some of the largest aquifers of water. We have now discovered a warmblooded fish for the first time ever and a new species of bird in China. This is not an age in which discovery is not possible.

This is a time for our country where we should be investing in science and innovation. We have a need to as a country, as I mentioned, of just some 300-million plus, when we compete against billion-plus populated countries like China and India, we can't afford to leave any of our young people in the shadows. We can't afford to not invest in science and innovation.

I want to thank the chairman for what he has done. I want to tell him that we will continue to work with him as we go forward because I believe what we have here today is not a perfect bill, but the foundation for what will be, I think, the best Commerce, Justice, Science bill that could be produced.

It is a beginning of that process, and I want to thank him. I look forward to the debate in the amendment process.

I reserve the balance of my time.

Mr. CULBERSON. Mr. Chairman, it is my privilege to yield such time as he may consume to the gentleman from Kentucky (Mr. ROGERS), the chairman of the full committee.

Mr. ROGERS of Kentucky. I thank Chairman CULBERSON for yielding me the time.

Mr. Chairman, I am proud to announce my support of this bill. It contains $51.4 billion for effective, proven programs within the Departments of Justice and Commerce, as well as NASA and the National Science Foundation. Within that total, funding is targeted at programs that are vital to our economic development, our public safety, and national security.

These important programs, overall, receive a boost of $1.3 billion over last year, allowing us to make critical investments in law enforcement, counterterrorism, cybersecurity, and science and research activities.

For example, the legislation increases funding for the Department of Justice by $852 million above last year's levels, enhancing the way we protect and secure communities across the Nation. That increase will provide the FBI with greater resources to fight terrorism and cyber crime.

It will also allow the DEA to amplify activities, including $372 million to combat prescription drug abuse, what the CDC calls a national epidemic that is taking more lives than car wrecks.

Funding is targeted to high-priority national grants with increases for violence against women programs and the Byrne JAG Program.

The bill also creates a new community trust initiative that will help improve the safety of communities across the Nation and work to facilitate a supportive relationship between these local communities and the police. This includes funding for body camera pilots and research, training, justice reform efforts, and upgraded statistics collection.

Mr. Chairman, the bill also directs funding toward key programs that will help secure America's role as the leader in scientific innovation, grow our economy, and promote job creation. For instance, NASA receives a $519 million increase above last year, keeping us on the forefront of the space frontier.

The National Science Foundation receives a $50 million increase, directing funds to programs that will spur U.S. economic competitiveness. To help protect communities from devastating natural disasters, we provided $5.2 billion for NOAA to help boost weather warning and forecasting efforts.

As with any appropriations bill, Mr. Chairman, the committee had to make some tough choices to live within a tight budget allocation, but that is what the Appropriations Committee does. We make hard decisions.

I believe that this bill does that in a very responsible way, eliminating unnecessary or unneeded programs, reducing funding for other lower-priority programs. This sort of smart budgeting will help improve the way our government operates and show that we can live within our means.

Mr. Chairman, I want to congratulate Chairman CULBERSON for his successful first go as chairman of this subcommittee. He wanted this tour and is happy to have it and is doing a good job with it, Mr. Chairman, and I am proud of him.

I think he and Ranking Member FATTAH and their subcommittee have drafted a good bill that I am proud to have before the House today. As always, I want to thank the staff for their tireless work in drafting and bringing this bill to the floor.

Mr. Speaker, this is the fourth appropriations bill we have brought to the floor this year, and I am glad we are progressing at a great pace on these very important bills.

I am told that this is the earliest and quickest start to appropriations bills in recorded history. I am proud of the work that our committee is doing and, I think, doing good work.

□ 1430

So I urge my colleagues to continue this forward momentum and vote in favor of this very important and very well done Commerce, Justice, Science funding bill.

Mr. FATTAH. I yield such time as she may consume to the gentlewoman from New York (Mrs. LOWEY), the ranking member and a great leader for our team on Appropriations.

Mrs. LOWEY. Mr. Chair, I would like to take a moment to congratulate Chairman CULBERSON on his first Commerce, Justice, and Science bill, as well as Ranking Member FATTAH and full committee Chairman ROGERS for their efforts. I know how hard they worked to try and put together the best bill possible.

Before I go further, I want to thank my friend, Ranking Member FATTAH, and join him in expressing our heartfelt condolences to the Vice President on the loss of his son. I just can't imagine the pain that one feels at such a tragedy. I know our hearts and prayers go out to the Biden family.

The pictures of the floods in Texas were so horrifying, and I know how hard everyone was working to minimize the loss of life. I also want to express my condolences to Chairman CULBERSON as well.

The House Republican ''work harder for less'' budget resolution was opposed by every Member on my side of the aisle in part because it really makes it impossible to give hard-working Americans the opportunity to succeed. Democrats want to end the sequester, and we need more reasonable and realistic budgeting that could help families afford college, a home, and a secure retirement.

The insufficient overall allocation for discretionary investment hurts initiatives in all the appropriation bills that grow the economy, create jobs, and make us more secure. While I appreciate the chairman's efforts, the grossly inadequate allocation creates shortcomings that are evident in the fiscal year 2016 Commerce, Justice, and Science bill.

Instead of providing the desperately needed investments in community policing and improving the juvenile justice system, the COPS hiring program would receive no funding, and the Office of Juvenile Justice would receive $68 million less than fiscal year 2015 and $156 million less than the President's request. These failures are particularly shameful, given the inclusion of a number of gun riders, including language blocking a reporting requirement on multiple purchases of rifles or shotguns by individual buyers. We must eliminate riders such as these that prevent law enforcement from sensibly addressing gun crimes.

While Violence Against Women prevention and prosecution programs would appear to receive an increase above both fiscal year 2015 and the President's fiscal year 2016 request, it is actually below the request when you account for a transfer in Victims of Trafficking grants. Similar gimmicks are also included in the portion of the COPS program that would be funded.

The Legal Services Corporation would fare far worse: $75 million below fiscal year 2015, $152 million below the request. This is unacceptable for a vital service that provides legal help for hard-working Americans.

Turning to science, the bill continues the majority's practice of burying its head in the sand instead of focusing on the stark climate change realities. As in previous years, the bill severely cuts funding for NOAA climate research by 19 percent below fiscal year 2015, a $30 million decrease. We should be supporting, not hindering, this important work to help save our environment.

The bill also cuts Geosciences and Social, Behavioral, and Economic Sciences of the National Science Foundation by $257 million below the fiscal year 2015 level, an approach universally opposed by the scientific community.

Rather than properly preparing for the constitutionally mandated 2020 Census, the mark is $387 million below the President's request for the U.S. Census Bureau. Failure to provide these funds now will only cost taxpayers more in the long run, as the Census Bureau would be unable to thoroughly develop and test innovative, cost-saving business practices.

Developing a well-designed and thoughtful Census now could save up to $5 billion in 2020 Census costs.

As in other bills, the majority has included a number of controversial riders. In addition to those on firearms I already mentioned, another provision is aimed at placing restrictions on exports to Cuba.

However, despite the numerous shortcomings, I want to thank the chairman again for his work related to the National Instant Criminal Background Check System, Byrne Justice Assistance Grants, and the community Backlog Reduction Program to process sexual assault kits. These evidentiary kits have historically gone untested for decades, giving violent and culpable offenders the ability to strike again. So it is important we fund this program at a workable level.

I want to make it clear that Democrats are more than willing to support bills that include adequate spending levels to ensure public safety, promote economic growth, and that exclude unnecessary riders. Unfortunately, although this bill does such wonderful things, and I am a great supporter once again of all the brain research, the important investments that are being made to address Alzheimer's, autism, and other serious, serious diseases of the brain, the bill does not make appropriate investments that hard-working Americans need but, instead, advances misguided policy changes. I urge my colleagues to vote against this bill.

Thank you again to our chair and ranking members.

Mr. CULBERSON. Mr. Chairman, I yield 2 minutes to the gentleman from Florida (Mr. JOLLY), my colleague on the Appropriations Committee.

Mr. JOLLY. Mr. Chairman, I want to compliment the chairman for a bill that invests responsibly in law enforcement, space science research, ocean and marine resources, and weather sciences. I also want to thank the chairman for his support of an innovative data collection initiative in this bill to improve fish stock assessments and research of the fisheries in the Gulf of Mexico.

As we discussed in many of our hearings, we as a nation need to utilize all tools and technology and work with all fisheries sector participants, including recreational, for-hire, and commercial, that provide the most accurate assessment of the health of our fish stocks, including the red snapper species so critical to our quality of life in Gulf States like Florida and Texas as well as our regional economies. This innovative data collection initiative will better enable the National Marine Fisheries Service and the regional council to make more informed decisions about the length of various fishing seasons.

Mr. Chairman, without constantly improving and accurate and quantifiable data, data that is believed to reliably reflect the fisherman's experience on the water, our commercial and recreational fishermen, alike, find it difficult to understand decisions by government to shorten fishing seasons and limit catches.

To be clear, this new provision included in this year's CJS bill is intended to provide the National Marine Fisheries Service Southeast Regional Office new tools to utilize data collection efforts from our recreational, for-hire, and commercial fishermen, from State and local officials, from third-party researchers, and from academia. Data collection and research focus on the unique stock assessment challenges of Gulf fisheries. By working with our recreational, for-hire, and commercial fishermen, and by engaging them directly in data collection, NMFS Southeast Regional Office will ultimately collect more and better data and will begin to restore trust between the sectors and regulators.

This public-private effort will allow officials tasked with managing our fishery resources to strike the right balance: balance for our recreational fishing communities' quality of life and right to fish on our waters, balance for our regional economy fueled by the commercial and for-hire fishing industry, and balance for our strong interests in stock rehabilitation, species preservation, and protecting our critical natural resources.

Mr. Chairman, I look forward to working with you as we continue to work through this appropriations process on this important provision, as well as working with NOAA and the NMFS Southeast Regional Office, during implementation of this funding to stand up to this critical innovative stock assessment initiative and make it a success for Florida and for all five of our Gulf States, including your home State of Texas.

Mr. FATTAH. Mr. Chairman, I yield myself such time as I may consume.

The chairman and the staff have done a remarkable job working on a whole range of issues related to fish, not just in the Gulf of Mexico and Texas, but throughout the questions around salmon in Washington State and the issues related to even our part of the country where we fish a little bit. So I want to thank the gentleman for his comments.

I now yield 3 minutes to the gentleman from the great State of California (Mr. HONDA), my colleague on the subcommittee, who has really helped us on the subcommittee, particularly around areas related to innovation and science and advanced manufacturing.

Mr. HONDA. Mr. Chairman, I thank the gentleman for yielding me this time.

Let me start by thanking Chairman CULBERSON and Ranking Member FATTAH for their ongoing enthusiasm and support for many of the key programs funded by this bill. I am grateful for their support, including provisions addressing key concerns of mine such as the growing rape kit backlog and long delays in testing DNA evidence; preventing the politically motivated termination evaluation of a fundamental science observatory, SOFIA; and ensuring the Federal Marine Debris program, which will focus on plastics in our Nation's waterways and oceans. Despite the inclusion of these and other beneficial programs, this bill unfortunately falls short of supporting a robust and effective portfolio of Commerce, Justice, and Science programs.

This bill was crafted under the restrictive spending cap imposed by sequestration. This unworkable funding cap has forced unacceptable cuts that greatly weaken key programs serving our country. For example, at a time when the funding for the constitutionally mandated decennial Census should be on a significant ramp-up, this bill underfunds the Census Bureau by $387 million.

At the direction of Congress, the Census Bureau is testing sweeping reforms to Census methods that would reduce the overall cost of the enumeration substantially by bringing the Census into the 21st century. But without sufficient money next year, the Census Bureau may have to abandon plans for a modern Census and go back to the more costly, outdated, manual 2010 design, which will end up costing $5 billion more—$5 billion. We cannot afford to waste $5 billion. We need to be fiscally responsible and have an understanding of cuts beyond the time scale of a 1-year funding bill, which means investing in the Census now.

Additionally, this bill severely underfunds and deprioritizes earth science. The bill proposes generous funding to support NASA for planetary science but seems to overlook the most important planet of all—our own. That is why I offered an amendment in committee to fully fund the earth and geoscience research at NASA and NSF instead of the $520 million underfunding being proposed.

Research in the earth and helio sciences helps protect lives, business, and infrastructure because economic and public welfare consequences of natural hazards such as droughts, hurricanes, space weather, and earthquakes can be devastating. As our climate continues to change, this research is even more important, and yet this bill proposes to cut earth and geoscience research. We should be increasing funding in these fields to better understand natural systems and allow for more informed policy decisionmaking and not cutting them.

Additionally, this bill seeks to micromanage the NSF by singling out earth science and social sciences as lesser research priorities. This is a

prime example of political meddling into scientific research. The draconian spending caps have forced the cannibalization of these and other essential programs and resulted in a bill that is unworkable.

□ 1445

We need to adopt the President's proposed overall funding levels to ensure that key programs such as the Census and NASA's Earth Science Research Program are able to be effective and serve our Nation.

Mr. CULBERSON. Mr. Chairman, at this time I yield 1 minute to the gentleman from West Virginia (Mr. JENKINS), my colleague and good friend from the committee.

Mr. JENKINS of West Virginia. I thank the Chairman for his good work.

Mr. Chairman, I have the honor of serving on the Appropriations Committee, which enables me to have input into our spending priorities.

This bill has a number of important programs. I want to highlight drug courts. Drug courts have a proven track record. Drug courts are effective and efficient. Drug courts work.

A respected pastor and community leader in my State said: ''Prisons are for people we are really scared of, not just mad at.''

The drug epidemic continues to ravage my State, and drug courts give a needed alternative to sending those suffering from addiction to jail. Drug courts allow individuals to undergo treatment, get help staying clean, and reenter society as a productive individual.

West Virginia drug courts are succeeding. Earlier this year, West Virginia honored the first 1,000 adults and juveniles to successfully complete the program.

While no single program will solve the drug epidemic, we must continue to support programs that work. This bill maintains critical funding for a number of other programs that will help those trying to end this crisis.

I urge my colleagues to support this bill.

Mr. FATTAH. Mr. Chairman, I yield 2 minutes to the gentlewoman from California (Ms. LEE), a fellow appropriator.

Ms. LEE. Mr. Chairman, let me thank our ranking member for yielding but also for his very steady and competent leadership of this subcommittee on our behalf. Also, I want to thank the chairman for his consistent work at bipartisanship, even though this is still yet another funding bill brought to the floor that woefully underfunds our critical Federal programs.

The fiscal year 2016 Commerce, Justice, Science Appropriations bill really should reflect our Nation's commitment to growing our economy, keeping our communities safe, and driving innovation. Instead, it makes critical cuts to programs at a time when they are needed most.

In the Justice title, this bill includes no funding for the Community Oriented Policing Services Hiring Program and a $68 million cut to juvenile justice programs from fiscal year 2015.

It also includes a $75 million cut to the Legal Services Corporation, which provides critical legal services to low-income Americans. Given what is happening in communities around the country, especially in terms of communities of color and law enforcement, these are truly unwise and misguided cuts.

Under the Science title, the National Science Foundation, which funds critical research at the University of California at Berkeley in my congressional district, is funded at $50 million below the fiscal year 2015 enacted level. These cuts are a huge blow to investments we should be making in scientific research to keep our Nation competitive.

In the Commerce section, this bill also includes cuts to critical programs, such as a $274 million cut to the National Oceanic and Atmospheric Administration, and funds the Census Bureau at $387 million below the President's budget request.

Add to all of this an inappropriate policy rider about exports to Cuba and you have a bill that, despite the hard work of the chair and our ranking member, is deeply flawed.

The Acting CHAIR (Mr. EMMER of Minnesota). The time of the gentlewoman has expired.

Mr. FATTAH. I yield the gentlewoman an additional 30 seconds.

Ms. LEE. Finally, let me just say we need to stop starving our critical Federal programs. We need to protect our communities in crisis and drive scientific breakthroughs in the future.

In committee, I sponsored an amendment along with Ranking Member LOWEY to increase COPS Hiring funding and also introduced an amendment to require jurisdictions receiving Byrne-JAG grants to put their officers through training to better work with diverse communities that they protect and serve. Congressman LACY CLAY has championed this idea, and later in this debate we will enter into a colloquy regarding this important issue, and I want to thank the chairman and ranking member for their support.

Mr. FATTAH. May I inquire of the time remaining on both sides?

The Acting CHAIR. The gentleman from Pennsylvania has 7 minutes remaining. The gentleman from Texas has 12 minutes remaining.

Mr. CULBERSON. Mr. Chairman, at this time it is my pleasure to yield 2 minutes to the gentleman from New Mexico (Mr. PEARCE), my good friend.

Mr. PEARCE. Mr. Chairman, I rise for the purpose of engaging in a colloquy with the gentleman from Texas, the chairman of the Subcommittee on Commerce, Justice, Science, and Related Agencies.

I want to thank the chairman and Ranking Member FATTAH for their efforts to forge a truly bipartisan bill to fund critical programs within the Departments of Justice, Commerce, and the scientific community. This diverse bill provides a wide range of support, from continued scientific research in space to the funding our law enforcement officers need to keep our families and communities safe. It is truly a diverse, vital bill.

Chairman CULBERSON, please permit me one point of clarification in the bill. The NASA budget includes a space operations account. This account provides funding for everything from space communications to research on the International Space Station to supporting space launch complexes. I would like to specifically discuss the space communications function within this account.

Regardless of age or mission, NASA must be able to communicate with the system it has in orbit. The space and ground networks that comprise NASA's space communications system are the foundation for all of NASA's orbital work. The network provides constant, real-time communications for all aspects of our space mission, from the unmanned probes at the very edges of our solar system to the ISS and Hubble Space Telescope. Without this capability, our Nation would be jeopardizing the safety of our manned operations and depriving the world of the discoveries made by our space systems.

It should be a commitment of the House to ensure that the funding for our space operations ensures strong support for the infrastructure and support needed to maintain strong and capable space communications.

Again, I thank the committee for its work in crafting this legislation and strongly supporting space communications in the past. It is my understanding that the committee has provided the space operations account with nearly $130 million more than it did in fiscal year 2015, and that it intends to support a robust level of funding for the space communications component within this account.

Is that understanding correct? I yield to the gentleman.

The Acting CHAIR. The time of the gentleman has expired.

Mr. CULBERSON. I yield the gentleman an additional 30 seconds.

I want to thank my good friend and colleague from New Mexico. He is absolutely right. We have increased funding for the space operations account by $129.5 million, and we will make sure that that funding is adequate to support the space communications components with that increase.

Mr. PEARCE. I thank the gentleman.

Mr. FATTAH. Mr. Chairman, I yield 2 minutes to the gentleman from the great State of Texas (Mr. CUELLAR), a fellow appropriator.

Mr. CUELLAR. Mr. Chairman, I want to thank the ranking member for yielding, number one. Number two, I want to thank him for the steady leadership he has provided as the ranking member. I also want to thank my good friend from Texas, JOHN CULBERSON. We go back to the State legislature. I thank him for his leadership on this one particular issue that I want to bring up today, and that is the work that we are doing together in adding 55 new immigration judges—the largest amount of immigration judges that we are going to have at one time.

So I want to thank him for working together to add that money, as well as the accountability for those judges. We have got to make sure that we not only have the judges, but we have got to make sure that they move those cases with all due process given to everybody—and to move them as soon as possible. I also thank him for the work that we have done on Stone Garden and other border law enforcement needs.

Why do we need those new judges? Because right now there are more than 450,000 pending cases. There is a large backlog of immigration cases. There are about 250 judges right now, with about 58 courtrooms across the Nation, but we need to do more.

If you look at the casework of an immigration judge, that person will handle about 2,100 cases. If you look at a Federal judge, that judge will handle about 440 cases. You can see the large amount of cases that we have.

So, basically, some of those cases are taking about 2½ years to handle, and therefore we need to make sure that we have the judges in place to handle the backlog that we have.

Just to give you an example, just in the last 6 months, 170,000 people crossed the border. Therefore, we need those judges.

To conclude, I want to thank the chairman and his staff, as well as the ranking member and his staff.

Mr. CULBERSON. Mr. Chairman, it is my pleasure to yield 1 minute to the gentleman from Michigan (Mr. WALBERG), my good friend.

Mr. WALBERG. I thank the chairman.

Mr. Chairman, I rise today deeply concerned by the increase of heroin and opioid abuse in Michigan and around the country.

In Jackson, six heroin-related deaths have happened since March. In April, in Monroe County, three people overdosed in a 24-hour period. Last year, Lenawee County, my home county, had seven drug-related deaths in the first three quarters. Sadly, we hear similar stories in far too many communities across Michigan.

Today's CJS Appropriations bill includes essential funding to assist States and localities to combat drug-related problems, including over $400 million to advance strategic plans to address the growing heroin and opioid epidemic and $372 million to tackle prescription drug abuse.

It will take all of us working together—concerned citizens, treatment providers, law enforcement, elected officials at every level—to fight this growing epidemic and keep our homes and streets safe.

I appreciate the work of the chairman of the committee on this, and I support it.

Mr. FATTAH. I yield 2 minutes to the gentlewoman from Texas (Ms. EDDIE BERNICE JOHNSON), who has led the Democratic effort in terms of science, and I particularly thank her for her leadership on NASA.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Chairman, let me express my appreciation and respect for the chair as well as the ranking member of the subcommittee.

I really do respect the work, but I do rise in opposition to H.R. 2578. It represents a missed opportunity to help the Nation's research and innovation enterprise at a time when that help is urgently needed.

Until the mismatch between the House budget resolution and the needs facing our country is addressed, we are going to continue to fall behind, both in our efforts to maintain our global competitiveness and our efforts to maintain R&D capabilities we need right here at home.

As ranking member of the Science, Space, and Technology Committee, I would like to use some of my time to address some specific concerns that I have with the bill, which I elaborate on in my statement for the RECORD.

In short, the bill's report language would make arbitrary and ideologically driven cuts to NSF social sciences and geoscience research programs. In addition, the bill's funding would put NSF's new headquarters building at risk, adding cost growth and schedule delays.

With respect to the National Institute of Standards and Technology, in addition to the funding cuts, I am particularly concerned about the report language that would gut the critical forensic standards activities already underway at NIST, as well as the bill's language that would covertly, without any hearings, debate, or authorizing legislation, eliminate an entire agency, the National Technical Information Service.

The bill would also make significant cuts to NOAA's budget, including climate research and NOAA's Polar Follow On weather satellite program.

Finally, the bill would make deep cuts to NASA's Earth Science Program, disrupting activities that will help us better understand our home planet and the climate change that is occurring right now.

Mr. Chairman, in closing, as I said before, the bill is a missed opportunity, and I cannot support it in its current form.

Mr. Chairman, I rise in opposition to H.R. 2578. While I respect the work put into the bill by my colleagues on the Appropriations Committee, I am afraid that it represents a missed opportunity to help the nation's research and innovation enterprise at a time when that help is urgently needed.

As other speakers have noted, this bill is the result of a fundamentally flawed House budget resolution that provides insufficient allocations for critically important activities of the federal government, including investing in our future. Until that mismatch is addressed, we are going to continue to fall behind, both in our efforts to maintain our global competitiveness and our efforts to maintain the R&D capabilities we need here at home.

As Ranking Member of the House Science, Space, and Technology Committee, I would like to use my remaining time to address some specific concerns I have with the bill.

With respect to the National Science Foundation, I have two specific concerns beyond the overall funding level. Following the direction contained in the report accompanying this bill would result in a 15–20% cut to each of the social sciences and geosciences directorates at NSF. Let me be clear. These are arbitrary and ideologically-driven cuts that reflect a lack of understanding of how science works, and a lack of understanding of the great importance of these fields of research to our national interests. Moreover, with these cuts we stand to lose a generation of talent and expertise in fields essential to the wellbeing of this nation, and we may never recover from that loss.

Second, I must comment on the flat-funding for the NSF operations account. NSF is already in the midst of building a new headquarters in Alexandria, and the funding provided to NSF in this bill may very well result in delays and therefore increased cost for that building. This is a clear-cut case of the Congress being penny-wise and pound foolish.

With respect to the National Institute of Standards and Technology, I am concerned about the funding cuts to all of the accounts. I am particularly concerned about the report language that would gut the critical forensics standards activities already underway at NIST, and the bill language that would covertly, without any hearings, debate, or authorizing legislation, eliminate an entire agency, the National Technical Information Service. NTIS performs both essential and perhaps nonessential activities. This bill would throw out the baby with the bathwater without any consideration given to the consequences.

The CJS bill we are considering today fails short in a number of ways in its treatment of the National Oceanic and Atmospheric Administration. It cuts the NOAA budget 5 percent below current spending and more than 13 percent below the President's request. This cut will have a significant impact on NOAA's ability to provide local communities and decision-makers with the information they need to effectively manage the nation's resources and protect the lives and property of every American.

I am especially concerned about the lack of support for NOAA's efforts to maintain continuity in our polar observing capabilities. The

President's budget request included $380 million to fund a Polar Follow-on program. This program would help mitigate a potential gap in this critical data by building robustness into our satellite constellation. As many of you know, accurate weather forecasts and warnings are vital for the economic security of the United States, and we must ensure NOAA has the resources it needs now to ensure the long-term health of our satellites.

Additionally, I am concerned about the bill's $30 million dollar cut to NOAA's climate research activities. Addressing climate change is our most pressing environmental challenge and NOAA's climate research furthers our understanding and the implementation of effective adaptation and mitigation strategies. We should be doing more to combat climate change, not less.

Finally, with respect to NASA, while I'm pleased that the Committee on Appropriations has proposed a strong top-line for the National Aeronautics and Space Administration that is consistent with the President's overall request, I am troubled by the way that funding is allocated. In particular, I cannot support the deep cuts made to NASA's Earth Science program. Given the leadership role NASA plays nationally in studies of the Earth system, including climate change, these cuts will do serious long term damage if enacted into law.

In addition, I question the proposed reduction to the Orion crew vehicle program from the FY 2015 funding level, especially given the concern expressed in the report language about NASA's ability to test all human-rated systems on the first Exploration Mission–1. I also question the proposal to fund the Safety, Security, and Mission Services account, which is critical to maintaining a world class workforce and infrastructure, below the President's request.

Mr. Chairman, in closing, as I said before, this bill is a missed opportunity, and I cannot support it in its current form.

□ 1500

Mr. CULBERSON. Mr. Chairman, it is my pleasure to yield 1 minute to the gentleman from Florida (Mr. ROSS).

Mr. ROSS. Thank you, Chairman CULBERSON, and thank you for presenting this bill.

Mr. Chairman, I rise today in support of an important amendment that will be offered by my colleague, Representative BLAINE LUETKEMEYER, to defund the Department of Justice program known as Operation Choke Point.

Created under the guise of a program to root out banking fraud and money laundering, Operation Choke Point has been used by administration bureaucrats to pressure and force banks to end relationships with legitimate businesses it considers objectionable or a ''reputational risk.''

This administration has targeted legitimate small businesses such as firearm and ammunition dealers, cigar shops, pawn stores, payday lenders, and others. The backdoor effort to target legitimate law-abiding businesses it does not like and to coerce banks to choke off relationships with these legitimate businesses is contrary to our Nation's fundamental principles of freedom.

In voting to defund Operation Choke Point, I will be voting to rein in this out-of-control administration and its assault on small, legal, legitimate businesses.

Mr. FATTAH. Mr. Chairman, I yield 2 minutes to the gentleman from Illinois (Mr. LIPINSKI), a gentleman who, in this House, has spent a great deal of time providing leadership in terms of small businesses and connecting them up with our research institution.

Mr. LIPINSKI. I thank my friend for yielding and for his work on the Appropriations Committee.

I want to say that, Mr. Chairman, I understand the constraints that the chairman is working under, and I appreciate his work on those items that were mentioned by Ranking Member FATTAH and other Members on this side.

I rise in opposition to this bill because it fails to fund scientific research at levels we need to spur innovation and remain competitive as a Nation. In particular, I want to call attention to report language in the bill that will result in cuts to the social sciences and geosciences of over $250 million.

The NSF is the largest single source of funding for basing research in our country in a variety of fields, and that is especially true for the social sciences.

Some will say these cuts are needed to prioritize research in other areas, but this approach of limiting funding for social science is misguided for several reasons.

First, other areas of research are already heavily prioritized at the NSF. In fiscal year 2015, the NSF will spend only 3.7 percent of its budget on social science research—clearly not an outsized priority.

This is especially true when you consider that social science research saves lives and money. It was NSF-funded social science research that developed the kidney transplant program that has led to thousands of successful donor-patient pairings that had not been possible before.

Spectrum auctions conducted by the FCC were made possible by economic research sponsored by the NSF. These auctions raise billions of dollars for taxpayers and will free up chunks of spectrum so we can stay at the cutting edge of wireless technologies.

Social science research is also critical for cybersecurity, as we have heard from many expert witnesses in the Science, Space, and Technology Committee. Most cyber breaches occur because of human factors, and social science is vital in addressing this grave security risk.

For these reasons, I am urging my colleagues to oppose these cuts and to oppose this bill. We need to do better for scientific research for the sake of our country, our economy, and our jobs.

Mr. CULBERSON. Mr. Chairman, could I inquire as to how much time remains on each side?

The Acting CHAIR (Mr. DUNCAN of Tennessee). The gentleman from Texas has 7½ minutes remaining. The gentleman from Pennsylvania has 1 minute remaining.

Mr. CULBERSON. Mr. Chairman, I yield 1 minute to my good friend from Wisconsin (Mr. DUFFY).

Mr. DUFFY. Mr. Chairman, one of the greatest innovations that has ever been developed by man to connect people from every corner of the Earth, whether in cafes or homes or in schools, is the Internet.

The reason the Internet has expanded and grown around the world and has been such an engine for innovation is the fact that the Internet embodies the American idea of free speech. That very idea of free speech in the Internet is under attack because the administration and some people in this institution want to see the core functions of the Internet be transferred to a foreign body that doesn't share our idea of free speech.

Let's keep the Internet open. Let's make sure that we continue with the great American idea of free speech not just here in America, but in every corner of the globe because the Internet will embody that idea of free speech.

The Internet was made in America. Let's keep the core functions of the Internet in America.

Mr. FATTAH. Mr. Chairman, I have one remaining speaker, so I reserve the balance of my time to close.

Mr. CULBERSON. Mr. Chairman, it is a distinct privilege to yield 3 minutes to the gentlemen from Texas (Mr. SMITH), the distinguished chairman of the full Science, Space, and Technology Committee, my colleague and good friend.

Mr. SMITH of Texas. Mr. Chairman, I thank my friend, the chairman of the Commerce, Justice, Science Subcommittee of the Appropriations Committee for yielding me time.

I thank the chairman, also, and his staff, especially John Martens, Leslie Albright, and Ashley Schiller, for working with the House Science, Space, and Technology Committee.

I especially appreciate the chairman's support for prioritizing the funding of the basic research at the National Science Foundation. This research—especially in the areas of math and physical sciences, biology, computing, and engineering—holds the promise of breakthroughs that will trigger technological innovation, jump-start new industries, and spur economic growth.

This bill ensures that NSF is transparent and accountable to American taxpayers about how their hard-earned

dollars are spent and that NSF-supported research is in the national interest.

The House CJS Appropriations bill also addresses concerns about the National Oceanic and Atmospheric Administration's costly satellite program. In addition, this bill encourages NOAA to include private sector involvement in the space-based weather industry.

Finally, I thank Chairman CULBERSON for his reprioritization of NASA planetary science, which implements the Science, Space, and Technology Committee's NASA authorization reported in April.

I further look forward to working with Chairman CULBERSON and Chairman ROGERS to fully fund the Orion and Commercial Crew programs so that we can once again launch American astronauts on American rockets from American soil.

Again, I thank my friend from Texas, Chairman CULBERSON, for his enthusiasm and initiative and urge my colleagues to support this bill.

Mr. Chair, I thank Chairman CULBERSON and the staff of the Commerce-Justice-Science Appropriations Subcommittee, especially John Martens, Leslie Albright and Ashley Schiller for working with the House Science, Space, and Technology Committee. I particularly appreciate your support for prioritizing the funding of the basic research at the National Science Foundation.

This research, especially in the areas of math and physical sciences, biology, computing and engineering, holds the promise of breakthroughs that will trigger technological innovation, jumpstart new industries and spur economic growth.

This bill also supports other language in the America COMPETES Reauthorization Act of 2015, which passed the House two weeks ago.

It ensures that NSF is transparent and accountable to American taxpayers about how their hard-earned dollars are spent and that NSF-supported research is in the national interest.

The National Science Foundation has played an integral part in funding breakthrough discoveries in numerous scientific fields such as lasers, the Internet and nanotechnology.

However, NSF has also approved dozens of grants for which the scientific merits and national interest are not obvious, to put it politely.

These include a climate change musical, a Norwegian tourism study, a grant on human-set fires in New Zealand in the 1800's, a study of lawsuits in Peru in the 1600s, and a grant on the causes of stress in Bolivia.

This bill supports the policy that every NSF public announcement of a grant award must be accompanied by a non-technical explanation of the project's scientific merits and a certification of how it serves the national interest. This reinforces the standards set forth in the America COMPETES Act of 2015.

The House CJS appropriations bill also addresses concerns about the National Oceanic and Atmospheric Administration's (NOAA) costly satellite program.

It ensures that appropriate oversight access is given to the Office of the Inspector General, the Government Accountability Office, and NOAA's own Independent Review Team. Likewise, recommendations from these bodies will help guide the satellite programs as they move closer to their anticipated launch dates.

In addition, this bill encourages NOAA to include private sector involvement in the space-based weather industry.

NOAA's costly satellite programs have historically been plagued with management problems. Encouraging NOAA to purchase services from the private sector will allow for a more robust, cost-effective and efficient weather forecasting system that will help save lives and property.

I look forward to offering an amendment shortly, with Chairman CULBERSON's support, to further enhance NOAA's weather research of near-term, affordable and attainable advances in observational, computing and modeling capabilities. The amendment will result in substantial improvements in weather forecasts.

Finally, I thank Chairman CULBERSON for his re-prioritization of NASA planetary science, which implements the Science Committees' NASA Authorization reported in April.

I further look forward to working with Chairman CULBERSON and Chairman ROGERS to fully fund the Orion and Commercial Crew Programs so that we can once again launch American astronauts on American rockets from American soil.

The Commercial Crew program will allow the U.S. access to the International Space Station without depending on Russia. The Orion program will expand human reach into deep space and serve as an emergency backup for the Commercial Crew program.

As we move forward with a Conference with the Senate, I hope that we can identify ways to support these programs more robustly, perhaps by moderating the growth of other accounts such as Earth Science, which has increased 63 percent since 2007 while other areas of NASA have remained flat.

Again, I thank my friend from Texas, Chairman CULBERSON, for his enthusiasm and initiative on this bill and urge my colleagues to support it.

Mr. CULBERSON. Mr. Chairman, I have no additional speakers, and I reserve the balance of my time.

Mr. FATTAH. Mr. Chairman, I yield myself the balance of my time.

We are going to move into a process of amendments in which the House will work its will, but I think the general debate has illuminated a host of areas where we agree and a few areas where we disagree.

The last speaker, my good friend from Texas, LAMAR SMITH, who has done a lot of work, as he mentioned, there are some areas where we remain in disagreement, which is the notion that we should make some of these changes in terms of science prioritization are issues that not just are there disagreements between the parties, but there is vast concern in the scientific enterprise in the Nation, that we would interject perhaps a viewpoint into science that would move away from merit-based processes.

On that point, I look forward to the amendment process, and I thank the House for listening to our points of view.

I yield back the balance of my time.

Mr. CULBERSON. Mr. Chairman, I yield myself such time as I may consume.

As we conclude the debate on this bill, it is important for all of us here today to know that, Members of the House, this process is open. Members can come down to the floor and offer an amendment, 5 minutes per side.

We have in this bill prioritized our funding, as we all do in our private life and our business life. Following the good advice of financial guru Dave Ramsey, you don't spend money you don't have, and try to eliminate debt at all possible costs.

We in the majority have done our very best to make sure that we are living within our means. Although the budget caps—I know there is a great deal of frustration among my Democrat colleagues on the limitations on spending. That is the law that was suggested initially by the White House.

It is important that we do all that we can to minimize the debt that we pass on to our children and grandchildren. The budget caps are reality, and we have, within the limitations that we have, prioritized the funding in this bill to make sure that law enforcement is number one; the FBI and the Department of Justice are taken care of; that the National Science Foundation, in fact, is funded at a historically high level. We have given them a $50 million increase.

We have also funded NASA at a historically high level since the Apollo program. I would certainly like to see the American space program given more. As more money becomes available, if we find an opportunity as we move through conference, of course, we will work hard to make sure that we will plus-up funding for the sciences and space exploration everywhere we can.

I heard my colleagues mention the Legal Services Corporation, which does important work in representing the poor. We will certainly do our best to find additional funding there.

I will also be filing legislation to give attorneys a tax deduction, dollar for dollar, for work that they do donating their time to the poor. I think that is a far better way to get legal services to the poor, through the Tax Code, rather than by appropriating our taxpayers' hard-earned tax dollars.

In conclusion, Mr. Chairman, I want to point out to the Members that, above all, this legislation will ensure that the laws, as enacted by Congress, are enforced. If Federal agencies want the privilege of spending and using our constituents' hard-earned tax dollars,

they will need to demonstrate through their spending plans, through their presentations to this committee, that they are actually enforcing the law as written by Congress.

We will, throughout the course of the year, engage in vigorous oversight to ensure that our money is not only wisely spent, that it is prudently spent, that it is only spent when absolutely necessary, but that our constituents' hard-earned tax dollars are only spent to enforce the law as written by the people's elected representatives.

I urge my colleagues to join us today in voting for this important legislation.

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

Ms. ESHOO. Mr. Chair, I rise in opposition to H.R. 2578.

The Internet is one of the great American success stories in our history, benefitting billions of people around the world. Congress has a longstanding and bipartisan commitment to a global, open Internet, free from governmental control. Our support for the decentralized, multi-stakeholder approach to Internet governance has enabled its growth as an unparalleled platform for economic opportunity and democratic participation.

Last year the National Telecommunications and Information Administration (NTIA) announced that the U.S. government would take an important step to transition technical functions of the domain name system to the multistakeholder community. This transition of the Internet Assigned Numbers Authority (IANA) to the private sector has been a U.S. policy goal for two decades, through Republican and Democratic administrations alike.

Since NTIA's announcement, the multistakeholder community has stepped up to the plate to craft a transition proposal and enhanced accountability measures needed in the absence of U.S. government stewardship. NTIA has articulated specific criteria for the transition proposal and made clear that any plan must advance our vision of a free and open Internet.

Despite this significant progress, H.R. 2578 includes language that blocks NTIA from using funds to relinquish the IANA functions. This limitation of funds is not only unnecessary, it sends the wrong message to the international community. Our diplomats point to the IANA transition announcement as a key factor helping us win allies and support for an Internet free of government control. As the U.S. Chamber of Commerce stated, this funding restriction ''could result in harm to U.S. businesses and Internet users as a whole.''

While I oppose this provision in H.R. 2578, I agree with my colleagues that the IANA transition must be conducted carefully and transparently. That's why I'm working with my Republican colleagues at the Energy and Commerce Committee on legislation to ensure NTIA implements the IANA transition consistent with the principles we all support. Our legislation will address concerns about transparency and accountability, while reaffirming our commitment to the transition.

While I cannot support the funding restriction in H.R. 2578, I stand ready to work with my colleagues on responsible oversight of the IANA transition.

Mr. YOUNG of Alaska. Mr. Chair, I rise today to speak to the provisions in the bill related to programs of the National Oceanic and Atmospheric Administration (NOAA) that address the monitoring and mapping of our Nation's coastlines. This function is an important function for the safety of navigation, environmental protection, and homeland security of the United States. There is little dispute that important commercial, military, and recreational activities are supported by this effort.

While important across the entire country, I want to address the specific needs of my State of Alaska. I understand that there is a concerted effort by NOAA to improve sea subsurface surveys. I fully support their efforts and applaud them for continuing this important work. The safety of navigation for our waterways is extremely important.

However, there is another dimension of survey that needs some attention also. Most of the shoreline in the Arctic along Alaska's northern and western coasts has not been mapped since 1960, if ever, and confidence in the shoreline depicted on the region's nautical charts is extremely low. Less than 10% of Alaska has contemporary shoreline data and less than 1% is mapped annually. There is also a disturbing lack of consistent elevation data.

The current state of shoreline mapping leaves those who ply Alaskan waters and depend on accurate shoreline mapping for their livelihood unnecessarily vulnerable. Due to Alaska's vast size and sparse population, the cost of acquiring traditional high-resolution topographic data and mapping thousands of miles of coastline is a daunting endeavor. Alaska has more than 44,000 miles of shoreline, which more than doubles the shoreline of the entire lower 48 states. Further, the emerging importance of the Arctic is adding to the need for updated shoreline charts. Increased economic development and shipping transits require that the most accurate data be collected and up to date charts be produced.

As a result, citizens and the State's economy are at risk. In addition to understanding sea-level rise impacts on fish and wildlife habitat, sea-level rise investigations are also important given that three quarters of Alaska's citizens live in coastal regions, which support 80% of the state's economic activity. Economic activity in Alaska's coastal zones includes world-renowned fish and shellfish industries as well as a burgeoning recreation and tourism industry.

Many approaches are available. Some techniques can be a painstaking undertaking due to cost and logistical challenges because of the vast area and distances involved. As a result the data collected within Alaska can be fairly limited in coverage. Another promising technology is the use of satellite remote sensing that can help assist current NOAA efforts. The complementary use of optical and radar satellites can add a new dimension to remote sensing applications. Within the State of Alaska there is an emerging capability using this approach that is cost effective and not dependent on weather conditions. This capability includes the ability to download data and provide the refined products needed to create the needed mapping quickly and cost effectively. I understand that NOAA regularly uses both government and commercial satellite imagery to support nautical charting in Alaska.

Regardless of the approach, I want to encourage NOAA to make a concerted effort to use funding received to reduce the backlog of outdated and uncharted shorelines in Alaska as quickly and cost effectively as possible in addition to continuing the important work of conducting the sea subsurface surveying. The economic and strategic importance of the Pacific Northwest region and the emerging Arctic require that this be done.

Mr. JOLLY. Mr. Chair, I want to compliment the Chairman for a good bill that responsibly invests in law enforcement, space, the sciences, research, our oceans and marine resources, and our weather sciences.

I also want to thank the Chairman for his support in this bill for an innovative data collection initiative to improve fish stock assessments and research of the fisheries of the Gulf of Mexico. As we discussed in our hearings, we as a nation need to utilize all available tools and technology, and work with all fisheries' sector participants, including recreational, for-hire and commercial, to provide the most accurate assessment of the health of our fish stocks, including the Red Snapper species so critical to our quality of life in our Gulf states like Florida and Texas, and so critical to our regional economy. This innovative data collection initiative will better enable the National Marine Fisheries Service and the regional council to make the most informed decisions possible about the length of various fishing seasons.

Mr. Chair, without constantly improving, more accurate, quantifiable data—data that is believed to reliably reflect the fisherman's experience on the water—our commercial and recreational fishermen alike find it difficult to understand decisions made by government to shorten fishing seasons and limit catches.

To be clear, this important new provision included in this year's CJS bill is intended to provide the National Marine Fisheries Service Southeast Regional Office new tools to utilize data collection efforts from our recreational, for-hire and commercial fishermen, state and local officials, third party researchers, and academia—data collection and research focused on the unique stock assessment challenges of Gulf fisheries.

By working with our recreational, for-hire and commercial fishermen, and engaging them directly in data collection, the NMFS Southeast Regional Office will ultimately accumulate more and better data, and will begin to restore trust between the sectors and regulators.

This public-private effort will allow officials tasked with managing our fishery resources to reach the right balance, balance for our recreational fishing community's quality of life and right to fish on our waters, balance for our regional economy fueled by the commercial and for-hire fishing industry, and balance for our strong interest in stock rehabilitation, species preservation and protecting our critical natural resources.

Mr. Chair, the Florida Institute of Oceanography estimates that Florida's ocean economy generates almost $30 billion dollars per year

in economic activity, more than that generated by citrus, cattle, ranching and the space industry of Florida combined. It is critical that we get this right.

I look forward to continuing to work with Chairman CULBERSON through the appropriations process, and with NOAA and NMFS Southeast Regional Office during implementation of this funding, to stand up this critical, innovative stock assessment initiative and make it a success for Florida and for all five of our Gulf States, including the Chairman's home state of Texas.

The Acting CHAIR. All time for general debate has expired.

Pursuant to the rule, the bill shall be considered for amendment under the 5-minute rule.

During consideration of the bill for amendment each amendment shall be debatable for 10 minutes equally divided and controlled by the proponent and an opponent and shall not be subject to amendment. No pro forma amendment shall be in order except that the chair and ranking minority member of the Committee on Appropriations or their respective designees may offer up to 10 pro forma amendments each at any point for the purpose of debate. The Chair of the Committee of the Whole may accord priority in recognition on the basis of whether the Member offering an amendment has caused it to be printed in the portion of the CONGRESSIONAL RECORD designated for that purpose. Amendments so printed shall be considered read.

The Clerk will read.

The Clerk read as follows:

H.R. 2578

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending September 30, 2016, and for other purposes, namely:

TITLE I

DEPARTMENT OF COMMERCE

INTERNATIONAL TRADE ADMINISTRATION

OPERATIONS AND ADMINISTRATION

For necessary expenses for international trade activities of the Department of Commerce provided for by law, and for engaging in trade promotional activities abroad, including expenses of grants and cooperative agreements for the purpose of promoting exports of United States firms, without regard to sections 3702 and 3703 of title 44, United States Code; full medical coverage for dependent members of immediate families of employees stationed overseas and employees temporarily posted overseas; travel and transportation of employees of the International Trade Administration between two points abroad, without regard to section 40118 of title 49, United States Code; employment of citizens of the United States and aliens by contract for services; rental of space abroad for periods not exceeding 10 years, and expenses of alteration, repair, or improvement; purchase or construction of temporary demountable exhibition structures for use abroad; payment of tort claims, in the manner authorized in the first paragraph of section 2672 of title 28, United States Code, when such claims arise in foreign countries; not to exceed $294,300 for official representation expenses abroad; purchase of passenger motor vehicles for official use abroad, not to exceed $45,000 per vehicle; obtaining insurance on official motor vehicles; and rental of tie lines, $472,000,000, to remain available until September 30, 2017, of which $10,000,000 is to be derived from fees to be retained and used by the International Trade Administration, notwithstanding section 3302 of title 31, United States Code: *Provided*, That, of amounts provided under this heading, not less than $16,400,000 shall be for China antidumping and countervailing duty enforcement and compliance activities: *Provided further*, That the provisions of the first sentence of section 105(f) and all of section 108(c) of the Mutual Educational and Cultural Exchange Act of 1961 (22 U.S.C. 2455(f) and 2458(c)) shall apply in carrying out these activities; and that for the purpose of this Act, contributions under the provisions of the Mutual Educational and Cultural Exchange Act of 1961 shall include payment for assessments for services provided as part of these activities.

AMENDMENT OFFERED BY MR. GOODLATTE

Mr. GOODLATTE. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 3, line 10, after the dollar amount, insert ''(decreased by $23,600,000)''.

Page 28, line 22, after the dollar amount, insert ''(decreased by $2,733,000)''.

Page 30, line 6, after the dollar amount, insert ''(increased by $293,000,000''.

Page 47, line 7, after the dollar amount, insert ''(decreased by $45,000,000)''.

Page 49, line 6, after the dollar amount, insert ''(decreased by $52,500,000)''.

Page 72, line 7, after the first dollar amount, insert ''(decreased by $270,000,000)''.

Page 72, line 7, after the second dollar amount, insert ''(decreased by $266,900,000)''.

Page 72, line 12, after the dollar amount, insert ''(decreased by $4,000,000)''.

Page 72, line 14, after the dollar amount, insert ''(decreased by $1,000,000)''.

Mr. GOODLATTE (during the reading). Mr. Chair, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The Acting CHAIR. Is there objection to the request of the gentleman from Virginia?

There was no objection.

The Acting CHAIR. Pursuant to House Resolution 287, the gentleman from Virginia and a Member opposed each will control 5 minutes.

Mr. CULBERSON. Mr. Chairman, I reserve a point of order on the gentleman's amendment.

The Acting CHAIR. A point of order is reserved.

The Chair recognizes the gentleman from Virginia.

Mr. GOODLATTE. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, my amendment restores necessary funding for the Federal Prisoner Detention program.

The Marshals Service assumes custody of individuals arrested by all Federal agencies and is responsible for the housing and transportation of prisoners from the time they are brought into Federal custody until they are either acquitted or transferred to the Federal Bureau of Prisons' custody for incarceration.

The FPD program provides housing, medical care, and transportation for Federal prisoners housed in non-Federal facilities and has an average daily population of approximately 45,000 prisoners. This funding is critical to ensuring that the United States Marshals Service can provide safe, human care and custody for the approximately 204,000 Federal prisoners it will be responsible for in fiscal year 2016.

□ 1515

Mr. Chairman, the fiscal year 2016 Commerce, Justice, Science Appropriations bill falls nearly $400 million short of the funding necessary to maintain the Marshals Service's prisoner detention operations. This matter must be corrected. My amendment would simply reduce less critical accounts to make up for this astounding shortfall.

This amendment reduces youth mentoring programs by $45 million, leaving a generous sum of $50 million for youth mentoring.

My amendment also zeros out the new, unauthorized grant program to improve police-community relations. While this concept may have merit, the creation of such a program is the responsibility of the House Judiciary Committee.

This amendment also reduces funding for the International Trade Administration by 5 percent and for the Community Relations Service by 20 percent.

Finally, my amendment leaves $30 million in funding for the Legal Services Corporation to administer existing grants and to promote pro bono efforts.

Mr. Chairman, I yield to the gentleman from Texas (Mr. CULBERSON), the chairman of the subcommittee, who has worked with my staff very diligently on a number of issues related to this matter, and I would be prepared to withdraw this amendment in lieu of all the difficulties he has in finding funds for the priority he has but, nonetheless, hoping that he will acknowledge that this is a priority that has been shortchanged and that we need to make sure that not only are these prisoners able to be held, and held according to law, but also that it does not give rise to prisoners being released in circumstances where they otherwise should be held in incarceration.

So I am hoping that, if the gentleman would agree moving forward to help us try to find additional funds for this account, perhaps the gentleman from Pennsylvania would be willing to help as well, and I would be willing to withdraw the amendment.

Mr. CULBERSON. Mr. Chairman, I look forward to working with the

chairman of the Judiciary Committee to ensure that these prisoners are not released. I will work diligently with my colleague from Philadelphia to find additional funds as we move forward in the process. The last thing we want is these people being released.

It has been a privilege for me to work with you and your staff. I am very privileged to follow in the footsteps of your colleague from Virginia, Frank Wolf, who was chairman of the CJS Subcommittee, and I have continued that close working relationship. We will do everything we can to find funding to make sure that these Federal prisoners are not released early. That is a subject near and dear to my heart. I am very sensitive to it.

We had a Federal judge in Texas running our prisons for 25 years, William Wayne Justice; and I sued him, as a State representative, to end his control over the prisons because one of the main things he was doing was causing the early release of prisoners to go victimize Texans, which is utterly unacceptable. So this is a top priority. I will work with the gentleman from Virginia (Mr. GOODLATTE) and the gentleman from Pennsylvania (Mr. FATTAH).

Mr. FATTAH. Will the gentleman yield?

Mr. GOODLATTE. I yield to the gentleman from Pennsylvania.

Mr. FATTAH. I obviously would work with the chairman on this and a whole range of other items. The offsets that you have identified would be very problematic, from my point of view. But I will work with the chairman. We need to make sure we fully fund the U.S. Marshals Service.

Mr. GOODLATTE. I thank the chairman and the ranking member.

Mr. Chairman, I ask unanimous consent to withdraw the amendment.

The Acting CHAIR. Is there objection to the request of the gentleman from Virginia?

There was no objection.

AMENDMENT OFFERED BY MR. GUINTA

Mr. GUINTA. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 3, line 10, insert after the dollar amount the following: ''(reduced by $5,000,000)''.

Page 42, line 24, insert after the dollar amount the following: ''(increased by $5,000,000)''.

Page 44, line 6, insert after the dollar amount the following: ''(increased by $5,000,000)''.

The Acting CHAIR. Pursuant to House Resolution 287, the gentleman from New Hampshire and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from New Hampshire.

Mr. GUINTA. Mr. Chairman, I rise today in support of my amendment to the Commerce, Justice, Science Appropriations bill to increase the funding for our Nation's drug courts by $5 million.

Drug courts keep people in treatment and can be one of the most effective intervention programs for those suffering from drug addiction. And just as important, these courts reduce crime, save money, and serve families and children affected by substance abuse.

Drug and substance abuse directly impacts our States, communities, law enforcement, and families across the country. In the past 5 years alone, in my home State of New Hampshire, overdoses have increased fivefold. Last year in the Granite State, deaths from heroin and illicit drug use exceeded auto-related deaths in the State. Drug use and abuse have devastated countless families from the Granite State.

Drug courts are transforming the criminal justice system across our Nation by creating a systematic response to substance abuse and crime as an alternative to incarceration. It is not every day that we get to directly save lives in government. The drug courts program has proven to do just that.

I would also like to acknowledge and thank my colleague from Massachusetts, Congressman LYNCH, for working with me on this amendment to ensure this much-needed funding.

I urge my colleagues to support my amendment as we continue to tackle the drug abuse epidemic that is plaguing communities around our Nation.

Mr. CULBERSON. Will the gentleman yield?

Mr. GUINTA. I yield to the gentleman from Texas.

Mr. CULBERSON. Mr. Chairman, I rise in support of the gentleman's amendment.

Drug courts are a proven way to get a good outcome for people who are arrested for drug offenses. The gentleman from Pennsylvania (Mr. FATTAH) and the subcommittee have already funded the drug courts at $41 million, $5 million above the request. I think the gentleman's amendment is a worthwhile increase, and I urge my colleagues to support it.

Mr. GUINTA. I reserve the balance of my time.

Mr. FATTAH. Mr. Chairman, I ask unanimous consent to claim the time in opposition, even though I am not opposed to the amendment.

The Acting CHAIR. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

The Acting CHAIR. The gentleman from Pennsylvania is recognized for 5 minutes.

Mr. FATTAH. Mr. Chairman, on that, I want to say something, and then I will yield to my colleague.

I led the effort in my home State to create drug courts when I was in the State senate before any of my gray hairs. They have worked out spectacularly well in many places throughout the country. So I support the gentleman from New Hampshire's amendment.

I yield such time as he may consume to the gentleman from Massachusetts (Mr. LYNCH).

Mr. LYNCH. Mr. Chairman, I want to thank the gentleman from New Hampshire (Mr. GUINTA). He and I were of a similar mind in terms of this amendment, and I am delighted that the chairman has accepted the amendment.

We understand the good that drug courts do in our society and in our system. It actually combines the resources of family, the courts, law enforcement, substance abuse agencies, our local and town governments, State governments, and, of course, the Federal Government as well.

Drug addiction in the United States is an epidemic that affects every city and town across America, and it cuts across every demographic. It leaves in its wake shattered lives and families and costs taxpayers hundreds of billions of dollars annually.

The National Institute on Drug Abuse estimates that the total overall cost of substance abuse in the United States, including lost productivity and health and crime-related costs, exceeds $600 billion every year. The institute also reports that drug addiction treatment has been shown to reduce associated health and social costs by far more than the costs of treatment, itself. Drug courts can be the first step on the road back for those suffering with addiction.

Drug addiction is a disease, and people under the influence often act out of character. Society is beginning to recognize that we need to deal with addiction and its outcome in a way that can have a positive effect on individuals and their families and communities. I believe drug courts offer this opportunity by providing a support system and a road map for moving forward.

The drug courts are specialized dockets which handle cases involving drug- and/or alcohol-dependent offenders charged with nonviolent offenses determined to have been caused or influenced by their addiction.

I have visited many of the prisons in my State, and I would say, in some cases, 80 to 90 percent of those inmates who are in there have dual addictions at the root of their problems.

I do want to recall the support that we received in the past from the former chairman, Frank Wolf of Virginia, who is a good and decent man, and we miss him here. But I am glad to see that the current chairman is of a similar mind, and I want to thank him as well.

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

Mr. Chairman, I want to echo the sentiments of the gentleman from Massachusetts. This is a worthwhile attempt to try to help and heal families,

address our process of incarceration, but also to make sure that we are doing the right thing for families across not just our region in New England, but across the country.

I would also like to thank Appropriations Committee Chairman ROGERS and Subcommittee Chairman CULBERSON for their hard work not just on this component, an amendment to the bill, but the overall bill and the commitment to this particular issue. Again, I would urge my colleagues to support the amendment.

I yield back the balance of my time.

Mr. FATTAH. I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from New Hampshire (Mr. GUINTA).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. REICHERT

Mr. REICHERT. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 3, line 10, after the dollar amount, insert ''(reduced by $1)''.

Page 4, line 21, after the dollar amount, insert ''(increased by $1)''.

Page 7, line 8, after the dollar amount, insert ''(reduced by $100,000,000)''.

Page 42, line 24, after the dollar amount, insert ''(increased by $100,000,000)''.

Page 43, line 1, after the dollar amount, insert ''(increased by $100,000,000)''.

The Acting CHAIR. Pursuant to House Resolution 287, the gentleman from Washington and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Washington.

Mr. REICHERT. Mr. Chairman, I want to thank Chairman CULBERSON and Chairman ROGERS for working together with Representatives PASCRELL, DENT, and HERRERA BEUTLER to develop this amendment.

I rise today to offer this critical amendment with the colleagues that I just mentioned. This amendment increases the Edward Byrne Memorial Justice Assistance Grant Program by $100 million and decreases the Census Bureau by an equal amount.

Last year, the COPS Hiring Program received bipartisan support and was funded at $180 million in the omnibus. Unfortunately, the underlying legislation completely eliminates the COPS Hiring Program.

While we cannot restore COPS Hiring Programs and add them back into the bill due to House rules governing consideration of appropriation measures, we can help ease the burden and mitigate the impact of the program's elimination on local law enforcement by passing this bipartisan amendment.

To continue to meet the needs of police departments across the country, this additional $100 million for Byrne JAG should specifically be used for grants to police departments for hiring. Ensuring the safety of our communities and neighborhoods should be one of our first priorities, and we cannot do without a sufficient number of police officers.

Mr. Chairman, the police officers and law enforcement agencies across this country are asked to do more and more with less and less, and let me just give you some examples.

When I was the sheriff in Seattle, I provided deputies to Federal task force efforts, the Joint Fugitive Task Force; the Joint Terrorism Task Force; the HIDTA Task Force, the High Intensity Drug Trafficking Area Task Force; the fusion center; and I could go on with some others.

The role that local law enforcement plays in the efforts of Federal law enforcement are integral. They are interconnected. They can't be separated. It is a team effort from the Federal law enforcement agencies to the local law enforcement agencies. And sometimes people in this Chamber get confused as to what the local law enforcement's role is when it comes to Federal responsibility.

I will just give you an example of one of my own personal experiences. Early in my career as a police officer, a sheriff's deputy on the streets in the mid-seventies, I made a traffic stop. I came across a young lady who happened to be in the employment of somebody who was connected to a crime syndicate within the Washington State area who was operating human trafficking operations from Texas to Anchorage, and not only that, but they were involved in drug trafficking.

So I developed this informant as a patrol officer driving around in my patrol car. You would never think that I might have the opportunity to bust a big case like this. But this is just an example of the day-to-day activity that police officers operate in, and they collect this information. I took it to the Federal agency responsible. I went to the DEA.

I had a secret meeting in a hotel room in downtown Seattle. The informant wouldn't trust the Federal operatives, but she trusted me. So I had to bring her there. We came up with a plan for me to travel to Texas. It is a long story. I won't get into the rest of it. But I think that everyone in this room gets the picture of how critical it is for us to integrate Federal and local law enforcement and that we have a responsibility, as the United States Congress, on the House side and on the Senate side, to support those efforts.

□ 1530

As matter of fact, Mr. Chairman, I was hired under a Federal grant in 1972 called the PEP program. I would not have had a 33-year career if I wasn't hired with Federal money. So this $100 million is going to be so much appreciated by our men and women.

I want to mention just one other criminal aspect of this bill. It is not perfect. No bill is perfect. The law enforcement community is not perfect. We are not perfect. Congress is not perfect. The community is not perfect. We need to stop looking at the negative and the bad in all of these organizations together and start looking at the good, come together, and figure out a solution to bringing police and community together.

Today there aren't enough cops on the street. The community policing program has, in some parts of this country, been eliminated or cut back. So school resource officers are gone in some communities. Storefront officers are gone. They are gone, Mr. Chairman, and we need to bring them back. We can do it together. We can solve this problem and keep our community safe.

I appreciate the gentleman and the time you have allowed me.

The Acting CHAIR. The time of the gentleman has expired.

Mr. FATTAH. Mr. Chairman, I rise in opposition to the amendment, even though I am not in opposition.

The Acting CHAIR. Without objection, the gentleman from Pennsylvania is recognized for 5 minutes.

There was no objection.

Mr. FATTAH. Mr. Chairman, I gladly yield 1 minute to the gentleman from Texas (Mr. CULBERSON), my chairman, if he has any more to add on this matter before I yield to my colleague over here.

Mr. CULBERSON. I thank the gentleman, just to say that, as you know, we discussed in full committee that the purpose of our bill was to shift the COPS hiring because it has not been reauthorized a number of years over to the Byrne JAG Program, which can be used for hiring because these are grant applications that can be tailored for your specific community. You can be sure the money is targeted precisely for your needs in Seattle or Philadelphia, so the Byrne JAG Program money can indeed be used for hiring police officers.

I strongly support the gentleman's amendment because it will allow more community hiring of police officers, and that is a good thing. God bless all our law enforcement officers, and we can't give them enough support.

Mr. FATTAH. I yield 3 minutes to the gentleman from New Jersey (Mr. PASCRELL).

Mr. PASCRELL. Mr. Chairman, I thank the ranking member and my brother in the Law Enforcement Caucus, DAVID REICHERT, from Washington.

I want to thank my colleagues who have joined in a strong show of bipartisan support for the COPS program, Ms. HERRERA BEUTLER and Mr. DENT included.

Let us be clear what this amendment does. The Reichert amendment increases funding for the Byrne JAG by

$100 million for hiring purposes, a critical step—I think, an important message.

Our amendment is supported by the major voices in the law enforcement community, including the National Association of Police Organizations, the Major County Sheriffs Association, the Fraternal Order of Police, and the Sergeant Benevolent Association, so I urge my colleagues to support it.

But despite all of the debate about community policing happening across our Nation, as Mr. REICHERT referred to, the American people need to know that, despite what our amendment does, the underlying bill eliminates the Federal COPS Hiring Program. It is simply unacceptable that every year we ask the law enforcement community to do more and more with less and less.

Mr. Chairman, in last year's House bill, the COPS program was cut by $109 million, 61 percent. So we can pontificate all we want about how we are behind the police officers of this country, but what we continue to do with successful programs, successful programs by any account, cut and cut. We were able to restore some of the money thanks to DAVID REICHERT and a few other people from both sides of the aisle, thanks to you, Mr. Chairman and Mr. Ranking Member.

This year—this, despite being joined by over 150 of our colleagues from both sides of the aisle in asking the committee to support the COPS program—you gutted it. We can't even amend it. It is done. It is over.

As a cornerstone of the Federal Government's efforts to assist State and local law enforcement, COPS Hiring has funded over 127,000 public safety officer positions. DAVID REICHERT was on the front line. He can speak to the issue over and over again. He has been there and done it. I just can talk about it.

Mr. Chairman and Mr. Ranking Member, it is plain and simple. Fewer cops on the beat mean more crime on the street. Fewer cops on the beat mean more crime on our streets. I ask you—I ask you to do everything in your power, as you have done in the past—to restore what I think is probably one of the most efficient programs in the entire Federal Government, the COPS program.

Mr. FATTAH. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, let me say in conclusion that I join with the chairman. I support this amendment. I support the COPS program.

For 20 years, the Federal Government has been engaged in this, launched under President Clinton, which has reduced crime in our country, has saved lives, has made communities safer. And even though there is some disagreement about the authorization, there is no disagreement, I don't believe, that we should be providing resources. I think the gentleman articulated on the front end of this discussion how intertwined local police are with our Federal law enforcement efforts and how critically indispensable they are in these efforts.

Mr. CULBERSON. Will the gentleman yield?

Mr. FATTAH. I yield to the gentleman from Texas.

Mr. CULBERSON. I thank the gentleman from Pennsylvania.

Mr. Chairman, if I could point out to my good friend from New Jersey what we have done is simply shift the program over to the Byrne JAG Program, because with Byrne JAG you can customize your application for New Jersey, for Philadelphia, or for Seattle. You can hire police officers under the Byrne JAG Program. We shifted the program over to Byrne JAG because it is far more effective and can be tailored to your community.

So, Mr. Chairman, I strongly support this amendment because with this amendment we are restoring the funding for the COPS Hiring Program, but doing it through a far more effective and locally tailored program, the Byrne JAG Program. So I would urge all my colleagues to support this bipartisan amendment.

Mr. FATTAH. Mr. Chairman, we are in agreement, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Washington (Mr. REICHERT).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. POLIQUIN

Mr. POLIQUIN. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 3, line 10, after the dollar amount, insert ''(increased by $44,000,000)''.

Page 6, line 20, after the dollar amount, insert ''(reduced by $8,000,000)''.

Page 7, line 8, after the dollar amount, insert ''(reduced by $36,000,000)''.

The Acting CHAIR. Pursuant to House Resolution 287, the gentleman from Maine and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Maine.

Mr. POLIQUIN. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, families in northern, central, western, and downeast Maine are some of the hardest working, most honest people you can find in the country. They expect and they want a more effective and a more accountable government that works for them, sir, and not against them.

Now, one of the most important jobs of the Federal Government is to make sure that we protect American workers against unfair and unlawful trade practices. This is very clear in our Constitution, and the Founding Fathers made this clear to us all.

Today, here in Washington, the International Trade Administration is responsible for enforcing these trade rules. Last year, three of our major paper mills in our district, the Second District of Maine, in Bucksport, Old Town, and Millinocket, closed. Mr. Chairman, 1,000 of the most skilled paper makers in the world are no longer working, and those 1,000 paychecks are no longer flowing to their families to help them care for their kids.

This year in central Maine, in Madison, Maine, a fourth paper mill is now facing difficulty and has temporarily shut down a couple of times and furloughed another 200 workers. Now, if you talk to the folks that own the mill and work on the floor in Madison, they cite two reasons: number one is the high cost of energy to run their machinery; secondly, a provincial government in Canada has provided about $125 million of unfair subsidies to a competing paper mill across the border. These subsidies, which are unlawful and unfair, have allowed this competing paper mill to buy new equipment and to subsidize the cost of energy to run their machinery. As a result, the price of supercalendered paper that is made across the border and also in Madison, Maine, has plummeted, causing our mill in Madison to temporarily shut down and furlough its workers.

Now this, Mr. Chairman, is not right, and this is not fair. American workers are the best in the world. We can compete with anybody in any industry in the global marketplace as long as it is a level playing field.

As our office, Mr. Chair, got involved in this issue, the ITA made it very clear to us that they did not have the staff able to fully address this issue in what we believe to be a full, thorough, and comprehensive investigation, including a number of different paper mills, when it comes to these unfair subsidies.

Up in our district, we are very frugal. We are fiscal conservatives. The folks in Maine can stretch a dollar, Mr. Chair, wider than anybody else in the country. So I am not suggesting that we increase the size of government and we increase spending. Quite the opposite. I believe our government is too big and too intrusive. However, I do have a solution to this problem.

My amendment, Mr. Chair, asks that we transfer less than 5 percent of the funding this year going to the Census Bureau to the ITA such that they have the resources to thoroughly and effectively conduct an investigation dealing with these unfair provincial subsidies in Canada.

Now, not only will a thorough and fair investigation help our workers at the Madison mill in central Maine, but

it will also help the backlog of cases at the ITA that affect tens of thousands of workers in various industries all throughout America. We all know in this room, on both sides of the aisle, that fair trade results in more jobs.

All of us here in this Chamber want to make sure we do everything humanly possible to help our companies grow, be more competitive, more successful, and hire more workers. When that happens, Mr. Chairman, our workers have better lives with more opportunities, more freedom, and less government dependence.

This is about jobs, Mr. Chair, and it is all about national security. I ask my colleagues on both sides of the aisle, Republicans and Democrats, to please support this amendment to make sure that we have fair trade in this country.

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

Mr. CULBERSON. Mr. Chairman, I reluctantly rise in opposition.

The Acting CHAIR. The gentleman from Texas is recognized for 5 minutes.

Mr. CULBERSON. Mr. Chairman, I ask my colleague to consider withdrawing the amendment. I would like to work with him to ensure that this case is investigated. The ITA is funded at a level of over $470 million.

I can only imagine how devastating this must be to the families there in Madison, Maine, that have lost their jobs and had their jobs furloughed and suspended because of an unfair subsidy right across the border. This is exactly what ITA is supposed to be doing. The Appropriations Committee has extraordinary influence over these agencies, and this is exactly the kind of case the ITA should be working on.

I want to pledge to you my full support and assistance in making sure that this case is investigated and pursued aggressively if you consider withdrawing the amendment, because the Census has gotten hammered pretty hard. They just had $100 million transferred over to COPS Hiring. And if we could, I would certainly like to work with you as we move forward in ensuring that this case is investigated and handled.

Mr. FATTAH. Will the gentleman yield?

Mr. CULBERSON. I yield to the gentleman from Pennsylvania.

Mr. FATTAH. I would also work with the chairman on this matter to make sure this is fully reviewed and investigated.

Mr. POLIQUIN. Will the gentleman yield?

Mr. CULBERSON. I yield to the gentleman from Maine.

□ 1545

Mr. POLIQUIN. Thank you, Mr. Chair. I appreciate it very much.

Although I do believe, sir, that jobs are more important than counting people, we will use the full authority of our office to help our workers at the Madison Mill to make sure that we do everything to have a level playing field.

I will withdraw this amendment, and I accept your pledge to do everything within your power and authority to please help our paper workers, the most skilled in the world, in central Maine.

Mr. CULBERSON. We will be on it and help you. I look forward to doing so aggressively and in a timely manner. Thank you very much.

Mr. POLIQUIN. Mr. Chair, I ask unanimous consent to withdraw my amendment.

The Acting CHAIR. Is there objection to the request of the gentleman from Maine?

There was no objection.

The Acting CHAIR. The amendment is withdrawn.

The Clerk will read.

The Clerk read as follows:

BUREAU OF INDUSTRY AND SECURITY

OPERATIONS AND ADMINISTRATION

For necessary expenses for export administration and national security activities of the Department of Commerce, including costs associated with the performance of export administration field activities both domestically and abroad; full medical coverage for dependent members of immediate families of employees stationed overseas; employment of citizens of the United States and aliens by contract for services abroad; payment of tort claims, in the manner authorized in the first paragraph of section 2672 of title 28, United States Code, when such claims arise in foreign countries; not to exceed $13,500 for official representation expenses abroad; awards of compensation to informers under the Export Administration Act of 1979, and as authorized by section 1(b) of the Act of June 15, 1917 (40 Stat. 223; 22 U.S.C. 401(b)); and purchase of passenger motor vehicles for official use and motor vehicles for law enforcement use with special requirement vehicles eligible for purchase without regard to any price limitation otherwise established by law, $110,000,000, to remain available until expended: *Provided*, That the provisions of the first sentence of section 105(f) and all of section 108(c) of the Mutual Educational and Cultural Exchange Act of 1961 (22 U.S.C. 2455(f) and 2458(c)) shall apply in carrying out these activities: *Provided further*, That payments and contributions collected and accepted for materials or services provided as part of such activities may be retained for use in covering the cost of such activities, and for providing information to the public with respect to the export administration and national security activities of the Department of Commerce and other export control programs of the United States and other governments.

AMENDMENT OFFERED BY MR. MCCLINTOCK

Mr. MCCLINTOCK. Mr. Chairman, I have an amendment at the desk involving page 3, line 10.

The Acting CHAIR. Without objection, the Clerk will report the amendment.

There was no objection.

The Clerk read as follows:

Page 3, line 10, after the dollar amount, insert ''(reduced by $311,788,000)''.

Page 98, line 20, after the dollar amount, insert ''(increased by $311,788,000)''.

Mr. FATTAH. Mr. Chairman, I think we have passed that point in the bill.

Mr. MCCLINTOCK. Mr. Chairman, I had risen before we had passed that point in the bill and was not recognized.

Mr. FATTAH. I don't think it is any fault of your own. I am just saying for the technical matter I think that we have.

The Acting CHAIR. The gentleman from California has two amendments at the desk, one to the pending paragraph and one to the previous paragraph.

The Chair is entertaining the one to the previous paragraph by unanimous consent.

Mr. FATTAH. Is this the one that the Clerk just read?

The Acting CHAIR. The gentleman is correct. That is the amendment that the Clerk just read and addressing page 3, line 10.

Pursuant to House Resolution 287, the gentleman from California and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California.

Mr. MCCLINTOCK. Mr. Chairman, this amendment enacts a CBO recommendation to eliminate the trade promotion activities of the International Trade Administration to save almost $312 million.

What does the ITA do exactly? Well, it has some legitimate functions enforcing trade agreements and treaties. This amendment leaves these functions untouched.

But the ITA also does trade promotion activities. To quote from its own material, it ''provides counseling to American companies in order to develop the most profitable and sustainable plans for pricing, export, and the full range of public and private trade promotion assistance . . . as well as market intelligence, and industry and market specific research.''

Well, this is all well and good, but isn't that what businesses and trade associations are supposed to do and used to do with their own money? Why should taxpayers pay for the profits of private companies?

If a specific business or industry is the sole beneficiary of these services, shouldn't it be the sole financier of them, either individually or collectively through trade associations?

True, this program has been around for generations, but Franklin Roosevelt, who was hardly a champion of smaller government, had the right idea when he slashed its budget in 1932 and closed 31 of its offices. The problem is that reform didn't take. ITA now has over 250 offices and several thousand personnel around the world.

The ITA's authorization lapsed in 1996—19 years ago. It has not been reviewed or authorized by Congress since

then, but we still keep shoveling money out the door.

Although it hasn't been reviewed by Congress in all of these years, it has been thoroughly weighed by the Congressional Budget Office, the Office of Management and Budget, and the President's fiscal commission, and they have all found it sadly wanting. The Simpson-Bowles report summed it up nicely when they said:

''Services provided by ITA's U.S. Commercial Services and other divisions directly providing assistance to U.S. companies should be financed by beneficiaries of this assistance. While the agency charges fees for those services, its fees do not cover the cost of all of its activities. Additionally, it is argued that the benefits of trade promotion activities are passed on to foreigners in the form of decreased export costs.''

Simpson-Bowles then goes on to say:

''According to a study by the Office of Management and Budget, businesses can receive similar services from State, local, and private sector entities.''

This CBO option to eliminate ITA's promotion activities saves $312 million in 2016 and $3.5 billion through 2024.

Mr. Chairman, if the CBO, the OMB, and the President's fiscal commission all agree this is wasteful and Congress hasn't bothered to reauthorize it since it expired 19 years ago, why do we continue to spend money that we don't have duplicating services the beneficiaries of those services either don't need or are perfectly capable of funding on their own?

And if the companies that we are told directly benefit from these so-called ''essential'' services aren't willing to fund them, maybe that is just nature's way of telling us we shouldn't be fleecing our constituents' earnings to pay for them either.

And why would we tap American taxpayers to subsidize the export activities of foreigners, as Simpson-Bowles notes?

The rules of the House were specifically written to prevent this type of unauthorized expenditure, and they provide for a point of order to be raised if it is included in an appropriations bill. That is exactly what we have here. But alas, that rule is routinely waived when these measures are brought to the floor, making this amendment necessary.

This is a prime example of corporate welfare, and we ought to be done with it.

I reserve the balance of my time.

Mr. CULBERSON. Mr. Chairman, I claim the time in opposition.

The Acting CHAIR. The gentleman from Texas is recognized for 5 minutes.

Mr. CULBERSON. Mr. Chairman, I share my colleague Mr. MCCLINTOCK's feeling about programs that are unauthorized and share his passion for ensuring we don't spend money we don't have.

But as the gentleman from Maine was just out here a moment ago, Mr. POLIQUIN has a perfect example of one of the really valid and very important functions of the ITA, and that is to identify subsidies that are unfair, that imbalance our trade with a foreign nation. As he pointed out, the Canadian Government is unfairly subsidizing a paper mill right directly across the border from his constituents in Madison, Maine, and caused the furloughing of workers at the Madison paper mill. And as I just pledged to Mr. POLIQUIN, I want to make sure that ITA is doing its job when it comes to identifying and enacting some measures to counterbalance unfair trade practices like that.

I would agree with my friend from California: when it comes to promoting American business, that is the job of the Chamber of Commerce; when it comes to making sure that American businesses get the word out and shares information, that is something American businesses ought to do; but when it comes to unfair subsidies given by foreign governments to their businesses that cause American workers to lose their jobs, that is exactly what the ITA is designed to do. We need trade enforcement, we need countervailing duties, and we need export assistance.

The amendment which the gentleman from California has offered looks to be about a 70 percent cut. I would be happy to work with you and find some ways to find savings within the agency when it comes to promoting American businesses because I am a big believer. Let the Chamber of Commerce do it.

Mr. MCCLINTOCK. Will the gentleman yield?

Mr. CULBERSON. I yield to the gentleman from California.

Mr. MCCLINTOCK. This amendment leaves all of those legitimate activities of the ITA intact. It still leaves $160 million of activities. All it does is to defund the trade promotion activities that the CBO recognized as being wasteful, as did OMB, as did Simpson-Bowles.

Mr. CULBERSON. Well, the scale of the reduction to reduce the agency by $311,788,000 so abruptly is going to eliminate the ability, for example, to help Mr. POLIQUIN and other businesses like theirs across the country that are suffering from unfair subsidies by foreign governments. So, unfortunately, I need to oppose the amendment. A 70 percent cut is simply not sustainable. And Mr. POLIQUIN, I think, made a very eloquent case just a moment ago for the type of work the ITA needs to do. So I would need to urge my colleagues to oppose this amendment.

Mr. FATTAH. Will the gentleman yield?

Mr. CULBERSON. I would be happy to yield to my friend from Philadelphia.

Mr. FATTAH. I thank the gentleman.

I also oppose the amendment. The business of our country is, I think, appropriate in making sure that our businesses are not locked out of a market around the world. Only 2 percent of American businesses export anywhere, and we need to have a robust effort because 90 percent of the world's consumers live somewhere else. We do have a reality that other governments are aggressive about promoting their business opportunities. If we want Americans to have jobs here, some of those are connected to these opportunities. So I thank the chairman, and I suggest that this is not an amendment that would be in the interest of the American business community or workers.

Mr. CULBERSON. Mr. Chairman, I think the scale of the cut would be devastating to the agency. Houston, Texas, is one of the premier exporting centers of the United States, and it is important that we do everything in our power. The Federal Government does have an obligation to enforce trade agreements to make sure that trade is fair and free and that subsidies that are unfairly used by foreign governments to support their own industries, that we have got some way to counterbalance that. That is the essential function of this agency. So, therefore, I would ask Members to oppose this amendment.

I yield back the balance of my time.

Mr. MCCLINTOCK. Mr. Chairman, I want to reiterate that this does not in any way affect the enforcement activities of the ITA. It does not in any way affect the measures that Mr. POLIQUIN of Maine just referenced. It affects only the trade promotion activities of the ITA that have been singled out time and again as being duplicative of what the companies profiting from these activities should be paying for themselves or are duplicative of other programs. It is only the trade promotion activities. None of the enforcement activities are affected by this amendment. I would ask for an ''aye'' vote.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from California (Mr. MCCLINTOCK).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. MCCLINTOCK. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from California will be postponed.

The Clerk will read.

The Clerk read as follows:

ECONOMIC DEVELOPMENT ADMINISTRATION

ECONOMIC DEVELOPMENT ASSISTANCE PROGRAMS

For grants for economic development assistance as provided by the Public Works and

Economic Development Act of 1965, for trade adjustment assistance, for grants authorized by section 27 of the Stevenson-Wydler Technology Innovation Act of 1980 (15 U.S.C. 3722), $213,000,000, to remain available until expended.

SALARIES AND EXPENSES

For necessary expenses of administering the economic development assistance programs as provided for by law, $37,000,000: *Provided*, That these funds may be used to monitor projects approved pursuant to title I of the Public Works Employment Act of 1976, title II of the Trade Act of 1974, section 27 of the Stevenson-Wydler Technology Innovation Act of 1980 (15 U.S.C. 3722), and the Community Emergency Drought Relief Act of 1977.

MINORITY BUSINESS DEVELOPMENT AGENCY

MINORITY BUSINESS DEVELOPMENT

For necessary expenses of the Department of Commerce in fostering, promoting, and developing minority business enterprise, including expenses of grants, contracts, and other agreements with public or private organizations, $32,000,000.

ECONOMICS AND STATISTICS ANALYSIS

SALARIES AND EXPENSES

For necessary expenses, as authorized by law, of economic and statistical analysis programs of the Department of Commerce, $100,000,000, to remain available until September 30, 2017.

BUREAU OF THE CENSUS

CURRENT SURVEYS AND PROGRAMS

For necessary expenses for collecting, compiling, analyzing, preparing and publishing statistics, provided for by law, $265,000,000: *Provided*, That, from amounts provided herein, funds may be used for promotion, outreach, and marketing activities: *Provided further*, That the Bureau of the Census shall collect data for the Annual Social and Economic Supplement to the Current Population Survey using the same health insurance questions included in previous years, in addition to the revised questions implemented in the Current Population Survey beginning in February 2014.

AMENDMENT OFFERED BY MR. NUGENT

Mr. NUGENT. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 6, line 20, after the dollar amount, insert ''(reduced by $4,000,000)''.

Page 44, line 8, after the dollar amount, insert ''(increased by $2,000,000)''.

Page 46, line 7, after the dollar amount, insert ''(increased by $2,000,000)''.

Page 42, line 24, after the dollar amount, insert ''(increased by $4,000,000)''.

The Acting CHAIR. Pursuant to House Resolution 287, the gentleman from Florida and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Florida.

Mr. NUGENT. Mr. Chairman, each day more and more Americans are realizing that we need to take action to deal with mental health issues in this country. We need to make it a priority.

My amendment, in keeping with that sentiment, would provide additional funding for programs under the Mentally Ill Offender Treatment and Crime Reduction Act and for Veterans Treatment Courts.

□ 1600

These are programs with proven track records of effectively addressing some of the important issues associated with mental health illnesses. My amendment would offset this increase by taking $4 million from the periodic censuses and programs account.

Mr. Chairman, both of the programs that would receive an increase in funding under my amendment highlight the need for our justice and mental health systems to work together. As a former sheriff, I can tell you that cooperation is vital. If our justice and mental health systems are collaborating, we can provide more positive outcomes not only for those with mental health illnesses, but for our taxpayers as well.

Grants provided under MIOTCRA are used, among other purposes, to set up mental health courts, for community reentry services, and for training State and local law enforcement officers to help identify and deescalate mental health crises, which saves the lives of both the mentally ill and of the responding officers.

During my 37 years as a cop, I saw firsthand how our jails were becoming warehouses for people with mental health needs. No one is well served by this process, not those with mental illness, not our taxpayers, and, certainly, as I spoke earlier, not our veterans. Let me provide you with some numbers to illustrate what actually is going on within our jails.

According to the Florida Mental Health Institute, over a 5-year period, 97 individuals from Miami-Dade County accounted for 2,200 bookings in the county jail; 27,000 days in the jail; and 13,000 days in crisis units, State hospitals, and emergency rooms.

The cost to the State and to local taxpayers was nearly $13 million for just 97 people. However, the type of programs my amendment supports have been shown to dramatically reduce those rates.

In Pinellas County, for instance, which is another Florida county, a mental health jail diversion program showed an 87 percent reduction in rearrests for the nearly 3,000 offenders who were enrolled. Not only does my amendment support these programs, but it also recognizes the unique responsibility that we have to our veterans.

Veterans are disproportionately affected by mental health illnesses. Even more, they would likely not have these issues if it weren't for their service to this country. We owe them a better outcome, and Veterans Treatment Courts can help. My point is that they are some of the best investments we can make.

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

Mr. CULBERSON. Mr. Chairman, I claim the time in opposition, but I am not opposed to the gentleman's amendment.

The Acting CHAIR. Without objection, the gentleman from Texas is recognized for 5 minutes.

There was no objection.

Mr. CULBERSON. Mr. Chairman, I support the gentleman's amendment. Veterans courts and mental health courts do great work. It is a very important role that they serve.

I want to also thank the gentleman for his service as a police officer. We just simply cannot thank our police officers enough for the good work that they do, and I strongly support the gentleman's amendment.

Mr. FATTAH. Will the gentleman yield?

Mr. CULBERSON. I yield to the gentleman from Pennsylvania.

Mr. FATTAH. I support the gentleman's amendment, and I thank him for offering it.

Mr. CULBERSON. Mr. Chairman, I yield back the balance of my time.

Mr. NUGENT. Mr. Chairman, I yield 1 minute to the gentleman from Georgia (Mr. COLLINS).

Mr. COLLINS of Georgia. I appreciate the gentleman from Florida for yielding.

Mr. Chairman, I rise today in support of the Nugent-Collins amendment, which provides critical additional funding for Veterans Treatment Courts and mental health courts.

I have seen firsthand the difference that mental health courts and Veterans Treatment Courts can make. Over the course of the past few months in and around the Ninth District and all over Georgia, this is something that I have worked on not only in the State of Georgia, but also now in working nationally here with my friend from Florida.

Our jails are not mental health facilities, but we continue to use them that way, despite the fact that they are not in anyone's best interest. By treating the mentally ill with compassion, we can provide them a second chance to get better.

We can also cut costs, empower States, reduce recidivism, and ensure that law enforcement officers can focus on protecting the safety of the public. By investing in Veterans Treatment Courts, we can better serve those who have served us, and we can address PTSD and related issues in a more meaningful way.

I appreciate Mr. NUGENT and his tireless leadership on this issue in advocating for a better, more sensible approach. Together, we introduced the Comprehensive Justice and Mental Health Act, which would expand and further improve upon the mental health and Veterans Treatment Court programs that are funded by H.R. 2578.

I just want to encourage everyone to support this amendment. Again, let's

take an honest, serious look at how we are dealing with those with mental health issues.

Mr. NUGENT. Mr. Chairman, I yield to the gentleman from Pennsylvania (Mr. FATTAH).

Mr. FATTAH. I talked to our colleague from Georgia, who just spoke on this matter, and I know he has talked about how this is really critically important for veterans.

It is a population that we have to be concerned about, so I want to thank you again for offering this, and the chairman and I agree.

Mr. NUGENT. In reclaiming my time, Mr. Chairman, I appreciate the chairman of the subcommittee and I appreciate the ranking member in their support of this because it really is about how we deal with our fellow man.

It is about a way that we shouldn't be criminalizing mental health disorders. That is the worst thing that we can do. As a police officer and as a sheriff for over 38 years, I have seen the effects of untreated mental illness, particularly in the county jails where they are now warehoused.

I truly do appreciate the support across the board, and I will tell you that our law enforcement officers and our correctional officers will support it also.

I yield back the balance of my time.

The Acting CHAIR (Mr. RODNEY DAVIS of Illinois). The question is on the amendment offered by the gentleman from Florida (Mr. NUGENT).

The amendment was agreed to.

The Acting CHAIR. The Clerk will read.

The Clerk read as follows:

PERIODIC CENSUSES AND PROGRAMS

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses for collecting, compiling, analyzing, preparing and publishing statistics for periodic censuses and programs provided for by law, $848,000,000, to remain available until September 30, 2017: *Provided*, That, from amounts provided herein, funds may be used for promotion, outreach, and marketing activities: *Provided further*, That within the amounts appropriated, $1,551,000 shall be transferred to the ''Office of Inspector General'' account for activities associated with carrying out investigations and audits related to the Bureau of the Census: *Provided further*, That not more than 50 percent of the amounts made available under this heading for information technology related to 2020 census delivery, including the Census Enterprise Data Collection and Processing (CEDCaP) program, may be obligated until the Secretary submits to the Committees on Appropriations of the House of Representatives and the Senate a plan for expenditure that (1) identifies for each CEDCaP project/investment over $25,000 (a) the functional and performance capabilities to be delivered and the mission benefits to be realized, (b) the estimated lifecycle cost, including estimates for development as well as maintenance and operations, and (c) key milestones to be met; (2) details for each project/investment (a) reasons for any cost and schedule variances, and (b) top risks and mitigation strategies, and (3) has been submitted to the Government Accountability Office.

AMENDMENT OFFERED BY MR. POE OF TEXAS

Mr. POE of Texas. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 7, line 8, insert after the dollar amount the following: ''(reduced by $17,300,000)''.

Page 38, line 9, insert after the dollar amount the following: ''(increased by $17,300,000)''.

Page 41, line 14, insert after the dollar amount the following: ''(increased by $17,300,000)''.

The Acting CHAIR. Pursuant to House Resolution 287, the gentleman from Texas and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Texas.

Mr. POE of Texas. Mr. Chairman, Congress has made it clear that it will not stand for this new scourge that we are finding in our country of human sex trafficking. The Justice for Victims of Trafficking Act passed the United States Senate 99–0, and it passed the House of Representatives before that with only 3 Members voting against it and all 400-plus voting for it.

Modern-day slavery does happen in the United States. It is a multibillion-dollar business. It is second only to the international crime syndicates of drug trafficking for the amount of money that is raised. It is not time for us to lower the amount of money we have for grants that will assist the victims of this scourge. That is why my amendment brings in just $17.3 million to this fund that was cut. This $17.3 million will bring it up to last year's level so that $43 million will go for victim services and victim grants.

Where does this money come from? From where are we taking it? We are taking it out of the periodic censuses and programs and applying it to this fund.

The periodic censuses and programs—let me make it clear—is not the constitutional census counting that is required to be done by the Census Bureau. This is another program that the Census Bureau has. It is sometimes called the American Community Survey, which is very intrusive.

Without really much choice, it asks citizens numerous questions that are an invasion of their privacy. For example: What time do you go to work? What time do you get home from work? Does anybody in your household have a mental illness or disease? They are questions such as these that are very intrusive. The Census Bureau shouldn't be asking these questions.

Set aside that anyway. With this money, rather than asking people in the community—citizens—to tell us what time they go to work or what time they go during the day to different appointments, like doctors' appointments, we should show the priority of putting just $17 million of that money back into this appropriation to help the victims of trafficking.

It will bring it up to last year's level of a mere $43 million of grant money. That is what this legislation does. It ensures that we are telling trafficking victims there will be money available for grants to assist them and money available for law enforcement to assist them in their training.

I reserve the balance of my time.

Mr. FATTAH. Mr. Chairman, I rise in opposition to the amendment, even though I am not in opposition.

The Acting CHAIR. Without objection, the gentleman from Pennsylvania (Mr. FATTAH) is recognized for 5 minutes.

There was no objection.

Mr. FATTAH. Mr. Chairman, first of all, this is where you can find the contradictions of public policy with the interjection of politics, right?

I totally agree with the purpose, but I totally disagree with the underlying notion that this money is not important to the Census. First and foremost, I agree with the amendment and that we should invest in another $16 million in helping victims of human trafficking.

It is a major problem in our country—in my part of the country, in your part of the country, and throughout our Nation. We should do more, so I support the amendment.

I don't want us to assume that the periodic census dollars are not important, however, and are not part of the constitutionally mandated census as they are part of the 2020 preparation. We will have to deal with that in some other way, but I don't want to because I agree with the amendment. That is not to suggest that I agree with the underlying thought that this money is not important to the Census.

Mr. CULBERSON. Will the gentleman yield?

Mr. FATTAH. I yield to the gentleman from Texas.

Mr. CULBERSON. I thank the gentleman for yielding, and I want to join him in supporting this amendment.

Mr. Chairman, we have a terrible problem in this country with human slavery and with human sex trafficking. My colleague from Texas is exactly right, and I strongly support his amendment.

I also share his concern about the American Community Survey, and I intend to pursue aggressive oversight during the months ahead. I do think it is intrusive. Our right to be left alone as Americans is one of our most important rights, so I share the gentleman's concern about the American Community Survey.

We have a responsibility to make sure the Census is funded, but this is a very important amendment, and I urge

my colleagues to support it to help combat this disgraceful scourge of human trafficking.

Mr. FATTAH. In reclaiming my time, I am glad that we are all in agreement. I don't want families to be left alone, though, if they have someone who is suffering from mental health illnesses.

The reason that question is asked in a community survey is so that, when we are doing funding for communities for mental health services, we know where the impact of those dollars can be most applied. The census is taken for a good reason, but let us agree for the moment on the amendment, and let's move on.

I yield back the balance of my time.

Mr. POE of Texas. I thank the ranking member and I thank the chairman, as well, for their comments.

Mr. Chairman, the issue is not the American Community Survey. The issue is where we are going to get this money to bring this fund up to last year's level. It is going to come from that portion of the Census that is about $800 million, and that is why that section was picked. We need to have this lively debate about the American Community Survey in some other setting.

Right now, let's take care of trafficking victims in the United States and provide them grants, and let's provide law enforcement grants and victim services grants so that they can help minor sex trafficking victims who are being trafficked throughout the United States.

I appreciate the ranking member's support and the chairman's support.

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

The Acting CHAIR. The question is on the amendment offered by the gentleman from Texas (Mr. POE).

The amendment was agreed to.

The Acting CHAIR. The Clerk will read.

The Clerk read as follows:

NATIONAL TELECOMMUNICATIONS AND INFORMATION ADMINISTRATION

SALARIES AND EXPENSES

For necessary expenses, as provided for by law, of the National Telecommunications and Information Administration (NTIA), $35,200,000, to remain available until September 30, 2017: *Provided*, That, notwithstanding 31 U.S.C. 1535(d), the Secretary of Commerce shall charge Federal agencies for costs incurred in spectrum management, analysis, operations, and related services, and such fees shall be retained and used as offsetting collections for costs of such spectrum services, to remain available until expended: *Provided further*, That the Secretary of Commerce is authorized to retain and use as offsetting collections all funds transferred, or previously transferred, from other Government agencies for all costs incurred in telecommunications research, engineering, and related activities by the Institute for Telecommunication Sciences of NTIA, in furtherance of its assigned functions under this paragraph, and such funds received from other Government agencies shall remain available until expended.

PUBLIC TELECOMMUNICATIONS FACILITIES, PLANNING AND CONSTRUCTION

For the administration of prior-year grants, recoveries and unobligated balances of funds previously appropriated are available for the administration of all open grants until their expiration.

UNITED STATES PATENT AND TRADEMARK OFFICE

SALARIES AND EXPENSES

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses of the United States Patent and Trademark Office (USPTO) provided for by law, including defense of suits instituted against the Under Secretary of Commerce for Intellectual Property and Director of the USPTO, $3,272,000,000, to remain available until expended: *Provided*, That the sum herein appropriated from the general fund shall be reduced as offsetting collections of fees and surcharges assessed and collected by the USPTO under any law are received during fiscal year 2016, so as to result in a fiscal year 2016 appropriation from the general fund estimated at $0: *Provided further*, That during fiscal year 2016, should the total amount of such offsetting collections be less than $3,272,000,000 this amount shall be reduced accordingly: *Provided further*, That any amount received in excess of $3,272,000,000 in fiscal year 2016 and deposited in the Patent and Trademark Fee Reserve Fund shall remain available until expended: *Provided further*, That the Director of USPTO shall submit a spending plan to the Committees on Appropriations of the House of Representatives and the Senate for any amounts made available by the preceding proviso and such spending plan shall be treated as a reprogramming under section 505 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section: *Provided further*, That any amounts reprogrammed in accordance with the preceding proviso shall be transferred to the United States Patent and Trademark Office ''Salaries and Expenses'' account: *Provided further*, That from amounts provided herein, not to exceed $900 shall be made available in fiscal year 2016 for official reception and representation expenses: *Provided further*, That in fiscal year 2016 from the amounts made available for ''Salaries and Expenses'' for the USPTO, the amounts necessary to pay (1) the difference between the percentage of basic pay contributed by the USPTO and employees under section 8334(a) of title 5, United States Code, and the normal cost percentage (as defined by section 8331(17) of that title) as provided by the Office of Personnel Management (OPM) for USPTO's specific use, of basic pay, of employees subject to subchapter III of chapter 83 of that title, and (2) the present value of the otherwise unfunded accruing costs, as determined by OPM for USPTO's specific use of post-retirement life insurance and post-retirement health benefits coverage for all USPTO employees who are enrolled in Federal Employees Health Benefits (FEHB) and Federal Employees Group Life Insurance (FEGLI), shall be transferred to the Civil Service Retirement and Disability Fund, the FEGLI Fund, and the FEHB Fund, as appropriate, and shall be available for the authorized purposes of those accounts: *Provided further*, That any differences between the present value factors published in OPM's yearly 300 series benefit letters and the factors that OPM provides for USPTO's specific use shall be recognized as an imputed cost on USPTO's financial statements, where applicable: *Provided further*, That, notwithstanding any other provision of law, all fees and surcharges assessed and collected by USPTO are available for USPTO only pursuant to section 42(c) of title 35, United States Code, as amended by section 22 of the Leahy-Smith America Invents Act (Public Law 112–29): *Provided further*, That within the amounts appropriated, $2,000,000 shall be transferred to the ''Office of Inspector General'' account for activities associated with carrying out investigations and audits related to the USPTO.

NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY

SCIENTIFIC AND TECHNICAL RESEARCH AND SERVICES

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses of the National Institute of Standards and Technology (NIST), $675,000,000, to remain available until expended, of which not to exceed $9,000,000 may be transferred to the ''Working Capital Fund'': *Provided*, That not to exceed $5,000 shall be for official reception and representation expenses: *Provided further*, That NIST may provide local transportation for summer undergraduate research fellowship program participants.

AMENDMENT OFFERED BY MS. EDDIE BERNICE JOHNSON OF TEXAS

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 12, line 9, after the dollar amount insert ''(increased by $3,000,000) (reduced by $3,000,000)''.

The Acting CHAIR. Pursuant to House Resolution 287, the gentlewoman from Texas and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Texas.

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

My amendment is intended to ensure that the important forensic standards work at the National Institute of Standards and Technology, or NIST, is fully funded.

The criminal justice system relies on forensic science to identify and prosecute criminals and to exonerate the falsely accused. Justice is not served by either the falsely accused or the victims and their families when the wrong person is imprisoned.

In a series of investigations over the last few years, The Washington Post, the Innocence Project, and the FBI itself have reported on a flawed forensic work that may be responsible for wrongful convictions in thousands of criminal cases.

□ 1615

Innocent people have spent decades in prison, and our State certainly knows about many of them—my home county, as a matter of fact. Some may have already been put to death while the guilty have gone free.

These investigations have covered hair analysis, bite mark analysis, and

even DNA, which most people previously believed to be 100 percent accurate and reliable. In short, there has been a steady stream of bad news about flawed forensic work being used in criminal court. And I worry that we are just seeing the tip of the iceberg.

In a year 2009 report, ''Strengthening Forensic Science in the United States: A Path Forward,'' the National Academy of Sciences found that the interpretation of forensic evidence is severely compromised by the lack of supporting science and standards.

Many forensic techniques and technologies lack a scientific foundation. Operational principles and procedures are not standardized, and there are often no standard protocols governing the reporting of forensic evidence.

Since then, I have worked with colleagues in the Senate to develop legislation that would strengthen forensic science and standards. The administration also took notice and has initiated several activities, even without direct action from Congress. The Department of Justice and NIST have become strong partners in this effort. Now, some of my colleagues on Appropriations would like to gut one of these core activities, the standards development work managed by NIST.

For reasons that I cannot comprehend, the report language accompanying this bill would forbid NIST from continuing the voluntary consensus standards development work already underway through the forensics scientific area committees. These committees coordinate development of standards and guidelines for the forensic science community to improve the quality and consistency of forensics evidence used by our justice system.

These committees were established according to the longstanding and well-respected NIST process for developing voluntary consensus standards. As such, the membership of these committees represent the full breadth and depth of stakeholder organizations, including forensic science practitioners, as well as academic scientists and engineers, law enforcement, and others.

To the best of my knowledge, these committees have the support of the full range of stakeholders. Why would we stop, in its tracks, a voluntary consensus standards process that has proven itself effective time and time again? I can see no justifiable reason for trying to keep sound science out of the courtroom.

Mr. Chair, since the language in question is in the committee's report rather than the bill text and will not be sufficiently addressed with this amendment, I plan to withdraw this amendment but seek the approval of both the chair and the ranking member to help correct this language as we move toward the conference report.

My colleagues, I hope, will work with the Senate to rectify this unjustified and unjust restriction.

Mr. CULBERSON. Will the gentlewoman yield?

Ms. EDDIE BERNICE JOHNSON of Texas. I yield to the gentleman from Texas.

Mr. CULBERSON. Mr. Chair, I look forward to working with my colleague from Texas and with my colleague from Philadelphia on this matter as we move forward in the conference.

Ms. EDDIE BERNICE JOHNSON of Texas. Thank you very much, Mr. Chairman.

Mr. FATTAH. Will the gentlewoman yield?

Ms. EDDIE BERNICE JOHNSON of Texas. I yield to the gentleman from Pennsylvania.

Mr. FATTAH. Mr. Chair, I also would work with the gentlewoman and the chairman on this. You know, the premise of our entire judicial system is that we would rather a guilty person go free than any innocent person be in prison.

Forensic science has brought a lot to the business of better understanding actually what has taken place and to make sure that we don't have innocent people incarcerated.

Ms. EDDIE BERNICE JOHNSON of Texas. With that, I ask unanimous consent to withdraw this amendment.

The Acting CHAIR. Is there objection to the request of the gentlewoman from Texas?

There was no objection.

The Acting CHAIR. The amendment is withdrawn.

The Clerk will read.

The Clerk read as follows:

INDUSTRIAL TECHNOLOGY SERVICES

For necessary expenses of the Hollings Manufacturing Extension Partnership of the National Institute of Standards and Technology, $130,000,000, to remain available until expended.

AMENDMENT OFFERED BY MS. ESTY

Ms. ESTY. Mr. Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 12, line 20, after the dollar amount insert ''(increased by $11,000,000)''.

Page 36, line 7, after the dollar amount insert ''(reduced by $31,000,000)''.

The Acting CHAIR. Pursuant to House Resolution 287, the gentlewoman from Connecticut and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Connecticut.

Ms. ESTY. Mr. Chairman, we should invest in manufacturing, which plays such a vital role in innovation and competitiveness. The Federal Government is uniquely situated to help ensure that manufacturing remains the backbone of the U.S. economy.

My amendment fully funds the Manufacturing Extension Partnership program by increasing funding for the industrial technologies account by $11 million. This program is the top priority for the U.S. Chamber of Commerce. Just earlier today, the Chamber listed fully funding the Manufacturing Extension Partnership at $141 million as its highest priority for the Commerce, Justice, Science bill.

My amendment is also fiscally responsible. It decreases funding for the Federal prison system by $31 million to ensure that this investment in manufacturing does not affect our national spending.

In Connecticut, we are proud to be a national leader in manufacturing. Our State is home to more than 5,000 manufacturers that provide stable, good-paying jobs for our families. For more than 20 years, our Manufacturing Extension program, the Connecticut State Technical Extension Program, known as CONNSTEP, has been a trusted adviser for our small- and medium-sized manufacturing companies looking to grow their business and increase their workforce in sales.

Since 2013, CONNSTEP's clients have helped create 511 jobs, retained more than $527 million in sales, and realized cost savings of $81 million statewide. In Thomaston, in my district, Metallon, Incorporated, a metal stamping and assembly facility, partnered with CONNSTEP to help conduct internal quality auditing and secure new products. Thanks to the partnership with CONNSTEP, Metallon expanded their workforce and increased sales by half a million dollars.

Metallurgical Processing, Incorporated, a metal processing facility in New Britain, Connecticut, saw a 20 percent increase in production capacity and $181,000 in cost savings after working with CONNSTEP to streamline product flow and improve production efficiency.

CONNSTEP's support for Connecticut business is critical to our continued leadership in manufacturing, as we not only retain but grow these jobs statewide. I have seen firsthand how CONNSTEP's support has successfully helped our manufacturers to be competitive in an increasingly globalized economy.

But make no mistake, these successes are not just in Connecticut. The Manufacturing Extension program has a proven track record of effective partnerships with manufacturers all across the country. Since the MEP program started more than 25 years ago, centers across America have created more than 729,000 manufacturing jobs, saved companies more than $13.4 billion, and turned every dollar of Federal investment into $19 in new sales growth.

The additional funding of the MEP program will enable our centers to fully execute their mission and undertake a robust technology transfer program to help manufacturers take new discoveries from the research lab to the marketplace.

I encourage all my colleagues to support my amendment to fully fund the

Manufacturing Extension Partnership program and invest in our manufacturing future.

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

Mr. CULBERSON. Mr. Chairman, I claim the time in opposition.

The Acting CHAIR. The gentleman from Texas is recognized for 5 minutes.

Mr. CULBERSON. Mr. Chairman, I rise in opposition to the amendment because our Federal prison system is already between 30 and 50 percent overcrowded. We have not built a new prison in the United States since 2009. It is vitally important that we have got these prisons in place to keep our most dangerous criminal offenders off the streets.

The amendment that the gentlewoman has offered would immediately prevent the Bureau of Prisons from expanding its capacity and do severe damage to their ability to reduce overcrowding, which is a threat to the staff, a threat to the inmates, and a threat to the public.

The gentlewoman's amendment—I understand she is concerned—to support the Manufacturing Extension program, we cannot do so at the expense of public safety.

Mr. ROGERS of Kentucky. Will the gentleman yield?

Mr. CULBERSON. I yield to the gentleman from Kentucky, the full committee chairman.

Mr. ROGERS of Kentucky. I thank the chairman for yielding.

It is no secret, Mr. Chairman, that there is a strain on our Nation's prison system. As the inmate population continues to rise, our prisons get more and more crowded every day. As the inmate population continues to rise, with 216,000 individuals currently serving Federal sentences, our prisons get more and more crowded every day.

At the end of fiscal 2013—listen to this—25 percent of our medium security inmates and 85 percent of our low security inmates were triple bunked—triple bunked. Considering that 8 out of every 10 medium security inmates has a history of violence, this creates some very serious questions about the safety of the BOP staff, the public, and even other inmates. Updating our prisons will provide greater efficiency and staffing and permits staff to safely oversee more inmates.

Our medium and maximum security prisons house some of the world's most dangerous and violent criminals. The bill before us provides critical funding to the Federal Bureau of Prisons in order to modernize and strengthen our Nation's prison infrastructure. These funds will help protect the public as well as the men and women who work at these facilities. It is imperative that we provide them a safe and secure environment within which to work.

The Federal Government has a commitment to keep the public and prison staff safe, and these dollars are needed to fulfill that commitment. So I oppose this effort to reduce funding for the Bureau of Prisons and urge my colleagues to vote ''no'' on this amendment.

Mr. CULBERSON. Mr. Chairman, reclaiming my time, I want to point out the Manufacturing Extension program is already fully funded. They have got $130 million set aside for the program in the bill; and, quite frankly, the amendment would endanger the public because we would not be able to proceed with the urgently needed construction of new prison facilities. So I urge my colleagues to join us in opposing this amendment.

I yield back the balance of my time.

Ms. ESTY. Mr. Chair, how much time do I have remaining?

The Acting CHAIR. The gentlewoman from Connecticut has 1½ minutes remaining.

Mr. FATTAH. Will the gentlewoman yield?

Ms. ESTY. I yield to the gentleman from Pennsylvania.

Mr. FATTAH. Mr. Chairman, let me just say that I rise in support of the amendment, and I think this shows the bigger picture here if the country has to choose between promoting manufacturing and whether or not we can safely operate the world's largest prison system. We incarcerate more people than any other country in the rest of the world on a per capita basis. We need to be employing more people in manufacturing. This makes sense. I support the gentlewoman's amendment.

Ms. ESTY. Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from Connecticut (Ms. ESTY).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Ms. ESTY. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentlewoman from Connecticut will be postponed.

The Clerk will read.

The Clerk read as follows:

CONSTRUCTION OF RESEARCH FACILITIES

For construction of new research facilities, including architectural and engineering design, and for renovation and maintenance of existing facilities, not otherwise provided for the National Institute of Standards and Technology, as authorized by sections 13 through 15 of the National Institute of Standards and Technology Act (15 U.S.C. 278c–278e), $50,000,000, to remain available until expended: *Provided*, That the Secretary of Commerce shall include in the budget justification materials that the Secretary submits to Congress in support of the Department of Commerce budget (as submitted with the budget of the President under section 1105(a) of title 31, United States Code) an estimate for each National Institute of Standards and Technology construction project having a total multi-year program cost of more than $5,000,000, and simultaneously the budget justification materials shall include an estimate of the budgetary requirements for each such project for each of the 5 subsequent fiscal years.

NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION

OPERATIONS, RESEARCH, AND FACILITIES

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses of activities authorized by law for the National Oceanic and Atmospheric Administration, including maintenance, operation, and hire of aircraft and vessels; grants, contracts, or other payments to nonprofit organizations for the purposes of conducting activities pursuant to cooperative agreements; and relocation of facilities, $3,147,877,000, to remain available until September 30, 2017, except that funds provided for cooperative enforcement shall remain available until September 30, 2018: *Provided*, That fees and donations received by the National Ocean Service for the management of national marine sanctuaries may be retained and used for the salaries and expenses associated with those activities, notwithstanding section 3302 of title 31, United States Code: *Provided further*, That in addition, $130,164,000 shall be derived by transfer from the fund entitled ''Promote and Develop Fishery Products and Research Pertaining to American Fisheries'', which shall only be used for fishery activities related to the Saltonstall-Kennedy Grant Program, Cooperative Research, Annual Stock Assessments, Survey and Monitoring Projects, Interjurisdictional Fisheries Grants, and Fish Information Networks: *Provided further*, That of the $3,295,541,000 provided for in direct obligations under this heading $3,147,877,000 is appropriated from the general fund, $130,164,000 is provided by transfer, and $17,500,000 is derived from recoveries of prior year obligations: *Provided further*, That the total amount available for National Oceanic and Atmospheric Administration corporate services administrative support costs shall not exceed $208,100,000: *Provided further*, That any deviation from the amounts designated for specific activities in the report accompanying this Act, or any use of deobligated balances of funds provided under this heading in previous years, shall be subject to the procedures set forth in section 505 of this Act: *Provided further*, That in addition, for necessary retired pay expenses under the Retired Serviceman's Family Protection and Survivor Benefits Plan, and for payments for the medical care of retired personnel and their dependents under the Dependents Medical Care Act (10 U.S.C. 55), such sums as may be necessary.

□ 1630

AMENDMENT OFFERED BY MR. AUSTIN SCOTT OF GEORGIA

Mr. AUSTIN SCOTT of Georgia. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 14, line 1, after the dollar amount, insert ''(reduced by $200,000)''.

Page 98, line 20, after the dollar amount, insert ''(increase by $200,000)''.

The Acting CHAIR. Pursuant to House Resolution 287, the gentleman

from Georgia and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Georgia.

Mr. AUSTIN SCOTT of Georgia. Mr. Chairman, I would like to take a minute to tell you how we got here.

As someone who fished in the Gulf of Mexico long before I got elected to Congress, when they started reducing the snapper season back in 2007, we had approximately 190 days to fish as the recreational angler. They have now taken that down to 10 days.

Through the Gulf councils, the National Marine Fisheries Service has worked through the councils to reduce the American recreational fishermen's opportunity to fish for red snapper in the Gulf of Mexico by 95 percent since 2007. At the same time, they have increased quotas and allocations for the commercial sector. And most recently through the Gulf council, they cast a vote, 7–10, to split the recreational sector, and they gave the for-hire recreational sector 45 days and the not-for-hire 10 days.

Now, let me just explain what that means to you. It means that if you want to just take your family fishing, you have 10 days to do it. If you want to go in the other 35 days of that recreational season, you have to pay a charter boat captain to take you out.

What happened with the council is three of the members who voted had a vested interest in the charter boat industry that they did not disclose prior to the vote, even though Federal law required that they do it. Then, they turned around and cast that vote which personally benefited them, which, again, was illegal.

I appreciate the committee working to put in the money for more data in an effort to get the recreational season back for the not-for-hire recreational angler, but to be honest with you, if you give them all the data in the world, no matter what it says, if they continue to conduct themselves in that manner, it won't matter. They will simply allocate themselves more fish.

So with that, Mr. Chairman, I reserve the balance of my time.

Mr. CULBERSON. Mr. Chairman, I claim time in opposition, but I am not opposed.

The Acting CHAIR. Without objection, the gentleman from Texas is recognized for 5 minutes.

There was no objection.

Mr. CULBERSON. I understand the gentleman is going to withdraw his amendment, and he has identified a serious problem that he has brought to our attention that I want to work with my ranking member on.

I understand that it sounds to me like we have got a clear violation of Federal law involved here, and I am very distressed to hear of this reduction. It is a 95 percent reduction in the time available to individual Americans to fish, which is a very important part to all of us who live next to the Gulf of Mexico who go out and fish for red snapper.

I am very concerned to hear about this failure to disclose the conflict of interest, and I would like to work with the gentleman from Georgia to help rectify this and make sure that the law not only is obeyed, but the agency is responsive to the needs of private fishermen. I would like to work with my colleague from Philadelphia on this.

I reserve the balance of my time.

Mr. AUSTIN SCOTT of Georgia. Mr. Chairman, let me say that I thank the chairman and ranking member. This is something that needs to be rectified. If an illegal action was taken, it needs to be reversed.

Based on your commitment to work with us on this amendment at this time, I look forward to having those discussions, and I ask unanimous consent to withdraw my amendment.

The Acting CHAIR. Is there objection to the request of the gentleman from Georgia?

There was no objection.

The Acting CHAIR. The amendment is withdrawn.

AMENDMENT OFFERED BY MR. BLUMENAUER

Mr. BLUMENAUER. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 14, lines 1, 18, and 19, after each dollar amount, insert ''(reduced by $60,760,000) (increased by $60,760,000)''.

The Acting CHAIR. Pursuant to House Resolution 287, the gentleman from Oregon and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Oregon.

Mr. BLUMENAUER. Mr. Chairman, I yield myself 2 minutes.

Sadly, the funding in this bill for NOAA's climate research is shamefully inadequate and puts at risk efforts to mitigate and respond to the impacts of climate change. It cuts NOAA's climate research by $30 million relative to the current fiscal year's inadequate level and is $61 million below the President's request. I am offering an amendment to restore the funding to the President's level.

All across America, we are dealing with the impacts of climate change. Extreme weather events, whether it is the recent floods in Texas, or the persistent 4-year drought in California, are regular events. They claim lives and cost billions of dollars each year. Floods, droughts, superstorms, wildfires, heat waves, and sea level rise are all made worse as a result of climate change.

We are no longer talking just about preparing for the future. It is happening now. And the evidence is clear as we go from one extreme weather event to another that it is getting worse.

NOAA climate research funds atmospheric and oceanic research, cooperative institutes, universities, climate research laboratories, and others that will advance climate science and enable better decisionmaking and better policies to make our communities more resilient.

It makes no sense to defund programs to help us prepare for extreme weather events; mitigate the impacts of such events; prevent the loss of human life, infrastructure, and property; and better predict these occurrences.

Choosing to deny climate change does not stop it from happening, and failing to study and authorize these programs will not make the problem go away. In fact, it will only make us more vulnerable and hurt our ability to prepare for and respond to the impacts of climate change.

I reserve the balance of my time.

Mr. CULBERSON. Mr. Chairman, I claim the time in opposition.

The Acting CHAIR. The gentleman from Texas is recognized for 5 minutes.

Mr. CULBERSON. The National Oceanic and Atmospheric Administration has a record level of funding in this bill for weather forecasting, which is where they need to focus their work: predicting the future and telling American farmers, American workers, American industry, and the American people what the future holds. What does the next week, the next month, or hurricane season hold for the people of the Gulf of Mexico or the Atlantic Coast?

So, in an era of scarce resources we have funded NOAA with a record level of funding for weather forecasting. We have made sure they have got all the money they need for maritime safety and for supporting and monitoring America's fisheries.

We have made sure in this bill that NOAA is focusing on their core function, and that is looking to the future. That, of course, is going to involve looking at climate. But over the past several years climate funding within NOAA has received more than adequate funding, and we have to use the scarce, very precious, hard-earned taxpayer dollars that we are entrusted to appropriate very carefully. We have to prioritize that funding, and within this bill, we have chosen to prioritize weather forecasting.

I respect the gentleman's judgment but would ask him if he could withdraw the amendment, and I look forward to working with him to ensure that NOAA has got everything they need to accurately predict the weather in the future.

I reserve the balance of my time.

Mr. BLUMENAUER. Mr. Chairman, I yield 1 minute to the gentleman from Virginia (Mr. BEYER).

Mr. BEYER. Mr. Chairman, I rise to support the Blumenauer amendment.

In business, we are always fighting the tendency of the long term giving

away to the short term, the important giving away to the urgent and the immediate.

I am deeply disappointed that this budget for climate research has been cut by $30 million. Now is not the time to cut climate research.

From the floods in Houston to the drought in California, shifts in climate over the next few decades will cost American companies and American communities hundreds of billions of dollars. NOAA has the ability to do advanced forecasting predictions certainly for weather- and for ocean-related phenomena, but they also have it for climate short- and long-term change. This ability is crucial to support the future of our businesses, coastal cities, and environmental health.

This Congress has repeatedly affirmed that climate change is real. We may have different ideas about the cause of climate change and certainly what we can do to combat it, but it makes no sense to slash the very research which will enable us to find effective, bipartisan solutions.

We must robustly fund climate science research, and I urge my colleagues to support this amendment.

Mr. CULBERSON. Mr. Chairman, I understand the gentleman is going to withdraw the amendment, and I continue to reserve the balance of my time.

Mr. BLUMENAUER. I yield 1 minute to the gentleman from Pennsylvania (Mr. FATTAH).

Mr. FATTAH. In this bill there are three cuts: at NASA on the Earth Science program, the cut to the National Science Foundation in terms of the ability to focus on geosciences, and the issue that is raised by my great friend from Oregon, and they combine to make the point that there is not yet a consensus in one place. Even though there is a consensus in the scientific community, the majority still is not yet clear that climate is something that we need to focus on.

I urge support for the Blumenauer amendment.

Mr. BLUMENAUER. Mr. Chairman, I respect my friend from Texas. I appreciate his willingness to work with me and his notion of putting more resources in forecasting, but that is not the issue here.

What we need to be doing is having a robust effort at NOAA to be able to deal comprehensively with climate, being able to deal with how we help communities be more resilient, how we are able to deal with the forces that are down upon us to help the scientific bases to be able to maybe even encourage this Congress to step up and do its job.

I reserve the balance of my time.

Mr. CULBERSON. Mr. Chairman, could the gentleman be more specific about what it is he is asking NOAA to do?

Mr. BLUMENAUER. It is our ability to provide reliable, long-term drought forecasts, projections of regional drought indicators, and issues dealing with the prediction of what happens in terms of flood research and performance of climate and weather models.

This is not simply a matter of predicting next week's weather. This is dealing with long-term consequences and helping communities deal with the impact of climate change and being able to understand it better.

Mr. Chairman, this is an entirely self-imposed constraint from my Republican friends. They have passed hundreds of billions of dollars of unfunded tax cuts out of committee. There is more than adequate money.

Because the budget is so hopelessly inadequate, I ask unanimous consent to withdraw my amendment.

The Acting CHAIR. Is there objection to the request of the gentleman from Oregon?

There was no objection.

The Acting CHAIR. The amendment is withdrawn.

AMENDMENT OFFERED BY MR. GUINTA

Mr. GUINTA. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 14, line 1, after the dollar amount, insert ''(reduced by $70,000,000) (increased by $70,000,000)''.

The Acting CHAIR. Pursuant to House Resolution 287, the gentleman from New Hampshire and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from New Hampshire.

Mr. GUINTA. Mr. Chairman, I plan to withdraw this amendment, but I would like the opportunity to briefly explain.

The Saltonstall-Kennedy Act of 1954 imposed a special duty on fish and fish products imported into the United States and required that 30 percent of the money collected by NOAA would go toward supporting fisheries and research and development on the industry's long-term sustainability. However, NOAA has not been properly paying into its regional fishing grant programs and is using these tariffs as part of its operational expenses.

To ensure a thriving fishing industry, we must invest in initiatives that increase the stock of our Nation's fisheries by providing grants to research and monitor them as well as management programs.

During my first term, I introduced legislation that would ensure that key programs critical to sustainably managing ocean fish populations and the fishermen and communities that depend on them would receive increased and sustained funding.

I sincerely thank Chairman CULBERSON for considering my appropriations letter and including the transfer of $130 million in existing funds to be used exclusively on Saltonstall-Kennedy fishing activity, particularly the S-K regional fisheries investment grant program.

This transfer of funds will directly provide grants to regional fishery management councils that would work with area fishermen to identify investment priorities. These investment priorities include disaster assistance, improving shoreside infrastructure, seafood promotion, and managing highly migratory species.

The transfer of these funds will help; however, it is a temporary fix to a much larger issue.

□ 1645

This year, I, along with my friend Congressman BILL KEATING, have introduced the same legislation that would ensure that NOAA follow the requirement laid out in the Saltonstall-Kennedy Act of 1954.

Again, I want to thank Chairman CULBERSON for taking my letter and thoughts into consideration. I appreciate the hard work of the committee on this issue and the bill.

I reserve the balance of my time.

Mr. CULBERSON. Mr. Chairman, I claim the time in opposition, but I am not opposed to the amendment.

The Acting CHAIR. Without objection, the gentleman from Texas is recognized for 5 minutes.

There was no objection.

Mr. CULBERSON. Mr. Chairman, I would like to work with the gentleman from New Hampshire on this issue as we move forward. I understand the importance of the issue. I appreciate very much you raising it here with us today, and we look forward to working with you.

We do include language stating that certain funds may be used only for activities related to the Saltonstall-Kennedy Grant Program.

We have worked with NOAA for the past several years to reduce their administration costs. We will continue to do so this year, and I will continue to work with you as we move forward through the process.

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

Mr. GUINTA. Mr. Chairman, I ask unanimous consent to withdraw the amendment.

The Acting CHAIR. Is there objection to the request of the gentleman from New Hampshire?

There was no objection.

The Acting CHAIR. The amendment is withdrawn.

AMENDMENT OFFERED BY MR. POLIS

Mr. POLIS. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 14, lines 1, 18, and 19, after each dollar amount, insert ''(reduced by $30,000,000) (increased by $30,000,000)''.

The Acting CHAIR. Pursuant to House Resolution 287, the gentleman from Colorado and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Colorado.

Mr. POLIS. Mr. Chairman, I rise in opposition to several of the critical accounts in the bill that have been cut, which my amendment would address.

The CJS Appropriations Act specifically targets funding for NOAA's climate research programs by $30 million over currently enacted levels, a program so important for farmers, for businesses, for air safety, for so many different reasons. That is a 20 percent cut to programs that are imperative to our Nation's ability and resilience in the face of climate threats.

Twenty-five people were killed in the floods that saturated Texas last month. Damage from Hurricane Sandy was estimated at $700 billion back in 2012, and at least six people died in Boulder and Larimer County during the flooding that overtook my region in 2013. None of these places had ever seen storms like the ones they encountered over the last 5 years, and each were unprepared to handle it.

NOAA and its partner institutions have made a huge dent in preventing disasters like these by keeping first responders, weather forecasters, businesses, communities, and families on the cutting edge of data predictability and resilience, providing quality raw data, as well as helping to develop new algorithms for interpreting existing data.

Two of our partner institutions, CU and CSU, are located in my district in Colorado. Together with NOAA, these institutions are developing unmanned atmospheric assessment aircraft that allow us to foresee changes in weather patterns, incoming storms, days before we could otherwise, saving lives and saving property damage.

These are very real tangible benefits that benefit all and protect Americans, regardless of whether one believes in climate change or what is causing it. I urge my colleagues to consider a world without these capabilities and what that would look like.

I reserve the balance of my time.

Mr. CULBERSON. Mr. Chairman, I claim the time in opposition.

The Acting CHAIR. The gentleman from Texas is recognized for 5 minutes.

Mr. CULBERSON. Mr. Chairman, I rise in opposition to the amendment. We have, as I said earlier, scarce resources this year. We have to prioritize the very precious and scarce hard-earned taxpayers dollars that we are entrusted to look after, and we have prioritized funding within NOAA for forecasting in the future.

As I was telling Mr. BLUMENAUER earlier, Mr. POLIS, we have made sure that NOAA has got a record level of funding for weather forecasting and most of the things that Mr. BLUMENAUER was mentioning, in terms of forecasting drought, identifying where floods are going to occur.

Looking forward, we have made sure that NOAA's got all the money they need for forecasting in the future, and we have to, I think, do everything we can to avoid cutting other parts of NOAA that would impair the weather forecasting or the development, maintenance, and operation of the weather satellites which could help NOAA inform people of severe weather.

We, on the Gulf Coast in particular and on the Atlantic Coast as well, depend on NOAA to give us accurate forecasts of the paths of hurricanes. Hurricane season this year, they are predicting—because of the increase in computing power of supercomputers, they are able to predict it looks like it is going to be—the hurricane season this year is not going to be as severe.

That capacity of NOAA to use supercomputing power to look that far into the future is of vital importance, so we have made sure that they have got a record level of funding for forecasting.

We also do not want to reduce NOAA's capacity to support maritime navigation or to appropriately manage their fisheries. We just have limited resources, is the problem, Mr. POLIS; and I just have had to prioritize NOAA's funding.

We have put weather forecasting at the top of the list because of its vital importance for the economy and for the safety and security of the American people.

I understand you are planning to withdraw the amendment, and I would certainly look forward to working with you. As Mr. BLUMENAUER mentioned a number of worthwhile endeavors that NOAA is engaged in, if you feel there are areas we need to work together on to get NOAA focused on to do a better job of forecasting in the future or other concerns, I would be happy to work with you.

Mr. POLIS. Will the gentleman yield?

Mr. CULBERSON. I yield to the gentleman from Colorado if he would like to engage in a colloquy.

Mr. POLIS. I would like to emphasize the importance of climate science with regard to predicting weather. The more we know about climate and climate patterns, the more it enhances our ability to predict short-term weather phenomena; therefore, a disproportionate cut to the climate science piece hampers our ability to anticipate weather patterns as well.

Mr. CULBERSON. I look forward to working with you as we move forward in the process. I understand you are planning to withdraw the amendment.

Mr. POLIS. I have additional speakers.

Mr. CULBERSON. Mr. Chairman, I reserve the balance of my time.

Mr. POLIS. Mr. Chairman, I yield 1 minute to the gentleman from Pennsylvania (Mr. BRENDAN F. BOYLE).

Mr. BRENDAN F. BOYLE of Pennsylvania. Mr. Chairman, I think one of the most concerning things about this budget proposal is, without question, the proposal to cut $30 million to NOAA. That represents an approximately 20 percent cut, as my colleague from Colorado was pointing out.

Mr. Chairman, I find it interesting that those who would deny the science of climate change often like to say, Well, the jury is still out, we need more research; yet here we are, with a budget that will cut that very research.

Mr. Chairman, just a couple of years ago, in my house in Philadelphia, we were riding out a hurricane. Hurricane Sandy ended up becoming Superstorm Sandy. We never imagined that, in Philadelphia, we would be experiencing the kind of hurricane that typically is experienced by Florida and the Gulf Coast States.

As even a Republican Governor said at the time, it seems as if the storm of the century is now happening once every couple of years.

Mr. Chairman, we desperately need this research. We need this funding. Let's restore NOAA funding.

Mr. CULBERSON. I am still trying to identify what precisely you are asking for because I think we are on the same page when it comes to forecasting and prediction. That is what you are asking for.

Mr. POLIS. Will the gentleman yield?

Mr. CULBERSON. I yield to the gentleman from Colorado.

Mr. POLIS. I wanted to inquire with regard to how the funding cuts would impact the development of the unmanned atmospheric assessment aircrafts that are critical to foreseeing changes in weather pattern.

Mr. CULBERSON. If I could, we are going to make sure that NOAA has got all the—we have given them a record level of increase this year so they can engage and make sure we have got accurate forecasting. Whether it be through their aircraft or their supercomputers or their modeling, they have got the resources they need to do accurate forecasting for the future.

I am just trying to get a precise idea what it is you are looking for because I think we have given them all they need for forecasting, and that is what you are asking for.

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

Mr. POLIS. Mr. Chairman, very specifically, this amendment would restore the $30 million of cuts—namely, a 20 percent cut—a disproportionate cut to climate science activities, including unmanned atmospheric assessment aircrafts and including creating raw data streams that can be used by those who predict weather, as well as by farmers

and businesses, because you can't separate out weather and climate.

I think, perhaps because of political reasons—I don't know why—there is a disproportionate cut, 20 percent, to the climate science piece of NOAA. Now, that climate science piece of NOAA, just because it has the word ''climate'' in it, that doesn't mean it is something where they are out there doing things that are political.

What they are doing is they are trying to research the macro effects of climate on weather, on population and patterns, on dangers on ships. If the gentleman would simply allow that discretion within NOAA, undo the 20 percent cut, we fund that within NOAA.

We are not, nor can we, under the budget, seek new money. We are simply taking the $30 million and putting it back into the climate science program.

Mr. CULBERSON. Will the gentleman yield?

Mr. POLIS. I yield to the gentleman from Texas.

Mr. CULBERSON. Thank you for yielding because I have just checked with my staff, and it appears that the money that we have allocated, a record level of funding for NOAA's forecasting, takes care of that aircraft. The money that we have allocated for NOAA for forecasting takes care of the data stream.

That is why I kept asking what are y'all specifically asking for. We have taken care of it. We are deeply concerned with making sure that NOAA has got the money they need to predict hurricanes, to predict floods, to predict the terrible flooding that has taken place in Houston or the drought that has taken place in California.

I think we are on the same page. I want to be sure the gentleman knows that I will work with him as we move forward in conference. If you can identify something specific that NOAA does not have as a result of our record increase for forecasting, we will help you restore it.

Mr. POLIS. Reclaiming my time, one of the areas we would love to work with you on is Cooperative Institutes funding, the partnerships that NOAA has with our institutions of higher education to better leverage our taxpayer dollars.

I reserve the balance of my time.

The Acting CHAIR. The time of the gentleman has expired.

Mr. POLIS. Mr. Chairman, I ask unanimous consent to withdraw this amendment.

The Acting CHAIR. Is there objection to the request of the gentleman from Colorado?

There was no objection.

The Acting CHAIR. The Amendment is withdrawn.

AMENDMENT OFFERED BY MR. SMITH OF TEXAS

Mr. SMITH of Texas. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 14, line 1, after the dollar amount, insert ''(reduced by $21,000,000) (increased by $21,000,000)''.

Page 14, line 24, after the dollar amount, insert ''(reduced by $21,000,000)''.

The Acting CHAIR. Pursuant to House Resolution 287, the gentleman from Texas and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Texas.

Mr. SMITH of Texas. Mr. Chairman, my amendment takes direct, strong action to address America's weather forecasting shortcomings in order to reduce the loss of life and property from severe storms.

The amendment I offer on behalf of myself; Science, Space, and Technology Committee Vice Chairman FRANK LUCAS; and Environment Subcommittee Chairman JIM BRIDENSTINE directs that the full $120 million authorized in House-passed H.R. 1561, the Weather Research and Forecasting Innovation Act of 2015, be provided in the NOAA Operations, Research, and Facilities appropriation account.

The recent flooding in Texas and tornados in Oklahoma demonstrate the immediate need to quickly implement better weather research and forecasting by fully funding H.R. 1561.

The House unanimously passed that bill just 2 weeks ago. We also unanimously passed it over a year ago in April 2014.

Now, thanks to Chairman CULBERSON's initiative and support, the CJS bill will add the needed resources to transform our antiquated 1980s weather forecasting system into a 21st century weather enterprise in the next few years.

Specifically, this amendment will provide $5 million more for weather lab research in NOAA, to total the $80 million authorized. The amendment will also provide $16 million more for weather research technology transfer in NOAA's Office of Oceanic and Atmospheric Research, to total $20 million authorized to implement a labs and Cooperative Institutes research-to-operations program.

This program will improve the understanding of how the public responds to warnings and transfer new technology to the National Weather Service, the American weather industry, and the academic partners.

This new joint Technology Transfer Initiative should include support for the Vortex-SE project and development of advanced national and global cloud resolving models; quantitative observing system assessment tools; atmospheric chemistry needed for weather prediction; and additional sources of weather data, which includes commercial observing systems.

Once again, I appreciate Chairman CULBERSON's accepting the amendment, which will help save lives and reduce property damage.

As the CJS Appropriations chairman, Mr. CULBERSON has proved himself to be capable, knowledgeable, and committed to the country's best interest.

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

Mr. FATTAH. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIR. Does the gentleman from Texas seek to rise in opposition?

Mr. CULBERSON. Well, I would like to seek some time in opposition, but I do not oppose the amendment. We have agreed to accept it and work this out.

The Acting CHAIR. Is the gentleman from Pennsylvania opposed?

Mr. FATTAH. I am authentically opposed to the amendment, but I would also make an allowance to yield to my chairman after I make my comments.

The Acting CHAIR. The gentleman from Pennsylvania is recognized for 5 minutes.

□ 1700

Mr. FATTAH. Mr. Chairman, I yield 1 minute to the gentleman from Texas (Mr. CULBERSON), the chairman of the subcommittee.

Mr. CULBERSON. Mr. Chairman, I just want to stress, if I could, that Chairman SMITH has been very supportive and cooperative. We have worked together arm in arm, as has his ranking member, who is also from Texas. This amendment is one that will help the Weather Service do a better job of forecasting. I think it is a good amendment. It is one that we have worked out together. I do urge Members to support it.

I appreciate the gentleman from Pennsylvania yielding to me.

Mr. FATTAH. Reclaiming my time in opposition, in all good, there is some bad. It is true that this amendment would offer some additional dollars for weather forecasting. But $16 million of it—the bulk of the $21 million—would go into technology transfer. Now, I am not opposed to technology transfer, but to take it out of the administrative work at NOAA, I have visited NOAA, and I understand how the operations there work. I have spent a lot of time learning about its operations. And I can tell you that NOAA cannot perform the duties that our Nation needs without the administrative capabilities.

It would be just like coming here to the Hill and expecting the Congress to function without our back office operations. We would not be able to proceed forward. So I think that it is more important for us to have an appropriate allocation so that we can meet these needs than it is to rob the administrative capability of NOAA at a time when we want to place more demands on it.

I think that the amendment—even though moving towards additional help for weather forecasting—the bulk of it is for a technology transfer to the private sector, which I am all for, but it

sounds to me like it is robbing Peter to pay Paul.

On the floor, it may be easy to pass an amendment that cuts administrative costs at a government agency, but it may be something that we live to regret. So I stand in opposition to the amendment.

I reserve the balance of my time.

Mr. SMITH of Texas. Mr. Chairman, I yield 1 minute to the gentleman from Oklahoma (Mr. BRIDENSTINE), who is the chairman of the Environment Subcommittee of the Science, Space, and Technology Committee.

Mr. BRIDENSTINE. Mr. Chairman, I would like to thank Chairman SMITH for his leadership on this important amendment as well as Chairman CULBERSON. I thank them for working with us on this amendment. I know we have been working very hard to make sure that this is adequately funded and from the right sources.

By fully funding the weather research and technology transfer that was authorized by my bill, H.R. 1561, this appropriations bill now reflects the House's will that NOAA prioritize activities that save lives and property. The funding will go to support critical work to increase the lead times that we receive for tornadoes. A lot of this critical work is being done at the University of Oklahoma. I have heard already that we were looking for more funding for some Cooperative Institutes, and that is what this is.

This is of extreme importance to my State, as I have already lost constituents this year from tornadoes. It is my sincere belief that this appropriations bill now ensures that programs are funded that will eventually move us to a day where no one is killed in a tornado or other severe storm event.

Again, I thank Chairman CULBERSON and Chairman SMITH for their leadership on this issue. We need to adopt this amendment so that we can save lives and property, especially as it relates to my constituents in Oklahoma.

Mr. FATTAH. I yield back the balance of my time.

Mr. SMITH of Texas. Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Texas (Mr. SMITH).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. KEATING

Mr. KEATING. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 14, line 1, after the dollar amount, insert ''(reduced by $1,750,000) (increased by $1,750,000)''.

The Acting CHAIR. Pursuant to House Resolution 287, the gentleman from Massachusetts and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Massachusetts.

Mr. KEATING. Mr. Chairman, I am prepared to offer and withdraw my amendment.

I rise for the purpose of engaging in a colloquy with the chairman and the gentlewoman from Maine.

Since 1972, the National Marine Fisheries Service has utilized trained fishery observers to monitor and assess the health of fish populations along the coast of the United States, providing critical data gathered from commercial vessels that is then used to guide NOAA in determining best practices for conservation and sustainable management.

The fishing industry is a willing and engaged partner in supporting the use of on-vessel observers. However, following a legal challenge, this August, NOAA will run out of funding to continue paying for this mandated program.

I have heard from fishermen from the south coast of Massachusetts, to Cape Cod and the islands, to the south shore who are still struggling from the impacts of diminishing groundfish stocks and worry they will be unable to cover the burden of this cost.

Our region is still reeling from the collapse of the groundfish industry that prompted Federal disaster relief. This is particularly true for some small fishing businesses, where this added burden can be the difference between success and failure as a business.

I am working with my New England and Massachusetts colleagues and NOAA to find an interim solution. And as we look to 2016, I ask that we work to provide adequate funding for at-sea and dockside monitoring for fisheries with approved catch share management plans that impose observer coverage as a condition for new and expanded fishing opportunities. We also can use this time, I believe, to seek cost-effective technological alternatives, where appropriate.

I yield such time as she may consume to the gentlewoman from Maine (Ms. PINGREE).

Ms. PINGREE. I thank my colleague from Massachusetts and Chairman CULBERSON for chatting with us about this particular issue.

Mr. Chairman, as has been already stated here by my colleague today, there is never a good time to ask our fishermen to take on a cost of this size that we are discussing here. But now is an even worse time than most because it will be asking those who make their living on the Gulf of Maine to pay for onboard monitors when the ground fishery is struggling. I understand the tough position that NOAA is in due to tight budgets, but times are even tougher on the men and women who make their living from groundfish right now.

I hope NOAA can find a way to avoid making them pay for onboard monitors, and whatever the short-term solution is, I think NOAA should look at ways to conduct monitoring through the use of onboard cameras or other cost-effective electronic technologies.

I hope the chairman will be willing to work with us on this and with NOAA on this issue that affects so many of our hard-working constituents.

Mr. KEATING. Mr. Chairman, I would like to take this time to thank the chair and ranking member for their willingness to engage in what really is an important issue. I look forward to working together with Chairman CULBERSON and Ranking Member FATTAH on this issue.

Mr. CULBERSON. Will the gentleman yield?

Mr. KEATING. I yield to the gentleman from Texas.

Mr. CULBERSON. Mr. Chairman, I look forward to working with the gentleman from Massachusetts. I recognize how important the Northeast Multispecies Sector Management Program is, and I look forward to working with the gentleman and my colleague from Philadelphia as we move forward through conference.

Mr. FATTAH. We are going to work to get to a more satisfactory resolution.

Mr. KEATING. I thank the ranking member and the chair.

Mr. Chairman, at this time, I ask unanimous consent to withdraw this amendment.

The Acting CHAIR. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

The Acting CHAIR. The amendment is withdrawn.

AMENDMENT OFFERED BY MR. CLAWSON OF FLORIDA

Mr. CLAWSON of Florida. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 14, line 1, after the dollar amount insert ''(increased by $2,000,000)''.

Page 25, line 3, after the dollar amount insert ''(reduced by $2,000,000)''.

The Acting CHAIR. Pursuant to House Resolution 287, the gentleman from Florida and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Florida.

Mr. CLAWSON of Florida. Mr. Chairman, this afternoon I am introducing an amendment which would take $2 million from the Department of Justice's legal activities, salaries and expenses, general legal activities current budget of $885 million, which has been flat over the last several years, and I would put this $2 million, instead, to NOAA in their operations, research, and facilities fund—specifically directed to NOAA's National Marine Fisheries Service Habitat Conservation and Restoration initiative.

This nationwide initiative includes hundreds of community-based habitat

restoration projects that conserve or restore America's precious native species and critical water quality restoration.

This amendment is consistent with the focus of my office to cut government spending and motivate our civil servant management teams to achieve higher cost efficiencies throughout the Federal Government and to focus more on critical environmental priorities. In short, less administration expense; more money for water, fish, and atmosphere.

Back in April, I introduced an amendment to H.R. 2028, the Energy and Water Development and Related Agencies Appropriations Act, with Representative PATRICK MURPHY of Florida that would move $1 million of the Army Corps of Engineers' salary and expense budget to construction projects in the Corps, like the South Florida Ecosystem Restoration and the Herbert Hoover Dike.

This amendment today likewise will help fund critical habitat projects across America, including important work in my district, like the Galt Preserve Restoration Project in St. James City; the Clam Bayou Oyster Reef Restoration and Evaluation of Seagrass and Water Quality on Sanibel Island; the Ding Darling Mangrove Restoration Project on Sanibel Island; Florida's Bay Scallop Metapopulation Stabilization at Pine Island Center; the Mangrove Conservation Initiative in Naples; and the Sam Williams Island Mangrove Restoration and Tarpon Bay Hydrologic Restoration on Marco Island.

Habitat restoration plays an important role in all of our communities and in the lives and welfare of our constituents, especially mine. America's ecosystem is the lifeblood of so many of our American communities, economies, and culture. Let's do everything we can to preserve it.

Fisheries contribute more than $70 billion to the gross domestic product. Nationwide, commercial and recreational fishing, boating, tourism, and other industries provide more than $28 million jobs. Together, coastal watershed counties contribute more than $4.5 trillion to the GDP. An estimated 53 percent of the current population live in coastal communities. More than 60 percent of our coastal rivers and bays are moderately or severely degraded by nutrient runoff. This was my original reason for getting into politics. We live with this nutrient runoff in my district, in my backyard, every day. It looks bad. It smells bad. It is a pitiful situation.

One added fact: according to NOAA's studies, 17 to 33 jobs are created for every $1 million invested in habitat restoration.

I say today, let's save a little bit of money, save a lot of jobs. It is good economics. It is good policy. It is good conservation. And I urge both sides to support it.

I reserve the balance of my time.

Mr. CULBERSON. Mr. Chairman, I claim the time in opposition, but I do not oppose the amendment.

The Acting CHAIR. Without objection, the gentleman from Texas is recognized for 5 minutes.

There was no objection.

Mr. CULBERSON. Mr. Chairman, I rise in support of the gentleman's amendment. It is a worthwhile cause and one that we have worked together closely on. So I would urge Members to support the amendment. I look forward to working with you as we move through conference to make sure this is addressed. It is a problem throughout the Gulf Coast and one you are very right to focus Congress' attention on.

I urge Members to support the amendment.

Mr. FATTAH. Will the gentleman yield?

Mr. CULBERSON. I yield to the gentleman from Pennsylvania.

Mr. FATTAH. Mr. Chairman, I also rise in support of the gentleman's amendment.

Mr. CULBERSON. I yield back the balance of my time.

Mr. CLAWSON of Florida. I would like to thank the chairman and the ranking member for their leadership on this. This is a big deal in the Gulf. My appreciation is heartfelt for them making this move and showing this symbol of importance. So in the name of all of my constituents, I thank both of them for their leadership and support on this.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Florida (Mr. CLAWSON).

The amendment was agreed to.

□ 1715

AMENDMENT NO. 4 OFFERED BY MS. BONAMICI

Ms. BONAMICI. Mr. Chairman, I have amendment No. 4 at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 14, line 1, after the dollar amount, insert ''(reduced by $21,559,000) (increased by $21,559,000)''.

The Acting CHAIR. Pursuant to House Resolution 287, the gentlewoman from Oregon and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Oregon.

Ms. BONAMICI. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I rise in support of this amendment to increase funding for the National Oceanic and Atmospheric Administration, NOAA, to support its Integrated Ocean Acidification research and fulfill the administration's requested funding level of $30 million in fiscal year 2016.

The administration's requested funding increase for ocean acidification research reflects a growing consensus in the scientific community and in the coastal and fishing communities that so many of our colleagues and I represent. Ocean acidification is already affecting marine organisms and could irreversibly alter the marine environment and harm our coastal ecosystems.

On the West Coast alone, a $270 million shellfish industry has experienced disastrous oyster production failures and faced the risk of collapse in recent years because of changes in water condition that have been attributed to ocean acidification. This change in chemistry is caused by carbon dioxide in the atmosphere dissolving into the ocean, and the increased acidity of the ocean is harming basic building blocks for life in the sea. This makes it more difficult for marine organisms to build their skeletons and shells, and it slows the formation of important ecosystem features like coral reefs. These changes can ripple through the food chain, disrupting delicate marine ecosystems and threatening major commercial fisheries.

In the Pacific Northwest, the combination of seasonal upwelling of acidic waters, low alkalinity, and increased anthropogenic carbon dioxide creates some of the most corrosive ocean conditions in the world.

In the last few years, Mr. Chairman, the scientific community has increasingly raised concerns about the ocean. Researchers at Oregon State University have been working with the fishing community in Oregon to determine the effects of acidification. They have been helping the shellfish hatcheries assess the oyster die-off and finding ways to mitigate the harmful upwelling events by monitoring the water entering their facilities. This exemplifies the kind of academic and industry partnerships that are possible when the Federal Government supports academic research.

NOAA's Integrated Ocean Acidification research program supports extramural research awards that fund studies on acidification in ocean, coastal, and estuary environments. Not only does this program support studies on the effects of acidification, it also allows NOAA to run the observing system that helps monitor areas of increased acidity.

These examples have focused on the effects in Oregon and on the West Coast, but our changing ocean conditions can have far-reaching implications for fisheries throughout the U.S., including the East Coast and Gulf shellfish industries. It also affects the people across the Nation who eat seafood and the stores and restaurants that sell it.

Mr. Chairman, it is clear that we need more information, which is why

NOAA's Integrated Ocean Acidification research program must be fully funded. Unfortunately, this bill falls short of what the American people and our fishing communities deserve.

I urge support of the amendment, and reserve the balance of my time.

Mr. CULBERSON. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from Texas is recognized for 5 minutes.

Mr. CULBERSON. I understand the gentlewoman is going to withdraw this amendment.

I agree with the gentlewoman that ocean acidification is a serious problem. That is why you see funding in the bill for it. We just have a limited amount of resources.

I will listen to your other speakers, and I reserve the balance of my time.

Ms. BONAMICI. Mr. Chairman, can I please inquire about the remaining time.

The Acting CHAIR. The gentlewoman from Oregon has 2 minutes remaining.

Ms. BONAMICI. Mr. Chairman, I yield 1½ minutes to the gentleman from California (Mr. FARR), my colleague.

Mr. FARR. I wish the chairman was accepting this amendment because the faults that we hear are that we have limited resources. We have limited resources, but it is a priority where you give them. This ocean acidification is a serious problem. It is the most serious problem of mankind that we can do something about. When the ocean is starting to melt all the shellfish, the lobster industry, the crab industry, the oyster industry, and the clam industry, all of these industries have a huge effect on not only where they are farming, but where the tourism that is attracted to them.

Mr. Chairman, we can do something about it. We need more money. The President asked for $30 million in this program. The committee cut it to $8.4 million, says he is funding it. However, the President asked for the same amount of money for the exploration of the moon of Jupiter called Europa. The committee decided to give them $110 million more than the President asked for. So don't tell me that there isn't money available. It is just the priority where you give it.

Are you going to save this planet or put all the money into the moon of Jupiter? I think it is more important that we research ocean acidification, and that is why DON YOUNG and I are introducing a bill to tackle this problem more than just this amendment in this moment.

Mr. Chairman, we have to get serious about this. The planet is melting, and the ocean acidification is melting the organisms in the ocean; and when they die, we die.

Mr. CULBERSON. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I would point out to my colleagues we have $8.5 million in the bill for studying ocean acidification. I share your concern. It is a vitally important issue. And the thrust of our work in NASA, as you know from reading the bill, is we have prioritized those missions in the bill that are the top priority of the Planetary Decadal Survey.

We have encouraged NASA to follow the recommendations of the best minds in the scientific community. Every 10 years they get together and prioritize the earth science missions, heliophysics missions, astrophysics missions, those missions aimed at the outer planets, and the Europa mission has been the single highest priority of the Decadal Survey last decade and this decade. The past administration and this one continue to resist the best recommendations of the best minds in the scientific community. I can't think of a more exciting question that science could answer as to whether or not there is life on another world, and that is going to be answered by this mission to Europa.

I agree strongly that we need to research ocean acidification, and that is why there is $8.5 million in the bill for it.

Mr. FATTAH. Will the gentleman yield?

Mr. CULBERSON. I yield to the gentleman from Pennsylvania.

Mr. FATTAH. Even though I am in a totally opposite position on the matter than you.

Mr. CULBERSON. I am happy to engage in a colloquy with my friend from Pennsylvania.

Mr. FATTAH. We have an Earth in which the majority of it is covered by oceans. As a nation, we have more responsibility territorially for the world's oceans than any other nation. You agree that this is a major issue. It is funded at a level that we think should be increased. I hope that the chairman will work with us as we go forward to see whether we can improve and make even more robust our stewardship, which is our responsibility, as I would understand it. Even though there are other areas in the bill where we have made important sacrifices, maybe this is an area where we can do more.

Mr. CULBERSON. It is one in which I look forward to working with you on to do more to research ocean acidification. That is why you see in the bill a major investment in oceanographic mapping and research, the economic zone of the United States which is unmapped and uncharted and loaded with rare earths and great mineral wealth that Dr. Bob Ballard and his team and other scientists are exploring, and we are investing there.

I look forward to working with you in conference.

Mr. FATTAH. Mr. Chairman, we will work together on this. This is a very important area of interest for me, and I thank the gentlewoman for offering her amendment.

Mr. CULBERSON. Mr. Chairman, I reserve the balance of my time.

Ms. BONAMICI. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, as I mentioned, I do plan to withdraw this amendment. I do want to emphasize the seriousness of this issue in addressing it. I do contend that the amount in this bill is inadequate. So I do look forward to working with the committee chairman, the ranking member, and the committee going forward to address this very important issue.

Mr. Chairman, I ask unanimous consent to withdraw my amendment.

The Acting CHAIR. Is there objection to the request of the gentlewoman from Oregon?

There was no objection.

The Acting CHAIR. The amendment is withdrawn.

The Clerk will read.

The Clerk read as follows:

PROCUREMENT, ACQUISITION AND CONSTRUCTION

(INCLUDING TRANSFER OF FUNDS)

For procurement, acquisition and construction of capital assets, including alteration and modification costs, of the National Oceanic and Atmospheric Administration, $1,960,034,000, to remain available until September 30, 2018, except that funds provided for construction of facilities shall remain available until expended: *Provided*, That of the $1,973,034,000 provided for in direct obligations under this heading, $1,960,034,000 is appropriated from the general fund and $13,000,000 is provided from recoveries of prior year obligations: *Provided further*, That any deviation from the amounts designated for specific activities in the report accompanying this Act, or any use of deobligated balances of funds provided under this heading in previous years, shall be subject to the procedures set forth in section 505 of this Act: *Provided further*, That the Secretary of Commerce shall include in budget justification materials that the Secretary submits to Congress in support of the Department of Commerce budget (as submitted with the budget of the President under section 1105(a) of title 31, United States Code) an estimate for each National Oceanic and Atmospheric Administration procurement, acquisition or construction project having a total of more than $5,000,000 and simultaneously the budget justification shall include an estimate of the budgetary requirements for each such project for each of the 5 subsequent fiscal years: *Provided further*, That, within the amounts appropriated, $1,302,000 shall be transferred to the ''Office of Inspector General'' account for activities associated with carrying out investigations and audits related to satellite procurement, acquisition and construction.

AMENDMENT OFFERED BY MR. BRIDENSTINE

Mr. BRIDENSTINE. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 15, line 16, after the dollar amount, insert ''(reduced by $9,000,000) (increased by $9,000,00)''.

The Acting CHAIR. Pursuant to House Resolution 287, the gentleman from Oklahoma and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Oklahoma.

Mr. BRIDENSTINE. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, my amendment designates $9 million within NOAA's Procurement, Acquisition, and Construction account for the purposes of funding a pilot program for space-based commercial weather data as authorized by H.R. 1561, the House-passed Lucas-Bridenstine Weather Research and Forecasting Act of 2015.

Although I intend to withdraw my amendment, I intend to use this time to enter into a colloquy with the gentleman from Texas.

Mr. Chairman, the commercial satellite industry has revolutionized everyday life. From telecommunications to imaging to navigation, we reap the benefits of private sector innovation. I truly believe we have that opportunity when it comes to weather satellites as well. By introducing newer, more innovative, more resilient and additional forms of data into our numerical weather models, we can improve our ability to forecast weather and save the lives of our constituents.

By providing NOAA with the funds to purchase commercial data, it sends a clear signal to the burgeoning, nascent weather satellite industry: NOAA is interested in commercial data from the private sector. This pilot program has the potential to shift paradigms within our weather enterprise and serve as the first step toward moving to a day where the government does not have a monopoly on weather satellites.

NOAA operates huge, monolithic, billion-dollar satellite programs that have experienced cost overruns and launch delays. These programs are important to ensuring we have robust weather data, but we need a mitigation strategy when problems arise, a role that commercial sources can play. In addition, they can augment our programs of record, and for a fraction of the cost. In fact, to fully fund this program, NOAA would only need to find the equivalent of one dime out of a $20 bill.

Mr. Chairman, I believe, in the long run, purchasing data from the private sector will lead to lower costs for the taxpayers, as well as better data, more data, and more innovation. However, I understand the constraints that the gentleman from Texas is under when crafting this appropriations bill, and I appreciate his willingness to work with me on this issue. The question I pose to him is: Does the chairman intend to have NOAA provide $9 million from within its Procurement, Acquisition, and Construction appropriation for NESDIS Systems Acquisition to carry out this pilot program in fiscal year 2016 as is authorized in H.R. 1561?

Mr. CULBERSON. Will the gentleman yield?

Mr. BRIDENSTINE. I yield to the gentleman from Texas.

Mr. CULBERSON. I agree completely with the gentleman that NOAA should work with the private sector when data is available. It is cost effective and can save the taxpayers money, and, in fact, that is why we included a statement on this in the committee report. I look forward to working with you as we move forward in conference to ensure that this worthwhile goal is achieved.

Mr. BRIDENSTINE. I thank the chairman. I look forward to working together with you and with NOAA to ensure that congressional intent is clear and to make this critically important pilot program a reality. I appreciate your leadership and assistance on this issue.

Mr. Chairman, I ask unanimous consent to withdraw the amendment.

The Acting CHAIR. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

The Acting CHAIR. The amendment is withdrawn.

AMENDMENT NO. 5 OFFERED BY MS. BONAMICI

Ms. BONAMICI. Mr. Chairman, I have amendment No. 5 at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 15, lines 16, 19, and 20, after the dollar amount insert ''(increased by $380,000,000)''.

Mr. CULBERSON. Mr. Chairman, I reserve a point of order on the gentlewoman's amendment.

The Acting CHAIR. A point of order is reserved.

Pursuant to House Resolution 287, the gentlewoman from Oregon and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Oregon.

Ms. BONAMICI. Mr. Chairman, I rise in support of this amendment to ensure the continuity of NOAA's polar satellite program by restoring its funding. There are many important priorities in this bill, but the technical nature of this satellite program and its value to our Nation are being overlooked.

The importance of these satellites and the need to maintain the information they collect is not daily news, but the accurate, timely data the satellites provide to our weather forecasters is crucial. This data is needed not only in severe weather scenarios, but also for the wide-ranging accessibility to everyone in our Nation, from those who hear a weather forecast on the local news to the millions across the Nation who open up an app on their phones.

Weather is important. It affects everything from our commute to the food on our table. In fact, a 2009 study from the American Meteorological Society stated that U.S. weather forecasts generate $31.5 billion in benefits for $5.1 billion in cost.

□ 1730

Unfortunately, past trouble and mismanagement in the polar satellite program means that a gap in coverage within the next decade is possible, with the worst-case scenario being a gap lasting more than 5 years. Any loss of coverage from the polar satellites would have serious consequences on the accuracy and timeliness of our weather forecasts, warnings, and the capabilities of the National Weather Service.

Thankfully, NOAA and NASA have worked very hard to get the polar satellite program back on track. Unfortunately, the bill we are considering today has the potential to undermine that progress. The President's fiscal year 2016 budget request included $380 million for a polar follow-on program. This important program will minimize the risk of a gap in polar weather data and address a recommendation from various independent groups, including the Government Accountability Office, regarding the need to develop a robust satellite program, a program that can withstand a launch failure.

By not funding the polar follow-on program in 2016, the continuity for the polar weather mission is put at risk and the Nation will be exposed to the vulnerabilities and impacts of a potential gap.

Mr. Chairman, working families in my district and across the country are balancing enough already. They need to rely on accurate and timely forecasts, not worry about a gap or where the weather data comes from. We need this program to continue so we do not lose the gains we have made. Americans deserve to have access to the best available scientific data.

Mr. Chairman, unfortunately, the funding levels in this bill are stretched so thin that it is impossible for me to find more than $300 million to provide an offset. So I do ask the subcommittee chairman and ranking member to work with me on ways that we can find to preserve and maintain this essential program.

At this time, Mr. Chairman, I ask unanimous consent to withdraw the amendment.

The Acting CHAIR. Is there objection to the request of the gentlewoman from Oregon?

There was no objection.

The Acting CHAIR. The amendment is withdrawn.

The Clerk will read.

The Clerk read as follows:

PACIFIC COASTAL SALMON RECOVERY

For necessary expenses associated with the restoration of Pacific salmon populations, $65,000,000, to remain available until September 30, 2017: *Provided*, That, of the funds

provided herein, the Secretary of Commerce may issue grants to the States of Washington, Oregon, Idaho, Nevada, California, and Alaska, and to the Federally recognized tribes of the Columbia River and Pacific Coast (including Alaska), for projects necessary for conservation of salmon and steelhead populations that are listed as threatened or endangered, or that are identified by a State as at-risk to be so listed, for maintaining populations necessary for exercise of tribal treaty fishing rights or native subsistence fishing, or for conservation of Pacific coastal salmon and steelhead habitat, based on guidelines to be developed by the Secretary of Commerce: *Provided further*, That all funds shall be allocated based on scientific and other merit principles and shall not be available for marketing activities: *Provided further*, That funds disbursed to States shall be subject to a matching requirement of funds or documented in-kind contributions of at least 33 percent of the Federal funds.

FISHERMEN'S CONTINGENCY FUND

For carrying out the provisions of title IV of Public Law 95–372, not to exceed $350,000, to be derived from receipts collected pursuant to that Act, to remain available until expended.

FISHERIES FINANCE PROGRAM ACCOUNT

Subject to section 502 of the Congressional Budget Act of 1974, during fiscal year 2016, obligations of direct loans may not exceed $24,000,000 for Individual Fishing Quota loans and not to exceed $100,000,000 for traditional direct loans as authorized by the Merchant Marine Act of 1936.

DEPARTMENTAL MANAGEMENT

SALARIES AND EXPENSES

For necessary expenses for the management of the Department of Commerce provided for by law, including not to exceed $4,500 for official reception and representation, $50,000,000.

RENOVATION AND MODERNIZATION

For necessary expenses for the renovation and modernization of the Herbert C. Hoover Building, $3,989,000, to remain available until expended, of which $1,082,000 shall be for security systems and $2,907,000 shall be for blast-resistant windows.

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978 (5 U.S.C. App.), $32,000,000.

GENERAL PROVISIONS—DEPARTMENT OF COMMERCE

(INCLUDING TRANSFER OF FUNDS)

SEC. 101. During the current fiscal year, applicable appropriations and funds made available to the Department of Commerce by this Act shall be available for the activities specified in the Act of October 26, 1949 (15 U.S.C. 1514), to the extent and in the manner prescribed by the Act, and, notwithstanding 31 U.S.C. 3324, may be used for advanced payments not otherwise authorized only upon the certification of officials designated by the Secretary of Commerce that such payments are in the public interest.

SEC. 102. During the current fiscal year, appropriations made available to the Department of Commerce by this Act for salaries and expenses shall be available for hire of passenger motor vehicles as authorized by 31 U.S.C. 1343 and 1344; services as authorized by 5 U.S.C. 3109; and uniforms or allowances therefor, as authorized by law (5 U.S.C. 5901–5902).

SEC. 103. Not to exceed 5 percent of any appropriation made available for the current fiscal year for the Department of Commerce in this Act may be transferred between such appropriations, but no such appropriation shall be increased by more than 10 percent by any such transfers: *Provided*, That any transfer pursuant to this section shall be treated as a reprogramming of funds under section 505 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section: *Provided further*, That the Secretary of Commerce shall notify the Committees on Appropriations at least 15 days in advance of the acquisition or disposal of any capital asset (including land, structures, and equipment) not specifically provided for in this Act or any other law appropriating funds for the Department of Commerce.

SEC. 104. The requirements set forth by section 105 of the Commerce, Justice, Science, and Related Agencies Appropriations Act, 2012 (Public Law 112–55), as amended by section 105 of title I of division B of Public Law 113–6, are hereby adopted by reference and made applicable with respect to fiscal year 2016: *Provided*, That the life cycle cost for the Joint Polar Satellite System is $11,322,125,000 and the life cycle cost for the Geostationary Operational Environmental Satellite R-Series Program is $10,828,059,000.

SEC. 105. Notwithstanding any other provision of law, the Secretary may furnish services (including but not limited to utilities, telecommunications, and security services) necessary to support the operation, maintenance, and improvement of space that persons, firms, or organizations are authorized, pursuant to the Public Buildings Cooperative Use Act of 1976 or other authority, to use or occupy in the Herbert C. Hoover Building, Washington, DC, or other buildings, the maintenance, operation, and protection of which has been delegated to the Secretary from the Administrator of General Services pursuant to the Federal Property and Administrative Services Act of 1949 on a reimbursable or non-reimbursable basis. Amounts received as reimbursement for services provided under this section or the authority under which the use or occupancy of the space is authorized, up to $200,000, shall be credited to the appropriation or fund which initially bears the costs of such services.

SEC. 106. Nothing in this title shall be construed to prevent a grant recipient from deterring child pornography, copyright infringement, or any other unlawful activity over its networks.

SEC. 107. The Administrator of the National Oceanic and Atmospheric Administration is authorized to use, with their consent, with reimbursement and subject to the limits of available appropriations, the land, services, equipment, personnel, and facilities of any department, agency, or instrumentality of the United States, or of any State, local government, Indian tribal government, Territory, or possession, or of any political subdivision thereof, or of any foreign government or international organization, for purposes related to carrying out the responsibilities of any statute administered by the National Oceanic and Atmospheric Administration.

SEC. 108. The National Technical Information Service shall not charge any customer for a copy of any report or document generated by the Legislative Branch unless the Service has provided information to the customer on how an electronic copy of such report or document may be accessed and downloaded for free online. Should a customer still require the Service to provide a printed or digital copy of the report or document, the charge shall be limited to recovering the Service's cost of processing, reproducing, and delivering such report or document.

SEC. 109. The Secretary of Commerce may waive the requirement for bonds under 40 U.S.C. 3131 with respect to contracts for the construction, alteration, or repair of vessels, regardless of the terms of the contracts as to payment or title, when the contract is made under the Coast and Geodetic Survey Act of 1947 (33 U.S.C. 883a et seq.).

SEC. 110. In fiscal year 2016, the National Institute of Standards and Technology may use unobligated balances from the ''National Institute of Standards and Technology—Industrial Technology Services'' account for the purposes of and subject to the limitations in section 34(e)(2) of the National Institute of Standards and Technology Act (15 U.S.C. 278s(e)(2)).

This title may be cited as the ''Department of Commerce Appropriations Act, 2016''.

TITLE II

DEPARTMENT OF JUSTICE

GENERAL ADMINISTRATION

SALARIES AND EXPENSES

For expenses necessary for the administration of the Department of Justice, $105,000,000, of which not to exceed $4,000,000 for security and construction of Department of Justice facilities shall remain available until expended.

AMENDMENT OFFERED BY MR. MCKINLEY

Mr. MCKINLEY. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 23, line 6, insert after the dollar amount the following: ''(decreased by $2,000,000)''.

Page 72, line 1, insert after the dollar amount the following: ''(increased by $2,000,000)''.

The Acting CHAIR. Pursuant to House Resolution 287, the gentleman from West Virginia and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from West Virginia.

Mr. MCKINLEY. Mr. Chairman, many small businesses around the country are struggling, struggling to compete against low-priced foreign imports benefiting from unfair trade practices. They are constantly intimidated by the cost of the legal challenges that they face.

The intent of this amendment is simple. It transfers $2 million to the International Trade Commission to provide legal and technical assistance to small businesses seeking a remedy.

I offered this amendment last year to the bill and it was approved.

Time and time again small companies are losing business against unfair, low-cost imports which flood our country. Something needs to be done. Small businesses need help.

They don't have access to the same legal resources as larger companies. They can't afford the cost to file a claim against large state-supported industries like we see coming from

China. These small businesses in America deserve to be treated better.

In West Virginia, Mr. Chairman, we have one particular company which manufactures glass, lead-free marbles. The company has less than 50 employees. They, among other firms like that, have asked our office a simple question: When an average cost to file an antidumping claim is $1 million or more, how can small manufacturers afford access to justice?

The Federal Government provides pro bono attorneys in criminal cases for those who can't afford representation. Mr. Chairman, why not offer something similar to our small businesses across America who are facing unfair competition?

A recent contract was for 300 million marbles per year. Currently, this company manufactures 1 million per day. This contract would have guaranteed 300 days of manufacturing production for hard-working West Virginians.

The Chinese company undercut their bid. Unfortunately, we have seen this story far too often where the Chinese currency manipulation and state subsidies have cut our tin, steel, and hot-rolled steel industries, among others.

The ITC must have the tools to protect our small businesses, and this amendment is a step in the right direction.

Let's be clear, Mr. Chairman: Do we want to keep talking about jobs, or do we want to offer a solution? Supporting this amendment will be an immense help for small business employers who are trying to fight back against unfair trade.

I reserve the balance of my time.

Mr. FATTAH. Mr. Chairman, I claim the time in opposition, although I am not in opposition.

The Acting CHAIR. Without objection, the gentleman from Pennsylvania is recognized for 5 minutes.

There was no objection.

Mr. FATTAH. Mr. Chairman, I rise in strong support of the gentleman's amendment. We are willing to accept the amendment, and I yield to the gentleman from Texas.

Mr. CULBERSON. I join you in supporting the amendment.

Mr. FATTAH. I yield back the balance of my time.

Mr. MCKINLEY. Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from West Virginia (Mr. MCKINLEY).

The amendment was agreed to.

AMENDMENT OFFERED BY MS. MICHELLE LUJAN GRISHAM OF NEW MEXICO

Ms. MICHELLE LUJAN GRISHAM of New Mexico. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 23, line 6, insert after the dollar amount the following: ''(decreased by $2,000,000)''.

Page 42, line 24, insert after the dollar amount the following: ''(increased by $2,000,000)''.

Page 44, line 8, insert after the dollar amount the following: ''(increased by $2,000,000)''.

The Acting CHAIR. Pursuant to House Resolution 287, the gentlewoman from New Mexico and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from New Mexico.

Ms. MICHELLE LUJAN GRISHAM of New Mexico. Mr. Chairman, trust between law enforcement and the public that they are sworn to protect is not just important but essential to safe, collaborative, and constitutional community policing. Trust promotes healthy relationships and interactions that are in the best interest of the both the public and the police.

Unfortunately, the public's trust in law enforcement has eroded in many communities across the country, including my own. The Federal Government needs to make targeted investments to ensure that law enforcement has the tools to rebuild and strengthen that trust, which is the cornerstone of successful policing.

That is why I am so proud to introduce this bipartisan amendment, along with my colleagues Congressman MURPHY and Congressman BLUMENAUER, to add $2 million to the Mentally Ill Offender Treatment and Crime Reduction Act programs. These programs provide a broad range of services, including crisis intervention training for State and local law enforcement agencies to identify and improve responses to people with mental illnesses and substance abuse issues. Crisis intervention training can help prevent injuries to officers, deescalate potentially dangerous situations, and alleviate harm to the person in crisis.

Interactions between the mentally ill and law enforcement too often end in tragedy. Since the beginning of the year, 385 people have been shot and killed by police, and about a quarter of these individuals have been identified as mentally ill. The more training we can provide law enforcement to improve their skills to interact with the public, the more likely crises will be resolved peacefully. And the more nonviolent peaceful interactions police have with the public, the more we can strengthen trust between police and the public that they are sworn to protect.

I urge my colleagues to support this amendment, and I reserve the balance of my time.

Mr. CULBERSON. Mr. Chairman, I claim the time in opposition, although I am not supposed to the gentlewoman's amendment because it is a good amendment and I support it.

The Acting CHAIR. Without objection, the gentleman from Texas is recognized for 5 minutes.

There was no objection.

Mr. CULBERSON. At this time, I yield to the gentleman from Pennsylvania (Mr. MURPHY), my good friend and colleague.

Mr. MURPHY of Pennsylvania. I thank the Chairman, and I also thank Representative GRISHAM for this thoughtful amendment we are working on together, which will put $2 million towards crisis intervention training for State and local law enforcement and also work towards substance abuse treatment and mental health courts.

In the 1950s, this country had 550,000 psychiatric hospital beds for the population of 150 million. Now, with a population twice that size, we only have 40,000 psychiatric hospital beds.

So what happened? Some people got better. But sadly, what we ended up with is huge increases in homelessness and visits to emergency rooms. Last year in this country there were 40,000 suicides and 1 million suicide attempts.

With this critical bed shortage we have many people who end up committing crimes. Of the 2.4 million incarcerated Americans, about half of them, according to the U.S. Department of Justice, are estimated to have a mental health condition. That is 64 percent in our county and local jails, 56 percent in State, and 45 percent of Federal prisoners. By comparison, there are only 35,000 patients with severe mental illness in State psychiatric hospitals. And, according to a report from April 2014, the number of mentally ill persons in prison is ten times higher than that in psychiatric hospitals.

The largest jails in the country—Cook County in Illinois, Los Angeles, and New York—have 11,000 prisoners combined with serious mental illness. Now, that is over twice as large as the three largest State-run mental hospitals.

Mentally ill inmates are twice as likely to be charged with rule violations when incarcerated and actually remain in prison four times longer than a non-mentally ill person with the same original crime. And what happens then? Solitary confinement, tasered. Then when they are discharged, they repeat the cycle in the revolving door.

What we need to make sure we are doing is to deal with public safety, make sure there is restitution to the community for what has happened, but the key is to provide help for those with serious mental illness.

It is not right for our country to continue to say things like, It is not illegal to be crazy. Our courts and systems that do not understand mental illness continue to say that, but to them I say it isn't just an issue of someone has a right to be mentally ill; they have a right to be well.

□ 1745

What we need to do is to stop this revolving door of having someone who is hallucinating and delusional and waiting until he commits a crime or is a

threat to public safety, instead of intervening earlier.

We need mental health courts; we need ways a policeman can intervene early to help persons, and we need evidence-based initiatives to fix our broken mental health system in America. I know that, in our own court in Allegheny County, they saw a nearly 38 percent reduction in recidivism when they used mental health courts.

This is compassion, and this is the right thing to do. I urge my colleagues to support this amendment.

Ms. MICHELLE LUJAN GRISHAM of New Mexico. Mr. Chairman, I yield 2 minutes to the gentleman from Oregon (Mr. BLUMENAUER).

Mr. BLUMENAUER. I appreciate the gentlewoman's courtesy and her leadership on this, and I appreciate my good friend from Pennsylvania in his eloquence and his tireless championship in this area.

Mr. Chairman, the fact is that we have a broken system that does not meet the needs of people with mental illness, and it places an undue burden on law enforcement. His words about people having a right to be well really resonates with me because we have seen in all of our communities situations that escalate because they don't have the proper response—we don't have the proper training; we don't have the proper resources—where people get worse.

It is not just that it costs more money; it is the pain to the individuals, to their families, and, ultimately, since virtually all of these people are released but are released in a more damaged situation, they are worse. They are a greater risk to themselves and society, and the cycle continues.

There is no doubt in my mind that, if we were able to properly account for the costs and consequences of the current nonsystem that there would be far more resources saved in treating them humanely and effectively, giving the police and the community the resources they need that will more than pay for itself. This is an important step for the Federal Government to be a better partner.

I appreciate the gentlewoman's leadership. I appreciate my friend Mr. MURPHY from Pennsylvania, and I am looking forward to working with him on other items.

I respectfully request that our colleagues not just support this, but take it to heart because we can make a difference on so many different levels.

Mr. CULBERSON. Mr. Chairman, I support the amendment, and I would encourage Members to support it if you would be willing to request a recorded vote on this.

Mr. FATTAH. Will the gentleman yield?

Mr. CULBERSON. I yield to the gentleman from Pennsylvania.

Mr. FATTAH. On behalf of our country, I attended the Healthy brain: healthy Europe conference in Ireland. The estimate in these 28 EU countries was that some 36 percent of the population had some type of mental health challenge, and they deal with it much more openly and without the stigma that sometimes we attach here in our country to mental health challenges.

I want to thank my colleague from Pennsylvania for his extraordinary leadership on this issue, and I thank the gentlewoman for offering this.

We will support this amendment and ask for a recorded vote.

Mr. CULBERSON. Mr. Chairman, I encourage Members to support the amendment, and I yield back the balance of my time.

Ms. MICHELLE LUJAN GRISHAM of New Mexico. Mr. Chairman, I want to thank my colleagues for working so diligently on this very important improvement to public safety and police training, and I encourage all Members to vote in favor of this amendment.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from New Mexico (Ms. MICHELLE LUJAN GRISHAM).

The question was taken; and the Acting Chair announced that the ayes appeared to have it.

Mr. CULBERSON. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentlewoman from New Mexico will be postponed.

The Acting CHAIR. The Committee will rise informally.

The Speaker pro tempore (Mr. HOLDING) assumed the chair.

MESSAGE FROM THE SENATE

A message from the Senate by Ms. Curtis, one of its clerks, announced that the Senate has passed without amendment a bill of the House of the following title:

H.R. 2048. An act to reform the authorities of the Federal Government to require the production of certain business records, conduct electronic surveillance, use pen registers and trap and trace devices, and use other forms of information gathering for foreign intelligence, counterterrorism, and criminal purposes, and for other purposes.

The SPEAKER pro tempore. The Committee will resume its sitting.

COMMERCE, JUSTICE, SCIENCE, AND RELATED AGENCIES APPROPRIATIONS ACT, 2016

The Committee resumed its sitting.

AMENDMENT OFFERED BY MR. GOSAR

Mr. GOSAR. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 23, line 6, insert after the dollar amount the following: ''(reduced by $2,209,500)''.

Page 24, line 14, insert after the first dollar amount the following: ''(increased by $1,709,000)''.

The Acting CHAIR. Pursuant to House Resolution 287, the gentleman from Arizona and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Arizona.

Mr. GOSAR. Mr. Chairman, I rise today to offer an amendment which seeks to bolster funds for the Department of Justice inspector general in order to meet the fiscal year 2016 budget request.

As a member of the House Oversight and Government Reform Committee, I am a firm believer in the proper oversight of the Federal Government. The more sunlight on Federal activity, the more honest and efficient it will be.

I am also a strong proponent of our inspector general community. Since the Inspector General Act was passed into law, the IG community has saved taxpayers billions of dollars and has uncovered countless examples of wrongdoing in the Federal Government.

It seems only fitting that the inspector general's office receive the budget requested resources, particularly at the expense of the office it will likely need to investigate first.

In the committee report, the committee noted, ''The DOJ OIG has had significant investigative and audit workload.'' In fact, we have seen numerous scandals and coverups from within this agency and at the recommendation of the previous Attorney General.

I applaud the committee for including language in this bill to permanently prohibit funds for Fast and Furious-like programs and for the many other reforms contained in this legislation, but I do believe more needs to be done to ensure additional transparency and accountability within the DOJ.

Let's give the DOJ OIG the resources it needs to investigate this agency and to ensure the Justice Department adheres to the law.

I reserve the balance of my time.

Mr. CULBERSON. Mr. Chairman, I claim the time in opposition, but I do not oppose the amendment.

The Acting CHAIR. Without objection, the gentleman from Texas is recognized for 5 minutes.

There was no objection.

Mr. CULBERSON. Mr. Chairman, I agree very strongly with the gentleman in that the inspector general's office does superb work. It is an independent agency whose oversight is crucial.

The amendment will certainly improve oversight and ensure that our constituents' hard-earned tax dollars are well spent. I would urge Members to support the gentleman from Arizona's amendment.

I yield back the balance of my time.

Mr. GOSAR. I thank the chairman and the ranking member for their support.

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

The Acting CHAIR. The question is on the amendment offered by the gentleman from Arizona (Mr. GOSAR).

The amendment was agreed to.

AMENDMENT OFFERED BY MS. BROWNLEY OF CALIFORNIA

Ms. BROWNLEY of California. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 23, line 6, after the dollar amount, insert ''(reduced by $2,500,000)''.

Page 42, line 24, after the dollar amount, insert ''(increased by $2,500,000)''.

Page 46, line 12, after the dollar amount, insert ''(increased by $2,500,000)''.

The Acting CHAIR. Pursuant to House Resolution 287, the gentlewoman from California and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from California.

Ms. BROWNLEY of California. Mr. Chairman, I rise to offer an amendment to H.R. 2578, which would increase funding in Veterans Treatment Courts.

Our Nation's heroes are returning home from over a decade of war in Iraq and Afghanistan with the invisible wounds that come with multiple deployments in military service to our Nation.

The signature wounds of these wars, post-traumatic stress disorder and traumatic brain injury, have led to a rise in mental health issues among our veterans. According to the National Center for PTSD, about 11 to 20 percent of veterans who served in Operation Iraqi Freedom and Enduring Freedom have PTSD in a given year. Since 2005, the number of veterans diagnosed with post-traumatic stress has doubled.

Too often, these mental health issues can severely impact a veteran's life—from being able to keep a job, to drug abuse, to criminal activity in some circumstances. Instead of receiving the mental health services and support that they need, a growing number of veterans ends up being incarcerated in our justice system.

My simple amendment would increase funds for Veterans Treatment Courts by $2.5 million. Veterans Treatment Courts are designed to give veterans with mental health and substance abuse issues and who find themselves in trouble with the law an opportunity to get the help they need while avoiding jail time.

In my district, the Ventura County Veterans Treatment Court, which started as a pilot program in 2010, has helped dozens of veterans. Judge Colleen Toy White, one of the program's many champions in Ventura County, knows that the treatment courts reunite families and save lives.

Rather than arresting and jailing veterans for a few days or weeks and then putting them back on the streets with nothing changed in their lives, the Ventura County collaborative court connects veterans to needed treatment and services, which may include mental health care, drug and alcohol treatment, vocational rehabilitation, or other life skill services and programs.

The process begins with a guilty plea, an in-court meeting involving the veteran, his or her attorney, and a VA representative.

I was very impressed with the care that the court officers and volunteers extended to our veterans who found themselves before the court. A recent success for the Ventura County Veterans Treatment Court is a young man who was an Active Duty marine.

Before leaving the service in 2014, he had completed three combat tours in 12 years. He was arrested for two DUIs within 3 weeks. After 5 months of treatment, he still stands with his back against the wall rather than taking a seat in court. It is a common sign in combat veterans, but he is now getting evaluated by VA, is going to treatment, and has hope once again.

Since the Veterans Treatment Court program began in 2008 in Buffalo, New York, over 220 Veterans Treatment Courts have been established across the United States, and many more are being planned.

I believe we need to increase Federal resources to these critical programs nationwide, which is what my amendment seeks to accomplish. It is our obligation to ensure our veterans receive the appropriate attention to their needs and that we do whatever we can to help them transition to an independent civilian life.

I strongly urge my colleagues to support my amendment to provide veterans who are in trouble with the resources they need to help them secure a strong future.

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

Mr. FATTAH. Mr. Chairman, I rise in opposition even though I am not opposed to the amendment.

The Acting CHAIR. Without objection, the gentleman from Pennsylvania is recognized for 5 minutes.

There was no objection.

MODIFICATION TO BROWNLEY OF CALIFORNIA AMENDMENT

Mr. FATTAH. Mr. Chairman, I ask unanimous consent that we modify the amendment and, rather than strike line 12 on page 46, strike line 7.

The Acting CHAIR. Would the gentlewoman from California send the modification to the desk.

The Clerk will report the modification.

The Clerk read as follows:

Modification to Brownley of California amendment:

Page 46, line 7, after the dollar amount, insert ''(increased by $2,500,000)''.

The Acting CHAIR. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. FATTAH. Mr. Chairman, I have visited the Intrepid Center over in Bethesda. We have been working with our veterans on post-traumatic stress. I know, in Houston, some of the best work in the Nation is being done at the University of Texas, at the Center for BrainHealth in Dallas, and your work in Houston.

I had my own experience with this. I had a young man, Bill Cooper, who on his last day in Iraq went out on patrol, and he was the victim of an IED. Some 59 operations later, he ended up working for me in my district offices.

□ 1800

He is just doing a wonderful job helping other veterans in the Philadelphia area, but post-traumatic stress is a circumstance that far too many of our veterans have faced.

I want to thank my colleague from the Philadelphia, Pennsylvania, area, Congressman PAT MEEHAN, who has helped to lead this effort on veterans courts, and the chairman and I support it. I thank the gentlewoman for her amendment.

I am prepared to yield back the remainder of my time because, again, I am not in opposition. I am in favor of the amendment.

Mr. CULBERSON. Will the gentleman yield?

Mr. FATTAH. I yield to the gentleman from Texas.

Mr. CULBERSON. Mr. Chairman, I thank the gentleman for yielding and would join in supporting the gentlewoman's amendment. The veterans courts do great work. I support the gentlewoman's amendment and urge Members to support it.

Mr. FATTAH. Mr. Chairman, I should report to the House that Bill Cooper got married, just had a new son, and got his graduate degree on the GI bill that we passed. He is just another example of what can happen for our veterans when we take care of them.

I thank the gentlewoman from California, and I yield back the balance of my time.

Ms. BROWNLEY of California. Mr. Chairman, I appreciate very, very much the chairman accepting my amendment. I appreciate his support, and I know veterans across the country will as well.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment, as modified, offered by the gentlewoman from California (Ms. BROWNLEY).

The amendment, as modified, was agreed to.

AMENDMENT OFFERED BY MR. MAC ARTHUR

Mr. MACARTHUR. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 23, line 6, insert after the dollar amount the following: ''(reduced by $750,000)''.

Page 38, line 9, insert after the dollar amount the following: ''(increased by $750,000)''.

Page 40, line 10, insert after the dollar amount the following: ''(increased by $750,000)''.

The Acting CHAIR (Mr. WESTMORELAND). Pursuant to House Resolution 287, the gentleman from New Jersey and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from New Jersey.

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

Mr. Chairman, I rise to offer an amendment to H.R. 2578 along with the gentlewoman from North Carolina (Ms. ADAMS), who unfortunately was called away on an emergency and can't be here to speak with me.

The Violence Against Women Act has been an important step—a critical step, really—in ending the scourge of violence against women, and the elderly abuse grant program has been an important part of that. It funds training and services to end abuse of women in later life. The question is how much funding is necessary for this.

The National Network to End Domestic Violence suggests that that number is $9 million for the program, and this Congress previously authorized $9 million. Unfortunately, we can't afford that right now, and so we have to settle for something less. The President's budget, however, sets the amount at less than half, and that is simply not enough.

My amendment would increase that amount to $5.2 million, which is $1 million over the President's request and $750,000 over the current mark. We would pay for that by moving $750,000 from the Department of Justice administration account.

Mr. Chairman, the elderly abuse grant program has successfully helped many older women escape neglect, abuse, and exploitation taking many forms. Our elderly population is growing, and we simply believe we need a little more funding to make this program handle the growing population. ALMA ADAMS from North Carolina and I have cosponsored the amendment because this is not a Republican or Democratic issue; this is a very human issue. I ask my colleagues to support it.

I reserve the balance of my time.

Mr. CULBERSON. Mr. Chairman, I claim the time in opposition but do not oppose the amendment and would, in fact, encourage Members to support it.

The Acting CHAIR. Without objection, the gentleman from Texas is recognized for 5 minutes.

There was no objection.

Mr. FATTAH. Will the gentleman yield?

Mr. CULBERSON. I yield to the gentleman from Pennsylvania.

Mr. FATTAH. Mr. Chairman, I would agree with the chairman and his wisdom, and I would also ask my colleagues to support it. I have no objection.

Mr. CULBERSON. I urge Members to support it. It is a good program and appreciate very much the gentleman bringing this to the floor today and urge Members to vote ''yes.''

I yield back the balance of my time.

Mr. MACARTHUR. Mr. Chairman, I want to thank both the chairman and the ranking member for their support.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from New Jersey (Mr. MACARTHUR).

The amendment was agreed to.

The Acting CHAIR. The Clerk will read.

The Clerk read as follows:

JUSTICE INFORMATION SHARING TECHNOLOGY

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses for information sharing technology, including planning, development, deployment and departmental direction, $25,842,000, to remain available until expended: *Provided*, That the Attorney General may transfer up to $35,400,000 to this account, from funds available to the Department of Justice for information technology, to remain available until expended, for enterprise-wide information technology initiatives: *Provided further*, That the transfer authority in the preceding proviso is in addition to any other transfer authority contained in this Act.

ADMINISTRATIVE REVIEW AND APPEALS

(INCLUDING TRANSFER OF FUNDS)

For expenses necessary for the administration of pardon and clemency petitions and immigration-related activities, $426,791,000, of which $4,000,000 shall be derived by transfer from the Executive Office for Immigration Review fees deposited in the ''Immigration Examinations Fee'' account: *Provided*, That under this heading of the amount available for the Executive Office for Immigration Review, not to exceed $15,000,000 shall remain available until expended.

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General, $92,000,000, including not to exceed $10,000 to meet unforeseen emergencies of a confidential character.

UNITED STATES PAROLE COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the United States Parole Commission as authorized, $13,308,000.

LEGAL ACTIVITIES

SALARIES AND EXPENSES, GENERAL LEGAL ACTIVITIES

For expenses necessary for the legal activities of the Department of Justice, not otherwise provided for, including not to exceed $20,000 for expenses of collecting evidence, to be expended under the direction of, and to be accounted for solely under the certificate of, the Attorney General; and rent of private or Government-owned space in the District of Columbia, $885,000,000, of which not to exceed $20,000,000 for litigation support contracts shall remain available until expended: *Provided*, That of the amount provided for INTERPOL Washington dues payments, not to exceed $685,000 shall remain available until expended: *Provided further*, That of the total amount appropriated, not to exceed $9,000 shall be available to INTERPOL Washington for official reception and representation expenses: *Provided further*, That of the amount appropriated, such sums as may be necessary shall be available to the Civil Rights Division for salaries and expenses associated with the election monitoring program under section 8 of the Voting Rights Act of 1965 (52 U.S.C. 10305) and to reimburse the Office of Personnel Management for such salaries and expenses: *Provided further*, That of the amounts provided under this heading for the election monitoring program, $3,390,000 shall remain available until expended.

AMENDMENT OFFERED BY MR. GOSAR

Mr. GOSAR. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 25, line 3, insert after the dollar amount the following: ''(reduced by $1,000,000)''.

Page 98, line 20, insert after the dollar amount the following: ''(increased by $1,000,000)''.

The Acting CHAIR. Pursuant to House Resolution 287, the gentleman from Arizona and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Arizona.

Mr. GOSAR. Mr. Chairman, I rise today to offer a simple good governance to the Commerce, Justice, Science, and Related Agencies Appropriation Act for the fiscal year 2016. The amendment seeks to hold the Department of Justice accountable for its failure to enforce the rule of law. Specifically, my amendment decreases available funding for the salaries of individuals who concoct ways to undermine Federal criminal immigration laws.

This amendment is very similar to an amendment that passed this body last year in relation to the DOJ's lack of enforcement of Federal marijuana laws and was offered by my friend and colleague Congressman FLEMING. My amendment reduces Department of Justice's general legal account by $1 million, specifically targeting the Deputy Attorney General's Office. I will continue to seek similar amendments until the Attorney General decides to enforce the Federal criminal immigration laws on the books.

In 2014, the Department of Justice instructed the U.S. Attorney's Office in some States to no longer prosecute persons that violate certain criminal immigration laws. I have heard firsthand from law enforcement in my district that such actions have placed unnecessary burdens on these officers, increased costs, put local communities at risk, and encouraged more illegal immigration.

The committee raised similar concerns about the selective enforcement of these laws in the committee report stating: ''The committee is concerned with the inconsistent enforcement of Federal criminal immigration laws and supports programs like Operation Streamline. The Attorney General is directed to submit a report to the committee . . . The report shall describe steps the Department is taking to ensure that the Federal criminal immigration law is enforced vigorously and consistently across the country to include prosecution guidelines and policies by district.''

My amendment is consistent with the concerns expressed by the committee and echo this message without harming the overall operation of the Department.

I thank the chair and ranking member for their leadership on this bill.

I reserve the balance of my time.

Mr. FATTAH. I rise reluctantly in opposition to this amendment.

The Acting CHAIR. The gentleman from Pennsylvania is recognized for 5 minutes.

Mr. FATTAH. Mr. Chairman, if the proposal would have been to put this money in the veterans courts or drug courts or youth mentoring, I probably wouldn't be standing; but the idea of putting it into savings when we know that the allocation is already shy of what we needed and that many programs that we have had to give shorter appropriations to than we would have otherwise makes me reluctant to support this amendment, and I would ask the House to oppose it.

I reserve the balance of my time.

Mr. GOSAR. Mr. Chair, I yield to the gentleman from Texas (Mr. CULBERSON), the chairman of the subcommittee.

Mr. CULBERSON. Mr. Chairman, I want to express my support for the gentleman's amendment. I think he is exactly right. We need to send a very strong message to the administration that they must enforce the law as enacted by Congress. That has been the central theme I have tried to pursue as the new chairman of the Subcommittee on Commerce, Justice, Science, and Related Agencies. It is the foundation of all our liberty.

There is no liberty without law enforcement, and the Chief Executive has a duty under the Constitution to enforce the law as written by Congress and to faithfully execute that law. If any of the Federal agencies under the President's jurisdiction want access to our constituents' hard-earned tax dollars, they need to enforce the law as written by Congress.

I strongly support the gentleman's amendment; and, frankly, putting it in the savings account is a good thing because that goes back to the taxpayers. I support the gentleman's amendment and would urge Members to vote ''yes'' to send a message to the White House. If the White House doesn't get it, they will learn it throughout the year under the new chairman of the CJS Subcommittee.

Mr. GOSAR. I thank the chairman for his support, and I ask all my colleagues to vote for this bill.

Mr. FATTAH. I yield back the balance of my time.

Mr. GOSAR. I yield back the balance of my time as well.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Arizona (Mr. GOSAR).

The question was taken; and the Acting Chair announced that the ayes appeared to have it.

Mr. FATTAH. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Arizona will be postponed.

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, proceedings will now resume on those amendments on which further proceedings were postponed, in the following order:

An amendment by Mr. MCCLINTOCK of California.

An amendment by Ms. ESTY of Connecticut.

An amendment by Ms. MICHELLE LUJAN GRISHAM of New Mexico.

An amendment by Mr. GOSAR of Arizona.

The Chair will reduce to 2 minutes the time for any electronic vote after the first vote in this series.

AMENDMENT OFFERED BY MR. MCCLINTOCK

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from California (Mr. MCCLINTOCK) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 154, noes 263, not voting 15, as follows:

[Roll No. 270]

AYES—154

Allen
Amash
Babin
Barr
Barton
Benishek
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Bucshon
Burgess
Byrne
Carter (GA)
Chabot
Chaffetz
Clawson (FL)
Coffman
Collins (GA)
Conaway
Cook
Cramer
DeSantis
DesJarlais
Duffy
Duncan (SC)
Duncan (TN)
Ellmers (NC)
Farenthold
Fincher
Fleischmann
Fleming
Flores
Foxx
Franks (AZ)
Garrett
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Griffith
Grothman
Hardy
Harris
Hartzler
Hensarling
Hice, Jody B.
Hill
Holding
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt (VA)
Issa
Jenkins (KS)
Johnson (OH)
Johnson, Sam
Jones
Jordan
King (IA)
Knight
Labrador
LaMalfa
Lamborn
Latta
LoBiondo
Long
Loudermilk
Love
Lummis
Marchant
Massie
McCarthy
McClintock
Meadows
Meehan
Messer
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Mullin
Mulvaney
Neugebauer
Nugent
Olson
Palmer
Pearce
Perry
Pittenger
Pitts
Poe (TX)
Pompeo
Posey
Price, Tom
Ratcliffe
Ribble
Rice (SC)
Roby
Rohrabacher
Rokita
Rooney (FL)
Roskam
Ross
Rothfus
Rouzer
Royce
Russell
Ryan (WI)
Salmon
Sanford
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Smith (MO)
Smith (NE)
Stewart
Stutzman
Tiberi
Tipton
Upton
Wagner
Walberg
Walker
Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Westmoreland
Williams
Wilson (SC)
Wittman
Woodall
Yoder
Yoho
Young (IN)
Zeldin
Zinke

NOES—263

Abraham
Aderholt
Aguilar
Amodei
Ashford
Barletta
Bass
Beatty
Becerra
Bera
Beyer
Bishop (GA)
Blumenauer
Bonamici
Bost
Boustany
Boyle, Brendan F.
Brady (PA)
Brady (TX)
Brown (FL)
Brownley (CA)
Bustos
Butterfield
Calvert
Capps
Capuano
Carney
Carson (IN)
Carter (TX)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Cohen
Cole
Collins (NY)
Comstock
Connolly
Conyers
Cooper
Costa
Costello (PA)
Courtney
Crawford
Crenshaw
Crowley
Cuellar
Culberson
Cummings
Curbelo (FL)
Davis (CA)
Davis, Danny
Davis, Rodney
DeFazio
DeGette
Delaney
DeLauro
DelBene
Denham
Dent
DeSaulnier
Deutch
Diaz-Balart
Dingell
Doggett
Dold
Donovan
Doyle, Michael F.
Duckworth
Edwards
Ellison
Emmer (MN)
Engel
Eshoo
Esty
Farr
Fattah
Fitzpatrick
Forbes
Fortenberry
Foster
Frankel (FL)
Frelinghuysen
Fudge
Gabbard
Garamendi
Gibbs
Gibson
Graham
Graves (LA)
Grayson
Green, Al
Green, Gene
Guinta
Guthrie
Gutiérrez
Hahn
Hanna
Harper
Hastings
Heck (NV)
Heck (WA)
Herrera Beutler
Higgins
Himes
Hinojosa
Honda
Hoyer
Huffman
Hurd (TX)
Israel
Jeffries
Jenkins (WV)
Johnson, E. B.
Jolly
Kaptur
Katko
Keating
Kelly (IL)
Kelly (PA)
Kennedy
Kildee
Kilmer
Kind
King (NY)
Kinzinger (IL)
Kirkpatrick
Kline
Kuster
Lance
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lee
Levin
Lewis
Lieu, Ted
Lipinski
Loebsack
Lowenthal
Lowey
Lucas
Luetkemeyer
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
MacArthur
Maloney, Carolyn
Maloney, Sean
Marino
Matsui

McCaul
McCollum
McDermott
McGovern
McHenry
McKinley
McNerney
McSally
Meeks
Meng
Mica
Moore
Moulton
Murphy (FL)
Murphy (PA)
Nadler
Napolitano
Neal
Newhouse
Noem
Nolan
Norcross
Nunes
O'Rourke
Palazzo
Pallone
Pascrell
Paulsen
Payne
Pelosi
Perlmutter
Peters
Peterson
Pingree
Pocan
Poliquin
Polis
Price (NC)
Quigley
Rangel
Reed
Reichert
Renacci
Rice (NY)
Rigell
Rogers (AL)
Rogers (KY)
Ros-Lehtinen
Roybal-Allard
Ruiz
Ruppersberger
Rush
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Sherman
Shimkus
Shuster
Simpson
Sinema
Sires
Slaughter
Smith (NJ)
Smith (TX)
Smith (WA)
Speier
Stefanik
Stivers
Swalwell (CA)
Takai
Takano
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Titus
Tonko
Torres
Trott
Tsongas
Turner
Valadao
Vargas
Veasey
Vela
Velázquez
Visclosky
Walden
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Welch
Whitfield
Wilson (FL)
Womack
Yarmuth
Young (AK)
Young (IA)

NOT VOTING—15

Adams
Cárdenas
Clyburn
Gallego
Grijalva
Hudson
Jackson Lee
Johnson (GA)
Joyce
Lofgren
McMorris Rodgers
Richmond
Roe (TN)
Ryan (OH)
Van Hollen

□ 1836

Mr. KELLY of Pennsylvania, Ms. HAHN, Mr. COSTELLO of Pennsylvania, Mrs. NOEM, Messrs. KEATING, LEWIS, and CASTRO of Texas changed their vote from ''aye'' to ''no.''

Messrs. WITTMAN, BENISHEK, MULLIN, and Mrs. BROOKS of Indiana changed their vote from ''no'' to ''aye.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MS. ESTY

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentlewoman from Connecticut (Ms. ESTY) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 213, noes 214, not voting 5, as follows:

[Roll No. 271]

AYES—213

Aguilar
Ashford
Barletta
Bass
Beatty
Becerra
Bera
Beyer
Bishop (GA)
Bishop (MI)
Blumenauer
Bonamici
Boustany
Boyle, Brendan F.
Brady (PA)
Brooks (IN)
Brown (FL)
Brownley (CA)
Butterfield
Byrne
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clawson (FL)
Clay
Cleaver
Cohen
Collins (NY)
Connolly
Conyers
Cooper
Costa
Courtney
Crowley
Cuellar
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
Dent
DeSaulnier
Deutch
Dingell
Doggett
Dold
Donovan
Doyle, Michael F.
Duckworth
Duncan (SC)
Edwards
Ellison
Emmer (MN)
Engel
Eshoo
Esty
Farr
Fattah
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Gibson
Graham
Grayson
Green, Al
Green, Gene
Grothman
Guinta
Gutiérrez
Hahn
Hanna
Hastings
Heck (WA)
Higgins
Himes
Hinojosa
Honda
Hoyer
Huffman
Israel
Jeffries
Johnson (GA)
Johnson, E. B.
Kaptur
Katko
Keating
Kelly (IL)
Kennedy
Kildee
Kilmer
Kind
King (NY)
Kirkpatrick
Kuster
Labrador
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lee
Levin
Lewis
Lieu, Ted
Lipinski
LoBiondo
Loebsack
Lofgren
Lowenthal
Lowey
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
Maloney, Carolyn
Maloney, Sean
Massie
Matsui
McCollum
McDermott
McGovern
McNerney
McSally
Meeks
Meng
Mica
Moore
Moulton
Mulvaney
Murphy (FL)
Murphy (PA)
Nadler
Napolitano
Neal
Nolan
Norcross
O'Rourke
Pallone
Pascrell
Payne
Pelosi
Perlmutter
Peters
Pingree
Pocan
Poliquin
Polis
Price (NC)
Quigley
Rangel
Reed
Ribble
Rice (NY)
Rice (SC)
Richmond
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Sherman
Sinema
Sires
Slaughter
Smith (NJ)
Smith (WA)
Speier
Stefanik
Swalwell (CA)
Takai
Takano
Thompson (CA)
Thompson (MS)
Titus
Tonko
Torres
Tsongas
Turner
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Welch
Wilson (FL)
Yarmuth

NOES—214

Abraham
Aderholt
Allen
Amash
Amodei
Babin
Barr
Barton
Benishek
Bilirakis
Bishop (UT)
Black
Blackburn
Blum
Bost
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Buchanan
Buck
Bucshon
Burgess
Bustos
Calvert
Carter (GA)
Carter (TX)
Chabot
Chaffetz
Coffman
Cole
Collins (GA)
Comstock
Conaway
Cook
Costello (PA)
Cramer
Crawford
Crenshaw
Culberson
Curbelo (FL)
Davis, Rodney
Denham
DeSantis
DesJarlais
Diaz-Balart
Duffy
Duncan (TN)
Ellmers (NC)
Farenthold
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Garrett
Gibbs
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Griffith
Grijalva
Guthrie
Hardy
Harper
Harris
Hartzler
Heck (NV)
Hensarling
Herrera Beutler
Hice, Jody B.
Hill
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (OH)
Johnson, Sam
Jolly
Jones
Jordan
Joyce
Kelly (PA)
King (IA)
Kinzinger (IL)
Kline
Knight
LaMalfa
Lamborn
Lance
Latta
Long
Loudermilk
Love
Lucas
Luetkemeyer
Lummis
MacArthur
Marchant
Marino
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris Rodgers
Meadows
Meehan
Messer
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Mullin
Neugebauer
Newhouse
Noem
Nugent
Nunes
Olson
Palazzo
Palmer
Paulsen
Pearce
Perry
Peterson
Pittenger
Pitts
Poe (TX)
Pompeo
Posey
Price, Tom
Ratcliffe
Reichert
Renacci
Rigell
Roby
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney (FL)
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Royce
Russell
Ryan (WI)
Salmon
Sanford
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (MO)
Smith (NE)
Smith (TX)
Stewart
Stivers
Stutzman
Thompson (PA)
Thornberry
Tiberi
Tipton
Trott
Upton
Valadao
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Westmoreland
Whitfield
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

NOT VOTING—5

Adams
Clyburn
Jackson Lee
Roe (TN)
Van Hollen

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute remaining.

□ 1846

Messrs. SEAN PATRICK MALONEY of New York, ASHFORD, and SCHRADER changed their vote from ''no'' to ''aye.''

Messrs. ROHRABACHER and JORDAN changed their vote from ''aye'' to ''no.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MS. MICHELLE LUJAN GRISHAM OF NEW MEXICO

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentlewoman from New Mexico (Ms. MICHELLE LUJAN GRISHAM) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 417, noes 10, not voting 5, as follows:

[Roll No. 272]

AYES—417

Abraham
Aderholt
Aguilar
Allen
Amodei
Ashford
Babin
Barletta
Barr
Barton
Bass
Beatty
Becerra
Benishek
Bera
Beyer
Bilirakis
Bishop (GA)
Bishop (MI)
Bishop (UT)
Black
Blum
Blumenauer
Bonamici
Bost
Boustany
Boyle, Brendan F.
Brady (PA)
Brady (TX)
Bridenstine
Brooks (AL)
Brooks (IN)
Brown (FL)
Brownley (CA)
Buchanan
Buck
Bucshon
Burgess
Bustos
Butterfield
Byrne
Calvert
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Carter (GA)
Carter (TX)
Cartwright
Castor (FL)
Castro (TX)
Chabot
Chaffetz
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clawson (FL)
Clay
Cleaver
Coffman
Cohen
Cole
Collins (GA)
Collins (NY)
Comstock
Conaway
Connolly
Conyers
Cook
Cooper
Costa
Costello (PA)
Courtney
Cramer
Crawford
Crenshaw
Crowley
Cuellar
Culberson
Cummings
Curbelo (FL)
Davis (CA)
Davis, Danny
Davis, Rodney
DeFazio
DeGette
Delaney
DeLauro
DelBene
Denham
Dent
DeSantis
DeSaulnier
DesJarlais
Deutch
Diaz-Balart
Dingell
Doggett
Dold
Donovan
Doyle, Michael F.
Duckworth
Duffy
Duncan (SC)
Duncan (TN)
Edwards
Ellison
Ellmers (NC)
Emmer (MN)
Engel
Eshoo
Esty
Farenthold
Farr
Fattah
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foster
Foxx
Frankel (FL)
Franks (AZ)
Frelinghuysen
Fudge
Gabbard
Gallego
Garamendi
Garrett
Gibbs
Gibson
Gohmert
Goodlatte
Gosar
Gowdy
Graham
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Grayson
Green, Al
Green, Gene
Griffith
Grijalva
Grothman
Guinta
Guthrie
Gutiérrez
Hahn
Hanna
Hardy
Harper
Harris
Hartzler
Hastings
Heck (NV)
Heck (WA)
Hensarling
Herrera Beutler
Hice, Jody B.
Higgins
Hill
Himes
Hinojosa
Holding
Honda
Hoyer
Huffman
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Israel
Issa
Jeffries
Jenkins (KS)
Jenkins (WV)
Johnson (GA)
Johnson (OH)
Johnson, E. B.
Johnson, Sam
Jolly
Jones
Jordan
Joyce
Kaptur
Katko
Keating
Kelly (IL)
Kelly (PA)
Kennedy
Kildee
Kilmer
Kind
King (IA)
King (NY)
Kinzinger (IL)
Kirkpatrick
Kline
Knight
Kuster
Labrador
LaMalfa
Lamborn
Lance
Langevin
Larsen (WA)
Larson (CT)
Latta
Lawrence
Lee
Levin
Lewis
Lieu, Ted
Lipinski
LoBiondo
Loebsack
Lofgren
Loudermilk
Love
Lowenthal
Lowey
Lucas
Luetkemeyer
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lummis
Lynch
MacArthur
Maloney, Carolyn
Maloney, Sean
Marchant
Marino
Massie
Matsui
McCarthy
McCaul
McClintock
McCollum
McDermott
McGovern
McHenry
McKinley
McMorris Rodgers
McNerney
McSally
Meadows
Meehan
Meeks
Meng
Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Moore
Moulton
Mullin
Mulvaney
Murphy (FL)
Murphy (PA)
Nadler
Napolitano
Neal
Newhouse
Noem
Nolan
Norcross
Nugent
Nunes
O'Rourke
Olson
Palazzo
Pallone
Palmer
Pascrell
Paulsen
Payne
Pearce
Pelosi
Perlmutter
Perry
Peters
Peterson
Pingree
Pittenger
Pitts
Pocan
Poe (TX)
Poliquin
Polis
Pompeo
Posey
Price (NC)
Price, Tom
Quigley
Rangel
Ratcliffe
Reed
Reichert
Renacci
Ribble
Rice (NY)
Rice (SC)
Richmond
Rigell
Roby
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney (FL)
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Roybal-Allard
Royce
Ruiz
Ruppersberger
Rush
Russell
Ryan (OH)
Ryan (WI)
Salmon
Sánchez, Linda T.
Sanchez, Loretta
Sanford
Sarbanes
Scalise
Schakowsky
Schiff
Schrader
Schweikert
Scott (VA)
Scott, Austin
Scott, David
Sensenbrenner
Serrano
Sessions
Sewell (AL)
Sherman
Shimkus
Shuster
Simpson
Sinema
Sires
Slaughter
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Speier
Stefanik
Stewart
Stivers
Stutzman
Swalwell (CA)
Takai
Takano
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiberi
Tipton
Titus
Tonko
Torres
Trott
Tsongas
Turner
Upton
Valadao
Vargas
Veasey
Vela
Velázquez
Visclosky
Wagner
Walberg
Walden
Walorski
Walters, Mimi
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Weber (TX)
Webster (FL)
Welch
Wenstrup
Westerman
Westmoreland
Whitfield
Wilson (FL)
Wilson (SC)
Wittman
Womack
Yarmuth
Yoder
Yoho
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

NOES—10

Amash
Blackburn
Brat
Hudson
Huelskamp
Long
Neugebauer
Walker
Williams
Woodall

NOT VOTING—5

Adams
Clyburn
Jackson Lee
Roe (TN)
Van Hollen

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute remaining.

□ 1852

Mr. WALKER changed his vote from ''aye'' to ''no.''

Messrs. WESTMORELAND and JOYCE changed their vote from ''no'' to ''aye.''

So the amendment was agreed to.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. GOSAR

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Arizona (Mr. GOSAR) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 228, noes 198, not voting 6, as follows:

[Roll No. 273]

AYES—228

Abraham
Aderholt
Allen
Amash
Amodei
Babin
Barletta
Barr
Barton
Benishek
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Bost
Boustany
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Buchanan
Buck
Bucshon
Burgess
Byrne
Calvert
Carter (GA)
Carter (TX)
Chabot
Chaffetz
Clawson (FL)
Coffman
Cole
Collins (GA)
Collins (NY)
Comstock
Conaway
Cook
Costello (PA)
Cramer
Crawford
Crenshaw
Culberson
Curbelo (FL)
Davis, Rodney
Dent
DeSantis
DesJarlais
Diaz-Balart
Donovan
Duffy
Duncan (SC)
Duncan (TN)
Ellmers (NC)
Emmer (MN)
Farenthold
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Garrett
Gibbs
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Grothman
Guinta
Guthrie
Hardy
Harper
Harris
Hartzler
Heck (NV)
Hensarling
Herrera Beutler
Hice, Jody B.
Hill
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (OH)
Johnson, Sam
Jolly
Jones
Jordan
Kelly (PA)
King (IA)
King (NY)
Kinzinger (IL)
Kline
Knight
Labrador
LaMalfa
Lamborn
Lance
Latta
LoBiondo
Long
Loudermilk
Love
Lucas
Luetkemeyer
Lummis
MacArthur
Marchant
Marino
Massie
McCarthy
McClintock
McHenry
McKinley
McMorris Rodgers
Meadows
Meehan
Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Newhouse
Noem
Nugent
Olson
Palazzo
Palmer
Paulsen
Pearce
Perry
Pittenger
Pitts
Poe (TX)
Poliquin
Pompeo
Posey
Price, Tom
Ratcliffe
Reichert
Renacci
Ribble
Rice (SC)
Rigell
Roby
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney (FL)
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Royce
Russell
Ryan (WI)
Salmon
Sanford
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Stewart
Stivers
Stutzman
Thompson (PA)
Thornberry
Tiberi
Tipton
Trott
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Westmoreland
Whitfield
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

NOES—198

Aguilar	Garamendi	Nolan
Ashford	Gibson	Norcross
Bass	Graham	Nunes
Beatty	Grayson	O'Rourke
Becerra	Green, Al	Pallone
Bera	Green, Gene	Pascrell
Beyer	Grijalva	Payne
Bishop (GA)	Gutiérrez	Pelosi
Blumenauer	Hahn	Perlmutter
Bonamici	Hanna	Peters
Boyle, Brendan F.	Hastings	Peterson
	Heck (WA)	Pingree
Brady (PA)	Higgins	Pocan
Brooks (IN)	Himes	Polis
Brown (FL)	Hinojosa	Price (NC)
Brownley (CA)	Honda	Quigley
Bustos	Hoyer	Rangel
Butterfield	Huffman	Reed
Capps	Israel	Rice (NY)
Capuano	Jeffries	Richmond
Cárdenas	Johnson (GA)	Roybal-Allard
Carney	Johnson, E. B.	Ruiz
Carson (IN)	Joyce	Ruppersberger
Cartwright	Kaptur	Rush
Castor (FL)	Katko	Ryan (OH)
Castro (TX)	Keating	Sánchez, Linda T.
Chu, Judy	Kelly (IL)	
Cicilline	Kennedy	Sanchez, Loretta
Clark (MA)	Kildee	Sarbanes
Clarke (NY)	Kilmer	Scalise
Clay	Kind	Schakowsky
Cleaver	Kirkpatrick	Schiff
Cohen	Kuster	Schrader
Connolly	Langevin	Scott (VA)
Conyers	Larsen (WA)	Scott, David
Cooper	Larson (CT)	Serrano
Costa	Lawrence	Sewell (AL)
Courtney	Lee	Sherman
Crowley	Levin	Simpson
Cuellar	Lewis	Sinema
Cummings	Lieu, Ted	Sires
Davis (CA)	Lipinski	Slaughter
Davis, Danny	Loebsack	Smith (WA)
DeFazio	Lofgren	Speier
DeGette	Lowenthal	Stefanik
Delaney	Lowey	Swalwell (CA)
DeLauro	Lujan Grisham (NM)	Takai
DelBene		Takano
Denham	Luján, Ben Ray (NM)	Thompson (CA)
DeSaulnier		Thompson (MS)
Deutch	Lynch	Titus
Dingell	Maloney, Carolyn	Tonko
Doggett		Torres
Dold	Maloney, Sean	Tsongas
Doyle, Michael F.	Matsui	Vargas
	McCaul	Veasey
Duckworth	McCollum	Vela
Edwards	McDermott	Velázquez
Ellison	McGovern	Visclosky
Engel	McNerney	Walz
Eshoo	McSally	Wasserman Schultz
Esty	Meeks	
Farr	Meng	Waters, Maxine
Fattah	Moore	Watson Coleman
Foster	Moulton	Welch
Frankel (FL)	Murphy (FL)	Wilson (FL)
Fudge	Nadler	Yarmuth
Gabbard	Napolitano	
Gallego	Neal	

NOT VOTING—6

Adams	Griffith	Roe (TN)
Clyburn	Jackson Lee	Van Hollen

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute remaining.

□ 1856

So the amendment was agreed to.

The result of the vote was announced as above recorded.

PERSONAL EXPLANATION

Mr. VAN HOLLEN. Mr. Chair, on June 2, 2015, I was unavoidably detained and missed four votes. Had I been present, I would have voted "no" on rollcall No. 270, "yea" on rollcall No. 271, "yea" on rollcall No. 272, and "no" on rollcall No. 273.

Mr. CULBERSON. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mrs. ELLMERS of North Carolina) having assumed the chair, Mr. WESTMORELAND, Acting Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 2578) making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2016, and for other purposes, had come to no resolution thereon.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 2289, COMMODITY END-USER RELIEF ACT

Mr. NEWHOUSE, from the Committee on Rules, submitted a privileged report (Rept. No. 114–136) on the resolution (H. Res. 288) providing for consideration of the bill (H.R. 2289) to reauthorize the Commodity Futures Trading Commission, to better protect futures customers, to provide end-users with market certainty, to make basic reforms to ensure transparency and accountability at the Commission, to help farmers, ranchers, and end-users manage risks, to help keep consumer costs low, and for other purposes, which was referred to the House Calendar and ordered to be printed.

COMMERCE, JUSTICE, SCIENCE, AND RELATED AGENCIES APPROPRIATIONS ACT, 2016

The SPEAKER pro tempore. Pursuant to House Resolution 287 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the further consideration of the bill, H.R. 2578.

Will the gentleman from Georgia (Mr. WESTMORELAND) kindly resume the chair.

□ 1900

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H.R. 2578) making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2016, and for other purposes, with Mr. WESTMORELAND (Acting Chair) in the chair.

The Clerk read the title of the bill.

The Acting CHAIR. When the Committee of the Whole rose earlier today, an amendment offered by the gentleman from Arizona (Mr. GOSAR) had been disposed of, and the bill had been read through page 25, line 20.

The Clerk will read.

The Clerk read as follows:

In addition, for reimbursement of expenses of the Department of Justice associated with processing cases under the National Childhood Vaccine Injury Act of 1986, not to exceed $8,000,000, to be appropriated from the Vaccine Injury Compensation Trust Fund.

SALARIES AND EXPENSES, ANTITRUST DIVISION

For expenses necessary for the enforcement of antitrust and kindred laws, $162,246,000, to remain available until expended: *Provided*, That notwithstanding any other provision of law, fees collected for premerger notification filings under the Hart-Scott-Rodino Antitrust Improvements Act of 1976 (15 U.S.C. 18a), regardless of the year of collection (and estimated to be $124,000,000 in fiscal year 2016), shall be retained and used for necessary expenses in this appropriation, and shall remain available until expended: *Provided further*, That the sum herein appropriated from the general fund shall be reduced as such offsetting collections are received during fiscal year 2016, so as to result in a final fiscal year 2016 appropriation from the general fund estimated at $38,246,000.

SALARIES AND EXPENSES, UNITED STATES ATTORNEYS

For necessary expenses of the Offices of the United States Attorneys, including intergovernmental and cooperative agreements, $1,995,000,000: *Provided*, That of the total amount appropriated, not to exceed $7,200 shall be available for official reception and representation expenses: *Provided further*, That not to exceed $25,000,000 shall remain available until expended: *Provided further*, That each United States Attorney shall establish or participate in a task force on human trafficking.

UNITED STATES TRUSTEE SYSTEM FUND

For necessary expenses of the United States Trustee Program, as authorized, $225,908,000, to remain available until expended and to be derived from the United States Trustee System Fund: *Provided*, That, notwithstanding any other provision of law, deposits to the Fund shall be available in such amounts as may be necessary to pay refunds due depositors: *Provided further*, That, notwithstanding any other provision of law, $162,000,000 of offsetting collections pursuant to section 589a(b) of title 28, United States Code, shall be retained and used for necessary expenses in this appropriation and shall remain available until expended: *Provided further*, That the sum herein appropriated from the Fund shall be reduced as such offsetting collections are received during fiscal year 2016, so as to result in a final fiscal year 2016 appropriation from the Fund estimated at $63,908,000.

SALARIES AND EXPENSES, FOREIGN CLAIMS SETTLEMENT COMMISSION

For expenses necessary to carry out the activities of the Foreign Claims Settlement Commission, including services as authorized by section 3109 of title 5, United States Code, $2,326,000.

FEES AND EXPENSES OF WITNESSES

For fees and expenses of witnesses, for expenses of contracts for the procurement and supervision of expert witnesses, for private counsel expenses, including advances, and for expenses of foreign counsel, $270,000,000, to remain available until expended, of which not to exceed $16,000,000 is for construction of buildings for protected witness safesites; not to exceed $3,000,000 is for the purchase and maintenance of armored and other vehicles for witness security caravans; and not to exceed $13,000,000 is for the purchase, installation, maintenance, and upgrade of secure telecommunications equipment and a secure

automated information network to store and retrieve the identities and locations of protected witnesses: *Provided*, That amounts made available under this heading may not be transferred pursuant to section 205 of this Act.

SALARIES AND EXPENSES, COMMUNITY RELATIONS SERVICE

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses of the Community Relations Service, $13,000,000: *Provided*, That notwithstanding section 205 of this Act, upon a determination by the Attorney General that emergent circumstances require additional funding for conflict resolution and violence prevention activities of the Community Relations Service, the Attorney General may transfer such amounts to the Community Relations Service, from available appropriations for the current fiscal year for the Department of Justice, as may be necessary to respond to such circumstances: *Provided further*, That any transfer pursuant to the preceding proviso shall be treated as a reprogramming under section 505 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section.

UNITED STATES MARSHALS SERVICE

SALARIES AND EXPENSES

For necessary expenses of the United States Marshals Service, $1,220,000,000, of which not to exceed $6,000 shall be available for official reception and representation expenses, and not to exceed $15,000,000 shall remain available until expended.

CONSTRUCTION

For construction in space controlled, occupied or utilized by the United States Marshals Service for prisoner holding and related support, $11,000,000, to remain available until expended.

FEDERAL PRISONER DETENTION

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses related to United States prisoners in the custody of the United States Marshals Service as authorized by section 4013 of title 18, United States Code, $1,058,081,000, to remain available until expended: *Provided*, That not to exceed $20,000,000 shall be considered ''funds appropriated for State and local law enforcement assistance'' pursuant to section 4013(b) of title 18, United States Code: *Provided further*, That the United States Marshals Service shall be responsible for managing the Justice Prisoner and Alien Transportation System: *Provided further*, That any unobligated balances available from funds appropriated under the heading ''General Administration, Detention Trustee'' shall be transferred to and merged with the appropriation under this heading.

NATIONAL SECURITY DIVISION

SALARIES AND EXPENSES

(INCLUDING TRANSFER OF FUNDS)

For expenses necessary to carry out the activities of the National Security Division, $95,000,000, of which not to exceed $5,000,000 for information technology systems shall remain available until expended: *Provided*, That notwithstanding section 205 of this Act, upon a determination by the Attorney General that emergent circumstances require additional funding for the activities of the National Security Division, the Attorney General may transfer such amounts to this heading from available appropriations for the current fiscal year for the Department of Justice, as may be necessary to respond to such circumstances: *Provided further*, That any transfer pursuant to the preceding proviso shall be treated as a reprogramming under section 505 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section.

INTERAGENCY LAW ENFORCEMENT

INTERAGENCY CRIME AND DRUG ENFORCEMENT

For necessary expenses for the identification, investigation, and prosecution of individuals associated with the most significant drug trafficking and affiliated money laundering organizations not otherwise provided for, to include inter-governmental agreements with State and local law enforcement agencies engaged in the investigation and prosecution of individuals involved in organized crime drug trafficking, $510,000,000, of which $50,000,000 shall remain available until expended: *Provided*, That any amounts obligated from appropriations under this heading may be used under authorities available to the organizations reimbursed from this appropriation.

FEDERAL BUREAU OF INVESTIGATION

SALARIES AND EXPENSES

For necessary expenses of the Federal Bureau of Investigation for detection, investigation, and prosecution of crimes against the United States, $8,489,786,000, of which not to exceed $216,900,000 shall remain available until expended: *Provided*, That not to exceed $184,500 shall be available for official reception and representation expenses.

□ 1900

AMENDMENT OFFERED BY MR. PITTENGER

Mr. PITTENGER. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 32, line 5, after the dollar amount, insert ''(increased by $25,000,000)''.

Page 72, line 7, after each of the dollar amounts, insert ''(reduced by $25,000,000)''.

The Acting CHAIR. Pursuant to House Resolution 287, the gentleman from North Carolina and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from North Carolina.

Mr. PITTENGER. Mr. Chairman, I thank the chairman for his leadership and hard work on this bill.

Mr. Chairman, my amendment is simple, it is fair, it is fiscally responsible, and it strengthens our national security. My amendment reduces Federal spending for the Legal Services Corporation by $25 million while leaving the program substantially intact. That money is then used to increase funds for the FBI in their critical counterterrorism efforts.

The underlying bill appropriates $300 million for the LSC, but Congress has not authorized the LSC since 1980. Mr. Chairman, 35 years is much too long to leave a Federal program on autopilot. Even the nonpartisan CBO has recognized defunding the LSC is a way to rein in our out-of-control spending, noting that programs receiving LSC grants already receive funding from States, localities, and private entities, as well as from private attorneys involved in pro bono work. Community problems are best solved at the community level, not through the Federal bureaucracy.

This amendment, however, does not suddenly end LSC and its programs. It simply reduces funding in a responsible and modest way and applies that money toward critical national security efforts. This amendment prioritizes the spending of taxpayer money on our current needs.

Earlier this year, FBI Director James Comey said he has ''homegrown violent extremist investigations in every single State.'' Just last month, the Department of Homeland Security Secretary, Secretary Johnson, said: ''We're very definitely in a new environment because of ISIL's effective use of social media, the Internet, which has the ability to reach into the homeland and possibly inspire others.'' He continued, saying, ''Because of the use of the Internet, we could have little or no notice in advance of an independent actor attempting to strike.'' But in a congressionally mandated report released in March of this year, the FBI Commissioner said, budget cuts ''severely hindered the FBI's intelligence and national security programs.''

Mr. Chairman, given the constant, evolving, and new threats we face today from terrorism, it is common sense to reduce spending for a program which has other proven avenues of funding and prioritize the funding we do have for those seeking to protect us from terrorism.

I encourage all my colleagues to support the amendment, and with that, I reserve the balance of my time.

Mr. FATTAH. Mr. Chairman, I rise in opposition to this amendment.

The Acting CHAIR (Mr. HUDSON). The gentleman from Pennsylvania is recognized for 5 minutes.

Mr. FATTAH. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, the committee, over the time that I have been on the committee, each and every year has increased its appropriations to the FBI, and this year is no exception. The chairman, in his wisdom, working with a very tough allocation, has provided $8.5 billion—to be exact, $8.489 billion, which is a $111 million increase.

I think that the gentleman, if his concern is about us providing adequate funding for the Bureau, can rest assured that the committee has taken every—they have taken that responsibility very seriously.

If his concern or effort is to suggest that somehow pro bono lawyers are going to make up the difference for a cut at Legal Services, in a big city like Philadelphia, it may be so that we have law firms who can have pro bono partners who can spend their time helping people who are not going to be able to pay them, but in large swaths of our country, that is not the case.

Legal Services was created and it helps people, many of whom are veterans, for instance, who are stationed

far away from home, who have to fight off efforts by people who are trying to repossess a car or do something else nefarious. They need access to the courts. And so it was President Nixon who created Legal Services, understanding that one of the things about our country, it is a country of laws. People have to have access to the courts, and they need representation.

So I think there is already a justice gap, that is the percentage of people eligible to the numbers who are actually able to be helped, and I think this would be unwise. I hope and I believe that this House will not support this amendment because it would be taking from people who need it the most when there is no definitive need for it in terms of where it is being allocated.

Mr. Chairman, I now yield 2 minutes to the gentleman from Tennessee, Congressman COHEN, my colleague who represents the city of Memphis.

Mr. COHEN. Mr. Chairman, I thank Mr. FATTAH. I join with him in opposing this amendment.

Legal Services is funded at $375 million this year. This budget cuts it $75 million to $300 million. That is a large cut. That is over 20 percent. It has been cut and cut and cut over the years.

Nationally, 50 percent of all eligible potential clients are turned away from Legal Services because of a lack of funding. In my district in Memphis, they have lost $300,000, and the staff has been reduced from 50 to 38.

Mr. Chairman, when we travel overseas, one of the things that almost every individual you meet up with tells us about America is, We envy your justice system. They envy our justice system because people have access to the courts to settle our differences.

But if you are poor and/or uneducated and you don't have a lawyer, you don't have access, really, to the legal system; the other side will. If you are a domestic violence victim and you need an attorney and you don't have one, you are subject to further domestic violence. If you are a tenant in an apartment building and you are being run out, the apartment people are going to have attorneys and you won't, and you will be on the street.

So we are talking about victims, domestic victims. We are talking about people being homeless. We are talking about individuals, American citizens, who won't have access to the courts, the envy of people around the world when they look at America, and we will be taking it away from them.

I would ask the gentleman to find moneys for the FBI from somewhere else. The FBI helps bring about justice. But to take it away from an area that gives poor people of America justice—even though it does give money to the FBI to find criminals and hopefully bring justice to them on the criminal side, which is important—this is not the right place to take the money.

Mr. FATTAH. Mr. Chairman, I agree with the spirit.

Mr. Chairman, I yield 1 minute to the gentleman from Massachusetts (Mr. KENNEDY).

Mr. KENNEDY. Mr. Chairman, I am grateful for the time of both my colleagues. I want to recognize the extraordinary commitment that my colleague, Mr. PITTENGER, has made to counterterrorism and trying to protect the safety and security of the United States.

I will say, though, Mr. Chairman, I did work as a legal aid attorney, a legal aid volunteer many years ago when I was a law student. We spent countless hours trying to keep a roof over the head of tenants who were being kicked out of their home through no fault of their own because a landlord wasn't paying a mortgage. Now, you had people who were going homeless because they did nothing wrong but couldn't avail themselves of an attorney.

To try to find, now, ways to gut that funding when, with low interest rates—one of the key methods of funding for Legal Services across this country is from interest on lawyer's trust accounts. Because of low interest rates, that funding has been basically nonexistent. In Massachusetts, that went from about $34 million a year down to $4 million a year.

We are gutting a very basic tenet of what this country is all about. We spend so much time in these Chambers, Mr. Chairman, talking about how these laws are shaped to touch people's lives and very little time speaking about the enforcement and protections that they provide. Mr. Chairman, this is that moment, and I ask my colleagues to vote ''no'' on the amendment.

MR. FATTAH. Mr. Chairman, I yield back the balance of my time.

Mr. PITTENGER. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I acknowledge the wonderful work of Mr. KENNEDY and what he has done with Legal Services. I would say that Legal Services, frankly, has had a long and troubled history of using taxpayer money for political purposes.

An LSC-affiliated agency once used Federal tax dollars to produce pamphlets and political cartoons for political advocacy purposes. Tax dollars were also used to train activists on how to lobby Congress for additional funding. The LSC is marked by misuse of taxpayer money and redundancy, as many of these programs are offered, as well, by the States.

So I don't question that there is good work that is being done, but at the same time, I think it is prudent and logical that we look and see how this money is not being used wisely and, frankly, been inappropriately used.

So, Mr. Chairman, this is a very, very modest cut in this agency. I commend this amendment to the House and ask for their support, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from North Carolina (Mr. PITTENGER).

The question was taken; and the Acting Chair announced that the ayes appeared to have it.

Mr. COHEN. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from North Carolina will be postponed.

The Clerk will read.

The Clerk read as follows:

CONSTRUCTION

For necessary expenses, to include the cost of equipment, furniture, and information technology requirements, related to construction or acquisition of buildings, facilities and sites by purchase, or as otherwise authorized by law; conversion, modification and extension of Federally-owned buildings; preliminary planning and design of projects; and operation and maintenance of secure work environment facilities and secure networking capabilities; $57,982,000, to remain available until expended.

DRUG ENFORCEMENT ADMINISTRATION

SALARIES AND EXPENSES

For necessary expenses of the Drug Enforcement Administration, including not to exceed $70,000 to meet unforeseen emergencies of a confidential character pursuant to section 530C of title 28, United States Code; and expenses for conducting drug education and training programs, including travel and related expenses for participants in such programs and the distribution of items of token value that promote the goals of such programs, $2,073,945,000; of which not to exceed $75,000,000 shall remain available until expended and not to exceed $90,000 shall be available for official reception and representation expenses.

AMENDMENT OFFERED BY MR. COHEN

Mr. COHEN. Mr. Chairman, I have an amendment at the desk concerning rape kits.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 33, line 5, after the first dollar amount, insert ''(reduced by $4,000,000)''.

Page 49, line 9, after the dollar amount, insert ''(increased by $4,000,000)''.

The Acting CHAIR. Pursuant to House Resolution 287, the gentleman from Tennessee and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Tennessee.

□ 1915

Mr. COHEN. Mr. Chairman, I yield myself such time as I may consume.

This amendment would increase by $4 million the bill's funding for grants to address the backlog of sexual assault kits at law enforcement agencies.

DNA analysis has been revolutionary in helping to catch criminals and prevent crimes from occurring because of

DNA evidence. This evidence does us no good if it remains untested and sitting on a shelf in a lab somewhere.

Despite progress over the last few years, and much progress most recently, there are still thousands of rape kits that remain untested—potentially hundreds of thousands. That is potentially hundreds of thousands of victims whose assailants are never brought to justice left to prey on yet more women.

Last year, my hometown paper, the Memphis Commercial Appeal, highlighted the tragic need to end this backlog once and for all. It described a serial rapist who was finally caught by police in 2012. He could have been stopped nearly a decade earlier if only his first victim's rape kit had been tested, but that kit wasn't, and, instead, he was able to attack five more women over the next 8 years.

Missed opportunities like this happen all across our country every day. The trauma inflicted on victims of rape can be compounded when they know that their assailants run free while critical evidence goes untested.

Fortunately, efforts are underway to reduce the backlog, and they are making a difference. In Memphis, our backlog reached more than 12,000, but police have now opened 488 investigations and issued 90 requests for indictment.

But testing rape kits cost money, more than local law enforcement can afford. I appreciate the chairman's and the ranking member's commitment to eliminating the backlog and the funding that the committee has provided in the bill, but we need more.

This amendment would increase by not quite 10 percent, an additional $4 million, and would take it from the Drug Enforcement Administration, a $2 billion agency that receives a $40 million increase in this bill. DEA would barely notice the difference.

Moreover, DEA has been alarmingly irresponsible with money Congress has given it previously. An inspector general report recently found that DEA agents had ''sex parties'' with prostitutes funded by drug cartels in government-leased living quarters. And this followed an inspector general report that found the DEA paid hundreds of thousands of dollars for information from Amtrak that they could have obtained for free.

I think the choice is clear: we should stand with victims of sexual assault.

I urge my colleagues to pass this amendment. It is so important that these kits are tested, that the assailants are brought to justice, and that additional women are not attacked by what are known to be serial rapists who are out on the streets.

I would like to say a thank you to my partner on this amendment, Representative CAROLYN MALONEY, who has been a tireless advocate on this issue as well.

I reserve the balance of my time.

Mr. CULBERSON. Mr. Chairman, I claim the time in opposition, although I am not opposed to the gentleman's amendment.

The Acting CHAIR (Mr. WESTMORELAND). Without objection, the gentleman from Texas is recognized for 5 minutes.

There was no objection.

Mr. CULBERSON. Mr. Chairman, I believe the gentleman is exactly right. We, in the bill, have increased funding to reduce the rape kit backlog. This is a vitally important tool that local police departments are using to get these people off the streets as quickly as possible.

I accept the gentleman's amendment. There is no punishment severe enough nor swift enough for these people. I think it is very, very important that we get these rape kits handled as quickly as possible, so I urge Members to support the gentleman's amendment.

Mr. FATTAH. Will the gentleman yield?

Mr. CULBERSON. I yield to the gentleman from Pennsylvania.

Mr. FATTAH. Mr. Chairman, we made some significant progress, but more needs to be done. I want to thank the gentleman for his amendment. The committee has made this a very high priority. I thank the chairman for his leadership in this regard. We are all in concurrence here.

Mr. COHEN. Mr. Chairman, I just want to thank the chairman, particularly, and the ranking member as well, for their help and their hard work on getting the moneys passed and for helping on this amendment.

These rapists don't know State lines, and they cross State lines, so it is most appropriate that the Federal Government help the locals in finding people that perform these dastardly acts all over our country.

With that, I yield back the balance of my time.

Mr. CULBERSON. Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Tennessee (Mr. COHEN).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. TED LIEU OF CALIFORNIA

Mr. TED LIEU of California. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 33, line 5, after the first dollar amount, insert ''(reduced by $9,000,000)''.

Page 38, line 9, after the dollar amount insert (''increased by $4,000,000'').

Page 38, line 24, after the dollar amount insert (''increased by $4,000,000'').

Page 47, line 8, after the dollar amount insert (''increased by $3,000,000'').

The Acting CHAIR. Pursuant to House Resolution 287, the gentleman from California and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California.

Mr. TED LIEU of California. Mr. Chairman, this amendment takes $9 million out of the DEA's $2 billion salaries and expense budget and redirects it toward deficit reduction, as well as underfunded State and local programs to help children who suffer through child abuse, domestic abuse, and sexual assault.

This amendment has been scored by the CBO as reducing budget authority by $2 million and reducing outlays by $6 million in fiscal year 2016.

In the face of overwhelming support for lessening restrictions on marijuana, the DEA still spends over $18 million a year on domestic marijuana eradication programs. This simply takes some of that money away because some States have legalized it, making some of these eradication programs no longer necessary, and it redirects the money—$2 million to lowering the deficit, $3 million to the Victims of Child Abuse Act, which supports justice and support for victims of child abuse, and $4 million to the Consolidated Youth Oriented program, which helps victims and the services they need to pursue safe and healthy lives.

With that, I reserve the balance of my time.

Mr. CULBERSON. Mr. Chairman, I claim the time in opposition, although I am not opposed to the amendment.

The Acting CHAIR. Without objection, the gentleman from Texas is recognized for 5 minutes.

There was no objection.

Mr. CULBERSON. Mr. Chairman, I think the gentleman has a good amendment, and I would encourage Members to support it.

I yield to the gentleman from Pennsylvania.

Mr. FATTAH. Mr. Chairman, I concur.

Mr. TED LIEU of California. Mr. Chairman, I yield back the balance of my time.

Mr. CULBERSON. Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from California (Mr. TED LIEU).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. CASTRO OF TEXAS

Mr. CASTRO of Texas. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 33, line 5, after the 1st dollar amount, insert ''(reduced by $10,000,000)''.

Page 49, line 6, after the dollar amount, insert ''(increased by $10,000,000)''.

The Acting CHAIR. Pursuant to House Resolution 287, the gentleman from Texas and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Texas.

Mr. CASTRO of Texas. Mr. Chairman, first, I would like to thank the chairman and the ranking member for their hard work on this bill.

My amendment would add $10 million to the Community Trust Initiative account for police body-worn cameras, and would take those $10 million from the DEA account for salaries and expenses.

Over the last several months, we have seen more and more encounters between members of our communities and law enforcement that have been too powerful to ignore. We have seen in those recordings instances of police abuse. We have seen instances where police were justified in the use of force. We have even seen instances where police went above and beyond doing their job.

Mr. Chairman, over the last two decades or so, something changed—two things, in fact.

First, we developed a technology so that basically each of us who walks around with a cell phone camera is a social documentarian of the things going on around us.

The second thing that changed is the advent of social media, which allowed people not only to document their experiences, but also to widely distribute what they have documented to this country and to the world. Because of that, we have gotten a better indication of the interaction between law enforcement and members of our community.

In this digital age, we have a responsibility to seek and to know the truth about those encounters. Local police departments, many of them—in fact, 25 percent of the 17,000 police agencies in this country—are already using body cameras. Many more in States all over our Nation are seeking the funds to do this.

The President of the United States asked for $50 million to allow local grants and moneys for local agencies to afford these body cameras and for the storage to make sure that they can keep that evidence.

As you all know, this is a very expensive thing, and many departments have struggled with the funds to afford these things. So in the budget that has been proposed, the amount proposed is not $50 million, but $15 million. This $10 million would simply bring us back up to half of what the President has requested at $25 million.

I will also add that this is very popular among the American people: 86 percent of Americans—Republicans and Democrats, people of every race and ethnicity, in every community across the country—support increased use of body cameras for officers. Even the association of police chiefs in our country supports this also.

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

Mr. CULBERSON. Mr. Chairman, I claim the time in opposition, although I am not opposed to it.

The Acting CHAIR. Without objection, the gentleman from Texas is recognized for 5 minutes.

There was no objection.

Mr. CULBERSON. Mr. Chairman, I would encourage Members to support it. The gentleman has a good amendment. I think the Community Trust Initiative program that we have created in the bill will rebuild that bond of trust between police officers and their community by making sure that these body cameras are available. My good friend from Texas—Texas was the first State in the Union to pass a State law that says when, where, and how this data from the body cameras can be used. State Senator Royce West from Dallas passed that legislation. I had a chance to talk to him during the legislative session about a month and a half ago, talk to him about this, and I said: If you will pass this law in Texas and other States will pass it, my good friend, Mr. FATTAH, and I, we made sure that the language in our bill follows State law. The State law in Georgia, the State law in Pennsylvania, in Texas, et cetera, will decide when, where, and how this data can be accessed by attorneys, by victims, and make sure it is not given to the media. State law will control that. It is a good program and a good amendment, and I encourage Members to support it.

I am happy to yield to my good friend from Philadelphia.

Mr. FATTAH. Mr. Chairman, I thank the chairman and I thank the gentleman from Texas for offering this amendment. I also support it. We have already put some dollars available for this purpose, but adding another additional $10 million gets us closer to the goal that we want to seek in this effort, so I thank the gentleman.

We have got a circumstance here where we are in total agreement and on one accord.

Mr. CASTRO of Texas. Mr. Chairman, I thank the chairman for his foresight and thank him for his work on this. I also want to thank a few folks: Congressmen CLEAVER, CLAY; DANA ROHRABACHER, who was with me on this; Congressmen SCHWEIKERT, JOHN LEWIS, and DONALD NORCROSS. Congressman NORCROSS did a lot of work on this in New Jersey. So thank you very much.

I yield back the balance of my time.

Mr. CULBERSON. Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Texas (Mr. CASTRO).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. COHEN

Mr. COHEN. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 33, line 5, after the first dollar amount insert ''(reduced by $12,000,000)''.

Page 72, line 7, after the first dollar amount insert ''(increased by $10,000,000)''.

The Acting CHAIR. Pursuant to House Resolution 287, the gentleman from Tennessee and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Tennessee.

Mr. COHEN. Mr. Chairman, I yield myself such time as I may consume.

We just had an amendment on the floor and the amendment took $25 million from Legal Services. I had several amendments to file, and they went from $5 million for legal services up to $35 million. So what I thought might be the equitable thing to do would be, instead of going with the $35 million, which would have just been half of the cut, take the $25 million that Mr. PITTENGER wanted to take away from them, take it away from the amendment that would have been best, the $35 million increase, and go for a $10 million increase, which would, in essence, be Mr. PITTENGER's amendment against the amendment which would be a best practices that I would have recommended increasing $35 million.

□ 1930

This amendment would restore $10 million to the devastating cuts to Legal Services. Legal Services in 1995 was funded at $400 million. Just on inflationary dollars, today, that $400 million would be $600 million; yet, in this budget, Legal Services would be funded at $300 million, half of what it would be based on 1995 figures adjusted for inflation.

We are proud of our legal system, and we are known for it all around the globe, but it can be complex. With all of the problems we have with the legal language, let alone just languages that we have in this Nation, it is too difficult for people to represent themselves in court.

There is a saying: ''He who represents himself as a lawyer has a fool for a client.'' People need professional legal aid to get through the maze of the justice system. If you are poor in this country—and most people are—if you are uneducated—and many are—and scared when you go to court, you are not going to be able to successfully work against a private attorney on the other side. It just takes away from the whole idea of equal justice under the law.

I talked earlier about domestic violence. There are ladies—and sometimes men—who need protective orders from abusive partners or seniors who have been victimized by fraudulent lenders as well. Legal assistance is vital to ensuring that these parties are treated fairly and are aware of their rights. That is why I am a champion of the Legal Services Corporation, which helps fund legal aid programs throughout the country.

This bill, as I say, cuts $75 million, which would make many people in the Nation not have representation and unable to pursue justice. Nearly 50 percent of all eligible potential clients are

turned away from legal services nationally, and it has hurt people all over this country.

The attorneys do heroic work, and there are serious consequences for reducing the funding to these folks. Unless we ensure legal assistance, we effectively shut the courthouse doors to many who won't be able to protect their rights.

The decrease would come from the DEA. Again, the DEA has had numerous, numerous problems with agents who have gone rogue and have done things that you shouldn't do anywhere, least of all when you are a DEA agent representing our country. The funding in the hands of Legal Services could change the lives of thousands of people who need legal representation.

This amendment is $25 million less than what I would have like to have gotten with the $35 million amendment, but I will take that. If we can get the 10, hopefully, Mr. PITTENGER will be happy with the 25 cut from the 35 that we should have gotten, in my opinion, on top to restore the 75 that we have lost.

Representatives QUIGLEY, CASTOR, SCHRADER, and JOE KENNEDY have all helped on this.

Mr. Chairman, I yield such time as he may consume to the gentleman from Massachusetts (Mr. KENNEDY).

Mr. KENNEDY. Mr. Chairman, once again, I rise in support of the Legal Services Corporation.

This is an organization that is the major source of funding for legal aid offices all across this country. The funding, as my colleague indicated, has not kept pace with need, inflation, or reality.

The fact of the matter is, Mr. Chairman—and I have seen as a legal aid volunteer in the courtrooms and then again as a prosecutor the impact of adequate legal representation. I spent hours and hours, along with other volunteers, trying to ensure that citizens of this country who, through no fault of their own, are being victimized by large interests or by folks who did know how to navigate the legal system could have adequate representation in the courts.

Mr. Chairman, inside these halls, we debate with great vigor and great detail the nuances to every single piece of legislation, yet spend far too little time discussing the impact of how that is going to be enforced after it becomes law. That is what the Legal Services Corporation does.

The fact is, in many ways, another source of funding for Legal Services is through the interest on lawyers' trusts accounts, IOLTA funding. With low interest rates over the course of past several years, that funding has been devastated.

In Massachusetts alone, that used to be about $34 million a year through a separate fund that has been reduced to $4 million. The fact of the matter is, Mr. Chairman, that Legal Services has already been decimated at a time when more and more people need to understand that they have access to a fair and just legal system. That is what this amendment seeks to do.

That is why I am proud to support it, and I ask my colleagues to do the same.

Mr. CULBERSON. Mr. Chairman, I claim the time in opposition.

The Acting CHAIR. The gentleman from Texas is recognized for 5 minutes.

Mr. CULBERSON. Mr. Chairman, the Drug Enforcement Agency does extraordinarily important work in targeting high-level drug trafficking organizations—disrupting and dismantling them, attacking the economic basis of the drug trade, and contributing to counterterrorism activities that are tied to and financed by drugs.

We have seen the absolute anarchy in northern Mexico. Mexico is a failed state. The northern part of the state is a complete disaster. We have got utter lawlessness along the Texas border, the southwest border, so it is so important that the DEA be given the resources that they need to do their job.

I understand the concern about the Legal Services Corporation. I will be filing legislation to give attorneys a dollar-for-dollar deduction in their taxes for services that they donate to the poor. I think it is a far better way to get at the concern that we all have that legal services be provided to the poor by doing that through the Tax Code rather than by appropriating our constituents' hard-earned tax dollars. The DEA has a very, very important job to do.

As for the concerns that the gentleman has raised and that I have heard other people raise about some of the activities of some senior level folks at the DEA, we have withheld money from the Department of Justice in our bill specifically to encourage the new Attorney General to discipline those high-level DEA officials who were involved in that embarrassing and disgraceful episode that we saw take place in Colombia that the inspector general uncovered.

That kind of behavior is not acceptable, and they should all be fired, and we have encouraged the new Attorney General to do so immediately. However, I think the taking of additional money from the DEA is a bad idea, and I do encourage my colleagues to oppose the amendment. I will also point out that we have an initial $43 million in this bill for violence against women programs, specifically for legal assistance for domestic violence victims.

I do urge my colleagues to vote ''no'' on this amendment in order to protect the vital role that the DEA plays in the war on drugs.

I reserve the balance of my time.

Mr. COHEN. Mr. Chairman, let me be clear. This does not cut the DEA. It only reduces the amount of money it was increased by in the budget, and it was increased by something like $40 million in a $2 billion budget. It would take $10 million, which would make a big difference to Legal Services.

Once the Rohrabacher-Cohen-Farr amendment passes, they won't be messing with States that have legalized medical marijuana, and it will give the DEA a lot more time to do the right things they need to do in northern Mexico and in other failed states; and as for the states that haven't failed, stay out of them.

I yield back the balance of my time.

Mr. CULBERSON. Mr. Chairman, I yield to the gentleman from Philadelphia, Pennsylvania (Mr. FATTAH) for any comments he may have.

Mr. FATTAH. I thank the chairman.

Mr. Chairman, I don't want anyone to be confused here. On the floor, the chairman from the subcommittee and from the full committee has said—and I have said it—that we realize that the Legal Services Corporation and the shortfall needs to be addressed.

I believe, before we pass a final bill, it will be addressed. There is no possibility that I am going to support a bill that has got $300 million funding for Legal Services Corporation.

There is this notion of a $10 million increase on top of a $25 million cut. I don't want these votes to be viewed as some kind of ceiling for Legal Services, and I think we ought to be careful here to make sure, as the House is working through this, that we understand that the amount that the bill is at now is unacceptable. It has already been cut. Taking that cut and adding $10 million back to it is not a satisfactory response, notwithstanding the intentions of our colleague here.

We want to address the bigger issue, which is the full funding for Legal Services. As we go forward in this effort, I want to make my intentions clear that I intend to fight to make sure that we live up to our commitment and our responsibilities in terms of fully funding Legal Services.

Mr. CULBERSON. I want to assure my friend from Philadelphia, as we get down further into conference, that we have got priorities in the bill that we did not have enough money for, and we will work hard with you to try to find resources, but let's not take it from the DEA.

I would urge Members to vote against this amendment.

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

Ms. CASTOR of Florida. Mr. Chair, I rise today to support the Cohen amendment and urge the House to oppose the excessive cuts to the nonprofit and independent Legal Services Corporation.

Legal Services has a mission to ''provide equal access to the system of justice'' in America. It is the most important provider of civil legal aid for Americans who cannot afford

high-priced legal counsel. In fact, legal representation often is out of reach for many American families. This amendment will make the lives of millions of American families even more challenging. Plus, if you take away legal counsel, you also complicate the resolution of disputes for businesses and others as well. You all know Legal Services is not a Washington-based bureaucratic program. To the contrary, there are legal aid attorneys and professionals in every State, with more than 800 offices. Legal Services' moneys are put to work back home across America outside of Washington.

In my Tampa Bay community, Bay Area Legal Services helps to keep the wheels of justice turning for everyone. What type of legal help? Foreclosure, consumer assistance, domestic violence. Many of the domestic violence victims are simply trying to keep their children safe and their families together. Others include veterans returning from war, families with housing issues, those that were hit hard by natural disasters and are dealing with the aftermath, and families involved in child custody disputes. I have seen these advocates in action. Many Members of Congress actually refer cases to Legal Services groups in our area. They help families navigate the justice system. They also boost the economy through avoided costs and swift resolution of disputes.

I would also like to remind my colleagues that Legal Services has already undergone significant cuts over the past few years. Funding for Legal Services was $420 million in fiscal year 2010. It was cut—especially after sequestration in 2013—and any further cuts will do severe damage. This amendment jeopardizes access to justice and the rule of law.

This year's bill is a destructive step backwards which threatens these vital community services by slashing funding by $75 million. This is the lowest level of funding since FY 1999. These devastating cuts will terminate over 1,000 full time staff including 430 attorney positions. Under these draconian cuts, Legal services offices across the country will be forced to close 25 offices, complete 150,000 fewer cases, and serve 350,000 fewer people.

In exacting such severe cuts, your advice to families is, ''You can't get help''. ''You can't avoid a foreclosure''. ''You can't escape an abusive relationship or defend yourself against consumer scams''.

We cannot allow hundreds of thousands of American veterans, elderly victims of foreclosure, and women and children desperate to escape domestic violence to be denied assistance.

So I strongly urge a ''yes'' vote on the Cohen amendment.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Tennessee (Mr. COHEN).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. COHEN. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Tennessee will be postponed.

The Clerk will read.

The Clerk read as follows:

BUREAU OF ALCOHOL, TOBACCO, FIREARMS AND EXPLOSIVES

SALARIES AND EXPENSES

For necessary expenses of the Bureau of Alcohol, Tobacco, Firearms and Explosives, for training of State and local law enforcement agencies with or without reimbursement, including training in connection with the training and acquisition of canines for explosives and fire accelerants detection; and for provision of laboratory assistance to State and local law enforcement agencies, with or without reimbursement, $1,250,000,000, of which not to exceed $36,000 shall be for official reception and representation expenses, not to exceed $1,000,000 shall be available for the payment of attorneys' fees as provided by section 924(d)(2) of title 18, United States Code, and not to exceed $20,000,000 shall remain available until expended: *Provided*, That none of the funds appropriated herein shall be available to investigate or act upon applications for relief from Federal firearms disabilities under section 925(c) of title 18, United States Code: *Provided further*, That such funds shall be available to investigate and act upon applications filed by corporations for relief from Federal firearms disabilities under section 925(c) of title 18, United States Code: *Provided further*, That no funds made available by this or any other Act may be used to transfer the functions, missions, or activities of the Bureau of Alcohol, Tobacco, Firearms and Explosives to other agencies or Departments.

AMENDMENT OFFERED BY MR. GOSAR

Mr. GOSAR. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 33, line 19, insert after the dollar amount ''(reduced by $5,000,000)''.

Page 42, line 24, insert after the dollar amount ''(increased by $5,000,000)''.

Page 46, line 7, insert after the dollar amount ''(increased by $5,000,000)''.

The Acting CHAIR. Pursuant to House Resolution 287, the gentleman from Arizona and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Arizona.

Mr. GOSAR. Mr. Chairman, I rise today to stand with the veterans throughout the country by offering a simple amendment to bolster funds in this act for Veterans Treatment Courts.

Veterans Treatment Courts promote sobriety and recovery through coordinated local partnerships among community corrections agencies, drug treatment providers, the judiciary, and other community support groups. Veterans Treatment Courts have been extremely successful since they were first created in 2008 by a Buffalo judge to combat the growing numbers of veterans appearing before the court that were addicted to drugs and alcohol, as well as suffering from mental illness.

Many of our Nation's heroes returning from combat are traumatized due to the associated violence and pressure of war and often cope with such feelings with substance abuse. They need focused treatment and a helping hand, and these courts provide such an avenue.

The alternative to Veterans Treatment Courts is often jail time. I think we can all agree that providing treatment for our veterans through community partnerships at the local level is a far better option than locking them up.

My amendment pays for this modest increase for this critical initiative by reducing funds for the salaries and expenses for the overreaching Bureau of Alcohol, Tobacco, Firearms, and Explosives by $5 million. I offered a very similar amendment last year, which was adopted by voice vote.

The ATF's salaries and expenses are slated to receive an increase of $49 million from fiscal year 2015 enacted levels, which would bring the total appropriation level to $1.25 billion. My amendment redirects funds from bureaucrats in the mismanaged and overzealous ATF to a worthy treatment program for our Nation's veterans.

I urge my colleagues on both sides of the aisle to, once again, show their support for the worthwhile program by passing my commonsense amendment.

I thank the chairman and the ranking member for their leadership on this bill.

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

Mr. CULBERSON. Mr. Chairman, I rise in opposition to the gentleman's amendment, but I am not opposed to it.

The Acting CHAIR. Without objection, the gentleman from Texas is recognized for 5 minutes.

There was no objection.

Mr. CULBERSON. Mr. Chairman, the gentleman has a good amendment, and I encourage the House to support it.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Arizona (Mr. GOSAR).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. GOSAR

Mr. GOSAR. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 33, line 19, after the dollar amount, insert ''(decreased by $5,000,000)''.

Page 42, line 24, after the dollar amount, insert ''(increased by $5,000,000)''.

Page 46, line 9, after the dollar amount, insert ''(increased by $5,000,000)''.

The Acting CHAIR. Pursuant to House Resolution 287, the gentleman from Arizona and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Arizona.

Mr. GOSAR. Mr. Chairman, I rise today to offer another amendment to this bill, along with my colleague from Arkansas (Mr. HILL), that seeks to bolster another important program.

First, I reiterate my thanks to the committee for the long hours they have dedicated to prioritizing limited resources in order to produce this bill, but I simply believe the House should not reward bad behavior for that type that the ATF has shown recently. My amendment is simple, and it is nearly identical to an amendment I offered last year, which was adopted by voice vote.

The amendment shifts $5 million from the overreaching ATF bureaucrats to a worthy and effective program known as the Harold Rogers Prescription Drug Monitoring Program.

□ 1945

You ask why $5 million. Because that amount would bring the Prescription Drug Monitoring Program appropriations back to the level originally approved by the House last year. The gentleman, Mr. ROGERS of Kentucky, is the chairman of the House Committee on Appropriations, and he has been unrelenting on the issue of combating prescription drug abuse.

This problem is truly plaguing our streets, our youth, and our communities. Prescription drug abuse is contributing to addiction, health deterioration, and even untimely death for too many across our country. Prescription drug abuse also fuels the demand for other illicit drugs, such as cocaine, methamphetamine, ecstasy, and heroin, along with human trafficking, gunrunning, and murder. Much of the solicitation activity flows over our southwestern border and into my home State of Arizona.

The primary purpose of the Prescription Drug Monitoring Program is to enhance the capacity of regulatory and law enforcement agencies to collect and analyze controlled substance prescription data through a centralized database administered by an authorized State agency. States that have implemented the PDMP can collect and analyze this data much more effectively than States in which collection of this data requires manual review of pharmacy files.

It is this body's duty, through the annual appropriations process, to evaluate which programs are worthwhile and which ones are not. The Prescription Drug Monitoring Program has shown promising results, but we must not give up. We must continue to think of our families, our friends, and our future generations.

I urge my colleagues to vote in favor of this amendment. I thank Chairman CULBERSON and Ranking Member FATTAH.

I reserve the balance of my time.

Mr. FATTAH. Mr. Chairman, I claim the time in opposition, but I am not opposed to the amendment.

The Acting CHAIR. Without objection, the gentleman from Pennsylvania is recognized for 5 minutes.

There was no objection.

Mr. FATTAH. Mr. Chairman, I support the effort here to increase funding for a very important program that is addressing a major problem in our country. I divorce myself from the offset, not in terms of the actual offset, but in any criticism of the ATF. I think that they have some very brave, courageous Americans who are trying to make our country safer. I think in lieu of the balancing act here, I support the amendment, and I agree with it.

Mr. CULBERSON. Will the gentleman yield?

Mr. FATTAH. I yield to the gentleman from Texas.

Mr. CULBERSON. I thank the gentleman for yielding.

If I could also point out, actually, the ATF did the right thing here. I strenuously disagreed with the ammo ban and had a chance to meet with the head of the ATF, as I was the new chairman of the CJS Subcommittee, and walked him through the problems he was going to face on this House floor with amendments and problems with their budget and their spending plan this year.

He is a patriot, former marine, and a lifelong law enforcement officer. He understood they had kind of gone beyond the bounds of the statute, so he agreed to drop the ban on .223 ammunition after I had a very good heart-to-heart meeting with him, and so ATF did the right thing. I think we should encourage good behavior.

I want to recognize and I want to thank the new head of the ATF for doing the right thing and not going after law-abiding Americans' constitutional right to possess and use perfectly lawful .223 ammunition and focus on enforcing the statute, which is designed to protect police officers from armor-piercing bullets that can be fired from pistols.

ATF did the right thing here, but I think the gentleman has a good amendment. That money is going to a good cause. The Prescription Drug Monitoring Program is a good one. I share my colleague's support for the amendment. I want to encourage Members to vote for it, but I want to be sure the RECORD reflects that the ATF did the right thing in dropping the ammo ban, and I don't expect we are going to see another attempt by the ATF to attempt to ban .223 ammunition because the new chairman of the CJS Subcommittee will be on them immediately.

Mr. FATTAH. We are in agreement again, maybe coming to it from different angles, but the important thing is we are at a ''yes'' on this amendment. The way we all get to these points may be different.

I yield back the balance of my time.

Mr. GOSAR. Mr. Chairman, I yield such time as he may consume to the gentleman from Arkansas (Mr. HILL), my friend.

Mr. HILL. Mr. Chairman, I want to thank my colleague from Arizona for yielding me time to speak on this very important amendment. I want to thank him for his leadership.

Prescription drug abuse has become an epidemic in my home State of Arkansas and throughout our country. I am so grateful for people like Chief Kirk Lane of Benton, Arkansas, who leads on this issue throughout my district.

Tonight I speak from the well of our beloved House first as a dad, and a Congressman second. I have had personal experiences with the tragic loss of life that come as a result of prescription drug abuse, and many times our children and our loved ones are the ones who are so closely affected and impacted.

My daughter is 18 years old, and she already knows four people in her age group who have lost their lives due to the influence of prescription drugs and the related impacts. That is tragic.

I am proud that Arkansas recently passed legislation that gives law enforcement investigators access to our State's Prescription Drug Monitoring Program. This law in my State will enhance investigative capabilities and will give law enforcement investigators better ability to bring criminals to justice who are abusing prescription drug practices and trying to dump those drugs back on the street.

This is a serious problem that deserves more of our attention, first at our dinner tables, in our schools, and in our capitol buildings. I am so proud to support Mr. GOSAR's amendment that cuts money from the overhead at the ATF and will strengthen these prescription drug monitoring activities.

I thank the gentleman from Arizona.

Mr. GOSAR. I thank the gentleman from Arkansas for his kind words in support.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Arizona (Mr. GOSAR).

The amendment was agreed to.

Mr. CULBERSON. Mr. Chairman, I move to strike the last word and enter into a colloquy.

The Acting CHAIR. The gentleman from Texas is recognized for 5 minutes.

Mr. CULBERSON. Mr. Chairman, I yield to the gentleman from Iowa (Mr. BLUM).

Mr. BLUM. Mr. Chairman, as a small-business man and a supporter of the private sector, I wish to commend the committee for the inclusion of report language which states: ''The committee encourages NOAA to purchase services from the private sector when such services are available, cost effective, and practicable.''

As my friend from Texas knows, NOAA operates a fleet of survey ships for nautical charting as well as a fleet

of survey aircraft for aerial photography and LIDAR for mapping. However, the inspector general of the Department of Commerce has long recommended that the aircraft fleet be privatized, as aerial survey operations are better, faster, and less expensive when purchased from the private sector. In fact, the inspector general found NOAA survey operations cost 42 percent more than the private sector, which was then confirmed by a second NOAA-commissioned study.

Rather than accept these cost savings and productivity improvement requirements, NOAA has continually acquired new planes, new aerial sensors, and new ships. This is not only poor stewardship of taxpayer money and inefficient use of resources, but results in the government duplicating and directly competing with private enterprise. There are numerous companies, including small businesses, ready and able to perform these services for NOAA at a reduced cost and increased quality.

I have visited one such private sector mapping firm in my district and heard firsthand about how government agencies are engaged in this behavior, which hinders private economic growth and job creation.

My question for the gentleman from Texas is: Regarding the language I quoted earlier, is it the intent of the committee to include contracting for such surveying and mapping services when there is a qualified, capable, and cost-effective solution available in the private sector?

Mr. CULBERSON. I want to thank my colleague from Iowa for raising this important point, and the committee does expect NOAA to utilize the private sector for these services when they are available and cost effective and practicable. I deeply appreciate my friend's interest and look forward to continuing to work with him on these issues to ensure they are taken care of as we move through the process.

Mr. BLUM. I thank my friend from Texas and appreciate his hard work on this important legislation.

Mr. CULBERSON. I yield back the balance of my time.

AMENDMENT OFFERED BY MR. BYRNE

Mr. BYRNE. I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 33, line 19, after the dollar amount, insert ''(reduced by $250,000,000)''.

The Acting CHAIR. Pursuant to House Resolution 287, the gentleman from Alabama and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Alabama.

Mr. BYRNE. Mr. Chairman, my straightforward amendment would cut the Bureau of Alcohol, Tobacco, Firearms and Explosives, or ATF, by 20 percent. That would result in $250 million worth of savings.

Let me make one thing clear. I know that the ATF has an important mission to play in keeping our Nation safe and regulating everything from firearms to alcohol. That said, in the last few years, we have seen an outrageous growth in operations and regulations coming out of the ATF.

How could we forget the Fast and Furious gun trafficking scheme that was allowed to go so far offtrack that 2,000 guns were allowed to flow to Mexican drug trafficking groups? Worst of all, a Federal law enforcement officer was killed with a gun from that operation.

There was Operation Fearless, where an undercover operation in Milwaukee, Wisconsin, went horribly wrong. Convicted felons were given access to weapons, the fake storefront was burglarized, and $39,000 in merchandise was lost. The ATF even used someone with developmental disabilities in the operation and ultimately arrested him for his involvement.

From Wichita, Kansas, to Portland, Oregon, to Atlanta, Georgia, the stories of botched operations and inappropriate action just goes on and on.

Then there was the ATF's recent attempt to reclassify common M855 ammunition as armor piercing, despite its exemption from this classification since 1986 for sporting purposes. Thankfully, this proposal was dropped after pressure from Congress.

Mr. Chairman, the people I represent in southwest Alabama are tired of a Federal Government that doesn't live within its means. They want to see their elected officials in Washington get serious about making cuts to the Federal bureaucracy. My constituents also are tired of executive overreach and the Federal Government involving itself in areas where it simply doesn't belong.

I know that the committee and Chairman CULBERSON have made real efforts to rein in the ATF, and I appreciate those efforts. I also understand that ATF is now under new leadership, and I hope that the new leaders get serious about much-needed reforms.

I am all for safety and responsible gun ownership, and the ATF does have a role to play in that, but this amendment would simply require ATF to return to its core functions and responsibilities. It would cause ATF to look at itself in the mirror, find areas where they can cut back, and refocus on their true priorities.

Ultimately, this amendment is about protecting our Second Amendment rights while also pushing for real reforms to Federal spending. I urge my colleagues to support this amendment.

I reserve the balance of my time.

Mr. CULBERSON. Mr. Chairman, I claim the time in opposition.

The Acting CHAIR. The gentleman from Texas is recognized for 5 minutes.

Mr. CULBERSON. Mr. Chairman, I do understand the gentleman's concern. My constituents and all of us were upset with the ATF's attempt to ban .223 ammunition, but they did the right thing: they withdrew the ammo ban after I had a heart-to-heart with them. By doing the right thing, I think we should reward good behavior.

I am monitoring them very closely. We have spending plan language in our bill that allows the subcommittee to have ongoing oversight over not only the ATF and Department of Justice, every agency under our jurisdiction has to submit a spending plan to us that is then subjected to careful ongoing oversight throughout the year; and if we cut ATF by $250 million, they are not able to do all the important work that they are now engaged in, and it would really devastate the agency.

□ 2000

There are a lot of dedicated law enforcement officers in that agency that are doing their very best to fight gangs and violent criminals.

We have visited with the folks at ATF. They are not concerned about law-abiding citizens or a gun dealer who is following the law. They are focused on the criminal element in the country.

So I would encourage Members, and I would be happy to work with you and share with you the ongoing oversight work that I am doing. I encourage you to visit with the new ATF Director. He is a very impressive man: a marine and a lifelong law enforcement officer who did the right thing here.

The agency is devoted to protecting Americans' Second Amendment rights. As the new chairman, if I ever detect any deviation from that, I assure you this son of the South is going to make sure our Second Amendment rights are protected.

I would encourage Members to oppose the amendment. I just don't want to see the ATF devastated.

I reserve the balance of my time.

Mr. BYRNE. I want to thank the gentleman from Texas for his superb work in this area. We are in great debt to you for all that you have done. And I am 100 percent confident you will continue to do that.

I don't know the new leadership over there. I pray that it is truly new leadership. Because what has happened at ATF is simply not acceptable. And it is particularly not acceptable when it interferes with the Second Amendment rights of the people of the United States of America.

So I thank the gentleman. I know that he will do everything he possibly can. I will take him up on his offer to meet the new leadership.

I yield back the balance of my time.

Mr. CULBERSON. I urge Members to oppose the amendment.

Mr. FATTAH. Will the gentleman yield?

Mr. CULBERSON. I yield to the gentleman from Pennsylvania.

Mr. FATTAH. I visited at the ATF headquarters. In looking at their work particularly focused on explosives—and their new site in Alabama—looking at some of the work that they are doing around the country, it is so vitally important that I think at this time in our country's history for us to retreat from our commitment to this agency would be a very unfortunate and unwise decision.

So I would hope that the House would vote in opposition to this amendment and make sure that as we go forward we can try to address whatever the concerns are. But cutting ATF by this amount of money would put so many Americans at risk, and I think it would be unwise.

Mr. CULBERSON. Reclaiming my time, I join my colleague in urging a ''no'' vote on this amendment, and will, again, work with my colleague in making sure the ATF continues to protect the Second Amendment rights of Americans.

There is no greater power the Congress has than the power of the purse. I assure you as the new chairman that I am monitoring very, very closely to make sure that ATF, FBI, and the Department of Justice enforce the law and preserve our Second Amendment Rights.

Therefore, I urge Members to vote ''no'', and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Alabama (Mr. BYRNE).

The amendment was rejected.

AMENDMENT OFFERED BY MR. BUCK

Mr. BUCK. Mr. Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 33, line 25, strike ''none of the'' and insert ''such''.

The Acting CHAIR. Pursuant to House Resolution 287, the gentleman from Colorado and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Colorado.

Mr. BUCK. Mr. Chair, I rise to strike language from this appropriations bill that denies hope, denies dignity, and denies Americans their Second Amendment right to bear arms.

When I was district attorney in northern Colorado, a gentleman visited my office. He told me a story that I have heard from many, many others. He told me that 40 years ago, when he was in college, he gave his landlord a bad check. He pled guilty to a felony.

The past 40 years, he has been a model citizen. He finished college. He work hard and raised a family. Now he wants to go hunting with his grandchild. He can't because he is a convicted felon.

The law allows the Bureau of Alcohol, Tobacco, Firearms and Explosives to restore this man's right to possess a firearm. The burden is on the applicant to prove that he is not a danger. ATF may investigate to make sure. This appropriations bill prohibits ATF from processing applications, from following the law established by Congress 30 years ago.

America is a compassionate country. We restore the right to vote in many States, and other rights. There is no good reason to prevent law-abiding citizens from, at the very least, petitioning ATF to have their rights restored.

The change I am seeking is fair and reasonable, and it is long overdue. People who are able to prove to ATF that their possession of a firearm would pose no danger to society would finally, after over two decades of unfair treatment, be permitted to make their case and have their rights restored.

Not everyone who petitions ATF will have their rights restored. In fact, this bill does not intend in any way, shape, or form to allow a violent criminal to possess a firearm—only those nonviolent criminals that ATF deems are not a danger. Not everyone will have their rights restored, but Washington should not get in the way of Americans asking for a second chance.

For these reasons, I respectfully request support for this amendment, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Colorado (Mr. BUCK).

The amendment was agreed to.

The Acting CHAIR. The Clerk will read.

The Clerk read as follows:

FEDERAL PRISON SYSTEM

SALARIES AND EXPENSES

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses of the Federal Prison System for the administration, operation, and maintenance of Federal penal and correctional institutions, and for the provision of technical assistance and advice on corrections related issues to foreign governments, $6,951,500,000: *Provided*, That the Attorney General may transfer to the Department of Health and Human Services such amounts as may be necessary for direct expenditures by that Department for medical relief for inmates of Federal penal and correctional institutions: *Provided further*, That the Director of the Federal Prison System, where necessary, may enter into contracts with a fiscal agent or fiscal intermediary claims processor to determine the amounts payable to persons who, on behalf of the Federal Prison System, furnish health services to individuals committed to the custody of the Federal Prison System: *Provided further*, That not to exceed $5,400 shall be available for official reception and representation expenses: *Provided further*, That not to exceed $50,000,000 shall remain available for necessary operations until September 30, 2017: *Provided further*, That, of the amounts provided for contract confinement, not to exceed $20,000,000 shall remain available until expended to make payments in advance for grants, contracts and reimbursable agreements, and other expenses: *Provided further*, That the Director of the Federal Prison System may accept donated property and services relating to the operation of the prison card program from a not-for-profit entity which has operated such program in the past, notwithstanding the fact that such not-for-profit entity furnishes services under contracts to the Federal Prison System relating to the operation of pre-release services, halfway houses, or other custodial facilities.

BUILDINGS AND FACILITIES

For planning, acquisition of sites and construction of new facilities; purchase and acquisition of facilities and remodeling, and equipping of such facilities for penal and correctional use, including all necessary expenses incident thereto, by contract or force account; and constructing, remodeling, and equipping necessary buildings and facilities at existing penal and correctional institutions, including all necessary expenses incident thereto, by contract or force account, $230,000,000, to remain available until expended, of which $145,000,000 shall be available only for costs related to construction of new facilities: *Provided*, That labor of United States prisoners may be used for work performed under this appropriation.

FEDERAL PRISON INDUSTRIES, INCORPORATED

The Federal Prison Industries, Incorporated, is hereby authorized to make such expenditures within the limits of funds and borrowing authority available, and in accord with the law, and to make such contracts and commitments without regard to fiscal year limitations as provided by section 9104 of title 31, United States Code, as may be necessary in carrying out the program set forth in the budget for the current fiscal year for such corporation.

LIMITATION ON ADMINISTRATIVE EXPENSES, FEDERAL PRISON INDUSTRIES, INCORPORATED

Not to exceed $2,700,000 of the funds of the Federal Prison Industries, Incorporated, shall be available for its administrative expenses, and for services as authorized by section 3109 of title 5, United States Code, to be computed on an accrual basis to be determined in accordance with the corporation's current prescribed accounting system, and such amounts shall be exclusive of depreciation, payment of claims, and expenditures which such accounting system requires to be capitalized or charged to cost of commodities acquired or produced, including selling and shipping expenses, and expenses in connection with acquisition, construction, operation, maintenance, improvement, protection, or disposition of facilities and other property belonging to the corporation or in which it has an interest.

AMENDMENT OFFERED BY MS. MOORE

Ms. MOORE. Mr. Chair, I have an amendment at the desk.

The Acting CHAIR. Is there objection to the gentlewoman offering the amendment at this point in the reading?

There was no objection.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 34, line 19, after the dollar amount, insert ''(reduced by $2,000,000)''.

Page 42, line 24, after the dollar amount, insert ''(increased by $2,000,000)''.

Page 44, line 8, after the dollar amount, insert ''(increased by $2,000,000)''.

The Acting CHAIR. Pursuant to House Resolution 287, the gentlewoman

from Wisconsin and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Wisconsin.

Ms. MOORE. Mr. Chair, my amendment transfers $2 million into the Mentally Ill Offender Treatment and Crime Reduction Act for the purpose of expanding and improving police training to safely and appropriately respond to mentally ill individuals.

Now, Mr. Chair, we have heard a lot lately in the news about high profile police-involved shootings that have become a major subject here around the country and here in Congress. Not surprising to some of us, especially those of us who hail from large urban cities, this is a widespread problem that has been around for a while.

But today, I am offering this amendment to highlight one serious issue that I think should be a major part of our current national dialogue: ensuring that police have adequate training to identify persons with mental illness and to safely, when it is possible, resolve encounters during a crisis.

Mr. Chair, indulge me for a moment while I tell you a story about a 31-year-old man in my home district of Milwaukee, Wisconsin, who, unfortunately, is no longer with us today. His name was Dontre Hamilton.

Dontre, like many people in this country, suffered from a mental illness. He was diagnosed with schizophrenia 1 year prior to the incident and had been off his medication due to an insurance issue.

On April 30 of last year, Dontre was taking a nap on a public park bench when employees of a nearby Starbucks called the police. Two police officers came and did a wellness check and left the scene, discerning that Mr. Hamilton was no threat to himself, nor to anyone in the park or the public.

Soon thereafter, yet another call came from the Starbucks employee because this gentleman was sleeping on the public park bench. Another police officer, Officer Manney of the Milwaukee Police Department, arrived and started to pat down Dontre. This pat-down turned into a struggle, and Officer Manney pulled out his baton to help him subdue Mr. Hamilton.

The struggle escalated, and Dontre got control of the baton and swung it at Officer Manney. This caused Officer Manney to draw his firearm and shoot 14 bullets into Dontre Hamilton.

Officer Manney was terminated for conducting a pat-down in contravention of his training on dealing with mentally ill individuals but faced no charges in the death of Dontre Hamilton.

Mr. Chair, perhaps this tragedy could have been prevented. Too often, our mental health infrastructure is woefully inadequate for many Americans. A lack of treatment can turn a treatable mental illness into a severe debilitating condition. Many can't hold a job or pay rent. Many end up homeless on the streets. In fact, more than 124,000 of the 610,000 homeless people in the United States suffer from a severe mental illness.

As a result of many failures in our system, our Nation's police officers have de facto become our country's first responders to crisis calls, including those individuals experiencing mental illness. Too often these calls, many intended to be out of concern for the individual in crisis, become a tragic fatality.

As we know, mentally ill persons are not generally dangerous, Mr. Chair. In fact, they are actually more likely to become victims themselves than actual perpetrators of violence. Many of these tragic encounters could be prevented if police officers are trained and follow proper procedures.

The Mentally Ill Offender Treatment and Crime Reduction Act is an important Federal initiative and tool that will help us bridge this gap. This law established a grant program called the Justice and Mental Health Collaboration Program which helps States and localities develop collaborative approaches to dealing with the intersection of criminal justice and mental health systems.

One of the authorized grant uses under the program is training to police officers for exactly these purposes: to safely respond to crisis calls and limit the chance of a tragic and often preventable consequence.

I yield back the balance of my time.

Mr. CULBERSON. Mr. Chairman, I claim the time in opposition, but I am not opposed to the amendment.

The Acting CHAIR (Mr. WOODALL). Without objection, the gentleman from Texas is recognized for 5 minutes.

There was no objection.

Mr. CULBERSON. The gentlewoman has a good amendment, and I want to encourage Members to support it.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from Wisconsin (Ms. MOORE).

The amendment was agreed to.

□ 2015

AMENDMENT OFFERED BY MR. CONNOLLY

Mr. CONNOLLY. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 34, line 19, after the dollar amount, insert ''(reduced by $1,,000,000)''.

Page 42, line 24, after the dollar amount, insert ''(increased by $1,000,000)''.

Page 46, line 7, after the dollar amount, insert ''(increased by $1,000,000)''.

The Acting CHAIR. Pursuant to House Resolution 287, the gentleman from Virginia and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Virginia.

Mr. CONNOLLY. Mr. Chairman, I thank the distinguished chairman and the distinguished ranking member and their staffs for their cooperation on this amendment.

The amendment increases the funding for Veterans Treatment Courts by $1 million. I offered a similar amendment last year that the House also adopted on a voice vote.

With the additional funds provided by this amendment, a total of $6 million would be available for such courts, which is still short of the $8 million Congress has authorized under the bipartisan Mentally Ill Offender Treatment and Crime Reduction Act.

Our Nation's heroes are returning home from more than a decade of war. Upon their return, they bear the visible and invisible wounds of deployment. Substance abuse, post-traumatic stress disorder, traumatic brain injury, and various mental health disorders can lead our returning heroes down a difficult and often lonely path during their transition to civilian life.

Twenty percent of Iraq and Afghanistan war veterans suffer from post-traumatic stress disorder or major depression. One in six battle with substance abuse. Left undiagnosed or untreated, these illnesses can result in an encounter with the justice system. Worse yet, these illnesses can also lead to suicide, which veterans commit at twice the rate of our civilian population.

Fortunately, specialized Veterans Treatment Courts are being developed across the country, including in my home county of Fairfax in Virginia, to help veterans who do find themselves in the justice system and suffer from substance addiction or mental health disorders so that they can alter their course and find the assistance they deserve, Mr. Chairman.

The first such court was established in Buffalo, New York, in 2008; and since then, more than 200 have opened across the Nation. Hundreds more are currently going through the planning and training process.

Today, there are more than 11,000 vets enrolled in Veterans Treatment Courts. Virginia is home to the sixth largest veteran population in the country, with nearly 850,000 veterans, more than 10 percent of whom live in my district, the 11th Congressional District of Virginia.

The comprehensive treatment program provides eligible veterans with an alternative to jail and incarceration. Participating veterans must commit to an 18- to 24-month program, during which they receive group counseling, a dedicated veteran mentor, and enroll in vocational education and self-help programs.

By bringing veteran service organizations, State veterans service departments, and volunteer mentors into the courtrooms, Veterans Treatment

Courts can promote community collaboration and connect veterans with the programs and benefits they have earned and that they may need.

Having a veteran-only court docket ensures that everyone, from the judge to the volunteers, specializes in veterans care, and the involvement of fellow veterans allows the defendant to experience a camaraderie to which he or she became accustomed in the military.

We know this model works, and it is our hope this amendment will provide these courts with the resources they need to help our veterans who fall into the justice system to get back on the right track and transition successfully back into the society they swore to defend.

In closing, again, I want to thank the distinguished chairman, the distinguished ranking member, and their respective staffs for their cooperation in this matter.

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

Mr. CULBERSON. Mr. Chairman, I claim the time in opposition, although I support the gentleman's amendment.

The Acting CHAIR. Without objection, the gentleman from Texas is recognized for 5 minutes.

There was no objection.

Mr. CULBERSON. I think the gentleman has a good amendment, and I would encourage the Members to support it.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Virginia (Mr. CONNOLLY).

The amendment was agreed to.

Mr. CULBERSON. Mr. Chairman, I move to strike the last word and enter into a colloquy with my good friend, the gentleman from North Carolina (Mr. PRICE).

The Acting CHAIR. The gentleman from Texas is recognized for 5 minutes.

Mr. CULBERSON. Mr. Chairman, I yield to the gentleman from North Carolina (Mr. PRICE) for a colloquy.

Mr. PRICE of North Carolina. I thank the gentleman for yielding, Mr. Chairman.

During the full committee consideration of this legislation, the chairman will recall that we discussed the accompanying report language that, for the first time, would allocate NSF research funding by directorate and, in particular, would disproportionately reduce funding for the Directorate for Social, Behavioral & Economic Sciences and the Directorate for Geosciences. This has raised critical questions and concerns within the scientific community.

As the legislative process goes forward, I ask for the chairman's assurance that we can work together to preserve the National Science Foundation's traditional discretion and flexibility in allocating basic research funding among the Foundation's directorates.

Mr. CULBERSON. I look forward to working with you, Dr. PRICE, and other members of the subcommittee and the full committee, as well as the Science, Space, and Technology Committee, to ensure that we protect the independence of the National Science Foundation.

It is vitally important that America preserves its leadership role in the world, and scientific research and NSF and NASA have been a vital part of that.

A strong supporter of our investment in the sciences, my favorite Founding Father, Thomas Jefferson, liked to say that liberty was the firstborn of science.

It is vital that we work together, as I will with you, sir, as we move through conference, to continue to preserve the flexibility and independence of the National Science Foundation. We, in the committee report, are simply working to make sure NSF prioritizes their funding, but I will continue to work with you throughout this process as we move forward.

Mr. PRICE of North Carolina. I thank the gentleman. This is critically important. I appreciate the chance to work on this, as the legislation moves forward.

Mr. CULBERSON. I yield back the balance of my time.

The Acting CHAIR. The Clerk will read.

The Clerk read as follows:

STATE AND LOCAL LAW ENFORCEMENT ACTIVITIES

OFFICE ON VIOLENCE AGAINST WOMEN

VIOLENCE AGAINST WOMEN PREVENTION AND PROSECUTION PROGRAMS

For grants, contracts, cooperative agreements, and other assistance for the prevention and prosecution of violence against women, as authorized by the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3711 et seq.) (''the 1968 Act''); the Violent Crime Control and Law Enforcement Act of 1994 (Public Law 103–322) (''the 1994 Act''); the Victims of Child Abuse Act of 1990 (Public Law 101–647) (''the 1990 Act''); the Prosecutorial Remedies and Other Tools to end the Exploitation of Children Today Act of 2003 (Public Law 108–21); the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5601 et seq.) (''the 1974 Act''); the Victims of Trafficking and Violence Protection Act of 2000 (Public Law 106–386) (''the 2000 Act''); the Violence Against Women and Department of Justice Reauthorization Act of 2005 (Public Law 109–162) (''the 2005 Act''); and the Violence Against Women Reauthorization Act of 2013 (Public Law 113–4) (''the 2013 Act''); and for related victims services, $479,000,000, to remain available until expended: *Provided*, That of the amount provided—

(1) $196,000,000 is for grants to combat violence against women, as authorized by part T of the 1968 Act;

(2) $28,000,000 is for transitional housing assistance grants for victims of domestic violence, dating violence, stalking, or sexual assault as authorized by section 40299 of the 1994 Act;

(3) $8,000,000 is for the National Institute of Justice for research and evaluation of violence against women and related issues addressed by grant programs of the Office on Violence Against Women, which shall be transferred to and administered by the Office of Justice Programs;

(4) $11,000,000 is for a grant program to provide services to advocate for and respond to youth victims of domestic violence, dating violence, sexual assault, and stalking; assistance to children and youth exposed to such violence; programs to engage men and youth in preventing such violence; and assistance to middle and high school students through education and other services related to such violence: *Provided*, That unobligated balances available for the programs authorized by sections 41201, 41204, 41303 and 41305 of the 1994 Act, prior to its amendment by the 2013 Act, shall be available for this program: *Provided further*, That 10 percent of the total amount available for this grant program shall be available for grants under the program authorized by section 2015 of the 1968 Act: *Provided further*, That the definitions and grant conditions in section 40002 of the 1994 Act shall apply to this program;

(5) $51,000,000 is for grants to encourage arrest policies as authorized by part U of the 1968 Act, of which $4,000,000 is for a homicide reduction initiative;

(6) $35,000,000 is for sexual assault victims assistance, as authorized by section 41601 of the 1994 Act;

(7) $33,000,000 is for rural domestic violence and child abuse enforcement assistance grants, including as authorized by section 40295 of the 1994 Act;

(8) $16,000,000 is for grants to reduce violent crimes against women on campus, as authorized by section 304 of the 2005 Act;

(9) $42,500,000 is for legal assistance for victims, as authorized by section 1201 of the 2000 Act;

(10) $4,500,000 is for enhanced training and services to end violence against and abuse of women in later life, as authorized by section 40802 of the 1994 Act;

(11) $16,000,000 is for grants to support families in the justice system, as authorized by section 1301 of the 2000 Act: *Provided*, That unobligated balances available for the programs authorized by section 1301 of the 2000 Act and section 41002 of the 1994 Act, prior to their amendment by the 2013 Act, shall be available for this program;

(12) $6,000,000 is for education and training to end violence against and abuse of women with disabilities, as authorized by section 1402 of the 2000 Act;

(13) $500,000 is for the National Resource Center on Workplace Responses to assist victims of domestic violence, as authorized by section 41501 of the 1994 Act;

(14) $1,000,000 is for analysis and research on violence against Indian women, including as authorized by section 904 of the 2005 Act: *Provided*, That such funds may be transferred to and administered by the Office of Justice Programs;

(15) $500,000 is for a national clearinghouse that provides training and technical assistance on issues relating to sexual assault of American Indian and Alaska Native women;

(16) $25,000,000 for victim services programs for victims of trafficking, as authorized by section 107(b)(2) of Public Law 106–386, for programs authorized under Public Law 109–164, or programs authorized under Public Law 113–4; and

(17) $5,000,000 for the purposes authorized under the Rape Survivor Child Custody Act.

OFFICE OF JUSTICE PROGRAMS

STATE AND LOCAL LAW ENFORCEMENT ASSISTANCE

For grants, contracts, cooperative agreements, and other assistance authorized by the Violent Crime Control and Law Enforcement Act of 1994 (Public Law 103–322) (''the 1994 Act''); the Omnibus Crime Control and Safe Streets Act of 1968 (''the 1968 Act''); the Justice for All Act of 2004 (Public Law 108–405); the Victims of Child Abuse Act of 1990 (Public Law 101–647) (''the 1990 Act''); the Trafficking Victims Protection Reauthorization Act of 2005 (Public Law 109–164); the Violence Against Women and Department of Justice Reauthorization Act of 2005 (Public Law 109–162) (''the 2005 Act''); the Adam Walsh Child Protection and Safety Act of 2006 (Public Law 109–248) (''the Adam Walsh Act''); the Victims of Trafficking and Violence Protection Act of 2000 (Public Law 106–386); the NICS Improvement Amendments Act of 2007 (Public Law 110–180); subtitle D of title II of the Homeland Security Act of 2002 (Public Law 107–296) (''the 2002 Act''); the Second Chance Act of 2007 (Public Law 110–199); the Prioritizing Resources and Organization for Intellectual Property Act of 2008 (Public Law 110–403); the Victims of Crime Act of 1984 (Public Law 98–473); the Mentally Ill Offender Treatment and Crime Reduction Reauthorization and Improvement Act of 2008 (Public Law 110–416); the Violence Against Women Reauthorization Act of 2013 (Public Law 113–4) (''the 2013 Act''); and other programs, $1,015,400,000, to remain available until expended as follows—

(1) $409,000,000 for the Edward Byrne Memorial Justice Assistance Grant program as authorized by subpart 1 of part E of title I of the 1968 Act (except that section 1001(c), and the special rules for Puerto Rico under section 505(g) of title I of the 1968 Act shall not apply for purposes of this Act), of which, notwithstanding such subpart 1, $20,000,000 is for grants for law enforcement activities associated with the presidential nominating conventions, $15,000,000 is for an Officer Robert Wilson III memorial initiative on Preventing Violence Against Law Enforcement Officer Resilience and Survivability (VALOR), $4,000,000 is for use by the National Institute of Justice for research targeted toward developing a better understanding of the domestic radicalization phenomenon, and advancing evidence-based strategies for effective intervention and prevention, $22,500,000 is for the matching grant program for law enforcement armor vests, as authorized by section 2501 of title I of the 1968 Act, and $2,500,000 is for a program to improve juvenile indigent defense;

(2) $220,000,000 for the State Criminal Alien Assistance Program, as authorized by section 241(i)(5) of the Immigration and Nationality Act (8 U.S.C. 1231(i)(5)): *Provided*, That no jurisdiction shall request compensation for any cost greater than the actual cost for Federal immigration and other detainees housed in State and local detention facilities;

(3) $41,000,000 for Drug Courts, as authorized by section 1001(a)(25)(A) of title I of the 1968 Act;

(4) $7,000,000 for mental health courts and adult and juvenile collaboration program grants, as authorized by parts V and HH of title I of the 1968 Act, and the Mentally Ill Offender Treatment and Crime Reduction Reauthorization and Improvement Act of 2008 (Public Law 110–416);

(5) $2,000,000 for the Capital Litigation Improvement Grant Program, as authorized by section 426 of Public Law 108–405, and for grants for wrongful conviction review;

(6) $5,000,000 for economic, high technology and Internet crime prevention grants, including as authorized by section 401 of Public Law 110–403;

(7) $20,000,000 for sex offender management assistance, as authorized by the Adam Walsh Act, and related activities;

(8) $1,000,000 for the National Sex Offender Public Website;

(9) $73,000,000 for grants to States to upgrade criminal and mental health records for the National Instant Criminal Background Check System, including as authorized by the NICS Improvement Amendments Act of 2007 (Public Law 110–180);

(10) $125,000,000 for DNA-related and forensic programs and activities, of which—

(A) $117,000,000 is for a DNA analysis and capacity enhancement program and for other local, State, and Federal forensic activities, including the purposes authorized under section 2 of the DNA Analysis Backlog Elimination Act of 2000 (Public Law 106–546) (the Debbie Smith DNA Backlog Grant Program): *Provided*, That up to 4 percent of funds made available under this paragraph may be used for the purposes described in the DNA Training and Education for Law Enforcement, Correctional Personnel, and Court Officers program (Public Law 108–405, section 303);

(B) $4,000,000 is for the purposes described in the Kirk Bloodsworth Post-Conviction DNA Testing Program (Public Law 108–405, section 412); and

(C) $4,000,000 is for Sexual Assault Forensic Exam Program grants, including as authorized by section 304 of Public Law 108–405;

(11) $6,000,000 for the court-appointed special advocate program, as authorized by section 217 of the 1990 Act;

(12) $5,000,000 for a veterans treatment courts program;

(13) $11,000,000 for a program to monitor prescription drugs and scheduled listed chemical products;

(14) $13,000,000 for prison rape prevention and prosecution grants to States and units of local government, and other programs, as authorized by the Prison Rape Elimination Act of 2003 (Public Law 108–79);

(15) $75,000,000 is for the Comprehensive School Safety Initiative; and

(16) $2,400,000 for the operationalization, maintenance and expansion of the National Missing and Unidentified Persons System:

Provided, That, if a unit of local government uses any of the funds made available under this heading to increase the number of law enforcement officers, the unit of local government will achieve a net gain in the number of law enforcement officers who perform non-administrative public sector safety service.

JUVENILE JUSTICE PROGRAMS

For grants, contracts, cooperative agreements, and other assistance, the following amounts are made available until expended—

(1) $95,000,000 for youth mentoring grants;

(2) $19,000,000 for programs authorized by the Victims of Child Abuse Act of 1990;

(3) $68,000,000 for missing and exploited children programs, including as authorized by sections 404(b) and 405(a) of the 1974 Act (except that section 102(b)(4)(B) of the PROTECT Our Children Act of 2008 (Public Law 110–401) shall not apply for purposes of this Act); and

(4) $1,500,000 for child abuse training programs for judicial personnel and practitioners, as authorized by section 222 of the Victims of Child Abuse Act of 1990.

PUBLIC SAFETY OFFICER BENEFITS

(INCLUDING TRANSFER OF FUNDS)

For payments and expenses authorized under section 1001(a)(4) of title I of the Omnibus Crime Control and Safe Streets Act of 1968, such sums as are necessary (including amounts for administrative costs), to remain available until expended; and $16,300,000 for payments authorized by section 1201(b) of such Act and for educational assistance authorized by section 1218 of such Act, to remain available until expended: *Provided*, That notwithstanding section 205 of this Act, upon a determination by the Attorney General that emergent circumstances require additional funding for such disability and education payments, the Attorney General may transfer such amounts to ''Public Safety Officer Benefits'' from available appropriations for the Department of Justice as may be necessary to respond to such circumstances: *Provided further*, That any transfer pursuant to the preceding proviso shall be treated as a reprogramming under section 505 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section.

COMMUNITY ORIENTED POLICING SERVICES

COMMUNITY ORIENTED POLICING SERVICES PROGRAMS

(INCLUDING TRANSFER OF FUNDS)

For grants, contracts, cooperative agreements, and other assistance, the following amounts are made available until expended: *Provided*, That any balances made available through prior year deobligations shall only be available in accordance with section 505 of this Act—

(1) $11,000,000 for anti-methamphetamine-related activities, which shall be transferred to the Drug Enforcement Administration upon enactment of this Act;

(2) $30,000,000 for assistance to Indian tribes;

(3) $52,500,000 for initiatives to improve police-community relations, as described in the report accompanying this Act;

(4) $41,000,000 for a grant program for community-based sexual assault response reform;

(5) $68,000,000 for offender reentry programs and research, as authorized by the Second Chance Act of 2007 (Public Law 110–199), without regard to the time limitations specified at section 6(1) of such Act; and

(6) $35,000,000 is for regional information sharing activities, as authorized by part M of title I of the Omnibus Crime Control and Safe Streets Act of 1968.

GENERAL PROVISIONS—DEPARTMENT OF JUSTICE

(INCLUDING TRANSFER OF FUNDS)

SEC. 201. In addition to amounts otherwise made available in this title for official reception and representation expenses, a total of not to exceed $50,000 from funds appropriated to the Department of Justice in this title shall be available to the Attorney General for official reception and representation expenses.

SEC. 202. None of the funds appropriated by this title shall be available to pay for an abortion, except where the life of the mother would be endangered if the fetus were carried to term, or in the case of rape or incest: *Provided*, That should this prohibition be declared unconstitutional by a court of competent jurisdiction, this section shall be null and void.

SEC. 203. None of the funds appropriated under this title shall be used to require any

person to perform, or facilitate in any way the performance of, any abortion.

SEC. 204. Nothing in the preceding section shall remove the obligation of the Director of the Bureau of Prisons to provide escort services necessary for a female inmate to receive such service outside the Federal facility: *Provided*, That nothing in this section in any way diminishes the effect of section 203 intended to address the philosophical beliefs of individual employees of the Bureau of Prisons.

SEC. 205. Not to exceed 5 percent of any appropriation made available for the current fiscal year for the Department of Justice in this Act may be transferred between such appropriations, but no such appropriation, except as otherwise specifically provided, shall be increased by more than 10 percent by any such transfers: *Provided*, That any transfer pursuant to this section shall be treated as a reprogramming of funds under section 505 of this Act and shall not be available for obligation except in compliance with the procedures set forth in that section.

SEC. 206. The Attorney General is authorized to extend through September 30, 2016, the Personnel Management Demonstration Project transferred to the Attorney General pursuant to section 1115 of the Homeland Security Act of 2002 (Public Law 107–296; 28 U.S.C. 599B) without limitation on the number of employees or the positions covered.

SEC. 207. None of the funds made available under this title may be used by the Federal Bureau of Prisons or the United States Marshals Service for the purpose of transporting an individual who is a prisoner pursuant to conviction for crime under State or Federal law and is classified as a maximum or high security prisoner, other than to a prison or other facility certified by the Federal Bureau of Prisons as appropriately secure for housing such a prisoner.

SEC. 208. (a) None of the funds appropriated by this Act may be used by Federal prisons to purchase cable television services, or to rent or purchase audiovisual or electronic media or equipment used primarily for recreational purposes.

(b) Subsection (a) does not preclude the rental, maintenance, or purchase of audiovisual or electronic media or equipment for inmate training, religious, or educational programs.

SEC. 209. None of the funds made available under this title shall be obligated or expended for any new or enhanced information technology program having total estimated development costs in excess of $100,000,000, unless the Deputy Attorney General and the investment review board certify to the Committees on Appropriations of the House of Representatives and the Senate that the information technology program has appropriate program management controls and contractor oversight mechanisms in place, and that the program is compatible with the enterprise architecture of the Department of Justice.

SEC. 210. The notification thresholds and procedures set forth in section 505 of this Act shall apply to deviations from the amounts designated for specific activities in this Act and in the report accompanying this Act, and to any use of deobligated balances of funds provided under this title in previous years.

SEC. 211. None of the funds appropriated by this Act may be used to plan for, begin, continue, finish, process, or approve a public-private competition under the Office of Management and Budget Circular A–76 or any successor administrative regulation, directive, or policy for work performed by employees of Federal Prison Industries, Incorporated.

SEC. 212. Notwithstanding any other provision of law, no funds shall be available for the salary, benefits, or expenses of any United States Attorney assigned dual or additional responsibilities by the Attorney General or his designee that exempt that United States Attorney from the residency requirements of section 545 of title 28, United States Code.

SEC. 213. At the discretion of the Attorney General, and in addition to any amounts that otherwise may be available (or authorized to be made available) by law, with respect to funds appropriated by this title under the headings ''Violence Against Women Prevention and Prosecution Programs'', ''State and Local Law Enforcement Assistance'', ''Juvenile Justice Programs'', and ''Community Oriented Policing Services Programs''—

(1) up to 3 percent of funds made available to the Office of Justice Programs for grant or reimbursement programs may be used by such Office to provide training and technical assistance; and

(2) funds made available for grant or reimbursement programs under such headings, except for amounts appropriated specifically for research, evaluation, or statistical programs administered by the National Institute of Justice and the Bureau of Justice Statistics, may be transferred to and merged with funds provided to the National Institute of Justice and the Bureau of Justice Statistics, to be used by them for research, evaluation, or statistical purposes, without regard to the authorizations for such grant or reimbursement programs: *Provided*, That the transfer authority in this paragraph is in addition to any other transfer authority contained in this Act: *Provided further*, That any transfer pursuant to this subsection shall be subject to the notification procedures applicable to a reprogramming of funds under section 505 of this Act.

SEC. 214. Notwithstanding any other provision of law, section 20109(a) of subtitle A of title II of the Violent Crime Control and Law Enforcement Act of 1994 (42 U.S.C. 13709(a)) shall not apply to amounts made available by this or any other Act.

SEC. 215. None of the funds made available under this or any other Act, for fiscal year 2016 and each fiscal year thereafter, other than for the national instant criminal background check system established under section 103 of the Brady Handgun Violence Prevention Act (18 U.S.C. 922 note), may be used by a Federal law enforcement officer to facilitate the transfer of an operable firearm to an individual if the Federal law enforcement officer knows or suspects that the individual is an agent of a drug cartel, unless law enforcement personnel of the United States continuously monitor or control the firearm at all times.

SEC. 216. (a) None of the income retained in the Department of Justice Working Capital Fund pursuant to title I of Public Law 102–140 (105 Stat. 784; 28 U.S.C. 527 note) shall be available for obligation during fiscal year 2016, except up to $40,000,000 may be obligated for implementation of a unified Department of Justice financial management system.

(b) Not to exceed $30,000,000 of the unobligated balances transferred to the capital account of the Department of Justice Working Capital Fund pursuant to title I of Public Law 102–140 (105 Stat. 784; 28 U.S.C. 527 note) shall be available for obligation in fiscal year 2016, and any use, obligation, transfer or allocation of such funds shall be treated as a reprogramming of funds under section 505 of this Act.

(c) Any use, obligation, transfer or allocation of excess unobligated balances available under section 524(c)(8)(E) of title 28, United States Code, shall be treated as a reprogramming of funds under section 505 of this Act.

(d) Of amounts available in the Assets Forfeiture Fund in fiscal year 2016, $154,700,000 shall be for payments associated with joint law enforcement operations as authorized by section 524(c)(1)(I) of title 28, United States Code, and $20,514,000 shall be for payments associated with subparagraphs (B), (F), and (G) of section 524(c)(1) of title 28, United States Code.

(e) The Attorney General shall submit a spending plan to the Committees on Appropriations of the House of Representatives and the Senate not later than 30 days after the date of enactment of this Act detailing the planned distribution of Assets Forfeiture Fund joint law enforcement operations funding during fiscal year 2016.

SEC. 217. (a) Of the funds appropriated by this Act under each of the headings ''General Administration—Salaries and Expenses'', ''United States Marshals Service—Salaries and Expenses'', ''Federal Bureau of Investigation—Salaries and Expenses'', ''Drug Enforcement Administration—Salaries and Expenses'', and ''Bureau of Alcohol, Tobacco, Firearms and Explosives—Salaries and Expenses'', $20,000,000 shall not be available for obligation until the Attorney General demonstrates to the Committees on Appropriations of the House of Representatives and the Senate that all recommendations included in the Office of Inspector General of the Department of Justice, Evaluation and Inspections Division Report 15-04 entitled ''The Handling of Sexual Harassment and Misconduct Allegations by the Department's Law Enforcement Components'', dated March, 2015, have been implemented or are in the process of being implemented.

(b) The Inspector General of the Department of Justice shall report to the Committees on Appropriations of the House of Representatives and the Senate not later than 90 days after the date of enactment of this Act on the status of the Department's implementation of recommendations included in the report specified in subsection (a).

This title may be cited as the ''Department of Justice Appropriations Act, 2016''.

TITLE III

SCIENCE

OFFICE OF SCIENCE AND TECHNOLOGY POLICY

For necessary expenses of the Office of Science and Technology Policy, in carrying out the purposes of the National Science and Technology Policy, Organization, and Priorities Act of 1976 (42 U.S.C. 6601 et seq.), hire of passenger motor vehicles, and services as authorized by section 3109 of title 5, United States Code, not to exceed $2,250 for official reception and representation expenses, and rental of conference rooms in the District of Columbia, $5,555,000.

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

SCIENCE

For necessary expenses, not otherwise provided for, in the conduct and support of science research and development activities, including research, development, operations, support, and services; maintenance and repair, facility planning and design; space flight, spacecraft control, and communications activities; program management; personnel and related costs, including uniforms

or allowances therefor, as authorized by sections 5901 and 5902 of title 5, United States Code; travel expenses; purchase and hire of passenger motor vehicles; and purchase, lease, charter, maintenance, and operation of mission and administrative aircraft, $5,237,500,000, to remain available until September 30, 2017: *Provided,*That the formulation and development costs (with development cost as defined under section 30104 of title 51, United States Code) for the James Webb Space Telescope shall not exceed $8,000,000,000: *Provided further*, That should the individual identified under subsection (c)(2)(E) of section 30104 of title 51, United States Code, as responsible for the James Webb Space Telescope determine that the development cost of the program is likely to exceed that limitation, the individual shall immediately notify the Administrator and the increase shall be treated as if it meets the 30 percent threshold described in subsection (f) of section 30104: *Provided further*, That, $140,000,000 shall be for a Jupiter Europa mission to assure progress on a mission which meets the Planetary Science decadal objectives, consisting of an orbiter and studies of both a surface element as well as sample analysis of plumes emanating from the surface: *Provided further*, That NASA shall use the Space Launch System as the launch vehicle for a Jupiter Europa mission, plan for a launch no later than 2022, and include in the fiscal year 2017 budget the five year funding profile necessary to achieve those goals.

AERONAUTICS

For necessary expenses, not otherwise provided for, in the conduct and support of aeronautics research and development activities, including research, development, operations, support, and services; maintenance and repair, facility planning and design; space flight, spacecraft control, and communications activities; program management; personnel and related costs, including uniforms or allowances therefor, as authorized by sections 5901 and 5902 of title 5, United States Code; travel expenses; purchase and hire of passenger motor vehicles; and purchase, lease, charter, maintenance, and operation of mission and administrative aircraft, $600,000,000, to remain available until September 30, 2017.

SPACE TECHNOLOGY

For necessary expenses, not otherwise provided for, in the conduct and support of space technology research and development activities, including research, development, operations, support, and services; maintenance and repair, facility planning and design; space flight, spacecraft control, and communications activities; program management; personnel and related costs, including uniforms or allowances therefor, as authorized by sections 5901 and 5902 of title 5, United States Code; travel expenses; purchase and hire of passenger motor vehicles; and purchase, lease, charter, maintenance, and operation of mission and administrative aircraft, $625,000,000, to remain available until September 30, 2017, of which $25,000,000 shall be for icy satellites surface technology and test beds.

EXPLORATION

For necessary expenses, not otherwise provided for, in the conduct and support of exploration research and development activities, including research, development, operations, support, and services; maintenance and repair, facility planning and design; space flight, spacecraft control, and communications activities; program management; personnel and related costs, including uniforms or allowances therefor, as authorized by sections 5901 and 5902 of title 5, United States Code; travel expenses; purchase and hire of passenger motor vehicles; and purchase, lease, charter, maintenance, and operation of mission and administrative aircraft, $4,759,300,000, to remain available until September 30, 2017: *Provided*, That not less than $1,096,300,000 shall be for the Orion Multi-Purpose Crew Vehicle: *Provided further*, That not less than $2,313,000,000 shall be for the Space Launch System, including no less than $1,850,000,000 for launch vehicle development, which shall have a lift capability not less than 130 metric tons and which shall have core elements and an enhanced upper stage developed simultaneously: *Provided further*, That of the amounts provided for launch vehicle development, no less than $50,000,000 shall be for enhanced upper stage development: *Provided further*, That of the funds made available for the Space Launch System, $410,000,000 shall be for exploration ground systems and $53,000,000 shall be for program integration: *Provided further*, That $1,000,000,000 shall be for commercial spaceflight activities: *Provided further*, That $350,000,000 shall be for exploration research and development.

SPACE OPERATIONS

For necessary expenses, not otherwise provided for, in the conduct and support of space operations research and development activities, including research, development, operations, support and services; space flight, spacecraft control and communications activities, including operations, production, and services; maintenance and repair, facility planning and design; program management; personnel and related costs, including uniforms or allowances therefor, as authorized by sections 5901 and 5902 of title 5, United States Code; travel expenses; purchase and hire of passenger motor vehicles; and purchase, lease, charter, maintenance and operation of mission and administrative aircraft, $3,957,300,000, to remain available until September 30, 2017.

EDUCATION

For necessary expenses, not otherwise provided for, in the conduct and support of aerospace and aeronautical education research and development activities, including research, development, operations, support, and services; program management; personnel and related costs, including uniforms or allowances therefor, as authorized by sections 5901 and 5902 of title 5, United States Code; travel expenses; purchase and hire of passenger motor vehicles; and purchase, lease, charter, maintenance, and operation of mission and administrative aircraft, $119,000,000, to remain available until September 30, 2017, of which $18,000,000 shall be for the Experimental Program to Stimulate Competitive Research and $40,000,000 shall be for the National Space Grant College program.

SAFETY, SECURITY AND MISSION SERVICES

For necessary expenses, not otherwise provided for, in the conduct and support of science, aeronautics, space technology, exploration, space operations and education research and development activities, including research, development, operations, support, and services; maintenance and repair, facility planning and design; space flight, spacecraft control, and communications activities; program management; personnel and related costs, including uniforms or allowances therefor, as authorized by sections 5901 and 5902 of title 5, United States Code; travel expenses; purchase and hire of passenger motor vehicles; not to exceed $63,000 for official reception and representation expenses; and purchase, lease, charter, maintenance, and operation of mission and administrative aircraft, $2,768,600,000, to remain available until September 30, 2017.

CONSTRUCTION AND ENVIRONMENTAL COMPLIANCE AND RESTORATION

For necessary expenses for construction of facilities including repair, rehabilitation, revitalization, and modification of facilities, construction of new facilities and additions to existing facilities, facility planning and design, and restoration, and acquisition or condemnation of real property, as authorized by law, and environmental compliance and restoration, $425,000,000, to remain available until September 30, 2021: *Provided*, That proceeds from leases deposited into this account shall be available for a period of 5 years to the extent and in amounts as provided in annual appropriations Acts: *Provided further*, That notwithstanding section 20145(b)(2)(A) of title 51, United States Code, such proceeds referred to in the preceding proviso shall be available for obligation for fiscal year 2016 in an amount not to exceed $9,470,300: *Provided further*, That each annual budget request shall include an annual estimate of gross receipts and collections and proposed use of all funds collected pursuant to section 20145 of title 51, United States Code.

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General in carrying out the Inspector General Act of 1978, $37,400,000, of which $500,000 shall remain available until September 30, 2017.

ADMINISTRATIVE PROVISIONS

(INCLUDING TRANSFERS OF FUNDS)

Funds for any announced prize otherwise authorized shall remain available, without fiscal year limitation, until the prize is claimed or the offer is withdrawn.

Not to exceed 5 percent of any appropriation made available for the current fiscal year for the National Aeronautics and Space Administration in this Act may be transferred between such appropriations, but no such appropriation, except as otherwise specifically provided, shall be increased by more than 10 percent by any such transfers. Balances so transferred shall be merged with and available for the same purposes and the same time period as the appropriations to which transferred. Any transfer pursuant to this provision shall be treated as a reprogramming of funds under section 505 of this Act and shall not be available for obligation except in compliance with the procedures set forth in that section.

The spending plan required by this Act shall be provided by NASA at the theme, program, project and activity level. The spending plan, as well as any subsequent change of an amount established in that spending plan that meets the notification requirements of section 505 of this Act, shall be treated as a reprogramming under section 505 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section.

The unexpired balances of a previous account, for activities for which funds are provided in this Act, may be transferred to the new account established in this Act that provides for such activities. Balances so transferred shall be merged with the funds in the newly established account, but shall be available under the same terms, conditions and period of time as previously appropriated.

NATIONAL SCIENCE FOUNDATION

RESEARCH AND RELATED ACTIVITIES

For necessary expenses in carrying out the National Science Foundation Act of 1950 (42 U.S.C. 1861 et seq.), and Public Law 86–209 (42 U.S.C. 1880 et seq.); services as authorized by section 3109 of title 5, United States Code; maintenance and operation of aircraft and purchase of flight services for research support; acquisition of aircraft; and authorized travel; $5,983,645,000, to remain available until September 30, 2017, of which not to exceed $520,000,000 shall remain available until expended for polar research and operations support, and for reimbursement to other Federal agencies for operational and science support and logistical and other related activities for the United States Antarctic program: *Provided*, That receipts for scientific support services and materials furnished by the National Research Centers and other National Science Foundation supported research facilities may be credited to this appropriation.

MAJOR RESEARCH EQUIPMENT AND FACILITIES CONSTRUCTION

For necessary expenses for the acquisition, construction, commissioning, and upgrading of major research equipment, facilities, and other such capital assets pursuant to the National Science Foundation Act of 1950 (42 U.S.C. 1861 et seq.), including authorized travel, $200,030,000, to remain available until expended.

EDUCATION AND HUMAN RESOURCES

For necessary expenses in carrying out science, mathematics and engineering education and human resources programs and activities pursuant to the National Science Foundation Act of 1950 (42 U.S.C. 1861 et seq.), including services as authorized by section 3109 of title 5, United States Code, authorized travel, and rental of conference rooms in the District of Columbia, $866,000,000, to remain available until September 30, 2017.

AGENCY OPERATIONS AND AWARD MANAGEMENT

For agency operations and award management necessary in carrying out the National Science Foundation Act of 1950 (42 U.S.C. 1861 et seq.); services authorized by section 3109 of title 5, United States Code; hire of passenger motor vehicles; uniforms or allowances therefor, as authorized by sections 5901 and 5902 of title 5, United States Code; rental of conference rooms in the District of Columbia; and reimbursement of the Department of Homeland Security for security guard services; $325,000,000: *Provided*, That not to exceed $8,280 is for official reception and representation expenses: *Provided further*, That contracts may be entered into under this heading in fiscal year 2016 for maintenance and operation of facilities and for other services to be provided during the next fiscal year: *Provided further*, That of the amount provided for costs associated with the acquisition, occupancy, and related costs of new headquarters space, not more than $27,370,000 shall remain available until expended.

OFFICE OF THE NATIONAL SCIENCE BOARD

For necessary expenses (including payment of salaries, authorized travel, hire of passenger motor vehicles, the rental of conference rooms in the District of Columbia, and the employment of experts and consultants under section 3109 of title 5, United States Code) involved in carrying out section 4 of the National Science Foundation Act of 1950 (42 U.S.C. 1863) and Public Law 86–209 (42 U.S.C. 1880 et seq.), $4,370,000: *Provided*, That not to exceed $2,500 shall be available for official reception and representation expenses.

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General as authorized by the Inspector General Act of 1978, $15,160,000, of which $400,000 shall remain available until September 30, 2017.

ADMINISTRATIVE PROVISION

Not to exceed 5 percent of any appropriation made available for the current fiscal year for the National Science Foundation in this Act may be transferred between such appropriations, but no such appropriation shall be increased by more than 10 percent by any such transfers. Any transfer pursuant to this section shall be treated as a reprogramming of funds under section 505 of this Act and shall not be available for obligation except in compliance with the procedures set forth in that section.

This title may be cited as the ''Science Appropriations Act, 2016''.

TITLE IV

RELATED AGENCIES

COMMISSION ON CIVIL RIGHTS

SALARIES AND EXPENSES

For necessary expenses of the Commission on Civil Rights, including hire of passenger motor vehicles, $9,200,000: *Provided*, That none of the funds appropriated in this paragraph shall be used to employ in excess of four full-time individuals under Schedule C of the Excepted Service exclusive of one special assistant for each Commissioner: *Provided further*, That none of the funds appropriated in this paragraph shall be used to reimburse Commissioners for more than 75 billable days, with the exception of the chairperson, who is permitted 125 billable days: *Provided further*, That none of the funds appropriated in this paragraph shall be used for any activity or expense that is not explicitly authorized by section 3 of the Civil Rights Commission Act of 1983 (42 U.S.C. 1975a).

EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the Equal Employment Opportunity Commission as authorized by title VII of the Civil Rights Act of 1964, the Age Discrimination in Employment Act of 1967, the Equal Pay Act of 1963, the Americans with Disabilities Act of 1990, section 501 of the Rehabilitation Act of 1973, the Civil Rights Act of 1991, the Genetic Information Non-Discrimination Act (GINA) of 2008 (Public Law 110–233), the ADA Amendments Act of 2008 (Public Law 110–325), and the Lilly Ledbetter Fair Pay Act of 2009 (Public Law 111–2), including services as authorized by section 3109 of title 5, United States Code; hire of passenger motor vehicles as authorized by section 1343(b) of title 31, United States Code; nonmonetary awards to private citizens; and up to $29,500,000 for payments to State and local enforcement agencies for authorized services to the Commission, $364,500,000: *Provided*, That the Commission is authorized to make available for official reception and representation expenses not to exceed $2,250 from available funds: *Provided further*, That the Chair is authorized to accept and use any gift or donation to carry out the work of the Commission.

INTERNATIONAL TRADE COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the International Trade Commission, including hire of passenger motor vehicles and services as authorized by section 3109 of title 5, United States Code, and not to exceed $2,250 for official reception and representation expenses, $84,500,000, to remain available until expended.

LEGAL SERVICES CORPORATION

PAYMENT TO THE LEGAL SERVICES CORPORATION

For payment to the Legal Services Corporation to carry out the purposes of the Legal Services Corporation Act of 1974, $300,000,000, of which $266,900,000 is for basic field programs and required independent audits; $5,100,000 is for the Office of Inspector General, of which such amounts as may be necessary may be used to conduct additional audits of recipients; $19,000,000 is for management and grants oversight; $4,000,000 is for client self-help and information technology; $4,000,000 is for a Pro Bono Innovation Fund; and $1,000,000 is for loan repayment assistance: *Provided*, That the Legal Services Corporation may continue to provide locality pay to officers and employees at a rate no greater than that provided by the Federal Government to Washington, DC-based employees as authorized by section 5304 of title 5, United States Code, notwithstanding section 1005(d) of the Legal Services Corporation Act (42 U.S.C. 2996(d)): *Provided further*, That the authorities provided in section 205 of this Act shall be applicable to the Legal Services Corporation: *Provided further*, That, for the purposes of section 505 of this Act, the Legal Services Corporation shall be considered an agency of the United States Government.

ADMINISTRATIVE PROVISION—LEGAL SERVICES CORPORATION

None of the funds appropriated in this Act to the Legal Services Corporation shall be expended for any purpose prohibited or limited by, or contrary to any of the provisions of, sections 501, 502, 503, 504, 505, and 506 of Public Law 105–119, and all funds appropriated in this Act to the Legal Services Corporation shall be subject to the same terms and conditions set forth in such sections, except that all references in sections 502 and 503 to 1997 and 1998 shall be deemed to refer instead to 2015 and 2016, respectively.

MARINE MAMMAL COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the Marine Mammal Commission as authorized by title II of the Marine Mammal Protection Act of 1972 (16 U.S.C. 1361 et seq.), $3,340,000.

OFFICE OF THE UNITED STATES TRADE REPRESENTATIVE

SALARIES AND EXPENSES

For necessary expenses of the Office of the United States Trade Representative, including the hire of passenger motor vehicles and the employment of experts and consultants as authorized by section 3109 of title 5, United States Code, $54,250,000, of which $1,000,000 shall remain available until expended: *Provided*, That not to exceed $124,000 shall be available for official reception and representation expenses.

STATE JUSTICE INSTITUTE

SALARIES AND EXPENSES

For necessary expenses of the State Justice Institute, as authorized by the State Justice Institute Authorization Act of 1984 (42 U.S.C. 10701 et seq.) $5,121,000, of which $500,000 shall remain available until September 30, 2017: *Provided*, That not to exceed $2,250 shall be available for official reception and representation expenses: *Provided further*, That, for the purposes of section 505 of

this Act, the State Justice Institute shall be considered an agency of the United States Government.

TITLE V

GENERAL PROVISIONS

(INCLUDING RESCISSIONS)

(INCLUDING TRANSFER OF FUNDS)

SEC. 501. No part of any appropriation contained in this Act shall be used for publicity or propaganda purposes not authorized by the Congress.

SEC. 502. No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year unless expressly so provided herein.

SEC. 503. The expenditure of any appropriation under this Act for any consulting service through procurement contract, pursuant to section 3109 of title 5, United States Code, shall be limited to those contracts where such expenditures are a matter of public record and available for public inspection, except where otherwise provided under existing law, or under existing Executive order issued pursuant to existing law.

SEC. 504. If any provision of this Act or the application of such provision to any person or circumstances shall be held invalid, the remainder of the Act and the application of each provision to persons or circumstances other than those as to which it is held invalid shall not be affected thereby.

SEC. 505. None of the funds provided under this Act, or provided under previous appropriations Acts to the agencies funded by this Act that remain available for obligation or expenditure in fiscal year 2016, or provided from any accounts in the Treasury of the United States derived by the collection of fees available to the agencies funded by this Act, shall be available for obligation or expenditure through a reprogramming of funds that: (1) creates or initiates a new program, project or activity; (2) eliminates a program, project or activity; (3) increases funds or personnel by any means for any project or activity for which funds have been denied or restricted; (4) relocates an office or employees; (5) reorganizes or renames offices, programs or activities; (6) contracts out or privatizes any functions or activities presently performed by Federal employees; (7) augments existing programs, projects or activities in excess of $500,000 or 10 percent, whichever is less, or reduces by 10 percent funding for any program, project or activity, or numbers of personnel by 10 percent; or (8) results from any general savings, including savings from a reduction in personnel, which would result in a change in existing programs, projects or activities as approved by Congress; unless the House and Senate Committees on Appropriations are notified 15 days in advance of such reprogramming of funds by agencies (excluding agencies of the Department of Justice) funded by this Act and 45 days in advance of such reprogramming of funds by agencies of the Department of Justice funded by this Act.

SEC. 506. (a) If it has been finally determined by a court or Federal agency that any person intentionally affixed a label bearing a ''Made in America'' inscription, or any inscription with the same meaning, to any product sold in or shipped to the United States that is not made in the United States, the person shall be ineligible to receive any contract or subcontract made with funds made available in this Act, pursuant to the debarment, suspension, and ineligibility procedures described in sections 9.400 through 9.409 of title 48, Code of Federal Regulations.

(b)(1) To the extent practicable, with respect to authorized purchases of promotional items, funds made available by this Act shall be used to purchase items that are manufactured, produced, or assembled in the United States, its territories or possessions.

(2) The term ''promotional items'' has the meaning given the term in OMB Circular A–87, Attachment B, Item (1)(f)(3).

SEC. 507. (a) The Departments of Commerce and Justice, the National Science Foundation, and the National Aeronautics and Space Administration shall provide to the Committees on Appropriations of the House of Representatives and the Senate a quarterly report on the status of balances of appropriations at the account level. For unobligated, uncommitted balances and unobligated, committed balances the quarterly reports shall separately identify the amounts attributable to each source year of appropriation from which the balances were derived. For balances that are obligated, but unexpended, the quarterly reports shall separately identify amounts by the year of obligation.

(b) The report described in subsection (a) shall be submitted within 30 days of the end of each quarter.

(c) If a department or agency is unable to fulfill any aspect of a reporting requirement described in subsection (a) due to a limitation of a current accounting system, the department or agency shall fulfill such aspect to the maximum extent practicable under such accounting system and shall identify and describe in each quarterly report the extent to which such aspect is not fulfilled.

SEC. 508. Any costs incurred by a department or agency funded under this Act resulting from, or to prevent, personnel actions taken in response to funding reductions included in this Act shall be absorbed within the total budgetary resources available to such department or agency: *Provided*, That the authority to transfer funds between appropriations accounts as may be necessary to carry out this section is provided in addition to authorities included elsewhere in this Act: *Provided further*, That use of funds to carry out this section shall be treated as a reprogramming of funds under section 505 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section: *Provided further*, That for the Department of Commerce, this section shall also apply to actions taken for the care and protection of loan collateral or grant property.

SEC. 509. None of the funds provided by this Act shall be available to promote the sale or export of tobacco or tobacco products, or to seek the reduction or removal by any foreign country of restrictions on the marketing of tobacco or tobacco products, except for restrictions which are not applied equally to all tobacco or tobacco products of the same type.

SEC. 510. None of the funds made available in this Act may be used to pay the salaries and expenses of personnel of the Department of Justice to obligate more than $2,705,164,000 during fiscal year 2016 from the fund established by section 1402 of Public Law 98–473 (42 U.S.C. 10601).

SEC. 511. None of the funds made available to the Department of Justice in this Act may be used to discriminate against or denigrate the religious or moral beliefs of students who participate in programs for which financial assistance is provided from those funds, or of the parents or legal guardians of such students.

SEC. 512. None of the funds made available in this Act may be transferred to any department, agency, or instrumentality of the United States Government, except pursuant to a transfer made by, or transfer authority provided in, this Act or any other appropriations Act.

SEC. 513. Any funds provided in this Act used to implement E-Government Initiatives shall be subject to the procedures set forth in section 505 of this Act.

SEC. 514. (a) The Inspectors General of the Department of Commerce, the Department of Justice, the National Aeronautics and Space Administration, the National Science Foundation, and the Legal Services Corporation shall conduct audits, pursuant to the Inspector General Act (5 U.S.C. App.), of grants or contracts for which funds are appropriated by this Act, and shall submit reports to Congress on the progress of such audits, which may include preliminary findings and a description of areas of particular interest, within 180 days after initiating such an audit and every 180 days thereafter until any such audit is completed.

(b) Within 60 days after the date on which an audit described in subsection (a) by an Inspector General is completed, the Secretary, Attorney General, Administrator, Director, or President, as appropriate, shall make the results of the audit available to the public on the Internet website maintained by the Department, Administration, Foundation, or Corporation, respectively. The results shall be made available in redacted form to exclude—

(1) any matter described in section 552(b) of title 5, United States Code; and

(2) sensitive personal information for any individual, the public access to which could be used to commit identity theft or for other inappropriate or unlawful purposes.

(c) Any person awarded a grant or contract funded by amounts appropriated by this Act shall submit a statement to the Secretary of Commerce, the Attorney General, the Administrator, Director, or President, as appropriate, certifying that no funds derived from the grant or contract will be made available through a subcontract or in any other manner to another person who has a financial interest in the person awarded the grant or contract.

(d) The provisions of the preceding subsections of this section shall take effect 30 days after the date on which the Director of the Office of Management and Budget, in consultation with the Director of the Office of Government Ethics, determines that a uniform set of rules and requirements, substantially similar to the requirements in such subsections, consistently apply under the executive branch ethics program to all Federal departments, agencies, and entities.

SEC. 515. (a) None of the funds appropriated or otherwise made available under this Act may be used by the Departments of Commerce and Justice, the National Aeronautics and Space Administration, or the National Science Foundation to acquire or renew a high-impact or moderate-impact information system, as defined for security categorization in the National Institute of Standards and Technology's (NIST) Federal Information Processing Standard Publication 199, ''Standards for Security Categorization of Federal Information and Information Systems'' unless the agency has—

(1) reviewed the supply chain risk for the information systems against criteria developed by NIST and the Federal Bureau of Investigation (FBI) to inform acquisition decisions for high-impact and moderate-impact information systems within the Federal Government;

(2) reviewed the supply chain risk from the presumptive awardee against available and

relevant threat information provided by the FBI and other appropriate agencies; and

(3) in consultation with the FBI or other appropriate Federal entity, conducted an assessment of any risk of cyber-espionage or sabotage associated with the acquisition of such system, including any risk associated with such system being produced, manufactured, or assembled by one or more entities identified by the United States Government as posing a cyber threat, including but not limited to, those that may be owned, directed, or subsidized by the People's Republic of China.

(b) None of the funds appropriated or otherwise made available under this Act may be used to acquire a high-impact or moderate-impact information system reviewed and assessed under subsection (a) unless the head of the assessing entity described in subsection (a) has—

(1) developed, in consultation with NIST, the FBI and supply chain risk management experts, a mitigation strategy for any identified risks;

(2) determined, in consultation with NIST and the FBI, that the acquisition of such system is in the national interest of the United States; and

(3) reported that determination to the Committees on Appropriations of the House of Representatives and the Senate and the agency Inspector General.

SEC. 516. None of the funds made available in this Act shall be used in any way whatsoever to support or justify the use of torture by any official or contract employee of the United States Government.

SEC. 517. (a) Notwithstanding any other provision of law or treaty, in fiscal year 2016 and each fiscal year thereafter, none of the funds appropriated or otherwise made available under this Act or any other Act may be expended or obligated by a department, agency, or instrumentality of the United States to pay administrative expenses or to compensate an officer or employee of the United States in connection with requiring an export license for the export to Canada of components, parts, accessories or attachments for firearms listed in Category I, section 121.1 of title 22, Code of Federal Regulations (International Trafficking in Arms Regulations (ITAR), part 121, as it existed on April 1, 2005) with a total value not exceeding $500 wholesale in any transaction, provided that the conditions of subsection (b) of this section are met by the exporting party for such articles.

(b) The foregoing exemption from obtaining an export license—

(1) does not exempt an exporter from filing any Shipper's Export Declaration or notification letter required by law, or from being otherwise eligible under the laws of the United States to possess, ship, transport, or export the articles enumerated in subsection (a); and

(2) does not permit the export without a license of—

(A) fully automatic firearms and components and parts for such firearms, other than for end use by the Federal Government, or a Provincial or Municipal Government of Canada;

(B) barrels, cylinders, receivers (frames) or complete breech mechanisms for any firearm listed in Category I, other than for end use by the Federal Government, or a Provincial or Municipal Government of Canada; or

(C) articles for export from Canada to another foreign destination.

(c) In accordance with this section, the District Directors of Customs and postmasters shall permit the permanent or temporary export without a license of any unclassified articles specified in subsection (a) to Canada for end use in Canada or return to the United States, or temporary import of Canadian-origin items from Canada for end use in the United States or return to Canada for a Canadian citizen.

(d) The President may require export licenses under this section on a temporary basis if the President determines, upon publication first in the Federal Register, that the Government of Canada has implemented or maintained inadequate import controls for the articles specified in subsection (a), such that a significant diversion of such articles has and continues to take place for use in international terrorism or in the escalation of a conflict in another nation. The President shall terminate the requirements of a license when reasons for the temporary requirements have ceased.

SEC. 518. Notwithstanding any other provision of law, in fiscal year 2016 and each fiscal year thereafter, no department, agency, or instrumentality of the United States receiving appropriated funds under this Act or any other Act shall obligate or expend in any way such funds to pay administrative expenses or the compensation of any officer or employee of the United States to deny any application submitted pursuant to 22 U.S.C. 2778(b)(1)(B) and qualified pursuant to 27 CFR section 478.112 or .113, for a permit to import United States origin ''curios or relics'' firearms, parts, or ammunition.

SEC. 519. None of the funds made available in this Act may be used to include in any new bilateral or multilateral trade agreement the text of—

(1) paragraph 2 of article 16.7 of the United States-Singapore Free Trade Agreement;

(2) paragraph 4 of article 17.9 of the United States-Australia Free Trade Agreement; or

(3) paragraph 4 of article 15.9 of the United States-Morocco Free Trade Agreement.

SEC. 520. None of the funds made available in this Act may be used to authorize or issue a national security letter in contravention of any of the following laws authorizing the Federal Bureau of Investigation to issue national security letters: The Right to Financial Privacy Act; The Electronic Communications Privacy Act; The Fair Credit Reporting Act; The National Security Act of 1947; USA PATRIOT Act; and the laws amended by these Acts.

SEC. 521. If at any time during any quarter, the program manager of a project within the jurisdiction of the Departments of Commerce or Justice, the National Aeronautics and Space Administration, or the National Science Foundation totaling more than $75,000,000 has reasonable cause to believe that the total program cost has increased by 10 percent or more, the program manager shall immediately inform the respective Secretary, Administrator, or Director. The Secretary, Administrator, or Director shall notify the House and Senate Committees on Appropriations within 30 days in writing of such increase, and shall include in such notice: the date on which such determination was made; a statement of the reasons for such increases; the action taken and proposed to be taken to control future cost growth of the project; changes made in the performance or schedule milestones and the degree to which such changes have contributed to the increase in total program costs or procurement costs; new estimates of the total project or procurement costs; and a statement validating that the project's management structure is adequate to control total project or procurement costs.

SEC. 522. Funds appropriated by this Act, or made available by the transfer of funds in this Act, for intelligence or intelligence related activities are deemed to be specifically authorized by the Congress for purposes of section 504 of the National Security Act of 1947 (50 U.S.C. 414) during fiscal year 2016 until the enactment of the Intelligence Authorization Act for fiscal year 2016.

SEC. 523. None of the funds appropriated or otherwise made available by this Act may be used to enter into a contract in an amount greater than $5,000,000 or to award a grant in excess of such amount unless the prospective contractor or grantee certifies in writing to the agency awarding the contract or grant that, to the best of its knowledge and belief, the contractor or grantee has filed all Federal tax returns required during the three years preceding the certification, has not been convicted of a criminal offense under the Internal Revenue Code of 1986, and has not, more than 90 days prior to certification, been notified of any unpaid Federal tax assessment for which the liability remains unsatisfied, unless the assessment is the subject of an installment agreement or offer in compromise that has been approved by the Internal Revenue Service and is not in default, or the assessment is the subject of a non-frivolous administrative or judicial proceeding.

(RESCISSIONS)

SEC. 524. (a) Of the unobligated balances from prior year appropriations available to the Department of Commerce's National Technical Information Service, $10,000,000 are rescinded.

(b) Of the unobligated balances available to the Department of Justice, the following funds are hereby rescinded, not later than September 30, 2016, from the following accounts in the specified amounts—

(1) ''Working Capital Fund'', $100,000,000;

(2) ''United States Marshals Service, Federal Prisoner Detention'', $69,500,000;

(3) ''Federal Bureau of Investigation, Salaries and Expenses'', $120,000,000 from fines collected to defray expenses for the automation of fingerprint identification and criminal justice information services and associated costs;

(4) ''State and Local Law Enforcement Activities, Office on Violence Against Women, Violence Against Women Prevention and Prosecution Programs'', $15,000,000;

(5) ''State and Local Law Enforcement Activities, Office of Justice Programs'', $40,000,000; and

(6) ''State and Local Law Enforcement Activities, Community Oriented Policing Services'', $20,000,000.

(c) The Department of Justice shall submit to the Committees on Appropriations of the House of Representatives and the Senate a report no later than September 1, 2016, specifying the amount of each rescission made pursuant to subsection (b).

SEC. 525. None of the funds made available in this Act may be used to purchase first class or premium airline travel in contravention of sections 301–10.122 through 301–10.124 of title 41 of the Code of Federal Regulations.

SEC. 526. None of the funds made available in this Act may be used to send or otherwise pay for the attendance of more than 50 employees from a Federal department or agency at any single conference occurring outside the United States unless such conference is a law enforcement training or operational conference for law enforcement personnel and the majority of Federal employees in attendance are law enforcement personnel stationed outside the United States.

SEC. 527. None of the funds appropriated or otherwise made available in this or any other Act may be used to transfer, release, or assist in the transfer or release to or within the United States, its territories, or possessions Khalid Sheikh Mohammed or any other detainee who—

(1) is not a United States citizen or a member of the Armed Forces of the United States; and

(2) is or was held on or after June 24, 2009, at the United States Naval Station, Guantanamo Bay, Cuba, by the Department of Defense.

AMENDMENT OFFERED BY MR. NADLER

Mr. NADLER. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Strike section 527.

The Acting CHAIR. Pursuant to House Resolution 287, the gentleman from New York and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from New York.

Mr. NADLER. Mr. Chairman, I have two amendments. The first strikes section 527; the second strikes section 528. I had to put them in as two separate amendments because only one amendment pends at a time, but they are really together.

Sections 527 and 528, which my amendment would strike, restricts the President's authority to move Guantanamo Bay detainees to the United States for trial.

Mr. Chairman, simply put, it is time to punish Khalid Sheikh Mohammed, the mastermind of the 9/11 attacks. In GTMO, he has not been tried, convicted, or punished. Meanwhile, Federal courts have tried, convicted, and punished more than 400 terrorists. None of them have ever escaped from a U.S. prison. No prison where they are located has ever been subjected to an attack.

The only thing my friends who are opposed to closing Guantanamo have on their side is fear. Fear, Mr. Chairman. As they argue against this amendment, they will try to tell us that these men are dangerous and scary, that these men can harm us, that these men are the worst of the worst—and some may be—but these men are already in our custody.

Like so many murderers and terrorists already in prison, they have no power over us. They have been shut off from the outside world for more than a decade.

If there are terrible people in Guantanamo—and I am not denying that there are—then it is time for them to face the consequences of their actions in a U.S. court. And that is the rub. The terrorists that have been prosecuted and sentenced had their day in court and were found guilty.

U.S. Federal courts have successfully tried and convicted criminals and terrorists during times of war and peace for hundreds of years, all while respecting the rights of due process that our Constitution demands.

This leads me to believe that some of my colleagues do not believe in the American system of justice. They do not trust our American courts to do justice. I do not understand why.

Through the centuries, our legal system has kept America safe by putting away dangerous individuals while protecting those who were innocent of the government's charges against them. That is the beauty of our system that has made it the envy of the world.

The principles underpinning the system, the right to due process and to a fair trial, are built into our Constitution and are part of our most basic values. But in order for the system to work, you actually need to get your day in court.

Without our amendment, this bill guarantees that we will continue holding people indefinitely at Guantanamo Bay.

Even though we suspect that we are holding people who are terrorists, some of whom probably are, in fact, terrorists, none of this has been proven in a court of law. Without this amendment, we will continue to hold them indefinitely without charge, contrary to every tradition this country stands for, contrary to any notion of due process.

The founding principles of the United States, that no person may be deprived of liberty without due process of law and certainly may not be deprived of liberty indefinitely without due process of law, demands that we close the detention facility at Guantanamo.

We must close this facility, try these people, condemn the guilty, place them in supermax facilities, release the innocent, if there are any; and restore our national honor. I urge the support of this amendment.

I reserve the balance of my time.

Mr. CULBERSON. Mr. Chairman, I claim the time in opposition to this amendment.

The Acting CHAIR. The gentleman from Texas is recognized for 5 minutes.

Mr. CULBERSON. Mr. Chairman, I want to make sure everyone in the House understands that what the gentleman from New York (Mr. NADLER) is attempting to do is to give constitutional rights to foreign nationals captured on battlefields overseas who are being held in Guantanamo Bay. Never before in American history have we ever given foreign nationals—enemy combatants captured overseas on a battlefield—constitutional rights, the most precious rights we have, that were fought for, bled for, died for by our forefathers on so many battlefields all over the world to preserve these precious rights reserved for the people of the United States of America. Mr. NADLER wants to extend the protections of this Constitution to the killers and the psychopaths who have killed so many Americans overseas.

I could not disagree more strenuously. I know the House disagrees strenuously. We have voted on this repeatedly. And the House and the Congress have repeatedly affirmed this language, which says very clearly, ''none of the funds appropriated''—this is the language Mr. NADLER seeks to strike:

''None of the funds appropriated . . . in this or any other Act may be used to transfer, release, or assist in the transfer or release to or within the United States . . . Khalid Sheikh Mohammed or any other detainee who is not a United States citizen or a member of the Armed Forces . . . and is or was held on or after June 24, 2009 . . . at Guantanamo Bay.''

During World War II, a group of Nazi saboteurs who landed on beaches in Long Island and in Florida were captured fairly rapidly by local police officers and local militia and were handed over to the U.S. military. Franklin Roosevelt did the right thing, and they immediately held these Nazis as military detainees. They were accorded a trial under the Code of Military Justice and executed, as they should have been, I think within about 60 days.

This is not really an issue with the American people, who I hope, Mr. Chairman, are out watching tonight because there could not be a more dramatic contrast between the majority in the House that is representing the will of the Nation in seeing that our laws are enforced and the enemies of the United States are hunted down wherever they may hide.

I had a constituent tell me Hamas stands for ''hiding among mosques and schools.'' Wherever these people may hide—they hide behind women and children. They will not face our soldiers on the battlefield. When we have met them on the battlefield, we have defeated them decisively.

Where the men and women of the United States military find these people and hunt them down and kill them or capture them—if we have captured them and they have information that could save American lives, we bring them to Guantanamo Bay, and we have saved countless lives by holding them there.

We, in this appropriations bill, make clear that we will not give these killers, these cowards, these terrorists, these foreign fighters on foreign battlefields the precious rights reserved for the people of the United States by this Constitution. And it is that simple.

If you want to give terrorists, foreign fighters on foreign battlefields constitutional rights, you should vote with the gentleman from New York (Mr. NADLER).

Vote against Mr. NADLER's amendment if you believe that the rights guaranteed by this Constitution are reserved for the people of the United States and that if you are an enemy

combatant, a foreign national fighting the United States, you are going to be dealt with severely and accorded the Code of Military Justice, as it should be.

I reserve the balance of my time.

Mr. NADLER. How much time do I have remaining, Mr. Chairman?

The Acting CHAIR. The gentleman from New York has 90 seconds remaining.

Mr. NADLER. Mr. Chairman, I yield myself such time as I may consume.

First of all, almost everything the gentleman just said is not apropos and is wrong.

The Supreme Court of the United States has ruled that the people at Guantanamo have exactly the same constitutional rights—no more and no less—than they would have if brought to the United States. So it has nothing to do with giving constitutional rights to foreign nationals.

Second of all, some of these people were, indeed, captured on foreign battlefields; some were not.

Third of all, maybe they should be tried by military tribunals. But they have been held for 11, 12, 14, 15 years. We can't manage to try them by foreign tribunals. Put them in a Federal court. Try them. Convict them.

□ 2045

Put them in a Federal court, try them, and convict them. If you want to put them in a military tribunal, you can do that, fine. We haven't managed to. But the fact is, by staying in Guantanamo, they don't have any less, fewer, or more constitutional rights than are here. Anyone within the jurisdiction of the United States, according to the Supreme Court, has constitutional rights. We must treat them with due process. All this amendment says is treat them the way the Supreme Court has said we should: try them, condemn them, or find them innocent, as the case may be. Some may be innocent. Many of them are not. Some may be. We should follow our traditions.

Mr. Chairman, I urge the adoption of this amendment so that we can apply American concepts of justice as the Supreme Court has said we must.

We can try them by military tribunal in Guantanamo or in the United States. We can try them in Federal Court. Military tribunals haven't worked. We haven't been able to make them work. Federal courts have worked. We should condemn the guilty and release the innocent, if there are any.

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

Mr. FATTAH. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman from Pennsylvania is recognized for 5 minutes

Mr. FATTAH. It was not long after 9/11 that we held a conversation here in Washington, and the former Speaker was on a panel over in Rayburn, I think. We were discussing this, and he said, well, this is the situation that we find ourselves in after these attacks. And I asked Speaker Gingrich at the time, former Speaker, this notion of us being a nation of laws, what did that mean now. Because under former President Bush, the original President Bush, he had complained about the Chinese holding people without trial. We had issued a formal complaint that the Chinese were holding people without trial, using secret evidence and so forth and so on, and what did this mean now in the context of our own country's conduct. Speaker Gingrich said that, well, he wasn't really sure because we are at a difficult moment.

So now we are here. We have had two Presidents who tried to close Guantanamo. President Bush who opened it, and his second administration wanted to end it, and then we had two Presidential elections in which the country voted for Barack Obama, who said he wanted to close this facility. We have a congressional majority that is not going to do it, that is going to put every impediment in the way of doing it.

We have our national security enterprise that says that this is used as a recruitment tool against our interests, that this is working against the security of the United States. And, more important than perhaps even that is, I am sure, gnaws at our ideals as Americans that you would take someone, hold them, never try them, never produce any evidence in a tribunal of any type, military or civilian, and say that you are going to do it in perpetuity, that this is not the great Nation that our ideal speaks to. This is the act of something less than what we should be doing as a great country.

Mr. Chairman, I know that it is not popular and Mr. NADLER's amendment is not going to probably enjoy majority support, but at the end of the day, we can't just ask what is popular or what is politic. At some point, we have to ask ourselves what is the right thing. If we can complain about China holding people without charge, with secret evidence and no trial and no access to lawyers, then we have to think about looking in the mirror and think about what we have allowed other people's actions to turn our country into in this circumstance.

So, Mr. Chairman, I rise in support of the Nadler amendment, and I yield back the balance of my time.

Mr. CULBERSON. Mr. Chairman, I yield myself such time as I may consume.

Let me, if I could, Mr. Chairman, point out that President Obama has already said he wants to close Guantanamo Bay and bring these people into the United States. The 19th terrorist was captured in the United States, and therefore he was entitled to constitutional protection because he was in the United States.

But the only thing standing between Barack Obama giving these terrorists and killers constitutional rights is this language in this appropriations bill which says none of the money in the United States can be used to transfer these killers into the United States. As soon as they touch our soil, they will be given constitutional rights. And that is exactly what Mr. NADLER wants to do with his amendment is give these precious constitutional rights to these killers and these cowards that have been captured on foreign battlefields, these foreign nationals who have never been afforded the protection of the United States Constitution, which is reserved for the people of the United States.

They deserve what they have got. They are lucky to be alive. They are lucky to be in Guantanamo Bay. And I urge Members to vote against this amendment to ensure that these people are given what they deserve, and that is, whether it be life in prison or whatever lies ahead of them, that they will never again threaten the people of the United States.

Mr. Chairman, I urge Members to vote ''no,'' against Mr. NADLER's amendment, to ensure that constitutional protections are only afforded to the people of the United States or those persons who are actually within our boundaries when they are captured or they commit a crime.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from New York (Mr. NADLER).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. NADLER. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from New York will be postponed.

The Clerk will read.

The Clerk read as follows:

SEC. 528. (a) None of the funds appropriated or otherwise made available in this or any other Act may be used to construct, acquire, or modify any facility in the United States, its territories, or possessions to house any individual described in subsection (c) for the purposes of detention or imprisonment in the custody or under the effective control of the Department of Defense.

(b) The prohibition in subsection (a) shall not apply to any modification of facilities at United States Naval Station, Guantanamo Bay, Cuba.

(c) An individual described in this subsection is any individual who, as of June 24, 2009, is located at United States Naval Station, Guantanamo Bay, Cuba, and who—

(1) is not a citizen of the United States or a member of the Armed Forces of the United States; and

(2) is—

(A) in the custody or under the effective control of the Department of Defense; or

(B) otherwise under detention at United States Naval Station, Guantanamo Bay, Cuba.

AMENDMENT OFFERED BY MR. NADLER

Mr. NADLER. Mr. Chairman, I have an amendment to strike section 528.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Strike section 528.

The Acting CHAIR. Pursuant to House Resolution 287, the gentleman from New York and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from New York.

Mr. NADLER. Mr. Chairman, this is really a continuation of our colloquy from the last amendment since they both seek to do the same thing. Let me just say a couple of things.

Again, the United States Supreme Court has ruled that people in Guantanamo Bay have the same constitutional rights as people in Florida, New York, or Washington, so I do not seek to give people in Guantanamo Bay constitutional rights they do not already have. They have the constitutional rights. That was the Supreme Court decision, I think, in 2009 I think the decision was. They have the constitutional rights. Anyone under the jurisdiction and effective control of the United States has the constitutional rights, so that is not really in question.

What is really in question is: Are we going to honor our obligations? Now, the gentleman says that some of these people are terrible people, that they are murderers. Some of them may be, and some of them are, but some of them may not be. They have not been tried. They ought to be tried.

As the gentleman from Pennsylvania said, we have criticized the Chinese communists, and we have criticized many other nations for holding people in jail indefinitely, for not trying them and for not giving them any kind of due process. These people, like any other human beings, deserve some due process.

Some of them, I am sure, have been terrorists. They ought to be condemned and put in jail forever. Some of them may not be. And some of them were captured on foreign battlefields and some were not. Some of them were simply victims of the Hatfields and the McCoys' feud between two tribes or clans in Afghanistan or wherever, and one clan said: Gee, the Americans are paying a $5,000 bounty, so why don't we tip them off to our enemy and tell them that they are a terrorist. Some of them were victims of that.

The facts ought to come out. Some due process ought to be given. No one ought to be held in jail for life without a trial, without a hearing, and without some due process. That is what we stand for. And simply saying that Americans deserve due process but other people do not, A, it is wrong. Other people do not have constitutional rights, but if they are in the United States, they do. If they are in Guantanamo, they have constitutional rights. The Supreme Court has already said that.

So the question here is: Are we going to bring them to a facility in the United States, a supermax facility? No one has escaped from them. It is cheaper. It saves the taxpayers a lot of money. Give them a military tribunal or a Federal trial and do what is right. That is what is at stake here.

I will say one other thing. Our military has told us time and time again that the stain of Guantanamo, besides being a stain on our honor, is one of the greatest recruiting tools the terrorists have. They point to Guantanamo. They say: Look at those American hypocrites. They are persecuting Muslims. They are persecuting non-Americans.

Well, they have a point. And other people think they have a point, and they get angry. They get radicalized, and they become terrorists against us.

So why not, for the 120-odd people who are still at Guantanamo, the majority of whom have been judged not to pose a threat to this country by our own military authorities, do the right thing? Give them a trial. Throw them in jail for whatever lengthy period of time is indicated if they are guilty. And if they are not, then they ought to be released if they are not guilty of a crime, if they haven't been terrorists. We have to have some evidence. We can't simply point to someone and say, ''He is guilty of a crime. He is a terrorist,'' without some evidence to that fact. That is our tradition. Mr. Chairman, that is what this amendment calls for.

I urge the adoption of the amendment, and I reserve the balance of my time.

Mr. CULBERSON. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from Texas is recognized for 5 minutes.

Mr. CULBERSON. Mr. Chairman, let me point out to all the Members of the House and those listening here this evening that the section Mr. NADLER attempts to strike is the only thing standing between President Barack Obama and his attempt to close Guantanamo Bay and transfer all these killers, these cowards, and these foreign nationals captured on the foreign battlefields either attempting to or having already killed American soldiers. This language that Mr. NADLER is attempting to strike prohibits, says:

None of the funds appropriated by this or any other act may be used to construct or acquire or modify any facility in the United States to house any individual transferred into the United States from Guantanamo Bay.

So, Mr. Chairman, we have got two provisions in this bill: no money to transfer anybody from Guantanamo into the United States—and that amendment, which will be a record vote, will be decisively defeated by the House in a minute—and then this amendment which Mr. NADLER is offering. We have put language in this bill for the last several years to make sure that President Obama cannot use Federal hard-earned taxpayer dollars to build a prison facility or modify it to house anybody transferred from Guantanamo.

Now, this is very clear-cut. This is very simple. Obviously anybody held, if you are in a military tribunal, you get due process. That is not the issue. What Mr. NADLER is attempting to do with this amendment, again, is to give constitutional rights to foreign nationals captured on foreign battlefields engaged, and we are still at war with these people. We are still at war. And Mr. NADLER is attempting to extend constitutional protections fought for and died for by our ancestors to enemy combatants captured on foreign battlefields—never been done, absolutely unprecedented, and, frankly, unbelievable. I cannot even imagine the cost, the sacrifice, the burden on American taxpayers, the threat to American safety, for what?

So these foreign nationals, these psychopathic killers in ISIL are going to respect us and like us because we give them a trial and gave them constitutional protection? Yeah, that is going to happen.

Mr. Chairman, we are at war with a medieval mindset that is determined to destroy our way of life and our liberty. They are hostile to everything that our Founding Fathers fought for. These people would destroy this Constitution that we have had for over 200 years, worked so hard to preserve and protect.

I cannot think of anything more destructive or damaging to the morale of our troops, to the morale of our Nation, and to all of those families who lost loved ones in the war on terror than to bring in these killers and cowards in the United States and grant them the protections guaranteed to American citizens in the United States Constitution.

Mr. Chairman, I urge Members to oppose this amendment, and I reserve the balance of my time.

Mr. NADLER. Mr. Chairman, I yield myself such time as I may consume.

Again, Mr. Chairman, even the Nazis who came ashore on Long Island that the gentleman referred to before were tried in the military tribunal. They weren't simply thrown in jail and held forever. They were tried in a military tribunal, condemned, and then sentenced to death.

All this amendment says is we should do the same thing, that people who are in the custody and the jurisdiction of

the United States already have constitutional rights. We are not giving them constitutional rights. The Supreme Court already said they have them. We are saying they should get a military tribunal or a civilian trial, whichever is chosen. This amendment doesn't deal with that. And they should be condemned or not.

One more thing. The gentleman keeps saying that these people were enemies of the United States captured on the foreign battlefield. Some were and some were not.

Mr. CULBERSON. Will the gentleman yield?

Mr. NADLER. I yield to the gentleman from Texas.

Mr. CULBERSON. Thank you, Mr. NADLER, because the section we are dealing with is a prohibition against building a prison facility in the United States to house these people. So that is what the debate needs to be about. What you are attempting to strike is a prohibition against using our taxpayers' hard-earned dollars to build a prison to house these killers.

Mr. FATTAH. Will the gentleman yield?

Mr. NADLER. I yield to the gentleman from Pennsylvania.

Mr. FATTAH. Mr. Chairman, this is an appropriations bill. I just want everybody to know it is $2 million per inmate at Guantanamo. It is a premium facility, $2 million per inmate.

The Acting CHAIR. The time of the gentleman from New York has expired.

□ 2100

Mr. CULBERSON. Mr. Chairman, the question before the House is whether or not our taxpayers' hard-earned dollars are going to be used to build a prison facility in the United States to house the terrorists and killers and cowards held in Guantanamo Bay. That is the question before us.

Mr. NADLER. Will the gentleman yield?

Mr. CULBERSON. I yield to the gentleman from New York.

Mr. NADLER. Does the gentleman not know what has been testified to repeatedly, that it will be a lot cheaper for the taxpayers' money to hold them in the United States than in Guantanamo?

Mr. CULBERSON. Well, that may be your opinion, sir, but we will not, and will not ever, afford constitutional rights or house foreign fighters captured on a foreign battlefield who have been killing the men and women of the Armed Forces of the United States on a foreign battlefield, we are never going to house them in a prison in the United States. We are never going to give them constitutional rights. Those rights are reserved to the people of the United States and the people who commit crimes within the boundaries of the United States.

The 19th terrorist, who didn't quite make it that day, was captured in the United States, and he was given a trial, as he should be. The Constitution extends protections to persons within the United States. These people, again, whom we are at war with have never been afforded constitutional protections. And you are right, the Nazis captured in Long Island and in Florida were given due process in a military tribunal, as these individuals have been given due process in military tribunals at Guantanamo Bay. That is the way it always has been and always should be.

And certainly the Members of this House have voted repeatedly in the past, and I am confident they will vote again tonight to defeat this amendment to reaffirm that these precious rights in the United States Constitution are reserved for the people of the United States and will never be extended to enemy foreign fighters, particularly these cowards who have been waging war against women and children and won't come out and fight our men and women on the battlefield in open combat.

This language in this bill is the only thing standing between President Barack Obama in his attempt to close Guantanamo Bay and move these people into prison facilities in the United States. So I urge Members to vote against Mr. NADLER's amendment.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from New York (Mr. NADLER).

The amendment was rejected.

Mr. CULBERSON. Mr. Chairman, I move to strike the last word and enter into a colloquy with the gentleman from Texas (Mr. BABIN) and the gentleman from Florida (Mr. POSEY).

The Acting CHAIR. The gentleman from Texas is recognized for 5 minutes.

Mr. CULBERSON. Mr. Chairman, I yield initially to my friend, Mr. BABIN, and then will yield to Mr. POSEY.

Mr. BABIN. Mr. Chairman, I am seeking an increase of funding for the Commercial Crew Program in our Science budget.

For the past several years, the United States taxpayers have been paying over $70 million a person to launch our astronauts to the International Space Station on Russian vehicles from Russian soil. We must end this reliance on the Russians as quickly as possible. We must set priorities within the NASA budget to make sure that the American astronauts are launched from American soil on American vehicles sooner rather than later.

When it comes to spending within our NASA budget, it is important that we set a precedent of what we think is the most important thing to do. NASA is the only U.S. Government agency that has human spaceflight as its mission. If NASA doesn't do it, then it simply is not going to be done.

This investment in Commercial Crew, which is managed out of Johnson Space Center in the 36th congressional District, would aid the development of U.S. human spaceflight capabilities and lay the foundation for future commercial transportation and end our dependence on the Russians.

I look forward to working with you, Mr. Chairman, to ensure that we give this program the funding necessary to end our reliance on the Russians.

Mr. CULBERSON. Thank you, Mr. BABIN. I want to assure you that as we work through this process in conference and the additional funding becomes available—and I do expect that as we move forward, if we have additional funding, we are going to make sure that any gaps or holes, whether it be in the Orion program or anywhere else, we are going to fill those holes and make sure that we are given as much support as we possibly can to Commercial Crew and to Orion.

We funded the Orion program at the level the President requested. And if we get additional funds, we will do our very best to hit that mark also for the Commercial Crew Program.

Mr. FATTAH. Will the gentleman yield?

Mr. CULBERSON. I yield to the gentleman from Pennsylvania.

Mr. FATTAH. I am very supportive of the Commercial Crew Program, and I think that there is a shortfall in that particular program. I think that is what the gentleman is referring to in his hope that we can address that shortfall so that we don't have to spend what has now been about $500 million with our Russian counterparts in order to transport astronauts to the International Space Station.

Mr. CULBERSON. We will work together. If we, as we say, find additional funds, we will do everything we can to help Orion.

Mr. BABIN. Thank you for your consideration, Mr. Chairman.

Mr. CULBERSON. I will be happy also to yield to my good friend, Mr. POSEY, for a colloquy as well.

Mr. POSEY. Thank you, Mr. Chairman.

This bill adequately funds the Space Launch System, the rocket which will carry the Orion capsule into space, and I am grateful for that.

It adequately funds exploration ground systems, which are essential to getting Orion off the ground, and I am really grateful for that.

But without sufficiently funding the Orion capsule, we will be delaying the deep space exploration missions. Orion is a very unique and very special spacecraft, unlike any we have ever sent into space, possessing capabilities to carry astronauts deeper into space than humans have ever gone before. The technological and engineering challenges are enormous, and it requires proper funding to get the job done.

It is critical that Orion receives adequate funding to remain on schedule.

My rough calculations indicate this funding level, so much less than authorized, can result in the delay of having Orion online by as much as 2 years. Imagine having our space launch systems ready to go, our exploration ground systems ready to go, and no space capsule ready to fly for 2 more years after that. That would be disastrous.

Unfortunately, when Congress assigns tasks to NASA and does not provide adequate funding, American's space program gets criticized and maligned for being behind schedule, when it is actually Congress that caused the problem.

I thank my colleagues for their work on this issue, and I am hopeful that we can work together to make certain Orion gets enough funding to stay on schedule to carry humans into space, deep space, by 2021.

I thank Chairman CULBERSON for his work on this and his assurance that we can work together to secure adequate funding to keep Orion on schedule.

Mr. CULBERSON. I want to assure the gentleman that we will do so. I want to make sure to make the RECORD clear that we funded Orion at the level requested by NASA. We fully funded in exactly the number they asked for. If additional funds become available, and it looks like it is really going to help them speed up the program, we will certainly make those funds available to them, because we want to get Americans back into space as quickly as possible on an American built rocket. That is why you have seen us plus up the SLS heavy launch rocket program to accelerate that program, which will have so many uses. But, of course, you know I don't know there is any stronger advocate for NASA and America's space program than I am and you gentlemen are. I look forward to working with you.

The Acting CHAIR. The time of the gentleman has expired.

Mr. PERLMUTTER. I move to strike the last word with the gentleman from Texas.

The Acting CHAIR. Under the rule, the gentleman cannot strike the last word.

Mr. CULBERSON. Do I have the ability to strike the last word again to complete additional colloquy with the gentleman from Colorado?

The Acting CHAIR. Only the gentleman from Texas and the gentleman from Pennsylvania can move to strike the last word under the rule.

Mr. CULBERSON. Mr. Chair, I move to strike the last word and enter into a colloquy with the gentleman from Colorado, my friend.

The Acting CHAIR. The gentleman from Texas is recognized for 5 minutes.

Mr. CULBERSON. I yield to the gentleman from Colorado.

Mr. PERLMUTTER. I thank the gentleman from Texas, and I thank my friend from Florida for speaking up on behalf of Orion.

Orion is America's new spacecraft to take astronauts further into space than ever before and land our astronauts on Mars.

Orion had its maiden test flight this past December, and it was a resounding success. The Orion program, as Mr. POSEY stated, needs a full funding for this, and we believe it to be $1.35 billion for fiscal year '16 to meet those needs.

I appreciate the committee including language in the committee report requiring NASA to provide an assessment of these challenges, but Congress needs to provide the resources necessary in fiscal year '16 to mitigate the entire risk and move this project forward.

So I thank the gentleman from Texas for his support of the Orion program. We need to make sure it has sufficient resources to get our men and women, our astronauts, to Mars as quickly as possible.

Mr. CULBERSON. I look forward to working with you and my colleague from Texas and our colleagues from Florida in ensuring everyone in this House supports NASA and the manned space program. And I will work closely with you and my colleagues to ensure that any additional funding that Orion needs that they receive as we move through this process and go into conference.

As you noted, the bill that we have before us tonight funds Orion at the level requested by NASA. We gave them exactly what they asked for. We also asked them to give us reports on making sure they can meet their deadlines for testing the spacecraft and meeting their milestones. As they prove that to us and as we get further along and additional funds get available and they show us they need that, of course, we will put them at the top of the list.

Mr. PERLMUTTER. I thank the gentleman. I look forward to staying on top of this so that as they move forward we have sufficient funding to really propel this project forward and get our astronauts to Mars.

Mr. CULBERSON. I thank the gentleman. America will never surrender the high ground—outer space is the high ground of the 21st century—and we are going to make sure to preserve America's leadership in space exploration, both manned and unmanned.

I yield back the balance of my time.

VACATING DEMAND FOR RECORDED VOTE ON AMENDMENT OFFERED BY MR. COHEN

Mr. COHEN. Mr. Chairman, I am doing something I would rather not do. But the gentleman from Texas was so nice on my rape kit amendment, and we did save Texas and have Davy Crockett, a predecessor of mine, in Congress.

I ask unanimous consent that my request for a recorded vote on the amendment I offered that the chair was against, that it be withdrawn, to the end that the amendment stand disposed of by the voice vote thereon.

The Acting CHAIR. The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

The Acting CHAIR. Without objection, the request for a recorded vote is withdrawn. Accordingly, the noes have it and the amendment is not adopted.

There was no objection.

The Acting CHAIR. The Clerk will read.

The Clerk read as follows:

SEC. 529. To the extent practicable, funds made available in this Act should be used to purchase light bulbs that are ''Energy Star'' qualified or have the ''Federal Energy Management Program'' designation.

SEC. 530. The Director of the Office of Management and Budget shall instruct any department, agency, or instrumentality of the United States receiving funds appropriated under this Act to track undisbursed balances in expired grant accounts and include in its annual performance plan and performance and accountability reports the following:

(1) Details on future action the department, agency, or instrumentality will take to resolve undisbursed balances in expired grant accounts.

(2) The method that the department, agency, or instrumentality uses to track undisbursed balances in expired grant accounts.

(3) Identification of undisbursed balances in expired grant accounts that may be returned to the Treasury of the United States.

(4) In the preceding 3 fiscal years, details on the total number of expired grant accounts with undisbursed balances (on the first day of each fiscal year) for the department, agency, or instrumentality and the total finances that have not been obligated to a specific project remaining in the accounts.

SEC. 531. (a) None of the funds made available by this Act may be used for the National Aeronautics and Space Administration (NASA) or the Office of Science and Technology Policy (OSTP) to develop, design, plan, promulgate, implement, or execute a bilateral policy, program, order, or contract of any kind to participate, collaborate, or coordinate bilaterally in any way with China or any Chinese-owned company unless such activities are specifically authorized by a law enacted after the date of enactment of this Act.

(b) None of the funds made available by this Act may be used to effectuate the hosting of official Chinese visitors at facilities belonging to or utilized by NASA.

(c) The limitations described in subsections (a) and (b) shall not apply to activities which NASA or OSTP has certified—

(1) pose no risk of resulting in the transfer of technology, data, or other information with national security or economic security implications to China or a Chinese-owned company; and

(2) will not involve knowing interactions with officials who have been determined by the United States to have direct involvement with violations of human rights.

(d) Any certification made under subsection (c) shall be submitted to the Committees on Appropriations of the House of Representatives and the Senate, and the Federal Bureau of Investigation, no later

than 30 days prior to the activity in question and shall include a description of the purpose of the activity, its agenda, its major participants, and its location and timing.

SEC. 532. None of the funds made available by this or any other Act, for fiscal year 2016 and each fiscal year thereafter, may be used to pay the salaries or expenses of personnel to deny, or fail to act on, an application for the importation of any model of shotgun if—

(1) all other requirements of law with respect to the proposed importation are met; and

(2) no application for the importation of such model of shotgun, in the same configuration, had been denied by the Attorney General prior to January 1, 2011, on the basis that the shotgun was not particularly suitable for or readily adaptable to sporting purposes.

AMENDMENT OFFERED BY MS. ESTY

Ms. ESTY. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 94, beginning on line 16, strike section 532.

Page 96, beginning on line 12, strike section 537.

Mr. CULBERSON. Mr. Chairman, I reserve a point of order against the gentlewoman's amendment.

The Acting CHAIR. A point of order is reserved.

Pursuant to House Resolution 287, the gentlewoman from Connecticut and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Connecticut.

Ms. ESTY. Mr. Chairman, my amendment strikes section 532 and 537, two harmful gun riders in this bill.

Mr. Chairman, appropriations bills are not the proper place to address significant policy provisions. Instead, such changes to gun policy must be seriously and properly considered by Congress through the regular order. The American people deserve an open and transparent process where a full range of options can be frankly discussed and debated by the proper congressional committee and the entire House of Representatives.

Over the past several years, various appropriations riders related to gun policy have had unintended consequences that could have been prevented had these issues been fully and thoroughly debated in Congress.

Today is National Gun Violence Awareness Day. Today of all days we can and must do better. We should not allow contentious policy provisions related to important Federal policies governing firearms to be attached to these appropriations bills.

Mr. Chairman, I urge the Appropriations Committee and the House as a whole to stop inserting significant gun policy provisions into must-pass spending bills.

I ask unanimous consent to withdraw my amendment.

The Acting CHAIR. Is there objection to the request of the gentlewoman from Connecticut?

There was no objection.

The Acting CHAIR. The amendment is withdrawn.

□ 2115

The Acting CHAIR. The Clerk will read.

The Clerk read as follows:

SEC. 533. (a) None of the funds made available in this Act may be used to maintain or establish a computer network unless such network blocks the viewing, downloading, and exchanging of pornography.

(b) Nothing in subsection (a) shall limit the use of funds necessary for any Federal, State, tribal, or local law enforcement agency or any other entity carrying out criminal investigations, prosecution, adjudication, or other law-enforcement related activity.

SEC. 534. The Departments of Commerce and Justice, the National Aeronautics and Space Administration, the National Science Foundation, the Commission on Civil Rights, the Equal Employment Opportunity Commission, the International Trade Commission, the Legal Services Corporation, the Marine Mammal Commission, the Offices of Science and Technology Policy and the United States Trade Representative, and the State Justice Institute shall submit spending plans, signed by the respective department or agency head, to the Committees on Appropriations of the House of Representatives and the Senate within 45 days after the date of enactment of this Act.

SEC. 535. None of the funds made available by this Act may be obligated or expended to implement the Arms Trade Treaty until the Senate approves a resolution of ratification for the Treaty.

SEC. 536. None of the funds made available by this Act may be used to relinquish the responsibility of the National Telecommunications and Information Administration with respect to Internet domain name system functions, including responsibility with respect to the authoritative root zone file and the Internet Assigned Numbers Authority functions.

SEC. 537. None of the funds made available by this Act may be used to require a person licensed under section 923 of title 18, United States Code, to report information to the Department of Justice regarding the sale of multiple rifles or shotguns to the same person.

SEC. 538. No funds provided in this Act shall be used to deny the Inspectors General of the Departments of Commerce and Justice, the National Aeronautics and Space Administration, and the National Science Foundation timely access to all records, documents, and other materials in the custody or possession of the respective department or agency or to prevent or impede the particular Inspector General's access to such records, documents, and other materials, unless in accordance with an express limitation of section 6(a) of the Inspector General Act, as amended, consistent with the plain language of the Inspector General Act, as amended. The Inspectors General of the Departments of Commerce and Justice, the National Aeronautics and Space Administration, and the National Science Foundation shall report to the Committees on Appropriations of the House of Representatives and the Senate within five calendar days any failures to comply with this requirement.

SEC. 539. The Department of Commerce, the National Aeronautics and Space Administration, the National Science Foundation, and the Office of Science and Technology Policy shall provide a monthly report to the Committees on Appropriations of the House of Representatives and the Senate on any official travel to China by any employee of such Department or agency, including the purpose of such travel.

SEC. 540. (a) No funds made available in this Act may be used to facilitate, permit, license, or promote exports to the Cuban military or intelligence service or to any officer of the Cuban military or intelligence service, or an immediate family member thereof.

(b) This section does not apply to exports of goods permitted under the Trade Sanctions Reform and Export Enhancement Act of 2000 (22 U.S.C. 7201 et seq.).

(c) In this section—

(1) the term ''Cuban military or intelligence service'' includes, but is not limited to, the Ministry of the Revolutionary Armed Forces, and the Ministry of the Interior, of Cuba, and any subsidiary of either such Ministry; and

(2) the term ''immediate family member'' means a spouse, sibling, son, daughter, parent, grandparent, grandchild, aunt, uncle, niece, or nephew.

AMENDMENT OFFERED BY MR. FARR

Mr. FARR. Mr. Chairman, I have an amendment at the desk to strike section 540.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Strike section 540 (page 97, line 18 through page 98, line 10).

The Acting CHAIR. Pursuant to House Resolution 287, the gentleman from California and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California.

Mr. FARR. Mr. Chairman, I am serving my 22nd year in the United States Congress, and I have never seen a provision in an appropriations bill like this.

This amendment in there could be labeled the ''family feud.'' There is only one Member of Congress who is related to anybody in the leadership and in the military in Cuba, and he is the person who put this amendment in.

What it does is it prohibits businesses from doing business in Cuba because it makes it almost impossible for any business to get a license. That is why the United States Chamber of Commerce; the National Foreign Trade Council; the Emergency Committee for American Trade; USA Engage, which is a trade group; and CubaNow, which is Florida's Cuban Americans, are all opposed to this provision of the bill and support my amendment to strike it.

Mr. Chairman, I submit for the RECORD letters from CubaNow which are in support of my amendment.

DEAR CONGRESSMAN FARR: We urge that House Members vote to strip Section 540 from H.R. 2578, Commerce, Justice, Science, and Related Agencies Appropriations Act, 2016.

This provision would turn back the strategic effort to normalize relations between the U.S. and Cuba, harming advancements to increased commerce with Cuba.

Majorities of Americans, Cuban-Americans, and Cubans support normalizing relations and ending the unilateral trade embargo. Bipartisan support exists in both the

House and Senate and throughout the business community and the majority of civil society groups focused on Cuba.

The question of Cuba policy should be approached deliberatively in the full context of hemispheric relations.

Please support the Farr amendment to strip Section 540 from H.R. 2578.

Sincerely,

CUBANOW;
EMERGENCY COMMITTEE FOR AMERICAN TRADE;
ENGAGE CUBA;
MANCHESTER TRADE LIMITED, INC.;
NATIONAL FOREIGN TRADE COUNCIL;
U.S. CHAMBER OF COMMERCE;
USA*ENGAGE.

#CUBANOW STATEMENT ON ADMINISTRATION VETO THREATS OVER CUBA POLICY

[From #CubaNow]

WASHINGTON.—#CubaNow Political Director David Gomez issued the following statement in support of the Obama Administration's veto threats and congressional efforts to eliminate attempts to limit or roll back the new Cuba policy:

''#CubaNow supports the recent veto threats issued by the Obama Administration in regards to the House's current *Transportation* and *Commerce* appropriations bills. As the Administration noted, these bills include policy riders that place unacceptable and regressive restrictions related to Cuba, including Americans' right to travel to the Island and the ability to do business with and support Cuba's growing private sector. #CubaNow also supports the floor amendment by Rep. Sam Farr to strike the restrictions from the Commerce appropriations bill and other similar efforts in Congress to keep spending bills free of *bad policy* that will do nothing to help the Cuban people.''

''Congress should work on advancing U.S.-Cuba policy in a constructive manner that recognizes there's no going back to the failed ideas of yesterday. Only a small minority in Congress continues to try to drag their feet. But the Cold War is over, and it's time that Congress heeds the will of an American public that *by and large* supports moving forward with greater engagement. Our new direction will do more to help Cuban civil society than riders that try to breathe life into an unsuccessful half-century-old policy.''

Mr. FARR. Almost every country in this hemisphere and almost every country in the world has normal trade relations with Cuba. We are trying to open those up so that businesses in America, particularly our agriculture and our other trading goods, can take advantage of the market in Cuba—not a big one, but an important one—because it is so close to shore.

What this amendment does is it stops all of that. It targets the Cuban military by saying that anything related to the Cuban military and what they own, which is a lot of businesses in Cuba, may not be used to facilitate, permit, license, or promote exports to the Cuban military or intelligence services or the immediate families thereof.

This is what is really so damaging. The term ''immediate family,'' as described in the bill, means a spouse, sibling, son, daughter, parent, grandparent, grandchild, aunt, uncle, niece, or nephew. Now, how does a businessperson in the United States know if any of those people are working for any of the agencies that this bill restricts from?

It hurts American businesses, and it hurts Cubans. Let's stop living in the past. Let's strike this provision in the bill and support my amendment.

I reserve the balance of my time.

Mr. DIAZ-BALART. Mr. Chairman, I claim the time in opposition.

The Acting CHAIR. The gentleman from Florida is recognized for 5 minutes.

Mr. DIAZ-BALART. Mr. Chairman, I am glad this amendment is here.

President Obama said—and he said this a while ago—that his policies are to help promote the Cuban people's independence from Cuban authorities.

Now, no one can claim that the Cuban military and the Cuban intelligence community and their direct family members are not the Cuban authorities. Nothing is more authority than those two things. Let's unmask what this amendment does.

The language in the mark, in the bill, simply affirms that we should not send exports—I will make this very clear—to the Cuban military or the intelligence community or their immediate families. In unmasking this amendment, what this amendment is saying is no, no, no, that we do support and that we do want to do business with the Cuban military and the Cuban intelligence services and their immediate families.

By the way, it is the same military and intelligence services that brutalized the Cuban people, that beat prodemocracy demonstrators, that beat a number of American citizens in Panama recently, that illegally smuggles weapons, which has members of that Cuban military under indictment here in a U.S. Federal court for the murder of American citizens.

I am glad this amendment is here because this amendment unmasks the underlying issue, and the chairman's mark specifically deals with—again, as I mentioned—the Cuban military and the intelligence community and their immediate relatives.

If this amendment were to happen, what we would be saying is that we want to do business, not with Cuba and not with the Cuban people, but with the Cuban military and the intelligence services and their direct relatives. Frankly, I am glad this amendment is here because it does unmask the issue.

Mr. Chairman, I yield the balance of my time to the distinguished gentleman from Florida (Mr. CURBELO).

Mr. CURBELO of Florida. I thank my colleague for yielding.

Mr. Chairman, I rise in opposition to the Farr amendment.

Section 540 is critical in ensuring that exports to Cuba reach and benefit the Cuban people, not the regime's military and intelligence services, which actively and aggressively collaborate with our enemies throughout the world. Still today, Cuba has one of the most robust spy networks in the United States. These are not the people we should be rewarding with American business.

The most recent State Department report on Cuba's human rights conditions says that harsh prison conditions, arbitrary arrests, selective prosecution, and the denial of fair trials continue in the country.

The iron fist of the Castro regime has cracked down on peaceful democratic activists with over 2,000 dissidents arrested since the President's December 17 announcement. Just this past Sunday, 59 members of the Ladies in White were arrested along with 25 other human rights activists—their crime? It was attending Sunday mass, Mr. Chairman.

The oppression is not limited to Cuba's borders. According to high-level military defectors from Venezuela's Government, there are between 2,700 and 3,000 Cuban military and intelligence agents aiding in the crackdown against Venezuelan protesters and opposing American interests in that country.

These are the thugs—the very individuals—who would most benefit from the Farr amendment.

Mr. Chairman, I understand that there is a diversity of views in this Chamber with regard to our broader Cuba policy. What I cannot understand is why anyone would want to reward the individuals responsible for the deaths of Americans, for the oppression of the Cuban people, for spying against our country.

I respectfully ask my colleagues to oppose the Farr amendment.

Mr. FARR. Mr. Chairman, rhetoric is really cheap here, but I would urge Members to read the bill and to read the second term.

It reads:

The term ''Cuban military intelligence service'' includes but is not limited to the Ministry of the Revolutionary Armed Forces and the Ministry of Interior of Cuba and any subsidiary of such ministry.

The term ''immediate family'' means spouse, sibling, son, daughter, and so on.

The analysis by our own Library of Congress says that this would severely hurt the consumer communication devices that would be sent to families in Cuba as part of the negotiations that are going on right now between the United States and the administration.

It would also hurt materials, equipment, tools used by the private sector to construct or to renovate privately owned buildings, tools and equipment for private sector agriculture activity, tools and equipment and supplies and instruments used by the private sector.

This provision just kills the ability for the United States to open up trade

that every other country has. This is just a ''family feud'' amendment. This is not good business, and that is why the business community is opposed.

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

The Acting CHAIR (Mr. MCCLINTOCK). The gentleman from California has 2 minutes remaining.

Mr. FARR. I yield 1½ minutes to the distinguished gentlewoman from California (Ms. LEE).

Ms. LEE. I thank my colleague for yielding.

Mr. Chairman, I rise in strong support of this amendment.

Once again, the other side is really pushing the envelope in terms of characterizing what this amendment actually does.

This amendment would strike provisions included in this bill that would prohibit the Department of Commerce from issuing licenses for new types of exports that are permitted under the Obama administration's new policy of engagement with Cuba. This provision is not only an inappropriate policy rider in this appropriations bill, but, if included, it would put this House, once again, on the wrong side of history.

Supporters of this provision claim that it would only prohibit exporting to anyone who works with the Cuban military, intelligence services, and their immediate families. The reality is that the effects of this provision are much, much broader.

It would make it difficult for the Department of Commerce to issue licenses to companies that want to export to Cuba, U.S. companies that create jobs in the United States of America. This includes equipment and supplies for entrepreneurs that are related to running their own businesses here in America, and it includes the materials, equipment, and tools to construct or renovate privately owned businesses.

Simply put, this rider is wrong. It is wrong for business, and it certainly should not be part of a bill that funds our critical Commerce, Justice, and Science programs.

The majority of Americans and Cubans agree that U.S. policy toward Cuba has been an unpopular failure for more than 50 years. Instead of including misguided provisions that undermine the process of normalizing relations with Cuba, we should be moving toward increased exchanges, formal relations with our neighbors, and creating good-paying jobs in the United States by allowing the exporting of U.S. products to Cuba.

Mr. DIAZ-BALART. Mr. Chairman, I yield the balance of my time to the gentleman from Texas (Mr. CULBERSON).

Mr. CULBERSON. Mr. Chairman, I want to point out the language Mr. FARR is attempting to strike.

It reads:

No funds made available to do business with the Cuban military or the intelligence services.

The only thing standing between President Barack Obama's attempt to override the will of the people as expressed by Congress, which is we will not do business with Cuba, is the Federal law. President Obama is attempting to change that.

The only thing stopping President Obama from doing business with Cuba is this language, and the language says you cannot do business with the Communist military in Cuba or with the Communist intelligence services.

It is very straightforward. If you want to do business with the private sector in Cuba, go ahead. All this says is that you can't do business with the Communist military or with the Communist intelligence services.

Therefore, we urge Members to vote ''no'' against this amendment.

The Acting CHAIR. The time of the gentleman from Florida has expired.

Mr. FARR. It is very interesting that the capitalist society out there supports my amendment: the U.S. Chamber of Commerce, the National Foreign Trade Council, Engage Cuba, the Emergency Committee for American Trade. They wrote a letter that they urge the House Members to strip section 540 from H.R. 2578, the Commerce, Justice, Science, and Related Agencies Appropriations Act.

The provision would turn back the strategic effort to normalize relations between the U.S. and Cuba, harming advancements to increase commerce with Cuba. The majorities of Americans, Cuban Americans, and Cubans support the normalization of relations and any unilateral trade embargo.

Bipartisan support exists in both the House and the Senate and throughout the businesses community and with the majority of the civil society focused on Cuba. The question of Cuba policy should be approached deliberatively and in the full context of hemispheric relations.

I urge the support of this amendment.

The Acting CHAIR. The time of the gentleman has expired.

Mr. FATTAH. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman from Pennsylvania is recognized for 5 minutes.

Mr. FATTAH. Mr. Chairman, we spend a lot of time making something simple complex. The problem here is that, in a small nation, an island like Cuba, trying to discern whether somebody is related—a cousin, a nephew, a so-and-so who might work for some entity—is very problematic.

What this restriction would basically mean is that you wouldn't be able to do any business. That is notwithstanding everything else, notwithstanding the failure of the last 50 years, notwithstanding the fact that everybody else in the world is doing business in Cuba, this language would prevent us from being able to do any business there because you would not be able to predetermine whether there was a blood connection between some person you were selling a cell phone to and someone who, at some point, was a grunt in the military.

□ 2130

That is the issue. That is why we should support the Farr amendment.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from California (Mr. FARR).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. FARR. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from California will be postponed.

The Clerk will read.

The Clerk read as follows:

SEC. 541. None of the funds made available by this Act may be expended during fiscal year 2016 for the shutdown of the Stratospheric Observatory for Infrared Astronomy or for the preparation therefor.

SPENDING REDUCTION ACCOUNT

SEC. 542. The amount by which the applicable allocation of new budget authority made by the Committee on Appropriations of the House of Representatives under section 302(b) of the Congressional Budget Act of 1974 exceeds the amount of proposed new budget authority is $0.

AMENDMENT OFFERED BY MR. SCHWEIKERT

Mr. SCHWEIKERT. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR (Mr. CURBELO of Florida). The Clerk will report the amendment.

The Clerk read as follows:

Add at the end of the bill (before the short title), the following:

SEC. ____. None of the funds made available by this Act shall be used to transfer cell site simulators, or IMSI Catcher, or similar cell phone tower mimicking technology to state and local law enforcement that haven't adopted procedures for the use of such technology that protects the constitutional rights of citizens.

Mr. CULBERSON. Mr. Chairman, I reserve a point of order on the gentleman's amendment.

The Acting CHAIR. A point of order is reserved.

Pursuant to House Resolution 287, the gentleman from Arizona and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Arizona.

Mr. SCHWEIKERT. Mr. Chairman, I will try to make this very quick because I know there is a point of order.

This was one of those moments where there was a concern about new adopted technology. We have all heard the stories of some of these, shall we call them, dummy cell sites that are basically used to capture the phone calls

because they produce the largest, most powerful signal. Now, some of this technology that has been being used at the Federal Government level is being transferred to State and local law enforcement.

The amendment is meant to be very simple and just says for the Federal Government to design, for Justice to design, protocols that the constitutional rights are being protected, that if a local law enforcement is going to use this capture technology, that they better darn well be following the Constitution, and before that technology is transferred, that there is an understanding, mechanics of that being laid out.

We tried to make the amendment as simple and clear-cut as possible.

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

POINT OF ORDER

Mr. CULBERSON. Mr. Chairman, I rise to make a point of order against the amendment, reluctantly, because I agree with the gentleman's amendment because I share his concern about privacy matters; but because the amendment proposes to change existing law, and it constitutes legislation in an appropriations bill, it, therefore, violates clause 2 of rule XXI.

I do share the gentleman's concern. I think it is very important that, as the House debates these matters, that we remember that our most important right as Americans is to be left alone and our right of privacy. I am deeply concerned about these cell phone towers that are spoofed, that are designed to spoof our phones, and the government intruding into our zone of privacy that is now compromised by these electronic devices in so many ways.

However, House rules state in pertinent part: ''An amendment to a general appropriations bill shall not be in order if changing existing law.''

This amendment does require a new determination by its express terms, and while I will certainly work with the gentleman as we move forward in conference to address this concern, make sure our privacy rights are protected, I do ask at this time for a ruling from the Chair on the substance of my point of order.

The Acting CHAIR. Does any other Member wish to be heard on the point of order?

The Chair recognizes the gentleman from Arizona.

Mr. SCHWEIKERT. Mr. Chairman, with the chairman's friendship and commitment and where he is on understanding the importance of the issue, I ask unanimous consent to withdraw the amendment.

The Acting CHAIR. Is there objection to the request of the gentleman from Arizona?

There was no objection.

The Acting CHAIR. The amendment is withdrawn.

AMENDMENT OFFERED BY MR. ENGEL

Mr. ENGEL. I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), insert the following:

SEC. _____. None of the funds made available by this Act may be used by the Department of Commerce, the Department of Justice, or any other Federal agency to lease or purchase new light duty vehicles for any executive fleet, or for an agency's fleet inventory, except in accordance with Presidential Memorandum—Federal Fleet Performance, dated May 24, 2011.

The Acting CHAIR. Pursuant to House Resolution 287, the gentleman from New York and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from New York.

Mr. ENGEL. Mr. Chairman, on May 24, 2011, President Obama issued a memorandum on Federal fleet performance that required all new light-duty vehicles in the Federal fleet to be alternative fuel vehicles, such as hybrid, electric, natural gas, or biofuel, by December 31, 2015.

My amendment echoes the President's memorandum by prohibiting funds in this act from being used to lease or purchase new light-duty vehicles unless that purchase is made in accord with the President's memorandum. I have submitted identical amendments to 16 different appropriations bills over the past few years, and every time they have been accepted by both the majority and the minority, so I hope my amendment will receive similar support today.

Global oil prices are down. We no longer pay $147 per barrel. But despite increased production here in the United States, the global price of oil is still largely determined by OPEC. Spikes in oil prices have profound repercussions for our economy. The primary reason is that our cars and trucks run only on petroleum. We can change that with alternative technologies that exist today.

The Federal Government operates the largest fleet of light-duty vehicles in America, over 633,000 vehicles. Nearly 50,000 of these vehicles are within the jurisdiction of this bill, being used by the Department of Commerce, Department of Justice, and the National Science Foundation.

When I was in Brazil a few years ago, I saw how they diversified their fuel by greatly expanding their use of ethanol. People there can drive to a gas station and choose whether to fill their vehicle with gasoline or with ethanol or some other mix. They make their choice based on cost or whatever criteria they deem important. I want this same choice for American consumers.

That is why I am proposing a bill this Congress, as I have in the past, which will provide for cars built in America to be able to run on a fuel instead of, or in addition to, gasoline. It doesn't cost much at all; and if they can do it in Brazil, we can do it here.

In conclusion, expanding the role these alternative technologies play in our transportation economy will help break the leverage that foreign government-controlled oil companies hold over Americans. It will increase our Nation's domestic security and protect consumers. I ask that my colleagues support the Engel amendment.

I reserve the balance of my time.

Mr. CULBERSON. Mr. Chair, I claim the time in opposition, but I do not oppose the gentleman's amendment and would urge its adoption.

The Acting CHAIR. Without objection, the gentleman from Texas is recognized for 5 minutes.

There was no objection.

Mr. CULBERSON. I yield to the gentleman from Pennsylvania (Mr. FATTAH), my friend from Philadelphia.

Mr. FATTAH. We had a big celebration at the Ben Franklin Institute in Philadelphia for electric cars, and there was such a variety of vehicles. Alternative fuels are important. I think that the gentleman's amendment is one that we have accepted in previous appropriation bills, and I concur with the chairman that we would accept it in this case.

Mr. CULBERSON. I urge Members to support the amendment and urge its adoption.

I yield back the balance of my time.

Mr. ENGEL. Mr. Chairman, I conclude and say I thank my colleagues and look forward to continuing to work together with them in a bipartisan fashion for the good of the American people.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from New York (Mr. ENGEL).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. POE OF TEXAS

Mr. POE of Texas. I have an amendment at the desk regarding the Fourth Amendment to the Constitution, with multiple cosponsors.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), insert the following:

SEC. ____. (a) Except as provided by subsection (b), none of the funds made available by this Act for the Department of Justice or the Federal Bureau of Investigation may be used to mandate or request that a person (as defined in section 101(m) of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1801(m)) alter the product or service of the person to permit the electronic surveillance (as defined in section 101(f) of such Act (50 U.S.C. 1801(f)) of any user of such product or service.

(b) Subsection (a) shall not apply with respect to mandates or requests authorized under the Communications Assistance for Law Enforcement Act (47 U.S.C. 1001 et seq.).

Mr. POE of Texas (during the reading). Mr. Chair, I ask unanimous consent to dispense with the reading of the amendment.

The Acting CHAIR. Is there objection to the request of the gentleman from Texas?

There was no objection.

The Acting CHAIR. Pursuant to House Resolution 287, the gentleman from Texas and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Texas.

Mr. POE of Texas. Mr. Chairman, I have a simple, straightforward amendment to protect the Fourth Amendment of the U.S. Constitution. This is a very similar amendment that passed DOD Appropriations last year.

I would like to thank Representatives LOFGREN, MASSIE, CONYERS, AMASH, NADLER, FARENTHOLD, POLIS, LABRADOR, and LIEU for working with me as cosponsors on this important amendment.

James Comey, the Director of the Federal Bureau of Investigation, recently asked Congress to update the law to ensure that the Federal Government can access information from Americans' cell phones and personal electronic devices in the future.

Many U.S. technology companies have also been approached by the government agencies, urging them either through intimidation or just request to create back doors on their products' encryption system so the government can access it later down the road. We have all learned recently about the government's abuse of section 215 under the PATRIOT Act and abuse under section 702 of the FISA Amendments Act.

Basically what this amendment does, Mr. Chairman, is prohibit the government from going to Apple, for example, and telling Apple that they want an encryption in cell phones that they sell to Americans, an encryption that would allow the FBI to have access to this information, which would include not just conversations, not just include emails, but it would also include text messaging as well.

This is a straightforward amendment. This prohibits the Federal Government—specifically, the FBI—from going in and receiving this information. Privacy is important. It is under our Constitution. There should be no doubt that the Federal Government should have no access to our cell phones and the information that is in those cell phones. That is what this amendment does.

I reserve the balance of my time.

Mr. CULBERSON. I ask unanimous consent to claim the time in opposition, but I do not oppose the gentleman's amendment. I agree with his amendment and encourage the House to support it.

Ms. LOFGREN. Mr. Chairman, reserving the right to object.

The Acting CHAIR. The gentlewoman from California is recognized on her reservation.

Ms. LOFGREN. Mr. Chairman, I had also sought to seek the time in opposition, although I also do not oppose the amendment.

Mr. CULBERSON. Does the gentlewoman support the amendment?

Ms. LOFGREN. I support the amendment, as does the gentleman.

Mr. CULBERSON. That was my point. I think it is important. We are here in this Chamber looking at George Mason, who refused to sign the Constitution because he was so concerned that the power of the Federal Government would just absolutely obliterate——

The Acting CHAIR. The gentleman will suspend.

Does the gentlewoman withdraw her reservation?

Ms. LOFGREN. Mr. Chairman, further reserving, I was wondering if the Democratic side of the aisle might be able to split the time. That is why I was reserving the right to object.

Mr. CULBERSON. Mr. Chairman, I would be happy to split the time with the gentlewoman. I am claiming the time in opposition, although I do not oppose it. The gentleman still has some time remaining on his initial time. I will yield in just a moment, but I really think it is important in this age of electronic communication that we in the Congress debate and be keenly aware of the new boundaries.

The Acting CHAIR. The gentleman will suspend.

Ms. LOFGREN. I withdraw my reservation.

The Acting CHAIR. The reservation is withdrawn.

Without objection, the gentleman from Texas (Mr. CULBERSON) is recognized for 5 minutes.

There was no objection.

□ 2145

Mr. CULBERSON. Mr. Chairman, my neighbor and good friend, Judge TED POE, brings a very important point to the floor tonight.

In this new era of expanding technology that now intrudes on every aspect of our lives, it is very important to remember the admonition that Benjamin Franklin gave us—that those who would surrender a little freedom to gain a little safety are soon going to find themselves with neither.

I do find it instructive that we are here on this House floor looking at George Mason, who is on the right here, who refused to sign the Constitution because he was so concerned the Federal Government would become omnipotent and obliterate the rights of individuals and the rights of the States to control those issues that deal exclusively with the States.

My favorite Founding Father, Thomas Jefferson, was keenly aware of and concerned about the power of the Federal Government. We are entering into a whole new era now where the government has got the ability to intrude on every aspect of our life.

I share Judge POE's concern. I support his amendment, and I urge the House to support it. If the FBI has a court order, if the National Security Agency gets a court order, I believe they could get access to what they need to get access to. Just like cracking a safe.

In fact, I asked this question, if I could, of Director Comey in front of our subcommittee. He said these new iPhones—I dropped my iPhone 5 and had to get a 6—he said these can't be cracked. So, therefore, you would have to open them up like you would a safe, as you had to order safes, I bet, opened on occasion, Judge POE.

So I agree with the amendment, and I yield the balance of my time to the gentlewoman from California (Ms. LOFGREN).

Ms. LOFGREN. I thank the gentleman for yielding.

As Mr. POE recognized, this is a very diverse group of authors who don't agree on everything, but this is very important for a reason.

First, it is fundamental that our privacy be protected; that the Fourth Amendment be adhered to. Secondly, we all know—and if you ask any computer scientist, they will tell you—that once the vulnerability is introduced for a good reason, it is available for hacking for very bad reasons. Finally, for competitiveness. Think how competitive it is to sell an American product around the world when everyone knows that it is compromised. Not a really good marketing tool.

Last year, as Mr. POE mentioned, we had almost precisely this amendment on the floor as an amendment to the DOD appropriations. What was the vote on that amendment? It was 293–123; overwhelming.

So I am hoping that Members will not flip-flop, that they will, in fact, vote the way they did last year.

And I will just go a little trip down memory road. When I was first elected to the Congress, I took my oath of office January 4, 1995, and I met BOB GOODLATTE for the very first time. And he and I went all over this Congress to try and work on decontrol of encryption.

Although a lot of people we talked to in 1995 had no idea what we were talking about when we talked about encryption, ultimately that bipartisan effort was successful. We must not let that successful effort to protect privacy, to protect technology, be eroded at this point.

So I look forward to a very strong vote on this. I think it is important that we have a vote, even though there is agreement, just to send the message to the other body how serious that we are.

Mr. CULBERSON. Our most important right as Americans is to be left alone. If you are a law-abiding American, you are secure in your home and your possessions. Your home is your castle.

Ms. LOFGREN. Will the gentleman yield?

Mr. CULBERSON. I yield to the gentlewoman from California.

Ms. LOFGREN. We might not agree on everything, but I think we agree on the Fourth Amendment. So this is a great day for this body to come together across the aisle for that purpose. And I thank the gentleman for yielding

Mr. CULBERSON. I reserve the balance of my time.

Mr. FATTAH. Will the gentleman yield?

Mr. POE of Texas. I yield to the gentleman from Pennsylvania.

Mr. FATTAH. I just wanted to indicate that on behalf of the minority, we support your amendment and are prepared to agree to it.

Mr. POE of Texas. I yield 1 minute to the gentleman from Kentucky (Mr. MASSIE).

Mr. MASSIE. Thank you, Judge POE, for introducing this amendment. This was substantially the same amendment that we offered last summer that passed with a veto-proof majority 293–123.

Back doors are bad for three reasons. When the government forces companies to put back doors or weaken their encryption, it is bad for security because hackers are going to find these back doors and other foreign countries will find these back doors.

It is bad for privacy because the Fourth Amendment can be violated. And it is bad for business. As my colleague ZOE LOFGREN from California mentioned, it is bad for business because it makes us less competitive overseas. Who wants to buy a piece of defective software that was made defective by our government?

So I urge Members to vote for this amendment because it would prevent all of these bad things from occurring.

Mr. POE of Texas. Mr. Chairman, how much time do I have remaining?

The Acting CHAIR. The gentleman from Texas has 2 minutes remaining.

Mr. POE of Texas. In conclusion, I want to thank the minority, Ms. LOFGREN, and all the cosponsors on this, as well as the chairman of the subcommittee, for their support.

On the issue of privacy, in this time where we have threats to this country, we can have security and we can certainly have privacy, and we can have the Constitution be followed as well.

The Fourth Amendment has always required that if the government wants to search, the government must follow certain rules. And those rules are that you must get a warrant from a judge based on probable cause. That is still the law of the land, even in 2015.

All this amendment does is ensure the fact that the government—the FBI—follows the Constitution. The idea that the Federal Government wants to have encryption in American cell phones so they can have access to the information is repulsive. So all this does is keep the Federal Government out of our business without appropriate constitutional protections.

I ask for support of this amendment, and I yield back the balance of my time.

Mr. CULBERSON. Mr. Chairman, I just want to reaffirm that, as Judge POE has written this amendment, there is an exception in here that if the government gets a court order, they can go in and put a back door on the phone when the judge says there is a compelling reason to do so.

I yield to the gentleman.

Mr. POE of Texas. Certainly. The law—the Constitution—still applies that the government must go and get a warrant based upon probable cause under the Fourth Amendment. Of course, there are exceptions to warrantless search.

Mr. CULBERSON. Reclaiming my time, the way the amendment is written, the government can't just force all phone companies to build a back door into all telephones. You have got to have a court order on that specific phone, on that specific person, before you can do it. That is absolutely reasonable. That is what Mr. Madison and Mr. Jefferson intended for us to do.

Therefore, I support the gentleman's amendment, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Texas (Mr. POE).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. POLIS

Mr. POLIS. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), insert the following:

SEC. ___. None of the funds made available by this Act may be used to execute a subpoena of tangible things pursuant to section 506 of the Controlled Substances Act (21 U.S.C. 876) that does not include the following sentence: ''This subpoena limits the collection of any tangible things (including phone numbers dialed, telephone numbers of incoming calls, and the duration of calls) to those tangible things identified by a term that specifically identifies an individual, account, address, or personal device, and that limits, to the greatest extent reasonably practicable, the scope of the tangible things sought.''.

The Acting CHAIR. Pursuant to House Resolution 287, the gentleman from Colorado and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Colorado.

Mr. POLIS. Mr. Chairman, here in Congress we have just been spending a lot of time and energy discussing NSA surveillance. The American public—and now, Members of Congress in both Chambers—have spoken clearly that the kind of bulk data collection the NSA has engaged in needs to be stopped. However, there is a corresponding change that we need to make with regard to the Drug Enforcement Administration.

In a series of revelations from 2013 to 2015, it came to light that the DEA had for more than 20 years been gathering a vast database of information on America's personal communications. There was no congressional authority for this program and no oversight by Congress or any area of the Federal Government.

Legal experts who weighed in after the program was finally made public have said without hesitation that the program was illegal.

In 2013, the Department of Justice brought this program to an end, but there is nothing to stop the government or the DOJ from resuming it at will unless Congress acts by inserting this language in the appropriations bill. Without this language, the DEA could once again unilaterally sweep up the communications records of millions of Americans.

There is no reason that, as we work to end the unconstitutional surveillance that the NSA has engaged in, we should continue to allow the DOJ to have the very same abuses.

This is a corresponding piece of legislation to something that already passed the House with regard to the NSA by an overwhelming majority.

I urge my colleagues to support our bipartisan amendment that we worked on with Mr. GRIFFITH, Mr. SCHWEIKERT, Mr. NADLER, and Mr. FARENTHOLD to simply prohibit DOJ from using Federal funds to engage in bulk data collection of Americans' phone records or other data, and I reserve the balance of my time.

Mr. CULBERSON. Mr. Chairman, I claim time in opposition.

The Acting CHAIR. The gentleman from Texas is recognized for 5 minutes.

Mr. CULBERSON. Just being given Mr. POLIS' amendment, I oppose the idea of bulk data collection. I would like to accept the gentleman's amendment because of my previous expressed concerns about how we want to make sure we are protecting the privacy of law-abiding Americans.

So I would accept the gentleman's amendment with the understanding that I would work with him. There may be unintended consequences here that I am not immediately aware of. Judiciary Committee staff is working with ours right now to make sure we have got our arms around this.

I want to make sure that if the DEA has a valid court order, a valid subpoena, that they can go after lawbreakers and complete their investigations. Again, we want to protect the privacy of law-abiding Americans.

Mr. FATTAH. Will the gentleman yield?

Mr. CULBERSON. I yield to the gentleman from Pennsylvania.

Mr. FATTAH. I think with the understanding that the chairman has laid out, your accepting this amendment would move us forward, and I agree. I think we have a clear understanding that you are accepting it, but we will work together to make sure it doesn't have any unintended consequences.

Mr. CULBERSON. Reclaiming my time, with that understanding, I want to make sure we reserve the right of DEA to get a court order to do their work. With that understanding, I withdraw my opposition and will accept the amendment.

I yield back the balance of my time.

Mr. POLIS. I yield 1 minute to the gentleman from New York (Mr. NADLER), the coauthor of the amendment.

Mr. NADLER. I thank the gentleman for yielding.

I rise in strong support of this amendment to prevent bulk collection of data at the Department of Justice.

Last month, this House spoke loud and clear that we oppose the National Security Agency's bulk collection of telephone metadata. Today, the Senate joined us in that judgment, and, together, we have reaffirmed our commitment to the Fourth Amendment and to protecting Americans from unconstitutional government surveillance.

We learned earlier this year that long before the NSA program ban, the Drug Enforcement Administration engaged in its own bulk collection program that provided a model for the NSA to use nearly a decade later. This program included logs of virtually all telephone calls from the U.S. to as many as 116 countries, ostensibly linked to drug trafficking, all without a court order and without authorization from Congress.

Mr. Chairman, enough is enough. Although the DOJ has since shut down this program, there is nothing preventing the Department from renewing it in secret without authorization, as it did before. This amendment would ensure that it remains dormant and that Americans' privacy remains secure.

I thank Mr. POLIS and the other cosponsors of the amendment, and I thank the gentleman from Texas for accepting this amendment. I urge my colleagues to support this amendment.

Mr. POLIS. Mr. Chairman, I yield 1 minute to the gentleman from Texas (Mr. FARENTHOLD).

Mr. FARENTHOLD. Mr. Chairman, I rise in support of this amendment and thank my colleague from Texas for agreeing to accept it.

This has been a great victory this week in our ability to work with the Senate to rein in what I believe to be the unconstitutional bulk data collection by the NSA.

Just because we stopped the NSA doesn't mean we shouldn't be ever vigilant. With the reports of the DEA engaging in similar activities, it is absolutely appropriate that we use the power of the purse to ensure that this type of spying on American citizens—this bulk data collection—is stopped.

This is no different from the general warrants that were complained about when the King of England would send troops to rifle through people's desks just looking for stuff. It is the exact same thing in the digital age. I encourage my colleagues to support it and look forward to working with my colleague, Mr. CULBERSON, in making sure it does become part of this bill.

□ 2200

Mr. POLIS. In conclusion, I want to thank the gentleman from Texas (Mr. CULBERSON). It is, indeed, the intended language and we believe the actual language of the amendment that would not interfere with any valid court orders or warrants. We are happy to work with them in that regard.

The amendment is designed to pertain to bulk collection of data, which was never specifically authorized by Congress.

I appreciate the gentleman from Texas accepting the amendment, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Colorado (Mr. POLIS).

The amendment was agreed to.

AMENDMENT NO. 1 OFFERED BY MRS. BLACKBURN

Mrs. BLACKBURN. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of the bill, before the short title, insert the following:

SEC. ___. (a) Each amount made available by this Act, except those amounts made available to the Federal Bureau of Investigation, is hereby reduced by 1 percent.

(b) The reduction in subsection (a) shall not apply with respect to the following accounts of the Department of Justice:

(1) ''Fees and Expenses of Witnesses''.

(2) ''Public Safety Officer Benefits''.

(3) ''United States Trustee System Fund''.

The Acting CHAIR. Pursuant to House Resolution 287, the gentlewoman from Tennessee and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Tennessee.

Mrs. BLACKBURN. Mr. Chairman, first of all, I want to begin by thanking the committee and Chairman CULBERSON for their tremendous work that they have put into this bill, identifying ways to reduce spending and to be a good steward of the taxpayers' money.

This funding bill is $51.4 billion, and I would like to point out that that is $661 million below the President's request. Good work on behalf of our team.

Now, I am one of those that thinks more needs to be done, especially when we look at the discretionary spending. There is more we should do. My amendment calls for a 1 percent across-the-board spending reduction. That would reduce the budget authority by $540 million and outlays by $340 million in Fiscal Year 2016.

I am fully aware of the opposition that exists to across-the-board cuts by many of the appropriators, and I have many times stood on this floor and heard how they think this is just a little bit of a cut too much.

However, we are nearly $18.3 trillion in debt. Indeed, Admiral Mullen, on July 6, 2010, said the greatest threat to our Nation's security is our Nation's debt.

Getting our spending under control is an important step for us to take. That is why we need to move forward and do what many of our States have done and institute across-the-board cuts to save one penny out of a dollar.

Engage the rank-and-file Federal employees. Have them bring to the table their best ideas. Our children are depending on us to do this in order to maintain the fiscal sovereignty of our Nation.

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

Mr. CULBERSON. Mr. Chairman, I claim the time in opposition.

The Acting CHAIR. The gentleman from Texas is recognized for 5 minutes.

Mr. CULBERSON. It is important for the House to oppose this amendment because, as in our personal lives or our business lives, the Appropriations Committee has prioritized the very precious and scarce, hard-earned taxpayer dollars that we are entrusted to appropriate to make sure that they are spent on the most urgent priorities first.

We do not want to cut, as Mrs. BLACKBURN would, the FBI. We do not want to cut our operations of our cybersecurity forces, as Mrs. BLACKBURN would. I do not want to cut the work that is being done by our law enforcement officials across the country, as Mrs. BLACKBURN would.

This amendment would also cut, for example, the good work that is being done by the U.S. Marshals Service. This would cut the 55 new immigration judges that we have included in the bill.

This would cut the amount of money we set aside for the operation of our prison system, of the ATF, all Federal law enforcement agencies that perform such a vital role. We prioritized them and made sure they are protected from cuts.

I would oppose this amendment on the basis that we do not want to cut Federal law enforcement.

We also don't want to cut our Nation's investment in the sciences and the National Science Foundation or our work to preserve America's leadership role in space exploration.

We want to make sure that we are doing all that we can to accelerate our work in bringing American astronauts back into space on an American-made rocket as quickly as possible. This amendment would cut NASA.

We have, in the bill, however, cut or eliminated dozens of programs that their authorization has expired—or their usefulness has expired. We went in and dramatically cut programs that were not effective anymore, completely eliminated programs.

We found all kinds of savings in this bill, and I am sure that our priorities are ones that the good people of Tennessee that Mrs. BLACKBURN represents would share. I know her constituents share, as we do, a commitment to law enforcement, to scientific research, to America's space program; and they would probably also agree with our cuts to the Department of Commerce, our unavoidable cuts really to the Census.

We did our best to protect the important work that our men and women in uniform who enforce the laws of the United States do. This amendment would be a blunt cut across the board to all of these worthwhile programs, and I urge the Members to oppose it.

Mr. FATTAH. Will the gentleman yield?

Mr. CULBERSON. I yield 10 seconds to the gentleman from Pennsylvania.

Mr. FATTAH. I wanted to say that I concur completely with the chairman, and I am opposed to the amendment.

Mrs. BLACKBURN. Madam Chairman, I appreciate, as I said, the work that the committee has done, but I think it is imperative that we realize the burden that we are placing on future generations.

Quite frankly, I think it is rather selfish of this body to force future generations—our children and grandchildren—to pay for the out-of-control spending of today.

Have we done a good job? Yes. Could we do a superlative? Absolutely, we could. Cutting one penny out of a dollar is a wise step. I don't know of anybody that thinks we are underspent. I know a lot of people that think we are overspent and that we are overtaxed.

What it is going to take in order to get our fiscal house in order and to secure this Nation for future generations is, yes, indeed, targeted cuts. It is going to take across-the-board cuts, and it is going to take everybody agreeing that we don't have a revenue problem, we have a spending problem.

That is a component of our budget and appropriations process that the American people are demanding that we get under control. It is not necessarily a debate about worthiness. There are lots of good programs and essential programs.

What it is, is a debate about stewardship, making certain that we are focusing and that we are doing the extra work that is necessary to get the spending under control.

As I said, this is $51.4 billion in discretionary funding that is in this appropriations bill. It is below the President's request. The committee is to be commended for that.

Taking the step of a 1 percent cut, you are talking about $540 million in budget authority and $340 million reduction in outlays. It is a goal that we should set for ourselves. It is doable. It is attainable.

We should take a playbook and a lesson from the States and the counties and the communities that we represent and make the effort to reduce the spending just a little bit more.

Madam Chairman, I yield back the balance of my time.

Mr. CULBERSON. Madam Chairman, may I inquire as to how much time I have remaining?

The Acting CHAIR (Ms. FOXX). The gentleman from Texas has 2¼ minutes remaining.

Mr. CULBERSON. Madam Chair, I want to point out also that the amendment before us would cut 1 percent from eliminating the backlog of rape kits that are piling up in local police departments all over the country. We increased funding to eliminate that backlog of rape kits.

We increased funding to help forensic labs at the local level. We increased funding to make sure that programs to prevent violence against women are fully funded. This amendment would cut those funding increases for violence against women.

□ 2210

It is not the annual appropriations bill that is the biggest part of the problem. All of us need to recognize that we have got to look at the entire Federal budget.

The annual appropriations bill only represents one-third of the problem. The other two-thirds of the problem are the automatic mandatory problems: the looming bankruptcy of Medicare, the looming bankruptcy of Social Security and Medicaid, the incredible burden that ObamaCare has placed on individual Americans—it threatens to bankrupt the entire healthcare system—the national debt, and the interest on the national debt.

The American taxpayers are, indeed, taxed too much, but the biggest part of the spending problem is on these automatic programs that are consuming two-thirds of the Nation's resources.

In fact, if you pay off all those existing—just paying for these existing programs, the mandatory programs, which you have to think of as America's mortgage and interest payments, once you pay Social Security, Medicare, Medicaid, interest on the debt, veterans benefits, you are only left with $689 billion to run the entire Federal Government, which is enough money to run the government through July 27. ''National credit card day'' is what I call it. July 27 is the day when we run out of existing revenue, and we are living on borrowed money to be paid off by our kids.

A far better way to deal with this problem is to deal with the looming bankruptcy of Medicare, Social Security, and to deal with the national debt and deficit, the two-thirds of the problem out there, and not look at some 1 percent cut on the one-third of the budget that we have already prioritized and cut everywhere we possibly can while protecting law enforcement. We are protecting our investment in the sciences and space exploration.

I urge the Members to reject this amendment, and I would urge the gentlewoman from Tennessee (Mrs. BLACKBURN) to work with us throughout the year as we develop these appropriations bills and help us find cuts in programs and prioritization of funding, rather than bringing the amendment to the floor at the last minute.

I urge Members to vote against this amendment.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from Tennessee (Mrs. BLACKBURN).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mrs. BLACKBURN. Madam Chair, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentlewoman from Tennessee will be postponed.

AMENDMENT OFFERED BY MR. SCOTT OF VIRGINIA

Mr. SCOTT of Virginia. Madam Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), insert the following:

SEC. _____. The amounts otherwise provided by this Act are revised by reducing the amount made available for Federal Prison Systems—Salaries and Expenses, and increasing the amount made available for Office of Justice Programs—Office of Juvenile Justice Delinquency and Prevention, by $69,515,000.

Mr. CULBERSON. Madam Chairman, I reserve a point of order against the gentleman's amendment.

The Acting CHAIR. A point of order is reserved.

Pursuant to House Resolution 287, the gentleman from Virginia and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Virginia.

Mr. SCOTT of Virginia. Madam Chair, I yield myself 2 minutes.

Madam Chair, this amendment that I am offering today would repurpose just

1 percent of the funding for the Federal prison system and restore funding for the Office of Juvenile Justice and Delinquency Prevention.

Madam Chair, the underlying bill zeros out both title II formula grants and title V discretionary grants for prevention and early intervention programs, which were funded last year at approximately $70 million. To ensure that our State juvenile justice systems are not irreparably damaged, this amendment would take just 1 percent away from our Federal prison systems, approximately $70 million, to maintain our commitment to prevention and early intervention.

The prison system can take steps to deal with this reduction by limiting duplicate prosecutions or pursuing evidence-based alternatives to incarceration, particularly for first-time offenders. These practices not only will save money, but will also improve public safety.

We have a choice, Madam Chair. We can invest in prisons after the fact, or we can invest in prevention and early intervention before the fact and eliminate what the Children's Defense Fund calls the Cradle to Prison Pipeline.

Madam Chair, at this point, I yield 2 minutes to the gentleman from California (Mr. CÁRDENAS).

Mr. CÁRDENAS. Madam Chair, I appreciate the opportunity to speak to my colleague and friend Congressman SCOTT's amendment and to encourage this body to restore critical funding for the Office of Juvenile Justice and Delinquency Prevention.

This existing appropriations bill decimates funding for title II State formula grants and title V local delinquency prevention programs which are essential investments that are proven to reduce crime.

This amendment would provide $69,515,000, the equivalent of less than 1 percent of the Federal prison budget, which is a small investment when you consider the cost of incarcerating a youth is an average of $88,000 per year. That is hundreds of dollars a day to incarcerate a youth. Evidence-based alternatives to incarceration for youth costs as little as $11 per day.

These proven juvenile crime prevention methods cost pennies compared to the incarceration of our young people. Members from both parties have espoused the importance of investing in our children. Conservative organizations have been among the loudest advocates for reforming our criminal justice system—in particular, for our youth—to move from an incarceration-based system to one that funds proven research-based alternatives to putting behind bars America's children. There is a bipartisan consensus on this, ladies and gentlemen.

While this amendment will be withdrawn, I hope we can work together to fund these critical programs to give our children the opportunity to be productive members of our communities, reduce crime, and save billions of tax dollars going forward.

Mr. SCOTT of Virginia. I reserve the balance of my time.

Mr. FATTAH. Madam Chair, I claim the time in opposition.

The Acting CHAIR. The gentleman from Pennsylvania is recognized for 5 minutes.

Mr. FATTAH. Madam Chair, I would like to thank the ranking member of the Committee on Education and the Workforce for raising this important issue. I assure him that it is my intention that we will be working between here and the final bill to improve upon this area in the bill.

I thank the chairman for all of his work in this regard.

I yield back the balance of my time.

Mr. SCOTT of Virginia. Madam Chairman, I yield myself the balance of my time.

I thank the gentleman for allowing us to debate because I understand the point of order will be sustained.

There will be other opportunities during the legislative process, as the ranking member of the subcommittee has indicated, to deal with this issue.

The way the bill has been drafted, it was impossible to get an amendment in order, but there will be other possibilities later on in the process, and I would hope the chair and the ranking member will work effectively to make sure that we deal with the choice that we have, whether we are going to just put money away for young people to get in trouble and then deal with it or we can deal with it in advance with prevention and early intervention. This is what this amendment would do.

Madam Chair, if the gentleman is going to assert his point of order, I ask unanimous consent to withdraw the amendment and deal with the issue later on in the process.

The Acting CHAIR. Is there objection to the request of the gentleman from Virginia?

There was no objection.

The Acting CHAIR. The amendment is withdrawn.

AMENDMENT OFFERED BY MS. LEE

Ms. LEE. Madam Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Add, at the end of title V of the bill, the following:

SEC. 5____. (a) For each fiscal year after the expiration of the period specified in subsection (b) in which a State receives funds for a program referred to in subsection (c)(2), the State shall require that all individuals enrolled in an academy of a law enforcement agency of the State and all law enforcement officers of the State fulfill a training session on sensitivity each fiscal year, including training on ethnic and racial bias, cultural diversity, and police interaction with the disabled, mentally ill, and new immigrants. In the case of individuals attending an academy, such training session shall be for 8 hours, and in the case of all other law enforcement officers, the training session shall be for 4 hours.

(b)(1) Each State shall have not more than 120 days, beginning on the date of enactment of this Act, to comply with subsection (a), except that—

(A) the Attorney General may grant an additional 120 days to a State that is making good faith efforts to comply with such subsection; and

(B) the Attorney General shall waive the requirements of subsection (a) if compliance with such subsection by a State would be unconstitutional under the constitution of such State.

(2) For any fiscal year after the expiration of the period specified in paragraph (1), a State that fails to comply with subsection (a), shall, at the discretion of the Attorney General, be subject to not more than a 20-percent reduction of the funds that would otherwise be allocated for that fiscal year to the State under subpart 1 of part E of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3750 et seq.), whether characterized as the Edward Byrne Memorial State and Local Law Enforcement Assistance Programs, the Local Government Law Enforcement Block Grants Program, the Edward Byrne Memorial Justice Assistance Grant Program, or otherwise.

(c) Amounts not allocated under a program referred to in subsection (b)(2) to a State for failure to fully comply with subsection (a) shall be reallocated under that program to States that have not failed to comply with such subsection.

Ms. LEE (during the reading). I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

There was no objection.

□ 2220

Mr. CULBERSON. Madam Chairman, I reserve a point of order on the gentlewoman's amendment.

The Acting CHAIR. A point of order is reserved.

Pursuant to House Resolution 287, the gentlewoman from California and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from California.

Ms. LEE. Madam Chair, I want to thank the chair and our ranking member for your leadership on this subcommittee for your interest and support on this amendment. I recognize the point of order and plan to withdraw the amendment.

Recent events in Ferguson, Staten Island, Baltimore, and around the country really illustrate the need for significant reform in police interaction in communities that they are sworn to serve and protect. That is why this amendment would require the States receiving funding from the Department of Justice's Edward Byrne Memorial Justice Assistance Program put academy students and law enforcement officers through sensitivity training on ethnic and racial bias, cultural diversity, and police interaction with the

disabled, mentally ill, and new immigrants.

As you know, DOJ's Byrne JAG Grant Program is the primary provider of Federal criminal justice funding to State and local jurisdictions supporting a wide range of law enforcement and court activities. Our law enforcement agencies and officers play a critical role in protecting the safety of our communities. We need them to work cooperatively and competently along with our community members if we want to protect the public safety and the integrity of our neighborhoods.

This is a major issue in many congressional districts where many officers live outside of the communities they serve and do not have the training to deal with a diverse constituency. Madam Chairman, I know that we all agree that the status quo is simply unacceptable.

Madam Chairman, I yield 2 minutes to the gentleman from Missouri (Mr. CLAY), my colleague who has demonstrated incredible leadership on this issue and continues to work in a bipartisan fashion on this very commonsense policy.

Mr. CLAY. I thank the gentlewoman for yielding.

Madam Chair, I rise in strong support of this amendment. FBI Director James Comey's February 12, 2015, speech, entitled, ''Hard Truths: Law Enforcement and Race,'' addressed what he characterized as a ''disconnect between police and minority communities.'' Director Comey challenged officers to ''acknowledge the widespread existence of unconscious bias.'' We appreciate his candor and acknowledgment of issues we have long felt.

Experience in our communities indicates negative police interaction, and excessive force disproportionately affects communities of color, but there are other communities who would also benefit from better law enforcement relations.

As FBI Director, Mr. Comey requires all new agents and analysts to study the agency's interaction with Dr. Martin Luther King, Jr., followed by a visit to the King Memorial. The FBI's required study serves as recognition that in order to truly see each other as people, we must recognize our shortcomings and create and identify opportunities to understand, respect, and be decent to one another.

Police officer sensitivity training and annual retraining demonstrate a commitment to communities across this Nation. As Members of Congress, it is a practice we must encourage. In Ferguson, Staten Island, Cleveland, North Charleston and Baltimore, the need for reform is as clear as it is urgent.

Madam Chairman, I thank the gentlewoman from California.

Ms. LEE. Madam Chairman, I yield 30 seconds to the gentleman from Pennsylvania (Mr. FATTAH), our ranking member.

Mr. FATTAH. I want to thank the gentlewoman for her steadfastness and her focus on this matter and pledge to her that I am going to work with the chairman as we go forward to see that we get this incorporated in the final product of our bill.

Mr. CULBERSON. Madam Chairman, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from Texas is recognized for 5 minutes.

Mr. CULBERSON. I continue to reserve the point of order pending the gentlewoman's withdrawal of the amendment.

Madam Chairman, I want to reassure my colleague that I will continue to work with her and my ranking member, to work on this as we move through conference, as we discussed in full committee.

I appreciate the gentlewoman's withdrawing the amendment, and I reserve the balance of my time.

Ms. LEE. Madam Chair, I want to thank our ranking member and our chairman for their commitment to continue to work on this very important issue, along with Congressman CLAY.

Madam Chair, I ask unanimous consent to withdraw the amendment.

The Acting CHAIR. Is there objection to the request of the gentlewoman from California?

There was no objection.

The Acting CHAIR. The amendment is withdrawn.

AMENDMENT OFFERED BY MR. POE OF TEXAS

Mr. POE of Texas. Madam Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), insert the following:

SEC. ____. None of the funds made available in this Act may be used to enforce section 221 of title 13, United States Code, with respect to the survey, conducted by the Secretary of Commerce, commonly referred to as the ''American Community Survey''.

The Acting CHAIR. Pursuant to House Resolution 287, the gentleman from Texas and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Texas.

Mr. POE of Texas. Madam Chair, I yield myself such time as I may consume.

Madam Chair, we are all familiar with the Census that takes place every 10 years where there is a counting of the people in America. The Census Bureau also has another project, not constitutionally required, but something that they do called the American Community Survey, which is a partial sampling of about 3 million Americans a year.

A survey is sent out, and I will read from this 28-page survey. It is 48 questions long, and the questions have nothing to do with how many people live in your house. Some of the questions are like this:

When do you leave for work?

When does your spouse leave for work?

When do your kids leave for school?

Does anyone suffer from a mental illness in the residence?

Does your house have a sink with a faucet?

Does anyone have trouble walking?

Does anyone have trouble getting dressed or bathed?

So there are 48 question like this, and failure to abide by and fill out this document and send it back to the Census Bureau could result in a fine.

Now, people in my district have called my office from all over the country about getting this thing in the mail and the harassment by the Census Bureau and subcontractors, including the fact that I have a single parent in my district that called and was complaining about the fact that the Census Bureau person would sit in the front of her house waiting for her to come home from work and then go to the door and peak through the windows trying to get her to fill out this page, or these 28 pages and send them back to the Census Bureau. So harassment takes place. And some people are threatened with a fine that is imposed for failure to abide by the survey.

Now, what this amendment does, it does not eliminate the American Community Survey. The ranking member and I had a discussion, I guess, about 5 hours ago on the House floor about whether it is a good idea or not. It doesn't even stop the survey from being conducted.

□ 2230

All it does is prohibit the Federal Government from imposing a penalty for failure to fill out the survey. That results in the fact that people then can voluntarily fill out this form and send it back if they want to. If they don't want to voluntarily have their privacy invaded by the government, then they don't have to fill it back out and don't have to worry about a fine.

That is what this amendment does: prohibits funding to allow the fine to be collected, thus making the survey voluntary.

With that, I reserve the balance of my time.

Mr. FATTAH. Madam Chair, I claim the time in opposition to the amendment.

The Acting CHAIR. The gentleman from Pennsylvania is recognized for 5 minutes.

Mr. FATTAH. Madam Chair, I supported the gentleman's last amendment. I strongly oppose this amendment.

It is impossible for me to conceive that we want to run the greatest country on the face of the Earth without

data, without information, without knowledge of what the circumstances of the citizens of the country are—how many daycare slots, where to locate VA hospitals, all of the other information that is generated through this community survey.

Now, I note that there is talk about a fine, but we haven't been able to identify anybody who has ever been fined. We do know that our neighbors to the north, when the Canadians moved to a voluntary system in their rural areas, they stopped getting almost any compliance.

If the Federal Government is going to plan in terms of Federal highways, in terms of Federal programming, and a whole range of items that flow through formal grants, not through earmarks, but by knowledge of what is happening in communities, these surveys are critical.

The idea that we would say we are going to run this great country, we don't want any information, we are going to put on blindfolds and just kind of hope for the best when we are making public policy about education and housing and transportation needs or health care needs, it doesn't make a lot of sense. It may have some popularity politically, but as a notion for actual intentional leadership for our Nation, to say that we want to separate ourselves from actual information about what is going on in these communities, I think that the gentleman, as right as he was in the original amendment that I supported him on, in this particular matter I think he is headed in the wrong direction.

I would ask my colleagues—Democrats and Republicans—put the party aside, put the national interest first, and know for certainty that no person would ever—you are always talking about running the government like a business—no one would run a business without utilizing data to understand the marketplace.

At this point, I reserve the balance of my time.

Mr. POE of Texas. Madam Chair, may I inquire as to how much time I have remaining?

The Acting CHAIR. The gentleman from Texas has 2 minutes remaining.

Mr. POE of Texas. Madam Chair, I yield 1 minute to the gentleman from Texas (Mr. CULBERSON), chairman of the committee.

Mr. CULBERSON. Madam Chair, I thank the gentleman.

I want to express my strong support for my neighbor and good friend Judge POE's amendment because, again, our most important right as Americans is to be left alone.

In fact, the data, and I agree with my ranking member that this data is important, but it can be included as a part of the Census itself. Any really essential questions the Department of Commerce can include within the core questions of the Census. They don't have to send this long intrusive and detailed and very invasive survey out to every American and subject Americans to the threat of a $10,000 fine if they don't comply.

I support the gentleman's amendment as a further reflection of our commitment on this subcommittee and in this Congress to protect America's right to privacy and to be left alone by their government, as Mr. Mason and Mr. Jefferson intended.

I urge Members to support Mr. POE's amendment. And remember, if the government needs this data, they can just put it in the basic Census itself.

Mr. FATTAH. Madam Chair, how much time is remaining between the gentleman who is the proponent and myself?

The Acting CHAIR. The gentleman from Pennsylvania has 2½ minutes remaining. The gentleman from Texas has 1 minute remaining.

Mr. FATTAH. And I assume he has the right to close?

The Acting CHAIR. Yes, he does.

Mr. FATTAH. Madam Chair, let me remind the House that we had another Texan—he was the President of the United States—and it was under his administration that the questions that were put together in the community survey were developed under that administration.

The Acting CHAIR. The gentleman will suspend.

The gentleman from Pennsylvania does have the right to close.

Mr. FATTAH. Madam Chair, well, then at this point, I reserve the balance of my time.

Mr. POE of Texas. Madam Chair, I thank the gentleman for bringing up the American Community Survey and where it came from. That is irrelevant. The issue is Americans should not be required to give personal information to the Federal Government. If they want to fill out this form, go for it. Make it voluntary. Fill it out and send the Federal Government all the information you can come up with about what takes place in your residence. But it should not be required.

The Federal Government could get this information some other way. They could go to polling. The idea that they have got to go door to door to get this information when information is gathered all over the country by different businesses not going door to door—the government can do it other ways and not violate the right of privacy.

I would ask that this amendment be adopted that basically requires the American Community Survey to be voluntary, and that the fine that is allowed by law not be allowed or not be collected under this amendment.

I yield back the balance of my time.

Mr. FATTAH. Madam Chair, let me close by just saying that I just want to make sure that, because there is some antipathy about, sometimes, anything that may emanate from this administration, I just want to make it clear that this was not some Democratic scheme here to gather up people's private information; that this is actually a legitimate activity of the Federal Government. It is one joined in by the Chamber of Commerce and other business organizations who tell us that this is vitally important.

I think just from a commonsense basis, we actually know as politicians, because when we are engaged in activities that are important, we try to get a lot of information. So we know it is important. It is actually important for making sure that Federal programs are focused on the priorities of your community. And if we don't have the knowledge of how many people need daycare slots or how many veterans there are or what the other circumstances are in a particular community, it is impossible to do the planning that is necessary.

I would ask that we reject this amendment and that we continue to use data as a basis to make informed decisions here at the national level.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Texas (Mr. POE).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. FOSTER

Mr. FOSTER. Madam Chair, I have an amendment at the desk, offered jointly with the gentleman from New Jersey (Mr. GARRETT), my colleague.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), insert the following:

SEC. 543. None of the funds made available by this Act may be used to fund any Experimental Program to Stimulate Competitive Research (EPSCoR) program.

The Acting CHAIR. Pursuant to House Resolution 287, the gentleman from Illinois and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Illinois.

Mr. FOSTER. Madam Chair, every year, hundreds of billions of dollars is transferred out of States that pay far more in Federal taxes than they receive back in Federal spending—the so-called ''payer States.'' And this money is transferred into States that receive a lot more Federal spending than they pay in taxes—the ''taker States.'' This is an enormous and economically unjustifiable redistribution of wealth between the States.

The payer States can be characterized in a number of ways, but most of the payer States are large population States, while virtually all of the taker States are smaller, which means that they are overrepresented in the Senate.

Over time, Senators from these States have inserted hundreds of programs that systematically steer money

into the taker States. Our amendment takes a first small step to begin rolling back these taker State preferences by eliminating one of the most unjustifiable of them all: the Experimental Program to Stimulate Competitive Research, commonly referred to as EPSCoR.

□ 2240

EPSCoR was started as an experimental program in 1978 with the goal of redistributing Federal research dollars into States that traditionally received less than their ''fair share'' of NSF funding.

However, because ''fair share'' was determined on a per State basis, rather than on a per capita basis, it has devolved into just another program that steers money into smaller States that already get far more than their fair share of Federal spending.

Since no allowance is made for whether the State has a big or a small population, the EPSCoR program systematically discriminates against researchers simply because they come from States with large populations. The EPSCoR States are hardly lacking for Federal largesse.

According to the Tax Foundation, in a typical year, the EPSCoR States received approximately $60 billion more in Federal spending than they paid in Federal taxes.

How does one justify a program that excludes researchers in States like Florida or Texas, which over the past 3 years got only an average of about $7 per capita in NSF funding while steering money into States like Rhode Island, Alaska, and New Hampshire, which already got 5 times more?

Why should a researcher at Brown University in Rhode Island be eligible for a grant set-aside that is unavailable to researchers at SMU, FSU, UCLA, Rutgers, or Northern Illinois?

As a scientist, I find that it is not surprising that it is very difficult to find supporters for EPSCoR in the scientific community. Precious research funding would be far better spent in a competitive, merit-based process as it will be if our amendment is adopted.

Madam Chair, I yield 1 minute to the gentleman from New Jersey (Mr. GARRETT), the cosponsor of my amendment.

Mr. GARRETT. I thank the gentleman from Illinois (Mr. FOSTER) for his work on this issue. I am honored to serve alongside him on the Payer State Caucus as well.

Madam Chair, this program is yet another example of good intentions and bad policy. What was intended to be a temporary assistance to a select group of States to build a research infrastructure and then exit the program has become a permanent and growing pot of taxpayer subsidies. This, of course, is in addition to the permanent and growing pot of subsidies the government has already enacted for the States.

For three decades, 30 years after establishment, this program continues to be called—what?—an experimental program, and no State—none—has graduated from the program; yet it exists 30 years later.

This can only demonstrate one thing, Madam Chair, that this is yet another example of ineffective, wasteful redistribution programs that the taxpayers are compelled to financially support. The Foster-Garrett amendment would relieve the taxpayers of this burden.

Again, I thank Mr. FOSTER for his work in protecting the payer States, and I urge my colleagues to support this amendment.

Mr. FOSTER. I thank my colleague from New Jersey.

Madam Chair, I urge my colleagues to support this bipartisan amendment.

I yield back the balance of my time.

Mr. CULBERSON. Madam Chair, I rise in opposition to the gentleman's amendment.

The Acting CHAIR. The gentleman from Texas is recognized for 5 minutes.

Mr. CULBERSON. Madam Chair, this program is designed to ensure that academic institutions and industry can develop science and engineering capabilities that are outside of traditional research hubs.

The partnerships support areas of strategic importance in such disciplines as aerospace and aerospace-related research. I do urge a ''no'' vote on the gentleman's amendment.

I now yield to the gentleman from Rhode Island (Mr. CICILLINE).

Mr. CICILLINE. I thank the gentleman for yielding.

Madam Chair, I rise in opposition to this amendment which would eliminate the EPSCoR program.

For more than 60 years, the National Science Foundation has provided academic research funding to colleges and universities around the Nation, and it has been critical to ongoing research that is essential to maintaining our competitive edge in scientific advancement.

The NSF's Experimental Program to Stimulate Competitive Research, commonly known as EPSCoR, is an authorized program whose mission is to help balance the allocation of NSF and other Federal research and development funding to avoid the undue concentration of money to only a few States.

This successful program has had a profound impact on my home State of Rhode Island, allowing nine of our academic institutions to increase research capacity, to enrich the experience of their students, and to contribute to advances in a variety of fields.

Currently, 25 States, including Rhode Island, and 3 jurisdictions account for only about 10 percent of all NSF funding, despite the fact that these States account for 20 percent of the U.S. population. EPSCoR has helped to stabilize this imbalance in funding and should continue to do so in the 2016 fiscal year and beyond.

In order to ensure robust academic research and outcomes across the country, geographic diversity in funding should be considered to ensure that we are taking advantage of the particular experiences, knowledge, and perspectives of academics and institutions from every State. This amendment to eliminate this successful program would be a step backward for the United States' commitment to research and development.

Investments in critical programs, such as EPSCoR, are essential to creating jobs, innovating for the future, maintaining our competitive edge in scientific research and a global economy.

I urge my colleagues to join me in strongly opposing this amendment.

Mr. CULBERSON. Madam Chair, I would ask Members to vote ''no.''

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Illinois (Mr. FOSTER).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. FOSTER. Madam Chair, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Illinois will be postponed.

AMENDMENT OFFERED BY MR. GOODLATTE

Mr. GOODLATTE. Madam Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), insert the following:

SEC. ____. None of the funds made available in this Act may be used to pay the salaries and expenses of personnel of the Department of Justice to negotiate or conclude a settlement with the Federal Government that includes terms requiring the defendant to donate or contribute funds to an organization or individual.

The Acting CHAIR. Pursuant to House Resolution 287, the gentleman from Virginia and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Virginia.

Mr. GOODLATTE. Madam Chair, I yield myself such time as I may consume.

My amendment prevents the Department of Justice from requiring mandatory donations as part of settlement agreements. The Department of Justice is systematically subverting Congress' budget authority by using settlements to funnel money to third-party groups.

An investigation by the House Judiciary and Financial Services Committees reveals that, in just the last 10 months, the Department of Justice has

used mandatory donations to direct as much as half a billion dollars to activist groups.

These payments occur entirely outside of the congressional appropriations and oversight process. In some cases, the Department of Justice is using mandatory donations to restore funding that Congress specifically cut. This is money that could otherwise be going directly to victims.

The Department of Justice continues to resist document requests, but what little has been provided confirms that activist groups which stood to gain from mandatory donation provisions were involved in placing those provisions in the settlements.

The committees raised concerns with the Department of Justice in 2014, but instead of suspending the practice, the Department of Justice has doubled down. It recently entered into an over $50 million settlement relating to robosigning; $7.5 million of that did not make it to victims.

□ 2250

Instead, it went to a third party. Incredibly, the settlement specifically provided that there would be no oversight of the money.

The situation is even more egregious when one considers that the required donation will nearly double the net assets of the DOJ-specified recipient. It is deeply troubling for that to happen at the unilateral discretion of the executive branch.

This amendment takes no money away from any organization. It is purely prospective. It ensures that settlement money goes either directly to victims or to the Treasury for elected representatives to decide how it is to be spent.

It is critical that we act. The Department of Justice is ignoring Congress' concerns, increasing the use of third-party payments, even as we object. The purpose of enforcement actions is punishment and redress to actual victims. Carrying that concept to communities at large or activist community groups, however worthy, is a matter for the legislative branch and is not to be conducted at the unilateral discretion of the executive.

This is fundamentally a bipartisan institutional issue. There was abuse of third-party payments in the Bush administration. This amendment is about preserving Congress' appropriations authority. I urge my colleagues to support this amendment.

I reserve the balance of my time.

Mr. FATTAH. I claim the time in opposition to the amendment.

The Acting CHAIR. The gentleman from Pennsylvania is recognized for 5 minutes.

Mr. FATTAH. Madam Chair, I am not planning on strongly objecting to this, but I want to make a few points. One is that this is something that should be dealt with in an authorizing circumstance, but I think because it is on an appropriations bill, it could have unintended consequences.

As I understand the plain English of what is being said, an administration faced with, for instance, the Gulf oil spill could not have been involved in a settlement in which various entities received dollars to try to find redress for harm that was created in the Gulf. I think that that would be very problematic because there were a lot of groups—fishermen, other associations, chambers of commerce, others—who received support through that settlement.

I just think we ought to be careful. It would probably be better that there be hearings and that there be an understanding around what this actually means. I have offered my own bipartisan-supported legislation that would create a congressional framework for settlements. I am not opposed to the thrust of what is being said here.

I do recognize that there have been circumstances in past administrations. I am not aware of the instances that the chairman speaks of now, but I would just hope that rather than rushing forward, we would be mindful that this is probably the kind of thing that we really would want authorizers to handle and not have it tucked into an appropriations bill at this time. Plus, if you really think that the executive branch is using their authority, the idea that they would then sign it away by signing our appropriations bill, if it is so meaningful to them, it might slow down the passage of our very important piece of legislation.

Mr. GOODLATTE. Will the gentleman yield?

Mr. FATTAH. I yield to the gentleman from Virginia.

Mr. GOODLATTE. Madam Chair, I thank the gentleman for his concern about this. I want to assure the gentleman that the language in this is designed to make it clear that it applies to donations and not to anybody who is a victim of a lawsuit where redress is sought for them because the compensation for them is not a donation. That is actual recompense for the harm that they suffered.

Mr. FATTAH. Madam Chair, I know the chairman is quite aware of how these words, ''donation,'' ''mandatory,'' ''settlement,'' so forth and so on, might be applied and abused in various ways.

Again, obviously, if this is something the majority wants to do, they will do it. I just think that it may have unintended consequences; and this administration, the next administration, and various administrations going forward, there should be a congressional framework for settlements. I have offered legislation that is bipartisan in that regard. I am not opposed to creating a congressional framework. I just think that we don't want to have unintended consequences here if we can avoid it.

I yield back the balance of my time.

Mr. GOODLATTE. Madam Chair, how much time do I have remaining?

The Acting CHAIR. The gentleman from Virginia has 2 minutes remaining.

Mr. GOODLATTE. I yield such time as he may consume to the gentleman from Texas (Mr. CULBERSON), the chairman of the subcommittee.

Mr. CULBERSON. Madam Chair, I want to express my strong support for Chairman GOODLATTE's amendment. The words he has chosen have been chosen very carefully. A donation or contribution is just that. It is a gift. It is a donation. If the money is paid in compensation for an injury as a result of a claim, it is not covered. So the chairman of the Committee on the Judiciary has written this very carefully and very narrowly to address a very real problem. I strongly support the gentleman's amendment and have worked with him and his staff on it.

I really, genuinely appreciate the good work that your staff has done, Mr. Chairman, in working with you to find common ground.

This is one of those areas that I believe we are doing good public policy. I strongly support the gentleman's amendment and urge its adoption.

Mr. GOODLATTE. Madam Chair, I yield myself the balance of my time just to say this is an important principle, not only to address the abuse that has taken place in the executive branch, but to protect the prerogatives of the Congress on both sides of the aisle.

These are funds that, if they are not expended for the specific purpose of providing compensation to victims, relief to victims in these lawsuits, those funds should go back to the General Treasury of the United States, and they should be appropriated by the Congress—in fact, by this very subcommittee of the House Committee on Appropriations—to make sure that the people's will is exercised with regard to the expenditure of these funds.

I urge my colleagues to support this amendment.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Virginia (Mr. GOODLATTE).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. BLUMENAUER

Mr. BLUMENAUER. I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title) insert the following:

SEC. ____. None of the funds made available by this Act may be used for any inspection under section 510 of the Controlled Substances Act (21 U.S.C. 880) with respect to narcotic drugs in schedule III, IV, or V of section 202 of such Act (21 U.S.C. 812), or combinations of such drugs, being dispensed

pursuant to section 303(g)(2) of such Act (21 U.S.C. 823(g)(2)) for maintenance or detoxification treatment.

The Acting CHAIR. Pursuant to House Resolution 287, the gentleman from Oregon and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Oregon.

Mr. BLUMENAUER. Madam Chair, that is a rather imposing title to deal with a relatively simple concept.

We have a national epidemic dealing with opioid painkillers. Prescription drug overdoses are a serious problem. We find people who become addicted. We are finding that, in a routine matter of course, this drug dependence often leads to heroin, and we are watching a chain of events.

In Oregon, we found that 15 percent of young Oregonians between 18 and 25 abused prescription pain relievers last year. I mentioned that chain of causality. We are finding that people in this sequence often use heroin as a substitute when the pills get too expensive or the high is no longer high enough. It is easy to switch to heroin.

It is not just a problem in Oregon. We have seen the CDC chart heroin deaths doubling between 2010 and 2012 in 28 States.

Opioid addiction can be devastating, but there is a drug that can be used to safely and effectively treat this addiction. For more than 12 years, buprenorphine has been a critical weapon in our fight against opioid addiction. It can be taken on an outpatient basis. It is easy to administer.

But we have seen artificial barriers to treatment. In fact, we have made it harder for doctors to prescribe these schedule III addiction treatment drugs even though it is comparatively easy to prescribe the schedule II drugs that cause addiction in the first place, such as Vicodin and OxyContin. And the schedule III drugs, we are finding that there are audits that are taking place by DEA.

□ 2300

Doctors who complete the 8-hour certification process have been approached by DEA agents in my community before they even write a single prescription. They report hostile and intimidating behavior from agents who demand inspections of their prescription records at random, unscheduled intervals. As I say, these are doctors who can simply write a prescription for powerful narcotics without having to worry about random DEA inspections.

We need to allow doctors to treat their patients with compassion and with the care they deem appropriate. They shouldn't have to worry about DEA agents having a super overlay of attention.

We need to encourage opportunities to make sure that doctors can treat patients and be able to withdraw them from the symptoms. And I would respectfully suggest that the DEA should focus their efforts on chasing criminals, the pill mills, and the drug dealers, not doctors who have worked hard to be part of the solution.

This amendment solves the problem by ensuring no funds are available to DEA to enforce inspections of the physicians who prescribe buprenorphine and allow them to proceed with the treatment of patients without fear of getting into trouble with the Federal Government while helping hundreds of at-risk patients who want to beat their addiction in a healthy, effective way.

The irony is the powerful addictive drugs don't have as much interference and oversight. The opportunity to have drugs at schedule III—not schedule II—that can be used to treat it is much more difficult and intrusive for medical professionals. That is not right.

I would respectfully suggest that we adopt this amendment to correct the situation, and I reserve the balance of my time.

Mr. CULBERSON. Madam Chairman, I claim the time in opposition.

The Acting CHAIR. The gentleman from Texas is recognized for 5 minutes.

Mr. CULBERSON. I yield to the gentleman from Virginia (Mr. GOODLATTE), the chairman of the Judiciary Committee.

Mr. GOODLATTE. I thank the chairman of the committee for yielding, and I rise to join him in opposition to this amendment.

Madam Chair, this amendment would undermine diversion control and thereby potentially increase drug abuse by creating a significant loophole in the system of controls established by the Controlled Substances Act.

The amendment would cause this highly problematic result by effectively exempting DEA registrants who dispense drugs for addiction treatment from being subject to administrative oversight under the CSA. At present, buprenorphine is the only schedule III–V controlled substance contained in a drug that has been approved by the FDA for drug addiction treatment.

While it is also true that the amendment would not preclude DOJ/DEA from obtaining a criminal search warrant to obtain the foregoing types of records, this does not come close to being an adequate substitute for the administrative inspection authority. Obtaining a criminal search warrant must be predicated on evidence sufficient to establish probable cause that the registrant has committed a criminal violation of the Controlled Substances Act.

The very point of the administrative inspection authority that Congress provided under the CSA 45 years ago was to have a robust system of administrative oversight that would help to prevent regulatory violations before they occurred, and even more so, before criminal violations occurred. This is because Congress recognized that controlled substances, when abused, can have dangerous and sometimes deadly consequences, and thus that the widespread problem of drug abuse in the United States cannot be solved exclusively through criminal provisions of the Controlled Substances Act.

It also bears mentioning that this drug is highly subject to diversion, as it is a narcotic drug that is much sought after by many persons who are addicted to opiates and/or who seek to abuse opiates for nonmedical purposes.

Indeed, the heightened risk of diversion associated with dispensing of this drug to a drug-addicted patient population actually warrants greater scrutiny, not less scrutiny, than with many other categories of prescribed controlled substances.

So I urge my colleagues to vote against this amendment.

Mr. CULBERSON. I join the chairman in urging my colleagues to oppose this amendment on many grounds. It is a technical issue that should be dealt with by the authorizing committees. This is not an appropriate place to handle it.

I yield to the gentleman from Louisiana (Mr. FLEMING), who has personal experience and knowledge in this area as a physician, and who can speak to this in opposition as well.

Mr. FLEMING. I thank my good friend for yielding.

Madam Chairman, years ago, one of the positions I served was as a director for drug addiction and alcoholism, and one of my duties was as a methadone doctor.

This drug is really a new form of methadone. It can be applied and can be employed in the treatment of heroin addiction. But at the end of the day, it too is highly addictive. It is a scheduled drug, and it is abused. So it deserves the same kind of safeguards and protections and oversight as any other addictive drug.

And so if my friends really want to see this used as an effective tool and not itself become a dangerous drug out on the open market being diverted and perhaps even sold on the black market, I suggest that we oppose this amendment and let's continue the good, strong oversight that we have under the CSA.

Mr. BLUMENAUER. I would strongly urge my colleagues to talk to treatment professionals in their communities. My concern is that we don't have as much vigorous oversight for things that are much more highly addictive—we see them more abused—and that this extra overlay for something that is less dangerous and can in fact be useful for treatment, I think, is an area that deserves oversight.

I respect my friends in terms of their opinions, but I would urge them to have the conversations I have had with

the people who are getting wrapped around the axle with the DEA.

I yield back the balance of my time.

Mr. CULBERSON. Madam Chair, with that, I would urge all Members to oppose the amendment, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Oregon (Mr. BLUMENAUER).

The amendment was rejected.

AMENDMENT OFFERED BY MR. CARTER OF TEXAS

Mr. CARTER of Texas. I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill, before the short title, insert the following:

None of the funds made available by this Act may be used to propose or to issue a rule that would change the Chief Law Enforcement Officer certificate requirement in a manner that has the same substance as the proposed rule published on September 9, 2013 (786 Fed. Reg. 55014).

The Acting CHAIR. Pursuant to House Resolution 287, the gentleman from Texas and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Texas.

Mr. CARTER of Texas. I rise with an amendment to limit unnecessary burdens on firearm owners and law enforcement officers.

The Second Amendment's intent is clear: firearm ownership ''shall not be infringed.'' However, the ATF has proposed a rule requiring an additional layer of approval from local law enforcement officers to purchase suppressors and other firearms regulated by the National Firearms Act. This rule broadly expands existing requirements and further burdens local law enforcement officers who are already overworked and understaffed.

The ATF knows full well that there are cities and jurisdictions that refuse to give approval for political reasons.

□ 2310

Action films are fun to watch, but they are wrong about suppressors. Suppressors dampen the sound of a firearm, but do not make guns silent. They simply are a form of hearing protection for the shooter, for other human beings, and for any hunting dogs that are around.

Suppressors increase safety while shooting, allow people to easily hear and react to range safety instructions and to other sportsmen.

My amendment ensures Americans' rights are protected and does not eliminate background checks. It will protect suppressor suppliers; manufacturers; tens of millions of dollars in annual revenue; thousands of jobs nationwide; and, more importantly, the Second Amendment rights of a law-abiding gunowner.

I urge support for this commonsense provision, and I reserve the balance of my time.

Mr. FATTAH. Madam Chairman, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from Pennsylvania is recognized for 5 minutes.

Mr. FATTAH. If the gentleman from Texas would join me in a quick colloquy.

Mr. CARTER of Texas. I would be happy to.

Mr. FATTAH. This is the amendment relative to trust and gun trust and whether there needs to be a background check or not?

Mr. CARTER of Texas. Will the gentleman yield?

Mr. FATTAH. I yield to the gentleman.

Mr. CARTER of Texas. This is the amendment that requires an additional approval by a law enforcement officers for purchases of certain either weapons or suppressors.

Mr. FATTAH. Right. Now, in this instance, in 2006, our information is that there were 4,600 of these applications, and then that grew to 40,000 in 2012 and then 72,000 in 2013 and 90,000 in 2014.

Are those numbers relatively accurate, as best as you know?

Mr. CARTER of Texas. If the gentleman will yield, those numbers could be accurate. I cannot contest those numbers.

However, it has been made absolutely clear, both by target shooters and by hunters, that suppressors make for a more accurate weapon, less damage on the shooter, less damage on the people and animals around the shooter, a better ability to be safe with your fellow hunters.

Mr. FATTAH. Reclaiming my time, I rise in opposition to this. It is clear, given the majority that we have, that we won't be on a successful vote count on this.

I do want to make the point, right, that the Second Amendment, as it was ruled on by the Supreme Court, says that there can be reasonable regulation, and so that is our job. That is where we come into this picture at. We are supposed to be the reasonable regulators. We are supposed to decide where and when and under what circumstances there should be some speed bump.

The question here is, for these types of circumstances, where someone is going to have a weapon in which discerning that it has been fired, you are going to be less able to do it, whether that is something where someone should have to have a small speed bump on the way to getting it.

Now, it doesn't seem like there is a major hurdle here because we have jumped from 4,600 of these in 2006 to 90,000 in 2014.

I don't know, unless we are going to just have a universal access to them, there doesn't seem to be a major impediment.

Mr. CARTER of Texas. Will the gentleman yield?

Mr. FATTAH. I yield to the gentleman.

Mr. CARTER of Texas. Because an application was made doesn't necessarily mean that the law enforcement people dealt with it and approved that application. Now, if you are telling me these are 90,000 approved applications, I understand your argument.

One of the issues seems to be finding a law enforcement agency in the modern society we live in that actually has some knowledge of the individual that is making the request and is willing to process it.

Mr. FATTAH. I will just say this then, reclaiming my time, that everybody, even those who are not involved in law enforcement, understands the challenge of having a firearm in which the sound is suppressed.

We just had an incident in one of our Capitol buildings where someone tried to bring a weapon in. We know that weapons are dangerous. That is why you can't bring them into the U.S. Capitol.

Making them more accessible in the communities and among the people that we represent, if we think that is a great thing to do, the majority will have its way on this. I stand in opposition to it.

I yield back the balance of my time.

Mr. CARTER of Texas. Madam Chair, I only claim time to say that I serve on this subcommittee with both these honorable gentlemen. I want to commend them for a great bill.

The chairman has asked for time. I yield such time as he may consume to the gentleman from Texas. (Mr. CULBERSON).

Mr. CULBERSON. I do want to express my strong support for the gentleman's amendment. It is an appropriate and necessary additional protection for Americans' Second Amendment rights.

Judge CARTER is exactly right. This is the right place for the bill. This is the right place for this amendment. He has drafted it very narrowly and very carefully, and I urge Members to join us in supporting this very important Second Amendment amendment before the House.

Mr. CARTER of Texas. To finish, I am honored to serve on this subcommittee with these two fine gentlemen. They have made a great work product here, and I am very glad that we were able to all work together.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Texas (Mr. CARTER).

The amendment was agreed to.

AMENDMENT NO. 9 OFFERED BY MS. BONAMICI

Ms. BONAMICI. Madam Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of the bill (before the short title), insert the following:

SEC. ___. None of the funds made available in this Act to the Department of Justice may be used to prevent a State from implementing its own State laws that authorize the use, distribution, possession, or cultivation of industrial hemp, as defined in section 7606 of the Agricultural Act of 2014 (Public Law 113–79).

The Acting CHAIR. Pursuant to House Resolution 287, the gentlewoman from Oregon and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Oregon.

Ms. BONAMICI. Madam Chair, I rise to offer a bipartisan amendment with Mr. MASSIE to restore power to the States to regulate the cultivation of industrial hemp within their own borders. The House adopted this amendment last year with strong support from both sides of the aisle.

This amendment is very simple. It would move our country in line with industrialized countries around the world that long ago recognized the importance of industrial hemp as a natural resource, an agricultural commodity, and a versatile component that is now found in more than 25,000 commercial products.

In fact, not only does this amendment bring America in line with much of the rest of the industrialized world, it brings America back in line with our country's history. George Washington and Thomas Jefferson grew it. The first drafts of our Constitution and first laws were written on paper made from it.

During World War II, the USDA encouraged patriotic American farmers to raise it for the war effort. They even produced a slick promotional film titled ''Hemp for Victory.'' Now, at least 23 States have passed laws to allow farmers to grow it, too.

Unfortunately, the Federal Government stands in the way of family farmers who want to grow hemp. The senseless classification of hemp as a schedule I drug contributes nothing to public safety; instead, it robs our farm economies of a potentially multibillion-dollar crop that is used to make everything from rope to soap.

The amendment would simply allow farmers to grow hemp in accordance with their own State's laws. The amendment does not eliminate regulation in hemp cultivation; it simply divests the Department of Justice and the DEA of their ability to treat hemp like marijuana because hemp is not marijuana.

So far, 23 States have passed laws to allow farmers to grow hemp. Right now, farmers in California, Colorado, Delaware, Hawaii, Illinois, Indiana, Kentucky Maine, Maryland, Michigan, Missouri, Montana, Nebraska, New York, North Dakota, Oregon, South Carolina, Tennessee, Utah, Vermont, Virginia, Washington, and West Virginia are waiting for the Federal Government to get out of the way.

Because the Department of Justice refuses to acknowledge what Washington and Jefferson knew, that hemp is an agricultural commodity and not marijuana, these State laws take a back seat to Federal overreach.

I urge my colleagues to support this bipartisan amendment, and I yield 1 minute to the gentleman from Kentucky (Mr. MASSIE), my cosponsor.

Mr. MASSIE. Madam Chair, I am very excited to report that, thanks to the farm bill amendment that allowed for pilot programs, we grew many pilot programs in Kentucky last summer; and this summer, there will be about 1,800 acres of hemp grown in Kentucky in pilot programs.

□ 2320

We have venture capital coming to Kentucky. I met with two companies in Kentucky that are investing in hemp, but the problem is right now they can only do the pilot programs. Yet they are still going to grow 1,800 acres of it in Kentucky alone. They grow 100,000 acres in Canada.

It is time to let our farmers have this opportunity. We need to take away the restraint that it is just a pilot program. We have addressed a lot of the concerns that people had last year before these pilot programs. Law enforcement are okay with hemp now. They have seen that it is not its cousin.

With that, Madam Chair, I urge passage and urge my colleagues to vote for this amendment.

Mr. FLEMING. Madam Chairman, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from Louisiana is recognized for 5 minutes.

Mr. FLEMING. Madam Chair, the cultivation of cannabis for industrial purposes is governed by the Controlled Substances Act and permitted pursuant to the registration requirements found in title 21, United States Code.

Let's face it, hemp is very closely related to cannabis. And DEA agents tell us that it is very difficult to detect, determine, and distinguish between hemp and marijuana, so it only makes their job more difficult. However, the Agricultural Act of 2014—and Mr. MASSIE just referred to this, I believe—permits institutions of higher learning and State departments of agriculture to grow or cultivate industrial hemp as defined in the statute for purposes of research conducted under an agricultural pilot program or other agricultural or academic research.

In short, we are studying it, we are analyzing it, and we are evaluating it, but we don't have the results yet of those studies. I think it would be premature, especially considering the problem with the rapid expansion of the marijuana industry and the problems which I will speak about later this evening with marijuana and abuse of marijuana and the damage to brains of our children and so forth. The last thing I think that we want to do now is to create more problems for enforcement for the DEA.

Madam Chairman, if we are going to study it, let's study it, but I do not believe it is time that we remove these restraints on industrial hemp.

I reserve the balance of my time.

Ms. BONAMICI. Madam Chair, may I inquire into the amount of time remaining.

The Acting CHAIR. The gentlewoman from Oregon has 1½ minutes remaining.

Ms. BONAMICI. Madam Chairman, I yield 1 minute to the gentleman from Oregon (Mr. BLUMENAUER), my colleague.

Mr. BLUMENAUER. Madam Chairman, I appreciate the gentlewoman's courtesy and her leadership on this issue.

Madam Chairman, as a practical matter, industrial hemp is not marijuana. With less than 0.3 percent THC, it is not a drug. As a practical matter, it is not hard to distinguish it, and, in fact, it is sort of a myth that somehow people will use industrial hemp to disguise the cultivation of marijuana. They don't want that. It cross-contaminates. It makes it a less effective product.

We have a situation where the rest of the world deals with industrial hemp, where there are countless products available to purchase today, it is just that Kentucky farmers or Oregon farmers can't produce it. Last year the House overwhelmingly passed this amendment. We are starting down a path towards rationalization.

Twenty-three States have removed the barriers to production of industrial hemp. The Federal Government should get out of the way. Congress should adopt this amendment and allow it to proceed.

Mr. FLEMING. Madam Chairman, who has the right to close?

The Acting CHAIR. The gentlewoman from Oregon has the right to close since the gentleman from Louisiana is not on the committee.

Mr. FLEMING. Madam Chairman, I would just say in conclusion that DEA tells us otherwise, that it is difficult to distinguish. It is a problem for them. They are the ones who have to enforce this. Also, there isn't any product that you can get from hemp. Hemp production, industrial hemp is not abundant in many other ways, whether it is paper, rope, or what have you. So with that, it is not necessary. It is not some vital resource that we can't do without. It does create and complicate problems when it comes to the enforcement of schedule I drugs such as marijuana.

Madam Chairman, I yield back the balance of my time.

Ms. BONAMICI. Madam Chair, as we have heard this evening, it makes no

sense that industrial hemp is legal to have and legal to use in manufacturing but can't be grown by our own farmers. Right now the companies that are manufacturing with hemp have to import it from places like Canada and China. They should be able to grow it in our own country.

Please support this bipartisan amendment. Industrial hemp is grown differently from marijuana. It looks different. The enforcers can tell it apart. Let's let our farmers grow industrial hemp. Please support this amendment.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from Oregon (Ms. BONAMICI).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. CULBERSON. Madam Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentlewoman from Oregon will be postponed.

AMENDMENT OFFERED BY MR. POE OF TEXAS

Mr. POE of Texas. Madam Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), insert the following:

SEC. ____. None of the funds made available by this Act may be used for the DNA analysis and capacity enhancement program and for other local, State, and Federal forensic activities for which funds are made available under this Act as part of the $125,000,000 for DNA-related and forensic programs and activities, unless such funds are used in accordance with paragraphs (3) and (4) of section (2)(c)) of the DNA Analysis Backlog Elimination Act of 2000 (Public Law 106–546; 42 U.S.C. 14135).

Mr. CULBERSON. Madam Chair, I reserve a point of order on the amendment.

The Acting CHAIR. A point of order is reserved.

Pursuant to House Resolution 287, the gentleman from Texas and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Texas.

Mr. POE of Texas. Madam Chairman, I yield myself such time as I may consume.

Madam Chairman, Congress in the last several sessions has done, I think, an admirable job of dealing with this crime of sexual assault in the United States. Several pieces of legislation have passed the House, under several administrations, going all the way back to the Violence Against Women Act. More recently, under the Debbie Smith Act, SAFER legislation, here is what is taking place.

We now know because of DNA that old rape kits can be analyzed to determine who the suspect was that committed that sexual assault, generally against females, and that is a good development.

Because of that legislation, the Debbie Smith Act was passed; and the SAFER Act says that Debbie Smith, which grants funds to do rape kit backlogs, that 75 percent of that money, of those grants, will go to actually analyze backlog rape kits. Get those backlogs analyzed, go after the bad guys, find out who committed these crimes, and bring those 400,000 rape kits up to date by getting them analyzed.

This all sounds good. The problem is the Justice Department doesn't follow the law. They are not analyzing these cases. There is still a backlog. They are spending the money, but they are spending it on other things like research rather than what the law says: analyze those cases.

Madam Chair, 75 percent of that money is to go to analyze that backlog of rape cases.

□ 2330

My amendment just tells the Justice Department to follow previous law, analyze those cases, use 75 percent of the money that is available to analyze those cases. That is what the amendment does.

I reserve the balance of my time.

Mr. CULBERSON. Madam Chair, I claim the time in opposition.

The Acting CHAIR. The gentleman from Texas is recognized for 5 minutes.

Mr. CULBERSON. Madam Chair, I strongly agree with the gentleman's amendment and intend to work with him as we move through conference to address this problem in the way he suggests and make sure the law is complied with.

I understand the amendment may be withdrawn. Before the amendment is withdrawn, if I could address the merits of your amendment, I think you are exactly right. We plussed up funding for rape kits. We want to make sure that this backlog is taken care of as rapidly as possible. I know my friend from Philadelphia and the members of this committee share your concern. We want to make sure the backlog rape kits are cleared out as rapidly as possible and these criminals are taken off the street as rapidly as they can be. We want to make sure the Federal law is complied with, so I will work with you to make sure that through the oversight authority we have got on this subcommittee that the Department is enforcing the law as written by Congress and doing so aggressively.

Mr. FATTAH. Will the gentleman yield?

Mr. CULBERSON. I yield to the gentleman from Pennsylvania.

Mr. FATTAH. I concur with your point of view, and I hope that the amendment is withdrawn. But I think that the maker of the proponent amendment is correct that we need to move in this direction. We not only want to make sure that the backlog is ended and that we get bad people off the street; we also don't want innocent people incarcerated for crimes they didn't commit. So this is where the science can help.

But you are right that we need to make sure that there is specific direction. I thank the Chairman.

Mr. CULBERSON. And we can do that through oversight, and we will work very closely with you, Judge POE, on this. And I thank you for your work on this effort. There is no penalty severe enough that can be imposed swiftly enough on anyone who would injure a woman or a child.

I understand the amendment is going to be withdrawn.

Mr. POE of Texas. I thank the chairman, and I also thank the ranking member.

What the amendment does—and I will work with the committee on this—is exactly what the ranking member said. In one word, it finds out ''justice.'' We free the innocent and we convict the guilty, but we can't do it unless these rape kits are analyzed. So I hope the committee figures out a way to have the Justice Department do what they are supposed to do that Congress has already told them to do. Good luck with that.

Madam Chair, I ask unanimous consent to withdraw my amendment.

The Acting CHAIR. Is there objection to the request of the gentleman from Texas?

There was no objection.

The Acting CHAIR. The amendment is withdrawn.

AMENDMENT OFFERED BY MR. ELLISON

Mr. ELLISON. Madam Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), insert the following:

SEC. ____. None of the funds made available by this Act may be used by the Department of Justice in violation of—

(1) the Fifth and Fourteenth Amendments to the United States Constitution; or

(2) the memorandum issued by the Attorney General on March 31, 2015, and entitled ''Guidance Regarding the Use of Asset Forfeiture Authorities in Connection with Structuring Offenses''.

Mr. ELLISON (during the reading). Madam Chair, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The Acting CHAIR. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

The Acting CHAIR. Pursuant to House Resolution 287, the gentleman from Minnesota and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Minnesota.

Mr. ELLISON. Madam Chair, I offer this amendment with the support of the chairpersons of the Congressional Black Caucus, the Congressional Hispanic Caucus, the Congressional Asian Pacific American Caucus, and the Progressive Caucus.

This amendment would prevent funding from law enforcement agencies that engage in discriminatory profiling based on gender, race, ethnicity, religion, sexual orientation, or national origin.

It would also prevent the use of funds to repeal the December 14 revised profiling guidance issued by the Department of Justice. Discriminatory profiling is wrong. It doesn't help prevent crime. It creates a culture of fear and resentment within our community. It is contrary to the core constitutional principles, and the Federal dollars shouldn't be spent perpetuating this activity.

I commend the work of Attorney General Holder to revise profiling guidance, and I believe that we must do more to close the remaining loopholes in profiling guidance.

You shouldn't be able to profile at the border. You shouldn't be able to map people without cause. You shouldn't be able to use national security as an excuse to engage in prejudicial policing.

And we need comprehensive antiprofiling legislation like the End Racial Profiling Act introduced by the dean of this Congress, JOHN CONYERS. In the absence of such comprehensive reform, we should at least prevent Federal funds from being used to discriminate against citizens.

I reserve the balance of my time.

Mr. FATTAH. Madam Chair, I claim the time in opposition, even though I am not actually in opposition.

The Acting CHAIR. Without objection, the gentleman from Pennsylvania is recognized for 5 minutes.

There was no objection.

Mr. FATTAH. Madam Chair, I think that what we should be for is effective law enforcement techniques. We know by every empirical evidence that profiling does not work, and our experts in every aspect of law enforcement—local, State, and nationally—tell us that it doesn't work. So I agree with the gentleman and I support his amendment.

I reserve the balance of my time.

Mr. ELLISON. Madam Chair, I will close and just say that racial profiling has no place, and we urge a ''yes'' vote for the amendment.

I yield back the balance of my time.

Mr. FATTAH. Madam Chair, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Minnesota (Mr. ELLISON).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. ELLISON

Mr. ELLISON. Madam Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), insert the following:

SEC. ___. None of the funds made available in this Act may be used to enter into a contract with any person whose disclosures of a proceeding with a disposition listed in section 2313(c)(1) of title 41, United States Code, in the Federal Awardee Performance and Integrity Information System include the term ''Fair Labor Standards Act''.

The Acting CHAIR. Pursuant to House Resolution 287, the gentleman from Minnesota and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Minnesota.

Mr. ELLISON. Madam Chair, this is a very simple amendment which says that the moneys appropriated by the U.S. Congress should go to contractors who deal fairly with workers and who do not violate the Fair Labor Standards Act.

This particular amendment is not an allegation; it only applies to contractors who have been found in violation, who have been forced to disclose those violations based on the requirements of law and their violations of the Fair Labor Standards Act.

This amendment would prohibit the Federal Government from using funds in this bill to hire contractors with wage theft violations.

Madam Chair, we live in a time when it is so hard for workers all across this Nation to make a living. People go to bed at night calculating whether they are going to be able to meet their monthly expenses. If the work that they do can't even be fully paid because they are victims of wage theft by an unscrupulous employer, I think that the Federal Government should not be doing business with that employer.

The fact of the matter is that in this appropriation, we should reserve Federal money for the millions of contractors who do an honest contract, who provide the Federal Government with good work. Evidence suggests that wage theft is widespread and costs workers billions of dollars every year—greater than the cost of burglaries, robberies, larcenies, and other sorts of problems.

Wage theft among Federal contractors is also a problem. Federal contractors are among America's companies that we rely on to discharge good service. But that service should be within the law; that service should be honoring the work that workers do. And Federal contractors, some of them, certainly not all, but some have had a problem in this area.

A national employment law project found that nearly one in three low-wage contractors in the D.C. area reported stolen wages.

□ 2340

A report by the Senate Health, Education, Labor, and Pensions Committee revealed that 35 percent of the largest Department of Labor penalties for wage theft were levied against Federal contractors.

Now, there are many excellent Federal contractors. These people should not have to compete with companies that circumvent the requirements of the law. In total, those Federal contractors who did had to repay employees $82.1 million in back wages for violations between 2007 and 2012. Despite these violations, many of these same companies received Federal contracts again in 2012.

The fact of the matter is that wage theft is wrong, and the people who engage in it shouldn't receive Federal funds. I hope that all Members will agree that a dollar earned is a dollar that must be paid and that the United States of America only wants to do business with contractors that obey the law.

I reserve the balance of my time.

Mr. CULBERSON. Madam Chair, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from Texas is recognized for 5 minutes.

Mr. CULBERSON. Madam Chairman, I share the gentleman's concerns, but I think his amendment is written so broadly that it is going to have an impact far beyond anything he actually intended.

For example, if a very large company like Boeing ever failed to pay somebody overtime on one occasion, the way his amendment is drafted, this would bar Boeing from ever doing any business with the Federal Government. It would bar Lockheed, which is responsible for building the Orion spacecraft for NASA, and they are doing an extraordinarily good job in doing so.

It is almost inevitable. None of us are perfect. Everybody, somewhere or somehow, is going to make a mistake. It is just inevitable. In the way the gentleman's amendment is drafted, the Federal Government could not hire any company that was ever dealt with in a proceeding that included the term ''Fair Labor Standards Act.'' It essentially blackballs any contractor who has ever had any violation of any kind, anywhere, anytime.

It is too broad. This is not the right place for it. You are going to do great damage to a lot of very good companies that have had very minor, one-time violations a number of years ago. I know that is not the gentleman's intent, but the language before the House that he has drafted is very broad and has implications far beyond what I know he has laid out here tonight.

The bill, as written, would actually, I think, wind up with a lot of very good companies being unable to do business with the Federal Government, so I would ask Members to oppose the amendment.

I reserve the balance of my time.

Mr. ELLISON. Madam Chair, how much time do I have remaining?

The Acting CHAIR. The gentleman from Minnesota has 1½ minutes remaining.

Mr. ELLISON. Madam Chair, I just want to point out that the companies that the gentleman has identified ought to obey the Fair Labor Standards Act. Every company that does business with the United States Government ought to pay its workers fairly.

Federal contracts are lucrative, and Federal contracts make people rich. At the very least, those companies and those individuals who benefit from those contracts ought to make sure that their workers get paid properly.

The fact of the matter is that this is an appropriation from this year. It doesn't bar them in the future from applying for Federal contracts again, and if they should prove to have really cleaned up their acts, we can have a conversation about that.

I am afraid, Madam Chair, that if we do not pass this amendment, we will be telling all of the honest, hard-working contractors that you don't need to obey the law, that you can just do whatever.

Companies that don't obey the Fair Labor Standards Act and steal workers' wages actually gain a competitive advantage on the companies that do obey the law. I don't think that is anything that any one of us would like to see happen, so I would urge a ''yes'' vote on this; say ''no'' to wage theft.

I yield back the balance of my time.

Mr. CULBERSON. Madam Chairman, I want to reiterate, the way the gentleman's amendment is drafted, any violation anywhere, anytime in the history of the company would bar them from ever doing business with the Federal Government. It is if they ever made a mistake anywhere in the past.

The amendment is far too broad and far too sweeping, and I urge Members to oppose the amendment.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Minnesota (Mr. ELLISON).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. ELLISON. Madam Chair, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Minnesota will be postponed.

AMENDMENT OFFERED BY MRS. BLACK

Mrs. BLACK. Madam Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), insert the following:

SEC. ____. None of the funds made available by this Act may be used to require, pursuant to section 478.124 of title 27, or section 25.7 of title 28, Code of Federal Regulations, or the Office of Management and Budget Statistical Policy Directive No. 15, Race and Ethnic Standards for Federal Statistics and Administrative Reporting, that any person disclose the race or ethnicity of the person in connection with the transfer of a firearm to the person.

The Acting CHAIR. Pursuant to House Resolution 287, the gentlewoman from Tennessee and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Tennessee.

Mrs. BLACK. Madam Chairman, our Founding Fathers did not mince words when they authored the Second Amendment to our Constitution.

They spoke plainly and with conviction in writing, ''the right of the people to keep and bear arms shall not be infringed.'' Unfortunately, this administration hasn't always seen it that way.

Recently, President Obama's Bureau of Alcohol, Tobacco, Firearms and Explosives enacted a quiet change to its form 4473—a mandatory document for most gun transactions—that requires Americans to disclose their race and ethnicity in order to complete the sale. What is more, the failure to collect this information is considered an ATF violation that could result in government penalties for the gun dealer.

By placing an extra barrier of complexity between the law-abiding citizens and their right to own a firearm, I believe this intrusive reporting requirement sets up a direct challenge to the Second Amendment rights enshrined in our Constitution, not to mention the right to privacy.

Madam Chairman, we all want to see weapons kept out of the hands of criminals, but an individual's race and ethnicity has nothing to do with his ability to safely own and operate a firearm. Perhaps that is why even traditionally left-leaning groups like the ACLU have spoken in opposition to this requirement.

The fact is the government should be colorblind on all of our rights, whether it is the freedom of speech, the freedom of religion, or the freedom to keep and bear arms. That is why my amendment states that the government cannot require gun buyers to disclose their race and ethnicity at the point of sale. It is really that simple.

I urge my colleagues to vote ''yes'' on this commonsense amendment so that we can reverse this latest regulatory overreach and ensure that fairness and privacy are upheld in our Nation's gun laws.

Madam Chairman, I yield the balance of my time to the gentleman from Texas (Mr. POE), my lead cosponsor and an ardent defender of the Second Amendment.

Mr. POE of Texas. I thank Congresswoman BLACK for this amendment and for bringing it to the attention of the House tonight.

Madam Chair, this issue came to my attention a couple of years ago when I was with constituents in my district. They were gun dealers, and they were complaining and telling me how the administration quietly began requiring the Bureau of Alcohol, Tobacco, Firearms and Explosives—we call it the ATF—to record a firearms purchaser's race and ethnicity.

This, Madam Chair, is not law. It is not congressional action. We did not do this. The ATF, through administration rules, requires the race of the gun purchaser, and the seller who is selling the gun has got to check the box and write the race of the gun purchaser.

□ 2350

If they do not do that or they do it wrong, the ATF can come back later, look at the records, say ''You left it blank on the race of the individual,'' and shut the business down.

Now, there are several problems with this new rule by the ATF. In order to avoid breaking this Federal regulation, the dealers then have to ask the customers their race, and when people are offended—and they get offended—they take it out on the dealers themselves. Sometimes refuse to give their race, and then what is the gun seller to do? Why is our government racial profiling people who exercise the Second Amendment? Why are they doing that?

Second, it is none of the government's business the race of a gunowner. The Second Amendment does not just apply to certain races. It applies to everybody. It doesn't exclude races and only include certain races. As the gentlewoman from Tennessee has said, the Federal Government ought to be colorblind across the board on every issue, especially when it comes to rights. The Second Amendment applies to everybody regardless of their race, just like the First Amendment applies to everybody regardless of their race.

So this amendment would simply tell the Federal Government, it is none of your business the race of a gun purchaser in the United States. Stay out of that issue. Just as equally important, you can't shut some business down if they don't put the right race or they leave the race block blank. That is none of the Federal Government's business.

I would hope that Members of Congress would support this amendment and keep the Federal Government from requiring racial profiling in the purchase of guns under the Second Amendment.

Mrs. BLACK. I yield back the balance of my time.

Mr. FATTAH. I claim the time in opposition to the amendment.

The Acting CHAIR. The gentleman from Pennsylvania is recognized for 5 minutes.

Mr. FATTAH. Before we finish with this, you will be able to have a weapon, you will be able to suppress the sound

on it, and you won't have to identify yourself by these characteristics that are attacked in this amendment, but I want to just kind of set the facts straight.

First of all, this information has been required since 1968. I know people are excited about it tonight, I know there is a lot of enthusiasm about ridding the Nation of having this information, but since the Gun Control Act of 1968, prospective firearm purchasers have been required to record their race.

Now, sometimes, you know, we hear in law enforcement people trying to be politically correct and say, well, we don't want you to be too descriptive of a suspect in a crime, identifying them by race or something, but, you know, the reason why we have this information has nothing to do with prohibiting people's Second Amendment rights. This is about how to track down someone who has done something wrong, who was the original purchaser of the gun that was used in a crime.

The information is not held by the Federal Government, notwithstanding the excitement on the House floor tonight. It is held by the dealer. It is not centralized in any way, but it is a law enforcement data point. Sometimes we actually need data, we need information so that if something has been done with a gun that is unlawful, somebody can figure out who purchased it; and you can also clarify who these people are, if they have similar names, similar backgrounds, or whatever may be the case.

So it is just basic information that any law enforcement person would want to have, the race and ethnic background of the owner of the weapon that was used in a neighborhood near you to harm one of the people whom you have been elected to represent, and to decide tonight, well, what we want to do is strip this information away under some pretense. What we just heard was an argument that somehow someone was trying to say that the Second Amendment discriminated against somebody on a racial basis, and of course anyone can win that straw argument because it is nonsensical. No one is arguing that.

We are talking about basic information that is needed for law enforcement purposes that the majority tonight wants to deny from the ATF. That is something that I would hope the majority wouldn't do, but they obviously have the votes to do as they please. I will be against it.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from Tennessee (Mrs. BLACK).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. RICHMOND

Mr. RICHMOND. Madam Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill, before the short title, insert the following:

SEC. ___. The amounts otherwise provided by this Act are revised by reducing the aggregate amount made available for ''Federal Prison System—Salaries and Expenses'', and by increasing the amount made available for ''Office of Justice Programs—Juvenile Justice Programs'' for youth mentoring grants, by $155,900,000.

Mr. RICHMOND (during the reading). Madam Chair, I ask unanimous consent to dispense with the reading of the amendment.

The Acting CHAIR. Is there objection to the request of the gentleman from Louisiana?

Mr. CULBERSON. Madam Chair, which amendment is the gentleman offering?

Mr. RICHMOND. I only have one amendment, and it is the amendment to move $155 million from the Bureau of Prisons over to the Juvenile Justice program.

The Acting CHAIR. The Clerk will continue to read the amendment.

The Clerk continued to read.

Mr. CULBERSON. Madam Chair, I reserve a point of order against the gentleman's amendment.

The Acting CHAIR. A point of order is reserved.

Pursuant to House Resolution 287, the gentleman from Louisiana and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Louisiana.

Mr. RICHMOND. Madam Chair, I rise today to talk about something that I would hope is important to both sides of the aisle, and that is our youth. Here in Congress we talk about how important a lot of things are: education, public safety, strong communities, freedom, and prosperity. If we have a goal of keeping our children in school and on the path to success, cutting Juvenile Justice programs is the wrong way to go in order to reach it.

We know that supporting programs that keep our children out of jail is one of the best investments we can make, and it gives us one of our highest returns on our investment.

On any given day in this country, there are over 70,000 juveniles in jail around the country. This incarceration is not cheap. We spend about $6 billion a year on juveniles in prison. Interactions with the criminal justice system at a young age have a ripple effect that makes it harder for children to achieve success later.

Students who are arrested early in high school are six to eight times more likely to drop out of high school. What is more, children who are incarcerated are almost 40 percent less likely to graduate from high school and 40 percent more likely to be in prison at the age of 25. Finally, if someone with an arrest record as a juvenile does graduate high school, they are still only half as likely to enroll in a 4-year college.

In short, keeping our children out of jail has benefits to the children, their families, our communities, and to the Nation as a whole. This President realized all of this when he made his budget request. That is why he requested more than $300 million for a variety of authorized programs aimed at improving public safety and keeping children on the path to college and careers instead of the path to prison.

Unfortunately, the bill in front of us calls for devastating cuts to these vital programs. The funding level in the bill is more than $155 million below the President's request, and even $68 million below last year's funding level.

My amendment today would simply bring the funding for Juvenile Justice back in line with the President's request by funding one of the only programs left available in the bill, and that is mentoring. By increasing the role and capacity for mentoring programs across the Nation, we can have a true impact on children in every community.

With that, I reserve the balance of my time.

□ 0000

Mr. CULBERSON. Mr. Chairman, I will assert my point of order against the amendment, depending on what the gentleman intends to do.

Does the gentleman intend to withdraw the amendment?

Mr. RICHMOND. I would like to know what the point of order is. I am just shifting money from one thing that is already in the budget to something that is already in the budget.

POINT OF ORDER

Mr. CULBERSON. The amendment is subject to a point of order on the basis that it proposes to increase an appropriation not authorized by law, Mr. Chairman, and, therefore, is in violation of clause 2(a) of rule XXI.

Although the original account funding for the Office of Juvenile Justice contains a number of programs that are unauthorized, it was permitted to remain in the bill pursuant to the provisions of the rule that provided for the consideration of this bill.

When an unauthorized appropriation is permitted to remain in a general appropriations bill, an amendment merely changing the amount is in order, but the rules of the House apply a ''merely perfecting standard'' to the items permitted to remain, and do not allow the insertion of a new paragraph that was not part of the original text permitted to remain to increase a figure that was permitted to remain.

This amendment proposes to add funding as a reach-back to an unauthorized program, and the amendment, therefore, cannot be construed as merely perfecting.

And therefore, Mr. Chairman, I ask that the Chair rule the amendment out of order.

The Acting CHAIR (Mr. STIVERS). Does any other Member wish to be heard on the point of order?

Mr. FATTAH. I understand the spirit of the chairman's statement. I just want to comment that one of the things that we have done is we have worked over a number of years and doubled the amount of money going into youth mentoring.

I think that the chairman and I agree with the spirit of your amendment and that it is a much more worthy investment for the country to keep our young people on the straight and narrow than to try to repair, as has been said, a broken adult.

We continue to have an interest in building this part of the appropriations bill. Notwithstanding the complicated set of rules relative to the authorized and the non-authorized portion, we continue to want to work with you as we go forward on this matter.

Mr. CULBERSON. I want to, if I could, express my support for the ranking member's comments, but I do need to assert the point of order.

Mr. RICHMOND. If the gentleman does not assert the point of order now, then what I will do is just wrap up and ask unanimous consent to withdraw my amendment.

Mr. CULBERSON. If the gentleman withdraws the amendment, I withdraw my point of order.

The Acting CHAIR. Does the gentleman seek to withdraw the amendment?

Mr. RICHMOND. I was going to close and use the remaining time and then withdraw the amendment.

The Acting CHAIR. A point of order is currently pending.

Mr. CULBERSON. I reserve my point of order. Once the gentleman withdraws, I will withdraw the point of order, but we do need to conclude this. We will work together with Mr. FATTAH on juvenile justice to keep young people out of prison.

The Acting CHAIR. Does the gentleman withdraw the point of order?

Mr. CULBERSON. I reserve the point of order. I will withdraw its assertion at this time, but I reserve it pending the gentleman's conclusion and withdrawal of the amendment.

The Acting CHAIR. The gentleman's earlier point of order is withdrawn. A point of order is now reserved.

The Chair recognizes the gentleman from Louisiana.

Mr. RICHMOND. Mr. Chairman, I would just say I started coaching Little League at 16, and I continue to do that today, and I continue also to mentor.

I would just say that as we look at the budget and we try to do things to bring the budget back into balance, we keep leaving out the point of return on investment. And if we continue to invest in things that are going to give us more than a one-to-one return, then we are actually gaining a benefit that will allow us to cut down the deficit.

And then I would just quickly add in the spirit of bipartisanship and working together that it is almost like the field of dreams for the Bureau of Prisons. If you appropriate it, they will spend it. And if they build it, they will fill it. We don't want to do that when we have a greater avenue, I think, to put our youth on a better path and not only save money, but create less victims of crime.

So with that, I would just remind all of our Members that I hope we continue to work together. And we should really be careful here because the life you save may be your own.

I thank the chairman for his cooperation, and I ask unanimous consent to withdraw the amendment.

The Acting CHAIR. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

The Acting CHAIR. The amendment is withdrawn.

AMENDMENT OFFERED BY MR. MEADOWS

Mr. MEADOWS. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), insert the following:

SEC. __. None of the funds made available by this Act may be used to negotiate or enter into a trade agreement that establishes a limit on greenhouse gas emissions for the United States. The limitation described in this section shall not apply in the case of the administration of a tax or tariff.

The Acting CHAIR. Pursuant to House Resolution 287, the gentleman from North Carolina and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from North Carolina.

Mr. MEADOWS. My amendment would prohibit the administration from using any funds from this bill to advocate or support a position in trade negotiations or enter into a trade agreement that would limit greenhouse gas emissions in the United States. Basically, the amendment would prohibit the Obama administration from trying to address ''climate change'' through trade agreements.

The last few years, we have seen the administration intentionally work around Congress to implement its own agenda.

Mr. Chairman, the hour is late. There are many worthwhile amendments that need to be debated and heard, and with that, I reserve the balance of my time.

Mr. FATTAH. Mr. Chairman, I rise in opposition.

The Acting CHAIR. The gentleman from Pennsylvania is recognized for 5 minutes.

Mr. FATTAH. I am not sure this is the right place to be imposing on trade agreements. We would be opposed to this. We won't be seeking a recorded vote, but we would be opposed to this.

I reserve the balance of my time.

Mr. MEADOWS. Mr. Chairman, I yield such time as he may consume to the gentleman from Texas (Mr. CULBERSON), the chairman of the Appropriations subcommittee, who has done great work.

Mr. CULBERSON. I strongly support this amendment. It is important that these trade agreements not be negotiated in ways that would supersede the authority of this Congress. Any limitation on greenhouse gases should be debated in this Congress and enacted by Congress and should not be any part of any trade agreement.

So I strongly support the gentleman's amendment in the same spirit that we have got language in this bill that prohibits use of funds to negotiate or to implement the U.N. arms control treaty, which would interfere with our Second Amendment rights. We have prohibited that. We have shut down the U.N. arms control treaty in this bill. Similarly, let's shut down any attempt to impose greenhouse gas limits on the United States through a trade agreement.

I strongly support the gentleman's amendment and urge Members to vote ''yes.''

Mr. FATTAH. I yield back the balance of my time.

Mr. MEADOWS. Mr. Chairman, I urge support, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from North Carolina (Mr. MEADOWS).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. GRAYSON

Mr. GRAYSON. I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), add the following new section:

SEC. ____. None of the funds made available by this Act may be used to enter into a contract with any offeror or any of its principals if the offeror certifies, as required by Federal Acquisition Regulation, that the offeror or any of its principals:

(A) within a three-year period preceding this offer has been convicted of or had a civil judgment rendered against it for: commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State, or local) contract or subcontract; violation of Federal or State antitrust statutes relating to the submission of offers; or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, tax evasion, violating Federal criminal tax laws, or receiving stolen property; or

(B) are presently indicted for, or otherwise criminally or civilly charged by a governmental entity with, commission of any of the offenses enumerated above in subsection (A); or

(C) within a three-year period preceding this offer, has been notified of any delinquent Federal taxes in an amount that exceeds $3,000 for which the liability remains unsatisfied.

Mr. GRAYSON (during the reading). Mr. Chair, I ask unanimous consent that the reading be waived.

The Acting CHAIR. Is there objection to the request of the gentleman from Florida?

There was no objection.

The Acting CHAIR. Pursuant to House Resolution 287, the gentleman from Florida and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Florida.

Mr. GRAYSON. Mr. Chairman, this amendment is identical to other amendments that have been inserted by voice vote into every appropriations bill considered under an open rule this year and in the last Congress as well.

My amendment expands the list of parties with whom the Federal Government is prohibited from contracting due to serious misconduct on the part of the contractors. Specifically, the list would include contractors who within a 3-year period preceding an offer have been convicted or have had a civil judgment rendered against them for fraud, violation of Federal or state antitrust laws, embezzlement, theft, forgery, bribery, violation of Federal tax laws, and other items outlined in section 52.209–5 of title 48 of the Code of Federal Regulations.

□ 0010

These are all offenses which any contractor doing business with the Federal Government must disclose to a contracting officer, but oddly enough, the contracting officer would then be free to ignore these transgressions and award contracts to offending entities, absent my amendment.

I commend the authors of this bill for their inclusion of section 523. I still believe, however, that we can improve on this bill by prohibiting agencies from contracting with those entities who have engaged in the activities described above.

It is my hope that this amendment will be noncontroversial, as it has been on every previous occasion and again be passed unanimously by the House.

I reserve the balance of my time.

Mr. FATTAH. Mr. Chairman, I claim the time in opposition, but I am not opposed to the amendment.

The Acting CHAIR. Without objection, the gentleman from Pennsylvania is recognized for 5 minutes.

There was no objection.

Mr. FATTAH. I am not opposed to the amendment. I am prepared to accept the amendment and support it, and I thank the gentleman for offering it.

I speak even for the chairman in this matter. We are ready to rock and roll, so we accept the amendment.

I yield back the balance of my time.

Mr. GRAYSON. I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Florida (Mr. GRAYSON).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. HUDSON

Mr. HUDSON. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), insert the following:

SEC. ___. None of the funds made available by this Act may be used to treat any M855 (5.56 mm x 45 mm) or SS109 type ammunition as armor piercing ammunition for purposes of chapter 44 of title 18, United States Code.

The Acting CHAIR. Pursuant to House Resolution 287, the gentleman from North Carolina and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from North Carolina.

Mr. HUDSON. Mr. Chairman, first and foremost, I want to voice my strong opposition to the Obama administration's continued assaults on our Second Amendment rights.

I ran for Congress to stand up against this overreach and to keep Washington bureaucrats' influence out of our lives and their hands off our freedoms and their hand off our guns. That is why I am offering an amendment to the Commerce, Justice, Science Appropriations bill that would stop President Obama's green tip ammo ban.

As you recall, the ATF recently tried to ban common rifle ammunition that has been legally used by law-abiding American sportsmen for decades. It was only after receiving intense pressure from Congress and more than 80,000 public comments and, frankly, the direct intervention of Chairman CULBERSON that the administration stalled their proposed ban.

As the clock ticks down on this President's second term, the administration is cooking up more than a dozen gun control regulations and has left the door open to reconsider future ammo bans.

This determination to unconstitutionally restrict one of our most fundamental rights and—I would argue—our first freedom has nothing to do with safety or security and everything to do with government control.

My amendment, previously introduced as a stand-alone bill by my good friend and colleague, Chief Deputy Whip PATRICK MCHENRY, from North Carolina, would put an end to this attack on our Second Amendment rights by ensuring this popular ammunition remains available and not subject to any future ATF bans.

Mr. Chairman, like many of my constituents from North Carolina, I like to spend time outdoors in a deer stand, in a field, or at the range. I will not stand idly by and allow a unilateral executive fiat to threaten our right to enjoy this cherished American tradition.

The Second Amendment is not about hunting or shooting sports. Our right to keep and bear arms is a right that ensures our ability to protect all of rights. That is why I refer to it as our first freedom. This fundamental freedom must be defended and protected.

For that reason, I encourage my colleagues in the House to support this amendment.

Mr. Chairman, I yield such time as he may consume to my colleague from North Carolina (Mr. ROUZER).

Mr. ROUZER. Mr. Chairman, I am proud to stand with my colleague from North Carolina in support of this amendment. In the eyes of our Founding Fathers, the right to bear arms was just as fundamental as the freedom of speech. The Second Amendment ensures our right, as law-abiding American citizens, to bear arms to protect ourselves from enemies, both foreign and domestic.

It is no secret that our Second Amendment rights have been threatened by the government bureaucrats in the Obama administration. Earlier this year, the Bureau of Alcohol, Tobacco, Firearms and Explosives doubled down on attempting to ban lead projectiles, as they claim the ammunition is armor piercing.

They proposed a ban on the manufacturing and sale of certain AR–15 ammunition that could have drastically reduced the availability of ammunition commonly used for sporting and other legitimate purposes.

Because of the strong objections from gunowners and constitutional conservatives across the country, ATF decided to table their proposal, at least for now.

Mr. Chairman, our constitutional rights should not be left up to the whims of Federal bureaucrats in Washington. This amendment simply ensures that Federal funds cannot be used to ban certain types of commonly used ammunition, and I encourage my colleagues to support it.

Mr. FATTAH. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from Pennsylvania is recognized for 5 minutes.

Mr. FATTAH. They must have some special kind of deer in North Carolina. They are running around in the woods with bulletproof vests on.

The idea that a sportsman needs an armor-piercing bullet to go after a deer, I mean, I don't really buy it; but if the majority is willing to buy it at this hour of the night, it is fine with me.

On a serious note, for those who are in law enforcement, who are out in dark alleys, and who have to confront circumstances that they don't know the exact dangers that they are going

to face, the fact that we want to have weapons that suppress the sound—now, we want to have bullets that can pierce armor and that we want to make sure that are under the guise of the Second Amendment, that you can have all manner of armament, without any type of reasonable speed bumps that might protect the American public is something that I am not sure that the majority would want to take such an enthusiastic effort around.

Obviously, they do, and they have decided that this bill is the bill for it, that this bill is the place where they want to do this activity, right?

I think it is unfortunate. As for me and for my side, we will be in opposition, and we will let the majority work its will.

I reserve the balance of my time.

Mr. HUDSON. Mr. Chairman, may I inquire how much time is remaining?

The Acting CHAIR. The gentleman from North Carolina has 1½ minutes remaining, and the gentleman from Pennsylvania has 3 minutes remaining.

Mr. HUDSON. Mr. Chairman, I appreciate my colleague's rhetorical question. Mr. Chairman, I would just say that the point is a 5.56 green tip bullet is not an armor-piercing bullet. The only reason it has been called an armor-piercing bullet is because of a loophole, and that is my point.

We have an administration that has just put out a whole list of regulations that say they want to restrict the rights of people because they may or may not have a mental illness. They want a whole list, a whole range of regulations that they would like to roll out in the final days of this administration to limit, to infringe upon our Second Amendment rights. What I am saying is we are not going to stand for that.

The bullet, the round that I am talking about is not an armor-piercing round; it has never been defined as an armor-piercing round, but because of a loophole, this administration tried to ban it as such.

Having said that, I yield the balance of my time to the gentleman from Texas (Mr. CULBERSON), the chairman.

Mr. CULBERSON. I want to express my very strong support for the gentleman's amendment. The gentleman's amendment is necessary because the ATF did come out with a very broad legal framework within which they were attempting to ban not only 223 ammunition, but potentially whole other categories of ammunition, and that is just not what the statute was intended to prevent.

The statute was intended to prevent specific types of armor-piercing bullets from being used in pistols. The ATF was taking that far beyond the statute. It was necessary for—as new committee subcommittee chairman, I was able to step in and persuade the ATF to drop their ammo ban.

Mr. HUDSON's amendment is necessary to make sure it doesn't happen again in the future, and I urge Members to support his amendment in the strongest possible terms to defend our Second Amendment rights.

Mr. HUDSON. Mr. Chair, I yield back the balance of my time.

□ 0020

Mr. FATTAH. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I would just hope that none of my good friends on the other side decide to test this theory about whether or not it can pierce armor, that you don't take the rhetoric to an extreme here. It is a fact that there is some concern about what this means for law enforcement. I know that the majority would want to be seen, and I think truly is, in support of law enforcement.

Why would we want to put this type of ammunition in guns that we want to suppress the sound on, in which we want less information about the purchaser, at a time like this in our Nation I don't actually understand. But there is obviously some thread that runs through the other team over here that suggests that this is the time for them to proceed along this line. I think that the American public will have to make whatever judgment they want to make about that.

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

The Acting CHAIR. The question is on the amendment offered by the gentleman from North Carolina (Mr. HUDSON).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. COLLINS OF GEORGIA

Mr. COLLINS of Georgia. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title) insert the following:

SEC. _____. None of the funds made available by this Act may be used to provide assistance to a State, or political subdivision of a State, that has in effect any law, policy, or procedure in contravention of immigration laws (as defined in section 101(a)(17) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(17))).

Mr. COLLINS of Georgia (during the reading). Mr. Chair, I ask unanimous consent to dispense with the reading.

The Acting CHAIR. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. CULBERSON. Mr. Chairman, I reserve a point of order on the gentleman's amendment.

The Acting CHAIR. A point of order is reserved.

Mr. CULBERSON. Mr. Chairman, I support the gentleman's amendment, and I withdraw the point of order.

The Acting CHAIR. The point of order is withdrawn.

Mr. FATTAH. Mr. Chairman, I reserve a point of order on the gentleman's amendment.

The Acting CHAIR. A point of order is reserved.

Pursuant to House Resolution 287, the gentleman from Georgia and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Georgia.

Mr. COLLINS of Georgia. Mr. Chairman, I rise today with basically a commonsense amendment on H.R. 2578. I appreciate the hard work that Chairman CULBERSON, Ranking Member FATTAH, and other members of the Appropriations Committee have put into this bill.

This bill contains many important provisions to protect law-abiding Americans and public safety while spending responsibly; however, I want to make it absolutely clear that no funds appropriated under this bill are used to assist States and localities whose laws and policies are in direct contradiction to Federal immigration law and enforcement efforts. My amendment does just that. It ensures that we do not reward State and local governments with Federal funds when they ignore the rule of law.

State and local jurisdictions are implementing policies that directly contradict U.S. Immigration and Customs Enforcement's statutorily mandated mission to identify and remove illegal aliens who are currently incarcerated. At this point, we even have seen some local sheriffs who choose to follow Federal law and honor ICE detainers slapped with lawsuits for cooperating, for following the law.

I know we are late. I know there is some discussion about this, but really this is simple.

Hard-working taxpayers should not have to sit idly by and watch their tax dollars go to localities that choose to encourage illegal immigration through their nonenforcement policies. My amendment sends a clear message that, if localities implement policies in contradiction to Federal immigration law, they will not be eligible to receive funds under this act, specifically Federal reimbursement grants under the State Criminal Alien Assistance Program.

Mr. Chairman, this is an amendment that was offered and accepted last year. We are offering it again and would ask favorable consideration.

With that, I reserve the balance of my time.

The Acting CHAIR. Does the gentleman from Pennsylvania continue to reserve his point of order?

Mr. FATTAH. I would like, at this point, unless there are more comments, to assert the point of order.

The Acting CHAIR. The gentleman from Pennsylvania may state his point of order.

POINT OF ORDER

Mr. FATTAH. Mr. Chairman, I make a point of order against the amendment because it proposes to change existing law and constitutes legislation in an appropriations bill and, therefore, violates clause 2, rule XXI.

The Acting CHAIR. Does any other Member wish to be heard on the point of order?

Mr. CULBERSON. Mr. Chairman, I support the amendment.

Mr. COLLINS of Georgia. Mr. Chairman, I will at least respond to the point of order.

This amendment is not in contradiction of current law. In fact, it simply states that the amendment would not allow funds to be used in support of holding up law as it is currently written. This is not a law that is written to circumvent current law. In fact, all it says is that States and localities who receive the money will actually support current law. So I am not sure what the point of order is actually trying to say.

This was put in last year. It was approved. I understand. I appreciate the gentleman's concern. But, basically, we are saying if you enforce the law as it is written, which is all we are asking, then the grant is there. If you choose not to enforce Federal law, then that is money that will be withheld.

The Acting CHAIR. Does the gentleman from Georgia wish to withdraw his amendment?

Mr. COLLINS of Georgia. Not at this point.

Mr. FATTAH. Mr. Chairman, we will respect the ruling of the Chair.

The Acting CHAIR. Does any other Member wish to be heard on the point of order?

The gentleman from Texas is recognized.

Mr. CULBERSON. Mr. Chairman, I would like to reiterate that I agree with the gentleman from Georgia. This does not change existing law. It simply states that if you expect to receive Federal money, you need to be in compliance with Federal law. It is pretty straight up.

The Acting CHAIR. The Chair is prepared to rule.

The Chair finds that this amendment includes language requiring a new determination as to the status of local law.

The amendment, therefore, constitutes legislation in violation of clause 2 of rule XXI. The point of order is sustained, and the amendment is not in order.

AMENDMENT OFFERED BY MR. GRAYSON

Mr. GRAYSON. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

SEC. ____. None of the funds made available by this Act may be used to negotiate or enter into a trade agreement whose negotiating texts are confidential. The limitation described in this section shall not apply in the case of the administration of a tax or tariff.

The Acting CHAIR. Pursuant to House Resolution 287, the gentleman from Florida and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Florida.

Mr. GRAYSON. Mr. Chairman, this amendment is akin to an amendment that was considered just a few moments ago offered by Mr. MEADOWS. This amendment is meant to address a problem that has arisen with trade agreements that has become visible to all of us as Members of this august body.

What has happened is that the Trade Representative, for no apparent legal reason, with no apparent legal authority, has taken it upon himself to negotiate trade agreements like the Trans-Pacific Partnership in secret—not entirely in secret, just in secret from us and from members of the American public.

The corresponding provision, the TTIP provision, has been posted by the European Union, which is our negotiating partner in this on the Internet.

The Trans-Pacific Partnership itself has been negotiated in secret, but that has been posted by WikiLeaks, to the embarrassment of our government in an unnecessary manner.

What we have seen over the past several years is that the Trade Representative has turned a deaf ear to our concerns as Members of Congress who must perform our oversight functions whenever we ask for information about what the Trade Representative is doing on behalf of the American people.

Three years ago, we had the strange circumstance come up that over 100 Members of Congress, 100 Members of this body, wrote a letter to the Trade Representative saying: We hear you are negotiating something called the Trans-Pacific Partnership. Would you please give us a copy?

And the answer came back: No. We are not going to give you a copy.

For the past 5 years, the Trans-Pacific Partnership has been negotiated in secret. Only in the last few months, Members of Congress have been able to see it under the most extreme conditions imaginable. I was actually the first person to be able to see it, and the Trade Representative came to my office with his staff and offered to show it to me, but I couldn't take any notes.

□ 0030

I couldn't discuss it with my own staff. I couldn't even discuss it with other Members of this body. And of course I couldn't make copies or otherwise help myself to record what I had seen, much less speak to my constituents about it, much less speak to the media about it, much less speak to the public about it.

Respectfully, secret laws are un-American laws; secret agreements are un-American agreements. There is no such thing recognized under our Constitution as a ''secret statute'' or a ''secret treaty.'' But that is, in effect, what we have been experiencing without any legal authority whatsoever on behalf of the Trade Representative.

Now, I am not saying the Trade Representative needs to stop negotiating these agreements; not at all. What I am suggesting is that we lift the veil of secrecy that has been dropped over these negotiations so that we can't see them, the American people can't see them, but foreign governments can see them.

Why is it that we have confidentiality? Why is it that we have a classified information system? Generally speaking, it is not to keep Americans from seeing this information; it is to keep foreigners from seeing this information. And here the world has been turned upside down, and we have a situation where foreigners get to see it, but even the highest members of our own government—our Senators, our Congressmen—we don't get to see it. That is absolutely unacceptable; it is un-American.

The only way to come up with agreements that satisfy the needs of this country is through an open, fair, transparent process. That is what this simple amendment will accomplish. It says: None of the funds made available in this act, which includes funds made to the Trade Representative, may be used to negotiate or enter into a trade agreement whose negotiating texts are confidential.

It is time for a little sunlight. Sunlight is the best disinfectant. It is time for the Members of this body to take control of our constitutional responsibilities, not to let the Trade Representative or any member of the executive branch tell us to stuff it when we need to find out things in order to be able to do our jobs properly.

Wouldn't it be a better system if we were able to tell a trade representative what we think, what our constituents think, what the members of the American public think about these documents before they are simply dropped on us?

This is a simple commonsense amendment. There is no existing legal authority that allows the Trade Representative to do what he has been doing. I say the time is up and we should insist that these agreements, which will determine the course of economic history in America for the next 20 or 30 years, are agreements that are negotiated in public with our approval and with our input.

I reserve the balance of my time.

Mr. CULBERSON. Mr. Chairman, I claim the time in opposition.

The Acting CHAIR. The gentleman from Texas is recognized for 5 minutes.

Mr. CULBERSON. Mr. Chairman, the gentleman from Florida I know has worked in the past as an attorney and represented clients and undoubtedly has settled cases before. And those settlement agreements, those negotiations, when you were designing those agreements, Mr. GRAYSON, I know were not something that you wanted to disclose. You wanted to negotiate those settlements in private with your client confidentially, because had the world seen what you were working out, that would have damaged your client's ability to negotiate a fair settlement with the other party in the case.

As here, with trade promotion authority, the countries with which the Trade Representative is negotiating, Japan, for example, I doubt the Japanese want the Australians to see what the Japanese are agreeing to. That is just common sense. I doubt that the Koreans want the Japanese to see what the Koreans are attempting to agree to.

So it is perfectly understandable that the agreement itself would be confidential until it is finalized. Members of Congress can go see the agreement, but the Korean-American Trade Agreement is going to be confidential until it is finally settled because Korea doesn't want Japan or Australia or Vietnam to see what they are negotiating, in the same way you did not want your clients, the agreement you were attempting to negotiate on behalf of your client, you didn't want to do that in the open sunshine. Sunshine is a good thing, but there are times when a negotiation like this on a trade agreement is just common sense. You are not going to want the other countries that you are competing against to see what kind of a deal you are fixing to work out with the United States.

The Members of Congress can see it, of course, as we should, and the agreement itself must be available to the public to view 90 days before the President can even sign the agreement, and the Congress is going to have this debate. In fact, I understand that this trade promotion authority agreement that is under discussion, the new law that Congress is proposing, would for the first time give either House of Congress a veto over the agreement with a majority vote. So the House could decide on our own to veto a particular trade agreement by majority vote; the Senate could veto a trade agreement by majority vote.

The only part of the deal so far that is confidential is the ongoing negotiation, which is exactly the way you handled and protected your client's best interest as an attorney. I am quite confident as an attorney you handled your client's litigation in a way that was professional and confidential, and I imagine you never disclosed a pending settlement agreement that was being negotiated, you never released that publicly, did you ever, Mr. GRAYSON?

Mr. GRAYSON. Is the gentleman yielding to me?

Mr. CULBERSON. Did you ever release a negotiated settlement agreement to the public before it was finalized?

Mr. GRAYSON. Is the gentleman yielding to me?

Mr. CULBERSON. No. Answer my question, yes or no.

Mr. GRAYSON. Well, I can't answer your question unless you are going to yield to me.

Mr. CULBERSON. That is why I am asking a question. I am asking you, did you ever release the terms of a settlement agreement you were negotiating before it was final?

The Acting CHAIR. The gentleman from Texas controls the time.

Mr. CULBERSON. Yes. And I am asking a question.

I was an attorney myself. I defended businesses in civil litigation, and any settlement agreement that we worked on was done confidentially. And I would ask Mr. GRAYSON, did you ever disclose a confidential settlement negotiation publicly when you were negotiating on behalf of your client?

Mr. GRAYSON. Is the gentleman yielding the balance of his time to me?

Mr. CULBERSON. No, I am not yielding the balance of my time. I am just asking a question.

I am quite confident Mr. GRAYSON always kept those negotiations secret. That is all that is being kept secret here. And it is actually not secret because Members of Congress can go read the text of the trade agreement that is being negotiated. And if any of us have any sort of an objection, that is a good time to raise it, to tell the Trade Representative that we think this or that provision is going to either be in violation of Federal law or cause a problem for American industry and we think you ought to drop it.

So you have actually got an opportunity to have your 2 cents' worth heard during the course of the negotiation. So I would urge Members to oppose Mr. GRAYSON's amendment for the same reason that Mr. GRAYSON always kept his settlement negotiations confidential on behalf of his clients.

I reserve the balance of my time.

The Acting CHAIR. The gentleman from Florida has 15 seconds remaining. The gentleman from Texas has 30 seconds remaining.

Mr. GRAYSON. Mr. Chairman, I ask unanimous consent for another minute beyond my 15 seconds.

Mr. CULBERSON. I object. We are limited to 5 minutes and it is 12:30 at night.

The Acting CHAIR. There is an objection. The gentleman has 15 seconds.

Mr. GRAYSON. First of all, I represent the American public here, not the American private. When I was an attorney, I represented private interest, just as you did. Now I represent the public. The reason we refer to the American public as the public is because the public's business needs to be public. That means no secret negotiations, no secret acts, no secret agreements, nothing but the public interest in public.

The Acting CHAIR. The time of the gentleman has expired.

Mr. CULBERSON. Mr. Chairman, I think Mr. GRAYSON's answer confirms that he did not ever disclose a negotiated settlement before it was final, and that is just common sense. And here, under trade promotion authority, the trade agreement, as it is being negotiated, needs to be kept confidential. But any Member of Congress can go in and see it and have our voices heard, object, suggest changes to it, as it is being negotiated. And then once it is finalized the text must be made available to the public 90 days before the President signs the agreement, and then either House of Congress can void the agreement by a majority vote. We are going to have this debate, and I urge Members to oppose this amendment.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Florida (Mr. GRAYSON).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. GRAYSON. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Florida will be postponed.

AMENDMENT OFFERED BY MR. ROHRABACHER

Mr. ROHRABACHER. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), insert the following:

SEC. ____. None of the funds made available in this Act to the Department of Justice may be used, with respect to any of the States of Alabama, Alaska, Arizona, California, Colorado, Connecticut, Delaware, Florida, Georgia, Hawaii, Illinois, Iowa, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, Montana, Nevada, New Hampshire, New Jersey, New Mexico, New York, North Carolina, Oklahoma, Oregon, Rhode Island, South Carolina, Tennessee, Texas, Utah, Vermont, Virginia, Washington, and Wisconsin, or with respect to either the District of Columbia or Guam, to prevent any of them from implementing their own laws that authorize the use, distribution, possession, or cultivation of medical marijuana.

Mr. ROHRABACHER (during the reading). Mr. Chairman, I ask unanimous consent to dispense with the reading of the amendment.

The Acting CHAIR. Is there objection to the request of the gentleman from California?

There was no objection.

The Acting CHAIR. Pursuant to House Resolution 287, the gentleman from California and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California.

□ 0040

Mr. ROHRABACHER. Mr. Chairman, I yield myself 2 minutes.

Today, I ask my colleagues to make a practical as well as a principled vote. My amendment would prohibit any Federal funds from being used to supersede State law in those States that have legalized the use of medical marijuana.

Let's be clear. The intent of this amendment is to make it illegal for Federal employees to engage in efforts to enforce Federal law that makes the medical use or distribution of medical marijuana illegal in States where the use of marijuana for medical purposes has been made legal.

The practical aspect of this vote is based on the realization that, at a time of severely limited resources, it makes sense to target terrorists, criminals, and other threats to the American people rather than use Federal law enforcement resources to prevent suffering and sick people from using a weed that may or may not alleviate their suffering.

There are many examples—yes, anecdotal—in which the use of marijuana has helped end severe suffering.

Trying to prevent this use of marijuana once it has been legalized by a State government is a travesty, an inexcusable waste of our limited resources. That is the practical reason to vote for my amendment.

As for the principle, we Republicans claim to base our decisions on individual freedom, on states' rights as mandated by the 10th Amendment to the Constitution, and especially on the doctor-patient relationship.

Don't bother to use rhetoric about those principles on other issues if you vote for the Federal Government to supersede individual rights, states' rights, and the doctor-patient relationship when it comes to marijuana.

The Acting CHAIR. The time of the gentleman has expired.

Mr. ROHRABACHER. I yield myself 10 seconds.

Stop this waste of limited Federal law enforcement resources. Stop the roughshod use of the Federal bureaucracy from busting down doors to prevent sick people from using a substance that his or her doctor believes might alleviate his or her pain.

Vote for the Rohrabacher amendment.

The Acting CHAIR. The time of the gentleman has again expired.

Mr. FLEMING. Mr. Chairman, I rise in opposition to the gentleman's amendment.

The Acting CHAIR. The gentleman from Louisiana is recognized for 5 minutes.

Mr. FLEMING. Mr. Chairman, I yield myself 1 minute.

First of all, I hear constantly of this idea about individual rights, about the 10th Amendment, et cetera. This was all settled back in 2005 in the Supreme Court with Gonzales v. Raich, which was a 6–3 victory in favor of the government's having preemptive rights when it comes to the drug laws, the CSA. That has been settled. We can claim this over and over again, but bring it back to the Court and see if you can change that.

Now, how is this affecting us in real life? It is now legal in Colorado, but Nebraska and Oklahoma are now suing Colorado. Why? It is because of all of the problems that are developing across the State borders—again, interstate commerce, a big problem.

Let's talk about the huge problem that marijuana represents. First of all, it has no accepted medical use.

The Acting CHAIR. The time of the gentleman has expired.

Mr. FLEMING. I yield myself an additional 30 seconds.

There are synthetic marijuana equivalents that are useful—yes, indeed—but the drug itself, which is the smokeable part of it, is not safe and has not been accepted.

Here is the thing. It is known to have brain development alterations; schizophrenia and other forms of mental illness, psychosis; heart complications; and an increased risk of stroke.

A study recently found that even casual users experience severe brain abnormalities found on MRIs and that pot smoking leads to the loss of ambition; to lower IQs; and that it impairs attention, judgment, memory, and many other things.

I reserve the balance of my time.

Mr. ROHRABACHER. Mr. Chairman, I yield 2 minutes to the gentleman from California (Mr. FARR).

Mr. FARR. Mr. Chairman, Congress needs to represent the States that they were elected in. It is time that we represent them here in the United States Congress to allow medical marijuana laws in those States that have been approved by the voters and approved by their legislatures—39 States, the District of Columbia, and Guam. That is 41 total, the majority of the American population. It is a states' rights issue.

Support this amendment.

Mr. FLEMING. Mr. Chairman, how much time do I have remaining?

The Acting CHAIR. The gentleman from Louisiana has 3½ minutes remaining, and the gentleman from California has 2¼ minutes remaining.

Mr. FLEMING. Mr. Chairman, I yield 2 minutes to the gentleman from Virginia (Mr. GOODLATTE).

Mr. GOODLATTE. Mr. Chairman, the supporters of this amendment claim that this is a states' rights issue. However, it is not that simple, not hardly. Drug manufacture and use is inherently an interstate problem.

For example, we need look no further than at one of the two States where marijuana has been legalized. The Colorado Department of Revenue has reported that 45 percent of marijuana sales in the State were to out-of-State ID holders.

Indeed, earlier this year, Colorado Governor Hickenlooper said, ''If I could've waved a wand the day after the election, I would have reversed the election and said, 'This was a bad idea.' ''

In fact, Colorado is now being sued by Nebraska and Oklahoma, which claim Colorado has created a ''dangerous gap'' in the control of marijuana and that marijuana is flowing from Colorado to neighboring States.

However, Mr. Chairman, of far greater concern to me is the increased availability of marijuana to children, which will inevitably result from a loosening of restrictions on this dangerous drug.

Though my colleagues may not like it, marijuana remains a schedule I narcotic because it has a high potential for abuse and no legitimate medical use. In fact, Mr. Chairman, statistics show that 78 percent of the 2.4 million people who began using marijuana last year were aged 12 to 20.

There is little doubt that this drug poses a significant danger to our children, and I urge a ''no'' vote on this amendment.

Mr. ROHRABACHER. Mr. Chairman, I yield 30 seconds to the gentlewoman from California (Ms. LEE).

Ms. LEE. I want to thank the gentleman for yielding and for his leadership on this amendment.

Mr. Chairman, of course, I rise in support of this bipartisan amendment.

In States with medical marijuana laws, patients now face uncertainty regarding their treatment, and small-business owners, who have invested millions in creating jobs and revenue, have no assurances for the future.

It is way past the time for the Justice Department to stop its unwarranted persecution of medical marijuana and to put its resources where they are truly needed. There is no way that Members of Congress should tell people who live in States where these laws have been passed that what their doctors prescribe, which could prevent pain, should not be allowed.

Mr. ROHRABACHER. Mr. Chairman, I yield 30 seconds to the gentleman from Tennessee (Mr. COHEN).

Mr. COHEN. I appreciate the time, and I appreciate all of the work that Mr. ROHRABACHER and Mr. FARR have done, and I am happy to join with them.

Mr. Chairman, Justice Brandeis said the States are the laboratories of democracy. That is what they are doing here. Some of the arguments we have heard are ''Reefer Madness'' 2015. It is over. One of the gentlemen said children are doing marijuana at age 12.

That will show you how good the laws are doing right now.

If we had more money going into heroin and not marijuana, we could stop people from dying, and that is what we should be doing. Tell Montel Williams, who has MS, that marijuana doesn't work. Tell cancer patients that it doesn't help them with nausea. Tell people that it doesn't work.

It works. It helps. It is the States.

Mr. ROHRABACHER. Mr. Chairman, I yield 30 seconds to the gentleman from Colorado (Mr. POLIS).

Mr. POLIS. Mr. Chairman, by the way it has been talked about by some on the other side, to be clear, this amendment does not legalize marijuana. It simply ensures that the Federal Government doesn't waste its limited resources in prosecuting men and women who are acting in compliance with State and medical marijuana laws. That is all it does.

It is very reasonable that States have enforcement priorities in this area, and we want our Federal resources geared towards crime that we view as more important. Have them go after the meth lab. Have them go after the heroin ring.

□ 0050

Colorado has had legal medical marijuana for nearly a decade. Some in our State are for it; some are against it. It is our right as a State to determine that. That is why I support this amendment.

Mr. ROHRABACHER. I yield 30 seconds to the gentlewoman from Nevada (Ms. TITUS).

Ms. TITUS. Mr. Chairman, this amendment is about standing up for states' rights and protecting businesses, doctors, and patients who are acting legally under the medical marijuana laws of some 41 States and territories, including Nevada. Congress needs to catch up with State legislatures, and the Federal Government needs to stop wasting money busting good citizens who are trying to do the right thing.

Mr. FLEMING. I continue to reserve the balance of my time.

Mr. ROHRABACHER. Mr. Chair, who has the right to close?

The Acting CHAIR. The gentleman from California has the right to close.

Mr. ROHRABACHER. That is correct. I reserve the balance of my time.

Mr. FLEMING. May I inquire how much time I have remaining?

The Acting CHAIR. The gentleman from Louisiana has 2 minutes remaining, and the gentleman from California has 15 seconds remaining.

Mr. FLEMING. Let me say, first of all, this whole idea of medical marijuana is a big joke. It is an end run around the laws. There are more pot shops in California than there are Starbucks or McDonald's; okay?

Now, is it really a medical treatment? Well, the AMA says no. The American Society of Addiction Medicine says no. Even the American Glaucoma Society, which is of course in charge of glaucoma treatment, says that this is not a medical treatment for glaucoma. So there is no single approved use of marijuana for medical diseases.

The whole idea about medical marijuana is to get around the laws on legalization or illegalization of marijuana. But make no mistake about it, the most common addiction diagnosis for young people admitted to drug treatment centers is addiction to marijuana. The rate is 9 percent addiction rate in adults; it is 17 percent in young people.

We all know the studies show very clearly that the States that are more permissive have higher addiction and abuse rates than any others. We also know that NIDA tells us that it is a developmental disease. What does that mean? It means the younger a child is exposed to it, the more likely that child will later become an addict to something else, like methamphetamine, prescription drugs, heroin. So if you support this, which is really the legalization of marijuana, then you are really supporting allowing our children to be harmed and addicted to this terrible drug.

Now, I am all in favor of research, and we are in discussions with DEA about allowing it in some way, whether we go to a 1a category to allow such research. Some suggest that it may have some benefit for seizures. That is yet to be seen. Some suggest that it may be beneficial to those who have spastic muscle disease, but there is absolutely no proof of that.

So with that, I urge everyone to oppose this amendment.

I yield back the balance of my time.

Mr. FATTAH. Mr. Chair, I move to strike the last word.

The Acting CHAIR. The gentleman from Pennsylvania is recognized for 5 minutes.

Mr. FATTAH. Mr. Chairman, notwithstanding the doctor's remarks, the truth is that almost no research has been put into marijuana in terms of its medical efficacy. You have epilepsy and a whole host.

Mr. FLEMING. Will the gentleman yield on that?

Mr. FATTAH. I yield to the gentleman from Louisiana.

Mr. FLEMING. Okay. I am not going to dominate the gentleman's time.

This has been under study for over 40 years. My university, the University of Mississippi, has been legally growing pot for over 40 years and studying it, so it has been studied.

Mr. FATTAH. Reclaiming my time, I know a little bit about this subject. The bottom line is that in terms of its medical viability, in terms of epilepsy and a lot of other issues, there is some need for a real study of this, not just about the way that we have proceeded so far. I think that this amendment and what is happening in the States should be allowed to go forward.

I yield 1½ minutes to my colleague from California (Mr. ROHRABACHER) for an opportunity to close on this subject. At that point then I would yield back the remainder of my time.

The Acting CHAIR. The gentleman may not yield blocks of time and must remain on his feet.

Mr. FATTAH. I yield 1½ minutes to Mr. ROHRABACHER.

The Acting CHAIR. The gentleman may not yield blocks of time.

Mr. FATTAH. I yield such time as he may consume, as long as he doesn't go over 1½ minutes.

Mr. ROHRABACHER. I appreciate that from my colleague.

Look, our Founding Fathers didn't want criminal justice to be handled by the Federal Government. I don't know what government you want to have in our country, but most of us here don't believe that the Federal Government—neither did our Founding Fathers—is an all-wise system, that the Federal Government is the only government that has wisdom to make the decisions for the families.

This is absolutely absurd to think that the Federal Government is going to mandate all of these things even though the people of the States and other doctors, many other doctors, would like to have the right to prescribe to their patients what they think is going to alleviate their suffering. No, we should not get in the way. As I said in the first debate, it is sinful for us to try to get in the way between a doctor and his patient, saying, Oh, no, the Federal Government knows better.

This is a states' rights issue. This is the issue of what our Founding Fathers had in mind for this country, where the decisions would be made like this. They didn't want the Federal Government to have a police force that can bust in people's doors. No. They wanted to have individual freedom, personal choice. They want parents to take care of their kids. They didn't want an all-controlling nanny State to control our lives. That is what this country was supposed to be all about. I thought that is what Republicans were supposed to be all about, and I hope my Republican colleagues will start reexamining whether or not they believe in the fundamental principles of limited government and individual freedom that we have always talked about.

So I would ask my colleagues to join me, reaffirm what our Founding Fathers had in mind, which is freedom, states' rights, limited government, and people making choices about their own lives and being responsible for their families and not shoving that off on the Federal Government.

Mr. FATTAH. Reclaiming the balance of my time, I think I hear that

echo again about the right to be left alone.

I yield back the balance of my time.

Mr. ROHRABACHER. Let me just say this. I just wish you would have talked to the very doctors and people I know that have been suffering, and they have gone to their doctor and asked for help, and the doctors have said, ''Yes, medical marijuana will help you''—to believe that the Federal Government can stop that.

I have met people whose suffering has been alleviated. Some veterans I know have gone through seizure after seizure, and they were only helped by medical marijuana. If we have a heart, if we have our beliefs, let's make sure that we stand for freedom in this vote.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from California (Mr. ROHRABACHER).

The question was taken; and the Acting Chair announced that the ayes appeared to have it.

Mr. FLEMING. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from California will be postponed.

AMENDMENT OFFERED BY MR. GRAYSON

Mr. GRAYSON. I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), add the following new section:

SEC. ____. None of the funds made available by this Act may be used to compel a person to testify about information or sources that the person states in a motion to quash the subpoena that he has obtained as a journalist or reporter and that he regards as confidential.

The Acting CHAIR. Pursuant to House Resolution 287, the gentleman from Florida and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Florida.

Mr. GRAYSON. Mr. Chairman, this amendment has nothing to do with medical marijuana. It was passed last year by a vote of this body of 225–183; in other words, it passed by a majority of 42 votes.

□ 0100

The purpose of this amendment is to raise the possibility of a Federal shield law that corresponds to protections already in place in 49 States but not at the level of the Federal Government.

Again, to be clear about this, 49 States have a Federal shield law. The Federal Government does not—at least up to this point.

A shield law is designed to protect a reporter's privilege: the right of news reporters to refuse to testify on information and sources of information obtained during the news gathering and dissemination process. In short, a reporter should not be forced to reveal his or her sources under penalty of imprisonment.

This issue has come up in court cases at the Federal level and the Supreme Court level, beginning with the 1972 case of Branzburg v. Hayes. In that case, a reporter wished to inform his readers about the nature of the drug hashish, and he realized that the only way to go about that was to actually find and interview people who had actually used the drug hashish, so he did that.

After he published his article, relying upon two confidential sources, he was subpoenaed by the police to provide his sources so that they could be arrested, compromising their identity and compromising his journalistic integrity. So he was forced to choose whether he would conceal his sources and go to prison or he would reveal his sources and have them go to prison, simply because he wanted to inform the public about this matter of concern.

Some of us may remember the case of Valerie Plame, who was publicly identified as a covert operative. Reporters were continually asked to name the sources used in their reporting, and one reporter was jailed for 85 days for refusing to disclose sources in that government probe.

At this point, under current law, journalists are in a quandary—an unnecessary and unhealthy quandary. They realize that they need to protect their sources, but that right is codified only at the State level and not yet at the Federal level.

So what I am seeking to do, as I did last year with the assistance of this House, is to offer the journalists the protection they should have in order to do their jobs properly.

Freedom of the press is not just an important principle, but it is part of the foundation of American law. The Constitution and the First Amendment provide for freedom of speech and of the press. It is completely incongruous to say that we have freedom of the press, but the Federal Government could nevertheless subpoena sources and put reporters in prison if they don't comply.

I think that we should have settled this issue years if not decades ago. We did settle it last year successfully in this body, but we are here today to try to address it once more.

Respectfully, I submit this amendment as a much-needed and long delayed clarification that the Federal Government treats the issue of freedom of the press just as respectfully and just as importantly as the great majority of our States do—49 out of 50.

I ask for support of this amendment from my esteemed colleague, the gentleman from the Seventh District of Texas, and I reserve the balance of my time.

Mr. CULBERSON. I claim the time in opposition.

The Acting CHAIR. The gentleman from Texas is recognized for 5 minutes.

Mr. CULBERSON. I urge my colleagues to oppose this amendment. It is drafted far too broadly. And I would point out that in a grand jury proceeding—those that occur in the District of Columbia, for example, are done under the auspices of the Department of Justice, and that is a Federal grand jury proceeding. A journalist would not have the privilege of protecting the confidentiality of his sources because in a grand jury everything that is discussed is absolutely confidential.

I also, frankly, think it is astonishing that under Mr. GRAYSON's amendment a journalist has the ability to self-certify what is confidential and what is not. I certainly agree with the principle of a strong and free press, but Mr. GRAYSON's amendment is written far too broadly and, frankly, would not provide protection to a journalist in a grand jury setting. I think he has neglected that problem.

I yield to the gentleman from Virginia (Mr. GOODLATTE), the chair of the Judiciary Committee, to also speak in opposition to this amendment.

Mr. GOODLATTE. I want to thank the chairman of the subcommittee for joining me in opposition to this amendment.

Shield laws for reporters are not a bad concept at all, but this is hardly the way to go about doing it. No State has a law like this language here, where it is so vague that virtually anyone in the United States claiming to be a journalist or reporter—and, by the way, nowadays, when lots of people maintain blogs or posts on the Internet, they could easily claim to be a journalist or reporter—would be covered by this.

So no one intends to have that broad an exception that would allow anyone to evade the requirements that they respond to a legitimate subpoena for investigation by law enforcement, a violation of the law.

This is far too broad. It is something that clearly should be handled by the authorizing committee, the Judiciary Committee, which worked on this for a long period of time and has struggled with that very definition of journalist or reporter that the gentleman from Florida simply glosses over in this.

And then, to give further exception to simply say that that individual who first claims they are a journalist or reporter and then says, Oh, yeah, that is confidential, that would breed criminal misconduct because criminals would be before the court claiming that they were reporters and that they regarded their information as confidential and, therefore, do not have to respond to a subpoena.

This is a very harmful, very bad way to go about providing protection to legitimate journalists and reporters and

should be defeated. I urge my colleagues to join me in voting against it.

Mr. GRAYSON. This is the same parade of horribles that we heard last year before this body voted in favor of the Grayson amendment. It is almost the same, word for word.

Last year, we heard that this somehow would allow people to self-certify. Well, in fact, anybody who self-certifies falsely in front of a grand jury is looking at a lot more than 83 days in jail. They are looking at 5 years in Federal prison. They would be prosecuted for perjury if they claimed to be a journalist and weren't actually a journalist—a fact that I pointed out last year before this amendment was actually passed.

I also want to point out that there is no distinction between a grand jury and an actual jury for this purpose. Forty-nine States all agree that there is no distinction whatsoever. So it is simply false to say that this doesn't apply to grand jury proceedings. It certainly would apply and does apply to all grand jury proceedings at the State level.

And there is nothing vague about this provision at all. In fact, the wording that has been referred to here, that the information has been attained as a journalist or reporter, is exactly the same wording that was in the Grayson amendment last year that passed with a margin of 42 votes.

So none of these old attacks, these unsuccessful attacks, are anything new and deserve any more credence than they received from a majority of this body last year.

I yield back the balance of my time.

Mr. CULBERSON. Mr. Chairman, with that, I would urge Members to oppose the amendment and urge Members to vote ''no'', and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Florida (Mr. GRAYSON).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. GRAYSON. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Florida will be postponed.

AMENDMENT OFFERED BY MR. MCCLINTOCK

Mr. MCCLINTOCK. Mr. Chairman, I have an amendment at the desk that I offer with the gentleman from Colorado (Mr. POLIS).

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), insert the following:

SEC. ___. None of the funds made available in this Act to the Department of Justice may be used, with respect to any of the States of Alabama, Alaska, Arizona, California, Colorado, Connecticut, Delaware, Florida, Georgia, Hawaii, Illinois, Iowa, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, Montana, Nevada, New Hampshire, New Jersey, New Mexico, New York, North Carolina, Oklahoma, Oregon, Rhode Island, South Carolina, Tennessee, Texas, Utah, Vermont, Virginia, Washington, and Wisconsin, to prevent any of them from implementing their own laws that authorize the use, distribution, possession, or cultivation of marijuana on non-Federal lands within their respective jurisdictions.

Mr. MCCLINTOCK (during the reading). Mr. Chair, I ask unanimous consent to dispense with the reading.

The Acting CHAIR. Is there objection to the request of the gentleman from California?

There was no objection.

The Acting CHAIR. Pursuant to House Resolution 287, the gentleman from California and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California.

Mr. MCCLINTOCK. Mr. Chairman, I yield myself 2 minutes.

Mr. Chairman, this amendment is not an endorsement of marijuana. I have never used it. My wife and I raised our children never to use it. And I believe that local schools ought to assure that every American is aware of the risks and dangers that it may pose.

This amendment addresses a much larger question: whether the Federal Government has the constitutional authority to dictate a policy to States on matters that occur strictly within their own borders. I believe that it does not. But even if it does, I believe that it should not.

In 1932, Supreme Court Justice Louis Brandeis described the beauty of the 10th Amendment this way. He said: ''A State may, if its citizens choose, serve as a laboratory; and try novel social and economic experiments without risk to the rest of the country.''

□ 0110

That is exactly what States like Colorado and Oregon have done with legalization and what many more have done with aspects of it. They believe that the harm that might be done by easier access to this drug is outweighed by removing the violent underground economy that is caused by prohibition.

I don't know if they are right or wrong, but I would like to find out, and their experiment will inform the rest of the country.

Now, the Federal Government has a legitimate authority to protect neighboring States by forbidding transport across State lines, which this amendment protects; but, at the same time, it protects the right of a State's citizens to make this decision within their own boundaries.

It is not necessary to become embroiled in the debate over marijuana. These States are having that debate and establishing their laws.

The question is over the right of their people to have these debates, to make these decisions, and for the rest of the Nation to observe and benefit from the outcome for good or ill.

I reserve the balance of my time.

Mr. FLEMING. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIR. The Chair recognizes the gentleman from Louisiana for 5 minutes.

Mr. FLEMING. Mr. Chair, I yield myself 2 minutes.

My friend Mr. MCCLINTOCK makes the point that this should be an experiment within the States, and certainly, that is something that has been a long-held goal and value, but we already have that ongoing.

Today, Colorado, as everyone knows, has legalization of marijuana, notwithstanding what is going on with the Federal Government and its laws, and the information is rolling in, and the information is bad. The black market is worse than ever when it comes to drugs. Interstate commerce has increased, not decreased.

Again, as I stated before, two States, Oklahoma and Nebraska, are now suing Colorado over the bleedover of problems that are occurring. The strength of marijuana is much stronger today in Colorado than it has ever been. The problems are much worse. We are actually seeing related deaths, accidents; and we have even had an overdose death now with the stronger forms of marijuana.

Look, if this is about allowing doctors to work with their patients, let's admit it. We don't allow, as a society, doctors to just do anything with any patient. We do have some guidelines and restrictions.

Furthermore, children are the end result of bad decisions in all this. We know that the more it is in the homes, the more it is going to get into the brains and bloodstream of children.

Again, I will mention the number of problems that are developing from it are growing, mostly from what we are seeing in Colorado. Studies show that MRI scans show, even in casual users, profound brain changes. We see that the area that deals with ambition is being greatly affected, thus, the ambition killer sort of knowledge that we have and understand about this drug.

IQ, studies show a lowering of IQ.

The Acting CHAIR. The time of the gentleman has expired.

Mr. FLEMING. I reserve the balance of my time.

Mr. MCCLINTOCK. Mr. Chairman, I am pleased to yield 2 minutes to the gentleman from Colorado (Mr. POLIS), the cosponsor of this amendment.

Mr. POLIS. I thank the gentleman from California for bringing forward this amendment.

I say to my friend, the gentleman from Louisiana, I am actually from Colorado, and I don't recognize the Colorado that you are talking about.

I come from the Colorado where underage marijuana use is down since legalization. I am from the Colorado where we have driven criminal cartels that seek to prey on our children every day out of business.

I am from the Colorado where our violent crime rates are down and where we continue to regulate dispensaries to make sure they are not schools; rather than have a corner street dealer who doesn't care if they are selling to a 14-year-old, we moved that away and regulated it in a way to make sure that minors don't have access to marijuana. That is the Colorado that I am from. I welcome you to come visit. I welcome you to visit.

You know what, I don't have to convince you. I don't have to convince the State of Louisiana that they should do anything. I just wish that you would leave my sovereign State of Colorado alone.

Let our people and our State government decide what we want to do with regard to marijuana, rather than the Federal agents going around trying to arrest people for doing activities that are fully legal under State law. That is all I ask.

I am not going to send Federal troops into Louisiana to arrest people from whatever you do down there, smoking crayfish. You want me to ban that and send Federal troops down there? I bet maybe smoking crayfish ain't good for you. I don't know. What if it is fried? It might clog your arteries, huh? I bet that is not good for you.

You want me to send Federal troops down there? Is that what you want? Do you want me to send Federal troops to Louisiana to stop you from eating fried crayfish?

Mr. FLEMING. Will the gentleman yield?

Mr. POLIS. Yeah, I would like your answer. Yes or no?

The Acting CHAIR. The gentleman will suspend.

All Members are reminded to direct their remarks to the Chair.

Mr. POLIS. Mr. Chairman, I would like to inquire of the gentleman from Louisiana if he wants us to send Federal troops to Louisiana to stop them from eating fried crayfish. I am happy to yield for an answer.

Mr. FLEMING. If the gentleman is yielding to me, I would point out that the Colorado he describes does not exist.

Mr. POLIS. Reclaiming my time, I am from Colorado. I know Colorado inside and out, and we have been tremendously successful in reducing the abuse of marijuana among minors.

Again, it shouldn't be up to us to convince him, just as I don't have to eat their darn fried crayfish—I don't want it. I don't want it. Get the Federal law enforcement apparatus to leave our State alone.

That is all this amendment does, is respect the sovereign will of the people of my great State of Colorado to have innovative policies to reduce the abuse of marijuana.

The Acting CHAIR. The time of the gentleman has expired.

Mr. FLEMING. Mr. Chairman, how much time do I have left?

The Acting CHAIR. The gentleman from Louisiana has 3 minutes remaining. The gentleman from California has 1¼ minutes remaining.

Mr. FLEMING. I yield myself another minute.

What we are finding out from Colorado, we are learning a lot of lessons. One is the way that marijuana is now getting into baked goods, gummy bears. There is a huge spike in emergency room visits, children who are overdosing on marijuana.

Know that if you look, if you actually read what the media says and what the studies show is there are increasing problems in Colorado, not decreasing problems.

Mr. POLIS. Will the gentleman yield?

Mr. FLEMING. I'm sorry, but I can't yield.

Mr. POLIS. The gentleman is inaccurate with regard to his characterization of my State.

The Acting CHAIR. The gentleman will suspend. It is the gentleman from Louisiana's time.

Mr. POLIS. Parliamentary inquiry.

The Acting CHAIR. Does the gentleman from Louisiana yield for a parliamentary inquiry?

Mr. FLEMING. I do not yield.

The Acting CHAIR. The gentleman does not yield. The time is controlled by the gentleman from Louisiana.

Mr. FLEMING. Back to the constitutionality, we may all have different opinions about this, but it has been settled.

The Supreme Court in 2005, Gonzales v. Raich, 6–3, said that the Federal Government does have a right to enforce drug policies and for good reason because we know that drugs cross State lines. It is an interstate commerce issue. What happens in one State affects the other States.

The Acting CHAIR. The time of the gentleman has expired.

Mr. FLEMING. I reserve the balance of my time.

Mr. MCCLINTOCK. Mr. Chairman, the arguments we are hearing from Mr. FLEMING are the arguments that ought to be heard in the States. I would remind him this measure does not affect marijuana laws involving any conceivable Federal jurisdiction.

It does not affect Federal districts or territories. It does not affect Federal jurisdiction over interstate commerce, including the Federal Government's responsibility to interdict transport among States.

It does not affect the Federal jurisdiction over Federal land. It does not affect Federal jurisdiction over the importation of marijuana from abroad. It only affects jurisdiction that is strictly and solely the rightful province of the States as pertains to their affairs strictly and solely within their own borders.

At some point, Mr. Chairman, we must ask ourselves: Do we believe in the 10th Amendment or do we not? Do we believe in federalism or do we not? Do we believe in the architecture of our Constitution or do we not? Do we believe in freedom or do we not?

I yield back the balance of my time.

Mr. FLEMING. Mr. Chairman, how much time do I have?

The Acting CHAIR. The gentleman from Louisiana has 2 minutes remaining.

Mr. FLEMING. And who has the right to close?

The Acting CHAIR. The gentleman from Louisiana has the only time remaining. The gentleman from California yielded back the balance of his time.

Mr. FLEMING. Again, my good friend from California would suggest that, really, Federal laws have no application, that we should just turn all laws and law enforcement over to the States. That simply isn't the case.

Again, yes, the Federal Government does have jurisdiction. It is called the CSA, the Controlled Substances Act, and it has been around for a long time, and it is enforced by the DEA and many other agencies. I would just say that the gentleman is just flat wrong on that and that the Supreme Court came down on my side.

Again, we can have different opinions, but that is where we are today. I would suggest that perhaps we get the Supreme Court to rule differently if we believe differently.

□ 0120

But again, what is important to me is not the law. What is important to me is what is happening to the children of our Nation, especially Colorado: overdosages, brain changes, loss of IQ, memory loss, and cognitive impairment.

Marijuana smoke has four times the tar of cigarette smoke. Who really believes that we are not going to see an epidemic down the road of lung cancer related to marijuana?

As far as use for medical purposes, again, we don't have a single approved specific use of marijuana for medical purposes. And for heaven's sakes, we know that up to 17 percent of people who use it become addicted to it. So the first rule for us as physicians—and I have been a doctor for 40 years—is first do no harm. Well, we are doing a lot of harm with marijuana by legalizing it and liberalizing its use.

Mr. Chairman, I urge my colleagues to vote against this amendment, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from California (Mr. MCCLINTOCK).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. MCCLINTOCK. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from California will be postponed.

AMENDMENT OFFERED BY MR. PERRY

Mr. PERRY. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), insert the following:

SEC. ____. None of the funds made available by this Act may be used to take any action to prevent a State from implementing any law that makes it lawful to possess, distribute, or use cannabidiol or cannabidiol oil.

Mr. PERRY (during the reading). Mr. Chair, I ask unanimous consent to dispense with the reading.

The Acting CHAIR. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

The Acting CHAIR. Pursuant to House Resolution 287, the gentleman from Pennsylvania and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Pennsylvania.

Mr. PERRY. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, it is important to talk about what this amendment is not, as much as to talk about what it is. This amendment in no way federally legalizes marijuana. It does not allow for the recreational use of marijuana, and I maintain that I am still opposed to the recreational use of marijuana. What it does is it simply prevents the Federal Government from interfering in States that have legalized CBD and CBD oil.

CBD—cannabidiol is how you pronounce it—is an extract from hemp. CBD oil has been known to reduce the amount or duration of seizures in those suffering from epilepsy or other seizure disorders. CBD oil contains no THC, the active psychotropic ingredient that makes people high. It contains none.

Numerous families in my district have children with epilepsy, and they are out of options. They have tried all the FDA-approved drugs, and they sit and they watch their children fade away. And that is their option. They can either do that, they can break the law, or they can move somewhere where they can get CBD. Some have had to move to States where it is legal. They have had to split their families apart to care for their children.

Mr. Chairman, 17 States—most recently, Texas, where the good chairman resides—have legalized CBD. These States have made the choice to help children with epilepsy and seizure disorders. Parents who want to treat their children should not be hindered by Federal prohibition.

With that, Mr. Chairman, I yield such time as he may consume to the gentleman from Illinois (Mr. DOLD), my good friend.

Mr. DOLD. Mr. Chairman, I want to thank my good friend from Pennsylvania.

Mr. Chairman, last week I had an opportunity to sit down with Sophie Weiss, an inspiring young girl from Illinois. In many ways she is a very normal girl who enjoys spending her days playing with her sisters, but she also suffers from a severe form of epilepsy that does not allow her to respond to the traditional medication. Because of this, she suffers through upwards of 200 seizures each and every day. Mr. Chairman, she can't read. She is 9 years old. Her 6-year-old sister reads to her. She can't do this because she blacks out and she seizes hundreds of times each and every day.

Unfortunately, Sophie's story is not unique, and there are girls just like Sophie in every State and every district across our country.

Mr. Chairman, we have already found lifesaving seizure relief for some families. In Illinois, CBD oil is legal and has shown to drastically reduce the frequency of seizures. But because of antiquated laws and Federal bureaucracy, this relief is unavailable to many.

Over and over again, the Federal Government has stood in the way of access to lifesaving care for these children. Why would we allow even one child, Mr. Chairman, to suffer while waiting for other options to be approved? If this natural therapy can help even one family, ensuring access to it is a must.

Mr. Chairman, I came to Washington to fight for commonsense, bipartisan reform that will improve the day-to-day lives of the people that I represent, and that is exactly what this amendment does. Quite simply, it ensures that States that already have legalized CBD oil can do so without Federal interference.

Helping these families is a reform that we should all be able to get behind. Regardless of political party, we can agree that the government's role is not to prevent families from getting access to lifesaving treatment.

Mr. Chairman, as a father looking at these children who suffer from thousands of seizures, who literally can't live their lives normally, is something that we can and must change. This amendment offers hope to thousands of individuals and their families, and I urge my colleagues to help children like Sophie in their districts by adopting this commonsense amendment.

Mr. FLEMING. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from Louisiana is recognized for 5 minutes.

Mr. FLEMING. Mr. Chairman, I yield myself 2 minutes.

Mr. Chairman, some of the things that have been said about this are quite true. First of all, it is pronounced—I can't even say it myself. We will say CBD oil for short.

It is not psychoactive, although it is an extract from the plant of marijuana. There have been anecdotal reports that it reduces seizures in kids who have severe seizure disorders, so-called Charlotte's Web. It is actually on fast-track evaluation by the FDA both for safety and for effectiveness. Actually, the early reports are disappointing. Despite the anecdotal reports, they are not finding, thus far, the benefits that have been promised. Also, they are finding, in some cases, pretty severe side effects.

One of the things that hasn't been discussed on this issue is, just as we don't allow people or encourage people, at least, to eat mold in order to get penicillin as an antibiotic for disease, it doesn't make any sense to give a raw plant as a medication. What we do in health care by using the scientific method is to extract the component, make sure we have a precise measurement, fully study it for safety and for efficaciousness, and then we prescribe it under the direction of a physician.

The CBD oil right now is not being produced. It is not in a pill or injectable form or even in a liquid form. It is sort of grown on the side, and people are sort of experimenting with it to see whether it works.

What I would say to my colleagues is let's let this thing play out. Let the FDA finish its fast-track evaluation. If they find it to be efficacious and safe, let them put it in the proper measurement form. Let's make sure we know what all the side effects are. As far as I am concerned, we would make it a nonscheduled drug.

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

Mr. PERRY. Mr. Chairman, may I inquire as to how much time is remaining.

The Acting CHAIR. The gentleman from Pennsylvania has 1 minute remaining. The gentleman from Louisiana has 3 minutes remaining.

Mr. PERRY. Mr. Chairman, I reserve the balance of my time.

Mr. FLEMING. Mr. Chairman, I continue to reserve the balance of my time.

Mr. FATTAH. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman from Pennsylvania is recognized for 5 minutes.

Mr. FATTAH. Mr. Chairman, I rise in support of the amendment offered by my colleague from Pennsylvania.

Again, I think this is a similar thrust to the previous debate, so I won't prolong it. But we need to be exploring relief for families in which no other relief is available and for individuals in which no other relief is available. This provides an opportunity for potential relief. We should explore it.

Mr. Chairman, I thank the gentleman for offering the amendment, and I yield back the balance of my time.

The Acting CHAIR. The gentleman from Pennsylvania has the right to close.

Mr. PERRY. Mr. Chairman, I reserve the balance of my time.

Mr. FLEMING. Mr. Chairman, what my colleagues are suggesting here is that we just pull a plant from someplace or something off the shelf and we give it to children, something that has not been a practice in probably 100 years.

□ 0130

We just don't do it that way. That is why we spend millions, if not billions, of dollars of research to be sure that what we give the public is going to be healthy for them and safe for them.

You may recall a drug that was prescribed for pregnancy, nausea and pregnancy, which was approved back in Europe but not approved here, and we found out that babies were born without arms and legs as a result. Saving children in America—why? Because we waited to be sure that not only was it efficacious, but it was safe.

So I would say to my friends, my heart is in the same place. I want to see treatment for children who may have severe seizure disorders. We have it on a fast track. We may be months away.

But I don't think turning this over to parents and others who may fiddle with it and experiment with it, in essence, making our children guinea pigs, is the right way to go.

There are centers that are doing these studies, and certainly children can go and talk to those doctors, get on their studies, and get the trials. But I would again warn people that the preliminary results are not good, and in some cases we are seeing adverse side effects.

So I think we need to stay with the scientific method. We need to stay with the discipline that has made us the leader in the world when it comes to health care. We should not depart from something that has been proven right.

I yield back the balance of my time.

Mr. PERRY. Mr. Chairman, I yield 30 seconds to the gentleman from Georgia (Mr. AUSTIN SCOTT), my friend.

Mr. AUSTIN SCOTT of Georgia. Mr. Chairman, I just want to thank Mr. PERRY for his work on this.

I have a friend in my district who has been seen on TV many times because they have to carry their child to Colorado for this treatment. And I have had extensive discussions not only with people in Georgia who need this treatment for their kids, but with the sheriffs of my district as well. I certainly wouldn't support the cannabis oil and the use of cannabis oil and those type of things if my local sheriffs were not in favor of it.

You might be interested to know that the Georgia Sheriffs' Association actually endorsed a piece of legislation a couple of years ago that would allow the use of cannabis oil for these children with seizures.

The Acting CHAIR. The time of the gentleman has expired.

Mr. PERRY. Mr. Chairman, some things have been said about the side effects of this. These are not the same side effects as with people who smoke marijuana. This is not smoke. This is an oil extract, usually given with the care of a doctor. It is not some weed grown along the road; it is actually classified in the therapeutic temp category because the plant has very scientific properties.

I understand and I respect the gentleman from Louisiana very much. When he says that he is concerned about the side effects for these children, understand children are in hospice, they are looking at their final days, their parents are looking at their final days. They take the oil extract and they start on the road to recovery. The side effect is the choice of death or life.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Pennsylvania (Mr. PERRY).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. PERRY. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Pennsylvania will be postponed.

AMENDMENT OFFERED BY MR. PERRY

Mr. PERRY. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), add the following:

SEC. __. None of the funds made available in this Act may be used to implement the United States Global Climate Research Program's National Climate Assessment, the Intergovernmental Panel on Climate Change's Fifth Assessment Report, the United Nation's Agenda 21 sustainable development plan, or the May 2013 Technical Update of the Social Cost of Carbon for Regulatory Impact Analysis under Executive Order 12866.

Mr. PERRY (during the reading). Mr. Chairman, I ask unanimous consent to dispense with the reading.

The Acting CHAIR. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

The Acting CHAIR. Pursuant to House Resolution 287, the gentleman from Pennsylvania and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Pennsylvania.

Mr. PERRY. Mr. Chairman, this amendment prevents funds from being used for the implementation of the United States Global Climate Research Program's National Climate Assessment, the Intergovernmental Panel on Climate Change's Fifth Assessment Report, the United Nation's Agenda 21 sustainable development plan, or the May 2013 Technical Update of the Social Cost of Carbon for Regulatory Impact Analysis under Executive Order 12866.

Mr. Chairman, this administration and others before it have taken unilateral actions that push a climate change agenda that hinders our own domestic business and industry.

Programs such as the United States Global Climate Research Program's National Climate Assessment and Agenda 21 drive burdensome regulations on unsound science, such as the new ozone rules set to take effect this October, the waters of the United States, and regulations on coal-fired power plants.

I wonder why do we want to fund programs, panels, and treaties that create propaganda, propaganda that looks to drive industry out of this country.

With that, I urge passage of this amendment, and I reserve the balance of my time.

Mr. CULBERSON. Mr. Chairman, I claim the time in opposition, although I am not opposed to the gentleman's amendment.

The Acting CHAIR. Without objection, the gentleman from Texas is recognized for 5 minutes.

There was no objection.

Mr. FATTAH. Mr. Chairman, I am not going to object, but I am in opposition to the amendment. So as long as the chairman will yield me half of the time, I think we are fine.

Mr. CULBERSON. Of course.

Mr. FATTAH. Go right ahead.

Mr. CULBERSON. Mr. Chairman, I do want to express my support for the gentleman's amendment. I think it is very important that we restrict this or any other President's ability to enter into agreements that would interfere with our rights as Americans, would interfere with the laws as enacted by Congress. And that is the intent of your amendment, to ensure that the laws enacted by Congress or by the legislatures of the several States reign supreme and no President can enter into any kind of an agreement. We are not going to subject ourselves to the law of the U.N. or any of these other agreements in here. So I strongly support the gentleman's agreement.

I would be happy to yield to the gentleman from Pennsylvania (Mr. FATTAH).

Mr. FATTAH. Mr. Chairman, I thank the chairman. And just as strongly as the chairman supports it, I oppose it. Even though I supported your last amendment, this one is headed in the wrong direction.

We have a need to deal with the challenges around our stewardship of the planet Earth and the questions around climate and working with our international neighbors.

I want to commend the administration for getting an agreement with China around some of these issues. It is necessary for our children and our grandchildren and great-grandchildren that we act as proper stewards. It is our obligation, at least in most of our religious teachings, that we have a responsibility to be good stewards.

So we can't ignore even for the point of profits. You mentioned how this might interfere with business interests. It is beyond the question of business interests. We need clean water, clean air, we need a climate that is capable of human habitation, at least until we can have Europa as a second exit opportunity. This is the only planet for human beings that we know of and we, therefore, have a responsibility.

And the President under our Constitution is the carrier of our international activities in terms of the conduct of foreign policy, not this President or some other President, but the President of the United States has that burden and that responsibility under our Constitution.

So I would hope that the House would vote this down. I know we won't. But I also know that there will be another day in which this legislation will have to be considered in a format in which it won't be just the House majority making these decisions.

And thank God for that, because even the House majority could be wrong every once in a while, as proven by this amendment.

Mr. CULBERSON. I yield back the balance of my time.

Mr. PERRY. Mr. Chairman, I certainly respect the thoughts of my good colleague and good friend from Pennsylvania. I also want to remind him that we went through this last session. This very same amendment passed by vote. And while we do absolutely have the requirement and responsibility for the stewardship of the planet, I just want to remind everybody here, in case you don't know, we have these new ozone rules coming out, set to come out, or be codified in October. Yet from this administration's EPA, ozone levels have plummeted 33 percent since 1980. That is reported from the current administration's EPA. Let me just repeat that: ozone levels have plummeted 33 percent since 1980 because of the good work we have done. Yet in a downturn economy where the economy is actually contracted in the first quarter, we seek to force more unnecessary rules that are unvetted by this Congress, this people's House, on the businesses of America and also things like United Nations Agenda 21.

□ 0140

I just feel like those rules and those regulations should come at the vetting of this body instead of by the United Nations. What is good for America should be handled by Americans.

I thank the chairman for his support.

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

The Acting CHAIR. The question is on the amendment offered by the gentleman from Pennsylvania (Mr. PERRY).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. GARRETT

Mr. GARRETT. Mr. Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), insert the following:

SEC. ____. None of the funds made available in this Act may be used by the Department of Justice to enforce the Fair Housing Act in a manner that relies upon an allegation of liability under section 100.500 of title 24, Code of Federal Regulations.

Mr. GARRETT (during the reading). Mr. Chair, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The Acting CHAIR. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

The Acting CHAIR. Pursuant to House Resolution 287, the gentleman from New Jersey and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from New Jersey.

Mr. GARRETT. Mr. Chair, I yield myself 3 minutes.

I rise today to offer an amendment that stops the Justice Department from using one of the most dangerous and illogical theories of all time, the theory of disparate impact.

In short, disparate impact allows the government to allege discrimination on the basis of race or other factors based solely on statistical analyses that find disproportionate results among different groups of people.

In recent years, the Justice Department has increasingly used this dubious theory in lawsuits against mortgage lenders, insurers, and landlords and has forced these companies to pay multimillion-dollar settlements.

What is wrong with that, one might ask? Under disparate impact, one could never have intentionally discriminated in any way and even have strong antidiscriminatory policies in place and still be found to have discriminated.

For example, if mortgage lenders use a completely objective standard to assess credit risk, such as the debt-to-income ratio, they can still be found to have discriminated if the data show different loan approval rates for different groups of consumers.

To be clear, I have zero tolerance for discrimination in any form; and, if there is intentional discrimination, we must prosecute to the fullest extent of the law. The Justice Department's use of disparate impact, however, tries to fight one injustice with another.

On a more practical level, disparate impact will make it difficult, if not impossible, for lenders to make rational economic decisions about risk. Lenders will feel pressured to weaken their standards to keep their lending statistics in line with whatever the Justice Department's bureaucrats consider nondiscriminatory.

We have seen the damage risky lending can do to our economy. It is truly reckless for our government now to be encouraging those dangerous and shortsighted practices. Ironically, disparate impact forces lenders, insurers, and landlords to constantly take race, ethnicity, gender, and other factors into account or risk running afoul of the Justice Department.

Mr. Chairman, even an accusation of discrimination could have a devastating impact on a small business. Therefore, on balance, disparate impact will make it more difficult and expensive for families to buy a home, and it will result in more discrimination, not less.

For these reasons, both philosophical and practical, I ask my colleagues to reject this misguided theory by supporting this amendment.

I reserve the balance of my time.

Mr. FATTAH. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from Pennsylvania is recognized for 5 minutes.

Mr. FATTAH. Mr. Chairman, this is obviously an important signal from the majority to Americans of color, whether they be Asian Americans, African Americans, Hispanic Americans, or Native Americans, that the one thing that they don't want is to enforce the fair housing laws and that they don't want to have a circumstance in which, even though the impact of a set of policies means that you are excluded, that somehow there should not be any redress for that.

We went through this debate last year. I am going to ask for a recorded vote on this as I think it is an important indication of the nature of inclusiveness that is being offered to America by the House majority.

I reserve the balance of my time.

Mr. GARRETT. Mr. Chair, I yield myself such time as I may consume.

I think it is an indication of something. It is an indication of whether this House is more concerned about actually filing true intentional discrimination or is just creating fear in this

area by saying that we are going after discrimination based upon disparate impact.

It is about whether this House is more concerned about making things easier for all races, for all ethnicities, for all ethnic groups to be able to buy homes and to live and prosper and enjoy a new home or make it more difficult to be able to buy that first home.

Allowing the Justice Department to use disparate impact will do just that. It will make it more difficult for those individuals who now find it difficult to buy a home because lenders will not be able to use the proper risk analysis to make those decisions and, therefore, will be less likely to make those loans.

For those reasons and for the other philosophical and practical reasons I have already stated, I encourage my colleagues to support this amendment.

I yield back the balance of my time.

Mr. FATTAH. Mr. Chair, the gentleman said for practical and other philosophical reasons.

I guess, if you looked at Major League Baseball and if you didn't see anybody of color, you could assume that there was a disparate impact until Jackie Robinson showed up, but American baseball is a lot better, and I think that our country is a lot stronger because of the diversity that exists.

I think the fair housing laws have played an important role in at least the idea that we think that you shouldn't have a circumstance in which, no matter what the set of policies, if you are a different color or ethnic background, you shouldn't apply.

I think it is something that we have rejected as a nation. I hope we reject this amendment, and I will seek a recorded vote on it.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from New Jersey (Mr. GARRETT).

The question was taken; and the Acting Chair announced that the ayes appeared to have it.

Mr. FATTAH. Mr. Chair, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from New Jersey will be postponed.

AMENDMENT OFFERED BY MR. MARINO

Mr. MARINO. Mr. Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), insert the following:

SEC. ____. None of the funds made available by this Act may be used for the Department of Justice's clemency initiative announced on April 23, 2014, or for Clemency Project 2014, or to transfer or temporarily assign employees to the Office of the Pardon Attorney for the purpose of screening clemency applications.

The Acting CHAIR. Pursuant to House Resolution 287, the gentleman from Pennsylvania and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Pennsylvania.

Mr. MARINO. Mr. Chairman, my amendment prohibits funds from this bill from being used to transfer or detail employees to the Office of the Pardon Attorney to support the administration's so-called clemency project.

The President possesses the constitutional authority ''to grant reprieves and pardons for offenses against the United States.'' However, in the first 5 years of his administration, President Obama granted fewer pardons and commutations than any of his recent predecessors.

Last year, the Deputy Attorney General took the unprecedented step of asking the defense bar for assistance in recruiting candidates for executive clemency, specifically for Federal drug offenders. The Justice Department intends to beef up its Office of the Pardon Attorney to process applications for commutations of sentence for Federal drug offenders.

The Justice Department is also accepting pro bono legal work from the ACLU and other defense attorney organizations for this initiative. This amendment would prohibit that.

The Constitution gives the President the pardon power, but the fact that the President has chosen to use that power solely on behalf of drug offenders shows that this is little more than a political ploy by the administration to bypass Congress.

This is not, as the Founders intended, an exercise of the power to provide for ''exceptions in favor of unfortunate guilt,'' but the use of the pardon power to benefit an entire class of offenders duly convicted in a court of law.

□ 0150

It is also just the latest example of the executive overreach by this administration, and I urge support of my amendment.

I reserve the balance of my time.

Mr. FATTAH. I seek time in opposition to the amendment.

The Acting CHAIR. The gentleman from Pennsylvania is recognized for 5 minutes.

Mr. FATTAH. The executive branch, the President of the United States, has the responsibility to review applications for pardons and clemency, and this would interfere with the executive branch's responsibility in that regard. I think that it would also hamper our ability to move this bill to a position of final passage and signature by the President. I am opposed to it.

I am glad the gentleman from Pennsylvania was able to have an opportunity to offer it and air his point of view, but I think when we have a President perhaps of a different party, there will be less enthusiasm for trying to unnecessarily interfere in the proper role of the executive, which clemencies and pardons are in the purview of the President; and detailing employees of the executive branch, for the Republican Party that is for normally streamlining and making nimble and allowing managers to set priorities and to move personnel around, to suggest that they somehow now are against this, I assume there is some particular reason, and it couldn't be anything other than on the merits I am certain.

I thank the gentleman, and I would stand in opposition to the amendment.

I reserve the balance of my time.

Mr. MARINO. How much time do I have remaining?

The Acting CHAIR. The gentleman from Pennsylvania has 3 minutes remaining, and the other gentleman from Pennsylvania has 3½ minutes remaining.

Mr. MARINO. Mr. Chairman, I would share with my good friend from Pennsylvania, no matter who is in the White House, Republican or Democrat, my enthusiasm is always at an all-time high, particularly when it comes to following the law.

The President does have the authority to pardon, but not to, as he has done here, zeroed in on a specific class of individuals who broke the law, and that is people who use drugs, sell drugs, made profits from drugs, and were duly found guilty and sentenced. This is just a way for this administration to bypass the drug laws that they don't agree with.

This administration is known for that. If they don't agree with something, they just try to bypass it, as they have done numerous times with Congress. But, fortunately, the United States Supreme Court has slapped this administration down numerous times because of bypassing Congress and making decisions that are not in its authority.

So let's be realistic about this. This isn't an issue of politics, from my perspective. I do say it is an issue of politics from the administration's perspective.

I reserve the balance of my time.

Mr. FATTAH. Mr. Chairman, I yield to the gentleman from Texas (Mr. CULBERSON), the chairman, if he needs the time.

Mr. CULBERSON. I thank the gentleman from Pennsylvania.

Mr. Chairman, I do want to express my support for the gentleman's amendment. I am concerned about the efforts of this White House to repeatedly ignore the laws enacted by Congress. If we didn't have this track record from this President who has made a deliberate effort to evade the laws written by Congress and attempted to bypass them at every opportunity—the President has lost a record number of cases before the Supreme Court.

I believe, Mr. MARINO, the Supreme Court has ruled against the President unanimously on repeated occasions when the White House has attempted to avoid a statute and refused to enforce it, and Mr. MARINO brings to the table tonight experience as a prosecutor, very valid concerns about granting clemency to a whole category of people rather than as in the case of a pardon, which is on an individual basis.

I thank the gentleman for yielding me the time.

Mr. FATTAH. Reclaiming my time, we have, and it must be just inherent for politicians, selective amnesia. We kind of remember what we want to remember, and we forget what we want to forget.

Now, it has been uttered on the floor of the House that no President has done some broad swath of clemencies or pardons. Well, it was President Ford who offered and President Carter who implemented a clemency or amnesty for hundreds of thousands of people who had evaded the draft during the Vietnam war.

This has nothing to do with the implementation of the laws set by our Congress. This right to the Presidency of pardons and clemency is given in the Constitution. The point here is that it is just another effort, this consistent drumbeat about our President.

This will not be the law at the end of the day when this bill is passed. I oppose it, and there is no President that is going to sign away their executive authority. It would diminish the power of the Presidency. And perhaps for the majority if they were to gain this Presidency again—and I am sure they will on some election—they wouldn't want to diminish the power of the Presidency. I think it is just ill-fated and it is focused at a particular effort at this moment, but it does not represent a historical fact that a President has not provided broad exemption or clemency or pardons in our past.

I yield back the balance of my time.

Mr. MARINO. How much time do I have remaining?

The Acting CHAIR. The gentleman from Pennsylvania has 1½ minutes remaining.

Mr. MARINO. I am sure in my remarks my colleague is not referring to any comment that I made that no other President has done something of this nature. I came to Congress in 2011. Really, my concern is what is happening with this administration, not past administrations. I am dwelling on the future and the rule of law.

It is very clear what this administration is doing when it comes to the rule of law or the lack of rule of law. Once again, this administration does not like the drug laws. It has a very difficult time with the criminal laws that are on the books.

I was a prosecutor for 18 years at the State level and the Federal level. I have seen what takes place concerning drugs. I have put people in prison for selling drugs; I have put people in prison for hurting people who they sell drugs to; and I have taken the position where some people did not deserve to go to prison based on several factors. But the individuals that I sent to prison, and I think, overwhelmingly, according to the criteria that this administration has set, they are talking about individuals that have a sentence of 10 years or less, that is quite a sentence to pardon, because those individuals who have been sent to prison, in my experience, for 5 and 6 and 10 years are major drug dealers.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Pennsylvania (Mr. MARINO).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. AUSTIN SCOTT OF GEORGIA

Mr. AUSTIN SCOTT of Georgia. I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill, insert:

SEC. _____. None of the funds made available by this Act may be used by the National Oceanic and Atmospheric Administration to enforce:

1) Amendment 40 to the Fishery Management Plan for the Reef Fish Resources of the Gulf of Mexico published in the Federal Register on April 22, 2015 or any other effort of the same substance, or

2) Red Snapper Management Measures published in the Federal Register on May 1, 2015 or any other effort of the same substance that establishes an annual catch limits or annual catch targets for Red Snapper that would result in the commercial fishing for Red Snapper in the federal waters of the Gulf of Mexico lasting longer than five times the number of days recreational fishers are allowed to catch and retain at least two such fish each day in such federal waters.

Mr. AUSTIN SCOTT of Georgia (during the reading). Mr. Chair, I ask unanimous consent to dispense with the reading.

The Acting CHAIR. Is there objection to the request of the gentleman from Georgia?

There was no objection.

The Acting CHAIR. Pursuant to House Resolution 287, the gentleman from Georgia and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Georgia.

Mr. AUSTIN SCOTT of Georgia. Mr. Chair, first I would like to thank the Parliamentarians for helping us work with this language. I would like to especially thank both the majority and the minority staff for giving me the courtesy of presenting this. I know it is late, and we certainly hoped to close by 2 a.m.

It is the third day of what has been designated as the 10-day red snapper season for a man or woman who simply wants to take their child fishing in the Gulf of Mexico.

□ 0200

The commercial fishermen get to fish 365 days a year. The charter boat anglers get to fish 45 days a year.

What this amendment does is it says that the National Fisheries Service cannot enforce a rule that was adopted that is, quite honestly, probably going to court. And then it says that as they go forward and they pass the rules in the future, the recreational fishermen should receive at least 20 percent of the number of days as the commercial fisherman does with regard to the red snapper in the Gulf of Mexico.

That is effectively what it does. It still allows them to set the seasons. It does have some restriction in that they just can't take from the recreational fishermen. They have to give the recreational not-for-hire and for-hire 20 percent of the number of calendar days that they give the commercial fishermen to fish for red snapper in the Gulf of Mexico.

With that, Mr. Chairman, I reserve the balance of my time.

Mr. FATTAH. Mr. Chairman, I rise in opposition.

The Acting CHAIR. The gentleman from Pennsylvania is recognized for 5 minutes.

Mr. FATTAH. I yield to the gentleman from Georgia because I need to ask a question about this.

You say that the commercial catch limits for fishing days are 360 days a year? And I yield to the gentleman.

Mr. AUSTIN SCOTT of Georgia. Yes, sir. They can fish year-round for red snapper. It is different for different species. This is tailored specifically to this species.

Mr. FATTAH. Reclaiming my time, we are talking red snapper, right? I yield to the gentleman.

Mr. AUSTIN SCOTT of Georgia. Yes, sir.

Mr. FATTAH. But for the recreational fisherman, taking your sons out to fish for the day, there is a limit of 10 days?

Mr. AUSTIN SCOTT of Georgia. Yes, sir. This is the third day of the 10-day season for the Federal waters for the recreational fishermen in the Gulf of Mexico.

Mr. FATTAH. Reclaiming my time, in spirit, I support this. I don't know what the unintended consequences are. So I would be prepared to accept it, as long as we can dig into it and make sure there are no unintended circumstances.

I know this is a very parochial matter. I think you should be able to take your kid out fishing. I don't think that profit is the only motivator in the world. I don't know why it would be so arbitrary a cut line.

At this point I would like to work with the chairman on this. I would be

prepared to accept it at this time. If we find some major problem with it, we will jump up and down about it then.

Mr. CULBERSON. Will the gentleman yield?

Mr. FATTAH. I yield to the gentleman from Texas.

Mr. CULBERSON. I completely agree, and I join my ranking member in accepting this amendment and working with you. If there is something we didn't spot or anticipate, we will work it out. But I think the gentleman has got a good amendment, and I would agree, I would recommend we would accept it.

Mr. AUSTIN SCOTT of Georgia. Mr. Chairman, I would like to say that as a dad, honestly, I would like to say thank you for doing this. And certainly, if there are unintended consequences, I would look forward to working with you to resolve those unintended consequences.

Again, as a father of a son named Wells and a daughter named Carmen and a lovely wife named Vivien, I just want to say thank you.

Mr. FATTAH. My wife is a fly fisher. We are not doing red snapper. But I understand the spirit of it, and we will take it at that, and I yield back the balance of my time.

Mr. AUSTIN SCOTT of Georgia. I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Georgia (Mr. AUSTIN SCOTT).

The amendment was agreed to.

Mr. CULBERSON. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. GRAVES of Louisiana) having assumed the chair, Mr. STIVERS, Acting Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 2578) making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2016, and for other purposes, had come to no resolution thereon.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. HUDSON (at the request of Mr. MCCARTHY) for today until 6:45 p.m. on account of attending a funeral.

ENROLLED BILL SIGNED

Karen L. Haas, Clerk of the House, reported and found truly enrolled a bill of the House of the following title, which was thereupon signed by the Speaker:

H.R. 2048. An act to reform the authorities of the Federal Government to require the production of certain business records, conduct electronic surveillance, use pen registers and trap and trace devices, and use other forms of information gathering for foreign intelligence, counterterrorism, and criminal purposes, and for other purposes.

SENATE ENROLLED BILL SIGNED

The Speaker announced his signature to an enrolled bill of the Senate of the following title:

S. 802. An act to authorize the Secretary of State and the Administrator of the United States Agency for International Development to provide assistance to support the rights of women and girls in developing countries, and for other purposes.

ADJOURNMENT

Mr. CULBERSON. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 2 o'clock and 5 minutes a.m.), under its previous order, the House adjourned until today, June 3, 2015, at 10 a.m. for morning-hour debate.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

1672. A letter from the Acting Director, Defense Procurement and Acquisition Policy, OUSD (AT&L) DPAP/DARS, Department of Defense, transmitting the Department's interim rule — Defense Federal Acquisition Regulation Supplement: Offset Costs (DFARS Case 2015-D028) (RIN: 0750-AI59) received June 1, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Armed Services.

1673. A letter from the Chair, Board of Governors of the Federal Reserve System, transmitting the twenty-fifth ''Report to the Congress on the Profitability of Credit Card Operations of Depository Institutions'', pursuant to Sec. 8 of the Fair Credit and Charge Card Disclosure Act of 1988; to the Committee on Financial Services.

1674. A letter from the Chairman and President, Export-Import Bank, transmitting a statement, pursuant to Sec. 2(b)(3) of the Export-Import Bank Act of 1945, as amended, on a transaction involving Emirates Airlines of Dubai, United Arab Emirates; to the Committee on Financial Services.

1675. A letter from the Assistant Secretary for Legislation, Department of Health and Human Services, transmitting the ''2014 Annual Report to the Congress on the Native Hawaiian Revolving Loan Fund'', pursuant to Sec. 803A of the Native American Programs Act of 1974, as amended; to the Committee on Education and the Workforce.

1676. A letter from the General Counsel, Pension Benefit Guaranty Corporation, transmitting the Corporation's final rule — Benefits Payable in Terminated Single-Employer Plans; Interest Assumptions for Paying Benefits received June 1, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

1677. A letter from the Deputy Bureau Chief, Wireline Competition Bureau, Federal Communications Commission, transmitting the Commission's final rule — Local Number Portability Porting Interval and Validation Requirements, Telephone Number Portability, Numbering Resource Optimization [WC Docket No.: 07-244] [CC Docket No.: 95-116] [CC Docket No.: 99-200] received June 1, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1678. A letter from the Director, Defense Security Cooperation Agency, Department of Defense, transmitting notice of Proposed Issuance of Letter of Offer and Acceptance to the Government of Japan, pursuant to Sec. 36(b)(1) of the Arms Export Control Act, as amended, Pub. L. 94-329, Transmittal No.: 15-35; to the Committee on Foreign Affairs.

1679. A letter from the Assistant Secretary for Export Administration, Bureau of Industry and Security, Department of Commerce, transmitting the Department's final rule — Updated Statements of Legal Authority for the Export Administration Regulations [Docket No.: 150511438-5438-01] (RIN: 0694-AG62) received June 1, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Foreign Affairs.

1680. A letter from the Assistant Secretary, for Export Administration, Bureau of Industry and Security, Department of Commerce, transmitting the Department's final rule — Russian Sanctions: Revisions and Clarifications for Licensing Policy for the Crimea Region of Ukraine [Docket No.: 150302205-5205-01] (RIN: 0694-AG54) received June 1, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Foreign Affairs.

1681. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting a certification, pursuant to Sec. 36(c) of the Arms Export Control Act, Transmittal No.: DDTC 15-014; to the Committee on Foreign Affairs.

1682. A letter from the Acting Administrator, Agency for International Development, transmitting the Office of Inspector General's Semiannual Report to the Congress for the period ending March 31, 2015, pursuant to Sec. 5 of the Inspector General Act of 1978, as amended, Pub. L. 95-452; to the Committee on Oversight and Government Reform.

1683. A letter from the Assistant Director, Senior Executive Management Office, Air force, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998, Pub. L. 105-277; to the Committee on Oversight and Government Reform.

1684. A letter from the Director, Office of Government Relations, Corporation For National and Community Service, transmitting the Inspector General's Semiannual Report to Congress along with the Corporation for National and Community Service's Report on Final Action, pursuant to Sec. 5 of the Inspector General Act of 1978, as amended, Pub. L. 95-452; to the Committee on Oversight and Government Reform.

1685. A letter from the Secretary, Department of Agriculture, transmitting the Inspector General's Semiannual Report to Congress covering the 6-month period that ended March 31, 2015, pursuant to Sec. 5 of the Inspector General Act of 1978, as amended, Pub. L. 95-452; to the Committee on Oversight and Government Reform.

1686. A letter from the Inspector General, Department of Health and Human Services, transmitting the Department's final report, entitled ''U.S. Department of Health and Human Services Met Many Requirements of the Improper Payments Information Act of 2002 but Did Not Fully Comply for Fiscal Year 2014'', pursuant to the Improper Payments Information Act of 2002 (Public Law 107-300), as amended; to the Committee on Oversight and Government Reform.

1687. A letter from the Secretary, Department of Veterans Affairs, transmitting the semiannual report of the Inspector General for the period October 1, 2014, through March 31, 2015, pursuant to Section 5(a) of the Inspector General Act of 1978, as amended (Pub. L. 95-452); to the Committee on Oversight and Government Reform.

1688. A letter from the Director, Congressional Affairs, Federal Election Commission, transmitting the Federal Election Commission Inspector General's Semiannual Report to Congress during the reporting period of October 1, 2014, through March 31, 2015; to the Committee on Oversight and Government Reform.

1689. A letter from the Chairman, Federal Maritime Commission, transmitting the Inspector General's Semiannual Report to Congress for the period October 1, 2014, through March 31, 2015, pursuant to Sec. 5(b) of the Inspector General Act of 1978, as amended (Pub. L. 95-452); to the Committee on Oversight and Government Reform.

1690. A letter from the Acting Administrator, General Services Administration, transmitting the ''Administrator's Semiannual Management Report to the Congress'' for the period of October 1, 2014, through March 31, 2015, pursuant to Sec. 5 of the Inspector General Act of 1978, as amended, Pub. L. 95-452; to the Committee on Oversight and Government Reform.

1691. A letter from the Chairman, National Credit Union Administration, transmitting the Inspector General's semiannual report for October 1, 2014, through March 31, 2015, pursuant to Sec. 5(b) of the Inspector General Act of 1978, as amended (Pub. L. 95-452); to the Committee on Oversight and Government Reform.

1692. A letter from the Auditor, Office of the District of Columbia Auditor, transmitting a report entitled, ''ANC 7F Did Not Fully Comply with the ANC Act''; to the Committee on Oversight and Government Reform.

1693. A letter from the Chairman, Railroad Retirement Board, transmitting the Office of Inspector General's Semiannual Report to the appropriate committees of the Congress, for the period October 1, 2014, through March 30, 2015, pursuant to Sec. 5 of the Inspector General Act of 1978, as amended, Pub. L. 95-452; to the Committee on Oversight and Government Reform.

1694. A letter from the Secretary, Department of Health and Human Services, transmitting the Department's determination on a petition filed on behalf of workers who were employed at Grand Junction Facilities site in Grand Junction, Colorado, to be added to the Special Exposure Cohort, pursuant to the Energy Employees Occupational Illness Compensation Program Act of 2000 and 42 C.F.R. pt. 83; to the Committee on the Judiciary.

1695. A letter from the Secretary, Department of Health and Human Services, transmitting the Department's determination on a petition filed on behalf of workers who were employed at the Hanford site in Richland, Washington, to be added to the Special Exposure Cohort, pursuant to the Energy Employees Occupational Illness Compensation Program Act of 2000 and 42 C.F.R. pt. 83; to the Committee on the Judiciary.

1696. A letter from the Assistant Attorney General, Office of Legislative Affairs, Department of Justice, transmitting a report on the activities of the Department regarding pre-1970 racially motivated homicides, pursuant to the Emmett Till Unsolved Civil Rights Crimes Act of 2007; to the Committee on the Judiciary.

1697. A letter from the Director, Mitigation Division, FEMA Region V, Department of Homeland Security, transmitting a letter regarding the Troy Local Flood Protection Project (Section R1); to the Committee on Transportation and Infrastructure.

1698. A letter from the Program Manager, Regulation Policy and Management, Office of the General Counsel (02REG), Department of Veterans Affairs, transmitting the Department's final rule — Grants for Adaptive Sports Programs for Disabled Veterans and Disabled Members of the Armed Forces (RIN: 2900-AP07) received June 1, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Veterans' Affairs.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. NEWHOUSE: Committee on Rules. House Resolution 288. Resolution providing for consideration of the bill (H.R. 2289) to reauthorize the Commodity Futures Trading Commission, to better protect futures customers, to provide end-users with market certainty, to make basic reforms to ensure transparency and accountability at the Commission, to help farmers, ranchers, and end-users manage risks, to help keep consumer costs low, and for other purposes (Rept. 114–136). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Ms. CLARK of Massachusetts:

H.R. 2602. A bill to enhance enforcement of laws related to cybercrimes against persons, and for other purposes; to the Committee on the Judiciary.

By Mr. BARR (for himself and Mr. ROE of Tennessee):

H.R. 2603. A bill to provide for the creation of a safe harbor for defendants in medical malpractice actions who demonstrate adherence to clinical practice guidelines; to the Committee on Energy and Commerce, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SMITH of Texas (for himself and Mr. JOHNSON of Georgia):

H.R. 2604. A bill to improve and reauthorize provisions relating to the application of the antitrust laws to the award of need-based educational aid; to the Committee on the Judiciary.

By Mr. JOHNSON of Ohio:

H.R. 2605. A bill to amend title 38, United States Code, to improve the supervision of fiduciaries of veterans under the laws administered by the Secretary of Veterans Affairs; to the Committee on Veterans' Affairs.

By Mrs. HARTZLER (for herself, Mr. SAM JOHNSON of Texas, Mr. ISSA, Mr. HENSARLING, and Mr. ROKITA):

H.R. 2606. A bill to amend title 23, United States Code, to discontinue funding for landscaping and scenic enhancement; to the Committee on Transportation and Infrastructure.

By Mr. CROWLEY (for himself, Ms. CLARKE of New York, Mr. ENGEL, Mr. HIGGINS, Mr. ISRAEL, Mr. SEAN PATRICK MALONEY of New York, Mr. MEEKS, Ms. MENG, Mr. NADLER, Mr. RANGEL, Mr. SERRANO, Ms. SLAUGHTER, Mr. TONKO, Mrs. CAROLYN B. MALONEY of New York, and Ms. VELÁZQUEZ):

H.R. 2607. A bill to designate the facility of the United States Postal Service located at 7802 37th Avenue in Jackson Heights, New York, as the ''Jeanne and Jules Manford Post Office Building''; to the Committee on Oversight and Government Reform.

By Ms. DELAURO (for herself, Mr. COLE, Mr. WELCH, Ms. DUCKWORTH, Ms. LEE, Mr. LIPINSKI, Mr. RYAN of Ohio, Ms. ESTY, and Ms. KUSTER):

H.R. 2608. A bill to amend the Internal Revenue Code of 1986 to allow manufacturing businesses to establish tax-free manufacturing reinvestment accounts to assist them in providing for new equipment and facilities and workforce training; to the Committee on Ways and Means.

By Mr. SAM JOHNSON of Texas (for himself and Mrs. HARTZLER):

H.R. 2609. A bill to amend title 23, United States Code, to repeal the transportation alternatives program, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. KATKO (for himself, Mr. CUMMINGS, Mr. GIBSON, Mr. HURD of Texas, Miss RICE of New York, Mr. BUCK, Ms. GRAHAM, Mrs. BROOKS of Indiana, and Ms. MCSALLY):

H.R. 2610. A bill to require the Secretary of the Treasury to redesign Federal reserve notes so as to include a likeness of Harriet Tubman, and for other purposes; to the Committee on Financial Services.

By Mrs. LUMMIS:

H.R. 2611. A bill to amend the Arms Export Control Act to provide that certain firearms listed as curios or relics may be imported into the United States by a licensed importer without obtaining authorization from the Department of State or the Department of Defense, and for other purposes; to the Committee on Foreign Affairs, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. CAROLYN B. MALONEY of New York (for herself, Mr. MCDERMOTT, Mr. GRIJALVA, Mr. VAN HOLLEN, Ms. NORTON, Ms. CLARK of Massachusetts, Mr. LYNCH, Ms. TSONGAS, Mr. CICILLINE, Ms. KELLY of Illinois, Ms. ESTY, Mr. BLUMENAUER, Mr. RANGEL, Mr. NADLER, and Mr. CUMMINGS):

H.R. 2612. A bill to authorize the appropriation of funds to the Centers for Disease Control and Prevention for conducting or supporting research on firearms safety or gun violence prevention; to the Committee on Energy and Commerce.

By Mrs. CAROLYN B. MALONEY of New York (for herself, Ms. CLARK of Massachusetts, and Mr. DESAULNIER):

H.R. 2613. A bill to provide for the development and use of technology for personalized handguns, to require that all handguns manufactured or sold in, or imported into, the United States incorporate such technology, and for other purposes; to the Committee on the Judiciary, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. MCDERMOTT:
H.R. 2614. A bill to amend title XVIII of the Social Security Act to provide for an expert advisory panel regarding relative value scale process used under the Medicare physician fee schedule, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. PLASKETT:
H.R. 2615. A bill to establish the Virgin Islands of the United States Centennial Commission; to the Committee on Oversight and Government Reform.

By Mr. QUIGLEY (for himself, Ms. NORTON, Mr. GUTIÉRREZ, Mr. HUFFMAN, Mr. POLIS, and Mr. PAYNE):
H.R. 2616. A bill to direct the Administrator of the Federal Emergency Management Agency to enter into an agreement with the National Academy of Sciences to conduct a study on urban flooding, and for other purposes; to the Committee on Transportation and Infrastructure, and in addition to the Committee on Financial Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. RADEWAGEN:
H.R. 2617. A bill to amend the Fair Minimum Wage Act of 2007 to postpone a scheduled increase in the minimum wage applicable to American Samoa; to the Committee on Education and the Workforce.

By Mr. ROSS:
H.R. 2618. A bill to amend the Employee Polygraph Protection Act of 1988 to provide an exemption from the protections of that Act with regard to certain prospective employees whose job would include caring for or interacting with children; to the Committee on Education and the Workforce.

By Ms. SCHAKOWSKY (for herself, Mr. ELLISON, Mr. GRIJALVA, and Mr. RUSH):
H.R. 2619. A bill to amend the Internal Revenue Code of 1986 to provide a tax credit to Patriot employers, and for other purposes; to the Committee on Ways and Means.

By Mr. DAVID SCOTT of Georgia (for himself, Mr. AUSTIN SCOTT of Georgia, Mr. WESTMORELAND, and Mr. BISHOP of Georgia):
H.R. 2620. A bill to amend the United States Cotton Futures Act to exclude certain cotton futures contracts from coverage under such Act; to the Committee on Agriculture.

By Mr. SMITH of New Jersey (for himself and Mr. LIPINSKI):
H.R. 2621. A bill to impose sanctions against individuals who are nationals of the People's Republic of China who are responsible for gross violations of internationally recognized human rights committed against other individuals in the People's Republic of China, and for other purposes; to the Committee on Foreign Affairs, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. TONKO:
H.R. 2622. A bill to direct the Secretary of Veterans Affairs to establish a registry of certain veterans who were stationed at Fort McClellan, Alabama, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. LOWENTHAL (for himself, Mr. THOMPSON of California, Ms. ESTY, and Mrs. CAPPS):
H. Res. 289. A resolution expressing the sense of the House of Representatives that gun violence is a public health issue and Congress should enact by the end of the 114th Congress comprehensive Federal legislation that protects the Second Amendment and keeps communities safe and healthy, including expanding enforceable background checks for all commercial gun sales, improving the mental health system in the United States, and making gun trafficking and straw purchasing a Federal crime; to the Committee on the Judiciary, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. PITTS (for himself and Ms. JACKSON LEE):
H. Res. 290. A resolution calling for the global repeal of blasphemy laws; to the Committee on Foreign Affairs.

By Ms. PLASKETT:
H. Res. 291. A resolution expressing the sense of the House of Representatives that the United States Postal Service should issue a commemorative stamp commemorating the 100th Anniversary of the purchase of the territories known as the Virgin Islands of the United States; to the Committee on Oversight and Government Reform.

MEMORIALS

Under clause 3 of Rule XII, memorials were presented and referred as follows:

36. The SPEAKER presented a memorial of the Legislature of the State of Arizona, relative to Senate Concurrent Resolution No. 1019, commending Israel for its cordial and mutually beneficial relationship with the United States; to the Committee on Foreign Affairs.

37. Also, a memorial of the Legislature of the State of Arizona, relative to House Concurrent Memorial No. 2005, urging the United States Government to immediately and not later than December 31, 2019 dispose of the public lands within Arizona's borders directly to the State of Arizona; to the Committee on Natural Resources.

38. Also, a memorial of the Legislature of the State of Arizona, relative to Senate Concurrent Memorial 1001, urging the Congress to oppose the designation of the Grand Canyon Watershed National Monument in Northern Arizona; to the Committee on Natural Resources.

39. Also, a memorial of the House of Representatives of the State of Michigan, relative to House Resolution No. 9, urging the President to allow an additional 25,000 refugee visas for displaced Iraqis, with preference for placement in Michigan; to the Committee on the Judiciary.

40. Also, a memorial of the Legislature of the State of Arizona, relative to Senate Concurrent Memorial 1002, urging the Congress to enact legislation that confirms that state law determines the entire scope of R.S. 2477 Right-of-Way; to the Committee on Transportation and Infrastructure.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Ms. CLARK of Massachusetts:
H.R. 2602.
Congress has the power to enact this legislation pursuant to the following:
Article 1, Section 8

By Mr. BARR:
H.R. 2603.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8, Clause 3.
Article III, Section 1.
Article III, Section 2, Clause 1.

By Mr. SMITH of Texas:
H.R. 2604.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8, Clause 3 of the United States Constitution.

By Mr. JOHNSON of Ohio:
H.R. 2605.
Congress has the power to enact this legislation pursuant to the following:
Article I, section 8 of the Constitution of the United States.

By Mrs. HARTZLER:
H.R. 2606.
Congress has the power to enact this legislation pursuant to the following:
Article I: Section 8: Clause 3 The United States Congress shall have power
''To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.''

By Mr. CROWLEY:
H.R. 2607.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8, Clause 7: ''The Congress shall have Power [. . .] To establish Post Offices and post Roads . . .''

By Ms. DELAURO:
H.R. 2608.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8 of the United States Constitution.

By Mr. SAM JOHNSON of Texas:
H.R. 2609.
Congress has the power to enact this legislation pursuant to the following:
Article 1, Section 8, Clause 1

By Mr. KATKO:
H.R. 2610.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8, Clause 5, of the United States Constitution: To coin Money, regulate the Value thereof, and of foreign Coin, and fix the Standard of Weights and Measures;

By Mrs. LUMMIS:
H.R. 2611.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8, Clause 3: ''To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.''

By Mrs. CAROLYN B. MALONEY of New York:
H.R. 2612.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8

By Mrs. CAROLYN B. MALONEY of New York:
H.R. 2613.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8

By Mr. MCDERMOTT:
H.R. 2614.

Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8, Clause 1
By Ms. PLASKETT:
H.R. 2615.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8, Clause 18 (Necessary and Proper Clause)
Article IV, Section 3, Clause 2 (Territories Clause)
By Mr. QUIGLEY:
H.R. 2616.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8
By Mrs. RADEWAGEN:
H.R. 2617.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8, Clause 3—The Congress shall have Power . . . To regulate commerce with foreign Nations, and among the several States, and with the Indian Tribes.
By Mr. ROSS:
H.R. 2618.
Congress has the power to enact this legislation pursuant to the following:
Fourteenth Amendment, Section 5
By Ms. SCHAKOWSKY:
H.R. 2619.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section VIII.
By Mr. DAVID SCOTT of Georgia:
H.R. 2620.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8, Clause 1 (''The Congress shall have the power To lay and collect taxes, duties, imposts and excises, to pay the debts and provide for the common defense and general welfare of the United States; but all duties, imposts and excises shall be uniform throughout the United States'')
Article I, Section 8, Clause 3 (''To regulate commerce with foreign nations, and among the several states, and with the Indian tribes'')
Article I, Section 8, Clause 18 (''To make all laws which shall be necessary and proper for carrying into execution the foregoing powers, and all other powers vested by this Constitution in the government of the United States, or in any department or officer thereof'')
By Mr. SMITH of New Jersey:
H.R. 2621.
Congress has the power to enact this legislation pursuant to the following:
Article 1, section 8 of the Constitution
By Mr. TONKO:
H.R. 2622.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8, Clause 1
The Congress shall have Power to lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions, as follows:

H.R. 6: Mr. SCALISE, Mr. LATTA, Mr. HARPER, Mr. OLSON, Mr. KINZINGER of Illinois, Mr. POMPEO, Mr. COLLINS of New York, Mrs. MIMI WALTERS of California, Mr. ALLEN, Mr. SARBANES, and Ms. LEE.
H.R. 9: Mr. HARDY.
H.R. 156: Mr. PERLMUTTER.
H.R. 160: Mr. NORCROSS.
H.R. 167: Mr. ELLISON.
H.R. 213: Mr. LANCE.
H.R. 223: Mrs. BEATTY.
H.R. 224: Mrs. WATSON COLEMAN, Mr. RUSH, Mr. VAN HOLLEN, Ms. DELAURO, and Mr. NADLER.
H.R. 232: Mr. CARTWRIGHT and Mr. COURTNEY.
H.R. 282: Mr. RIGELL and Mr. WEBSTER of Florida.
H.R. 303: Mr. TED LIEU of California, Mr. ROGERS of Kentucky, and Ms. SINEMA.
H.R. 343: Mr. AMODEI.
H.R. 425: Ms. FUDGE.
H.R. 456: Mr. WHITFIELD.
H.R. 463: Mr. LUETKEMEYER, Mr. POE of Texas, Mr. MEADOWS, Mr. WITTMAN, Mr. MICA, and Mr. WENSTRUP.
H.R. 465: Mr. POE of Texas.
H.R. 467: Mr. CARSON of Indiana, Mrs. BUSTOS, and Ms. MATSUI.
H.R. 472: Mr. AMODEI.
H.R. 484: Mr. FITZPATRICK.
H.R. 511: Mr. GROTHMAN.
H.R. 539: Mr. PRICE of North Carolina.
H.R. 546: Mr. O'ROURKE.
H.R. 556: Mr. HECK of Washington, Mr. HANNA, and Mrs. WAGNER.
H.R. 572: Mr. AMODEI.
H.R. 581: Mr. SEAN PATRICK MALONEY of New York.
H.R. 624: Mr. PASCRELL, Mr. POE of Texas, Mr. WEBER of Texas, and Mr. KING of New York.
H.R. 649: Mr. TED LIEU of California.
H.R. 662: Mr. COFFMAN and Mr. KNIGHT.
H.R. 664: Mr. HUFFMAN.
H.R. 702: Mr. WESTERMAN, Mr. ZINKE, Mr. PERLMUTTER, Mr. VEASEY, and Mr. SENSENBRENNER.
H.R. 703: Mrs. LOVE, Mr. CARTER of Georgia, and Ms. MCSALLY.
H.R. 711: Mr. NUNES and Mr. MOULTON.
H.R. 729: Mr. HECK of Washington.
H.R. 762: Mr. CARTWRIGHT.
H.R. 775: Mr. ABRAHAM.
H.R. 776: Mr. HANNA and Mr. JOHNSON of Ohio.
H.R. 800: Ms. MCSALLY.
H.R. 817: Mr. KINZINGER of Illinois.
H.R. 829: Ms. KAPTUR.
H.R. 835: Ms. DEGETTE.
H.R. 836: Mr. PAULSEN, Mr. TIBERI, Mrs. WAGNER, Mr. ROTHFUS, Mr. STIVERS, and Mrs. MILLER of Michigan.
H.R. 840: Mr. HINOJOSA and Ms. LOFGREN.
H.R. 845: Ms. JUDY CHU of California, Ms. DELAURO, Mr. DELANEY, Mr. KLINE, Mr. DESAULNIER, and Mr. WHITFIELD.
H.R. 864: Mr. QUIGLEY.
H.R. 879: Mr. HANNA and Mr. ROKITA.
H.R. 893: Mr. BARR, Mr. RODNEY DAVIS of Illinois, Mr. NUNES, Mr. FRELINGHUYSEN, Mr. BISHOP of Georgia, Mr. KENNEDY, Mr. TAKANO, Mr. LOWENTHAL, Ms. SPEIER, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. KELLY of Pennsylvania, Mr. DOGGETT, Mr. GRIFFITH, Mr. MICHAEL F. DOYLE of Pennsylvania, Mr. CLEAVER, Mr. FINCHER, Mr. ENGEL, Mrs. BEATTY, Mr. SALMON, Ms. BROWN of Florida, Mr. JONES, Mr. GRAVES of Missouri, Mr. WELCH, Mr. JENKINS of West Virginia, Ms. GRANGER, and Mr. DEFAZIO.
H.R. 913: Ms. MAXINE WATERS of California and Mr. DESAULNIER.
H.R. 918: Mr. ROKITA.
H.R. 928: Mr. RICE of South Carolina.
H.R. 969: Mr. HULTGREN and Mr. CARTER of Georgia.
H.R. 971: Mr. HUFFMAN.
H.R. 986: Mrs. WAGNER, Mr. RIBBLE, and Mr. YOUNG of Indiana.
H.R. 990: Mr. HIMES.
H.R. 1008: Ms. KUSTER.
H.R. 1062: Mr. HARDY and Mr. NEUGEBAUER.
H.R. 1111: Mr. RANGEL.
H.R. 1116: Mr. JOHNSON of Ohio.
H.R. 1120: Mr. ROUZER.
H.R. 1150: Mr. DOLD, Mr. WITTMAN, and Ms. LOFGREN.
H.R. 1171: Mr. AMODEI.
H.R. 1188: Mr. ROHRABACHER.
H.R. 1190: Mr. KNIGHT.
H.R. 1192: Mr. HECK of Washington and Mrs. KIRKPATRICK.
H.R. 1194: Ms. LOFGREN.
H.R. 1197: Mr. THOMPSON of California and Ms. LEE.
H.R. 1218: Mr. PETERS.
H.R. 1220: Mr. RUIZ, Mr. TONKO, Mr. RUSSELL, Mr. POE of Texas, Mr. AMODEI, Mr. HASTINGS, Mr. HANNA, Mr. HONDA, Mr. GRAYSON, Mr. NOLAN, Mr. BEN RAY LUJÁN of New Mexico, Mr. KILMER, Mr. SENSENBRENNER, Ms. LINDA T. SÁNCHEZ of California, Mr. PETERSON, Ms. ROS-LEHTINEN, Mr. HECK of Washington, Mr. TIPTON, Mr. PALAZZO, Mr. RIBBLE, Mr. VAN HOLLEN, and Mr. DESAULNIER.
H.R. 1258: Ms. WILSON of Florida and Mr. VAN HOLLEN.
H.R. 1274: Ms. DELBENE and Mr. MICHAEL F. DOYLE of Pennsylvania.
H.R. 1284: Mr. GUTIÉRREZ, Mrs. BEATTY, and Mr. DEFAZIO.
H.R. 1286: Mr. AGUILAR.
H.R. 1288: Mr. KILMER and Mr. ISRAEL.
H.R. 1301: Mr. GROTHMAN.
H.R. 1321: Mr. PRICE of North Carolina, Mrs. MILLER of Michigan, and Mr. FARR.
H.R. 1342: Mr. COFFMAN.
H.R. 1378: Miss RICE of New York.
H.R. 1388: Mr. CARTER of Georgia, Mr. FINCHER, Mr. MURPHY of Pennsylvania, and Mr. ALLEN.
H.R. 1399: Ms. MCSALLY and Mr. O'ROURKE.
H.R. 1413: Mr. MESSER.
H.R. 1424: Mr. FINCHER.
H.R. 1434: Mr. HIGGINS, Mr. HONDA, Mrs. LAWRENCE, Mr. PETERSON, Mr. RUIZ, Mr. GALLEGO, Mr. O'ROURKE, Mr. NORCROSS, Mr. MCNERNEY, Mr. TAKAI, and Ms. PLASKETT.
H.R. 1462: Ms. STEFANIK, Mr. TED LIEU of California, and Mr. HIGGINS.
H.R. 1475: Mr. CARTWRIGHT, Mr. KINZINGER of Illinois, Mr. LATTA, Mrs. RADEWAGEN, Mr. WHITFIELD, Mr. LANCE, Mr. JONES, Mr. YOUNG of Indiana, Mr. GRAVES of Missouri, and Mr. KNIGHT.
H.R. 1482: Mr. HIGGINS and Mr. SERRANO.
H.R. 1516: Ms. LOFGREN, Mr. RODNEY DAVIS of Illinois, Mr. YOUNG of Indiana, Ms. CLARK of Massachusetts, Mr. RANGEL, Mr. MCKINLEY, Mr. HARPER, and Mr. CUMMINGS.
H.R. 1518: Mr. DEUTCH.
H.R. 1528: Mr. HARDY.
H.R. 1550: Mr. POLIS.
H.R. 1571: Mr. LEWIS, Mr. HASTINGS, and Mr. GRIJALVA.
H.R. 1586: Ms. KELLY of Illinois.
H.R. 1587: Mr. HONDA.
H.R. 1594: Mr. POSEY, Mr. MACARTHUR, and Mr. HARDY.
H.R. 1595: Mr. ROYCE.
H.R. 1608: Mr. HUFFMAN, Mr. MICHAEL F. DOYLE of Pennsylvania, Mr. CARSON of Indiana, and Ms. LEE.
H.R. 1610: Mr. BRAT.
H.R. 1632: Ms. MCCOLLUM, Mr. RUIZ, and Mr. SABLAN.
H.R. 1635: Mr. O'ROURKE.
H.R. 1652: Mr. WEBSTER of Florida.
H.R. 1654: Mr. HOLDING.
H.R. 1660: Mr. RIBBLE and Ms. JENKINS of Kansas.
H.R. 1661: Ms. JENKINS of Kansas.

H.R. 1676: Mr. CONYERS.
H.R. 1677: Mr. O'ROURKE.
H.R. 1706: Mr. FATTAH, Ms. KELLY of Illinois, and Ms. BONAMICI.
H.R. 1718: Mr. PITTENGER, Mr. LOEBSACK, and Mr. FARENTHOLD.
H.R. 1728: Ms. DELBENE.
H.R. 1734: Mrs. HARTZLER.
H.R. 1736: Mr. FORTENBERRY and Mr. YOUNG of Iowa.
H.R. 1737: Mr. HANNA, Ms. STEFANIK, Mr. VELA, and Mr. YODER.
H.R. 1742: Ms. ADAMS and Mr. COLE.
H.R. 1752: Mr. BOST and Mr. SCHWEIKERT.
H.R. 1769: Mr. DEUTCH, Ms. LEE, Mr. POLIS, and Mr. COLLINS of New York.
H.R. 1786: Mr. CARTWRIGHT and Mr. CLAY.
H.R. 1801: Mrs. LAWRENCE and Mr. RICHMOND.
H.R. 1804: Mr. DESAULNIER.
H.R. 1814: Mrs. LAWRENCE, Mr. FARR, Mr. KIND, Ms. JUDY CHU of California, Mr. CONNOLLY, Mr. HECK of Washington, Mrs. BUSTOS, Ms. BROWNLEY of California, Mr. SEAN PATRICK MALONEY of New York, Ms. JACKSON LEE, Mr. PALLONE, Ms. KAPTUR, Mr. RANGEL, Mrs. BEATTY, Mr. SCOTT of Virginia, and Mr. LANGEVIN.
H.R. 1818: Ms. JUDY CHU of California and Mr. LATTA.
H.R. 1853: Mr. LANGEVIN, Mr. SMITH of New Jersey, and Mrs. BLACKBURN.
H.R. 1854: Mr. JOLLY.
H.R. 1861: Mr. HARRIS and Mr. KLINE.
H.R. 1868: Mrs. LAWRENCE, Mrs. DINGELL, and Mr. GRIJALVA.
H.R. 1882: Mrs. BEATTY.
H.R. 1902: Mrs. CAROLYN B. MALONEY of New York.
H.R. 1910: Ms. KUSTER and Mr. GRIJALVA.
H.R. 1919: Mr. RODNEY DAVIS of Illinois.
H.R. 1933: Mr. TAKANO and Ms. CLARK of Massachusetts.
H.R. 1942: Mr. BEYER, Mr. RUIZ, Mr. YARMUTH, Mr. SEAN PATRICK MALONEY of New York, Mr. CAPUANO, and Mr. LIPINSKI.
H.R. 1948: Mr. WELCH.
H.R. 1961: Mr. MCGOVERN.
H.R. 1977: Mr. PRICE of North Carolina and Mr. CARTWRIGHT.
H.R. 1986: Mr. HENSARLING.
H.R. 1989: Mr. ISSA.
H.R. 1994: Mr. LAMALFA and Mr. KNIGHT.
H.R. 2017: Mr. NEWHOUSE and Mr. WHITFIELD.
H.R. 2019: Mr. ROGERS of Alabama, Mr. CRAMER, Ms. JENKINS of Kansas, Mr. FINCHER, and Mr. MCCLINTOCK.
H.R. 2025: Mr. QUIGLEY.
H.R. 2033: Mr. MCGOVERN and Mr. RUPPERSBERGER.
H.R. 2043: Mr. STIVERS, Ms. BROWNLEY of California, Mr. MULVANEY, and Mr. AMODEI.
H.R. 2050: Mr. DAVID SCOTT of Georgia, Mr. SMITH of New Jersey, Mr. TAKANO, Mr. LEWIS, Mr. RUSH, Ms. BROWN of Florida, Mr. KEATING, and Ms. PINGREE.
H.R. 2090: Ms. TITUS.
H.R. 2096: Mr. CRAMER.
H.R. 2124: Mr. TONKO, Ms. CLARK of Massachusetts, Ms. SCHAKOWSKY, Mr. SEAN PATRICK MALONEY of New York, Mr. DOGGETT, Mr. THOMPSON of California, Ms. MATSUI, Ms. LOFGREN, Ms. Judy Chu of California, Ms. STEFANIK, Mr. LOEBSACK, and Mr. PALAZZO.
H.R. 2128: Mr. KINZINGER of Illinois, Mr. PASCRELL, Mr. DIAZ-BALART, Mr. SMITH of Nebraska, Mr. NUNES, Mr. HOLDING, Mr. TURNER, and Mr. BOUSTANY.
H.R. 2134: Mr. HURD of Texas.
H.R. 2152: Ms. LOFGREN.
H.R. 2156: Mr. KATKO, Mrs. LUMMIS, and Mr. WALBERG.
H.R. 2167: Mr. HUFFMAN, Ms. NORTON, and Mr. WELCH.
H.R. 2191: Mr. BARTON.
H.R. 2193: Ms. JUDY CHU of California.
H.R. 2205: Mr. HINOJOSA, Mr. MESSER, and Mr. DAVID SCOTT of Georgia.
H.R. 2210: Mr. LOEBSACK.
H.R. 2213: Mr. WOMACK, Mr. MESSER, and Mr. ROKITA.
H.R. 2242: Mr. SCHIFF.
H.R. 2246: Mr. SCHWEIKERT.
H.R. 2248: Mr. COURTNEY.
H.R. 2254: Mr. SARBANES.
H.R. 2258: Mr. CARTER of Georgia, Mr. MULVANEY, Mr. DUNCAN of South Carolina, Mr. BRAT, Mr. LABRADOR, Mr. JODY B. HICE of Georgia, Mr. HARDY, and Mr. JORDAN.
H.R. 2259: Mr. KLINE, Mr. ROKITA, Mr. COLE, Ms. STEFANIK, Mr. LOUDERMILK, Mr. ALLEN, and Mr. AMODEI.
H.R. 2275: Mr. KNIGHT.
H.R. 2290: Mr. LATTA, Ms. STEFANIK, and Mr. SALMON.
H.R. 2296: Mr. MICHAEL F. DOYLE of Pennsylvania.
H.R. 2300: Mr. POMPEO.
H.R. 2302: Mr. TONKO.
H.R. 2309: Mr. QUIGLEY.
H.R. 2315: Mr. KLINE, Mr. HARDY, Mr. ROKITA, Mrs. MILLER of Michigan, Mr. PIERLUISI, and Mr. COLLINS of Georgia.
H.R. 2400: Mrs. BLACK, Mr. DOLD, Mr. PAULSEN, and Mr. REED.
H.R. 2403: Mr. BYRNE, Mr. YARMUTH, Mr. GUTHRIE, Mr. DESJARLAIS, Mr. LOWENTHAL, Mr. COOK, Mr. GRIFFITH, Mr. STEWART, Mr. ROGERS of Alabama, Mr. BISHOP of Georgia, Mr. BRADY of Pennsylvania, Mr. BENISHEK, and Mr. COLE.
H.R. 2404: Ms. MATSUI and Ms. ESHOO.
H.R. 2405: Mr. LONG.
H.R. 2406: Mr. BABIN.
H.R. 2412: Ms. ESHOO and Ms. GABBARD.
H.R. 2429: Mr. CONNOLLY.
H.R. 2441: Mr. AUSTIN SCOTT of Georgia, Mr. MCGOVERN, and Mr. ROKITA.
H.R. 2442: Ms. MICHELLE LUJAN GRISHAM of New Mexico, Mr. CÁRDENAS, Ms. MATSUI, Mr. BRENDAN F. BOYLE of Pennsylvania, and Mr. VARGAS.
H.R. 2457: Mr. BISHOP of Georgia, Mrs. KIRKPATRICK, Mrs. LAWRENCE, and Mr. FORTENBERRY.
H.R. 2488: Mr. JOYCE.
H.R. 2494: Mr. CARTWRIGHT.
H.R. 2504: Mr. COLLINS of New York and Mr. KNIGHT.
H.R. 2506: Ms. SINEMA.
H.R. 2507: Ms. SINEMA and Mr. SESSIONS.
H.R. 2513: Mr. WILLIAMS, Mr. MARCHANT, Mr. SESSIONS, Mr. BUCSHON, Ms. JACKSON LEE, and Mr. SCHWEIKERT.
H.R. 2514: Mr. WHITFIELD.
H.R. 2516: Mr. HUFFMAN and Ms. JUDY CHU of California.
H.R. 2520: Mr. BARR, Mr. DESJARLAIS, and Mr. CHABOT.
H.R. 2522: Mr. LANGEVIN.
H.R. 2536: Mr. COHEN.
H.R. 2540: Ms. MICHELLE LUJAN GRISHAM of New Mexico and Ms. MATSUI.
H.R. 2560: Mr. HANNA.
H.R. 2576: Mr. HARPER, Mr. GENE GREEN of Texas, and Mr. LATTA.
H.R. 2590: Ms. PINGREE.
H.R. 2591: Miss RICE of New York.
H.J. Res. 25: Mrs. LAWRENCE, Mr. LOEBSACK, and Mr. DESAULNIER.
H. Con. Res. 36: Mr. QUIGLEY.
H. Con. Res. 49: Mr. CARTER of Georgia, Mr. TOM PRICE of Georgia, and Mr. LOUDERMILK.
H. Res. 28: Mr. FOSTER, Mr. DANNY K. DAVIS of Illinois, and Ms. BASS.
H. Res. 54: Ms. BASS, Mr. LARSON of Connecticut, Mr. COURTNEY, Mr. JOLLY, Mr. YOHO, Mr. HINOJOSA, and Ms. MCSALLY.
H. Res. 56: Ms. KAPTUR.
H. Res. 108: Mr. ROKITA.
H. Res. 110: Mr. KILMER.
H. Res. 112: Mr. RYAN of Ohio.
H. Res. 130: Mr. WEBER of Texas.
H. Res. 147: Mr. SMITH of New Jersey.
H. Res. 157: Mr. QUIGLEY.
H. Res. 206: Ms. SINEMA.
H. Res. 210: Mr. RIBBLE.
H. Res. 233: Mr. FITZPATRICK, Mr. MICA, Ms. ESTY, Mr. HOLDING, Mrs. CAROLYN B. MALONEY of New York, Mr. CURBELO of Florida, Mr. GUINTA, Mr. WELCH, Mr. LAMALFA, Mrs. MIMI WALTERS of California, Mr. GUTIÉRREZ, Mr. UPTON, Mr. ABRAHAM, Mr. DESANTIS, Ms. BASS, Mr. QUIGLEY, Mr. AMASH, Mr. BROOKS of Alabama, Ms. LOFGREN, Ms. MENG, Mr. MARCHANT, Mr. ZELDIN, Mr. BABIN, Mr. LEWIS, Ms. Judy Chu of California, Mr. PASCRELL, Mr. GARRETT, Mr. CRAMER, Mr. PETERS, and Mr. SMITH of Washington.
H. Res. 235: Mr. SCOTT of Virginia and Mrs. BEATTY.
H. Res. 250: Ms. MCSALLY.
H. Res. 262: Ms. MOORE, Mrs. LAWRENCE, Ms. BASS, Ms. JUDY CHU of California, and Mr. VAN HOLLEN.
H. Res. 275: Ms. SPEIER.
H. Res. 276: Ms. STEFANIK.
H. Res. 282: Mr. DESAULNIER.

CONGRESSIONAL EARMARKS, LIMITED TAX BENEFITS, OR LIMITED TARIFF BENEFITS

Under clause 9 of rule XXI, lists or statements on congressional earmarks, limited tax benefits, or limited tariff benefits were submitted as follows:

The amendment to be offered by Representative Conaway, or a designee, to H.R. 2289, the Commodity End-User Relief Act does not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9 of rule XXI.

DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

Under clause 7 of rule XII, sponsors were deleted from public bills and resolutions, as follows:

H.R. 1994: Mrs. LAWRENCE.

PETITIONS, ETC.

Under clause 3 of rule XII,

11. The SPEAKER presented a petition of the Board of Chosen Freeholders, County of Cape May, New Jersey, relative to Resolution No. 381-15, urging the President to recognize the plight of American citizens currently unjustly imprisoned and facing death in Iranian governmental custody; which was referred to the Committee on Foreign Affairs.

AMENDMENTS

Under clause 8 of rule XVIII, proposed amendments were submitted as follows:

H.R. 2577

OFFERED BY: MR. BROOKS OF ALABAMA

AMENDMENT NO. 1: Page 45, line 15, after the dollar amount, insert ''(reduced by $288,500,000)''.

Page 47, line 11, after the dollar amount, insert ''(reduced by $689,800,000)''.

Page 47, line 15, after the dollar amount, insert ''(reduced to $0)''.

Page 47, line 19, after the dollar amount, insert ''(reduced to $0)''.

Page 47, line 23, after the dollar amount, insert ''(reduced to $0)''.

Page 48, line 23, after the dollar amount, insert ''(reduced to $0)''

Page 156, line 15, after the dollar amount, insert ''(increased by $978,300,000)''.

H.R. 2577

OFFERED BY: MR. BROOKS OF ALABAMA

AMENDMENT NO. 2: Page 45, line 15, after the dollar amount, insert ''(reduced by $288,500,000)''.

Page 156, line 15, after the dollar amount, insert ''(increased by $288,500,000)''.

H.R. 2577

OFFERED BY: MR. BROOKS OF ALABAMA

AMENDMENT NO. 3: At the end of the bill (before the short title), insert the following:

SEC. ____. None of the funds made available by this Act may be used to provide rental housing assistance, a direct loan secured by a residence, or insurance or guarantee for a loan or mortgage secured by a residence, to any individual who does not have lawful status in the United States or financial assistance in violation of section 214(d) of the Housing and Community Development Act of 1980 (42 U.S. C. 1436a(d)).

H.R. 2577

OFFERED BY: MR. ENGEL

AMENDMENT NO. 4: At the end of the bill (before the short title), insert the following:

SEC. ____. None of the funds made available by this Act may be used by the Department of Transportation, the Department of Housing and Urban Development, or any other Federal agency to lease or purchase new light duty vehicles for any executive fleet, or for an agency's fleet inventory, except in accordance with Presidential Memorandum—Federal Fleet Performance, dated May 24, 2011.

H.R. 2577

OFFERED BY: MR. MICA

AMENDMENT NO. 5: Page 53, line 11, strike the colon and all that follows through line 15 and insert a period.

H.R. 2577

OFFERED BY: MR. NEWHOUSE

AMENDMENT NO. 6: At the end of the bill (before the short title), insert the following:

SEC. ____. None of the funds made available by this Act may be used to issue, implement, or enforce any regulation by the Federal Aviation Administration relating to the operation and certification of small unmanned aircraft systems (UAS) that does not make consideration of the use of small UAS for agricultural applications.

H.R. 2578

OFFERED BY: MR. ENGEL

AMENDMENT NO. 10: At the end of the bill (before the short title), insert the following:

SEC. ____. None of the funds made available by this Act may be used by the Department of Commerce, the Department of Justice, or any other Federal agency to lease or purchase new light duty vehicles for any executive fleet, or for an agency's fleet inventory, except in accordance with Presidential Memorandum—Federal Fleet Performance, dated May 24, 2011.

H.R. 2578

OFFERED BY: MR. MACARTHUR

AMENDMENT NO. 11: Page 23, line 6, insert after the dollar amount the following: ''(reduced by $750,000)''.

Page 38, line 9, insert after the dollar amount the following: ''(increased by $750,000)''.

Page 40, line 10, insert after the dollar amount the following: ''(increased by $750,000)''.

H.R. 2578

OFFERED BY: MR. BLUMENAUER

AMENDMENT NO. 12: Page 14, lines 1, 18, and 19, after each dollar amount, insert ''(reduced by $60,760,000) (increased by $60,760,000)''.

H.R. 2578

OFFERED BY: MR. PITTENGER

AMENDMENT NO. 13: Page 32, line 5, after the dollar amount, insert ''(increased by $25,000,000)''.

Page 72, line 7, after each of the dollar amounts, insert ''(reduced by $25,000,000)''.

H.R. 2578

OFFERED BY: MR. POE OF TEXAS

AMENDMENT NO. 14: Page 7, line 8, insert after the dollar amount the following: ''(reduced by $17,300,000)''.

Page 38, line 9, insert after the dollar amount the following: ''(increased by $17,300,000)''.

Page 41, line 14, insert after the dollar amount the following: ''(increased by $17,300,000)''.

H.R. 2578

OFFERED BY: MR. POE OF TEXAS

AMENDMENT NO. 15: At the end of the bill (before the short title), insert the following:

SEC. ____. None of the funds made available by this Act may be used for the DNA analysis and capacity enhancement program and for other local, State, and Federal forensic activities for which funds are made available under this Act as part of the $125,000,000 for DNA-related and forensic programs and activities, unless such funds are used in accordance with paragraphs (3) and (4) of section (2)(c)) of the DNA Analysis Backlog Elimination Act of 2000 (Public Law 106–546; 42 U.S. C. 14135).

H.R. 2578

OFFERED BY: MR. POE OF TEXAS

AMENDMENT NO. 16: At the end of the bill (before the short title), insert the following:

SEC. ____. None of the funds made available in this Act may be used to enforce section 221 of title 13, United States Code, with respect to the survey, conducted by the Secretary of Commerce, commonly referred to as the ''American Community Survey''.

H.R. 2578

OFFERED BY: MR. POE OF TEXAS

AMENDMENT NO. 17: At the end of the bill (before the short title), insert the following:

SEC. ____. (a) Except as provided by subsection (b), none of the funds made available by this Act for the Department of Justice or the Federal Bureau of Investigation may be used to mandate or request that a person (as defined in section 101(m) of the Foreign Intelligence Surveillance Act of 1978 (50 U.S. C. 1801(m)) alter the product or service of the person to permit the electronic surveillance (as defined in section 101(f) of such Act (50 U.S. C. 1801(f)) of any user of such product or service.

(b) Subsection (a) shall not apply with respect to mandates or requests authorized under the Communications Assistance for Law Enforcement Act (47 U.S. C. 1001 et seq.).

H.R. 2578

OFFERED BY: MR. CONAWAY

AMENDMENT NO. 18: At the end of the bill (before the short title), insert the following:

SEC. ____. None of the funds made available by this Act may be used to implement, administer, or enforce any rule prohibiting the export of crude oil under section 103 of the Energy Policy and Conservation Act (42 U.S.C. 6212).

H.R. 2578

OFFERED BY: MR. MCCLINTOCK

AMENDMENT NO. 19: Page 3, line 10, after the dollar amount, insert ''(reduced by $311,788,000)''.

Page 98, line 20, after the dollar amount, insert ''(increased by $311,788,000)''.

H.R. 2578

OFFERED BY: MR. MCCLINTOCK

AMENDMENT NO. 20: Page 4 line 21, after the dollar amount, insert ''(reduced by $7,500,000)''.

Page 6 line 9, after the dollar amount, insert ''(reduced by $2,000,000)''.

Page 15 line 16, after the dollar amount, insert ''(reduced by $5,700,000)''.

Page 15, line 19, after the dollar amount, insert ''(reduced by $5,700,000)''.

Page 15, line 20, after the dollar amount, insert ''(reduced by $5,700,000)''.

Page 24, line 5, after the first dollar amount, insert ''(reduced by $75,719,000)''.

Page 24, line 14, after the first dollar amount, insert ''(reduced by $3,423,000)''.

Page 26, line 19, after the dollar amount, insert ''(reduced by $35,000,000)''.

Page 28, line 22, after the dollar amount, insert ''(reduced by $750,000)''.

Page 29, line 14, after the dollar amount, insert ''(reduced by $25,000,000)''.

Page 29, line 21, after the dollar amount, insert ''(reduced by $1,200,000)''.

Page 30, line 21, after the dollar amount, insert ''(reduced by $2,000,000)''.

Page 31, line 20, after the first dollar amount, insert ''(reduced by $2,806,000)''.

Page 32, line 5, after the dollar amount, insert ''(reduced by $111,199,000)''.

Page 33, line 5, after the first dollar amount, insert ''(reduced by $40,625,000)''.

Page 33, line 19, after the dollar amount, insert ''(reduced by $49,000,000)''.

Page 34, line 19, after the dollar amount, insert ''(reduced by $136,500,000)''.

Page 36, line 7, after the dollar amount, insert ''(reduced by $124,000,000)''.

Page 38, line 9, after the dollar amount, insert ''(reduced by $11,060,000)''.

Page 38, line 18, after the dollar amount, insert ''(reduced by $5,000,000)''.

Page 38, line 24, after the dollar amount, insert ''(reduced by $1,000,000)''.

Page 41, line 5, after the dollar amount, insert ''(reduced by $60,000)''.

Page 41, line 19, after the dollar amount, insert ''(reduced by $5,000,000)''.

Page 42, line 24, after the dollar amount, insert ''(reduced by $70,400,000)''.

Page 43, line 1, after the dollar amount, insert ''(reduced by $33,000,000)''.

Page 43, line 8, after the dollar amount, insert ''(reduced by $20,000,000)''.

Page 43, line 23, after the dollar amount, insert ''(reduced by $35,000,000)''.

Page 46, line 19, after the dollar amount, insert ''(reduced by $2,400,000)''.

Page 47, line 7, after the dollar amount, insert ''(reduced by $5,000,000)''.

Page 49, line 1, after the dollar amount, insert ''(reduced by $4,000,000)''.

Page 49, line 6, after the dollar amount, insert ''(reduced by $52,500,000)''.

Page 49, line 16, after the dollar amount, insert ''(reduced by $5,000,000)''.

Page 60, line 19, after the dollar amount, insert ''(reduced by $29,000,000)''.

Page 61, line 10, after the dollar amount, insert ''(reduced by $402,600,000)''.

Page 61, line 12, after the dollar amount, insert ''(reduced by $100,650,000)''.

Page 61, line 14, after the dollar amount, insert ''(reduced by $100,650,000)''.

Page 61, line 25, after the dollar amount, insert ''(reduced by $100,650,000)''.

Page 62, line 1, after the dollar amount, insert ''(reduced by $100,650,000)''.

Page 62, line 16, after the dollar amount, insert ''(reduced by $129,500,000)''.

Page 63, line 23, after the dollar amount, insert ''(reduced by $9,700,000)''.

Page 64, line 9, after the dollar amount, insert ''(reduced by $5,900,000)''.

Page 65, line 1, after the first dollar amount, insert ''(reduced by $400,000)''.

Page 66, line 20, after the dollar amount, insert ''(reduced by $50,000,000)''.

Page 69, line 7, after the first dollar amount, insert ''(reduced by $730,000)''.

Page 98, line 20, after the dollar amount, insert ''(increased by $1,398,212,000)''.

H.R. 2578

OFFERED BY: MR. GARAMENDI

AMENDMENT NO. 21: Page 16, line 16, after the dollar amount, insert ''(increased by $147 million to fund the construction of an Ocean Survey Vessel)''.

H.R. 2578

OFFERED BY: MR. GRAYSON

AMENDMENT NO. 22: At the end of the bill (before the short title), add the following new section:

SEC. ____. None of the funds made available by this Act may be used to enter into a contract with any offeror or any of its principals if the offeror certifies, as required by Federal Acquisition Regulation, that the offeror or any of its principals:

(A) within a three-year period preceding this offer has been convicted of or had a civil judgment rendered against it for: commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State, or local) contact or subcontract; violation of Federal or State antitrust statutes relating to the submission of offers; or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, tax evasion, violating Federal criminal tax laws, or receiving stolen property; or

(B) are presently indicted for, or otherwise criminally or civilly charged by a governmental entity with, commission of any of the offenses enumerated above in subsection (A); or

(C) within a three-year period preceding this offer, has been notified of any delinquent Federal taxes in an amount that exceeds $3,000 for which the liability remains unsatisfied.

H.R. 2578

OFFERED BY: MR. GRAYSON

AMENDMENT NO. 23: At the end of the bill (before the short title), add the following new section:

SEC. ____. None of the funds made available by this Act may be used to compel a person to testify about information or sources that the person states in a motion to quash the subpoena that he has obtained as a journalist or reporter and that he regards as confidential.

H.R. 2578

OFFERED BY: MR. MCCLINTOCK

AMENDMENT NO. 24: At the end of the bill (before the short title), insert the following:

SEC. ____. None of the funds made available in this Act to the Department of Justice may be used, with respect to any of the States of Alabama, Alaska, Arizona, California, Colorado, Connecticut, Delaware, Florida, Georgia, Hawaii, Illinois, Iowa, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, Montana, Nevada, New Hampshire, New Jersey, New Mexico, New York, North Carolina, Oklahoma, Oregon, Rhode Island, South Carolina, Tennessee, Texas, Utah, Vermont, Virginia, Washington, and Wisconsin, to prevent any of them from implementing their own laws that authorize the use, distribution, possession, or cultivation of marijuana on non-Federal lands within their respective jurisdictions.

H.R. 2578

OFFERED BY: MR. HUDSON

AMENDMENT NO. 25: At the end of the bill (before the short title), insert the following:

SEC. ____. None of the funds made available by this Act may be used to treat any M855 (5.56 mm x 45 mm) or SS109 type ammunition as armor piercing ammunition for purposes of chapter 44 of title 18, United States Code.

H.R. 2578

OFFERED BY: MS. MICHELLE LUJAN GRISHAM OF NEW MEXICO

AMENDMENT NO. 26: Page 23, line 6, insert after the dollar amount the following: ''(decreased by $2,000,000)''.

Page 42, line 24, insert after the dollar amount the following: ''(increased by $2,000,000)''.

Page 44, line 8, insert after the dollar amount the following: ''(increased by $2,000,000)''.

H.R. 2578

OFFERED BY: MS. JACKSON LEE

AMENDMENT NO. 27: Page 24, line 5, after the first dollar amount, insert ''(increased by $13,800,000)''.

Page 34, line 19, after the dollar amount, insert ''(reduced by $13,800,000)''.

H.R. 2578

OFFERED BY: MS. JACKSON LEE

AMENDMENT NO. 28: Page 34, line 19, after the dollar amount, insert ''(reduced by $500,000)''.

Page 38, line 9, after the dollar amount, insert ''(increased by $500,000)''.

H.R. 2578

OFFERED BY: MS. JACKSON LEE

AMENDMENT NO. 29: Page 34, line 19, after the dollar amount insert ''(reduced by $2,000,000)''.

Page 47, line 7, after the dollar amount insert ''(increased by $2,000,000)''.

H.R. 2578

OFFERED BY: MR. BLUMENAUER

AMENDMENT NO. 30: At the end of the bill (before the short title) insert the following:

SEC. ____. None of the funds made available by this Act may be used for any inspection under section 510 of the Controlled Substances Act (21 U.S.C. 880) with respect to narcotic drugs in schedule III, IV, or V of section 202 of such Act (21 U.S.C. 812), or combinations of such drugs, being dispensed pursuant to section 303(g)(2) of such Act (21 U.S.C. 823(g)(2)) for maintenance or detoxification treatment.

H.R. 2578

OFFERED BY: MR. CONNOLLY

AMENDMENT NO. 31: Page 34, line 19, after the dollar amount, insert ''(reduced by $6,000,000)''.

Page 42, line 24, after the dollar amount, insert ''(increased by $1,000,000)''.

Page 46, line 7, after the dollar amount, insert ''(increased by $1,000,000)''.

H.R. 2578

OFFERED BY: MR. ROUZER

AMENDMENT NO. 32: At the end of the bill (before the short title), insert the following:

SEC. ____. None of the funds made available by this Act may be used by the State of North Carolina to implement any State law or rule that establishes or governs a logbook reporting requirement for fishermen operating under for-hire licenses.

H.R. 2578

OFFERED BY: MR. POLIS

AMENDMENT NO. 33: At the end of the bill (before the short title), insert the following:

SEC. ____. None of the funds made available by this Act may be used to execute a subpoena of tangible things pursuant to section 506 of the Controlled Substances Act (21 U.S.C. 876) that does not include the following sentence: ''This subpoena limits the collection of any tangible things (including phone numbers dialed, telephone numbers of incoming calls, and the duration of calls) to those tangible things identified by a term that specifically identifies an individual, account, address, or personal device, and that limits, to the greatest extent reasonably practicable, the scope of the tangible things sought.''.

H.R. 2578

OFFERED BY: MR. SCOTT OF VIRGINIA

AMENDMENT NO. 34: At the end of the bill (before the short title), insert the following:

SEC ____. The amounts otherwise provided by this Act are revised by reducing the amount made available for Federal Prison Systems—Salaries and Expenses, and increasing the amount made available for Office of Justice Programs—Office of Juvenile Justice Delinquency and Prevention, by $69,515,000.

H.R. 2578

OFFERED BY: MS. JACKSON LEE

AMENDMENT NO. 35: Page 12, line 9, after the dollar amount, insert ''(reduced by $400,000)''.

Page 70, line 7, after the dollar amount, insert ''(increased by $400,000)''.

H.R. 2578

OFFERED BY: MS. JACKSON LEE

AMENDMENT NO. 36: Page 12, line 9, after the dollar amount, insert ''(decreased by $2,000,000)''.

Page 72, line 7, after the first dollar amount, insert ''(increased by $2,000,000)''.

H.R. 2578

OFFERED BY: MS. JACKSON LEE

AMENDMENT NO. 37: Page 34, line 19, after the dollar amount, insert ''(reduced by $104,000,000)''.

Page 61, lines 10 and 12, after the dollar amount, insert ''(increased by $104,000,000)''.

H.R. 2578

OFFERED BY: MS. JACKSON LEE

AMENDMENT NO. 38: Page 34, line 19, after the dollar amount insert ''(reduced by $1,000,000)''.

Page 63, line 3, after the dollar amount insert ''(increased by $1,000,000)''.

H.R. 2578

OFFERED BY: MS. JACKSON LEE

AMENDMENT NO. 39: At the end of the bill (before the short title), insert the following:

SEC. ____. None of the funds made available by this Act for the Department of Justice—Administrative Review and Appeals may be

used in contravention of sections 509 and 510 of title 28, United States Code.

H.R. 2578

OFFERED BY: MR. GRAYSON

AMENDMENT NO. 40:

SEC. ____. None of the funds made available by this Act may be used to negotiate or enter into a trade agreement whose negotiating texts are confidential. The limitation described in this section shall not apply in the case of the administration of a tax or tariff.

H.R. 2578

OFFERED BY: MR. GRAYSON

AMENDMENT NO. 41:

SEC. ____. None of the funds made available by this Act may be used to negotiate or enter into a trade agreement that contains an investor-state dispute settlement provision. The limitation described in this section shall not apply in the case of the administration of a tax or tariff.

EXTENSIONS OF REMARKS

HONORING NAN McEVOY

HON. JARED HUFFMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 2, 2015

Mr. HUFFMAN. Mr. Speaker, I rise today in honor of Nan McEvoy, who passed away on March 26, 2015 at her home in San Francisco at the age of 95. A trailblazer and tour-de-force in every aspect of her life, Mrs. McEvoy left a lasting impact on family, friends, colleagues, and community.

Mrs. McEvoy occupies, in particular, a special place in the hearts of Marin County residents. Along with serving as Chairwoman of the San Francisco Chronicle, a leader in several philanthropic causes, and a lifelong advocate for women's rights, Mrs. McEvoy also ran an olive farm near Petaluma. Originally intended as a getaway for her family to experience the beauty Northern California offers, McEvoy Ranch today produces high-quality oils and body care products for specialty stores across the nation.

While Mrs. McEvoy's time in Marin represents just a slice of her collective achievements, it's an apt metaphor for the remarkable life she led. When she first proposed the idea to grow olives, people told her that it wouldn't work—that she should use the land for cattle, perhaps. She ignored her critics, and moved forward with her original plan. Today, McEvoy Ranch now grows more than 18,000 trees and receives accolades from national media and local voices alike. In Mrs. McEvoy's way, though, her efforts have not just proven successful financially, but also for our community as a whole. The ranch uses certified organic farming practices, produces its own compost, and—as of 2009—meets half its electrical needs with an on-site windmill, the first privately-owned turbine of its size in the county.

Nan McEvoy was a leader in our community and a voice for the underserved. While her professional success was remarkable, it's her passion for life and compassion for others that will endure. It is therefore appropriate that we pay tribute to her today and express our deepest condolences to her son and grandchildren.

THE PASSING OF BARBARA LUMPKINS

HON. JOHN P. SARBANES

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 2, 2015

Mr. SARBANES. Mr. Speaker, Barbara Lumpkins, a longtime champion for children with disabilities who spent many years as an activist for adoption for special needs children, passed away on May 24, 2015. In keeping with that deep commitment, she and her husband adopted four children into their family along with their two birth children. She was an active, consistent, positive, caring adult presence for children in the Irvington community since she and her family moved there in 1970. Her smile and her large heart will be greatly missed, but her presence will continue to be felt in the many people she supported and inspired over the years. Please join me in expressing sympathies and thanks to her family for this remarkable life.

AZERBAIJAN REPUBLIC DAY COMMEMORATION

HON. RYAN K. ZINKE

OF MONTANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 2, 2015

Mr. ZINKE. Mr. Speaker, today I celebrate with Azerbaijanis around the world in the commemoration of Republic Day. On May 28, 1918, the people of Azerbaijan declared independence from Russia, becoming the first Muslim democratic secular country in the region. Although the country temporarily lost its independence due to Soviet aggression, it regained full independence in 1990.

Since regaining independence, Azerbaijan has been one of America's closest allies in the Middle East. Throughout Operation Enduring Freedom, Azerbaijan worked closely with our armed forces against radical Islamic terrorists in Afghanistan. Not only did Azerbaijani forces fight along-side our forces, but they also provided crucial refueling, landing, and airspace rights for our armed forces. Over a third of all non-lethal equipment for our troops in Afghanistan went through Azerbaijan. Our military cooperation with Azerbaijan was strengthened in 2011, and remains vital today.

Today we see the Middle East under attack. Terrorist groups with no regard for human life have torn the region apart. Now, more than ever, we see the tremendous importance for a close ally. We are extremely fortunate to have that ally in Azerbaijan.

I ask that my colleagues to join me today in celebrating Azerbaijan's independence and thanking them for their strong partnership.

HONORING OFFICER DAVID REED OF THE MONTGOMERY COUNTY POLICE DEPARTMENT

HON. JOHN K. DELANEY

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 2, 2015

Mr. DELANEY. Mr. Speaker, I would like to recognize and honor Officer David Reed of the Montgomery County Police Department for his heroic actions in saving the life of an infant.

Our police make it their job to protect our communities, a job that can require an officer to put their life on the line or to save somebody else's. On May 8, Officer Reed's work to protect and serve required split-second decision making, quick action, and extraordinary skill under pressure.

On duty in Silver Spring, Maryland, Officer Reed discovered a woman crying over her two-month old baby. The child had stopped breathing. Reed quickly assessed the situation and took action, giving the infant two-fingered CPR. After several chest compressions, the child began to breathe again.

Today, the baby is alive and back with her family, thanks to Officer Reed.

Reed is a hero in our state, and I ask that you and my other distinguished colleagues help me in honoring Officer Reed, not just for his work to save one life, but for his work to protect the lives of people in our state every day. Thank you, Officer Reed. Your service to our community will not be forgotten.

RECOGNIZING NORTHAMPTON COMMUNITY COLLEGE'S WASHINGTON, DC VISIT

HON. CHARLES W. DENT

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 2, 2015

Mr. DENT. Mr. Speaker. I want to acknowledge the two-day visit to the nation's capital by administrators, faculty and students of Northampton Community College (NCC), which has three campuses in northeastern Pennsylvania. Led by President Dr. Mark Erickson, the delegation toured the U.S. Capitol and other historical sites throughout the city, and incorporated lessons on the benefits of being involved in government and advocacy.

Just Born Quality Confections in Bethlehem—makers of the popular Peeps and other delicious candies that are made in my District—was the lead sponsor of their trip. Matt Pye, Vice President of Trade Relations & Corporate Affairs, hosted the group at the National Confectioners Association (NCA) to outline career opportunities and explain the association's advocacy agenda of NCA's member companies. Joining Dr. Erickson on the NCC trip were:

Students:

Andreola, Brandon—Liberal Arts, Political Science—Effort, PA

Barksdale, Khabira—Secondary Education—East Stroudsburg, PA

Berry, Stephen—Liberal Arts, Political Science—Kunkletown, PA

Cimera, Rachel—Secondary Education—Bethlehem, PA

Galarza, Jose—Biological Science—Easton, PA

Garcia-Caro, Elisabet—Liberal Arts, Political Science—Allentown, PA
Grifone, Patrick—Business Administration—Easton, PA
Joseph, Fitzgerald—Biological Science—Henryville, PA
Martinez, Brandy—Liberal Arts, Sociology—Blakeslee, PA
Maxwell, Emmanuel—Biological Science—Easton, PA
Perez, Stephanie—Theatre—Bethlehem, PA
Rahming, Rodney—Business Administration—East Stroudsburg, PA
Reahl, Rachel—General Studies/Veterinary—Bethlehem, PA
Rosengarten, Aaron—Liberal Arts, Political Science—Easton, PA
Soltys, Adam—Web Development—Northampton, PA
Staff:
Bohr, Deb—Director, Center for Civic and Community Engagement
Saturen, Myra—Writer/Editor
Walz, Rebecca—Director, Alumni Engagement and Annual Fund
Whitaker, Helene—Vice President, Administrative Affairs
Alumni:
Glick, Cindy—Northampton Community College Alumna 1992

I would like to commend schools at all levels that come to Washington, D.C. for a mix of education, history and advocacy. Civic education and citizen engagement are vital to our democracy, and I am delighted my staff and I were part of NCC's visit.

TRIBUTE TO THE SAN ELIZARIO HIGH SCHOOL EAGLES STATE CHAMPIONSHIP

HON. WILL HURD

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 2, 2015

Mr. HURD of Texas. Mr. Speaker, I rise today to pay tribute to the San Elizario High School Eagles for their victory in the Texas Class 4A Boys State Soccer Championship. Hard work and dedication over the years led the Eagles to this victory and allowed them to finish out the season with eighteen wins, four losses and three ties. The journey started in 2009 and culminated on April 17, 2015, when the Eagles secured their win against the Liberty Hill Panthers with a 4 to 2 victory.

Eight years ago, the Eagles won sectional rounds, beating the state champs at Del Valle High School. The next year, they secured a district championship and Area title. Following a winning season, they earned three playoff trophies in 2013. With successes like these behind them, they went into this season with an unmatched drive to win. On that Friday in April, when the final score showed 4 to 2, the roar in the stands could be heard throughout the city. The wishes of good luck from citizens across San Elizario were received, and the Eagles delivered.

Our District expands from San Antonio to El Paso, and within its vast area lies San Elizario, home to 13,000. The city is beaming with pride for the team, the young men's family and friends, and their high school. For every member of the team, there were countless community members supporting them in the stands as they went on to win game after game in the playoffs, culminating with the raising of the trophy. In a city with a small population, the Eagles have created a lasting legacy that will not be forgotten.

The Eagles' level of excellence as a whole is a reflection of the individual players and their desire for success and dedication to hard work. Head Coach Max Sappenfield was able to lead the Eagles, and the young men demonstrated to him and each other the kind of teamwork worthy of a state championship. This victory is a result not only from talent, but also from hours spent on the field, the strategic planning behind each game, and fine tuning the skills of each player. The Eagles' dedication and sacrifices have truly paid off, and is a source of pride for the entire city and the 23rd Congressional District of Texas. It is my honor to represent San Elizario High School, and I wish continued success to the team and each of its members in their future endeavors.

HONORING CHRISTINA MILIAN

HON. PETE AGUILAR

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 2, 2015

Mr. AGUILAR. Mr. Speaker, today I rise to honor the life and work of Christina Milian, a community activist and philanthropist from California's Inland Empire. As a local business owner, Christina Milian's dedication to her work and support of those around her in the San Bernardino and Rialto areas served as an inspiration to her friends, family, and neighbors.

While she was certainly an accomplished businesswoman, Christina Milian was most widely known for her selfless acts and devotion to local organizations. She was a philanthropist to the very core. Christina was an avid supporter and organizer for groups including Les Confrer Auxiliary, the Assistance League of San Bernardino, and the Inland Women Fighting Cancer.

While Christina is gone, her legacy and work will live on through the lives she touched. She was an inspiration to all who knew her. Christina will be dearly missed by her husband of thirty-five years, Arthur T. Milian; two sons Michael and Jonathan, grandchildren Isaiah, Ava and Caleb; her mother Juanita, her siblings Ray, Maryann, and Carol; as well as the entire San Bernardino County community.

RECOGNIZING THE 85TH ANNIVERSARY OF PARSONS & ASSOCIATES, INC.

HON. JOHN KATKO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 2, 2015

Mr. KATKO. Mr. Speaker, I rise today to recognize the 85th anniversary of Parsons & Associates, Inc. of Syracuse, New York. Established in 1930, Parsons & Associates, Inc. has grown to become a third generation family business, insuring Syracuse's businesses and families.

The company was founded by John C. Parsons upon his graduation from the University of Pennsylvania's Wharton School of Business. The business began as a life insurance agency and now offers a complete range of insurance options.

I'm proud to recognize Parsons & Associates, Inc. for the long standing success of their business in the 24th District. Parsons & Associates, Inc. epitomizes the strength and character of local, family-owned businesses across Central New York.

HONORING GLENN D. STEELE JR., MD, PhD

HON. TOM MARINO

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 2, 2015

Mr. MARINO. Mr. Speaker, I rise today in order to recognize Glenn D. Steele Jr., MD, PhD, President and Chief Executive Officer of Geisinger Health System, an integrated health services organization in central and northeastern Pennsylvania nationally recognized for its innovative use of the electronic health records and the development and implementation of innovative care models.

Geisinger Health System, founded in 1915 by Abigail Geisinger, has grown to be one of the nation's largest rural health services organizations serving more than 3 million residents throughout 48 counties in central, south-central and northeast Pennsylvania.

When Dr. Glenn Steele began his tenure in 2001 as Geisinger Health System's CEO, there were just over 7,000 employees, including 540 physicians. Under his leadership Geisinger has grown tremendously. It is now comprised of approximately 23,500 employees, including a 1,200-member multi-specialty group practice, nine hospital campuses, two research centers and a 467,000-member health plan, all of which leverage an estimated $7.7 billion positive impact on the Pennsylvania economy.

The health system and the health plan have repeatedly garnered national accolades for integration, quality and service. In addition to fulfilling its patient care mission, Geisinger has a long-standing commitment to medical education, research and community service.

On behalf of all Pennsylvanians, I am pleased to recognize Dr. Glenn Steele for improving the quality of life for citizens through his leadership and contributions to health care innovation.

REMEMBERING THE LIFE OF MRS. SHIRLEY A. HALBEISEN

HON. TIM RYAN

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 2, 2015

Mr. RYAN of Ohio. Mr. Speaker, I rise today to honor the life of my dear friend Mrs. Shirley

A. Halbeisen. Mrs. Halbeisen was highly regarded in her community for her volunteerism at the Hayes Research Library, her dedication to her beauty salon, and most of all the love she possessed for her family and friends.

Mrs. Halbeisen was born in Riley Township in Sandusky County in 1928. She was a proud graduate of Clyde High School and attended Tiffin University in 1945, where she was trained in Civilian Employment for the Air Technical Service Command nearing the end of World War II. Following her training she worked for American Airlines in New York City until she returned to her home in Ohio. After successfully graduating from Fremont Beauty School, she opened her own business, Shirl-Lon Coiffures in Lindsay.

She married her dear husband, Bernard Henry Halbeisen, on September 27, 1947. In their fifty-five joyous years of marriage they had five children. Mrs. Halbeisen frequently volunteered at the Hayes Research Library where she worked as a genealogist for many years. Her dedication and volunteerism were always commended by her neighbors and friends.

Shirley's love for her friends and family, dedication to her work and education, and commitment to the Hayes Research Library, all highlight a few of the qualities we all love and will miss most. She is survived by her five children Rynda, Veda, Renee, Brock, and Cana; her brother Tomas; her twelve grandchildren; and her ten great-grandchildren. Shirley was a beloved part of our community, and she will be deeply missed.

IN MEMORY OF CHRISTIAN R. LONG

HON. CHARLES W. DENT

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 2, 2015

Mr. DENT. Mr. Speaker, I rise to recognize the life of Christian R. Long.

Unfortunately, but fittingly, Mr. Long passed away over the Memorial Day weekend, our solemn holiday for remembrance and recognition of the heroes who made the ultimate sacrifice for our freedom.

Mr. Long saw front-line service in Europe with the 44th Infantry Division during World War II. Raised in Lebanon County, which is home to many people of Pennsylvania German (Dutch) ancestry, Mr. Long was also assigned as a German-language interpreter. What could be more Pennsylvanian?

After the war, he was determined to learn a trade. He worked as a carpenter for over 40 years building and renovating homes and other properties for Carlos Adams in Hershey, Pennsylvania.

Mr. Long, who was known as ''Christ'' (pronounced ''Krist''), was a lifetime member of The American Legion. He enjoyed gardening, hunting, fishing, and trapping. His carpentry skills and love of the outdoors enabled him and his sons to buy land and build a hunting cabin, primarily using recycled building materials, in Sullivan County, Pennsylvania. He also built his own home, as well as constructed and renovated residences, decks and boat docks for his children.

Born on March 12, 1924 in Harpers, Pennsylvania, he was the son of the late Christian Adam Long, Sr. and Mary Hoover Long. He grew up in Lawn, Pennsylvania. Mr. Long was a devoted father and husband; he and Pearl Weaver Long of Palmyra were married April 27, 1947 and she preceded him in death on January 14, 1995. They reared their family in Campbelltown, Pennsylvania. He is survived by four children, seven grandchildren, five great grandchildren, six step-grandchildren and five great step grandchildren.

Ronald Reagan aptly recognized in his first inaugural address that, ''Those who say that we're in a time when there are not heroes, they just don't know where to look.'' Mr. Long was one of those everyday heroes who made our country the great nation it is today.

HONORING MSGT. JERIS DAVIS

HON. BENNIE G. THOMPSON

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 2, 2015

Mr. THOMPSON of Mississippi. Mr. Speaker, I stand to honor a public servant in the field of law enforcement, MSgt. Jeris Davis. Mr. Davis is from Shaw, MS.

There are many capacities in which one can be a public servant, each one requiring certain talent and passion for the position. Environment plays a big role in preparing people for their destiny. MSgt. Davis' family and home environment was that of a middle class working family. His father, Warren Davis, worked at Dixie Tobacco and Candy Company in Shaw for over 40 years. His mother, Ruth Davis had two jobs: she was employed with the Shaw Sewing Factory and Lewis Grocery Warehouse in Indianola for over 30 years.

MSgt. Davis had influence all around him: His grandmother, Mattie Davis; aunts: Judy Freeman and Mildred Johnson; and several of his uncles, all were important role models. Warren Davis, his father, and his uncle, Frank Freeman, were members of the Shaw Volunteer Fire Department. At the age of 12, while still in elementary school, they would take him to the fire department with them on weekends, which was his reward for good grades and good behavior. Those visits to the fire department, watching his dad and uncle, and community men work around the fire, created a desire in him to do the same.

MSgt. Davis continued this for years, volunteering to clean the equipment, listening to the firemen talk, learning how to operate the equipment, and developing the skills of a fireman. In fact, many people actually thought he was a fireman for the city, because he would be at all the fires (e.g., spraying water, pulling down equipment, always asking the firemen to let him go into the fire and rescue someone). Those opportunities fueled his desire, even more, to help and serve the public, especially in Shaw.

MSgt. Davis graduated from Shaw High School and went on to join many organizations and clubs that focused on some role of public service. Through this he was able to develop more skills and leadership ability, all the time preparing him for a career in public service.

MSgt. Davis held down two jobs, and eventually, became a member of the Shaw Volunteer Fire Department and a dispatcher for the Shaw Police Department. From there in 1992 he became an equipment operator for the Mississippi State Highway Department, while continuing his role as a member of the fire department. The year 1998 was the beginning of MSgt. Davis' career as a professional in law enforcement. His resume of experience and accomplishments include:

1998 Year: Completion of the Mississippi Law Enforcement Training Academy, 1998 Year: Police Officer, City of Shaw Police Department, 1992 Year: Highway Officer for the Mississippi Department of Transportation (MDOT), 2000 Year: MDOT Honor Guard Officer representing Fallen Law Enforcement Officers in Washington, DC, 2001 Year: Completion of the Mississippi Bureau of Narcotics Training Academy, 2003 Year: Completion of the Mississippi Highway Patrol Cadet School, 2009 Year: US Marshal Gulf Coast Regional Fugitive Taskforce, Oxford, MS, created by Congress, and 2013 Year: Completion of the Mississippi Certified Investigators Program, Pearl, MS.

MSgt. Davis has recently been promoted to Master Sergeant within the Mississippi Highway Patrol. In this capacity he is assigned to the Mississippi Bureau of Investigation as an investigator. MSgt. Davis is often assigned to special assignments because of the various trainings and acquired knowledge of expertise. Some of those assignments are: narcotic investigations, high level fugitive investigations and searches, and special homicide cases.

Mr. Speaker, I ask my colleagues to join me in honoring MSgt. Jeris Davis for his dedication and service as a public servant in the field of law enforcement. I am proud to have him as a resident of the Mississippi Second Congressional District.

CELEBRATING THE 300TH ANNIVERSARY OF THE BOROUGH OF CHATHAM

HON. RODNEY P. FRELINGHUYSEN

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 2, 2015

Mr. FRELINGHUYSEN. Mr. Speaker, I rise today to recognize a very special occasion for the Borough of Chatham, New Jersey. Located in Morris County, the Borough is celebrating the 300th Anniversary of its establishment.

Prior to the first colonial settlers arriving in the area in 1680, the Lenni-Lenape Indians helped create trails that would eventually lead Europeans to the area in 1680. In 1715, a land transaction gave 1,200 acres to John Budd, a Philadelphia merchant who would farm the land. Just six years later, that same merchant owned all of the land of what today is the Borough of Chatham.

In 1773, the name Chatham was given to the village in honor of William Pitt, the first Earl of Chatham. During the Revolutionary War, Chatham played an instrumental role in the success of the Colonists. Not only did Chatham and surrounding towns help stop further westward British advancement, but it was

also used to fool the enemy. General Washington constructed a full-scale base of operations including brick ovens large enough to appear to be able to bake 3,000 loaves of bread to feed the troops.

What is seen as the most important event in Chatham's history occurred on September 14, 1837. This is when the first steam train of the Morris & Essex Railroad Company arrived in the Borough. This event improved both commerce and travel time to all towns along the line.

On March 1, 1897, Chatham became the first New Jersey village to become incorporated as a borough. The improvements of electric lights, water and sewage plants, installation of gas lines, and even the beautification efforts can be attributed to the first council of the Borough and its first Mayor, Frederick H. Lum. The Borough has continued to grow and flourish.

In 2005, Chatham was named ''One of the Top Ten Places to Live in the United States'' by Money Magazine. Chatham's rich history and patriotic residents make Chatham Borough an extraordinary community in our nation.

Mr. Speaker, I ask you and my colleagues to join me in congratulating Chatham for its 300 year Anniversary of its establishment, and wish the Borough and its residents many more years of continued success and celebration.

HONORING THE TEXAS COUNTY MEMORIAL HOSPITAL

HON. JASON SMITH

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 2, 2015

Mr. SMITH of Missouri. Mr. Speaker, I rise today to honor the Texas County Memorial Hospital in Houston, Missouri.

Texas County has reported 29 tornados since 1950, five in the last eight years. With this, the Texas County Memorial Hospital saw great need for a way to protect citizens during severe weather, and a great opportunity with their hospital. From there, in 2013, the idea of a community safe room was born. After securing state and federal grants, as well as donations from community members, and just over a year and a half of construction, the project is complete and ready for use.

The safe room has 4,000 square feet of climate-controlled space that is designed to withstand 250 mile per hour winds and provide shelter for up to 462 people. The safe room will be great for the Houston area in times of emergency. Additionally, the safe room can be utilized as a meeting space during non-threatening weather times, which provides an even greater asset to the Houston community.

For the many years of service to others and commitment to future safety, it is my pleasure to recognize the Texas County Memorial Hospital of Houston before the United States House of Representatives.

RECOGNIZING CDR KERWIN E. MILLER, USN (RET.)

HON. ELEANOR HOLMES NORTON

OF THE DISTRICT OF COLUMBIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 2, 2015

Ms. NORTON. Mr. Speaker, I rise today to speak to a changing era in the District of Columbia. Tonight, at the Columbia Heights Education Campus, CDR Kerwin E. Miller, USNR, Ret., Chair of our District of Columbia Service Academy Selection Board, conducts his last Service Academy College ceremony as Chair for recognition of new appointees to the Service Academies and recruitment of District of Columbia high school students for future years. After 10 distinguished years of service as Chair, CDR Miller passes his baton to David P. Gragan, our current Vice Chair.

CDR Miller, a graduate of U.S. Naval Academy Class of '75, joined the Service Academy Selection Board under my predecessor, Walter Fauntroy, in 1986. He has served during my congressional service since 1991 as a board member, as Vice-Chair, and since 2005, as chairman.

In those 10 years, CDR Miller has directed his formidable energies toward District of Columbia students, encouraging them to join him on the road leading to the inestimable opportunities afforded by an appointment to one of the five Service Academies of United States.

During his service, CDR Miller has been an inspirational figure and a highly effective chair. Not long ago, for example, there were years in which few, if any, students from the D.C. public schools applied for the nominations. As always, we were pleased and proud to have our private and parochial school students. Tonight, D.C. will feast on a more diverse harvest of CDR Miller's leadership as he and I present certificates of appointment to the U.S. Military, U.S. Naval, U.S. Coast Guard, and U.S. Air Force academies to nine D.C. students. Four of our appointees attended D.C. public schools and one attended a D.C. public charter school.

When CDR Miller becomes Chairman Emeritus of our Selection Board, he will not ''retire.'' In continued devotion to the Academies and to recruitment of the finest to serve, he will remain on our Service Academy Selection Board, and, in addition, he will work with the academies on an effort to increase Academy nominations from Congressional Black Caucus member districts. He will join with Academy graduates like Pat Locke, the first African-American woman to graduate from West Point, to help advise CBC members concerning recruitment of their constituents to take advantage of the educational and career opportunities offered by the Service Academies.

The District of Columbia is very fortunate that CDR Miller has not worked alone. He achieved his success in collaboration with the hard work of the other members of our Selection Board, David P. Gragan, USAFA '77, Vice Chair, Timothy M. Ash, USAFA '00, Lewis D. Baker, USMA '91, Capt Holly D. Childs, USAFR, USAFA '06, Lt Col Patrick Clowney, USAF (Ret), USAFA '94, O.V. Johnson, Daniel J. Keenaghan, USMA '00, George R. Keys, USAFA '70, Past Chairman, Mr. Charles B. King, III, USMA '94, Riaz K. Latifullah USMMA '78, Laila Linares, USMMA '06, Merita Carter, Pierpont Mobley, Ofc. James N. Rimensnyder, DCMP, USMA '05, Prof. Barbara J. Smith, Joel C. Spangenberg, USNA '00, Michael B. Velasquez, USNA '89, and Harry Wingo, USNA '88.

Mr. Speaker, I ask my colleagues to join me in recognizing the outstanding service of CDR Kerwin E. Miller, in congratulating David Gragan on becoming Chair, and in thanking the members of our D.C. Service Academy Selection Board for their dedication and service to the District of Columbia, to the U.S. Service Academies and to the nation.

HONORING THE SERVICE OF MR. EARL J. MORRIS

HON. ANDY BARR

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 2, 2015

Mr. BARR. Mr. Speaker, I rise today to recognize an outstanding individual, Mr. Earl J. Morris, of Owingsville, Kentucky, for his distinguished military service during World War II. Mr. Morris, a part of the greatest generation, served our nation in the United States Army.

Mr. Morris left the comforts of home and family on November 6, 1944 for Camp Shanks, New York. He then boarded a ship and left for the European Theater of Operations. He served in Belgium, France, Holland, and Germany. His unit first engaged the Germans on Christmas Eve of 1944 in Biren, Belgium. During the fighting in Europe, he and his fellow soldiers endured below zero temperatures, terrible snowstorms, hunger, fatigue, and heavy enemy fire. He fought in the Battle of the Bulge in Belgium. In the Alsace Lorraine Sector of France, his unit fired across the Rhine into Germany and kicked the last Germans out of France. His 898th Division was awarded the French Coat of Arms for the Battle of the Colmar, one of the highest awards bestowed by France. After fighting in Holland, the 898th Division entered Germany, crossed the Rhine, and continued heavy fighting until the end of the war. His unit then began policing duty in Germany as the war ended in Europe.

The bravery of Mr. Morris and his fellow men and women of the United States Army is heroic. Because of the courage of individuals from Owingsville and from all across our great nation, our freedoms have been saved for our generation and for future generations. He is truly an outstanding American, a patriot, and a hero to us all.

HONORING REVEREND REGINALD BUCKLEY

HON. BENNIE G. THOMPSON

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 2, 2015

Mr. THOMPSON of Mississippi. Mr. Speaker, I rise today to honor a remarkable public

servant, Pastor Reginald Buckley, who says that faith is about more than just Sunday morning worship—it seeps into daily life, economics and education.

Pastor Reginald Buckley, was born and raised in Jackson, where his father pastored at Cade Chapel Missionary Baptist Church, which held its first worship service in 1880. ''It has historically and continues to have an eye toward social empowerment,'' he says.

Following his graduation from Lanier High School in 1990, he went to Tougaloo College and received a bachelor's degree in English. He attended graduate school at the University of Illinois Champaign-Urbana and earned a master of arts degree in English literature in 1996.

For nine years, Buckley served as senior pastor of Second Baptist Church in Danville, Ill. While there, he also became president of the Illiana Christian Association and helped create relationships between congregations across Illinois and Indiana of different racial backgrounds.

In 2007, he brought all his experiences back home to Jackson and Cade Chapel, where he became executive pastor. And with those experiences, he brought a plan. ''My vision is that we really begin to affirm the dignity of all humanity, that we value all of Jackson and that value is demonstrated in how we treat and provide for all,'' Pastor Buckley says. ''Class is not what colors us, and we are all bound together in this experience we call humanity.'' His forward thinking afforded him the position of Dean of Christian Education for the General Missionary Baptist State Convention of Mississippi, and gave him opportunities to preach and teach across the nation.

Pastor Buckley, a Kellogg Foundation fellow, wants to help people in practical and tangible ways; the most recent product being Cade Courtyard, an apartment complex for seniors in the Virden Addition community. The church has more plans for development in the area that include single-family housing and mixed-retail developments.

Along with his wife, Lecretia Buckley, he has two children: Jonathan and Anna.

Mr. Speaker, I ask my colleagues to join me in recognizing Reverend Reginald Buckley for his dedication to serving others.

HONORING ROBERT OLIVIERI, PAST PRESIDENT OF PSAR

HON. JUAN VARGAS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 2, 2015

Mr. VARGAS. Mr. Speaker, I rise today to honor Robert Olivieri, the outgoing President of the Pacific Southwest Association of REALTORS, for his outstanding leadership in the South Bay region of San Diego County.

Robert Olivieri was born in Providence, Rhode Island and has been a resident of Chula Vista and Bonita for the past 30 years. Robert graduated from the University of Michigan with a B.S. in Engineering and went on to earn an MBA in Finance from the University of Phoenix. Robert holds a California Real Estate Broker's License, a California Insurance Broker's License, a Series 7 Securities License, and has been in the real estate business for over 29 years.

Robert has been an active broker and manager for several real estate offices in South San Diego County. Robert served the Pacific Southwest Association of REALTORS (PSAR) as their 2014 President. During his tenure, he focused on membership recruitment and retention, while also providing useful resources for members' professional and personal growth. Robert has also served PSAR on their Board of Directors, as a California Association of REALTORS State Director, and as a member of the Community Involvement Committee and the Merger Steering Committee. Robert has been ranked by real estate tracking agencies as one of the top house selling agents and in the top 7% of agents who sell homes for top dollar.

Robert and his wife, Marcia, are very involved in their community and help support Bonita Vista High School and Corpus Christi Parish.

PERSONAL EXPLANATION

HON. ROBERT PITTENGER

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 2, 2015

Mr. PITTENGER. Mr. Speaker, on Roll Call Votes # 264, 265, 266 and 267, I am not recorded because I was absent from the U.S. House of Representatives. Had I been present, I would have voted in the following manner.

On Roll Call # 264. Had I been present, I would have voted NAY.

On Roll Call # 265. Had I been present, I would have voted NAY.

On Roll Call # 266. Had I been present, I would have voted NAY.

On Roll Call # 267. Had I been present, I would have voted YEA.

INTRODUCTION STATEMENT: HANDGUN TRIGGER SAFETY ACT

HON. CAROLYN B. MALONEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 2, 2015

Mrs. CAROLYN B. MALONEY of New York. Mr. Speaker, I am honored to introduce today with Sen. ED MARKEY the Handgun Trigger Safety Act—critical legislation to prevent accidental gun deaths. Based on legislation first proposed by my friend and former colleague Rep. John Tierney, I am humbled to continue this important effort to advance life-saving technology.

Personalized ''smart gun'' technology allows gun owners to designate authorized users who can operate the firearm while rendering it inoperable for all others. This technology prevents use by criminals who steal handguns as well as unintentional use by children.

The Centers for Disease Control and Prevention estimate that 591 Americans died from a firearm accident in 2011, including 74 children under 15 years old. The Personalized Handgun Safety Act would promote the adoption of technology we know can prevent these tragedies.

The Handgun Trigger Safety Act would mandate that within five years all newly manufactured handguns use personalized technology and within ten years all handguns sold or transferred are retrofitted with personalized ''smart gun'' technology. In addition, the bill would also provide for grants through the National Institute of Justice (NIJ) to continue to develop and improve handgun personalization technology to simultaneously increase efficacy and decrease cost.

These new measures will make great strides in preventing accidental gun deaths by helping keep guns out of the wrong hands.

I hope my colleagues will join me to support this important effort.

HONORING MR. ESSIE FROST

HON. BENNIE G. THOMPSON

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 2, 2015

Mr. THOMPSON of Mississippi. Mr. Speaker, I rise today to honor a young leader in his school who has raised the bar for students coming behind him, Mr. Essie Frost from Charleston High School in Tallahatchie County.

Charleston High School operates under the authority of the East Tallahatchie School District. The school district is a small one like many throughout my district. Nonetheless, and somehow they are able to make acceptable things happen despite having limited resources, which brings me to the reason why I want to recognize this young man. Ms. Melissa Faulkner, his teacher, has mentored, taught, and watched him grow to the point where he always made good decisions throughout high school, but in his senior year, he rose to a new height. That's commendable as a young person.

We all have the ability to make a positive difference in life. Essie took the optimistic approach to helping his small school. He set goals; he wanted the class of 2015 to leave a memorable existence. So, he became Class President to lead them to that goal. He was skilled in getting the students to follow his vision and set goals to be achieved as a whole. He often volunteered on community school projects, getting his fellow classmates to join. He told them that it's not only good for the school, but they will be known as the class who gave back, plus they can use it on their college application for community service. Essie led the charge to make their class prom what they envisioned and dreamed, saying they are responsible for making it happen, the school doesn't have a lot of money and prom is a privilege not a right. No one ever knew he had been raising the money for years on his own to go towards his prom. That is amazing for a young person to set a goal that far in advance, stick to it, and carry it out. I called that great resilience. According to his teacher, Ms. Faulkner and I quote, ''This senior class has more than doubled what his previous class

had managed to raise, all thanks to Essie's determination, dedication, and careful planning.''

In addition to that, Essie crafted a plan to increase enrollment in the National Honor Society membership representation of the students at Charleston High School. His plan helped to increase enrollment from eighteen students, when he started, to now, thirty-six. The class goal was forty, they are almost there. Now that's setting the bar again for the next class. I am proud to have Mr. Essie Frost as a citizen of the Second Congressional District of Mississippi.

Mr. Speaker, I ask my colleagues to join me in recognizing Mr. Essie Frost, Class of 2015, Charleston High School, Charleston, MS, for his current active role as a student making a difference. Keep the faith. Keep progressing Essie.

CELEBRATING THE 50TH ANNIVERSARY OF THE LINCOLN PARK EMERGENCY MEDICAL SERVICES SQUADRON

HON. RODNEY P. FRELINGHUYSEN

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 2, 2015

Mr. FRELINGHUYSEN. Mr. Speaker, I rise today to congratulate the Lincoln Park Emergency Medical Services as they celebrate their 50th Anniversary. I also want to thank all of the men and women who have given so much to their community through their work on the EMS Squad.

Since May of 1965, the EMS Squadron in The Borough of Lincoln Park, New Jersey, has served their community faithfully and has always answered the call to duty.

Their job is not an easy one in any sense of the word. They are at their best when situations are at their worst. Squad members are state-certified Emergency Medical Technicians (EMT), and they help those who are most in need of medical attention, no matter how big or small the issue. Not only is the work they do remarkable, but what is even more astonishing is the fact that these heroes are all volunteers.

Their task is difficult enough having to take care of one patient at a time. But it becomes especially daunting when considering Lincoln Park Borough's population is over 10,000, and continues to grow every year. It takes dedicated men and women to go above and beyond the call of duty to serve a community of that size, and there is nobody more capable than those individuals in the Lincoln Park EMS.

Mr. Speaker, I urge all of my colleagues to join me in thanking and recognizing the amazing men and women of the Lincoln Park Emergency Medical Services Squadron.

PERSONAL EXPLANATION

HON. CARLOS CURBELO

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 2, 2015

Mr. CURBELO of Florida. Mr. Speaker, I was unable to cast the following votes on H.R. 1335 due to inclement weather: Roll Call 264: NAY, Roll Call 265: NAY, Roll Call 266: NAY, Roll Call 267: YEA.

CONGRATULATING THE NATIONAL BLACK DATA PROCESSING ASSOCIATES (BDPA)

HON. ELEANOR HOLMES NORTON

OF THE DISTRICT OF COLUMBIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 2, 2015

Ms. NORTON. Mr. Speaker, I rise today to ask the House of Representatives to join me in congratulating the National Black Data Processing Associates (BDPA) on its 40th anniversary of service to the residents of the District of Columbia and the national capital region.

Founded in May 1975 by Earl Pace and the late David Wimberly, BDPA was formed out of a concern shared by both men that minorities were not adequately represented in the information technology industry. The first BDPA chapter was organized in Philadelphia, PA in 1977. A year later, the second chapter was organized in Washington, D.C., and shortly thereafter, the third chapter was organized in Cleveland, OH. In 1979, BDPA was restructured as a national organization, and has 45 active chapters across the United States.

As the oldest and largest African American information technology (IT) organization, comprised of over 2,000 African-American IT professionals, as well as science, technology, engineering and math (STEM) college students, BDPA's vision is to be a powerful advocate for their interests within the global technology industry. Its mission is to be a global, member-focused technology organization that delivers programs and services for the professional wellbeing of its members.

BDPA continues to promote professional growth and technical development for young people and those entering into information and communication technology (ICT) in academia and corporate America. We also appreciate BDPA and its 45 chapters for continuing to provide ICT opportunities for STEM students and professionals.

Mr. Speaker, I ask the House of Representatives to join me in celebrating the 40th anniversary of the National Black Data Processing Associates, in congratulating BDPA for its outstanding accomplishments and commitment to the residents of the District of Columbia and around the country, and in welcoming those attending the BDPA Annual National Technology Conference and Career Fair, titled ''Evolution of IT—Embracing the Digital Future,'' on August 18–22, 2015, at the Washington Hilton Hotel.

HONORING GREENHILL MISSIONARY BAPTIST CHURCH

HON. BENNIE G. THOMPSON

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 2, 2015

Mr. THOMPSON of Mississippi. Mr. Speaker, I rise today to honor a remarkable historical church Greenhill Missionary Baptist of Marks, Mississippi and the great leadership it is under, Rev. Alvis Pryor, Jr.

Greenhill M. B. Church was organized in 1909. The original building was a small one room wood frame building located across Highway #6 between the towns of Belen and Marks, MS in the county of Quitman. This building was destroyed by a storm.

A man by the name of Jessie D. Andrews heard about the loss of the church and sold them two (2) acres of land for the sum of One Dollar. The land was deeded to Sam Jones, Pleas Thomas and John Henry, who were Deacons and Trustees of the church. This land was sold with the understanding that it was to be used for church purposes or burial grounds or both and should it cease to be used for the before mentioned purposes, the land would be reverted to Jessie D. Andrews.

After acquiring the new land (present site) with only a few members remaining, another single room wood frame building was constructed. The new church was built by Alexander Gates, George James, David M. Gates, Epsie Morgan, Sr. and other men within the community. The church was built through donations made by church members and others under the leadership of the first pastor, Rev. M. O. Jude.

During the 106 years of Greenhill's history there have been a total of 11 pastors; some with short tenures and some with long tenures. Some made a great impact on the church and community and others kept the church moving forward.

Under the leadership of Rev. C. J. Carson, (5th) pastor an annex was added which included, pastor's study, kitchen/dining room, deacon's/secretary room and bathrooms.

Rev. Luster C. Tyler served as the (8th) pastor. During his tenure the church was again remolded. He served a total of 25 years the longest serving pastor so far. He was often referred to as ''the Mississippi Hooper''.

In 2007, Rev. Curlie Relliford was elected as (10th) pastor. Even though his tenure was less than two years the annex was torn down and rebuilt into a beautiful modern structure.

Greenhill has always served as a beaconing light in its rural community setting. The church takes pride in ministering to the whole person. Special attention is given to the needs of the youth, aged, and underprivileged. Considering the fact that Greenhill is a small church we are proud of the fact that traditionally many of its members have gone to college and became public school teachers. Presently about 50% of the members are less than 21 years old. So with God the future of Greenhill is bright.

Rev. Alvis Pryor, Jr. was elected as eleventh pastor of Greenhill M. B. Church in May 2009. Under his leadership, the church has continued to grow spiritually due to the continuation of weekly prayer meetings, Bible

Study, Sunday School and the visitation of the sick and shut-in. Pastor Pryor has been very instrumental in the growth of this church through the guidance of the Holy Spirit, and some of his most notable accomplishments are: Instituting a plan to liquidate the mortgage on the church, the beautiful church sign (which was purchased by the first family), additional Sunday school teachers and assistants have been added, he is responsible for instituting an Annual Youth and Youth Coordinators Retreat in July, annual fellowship dinners sponsored by first family, fifteen passenger van and hired a full time musician.

Unfortunately, when there's life; death too will come. Throughout the past 106 years, as you can imagine, there's been many warriors to make the transition of life. As history reveals, Greenhill has steered through an array of obstacles. Whether great or mediocre, God's word continues to prevail. So today, they are humbly thankful for 106 years of existence and service unto the Lord.

Mr. Speaker, I ask my colleagues to join me in recognizing Greenhill Missionary Baptist Church for its dedication for serving our great people.

PERSONAL EXPLANATION

HON. DAVID P. ROE

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 2, 2015

Mr. ROE of Tennessee. Mr. Speaker, I was unable to vote yesterday because of the death of a close friend. Had I been present, I would have voted: Roll Call #264—NO, Roll Call #265—NO, Roll Call #266—NAY, Roll Call #267—AYE.

25TH ANNIVERSARY OF D&L FLORIST

HON. JASON SMITH

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 2, 2015

Mr. SMITH of Missouri. Mr. Speaker, I rise today to honor the 25th anniversary of D&L Florist in Houston, Missouri.

Since opening its doors in 1990, D&L Florist has been serving the Houston, Plato, and Licking communities, bringing smiles to the faces of area residents in times of sadness and in times of celebration.

As a family owned and operated business for 25 years, D&L Florist appreciates the importance of customer service and connection to the community. The service, products, and community spirit of Sheri and her team make D&L Florist such a special part of our area.

For the many years of service and commitment to serving others, it is my pleasure to recognize D&L Florist of Houston before the United States House of Representatives.

PERSONAL EXPLANATION

HON. BLAKE FARENTHOLD

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 2, 2015

Mr. FARENTHOLD. Mr. Speaker, on rollcall Nos. 267, 266, 265, and 264, I missed votes due to severe weather in Washington, DC, causing my flight to be diverted to Norfolk, Virginia.

Had I been present, I would have voted yes on 267 and no on 266, 265, and 264.

CELEBRATING THE 275TH ANNIVERSARY OF THE TOWNSHIP OF PEQUANNOCK

HON. RODNEY P. FRELINGHUYSEN

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 2, 2015

Mr. FRELINGHUYSEN. Mr. Speaker, I rise today to honor the Township of Pequannock as it celebrates its 275th Anniversary.

On March 24, 1740, Pequannock was proclaimed one of three townships in colonial Pequannock County. At this time, Pequannock was one of the largest municipalities in the region. Though it is celebrating 275 years of existence, Pequannock's history extends as far back as the 1600s when European settlers first arrived to the region. Deriving its name from the Lenni Lenape word 'Paquettahhuake,' meaning ''cleared land ready or being readied for cultivation,'' Pequannock Township has embraced the notion of growth and prosperity. The township is home to more than 15,000 people and was ranked among the top fifteen places to live in New Jersey in 2013.

Pequannock boasts a rich history and played a key role during the Revolutionary War. Both Comte de Rochambeau and George Washington utilized the town to house troops during the war. Pequannock is also home to the Mandeville Inn, which was built in 1788 and owned by former Vice President Garret Hobart. Even after the Revolutionary War, the township played an important role in American history. During the Civil War, Pequannock functioned as a stop along the Underground Railroad. Many runaway slaves stopped at the Giles Mandeville House in their pursuit of freedom.

Today, Pequannock Township is an ideal place to raise a family. Home to three elementary schools, one middle school, and its own high school, the township understands the importance of education for all of its students. Students living in Pequannock learn from wonderful educators and have the ability to take advantage of many extracurricular activities. For example, students attending the Pequannock Valley School presented 'Mulan Jr.,' a play based on the Disney-hit Mulan.

In addition to its superb educational programs, Pequannock Township offers many recreational facilities that people of all ages may enjoy. Boasting three parks, including a dog park, members of the Pequannock community have the opportunity to enjoy a leisure stroll or bike-ride. One can also enjoy Woodland Lake, where boating and fishing is commonplace. Pequannock further takes pride in the Pequannock Township Women's Golf League, where over 150 women participate in golf outings throughout the year.

To celebrate 275 years of prosperity and cultivation, Pequannock Township plans on hosting several different events. On May 25th, Pequannock will hold a parade commending and honoring American veterans and their contributions to America's success. This parade will feature an additional float devoted to the township's anniversary, and a presentation created by the Pequannock Township Historic Commission honoring American veterans. In addition to the parade, Pequannock will host a street fair, ''hoe-down'' and an open house at Pequannock Valley Park. These events will occur throughout the summer season and will assuredly make the 275th Anniversary one to remember.

I commend the people of Pequannock Township for their dedication to ensuring that their township remains a wonderful home. Pequannock continues to serve as a model community and will undoubtedly continue to flourish for years to come.

Mr. Speaker, I ask you and my colleagues to join me in congratulating the Township of Pequannock as it celebrates its 275th Anniversary.

HONORING ST. MATTHEW M. B. CHURCH

HON. BENNIE G. THOMPSON

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 2, 2015

Mr. THOMPSON of Mississippi. Mr. Speaker, I rise today to honor St. Matthew M. B. Church of Jackson, Mississippi.

In 1900, Rev. Jack Hill called a group of people together for the purpose of worshipping God. It was in a brush harbor located at Trips Crossing (the intersection of Northside Drive and North State Street) there a band of baptized believers decided to follow Rev. Jack Hill. This was the beginning of St. Matthew M. B. Church.

Rev. Hill led some spiritual followers that had been responsible for the survival and progression of St. Matthew. History is not clear of the number of years that early leaders were with the growing Christian followers.

The church was later moved to Terry's Place (the present location of Watkin's Elementary School) under the leadership of Rev. Johnnie Harris. At this site, Rev. W. L. Jordon took the reign of leadership and completed the construction of the newly relocated building.

Terry's place was on 16th section school land and had to move. The congregation was faced with finding a new location for church service. With God's blessings and determination the congregation began searching again.

Approximately in 1927 or 1928, Rev. J. D. Hayden became pastor of St. Matthew and purchased deeds for the present location. It was the hope of the members that this would be a permanent place. Rev. Hayden accepted a calling from another church and was succeeded by Rev. W. M. Creshon. Under Rev.

Creshon's sixteen years of service the Church was rebuilt and rapidly became one of the most progressive black churches in the City of Jackson.

During the late 1940's, St. Matthew M. B. Church served as part of the New Hope Public School. This elementary school gave many children an opportunity to get an education. Rev. Creshon was proud of the church and school's progress. In 1947, Rev. Creshon's health failed and he resigned his position as a pastor.

Rev. Sylvester Thomas, a young and inspiring minister, was asked to lead the flock. Under his strong hand guided by God, the church was remolded and a blueprint was drawn to rebuild the present structure. Rev. Thomas served for sixteen years and the congregation grew spiritually. Then Rev. Thomas went to his heavenly home.

Rev. Wroten McQuirter, the assistant minister, accepted the position as a full-time pastor. St. Matthew continued to grow and Rev. McQuirter worked with the members to erect the present facility we now worship in each Sunday. St. Matthew M. B. Church stands as a beacon in the community.

Mr. Speaker, I ask my colleagues to join me in recognizing St. Matthew M. B. Church.

COMMEMORATING CARIBBEAN AMERICAN HERITAGE MONTH

HON. SHEILA JACKSON LEE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 2, 2015

Ms. JACKSON LEE. Mr. Speaker, I rise today in commemoration of Caribbean American Heritage Month, which celebrates and recognizes the significant contributions made by Caribbean Americans that have strengthened our country and made it better.

This month also marks the 53rd anniversaries of independence for the Caribbean nations of Jamaica and of Trinidad and Tobago.

Although a half century has passed since they gained their independence, the struggle they waged to win their freedom still stands as a testament to the ideals of our own great nation.

I am privileged to represent a large segment of Houston, Texas, which is home to more than 300,000 Americans of Caribbean heritage, making it one of the largest, most diverse, and vibrant Caribbean-American communities in the nation.

Mr. Speaker, Americans of Caribbean heritage have made a positive impact on virtually every aspect of American life, including the arts, science, business, education, athletics, military, and government.

For example, in the area of government and public affairs America has benefitted from the contributions of Colin Powell, a former Secretary of State and Chairman of the Joint Chiefs of Staff; U.N. Ambassador Susan Rice; former Members of Congress Mervyn Dymally of California, and Shirley Chisholm of New York, and current Congresswoman YVETTE CLARKE of New York; and Kamala Harris, the Attorney General of California.

Caribbean Americans have enriched American art and culture with the legendary performances of Sidney Poitier, Harry Belafonte, Cicely Tyson, Nia Long, and Cuba Gooding, Jr.; the writings of authors W.E.B. DuBois and Malcolm Gladwell; the music of Beyonce Knowles, Lenny Kravitz, Rihanna, and Wyclef Jean; and the prowess of great athletes like Carl Lewis, Tim Duncan, Patrick Ewing, Sandra Richards-Ross, and Ndamukong Suh.

Mr. Speaker, I am very pleased that this Saturday, June 6, the city of Houston will be hosting the 5th annual Caribbean American Heritage Month Festival, which celebrates the rich culture of the Caribbean with a showcase of beautiful costumes, music, food, and enjoyment for all.

I also wish to recognize the leadership of the Caribbean American Heritage Foundation of Texas, which works to assist Texas Caribbean Organizations achieve their goals and to advocate on behalf of the peoples of Caribbean descent.

I congratulate the Caribbean American Heritage Foundation of Texas, the Caribbean Heritage Organization in my home city of Houston, and the many community organizations and volunteers across the nation for their efforts in making Caribbean American Heritage Month the success that it is.

During this month I hope all Americans will join with me in celebrating the remarkable history, culture, and contributions of Caribbean Americans to our nation's past and future.

PERSONAL EXPLANATION

HON. MARK TAKAI

OF HAWAII

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 2, 2015

Mr. TAKAI. Mr. Speaker, on Monday, June 1, 2015, I was absent from the House to attend my daughter Kaila's 6th grade graduation from Waimalu Elementary School in Hawaii. Due to my absence, I am not recorded on any legislative measures for the day. I would like to reflect how I would have voted had I been present for legislative business.

Had I been present, I would have voted ''yea'' on Roll Call 264, Roll Call 265, and Roll Call 266. On Roll Call 267, and final passage of H.R. 1335, I would have voted ''no''.

30TH ANNIVERSARY OF MO-SCI CORPORATION

HON. JASON SMITH

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 2, 2015

Mr. SMITH of Missouri. Mr. Speaker, I rise today to honor the 30th anniversary of Mo-Sci Corporation headquartered in Rolla, Missouri. Since 1985, Mo-Sci has been at the forefront of innovation in the glass and ceramic products industry. They are also celebrating the grand opening of their new 22,000 sq. ft. facility, Mo-Sci Precision Materials.

Mo-Sci was founded by Dr. Delbert Day in order to supply glass and ceramic products for niche market applications. Their founding product was TheraSphere, a glass microsphere component that no other company would manufacture and is used to treat inoperable liver cancer. Starting with only one engineer at a rented desk in a university lab, Mo-Sci has since grown into one of the most successful small glass businesses in existence today and serves more than 2,000 customers with exports to over 50 countries.

For their continuous development of new and innovative products, as well as their recent expansion, it is my pleasure to recognize the 30th anniversary of Mo-Sci and their achievements before the House of Representatives.

HONORING THE SERVICE OF MR. CLARENCE EWELL MAZE

HON. ANDY BARR

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 2, 2015

Mr. BARR. Mr. Speaker, I rise today to recognize a true American hero, a part of the greatest generation, Mr. Clarence Ewell Maze, of Owingsville, Kentucky. He is to be commended for his distinguished military service during World War II. Mr. Maze served our nation in the United States Army.

Mr. Maze, like many other brave young Americans, left the comforts of home and family and answered the call for duty with the United States military. His service took him to the European Theater of Operations. He fought the German Army in Belgium, France, and Germany. He and his fellow soldiers endured harsh weather conditions, fatigue, hunger, and dangerous enemy fire as they ultimately defeated the Germans. He spent time at the end of the war in Munich, Germany.

Following his service in World War II, Mr. Maze returned home to Bath County. He started his own business, a garage and body shop. For Mr. Maze, this was a fulfillment of the American dream. He has been married to Bernice since 1946. He has a daughter Regina and a late son Ricky. Mr. Maze has been a faithful attendee at Polksville First Church of God ever since returning from the war.

Mr. Maze is a true patriot, a good family man, and a servant of the Lord. Because of his courage and the courage of other brave young people from Owingsville and from all across our great nation, our freedoms have been saved for our generation and for future generations. He is truly an outstanding American, a brave patriot, and a hero to us all.

HONORING OLD ANTIOCH BAPTIST CHURCH

HON. BENNIE G. THOMPSON

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 2, 2015

Mr. THOMPSON of Mississippi. Mr. Speaker, I rise today to honor a remarkable historical house of worship, Old Antioch Baptist Church in Sumner, Mississippi.

Old Antioch Baptist Church has been in existence since 1904 in Sumner, Mississippi.

The congregation today still consists of many of the founder's children and grandchildren. In earlier years church services were held only on the second Sunday of each month and had a large congregation, primarily because of the vast Black population around the Sumner community. It was one of the only places they had to worship. Today the membership consists of 60 members, three deacons and two trustees. In 1979 a part of the Old West District School building was added to the Old Antioch Church which added five Sunday school classrooms, a baptismal pool, a kitchen and three bathrooms. In 1991, the Old Antioch church was bricked under the leadership of Rev. Andrew Hawkins.

The church activities consist of: Sunday School, Annual Men & Women's Day Programs every second Sunday in October, Family & Friends Day and Mother's Day Programs in May, Black History Observance in February, Church Anniversary in July, Sunrise services on Easter Sunday, Christmas concert and Thanksgiving programs. All services are held to benefit members of the congregation who may have a need as well as the surrounding communities.

Worship service has changed to every second and fourth Sunday. Old Antioch Baptist Church has had 21 ministers to serve as pastors. Currently Rev. Lorenzo K. Robinson, who is a native of Bolivar County is pastor, ministry of music and Sunday school teacher and trainer of future Sunday school teachers. He has been the pastor for the last 12 years.

Mr. Speaker, I ask my colleagues to join me in recognizing an amazing house of Worship, which has been instrumental in meeting spiritual needs.

MOURNING THE DEATH OF GARRETT FITZGERALD

HON. MIKE QUIGLEY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 2, 2015

Mr. QUIGLEY. Mr. Speaker, I rise today to remember and honor the life of an important and respected member of the Chicago community.

Mr. Garrett FitzGerald passed away May 9th 2015 at the all too young age of 49 after his battle with brain cancer.

Since 2006, Garrett FitzGerald was the Executive Director of the North Center Chamber of Commerce. Under his leadership, he increased membership from 23 to nearly 400. He loved his neighborhood and set out to make it better for its residents and all of its visitors. He was the driving force expanding the chamber's programing such as the concert series and movies in the square. Thanks to his hard work and passion, what was once a simple street festival, Ribfest has become the second biggest festival in Chicago.

He was known for his ability to connect with others. His selflessness was the source of his boundless energy. It was not uncommon to see him making food to give away to concert goers at festivals.

Garrett's top priority was always his family, and the love and support they provided him was the most important thing in his life. He will be missed most by his wonderful wife, Alicia; his daughter, Bridget; his parents, Kathleen and Thomas FitzGerald; his sister, Meghan Wiegold; and his many aunts and uncles.

Mr. Speaker, May God bless the FitzGerald family and the memory of a man who was truly loved by his friends, his community, and his family.

PERSONAL EXPLANATION

HON. JOE WILSON

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 2, 2015

Mr. WILSON of South Carolina. Mr. Speaker, I submit the following regarding my absence from votes which occurred on June 1, 2015. My flight was delayed for three hours at Charlotte due to inclement weather at Reagan National Airport causing me to miss votes.

Listed below is how I would have voted if I had been present.

Dingell Amendment to H.R. 1335—No

Lowenthal Amendment H.R. 1335—No

Democrat Motion to Recommit H.R. 1335—No

Passage of H.R. 1335—Strengthening Fishing Communities and Increasing Flexibility in Fisheries Management Act—Aye

PERSONAL EXPLANATION

HON. STEPHEN LEE FINCHER

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 2, 2015

Mr. FINCHER. Mr. Speaker, on June 1, 2015, I was unavoidably detained during a series of Roll Call votes. Had I been present, I would have voted ''NAY'' on the following Roll Call votes: #264, on passage of the Dingell Amendment, #265, on passage of the Lowenthal Amendment, and #266, on the Motion to Recommit with Instructions. I would have voted ''YEA'' on Roll Call #267 for final passage of H.R. 1335, the Strengthening Fishing Communities and Increasing Flexibility in Fisheries Management Act.

HONORING THOMAS SURDYKE

HON. JASON SMITH

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 2, 2015

Mr. SMITH of Missouri. Mr. Speaker, I rise today to honor Thomas Surdyke of Festus, Missouri, for the outstanding achievement of receiving his Eagle Scout award. This award is not easily attained and cannot be achieved without a steadfast determination to succeed.

In order to receive this award, Thomas completed several steps and a service project exemplifying patriotism and his commitment to serve others. Thomas erected a new flag pole by the football field at St. Pius X High School where he played as a student. In addition to earning his Eagle Scout award, Thomas achieved Order of the Arrow Brotherhood, and received the Parvuli Dei and Ad Altere Dei religious emblems. He was senior patrol leader and librarian during his time in Troop 484. He also served as chaplain's aide on a ten day trek at Philmont Scout Ranch Adventure Base.

As a scout, he has learned about service and leadership which were influential in his decision to attend the U.S. Military Academy at West Point to prepare for a career serving as an officer in the United States Army. Thomas is a role model for young and old alike, and it is my pleasure to recognize his achievements before the House of Representatives.

HONORING CYNTHIA T. LEE

HON. BENNIE G. THOMPSON

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 2, 2015

Mr. THOMPSON of Mississippi. Mr. Speaker, I rise today to honor a remarkable and ambitious citizen with a desire to pursue justice for others, Cynthia T. Lee.

Cynthia T. Lee is a native of Raymond, MS. Her parent, Ms. Sonja Wilson Lee and the late grandparents, Annie Mae and Sam Wilson are very proud of her accomplishments. After graduating from Raymond High School in 2006, she attended Jackson State University and received her Bachelor of Arts degree in Sociology.

While in college, Cynthia developed a passion for social justice-oriented work and decided to further her education at the University of Alabama, where she received a Masters of Social Work degree in May 2012. In the fall of 2012 Cynthia began her matriculation at the University of Mississippi School of Law. Currently, as a third-year law student she has demonstrated her capacity and competence as a leader by serving as the student coordinator for the Pro Bono Initiative and the President of the Public Interest.

Ms. Lee's Law Foundation is admirable. She was the recipient of the University of Mississippi's Pro Bono Initiative Service Award, as well as the Adams and Reese Pro Bono Award. In addition, she also serves as a dedicated member of the Trial Advocacy Board, the Law Association for Women, and Black Law Students Association. As a proud member of BLSA, she has served as the 2013–2014 Community Service Committee co-chair and currently serves as the 2014–2015 Black History and Social Action Committee co-chair. Her dedication to service and academics has resulted in her receiving the BLSA Member of the year and the BLSA 2 L Scholarship award. Cynthia is truly thankful to God, her mom, aunties, uncles, family and friends for their continued support of her academic advancement and services to others.

After law school, Cynthia plans to sit for the Mississippi Bar, and pursue a career dedicated to Social Justice with a specific emphasis in Criminal Justice Reform.

OUR UNCONSCIONABLE NATIONAL DEBT

HON. MIKE COFFMAN

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 2, 2015

Mr. COFFMAN. Mr. Speaker, on January 20, 2009, the day President Obama took office, the national debt was $10,626,877,048,913.08.

Today, it is $18,152,851,678,150.27. We've added $7,525,974,629,237.19 to our debt in 6 years. This is over $7.5 trillion in debt our nation, our economy, and our children could have avoided with a balanced budget amendment.

CELEBRATING THE 30TH ANNIVERSARY OF THE MENTAL HEALTH ASSOCIATION OF PASSIAC COUNTY

HON. RODNEY P. FRELINGHUYSEN

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 2, 2015

Mr. FRELINGHUYSEN. Mr. Speaker, I rise today to congratulate the Mental Health Association in Passaic County as they celebrate their 30th Anniversary.

The beginnings of the Association go back to 1909, when Clifford Beers founded the Connecticut Society for Mental Hygiene, which would later become the National Mental Health Association.

In 1976, the Passaic County Community Companion Program was started by the Mental Health Association in New Jersey. This program was dedicated to helping individuals returning to their communities from state mental health hospitals. Volunteers were trained to work with individuals with mental illness one-on-one to ensure a successful return home.

Three years later, the plans to create a Mental Health Association Chapter in Passaic County began. By this time, the Passaic County Community Companion Program had helped 75 Passaic County residents.

At its annual meeting, the Mental Health Association in New Jersey voted full chapter status to the Mental Health Association in Passaic County. The Association offered the Community Companions and Family Companions programs, a self-esteem program for former patients and families of those with mental illness; a self-esteem program for grade-school children; the Mental Health Players; services to the homeless with mental illness, and a referral and information service. All of these services were and still are free of charge, thanks to over 100 Passaic County residents who volunteer their time to the MHAPC so they can help their neighbors in need.

As time went on, the Program's services continued to grow. In 1987, the Crossover Program began, helping young adults with mental illness. In 1997 the Peer Outreach Support Team (POST) was created to help consumers with mental illness provide support to those living in supportive housing. Most recently, the Arab-American Community Services Partnership was created in 2005, with a goal of forging cooperative efforts to address mental health services that are needed and to increase cultural understanding.

Through all of the Association's fantastic work, it is no surprise that in 2003 the Consumer Parent Support Network program received the honor of Best Practice Program for the Prevention of Neglect and Abuse for the Northern Region of New Jersey.

Mr. Speaker, I urge you and all of my colleagues to join me in congratulating the Mental Health Association in Passaic County as they celebrate their 30th Anniversary.

THE ACCURACY IN MEDICARE PHYSICIAN PAYMENT ACT OF 2015

HON. JIM McDERMOTT

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 2, 2015

Mr. McDERMOTT. Mr. Speaker, today I am proud to introduce the Accuracy in Medicare Physician Payment Act, legislation that will provide the Centers for Medicare and Medicaid Services (CMS) with important tools that will strengthen primary care in this country.

For too long, Medicare has relied upon a flawed process to set payment rates for services on the physician fee schedule. Since 1991, CMS has outsourced the process of valuing physician services to the Relative Value Scale Update Committee (RUC), a secretive 31-member panel of doctors. The RUC's composition is shaped by the American Medical Association, and specialty societies are grossly overrepresented in its membership. As a private entity, the RUC is exempt from transparency laws, and the justifications for the committee's recommendations are opaque.

The RUC is extremely influential. From 1994 to 2010, CMS accepted approximately 90 percent of the committee's recommendations, and—although that rate has declined in recent years—the RUC continues to exert tremendous power over Medicare. This has far reaching implications for the entire American healthcare system, as Medicare's rates strongly influence the reimbursement rates of private insurers.

Meanwhile, our country faces a growing crisis in its primary care workforce. The Health Resources and Services Administration estimates that there will be a nationwide shortage of over 20,000 primary care doctors by 2020. Primary care providers—particularly those who practice in low-income and rural areas—are compensated at much lower rates than specialists. Recent medical graduates, who on average are saddled with about $170,000 in educational debt, are steered away from lower-paying work in primary care toward lucrative specialties. This leaves millions of Americans without access to the care they need, threatening their health security and ultimately driving up healthcare costs for the entire country.

By distorting payment rates in favor of specialty services, the RUC has had a direct role in creating this crisis. Calls to reform its processes are growing. A recent report by the Government Accountability Office has called into question the accuracy of the RUC's recommendations due to weaknesses in its data collection methods and conflicts of interest by its members.

The Accuracy in Medicare Physician Payment Act will reform this flawed system. It will give CMS the tools it needs to ensure that payment rates serve the needs of the American people, not the needs of highly-compensated specialists. This legislation will establish an independent panel of experts within CMS that will identify distortions in payment rates and help Medicare develop evidenced-based updates to the fee schedule. Its processes will be highly transparent and it will be subject to the Federal Advisory Committee Act, which requires advisory bodies to hold open meetings and publish minutes. If necessary, CMS may still seek input from the RUC, but all recommendations would be carefully scrutinized by the expert panel.

This legislation will ensure that the process of setting physician payment rates is subject to rigorous oversight, independent analysis by experts, and meaningful transparency. It will put an end to a flawed process that has contributed to a healthcare system that drives thousands of young doctors away from where they are needed most.

HONORING JOE DOWLING ON THE OCCASION OF HIS RETIREMENT FROM THE GUTHRIE THEATER

HON. BETTY McCOLLUM

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 2, 2015

Ms. McCOLLUM. Mr. Speaker, I rise to pay tribute to Mr. Joe Dowling, who is retiring in June from the Guthrie Theater in Minneapolis, Minnesota, after serving 20 distinguished years as Artistic Director. During Mr. Dowling's impressive tenure, he has directed more than 50 shows and reinforced the foundation for this world-class Minnesota cultural cornerstone.

Mr. Dowling joined the Guthrie as Artistic Director in 1995, bringing his ceaseless creativity and tireless dedication to the arts after leading other theater companies in his native Ireland. Among Mr. Dowling's many achievements is the development of training programs like the University of Minnesota/Guthrie Theater B.F.A. Actor Training Program and A Guthrie Experience for Actors in Training. He also solidified a partnership with The Acting Company of New York and created the WorldStage Series, two programs that allow local talent to tour the U.S. and in turn welcomes internationally renowned theater programs to Minnesota. He has also shared his vision and talents on Broadway and at other prominent venues throughout the United States and Europe.

Perhaps Mr. Dowling's deepest legacy is the success of a $125 million capital campaign and construction of a new theater home which was completed in 2006. Designed by French architect Jean Nouvel, the theater is an architectural gem. At 285,000 square feet, the new Guthrie includes public gathering spaces and restaurants, and a 178-foot ''endless bridge''

that highlights a spectacular, soaring view of the mighty Mississippi River. The heart of the new Guthrie are three unique theaters offering special performance spaces and viewing perspectives. The Dowling Studio in particular is an intimate 200 person black box theater that has welcomed 33 local acting companies and stands as a testament to its namesake's commitment to developing and showcasing the Twin Cities arts community.

In a metropolitan area that boasts more theater seats per capita than anywhere else in the U.S. outside of New York, Minnesotans take great pride in our thriving, high quality performing arts community. Experiencing a performance at the Guthrie is a particular joy, and I attend shows there whenever I can. I am clearly not alone, because under Dowling's leadership, the Guthrie entertains, enriches and enlightens 400,000 patrons each year.

Mr. Speaker, it is a privilege to rise to honor Mr. Dowling and his many contributions to the rich cultural landscape in Minnesota as the Guthrie Theater as Artistic Director as well and his lifetime of commitment to the arts.

CELEBRATING THE 75TH ANNIVERSARY OF THE NEW JERSEY STATE FAIR AND SUSSEX COUNTY FARM AND HORSE SHOW

HON. RODNEY P. FRELINGHUYSEN

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 2, 2015

Mr. FRELINGHUYSEN. Mr. Speaker, I rise today to ask my fellow colleagues to join me in the recognition of the 75th Anniversary of the New Jersey State Fair and Sussex County Farm & Horse Show. Drawing in roughly under a quarter million attendees annually in recent years, this event reflects upon a rich heritage and culture of which we should all be very proud.

From what began over 75 years ago as a small town horse and farm show, the fair has blossomed into the famous state event we appreciate and enjoy today across the entire Tri-State area. Since 1999, the Sussex County Farm & Horse Show has been incorporated into the New Jersey State Fair, and it remains an integral piece of its history.

Since their inclusion into the New Jersey State Fair, these Fairgrounds have provided a welcome home for a wide variety of events as well as a place for learning and tourism. This year's fair will extend over a period of 10 days and include a multitude of enjoyable attractions, expositions, and performances, including a carnival, circus, and even a demolition derby. Aside from these attractions, the fair serves as a promotion for the importance of local agriculture and showcases some of the beauty that characterizes the Garden State. In an effort to do this, a vegetable show, the Flower & Garden Expo, and livestock shows have all been included in the fair's itinerary. Always looking to provide an opportunity for local vendors, the fair will also allocate showcases for the best produce and livestock from our local farmers. Learning and culture will also be major aspects of the event, and attractions such as an Art expo, talent completion, and a robotics display shall offer attendees an exciting and informative perspective on some of the best New Jersey has to offer.

Held annually in Augusta, New Jersey, the New Jersey State Fair has grown to include a permanent complex of 15 buildings stretching over an impressive 165 acres. The fair's popularity has increased steadily since its inception and this is a testament to its continued success. It will have been 75 years since the local Sussex horse and farm shows merged to form the Sussex County Farm and Horse Show in an effort to increase public appreciation for agriculture in New Jersey. Since then, the once tiny event has surpassed all expectations; becoming the premier agricultural fair in the Garden State. Today, we honor that achievement and all the experiences yet to be had today and in years to come.

I commend the Sussex County Farm & Horse Show Association for their continued commitment to providing such a rich educational and enjoyable experience for the people of New Jersey and the wider Tri-State area. Mr. Speaker, I ask you and all my colleagues to join me in congratulating the New Jersey State Fair/Sussex County Farm & Horse Show as it celebrates its 75th Anniversary.

HONORING CADET COL GREGORY WILSON

HON. BENNIE G. THOMPSON

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 2, 2015

Mr. THOMPSON of Mississippi. Mr. Speaker, I rise today to honor a remarkable Cadet COL Gregory Wilson, a senior at Murrah High School, is the Jackson Public Schools JROTC Cadet of the Year for 2015.

While maintaining a 3.8 grade point average, Cadet Wilson has held several key leadership positions in the Battalion throughout his high school tenure. Cadet Wilson is a proud member of the National Honor Society and National Junior Classical League. He recently attended the American Legion Boys State where he was elected state treasurer.

Cadet Wilson has also been actively involved in a variety of community service projects including Stewpot Summer Enrichment and Stop Hunger Now. Currently, he serves as the Cadet Battalion Commander for the ''Mustang'' Battalion. Cadet Wilson has been accepted to several colleges including the prestigious University of Mississippi Honors College. After graduating from Murrah with honors, Cadet Wilson will attend the University of Mississippi. He plans to attend medical school at an Army residency program. His vision is to become a pathologist for the United States Army.

Mr. Speaker, I ask my colleagues to join me in recognizing Cadet COL Gregory Wilson.

IN SUPPORT OF ''LGBT PRIDE MONTH AND HOUSTON PRIDE WEEK''

HON. SHEILA JACKSON LEE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 2, 2015

Ms. JACKSON LEE. Mr. Speaker, I rise to commemorate LGBT Pride Month and the remarkable progress that has been made in making our country more diverse and tolerant and embracing of differences in the 17 years since the cruel murder of Matthew Shepherd, a college student from Laramie, Wyoming.

As a country, America has made and continues to make great progress in the area of social equality, as evidenced most dramatically by the seismic shift in public support for marriage equality over the past decade.

Today, supporters of marriage equality dramatically outnumber opponents by 61%–35%; a near total reversal from 2004, when opponents outnumbered supporters 58–39 percent.

Our country made progress in bringing our LGBT brothers and sisters, mother and fathers out of the shadows with the repeal of ''Don't Ask, Don't Tell,'' which I was proud to support.

Our nation is now stronger and our people are safer thanks to the sacrifices made by these brave Americans, who no longer need to choose between service and silence.

There have been other changes for the better.

In April 2015, President Obama issued a landmark Executive Order prohibiting discrimination against LGBT persons in the workplace.

This civil rights victory ensures the tax dollars used to pay government contractors support contractors that are committed to equal employment opportunity for all persons regardless of sexual orientation.

This legislation marks a major shift from a time when the U.S. Civil Service Commission prohibited the hiring of LGBT persons to a time when the Secretary of Defense has selected an openly gay man as his chief of staff.

Mr. Speaker, this year marks the 46th anniversary of the LGBT Civil Rights Movement, where activists such as Frank Kameny led the struggle for the voices of the LGBT community to be heard.

Frank Kameny's courageous demonstrations inspired others to resist mistreatment and we witnessed in 1969 what happens when a community says enough is enough.

Our country has made progress since the Stonewall uprising of 1969, and with the support of equal rights for all communities by leaders such as President Barack Obama, more and more voices are being heard.

Mr. Speaker, although more remains to be done to realize the full promise of America that all are equally treated and protected by the law, it is undeniable that America is closer to realizing that promise than it was during the dark days of Stonewall.

So there is much reason for joy and optimism when my home city of Houston celebrates Houston Pride Week later this month, from June 21–28, 2015.

According to the 2010 U.S. Census, the 16th largest LGBT community in the nation is

located in the Houston metropolitan area, which I am privileged to represent.

The Houston LGBT community is culturally diverse, economically dynamic, and artistically vibrant.

Houston Pride Week has been an annual event for the last 36 years, since 1979, and promotes the individuality of Houston's ever-growing LGBT community.

The Pride Festival and Parade are at the center of the Celebration and are annually attended by more than 400,000 people from Houston and around the world.

Mr. Speaker, progress is made through the efforts of courageous leaders who actively engage their communities and face adversity to ensure that the rights of all are clearly recognized and protected.

People like the legendary Bayard Rustin, who organized the 1947 Journey of Reconciliation which inspired the Freedom Rides of the 1960s and helped Dr. King organize the Southern Christian Leadership Conference and who was the driving force behind the historic 1963 March on Washington.

Texas natives such as Sheryl Swoopes, a 3-time WNBA Most Valuable Player and champion for the Houston Comets, Houston Mayor Annise Parker.

These leaders have set an example of what can happen when we lift the limits of inequality and support our fellow Americans in their pursuits of their inalienable rights.

Other members of the LGBT community whose contributions have enriched American culture and made our country better include the great poet Langston Hughes; Mandy Carter, 2008 national co-chair of Obama Pride and lifelong activist; Billy Strayhorn, the musician and gifted composer whose 30-year collaboration with Duke Ellington gave the world some of the greatest jazz music ever; Tom Waddell, army medical doctor and Olympic athlete; and James Baldwin, one of the towering figures in the history of American literature.

Mr. Speaker, I am proud to acknowledge the achievements of just a few of the countless number of Americans who overcame prejudice and discrimination to make America a more welcoming place for succeeding generations of LGBT community members.

HONORING BRIGETTA K. TURNER

HON. BENNIE G. THOMPSON

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 2, 2015

Mr. THOMPSON of Mississippi. Mr. Speaker, I rise today to honor a remarkable public servant, Dr. Brigetta K. Turner, who is a 1982 graduate of Tougaloo College and obtained her Doctorate of Dental Surgery Degree from Meharry Medical College. She presently practices dentistry on Tougaloo's campus in the Owens Health and Wellness Center and has been in private practice for over 25 years.

She loves playing the piano and shares her gift at Mt. Nebo M. B. Church. She loves Tougaloo and is ready to help bring Tougaloo to the world. Dr. Turner is a life member of TCNAA, a 2008 Hall of Fame Inductee. She is also the Secretary of the Mississippi Dental Society.

Mr. Speaker, I ask my colleagues to join me in recognizing Dr. Brigetta K. Turner for her dedication to serving others.

HONORING THE SERVICE OF REVEREND GUY S. McKENZIE

HON. ANDY BARR

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 2, 2015

Mr. BARR. Mr. Speaker, I rise today to recognize an outstanding individual, Reverend Guy S. McKenzie of Owingsville, Kentucky, for his distinguished military service during World War II. Reverend McKenzie served our nation in uniform from 1943 to 1946.

Reverend McKenzie spent his early years in farming. At the age of 19, he enlisted in the United States Navy. Shortly after enlisting, he began a three year tour in the South Pacific.

Not long after his deployment, Reverend McKenzie was assigned to the USS *Houston*. While the ship was traveling from Pearl Harbor to Formosa, now known as Taiwan, the ship came under heavy fire from the Japanese. It was torpedoed by a Japanese submarine, cutting an immense gash in the side of her hull. As the ship was sinking, Reverend McKenzie thought about his life and wondered if these were his final moments on earth. He jumped in the water, began to pray, and promised the Lord that he would serve him for the rest of his life if he would be spared. After floating for some time in the ocean, the USS *Loftberg* came along and rescued McKenzie and the remaining survivors.

Reverend McKenzie spent the rest of his tour of duty aboard the USS *Loftberg*. He was honorably discharged from the United States Navy in 1946 with the rank of First Seaman and returned home to his family. Two years after his return, he kept his promise and gave his life to the Lord.

Ten years later, he began preaching. Reverend McKenzie retired after 26 years of pastoring. Because of his love, compassion, and caring service, he impacted many lives. Reverend McKenzie has been married to Joyce for 70 years. They have six children, eleven grandchildren, ten great grandchildren, and two great, great grandchildren. Reverend McKenzie is to be commended for his brave service to his country, his strong passion for the Lord, and his loyal life as a family man.

Reverend McKenzie's bravery and that of his fellow men and women in uniform secured our freedoms for future generations. He is truly an outstanding American, a protector of freedom, and an inspiration to us all.

HONORING THE WAL-MART DISTRIBUTION CENTER

HON. JASON SMITH

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 2, 2015

Mr. SMITH of Missouri. Mr. Speaker, I rise today to honor the Wal-Mart Distribution Center located in St. James, Missouri, for being named the Wal-Mart Distribution Center of the Year for 2014. This prestigious award is not easily attained as it recognizes just one out of all the Wal-Mart distribution centers in the United States.

In order to receive this award, the employees of the distribution center in St. James distinguished themselves through their hard work, dedication, and by setting an example for others to follow. I am very proud of their service to the community of Phelps County and the surrounding area.

Their work ethic is truly admirable and it is my pleasure to recognize their achievements before the House of Representatives.

INTRODUCTION STATEMENT: GUN VIOLENCE RESEARCH LEGISLATION

HON. CAROLYN B. MALONEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 2, 2015

Mrs. CAROLYN B. MALONEY of New York. Mr. Speaker, today I am proud to reintroduce legislation to finally permit the use of federal funds for long overdue research on firearm safety and gun violence.

For too long, Congress has failed to address the public health crisis caused by gun violence. On average, there are 32,000 deaths and 76,000 injuries from gun violence each year in the United States. Gun deaths now outpace traffic fatalities in our country. It is time to address the epidemic of gun violence and prevent future incidents. Public health research will help identify effective solutions we can implement in order to save lives.

The bill I introduce today, with companion legislation introduced by Sen. ED MARKEY, would authorize $10 million in annual funding for the Centers for Disease Control and Prevention (CDC) through Fiscal Year 2021. This funding will allow the CDC to implement the research agenda outlined in a 2013 report issued by the Institutes of Medicine that identified areas in need of study to better understand the underlying causes of gun violence and develop strategies for prevention.

Federal funding for gun violence research halted in the mid-1990s. As a result, policymakers and community leaders lack the authoritative public health research they need to address the horrifying persistence of gun violence. We have more gun-related deaths than any other developed country, yet we lack comprehensive, scientific information about the causes and characteristics of gun violence.

This public health crisis cannot be ignored any longer, and I'm proud to introduce this legislation that addresses the epidemic of gun violence and identifies the best strategies to prevent future incidents.

HONORING SERGEANT CHRISTOPHER D. BOOKER

HON. BENNIE G. THOMPSON

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 2, 2015

Mr. THOMPSON of Mississippi. Mr. Speaker, I rise today to honor a veteran, Sergeant Christopher Dewayne Booker. Christopher has shown what can be done through ambition, tenacity and a desire to serve others.

Sergeant Christopher D. Booker a resident of Cary, MS was born April 23, 1971, to Gloria and Willie Booker. He graduated in 1990 from Rolling Fork High School.

In September 1989 Christopher enlisted in the Mississippi Army National Guard. He was mobilized for Desert Storm in December 1990 until May 1991. In November of 2005 to February of 2006 Sergeant Booker's unit was activated to Operation Enduring Freedom in Afghanistan. He retired from the MS National Guard in September 2015 after serving over twenty-five years.

Christopher worked for Sharkey County as a machine operator for 10 years. Currently, he works for the Town of Cary, MS as a Water and Sewer Operator.

Sergeant Booker is a member of E. P. Baptist Church in Rolling Fork, Mississippi since 1985. He is thoroughly involved in the community. He organized the Annual Community Clean-up for Maiden Addition, a small community in Cary, MS; serves as a volunteer coach for both the Cary Little League Softball and Baseball teams and is a volunteer firefighter for the Town of Cary. Christopher is an avid hunter and is the President of the New Fitler Hunting Club, a third degree freemason and a member of the Faith Outreach Men Bible Study at Mt. Zion M. B. Church.

Christopher has earned several certifications. He received his certification for Army Traffic Safety, Combat Lifesaver, Water Treatment Specialist Phase I, Homeland Security Training and Parent Applicant Training.

He is the proud father of three children, Herman D. Scott, Christopher D. Booker and Gloria K. Booker. He has one grandson, Brayden Adams.

Mr. Speaker, I ask my colleagues to join me in recognizing Sergeant Christopher D. Booker for his passion and dedication to serving our great Country, his community and desire to make a difference in the lives of others.

ERIC LI NAMED PRUDENTIAL NATIONAL HONOREE

HON. PETE OLSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 2, 2015

Mr. OLSON. Mr. Speaker, I rise today to congratulate Eric Li for being named one of ten national honorees for the 2015 Prudential Spirit of Community Awards.

Eric's dedication to community service started at a young age when he spearheaded a school-wide relief effort following a deadly earthquake in Sichuan, China. He and his sisters also founded a nonprofit organization called We Care Act. The organization helps children around the world recover from major natural disasters. Currently, he is teaching his peers at Pearland Junior High West to refurbish computers that will be sent to orphanages in third world countries.

At such a young age, Eric has already impacted so many children around the world. On behalf of the Twenty-Second Congressional District, thank you for your commitment to philanthropy and congratulations on this remarkable achievement.

TRIBUTE TO MR. JOSEPH ALEXANDER SCOTT, JR.

HON. HENRY CUELLAR

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 2, 2015

Mr. CUELLAR. Mr. Speaker, I rise today to commemorate the life of Mr. Joseph Alexander Scott, Jr. The City of San Antonio and the Great State of Texas lost a community leader, civic activist, job creator, and friend with the passing of this great man.

Born on January 31, 1928 in Dallas, Joe Scott spent his life in service to those around him. From his service as a Second Lieutenant in the United States Army in the Korean War to his fourteen years as a teacher in Edgewood ISD and his unmatched record as a leader in his Eastside community, Joe Scott truly embodied the concept of service above self.

Mr. Scott earned a bachelor's degree from Prairie View A&M University, a Master's degree from Our Lady of the Lake University, and attended St. Mary's University Law School.

Mr. Scott was first and foremost a family man. He was the first African-American licensed insurance agent in San Antonio and founded World Technical Services, Inc. (WTS) to provide jobs for people with severe disabilities and those who are unable to find employment due to past substance abuse or incarceration.

Mr. Speaker, it is my privilege to honor the legacy of Joseph Alexander Scott, Jr. He was my dear friend. I will miss his friendship and the City of San Antonio will miss his leadership, but his legacy will live on and he will be forever remembered.

LUTHERAN SOUTH ACADEMY CHAMPIONSHIPS

HON. PETE OLSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 2, 2015

Mr. OLSON. Mr. Speaker, I rise today to congratulate the baseball and softball teams at Lutheran South Academy for winning the Texas Association of Private and Parochial Schools (TAPPS) 4A state championships.

The road to success was not easy, but both teams persevered and brought home two state trophies. Lutheran South Pioneer baseball team finished the season with an 8-game winning streak that was capped off with a victory at the TAPPS 4A state tournament. The Lady Pioneer softball team completed their successful season with a shutout victory at the state championship. Each of these young athletes and their coaches has put in the time and the effort to become state champions. I am excited to see what these young athletes achieve throughout their time on the diamond. It's time for Lutheran South to expand their trophy case.

On behalf of the Twenty-Second Congressional District of Texas, congratulations on this outstanding victory. Thank you for bringing the gold back home.

IN HONOR OF CHRIS NORTON, LUTHER COLLEGE CLASS OF 2015 AND SPINAL CORD INJURY ADVOCATE

HON. ROD BLUM

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 2, 2015

Mr. BLUM. Mr. Speaker, I rise today to honor Chris Norton, an advocate for those recovering from spinal cord injuries and a graduate of Luther College, Class of 2015 in Decorah, Iowa.

During his freshman football season, Chris sustained a serious injury that left him paralyzed from the neck down. In the aftermath of his injury, doctors informed Chris he had a 3% chance of ever walking again. This exceptional young man, after years of physical therapy and rehabilitation, overcame those odds and walked across the stage at his graduation this past weekend.

Moved to action by people with similar injuries he met during his rehabilitation, Chris, his family, and his friends started the Spinal Cord Injury (SCI) CAN Foundation. This foundation is committed to increasing access to quality therapy options for those with spinal cord injuries. Recently, SCI CAN donated $60,000 to Des Moines University, bringing the total donations of the Foundation to nearly $375,000 to assist in spinal cord injury recovery.

I applaud Chris' important work with SCI CAN, his message of hope and healing, and wish him well as he continues to recover from his injury. I firmly believe Chris is both an inspirational figure and asset to his community. I wish Chris and his family the very best as they begin the next chapter of their lives.

I encourage everyone to learn more about the SCI CAN Foundation by visiting their Facebook page at www.facebook.com/TheSciCanProject.

STAFFORD TRACK AND FIELD

HON. PETE OLSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 2, 2015

Mr. OLSON. Mr. Speaker, I rise today to congratulate the Stafford Track and Field Team for earning the Class 4A second-place team state championship trophy.

Despite immense adversity during the final moments of the competition, the Stafford Team competed and brought home the silver. This win reflects the entire team's dedication to the sport, including outstanding efforts by Lynette Amaran and the young men of the 400 meter relay who both brought home gold medals. We are extremely proud of each individual on the team and the coaching efforts of Mr. Sergio Hinojosa.

On behalf of the Twenty-Second Congressional District of Texas, congratulations again to the entire team in representing Stafford High School in the State Track and Field Championship.

HOW TO PREVENT THE FALL OF BAGHDAD

HON. PETER T. KING

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 2, 2015

Mr. KING of New York. Mr. Speaker, Islamic State (ISIS) is a massive threat to America's national interests and to human decency. Each day brings more news of ISIS advances, terrorist attacks, military gains and horrible atrocities. And each day the Administration continues to deny its policies are failing.

Mr. Speaker, I believe that ISIS can indeed be stopped if it heeds the thoughtful recommendations which Kevin Carroll detailed in his May 27, 2015 Wall Street Journal OP/ED (''How to Prevent the Fall of Baghdad'').

Mr. Carroll speaks with authority and firsthand knowledge. He served as a U.S. Army officer in Iraq and Afghanistan and as a CIA case officer in a Middle East war zone. Also, I had the benefit of having Kevin Carroll serve as Senior Counsel when I chaired the House Homeland Security Committee in 2011–2012. I found his advice to be invaluable. I urge the Administration to follow his advice today. I am proud to submit Kevin Carroll's article and urge all members to read and give thoughtful consideration to his proposals.

ISLAMIC STATE IS LIKELY TO USE THE TACTICS THAT WORKED IN RAMADI. THE U.S. CAN DO MUCH TO CHANGE THE OUTCOME

Islamic State, also known as ISIS, has seized control of Ramadi, the capital of Anbar province just 70 highway miles from Baghdad. Fallujah, located between, is already a terror stronghold.

There is little doubt that ISIS leader Abu Bakr al-Baghdadi plans to capture the city whose name he bears. A man who declared himself a caliph, Baghdadi knows his home was the seat of the Abbasid caliphate, founded in the eighth century to which ISIS would like to return.

It would be a mistake for the Obama administration to continue to underestimate ISIS as the junior varsity. ISIS demonstrated operational capability recently, attacking in opposite directions to occupy both Ramadi and Palmyra, deep inside Syria.

Its Ramadi assault mixed terrorism with conventional tactics. At least 30 huge truck bombs, some reportedly as large as the one used in the 1995 Oklahoma City bombing, obliterated the city's defenses, and ISIS forces poured through the breach. A similar attack could be in store for Baghdad. It is assumed that ISIS operatives are in the capital's Sunni enclaves, with more en route disguised as refugees.

The fall of Baghdad to ISIS would harm American strategic interests as the fall of Saigon did in 1975. The blow to U.S. credibility and the enhancement of ISIS's prestige, of its black flag rising over an evacuated U.S. Embassy, would be incalculable. To prevent this outcome, President Obama should consider taking the following actions.

Use strategic air power. America's unrivaled air forces can hit ISIS from anywhere: neighboring countries, the sea and the continental U.S. Yet the sorties flown so far have been minimal, and damage inflicted still less, even as ISIS held a parade in broad daylight in Rutba, Iraq, last week.

That is the kind of target our aviators dream of. Rules of engagement need to be loosened, U.S. air controllers sent to the front to call in strikes, and more combat aircraft put into the fight.

Launch ruthless special operations. Recent raids into Syria were daring and skillful. But a handful of missions do not resemble the operations led by U.S. Army Gens. Stanley McChrystal and Michael Flynn in 2006–07 that eventually broke the back of ISIS's predecessor, al Qaeda in Iraq, and drove it abroad.

At that campaign's height, commandos conducted multiple missions every night. They analyzed intelligence collected on one ''objective'' to find and fix targets they finished on successive raids. The rhythm, persistence and sheer number of those operations crushed the enemy. Emulate them now, starting near Baghdad.

Capture and interrogate ISIS leaders. Much of the intelligence exploited on those missions came from documents and electronics found in terrorist safe houses. But the best came from interrogations, some conducted on the battlefield as the smoke cleared.

Interrogators acted within the bounds of decency against evil men who deserved no quarter. Yet neither were military and CIA personnel constrained by the rules of evidence and criminal procedure, because their goal wasn't a courtroom conviction, but the location of the next high-value target. A robust program of capturing and roughly interrogating terrorists abroad should resume, first focused on the whereabouts of ISIS operatives in and around Baghdad.

There is also a role for police work. ISIS has devotees in all 50 U.S. states; hundreds of Americans traveled abroad to fight for them, and some number have returned. The FBI and state and local law enforcement should make aggressive use of antiterror statutes to question—and perhaps flip into informants—suspects who may be in contact with terror leaders with details of ISIS plans regarding Baghdad. Congress should reauthorize the National Security Agency's signals intelligence programs identifying such communications between Americans and known terrorists abroad.

Send ground combat forces. Despite U.S. efforts to retrain them, the Iraqi army is now unable or unwilling to stand and fight ISIS alone. Its commanders have shamefully thrown down their weapons, discarded their uniforms, and abandoned their men and posts when ISIS threatens. The Iraqi army needs a backbone transplant.

U.S. airborne units can arrive quickly to secure Baghdad's airport and the long and vital road from the city to that airfield. More Marines can better defend the U.S. Embassy in Baghdad. Americans can stiffen Iraqi lines around the city, and provide artillery and engineer units needed in urban combat. U.S. cavalry units can launch what imperial Britain called ''punitive expeditions'' to destroy ISIS lairs further afield.

The arrival of thousands more American fighting men will improve the Iraqi army's performance. It was no accident that the Sunni Awakening and U.S. surge succeeded at the same time in 2006–07. As U.S. troops poured in, Sunni sheiks cast their lot with what Bing West memorialized as the ''The Strongest Tribe'' in his book of the same name.

There are natural advantages to defending Baghdad, which the Iraqis can exploit if steeled by U.S. troops. To seize the capital, ISIS's lines of communication would expand, a logistical challenge that would leave them more vulnerable to counterattack. The Iraqi army's lines of communication would helpfully contract.

The Tigris River is a significant obstacle, and a defensible one. Urban combat favors prepared defenders. And Baghdad is a dense city, its population having swelled to more than seven million, crammed into a place the size of Baltimore or Boston.

Most important, the predominantly Shiite Iraqi army would be fighting to protect its brethren, unlike previous battles in mostly Sunni cities where they broke and ran.

This fight is winnable. But if the administration whistles past the graveyard and insists its policy is working even as ISIS nears Baghdad and our diplomats there, the White House may face a debacle that makes Benghazi seem minor in comparison.

KECHI OKWUCHI'S ST. THOMAS UNIVERSITY GRADUATION

HON. PETE OLSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 2, 2015

Mr. OLSON. Mr. Speaker, I rise today to applaud Kechi Okwuchi, for her recent graduation from St. Thomas University in Houston.

Over the past ten years, Kechi has had to overcome many hardships. On December 10, 2005 Kechi was the only survivor of a horrific plane crash at Port Harcourt International Airport in Nigeria where her plane made a crash landing nearly 70 meters off of the runway. The crash claimed the lives of all of the other passengers on board including 108 of Kechi's classmates and friends. After receiving medical treatment in South Africa, Kechi moved to Pearland to receive medical treatment at Shriner's Hospital for Children in Galveston. At her May 16th Commencement Ceremony, Kechi was selected to give a speech before crossing the stage and receiving her degree. She has met and conquered many obstacles on her way to receiving her diploma. Her positive outlook throughout it all is truly an inspiration.

On behalf of the Twenty-Second Congressional District of Texas, congratulations again to Kechi for graduating from St. Thomas University.

PERSONAL EXPLANATION

HON. XAVIER BECERRA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 2, 2015

Mr. BECERRA. Mr. Speaker, I was unavoidably detained and missed roll call votes 253, 254, 255, 256, 257, 258, 259, and 260. If present, I would have voted ''no'' on roll call 253, ''yea'' on roll call 254, ''yea'' on roll call 255, ''yea'' on roll call 256, ''yea'' on roll call 257, ''no'' on roll call 258, and ''no'' on roll call 260.

SABLATURA MIDDLE SCHOOL STUDENT COUNCIL

HON. PETE OLSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 2, 2015

Mr. OLSON. Mr. Speaker, I rise today to congratulate the Sablatura Middle School Student Council on receiving the National Association of Elementary School Principals' Student Council Excellence Award for the 2014–2015 school year.

This prestigious award recognizes the outstanding efforts and hard work of students striving towards leadership, citizenship, community service, and campus spirit. This is the fourth year that the Association has awarded Sablatura's student council excellence. We appreciate the dedication that the faculty sponsors make to developing young leaders in Pearland, Texas and look forward to seeing what these students achieve in the future.

On behalf of the Twenty-Second Congressional District of Texas, congratulations again to the Sablatura Middle School Student Council for this remarkable achievement.

PERSONAL EXPLANATION

HON. LUIS V. GUTIÉRREZ

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 2, 2015

Mr. GUTIÉRREZ. Mr. Speaker, I was unavoidably absent in the House chamber for votes on Monday, June 1, 2015.

Had I been present, I would have voted ''yea'' on roll call vote 264, ''yea'' on roll call vote 265, and ''yea'' on roll call vote 266.

Finally, I would have voted ''nay'' on roll call vote 267 in opposition to H.R. 1335, the Strengthening Fishing Communities and Increasing Flexibility in Fisheries Management Act.

JAELYNN WALLS GIRL SCOUTS OF THE USA GOLD AWARD

HON. PETE OLSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 2, 2015

Mr. OLSON. Mr. Speaker, I rise today to congratulate Jaelynn Walls, for earning the Girl Scouts of the USA Gold Award, the most prestigious Girl Scout honor.

Jaelynn is a tenth-grader at Carnegie Vanguard High School. She earned the award for her diligent work and dedication to spread her ''No Texts, No Wrecks'' campaign. Jaelynn recruited more than 15 volunteers to accompany her to driving schools in her community to stress the importance of not texting and driving. She also collected more than 400 pledges from young drivers who promised to not text and drive. Jaelynn has been a member of the San Jacinto Council for 13 years and previously earned the Girl Scout Bronze and Silver Awards. What an accomplished young woman.

On behalf of the Twenty-Second Congressional District of Texas, congratulations again to Jaelynn Walls for receiving the Girl Scouts of the USA Gold Award.

IN HONOR OF BRYAN KECK, SCRIPPS NATIONAL SPELLING BEE PARTICIPANT FROM DUBUQUE, IOWA

HON. ROD BLUM

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 2, 2015

Mr. BLUM. Mr. Speaker, I rise today to congratulate a constituent from my district, Bryan Keck from Dubuque, Iowa, on his participation in the Scripps National Spelling Bee.

Bryan, a seventh grader at Eleanor Roosevelt Middle School in Dubuque, Iowa, won the Telegraph Herald Media Regional Spelling Bee last March to earn a spot in the national bee. Last week, he and his family traveled to National Harbor, Maryland where 285 spellers from across the United States competed during Bee Week 2015 at the Gaylord National Resort and Convention Center.

In the preliminary round, Bryan correctly spelled ''omnivorous''—an adjective meaning ''of an animal or person feeding on food of both plant and animal origin.'' He also correctly spelled ''rhipiphorid''—a noun that classifies certain types of beetles.

In his free time, Bryan enjoys, giving back to his community through the Boy Scouts, going bowling, playing Minecraft, and reading crime novels. He hopes to one day become a federal prosecutor.

I would like to extend my sincerest congratulations, c-o-n-g-r-a-t-u-l-a-t-i-o-n-s, congratulations to Bryan on his participation in the Scripps National Spelling Bee and wish him well in all his future endeavors.

RECOGNIZING MATTHEW MURRAY

HON. PETE OLSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 2, 2015

Mr. OLSON. Mr. Speaker, I rise today to congratulate Matthew Murray for winning Top Male Individual at the 16th Annual Texas State High School Triathlon Championships.

Matthew, a junior at Dawson High School in Pearland, was among almost 250 competitors from around Texas. Each competitor was required to compete in a 500 meter lake swim, 14 mile bike and 3 mile run. Matthew's win speaks to his dedication to the sport and immense athletic ability. This was his second year in a row to win Top Male Individual. He has made his family, coaches and community proud. We wish him the best of luck in his future endeavors.

On behalf of the Twenty-Second Congressional District of Texas, congratulations again to Matthew for his back-to-back wins of Top Male Individual at this year's Triathlon Championships.

HONORING WHEELING PUBLIC WORKS DIRECTOR ANTHONY STAVROS

HON. ROBERT J. DOLD

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 2, 2015

Mr. DOLD. Mr. Speaker, I rise today to recognize the career and contributions of Wheeling Public Works Director Anthony Stavros. Mr. Stavros is retiring next month and leaves behind a reputation of strong dedication and commitment to the people of Wheeling, Illinois.

Throughout his career, Mr. Stavros served the Village of Wheeling in various roles and capacities in the Public Works Department. As Director, he oversaw multiple divisions managing parks, infrastructure, and flood and snow operations, all of which are vital to the well-being and safety of the community. A number of his successful projects were recognized by the American Public Works Association including his work on the Cornell Avenue Dam Rehabilitation.

Mr. Stavros leaves a lasting legacy through his integrity, leadership, and commitment to the improvement and maintenance of the Wheeling community. Mr. Speaker, it is my honor to express my gratitude to Mr. Anthony Stavros for his forty-five years of exemplary service.

CLEMENTS HIGH SCHOOL MIXED RELAY TEAM

HON. PETE OLSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 2, 2015

Mr. OLSON. Mr. Speaker, I rise today to congratulate Christy Lee, Yaobin Chen, Mia Craven for earning the Top Mixed Relay Award during the 16th Annual Texas State High School Triathlon Championships.

These Clements High School athletes were among almost 250 competitors from Texas competing in this race. Each relay team was required to compete in a 500 meter lake swim, 14 mile bike ride and 3 mile run. This win speaks to the team's dedication to the sport and immense athletic ability. We wish the team luck throughout their academic and athletic careers.

On behalf of the Twenty-Second Congressional District of Texas, congratulations again

to Christy, Yaobin, and Mia for winning the Top Mixed Relay award in this year's Triathlon Championships.

97TH ANNIVERSARY OF AZERBAIJANI REPUBLIC DAY

HON. HENRY CUELLAR

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 2, 2015

Mr. CUELLAR. Mr. Speaker, I rise today to recognize Azerbaijanis around the world, in celebration of Republic Day on May 28. Republic Day commemorates Azerbaijan's declaration of its independence from the Russian Empire in 1918, becoming the first Muslim democratic secular republic in the region. Although only lasting two years, the Democratic Republic of Azerbaijan achieved considerable success in state-building and creating educational foundations for future generations. The Democratic Republic of Azerbaijan granted suffrage to women shortly after its creation, ahead of most Western democracies.

Despite all of its successes, the Democratic Republic of Azerbaijan was not in a position to weather the occupational forces of the then newly formed Soviet Russia. Consequently, Azerbaijan temporarily lost its independence in 1920 and later was brought into the U.S.S.R. In 1990, Azerbaijan regained its independence from the U.S.S.R., ending 70 years of Soviet rule. On August 30, 1991, Azerbaijan's Parliament adopted the Declaration on the Restoration of Independence of the Republic of Azerbaijan, and on October 18, 1991, the independence was approved by the adoption of a Constitutional Act.

Since its independence, the Republic of Azerbaijan has been an ally and is among the first nations who offered unconditional support to the United States in the global War on Terrorism, providing its airspace and the use of its airports for Operation Enduring Freedom in Afghanistan. Today, Azerbaijan continues to be a strategic partner with the U.S.

Mr. Speaker, I ask my colleagues to join me in thanking the people of Azerbaijan for their valuable partnership and congratulate Azerbaijanis around the world on the 97th anniversary of Republic Day.

CLEMENTS HIGH SCHOOL ALL-MALE TRIATHLON RELAY TEAM

HON. PETE OLSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 2, 2015

Mr. OLSON. Mr. Speaker, I rise today to congratulate Aaron Pan, Brian Yuen, and Abraham Mcbarkin, for earning Top All-Male Relay during the 16th Annual Texas State High School Triathlon Championships.

The Clements High School sophomores were among almost 250 competitors from around Texas competing in this race. Each relay team was required to compete in a 500 meter lake swim, 14 mile bike ride and 3 mile run. Their win recognizes extreme athletic ability as well as a strong dedication to the sport. We wish each of these young men luck throughout their academic and athletic careers.

On behalf of the Twenty-Second Congressional District of Texas, congratulations again to Aaron, Brian, and Abraham for earning the Top All-Male Relay team at this year's Triathlon Championships.

PERSONAL EXPLANATION

HON. XAVIER BECERRA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 2, 2015

Mr. BECERRA. Mr. Speaker, I was unavoidably detained and missed roll call votes 264, 265, 266, and 267. If present, I would have voted ''yea'' on roll call 264, ''yea'' on roll call 265, ''yea'' on roll call 266, and ''no'' on roll call 267.

PERSONAL EXPLANATION

HON. JOSEPH CROWLEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 2, 2015

Mr. CROWLEY. Mr. Speaker, on June 1, 2015 I was absent for recorded votes #264 through 267 due to a weather-related flight delay.

I would like to reflect how I would have voted if I were here:

On Roll Call #264 I would have voted yes.
On Roll Call #265 I would have voted yes.
On Roll Call #266 I would have voted yes.
On Roll Call #267 I would have voted no.

CINCO RANCH ALL-FEMALE TRIATHLON RELAY TEAM

HON. PETE OLSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 2, 2015

Mr. OLSON. Mr. Speaker, I rise today to congratulate Katie Rinderknecht, Ava Rinderknecht and Sydney Rinderknecht, for winning the Top All-Female Relay during the 16th Annual Texas State High School Triathlon Championships.

Ava and Sydney are sophomores at Cinco Ranch High School, and Katie is a freshman. These young women were among almost 250 competitors at the Triathlon Championships. Each relay team was required to compete in a 500 meter lake swim, 14 mile bike ride and 3 mile run. Their accomplishment recognizes extreme athletic ability, as well as a strong dedication to the sport. We wish each of these young women luck throughout their academic and athletic careers.

On behalf of the Twenty-Second Congressional District of Texas, congratulations again to Katie, Ava, and Sydney for winning Top All-Female Relay team at this year's Triathlon Championships.

IN HONOR OF HARLEM HELLFIGHTER SERGEANT HENRY JOHNSON RECEIVING A POSTHUMOUS MEDAL OF HONOR

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 2, 2015

Mr. RANGEL. Mr. Speaker, I rise today to honor Sergeant Henry Johnson. Sergeant Henry Johnson epitomizes what it means to be a great American hero and patriot. I thank President Barack Obama for posthumously awarding the Medal of Honor to Sgt. Johnson, a New York native and distinguished member of the 369th Infantry Regiment, popularly known as the 'Harlem Hellfighters.' With our nation's highest honor of valor bestowed upon Sgt. Johnson, his legacy will be enduring and highlighted in the annals of history.

As a black soldier living in the first decades of the 20th Century, Sgt. Johnson never saw the accolades he so rightly deserved during his lifetime. He enlisted in the military soon after Congress declared war on Germany in June 1917, and was assigned to Company C, 15th New York (Colored) Infantry Regiment—an all-black National Guard unit, which would later become the 369th Infantry Regiment of the 93rd Division, American Expeditionary Forces. The following year, the 369th deployed to France where Sgt. Johnson fought off advancing German soldiers who were trying to raid his French and American camp. Even as he was wounded 21 times, Sgt. Johnson risked his own life to save a fellow soldier from being captured or killed. Indeed, Sgt. Johnson valiantly held back the enemy force until they retreated.

In addition to earning respect from his fellow American and French soldiers, Sgt. Johnson's remarkable deed of courage inspired other black soldiers like me to salute the flag and serve our country with pride and distinction. As a Korean War Veteran, I learned from Sgt. Johnson and other heroes of the 369th Infantry Regiment who fought in World War I and World War II the true meaning of service and sacrifice for the nation.

Since its inception, the 'Harlem Hellfighters' of the 369th Infantry Regiment have participated in every conflict since World War I, including the battles we fight today. I am honored to belong to the 369th Harlem Hellfighter Veterans' Association based in Harlem of my congressional district. Along with my dear friend Percy Ellis Sutton, Major General Nathaniel James, the first African American Commander of the New York State Guard, Korean War Veteran Donald H. Eaton, Civil Rights Attorney Paul Zuber and William K. Defosset, who served in the U.S. State Department and the New York Police Department were all active members who helped pass my bill in Congress to secure the Federal Charter for the Association. In 2003 when Sgt. Johnson was posthumously awarded the Distinguished Service Cross, we said we would not stop fighting until Sgt. Johnson was awarded the Medal of Honor. The late Filmmaker William Miles who was also a member and documented the history of the Harlem Hellfighters in the film, ''Men of Bronze'' played a huge

role in raising the awareness of Sgt. Johnson's heroism. Today is a victorious day for all of us, the people of Harlem, African Americans, our comrades in arms, friends in Congress and the community, as it marks a significant milestone in American history. We are exceedingly proud to see that Sgt. Henry Johnson has finally received the proper recognition he has duly earned.

RECOGNIZING JUDSON HIGH SCHOOL WOMEN'S TRACK AND FIELD TEAM

HON. HENRY CUELLAR

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 2, 2015

Mr. CUELLAR. Mr. Speaker, I rise today to recognize the Judson High School women's track and field team for their second state championship win under the leadership of Coach Renee Gerbich.

On Saturday, May 16th, the Judson Rockets earned their spot as champions when Darionne Gibson, Dominique Allen, Zantori Dickerson, and Mariah Kuykendall won the gold medal in the final event of the UIL 6A state championship in Austin, the 1,600-meter relay. In the last eleven seasons, the team has won nine regional titles and two state championships. Last year, the Judson Rockets became the first women's track and field team in the Greater San Antonio area to win a state title in the UIL's 6A classification.

As well as their triumph in the final event, the team broke the area record for the 200 with senior Kiana Horton's gold medal-winning performance. Kiana Horton, Talajah Murrell, Konstance James, and Kiara Pickens broke the city and school records for the 400-meter relay, winning the silver medal. They were joined at the championship by junior Maia Campbell, who competed in shot put.

Mr. Speaker, this is a momentous occasion for Judson High School and I am honored to have the opportunity to recognize the Judson Rockets for their record-setting victory.

PERSONAL EXPLANATION

HON. SEAN P. DUFFY

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 2, 2015

Mr. DUFFY. Mr. Speaker, on Monday, June 1, 2015, I was unavoidably detained traveling from Wisconsin due to a weather related flight delay. Had I been present, I would have voted in the following ways:

1) On roll call no. 264 (Dingell Amendment to H.R. 1335)—No

2) On roll call no. 265 (Lowenthal Amendment to H.R. 1335)—No

3) On roll call no. 266 (Democrat motion to recommit to H.R. 1335)—No

4) On roll call no. 267 (Passage of H.R. 1335)—Aye

SENATE—*Wednesday, June 3, 2015*

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

PRAYER

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

Let us pray.

Our Father God, in the fret and fever of these challenging times when we know not what a day may bring forth, we thank You for this quiet moment when all else is shut out and our hearts are uplifted to You. Lord, we cannot make better laws or a better world except as we are better people.

Inspire our lawmakers to make and keep their inner lives pure and kind and just. Show them what You desire for this Nation and world, and help them to be faithful agents for bringing Your will to pass.

Correct our mistakes, redeem our failures, and confirm our right actions. Lord, crown this day with the benediction of Your peace.

We pray in Your wonderful Name. Amen.

PLEDGE OF ALLEGIANCE

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

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

RECOGNITION OF THE MINORITY LEADER

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

THE REPUBLICAN-LED SENATE

Mr. REID. Mr. President, over the past several years, we have seen a very disturbing practice which is becoming commonplace in the Republican-dominated U.S. Congress. Governing by brinkmanship, manufactured crisis, flirting with deadlines, a game of chicken—we can call it whatever we want, but Republicans are doing it. Governing by crisis is a modus operandi of the modern Republican Party. We saw it in 2011, as the newly elected Republican majority in the House pushed the U.S. Government to the threshold of shutdown and default, and again with the so-called fiscal cliff in 2012—financial brinkmanship for our whole country—and then, of course, the infamous government shutdown that actually did occur in 2013, and it occurred over a period of several weeks and was devastating to our economy.

But since the Republicans assumed control of the Senate earlier this year, the brinkmanship in the Halls of the Capitol has become unbearable. Recall what happened this past February. ISIS had just burned a man alive in a cage. We saw that. The world saw that. The tragic Charlie Hebdo shooting had just occurred a month earlier in France, and that spilled over into Belgium, where more people were killed. Belgium authorities were making sweeping arrests of terror cells, and ISIS was threatening us in our homeland. Three Brooklyn men were arrested for trying to join ISIS here in our homeland. Yet, in this tumultuous environment, Senate Republicans brought the American Government within hours of a shutdown of the Department of Homeland Security. This is a Cabinet-level office that was created during the Bush administration, the Agency responsible for the safety of each American in our homeland. It was stunning.

But even more stunning is the fact that they keep doing it over and over again. This past week, it happened with the expiration of the important PATRIOT Act provisions. A few Senators wanted to offer some amendments on that legislation. That is all it was—amendments. In fact, on the Friday night of the debate, one Senator said: I will take two amendments. We on this side agreed—two amendments. Nope. Can't do that. And so, again, brinkmanship. The PATRIOT Act is a law that helps keep terrorists from attacking America. Would it have been asking too much to have a little bit of time to debate this issue? We were not given that time.

The Republican leadership knew for years that these programs were scheduled to expire on June 1, 2015. People who didn't like this act—and there were a number of them—gave speeches all over the country talking about the act. It was no secret that the act was not that popular in some people's minds.

Last year, Senator MCCONNELL knew this deadline was looming when he prevented the Senate from debating another version of the USA FREEDOM Act by conducting one of their hundreds of filibusters stopping President Obama's efforts. And the majority leader knew a month ago that the deadline was coming and chose to prioritize other legislation over these critical programs. So what happened? The authority for these sensitive programs expired.

Yesterday, we passed the USA FREEDOM Act, reestablishing these important terror-fighting provisions with some improvements in them. But for 2 days, America had its guard down. Every minute that passed from that lapse to passage of the USA FREEDOM Act was an unnecessary gamble with our national security. And for what? What did the Republicans achieve by letting these provisions lapse?

This is no way to govern—using legislative deadlines as some kind of ransom, staggering from one catastrophe to another.

Now on the horizon are two more important deadlines for legislation that is important to the American people—the Export-Import Bank and the Federal highway program. And what are we doing? We are not doing these measures; we are on a bill that the President said he is going to veto. The Export-Import Bank expires at the end of this month, which is just a few weeks from now.

The Bank creates jobs by providing loans and loan guarantees to foreign customers who purchase American exports. This year alone, the Export-Import Bank supported 165,000 American jobs—165,000 jobs. What does it cost the American taxpayer? Zero. Nothing. In fact, it makes money for our country. Over the last 10 years, the Bank has returned more than $7 billion to the Treasury.

The majority leader should bring the Bank's reauthorization to the Senate floor for a vote before the charter expires at the end of this month, but it appears that is not going to happen. The senior Senator from Texas is already saying the Republicans have no intention of meeting that deadline. Instead, the American people will have to endure another manufactured crisis at the hands of Senate Republicans. Should we also assume the majority leader will do the same with the Federal highway program, which expires at the end of July? The Senate also faces a looming deadline for that program. It is critical that we craft a long-term solution to America's crumbling roads, highways, bridges, and rail systems.

Just a few miles from here, we have the Memorial Bridge. It is a beautiful bridge. It was built in the 1930s. The Memorial Bridge connects the Arlington National Cemetery to the Lincoln Memorial and the Mall. It is one of the busiest bridges in the whole DC area. Each day, 68,000 cars and buses cross that bridge, along with countless pedestrians and bicyclists.

Last week, Federal officials announced they will be shutting down

two lanes of the bridge to repair the bridge, which is structurally deficient, which was caused by a number of problems, not the least of which is corrosion due to all of the moisture we have here. That is a problem we have with everything. And the problems, just minutes from the Capitol, are a daily reality for millions of Americans.

The Memorial Bridge is just one of the 64,000 structurally deficient bridges throughout our country. The people in Minnesota understand what this means. They had a bridge collapse, and 30-some people died as a result of that. That happened recently.

How long will we wait to fix these problems? What will it take before Republicans get serious about a solution to our crumbling highways, railroads, and bridges?

We understand. Democrats understand the urgency of the crisis facing our country, and we are ready to work with Republicans to rebuild our bridges, roads, and railway systems. We understand that investing in our surface transportation, including rail, can be a job creator and economy booster. For every $1 billion we spend on these roads, bridges, and rail systems, we employ 47,500 high-paying jobs and many other lesser paying jobs.

Before we left for recess a couple of weeks ago, we passed a short-term extension for the surface transportation programs. That is the 33rd time we have done that. Now that we are back in session, there appears to be no urgency from the Senate Republicans to schedule committee hearings, mark up the bill or to make the highway trust fund solvent.

Once again it seems the majority leader is content to let another vital program lapse, regardless of the harm it does or the American jobs he puts at risk.

How many more of these manufactured crises must the American people endure? How many more times would the majority leader let another vital program lapse regardless of the harm it does? It is imperative that Republicans not continue their assault on job creation in America. We should not let the Export-Import Bank or the Federal highway program expire, losing the millions of American jobs they create and sustain. It is beyond belief that on these two important legislative matters, Republicans will not help the American people with instant job creation. In the past, these two issues were never handled this way. The Export-Import Bank had three of its biggest cheerleaders: Reagan, Bush, and Bush. That is not the way it is anymore. The highway bill used to pass every 5 or 6 years, and it would be extended for 5 or 6 years. Until the Republicans changed the way the Senate operates, we used to pass these bills easily—but not now. We are having to address multiple short-term extensions each year and it seems every few months. This will be, as I indicated earlier, the 33rd short-term extension for the Federal highway program. This is not legislating. This is Republican procrastination.

RECOGNITION OF THE MAJORITY LEADER

The PRESIDING OFFICER. The majority leader is recognized.

NATIONAL DEFENSE AUTHORIZATION ACT

Mr. MCCONNELL. Mr. President, I know my good friend, the Democratic leader, is frustrated that he is no longer setting the schedule in the Senate. He seems to differ with the order of priorities that we deal with things here. Yesterday, he said debating the Defense authorization bill was ''a waste of time''—a waste of time to debate the Defense authorization bill in a time of high crisis for our country.

Nevertheless, a new majority sets the agenda of the schedule these days. Today, the Senate turns to the consideration of the National Defense Authorization Act for 2016—in June, not in December, at the end of the year, in a situation in which no amendments are allowed.

This legislation, which authorizes funds and sets out policy for our military annually, is always important, but it is especially important now, given the multitude of threats that challenge us as a nation; for instance, the aggressive rise of ISIL, Iran's ambitions for regional hegemony and its accompanying quest for nuclear weapons, and both Chinese and Russian efforts to erode American influence and assert domination over their neighbors. It is also important, given the need to start thinking about preparing our armed services for the many global threats the next President will confront the day he or she takes office.

The reality is we have left behind the era of when Americans could withdraw from conflict overseas and escape to the comfort and security provided by vast oceans and isolation. We have lost the luxury of building our forces years after a war has begun. Most important, the simple tradeoff of guns versus butter, drawing down our conventional forces, hollowing them out, and standing behind our nuclear arsenal does not suit the strategic challenges we now face. We can no longer ignore ungoverned spaces. We have left the Cold War long behind. Tradeoffs have become more difficult to accomplish, and they require greater strategic thought than the President has provided, and we have seen the resilience of the terrorist threat.

Senator MCCAIN, the chairman of the Armed Services Committee, is a man with the depth of experience to understand the need to modernize, refit, and prepare our military for the threats and operations in the coming years. Thankfully, for the Senate, he is also a man with vision to craft a bill that could put us on a path to address those challenges—legislation that could help equip the next President with adequate capabilities to address threats from adversaries like Russia, China, ISIL, and Al Qaeda, not to mention the unforeseen challenges that inevitably arise. That is just the course this Defense authorization bill proposes to put us on—the correct course. I would like to commend Senator MCCAIN, not just for crafting this bill but for working closely with Members of both parties to steer it through committee with overwhelming bipartisan support.

This legislation proposes to do a lot of things, but fundamentally it is premised on a commonsense idea that we should cut waste and redirect that authorized funding to where it is actually needed—such as meeting the needs of the men and women who put everything on the line—everything—to keep us safe.

In a time when missions are in imbalance with resources for a military that has already had to endure too many cuts in recent years, it just makes sense to do things such as taking on a growing bureaucracy in the Pentagon to make it more efficient and effective, working toward reforming the way our military purchases weapons and equipment, and improving and modernizing the military retirement system in order to secure greater value and choice for servicemembers.

Overall, this bill authorizes about $10 billion in savings for actual military needs. These authorities will allow for improvements in the training and capability of our forces, and they will help us develop new technologies to maintain superiority on the battlefield. Our constituents stand to benefit from many of the provisions in this bill as well.

For instance, Kentuckians will be glad to know this legislation would authorize a new Special Forces facility at Fort Campbell. They will also be glad to hear it will authorize construction projects and an important new medical clinic at Fort Knox—an initiative I have championed literally for years.

It is no wonder why so many Democrats joined Republicans to support this bill on the floor of the House of Representatives or why they joined Republicans in the Armed Services Committee to pass this bill on an overwhelming bipartisan basis, too, which of course is the tradition, both of that committee and of the Senate as a whole.

Now we need to keep the momentum going because this defense policy bill cannot fall hostage to partisan politics. Too much is at stake.

We just heard more partisan saber rattling from the White House yesterday, which is now threatening to block a pay raise for our troops unless Congress first agrees to spend billions more pumping up bloated bureaucracies like the IRS. That is despite the fact that the funding level in this bill is exactly—exactly—the same as what President Obama requested in his budget. Let me say that again. The funding level in this bill is exactly what President Obama requested in his budget—$612 billion.

As I said earlier, the Democratic leader appeared to go even further, essentially saying that voting to support the men and women who protect us is now ''just a waste of time.'' It is just a waste of time, according to the Democratic leader, to be debating the bill about the men and women who protect us. The assumption, I guess, is his party isn't getting its way on other partisan demands completely unrelated to the bill, so they want to punish the men and women of our military.

Look, we understand that some of our Democratic friends might be so determined to increase spending for Washington's bureaucracies that to achieve it they would even risk support for our men and women in uniform in the face of so many global threats. I certainly don't love every aspect of the Budget Control Act, especially the effects we have seen on the defense side in hindering our ability to modernize the force and meet the demand of current operations. But to deny brave servicemembers the benefits they have earned putting everything on the line for each one of us, for these partisan reasons, would be profoundly unfair to our troops.

Blocking this bill is not in the national interest. So let's skip the partisan games and start working toward commonsense reforms, as this bill proposes. Let's work together to pass the best Defense authorization bill possible.

I urge Members of both parties who want to offer amendments to go ahead and do so and then work with the bill managers to get them moving. We have that opportunity this year because we returned to the regular order and because we are considering the NDAA at the appropriate time in the session, rather than at the very last minute with little time for thoughtful consideration of amendments, as had become the unfortunate norm under the previous majority. This positive turn is another credit to Senator MCCAIN's leadership.

Of course, no Defense authorization bill will ever be perfect, but this legislation reflects a good-faith effort to authorize programs in the political reality in which we live today. It is bipartisan reform legislation that proposes to root out waste, improve our military capabilities, support the brave Americans who protect us, and make preparations for challenges, both foreseeable and unforeseeable, in the years ahead.

RESERVATION OF LEADER TIME

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

MORNING BUSINESS

The PRESIDING OFFICER. Under the previous order, the Senate will be in a period of morning business until 11 a.m., with Senators permitted to speak therein, with the time equally divided, with the majority controlling the first half and the Democrats controlling the final half.

The Senator from Wyoming.

FEDERAL WATER QUALITY PROTECTION ACT

Mr. BARRASSO. Mr. President, last week, our Nation observed Memorial Day. We paid tribute to the sacrifices so many Americans have made to preserve our freedom. Also, last week, while Members were back home, the Obama administration snuck out a new rule that takes away freedom from Americans all across the country.

The Environmental Protection Agency released the final version of a new rule that will dramatically increase the agency's power and will devastate Americans' ability to use their own property and their own water. With this rule, President Obama's Environmental Protection Agency overreaches and ignores the American public. The rule is an attempt to change the definition of what the Clean Water Act calls waters of the United States.

There is bipartisan agreement that Washington bureaucrats have gone way beyond their authority with this new regulation. They have written this rule so broadly and with so much uncertainty that it is not clear if there are any limits on this Agency's power.

I agree with what the chairman of the Environment and Public Works Committee has to say. He wrote it in an op-ed that appeared yesterday. Senator INHOFE, chairman of the Environment and Public Works Committee, said:

> Not only does this final rule break promises EPA has made, but it claims federal powers even beyond what EPA originally proposed a year ago. This will drastically affect—for the worse—the ability of many Americans to use and enjoy their property.

This rule gives the Agency broad control over things such as any area within 4,000 feet of a navigable water or a tributary. Then, it defines tributaries to include any place where you can see an ''ordinary high water mark'' on what looks like—on what looks like—it was once the bank of a creek body of water—what looks like, not what is but what looks like.

Under the rule, the Environmental Protection Agency can regulate something as waters of the United States if it falls in a 100-year floodplain of a navigable water—not a navigable water but anything within a 100-year floodplain of a navigable water. The rule says the Agency has to find a ''significant nexus'' to navigable water.

What is a significant nexus to the EPA? Well, the Agency gets to make up its own definition. They say it includes something as simple as finding that the water provides—get this—''life cycle dependent aquatic habitat'' for a species that spends part of its time in a navigable water.

All of these terms are things that Washington bureaucrats are defining for themselves. They decide for themselves that they have the authority.

Let's say your property is within 4,000 feet of anything the Environmental Protection Agency decides is a tributary and your property has a natural pond or some standing water after heavy rain, and let's say a bird that spends part of its life on the Colorado River decides to hang out near that natural pond or some standing water after a heavy rain that occurred on your property, under this new regulation, the Environmental Protection Agency now has the power to regulate what you do on that land.

It is bad enough that this administration has taken this extraordinary step. It is bad enough that it has tried to sneak out its rule, hoping that nobody was paying attention over the Memorial Day time at home. There are now reports that the Obama administration may have broken the law. Here is what the New York Times reported on May 18 under the headline on the front page: ''Critics Hear E.P.A.'s Voice in 'Public Comments.' ''

This is an article on the front page of the New York Times about the public comments that government agencies have to collect. They have to collect these comments from the public when they propose new regulations such as this one that they have done with the waters of the United States. The comment period is supposed to be an opportunity for people who might be harmed by the rules to have their say.

Well, according to this front-page article in the New York Times, the Environmental Protection Agency has twisted the public comment requirements into its own private government-funded spin machine. The article says: ''In a campaign that tests the limits of federal lobbying law, the agency has orchestrated a drive to counter political opposition from Republicans and enlist public support in concert with liberal environmental groups and a grass-roots organization aligned with President Obama.''

This tests the limits of Federal lobbying law. This government agency ignored the negative comments by Americans who were concerned about the law, who were hurt by the law. Then it used taxpayer dollars to lobby liberal groups to flood the Agency with positive comments. That is not me; that is what is written in the New York Times. These were the same phony, ginned-up comments it used to justify the dramatic overreach of its new regulations.

It is incredible. It is unacceptable. I believe it is illegal. The Environmental Protection Agency would rather skew public comments in its favor than acknowledge the real concerns that Americans and Members of Congress have with this destructive rule. These are the concerns of farmers, of ranchers, of hard-working families, and of small businesses all across the country.

There was an interesting column in U.S. News & World Report last Friday. The headline says: ''Stop Terrorizing Main Street.'' The column talked about the damage that all this redtape can do to small businesses. It says:

When the EPA jumps up and yells 'boo', entrepreneurs cringe. They withdraw. They feel anxious and reconsider plans to start or expand a business. This is bad for our economy.

This is hurting our country. Well, I believe they are exactly right. That is what Washington does with the uncertainty and the overreach of rules such as this one. It is bad for the economy. It does nothing to improve the quality of our water or the quality of life.

There is universal agreement in this country that we should protect America's navigable waters. There is also bipartisan agreement on the best ways for Washington to help to do that. This is not just Republicans against President Obama. This is Republicans and Democrats working to protect America's waterways and President Obama working, instead, to expand the power of unelected and unaccountable bureaucrats.

Here is how the newspaper The Hill reported it last Thursday with an article with this headline: ''Democrats buck Obama on water rule.'' The article says: ''Dozens of Congressional Democrats are joining Republicans to back legislation blocking the Obama administration's new rule to redefine its jurisdiction over the nation's waterways.''

Now, it is talking about my bill, a bill called the Federal Water Quality Protection Act. The bill has 30 cosponsors in the Senate—Democrats and Republicans alike. A similar bill in the House actually passed with the support of 24 Democrats and every Republican. So what does the administration have to say to the dozens of Democrats in Congress, to the 24 Democrats who voted against the administration, to the millions of Americans who are concerned about this new regulation?

Well, according to the article in The Hill, President Obama's top environmental adviser said of the Democrats who voted for this: ''The only people with reason to oppose the rule are polluters.'' So the President believes that the 24 Democrats who voted to support it and the Democrats in the Senate who cosponsored my legislation are polluters who want to threaten our clean water. That is what the White House thinks of these Democrats in Congress. That is what the White House thinks of anyone who dares to suggest that this rule is bureaucratic overreach. That is such arrogance.

Well, there are a lot of Americans—Democrats and Republicans—who are not going to be intimidated by the Obama administration's power grab or its name-calling. The Obama administration has ignored the strong bipartisan consensus against this rule. It has once again taken its own radical approach. Instead of moving forward with a rule that fails to represent the interests of many Americans, we should act immediately to pass this bipartisan Federal Water Quality Protection Act. This legislation says yes to clean water and no to extreme bureaucracy.

It will protect America's waterways, while keeping Washington's hands off of the things that it really has no business regulating. The Environmental Protection Agency would have to consult with the States to make sure that we have the approach that works best everywhere—not just the approach that Washington likes best. They would not be able to just listen to the echo chamber of phony comments concocted by their own lobbying campaign.

Now, this bill gives certainty and clarity to farmers, to hard-working ranchers, to small business owners and their families. It makes sure that people can continue to enjoy the beautiful rivers and the lakes. They should be preserved and protected. This bipartisan bill protects Americans from runaway bureaucracy—unaccountable, unelected. It restores Washington's attention to the traditional waters that were always the focus before.

The American people do not need more bureaucratic overreach. We do not need more redtape. Congress should act immediately to stop this outrageous regulation before it goes into effect. The Senate should take up and pass this bipartisan Federal Water Quality Protection Act.

I yield the floor.

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

(The remarks of Mr. DAINES pertaining to the introduction of S. 1487 are printed in today's RECORD under ''Statements on Introduced Bills and Joint Resolutions.'')

Mr. DAINES. I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Mr. DURBIN. Mr. President, I ask unanimous consent to speak as in morning business.

The PRESIDING OFFICER. The Senate is in a period of morning business.

IMMIGRATION

Mr. DURBIN. Mr. President, it was 3 years ago this month in June of 2012 that President Obama established the Deferred Action for Childhood Arrivals, known as DACA, that provides temporary—underline the word ''temporary''—legal status to immigrant students who arrived in the United States as children.

DACA is based on the DREAM Act, a bill I introduced 14 years ago, to give undocumented students who grow up in this country a chance to earn their citizenship. These young people have come to be known as DREAMers, and this has become a term of art that is used now across the United States to capsulize the immigration dilemma we face.

While this DACA Program by President Obama has been an amazing success, more than 600,000 of these DREAMers have come forward, paid the filing fee, submitted themselves for background checks, and are now temporarily living in America, going to school and working. DACA has allowed these DREAMers to become part of our country as they strive for education in engineering, education in business—just about every profession you can think of.

This policy of giving people a chance to be part of America's future unfortunately infuriates my Republican colleagues. They have tried over and over and over again to stop the DREAMers, to deport the DREAMers. I don't understand it.

President Obama established this new program called DAPA to build on DACA's success, which allows their parents, under certain circumstances, to stay in the United States on a temporary basis. Under the President's second program, DAPA, undocumented immigrants who have lived in the United States at least 5 years and have American children are required to come forward, pay a filing fee, register with the government, pass a criminal and national security background check, and then pay their fair share of taxes. Those are the conditions. If they violate any of them, they are subject to deportation.

If the government determines that these parents have not committed any

serious crimes, do not pose any threat to our safety, this new Executive order says, on a temporary basis, they will not be targeted for deportation.

I have seen this in Chicago, and I have seen it around Illinois. Many people think the undocumented live in a household full of undocumented people. That is almost never the case.

What I found over and over again is that perhaps one parent, usually the mother, is undocumented—the father, a citizen; kids born in America, citizens; the mother, undocumented. Are we really safer as a nation to break up that family and deport the mother if she is no threat to this country? I don't think so.

DAPA was scheduled to go into effect last month. That is what President Obama had hoped for—and I joined him—but it didn't. Why? Because some Republican Governors and attorneys general have filed a lawsuit to block this new program.

The Supreme Court has been clear that Presidents have the authority to set Federal immigration enforcement priorities. I am confident all of the President's decisions in this matter will be upheld. It is hard for me to understand or explain why the Republicans are so determined to stop any reform of our broken immigration system. For years, Republicans in Congress have refused to even consider legislation to fix our broken immigration system.

I spent a good part of my life, 6 months or more, working in a bipartisan group to write an immigration reform bill for Democrats, for Republicans. We brought it to the floor of the Senate. It passed with 68 votes. Fourteen Republicans, virtually all of the Democrats voted for it. It really addressed every aspect of immigration. Parts of it I didn't like, but overall it was a very good and balanced bill.

When it came to the floor, the Republicans said: Wait a minute. No immigration reform until you get tough at the border.

Well, the record says and shows we are already pretty tough at the border. Illegal immigration is down dramatically. But in an effort to make this bipartisan, we agreed to even more enforcement at the border. Think about this for a second. Today, there are more Federal law enforcement agents on our border with Mexico than the combined total of all Federal law enforcement agents in every other agency, and we increased it in this comprehensive immigration bill. So the argument that we are not getting tough at the border is kind of hard to make. We passed the bill with 68 votes. We sent it to the House 2 years ago. What did the House do? Absolutely nothing—they refused to call the bill. They refused to call any version of the bill. They refused to call their own bill. They refused to even debate the issue of immigration.

Everyone acknowledges our immigration system needs to be improved and changed. They wouldn't even take up the issue. And now, when the President tries, on a temporary basis, to say: I am not going to deport the mother in a family where everyone else is an American citizen or I am not going to deport children who were brought here at the age of 2, who have grown up in America and simply want to be part of our future, the Republicans have said: We will fight you to the death. We will challenge you in every court in the land. We want to deport these people.

What I have found is that it is best for Members of Congress, the Senate, and the American public to meet some of the individuals who are the target of these high emotions and negative feelings on the Republican side. I want to introduce one of them today.

This is Jean-Yannick Diouf. When he was 8 years old, his father, a diplomat from the African country of Senegal, brought his family to the United States. Unfortunately, Yannick's parents separated and Yannick's father returned to Senegal, leaving him and the rest of his family behind. Yannick was too young to even realize it at the time—he was just a little kid—but when his father left the United States, he lost his legal status to live in this country.

Yannick grew up in Montgomery County, MD. In high school, he was a member of the National Honor Society. He volunteered weekly at a homeless shelter. He organized soccer tournaments for 3 years to raise money for the Red Cross for Haiti earthquake relief.

After high school, Yannick wanted to continue his education. But remember, if you are undocumented in this country, you don't qualify for a penny when it comes to Federal assistance—no Pell grants, no Federal Government loans. So he went to Montgomery College, a junior college, and earned an associate's degree in business. He was on the dean's list.

Yannick then transferred to the University of Maryland, College Park. Again, he had to pay for it all. There was no government assistance since he is undocumented. He is working now on a bachelor's degree in business management. He runs the Achievers Mentoring Program. It is an after-school program to advise middle and high school students on how to get into college.

Yannick is also a volunteer for United We Dream, the largest organization of undocumented young people such as himself in this country. He was a leader of the campaign to pass the Maryland DREAM Act, which allows Maryland residents who are undocumented to pay in-State tuition. That is the only break he can get, and it comes from the State.

Keep in mind that Yannick is undocumented. So he doesn't qualify for any financial aid from the Federal Government. Yet he is trying to make a life. Here is what he said in a letter:

> DACA means dignity. More than making money, having a job gives you dignity and self-respect. I want to work for what I have. I don't look to anyone for pity. People should judge me based on what I do and what I stand for, not based on status. I want to be given a chance to prove that not only am I a functioning member of society, I am here to serve and share my talents with those in my community.

Earlier this year, Yannick was one of six DREAMers who met with the President of the United States in the Oval Office. Here is what the President said after he met with Yannick and the other five. He said:

> I don't think there's anybody in America who's had a chance to talk to these six young people who wouldn't find it in their heart to say these kids are Americans just like us, and they belong here, and we want to do right by them.

Well, I think President Obama is right. Yannick and the other DREAMers have so much to contribute to our country. But sadly, Republicans in Congress have a different agenda. They want to shut down DACA, which allows this young man to go to school in the only country he has ever known, and they want to shut down the DAPA Program, which the President has instituted to try to protect the parents of those who have been here at least 5 years.

If they have their way, this young man will be deported to Senegal, a country where he hasn't lived since he was a little boy. Will America be better, if we get rid of folks such as him? Will it be a better country if we tear families apart? I don't think so.

Instead of trying to deport DREAMers and moms and dads, congressional Republicans should work with us to pass a comprehensive immigration reform bill to fix our broken immigration system. The estimates are wide-ranging as to how many young people there are in America like Yannick. Some say 1.5 million. Some say 2.5 million. I have met so many of them.

It wasn't that long ago that we had a bill on the floor of the Senate, and that entire Gallery was filled with young DREAMers. They came wearing caps and gowns—that was their decision—to make the point that they are students—students who are learning and trying to improve their lives to be better and to be a better part of America. That bill was defeated that day. It broke my heart. I went to meet with them afterwards, and I said to them: Don't give up. Don't give up on me, because I am not giving up on you.

I got started on this battle 15 years ago—15 years ago—when I met a young Korean girl in Chicago who was brought here at the age of 2 and who was a musical prodigy. She had been accepted at the Juilliard School of music, the Manhattan conservatory of

music, but she was afraid she couldn't go. She was undocumented. Her mom and dad brought her here to this country at the age of 2, and they never filed the papers.

She grew up in a very poor family, but she went into the Merit Music Program in Chicago and became an accomplished musician. It was because of her that I started and introduced the DREAM Act.

There is good news. She went on to the Manhattan conservatory of music. A generous family in Chicago paid for it because she couldn't get any assistance.

She married a young man, became an American citizen, and played in Carnegie Hall. She is now pursuing her Ph.D. in music. Is America better because of that? Yes, it is. I have no doubt that it is.

Those who don't see the promise in the eyes of these young people and don't see what they can bring to America have forgotten who we are. We are a nation of immigrants. We are a nation that has allowed young people such as these a chance to succeed.

One of them happened to be my mother. My mother was brought here at the age of 2 by a mother who didn't speak English. My mother grew up in this country and raised a family, and I was one of the kids. Here I stand on the floor of the Senate. That is my story. That is my family's story. It is America's story.

The people who show such loathing for these young people and what they mean to us have forgotten that. They have ignored that. Let's rekindle our faith in what makes America great—our diversity, the ambition of young people such as Yannick, and the determination of our generation to open a door to give them a chance to prove themselves to make us better. That is what we are called on to do.

All the petty politics aside, we are talking about human lives and about an opportunity for this young man and so many others to prove to us what they can do for the future of America.

EXPORT-IMPORT BANK REAUTHORIZATION

Mr. DURBIN. Mr. President, if you had to characterize the current Congress with one symbol, I would tell you what I think it should be: an extension cord—you know what I mean?—an extension cord you use at home if the plug doesn't quite reach the outlet.

Why would I pick an extension cord? Because this year, under the leadership in Congress, all we have been doing is extending things a little bit—just a little bit—when we have to.

The Department of Homeland Security appropriation, one of the most important when it comes to the security and safety of the United States, had to be extended and extended and extended, sadly because many in the House wanted to fight the battle of immigration over that bill. Eventually, we prevailed and passed the appropriation after extension and after extension.

Then 2 weeks ago, here on the floor of the Senate, we extended the Federal highway trust fund. What is that? That is a fund where we collect gas taxes every time a gallon of gas is purchased and put it in a fund and then build highways and bridges. We count on that. It used to be a glorious program.

The inspiration for that program was President Dwight David Eisenhower. In the 1950s, President Eisenhower, who had come back from leading America to victory in World War II, remembered what he saw. He saw in Europe, particularly in Germany, an amazing highway system that did not exist in the United States. So President Eisenhower said: We need an interstate highway system in America. It was a bold idea—that the Federal Government would lead in creating an interstate highway system to link every corner of our Nation.

There is not a State that I know of, certainly not in my State, where the interstate highway system hasn't had a dramatic positive impact on the economy. So with the Federal highway trust fund, we built the interstate highway system, we extended the highway system, and now we are in the process of making bridges safer, making certain the highways are extended where they need to be to keep businesses thriving and to create new businesses and jobs in America.

But along comes a group in Congress, a conservative group, that says this is all wrong. Some of them question whether the Federal Government should even have a role in transportation. For them, I have three words: Dwight David Eisenhower, Republican President, who showed the way. Some say it is just impossible to figure out how to fund the building of highways. Well, we have done pretty well so far with the Federal gas tax that is collected. Clearly, we need to look to other forms of revenue. But do we need to give up on the Federal highway program?

Two weeks ago on the floor of the Senate we had the 33rd short-term extension of that program. What it means is we extended it this time for 60 days.

The Federal highway program used to be a 6-year program. Why was it 6 years? Think about the planning, the engineering, acquiring land and building a highway. You can't do it in 60 days, not 6 months, not even in a year. You have to have a commitment of funds that are coming back to the States. In my State, in Illinois, about 75 percent of all the highway construction comes from Federal funds. So when we do short-term extensions, it really says to the States that they can't count on us.

This money will run out at the end of July. Maybe we will extend it again, maybe we won't. Is that any way to run a nation? Is that any way to run a transportation system—again, using the extension cord example, this time for 60 days?

Just a week or so ago, we had another effort on the floor of the Senate here to extend the PATRIOT Act—FISA—which keeps America safe and gives us the power to ferret out those who threaten us. The suggestion was made by the majority leader that we extend it for a few days—a few days. This has become a pattern, and it is a troubling pattern.

One aspect of this that is particularly troublesome is that at the end of June, unless there is a sincere bipartisan effort, we are going to lose the Export-Import Bank. I have heard a lot of speeches in the Senate about how the United States businesses, especially small businesses, are really the backbone of our economy. Oh, we all give those speeches. As these businesses grow and expand, they often look to foreign exports.

We know that every $1 billion in new export sales supports at least 6,000 new jobs in this country. So every opportunity to export U.S. products helps communities and families. The primary Federal program that allows most of these very small businesses to export is about to expire. It is about to expire at the end of this month.

The Export-Import Bank provides financing insurance so that U.S. companies, many of them very small, can compete in the global economy. Here is how it works. The Export-Import Bank makes loans to firms exporting American-made goods. This allows businesses, including 3,340 small businesses across the United States, to sell their goods and services to businesses all over the world. They support about 164,000 jobs.

More than 100 of these companies are located in Illinois, and more than 80 of them are small. The Export-Import Bank supports $27.4 billion in exports. And guess what. It doesn't cost the taxpayers a penny. It actually makes money—money that is returned to the U.S. Treasury for other purposes or to reduce our debt. Over the past two decades—20 years—the Export-Import Bank has returned $7 billion to the U.S. Treasury. It is a moneymaker. It goes directly to deficit reduction.

One of the companies the Bank helped is the NOW Health Group in Bloomingdale, IL. It is a natural food and supplement manufacturer with 640 employees, 35 of whom work in exports. According to their chief operating officer, Jim Emme, ''the flexibility in the payment terms we can offer through our Export Import Bank policy has allowed us to grow our business in existing markets as well as open new ones.''

This company has grown its exports from 2 percent of its business to more than 10 percent. They could not have done it without the Export-Import Bank.

There are thousands of stories just like that all over the United States.

I am a cosponsor of Senator SHAHEEN's bill that would increase the lending cap for the Bank to $160 billion and reauthorize it through 2021—not these short-term, 30-day, 60-day, 6-month extensions we have seen under this leadership in Congress.

In the past, reauthorizing the Ex-Im Bank was a bipartisan measure. Republicans used to support it as much as Democrats. But now there is a small group of Republicans, inspired by the Heritage Foundation, who have decided: Let's put an end to this Bank. Let's put an end to the opportunity for small businesses to hire Americans and export goods overseas.

Their hatred of government blinds them to the reality of this Bank and the thousands of jobs that will be lost if they have their way and eliminate the Ex-Im Bank.

They also refuse to recognize that by failing to reauthorize this Bank, U.S. businesses can't compete with businesses in other countries that will still have access to their own export financing agencies. Do you think China is going to put its export-import bank out of business? No. They just increased its size. Our major competitor has stepped up. In this case, many of the leaders in Congress are stepping back. So we are not only hurting ourselves if we can't find a way to go forward.

The Bank is set to expire at the end of the month, which is less than 4 weeks from now. I hope we can come to an agreement by then to pass a bill to reauthorize a program that is critically important to U.S. exports. I hope reasonable voices in the Republican Party will not allow a vocal minority to prevent us from reauthorizing this important program.

PATRIOT EMPLOYER TAX CREDIT ACT

Mr. DURBIN. Mr. President, as the number of candidates grows for the office of President, we are hearing a lot of proposals for changes in the Tax Code. Many of them are interesting, and some of them are damaging when it comes to working for middle-income families.

Sadly, we are seeing a race to the bottom on who can propose the lowest corporate tax rate, giving huge breaks to the very companies that shift jobs overseas. Most Americans don't realize this. If you want to move your production from the United States to another country, you can deduct the moving expenses from the taxes you owe America. We are subsidizing your decision to pick up and move jobs overseas. American workers—some of them are given the sad responsibility to train the supervisors at the new overseas companies while American workers are checking out their last paychecks.

I have a different idea. Instead of rewarding corporations with lower tax bills, we should reward those companies in America that maintain their commitment to this country and its workers and give fair wages and benefits to the American workers. We call it the Patriot Employer Tax Credit Act. It is very basic.

When you look at the Tax Code, it is a huge document full of incentives and disincentives for businesses. We will reward certain things; we won't reward other things. Well, this is something we should consider rewarding.

Senator SHERROD BROWN and I have introduced the Patriot Employer Tax Credit Act, which would provide a tax credit to American companies that treat American veterans and workers the best. It puts the Tax Code on the side of these companies. These patriot employers would be eligible for a tax credit equal to 10 percent of the first $15,000 of qualified wages for American workers, which is about $1,200 per worker.

In order to qualify for this tax credit, these companies would have to meet five criteria. See if you think, as I do, that these are good ideas.

First, the company has to invest in American jobs. Businesses must remain headquartered here in the United States if they have ever been headquartered here before. The company would also have to maintain or increase the number of workers in the United States compared to the number of workers overseas, and not decrease the number of workers through the use of contractors. The company can't pick up and leave, move to a foreign capital to avoid paying its fair share of U.S. taxes.

First, invest in American jobs located in America.

Second, pay fair wages. A patriot employer under our bill would have to pay at least 90 percent of its employees $15 an hour. Why do we pick $15 an hour? Do the math: $15 an hour, 40 hours a week, about $30,000 a year. Why? Because if you make that amount of money, you qualify for virtually no Federal subsidies, Federal programs. You are earning a paycheck and you are supporting your family. If you make less than that, you qualify for Federal Government assistance. So we are saying to employers: If you will pay at least $15 an hour, we will give you this tax credit.

Third, provide quality health insurance for your employees consistent with the Affordable Care Act.

Fourth, help your employees prepare for retirement. We want to reward companies that offer at least 90 percent of their employees a defined benefit plan, such as a pension plan or a defined contribution plan with decent employer contributions.

Fifth, employ a diverse workforce. We want companies to have a plan in place to help veterans and people with disabilities. I don't think that is too much to ask. We grab our flags and march in parades as politicians and thank the veterans over and over. Why don't we thank them with a job? And let's reward the companies that do.

That is it, five conditions. And with these five conditions, these patriotic American companies would get a tax break. Wouldn't it be better for us to incentivize American companies to do the right thing rather than pay the moving expenses for those that want to leave the country? That is a choice. I think it is pretty simple.

I know it can be done because in Skokie, IL, there is a company doing it. It is called Block Steel. The company started 100 years ago and has grown to be the largest distributor of aluminized steel in the Nation. It is a family-run business. It has ensured that 77 employees are treated fairly. Each of their employees is paid more than $15 an hour, has good health care, and a good retirement. Block Steel should be rewarded for its efforts. Under the Patriot Employer Tax Credit Act, Block Steel could qualify for a tax credit of up to $100,000. That is money they can invest in their business and grow it, with even more people working.

As this debate about tax reform continues, I hope we focus on rewarding companies that really care about America. We shouldn't be blindly focused on a race to the bottom to the lowest wages. And, I might add, this is paid for. It is paid for by eliminating the deduction for moving businesses overseas that is currently part of the Tax Code.

So let's reform the Tax Code the right way, with an eye on helping the workers get a decent paycheck, decent benefits, and rewarding the companies that put American workers first.

I thank Senators SHERROD BROWN, ELIZABETH WARREN, JACK REED, TAMMY BALDWIN, and BERNIE SANDERS for lending their support to this important bill. I look forward to continuing our fight for working families here in the Senate.

Mr. President, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2016

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to the consideration of H.R. 1735, which the clerk will report.

The legislative clerk read as follows:

A bill (H.R. 1735) to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

The PRESIDING OFFICER. Under the previous order, the time until 2:30 p.m. will be for debate only and equally divided between the bill managers or the designees.

The Senator from Arizona.

AMENDMENT NO. 1463

(Purpose: In the nature of a substitute)

Mr. MCCAIN. Mr. President, I call up amendment No. 1463, which is at the desk.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Arizona [Mr. MCCAIN] proposes an amendment numbered 1463.

Mr. MCCAIN. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

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

(The amendment is printed in the RECORD of June 2, 2015, under ''Text of Amendments.'')

ORDER FOR RECESS

Mr. MCCAIN. Mr. President, I ask unanimous consent that the Senate stand in recess from 1 p.m. until 2 p.m. today.

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

Mr. MCCAIN. Mr. President, it is my pleasure to rise with my friend and colleague from Rhode Island to speak about the National Defense Authorization Act for Fiscal Year 2016. For 53 consecutive years, Congress has passed this vital piece of legislation, which provides the necessary funding and authorizes—I repeat, authorizes—our military to defend the Nation. The NDAA is one of few bills in Congress that continues to enjoy bipartisan support year after year. This is a testament to the legislation's critical importance to our national security and the high regard with which it is held by the Congress.

Last month, the Senate Armed Services Committee voted 22 to 4 to approve the NDAA, an overwhelming vote that reflects the committee's proud tradition of bipartisan support for the brave men and women of our armed services.

I thank the committee's ranking member, the Senator from Rhode Island. Despite his failure of education at our Nation's military academy, I appreciate the thoughtfulness and bipartisan spirit with which he approaches our national security. It has been a pleasure to work with Senator REED over the last few months and years on this legislation and today as we appear on the floor on behalf of this legislation.

We have worked through some of the toughest issues facing our military today. We have our differences on some aspects of this legislation, but those differences have never interfered with the search for common ground and consensus. This is a much better bill thanks to the Senator from Rhode Island.

I also thank the majority leader, the Senator from Kentucky, for his commitment to resuming regular order and bringing the NDAA to the floor this week. Under the leadership of the Senator from Kentucky, the Senate will be able to take up this critical national security legislation on time, allowing for thoughtful consideration and amendments and giving our military the certainty they need to plan and execute their missions.

That stands in stark contrast to the last 2 years under Democratic leadership, when this body failed to take up the NDAA until the very end of the year, at the last minute, with no amendments allowed.

Just yesterday the Democratic leader said considering this vital Defense bill is just a ''waste of time''—waste of time. Those comments must be very disappointing to the servicemembers, retirees, and their families in his home State of Nevada who clearly understand the importance of this legislation.

The fiscal year 2016 NDAA is a reform bill. It tackles acquisition reform, military retirement reform, personnel reform, commissary reform, headquarters and management reform. This legislation delivers sweeping defense reforms that can enable our military to rise to the challenges of a more dangerous world, both today and in the future. The Armed Services Committee identified $10 billion of excess and unnecessary spending from the President's defense budget request, and we are reinvesting it in military capabilities for our war fighters and reforms that can yield long-term savings for the Department of Defense. We did all of this while upholding our commitments to our servicemembers, retirees, and their families.

This legislation is a reflection of the growing threats we face in the world. Over the past few months, the Senate Armed Services Committee has received testimony from many of America's most respected statesmen, thinkers, and former military commanders. These leaders had a common warning: America is facing the most diverse and complex array of crises since the Second World War. Just consider some of the troubling events that have transpired over the past year.

In Ukraine, Russia has sought to redraw an international border and annex the territory of another sovereign country through the use of military force. It continues aggressively to destabilize Ukraine, with troubling implications for security in Europe. Yet the President continues to refuse to provide Ukraine with the defensive weapons they need and have repeatedly requested to defend their sovereign nation from Russia's onslaught.

In the Middle East, a terrorist army, with tens of thousands of fighters, many holding Western passports, has taken over a vast swath of territory and declared an Islamic State in the heart of one of the most strategically important parts of the world. Nearly 3,000 U.S. troops have returned to Iraq to combat this threat, with U.S. aircraft flying hundreds of strike missions a month over Iraq and Syria. Unfortunately, as recent reports suggest, nearly 75 percent of those air missions never even dropped weapons, and meanwhile ISIS is taking territory on the ground, most recently in Ramadi and Palmyra.

At the same time, amid negotiations over its nuclear program, Iran continues to pursue its ambitions to challenge regional order in the Middle East by increasing its development of ballistic missiles, support for terrorism, training and arming of pro-Iranian militant groups, and other malign activities in places such as Iraq, Syria, Lebanon, Gaza, Bahrain, and Yemen.

Yemen has collapsed, as a Shia insurgency with ties to the Iranian regime has toppled the U.S.-backed government in Sana'a. Al Qaeda continues to use parts of the country to plan attacks against the West, the U.S. Embassy has been evacuated, and a U.S.-backed coalition of Arab nations has intervened militarily to reverse the gains of the Houthi insurgency and to restore the previous government to power.

Libya has become a failed state, beset by civil war and a growing presence of transnational terrorist groups, such as Al Qaeda and ISIL, similar to Afghanistan in 2001.

In Asia, North Korea continues to develop its nuclear arsenal and ever-more capable ballistic missiles, and late last year it committed the most destructive cyber attack ever on U.S. territory.

China is increasingly taking coercive actions to assert expansive territorial claims that unilaterally change the status quo in the South and East China Seas and raise tensions with U.S. allies and partners, all while continuing to expand and modernize its military in ways that challenge U.S. access and

freedom of movement in the western Pacific. A recent report in the Wall Street Journal described how China has taken steps to militarize the vast land features that it is actively reclaiming in the South China Sea.

Unfortunately I could go on, but these are just some of the growing threats our Nation faces—threats that are far more serious than they were a year ago and significantly more so than when Congress passed the Budget Control Act in 2011. That legislation arbitrarily capped defense spending and established the mindless mechanism of sequestration, which was triggered in 2013. As a result, with worldwide threats rising, we as a nation are on a course to cut nearly $1 trillion of defense spending over 10 years.

The Committee on Armed Services has conducted wide-ranging bipartisan oversight on the effects of sequestration-level spending on our national defense, and every single military and national security leader who has testified before the committee this year has denounced sequestration and urged its repeal as soon as possible. Indeed, each of our military service chiefs testified that continued defense spending at sequestration levels would put American lives at risk. I want to repeat to my colleagues: Our armed services leaders have told the Armed Services Committee that American lives are at risk if we continue mindless sequestration. Don't we care about the risks and the lives of the young men and women who have volunteered to serve in our military? Don't we care about them?

I urge my colleagues in the Senate and in the House to come together and repeal sequestration, and however that is accomplished, I will be glad to discuss, but our first priority has always been and always will be American security, our national security and the lives of the men and women who have volunteered to defend it.

Unfortunately, this legislation doesn't end sequestration. Believe me, our committee would have done so if the NDAA were capable of it, but it is not. The NDAA is a policy bill. It deals only with defense and national security issues. It does not spend a dollar. It provides the Department of Defense and our men and women in uniform with the authorities and support they need to defend the Nation.

Although the committee could not end sequestration, we did the most we could to authorize necessary levels of funding for the Department of Defense and our men and women in uniform. As a result, the NDAA fully supports President Obama's budget request of $612 billion for national defense, which is $38 billion above the spending caps established by the Budget Control Act. Let me repeat that. This legislation gives the President every dollar of budget authority he requested. The difference is our legislation follows the Senate budget resolution and funds that $38 billion increase through overseas contingency operations—or OCO—funds.

This is not my preferred option. It is not anybody's preferred option that I know of. I recognize that reliance on OCO spending limits the ability of the Department of Defense to plan and modernize our military. For this reason, the committee included a special transfer authority in this legislation that allows the Department of Defense to transfer the additional $38 billion from OCO to the base budget in the event that legislation is enacted that increases the statutory limitations on discretionary defense and nondefense spending in proportionately equal amounts.

This was the product of a bipartisan compromise, and it was the most we could do in the NDAA to recognize the need for a broader fiscal agreement without denying funding for our military right now. Nevertheless, the White House threatened yesterday to veto this legislation over its additional OCO spending and because the Congress has not provided for similar increases in nondefense spending. This is misguided and irresponsible. With global threats rising, how does it make any sense to oppose a defense policy bill—legislation that spends no money but is full of vital authorities that our troops need—for a reason that has nothing to do with national defense spending? The NDAA should not be treated as a hostage in a budget negotiation.

The political reality is that the Budget Control Act was signed by the President and remains the law of the land. So faced with a choice between OCO money and no money, I choose OCO. And multiple senior military leaders who testified before the Armed Services Committee this year said they would make the same choice for one simple reason: This is $38 billion of real money that our military desperately needs and without which, our top military leaders have said, they cannot succeed. Military leader after military leader has testified before our committee that they cannot carry out their obligations in their various commands to defend the Nation if the Budget Control Act—also known as sequestration—continues.

My message is simple: Let's have our fights over government spending, but let's keep those fights where they belong—in the appropriations process, where money is actually spent. The NDAA is not the place for it. If the President and some of my colleagues oppose the NDAA due to concerns over nondefense spending, I suspect they will have a very difficult time explaining and justifying that choice to Americans who increasingly cite national security as a top concern.

I care about nondefense spending. I really believe we need to fund many of the areas, such as the FBI, Border Patrol, and others. But to somehow equate that with national defense with the world as we see it today is either out of ignorance or partisanship—I don't know which, but neither is a valid ambition or reason.

The NDAA is a policy bill, and this year's version is an incredibly ambitious one. It advances major reform initiatives that can make more efficient use of our precious taxpayer dollars while increasing military capability for our warfighters.

In recent years, the Defense Department has grown larger but less capable, more complex but less innovative, more proficient at defeating low-tech adversaries but more vulnerable to high-tech ones. No one is more cognizant of this unfortunate fact than those of us whose responsibility it is to oversee our defense budget on the Armed Services Committee.

It is a top priority for me, my colleague from Rhode Island, as well as all of my fellow committee members to ensure that every dollar we spend on defense is used wisely, efficiently, and effectively. The fiscal year 2016 NDAA makes important contributions to this reform effort. This legislation contains sweeping acquisition reform.

Many of our military's challenges today are the result of years of mistakes and wasted resources. One recent study found that the Defense Department had spent $46 billion between 2001 and 2011 on at least a dozen programs that never became operational. I will repeat that—$46 billion on programs that never became operational. What is worse, I am not sure who, if anyone, was ever held accountable for these failures. At a hearing 2 years ago, I asked the Chief of Naval Operations who was responsible for $2.4 billion in cost overruns on the USS *Gerald R. Ford* aircraft carrier. He had no answer.

In today's vast acquisition bureaucracy where personnel and project managers cycle through rapidly, everyone is accountable and no one is accountable. We need acquisition reform now because our senior leaders must be held accountable for responsible stewardship of taxpayers' dollars.

But this is not just about saving money. Acquisition reform is needed immediately to preserve U.S. technological and military dominance and is therefore a national security imperative. Over the last decade, our adversaries have invested heavily in modernizing their militaries with a focus on anti-access and area-denial technologies designed specifically to counter American military strengths. Meanwhile, an acquisition system that takes too long and costs too much is leading to the erosion of America's defense technological advantage. If we continue with business as usual, I fear the United States could lose this advantage altogether. In short, our broken defense acquisition system itself is

a clear and present danger to the national security of the United States.

The acquisition reforms in this legislation center on five principle objectives.

First, the legislation establishes effective accountability for results. We give greater authority to the military services to manage their own programs, and we enhance the role of the service chiefs in the acquisition process. In exchange for greater authority, the bill demands accountability and creates new mechanisms to deliver it. Service chiefs, service secretaries, service acquisition executives, and program managers would sign up to binding management, requirement, and resource commitments.

The bill also creates new incentives for the services to deliver programs on time and on budget. If military services fail to manage a program effectively, they will lose authority and control over that program, and they will be assessed an annual cost penalty on their cost overruns, with those funds directed toward acquisition risk reduction efforts across the Department.

Second, the legislation supports the use of flexible acquisition authorities and the development of alternative acquisition paths to acquire critical national security capabilities. The bill establishes a new streamlined acquisition and requirements process for rapid prototyping and rapid fielding within 2 to 5 years. It expands rapid acquisition authorities for contingency operations and cyber security missions, and the legislation allows the Secretary of Defense to waive unnecessary acquisition laws to acquire vital national security capabilities.

Third, the NDAA improves access to nontraditional and commercial contractors. To give our military the necessary capabilities to defend the Nation, the Department of Defense must be able to access innovation in areas such as cyber, robotics, data analytics, miniaturization, and autonomy—the innovation that is much more likely to come from Silicon Valley, Austin or Mesa than Washington. But our broken acquisition system, with its complex regulation and stifling bureaucracies, is leading many commercial firms to choose not to do business with the Defense Department or to limit their engagement in ways that prevent the Department from accessing the critical technologies these companies have to offer. The NDAA creates incentives for commercial innovation by removing barriers to new entrants into the defense market. By adopting commercial buying practices for the Defense Department, the legislation makes it easier for nontraditional firms to do business with the Pentagon. The legislation also ensures that businesses are not forced to cede intellectual property developed at their expense to the government.

Fourth, the NDAA streamlines the process for buying weapons systems, services, and information technology by reducing unnecessary requirements, reports, and certification. The legislation retains positive reforms made in the Weapons System Acquisition Reform Act of 2009, but streamlines processes to support more rapid and efficient development and delivery of new capabilities. It would also establish an expert review panel to identify unneeded acquisitions regulations.

Fifth, the legislation reinvigorates the acquisition workforce in several ways, including by establishing several direct-hire authorities for science and technology professionals to join the acquisition workforce. The legislation seeks to improve the attractiveness of acquisition functions to skilled military personnel through credits for acquisition-related assignments, creation of an enhanced dual-track career path to include acquisition, and increased business and commercial training opportunities.

In a Statement of Administration Policy released yesterday, the White House asserted that transferring some acquisition authority back to the services is somehow inconsistent with the Secretary of Defense's exercise of authority, direction, and control over all of DOD's programs and activities. I could not disagree more with this assertion. What this legislation does is merely switch who does what in certain circumstances from different people who all directly report and serve under the authority, direction, and control of the Secretary of Defense. In this legislation, for a limited number of programs to start with, the Secretary of Defense will look to the service Secretaries directly for management of these acquisition programs rather than looking to the Under Secretary of Defense for Acquisition, Technology, and Logistics or AT and L. This is not usurpation of the Secretary of Defense's power. It is called streamlining of authorities and reducing layers of unnecessary bureaucracy. There is a section in the legislation that would allow the Secretary of Defense to continue to rely on more layers of management if he chooses but only if he certifies to Congress that this makes sense. There simply is not any undermining of the Secretary of Defense's authority here.

Another concern raised has been that the transfer of milestone decision authority to the services would reduce the Secretary of Defense's ability through AT and L to guard against unwarranted optimism in program planning and budget formulation. Unwarranted optimism is indeed a plague on acquisition, and there is not a monopoly of that in the services. Yet there is nothing in this bill that overrides the requirement to use better cost estimates from the Office of Cost Assessment and Program Evaluation. In fact, new incentives and real penalties imposed on the services in the bill are designed to put some of this optimism in check.

There is also belief manufactured in parts of the Department that the current system is working. They are saying the current system is working. That is laughable. The statistics are improving, first of all, because Secretary Gates canceled over 25 programs. It is easier to make your numbers when you are unilaterally disarming and buying less. Still, all of the programs that are left under the U.S. Defense Department AT and L management have over $200 billion in cost overruns. I want to repeat—$200 billion in cost overruns under the current setup. That is why it is imperative we change it. There are a lot of words to describe this, but success is not one of them. The USD AT and L is trying to have it both ways: claiming credit for all the improvements in the acquisition system while blaming the services for its long list of failures. This is exactly the problem this legislation is trying to address—blurred lines of accountability inside the Defense Acquisition System that allow its leaders to evade responsibility for results.

Then, there is the issue of process and documentation. Defenders of the current acquisition system say they have it right. They might have it right if our adversary were the old Soviet Union and their centralized planned economy. The reality for the modern world is that under USD AT and L management process takes too long and adds costs and looks like it was designed by a Soviet apparatchik. For example, an Army study looked at the time it would take to go through all of the U.S. Defense Department AT and L reviews and buy nothing. What was the answer? Ten years to buy nothing.

The Government Accountability Office looked at the much wanted milestone reviews that the office of the Secretary of Defense is touting as a success. Just one review takes on average 2 years. A similar review at the Missile Defense Agency takes about 3 months. Our adversaries are not shuffling paper, they are building weapons systems. It is time for us to do the same. The first step is to eliminate unnecessary calls for data from those outside the program office, just as David Packard recommended 30 years ago. This legislation does that.

The acquisition reforms in this bill are sweeping, but there is much more work to do to transition what is in essence a Cold War management system into one that is more agile and nimble to meet the challenges of a globalized information age. This legislation marks the beginning of a multiyear process to change the acquisition system to be more open to next-generation technologies that can enable the

United States to outpace its adversaries.

Acquisition reform is part of a larger effort to reform the management of the Department of Defense. This bill seeks to ensure that the Department and the military services are using precious defense dollars to fulfill their missions and defend the Nation, not to expand their bloated staffs. While staff at Army headquarters increased 60 percent over the past decade, the Army is now cutting brigade combat teams. The Air Force avoided mandated cuts to their headquarters personnel by creating two new headquarters entities, even as it complained it had insufficient personnel to maintain combat aircraft.

I want to repeat that. The Air Force mandated cuts of headquarters personnel, not reducing by a single person but by creating new headquarters entities, even as it complained it had insufficient personnel to maintain combat aircraft. From 2001 to 2012, the defense civilian workforce grew at five times the rate of the Active-Duty military. I repeat that. From 2001 to 2012, the defense civilian workforce grew at five times the rate of the Active-Duty military.

This legislation initiates a reorganization of the Department of Defense in order to focus limited resources on operations rather than administration, to ensure military personnel can develop critical military skills, and to stabilize organizations and programs. The NDAA mandates a 30-percent cut in funding for headquarters and administrative staff over the next 4 years. These reductions generate $1.7 billion in savings for fiscal year 2016. As the Department implements these reductions, this bill authorizes the Secretary of Defense to retain the best talent available, rather than just the longest serving.

Contrary to the Statement of Administration Policy that the White House issued yesterday, the reductions to Pentagon overhead and management staff are neither arbitrary nor across the board. These cuts are targeted to administrative functions, but they do not inflict unintended harms on functions such as mortuary affairs or sexual assault prevention. The legislation does not seek to micromanage the Defense Department. It cuts money from broad headquarters and administrative functions, but it defers to the Secretary of Defense on how, what, and where exactly to cut, and it instructs him to devise a plan to make these cuts wisely.

Beyond management reform, the NDAA also puts forward wide-ranging and unprecedented reform to the military retirement system. Under the current 70-year-old system, 83 percent of servicemembers leave the service without any retirement assets. This system excludes the vast majority of current servicemembers who will not complete 20 years of uniformed service, including many veterans of the wars in Afghanistan and Iraq.

The legislation creates a modernized retirement system and extends retirement benefits to the vast majority of servicemembers through a new plan offering more value and choice. Under the new plan, 75 percent of servicemembers would get retirement benefits. In many cases, the overall benefit of those serving at least 20 years will be greater than the current system. This new modernized retirement system will apply to members first joining a uniformed service on or after January 1, 2018. Current members are grandfathered but may choose to be covered by the new plan. The retirement reforms in this legislation will enable servicemembers to save for retirement earlier in their careers, create a new incentive to recruit millennials, and increase retention across the services. That is why these reforms are supported by the Veterans of Foreign Wars, the Reserve Officers Association, the National Guard Association, the Enlisted Association of the National Guard, and the Air Force Association, among others.

In addition to retirement reform, the NDAA focuses on sustaining the quality of life of our military servicemembers, retirees, and their families. The legislation authorizes a 1.3-percent pay raise for members of the uniformed services in the grade O–6 and below. The bill authorizes $25 million to support local educational agencies that serve military dependent children, and $5 million in impact aid for schools with military dependent children with severe disabilities.

The NDAA includes many provisions to improve the military health care system and TRICARE. The legislation allows the TRICARE beneficiary up to four urgent care visits without making them get a preauthorization. It requires DOD to establish appointment access standards and wait-time goals, and if a patient can't get an appointment within standards, the military hospital must offer an appointment in the TRICARE network. The legislation requires DOD to focus more on health care quality, patient safety, and beneficiary satisfaction by making them publish health outcome measures on their Web sites, and it requires a plan to improve the delivery of pediatric health care, especially for children with special needs. Furthermore, as military families frequently move from one location to another, their health care coverage must be seamless and portable, but too often families have to leap over several hurdles to get health care in a new location. This has to stop. We take care of that problem in this legislation.

The NDAA also builds on the work of the past few years to prevent and respond to military sexual assault. The legislation contains a number of provisions aimed at strengthening the authorities of special victims' counsel to provide services to victims of sexual assault. The legislation also enhances confidential reporting options for victims of sexual assault and increases access to timely disclosure of certain materials and information in connection with the prosecution of offenses.

This is a fiscally responsible NDAA. I have said that my top priority as chairman of the Senate Armed Services Committee is to repeal sequestration and return to a strategy-driven defense budget. But I have also made clear that repealing sequestration must be accompanied by a vigorous effort to root out and eliminate Pentagon waste. Given the fiscal constraints and global challenges confronting our military, we simply cannot afford to waste precious defense dollars.

Our committee identified over $10 billion in excessive and unnecessary spending in the President's budget request: headquarters and administrative overhead, troubled information technology programs, weapons systems that are over budget and underperforming, among other items. The NDAA reinvests those savings in providing critical military capabilities for our warfighters and meeting unfunded priorities of our service chiefs and combatant commanders.

Even as challenges to maritime security increase in the Middle East and the western Pacific, our Navy remains well below its fleet-size requirement of 306 ships. Moreover, our shipbuilding budget will experience even greater pressure at the end of this decade, as the Navy procures the replacement for the *Ohio*-class ballistic missile submarine. The NDAA directs savings identified in the budget request to accelerate Navy modernization and shipbuilding to mitigate the impacts of the *Ohio*-class replacement and to increase the Navy to meet rising threats.

The legislation adds $800 million for additional advanced procurement for *Virginia*-class submarines, and $200 million for the next amphibious assault ship. The bill provides incremental funding authority for one additional *Arleigh Burke*-class destroyer. The bill accelerates the Navy LX(R) Amphibious Ship Program, shipbuilding for the afloat forward staging base, and procurement of the first landing craft utility replacement.

The NDAA upgrades an additional guided missile destroyer with ballistic missile defense capability and funds advanced undersea payloads for submarines.

Across the services, our military faces dangerous strike fighter capacity shortfalls. For example, we have seen delivery of the F–35 Joint Strike Fighter fall well short of projections, even as

the Air Force has retired hundreds of aircraft.

Indeed, the President's budget request proposed cutting the Air Force down to 49 fighter squadrons, of which less than half would be fully combat mission ready. The NDAA addresses these shortfalls, and it is all the more urgent in view of the ongoing and anticipated operations in Iraq and Syria against ISIL, as well as a potential delay of force withdrawals from Afghanistan.

The NDAA fully restores the planned retirement of the A–10 aircraft. The Air Force itself has said in its posture statement this year:

> There was a time when the Air Force could trade some capacity in order to retain capability. But we have reached the point where the two are inextricable; lose any more capacity and the capability will cease to exist.

The Armed Services Committee agrees. That is why divesting the A–10 capability at this time incurs unacceptable risk in the capacity and readiness of the combat air forces without a suitable replacement available. The NDAA authorized procurement funding for 12 additional F–18 Super Hornets for the Navy and 6 additional F–35B Joint Strike Fighters for the Marine Corps. The legislation also procures an additional 24 MQ–9 Reaper unmanned aircraft for the Air Force to support increased combatant commander requirements for medium-altitude intelligence, surveillance, and reconciliation support.

The committee was similarly concerned about munitions capacity across the services. So the NDAA adds funding for additional PAC–3 missiles for ballistic missile defense and additional AMRAAM missiles. The legislation also increases Tomahawk missile production to the minimum sustaining rate and procures TOW tube-launched, antitank missiles to mitigate shortfalls for the Marine Corps.

The NDAA supports modernization across the services. The legislation invests in lethality by enhancing the firepower of Stryker combat vehicles and increasing the survivability of the Apache attack helicopter against new threats. The NDAA fully supports the President's request for the F–35 Joint Strike Fighter Program and provides all executable funding for the Long Range Strike Bomber Program.

In addition, the legislation authorizes $6.1 billion for *Virginia*-class submarines, $3.5 billion for *Arleigh Burke*-class destroyers, and $1.4 billion for the *Ohio*-class replacement program.

While the NDAA supports our military commanders' most urgent priorities, the bill also contains rigorous oversight measures to prevent further cost growth in major acquisition programs, including the F–35 Joint Strike Fighter, the *Ford*-class aircraft carrier, and a littoral combat ship.

As adversaries seek to counter and thwart American military power, the NDAA looks to the future and invests in the technologies that will maintain America's military technological superiority. The NDAA provides $400 million in additional funding to support the so-called third offset strategy to outpace our emerging adversaries. The legislation funds a cyber vulnerability assessment, a new initiative to enable the services to begin evaluating all major weapons systems for cyber vulnerabilities. It also increases investment in six breakthrough technologies: cyber capabilities; low-cost, high-speed munitions; autonomous vehicles; undersea warfare; intelligence data analytics; and directed energy.

Similarly, our Nation has only begun to realize the potential of unmanned combat aircraft, especially in a maritime environment. In the past 2 years, the Unmanned Combat Air System Demonstration Program, or UCAS–D, has achieved a number of historic firsts: the first carrier-based catapult launch, the first arrested landing on a carrier, the first cooperative operations with manned aircraft aboard a carrier, and the first autonomous aerial refueling.

The NDAA funds the remaining research and development work to be completed on UCAS–D, while directing the Secretary of Defense to develop competitive prototypes that move the Department toward a carrier-based, unmanned, long-range, low-observable, penetrating strike aircraft that can enhance the capability of the carrier air wing to meet future threats.

The NDAA supports our allies and partners with robust training and assistance initiatives. The legislation authorizes nearly $3.8 billion in support for the Afghan National Security Forces as they continue to defend their country and the gains of the last decade against our common enemies. The legislation also authorizes the provision of defensive lethal assistance to Ukraine to help it build combat capability and defend its sovereign territory.

The legislation supports efforts by Lebanon and Jordan to secure their borders against ISIL, and it creates a new initiative to provide equipment, supplies, and training to Southeast Asian nations in order to support them in building maritime domain awareness capabilities and addressing growing maritime sovereignty challenges in the South China Sea.

Finally, this legislation contains a bipartisan compromise on how to address the challenge of the detention facility at Guantanamo Bay. President Obama has said from day one of his Presidency that he wants to close Guantanamo Bay. But 6½ years into his administration, the President of the United States has never provided a plan to do so.

The NDAA would require the administration to provide a comprehensive plan to the Congress on how it intends to close Guantanamo, which would then have to be approved by both Houses of Congress. That plan would have to include a case-by-case determination on the disposition of each detainee at Guantanamo Bay, including a discussion of the legal challenges of bringing detainees to the United States and any additional authorities that might be needed.

The plan would also have to address how the Department would ensure the continued detention and intelligence collection from future combatants captured under the laws of war. If such a plan is approved, the Congress would provide the President the authority to proceed with the closure of the facility. If the Congress does not approve the plan, nothing would change. The ban on domestic transfers would stay in force, and the certification standards for foreign transfers included in the NDAA would remain.

This is an ambitious piece of legislation. It recognizes that in order to ensure that the Department of Defense is prepared to meet our present and future national security challenges, we must champion the cause of defense reform, rigorously root out Pentagon waste, and invest in modernization and next-generation technologies to maintain our military technological advantage.

America has reached a key inflection point. The liberal world order that has been anchored by U.S. hard power for seven decades is being seriously stressed and with it the foundation of our security and prosperity. It does not have to be this way. We can choose a better future for ourselves but only if we make the right decisions now to set us on a better course. That is what this legislation is all about—living up to our constitutional duties to provide for the common defense, increasing the effectiveness of our military, restoring America's global leadership, and defending a liberal world order.

This legislation is a small step toward accomplishing those goals. But it is an important step that the Congress must take now and take together. For 53 consecutive years, Congress has passed a National Defense Authorization Act. This year should be no different. I am hopeful that the bipartisan spirit that has carried this legislation for over half a century will prevail once again.

Ultimately, we owe the brave men and women in uniform, many of whom are still in harm's way around the world today, nothing less.

I yield the floor.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. REED. Mr. President, I rise to discuss the fiscal year 2016 national defense authorization bill, which was recently reported out of the Senate Armed Services Committee.

I want to begin by commending the chairman, Senator MCCAIN, for his extraordinary leadership. I also want to reflect—because both the Presiding Officer, the Senator from Alaska, and I had the privilege of being with Senator MCCAIN in Vietnam last week—that to recognize firsthand the heroic service of CDR JOHN MCCAIN is to recognize an extraordinary individual whose service, whose sacrifice, whose valor, whose fidelity to the principles of our military and to our Nation are virtually unique. But more important than that, it is to recognize that after observing the horrors and brutality of war, as few people have, he was able to summon the courage and the capacity to bring two countries together. Without Senator MCCAIN's active participation—not alone but absolutely essential and perhaps the most essential part—the Government of the United States and the Government of Vietnam would not have diplomatic relations today. We would not have been at a university in Vietnam listening to young people talking about their future—a future that is not clouded by war but has the opportunity for peace and prosperity, working with us and working with the world community.

I can't think of any historical examples of individuals working so hard to defeat each other, then so hard to embrace each other, save, of course, General Grant and General Lee. But I know the Senator would be offended by being compared to two West Point graduates, so I will simply say that he has made historic contributions to this country in so many ways. It is no surprise that he has taken the leadership of this committee and made a remarkable contribution. His vision to engage us in a strategic dialogue with some of the most sophisticated and experienced individuals in the country—Henry Kissinger, Madeleine Albright, and a host of others—gave us the perspective to begin to look at the issues we face in a much more comprehensive and a much more thoughtful way. I have had the privilege of serving on the committee for many years. No one has done that. No one has set the stage so well. And then to bring our DOD witnesses together in that context of both the strategic vision and the operational budgetary requirements was absolutely incredible. All of this has made us better prepared on the committee to write this bill which is before us today.

(Mr. SASSE assumed the Chair.)

Let me also take a moment to thank the professional staff on both sides of the aisle. Their willingness to work together to tackle the hard issues has been the key to this authorization bill. I thank them in advance because their work has just begun. The hours they will spend over the next several days to go through the significant number of amendments—all of that will be unnoticed by many but appreciated certainly by me, the chairman, and all of us on the committee. Thank you.

As the Senator from Arizona pointed out, this is basically a good bill. It has many provisions that were requested by the Department of Defense. It has many necessary reforms. The chairman has highlighted many of them. I think it will further our national security in many dimensions, and most importantly it will provide the training, equipment, and support our men and women in uniform deserve. I will try to focus on some of these important developments.

However, there are some provisions in this bill that cause me concern—indeed, grave concern. One problem, I fear, is the familiar, oft-debated, and very complicated challenge of Guantanamo. While we have had some very carefully crafted compromise language in the bill, there are other provisions that reverse progress, particularly on the overseas transfer of detainees.

We have a number of individuals who have been vetted for overseas transfer—not to the United States—that is not appropriate at this moment—but overseas. I think we have to continue that effort to repatriate these individuals outside of the United States, in areas in which their security and their activities can be appropriately monitored. I will spend a few more minutes—and in a few minutes, I will discuss an amendment that I may propose with respect.

Despite all of these good provisions, however, I was ultimately unable to vote for the bill. After working closely and sincerely, with the leadership of the chairman, I am reluctantly unable to vote for the bill because at the heart, the funding mechanism to provide a significant portion of the resources—$39 billion—is, I think, an unsustainable aspect of the legislation.

As the Senator pointed out, the legislation before us does not end the Budget Control Act's arbitrary caps on spending, and, as he also said, every major military official, every major senior defense official came and told us: We have to end the Budget Control Act caps and the prospect of sequestration. We have not done that.

What the bill does is adopt a device—some have said a gimmick—that uses the overseas spending account to fund base activities of the Department of Defense. As I have indicated and as the chairman has suggested, the one request consistently received—in fact, just a few days ago, the commander of the Pacific forces indicated the same thing—is to end sequestration. We have not been able to do that.

What the President's budget did is he sent up a request for $38 billion above the budget cap levels in the base—not overseas defense spending but in the base. He requested $50.9 billion for contingency operations, overseas operations. We have been funding overseas operations since 9/11. This funding was designed to do what it suggests in the title. We have forces deployed overseas in combat, in contact with our enemies—Afghanistan, Iraq, and elsewhere—and this funding was to provide for those forces and indirectly for our supporting mechanisms, but the key was to support these forces overseas.

Now what we have done—and it was done because we were unable to eliminate the budget caps under the Budget Control Act—is we have taken this OCO account and we have grossed it up dramatically.

This approach has several problems. First, it doesn't solve—in fact, in some cases it complicates the DOD's budget problems. OCO, as I said, was created and should be used for war costs only. OCO has limits and restrictions. There are very strict rules that have to be followed. It is not flexible funds that can be moved around at will.

Defense budgeting needs to be based on a long-term military strategy, which requires the DOD to focus at least 5 years ahead. OCO money is 1-year money. It is just this year. There is no commitment statutorily that it will be available. There is no presumption, because it is in the base, that it will be the starting point of discussions for the next budget. Frankly and obviously, we cannot fight a multigenerational war with 1-year money. And we are in a multigenerational conflict. It has been more than a decade since we started our efforts in the wake of 9/11, and we have challenges that will not resolve themselves in a year. To adopt a major part of our budget, roughly $39 billion, as one-time—supposedly—funds is not a wise, sensible, and appropriate way to fund our security going forward.

Another aspect is it doesn't reduce the deficit; it adds to the deficit. This is all deficit funding, so this is not a way to avoid tough decisions about how we are going to deal with our deficit.

It also does not reach other vital aspects of national security that are housed in domestic agencies which are also critical for our national defense—the FBI, Homeland Security, the Coast Guard. All of these agencies contribute dramatically to our national defense. In fact, particularly with the threat of ''lone wolves''—and that is increasingly more of a concern to all of us—these agencies play an even more significant role in our overall national security. When you are talking about a national security strategy, it is not just the Department of Defense; it is the Department of State and it is engagement overseas.

Again, as we were in Vietnam, we were talking to the Defense Minister, and one of his key priorities is a project to eliminate toxins in Bien Hoa airfield, an airfield we used extensively in Vietnam. To him, that would be a

hugely significant indication of our support for their efforts. That is not funded through the Department of Defense; that would be principally funded through the AID. And you could go on and on.

The approach we offer in the bill does not go to the heart of the problem that faces the Department of Defense and every other Federal agency, and that is the BCA caps and the steep cuts that will come into effect if sequestration is invoked. That is the heart of the matter. I offered an amendment in committee to address this problem, and unfortunately it failed. That was one of the reasons I reluctantly—very reluctantly—chose not to support the bill, because there are so many, as the chairman indicated and as I will indicate, important provisions in this bill.

What I tried to do was to say: Let's leave this money on the books, but let's fence it off until we can fix the real problem, which is the Budget Control Act and sequestration, which affects defense and nondefense alike.

In the context of this floor debate, I hope to be able to once again rejoin that issue and ask my colleagues to recognize the heart of the matter—not the consequences affecting defense but the heart of the matter, which is the Budget Control Act.

As I said, this is a bill with many laudatory provisions reflecting in large part bipartisan cooperation. Some of them have been discussed by the chairman, but I would also like to mention them.

The bill provides key funding and authorities for the two major U.S.-led coalition operations: the mission in Afghanistan and the counter-ISIS coalition in Iraq and Syria. Critical to both of these operations are our efforts to build the capacities of our partner nations.

With regard to Afghanistan, the bill includes the full $3.8 billion requested by the President to support the Afghan army, police, and other security forces fighting to secure the hard-fought gains of the past decade and to ensure that Afghanistan does not once again become a safe haven for Al Qaeda or other terrorist groups seeking to attack America.

The bill would also increase the total number of visas for the Afghan Special Immigrant Visa Program by 3,000, providing a path to safety for Afghans who have put themselves at risk by serving as translators or otherwise helping our coalition efforts.

For coalition efforts against ISIS, the bill provides additional funding for training and equipping the Iraqi security forces and other associated forces in Iraq, including the Kurdish Peshmerga and Sunni tribes, who are confronting the threat of ISIS in heavily contested Anbar Province and in other parts of Iraq. It includes $80 million for the Office of Security Cooperation in Iraq. It also provides an additional $600 million for the Syria Train and Equip Fund, to build the capabilities of a vetted, moderate opposition to fight ISIS in Syria. Additionally, $125 million is authorized to reimburse Lebanon and Jordan for operations that help secure their borders against ISIS.

The bill includes funding for an initiative to expand the U.S. military presence and exercises in Eastern Europe, reassuring allies and countering the threat of hybrid warfare tactics like those used by Russia in the Crimea and eastern Ukraine. The bill also authorizes additional military assistance for Ukraine—including lethal assistance—to build the capabilities of Ukrainian security forces to defend against further aggression and ceasefire violations by Russian-backed separatist forces.

With respect to counternarcotics, which is another national security threat, the bill expands an existing authority to permit counternarcotics assistance to the Governments of Kenya, Tanzania, and Somalia. This expansion would allow for additional nonlethal assistance to those nations as they combat illicit trafficking in the region. In Latin America, the bill would provide assistance to support the unified counterdrug and counterterrorism campaign of the Government of Colombia. This assistance remains a key element of our bilateral security operation in Colombia and enables the commander of SOUTHCOM to provide critical enabling support upon request.

The bill also provides an additional $50 million to address unfunded priorities identified by SOUTHCOM, including intelligence, surveillance, and reconnaissance, as well as maritime interdiction support operations in Central America.

As the chairman indicated, the bill adds over $400 million in additional readiness funding for the military services across all branches, Active, Guard, and Reserve. These increases will provide resources for crucial programs aimed at improving our military readiness in many areas, including depot readiness, flying operations, cyber training, reducing insider threat attacks, behavioral health counseling, and other important programs.

With respect to our nuclear deterrence, the committee bill fully authorizes the program for modernizing our triad of sea, ground, and airborne platforms. The last B–52 was produced in the 1960s, and by the time the Long-Range Strike Bomber, its replacement, begins to be fielded in the mid-2020s, the B–52 will be flown in some cases by the grandchildren of its first pilots.

Turning to the undersea deterrent, the current *Ohio*-class submarine, which will ultimately carry upward of two-thirds of our strategic arsenal, is to be replaced by the *Ohio* replacement submarine. If we are to maintain a sea-based deterrent, the current *Ohio* fleet of 14 subs must be replaced starting in 2027 due to the potential for hull fatigue. By then, the first *Ohio* sub will be 46 years old—the oldest submarine to have sailed in our Navy in its history.

Now, the third aspect of our triad—those of our land-based ICBMs—will not need to be replaced until the 2030 timeframe. We have authorized a concept development for replacement of this most responsive leg of the triad which acts as a counterbalance to Russian ICBMs.

As Secretary Carter noted in his confirmation hearing, our nuclear deterrence forms the bedrock of our defense policy. This is an essential mission which must not be neglected.

In the area of technology and innovation, I am pleased this bill takes a number of steps to ensure that DOD has access to the most innovative minds in the private sector and to strengthen DOD's in-house laboratories. It significantly increases funding for university research programs as well as authorizing $400 million to support Secretary Carter's efforts to identify and fund new technologies that will help offset the advancing military capabilities of peer nations, invest in technologies such as lasers, unmanned systems, and undersea warfare.

The bill also supports the DOD's laboratory enterprise by improving their ability to attract and hire the world's best and brightest scientists and engineers. These labs help DOD act as smart buyers and builders of the most advanced weapon systems on the planet and are often underappreciated for their endeavors.

It also improves their ability to build world-class modern research infrastructure, encourages them to hire selected students from friendly foreign nations, and strengthens their ability to partner with industry, allowing small businesses to have access to the great intellectual property coming from DOD labs, as well as access to their research and technical equipment. I believe these policy changes and funding increases will continue to strengthen the technological dominance of our military forces while reducing the costs to build and maintain weapon systems in the future.

There are also specific recommendations on hardware programs that will help the Department to improve management and cope with shortfalls, such as providing an additional 12 F–18 Super Hornets for the Navy and an additional 6 F–35B aircraft for the Marine Corps. These aircraft will help deal with the Department of Navy shortfall in strike fighter aircraft.

It adds $800 million in *Virginia*-class advance procurement to provide flexibility to begin building *Virginia*-class boats with the enhanced payload module as soon as that version is ready for

production and to help mitigate pressure on shipbuilding funds coming from the *Ohio*-class replacement program.

It accelerates several other ship programs, including amphibious assault ships, the dock landing ship replacement, the next afloat forward staging base, the new salvage ship/fleet tug replacement, and the landing craft utility replacement.

As the chairman indicated, this bill also includes critical authorities for our men and women in uniform. They are the heart and soul of our military. All the equipment in the world, as sophisticated as it is, will not make the difference that the young men and women who wear the uniform of the United States make each and every day. So this bill includes a 1.3-percent pay raise for most servicemembers, the reauthorization of over 30 types of bonuses and special pays to encourage enlistment and reenlistment in the military, and funds to provide health care to the force, retirees, and their families.

Notably, this bill includes important benefit and compensation reforms either requested by the Department or recommended by the Military Compensation and Retirement Modernization Commission that helps to ensure the long-term viability of the all-volunteer force.

For example, the bill includes a new retirement system for servicemembers joining after January 1, 2018, as recommended by the Commission, which grandfathers in the current force. For most servicemembers, this new system will provide a greater benefit at less cost to the government and will address perhaps the grossest inequity of the current system, as highlighted by the chairman—the fact that 83 percent of all servicemembers leave military service with no retirement benefits at all. This is especially challenging, difficult, and in some cases even galling for those who have deployed multiple times and leave the service simply because they cannot endure the strain any longer. We essentially ask them to choose between retirement benefits or their mental health or the unity of their family. Under the new system contained in our bill, anyone who completes 2 years of service will be eligible to walk away with something.

Notably, the bill does not include the overall TRICARE system recommended by the Commission. We have heard from the President with respect to TRICARE and agree these recommendations require more study. These reforms are vital. In a budget-constrained environment, with hard spending caps, it is critical we strike the right balance between a military compensation package that provides a high quality of life for military families and training and modernization funding that provides a high quality of service and a ready force.

As senior Department officials have testified, if we don't have enough money to provide our troops the latest technology and the training they need, we are doing them a disservice. When we send them into harm's way under these conditions, that disservice quickly translates into a breach of trust.

The Department has assumed approximately $1.7 billion in savings in its 2016 budget relating to these benefit proposals and $25.4 billion over the entire FYDP. The committee supported these proposals and has redirected that funding to readiness and modernization accounts to restore those deficits. Difficult choices need to be made and this bill makes them. We might not yet have it perfectly right, but as we move through the legislative year, we will continue to work to ensure that we pay our servicemembers a fair wage while delivering the training and equipment necessary to succeed.

This bill begins a process, long overdue, for reviewing different options, for example, for providing the commissary benefit to our servicemembers—another important aspect of quality of life. Included in one of these options is at least the consideration of privatization. I understand some Members may have some difficulty supporting these provisions, but the bill simply requires a number of studies to generate and evaluate new ideas, and a pilot program to test them, without requiring the actual privatization of the system. This is an experiment which I think is worth conducting, and I believe the chairman's leadership on this point was extraordinarily valuable.

The bill also addresses the Department's management of its civilian workforce in two ways—one of which I agree with and one of which I will raise some questions. We have long heard from the Department that it lacks certain authorities to effectively manage its civilian workforce. This bill includes new authorities which will enable civilian managers to more effectively retain their best performing employees while divesting their poorest. These reforms, while painful for some, are sensible and necessary.

However, this bill also mandates a management headquarters reduction of 7.5 percent in 2016 and 30 percent over 4 years. I am concerned that such deep, and at this point generalized, cuts to the civilian workforce may create more problems than it will solve. I am hoping we can take a more careful approach to headquarters reform and look forward to working with my colleagues on this issue as we move through the floor and through the conference to final passage.

Again, as the chairman highlighted, this bill also contains roughly 50 provisions on acquisition reform, and I commend the chairman for his efforts. The provisions will help streamline acquisition processes, allow DOD to access commercial and small businesses, and improve the acquisition workforce. They build on the successes of the reforms led by Chairman MCCAIN and Chairman Levin in the Weapons System Acquisition Reform Act of 2009.

I did have concerns about one provision in this area, and I thank the chairman for working with me to address it. I am sure we will be continuing this discussion of acquisition reform throughout the year and in the future. I expect the Department of Defense will have concerns over some of the provisions as well, so I look forward to working with the chairman and soliciting the best advice from acquisition experts in the government and industry so we can continue to improve our stewardship of taxpayer dollars and deliver the best technologies to our fighting forces.

Now, let me turn to an area of concern which the chairman has highlighted and on which I may be offering an amendment; that is, Guantanamo. Over the past few years, the Senate Committee on Armed Services has led the way on Guantanamo-related issues, giving careful consideration to our detention policies and finding bipartisan solutions.

In certain ways, this bill continues that tradition of bipartisan progress on Guantanamo issues. For example, it includes the authority, carried in our bill over the last 2 years, for the Secretary of Defense to approve the temporary transfer of Guantanamo detainees to a military medical facility in the continental United States to provide medical treatment in a life-threatening emergency, when that treatment cannot be provided on-island without unreasonable or excessive cost. The detainee would be required to return to Guantanamo at the conclusion of the medical treatment.

Most importantly, the bill contains a provision that would clear a path for closing Guantanamo, including the option of bringing detainees to the United States for detention, civil trial, and incarceration. Under this approach, the current prohibitions on Guantanamo transfers to the United States would remain in place until the President submits to Congress a detailed plan on the disposition of these detainees and Congress votes, under expedited procedures, to approve that plan. If Congress approves the plan, the bans on transfers to the United States would be lifted and the President would have the authority to implement this plan for closing Guantanamo.

I particularly want to thank Chairman MCCAIN and Senator MANCHIN, who worked closely to craft this compromise, which was approved by a significant vote in the committee—19 to 7. This is an example of bipartisan work at its best.

At the same time, on other Guantanamo policies, I must note they take

us backward. This is particularly the case with regard to overseas transfers of Guantanamo detainees—not transfers into the United States but to third countries. In the fiscal year 2014 National Defense Act, the committee's bipartisan efforts resulted in real progress on overseas transfers, granting the Secretary of Defense more flexible and streamlined authorities for overseas transfers of detainees, consistent with our national security interests and with measures to substantially mitigate the risk of Guantanamo detainees reengaging in terrorist activities.

Unfortunately, the bill before us today would undo that progress and reimpose restrictions which date back to 2013 that include a burdensome checklist of certifications that the Secretary of Defense would be required to fulfill for any overseas transfers and a prohibition on transfers to any country where there was a prior case of detainee recidivism.

These provisions make it nearly impossible to transfer Guantanamo detainees overseas to a third-party country. In fact, during the 3 years these certifications were previously in place, no detainees were transferred under these certification restrictions. During this period, a total of 11 detainees were transferred out of Guantanamo overseas, 6 under an existing national security waiver and 5 under an exception for court-ordered transfers. This is a fraction of the over 30 detainees who have been transferred under the more recent 2014 transfer authority.

These backward-looking restrictions on overseas transfers create an unnecessary roadblock for disposing of the 57 detainees currently at Guantanamo who have been approved for overseas transfer, most of whom were approved nearly 5 years ago. My hope is that we can work with our colleagues across the aisle to craft a compromise that brings us more in line with present law.

Finally, I wish to discuss more in-depth the reason I was unable to support the committee's bill and why I think we need to have a very serious debate on the underlying financing of this legislation.

Our national defense decisions should be based on actual needs, not on spending caps and ways around the spending caps that don't change the BCA but simply use a device—some have labeled a gimmick—to get us money, not to fix the fundamental problem but to get us money.

The President's fiscal year budget 2016 requested $38 billion above the Budget Control Act spending caps. Senator MCCAIN and I wrote a letter to the Budget Committee that also asked to go above those budget caps because we understand the best approach is to put within the base funding of the Department of Defense those functions which are essential, not just to the year-to-year operations but to the long-term operations of the Department of Defense and to our long-term national security. The President requested this $38 billion be authorized as part of the base budget.

The request from the President also contained—as Presidential requests have contained since 2001–2002—OCO funding; OCO funding being for those unique, we hope, one-of or at least yearly expenditures that we have to make with respect to current operations overseas. That is why this is called the Overseas Contingency Operations. For some time now, the President and all of our Secretaries—Secretary Carter, Secretary Hagel, Secretary Gates, Secretary Panetta, and Secretary Hagel—have implored Congress to end the damaging effects of the Budget Control Act's sequester and spending caps. However, this bill, following the budget resolution, does not clearly address the BCA issue. Instead, it turns to this OCO fund. This mark transfers $39 billion from the base budget to the Overseas Contingency Operations budget, leaving the base at, surprisingly, the BCA level, and it raises several concerns. I mentioned these concerns, but let me mention them again.

First, adding funds to OCO does not solve, and actually complicates, the DOD's budgetary problems. Defense budgeting needs to be based on our long-term military strategy, which requires DOD to plan at least 5 years ahead. When you are doing technology innovation, when you are investing in programs that are not going to come off the shelf in 6 months, you can't rely on 1-year money. It doesn't provide DOD the certainty and stability it needs. It has to have money in the base.

This instability can undercut the morale of our troops and their families. If vital programs are subject to year-to-year appropriations, if they are not considered to be the norm, if they are not where we begin but are sort of put in at the end, that affects the morale and confidence of our military.

It also affects our defense industry partners. If their funding is in the category of Overseas Contingency Operations, that is less certain to them than money that is in the base and will likely remain in the base for 5 years or beyond that they need.

Then, the second aspect of this is that our national security is more than just the Department of Defense. The Department of Defense is critical. Ask Americans: Where does our national defense come from? Well, it is those men and women in uniform. That is absolutely true. But we need domestic agencies. We can't defend the homeland without the FBI, which is funded through the Department of Justice, which will not have access—direct access—in the way we are proposing, to OCO or the Transportation Security Administration that screens individuals coming in or Customs that additionally screens people or the Coast Guard. All of these are in the Department of Homeland Security.

Furthermore, without adequate support for the State Department, then we can't present the kind of comprehensive approach overseas to national security issues that are essential to success. Gen. James Mattis, whom the chairman and I both know, said: ''If you don't fund the State Department fully, then I need to buy more ammunition.''

There is a symbiotic relationship between our diplomatic activities, our national defense activities, our law enforcement activities, and our Treasury activities, because if we are truly to interrupt these terrorist networks, we have to go after their financing. That is done through the Department of Treasury. This whole-of-government approach to national security has to be recognized, and it is not recognized if we allow the Budget Control Act to continue to be operational on the nondefense side but avoid it on the defense side because we have access to the overseas contingency fund.

Also, I think we are going to see going forward, as we have seen before—and we are saying this OCO funding is for 1 year. But I think we are doing a little bit of a wink-wink, don't worry; we are not going to pull $40 billion out of the Defense bill in the 2017 budget. We couldn't do that. What we are doing, though, is we are sort of inviting the ingenious use of OCO funding in the years ahead, and I think we will see increasingly more esoteric and exotic things in OCO funding because that is where the money is.

If you have a program that you need to get funded and it has a connection to Defense—and in some cases doesn't even need to be Defense. Senator MCCAIN and I were chatting at the hearing about the significant amount of medical research run through the Department of Defense. One reason is because there was money available back in the 1980s for defense spending that wasn't available on the domestic side, and that funding found its way into Defense.

So I think there are several reasons we have to take a different approach. My approach in the committee was, I thought, straightforward. The President recognizes we need these resources for national defense. We recognize we need the resources for national defense, but I believe we should budget honestly and directly, and initially that was our approach in the Budget Committee. Let's put it in the base, and let's take the President's $50 billion—which is the best estimate by the Department of Defense of what we really need for overseas contingency—and let's do that.

So my proposal is certainly just to fence the additional OCO funds until we could, in fact, collectively, as a Congress—what we have to do and what so many people on both sides have argued—until we could repeal, reform, modify, extend the Budget Control Act, much as we did through the great efforts of Senator MURRAY and Congressman PAUL RYAN, which gave us the head room to actually pass legislation—not just the Department of Defense but other agencies—that allowed us to continue the work of the government and allowed us to protect the Nation. My proposal in committee did not succeed, but I would renew that request.

I think we have made great progress in the legislation. I think the last step is to get us to a position where we have essentially recognized that the BCA caps and sequestration have to be eliminated.

I would conclude by commending the chairman for all he has done to get us here, but, second, to repeat what has been said to us by every military leader. What is their first request? It wasn't for more OCO money. Their first request was to eliminate the BCA caps, eliminate the threat of sequestration. I think we have to do this, and I think we can start this process now. In fact, I would say that if we don't start this process now, if we don't send a strong signal—and my proposal would send that strong signal—then I am afraid we will just be victims of the calendar. Before we get to the BCA, we will have tough choices to make about this bill that we don't have to.

So I urge consideration when the amendment comes up.

I yield back to the Chair.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. MCCAIN. Mr. President, I thank the Senator from Rhode Island, my friend Senator REED, for his thoughtful analysis of the legislation before us. Again, it has been not only a pleasure but an honor for me to have the opportunity to work with him on the issues that are so important to our Nation—none more important.

I am told by the majority leader that he would like to have this legislation completed by the end of next week. That means we have a lot of work to do. We already have a number of amendments that have been filed. I would ask my colleagues to have their amendments in, hopefully, by, say, tomorrow afternoon, when the Senator from Rhode Island and I will ask unanimous consent that no further amendments be considered. We want to give every Senator an opportunity to have their amendments thoroughly vetted and debated and voted on, if that is their desire. That means we have a lot of work to do. I think we will be considering an amendment this afternoon from Senator PORTMAN, and we would like to move forward from there.

So I ask the indulgence of my colleagues that if they do want debate and a vote on their amendments, that they be prepared to come to the floor to do so. Again, on filing of amendments, we would like to have all pending amendments in, in the next 24 hours, so we can have a finite number of amendments for the legislation that is pending today.

I thank all of my colleagues for their cooperation. We look forward to discussion and debate and, I am sure, will come out with a better result.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Florida.

Mr. NELSON. Mr. President, I agree with the Senator from Rhode Island, Mr. REED, the ranking member. There is a lot of good stuff in here, but there is budgetary fakery in here. I want to, in my words, describe this budgetary fakery. But before I do, I want to commend the chairman, Senator MCCAIN, and Senator REED for how they have conducted the committee. I thank them for their professionalism. They show how two leaders of opposite parties can get along, and Lord knows we need a lot more of that around here.

But for this budgetary issue, Senator REED and I would be voting for this on the final passage coming out of the committee. I, too, will be supporting Senator REED's amendment to try to straighten out some of this budgetary trickery. Let me say that in front of our committee, we have had general after general and admiral after admiral and the top enlisted folks come in and say that sequestration is harming the national security of this country. When we do that, it puts us at a risk that the American people would find intolerable if they knew what was going on. Now, let me see if, in my words, I can describe what this is.

After Senator MURRAY and Congressman RYAN put together a bipartisan budget—and for 2 years this artificial ceiling, like a meat-ax approach, sequestration, across the board was enacted to be implemented over the next several years, not a budgetary strategy of program by program but a meat-ax approach across the board, regardless of the importance of the program.

Their bipartisan budget lifted that for 2 years. We are at the end of that 2-year period, so that sequestration is kicking back in. That is why we need to get rid of it. We need to get rid of it not only for defense but nondefense as well. I will talk about that in a second. But in defense, it now kicks in and limits the overall spending for the Department of Defense. But we know we have to spend more than that.

So this defense bill, which Senator REED and I voted against, takes operational and readiness funds out of the Department of Defense request, which is a major part of the defense of the country. You want your troops to be operationally ready so that we can fight two wars if we have to simultaneously. But they take that money—that funding—out of the defense budget, and they put it over here in this special account that is not counted against the budget caps, which is an account for conducting the war originally in Iraq, then Afghanistan, and primarily for purposes of funding Afghanistan now.

As Senator REED has very appropriately and accurately discussed, if you do that, first of all, this is nothing but budgetary fakery to meet an arbitrary cap on budgets, because you are spending a lot more than that ceiling. You are just spending it over here on something that is off budget, and the total amount that is moved over is about $39 billion. In that account, there is approximately $50 billion already for conducting the war in Afghanistan. But now we are going to take operational readiness for the entire Department of Defense and pull it over here.

If we are going to be straight with what we are spending so that we really know what we are spending, why don't we keep it in the budget and let the total budget rise instead of having an artificial ceiling so we know what we are spending? Senator REED is concerned that if you do that and you are spending it over here, then in future years, as this continues to stay there, we are not going to be able to show that operational readiness is something that ought to be a normal part of the funding of the Department of Defense, as it has been for years and years.

That is basically what is going on. Military strategy is not just dependent on defense spending, but it is also dependent upon nondefense national security spending, which at this point is not even being addressed. What will the generals and the admirals tell you? They will tell you that a strong national economy is one of the most important of all the strengths of our country to be able to project American military strength. And as a result, if we continue to budget like this, not only in defense but in nondefense as well, in nondefense areas that directly affect defense—I mean the Coast Guard, the CIA, the FBI, the DEA, Customs and Border Protection, air traffic control, TSA—then all of these areas in the Federal Government are going to be under this artificial meat-ax approach of cutting across the board, and all of those agencies directly affect the national security.

So what we have been doing is artificially avoiding what is the obvious. It is sequestration. It is this meat-ax cut across the board. I want us, as we discuss this budget—now highlighted first by Senator REED—to start talking about how we are going to get rid of the sequester. We did it in the bipartisan Murray-Ryan budget over 2 years

ago. We need to do it again. Otherwise, we are going to be wasting our time working on bills that at the end of the day may well not get the 60 votes to proceed to final passage or we will have a veto by the President. So we need to fix the budget caps for defense and nondefense spending. If we have bleeding in an artery, we do not need a Band-Aid.

I yield the floor.

The PRESIDING OFFICER. The Senator from Oregon.

USA FREEDOM ACT

Mr. MERKLEY. Mr. President, yesterday we passed the USA FREEDOM Act, and it was quickly signed by our President because it was so important to put it into place. It contained two items that I want to draw particular attention to. One is that there should be no secret spying on U.S. citizens here in the United States of America. The second is that there should be no secret laws here in the United States of America.

These two items are very closely connected together. Our Nation was founded upon the principles of liberty and freedom. Fundamental to the exercise of those principles is the right to privacy, to be free from unreasonable intrusions. This right is central to all other rights protected in the Constitution, especially to the freedom of speech, the freedom of assembly, and the freedom to petition our Government.

Our sense of privacy and to be secure in our homes and secure with our records goes back to common law in England. It was in 1767 that the Earl of Chatham, when he was debating the cider tax, said:

> The poorest man may in his cottage bid defiance to all the forces of the Crown. [His cottage] may be frail, its roof may shake; the wind may blow through it; the storms may enter, the rain may enter, but the King of England cannot enter.

Certainly, that is the spirit that infused the Fourth Amendment of our Constitution. That amendment says: ''The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated. . .''

We need to ensure that our security apparatus, our law enforcement, and our intelligence officers have the tools they need to enact the efforts to keep America secure. But in the process, we cannot sacrifice our constitutional rights as American citizens. There should be no secret spying on Americans and no secret law in a democracy. So how did we end up in that place—the place that I am so glad we took a major stride toward remedying yesterday?

It goes back to section 215 of the PATRIOT Act. This Act was passed after the attacks on 9/11. I was not here in the Senate, but it said that our government can access business records or tangible things if it shows that there is a statement of facts showing that there are reasonable grounds to believe that those things are relevant to an authorized investigation.

That certainly mimics the second half of the Fourth Amendment, which goes on to say that ''no Warrants shall issue, but upon probable cause, supported by Oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized.''

The responsibility of the government was to prepare a statement of facts, and those statements of facts had to show reasonable grounds and had to show that the things sought were relevant to an authorized investigation. Each one of those words had a significant influence in constraining the potential for the government to collect business records or, particularly, as we came to learn, to collect phone records on American citizens. However, a problem developed, and that is that a secret court was created here in America, a secret court called the FISA Court, or the Foreign Intelligence Surveillance Court. That secret court could interpret the common language of the law, and its interpretations were not disclosed to the U.S. public. So in that process of taking the language of the law that has a clear set of standards and then interpreting it, the court created secret law—secret law that was not disclosed to the citizens of the United States.

This is an enormous risk to democracy—a court with no scrutiny and, quite tragically, no presentation of opposing views from the position presented by the government. What kind of court is it that allows no presentation of an opposing view to the view of the government? That is a court that can create tyranny of the government by secretly reinterpreting the plain language of the law. That is exactly what happened.

Let's think about how this then went forward. Back in December 2012, I proposed an amendment, and that amendment said that there can be no secret law in America; that if the FISA Court makes an interpretation of terms, that interpretation of those terms has to be made public.

Here we have a representation of the importance of shining a light on that secret court, disclosing to the public how it interprets the law and thereby changes the meaning of the law. And what did this court do? This court tipped those terms and said ''authorize investigation.'' That can mean anything that happens in the future, which, of course, makes that term meaningless. It means that there is no authorized investigation. It is just a fictional possibility of the future—nothing existing right now. And then it took the term ''relevant to an authorized investigation,'' and it said that relevant is irrelevant. You have to show no connection, one or two places removed, in order to secure the right to access the papers, the business records, the phone records of U.S. citizens.

So this secret court here in America, the FISA Court, created secret law, wiped out the plain meaning of section 215, put its own interpretation in place, and told no one. This is absolutely unacceptable. That is why I put forward the amendment in December of 2012 that there is no secret law amendment, that this is unacceptable, that we must have disclosure of whatever that court finds so that the public can be informed, so that legislators can be informed, so that we can have a debate on whether that interpretation is consistent with what the legislature intended—what the Senate and the House intended—and consistent with what the President intended when he signed that law.

That amendment did not get a debate at that time in 2012, but the chair of the Intelligence Committee pledged to work with me to ask our government to declassify those opinions of the FISA Court, and she did. I thank very much the senior Senator from California, the former chair of the Intelligence Committee, for her help in doing that. And some of those records, some of those opinions, and some summaries of the interpretation of the law were declassified. That was a step forward, but it should not be dependent on the whim of the executive branch as to whether secret law exists in our country.

So I continued to press forward. And then we had a situation occur. In June 2013, Edward Snowden disclosed the existence of the cell phone program. I could not explain in December of 2012 why it was so important to end secret law, but after Edward Snowden's disclosures, I could explain it.

In fact, when the National Security Agency chief, Keith Alexander, was testifying, which was shortly after that disclosure, I proceeded to pull out my cell phone and ask the chief: What authorized investigation gives you the authority under section 215 to access my, Senator MERKLEY's, cell phone records? He was unable to answer that question but said he would seek legal consultation in order to explain what investigation showed that there was a relevant connection and what statement of facts would justify it. But I never got an answer because there was no answer because the government was collecting everything under this secret reinterpretation of law.

Yesterday, we ended the era of secret law in America. Yesterday, my no secret law act was incorporated into the USA FREEDOM Act and was signed by the President of the United States. This law says the executive branch must declassify opinions of the FISA Court or, if they find that the exact

opinion poses a security risk because of details enclosed therein, must declassify summaries or at a minimum must summarize the significant constructions and interpretations of law found by the FISA Court. That is the heart of it. We are not asking that classified information about facts of a case that could endanger our national security be disclosed. We are asking that interpretations and constructions of law be disclosed so that we have no secret law in America, and that is what is required by the act we passed yesterday.

In conclusion, we must not have secret laws in America. We must not have a secret court that has no opposing point of view presented. And when it makes interpretations of law, it must be disclosed to American citizens, who have every right as citizens to know what the law means and to be able to argue whether they like that interpretation, dislike it, think the law should be supported or the law should be changed.

May we never again allow a secret court to authorize secret spying on U.S. citizens under the cover of secret law.

What we did yesterday—incorporating the no secret law act into the USA FREEDOM Act—was important. To paraphrase William Pitt, the humblest American, no matter his wealth or her income or his status within the community—that no American may be in a situation where he may be unable to say to the U.S. Government: Here in my home, within these walls, however modest, you, the government, may not enter.

I thank the Presiding Officer.

The PRESIDING OFFICER. The Senator from North Carolina.

Mr. BURR. Mr. President, I ask unanimous consent that the Senate remain in session for at least 5 additional minutes while I speak.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. BURR. Mr. President, I couldn't let the statements that were just made go without a degree of fact check. There is no secret court. A secret court means we don't know it exists. Every Member of the U.S. Senate and every American knows that the FISA Court exists. The FISA Court exists because when the Senate of the United States takes up classified, top-secret legislation, we shut these doors, we clear the Gallery, and we cut the TV off because it can't be heard in public. As a matter of fact, every court in the country operates in secret when they have sensitive information that can't be shared.

I wish my colleague would stay.

The information can't be shared because it can't be public. There are some things that don't meet that classification.

And to get up here and talk about secret courts and secret laws—we pass the laws. The courts enforce the laws, and they are challenged. We have committees and Members who do oversight. It is unfactual to stand on this floor and say we have secret courts and secret laws. That is why the Senate and the House made a mistake this week.

If the Senator were really concerned about privacy, my friend would be on the floor arguing that we eliminate the CFPB, a Federal agency created—not even funded by Congress—that collects every piece of financial transaction on the American people today. They get every data point from credit card companies and the credit bureau, they search the student loan information, and they download all of that into metadata within the CFPB. No Member is down here complaining about that. That is the greatest intrusion of privacy on the American people that could ever happen. It was known upfront, so they made sure it wasn't funded by Congress and made sure we didn't have any oversight responsibilities. That is why they put it under the guidance of the Federal Reserve.

The President of the United States could have ended section 215 at any time. He had the power. But the President understands that this program works and that there was public pressure to move this data from the NSA to the telecom companies, which is probably a greater concern about privacy than to have this controlled and supervised within the NSA.

The Senator mentioned Edward Snowden—a traitor to the United States. My colleague held him up as though he were a prize because he had come out with this publicly. What do the American people think when we come out here and take some of the most sensitive information and suggest everybody ought to know it? The American people look at us and ask us to keep them safe and do whatever is within the law to accomplish that.

And there is one thing that has never been contested on section 215: It lived within the letter of the law or it lived within the letter of the Presidential directive.

We had a debate, and that is behind us. But to come out here and suggest that there is a secret court and that there are secret laws and that yesterday they eliminated all of that—no, they didn't. No administration in their right mind is going to publicly release those classified and top-secret documents that go to the FISA Court because it would put Americans and foreigners at risk.

I have tried to explain to my colleagues that terrorists are not good people. We can't hug them and all of a sudden change their intent. They want to kill people. And in most cases, we don't find them through association with Boy Scouts; we find them by actually putting agents into a system where they work sources and collect intelligence. Why would we go out and give terrorists the roadmap of how we do things?

I will end on this. As everyone can tell, when somebody gets up and talks about something that just is not true, it can't go without correction.

What we have done in the last 2 months is given every terrorist in the world a roadmap as to exactly how the United States picks up individuals in the United States who might communicate with terrorists abroad.

I will say for the last time what section 215 did. Section 215 was a database that stated the NSA—the only way that any number could ever be queried was if we had a foreign telephone number that we knew was a terrorist telephone number, we could go to the FISA Court and say: We would like to test this against telephone numbers—not Americans; telephone numbers. It was a database that only had telephone numbers, the date of the call, and the duration of the call. The court would give us permission when we were looking to see if there was an American telephone number that actually talked to a known terrorist. And if it did, we turned it over to the Federal Bureau of Investigation and said: You might want to look at this person. They then went through a normal court process. If they wanted to find the person's name and get additional information, that is what they did. Some called that an invasion of privacy. I will tell everyone that is not the courts' interpretation. The courts ruled that when my telephone information goes to a telephone company, I have no expectation of privacy. None. That is the law.

The reality is that we are collecting telephone numbers. It has no personal identification on it. I don't know how it would be an invasion of privacy when we don't know who it is. And that threshold is met when the Bureau goes to the court and says they have a different concern about the individual, and the court will then rule on it.

But to believe that the FISA Court does anything different from the Senate of the United States or different from any court in the country when they are faced with classified or secret information—and that is, they shut it down—is wrong. It is just plain wrong. It is important for the American people to understand that there are ramifications to stupid decisions, even by Congress.

It is my hope that this program will work as it is currently designed. But there is no mistake that we have given terrorists every reason to never use a cell phone or a landline again, especially those who are in our country and intend to carry out some act like the gentleman from Boston did yesterday. He pulled a knife on two officers who just wanted to talk to him because he had been under 24/7 surveillance for days. If the news reports were correct,

he intended to behead a Boston police officer.

I think the American people want our law enforcement folks to be in that position. If we take away their tools, we will not be able to do it. What we did yesterday was we took some of the tools away. We didn't take all of them away. My hope is that this body will think clearly in the future about the tools we provide to allow this to happen.

I yield the floor.

The PRESIDING OFFICER. The Senator from Oregon.

For the Senator's information, the Senate has an order to recess until 2 p.m.

Mr. MERKLEY. Mr. President, I ask unanimous consent to speak for 5 minutes.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The Senator from Oregon.

Mr. MERKLEY. Mr. President, when colleagues come to the floor and contend that there have been no secret courts in America, that there has been no secret law in America, that the administration of section 215 matched the plain language of the laws adopted by this body, they are wrong on all three counts.

Mr. BURR. Will the Senator entertain a question?

Mr. MERKLEY. When I have completed my remarks, I will be happy to take a question.

And so my colleague comes to the floor and says that there is no secret law. But the fundamental understanding of law is that there is the plain language of the law and there is the interpretation of that by the court. It is only through the combination of those two things that you can know what a law means. So if you have the plain language but you don't have the interpretation that has been assigned by the courts and used to adjudicate cases, then in fact you have secret law because none of us know what the words mean.

If you look at the plain language of section 215, it doesn't say: Here are restrictions on how the government examines a body of information, interrogates that body of information, and analyzes that body of information. No. The language is completely about how the government collects that information and whether they can collect that information. It sets a series of clear standards for collecting that information. It says that information cannot be collected unless there is stated analysis, a set of facts that show there is evidence that the information being sought is relevant to an authorized investigation.

Now, any common citizen knows, therefore, that the government has to do a statement of facts. They have to state what is the specific investigation, has that investigation been authorized, and is the assorted information relevant that is being requested?

Well, ''relevant'' is a very powerful term in the law. It means one or two steps removed. And that is exactly what the Second Circuit found when they looked at this issue just recently.

The court's opinion explained that as the program is being implemented, the records demanded are not those of suspects who are under investigation, which would certainly be relevant, or of people or businesses that have contact with suspects under investigation, which is one step removed and certainly would be relevant, or even, the court went on to say, of people or businesses that have contact with others who are in contact with the subjects. That would be two steps removed, and that is stretching the boundaries of what is considered relevant under the definition of the law.

The court found that the implementation of the program has extended to every record that exists. The Court found that the implementation of the law extended to every record that exists.

So if the implementation by the administration so diverged from the language of the law passed and debated in this Chamber, how did the government—the executive branch—justify its gross deviation from the plain language of the law? Well, here is how they did it. They went to a court that had been created, the Foreign Intelligence Surveillance Court, and they said: We would like to be able to collect all the information, whether or not it is relevant, because some day, under some situation, we may want to analyze that information, and we would like to have it right at hand.

Now, had there been an adversary in this court, the adversary presenting an opposite point of view would have said: Well, not so quick, because there are standards in the case law for relevance. There are standards for what constitutes an authorized investigation. There are certainly standards for what are the means to present evidence to document this. But there was no contrary opinion in this court because the only one arguing the case with no rebuttal and no examination by any group was the government. So we have the government and a judge. That is not really the theory behind the courts. The idea is that we have an examination of an issue with both sides presented so there can be full articulation and full examination of the issues, and then a judge can decide based on full input. But, in this case, we didn't have that input. The government asked for an interpretation that would allow them to do something far different from the plain language of the law, and they got it from this secret court.

So, yes, we do have secret courts, operated with no input, and they disclose no opinions. And yes, we did have a secret law, and that ended yesterday, as it should have.

Thank you, Mr. President.

Mr. BURR. Will the Senator yield for a question?

Mr. MERKLEY. I will yield.

Mr. BURR. I ask unanimous consent for 1 additional minute before the Senate adjourns.

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

Mr. BURR. My question to the Senator is this: Did he know the FISA Court existed?

Mr. MERKLEY. The existence of the court——

Mr. BURR. It is a simple yes or no answer. Did the Senator from Oregon know the FISA Court existed?

Mr. MERKLEY. The Senator from North Carolina can ask a question, and I get to answer the question.

Mr. BURR. Well, no, you don't. I asked the question, but I did not yield the Senator from Oregon the time.

Mr. President, regular order.

I don't want to take any more of the Senate's time, and I certainly don't want to take any more of my colleague's time.

The fact is that he knows the court existed. Congress has reauthorized section 215 of the PATRIOT Act. The FISA Court has reauthorized it. They reauthorized it. They are asked every 90 days, and they ruled 41 times to allow section 215 to exist.

Mr. MERKLEY. Mr. President, will my colleague yield for a question?

Mr. BURR. I will be happy to yield for a question.

Mr. MERKLEY. Were the opinions of this court, established by law—and, yes, it is transparent to the public that the court exists. But the question of secrecy is not one of whether it exists; it is a question of whether the process is open in any feasible way to debate between two points of view. Did the Senator from North Carolina know that the opinions of the court, including interpretations of the law, were never disclosed to the American public and were, in fact, kept secret?

Mr. BURR. I actually do know that.

Mr. MERKLEY. Well, thank you, because that does show that in fact there were secret——

Mr. BURR. The Senator asked his question, and I answered, and I still control the time. Thank you.

Now, clearly, it is evident that if we say something wrong enough times, people start to believe it. It is not a secret court. It is not a secret law. The President knows about it, and Members of Congress know about it. We have voted on it. We know what goes on. Fifteen Members of this body have oversight responsibility over the program. We do our job, and we do it well.

Now, we may disagree with what tools we use to try to defeat terrorism in this country, and clearly the Senator and I have a big canyon between

us. But I have to tell my colleagues that America expects the Senate and the Congress of the United States and the President of the United States to defend them. I am going to continue to do everything I can to make sure law enforcement and the intelligence community have the tools to do their job because their job is a big one and the threat is big, and for people to ignore that today is irresponsible.

I yield the floor.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. MERKLEY. Mr. President, the people of the United States expect the Constitution to be upheld and the principles of the Fourth Amendment. They expect that the law that is passed on this floor will be implemented in an appropriate fashion and consistently, and when it is not, our liberty is diminished, our freedom is diminished, and our privacy is diminished.

Indeed, what we did yesterday with the USA FREEDOM Act was to end a system in which a court, in secrecy, changes the meaning of the law and does not expose it to the American public. That is a very important improvement, taking us back to the democracy that we are all a part of and that we all love.

Thank you, Mr. President.

RECESS

The PRESIDING OFFICER. Under the previous order, the Senate stands in recess until 2 p.m. today.

Thereupon, the Senate, at 1:21 p.m., recessed until 2:01 p.m. and reassembled when called to order by the Presiding Officer (Mr. TOOMEY).

NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2016—Continued

The PRESIDING OFFICER. The Senator from Washington.

(The remarks of Mrs. MURRAY pertaining to the introduction of S. 1494 are printed in today's RECORD under ''Statements on Introduced Bills and Joint Resolutions.'')

Mrs. MURRAY. I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

Ms. CANTWELL. Mr. President, I ask unanimous consent to speak for up to 10 minutes.

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

EXPORT-IMPORT BANK

Ms. CANTWELL. Mr. President, I come to the floor, and I know we are talking about the Defense bill. I know my colleagues are trying to work things out as it relates to the Defense bill, but I am just as concerned about the reauthorization of the Export-Import Bank—a credit agency that helps small businesses in the United States of America—which is expiring at the end of this month, June 30.

As we had discussions on the trade promotion authority act, I was very concerned that we were going to be passing trade policy while at the same time allowing very important trade tools to expire. I still remain very concerned about the small businesses that are here in the Capitol today and that have given much testimony at various hearings—yesterday in the Senate Banking Committee and today in the House Financial Services Committee—about the need for this type of credit agency that helps small businesses ship their products to other countries that are new market opportunities for them.

The reason why this is so important is because other countries have credit agencies—if you will, credit insurance. You are a small business. You want to get your products sold in developing markets. You can't find conventional banking or you can find conventional banking but that bank says it is not going to insure these losses. Thus, what has emerged for the United States of America, Europe, China, Asia, many parts of the world, is what is called credit insurance.

That credit insurance takes the conventional banking and says: We will help secure that conventional banking loan. So that if you are a manufacturer in, say, Columbus, OH, making machinery and you are selling that in China, you actually have an opportunity to sell that product, use commercial banking in Ohio, have that guaranteed through credit insurance. A lot of business gets done on behalf of the United States of America.

We know this well in the Pacific Northwest because we do a lot of international trade. There are a lot of companies that have learned that the best way for them to grow small business is to become an exporter. So, yes, it may have started with our agricultural economy, where people started trading our agricultural products, but many of our agricultural markets are big export markets. Washington wheat, 90 percent of it is exported. Obviously, people know a lot about aerospace and the fact that the aerospace market is also an export market.

But what people do not realize is a lot of small businesses also became exporters, and they understood that the big market opportunities that are out there for their products are in growing economies around the globe. In fact, there is going to be a doubling of the middle class around the globe in the next several years. There are huge opportunities as those economies have higher income individuals to buy products and services.

So it is natural for us to want to increase exports. That is why the President has had an initiative to double exports over the last several years. I think he has set it for a 5-year period. We made good progress toward that growth in exports. So it really remains one of the biggest economic opportunities for our country, which is to have U.S. companies grow jobs by becoming exporters.

The Import-Export Bank costs zero to the U.S. Treasury. In fact, it actually generates money to the U.S. Treasury. So the notion that we would let a tool of the American economy expire, which literally helps us grow small businesses in the United States and throughout our country, when it actually generates money to our economy and costs us nothing, is something that is pretty hard to believe.

In fact, I do not know where my colleagues are going to come up with the money to pay for the $670 million hole that you will have in the Treasury if you do not do the Export-Import Bank. It has been a great tool for growing that economy. What we have heard from small businesses now is that they are actually seeing their deals affected. They are in the process of trying to negotiate with a country. Maybe it takes months and months to negotiate a final sale. They are showing up for those negotiations, and the businesses are saying: We are going to buy from somebody else. We are not going to buy from you, U.S. manufacturer. We are going to buy from an Asian manufacturer because it is clear their credit insurance company still works and we don't have to wait. We don't have to wait for the uncertainty of the U.S. Senate or the House of Representatives, so we are going to go ahead and do that business deal with them.

In fact, we have U.S. manufacturers on the Hill today saying they are losing business because the U.S. Senate will not vote on the reauthorization of the Export-Import Bank. So we worked very hard during the trade discussion to guarantee that we would get a vote on the Export-Import Bank before June 30 on a vehicle mutually agreed upon by the supporters here of the Export-Import Bank and Senator MCCONNELL, the Senate leader.

I think what we are saying is we do not think the Defense authorization bill is that vehicle. Obviously, the Defense authorization bill, now under criticism by the White House and threatened to be vetoed, is not a vehicle that is going to get done any time soon, certainly not by June 30, and that is when the Bank expires.

So I guess to my colleagues on the other side of the aisle who continue to hide behind the Heritage Foundation and will not declare whether they support the Export-Import Bank or don't

support the Bank, the attempt to put it on another vehicle that is not going anywhere is not going to help American business and the American economy.

The Export-Import Bank in the State of Washington has helped generate $102 billion in exports and has helped over 230 exporters in our State. Those companies have grown their businesses. We have heard from one. In fact, there is a Web site you can go to for Manhasset Specialty Company, which makes music stands. You can hear a lot about them and how they have grown their business around the globe because they have used the export credit agency.

They do not understand why this Agency is about to collapse. They are concerned about their business. What we hear from a lot of businesses is, if this credit agency is curtailed—which is the wish and desire of the Heritage Foundation, an organization that does not even support our export agenda—basically, about 25 percent of their business, on average, is related to the export market. They say that about roughly 25 percent of their employees will then end up being laid off as those business deals are unwound over the next several months. That means they will not be able to keep and retain current workers.

So my colleagues on the other side of the aisle, by refusing to bring up the Export-Import Bank on a vehicle that could be voted on by the House of Representatives before the end of June, are literally saying to small businesses across America: Go ahead and lay off workers; we don't care.

Now, the reason I have been so passionate about this and out here fighting is not because I don't think the aerospace industry can take care of itself—there is a lot of discussion that the aerospace economy can be built where there are economies that will support credit agency financing—but why I am here is because there are a lot of small businesses that are crafting their products every single day to be the best on the globe. They are working hard to figure out how to stay ahead of the competition. In fact, we had a hearing when I was the chair of the small business committee with one of my colleagues on the other side of the aisle whose constituents said to us: You know, small business exporting is not for wimps.

I thought that was a great statement. Because what they were saying is it is hard enough to be a small business person, take the financial risk, build a company, have employees, but then you have to go to the point of saying: Well, OK. I am going to ship my product to a new or developing market. How am I going to make that work? It is not like you can just go down the street and figure it out.

So this employer, a big manufacturer—medium-sized, small business manufacturer but big in this small town said: You know, exporting is not for wimps. You are taking risks. One of the things that we have done as a country to help minimize the risk of that small business owner who is helping the U.S. economy grow by expanding his market and hiring new employees is to have a credit agency that provides the insurance to his local bank so the deal can actually get executed.

Well, for some reason, many of my colleagues on the other side of the aisle, after years and years and years of supporting the Export-Import Bank, now all of a sudden do not want to support it anymore because the Heritage Foundation is saying it is something they should not support. In fact, they are giving bonus points on a ranking system as a way to say: We will reward you for trying to get rid of what has been a viable tool for small businesses in our economy.

So we hope our colleagues on the other side of the aisle will soon wake up to the fact that the expiration of such an important tool is not in the interests of our economy and not in the interests of small businesses and will come up with a vehicle for this to get done.

Those on the other side of the aisle who think it is OK that the Bank lapses are putting about $18 billion of deals at risk that are before the Bank but will not get executed if the Bank closes at the end of this month. So I hope my colleagues will work toward a solution on this issue. I hope they understand the export credit agency is a job creator for small business and will come up with a vehicle so that it must pass by June 30.

I yield the floor.

The PRESIDING OFFICER. The Senator from Alabama.

Mr. SESSIONS. Mr. President, I want to express my appreciation to Senator MCCAIN and Senator JACK REED for their leadership on the Armed Services Committee. It is unusual, indeed, and good for the Republic that both of them are Academy graduates—though, the Navy and Army Academies sometimes can be quite competitive. They get along very well and respect each other, and the committee has done a very good job.

I understand there is some concern by some of our Members concerning the desire to spend more on nondefense money and perhaps use this bill as a hostage to force the Congress to spend more money on other pieces of legislation. I think that would be a very grievous mistake. I have served on the Armed Services Committee now for 18 years, for quite a long time on the Budget Committee. I have spent a lot of time looking at the challenges we face.

I think the world has changed since the Budget Control Act was passed in 2011. In 2011, the President told us: Don't worry. We are pulling everybody out of Iraq and there are not going to be any more problems in Iraq. He did not mention ISIS. In 2011, we did not have the Russian invasion of Crimea. We did not have the continued vicious, violent fight in Syria. We did not have the chaos that is happening in Libya. We did not have the threat to the Iraqi Government's existence—we thought it was on the right path. We did not have the problem in Yemen.

So this is just a different world. Unfortunately, we are going to have to spend some more money for national defense. That is just the way it is. I am a budget hawk. I have looked at the numbers. We are going to have to spend some more money. However, what kind of argument can be made, that if you have to spend more on national defense—and we do have to make some tough choices on national defense—we have to spend more on nondefense? What kind of an argument is that, just for commonsense sake? If you were in a household budget and you had to spend more money on one item, you would probably spend less on the other items. So I would just say that the nondefense discretionary spending that some of my colleagues are insisting need more money before they would vote for the Defense bill, basically has flat funding this year. There is not a cut in nondefense spending. It grows the next 4, 5 years at 2.5 percent growth a year, which is faster than the economy has been growing, frankly. Last quarter the economy was negative.

So we just have to understand that we cannot hold this bill hostage to that kind of argument. I believe we are on the right track with a good armed services bill, with very strong bipartisan support. Apparently, over this budget issue, we lost a few votes in the Committee, but it was a strong bipartisan vote for the bill. As far as I can tell, there are few, if any, big differences on any provisions that are in the bill. So that is good. I think America is going to be pleased that our committee was able to work effectively. So we will spend about $612 billion for Department of Defense and Department of Energy defense issues. That is a large sum of money. It includes a base budget of $497 billion and $89 billion in the Overseas Contingency Operations fund. It is an increase in OCO over last year, but it is still well below the peak of OCO's funding that we had in years past.

I just have to say, the world is a more dangerous place than it has been. The legislation authorizes $135 billion for military personnel, including pay, allowances, bonuses, death benefits, and permanent change of station moves. It authorizes an across-the-board pay increase of 1.3 percent for uniformed servicemembers in grades O–6, colonel and below.

The legislation authorizes $32.2 billion for the defense and health programs, authorizes fiscal year 2016 Active-Duty strength for the Army—475,000. Some are saying we are going to have to go to 450,000. Maybe we will have to go to 450,000. But right now, we need to slow that reduction based on the world situation. The Navy forces will be 329,000; Marine Corps, 184,000; Air Force, 317,000. So this is a good markup. I think it moves us in the right direction.

The strategic forces provisions contained in the 2016 authorization bill are important. As chairman of the Subcommittee on Strategic Forces, I am pleased to inform my colleagues that the bill before them represents a bipartisan consensus in support of the President's plans and the Congress's plans to modernize nuclear forces and improve and expand U.S. missile defense capability.

I want to express my particular appreciation to the ranking member, Senator DONNELLY of Indiana, who approaches these sometimes difficult and controversial issues in a nonpartisan, constructive manner. He has been closely involved in every aspect of the work of the subcommittee, from the hearings we have held to the bill's final markup.

This year, the portion of the budget request falling under the subcommittee's jurisdiction for missile defense, nuclear forces, military space, and the Department of Energy atomic defense activities included a total of $70.5 billion, including $22.5 billion for procurement, $27.8 billion for research and development, $1.4 billion for operations and maintenance, and $18.7 billion for the Department of Energy.

The Missile Defense Agency. In the area of missile defense, the bill fully funds the President's request of $8.2 billion for the Missile Defense Agency. I think we agree with that. It recommends an increase of $330 million for Israeli cooperative missile programs, including U.S. coproduction of the David's Sling and Arrow systems of Israel, and recommends an increase of $50 million to support modernization of the interceptor used for the U.S. ground-based midcourse defense system that would protect the homeland.

So this needs to be done. We have to get our interceptor systems at the highest level, and there are some difficulties we face now with that system. I think some of the criticisms or concerns are overstated, but it is not where we want it to be, and we need to be moving in that direction. It can be fixed. We know that. And there are just some things we need to work on there.

The bill recommends an increase to facilitate MDA's ongoing development of laser programs, which is a new system. It is different from what it has been in the past. And I am proud—I believe it has real potential and a lot of other things.

The nuclear forces issue is significant. The bill would fully fund the President's budget request to operate, maintain, and modernize the nuclear triad and associated systems. This is essential. We must modernize these weapons, many of which are 40 years old and utilize vacuum tubes in their systems.

The bill includes an additional $1 billion in 2016 to support the recommendations of the nuclear enterprise review completed in 2014. We need to listen to those review systems and respond appropriately. I believe this mark does.

To ensure that the Department is planning for the full range of nuclear conflict scenarios, the bill includes a provision that would direct the Department of Defense to conduct a net assessment of the global nuclear security environment, including the range of contingencies and scenarios where U.S. nuclear forces might have to be used.

I would just say personally that I think it is time for us, in this dangerous world, to quit talking about nuclear zero—people who doubt our resolve sometimes doubt that we are willing to follow through. I wish zero would happen. It is not going to happen anytime soon, that is for sure, so we are going to have to maintain a nuclear arsenal. We need to talk about maintaining it, modernizing it, making it safer, and making it more reliable and more accurate. Maybe we can reduce the numbers some more, but we need to be talking less about reducing numbers and more about assuring the world that we have the best nuclear capabilities anywhere on the planet and that they are ready to be deployed and can be deployed, Heaven forbid that would be necessary. That is just why we have these forces.

The bill includes a provision that would require the Secretary of Defense to develop options to respond to the Russian violation of the 1987 Intermediate-Range Nuclear Forces Treaty, including countervailing, counterforce, and active defense programs. We have violations going on; those can't just be accepted.

The Department of Energy gets funding for its defense nuclear capabilities, and we continue rigorous oversight of the warhead life extension and construction program that would support a reliable and modernized nuclear stockpile. I think we are on the right track there for sure.

The bill includes a number of provisions to improve congressional oversight of NNSA activities and track the recommendations of the Congressional Advisory Panel on the Governance of NNSA.

We need better coordination with the Department of Energy. I think we are moving in that direction. Over the last several years, I have pushed for it aggressively, and I think progress is being made. More needs to be done.

Military Space. Our whole Defense Department depends more than most people realize on our ability to maintain space capabilities, and I think this bill funds those programs effectively. The bill would require the Secretary of Defense, in a new idea, to designate one individual to serve as the principal space control adviser who shall act as the principal adviser to the Secretary of Defense on space control activities. I think that will help.

With respect to program oversight, the bill would prohibit the use of funds for the Defense Meteorological Satellite Program or the launch of the Defense Meteorological Satellite Program satellite number 20 until the Secretary of Defense and the Chairman of the Joint Chiefs provide a certification that nonmaterial or lower cost solutions are insufficient. Senator MCCAIN has challenged us all to maintain oversight of these programs and to contain costs. I think this can help do that.

In conclusion, I restate my belief that our committee has worked in a positive way. We have taken the advice of the President and of the Defense Department. We have examined it in an appropriate way and produced this bill that I believe will strengthen our national defense, with strong backing to modernize and expand our missile defense capabilities and to strengthen our deployed forces, allies, and partners.

So I hope we don't have a fuss over demands to increase spending for nondefense when we are supposed to be funding the Defense Department. If there are arguments to be made in that regard, they should be made on another bill when those bills come up and ought to be brought forth in that fashion. I think it would be wrong and a big mistake to use the Defense appropriations and authorization bills in any way as some sort of a hostage to force spending in other areas.

The bill is a good bill. It puts us on the right course. It has broad bipartisan support. If we can avoid those kinds of political gymnastics, I think we will be in a good position to properly take care of the people we have deployed to defend our country and to maintain the security of our homeland.

I yield the floor.

The PRESIDING OFFICER. The Senator from Arizona.

AMENDMENT NO. 1456 TO AMENDMENT NO. 1463

Mr. MCCAIN. Mr. President, I call up amendment No. 1456, which is at the desk.

The PRESIDING OFFICER. The clerk will report.

The senior assistant legislative clerk read as follows:

The Senator from Arizona [Mr. MCCAIN] proposes an amendment numbered 1456 to amendment No. 1463.

Mr. MCCAIN. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

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

The amendment is as follows:

(Purpose: To require additional information supporting long-range plans for construction of naval vessels)

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

SEC. ___. ADDITIONAL INFORMATION SUPPORTING LONG-RANGE PLANS FOR CONSTRUCTION OF NAVAL VESSELS.

Section 231(b)(2)(C) of title 10, United States Code, is amended by inserting ''by ship class in both graphical and tabular form'' after ''The estimated levels of annual funding''.

Mr. MCCAIN. Mr. President, in consultation with Senator REED, I ask unanimous consent that the next amendments in order be Reed No. 1521, Portman No. 1522, Reed or designee amendment, followed by Cornyn No. 1486—whether those amendments will require yeas and nays or voice vote we will figure out as we move through the amendments; further, that the regular order with regard to these amendments be the order as I stated regardless of the order offered.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The Senator from Rhode Island.

AMENDMENT NO. 1521 TO AMENDMENT NO. 1463

Mr. REED. Mr. President, I call up Reed amendment No. 1521.

The PRESIDING OFFICER. The clerk will report.

The senior assistant legislative clerk read as follows:

The Senator from Rhode Island [Mr. REED] proposes an amendment numbered 1521 to amendment No. 1463.

Mr. REED. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

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

The amendment is as follows:

(Purpose: To limit the availability of amounts authorized to be appropriated for overseas contingency operations pending relief from the spending limits under the Budget Control Act of 2011)

At the end of subtitle B of title XV, add the following:

SEC. 1523. LIMITATION ON THE AVAILABILITY OF OVERSEAS CONTINGENCY OPERATION FUNDING SUBJECT TO RELIEF FROM THE BUDGET CONTROL ACT.

(a) LIMITATION.—Notwithstanding any other provision of this title, of the total amount authorized to be appropriated by this title for overseas contingency operations, not more than $50,950,000,000 may be available for obligation and expenditure unless—

(1) the discretionary spending limits imposed by section 251(c) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended by section 302 of the Budget Control Act of 2011 (Public Law 112–25), on appropriations for the revised security category and the revised nonsecurity category are eliminated or increased in proportionally equal amounts for fiscal year 2016 by any other Act enacted after December 26, 2013; and

(2) if the revised security and the revised nonsecurity category are increased as described in paragraph (1), the amount of the increase is equal to or greater than the amount in excess of the $50,950,000,000 that is authorized to be appropriated by this title for security category activities.

(b) USE OF FUNDS AVAILABLE UNDER SATISFACTION OF LIMITATION.—

(1) TRANSFER.—Any amounts authorized to be appropriated by this title in excess of $50,950,000,000 that are available for obligation and expenditure pursuant to subsection (a) shall be transferred to applicable accounts of the Department of Defense providing funds for programs, projects, and activities other than for overseas contingency operations. Any amounts so transferred to an account shall be merged with amounts in the account to which transferred and available subject to the same terms and conditions as otherwise apply to amounts in such account.

(2) CONSTRUCTION OF AUTHORITY.—The authority to transfer amounts under this subsection is in addition to any other transfer authority in this Act.

Mr. REED. Mr. President, I am prepared to debate this. I have talked about it before, but I am prepared to debate it extensively over the next several days, and my colleagues are also.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from Ohio.

AMENDMENT NO. 1522 TO AMENDMENT NO. 1463

Mr. PORTMAN. Mr. President, I rise today to talk about the National Defense Authorization Act and offer a bipartisan amendment with Senator PETERS that will strengthen this very important underlying legislation we are working on.

As you know, the security threats around the world continue to grow. A lot of experts believe that ISIS is now the best trained, best equipped, and best financed terror organization we have ever seen. Al Qaeda continues to threaten our own country. If you look at what is going on around the world, Hamas and Hezbollah are constantly looking to wage war on Israel. The regime in Iran remains the world's No. 1 state sponsor of terrorism, and they are pursuing nuclear weapons. China continues to intimidate its neighbors in the South China Sea.

We live in a dangerous and volatile world. As a result of these international events and developments, among others, it is absolutely imperative that we maintain a strong national defense to protect our homeland and to defend our allies.

With all these crises around the world competing for our attention, we sometimes neglect another crisis, one that Chairman MCCAIN has constantly reminded us about, and that is the situation in Ukraine, which could easily spin out of control at any time. In fact, news out of eastern Ukraine this morning is particularly troubling. It appears that the latest Russian and separatist attacks on Ukrainian positions this morning may be the final blow to what was, in fact, a ceasefire in name only. Russia is increasingly aggressive on the European continent. We need to be acknowledging that and dealing with that in this underlying legislation.

I just returned from a trip to Ukraine in April, a year after I had the privilege to be there leading the congressional delegation to monitor the election of President Poroshenko. I went with my friend and colleague, Senator BEN CARDIN. A lot has happened since that last election. I learned about this in my meetings most recently with Prime Minister Yatsenyuk, President Poroshenko, and other Ukrainian individuals. They have reached a pivotal moment in Ukraine.

The Ukrainian people have sacrificed in hopes of securing a democratic future for their country. However, they need our help. They need sustained economic, military, and political support from the United States and from our NATO allies. It is absolutely critical to this vision of a democratic Ukraine, a free Ukraine, coming to fruition.

In my view, the people of Ukraine have made a very clear and unequivocal choice, and we need to stand with them. Their choice is to pursue a pro-Western, democratic path. Their government has been responsive to that choice by making progress in fighting decades of endemic corruption that has left the country weak and, frankly, unprepared for the Russian aggression that has occurred. However, none of these reforms will mean much if Ukraine is unable to secure its borders or defend its sovereignty.

The NDAA before us has a lot of important provisions related to this crisis in Crimea and along the eastern border of Ukraine. I applaud Chairman MCCAIN and Ranking Member REED for their efforts on it. I hope we will be able to entertain a few other amendments in this process that will even strengthen the U.S. posture and support of Ukraine.

I look forward to being on the floor later this week to talk about this situation in Ukraine in more detail. This afternoon, however, I have come to the floor to talk about a related amendment that is of great importance as this situation in Eastern Europe continues to destabilize.

Following my visit to Ukraine this spring, I visited Latvia. I went there because I wanted to spend some time with U.S. soldiers from an Abrams tank company who were there on a NATO mission. I am sure most of my colleagues know that recent force structure changes moved our two heavy armored brigades out of Europe. This armored unit I saw in Latvia and the other two companies in the Baltics today are only there on a rotational basis this spring, and they will soon return home to the United States, in this case to Fort Stewart.

These units are sending an important message to our allies, such as those in

the Baltics—and, believe me, the Latvians are extremely appreciative—but they are only temporary. What they are really looking for is a permanent presence. That is what sends the stronger message.

The big news when I was over there was that there was a road march being conducted by the 2nd Calvary Regiment through Central and Eastern Europe. The 2nd Calvary Regiment is in Europe, but they were taking this road march through Central and Eastern Europe. This was taking their Strykers, which is the only permanently stationed U.S. armored vehicle in Europe, on roads and through small towns—towns that fear an increasingly aggressive Russia on their doorstep.

The unit was doing all it could to help reassure our allies and demonstrate U.S. resolve, but, frankly, they were doing all they could with what they have, and what they have is not enough. They do not have what they need.

This unit has communicated this urgently to us here in the Congress. Their weapons systems are, frankly, inadequate to meet their potential mission requirements if they are called upon. They need a more powerful gun. They need to replace their .50-caliber machine gun with a 30-millimeter cannon. The soldiers understand that. The Army understands that.

The Army has already identified this requirement, and prior to the deteriorating situation in Europe, they slated to field this improved weapons systems to these Strykers starting in 2020. So they knew it was a problem. They knew they had to address it. Then we saw this deteriorating situation in Europe caused by Crimea's being annexed and now the situation on the eastern border of Ukraine.

The soldiers manning these Strykers today know that 2020 is just too far in the future, and Army leadership agrees with them. On March 30 of this year, U.S. Army Europe submitted an operational needs statement to Army Headquarters to address this urgent capability gap in the 2nd Cavalry Regiment. Specifically, according to the needs statement, the unit lacks ''the lethality of a direct fire weapons system to engage similar units or those supported by light-armored vehicles.''

On April 22, Army Headquarters validated this high priority need and assigned this requirement to the program manager for execution. To shave several years off of the fielding timeline, however, the Army needs additional funding in fiscal year 2016. They need it now.

That is exactly what this amendment does. The review of these requirements by the Army was occurring while the Defense bill was being marked up in committee. The House appropriators, the first to mark up since the Army communicated its requirement, have fully funded the need.

I want to thank Chairman MCCAIN and the ranking member for their consideration and for including this important funding into this bill, even though the urgent need was communicated only very recently.

By the way, just to be clear, because I have heard discussion about this on the floor today, this turret and gun system—the cannon itself—will be competed, and that is appropriate.

This increase in funding is fully offset by taking additional reductions from the expected surplus from the foreign currency fluctuations as identified by GAO. The additional reductions taken by this amendment still won't match the reductions, by the way, that the House has taken from these accounts.

I want to thank the Members of our body here in the Senate for their support of this amendment. Senator PETERS, my colleague from Michigan, has been my partner on the other side of the aisle in this effort. He has been a strong supporter of giving our soldiers what they need in Europe and sending that strong message we talked about earlier.

Senator COTTON talked about this issue in the Armed Services Committee. He is chairman of the Airland Subcommittee, and he has worked hard on this, as well as have other Armed Services committee members, including Senator INHOFE, Senator SESSIONS, Senator WICKER, Senator TOOMEY, who is our Presiding Officer, and, of course, Senator MCCAIN.

This amendment is of vital importance for our forward-deployed troops. It also sends a critical message at this time of great uncertainty in Europe. I urge my colleagues to support this. It is bipartisan and it is needed, and I urge its swift adoption.

Because of that, Mr. President, I ask unanimous consent to set aside the pending amendment in order to call up amendment No. 1522.

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

The clerk will report.

The senior assistant legislative clerk read as follows:

The Senator from Ohio [Mr. PORTMAN] proposes an amendment numbered 1522 to amendment No. 1463.

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

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

The amendment is as follows:

(Purpose: To provide additional amounts for procurement and for research, development, test, and evaluation for Stryker Lethality Upgrades, and to provide an offset)

At the end of title I, add the following:

Subtitle E—Army Programs

SEC. 161. STRYKER LETHALITY UPGRADES.

(a) ADDITIONAL AMOUNT FOR PROCUREMENT, ARMY.—

(1) IN GENERAL.—The amount authorized to be appropriated for fiscal year 2016 by section 101 for procurement is hereby increased by $314,000,000, with the amount of the increase to be available for procurement for the Army for Wheeled and Tracked Combat Vehicles for Stryker (mod) Lethality Upgrades.

(2) SUPPLEMENT NOT SUPPLANT.—The amount available under paragraph (1) for procurement for Stryker (mod) Lethality Upgrades is in addition to any other amounts available in this Act for procurement for the Army for Stryker (mod) Lethality Upgrades.

(b) ADDITIONAL AMOUNT FOR RDT&E, ARMY.—

(1) IN GENERAL.—The amount authorized to be appropriated for fiscal year 2016 by section 201 for research, development, test, and evaluation is hereby increased by $57,000,000, with the amount of the increase to be available for research, development, test, and evaluation for the Army for the Combat Vehicle Improvement Program for Stryker Lethality Upgrades.

(2) SUPPLEMENT NOT SUPPLANT.—The amount available under paragraph (1) for research, development, test, and evaluation for Stryker Lethality Upgrades is in addition to any other amounts available in this Act for research, development, test, and evaluation for the Army for Stryker Lethality Upgrades.

(c) OFFSET.—The aggregate amount authorized to be appropriated for fiscal year 2016 by division A is hereby reduced by $371,000,000, with the amount of the reduction to be achieved through anticipated foreign currency gains in addition to any other anticipated foreign currency gains specified in the funding tables in division D.

Mr. PORTMAN. I yield the floor.

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

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

Mr. REED. Mr. President, while the Senator from Ohio is here, I want first of all to commend him for his interest in the Stryker program. It is one of those vehicles that have been extraordinarily effective in protecting our soldiers in their efforts both in Afghanistan and Iraq. It is a critical program.

The amendment would add $371 million of funding. We all understand this is a very difficult budget environment, and I would point out that the Army submitted their unfunded requirement list to the committee in March. This was not on their request. However, it is my understanding that the request for additional funding is driven by a new requirement that actually became evident in April of 2015. So the issue could have been that they weren't as aware of it as they should have been. But for the record, this is not part of the unfunded requirement list of the Army.

We did not have the chance, as a result, to look at this as an approach that we would include in our Defense

appropriations bill. It was not literally on the radar screen until April, and it didn't come up formally with their unfunded request. So I am concerned that these lethality improvements have not been fully vetted by the committee, by the Department, and also by the Department of Defense.

There is another issue here, too. This is a first step in a multiyear program, and we are not quite sure at this point, over the next several years, how much more money we would have to commit to production, testing, training, and logistics.

The other area of concern—not just in terms of looking closely at the program, the need, and the long-term budgetary effects—is the pay-for, which is an offset for foreign currency accounts. The Department's request has already been reduced by $550 million. We have literally taken that money from their currency accounts, and now we are going to take another $371 million. So we are really getting very, very close to what this account can bear in terms of costs added to it.

Again, I think since it is O&M—that is the basic account we are taking it from to put in a platform—it raises the other issue that is so central to everything the chairman and many of us have been doing, which is how do we keep the Army ready, and there is a trade-off. There is a trade-off between new platforms and making sure the soldiers we have are training on the existing platforms and doing their work.

So I would express some strong reservations. I would be happy to work with the Senator from Ohio. I understand this is driven by his commitment to making sure our soldiers have the best equipment in the world.

I yield the floor.

Mr. PORTMAN. Mr. President, first, I appreciate the ranking member's comments, and I look forward to working with him on this. We talked about this on the floor a moment ago. This is something the Army has requested. They came late; he is absolutely right. They did make a request in March, in terms of submitting this operational needs statement, but it wasn't until April 22 that they actually validated this high priority need and assigned it to the program manager. So the committee didn't have the opportunity to look at it as they have others.

I will say it is urgent, and having just been over there and seeing one of those temporary armored companies about to leave, they need this badly. What they are saying is that the 30-millimeter cannon is necessary to go up against any potential enemy, and the .50-caliber machine gun simply is not. So this is not moving more Abrams tanks into the area. It is taking these Strykers and upgrading them, and they have identified this as an urgent need.

So I look forward to working with the ranking member on this. I hope we can work through this, even in the next several days here, to get this done, because it is so important. It will be competed. It is a turret and gun system. It is something that does require an offset, and that offset—by the way, the account the GAO has identified as having a certain amount of funding does have that much room left in it and more, we are told. And also the House has already taken more out of this currency fluctuation account than the committee has.

So I again thank the ranking member for working on this. I know he too has a strong commitment to our soldiers who are there to be sure they have what they need in order to complete their mission in an increasingly volatile environment in Europe.

With that, I yield back for my colleague from Rhode Island.

Mr. REED. I yield the floor.

The PRESIDING OFFICER. The Senator from Texas.

AMENDMENT NO. 1486 TO AMENDMENT NO. 1463

Mr. CORNYN. Mr. President, as we begin this very important discussion about how we go about the business of defending our country and preserving the peace and our national security, I think it is really important we look at all of the elements of American power. We are very familiar with the fact that we have the world's best military—best equipped, best trained, with the most technologically advanced weapons systems. But we also ought to look at America's other sources of great power, and that means things such as soft power.

Let me explain. Here is the problem. Many NATO countries—our allies in Europe, the North Atlantic Treaty Organization countries—many of which are former satellites of the Soviet Union and are now being intimidated by the Russian Federation, rely heavily on energy resources from Russia, creating what I think can euphemistically be called a strategic vulnerability. Many of them are just downright scared about what it means in terms of their ability to survive a Russian intimidation.

According to a recent Wall Street Journal op-ed by former National Security Advisor Steven Hadley and former Secretary of Defense Leon Panetta, 14 countries that are a part of NATO buy 15 percent or more of their oil from Russia.

The distinguished chairman of the Armed Services Committee, who is not on the floor right now, famously said: Russia is a gas station masquerading as a nation. It produces prodigious sources of energy, but, unfortunately, they view energy as one of their weapons.

So the fact that 14 of these NATO countries buy 15 percent or more of their oil from Russia is a real vulnerability for them. Several other countries in Eastern and Central Europe buy more than 50 percent of their energy supply from Russia. As I said, Russia has huge sources of oil and gas, but they are using them not only as a source of economic strength and to provide for the Russian people, but they are using them as a source of intimidation and coercion.

For example, in January of 2009, Russia effectively turned off the natural gas to Ukraine. This affected at least 10 countries in Europe that rely upon natural gas that crosses Ukraine from Russia. According to a report released last fall from the European Commission, several countries in Europe could lose up to 60 percent of their gas supply if their supply lines from Russia are disrupted. That is the problem.

Here is what I propose is one of the things we can do about it. The United States, of course, has experienced an energy renaissance in recent years, thanks to the technology produced by the private sector—most specifically, the use of fracking in conjunction with horizontal drilling—which has turned America into an energy powerhouse. Not that many years ago, people were talking about peak oil. In other words, they basically were making the argument that all the oil that could have been produced was being produced, and we would now then be in a period of decline. That proved to be wrong.

Now, thanks to this huge production of American energy, we know we can use our ample energy resources not only to supply our own needs here at home but to use the surplus to reassure our allies and our partners and to reduce their dependence on bad actors, such as Russia and Iran.

If we think about it, some of the sanctions which we have deployed against both Iran and Russia for their bad behavior—one of the most effective ones is the indirect sanction of lower oil and gas prices because, frankly, Mr. Putin has calculated that oil prices would remain very high, and when they get low, that means he doesn't have the financial wherewithal in order to make some of the mischief that he and Iran are so noted for.

The United States, of course, has significantly diversified our energy resources. The United States has consumed the lowest level of imported petroleum in the last 30 years. That was this last year. Let me repeat that lest it be lost.

Last year, the United States consumed the lowest level of imported petroleum in the last 30 years. According to the International Energy Agency, today the United States is the largest oil and natural gas liquids producer in the world, surpassing Saudi Arabia, for example.

I have filed a number of amendments, and I intend to call up one of those in a moment, but let me describe briefly the amendments we have filed that I

think help provide some progress toward a solution for the problem I have described.

In light of this new geopolitical landscape, I have offered several amendments that would further our strategic position in the world while also strengthening our allies, making them less vulnerable to the intimidation and bullying tactics of the Russian Federation under Vladimir Putin. These amendments aim to help NATO and our other allies in Europe diversify their energy resources and lessen their dependency on energy supplies of some of our major adversaries such as Russia and Iran.

The first amendment would point out the existing authorities the President already has under current law related to energy exports if he determines it is in our national interests. Of course, this is an authority under current law that applies not only to the present occupant of the White House but would also apply to his successor.

This amendment expresses the sense of the Congress that the President should exercise these current authorities to aid our allies and partners in Europe and elsewhere. To help the United States get smart on how Russia currently uses its energy program as a weapon against our allies and partners, this amendment would mandate also an intelligence assessment to better understand the vulnerabilities of NATO and our other allies and partners in Europe. Then, it would also expand the requirements of the Pentagon's annual Russia military power report to mandate analysis of Russia's ability to use energy supplies as a tool of coercion or intimidation against our allies and partners in Europe.

So this would restate the present authorities the President of the United States currently has to produce and sell oil and gas to our allies in Europe, such as Ukraine and other NATO allies. It would require an additional intelligence assessment to make sure we understand fully the implications of this vulnerability that Europe and our NATO allies have to Russia and its intimidation tactics. Third, it would expand the requirements of a current report that the Pentagon makes on an annual basis called the Russian military power report to mandate an analysis of Russia's ability to use energy supplies as a tool of coercion or intimidation.

Two other amendments which we filed—which I will not call up at this time—would help reduce the need for U.S. allies to purchase energy from Russia and Iran. It would do this by adding a specific exception to the law that would allow crude and natural gas exports to allies and partners when their energy security is compromised.

For example, if a NATO ally or partner—such as Ukraine or Japan—requests additional energy exports from the United States, the President must approve it in a timely fashion if he finds it to be in the national interests of the United States. This would provide our allies and our partners with an additional source of fuel and a little additional reassurance that if they are subjected to the kind of intimidation and coercion I mentioned a moment ago, that we, as their friend and their ally, would supply them with an alternative source of energy they need in order to keep the lights on and keep their economy running.

Finally, we filed an amendment that would amend the Natural Gas Act to require the Secretary of Energy to approve liquefied natural gas exports to the North Atlantic Treaty Organization countries and other named partners and allies. This uses the same preferential treatment that is already given to our free-trade agreement partners, which are automatically deemed to be in the public interest.

In conclusion, these amendments are designed to address a very specific problem and a very specific vulnerability of some of our closest allies in Europe and to relieve them from some of the pressure of Russian intimidation and coercion when Russia attempts to use energy as a weapon. We can use this as an important element of our soft power to help our allies relieve this coercion and intimidation.

These amendments would strengthen the strategic hand of the United States in a world that grows more complicated by the day, not to mention more dangerous.

I encourage my colleagues to support them and, by doing so, take a long-term view of our own national security as well as the peace and stability of some of our most trusted allies and partners.

Mr. President, I ask unanimous consent to set aside the pending amendment in order to call up amendment No. 1486.

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

The clerk will report.

The senior assistant legislative clerk read as follows:

The Senator from Texas [Mr. CORNYN] proposes an amendment numbered 1486 to amendment No. 1463.

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

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

The amendment is as follows:

(Purpose: To require reporting on energy security issues involving Europe and the Russian Federation, and to express the sense of Congress regarding ways the United States could help vulnerable allies and partners with energy security)

At the end of subtitle D of title XII, add the following:

SEC. 1257. REPORTING ON ENERGY SECURITY ISSUES INVOLVING EUROPE AND THE RUSSIAN FEDERATION.

(a) ADDITIONAL MATTERS IN ANNUAL REPORT ON MILITARY AND SECURITY DEVELOPMENTS INVOLVING THE RUSSIAN FEDERATION.—Section 1245(b) of the Carl Levin and Howard P. ''Buck'' McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113–291; 128 Stat. 3566) is amended—

(1) by redesignating paragraph (15) as paragraph (16); and

(2) by inserting after paragraph (14) the following new paragraph:

''(15) An assessment of Russia's ability to use energy supplies, particularly natural gas and oil, as tools of coercion or intimidation to undermine the security of NATO members or other neighboring countries.''.

(b) REPORT ON EUROPEAN ENERGY SECURITY AND RELATED VULNERABILITIES.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Director of National Intelligence, in consultation with the Secretary of State, shall submit to the appropriate congressional committees a report assessing the energy security of NATO members, other European nations who share a border with the Russian Federation, and Moldova.

(2) ELEMENTS.—The report required under paragraph (1) shall include assessments of the following issues:

(A) The extent of reliance by these nations on the Russian Federation for supplies of oil and natural gas.

(B) Whether such reliance creates vulnerabilities that negatively affect the security of those nations.

(C) The magnitude of those vulnerabilities.

(D) The impacts of those vulnerabilities on the national security and economic interests of the United States.

(E) Any other aspect that the Director determines to be relevant to these issues.

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

(A) the Committee on Armed Services, the Select Committee on Intelligence, and the Committee on Foreign Relations of the Senate; and

(B) the Committee on Armed Services, the Permanent Select Committee on Intelligence, and the Committee on Foreign Affairs of the House of Representatives.

SEC. _____. SENSE OF CONGRESS ON WAYS THE UNITED STATES COULD HELP VULNERABLE ALLIES AND PARTNERS WITH ENERGY SECURITY.

It is the sense of Congress that—

(1) the Energy Policy and Conservation Act of 1975 (Public Law 94–163) gives the President discretion to allow crude oil and natural gas exports that the President determines to be consistent with the national interest;

(2) United States allies and partners in Europe and Asia have requested access to United States oil and natural gas exports to limit their vulnerability and to diversify their supplies, including in the face of Russian aggression and Middle East volatility; and

(3) the President should exercise existing authorities related to natural gas and crude oil exports to help aid vulnerable United States allies and partners, consistent with the national interest.

Mr. CORNYN. Mr. President, I appreciate the courtesies of the chairman and the ranking member to allow this amendment to be called up and to give

me a chance to explain its importance and how it fits into the national security strategy of the United States. I know we don't typically tend to think of our energy resources as being an element of our national strength and power that we can project beyond our borders in a way that helps aid our allies and friends and reduces the influence of our adversaries, such as Iran and Russia, but I hope my colleagues will take a close look at this amendment and, when the time comes, vote to support it.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from North Carolina.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

AMENDMENT NO. 1540 TO AMENDMENT NO. 1463

Mr. REED. Mr. President, I ask unanimous consent to set aside the pending amendment and, on behalf of Senator BENNET, call up amendment No. 1540.

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

The clerk will report.

The legislative clerk read as follows:

The Senator from Rhode Island [Mr. REED], for Mr. BENNET, proposes an amendment numbered 1540 to amendment No. 1463.

Mr. REED. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

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

The amendment is as follows:

(Purpose: To require the Comptroller General of the United States to brief and submit a report to Congress on the administration and oversight by the Department of Veterans Affairs of contracts for the design and construction of major medical facility projects)

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

SEC. 1085. COMPTROLLER GENERAL BRIEFING AND REPORT ON MAJOR MEDICAL FACILITY PROJECTS OF DEPARTMENT OF VETERANS AFFAIRS.

(a) BRIEFING.—Not later than 270 days after the date of the enactment of this Act, the Comptroller General of the United States shall provide to the appropriate committees of Congress a briefing on the administration and oversight by the Department of Veterans Affairs of contracts for the design and construction of major medical facility projects, as defined in section 8104(a)(3)(A) of title 38, United States Code.

(b) REPORT.—Not later than one year after the date of the enactment of this Act, the Comptroller General shall submit to the appropriate committees of Congress a report on the administration and oversight described in subsection (a).

(c) ELEMENTS.—The briefing required by subsection (a) and the report required by subsection (b) shall each include an examination of the following:

(1) The processes used by the Department for overseeing and assuring the performance of construction design and construction contracts for major medical facility projects, as so defined.

(2) Any actions taken by the Department to improve the administration of such contracts.

(3) Such opportunities for further improvement of the administration of such contracts as the Comptroller General considers appropriate.

(d) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this section, the term ''appropriate committees of Congress'' means—

(1) the Committee on Veterans' Affairs and the Subcommittee on Military Construction, Veterans Affairs, and Related Agencies of the Committee on Appropriations of the Senate; and

(2) the Committee on Veterans' Affairs and the Subcommittee on Military Construction, Veterans Affairs and Related Agencies of the Committee on Appropriations of the House of Representatives.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

NUCLEAR AGREEMENT WITH IRAN

Mr. MENENDEZ. Mr. President, once again, the truth proves elusive when we are dealing with Iran's unpredictable regime. I refer to a New York Times article that is entitled ''Iran's Nuclear Stockpile Grows, Complicating Negotiations.'' Among elements of the article—and I know the article is being disparaged by the State Department; I will talk about that in a moment—but among the elements of the article is the fact that Iran's stockpile of nuclear fuel has increased about 20 percent over the last 18 months of negotiations—increased—increased 20 percent in the last 18 months of negotiations.

In essence, we are to be convinced ''that Iran will have to shrink its stockpile by 96 percent in a matter of months after a deal is signed, even while it continues to produce new material and has demonstrated little success in reducing its current stockpile.''

I am reading from the Times article.

It goes on to say, in part, ''That means Iran . . . would have to rid itself of more than nine tons of its stockpile in a matter of months.''

In a matter of months.

Now, this is a continuing challenge that we have as we look at these negotiations. We are supposedly in the final months. The end of this month is when we are hopefully going to come to some type of an agreement. We see what has been a challenge from the very beginning. It is a challenge I have cited time and time again.

How much of these numbers are done because of Iran's desire to push the numbers upward? Is that for a political purpose? Is it for a negotiating purpose? Is it for a technological inability? Whatever it is, the numbers published Friday by the International Atomic Energy Agency, the independent agency for which so much of the Joint Plan of Action and any future agreement that might be consummated—this is the entity we are depending upon. Well, this entity has said that Iran has continued to enrich uranium aggressively, even though it knew it was not meeting its goals of converting its stockpile into reactor rods. This is a real question that I have.

Another independent group, the Bipartisan Policy Center, said in February that Iran has failed to do the conversion.

We knew from the beginning it was going to be difficult for the Iranians to blend down rather than ship out because they have this aversion to shipping out. This was all possible if they would ship out, but they have consistently said they will not ship out their fuel. We knew it would be a concern if they weren't able to do what they pledged to do and, frankly, I am concerned.

I am concerned this is just another diplomatic sleight of hand by an untrustworthy negotiating partner. I am concerned Iran is still saying it will not ship out excess low-enriched uranium but rather blend it down and store it. I am concerned this is more of an issue than the administration is willing to concede, particularly if there is no deal, and we, in essence, with sanctions relief have paid them to convert, and then they walk away with massive amounts of low-enriched uranium that can be fed into their centrifuges and converted to highly enriched uranium.

Let's be clear. The tracking and verification of uranium mines and mills—which were often talked about as part of why we will have a safeguard if there is a deal—to centrifuges only works if Iran gets rid of its stockpiles. It doesn't work any other way. It does not work any other way. The New York Times has identified a real problem with the mechanisms being used to control Iran's nuclear stockpile. The simplest solution would be to ship Iran's stockpile out of the country. This would prevent any question of a buildup of material. However, Iran has refused to do this—at least to this date publicly—and opened the potential for Iranian manipulation about what is going on.

There may be technical reasons for the 20-percent increase in low-enriched uranium, but one certainly has to wonder: Are they delaying? Are they really having problems building a conversion facility—something I specifically expressed concerns about early in the process—or is this simply another attempt to play fast and loose with the

truth, cover it up, and buy time? Is it a negotiating posture? So as they come closer and closer to the deadline, they have all of this enriched uranium, and there is this compulsion to strike a deal—not a good deal but a deal at any cost.

While this may not be a technical violation of the Joint Plan of Action, the Iranians were supposed to have reached the agreed-upon goal. The fact is, midway through the process, we are told there could be a delay. But clearly the timetable has slipped even further away.

I know the State Department has gone after the article, which, in part, is based on facts from the International Atomic Energy Administration. The administration has gone out of their way to attack the premise of the article because I guess anything that would upset the fundamental belief that we have to have a deal at any cost is problematic for the State Department.

But I have to be honest with you. As I read the State Department's response, it means to me that their main response appears to be that Iran is not in technical violation of the Joint Plan of Action because it still has a month left to transform all of the extra low-enriched uranium that it has created in recent months into oxide.

This pushback is pretty much something we should have expected because it is the only argument the administration actually has available to it to explain this, and it is the same argument they used when many of us were raising the concerns that Iran was busting through their oil export caps set under the Joint Plan of Action every month. We were consistently told: Well, next month the Iranians will ship even less, and therefore it will all even out. Well, the fact is that when time ran out, the exports of Iran remained way above what was allowed, and then the administration shifted to an explanation only to suggest that certain types of oil just do not count. There is always a reach here to try to get a justification for Iran.

I think the State Department's response totally misses the point of the New York Times article. The upshot of the piece is not that there is no way for Iran to meet its Joint Plan of Action obligations in theory—in theory; it is that Iranians have stockpiled so much low-enriched uranium that it is all but impossible for them to meet those objectives in practice. The Iranians may have calculated that they do not have to do so and that the administration is not about to blow up an impending nuclear deal over a violation of past agreements if those violations bear directly on Iranian intentions and capabilities to implement the agreement.

There is another group who has been before the Senate Foreign Relations Committee. When I was the chairman, we called them several times, and I think Senator CORKER, the new chair, has a deep respect for them as well—the Institute for Science and International Security. They have posted their analysis of this specific question: Will Iran be able to meet its obligation regarding its 5 percent low-enriched uranium?

In the response to that question, the Institute for Science and International Security, David Albright, who is arguably one of the most respected voices on Iran's nuclear program, comes to this conclusion: Iran has fallen behind in its pledge to convert its newly produced low enriched uranium hexafluoride into oxide form. There are legitimate questions about whether Iran can produce all of the requisite LEU oxide.

Iran has fed a total of 2,720 kilograms of 3.5 percent low-enriched uranium hexafluoride into the EUPP—the vehicle by which they ultimately have the conversion—but it has not fed any 3.5 percent low-enriched uranium hexafluoride into the plant since November of 2014—November of last year.

By the end of June—they go on to say—in order to meet its commitment under the Joint Plan of Action, Iran must finish converting the 2,720 kilograms of low-enriched uranium into oxide, introduce it into that vehicle and convert it into oxide.

They go on to say: Thus, Iran has clearly fallen behind in its pledge under the Joint Plan of Action.

On a policy level, the institute's analysis emphasizes that Iran's refusal to meet its obligation ''show the risk posed by relying on technical solutions that have not yet been demonstrated by Iran''—so technical solutions that we say: If, in fact, they can do this, this may be part of our way in which we can strike a deal, but Iran has not demonstrated meeting those technical solutions. Iran is under sanctions and in the middle of negotiations. Yet, we still cannot rely upon them.

I think this is a serious concern not to be minimized. This is at the same time that Iran is boarding commercial ships in the Strait of Hormuz, firing at some of them. This is the same Iran that is in the midst, as a country, of going ahead and is engaged as the largest state sponsor of terrorism in the world, in Lebanon, in Syria, in Iraq, in Yemen. Yet, even as we are in the midst of the negotiation, all of these things are taking place, and even if we want to wall off all of the nonnuclear acts of Tehran that have to worry us and concern us in terms of our national security and international order, as it relates to the nuclear portfolio, they do not seem to be headed in the direction of what is clearly necessary in order to meet their obligations under the Joint Plan of Action. They do not seem, at least in this point in time, to be technically capable of doing that even though these are the fixes we are looking for.

At the end of the day, you have to really wonder why we continue to find a way to excuse Iran in every element. We had something that was found independently and reported to the United Nations Security Council commission that deals with questions. They were ultimately fueling one of their rods. This was raised and, again, it was responded to. It was deemed de minimis. We had oil exports greater than what they were allowed. We explained it away, saying: Well, certain types of oil were not counted. We have a set of circumstances where they have raised their fuel capacity, not lowered it, even as they are headed toward an agreement in which they have to dramatically reduce it.

So I have a real problem in consistently seeing the willingness to stretch to allow Iran to get where it is today. It is that view which let the world, unfortunately, allow Iran to get to the point of a precipice of having nuclear power that it can convert to a nuclear weapon. That is not in the national interests and security of the United States.

I have the intention in this period of time to consistently come to the floor and raise these issues as they evolve and rear their heads at a critical moment. I think we have to be very committed to knowing the truth here.

While all of us aspire to have an agreement that can truly stop Iran's path toward a nuclear weapon and that that be something which is not just limited in time because the Persians have for 5,000 years been trying to have the power in the hegemonic interests they have—they are closer to it, from my perspective, than at any other time. If they already have their people suffering under sanctions as a result of their actions and they are using the resources they have not to help their people but to continue to spread terrorism throughout the region, then we can only wonder, when a deal is struck and large flows of money begin to return to Iran, what they will do with that money. It seems to me that you would have a strategy set up to think about that before you even get to a deal, assuming you can achieve a good deal.

But when I see them taking actions that, in my view, may not be a technical violation but are contrary to everything they are supposed to do, when you have independent groups such as the Institute for Science and David Albright and when you have the IAEA making these observations, for me, it has alarm bells and those alarm bells are worrying.

I think it is incredibly important, on what I believe is one of the most significant national security and international security order questions that will come before the Senate, that we

not just look the other way but that we challenge, when these facts continue to come forward, about what is the truth behind them and what does it mean for any potential agreement and how we continue to judge Iran's actions in light of any potential agreement.

I know we are told constantly: This is not on hope, and that it is all going to be verified. It is not on trust, but it is all going to be verified. But I have to be honest with you—it depends when you keep defining what is or is not permissible. From my perspective, where we are headed is not what I think is in the national interest and security of the United States.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

Mr. INHOFE. Mr. President, I know that we have a lineup of speakers. We have a speaker from Hawaii who is going to be here shortly, at which time I would be very pleased to yield, but I wish to make a couple of comments.

First, the fact that we are getting to this bill is great, because if you look at the last few years, we have not had a chance to do this until late in the year. The last 2 years it was December before we actually got around to it. It could have been a real crisis, because I think most of us in the Senate know that if we had gone to December 31, all kinds of things would have stopped—funding for a lot of our reenlistment bonuses and other things.

I applaud the chairman for using his influence to get this bill on floor so we could go ahead and get it passed. It is something that we need to make sure the people who are out there risking their lives on a day-to-day basis know and that they know we are having this as our top priority.

I want to make one comment about sequestration. People are talking about putting equal amounts of increases—not just in the military or in the defense portion but also in the other portions of government, such as the IRS and the EPA—without recognition that as we went through the funding mechanism, we were taking money out of military on a 50–50 basis with nondefense moneys, while the military is only 16 percent of the budget. So we have already started at a great disadvantage.

As far as the OCO is concerned, that is kind of a desperate effort. It is not the way we should be doing it, but we must have the support and keep the readiness up with our troops.

We do have some good things that are in this bill, such as funding for the KC–46, the Paladin Integrated Management Program, the Long-Range Strike Bomber, and the F–35. So we are at least treading water here.

I wish to say one thing, though, that I didn't approve of in this bill, and we may try to make some changes on the floor. It is the BRAC process. I think we all know that the base realignment and closing process has been going on since 1987. This is no time to be doing something with that. I am very pleased that we are able to continue that and not see one for a period of time.

One thing that is consistent about BRAC rounds is that they all cost a lot of money in the first 5 years. People, if there is ever a time in the history of this body and of the military when we can't afford to take money out, it is now.

We have addressed a couple of things. There are some things that need to be fixed as we move on to the floor. I know that our chairman, Senator MCCAIN, has been asking people to bring down their amendments. I think we should be doing that, and I anticipate a lot of amendments will be coming down.

I wish to say one thing about Gitmo. There is this myth out there that somehow the terrorists think that we hurt people at Gitmo. Somehow they think it is something that should be altered and should be changed, but I don't believe that is the case.

I see the Senator from Hawaii is on the floor. I am cutting into his time right now. So I am going to continue comments throughout the rest of the afternoon, tomorrow, and yield back the time to him, which I have taken away from him for a few minutes.

I yield the floor.

The PRESIDING OFFICER. The Senator from Hawaii.

Mr. SCHATZ. Mr. President, I thank the chairman of the Environment and Public Works Committee for his gentlemanliness and for our ability to work together in spaces where we agree and when we have to disagree, to be agreeable about it. I really appreciate that relationship.

Mr. President, I wish to talk about climate change, and I ask unanimous consent to speak as in morning business.

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

CLIMATE CHANGE

Mr. SCHATZ. Mr. President, climate change is real, it is caused by humans, it is urgent, and it is solvable. Climate change is real, it is caused by humans, it is urgent, and it is solvable. This year we have had some debates about climate change on the Senate floor and a majority of Members, including more than a few Republicans, have admitted that climate change is real and caused by humans. We have passed bipartisan amendments calling for the United States to reduce carbon pollution and to fight human-induced climate change. That is a necessary step in the right direction, but it is not enough.

We need to take real action. We need to focus on real solutions, and here is the exciting part. There are plenty of real-world cost-effective solutions to climate change. A lot of them empower every day Americans, giving them more control in terms of how they get their energy.

One of these solutions is distributed energy generation, or DG. DG is creating a real revolution in the energy sector by putting individuals and homeowners in control. The ability to own carbon-free power generation is helping everyday Americans realize that even though Washington is slow in the extreme on these questions, they can be part of the solution.

DG systems are small, but they provide major benefits. They can be more efficient, help promote national security, reduce electricity and fuel bills, and provide power during blackouts. Most important for fighting climate change, distributed generation lets us take advantage of major advances in clean energy. Through the use of renewable DG, such as small-scale wind, solar, and geothermal, Americans can take simple steps to reduce their carbon footprint.

This is the important thing about distributed generation, and we are seeing it across the country in red States and blue States, among conservatives and liberals. You don't have to be as passionate as I am about climate change to be enthusiastic about distributed generation, because nobody wants to pay more than is necessary on their electricity bill. The idea of generating your own electricity is very attractive to individuals—regardless of their ideology, regardless of their partisan affiliation. This has tremendous potential to save individuals, business, and institutions real money.

DG is changing the nature of the U.S. energy system. It is especially true in Hawaii, where more than 12 percent of our residents have rooftop solar, which is by far the highest rate in the United States. Rooftop solar is the most well-known renewable DG resource—and for good reason. The price of solar panels has come down 80 percent since 2008, and the cost to install residential systems has dropped by about half since 2010—80 percent cheaper since 2008 for the panels and about half as expensive just to get them on a roof since 2010. The prices are going down and down, and the economics are changing. What we thought was possible with respect to distributed generation a couple of years ago is changing everything we know about the U.S. energy system.

In 2006, about 30,000 homes in the United States had rooftop solar. By 2013, that number had risen to over 400,000 homes. According to the Energy Information Administration and the

Department of Energy, as many as 4 million homes could have solar panels within 5 years. But DG is far more than just rooftop solar. Small wind systems sized for homes, schools, farms, and remote communities are taking off, with over 74,000 turbines installed in all 50 States.

One family in upstate New York installed a small wind turbine on its farm in 2012. Rated at 50 kilowatts, it will actually run at 60 or 70 when the wind is strong. They liked it so much, three branches of the family decided to lease three 10-kilowatt turbines for their homes, expecting to make back their initial investment within 5 years and to make a profit after that.

Ed Doody, one of those farmers, says:

My wife says it's like change in your pocket. When it's running, you make a little money.

Small-scale biogas systems offer farmers and ranchers opportunities to save money on energy and reduce methane emissions. Over 250 farms in the United States have made this investment, and the economics work for many more.

One dairy farm in California has installed a system that uses manure to create and capture gas to run a 700-kilowatt generator. The farm saves $800,000 per year in electricity and propane expenses and will earn back the money from its initial investment in just 4 years.

As you know, I am passionate about climate change, but you don't have to care about climate change to be excited about distributed generation. This is going to save people money, and that is the exciting thing about it.

There are many factors that are adding to the dramatic growth of distributed energy, including evolving State-level incentives and interconnection standards. But the most important reason has been the reduction in cost, especially when it comes to solar. It is simply getting cheaper for a homeowner or a farmer to see real savings by investing in clean energy.

A major reason for these cost reductions has been consistent, predictable, Federal and State support. From about 2005 until recently, Congress has done a fairly good job of providing consistent support for clean energy and distributed generation. We provided long-term tax credits that helped industries scale up and appropriated funds for the DOE necessary to spur real innovation and bring down the costs.

But that consistent support has tapered off in recent years with the expiration of a number of important credits. The clean energy industry will suffer further when the business and homeowner tax credits for renewable energy expire at the end of next year. That is why I plan to introduce, in the coming weeks, a bill that would extend the homeowner tax credit for solar, wind, and geothermal. This credit allows Americans to take control of their own energy futures, and Congress should extend it.

The explosion in DG does pose real challenges. Electric utilities must adjust to a world where power flows in all directions, and the lines between ratepayers and generators become blurred. This challenges the traditional utility business model, and there is nowhere that is facing this challenge more seriously than the State of Hawaii, where we have a series of island grids and we have unprecedented penetration of renewable energy into the grid. The old standard used to be a maximum of 15 percent of intermittent energy onto the grid, but we have parts of our grid that are in the 25 to 35 percent intermittent energy. So there are real challenges in upgrading our grid system, upgrading our electricity system, and creating a smart grid that can accommodate all of this distributed generation.

But it also provides opportunities for innovation and the development of new American markets. This is not in the distant future, this is happening now. Each home, each business, each farm is now within reach of controlling its own energy future, often with carbon-free clean energy.

Distributed energy is a real solution to climate change, both in the United States and around the world. It has created a revolution in energy production that we must harness and accelerate for the challenge of climate change, but it is a challenge we meet.

What excites me so much about distributed generation is that as much as we were fighting about Keystone several months ago, as much as we are likely to have a fight over the Congressional Review Act, having to do with the President's Clean Power Plan, as much as I am, with Senator WHITEHOUSE's leadership, going to introduce a carbon fee, there are lots of things where we are, frankly, not going to be able to find agreement any time soon, there are spaces where we can work together. Allowing individuals to generate their own electricity and reduce their power bills seems to be a good place to start in terms of bipartisan energy legislation.

I thank the Presiding Officer for the time to speak about this exciting new possibility, and I yield the floor.

The PRESIDING OFFICER. The Senator from North Carolina.

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

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

REMEMBERING ELDER L. TOM PERRY

Mr. LEE. Mr. President, I rise to pay tribute to Elder L. Tom Perry, a member of the Quorum of the Twelve Apostles in the Church of Jesus Christ of Latter-day Saints. Elder Perry passed away on Saturday, May 30, 2015, at the age of 92.

L. Tom Perry was a giant of a man with an even larger soul. His enthusiasm for life energized and inspired all who came under his extraordinary influence. It has been said that ideas go booming through the world like cannons, thoughts are mightier than armies, and principles have achieved more victories than horsemen or chariots. Inspiring ideas, transformational thoughts, and powerful principles—these were the driving forces in Elder Perry's life and ministry and what made him such a positive force for good throughout the world.

It is true Elder Perry's booming voice carried his words far and wide, but it was his spiritual strength and positive perspective that set his cherished ideas on faith, family, and freedom booming to the four corners of the world and into the hearts of millions.

As a marine, as a businessman, and as an ecclesiastical leader, Elder L. Tom Perry was committed to helping people elevate their thoughts and lives. He was a man who knew what it meant to dream big, to be bold, and to never accept anything less than your best. His passion for life, people, and service was contagious. He was among the wave of marines to arrive in Japan as World War II drew to a close. Though he entered as a member of the occupation forces, his thoughts were focused on elevating those around him. He convinced a number of his fellow servicemen to spend their free time rebuilding a decimated Protestant chapel. Later, while in Saipan, he similarly lifted others by repairing a Catholic orphanage. Throughout his service as an LDS apostle, he was known for praising positive performance. Yet he also made sure that thoughts and sights were forever lifted up so individuals, families, and entire communities would strive to do, be, and become better. Elder Perry proved that thoughts are indeed mightier than armies.

L. Tom Perry was a man of principle and a man who recognized that believing in, living by, and teaching true principles was the key to success in every area of life. He taught that the family is the bulwark of society and central to the strength and vitality of communities and nations. He believed the principle of freedom was universal and that all people should have the privilege to live in liberty. He declared that freedom was not a spectator sport and that we all have a sacred duty to defend and protect it. His faith carried him through difficult days and trying times. The principle of faith helped him help others. Elder Perry simply believed. He believed simply and showed that positively and enthusiastically believing was simply a better way to live.

He believed in people, even—no, especially when they didn't have the faith to believe in themselves. His life demonstrated that true principles have achieved more victories than horsemen or chariots.

Elder Perry often claimed he was just an ordinary man. Yet his ideas, thoughts, and principles enabled him to live an extraordinary life. As an apostle in the Church of Jesus Christ of Latter-day Saints, he traveled the world sharing his profound testimony of Jesus Christ and his love for people from every walk of life. Elder Perry reminded us that we are to live our lives not by days but by deed, not by seasons but by service.

I am thankful for the life and ministry of Elder L. Tom Perry. He made a difference for his family, his community, his church, and our Nation.

Mr. President, I would like to finish where I began: Ideas go booming through the world like cannons, thoughts are mightier than armies, and principles have achieved more victories than horsemen or chariots. The booming legacy of Elder L. Tom Perry will echo in the hearts, reverberate in the minds, and warm the souls of many for generations to come.

Mr. President, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. Will the Senator withhold?

Mr. LEE. I will.

Mr. DURBIN. Mr. President, I am going to seek recognition.

Mr. TILLIS addressed the Chair.

The PRESIDING OFFICER. The Senator from North Carolina.

Mr. TILLIS. Mr. President, we do have Senator ALEXANDER scheduled briefly. Could I have a moment before the Senator seeks recognition?

Mr. DURBIN. I will be seeking about 5 minutes, no more. So if Senator ALEXANDER comes to the floor, he will not have to wait long.

The PRESIDING OFFICER. The Senator from Illinois.

Mr. DURBIN. Mr. President, the ranking member of this important committee, the Armed Services Committee, Senator JACK REED of Rhode Island, will be offering an amendment to the National Defense Authorization Act, which I support. I hold the title of vice chairman of the Appropriations Subcommittee on Defense and have served as chairman of that subcommittee as well.

This is an awesome responsibility—to handle the authorization bill for the greatest military in the world, and I salute both my friend Senator REED and my friend Senator MCCAIN for the hard work they have put into this bill, but there is a fatal flaw in this bill. Senator JACK REED addresses it, and I want to speak to it for a minute.

Senator MCCAIN has stated publicly, with others on the Republican side, a sentiment that is shared on the Democratic side. We have to do away with sequestration once and for all. Sequestration is a bad idea. It was supposed to be so bad that we would never see it. It was supposed to be such an extreme, outrageous idea that it would never happen, but it did—because when we fail to hit the budget numbers, we automatically go into sequestration, which leads to across-the-board cuts, mindless across-the-board cuts. Those cuts hurt every agency of government when we did it, but most of all it hurt the Department of Defense.

If there is one agency that needs to be thinking and planning ahead, it is the Department of Defense, and sequestration, sadly, made cuts making it impossible for the planners at the Department of Defense to think ahead, to plan ahead.

So Senator MCCAIN has said—Senator REED has joined him and others have been in the chorus, me included. Senator MCCAIN has said: Once and for all, we need to get rid of sequestration. We need to have a budget process here that befits a great nation, and we don't.

Unfortunately, this authorization bill perpetuates some of the fundamental flaws of sequestration instead of solving the problem.

I am cosponsoring the amendment of Senator JACK REED. I believe we have to eliminate the budget gimmicks that are cooked into this Defense authorization bill. It doesn't do our servicemembers any service or our country any good for us to perpetuate this.

For the entire Federal Government to still face ultimately the threat of sequestration, across-the-board cuts—as vice chairman of the Defense Appropriations Subcommittee, I have heard testimony from the leadership of the Army, the Navy, Air Force, Marines, our Guard and Reserve that sequester-level budgets really harm our national security, and it makes sense.

How can you plan acquisition of important equipment? How can you be sure you can train our courageous young men and women if there is so much uncertainty with the budget? We know these cuts are going to have a dramatic negative impact on training for our servicemembers, grounded planes, wasted wrongheaded impacts to acquisition programs and more.

The National Defense Authorization Act includes the same budget gimmick that was offered in the Republican budget resolutions. It increases spending on something called overseas contingency operations by the same amount as sequestration would cut from the budget of the Department of Defense.

Let me explain. We fought two wars in Iraq and Afghanistan and we didn't pay for them. We added the cost of those wars to the national debt.

So this President came in and said we have to put an end to that. So we have to have actual appropriations, and we have to accept the reality that we may face future wars. They created an account called the overseas contingency operations account anticipating that wars might come along. Well, thankfully we have brought our troops home from Iraq and Afghanistan but for the limited commitment of troops to fight ISIS in Iraq at this moment.

What we have seen in this budget is the attempt to take these overseas contingency funds and take what was an emergency expenditure and build it into this budget, which is the problem. It was the wrong way to fix the problem earlier this year. It is the wrong way to try to fix sequestration now. Cranking up OCO spending on a 1-year basis just to get us through in the Department of Defense does nothing but add to our deficit and create a bigger problem next year. What are we going to do next year? No answer. That is why this is a gimmick. It is not fixing the sequestration challenge.

What do the Department of Defense leaders say? Are they celebrating because they are going to get this emergency money to come ride to the rescue this year? No. Secretary Ash Carter testified last month to the Appropriations Defense Subcommittee. He criticized this approach which is part of the bill before us. He called it ''managerially unsound'' and ''unfairly dispiriting to our force.'' He then went on to say:

> Our military personnel and their families deserve to know their future, more than just [one budget] one year at a time. . . . [O]ur defense industry partners—

Think about the contractors, for example, who are building the planes, the tanks, and the ships of the future—

> [O]ur defense industry partners, too, need stability and longer-term plans, not end-of-year crises or short-term fixes, if they're to be efficient and cutting edge as we need them to be.

That is what the Secretary of Defense said.

Then General Dempsey, Chairman of the Joint Chiefs of Staff, came in uniform. What did he say about the budgetary approach we have before us in this bill? He emphasized that it, too, created problems because of the lack of predictability in defense budgets.

In testimony to the Senate Armed Services Committee, Admiral Gortney of Northern Command and General Kelly of Southern Command pointed out that numerous domestic agencies also contribute to our national security, and they noted the Department of Homeland Security, the FBI, and other law enforcement agencies that are all subject to these across-the-board cuts. So if we say that in the name of America's national security defense and security, we are going to take care of the Department of Defense and then subject all these other agencies to across-the-board cuts, we will diminish protection for America. These agencies

are important, too, not just the Army, Navy, Air Force, Marines, Coast Guard, but also the FBI. For goodness' sake, they fight terrorism every day. The Department of Homeland Security has the same responsibility, the same type of mission. As we go through the list on the so-called nondefense side, we find a lot of agencies that are critically important to keeping America safe, and this approach in this bill does nothing for them.

This gimmick will also come at the expense of other programs not directed exclusively at homeland security and national defense.

So if the Department of Defense gets relief from sequestration by using this overseas contingency operations maneuver, what are the odds that we are going to do the same for the FBI, the Department of Homeland Security, the Federal Aviation Administration, the Veterans' Administration, the National Institutes of Health, or America's infrastructure?

Let me say a word about that. The last time we did sequestration, I am embarrassed to say that we did an across-the-board cut at the National Institutes of Health. It was so damaging to NIH—which is the premier medical research agency in the world—it was so damaging that they are still trying to recover today. Before we went into sequestration—consider this—if you had an application for a medical grant at NIH, your chances before sequestration were one out of three. One out of three. After sequestration and the cuts that took place—one out of six.

There was recently a Fortune magazine which had a cover story about the Alzheimer's crisis facing America. I have done a little work in this area, and it is frightening to think about what we face. One American is diagnosed with Alzheimer's disease every 67 seconds in our Nation. I didn't believe that number and challenged my staff. They are right. Once every 67 seconds.

Last year, we spent $200 billion in Medicare and Medicaid when it came to the Alzheimer's patients across America. That didn't even touch the amount of money families put into the care of their loved ones who are suffering from this disease. The projection of the rate of growth of Alzheimer's in America says that in just a few years, we will be spending more than $1 trillion a year on that disease alone—the government, over $1 trillion a year.

The Fortune magazine article—and the reason I rushed to buy it—says that at least two major pharmaceutical companies are starting to develop research that is promising to treat the onset of Alzheimer's, the early stages, and perhaps to alleviation some of the suffering. We have new imaging devices that are coming through that really can show Alzheimer's in living human beings at the earliest stages when it can be treated or at least ultimately should be treated—let me make certain I say that correctly.

But if you look at these breakthroughs, as promising as they are, you will find that in every single instance, the National Institutes of Health was there before, doing the basic research leading to the new drugs that are being developed, leading to the new technology. What happens when you go through sequestration and cut the National Institutes of Health? You stop the research. You slow it down, at least, and in some areas actually stop it. Is that really in the best interests of this country?

So when we come to the rescue of the Department of Defense, as we should, and we say that the Budget Act—sequestration—has to come to an end when it comes to the Department of Defense, we can't ignore what sequestration's across-the-board cuts will do to so many other critically important agencies, such as the National Institutes of Health. Senator JACK REED of Rhode Island, the ranking member of the Armed Services Committee, is going to offer an amendment to try to address this honestly and directly, and I am going to support him.

Let's talk about infrastructure for a minute. Two weeks ago on the floor of the Senate, we gave the 33rd short-term extension of the Federal highway program, a short-term, 60-day extension. Let me ask, if you are planning to build an interstate highway, is 60 days enough? Hardly. Most of our Transportation bills have been long-term bills, 5- and 6-year bills, as they should be.

There are some Members of the Senate who question whether there should be a Federal program, but most of us believe there should be. And if there is going to be one, we can't limp along every 60 days or 6 months in funding it. Keeping this Budget Control Act and sequestration guarantees we are going to face this over and over again until Congress faces its responsibility.

The unfortunate reality is, if Congress cannot tackle the issue of sequestration honestly, directly, and head-on, our domestic agencies will likely be stuck with these artificial caps for years. America will pay a heavy price for our inability and unwillingness to tackle this challenging issue.

The Senate should be providing real sequestration relief not only to the Department of Defense but to all of the agencies of our government that do such important work. That should be our focus—not a budget gimmick using overseas contingency funds to get through 1 year with the Department of Defense but something more befitting of a nation like ours that deserves real leadership.

I urge my colleagues to support Ranking Member JACK REED's critical amendment so that we can begin to get serious about the challenges that face us.

I yield the floor.

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

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

The bill clerk proceeded to call the roll.

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

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

Mr. TILLIS. Mr. President, I ask unanimous consent that following leader remarks on Thursday, June 4, the Senate resume consideration of H.R. 1735; that there then be 30 minutes equally divided in the usual form on the following amendments; and that following the use or yielding of time, the Senate vote in relation to the amendments in the order listed: Portman No. 1522; Bennet No. 1540. I further ask that there be no second-degree amendments in order to any of these amendments prior to the votes.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. TILLIS. Mr. President, I ask unanimous consent that Senators SHAHEEN and TILLIS or their designees be permitted to offer the next first-degree amendments during today's session of the Senate.

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

Mr. TILLIS. Senators should expect up to two votes tomorrow morning at 10:15. There are several more amendments in the queue, and my colleagues should expect votes throughout the day tomorrow to make progress on the bill.

AMENDMENT NO. 1506 TO AMENDMENT NO. 1463

Mr. TILLIS. Mr. President, I ask unanimous consent to set aside the pending amendment and call up my amendment No. 1506.

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

The clerk will report.

The bill clerk read as follows:

The Senator from North Carolina [Mr. TILLIS] proposes an amendment numbered 1506 to amendment No. 1463.

Mr. TILLIS. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

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

The amendment is as follows:

(Purpose: To provide for the stationing of C–130 H aircraft avionics previously modified by the Avionics Modernization Program (AMP) in support of daily training and contingency requirements for Airborne and Special Operations Forces)

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

SEC. 141. STATIONING OF C–130 H AIRCRAFT AVIONICS PREVIOUSLY MODIFIED BY THE AVIONICS MODERNIZATION PROGRAM (AMP) IN SUPPORT OF DAILY TRAINING AND CONTINGENCY REQUIREMENTS FOR AIRBORNE AND SPECIAL OPERATIONS FORCES.

The Secretary of the Air Force shall station aircraft previously modified by the C–

130 Avionics Modernization Program (AMP) to support United States Army Airborne and United States Army Special Operations Command daily training and contingency requirements in fiscal year 2017, and such aircraft shall not be required to deploy in the normal rotation of C–130 H units. The Secretary shall provide such personnel as required to maintain and operate the aircraft.

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

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

AMENDMENT NO. 1494 TO AMENDMENT NO. 1463

Mr. REED. Mr. President, I ask unanimous consent that the pending amendment be set aside and, on behalf of Senator SHAHEEN, call up amendment No. 1494.

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

The clerk will report.

The bill clerk read as follows:

The Senator from Rhode Island [Mr. REED], for Mrs. SHAHEEN, proposes an amendment numbered 1494 to amendment No. 1463.

Mr. REED. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

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

The amendment is as follows:

(Purpose: To revise the definition of spouse for purposes of veterans benefits in recognition of new State definitions of spouse)

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

SEC. 1085. DEFINITION OF SPOUSE FOR PURPOSES OF VETERANS BENEFITS TO REFLECT NEW STATE DEFINITIONS OF SPOUSE.

(a) SPOUSE DEFINED.—Section 101 of title 38, United States Code, is amended—

(1) in paragraph (3), by striking ''of the opposite sex''; and

(2) by striking paragraph (31) and inserting the following new paragraph:

''(31)(A) An individual shall be considered a 'spouse' if—

''(i) the marriage of the individual is valid in the State in which the marriage was entered into; or

''(ii) in the case of a marriage entered into outside any State—

''(I) the marriage of the individual is valid in the place in which the marriage was entered into; and

''(II) the marriage could have been entered into in a State.

''(B) In this paragraph, the term 'State' has the meaning given that term in paragraph (20), except that the term also includes the Commonwealth of the Northern Mariana Islands.''.

(b) MARRIAGE DETERMINATION.—Section 103(c) of such title is amended by striking ''according to'' and all that follows through the period at the end and inserting ''in accordance with section 101(31) of this title.''.

Mr. REED. Mr. President, I ask unanimous consent that in order to maintain the practice of alternating between Republican and Democratic amendments, that the Shaheen amendment be considered as having been offered prior to the Tillis amendment.

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

Mr. REED. Mr. President, I ask unanimous consent to add Senator MURPHY, Senator MARKEY, Senator CASEY, Senator MURRAY, and Senator FRANKEN as cosponsors of the Reed amendment No. 1521 to H.R. 1735.

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

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

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

Mr. REED. Mr. President, if I may take this opportunity to urge all of my colleagues to submit whatever amendments they may have to the underlying legislation as quickly as possible. We have made some progress today, and we want to continue to make progress in terms of offering the amendments as well as setting up votes so we can continue to move the legislation along. That would require that we get, as quickly as possible, all of the possible amendments from both sides.

I particularly want to ask that my Democratic colleagues do so and that they also be prepared if they wish to comment and speak on the amendments if called upon to do so or at their convenience. I hope that advice will be followed.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

MORNING BUSINESS

Mr. TILLIS. Mr. President, I ask unanimous consent that the Senate proceed to a period of morning business, with Senators permitted to speak for up to 10 minutes each.

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

ORDER OF BUSINESS

Mr. TILLIS. Mr. President, on behalf of the leader, I have also been asked to announce that there will be no rollcall votes this evening.

The PRESIDING OFFICER. The Senator from Tennessee.

THE COST OF HIGHER EDUCATION

Mr. ALEXANDER. Mr. President, I thank the managers of the bill for allowing me a few minutes to report on a very interesting hearing we had this morning before our Senate education committee. It is a different subject than the one on the floor right now, but it is one that both Senator REED and Senator MCCAIN have been interested in over time. It has to do with whether 22 million undergraduate students in America can afford to go to college and whether millions more high school students can look forward to going to college, and then we have millions more in graduate school who are continuing their education.

This affects our country as vitally as any subject, and I thought I would report to the full Senate and to the American people on the excellent, bipartisan hearing we had. This was the fourth hearing we have had in Congress on the reauthorization of the Higher Education Act. Our committee has already come to an agreement on a bill to fix No Child Left Behind that includes continuing important measurements of how we measure the progress of students in schools in America and then restore to States the responsibility for figuring out what to do about that.

We have 22 members on our committee, and we represent as much diversity of opinion in the Senate as exists, which is a lot of diversity of opinion. Yet, our work on fixing No Child Left Behind was unanimous.

Our next step will be to reauthorize the Higher Education Act that affects more than 6,000 colleges and universities in America. I am working with Senator MURRAY, the Senator from Washington, who is the ranking Democrat on the committee, and we hope to have that bill ready for the committee's consideration in early September.

The question before us this morning was, Can you afford to pay for college? I believe the answer for most Americans is yes, and for millions of Americans 2 years of college is free. It is never easy to pay for college, but it is easier than many think, and it is unfair and untrue to make students think they can't afford college. We should stop telling students they can't afford college.

Four weeks ago, I spoke at the graduation of 800 students from Walters State Community College in Morristown, TN. Half of those students were low income. Their 2 years of college was free or mostly free because taxpayers provided them a Federal Pell grant of up to $5,700 for low-income students and the average community college tuition in the country is about $3,300. So for the nearly 4 out of 10 undergraduate students in our country who attend roughly 1,000 2-year institutions, college is affordable. That is especially true in Tennessee, where our

State has made community college free for every student who graduates from high school.

In addition to that 40 percent of students who attend the 2-year colleges, another 38 percent of undergraduate students go to public 4-year colleges and universities where the average tuition is about $9,000. For example, at the University of Tennessee, Knoxville, one-third of the students have a Federal Pell grant to help pay for their tuition, and 98 percent—virtually all—of the instate freshmen have a State HOPE Scholarship, which provides up to $3,500 annually for freshmen and sophomores and up to $4,500 for juniors and seniors. So for most students, 4 years at a public university is affordable, and these include some of the best colleges and universities in the world.

What about the 15 percent of students who go to private universities where the average tuition is $31,000? Well, I will give an example of one of those universities. I had dinner this week with Jack DeGioia, the president of Georgetown University. He told me that the cost at Georgetown is about $60,000 annually. Here is how they deal with that.

He said: First, we determine what a family can afford to pay. Then we ask students to borrow $17,000 over 4 years from the Federal Government, to which they are entitled. Then we ask the student to work for 10 to 15 hours under our work-study program.

President DeGioia said: Then we pay the rest of the $60,000, which costs Georgetown University about $100 million a year.

He said that 21 other private universities that work together on financial aid policies have about a similar policy. He also said that Harvard, Yale, Stanford, and Princeton are even more generous. So even these so-called elite universities may be affordable for students in America.

Finally, another 9 percent of students will go to for-profit colleges where tuition averages about $15,000 a year.

Despite all of this, let's say your family is still short on money to pay for college. Well, taxpayers will loan you money on generous terms. We hear a lot about student loans. These are some of the questions being asked: Are taxpayers being generous enough? Some Senators say we need to be more generous. Is borrowing for college a good investment? Are students borrowing too much? One way to answer these questions is to compare student loans to automobile loans.

When I was 25 years old, I bought my first car. It was a Ford Mustang. The bank made my father cosign the loan because I had no assets and no credit rating. It made me mad, but I had to do it. I had to put up the car's collateral and I had to pay off the loan in 3 years.

Compare that to your opportunity if you are an undergraduate student today. You are entitled to borrow $5,000 or $6,000 from the taxpayers each year. It doesn't matter what your credit rating is, you don't need collateral, and the fixed interest rate for your loan is 4.29 percent this year.

It gets better. When you pay your loan back, you don't have to pay more than 10 percent of your disposable income each year, and if that rate of payoff doesn't pay it off in 20 years, the loan is forgiven.

The next question I hear is, Is your student loan a better investment than your car loan? Well, cars depreciate the minute you drive them off the lot. The College Board estimates that a 4-year degree will increase your earnings by $1 million on average over your lifetime.

A third question I hear is, Is there too much student borrowing? The average debt of a graduate from a 4-year institution is about $27,000 or about the same amount as the average new car loan. About 8 million undergraduate students will borrow about $100 billion in Federal loans next year. The total amount of outstanding student loans is $1.2 trillion. That is a lot of money, but the total amount of outstanding auto loan debt in the United States is $950 billion. I don't hear anyone complaining that the economy is about to crash because we have nearly $1 trillion worth of auto loans, nor do I hear that taxpayers should do more to help borrowers pay off their auto loans.

You might ask: What about all of those students with over $100,000 in student loan debt we hear about? The answer is that student loan debt of over $100,000 make up only 4 percent of student loans, and 90 percent of those are doctors, lawyers, business men and women, and others who have earned graduate degrees.

Nevertheless, it is true that college costs have been rising and that a growing number of students are having trouble paying back their debts. According to the U.S. Department of Education, about 7 million or 17 percent of Federal student loan borrowers are in default, meaning they have not made a payment in at least 9 months. The total amount of loans currently in default is $106 billion or about 9 percent of the total outstanding balance of Federal student loans. The Department says that most of these loans get paid back to the taxpayer one way or another.

The purpose of our hearing this morning was to find ways to keep the cost of college affordable and to discourage students from borrowing more than they can pay back. Here are five steps the Federal Government can take to accomplish that:

No. 1, stop discouraging colleges from counseling students about how much they should borrow. The Federal law and regulations actually prevent colleges from requiring financial counseling for students, even those clearly at risk for default who may be overborrowing.

At a March 2014 hearing before our committee, we heard from two financial aid directors who said that there was no good reason for this. One said:

> Institutions are not allowed to require additional counseling for disbursement. We can offer it, but we're not allowed to require it. And without the ability to require it, there's no teeth in it.

No. 2, help students save money by graduating sooner—for example, our bipartisan FAST Act that Senators ISAKSON, BURR, and I on this side of the aisle and Senators BENNET, CORY BOOKER, and ANGUS KING on that side of the aisle have sponsored, would make Pell grants available year-round to students so they can complete their degrees more quickly and start earning money more rapidly with their increased knowledge and skills.

No. 3, make it simpler to pay off student loans. There are nine different ways to pay off student loans. The Federal Government offers very generous repayment options. One allows you to pay 10 percent of your disposable income every year, and if that doesn't pay it off after 20 years, the loan is forgiven. Last week, I met a college president from Tennessee who said he spent 9 months trying to help his daughter pay off her student loan, and he needed the help of a financial aid officer.

We have legislation introduced by Senator BURR and Senator KING and sponsored by others, as well as those of us I just mentioned, to simplify the application and the repayment options for Federal student loans.

No. 4, allow colleges to share in the risk of lending to students. If colleges have skin in the game—a concept that Senator REED of Rhode Island and I with others have suggested should be seriously explored—it could provide an incentive to colleges to keep costs down and ensure students borrow no more than they can pay back. Senator DURBIN and Senator WARREN have also worked with Senator REED on introducing legislation on this subject.

No. 5, point the finger at ourselves. Congress is the culprit for the high cost of tuition across this country more than many Members of Congress would like to admit. The main reason State aid to public universities is down is the imposition of Washington Medicaid mandates and a requirement that States maintain their level of spending on Medicaid.

For example, in the 1980s when I was the Governor of Tennessee, Medicaid was 8 percent of our State budget and the State was paying 70 percent of the cost to go to the University of Tennessee. Today, Medicaid is 30 percent of Tennessee's State budget and the State is paying roughly 30 percent of the cost to go to the University of Tennessee.

It is pretty simple. Lower State support has caused higher tuitions, and

the decrease in State support, in my opinion, is mainly because the Federal Government's Medicaid mandates have made the Medicaid Program so expensive while tying the hands of States so much that Governors have to take money from higher education and direct it toward Medicaid; therefore, tuition is up.

That isn't the only thing the Federal Government does to cause the cost of college to go up. A couple of years ago, four of us on the education committee—Senators MIKULSKI and BENNET, Democrats; and Senator BURR and I, Republicans—invited a group of distinguished educators to do a study of the cost of Federal regulations on the over 6,000 higher education institutions. The group did an excellent job and came back with 59 specific recommendations about how to simplify the Federal regulation of colleges and universities, saving money, saving time. Time and money that would be better spent on education.

Chancellor Zeppos of Vanderbilt University and Chancellor Kirwan of the University System of Maryland were the two leading this project. Chancellor Zeppos described the Federal regulation of higher education as having ensnared colleges in a jungle of red tape.

Chancellor Zeppos took another step: He hired the Boston Consulting Group to tell Vanderbilt University how much Federal regulation of colleges and universities cost Vanderbilt during the year 2014. The answer was $150 million in order to comply with well-intentioned rules and regulations from the Federal Government.

What does that have to do with tuition? Well, spread that out among Vanderbilt students, and it equates to $11,000 in additional tuition for each of Vanderbilt's students. Mr. President, $11,000 per student is $2,000 more than the average tuition at State universities across this country. That is the average tuition for institutions like the University of Georgia, the University of Tennessee, and the University of Florida. So the Federal Government, through its Medicaid mandates and excessive regulation of colleges and universities, is driving up tuition and increasing college costs and discouraging students from going to college.

We should take steps to make college more affordable, but we should also cancel the rhetoric that is misleading and causes many students and families to believe they cannot afford college. It is untrue and unfair to say this. It is untrue because if you are a low-income community college student, your education may be free or nearly free thanks to a Federal Pell grant. And 38 percent of our college students attend those 2-year schools.

If you are an in-state low-income student at the University of Tennessee, Knoxville, between a Pell grant and a HOPE Scholarship, you have already covered 75 percent of your tuition and fees. That is the opportunity for another 40 percent of our students who attend public universities.

Even at elite, private universities, if you are willing to borrow $4,500 a year and work 10 to 15 hours a week, many of these universities will help pay the amount your family isn't able to pay, so you can afford what would appear to be an insurmountable sticker price of $50,000 or $60,000.

If you still need to borrow money in order to help pay for a 4-year degree, your average debt is going to be roughly equal to an average, new car loan, and your college loan is a better investment than your car loan. Student loans are also a better investment for our country. As Dr. Anthony Carnevale of Georgetown University says, without major changes, the American economy will fall short of 5 million workers with postsecondary degrees by 2020.

So I urge my colleagues to follow the Senate education committee. The Committee is well on our way to preparing legislation that we hope to have ready for the full Senate early in the fall to reauthorize the higher education system in America.

We hope to simplify college regulations. We hope to make it simpler to apply for a Federal grant or loan to pay for college. We hope to make it simpler for students to pay off their loans. We hope to instill year-round Pell grants so students can go through college more rapidly and get into the workforce. We hope to allow students to be able to apply for student aid in their junior year of high school rather than their senior year, which will permit them to shop around and make it easier to obtain the information they need. We will also take a look at accrediting, and we will try to understand better ways to accommodate the tremendous amount of innovation that is coming our way because of the Internet in terms of new ways of learning.

Mr. President, I ask unanimous consent to have printed in the RECORD a 1-page summary of the FAST Act, which was introduced by Senator BENNET and myself, along with Senators BOOKER, KING, BURR, and ISAKSON, to simplify and reform the Federal student aid process.

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

FINANCIAL AID SIMPLIFICATION AND TRANSPARENCY (FAST) ACT

Eliminates the Free Application for Financial Student Aid, or FAFSA by reducing the 10-page form to a postcard that would ask just two questions: 1—What is your family size? And, 2—What was your household income two years ago?

Tells families early in the process what the federal government will provide them in a grant and loan by using earlier tax data and creating a simple look-up table to allow students in their junior year of high school to see how much in federal aid they are eligible for as they start to look at colleges.

Streamlines the federal grant and loan programs by combining two federal grant programs into one Pell grant program and reducing the six different federal loan programs into three: one undergraduate loan program, one graduate loan program, and one parent loan program, resulting in more access to college for more students.

Enable students to use Pell grants in a manner that works for them by restoring year-round Pell grant availability and providing flexibility so students can study at their own pace. Both provisions would enable them to complete college sooner.

Discourages over-borrowing by limiting the amount a student is able to borrow based on enrollment. For example, a part-time student would be able to take out a part time loan only.

Simplifies repayment options by streamlining complicated repayment programs and creating two simple plans, an income based plan and a 10-year repayment plan.

Mr. ALEXANDER. I yield the floor, and I suggest the absence of a quorum.

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

The legislative clerk proceeded to call the roll.

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

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

HIGHWAY TRUST FUND

Ms. STABENOW. Mr. President, in the middle of the last century, our Michigan automakers were selling thousands of cars and trucks to an outstanding and expanding American middle class. We are proud to build those automobiles in Michigan.

Unfortunately, the roads of that day were too narrow, and it took drivers and truckers much too long to get to their destinations. Our Nation's leaders recognized that these delays were hurting our workers' productivity and stifling the American economy.

In October of 1964, President Dwight D. Eisenhower made a trip to Detroit and speaking in Cadillac Square he declared: ''We are pushing ahead with a great road program that will take this Nation out of its antiquated shackles of secondary roads and give us the types of highways we need for this great mass of automobiles.''

Of course, this vision gave rise to the interstate highway system which ignited the American economy, and by the late 1950s, our new interstate highways were responsible for 31 percent of the annual increase in the American economy. That is quite amazing, when we think about that. Our highways were the envy of the world, which is why other nations that aspire to be like us, now as economic superpowers, are investing in their infrastructure—from China to Brazil and everywhere in between—in roads and bridges and airports and seaports and all of the other

infrastructure they know supports a robust, growing economy.

President Eisenhower, the architect of our interstate highway system was, of course, a Republican. So it is ironic that 60 years later my Republican colleagues are the ones blocking us from building on President Eisenhower's legacy for growing the economy by investing in long-term infrastructure—not 60 days, not 30 days, not 6 months, but long-term infrastructure investment.

Over the last 6 years, Congress has passed short-term extensions over and over again, repeatedly patching over the shortfall in the highway trust fund. Today, we are actually at a point where we are 57 days away from the highway trust fund actually going empty—shutting down—57 days before the highway trust fund is empty.

This is no way to invest in our country and jobs and the roads and bridges and other infrastructure we need to support a thriving economy. It makes it hard for States and for local transportation agencies to plan. The uncertainty drives up costs, as we all know.

The World Economic Forum's Global Competitiveness Report from 2014 to 2015 ranked America 16th in the quality of our roads—16th in the quality of our roads in the world—one spot below Luxembourg and just a little bit ahead of Croatia. Now, if that isn't something that motivates all of us to come together around a long-term plan for investing in our roads and bridges and other infrastructure, I don't know what should. America, the world's superpower, is 16th in the world today in terms of investing in the future of our economy and what we need for fixing roads and bridges and other infrastructure investments.

The American Society of Civil Engineers' most recent report card for America's roads and bridges gave our roads a D—a failing grade. We talk about the importance of education and striving for excellence for our children in schools, yet we have been given—the Congress—a failing grade of D for lack of action and vision and investment in long-term infrastructure spending in our country. It said that 42 percent of the major urban highways are congested, that this costs $101 billion in wasted time and fuel every year—$101 billion every year, year after year that we don't address this—and countless jobs. And on the other side, we all know that investing in long-term infrastructure creates good, middle class jobs. Why in the world we are not coming together and making this a top priority is beyond me.

Since we can't afford to effectively repair and replace our bridges, engineers have to add plywood and nets—if you are driving along and look up and see the plywood and nets—to the bottom of bridges so they don't crumble and fall on to cars. We have had pieces fall down on to the road over the last number of years. In fact, that is what happened to a motorist in Maryland back in February.

Just a few miles from here, the Arlington Memorial Bridge, a historic bridge, has corroded support beams and columns and big signs on it now with lane closures in both directions for the next year because of emergency repairs. This is the Capital of the United States of America we are talking about and the Arlington Memorial Bridge.

Across the country, potholes are getting bigger, freeways are getting more congested, and our workers, our schoolchildren, our products—agricultural products, manufacturing products—and small businesses and large businesses trying to get to market are caught in gridlock.

In my home State of Michigan, the average person pays $154 a year to pay for improvements to roads and bridges. That is actually the lowest in the Nation, not nearly enough for what we ought to be doing to invest in improvements. Because of the poor road conditions in Michigan and the damage to cars, the average person spends $357 a year to fix their car—more than a lot of the efforts we have talked about in terms of looking for a long-term solution to be able to fund the highway trust fund when it runs empty in 57 days.

I have heard from workers in Michigan who hit potholes on their way to work and had to stop on the way to work to go to a repair shop. Some tell me they have to swerve around major potholes. I drive, of course, Michigan roads all of the time, going home almost every weekend, and I am constantly doing that. I have had to take my car in as well to get major repairs—realignments, new tires—because of what is happening on the roads.

This is a case where we know what the cure is for the disease, but instead we are treating the symptoms. Instead of fixing the roads, we are fixing our cars. That makes no sense. It is shortsighted. Our economy depends upon having roads and bridges and rail that is safe and effective across the country—short rail, by the way, for our farmers and agriculture and the passenger rail that is so critical. We have seen what happens when there are not safety provisions and when tragedies occur.

Our infrastructure is crumbling in the United States of America. Who would ever have thought we would have gotten to this point, 57 days until the highway trust fund is empty—57 days?

A previous generation of Americans responded to this challenge to invest and to build America by making bold investments that powered our economy into the 20th century, that made us an economic powerhouse, that created the greatest middle class in the world. Now, the question is how our generation will respond to the challenges of putting in place the investments, the plans, the commitments to not only fix our roads and bridges but to be able to create the infrastructure that will take us to the next level in terms of spurring jobs in the economy.

There is talk that once we get to the end of 57 days, we will just kick the can down the road again. How about this time until December? That is a good time for finding some patch of putting together $10 billion or $11 billion to be able to get us to the end of the year. And of course what do we say to communities, to cities, to States? What do we say to the county road commissions in Michigan? What do we say to those who are trying to negotiate contracts and are spending more money because of the stop-start short-term efforts? What do we say to those spending hundreds of dollars a year trying to fix their cars and wondering what in the world is going on with something so basic—so basic—as roads and bridges and other infrastructure? And yet every time we get to a place where a decision needs to be made, the decision gets kicked down the road.

If there is one thing we have learned, it is that short-term patches don't fix long-term potholes. It is time to step up now. We are tired of seeing this happen over and over. Where are the hearings? Where are the bills on the floor? We have 57 days. That is enough time to get a long-term plan together, to find a bipartisan plan. There are a number of different alternatives. Colleagues on both sides of the aisle have proposed solutions, and 57 days is enough time for us to be able to come together.

First, we need to have hearings, and we need to see bills reported to the floor. Where is the activity going on, the sense of urgency about the fact that in 57 days the highway trust fund will be empty?

We are committed to working with colleagues in a bipartisan way to find solutions. Every time we see a short-term patch, a short-term extension happen, we are letting down our businesses, our workers, our farmers, and the next generation of Americans. It is time—it is pastime—to have a long-term fix.

Frankly, I know what difference it makes when we can put in several years of policy in funding in an area of the economy. We came together to do that last year, and I am very proud of the work that we all did together on a bipartisan basis for rural America—for farmers, for ranchers—when we put together the farm bill, a 5-year bill of economic policy, funding, and investments that allowed people to plan, allowed communities to grow, allowed rural development to happen, and businesses to be able to invest, providing the economic certainty that they needed for looking longer than 2 months or

6 months. We need to do that as it relates to the highway trust fund. We are long past doing that.

The time has come for a long-term fix. It is time for our generation, and it is time for our Republican colleagues who have traditionally worked with us on a bipartisan basis to emulate the bold action of the previous generation. President Eisenhower said in 1952: ''A network of modern roads is as necessary to defense as it is to our national economy and personal safety.'' Fixing roads and bridges, expanding the ability for business to move and for agriculture to move and to create jobs should not be a partisan issue. We should not be at an impasse here. We should not be coming to the floor every day—which we will be doing—to count this down. What we ought to be doing is sitting together in committee, sitting together and working on a solution to get it done in the next 57 days. That is what we need to be doing.

I think it is important for each of us to answer this question: Are you happy with the D on America's report card on the roads? Is D enough? We would certainly not say that to our kids. Are you willing to let Croatia pass America in the Global Competitiveness Report? Croatia with better roads and better bridges than the United States of America—really?

Are we willing to spend the resources that we need to work together to find a bipartisan solution to fix our roads and bridges, to invest in safe rail and in opportunities for us to have the infrastructure and transportation we need? Are we going to force American drivers to pay even more on repairs year after year after year? Are we going to be like Ike or are our Republican colleagues in the majority going to just kick the can down the road one more time?

In Eisenhower's time there was a bipartisan agreement for investing in America's infrastructure. We can do that again. There is absolutely no reason why we should not be able to do that. We have to come together. Republican colleagues who chair the committees need to be sending us a signal. We need to be holding hearings and working together to develop bills and bringing bills to the floor and debating them and making clear that now is the time to get it done.

Don't kick the can down the road again. Step up. Let's fix our roads and bridges. Let's invest in rebuilding America for the future. Let's create jobs and send a signal that we can work together to get that done in the 57 days until the highway trust fund is empty—57 days. It is enough time to do it if people think this is important. I hope they will.

Thank you, Mr. President.

The PRESIDING OFFICER. The Senator from New Hampshire.

EXPORT-IMPORT BANK

Mrs. SHAHEEN. Mr. President, I have come to the floor this evening to join my colleague Senator HEITKAMP from North Dakota and to follow Senator CANTWELL from Washington, who spoke earlier this afternoon to talk about the importance of taking action to reauthorize the Export-Import Bank before that Bank expires at the end of this month.

At the end of June, the charter for the Export-Import Bank will expire, and that means billions of dollars of lending by the Bank to support American manufacturing and exports will come to a halt. I am sad to say that what we face right now is a completely unnecessary crisis. There is bipartisan support in both the House and the Senate for the Export-Import Bank, but we have just days until the charter expires. We need to begin now the process of reauthorizing this critical job-creating program.

I know there may be some different ideas in this Chamber about what the reauthorization of the Export-Import Bank should look like. I have introduced a bill that would reauthorize the bank for 7 years instead of 4, which has been one of the proposals. My bill would raise the cap on the lending for the Export-Import Bank instead of keeping it flat, and I know there are other discussions around language that addresses the financing of coal-fired powerplants abroad. But regardless of our different views on the specifics of the reauthorization bill, Democrats and Republicans should all be able to agree that letting the Bank expire would be bad for America's businesses, bad for the employees of those businesses, and bad for our economy. That is because the Export-Import Bank supports American jobs at zero cost to taxpayers.

Let me just say that again, because I think there is this perception in some quarters that because we don't have an agreement on reauthorization, there must be some huge cost involved to the Export-Import Bank. In fact, it is just the opposite. The Export-Import Bank puts money into the Treasury of the Federal Government. It doesn't take money out.

In New Hampshire the Bank has supported $314 million in export sales for our businesses since 2009. That support translates into more exports, into more manufacturing, and ultimately into more jobs.

Just this morning we had a number of businesses that rely on the Export-Import Bank come in to speak to some of the Senators. One person who was very eloquent with his comments was Michael Boyle from Boyle Energy in New Hampshire. Mr. President, I ask unanimous consent that Michael Boyle's statement be printed in the RECORD.

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

EXAMINING THE EXPORT-IMPORT BANK'S REAUTHORIZATION REQUEST AND THE GOVERNMENT'S ROLE IN EXPORT FINANCING

BES&T is an exporter of U.S. Patented Commissioning Technology know as SigmaCommissioning. The most advanced equipment and engineered process available in the world today. BES&T and Sigma significantly helps its clients (global energy companies) start (commission) their energy infrastructure projects for far less cost, fuel, water and time.

In short, we convert the largest power plants and refineries from a construction environment into an operating environment faster, less costly and with a higher degree of quality than is available anywhere else in the world.

In the first 10 years of BES&T's history we did 90% of our work in the US.

We then spent 4 years inventing and perfecting our new commissioning technology before declaring our services, equipment, and engineering to be out of the R&D stage and therefore commercially viable.

We began exporting the work. Foreign companies had very limited technical support for our work and the competition for technical services was very weak. This meant that our clients would most likely be first adopters of this new technology. We were right. We also wanted to be tested, to apply our services in remote locations, in extraordinary terms on the toughest projects.

To be certain we could pay our people and vendors should clients not pay in far off lands, we insured our work with the EXIM bank. We sought to protect against major cash-flow disruption as we had little knowledge of collection, legal recovery, or any other understanding of the commercial codes of the countries where we were deploying our services. We could do the work but did not know what we would do if a foreign buyer did not pay us.

As our service became accepted and our abilities grew, so did our receivables. We solicited a National US Bank to provide us with the needed credit to support our working capital. They were agreeable to it domestically but we were informed that they had no means of securing our collateral to perfect full collection from foreign countries if we were to default. Even though those receivables were insured. So we worked with them to apply for a working capital guarantee package with EXIM much as we had done when we bought our first building using 504 support through the SBA. We were approved and fees were required and paid. Since the time we began with the credit insurance and the working capital LOC we have had neither claims nor losses that required EXIM support to the bank.

Here are some of the results. In the 7 years since we began exporting and working with EXIM we have:

Become known as the most advanced technical commissioning service company in power in 22 countries

Spent $71 million on the cost of producing our work:

Trucking, Pipe and materials, Valves, Pumps, Filters, Manpower, Airfare, Fabrication, Chemicals, Hoses, Fittings, Ocean Freight, Air Freight

Spent $25 million on back office or SGA support.

Paid 25% of our profits in federal taxes to the Treasury Department

Repatriated all of our profits.

Increased our revenue 4x
Increased our employment 6x
Paid 100% health insurance for all our workers.
Paid Christmas and Profit sharing bonuses
Provided an average wage of $100K USD over our entire employment force
Increased benefits by adding dental, 401k, Life insurance, PTO, Family Leave etc.
Worked in 22 countries
Filed for and received further US Patents
Received an Audit by the IRS with received a notice of no changes or faults.
Donated $218,000 to local charities and nonprofits in New Hampshire
Successfully completed 60 projects
Completed 5x the revenue in the second 10 years of the company as was completed in the first 10 years
Eliminated 80,000,000 gallons of hazardous chemical waste in foreign countries.
Opened new markets in Oil and Gas production to augment power plant work.
Commissioned more than 27,351 megawatts of power and 200,000 barrels of oil per year from natural gas.

I personally have so enjoyed, and our company has benefited so much from the experience of and value derived from the EXIM bank that I was honored to be asked to volunteer my time to serve on the Advisory Committee of the bank, and have cosigned the 2013 and 2014 Competitiveness Report to the Congress of the United States. During that time I was chosen to serve as Chairman of the Sub-Committee on Public Engagement to the Advisory committee. I have also worked and consulted directly with Chairman Fred Hochberg on the issues impacting small business. I have also been asked to consult on the operational content and usability of the website offered by the bank. I have given voice to my experience to members of Congress, regional resource and economic development offices in New Hampshire, to local businesses thinking of working with EXIM. I have even been so honored as to join Chairman Hochberg in a discussion of the EXIM bank in the Roosevelt Room of the Whitehouse. To date my finest hour.

I can therefore state that I have been witness to positive changes in the bank's operating approach since my colleagues and I volunteered to serve on the advisory committee. We, and the information we have imparted, have had a direct impact on the bank because the bank's leadership was fully intent on providing the best support not just to small business, but to all businesses using the bank's services. The bank and each and every employee of the EXIM bank I met and worked with cared greatly about our concerns and took action to make the experience and value greater.

I have very good knowledge of the value of this bank to both the US exporter companies using the bank and the taxpayers in the US.

While I wish that there were no ECA global competition for credit support, there is. In as much as I have read and been required to review and make comment on the OECD and Non-OECD research of the activities of the global competitors to US exporting I am fully aware that both good and bad actors are in abundance across the world, and that their supporting ECAs are outspending in both percentage and real dollars the EXIM bank of the US. These actions are deliberate and these organizations will go to great lengths to create the unbalanced competition that we would like to have eradicated.

Until such time as there is no further need for global ECA competition, I would therefore ask the House and Senate of the United States to consider the following actions.

1. Re-authorize the EXIM bank for 7 years.
2. Add an additional 20 billion USD authority to the Bank
3. Allow the bank greater flexibility to advertise its existence and benefits.
4. Allow the bank greater budget flexibility to conduct regional training and recruitment of customers.
5. Establish treaties with Non-OECD countries to severely restrict and penalize unfair ECA support or non-competitive actions related to exports
6. Ensure 100% compliance with the law of the United States and all foreign Borrower nations.
7. Ensure that US policy support by the bank is fair and equally balanced.
8. Promote the establishment of a global Uniform Commercial Code or similar instrument for the security of international assets derived from commercial transactions.
9. Empower domestic banks to further support export credit of viable receivables and exported collateral under some strict country limitation schedule.
10. Negotiate ECA interest rates worldwide to stabilize differentials.
11. Vigorously promote the bank to small businesses.

In conclusion, we, as American business people value our support from our government. I personally have benefited from being a citizen of the United States. When I was young my mother reached out for food stamps and welfare to assist us till we could get on our feet. I had school lunch programs in the public schools I attended. Not being able to afford college I joined the United States Navy. I was trained to be a boiler technician over a 6 year period. I traveled the world on 3 destroyers and a tender and earned a great education in life, leadership, steam, and boilers. I was honorably discharged and have gone on to build a family and a company. My company has 60 families employed and we all still travel the world and we still work on boilers. I have been blessed to have the people and government of these United States beside me then and beside me now. I have estimated that my work in this regard has returned many times over the money given to my mother for my benefit and the salary I earned in the Navy. I have visited the White House, and am now here in the Capitol speaking to our Congress. Beyond all that I have accomplished, my mother and father are proud, my wife and sons too.

So I will make you a promise. When I don't need to use the EXIM bank any longer, when we have grown our business and employed hundreds more people, I will stop using the bank. But even then, I will volunteer my time to defend this organization and its people, and to help each and every small business that asks me to help them learn to export and how to do so with EXIM.

I love my country, am grateful to have its help, and wish to thank the Congress for making this valuable tool available.

Thank you for the honor of participating in this discussion.

God Bless the United States of America.

MICHAEL P. BOYLE,
President and CEO.

Mrs. SHAHEEN. Michael Boyle is the CEO of Boyle Energy Services and Technology. They have a facility in Concord, NH, which I have had the good fortune to visit. They do great work. This testimony is what Michael gave before the House Committee on Financial Services this morning at a hearing that examined the Export-Import Bank's reauthorization request and the government's role in export financing.

As I said, Boyle Energy does impressive work. They optimize energy performance in power and energy infrastructure construction projects. Their services have reduced greenhouse gas emissions and eliminated millions of gallons of hazardous waste at facilities around the world. It is a great American small business story. Boyle Energy got connected with the Export-Import Bank a number of years ago at a forum in New Hampshire where the Ex-Im Bank announced its Global Access for Small Business Program to help small businesses export.

Right now, about 40 percent of large businesses export, but only 1 percent of small and medium-sized businesses export in the United States. Yet 95 percent of markets are outside of America. We need to help businesses such as Boyle Energy get into those international markets. That is exactly what the Ex-Im Bank has done. With the Export-Import Bank's support, Boyle Energy has grown its international sales 75 percent over the last 3 years.

Before using the Export-Import Bank's credit insurance, the company shipped just to Mexico and Canada. But now Boyle has customers in over a dozen countries. Their exports comprise 60 percent of the company's $15 million in sales, and 10 of its 50 employees support their increase in international sales. Without the Bank, Boyle Energy's success just wouldn't be possible.

Last year the Ex-Im Bank supported $10.7 billion worth of exports by American small businesses. So this is not just the big guys. It is not just the General Electrics and the Boeings. It is small businesses such as we have in New Hampshire where 96 percent of our employers are small businesses. We should not take this important tool—this financing tool for our small businesses—away from America's job creators.

I think it is important to note that it is not just the direct users of the Bank's products that will suffer. It will also hurt those smaller companies that sell to larger companies who use Ex-Im Bank financing, for example, manufacturers such as Albany Engineering in Rochester, NH, which makes parts for airplane engines. Timken in Keene and Lebanon sell their products to Boeing. When we cut off financing for those products, it is going to have a real impact on American manufacturing. It is going to have an impact on jobs in New Hampshire and across this country.

Now is the time for us to come together. We can do this. We can get this authorization done. We have support in this Chamber to reauthorize the Ex-Im Bank, to help our small businesses so we can get them into the international

markets. We need to do this reauthorization before the Bank charter expires at the end of this month, and I urge my colleagues to join us in taking action.

I yield the floor, and I thank Senator HEITKAMP for her leadership on this issue.

The PRESIDING OFFICER. The Senator from North Dakota.

Ms. HEITKAMP. Mr. President, this is a story and a movie we see all too frequently in this Chamber and in the Congress—manufactured crisis after manufactured crisis after manufactured crisis. Here we are a few short days away from actually seeing the charter of the Export-Import Bank expire.

Think about that—a 70-year institution, a critical piece of trade infrastructure. We spent the better part of the last work period talking about trade promotion authority, and for very many of us this was a very difficult vote. It was a conflicting vote. At the end of the day, the one argument that sells the day is that 95 percent of all consumers in the world live outside the United States.

If we are not participating in trade, if we are not working to make sure our exports are competitive, if we are not making a difference for American manufacturers, we are going to lose the competition for the customer. We are going to lose the opportunity to grow our manufacturing base.

So the Export-Import Bank—not a lot of people know what it is, but the people who do and the businesses that do know this is a critical piece of trade infrastructure. The irony perhaps of this whole issue is there is no one—there is no group outside of conservative think tanks that does not agree the Export-Import Bank needs to be reauthorized.

We have the U.S. Chamber of Commerce begging us in the Banking Committee to reauthorize the Export-Import Bank. We have the National Association of Manufacturers that tells us overwhelmingly—the people who support that trade association, who are represented by that trade association, want reauthorization of the Export-Import Bank. We know the unions that represent the workers who work in these industries have been asking us to do the right thing.

So here we are, once again, at the eleventh hour. Last year, we agreed to a short-term extension, 6 months, believing we would not be in this spot today, believing we would not be at the last minute threatening the charter of the Export-Import Bank. So guess what. We have over $15 billion of credit in the pipeline. Think about 15 billion dollars' worth of manufacturing exports in this country. I want you to think not about the manufacturing exports, I want you to think about what that means, what that means for the American worker who works in those manufacturing facilities. They look at this and they say that you are all about the economy. You all run saying that we are all about jobs, we are all about improving the economy, creating opportunity by getting American manufacturing back on its feet. Yet we cannot do something that has been done for 70 years and frequently by unanimous consent in this body.

So where is the opposition? The opposition is nothing more than ideology. The opposition comes from conservative think tanks that score this, that scare Members and say that if you agree to reauthorize the Export-Import Bank, that will be a black mark on your record. You will not be with us. You know what. It is time we were with the American workers. It is time we were with the small businesses. It is time we dispel the myth of this institution, the Export-Import Bank, and start talking about this as a job-creating entity.

I have a chart here. It is a theme that Senator KIRK and I are sounding. Senator KIRK and I have the bipartisan bill that we would like to see advanced in this body to reauthorize the Export-Import Bank. We have tried very hard to balance the concerns people have for reform with a reauthorization that gives some level of certainty to American manufacturing, to the institutions that finance them. Make no mistake, it is not that this is public money. Simply what we are saying is, if a bank gives a loan to an American manufacturer, if a smalltown bank gives a loan to an American manufacturer, we will help guarantee that loan. It is like an SBA—it is like an SBA for manufacturing exports.

What is next? We are going to take on the SBA because they are doing too much good to help American businesses? So I want you to think about this: 164,000 American jobs. Those are direct American jobs, not the secondary jobs that we know come from this primary sector, development. When you look at economics, you think about those jobs that are secondary and those jobs that are primary sector.

Every manufacturing job that deals with exports is a primary sector job. It is new wealth creation for our State. Economically, that is manna from Heaven because that new wealth comes here in the payments for exports. It circulates around our economy, allows our retail businesses to thrive, allows our restaurants and our secondary businesses, whether they are dry cleaners, whether they are people in the service industry, to support those primary sector jobs.

So 164,000 primary jobs, exports of $27.5 billion—$27.5 billion—those are all U.S. exports supported by the Ex-Im Bank. When we look at it, guess what. People say: Well, it must cost us something to do this. It must cost the American taxpayers something to fund the Export-Import Bank if we are seeing those kinds of results. Guess what. Not only does it not cost us, it returned $7 billion to the Treasury.

Think about that. What is wrong with this? What is bad about this? Where is this failing the taxpayers of this country? Where is this failing the American worker? The simple answer is it is not. What is failing the American worker is this institution, the United States Congress, because we are failing to hand the tools to those businesses that can, in fact, create jobs, create economic wealth, and move our country forward. People will say: Oh, my goodness. It is all of those big companies. It is GE, it is Boeing, and that is really whom we are talking for.

Well, I want to kind of look behind the curtain of that a little bit, not just talk about small businesses in my State that are going to benefit and the agricultural producers that benefit from this institution. Think about the literally thousands of small businesses that support Boeing, the thousands of small businesses that support the folks at GE. Think about the businesses that actually are the contractors with these large institutions that make parts, that make the sandwiches that feed the employees. This is primary sector growth. We know that adds to the benefit of the entire economy.

So let's talk a little bit about why someone from North Dakota cares about the Export-Import Bank. If you look at more than 58,000 small businesses around the country depending on the Export-Import Bank to finance the export deals, they will all lose if we do nothing. There is $15.9 billion, as I said, in the pipeline.

The Export-Import Bank has supported $139 billion in sales in North Dakota alone, since 2007, and $102 million in exports from our State. Think about that—the little State of North Dakota, how significant this institution is.

I want to tell the story of a small business. We heard just heart-wrenching stories, one from California, an entrepreneur who gave his all in Vietnam, 100-percent disabled. He has a small business, had a dream, living the American dream, serving his country. Guess what. He lost. Because of the uncertainty here, he lost a $57 million contract putting over 100 people out of work. Right now, he is challenged because he has a $200 million contract on the line waiting for reauthorization of the Export-Import Bank. Because—guess what—the people he is selling to are not going to wait to find out if he has financing. They are going to turn to the next manufacturer. Do you know who that next manufacturer is? That next manufacturer is China.

Do you think our competitors across the world, whether it is India or China, who are not looking at reforming their export credit organization—guess what

they are doing. They are pumping billions of dollars more. They are taking advantage of this. They are taking advantage of this opportunity. This is a sign in the Beijing airport: ''The Export Import Bank of China. Want to be the best in a better world?''

They are not hiding this. They are not saying that is inappropriate. They are bragging about it. They are bragging where they think those businessmen are coming in and taking a look at where that financing opportunity is. You might say: Well, the private sector can do it. That is not true. That is absolutely not true. We have had representation from almost every financial organization in this town saying we need the Export-Import Bank to support our customers who need to have that credit for their exports.

So I want to close talking about a great business in Wahpeton, ND, a town I grew up very close to. WCCO Belting in Wahpeton, ND, is a great example. It is a 60-year-old, family-owned rubber supply company, which started out as a shoe repair business and diversified into repairing parts for farm trucks and then into new seats for tractors, canvass belting, and wooden slats.

Today, the company provides rubber products used in farm equipment, such as belts for harvesting grain or producing round bailers or tube conveyers to move seeds and grain. Those are supplied to major farm equipment companies around the world. You know what. The simple fact is—and they will tell you if they were standing right here—that company could not have done it without the Export-Import Bank 12 years ago, which allowed WCCO Belting to pursue export opportunities it had been ignoring. The Bank has supported more than $830,000 in exports from WCCO since 2007. The Export-Import Bank helps make sure small businesses get paid in a timely fashion for what they sell. Not getting paid in a timely manner from foreign entities very quickly can put a small business out of work.

The company now has 200 employees who generate more than 60 percent of their annual sales from revenues from customers who are located outside of the United States, all possible because of the Export-Import Bank. Without the Bank, they would be unable to compete in this global marketplace. This is one of those stories in Washington, DC, that makes the rest of the world believe Washington does not get it, that the United States Congress does not get it. Because they do not live in their world, they live in the real world, where you have to finance what you have, where those challenges get harder and harder every day, and where you are competing in a market where people do this.

There are 70 export credit agencies in the world, all competing for the same business, all helping their homegrown businesses compete for the same business we are competing for. Unilateral disarmament. So it was not for any other purpose than the passion we have for this institution that Senator CANTWELL and I started talking about this during the TPA discussion, started saying: We need a path forward so the charter of the Bank does not expire, so that we actually reauthorize the Bank before the end of this month.

I would like to tell you that the prospects are great, that the overwhelming economic logic of the Export-Import Bank has overcome all of the ideological discussions. I would love to tell you that. I would love to tell you we are absolutely doing something in a timely fashion, we are doing something that makes common sense. Guess what. We are not. We are going to see the charter expire unless we, every day, come here and beg for a vote, unless we see movement in the House of Representatives, so that the charter does not expire. I am saying: Do not leave the small businesses of this country, the hope of this country behind. Let's reauthorize the Export-Import Bank, let's do it sooner rather than later, and let's actually respond to the concerns of the American manufacturing population.

I yield the floor.

URBAN FLOODING AWARENESS ACT

Mr. DURBIN. Mr. President, big storms and heavy rain often lead to flooding in cities. It seems like that is happening more frequently and the floods have been more damaging. In May we saw the extent of the damage that can be done when flood waters inundate a city. Twenty-seven people died in Houston, TX as a result of the rainfall and flooding there. Eleven people are still missing. The truth of the matter is, we don't have very much data on frequency, severity, or how we might better prepare for the kind of weather that turns into flooded streets, businesses, and homes.

I introduced a bill this week, with Senator WHITEHOUSE and Congressman QUIGLEY in the House, to address that. The Urban Flooding Awareness Act calls for a study to document the costs to families, business, and government associated with urban flooding. There are many ways we can do a better job of preparing for storm flooding—including creative, environmentally sound, ''green infrastructure'' approaches—but first we need to have a firm understanding of the scope of the problem.

Stronger, more destructive storms are pounding urban areas at an alarming rate. They threaten the quality of drinking water. Urban floods erode river banks and spread pollution. They bring massive damage to homes and businesses. When you consider events like Superstorm Sandy and Hurricane Katrina, it is clear we need to do more to understand how flooding can be predicted and prevented.

In Illinois we have had more than our fair share of urban flooding in recent years. Chicago has seen three ''hundred year floods'' in the last 5 years.

Just a few inches of water can cause thousands of dollars in damage for both home and small business owners. Wet basements from flooding events are one of the top reasons people do not purchase a particular home. Industry experts estimate flooding can lower property values by 10 to 25 percent. Moreover, nearly 40 percent of small businesses do not reopen following a disaster, according to FEMA, the Federal Emergency Management Agency.

Most homeowners in urban areas do not have Federally backed flood insurance through FEMA's flood insurance program. They are not able to participate in the flood insurance program because it focuses entirely on designated floodplains along rivers, not in urban areas. With the frequency and severity of storms growing year by year, we need to gain a better understanding of flooding in our cities.

A clear definition of urban flooding—which this legislation would establish—would allow experts to understand the scope of the problem, develop solutions, and consider more than just coastal and river flooding when designing flood maps. The bill also would require FEMA to coordinate a study on the costs and prevalence of urban flooding and the effectiveness of green and other infrastructure.

The Urban Flooding Awareness Act will help American communities identify ways to protect our investments and our environment. I urge my colleagues to support it.

REMEMBERING MARSELIS PARSONS

Mr. LEAHY. Mr. President, I would like to pay honor to a Vermont legend who passed away last month. Marselis Parsons, known to friends as ''Div,'' was a deeply respected newsman in my home State. His low, steady voice in anchoring the evening news became a mainstay in living rooms for decades. Div Parsons knew news. He knew the importance of having personal connections, and he built trust based on his integrity and fairness.

Div Parsons rose through the ranks at Vermont's CBS affiliate, WCAX Channel 3, and he never became too important in his own mind that he wouldn't report on a fire or track down a lead. In short, he knew the pulse of the State, and he reported on what he knew. He also shared his years of experience with young reporters, many of whom he hired straight out of college and gave them the break they needed.

When he wasn't working long hours at the station, he was known to take to the waters of the great Lake Champlain, either on his antique power boat or, if the winds held up, under full sail. In retirement, he still relished tracking the latest political news.

I am grateful for our friendship and our many conversations over time, and I am grateful that he was able to cherish the recent birth of his granddaughter, Pippa. Div Parsons' death will leave a void, no doubt, but we'll have many memories to share.

I ask unanimous consent to have printed in the RECORD a fitting tribute to Div Parsons that ran in the Times Argus newspaper.

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

[From Barre Montpelier Times Argus, June 1, 2015]

'DIV' DEPARTS

This last week saw the departure of Bob Schieffer from the anchor desk of the CBS show ''Face The Nation,'' and closer to home, the passing of a Vermont television icon, Marselis Parsons. While Schieffer occupied a place in the national consciousness, it is not a mistake to place the two men in company. They represent the best of an era in television that is rapidly receding into history.

For Vermont, Parsons was the face that a generation of Vermonters grew up with, in an era when the habits of the populace were still to turn on the local news at 6 p.m., followed by the national report at 7 p.m. He was both larger than life, and unassuming in a way that led us to welcome him into our homes. ''Div,'' as he was nicknamed through obscure origins, was for many the one and only local news anchor they knew.

Because of the vagaries of television transmission over the hills of Vermont, many children in rural homes—and their parents—had just one or two options on the dial beyond the local PBS station. Even then, the reception was sometimes tricky leading to elaborate coat hanger antennas on the TV and ''snow'' making the picture a bit fuzzy. But the television was often the window to the wider world—both the world at large, and because of Parsons and family-owned WCAX, the world in the next town over, or in the state of Vermont at large.

He was the guide to the stories that connected Vermont and gave us a sense of shared identity, whether we turned on the evening news in Derby Line or in Tinmouth. He reported on the first Green Up Day, in 1970, on the return of hostages from Iran in 1980, and was the anchor the day that Dick Snelling died and Howard Dean was sworn in as governor. Parsons became synonymous with Channel 3, and both remain Vermont institutions.

He looked us in the eye and told us the bad news when tragedy had struck; he also shared the triumphs of the day, or narrated some kind of community gathering in one of the tiny towns that Vermont is known for. He often shared a chuckle with his co-anchors, but never allowed his personality—of which there was plenty—or his demeanor to outshine the efforts of the team as a whole.

He could be, as his former colleague Kristin Carlson recalled, unscripted and direct on live television, meaning the reporters in the field had better know their story and be able to go off the script. Carlson grew up watching Parsons, and like dozens of television reporters, was mentored by him and grew to serve the state of Vermont better because of it.

After his start in television in 1967, Parsons worked as a reporter for years, and only took over the anchor desk in 1984, on the death of his predecessor, Richard Gallagher. By then much of the most tumultuous period in Vermont's modern history was over: Act 250 was in place, Vermont had rapidly transitioned from a conservative, rural state to a politically diverse, rural state, and the social and governmental change ushered in by the '60s and '70s was in full swing. There was much to come, however, and Parsons was a constant throughout—the rest of the Kunin years, the rise of Howard Dean, civil unions and the Jim Douglas era.

The days of the network evening news are rapidly passing on. The news world has further fragmented with the rise of the Internet. In some ways, the new world is better. We have many choices now, and our ability to connect to others around the state and the world has never been greater. Our choices for information are more diverse.

In other ways we feel the pangs of nostalgia for times gone by, when there was a constant presence who would share the news of the day before saying ''Good Night''. The sense of loss is for one of our familiar community, and of a person who did not put himself before the news.

There are many examples of the anchor desk lending too much ego to the occupant. Often today an anchor desk is almost like a podium or a stage. But Parsons had no need to exaggerate or embellish who he was. He was a different kind of anchor. In the current era of flamboyance and exaggeration, his humility, compassion and honesty stand out. Parsons was not a ''personality.'' He was not acting or putting on a show while on air—the man he was was what you saw. He was steady and sometimes deadpan, and committed entirely to the Green Mountain State.

While we are grateful to have had him, it is our great loss that he is gone.

ADDITIONAL STATEMENTS

RECOGNIZING JIM WEBER

● Mr. DAINES. Mr. President, I wish to recognize Jim Weber, a welding and machining teacher at Capital High School in Helena, MT. Mr. Weber uses Mastercam CAD/CAM software to give his students real world, practical skills, as well as the work ethic necessary to complete any task. His instruction helped lead one of his students to victory at the National Machining Competition for creating a custom fly fishing rod and display case.

Mr. Weber's fly fishing rod project not only leads to great and necessary personal skills, but he inspired this years' senior class to make an even bigger impact with their fly fishing rods. Mr. Weber's class designed and machined 15 custom fly fishing rods for the Big Hearts under the Big Sky project which helps to create free and gratifying opportunities for service men and women, life-threateningly ill children, and women battling breast cancer to explore the vast and beautiful Montanan outdoors. Not only was he able to teach high school students how to make rings, knives, and fishing rods, he was also able to motivate his students to help themselves by helping others.

The ability to educate students and make them ready to take on the challenges that our world contains is a valuable asset to the young adults. Each and every day Mr. Weber provides a great service to our future leaders that words cannot adequately express. I am excited to see what comes of the great men and women Jim Weber is able to teach and inspire.●

TRIBUTE TO JOE DOWLING

● Ms. KLOBUCHAR. Mr. President, I wish to recognize Joe Dowling, the outgoing artistic director of the Guthrie Theater. For 20 years, Mr. Dowling has served the Guthrie with integrity, creativity, and style. His passion, talent, and years of international theater experience have added so much to the Guthrie Theater and the entire Twin Cities theater community.

Mr. Dowling joined the Guthrie Theater as artistic director in 1995. Since then, he has directed 48 plays and build relationships with esteemed theater artists, such as Angela Bassett, the late Arthur Miller, and T.R. Knight, just to name a few. But his legacy reaches far beyond the plays he has directed and the relationships he has formed. Under Mr. Dowling's leadership, the Guthrie moved into its beautiful new building, allowing the company to expand its repertoire and reach over 400,000 patrons each year.

Joe Dowling has also focused on developing the next generation of theater artists. He led the development of two new actor training programs at the Guthrie and initiated the WorldStage Series, a program that invites international theater companies to perform on Guthrie stages. His vision and leadership have brought tremendous positive change to the Guthrie Theater, and his legacy will be felt long after he has gone.

Tyrone Guthrie founded the Guthrie Theater with a specific goal in mind—to create a first-rate regional theater that would nourish the minds and souls of artists and audiences alike. In the 52 years since its founding, the Guthrie Theater has become just that—a shining example of everything regional theater is and can be. Whether producing Shakespeare's ''Hamlet'' or more contemporary fare, the Guthrie has tackled some of humanity's most pressing issues with innovation, compassion, and professionalism. On its stages and in its classrooms, the Guthrie brings people of all walks of life together to laugh, cry, and contemplate some of life's deepest questions.

I hope you will join me as I say thank you to Joe Dowling for his 20 remarkable years of service to the Guthrie Theater, the people of the State of Minnesota, and the United States of America.●

MESSAGE FROM THE HOUSE RECEIVED DURING ADJOURNMENT

ENROLLED BILLS SIGNED

Under the authority of the order of the Senate on January 6, 2015, the Secretary of the Senate, on June 2, 2015, during the adjournment of the Senate, received a message from the House of Representatives announcing that the Speaker has signed the following enrolled bills:

S. 802. An act to authorize the Secretary of State and the Administrator of the United States Agency for International Development to provide assistance to support the rights of women and girls in developing countries, and for other purposes.

H.R. 2048. An act to reform the authorities of the Federal Government to require the production of certain business records, conduct electronic surveillance, use pen registers and trap and trace devices, and use other forms of information gathering for foreign intelligence, counterterrorism, and criminal purposes, and for other purposes.

Under the authority of the order of the Senate of January 6, 2015, the enrolled bills were signed on June 2, 2015, during the adjournment of the Senate, by the Acting President pro tempore (Mr. DAINES).

ENROLLED BILL PRESENTED

The Secretary of the Senate reported that on today, June 3, 2015, she had presented to the President of the United States the following enrolled bill:

S. 802. An act to authorize the Secretary of State and the Administrator of the United States Agency for International Development to provide assistance to support the rights of women and girls in developing countries, and for other purposes.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC–1777. A communication from the Under Secretary of Defense (Policy), transmitting, pursuant to law, a report relative to the global defense posture (OSS–2015–0825); to the Committee on Armed Services.

EC–1778. A communication from the Secretary of Defense, transmitting a report on the approved retirement of Lieutenant General James M. Kowalski, United States Air Force, and his advancement to the grade of lieutenant general on the retired list; to the Committee on Armed Services.

EC–1779. A communication from the Acting Director of Defense Procurement and Acquisition Policy, Department of Defense, transmitting, pursuant to law, the report of a rule entitled ''Defense Federal Acquisition Regulation Supplement: Offset Costs'' ((RIN0750–AI59) (DFARS Case 2015–D028)) received during adjournment of the Senate in the Office of the President of the Senate on May 29, 2015; to the Committee on Armed Services.

EC–1780. A communication from the General Counsel of the Federal Housing Finance Agency, transmitting, pursuant to law, the report of a rule entitled ''Minimum Requirements for Appraisal Management Companies Joint-Agency Rule'' (RIN2590–AA61) received during adjournment of the Senate in the Office of the President of the Senate on May 29, 2015; to the Committee on Banking, Housing, and Urban Affairs.

EC–1781. A communication from the Assistant Secretary for Export Administration, Bureau of Industry and Security, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Updated Statements of Legal Authority for the Export Administration Regulations'' (RIN0694–AG62) received during adjournment of the Senate in the Office of the President of the Senate on May 29, 2015; to the Committee on Banking, Housing, and Urban Affairs.

EC–1782. A communication from the Director, Office of Financial Research, Department of the Treasury, transmitting, pursuant to law, the Office's 2014 Annual Report to Congress; to the Committee on Banking, Housing, and Urban Affairs.

EC–1783. A communication from the Senior Vice President and Chief Financial Officer, Federal Home Loan Bank of New York, transmitting, pursuant to law, the Bank's 2014 management report; to the Committee on Banking, Housing, and Urban Affairs.

EC–1784. A communication from the Assistant Secretary for Export Administration, Bureau of Industry and Security, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Russian Sanctions: Revisions and Clarifications for Licensing Policy for the Crimea Region of Ukraine'' (RIN0694–AG54) received during adjournment of the Senate in the Office of the President of the Senate on May 29, 2015; to the Committee on Banking, Housing, and Urban Affairs.

EC–1785. A communication from the Chair of the Board of Governors, Federal Reserve System, transmitting, pursuant to law, a report entitled ''Report to the Congress on the Profitability of Credit Card Operations on Depository Institutions''; to the Committee on Banking, Housing, and Urban Affairs.

EC–1786. A communication from the General Counsel, Federal Energy Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled ''Communications Reliability Standards'' ((RIN1902–AE92) (Docket No. RM14–13–000)) received during adjournment of the Senate in the Office of the President of the Senate on May 28, 2015; to the Committee on Energy and Natural Resources.

EC–1787. A communication from the General Counsel, Federal Energy Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled ''Real Power Balancing Control Performance Reliability Standard'' ((RIN1902–AE94) (Docket No. RM14–10–000)) received during adjournment of the Senate in the Office of the President of the Senate on May 29, 2015; to the Committee on Energy and Natural Resources.

EC–1788. A communication from the Director of Human Resources, Environmental Protection Agency, transmitting, pursuant to law, seventeen (17) reports relative to vacancies in the Environmental Protection Agency, received during adjournment of the Senate in the Office of the President of the Senate on May 28, 2015; to the Committee on Environment and Public Works.

EC–1789. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Applicable Federal Rates—June 2015'' (Rev. Rul. 2015–14) received in the Office of the President of the Senate on June 1, 2015; to the Committee on Finance.

EC–1790. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Purchase Price Safe Harbors for sections 143 and 25'' (Rev. Proc. 2015–31) received in the Office of the President of the Senate on June 1, 2015; to the Committee on Finance.

EC–1791. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Credit for Renewable Electricity Production and Refined Coal Production, and Publication of Inflation Adjustment Factor and Reference Prices for Calendar Year 2015'' (Notice 2015–32) received in the Office of the President of the Senate on June 1, 2015; to the Committee on Finance.

EC–1792. A communication from the Assistant Secretary for Legislation, Department of Health and Human Services, transmitting, pursuant to law, a report entitled ''Report to Congress: The Centers for Medicare and Medicaid Services' Evaluation of For-Profit PACE Programs under Section 4808(b) of the Balanced Budget Act of 1997''; to the Committee on Finance.

EC–1793. A communication from the Assistant Secretary, Bureau of Political-Military Affairs, Department of State, transmitting, pursuant to law, an addendum to a certification of the proposed sale or export of defense articles and/or defense services to a Middle East country (OSS–2015–0828); to the Committee on Foreign Relations.

EC–1794. A communication from the Assistant Secretary, Bureau of Political-Military Affairs, Department of State, transmitting, pursuant to law, an addendum to a certification of the proposed sale or export of defense articles and/or defense services to a Middle East country (OSS–2015–0829); to the Committee on Foreign Relations.

EC–1795. A communication from the Assistant Secretary, Bureau of Political-Military Affairs, Department of State, transmitting, pursuant to law, an addendum to a certification of the proposed sale or export of defense articles and/or defense services to a Middle East country (OSS–2015–0827); to the Committee on Foreign Relations.

EC–1796. A communication from the Assistant Secretary, Bureau of Political-Military Affairs, Department of State, transmitting, pursuant to law, an addendum to a certification of the proposed sale or export of defense articles and/or defense services to a Middle East country (OSS–2015–0826); to the Committee on Foreign Relations.

EC–1797. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to section 36(c) of the Arms Export Control Act (DDTC 15–014); to the Committee on Foreign Relations.

EC–1798. A communication from the Under Secretary of Defense (Personnel and Readiness), transmitting the report of an officer authorized to wear the insignia of the grade of brigadier general in accordance with title 10, United States Code, section 777; to the Committee on Armed Services.

EC–1799. A communication from the Secretary of Energy, transmitting, pursuant to law, a report entitled ''The Opportunity to Develop Alternative Fuels and Dual Fuel Technologies for Class 8 Heavy-Duty Long-Haul Trucks''; to the Committee on Appropriations.

EC–1800. A communication from the Assistant Secretary for Legislation, Department of Health and Human Services, transmitting, pursuant to law, a report entitled ''Biennial Report to Congress on the Food Safety and Food Defense Research Plan''; to the Committee on Health, Education, Labor, and Pensions.

EC–1801. A communication from the Assistant Secretary for Legislation, Department of Health and Human Services, transmitting, pursuant to law, the Department's fiscal year 2010 Low Income Home Energy Assistance Program (LIHEAP) Report; to the Committee on Health, Education, Labor, and Pensions.

EC–1802. A communication from the Director of Regulations and Policy Management Staff, Food and Drug Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled ''Requirements for Blood and Blood Components Intended for Transfusion or for Further Manufacturing Use'' ((RIN0910–AG87) (Docket No. FDA–2006–N–0040; formerly Docket No. 2006N–0221)) received during adjournment of the Senate in the Office of the President of the Senate on May 29, 2015; to the Committee on Health, Education, Labor, and Pensions.

EC–1803. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, the report of a petition to add workers who were employed at the Dow Chemical Company in Pittsburg, California, to the Special Exposure Cohort; to the Committee on Health, Education, Labor, and Pensions.

EC–1804. A communication from the Assistant Secretary for Legislation, Department of Health and Human Services, transmitting, pursuant to law, a report entitled ''Fiscal Year 2014 Annual Report on FDA Advisory Committee Vacancies and Public Disclosures''; to the Committee on Health, Education, Labor, and Pensions.

EC–1805. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, the report of a petition to add workers who were employed at the Hanford site in Richland, Washington, to the Special Exposure Cohort; to the Committee on Health, Education, Labor, and Pensions.

EC–1806. A communication from the Deputy General Counsel, Institute of Museum and Library Services, transmitting, pursuant to law, a report relative to a vacancy in the position of Director of the Institute of Museum and Library Services, received during adjournment of the Senate in the Office of the President of the Senate on May 28, 2015; to the Committee on Health, Education, Labor, and Pensions.

EC–1807. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, the report of a petition to add workers who were employed at the Grand Junction Facilities site in Grand Junction, Colorado, to the Special Exposure Cohort; to the Committee on Health, Education, Labor, and Pensions.

EC–1808. A communication from the District of Columbia Auditor, transmitting, pursuant to law, a report entitled ''ANC 7F Did Not Fully Comply with the ANC Act''; to the Committee on Homeland Security and Governmental Affairs.

EC–1809. A communication from the Secretary of Agriculture, transmitting, pursuant to law, the Semiannual Report of the Inspector General for the period from October 1, 2014 through March 31, 2015; to the Committee on Homeland Security and Governmental Affairs.

EC–1810. A communication from the Secretary of Veterans Affairs, transmitting, pursuant to law, the Department of Veterans Affairs' Semiannual Report of the Inspector General for the period from October 1, 2014 through March 31, 2015; to the Committee on Homeland Security and Governmental Affairs.

EC–1811. A communication from the Acting Administrator of the U.S. Agency for International Development, transmitting, pursuant to law, the Semiannual Report of the Inspector General for the period from October 1, 2014 through March 31, 2015; to the Committee on Homeland Security and Governmental Affairs.

EC–1812. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 21–67, ''Prohibition of Pre-Employment Marijuana Testing Act of 2015''; to the Committee on Homeland Security and Governmental Affairs.

EC–1813. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 21–69, ''Workforce Job Development Grant-Making Reauthorization Temporary Amendment Act of 2015''; to the Committee on Homeland Security and Governmental Affairs.

EC–1814. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 21–70, ''Soccer Stadium Development Technical Clarification Temporary Amendment Act of 2015''; to the Committee on Homeland Security and Governmental Affairs.

EC–1815. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 21–71, ''Medical Marijuana Supply Shortage Temporary Amendment Act of 2015''; to the Committee on Homeland Security and Governmental Affairs.

EC–1816. A communication from the Chairman and Members of the Federal Labor Relations Authority, transmitting, pursuant to law, the Office of Inspector General Semiannual Report for the period of October 1, 2014 through March 31, 2015; to the Committee on Homeland Security and Governmental Affairs.

EC–1817. A communication from the Director of the Office of Government Relations, Corporation for National and Community Service, transmitting, pursuant to law, the Semiannual Report of the Inspector General and the Corporation for National and Community Service's Report on Final Action for the period from October 1, 2014 through March 31, 2015; to the Committee on Homeland Security and Governmental Affairs.

EC–1818. A communication from the Chairman of the Railroad Retirement Board, transmitting, pursuant to law, the Semiannual Report of the Inspector General for the period from October 1, 2014 through March 31, 2015; to the Committee on Homeland Security and Governmental Affairs.

EC–1819. A communication from the Director, Congressional Affairs, Federal Election Commission, transmitting, pursuant to law, the Commission's Semiannual Report of the Inspector General for the period from October 1, 2014 through March 31, 2015; to the Committee on Homeland Security and Governmental Affairs.

EC–1820. A communication from the District of Columbia Auditor, transmitting, pursuant to law, a report entitled ''District of Columbia Agencies' Compliance with Fiscal Year 2015 Small Business Enterprise Expenditure Goals through the 2nd Quarter of Fiscal Year 2015''; to the Committee on Homeland Security and Governmental Affairs.

EC–1821. A communication from the Chairman of the National Credit Union Administration, transmitting, pursuant to law, the semi-annual report of the Inspector General for the period from October 1, 2014 through March 31, 2015; to the Committee on Homeland Security and Governmental Affairs.

EC–1822. A communication from the Acting Administrator of the General Services Administration, transmitting, pursuant to law, the Administrator's Semiannual Management Report to Congress for the period from October 1, 2014 through March 31, 2015; to the Committee on Homeland Security and Governmental Affairs.

EC–1823. A communication from the Chairman, Federal Maritime Commission, transmitting, pursuant to law, the Commission's Semiannual Report of the Inspector General for the period from October 1, 2014 through March 31, 2015; to the Committee on Homeland Security and Governmental Affairs.

EC–1824. A communication from the Inspector General, Department of Health and Human Services, transmitting, pursuant to law, a report entitled ''U.S. Department of Health and Human Services Met Many Requirements of the Improper Payments Information Act of 2002 but Did Not Fully Comply for Fiscal Year 2014''; to the Committee on Homeland Security and Governmental Affairs.

EC–1825. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 21–68, ''Events DC Technical Clarification Amendment Act of 2015''; to the Committee on Homeland Security and Governmental Affairs.

EC–1826. A communication from the Assistant Attorney General, Office of Legislative Affairs, Department of Justice, transmitting, pursuant to law, the sixth annual report relative to the Department of Justice's activities regarding pre-1970 racially motivated homicides, as required by the Emmett Till Unsolved Civil Rights Crimes Act of 2007; to the Committee on the Judiciary.

EC–1827. A communication from the Program Manager of Regulation Policy and Management, Veterans Benefits Administration, Department of Veterans Affairs, transmitting, pursuant to law, the report of a rule entitled ''Grants for Adaptive Sports Programs for Disabled Veterans and Disabled Members of the Armed Forces'' (RIN2900–AP07) received during adjournment of the Senate in the Office of the President of the Senate on May 29, 2015; to the Committee on Veterans' Affairs.

EC–1828. A communication from the National Chairman, Naval Sea Cadet Corps, transmitting, pursuant to law, two reports entitled ''2014 Annual Report of the U.S. Naval Sea Cadet Corps'' and ''2014 Financial Statement of the U.S. Naval Sea Cadet Corps''; to the Committee on the Judiciary.

EC–1829. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 21–72, ''Jubilee Maycroft TOPA Notice Exemption Temporary Act of 2015''; to the Committee on Homeland Security and Governmental Affairs.

EC–1830. A communication from the Deputy Bureau Chief, Wireline Competition Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled ''Local Number Portability Porting Interval and Validation Requirements, Telephone Number Portability, and Numbering Resource Optimization'' ((RIN3060–AJ32) (DA 14–842)) received in the Office of the President of the Senate on June 1, 2015; to the Committee on Commerce, Science, and Transportation.

EC–1831. A communication from the Deputy Assistant Administrator for Regulatory Programs, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Exclusive Economic Zone Off Alaska; Bering Sea and Aleutian Islands Crab Rationalization Program; Amendment 45; Pacific Cod Sideboard Allocations in the Gulf of Alaska'' (RIN0648–BD61) received during adjournment of the Senate in the Office of the President of the Senate on May 29, 2015; to the Committee on Commerce, Science, and Transportation.

EC–1832. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Atlantic Highly Migratory Species; Atlantic Bluefin Tuna Fisheries'' (RIN0648–XD902) received during adjournment of the Senate in the Office of the President of the Senate on May 29, 2015; to the Committee on Commerce, Science, and Transportation.

EC–1833. A communication from the Deputy Chief Counsel for Regulations and Security Standards, Transportation Security Administration, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Adjustment of Passenger Civil Aviation Security Service Fee'' (RIN1652–AA68) received in the Office of the President of the Senate on June 2, 2015; to the Committee on Commerce, Science, and Transportation.

EC–1834. A communication from the Deputy Assistant Administrator for Regulatory Programs, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries Off West Coast States; West Coast Salmon Fisheries; 2015 Management Measures'' (RIN0648–XD843) received during adjournment of the Senate in the Office of the President of the Senate on May 29, 2015; to the Committee on Commerce, Science, and Transportation.

PETITIONS AND MEMORIALS

The following petitions and memorials were laid before the Senate and were referred or ordered to lie on the table as indicated:

POM–29. A resolution adopted by the Legislature of Rockland County, New York, urging the United States Department of Transportation and the United States Department of Energy to immediately enact rules that mandate the stabilization and reduction in volatility of Bakken crude oil to be transported by rail and urging the United States Congress to pass the Crude-By-Rail Safety Act of 2015; to the Committee on Commerce, Science, and Transportation.

POM–30. A communication from a citizen of the State of Illinois memorializing a resolution adopted by the Senate of the State's General Assembly urging the President of the United States and the United States Congress to review the national tariff policy on steel goods and take action similar to the 2002 actions of President George W. Bush and Congress; and urging the President of the United States and the United States Congress to consider all possible trade and economic policies to protect this vital American industry and minimize the financial impact on these hardworking men and women; to the Committee on Finance.

POM–31. A concurrent memorial adopted by the Legislature of the State of Arizona urging the United States Congress to enact legislation that confirms that state law determines the entire scope of R.S. 2477 right-of-way; to the Committee on Energy and Natural Resources.

SENATE CONCURRENT MEMORIAL 1002

Whereas, in order to promote settlement of the American West in the 1800s and provide access to mining deposits located under federal lands, the United States Congress granted rights-of-way across public lands for the construction of highways by a provision of the Mining Law of 1866, now known as Revised Statute (R.S.) 2477; and

Whereas, the United States Congress repealed R.S. 2477 in 1976 as part of its enactment of the Federal Land Policy and Management Act, along with the repeal of other federal statutory rights-of-way, but it expressly preserved R.S. 2477 rights-of-way that already had been established; and

Whereas, in its entirety, R.S. 2477 provided that ''the right of way for the construction of highways over public lands, not reserved for public uses, is hereby granted''; and

Whereas, R.S. 2477 was self-executing and did not require government approval or public recording of title, which resulted in uncertainty regarding whether particular rights-of-way had in fact been established; and

Whereas, in April 2014, the Tenth Circuit Court of Appeals issued a decision in San Juan County v. United States in which the court rejected the notion that state law should determine the entire scope of R.S. 2477 rights-of-way, holding that state law has provided ''convenient and appropriate principles'' for determining the scope and validity of an R.S. 2477 right-of-way, but it can be dismissed when it ''contravenes congressional intent''; and

Whereas, in October 2014, the Ninth Circuit Court of Appeals issued a decision in County of Shoshone v. United States in which it confirmed that state law controls, or is ''borrowed,'' in determining what constitutes sufficient public use, reflecting a rejection of the approach taken by the Tenth Circuit Court of Appeals in San Juan County v. United States; and

Whereas, outdoor recreation is an essential industry in Arizona, generating $10.6 billion in consumer spending, 104,000 direct Arizona jobs, $3.3 billion in wages and salaries and $787 million in state and local tax revenue; and

Whereas, the reduction of public roads in this state would diminish access to and enjoyment of outdoor recreation opportunities on public lands, detrimentally impacting Arizona's economy.

Wherefore your memorialist, the Senate of the State of Arizona, the House of Representatives concurring, prays:

1. That the Members of the United States Congress enact legislation that is consistent with the decision of the Ninth Circuit Court of Appeals in County of Shoshone v. United States and that confirms that state law determines the entire scope of R.S. 2477 rights-of-way.

2. That the Secretary of State of the State of Arizona transmit copies of this Memorial to the President of the United States, the President of the United States Senate, the Speaker of the United States House of Representatives and each Member of Congress from the State of Arizona.

POM–32. A resolution adopted by the House of Representatives of the State of Illinois urging the President of the United States and the United States Congress to review the national tariff policy on steel goods and take action similar to the 2002 actions of President George W. Bush and Congress; and urging the President of the United States and the United States Congress to consider all possible trade and economic policies to protect this vital American industry and minimize the financial impact on these hardworking men and women; to the Committee on Finance.

HOUSE RESOLUTION NO. 0335

Whereas, The Granite City Works steel mill has operated since 1878: it was originally founded by brothers William and Frederick Niedringhaus as the Granite Iron Rolling Mills, and most recently, owned by United States Steel Corporation; and

Whereas, The Granite City Works has been an industry leader in sheet steel products for customers in the construction, container, piping and tubing, service center, and automotive industries; and

Whereas, Granite City Works has an annual raw steelmaking capability of 2.8 million net tons; and

Whereas, Global influences in the market such as reduced steel prices, unfair trade practices, & imports, and fluctuating oil prices, continue to have a dramatic negative impact on the steel production industry: and

Whereas, Domestic steelmakers continue to lose substantial sales to foreign countries, particularly China and South Korea, which have ''dumped'' their steel products into the United States market at prices below fair market value; and

Whereas, Due to these disruptions in the steel market, on March 25, 2015, United States Steel Corporation announced that it will temporarily idle the Granite City mill and lay off 2,080 steel workers by or after May 28, 2015; and

Whereas, Granite City Works is a vital part of the Metro-East economy, and the loss of this mill would be devastating to thousands of families and the financial well-being of the entire region: Now, therefore, be it

Resolved, by the House of Representatives of the Ninety-Ninth General Assembly of the State of Illinois, That we urge the President of the United States and Congress to review the national tariff policy on steel goods and take action similar to the 2002 actions of President George W. Bush and Congress; and be it further

Resolved, That we urge the President of the United States and Congress to consider all possible trade and economic policies to protect this vital American industry and minimize the financial impact on these hardworking men and women; and be it further

Resolved, That suitable copies of this resolution be presented to the President and Vice-President of the United States, the Majority and Minority Leaders of the United States Senate, and the Speaker and Minority Leader of the United States House of Representatives.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first

and second times by unanimous consent, and referred as indicated:

By Mr. DAINES (for himself, Mr. LANKFORD, and Mr. BLUNT):

S. 1487. A bill to require notice and comment for certain interpretative rules; to the Committee on Homeland Security and Governmental Affairs.

By Mr. NELSON (for himself and Ms. COLLINS):

S. 1488. A bill to amend title XVIII of the Social Security Act to allow for fair application of the exceptions process for drugs in tiers in formularies in prescription drug plans under Medicare part D; to the Committee on Finance.

By Mr. RUBIO (for himself, Mr. MENENDEZ, Mr. HATCH, Mr. COTTON, Mr. CRUZ, Mr. GARDNER, Mr. VITTER, and Mr. KIRK):

S. 1489. A bill to strengthen support for the Cuban people and prohibit financial transactions with the Cuban military, and for other purposes; to the Committee on Foreign Relations.

By Ms. KLOBUCHAR (for herself and Ms. COLLINS):

S. 1490. A bill to establish an advisory office within the Bureau of Consumer Protection of the Federal Trade Commission to prevent fraud targeting seniors, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. BROWN (for himself, Mr. REED, Mr. SCHUMER, Mr. MENENDEZ, Mr. TESTER, Mr. WARNER, Mr. MERKLEY, Ms. WARREN, Ms. HEITKAMP, and Mr. DONNELLY):

S. 1491. A bill to provide sensible relief to community financial institutions, to protect consumers, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. SULLIVAN:

S. 1492. A bill to direct the Administrator of General Services, on behalf of the Archivist of the United States, to convey certain Federal property located in the State of Alaska to the Municipality of Anchorage, Alaska; to the Committee on Homeland Security and Governmental Affairs.

By Mr. ISAKSON (for himself, Mr. BLUMENTHAL, Mr. MORAN, Mr. BOOZMAN, Mr. HELLER, Mr. CASSIDY, Mr. ROUNDS, Mr. TILLIS, Mr. SULLIVAN, Mrs. MURRAY, Mr. SANDERS, Mr. BROWN, Mr. TESTER, Ms. HIRONO, and Mr. MANCHIN):

S. 1493. A bill to provide for an increase, effective December 1, 2015, in the rates of compensation for veterans with service-connected disabilities and the rates of dependency and indemnity compensation for the survivors of certain disabled veterans, and for other purposes; to the Committee on Veterans' Affairs.

By Mrs. MURRAY:

S. 1494. A bill to amend the Public Health Service Act to reauthorize and update the National Child Traumatic Stress Initiative for grants to address the problems of individuals who experience trauma and violence related stress; to the Committee on Health, Education, Labor, and Pensions .

By Mr. TOOMEY (for himself, Mr. CORKER, Mr. CRAPO, Ms. AYOTTE, Mr. HATCH, Mr. GARDNER, and Mr. JOHNSON):

S. 1495. A bill to curtail the use of changes in mandatory programs affecting the Crime Victims Fund to inflate spending; to the Committee on the Budget.

By Mr. CASSIDY:

S. 1496. A bill to amend title 38, United States Code, to require the Secretary of Veterans Affairs to retain a copy of any reprimand or admonishment received by an employee of the Department in the permanent record of the employee; to the Committee on Veterans' Affairs.

By Mr. TESTER (for himself and Mr. UDALL):

S. 1497. A bill to exempt the Indian Health Service, the Bureau of Indian Affairs, and certain other programs for Indians from sequestration; to the Committee on the Budget.

By Mr. WYDEN:

S. 1498. A bill to amend title 10, United States Code, to require that military working dogs be retired in the United States, and for other purposes; to the Committee on Armed Services.

By Mr. PETERS (for himself, Mr. BLUNT, and Ms. STABENOW):

S. 1499. A bill to amend title 23, United States Code, to provide eligibility under certain highway programs for projects for the installation of vehicle-to-infrastructure communication equipment, and for other purposes; to the Committee on Environment and Public Works.

By Mr. CRAPO (for himself, Mrs. MCCASKILL, Mr. BARRASSO, Mr. BOOZMAN, Mr. CARPER, Mr. COONS, Mr. DONNELLY, Mr. ENZI, Mrs. FISCHER, Ms. HEITKAMP, Mr. INHOFE, Mr. MORAN, Mr. RISCH, Mr. ROBERTS, and Mr. TILLIS):

S. 1500. A bill to clarify congressional intent regarding the regulation of the use of pesticides in or near navigable waters, and for other purposes; to the Committee on Environment and Public Works.

By Mr. LEAHY (for himself and Mr. GRASSLEY):

S. 1501. A bill to promote and reform foreign capital investment and job creation in American communities; to the Committee on the Judiciary.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. KIRK (for himself and Mr. WARNER):

S. Res. 190. A resolution encouraging reunions of Korean Americans who were divided by the Korean War from relatives in North Korea; to the Committee on Foreign Relations.

By Mr. CARPER (for himself, Mr. COONS, Mr. MCCONNELL, Mr. REID, Mr. ALEXANDER, Ms. AYOTTE, Ms. BALDWIN, Mr. BARRASSO, Mr. BENNET, Mr. BLUMENTHAL, Mr. BLUNT, Mr. BOOKER, Mr. BOOZMAN, Mrs. BOXER, Mr. BROWN, Mr. BURR, Ms. CANTWELL, Mrs. CAPITO, Mr. CARDIN, Mr. CASEY, Mr. CASSIDY, Mr. COATS, Mr. COCHRAN, Ms. COLLINS, Mr. CORKER, Mr. CORNYN, Mr. COTTON, Mr. CRAPO, Mr. CRUZ, Mr. DAINES, Mr. DONNELLY, Mr. DURBIN, Mr. ENZI, Mrs. ERNST, Mrs. FEINSTEIN, Mrs. FISCHER, Mr. FLAKE, Mr. FRANKEN, Mr. GARDNER, Mrs. GILLIBRAND, Mr. GRAHAM, Mr. GRASSLEY, Mr. HATCH, Mr. HEINRICH, Ms. HEITKAMP, Mr. HELLER, Ms. HIRONO, Mr. HOEVEN, Mr. INHOFE, Mr. ISAKSON, Mr. JOHNSON, Mr. KAINE, Mr. KING, Mr. KIRK, Ms. KLOBUCHAR, Mr. LANKFORD, Mr. LEAHY, Mr. LEE, Mr. MANCHIN, Mr. MARKEY, Mr. MCCAIN, Mrs. MCCASKILL, Mr. MENENDEZ, Mr. MERKLEY, Ms. MIKULSKI, Mr. MORAN, Ms. MURKOWSKI, Mr. MURPHY, Mrs. MURRAY, Mr. NELSON, Mr. PAUL, Mr. PERDUE, Mr. PETERS, Mr. PORTMAN, Mr. REED, Mr. RISCH, Mr. ROBERTS, Mr. ROUNDS, Mr. RUBIO, Mr. SANDERS, Mr. SASSE, Mr. SCHATZ, Mr. SCHUMER, Mr. SCOTT, Mr. SESSIONS, Mrs. SHAHEEN, Mr. SHELBY, Ms. STABENOW, Mr. SULLIVAN, Mr. TESTER, Mr. THUNE, Mr. TILLIS, Mr. TOOMEY, Mr. UDALL, Mr. VITTER, Mr. WARNER, Ms. WARREN, Mr. WHITEHOUSE, Mr. WICKER, and Mr. WYDEN):

S. Res. 191. A resolution relative to the death of Joseph Robinette Biden, III; considered and agreed to.

ADDITIONAL COSPONSORS

S. 30

At the request of Ms. COLLINS, the name of the Senator from Montana (Mr. DAINES) was added as a cosponsor of S. 30, a bill to amend the Internal Revenue Code of 1986 to modify the definition of full-time employee for purposes of the employer mandate in the Patient Protection and Affordable Care Act.

S. 48

At the request of Mr. VITTER, the name of the Senator from Utah (Mr. LEE) was added as a cosponsor of S. 48, a bill to prohibit discrimination against the unborn on the basis of sex or gender, and for other purposes.

S. 202

At the request of Mr. CORNYN, the name of the Senator from Virginia (Mr. WARNER) was added as a cosponsor of S. 202, a bill to provide for a technical change to the Medicare long-term care hospital moratorium exception.

S. 311

At the request of Mr. CASEY, the names of the Senator from Minnesota (Mr. FRANKEN) and the Senator from Rhode Island (Mr. WHITEHOUSE) were added as cosponsors of S. 311, a bill to amend the Elementary and Secondary Education Act of 1965 to address and take action to prevent bullying and harassment of students.

S. 314

At the request of Mr. GRASSLEY, the name of the Senator from Louisiana (Mr. VITTER) was added as a cosponsor of S. 314, a bill to amend title XVIII of the Social Security Act to provide for coverage under the Medicare program of pharmacist services.

S. 439

At the request of Mr. FRANKEN, the name of the Senator from Massachusetts (Mr. MARKEY) was added as a cosponsor of S. 439, a bill to end discrimination based on actual or perceived sexual orientation or gender identity in public schools, and for other purposes.

S. 469

At the request of Mrs. MURRAY, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of S.

469, a bill to improve the reproductive assistance provided by the Department of Defense and the Department of Veterans Affairs to severely wounded, ill, or injured members of the Armed Forces, veterans, and their spouses or partners, and for other purposes.

S. 498

At the request of Mr. CORNYN, the name of the Senator from South Carolina (Mr. GRAHAM) was added as a cosponsor of S. 498, a bill to allow reciprocity for the carrying of certain concealed firearms.

S. 539

At the request of Mr. CARDIN, the name of the Senator from Hawaii (Ms. HIRONO) was added as a cosponsor of S. 539, a bill to amend title XVIII of the Social Security Act to repeal the Medicare outpatient rehabilitation therapy caps.

S. 637

At the request of Mr. CRAPO, the name of the Senator from Mississippi (Mr. WICKER) was added as a cosponsor of S. 637, a bill to amend the Internal Revenue Code of 1986 to extend and modify the railroad track maintenance credit.

S. 746

At the request of Mr. GRASSLEY, the name of the Senator from Alaska (Ms. MURKOWSKI) was added as a cosponsor of S. 746, a bill to provide for the establishment of a Commission to Accelerate the End of Breast Cancer.

S. 751

At the request of Mr. THUNE, the name of the Senator from Alabama (Mr. SESSIONS) was added as a cosponsor of S. 751, a bill to improve the establishment of any lower ground-level ozone standards, and for other purposes.

S. 804

At the request of Ms. COLLINS, the name of the Senator from Kansas (Mr. MORAN) was added as a cosponsor of S. 804, a bill to amend title XVIII of the Social Security Act to specify coverage of continuous glucose monitoring devices, and for other purposes.

S. 843

At the request of Mr. BROWN, the name of the Senator from Wisconsin (Ms. BALDWIN) was added as a cosponsor of S. 843, a bill to amend title XVIII of the Social Security Act to count a period of receipt of outpatient observation services in a hospital toward satisfying the 3-day inpatient hospital requirement for coverage of skilled nursing facility services under Medicare.

S. 860

At the request of Mr. THUNE, the name of the Senator from Kentucky (Mr. PAUL) was added as a cosponsor of S. 860, a bill to amend the Internal Revenue Code of 1986 to repeal the estate and generation-skipping transfer taxes, and for other purposes.

S. 1073

At the request of Mr. CARPER, the name of the Senator from North Carolina (Mr. TILLIS) was added as a cosponsor of S. 1073, a bill to amend the Improper Payments Elimination and Recovery Improvement Act of 2012, including making changes to the Do Not Pay initiative, for improved detection, prevention, and recovery of improper payments to deceased individuals, and for other purposes.

S. 1082

At the request of Mr. RUBIO, the name of the Senator from Wyoming (Mr. BARRASSO) was added as a cosponsor of S. 1082, a bill to amend title 38, United States Code, to provide for the removal or demotion of employees of the Department of Veterans Affairs based on performance or misconduct, and for other purposes.

S. 1119

At the request of Mr. PETERS, the names of the Senator from Virginia (Mr. KAINE) and the Senator from Utah (Mr. HATCH) were added as cosponsors of S. 1119, a bill to establish the National Criminal Justice Commission.

S. 1121

At the request of Ms. AYOTTE, the name of the Senator from California (Mrs. BOXER) was added as a cosponsor of S. 1121, a bill to amend the Horse Protection Act to designate additional unlawful acts under the Act, strengthen penalties for violations of the Act, improve Department of Agriculture enforcement of the Act, and for other purposes.

S. 1126

At the request of Mr. COONS, the name of the Senator from South Dakota (Mr. ROUNDS) was added as a cosponsor of S. 1126, a bill to modify and extend the National Guard State Partnership Program.

S. 1140

At the request of Mr. BARRASSO, the name of the Senator from Utah (Mr. LEE) was added as a cosponsor of S. 1140, a bill to require the Secretary of the Army and the Administrator of the Environmental Protection Agency to propose a regulation revising the definition of the term ''waters of the United States'', and for other purposes.

S. 1159

At the request of Mr. SCHUMER, the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of S. 1159, a bill to amend the Internal Revenue Code of 1986 to expand tax-free distributions from individual retirement accounts for charitable purposes.

S. 1170

At the request of Mrs. FEINSTEIN, the names of the Senator from Utah (Mr. HATCH) and the Senator from Wisconsin (Ms. BALDWIN) were added as cosponsors of S. 1170, a bill to amend title 39, United States Code, to extend the authority of the United States Postal Service to issue a semipostal to raise funds for breast cancer research, and for other purposes.

S. 1190

At the request of Mrs. CAPITO, the name of the Senator from Louisiana (Mr. VITTER) was added as a cosponsor of S. 1190, a bill to amend title XVIII of the Social Security Act to ensure equal access of Medicare beneficiaries to community pharmacies in underserved areas as network pharmacies under Medicare prescription drug coverage, and for other purposes.

S. 1193

At the request of Ms. CANTWELL, the name of the Senator from Michigan (Mr. PETERS) was added as a cosponsor of S. 1193, a bill to amend the Internal Revenue Code of 1986 to make permanent and expand the temporary minimum credit rate for the low-income housing tax credit program.

S. 1211

At the request of Mr. COCHRAN, the name of the Senator from Michigan (Mr. PETERS) was added as a cosponsor of S. 1211, a bill to amend title XVIII of the Social Security Act to provide that payment under the Medicare program to a long-term care hospital for inpatient services shall not be made at the applicable site neutral payment rate for certain discharges involving severe wounds, and for other purposes.

S. 1214

At the request of Mr. MENENDEZ, the name of the Senator from California (Mrs. BOXER) was added as a cosponsor of S. 1214, a bill to prevent human health threats posed by the consumption of equines raised in the United States.

S. 1252

At the request of Mr. CASEY, the name of the Senator from California (Mrs. FEINSTEIN) was added as a cosponsor of S. 1252, a bill to authorize a comprehensive strategic approach for United States foreign assistance to developing countries to reduce global poverty and hunger, achieve food and nutrition security, promote inclusive, sustainable, agricultural-led economic growth, improve nutritional outcomes, especially for women and children, build resilience among vulnerable populations, and for other purposes.

S. 1270

At the request of Mr. GARDNER, the name of the Senator from Louisiana (Mr. CASSIDY) was added as a cosponsor of S. 1270, a bill to amend the Energy Policy Act of 2005 to reauthorize hydroelectric production incentives and hydroelectric efficiency improvement incentives, and for other purposes.

S. 1324

At the request of Mrs. CAPITO, the name of the Senator from Mississippi (Mr. COCHRAN) was added as a cosponsor of S. 1324, a bill to require the Administrator of the Environmental Protection Agency to fulfill certain requirements before regulating standards of performance for new, modified, and reconstructed fossil fuel-fired electric

utility generating units, and for other purposes.

S. 1364

At the request of Mr. SANDERS, the name of the Senator from Rhode Island (Mr. WHITEHOUSE) was added as a cosponsor of S. 1364, a bill to amend title XIX of the Social Security Act to require the payment of an additional rebate to the State Medicaid plan in the case of increase in the price of a generic drug at a rate that is greater than the rate of inflation.

S. 1385

At the request of Mr. BLUNT, the name of the Senator from South Dakota (Mr. THUNE) was added as a cosponsor of S. 1385, a bill to prohibit the Federal Government from requiring race or ethnicity to be disclosed in connection with the transfer of a firearm.

S. RES. 87

At the request of Mr. VITTER, his name was added as a cosponsor of S. Res. 87, a resolution to express the sense of the Senate regarding the rise of anti-Semitism in Europe and to encourage greater cooperation with the European governments, the European Union, and the Organization for Security and Co-operation in Europe in preventing and responding to anti-Semitism.

AMENDMENT NO. 1466

At the request of Mr. MCCAIN, the names of the Senator from Pennsylvania (Mr. TOOMEY) and the Senator from West Virginia (Mrs. CAPITO) were added as cosponsors of amendment No. 1466 intended to be proposed to H.R. 1735, a bill to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 1468

At the request of Mr. CARDIN, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of amendment No. 1468 intended to be proposed to H.R. 1735, a bill to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. DAINES (for himself, Mr. LANKFORD, and Mr. BLUNT):

S. 1487. A bill to require notice and comment for certain interpretative rules; to the Committee on Homeland Security and Governmental Affairs.

Mr. DAINES. Mr. President, I often hear from Montanans how Washington, DC, regulations stifle the ability to create jobs and prevent our small businesses from reaching their full potential. Too many Montana businesses face regulatory burdens that hinder innovation and block opportunities for growth. In fact, when I drive around Montana, I have yet to hear a small business owner stop me and say: You know, we would like to see more regulations from Washington, DC.

In today's environment, business owners are left with few options. They either struggle to keep up with frequent regulatory changes or they suffer the penalty of regulatory fines. That is unacceptable. There is something fundamentally wrong when your business owners spend more time adapting to Washington regulations than focusing on their business's growth and their job creation.

We need to reduce the redtape that is holding our small businesses back and work towards commonsense regulations that don't place unnecessary burdens on Montana families and small business. Today, I have introduced legislation to help fix the regulatory burdens facing Americans. My bill facilitates public input on Federal rulemaking and provides a more predictable regulatory environment so that businesses can make plans to expand and have a predictable environment to create good high-paying jobs.

Currently, bureaucrats in Washington, DC, can issue interpretative rules without warning and without public input. In fact, oftentimes, interpretative rules are dramatically changed at the whim of the President.

I would also like to thank Senators LANKFORD and BLUNT for joining me in introducing this critical piece of legislation. The Regulatory Predictability for Business Growth Act will ensure that Americans' voices are heard in the rulemaking process, providing a crucial planning period for individuals and businesses. I want to give a special thanks to Senator LANKFORD and his staff for his leadership on the Homeland Security and Governmental Affairs Committee Regulatory Affairs and Federal Management Subcommittee. Our staffs worked closely to make this piece of legislation possible today.

For far too long, government bureaucracy has stifled our small businesses' potential. With commonsense reforms such as this bill, we can encourage both innovation and job growth. The Regulatory Predictability for Business Growth Act will decrease regulatory uncertainty, and it will empower Montanans and their businesses to grow again.

By Mrs. MURRAY:

S. 1494. A bill to amend the Public Health Service Act to reauthorize and update the National Child Traumatic Stress Initiative for grants to address the problems of individuals who experience trauma and violence related stress; to the Committee on Health, Education, Labor, and Pensions.

Mrs. MURRAY. Mr. President, I am here this afternoon to talk about an issue that is so important to my State and to communities nationwide; that is, how do we help children and families rebuild and recover when they face serious trauma? As we have seen all too often in recent years, traumatic events can impact children at any time and in any part of our country. If children don't get the support they need in the wake of a hardship such as a natural disaster or violence at school or stress related to a family member's military deployment, those experiences can be even more difficult to recover from and they can leave our children with serious and long-lasting challenges such as depression, anxiety, and difficulty maintaining employment.

An estimated two-thirds of our children experience traumatic events before the age of 16. Their need for support and treatment after trauma is something that simply cannot go unmet. That is why I am very proud to introduce the Children's Recovery from Trauma Act. This bipartisan legislation would continue support for child trauma centers across the country which help make sure that as children in families face difficult times, our Nation's health care system is better prepared to provide support and help ease that burden.

Child trauma centers have played an important role in my home State of Washington. For example, when the State Route 530 mudslide caused unthinkable devastation in Oso and Darrington, the Washington State University CLEAR Center stepped in to help children and families who were impacted by that horrific tragedy. Staff at the CLEAR Center held parent nights at Darrington Elementary School and worked with the teachers there to help make sure students got the right kind of support they needed. They even helped teachers explain to students how the brain operates under stress and how that might influence their behavior. As a mom and former preschool teacher, a school board member, and a Senator from the great State of Washington, I believe this support can make a world of difference in this kind of scary and stressful time for our kids.

I am very proud that under the Children's Recovery from Trauma Act, the CLEAR Center would continue to receive critical Federal investment. In addition, I am very proud that other child trauma centers, such as those that mobilized after the 2001 terrorist attack and natural disasters such as Hurricane Katrina and Sandy and the shootings at Virginia Tech and in Newtown, would continue to get those investments as well.

As I have said before, I am inspired by the strength and resilience of communities in Washington State that were impacted by the tragedy of the State Route 530 mudslide and the shootings recently at Marysville-Pilchuck High School. Children in these communities and communities like them across the country face hardships that can't always be predicted or prevented, but they do need and deserve our support. The Children's Recovery from Trauma Act would take some critical steps forward in this effort, and I hope all of my colleagues will join me in supporting it.

By Mr. WYDEN:

S. 1498. A bill to amend title 10, United States Code, to require that military working dogs be retired in the United States, and for other purposes; to the Committee on Armed Services.

Mr. WYDEN. Mr. President, since World War I, military working dogs have worked side-by-side with our men and women in uniform in various roles and operations. Today military working dogs routinely assist U.S. troops on dangerous front-line assignments, helping to detect roadside bombs and improvised explosive devices, saving hundreds of American lives and preventing countless injuries. Moreover, both on and off the battlefield, these dogs represent critical partners, invaluable team members, and cherished companions.

Unlike traditional soldiers, a canine's service does not necessarily end when it reaches retirement. Instead, military working dogs often continue to support our nation by acting as service dogs for veterans suffering from mental and physical disabilities. Because of the close bond forged by their shared experiences in the military, these dogs can play a unique and important role in for our veterans—quite literally saving lives even once they return to the home front.

Unfortunately, it is not always so easy for former dog handlers to be reunited with their four-legged comrades-in-arms. Because of the way the law is currently written, the Department of Defense is not required to bring military working dogs back to the United States upon retirement. As such, most military working dogs end up being retired overseas wherever they end their service. As a result, former handlers, veterans, and other members of the military community wishing to adopt a dog may be forced to cover the cost of transporting the dog halfway across the world.

Our Nation's veterans deserve to be reunited with their canine counterparts and they should not have to shoulder the official costs and fees associated with doing so. To correct this situation, I am introducing the Military Working Dog Retirement Act. By requiring the Department of Defense to arrange and pay for the transportation of retiring military working dogs to the United States, this bill is a key step to ensuring former military dog handlers may benefit from the continued partnership and service of these loyal canines. It is my hope that the Senate will pass this legislation swiftly.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

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

S. 1498

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

SECTION 1. REQUIREMENT FOR RETIREMENT OF MILITARY WORKING DOGS IN THE UNITED STATES.

(a) IN GENERAL.—Section 2583 of title 10, United States Code, is amended—

(1) by redesignating subsections (f) and (g) as subsections (g) and (h), respectively;

(2) by inserting after subsection (e) the following new subsection (f):

''(f) RETIREMENT OF MILITARY WORKING DOGS WITHIN THE UNITED STATES.—(1) Except as provided in paragraph (2), the retirement of a military working dog under this section shall occur at a location within the United States.

''(2) Paragraph (1) shall not apply to the retirement of a military working dog abroad if a United States citizen living abroad adopts the dog at the time of retirement.

''(3) Amounts available to the military department concerned shall be available for the costs of the transport of military working dogs to the United States for retirement in accordance with the requirement in paragraph (1).''; and

(3) in subsection (g), as redesignated by paragraph (1)—

(A) in the matter preceding paragraph (1), by striking ''the Secretary of the military department concerned'' and all that follows through ''may'' and inserting ''a military working dog is to be retired in accordance with the requirement in subsection (f)(1) and no suitable adoption is available at the military facility where the dog is located at the time of retirement, the Secretary of the military department concerned shall''; and

(B) by inserting ''within the United States'' after ''another location''.

(b) EFFECTIVE DATE.—The amendments made by this section shall take effect on the date of the enactment of this Act, and shall apply to retirements of military working dogs pursuant to section 2583 of title 10, United States Code, that occur on or after that date.

By Mr. LEAHY (for himself and Mr. GRASSLEY):

S. 1501. A bill to promote and reform foreign capital investment and job creation in American communities; to the Committee on the Judiciary.

Mr. LEAHY. Mr. President, today I am proud to introduce the bipartisan American Job Creation and Investment Promotion Reform Act of 2015, which will extend and significantly improve the EB–5 Regional Center program. Since its inception in 1993, the EB–5 Regional Center program has generated billions of dollars in capital investment and created tens of thousands of jobs across the country, much of which has occurred in areas that traditionally struggle to attract investment and jobs. The program's authorization is set to expire at the end of September. My legislation would reauthorize it for 5 years while enacting broad reforms to enhance the program's integrity. I am proud to be joined by Senator GRASSLEY in this effort.

The EB–5 Regional Center program faces significant challenges. I have always been supportive of its ability to create American jobs but the program has experienced some problems in recent years. There have been troubling reports of fraud and abuse, concerns regarding onerous processing delays for developers and investors, and questions over whether the program is truly benefiting those that Congress intended. These concerns can overshadow the many success stories, and have led some to understandably lose faith in the program.

I have not seen any flaw inherent to the EB–5 Regional Center program that could not be remedied, and I strongly believe that this is a program worth fixing. Over the last two decades this program has proven it can result in significant investment and jobs in communities that desperately need both, all at no cost to American taxpayers. While our immigration system as a whole is broken, and only comprehensive reform will remedy its many injustices, reforming and reauthorizing the EB–5 Regional Center program warrants our immediate attention because the program is set to expire in a matter of months.

In Vermont, this program revitalized rural communities during the worst of economic times. At the height of the recession, Country Home Products was able to speed up its engineering initiative to develop a new line of equipment in the power tool market. Sugarbush ski resort invested in new facilities and resources to increase visitors and keep its doors open. Without EB–5 capital, these manufacturing, construction, and hospitality jobs would likely not exist in Vermont. The state-run Vermont Regional Center continues to attract substantial capital investment and—with the Department of Financial Regulation now joining the Agency of Commerce and Community Development in overseeing the program—also provides unparalleled oversight of EB–5 projects.

I have long sought substantial reforms to the EB–5 Regional Center program at the Federal level. Last Congress, my EB–5 amendment to Comprehensive Immigration Reform provided the Department of Homeland Security the authority to revoke suspect regional center designations or immigrant petitions. This amendment, which was unanimously approved by

Senate Judiciary Committee, also provided for increased regional center reporting, background checks, and oversight related to the offer and sale of securities. Sadly these improvements have all had to wait, as the House of Representatives failed to allow a vote on the bipartisan immigration reform bill that passed the Senate last Congress.

Fortunately, however, the agency that administers EB–5 has not stood idly by waiting for Congress to strengthen the program. I credit Alejandro Mayorkas, the former Director of United States Citizenship and Services, with bringing many concerns to light. The agency has since transformed its review of EB–5 applications. Staff levels have increased nearly tenfold, in-house economists now analyze proposed business plans, and fraud detection and national security staff now sit side-by-side with adjudicators. These actions have all helped the agency to guard against abuses.

However, as Congress now faces reauthorizing this job-creating program, I have listened to concerns raised about how the program functions. I believe we must do more, which is why I have been working for over a year to further reform and modernize the Regional Center program. The bill I introduced today builds upon what the Senate passed last Congress as part of Comprehensive Immigration Reform.

This legislation, if enacted, would provide the Department of Homeland Security additional, much-needed authorities, including further expanding background checks, conducting a more thorough vetting of proposed investments earlier in the process, and providing for the ability to proactively investigate fraud, both in the United States and abroad, using a dedicated fund paid for by certain program participants. The bill would also provide investors with greater protections and more information about their investments. It would provide project developers clarity and shorter processing times in order to make the program more predictable and functional. It would raise minimum investment thresholds so more money goes to the communities that need it. It would help to restore the program to its original intent, by ensuring that much of the capital generated and jobs created occur in rural areas and areas with high unemployment.

Taken together, the oversight tools, security enhancements, and anti-fraud provisions included in this legislation provide the framework for a complete overhaul of the EB–5 Regional Center program. These reforms will instill both confidence and transparency in the program.

I look forward to continuing to work with all Senators and stakeholders to improve and reauthorize this important program. I am confident our work will result in a secure EB–5 program that will create American jobs and promote economic growth throughout our country, particularly in the rural and distressed communities that need it most.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 190—ENCOURAGING REUNIONS OF KOREAN AMERICANS WHO WERE DIVIDED BY THE KOREAN WAR FROM RELATIVES IN NORTH KOREA

Mr.KIRK (for himself and Mr.WARNER) submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 190

Whereas the division of the Korean Peninsula into the Republic of Korea (referred to in this preamble as ''South Korea'') and the Democratic People's Republic of Korea (referred to in this preamble as ''North Korea'') separated more than 10,000,000 Koreans from family members;

Whereas since the signing of the Korean War armistice agreement on July 27, 1953, there has been little to no contact between Korean Americans and family members who remain in North Korea;

Whereas North and South Korea first agreed to divided family reunions in 1985 and have since held 19 face-to-face reunions and 7 video link reunions;

Whereas those reunions have subsequently given approximately 22,000 Koreans the opportunity to briefly reunite with loved ones;

Whereas the most recent family reunions between North Korea and South Korea took place in February 2014 after a suspension of more than 3 years;

Whereas the United States and North Korea do not maintain diplomatic relations and certain limitations exist for Korean Americans to participate in inter-Korean family reunions;

Whereas more than 1,700,000 people of the United States are of Korean descent;

Whereas the number of first generation Korean and Korean American divided family members is rapidly diminishing given advanced age;

Whereas many Korean Americans with family members in North Korea have not seen or communicated with their relatives in more than 60 years;

Whereas Korean Americans and North Koreans both continue to suffer from the tragedy of being divided from loved ones;

Whereas the inclusion of Korean American families in the reunion process would constitute a positive humanitarian gesture by North Korea and contribute to the long-term goal of peace on the Korean Peninsula shared by the governments of North Korea, South Korea, and the United States;

Whereas the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–181; 122 Stat. 3) requires the President, every 180 days, to submit to Congress a report on ''efforts, if any, of the United States Government to facilitate family reunions between United States citizens and their relatives in North Korea''; and

Whereas in the Continuing Appropriations Act, 2011 (Public Law 111–242; 124 Stat. 2607), Congress urged ''the Special Representative on North Korea Policy, as the senior official handling North Korea issues, to prioritize the issues involving Korean divided families and, if necessary, to appoint a coordinator for such families'': Now, therefore, be it

Resolved, That the Senate—

(1) recognizes the significance of the past willingness of North Korea to resume reunions of divided family members between North Korea and South Korea;

(2) encourages North Korea to permit reunions between Korean Americans and their relatives still living in North Korea;

(3) calls on the Secretary of State to further prioritize efforts to reunite Korean Americans with their divided family members;

(4) acknowledges the efforts of the American Red Cross to open channels of communication between Korean Americans and their family members who remain in North Korea;

(5) encourages the Government of South Korea to include United States citizens in future family reunions planned with North Korea; and

(6) praises humanitarian efforts to reunite all individuals of Korean descent with their relatives and engender a lasting peace on the Korean Peninsula.

SENATE RESOLUTION 191—RELATIVE TO THE DEATH OF JOSEPH ROBINETTE BIDEN, III

Mr. CARPER (for himself, Mr. COONS, Mr. MCCONNELL, Mr. REID, Mr. ALEXANDER, Ms. AYOTTE, Ms. BALDWIN, Mr. BARRASSO, Mr. BENNET, Mr. BLUMENTHAL, Mr. BLUNT, Mr. BOOKER, Mr. BOOZMAN, Mrs. BOXER, Mr. BROWN, Mr. BURR, Ms. CANTWELL, Mrs. CAPITO, Mr. CARDIN, Mr. CASEY, Mr. CASSIDY, Mr. COATS, Mr. COCHRAN, Ms. COLLINS, Mr. CORKER, Mr. CORNYN, Mr. COTTON, Mr. CRAPO, Mr. CRUZ, Mr. DAINES, Mr. DONNELLY, Mr. DURBIN, Mr. ENZI, Mrs. ERNST, Mrs. FEINSTEIN, Mrs. FISCHER, Mr. FLAKE, Mr. FRANKEN, Mr. GARDNER, Mrs. GILLIBRAND, Mr. GRAHAM, Mr. GRASSLEY, Mr. HATCH, Mr. HEINRICH, Ms. HEITKAMP, Mr. HELLER, Ms. HIRONO, Mr. HOEVEN, Mr. INHOFE, Mr. ISAKSON, Mr. JOHNSON, Mr. KAINE, Mr. KING, Mr. KIRK, Ms. KLOBUCHAR, Mr. LANKFORD, Mr. LEAHY, Mr. LEE, Mr. MANCHIN, Mr. MARKEY, Mr. MCCAIN, Mrs. MCCASKILL, Mr. MENENDEZ, Mr. MERKLEY, Ms. MIKULSKI, Mr. MORAN, Ms. MURKOWSKI, Mr. MURPHY, Mrs. MURRAY, Mr. NELSON, Mr. PAUL, Mr. PERDUE, Mr. PETERS, Mr. PORTMAN, Mr. REED, Mr. RISCH, Mr. ROBERTS, Mr. ROUNDS, Mr. RUBIO, Mr. SANDERS, Mr. SASSE, Mr. SCHATZ, Mr. SCHUMER, Mr. SCOTT, Mr. SESSIONS, Mrs. SHAHEEN, Mr. SHELBY, Ms. STABENOW, Mr. SULLIVAN, Mr. TESTER, Mr. THUNE, Mr. TILLIS, Mr. TOOMEY, Mr. UDALL, Mr. VITTER, Mr. WARNER, Ms. WARREN, Mr. WHITEHOUSE, Mr. WICKER, and Mr. WYDEN) submitted the following resolution; which was considered and agreed to:

S. RES. 191

Whereas Joseph Robinette ''Beau'' Biden, III, born in Wilmington, Delaware and a graduate of the University of Pennsylvania and Syracuse University law school, served

our country as an attorney in the Department of Justice for seven years, including assisting the nation of Kosovo in rebuilding their criminal justice system;

Whereas Beau Biden served his beloved State of Delaware for eight years as Attorney General;

Whereas Beau Biden joined the Army in 2003 at the age of 34, rose to the rank of major in the Delaware Army National Guard's Judge Advocate General Corps, deployed to Iraq in 2008 and received the Bronze Star for his service;

Whereas Beau Biden leaves behind a beloved wife, Hallie, and two children, Natalie and Hunter; and

Whereas Beau Biden was the eldest son of the former Senator from Delaware and current Vice President of the United States and President of the United States Senate, Joseph Robinette Biden, Jr.: Now, therefore, be it

Resolved, That the Senate has heard with profound sorrow and deep regret the announcement of the untimely death of Joseph Robinette Biden, III.

Resolved, That the Secretary of the Senate communicate this resolution to the House of Representatives and transmit an enrolled copy thereof to the family of the Vice President of the United States.

AMENDMENTS SUBMITTED AND PROPOSED

SA 1476. Mr. BARRASSO submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table.

SA 1477. Mr. BARRASSO submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1478. Mr. TILLIS (for himself, Mr. INHOFE, and Mr. BURR) submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1479. Mr. TILLIS submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1480. Mrs. SHAHEEN (for herself and Ms. AYOTTE) submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1481. Mrs. SHAHEEN submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1482. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1483. Mr. HOEVEN submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1484. Mr. HOEVEN submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1485. Mr. HOEVEN (for himself and Mr. TESTER) submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1486. Mr. CORNYN (for himself, Mr. HOEVEN, and Mr. WARNER) submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra.

SA 1487. Mr. CORNYN submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1488. Mr. SULLIVAN submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1489. Mr. SULLIVAN (for himself, Ms. MURKOWSKI, Mr. SCHATZ, Mr. MORAN, and Ms. HIRONO) submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1490. Mr. VITTER submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1491. Mr. CARDIN submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1492. Mr. CORNYN submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1493. Mr. MCCAIN (for himself, Mr. BLUMENTHAL, and Mr. WICKER) submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1494. Mrs. SHAHEEN (for herself, Mr. LEAHY, Mr. DURBIN, Mr. BROWN, Ms. HIRONO, Mr. BLUMENTHAL, Ms. BALDWIN, Mr. SCHATZ, Mr. PETERS, Mrs. GILLIBRAND, Mr. MARKEY, Mr. WHITEHOUSE, Mr. COONS, and Mr. WYDEN) submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra.

SA 1495. Mrs. SHAHEEN submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1496. Mr. CORNYN submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1497. Mr. PORTMAN submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1498. Mr. PORTMAN submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1499. Mr. PORTMAN (for himself, Mr. HEINRICH, and Mr. TOOMEY) submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1500. Mr. PORTMAN submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1501. Mr. PORTMAN submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1502. Mr. MORAN submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1503. Mr. REID submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1504. Mr. REID submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1505. Mr. REID submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1506. Mr. TILLIS (for himself, Mr. INHOFE, and Mr. BURR) submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra.

SA 1507. Mr. PORTMAN (for himself and Mr. MCCAIN) submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1508. Mr. HELLER (for himself and Mr. CASEY) submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1509. Mr. HELLER (for himself and Mr. CASEY) submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1510. Mr. HELLER (for himself and Mr. CASEY) submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1511. Mr. HELLER submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1512. Mr. HELLER (for himself and Ms. HIRONO) submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1513. Mr. HELLER submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1514. Mr. ROUNDS submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1515. Ms. MURKOWSKI submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1516. Ms. MURKOWSKI submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1517. Ms. MURKOWSKI submitted an amendment intended to be proposed to

amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1518. Ms. MURKOWSKI submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1519. Mr. ROUNDS submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1520. Mr. ROUNDS submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1521. Mr. REED (for himself, Mr. KAINE, Ms. HIRONO, Mrs. GILLIBRAND, Mrs. SHAHEEN, Mr. SCHUMER, Mr. NELSON, Mr. DURBIN, Mr. BLUMENTHAL, Mr. BROWN, Mr. KING, Mr. MANCHIN, Mr. SCHATZ, Mr. HEINRICH, Ms. BALDWIN, Mr. REID, Mr. TESTER, Mrs. MCCASKILL, Mr. WHITEHOUSE, Ms. STABENOW, Mr. MURPHY, Mr. MARKEY, Mr. CASEY, Mrs. MURRAY, and Mr. FRANKEN) submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra.

SA 1522. Mr. PORTMAN (for himself, Mr. PETERS, Mr. COTTON, Mr. INHOFE, Mr. WICKER, Mr. SESSIONS, and Mr. TOOMEY) submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra.

SA 1523. Mr. MARKEY submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1524. Mr. MARKEY submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1525. Mr. MARKEY submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1526. Mr. MARKEY (for himself and Mr. FRANKEN) submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1527. Mr. WYDEN submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1528. Mr. WYDEN submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1529. Mr. WYDEN submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1530. Mr. WYDEN (for himself and Mr. BROWN) submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1531. Mr. WYDEN submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1532. Mr. DONNELLY submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1533. Mr. INHOFE submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1534. Mr. INHOFE submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1535. Mr. INHOFE (for himself and Mr. CORKER) submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1536. Mr. INHOFE (for himself and Mr. COONS) submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1537. Mr. INHOFE submitted an amendment intended to be proposed by him to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1538. Mr. WICKER (for himself, Ms. CANTWELL, and Mr. HATCH) submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1539. Mr. MCCAIN (for himself, Mr. BLUMENTHAL, Mr. FLAKE, Mr. SULLIVAN, and Mr. INHOFE) submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1540. Mr. BENNET (for himself and Mr. GARDNER) submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra.

SA 1541. Mr. RUBIO (for himself, Mr. VITTER, and Ms. AYOTTE) submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1542. Mr. PAUL submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1543. Mr. PAUL submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1544. Mr. PAUL submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1545. Mr. PAUL submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1546. Mr. PAUL submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1547. Mr. PAUL submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1548. Mr. PAUL submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1549. Mrs. ERNST (for herself, Mrs. BOXER, and Mr. GRAHAM) submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1550. Mrs. SHAHEEN (for herself, Mrs. MURRAY, Mr. BLUMENTHAL, Mrs. GILLIBRAND, Mrs. BOXER, and Mr. MURPHY) submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1551. Mrs. SHAHEEN (for herself and Ms. AYOTTE) submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1552. Mrs. SHAHEEN submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1553. Ms. KLOBUCHAR (for herself and Mr. GRASSLEY) submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1554. Ms. KLOBUCHAR submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1555. Ms. KLOBUCHAR (for herself and Mr. SCHUMER) submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1556. Mr. DURBIN submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1557. Mr. DURBIN submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1558. Mr. DURBIN submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1559. Mr. DURBIN submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1560. Mr. BLUMENTHAL (for himself and Mr. DURBIN) submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1561. Mr. BLUMENTHAL (for himself and Mr. DURBIN) submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1562. Mr. BLUMENTHAL (for himself and Mr. DURBIN) submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1563. Mr. BLUMENTHAL submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1564. Mr. BLUMENTHAL submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN

to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1565. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1566. Mr. SESSIONS submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1567. Ms. AYOTTE (for herself, Mr. WICKER, Mr. INHOFE, and Mrs. FISCHER) submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1568. Mr. COTTON submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1569. Mr. BURR (for himself and Mrs. BOXER) submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1570. Mr. WARNER (for himself and Mr. CORNYN) submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1571. Mr. WARNER (for himself and Mr. CORNYN) submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1572. Mr. SULLIVAN (for himself and Mr. INHOFE) submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1573. Mr. LEE submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1574. Mrs. BOXER submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1575. Mrs. BOXER (for herself, Ms. BALDWIN, Mr. MARKEY, and Mrs. FEINSTEIN) submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1576. Mrs. BOXER submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1577. Mrs. FEINSTEIN (for herself and Mr. GRASSLEY) submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1578. Mrs. GILLIBRAND (for herself, Mrs. BOXER, Mr. GRASSLEY, Mr. CRUZ, Ms. MURKOWSKI, Mr. BLUMENTHAL, Mrs. SHAHEEN, Ms. HIRONO, Mr. PAUL, Mr. COONS, Mr. HELLER, Mr. DURBIN, Mr. KIRK, Mr. MARKEY, Mr. CARDIN, Mr. MENENDEZ, Mr. UDALL, Mr. SCHUMER, Mr. WYDEN, Mr. SCHATZ, Ms. BALDWIN, Ms. STABENOW, Mr. DONNELLY, Mr. HEINRICH, Ms. WARREN, and Mr. LEAHY) submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1579. Mrs. ERNST submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1580. Mrs. ERNST submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1581. Mr. BURR (for himself and Mr. TILLIS) submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1582. Mr. BARRASSO (for himself, Mr. CORNYN, and Mr. HOEVEN) submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1583. Mr. BLUMENTHAL submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1584. Mr. MURPHY submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1585. Mr. MURPHY submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1586. Mr. MURPHY submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1587. Mr. TOOMEY submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1588. Mr. TOOMEY submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1589. Mr. TOOMEY submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1590. Mr. TOOMEY submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1591. Mr. TOOMEY submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1592. Mr. TOOMEY submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1593. Mr. TOOMEY submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1594. Ms. MURKOWSKI (for herself, Ms. HEITKAMP, Mr. HOEVEN, and Mr. LANKFORD) submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1595. Ms. MURKOWSKI (for herself, Ms. HEITKAMP, and Mr. HOEVEN) submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1596. Mr. REID submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1597. Mr. MENENDEZ (for himself and Mr. BOOKER) submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1598. Mr. DURBIN submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1599. Mr. DURBIN (for himself and Mr. MURPHY) submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1600. Mr. WHITEHOUSE submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1601. Ms. STABENOW (for herself, Mr. BLUNT, Mrs. CAPITO, Mr. MENENDEZ, and Mr. MARKEY) submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1602. Ms. STABENOW (for herself and Mr. PETERS) submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1603. Mr. MARKEY submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1604. Mr. MARKEY submitted an amendment intended to be proposed to amendment SA 1486 submitted by Mr. CORNYN (for himself, Mr. HOEVEN, and Mr. WARNER) to the amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1605. Mr. COTTON submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1606. Ms. AYOTTE submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1607. Mr. JOHNSON submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1608. Mrs. ERNST submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1609. Mr. MERKLEY submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1610. Mr. SCHATZ submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1611. Ms. AYOTTE (for herself and Mrs. SHAHEEN) submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1612. Ms. AYOTTE submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1613. Mr. JOHNSON (for himself, Mr. CORNYN, and Ms. BALDWIN) submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 1476. Mr. BARRASSO submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 1049. USE OF THE NATIONAL GUARD FOR SUPPORT OF CIVILIAN FIREFIGHTING ACTIVITIES.

(a) SHORT TITLE.—This section may be cited as the ''Modular Airborne Firefighting System Flexibility Act''.

(b) OPERATIONAL USE AUTHORIZED.—

(1) IN GENERAL.—Chapter 1 of title 32, United States Code, is amended by adding at the end the following new section:

''§ 116. Operational use: support for civilian firefighting activities

''(a) BASIS OF AUTHORITY.—The authority in this section is based on a recognition of the basic premises of the National Incident Management System and the National Response Framework that—

''(1) incidents are typically managed at the local level first; and

''(2) local jurisdictions retain command, control, and authority over response activities for their jurisdictional areas.

''(b) ASSISTANCE TO CIVILIAN FIREFIGHTING ORGANIZATIONS AUTHORIZED.—Members and units of the National Guard are authorized to support firefighting operations, missions, or activities, including aerial firefighting employment of the Modular Airborne Firefighting System (MAFFS), undertaken in support of a Federal or State agency or other civilian authority.

''(c) ROLE OF GOVERNOR AND STATE ADJUTANT GENERAL.—For the purposes of subsection (a)—

''(1) the Governor of a State shall be the principal civilian authority; and

''(2) the adjutant general of the State—

''(A) shall be the principal military authority, when acting in the adjutant general's State capacity; and

''(B) has the primary authority to mobilize members and units of the National Guard of the State in any duty status under this title the adjutant general considers appropriate to employ necessary forces when funds to perform such operations, missions, or activities are reimbursed.''.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 1 of such title is amended by adding at the end the following new item:

''116. Operational use: support for civilian firefighting activities.''.

(c) ACTIVE GUARD AND RESERVE (AGR) SUPPORT.—Section 328(b) of such title is amended by inserting ''duty as specified in section 116(b) of this title or may perform'' after ''subsection (a) may perform''.

(d) FEDERAL TECHNICIAN SUPPORT.—Section 709(a)(3) of such is amended by inserting ''duty as specified in section 116(b) of this title or'' after ''the performance of'' the first place it appears.

SA 1477. Mr. BARRASSO submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle E of title III, add the following:

SEC. 344. REIMBURSEMENT OF STATES FOR LOSS OR DESTRUCTION OF PROPERTY AS A RESULT OF FIRE CAUSED BY MILITARY TRAINING OR OTHER ACTIONS IN THE UNITED STATES OF THE ARMED FORCES OR THE DEPARTMENT OF DEFENSE.

(a) REIMBURSEMENT REQUIRED.—

(1) IN GENERAL.—The Secretary of Defense shall, upon application by a State, reimburse the State for the reasonable costs of the State for services provided in connection with loss or destruction of property, or mitigation of damage, loss, or destruction of property, whether or not property of the State, and all fire suppression costs, as a result of a fire caused by military training or other actions in the United States of units or members of the Armed Forces or employees of the Department of Defense.

(2) SERVICES COVERED.—Services reimbursable under this subsection shall be limited to services proximately related to the fire for which reimbursement is sought under this subsection.

(b) APPLICATION.—Each application of a State for reimbursement for costs under subsection (a) shall set forth an itemized request of the services covered by the application, including the costs of such services.

(c) FUNDS.—Reimbursements under subsection (a) shall be made from amounts authorized to be appropriated for the Department of Defense for operation and maintenance.

SA 1478. Mr. TILLIS (for himself, Mr. INHOFE, and Mr. BURR) submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 141. STATIONING OF C–130 H AIRCRAFT AVIONICS PREVIOUSLY MODIFIED BY THE AVIONICS MODERNIZATION PROGRAM (AMP) IN SUPPORT OF DAILY TRAINING AND CONTINGENCY REQUIREMENTS FOR AIRBORNE AND SPECIAL OPERATIONS FORCES.

The Secretary of the Air Force shall station aircraft previously modified by the C–130 Avionics Modernization Program (AMP) to support United States Army Airborne and United States Army Special Operations Command daily training and contingency requirements by the end of fiscal year 2017, and such aircraft shall not be required to deploy in the normal rotation of C–130 H units. The Secretary shall provide such personnel as required to maintain and operate the aircraft.

SEC. ——. FIELDING OF AMP MODIFIED C–130 H AIRCRAFT

Section 134 of the Carl Levin and Howard P. 'Buck' McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113–291) prohibits the Air Force from canceling or modifying the C–130H AMP program of record. Elsewhere in this Act the committee states that it expect the Air Force to continue to execute AMP and field C–130H aircraft previously upgraded by the AMP program until the Air Force provides a concrete plan that describes the final modification configuration for a restructured AMP program, a service cost position, and a procurement and installation schedule that would realistically support a fleet viability requirement.

The Air Force has resisted fielding the five previously modified AMP aircraft or to install the previously purchased installation kits to modify an additional four aircraft because of the difficulties in training aircrews and establishing logistics support, thereby negating the ability to deploy these aircraft in the C–130 schedule rotation. However, in order to comply with 134 of the Carl Levin and Howard P. 'Buck' McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113–291) and stated committee desires, the Air Force must continue fielding these aircraft.

The five current AMP-modified C–130Hs, plus aircraft modified with the four previously purchased installation kits would be ideal aircraft to support 18th Airborne Corps, 82nd Airborne Division, and U.S. Army Special Operations Command training and contingency requirements as they would primarily provide training support to these units and not be required to deploy in the normal rotation of C–130 units.

The committee believes the Air Force has expended significant funds on the AMP program of record and therefore should use due diligence to give the American taxpayer the best return on scarce funding to maximize military effectiveness.

SA 1479. Mr. TILLIS submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle E of title VIII, add the following:

SEC. 884. REPORT ON DEVELOPMENT OF ULTRA LIGHT COMBAT VEHICLE.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Under Secretary of Defense for Acquisition, Technology, and Logistics, in consultation with the Secretary of the Army, shall submit to Congress a report on the development of an Army Ultra Light Combat Vehicle (ULCV) for use with light infantry brigades and with Special Operations Forces.

(b) ELEMENTS.—The report required under subsection (a) shall include the following elements:

(1) An assessment whether the ULCV is a suitable candidate for militarized commercial-off-the-shelf (COTS) purchase rather than purpose-built, defense-only platforms, leveraging existing global automotive supply chains to satisfy requirements and performance specifications for the program.

(2) An assessment whether fielding such a program meets the requirements of the Department of Defense's Better Buying Directive.

SA 1480. Mrs. SHAHEEN (for herself and Ms. AYOTTE) submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

Insert after section 588 the following:

SEC. 588A. SENSE OF SENATE ON THE BEYOND THE YELLOW RIBBON PROGRAM.

It is the sense of the Senate that—

(1) programs under the Beyond the Yellow Ribbon program provide community-based outreach services that coordinate state and local resources into a single network to offer critical support to members of the Armed Forces before, during, and after military service deployments;

(2) services under the Beyond Yellow Ribbon program include substance abuse treatment, mental health, suicide prevention, employment services, educational assistance, military sexual assault referrals, health care, marriage and financial counseling and other related services;

(3) programs under the Beyond Yellow Ribbon program have helped thousands of members of the Armed Forces, veterans and their family members cope with the challenges associated with deployments and military service;

(4) programs under the Beyond the Yellow Ribbon program have seen significant outcomes in areas including suicide prevention, access to mental health care, homelessness prevention, and access to employment for veterans; and

(5) the Beyond the Yellow Ribbon program has enduring value; and

(6) the Department of Defense should identify permanent funding and continue its support for the Beyond the Yellow Ribbon program as the needs of our men and women in the Armed Forces and their families for outreach and reintegration services continue to increase.

SA 1481. Mrs. SHAHEEN submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

In the appropriate place please insert the following:

SENSE OF SENATE.—It is the sense of the Senate that—

(1) the accidental transfer of suspected *bacillus anthracis,* also known as anthrax, from an Army laboratory to 28 laboratories located in 12 states and three countries discovered in April 2015 represents a serious safety lapse and a potential threat to public health;

(2) the Department of Defense, in cooperation with the Centers for Disease Control and Prevention and the Federal Bureau of Investigation, should continue to investigate the cause of this lapse and determine if protective protocols should be strengthened;

(3) the Department of Defense should reassess standards on a regular basis to ensure they are current and effective to prevent a reoccurrence; and

(4) the Department of Defense should keep the relevant defense committees apprised of the investigation, any potential public health or safety risk, remedial actions taken and plans to regularly reassess standards.

SA 1482. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle B of title VII, add the following:

SEC. 721. PROHIBITION ON CONDUCT OF CERTAIN MEDICAL RESEARCH AND DEVELOPMENT PROJECTS.

The Secretary of Defense and each Secretary of a military department shall not fund or conduct a medical research and development project unless the Secretary funding or conducting the project determines that the project is directly designed to protect, enhance, or restore the health and safety of members of the Armed Forces through the phases of deployment, combat, recovery, and rehabilitation.

SA 1483. Mr. HOEVEN submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

On page 186, line 9, insert before the period at the end the following: '', including the use of contractor facilities and equipment and qualified contract pilot trainers to increase near-term throughput''.

SA 1484. Mr. HOEVEN submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

In title XVI, after subtitle A, insert the following:

Subtitle B—Defense Intelligence and Intelligence-related Activities

SEC. 1621. REPORT ON AIR NATIONAL GUARD CONTRIBUTIONS TO THE RQ–4 GLOBAL HAWK MISSION.

(a) REPORT REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Secretary of the Air Force, in coordination with the Chief of Staff of the Air Force and the Chief of the National Guard Bureau, shall submit to Congress a report on the feasibility of using the Air National Guard in association with the active duty Air Force to operate and maintain the RQ–4 Global Hawk.

(b) CONTENTS.—The report required by (a) shall include the following:

(1) An assessment of the costs, training requirements, and personnel required to create an association for the Global Hawk mission consisting of members of the Air Force serving on active duty and members of the Air National Guard.

(2) The capacity of the Air National Guard to support an association described in paragraph (1).

SA 1485. Mr. HOEVEN (for himself and Mr. TESTER) submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. 1637. SENSE OF SENATE ON THE NUCLEAR FORCE IMPROVEMENT PROGRAM OF THE AIR FORCE.

(a) FINDINGS.—The Senates makes the following findings:

(1) On February 6, 2014, Air Force Global Strike Command (AFGSC) initiated a force improvement program for the Intercontinental Ballistic Missile (ICBM) force designed to improve mission effectiveness, strengthen culture and morale, and identify areas in need of investment by soliciting input from airmen performing ICBM operations.

(2) The ICBM force improvement program generated more than 300 recommendations to strengthen ICBM operations and served as a model for subsequent force improvement

programs in other mission areas, such as bomber operations and sustainment.

(3) On May 28, 2014, as part of the nuclear force improvement program, the Air Force announced it would make immediate improvements in the nuclear mission of the Air Force, including enhancing career opportunities for airmen in the nuclear career field, ensuring training activities focused on performing the mission in the field, reforming the personnel reliability program, establishing special pay rates for positions in the nuclear career field, and creating a new service medal for nuclear deterrence operations.

(4) Chief of Staff of the Air Force Mark Welsh has said that, as part of the nuclear force improvement program, the Air Force will increase nuclear-manning levels and strengthen professional development for the members of the Air Force supporting the nuclear mission of the Air Force in order ''to address shortfalls and offer our airmen more stable work schedule and better quality of life''.

(5) Secretary of the Air Force Deborah Lee James, in recognition of the importance of the nuclear mission of the Air Force, proposed elevating the grade of the commander of the Air Force Global Strike Command from lieutenant general to general, and on March 30, 2015, the Senate confirmed a general as commander of that command.

(6) The Air Force redirected more than $160,000,000 in fiscal year 2014 to alleviate urgent, near-term shortfalls within the nuclear mission of the Air Force as part of the nuclear force improvement program.

(7) The Air Force plans to spend more than $200,000,000 on the nuclear force improvement program in fiscal year 2015, and requested more than $130,000,000 for the program for fiscal year 2016.

(8) Secretary of Defense Chuck Hagel said on November 14, 2014, that ''[t]he nuclear mission plays a critical role in ensuring the Nation's safety. No other enterprise we have is more important''.

(9) Secretary Hagel also said that the budget for the nuclear mission of the Air Force should increase by 10 percent over a five-year period.

(10) Section 1652 of the Carl Levin and Howard P. ''Buck'' McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113–201; 128 Stat. 3654; 10 U.S.C. 491 note) declares it the policy of the United States ''to ensure that the members of the Armed Forces who operate the nuclear deterrent of the United States have the training, resources, and national support required to execute the critical national security mission of the members''.

(b) SENSE OF SENATE.—It is the sense of the Senate that—

(1) the nuclear mission of the Air Force should be a top priority for the Department of the Air Force and for Congress;

(2) the members of the Air Force who operate and maintain the Nation's nuclear deterrent perform work that is vital to the security of the United States;

(3) the nuclear force improvement program of the Air Force has made significant near-term improvements for the members of the Air Force in the nuclear career field of the Air Force;

(4) Congress should support long-term investments in the Air Force nuclear enterprise that sustain the progress made under the nuclear force improvement program;

(5) the Air Force should—

(A) regularly inform Congress on the progress being made under the nuclear force improvement program and its efforts to strengthen the nuclear enterprise; and

(B) make Congress aware of any additional actions that should be taken to optimize performance of the nuclear mission of the Air Force and maximize the strength of the United States strategic deterrent; and

(6) future budgets for the Air Force should reflect the importance of the nuclear mission of the Air Force and the need to provide members of the Air Force assigned to the nuclear mission the best possible support and quality of life.

SA 1486. Mr. CORNYN (for himself, Mr. HOEVEN, and Mr. WARNER) submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; as follows:

Purpose: To require reporting on energy security issues involving Europe and the Russian Federation, and to express the sense of Congress regarding ways the United States could help vulnerable allies and partners with energy security.

At the end of subtitle D of title XII, add the following:

SEC. 1257. REPORTING ON ENERGY SECURITY ISSUES INVOLVING EUROPE AND THE RUSSIAN FEDERATION.

(a) ADDITIONAL MATTERS IN ANNUAL REPORT ON MILITARY AND SECURITY DEVELOPMENTS INVOLVING THE RUSSIAN FEDERATION.—Section 1245(b) of the Carl Levin and Howard P. ''Buck'' McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113–291; 128 Stat. 3566) is amended—

(1) by redesignating paragraph (15) as paragraph (16); and

(2) by inserting after paragraph (14) the following new paragraph:

''(15) An assessment of Russia's ability to use energy supplies, particularly natural gas and oil, as tools of coercion or intimidation to undermine the security of NATO members or other neighboring countries.''.

(b) REPORT ON EUROPEAN ENERGY SECURITY AND RELATED VULNERABILITIES.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Director of National Intelligence, in consultation with the Secretary of State, shall submit to the appropriate congressional committees a report assessing the energy security of NATO members, other European nations who share a border with the Russian Federation, and Moldova.

(2) ELEMENTS.—The report required under paragraph (1) shall include assessments of the following issues:

(A) The extent of reliance by these nations on the Russian Federation for supplies of oil and natural gas.

(B) Whether such reliance creates vulnerabilities that negatively affect the security of those nations.

(C) The magnitude of those vulnerabilities.

(D) The impacts of those vulnerabilities on the national security and economic interests of the United States.

(E) Any other aspect that the Director determines to be relevant to these issues.

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

(A) the Committee on Armed Services, the Select Committee on Intelligence, and the Committee on Foreign Relations of the Senate; and

(B) the Committee on Armed Services, the Permanent Select Committee on Intelligence, and the Committee on Foreign Affairs of the House of Representatives.

SEC. _____. SENSE OF CONGRESS ON WAYS THE UNITED STATES COULD HELP VULNERABLE ALLIES AND PARTNERS WITH ENERGY SECURITY.

It is the sense of Congress that—

(1) the Energy Policy and Conservation Act of 1975 (Public Law 94–163) gives the President discretion to allow crude oil and natural gas exports that the President determines to be consistent with the national interest;

(2) United States allies and partners in Europe and Asia have requested access to United States oil and natural gas exports to limit their vulnerability and to diversify their supplies, including in the face of Russian aggression and Middle East volatility; and

(3) the President should exercise existing authorities related to natural gas and crude oil exports to help aid vulnerable United States allies and partners, consistent with the national interest.

SA 1487. Mr. CORNYN submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. EXPEDITED APPROVAL OF EXPORTATION OF NATURAL GAS TO UNITED STATES ALLIES AND PARTNERS.

(a) IN GENERAL.—Section 3(c) of the Natural Gas Act (15 U.S.C. 717b(c)) is amended—

(1) by striking ''(c) For purposes'' and inserting the following:

''(c) EXPEDITED APPROVAL.—

''(1) IN GENERAL.—For purposes'';

(2) in paragraph (1) (as so designated), by striking ''nation with which there is in effect a free trade agreement requiring national treatment for trade in natural gas'' and inserting ''foreign country described in paragraph (2)''; and

(3) by adding at the end the following:

''(2) FOREIGN COUNTRY DESCRIBED.—A foreign country referred to in paragraph (1) is—

''(A) a nation with which there is in effect a free trade agreement requiring national treatment for trade in natural gas;

''(B) a member country of the North Atlantic Treaty Organization; or

''(C) Ukraine, Georgia, Moldova, Finland, India, or Japan.''.

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall apply with respect to applications for the authorization to export natural gas under section 3 of the Natural Gas Act (15 U.S.C. 717b) that are pending on, or filed on or after, the date of enactment of this Act.

SA 1488. Mr. SULLIVAN submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016

for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle A of title VI, add the following:

SEC. 608. SENSE OF SENATE ON MILITARY AND CIVILIAN PAY RAISES.

(a) FINDING.—The Senate finds that section 1009 of title 37, United States Code, specifies that the annual increase in pay for members of the uniformed services shall equal the employment cost index while section 5303 of title 5, United States Code, provides that the amount of the annual increase in pay for civilian employees of the Federal Government should be equal to one half of one percent less than the employment cost index.

(b) SENSE OF SENATE.—It is the sense of the Senate that—

(1) the members of our uniformed services have earned a higher annual increase in pay to reward them for the unique challenges and hardships of their service to our country; and

(2) the annual increase in pay for members of the uniformed services should exceed that of the annual increase in pay for civilian employees of the Federal Government.

SA 1489. Mr. SULLIVAN (for himself, Ms. MURKOWSKI, Mr. SCHATZ, Mr. MORAN, and Ms. HIRONO) submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle B of title VIII, add the following:

SEC. 832. MODIFICATIONS TO THE JUSTIFICATION AND APPROVAL PROCESS FOR CERTAIN SOLE-SOURCE CONTRACTS FOR SMALL BUSINESS CONCERNS.

(a) REPEAL OF SIMPLIFIED JUSTIFICATION AND APPROVAL PROCESS.—Section 811 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84; 123 Stat. 2405) is repealed.

(b) REQUIREMENTS FOR JUSTIFICATION AND APPROVAL PROCESS.—

(1) DEFENSE PROCUREMENTS.—Section 2304(f)(2)(D)(ii) of title 10, United States Code, is amended by inserting ''if such procurement is for property or services in an amount less than $20,000,000'' before the semicolon at the end.

(2) CIVILIAN PROCUREMENTS.—Section 3304(e)(4) of title 41, United States Code, is amended—

(A) in subparagraph (C), by striking ''or'' at the end;

(B) in subparagraph (D), by striking ''or section 8(a) of the Small Business Act (15 U.S.C. 637(a)).'' and inserting ''; or''; and

(C) by adding at the end the following new subparagraph:

''(E) the procurement is for property or services in an amount less than $20,000,000 and is conducted under section 8(a) of the Small Business Act (15 U.S.C. 637(a)).''.

SA 1490. Mr. VITTER submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle A of title IV, add the following:

SEC. 403. MINIMUM NUMBER OF ARMY BRIGADE COMBAT TEAMS.

(a) IN GENERAL.—Section 3062 of title 10, United States Code, is amended by adding at the end the following new subsection:

''(e)(1) Effective October 1, 2015, the Secretary of the Army shall maintain a total number of brigade combat teams for the regular and reserve components of the Army of not fewer than 32 brigade combat teams.

''(2) In this subsection, the term ' brigade combat team' means any unit that consists of—

''(A) an arms branch maneuver brigade;

''(B) its assigned support units; and

''(C) its assigned fire teams''.

(b) LIMITATION ON ELIMINATION OF ARMY BRIGADE COMBAT TEAMS.—

(1) LIMITATION.—The Secretary of the Army may not proceed with any decision to reduce the number of brigade combat teams for the regular Army to fewer than 32 brigade combat teams.

(2) ADDITIONAL LIMITATION ON RETIREMENT.—The Secretary may not eliminate any brigade combat team from the brigade combat teams of the regular Army as of the date of the enactment of this Act until the later of the following:

(A) The date that is 30 days after the date on which the Secretary submits the report required under paragraph (3).

(B) The date that is 30 days after the date on which the Secretary certifies to the congressional defense committees that—

(i) the elimination of Army brigade combat teams will not increase the operational risk of meeting the National Defense Strategy; and

(ii) the reduction of such combat teams does not reduce the total number of brigade combat teams of the Army to fewer than 32 brigade combat teams.

(3) REPORT ON ELIMINATION OF BRIGADE COMBAT TEAMS.—The Secretary shall submit to the congressional defense committees a report setting forth the following:

(A) The rationale for any proposed reduction of the total strength of the Army, including the National Guard and Reserves, below the strength provided in subsection (e) of section 3062 of title 10, United States Code (as amended by subsection (a) of this section), and an operational analysis of the total strength of the Army that demonstrates performance of the designated mission at an equal or greater level of effectiveness as the personnel of the Army so reduced.

(B) An assessment of the implications for the Army, the Army National Guard of the United States, and the Army Reserve of the force mix ratio of Army troop strengths and combat units after such reduction.

(C) Such other matters relating to the reduction of the total strength of the Army as the Secretary considers appropriate.

(c) ADDITIONAL REPORTS.—

(1) IN GENERAL.—At least 90 days before the date on which the total strength of the Army, including the National Guard and Reserves, is reduced below the strength provided in subsection (e) of section 3062 of title 10, United States Code (as amended by subsection (a) of this section), the Secretary of the Army, in consultation with (where applicable) the Director of the Army National Guard or Chief of the Army Reserve, shall submit to the congressional defense committees a report on the reduction.

(2) ELEMENTS.—Each report submitted under paragraph (1) shall include the following:

(A) A list of each major combat unit of the Army that will remain after the reduction, organized by division and enumerated down to the brigade combat team-level or its equivalent, including for each such brigade combat team—

(i) the mission it is assigned to; and

(ii) the assigned unit and military installation where it is based.

(B) A list of each brigade combat team proposed for disestablishment, including for each such unit—

(i) the mission it is assigned to; and

(ii) the assigned unit and military installation where it is based.

(C) A list of each unit affected by a proposed disestablishment listed under subparagraph (B) and a description of how such unit is affected.

(D) For each military installation and unit listed under subparagraph (B)(ii), a description of changes, if any, to the designed operational capability (DOC) statement of the unit as a result of a proposed disestablishment.

(E) A description of any anticipated changes in manpower authorizations as a result of a proposed disestablishment listed under subparagraph (B).

SA 1491. Mr. CARDIN submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 1005. ECONOMICAL AND EFFICIENT OPERATION OF WORKING CAPITAL FUND ACTIVITIES.

Section 2208(e) of title 10, United States Code, is amended—

(1) by inserting ''(1)'' after ''(e)''; and

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

''(2) The accomplishment of the most economical and efficient organization and operation of working capital fund activities for purposes of paragraph (1) shall include actions toward the implementation of a workload plan that optimizes the efficiency of the workforce operating within a working capital fund activity and reduces the rate structure.''.

SA 1492. Mr. CORNYN submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr.

MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle G of title XII, add the following:

SEC. 1283. AUTHORIZATION OF EXPORTATION OF CRUDE OIL TO CERTAIN ALLIES AND PARTNERS OF THE UNITED STATES.

Section 103(b) of the Energy Policy and Conservation Act (42 U.S.C. 6212(b)) is amended by adding at the end the following:

''(3)(A) The President shall exempt from the rule promulgated under paragraph (1) exports of crude oil from the United States to countries that are allies and partners of the United States and the energy security of which would be enhanced by such exports, including members of the North Atlantic Treaty Organization, Georgia, Ukraine, Finland, Japan, and India.

''(B) If the President receives a request for exports of crude oil produced in the United States from the government of a country described in subparagraph (A), the President shall approve the export of such crude oil to that country not later than 60 days after receiving the request if the President determines that the export of such crude oil to that country is in the national interest.''.

SA 1493. Mr. MCCAIN (for himself, Mr. BLUMENTHAL, and Mr. WICKER) submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

Insert after section 342 the following:

SEC. 342A. PROHIBITION ON CONTRACTS TO FACILITATE PAYMENTS FOR HONORING MEMBERS OF THE ARMED FORCES AT SPORTING EVENTS.

(a) SENSE OF SENATE.—It is the sense of the Senate that—

(1) the Army National Guard has paid professional sports organizations to honor members of the Armed Forces;

(2) any organization wishing to honor members of the Armed Forces should do so on a voluntary basis, and the Department of Defense should take action to ensure that no payments be made for such activities in the future; and

(3) any organization, including the National Football League, that has accepted taxpayer funds to honor members of the Armed Forces should consider directing an equivalent amount of funding in the form of a donation to a charitable organization that supports members of the Armed Forces, veterans, and their families.

(b) PROHIBITION.—

(1) IN GENERAL.—Subchapter I of chapter 134 of title 10, United States Code, is amended by inserting after section 2241a the following new section:

''§ 2241b. Prohibition on contracts providing payments for activities to honor members of the armed forces

''(a) PROHIBITION.—The Department of Defense may not enter into any contract or other agreement under which payments are to be made in exchange for activities by the contractor intended to honor, or giving the appearance of honoring, members of the armed forces (whether members of the regular components or the reserve components) at any form of sporting event.

''(b) CONSTRUCTION.—Nothing in subsection (a) shall be construed as prohibiting the Department from taking actions to facilitate activities intended to honor members of the armed forces at sporting events that are provided on a pro bono basis if such activities are provided and received in accordance with applicable rules and regulations regarding the acceptance of gifts by the military departments, the armed forces, and members of the armed forces.''.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of subchapter I of chapter 134 of such title is amended by inserting after the item relating to section 2241a the following new item:

''2241b. Prohibition on contracts providing payments for activities to honor members of the armed forces at sporting events.''.

SA 1494. Mrs. SHAHEEN (for herself, Mr. LEAHY, Mr. DURBIN, Mr. BROWN, Ms. HIRONO, Mr. BLUMENTHAL, Ms. BALDWIN, Mr. SCHATZ, Mr. PETERS, Mrs. GILLIBRAND, Mr. MARKEY, Mr. WHITEHOUSE, Mr. COONS, and Mr. WYDEN) submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; as follows:

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

SEC. 1085. DEFINITION OF SPOUSE FOR PURPOSES OF VETERANS BENEFITS TO REFLECT NEW STATE DEFINITIONS OF SPOUSE.

(a) SPOUSE DEFINED.—Section 101 of title 38, United States Code, is amended—

(1) in paragraph (3), by striking ''of the opposite sex''; and

(2) by striking paragraph (31) and inserting the following new paragraph:

''(31)(A) An individual shall be considered a 'spouse' if—

''(i) the marriage of the individual is valid in the State in which the marriage was entered into; or

''(ii) in the case of a marriage entered into outside any State—

''(I) the marriage of the individual is valid in the place in which the marriage was entered into; and

''(II) the marriage could have been entered into in a State.

''(B) In this paragraph, the term 'State' has the meaning given that term in paragraph (20), except that the term also includes the Commonwealth of the Northern Mariana Islands.''.

(b) MARRIAGE DETERMINATION.—Section 103(c) of such title is amended by striking ''according to'' and all that follows through the period at the end and inserting ''in accordance with section 101(31) of this title.''.

SA 1495. Mrs. SHAHEEN submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

AMENDMENT NO. 1495

In the appropriate place please insert the following:

SENSE OF SENATE.—It is the sense of the Senate that—

(1) the accidental transfer of suspected bacillus anthracis, also known as anthrax, from an Army laboratory to more than 28 laboratories located in at least 12 states and three countries discovered in April 2015 represents a serious safety lapse and a potential threat to public health;

(2) the Department of Defense, in cooperation with the Centers for Disease Control and Prevention and the Federal Bureau of Investigation, should continue to investigate the cause of this lapse and determine if protective protocols should be strengthened;

(3) the Department of Defense should reassess standards on a regular basis to ensure they are current and effective to prevent a reoccurrence; and

(4) the Department of Defense should keep Congress apprised of the investigation, any potential public health or safety risk, remedial actions taken and plans to regularly reassess standards.

SA 1496. Mr. CORNYN submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle G of title XII, add the following:

SEC. 1283. AUTHORIZATION OF EXPORTATION OF NATURAL GAS TO CERTAIN ALLIES AND PARTNERS OF THE UNITED STATES.

Section 103(b) of the Energy Policy and Conservation Act (42 U.S.C. 6212(b)) is amended by adding at the end the following:

''(3)(A) The President shall exempt from the rule promulgated under paragraph (1) exports of natural gas from the United States to countries that are allies and partners of the United States and the energy security of which would be enhanced by such exports, including members of the North Atlantic Treaty Organization, Georgia, Ukraine, Finland, Japan, and India.

''(B) If the President receives a request for exports of natural gas produced in the United States from the government of a country described in subparagraph (A), the President shall approve the export of such

natural gas to that country not later than 60 days after receiving the request if the President determines that the export of such natural gas to that country is in the national interest.''.

SA 1497. Mr. PORTMAN submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle D of title XII, add the following:

SEC. 1257. REPORT ON SECURITY CHALLENGES OF HYBRID WARFARE TACTICS.

(a) IN GENERAL.—Not later than 120 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report setting forth an assessment of the security challenges posed by hybrid warfare tactics that combine conventional and unconventional means, such as those used by the Russian Federation in Crimea and eastern Ukraine, and their implications for United States military doctrine, organization, training, materiel, leadership and education, and personnel and facilities.

(b) ELEMENTS.—The report under subsection (a) shall address the following:

(1) The implications for mechanized and armored warfare.

(2) The implications of the use of information operations to gain information dominance.

(3) The implications of the use of sophisticated electronic warfare capabilities.

(4) The applicability of lessons learned from the conflict in Ukraine to security challenges faced by other United States combatant commands, including the United States Pacific Command and the United States Central Command.

(5) Such other matters with respect to the security challenges posed by the tactics described in subsection (a) as the Secretary consider appropriate.

SA 1498. Mr. PORTMAN submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle C of title II, add the following:

SEC. 236. SENSE OF CONGRESS ON COMMON AIRBORNE SENSE AND AVOID TECHNOLOGY ON UNMANNED AIRCRAFT SYSTEMS OF DEPARTMENT OF DEFENSE.

It is the sense of the Congress that—

(1) timely integration and first article delivery of Common Airborne Sense and Avoid technology on unmanned aircraft systems of the Department of Defense is a key requirement to ensuring greater access by the Department of Defense to the airspace of the United States and sustaining United States leadership in the unmanned aircraft systems industry;

(2) the technology described in paragraph (1) plays a crucial role in the development of civil standards by the Federal Aviation Administration, in coordination with the efforts of unmanned aircraft systems test centers and the National Aeronautics and Space Administration; and

(3) the Secretary of Defense and the Secretary of the Air Force should fully support and fund continued research, development, testing, integration, and first article delivery of the technology described in paragraph (1) on unmanned aircraft systems of the Department.

SA 1499. Mr. PORTMAN (for himself, Mr. HEINRICH, and Mr. TOOMEY) submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

On page 316, between lines 24 and 25, insert the following:

(3) Recommendations on how best to implement mental health screenings for individuals enlisting or accessioning into the Armed Forces before enlistment or accession.

SA 1500. Mr. PORTMAN submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 141. BRIEFING ON RETIREMENT AND STORAGE OF AIR FORCE ONE (VC–25) AIRCRAFT.

Not later than April 1, 2016, the Secretary of the Air Force shall provide to the Committees on Armed Services of the Senate and the House of Representatives a briefing on the Air Force's plan to retire and subsequently place into storage the current fleet of Air Force One (VC–25) aircraft. The briefing shall include an overview on the plan to move one or both aircraft to a museum owned by the Department of the Air Force upon their retirement from active service.

SA 1501. Mr. PORTMAN submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

On page 808, line 4, insert after ''level'' the following: ''and an estimate of the costs of downblending that uranium''.

SA 1502. Mr. MORAN submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle B of title XVI, add the following:

SEC. 1628. SENSE OF CONGRESS ON REVIEWING AND CONSIDERING FINDINGS OF COUNCIL OF GOVERNORS ON CYBER CAPABILITIES OF ARMED FORCES.

It is the sense of Congress that the Secretary of Defense should, before reducing any cyber capabilities of an active or reserve component of the Armed Forces, review and consider findings from an assessment by the Council of Governors of the synchronization of cyber capabilities in the active and reserve components of the Armed Forces.

SA 1503. Mr. REID submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of part II of subtitle D of title VI, add the following:

SEC. 643. ELIGIBILITY FOR PAYMENT OF BOTH RETIRED PAY AND VETERANS' DISABILITY COMPENSATION FOR CERTAIN MILITARY RETIREES WITH COMPENSABLE SERVICE-CONNECTED DISABILITIES.

(a) EXTENSION OF CONCURRENT RECEIPT AUTHORITY TO RETIREES WITH SERVICE-CONNECTED DISABILITIES RATED LESS THAN 50 PERCENT.—Subsection (a) of section 1414 of title 10, United States Code, is amended by striking paragraph (2).

(b) CLERICAL AMENDMENTS.—

(1) The heading of such section is amended to read as follows:

''§ 1414. Members eligible for retired pay who are also eligible for veterans' disability compensation: concurrent payment of retired pay and disability compensation''.

(2) The item relating to such section in the table of sections at the beginning of chapter 71 of such title is amended to read as follows:

''1414. Members eligible for retired pay who are also eligible for veterans' disability compensation: concurrent payment of retired pay and disability compensation.''.

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect on

July 1, 2016, and shall apply to payments for months beginning on or after that date.

SEC. 644. COORDINATION OF SERVICE ELIGIBILITY FOR COMBAT-RELATED SPECIAL COMPENSATION AND CONCURRENT RECEIPT.

(a) AMENDMENTS TO STANDARDIZE SIMILAR PROVISIONS.—

(1) QUALIFIED RETIREES.—Subsection (a) of section 1414 of title 10, United States Code, as amended by section 626(a) of this Act, is further amended—

(A) by striking ''a member or'' and all that follows through ''retiree'')'' and inserting ''a qualified retiree''; and

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

''(2) QUALIFIED RETIREES.—For purposes of this section, a qualified retiree, with respect to any month, is a member or former member of the uniformed services who—

''(A) is entitled to retired pay (other than by reason of section 12731b of this title); and

''(B) is also entitled for that month to veterans' disability compensation.''.

(2) DISABILITY RETIREES.—Paragraph (2) of subsection (b) of section 1414 of such title is amended to read as follows:

''(2) SPECIAL RULE FOR RETIREES WITH FEWER THAN 20 YEARS OF SERVICE.—The retired pay of a qualified retiree who is retired under chapter 61 of this title with fewer than 20 years of creditable service is subject to reduction by the lesser of—

''(A) the amount of the reduction under sections 5304 and 5305 of title 38; or

''(B) the amount (if any) by which the amount of the member's retired pay under such chapter exceeds the amount equal to 2½ percent of the member's years of creditable service multiplied by the member's retired pay base under section 1406(b)(1) or 1407 of this title, whichever is applicable to the member.''.

(b) EFFECTIVE DATE.—The amendments made by this section shall take effect on July 1, 2016, and shall apply to payments for months beginning on or after that date.

SA 1504. Mr. REID submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of part II of subtitle D of title VI, add the following:

SEC. 643. ELIGIBILITY FOR PAYMENT OF BOTH RETIRED PAY AND VETERANS' DISABILITY COMPENSATION FOR MILITARY RETIREES WITH COMPENSABLE SERVICE-CONNECTED DISABILITIES.

(a) RESTATEMENT OF CURRENT CONCURRENT PAYMENT AUTHORITY WITH EXTENSION OF PAYMENT AUTHORITY TO RETIREES WITH COMPENSABLE SERVICE-CONNECTED DISABILITIES RATED LESS THAN 50 PERCENT DISABLING.—Subsection (a) of section 1414 of title 10, United States Code, is amended by striking paragraphs (1) and (2) and inserting the following new paragraphs:

''(1) IN GENERAL.—Subject to paragraphs (2), (3), and (4) and subsection (b), a member or former member of the uniformed services who is entitled for any month to retired pay and who is also entitled for that month to veterans' disability compensation for a service-connected disability or combination of service-connected disabilities that is compensable under the laws administered by the Secretary of Veterans Affairs (hereinafter in this section referred to as 'qualified retiree') is entitled to be paid both for that month without regard to sections 5304 and 5305 of title 38.

''(2) ONE-YEAR PHASE-IN FOR QUALIFIED RETIREES WITH TOTAL DISABILITIES.—During the period beginning on January 1, 2004, and ending on December 31, 2004, payment of retired pay to a qualified retiree is subject to subsection (c) if the qualified retiree is any of the following:

''(A) A qualified retiree receiving veterans' disability compensation for a disability rated as 100 percent disabling by the Secretary of Veterans Affairs.

''(B) A qualified retiree receiving veterans' disability compensation at the rate payable for a disability rated as 100 percent disabling by reason of a determination of individual unemployability.

''(3) 10-YEAR PHASE-IN FOR QUALIFIED RETIREES WITH DISABILITIES RATED 50 PERCENT DISABLING OR HIGHER.—During the period beginning on January 1, 2004, and ending on December 31, 2013, payment of retired pay to a qualified retiree is subject to subsection (c) if the qualified retiree is entitled to veterans' disability compensation for a service-connected disability or combination of service-connected disabilities that is rated not less than 50 percent disabling by the Secretary of Veterans Affairs.

''(4) 10-YEAR PHASE-IN FOR QUALIFIED RETIREES WITH COMPENSABLE DISABILITIES RATED LESS THAN 50 PERCENT DISABLING.—During the period beginning on January 1, 2016, and ending on December 31, 2025, payment of retired pay to a qualified retiree is subject to subsection (d) if the qualified retiree is entitled to veterans' disability compensation for a service-connected disability or combination of service-connected disabilities that is rated less than 50 percent disabling by the Secretary of Veterans Affairs but is compensable under the laws administered by the Secretary of Veterans Affairs.''.

(b) PHASE-IN FOR QUALIFIED RETIREES WITH COMPENSABLE DISABILITIES RATED LESS THAN 50 PERCENT DISABLING.—Such section is further amended—

(1) by redesignating subsections (d) and (e) as subsections (e) and (f), respectively; and

(2) by inserting after subsection (c) the following new subsection (d):

''(d) PHASE-IN OF FULL CONCURRENT RECEIPT FOR QUALIFIED RETIREES WITH COMPENSABLE DISABILITIES RATED LESS THAN 50 PERCENT DISABLING.—During the period beginning on January 1, 2016, and ending on December 31, 2025, retired pay payable to a qualified retiree that pursuant to subsection (a)(4) is subject to this subsection shall be determined as follows:

''(1) CALENDAR YEAR 2016.—For a month during 2016, the amount of retired pay payable to a qualified retiree is the amount (if any) of retired pay in excess of the current baseline offset, plus $100.

''(2) CALENDAR YEAR 2017.—For a month during 2017, the amount of retired pay payable to a qualified retiree is the sum of—

''(A) the amount specified in paragraph (1) for that qualified retiree; and

''(B) 10 percent of the difference between (i) the current baseline offset, and (ii) the amount specified in paragraph (1) for that member's disability.

''(3) CALENDAR YEAR 2018.—For a month during 2018, the amount of retired pay payable to a qualified retiree is the sum of—

''(A) the amount determined under paragraph (2) for that qualified retiree; and

''(B) 20 percent of the difference between (i) the current baseline offset, and (ii) the amount determined under paragraph (2) for that qualified retiree.

''(4) CALENDARY YEAR 2018.—For a month during 2019, the amount of retired pay payable to a qualified retiree is the sum of—

''(A) the amount determined under paragraph (3) for that qualified retiree; and

''(B) 30 percent of the difference between (i) the current baseline offset, and (ii) the amount determined under paragraph (3) for that qualified retiree.

''(5) CALENDAR YEAR 2020.—For a month during 2020, the amount of retired pay payable to a qualified retiree is the sum of—

''(A) the amount determined under paragraph (4) for that qualified retiree; and

''(B) 40 percent of the difference between (i) the current baseline offset, and (ii) the amount determined under paragraph (4) for that qualified retiree.

''(6) CALENDAR YEAR 2021.—For a month during 2021, the amount of retired pay payable to a qualified retiree is the sum of—

''(A) the amount determined under paragraph (5) for that qualified retiree; and

''(B) 50 percent of the difference between (i) the current baseline offset, and (ii) the amount determined under paragraph (5) for that qualified retiree.

''(7) CALENDAR YEAR 2022.—For a month during 2022, the amount of retired pay payable to a qualified retiree is the sum of—

''(A) the amount determined under paragraph (6) for that qualified retiree; and

''(B) 60 percent of the difference between (i) the current baseline offset, and (ii) the amount determined under paragraph (6) for that qualified retiree.

''(8) CALENDAR YEAR 2023.—For a month during 2023, the amount of retired pay payable to a qualified retiree is the sum of—

''(A) the amount determined under paragraph (7) for that qualified retiree; and

''(B) 70 percent of the difference between (i) the current baseline offset, and (ii) the amount determined under paragraph (7) for that qualified retiree.

''(9) CALENDAR YEAR 2024.—For a month during 2024, the amount of retired pay payable to a qualified retiree is the sum of—

''(A) the amount determined under paragraph (8) for that qualified retiree; and

''(B) 80 percent of the difference between (i) the current baseline offset, and (ii) the amount determined under paragraph (8) for that qualified retiree.

''(10) CALENDAR YEAR 2025.—For a month during 2025, the amount of retired pay payable to a qualified retiree is the sum of—

''(A) the amount determined under paragraph (9) for that qualified retiree; and

''(B) 90 percent of the difference between (i) the current baseline offset, and (ii) the amount determined under paragraph (9) for that qualified retiree.

''(11) GENERAL LIMITATION.—Retired pay determined under this subsection for a qualified retiree, if greater than the amount of retired pay otherwise applicable to that qualified retiree, shall be reduced to the amount of retired pay otherwise applicable to that qualified retiree.''.

(c) CONFORMING AMENDMENTS TO PHASE-IN FOR QUALIFIED RETIREES WITH DISABILITIES RATED 50 PERCENT DISABLING OR HIGHER.—Subsection (c) of such section is amended—

(1) in the subsection caption, by inserting ''FOR QUALIFIED RETIREES WITH DISABILITIES

RATED 50 PERCENT DISABLING OR HIGHER'' after ''FULL CONCURRENT RECEIPT''; and

(2) by striking ''the second sentence of subsection (a)(1)'' and inserting ''subsection (a)(3)''.

(d) CLERICAL AMENDMENTS.—

(1) The heading of such section is amended to read as follows:

''§ 1414. Members eligible for retired pay who are also eligible for veterans' disability compensation: concurrent payment of retired pay and disability compensation''.

(2) The item relating to such section in the table of sections at the beginning of chapter 71 of such title is amended to read as follows:

''1414. Members eligible for retired pay who are also eligible for veterans' disability compensation: concurrent payment of retired pay and disability compensation.''.

(e) EFFECTIVE DATE.—The amendments made by this section shall take effect on December 31, 2015, and shall apply to payments for months beginning on or after that date.

SEC. 644. COORDINATION OF SERVICE ELIGIBILITY FOR COMBAT-RELATED SPECIAL COMPENSATION AND CONCURRENT RECEIPT.

(a) AMENDMENT TO STANDARDIZE SIMILAR PROVISIONS.—Paragraph (2) of section 1414(b) of title 10, United States Code, is amended to read as follows:

''(2) SPECIAL RULE FOR RETIREES WITH FEWER THAN 20 YEARS OF SERVICE.—The retired pay of a qualified retiree who is retired under chapter 61 of this title with fewer than 20 years of creditable service is subject to reduction by the lesser of—

''(A) the amount of the reduction under sections 5304 and 5305 of title 38; or

''(B) the amount (if any) by which the amount of the member's retired pay under such chapter exceeds the amount equal to 2½ percent of the member's years of creditable service multiplied by the member's retired pay base under section 1406(b)(1) or 1407 of this title, whichever is applicable to the member.''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect on July 1, 2015, and shall apply to payments for months beginning on or after that date.

SA 1505. Mr. REID submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of part II of subtitle D of title VI, add the following:

SEC. 643. ELIGIBILITY FOR PAYMENT OF BOTH RETIRED PAY AND VETERANS' DISABILITY COMPENSATION FOR MILITARY RETIREES WITH SERVICE-CONNECTED DISABILITIES RATED 40 PERCENT DISABLING.

(a) IN GENERAL.—Subsection (a)(2) of section 1414 of title 10, United States Code, is amended by striking ''means'' and all that follows and inserting ''means the following:

''(A) During the period beginning on January 1, 2004, and ending on June 30, 2015, a service-connected disability or combination of service-connected disabilities that is rated as not less than 50 percent disabling by the Secretary of Veterans Affairs.

''(B) After June 30, 2015, a service-connected disability or combination of service-connected disabilities that is rated as not less than 40 percent disabling by the Secretary of Veterans Affairs.''.

(b) CLERICAL AMENDMENTS.—

(1) The heading of such section is amended to read as follows:

''§ 1414. Members eligible for retired pay who are also eligible for veterans' disability compensation rated 40 percent or higher: concurrent payment of retired pay and disability compensation''.

(2) The item relating to such section in the table of sections at the beginning of chapter 71 of such title is amended to read as follows:

''1414. Members eligible for retired pay who are also eligible for veterans' disability compensation rated 40 percent or higher: concurrent payment of retired pay and disability compensation.''.

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect on July 1, 2015, and shall apply to payments for months beginning on or after that date.

SEC. 644. COORDINATION OF SERVICE ELIGIBILITY FOR COMBAT-RELATED SPECIAL COMPENSATION AND CONCURRENT RECEIPT.

(a) AMENDMENT TO STANDARDIZE SIMILAR PROVISIONS.—Paragraph (2) of section 1414(b) of title 10, United States Code, is amended to read as follows:

''(2) SPECIAL RULE FOR RETIREES WITH FEWER THAN 20 YEARS OF SERVICE.—The retired pay of a qualified retiree who is retired under chapter 61 of this title with fewer than 20 years of creditable service is subject to reduction by the lesser of—

''(A) the amount of the reduction under sections 5304 and 5305 of title 38; or

''(B) the amount (if any) by which the amount of the member's retired pay under such chapter exceeds the amount equal to 2½ percent of the member's years of creditable service multiplied by the member's retired pay base under section 1406(b)(1) or 1407 of this title, whichever is applicable to the member.''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect on July 1, 2015, and shall apply to payments for months beginning on or after that date.

SA 1506. Mr. TILLIS (for himself, Mr. INHOFE, and Mr. BURR) submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; as follows:

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

SEC. 141. STATIONING OF C–130 H AIRCRAFT AVIONICS PREVIOUSLY MODIFIED BY THE AVIONICS MODERNIZATION PROGRAM (AMP) IN SUPPORT OF DAILY TRAINING AND CONTINGENCY REQUIREMENTS FOR AIRBORNE AND SPECIAL OPERATIONS FORCES.

The Secretary of the Air Force shall station aircraft previously modified by the C–130 Avionics Modernization Program (AMP) to support United States Army Airborne and United States Army Special Operations Command daily training and contingency requirements by the end of fiscal year 2017, and such aircraft shall not be required to deploy in the normal rotation of C–130 H units. The Secretary shall provide such personnel as required to maintain and operate the aircraft.

SA 1507. Mr. PORTMAN (for himself and Mr. MCCAIN) submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle D of title XII, add the following:

SEC. 1258. APPROVAL OF EXPORT LICENCES AND LETTERS OF REQUEST TO ASSIST THE GOVERNMENT OF UKRAINE.

(a) IN GENERAL.—

(1) EXPORT LICENSE APPLICATIONS.—The Secretary of State shall provide the specified congressional committees a detailed list of all export license applications, including requests for marketing licenses, for the sale of defense articles and defense services to Ukraine. The list shall include the date when the application or request was first submitted, the current status of each application or request, and the estimated timeline for adjudication of such applications or requests. The Secretary shall give priority to processing these applications and requests.

(2) LETTERS OF REQUEST.—The Secretary of State shall also provide the specified congressional committees a detailed list of all pending Letters of Request for Foreign Military Sales to Ukraine, including the date when the letter was first submitted, the current status, and the estimated timeline for adjudication of such letters.

(b) REPORTS.—Not later than 30 days after the date of the enactment of this Act, and every 90 days thereafter, the Secretary of State shall submit to the specified congressional committees a report outlining the status of the applications, requests for marketing licenses and Letters of Request described under subsection (a). The report shall terminate upon certification by the President that the sovereignty and territorial integrity of the Government of Ukraine has been restored or 5 years after the date of the enactment of this Act, whichever occurs first.

(c) SPECIFIED CONGRESSIONAL COMMITTEES DEFINED.—In this subsection, the term ''specified congressional committees'' means—

(1) the congressional defense committees; and

(2) the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives.

SA 1508. Mr. HELLER (for himself and Mr. CASEY) submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the

Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle B of title V, add the following:

SEC. 515. PHYSICAL EXAMINATIONS FOR MEMBERS OF THE RESERVE COMPONENTS WHO ARE SEPARATING FROM THE ARMED FORCES.

Section 1145 of title 10, United States Code, is amended—

(1) by redesignating subsections (d) and (e) as subsections (e) and (f), respectively; and

(2) by inserting after subsection (c) the following new subsection (d):

''(d) PHYSICAL EXAMINATIONS FOR MEMBERS OF RESERVE COMPONENTS.—(1) The Secretary concerned shall provide a physical examination pursuant to subsection (a)(5) to each member of a reserve component who—

''(A) will not otherwise receive such an examination under such subsection; and

''(B) elects to receive such a physical examination.

''(2) The Secretary concerned shall—

''(A) provide the physical examination under paragraph (1) to a member during the 90-day period before the date on which the member is scheduled to be separated from the armed forces; and

''(B) issue orders to such a member to receive such physical examination.

''(3) A member may not be entitled to health care benefits pursuant to subsection (a), (b), or (c) solely by reason of being provided a physical examination under paragraph (1).

''(4) In providing to a member a physical examination under paragraph (1), the Secretary concerned shall provide to the member a record of the physical examination.''.

SA 1509. Mr. HELLER (for himself and Mr. CASEY) submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 1085. INCREASED COOPERATION BETWEEN THE DEPARTMENT OF DEFENSE AND THE DEPARTMENT OF VETERANS AFFAIRS TO IMPROVE PROCESSING OF CLAIMS FOR VETERANS BENEFITS.

(a) PROCEDURES.—

(1) IN GENERAL.—The Secretary of Veterans Affairs and the Secretary of Defense shall jointly develop and implement procedures to improve the timely provision to the Secretary of Veterans Affairs of such information as the Secretary requires to process claims submitted to the Secretary for benefits under laws administered by the Secretary.

(2) TIMELY PROVISION.—The procedures developed and implemented under paragraph (1) shall ensure that the information provided to the Secretary of Veterans Affairs is provided to the Secretary not later than 30 days after the date on which the Secretary requests the information.

(b) ANNUAL REPORTS.—Not less frequently than once each year, the Secretary of Veterans Affairs shall submit to Congress a report on—

(1) the requests for information made by the Secretary during the most recent one-year period for information from the Secretary of Defense required by the Secretary of Veterans Affairs to process claims submitted to the Secretary for benefits under laws administered by the Secretary; and

(2) the timeliness of responses to such requests.

SA 1510. Mr. HELLER (for himself and Mr. CASEY) submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle C of title VII, add the following:

SEC. 738. REPORT ON INTEROPERABILITY BETWEEN ELECTRONIC HEALTH RECORDS SYSTEMS OF DEPARTMENT OF DEFENSE AND DEPARTMENT OF VETERANS AFFAIRS.

Not later than one year after the date of the enactment of this Act, the Secretary of Defense and the Secretary of Veterans Affairs shall jointly submit to Congress a report that sets forth a timeline with milestones for achieving interoperability between the electronic health records systems of the Department of Defense and the Department of Veterans Affairs.

SA 1511. Mr. HELLER submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

On page 265, strike line 15 and insert the following:

result of the implementation of the plan;

(C) an assessment whether the privatized defense commissary system under the plan can sustain the current savings to patrons of the defense commissary system;

(D) an assessment of the impact that privatization of the defense commissary system under the plan would have on all eligible beneficiaries;

(E) an assessment whether the privatized defense commissary system under the plan can sustain the continued operation of existing commissaries; and

(F) an assessment whether privatization of the defense commissary system is feasible for overseas commissaries.

SA 1512. Mr. HELLER (for himself and Ms. HIRONO) submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 1085. DETERMINATION OF CERTAIN SERVICE IN PHILIPPINES DURING WORLD WAR II.

(a) IN GENERAL.—The Secretary of Defense, in consultation with the Secretary of Veterans Affairs and such military historians as the Secretary of Defense considers appropriate, shall establish a process to determine whether a covered individual served as described in subsection (a) or (b) of section 107 of title 38, United States Code, for purposes of determining whether such covered individual is eligible for benefits described in such subsections.

(b) COVERED INDIVIDUALS.—For purposes of this section, a covered individual is any individual who—

(1) claims service described in subsection (a) or (b) of section 107 of title 38, United States Code; and

(2) is not included in the Approved Revised Reconstructed Guerilla Roster of 1948, known as the ''Missouri List''.

(c) PROHIBITION ON BENEFITS FOR DISQUALIFYING CONDUCT UNDER NEW PROCESS.—The process established under subsection (a) shall include a mechanism to ensure that a covered individual is not treated as an individual eligible for a benefit described in subsection (a) or (b) of section 107 of such title if such covered individual engaged in any disqualifying conduct during service described in such subsections, including collaboration with the enemy or criminal conduct.

SA 1513. Mr. HELLER submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle C of title V, add the following:

SEC. 524. ESTABLISHMENT OF PROCESS BY WHICH MEMBERS OF THE ARMED FORCES MAY CARRY A CONCEALED PERSONAL FIREARM ON A MILITARY INSTALLATION.

(a) PROCESS REQUIRED.—The Secretary of Defense, taking into consideration the views of senior leadership of military installations in the United States, shall establish a process by which the commander of a military installation in the United States may authorize a member of the Armed Forces who is assigned to duty at the installation to carry a concealed personal firearm on the installation if the commander determines it to be necessary as a personal-protection or force-protection measure.

(b) RELATION TO STATE AND LOCAL LAW.—In establishing the process under subsection (a)

for a military installation, the commander of the installation shall consult with elected officials of the State and local jurisdictions in which the installation is located and take into consideration the law of the State and such jurisdictions regarding carrying a concealed personal firearm.

(c) MEMBER QUALIFICATIONS.—To be eligible to be authorized to carry a concealed personal firearm on a military installation pursuant to the process established under subsection (a), a member of the Armed Forces—

(1) must complete any training and certification required by any State in which the installation is located that would permit the member to carry concealed in that State;

(2) must not be subject to disciplinary action under the Uniform Code of Military Justice for any offense that could result in incarceration or separation from the Armed Forces;

(3) must not be prohibited from possessing a firearm because of conviction of a crime of domestic violence; and

(4) must meet such service-related qualification requirements for the use of firearms, as established by the Secretary of the military department concerned.

(d) STATE DEFINED.—In this section, the term ''State'' includes the District of Columbia, the Commonwealth of Puerto Rico, and any territory or possession of the United States.

SA 1514. Mr. ROUNDS submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title X, insert the following:

SEC. ____. REPORT ON FUTURE MIX OF AIRCRAFT PLATFORMS FOR THE ARMED FORCES.

(a) REPORT ON STUDY REQUIRED.—The Secretary of Defense shall submit to Congress a report setting forth the results of a study, to be performed by an organization or entity independent of the Department of Defense selected by the Secretary for purposes of this section, that determines the following:

(1) An optimized future mix of shorter range fighter-class strike aircraft and long-range strike aircraft platforms for the Armed Forces.

(2) An appropriate future mix of manned aerial platforms and unmanned aerial platforms for the Armed Forces.

(b) CONSIDERATIONS IN DETERMINING MIX.—The mixes determined pursuant to the study shall be determined taking into account relevant portions of the defense strategy, critical assumptions, priorities, force-sizing construct, and cost.

(c) NONDUPLICATION OF EFFORT.—If any information required under subsection (a) has been included in another report or notification previously submitted to Congress by law, the Secretary may provide a list of such reports and notifications at the time of submitting the report required by subsection (a) in lieu of including such information in the report required by subsection (a).

SA 1515. Ms. MURKOWSKI submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 1085. ELIGIBILITY FOR INTERMENT IN NATIONAL CEMETERIES.

(a) IN GENERAL.—Section 2402(a) of title 38, United States Code, is amended by adding at the end the following new paragraph:

''(10) Any individual—

''(A) who—

''(i) was naturalized pursuant to section 2(1) of the Hmong Veterans' Naturalization Act of 2000 (Public Law 106–207; 8 U.S.C. 1423 note); and

''(ii) at the time of the individual's death resided in the United States; or

''(B) who—

''(i) the Secretary determines served with a special guerrilla unit or irregular forces operating from a base in Laos in support of the Armed Forces of the United States at any time during the period beginning February 28, 1961, and ending May 7, 1975; and

''(ii) at the time of the individual's death—

''(I) was a citizen of the United States or an alien lawfully admitted for permanent residence in the United States; and

''(II) resided in the United States.''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply with respect to an individual dying on or after the date of the enactment of this Act.

SA 1516. Ms. MURKOWSKI submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 1049. CODIFICATION IN LAW OF ESTABLISHMENT AND DUTIES OF THE OFFICE OF COMPLEX ADMINISTRATIVE INVESTIGATIONS IN THE NATIONAL GUARD BUREAU.

(a) IN GENERAL.—There is in the Office of the Chief of the National Guard Bureau the Office of Complex Administrative Investigations (in this section referred to as the ''Office'').

(b) DIRECTION AND SUPERVISION.—The Office shall be under the direction and supervision of the Chief of the National Guard Bureau.

(c) DUTIES.—

(1) IN GENERAL.—The duties of the Office shall be to undertake complex administrative investigations of matters relating to members of the National Guard when in State status, including investigations of sexual assault involving a member of the National Guard in such status, upon the request of any of the following:

(A) The Chief of the National Guard Bureau.

(B) An adjutant general of a State or territory or the District of Columbia.

(C) The governor of a State or territory, or the Commanding General of the National Guard of the District of Columbia.

(2) COMPLEX ADMINISTRATIVE INVESTIGATIONS.—For purposes of this subsection, a complex administrative investigation is any investigation (as specified by the Chief of the National Guard Bureau for purposes of this section) involving factors giving rise to unusual complexity in investigation, including the following:

(A) Questions of jurisdiction between the United States and a State or territory.

(B) Matters requiring specialized training among investigating officers.

(C) Matters raising the need for an independent investigation in order to ensure fairness and impartiality in investigation.

(3) MATTERS RELATING TO MEMBERS OF THE NATIONAL GUARD IN STATE STATUS.—The determination whether or not a matter relates to a member of the National Guard when in State status for purposes of this section shall be made by the Chief of the National Guard Bureau in accordance with criteria specified by the Chief of the National Guard Bureau for purposes of this section.

(d) CHIEF OF NATIONAL GUARD BUREAU TREATMENT OF FINAL REPORTS.—The Chief of the National Guard Bureau shall treat any final report of the Office on a matter under this section as if such report were the report of an Inspector General of the Department of Defense or a military department on such matter.

(e) REPORTS TO CONGRESS.—

(1) SUBMITTAL OF FINAL REPORTS TO CONGRESSIONAL DELEGATIONS.—Upon the adoption by the Office of a final report on an investigation undertaken by the Office pursuant to this section, the Chief of the National Guard Bureau shall submit such report (with any personally identifying information appropriately redacted) to the members of Congress from the State or territory concerned.

(2) ANNUAL REPORTS.—The Chief of the National Guard Bureau shall submit to Congress each year a report on the investigations undertaken by the Office pursuant to this section during the preceding year. Each report shall include, for the year covered by such report, the following:

(A) A summary description of the investigations undertaken during such year, including any trends in matters subject to investigation and in findings as a result of investigations.

(B) Information, set forth by State and territory, on the investigations undertaken during such year involving allegations of sexual assault involving a member of the National Guard.

(C) Such other information and matters on the investigations undertaken during such year as the Chief of the National Guard Bureau considers appropriate.

(f) PERSONNEL AND OTHER CAPABILITIES.—The Chief of the National Guard Bureau shall ensure that the Office maintains the personnel and other capabilities necessary for the discharge of the duties of the Office under this section.

(g) PROCEDURES AND INSTRUCTIONS.—The Chief of the National Guard Bureau shall issue, and may from time to time update, procedures and instructions necessary for the discharge of the duties of the Office under this section.

(h) REPEAL OF SUPERSEDED INSTRUCTION.—Chief of the National Guard Bureau Instruction CNGBI 0400.01, dated July 30, 2012, shall have no further force or effect.

SEC. 1050. COMPTROLLER GENERAL OF THE UNITED STATES REPORT ON SERIOUS MISCONDUCT WITHIN THE NATIONAL GUARD.

Not later than one year after the date of the enactment of this Act, the Comptroller General of the United States shall submit to the congressional defense committees a report setting forth the following:

(1) An evaluation of the effectiveness of the authorities of the Secretary of Defense and the Chief of the National Guard Bureau to investigate and respond on their own initiative to allegations of serious misconduct, including but not limited to sexual assault, sexual harassment, violations of Federal law, retaliation, and waste, fraud, and abuse arising in operations of the National Guard in Federal status and in State status.

(2) An evaluation of the effectiveness of the mechanisms available to the Secretary of Defense, the Secretaries of the military departments, and the Chief of the National Guard to receive, process, and monitor the disposition of allegations described in paragraph (1), whether first brought to the attention of the Federal government or the Adjutants General.

(3) An evaluation of the effectiveness of the process used to determine whether allegations described in paragraph (1) are investigated by the Department of Defense, the Inspector General of the Department of Defense, the Inspector General of the National Guard Bureau, the Inspectors General of the military departments, the Office of Complex Administrative Investigations of the National Guard Bureau, Federal military or civilian law enforcement agencies, or other agencies in the first instance, and the coordination of investigations among such agencies

(4) An evaluation of the effectiveness of the monitoring of investigations into allegations described in paragraph (1) by the Secretary of Defense, the Secretaries of the military departments, and the Chief of the National Guard Bureau which are undertaken by Federal agencies and those undertaken under the direction of the Adjutants General.

(5) An evaluation of the effectiveness of the process used for disposing of substantiated allegations described in paragraph (1), whether by prosecution or administrative action, and the consistency in the disposition of allegations of a similar nature across the National Guard.

(6) An evaluation of the effectiveness of State codes of military justice in prosecuting members of the National Guard for serious misconduct described in paragraph (1), and an assessment whether chapter 47 of title 10, United States Code (the Uniform Code of Military Justice), should be extended to authorize prosecution of some or all offenses committed by members of the National Guard while in State status.

(7) An evaluation of the effectiveness of mechanisms to protect the confidentiality of members of the National Guard who report allegations described in paragraph (1) and to prevent retaliation against such members.

(8) An evaluation of the effectiveness of the National Guard Bureau in preventing and proactively identifying instances of serious misconduct described in paragraph (1), including the availability and effectiveness of hotlines through which members of the National Guard who are uncomfortable reporting their concerns through State channels may bring them to the attention of the National Guard Bureau and the use of command climate surveys in identifying serious misconduct.

SA 1517. Ms. MURKOWSKI submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

Insert after section 1204 the following:

SEC. 1204A. REPORT ON EXPANSION OF NATIONAL GUARD STATE PARTNERSHIP PROGRAM TO INCLUDE NATIONS IN THE ARCTIC REGION.

Not later than 120 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report setting forth an assessment of the feasibility and advisability of expanding the National Guard State Partnership Program to include partnerships with nations in the Arctic region in order to further the strategy of the Department of Defense for the Arctic region.

SA 1518. Ms. MURKOWSKI submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 1005. ANNUAL REPORT ON MANNER IN WHICH THE BUDGET OF THE DEPARTMENT OF DEFENSE SUPPORTS THE STRATEGY OF THE DEPARTMENT FOR THE ARCTIC REGION.

(a) ANNUAL REPORT REQUIRED.—The Secretary of Defense shall provide for the inclusion in the budget for each fiscal year after fiscal year 2016 that is submitted to Congress pursuant to section 1105 of title 31, United States Code, a report on the manner in which amounts requested in the budget for the fiscal year concerned for the Department of Defense support implementation of the strategy of the Department and the Armed Forces for the Arctic region, including the extent to which such amounts will address gaps in military infrastructure and capabilities in the Arctic region.

(b) FORM.—Each report under subsection (a) shall be submitted in unclassified form, but may include a classified annex.

SA 1519. Mr. ROUNDS submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 1024. TREATMENT OF EACH VESSEL IN THE CVN–78 CLASS AIRCRAFT CARRIER PROGRAM AS A MAJOR SUBPROGRAM OF A MAJOR DEFENSE ACQUISITION PROGRAM.

Each vessel in the CVN–78 class aircraft carrier program shall be treated as a separate major subprogram of a major defense acquisition program for purposes of chapter 144 of title 10, United States Code.

SA 1520. Mr. ROUNDS submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in subtitle B of title XVI, insert the following:

SEC. _____. COMPREHENSIVE PLAN OF DEPARTMENT OF DEFENSE TO SUPPORT CIVIL AUTHORITIES IN RESPONSE TO CYBER ATTACKS BY FOREIGN POWERS.

(a) PLAN REQUIRED.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall develop a comprehensive plan for the United States Cyber Command to support civil authorities in responding to cyber attacks by foreign powers (as defined in section 101 of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1801)) against the United States or a United States person.

(2) ELEMENTS.—The plan required by paragraph (1) shall include the following:

(A) A plan for internal Department of Defense collective training activities that are integrated with exercises conducted with other agencies and State and local governments.

(B) Plans for coordination with the heads of other Federal agencies and State and local governments pursuant to the exercises required under subparagraph (A).

(C) Note of any historical frameworks that are used, if any, in the formulation of the plan required by paragraph (1), such as Operation Noble Eagle.

(D) Descriptions of the roles, responsibilities, and expectations of Federal, State, and local authorities as the Secretary understands them.

(E) Descriptions of the roles, responsibilities, and expectations of the active components and reserve components of the Armed Forces.

(F) A description of such legislative and administrative action as may be necessary to carry out the plan required by paragraph (1).

(b) COMPTROLLER GENERAL OF THE UNITED STATES REVIEW OF PLAN.—The Comptroller General of the United States shall review the plan developed under subsection (a)(1).

SA 1521. Mr. REED (for himself, Mr. KAINE, Ms. HIRONO, Mrs. GILLIBRAND,

Mrs. SHAHEEN, Mr. SCHUMER, Mr. NELSON, Mr. DURBIN, Mr. BLUMENTHAL, Mr. BROWN, Mr. KING, Mr. MANCHIN, Mr. SCHATZ, Mr. HEINRICH, Ms. BALDWIN, Mr. REID, Mr. TESTER, Mrs. MCCASKILL, Mr. WHITEHOUSE, Ms. STABENOW, Mr. MURPHY, Mr. MARKEY, Mr. CASEY, Mrs. MURRAY, and Mr. FRANKEN) submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; as follows:

At the end of subtitle B of title XV, add the following:

SEC. 1523. LIMITATION ON THE AVAILABILITY OF OVERSEAS CONTINGENCY OPERATION FUNDING SUBJECT TO RELIEF FROM THE BUDGET CONTROL ACT.

(a) LIMITATION.—Notwithstanding any other provision of this title, of the total amount authorized to be appropriated by this title for overseas contingency operations, not more than $50,950,000,000 may be available for obligation and expenditure unless—

(1) the discretionary spending limits imposed by section 251(c) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended by section 302 of the Budget Control Act of 2011 (Public Law 112–25), on appropriations for the revised security category and the revised nonsecurity category are eliminated or increased in proportionally equal amounts for fiscal year 2016 by any other Act enacted after December 26, 2013; and

(2) if the revised security and the revised nonsecurity category are increased as described in paragraph (1), the amount of the increase is equal to or greater than the amount in excess of the $50,950,000,000 that is authorized to be appropriated by this title for security category activities.

(b) USE OF FUNDS AVAILABLE UNDER SATISFACTION OF LIMITATION.—

(1) TRANSFER.—Any amounts authorized to be appropriated by this title in excess of $50,950,000,000 that are available for obligation and expenditure pursuant to subsection (a) shall be transferred to applicable accounts of the Department of Defense providing funds for programs, projects, and activities other than for overseas contingency operations. Any amounts so transferred to an account shall be merged with amounts in the account to which transferred and available subject to the same terms and conditions as otherwise apply to amounts in such account.

(2) CONSTRUCTION OF AUTHORITY.—The authority to transfer amounts under this subsection is in addition to any other transfer authority in this Act.

SA 1522. Mr. PORTMAN (for himself, Mr. PETERS, Mr. COTTON, Mr. INHOFE, Mr. WICKER, Mr. SESSIONS, and Mr. TOOMEY) submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; as follows:

At the end of title I, add the following:

Subtitle E—Army Programs

SEC. 161. STRYKER LETHALITY UPGRADES.

(a) ADDITIONAL AMOUNT FOR PROCUREMENT, ARMY.—

(1) IN GENERAL.—The amount authorized to be appropriated for fiscal year 2016 by section 101 for procurement is hereby increased by $314,000,000, with the amount of the increase to be available for procurement for the Army for Wheeled and Tracked Combat Vehicles for Stryker (mod) Lethality Upgrades.

(2) SUPPLEMENT NOT SUPPLANT.—The amount available under paragraph (1) for procurement for Stryker (mod) Lethality Upgrades is in addition to any other amounts available in this Act for procurement for the Army for Stryker (mod) Lethality Upgrades.

(b) ADDITIONAL AMOUNT FOR RDT&E, ARMY.—

(1) IN GENERAL.—The amount authorized to be appropriated for fiscal year 2016 by section 201 for research, development, test, and evaluation is hereby increased by $57,000,000, with the amount of the increase to be available for research, development, test, and evaluation for the Army for the Combat Vehicle Improvement Program for Stryker Lethality Upgrades.

(2) SUPPLEMENT NOT SUPPLANT.—The amount available under paragraph (1) for research, development, test, and evaluation for Stryker Lethality Upgrades is in addition to any other amounts available in this Act for research, development, test, and evaluation for the Army for Stryker Lethality Upgrades.

(c) OFFSET.—The aggregate amount authorized to be appropriated for fiscal year 2016 by division A is hereby reduced by $371,000,000, with the amount of the reduction to be achieved through anticipated foreign currency gains in addition to any other anticipated foreign currency gains specified in the funding tables in division D.

SA 1523. Mr. MARKEY submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 120. UPDATE OF COST ESTIMATES FOR SSBN(X) SUBMARINE PROGRAM ALTERNATIVES.

(a) REPORT ON UPDATE REQUIRED.—

(1) IN GENERAL.—(A) Not later than March 31, 2016, the Secretary of the Navy shall submit to the congressional defense committees a report setting forth an update of the cost estimates prepared under subsection (a)(1) section 242 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112–81; 125 Stat. 1343) for each option considered under subsection (b) of that section for purposes of the report under that section on the Ohio-class replacement ballistic missile submarine.

(B) The update shall specify how the cost updates account for differences in survivability, targeting responsiveness and flexibility, responsiveness to future threats, and other matters the Secretary considers important in comparing the options.

(2) FORM.—Each updated cost estimate in the report under paragraph (1) shall be submitted in an unclassified form that may be made available to the public. Other information from the update may be submitted in classified form.

(b) COMPTROLLER GENERAL REPORT.—Not later than 90 days after the date of the submittal under subsection (a) of the report required by that subsection, the Comptroller General of the United States shall submit to the congressional defense committees a report setting forth an assessment by the Comptroller General of the accuracy of the updated cost estimates in the report under subsection (a).

SA 1524. Mr. MARKEY submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle C of title XVI, add the following:

SEC. 1637. CONGRESSIONAL BUDGET OFFICE REVIEW OF COST ESTIMATES FOR NUCLEAR WEAPONS.

Section 1043(b)(1) of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112–81; 125 Stat. 1576), as most recently amended by section 1643 of the Carl Levin and Howard P. ''Buck'' McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113–291; 128 Stat. 3650), is further amended—

(1) in subparagraph (A), by inserting ''and the 25-year period'' after ''10-year period''; and

(2) in subparagraphs (B) and (C), by striking ''such period'' both places it appears and inserting ''such periods''.

SA 1525. Mr. MARKEY submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle C of title XVI, add the following:

SEC. 1637. PROHIBITION ON USE OF FUNDS FOR NEW AIR LAUNCHED CRUISE MISSILE.

Notwithstanding any other provision of law, none of the funds authorized to be appropriated by this Act or otherwise made

available for fiscal year 2015 or any fiscal year thereafter for the Department of Defense or the Department of Energy may be obligated or expended for the research, development, test, and evaluation or procurement of a new air-launched cruise missile or for the W80 warhead life extension program.

SA 1526. Mr. MARKEY (for himself and Mr. FRANKEN) submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title XVI, add the following:

Subtitle F—Smarter Approach to Nuclear Expenditures

SEC. 1671. SHORT TITLE.

This subtitle may be cited as the ''Smarter Approach to Nuclear Expenditures Act''.

SEC. 1672. FINDINGS.

Congress finds the following:

(1) The Berlin Wall fell in 1989, the Soviet Union no longer exists, and the Cold War is over. The nature of threats to the national security and military interests of the United States has changed. However, the United States continues to maintain an enormous arsenal of nuclear weapons and delivery systems that were devised with the Cold War in mind.

(2) The current nuclear arsenal of the United States includes approximately 5,000 total nuclear warheads, of which approximately 2,000 are deployed with three delivery components: long-range strategic bomber aircraft, land-based intercontinental ballistic missiles, and submarine-launched ballistic missiles. The bomber fleet of the United States comprises 93 B–52 and 20 B–2 aircraft. The United States maintains 450 intercontinental ballistic missiles. The United States also maintains 14 Ohio-class submarines, up to 12 of which are deployed at sea. Each of those submarines is armed with up to 96 independently targetable nuclear warheads.

(3) This Cold War-based approach to nuclear security comes at significant cost. Over the next 10 years, the United States will spend hundreds of billions of dollars maintaining its nuclear force. A substantial decrease in spending on the nuclear arsenal of the United States is prudent for both the budget and national security.

(4) The national security interests of the United States can be well served by reducing the total number of deployed nuclear warheads and their delivery systems, as stated by the Department of Defense's June 2013 nuclear policy guidance entitled, ''Report on Nuclear Employment Strategy of the United States''. This guidance found that force levels under the Treaty on Measures for the Further Reduction and Limitation of Strategic Offensive Arms, signed on April 8, 2010, and entered into force on February 5, 2011, between the United States and the Russian Federation (commonly known as the ''New START Treaty'') ''are more than adequate for what the United States needs to fulfill its national security objectives'' and that the force can be reduced by up to ⅓ below levels under the New START Treaty to 1,000 to 1,100 warheads.

(5) Even without additional reductions in deployed strategic warheads, the United States can save tens of billions of dollars by deploying those warheads more efficiently on delivery systems and by deferring production of new delivery systems until they are needed.

(6) Economic security and national security are linked and both will be well served by smart defense spending. Admiral Mike Mullen, Chairman of the Joint Chiefs of Staff, stated on June 24, 2010, ''Our national debt is our biggest national security threat'' and on August 2, 2011, stated, ''I haven't changed my view that the continually increasing debt is the biggest threat we have to our national security.''.

(7) The Government Accountability Office has found that there is significant waste in the construction of the nuclear facilities of the National Nuclear Security Administration of the Department of Energy.

SEC. 1673. REDUCTION IN NUCLEAR FORCES.

(a) PROHIBITION ON NEW LONG-RANGE PENETRATING BOMBER AIRCRAFT.—Notwithstanding any other provision of law, none of the funds authorized to be appropriated or otherwise made available for any of fiscal years 2015 through 2024 for the Department of Defense may be obligated or expended for the research, development, test, and evaluation or procurement of a long-range penetrating bomber aircraft.

(b) PROHIBITION ON F–35 NUCLEAR MISSION.—Notwithstanding any other provision of law, none of the funds authorized to be appropriated or otherwise made available for fiscal year 2015 or any fiscal year thereafter for the Department of Defense or the Department of Energy may be used to make the F–35 Joint Strike Fighter aircraft capable of carrying nuclear weapons.

(c) REDUCTION IN THE B61 LIFE EXTENSION PROGRAM.—Notwithstanding any other provision of law, none of the funds authorized to be appropriated or otherwise made available for fiscal year 2015 or any fiscal year thereafter for the Department of Defense or the Department of Energy may be obligated or expended for the B61 life extension program until the Secretary of Defense and the Secretary of Energy jointly certify to Congress that the total cost of the B61 life extension program has been reduced to not more than $4,000,000,000.

(d) TERMINATION OF W78 LIFE EXTENSION PROGRAM.—Notwithstanding any other provision of law, none of the funds authorized to be appropriated or otherwise made available for fiscal year 2015 or any fiscal year thereafter for the Department of Defense or the Department of Energy may be obligated or expended for the W78 life extension program.

(e) REDUCTION OF NUCLEAR-ARMED SUBMARINES.—Notwithstanding any other provision of law, beginning in fiscal year 2021, the forces of the Navy shall include not more than eight ballistic-missile submarines available for deployment.

(f) LIMITATION ON SSBN–X SUBMARINES.—Notwithstanding any other provision of law—

(1) none of the funds authorized to be appropriated or otherwise made available for any of fiscal years 2015 through 2024 for the Department of Defense may be obligated or expended for the procurement of an SSBN–X submarine; and

(2) none of the funds authorized to be appropriated or otherwise made available for fiscal year 2025 or any fiscal year thereafter for the Department of Defense may be obligated or expended for the procurement of more than eight such submarines.

(g) PROHIBITION ON NEW INTERCONTINENTAL BALLISTIC MISSILE.—Notwithstanding any other provision of law, none of the funds authorized to be appropriated or otherwise made available for any of fiscal years 2015 through 2024 for the Department of Defense may be obligated or expended for the research, development, test, and evaluation or procurement of a new intercontinental ballistic missile.

(h) TERMINATION OF MIXED OXIDE FUEL FABRICATION FACILITY PROJECT.—Notwithstanding any other provision of law, none of the funds authorized to be appropriated or otherwise made available for fiscal year 2015 or any fiscal year thereafter for the Department of Defense or the Department of Energy may be obligated or expended for the Mixed Oxide Fuel Fabrication Facility project.

(i) TERMINATION OF URANIUM PROCESSING FACILITY.—Notwithstanding any other provision of law, none of the funds authorized to be appropriated or otherwise made available for fiscal year 2015 or any fiscal year thereafter for the Department of Defense or the Department of Energy may be obligated or expended for the Uranium Processing Facility located at the Y–12 National Security Complex, Oak Ridge, Tennessee.

(j) PROHIBITION ON NEW AIR LAUNCHED CRUISE MISSILE.—Notwithstanding any other provision of law, none of the funds authorized to be appropriated or otherwise made available for fiscal year 2015 or any fiscal year thereafter for the Department of Defense or the Department of Energy may be obligated or expended for the research, development, test, and evaluation or procurement of a new air-launched cruise missile or for the W80 warhead life extension program.

SEC. 1674. REPORTS REQUIRED.

(a) INITIAL REPORT.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense and the Secretary of Energy shall jointly submit to the appropriate committees of Congress a report outlining the plan of each Secretary to carry out section 1673.

(b) ANNUAL REPORT.—Not later than March 1, 2016, and annually thereafter, the Secretary of Defense and the Secretary of Energy shall jointly submit to the appropriate committees of Congress a report outlining the plan of each Secretary to carry out section 1673, including any updates to previously submitted reports.

(c) ANNUAL NUCLEAR WEAPONS ACCOUNTING.—Not later than September 30, 2016, and annually thereafter, the President shall transmit to the appropriate committees of Congress a report containing a comprehensive accounting by the Director of the Office of Management and Budget of the amounts obligated and expended by the Federal Government for each nuclear weapon and related nuclear program during—

(1) the fiscal year covered by the report; and

(2) the life cycle of such weapon or program.

(d) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this section, the term ''appropriate committees of Congress'' means—

(1) the Committee on Armed Services, the Committee on Foreign Relations, the Committee on Appropriations, and the Committee on Energy and Natural Resources of the Senate; and

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

SA 1527. Mr. WYDEN submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 1085. CONSIDERATION OF CERTAIN TIME SPENT RECEIVING MEDICAL CARE FROM SECRETARY OF DEFENSE AS ACTIVE DUTY FOR PURPOSES OF ELIGIBILITY FOR POST-9/11 EDUCATIONAL ASSISTANCE.

(a) IN GENERAL.—Section 3301(1)(B) of title 38, United States Code, is amended by inserting ''12301(h),'' after ''12301(g),''.

(b) RETROACTIVE APPLICATION.—The amendment made by subsection (a) shall apply as if such amendment were enacted immediately after the enactment of the Post-9/11 Veterans Educational Assistance Act of 2008 (Public Law 110–252).

SA 1528. Mr. WYDEN submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. REPEAL OF SUNSET RELATED TO COAST GUARD AVIATION CAPACITY.

Section 225(b)(2) of the Howard Coble Coast Guard and Maritime Transportation Act of 2014 (Public Law 113–281; 128 Stat. 3039) is repealed.

SA 1529. Mr. WYDEN submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

Strike section 352 and insert the following:

SEC. 352. RETIREMENT OF MILITARY WORKING DOGS IN THE UNITED STATES.

(a) IN GENERAL.—Section 2583(f) of title 10, United States Code, is amended—

(1) by redesignating paragraphs (1) and (2) as subparagraphs (A) and (B), respectively;

(2) by inserting ''(1)'' before ''If the Secretary'';

(3) in paragraph (1), as designated by paragraph (2) of this subsection—

(A) by striking '', and no suitable adoption is available at the military facility where the dog is location, the Secretary may'' and inserting ''the Secretary shall''; and

(B) in subparagraph (B), as designated by paragraph (1) of this subsection, by inserting ''within the United States'' after ''to another location''; and

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

''(2) Paragraph (1) shall not apply if a United States citizen living abroad adopts the dog at the time of retirement.''.

(b) EFFECTIVE DATE.—The amendments made by this section shall take effect on the date of the enactment of this Act, and shall apply to retirements of military working dogs pursuant to section 2583 of title 10, United States Code, that occur on or after that date.

SA 1530. Mr. WYDEN (for himself and Mr. BROWN) submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 1085. PREFERENCE ELIGIBLE TREATMENT FOR FATHERS OF CERTAIN PERMANENTLY DISABLED OR DECEASED VETERANS.

(a) IN GENERAL.—Section 2108(3) of title 5, United States Code, is amended by striking subparagraphs (F) and (G) and inserting the following:

''(F) the parent of an individual who lost his or her life under honorable conditions while serving in the armed forces during a period named by paragraph (1)(A) of this section, if—

''(i) the spouse of that parent is totally and permanently disabled; or

''(ii) that parent, when preference is claimed, is unmarried or, if married, legally separated from his or her spouse;

''(G) the parent of a service-connected permanently and totally disabled veteran, if—

''(i) the spouse of that parent is totally and permanently disabled; or

''(ii) that parent, when preference is claimed, is unmarried or, if married, legally separated from his or her spouse; and''.

(b) EFFECTIVE DATE.—The amendment made by this section shall take effect 90 days after the date of the enactment of this Act.

SA 1531. Mr. WYDEN submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of part II of subtitle D of title V, add the following:

SEC. 540. REQUIREMENT TO USE HUMAN-BASED METHODS FOR CERTAIN MEDICAL TRAINING.

(a) FINDINGS.—Congress makes the following findings:

(1) The Department of Defense has made impressive strides in the development and use of methods of medical training and troop protection, such as the use of tourniquets and improvements in body armor, that have led to decreased battlefield fatalities.

(2) The Department of Defense uses more than 8,500 live animals each year to train physicians, medics, corpsmen, and other personnel methods of responding to severe battlefield injuries.

(3) The civilian sector has almost exclusively phased in the use of superior human-based training methods for numerous medical procedures currently taught in military courses using animals.

(4) Human-based medical training methods such as simulators replicate human anatomy and can allow for repetitive practice and data collection.

(5) According to scientific, peer-reviewed literature, medical simulation increases patient safety and decreases errors by healthcare providers.

(6) The Army Research, Development and Engineering Command and other entities of the Department of Defense have taken significant steps to develop methods to replace live animal-based training.

(7) According to the report by the Department of Defense titled ''Final Report on the use of Live Animals in Medical Education and Training Joint Analysis Team'', published on July 12, 2009—

(A) validated, high-fidelity simulators were to have been available for nearly every high-volume or high-value battlefield medical procedure by the end of 2011, and many were available as of 2009; and

(B) validated, high-fidelity simulators were to have been available to teach all other procedures to respond to common battlefield injuries by 2014.

(8) The Center for Sustainment of Trauma and Readiness Skills of the Air Force exclusively uses human-based training methods in its courses and does not use animals.

(9) In 2013, the Army instituted a policy forbidding non-medical personnel from participating in training courses involving the use of animals.

(10) In 2013, the medical school of the Department of Defense, part of the Uniformed Services University of the Health Sciences, replaced animal use within its medical student curriculum.

(11) The Coast Guard announced in 2014 that it would reduce by half the number of animals it uses for combat trauma training courses but stated that animals would continue to be used in courses designed for Department of Defense personnel.

(12) Effective January 1, 2015, the Department of Defense replaced animal use in six areas of medical training, including Advanced Trauma Life Support courses and the development and maintenance of surgical and critical care skills for field operational surgery and field assessment and skills tests for international students offered at the Defense Institute of Medical Operations.

(b) REQUIREMENT TO USE HUMAN-BASED METHODS FOR CERTAIN MEDICAL TRAINING.—

(1) IN GENERAL.—Chapter 101 of title 10, United States Code, is amended by adding at the end the following new section:

''§ 2017. Use of human-based methods for certain medical training

''(a) COMBAT TRAUMA INJURIES.—(1) Not later than October 1, 2018, the Secretary of Defense shall develop, test, and validate human-based training methods for the purpose of training members of the armed forces in the treatment of combat trauma injuries

with the goal of replacing live animal-based training methods.

''(2) Not later than October 1, 2020, the Secretary—

''(A) shall only use human-based training methods for the purpose of training members of the armed forces in the treatment of combat trauma injuries; and

''(B) may not use animals for such purpose.

''(b) EXCEPTION FOR PARTICULAR COMMANDS AND TRAINING METHODS.—(1) The Secretary may exempt a particular command, particular training method, or both, from the requirement for human-based training methods under subsection (a)(2) if the Secretary determines that human-based training methods will not provide an educationally equivalent or superior substitute for live animal-based training methods for such command or training method, as the case may be.

''(2) Any exemption under this subsection shall be for such period, not more than one year, as the Secretary shall specify in granting the exemption. Any exemption may be renewed (subject to the preceding sentence).

''(c) ANNUAL REPORTS.—(1) Not later than October 1, 2016, and each year thereafter, the Secretary shall submit to the congressional defense committees a report on the development and implementation of human-based training methods for the purpose of training members of the armed forces in the treatment of combat trauma injuries under this section.

''(2) Each report under this subsection on or after October 1, 2020, shall include a description of any exemption under subsection (b) that is in force as the time of such report, and a current justification for such exemption.

''(d) DEFINITIONS.—In this section:

''(1) The term 'combat trauma injuries' means severe injuries likely to occur during combat, including—

''(A) hemorrhage;

''(B) tension pneumothorax;

''(C) amputation resulting from blast injury;

''(D) compromises to the airway; and

''(E) other injuries.

''(2) The term 'human-based training methods' means, with respect to training individuals in medical treatment, the use of systems and devices that do not use animals, including—

''(A) simulators;

''(B) partial task trainers;

''(C) moulage;

''(D) simulated combat environments;

''(E) human cadavers; and

''(F) rotations in civilian and military trauma centers.

''(3) The term 'partial task trainers' means training aids that allow individuals to learn or practice specific medical procedures.''.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 101 of such title is amended by adding at the end the following new item:

''2017. Use of human-based methods for certain medical training.''.

SA 1532. Mr. DONNELLY submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

Beginning on page 86, strike line 4 and all that follows through page 87, line 5, and insert the following:

(1) IN GENERAL.—The Secretary shall direct the executive agent for printed circuit board technology appointed under section 256(a) of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110–417; 10 U.S.C. 2501 note) to coordinate execution of the study required by subsection (a) using capabilities of the Department in effect on the day before the date of the enactment of this Act to conduct technical analysis on a sample of failed electronic parts in field systems.

(2) ELEMENTS.—(A) The technical analysis required by paragraph (1) shall include the following:

(i) Selection of a representative sample of electronic component types, including digital, mixed-signal, and analog integrated circuits.

(ii) An assessment of the presence of counterfeit parts, including causes and attributes of failures of any identified counterfeit part.

(iii) For components found to have counterfeit parts present, an assessment of the impact of the counterfeit part in the failure mechanism.

(iv) For cases with counterfeit parts contributing to the failure, a determination of the failure attributes, factors, and effects on subsystem and system level reliability, readiness, and performance.

(B) For any parts assessed under subparagraph (A) that demonstrate unusual or suspicious failure mechanisms, the federation established under section 937(a)(1) of the National Defense Authorization Act for Fiscal Year 2014 (Public Law 113–66; 10 U.S.C. 2224 note) shall—

(i) conduct a technical assessment for indications of malicious tampering; and

(ii) submit to the executive agent described in paragraph (1) a report on the findings of the federation with respect to the technical assessment conducted under clause (i).

SA 1533. Mr. INHOFE submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

On page 478, strike line 18 and all that follows through page 492, line 20, and insert the following:

No amounts authorized to be appropriated by this Act or otherwise available for the Department of Defense may be used to transfer, release, or assist in the transfer or release to or within the United States, its territories, or possessions of Khalid Sheikh Mohammed or any other detainee who—

(1) is not a United States citizen or a member of the Armed Forces of the United States; and

(2) is or was held on or after January 20, 2009, at United States Naval Station, Guantanamo Bay, Cuba, by the Department of Defense.

SA 1534. Mr. INHOFE submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

Strike section 1034.

SA 1535. Mr. INHOFE (for himself and Mr. CORKER) submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. FEDERAL PURCHASE REQUIREMENT.

Section 203 of the Energy Policy Act of 2005 (42 U.S.C. 15852) is amended—

(1) in subsection (a), in the matter preceding paragraph (1), by inserting ''a number equivalent to'' before ''the total amount of electric energy'';

(2) in subsection (b), by striking paragraph (2) and inserting the following:

''(2) RENEWABLE ENERGY.—The term 'renewable energy' means electric or, if resulting from a thermal energy project placed in service after December 31, 2014, thermal energy generated from, or avoided by, solar, wind, biomass, landfill gas, ocean (including tidal, wave, current, and thermal), geothermal, municipal solid waste, or new hydroelectric generation capacity achieved from increased efficiency or additions of new capacity at an existing hydroelectric project.''; and

(3) in subsection (c)—

(A) by redesignating paragraphs (1) through (3) as subparagraphs (A) through (C), respectively, and indenting appropriately;

(B) in the matter preceding subparagraph (A) (as so redesignated), by striking ''For purposes'' and inserting the following:

''(1) IN GENERAL.—For purposes''; and

(C) by adding at the end the following:

''(2) SEPARATE CALCULATION.—

''(A) IN GENERAL.—For purposes of determining compliance with the requirements of this section, any energy consumption that is avoided through the use of renewable energy shall be considered to be renewable energy produced.

''(B) DENIAL OF DOUBLE BENEFIT.—Avoided energy consumption that is considered to be renewable energy produced under subparagraph (A) shall not also be counted for purposes of achieving compliance with a Federal energy efficiency goal required under any other provision of law.''.

SA 1536. Mr. INHOFE (for himself and Mr. COONS) submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr.

MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. FREE TRADE AGREEMENTS WITH SUB-SAHARAN AFRICAN COUNTRIES.

(a) PLAN REQUIREMENTS AND REPORTING.—Section 116 of the African Growth and Opportunity Act (19 U.S.C. 3723) is amended by adding at the end the following:

''(d) PLAN REQUIREMENT.—

''(1) IN GENERAL.—The President shall develop a plan for the purpose of negotiating and entering into one or more free trade agreements with all eligible sub-Saharan African countries. The plan shall identify the 10 to 15 eligible sub-Saharan African countries or groups of such countries that are most ready for a free trade agreement with the United States.

''(2) ELEMENTS OF PLAN.—The plan required by paragraph (1) shall include, for each eligible sub-Saharan African country, the following:

''(A) The steps each such country needs to be equipped and ready to enter into a free trade agreement with the United States, including the effective implementation of the WTO Agreements and the development of a bilateral investment treaty.

''(B) Milestones for accomplishing each step identified in subparagraph (A) for each such country, with the goal of establishing a free trade agreement with each such country not later than 10 years after the date of the enactment of the Trade Act of 2015.

''(C) A description of the resources required to assist each such country in accomplishing each milestone described in subparagraph (B).

''(D) The extent to which steps described in subparagraph (A), the milestones described in subparagraph (B), and resources described in subparagraph (C) may be accomplished through regional or subregional organizations in sub-Saharan Africa, including the East African Community, the Economic Community of West African States, the Common Market for Eastern and Southern Africa, and the Economic Community of Central African States.

''(E) Procedures to ensure the following:

''(i) Adequate consultation with Congress and the private sector during the negotiations.

''(ii) Consultation with Congress regarding all matters relating to implementation of the agreement or agreements.

''(iii) Approval by Congress of the agreement or agreements.

''(iv) Adequate consultations with the relevant African governments and African regional and subregional intergovernmental organizations during the negotiation of the agreement or agreements.

''(3) REPORTING REQUIREMENT.—Not later than 12 months after the date of the enactment of the Trade Act of 2015, and every 5 years thereafter, the President shall prepare and submit to Congress a report containing the plan developed pursuant to paragraph (1).

''(4) DEFINITIONS.—In this subsection:

''(A) ELIGIBLE SUB-SAHARAN AFRICAN COUNTRY.—The term 'eligible sub-Saharan African country' means a country designated as an eligible sub-Saharan African country under section 104.

''(B) WTO.—The term 'WTO' means the World Trade Organization.

''(C) WTO AGREEMENT.—The term 'WTO Agreement' has the meaning given that term in section 2(9) of the Uruguay Round Agreements Act (19 U.S.C. 3501(9)).

''(D) WTO AGREEMENTS.—The term 'WTO Agreements' means the WTO Agreement and agreements annexed to that Agreement.''.

(b) COORDINATION OF USAID WITH FREE TRADE AGREEMENT POLICY.—

(1) AUTHORIZATION OF FUNDS.—Funds made available to the United States Agency for International Development under section 496 of the Foreign Assistance Act of 1961 (22 U.S.C. 2293) after the date of the enactment of this Act may be used, in consultation with the United States Trade Representative—

(A) to assist eligible countries, including by deploying resources to such countries, in addressing the steps and milestones identified in the plan developed under subsection (d) of section 116 of the African Growth and Opportunity Act (19 U.S.C. 3723), as added by subsection (a); and

(B) to assist eligible countries in the implementation of the commitments of those countries under agreements with the United States and the WTO Agreements (as defined in subsection (d)(4) of such section 116).

(2) DEFINITIONS.—In this subsection:

(A) ELIGIBLE COUNTRY.—The term ''eligible country'' means a sub-Saharan African country that receives—

(i) benefits under for the African Growth and Opportunity Act (19 U.S.C. 3701 et seq.); and

(ii) funding from the United States Agency for International Development.

(B) SUB-SAHARAN AFRICAN COUNTRY.—The term ''sub-Saharan African country'' has the meaning given that term in section 107 of the African Growth and Opportunity Act (19 U.S.C. 3706).

(c) COORDINATION WITH MILLENNIUM CHALLENGE CORPORATION.—After the date of the enactment of this Act, the United States Trade Representative and the Administrator of the United States Agency for International Development shall consult and coordinate with the Chief Executive Officer of the Millennium Challenge Corporation regarding countries that have entered into a Millennium Challenge Compact pursuant to section 609 of the Millennium Challenge Act of 2003 (22 U.S.C. 7708) that have been declared eligible to enter into such a Compact for the purpose of developing and carrying out the plan required by subsection (d) of section 116 of the African Growth and Opportunity Act (19 U.S.C. 3723), as added by subsection (a).

(d) MILLENNIUM CHALLENGE CORPORATION CONCURRENT COMPACTS.—

(1) IN GENERAL.—Section 609 of the Millennium Challenge Act of 2003 (22 U.S.C. 7708) is amended—

(A) in subsection (k), by striking the first sentence; and

(B) by adding at the end the following:

''(l) CONCURRENT COMPACTS.—

''(1) IN GENERAL.—Subject to paragraphs (2) and (3), an eligible country and the United States may enter into and have in effect not more than 2 Compacts at any given time under this section.

''(2) PURPOSES OF COMPACTS.—An eligible country and the United States that have entered into and have in effect a Compact under this section may enter into and have in effect at the same time one additional Compact in accordance with the requirements of this title if—

''(A) one or both of the Compacts are or will be for purposes of regional economic integration, increased regional trade, or cross-border collaborations; and

''(B) the Board determines that the country is making considerable and demonstrable progress in implementing the terms of the existing Compact and supplementary agreements to that Compact.

''(m) LIMITATION OF USE OF FUNDS.—Amounts made available to carry out this title, including amounts made available to enter into a Compact under this section or to provide assistance under section 616 or any other form of assistance under this title to a country, may not be obligated or expended for the purpose of entering into such a Compact with or providing such assistance to a country that has not been selected by the Board as eligible.''.

(2) CONFORMING AMENDMENT.—Section 613(b)(2)(A) of such Act (22 U.S.C. 7712(b)(2)(A)) is amended by striking ''the Compact'' and inserting ''any Compact''.

(3) APPLICABILITY.—The amendments made by this subsection apply with respect to Compacts entered into between the United States and an eligible country under the Millennium Challenge Act of 2003 before, on, or after the date of the enactment of this Act.

SA 1537. Mr. INHOFE submitted an amendment intended to be proposed by him to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 1085. RECOVERY OF EXCESS FIREARMS, AMMUNITION, AND PARTS GRANTED TO FOREIGN COUNTRIES AND TRANSFER TO CERTAIN PERSONS.

(a) RECOVERY.—Subchapter II of chapter 407 of title 36, United States Code, is amended by inserting after section 40728A the following new section:

''§ 40728B. Recovery of excess firearms, ammunition, and parts granted to foreign countries and transfer to certain persons

''(a) AUTHORITY TO RECOVER.—(1) Subject to paragraph (2) and subsection (b), the Secretary of the Army may acquire from any person any firearm, ammunition, repair parts, or other supplies described in section 40731(a) of this title which were—

''(A) provided to any country on a grant basis under the conditions imposed by section 505 of the Foreign Assistance Act of 1961 (22 U.S.C. 2314) that became excess to the needs of such country; and

''(B) lawfully acquired by such person.

''(2) The Secretary of the Army may not acquire anything under paragraph (1) except for transfer to a person in the United States under subsection (c).

''(3) The Secretary of the Army may accept firearms, ammunition, repair parts, or other supplies under paragraph (1) notwithstanding section 1342 of title 31.

''(b) COST OF RECOVERY.—The Secretary of the Army may not acquire anything under subsection (a) if the United States would incur any cost for such acquisition.

''(c) AVAILABILITY FOR TRANSFER.—Any firearms, ammunition, repair parts, or supplies acquired under subsection (a) shall be available for transfer in the United States to

the person from whom acquired if such person—

''(1) is licensed as a manufacturer, importer, or dealer pursuant to section 923(a) of title 18; and

''(2) uses an ammunition depot of the Army that is an eligible facility for receipt of any firearms, ammunition, repair parts, or supplies under this paragraph.

''(d) CONTRACTS.—Notwithstanding subsection (k) of section 2304 of title 10, the Secretary may enter into such contracts or cooperative agreements on a sole source basis pursuant to paragraphs (4) and (5) of subsection (c) of such section to carry out this section.

''(e) FIREARM DEFINED.—In this section, the term 'firearm' has the meaning given such term in section 921 of title 18.''.

(b) SALE.—Section 40732 of such title is amended—

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

''(d) SALES BY OTHER PERSONS.—A person who receives a firearm or any ammunition, repair parts, or supplies under section 40728B(c) of this title may sell, at fair market value, such firearm, ammunition, repair parts, or supplies.''; and

(2) in subsection (c), in the heading, by inserting ''BY THE CORPORATION'' after ''LIMITATION ON SALES''.

(c) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 407 of such title is amended by inserting after the item relating to section 40728A the following new item:

''40728B. Recovery of excess firearms, ammunition, and parts granted to foreign countries and transfer to certain persons.''.

SA 1538. Mr. WICKER (for himself, Ms. CANTWELL, and Mr. HATCH) submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 1085. MELVILLE HALL OF THE UNITED STATES MERCHANT MARINE ACADEMY.

(a) GIFT TO THE MERCHANT MARINE ACADEMY.—The Maritime Administrator may accept a gift of money from the Foundation under section 51315 of title 46, United States Code, for the purpose of renovating Melville Hall on the campus of the United States Merchant Marine Academy.

(b) COVERED GIFTS.—A gift described in this subsection is a gift under subsection (a) that the Maritime Administrator determines exceeds the sum of—

(1) the minimum amount that is sufficient to ensure the renovation of Melville Hall in accordance with the capital improvement plan of the United States Merchant Marine Academy that was in effect on the date of enactment of this Act; and

(2) 25 percent of the amount described in paragraph (1).

(c) OPERATION CONTRACTS.—Subject to subsection (d), in the case that the Maritime Administrator accepts a gift of money described in subsection (b), the Maritime Administrator may enter into a contract with the Foundation for the operation of Melville Hall to make available facilities for, among other possible uses, official academy functions, third-party catering functions, and industry events and conferences.

(d) CONTRACT TERMS.—The contract described in subsection (c) shall be for such period and on such terms as the Maritime Administrator considers appropriate, including a provision, mutually agreeable to the Maritime Administrator and the Foundation, that—

(1) requires the Foundation—

(A) at the expense solely of the Foundation through the term of the contract to maintain Melville Hall in a condition that is as good as or better than the condition Melville Hall was in on the later of—

(i) the date that the renovation of Melville Hall was completed; or

(ii) the date that the Foundation accepted Melville Hall after it was tendered to the Foundation by the Maritime Administrator; and

(B) to deposit all proceeds from the operation of Melville Hall, after expenses necessary for the operation and maintenance of Melville Hall, into the account of the Regimental Affairs Non-Appropriated Fund Instrumentality or successor entity, to be used solely for the morale and welfare of the cadets of the United States Merchant Marine Academy; and

(2) prohibits the use of Melville Hall as lodging or an office by any person for more than 4 days in any calendar year other than—

(A) by the United States; or

(B) for the administration and operation of Melville Hall.

(e) DEFINITIONS.—In this section:

(1) CONTRACT.—The term ''contract'' includes any modification, extension, or renewal of the contract.

(2) FOUNDATION.—In this section, the term ''Foundation'' means the United States Merchant Marine Academy Alumni Association and Foundation, Inc.

(f) RULES OF CONSTRUCTION.—Nothing in this section may be construed under section 3105 of title 41, United States Code, as requiring the Maritime Administrator to award a contract for the operation of Melville Hall to the Foundation.

SA 1539. Mr. MCCAIN (for himself, Mr. BLUMENTHAL, Mr. FLAKE, Mr. SULLIVAN, and Mr. INHOFE) submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

Insert after section 342 the following:

SEC. 342A. PROHIBITION ON CONTRACTS TO FACILITATE PAYMENTS FOR HONORING MEMBERS OF THE ARMED FORCES AT SPORTING EVENTS.

(a) SENSE OF SENATE.—It is the sense of the Senate that—

(1) the Army National Guard has paid professional sports organizations to honor members of the Armed Forces;

(2) any organization wishing to honor members of the Armed Forces should do so on a voluntary basis, and the Department of Defense should take action to ensure that no payments be made for such activities in the future; and

(3) any organization, including the National Football League, that has accepted taxpayer funds to honor members of the Armed Forces should consider directing an equivalent amount of funding in the form of a donation to a charitable organization that supports members of the Armed Forces, veterans, and their families.

(b) PROHIBITION.—

(1) IN GENERAL.—Subchapter I of chapter 134 of title 10, United States Code, is amended by inserting after section 2241a the following new section:

''§ 2241b. Prohibition on contracts providing payments for activities to honor members of the armed forces

''(a) PROHIBITION.—The Department of Defense may not enter into any contract or other agreement under which payments are to be made in exchange for activities by the contractor intended to honor, or giving the appearance of honoring, members of the armed forces (whether members of the regular components or the reserve components) at any form of sporting event.

''(b) CONSTRUCTION.—Nothing in subsection (a) shall be construed as prohibiting the Department from taking actions to facilitate activities intended to honor members of the armed forces at sporting events that are provided on a pro bono basis or otherwise funded with non-Federal funds if such activities are provided and received in accordance with applicable rules and regulations regarding the acceptance of gifts by the military departments, the armed forces, and members of the armed forces.''.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of subchapter I of chapter 134 of such title is amended by inserting after the item relating to section 2241a the following new item:

''2241b. Prohibition on contracts providing payments for activities to honor members of the armed forces at sporting events.''.

SA 1540. Mr. BENNET (for himself and Mr. GARDNER) submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; as follows:

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

SEC. 1085. COMPTROLLER GENERAL BRIEFING AND REPORT ON MAJOR MEDICAL FACILITY PROJECTS OF DEPARTMENT OF VETERANS AFFAIRS.

(a) BRIEFING.—Not later than 270 days after the date of the enactment of this Act, the Comptroller General of the United States shall provide to the appropriate committees of Congress a briefing on the administration and oversight by the Department of Veterans Affairs of contracts for the design and construction of major medical facility projects, as defined in section 8104(a)(3)(A) of title 38, United States Code.

(b) REPORT.—Not later than one year after the date of the enactment of this Act, the Comptroller General shall submit to the appropriate committees of Congress a report on the administration and oversight described in subsection (a).

(c) ELEMENTS.—The briefing required by subsection (a) and the report required by subsection (b) shall each include an examination of the following:

(1) The processes used by the Department for overseeing and assuring the performance of construction design and construction contracts for major medical facility projects, as so defined.

(2) Any actions taken by the Department to improve the administration of such contracts.

(3) Such opportunities for further improvement of the administration of such contracts as the Comptroller General considers appropriate.

(d) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this section, the term ''appropriate committees of Congress'' means—

(1) the Committee on Veterans' Affairs and the Subcommittee on Military Construction, Veterans Affairs, and Related Agencies of the Committee on Appropriations of the Senate; and

(2) the Committee on Veterans' Affairs and the Subcommittee on Military Construction, Veterans Affairs and Related Agencies of the Committee on Appropriations of the House of Representatives.

SA 1541. Mr. RUBIO (for himself, Mr. VITTER, and Ms. AYOTTE) submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

TITLE ____—VESSEL INCIDENTAL DISCHARGE ACT

SEC. ___1. SHORT TITLE.

This title may be cited as the ''Vessel Incidental Discharge Act''.

SEC. ___2. FINDINGS; PURPOSE.

(a) FINDINGS.—Congress makes the following findings:

(1) Beginning with enactment of the Act to Prevent Pollution from Ships in 1980 (22 U.S.C. 1901 et seq.), the United States Coast Guard has been the principal Federal authority charged with administering, enforcing, and prescribing regulations relating to the discharge of pollutants from vessels engaged in maritime commerce and transportation.

(2) The Coast Guard estimates there are approximately 21,560,000 State-registered recreational vessels, 75,000 commercial fishing vessels, and 33,000 freight and tank barges operating in United States waters.

(3) From 1973 to 2005, certain discharges incidental to the normal operation of a vessel were exempted by regulation from otherwise applicable permitting requirements.

(4) Over the 32 years during which this regulatory exemption was in effect, Congress enacted statutes on a number of occasions dealing with the regulation of discharges incidental to the normal operation of a vessel, including—

(A) the Act to Prevent Pollution from Ships (33 U.S.C. 1901 et seq.) in 1980;

(B) the Nonindigenous Aquatic Nuisance Prevention and Control Act of 1990 (16 U.S.C. 4701 et seq.);

(C) the National Invasive Species Act of 1996 (110 Stat. 4073);

(D) section 415 of the Coast Guard Authorization Act of 1998 (112 Stat. 3434) and section 623 of the Coast Guard and Maritime Transportation Act of 2004 (33 U.S.C. 1901 note), which established interim and permanent requirements, respectively, for the regulation of vessel discharges of certain bulk cargo residue;

(E) title XIV of division B of Appendix D of the Consolidated Appropriations Act, 2001 (114 Stat. 2763), which prohibited or limited certain vessel discharges in certain areas of Alaska;

(F) section 204 of the Maritime Transportation Security Act of 2002 (33 U.S.C. 1902a), which established requirements for the regulation of vessel discharges of agricultural cargo residue material in the form of hold washings; and

(G) title X of the Coast Guard Authorization Act of 2010 (33 U.S.C. 3801 et seq.), which provided for the implementation of the International Convention on the Control of Harmful Anti-Fouling Systems on Ships, 2001.

(b) PURPOSE.—The purpose of this title is to provide for the establishment of nationally uniform and environmentally sound standards and requirements for the management of discharges incidental to the normal operation of a vessel.

SEC. ___3. DEFINITIONS.

In this title:

(1) ADMINISTRATOR.—The term Administrator means the Administrator of the Environmental Protection Agency.

(2) AQUATIC NUISANCE SPECIES.—The term aquatic nuisance species means a nonindigenous species (including a pathogen) that threatens the diversity or abundance of native species or the ecological stability of navigable waters or commercial, agricultural, aquacultural, or recreational activities dependent on such waters.

(3) BALLAST WATER.—

(A) IN GENERAL.—The term ballast water means any water, including any sediment suspended in such water, taken aboard a vessel—

(i) to control trim, list, draught, stability, or stresses of the vessel; or

(ii) during the cleaning, maintenance, or other operation of a ballast water treatment technology of the vessel.

(B) EXCLUSIONS.—The term ballast water does not include any pollutant that is added to water described in subparagraph (A) that is not directly related to the operation of a properly functioning ballast water treatment technology under this title.

(4) BALLAST WATER PERFORMANCE STANDARD.—The term ballast water performance standard means the numerical ballast water discharge standard set forth in section 151.2030 of title 33, Code of Federal Regulations or section 151.1511 of title 33, Code of Federal Regulations, as applicable, or a revised numerical ballast water performance standard established under subsection (a)(1)(B), (b), or (c) of section ___5 of this title.

(5) BALLAST WATER TREATMENT TECHNOLOGY OR TREATMENT TECHNOLOGY.—The term ballast water treatment technology or treatment technology means any mechanical, physical, chemical, or biological process used, alone or in combination, to remove, render harmless, or avoid the uptake or discharge of aquatic nuisance species within ballast water.

(6) BIOCIDE.—The term biocide means a substance or organism, including a virus or fungus, that is introduced into or produced by a ballast water treatment technology to reduce or eliminate aquatic nuisance species as part of the process used to comply with a ballast water performance standard under this title.

(7) DISCHARGE INCIDENTAL TO THE NORMAL OPERATION OF A VESSEL.—

(A) IN GENERAL.—The term discharge incidental to the normal operation of a vessel means—

(i) a discharge into navigable waters from a vessel of—

(I)(aa) ballast water, graywater, bilge water, cooling water, oil water separator effluent, anti-fouling hull coating leachate, boiler or economizer blowdown, byproducts from cathodic protection, controllable pitch propeller and thruster hydraulic fluid, distillation and reverse osmosis brine, elevator pit effluent, firemain system effluent, freshwater layup effluent, gas turbine wash water, motor gasoline and compensating effluent, refrigeration and air condensate effluent, seawater pumping biofouling prevention substances, boat engine wet exhaust, sonar dome effluent, exhaust gas scrubber washwater, or stern tube packing gland effluent; or

(bb) any other pollutant associated with the operation of a marine propulsion system, shipboard maneuvering system, habitability system, or installed major equipment, or from a protective, preservative, or absorptive application to the hull of a vessel;

(II) weather deck runoff, deck wash, aqueous film forming foam effluent, chain locker effluent, non-oily machinery wastewater, underwater ship husbandry effluent, welldeck effluent, or fish hold and fish hold cleaning effluent; or

(III) any effluent from a properly functioning marine engine; or

(ii) a discharge of a pollutant into navigable waters in connection with the testing, maintenance, or repair of a system, equipment, or engine described in subclause (I)(bb) or (III) of clause (i) whenever the vessel is waterborne.

(B) EXCLUSIONS.—The term discharge incidental to the normal operation of a vessel does not include—

(i) a discharge into navigable waters from a vessel of—

(I) rubbish, trash, garbage, incinerator ash, or other such material discharged overboard;

(II) oil or a hazardous substance as those terms are defined in section 311 of the Federal Water Pollution Control Act (33 U.S.C. 1321);

(III) sewage as defined in section 312(a)(6) of the Federal Water Pollution Control Act (33 U.S.C. 1322(a)(6)); or

(IV) graywater referred to in section 312(a)(6) of the Federal Water Pollution Control Act (33 U.S.C. 1322(a)(6));

(ii) an emission of an air pollutant resulting from the operation onboard a vessel of a vessel propulsion system, motor driven equipment, or incinerator; or

(iii) a discharge into navigable waters from a vessel when the vessel is operating in a capacity other than as a means of transportation on water.

(8) GEOGRAPHICALLY LIMITED AREA.—The term geographically limited area means an area—

(A) with a physical limitation, including limitation by physical size and limitation by

authorized route such as the Great Lakes and St. Lawrence River, that prevents a vessel from operating outside the area, as determined by the Secretary; or

(B) that is ecologically homogeneous, as determined by the Secretary, in consultation with the heads of other Federal departments or agencies as the Secretary considers appropriate.

(9) MANUFACTURER.—The term manufacturer means a person engaged in the manufacture, assemblage, or importation of ballast water treatment technology.

(10) SECRETARY.—The term Secretary means the Secretary of the department in which the Coast Guard is operating.

(11) VESSEL.—The term vessel means every description of watercraft or other artificial contrivance used, or practically or otherwise capable of being used, as a means of transportation on water.

SEC. ___4. REGULATION AND ENFORCEMENT.

(a) IN GENERAL.—The Secretary, in consultation with the Administrator, shall establish and implement enforceable uniform national standards and requirements for the regulation of discharges incidental to the normal operation of a vessel. The standards and requirements shall—

(1) be based upon the best available technology economically achievable; and

(2) supersede any permitting requirement or prohibition on discharges incidental to the normal operation of a vessel under any other provision of law.

(b) ADMINISTRATION AND ENFORCEMENT.—The Secretary shall administer and enforce the uniform national standards and requirements under this title. Each State may enforce the uniform national standards and requirements under this title.

SEC. ___5. UNIFORM NATIONAL STANDARDS AND REQUIREMENTS FOR THE REGULATION OF DISCHARGES INCIDENTAL TO THE NORMAL OPERATION OF A VESSEL.

(a) REQUIREMENTS.—

(1) BALLAST WATER MANAGEMENT REQUIREMENTS.—

(A) IN GENERAL.—Notwithstanding any other provision of law, the requirements set forth in the final rule, Standards for Living Organisms in Ships' Ballast Water Discharged in U.S. Waters (77 Fed. Reg. 17254 (March 23, 2012), as corrected at 77 Fed. Reg. 33969 (June 8, 2012)), shall be the management requirements for a ballast water discharge incidental to the normal operation of a vessel until the Secretary revises the ballast water performance standard under subsection (b) or adopts a more stringent State standard under subparagraph (B) of this paragraph.

(B) ADOPTION OF MORE STRINGENT STATE STANDARD.—If the Secretary makes a determination in favor of a State petition under section ___10, the Secretary shall adopt the more stringent ballast water performance standard specified in the statute or regulation that is the subject of that State petition in lieu of the ballast water performance standard in the final rule described under subparagraph (A).

(2) INITIAL MANAGEMENT REQUIREMENTS FOR DISCHARGES OTHER THAN BALLAST WATER.—Not later than 2 years after the date of enactment of this title, the Secretary, in consultation with the Administrator, shall issue a final rule establishing best management practices for discharges incidental to the normal operation of a vessel other than ballast water.

(b) REVISED BALLAST WATER PERFORMANCE STANDARD; 8-YEAR REVIEW.—

(1) IN GENERAL.—Subject to the feasibility review under paragraph (2), not later than January 1, 2022, the Secretary, in consultation with the Administrator, shall issue a final rule revising the ballast water performance standard under subsection (a)(1) so that a ballast water discharge incidental to the normal operation of a vessel will contain—

(A) less than 1 organism that is living or has not been rendered harmless per 10 cubic meters that is 50 or more micrometers in minimum dimension;

(B) less than 1 organism that is living or has not been rendered harmless per 10 milliliters that is less than 50 micrometers in minimum dimension and more than 10 micrometers in minimum dimension;

(C) concentrations of indicator microbes that are less than—

(i) 1 colony-forming unit of toxicogenic Vibrio cholera (serotypes O1 and O139) per 100 milliliters or less than 1 colony-forming unit of that microbe per gram of wet weight of zoological samples;

(ii) 126 colony-forming units of Escherichia coli per 100 milliliters; and

(iii) 33 colony-forming units of intestinal enterococci per 100 milliliters; and

(D) concentrations of such additional indicator microbes and of viruses as may be specified in regulations issued by the Secretary in consultation with the Administrator and such other Federal agencies as the Secretary and the Administrator consider appropriate.

(2) FEASIBILITY REVIEW.—

(A) IN GENERAL.—Not less than 2 years before January 1, 2022, the Secretary, in consultation with the Administrator, shall complete a review to determine the feasibility of achieving the revised ballast water performance standard under paragraph (1).

(B) CRITERIA FOR REVIEW OF BALLAST WATER PERFORMANCE STANDARD.—In conducting a review under subparagraph (A), the Secretary shall consider whether revising the ballast water performance standard will result in a scientifically demonstrable and substantial reduction in the risk of introduction or establishment of aquatic nuisance species, taking into account—

(i) improvements in the scientific understanding of biological and ecological processes that lead to the introduction or establishment of aquatic nuisance species;

(ii) improvements in ballast water treatment technology, including—

(I) the capability of such treatment technology to achieve a revised ballast water performance standard;

(II) the effectiveness and reliability of such treatment technology in the shipboard environment;

(III) the compatibility of such treatment technology with the design and operation of a vessel by class, type, and size;

(IV) the commercial availability of such treatment technology; and

(V) the safety of such treatment technology;

(iii) improvements in the capabilities to detect, quantify, and assess the viability of aquatic nuisance species at the concentrations under consideration;

(iv) the impact of ballast water treatment technology on water quality; and

(v) the costs, cost-effectiveness, and impacts of—

(I) a revised ballast water performance standard, including the potential impacts on shipping, trade, and other uses of the aquatic environment; and

(II) maintaining the existing ballast water performance standard, including the potential impacts on water-related infrastructure, recreation, propagation of native fish, shellfish, and wildlife, and other uses of navigable waters.

(C) LOWER REVISED PERFORMANCE STANDARD.—

(i) IN GENERAL.—If the Secretary, in consultation with the Administrator, determines on the basis of the feasibility review and after an opportunity for a public hearing that no ballast water treatment technology can be certified under section ___6 to comply with the revised ballast water performance standard under paragraph (1), the Secretary shall require the use of the treatment technology that achieves the performance levels of the best treatment technology available.

(ii) IMPLEMENTATION DEADLINE.—If the Secretary, in consultation with the Administrator, determines that the treatment technology under clause (i) cannot be implemented before the implementation deadline under paragraph (3) with respect to a class of vessels, the Secretary shall extend the implementation deadline for that class of vessels for not more than 36 months.

(iii) COMPLIANCE.—If the implementation deadline under paragraph (3) is extended, the Secretary shall recommend action to ensure compliance with the extended implementation deadline under clause (ii).

(D) HIGHER REVISED PERFORMANCE STANDARD.—

(i) IN GENERAL.—If the Secretary, in consultation with the Administrator, determines that ballast water treatment technology exists that exceeds the revised ballast water performance standard under paragraph (1) with respect to a class of vessels, the Secretary shall revise the ballast water performance standard for that class of vessels to incorporate the higher performance standard.

(ii) IMPLEMENTATION DEADLINE.—If the Secretary, in consultation with the Administrator, determines that the treatment technology under clause (i) can be implemented before the implementation deadline under paragraph (3) with respect to a class of vessels, the Secretary shall accelerate the implementation deadline for that class of vessels. If the implementation deadline under paragraph (3) is accelerated, the Secretary shall provide not less than 24 months notice before the accelerated deadline takes effect.

(3) IMPLEMENTATION DEADLINE.—The revised ballast water performance standard under paragraph (1) shall apply to a vessel beginning on the date of the first drydocking of the vessel on or after January 1, 2022, but not later than December 31, 2024.

(4) REVISED PERFORMANCE STANDARD COMPLIANCE DEADLINES.—

(A) IN GENERAL.—The Secretary may establish a compliance deadline for compliance by a vessel (or a class, type, or size of vessel) with a revised ballast water performance standard under this subsection.

(B) PROCESS FOR GRANTING EXTENSIONS.—In issuing regulations under this subsection, the Secretary shall establish a process for an owner or operator to submit a petition to the Secretary for an extension of a compliance deadline with respect to the vessel of the owner or operator.

(C) PERIOD OF EXTENSIONS.—An extension issued under subparagraph (B) may—

(i) apply for a period of not to exceed 18 months from the date of the applicable deadline under subparagraph (A); and

(ii) be renewable for an additional period of not to exceed 18 months.

(D) FACTORS.—In issuing a compliance deadline or reviewing a petition under this

paragraph, the Secretary shall consider, with respect to the ability of an owner or operator to meet a compliance deadline, the following factors:

(i) Whether the treatment technology to be installed is available in sufficient quantities to meet the compliance deadline.

(ii) Whether there is sufficient shipyard or other installation facility capacity.

(iii) Whether there is sufficient availability of engineering and design resources.

(iv) Vessel characteristics, such as engine room size, layout, or a lack of installed piping.

(v) Electric power generating capacity aboard the vessel.

(vi) Safety of the vessel and crew.

(E) CONSIDERATION OF PETITIONS.—

(i) DETERMINATIONS.—The Secretary shall approve or deny a petition for an extension of a compliance deadline submitted by an owner or operator under this paragraph.

(ii) DEADLINE.—If the Secretary does not approve or deny a petition referred to in clause (i) on or before the last day of the 90-day period beginning on the date of submission of the petition, the petition shall be deemed approved.

(c) FUTURE REVISIONS OF VESSEL INCIDENTAL DISCHARGE STANDARDS; DECENNIAL REVIEWS.—

(1) REVISED BALLAST WATER PERFORMANCE STANDARDS.—The Secretary, in consultation with the Administrator, shall complete a review, 10 years after the issuance of a final rule under subsection (b) and every 10 years thereafter, to determine whether further revision of the ballast water performance standard would result in a scientifically demonstrable and substantial reduction in the risk of the introduction or establishment of aquatic nuisance species.

(2) REVISED STANDARDS FOR DISCHARGES OTHER THAN BALLAST WATER.—The Secretary, in consultation with the Administrator, may include in a decennial review under this subsection best management practices for discharges covered by subsection (a)(2). The Secretary shall initiate a rulemaking to revise 1 or more best management practices for such discharges after a decennial review if the Secretary, in consultation with the Administrator, determines that revising 1 or more of such practices would substantially reduce the impacts on navigable waters of discharges incidental to the normal operation of a vessel other than ballast water.

(3) CONSIDERATIONS.—In conducting a review under paragraph (1), the Secretary, the Administrator, and the heads of other appropriate Federal agencies as determined by the Secretary, shall consider the criteria under section ____5(b)(2)(B).

(4) REVISION AFTER DECENNIAL REVIEW.—The Secretary shall initiate a rulemaking to revise the current ballast water performance standard after a decennial review if the Secretary, in consultation with the Administrator, determines that revising the current ballast water performance standard would result in a scientifically demonstrable and substantial reduction in the risk of the introduction or establishment of aquatic nuisance species.

(d) GREAT LAKES REQUIREMENTS.—In addition to the other standards and requirements imposed by this section, in the case of a vessel that enters the Great Lakes through the St. Lawrence River after operating outside the exclusive economic zone of the United States the Secretary, in consultation with the Administrator, shall establish a requirement that the vessel conduct saltwater flushing of all ballast water tanks onboard prior to entry.

SEC. ____6. TREATMENT TECHNOLOGY CERTIFICATION.

(a) CERTIFICATION REQUIRED.—Beginning 1 year after the date that the requirements for testing protocols are issued under subsection (i), no manufacturer of a ballast water treatment technology shall sell, offer for sale, or introduce or deliver for introduction into interstate commerce, or import into the United States for sale or resale, a ballast water treatment technology for a vessel unless the treatment technology has been certified under this section.

(b) CERTIFICATION PROCESS.—

(1) EVALUATION.—Upon application of a manufacturer, the Secretary shall evaluate a ballast water treatment technology with respect to—

(A) the effectiveness of the treatment technology in achieving the current ballast water performance standard when installed on a vessel (or a class, type, or size of vessel);

(B) the compatibility with vessel design and operations;

(C) the effect of the treatment technology on vessel safety;

(D) the impact on the environment;

(E) the cost effectiveness; and

(F) any other criteria the Secretary considers appropriate.

(2) APPROVAL.—If after an evaluation under paragraph (1) the Secretary determines that the treatment technology meets the criteria, the Secretary may certify the treatment technology for use on a vessel (or a class, type, or size of vessel).

(3) SUSPENSION AND REVOCATION.—The Secretary shall establish, by regulation, a process to suspend or revoke a certification issued under this section.

(c) CERTIFICATION CONDITIONS.—

(1) IMPOSITION OF CONDITIONS.—In certifying a ballast water treatment technology under this section, the Secretary, in consultation with the Administrator, may impose any condition on the subsequent installation, use, or maintenance of the treatment technology onboard a vessel as is necessary for—

(A) the safety of the vessel, the crew of the vessel, and any passengers aboard the vessel;

(B) the protection of the environment; or

(C) the effective operation of the treatment technology.

(2) FAILURE TO COMPLY.—The failure of an owner or operator to comply with a condition imposed under paragraph (1) shall be considered a violation of this section.

(d) PERIOD FOR USE OF INSTALLED TREATMENT EQUIPMENT.—Notwithstanding anything to the contrary in this title or any other provision of law, the Secretary shall allow a vessel on which a system is installed and operated to meet a ballast water performance standard under this title to continue to use that system, notwithstanding any revision of a ballast water performance standard occurring after the system is ordered or installed until the expiration of the service life of the system, as determined by the Secretary, so long as the system—

(1) is maintained in proper working condition; and

(2) is maintained and used in accordance with the manufacturer's specifications and any treatment technology certification conditions imposed by the Secretary under this section.

(e) CERTIFICATES OF TYPE APPROVAL FOR THE TREATMENT TECHNOLOGY.—

(1) ISSUANCE.—If the Secretary approves a ballast water treatment technology for certification under subsection (b), the Secretary shall issue a certificate of type approval for the treatment technology to the manufacturer in such form and manner as the Secretary determines appropriate.

(2) CERTIFICATION CONDITIONS.—A certificate of type approval issued under paragraph (1) shall specify each condition imposed by the Secretary under subsection (c).

(3) OWNERS AND OPERATORS.—A manufacturer that receives a certificate of type approval for the treatment technology under this subsection shall provide a copy of the certificate to each owner and operator of a vessel on which the treatment technology is installed.

(f) INSPECTIONS.—An owner or operator who receives a copy of a certificate under subsection (e)(3) shall retain a copy of the certificate onboard the vessel and make the copy of the certificate available for inspection at all times while the owner or operator is utilizing the treatment technology.

(g) BIOCIDES.—The Secretary may not approve a ballast water treatment technology under subsection (b) if—

(1) it uses a biocide or generates a biocide that is a pesticide, as defined in section 2 of the Federal Insecticide, Fungicide, and Rodenticide Act (7 U.S.C. 136), unless the biocide is registered under that Act or the Secretary, in consultation with Administrator, has approved the use of the biocide in such treatment technology; or

(2) it uses or generates a biocide the discharge of which causes or contributes to a violation of a water quality standard under section 303 of the Federal Water Pollution Control Act (33 U.S.C. 1313).

(h) PROHIBITION.—

(1) IN GENERAL.—Except as provided in paragraph (2), the use of a ballast water treatment technology by an owner or operator of a vessel shall not satisfy the requirements of this title unless it has been approved by the Secretary under subsection (b).

(2) EXCEPTIONS.—

(A) COAST GUARD SHIPBOARD TECHNOLOGY EVALUATION PROGRAM.—An owner or operator may use a ballast water treatment technology that has not been certified by the Secretary to comply with the requirements of this section if the technology is being evaluated under the Coast Guard Shipboard Technology Evaluation Program.

(B) BALLAST WATER TREATMENT TECHNOLOGIES CERTIFIED BY FOREIGN ENTITIES.—An owner or operator may use a ballast water treatment technology that has not been certified by the Secretary to comply with the requirements of this section if the technology has been certified by a foreign entity and the certification demonstrates performance and safety of the treatment technology equivalent to the requirements of this section, as determined by the Secretary.

(i) TESTING PROTOCOLS.—Not later than 180 days after the date of enactment of this Act, the Administrator, in consultation with the Secretary, shall issue requirements for land-based and shipboard testing protocols or criteria for—

(1) certifying the performance of each ballast water treatment technology under this section; and

(2) certifying laboratories to evaluate such treatment technologies.

SEC. ____7. EXEMPTIONS.

(a) IN GENERAL.—No permit shall be required or prohibition enforced under any other provision of law for, nor shall any standards regarding a discharge incidental to the normal operation of a vessel under this title apply to—

(1) a discharge incidental to the normal operation of a vessel if the vessel is less than

79 feet in length and engaged in commercial service (as defined in section 2101(5) of title 46, United States Code);

(2) a discharge incidental to the normal operation of a vessel if the vessel is a fishing vessel, including a fish processing vessel and a fish tender vessel, (as defined in section 2101 of title 46, United States Code);

(3) a discharge incidental to the normal operation of a vessel if the vessel is a recreational vessel (as defined in section 2101(25) of title 46, United States Code);

(4) the placement, release, or discharge of equipment, devices, or other material from a vessel for the sole purpose of conducting research on the aquatic environment or its natural resources in accordance with generally recognized scientific methods, principles, or techniques;

(5) any discharge into navigable waters from a vessel authorized by an on-scene coordinator in accordance with part 300 of title 40, Code of Federal Regulations, or part 153 of title 33, Code of Federal Regulations;

(6) any discharge into navigable waters from a vessel that is necessary to secure the safety of the vessel or human life, or to suppress a fire onboard the vessel or at a shoreside facility; or

(7) a vessel of the armed forces of a foreign nation when engaged in noncommercial service.

(b) BALLAST WATER DISCHARGES.—No permit shall be required or prohibition enforced under any other provision of law for, nor shall any ballast water performance standards under this title apply to—

(1) a ballast water discharge incidental to the normal operation of a vessel determined by the Secretary to—

(A) operate exclusively within a geographically limited area;

(B) take up and discharge ballast water exclusively within 1 Captain of the Port Zone established by the Coast Guard unless the Secretary determines such discharge poses a substantial risk of introduction or establishment of an aquatic nuisance species;

(C) operate pursuant to a geographic restriction issued as a condition under section 3309 of title 46, United States Code, or an equivalent restriction issued by the country of registration of the vessel; or

(D) continuously take on and discharge ballast water in a flow-through system that does not introduce aquatic nuisance species into navigable waters;

(2) a ballast water discharge incidental to the normal operation of a vessel consisting entirely of water suitable for human consumption; or

(3) a ballast water discharge incidental to the normal operation of a vessel in an alternative compliance program established pursuant to section ___8.

(c) VESSELS WITH PERMANENT BALLAST WATER.—No permit shall be required or prohibition enforced under any other provision of law for, nor shall any ballast water performance standard under this title apply to, a vessel that carries all of its permanent ballast water in sealed tanks that are not subject to discharge.

(d) VESSELS OF THE ARMED FORCES.—Nothing in this title shall be construed to apply to a vessel as follows:

(1) A vessel owned or operated by the Department of Defense (other than a time-chartered or voyage-chartered vessel).

(2) A vessel of the Coast Guard, as designated by the Secretary of the department in which the Coast Guard is operating.

SEC. ___8. ALTERNATIVE COMPLIANCE PROGRAM.

(a) IN GENERAL.—The Secretary, in consultation with the Administrator, may promulgate regulations establishing 1 or more compliance programs as an alternative to ballast water management regulations issued under section ___5 for a vessel that—

(1) has a maximum ballast water capacity of less than 8 cubic meters;

(2) is less than 3 years from the end of the useful life of the vessel, as determined by the Secretary; or

(3) discharges ballast water into a facility for the reception of ballast water that meets standards promulgated by the Administrator, in consultation with the Secretary.

(b) PROMULGATION OF FACILITY STANDARDS.—Not later than 1 year after the date of enactment of this Act, the Administrator, in consultation with the Secretary, shall promulgate standards for—

(1) the reception of ballast water from a vessel into a reception facility; and

(2) the disposal or treatment of the ballast water under paragraph (1).

SEC. ___9. JUDICIAL REVIEW.

(a) IN GENERAL.—An interested person may file a petition for review of a final regulation promulgated under this title in the United States Court of Appeals for the District of Columbia Circuit.

(b) DEADLINE.—A petition shall be filed not later than 120 days after the date that notice of the promulgation appears in the Federal Register.

(c) EXCEPTION.—Notwithstanding subsection (b), a petition that is based solely on grounds that arise after the deadline to file a petition under subsection (b) has passed may be filed not later than 120 days after the date that the grounds first arise.

SEC. ___10. EFFECT ON STATE AUTHORITY.

(a) IN GENERAL.—No State or political subdivision thereof may adopt or enforce any statute or regulation of the State or political subdivision with respect to a discharge incidental to the normal operation of a vessel after the date of enactment of this Act.

(b) SAVINGS CLAUSE.—Notwithstanding subsection (a), a State or political subdivision thereof may adopt or enforce a statute or regulation of the State or political subdivision with respect to ballast water discharges incidental to the normal operation of a vessel that specifies a ballast water performance standard that is more stringent than the ballast water performance standard under section ___5(a)(1)(A) if the Secretary, after consultation with the Administrator and any other Federal department or agency the Secretary considers appropriate, makes a determination that—

(1) compliance with any performance standard specified in the statute or regulation can in fact be achieved and detected;

(2) the technology and systems necessary to comply with the statute or regulation are commercially available; and

(3) the statute or regulation is consistent with obligations under relevant international treaties or agreements to which the United States is a party.

(c) PETITION PROCESS.—

(1) SUBMISSION.—The Governor of a State seeking to adopt or enforce a statute or regulation under subsection (b) shall submit a petition to the Secretary requesting the Secretary to review the statute or regulation.

(2) CONTENTS; TIMING.—A petition shall be accompanied by the scientific and technical information on which the petition is based, and may be submitted within 1 year of the date of enactment of this Act and every 10 years thereafter.

(3) DETERMINATIONS.—The Secretary shall make a determination on a petition under this subsection not later than 90 days after the date that the petition is received.

SEC. ___11. APPLICATION WITH OTHER STATUTES.

Notwithstanding any other provision of law, this title shall be the exclusive statutory authority for regulation by the Federal Government of discharges incidental to the normal operation of a vessel to which this title applies. Except as provided under section ___5(a)(1)(A), any regulation in effect on the date immediately preceding the effective date of this title relating to any permitting requirement for or prohibition on discharges incidental to the normal operation of a vessel to which this title applies shall be deemed to be a regulation issued pursuant to the authority of this title and shall remain in full force and effect unless or until superseded by new regulations issued hereunder.

SA 1542. Mr. PAUL submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 1099. BOARD OF GOVERNORS OF THE FEDERAL RESERVE SYSTEM.

(a) AUDIT REFORM AND TRANSPARENCY FOR THE BOARD OF GOVERNORS OF THE FEDERAL RESERVE SYSTEM.—

(1) IN GENERAL.—Notwithstanding section 714 of title 31, United States Code, or any other provision of law, an audit of the Board of Governors of the Federal Reserve System and the Federal reserve banks under subsection (b) of such section 714 shall be completed not later than 12 months after the date of enactment of this Act.

(2) REPORT.—

(A) IN GENERAL.—A report on the audit required under paragraph (1) shall be submitted by the Comptroller General of the United States to Congress before the end of the 90-day period beginning on the date on which the audit is completed and made available to the majority and minority leaders of the Senate, the Speaker of the House of Representatives, the majority and minority leaders of the House of Representatives, the Chairman and Ranking Member of the committee and each subcommittee of jurisdiction in the Senate and the House of Representatives, and any other Member of Congress who requests the report.

(B) CONTENTS.—The report under subparagraph (A) shall include a detailed description of the findings and conclusion of the Comptroller General of the United States with respect to the audit that is the subject of the report, together with such recommendations for legislative or administrative action as the Comptroller General of the United States may determine to be appropriate.

(3) REPEAL OF CERTAIN LIMITATIONS.—Section 714(b) of title 31, United States Code, is amended by striking all after ''in writing.''.

(4) TECHNICAL AND CONFORMING AMENDMENT.—Section 714 of title 31, United States Code, is amended by striking subsection (f).

(b) AUDIT OF LOAN FILE REVIEWS REQUIRED BY ENFORCEMENT ACTIONS.—

(1) IN GENERAL.—The Comptroller General of the United States shall conduct an audit of the review of loan files of homeowners in foreclosure in 2009 or 2010, required as part of the enforcement actions taken by the Board of Governors of the Federal Reserve System against supervised financial institutions.

(2) CONTENT OF AUDIT.—The audit carried out pursuant to paragraph (1) shall consider, at a minimum—

(A) the guidance given by the Board of Governors of the Federal Reserve System to independent consultants retained by the supervised financial institutions regarding the procedures to be followed in conducting the file reviews;

(B) the factors considered by independent consultants when evaluating loan files;

(C) the results obtained by the independent consultants pursuant to those reviews;

(D) the determinations made by the independent consultants regarding the nature and extent of financial injury sustained by each homeowner as well as the level and type of remediation offered to each homeowner; and

(E) the specific measures taken by the independent consultants to verify, confirm, or rebut the assertions and representations made by supervised financial institutions regarding the contents of loan files and the extent of financial injury to homeowners.

(3) REPORT.—Not later than 6 months after the date of the enactment of this Act, the Comptroller General of the United States shall issue a report to Congress containing all findings and determinations made in carrying out the audit required under paragraph (1).

SA 1543. Mr. PAUL submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title XI, add the following:

SEC. 1116. COST SAVINGS ENHANCEMENTS.

(a) IN GENERAL.—Section 4512 of title 5, United States Code, is amended—

(1) in subsection (a)—

(A) in the matter preceding paragraph (1), by inserting ''or identification of surplus funds or unnecessary budget authority'' after ''mismanagement'';

(B) in paragraph (2), by inserting ''or identification'' after ''disclosure''; and

(C) in the matter following paragraph (2), by inserting ''or identification'' after ''disclosure''; and

(2) by adding at the end the following:

''(c) The Inspector General of an agency or other agency employee designated under subsection (b) shall refer to the Chief Financial Officer of the agency any potential surplus funds or unnecessary budget authority identified by an employee, along with any recommendations of the Inspector General or other agency employee.

''(d)(1) If the Chief Financial Officer of an agency determines that rescission of potential surplus funds or unnecessary budget authority identified by an employee would not hinder the effectiveness of the agency, except as provided in subsection (e), the head of the agency shall transfer the amount of the surplus funds or unnecessary budget authority from the applicable appropriations account to the general fund of the Treasury.

''(2) Title X of the Congressional Budget and Impoundment Control Act of 1974 (2 U.S.C. 681 et seq.) shall not apply to transfers under paragraph (1).

''(3) Any amounts transferred under paragraph (1) shall be deposited in the Treasury and used for deficit reduction, except that in the case of a fiscal year for which there is no Federal budget deficit, such amounts shall be used to reduce the Federal debt (in such manner as the Secretary of the Treasury considers appropriate).

''(e)(1) The head of an agency may retain not more than 10 percent of amounts to be transferred to the general fund of the Treasury under subsection (d).

''(2) Amounts retained by the head of an agency under paragraph (1) may be—

''(A) used for the purpose of paying a cash award under subsection (a) to 1 or more employees who identified the surplus funds or unnecessary budget authority; and

''(B) to the extent amounts remain after paying cash awards under subsection (a), transferred or reprogrammed for use by the agency, in accordance with any limitation on such a transfer or reprogramming under any other provision of law.

''(f)(1) The head of each agency shall submit to the Director of the Office of Personnel Management an annual report regarding—

''(A) each disclosure of possible fraud, waste, or mismanagement or identification of potentially surplus funds or unnecessary budget authority by an employee of the agency determined by the agency to have merit;

''(B) the total savings achieved through disclosures and identifications described in subparagraph (A); and

''(C) the number and amount of cash awards by the agency under subsection (a).

''(2)(A) The head of each agency shall include the information described in paragraph (1) in each budget request of the agency submitted to the Office of Management and Budget as part of the preparation of the budget of the President submitted to Congress under section 1105(a) of title 31, United States Code.

''(B) The Director of the Office of Personnel Management shall submit to the Committee on Appropriations of the Senate, the Committee on Appropriations of the House of Representatives, and the Government Accountability Office an annual report on Federal cost saving and awards based on the reports submitted under subparagraph (A).

''(g) The Director of the Office of Personnel Management shall—

''(1) ensure that the cash award program of each agency complies with this section; and

''(2) submit to Congress an annual certification indicating whether the cash award program of each agency complies with this section.

''(h) Not later than 3 years after the date of enactment of this subsection, and every 3 years thereafter, the Comptroller General of the United States shall submit to Congress a report on the operation of the cost savings and awards program under this section, including any recommendations for legislative changes.''.

(b) OFFICERS ELIGIBLE FOR CASH AWARDS.—

(1) IN GENERAL.—Section 4509 of title 5, United States Code, is amended to read as follows:

''§ 4509. Prohibition of cash award to certain officers

''(a) DEFINITIONS.—In this section, the term 'agency'—

''(1) has the meaning given that term under section 551(1); and

''(2) includes an entity described in section 4501(1).

''(b) PROHIBITION.—An officer may not receive a cash award under this subchapter if the officer—

''(1) serves in a position at level I of the Executive Schedule;

''(2) is the head of an agency; or

''(3) is a commissioner, board member, or other voting member of an independent establishment.''.

(2) TECHNICAL AND CONFORMING AMENDMENT.—The table of sections for chapter 45 of title 5, United States Code, is amended by striking the item relating to section 4509 and inserting the following:

''4509. Prohibition of cash award to certain officers.''.

SA 1544. Mr. PAUL submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. EXTENSION OF PERIOD FOR USE OF ENTITLEMENT TO POST-9/11 EDUCATIONAL ASSISTANCE FOR INDIVIDUALS WITH POST-TRAUMATIC STRESS DISORDER OR TRAUMATIC BRAIN INJURY.

(a) EXTENDED PERIOD.—Section 3312 of title 38, United States Code, is amended—

(1) in subsection (a), by striking ''in subsections (b) and (c)'' and inserting ''in subsections (b), (c), and (d)''; and

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

''(d) EXTENDED PERIOD FOR INDIVIDUALS WITH POST-TRAUMATIC STRESS DISORDER OR TRAUMATIC BRAIN INJURY.—Subject to section 3695 of this title and except as provided in subsections (b) and (c), an individual entitled to educational assistance under this chapter who has a service-connected disability consisting of post-traumatic stress disorder or traumatic brain injury is entitled to a number of months of educational assistance under section 3313 of this title equal to 54 months.''.

(b) REDUCED AMOUNT.—Section 3313 of such title is amended by adding at the end the following new subsection:

''(j) REDUCED AMOUNT FOR INDIVIDUALS WITH EXTENDED PERIOD OF ASSISTANCE.—The amount of educational assistance payable under this section to an individual described in section 3312(d) of this title shall be 67 percent of the amount otherwise payable to such individual under this section.''.

SA 1545. Mr. PAUL submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016

for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. POINT OF ORDER AGAINST FUNDING PROGRAMS THAT HAVE BEEN EXPIRED FOR MORE THAN 5 YEARS.

(a) IN GENERAL.—It shall not be in order in Senate to consider any bill, joint resolution, motion, amendment, amendment between the Houses, or conference report that appropriates amounts for a program for which the authorizing authority has been expired for more than 5 fiscal years.

(b) POINT OF ORDER; WAIVER AND APPEAL.—In the Senate, a point of order under subsection (a) may be raised by a Senator as provided in section 313(e) of the Congressional Budget Act of 1974 (2 U.S.C. 644(e)). A point of order under subsection (a) may be waived in accordance with the procedures under section 313(e) of the Congressional Budget Act of 1974 (2 U.S.C. 644(e)) upon an affirmative vote of three-fifths of the Members duly chosen and sworn.

SA 1546. Mr. PAUL submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. TRANSFER AUTHORITY FOR DEPARTMENT OF DEFENSE FUNDS TO MITIGATE THE EFFECTS ON THE DEPARTMENT OF DEFENSE OF A SEQUESTRATION OF FUNDS.

(a) AUTHORITY TO TRANSFER AUTHORIZATIONS.—

(1) AUTHORITY.—The Secretary of Defense may transfer amounts of authorizations made available to the Department of Defense for a fiscal year between any such authorizations for that fiscal year (or any subdivisions thereof) if the Secretary determines that the transfer—

(A) is necessary to mitigate the effects on the Department of Defense of a reduction in the discretionary spending limit or the sequestration of direct spending under section 251A of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 901a) or a sequestration under section 251(a)(1) of such Act (2 U.S.C. 901(a)(1)); and

(B) is necessary in the national interest.

(2) LIMITATION.—Except as provided in paragraph (3), the total amount of authorizations that the Secretary may transfer under the authority of this section in a fiscal year may not exceed $50,000,000,000.

(3) EXCEPTION FOR TRANSFERS BETWEEN MILITARY PERSONNEL AUTHORIZATIONS.—A transfer of funds between military personnel authorizations shall not be counted toward the dollar limitation in paragraph (2).

(4) TREATMENT OF AMOUNTS TRANSFERRED.—Amounts of authorizations transferred pursuant to paragraph (1) shall be merged with and be available for the same purposes as the authorization to which transferred.

(b) LIMITATIONS.—The authority provided by subsection (a) to transfer authorizations—

(1) may only be used to provide authority for items that have a higher priority than the items from which authority is transferred;

(2) may not be used to provide authority for an item that has been denied authorization by Congress; and

(3) may not reduce the amount authorized for the fiscal year concerned for an item by an amount in excess of the amount equal to 50 percent of the amount otherwise authorized to be appropriated for that fiscal year for that item.

(c) NOTICE TO CONGRESS.—The Secretary of Defense shall notify Congress of each proposed use of the transfer authority in subsection (a).

(d) CONGRESSIONAL DISAPPROVAL.—A transfer may not occur under the authority in subsection (a) if Congress enacts a joint resolution disapproving the transfer within the 30-day period beginning on the notice to Congress of the transfer pursuant to subsection (c).

(e) EFFECT ON AUTHORIZATION AMOUNTS.—A transfer made from one account to another under the authority of this section shall be deemed to increase the amount authorized for the account to which the amount is transferred by an amount equal to the amount transferred.

(f) CONSTRUCTION OF AUTHORITY.—The authority to transfer funds under this section in addition to any other authority available to the Secretary of Defense to transfer funds for the Department of Defense under any other provision of law.

(g) SUNSET.—The authority to transfer funds under this section shall expire on September 30, 2023.

SA 1547. Mr. PAUL submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

Subtitle ____—Bonuses for Cost-cutting Contracting

SEC. ___. PREFERENCE FOR COST-CUTTING DEFENSE CONTRACTORS.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Defense Supplement to the Federal Acquisition Regulation shall be revised to establish a preference for the use by the Department of Defense of contractors with an established record of completing contracts under budget. The regulations as so revised shall provide that, in the evaluation of bids for a contract, the bid from a contractor that has achieved an average cost savings for its last three completed Department of Defense contracts within a contract cost category described under subsection (b) shall be discounted as provided under subsection (c) for purposes of price comparison.

(b) CONTRACT COST CATEGORIES.—For purposes of this section, contract cost categories for total contract awards are as follows:

(1) Under $1,000,000.

(2) Greater than or equal to $1,000,000 and less than $5,000,000.

(3) Greater than or equal to $5,000,000 and less than $10,000,000.

(4) Greater than or equal to $10,000,000 and less than $25,000,000.

(5) Greater than or equal to $25,000,000 and less than $50,000,000.

(6) Greater than or equal to $50,000,000 and less than $100,000,000

(7) Greater than or equal to $100,000,000.

(c) CALCULATION OF DISCOUNT.—

(1) CONTRACT SAVINGS WITHIN SAME OR HIGHER CONTRACT COST CATEGORY.—A bid for a contract shall be discounted pursuant to subsection (a) by an amount equal to the average percentage cost savings of the last three completed Department of Defense contracts within a contract cost category if such contract cost category is the same as or higher than the contract cost category of the contract that is being bid upon.

(2) CONTRACT SAVINGS WITHIN LOWER CONTRACT COST CATEGORY.—A bid for a contract shall be discounted pursuant to subsection (a) by an amount equal to the average cost savings of the last three completed Department of Defense contracts within a contract cost category if such contract cost category is lower than the contract cost category of the contract that is being bid upon.

(3) SPECIAL RULE FOR CONTRACTS EQUAL TO OR GREATER THAN $100,000,000.—In the case of a bid for a contract in the contract cost category set forth in subsection (b)(7), the bid shall be discounted pursuant to subsection (a)—

(A) by an amount equal to the average cost savings of the last three completed Department of Defense contracts if—

(i) the contract cost category for such contracts is lower than such contract cost category; or

(ii) the contract cost category for such contracts is the same as the contract being bid upon, but the average value of such contracts is less than the lower of—

(I) 75 percent of the value of the contract being bid upon; or

(II) the amount equal to the value of such contract minus $50,000,000; or

(B) by an amount equal to the average percentage cost savings of the last three completed Department of Defense contracts within the same contract cost category if the average value of such contracts is equal to or greater than—

(i) 75 percent of the value of the contract being bid upon; or

(ii) the amount equal to the value of such contract minus $50,000,000.

SEC. ___. USE OF FUNDS SAVED THROUGH CONTRACT SAVINGS.

(a) IN GENERAL.—The Secretary of Defense shall ensure that, of the total amount saved by the Department of Defense on a contract completed after the date of the enactment of this Act as a result of the contract costing less than the amount bid by the contractor—

(1) 50 percent shall be awarded to the contractor; and

(2) 50 percent shall be deposited in the Treasury and used for deficit reduction.

(b) CERTIFICATION REQUIREMENT.—

(1) IN GENERAL.—The head of the agency awarding a contract described under subsection (a) shall certify that the savings achieved under the contract were not the result of any degradation in the quality of the

goods or services provided under the contract before any funds are distributed under such subsection.

(2) HEAD OF AN AGENCY DEFINED.—In this section, the term ''head of an agency'' has the meaning given the term in section 2302(1) of title 10, United States Code.

SA 1548. Mr. PAUL submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. CONSOLIDATION OF DUPLICATIVE AND OVERLAPPING AGENCIES, PROGRAMS, AND ACTIVITIES OF THE FEDERAL GOVERNMENT.

Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall, in coordination with the heads of other departments and agencies of the Federal Government—

(1) use available administrative authority to eliminate, consolidate, or streamline Government agencies, programs, and activities with duplicative and overlapping missions as identified in Government Accountability Office reports on duplication and overlap in Government programs;

(2) identify and submit to Congress a report setting the legislative action required to further eliminate, consolidate, or streamline Government agencies, programs, and activities with duplicative and overlapping missions as identified in the reports referred to in paragraph (1); and

(3) determine the total cost savings that—

(A) will accrue to each department, agency, and office effected by an action under paragraph (1) as a result of the actions taken under that paragraph; and

(B) could accrue to each department, agency, and office effected by an action under paragraph (2) as a result of the actions proposed to be taken under that paragraph using the legislative authority set forth under that paragraph.

SA 1549. Mrs. ERNST (for herself, Mrs. BOXER, and Mr. GRAHAM) submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of section 1229, add the following:

(c) STATEMENT OF POLICY.—It is the policy of the United States to promote a stable and unified Iraq, including by directly providing the Kurdistan Regional Government military and security forces associated with the Government of Iraq with defense articles, defense services, and related training, on an emergency and temporary basis, to more effectively partner with the United States and other international coalition members to defeat the Islamic State of Iraq and the Levant (ISIL).

(d) AUTHORIZATION.—

(1) MILITARY ASSISTANCE.—The President, in consultation with the Government of Iraq, is authorized to provide defense articles, defense services, and related training directly to Kurdistan Regional Government military and security forces associated with the Government of Iraq for the purpose of supporting international coalition efforts against the Islamic State of Iraq and the Levant (ISIL) and any successor group or associated forces.

(2) DEFENSE EXPORTS.—The President is authorized to issue licenses authorizing United States exporters to export defense articles, defense services, and related training directly to the Kurdistan Regional Government military and security forces described in paragraph (1). For purposes of processing applications for such export licenses, the President is authorized to accept End Use Certificates approved by the Kurdistan Regional Government.

(3) TYPES OF ASSISTANCE.—Assistance authorized under paragraph (1) and exports authorized under paragraph (2) may include anti-tank and anti-armor weapons, armored vehicles, long-range artillery, crew-served weapons and ammunition, secure command and communications equipment, body armor, helmets, logistics equipment, excess defense articles and other military assistance that the President determines to be appropriate.

(e) RELATIONSHIP TO EXISTING AUTHORITIES.—

(1) RELATIONSHIP TO EXISTING AUTHORITIES.—Assistance authorized under subsection (b)(1) and licenses for exports authorized under subsection (d)(2) shall be provided pursuant to the applicable provisions of the Arms Export Control Act (22 U.S.C. 2751 et seq.) and the Foreign Assistance Act of 1961 (22 U.S.C. 2151 et seq.), notwithstanding any requirement in such applicable provisions of law that a recipient of assistance of the type authorized under subsection (d)(1) shall be a country or international organization. In addition, any requirement in such provisions of law applicable to such countries or international organizations concerning the provision of end use retransfers and other assurance required for transfers of such assistance should be secured from the Kurdistan Regional Government.

(2) CONSTRUCTION AS PRECEDENT.—Nothing in this section shall be construed as establishing a precedent for the future provision of assistance described in subsection (d) to organizations other than a country or international organization.

(f) REPORTS.—

(1) INITIAL REPORT.—Not later than 45 days after the date of the enactment of this Act, the President shall submit to the appropriate congressional committees a report that includes the following:

(A) A timeline for the provision of defense articles, defense services, and related training under the authority of subsections (d)(1) and (d)(2).

(B) A description of mechanisms and procedures for end-use monitoring of such defense articles, defense services, and related training.

(C) How such defense articles, defense services, and related training would contribute to the foreign policy and national security of the United States, as well as impact security in the region.

(2) UPDATES.—Not later than 180 days after the submittal of the report required by paragraph (1), and every 180 days thereafter through the termination pursuant to subsection (i) of the authority in subsection (d), the President shall submit to the appropriate congressional committees a report updating the previous report submitted under this subsection. In addition to any matters so updated, each report shall include a description of any delays, and the circumstances surrounding such delays, in the delivery of defense articles, defense services, and related training to the Kurdistan Regional Government pursuant to the authority in subsections (d)(1) and (d)(2).

(3) FORM.—Any report under this subsection shall be submitted in unclassified form, but may include a classified annex.

(4) DEFINITION.—In this subsection, the term ''appropriate congressional committees'' means—

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

(B) the Committee on Foreign Affairs, the Committee on Appropriations, the Committee on Armed Services, and the Permanent Select Committee on Intelligence of the House of Representatives.

(g) NOTIFICATION.—The President should provide notification to the Government of Iraq, when practicable, not later than 15 days before providing defense articles, defense services, or related training to the Kurdistan Regional Government under the authority of subsection (d)(1) or (d)(2).

(h) ADDITIONAL DEFINITIONS.—In this section, the terms ''defense article'', ''defense service'', and ''training'' have the meanings given those terms in section 47 of the Arms Export Control Act (22 U.S.C. 2794).

(i) TERMINATION.—The authority to provide defense articles, defense services, and related training under subsection (d)(1) and the authority to issue licenses for exports authorized under subsection (d)(2) shall terminate on the date that is three years after the date of the enactment of this Act.

SA 1550. Mrs. SHAHEEN (for herself, Mrs. MURRAY, Mr. BLUMENTHAL, Mrs. GILLIBRAND, Mrs. BOXER, and Mr. MURPHY) submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle B of title VII, add the following:

SEC. 721. REMOVAL OF RESTRICTIONS ON USE OF DEPARTMENT OF DEFENSE MEDICAL FACILITIES TO PERFORM ABORTIONS.

Section 1093 of title 10, United States Code, is amended—

(1) by striking subsection (b); and

(2) in subsection (a), by striking ''(a) RESTRICTION ON USE OF FUNDS.—''.

SA 1551. Mrs. SHAHEEN (for herself and Ms. AYOTTE) submitted an amendment intended to be proposed to

amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle C of title VI, add the following:

SEC. 622. STUDY AND REPORT ON POLICY CHANGES TO THE JOINT TRAVEL REGULATIONS.

(a) STUDY.—The Comptroller General of the United States shall conduct a study on the impact of the policy changes to the Joint Travel Regulations for the Uniformed Service Members and Department of Defense Civilian Employees related to flat rate per diem for long term temporary duty travel that took effect on November 1, 2014. The study shall assess the following:

(1) The impact of such changes on shipyard workers who travel on long-term temporary duty assignments.

(2) Whether such changes have discouraged employees of the Department of Defense, including civilian employees at shipyards and depots, from volunteering for important temporary duty travel assignments.

(b) REPORT.—Not later than June 1, 2016, the Comptroller General shall submit to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives a report on the study required by subsection (a).

SA 1552. Mrs. SHAHEEN submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

Insert after section 603 the following:

SEC. 603A. ADJUSTMENTS OF BASIC ALLOWANCE FOR HOUSING IN AREAS NOT ACCURATELY ASSESSED BY DEPARTMENT OF DEFENSE HOUSING MARKET SURVEYS.

Section 403(b)(7)(A) of title 37, United States Code, is amended—

(1) in clause (i), by striking ''or'' at the end;

(2) in clause (ii), by striking the period at the end and inserting ''; or''; and

(3) by adding at the end the following new clause:

''(iii) is located in an area in which the most recent determination of costs of adequate housing for purposes of this subsection does not accurately reflect the actual costs of adequate housing in such area.''.

SA 1553. Ms. KLOBUCHAR (for herself and Mr. GRASSLEY) submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. ____. DESIGNATION OF MEDICAL FACILITIES OF THE DEPARTMENT OF VETERANS AFFAIRS AS HEALTH PROFESSIONAL SHORTAGE AREAS.

(a) PHSA.—Section 332(a)(1) of the Public Health Service Act (42 U.S.C. 254e(a)(1)) is amended in the second sentence by inserting ''and medical facilities of the Department of Veterans Affairs (including State homes, as defined in section 101(19) of title 38, United States Code)'' after ''(42 U.S.C. 1395x(aa)),''.

(b) CONCURRENT BENEFITS.—

(1) SCHOLARSHIP PROGRAM.—Section 338A(b) of the Public Health Service Act (42 U.S.C. 254l(b)) is amended—

(A) in paragraph (3), by striking ''and'';

(B) in paragraph (4), by striking the period and inserting ''; and''; and

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

''(5) not be participating in the Department of Veterans Affairs Health Professionals Educational Assistance Program under chapter 76 of title 38, United States Code.''.

(2) DEBT REDUCTION PROGRAM.—Section 338B(b) of the Public Health Service Act (42 U.S.C. 254l-1(b)) is amended—

(A) in paragraph (2), by striking ''and'';

(B) in paragraph (3), by striking the period and inserting ''; and''; and

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

''(4) not be participating in the Department of Veterans Affairs Health Professionals Educational Assistance Program under chapter 76 of title 38, United States Code.''.

(c) CONSULTATION.—In carrying out the National Health Service Corps Program under subpart II of part D of title III of the Public Health Service Act (42 U.S.C. 254d et seq.), the Secretary of Health and Human Services shall consult with the Secretary of Veterans Affairs with respect to health professional shortage areas that are medical facilities of the Department of Veterans Affairs (including State homes, as defined in section 101(19) of title 38, United States Code).

(d) EFFECTIVE DATE.—The amendments made by this section shall take effect on the date that is 90 days after the date of the enactment of this Act.

SA 1554. Ms. KLOBUCHAR submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title XXVIII, add the following:

Subtitle D—Other Matters

SEC. 2831. ELIMINATION OF STATE MATCHING REQUIREMENT FOR ENERGY EFFICIENCY UPGRADES AND RENEWABLE ENERGY AT NATIONAL GUARD READINESS CENTERS.

Section 18236(b) of title 10, United States Code, is amended—

(1) by redesignating paragraphs (1) and (2) as subparagraphs (A) and (B), respectively;

(2) by striking ''A contribution'' and inserting ''(1) Subject to paragraph (2), a contribution''; and

(3) by inserting after subparagraph (B), as redesignated by paragraph (1), the following new paragraph:

''(2) If a readiness center or armory project for which a contribution is made under paragraph (4) or (5) of section 18233(a) of this title consists of or includes an energy efficiency upgrade, the Secretary of Defense shall cover—

''(A) 100 percent of the cost of architectural, engineering, and design services related to the upgrade or renewable energy (including advance architectural, engineering, and design services under section 18233(e) of this title), as provided in paragraph (1)(A); and

''(B) 100 percent of the cost of construction related to the upgrade or renewable energy, notwithstanding subparagraph (B) of paragraph (1), and payment of such cost shall not be considered in applying the limitation in such subparagraph.''.

SA 1555. Ms. KLOBUCHAR (for herself and Mr. SCHUMER) submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of division A, add the following:

TITLE XVII—METAL THEFT

SEC. 1701. SHORT TITLE.

This title may be cited as the ''Metal Theft Prevention Act of 2015''.

SEC. 1702. DEFINITIONS.

In this title—

(1) the term ''critical infrastructure'' has the meaning given the term in section 1016(e) of the USA PATRIOT Act (42 U.S.C. 5195c(e));

(2) the term ''recycling agent'' means any person engaged in the business of purchasing specified metal for reuse or recycling, without regard to whether that person is engaged in the business of recycling or otherwise processing the purchased specified metal for reuse; and

(3) the term ''specified metal'' means metal that—

(A)(i) is marked with the name, logo, or initials of a city, county, State, or Federal government entity, a railroad, an electric, gas, or water company, a telephone company, a cable company, a retail establishment, a beer supplier or distributor, or a public utility; or

(ii) has been altered for the purpose of removing, concealing, or obliterating a name, logo, or initials described in clause (i) through burning or cutting of wire sheathing or other means; or

(B) is part of—

(i) a street light pole or street light fixture;
(ii) a road or bridge guard rail;
(iii) a highway or street sign;
(iv) a water meter cover;
(v) a storm water grate;
(vi) unused or undamaged building construction or utility material;
(vii) a historical marker;
(viii) a grave marker or cemetery urn;
(ix) a utility access cover; or
(x) a container used to transport or store beer with a capacity of 5 gallons or more;
(C) is a wire or cable commonly used by communications and electrical utilities; or
(D) is copper, aluminum, and other metal (including any metal combined with other materials) that is valuable for recycling or reuse as raw metal, except for—
(i) aluminum cans; and
(ii) motor vehicles, the purchases of which are reported to the National Motor Vehicle Title Information System (established under section 30502 of title 49, United States Code).

SEC. 1703. THEFT OF SPECIFIED METAL.

(a) OFFENSE.—It shall be unlawful to knowingly steal specified metal—
(1) being used in or affecting interstate or foreign commerce; and
(2) the theft of which is from and harms critical infrastructure.
(b) PENALTY.—Any person who commits an offense described in subsection (a) shall be fined under title 18, United States Code, imprisoned not more than 10 years, or both.

SEC. 1704. DOCUMENTATION OF OWNERSHIP OR AUTHORITY TO SELL.

(a) OFFENSES.—
(1) IN GENERAL.—Except as provided in paragraph (2), it shall be unlawful for a recycling agent to purchase specified metal described in subparagraph (A) or (B) of section 1702(3), unless—
(A) the seller, at the time of the transaction, provides documentation of ownership of, or other proof of the authority of the seller to sell, the specified metal; and
(B) there is a reasonable basis to believe that the documentation or other proof of authority provided under subparagraph (A) is valid.
(2) EXCEPTION.—Paragraph (1) shall not apply to a recycling agent that is subject to a State or local law that sets forth a requirement on recycling agents to obtain documentation of ownership or proof of authority to sell specified metal before purchasing specified metal.
(3) RESPONSIBILITY OF RECYCLING AGENT.—A recycling agent is not required to independently verify the validity of the documentation or other proof of authority described in paragraph (1).
(4) PURCHASE OF STOLEN METAL.—It shall be unlawful for a recycling agent to purchase any specified metal that the recycling agent—
(A) knows to be stolen; or
(B) should know or believe, based upon commercial experience and practice, to be stolen.
(b) CIVIL PENALTY.—A person who knowingly violates subsection (a) shall be subject to a civil penalty of not more than $10,000 for each violation.

SEC. 1705. TRANSACTION REQUIREMENTS.

(a) RECORDING REQUIREMENTS.—
(1) IN GENERAL.—Except as provided in paragraph (2), a recycling agent shall maintain a written or electronic record of each purchase of specified metal.
(2) EXCEPTION.—Paragraph (1) shall not apply to a recycling agent that is subject to a State or local law that sets forth recording requirements that are substantially similar to the requirements described in paragraph (3) for the purchase of specified metal.
(3) CONTENTS.—A record under paragraph (1) shall include—
(A) the name and address of the recycling agent; and
(B) for each purchase of specified metal—
(i) the date of the transaction;
(ii) a description of the specified metal purchased using widely used and accepted industry terminology;
(iii) the amount paid by the recycling agent;
(iv) the name and address of the person to which the payment was made;
(v) the name of the person delivering the specified metal to the recycling agent, including a distinctive number from a Federal or State government-issued photo identification card and a description of the type of the identification; and
(vi) the license plate number and State-of-issue, make, and model, if available, of the vehicle used to deliver the specified metal to the recycling agent.
(4) REPEAT SELLERS.—A recycling agent may comply with the requirements of this subsection with respect to a purchase of specified metal from a person from which the recycling agent has previously purchased specified metal by—
(A) reference to the existing record relating to the seller; and
(B) recording any information for the transaction that is different from the record relating to the previous purchase from that person.
(5) RECORD RETENTION PERIOD.—A recycling agent shall maintain any record required under this subsection for not less than 2 years after the date of the transaction to which the record relates.
(6) CONFIDENTIALITY.—Any information collected or retained under this section may be disclosed to any Federal, State, or local law enforcement authority or as otherwise directed by a court of law.
(b) PURCHASES IN EXCESS OF $100.—
(1) IN GENERAL.—Except as provided in paragraph (2), a recycling agent may not pay cash for a single purchase of specified metal of more than $100. For purposes of this paragraph, more than 1 purchase in any 48-hour period from the same seller shall be considered to be a single purchase.
(2) EXCEPTION.—Paragraph (1) shall not apply to a recycling agent that is subject to a State or local law that sets forth a maximum amount for cash payments for the purchase of specified metal.
(3) PAYMENT METHOD.—
(A) OCCASIONAL SELLERS.—Except as provided in subparagraph (B), for any purchase of specified metal of more than $100 a recycling agent shall make payment by check that—
(i) is payable to the seller; and
(ii) includes the name and address of the seller.
(B) ESTABLISHED COMMERCIAL TRANSACTIONS.—A recycling agent may make payments for a purchase of specified metal of more than $100 from a governmental or commercial supplier of specified metal with which the recycling agent has an established commercial relationship by electronic funds transfer or other established commercial transaction payment method through a commercial bank if the recycling agent maintains a written record of the payment that identifies the seller, the amount paid, and the date of the purchase.
(c) CIVIL PENALTY.—A person who knowingly violates subsection (a) or (b) shall be subject to a civil penalty of not more than $5,000 for each violation, except that a person who commits a minor violation shall be subject to a penalty of not more than $1,000.

SEC. 1706. ENFORCEMENT BY ATTORNEY GENERAL.

The Attorney General may bring an enforcement action in an appropriate United States district court against any person that engages in conduct that violates this title.

SEC. 1707. ENFORCEMENT BY STATE ATTORNEYS GENERAL.

(a) IN GENERAL.—An attorney general or equivalent regulator of a State may bring a civil action in the name of the State, as parens patriae on behalf of natural persons residing in the State, in any district court of the United States or other competent court having jurisdiction over the defendant, to secure monetary or equitable relief for a violation of this title.
(b) NOTICE REQUIRED.—Not later than 30 days before the date on which an action under subsection (a) is filed, the attorney general or equivalent regulator of the State involved shall provide to the Attorney General—
(1) written notice of the action; and
(2) a copy of the complaint for the action.
(c) ATTORNEY GENERAL ACTION.—Upon receiving notice under subsection (b), the Attorney General shall have the right—
(1) to intervene in the action;
(2) upon so intervening, to be heard on all matters arising therein;
(3) to remove the action to an appropriate district court of the United States; and
(4) to file petitions for appeal.
(d) PENDING FEDERAL PROCEEDINGS.—If a civil action has been instituted by the Attorney General for a violation of this title, no State may, during the pendency of the action instituted by the Attorney General, institute a civil action under this title against any defendant named in the complaint in the civil action for any violation alleged in the complaint.
(e) CONSTRUCTION.—For purposes of bringing a civil action under subsection (a), nothing in this section regarding notification shall be construed to prevent the attorney general or equivalent regulator of the State from exercising any powers conferred under the laws of that State to—
(1) conduct investigations;
(2) administer oaths or affirmations; or
(3) compel the attendance of witnesses or the production of documentary and other evidence.

SEC. 1708. DIRECTIVE TO SENTENCING COMMISSION.

(a) IN GENERAL.—Pursuant to its authority under section 994 of title 28, United States Code, and in accordance with this section, the United States Sentencing Commission, shall review and, if appropriate, amend the Federal Sentencing Guidelines and policy statements applicable to a person convicted of a criminal violation of section 1703 or any other Federal criminal law based on the theft of specified metal by such person.
(b) CONSIDERATIONS.—In carrying out this section, the Sentencing Commission shall—
(1) ensure that the sentencing guidelines and policy statements reflect the—
(A) serious nature of the theft of specified metal; and
(B) need for an effective deterrent and appropriate punishment to prevent such theft;
(2) consider the extent to which the guidelines and policy statements appropriately account for—
(A) the potential and actual harm to the public from the offense, including any damage to critical infrastructure;

(B) the amount of loss, or the costs associated with replacement or repair, attributable to the offense;

(C) the level of sophistication and planning involved in the offense; and

(D) whether the offense was intended to or had the effect of creating a threat to public health or safety, injury to another person, or death;

(3) account for any additional aggravating or mitigating circumstances that may justify exceptions to the generally applicable sentencing ranges;

(4) assure reasonable consistency with other relevant directives and with other sentencing guidelines and policy statements; and

(5) assure that the sentencing guidelines and policy statements adequately meet the purposes of sentencing as set forth in section 3553(a)(2) of title 18, United States Code.

SEC. 1709. STATE AND LOCAL LAW NOT PREEMPTED.

Nothing in this title shall be construed to preempt any State or local law regulating the sale or purchase of specified metal, the reporting of such transactions, or any other aspect of the metal recycling industry.

SEC. 1710. EFFECTIVE DATE.

This title shall take effect 180 days after the date of enactment of this Act.

SA 1556. Mr. DURBIN submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 1085. INTEREST RATE LIMITATION ON DEBT ENTERED INTO DURING MILITARY SERVICE TO CONSOLIDATE OR REFINANCE STUDENT LOANS INCURRED BEFORE MILITARY SERVICE.

(a) IN GENERAL.—Subsection (a) of section 207 of the Servicemembers Civil Relief Act (50 U.S.C. App. 527) is amended—

(1) in paragraph (1), by inserting ''ON DEBT INCURRED BEFORE SERVICE'' after ''LIMITATION TO 6 PERCENT'';

(2) by redesignating paragraphs (2) and (3) as paragraphs (3) and (4), respectively;

(3) by inserting after paragraph (1) the following new paragraph (2):

''(2) LIMITATION TO 6 PERCENT ON DEBT INCURRED DURING SERVICE TO CONSOLIDATE OR REFINANCE STUDENT LOANS INCURRED BEFORE SERVICE.—An obligation or liability bearing interest at a rate in excess of 6 percent per year that is incurred by a servicemember, or the servicemember and the servicemember's spouse jointly, during military service to consolidate or refinance one or more student loans incurred by the servicemember before such military service shall not bear an interest at a rate in excess of 6 percent during the period of military service.'';

(4) in paragraph (3), as redesignated by paragraph (2) of this subsection, by inserting ''or (2)'' after ''paragraph (1)''; and

(5) in paragraph (4), as so redesignated, by striking ''paragraph (2)'' and inserting ''paragraph (3)''.

(b) IMPLEMENTATION OF LIMITATION.—Subsection (b) of such section is amended—

(1) in paragraph (1), by striking ''the interest rate limitation in subsection (a)'' and inserting ''an interest rate limitation in paragraph (1) or (2) of subsection (a)''; and

(2) in paragraph (2)—

(A) in the paragraph heading, by striking ''AS OF DATE OF ORDER TO ACTIVE DUTY''; and

(B) by inserting before the period at the end the following: ''in the case of an obligation or liability covered by subsection (a)(1), or as of the date the servicemember (or servicemember and spouse jointly) incurs the obligation or liability concerned under subsection (a)(2)''.

(c) STUDENT LOAN DEFINED.—Subsection (d) of such section is amended by adding at the end the following new paragraph:

''(3) STUDENT LOAN.—The term 'student loan' means the following:

''(A) A Federal student loan made, insured, or guaranteed under title IV of the Higher Education Act of 1965 (20 U.S.C. 1070 et seq.).

''(B) A private student loan as that term is defined in section 140(a) of the Truth in Lending Act (15 U.S.C. 1650(a)).''.

SA 1557. Mr. DURBIN submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle E of title XXVIII, add the following:

SEC. 884. ARSENAL AND ORGANIC INDUSTRIAL BASE SKILLS SUSTAINMENT AND DOMESTIC PRODUCTION INITIATIVE.

(a) IN GENERAL.—Not later than 30 days after the date on which the budget of the President for a fiscal year is submitted to Congress pursuant to section 1105 of title 31, Unites States Code, the Secretary of Defense shall submit to the congressional defense committees a report on the equipment, weapons, weapons systems, components, subcomponents, and end-items purchased from foreign entities and identify those items which could be manufactured in the military arsenals of the United States or the military depots of the United States to meet the goals of section 2464 of title 10, United States Code, as well as a plan for moving that workload into the military arsenals or depots.

(b) ELEMENTS.—The report required by subsection (a) shall address the following:

(1) Identification of items purchased by foreign manufacturers meeting the definition of—

(A) section 8302(a)(1) of title 41, United States Code, with an exception granted under subparagraph (A) or (B) of section 8302(a)(2) of such title;

(B) section 2533b(a)(1) of title 10, United States Code, with an exception granted under section 2533(b) of such title; and

(C) section 2534(a) of title 10, United States Code, with a waiver exercised under paragraph (1), (2), (4), or (5) of section 2534(d) of such title.

(2) Assessment of the skills required to manufacture the items identified in paragraph (1) and comparison of those skills with skills required to meet the critical capabilities identified by the Army Report to Congress on Critical Manufacturing Capabilities and Capacities, dated August 2013, and the core logistics capabilities identified by each military service pursuant to section 2464 of title 10, United States Code, as of the date of enactment of this bill.

(3) Identification of the tooling, equipment and facilities upgrades necessary for a military arsenal or depot to perform the manufacturing workload identified under paragraph (1).

(4) Identification of workload identified in paragraph (1) most appropriate for transfer to military arsenals or depots to meet the goals of subsection (a) or requirements of section 2464 of title 10, United States Code.

(5) A plan to transfer manufacturing workload identified in paragraph (4) to the military arsenals or depots within a stated timeframe.

(6) Such other information the Secretary considers necessary for adherence to paragraphs (4) and (5).

(7) An explanation of the rationale for continuing to sole-source manufacturing workload identified in paragraph (1) from a foreign source rather than a military arsenal, depot, or other organic facility.

SA 1558. Mr. DURBIN submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle B of title XXVIII, add the following:

SEC. ___. ARSENAL INSTALLATION REUTILIZATION AUTHORITY.

(a) IN GENERAL.—Section 2667 of title 10, United States Code, is amended—

(1) by redesignating subsections (h), (i), and (j) as subsections (i), (j), and (k), respectively; and

(2) by inserting after subsection (g) the following new subsection:

''(h) ARSENAL INSTALLATION REUTILIZATION AUTHORITY.—(1) In the case of a military manufacturing arsenal, the Secretary concerned may authorize leases and contracts for a term of up to 25 years, notwithstanding subsection (b)(1), if the Secretary determines that a lease or contract of that duration will promote the national defense or be in the public interest for the purpose of—

''(A) helping to maintain the viability of the military manufacturing arsenal and any military installations on which it is located;

''(B) eliminating, or at least reducing, the cost of Government ownership of the military manufacturing arsenal, including the costs of operations and maintenance, the costs of environmental remediation, and other costs; and

''(C) leveraging private investment at the military manufacturing arsenal through long-term facility use contracts, property management contracts, leases, or other agreements that support and advance the preceding purposes.

''(2)(A) The Secretary concerned may delegate the authority provided by this subsection to the commander of the military manufacturing arsenal or, if part of a larger military installation, the installation commander.

''(B) The delegated authority does not include the authority to enter into a lease or

contract under this section to carry out any activity covered by section 4544(b) of this title related to—

''(i) the sale of articles manufactured by a military manufacturing arsenal;

''(ii) the sale of services performed by a military manufacturing arsenal; or

''(iii) the performance of manufacturing work at the military manufacturing arsenal.

''(3) In this subsection, the term 'military manufacturing arsenal' means a Government-owned, Government-operated defense plant of the Department of the Defense that manufactures weapons, weapon components, or both.''.

SA 1559. Mr. DURBIN submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle B of title VIII, add the following:

SEC. 832. PROHIBITION ON AWARDING OF DEPARTMENT OF DEFENSE CONTRACTS TO INVERTED DOMESTIC CORPORATIONS.

(a) PROHIBITION.—

(1) IN GENERAL.—Chapter 137 of title 10, United States Code, is amended by adding at the end the following new section:

''§ 2338. Prohibition on awarding contracts to inverted domestic corporations

''(a) PROHIBITION.—

''(1) IN GENERAL.—The head of an agency may not award a contract for the procurement of property or services to—

''(A) any foreign incorporated entity that such head has determined is an inverted domestic corporation or any subsidiary of such entity; or

''(B) any joint venture if more than 10 percent of the joint venture (by vote or value) is owned by a foreign incorporated entity that such head has determined is an inverted domestic corporation or any subsidiary of such entity.

''(2) SUBCONTRACTS.—

''(A) IN GENERAL.—The head of an executive agency shall include in each contract for the procurement of property or services awarded by the executive agency with a value in excess of $10,000,000, other than a contract for exclusively commercial items, a clause that prohibits the prime contractor on such contract from—

''(i) awarding a first-tier subcontract with a value greater than 10 percent of the total value of the prime contract to an entity or joint venture described in paragraph (1); or

''(ii) structuring subcontract tiers in a manner designed to avoid the limitation in paragraph (1) by enabling an entity or joint venture described in paragraph (1) to perform more than 10 percent of the total value of the prime contract as a lower-tier subcontractor.

''(B) PENALTIES.—The contract clause included in contracts pursuant to subparagraph (A) shall provide that, in the event that the prime contractor violates the contract clause—

''(i) the prime contract may be terminated for default; and

''(ii) the matter may be referred to the suspension or debarment official for the appropriate agency and may be a basis for suspension or debarment of the prime contractor.

''(b) INVERTED DOMESTIC CORPORATION.—

''(1) IN GENERAL.—For purposes of this section, a foreign incorporated entity shall be treated as an inverted domestic corporation if, pursuant to a plan (or a series of related transactions)—

''(A) the entity completes before, on, or after May 8, 2014, the direct or indirect acquisition of—

''(i) substantially all of the properties held directly or indirectly by a domestic corporation; or

''(ii) substantially all of the assets of, or substantially all of the properties constituting a trade or business of, a domestic partnership; and

''(B) after the acquisition, either—

''(i) more than 50 percent of the stock (by vote or value) of the entity is held—

''(I) in the case of an acquisition with respect to a domestic corporation, by former shareholders of the domestic corporation by reason of holding stock in the domestic corporation; or

''(II) in the case of an acquisition with respect to a domestic partnership, by former partners of the domestic partnership by reason of holding a capital or profits interest in the domestic partnership; or

''(ii) the management and control of the expanded affiliated group which includes the entity occurs, directly or indirectly, primarily within the United States, as determined pursuant to regulations prescribed by the Secretary of the Treasury, and such expanded affiliated group has significant domestic business activities.

''(2) EXCEPTION FOR CORPORATIONS WITH SUBSTANTIAL BUSINESS ACTIVITIES IN FOREIGN COUNTRY OF ORGANIZATION.—

''(A) IN GENERAL.—A foreign incorporated entity described in paragraph (1) shall not be treated as an inverted domestic corporation if after the acquisition the expanded affiliated group which includes the entity has substantial business activities in the foreign country in which or under the law of which the entity is created or organized when compared to the total business activities of such expanded affiliated group.

''(B) SUBSTANTIAL BUSINESS ACTIVITIES.—The Secretary of the Treasury (or the Secretary's delegate) shall establish regulations for determining whether an affiliated group has substantial business activities for purposes of subparagraph (A), except that such regulations may not treat any group as having substantial business activities if such group would not be considered to have substantial business activities under the regulations prescribed under section 7874 of the Internal Revenue Code of 1986, as in effect on May 8, 2014.

''(3) SIGNIFICANT DOMESTIC BUSINESS ACTIVITIES.—

''(A) IN GENERAL.—For purposes of paragraph (1)(B)(ii), an expanded affiliated group has significant domestic business activities if at least 25 percent of—

''(i) the employees of the group are based in the United States;

''(ii) the employee compensation incurred by the group is incurred with respect to employees based in the United States;

''(iii) the assets of the group are located in the United States; or

''(iv) the income of the group is derived in the United States.

''(B) DETERMINATION.—Determinations pursuant to subparagraph (A) shall be made in the same manner as such determinations are made for purposes of determining substantial business activities under regulations referred to in paragraph (2) as in effect on May 8, 2014, but applied by treating all references in such regulations to 'foreign country' and 'relevant foreign country' as references to 'the United States'. The Secretary of the Treasury (or the Secretary's delegate) may issue regulations decreasing the threshold percent in any of the tests under such regulations for determining if business activities constitute significant domestic business activities for purposes of this paragraph.

''(c) WAIVER.—

''(1) IN GENERAL.—The head of an agency may waive subsection (a) with respect to any Federal Government contract under the authority of such head if the head determines that the waiver is required in the interest of national security or is necessary for the efficient or effective administration of Federal or Federally-funded programs that provide health benefits to individuals.

''(2) REPORT TO CONGRESS.—The head of an agency issuing a waiver under paragraph (1) shall, not later than 14 days after issuing such waiver, submit a written notification of the waiver to the Committees on Armed Services and Appropriations of the Senate and the House of Representatives.

''(d) APPLICABILITY.—

''(1) IN GENERAL.—Except as provided in paragraph (2), this section shall not apply to any contract entered into before the date of the enactment of this section.

''(2) TASK AND DELIVERY ORDERS.—This section shall apply to any task or delivery order issued after the date of the enactment of this section pursuant to a contract entered into before, on, or after such date of enactment.

''(3) SCOPE.—This section applies only to contracts subject to regulation under the Federal Acquisition Regulation and the Defense Supplement to the Federal Acquisition Regulation.

''(e) DEFINITIONS AND SPECIAL RULES.—

''(1) DEFINITIONS.—In this section, the terms 'expanded affiliated group', 'foreign incorporated entity', 'person', 'domestic', and 'foreign' have the meaning given those terms in section 835(c) of the Homeland Security Act of 2002 (6 U.S.C. 395(c)).

''(2) SPECIAL RULES.—In applying subsection (b) of this section for purposes of subsection (a) of this section, the rules described under 835(c)(1) of the Homeland Security Act of 2002 (6 U.S.C. 395(c)(1)) shall apply.''.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 137 of title 10, United States Code, is amended by inserting after the item relating to section 2337 the following new item:

''2338. Prohibition on awarding contracts to inverted domestic corporations.''

(b) REGULATIONS REGARDING MANAGEMENT AND CONTROL.—

(1) IN GENERAL.—The Secretary of the Treasury (or the Secretary's delegate) shall, for purposes of section 2338(b)(1)(B)(ii) of title 10, United States Code, as added by subsection (a), prescribe regulations for purposes of determining cases in which the management and control of an expanded affiliated group is to be treated as occurring, directly or indirectly, primarily within the United States. The regulations prescribed under the preceding sentence shall apply to periods after May 8, 2014.

(2) EXECUTIVE OFFICERS AND SENIOR MANAGEMENT.—The regulations prescribed under paragraph (1) shall provide that the management and control of an expanded affiliated

group shall be treated as occurring, directly or indirectly, primarily within the United States if substantially all of the executive officers and senior management of the expanded affiliated group who exercise day-to-day responsibility for making decisions involving strategic, financial, and operational policies of the expanded affiliated group are based or primarily located within the United States. Individuals who in fact exercise such day-to-day responsibilities shall be treated as executive officers and senior management regardless of their title.

SA 1560. Mr. BLUMENTHAL (for himself and Mr. DURBIN) submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle B of title VII, add the following:

SEC. 721. MONITORING OF ADVERSE EVENT DATA ON DIETARY SUPPLEMENT USE BY MEMBERS OF THE ARMED FORCES.

(a) IN GENERAL.—The Secretary of Defense shall modify the electronic health record system of the military health system to include data regarding the use by members of the Armed Forces of dietary supplements and adverse events with respect to dietary supplements.

(b) REQUIREMENTS.—The modifications required by subsection (a) shall ensure that the electronic health record system of the military health system—

(1) records adverse event report data regarding dietary supplement use by members of the Armed Forces;

(2) generates standard reports on adverse event data that can be aggregated for analysis;

(3) issues automated alerts to signal a significant change in adverse event reporting or to signal a risk of interaction with a medication or other treatment; and

(4) is interoperable with the MedWatch form of the Food and Drug Administration (as described in section 760(d) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 379aa(d))).

(c) OUTREACH.—The Secretary shall conduct outreach to health care providers in the military health system to educate such providers on the importance of entering adverse event report data regarding dietary supplement use by members of the Armed Forces into the electronic health record system of the military health system and the MedWatch form described in subsection (b)(4).

(d) DEFINITIONS.—In this section:

(1) ADVERSE EVENT.—The term ''adverse event'' has the meaning given such term in section 761(a) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 379aa–1(a)).

(2) DIETARY SUPPLEMENT.—The term ''dietary supplement'' has the meaning given such term in section 201(ff) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 321(ff)).

SA 1561. Mr. BLUMENTHAL (for himself and Mr. DURBIN) submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle B of title VII, add the following:

SEC. 721. REPORTING OF DIETARY SUPPLEMENT USE BY MEMBERS OF THE ARMED FORCES.

(a) IN GENERAL.—The Secretary of Defense shall establish a minimum requirement for the Department of Defense for the reporting by each member of the Armed Forces of the use by such member of dietary supplements.

(b) OTHER POLICIES OF MILITARY DEPARTMENTS.—Each Secretary of a military department may establish a different policy, or continue an existing policy, relating to the reporting of the use of dietary supplements by members of the Armed Forces under the jurisdiction of such Secretary only if such policy meets at least the minimum requirement established under subsection (a), as determined by the Secretary of Defense.

(c) INFORMATION IN HEALTH RECORD SYSTEM.—The Secretary of Defense shall ensure that the electronic health record system of the military health system—

(1) records dietary supplement use by members of the Armed Forces;

(2) generates standard reports on dietary supplement use that can be aggregated for analysis; and

(3) issues automated alerts to signal a significant change in dietary supplement use.

(d) DIETARY SUPPLEMENT DEFINED.—In this section, the term ''dietary supplement'' has the meaning given such term in section 201(ff) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 321(ff)).

SA 1562. Mr. BLUMENTHAL (for himself and Mr. DURBIN) submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle E of title VI, add the following:

SEC. 654. LIMITATION ON SALE OF DIETARY SUPPLEMENTS IN COMMISSARY AND EXCHANGE STORES.

(a) LIMITATION.—Section 2484(c) of title 10, United States Code, is amended by adding at the end the following new paragraph:

''(4)(A) A dietary supplement may be sold by a commissary store or exchange store, or a retail establishment operating on a military installation, only if—

''(i) the dietary supplement has been verified by an independent third party for recognized public standards of identity, purity, strength, and composition, and adherence to related process standards; or

''(ii) the dietary supplement complies with Defense Commissary Agency policy on inventory carried by commissaries.

''(B) The Secretary of Defense shall, in consultation with the Commissioner of the Food and Drug Administration, identify the third parties that may provide verification under this paragraph.

''(C) In this paragraph, the term 'dietary supplement' has the meaning given that term in section 201(ff) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 321(ff)).''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect on the date that is one year after the date of the enactment of this Act, and shall apply with respect to sales that occur on or after such effective date.

SA 1563. Mr. BLUMENTHAL submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle C of title VII, add the following:

SEC. 738. REPORT ON IMPLEMENTATION OF DATA SECURITY AND TRANSMISSION STANDARDS FOR ELECTRONIC HEALTH RECORDS.

(a) IN GENERAL.—Not later than June 1, 2016, the Secretary of Defense and the Secretary of Veterans Affairs shall jointly submit to Congress a report on the standards for security and transmission of data to be implemented by the Department of Defense and the Department of Veterans Affairs in deploying the new or updated, as the case may be, electronic health record system of each such Department (required to be deployed by each such Department under section 713 of the National Defense Authorization Act for Fiscal Year 2014 (Public Law 113–66; 10 U.S.C. 1071 note)) at military installations and in field environments.

(b) TRANSMISSION OF DATA.—The report required by subsection (a) shall include information on standards for transmission of data between the Department of Defense and the Department of Veterans Affairs and standards for transmission of data between each such Department and private sector entities.

SA 1564. Mr. BLUMENTHAL submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 1085. INCREASE IN CIVIL PENALTIES FOR VIOLATION OF SERVICEMEMBERS CIVIL RELIEF ACT.

(a) IN GENERAL.—Section 801(b)(3) of the Servicemembers Civil Relief Act (50 U.S.C. App. 597(b)(3)) is amended—

(1) in subparagraph (A), by striking ''$55,000'' and inserting ''$110,000''; and

(2) in subparagraph (B), by striking ''$110,000'' and inserting ''$220,000''.

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall take effect on the date that is 180 days after the date of the enactment of this Act and shall apply with respect to violations of the Servicemembers Civil Relief Act (50 U.S.C. App. 501 et seq.) that occur on or after such date.

SA 1565. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

On page 31, strike line 1 and all that follows through ''assessment'' on line 5 and insert the following: ''A Capabilities Based Assessment or equivalent report to assess capability gaps and associated capability requirements and risks for the upgraded Littoral Combat Ship, which is proposed to commence with LCS 33. This assessment or equivalent report''.

SA 1566. Mr. SESSIONS submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

On page 645, between lines 16 and 17, insert the following:

(4) At the 2006 North Atlantic Treaty Organization Summit in Riga, North Atlantic Treaty Organization member countries agreed to commit a minimum of two per cent of their national income or Gross Domestic Product (GDP) to spending on defense.

(5) At the 2014 North Atlantic Treaty Organization Summit in Wales, North Atlantic Treaty Organization member countries agreed that ''allies currently meeting the NATO guideline to spend a minimum of 2% of their Gross Domestic Product (GDP) on defense will aim to continue to do so'' and that ''allies whose current proportion of GDP spent on defense is below this level will: halt any decline in defense expenditure; aim to increase defense expenditure in real terms as GDP grows; aim to move towards the two percent guideline within a decade with a view to meeting their NATO Capability Targets and filling NATO's capability shortfalls''.

(6) In 2015, four out of the 28 North Atlantic Treaty Organization member countries, including the United States, meet the two percent target.

On page 646, strike line 16 and insert the following:

spending; and

(5) the North Atlantic Treaty Organization member countries are strongly urged to meet their commitment to spend two percent of their Gross Domestic Product on defense.

SA 1567. Ms. AYOTTE (for herself, Mr. WICKER, Mr. INHOFE, and Mrs. FISCHER) submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

Beginning on page 728, strike line 12 and all that follows through page 729, line 8, and insert the following:

SEC. 1643. AIR DEFENSE CAPABILITY AT NORTH ATLANTIC TREATY ORGANIZATION MISSILE DEFENSE SITES.

(a) DETERMINATION AND NOTIFICATION.—Not later than 30 days after the date of the enactment of this Act, the Secretary of Defense shall—

(1) determine whether the Aegis Ashore site in Romania and the site to be deployed in the Republic of Poland are capable of defending United States and allied personnel deployed at such sites from air warfare threats, including cruise missiles; and

(2) submit to the congressional defense committees notice of such determination.

(b) PLAN.—

(1) IN GENERAL.—Except as provided in paragraph (3), if the Secretary determines pursuant to subsection (a)(1) that the Aegis Ashore sites described in such subsection are not capable of defending as described in such subsection, the Secretary shall—

(A) submit to the congressional defense committees, along with the annual budget request submitted to Congress under section 1105 of title 31, United States Code, for fiscal year 2017, a plan to ensure that such sites have, by not later than December 31, 2018, anti-air warfare capability that is capable of defending as described in such subsection; and

(B) ensure that, not later than December 31, 2018, both sites described in such subsection have the capability described in such subsection.

(2) ELEMENTS.—The plan submitted under paragraph (1)(A) shall include a descriptions of the contributions that the Secretary anticipates from the North Atlantic Treaty Organization and members of such organization to ensure the sites described in subsection (a)(1) have anti-air warfare capability that is capable of defending as described in such subsection.

(3) DELAY OF IMPLEMENTATION.—The Secretary may delay the requirement in paragraph (1)(B) if the Director of the Missile Defense Agency submits to the congressional defense committees a certification in writing that such delay is necessary to ensure initial operational capability of the ballistic missile defense system at such sites in accordance with the timeline in the 2010 Ballistic Missile Defense Review.

SA 1568. Mr. COTTON submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. UNAUTHORIZED DEALINGS IN SPECIAL NUCLEAR MATERIAL.

Section 57b.(2) of the Atomic Energy Act of 1954 (42 U.S.C. 2077(b)(2)) is amended in the first sentence in the proviso by inserting ''the Director of National Intelligence,'' after ''Commerce,''.

SA 1569. Mr. BURR (for himself and Mrs. BOXER) submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle F of title V, add the following:

SEC. 565. CRIMINAL BACKGROUND CHECKS OF EMPLOYEES OF THE MILITARY CHILD CARE SYSTEM AND PROVIDERS OF CHILD CARE SERVICES AND YOUTH PROGRAM SERVICES FOR MILITARY DEPENDENTS.

(a) EMPLOYEES OF MILITARY CHILD CARE SYSTEM.—Section 1792 of title 10, United States Code, is amended—

(1) by redesignating subsection (d) as subsection (e); and

(2) by inserting after subsection (c) the following new subsection (d):

''(d) CRIMINAL BACKGROUND CHECK.—The criminal background check of child care employees under this section that is required pursuant to section 231 of the Crime Control Act of 1990 (42 U.S.C. 13041) shall be conducted pursuant to regulations prescribed by the Secretary of Defense in accordance with the provisions of section 658H of the Child Care and Development Block Grant Act of 1990 (42 U.S.C. 9858f).''.

(b) PROVIDERS OF CHILD CARE SERVICES AND YOUTH PROGRAM SERVICES.—Section 1798 of such title is amended—

(1) by redesignating subsection (c) as subsection (d); and

(2) by inserting after subsection (b) the following new subsection (c):

''(c) CRIMINAL BACKGROUND CHECK.—A provider of child care services or youth program services may not provide such services under this section unless such provider complies with the requirements for criminal background checks under section 658H of the Child Care and Development Block Grant Act of 1990 (42 U.S.C. 9858f) for the State in which such services are provided.''.

SA 1570. Mr. WARNER (for himself and Mr. CORNYN) submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes;

which was ordered to lie on the table; as follows:

At the end of subtitle G of title XII, add the following:

SEC. 1283. SENSE OF CONGRESS ON THE DEFENSE RELATIONSHIP BETWEEN THE UNITED STATES AND THE REPUBLIC OF INDIA.

(a) FINDINGS.—Congress makes the following findings:

(1) The United States has an upgraded, strategic-plus relationship with India based on regional cooperation, space science cooperation, and defense cooperation.

(2) The defense relationship between the United States and the Republic of India is strengthened by the common commitment of both countries to democracy.

(3) The United States and the Republic of India share a common and long-standing commitment to civilian control of the military.

(4) The United States and the Republic of India have increasingly worked together on defense cooperation across a range of activities, exercises, initiatives, and research.

(b) SENSE OF CONGRESS.—It is the sense of Congress that the United States should—

(1) continue to expand defense cooperation with the Republic of India;

(2) welcome the role of the Republic of India in providing security and stability in the Indo-Pacific region and beyond;

(3) work cooperatively with the Republic of India on matters relating to our common defense;

(4) vigorously support the implementation of the United States-India Defense Framework Agreement; and

(5) support the India Defense Trade and Technology Initiative.

SA 1571. Mr. WARNER (for himself and Mr. CORNYN) submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle C of title V, add the following:

SEC. 524. SENSE OF CONGRESS RECOGNIZING THE DIVERSITY OF THE MEMBERS OF THE ARMED FORCES.

(a) FINDINGS.—Congress finds the following:

(1) The United States military includes individuals with a variety of national, ethnic, and cultural backgrounds that have roots all over the world.

(2) In addition to diverse backgrounds, members of the Armed Forces come from numerous religious traditions, including Christian, Hindu, Jewish, Muslim, Sikh, non-denominational, nonpracticing, and many more.

(3) Members of the Armed Forces from diverse backgrounds and religious traditions have lost their lives or been injured defending the national security of the United States.

(4) Diversity contributes to the strength of the Armed Forces, and service members from different backgrounds and religious traditions share the same goal of defending the United States.

(5) The unity of the Armed Forces reflects the strength in diversity that makes the United States a great Nation.

(b) SENSE OF CONGRESS.—It is the sense of Congress that the United States should—

(1) continue to recognize and promote diversity in the Armed Forces; and

(2) honor those from all diverse backgrounds and religious traditions who have made sacrifices in serving the United States through the Armed Forces.

SA 1572. Mr. SULLIVAN (for himself and Mr. INHOFE) submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle E of title XII, add the following:

SEC. 1264. SENSE OF CONGRESS ON THE UNITED STATES ALLIANCE WITH THE REPUBLIC OF KOREA.

It is the sense of Congress that—

(1) the alliance between the United States and the Republic of Korea has served as an anchor for stability, security, and prosperity on the Korean Peninsula, in the Asia-Pacific region, and around the world;

(2) the United States and the Republic of Korea continue to strengthen and adapt the bilateral, regional, and global scope of the comprehensive strategic alliance between the two nations, to serve as a linchpin of peace and stability in the Asia-Pacific region, recognizing the shared values of democracy, human rights, free and open marketS, and the rule of law, as reaffirmed in the May 2013 ''Joint Declaration in Commemoration of the 60th Anniversary of the Alliance between the Republic of Korea and the United States of America'';

(3) the United States and the Republic of Korea continue to broaden and deepen the alliance by strengthening the combined defense posture on the Korean Peninsula, enhancing mutual security based on the Republic of Korea-United States Mutual Defense Treaty, and promoting cooperation for regional and global security in the 21st century;

(4) the United States and the Republic of Korea share deep concerns that the nuclear, cyber, and ballistic missiles programs of North Korea and its repeated provocations pose grave threats to peace and stability on the Korean Peninsula and Northeast Asia and recognize that both nations are determined to achieve the peaceful denuclearization of North Korea and remain fully committed to continuing close cooperation on the full range of issues related to North Korea;

(5) the United States and the Republic of Korea are particularly concerned that the nuclear and ballistic missile programs of North Korea, including North Korean efforts to miniaturize their nuclear technology and improve the mobility of their ballistic missiles, have gathered significant momentum and are poised to expand in the coming years;

(6) the Republic of Korea has made progress in enhancing future warfighting and interoperability capabilities by taking steps toward procuring Patriot Advanced Capability missiles, F–35 Joint Strike Fighter Aircraft, and RQ–4 Global Hawk Surveillance Aircraft;

(7) the United States supports the vision of a Korean Peninsula free of nuclear weapons, free from the fear of war, and peacefully reunited on the basis of democratic and free market principles, as articulated in President Park's address in Dresden, Germany; and

(8) the United States and the Republic of Korea share the future interests of both nations in securing peace and stability on the Korean Peninsula and in Northeast Asia.

SA 1573. Mr. LEE submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 10___. REPORT ON UNITED STATES CONTRIBUTIONS TO THE UNITED NATIONS.

(a) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, and annually thereafter, the Director of the Office of Management and Budget shall submit to Congress a report on all assessed and voluntary contributions, including in-kind, of the United States Government to the United Nations and its affiliated agencies and related bodies during the previous fiscal year.

(b) CONTENT.—The report required under subsection (a) shall include the following elements:

(1) The total amount of all assessed and voluntary contributions, including in-kind, of the United States Government to the United Nations and United Nations affiliated agencies and related bodies.

(2) The approximate percentage of United States Government contributions to each United Nations affiliated agency or body in such fiscal year when compared with all contributions to such agency or body from any source in such fiscal year.

(3) For each such contribution—

(A) the amount of the contribution;

(B) a description of the contribution (including whether assessed or voluntary);

(C) the department or agency of the United States Government responsible for the contribution;

(D) the purpose of the contribution; and

(E) the United Nations or United Nations affiliated agency or related body receiving the contribution.

(c) SCOPE OF INITIAL REPORT.—The first report required under subsection (a) shall include the information required under this section for the previous five fiscal years.

(d) PUBLIC AVAILABILITY OF INFORMATION.—Not later than 14 days after submitting a report required under subsection (a), the Director of the Office of Management and Budget shall post a public version of the report on a text-based, searchable, and publicly available Internet website.

SA 1574. Mrs. BOXER submitted an amendment intended to be proposed to

amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle B of title V, add the following:

SEC. 515. PILOT PROGRAM ON JOB PLACEMENT AND RELATED EMPLOYMENT ASSISTANCE FOR MEMBERS OF THE NATIONAL GUARD AND THE RESERVES.

(a) PILOT PROGRAM AUTHORIZED.—

(1) IN GENERAL.—The Secretary of Defense may carry out a pilot program to enhance the efforts of the Department of Defense to provide job placement assistance and related employment services directly to members of the National Guard and the Reserves.

(2) CONSULTATION.—The Secretary shall carry out the pilot program in consultation with the Chief of the National Guard Bureau.

(b) ELIGIBLE MEMBERS.—The members of the National Guard and the Reserves eligible for job placement assistance and related employment services under the pilot program are such categories of members as the Secretary shall specify for purposes of the pilot program.

(c) ASSISTANCE AND SERVICES.—The mechanisms assessed under the pilot program shall include mechanisms as follows:

(1) To identify unemployed and underemployed members of the National Guard and the Reserves.

(2) To provide job placement assistance and related employment services to members of the National Guard and the Reserves on an individualized basis, including—

(A) resume writing and interview preparation assistance and services;

(B) cost-effective job placement services;

(C) post-employment follow up services; and

(D) such other assistance and services as the Secretary shall specify for purposes of the pilot program.

(d) DISCHARGE.—

(1) DISCHARGE THROUGH ADJUTANTS GENERAL.—The Secretary shall provide for the carrying out of the pilot program through the Adjutants General of the States.

(2) OUTREACH.—The Adjutants General shall take appropriate actions to facilitate participation in the pilot program by eligible members of the National Guard and the Reserves, including through outreach to unit commanders.

(e) STATE MATCHING SHARE OF FUNDS.—In order for the pilot program to be carried out in a State, the State shall agree to contribute to the carrying out of the pilot program an amount, derived from non-Federal sources, equal to at least 30 percent of the funds provided by the Secretary for carrying out the pilot program in the State.

(f) EVALUATION METRICS.—The Secretary shall establish metrics for purposes of evaluating the success of the pilot program.

(g) ANNUAL REPORT.—

(1) IN GENERAL.—The Secretary shall submit to the congressional defense committees on an annual basis a report on the activities, if any, under the pilot program during the preceding fiscal year.

(2) ELEMENTS.—Each report under this subsection shall include the following:

(A) A description of the activities under the pilot program during the fiscal year covered by such report, set forth by State in which the pilot program was carried out, including—

(i) the number of members of the National Guard and the Reserves who participated in the pilot program;

(ii) the job placement assistance and related employment services provided to such members under the pilot program; and

(iii) the number of members of the National Guard and Reserves who obtained employment through participation in the pilot program.

(B) A comparison of the pilot program with other programs conducted by the Department of Defense during such fiscal year to provide job placement assistance and related employment services to unemployed and underemployed members of the National Guard and the Reserves, including the costs of services per individual under such programs.

(C) An assessment of the impact of the pilot program, and increased employment among members of the National Guard and the Reserves as a result of the pilot program, on the readiness of the reserve components of the Armed Forces.

(D) Such recommendations for improvement or extension of the pilot program as the Secretary considers appropriate.

(E) Such other matters relating to the pilot program as the Secretary considers appropriate.

(h) LIMITATION ON FUNDING.—The amount obligated by the Secretary in any fiscal year to carry out the pilot program may not exceed $20,000,000.

(i) SUNSET.—

(1) IN GENERAL.—Except as provided in paragraph (2), the authority to carry out the pilot program shall expire on September 30, 2019.

(2) TWO-YEAR EXTENSION.—The Secretary may continue to carry out the pilot program for a period, not in excess of two years, after September 30, 2019, if the Secretary considers continuation of the pilot program for such period to be advisable.

SA 1575. Mrs. BOXER (for herself, Ms. BALDWIN, Mr. MARKEY, and Mrs. FEINSTEIN) submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 1085. PILOT PROGRAM ON PROVISION OF FURNITURE, HOUSEHOLD ITEMS, AND OTHER ASSISTANCE TO HOMELESS VETERANS MOVING INTO PERMANENT HOUSING.

(a) PILOT PROGRAM REQUIRED.—

(1) IN GENERAL.—Not later than one year after the date of the enactment of this Act, the Secretary of Veterans Affairs shall commence a pilot program to assess the feasibility and advisability of awarding grants to eligible entities to provide furniture, household items, and other assistance to covered veterans moving into permanent housing to facilitate the settlement of such covered veterans in such housing.

(2) ELIGIBLE ENTITIES.—For purposes of the pilot program, an eligible entity is any of the following:

(A) A veterans service agency.

(B) A veterans service organization.

(C) A nongovernmental organization that—

(i) is described in paragraph (3), (4), or (19) of section 501(c) of the Internal Revenue Code of 1986 and is exempt from taxation under section 501(a) of such code; and

(ii) has an established history of providing assistance to veterans or the homeless.

(3) COVERED VETERANS.—For purposes of the pilot program, a covered veteran is any of the following:

(A) A formerly homeless veteran who is receiving housing, clinical services, and case management assistance under section 8(o)(19) of the United States Housing Act of 1937 (42 U.S.C. 1437f(o)(19)).

(B) A veteran who is receiving—

(i) assistance from, or is the beneficiary of a service furnished by, a program that is in receipt of a grant under section 2011 of title 38, United States Code; or

(ii) services for which per diem payment is received under section 2012 of such title.

(C) A veteran who is—

(i) a beneficiary of the outreach program carried out under section 2022(e) of such title; or

(ii) in receipt of referral or counseling services from the program carried out under section 2023 of such title.

(D) A veteran who is receiving a service or assistance under section 2031 of such title.

(E) A veteran who is residing in therapeutic housing operated under section 2032 of such title.

(F) A veteran who is receiving domiciliary services under section 2043 of such title or domiciliary care under section 1710(b) of such title.

(G) A veteran who is receiving supportive services under section 2044 of such title.

(4) DURATION.—The Secretary shall carry out the pilot program during the three-year period beginning on the date of the commencement of the pilot program.

(b) GRANTS.—

(1) IN GENERAL.—The Secretary shall carry out the pilot program through the award of grants to eligible entities for the provision of furniture and other household items as described in subsection (a)(1).

(2) MAXIMUM AMOUNT.—The amount of a grant awarded under the pilot program shall not exceed $500,000.

(c) SELECTION OF GRANT RECIPIENTS.—

(1) APPLICATION.—An eligible entity seeking a grant under the pilot program shall submit to the Secretary an application therefor in such form and in such manner as the Secretary considers appropriate.

(2) SELECTION PRIORITY.—

(A) COMMUNITIES WITH GREATEST NEED.—Subject to subparagraph (B), in accordance with regulations the Secretary shall prescribe, the Secretary shall give priority in the awarding of grants under the pilot program to eligible entities who serve communities which the Secretary determines have the greatest need of homeless services.

(B) GEOGRAPHIC DISTRIBUTION.—The Secretary may give priority in the awarding of grants under the pilot program to achieve a fair distribution, as determined by the Secretary, among eligible entities serving covered veterans in different geographic regions, including in rural communities and tribal lands.

(d) USE OF GRANT FUNDS.—

(1) IN GENERAL.—Except as provided in paragraph (2), each eligible entity receiving

a grant under the pilot program shall use the grant—

(A) to coordinate with the Secretary to facilitate distribution of furniture and other household items to covered veterans moving into permanent housing;

(B) to purchase, or otherwise obtain via donation, furniture and household items for use by such covered veterans;

(C) to distribute such furniture and household items to such covered veterans; and

(D) to pay for background checks, provide security deposits, provide funds for utilities, and provide moving expenses for such covered veterans that are necessary for the settlement of such covered veterans in such housing.

(2) MAXIMUM AMOUNT OF ASSISTANCE.—A recipient of a grant awarded under the pilot program may not expend more than $2,500 of the amount of the grant awarded for the provision to a single covered veteran of assistance under the pilot program.

(3) MEMORANDUMS OF UNDERSTANDING.—In the case of an eligible entity receiving a grant under the pilot program that entered into a memorandum of understanding with the Secretary before the date of the enactment of this Act that provides for the provision of furniture and other household items to covered veterans as described in subsection (a) without Federal compensation, the eligible entity may use the grant in accordance with the provisions of such memorandum of understanding in lieu of paragraph (1).

(4) FULL USE OF FUNDS.—

(A) IN GENERAL.—A recipient of a grant awarded under the pilot program shall use the full amount of the grant by not later than one year after the date on which the Secretary awards such grant.

(B) RECOVERY.—The Secretary may recover from a recipient of a grant awarded under this section all of the unused amounts of the grant if all of the amounts of the grant are not used—

(i) pursuant to paragraph (1) and subparagraph (A) of this paragraph; or

(ii) in a case described in paragraph (3), pursuant to an applicable memorandum of understanding.

(e) OUTREACH.—The Secretary shall conduct outreach, including under chapter 63 of title 38, United States Code, to inform covered veterans about their eligibility to receive household items, furniture, and other assistance under the pilot program.

(f) REGULATIONS.—The Secretary shall prescribe regulations for—

(1) evaluating an application by an eligible entity for a grant under the pilot program; and

(2) otherwise administering the pilot program.

(g) REPORT.—

(1) IN GENERAL.—Not later than the date that is 90 days after the last day of the pilot program, the Secretary shall submit to Congress a report on the pilot program.

(2) CONTENTS.—The report submitted under paragraph (1) shall include the following:

(A) An assessment of the pilot program.

(B) The findings of the Secretary with respect to the feasibility and advisability of awarding grants to eligible entities as described in subsection (a)(1).

(C) Such recommendations as the Secretary may have for legislative or administrative action to facilitate the settlement of covered veterans into permanent housing.

(h) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Secretary to carry out this section $5,000,000 for each year of the pilot program.

(i) DEFINITIONS.—In this section:

(1) OUTREACH.—The term ''outreach'' has the meaning given such term in section 6301(b)(1) of title 38, United States Code.

(2) VETERANS SERVICE AGENCY.—The term ''veterans service agency'' means a unit of a State government, or a political subdivision thereof, that has primary responsibility for programs and activities of such government or subdivision related to veterans benefits.

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

SA 1576. Mrs. BOXER submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle F of title III, add the following:

SEC. 355. USE OF AIR NATIONAL GUARD AND AIR FORCE RESERVE FOR INITIAL AIRBORNE RESPONSE TO FIGHTING WILDFIRES.

(a) INTERAGENCY AGREEMENTS.—Subject to subsection (b), in order to prevent the loss of life and reduce property losses from wildfires, section 1535(a)(4) of title 31, United States Code, shall not apply to limit the use of interagency agreements with the Air National Guard or Air Force Reserve to procure the services of a unit of the Air National Guard or Air Force Reserve to conduct Defense Support to Civil Authority (DSCA) missions utilizing military fixed-wing aerial firefighting aircraft, including Modular Airborne Fire Fighting System (MAFFS) units, in the airborne response to fighting wildfires.

(b) LIMITATIONS.—Section 1535(a)(4) of title 31, United States Code, shall not apply to interagency agreements described in subsection (a) only when a requesting agency determines that—

(1) privately contracted fixed-wing aerial firefighting aircraft are unavailable;

(2) there is an unfilled request for fixed-wing aerial firefighting aircraft, including MAFFS units, to perform an initial airborne response; or

(3) fixed-wing aerial firefighting aircraft, including MAFFS units, are needed to supplement privately contracted fixed-wing aerial firefighting aircraft.

(c) RULE OF CONSTRUCTION.—Nothing in this section shall be interpreted as diminishing the role of contractor owned and operated fixed-wing aircraft as the primary source of aerial firefighting assets for the Federal wildland firefighting agencies.

SA 1577. Mrs. FEINSTEIN (for herself and Mr. GRASSLEY) submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SECTION 1085. TRANSNATIONAL DRUG TRAFFICKING ACT.

(a) SHORT TITLE.—This section may be cited as the ''Transnational Drug Trafficking Act of 2015''.

(b) POSSESSION, MANUFACTURE OR DISTRIBUTION FOR PURPOSES OF UNLAWFUL IMPORTATIONS.—Section 1009 of the Controlled Substances Import and Export Act (21 U.S.C. 959) is amended—

(1) by redesignating subsections (b) and (c) as subsections (c) and (d), respectively; and

(2) in subsection (a), by striking ''It shall'' and all that follows and inserting the following: ''It shall be unlawful for any person to manufacture or distribute a controlled substance in schedule I or II or flunitrazepam or a listed chemical intending, knowing, or having reasonable cause to believe that such substance or chemical will be unlawfully imported into the United States or into waters within a distance of 12 miles of the coast of the United States.

''(b) It shall be unlawful for any person to manufacture or distribute a listed chemical—

''(1) intending or knowing that the listed chemical will be used to manufacture a controlled substance; and

''(2) intending, knowing, or having reasonable cause to believe that the controlled substance will be unlawfully imported into the United States.''.

(c) TRAFFICKING IN COUNTERFEIT GOODS OR SERVICES.—Chapter 113 of title 18, United States Code, is amended—

(1) in section 2318(b)(2), by striking ''section 2320(e)'' and inserting ''section 2320(f)''; and

(2) in section 2320—

(A) in subsection (a), by striking paragraph (4) and inserting the following:

''(4) traffics in a drug and knowingly uses a counterfeit mark on or in connection with such drug,'';

(B) in subsection (b)(3), in the matter preceding subparagraph (A), by striking ''counterfeit drug'' and inserting ''drug that uses a counterfeit mark on or in connection with the drug''; and

(C) in subsection (f), by striking paragraph (6) and inserting the following:

''(6) the term 'drug' means a drug, as defined in section 201 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 321).''.

SA 1578. Mrs. GILLIBRAND (for herself, Mrs. BOXER, Mr. GRASSLEY, Mr. CRUZ, Ms. MURKOWSKI, Mr. BLUMENTHAL, Mrs. SHAHEEN, Ms. HIRONO, Mr. PAUL, Mr. COONS, Mr. HELLER, Mr. DURBIN, Mr. KIRK, Mr. MARKEY, Mr. CARDIN, Mr. MENENDEZ, Mr. UDALL, Mr. SCHUMER, Mr. WYDEN, Mr. SCHATZ, Ms. BALDWIN, Ms. STABENOW, Mr. DONNELLY, Mr. HEINRICH, Ms. WARREN, and Mr. LEAHY) submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the

Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title V, add the following:

Subtitle I—Uniform Code of Military Justice Reform

SEC. 596. SHORT TITLE.

This subtitle may be cited as the ''Military Justice Improvement Act of 2015''.

SEC. 597. MODIFICATION OF AUTHORITY TO DETERMINE TO PROCEED TO TRIAL BY COURT-MARTIAL ON CHARGES ON CERTAIN OFFENSES WITH AUTHORIZED MAXIMUM SENTENCE OF CONFINEMENT OF MORE THAN ONE YEAR.

(a) MODIFICATION OF AUTHORITY.—

(1) IN GENERAL.—

(A) MILITARY DEPARTMENTS.—With respect to charges under chapter 47 of title 10, United States Code (the Uniform Code of Military Justice), that allege an offense specified in paragraph (2) and not excluded under paragraph (3), the Secretary of Defense shall require the Secretaries of the military departments to provide for the determination under section 830(b) of such chapter (article 30(b) of the Uniform Code of Military Justice) on whether to try such charges by court-martial as provided in paragraph (4).

(B) HOMELAND SECURITY.—With respect to charges under chapter 47 of title 10, United States Code (the Uniform Code of Military Justice), that allege an offense specified in paragraph (2) and not excluded under paragraph (3) against a member of the Coast Guard (when it is not operating as a service in the Navy), the Secretary of Homeland Security shall provide for the determination under section 830(b) of such chapter (article 30(b) of the Uniform Code of Military Justice) on whether to try such charges by court-martial as provided in paragraph (4).

(2) COVERED OFFENSES.—An offense specified in this paragraph is an offense as follows:

(A) An offense under chapter 47 of title 10, United States Code (the Uniform Code of Military Justice), that is triable by court-martial under that chapter for which the maximum punishment authorized under that chapter includes confinement for more than one year.

(B) An offense of retaliation for reporting a crime under section 893 of title 10, United States Code (article 93 of the Uniform Code of Military Justice), as amended by section 599B of this Act, regardless of the maximum punishment authorized under that chapter for such offense.

(C) An offense under section 907a of title 10, United States Code (article 107a of the Uniform Code of Military Justice), as added by section 599C of this Act, regardless of the maximum punishment authorized under that chapter for such offense.

(D) A conspiracy to commit an offense specified in subparagraph (A) through (C) as punishable under section 881 of title 10, United States Code (article 81 of the Uniform Code of Military Justice).

(E) A solicitation to commit an offense specified in subparagraph (A) through (C) as punishable under section 882 of title 10, United States Code (article 82 of the Uniform Code of Military Justice).

(F) An attempt to commit an offense specified in subparagraphs (A) through (E) as punishable under section 880 of title 10, United States Code (article 80 of the Uniform Code of Military Justice).

(3) EXCLUDED OFFENSES.—Paragraph (1) does not apply to an offense as follows:

(A) An offense under sections 883 through 917 of title 10, United States Code (articles 83 through 117 of the Uniform Code of Military Justice).

(B) An offense under section 933 or 934 of title 10, United States Code (articles 133 and 134 of the Uniform Code of Military Justice).

(C) A conspiracy to commit an offense specified in subparagraph (A) or (B) as punishable under section 881 of title 10, United States Code (article 81 of the Uniform Code of Military Justice).

(D) A solicitation to commit an offense specified in subparagraph (A) or (B) as punishable under section 882 of title 10, United States Code (article 82 of the Uniform Code of Military Justice).

(E) An attempt to commit an offense specified in subparagraph (A) through (D) as punishable under section 880 of title 10, United States Code (article 80 of the Uniform Code of Military Justice).

(4) REQUIREMENTS AND LIMITATIONS.—The disposition of charges pursuant to paragraph (1) shall be subject to the following:

(A) The determination whether to try such charges by court-martial shall be made by a commissioned officer of the Armed Forces designated in accordance with regulations prescribed for purposes of this subsection from among commissioned officers of the Armed Forces in grade O–6 or higher who—

(i) are available for detail as trial counsel under section 827 of title 10, United States Code (article 27 of the Uniform Code of Military Justice);

(ii) have significant experience in trials by general or special court-martial; and

(iii) are outside the chain of command of the member subject to such charges.

(B) Upon a determination under subparagraph (A) to try such charges by court-martial, the officer making that determination shall determine whether to try such charges by a general court-martial convened under section 822 of title 10, United States Code (article 22 of the Uniform Code of Military Justice), or a special court-martial convened under section 823 of title 10, United States Code (article 23 of the Uniform Code of Military Justice).

(C) A determination under subparagraph (A) to try charges by court-martial shall include a determination to try all known offenses, including lesser included offenses.

(D) The determination to try such charges by court-martial under subparagraph (A), and by type of court-martial under subparagraph (B), shall be binding on any applicable convening authority for a trial by court-martial on such charges.

(E) The actions of an officer described in subparagraph (A) in determining under that subparagraph whether or not to try charges by court-martial shall be free of unlawful or unauthorized influence or coercion.

(F) The determination under subparagraph (A) not to proceed to trial of such charges by general or special court-martial shall not operate to terminate or otherwise alter the authority of commanding officers to refer such charges for trial by summary court-martial convened under section 824 of title 10, United States Code (article 24 of the Uniform Code of Military Justice), or to impose non-judicial punishment in connection with the conduct covered by such charges as authorized by section 815 of title 10, United States Code (article 15 of the Uniform Code of Military Justice).

(5) CONSTRUCTION WITH CHARGES ON OTHER OFFENSES.—Nothing in this subsection shall be construed to alter or affect the disposition of charges under chapter 47 of title 10, United States Code (the Uniform Code of Military Justice), that allege an offense triable by court-martial under that chapter for which the maximum punishment authorized under that chapter includes confinement for one year or less.

(6) POLICIES AND PROCEDURES.—

(A) IN GENERAL.—The Secretaries of the military departments and the Secretary of Homeland Security (with respect to the Coast Guard when it is not operating as a service in the Navy) shall revise policies and procedures as necessary to comply with this subsection.

(B) UNIFORMITY.—The General Counsel of the Department of Defense and the General Counsel of the Department of Homeland Security shall jointly review the policies and procedures revised under this paragraph in order to ensure that any lack of uniformity in policies and procedures, as so revised, among the military departments and the Department of Homeland Security does not render unconstitutional any policy or procedure, as so revised.

(7) MANUAL FOR COURTS-MARTIAL.—The Secretary of Defense shall recommend such changes to the Manual for Courts-Martial as are necessary to ensure compliance with this subsection.

(b) EFFECTIVE DATE AND APPLICABILITY.—Subsection (a), and the revisions required by that subsection, shall take effect on the date that is 180 days after the date of the enactment of this Act, and shall apply with respect to charges preferred under section 830 of title 10, United States Code (article 30 of the Uniform Code of Military Justice), on or after such effective date.

SEC. 598. MODIFICATION OF OFFICERS AUTHORIZED TO CONVENE GENERAL AND SPECIAL COURTS-MARTIAL.

(a) IN GENERAL.—Subsection (a) of section 822 of title 10, United States Code (article 22 of the Uniform Code of Military Justice), is amended—

(1) by redesignating paragraphs (8) and (9) as paragraphs (9) and (10), respectively; and

(2) by inserting after paragraph (7) the following new paragraph (8):

''(8) the officers in the offices established pursuant to section 598(c) of the Military Justice Improvement Act of 2015 or officers in the grade of O–6 or higher who are assigned such responsibility by the Chief of Staff of the Army, the Chief of Naval Operations, the Chief of Staff of the Air Force, the Commandant of the Marine Corps, or the Commandant of the Coast Guard, but only with respect to offenses to which section 597(a)(1) of the Military Justice Improvement Act of 2015 applies;''.

(b) NO EXERCISE BY OFFICERS IN CHAIN OF COMMAND OF ACCUSED OR VICTIM.—Such section (article) is further amended by adding at the end the following new subsection:

''(c) An officer specified in subsection (a)(8) may not convene a court-martial under this section if the officer is in the chain of command of the accused or the victim.''.

(c) OFFICES OF CHIEFS OF STAFF ON COURTS-MARTIAL.—

(1) OFFICES REQUIRED.—Each Chief of Staff of the Armed Forces or Commandant specified in paragraph (8) of section 822(a) of title 10, United States Code (article 22(a) of the Uniform Code of Military Justice), as amended by subsection (a), shall establish an office to do the following:

(A) To convene general and special courts-martial under sections 822 and 823 of title 10, United States Code (articles 22 and 23 of the

Uniform Code of Military Justice), pursuant to paragraph (8) of section 822(a) of title 10, United States Code (article 22(a) of the Uniform Code of Military Justice), as so amended, with respect to offenses to which section 597(a)(1) applies.

(B) To detail under section 825 of title 10, United States Code (article 25 of the Uniform Code of Military Justice), members of courts-martial convened as described in subparagraph (A).

(2) PERSONNEL.—The personnel of each office established under paragraph (1) shall consist of such members of the Armed Forces and civilian personnel of the Department of Defense, or such members of the Coast Guard or civilian personnel of the Department of Homeland Security, as may be detailed or assigned to the office by the Chief of Staff or Commandant concerned. The members and personnel so detailed or assigned, as the case may be, shall be detailed or assigned from personnel billets in existence on the date of the enactment of this Act.

SEC. 599. DISCHARGE USING OTHERWISE AUTHORIZED PERSONNEL AND RESOURCES.

(a) IN GENERAL.—The Secretaries of the military departments and the Secretary of Homeland Security (with respect to the Coast Guard when it is not operating as a service in the Navy) shall carry out sections 597 and 598 (and the amendments made by section 598) using personnel, funds, and resources otherwise authorized by law.

(b) NO AUTHORIZATION OF ADDITIONAL PERSONNEL OR RESOURCES.—Sections 597 and 598 (and the amendments made by section 598) shall not be construed as authorizations for personnel, personnel billets, or funds for the discharge of the requirements in such sections.

SEC. 599A. MONITORING AND ASSESSMENT OF MODIFICATION OF AUTHORITIES ON COURTS-MARTIAL BY INDEPENDENT PANEL ON REVIEW AND ASSESSMENT OF PROCEEDINGS UNDER THE UNIFORM CODE OF MILITARY JUSTICE.

Section 576(d)(2) of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112–239; 126 Stat. 1762) is amended—

(1) by redesignating subparagraph (J) as subparagraph (K); and

(2) by inserting after subparagraph (I) the following new subparagraph (J):

''(J) Monitor and assess the implementation and efficacy of sections 597 through 599 of the Military Justice Improvement Act of 2015, and the amendments made by such sections.''.

SEC. 599B. EXPLICIT CODIFICATION OF RETALIATION FOR REPORTING A CRIME AS AN OFFENSE UNDER THE UNIFORM CODE OF MILITARY JUSTICE.

(a) IN GENERAL.—Section 893 of title 10, United States Code (article 93 of the Uniform Code of Military Justice), is amended—

(1) by inserting ''(a)'' before ''Any person'';

(2) in subsection (a), as so designated, by inserting '', or retaliating against any person subject to his orders for reporting a criminal offense,'' after ''any person subject to his orders''; and

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

''(b) This section (article) is the sole section of this chapter under which the offense of retaliating against any person subject to a person's orders for reporting a criminal offense as described in subsection (a) is punishable.''.

(b) CONFORMING AMENDMENTS.—

(1) SECTION (ARTICLE) HEADING.—The heading of such section (article) is amended to read as follows:

''§ 893. Art. 93. Cruelty and maltreatment; retaliation for reporting a crime''.

(2) TABLE OF SECTIONS (ARTICLES).—The table of sections at the beginning of subchapter X of chapter 47 of such title is amended by striking the item relating to section 893 (article 93) and inserting the following new item:

''893. Art. 93. Cruelty and maltreatment; retaliation for reporting a crime.''.

(c) REPEAL OF SUPERSEDED PROHIBITION.—Section 1709 of the National Defense Authorization Act for Fiscal Year 2014 (Public Law 113–66; 127 Stat. 962; 10 U.S.C. 113 note) is repealed.

SEC. 599C. ESTABLISHMENT OF OBSTRUCTION OF JUSTICE AS A SEPARATE OFFENCE UNDER THE UNIFORM CODE OF MILITARY JUSTICE.

(a) PUNITIVE ARTICLE.—Subchapter X of chapter 47 of title 10, United States Code (the Uniform Code of Military Justice), is amended by inserting after section 907 (article 107) the following new section (article):

''§ 907a. Art. 107a. Obstruction of justice

''(a) Any person subject to this chapter who wrongfully does a certain act with the intent to influence, impede, or otherwise obstruct the due administration of justice shall be punished as a court-martial may direct, except that the maximum punishment authorized for such offense may not exceed dishonorable discharge, forfeiture of all pay and allowances, and confinement for not more than five years.

''(b) This section (article) is the sole section of this chapter under which an offense described in subsection (a) is punishable.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of subchapter X of chapter 47 of such title, as amended by section 599B(b)(2) of this Act, is further amended by inserting after the item relating to section 907 (article 107) the following new item:

''907a. Art. 107a. Obstruction of justice.''.

SA 1579. Mrs. ERNST submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle E of title XVI, add the following:

SEC. 1664. SENSE OF CONGRESS ON MAINTAINING AND ENHANCING MILITARY INTELLIGENCE SUPPORT TO FORCE PROTECTION FOR INSTALLATIONS, FACILITIES, AND PERSONNEL OF THE DEPARTMENT OF DEFENSE.

(a) FINDINGS.—Congress makes the following findings:

(1) Maintaining appropriate force protection for deployed personnel of the Department of Defense and their families is a priority for Congress.

(2) Installations, facilities, and personnel of the Department in Europe face a rising threat from international terrorist groups operating in Europe, from individuals inspired by such groups, and from those traversing through Europe to join or return from fighting the terrorist organization known as the ''Islamic State of Iraq and the Levant'' (ISIL) in Iraq and Syria.

(3) Robust military intelligence support to force protection is necessary to detect and thwart potential terrorist plots that, if successful, would have strategic consequences for the United States and the allies of the United States in Europe.

(4) Military intelligence support is also important for detecting and addressing early indicators and warnings of aggression and assertive military action by Russia, particularly action by Russia to destabilize Europe with hybrid or asymmetric warfare.

(b) SENSE OF CONGRESS.—It is the sense of Congress that the Secretary of Defense should maintain and enhance robust military intelligence support to force protection for installations, facilities, and personnel of the Department of Defense and the family members of such personnel, in Europe and worldwide.

SA 1580. Mrs. ERNST submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

On page 684, between lines 19 and 20, insert the following:

(2) in subsection (c)—

(A) in paragraph (2)—

(i) by striking ''unless the Secretary'' and inserting the following: ''unless—

''(A) the Secretary'';

(ii) by striking the period at the end and inserting ''; and''; and

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

''(B) the Secretary certifies to the appropriate congressional committees that the Government of the Russian Federation is no longer—

''(i) violating the territorial integrity of Ukraine; or

''(ii) supporting entities that have illegally seized property of the Government of Ukraine or territory of Ukraine.''; and

(B) by adding at the end the following:

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

''(A) the Committee on Armed Services and the Committee on Foreign Relations of the Senate; and

''(B) the Committee on Armed Services and the Committee on Foreign Affairs of the House of Representatives.''; and

---

SA 1581. Mr. BURR (for himself and Mr. TILLIS) submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 1085. DESIGNATION OF AMERICAN WORLD WAR II CITIES.

(a) IN GENERAL.—The Secretary of Veterans Affairs shall designate at least one city in the United States each year as an ''American World War II City''.

(b) CRITERIA FOR DESIGNATION.—After the designation made under subsection (c), the Secretary, in consultation with the Secretary of Defense, shall make each designation under subsection (a) based on the following criteria:

(1) Contributions by a city to the war effort during World War II, including those related to defense manufacturing, bond drives, service in the Armed Forces, and the presence of military facilities within the city.

(2) Efforts by a city to preserve the history of the city's contributions during World War II, including through the establishment of preservation organizations or museums, restoration of World War II facilities, and recognition of World War II veterans.

(c) FIRST AMERICAN WORLD WAR II CITY.—The city of Wilmington, North Carolina, is designated as an ''American World War II City''.

SA 1582. Mr. BARRASSO (for himself, Mr. CORNYN, and Mr. HOEVEN) submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 1_____. ACTION ON APPLICATIONS; PUBLIC DISCLOSURE OF LNG EXPORT DESTINATIONS.

(a) DECISION DEADLINE.—For proposals that must also obtain authorization from the Federal Energy Regulatory Commission or the United States Maritime Administration to site, construct, expand, or operate liquefied natural gas export facilities, the Secretary of Energy (referred to in this section as the ''Secretary'') shall issue a final decision on any application for the authorization to export natural gas under section 3(a) of the Natural Gas Act (15 U.S.C. 717b(a)) not later than 45 days after the later of—

(1) the conclusion of the review to site, construct, expand, or operate the liquefied natural gas export facilities required by the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.); or

(2) the date of enactment of this Act.

(b) CONCLUSION OF REVIEW.—For purposes of subsection (a), review required by the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) shall be considered concluded when the lead agency—

(1) for a project requiring an Environmental Impact Statement, publishes a Final Environmental Impact Statement;

(2) for a project for which an Environmental Assessment has been prepared, publishes a Finding of No Significant Impact; or

(3) determines that an application is eligible for a categorical exclusion pursuant to National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) implementing regulations.

(c) JUDICIAL ACTION.—

(1) JURISDICTION.—The United States Court of Appeals for the District of Columbia Circuit or the circuit in which the liquefied natural gas export facility will be located pursuant to an application described in subsection (a) shall have original and exclusive jurisdiction over any civil action for the review of—

(A) an order issued by the Secretary with respect to such application; or

(B) the failure of the Secretary to issue a final decision on such application.

(2) ORDER TO ISSUE DECISION.—If the Court in a civil action described in paragraph (1) finds that the Secretary has failed to issue a decision on the application as required under subsection (a), the Court shall order the Secretary to issue the decision not later than 30 days after the Court's order.

(3) EXPEDITED CONSIDERATION.—The Court shall set any civil action brought under this subsection for expedited consideration and shall set the matter on the docket as soon as practical after the filing date of the initial pleading.

(4) APPEALS.—In the case of an application described in subsection (a) for which a petition for review has been filed—

(A) upon motion by an applicant, the matter shall be transferred to the United States Court of Appeals for the District of Columbia Circuit or the circuit in which a liquefied natural gas export facility will be located pursuant to an application described in section 3(a) of the Natural Gas Act (15 U.S.C. 717b(a)); and

(B) the provisions of this Act shall apply.

(d) PUBLIC DISCLOSURE OF EXPORT DESTINATIONS.—Section 3 of the Natural Gas Act (15 U.S.C. 717b) is amended by adding at the end the following:

''(g) PUBLIC DISCLOSURE OF LNG EXPORT DESTINATIONS.—

''(1) IN GENERAL.—In the case of any authorization to export liquefied natural gas, the Secretary of Energy shall require the applicant to report to the Secretary of Energy the names of the 1 or more countries of destination to which the exported liquefied natural gas is delivered.

''(2) TIMING.—The applicant shall file the report required under paragraph (1) not later than—

''(A) in the case of the first export, the last day of the month following the month of the first export; and

''(B) in the case of subsequent exports, the date that is 30 days after the last day of the applicable month concerning the activity of the previous month.

''(3) DISCLOSURE.—The Secretary of Energy shall publish the information reported under this subsection on the website of the Department of Energy and otherwise make the information available to the public.''.

SA 1583. Mr. BLUMENTHAL submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 1085. FINANCING OF EXPORTATION OF DEFENSE ARTICLES AND DEFENSE SERVICES BY EXPORT-IMPORT BANK OF THE UNITED STATES.

Section 2(b)(6)(I)(i)(I) of the Export-Import Bank Act of 1945 (12 U.S.C. 635(b)(6)(I)(i)(I)) is amended to read as follows:

''(I)(aa) the Bank determines that the end use of the defense articles or services includes civilian purposes; or

''(bb) the President determines that the transaction is in the national security interests of the United States; and''.

SA 1584. Mr. MURPHY submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 1049. MODIFICATION OF DEPARTMENT OF DEFENSE DIRECTIVE 1350.2 TO ESTABLISH SEXUAL ORIENTATION AS A PROTECTED CATEGORY UNDER THE DEPARTMENT OF DEFENSE MILITARY EQUAL OPPORTUNITY PROGRAM.

The Under Secretary of Defense for Personnel and Readiness shall modify Department of Defense Directive 1350.2, relating to the Department of Defense Military Equal Opportunity (MEO) Program, in order to establish sexual orientation as a protected category under that Program.

SA 1585. Mr. MURPHY submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 1085. METHODS FOR VALIDATING CERTAIN SERVICE CONSIDERED TO BE ACTIVE SERVICE BY THE SECRETARY OF VETERANS AFFAIRS.

(a) FINDINGS.—Congress makes the following findings:

(1) The Merchant Marine Act, 1936 established the United States Maritime Commission, and stated as a matter of policy that the United States should have a merchant marine that is ''capable of serving as a naval and military auxiliary in time of war or national emergency''.

(2) The Social Security Act Amendments of 1939 (Public Law 76–379) expanded the definition of employment to include service ''on or in connection with an American vessel under contract of service which is entered into within the United States or during the performance of which the vessel touches at a port in the United States, if the employee is employed on and in connection with such vessel''.

(3) The Joint Resolution to repeal sections 2, 3, and 6 of the Neutrality Act of 1939, and for other purposes (Public Law 77–294; 55 Stat. 764) repealed section 6 of the Neutrality Act of 1939 (related to the arming of United States vessels) and authorized the President during the national emergency to arm or permit to arm any United States vessel.

(4) On February 7, 1942, President Franklin D. Roosevelt, through Executive Order Number 9054, established the War Shipping Administration that was charged with building or purchasing, and operating the civilian shipping vessels needed for the war effort.

(5) During World War II, United States merchant mariners transported goods and materials through ''contested waters'' to the various combat theaters.

(6) At the conclusion of World War II, United States merchant mariners were responsible for transporting several million members of the United States Armed Forces back to the United States.

(7) The GI Bill Improvement Act of 1977 (Public Law 95–202) provided that the Secretary of Defense could determine that service for the Armed Forces by organized groups of civilians, or contractors, be considered ''active service'' for benefits administered by the Veterans Administration.

(8) Department of Defense Directive 1000.20 directed that the determination be made by the Secretary of the Air Force, and established the Civilian/Military Service Review Board and Advisory Panel.

(9) In 1987, three merchant mariners along with the AFL–CIO sued Edward C. Aldridge, Secretary of the Air Force, challenging the denial of their application for veterans status. In Schumacher v. Aldridge (665 F. Supp. 41 (D.D.C. 1987)), the Court determined that Secretary Aldridge had failed to ''articulate clear and intelligible criteria for the administration'' of the application approval process.

(10) During World War II, women were repeatedly denied issuance of official documentation affirming their merchant marine seamen status by the War Shipping Administration.

(11) Coast Guard Information Sheet #77 (April 1992) identifies the following acceptable forms of documentation for eligibility meeting the requirements set forth in GI Bill Improvement Act of 1977 (Public Law 95–202) and Veterans Programs Enhancement Act of 1998 (Public Law 105–368):

(A) Certificate of shipping and discharge forms.

(B) Continuous discharge books (ship's deck or engine logbooks).

(C) Company letters showing vessel names and dates of voyages.

(12) Coast Guard Commandant Order of 20 March, 1944, relieved masters of tugs, towboats, and seagoing barges of the responsibility of submitting reports of seamen shipped or discharged on forms, meaning certificates of shipping and discharge forms are not available to all eligible individuals seeking to document their eligibility.

(13) Coast Guard Information Sheet #77 (April, 1992) states that ''deck logs were traditionally considered to be the property of the owners of the ships. After World War II, however, the deck and engine logbooks of vessels operated by the War Shipping Administration were turned over to that agency by the ship owners, and were destroyed during the 1970s'', meaning that continuous discharge books are not available to all eligible individuals seeking to document their eligibility.

(14) Coast Guard Information Sheet #77 (April, 1992) states ''some World War II period log books do not name ports visited during the voyage due to wartime security restrictions'', meaning that company letters showing vessel names and dates of voyages are not available to all eligible individuals seeking to document their eligibility.

(b) METHODS.—For the purposes of verifying that an individual performed service under honorable conditions that satisfies the requirements of a coastwise merchant seaman who is recognized pursuant to section 401 of the GI Bill Improvement Act of 1977 (Public Law 95–202; 38 U.S.C. 106 note) as having performed active duty service for the purposes described in subsection (d)(1), the Secretary of Homeland Security shall accept the following:

(1) In the case of an individual who served on a coastwise merchant vessel seeking such recognition for whom no applicable Coast Guard shipping or discharge form, ship logbook, merchant mariner's document or Z-card, or other official employment record is available, the Secretary shall provide such recognition on the basis of applicable Social Security Administration records submitted for or by the individual, together with validated testimony given by the individual or the primary next of kin of the individual that the individual performed such service during the period beginning on December 7, 1941, and ending on December 31, 1946.

(2) In the case of an individual who served on a coastwise merchant vessel seeking such recognition for whom the applicable Coast Guard shipping or discharge form, ship logbook, merchant mariner's document or Z-card, or other official employment record has been destroyed or otherwise become unavailable by reason of any action committed by a person responsible for the control and maintenance of such form, logbook, or record, the Secretary shall accept other official documentation demonstrating that the individual performed such service during period beginning on December 7, 1941, and ending on December 31, 1946.

(3) For the purpose of determining whether to recognize service allegedly performed during the period beginning on December 7, 1941, and ending on December 31, 1946, the Secretary shall recognize masters of seagoing vessels or other officers in command of similarly organized groups as agents of the United States who were authorized to document any individual for purposes of hiring the individual to perform service in the merchant marine or discharging an individual from such service.

(c) TREATMENT OF OTHER DOCUMENTATION.—Other documentation accepted by the Secretary of Homeland Security pursuant to subsection (b)(2) shall satisfy all requirements for eligibility of service during the period beginning on December 7, 1941, and ending on December 31, 1946.

(d) BENEFITS ALLOWED.—

(1) BURIAL BENEFITS ELIGIBILITY.—Service of an individual that is considered active duty pursuant to subsection (b) shall be considered as active duty service with respect to providing burial benefits under chapters 23 and 24 of title 38, United States Code, to the individual.

(2) MEDALS, RIBBONS, AND DECORATIONS.—An individual whose service is recognized as active duty pursuant to subsection (b) may be awarded an appropriate medal, ribbon, or other military decoration based on such service.

(3) STATUS OF VETERAN.—An individual whose service is recognized as active duty pursuant to subsection (b) shall be honored as a veteran but shall not be entitled by reason of such recognized service to any benefit that is not described in this subsection.

(e) DETERMINATION OF COASTWISE MERCHANT SEAMAN.—The Secretary of Homeland Security shall verify that an individual performed service under honorable conditions that satisfies the requirements of a coastwise merchant seaman pursuant to this section without regard to the sex, age, or disability of the individual during the period in which the individual served as such a coastwise merchant seaman.

(f) PRIMARY NEXT OF KIN DEFINED.—In this section, the term ''primary next of kin'' with respect to an individual seeking recognition for service under this section means the closest living relative of the individual who was alive during the period of such service.

(g) EFFECTIVE DATE.—This section shall take effect 90 days after the date of the enactment of this Act.

SA 1586. Mr. MURPHY submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle B of title VIII, add the following:

SEC. 832. MODIFICATION OF BUY AMERICAN REQUIREMENTS FOR ITEMS FOR USE OUTSIDE OF THE UNITED STATES.

Section 8302(a)(2)(A) of title 41, United States Code, is amended, by inserting ''that are needed for national security reasons on an urgent basis'' after ''use outside the United States''.

SA 1587. Mr. TOOMEY submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 1084. TRANSFER OF CERTAIN ITEMS OF THE OMAR BRADLEY FOUNDATION, PENNSYLVANIA, TO A DESCENDANT OF GENERAL OMAR BRADLEY.

(a) TRANSFER AUTHORIZED.—The Omar Bradley Foundation, Pennsylvania, may transfer, without consideration, to the child of General of the Army Omar Nelson Bradley and his first wife Mary Elizabeth Quayle Bradley, namely Elizabeth Bradley, such items of the Omar Bradley estate under the control of the Foundation as the Secretary of the Army determines to be without historic value to the Army.

(b) TIME OF SUBMITTAL OF CLAIM FOR TRANSFER.—No item may be transferred under subsection (a) unless a claim for the transfer of such item is submitted to the Omar Bradley Foundation during the 180-day period beginning on the date of the enactment of this Act.

SA 1588. Mr. TOOMEY submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 1049. INAPPLICABILITY OF REGULATIONS LIMITING THE SALE OR DONATION OF EXCESS PROPERTY OF THE DEPARTMENT OF DEFENSE FOR STATE AND LOCAL LAW ENFORCEMENT ACTIVITIES UNLESS ENACTED BY CONGRESS.

No regulation, rule, guidance, or policy issued on or after May 15, 2015, that limits the sale or donation of excess property of the Federal Government, including excess property of the Department of Defense, to State and local agencies for law enforcement activities (whether pursuant to section 2576a of title 10, United States Code, or any other provision of law, or as a condition on the use of Federal funds) shall have any force or effect unless enacted into law by Congress.

SA 1589. Mr. TOOMEY submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 1085. SENSE OF CONGRESS ON THE THREAT POSED BY VIOLENT ISLAMIC EXTREMISM.

It is the sense of Congress that one of the greatest threats to the safety of the American people is the threat of violent Islamist extremism.

SA 1590. Mr. TOOMEY submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle F of title X, add the following:

SEC. 1065. STUDY ON RADIATION EXPOSURE FROM ATOMIC TESTING CLEANUP ON THE ENEWETAK ATOLL.

(a) STUDY REQUIRED.—The Secretary of Defense, in coordination with the Secretary of Veterans Affairs, shall conduct a study on radiation exposure from the atomic testing cleanup that occurred on the Enewetak Atoll during the period of years beginning with 1977 and ending with 1980.

(b) ELEMENTS.—The study conducted under subsection (a) shall include the following:

(1) A determination of the amount of radiation that members of the Armed Forces and civilians were exposed to as a result of the atomic testing cleanup that described in subsection (a), especially with respect to those who were located on Runit Island during such cleanup.

(2) Identification of the effects of the exposure described in paragraph (1).

(3) An estimate of the number of surviving veterans and other civilians who were exposed as described in paragraph (1).

SA 1591. Mr. TOOMEY submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle G of title X, add the following:

SEC. 1085. IMPROVEMENTS TO ADMINISTRATION OF POST-9/11 EDUCATIONAL ASSISTANCE.

In any case in which an individual encounters a difficulty in obtaining Department of Defense form DD–214 from the Secretary of Defense, the Secretary of Veterans Affairs shall accept from such individual, for purposes of confirming such individual's entitlement to educational assistance under section 3311 of title 38, United States Code, pay stubs and copies of military orders as indication of such individual's service on active duty in the Armed Forces.

SEC. 1086. CONSIDERATION OF MEMBERS OF RESERVE COMPONENTS OF ARMED FORCES AS VETERANS FOR PURPOSES OF EMPLOYMENT EMPHASIS UNDER FEDERAL CONTRACTS.

Section 4212(a)(3)(A) of title 38, United States Code, is amended by adding at the end the following new clause:

''(v) Members of the reserve components of the Armed Forces.''.

SEC. 1087. MODIFICATION OF DEFINITION OF VETERAN FOR PURPOSES OF FEDERAL GOVERNMENT EMPLOYEES.

(a) IN GENERAL.—Section 2108(1) of title 5, United States Code, is amended—

(1) in subparagraph (B), by striking ''a period of more than 180 consecutive days'' and inserting ''more than a total of 180 days''; and

(2) in subparagraph (D), by striking ''a period of more than 180 consecutive days'' and inserting ''more than a total of 180 days''.

(b) APPLICABILITY.—The amendments made by subsection (a) shall apply with respect to—

(1) examinations for entrance into the competitive service held after the date of the enactment of this Act; and

(2) certificates furnished under section 3317 of title 5, United States Code, after the date of the enactment of this Act.

SA 1592. Mr. TOOMEY submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle B of title IV, add the following:

SEC. 417. CHIEF OF THE NATIONAL GUARD BUREAU AUTHORITY RELATING TO ALLOCATIONS TO STATES OF AUTHORIZED NUMBERS OF MEMBERS OF THE NATIONAL GUARD.

(a) MANDATORY REVIEW AND AUTHORIZED REDUCTION.—

(1) IN GENERAL.—The Chief of the National Guard Bureau—

(A) shall review each fiscal year the number of members of the Army National Guard of the United States and the Air National Guard of the United States serving in each State; and

(B) if the Chief of the National Guard Bureau makes the determination described in paragraph (2) with respect to a State in a fiscal year, may reduce the number of members of the Army National Guard of the United States or the Air National Guard of the United States, as applicable, to be allocated to serve in such State during the succeeding fiscal year.

(2) DETERMINATION.—A determination described in this paragraph is a determination with respect to a State that, during any three of the five fiscal years ending in the fiscal year in which such determination is made, the number of members of the Army National Guard of the United States or the Air National Guard of the United States serving in such State is or was fewer than the number authorized for the applicable fiscal year

(b) ADMINISTRATION OF REDUCTIONS.—In administering reductions under subsection (a)(1)(B), the Chief of the National Guard Bureau shall seek to ensure that—

(1) the number of members of the Army National Guard of the United States and the Air National Guard of the United States serving in each State each fiscal year is commensurate with the National Guard force structure in such State during such fiscal year; and

(2) the number of members of the National Guard serving on full-time duty for the purpose of organizing, administering, recruiting, instructing, or training the National Guard serving in each State during each fiscal year is commensurate with the National Guard force structure in such State during such fiscal year.

(c) SENSE OF SENATE.—It is the sense of the Senate that whenever the Chief of the National Guard Bureau considers changes to force structure or unit location for the National Guard, the Chief of the National Guard Bureau should focus solely on readiness, capability, efficiencies, and costs, rather than attempting to ensure equality among the States.

SA 1593. Mr. TOOMEY submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe

military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle C of title V, add the following:

SEC. 524. IMPROVEMENTS TO DEPARTMENT OF DEFENSE FORM DD 214, THE CERTIFICATE OF RELEASE OR DISCHARGE FROM ACTIVE DUTY.

(a) IMPROVEMENTS REQUIRED.—The Secretary of Defense shall, in coordination with the Secretary of Veterans Affairs and in consultation with the Governors of the States, make improvements to Department of Defense Form DD 214, the Certificate of Release or Discharge from Active Duty, in order to ensure that the Form better provides correct and useful contact information for individuals undergoing release or discharge from the Armed Forces.

(b) SCOPE OF IMPROVEMENTS.—The improvements made pursuant to subsection (a) may include the inclusion in Department of Defense Form DD 214 of the following:

(1) A non-military electronic mail address.

(2) A personal cellular phone number.

(3) Applicable diagnostic codes in connection with receipt of disability severance pay.

(4) Such other information as the Secretary considers appropriate to ensure that the Department of Veterans Affairs and State and local veterans agencies can contact and assist individuals undergoing release or discharge from the Armed Forces, while also protecting the privacy of such individuals.

(c) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to Congress a report setting forth a description of the improvements made to Department of Defense Form DD 214 pursuant to this section.

SA 1594. Ms. MURKOWSKI (for herself, Ms. HEITKAMP, Mr. HOEVEN, and Mr. LANKFORD) submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle G of title X, add the following:

SEC. 1085. CRUDE OIL AND CONDENSATE REPORT REQUIRED.

(a) REPORT REQUIRED.—Not later than 60 days after the date of enactment of this Act, the Secretary of Energy shall submit to the appropriate committees and leadership of Congress an unclassified report assessing—

(1) the ability of crude oil and condensate produced in Iran and the United States to access and supply the global crude oil and condensate market; and

(2) the extent to which future action involving any measure of statutory sanctions relief by the United States will result in greater exports of Iranian petroleum to the global market than permitted as of the date of the report.

(b) REMOVAL OF EXPORT RESTRICTIONS.—Beginning on the date that is 30 calendar days after the date of submission of the report required under subsection (a), notwithstanding any provision of law, any domestic United States crude oil and condensate may be exported on the same basis that petroleum products may be exported on the date of enactment of this Act.

(c) SAVINGS CLAUSE.—Nothing in this section shall limit the authority of the President under the Constitution, the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.), the National Emergencies Act (50 U.S.C. 1601 et seq.), or part B of title II of the Energy Policy and Conservation Act (42 U.S.C. 6271 et seq.) to prohibit exports.

SA 1595. Ms. MURKOWSKI (for herself, Ms. HEITKAMP, and Mr. HOEVEN) submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. SENSE OF CONGRESS REGARDING PRESIDENTIAL AUTHORITY TO ALLOW SALE OF DOMESTIC CRUDE OIL TO UNITED STATES ALLIES AND TRADING PARTNERS.

It is the sense of Congress that the President may lawfully exercise statutory authorities to allow the sale of domestically produced crude oil to allies and trading partners of the United States, consistent with the call of the National Security Strategy of the President to ''promote diversification of energy fuels, sources, and routes''.

SA 1596. Mr. REID submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle G of title X, add the following:

SEC. 1085. CREDITABLE SERVICE FOR FEDERAL RETIREMENT FOR CERTAIN INDIVIDUALS.

(a) DEFINITIONS.—In this section—

(1) the term ''annuity'' includes a survivor annuity; and

(2) the terms ''survivor'', ''survivor annuitant'', and ''unfunded liability'' have the meanings given those terms under section 8331 of title 5, United States Code.

(b) AMENDMENTS.—

(1) IN GENERAL.—Section 8332(b) of title 5, United States Code, is amended—

(A) in paragraph (16), by striking ''and'' at the end;

(B) in paragraph (17), by striking the period at the end and inserting ''; and'';

(C) by inserting after paragraph (17) the following:

''(18) any period of service performed—

''(A) not later than December 31, 1977;

''(B) while a citizen of the United States;

''(C) in the employ of—

''(i) Air America, Inc.; or

''(ii) any entity associated with, predecessor to, or subsidiary to Air America, Inc., including Air Asia Company Limited, CAT Incorporated, Civil Air Transport Company Limited, and the Pacific Division of Southern Air Transport; and

''(D) during the period that Air America, Inc. or such other entity described in subparagraph (C) was owned and controlled by the United States Government.''; and

(D) in the second undesignated paragraph following paragraph (18) (as added by subparagraph (C)), by adding at the end the following: ''For purposes of this subchapter, service of the type described in paragraph (18) of this subsection shall be considered to have been service as an employee.''.

(2) EXEMPTION FROM DEPOSIT REQUIREMENT.—Section 8334(g) of title 5, United States Code, is amended—

(A) in paragraph (5), by striking ''or'' at the end;

(B) in paragraph (6), by striking the period at the end and inserting '' ; or''; and

(C) by adding at the end the following:

''(7) any period of service for which credit is allowed under section 8332(b)(18) of this title.''.

(c) APPLICABILITY.—

(1) IN GENERAL.—Except as otherwise provided in this subsection, the amendments made by this section shall apply with respect to annuities commencing on or after the effective date of this section.

(2) PROVISIONS RELATING TO CURRENT ANNUITANTS.—

(A) ELECTION.—Any individual who is entitled to an annuity for the month in which this section becomes effective may elect to have the amount of such annuity recomputed as if the amendments made by this section had been in effect throughout all periods of service on the basis of which the annuity is or may be based.

(B) SUBMISSION OF ELECTION.—An individual shall make an election under subparagraph (A) by submitting an appropriate application to the Office of Personnel Management not later than 2 years after the effective date of this section.

(C) EFFECTIVE DATE OF RECOMPUTATION; RETROACTIVE PAY AS LUMP-SUM PAYMENT.—

(i) EFFECTIVE DATE.—A recomputation under subparagraph (A) shall be effective as of the commencement date of the annuity.

(ii) RETROACTIVE PAY AS LUMP-SUM PAYMENT.—Any additional amounts becoming payable, due to a recomputation under subparagraph (A), for periods before the first month for which the recomputation is reflected in the regular monthly annuity payments of an individual shall be payable to the individual in the form of a lump-sum payment.

(3) PROVISIONS RELATING TO INDIVIDUALS ELIGIBLE FOR (BUT NOT CURRENTLY RECEIVING) AN ANNUITY.—

(A) IN GENERAL.—

(i) ELECTION.—An individual not described in paragraph (2) who becomes eligible for an annuity or an increased annuity as a result of the enactment of this section may elect to have the rights of the individual under subchapter III of chapter 83 of title 5, United States Code, determined as if the amendments made by this section had been in effect throughout all periods of service on the basis of which the annuity is or would be based.

(ii) SUBMISSION OF ELECTION.—An individual shall make an election under clause

(i) by submitting an appropriate application to the Office of Personnel Management not later than 2 years after the later of—

(I) the effective date of this section; or

(II) the date on which the individual separates from service.

(B) EFFECTIVE DATE OF ENTITLEMENT; RETROACTIVITY.—

(i) EFFECTIVE DATE.—

(I) IN GENERAL.—Subject to clause (ii), any entitlement to an annuity or an increased annuity resulting from an election under subparagraph (A) shall be effective as of the commencement date of the annuity.

(II) RETROACTIVE PAY AS LUMP-SUM PAYMENT.—Any amounts becoming payable for periods before the first month for which regular monthly annuity payments begin to be made in accordance with the amendments made by this section shall be payable to the individual in the form of a lump-sum payment.

(ii) RETROACTIVITY.—Any determination of the amount, or of the commencement date, of any annuity, all the requirements for entitlement to which (including separation, but not including any application requirement) would have been satisfied before the effective date of this section if this section had been in effect (but would not then otherwise have been satisfied absent this section) shall be made as if application for the annuity had been submitted as of the earliest date that would have been allowable, after the date on which the individual separated from service, if the amendments made by this section had been in effect throughout the periods of service referred to in subparagraph (A)(i).

(4) RIGHT TO FILE ON BEHALF OF A DECEDENT.—

(A) IN GENERAL.—The regulations promulgated under subsection (e)(1) shall include provisions, in accordance with the order of precedence under section 8342(c) of title 5, United States Code, under which a survivor of an individual who performed service described in section 8332(b)(18) of such title (as added by subsection (b)(1)(C)) shall be allowed to submit an application on behalf of and to receive any lump-sum payment that would otherwise have been payable to the decedent under paragraph (2)(C)(ii) or (3)(B)(i)(II) of this subsection.

(B) SUBMISSION OF APPLICATION.—An application under this paragraph shall not be valid unless it is filed not later than the later of—

(i) 2 years after the effective date of this section; or

(ii) 1 year after the date of the decedent's death.

(d) FUNDING.—

(1) LUMP-SUM PAYMENTS.—Any lump-sum payment under paragraph (2)(C)(ii) or (3)(B)(i)(II) of subsection (c) shall be payable out of the Civil Service Retirement and Disability Fund.

(2) UNFUNDED LIABILITY.—Any increase in the unfunded liability of the Civil Service Retirement System attributable to the enactment of this section shall be financed in accordance with section 8348(f) of title 5, United States Code.

(e) REGULATIONS AND SPECIAL RULE.—

(1) IN GENERAL.—The Director of the Office of Personnel Management shall promulgate any regulations necessary to carry out this section, which shall include provisions under which rules similar to those established under the amendments made by section 201 of the Federal Employees' Retirement System Act of 1986 (Public Law 99–335; 100 Stat. 588) shall be applied with respect to any service described in section 8332(b)(18) of title 5, United States Code (as added by subsection (b)(1)(C)) that was subject to title II of the Social Security Act.

(2) SPECIAL RULE.—For purposes of any application for any benefit which is computed or recomputed taking into account any service described in section 8332(b)(18) of title 5, United States Code (as added by subsection (b)(1)(C)), section 8345(i)(2) of such title shall be applied by deeming the reference to the date of the ''other event which gives rise to title to the benefit'' to refer to the effective date of this section, if later than the date of the event that would otherwise apply.

(f) EFFECTIVE DATE.—This section and the amendments made by this section shall take effect on the first day of the first fiscal year beginning after the date of enactment of this Act.

SA 1597. Mr. MENENDEZ (for himself and Mr. BOOKER) submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle C of title I, add the following:

SEC. 141. LIMITATION ON AVAILABILITY OF FUNDS FOR THE DIVESTMENT OR TRANSFER OF KC–10 AIRCRAFT.

None of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2016 for the Air Force may be obligated or expended during such fiscal year to divest or transfer, or prepare to divest or transfer, KC–10 aircraft.

SA 1598. Mr. DURBIN submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle G of title X, add the following:

SEC. 1085. CLARIFICATION REGARDING THE CHILDREN TO WHOM ENTITLEMENT TO EDUCATIONAL ASSISTANCE MAY BE TRANSFERRED UNDER POST-9/11 EDUCATIONAL ASSISTANCE.

(a) IN GENERAL.—Subsection (c) of section 3319 of title 38, United States Code, is amended to read as follows:

''(c) ELIGIBLE DEPENDENTS.—

''(1) TRANSFER.—An individual approved to transfer an entitlement to educational assistance under this section may transfer the individual's entitlement as follows:

''(A) To the individual's spouse.

''(B) To one or more of the individual's children.

''(C) To a combination of the individuals referred to in subparagraphs (A) and (B).

''(2) DEFINITION OF CHILDREN.—For purposes of this subsection, the term 'children' includes dependents described in section 1072(2)(I) of title 10.''.

(b) APPLICABILITY.—The amendment made by subsection (a) shall apply with respect to educational assistance payable under chapter 33 of title 38, United States Code, before, on, or after the date of the enactment of this Act.

SA 1599. Mr. DURBIN (for himself and Mr. MURPHY) submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle G of title X, add the following:

SEC. 1085. ORTHOTICS AND PROSTHETICS EDUCATION IMPROVEMENT.

(a) GRANTS REQUIRED.—

(1) IN GENERAL.—The Secretary of Veterans Affairs shall award grants to eligible institutions to enable the eligible institutions—

(A) to establish a master's degree program in orthotics and prosthetics; or

(B) to expand upon an existing master's degree program in orthotics and prosthetics, including by admitting more students, further training faculty, expanding facilities, or increasing cooperation with the Department of Veterans Affairs and the Department of Defense.

(2) PRIORITY.—The Secretary shall give priority in the award of grants under this section to eligible institutions that have entered into a partnership with a medical center or clinic administered by the Department of Veterans Affairs or a facility administered by the Department of Defense, including by providing clinical rotations at such medical center, clinic, or facility.

(3) GRANT AMOUNTS.—Grants awarded under this section shall be in amounts of not less than $1,000,000 and not more than $1,500,000.

(b) REQUESTS FOR PROPOSALS.—

(1) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, and not less frequently than annually thereafter for two years, the Secretary shall issue a request for proposals from eligible institutions for grants under this section.

(2) PROPOSALS.—An eligible institution that seeks the award of a grant under this section shall submit an application therefor to the Secretary at such time, in such manner, and accompanied by such information as the Secretary may require, including—

(A) demonstration of a willingness and ability to participate in a partnership described in subsection (a)(2); and

(B) a commitment, and demonstration of an ability, to maintain an accredited orthotics and prosthetics education program after the end of the grant period.

(c) GRANT USES.—

(1) IN GENERAL.—An eligible institution awarded a grant under this section shall use grant amounts to carry out any of the following:

(A) Building new or expanding existing orthotics and prosthetics master's degree programs.

(B) Training doctoral candidates in fields related to orthotics and prosthetics to prepare them to instruct in orthotics and prosthetics programs.

(C) Training faculty in orthotics and prosthetics education or related fields for the purpose of instruction in orthotics and prosthetics programs.

(D) Salary supplementation for faculty in orthotics and prosthetics education.

(E) Financial aid that allows eligible institutions to admit additional students to study orthotics and prosthetics.

(F) Funding faculty research projects or faculty time to undertake research in the areas of orthotics and prosthetics for the purpose of furthering their teaching abilities.

(G) Renovation of buildings or minor construction to house orthotics and prosthetics education programs.

(H) Purchasing equipment for orthotics and prosthetics education.

(2) LIMITATION ON CONSTRUCTION.—An eligible institution awarded a grant under this section may use not more than 50 percent of the grant amount to carry out paragraph (1)(G).

(3) ADMISSIONS PREFERENCE.—An eligible institution awarded a grant under this section shall give preference in admission to the orthotics and prosthetics master's degree programs to veterans, to the extent practicable.

(4) PERIOD OF USE OF FUNDS.—An eligible institution awarded a grant under this section may use the grant funds for a period of three years after the award of the grant.

(d) DEFINITIONS.—In this section:

(1) The term ''eligible institution'' means an educational institution that offers an orthotics and prosthetics education program that—

(A) is accredited by the National Commission on Orthotic and Prosthetic Education in cooperation with the Commission on Accreditation of Allied Health Education Programs; or

(B) demonstrates an ability to meet the accreditation requirements for orthotic and prosthetic education from the National Commission on Orthotic and Prosthetic Education in cooperation with the Commission on Accreditation of Allied Health Education Programs if the institution receives a grant under this section.

(2) The term ''veteran'' has the meaning given that term in section 101 of title 38, United States Code.

(e) AUTHORIZATION OF APPROPRIATIONS.—

(1) IN GENERAL.—There is authorized to be appropriated for fiscal year 2016 for the Department of Veterans Affairs, $15,000,000 to carry out this section. The amount so authorized to be appropriated shall remain available for obligation until September 30, 2018.

(2) UNOBLIGATED AMOUNTS TO BE RETURNED TO THE TREASURY.—Any amounts authorized to be appropriated by paragraph (1) that are not obligated by the Secretary as of September 30, 2018, shall be returned to the Treasury of the United States.

SEC. 1086. CENTER OF EXCELLENCE IN ORTHOTIC AND PROSTHETIC EDUCATION.

(a) GRANT FOR ESTABLISHMENT OF CENTER.—

(1) IN GENERAL.—The Secretary of Veterans Affairs shall award a grant to an eligible institution to enable the eligible institution—

(A) to establish the Center of Excellence in Orthotic and Prosthetic Education (in this section referred to as the ''Center''); and

(B) to enable the eligible institution to improve orthotic and prosthetic outcomes for veterans, members of the Armed Forces, and civilians by conducting evidence-based research on—

(i) the knowledge, skills, and training most needed by clinical professionals in the field of orthotics and prosthetics; and

(ii) how to most effectively prepare clinical professionals to provide effective, high-quality orthotic and prosthetic care.

(2) PRIORITY.—The Secretary shall give priority in the award of a grant under this section to an eligible institution that has in force, or demonstrates the willingness and ability to enter into, a memoranda of understanding with the Department of Veterans Affairs, the Department of Defense, or other appropriate Government agency, or a cooperative agreement with an appropriate private sector entity, which memorandum of understanding or cooperative agreement provides for either, or both, of the following:

(A) The provision of resources, whether in cash or in kind, to the Center.

(B) Assistance to the Center in conducting research and disseminating the results of such research.

(3) GRANT AMOUNT.—The grant awarded under this section shall be in the amount of $5,000,000.

(b) REQUESTS FOR PROPOSALS.—

(1) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Secretary shall issue a request for proposals from eligible institutions for the grant under this section.

(2) PROPOSALS.—An eligible institution that seeks the award of the grant under this section shall submit an application therefor to the Secretary at such time, in such manner, and accompanied by such information as the Secretary may require.

(c) GRANT USES.—

(1) IN GENERAL.—The eligible institution awarded the grant under this section shall use the grant amount as follows:

(A) To develop an agenda for orthotics and prosthetics education research.

(B) To fund research in the area of orthotics and prosthetics education.

(C) To publish or otherwise disseminate research findings relating to orthotics and prosthetics education.

(2) PERIOD OF USE OF FUNDS.—The eligible institution awarded the grant under this section may use the grant amount for a period of five years after the award of the grant.

(d) DEFINITIONS.—In this section:

(1) The term ''eligible institution'' means an educational institution that—

(A) has a robust research program;

(B) offers an orthotics and prosthetics education program that is accredited by the National Commission on Orthotic and Prosthetic Education in cooperation with the Commission on Accreditation of Allied Health Education Programs;

(C) is well recognized in the field of orthotics and prosthetics education; and

(D) has an established association with—

(i) a medical center or clinic of the Department of Veterans Affairs; and

(ii) a local rehabilitation hospital.

(2) The term ''veteran'' has the meaning given that term in section 101 of title 38, United States Code.

(e) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated for fiscal year 2016 for the Department of Veterans Affairs, $5,000,000 to carry out this section.

SA 1600. Mr. WHITEHOUSE submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle G of title X, add the following:

SEC. 1085. MAKING PERMANENT EXTENDED PERIOD OF PROTECTIONS FOR MEMBERS OF UNIFORMED SERVICES RELATING TO MORTGAGES, MORTGAGE FORECLOSURE, AND EVICTION.

Section 710(d) of the Honoring America's Veterans and Caring for Camp Lejeune Families Act of 2012 (Public Law 112–154) is amended by striking paragraphs (1) and (3).

SA 1601. Ms. STABENOW (for herself, Mr. BLUNT, Mrs. CAPITO, Mr. MENENDEZ, and Mr. MARKEY) submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle A of title VII, add the following:

SEC. 706. PROVISION OF CARE PLANNING SESSIONS FOR ALZHEIMER'S DISEASE AND RELATED DEMENTIAS UNDER THE TRICARE PROGRAM.

(a) IN GENERAL.—The Secretary of Defense shall provide to eligible individuals described in subsection (b) a care planning session with respect to a diagnosis of Alzheimer's disease or a related dementia that includes the following:

(1) A comprehensive care plan.

(2) Information on the particular diagnosis of the eligible individual diagnosed with Alzheimer's disease or a related dementia.

(3) Information on possible treatment options and how to access those options.

(4) Information on relevant medical and community services that are available.

(5) Such other information as the Secretary considers appropriate.

(b) ELIGIBLE INDIVIDUALS.—An eligible individual described in this subsection is one of the following:

(1) A covered beneficiary (as defined in section 1072 of title 10, United States Code) who was first diagnosed with Alzheimer's disease or a related dementia on or after the date of the enactment of this Act.

(2) A family member of a covered beneficiary described in paragraph (1).

(3) A caregiver of a covered beneficiary described in paragraph (1).

(c) LIMITATION.—The care planning session provided under subsection (a) may by provided only once with respect to each eligible individual.

(d) FOLLOW-UP.—The Secretary may provide a follow-up appointment or appointments to an eligible individual described in subsection (b) relating to the care planning session provided under subsection (a) if the

Secretary determines that the provision of such appointment or appointments is appropriate to maintain a proper level of care for the eligible individual diagnosed with Alzheimer's disease or a related dementia and the family members and caregivers of that individual in order to improve the provision of health care by the Department of Defense and reduce health care costs.

SA 1602. Ms. STABENOW (for herself and Mr. PETERS) submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle F of title X, add the following:

SEC. 1065. REPORT ON PLANS FOR THE USE OF DOMESTIC AIRFIELDS FOR HOMELAND DEFENSE AND DISASTER RESPONSE.

(a) REPORT REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall, in consultation with the Secretary of Homeland Security and the Secretary of Transportation, submit to the appropriate committees of Congress a report setting forth an assessment of the plans for airfields in the United States that are required to support homeland defense and local disaster response missions.

(b) CONSIDERATIONS.—The report shall include the following items:

(1) The criteria used to determine the capabilities and locations of airfields in the United States needed to support safe operations of military aircraft in the execution of homeland defense and local disaster response missions.

(2) A description of the processes and procedures in place to ensure that contingency plans for the use of airfields in the United States that support both military and civilian air operations are coordinated among the Department of Defense and other Federal agencies with jurisdiction over those airfields.

(3) An assessment of the impact to logistics and resource planning as a result of the reduction of certain capabilities of airfields in the United States that support both military and civilian air operations.

(4) A review of the existing agreements and authorities between the Commander of the United States Northern Command and the Administrator of the Federal Aviation Administration that allow for consultation on decisions that impact the capabilities of airfields in the United States that support both military and civilian air operations.

(c) FORM.—The report under subsection (a) shall be submitted in unclassified form, but may include a classified annex.

(d) DEFINITIONS.—In this section:

(1) APPROPRIATE COMMITTEES OF CONGRESS.—The term ''appropriate committees of Congress'' means—

(A) the Committee on Armed Services and the Committee on Homeland Security and Government Affairs of the Senate; and

(B) the Committee on Armed Services, the Committee on Homeland Security, and the Committee on Transportation and Infrastructure of the House of Representatives.

(2) CAPABILITIES OF AIRFIELDS.—The term ''capabilities of airfields'' means the length and width of runways, taxiways, and aprons, the operation of navigation aids and lighting, the operation of fuel storage, distribution, and refueling system, and the availability of air operations facilities.

(3) AIRFIELDS IN THE UNITED STATES THAT SUPPORT BOTH MILITARY AND CIVILIAN AIR OPERATIONS.—The term ''airfields in the United States that support both military and civilian air operations'' means the following:

(A) Airports that are designated as joint use facilities pursuant to section 47175 of title 49, United States Code, in which both the military and civil aviation have shared use of the airfield.

(B) Airports used by the military that have a permanent military aviation presence at the airport pursuant to a memorandum of agreement or tenant lease with the airport owner that is in effect on the date of the enactment of this Act.

SA 1603. Mr. MARKEY submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle G of title X, add the following:

SEC. 1085. SENSE OF CONGRESS REGARDING EXPORTS OF CRUDE OIL.

It is the sense of Congress that exports of crude oil to allies and partners of the United States shall not be determined to be consistent with the national interest and the purposes of the Energy Policy and Conservation Act (42 U.S.C. 6201 et seq.) if those exports would increase energy prices in the United States for American consumers or businesses or increase the reliance of the United States on imported oil.

SA 1604. Mr. MARKEY submitted an amendment intended to be proposed to amendment SA 1486 submitted by Mr. CORNYN (for himself, Mr. HOEVEN, and Mr. WARNER) to the amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

On page 4, strike lines 15 and 16 and insert the following:

(3) exports of crude oil to allies and partners of the United States shall not be determined to be consistent with the national interest and the purposes of the Energy Policy and Conservation Act (42 U.S.C. 6201 et seq.) if those exports would increase energy prices in the United States for American consumers or businesses or increase the reliance of the United States on imported oil; and

(4) the President should exercise existing au-

SA 1605. Mr. COTTON submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle B of title XXXI, add the following:

SEC. 3124. LIMITATION ON ACCELERATION OF DISMANTLEMENT OF RETIRED NUCLEAR WEAPONS.

(a) LIMITATION.—Except as provided in subsections (b) and (c), none of the funds authorized to be appropriated by this Act or otherwise made available for any of fiscal years 2016 through 2020 for the National Nuclear Security Administration may be obligated or expended to accelerate the dismantlement of the nuclear weapons of the United States to a rate faster than the rate mandated by the total projected dismantlement schedule included in table 2-7 of the annex to the stockpile stewardship and management plan for fiscal year 2016 submitted to Congress in March 2015 under section 4203 of the Atomic Energy Defense Act (50 U.S.C. 2523).

(b) EXCEPTION FOR COMPLIANCE WITH CERTAIN COMMITMENTS.—

(1) CERTIFICATION.—The limitation under subsection (a) shall not apply with respect to a fiscal year if the President submits to the appropriate congressional committees a certification that the President has—

(A) requested, in the budget of the President for that fiscal year submitted to Congress under section 1105(a) of title 31, United States Code, sufficient amounts to fulfill for that fiscal year all commitments related to nuclear modernization funding, capabilities, and schedules that the President made to the Senate during the consideration by the Senate of the resolution of advice and consent to ratification of the New START Treaty, as described in—

(i) the document entitled, ''Message from the President on the New START Treaty'', dated February 2, 2011; and

(ii) the fiscal year 2012 update to the report required by section 1251 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84; 123 Stat. 2549), submitted to Congress in February 2011; and

(B) except as provided in paragraph (2), fulfilled all such commitments.

(2) EXCEPTION.—If, for any fiscal year covered by the limitation under subsection (a), an appropriations Act is enacted that appropriates amounts that are insufficient for the President to fulfill the commitments described in paragraph (1)(A), the President may certify under paragraph (1)(B) that the President has fulfilled such commitments to the extent possible with available funds.

(c) EXCEPTION FOR CERTAIN STOCKPILE MANAGEMENT ACTIVITIES.—The limitation under subsection (a) shall not apply to activities necessary to conduct maintenance or surveillance of the nuclear weapons stockpile or activities to ensure the safety or reliability of the stockpile.

(d) DEFINITIONS.—In this section:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ''appropriate congressional committees'' means—

(A) the congressional defense committees;

(B) the Committee on Foreign Relations and the Select Committee on Intelligence of the Senate; and

(C) the Committee on Foreign Affairs and the Permanent Select Committee on Intelligence of the House of Representatives.

(2) NEW START TREATY.—The term ''New START Treaty'' means the Treaty between the United States of America and the Russian Federation on Measures for the Further Reduction and Limitation of Strategic Offensive Arms, signed on April 8, 2010, and entered into force on February 5, 2011.

SA 1606. Ms. AYOTTE submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of part II of subtitle D of title VI, add the following:

SEC. 643. BENEFITS FOR DEPENDENTS OF MEMBERS OF THE ARMED FORCES WHO LOSE THEIR RIGHT TO RETIRED PAY FOR REASONS OTHER THAN DEPENDENT ABUSE.

(a) SHORT TITLE.—This section may be cited as the ''Families Serve, Too, Military Justice Reform Act of 2015''.

(b) IN GENERAL.—Section 1408 of title 10, United States Code, is amended—

(1) by redesignating subsections (i), (j), and (k) as subsections (j), (k), and (l), respectively; and

(2) by inserting after subsection (h) the following new subsection (i):

''(i) BENEFITS FOR DEPENDENTS OF MEMBERS LOSING RIGHT TO RETIRED PAY FOR MISCONDUCT OTHER THAN DEPENDENT ABUSE.—(1)(A) If, in the case of a member or former member of the armed forces referred to in paragraph (2)(A), a court order provides (in the manner applicable to a division of property) for the payment of an amount from the disposable retired pay of that member or former member (as certified under paragraph (4)) to an eligible spouse or former spouse of that member or former member, the Secretary concerned, beginning upon effective service of such court order, shall pay that amount in accordance with this subsection to such spouse or former spouse.

''(B) If, in the case of a member or former member of the armed forces referred to in paragraph (2)(A), a court order provides for the payment as child support of an amount from the disposable retired pay of that member or former member (as certified under paragraph (4)) to an eligible dependent child of the member or former member, the Secretary concerned, beginning upon effective service of such court order, shall pay that amount in accordance with this subsection to such dependent child.

''(2) A spouse or former spouse, or a dependent child, of a member or former member of the armed forces is eligible to receive payment under this subsection if—

''(A) the member or former member, while a member of the armed forces and after becoming eligible to be retired from the armed forces on the basis of years of service, has eligibility to receive retired pay terminated as a result of misconduct while a member (other than misconduct described in subsection (h)(2)(A));

''(B) in the case of eligibility of a spouse or former spouse under paragraph (1)(A), the spouse or former spouse—

''(i) either—

''(I) was married to the member or former member at the time of the misconduct that resulted in the termination of retired pay; or

''(II) was is receipt of marital support, alimony, or child support from the member or former member as of the time of the misconduct pursuant to a court order; and

''(ii) was not, based on the evidence adduced at trial, an aider, abettor, accomplice, or co-conspirator in the misconduct that resulted in the termination of retired pay, as certified in writing to the convening authority by—

''(I) the military judge of the court-martial that resulted in the termination of retired pay; or

''(II) the staff judge advocate of the convening authority; and

''(C) in the case of eligibility of a dependent child under paragraph (1)(B), the dependent child—

''(i) had not reached the age of 16 years at the time of the misconduct that resulted in the termination of retired pay; or

''(ii) had reached the age of 16 years at the time of the misconduct and was not, based on the evidence adduced at trial, an aider, abettor, accomplice, or co-conspirator in the misconduct that resulted in the termination of retired pay, as certified in writing to the convening authority by—

''(I) the military judge of the court-martial that resulted in the termination of retired pay; or

''(II) the staff judge advocate of the convening authority.

''(3) The amount certified by the Secretary concerned under paragraph (4) with respect to a member or former member of the armed forces referred to in paragraph (2)(A) shall be deemed to be the disposable retired pay of that member or former member for the purposes of this subsection.

''(4) Upon the request of a court or an eligible spouse or former spouse, or an eligible dependent child, of a member or former member of the armed forces referred to in paragraph (2)(A) in connection with a civil action for the issuance of a court order in the case of that member or former member, the Secretary concerned shall determine and certify the amount of the monthly retired pay that the member or former member would have been entitled to receive as of the date of the certification—

''(A) if the member or former member's eligibility for retired pay had not been terminated as described in paragraph (2)(A); and

''(B) if, in the case of a member or former member not in receipt of retired pay immediately before that termination of eligibility for retired pay, the member or former member had retired on the effective date of that termination of eligibility.

''(5)(A) Paragraphs (5) through (8) and (10) of subsection (h) shall apply to eligibility of former spouses to payments under this subsection, court orders for the payment of disposable retired pay under this subsection, amounts payable under this subsection, and payments under this subsection in the same manner as such paragraphs apply to such matters under subsection (h).

''(B) If a spouse or former spouse or a dependent child eligible or entitled to receive payments under this subsection is eligible or entitled to receive benefits under subsection (h), the eligibility or entitlement of that spouse or former spouse or dependent child to such benefits shall be determined under subsection (h) instead of this subsection.

''(6)(A) A spouse or former spouse of a member or former member of the armed forces referred to in paragraph (2)(A), while receiving payments in accordance with this subsection, shall be entitled to receive medical and dental care, to use commissary and exchange stores, and to receive any other benefit that a spouse or a former spouse of a retired member of the armed forces is entitled to receive on the basis of being a spouse or former spouse, as the case may be, of a retired member of the armed forces in the same manner as if the member or former member referred to in paragraph (2)(A) was entitled to retired pay.

''(B) A dependent child of a member or former member referred to in paragraph (2)(A) who was a member of the household of the member or former member at the time of the misconduct described in paragraph (2)(A) shall be entitled to receive medical and dental care, to use commissary and exchange stores, and to have other benefits provided to dependents of retired members of the armed forces in the same manner as if the member or former member referred to in paragraph (2)(A) was entitled to retired pay.

''(C) If a spouse or former spouse or a dependent child eligible or entitled to receive a particular benefit under this paragraph is eligible or entitled to receive that benefit under another provision of law, the eligibility or entitlement of that spouse or former spouse or dependent child to such benefit shall be determined under such other provision of law instead of this paragraph.

''(7) In this subsection, the term 'dependent child', with respect to a member or former member of the armed forces referred to in paragraph (2)(A), has the meaning given that term in subsection (h)(11).''.

(c) CONFORMING AMENDMENTS.—Subsection (f) of such section is amended by striking ''subsection (i)'' each place it appears and inserting ''subsection (j)''.

(d) EFFECTIVE DATE.—The amendments made by this section shall take effect on the date of the enactment of this Act, and shall apply to a spouse or former spouse, or a dependent child of a member or former member of the Armed Forces whose eligibility to receive retired pay is terminated on or after that date as a result of misconduct while a member.

(e) OFFSET.—$57,000,000 of the National Defense Function (050) of unobligated balances from fees collected to defray expenses for the automation of fingerprint identification and criminal justice information services and associated costs of the Federal Bureau of Investigation is hereby cancelled.

SA 1607. Mr. JOHNSON submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. EXPANSION OF AUTHORITY OF SECRETARY OF VETERANS AFFAIRS TO REMOVE SENIOR EXECUTIVES OF DEPARTMENT OF VETERANS AFFAIRS FOR PERFORMANCE OR MISCONDUCT TO INCLUDE CERTAIN OTHER EMPLOYEES OF THE DEPARTMENT.

(a) IN GENERAL.—Section 713 of title 38, United States Code, is amended—

(1) in subsection (a)—

(A) in paragraph (1)—

(i) in the matter before subparagraph (A), in the first sentence, by striking ''senior executive position'' both places it appears and inserting ''covered position''; and

(ii) in subparagraph (B), by striking ''in paragraph (2)'' and inserting ''in paragraph (3) employed in a senior executive position at the Department'';

(B) by redesignating paragraph (2) as paragraph (3); and

(C) by inserting after paragraph (1) the following new paragraph (2):

''(2) For purposes of this section, a covered position is—

''(A) a senior executive position; or

''(B) a position listed in section 7401 of this title that is not a senior executive position.'';

(2) in subsection (b), by striking ''under subsection (a)(2)'' and inserting ''under subsection (a)(1)(B)'';

(3) in subsection (c), by striking ''senior executive position'' and inserting ''covered position'';

(4) in subsection (d)(1), by striking ''The procedures under section 7543(b) of title 5'' and inserting ''Sections 7461(b) and 7462 of this title and sections 7503, 7513, and 7543(b) of title 5''; and

(5) in subsection (g)(1)—

(A) in subparagraph (A), by striking ''or'' at the end;

(B) in subparagraph (B), by striking the period at the end and inserting ''; or''; and

(C) by adding at the end the following new subparagraph:

''(C) an employee of the Department employed on a full-time basis under a permanent appointment in a position listed in section 7401 of this title (other than interns and residents appointed pursuant to section 7406 of this title) who is not in a senior executive position.''.

(b) CONFORMING AMENDMENTS.—Subchapter V of chapter 74 of such title is amended—

(1) in section 7461(b)(1), by striking ''If the'' and inserting ''Except as provided in sections 713 of this title, if the''; and

(2) in section 7462—

(A) in subsection (a)(1), by striking ''Disciplinary'' and inserting ''Except as provided in section 713 of this title, the Disciplinary''; and

(B) in subsection (b)(1), by striking ''In any case'' and inserting ''Except as provided in section 713 of this title, in any case''.

(c) TECHNICAL CORRECTIONS.—Section 713 of such title is amended—

(1) in subsection (a)(1), in the first sentence, by striking ''of Veterans Affairs''; and

(2) in subsection (c), by striking ''Committees on Veterans' Affairs of the Senate and House of Representatives'' and inserting ''Committee on Veterans' Affairs of the Senate and the Committee on Veterans' Affairs of the House of Representatives''.

(d) CLERICAL AMENDMENT.—

(1) SECTION HEADING.—The heading for section 713 of such title is amended by striking ''**Senior executives: removal based on performance or misconduct**'' and inserting ''**Removal of senior executives and certain other employees based on performance or misconduct**''.

(2) TABLE OF SECTIONS.—The table of sections at the beginning of chapter 7 of such title is amended by striking the item relating to section 713 and inserting the following new item:

''713. Removal of senior executives and certain other employees based on performance or misconduct.''.

SA 1608. Mrs. ERNST submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

On page 686, between lines 2 and 3, insert the following:

''(e) CERTIFICATION REQUIRED FOR WAIVER OR EXCEPTION.—

''(1) IN GENERAL.—The Secretary may not exercise the waiver authority under subsection (b), and the exception under subsection (c)(1) shall not apply, unless the Secretary certifies to the appropriate congressional committees that the Government of the Russian Federation is no longer—

''(A) violating the territorial integrity of Ukraine; or

''(B) supporting entities that have illegally seized property of the Government of Ukraine or territory of Ukraine.

''(2) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this subsection, the term 'appropriate congressional committees' means—

''(A) the Committee on Armed Services and the Committee on Foreign Relations of the Senate; and

''(B) the Committee on Armed Services and the Committee on Foreign Affairs of the House of Representatives.''.

SA 1609. Mr. MERKLEY submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of part II of subtitle D of title V, add the following:

SEC. 540. ELIGIBILITY OF MEMBERS OF THE ARMY FOR TUITION ASSISTANCE THROUGH THE DEPARTMENT OF DEFENSE EFFECTIVE UPON COMPLETION OF INITIAL ENTRY TRAINING IN THE ARMY.

Notwithstanding any other provision of law, any individual who is enlisted, inducted, or appointed as a member of the Army, including the Army National Guard of the United States and the Army Reserve, after the date of the enactment of this Act, shall be eligible for tuition assistance through the Department of Defense for members of the Armed Forces upon completion of initial entry training.

SA 1610. Mr. SCHATZ submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of part II of subtitle D of title V, add the following:

SEC. 540. RECEIPT BY MEMBERS OF THE ARMED FORCES WITH PRIMARY MARINER DUTIES OF TRAINING THAT COMPLIES WITH NATIONAL STANDARDS AND REQUIREMENTS.

(a) IN GENERAL.—Section 2105 of title 10, United States Code, is amended—

(1) by redesignating subsections (b) and (c) as subsections (c) and (d), respectively; and

(2) by inserting after subsection (a) the following new subsection (b):

''(b) MEMBERS WITH PRIMARY MARINER DUTIES.—(1) For purposes of the program under this section, the Secretary of Defense and the Secretary of Homeland Security shall each ensure that members of the armed forces with primary mariner duties receive training that complies with national standards and requirements under the International Convention on Standards of Training, Certification, and Watchkeeping (STCW).

''(2) The following shall comply with basic training standards under national requirements and the International Convention on Standards of Training, Certification, and Watchkeeping:

''(A) The recruit training provided to each member of the armed forces.

''(B) The training provided to each member of the armed forces who is assigned to a vessel.

''(3) Under the program, each member of the armed forces who is assigned to a vessel of at least 100 gross tons (GRT) in a deck or engineering career field shall be provided the following:

''(A) A designated path to applicable credentials under the national requirements and the International Convention on Standards of Training, Certification, and Watchkeeping consistent with the responsibilities of the position to which assigned.

''(B) The opportunity, at Government expense, to attend credentialing programs that provide merchant mariner training not offered by the armed forces.

''(4)(A) For purposes of the program, the material specified in subparagraph (B) shall be submitted to the National Maritime Center of the Coast Guard for assessment of the compliance of such material with national requirements and the International Convention on Standards of Training, Certification, and Watchkeeping.

''(B) The material specified in this subparagraph is as follows:

''(i) The course material of each unclassified course for members of the armed forces in marine navigation, leadership, and operation and maintenance.

''(ii) The unclassified qualifications for assignment for deck or engineering positions on waterborne vessels.

''(C) The National Maritime Center shall conduct assessments of material for purposes of this paragraph. Such assessments shall evaluate the suitability of material for the

service at sea addressed by such material and without regard to the military pay grade of the intended beneficiaries of such material.

''(D) If material submitted to the National Maritime Center pursuant to this paragraphs is determined not to comply as described in subparagraph (A), the Secretary offering such material to members of the armed forces shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report setting forth the actions to be taken by such Secretary to bring such material into compliance.''.

(b) ADDITIONAL REQUIREMENTS.—

(1) IN GENERAL.—Each Secretary concerned shall establish, for members of the Armed Forces under the jurisdiction of such Secretary, procedures as follows:

(A) Procedures by which members identify qualification gaps in training and proficiency assessments and complete training or assessments approved by the Coast Guard in addressing such gaps.

(B) Procedures by which members obtain service records of any service at sea.

(C) Procedures by which members may submit service records of service at sea and other military qualifications to the National Maritime Center for evaluation and issuance of a Merchant Marine Credential.

(D) Procedures by which members may obtain a medical certificate for use in applications for Merchant Marine Credentials.

(2) USE OF MILITARY DRUG TEST RESULTS IN MERCHANT MARINE CREDENTIAL APPLICATIONS.—The Secretaries of the military departments and the Secretary of Homeland Security shall jointly establish procedures by which the results of appropriate drug tests administered to members of the Armed Forces by the military departments may be used for purposes of applications for Merchant Marine Credentials.

(3) SECRETARY CONCERNED DEFINED.—In this subsection, the term ''Secretary concerned'' has the meaning given that term in section 101(a) of title 10, United States Code.

SA 1611. Ms. AYOTTE (for herself and Mrs. SHAHEEN) submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle B of title II, add the following:

SEC. 221. PROHIBITION ON THE USE OF FUNDS FOR THE MEADS PROGRAM.

None of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2016 for the Department of Defense may be obligated or expended for the medium extended air defense system.

SA 1612. Ms. AYOTTE submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle C of title I, add the following:

SEC. 141. HEI PGU–13/B ROUND 30MILIMETER AMMUNITION.

(a) ADDITIONAL AMOUNT FOR PROCUREMENT OF AMMUNITION, AIR FORCE.—

(1) IN GENERAL.—The amount authorized to be appropriated for fiscal year 2016 by section 101 is hereby increased by $1,096,000, with the amount of the increase to be available for procurement of ammunition, Air Force, for the purpose of the procurement of HEI PGU–13/B Round 30milimeter ammunition.

(2) SUPPLEMENT NOT SUPPLANT.—The amount available under paragraph (1) for the procurement of ammunition specified in that paragraph is in addition to any other amounts available in this Act for procurement of such ammunition.

(b) OFFSET.—The amount authorized to be appropriated for fiscal year 2016 by section 301 is hereby decreased by $1,096,000, with the amount of the decrease to be applied against amounts available for operation and maintenance, Air Force, for Base Support for golf.

SA 1613. Mr. JOHNSON (for himself, Mr. CORNYN, and Ms. BALDWIN) submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of part II of subtitle H of title V, add the following:

SEC. 593. AUTHORIZATION FOR AWARD OF MEDAL OF HONOR TO JAMES MEGELLAS FOR ACTS OF VALOR DURING BATTLE OF THE BULGE.

(a) AUTHORIZATION.—The President may award the Medal of Honor under section 3741 of title 10, United States Code, to James Megellas, formerly of Fond du Lac, Wisconsin, and currently of Colleyville, Texas, for the acts of valor described in subsection (b).

(b) ACTION DESCRIBED.—The acts of valor referred to in subsection (a) are the actions of James Megellas on January 28, 1945, in Herresbach, Belgium, during the Battle of the Bulge, during World War II, when, as a first lieutenant in the 82d Airborne Division, he led a surprise and devastating attack on a much larger advancing enemy force, killing and capturing a large number and causing others to flee, single-handedly destroying an attacking German Mark V tank with two hand-held grenades, and then leading his men in clearing and seizing Herresbach.

(c) WAIVER OF TIME LIMITATIONS.—The award under subsection (a) may be made without regard to the time limitations specified in section 3744(b) of title 10, United States Code, or any other time limitation established by law or regulation with respect to the awarding of certain medals to persons who served in the Army.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON AGRICULTURE, NUTRITION, AND FORESTRY

Mr. MCCAIN. Mr. President, I ask unanimous consent that the Committee on Agriculture, Nutrition, and Forestry be authorized to meet during the session of the Senate on June 3, 2015.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS

Mr. MCCAIN. Mr. President, I ask unanimous consent that the Committee on Environment and Public Works be authorized to meet during the session of the Senate on June 3, 2015, at 9:30 a.m., in room SD–406 of the Dirksen Senate Office Building, to conduct a hearing entitled ''Challenges and Implications of EPA's Proposed National Ambient Air Quality Standard for Ground-Level Ozone and Legislative Hearing on S. 638, S. 751, and S. 640.''

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FINANCE

Mr. MCCAIN. Mr. President, I ask unanimous consent that the Committee on Finance be authorized to meet during the session of the Senate on June 3, 2015, at 10 a.m., in room SD–215 of the Dirksen Senate Office Building, to conduct a hearing entitled ''Audit & Appeal Fairness, Integrity, and Reforms in Medicare Act of 2015.''

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FOREIGN RELATIONS

Mr. MCCAIN. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on June 3, 2015, at 9:30 a.m., to conduct a hearing entitled ''Implications of the Iran Nuclear Agreement for U.S. Policy in the Middle East.''

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

Mr. MCCAIN. Mr. President, I ask unanimous consent that the Committee on Health, Education, Labor, and Pensions be authorized to meet during the session of the Senate, on June 3, 2015, at 10 a.m., in room SD–430 of the Dirksen Senate Office Building to conduct a hearing entitled ''Reauthorizing the Higher Education Act: Ensuring College Affordability.''

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

Mr. MCCAIN. Mr. President, I ask unanimous consent that the Committee on Homeland Security and Governmental Affairs be authorized to meet during the session of the Senate on June 3, 2015, at 10 a.m., to conduct

a hearing entitled ''Watchdogs Needed: Top Government Investigator Positions Left Unfilled for Years.''

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON SMALL BUSINESS AND ENTREPRENEURSHIP

Mr. MCCAIN. Mr. President, I ask unanimous consent that the Committee on Small Business and Entrepreneurship be authorized to meet during the session of the Senate on June 3, 2015, at 10 a.m., in room 428A of the Russell Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON VETERANS' AFFAIRS

Mr. MCCAIN. Mr. President, I ask unanimous consent that the Committee on Veterans' Affairs be authorized to meet during the session of the Senate on June 3, 2015, at 2:30 p.m. in room SR–418 of the Russell Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

PRIVILEGES OF THE FLOOR

Mr. REID. Mr. President, I ask unanimous consent that Aja Kennedy, a fellow in my office, be granted floor privileges for the duration of this session.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MCCAIN. Mr. President, I ask unanimous consent that Commander Eric Taylor, a Navy fellow in my office, be allowed floor privileges for the duration of Senate debate on H.R. 1735, the National Defense Authorization Act through the fiscal year 2016.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. REED. Mr. President, I ask unanimous consent that Jody Bennett, on the staff of the Committee on Armed Services, be granted privileges of the floor at all times during the Senate's consideration of and votes relating to H.R. 1735, the National Defense Authorization Act of 2015.

The PRESIDING OFFICER. Without objection, it is so ordered.

AUTHORIZING USE OF EMANCIPATION HALL

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of H. Con. Res. 48, which is at the desk.

The PRESIDING OFFICER. The clerk will report the concurrent resolution by title.

The senior assistant legislative clerk read as follows:

A concurrent resolution (H. Con. Res. 48) authorizing the use of Emancipation Hall in the Capitol Visitor Center for a ceremony to commemorate the 50th anniversary of the Vietnam War.

There being no objection, the Senate proceeded to consider the concurrent resolution.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the concurrent resolution be agreed to and the motion to reconsider be laid upon the table with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The concurrent resolution (H. Con. Res. 48) was agreed to.

EXPRESSING THE SENSE OF THE SENATE REGARDING THE RISE OF ANTI-SEMITISM IN EUROPE

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 92, S. Res. 87.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The senior assistant legislative clerk read as follows:

A resolution (S. Res. 87) to express the sense of the Senate regarding the rise of anti-Semitism in Europe and to encourage greater cooperation with the European governments, the European Union, and the Organization for Security and Co-operation in Europe in preventing and responding to anti-Semitism.

There being no objection, the Senate proceeded to consider the resolution.

Mr. MCCONNELL. Mr. President, I further ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be considered made and laid upon the table with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 87) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in the RECORD of February 25, 2015, under ''Submitted Resolutions.'')

RELATIVE TO THE DEATH OF JOSEPH ROBINETTE BIDEN, III

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of S. Res. 191.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The senior assistant legislative clerk read as follows:

A resolution (S. Res. 191) relative to the death of Joseph Robinette Biden, III.

There being no objection, the Senate proceeded to consider the resolution.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be considered made and laid upon the table with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 191) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in today's RECORD under ''Submitted Resolutions.'')

ORDERS FOR THURSDAY, JUNE 4, 2015

Mr. MCCONNELL. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 9:30 a.m., Thursday, June 4; that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, and the time for the two leaders be reserved for their use later in the day; that following leader remarks, the Senate then resume consideration of H.R. 1735 under the previous order.

The PRESIDING OFFICER. Without objection, it is so ordered.

PROGRAM

Mr. MCCONNELL. Senators should expect at least one rollcall vote at approximately 10:15 tomorrow morning.

ADJOURNMENT UNTIL 9:30 A.M. TOMORROW

Mr. MCCONNELL. If there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the previous order.

There being no objection, the Senate, at 6:31 p.m., adjourned until Thursday, June 4, 2015, at 9:30 a.m.

HOUSE OF REPRESENTATIVES—*Wednesday, June 3, 2015*

The House met at 10 a.m. and was called to order by the Speaker pro tempore (Mr. GRAVES of Louisiana).

DESIGNATION OF SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,
June 3, 2015.

I hereby appoint the Honorable GARRET GRAVES to act as Speaker pro tempore on this day.

JOHN A. BOEHNER,
Speaker of the House of Representatives.

MORNING-HOUR DEBATE

The SPEAKER pro tempore. Pursuant to the order of the House of January 6, 2015, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning-hour debate.

The Chair will alternate recognition between the parties, with each party limited to 1 hour and each Member other than the majority and minority leaders and the minority whip limited to 5 minutes, but in no event shall debate continue beyond 11:50 a.m.

HONORING BRENT WINN LAYTON

The SPEAKER pro tempore. The Chair recognizes the gentleman from California (Mr. DENHAM) for 5 minutes.

Mr. DENHAM. Mr. Speaker, today, I rise to acknowledge and honor the life of a personal friend and Gold Star Father Brent Winn Layton. The beloved father, son, brother, and uncle died unexpectedly at the age of 47 on Saturday, May 23, 2015, in Longmont, Colorado.

Brent was born on October 23, 1967, in Berkeley, California, to Shirley Hughes and A. Winn Layton. Although Brent lived in many cities throughout his life, he was a longtime resident of the Escalon area and considered it home.

Brent was a very gifted man with many levels. He served as a deputy sheriff in Kern County, California, and Clark County, Arkansas. He also served as a peace officer for the Escalon Police Department. In addition to his commitment to law enforcement, Brent was committed to God. He was a very spiritual man and found great comfort in his faith.

Unfortunately, in 2009, Brent became a Gold Star Father when his firstborn son, James, was killed in action in Kunar province, Afghanistan, serving during Operation Enduring Freedom. Since then, Brent's mission in life was to embrace other Gold Star families and help them through the grieving process.

Brent had many friends that loved him, and he had a heart full of love for them. His laugh, his sense of humor, and his big bear hugs will be missed forever. In addition, his friends and family admired his honest pride in his Cherokee Nation citizenship and will miss listening to him play guitar. There is peace in knowing that he is now with his son as well as the family and friends that have gone before him.

Mr. Speaker, please join me in honoring and recognizing Brent for his friendship, faith, and unwavering support for other military families. He had a genuine love for people, community, and country and will be missed by many. God bless him always.

TRANSPORTATION FUNDING

The SPEAKER pro tempore. The Chair recognizes the gentleman from Oregon (Mr. BLUMENAUER) for 5 minutes.

Mr. BLUMENAUER. Mr. Speaker, this week, we started the 33rd extension of the highway spending program. The 33rd time that we failed to deal meaningfully with the crisis in funding our transportation system. It is a symbol of Congress' failure to deal with a country that is falling apart and falling behind.

No country became great building its infrastructure 7 months at a time.

It prompts silly ideas. One recently, an op-ed page of The Wall Street Journal, talks about ''Taxing for Highways, Paying for Bike Lanes'' as the problem. Well, as is pointed out in letters to the editor today, it is not spending on bike paths which Dr. Pete Ruane, head of the American Road & Transportation Builders Association, pointed out is about 1 percent of the total Federal transportation highway budget, if you include sidewalks as well.

No, the problem is that we are paying for 2015 infrastructure with 1993 dollars. We have not raised the gas tax in 22 years. Now, I would suggest that what we ought to do is to look at the broad coalition that is represented by the authors on that page from the roadbuilders and the cyclists—they are representative of the broadest coalition on any issue in American politics today—from the AFL–CIO to the U.S. Chamber of Commerce, the truckers—represented eloquently by Governor Bill Graves, who is not just president of the American Trucking Associations, he was the Republican Governor of Kansas who raised the gas tax not once, but twice.

There is an opportunity for us to break the logjam. I would suggest that maybe the House Ways and Means Committee could, for the first time in the 55 months that the Republicans have been in charge, actually meet to discuss transportation funding. That is our job.

Let's dedicate an entire week to solving this problem. Let's invite in representatives of that broad coalition: people who build, maintain, and use our transportation system. Let's hear from the six Republican States that already this year have raised the gas tax, red Republican States: Utah; Georgia; South Dakota; Idaho; Iowa; and, most recently, Nebraska, where the legislature overrode the Governor's veto to raise their gas tax.

It is time for Congress to do its job and to be in partnership with those States who expect us to maintain the Federal responsibility. Let's hear from the broad array of people and then allow the Ways and Means Committee to follow regular order.

There is more support for raising the gas tax. The public is already paying the price. The bill I have, which would provide 210 billion additional dollars over the next decade, would cost the average motorist just about $90 a year. At a time of declining gas prices, that is not that great, but motorists are now paying $350 a year on average in damage to their cars. The country paid $125 billion in the cost of congestion.

Let's stop beating around the bush. Let's pass the first 6-year transportation reauthorization, the first since 1998. The first step is for the Ways and Means Committee to do its job, bring these people in, work together on a bipartisan basis, raise the gas tax, index the gas tax, then abolish the gas tax, replace it with something that is sustainable.

In the meantime, let's rebuild and renew America and put hundreds of thousands of people to work at family-wage jobs while we strengthen communities from coast to coast.

HOLDING THE VA ACCOUNTABLE

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from Florida (Ms. ROS-LEHTINEN) for 5 minutes.

Ms. ROS-LEHTINEN. Mr. Speaker, I rise today to talk about our veterans.

Memorial Day was just this past weekend, and we honored those who paid the ultimate sacrifice in defense of our Nation.

This weekend also, veterans from around our great country journeyed here to our Nation's Capital to visit the monuments that were publicly erected in their honor. I am so proud that a group of over 60 veterans living in south Florida—including David Millan, Don Lowe, and Augustine Fernandez—were able to make the trip on the first-ever Honor Flight from Miami International Airport, located in my congressional district.

They, like all veterans, are true American patriots, courageous and brave, putting others before themselves, willing to stand up and fight for our Nation's ideals and for the spread of freedom, peace, and prosperity abroad. That is who they are. It is in their DNA.

My family and I, we know the sacrifice and the courage and the resolve that is required to dedicate one's life to the service of our country. My husband, Dexter, proudly served in Vietnam as a U.S. Army Ranger, earning a Purple Heart. My stepson, Douglas, and his wife, Lindsay, both served tours of duty as Active Duty Marine Corps aviators in Iraq, with Lindsay also having served in Afghanistan. They are still serving our Nation as Marine reservists.

I could not be prouder of them and their fellow veterans and have the highest respect for the families and caregivers who support our vets after they return home from their missions. I recognize that we can never repay our veterans in full for their contributions, but we must certainly try. I would like to think that all Americans feel the same way.

A key part of our Nation's commitment to our veterans has always been providing them with quality health care, especially with respect to injuries suffered in the line of duty; but, more than a year after the most recent VA health system scandal rocked this administration and forced the replacement of a Cabinet Secretary, the VA's commitment on health care continues to fall tragically short.

A year later, the number of patients facing long wait times is still the same, and somehow, the number of patients waiting more than 90 days has actually doubled. A year later, the VA health system continues to fail our veterans. We know that these veterans have the right stuff, the selflessness, the courage, and the pride that they demonstrate in defense of the American way of life; but what must they think of our government now?

Unconscionably long wait times, bureaucratic mismanagement, top-down rationed care are all well below the bare minimum standards any American should expect; yet this is exactly what the VA, under this administration, continues to offer our veterans.

At least this Congress has pushed for reform, for access, for choice. In the last year, we have passed laws that set out to improve access for veterans seeking medical care and mental health services. Congress also provided the VA with $16 billion to shorten wait times and improve healthcare quality.

I have joined many of my colleagues to demand that the VA publicly release the findings of 140 internal healthcare investigations conducted since 2006 to enforce accountability at the VA. I have also joined a bipartisan contingent of my House colleagues to offer to help the VA staff focus on providing health care by allowing congressional staff to serve as the primary point of contact for veterans asking about their claims and their long appointment times.

Over and over again, Congress' efforts have been met by a stubborn bureaucracy that looks to skirt legislative intent on expanding veterans access and choice and reforming the way that the VA health system does its business.

I am committed to holding the VA under this administration responsible for the continued failings of our VA health system, and I will continue to fight alongside my colleagues in Congress for the reforms that will provide our veterans with the quality health care they deserve.

We know that our veterans should not have to wait another year. The time is long past; the time is now. The next time that south Florida residents come to D.C. on Honor Flights to visit their war memorials, they will truly know that our Nation honors their service by providing quality health care at all of our VA facilities.

EXPORT-IMPORT BANK

The SPEAKER pro tempore. The Chair recognizes the gentleman from Maryland (Mr. HOYER) for 5 minutes.

Mr. HOYER. Mr. Speaker, I want to thank my colleagues for allowing me to precede them.

I want to thank the gentlewoman from Florida. Of course, I am always glad to hear her speak on the floor. I wanted her to know that.

Mr. Speaker, we are now less than a month from the deadline for Congress to reauthorize the Export-Import Bank.

In 2012, this House came together under the leadership of the gentleman from Virginia, Mr. Cantor, who worked with my office, and we put a bill on the floor that reauthorized the Bank and increased its lending authority with a bipartisan vote of 330–93. This should not be and is not a partisan issue.

Helping small- and medium-sized American businesses access new overseas markets and compete on a level playing field is something that Democrats and Republicans have long agreed that Congress ought to do.

That is why it is deeply concerning to read comments from Majority Leader MCCARTHY that Congress should ''wind down'' the Bank and allow its charter to expire. That, in my view, is a minority opinion on the floor of this House, and that would be a profound mistake.

□ 1015

The Export-Import Bank is a critical tool that helps our businesses compete successfully in global markets. We are going to talk about trade, apparently, next week, but what we need to make sure is that we can export goods that are made in America, that we will make in America, and that we will sell abroad. The Export-Import Bank facilitates that effort. It is a critical tool that helps businesses compete successfully in global markets.

Last year alone, it supported $27.5 billion in export activity. About 90 percent of its transactions support thousands of small businesses that otherwise would have difficulty accessing markets.

The Ex-Im Bank has supported 1.3 million private sector jobs since our economic recovery began, including 164,000 jobs just last year, and it does all this without costing the taxpayers a single cent. In fact, it brought $675 million in profits to the Treasury last year and more than $2 billion over the past two decades. We cannot afford, Mr. Speaker, to let the bank expire.

Even more than just preventing a lapse, we ought to be providing exporters and potential exporters with certainty by enacting a multiyear reauthorization.

With the Export-Import Bank's future uncertain, businesses that could be reaching new customers abroad have been holding back making investments in growth that would create more jobs here at home. We are going to hear a lot about jobs here at home next week as we debate the fast-track authority. This deals with jobs here in America. With the Export-Import Bank's future uncertain, we are seeing uncertainty in the marketplace.

A multiyear extension and an increase in the bank's lending authority would give a green light to these businesses that it is time to invest and expand.

We all talk about investing. We all talk about expanding jobs. I want to quote: ''There are thousands of jobs on the line that would disappear pretty quickly if the Ex-Im Bank were to disappear.'' Let me repeat that for my colleagues. ''There are thousands of jobs on the line that would disappear pretty quickly if the Ex-Im Bank were to disappear.'' Those are not my words. That is a quote. They are the words of

Speaker JOHN BOEHNER on April 30 of this year, just a few weeks ago.

He is not the only Republican who wants to save the bank. Representative STEPHEN FINCHER, Republican of Tennessee, has said that ''a majority of RSC members support the bank's reauthorization.'' RSC members are amongst the most conservative members of their party in this House. In fact, there are 59 cosponsors on Mr. FINCHER's bill. They are Republicans.

All of my party, the last time we reauthorized it and this time, will vote to create jobs in America by voting for the Export-Import Bank. Now, we have 188 members. You don't have to be much of a mathematician to know if you have 188 and 60, that is 248. All you need is 218 to pass the bill.

The Speaker has said he wants to let the House work its will. He said that in 2011 when he became Speaker. And he said the House works best when the House can work its will. If we bring the Export-Import Bank bill to the floor, it will pass. Together with 180 Democrats, or 188—180 who have sponsored the 7-year reauthorization bill introduced by Ms. WATERS, Ms. MOORE, Mr. HECK, and myself—it is clear that a majority of the House supports a long-term reauthorization of the Export-Import Bank.

Mr. Speaker, we should act. We should act now before we find ourselves at the eleventh hour, before the June 30 deadline. Now, we have just seen shutting down the security apparatus to protect America for a couple of days. Let's not put at risk the economic security of our country.

Governors of both parties from across the country have written in support of taking action. Business leaders, the Chamber of Commerce, and organizations like the National Association of Manufacturers have all asked Congress to reauthorize the bank. There are now just 13 legislative days until the deadline by which we must do so.

Mr. Speaker, I ask our Speaker, I ask our majority leader, let the House work its will and vote on a multiyear reauthorization that will restore certainty for thousands of small businesses. Help them compete in new markets. Support the growth of good jobs here in our country, and contribute to deficit reduction. There will be a lot of debate next week about jobs. The Speaker believes that we will lose jobs if we don't pass the Export-Import Bank reauthorization.

Mr. Speaker, Mr. Leader, bring the Export-Import Bank reauthorization bill to the floor. It will pass. It will be good for America. It will be good for Americans. It will be good for our economy. Pass this bill.

REFOCUSING ON THE VETERANS ADMINISTRATION

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from Alabama (Mrs. ROBY) for 5 minutes.

Mrs. ROBY. Mr. Speaker, this week marks 1 year since the Veterans Affairs Secretary, Eric Shinseki, resigned amid a scandal that shook this country to its core. When President Obama reluctantly accepted Secretary Shinseki's resignation, he had a lot to say about his commitment to fix the VA and where the buck stops. He said: ''We're going to do right by our veterans across the board, as long as it takes.'' And then: ''This is my administration. I always take responsibility for whatever happens.''

Well, Mr. Speaker, a lot has happened over the past year, and here are some of the highlights:

Last June, reports emerged that patient scheduling manipulation had been particularly egregious inside the central Alabama VA. During a meeting to discuss these findings, the director of the central Alabama VA led me to believe that appropriate action had been taken to remove the employees that were responsible for this. That wasn't true.

So I began to dig a little bit deeper into the problems, working with very courageous whistleblowers and the press to uncover major instances of misconduct, negligence, and mismanagement inside the central Alabama VA. What we were able to expose was more than 1,000 patient x-rays, some showing problems, went missing for months and years. A pulmonologist was called, not once but twice, for falsifying more than 1,200 patient records but somehow given a satisfactory review. An employee took a recovering veteran to a crack house, bought him drugs and prostitutes, all to extort his veteran's benefits. When caught, that employee, as extraordinary as this is, was never fired. Not until a year and a half later, when it was reported in the press and exposed publicly, did the VA take action.

What else happened last year? Congress passed a historic VA reform law providing unprecedented authority for holding employees accountable. The director of the central Alabama VA who lied to me became the first manager fired under the new reform law. Other managers were also removed, and the southeast regional director quietly retired when an investigation into central Alabama VA was expanded at my request to include him.

So again, a lot has happened over the past year. But, Mr. Speaker, there is a lot that hasn't happened over the past year.

Improvement to access for patient care, the one thing that we really need for our veterans, hasn't happened. It really hasn't happened nationally, and certainly it hasn't happened in central Alabama. In fact, VA medical centers in Montgomery and Tuskegee were recently identified number one and number two, respectively, the worst hospitals in the Nation for extended delays in patient appointment completions. The first and the second worst hospitals in the country are in the central Alabama VA.

A workload report at the end of April showed that more than 6,500 consults over 90 days were still pending, including more than half awaiting approval for non-VA care. So not enough improvement has happened where it matters most for our veterans.

Mr. Speaker, I would be remiss if I didn't mention some of the progress the central Alabama VA has made. What was a major staff shortage is beginning to be filled, and that includes the mental health side. I appreciate very much the new acting director of the region, Tom Smith, keeping me updated on the latest. I am grateful for him stepping into this important role in a difficult situation, trying to rebuild, trying to rebuild some of the trust that has been lost.

As I have told him, the progress isn't enough. One reason I believe it isn't enough is that Washington has demonstrated something of a short attention span when it comes to these problems. We got their attention last year and a lot of nice promises have been made in terms of the national VA's commitment to improve in central Alabama, but once our problems leave the front page, there hasn't been sufficient follow-up. Mr. Speaker, maybe that is because we are depending on a broken bureaucracy to fix itself. Maybe it is because we have been asking VA leaders to intervene rather than requiring them to intervene. Maybe it is time that we change that.

You know, when a public school continues to fail to meet basic standards, what happens? The State Department of Education comes in to take over and start to turn the place around. It is a process that isn't pleasant, but everyone from principals to teachers to students to parents, they understand the consequences of the failure of that school system to improve. I believe that we need a similar mechanism at the VA when medical centers continue to fail our veterans. That is why I am preparing legislation that will allow the Washington VA to do that.

My constituents, my veterans in Alabama, are getting the worst healthcare services that this country could provide. They deserve better.

TEXAS AND THE IMMIGRATION DEBATE

The SPEAKER pro tempore. The Chair recognizes the gentleman from Illinois (Mr. GUTIÉRREZ) for 5 minutes.

Mr. GUTIÉRREZ. What does that bumper sticker say? 'Don't mess with Texas.' Well, I am about to not follow that advice.

You see, Texas has put itself front and center in the national debate over immigration and is leading the way

among the 26 States suing the Federal Government to stop the lawful and sensible executive actions introduced by the President. The court case that has gotten so much national attention is Texas v. The United States.

The 25 other States with Republican Governors and attorneys general who are suing the country play second fiddle to Texas. A week ago, in the Fifth Circuit in New Orleans, a three-judge panel issued a split decision. They did not issue a stay to the injunction of the President's executive actions imposed by a lower court, you guessed it, in Texas. Two out of three judges ruled that Texas would likely be found to have standing to bring the lawsuit because Texas would have to issue more driver's licenses to long-term Texas residents.

Now, please note that we are not talking about free driver's licenses. We are talking about driver's licenses at the same cost everyone else pays. As a matter of fact, they could raise the price of the driver's licenses. Somehow, having more licensed drivers who can drive legally in Texas and across the country and who know the rules of the road is an unreasonable burden on the State of Texas, according to the politicians who run the State.

So Texas is holding up the implementation of the program around the country for as many as 4 million people who live in American families. Who would these licensed drivers be? They would be immigrants who have U.S. citizen children. They would have lived and worked in American neighborhoods for years, shopped at the same grocery stores, and taken their kids to the same parks and schools as citizens do. They would have submitted their fingerprints for a criminal background check at their own expense.

So while most Americans no longer believe we should be trying to deport all 11 million undocumented immigrants, and especially not those with deep roots in the U.S. with families, the politicians who run the State of Texas believe we should.

Lived in the U.S. for 5 years or more? 10? 15? Driving to work anyway? Own a business that employs citizens? Too bad. The Republican leaders in Texas do not want you to be able to work on the books, pay your full share of local and Federal taxes, and pay for a driver's license so you could drive legally. No. That would be a burden.

□ 1030

Reality and Texas should really get to know one another.

Now, let's remember that this is the same set of Texas politicians—including the Governor and some Republican Members of Congress—who are reluctant to tell some of their voters that no, in fact, President Obama does not have a secret plan to use Walmart department stores as internment camps for gunowners, which is the latest conspiracy theory promoted by Chuck Norris.

We can all get a chuckle about Operation Jade Helm—the alleged U.S. military invasion of Texas—but it is not as funny when we begin to realize that for many Republicans in the Republican Party in Texas, crazy is a constituency that must be dealt with delicately.

So I want to end by speaking directly to the millions of families who are waiting for Texas politicians and judges to stop the delay tactics.

And I will use the language many of them speak and which God understands as well, or at least I assume he speaks Spanish because he named his only son Jesus.

I will summarize my remarks first in English.

The message is that we will not give up hope and cannot stop pushing for the implementation of the President's executive actions just because politicians have prevented something important from happening—again.

That is why I am inviting people in Chicago to join me on Saturday in Little Village so we can renew our commitment to prepare ourselves for DACA and DAPA.

(English translation of the statement made in Spanish is as follows:)

Don't give up.

There are Republican politicians in Texas and elsewhere trying to block our way towards implementation of DACA and DAPA and they want us to lose heart, lose patience, and lose our resolve.

But we must stay strong and prepare ourselves and our brothers and sisters and our neighbors to be ready when—eventually—the court rules in favor of America's immigrants.

I will continue fighting and I need your help. If you live in Chicago come join us on Saturday morning in Little Village at Iglesia Santa Inez de Bohemia.

And wherever you live, continue fighting and preparing your neighbors and yourselves to keep our families together and make sure we are not deporting those who are assets to our country.

¡No se rinden!

Hay politícos republicanos en Tejas y en otros lugares tratando de bloquear nuestro camino hacia la implementación de DACA y DAPA y quieren hacernos perder la esperanza, perder la paciencia y perder nuestra determinación.

Pero hay que permanecer fuertes y preparándonos a nosotros mismos, a nuestros hermanos y hermanas y a nuestros vecinos para estar listos cuando la corte finalmente resuelva a favor del Presidente y de los inmigrantes en Estados Unidos.

Voy a seguir luchando y necesito su ayuda. Si usted vive en Chicago venga y únase a nosotros el sábado en la mañana en la Iglesia de Santa Inés de Bohemia en La Villita.

Y dondequiera que ustedes vivan, sigan luchando y preparando a sus vecinos y a ustedes mismos para mantener a nuestras familias unidas y asegurarnos de que no estemos deportando aquellos que son un gran valor a nuestro país.

The SPEAKER pro tempore. The gentleman from Illinois will provide the Clerk a translation of his remarks.

BERTIE'S RESPECT FOR NATIONAL CEMETERIES ACT

The SPEAKER pro tempore. The Chair recognizes the gentleman from Pennsylvania (Mr. BARLETTA) for 5 minutes.

Mr. BARLETTA. Mr. Speaker, our national military cemeteries are hallowed ground. And I ask my colleagues to agree and support my bill, H.R. 2490, Bertie's Respect for National Cemeteries Act.

On October 15, 1969, in Harrisburg, Pennsylvania, a man named George Emery Siple shot and killed Bertha Smith, known to everyone as ''Bertie.'' Siple was convicted of the murder and sentenced to life in prison without parole. Thirty years later, he died in prison. Because he was a military veteran, he was buried in Indiantown Gap National Cemetery in 1999.

He was buried there despite a Federal law that was passed in 1997. That law said that veterans convicted of Federal or State capital crimes are not permitted to be buried in Veterans Affairs national cemeteries or Arlington National Cemetery.

For Bertie Smith's family, this is a heart-wrenching situation that has gone on for three decades. Jackie Katz, Bertie's daughter, has called it ''hell'' and a ''horror'' to live with the fact that George Siple was memorialized and buried with full military honors.

When I first began to look into this issue, it was clear to me that it was as frustrating as it was heartbreaking.

Back in 1997, led by our Pennsylvania Senators, Congress passed a law that said that veterans found guilty of capital crimes could not be buried in our national veterans cemeteries. At the time, you may remember, the country was still reeling from the Oklahoma City bombing. And veterans everywhere were justifiably appalled that Timothy McVeigh, a military veteran, could be buried with full military honors.

Now, McVeigh did not receive that burial. But a major problem we discovered was that the law was not actively enforced for others until 2006.

Since then, the VA has relied on an ''honor system,'' which requires family members to willingly report their relative's criminal record.

In 2013, Congress once again sought to protect our VA national cemeteries

by passing a law to explicitly allow the VA to remove veterans from cemeteries if they had been convicted of a Federal or State capital crime. However, this law does not extend to veterans buried between 1997 and 2013, a time period that includes George Emery Siple.

That is why I have introduced Bertie's Respect for National Cemeteries Act. What this law will do is require Veterans Affairs to take every reasonable action to ensure that a veteran is eligible to be buried, including searching public criminal records. It will clarify Congress' original intent by providing Veterans Affairs the explicit authority to remove veterans convicted of capital crimes who were wrongly buried after 1997. And it will specifically provide for the removal of George Emery Siple from Indiantown Gap National Cemetery.

This bill really only reaffirms what Congress intended in the first place. And it enjoys the support of the Veterans of Foreign Wars.

There were precedents for the removal of convicted murderers from veterans cemeteries—from Arlington National Cemetery and VA cemeteries in Michigan and Oregon, to name just a few.

Additionally, nothing in the bill would withdraw previous military honors, such as Purple Hearts or medals for valor, otherwise earned by the deceased veterans.

The discussion of military veterans who have been convicted of murder often raises the issue of mental health treatment and posttraumatic stress disorder. There is no question that PTSD is a real condition affecting many servicemen and -women, and I have always stood for funding the evaluation and treatment of those who may be afflicted.

That said, those who have been convicted of capital murder by our judicial system have been declared guilty of the worst offense possible, and any mitigating factors would have been considered at trial and sentencing.

I don't think it is too much to say that murderers should not be buried next to true American heroes. And the memories of victims like Bertie Smith should not be disregarded.

I ask my colleagues for their support in saying that real, true honor really means something in our national military cemeteries.

HONORING OFFICER GREGG BENNER OF THE RIO RANCHO POLICE DEPARTMENT

The SPEAKER pro tempore. The Chair recognizes the gentleman from New Mexico (Mr. BEN RAY LUJÁN) for 5 minutes.

Mr. BEN RAY LUJÁN of New Mexico. Mr. Speaker, I rise today to honor Officer Gregg Benner of the Rio Rancho Police Department, who was killed in the line of duty on May 25.

I offer my heartfelt condolences to the family and loved ones of Officer Benner as they mourn the loss of a husband, father, grandfather, and friend who was taken from them far too soon.

Officer Benner dedicated his life to protecting his community and his country. From his career in the United States Air Force to his last 4 years serving as a member of the Rio Rancho Police Department, Officer Benner put his health and safety on the line to make us safer.

The same was true last week. When most of us were settling down after a long Memorial Day weekend with family and friends, Officer Benner was doing his duty to protect the people of Rio Rancho. When he didn't return that evening, Officer Benner left behind a legacy of valor of service.

The loss of any police officer is a painful reminder of the dangers that they face each and every day. While we are shaken by Officer Benner's loss, we can take comfort in the memories that he left behind for all who knew him and the example that he set for all those in the community.

Rio Rancho is a tight-knit community, and while a tragedy such as this is unexpected and shocking, the response has brought out the best of its residents, who have displayed an outpouring of support and sympathy. My thoughts and prayers are with Officer Benner's family, friends, fellow officers, and the entire Rio Rancho community, and I hope that they find peace in this most difficult time.

Officer Benner, thank you for your service, and may you rest in peace.

STUDENT LOAN DEBT

The SPEAKER pro tempore. The Chair recognizes the gentleman from Tennessee (Mr. DUNCAN) for 5 minutes.

Mr. DUNCAN of Tennessee. Mr. Speaker, costs simply explode on anything that the Federal Government subsidizes because there are simply not the same incentives or pressures to hold down costs as there are in the private sector.

Over the last several weeks, many thousands of young people have graduated from our colleges and universities burdened with sizable student loan debts.

It shocks the students of today when I tell them that tuition cost only $90 a quarter my freshman year at the University of Tennessee in 1965–66—$270 for a whole school year. I once heard House Minority Whip STENY HOYER say it cost only $87 a semester when he started at the University of Maryland.

Students today think the Federal student loan program is one of the best things that ever happened to them. Actually, it may be one of the worst. Until that program started in the mid-1960s, college tuition and fees went up very slowly, roughly at the rate of inflation.

After the Federal Government decided to ''help'' students and start subsidizing these costs, tuition and fees started going up three or four times the rate of inflation almost every year.

Last year, columnist Kathleen Parker wrote in The Washington Post that since 1985, the cost of higher education has increased 538 percent, while the Consumer Price Index—inflation—over the same period has gone up 121 percent.

Colleges and universities were able to tamp down opposition to fee increases by telling students not to worry, they could just borrow the money.

When I was an undergraduate at UT and later in law school at George Washington, students could work part time, as I always did, and pay all their college expenses. No one got out of school with a debt because of tuition and fees. Now almost everyone does.

Now, 40 million Americans owe money on student loans. Outstanding student loan debts now total over $1.3 trillion. Some analysts think it may be a bubble about to burst.

Floyd Norris, writing in the International New York Times, said: ''Student loans are creating large problems that may persist for decades. They will impoverish some borrowers and serve as a drain on economic activity.''

Hedge fund manager James Altucher wrote that ''we're graduating a generation of indentured students.''

Ohio University economist Richard Vedder several years ago wrote a book entitled, ''Going Broke by Degree.''

Richard Vedder, in an article last August, wrote that ''a political storm is brewing in Washington over the consequences of rising college costs.'' He added that ''the biggest single cause of this financial problem, and a contributor to many other weaknesses in our economy, is the dysfunctional, Byzantine system of Federal financial assistance for college students.''

Mr. Vedder pointed out that before the late 1970s, Federal financial aid programs for colleges were modest in size, and tuition went up an average of only 1 percent above the inflation rate.

''Since 1978,'' he wrote, ''in an era of rapidly growing Federal financial assistance programs, annual tuition increases have been 3 to 4 percent a year beyond the inflation rate.''

In 1987, William Bennett, the Secretary of Education, said: ''Increases in financial aid have enabled colleges and universities to raise their tuition, confident that Federal loan subsidies will help cushion the increase.''

From 1939–1964, Federal student aid—mainly the GI bill—averaged just 2.5 percent of university spending.

From 2002–2014, Federal student loan aid spending averaged a whopping 33 percent of university spending.

Several things, Mr. Speaker, could and should be done to start helping solve this problem.

First, Federal and State legislators, parents, and even students themselves should speak out against tuition increases higher than the rate of inflation.

Secondly, colleges and universities that hold these increases down, or hopefully someday even lower their costs, should be given priority and rewarded in Federal and State grants and appropriations.

Third, the Congress and State legislatures should hold hearings that feature people who have been victimized by taking on heavy student loan debts at the start of their careers.

Fourth, every college or university that receives Federal money—99.9 percent—should be required to give financial counseling or at least some type of simple, easy-to-understand document to every person receiving a student loan warning about potential problems.

□ 1045

Lastly, but most important of all, Federal and State governments should give incentives to schools that require professors to teach classes rather than writing for obscure journals or doing esoteric research that produces no tangible results.

Too many professors have lost their desire to teach. They seem to think 6 hours a week is heavy load. The result is that too many students cannot get the classes they need to graduate, and it is now taking 5 or 6 years to get a 4-year degree.

This is a very serious, fast-growing problem, Mr. Speaker, that needs major reforms sooner rather than later.

PRIORITIZING ONLINE THREAT ENFORCEMENT ACT

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from Massachusetts (Ms. CLARK) for 5 minutes.

Ms. CLARK of Massachusetts. Mr. Speaker, imagine waking up every morning with the dread that you will face hundreds of violent threats as soon as you get to work.

Imagine that, while you are in your office, people threaten to sexually assault you, and they know where you live, when you are home, and who your family members are. Maybe they even show you the weapon they will use in the future to harm you. We would never tolerate this in our offices, but this is a daily reality for women online.

Right now, millions of women and girls are online, navigating their personal and professional lives; yet women will be targeted with the most severe types of online threats and harassment at a rate 27 times higher than that of men. Although these threats occur online, there is nothing virtual about their devastating impacts on women's lives.

Meet Jessica Valenti, a journalist who founded a site that features topics like women in the media, women's health, and LGBT rights. The price Jessica pays for creating this forum and expressing a feminist point of view on the Internet is an unrelenting barrage of rape and death threats.

After threats forced her to leave her home, to change her bank accounts, and to change her phone number, she contacted the FBI. The FBI advised her to never walk outside by herself and to leave her home until the threats blow over. The threats continue today, 4 years later.

In Pennsylvania, a woman described her terror after her abuser announced on Facebook that he planned to tie her up, put her in a trunk, pull out her teeth one by one, and then her nails, chop her into pieces, but keep her alive long enough to feel the pain.

Then there is the story of my constituent, Brianna Wu, a video game developer who had to flee her home with her family in the middle of the night after specific threats to rape and to kill her and her husband. Her online attackers released her home address and described in graphic detail the acts of violence they were planning.

Another woman moved nine times in an 18-month period out of fear of online threats. She moved across the country and changed her job four times just to stay safe.

None of the people who made these threats has been prosecuted, and most of the examples I have of online threats that women, including myself, have received are too vile and obscene to share on the House floor. In Jessica Valenti's words: ''When people say you should be raped and killed for years on end, it takes a toll on your soul.''

For Jessica and Brianna and other victims of severe threats online, there are huge financial and professional impacts. They have lost work opportunities and have spent money on legal advice, protective services, and temporary housing.

They have had to pay to have their personal information scrubbed from Web sites. This is a significant price to pay just to remain an active participant of an online economy.

What has been our response? In a 3-year period, of an estimated 2.5 million cyber stalking cases, only 10 were federally prosecuted. A judge in Massachusetts recently told one victim who works in technology and has suffered terrifying threats from an ex-boyfriend to simply go offline.

When I asked the FBI about the investigation and prosecution of online violence against women, they told me it is not a priority. By failing to address the realities of changing technology and a changing economy, we are failing these women.

It is not okay to call this an Internet problem. It is not okay to say to women that this is just the way things are. It is not okay to tell women to change their behavior, to withhold their opinions, and to stay off the Internet altogether, just to avoid severe threats.

For decades, women who have been victims of sexual assault and abuse have been told they have provoked their abusers by what they wore or what they have said. We have worked hard to change that culture; yet, by not taking these cases seriously, we send a clear message that, when women express opinions online, they are asking for it.

That is why I am calling on the Department of Justice to enforce the laws that are already on the books and take these investigations and prosecutions seriously. The Prioritizing Online Threat Enforcement Act would give the Department of Justice and the FBI the resources and the mandate to investigate and enforce the Federal laws on cyber threats.

It is not Congress' job to police the Internet, but we have a responsibility to make sure that women are able to fully participate in our economy. I urge my colleagues to support this crucial bill.

Let's keep the Internet open and safe for all voices.

FUNDING THE STRATOSPHERIC OBSERVATORY FOR INFRARED ASTRONOMY PROGRAM

The SPEAKER pro tempore. The Chair recognizes the gentleman from California (Mr. KNIGHT) for 5 minutes.

Mr. KNIGHT. Mr. Speaker, I want to first thank the House Appropriations Committee for fully funding the Stratospheric Observatory for Infrared Astronomy, SOFIA, program.

The SOFIA program is something that is stationed in my district. It is a 747 airplane with a 100-inch telescope in the back. Some people ask why we would need this or why this is something that NASA is so excited about. It is because we have certain programs that are in the atmosphere, and on the ground today, many of them have restrictions, but SOFIA doesn't. SOFIA does things that other telescopes just can't do.

First, it flies at 40,000 feet, so it gets above the water vapor. That is something that we just can't do from the ground. We can't do that type of science, those observations—we just can't do it—yet SOFIA does something that many other telescopes can't do.

It does something that the Hubble can't do. It does something that our beloved James Webb Space Telescope, which is going to be launched in the next couple of years, cannot do. It

lands, and we can upgrade it. If there is something new in 2015, we can put it on SOFIA. SOFIA can take off. We can do our projects, and we can do our experiments. It can land. If we have something new in 2016, we can do the same thing and so on and so forth.

For the next 20 years, we will be flying SOFIA if this Congress continues to fund it. Last year, SOFIA was on the chopping block, and without the good leadership of our majority leader, it might have gone away.

What I wanted to bring to everyone's attention is, if we are going to fund NASA, if we are going to fund projects for our new generation, if we are going to explore, if we are going to do all of the things that make America great and that make America the exploration country that we have been for the last 100-plus years, then we have to invest a little bit.

When the administration threatened to shut down SOFIA in fiscal year 2015, Congress showed strong support to make sure that SOFIA would continue; but, as we move forward, we understand what these types of projects bring.

As I look into the crowd, I see an awful lot of young folks who have either visited Washington, D.C., or they are on a tour, or they are doing something. That is what SOFIA brings. Every year, we put fifth and sixth and seventh grade teachers in SOFIA for a 9- or 10-hour mission.

They get to work with NASA. They get to work with scientists from America and from Germany because this is a joint project, and they get to see what projects and what experiments NASA is doing. They also get to work with NASA hand in hand.

They get to bring that back to the classroom, and they get to teach their fifth through seventh grade students about astronomy, about learning, about new planets, about new stars, about dying stars, about new solar systems. They take that at a practical level not just what is in the book, but what they learn, what they see, and what they do with NASA itself.

Also, I greatly appreciate the language that the committee included in the report accompanying the fiscal year 2016 Commerce, Justice, Science Appropriations bill, which reaffirms our support for SOFIA and rejects NASA's plan to conduct a senior review of the mission at such a premature stage.

If we are going to look at what SOFIA and other projects from NASA do, we have to allow them to bring us some real data. That data takes time. If we are going to do that on a 1- or 2-year status and then, maybe, cancel a project, then all of the money that we have injected into this project will be for naught.

Given that SOFIA achieved full operating status just this last year, in 2014, it has been designed for a lifespan of up to, like I said, 20 years. A senior review should not be at a 2-year stand, but it should go to a 5- or an 8-year stand so that we can collect the data and make sure that this program is worth the money the taxpayers spend on it.

I would like to thank my colleagues on both sides of the aisle because they have supported this project just like they have supported many projects for NASA and for our experiment community.

Without the support from both sides of the aisle, it is really going to be difficult for America to continue to be the leader in space exploration and exploration abroad.

IMPROVING TREATMENT OF U.S. TERRITORIES UNDER FEDERAL HEALTH PROGRAMS ACT

The SPEAKER pro tempore. The Chair recognizes the gentleman from Puerto Rico (Mr. PIERLUISI) for 5 minutes.

Mr. PIERLUISI. Mr. Speaker, today, I am introducing a comprehensive bill to improve the treatment of Puerto Rico and the other territories under Medicaid, traditional Medicare, and Medicare Advantage.

This is the first time that a Member of Congress has filed legislation to address the range of challenges that patients, physicians, hospitals, and insurance providers in the territories face as a result of the unequal treatment the territories receive under Federal health programs.

The bill serves as a blueprint for policymakers in identifying the various problems that exist under current Federal law and in proposing fair, realistic, and technically precise solutions to each problem.

Based on my conversations with congressional leaders and officials in the Obama administration, I believe there is bipartisan recognition that Federal health laws do not do justice to American citizens living in the territories.

I recognize that Republicans and Democrats have different opinions regarding the virtues of the Affordable Care Act, but it is my hope that policymakers can agree that it is in the national interest to take concrete steps to eliminate or reduce the numerous disparities that the territories confront under Medicaid and Medicare. These inequalities were enshrined in law long before 2010 and remain in place today.

Stated simply, if the will exists among officials in the legislative and executive branches to improve the treatment of the territories under Federal health programs, as I believe it does, then my bill provides a way forward. After today, no Federal policymaker can say: I want to help, but I don't know how.

Rather than summarizing the bill's 16 sections, I will highlight the provisions relating to Medicaid, the program for low-income individuals, which is jointly funded by the Federal Government and each State or territory government.

In the States, there is no limit on Federal funding for Medicaid as long as the State provides its share of matching funds. The Federal contribution, known as an FMAP, can range from 50 percent for the wealthiest States to over 80 percent for the poorest States.

By contrast, the funding that the Federal Government provides for Medicaid in each territory is capped. When I took office in 2009, Puerto Rico's cap was only $260 million a year, and the Federal Government was covering less than 20 percent of the cost of the territory's Medicaid Program.

During my tenure, the Federal Government has increased Medicaid funding for the territories, but that funding remains capped. Especially in the case of Puerto Rico, it is still profoundly inequitable. Most problematic, this funding expires in 2019, and in Puerto Rico, it will be depleted well before then.

This funding cliff is unique to the territories. The bill I am filing today would avert this cliff and provide a more stable and equitable level of Medicaid funding for the territories. Starting in fiscal year 2017, the bill would provide the territories with State-like treatment within well-defined parameters.

□ 1100

Specifically, each territory's Medicaid program could cover individuals whose family income is at or below the Federal poverty level. As long as a territory covers individuals within these income limits, the Federal Government would fund the territory's Medicaid program as if it were a State Medicaid program. The annual funding caps would be eliminated, and each territory would receive an FMAP based on its per capita income. However, the limiting principle is that if a territory wants to cover individuals earning above the Federal poverty level, it will generally be required to use territory dollars, not Federal dollars.

The rationale behind this new proposal is simple. Residents of the territories are American citizens. At the very least, the Federal Government should provide each territory with the funding necessary to provide health coverage to their residents who live at or below the Federal poverty level. Anything less is unacceptable from a moral and public policy standpoint.

I invite my colleagues to support this comprehensive bill and to work with me to enact its provisions into law.

RECOGNIZING JESSE HILL AND DELAWARE VALLEY VIETNAM VETERANS

The SPEAKER pro tempore. The Chair recognizes the gentleman from

Pennsylvania (Mr. FITZPATRICK) for 5 minutes.

Mr. FITZPATRICK. Mr. Speaker, for decades Vietnam veteran and Levittown, Bucks County, resident Jesse Hill has dedicated himself to preserving the memory of those lost in Vietnam and bringing awareness to those still missing.

In Vietnam, Jesse served with distinction with the Army 1st Cavalry Division for two tours of duty between 1967 and 1969, when he earned a Purple Heart for his service and his personal sacrifice. Upon returning home, he became a founding member of the Delaware Valley Vietnam Veterans, or DV3, as they call themselves.

Today, Jesse continues to recognize the service and sacrifice of all who fought and fell in that war and others since, especially Iraq and Afghanistan, through the Donald W. Jones Flag Memorial. Named after a fellow cofounder, Jesse's leadership has sustained this impressive display for 30 years. The Flag Memorial has been located in various sites across Bucks County over the years, including the Washington Crossing Historic Park, Core Creek Park, Silver Lake Park, and now at Falls Township Community Park, where it draws an annual crowd of thousands of veterans and grateful community members.

Having participated in planting flags at this powerful memorial with members of my staff for several years, I am always humbled by the sacrifice that each flag represents and grateful for Jesse's commitment to remembering those we have lost in conflict.

I thank Jesse and all the members of the Delaware Valley Vietnam Veterans for their continued work and support of the veterans in our region and their service to our Nation and our community.

WATERS OF THE U.S. RULE

The SPEAKER pro tempore. The Chair recognizes the gentleman from Iowa (Mr. YOUNG) for 5 minutes.

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to speak in opposition to the recently finalized waters of the U.S. rule.

Documents show that the EPA crafted the waters of the U.S. rule behind closed doors, leaving no seat at the table for farmers, business leaders, county and State officials, homebuilders, livestock producers, ranchers, and many others who are concerned by this Federal overreach, and it affects their lives.

Everybody wants clean water—let's all be on the record for that—but we need to respect this process. Stakeholders should have been consulted. The people whose lives are affected by this rule should have been consulted. The EPA's final rule is flawed, and despite attempts by Congress, it is not an improvement over the proposed rule.

The rule still requires farmers and ranchers to get permits for activities on their own land. On their own land. The rule still expands the waters under the EPA's jurisdiction. The rule still hurts manufacturers and States and counties looking to expand economic development projects and looking to expand opportunity.

This rule remains flawed and should be thrown out. I urge Members of Congress to support efforts to stop this job-killing, farm-killing rule that invites lawsuits instead of real solutions. I urge my colleagues in the House and Senate to support efforts to create a new rule that will truly improve water quality for all Americans and put stakeholders in the process and respect private property.

TRAGIC FLOODING IN CENTRAL TEXAS

The SPEAKER pro tempore (Mr. FITZPATRICK). The Chair recognizes the gentleman from Texas (Mr. FARENTHOLD) for 5 minutes.

Mr. FARENTHOLD. Mr. Speaker, over the Memorial Day weekend, the communities of central Texas suffered a terrible tragedy after heavy rains and powerful storms hit the Lone Star State, resulting in the deaths of 24 people, including a number from Corpus Christi and the district that I represent.

Though I don't represent Hays County, where some of the major flooding happened and one of the hardest hit parts of the State, nearby Caldwell and Bastrop Counties are in the 27th District of Texas, and I have pledged my help to the entire area in every way possible.

Immediately after the floods, I visited the Bastrop County Emergency Operations Center and have been in contact with leaders throughout the district to help in the recovery and aid efforts and to make sure that the resources are available and that we are looking for ways to improve our response and readiness in the future.

But, you know, it wasn't just tragedy that I saw during this. It was not just devastation. I also saw the hope and spirit of a community that came together in aid and rescue efforts. I was moved, touched, and inspired by what I saw.

Hundreds of volunteers, including my wife Debbie, joined emergency personnel and law enforcement folks to help however possible. Debbie came home with stories of hundreds of people who drove over 3 hours from Corpus Christi to search for some of the victims who were from Corpus Christi, including my daughter's elementary and middle school tutor, who perished in the flood.

Despite this tragedy, it is amazing how people came together in the spirit of America and how it showed through. This gives me hope for the entire country, and it makes me proud to be an American.

At the request of a constituent, I will also be working with local officials to investigate how we can make our emergency notification systems better and how it can make sure people have access to accurate and timely disaster information so we can prevent tragedies like this in the future.

Obviously, we can't stop Mother Nature, but we can be prepared. We can make sure the public has the information they need to keep themselves safe, and we can help those devastated by these sorts of tragedies.

Mr. Speaker, I ask that you and everyone join me in continuing to pray for the victims of these floods and these tragedies, their friends, their families, and the volunteers who gave so selflessly of their time.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until noon today.

Accordingly (at 11 o'clock and 8 minutes a.m.), the House stood in recess.

□ 1200

AFTER RECESS

The recess having expired, the House was called to order by the Speaker at noon.

PRAYER

Reverend William Rice, Calvary Baptist Church, Clearwater, Florida, offered the following prayer:

Father, we praise You as the author of life and affirm with our Founders that You are the giver of liberty.

We ask that You would direct these who gather as Members of Congress to help govern our land. Grant them wisdom beyond themselves. Grant them the humility to remember Whom they serve and to Whom they must give an ultimate account. Grant them a deep burden for righteousness and a burning passion for justice.

Forgive us, Lord, as a people, for walking in pride and imagining that we can long stand without Your blessing. Awaken us to a reverence for Who You are as the living God and for Your eternal truths.

You, O Lord, are a great and mighty God, yet You are also compassionate and gracious. Be gracious to us still, and grant us a spiritual awakening that will renew our Nation from within.

In Jesus' Name.

Amen.

THE JOURNAL

The SPEAKER. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

PLEDGE OF ALLEGIANCE

The SPEAKER. Will the gentleman from Georgia (Mr. GRAVES) come forward and lead the House in the Pledge of Allegiance.

Mr. GRAVES of Georgia led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

WELCOMING REVEREND WILLIAM RICE

The SPEAKER. Without objection, the gentleman from Florida (Mr. JOLLY) is recognized for 1 minute.

There was no objection.

Mr. JOLLY. Mr. Speaker, I rise to introduce to my colleagues our guest chaplain for the U.S. House of Representatives today, Pastor Willy Rice of Clearwater, Florida's Calvary Baptist Church.

Pastor Willy is a Florida native, attending Calvary as a young man and returning to the church years later in 2004 to become the church pastor. Pastor Willy is joined in ministry by his wife, Cheryl, and together they have three children.

Mr. Speaker, Calvary Baptist Church is a church that is indeed alive. Pastor Willy and the entire church family minister each day through worship services, through Calvary Christian School, by serving those in need through Calvary Cares, and through ministries that support families, the elderly, supporting foster care and adoption services, providing grief counseling and ministry, and ministries to the deaf community.

In each of these ministries, Pastor Willy and the Calvary family remain focused on sharing the saving grace and the love of the Christ in Whom we put our faith, living out this faith each day with a spirit of evangelism, a humble compassion, and a heart of Christian ministry.

Mr. Speaker, I ask my colleagues today to welcome Pastor Willy and his wife Cheryl. May God bless the Rice family, and may God bless the church family at Clearwater's Calvary Baptist Church.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. CARTER of Georgia). The Chair will entertain up to 15 further requests for 1-minute speeches on each side of the aisle.

ALLEN AMERICANS HOCKEY TEAM IN THE PLAYOFFS

(Mr. SAM JOHNSON of Texas asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SAM JOHNSON of Texas. Mr. Speaker, today I rise because I would like to congratulate some very talented individuals in my district—the Allen Americans hockey team.

I am proud to represent the city of Allen in Washington, D.C., and everyone in Collin County is lucky because we are able to call the Allen Americans our home team. They have had a stellar season, and they are now on their way to winning their third straight championship. Today the Allen Americans will play the South Carolina Stingrays in game 3 of the Kelly Cup Playoffs.

I would like to say to the Allen Americans: Congratulations for making it this far. Good luck tonight. Your hometown believes in you, and we can't wait to see you bring home your third championship. You have worked hard, so go show them why you don't mess with Texas. Go get the Stingrays.

HONORING THE ALLIED TROOPS WHO LANDED ON THE BEACHES OF NORTHERN FRANCE

(Mr. HIGGINS asked and was given permission to address the House for 1 minute.)

Mr. HIGGINS. Mr. Speaker, 71 years ago this week, 160,000 Allied troops landed on the beaches of northern France. Nine thousand were killed or wounded on D-day. Their bravery and sacrifice made possible the liberation of a continent and the defeat of an evil ideology.

The American heroes who fought at Normandy are examples of what we want our country to be: courageous, generous, and undeterred by a commitment to freedom. But we owe every veteran from D-day to today more.

We should remove the expiration dates in the GI bill so that veterans have access to education and training at any point in their career. We should pass an infrastructure plan with a preference for hiring veterans in the building and construction trades. We should help veterans keep medical appointments by providing child care at the VA clinics. And we should make sure that our veterans hospitals are state-of-the-art facilities.

Mr. Speaker, this weekend I will join all Americans and remember our soldiers who fought on D-day. May our country always be worthy of their sacrifice.

CONGRATULATING BAKER ELMORE

(Mr. WILSON of South Carolina asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WILSON of South Carolina. Mr. Speaker, it is with sincere gratitude I have the opportunity to recognize Baker Elmore, legislative director of South Carolina's Second Congressional District. I will always appreciate Baker for his service on behalf of the people of South Carolina.

A native of Cheraw, South Carolina, and formerly of the award-winning USC golf team, Baker has faithfully served on the staff for 6 years in various roles, including legislative director, legislative assistant, and special assistant. His expertise on nuclear energy, trade, and foreign affairs, combined with his ability to connect with constituents and eagerness to assist them, has made a difference, especially promoting the missions of the Savannah River site.

It is with mixed feelings, but great happiness, that I bid Baker farewell. Baker is moving on next week to serve as director of Federal programs at the Nuclear Energy Institute, NEI. This is a tremendous vote of confidence in his capability, his competence, dedication, and integrity.

Congratulations to his parents, Mike and Debbie Elmore, along with his grandparents, Sam and Gina McCuen and Harriet Elmore, for raising such a talented staff member.

In conclusion, God bless our troops, and may the President by his actions never forget September the 11th in the global war on terrorism.

Godspeed, Baker Elmore.

RECOGNIZING THE ABILITYONE PROGRAM

(Mr. ASHFORD asked and was given permission to address the House for 1 minute.)

Mr. ASHFORD. Mr. Speaker, I rise today to express my support and admiration for the AbilityOne Program, this country's single largest provider of employment for people who are blind or have significant disabilities.

AbilityOne currently works with approximately 4,600 blind individuals and over 44,000 disabled people, 3,000 of whom are military veterans or wounded warriors, helping them gain greater independence and a higher quality of life. This is accomplished by providing them with both the skills and training necessary to find valued jobs with good wages and benefits.

Mr. Speaker, Congress first recognized the need for this type of program in 1938 and expanded upon it in 1971. Today AbilityOne delivers more than $2 billion in quality products and services to the Federal Government at fair market prices. It also provides critical support to the U.S. armed services for

both military and humanitarian operations. With a national network of nearly 600 community-based nonprofit agencies, AbilityOne contracts projects in all 50 States, the District of Columbia, Puerto Rico, and Guam.

With the participation of more of its citizens in the workplace, every community benefits from greater cultural diversity and awareness.

SECURING THE RULE OF LAW

(Mr. CARTER of Texas asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. CARTER of Texas. Mr. Speaker, I rise today to congratulate 26 States, including my home State of Texas, for stopping an imperial White House dead in its tracks.

For far too long, this President has forced his will on the American people with his pen and his phone. Well, the Fifth Circuit Court of Appeals has said enough is enough. Last week, the Court of Appeals upheld an injunction to stop the President's unilateral actions that would have granted 5 million illegal aliens work permits and eroded the foundation of our system of government.

Mr. Speaker, I am not anti-immigration. The Constitution of the United States is clear: immigration and naturalization are issues for Congress and the American people to decide, not a self-declared king sitting in the White House.

Lawlessness breeds lawlessness. Last week, Texas and the Fifth Circuit secured the rule of law, and I thank them for it.

HIGHWAY TRUST FUND AND T-HUD

(Mrs. BEATTY asked and was given permission to address the House for 1 minute.)

Mrs. BEATTY. Mr. Speaker, I rise today to share that the Nation is desperate for a long-term, 21st century transportation and infrastructure system that provides sustainable solutions to our Nation's infrastructure crisis. We can't kick the can down the road anymore. Patching our roads and our budgets will not reverse the serious decline in our infrastructure.

In April of this year, I joined elected officials and community leaders in my district at the Central Ohio Transit Authority's new Spring Street Terminal to ''Stand Up 4 Transportation'' and call for a long-term funding bill.

Short-term patches like the one that was rushed through Congress last month fail to meet the challenge of our Nation's crumbling roads and bridges—even as other nations advance their infrastructure by leaps and bounds.

Mr. Speaker, without meaningful long-term transportation bills that provide forward thinking and predictable investments for our infrastructure, we are slamming the brakes on the economy and jobs.

It is time to act. The clock is ticking.

ROME HIGH SCHOOL ON BEST HIGH SCHOOLS LIST

(Mr. GRAVES of Georgia asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. GRAVES of Georgia. Mr. Speaker, I rise today to congratulate Rome High School, which was ranked as one of the ''Best High Schools in America'' by U.S. News & World Report for the fourth year in a row. It also earned a silver ranking, meaning Rome High is one of the top 10 percent of schools nationwide.

These high achievements are evidence of the commitment, the dedication, and the hard work put forth by Rome High students, their faculty, and the staff. In fact, when the Rome News Tribune asked him about the rankings, Principal Evans noted: ''We are striving for a gold rank of course.''

Mr. Speaker, this commitment to hard work and doing the best you can embodies the values that make northwest Georgia a great place to live, to work, and to raise a family.

Congratulations to all those involved in the Rome High School community. Enjoy your summer break. You have earned it.

BRING BACK OUR GIRLS

(Ms. WILSON of Florida asked and was given permission to address the House for 1 minute.)

Ms. WILSON of Florida. Mr. Speaker, Boko Haram, with the help of ISIS, has made a dangerous comeback. Just yesterday, Boko Haram attacked again, using a suicide bomber to kill 20 more people.

In his inauguration speech last Friday, President Buhari vowed to defeat Boko Haram. I hope and pray that President Buhari remains committed to this vow because we here in Congress will certainly remain committed to holding him accountable.

Mr. Speaker, we will continue to wear red in solidarity with the thousands affected by the evils of Boko Haram. We will continue to tweet, tweet, tweet #bringbackourgirls.

Listen to these headlines: ''Kidnapped Nigerian Girls Likely Being Used by Boko Haram as Suicide Bombers''; ''U.S. Signals Willingness to Widen the Role in Fighting Boko Haram in Nigeria''; ''Boko Haram and ISIS Are the Worst Sexual Abusers''; ''How Boko Haram Is Turning Children into Weapons''; ''With Help from ISIS, a More Deadly Boko Haram Makes a Comeback''; ''Nigerian Girls Kidnapped by Boko Haram May Be Held in Underground Bunkers''; ''Boko Haram Militants Raped Hundreds of Female Captives in Nigeria.''

Continue to tweet. Tweet #bringbackourgirls.

□ 1215

REMEMBERING ARLENE BUSH

(Mr. PAULSEN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. PAULSEN. Mr. Speaker, I rise to remember and celebrate a wonderful public servant from Bloomington, Minnesota, Arlene Bush.

Arlene Bush served on the Bloomington School Board for 33 years and volunteered for many more. But the longevity of Arlene's service is just part of the story. Arlene was known for the kindness she showed to everyone whom she interacted with.

Superintendent of Bloomington Public Schools Les Fujitake remembered how Arlene always approached decisions that the school board faced by asking, ''What is best for the children?'' Arlene was a fixture at school events and at the annual Congressional Art Competition in Bloomington. In fact, she often took the time to tag along with me when I visited schools.

Arlene's positive, kind, and supportive spirit was contagious to those around her. Her legacy will be remembered far beyond the Bloomington School Board meeting room and the Minnesota School Boards Association award that bears her name.

My condolences go out to Arlene's family, to the Bloomington Public Schools, and to the entire Bloomington community who mourn the loss of Arlene but who celebrate a wonderful public servant.

HIRE A HERO ACT

(Ms. PLASKETT asked and was given permission to address the House for 1 minute.)

Ms. PLASKETT. Mr. Speaker, I rise today to ask my colleagues to support an important initiative.

We celebrate and show honor to our veterans, fallen servicemembers, and those in the Armed Forces during Memorial Day and Veterans Day, and then in some respects we go on about our business.

Those veterans and the men and women in the National Guard and Ready Reserve need our continued support. We do that through health care, educational initiatives, and other ways. We must do it as well to support them economically with jobs.

Too many American servicemembers remain unemployed. Although the overall veteran unemployment rate has dropped in recent years, the rate of unemployment among our post-9/11 veterans is 7.2 percent.

As our economy continues to improve, we must be sure that those who fight to defend this country are not left behind. The men and women who serve in the National Guard and Reserve are highly trained, well-qualified individuals who add tremendous value to our employer's workforce.

Let's make it easier for those employers—and even incentivize them—to bring the men and women who continue to serve in the National Guard and Reserve on their payroll. Through the Hire A Hero Act, H.R. 2457, employers would receive a tax incentive to hire our National Guardsmen and Reservists. This would support small businesses by providing them with highly skilled workers and assist our great men and women.

Please join me in supporting the Hire A Hero Act.

ENDING ALZHEIMER'S

(Mr. GUINTA asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. GUINTA. Mr. Speaker, I rise on behalf of the 5.3 million Americans living with Alzheimer's disease as we observe Alzheimer's Awareness Month.

Families affected by this illness know firsthand Alzheimer's takes more than just memories; it takes the lives of loved ones.

Despite being the sixth-leading cause of death in the United States, Alzheimer's is the only disease in the top ten causes of death that cannot be slowed, stopped, or prevented.

The time to take action is now. It is our duty as Members to work on behalf of the families who lose their loved ones to this devastating disease and on behalf of those individuals who slowly lose those pieces of themselves that made up who they once were. No one should have to go through such an emotionally tolling process.

As a member of the Congressional Alzheimer's Caucus, I am devoted to raising awareness and devising solutions to once and for all end Alzheimer's.

Together we can, and must, fight this important fight.

SECOND ANNIVERSARY OF THE BLUE LIGHTNING INITIATIVE

(Ms. TITUS asked and was given permission to address the House for 1 minute.)

Ms. TITUS. Mr. Speaker, this week marks the second anniversary of the Blue Lightning Initiative, a DHS and DOT program to equip airline personnel with the tools to identify and save victims of human trafficking.

I represent Las Vegas, which attracts more than 42 million visitors every year. As a premier global destination, we are sadly all too familiar with the impact of this heinous crime.

Clearly, we must engage in an all-hands-on-deck approach to identify and apprehend traffickers, which includes our airline personnel who are on the front line.

That is why I am introducing legislation to ensure all our airlines take on this challenge and close off the skies to those engaged in this modern-day slavery.

Human trafficking is not the only issue that is facing our aviation industry, so I will be hosting industry leaders from across the country at an aviation symposium in my district next week to discuss how we can work together to strengthen our Nation's aviation, create new job opportunities, and foster economic growth.

CACHE VALLEY TRANSIT

(Mr. BISHOP of Utah asked and was given permission to address the House for 1 minute.)

Mr. BISHOP of Utah. Mr. Speaker, the Cache Valley Transit District in Logan, Utah, has received an Excellence in Motion award by the national Community Transportation Association and has been named as the ''Urban Community Transportation System of the Year.'' Among other criteria, this award is given to a transportation system that demonstrates creative and innovative services that are responsive to community needs and serves an urban area of more than 50,000 people.

The Cache Valley Transit District has a 19-year legacy of fare-free riding, a precedent for the Nation. They have cultivated close relationships in the community through traditional and nontraditional partnerships, such as support for a community art program, a new medical voucher program, and Call-A-Ride buses which provide curbside service for the elderly and disabled.

For these and other reasons, they certainly merit the Excellence in Motion award.

THE VETERAN WELLNESS ACT

(Mr. THOMPSON of Pennsylvania asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. THOMPSON of Pennsylvania. Mr. Speaker, right before the Memorial Day holiday, Congressman TIM RYAN of Ohio and I introduced H.R. 2555, the Veteran Wellness Act, a bipartisan bill that will improve Veteran Service Organizations' ability to promote good health among our Nation's veterans. This is critical at a time when an average of 22 veterans take their lives by suicide each and every day.

Mr. Speaker, veterans across the country turn to these organizations to participate in a wide variety of programs to build and cultivate a community of support among fellow veterans. These facilities are a place of comfort and familiarity for thousands of men and women and their families.

The Veteran Wellness Act will expand upon what these organizations are currently doing and create a greater number of opportunities for veterans to access wellness programs and therapies.

Mr. Speaker, it is our responsibility to be there for our Nation's heroes as they begin transitioning back to civilian life.

I ask my colleagues to join me and Congressman RYAN in supporting this bipartisan bill. We owe these brave men and women no less.

USA FREEDOM ACT

(Mr. YODER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. YODER. Mr. Speaker, yesterday, the President signed into law the USA Freedom Act. It is a bill I oppose because I believe it continues to allow unwarranted intrusions into the innocent lives of Americans in contradiction to the vision of our Founders and our Constitution.

But what is most important to remember about this debate is that even with the reforms in the USA Freedom Act, a provision of law in the Electronic Communications Privacy Act, on the books since 1986, still allows government investigators to read the emails, texts, and information stored in the cloud or on any server of all Americans, at any time, without a warrant, without probable cause, and without any due process.

Our Federal law gives digital communication little to no protections under the Fourth Amendment, regardless of the reforms signed into law yesterday.

A lot has changed in email communication since 1986, and that is why we must pass the Email Privacy Act, a broad bipartisan bill with over 270 cosponsors which would give email, digital communication, the same Fourth Amendment protections as paper mail or letters on our desks.

Mr. Speaker, let's pass this legislation. Let's pass H.R. 699, and let's assure the American people that government has moved into the 21st century and not forgotten the Constitution along the way.

REMEMBERING HADIYA PENDELTON

(Mr. DOLD asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DOLD. Mr. Speaker, I rise today in remembrance of Hadiya Pendelton, a young woman from my home State of Illinois who was shot tragically in Chicago when she was only 15.

Hadiya would have been 18 years old yesterday. In her memory, her friends asked their classmates to commemorate her life by wearing orange. Yesterday, I joined with my colleagues in the House to honor her memory in the United States House of Representatives.

Mr. Speaker, every single day in the United States, nearly 300 people are victims of handgun violence. Yesterday, gun owners, sportsmen, lawmakers, faith leaders, teachers, students, and more wore orange to bring attention to the issue of handgun violence.

It is my hope that this nonpartisan unifying action will show that victims of gun violence like Hadiya are not forgotten.

Mr. Speaker, we must set aside our partisan differences so that we may honor the victims of this tragic and unnecessary violence and come together to make our homes, our businesses, schools, and communities safer.

PROVIDING FOR CONSIDERATION OF H.R. 2289, COMMODITY END-USER RELIEF ACT

Mr. NEWHOUSE. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 288 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 288

Resolved, That at any time after adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 2289) to reauthorize the Commodity Futures Trading Commission, to better protect futures customers, to provide end-users with market certainty, to make basic reforms to ensure transparency and accountability at the Commission, to help farmers, ranchers, and end-users manage risks, to help keep consumer costs low, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and amendments specified in this section and shall not exceed one hour equally divided and controlled by the chair and ranking minority member of the Committee on Agriculture. After general debate the bill shall be considered for amendment under the five-minute rule. In lieu of the amendment in the nature of a substitute recommended by the Committee on Agriculture now printed in the bill, it shall be in order to consider as an original bill for the purpose of amendment under the five-minute rule an amendment in the nature of a substitute consisting of the text of Rules Committee Print 114-18. That amendment in the nature of a substitute shall be considered as read. All points of order against that amendment in the nature of a substitute are waived. No amendment to that amendment in the nature of a substitute shall be in order except those printed in the report of the Committee on Rules accompanying this resolution. Each such amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. All points of order against such amendments are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. Any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or to the amendment in the nature of a substitute made in order as original text. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

SEC. 2. The Committee on Appropriations may, at any time before 5 p.m. on Friday, June 5, 2015, file privileged reports to accompany measures making appropriations for the fiscal year ending September 30, 2016.

The SPEAKER pro tempore. The gentleman from Washington is recognized for 1 hour.

Mr. NEWHOUSE. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentleman from Massachusetts (Mr. MCGOVERN), pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

GENERAL LEAVE

Mr. NEWHOUSE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Washington?

There was no objection.

□ 1230

Mr. NEWHOUSE. Mr. Speaker, on Tuesday, the Rules Committee met and reported a rule, H. Res. 288, providing for the consideration of a very important piece of legislation, H.R. 2289, the Commodity End-User Relief Act.

The rule provides for the consideration of H.R. 2289 under a structured rule and makes five amendments in order—two Democrat and two Republican, as well as one bipartisan amendment—allowing for a balanced debate on these important issues.

H.R. 2289 is essential to the smooth functioning of the American economy and is long overdue for an enactment into law. This important legislation will reauthorize the Commodity Futures Trading Commission, also known as the CFTC, which had its statutory authority lapse in September of 2013.

The House passed, with strong bipartisan support, a very similar version of this legislation on June 24 of last year. Unfortunately, the Senate failed to take up the House-passed bill despite its strong bipartisan support in the House, leading us to reconsider this legislation again today.

After the financial crisis of 2008, almost everyone agreed that changes needed to be made to our financial services sector in order to protect our economy and prevent another crisis in the future. Like many of my colleagues, I have concerns with some of the reforms that were instituted in response to this financial calamity because they have put overly burdensome restrictions on our business communities.

However, it is important to note that this legislation keeps intact the overarching reforms made in title VII of the Dodd-Frank Act. Every witness who appeared in front of the Agriculture Committee was supportive of the clearing, margining, and execution requirements that are the heart of title VII; yet, like every major comprehensive law—and this was very comprehensive—there are always unintended consequences that need to be addressed, and H.R. 2289 does just that.

For example, the authors of Dodd-Frank would likely argue the law's main purpose is to reduce systemic risk to the economy. However, I don't think anyone would argue that farmers, who are simply trying to lock in a good price for their corn or for their wheat, are a systemic risk to our economy.

It is just as restaurant chains that are looking to make sure they have enough beef or pork or potatoes to sell to their patrons also do not pose a systemic risk. Utility companies that are seeking to ensure that they have enough power to meet the needs and demands of their customers did not cause the financial crisis.

Unfortunately, though, the current law imposes rules that treat all of these entities as major risks to our economy, and it imposes overly burdensome capital and paperwork requirements on them.

Mr. Speaker, critics may claim this bill undermines consumer protections. However, this could not be further from the truth. Title I of H.R. 2289 puts in place greater consumer protections, like requiring brokerage firms to notify investors before moving funds from one account to another in order to prevent abuses like those that occurred at MF Global prior to its bankruptcy.

It would also require firms that become undercapitalized to immediately report to regulators and work with them to restore adequate capital and financial security. These title I provisions are commonsense reforms that will protect consumers.

Title II would make reforms to the CFTC itself, such as strengthening the cost-benefit analysis the CFTC must perform when considering the impacts of its rules and appointing a chief economist to assist with compiling and analyzing financial data.

Critics may claim that requiring cost-benefit analyses will open up the CFTC to lawsuits, which could be costly. However, such critics also ignore the endless cycle of the proposal and reproposals of rules that are rushed, poorly conceived, and unworkable.

This work requires the CFTC to waste staff time and Commission funds to redraft rules or to provide workarounds for impacted parties. This requirement merely gives the CFTC a standard for writing good rules the first time that will benefit our economy and the users.

Title II would also require the CFTC to take steps to invest in IT to protect sensitive market data against cyber attacks, a very real issue given the recent breaches we have seen at the IRS and at various national retailers. Most importantly, this section reauthorizes the CFTC until 2019, which has been operating without our authorization, to spend money for a year and a half.

Title III now gets to the heart of what I mentioned earlier, providing relief to the end users or the farmers, the restaurants, the manufacturers, the utilities, and other entities that rely on a steady supply of commodities that have been caught up in the unintended consequences of Dodd-Frank's reforms.

These users have a genuine need to use markets to hedge against bad weather, natural disasters, inflation, price shocks, and other unforeseen circumstances that could jeopardize their ability to serve their customers. These entities inherently want to avoid risk and, thus, shouldn't be subjected to the same requirements as financial and investment entities.

Mr. Speaker, title III of H.R. 2289 makes significant reforms to aid these end users, such as preventing utility companies from being inappropriately classified as ''financial entities'' and being treated like banks under the law.

It exempts end users who are not otherwise regulated by the CFTC from having to keep records of every email, phone call, fax, or letter with regard to every trade, a huge recordkeeping burden. It would prevent nonbank swap dealers from having to hold more capital than banks do, which would put them at an unfair disadvantage in the market.

Additionally, this section would allow end users operating in rarely traded markets not to have to disclose trade data, which can be a serious disadvantage if they must publicly show all of their trading partners what they are buying and selling.

Title III would also require the CFTC to determine if the rules for foreign swaps are equivalent to U.S. rules and create a workable system of substituted compliance for market participants whose activity crosses multiple jurisdictions. This would ensure that businesses which trade internationally do not have to comply with two sets of divergent rules.

Mr. Speaker, the most important thing to remember about H.R. 2289 is that the farmer who grows the food that you eat for dinner did not cause the financial crisis, neither did the people you buy your electricity from or the people who provided the wood for your desk or the metal used in your car. I do not know of any reason we should continue to treat them as if they did, which is what the current law does, and it is what H.R. 2289 is seeking to correct.

Mr. Speaker, this is a good, straightforward rule, allowing for the consideration of important legislation that will help grow our economy. I support its adoption, and I urge my colleagues to support the rule and the underlying bill.

I reserve the balance of my time.

Mr. MCGOVERN. Mr. Speaker, I yield myself such time as I may consume.

I thank the gentleman from Washington (Mr. NEWHOUSE) for the customary 30 minutes.

Mr. Speaker, I rise in strong opposition to this rule and to the underlying legislation.

Since my friends on the other side of the aisle have assumed the majority, they have made it their mission to undermine the Dodd-Frank Act and hamstring the ability of our regulators to put in place strong rules to prevent another financial crisis, and this legislation is no exception.

H.R. 2289 reauthorizes the Commodity Futures Trading Commission through 2019 while making substantial changes to the CFTC's internal operations and rolling back key Dodd-Frank provisions intended to strengthen our financial regulatory framework.

I have specific concerns with the new cost-benefit requirements imposed in title II of the legislation. The CFTC already conducts cost-benefit analyses on its rulemakings, and this provision could significantly slow down the rulemaking process while also creating openings that will put the CFTC at the risk of increased litigation.

Title II of H.R. 2289 also proposes several unnecessary changes to the Commission's internal operations that can make it more difficult to manage the agency.

According to CFTC Chairman Massad, the provisions contained in title II could weaken the Commission's ability to respond in a timely and effective manner. For example, if these measures were currently in place, it would have made it more difficult for the agency to positively respond over the past 10 months to concerns raised by market participants. Also included in this bill are substantial changes to rulemakings taking place at the Commission under the Dodd-Frank Act.

I am particularly concerned by the cross-border language contained in the bill, which will undercut the efforts already underway by the Commission to negotiate on an international system of safe and robust derivative rules that are necessary to apply to the global derivatives market.

H.R. 2289 requires the CFTC to create a rule that will automatically allow U.S. banks and foreign banks conducting business in the U.S. to do so under the rules imposed by foreign jurisdictions, all of which are currently more lenient than our own. We have seen this kind of race to the bottom before, and we all know how it ends.

Worse yet, Mr. Speaker, is that this legislation hamstrings an agency that is already woefully underfunded. The Congressional Budget Office estimates that the CFTC will need 30 additional personnel annually to handle the increased workload imposed by both the new cost-benefit analysis requirements and the mandated cross-border rule contained in this legislation.

Will my friends on the other side of the aisle provide the necessary funding increases to the CFTC to carry out these requirements? I doubt it.

Dodd-Frank significantly expanded the CFTC's role in overseeing our financial markets, and they have already completed over 80 percent of their required rulemakings, the best rate of any financial regulator. They have done so despite the fact that Congress has not done its part to provide the agency with the resources it needs to police these incredibly complex markets, populated by highly sophisticated and extremely powerful entities.

Remember AIG, the insurer brought down by derivatives trades that the CFTC is now policing? If that memory is fuzzy, I am sure you will remember the funds we provided to bail AIG out, which came to a total of $67.8 billion. That would be enough to fund the CFTC at the level requested in the President's budget for over 200 years.

The Commission needs a reauthorization, but it certainly doesn't need one saddled with changes that will hamstring its internal operations, prolong its rulemakings through an inflexible cost-benefit analysis requirement that opens it up to litigation risk, and force it to allow a race to the bottom on international rules governing a global market.

I ask my colleagues to join me in opposing the rule and the underlying legislation, and I reserve the balance of my time.

Mr. NEWHOUSE. Mr. Speaker, I yield myself such time as I may consume.

I would just like to make one comment in response to those of my colleague from Massachusetts in considering the underfunding of CFTC.

In the last 5 years, through the reductions of Federal spending and the efforts that have been going on, I think anyone would be hard-pressed to find another agency that has received an almost 50 percent increase in its budget over that period of time.

I will just point out that, certainly, they have received a lot of new responsibilities under Dodd-Frank, but also a large increase in their available resources.

Mr. Speaker, I yield 3 minutes to the gentleman from Texas (Mr. CONAWAY), the chairman of the House Agriculture Committee.

Mr. CONAWAY. Mr. Speaker, I rise in support of the rule to provide for the consideration of H.R. 2289, the Commodity End-User Relief Act.

I want to start by thanking Chairman SESSIONS and the entire Rules Committee for their time and work in preparing this rule. Yesterday's hearing was spirited but fair, and they have produced a rule that reflects the tremendous work the Agriculture Committee has put in on this issue.

Over the past few years, the Agriculture Committee has heard from dozens of witnesses at over 10 hearings. These witnesses, many of whom are market participants struggling to comply with the needlessly burdensome rules and ambiguous portions of the underlying statute, have been consistent in their call to action. To address their concerns, H.R. 2289 makes targeted reforms that fall into three broad categories: customer protections, Commission reforms, and end-user relief.

Title I of the bill protects customers and the margin funds they deposit at their FCMs by codifying critical changes made in the wake of the collapses and bankruptcies of MF Global and Peregrine Financial.

Title II makes meaningful reforms to the operations of the Commission to improve the agency's deliberative process. In doing so, it also requires the Commission to conduct more robust cost-benefit analyses to help get future rulemakings right the first time and to avoid the endless cycle of reproposing and delaying unworkable rules.

□ 1245

While the CFTC is already required to consider costs and benefits of the rules it proposes, this rule attempts to legitimize that practice, a practice that has been called into question. The current practice has been called into question by the Commission's own inspector general, who reported the agency seemed to view the process as more of a legal one than an economic one.

Finally, title III of the bill fixes real problems faced by end users who rely on derivatives markets to manage their risks. When it is more costly for those who need these markets to use them, it discourages the exact kind of prudent risk management activities Congress intended to protect with the end user exemption in Dodd-Frank.

Accordingly, the bill provides relief to agricultural and commercial market participants struggling to comply with overreaching and costly recordkeeping requirements and allows utility companies to continue using contracts that allow for a change in the volume of the commodity delivered without the worry of needlessly complying with the swaps regulations.

H.R. 2289 will preserve end users' ability to hedge against anticipated business risk by providing a more workable definition of bona fide hedging. The bill also addresses serious concerns regarding the lack of harmony and clarity in global derivatives regulation by requiring the CFTC to publish a rule addressing how the U.S. swaps requirements apply to transactions occurring outside the United States and with non-U.S. persons.

To be clear, H.R. 2289 makes these meaningful improvements for market participants without undermining the basic goals of title VII of Dodd-Frank, the Holy Grail, to bring clearing, reporting, and electronic execution requirements to swaps transactions.

In closing, I would like to thank the members of the Committee on Agriculture who have worked hard, including Mr. NEWHOUSE, to advance this important legislation. I am especially appreciative of Mr. LUCAS, who worked on reauthorization last year, which was our starting point for this year, as well as some of our newest members. I also owe particular thanks to Mr. AUSTIN SCOTT and Mr. DAVID SCOTT, the chairman and ranking member of the subcommittee, respectively, that oversees the CFTC. Both of these gentlemen have joined me as original sponsors and have held a series of hearings on reauthorization.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. NEWHOUSE. I yield an additional 30 seconds to the gentleman, Mr. Speaker.

Mr. CONAWAY. They did outstanding work helming a new subcommittee focused on these issues, and I look forward to their diligent oversight work throughout the rest of the Congress.

Similar to the CFTC reauthorization bill passed by the House with overwhelming bipartisan support last year, the Commodity End-User Relief Act is comprised of narrowly targeted changes to the Commodity Exchange Act. The committee has again put together a bill that earned the bipartisan support of our members because we brought the right relief to the right people.

With that, Mr. Speaker, I urge the adoption of the rule and support for the underlying act.

Mr. MCGOVERN. I yield myself such time as I may consume.

Mr. Speaker, I just want to point out to my colleague from Washington State with regard to the funding of the CFTC that the agency has never received the funding that it has requested, and that is just a fact. Here we are imposing new requirements, new mandates. CBO, as I mentioned in my opening, estimates that the CFTC will need an additional 30 personnel annually to handle the increased workload imposed by the new cost-benefit analysis requirements of the mandated cross-border rule contained in the provisions in this bill, and so we are asking an agency that has never been properly funded to even do more and not provide it with the proper funding. I don't think that is a smart way to move forward when it comes to an issue so important.

I also want to point out to my colleagues that they should have received a letter from the Consumer Federation of America strongly opposing this bill. Let me just read you the first paragraph. It says:

We are writing on behalf of the Consumer Federation of America to ask you to oppose H.R. 2289, which the House is expected to vote on this month. This legislation would hamstring the Commodity Futures Trading Commission from effectively overseeing and regulating commodities and derivatives markets, leaving consumers exposed to fraud, manipulation, and abusive practices, and putting the safety and stability of the U.S. financial system at risk. The language in this bill largely mirrors the language offered in last year's CFTC reauthorization bill, which the Obama administration strongly opposed because it undermined the efficient functioning of the CFTC and offered no solution to address the persistent inadequacy of the agency's funding. We urge you to resist this relentless attack on the CFTC by voting against this misguided and harmful legislation.

I would tell my colleagues who are observing this debate that each one of them received a copy of this letter from the Consumer Federation of America strongly opposing this bill.

Mr. Speaker, I include the statement for the RECORD.

CONSUMER FEDERATION OF AMERICA,
June 2, 2015.

Re Oppose H.R. 2289

DEAR REPRESENTATIVE: We are writing on behalf of the Consumer Federation of America (CFA) to ask you to oppose ''The Commodity End User Relief Act'' (H.R. 2289), which the House is expected to vote on this month. This legislation would hamstring the Commodity Futures Trading Commission (CFTC) from effectively overseeing and regulating commodities and derivatives markets, leaving consumers exposed to fraud, manipulation, and abusive practices, and putting the safety and stability of the U.S. financial system at risk. The language in this bill largely mirrors the language offered in last year's CFTC reauthorization bill, which the Obama Administration strongly opposed because it undermined the efficient functioning of the CFTC and offered no solution to address the persistent inadequacy of the agency's funding. We urge you to resist this relentless attack on the CFTC by voting against this misguided and harmful legislation.

First, this bill would impose an assortment of new, onerous cost-benefit analysis requirements on the CFTC which are likely to delay and obstruct agency action. Under the Commodity Exchange Act, the CFTC already has

a statutory mandate to evaluate the costs and benefits of its actions in light of numerous considerations, including the protection of market participants and the public, efficiency, competitiveness, financial integrity, price discovery, and sound risk management practices. This bill would add seven new considerations for the CFTC to undertake. Included in the new economic analysis regime is a requirement for the Commission to assess available alternatives to direct regulation and to determine whether, in choosing among alternative regulatory approaches, those alternatives to direct regulation maximize the net benefits. The practical effect is a further tilting of the regulatory process in favor of adopting an approach that best benefits industry rather than the public.

Essentially, if this bill is adopted, the CFTC will be required to undertake an in-depth, burdensome economic analysis for each regulation it proposes and compare its proposal to every conceivable alternative. Such a framework likely will create insurmountable barriers that cripple the agency from putting forth rule proposals and finalizing them in a timely manner so as to effectively protect market participants and the overall economy. In addition, the CFTC would be required to evaluate the cost to the Commission of implementing the proposed action, including providing a methodology for quantifying the costs. While this provision is clumsily worded, it appears that the practical effect of requiring the CFTC to consider costs to itself and its staff will be to paradoxically add time and costs to the cost side of the equation, thereby hindering rulemaking. It is also disturbing that this legislation would require the CFTC to undertake exhaustive cost-benefit analyses without providing the agency with the necessary resources to fulfill those obligations.

The new cost-benefit analysis requirements also are likely to result in increasing opportunities to thwart CFTC regulations through legal challenges. The practical effect of the new heightened requirements will be that any time an industry participant objects to new rules, it will have several new bases for a lawsuit, and it will seek to defeat those rules by claiming that the agency did not undertake a proper economic analysis by considering, and then disposing of, all the possible theoretical alternatives. It is reasonable to believe that armed with such strong ammunition, industry-supported lawsuits seeking to dismantle any new regulations will be successful, a problem again made worse by the agency's lack of funding to effectively defend against such suits.

This legislation also subverts the CFTC's authority to regulate foreign derivatives activities that have a direct and significant effect on U.S. commerce. As our nation has learned painfully and repeatedly from the collapses of Long Term Capital Management, AIG, and Lehman Bros., and from the JPMorgan London Whale trading debacle, even when derivatives contracts are booked through a foreign subsidiary of a U.S. financial institution, the risks of those derivatives often flow back to the United States, threatening the U.S. economy and potentially putting U.S. taxpayers on the hook for any resulting losses. That is why Dodd-Frank gave the CFTC broad authority to regulate overseas derivatives when they put our national economic interests in peril.

Pursuant to that cross-border framework, the CFTC allows a foreign host country's regulations to substitute for U.S. regulations only after the CFTC has made a finding that the foreign host country's regulations are comparable to U.S. rules. However, this bill would create a presumption that each of the eight foreign jurisdictions with the largest swaps markets automatically have swaps rules that are considered to be comparable to and as comprehensive as U.S. swaps requirements. The bill makes this determination despite the fact that the CFTC has found only six jurisdictions to be comparable for certain entity-level requirements, and has declined to make comparability determinations for transaction-level requirements for jurisdictions other than the European Union and Japan. Switching the presumption will subjugate the CFTC's authority and expertise on the matter. Furthermore, combining the reversed presumption and overwhelming cost-benefit analysis requirements could mean that the CFTC is effectively thwarted from applying the appropriate regulatory safeguards to certain foreign derivatives transactions. As a result, the CFTC's ability to protect the U.S. economy from the dangers resulting from foreign derivatives transactions could be impaired.

Derivatives markets affect the U.S. economy in profound ways, and the risks that derivatives pose to the U.S. economy are well-known. The Dodd-Frank Act brought meaningful reforms to increase transparency and accountability in the derivatives markets and provided the CFTC the necessary authority to properly oversee and regulate the market. However, this legislation would put those reforms at risk and hamper the CFTC's ability to adequately protect consumers, market participants, and the U.S. economy. We cannot afford to suffer the grave consequences of another derivatives-laced financial crisis, but this legislation makes it more likely that we will. Accordingly, we urge you to oppose H.R. 2289.

Sincerely,

MICAH HAUPTMAN,
Financial Services Counsel.
BARBARA ROPER,
Director of Investor Protection.

Mr. MCGOVERN. I yield 5 minutes to the gentleman from Georgia (Mr. DAVID SCOTT), the ranking member of the Subcommittee on Commodity Exchanges, Energy, and Credit of the Committee on Agriculture.

Mr. DAVID SCOTT of Georgia. Mr. Speaker, first of all let me say that, as the gentleman just mentioned, I do serve as the ranking member of the jurisdictional committee on commodities and futures and trading that the CFTC comes under. I say that only to say that I have been in the vineyards on this issue and have been struggling with it and working on it over many, many years.

The whole derivatives and commodities and futures markets have changed dramatically. We have had a downfall in our economy because of a lot of activity that was wrong going on on Wall Street and in our financial community, out of which we are now emerging.

Mr. Speaker, what is urgent here is the fact that we cannot delay any longer. It is very important for people to understand that no legislation is perfect. I am the first one to say that. This is a glass that looks to be half empty or maybe half full. I look at it as half full.

I look at it as an urgent, urgent issue. We have got to get end-user relief. That is the major component of this reauthorization for the CFTC because it is the end users—our manufacturers, our farmers, those who produce the products, those who had nothing to do with the downfall of Wall Street, why should they be consistently held to the same intrinsic regulations and rules that our financial institutions have? We have got to have those financial institutions under strong regulation, but it is important that we move, and it is important meat of this bill that we give end-user relief.

Now, I share Mr. MCGOVERN's concerns about the financial situation, but let me just assure everyone, this is a reauthorization piece of legislation. It is not a funding mechanism. That is in the bosom, in the hands of the Committee on Appropriations; and nobody, absolutely nobody, has been a stronger champion, more consistent about getting the CFTC the funding they need. I bring it up all the time. I will still be a champion, but this isn't the bill in which to address that.

The other point is this, Mr. Chairman, once we get the funding out of the way. We talked about the cost-benefit analysis in this. We worked on it. This bill received bipartisan support in the last session. Mr. MCGOVERN brings up a very good point about possible litigation. We address that by adding a Democratic amendment by Ms. DELBENE that addresses that issue to make sure that there is no litigation.

As far as the cost-benefit analysis is concerned, Mr. Speaker, it is important that we put the same sort of cost-benefit analysis into this agency that the Obama administration has in every one of their executive agencies. Furthermore, it is not a mandate; it is an assessment. It is saying to assess the efficiencies, make sure we do it, and it does not put a requirement that any decision on the cost-benefit analysis outweighs one another as a requirement for them to make a decision.

Finally, Mr. Speaker, we must pass this bill, and we need to do it quickly because, in section 300 of this bill—I think it is section 323—we address a crucial issue. The European Union is eating our lunch. All across the world, we are losing our stature as the leading financial industry and system in the world. That affects every ounce of our security. We are number one in the world, and it is about time we stand up and ensure that by making sure that we address the European Union's harsh discrimination against our financial institutions abroad. This is particularly true when it comes to our clearinghouses, the standards that they are using.

Now, Mr. Speaker, yes, we are dealing with eight foreign countries, but they must have similar regimes, what we call equivalency. Now, why is that important, Mr. Speaker?

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. MCGOVERN. I yield an additional 1 minute to the gentleman.

Mr. DAVID SCOTT of Georgia. It is important because it is the CFTC that must determine if another nation, one of the eight top foreign nations, has an equivalency of a strong regulatory regime as does the United States, then certainly we can do business under their regime, but as long as we don't pass this legislation, the CFTC doesn't have that.

Finally, on all the cross-border situations, we need a definition of what a U.S. person is, and we need to give some backbone to our CFTC Commission to say: Look, why should the United States have to treat a foreign entity in a manner and with the respect that that foreign nation does not treat our industry?

Mr. Speaker, this country, the United States, is losing a tremendous amount of our prestige and our leadership on the world stage, and nowhere is that being pronounced more than in our financial system because for 3 years we have had this laid on the table. I urge a positive vote for this rule.

I thank the gentleman from Massachusetts for yielding me the time.

Mr. NEWHOUSE. Mr. Speaker, I would just like to thank the gentleman from Georgia for his many years of hard work on this very complicated issue. As you can see, he understands it well and understands the importance of passing this reauthorization legislation. I just want to thank him for his comments and hard work.

I yield 3 minutes to the gentleman from Oklahoma (Mr. LUCAS), the esteemed former chairman of the Committee on Agriculture.

Mr. LUCAS. Mr. Speaker, I rise today in support of the underlying bill, H.R. 2289, the Commodity End-User Relief Act. This bipartisan bill is the result of a series of hearings in which the Committee on Agriculture heard from stakeholders that do business with the CFTC as well as every CFTC Commissioner.

As chairman of the committee last year, I began the process of CFTC reauthorization, which resulted in the House-passed bipartisan bill, and I laud our committee chairman, Mr. CONAWAY, for his efforts in tackling the same subject and coming to the full House with another bipartisan CFTC reauthorization that passed the committee by a voice vote.

A chief selling point of this bill is its commitment to good governance reforms at the CFTC to increase transparency and efficiency. First, the bill closely follows an executive order by President Obama to improve the cost-benefit analysis performed by the Commission prior to promulgating rules. In addition, the bill would improve this oversight of Commissioners over activities which are outside the normal rulemaking process that still impact many futures market participants. Many of these activities, such as policy statements, guidance, and interpretation rules released by CFTC, would also be subject to public comment under the provisions of the bill when they have the force of law. Furthermore, H.R. 2289 establishes an office of the chief economist at the CFTC to provide objective economic data and analysis.

The committee also heard from end users during this process and included several provisions to provide relief to those end users, such as a more workable definition of bona fide hedging and relief from burdensome recordkeeping rules for many businesses.

The CFTC has gone unauthorized since 2013, and it is time many CFTC activities were reformed by Congress. This rule will make possible the underlying bill that will improve the CFTC in many important ways. I urge all of my colleagues to support it.

□ 1300

Mr. MCGOVERN. Mr. Speaker, I yield myself such time as I may consume.

I just want to be clear on one thing. Yes, this is an authorization bill. It is not an appropriations bill. But the issue of funding for the CFTC is relevant in the discussion of this authorization bill because we are essentially proposing that we give additional responsibilities or require additional actions from the CFTC with no guarantee that we are going to provide the resources for them to do their job. We haven't provided them the adequate resources to do what they have been expected to do from the very beginning.

I also want to say that most end user relief in this bill is not objectionable, but the CFTC is already addressing them through rulemaking. A better way to address these concerns than in statute would be more flexibility for them to do rulemaking, which can be adjusted.

In addition to end user provisions, this bill also contains all the problems that we have already identified with regard to cost benefit and cross border. So there are some significant issues here.

The DelBene amendment was mentioned earlier. I want to make it clear that that does not prevent litigation. It just restates the standard of review from the Administrative Procedure Act abuse of discretion.

I will also point out to my colleagues that the cost-benefit analysis is mandated by section 202.

So, again, I would feel better about all of this if we addressed the funding shortfall in the CFTC. We are not doing that. And I don't expect that this majority is going to work with us on that.

I also will insert in the RECORD, Mr. Speaker, a letter that was sent to all Members of the House from Americans for Financial Reform strongly opposing H.R. 2289. Let me just read the opening paragraph:

''On behalf of Americans for Financial Reform, we are writing to express our opposition to H.R. 2289. . . . This legislation would have a severe negative impact on the Commodity Futures Trading Commission and its ability to police commodity and derivatives markets. The new restrictions it places on the CFTC would require additional years of bureaucratic red tape prior to agency action, would enable numerous industry lawsuits against the agency, and would create inappropriate statutory restrictions on the agency's ability to properly oversee markets crucial to the financial system.''

AMERICANS FOR FINANCIAL REFORM,
Washington, DC, June 3, 2015.

DEAR REPRESENTATIVE: On behalf of Americans for Financial Reform, we are writing to express our opposition to HR 2289, ''The Commodity End User Relief Act.'' This legislation would have a severe negative impact on the Commodity Futures Trading Commission (CFTC) and its ability to police commodity and derivatives markets. The new restrictions it places on the CFTC would require additional years of bureaucratic red tape prior to agency action, would enable numerous industry lawsuits against the agency, and would create inappropriate statutory restrictions on the agency's ability to properly oversee markets crucial to the financial system.

At the same time, this legislation includes no provisions that address the CFTC's most fundamental problem—the lack of resources to accomplish its mission. Due to the agency's massive new responsibilities under the Dodd-Frank Act for hundreds of trillions of dollars in previously unregulated derivatives markets, as well as the growth of traditional commodity markets, the size of CFTC-regulated markets has increased roughly 15-fold over the last decade. But the agency's funding lags far behind. As CFTC chair Tim Massad recently stated:

''The CFTC does not have the resources to fulfill our new responsibilities as well as all the responsibilities it had—and still has—prior to the passage of Dodd-Frank in a way that most Americans would expect. Our staff, for example, is no larger than it was when Dodd-Frank was enacted in 2010. . . . Simply stated, without additional resources, our markets cannot be as well supervised; participants and their customers cannot be as well protected; market transparency and efficiency cannot be as fully achieved.''

While the CFTC's funding is appropriated, the agency authorization process is an appropriate mechanism for introducing mechanisms that would supplement appropriations with some form of agency self-funding. Such self-funding mechanisms are used by all other financial regulatory agencies and have been endorsed for the CFTC by every administration going back to the Reagan Administration, including the Bush and Obama Administrations.

Instead of addressing the pressing problem of funding, HR 2289 would instead load down the CFTC with additional mandates that would drain resources and act as a roadblock to necessary oversight and enforcement. Section 202 of HR 2289 would more than double the number of cost benefit analyses the

agency must perform prior to taking any action. The CFTC already has a statutory requirement to consider the costs and benefits of its actions, and to evaluate these costs and benefits as applied to a number of significant considerations, including market efficiency, price discovery, and protection of the public.

However, Section 202 would massively expand this requirement. The section would enormously expand the number of different factors the CFTC must evaluate in any rulemaking, order, or guidance. It would also change the standard of evaluation from consideration of costs and benefits to a much more extensive and burdensome ''reasoned determination'' of costs and benefits. The section includes a particularly sweeping mandate that would require the agency to assess whether an action ''maximizes net benefits'' compared to all possible regulatory alternatives. This requirement alone, which seems to require comparison of any actual regulation to a potentially vast number of theoretical alternatives, could be read to require dozens of additional agency analyses.

Some of this language does replicate cost-benefit instructions from the Office of Management and Budget that already applies to agencies within the executive branch, although not to independent financial regulatory agencies like the CFTC. However, a crucial difference is that HR 2289 would add this language in statute, meaning that each and every additional instruction regarding cost-benefit analysis could become grounds for a Wall Street lawsuit against a CFTC rule. These extensive new cost-benefit requirements amount to a playbook for industry interests to tie up regulations in endless litigation, delays, and red tape. With critical rulemakings such as position limits to control commodity price manipulation still incomplete almost five years after they were passed, the addition of major new barriers to action would be dramatic movement in the wrong direction.

Section 314 of the legislation would also greatly weaken the authority of the CFTC to properly regulate derivatives transactions booked in foreign subsidiaries of U.S. banks, even when such transactions have a direct and significant connection to the U.S. economy. We need only look at the example of J.P. Morgan's ''London Whale'' transactions, or the London derivatives transactions of AIG Financial Products which resulted in the largest bailout in U.S. history, to see that derivatives transactions conducted through nominally overseas entities can have a profound impact on the U.S. economy. Over half of Wall Street derivatives transactions are currently booked in nominally foreign subsidiaries, and even more could be transacted in this way if there was an incentive to do so to avoid regulation.

Section 314 would force the CFTC to perform burdensome ''determinations'' in order to regulate foreign subsidiary transactions. Its discretion in performing these assessments would be limited in numerous ways by the legislation. To take just one example, the agency would be banned from considering the actual physical location of personnel doing swaps trading in determining whether a transaction was conducted inside the United States for the purposes of applying U.S. law. It defies common sense to impose such extraordinary restrictions on the discretion of a regulatory agency charged with oversight of the multi-trillion dollar derivatives market.

HR 2289 also includes many additional changes. Some of them, such as amendments to indemnification requirements for swaps data repositories, are reasonable. However, others create significant statutory loopholes that could permit evasion of derivatives regulations by large banks. For example, Section 301 of the legislation permits large financial institutions affiliated with commercial entities to take advantage of exemptions from key Dodd-Frank risk controls that were intended to apply only to commercial end users. The nonpartisan Congressional Research Service has stated that the language included in Section 301 ''could potentially allow large banks to trade swaps with other large banks and not be subject to the clearing or exchange trading requirements as long as one of the banks had a non-financial affiliate.''

Some of the other problematic parts of the bill expand the definition of ''commercial end user'' to include financial entities (Section 306), create sweeping exemptions from CFTC oversight for broad classes of complex financial instruments (Section 309), weaken Commission authority to require swap dealers to raise equity capital to back up their trades (Section 311), permit marketing of complex institutional commodity pools to retail investors (Section 312), and weaken limits on commodity market speculation (Section 313). All of these sections appear significantly overbroad and could enable evasion of appropriate regulatory oversight.

In general, the ''end user'' changes in this bill fail to recognize the very substantial administrative exemptions provided to end users by the CFTC. The CFTC has already exempted end users from numerous Dodd-Frank regulations in areas targeted by this bill. By acting through administrative processes the agency has maintained appropriate safeguards as well as the ability to act if market participants use exemptions to evade important risk controls. In contrast, many of the provisions in HR 2289 would provide sweeping statutory exemptions that lack appropriate controls on risk and could easily become dangerous loopholes.

But even before considering these issues, the major new restrictions on the agency created by the cost-benefit and cross-border provisions of this bill create overwhelming reasons to reject this legislation as currently written. So long as those provisions are a part of this legislation, supporting appropriate derivatives regulation requires opposing this bill.

We urge you to vote against HR 2289 and preserve the CFTC's capacity to properly regulate crucial futures and derivatives markets. For more information please contact AFR's Policy Director, Marcus Stanley at marcus@ourfinancialsecurity.org.

Sincerely,

AMERICANS FOR FINANCIAL REFORM.

Mr. McGOVERN. Again, I would urge all my colleagues to look in their mail for the letter from the Americans for Financial Reform strongly opposed to this, and I reserve the balance of my time.

Mr. NEWHOUSE. Mr. Speaker, I yield 3 minutes to the good gentleman from Georgia (Mr. AUSTIN SCOTT).

Mr. AUSTIN SCOTT of Georgia. Mr. Speaker, I rise today in support of this resolution and the underlying legislation, H.R. 2289, the Commodity End-User Relief Act.

As chairman of the Agriculture Subcommittee on Commodity Exchanges, Energy, and Credit, I want to thank our chairman, Mr. CONAWAY, for his strong leadership and for making this reauthorization process a productive one through the full Ag Committee.

I also want to thank my colleague from Georgia and the ranking member of the Commodity Exchanges, Energy, and Credit Subcommittee, Mr. DAVID SCOTT. He has been a tremendous partner throughout this effort, and we certainly continue to work well together. I thank him for that.

Derivatives markets exist to meet the risk management needs of farmers, ranchers, utilities, manufacturers, and other end users. To be clear, these hedging activities directly benefit the American citizen by helping to keep consumer costs low and reducing the risk of manufacturing in the United States.

The ability of producers and end users to use the derivatives markets to hedge risk has a direct impact on the cost of living in my district, Georgia's Eighth Congressional District, and every other district around the country. It is essential that we have strong markets that our farmers, ranchers, and end users can utilize to meet their needs effectively.

Earlier this year, our subcommittee held three very productive hearings that built upon the work done in the past two Congresses on this reauthorization effort. In many hours of testimony we heard diverse perspectives from end users, market participants, and regulators that were instrumental in drafting this legislation. Their testimony included outlooks on the unintentional impacts that the market reforms enacted following the 2008 financial crisis were having on the end user community.

Despite congressional attempts to exempt end users from some of the more costly and cumbersome mandates, end users continue to face unnecessary regulatory burdens and uncertainty. With this legislation we have the opportunity to erase that.

H.R. 2289, the Commodity End-User Relief Act, seeks to clarify congressional intent, minimize regulatory burdens, and most importantly, preserve the ability for those necessary risk management markets to serve those who need them.

I believe we have met these objectives of ensuring that our regulatory framework protects the integrity of our markets while not limiting the ability of end users to access these tools to conduct their business.

I am proud to support both this resolution and the underlying legislation, Mr. Speaker, and I urge my colleagues to join me in so doing.

Mr. McGOVERN. Mr. Speaker, I yield myself such time as I may consume.

In closing, I want to call to the attention of my colleagues the Statement of Administration Policy on H.R. 2289 and just read a little bit of it so

that my colleagues understand how strongly the administration is opposed to this:

''The administration strongly opposes the passage of H.R. 2289 because it undermines the efficient functioning of the Commodity Futures Trading Commission . . . by imposing a number of organizational and procedural changes that would undercut efforts taken by the CFTC over the last year to address end user concerns.

''H.R. 2289 also offers no solution to address the persistent inadequacy of the agency's funding. The CFTC is one of only two Federal financial regulators funded through annual discretionary appropriations, and the funding that Congress has provided for it over the past 5 years has failed to keep pace with the increasing complexity of the Nation's financial markets.

''The changes proposed in H.R. 2289 would hinder the ability of the CFTC to operate effectively, thereby threatening the financial security of the middle class by encouraging the same kind of risky, irresponsible behavior that led to the great recession.''

The statement concludes, Mr. Speaker:

''If the President were presented with H.R. 2289, his senior advisers would recommend that he veto the bill.''

STATEMENT OF ADMINISTRATION POLICY

H.R. 2289—COMMODITY END-USER RELIEF ACT

(Rep. Conaway, R–TX, June 2, 2015)

The Administration is firmly committed to strengthening the Nation's financial system through the implementation of key reforms to safeguard derivatives markets and ensure a stronger and fairer financial system for investors and consumers. The full benefit to the Nation's citizens and the economy cannot be realized unless the entities charged with establishing and enforcing the rules of the road have the resources to do so.

The Administration strongly opposes the passage of H.R. 2289 because it undermines the efficient functioning of the Commodity Futures Trading Commission (CFTC) by imposing a number of organizational and procedural changes and would undercut efforts taken by the CFTC over the last year to address end-user concerns. H.R. 2289 also offers no solution to address the persistent inadequacy of the agency's funding. The CFTC is one of only two Federal financial regulators funded through annual discretionary appropriations, and the funding the Congress has provided for it over the past five years has failed to keep pace with the increasing complexity of the Nation's financial markets. The changes proposed in H.R. 2289 would hinder the ability of the CFTC to operate effectively, thereby threatening the financial security of the middle class by encouraging the same kind of risky, irresponsible behavior that led to the great recession.

Prior to enactment of the Dodd-Frank Wall Street Reform and Consumer Protection Act, the derivatives markets were largely unregulated. Losses connected to derivatives rippled through that hidden network, playing a central role in the financial crisis. Wall Street Reform resulted in significant expansion of the CFTC's responsibilities, establishing a framework for standardized over-the-counter derivatives to be traded on regulated platforms and centrally cleared, and for data to be reported to repositories to increase transparency and price discovery. The changes proposed in H.R. 2289 would hinder the CFTC's progress in successfully implementing these critical responsibilities and would unnecessarily disrupt the effective management and operation of the agency without providing the more robust and reliable funding that the agency needs.

In order to respond quickly to market events and market participants, the CFTC needs funding commensurate with its evolving oversight framework. The Administration looks forward to working with the Congress to authorize fee funding for the CFTC as proposed in the FY 2016 Budget request, a shift that would directly reduce the deficit. User fees were first proposed in the President's Budget by the Reagan Administration more than 30 years ago and have been supported by every Democratic and Republican Administration since that time. Fee funding would shift CFTC costs from the general taxpayer to the primary beneficiaries of the CFTC's oversight in a manner that maintains the efficiency, competitiveness, and financial integrity of the Nation's futures, options, and swaps markets, and supports market access for smaller market participants hedging or mitigating commercial or agricultural risk.

If the President were presented with H.R. 2289, his senior advisors would recommend that he veto the bill.

Mr. MCGOVERN. I think that basically says it all.

While I respect the intentions of my colleagues who drafted this bill, I think it is a deeply flawed bill, and it creates hurdles for the CFTC that will not be fully funded and will cause all kinds of problems.

I think we ought to make sure that the CFTC can do its job. I don't want a repeat of the financial crisis that resulted in the Great Recession. And I think the American people don't want a repeat of that.

I get very worried when I see this Congress chipping away at Dodd-Frank and the provisions in Dodd-Frank that get us back to what got us into this mess to begin with. I think we can do a lot better.

I urge my colleagues to vote ''no'' on the rule and vote ''no'' on the underlying bill.

With that, I yield back the balance of my time.

Mr. NEWHOUSE. Mr. Speaker, I yield myself the balance of my time.

Let me just say I appreciate the good discussion here today over the past hour. People on both side of the aisles have made very good comments, very good points.

As it relates to the last comment from Mr. MCGOVERN that talked about chipping away at Dodd-Frank, everything we're doing around here is fine-tuning and improving what has been passed in Congresses—legislation, laws on the books that need improvement—and I see that as what we are doing here today.

So I appreciate very much the comments. And although we may have some differences, I believe that this rule and the underlying bill are very strong measures that are important to the future of our country.

This rule provides for ample debate on the floor, the opportunity to debate and vote on the bill and numerous amendments, which I would note are divided evenly between Democratic and Republican Members of this Chamber. It reflects the balanced deliberation that this rule will provide. This rule will provide for a smooth and deliberative process for sending this bill over to the Senate for their consideration.

H.R. 2289 is a solid and substantial measure that will address several critical issues that the CFTC and end users are facing.

Mr. Speaker, no one wants to see the complete deregulation of our financial services industry and our commodities and derivative markets. And I appreciate the comments from the gentleman from Massachusetts. However, it is critical that the regulations put in place are appropriate for our economy and as well for the users.

These rules have to provide safeguards and prevent systemic risk but cannot catch our entire economy in a one-size-fits-all regulation.

As we have discussed here today, the current rules place enormous paperwork and financial burdens on small businesses. And that cannot go unstated. Our small businesses, ranchers, utilities, and manufacturers all face these financial burdens. They take these small, risk-averse entities and place them under the same regulatory scheme as large financial institutions and hedge funds. H.R. 2289 will differentiate and exempt the end users who are not a cause of systemic risk and should not have been lumped into these rules in the first place.

The underlying bill would also make much-needed reforms in the CFTC to strengthen their rulemaking process and add commonsense consumer protections.

Overall, this is a strong rule that provides for consideration of this important legislation. I urge my colleagues to support House Resolution 288 and the underlying bill.

Mr. Speaker, I yield back the balance of my time, and I move the previous question on the resolution.

The previous question was ordered.

The SPEAKER pro tempore (Mr. LOUDERMILK). The question is on the resolution.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. MCGOVERN. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The vote was taken by electronic device, and there were—yeas 243, nays 182, not voting 7, as follows:

[Roll No. 274]

YEAS—243

Abraham
Aderholt
Allen
Amash
Amodei
Babin
Barletta
Barr
Barton
Benishek
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Bost
Boustany
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Bucshon
Burgess
Byrne
Calvert
Carter (GA)
Carter (TX)
Chabot
Chaffetz
Clawson (FL)
Coffman
Cole
Collins (GA)
Collins (NY)
Comstock
Conaway
Cook
Costello (PA)
Cramer
Crawford
Crenshaw
Culberson
Curbelo (FL)
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Dold
Donovan
Duffy
Duncan (SC)
Duncan (TN)
Ellmers (NC)
Emmer (MN)
Farenthold
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Garrett
Gibbs
Gibson
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Griffith
Grothman
Guinta
Guthrie
Hanna
Hardy
Harper
Harris
Hartzler
Heck (NV)
Hensarling
Herrera Beutler
Hice, Jody B.
Hill
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (OH)
Johnson, Sam
Jolly
Jones
Jordan
Joyce
Katko
Kelly (PA)
King (IA)
King (NY)
Kinzinger (IL)
Kline
Knight
Labrador
LaMalfa
Lamborn
Lance
Latta
LoBiondo
Long
Loudermilk
Love
Lucas
Luetkemeyer
Lummis
MacArthur
Marchant
Marino
Massie
McCarthy
McCaul
McClintock
McHenry
McKinley
McSally
Meadows
Meehan
Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Newhouse
Noem
Nugent
Nunes
Olson
Palazzo
Palmer
Paulsen
Pearce
Perry
Pittenger
Pitts
Poe (TX)
Poliquin
Pompeo
Posey
Price, Tom
Ratcliffe
Reed
Reichert
Renacci
Ribble
Rice (SC)
Rigell
Roby
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney (FL)
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Royce
Russell
Ryan (WI)
Salmon
Sanford
Scalise
Schweikert
Scott, Austin
Scott, David
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Sinema
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Stefanik
Stewart
Stivers
Stutzman
Thompson (PA)
Thornberry
Tiberi
Tipton
Trott
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Westmoreland
Whitfield
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

NAYS—182

Aguilar
Ashford
Bass
Beatty
Becerra
Bera
Beyer
Bishop (GA)
Blumenauer
Bonamici
Brady (PA)
Brown (FL)
Brownley (CA)
Bustos
Butterfield
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly
Conyers
Cooper
Costa
Courtney
Crowley
Cuellar
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
DeSaulnier
Deutch
Dingell
Doggett
Doyle, Michael F.
Duckworth
Edwards
Ellison
Engel
Eshoo
Esty
Farr
Fattah
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Graham
Grayson
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hahn
Hastings
Heck (WA)
Higgins
Himes
Hinojosa
Honda
Hoyer
Huffman
Israel
Jeffries
Johnson (GA)
Johnson, E. B.
Keating
Kelly (IL)
Kennedy
Kildee
Kilmer
Kind
Kirkpatrick
Kuster
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lee
Levin
Lewis
Lieu, Ted
Lipinski
Loebsack
Lofgren
Lowenthal
Lowey
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
Maloney, Carolyn
Maloney, Sean
Matsui
McCollum
McDermott
McGovern
McNerney
Meeks
Meng
Moore
Moulton
Murphy (FL)
Nadler
Napolitano
Neal
Nolan
Norcross
O'Rourke
Pallone
Pascrell
Payne
Pelosi
Perlmutter
Peters
Peterson
Pingree
Pocan
Polis
Price (NC)
Quigley
Rangel
Rice (NY)
Richmond
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Scott (VA)
Serrano
Sewell (AL)
Sherman
Sires
Slaughter
Smith (WA)
Speier
Swalwell (CA)
Takai
Takano
Thompson (CA)
Thompson (MS)
Titus
Tonko
Torres
Tsongas
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Welch
Wilson (FL)
Yarmuth

NOT VOTING—7

Adams
Boyle, Brendan F.
Forbes
Jackson Lee
Kaptur
McMorris Rodgers
Roe (TN)

□ 1340

Messrs. FARENTHOLD, HANNA, McCLINTOCK, and WEBSTER of Florida changed their vote from ''nay'' to ''yea.''

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

COMMERCE, JUSTICE, SCIENCE, AND RELATED AGENCIES APPROPRIATIONS ACT, 2016

The SPEAKER pro tempore (Mr. FLEISCHMANN). Pursuant to House Resolution 287 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the further consideration of the bill, H.R. 2578.

Will the gentleman from Georgia (Mr. LOUDERMILK) kindly take the chair.

□ 1342

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H.R. 2578) making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2016, and for other purposes, with Mr. LOUDERMILK (Acting Chair) in the chair.

The Clerk read the title of the bill.

The Acting CHAIR. When the Committee of the Whole rose earlier today, the amendment offered by the gentleman from Georgia (Mr. AUSTIN SCOTT) had been disposed of, and the bill had been read through page 98, line 20.

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, proceedings will now resume on those amendments on which further proceedings were postponed, in the following order:

Amendment by Mr. PITTENGER of North Carolina.

Amendment by Mr. NADLER of New York.

Amendment by Mr. FARR of California.

Amendment No. 1 by Mrs. BLACKBURN of Tennessee.

Amendment by Mr. FOSTER of Illinois.

Amendment No. 9 by Ms. BONAMICI of Oregon.

Amendment by Mr. ELLISON of Minnesota.

Amendment by Mr. GRAYSON of Florida.

Amendment by Mr. ROHRABACHER of California.

Amendment by Mr. GRAYSON of Florida.

Amendment by Mr. MCCLINTOCK of California.

Amendment by Mr. PERRY of Pennsylvania.

Amendment by Mr. GARRETT of New Jersey.

The Chair will reduce to 2 minutes the time for any electronic vote in this series.

AMENDMENT OFFERED BY MR. PITTENGER

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from North Carolina (Mr. PITTENGER) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 163, noes 263, not voting 6, as follows:

[Roll No. 275]

AYES—163

Allen
Amash
Amodei
Babin
Barletta
Barr
Benishek
Bilirakis
Bishop (UT)
Black
Blackburn
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Bucshon
Burgess
Byrne
Carter (GA)
Carter (TX)
Chabot
Chaffetz
Clawson (FL)
Coffman
Collins (GA)
Collins (NY)
Comstock
Conaway
Cook
Cramer
Crawford
Curbelo (FL)
Dent
DeSantis
DesJarlais
Duffy
Duncan (SC)
Fincher
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Garrett
Gibbs
Goodlatte
Gosar
Gowdy
Graham
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Grothman
Hardy
Harris
Hartzler
Hensarling
Hice, Jody B.
Hill
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Issa
Jenkins (KS)
Johnson (OH)
Johnson, Sam
Jordan
Kelly (PA)
King (IA)
King (NY)
Kinzinger (IL)
Kirkpatrick
Kline
Knight
Labrador
LaMalfa
Lamborn
Latta
LoBiondo
Loudermilk
Love
Luetkemeyer
Marchant
Marino
McCarthy
McCaul
McHenry
Meadows
Messer
Mica
Miller (FL)
Miller (MI)
Mooney (WV)
Mullin
Mulvaney
Neugebauer
Newhouse
Nunes
Olson
Palazzo
Palmer
Paulsen
Pearce
Perry
Pittenger
Pitts
Pompeo
Posey
Price, Tom
Ratcliffe
Reed
Ribble
Rice (SC)
Roby
Rogers (AL)
Rohrabacher
Rokita
Roskam
Rothfus
Rouzer
Russell
Ryan (WI)
Salmon
Sanford
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shuster
Sinema
Smith (NE)
Smith (TX)
Stewart
Stutzman
Thornberry
Tipton
Walberg
Walorski
Walters, Mimi
Weber (TX)
Wenstrup
Westerman
Westmoreland
Whitfield
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (IN)
Zeldin
Zinke

NOES—263

Abraham
Aderholt
Aguilar
Ashford
Barton
Bass
Beatty
Becerra
Bera
Beyer
Bishop (GA)
Bishop (MI)
Blum
Blumenauer
Bonamici
Bost
Boustany
Brady (PA)
Brown (FL)
Brownley (CA)
Buchanan
Buck
Bustos
Butterfield
Calvert
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Cole
Connolly
Conyers
Cooper
Costa
Costello (PA)
Courtney
Crenshaw
Crowley
Cuellar
Culberson
Cummings
Davis (CA)
Davis, Danny
Davis, Rodney
DeFazio
DeGette
Delaney
DeLauro
DelBene
Denham
DeSaulnier
Deutch
Diaz-Balart
Dingell
Doggett
Dold
Donovan
Doyle, Michael F.
Duckworth
Duncan (TN)
Edwards
Ellison
Ellmers (NC)
Emmer (MN)
Engel
Eshoo
Esty
Farenthold
Farr
Fattah
Fitzpatrick
Fleischmann
Foster
Frankel (FL)
Frelinghuysen
Fudge
Gabbard
Gallego
Garamendi
Gibson
Gohmert
Grayson
Green, Al
Green, Gene
Griffith
Grijalva
Guinta
Guthrie
Gutiérrez
Hahn
Hanna
Harper
Hastings
Heck (NV)
Heck (WA)
Herrera Beutler
Higgins
Himes
Hinojosa
Honda
Hoyer
Huffman
Israel
Jeffries
Jenkins (WV)
Johnson (GA)
Johnson, E. B.
Jolly
Jones
Joyce
Katko
Keating
Kelly (IL)
Kennedy
Kildee
Kilmer
Kind
Kuster
Lance
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lee
Levin
Lewis
Lieu, Ted
Lipinski
Loebsack
Lofgren
Long
Lowenthal
Lowey
Lucas
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lummis
Lynch
MacArthur
Maloney, Carolyn
Maloney, Sean
Massie
Matsui
McClintock
McCollum
McDermott
McGovern
McKinley
McMorris Rodgers
McNerney
McSally
Meehan
Meeks
Meng
Moolenaar
Moore
Moulton
Murphy (FL)
Murphy (PA)
Nadler
Napolitano
Neal
Noem
Nolan
Norcross
Nugent
O'Rourke
Pallone
Pascrell
Payne
Pelosi
Perlmutter
Peters
Peterson
Pingree
Pocan
Poe (TX)
Poliquin
Polis
Price (NC)
Quigley
Rangel
Reichert
Renacci
Rice (NY)
Richmond
Rigell
Rogers (KY)
Rooney (FL)
Ros-Lehtinen
Ross
Roybal-Allard
Royce
Ruiz
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Sherman
Shimkus
Simpson
Sires
Slaughter
Smith (NJ)
Smith (WA)
Speier
Stefanik
Stivers
Swalwell (CA)
Takai
Takano
Thompson (CA)
Thompson (MS)
Thompson (PA)
Tiberi
Titus
Tonko
Torres
Trott
Tsongas
Turner
Upton
Valadao
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Wagner
Walden
Walker
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Webster (FL)
Welch
Wilson (FL)
Yarmuth
Young (AK)
Young (IA)

NOT VOTING—6

Adams
Boyle, Brendan F.
Jackson Lee
Kaptur
Roe (TN)
Smith (MO)

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute remaining.

□ 1347

Ms. MOORE changed her vote from ''aye'' to ''no.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. NADLER

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from New York (Mr. NADLER) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 170, noes 256, not voting 6, as follows:

[Roll No. 276]

AYES—170

Amash
Bass
Beatty
Becerra
Bera
Beyer
Bishop (GA)
Blumenauer
Bonamici
Brady (PA)
Brown (FL)
Bustos
Butterfield
Capuano
Cárdenas
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly
Conyers
Cooper
Courtney
Crowley
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
DeSaulnier
Deutch
Dingell
Doggett
Doyle, Michael F.
Duckworth
Duncan (TN)
Edwards
Ellison
Engel
Eshoo
Esty
Farr
Fattah
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Gibson
Grayson
Green, Al
Grijalva
Hahn
Hastings
Heck (WA)
Higgins
Himes
Hinojosa
Honda
Hoyer
Huffman
Israel
Jeffries
Johnson (GA)
Johnson, E. B.
Keating
Kelly (IL)
Kennedy
Kildee
Kilmer
Kind
Kuster
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lee
Levin
Lewis
Lieu, Ted
Loebsack
Lofgren
Lowenthal
Lowey
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
Maloney, Carolyn
Matsui
McCollum
McDermott
McGovern
McNerney
Meeks
Meng
Moore
Moulton
Nadler
Napolitano
Neal
Nolan
Norcross
O'Rourke
Pallone
Pascrell
Payne
Pelosi
Perlmutter
Peters
Peterson
Pingree
Pocan
Polis
Price (NC)
Quigley
Rangel
Rice (NY)
Rice (SC)
Richmond
Roybal-Allard
Rush
Ryan (OH)
Sánchez, Linda T.
Sanford
Sarbanes
Schakowsky
Schiff
Schrader
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Sherman
Slaughter
Smith (WA)
Speier
Swalwell (CA)
Takai
Takano
Thompson (CA)
Thompson (MS)
Titus
Tonko
Torres
Tsongas
Van Hollen
Vargas
Veasey
Velázquez
Visclosky
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Welch
Wilson (FL)
Yarmuth

NOES—256

Abraham
Aderholt
Aguilar
Allen
Amodei
Ashford
Babin
Barletta
Barr
Barton
Benishek
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Bost
Boustany
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Brownley (CA)
Buchanan
Buck
Bucshon
Burgess
Byrne
Calvert
Capps
Carter (GA)
Carter (TX)
Chabot
Chaffetz
Clawson (FL)
Coffman
Cole
Collins (GA)
Collins (NY)
Comstock
Conaway
Cook
Costa
Costello (PA)
Cramer
Crawford
Crenshaw
Cuellar
Culberson
Curbelo (FL)
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Dold
Donovan
Duffy
Duncan (SC)
Ellmers (NC)
Emmer (MN)
Farenthold
Fincher
Fitzpatrick
Fleischmann
Fleming

Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Garrett
Gibbs
Gohmert
Goodlatte
Gosar
Gowdy
Graham
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Green, Gene
Griffith
Grothman
Guinta
Guthrie
Hanna
Hardy
Harper
Harris
Hartzler
Heck (NV)
Hensarling
Herrera Beutler
Hice, Jody B.
Hill
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (OH)
Johnson, Sam
Jolly
Jones
Jordan
Joyce
Katko
Kelly (PA)
King (IA)
King (NY)
Kinzinger (IL)
Kirkpatrick
Kline
Knight
Labrador
LaMalfa
Lamborn
Lance
Latta
Lipinski
LoBiondo
Long
Loudermilk
Love
Lucas
Luetkemeyer
Lummis
MacArthur
Maloney, Sean
Marchant
Marino
Massie
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris Rodgers
McSally
Meadows
Meehan
Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Mullin
Mulvaney
Murphy (FL)
Murphy (PA)
Neugebauer
Newhouse
Noem
Nugent
Nunes
Olson
Palazzo
Palmer
Paulsen
Pearce
Perry
Pittenger
Pitts
Poe (TX)
Poliquin
Pompeo
Posey
Price, Tom
Ratcliffe
Reed
Reichert
Renacci
Ribble
Rigell
Roby
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney (FL)
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Royce
Ruiz
Ruppersberger
Russell
Ryan (WI)
Salmon
Sanchez, Loretta
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Sinema
Sires
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Stefanik
Stewart
Stivers
Stutzman
Thompson (PA)
Thornberry
Tiberi
Tipton
Trott
Turner
Upton
Valadao
Vela
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Westmoreland
Whitfield
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

NOT VOTING—6

Adams
Boyle, Brendan F.
Gutiérrez
Jackson Lee
Kaptur
Roe (TN)

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute remaining.

□ 1351

So the amendment was rejected.

The result of the vote was announced as above recorded.

Stated for:

Mrs. CAPPS. Mr. Chair, on rollcall Vote No. 276 I am recorded as voting ''no;'' however, I intended to vote ''yes.''

Mr. GUTIÉRREZ. Mr. Chair, I was inadvertently absent in the House chamber for a vote on Wednesday, June 3, 2015. Had I been present, I would have voted ''yea'' on rollcall vote 276 in support of the Nadler Amendment to remove language in the underlying bill to prohibit the use of funds to transfer or release detainees held at Guantanamo Bay.

AMENDMENT OFFERED BY MR. FARR

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from California (Mr. FARR) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 153, noes 273, not voting 6, as follows:

[Roll No. 277]

AYES—153

Aguilar
Bass
Beatty
Becerra
Beyer
Bishop (GA)
Blumenauer
Bonamici
Brady (PA)
Bustos
Butterfield
Capps
Capuano
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Conyers
Cooper
Costa
Courtney
Cramer
Crowley
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
DeSaulnier
Dingell
Doggett
Doyle, Michael F.
Duckworth
Edwards
Ellison
Eshoo
Esty
Farr
Fattah
Foster
Fudge
Gabbard
Gallego
Garamendi
Green, Al
Grijalva
Gutiérrez
Hahn
Higgins
Himes
Hinojosa
Honda
Huffman
Israel
Jeffries
Johnson (GA)
Johnson, E. B.
Kelly (IL)
Kennedy
Kildee
Kilmer
Kind
Kirkpatrick
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lee
Levin
Lewis
Lieu, Ted
Loebsack
Lofgren
Lowenthal
Lowey
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Maloney, Carolyn
Matsui
McCollum
McDermott
McGovern
McNerney
Meeks
Meng
Moore
Moulton
Nadler
Napolitano
Neal
Nolan
O'Rourke
Payne
Pelosi
Perlmutter
Peters
Peterson
Pingree
Pocan
Polis
Price (NC)
Rangel
Rice (NY)
Richmond
Roybal-Allard
Ruiz
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Scott (VA)
Scott, David
Sensenbrenner
Serrano
Sewell (AL)
Sinema
Slaughter
Smith (WA)
Speier
Swalwell (CA)
Takai
Takano
Thompson (CA)
Thompson (MS)
Titus
Tonko
Torres
Tsongas
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Waters, Maxine
Welch
Yarmuth

NOES—273

Abraham
Aderholt
Allen
Amash
Amodei
Ashford
Babin
Barletta
Barr
Barton
Benishek
Bera
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Bost
Boustany
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Brown (FL)
Brownley (CA)
Buchanan
Buck
Bucshon
Burgess
Byrne
Calvert
Cárdenas
Carter (GA)
Carter (TX)
Chabot
Chaffetz
Clawson (FL)
Coffman
Cole
Collins (GA)
Collins (NY)
Comstock
Conaway
Connolly
Cook
Costello (PA)
Crawford
Crenshaw
Cuellar
Culberson
Curbelo (FL)
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Deutch
Diaz-Balart
Dold
Donovan
Duffy
Duncan (SC)
Duncan (TN)
Ellmers (NC)
Emmer (MN)
Engel
Farenthold
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Frankel (FL)
Franks (AZ)
Frelinghuysen
Garrett
Gibbs
Gibson
Gohmert
Goodlatte
Gosar
Gowdy
Graham
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Green, Gene
Griffith
Grothman
Guinta
Guthrie
Hanna
Hardy
Harper
Harris
Hartzler
Hastings
Heck (NV)
Heck (WA)
Hensarling
Herrera Beutler
Hice, Jody B.
Hill
Holding
Hoyer
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (OH)
Johnson, Sam
Jolly
Jones
Jordan
Joyce
Katko
Keating
Kelly (PA)
King (IA)
King (NY)
Kinzinger (IL)
Kline
Knight
Kuster
Labrador
LaMalfa
Lamborn
Lance
Latta
Lipinski
LoBiondo
Long
Loudermilk
Love
Lucas
Luetkemeyer
Lummis
Lynch
MacArthur
Maloney, Sean
Marchant
Marino
Massie
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris Rodgers
McSally
Meadows
Meehan
Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Mullin
Mulvaney
Murphy (FL)
Murphy (PA)
Neugebauer
Newhouse
Noem
Norcross
Nugent
Nunes
Olson
Palazzo
Pallone
Palmer
Pascrell
Paulsen
Pearce
Perry
Pittenger
Pitts
Poe (TX)
Poliquin
Pompeo
Posey
Price, Tom
Quigley
Ratcliffe
Reed
Reichert
Renacci
Ribble
Rice (SC)
Rigell
Roby
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney (FL)
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Royce
Ruppersberger
Russell
Ryan (WI)
Salmon
Sanford
Scalise
Schrader
Schweikert
Scott, Austin
Sessions
Sherman
Shimkus
Shuster
Simpson
Sires
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Stefanik
Stewart
Stivers
Stutzman
Thompson (PA)
Thornberry
Tiberi
Tipton
Trott
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Wasserman Schultz
Watson Coleman
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Westmoreland
Whitfield
Williams
Wilson (FL)
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

NOT VOTING—6

Adams
Boyle, Brendan F.
Grayson
Jackson Lee
Kaptur
Roe (TN)

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute remaining.

□ 1355

Mr. CICILLINE changed his vote from ''no'' to ''aye.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 1 OFFERED BY MRS. BLACKBURN

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentlewoman from Tennessee (Mrs. BLACKBURN) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 168, noes 257, not voting 7, as follows:

[Roll No. 278]

AYES—168

Allen
Amash
Babin
Barton
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Buchanan
Buck
Bucshon
Burgess
Byrne
Carter (GA)
Chabot
Chaffetz
Clawson (FL)
Coffman
Collins (GA)
Collins (NY)
Conaway
Cook
Cooper
Cramer
Crawford
DeSantis
DesJarlais
Duffy
Duncan (SC)
Duncan (TN)
Farenthold
Fincher
Fleischmann
Fleming
Flores
Forbes
Foxx
Franks (AZ)
Garrett
Gibbs
Gohmert
Goodlatte
Gosar
Gowdy
Graves (GA)
Graves (LA)
Graves (MO)
Griffith
Grothman
Guinta
Guthrie
Harper
Harris
Hartzler
Hensarling
Hice, Jody B.
Hill
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Issa
Jenkins (KS)
Johnson (OH)
Johnson, Sam
Jones
Jordan
Kelly (PA)
King (IA)
Kline
Knight
Labrador
LaMalfa
Lamborn
Lance
Latta
Long
Loudermilk
Love
Lucas
Luetkemeyer
Lummis
Marchant
Massie
McCaul
McClintock
McHenry
McMorris Rodgers
McSally
Meadows
Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Mullin
Mulvaney
Murphy (PA)
Napolitano
Neugebauer
Olson
Palazzo
Palmer
Paulsen
Pearce
Perry
Pittenger
Pitts
Poe (TX)
Poliquin
Pompeo
Price, Tom
Ratcliffe
Ribble
Rice (SC)
Rigell
Rohrabacher
Rokita
Rothfus
Rouzer
Royce
Russell
Ryan (WI)
Salmon
Sanford
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shuster
Smith (MO)
Smith (NE)
Smith (TX)
Stewart
Stutzman
Thornberry
Tiberi
Tipton
Upton
Wagner
Walberg
Walker
Walorski
Walters, Mimi
Weber (TX)
Wenstrup
Westerman
Williams
Wilson (SC)
Wittman
Woodall
Yoder
Yoho
Young (IA)
Young (IN)
Zinke

NOES—257

Abraham
Aderholt
Aguilar
Amodei
Ashford
Barletta
Barr
Bass
Beatty
Becerra
Benishek
Bera
Beyer
Bishop (GA)
Blumenauer
Bonamici
Bost
Boustany
Brady (PA)
Brooks (IN)
Brown (FL)
Brownley (CA)
Bustos
Butterfield
Calvert
Capps
Capuano
Cárdenas
Carney
Carter (TX)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Cole
Comstock
Connolly
Conyers
Costa
Costello (PA)
Courtney
Crenshaw
Crowley
Cuellar
Culberson
Cummings
Curbelo (FL)
Davis (CA)
Davis, Danny
Davis, Rodney
DeFazio
DeGette
Delaney
DeLauro
DelBene
Denham
Dent
DeSaulnier
Deutch
Diaz-Balart
Dingell
Doggett
Dold
Donovan
Doyle, Michael F.
Duckworth
Edwards
Ellison
Ellmers (NC)
Emmer (MN)
Engel
Eshoo
Esty
Farr
Fattah
Fitzpatrick
Fortenberry
Foster
Frankel (FL)
Frelinghuysen
Fudge
Gabbard
Gallego
Garamendi
Gibson
Graham
Granger
Grayson
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hahn
Hanna
Hardy
Hastings
Heck (NV)
Heck (WA)
Herrera Beutler
Higgins
Himes
Honda
Hoyer
Huffman
Israel
Jeffries
Jenkins (WV)
Johnson (GA)
Johnson, E. B.
Jolly
Joyce
Kaptur
Katko
Keating
Kelly (IL)
Kennedy
Kildee
Kilmer
Kind
King (NY)
Kinzinger (IL)
Kirkpatrick
Kuster
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lee
Levin
Lewis
Lieu, Ted
Lipinski
LoBiondo
Loebsack
Lofgren
Lowenthal
Lowey
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
MacArthur
Maloney, Carolyn
Maloney, Sean
Marino
Matsui
McCarthy
McCollum
McDermott
McGovern
McKinley
McNerney
Meehan
Meeks
Meng
Moore
Moulton
Murphy (FL)
Nadler
Neal
Newhouse
Noem
Nolan
Norcross
Nugent
Nunes
O'Rourke
Pallone
Pascrell
Payne
Pelosi
Perlmutter
Peters
Peterson
Pingree
Pocan
Polis
Posey
Price (NC)
Quigley
Rangel
Reed
Reichert
Renacci
Rice (NY)
Richmond
Roby
Rogers (AL)
Rogers (KY)
Rooney (FL)
Ros-Lehtinen
Roskam
Ross
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Sherman
Shimkus
Simpson
Sinema
Sires
Slaughter
Smith (NJ)
Smith (WA)
Speier
Stefanik
Stivers
Swalwell (CA)
Takai
Takano
Thompson (CA)
Thompson (MS)
Thompson (PA)
Titus
Tonko
Torres
Trott
Tsongas
Turner
Valadao
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walden
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Webster (FL)
Welch
Westmoreland
Whitfield
Womack
Yarmuth
Young (AK)
Zeldin

NOT VOTING—7

Adams
Boyle, Brendan F.
Carson (IN)
Hinojosa
Jackson Lee
Roe (TN)
Wilson (FL)

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute remaining.

□ 1358

So the amendment was rejected.

The result of the vote was announced as above recorded.

Stated against:

Mr. HINOJOSA. Mr. Chair, on rollcall No. 278, had I been present, I would have voted "no."

AMENDMENT OFFERED BY MR. FOSTER

The Acting CHAIR (Mr. WOODALL). The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Illinois (Mr. FOSTER) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 195, noes 232, not voting 5, as follows:

[Roll No. 279]

AYES—195

Aguilar
Amash
Barletta
Bass
Becerra
Benishek
Bera
Beyer
Bilirakis
Bishop (MI)
Bishop (UT)
Bost
Brat
Brownley (CA)
Bucshon
Burgess
Bustos
Cárdenas
Carson (IN)
Carter (GA)
Cartwright
Castro (TX)
Chabot
Chu, Judy
Clawson (FL)
Clay
Coffman
Collins (GA)
Connolly
Cooper
Costa
Costello (PA)
Crowley
Cuellar
Cummings
Davis (CA)
Davis, Rodney
DeGette
Delaney
Denham
Dent
DeSantis
DesJarlais
Dingell
Doggett
Dold
Doyle, Michael F.
Duckworth
Duffy
Duncan (TN)
Edwards
Ellison
Emmer (MN)
Engel
Fitzpatrick
Forbes
Foster
Foxx
Franks (AZ)
Gallego
Garamendi
Garrett
Gibbs
Gohmert
Goodlatte
Graham
Graves (GA)
Griffith
Grothman
Gutiérrez
Harris
Hensarling
Herrera Beutler
Hice, Jody B.
Higgins
Himes
Holding
Hoyer
Hudson
Huffman
Huizenga (MI)
Hultgren
Hunter
Hurt (VA)
Issa
Jeffries
Johnson, E. B.
Jones
Kaptur
Katko
Kelly (IL)
Kildee
Kind
Kinzinger (IL)
Kirkpatrick
Kline
LaMalfa
Lance
Larsen (WA)
Latta
Lawrence
Levin
Lieu, Ted
Lipinski
LoBiondo
Loebsack
Loudermilk
Lowenthal
Maloney, Carolyn
Maloney, Sean
Massie
McCarthy
McClintock
McCollum
McDermott
McHenry
McMorris Rodgers
McNerney
McSally
Meeks
Meng
Miller (FL)
Miller (MI)
Moore
Murphy (FL)
Murphy (PA)
Nadler
Napolitano
Nolan
Norcross
Nugent
O'Rourke
Pallone
Pascrell
Paulsen
Payne
Pelosi
Perlmutter
Perry
Peters
Peterson
Pittenger
Pocan
Poe (TX)

Polis
Price, Tom
Quigley
Rangel
Ratcliffe
Renacci
Ribble
Rice (NY)
Rohrabacher
Roskam
Ross
Rothfus
Rouzer
Roybal-Allard
Ruiz
Ruppersberger
Ryan (WI)
Salmon
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schweikert
Scott, Austin
Sensenbrenner
Sherman
Shimkus
Shuster
Sinema
Sires
Smith (NJ)
Smith (WA)
Stivers
Takano
Tiberi
Torres
Upton
Vargas
Veasey
Vela
Wagner
Walberg
Walden
Walz
Wasserman Schultz
Waters, Maxine
Webster (FL)
Wenstrup
Wilson (FL)
Woodall
Yoho

NOES—232

Abraham
Aderholt
Allen
Amodei
Ashford
Barr
Barton
Beatty
Bishop (GA)
Black
Blackburn
Blum
Blumenauer
Bonamici
Boustany
Brady (PA)
Brady (TX)
Bridenstine
Brooks (AL)
Brooks (IN)
Brown (FL)
Buchanan
Buck
Butterfield
Byrne
Calvert
Capps
Capuano
Carney
Carter (TX)
Castor (FL)
Chaffetz
Cicilline
Clark (MA)
Clarke (NY)
Cleaver
Clyburn
Cohen
Cole
Collins (NY)
Comstock
Conaway
Conyers
Cook
Courtney
Cramer
Crawford
Crenshaw
Culberson
Curbelo (FL)
Davis, Danny
DeFazio
DeLauro
DelBene
DeSaulnier
Deutch
Diaz-Balart
Donovan
Duncan (SC)
Ellmers (NC)
Eshoo
Esty
Farenthold
Farr
Fattah
Fincher
Fleischmann
Fleming
Flores
Fortenberry
Frankel (FL)
Frelinghuysen
Fudge
Gabbard
Gibson
Gosar
Gowdy
Granger
Graves (LA)
Graves (MO)
Grayson
Green, Al
Green, Gene
Grijalva
Guinta
Guthrie
Hahn
Hanna
Hardy
Harper
Hartzler
Hastings
Heck (NV)
Heck (WA)
Hill
Hinojosa
Honda
Huelskamp
Hurd (TX)
Israel
Jenkins (KS)
Jenkins (WV)
Johnson (GA)
Johnson (OH)
Johnson, Sam
Jolly
Jordan
Joyce
Keating
Kelly (PA)
Kennedy
Kilmer
King (IA)
King (NY)
Knight
Kuster
Labrador
Lamborn
Langevin
Larson (CT)
Lee
Lewis
Lofgren
Long
Love
Lowey
Lucas
Luetkemeyer
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lummis
Lynch
MacArthur
Marchant
Marino
Matsui
McCaul
McGovern
McKinley
Meadows
Meehan
Messer
Mica
Moolenaar
Mooney (WV)
Moulton
Mullin
Mulvaney
Neal
Neugebauer
Newhouse
Noem
Nunes
Olson
Palazzo
Palmer
Pearce
Pingree
Pitts
Poliquin
Pompeo
Posey
Price (NC)
Reed
Reichert
Rice (SC)
Richmond
Rigell
Roby
Rogers (AL)
Rogers (KY)
Rokita
Rooney (FL)
Ros-Lehtinen
Royce
Rush
Russell
Ryan (OH)
Sanford
Scalise
Schiff
Schrader
Scott (VA)
Scott, David
Serrano
Sessions
Sewell (AL)
Simpson
Slaughter
Smith (MO)
Smith (NE)
Smith (TX)
Speier
Stefanik
Stewart
Stutzman
Swalwell (CA)
Takai
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tipton
Titus
Tonko
Trott
Tsongas
Turner
Valadao
Van Hollen
Velázquez
Visclosky
Walker
Walorski
Walters, Mimi
Watson Coleman
Weber (TX)
Welch
Westerman
Westmoreland
Whitfield
Williams
Wilson (SC)
Wittman
Womack
Yarmuth
Yoder
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

NOT VOTING—5

Adams
Babin
Boyle, Brendan F.
Jackson Lee
Roe (TN)

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute remaining.

□ 1403

Messrs. NORCROSS, SIRES, and CUMMINGS changed their vote from ''no'' to ''aye.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 9 OFFERED BY MS. BONAMICI

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentlewoman from Oregon (Ms. BONAMICI) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 282, noes 146, not voting 4, as follows:

[Roll No. 280]

AYES—282

Aguilar
Amash
Ashford
Barr
Bass
Becerra
Benishek
Bera
Beyer
Bishop (GA)
Bishop (UT)
Blackburn
Blum
Blumenauer
Bonamici
Brady (PA)
Brat
Brooks (AL)
Brooks (IN)
Brown (FL)
Brownley (CA)
Buck
Bucshon
Bustos
Butterfield
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chaffetz
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clawson (FL)
Clay
Cleaver
Clyburn
Coffman
Cohen
Collins (GA)
Collins (NY)
Comstock
Conaway
Connolly
Conyers
Cooper
Costa
Costello (PA)
Courtney
Cramer
Crowley
Cummings
Curbelo (FL)
Davis (CA)
Davis, Danny
Davis, Rodney
DeFazio
DeGette
Delaney
DeLauro
DelBene
Dent
DeSantis
DeSaulnier
DesJarlais
Deutch
Dingell
Doggett
Dold
Donovan
Doyle, Michael F.
Duckworth
Duncan (SC)
Duncan (TN)
Edwards
Ellison
Ellmers (NC)
Emmer (MN)
Engel
Eshoo
Esty
Farr
Fattah
Fincher
Fleischmann
Fortenberry
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Garrett
Gibson
Goodlatte
Graham
Graves (GA)
Grayson
Green, Al
Green, Gene
Griffith
Grijalva
Grothman
Gutiérrez
Hahn
Hanna
Hardy
Hastings
Heck (NV)
Heck (WA)
Herrera Beutler
Hice, Jody B.
Higgins
Himes
Honda
Hoyer
Huelskamp
Huffman
Hunter
Hurt (VA)
Israel
Jeffries
Jenkins (KS)
Jenkins (WV)
Johnson (GA)
Johnson, E. B.
Jolly
Jones
Joyce
Kaptur
Keating
Kelly (IL)
Kennedy
Kildee
Kilmer
Kind
King (NY)
Kinzinger (IL)
Kirkpatrick
Kline
Knight
Kuster
Labrador
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lee
Levin
Lewis
Lieu, Ted
Lipinski
LoBiondo
Loebsack
Lofgren
Loudermilk
Love
Lowenthal
Lowey
Luetkemeyer
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lummis
Lynch
Maloney, Carolyn
Maloney, Sean
Massie
Matsui
McClintock
McCollum
McDermott
McGovern
McNerney
Meeks
Meng
Messer
Mooney (WV)
Moore
Moulton
Mulvaney
Murphy (FL)
Nadler
Napolitano
Neal
Newhouse
Nolan
Norcross
O'Rourke
Pallone
Pascrell
Payne
Pelosi
Perlmutter
Perry
Peters
Peterson
Pingree
Pocan
Poliquin
Polis
Price (NC)
Price, Tom
Quigley
Rangel
Reed
Ribble
Rice (NY)
Rice (SC)
Richmond
Rigell
Rogers (AL)
Rohrabacher
Rokita
Rooney (FL)
Ros-Lehtinen
Roybal-Allard
Royce
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Schweikert
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Sherman
Sinema
Sires
Slaughter
Smith (MO)
Smith (WA)
Speier
Stefanik
Stewart
Stutzman
Swalwell (CA)
Takai
Takano
Thompson (CA)
Thompson (MS)
Tipton
Titus
Tonko
Torres
Tsongas
Upton
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walden
Walorski
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Welch
Wenstrup
Westmoreland
Whitfield
Wilson (FL)
Woodall
Yarmuth
Yoho
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

NOES—146

Abraham
Aderholt
Allen
Amodei
Babin
Barletta
Barton
Beatty
Bilirakis
Bishop (MI)
Black
Bost
Boustany
Brady (TX)
Bridenstine
Buchanan
Burgess
Byrne
Calvert
Carter (GA)
Carter (TX)
Chabot
Cole
Cook
Crawford
Crenshaw
Cuellar
Culberson
Denham
Diaz-Balart
Duffy
Farenthold
Fitzpatrick
Fleming
Flores
Forbes
Foxx
Franks (AZ)
Frelinghuysen
Gibbs
Gohmert
Gosar
Gowdy
Granger
Graves (LA)
Graves (MO)
Guinta
Guthrie
Harper
Harris
Hartzler
Hensarling
Hill
Hinojosa
Holding
Hudson
Huizenga (MI)
Hultgren
Hurd (TX)
Issa
Johnson (OH)
Johnson, Sam
Jordan
Katko
Kelly (PA)
King (IA)
LaMalfa
Lamborn
Lance
Latta
Long
Lucas
MacArthur
Marchant
Marino
McCarthy
McCaul
McHenry
McKinley
McMorris Rodgers
McSally
Meadows
Meehan
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mullin
Murphy (PA)
Neugebauer
Noem
Nugent
Nunes
Olson
Palazzo
Palmer
Paulsen
Pearce
Pittenger
Pitts
Poe (TX)
Pompeo
Posey
Ratcliffe
Reichert
Renacci
Roby
Rogers (KY)
Roskam
Ross
Rothfus
Rouzer
Ruiz
Russell
Ryan (WI)
Salmon
Sanford
Scalise

Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Stivers
Thompson (PA)
Thornberry
Tiberi
Trott
Turner
Valadao
Wagner
Walberg
Walker
Walters, Mimi
Weber (TX)
Webster (FL)
Westerman
Williams
Wilson (SC)
Wittman
Womack
Yoder

NOT VOTING—4

Adams
Boyle, Brendan F.
Jackson Lee
Roe (TN)

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (Mr. LOUDERMILK) (during the vote). There is 1 minute remaining.

□ 1407

Mr. REED changed his vote from ''no'' to ''aye.''

So the amendment was agreed to.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. ELLISON

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Minnesota (Mr. ELLISON) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 184, noes 244, not voting 4, as follows:

[Roll No. 281]

AYES—184

Aguilar
Ashford
Bass
Beatty
Becerra
Bera
Beyer
Bishop (GA)
Blumenauer
Bonamici
Brady (PA)
Brown (FL)
Brownley (CA)
Bustos
Butterfield
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Conyers
Cooper
Costa
Courtney
Crowley
Cuellar
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
DeSaulnier
Deutch
Dingell
Doggett
Doyle, Michael F.
Duckworth
Edwards
Ellison
Engel
Eshoo
Esty
Farr
Fattah
Fitzpatrick
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Graham
Grayson
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hahn
Hastings
Heck (WA)
Higgins
Himes
Hinojosa
Honda
Hoyer
Huffman
Israel
Jeffries
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kelly (IL)
Kennedy
Kildee
Kilmer
Kind
Kirkpatrick
Kuster
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lee
Levin
Lewis
Lieu, Ted
Lipinski
Loebsack
Lofgren
Lowenthal
Lowey
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
Maloney, Carolyn
Maloney, Sean
Matsui
McCollum
McDermott
McGovern
McNerney
Meeks
Meng
Moore
Moulton
Murphy (FL)
Nadler
Napolitano
Neal
Nolan
Norcross
O'Rourke
Pallone
Pascrell
Payne
Pelosi
Perlmutter
Peters
Peterson
Pingree
Pocan
Polis
Price (NC)
Quigley
Rangel
Rice (NY)
Richmond
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Scott, David
Serrano
Sewell (AL)
Sherman
Sinema
Sires
Slaughter
Smith (WA)
Speier
Swalwell (CA)
Takai
Takano
Thompson (CA)
Thompson (MS)
Titus
Tonko
Torres
Tsongas
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Welch
Wilson (FL)
Yarmuth

NOES—244

Abraham
Aderholt
Allen
Amash
Amodei
Babin
Barletta
Barr
Barton
Benishek
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Bost
Boustany
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Bucshon
Burgess
Byrne
Calvert
Carter (GA)
Carter (TX)
Chabot
Chaffetz
Clawson (FL)
Coffman
Cole
Collins (GA)
Collins (NY)
Comstock
Conaway
Connolly
Cook
Costello (PA)
Cramer
Crawford
Crenshaw
Culberson
Curbelo (FL)
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Dold
Donovan
Duffy
Duncan (SC)
Duncan (TN)
Ellmers (NC)
Emmer (MN)
Farenthold
Fincher
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Garrett
Gibbs
Gibson
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Griffith
Grothman
Guinta
Guthrie
Hanna
Hardy
Harper
Harris
Hartzler
Heck (NV)
Hensarling
Herrera Beutler
Hice, Jody B.
Hill
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (OH)
Johnson, Sam
Jolly
Jones
Jordan
Joyce
Katko
Kelly (PA)
King (IA)
King (NY)
Kinzinger (IL)
Kline
Knight
Labrador
LaMalfa
Lamborn
Lance
Latta
LoBiondo
Long
Loudermilk
Love
Lucas
Luetkemeyer
Lummis
MacArthur
Marchant
Marino
Massie
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris Rodgers
McSally
Meadows
Meehan
Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Newhouse
Noem
Nugent
Nunes
Olson
Palazzo
Palmer
Paulsen
Pearce
Perry
Pittenger
Pitts
Poe (TX)
Poliquin
Pompeo
Posey
Price, Tom
Ratcliffe
Reed
Reichert
Renacci
Ribble
Rice (SC)
Rigell
Roby
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney (FL)
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Royce
Russell
Ryan (WI)
Salmon
Sanford
Scalise
Schweikert
Scott (VA)
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Stefanik
Stewart
Stivers
Stutzman
Thompson (PA)
Thornberry
Tiberi
Tipton
Trott
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Westmoreland
Whitfield
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

NOT VOTING—4

Adams
Boyle, Brendan F.
Jackson Lee
Roe (TN)

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute remaining.

□ 1413

Mr. RUPPERSBERGER changed his vote from ''no'' to ''aye.''

Mr. SCOTT of Virginia changed his vote from ''aye'' to ''no.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. GRAYSON

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Florida (Mr. GRAYSON) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 27, noes 399, answered ''present'' 1, not voting 5, as follows:

[Roll No. 282]

AYES—27

Aderholt
Brooks (AL)
Burgess
Carson (IN)
Duncan (TN)
Fincher
Gabbard
Gibson
Gohmert
Grayson
Issa
Jones
Katko
LaMalfa
Lofgren
McKinley
Mooney (WV)
Nolan
Perry
Posey
Rohrabacher
Russell
Sensenbrenner
Takai
Titus
Visclosky
Yoho

NOES—399

Abraham
Aguilar
Allen
Amash
Amodei
Ashford
Babin
Barletta
Barr
Barton
Bass
Beatty
Becerra
Benishek
Bera
Beyer
Bilirakis
Bishop (GA)
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Blumenauer
Bonamici
Bost
Boustany
Brady (PA)
Brady (TX)
Brat
Bridenstine
Brooks (IN)
Brown (FL)
Brownley (CA)
Buchanan
Buck
Bucshon
Bustos
Butterfield
Byrne
Calvert
Capps
Capuano
Cárdenas
Carney

Carter (GA)
Carter (TX)
Cartwright
Castor (FL)
Castro (TX)
Chabot
Chaffetz
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clawson (FL)
Clay
Cleaver
Clyburn
Coffman
Cohen
Cole
Collins (GA)
Collins (NY)
Comstock
Conaway
Connolly
Cook
Cooper
Costa
Costello (PA)
Courtney
Cramer
Crawford
Crenshaw
Crowley
Cuellar
Culberson
Cummings
Curbelo (FL)
Davis (CA)
Davis, Danny
Davis, Rodney
DeGette
Delaney
DeLauro
DelBene
Denham
Dent
DeSantis
DeSaulnier
DesJarlais
Deutch
Diaz-Balart
Dingell
Doggett
Dold
Donovan
Doyle, Michael F.
Duckworth
Duffy
Duncan (SC)
Edwards
Ellison
Ellmers (NC)
Emmer (MN)
Engel
Eshoo
Esty
Farenthold
Farr
Fattah
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foster
Foxx
Frankel (FL)
Franks (AZ)
Frelinghuysen
Fudge
Gallego
Garamendi
Garrett
Gibbs
Goodlatte
Gosar
Gowdy
Graham
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Green, Al
Green, Gene
Griffith
Grijalva
Grothman
Guinta
Guthrie
Gutiérrez
Hahn
Hanna
Hardy
Harper
Harris
Hartzler
Hastings
Heck (NV)
Heck (WA)
Hensarling
Herrera Beutler
Hice, Jody B.
Higgins
Hill
Himes
Hinojosa
Holding
Honda
Hoyer
Hudson
Huelskamp
Huffman
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Israel
Jeffries
Jenkins (KS)
Jenkins (WV)
Johnson (GA)
Johnson (OH)
Johnson, E. B.
Johnson, Sam
Jolly
Jordan
Joyce
Kaptur
Keating
Kelly (IL)
Kelly (PA)
Kennedy
Kildee
Kilmer
Kind
King (IA)
King (NY)
Kinzinger (IL)
Kirkpatrick
Kline
Knight
Kuster
Labrador
Lamborn
Lance
Langevin
Larsen (WA)
Larson (CT)
Latta
Lawrence
Lee
Levin
Lewis
Lieu, Ted
Lipinski
LoBiondo
Loebsack
Long
Loudermilk
Love
Lowenthal
Lowey
Lucas
Luetkemeyer
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lummis
Lynch
MacArthur
Maloney, Carolyn
Maloney, Sean
Marchant
Marino
Massie
Matsui
McCarthy
McCaul
McClintock
McCollum
McDermott
McGovern
McHenry
McMorris Rodgers
McNerney
McSally
Meadows
Meehan
Meeks
Meng
Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar
Moore
Moulton
Mullin
Mulvaney
Murphy (FL)
Murphy (PA)
Nadler
Napolitano
Neal
Neugebauer
Newhouse
Noem
Norcross
Nugent
Nunes
O'Rourke
Olson
Palazzo
Pallone
Palmer
Pascrell
Paulsen
Payne
Pearce
Pelosi
Perlmutter
Peters
Peterson
Pingree
Pittenger
Pitts
Pocan
Poe (TX)
Poliquin
Polis
Pompeo
Price (NC)
Price, Tom
Quigley
Rangel
Ratcliffe
Reed
Reichert
Renacci
Ribble
Rice (NY)
Rice (SC)
Richmond
Rigell
Roby
Rogers (AL)
Rogers (KY)
Rokita
Rooney (FL)
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Roybal-Allard
Royce
Ruiz
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Salmon
Sánchez, Linda T.
Sanchez, Loretta
Sanford
Sarbanes
Scalise
Schakowsky
Schiff
Schrader
Schweikert
Scott (VA)
Scott, Austin
Scott, David
Serrano
Sessions
Sewell (AL)
Sherman
Shimkus
Shuster
Simpson
Sinema
Sires
Slaughter
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Speier
Stefanik
Stewart
Stivers
Stutzman
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiberi
Tipton
Tonko
Torres
Trott
Tsongas
Turner
Upton
Valadao
Van Hollen
Vargas
Veasey
Vela
Velázquez
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Weber (TX)
Webster (FL)
Welch
Wenstrup
Westerman
Westmoreland
Whitfield
Williams
Wilson (FL)
Wilson (SC)
Wittman
Womack
Woodall
Yarmuth
Yoder
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

ANSWERED ''PRESENT''—1

DeFazio

NOT VOTING—5

Adams
Boyle, Brendan F.
Conyers
Jackson Lee
Roe (TN)

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute remaining.

□ 1416

Ms. MAXINE WATERS of California changed her vote from ''aye'' to ''no.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. ROHRABACHER

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from California (Mr. ROHRABACHER) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 242, noes 186, not voting 4, as follows:

[Roll No. 283]

AYES—242

Aguilar
Amash
Ashford
Beatty
Becerra
Benishek
Bera
Beyer
Bishop (GA)
Bishop (UT)
Blum
Blumenauer
Bonamici
Brady (PA)
Brooks (AL)
Brownley (CA)
Buck
Bustos
Butterfield
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chaffetz
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Clyburn
Coffman
Cohen
Collins (NY)
Connolly
Conyers
Cooper
Costa
Costello (PA)
Courtney
Cramer
Crowley
Cummings
Curbelo (FL)
Davis (CA)
Davis, Danny
Davis, Rodney
DeFazio
DeGette
Delaney
DeLauro
DelBene
DeSantis
DeSaulnier
Deutch
Dingell
Doggett
Dold
Donovan
Doyle, Michael F.
Duckworth
Duncan (SC)
Duncan (TN)
Edwards
Ellison
Ellmers (NC)
Emmer (MN)
Engel
Eshoo
Esty
Farr
Fattah
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Garrett
Gibson
Graham
Graves (GA)
Grayson
Green, Al
Green, Gene
Grijalva
Grothman
Gutiérrez
Hahn
Hanna
Hastings
Heck (NV)
Heck (WA)
Higgins
Himes
Hinojosa
Honda
Hoyer
Huffman
Hunter
Israel
Jeffries
Johnson (GA)
Johnson, E. B.
Jones
Joyce
Kaptur
Kelly (IL)
Kildee
Kilmer
Kind
King (NY)
Kinzinger (IL)
Kirkpatrick
Kuster
Labrador
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lee
Lewis
Lieu, Ted
LoBiondo
Loebsack
Lofgren
Loudermilk
Love
Lowenthal
Lowey
Luetkemeyer
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lummis
Lynch
Maloney, Carolyn
Maloney, Sean
Massie
Matsui
McClintock
McCollum
McDermott
McGovern
McNerney
Meeks
Meng
Mooney (WV)
Moore
Moulton
Mulvaney
Murphy (FL)
Nadler
Napolitano
Neal
Newhouse
Nolan
Norcross
O'Rourke
Pallone
Pascrell
Payne
Pelosi
Perlmutter
Perry
Peters
Peterson
Pingree
Pocan
Poliquin
Polis
Price (NC)
Quigley
Rangel
Reed
Ribble
Rice (NY)
Rice (SC)
Richmond
Rigell
Rogers (AL)
Rohrabacher
Rooney (FL)
Ros-Lehtinen
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sanford
Sarbanes
Schakowsky
Schiff
Schrader
Schweikert
Scott (VA)
Scott, David
Sensenbrenner
Serrano
Sherman
Sinema
Sires
Slaughter
Smith (WA)
Speier
Stefanik
Stewart
Swalwell (CA)
Takai
Takano
Thompson (CA)
Thompson (MS)
Tipton
Titus
Tonko
Torres
Tsongas
Upton
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walden
Walz
Waters, Maxine
Watson Coleman
Welch
Westmoreland
Wilson (FL)
Woodall
Yarmuth
Yoho
Young (AK)
Young (IN)
Zeldin
Zinke

NOES—186

Abraham
Aderholt
Allen
Amodei
Babin
Barletta
Barr
Barton
Bass
Bilirakis
Bishop (MI)
Black
Blackburn
Bost
Boustany
Brady (TX)
Brat
Bridenstine
Brooks (IN)
Brown (FL)
Buchanan
Bucshon
Burgess
Byrne
Calvert
Carter (GA)
Carter (TX)
Chabot
Clawson (FL)
Cleaver
Cole
Collins (GA)
Comstock
Conaway
Cook
Crawford
Crenshaw
Cuellar
Culberson
Denham
Dent
DesJarlais
Diaz-Balart
Duffy
Farenthold
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gibbs
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (LA)
Graves (MO)
Griffith
Guinta
Guthrie
Hardy
Harper
Harris
Hartzler
Hensarling
Herrera Beutler
Hice, Jody B.
Hill
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hurd (TX)
Hurt (VA)
Issa
Jenkins (KS)
Jenkins (WV)

Johnson (OH)
Johnson, Sam
Jolly
Jordan
Katko
Keating
Kelly (PA)
Kennedy
King (IA)
Kline
Knight
LaMalfa
Lamborn
Lance
Latta
Levin
Lipinski
Long
Lucas
MacArthur
Marchant
Marino
McCarthy
McCaul
McHenry
McKinley
McMorris Rodgers
McSally
Meadows
Meehan
Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mullin
Murphy (PA)
Neugebauer
Noem
Nugent
Nunes
Olson
Palazzo
Palmer
Paulsen
Pearce
Pittenger
Pitts
Poe (TX)
Pompeo
Posey
Price, Tom
Ratcliffe
Reichert
Renacci
Roby
Rogers (KY)
Rokita
Roskam
Ross
Rothfus
Rouzer
Royce
Russell
Ryan (WI)
Salmon
Scalise
Scott, Austin
Sessions
Sewell (AL)
Shimkus
Shuster
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Stivers
Stutzman
Thompson (PA)
Thornberry
Tiberi
Trott
Turner
Valadao
Wagner
Walberg
Walker
Walorski
Walters, Mimi
Wasserman Schultz
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Whitfield
Williams
Wilson (SC)
Wittman
Womack
Yoder
Young (IA)

NOT VOTING—4

Adams
Boyle, Brendan F.
Jackson Lee
Roe (TN)

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute remaining.

□ 1420

Messrs. RANGEL and TAKAI changed their vote from ''no'' to ''aye.''

So the amendment was agreed to.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. GRAYSON

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Florida (Mr. GRAYSON) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 245, noes 182, not voting 5, as follows:

[Roll No. 284]

AYES—245

Aguilar
Amash
Ashford
Bass
Beatty
Becerra
Benishek
Bera
Beyer
Bilirakis
Bishop (GA)
Blum
Blumenauer
Bonamici
Brady (PA)
Brat
Brown (FL)
Brownley (CA)
Burgess
Bustos
Butterfield
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clawson (FL)
Clay
Cleaver
Clyburn
Coffman
Cohen
Cole
Collins (NY)
Conyers
Cooper
Costello (PA)
Courtney
Crowley
Cuellar
Cummings
Curbelo (FL)
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
Dent
DeSaulnier
Deutch
Dingell
Doggett
Dold
Doyle, Michael F.
Duckworth
Duncan (SC)
Duncan (TN)
Edwards
Ellison
Emmer (MN)
Engel
Eshoo
Esty
Farenthold
Farr
Fattah
Fincher
Fitzpatrick
Foster
Frankel (FL)
Franks (AZ)
Fudge
Gabbard
Gallego
Garamendi
Gibson
Gohmert
Gosar
Graham
Graves (GA)
Grayson
Green, Al
Green, Gene
Grijalva
Guinta
Gutiérrez
Hahn
Hanna
Harris
Hastings
Heck (WA)
Herrera Beutler
Higgins
Himes
Honda
Hoyer
Huffman
Hurd (TX)
Israel
Jeffries
Jenkins (WV)
Johnson (GA)
Johnson, E. B.
Jones
Jordan
Kaptur
Katko
Keating
Kelly (IL)
Kennedy
Kildee
Kilmer
Kirkpatrick
Kuster
Labrador
LaMalfa
Lamborn
Langevin
Larsen (WA)
Larson (CT)
Latta
Lawrence
Lee
Levin
Lewis
Lieu, Ted
Loebsack
Lofgren
Loudermilk
Lowenthal
Lowey
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lummis
Lynch
Maloney, Carolyn
Maloney, Sean
Massie
Matsui
McClintock
McCollum
McDermott
McGovern
McKinley
McNerney
Meadows
Meeks
Meng
Messer
Mooney (WV)
Moore
Moulton
Mulvaney
Murphy (FL)
Nadler
Napolitano
Neal
Nolan
Norcross
O'Rourke
Olson
Pallone
Pascrell
Payne
Pelosi
Perlmutter
Perry
Peters
Peterson
Pingree
Pocan
Poe (TX)
Polis
Posey
Price (NC)
Quigley
Rangel
Reed
Rice (NY)
Richmond
Rogers (AL)
Rohrabacher
Rooney (FL)
Ros-Lehtinen
Ross
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Salmon
Sánchez, Linda T.
Sanchez, Loretta
Sanford
Sarbanes
Schakowsky
Schrader
Schweikert
Scott, David
Serrano
Sewell (AL)
Sinema
Slaughter
Smith (NJ)
Speier
Stefanik
Swalwell (CA)
Takai
Takano
Thompson (CA)
Thompson (MS)
Tipton
Titus
Tonko
Torres
Tsongas
Upton
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walden
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Weber (TX)
Welch
Wilson (FL)
Yarmuth
Yoho
Young (AK)
Young (IA)
Zeldin
Zinke

NOES—182

Abraham
Aderholt
Allen
Amodei
Babin
Barletta
Barr
Barton
Bishop (MI)
Bishop (UT)
Black
Blackburn
Bost
Boustany
Brady (TX)
Bridenstine
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Bucshon
Byrne
Calvert
Carter (GA)
Carter (TX)
Chabot
Chaffetz
Collins (GA)
Comstock
Conaway
Connolly
Cook
Costa
Cramer
Crawford
Crenshaw
Culberson
Davis, Rodney
Denham
DeSantis
DesJarlais
Diaz-Balart
Donovan
Duffy
Ellmers (NC)
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Frelinghuysen
Garrett
Gibbs
Goodlatte
Gowdy
Granger
Graves (LA)
Graves (MO)
Griffith
Grothman
Guthrie
Hardy
Harper
Hartzler
Heck (NV)
Hensarling
Hice, Jody B.
Hill
Hinojosa
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Issa
Jenkins (KS)
Johnson (OH)
Johnson, Sam
Jolly
Joyce
Kelly (PA)
Kind
King (IA)
King (NY)
Kinzinger (IL)
Kline
Knight
Lance
Lipinski
LoBiondo
Long
Love
Lucas
Luetkemeyer
MacArthur
Marchant
Marino
McCarthy
McCaul
McHenry
McMorris Rodgers
McSally
Meehan
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mullin
Murphy (PA)
Neugebauer
Newhouse
Noem
Nugent
Nunes
Palazzo
Palmer
Paulsen
Pearce
Pittenger
Pitts
Poliquin
Pompeo
Price, Tom
Ratcliffe
Reichert
Renacci
Ribble
Rice (SC)
Rigell
Roby
Rogers (KY)
Rokita
Roskam
Rothfus
Rouzer
Royce
Ruiz
Russell
Ryan (WI)
Scalise
Schiff
Scott (VA)
Scott, Austin
Sensenbrenner
Sessions
Sherman
Shimkus
Shuster
Simpson
Sires
Smith (MO)
Smith (NE)
Smith (TX)
Smith (WA)
Stewart
Stivers
Stutzman
Thompson (PA)
Thornberry
Tiberi
Trott
Turner
Valadao
Wagner
Walberg
Walker
Walorski
Walters, Mimi
Webster (FL)
Wenstrup
Westerman
Westmoreland
Whitfield
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Young (IN)

NOT VOTING—5

Adams
Boyle, Brendan F.
Hurt (VA)
Jackson Lee
Roe (TN)

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute remaining.

□ 1424

Messrs. COLE and ASHFORD changed their vote from ''no'' to ''aye.''

So the amendment was agreed to.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. MCCLINTOCK

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from California (Mr. MCCLINTOCK) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 206, noes 222, not voting 4, as follows:

[Roll No. 285]

AYES—206

Aguilar
Amash
Becerra
Benishek
Bera
Beyer
Bishop (GA)
Bishop (UT)
Blum
Blumenauer
Bonamici
Brady (PA)
Brooks (AL)
Brown (FL)
Brownley (CA)

Buchanan
Buck
Bustos
Butterfield
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clay
Clyburn
Coffman
Cohen
Collins (NY)
Connolly
Conyers
Costa
Costello (PA)
Courtney
Crowley
Cummings
Curbelo (FL)
Davis (CA)
Davis, Danny
Davis, Rodney
DeFazio
DeGette
Delaney
DeLauro
DelBene
DeSantis
DeSaulnier
Deutch
Doggett
Doyle, Michael F.
Duckworth
Duncan (SC)
Edwards
Ellison
Ellmers (NC)
Emmer (MN)
Engel
Eshoo
Esty
Farr
Fattah
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Garrett
Graves (GA)
Grayson
Green, Al
Grijalva
Gutiérrez
Hahn
Hastings
Heck (NV)
Heck (WA)
Higgins
Himes
Honda
Hoyer
Huffman
Hunter
Israel
Jeffries
Johnson (GA)
Johnson, E. B.
Jones
Joyce
Kaptur
Kelly (IL)
Kildee
Kilmer
Kind
Kirkpatrick
Kuster
Labrador
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lee
Lewis
Lieu, Ted
LoBiondo
Loebsack
Lofgren
Loudermilk
Lowenthal
Lowey
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lummis
Maloney, Carolyn
Maloney, Sean
Massie
Matsui
McClintock
McCollum
McDermott
McGovern
McNerney
Meeks
Meng
Moore
Moulton
Mulvaney
Murphy (FL)
Nadler
Napolitano
Neal
Newhouse
Nolan
Norcross
O'Rourke
Pallone
Pascrell
Payne
Pelosi
Perlmutter
Perry
Peters
Pingree
Pocan
Polis
Price (NC)
Quigley
Rangel
Ribble
Rice (NY)
Rice (SC)
Richmond
Rigell
Rogers (AL)
Rohrabacher
Ros-Lehtinen
Ruiz
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sanford
Sarbanes
Schakowsky
Schiff
Schrader
Schweikert
Scott (VA)
Scott, David
Serrano
Sherman
Sinema
Sires
Smith (WA)
Speier
Swalwell (CA)
Takai
Takano
Thompson (CA)
Thompson (MS)
Tipton
Titus
Torres
Tsongas
Upton
Van Hollen
Vargas
Velázquez
Visclosky
Walz
Waters, Maxine
Watson Coleman
Welch
Westmoreland
Wilson (FL)
Yarmuth
Yoho
Young (AK)
Young (IN)

NOES—222

Abraham
Aderholt
Allen
Amodei
Ashford
Babin
Barletta
Barr
Barton
Bass
Beatty
Bilirakis
Bishop (MI)
Black
Blackburn
Bost
Boustany
Brady (TX)
Brat
Bridenstine
Brooks (IN)
Bucshon
Burgess
Byrne
Calvert
Carter (GA)
Carter (TX)
Chabot
Chaffetz
Clarke (NY)
Clawson (FL)
Cleaver
Cole
Collins (GA)
Comstock
Conaway
Cook
Cooper
Cramer
Crawford
Crenshaw
Cuellar
Culberson
Denham
Dent
DesJarlais
Diaz-Balart
Dingell
Dold
Donovan
Duffy
Duncan (TN)
Farenthold
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gibbs
Gibson
Gohmert
Goodlatte
Gosar
Gowdy
Graham
Granger
Graves (LA)
Graves (MO)
Green, Gene
Griffith
Grothman
Guinta
Guthrie
Hanna
Hardy
Harper
Harris
Hartzler
Hensarling
Herrera Beutler
Hice, Jody B.
Hill
Hinojosa
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hurd (TX)
Hurt (VA)
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (OH)
Johnson, Sam
Jolly
Jordan
Katko
Keating
Kelly (PA)
Kennedy
King (IA)
King (NY)
Kinzinger (IL)
Kline
Knight
LaMalfa
Lamborn
Lance
Latta
Levin
Lipinski
Long
Love
Lucas
Luetkemeyer
Lynch
MacArthur
Marchant
Marino
McCarthy
McCaul
McHenry
McKinley
McMorris Rodgers
McSally
Meadows
Meehan
Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Mullin
Murphy (PA)
Neugebauer
Noem
Nugent
Nunes
Olson
Palazzo
Palmer
Paulsen
Pearce
Peterson
Pittenger
Pitts
Poe (TX)
Poliquin
Pompeo
Posey
Price, Tom
Ratcliffe
Reed
Reichert
Renacci
Roby
Rogers (KY)
Rokita
Rooney (FL)
Roskam
Ross
Rothfus
Rouzer
Roybal-Allard
Royce
Russell
Ryan (WI)
Salmon
Scalise
Scott, Austin
Sensenbrenner
Sessions
Sewell (AL)
Shimkus
Shuster
Simpson
Slaughter
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Stefanik
Stewart
Stivers
Stutzman
Thompson (PA)
Thornberry
Tiberi
Tonko
Trott
Turner
Valadao
Veasey
Vela
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Wasserman Schultz
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Whitfield
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Young (IA)
Zeldin
Zinke

NOT VOTING—4

Adams
Boyle, Brendan F.
Jackson Lee
Roe (TN)

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute remaining.

□ 1429

Mr. LOEBSACK changed his vote from ''no'' to ''aye.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. PERRY

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Pennsylvania (Mr. PERRY) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 297, noes 130, not voting 5, as follows:

[Roll No. 286]

AYES—297

Aguilar
Allen
Amash
Ashford
Barletta
Barr
Bass
Beatty
Becerra
Benishek
Bera
Beyer
Bishop (GA)
Bishop (UT)
Blum
Blumenauer
Bonamici
Brady (PA)
Brat
Brooks (AL)
Brown (FL)
Brownley (CA)
Buck
Burgess
Bustos
Butterfield
Calvert
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chaffetz
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clawson (FL)
Clay
Clyburn
Coffman
Cohen
Collins (GA)
Collins (NY)
Conaway
Connolly
Conyers
Cooper
Costa
Costello (PA)
Courtney
Cramer
Crowley
Cuellar
Cummings
Curbelo (FL)
Davis (CA)
Davis, Danny
Davis, Rodney
DeFazio
DeGette
Delaney
DeLauro
DelBene
Denham
DeSantis
DeSaulnier
DesJarlais
Deutch
Dingell
Doggett
Dold
Donovan
Doyle, Michael F.
Duckworth
Duffy
Duncan (SC)
Duncan (TN)
Edwards
Ellison
Ellmers (NC)
Emmer (MN)
Engel
Eshoo
Esty
Farenthold
Farr
Fattah
Fitzpatrick
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Garrett
Gibson
Gohmert
Gowdy
Graham
Graves (GA)
Graves (LA)
Grayson
Green, Al
Green, Gene
Grijalva
Grothman
Guinta
Gutiérrez
Hahn
Hanna
Harper
Hastings
Heck (NV)
Heck (WA)
Herrera Beutler
Higgins
Himes
Hinojosa
Honda
Hoyer
Huffman
Hunter
Hurd (TX)
Hurt (VA)
Israel
Jeffries
Johnson (GA)
Johnson, E. B.
Johnson, Sam
Jones
Joyce
Kaptur
Kelly (IL)
Kildee
Kilmer
Kind
King (NY)
Kinzinger (IL)
Kirkpatrick
Kline
Kuster
Labrador
LaMalfa
Lance
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lee
Levin
Lewis
Lieu, Ted
Lipinski
LoBiondo
Loebsack
Lofgren
Long
Loudermilk
Love
Lowenthal
Lowey
Luetkemeyer
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lummis
Maloney, Carolyn
Maloney, Sean
Marchant
Massie
Matsui
McCaul
McClintock
McCollum
McDermott
McGovern
McMorris Rodgers
McNerney
Meeks
Meng
Miller (FL)
Mooney (WV)
Moore
Moulton
Mulvaney
Murphy (FL)
Murphy (PA)
Nadler
Napolitano
Neal
Newhouse
Nolan
Norcross
Nugent
O'Rourke
Olson
Pallone
Palmer
Pascrell
Paulsen
Payne
Pelosi
Perlmutter
Perry
Peters
Peterson
Pingree
Pocan
Poe (TX)
Poliquin
Polis
Price (NC)
Price, Tom
Quigley
Rangel
Reed
Reichert
Ribble
Rice (NY)
Rice (SC)
Richmond
Rigell
Rogers (AL)
Rohrabacher
Rooney (FL)
Ros-Lehtinen
Ross
Roybal-Allard
Royce
Ruiz
Ruppersberger
Ryan (OH)
Ryan (WI)
Sánchez, Linda T.
Sanchez, Loretta
Sanford
Sarbanes
Schakowsky
Schiff
Schrader
Schweikert
Scott (VA)
Scott, Austin
Scott, David
Sensenbrenner
Serrano
Sewell (AL)
Sherman
Shimkus
Sinema
Sires
Slaughter
Smith (MO)
Smith (WA)
Speier
Stefanik
Stewart
Stivers
Stutzman
Swalwell (CA)
Takai
Takano
Thompson (CA)
Thompson (MS)
Tipton
Titus
Tonko
Torres
Tsongas
Upton

Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Wagner
Walden
Walker
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Welch
Westmoreland
Wilson (FL)
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

NOES—130

Abraham
Aderholt
Amodei
Babin
Barton
Bilirakis
Bishop (MI)
Black
Blackburn
Bost
Boustany
Brady (TX)
Bridenstine
Brooks (IN)
Buchanan
Bucshon
Byrne
Carter (GA)
Carter (TX)
Chabot
Cleaver
Cole
Comstock
Cook
Crawford
Crenshaw
Culberson
Dent
Diaz-Balart
Fincher
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gibbs
Goodlatte
Gosar
Granger
Graves (MO)
Griffith
Guthrie
Hardy
Harris
Hartzler
Hensarling
Hice, Jody B.
Hill
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (OH)
Jolly
Jordan
Katko
Keating
Kelly (PA)
Kennedy
King (IA)
Knight
Lamborn
Latta
Lucas
Lynch
MacArthur
Marino
McCarthy
McHenry
McKinley
McSally
Meadows
Meehan
Messer
Mica
Miller (MI)
Moolenaar
Mullin
Neugebauer
Noem
Nunes
Palazzo
Pearce
Pittenger
Pitts
Pompeo
Posey
Ratcliffe
Renacci
Roby
Rogers (KY)
Rokita
Roskam
Rothfus
Rouzer
Rush
Russell
Salmon
Scalise
Sessions
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Thompson (PA)
Thornberry
Tiberi
Trott
Turner
Valadao
Walberg
Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Whitfield
Williams
Wilson (SC)
Wittman
Womack

NOT VOTING—5

Adams
Boyle, Brendan F.
Jackson Lee
Roe (TN)
Yarmuth

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute remaining.

□ 1433

Mr. JENKINS of West Virginia changed his vote from ''aye'' to ''no.''

So the amendment was agreed to.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. GARRETT

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from New Jersey (Mr. GARRETT) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 232, noes 196, not voting 4, as follows:

[Roll No. 287]

AYES—232

Abraham
Aderholt
Allen
Amash
Amodei
Babin
Barletta
Barr
Barton
Benishek
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Bost
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Bucshon
Burgess
Byrne
Calvert
Carter (GA)
Carter (TX)
Chabot
Chaffetz
Clawson (FL)
Coffman
Cole
Collins (GA)
Collins (NY)
Comstock
Conaway
Cook
Costello (PA)
Cramer
Crawford
Crenshaw
Culberson
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Donovan
Duffy
Duncan (SC)
Duncan (TN)
Ellmers (NC)
Emmer (MN)
Farenthold
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Garrett
Gibbs
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Griffith
Grothman
Guinta
Guthrie
Hardy
Harper
Harris
Hartzler
Heck (NV)
Hensarling
Herrera Beutler
Hice, Jody B.
Hill
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (OH)
Johnson, Sam
Jones
Jordan
Joyce
Kelly (PA)
King (IA)
King (NY)
Kinzinger (IL)
Kline
Knight
Labrador
LaMalfa
Lamborn
Lance
Latta
LoBiondo
Long
Loudermilk
Love
Lucas
Luetkemeyer
Lummis
Marchant
Marino
Massie
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris Rodgers
McSally
Meadows
Meehan
Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Newhouse
Noem
Nugent
Nunes
Olson
Palazzo
Palmer
Paulsen
Pearce
Perry
Pittenger
Pitts
Poe (TX)
Poliquin
Pompeo
Posey
Price, Tom
Ratcliffe
Reed
Reichert
Renacci
Ribble
Rice (SC)
Rigell
Roby
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney (FL)
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Royce
Russell
Ryan (WI)
Salmon
Sanford
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Stewart
Stivers
Stutzman
Thompson (PA)
Thornberry
Tiberi
Tipton
Trott
Upton
Valadao
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Westmoreland
Whitfield
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

NOES—196

Aguilar
Ashford
Bass
Beatty
Becerra
Bera
Beyer
Bishop (GA)
Blumenauer
Bonamici
Boustany
Brady (PA)
Brown (FL)
Brownley (CA)
Bustos
Butterfield
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly
Conyers
Cooper
Costa
Courtney
Crowley
Cuellar
Cummings
Curbelo (FL)
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
DeSaulnier
Deutch
Dingell
Doggett
Dold
Doyle, Michael F.
Duckworth
Edwards
Ellison
Engel
Eshoo
Esty
Farr
Fattah
Foster
Frankel (FL)
Frelinghuysen
Fudge
Gabbard
Gallego
Garamendi
Gibson
Graham
Grayson
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hahn
Hanna
Hastings
Heck (WA)
Higgins
Himes
Hinojosa
Honda
Hoyer
Huffman
Israel
Jeffries
Johnson (GA)
Johnson, E. B.
Jolly
Kaptur
Katko
Keating
Kelly (IL)
Kennedy
Kildee
Kilmer
Kind
Kirkpatrick
Kuster
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lee
Levin
Lewis
Lieu, Ted
Lipinski
Loebsack
Lofgren
Lowenthal
Lowey
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
MacArthur
Maloney, Carolyn
Maloney, Sean
Matsui
McCollum
McDermott
McGovern
McNerney
Meeks
Meng
Moore
Moulton
Murphy (FL)
Nadler
Napolitano
Neal
Nolan
Norcross
O'Rourke
Pallone
Pascrell
Payne
Pelosi
Perlmutter
Peters
Peterson
Pingree
Pocan
Polis
Price (NC)
Quigley
Rangel
Rice (NY)
Richmond
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Sherman
Sinema
Sires
Slaughter
Smith (WA)
Speier
Stefanik
Swalwell (CA)
Takai
Takano
Thompson (CA)
Thompson (MS)
Titus
Tonko
Torres
Tsongas
Turner
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Welch
Wilson (FL)
Yarmuth

NOT VOTING—4

Adams
Boyle, Brendan F.
Jackson Lee
Roe (TN)

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute remaining.

□ 1438

So the amendment was agreed to.

The result of the vote was announced as above recorded.

PERSONAL EXPLANATION

Mr. ROE of Tennessee. Mr. Chair, I was unable to vote today because of the death of a close friend. Had I been present, I would have voted: rollcall No. 274—''aye,'' rollcall No. 275—''aye,'' rollcall No. 276—''nay,'' rollcall No. 277—''nay,'' rollcall No. 278—''nay,'' rollcall No. 279—''nay,'' rollcall No. 280—''nay,'' rollcall No. 281—''nay,'' rollcall No. 282—''nay,'' rollcall No. 283—''nay,'' rollcall No. 284—''aye,'' rollcall No. 285—''nay,'' rollcall No. 286—''nay,'' rollcall No. 287—''aye.''

AMENDMENT OFFERED BY MR. MASSIE

Mr. MASSIE. I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), insert the following:

SEC. ____. None of the funds made available by this Act may be used in contravention of section 7606 (''Legitimacy of Industrial Hemp Research'') of the Agricultural Act of 2014 (Public Law 113–79) by the Department of Justice or the Drug Enforcement Administration.

The Acting CHAIR. Pursuant to House Resolution 287, the gentleman from Kentucky and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Kentucky.

□ 1445

Mr. MASSIE. Mr. Chairman, I rise today with four of my colleagues to offer a bipartisan amendment that simply requires the DEA to comply with Federal law.

The passage of our amendment to the 2014 farm bill legalized the cultivation of industrial hemp for research purposes and has allowed for the establishment of industrial hemp pilot programs in States across the country. In fact, in my home State of Kentucky alone, nearly 1,800 acres of hemp are projected to be grown this summer in these pilot programs.

However, despite the clear language of our farm bill amendment that specifically states that State agriculture agencies and universities will be growing the industrial hemp for research, the DEA has continuously ignored the plain text of the Federal statute.

The DEA continues to waste valuable time and taxpayer dollars by holding up non-psychoactive hemp seeds destined for legitimate hemp pilot programs.

Last year, officials from the State of Kentucky were forced to file a lawsuit in Federal court to compel the DEA to release industrial hemp seeds for university pilot programs. This year, participants in hemp pilot programs in Kentucky and other States did not receive their seeds until just a few weeks before the start of the growing season.

The language is clear: State authorities, not the DEA, shall register the sites where hemp will be grown. The DEA's deliberate refusal to allow this simple fact has resulted in a broken process where the DEA obfuscates and delays.

Mr. Chairman, States cannot launch industrial hemp pilot programs if the DEA continues to violate Federal law by seizing and delaying shipments of hemp seeds before they reach their destination.

I urge a ''yes'' vote note on our amendment to require the DEA to follow Federal law, and I yield 1 minute to the gentleman from Kentucky (Mr. BARR).

Mr. BARR. In 2013, the Kentucky General Assembly passed Senate Bill 50, which exempted industrial hemp from the State's Controlled Substances Act but also mandated that Kentucky follow all Federal rules and regulations with respect to industrial hemp.

So, last year, I was proud to support an amendment to the 2014 farm bill, sponsored by my fellow Kentuckian, Congressman THOMAS MASSIE, which authorized State departments of agriculture in States where industrial hemp is legal to administer industrial hemp pilot programs for the purposes of research and development.

The Kentucky Department of Agriculture Industrial Hemp Pilot Research Program, in collaboration with my constituent, the University of Kentucky College of Agriculture, has since facilitated through permitted farmers the cultivation of nearly 2,000 acres of hemp this year alone in Kentucky.

Hemp is an important crop that holds tremendous commercial promise in Kentucky. In fact, former Speaker of the House Henry Clay was a large producer of industrial hemp. It can be used for food, horse bedding, animal feed, textiles, oils, lotions, cosmetics, rope, pharmaceuticals, et cetera.

Just last week, I met with a very sophisticated partnership of entrepreneurs, tobacco farmers, botanists, and even former law enforcement officials who have put up their own capital to invest in permanent industrial hemp projects, which they believe can spark a very profitable business.

This is about jobs.

Mr. MASSIE. Mr. Chairman, I reserve the balance of my time.

Mr. FATTAH. Mr. Chairman, I claim time in opposition, even though I am not actually in opposition.

The Acting CHAIR. Is there objection to the request of the gentleman from Pennsylvania?

Mr. HARRIS. I object. I rise to claim time in opposition.

The Acting CHAIR. The gentleman from Maryland is recognized for 5 minutes.

Mr. HARRIS. Mr. Chairman, the job of the DEA is not simple. The job of the DEA is to stop drug use and drug abuse in the United States.

Sometimes the job isn't easy. When it comes to hemp, the job is not easy because, Mr. Chairman, hemp and marijuana are both cannabis, and you can't tell the seeds from one another. And it may be difficult for the DEA to determine because they are supposed to determine that the seeds used for hemp are below a certain level of THC—less than 0.3—and you can't tell by looking. You have to test and make certain that these seeds are in fact going to be used and qualify for the purposes of these pilot hemp programs.

The fact of the matter is there really is no evidence that the DEA does not comply with Federal law. They are fully complying with Federal law. The author of the amendment himself admitted that the seeds were there in time for planting. The fact of the matter is that this is not an easy job.

Under section 7606 of the 2014 farm bill, industrial hemp in pilot projects was authorized. Clearly, DEA licenses are not needed if they are granted through the State departments of agriculture or academic institutions. And the programs are proceeding.

The fact of the matter is that this amendment obfuscates the distinction between marijuana and hemp. It partially ties the hands of DEA to do what they need to do, which is to function as controllers of drugs in this country.

I yield 1 minute to the gentleman from Louisiana (Mr. FLEMING).

Mr. FLEMING. I thank the gentleman for yielding, and I certainly agree with Dr. HARRIS. I rise also in opposition to this amendment.

Cultivation of cannabis for industrial purposes is governed by the Controlled Substances Act, and that includes hemp. It is permitted pursuant to the registration requirements found in title 21, United States Code.

In addition, the Agricultural Act of 2014 permits ''institutions of higher learning and State Departments of Agriculture to grow or cultivate industrial hemp.''

But let's make one thing clear. The DOJ says they have no intention at all of interfering with what has been provided for in this Department of Agriculture permit. But they still have control, they still have oversight responsibility, and as a result of that, they should do that.

Now, if there is any delay along the way, certainly we should help with that. We should facilitate administratively. But the potential for abuse here is very significant. The DEA and law enforcement must retain control and oversight of hemp, which is a cannabis, just like marijuana.

Mr. HARRIS. I reserve the balance of my time.

Mr. MASSIE. Mr. Chairman, may I inquire as to how much time is remaining?

The Acting CHAIR. The gentleman from Kentucky has 2 minutes remaining.

Mr. MASSIE. I yield 45 seconds to the gentleman from Kentucky (Mr. BARR).

Mr. BARR. To my good friend from Maryland, Dr. HARRIS, just a quick response. We are talking about State-licensed programs where the law enforcement officials in Kentucky can identify permitted land where this hemp is grown. If it is on an unpermitted place, whether it is otherwise legal industrial hemp or marijuana, it would be illegal if it is not on a permitted piece of property. So there is no conflict with law enforcement.

But the fact of the matter is that last year the DEA delayed the seeds and delayed the planting of this legitimate, lawful, federally authorized industrial hemp project.

This is about jobs. This is not about marijuana. In fact, as my voting record

just demonstrated in the last series of votes, I voted against every single amendment that would have decriminalized or facilitated marijuana. This is not about marijuana. This is about low-THC industrial hemp, and it is about jobs.

Mr. MASSIE. I yield 1 minute to my colleague from Oregon (Mr. BLUMENAUER).

Mr. BLUMENAUER. I appreciate the gentleman's courtesy and I appreciate his leadership, focused like a laser on something that is not like marijuana.

For generations, Americans have used hemp. It has just been recently that it has been compromised. So we have to import hemp from overseas to make perfectly legal hemp products that you can buy in any American city.

This is an important step forward to be able to allow Kentucky and Oregon farmers to do something that they have done for generations. It is about economic development. It is about being rational. And it is about being able to focus on things that are important.

I deeply appreciate the gentleman's focus and patience keeping us on message here to be able to make sure that we are not having Federal interference for something that is State supervised and where States around the country want to allow this for their farmers and their ranchers.

I think it is an important step forward, and I appreciate his leadership in permitting me to speak on it.

Mr. MASSIE. I certainly thank the gentleman from Oregon, and I would just say that these hemp pilot programs have been tremendous in Kentucky. And they have answered all the questions, like the questions law enforcement had. They came and visited the fields. They said: ''You are right; there is no big deal here. This is okay.''

And so that is the important thing about these hemp programs, and we need to keep them going, and we need to take it to the level. We can't afford delays. You can't afford a delay when the weather is not always cooperating with you. A week, 2 weeks could ruin you.

So I urge my colleagues to vote for this amendment. It is just common sense. All we are asking is to follow the law. How hard is that?

I yield back the balance of my time.

Mr. HARRIS. May I inquire of the Chair how much time is remaining?

The Acting CHAIR. The gentleman from Maryland has 2½ minutes remaining.

Mr. HARRIS. Mr. Chairman, let's review what we have. What we have is a situation where last year it wasn't the DEA that held up the seeds; it was getting an import license. And then subsequent to that, obviously the DEA had to test those seeds.

The U.S. Congress has set out a very clear plan for how we are going to increase the use of industrial hemp in this country, and it involves, first, pilot programs in States where it is legal, like Kentucky, like Oregon, but subject to the oversight under the Controlled Substances Act of the DEA.

The DEA has to be certain, since all seeds are now imported. Eventually, under this plan, they won't be. Obviously, at some point we will progress to a point where our industrial hemp seeds are grown here in the United States, but they are not now.

Importing seeds and testing them is not a quick process, but it is a process that has to be done. The fact of the matter is hemp and marijuana are both cannabis. They are related. You can't tell the seeds apart. You have to test these seeds.

Our drug problem is serious. I am glad I don't have to do the job the DEA does dealing with controlling drugs that destroy lives in this country. Sure, is it a process that sometimes might take time? Yes. But that time is well worth taking.

Down the road, we are going to get to the proper industrial hemp production. It has got to be done under controlled processes. The DEA has these in place. The Department of Agriculture has these protocols in place. State departments of agriculture do.

This amendment is just unnecessary. And worse than that, it obscures the fact that it could tie DEA's hands from doing what it needs to do, which is controlling dangerous substances.

I urge the body to reject the amendment, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Kentucky (Mr. MASSIE).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. MASSIE. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Kentucky will be postponed.

AMENDMENT OFFERED BY MR. MASSIE

Mr. MASSIE. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), insert the following:

SEC. ___. None of the funds made available by this Act may be used to treat ammunition as armor piercing for purposes of chapter 44 of title 18, United States Code, except for ammunition designed and intended for use in a handgun (in accordance with 18 U.S.C. section 921(a)(17)).

The Acting CHAIR. Pursuant to House Resolution 287, the gentleman from Kentucky and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Kentucky.

Mr. MASSIE. Mr. Chairman, back in March, the ATF backed off on a controversial proposal to restrict the use of so-called ''green tip'' ammunition, some of the most popular ammunition in the country. In fact, it is used in the popular rifle, the AR–15.

The BATFE received over 80,000 comments, primarily from citizens who opposed the Bureau's attempt to restrict their Second Amendment rights. And so the ATF rescinded its proposal.

In my opinion, the proposed restriction was based on a flawed application of chapter 44 of title 18 of the United States Code. If you go back and look at the debate that occurred in Congress, you will see that the legislation that was written was clearly meant to cover handgun ammunition. It was never meant to cover rifle ammunition.

In fact, there was a debate at the time whether they should limit so-called ''armor-piercing'' ammunition by its functionality—in other words, its efficacy—or whether they should limit it by its design. And they chose to limit it by its design. Because if you limit it by its functionality, what you will find out is darn near all rifle ammunition, unfortunately, will penetrate the common vest. In fact, the most lethal are deer rifles. And so a deer rifle is more lethal in terms of penetrating a vest than would be, say, a so-called assault rifle that shoots a much smaller caliber.

In any case, what happened is one pistol was made and came on the market—or a few pistols were made, handguns were made—that could be chambered with this round, but the round was designed and intended for use in a rifle, not in a handgun.

□ 1500

The clear text of the statute, in my opinion, excludes rifle rounds, but what has happened is recently, the ATF—now, this is only one example that I have recently—they proposed to ban the green tip ammunition, otherwise known as M855 or SS109. This is 223, also known as 556 ammunition. Well, there was a lot of public backlash, and so they backed off of that.

What a lot of people don't know is they already did ban some ammunition with this flawed interpretation. They banned the 7N6, which is a 5.45 by 39 round, and so it was a mistake that happened, and we need to correct this mistake.

We need to prevent future mistakes. The best way to do this is to withhold funding for flawed interpretations.

I reserve the balance of my time.

Mr. FATTAH. Mr. Chairman, I claim the time in opposition to the amendment.

The Acting CHAIR. The gentleman from Pennsylvania is recognized for 5 minutes.

Mr. FATTAH. I was in support of the gentleman's first amendment; but, in

this instance, we are at a different point of view.

I note that the majority has a lot of enthusiasm for gun amendments on this appropriations bill, and it is making it almost impossible for us to deal with the challenges for the subcommittee around spending when we keep getting mired down in this, these gun policy riders.

I would just say that it is obviously the majority's view that this somehow is an appropriate vehicle to express your love for guns of all types, ammunition of all types.

I think that my view would be we should make it permissible for any gun that you could bring into the Capitol, you should be able to bring into schools or colleges, or any ammunition you could bring into the Capitol, you could use in any weapon. That might be a way to proceed.

The majority doesn't have any enthusiasm for the Second Amendment when it comes to people coming into the United States Capitol because we know that guns can be dangerous. We know that people can be harmed.

We know, in fact, that there were Members, when an attack happened right here on this floor—that is why we have, on the back of these chairs, certain protections—who were shot from this balcony.

We know the dangers of guns and ammunition, and it is unfortunate that we would use an appropriations vehicle to move these policy matters, which are controversial.

You want to attach them to a must-pass appropriations bill, one that is about our economy and about innovation, and an appropriations bill that is dealing with a whole set of issues. You make it challenging for Members who have a different point of view on some of these controversial policy issues, like guns and the access to them.

Some might interpret the Second Amendment that says, if you want a bazooka or MX missile or whatever you want to have at your home, that somehow you have a right to have it.

There are others of us who think that reasonable regulation might be a better course of action, like the kind of reasonable regulation we have at the Capitol, which is that you can't bring a gun into this facility, unless you have some lawful reason to do so, and we regulate that very strictly.

I am in opposition to this amendment. I have nothing against my colleague, whom I enjoy working with on a whole range of issues. I agree with him on hemp, and I disagree with him on guns.

I hope that we can move this bill forward, as we have been trying to do since the chairman's mark in the subcommittee, and not get it mired down in unnecessary, controversial items that are not attached to how much money we are going to spend for these various accounts to move these agencies of our government forward.

Mr. CULBERSON. Will the gentleman yield?

Mr. FATTAH. I yield to the gentleman from Texas.

Mr. CULBERSON. Madam Chair, I thank my good friend from Pennsylvania. I do, as he knows, support this amendment because it has become necessary to put restrictions like this on the bill because the ATF, under President Obama, did attempt to prohibit 223 ammunition, which is used in one of the most popular and widely available sporting rifles in the United States.

The new Director of the ATF, Tom Brandon, I want to thank him and professional law enforcement officers at the ATF. They came in to see me when I was the brand-new chairman of the subcommittee earlier this year.

We had a very good visit. We looked at the statute, and Director Brandon and his chief counsel understood that the guidelines that they had created went beyond the statute. They recognized that they were going to have a very difficult budget year if they persisted in this effort to interfere with American's lawful, constitutional Second Amendment rights.

I was very grateful that Director Brandon chose to drop their attempted prohibition on 223 ammunition after our meeting and in response to the 80,000 letters and all the requests from Members of Congress. The ATF did the right thing here by dropping their attempt to ban ammunition.

Mr. MASSIE's amendment is necessary because I think it is important to make it clear that we don't want the Obama administration coming back and attempting to ban ammunition again.

I remember, as a student of American history, that General Gage, in Boston, didn't go after the weapons first. They went after the powder and the ammunition, I believe, Mr. MASSIE, in Lexington and Concord.

Mr. FATTAH. Reclaiming my time with just a question, Mr. Chairman, maybe you could inform me, but I believe that the restrictions on armor-piercing bullets predate the administration that you just named. Is that accurate?

Mr. CULBERSON. Yes, but the ATF was attempting to use—the statute says you cannot use armor-piercing ammunition that includes depleted uranium, beryllium, and it has some very specific things.

As Mr. MASSIE said, the Congress was focused on the content of the bullet, rather than what type of weapon it could be used in. In the ATF's guideline, actually, the ATF created a legal framework for analysis, which is fairly standard for this administration.

The Acting CHAIR (Mrs. BLACK). The time of the gentleman from Pennsylvania has expired.

Mr. MASSIE. Madam Chair, how much time do I have remaining?

The Acting CHAIR. The gentleman from Kentucky has 2½ minutes remaining.

Mr. MASSIE. I gladly yield 1 minute to the gentleman from Texas (Mr. CULBERSON), the chairman.

Mr. CULBERSON. Let me say that it is important to have Mr. MASSIE's language in this bill because the ATF, in this instance, just as in the EPA's attempt to regulate every square inch of the United States by saying navigable waters include any piece of ground on which the water drains off into a navigable stream, the EPA, the ATF, the Obama administration routinely uses what they call a legal framework for analysis to expand their executive authority far beyond what Congress intended.

In this instance, I was successful with the help of my colleagues. As the new chairman of the subcommittee, I was successful in persuading Director Brandon and the ATF to drop their attempt to ban 223 ammunition, and I will be monitoring them closely. I will be exercising very aggressive oversight over the ATF to ensure that they don't try it again.

I welcome Mr. MASSIE's amendment to help drive home the point that the Second Amendment of the United States Constitution is written in plain English, and it guarantees, absolutely, the right of Americans to keep and bear arms.

I welcome your amendment, Mr. MASSIE, and encourage Members to support it.

Mr. MASSIE. I appreciate that. I appreciate the effort that the chairman put in to making sure that our 556, 223 ammunition did not get banned. I appreciate my colleague from Pennsylvania's comments as well.

Let me say something. I am sympathetic to the ATF's job. We write some bad legislation here, okay. It is clear it has got gray areas. What I am trying to do is to clear up a gray area for them so that, when they go to work in the morning, they don't have to wonder should this apply to this or should this apply to this or not.

Even with the chairman's great efforts, the reason why this is necessary is because the same rationale that they were going to use to ban 556, they actually used a year or two ago to ban 5.45, which is a very similar round in composition and size and capacity. That is why this amendment is necessary.

My colleague from Pennsylvania is right. I do love guns; I have an enthusiasm, but the reason I am doing this is my respect for the Constitution. I understand you have respect for the Constitution as well; I do. We just interpret it a little bit differently.

This is not a bazooka amendment. This is just an ammunition amendment, and I am just trying to make

sure this very popular caliber and other popular calibers are still able to be bought.

I appreciate the efforts that everybody puts in to making sure these laws are enforced. I just want to clear up this law. I urge my colleagues to vote for this amendment.

I yield back the balance of my time.

Mr. FATTAH. Madam Chair, I move to strike the last word.

The Acting CHAIR. The gentleman from Pennsylvania is recognized for 5 minutes.

Mr. FATTAH. I am going to yield to the gentleman from New York on this point. I just want to say something.

The point I made was that this restriction on armor-piercing bullets did not emanate with this administration, even though some might want to suggest somehow that this is President Obama's effort.

This dates back to a different period of time, when we had a Republican President, and it was put into place to protect law enforcement because the children who have been unfortunate victims of gunshots in their schools or in movie theaters and other circumstances where we have had these mass shootings, they haven't been wearing bulletproof vests.

Bulletproof vests are used by our law enforcement officials. There was a concern to make sure that they could be protected while they were out protecting us, right? I just want to be clear, as we go forward, what we are doing here and so that everybody who takes an action on this and, however they may vote, understands that they are voting to provide a circumstance in which there won't be any restriction on the piercing power of the projectile, right?

When it is pointed at a human being, it can be deadly, so I just want us to be clear.

I yield to the gentleman from New York (Mr. ENGEL), and I will keep track that he doesn't go over 2 minutes.

Mr. ENGEL. I thank the gentleman for yielding to me. I must rise and oppose this amendment.

Earlier this year, ATF recognized the threat posed by armor-piercing handguns and tried to limit the sale of the green tip 556 round, which is the military-made armor-piercing round that fits into pistols. This would have made sense.

When ATF tried to make that change, the industry decried executive overreach and hidden administrative agendas and shouted down this commonsense proposal. I supported the ATF's proposal then, and I still believe that this and other commonsense regulations on armor-piercing handguns are sorely needed.

I introduced the APB Act to enact the ATF's proposed change into law because we have a responsibility to protect our police and our communities from these unreasonably dangerous weapons.

A hunter does not need a Sig Sauer P556 or an Extar EXP or any of the other pistols that can fire these armor-piercing rounds. These concealed weapons serve only one purpose: to kill human beings wearing body armor.

ATF needs the authority to monitor and regulate firearms and ammunition. When technology advances, like it did with the green tip, ATF needs to be able to act to protect our neighborhoods and our law enforcement. This amendment, I believe, would needlessly strip ATF's authority to regulate dangerous armor-piercing bullets and put cops, kids, and our communities at risk.

I urge my colleagues to oppose the amendment, and I thank the gentleman from Pennsylvania.

Mr. FATTAH. Text is most helpful when put in context. It is true that the Constitution says that it is a citizen's right to keep and bear arms, but it says that as part of a well-regulated militia.

When we want to focus in on the Second Amendment, it may be helpful for us to have a contextual framework in which the right is connected to responsible and regulated activity on behalf of our community.

I yield back the balance of my time.

Mr. CULBERSON. Madam Chair, I move to strike the last word for a very important clarification.

The Acting CHAIR. The gentleman from Texas is recognized for 5 minutes.

Mr. CULBERSON. My colleague, Mr. ENGEL, I think may not have the exact amendment in front of him because all Mr. MASSIE is attempting to do is enforce existing law and make it clear that the ATF has to enforce existing law, as written, and that armor-piercing ammunition cannot be used in handguns.

□ 1515

That is what the law says. The law says an armor-piercing round is one that uses depleted uranium or other materials and is used in a handgun. And that is all this amendment says.

So we, by accepting this amendment, are enforcing existing law, which is to prevent the use of armor-piercing ammunition in a handgun. So it is important that, I think, everyone understand that that is all this amendment is intended to do. And I will, as subcommittee chairman, make certain that the ATF does not interfere with Americans' Second Amendment rights under the Constitution and that the ATF is enforcing the law, as written by Congress, which is precisely what the gentleman from Kentucky (Mr. MASSIE) is doing, and I urge Members to support his amendment.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Kentucky (Mr. MASSIE).

The question was taken; and the Acting Chair announced that the ayes appeared to have it.

Mr. MASSIE. Madam Chair, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Kentucky be postponed.

AMENDMENT OFFERED BY MR. MASSIE

Mr. MASSIE. Madam Chair, I have an amendment at the desk regarding the National Institute of Standards and Technology.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), insert the following:

SEC. 543. None of the funds made available by this Act may be used by the National Institute of Standards and Technology to consult with the National Security Agency or the Central Intelligence Agency to alter cryptographic or computer standards, except to improve information security (in accordance with section 20(c)(1)(A) of the National Institute of Standards and Technology Act (15 U.S.C. 278g–3(c)(1)(A))).

The Acting CHAIR. Pursuant to House Resolution 287, the gentleman from Kentucky and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Kentucky.

Mr. MASSIE. Madam Chair, In December of 2013, news broke—and this was in a Reuters article—that, as a key part of a ''campaign to embed encryption software that it could crack into widely used computer products, the U.S. National Security Agency arranged a secret $10 million contract with'' a private company—in fact, ''one of the most influential firms in the computer security industry.''

It was further disclosed that ''an algorithm called Dual Elliptic Curve . . . was on the road to approval by the National Institute of Standards and Technology as one of four acceptable methods for generating random numbers.''

The company adopted this algorithm, knowing that it would be used as a standard, and it was, as expected, approved by the National Institute of Standards and Technology. But ''within a year, major questions were raised about Dual Elliptic Curve. Cryptography authority Bruce Schneier wrote that the weakness in the formula 'can only be described as a back door.' ''

This is just one example of the NSA exploiting its relationship with NIST to weaken encryption standards.

Look, NIST, we would like for them to set the highest standards for our country, particularly when it comes to encryption. Weakened encryption standards allow the NSA to snoop on Americans without a warrant.

So these back doors in encryption products are bad for privacy. It makes it just way too easy to violate our Fourth Amendment.

But back doors in encryption software are also bad for security. Think about this: Don't you want the best security available that the minds in this country can create, produce, to safeguard your health records, maybe to safeguard your gun records, maybe to safeguard your bank accounts and your credit cards.

We are more safe when we have better security and better encryption. So it makes no sense for the National Institute of Standards and Technology to work with the NSA to weaken our encryption software.

Finally, putting back doors in products is bad for business. It is bad for privacy. It is bad for security. And it is bad for business.

Why is it bad for business? Why would somebody buy a product made in America if it is known that the standards in America are weaker than the standards elsewhere? You know, if there are back doors in products, it is not just the government that can use them: hackers will find them. In fact, once the weakness was exposed in this Dual Elliptic Curve, it made it very easy for people to hack into that, and the company had to say, Quit using this software. We found a weakness in it.

So I would urge people to vote for this amendment. What it does is it prevents the spending of money at the National Institute of Standards and Technology to work with the NSA to weaken our encryption.

The amendment does nothing to keep them from making better encryption, but they cannot weaken it. They cannot compromise it. They can't spend your tax dollars making American products and our government standards worse.

I reserve the balance of my time.

Mr. CULBERSON. Madam Chairman, I claim the time in opposition, although I support the amendment.

The Acting CHAIR. Without objection, the gentleman from Texas is recognized for 5 minutes.

There was no objection.

Mr. CULBERSON. Madam Chair, we accept the amendment, agree with the reasoning that the gentleman from Kentucky (Mr. MASSIE) has laid forth. I believe the amendment is acceptable to the minority as well. So the amendment is agreed to unanimously.

I reserve the balance of my time.

Mr. MASSIE. What is the balance of my time remaining, Madam Chair?

The Acting CHAIR. The gentleman from Kentucky has 1½ minutes remaining.

Mr. MASSIE. Madam Chair, I will just summarize why this is an important amendment.

We trust the National Institute of Standards and Technology to perform their constitutionally mandated responsibilities. That is one of the great things about NIST: its authorization is in the Constitution, to set the standards of weights and measures. So I appreciate the job they do. But we put a lot of trust into them when they set these standards. And a lot of people make business decisions. It is kind of like the Good Housekeeping seal of approval, if I may use that analogy.

So, when we stamp something as a government-approved standard, we want to know it is the best in the world, that the United States has the best encryption in their products, the best encryption. We want the products that our government buys to be safe. So it would be wrong for NIST to spend money working to put back doors in our products. That is why I urge our colleagues to vote for this amendment.

I yield back the balance of my time.

Mr. CULBERSON. Madam Chairman, I yield such time as he may consume to the gentleman from Houston, Texas (Mr. POE), my good friend and colleague.

Mr. POE of Texas. I thank the chairman for yielding time to me.

Madam Chair, I would like to try to interpret what has been said in a simpler way.

Assume that the builders in the United States get together and they are given a new requirement: that when they build a new house, the Federal Government wants the option to have a master key to a back door—not only a back door but a secret back door so that at some time down the road, maybe the Federal Government would like to enter that secret back door for some purpose. And that is what this amendment is preventing.

Just like we wouldn't let the Federal Government have a key to our back door or require builders to put a master key in all of the new homes that they build in the country and give the key to the government, we would never allow that. That would certainly be in violation of the Fourth Amendment of the Constitution.

All this amendment does is it prevents technology—when technology is growing at a rapid rate—to prevent the Federal Government from requiring companies that make cell phones, for example, that there be an ability of the Federal Government to go in the cell phone and look around, even without the knowledge of the person who owns the cell phone. This is very similar to the bill that passed unanimously last night. So I urge the adoption to this amendment as well.

I thank the chairman for allowing me to speak on the gentleman from Kentucky's amendment, since he ran out of time.

Mr. CULBERSON. I am glad to do so.

Madam Chair, again, the amendment is agreed to unanimously. I strongly support the gentleman from Kentucky's amendment.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Kentucky (Mr. MASSIE).

The question was taken; and the Acting Chair announced that the ayes appeared to have it.

Mr. MASSIE. Madam Chair, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Kentucky will be postponed.

AMENDMENT OFFERED BY MR. GOSAR

Mr. GOSAR. Madam Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), insert the following:

SEC. ____. None of the funds made available by this Act may be used to carry out the Bureau of Alcohol, Tobacco, Firearms, and Explosives Special Advisory entitled ''Test, Examination and Classification of 7N6 5.45x39 Ammunition'', dated April 7, 2014. The limitation described in this section shall not apply in the case of the administration of a tax or tariff.

The Acting CHAIR. Pursuant to House Resolution 287, the gentleman from Arizona and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Arizona.

Mr. GOSAR. Madam Chair, I rise today to stand with my colleague from Kentucky (Mr. MASSIE) and with sportsmen and law-abiding gun owners throughout the country.

Over the course of the last year, we have seen numerous misguided attempts by the Bureau of Alcohol, Tobacco, Firearms and Explosives to misclassify ammunition as ''armor-piercing'' and infringe on the Second Amendment rights of our citizens.

At a forum I held at the end of March in Prescott, Arizona, a large number of my constituents expressed their outrage about ATF reclassifying the imported 7N6, commonly known as the 5.45 x 39 ammunition, as ''armor-piercing,'' thus preventing this ammo from being imported.

7N6 ammo is very affordable and has been used for target practice by sportsmen for years. The administration—especially the ATF, as we have seen with Operation Fast and Furious and recent attempts to ban the green tip ammo—has a penchant for interpreting the law as it sees fit or as it is most convenient for them.

Fortunately, we have at least temporarily beaten back the attempt to ban the .223 green tip ammo after 230 different Members of this body, Chairman CULBERSON, and myself encouraged ATF to drop this misguided attempt. But the 7N6 ammunition ban is yet another example of Federal overreach on the part of the administration.

After years of having a sportsmen exemption, 7N6 was reclassified after ATF found an extremely rare and obscure Polish-made pistol that could supposedly use and shoot the 7N6 cartridge.

I strongly applaud the committee for including four other commonsense provisions in this bill that protect the Second Amendment.

I ask that this body stand with sportsmen throughout this country. I ask that my colleagues support this additional, commonsense provision to protect the Second Amendment and allow the 7N6 ammo to be used for target practice.

I reserve the balance of my time.

Mr. FATTAH. Madam Chair, I rise in opposition to this amendment.

The Acting CHAIR. The gentleman from Pennsylvania is recognized for 5 minutes.

Mr. FATTAH. Madam Chair, I guess redundancy has some utility here because we have been around the rosie a number of times on this same issue, both late last night and now early this afternoon, one amendment after another amendment after another amendment, trying to make sure that our fascination with armor-piercing bullets doesn't escape this debate.

□ 1530

So here we have another one, and maybe there is something different about this one than the one before, but I am not able to discern what it is. I am opposed to it.

I think that people have a right to weapons under our Constitution. I think common sense suggests people should have a right to weapons, long guns, rifles, for both sports activities and for their own protection. I also think that it is a responsible thing for those who are governing our country to put in place reasonable regulations and restrictions just like the regulations and restrictions that we have here on the Capitol campus.

Not only do we spend hundreds of millions of dollars of taxpayers' money for our own police force to protect us, we also say that you can't bring a firearm into the buildings that we work in each and every day.

Now, we do this even though we come to the floor and profess our undying love for the unfettered notion of the Second Amendment as interpreted by some that you can have a gun anywhere, in a bar, in a park, in a school, in a daycare center, and at church. Take your gun and ride off into the wind with it. But we won't allow it here.

I am just waiting for a Member of the majority, since we have multiple amendments, to come to the floor and to say that people should be able to exercise their Second Amendment here when they visit the people's House, when they visit their elected Representatives, that somehow we want to welcome them and their guns with their armor-piercing bullets, and then I would know that you truly love the Second Amendment and that you see it as an unfettered right anywhere, anytime, and under any circumstances.

Madam Chair, I yield back the balance of my time.

Mr. GOSAR. Madam Chair, I yield 1 minute to the gentleman from Texas (Mr. CULBERSON), the chairman of the committee.

Mr. CULBERSON. Madam Chair, I strongly support the gentleman's amendment, and it is necessary because the ATF, once again, here attempted to ban ammunition that could be used in a handgun that is otherwise commonly available for rifles. In the statute, the Congress intended to prohibit the use of armor-piercing ammunition for handguns. So the gentleman's amendment is necessary, and I strongly support the amendment as, again, additional protection for Americans' constitutional Second Amendment rights to keep and bear arms.

I would point out to my good friend from Pennsylvania that at the Texas Capitol, concealed-carry permit holders are actually given a separate line so they can get into the capitol even more rapidly because law enforcement officers in Texas recognize that a concealed-carry permit holder is their best backup because they have had a background check and they are trained in the use of the weapon.

I coauthored the legislation in Texas in the 1990s to allow Texans to get a concealed-carry permit, and we have prevented a lot of crimes and saved a lot of lives. I don't think there has even been a fistfight among concealed-carry permit holders in Texas in all these years. They are given expedited access to the Texas Capitol because law enforcement recognizes an honest, law-abiding American with a concealed-carry permit is their best friend.

I support the gentleman's amendment, and I urge its passage.

Mr. GOSAR. Madam Chair, I yield such time as he may consume to the gentleman from Kentucky (Mr. MASSIE), my friend.

Mr. MASSIE. Madam Chair, I thank the gentleman from Arizona's leadership on this issue, and my profound gratitude and immense respect to Chairman CULBERSON for making sure that this interpretation that was applied to 5.45 ammunition was not applied to 5.56. He has the gratitude of millions of gun owners in this country—law-abiding gun owners, I should say.

This travesty of justice still applies to this other caliber, using the same reasoning. I won't impugn the motives of the ATF. I won't do that. I think they are just trying to enforce the law. There is a gray area here, and I think this bill clears up that gray area for the benefit of millions of gun owners—law-abiding gun owners—in this country, and I thank Representative GOSAR for leading on this.

Mr. GOSAR. Madam Chair, what I would like to do is highlight that only an obscure pistol could use this 7N6 ammunition. So I was going out of the way for a very popular round that is used for target practice all over this country. So I would ask for support for my amendment.

I thank the gentleman for helping me, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Arizona (Mr. GOSAR).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. ISSA

Mr. ISSA. Madam Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill, before the short title, insert the following:

SEC. ____. None of the funds made available by this Act may be used to operate or disseminate a cell-site simulator or IMSI catcher in the United States except pursuant to a court order that identifies an individual, account, address, or personal device

The Acting CHAIR. Pursuant to House Resolution 287, the gentleman from California and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California.

Mr. ISSA. Madam Chair, I rise today to offer this amendment, and it becomes necessary because selective spying by using these devices commonly called StingRays or cell site simulators or IMSI catchers has become a reality.

These sophisticated, affordable mobile devices in fact spoof or convince your phone that they are a valid cell tower and allow for the gathering of communications content, including texts and emails.

What is disturbing is that Federal dollars may be being used to capture tens of thousands of Americans' information without a warrant. The Wall Street Journal, The Washington Post, the Associated Press, and more have, in fact, uncovered cases of nationwide use by the FBI and other agencies working to cover up StingRay use in instances in which they have, among other things, dropped criminal cases to avoid having to disclose their use of them. Additionally, they have entered into nondisclosure agreements at times in order to not do so.

Just a month ago, this House—and the Senate, a few days ago—passed, overwhelmingly, a new authorization of the PATRIOT Act. We did so with a careful balance between what our government can do to us and what protections we have, and particularly the Fourth Amendment.

This is a narrowly crafted amendment. It in no way stops the use of these devices when a Federal court has ordered and allowed the use, either a FISA court or a common warrant issued by a judge.

Madam Chair, I reserve the balance of my time.

Mr. FATTAH. Madam Chair, I claim the time in opposition, but I am not in opposition.

The Acting CHAIR. Without objection, the gentleman from Pennsylvania is recognized for 5 minutes.

There was no objection.

Mr. FATTAH. Madam Chair, I concur with the gentleman's amendment, and I yield back the balance of my time.

Mr. ISSA. At this time, Madam Chair, I yield 1 minute to the gentleman from Texas (Mr. FARENTHOLD).

Mr. FARENTHOLD. Madam Chair, I rise in support of our amendment today that I am working on with Mr. ISSA.

Madam Chair, the Associated Press reported yesterday that they confirmed reports that the FBI is flying surveillance cameras in aircraft over the U.S. with these devices. They are operated sometimes through shell companies that use video and StingRay technology to capture data on Americans in bulk both visually and from our cell phones.

This flies in the face of every concept of liberty and privacy that we cherish in this country. Our Founding Fathers would be sickened if they found out how far we have slipped. As much as I have been encouraged by the fact that both Houses of Congress have passed the USA FREEDOM Act to end bulk surveillance under section 215 of the PATRIOT Act, reports like this show me we still have a long way to go.

This secretive FBI program to hack into our cellphones seems far from appropriate and constitutional, and it must be curtailed. This amendment would ensure that any usage of this program would only happen through a court order targeting a specific individual and never as a dragnet for bulk surveillance.

I am happy to hear that there is very little opposition to this, and I look forward to working to continue to regain our liberty from mass and unconstitutional surveillance.

Mr. ISSA. Madam Chair, I have no further speakers. I urge passage, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from California (Mr. ISSA).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. FLORES

Mr. FLORES. Madam Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), insert the following:

SEC. ____. None of the funds made available by this Act may be used to further implementation of the coastal and marine spatial planning and ecosystem-based management components of the National Ocean Policy developed under Executive Order 13547.

The Acting CHAIR. Pursuant to House Resolution 287, the gentleman from Texas and a Member opposed each will control 5 minutes.

POINT OF ORDER

Mr. FATTAH. Madam Chair, I rise to assert a point of order on this amendment.

The Acting CHAIR. The gentleman will state his point of order.

Mr. FATTAH. Madam Chair, I make a point of order against the amendment because it proposes to change existing law and constitutes legislation in an appropriation bill and, therefore, violates clause 2 of rule XXI.

The Acting CHAIR. Does any other Member wish to be heard on the point of order?

Mr. FLORES. Madam Chair, this amendment does not change existing law. It just removes the funding for an unconstitutional, unstatutory action by the President.

□ 1545

Madam Chair, it seems like I have caused some excitement with the Parliamentarian this afternoon, so why don't I do this.

I ask unanimous consent to withdraw the amendment and go to the second Flores amendment.

The Acting CHAIR. Is there objection to the request of the gentleman from Texas?

There was no objection.

The Acting CHAIR. The amendment is withdrawn.

AMENDMENT OFFERED BY MR. FLORES

Mr. FLORES. Madam Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), insert the following:

SEC. _____. None of the funds made available by this Act may be used to implement Executive Order 13547 (75 Fed. Reg. 43023, relating to the stewardship of oceans, coasts, and the Great Lakes), including the National Ocean Policy developed under such Executive Order.

The Acting CHAIR. Pursuant to House Resolution 287, the gentleman from Texas and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Texas.

Mr. FLORES. Madam Chair, I rise today to offer a simple amendment to address an ongoing overreach by the executive branch of our government.

My amendment bans the use of Federal funds for the implementation of Executive Order 13547. That executive order, which was signed in 2010, requires that 60-plus bureaucracies, as shown on this chart, essentially zone the oceans and the sources thereof.

This amendment addresses a critical executive branch encroachment into the powers of Congress as set forth in our Constitution. The activities being conducted by Executive Order 13547 have not been authorized by Congress, nor have appropriations been made by Congress to fund those activities.

Madam Chair, since 2010, this body has voted six times in support of this amendment in a bipartisan manner. This language was also included in the base text of the fiscal year 2016 Energy and Water Development Appropriations bill. Today, I am offering my amendment again because concerns have been raised that the effects of the National Ocean Policy extend well beyond restricting ocean activities and encroach into inland activities.

I reserve the balance of my time.

Mr. FATTAH. Madam Chair, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from Pennsylvania is recognized for 5 minutes.

Mr. FATTAH. Madam Chair, I visited Chicago a few years back for the coastal zone conference to talk about how important it was that this administration has finally put forward, and we support, an ocean policy. There have been since 2012 over 15 different amendments seeking to undermine responsible ecosystem-based management of our oceans.

As appropriators, we have not been willing to accept these efforts to undermine this. We understand we have a responsibility as stewards. In fact, as a Nation we have more responsibility for the world's oceans than any other Nation in terms of territorially in the world.

We have some challenging circumstances. It is good that we now have a policy going forward. I would ask that the House oppose this amendment.

I yield 1½ minutes to the gentleman from Rhode Island (Mr. CICILLINE), the former mayor and a great Congressman.

Mr. CICILLINE. Madam Chair, I rise in strong opposition to the Flores amendment, which would prohibit the implementation of the National Ocean Policy, which permits better coordination among Federal agencies responsible for coastal planning.

This amendment, in particular, would undermine NOAA's participation in planning, it would hurt States and communities, businesses, and would impede States like Rhode Island from managing their own resources in a way that best fits their needs and priorities.

This administration has made it clear that the National Ocean Policy does not create new regulations, supersede current regulations, or modify any agency's established mission, jurisdiction, or authority. Rather, it helps coordinate the implementation of existing regulations by Federal agencies to establish a more efficient and effective decisionmaking process.

In the Northeast, our regional ocean council has allowed our State to pool resources and businesses to have a

voice in decisionmaking and has coordinated with Federal partners to ensure all stakeholders have a voice in the process.

It is astounding to me that since 2012, 15 riders undermining ocean planning have been introduced to House bills, including riders on two previous CJS appropriations bills.

Allowing Federal agencies to coordinate implementation of over 100 ocean laws and giving States and local governments a voice in the ocean planning process is smart public policy.

I urge my colleagues to reject this misguided amendment and to understand and accept our responsibility to be good stewards of our oceans. That is what the administration's policy does. This is allowing agencies to coordinate that work in a thoughtful, strategic, and smart way.

Mr. FLORES. Madam Chair, I again reserve the balance of my time.

Mr. FATTAH. Madam Chair, who has the right to close?

The Acting CHAIR. The gentleman from Pennsylvania has the right to close.

Mr. FATTAH. Madam Chair, I reserve the balance of my time.

Mr. FLORES. Madam Chair, first of all, I think it is important to set the record straight. The issue here is not whether or not we want to take care of our oceans. All of us want to take care of our oceans. All of us believe in managing the ocean economy, the ocean ecology. We also believe in trying to make sure that we have a government that adheres to this Constitution. Under article I of that Constitution, all legislative powers are reserved to this body, to this Congress, not to the President. That is the issue at stake here. The President has overstepped his constitutional statutory bounds.

Now, in the year 2000, Congress did pass something during the 106th Congress to create an ocean commission to review and make recommendations. Since then, the 108th, 109th, 110th, and 111th Congresses each looked at those recommendations and decided to take no legislative action.

That is what caused the President to move forward with his executive order to try to go around Congress. There are no appropriations. We have asked the Department for this function specifically. We have asked the Department of Interior specifically to provide their statutory support for the President's actions. They have provided none. So the President has gone around Congress by signing these executive orders.

There are 67 groups that include fishing, agricultural, farming, energy, and other industries that are concerned about the impact of this Federal overreach—and again, I would say an unconstitutional Federal overreach.

Again, this is a simple amendment that just stands up for the constitutional rights of this Congress to create the statutes under which this activity can be conducted and to transparently appropriate the funds for this activity should it so choose.

We are not against ocean planning, as I said at the outset of this. What we are for, though, is for the Constitution and to stand up for our congressional rights to enact the statutes related to this activity and for the appropriators to be able to transparently appropriate the money.

Again, this amendment has been adopted with bipartisan support six times over the last 4½ years and is already included in the base text of the fiscal year 2016 Energy and Water Appropriations bill.

I want to thank Chairman CULBERSON for considering this amendment, and I yield back the balance of my time.

Mr. FATTAH. Madam Chair, can I inquire how much time is remaining.

The Acting CHAIR. The gentleman from Pennsylvania has 2½ minutes remaining.

Mr. FATTAH. Madam Chair, I yield 2 minutes to the gentleman from California (Mr. FARR).

Mr. FARR. Madam Chair, I thank the gentleman for yielding.

What selective memory you have. You say that the President is abusing his authority. Do you know who first asked for this? President Bush. He is the one that created the Commission and asked for those recommendations.

And guess what? Five Republicans authored that bill—Republicans Greenwood, Bilbray, Gilchrest, Horn, and Franks. That was in 2000 and 2004 they introduced it. The bill went to committee, and the committee never heard the bill. So don't say that Congress never had a chance to enact this thing. Congress refused, just like Congress refuses to respond to the President's ask that we ought to decide whether we ought to go to war in the Middle East.

You are very selective. You say, Don't let the President make these executive orders, and then when he does you want to sue him because it is about immigration or issues like that. You criticize this President because Congress fails to take action, even after Presidents—Republican and Democratic Presidents—have asked Congress to take action, and we refused. And now you get up and say, Well, because we refused, you took executive action, therefore, we ought to not allow it to be implemented.

The Acting CHAIR. Members will address their remarks to the Chair.

Mr. FARR. Thank you, Madam Chair. I am referring the remarks to the Madam Chair.

Look, deleting this ability for the National Ocean Policy—by the way, we haven't appropriated money. No money is being spent on it. But we are smart about getting 70 or 80 Federal agencies together to have one stop to figure out how we can get all these permits. That is why the fishermen support it.

I live in a coastal community. The author of this does not. We make our living off the ocean. And, by God, we want all the regulatory agencies to be in sync. And one of the policies here is, let's have a healthy ocean. What is wrong with that?

Mr. FATTAH. Madam Chair, if the oceans die, it is impossible for us to live.

The Pew Foundation in Philadelphia has put hundreds of millions of dollars behind efforts around ocean science. My friend, Gerry Lenfest, has put a lot of his own fortune behind this effort. When I first got to the Congress, I was chair of the Friends of the Caribbean Caucus. We should do better by our oceans.

I ask that we oppose this, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Texas (Mr. FLORES).

The question was taken; and the Acting Chair announced that the ayes appeared to have it.

Mr. FATTAH. Madam Chair, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Texas will be postponed.

AMENDMENT OFFERED BY MR. DUNCAN OF SOUTH CAROLINA

Mr. DUNCAN of South Carolina. Madam Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), insert the following:

SEC. ____. None of the funds made available by this Act may be used to prosecute or hold liable any person or corporation for a violation of section 2(a) of the Migratory Bird Treaty Act (16 U.S.C. 703(a)).

The Acting CHAIR. Pursuant to House Resolution 287, the gentleman from South Carolina and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from South Carolina.

Mr. DUNCAN of South Carolina. Madam Chair, the question we should ask ourselves is, should green energy companies be held liable for incidental deaths of birds of prey or migratory birds as a result of them flying into wind turbines or onto solar arrays.

As you may know, the Migratory Bird Treaty Act of 1918 and the Bald and Golden Eagle Protection Act, while well-intentioned, are significantly outdated.

Under current law, the accidental death of a protected bird is punishable as a misdemeanor; a second offense can be charged as a felony. This includes accidental deaths caused by wind turbines and solar panels.

The MBTA covers over 1,000 different species of birds. The Migratory Bird Treaty Act and the Bald and Golden Eagle Protection Act were written to target the intentional killing of migratory birds and birds of prey. I don't think anybody believes that accidental deaths as a result of solar panels or wind energy production warrants felony prosecution.

Every year, cars, trucks, skyscrapers, windmills, oil platforms, airplanes, and houses with big windows cause the deaths of hundreds of thousands of these protected birds, doing things that are otherwise well within the law but that make drivers, pilots, property owners, and green energy companies potential felons under a strict interpretation of an outdated law.

As you can imagine, the enforcement of this law is pretty spotty, with bureaucrats selectively enforcing these regulations, creating uncertainty in the green energy marketplace.

President Obama's Fish and Wildlife Service recently announced plans to study the possibility of creating a permitting regime under the MBTA, which would allow for incidental and accidental take without criminal penalty, and they have suspended prosecutions until this is worked out. I agree with this approach. That is consistent with a bill I introduced—my CLEAN Energy Producers Act, H.R. 493.

My amendment today to the Commerce-Justice-Science Appropriations bill will suspend further prosecutions for incidental avian deaths under the Migratory Bird Treaty Act until this incidental take permitting regime is implemented.

I believe this is the right step as we move toward permanent reforms of the MBTA and the BGEPA as a part of the national all-of-the-above energy independence strategy.

I would urge a ''yes'' vote on this important issue, and I reserve the balance of my time.

□ 1600

Mr. FARR. Madam Chair, I rise in opposition.

The Acting CHAIR. The gentleman from California is recognized for 5 minutes.

Mr. FARR. Madam Chair, what is broken that needs fixing? These are laws that have been in place for 100 years. In fact, they are laws that have been implemented because the United States has signed treaties with other countries that share our migratory fowl, countries like Canada, Mexico, Japan, and Russia. These are treaties that require that we be responsible for the wildlife that flies over our air space and lands in our soil.

Migratory birds are integrated into a healthy, natural system. In many ways, they affect the predators, the prey, the seed dispensers, and the pollinators. They are really actively appreciated by millions of people. We have a society in America called the National Audubon Society. We make an awful lot of money in my district off watchable wildlife.

Why would we want to stop the laws that protect that wildlife? I think this is all about responsible management; but to have an amendment that says that none of the funds may be available to prosecute or hold liable any persons who have violated the law, you are dismantling law enforcement's ability to enforce the law where people have violated it—violated it.

I think the public of this country does appreciate their watchable wildlife, whether they are hunting it or whether they are viewing it, and a lot of people make money off of it. I don't think this amendment is at all constructive. You are upsetting 100 years of law and international responsibility that we have as a country in this hemisphere.

I oppose the amendment and ask people to vote against it.

Madam Chair, I reserve the balance of my time.

Mr. DUNCAN of South Carolina. Madam Chair, I am in full support of the Migratory Bird Treaty Act. I am an avid water fowler; I am an avid hunter, and I see how the Migratory Bird Treaty Act has benefited the species from the heyday of the market hunting and what we saw in the early 1900s.

I believe that the Migratory Bird Treaty Act and the Bald and Golden Eagle Protection Act were designed to talk about the intentional killing or overharvesting of migratory birds and potential killing of birds of prey.

Even the Obama administration recognizes that there is something wrong with how we prosecute these cases of incidental and accidental deaths. This simply takes what they are already doing and says let's just have a pause until we can work this out in permanent law. That is all my amendment does.

Madam Chairman, I reserve the balance of my time.

Mr. FARR. Well, with all due respect, that is not what your law says. It says:

None of the funds made available by this act may be used to prosecute or hold liable any person or corporation for a violation of the provision of law found in section 703(a) of title 16 of the United States Code.

There is no language in here about working anything out. There is no language about being responsible managers of the land or flyways.

Yes, we have a lot of new equipment up in our energy business, our wind energy and our solar energy. Those things, obviously way before you build them, you are supposed to take into account whether they are being built right in a flyway.

We have condors in our area that we have obviously spent a lot of money trying to revive. People actually spend money to come to very expensive hotels so that they can come see a condor. These are things that you want to protect.

To say that none of the funds can be made available to hold liable people that are violating the law seems to me just a reckless act to upset 100 years of wildlife management.

Mr. Chair, I reserve the balance of my time.

Mr. DUNCAN of South Carolina. Mr. Chairman, if somebody has intentionally violated law, absolutely, they ought to be prosecuted. This amendment is in order because we are dealing with justice and how this is prosecuted. We are saying that the Justice Department can't expend any money to prosecute these incidental accidental deaths.

We need an interpretation of law. There is no doubt in my mind that we ought to revisit the MBTA and Bald and Golden Eagle Protection Act, and we will. I am on the Natural Resources Committee. I promise you, this issue will come up; but I think it is appropriate to say we are going to hold off on expending any money by prosecuting these accidental incidental deaths.

I would urge my colleagues to vote for this. I think it is the right place and the right time.

I yield back the balance of my time.

Mr. FARR. Mr. Chair, in closing, to say that the law says that those who are in violation of law—I mean, how many golden eagles do you have to kill and tell the law enforcement you can't do anything about it? This isn't about accidental death. This is people violating the law with an intent. You have to have an intent to do wrong.

I think this is a reckless amendment. I hope we defeat it.

I yield back the balance of my time.

The Acting CHAIR (Mr. DUNCAN of Tennessee). The question is on the amendment offered by the gentleman from South Carolina (Mr. DUNCAN).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. LAMBORN

Mr. LAMBORN. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), insert the following:

SEC. ____. None of the funds made available by this Act may be used to collect information about individuals attending gun shows, by means of an automatic license plate reader, or to retain any information so collected.

Mr. FARR. I reserve a point of order on this issue.

The Acting CHAIR. A point of order is reserved.

Pursuant to House Resolution 287, the gentleman from Colorado and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Colorado.

Mr. LAMBORN. Mr. Chairman, earlier this year, an email uncovered by the ACLU revealed that the Drug Enforcement Administration, DEA, and the Bureau of Alcohol, Tobacco, Firearms and Explosives, or ATF, collaborated on a plan to use automatic license plate readers to monitor and collect information about law-abiding citizens attending gun shows.

Under this program, mere attendance at a gun show would have been enough to have one's attendance recorded in a massive DEA database. As if that weren't bad enough, the primary purpose of this database is asset forfeiture, a controversial practice of seizing motorists' possessions if police suspect they are criminal proceeds.

In response to inquiries about the uncovered document, the DEA has said that the proposal was rejected by superiors and never implemented. Keep in mind that this was taking place in Phoenix in 2009 at about the time of Fast and Furious, and there were, I believe, rogue projects going on in that part of the country at the time.

We have litigated that as a House against the Department of Justice, and they have not supplied the documents that they were supposed to have supplied to Congress.

We also held former Attorney General Eric Holder in contempt of Congress for not providing those documents. This was at a time when, perhaps, rogue projects were actually going on in Phoenix. I believe that they were, and I believe that this is one of those.

However, the DEA never supplied any documents saying that they rejected this project. They blamed it on an underling, and they said it was never implemented. While this assurance is welcome, the fact that such a proposal was even considered raises very serious privacy concerns.

My amendment would prohibit any funds from being used to collect or retain information about individuals attending gun shows by means of an automatic license plate reader. This amendment is supported by the NRA, the National Rifle Association; the Gun Owners of America; and the ACLU.

Automatic license plate readers should not be used to target law-abiding citizens who are engaged in their constitutionally protected rights. Without strong regulations and greater transparency, this new technology would only increase the threat of illegitimate government surveillance.

I encourage my colleagues to support this amendment in order to rein in the illegal surveillance of Americans and to send a clear message to agencies like the DEA and the ATF that automatic license plate readers must not be used to collect information during constitutionally protected activities.

This includes Second Amendment activities, like attending gun shows.

Mr. Chairman, I reserve the balance of my time.

POINT OF ORDER

Mr. FARR. Mr. Chairman, I make a point of order against the amendment because it proposes to change existing law and constitutes legislation in an appropriation bill and, therefore, violates clause 2 of rule XXI.

That rule states in pertinent part: ''An amendment to a general appropriation bill shall not be in order if changing existing law''

One of the provisions is that it ''requires a new determination.''

I ask for a ruling from the Chair.

The Acting CHAIR. Does any other Member wish to be heard on the point of order?

The Chair recognizes the gentleman from Colorado.

Mr. LAMBORN. Mr. Chairman, let me respond to that by saying that The Wall Street Journal published an article on January 27 of this year which quotes what the ACLU uncovered through a Freedom of Information Act request to the Department of Justice.

In pertinent part, this revelation that was obtained by the ACLU reads:

The DEA Phoenix Division Office is working closely with the Bureau of Alcohol, Tobacco, Firearms and Explosives on attacking the guns going to ''blank''—that is redacted—and the gun shows to include programs-operations with license plate readers at the gun shows.

At least some agent or agents within the DEA's Phoenix region believed that they had the authority to go to gun shows and use automatic license plate recognition technology to, basically, throw out a dragnet and take in the identities of everyone who was attending a constitutionally protected activity.

That is what this amendment attacks. At least some elements within the DEA thought that they had this authority. They thought they had this power.

I don't think this is creating any new legislation, because it is going after a power they believed they already had and believed that they had the ability to exercise.

So the withdrawal of funding to something they thought they had the power to do is not creating a new oversight or provision. I forget the word the gentleman used. It is not legislating in the sense of giving them a power they didn't already have. They thought they had this power. This amendment would withdraw the funding for that.

I would urge the Chair to reject the point of order raised by the opposition.

The Acting CHAIR. Does any other Member wish to be heard on the point of order? If not, the Chair is prepared to rule.

The Chair finds that this amendment includes language requiring a new determination by the relevant Federal officials of whether an individual is attending a gun show. The gentleman from Colorado has not proven that this determination is required by existing law.

The amendment, therefore, constitutes legislation in violation of clause 2 of rule XXI.

The point of order is sustained, and the amendment is not in order.

AMENDMENT OFFERED BY MR. SANFORD

Mr. SANFORD. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill, before the short title, insert the following:

SEC. ____. Each amount made available by this Act (other than an amount required to be made available by a provision of law) is hereby reduced by 2.48 percent.

The Acting CHAIR. Pursuant to House Resolution 287, the gentleman from South Carolina and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from South Carolina.

Mr. SANFORD. Mr. Chairman, this is a very simple and straightforward amendment, as has been laid out, which is to, in essence, make an across-the-board cut of this particular appropriation by 2.48 percent.

I think it is important to do so simply for this reason. I was in a Budget hearing this morning, and the new Director of the Congressional Budget Office came by.

In his testimony, what he talked about was the way in which the American civilization and the Federal budget was nearing a tipping point beyond which there would be substantial consequence to that which we can budget here at the Federal level; to the value of the dollar; to future interest rates; and, ultimately, to the American way of life.

□ 1615

I think what is interesting is that, indeed, Admiral Mike Mullen, a military man, observed the same, because when he was asked what is the biggest threat to the American way of life and to American security, his answer was the American debt.

You can look at a long list of different authors who have talked about this theme in different ways. You know, Reinhart and Rogoff talked about it in their book entitled, ''This Time is Different,'' wherein, again, you look at economies that get to around 90 percent debt to GDP and, frankly, the wheels start to come off. Bad things begin to happen both to the economy and to the government's ability to perpetuate funding for programs that are important.

We have gone through a long list of well-discussed programs within this particular appropriation bill that are

important, but for our government's ability to sustain those programs, we need to look beyond 10 or 15 years out. We need to look at the long run, and ultimately that is what this bill is about.

I think it is interesting from a nonpartisan standpoint that Erskine Bowles and Alan Simpson said, if you look at our financial picture, it is the most predictable financial collapse or calamity in the history of man. I could go through a lot of other reasons numerically as to why I think it is important, but the short answer is we are nearing that tipping point that was talked about in the Budget hearing this morning.

I see my colleague standing, so I will reserve the balance of my time and come back to a few other points in a moment.

Mr. FARR. Mr. Chairman, I rise in opposition to across-the-board cuts.

The Acting CHAIR. The gentleman from California is recognized for 5 minutes.

Mr. FARR. Mr. Chairman, I respect the gentleman's presentation, but I think we ought to put it in full context. We do have an across-the-board cut. It is a huge cut. It is called sequestration. Although Admiral Mullen did admonish the Congress for the fact that we were running a deficit and it was a threat to our national security, he also opposed sequestration, across-the-board cuts.

I think the problem is—and this bill certainly is an across-the-board cut from what we used to spend, with the exception of the protection of one program, but I oppose this. We are on the Committee on Appropriations. We try to go through these things with a fine-tooth comb to figure out how to adjust the spending of the United States of America. The worst thing you can do is just do an across-the-board cut because that harms good programs, and you aren't necessarily cutting enough to really make a big dent in the national debt.

Frankly, the spending of America has come down quite dramatically, and the economy has improved, and our national debt is, in the recent years, at an all-time low. I think, frankly, we in Congress talk about this debt but don't put it into context.

I like to put it in the context that I talk to my constituents about that what we have at the national level, just like you have at the local level and your own personal life, you have sort of two debts. You have a short-term debt, which is that credit card, you spent too much that one month, so you are going to pay it slowly off in the next couple months. That is the annual deficit.

The long-term debt is that big mortgage that we have on our houses. We don't panic because of a mortgage. We made an agreement over a period of time—15, 30 years—that we are going to pay off this mortgage, and we know what those payments will be.

Wall Street doesn't worry about a deficit when we have a plan to pay it off. Wall Street worries about when we take a meat-ax approach to not running the government efficiently, not having enough people to process people when they need permits and they need access to licenses and things like that.

So I wish Congress would get off this sort of let's just use a meat-ax approach to solving these problems because we won't spend the time to get into the weeds. And although I respect the gentleman and his approach, I just don't think this is the proper way to do it, and I would oppose the across-the-board cut.

Mr. CULBERSON. Will the gentleman yield?

Mr. FARR. I yield to the gentleman from Texas.

Mr. CULBERSON. Mr. Chairman, I wish to join in opposition to this amendment. I share my colleague's concern about government spending, but two-thirds of the problem is in Social Security and Medicare and Medicaid, and in ObamaCare, the national debt, the interest on the debt. That is what is drowning us.

We, in the appropriations process, handle about a third of Federal spending, and we have cut spending here in this bill. We have limited resources; and as chairman of the subcommittee, we have prioritized that money to go, first and foremost, to law enforcement.

The gentleman's amendment would cut $683 million out of Federal law enforcement, which is something I just simply cannot support. The gentleman's amendment would cut $212 million out of the FBI and just eviscerate their ability to deal with cyber espionage and to deal with terrorism. The gentleman's amendment would cut $450 million from NASA, essentially crippling our efforts to get Americans back into space on an American-made rocket, something we simply have to do as quickly as possible.

We have in our bill prioritized the limited, very precious, and scarce, hard-earned tax dollars that our constituents have entrusted us with and made sure that Federal law enforcement is taken care of, scientific research is protected, NASA is protected. But first and foremost, we protected public safety with the way we have prioritized our spending.

I have to urge Members to oppose this amendment because we have already followed the Dave Ramsey approach in spending money where it is most needed. We have got to focus on the two-thirds of the problem that is drowning us: the mandatory, automatic spending programs—Medicare, Social Security, Medicaid—that are drowning this economy. That is where the deficit and the debt is coming from. While we continue to do our part in Appropriations on the one-third that we have got control over, we are continuing to cut and prioritize, let's focus on the two-thirds that is actually hurting the American economy. I would urge Members to oppose this amendment and defeat it.

The Acting CHAIR. The time of the gentleman from California has expired.

Mr. FATTAH. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman from Pennsylvania is recognized for 5 minutes.

Mr. FATTAH. It is good to see my good friend on the floor. I, unfortunately, can't support his amendment, but I appreciate his work here in the Congress.

In the past, unlike those rhetorically who offer notions of support for Simpson-Bowles, I actually supported it and voted for it. I am the only Member of the House that has offered a bill to get rid of the income tax and pay our debts.

I wanted to set up a consumption tax, which 150 other countries in the world use. We have got a consumption-based economy. It might be a good notion to find our revenues where the action is.

I don't take a backseat to anyone when it comes to fiscal responsibility, but unless we have a global budget deal, it is going to be impossible for us to manage the accounts of what you agree are very important Federal agencies that have very important responsibilities.

We are running the most important, the most powerful country in the world. We can't do it on the cheap and be number one. China builds 100 science-only universities in 5 years. It would take us 20 years to build one. We don't have the same kind of decision-making process, obviously, and it takes us a while to formulate our decision package; but even when we get there, we have this debate about whether or not we are going to stand up and be the leading country in the world, whether in space exploration or in any of the areas of scientific enterprise in which we have always had the absolute lead. Now we have only a relative lead.

There are those who are working in ways that are adverse to insisting on America being number one. Those are people who want to tell the American public that we can continue to have the best military in the world and not pay for it or the best education system and not pay for it. Or you look at our national laboratories, and I have visited Oak Ridge, I have visited Los Alamos and Sandia and Fermi and Argonne. You look at these laboratories. These were major investments. Now, some might call it spending, but it helped America win wars, but also win the economic fight against our competitors by making these investments.

I just think that it is not a matter of what we can cut. It is where does our

country want to end up. Do we want to be something less than number one in the world? Is that the legacy we want to leave our children and grandchildren? Or are we going to make the decisions that others before us have made, which is that we have to make tough decisions, and we are going to have to carry our own pail of water up the hill, and we are going to have to pay for all that we get. It was Abraham Lincoln who said you may not get all that you pay for, but you will pay for all that you get.

So this notion that somehow America can be number one on the cheap, I am not buying it. The world's not going to buy it. We are competing with countries that have a billion-plus population. They are making investments, and they want to eat our lunch, economically. There may be challenges in other ways for our country down the road, and we have to be prepared as leaders to make some tough decisions and to tell the American public that, in order to retain our position, we might have to actually stand up to the bar and pay our fair share.

I yield back the balance of my time.

Mr. SANFORD. Mr. Chairman, I admire the earnestness of my colleagues who, in good faith, are pressing forward in terms of trying to protect a whole host of programs that I think we all recognize are of great importance to the American people.

Churchill once observed that the beauty of the American political system was that it always did the right thing—after it had exhausted every other possible remedy. My fear in this is, if we wait late in the game, and this is exactly what the Budget Director was talking about this morning, if we wait, the consequences to waiting, in numerical terms, become horrific. We are dealing with a math trap that compounds with time. Einstein, in fact, was once asked what is the most powerful force in the universe, and his reply was compound interest. The numbers become, I think, absolutely compelling.

So I would agree with my colleagues that across-the-board cuts are absolutely not the best way to go. When I was involved in State politics, I worked earnestly against across-the-board cuts. It is only out of desperation that I offer a proposal that entails across-the-board cuts because, again, if we wait, what the Budget Director this morning says was that there will be real consequences.

I would make four additional points:

One, if we are serious about addressing the entitlement problem, then we shouldn't be borrowing from entitlement spending to fund mandatory spending, and that is exactly what this particular appropriation bill does to the tune of about $10 billion. So I think that if we are really going to get earnest about entitlement spending, this would be a place to start, which is part of the reason as to why we focused on this particular appropriation bill.

Two, my colleague from California mentioned national debt is at an all-time low. That is incorrect. In fact, we are at an all-time high if you look at the numbers. Roughly, it took us 200 years to get to $5 trillion in debt. Over the Bush administration, we went from 5 to 10. It doubled. And now, during the Obama administration, it is going to double again from roughly 10 to 20. It is at an all-time high.

I think the key to a mortgage is your ability to pay it off. It is not, again, is there a mortgage or isn't there. It is can you pay it off. If you look at the numbers—and increasingly rating agencies around the world have suggested that when you get up around that 90 percent number, there is less and less probability that you will be able to perpetuate that spending, which goes to the heart of can we perpetuate our ability to fund these worthwhile programs, which is what this amendment is about.

Lastly, I would say Admiral Mullen, when he spoke against the sequester, he did so, in large measure, because what he recognized was the way in which sequester disproportionately impacted the military.

For a host of reasons, again, I would ask support for this amendment.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from South Carolina (Mr. SANFORD).

The question was taken; and the Acting Chair announced that the ayes appeared to have it.

Mr. CULBERSON. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from South Carolina will be postponed.

AMENDMENT NO. 3 OFFERED BY MR. KING OF IOWA

Mr. KING of Iowa. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of the bill (before the short title), insert the following:

SEC. _____. None of the funds made available by this Act may be used with respect to the case State of Texas, et al. v. United States of America, et al. (No. B-14-254 in the United States District Court for the Southern District of Texas and No. 15-40238 in the United States Court of Appeals for the Fifth Circuit).

The Acting CHAIR. Pursuant to House Resolution 287, the gentleman from Iowa and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Iowa.

□ 1630

Mr. KING of Iowa. Mr. Chairman, this amendment is an amendment, in short form, that says that none of the funds made available by this act may be used with respect to the case State of Texas, et al. v. United States of America.

I point out to the body, Mr. Chairman, that that is the case that was filed by then-Attorney General of Texas Greg Abbott, now Governor of Texas, to protect the interest of Texans. It has been signed on to now by 25 States, I believe. And this is in reference to the President's November 20 DAPA policy, his executive amnesty policy.

We have watched as this Congress has three times voted to reject the President's initiative, and the debate has been centered on constitutional grounds. The position of this Congress has three times been that the President of the United States is the leader of the executive branch of this government, and the legislative powers are all vested here in the United States Congress, in a House and in a Senate. That is article 1 of the Constitution.

That is what the President taught through his 10 years as an adjunct professor of constitutional law at the University of Chicago, and that is what he also uttered at least 22 times as President of the United States—that he didn't have the authority to establish in advance an executive amnesty that would waive the application of the law for some 5 million people.

Not only does this Congress agree with the President's 22 statements that he has since changed his position on—by the way, the President has a 33-page Office of Legal Counsel opinion that is written, I think, very loosely—and I read every word of that—but the President's convictions, I believe, were reflected prior to this political decision.

And so my amendment prohibits any of the funds from being used to further defend this unconstitutional executive amnesty position.

Mr. Chairman, I would point out that not only has Congress voted three times but also the President's 22 statements, as I said, and then it is backed up by Federal Judge Hanen, who ruled on the side of the Constitution and the rule of law and the separation of powers. And on the administration's appeal, a three-judge panel in the Fifth Circuit also ruled and indicated that the State of Texas and the other coplaintiffs were likely to prevail, and granted standing to the State of Texas.

And now we have an administration that appears to be willing to continue this debate further and go with an appeal to the Circuit Court again. They actually have the opportunity to go directly to the Supreme Court.

So, Mr. Chairman, I go through this long list of things that have happened because a lot of money has been spent

and wasted in an attempt to, let's say—the gracious way to say it would be to stretch the Constitution beyond any bounds that it had been stretched before.

This amendment simply directs that none of the funds made available shall be used to continue that endeavor.

Mr. FATTAH. Will the gentleman yield?

Mr. KING of Iowa. I yield to the gentleman from Pennsylvania.

Mr. FATTAH. So when the gentleman references the Congress acting three times, when you say ''the Congress,'' do you mean both Houses of the Congress? Or, are you referring to one House?

Mr. KING of Iowa. I would have to go back and look at the record in the Senate to give you an accurate count. I can tell you that it is an accurate count for the House. It may not be a full three times in the Senate.

Mr. FATTAH. I thank the gentleman, and if he would continue to yield, we can continue for one second. Because I know that you appreciate the construction of our government and the way the Constitution framed it. It is not the law of the land that one House acts on something. We need the House to act, the Senate to act, and then we need a Presidential signature or an override by a Presidential veto.

Mr. KING of Iowa. Reclaiming my time, and thanking the gentleman from Pennsylvania for his insight, Mr. Chairman, I would state that the Constitution is very clear. It was very clear to the President of the United States for 10 years while he taught it, and it was very clear when he made his statements 22 times.

So this is the Congress reasserting itself. Our Founding Fathers expected we would do that.

I reserve the balance of my time.

Mr. FATTAH. I rise in opposition.

The Acting CHAIR. The gentleman from Pennsylvania is recognized for 5 minutes.

Mr. FATTAH. I thank the gentleman for yielding me the time in that colloquy. I look forward to being able to do the same in return, but I do appreciate the opportunity to communicate with my colleague, because I don't want anyone to misinterpret the facts here.

Every single President has acted in this area. And these actions by this President are no different than the actions by previous Presidents in this trade space around providing amnesty.

And what the gentleman strenuously and sincerely objects to is that this has benefited a large number of people whom the President has a different view of, in terms of their circumstances, because they were brought here as young children. And the President says, well, they are here, they went to school here, and this is the only country they know, and they have abided by our laws, and he is granting them this ability to stay. And the gentleman objects.

But I don't want anyone to think that the Congress has taken some different view, because the Congress is two Houses—the House and the Senate—and even if both Houses were to act, the way our laws are structured, you need a Presidential signature.

So, in fact, one House may have a difference of opinion. When Ronald Reagan was President, the Democrats had a difference of opinion. It didn't change the law so that we voted in some particular way.

I don't want anyone to misinterpret the comments of my colleague as he has articulated his sincere objections to these issues.

And then to get to the point of his amendment, what he is saying is that it is wonderful that the judiciary is responding, they are interpreting the law the way he thinks it should be interpreted, but here what he wants to do is to deny the executive branch appropriate resources to pursue its policy objectives by saying that none of the funds here can be used by DOJ in furtherance of their position.

So I think it is fair for the House to have a view. The House is even suing the President about his point of view on some things. But it is unfair for us to deny the executive branch an opportunity to put forth its arguments in court on any of these matters so that we can get a proper ruling from the third branch of our government.

And even though there have been rulings in the gentleman's favor, he and I both know that we are not at the final rendezvous here, and that the wheels of justice grind slowly, but there will be a final decision probably by the highest court in the land. But we should not deny the DOJ an opportunity to go into court and argue the administration's position. I think that would be unfair.

Therefore, I oppose this amendment, and I reserve the balance of my time.

Mr. CULBERSON. I move to strike the last word.

The Acting CHAIR. The gentleman from Texas is recognized for 5 minutes.

Mr. CULBERSON. Mr. Chairman, I wish to speak in support of the amendment. I strongly support Mr. KING's amendment because what the President has done is clearly illegal.

The President does not have the ability to change the law by himself. As my good friend from Philadelphia points out, one House of Congress cannot change the law all by itself. And similarly, the Chief Executive cannot change the law enacted by Congress and signed by the President all by himself.

The law is very clear that people who are in the country illegally, who have violated the immigration laws of the United States, need to be deported. And the President by this illegal executive action has attempted to override the Federal law enacted by Congress and signed by previous Presidents.

The District Court agreed that President Obama's action is illegal and that an injunction lies against it. The District Court suspended the President's executive order because it was illegal. The Federal Court of Appeals in New Orleans suspended the President's executive order because it was illegal. We expect the full Fifth Circuit Court of Appeals to suspend the President's executive order because it is illegal. We expect the Supreme Court to suspend the President's order because it is illegal, because the Constitution clearly says that as chief executive you have an obligation to faithfully execute the laws of the United States.

You cannot make a law all by yourself with the stroke of a pen. And that is exactly what President Obama has done. In addition, it has placed an incredibly unaffordable financial burden on the people of Texas, the people of Tennessee, and the people of all the States of the Union that would have to deal with these folks that are here illegally.

All that we ask is that the law be enforced. All that we ask is that the law be respected, because, as our Founding Fathers understood, the law is the foundation of all of our liberty. Without law enforcement, there can be no liberty. Because there is just simply anarchy. If you look at northern Mexico today, it is in a complete state of anarchy. Mexico is essentially a failed state because they have no law enforcement.

In the United States of America we cannot expect to preserve this great Republic handed down to us by our Founders without enforcing the law. The fundamental question that this lawsuit, Texas v. United States, is pursuing—and winning—is respect for the rule of law as the foundation for all our liberties.

So I strongly support Mr. KING's amendment as an important tool in the ongoing effort to overturn the President's illegal executive amnesty. We expect the Supreme Court will stand behind the State of Texas and agree that the President's order must be suspended because it is illegal, because without law enforcement, without respect for the law, there can be no liberty. That is the issue here.

I strongly support the gentleman's amendment, and I yield back the balance of my time.

Mr. KING of Iowa. Mr. Chairman, I would just reiterate that the President of the United States has signed a document. It is a November 20 document that says that he is going to impose executive amnesty. This House disagrees. Many in the Senate also disagree.

They have been chasing down an expensive rabbit trail to advance an operation of imposing amnesty in the

United States of America, in contravention of our laws.

This Congress is reserved the right by the Constitution to write immigration law, and our Founding Fathers imagined we would jealously guard that power. That is what this amendment is about.

I yield back the balance of my time.

Mr. FATTAH. Mr. Chairman, I think that we are at a point where it is difficult to reconcile what we are trying to do here—that is, in an appropriations bill—with these policy riders.

Now, I have heard my chairman claim that the President of the United States has done things that are illegal three or four times. I think that that kind of language is not useful in the debate, nor is it factual, because I think that the President has been acting well in concert with the precedents of former Presidents who have provided clemency and amnesty.

And I have heard Members like Mr. KING criticize those other Presidents who have provided amnesty, like Ronald Reagan and others, and I have never heard anyone claim that President Reagan acted illegally in those matters. So I find it unusual that we would be in this type of circumstance.

I heard the chairman run through a litany in which he also has the Supreme Court finally make some decision, which they have obviously not done yet.

So I would like to try to get back on the tracks of moving an appropriations bill. And the point that we have to understand here is that, if we are a coequal branch of the government—that is, the President is coequal to us, but we are one-half of the Congress—then the idea that what the House says goes is nonsensical.

Mr. KING of Iowa. Will the gentleman yield?

Mr. FATTAH. I yield to the gentleman.

Mr. KING of Iowa. I thank the gentleman for yielding.

I would just make the point that this Congress passed an amnesty act in 1986, and Ronald Reagan signed that. It was an act of Congress that brought amnesty in 1986. I think it was a mistake, but I believe it was constitutional.

Mr. FATTAH. Reclaiming my time, I appreciate the gentleman's point.

Like I was saying, it is nonsensical to assume that whatever the unfettered action of the House is, that it, number one, represents the action of the Congress, because it doesn't. We have two Houses. We have a Senate and a House. And then we are coequal to the President, but the President has certain rights provided to him under the Constitution.

If you find no exception in the actions of other Presidents, it is unusual that we would have such enthusiastic language in condemnation of this President's very similar actions.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Iowa (Mr. KING).

The question was taken; and the Acting Chair announced that the ayes appeared to have it.

Mr. FATTAH. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Iowa will be postponed.

□ 1645

AMENDMENT OFFERED BY MR. KING OF IOWA

Mr. KING of Iowa. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), insert the following:

SEC. __. None of the funds made available by this Act may be used to negotiate or finalize a trade agreement that includes provisions relating to visas issued under section 101(a)(15) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)). The limitation described in this section shall not apply in the case of the administration of a tax or tariff.

The Acting CHAIR. Pursuant to House Resolution 287, the gentleman from Iowa and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Iowa.

Mr. KING of Iowa. Mr. Chairman, this amendment addresses the circumstances around the trade promotion authority and later on, perhaps, the Trans-Pacific Partnership, but it also addresses any of our trade negotiations that might take place that would be funded under this bill.

The rationale is that there has been much concern about the negotiations with regard to trade promotion authority in particular, enabling the discussion about immigration visas as being part of the trade negotiations.

It is a longstanding pattern and practice of this Congress to assert our constitutional authority over immigration visas. When our U.S. Trade Representative or other negotiators bring in negotiations that have to do with visas, it complicates our trade negotiations and puts us in a place where, when we see a trade agreement come before us, perhaps it is under a trade promotion authority that would be negotiated and this House votes on it, then it may well have within it visa agreements that have been negotiated with the multiple countries and taking out of the hands of Congress the ability to directly establish, although there is an indirect inference, but directly establish our immigration policy.

A lot of the opposition to the trade negotiations that have been taking place in the Trans-Pacific Partnership have been about concerns of news reports that have come from places likes Australia that have pointed out that there are negotiations going on that have to do with visas.

There was a circumstance several years ago, under a previous administration, where they had negotiated immigration provisions in a trade agreement, and even though it was a nonamendable trade agreement, we went before the Judiciary Committee and had a full hearing. I offered two amendments that passed, and ultimately, there were changes made in that agreement. There is a long history on this with me.

It has been an important issue to maintain the separation of immigration policy and the Congress from the executive branch negotiations in trade. That is what this amendment does. It says no immigrant visas will be negotiated in trade agreements. That means all of them.

Again, the Constitution enumerates this power to the Congress, not the executive branch. I urge its adoption.

I reserve the balance of my time.

Mr. FATTAH. Mr. Chairman, I rise in strong opposition to this amendment.

The Acting CHAIR. The gentleman from Pennsylvania is recognized for 5 minutes.

Mr. FATTAH. I think that the hopes of having some bipartisan support for this bill is waning. I think it is very unfortunate that we are now at a point where we are trying to intrude in an entirely different area of the President's prerogatives. He can negotiate all he wants.

Now, I may not support what he negotiates, but to say you can't even discuss something in a negotiation, I think, is unfortunate.

I am in opposition, and I reserve the balance of my time.

Mr. KING of Iowa. Mr. Chairman, may I inquire as to how much time I have remaining?

The Acting CHAIR. The gentleman from Iowa has 2½ minutes remaining.

Mr. KING of Iowa. Mr. Chairman, I would reiterate this point, that this Congress and a lot of the American people lack confidence in the negotiations of our President. A lot of this angst has flowed forth from the Iranian negotiations and their march towards a nuclear capability that has undermined his credibility and made it significantly more difficult for a Congress that is in favor of trade, especially on my side of the aisle.

I am a natural-born free trader. I have always believed that I can compete with anybody in the world, and I think America and American companies can compete with anyone in the world. I think that we need to have a level playing field.

What is happening is that lack of confidence in the President's negotiations and the willingness to, I believe, give away some of the positions that would better enhance our national security with regard to Iran, in particular, has made it far more difficult

for those like me, who are pro-free trade, pro-smart trade, and because of that and the discussions about immigration visas being part of the negotiations and the indications from other countries that that is taking place, the secrecy around these negotiations is another component of it.

When we have to go into a secure room and give up our iPhone and leave our notes there in order to be able to see what the administration will present us as far as these negotiations are concerned, it is hard to have confidence that we are getting all of the straight story.

This is a way to put some containment around the negotiations. If the administration says there are no visas being negotiated, there should be no reason to oppose this amendment. That is really the bottom line.

If the administration opposes my amendment, that is a strong indication that they are not giving us the full story, but we are getting more of the full story from places like Australia.

I urge the adoption of my amendment, and I reserve the balance of my time.

Mr. FATTAH. Mr. Chairman, I continue to reserve the balance of my time.

Mr. KING of Iowa. Mr. Chairman, may I inquire as to the time remaining, please?

The Acting CHAIR. The gentleman from Iowa has 45 seconds remaining.

Mr. KING of Iowa. Mr. Chairman, I yield myself the balance of my time here and reiterate that this amendment addresses a lack of trust that these trade negotiations are focused on the things that trades are supposed to be discussed about.

I have a strong suspicion that they have included immigration visas in their trade agreements. This amendment is drafted consistent with the position of this Congress that immigration should not be part of trade negotiations.

If the administration says that it is not part of trade negotiations, they should say, Fine, I am happy to support the King amendment; and they will be happy to prove it in that fashion.

Meanwhile, a lot of us are not going to a secure room to see if there is anything in there, and we won't know what is presented to the this Congress until it is too late to resist.

Mr. Chairman, I urge adoption of my amendment, and I yield back the balance of my time.

Mr. FATTAH. Mr. Chairman, let me assure the House I have no intention of taking 4½ minutes to make the comments that I intend to make.

I was at SelectUSA, which is a gathering of people that the administration has brought together from around the world who were businesspeople and about investments in America. I was there with a number of Members of the U.S. Senate, Senator NELSON and others.

I got a chance at the lunch to sit next to a gentleman who has businesses in the United States—manufacturing businesses—and in South Africa and his home country in Asia and a number of other places.

He was saying that, when he travels to America, even though he has got 3,000 employees here, it is almost impossible for him to get the kind of visas and to get back and forth post-9/11 that can make it an efficient business trip for him. It requires such advance planning and so on.

I could imagine, in a negotiation, that there could be some consideration when there is a person who has got a multinational business and is employing Americans in Iowa or some other State about their entry and exit from our country. In fact, he indicated that, in these other countries, he has such arrangements, just not in our own. I think that America has got to think about where it is on these issues.

This is not the appropriate bill for this. This is a bill to determine the appropriation levels that we are going to fund in certain accounts. We are well off the tracks, and I hope that we vote this amendment down. I am opposed to it.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Iowa (Mr. KING).

The question was taken; and the Acting Chair announced that the ayes appeared to have it.

Mr. FATTAH. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Iowa will be postponed.

AMENDMENT OFFERED BY MR. KING OF IOWA

Mr. KING of Iowa. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), insert the following:

SEC. _____. None of the funds made available by this Act under the heading ''Department of Justice—Office of Justice Programs—State and Local Law Enforcement Assistance'' may be used in contravention of section 642(a) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1373(a)).

The Acting CHAIR. Pursuant to House Resolution 287, the gentleman from Iowa and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Iowa.

Mr. KING of Iowa. Mr. Chairman, my amendment eliminates the funding that might be used in contravention of section 642(a) that is designated in the amendment.

642(a) is the section in the Illegal Immigration Reform and Immigrant Responsibility Act of 1996, as I know it, that prohibits the political subdivisions in America from establishing sanctuary policies we often refer to as sanctuary cities. These are the political subdivisions that establish a policy that prohibit their law enforcement officers and their other agents from cooperating with Federal immigration officials.

It seems illogical to me to think that any local government would want to prohibit their law enforcement officers from assisting in, cooperating with, and transferring information to the Federal law enforcement officers who are enforcing immigration law.

That section, it reads, in part, but with the thought being contained here: ''Notwithstanding,'' the language says, ''the political subdivisions may not prohibit, or in any way restrict any government entity or official from sending to or receiving from the INS''—at the time, that is ICE today—''information regarding the citizenship or immigration status, lawful or unlawful, of any individual.''

Mr. Chairman, I grew up in a law enforcement family. I looked at the men around me as a little boy, and I just thought that all adult men put on a uniform of some kind or another. I was steeped in respect for the supreme law of the land—the Constitution—and the rule of law.

When there was an issue that came forward, whether it was a bank robbery or some tragedy that took place, all levels of law enforcement cooperated with all other levels of law enforcement. No one that was a member of the city police said: I am not going to be serving papers here because that is the county's job.

No county deputy decided that he wouldn't pull somebody over for speeding because that was the city speed limit on a city street. No highway patrol officer decided that he wouldn't enforce local law.

No one that came in from the Division of Criminal Investigation or the FBI decided that it was their bailiwick, that it was exclusively their law to enforce and that no one should help them with that.

Law enforcement, to be effective, has to be a cooperation from all levels; and, of course, the public has to respect the rule of law; and they have to respect those who are there to protect and serve and to also enforce that law.

For me, I cannot understand how or why a city would establish these policies, but they are doing so. In the process of that, they are undermining the rule of law and eroding the respect for the rule of law and leaving their citizens vulnerable, when we could be helping them with Federal officers who need to get this information.

This is an amendment that has been offered in multiple years. It has passed this House multiple times. The number

that I saw last year with the identical language passed the House by a vote of 214–94.

We have been consistent in defending the rule of law. This amendment says that no funds shall go to these political subdivisions from this bill, if they establish sanctuary city policies, to put it in short summation.

I urge its adoption, and I reserve the balance of my time.

□ 1700

Mr. COSTA. Mr. Chair, I claim the time in opposition to the amendment.

The Acting CHAIR. The gentleman from California is recognized for 5 minutes.

Mr. COSTA. Mr. Chairman, the description of the amendment, as we understand it, prohibits the use of these funds that contravene section 642 of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996.

The facts are that the States and localities around the country that have adopted laws and policies to limit immigration enforcement by law enforcement are focused on protecting public safety. We have this in California. We have it in many border States. There is a level of cooperation that does take place between local law enforcement agencies as well as our Federal enforcement officers.

Surely, we don't believe it is good public policy to force an unwanted role upon police through the threat of sanctions, which is what this amendment does, or withholding police funding. Frankly, if you believe in Federalism and if you believe in that relationship between local, State, and Federal Government, this is really top-down and I think runs contrary to the notion that law enforcement agencies at all levels collaborate and cooperate.

Holding this sort of a sword of Damocles, so to speak, over the head of local law enforcement agencies simply, I think, is not good public policy.

In an op-ed piece that was published in Roll Call last year, the police chief of Dayton, Ohio, explained why his department instructs its officers not to check the immigration status of witnesses and victims or to question their status in minor traffic stops.

He says:

> These policies allow us to focus our limited resources on our primary mission, which is crime solving and community safety.

We know that local law enforcement agencies are clearly stretched very thin across the country. They also said victims of crimes should never be afraid to reach out for help due to the fear of immigration consequences because, notwithstanding the fact of their status, crimes are perpetrated upon these people as well.

Since Dayton adopted these policies and innovative ways of addressing crime problems, their crime rates have significantly declined; and, in the past 3 years, serious crime has declined nearly 22 percent, while serious property crime has gone down 15 percent. It is simply, we believe, perverse to punish communities that want to prioritize because they know best what their challenges are within their communities to protect the public against crime and to enact community-based policing activities. To deny them this funding through this threat of the SCAAP funds simply is, we believe, inappropriate.

Finally, I think that this amendment focuses on a problem that doesn't exist.

With those statements, I yield back the balance of my time.

Mr. CULBERSON. Mr. Chairman, I move to strike the last word to speak in support of the amendment.

The Acting CHAIR. The gentleman from Texas is recognized for 5 minutes.

Mr. CULBERSON. Mr. Chairman, the objection of the gentleman from California (Mr. COSTA) to this amendment is that he does not believe current Federal law is good public policy. As a Member of Congress, he has the privilege of filing amendments and filing legislation to change current Federal legislation, but we cannot, as lawmakers, encourage law breaking.

All the amendment of the gentleman from Iowa (Mr. KING) says is that if a local or State government expects to receive Federal money, they should comply with Federal law. It is really that simple.

Mr. KING's amendment simply says that, if you expect to receive funding from the Department of Justice, if you expect to receive funding under the SCAAP program—the State Criminal Alien Assistance Program—to compensate local jurisdictions for housing illegal aliens who have broken State law and are housed in a State or local jail at local taxpayer expense, if you want to be compensated for that and if you want to apply for grant funding from the Department of Justice, all Mr. KING's amendment says is follow Federal law. If you want Federal money, follow Federal law.

The Federal law is very clear. The law Mr. KING is referencing here is very simple. It simply says that a State or local government may not prohibit or in any way restrict a government entity or official from sending or receiving any information regarding the citizenship or immigration status of any individual to the Immigration Services. That is all this law says.

It is a very important piece of law because, as the gentleman from Iowa (Mr. KING) quite correctly points out, we expect all our local and State and Federal law enforcement officials to work together seamlessly.

Because we are a Nation of laws, we understand that all our liberty depends on the enforcement of the law, with equal protection and due process for everyone. All our liberties depend on local, State, and Federal law enforcement officers using their good hearts, their good sense, and their ability, as law enforcement officers, to recognize when and where they need to cooperate and communicate with the State law enforcement officials, with Federal law enforcement officials to protect the life and liberty of the people of the United States. That is what is really at stake here.

That is the objection that we have had to the President's unlawful actions. That is the concern and the objection we have in the State of Texas to the uncontrolled flow of people and drugs and guns and illegal material across the border. Our concern is not with the lawful free flow of people back and forth over the Rio Grande River. Our concern is with the illegal, criminal conduct.

We recognize in Texas the importance of free trade with Mexico and with Canada, but you cannot have free trade and a strong economy without safe streets, and you cannot have safe streets until the law is enforced. We in Texas, first and foremost, recognize that, in order to have that good relationship with Mexico, the law has got to be enforced.

We need workers from Mexico to come here lawfully. We need our laws to be respected so that we can ensure the economy stays strong, so that our liberty is protected. Our liberty can only be safe when the law is enforced.

All Mr. KING's amendment says is, if you expect to receive Federal money, follow Federal law. It is not complicated. That is very, very simple. Under the law that has been on the books since 1996, a State or local unit of government cannot restrict in any way the ability of a government official to either send information to Immigration Services or receive information from Federal immigration regarding the citizenship or unlawful status of any individual.

If my colleague from California (Mr. COSTA) objects to that law, it is his privilege, as a Member of Congress, to file an amendment or file legislation to amend it or change it. In the meantime, our responsibility as lawmakers and my responsibility as chairman of the Commerce, Justice, Science Subcommittee is to ensure that the law is enforced.

If agencies of the Federal Government or State or local governments expect to receive Federal money, if they expect to have the privilege of spending our constituents' hard-earned tax dollars, they should expect to follow the law.

If you want Federal money, follow Federal law. It is that simple. That is all Mr. KING's amendment does, and I urge Members to support it.

I yield back the balance of my time.

Mr. KING of Iowa. Mr. Chairman, I want to reiterate the positions that

were taken by the gentleman from Texas. We have political subdivisions, primarily, as sanctuary cities that are violating Federal law, and all we are saying is follow the law.

The point hasn't been made here that the Department of Justice could enforce this law, but they choose not to, and that empowers the political subdivisions, particularly the cities that continue to advance these sanctuary policies.

Can you imagine being a police officer and being told that, if you pick up people who are unlawfully present in America, that you can't tell the INS—even if you are having coffee with them—that you have got a jail full of people who are unlawfully present in America that are required by law to be placed into removal proceedings? That is just illogical.

I would point out that, if you disagree with this section of the code, you are here in this Congress, bring a bill to try to change it.

In the meanwhile, I am for full funding of the SCAAP funding. I think that, when we have people in the country and we are not enforcing immigration law, we should make sure that local jails are funded when they are picking up people that are unlawfully present in America.

I support the Byrne JAG grants. I want to give that to them, but we cannot do that under provisions if the local subdivisions are violating law.

Then with regard to the statement that this is a problem that doesn't exist—no, it is a problem that exists all over this country. It is growing. It is replete in city after city. We need to restore respect for the rule of law. That is what this amendment does. I urge its adoption.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Iowa (Mr. KING).

The question was taken; and the Acting Chair announced that the ayes appeared to have it.

Mr. KING of Iowa. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Iowa will be postponed.

AMENDMENT OFFERED BY MR. LUETKEMEYER

Mr. LUETKEMEYER. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), insert the following:

SEC. ___. None of the funds made available in this Act may be used to carry out the program known as ''Operation Choke Point''.

The Acting CHAIR. Pursuant to House Resolution 287, the gentleman from Missouri and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Missouri.

Mr. LUETKEMEYER. Mr. Chairman, question: How does the Federal Government get rid of an industry it doesn't like?

Answer: Simple, it cuts off that industry from the financial services sector.

Sounds impossible, doesn't it? However, that is exactly what the Department of Justice is doing in conjunction with the FDIC right now. Their name for this action is called Operation Choke Point. It is designed to force legally operating entities out of business by choking them off from the financial services they need to operate their businesses.

What started with nondepository lenders has spread to other industries, including pawn shops, tobacco retailers, and the firearms and ammunition industries, to name just a few, as well as the businesses that provide services and products to these industries.

This amendment would ensure that Operation Choke Point is ended and that the DOJ returns to their proper job, targeting companies based on fraudulent actions, not entire industries based on political motive. An identical amendment was offered by a bipartisan group of lawmakers during fiscal year 2015 debate, and it was passed by voice vote.

This isn't a partisan issue. This is an issue of DOJ abusing its authorities. I urge support for this amendment.

I yield 1½ minutes to the gentleman from Texas (Mr. WILLIAMS).

Mr. WILLIAMS. Mr. Chair, soon, we will vote to end funding for a government program that is, at best, unethical and, at worst, illegal. The program known as Operation Choke Point forces banks to discriminate against legitimate, legal businesses.

Today, we know that banks are closing their customers' accounts under a directive by the U.S. Department of Justice. There is no appeals process.

That is right; the enforcer of the law of the land is backing this potentially unlawful program. Hard-working American businessowners are having their livelihoods ripped out from under them by a law established by this administration, not by Congress.

Operation Choke Point is another example of how the Obama administration has gone around Congress to create laws, rather than do their job to enforce the laws we already have on the books.

As a businessowner myself, Operation Choke Point worries me greatly. Operation Choke Point is un-American. It is deceiving and simply wrong. It is time this Congress uses its power of the purse to rein in government overreach and restore government accountability.

I urge my colleagues to support this amendment to defund Operation Choke Point.

In God we trust.

Mr. FATTAH. Mr. Chairman, I claim the time in opposition.

The Acting CHAIR. The gentleman from Pennsylvania is recognized for 5 minutes.

□ 1715

Mr. FATTAH. Mr. Chairman, now I think that there may be some mutuality of interest if what the gentleman says is true about what is at stake here. However, this is not a process in which we can discern all of that at this moment. This is an appropriations bill. I think that this is probably an area where the Congress should hold some hearings and look into it, take some testimony and figure out exactly what is going on before we would shut down what might be a very important program.

It may be, as the gentleman describes, that is something where DOJ is just moving in ways that make little or no sense. But I think that to come at the final point in the bill and seek to restrict DOJ in this way, I would be reluctant to support it, and therefore, I stand in opposition to it.

Mr. Chairman, I reserve the balance of my time.

Mr. LUETKEMEYER. Mr. Chairman, I yield 2 minutes to the gentleman from South Carolina (Mr. MULVANEY).

Mr. MULVANEY. I thank my friend, Mr. LUETKEMEYER, and I thank the chairman. What we are up here talking about is a program where the government is trying to put legal businesses out of business—that is what Operation Choke Point is—legal businesses that some people don't like especially within the administration, pawnshops, payday lenders, ammunition manufacturers, gun shops, but legal businesses.

With all due respect to my friend from Pennsylvania, we have had hearings on this. In fact, the Department of Justice has claimed they have stopped this program. They have agreed with us that they shouldn't be doing this. Now, we don't believe they are actually doing that. We have indications from what is happening back in our districts that even though the Department of Justice says they have stopped Operation Choke Point, that it is still going on.

So here is my question, Mr. Chairman: Who supports this program? The Department of Justice says it is wrong. The Department of Justice says it is not even doing it. So who would get up here on this floor and say: ''I think Operation Choke Point is a great idea. I think we should go ahead and continue to use means within the Department of Justice to drive legal businesses out of business''? I'm not really sure how you defend that position.

This is real for me in my district, Mr. Chairman. I have a woman-owned business in my home county who cannot get money to expand her pawnshop. I

have businesses elsewhere in South Carolina that have a little tiny piece of their large financial services business in payday lending. They have been cut off from their financial relationships of 25 years. They can't get banking services. That is why the DOJ said they were going to stop. We just don't happen to believe them.

Mr. Chairman, we should support this amendment because it is the appropriate thing to do, to my good friend from Pennsylvania, because that is how we work. We defund programs that we don't like. And if the DOJ says they are not doing it anyway, what is the harm in voting for the amendment?

So I would ask again, who could possibly be against the amendment? Who could possibly be for Operation Choke Point?

I hope we have overwhelming and broad support for Mr. LUETKEMEYER's amendment later on this evening.

Mr. FATTAH. I yield such time as he may consume to the gentleman from Missouri (Mr. LUETKEMEYER) for the purpose of a colloquy.

Since the Republicans are in the majority, you have held hearings on this. Is there legislation that is coming forward to end these practices?

I yield to the gentleman.

Mr. LUETKEMEYER. Yes. There have been hearings in the Financial Services Committee. There also have been hearings in the Oversight and Government Reform Committee. In fact, the Oversight and Government Reform Committee has an extensive report on both the DOJ and FDIC activities that include emails and internal memos from those agencies indicating these activities. They can't be denied. They admit this in discussions with the FDIC. In a follow-up hearing to the report, they admit doing this. They have put in place a number of provisions of a bill that I am offering.

Mr. FATTAH. Let me restate my question.

Is there legislation coming forward that would end the practice?

Mr. LUETKEMEYER. That is what I was getting to.

As a result of these reports, we have come up with a bill. I have a bill filed. It will be coming up later on this month for a hearing in committee.

The FDIC has put in place many of the same provisions of the bill already as protocols for their operations on how they handle situations like this. I think we are making progress.

The problem is that DOJ has flipped the model of using FIRREA, which is a bank law that banks use to protect themselves against fraud, to now use that law against them. As a result, we need to stop that. That is part of the bill as well.

Mr. FATTAH. Reclaiming my time, I appreciate your answering my question.

So what I hear is that you held some hearings, that you have legislation, that you are making progress, and that the administration has already curtailed some of these practices that you are concerned about. However, you would still like to proceed with this prohibition of funds which might be entirely appropriate.

I don't have enough information, standing here today, to agree with you that that is the right thing to do, so I stand in opposition to the amendment even though I may not be, in spirit, in opposition to what it is that you are attempting to do. I just don't have enough information to join you in this effort as robustly as you are engaged in it.

Mr. Chairman, I reserve the balance of my time.

Mr. LUETKEMEYER. How much time do I have remaining, Mr. Chairman?

The Acting CHAIR. The gentleman from Missouri has 30 seconds remaining.

Mr. LUETKEMEYER. Mr. Chairman, I just want to reiterate that I think my two other spokespeople here, with regards to this, have expressed concern.

There are businesses across this country that are being choked off from financial services, and as a result, they are doing legal business but yet not being able to do that business because of the actions of the FDIC and the DOJ, which the OGR report indicates that they are doing. They admit this wrongdoing in different committee hearings as well as meetings on campus here. What we are trying to do is protect legal businesses to be able to continue to do a legal business

Mr. Chairman, I yield back the balance of my time.

Mr. FATTAH. Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Missouri (Mr. LUETKEMEYER).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. DENHAM

Mr. DENHAM. Mr. Chairman, I rise to offer an amendment.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), insert the following:

SEC. ____. None of the funds made available by this Act may be used by the National Oceanic and Atmospheric Administration to implement in the California Central Valley Recovery Domain any existing recovery plan for salmon and steelhead populations listed under the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.) as threatened species or endangered species if that recovery plan does not address predation by non-native species.

The Acting CHAIR. Pursuant to House Resolution 287, the gentleman from California and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California.

Mr. DENHAM. Mr. Chairman, this amendment will help protect native salmon and steelhead species in California. My amendment would increase the effectiveness of recovery plans for species of salmon and steelhead listed under the Endangered Species Act of 1973 by ensuring an appropriate focus on predation control efforts.

Predation has long been recognized as a source of significant mortality for endangered and threatened species. In fact, according to NOAA, nonnative species are cited as a cause of endangerment for 48 percent of the species listed under the U.S. Endangered Species Act. This is especially true for marine species, and along the Pacific coast salmon and steelhead juveniles.

Recently, the National Marine Fisheries Service found protection of salmon and steelhead required ''significantly reducing the nonnative predatory fishes,'' and that reducing the number of nonnative predatory fishes was necessary to ''prevent extinction or to prevent the species from declining irreversibly.''

In my own State, as far back as 1995, the State Water Resources Control Board recommended in its water quality control plan for the Bay Delta that the State and Federal fish agencies pursue programs to determine the impacts of predation by nonnative fish on salmon and steelhead. Unfortunately, despite such recognition, nothing has been done, and there are currently no programs in California to remove these nonnative predator fish.

Today in California, species such as the nonnative striped bass, introduced into California from New Jersey, consume up to 95 percent of the salmon and steelhead juveniles along the Sacramento and San Joaquin River System. These bass are not suppressed but, rather, managed by local State officials for abundance and sport fishing.

Mr. Chairman, predator control efforts can and do work. Currently, control of predator fish is being successfully used in a number of locations in North America. In the Great Lakes, control efforts of sea lamprey have reduced predation on lake trout, whitefish, salmon, rainbow trout, and others. In the Wood River System of Alaska, control of the arctic char reduced predation on sockeye salmon. In the Columbia and Snake Rivers, control of pike minnow reduced predation on salmon. In Cultus Lake, British Columbia, sockeye salmon increased after an eradication program focusing on pike minnow.

Recovering threatened and endangered salmon and steelhead populations has been a critical priority for Congress for years. This amendment simply ensures that controlling nonnative predators is a top priority for NOAA and all other stakeholders interested in maintaining healthy and sustainable salmon and steelhead populations.

Mr. Chairman, I reserve the balance of my time.

Mr. FATTAH. Mr. Chairman, I claim the time in opposition to the amendment even though my opposition is not as apparent as it might otherwise be.

The Acting CHAIR. The gentleman from Pennsylvania is recognized for 5 minutes.

Mr. FATTAH. Mr. Chairman, I yield 2 minutes to the gentleman from California (Mr. COSTA), my great colleague here.

Mr. COSTA. Mr. Chairman, I would like to thank the gentlemen from California and from Pennsylvania for allowing me this time, and the gentleman from California for offering this important amendment.

Let me give a little perspective here. Clearly, everyone is aware of the disastrous drought that is having catastrophic impacts in California, not only in the San Joaquin Valley but throughout the State. There are a number of factors that have caused the challenges that we face with a lack of water in California. Obviously, it hasn't rained very much or snowed very much in the mountains for 4 years.

In addition to that, we have a broken water system in the sense that, designed in the fifties and the sixties, both the Federal and State water projects, for a State of 20 million people, today we have 38 million people, and we have a lot of demands not only for the use of agriculture, but for people in our cities and for the environment.

Mr. Chairman, this amendment relates to our requirements under the law to protect the environment, those endangered species, salmonoid and steelhead that are native to California.

What happened is some 100 years ago, before we had a better understanding and before California was a much bigger State, there was the introduction of striped bass from the East Coast, bound from the Gulf of Saint Lawrence Seaway all the way down to Alabama. These are native fish on the East Coast, but they were not native to California. They were introduced in a small number but became very successful in propagation, so much so that in the early 1900s, after 10 years of introduction, over 1 million pounds a year was being harvested of these nonnative striped bass fish in the San Francisco Bay-San Joaquin-Sacramento-Delta River systems.

The Acting CHAIR. The time of the gentleman has expired.

Mr. FATTAH. Mr. Chairman, I yield the gentleman an additional 2 minutes.

Mr. COSTA. As I was saying, Mr. Chairman, the fact is that the State has changed a great deal to present day. The current water system is unable to meet the demands under the current restrictions that are required under the Endangered Species Act to maintain and to try to increase the population of salmonoid and steelhead.

We have determined, as my colleague and friend from California stated, that these fish, these predator fish, are responsible for a large amount of the takings of both the native California salmon and steelhead, and yet we have no program to balance this.

What this amendment would do is it simply requires that for a recovery plan to be effective, it must incorporate and address all factors involved in species recovery, those of particularly high concern.

Some of the studies have indicated on the Sacramento River over 95 percent of the juvenile salmon and steelhead are eaten by these predator striped bass, these nonnative fish and other invasive species. This amendment ensures that the recovery plan for endangered salmon and steelhead takes these factors into account, including the predation by the nonnative species such as striped bass.

Mr. Chairman, I urge my colleagues to support the amendment of the gentleman from California.

□ 1730

Mr. DENHAM. Mr. Chairman, how much time do I have remaining?

The Acting CHAIR. The gentleman from California has 2 minutes remaining.

Mr. DENHAM. Mr. Chairman, I would just like to point out one thing. Turlock Irrigation District, which is in my district, was forced to do a federally ordered study which actually showed, on the lower Tuolumne, 42,000 snook were killed by nonnative fish. This nearly eliminated the entire population. This is a federally ordered study.

With that, I yield the balance of my time to the gentleman from California (Mr. VALADAO).

Mr. VALADAO. Mr. Chairman, I thank the gentleman from California for offering this very important amendment.

When you look at what is going on in Central Valley, my hometown, and you hear stories—and I see for myself because I was there this past week—cities, houses, running out of water, wells going dry. There was a news article a couple of days ago about a city in my district named Lemoore where wells are going dry that supply homes there the south side of town. That is a frustrating situation.

We fought for the last couple of years to bring legislation to the floor. We delivered it to the Senate a few times to help resolve this.

What makes this more frustrating than anything is we have got a situation here where we could actually make a difference. There are studies here that prove that 95 percent of the fish that we are trying to protect are being eaten by species that we are doing nothing about. The tools are there.

This is a simple amendment that actually helps deliver and force these agencies which should be looking out for the best interests of the people of the United States, it forces them to actually use every single tool in their toolbox to actually address the situation instead of wasting water.

When I saw the story not too long ago about water being diverted or released in these pulse flows to trick some of our species to try to protect instead of actually doing something to make a difference, it is a waste of water that could have made a real difference for the people in my district, people who are unemployed. We are starting to see unemployment numbers again upwards of 50 percent in some of these communities, houses where they are actually delivering water by truck so they can bathe. This is a real dire situation.

This amendment is a step in the right direction that actually allows these government agencies which, again, are supposed to take the interests of the American people at heart first to use all the tools in their toolbox.

This is a good idea, this is a good amendment, and this really truly makes a difference.

Again, thank you for this amendment, and I urge support.

Mr. DENHAM. Mr. Chairman, I yield back the balance of my time.

Mr. FATTAH. Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from California (Mr. DENHAM).

The question was taken; and the Acting Chair announced that the ayes appeared to have it.

Mr. FATTAH. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from California will be postponed.

VACATING DEMAND FOR RECORDED VOTE ON AMENDMENT OFFERED BY MR. KING OF IOWA

Mr. FATTAH. Mr. Chair, an amendment was passed, King No. 077, and passed by a voice vote. I requested a recorded vote. I ask unanimous consent that my request for a recorded vote on the amendment that it be withdrawn and allow the voice vote on which it passed to be the fact.

The Acting CHAIR. The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

The Acting CHAIR. Without objection, the request for a recorded vote is withdrawn. Accordingly, the ayes have it and the amendment is agreed to.

There was no objection.

Mr. FATTAH. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman from Pennsylvania is recognized for 5 minutes.

Mr. FATTAH. We have arrived at our final moment in this bill where my colleague from New York, who is an extraordinary Member, has a very important amendment to offer.

I yield back the balance of my time.

AMENDMENT OFFERED BY MR. JEFFRIES

Mr. JEFFRIES. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), insert the following:

SEC. ____. None of the funds made available by this Act may be used for the monitoring or review of electronic communications between an inmate and attorney or attorney's agents who are traditionally covered by attorney client privilege except as provided in 28 CFR 501.3(d).

The Acting CHAIR. Pursuant to House Resolution 287, the gentleman from New York and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from New York.

Mr. JEFFRIES. Mr. Chairman, I thank the distinguished gentleman, the ranking member from Pennsylvania, for his leadership.

This amendment would prohibit the use of funds in connection with the monitoring or review of electronic communications between an inmate detainee and his or her attorney or attorney's agents who are traditionally covered by the attorney-client privilege, except in circumstances where reasonable suspicion exists that a particular inmate's communications with attorneys or their agents may be designed to further or facilitate acts of terrorism.

This amendment is designed to protect the legally sacrosanct attorney-client privilege. It would protect the Sixth Amendment right to counsel of individuals who are using electronic communications to share privileged information with their designated court advocate.

The attorney-client privilege is one of the oldest recognized privileges in American jurisprudence. It is intended to encourage the full and frank communication between attorneys and their clients and thereby promote the broader public interests in the observance of the law and the administration of justice. It, of course, is anchored in the Sixth Amendment.

Currently, in-person attorney visitations in facilities that are run by the Bureau of Prisons can take place in attorney-client rooms which provide the privacy to share information necessary for a lawyer to adequately defend his or her client in court.

However, this is not the case for correspondence collected through electronic means. Waiver notices in Federal prisons vary from facility to facility, with some having clearly posted notices which state that by using the Trust Fund Limited Inmate Computer System, otherwise known as TRULINCS, inmates are waiving their privilege rights. Other facilities, however, provide no indication on the level of privacy that a detained individual can expect when using electronic prison resources.

The TRULINCS system also does not provide an option for a detained individual who hasn't been convicted to contact his or her attorney without subjecting electronic communications to external review.

The reading and collecting of privileged information in instances where clients are having electronic exchanges with their attorneys is a clear invasion of the traditional attorney-client privilege.

In this great country, there is a presumption of innocence, as one of our Founding Fathers, John Adams, has eloquently set forth. It is a foundational principle of our democracy.

It seems unreasonable to require in the 21st century that protection of the attorney-client privilege at a detention center only occurs through in-person visitation. These correctional facilities are often located in distant locations that cannot be easily accessed. We live in an era of modern technology and communication. The technology is available in these facilities, and our laws should reflect and adapt to the modern age.

This amendment would prohibit the prison system from compromising the attorney-client privilege, as anchored in the Sixth Amendment constitutional right to assistance of counsel.

For that reason, I urge my colleagues to support it, and I reserve the balance of my time.

Mr. CULBERSON. Mr. Chairman, I claim the time in opposition, although I am not in opposition.

The Acting CHAIR. Without objection, the gentleman from Texas is recognized for 5 minutes.

There was no objection.

Mr. CULBERSON. Mr. Chairman, the gentleman from New York is prepared to withdraw the amendment. We will work together to resolve this problem, so I do claim the time in opposition.

I think the gentleman from New York has raised a very valid concern. Certainly we do not want to see any exception to the attorney-client privilege. It can't be limited to just those circumstances where an attorney is actually present with the individual interviewing him at the facility. I think the gentleman has identified a legitimate problem that we need to address.

As I discussed with Mr. JEFFRIES earlier, we got the language very late, and I want to be certain that we are not creating any unanticipated problems. Mr. JEFFRIES wants to be sure to exclude the very reasonable exception in current law that if a court order, on a finding of a judge, sees that there is potential or reasonable cause for concern that there may be furtherance of a terrorist plot in the course of those communications between an attorney and a client, the Department of Justice would have the right under that court order to listen to that conversation.

We want to make sure that we protect that exception but make sure we take care of the one he has identified, so if I could, with my colleague from Philadelphia Mr. JEFFRIES' help, we appreciate, as we just discussed earlier, if he would withdraw this amendment. I will work with my colleague Ranking Member FATTAH from Philadelphia to help address the concern you have got when we move to conference. I think it is a valid concern and one that we will work closely with you, sir, to resolve.

Mr. FATTAH. Will the gentleman yield?

Mr. CULBERSON. I yield to the gentleman from Pennsylvania.

Mr. FATTAH. Mr. Chairman, I would be happy to concur with the chair's every utterance on this amendment that we will work together and help facilitate what I think is a very righteous effort on behalf of Congressman JEFFRIES to protect the rights of all Americans to have privileged conversations and interactions with their attorneys so that their rights can be fully protected.

I thank the gentleman for yielding.

Mr. CULBERSON. Mr. Chairman, I reserve the balance of my time to hear from my colleague from New York for the purpose of completing the discussion.

Mr. JEFFRIES. Mr. Chairman, I thank the distinguished gentleman from Texas and the distinguished gentleman from Pennsylvania for their willingness to work together on this very important issue in terms of the preservation of the attorney-client privilege in the detainee context and look forward to working with the two of them and Members of this august body to resolve this issue.

Mr. Chairman, I ask unanimous consent to withdraw the amendment at this time.

The Acting CHAIR. Is there objection to the request of the gentleman from New York?

There was no objection.

The Acting CHAIR. The amendment is withdrawn.

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, proceedings will now resume on those amendments on which further proceedings were postponed, in the following order:

Amendment by Mr. MASSIE of Kentucky.

Amendment by Mr. MASSIE of Kentucky.

Amendment by Mr. MASSIE of Kentucky.

Amendment by Mr. FLORES of Texas.

Amendment by Mr. SANFORD of South Carolina.

Amendment No. 3 by Mr. KING of Iowa.

Amendment by Mr. KING of Iowa.

Amendment by Mr. DENHAM of California.

The Chair will reduce to 2 minutes the time for any electronic vote after the first vote in this series.

AMENDMENT OFFERED BY MR. MASSIE

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Kentucky (Mr. MASSIE) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 289, noes 132, not voting 11, as follows:

[Roll No. 288]

AYES—289

Aguilar	Cramer	Green, Al
Amash	Crowley	Green, Gene
Amodei	Cuellar	Griffith
Ashford	Cummings	Grijalva
Barr	Curbelo (FL)	Grothman
Bass	Davis (CA)	Guthrie
Beatty	Davis, Danny	Gutiérrez
Becerra	Davis, Rodney	Hahn
Benishek	DeFazio	Hanna
Bera	DeGette	Hardy
Beyer	Delaney	Harper
Bishop (GA)	DeLauro	Hastings
Bishop (UT)	DelBene	Heck (NV)
Blum	Dent	Heck (WA)
Blumenauer	DeSantis	Herrera Beutler
Bonamici	DeSaulnier	Hice, Jody B.
Boyle, Brendan F.	DesJarlais	Higgins
	Deutch	Himes
Brady (PA)	Diaz-Balart	Hinojosa
Brat	Dingell	Honda
Brooks (AL)	Doggett	Hoyer
Brown (FL)	Dold	Huelskamp
Brownley (CA)	Donovan	Huffman
Buck	Doyle, Michael F.	Hultgren
Bucshon		Hunter
Butterfield	Duckworth	Hurt (VA)
Capps	Duffy	Israel
Capuano	Duncan (SC)	Issa
Cárdenas	Duncan (TN)	Jeffries
Carney	Edwards	Jenkins (KS)
Carson (IN)	Ellison	Jenkins (WV)
Castor (FL)	Ellmers (NC)	Johnson, E. B.
Castro (TX)	Emmer (MN)	Jolly
Chaffetz	Engel	Jones
Chu, Judy	Eshoo	Joyce
Cicilline	Esty	Kaptur
Clark (MA)	Farr	Katko
Clarke (NY)	Fleischmann	Keating
Clawson (FL)	Fortenberry	Kelly (IL)
Clay	Foster	Kennedy
Cleaver	Frankel (FL)	Kildee
Clyburn	Fudge	Kilmer
Coffman	Gabbard	Kind
Cohen	Gallego	King (NY)
Collins (GA)	Garamendi	Kinzinger (IL)
Collins (NY)	Garrett	Kirkpatrick
Comstock	Gibson	Kline
Connolly	Goodlatte	Knight
Conyers	Gowdy	Kuster
Cooper	Graham	Labrador
Costa	Graves (GA)	Langevin
Costello (PA)	Graves (MO)	Larsen (WA)
Courtney	Grayson	Larson (CT)
Lawrence	Pascrell	Smith (WA)
Lee	Paulsen	Speier
Levin	Payne	Stefanik
Lewis	Perlmutter	Stutzman
Lieu, Ted	Perry	Swalwell (CA)
Lipinski	Peterson	Takai
LoBiondo	Pingree	Takano
Lofgren	Pocan	Thompson (CA)
Loudermilk	Poe (TX)	Thompson (MS)
Love	Polis	Tipton
Lowenthal	Price (NC)	Titus
Lowey	Price, Tom	Tonko
Luetkemeyer	Quigley	Torres
Lujan Grisham (NM)	Rangel	Tsongas
	Reed	Upton
Luján, Ben Ray (NM)	Ribble	Valadao
	Rice (NY)	Van Hollen
Lummis	Rice (SC)	Vargas
Maloney, Carolyn	Richmond	Veasey
	Rigell	Vela
Maloney, Sean	Rogers (AL)	Velázquez
Marchant	Rohrabacher	Visclosky
Massie	Rokita	Walden
Matsui	Ros-Lehtinen	Walker
McClintock	Roybal-Allard	Walorski
McDermott	Royce	Walz
McGovern	Ruppersberger	Wasserman Schultz
McNerney	Ryan (OH)	
McSally	Ryan (WI)	Waters, Maxine
Meeks	Sanchez, Loretta	Watson Coleman
Meng	Sanford	Welch
Messer	Sarbanes	Wenstrup
Mooney (WV)	Schakowsky	Westmoreland
Moore	Schiff	Whitfield
Moulton	Schrader	Williams
Mulvaney	Schweikert	Wilson (FL)
Murphy (FL)	Scott (VA)	Woodall
Murphy (PA)	Scott, David	Yarmuth
Nadler	Sensenbrenner	Yoho
Napolitano	Serrano	Young (AK)
Neal	Sherman	Young (IA)
Newhouse	Shimkus	Young (IN)
Nolan	Simpson	Zeldin
Norcross	Sires	Zinke
O'Rourke	Slaughter	
Pallone	Smith (MO)	

NOES—132

Abraham	Hartzler	Pittenger
Aderholt	Hensarling	Pitts
Allen	Hill	Poliquin
Babin	Holding	Pompeo
Barletta	Hudson	Posey
Barton	Huizenga (MI)	Ratcliffe
Bishop (MI)	Hurd (TX)	Reichert
Black	Johnson (OH)	Renacci
Blackburn	Johnson, Sam	Roby
Bost	Jordan	Rogers (KY)
Boustany	Kelly (PA)	Rooney (FL)
Brady (TX)	King (IA)	Roskam
Bridenstine	LaMalfa	Ross
Brooks (IN)	Lamborn	Rothfus
Buchanan	Lance	Rouzer
Burgess	Latta	Ruiz
Bustos	Loebsack	Rush
Byrne	Long	Russell
Calvert	Lucas	Salmon
Carter (GA)	Lynch	Sánchez, Linda T.
Carter (TX)	MacArthur	
Chabot	Marino	Scalise
Cole	McCarthy	Scott, Austin
Conaway	McCaul	Sessions
Cook	McCollum	Sewell (AL)
Crawford	McHenry	Shuster
Crenshaw	McKinley	Smith (NE)
Culberson	McMorris Rodgers	Smith (NJ)
Denham		Smith (TX)
Farenthold	Meadows	Thompson (PA)
Fincher	Meehan	Thornberry
Fitzpatrick	Mica	Tiberi
Fleming	Miller (FL)	Trott
Flores	Miller (MI)	Turner
Forbes	Moolenaar	Wagner
Foxx	Mullin	Walberg
Franks (AZ)	Neugebauer	Walters, Mimi
Frelinghuysen	Noem	Weber (TX)
Gibbs	Nunes	Webster (FL)
Gohmert	Olson	Westerman
Gosar	Palazzo	Wilson (SC)
Granger	Palmer	Wittman
Graves (LA)	Pearce	Womack
Guinta	Pelosi	Yoder
Harris	Peters	

NOT VOTING—11

Adams	Jackson Lee	Sinema
Bilirakis	Johnson (GA)	Stewart
Cartwright	Nugent	Stivers
Fattah	Roe (TN)	

□ 1812

Messrs. FORBES, CALVERT, LYNCH, SESSIONS, KELLY of Pennsylvania, and Mrs. ROBY changed their vote from ''aye'' to ''no.''

Ms. FUDGE, Messrs. DEUTCH, HASTINGS, ISRAEL, DANNY DAVIS of Illinois, GUTIÉRREZ, CLYBURN, ELLISON, HUFFMAN, Mses. LORETTA SANCHEZ of California, MAXINE WATERS of California, and WASSERMAN SCHULTZ changed their vote from ''no'' to ''aye.''

So the amendment was agreed to.

The result of the vote was announced as above recorded.

Stated for:

Ms. SIMMS. Mr. Chair, on rollcall No. 288 I was unavoidably detained. Had I been present, I would have voted "yes."

Ms. PELOSI. Mr. Chair, During rollcall vote No. 288 on H.R. 2578, I mistakenly recorded my vote as "nay" when I should have voted "aye."

(By unanimous consent, Mr. MCCARTHY was allowed to speak out of order.)

LEGISLATIVE PROGRAM

Mr. MCCARTHY. Mr. Chair, I rise for the purpose of making an announcement.

Members are advised that no more votes are expected in the House tonight.

The House will begin debate on the fiscal year 2016 Transportation, Housing and Urban Development Appropriations bill immediately following this vote series. Debate will continue late tonight, so any Member wishing to offer an amendment should be prepared to do so at the appropriate point in the bill.

Our next votes are expected at approximately 11 a.m. tomorrow.

AMENDMENT OFFERED BY MR. MASSIE

The Acting CHAIR (Mr. WESTMORELAND). Without objection, 2-minute voting will continue.

There was no objection.

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Kentucky (Mr. MASSIE) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 250, noes 171, not voting 11, as follows:

[Roll No. 289]

AYES—250

Abraham
Aderholt
Allen
Amash
Amodei
Ashford
Babin
Barletta
Barr
Barton
Benishek
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Bost
Boustany
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Bucshon
Burgess
Bustos
Byrne
Calvert
Carter (GA)
Carter (TX)
Chabot
Chaffetz
Clawson (FL)
Coffman
Cole
Collins (GA)
Collins (NY)
Comstock
Conaway
Cook
Cooper
Costello (PA)
Cramer
Crawford
Crenshaw
Cuellar
Culberson
Curbelo (FL)
Davis, Rodney
DeFazio
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Dold
Duffy
Duncan (SC)
Duncan (TN)
Ellmers (NC)
Emmer (MN)
Farenthold
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Garrett
Gibbs
Gibson
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Green, Gene
Griffith
Grothman
Guinta
Guthrie
Hanna
Hardy
Harper
Harris
Hartzler
Heck (NV)
Hensarling
Herrera Beutler
Hice, Jody B.
Hill
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (OH)
Johnson, Sam
Jolly
Jones
Jordan
Joyce
Katko
Kelly (PA)
Kind
King (IA)
Kinzinger (IL)
Kirkpatrick
Kline
Knight
Labrador
LaMalfa
Lamborn
Lance
Latta
LoBiondo
Long
Loudermilk
Love
Lucas
Luetkemeyer
Lummis
MacArthur
Marchant
Marino
Massie
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris Rodgers
McSally
Meadows
Meehan
Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Newhouse
Noem
Nunes
Olson
Palazzo
Palmer
Paulsen
Pearce
Perry
Peterson
Pittenger
Pitts
Poe (TX)
Poliquin
Polis
Pompeo
Posey
Price, Tom
Ratcliffe
Reed
Reichert
Renacci
Ribble
Rice (SC)
Rigell
Roby
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney (FL)
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Royce
Russell
Ryan (WI)
Salmon
Sanford
Scalise
Schrader
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Stefanik
Stivers
Stutzman
Thompson (PA)
Thornberry
Tiberi
Tipton
Trott
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Walz
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Westmoreland
Whitfield
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

NOES—171

Aguilar
Bass
Beatty
Becerra
Bera
Beyer
Bishop (GA)
Blumenauer
Bonamici
Boyle, Brendan F.
Brady (PA)
Brown (FL)
Brownley (CA)
Butterfield
Capuano
Cárdenas
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clay
Clyburn
Cohen
Connolly
Costa
Courtney
Crowley
Cummings
Davis (CA)
Davis, Danny
DeGette
Delaney
DeLauro
DelBene
DeSaulnier
Deutch
Dingell
Doggett
Donovan
Doyle, Michael F.
Duckworth
Edwards
Ellison
Engel
Eshoo
Esty
Farr
Fattah
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Graham
Grayson
Green, Al
Grijalva
Gutiérrez
Hahn
Hastings
Heck (WA)
Higgins
Himes
Hinojosa
Honda
Hoyer
Huffman
Israel
Jeffries
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kelly (IL)
Kennedy
Kildee
Kilmer
King (NY)
Kuster
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lee
Levin
Lewis
Lieu, Ted
Lipinski
Loebsack
Lofgren
Lowenthal
Lowey
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
Maloney, Carolyn
Maloney, Sean
Matsui
McCollum
McDermott
McGovern
McNerney
Meeks
Meng
Moore
Moulton
Murphy (FL)
Nadler
Napolitano
Neal
Nolan
Norcross
O'Rourke
Pallone
Pascrell
Payne
Perlmutter
Peters
Pingree
Pocan
Price (NC)
Quigley
Rangel
Rice (NY)
Richmond
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Sherman
Sinema
Sires
Slaughter
Smith (WA)
Speier
Swalwell (CA)
Takai
Takano
Thompson (CA)
Thompson (MS)
Titus
Tonko
Torres
Tsongas
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Wasserman Schultz
Waters, Maxine
Watson Coleman
Welch
Wilson (FL)
Yarmuth

NOT VOTING—11

Adams
Bilirakis
Capps
Clarke (NY)
Cleaver
Conyers
Jackson Lee
Nugent
Pelosi
Roe (TN)
Stewart

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute remaining.

□ 1818

Mr. PITTENGER changed his vote from ''no'' to ''aye.''

So the amendment was agreed to.

The result of the vote was announced as above recorded.

Stated against:

Mrs. CAPPS. Mr. Chair, on rollcall No. 289, had I been present, I would have voted "no."

AMENDMENT OFFERED BY MR. MASSIE

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Kentucky (Mr. MASSIE) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 383, noes 43, not voting 6, as follows:

[Roll No. 290]

AYES—383

Abraham
Aderholt
Aguilar
Allen
Amash
Amodei
Ashford
Babin
Barletta
Barr
Barton
Bass
Beatty
Becerra
Benishek
Bera
Beyer
Bilirakis
Bishop (GA)
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Blumenauer
Bonamici
Bost
Boustany
Boyle, Brendan F.
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Brown (FL)
Brownley (CA)
Buchanan
Buck
Bucshon
Burgess
Bustos
Butterfield
Byrne
Calvert
Capps
Capuano
Cárdenas
Carney
Carter (GA)
Carter (TX)
Cartwright
Castro (TX)
Chabot
Chaffetz
Chu, Judy
Cicilline
Clark (MA)
Clawson (FL)
Cleaver
Clyburn
Coffman
Cohen
Cole
Collins (GA)
Collins (NY)
Comstock
Conaway
Connolly
Conyers
Cook
Costa
Costello (PA)
Courtney
Cramer
Crawford
Crenshaw
Crowley
Cuellar
Culberson
Cummings
Curbelo (FL)
Davis (CA)
Davis, Danny
Davis, Rodney
DeFazio
DeGette
DeLauro
DelBene
Denham
Dent
DeSantis
DeSaulnier
DesJarlais
Deutch
Diaz-Balart
Dingell
Doggett
Dold
Doyle, Michael F.
Duckworth
Duffy
Duncan (SC)
Duncan (TN)
Edwards
Ellison
Ellmers (NC)
Emmer (MN)
Eshoo
Esty
Farenthold
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foster
Foxx
Frankel (FL)
Franks (AZ)
Fudge
Gabbard
Gallego
Garrett
Gibbs
Gibson
Gohmert
Goodlatte
Gosar
Gowdy
Graham
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Grayson
Green, Al
Green, Gene
Griffith
Grijalva
Grothman
Guinta
Guthrie
Gutiérrez
Hahn
Hanna
Hardy
Harris
Hartzler
Hastings
Heck (NV)
Heck (WA)
Hensarling
Herrera Beutler
Hice, Jody B.
Higgins
Hill
Himes
Hinojosa
Holding
Honda
Hoyer
Hudson
Huelskamp
Huffman
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Israel
Issa
Jeffries
Jenkins (KS)
Jenkins (WV)
Johnson (GA)
Johnson (OH)
Johnson, E. B.
Johnson, Sam
Jolly
Jones
Jordan
Joyce
Kaptur
Katko
Kelly (IL)
Kelly (PA)
Kildee
Kilmer
King (IA)
Kinzinger (IL)
Kirkpatrick
Kline
Knight
Kuster
Labrador
LaMalfa
Lamborn
Lance
Larsen (WA)
Larson (CT)
Latta
Levin
Lieu, Ted
Lipinski
LoBiondo
Loebsack
Lofgren
Long
Loudermilk
Love
Lowenthal
Lowey
Lucas
Luetkemeyer
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lummis
Lynch
Maloney, Carolyn
Maloney, Sean
Marchant
Marino
Massie
Matsui
McCarthy
McCaul
McClintock
McCollum
McDermott
McGovern
McHenry
McKinley
McMorris Rodgers
McNerney
McSally
Meadows
Meehan
Meng
Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Moore
Mullin
Mulvaney
Hunter

Murphy (FL)
Murphy (PA)
Nadler
Napolitano
Neal
Neugebauer
Newhouse
Noem
Nolan
Norcross
Nunes
O'Rourke
Olson
Palazzo
Pallone
Palmer
Paulsen
Pearce
Perlmutter
Perry
Peters
Peterson
Pingree
Pittenger
Pitts
Pocan
Poe (TX)
Poliquin
Polis
Pompeo
Posey
Price, Tom
Rangel
Ratcliffe
Reed
Reichert
Renacci
Ribble
Rice (SC)
Rigell
Roby
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney (FL)
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Roybal-Allard
Royce
Ruiz
Ruppersberger
Rush
Russell
Ryan (OH)
Ryan (WI)
Salmon
Sanchez, Loretta
Sanford
Sarbanes
Scalise
Schrader
Schweikert
Scott (VA)
Scott, Austin
Scott, David
Sensenbrenner
Serrano
Sessions
Shimkus
Shuster
Simpson
Sinema
Slaughter
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Speier
Stefanik
Stivers
Stutzman
Swalwell (CA)
Takai
Thompson (PA)
Thornberry
Tiberi
Tipton
Titus
Tonko
Torres
Trott
Tsongas
Turner
Upton
Valadao
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Walz
Watson Coleman
Weber (TX)
Webster (FL)
Welch
Wenstrup
Westerman
Westmoreland
Whitfield
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yarmuth
Yoder
Yoho
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

NOES—43

Brady (PA)
Carson (IN)
Castor (FL)
Clarke (NY)
Clay
Cooper
Delaney
Donovan
Engel
Farr
Fattah
Frelinghuysen
Garamendi
Harper
Keating
Kennedy
Kind
King (NY)
Langevin
Lawrence
Lee
Lewis
MacArthur
Meeks
Moulton
Pascrell
Payne
Price (NC)
Quigley
Rice (NY)
Richmond
Sánchez, Linda T.
Schakowsky
Schiff
Sewell (AL)
Sherman
Sires
Takano
Thompson (CA)
Thompson (MS)
Wasserman Schultz
Waters, Maxine
Wilson (FL)

NOT VOTING—6

Adams
Jackson Lee
Nugent
Pelosi
Roe (TN)
Stewart

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute remaining.

□ 1825

Ms. BROWN of Florida, Messrs. CLYBURN, SWALWELL of California, BUTTERFIELD, LOEBSACK, CÁRDENAS, RUSH, Mrs. NAPOLITANO, Messrs. GUTIÉRREZ, and HINOJOSA changed their vote from ''no'' to ''aye.''

Mr. LANGEVIN changed his vote from ''aye'' to ''no.''

So the amendment was agreed to.

The result of the vote was announced as above recorded.

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR. The Chair announces to all Members that 2-minute voting will be strictly enforced.

AMENDMENT OFFERED BY MR. FLORES

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Texas (Mr. FLORES) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 236, noes 190, not voting 6, as follows:

[Roll No. 291]

AYES—236

Abraham
Aderholt
Allen
Amash
Amodei
Babin
Barletta
Barr
Barton
Benishek
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Bost
Boustany
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Bucshon
Burgess
Byrne
Calvert
Carter (GA)
Carter (TX)
Chabot
Chaffetz
Clawson (FL)
Coffman
Cole
Collins (GA)
Collins (NY)
Comstock
Conaway
Cook
Costello (PA)
Cramer
Crawford
Crenshaw
Cuellar
Culberson
Curbelo (FL)
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Duffy
Duncan (SC)
Duncan (TN)
Ellmers (NC)
Emmer (MN)
Farenthold
Fincher
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Garrett
Gibbs
Gibson
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Griffith
Grothman
Guthrie
Hanna
Hardy
Harper
Harris
Hartzler
Heck (NV)
Hensarling
Herrera Beutler
Hice, Jody B.
Hill
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (OH)
Johnson, Sam
Jolly
Jones
Jordan
Joyce
Katko
Kelly (PA)
King (IA)
Kinzinger (IL)
Kline
Knight
Labrador
LaMalfa
Lamborn
Lance
Latta
LoBiondo
Long
Loudermilk
Love
Lucas
Luetkemeyer
Lummis
MacArthur
Marchant
Marino
Massie
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris Rodgers
McSally
Meadows
Meehan
Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Newhouse
Noem
Nunes
Olson
Palazzo
Palmer
Paulsen
Pearce
Perry
Pittenger
Pitts
Poe (TX)
Poliquin
Pompeo
Posey
Price, Tom
Ratcliffe
Reed
Reichert
Renacci
Ribble
Rice (SC)
Rigell
Roby
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney (FL)
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Royce
Russell
Ryan (WI)
Salmon
Sanford
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Stivers
Stutzman
Thompson (PA)
Thornberry
Tiberi
Tipton
Trott
Turner
Upton
Valadao
Vela
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Westmoreland
Whitfield
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Young (IN)
Zinke

NOES—190

Aguilar
Ashford
Bass
Beatty
Becerra
Bera
Beyer
Bishop (GA)
Blumenauer
Bonamici
Boyle, Brendan F.
Brady (PA)
Brown (FL)
Brownley (CA)
Bustos
Butterfield
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly
Conyers
Cooper
Costa
Courtney
Crowley
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
DeSaulnier
Deutch
Dingell
Doggett
Dold
Donovan
Doyle, Michael F.
Duckworth
Edwards
Ellison
Engel
Eshoo
Esty
Farr
Fattah
Fitzpatrick
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Graham
Grayson
Green, Al
Green, Gene
Grijalva
Guinta
Gutiérrez
Hahn
Hastings
Heck (WA)
Higgins
Himes
Hinojosa
Honda
Hoyer
Huffman
Israel
Jeffries
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kelly (IL)
Kennedy
Kildee
Kilmer
Kind
King (NY)
Kirkpatrick
Kuster
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lee
Levin
Lewis
Lieu, Ted
Lipinski
Loebsack
Lofgren
Lowenthal
Lowey
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
Maloney, Carolyn
Maloney, Sean
Matsui
McCollum
McDermott
McGovern
McNerney
Meeks
Meng
Moore
Moulton
Murphy (FL)
Nadler
Napolitano
Neal
Nolan
Norcross
O'Rourke
Pallone
Pascrell
Payne
Perlmutter
Peters
Peterson
Pingree
Pocan
Polis
Price (NC)
Quigley
Rangel
Rice (NY)
Richmond
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Sherman
Sinema
Sires
Slaughter
Smith (WA)
Speier
Stefanik
Swalwell (CA)
Takai
Takano
Thompson (CA)
Thompson (MS)
Titus
Tonko
Torres
Tsongas
Van Hollen
Vargas
Veasey
Velázquez
Visclosky
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Welch
Wilson (FL)
Yarmuth
Zeldin

NOT VOTING—6

Adams
Jackson Lee
Nugent
Pelosi
Roe (TN)
Stewart

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute remaining.

□ 1828

So the amendment was agreed to.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. SANFORD

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from South Carolina (Mr. SANFORD) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 134, noes 290, not voting 8, as follows:

[Roll No. 292]

AYES—134

Allen
Amash
Babin
Barton
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Buchanan
Buck
Burgess
Byrne
Carter (GA)
Chabot
Chaffetz
Clawson (FL)
Coffman
Collins (GA)
Conaway
Cook
Cramer
DeSantis
DesJarlais
Duffy
Duncan (SC)
Duncan (TN)
Farenthold
Fleischmann
Fleming
Flores
Forbes
Foxx
Franks (AZ)
Garrett
Gohmert
Goodlatte
Gosar
Gowdy
Graves (GA)
Graves (LA)
Graves (MO)
Griffith
Grothman
Guthrie
Harris
Hensarling
Hice, Jody B.
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Issa
Jenkins (KS)
Johnson, Sam
Jones
Jordan
King (IA)
Labrador
LaMalfa
Lamborn
Latta
Long
Loudermilk
Love
Lummis
Marchant
Massie
McCaul
McClintock
McHenry
Meadows
Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Mulvaney
Murphy (PA)
Neugebauer
Olson
Palmer
Perry
Pittenger
Pitts
Poe (TX)
Poliquin
Pompeo
Price, Tom
Ratcliffe
Ribble
Rice (SC)
Rohrabacher
Rokita
Rouzer
Royce
Russell
Ryan (WI)
Salmon
Sanford
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Smith (MO)
Smith (NE)
Stutzman
Thiberi
Upton
Wagner
Walberg
Walker
Walorski
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Whitfield
Williams
Wilson (SC)
Woodall
Yoho
Young (IN)
Zinke

NOES—290

Abraham
Aderholt
Aguilar
Amodei
Ashford
Barletta
Barr
Bass
Beatty
Becerra
Benishek
Beyer
Bilirakis
Bishop (GA)
Blumenauer
Bonamici
Bost
Boustany
Boyle, Brendan F.
Brady (PA)
Brooks (IN)
Brown (FL)
Brownley (CA)
Bucshon
Bustos
Butterfield
Calvert
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Carter (TX)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Cole
Collins (NY)
Comstock
Connolly
Conyers
Cooper
Costa
Costello (PA)
Courtney
Crawford
Crenshaw
Crowley
Cuellar
Culberson
Cummings
Curbelo (FL)
Davis (CA)
Davis, Danny
Davis, Rodney
DeFazio
DeGette
Delaney
DeLauro
DelBene
Denham
Dent
DeSaulnier
Deutch
Diaz-Balart
Dingell
Doggett
Dold
Donovan
Doyle, Michael F.
Duckworth
Edwards
Ellison
Ellmers (NC)
Emmer (MN)
Engel
Eshoo
Esty
Farr
Fattah
Fincher
Fitzpatrick
Fortenberry
Foster
Frankel (FL)
Frelinghuysen
Fudge
Gabbard
Gallego
Garamendi
Gibbs
Gibson
Graham
Granger
Grayson
Green, Al
Green, Gene
Grijalva
Guinta
Gutiérrez
Hahn
Hanna
Hardy
Harper
Hartzler
Hastings
Heck (NV)
Heck (WA)
Herrera Beutler
Higgins
Hill
Himes
Hinojosa
Honda
Hoyer
Huffman
Israel
Jeffries
Jenkins (WV)
Johnson (OH)
Johnson, E. B.
Jolly
Joyce
Kaptur
Katko
Keating
Kelly (IL)
Kelly (PA)
Kennedy
Kildee
Kilmer
Kind
King (NY)
Kinzinger (IL)
Kirkpatrick
Kline
Knight
Kuster
Lance
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lee
Levin
Lewis
Lieu, Ted
Lipinski
LoBiondo
Loebsack
Lofgren
Lowenthal
Lowey
Lucas
Luetkemeyer
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
MacArthur
Maloney, Carolyn
Maloney, Sean
Marino
Matsui
McCarthy
McCollum
McDermott
McGovern
McKinley
McMorris Rodgers
McNerney
McSally
Meehan
Meeks
Meng
Moore
Moulton
Mullin
Murphy (FL)
Nadler
Napolitano
Neal
Newhouse
Noem
Nolan
Norcross
Nunes
O'Rourke
Palazzo
Pallone
Pascrell
Paulsen
Payne
Pearce
Perlmutter
Peters
Peterson
Pingree
Pocan
Polis
Posey
Price (NC)
Quigley
Rangel
Reed
Reichert
Renacci
Rice (NY)
Richmond
Rigell
Roby
Rogers (AL)
Rogers (KY)
Rooney (FL)
Ros-Lehtinen
Roskam
Ross
Rothfus
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Sherman
Shimkus
Shuster
Simpson
Sinema
Sires
Slaughter
Smith (NJ)
Smith (TX)
Smith (WA)
Speier
Stefanik
Stivers
Swalwell (CA)
Takai
Takano
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tipton
Titus
Tonko
Torres
Trott
Tsongas
Turner
Valadao
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walden
Walters, Mimi
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Welch
Westmoreland
Wilson (FL)
Wittman
Womack
Yarmuth
Yoder
Young (AK)
Young (IA)
Zeldin

NOT VOTING—8

Adams
Bera
Jackson Lee
Johnson (GA)
Nugent
Pelosi
Roe (TN)
Stewart

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute remaining.

□ 1831

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 3 OFFERED BY MR. KING OF IOWA

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Iowa (Mr. KING) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 222, noes 204, not voting 6, as follows:

[Roll No. 293]

AYES—222

Abraham
Aderholt
Allen
Amash
Amodei
Babin
Barletta
Barr
Barton
Benishek
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Bost
Boustany
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Bucshon
Burgess
Byrne
Calvert
Carter (GA)
Carter (TX)
Chabot
Chaffetz
Clawson (FL)
Cole
Collins (GA)
Collins (NY)
Comstock
Conaway
Cook
Costello (PA)
Cramer
Crawford
Crenshaw
Culberson
Davis, Rodney
Dent
DeSantis
DesJarlais
Duffy
Duncan (SC)
Duncan (TN)
Ellmers (NC)
Emmer (MN)
Farenthold
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Garrett
Gibbs
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Griffith
Grothman
Guinta
Guthrie
Hardy
Harper
Harris
Hartzler
Hensarling
Herrera Beutler
Hice, Jody B.
Hill
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Issa
Jenkins (KS)
Jenkins (WV)
Johnson, Sam
Jones
Jordan
Joyce
Kelly (PA)
King (IA)
Kinzinger (IL)
Kline
Knight
Labrador
LaMalfa
Lamborn
Lance
Latta
LoBiondo
Long
Loudermilk
Love
Lucas
Luetkemeyer
Lummis
Marchant
Marino
Massie
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris Rodgers
Meadows
Meehan
Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Newhouse
Noem
Olson
Palazzo
Palmer
Paulsen
Pearce
Perry
Pittenger
Pitts
Poe (TX)
Poliquin
Pompeo
Posey
Price, Tom
Ratcliffe
Reed
Reichert
Renacci
Ribble
Rice (SC)
Rigell
Roby
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney (FL)
Roskam
Ross
Rothfus
Rouzer
Royce
Russell
Ryan (WI)
Salmon
Sanford
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Sessions

Shimkus
Shuster
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Stivers
Stutzman
Thompson (PA)
Thornberry
Tiberi
Tipton
Trott
Turner
Upton
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Westmoreland
Whitfield
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

NOES—204

Aguilar
Ashford
Bass
Beatty
Becerra
Bera
Beyer
Bishop (GA)
Blumenauer
Bonamici
Boyle, Brendan F.
Brady (PA)
Brown (FL)
Brownley (CA)
Bustos
Butterfield
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Coffman
Cohen
Connolly
Conyers
Cooper
Costa
Courtney
Crowley
Cuellar
Cummings
Curbelo (FL)
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
Denham
DeSaulnier
Deutch
Diaz-Balart
Dingell
Doggett
Dold
Donovan
Doyle, Michael F.
Duckworth
Edwards
Ellison
Engel
Eshoo
Esty
Farr
Fattah
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Gibson
Graham
Grayson
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hahn
Hanna
Hastings
Heck (NV)
Heck (WA)
Higgins
Himes
Hinojosa
Honda
Hoyer
Huffman
Israel
Jeffries
Johnson (GA)
Johnson (OH)
Johnson, E. B.
Jolly
Kaptur
Katko
Keating
Kelly (IL)
Kennedy
Kildee
Kilmer
Kind
King (NY)
Kirkpatrick
Kuster
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lee
Levin
Lewis
Lieu, Ted
Lipinski
Loebsack
Lofgren
Lowenthal
Lowey
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
MacArthur
Maloney, Carolyn
Maloney, Sean
Matsui
McCollum
McDermott
McGovern
McNerney
McSally
Meeks
Meng
Moore
Moulton
Murphy (FL)
Nadler
Napolitano
Neal
Nolan
Norcross
Nunes
O'Rourke
Pallone
Pascrell
Payne
Perlmutter
Peters
Peterson
Pingree
Pocan
Polis
Price (NC)
Quigley
Rangel
Rice (NY)
Richmond
Ros-Lehtinen
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Sherman
Sinema
Sires
Slaughter
Smith (WA)
Speier
Stefanik
Swalwell (CA)
Takai
Takano
Thompson (CA)
Thompson (MS)
Titus
Tonko
Torres
Tsongas
Valadao
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Welch
Wilson (FL)
Yarmuth

NOT VOTING—6

Adams
Jackson Lee
Nugent
Pelosi
Roe (TN)
Stewart

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute remaining.

□ 1835

So the amendment was agreed to.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. KING OF IOWA

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Iowa (Mr. KING) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 227, noes 198, not voting 7, as follows:

[Roll No. 294]

AYES—227

Abraham
Aderholt
Allen
Amash
Amodei
Babin
Barletta
Barr
Barton
Benishek
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Bost
Boustany
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Bucshon
Burgess
Byrne
Calvert
Carter (GA)
Carter (TX)
Chabot
Chaffetz
Clawson (FL)
Coffman
Cole
Collins (GA)
Collins (NY)
Comstock
Conaway
Cook
Costello (PA)
Cramer
Crawford
Crenshaw
Culberson
Davis, Rodney
Dent
DeSantis
DesJarlais
Duffy
Duncan (SC)
Duncan (TN)
Ellmers (NC)
Farenthold
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Garrett
Gibbs
Gibson
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Griffith
Grothman
Guinta
Guthrie
Hanna
Harper
Harris
Hartzler
Hensarling
Herrera Beutler
Hice, Jody B.
Hill
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (OH)
Johnson, Sam
Jolly
Jones
Jordan
Joyce
Katko
Kelly (PA)
King (IA)
Kinzinger (IL)
Kline
Knight
Labrador
LaMalfa
Lamborn
Lance
Latta
LoBiondo
Long
Loudermilk
Love
Lucas
Luetkemeyer
Lummis
Marchant
Marino
Massie
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris Rodgers
Meadows
Meehan
Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Newhouse
Noem
Nunes
Olson
Palazzo
Palmer
Paulsen
Pearce
Perry
Pittenger
Pitts
Poe (TX)
Poliquin
Pompeo
Posey
Price, Tom
Ratcliffe
Reed
Renacci
Ribble
Rice (SC)
Rigell
Roby
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney (FL)
Roskam
Ross
Rothfus
Rouzer
Royce
Russell
Ryan (WI)
Salmon
Sanford
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Stefanik
Stivers
Stutzman
Thompson (PA)
Thornberry
Tiberi
Tipton
Trott
Turner
Upton
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Westmoreland
Whitfield
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

NOES—198

Aguilar
Ashford
Bass
Beatty
Becerra
Bera
Beyer
Bishop (GA)
Blumenauer
Bonamici
Boyle, Brendan F.
Brady (PA)
Brown (FL)
Brownley (CA)
Bustos
Butterfield
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly
Conyers
Cooper
Costa
Courtney
Crowley
Cuellar
Cummings
Curbelo (FL)
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
Denham
DeSaulnier
Deutch
Diaz-Balart
Dingell
Doggett
Dold
Donovan
Doyle, Michael F.
Duckworth
Edwards
Ellison
Emmer (MN)
Engel
Eshoo
Esty
Farr
Fattah
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Graham
Grayson
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hahn
Hardy
Hastings
Heck (NV)
Heck (WA)
Higgins
Himes
Hinojosa
Honda
Hoyer
Huffman
Israel
Jeffries
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kelly (IL)
Kennedy
Kildee
Kilmer
Kind
King (NY)
Kirkpatrick
Kuster
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lee
Levin
Lewis
Lieu, Ted
Lipinski
Loebsack
Lofgren
Lowenthal
Lowey
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
MacArthur
Maloney, Carolyn
Maloney, Sean
Matsui
McCollum
McDermott
McGovern
McNerney
McSally
Meeks
Meng
Moore
Moulton
Murphy (FL)
Nadler
Napolitano
Neal
Nolan
Norcross
O'Rourke
Pallone
Pascrell
Payne
Perlmutter
Peters
Peterson
Pingree
Pocan
Polis
Price (NC)
Quigley
Rangel
Reichert
Rice (NY)
Richmond
Ros-Lehtinen
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Sherman
Sinema
Sires
Slaughter
Smith (WA)
Speier
Swalwell (CA)
Takai
Takano
Thompson (CA)
Thompson (MS)
Titus
Tonko
Torres
Tsongas
Valadao
Van Hollen
Vargas
Veasey
Velázquez
Visclosky
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Welch
Wilson (FL)
Yarmuth

NOT VOTING—7

Adams
Jackson Lee
Nugent
Pelosi
Roe (TN)
Stewart
Vela

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute remaining.

□ 1838

So the amendment was agreed to.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. DENHAM

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from California (Mr. DENHAM) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 245, noes 181, not voting 6, as follows:

[Roll No. 295]

AYES—245

Abraham
Aderholt
Allen
Amash
Amodei
Ashford
Babin
Barletta
Barr
Barton
Benishek
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Bost
Boustany
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Bucshon
Burgess
Byrne
Calvert
Carter (GA)
Carter (TX)
Chabot
Chaffetz
Clawson (FL)
Coffman
Cole
Collins (GA)
Collins (NY)
Comstock
Conaway
Cook
Costa
Costello (PA)
Cramer
Crawford
Crenshaw
Cuellar
Culberson
Curbelo (FL)
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Dold
Donovan
Duffy
Duncan (SC)
Duncan (TN)
Ellmers (NC)
Emmer (MN)
Farenthold
Fincher
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Garrett
Gibbs
Gibson
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Griffith
Grothman
Guinta
Guthrie
Hardy
Harper
Harris
Hartzler
Heck (NV)
Hensarling
Herrera Beutler
Hice, Jody B.
Hill
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (OH)
Johnson, Sam
Jolly
Jones
Jordan
Joyce
Katko
Kelly (PA)
King (IA)
King (NY)
Kinzinger (IL)
Kline
Knight
Labrador
LaMalfa
Lamborn
Lance
Latta
LoBiondo
Long
Loudermilk
Love
Lucas
Luetkemeyer
Lummis
MacArthur
Marchant
Marino
Massie
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris Rodgers
McSally
Meadows
Meehan
Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Newhouse
Noem
Nunes
Olson
Palazzo
Palmer
Paulsen
Pearce
Perry
Peterson
Pittenger
Pitts
Poe (TX)
Poliquin
Pompeo
Posey
Price, Tom
Ratcliffe
Reed
Reichert
Renacci
Ribble
Rice (SC)
Rigell
Roby
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney (FL)
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Royce
Russell
Ryan (WI)
Salmon
Sanford
Scalise
Schrader
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Stefanik
Stivers
Stutzman
Takano
Thompson (PA)
Thornberry
Tiberi
Tipton
Trott
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Westmoreland
Whitfield
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

NOES—181

Aguilar
Bass
Beatty
Becerra
Bera
Beyer
Bishop (GA)
Blumenauer
Bonamici
Boyle, Brendan F.
Brady (PA)
Brown (FL)
Brownley (CA)
Bustos
Butterfield
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly
Conyers
Cooper
Courtney
Crowley
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
DeSaulnier
Deutch
Dingell
Doggett
Doyle, Michael F.
Duckworth
Edwards
Ellison
Engel
Eshoo
Esty
Farr
Fattah
Fitzpatrick
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Graham
Grayson
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hahn
Hanna
Hastings
Heck (WA)
Higgins
Himes
Hinojosa
Honda
Hoyer
Huffman
Israel
Jeffries
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kelly (IL)
Kennedy
Kildee
Kilmer
Kind
Kirkpatrick
Kuster
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lee
Levin
Lewis
Lieu, Ted
Lipinski
Loebsack
Lofgren
Lowenthal
Lowey
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
Maloney, Carolyn
Maloney, Sean
Matsui
McCollum
McDermott
McGovern
McNerney
Meeks
Meng
Moore
Moulton
Murphy (FL)
Nadler
Napolitano
Neal
Nolan
Norcross
O'Rourke
Pallone
Pascrell
Payne
Perlmutter
Peters
Pingree
Pocan
Polis
Price (NC)
Quigley
Rangel
Rice (NY)
Richmond
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Sherman
Sinema
Sires
Slaughter
Smith (WA)
Speier
Swalwell (CA)
Takai
Thompson (CA)
Thompson (MS)
Titus
Tonko
Torres
Tsongas
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Welch
Wilson (FL)
Yarmuth

NOT VOTING—6

Adams
Jackson Lee
Nugent
Pelosi
Roe (TN)
Stewart

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute remaining.

□ 1841

So the amendment was agreed to.

The result of the vote was announced as above recorded.

The Acting CHAIR. The Clerk will read.

The Clerk read as follows:

This Act may be cited as the ''Commerce, Justice, Science, and Related Agencies Appropriations Act, 2016''.

Mr. CULBERSON. Mr. Chairman, I move that the Committee do now rise and report the bill back to the House with sundry amendments, with the recommendation that the amendments be agreed to and that the bill, as amended, do pass.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. REED) having assumed the chair, Mr. WESTMORELAND, Acting Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 2578) making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2016, and for other purposes, directed him to report the bill back to the House with sundry amendments adopted in the Committee of the Whole, with the recommendation that the amendments be agreed to and that the bill, as amended, do pass.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment reported from the Committee of the Whole? If not, the Chair will put them en gros.

The amendments were agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

MOTION TO RECOMMIT

Ms. BROWNLEY of California. Mr. Speaker, I have a motion to recommit at the desk.

The SPEAKER pro tempore. Is the gentlewoman opposed to the bill?

Ms. BROWNLEY of California. I am in its current form.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Ms. Brownley of California moves to recommit the bill H.R. 2578 to the Committee on Appropriations with instructions to report the same back to the House forthwith with the following amendment:

Page 23, line 14, after the dollar amount, insert ''(reduced by $6,000,000)''.

In the ''Violence Against Women Prevention and Prosecution Programs'' account, on page 38, line 9, after the dollar amount, insert ''(increased by $3,000,000)''.

In the ''Violence Against Women Prevention and Prosecution Programs'' account, on page 39, line 22, after the dollar amount relating to sexual assault victims assistance, insert ''(increased by $3,000,000)''.

In the ''Juvenile Justice Programs'' account, on page 47, line 10, after the dollar amount relating to missing and exploited children programs, insert ''(increased by $3,000,000)''.

Ms. BROWNLEY of California (during the reading). Mr. Speaker, I ask unanimous consent to dispense with the reading.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from California?

There was no objection.

The SPEAKER pro tempore. The gentlewoman is recognized for 5 minutes.

Ms. BROWNLEY of California. Mr. Speaker, this is the final amendment to H.R. 2578, which will not kill the bill or send it back to committee. If adopted, the bill will immediately proceed to final passage, as amended.

My amendment would provide an additional $3 million for Violence Against Women prevention and prosecution programs, increasing resources for sexual assault victims' assistance. My amendment would also provide an additional $3 million for Juvenile Justice programs, directed to the Internet Crimes Against Children Task Force program.

Mr. Speaker, there is more than ample room within the budget cap for this bill to do more to help sexual assault victims and prevent the exploitation of children. I hope we can all agree that these critical programs are worthy of added resources.

The Sexual Assault Services Program was authorized through the Violence Against Women Act and was the first Federal program dedicated to the provision of direct services to victims of sexual violence.

Across the country, the Sexual Assault Services Program supports critical, lifesaving, safety net services. Support services are offered to both adult and minor survivors of sexual assault and to family members who are helping them cope with the mental health issues and physical trauma of sexual assault.

The program also funds intervention and advocacy services, providing survivors with the help that they need to navigate through the medical and criminal justice systems.

For many survivors of sexual assault, this program is a critical and necessary source of support at the most vulnerable time in their lives. We must support these lifesaving programs and stand up for survivors of sexual assault.

Additionally, we must do more to protect vulnerable children from predators who despicably exploit children on the Internet. That is why my amendment will provide a much-needed increase for the Internet Crimes Against Children Task Force program, which funds State and local law enforcement who investigate online child exploitation.

The program also provides forensic, prevention, and investigative assistance to law enforcement, educators, prosecutors, and families. The program also ensures law enforcement officers are trained to deal with online child pornography and child enticement so that these cases will be fully investigated and prosecuted.

In 2014 alone, 7,800 individuals were arrested, and the task forces around the country conducted over 60,000 forensic investigations. Clearly there is an urgent and compelling moral need to address these heinous crimes.

Mr. Speaker, I urge my colleagues to vote ''yes'' on the motion to recommit, to vote ''yes'' to protect women and girls from sexual assault and violence, to vote ''yes'' to protect children from online predators.

Mr. Speaker, at this time, I yield to the gentlewoman from Florida (Ms. WASSERMAN SCHULTZ), my friend who is a champion in protecting children.

Ms. WASSERMAN SCHULTZ. Mr. Speaker, I rise in support of the gentlewoman's motion to recommit because there are children out there who need to be saved. They are waiting to be saved.

This motion provides additional funding for the Internet Crimes Against Children program, a national network of 61 coordinated law enforcement task forces investigating and prosecuting those who sexually exploit our most vulnerable constituents, our children.

With the proliferation of the Internet and wireless technology, online child pornography has become an epidemic. And let's not forget that these are not just heinous images. They are crime scene photos. The ICAC needs resources to go after these criminals now.

According to estimates, half of these arrests lead us to the door of a hands-on offender, and that is a child waiting to be rescued. Yet in one recent year, the ICAC only had the resources to investigate a mere 2 percent of all leads.

Previous increases in Federal funding have directly resulted in thousands more arrests, contributing to many more thousands of children who are outright rescued or who will be spared contact with an abuser.

Let's take this opportunity to help the ICAC rescue more children. Please, think about these precious babies being victimized. Let's rescue as many of them as possible. If you are a parent, God forbid it was your own child.

I urge Members' support for the motion to recommit, and I thank the gentlewoman for her commitment to making sure that we can rescue America's victimized children.

Ms. BROWNLEY of California. I yield back the balance of my time.

Mr. CULBERSON. Mr. Speaker, I rise in opposition to the motion to recommit.

The SPEAKER pro tempore. The gentleman from Texas is recognized for 5 minutes.

Mr. CULBERSON. Mr. Speaker, before I begin—and I will be very brief—I want to make sure to thank the majority staff who have worked so hard on this bill. I want to thank our chief clerk, John Martens; Leslie Albright; Jeff Ashford; Taylor Kelly; Colin Samples; and Aschley Schiller for their tireless work drafting this bill, along with Bob Bonner and Matt Smith on the minority's staff and Corey Inglee and Megan Olmstead in my personal office. And a personal thank you to my good friend, the Congressman from Philadelphia, who has done such a great job. We have worked together arm in arm on this bill.

Starting at about 2 o'clock yesterday afternoon, we have worked through over 80 amendments. All the gentlewoman from California (Ms. BROWNLEY) would have had to do was to show up here. During the course of that debate, any Member could have offered an amendment, and that is one of the great things about this process.

I want to thank our majority leader and our Speaker, Mr. BOEHNER, for opening up the legislative process. Unlike in the past, any Member of this Congress could stand up and represent their 700,000 constituents. You could take a Big Chief notepad and a pencil and just write out an amendment and walk right down there and give it to the Clerk.

All the gentlewoman from California had to do was just write the amendment up and present it to the Clerk. Why, we would have even accepted it. But instead, she offers it up here today as a procedural trick to confuse and confound.

We produced a great bill. The ranking member and I have worked together arm in arm to produce a good bill that protects this Nation's investment in space exploration and scientific research but, above all, invests in the good people of the law enforcement community.

Mr. HOYER. Will the gentleman yield?

Mr. CULBERSON. I yield to the minority leader.

Mr. HOYER. I thank the gentleman. I am the whip. I wanted to make that perfectly clear.

The fact of the matter is, did the gentleman just say if this amendment had been offered previously that you would have accepted it?

Mr. CULBERSON. Absolutely, because it would have been done properly.

Mr. HOYER. But you are now urging——

The SPEAKER pro tempore. The gentleman will suspend.

Mr. HOYER. Parliamentary inquiry.

The SPEAKER pro tempore. The gentleman from Texas has the time.

Mr. CULBERSON. The gentleman from Maryland (Mr. HOYER) is exactly right. We would have accepted this amendment earlier in the process because it is an open process. Anyone has a chance to come down here and offer an amendment in an open and free House of Representatives. That is why this amendment should be defeated.

We have got a good bill. I urge Members to vote ''no'' against this motion to recommit.

I yield back the balance of my time.

The SPEAKER pro tempore. Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to recommit.

The question was taken; and the Speaker pro tempore announced that the noes appeared to have it.

Ms. BROWNLEY of California. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 9 of rule XX, this 5-minute vote on the motion to recommit will be followed by a 5-minute vote on the passage of the bill.

The vote was taken by electronic device, and there were—yeas 184, nays 240, not voting 8, as follows:

[Roll No. 296]

YEAS—184

Aguilar
Ashford
Bass
Beatty
Becerra
Bera
Beyer
Bishop (GA)
Blumenauer
Bonamici
Boyle, Brendan F.
Brady (PA)
Brown (FL)
Brownley (CA)
Bustos
Butterfield
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly
Conyers
Cooper
Costa
Courtney
Crowley
Cuellar
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
DeSaulnier
Deutch
Dingell
Doggett
Doyle, Michael F.
Duckworth
Edwards
Ellison
Engel
Eshoo
Esty
Farr
Fattah
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Graham
Grayson
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hahn
Hastings
Heck (WA)
Higgins
Himes
Hinojosa
Honda
Hoyer
Huffman
Israel
Jeffries
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kelly (IL)
Kennedy
Kildee
Kilmer
Kind
Kirkpatrick
Kuster
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lee
Levin
Lewis
Lieu, Ted
Lipinski
Loebsack
Lofgren
Lowenthal
Lowey
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
Maloney, Carolyn
Maloney, Sean
Matsui
McCollum
McDermott
McGovern
McNerney
Meeks
Meng
Moore
Moulton
Murphy (FL)
Nadler
Napolitano
Neal
Nolan
Norcross
O'Rourke
Pallone
Pascrell
Payne
Perlmutter
Peters
Peterson
Pingree
Pocan
Polis
Price (NC)
Quigley
Rangel
Rice (NY)
Richmond
Roybal-Allard
Ruiz
Ruppersberger
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Sherman
Sinema
Sires
Slaughter
Smith (WA)
Speier
Swalwell (CA)
Takai
Takano
Thompson (CA)
Thompson (MS)
Titus
Tonko
Torres
Tsongas
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Welch
Wilson (FL)
Yarmuth

NAYS—240

Abraham
Aderholt
Allen
Amash
Amodei
Babin
Barletta
Barr
Barton
Benishek
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Bost
Boustany
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Bucshon
Burgess
Byrne
Calvert
Carter (GA)
Carter (TX)
Chabot
Chaffetz
Clawson (FL)
Coffman
Cole
Collins (GA)
Collins (NY)
Conaway
Cook
Costello (PA)
Cramer
Crawford
Crenshaw
Culberson
Curbelo (FL)
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Dold
Donovan
Duffy
Duncan (SC)
Duncan (TN)
Ellmers (NC)
Emmer (MN)
Farenthold
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Garrett
Gibbs
Gibson
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Griffith
Grothman
Guinta
Guthrie
Hanna
Hardy
Harper
Harris
Hartzler
Heck (NV)
Hensarling
Herrera Beutler
Hice, Jody B.
Hill
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (OH)
Johnson, Sam
Jolly
Jones
Jordan
Joyce
Katko
Kelly (PA)
King (IA)
King (NY)
Kinzinger (IL)
Kline
Knight
Labrador
LaMalfa
Lamborn
Lance
Latta
LoBiondo
Long
Loudermilk
Love
Lucas
Luetkemeyer
Lummis
MacArthur
Marchant
Marino
Massie
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris Rodgers
McSally
Meadows
Meehan
Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Newhouse
Noem
Nunes
Olson
Palazzo
Palmer
Paulsen
Pearce
Perry
Pittenger
Pitts
Poe (TX)
Poliquin
Pompeo
Posey
Price, Tom
Ratcliffe
Reed
Reichert
Renacci
Ribble
Rice (SC)
Rigell
Roby
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney (FL)
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Royce
Russell
Ryan (WI)
Salmon
Sanford
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Stefanik
Stivers
Stutzman
Thompson (PA)
Thornberry
Tiberi
Tipton
Trott
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Westmoreland
Whitfield
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

NOT VOTING—8

Adams
Comstock
Jackson Lee
Nugent
Pelosi
Roe (TN)
Rush
Stewart

□ 1859

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore. The question is on the passage of the bill.

Under clause 10 of rule XX, the yeas and nays are ordered.

The SPEAKER pro tempore. This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 242, nays 183, not voting 7, as follows:

[Roll No. 297]

YEAS—242

Abraham
Aderholt
Allen
Amodei
Ashford
Babin
Barletta
Barr
Barton
Benishek
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Bost
Boustany
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Brownley (CA)
Buchanan
Bucshon
Burgess
Bustos
Byrne
Calvert
Carter (GA)
Carter (TX)
Chabot
Chaffetz
Clawson (FL)
Coffman
Cole
Collins (GA)
Collins (NY)
Conaway
Cook
Costa
Costello (PA)
Cramer
Crawford
Crenshaw
Cuellar
Culberson
Curbelo (FL)
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Dold
Donovan
Duffy
Duncan (SC)
Ellmers (NC)
Emmer (MN)
Farenthold
Fincher
Fitzpatrick
Fleischmann
Flores
Forbes
Fortenberry
Foxx
Frelinghuysen
Garrett
Gibbs
Gibson
Gohmert
Goodlatte
Gosar
Gowdy
Graham
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Green, Gene
Griffith
Grothman
Guinta
Guthrie
Hanna
Hardy
Harper
Harris
Hartzler
Heck (NV)
Hensarling
Herrera Beutler
Hice, Jody B.
Hill
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (OH)
Johnson, Sam
Jolly
Jordan
Joyce
Katko
Kelly (PA)
King (IA)
King (NY)
Kinzinger (IL)
Kline
Knight
Kuster
Labrador
LaMalfa
Lamborn
Lance
Latta
LoBiondo
Long
Loudermilk
Love
Lucas
Luetkemeyer
Lummis
MacArthur
Maloney, Sean
Marchant
Marino
Massie
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris Rodgers
McSally
Meadows
Meehan
Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Newhouse
Noem
Nunes
Olson
Palazzo
Palmer
Paulsen
Pearce
Perry
Peterson

Pittenger	Russell	Vela
Poe (TX)	Ryan (WI)	Wagner
Poliquin	Salmon	Walberg
Pompeo	Scalise	Walden
Posey	Schweikert	Walker
Price, Tom	Scott, Austin	Walorski
Ratcliffe	Sessions	Walters, Mimi
Reed	Shimkus	Weber (TX)
Reichert	Shuster	Webster (FL)
Renacci	Simpson	Wenstrup
Ribble	Sinema	Westerman
Rice (SC)	Smith (MO)	Westmoreland
Rigell	Smith (NE)	Whitfield
Roby	Smith (NJ)	Williams
Rogers (AL)	Smith (TX)	Wilson (SC)
Rogers (KY)	Stefanik	Wittman
Rohrabacher	Stivers	Womack
Rokita	Stutzman	Woodall
Rooney (FL)	Thornberry	Yoder
Ros-Lehtinen	Tiberi	Yoho
Roskam	Tipton	Young (AK)
Ross	Trott	Young (IA)
Rothfus	Turner	Young (IN)
Rouzer	Upton	Zeldin
Royce	Valadao	Zinke

NAYS—183

Aguilar	Fudge	O'Rourke
Amash	Gabbard	Pallone
Bass	Gallego	Pascrell
Beatty	Garamendi	Payne
Becerra	Grayson	Pelosi
Bera	Green, Al	Perlmutter
Beyer	Grijalva	Peters
Bishop (GA)	Gutiérrez	Pingree
Blumenauer	Hahn	Pitts
Bonamici	Hastings	Pocan
Boyle, Brendan F.	Heck (WA)	Polis
	Higgins	Price (NC)
Brady (PA)	Himes	Quigley
Brown (FL)	Hinojosa	Rangel
Buck	Honda	Rice (NY)
Butterfield	Hoyer	Richmond
Capps	Huffman	Roybal-Allard
Capuano	Israel	Ruiz
Cárdenas	Jeffries	Ruppersberger
Carney	Johnson (GA)	Rush
Carson (IN)	Johnson, E. B.	Ryan (OH)
Cartwright	Jones	Sánchez, Linda T.
Castor (FL)	Kaptur	
Castro (TX)	Kelly (IL)	Sanchez, Loretta
Chu, Judy	Kennedy	Sanford
Cicilline	Kildee	Sarbanes
Clark (MA)	Kilmer	Schakowsky
Clarke (NY)	Kind	Schiff
Clay	Kirkpatrick	Schrader
Cleaver	Langevin	Scott (VA)
Clyburn	Larsen (WA)	Scott, David
Cohen	Larson (CT)	Sensenbrenner
Connolly	Lawrence	Serrano
Conyers	Lee	Sewell (AL)
Cooper	Levin	Sherman
Courtney	Lewis	Sires
Crowley	Lieu, Ted	Slaughter
Cummings	Lipinski	Smith (WA)
Davis (CA)	Loebsack	Speier
Davis, Danny	Lofgren	Swalwell (CA)
DeFazio	Lowenthal	Takai
DeGette	Lowey	Takano
Delaney	Lujan Grisham (NM)	Thompson (CA)
DeLauro		Thompson (MS)
DelBene	Luján, Ben Ray (NM)	Thompson (PA)
DeSaulnier		Titus
Deutch	Lynch	Tonko
Dingell	Maloney, Carolyn	Torres
Doggett		Tsongas
Doyle, Michael F.	Matsui	Van Hollen
	McCollum	Vargas
Duckworth	McDermott	Veasey
Duncan (TN)	McGovern	Velázquez
Edwards	McNerney	Visclosky
Ellison	Meeks	Walz
Engel	Meng	Wasserman Schultz
Eshoo	Moore	
Esty	Moulton	Waters, Maxine
Farr	Murphy (FL)	Watson Coleman
Fattah	Nadler	Welch
Fleming	Napolitano	Wilson (FL)
Foster	Neal	Yarmuth
Frankel (FL)	Nolan	
Franks (AZ)	Norcross	

NOT VOTING—7

Adams	Keating	Stewart
Comstock	Nugent	
Jackson Lee	Roe (TN)	

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. DOLD) (during the vote). There are 2 minutes remaining.

□ 1905

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mrs. COMSTOCK. Mr. Speaker, I was unavoidably detained and missed the last two votes in this evening's series. Had I been present I would have voted as follows: 1) Democrat Motion to Recommit—"no," 2) Passage of H.R. 2578—FY16 Commerce, Justice, Science Appropriations Act—"yes."

TRANSPORTATION, HOUSING AND URBAN DEVELOPMENT, AND RELATED AGENCIES APPROPRIATIONS ACT, 2016

GENERAL LEAVE

Mr. DIAZ-BALART. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days in which to revise and extend their remarks and include extraneous materials on the bill, H.R. 2577, and that I may include tabular material on the same.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

The SPEAKER pro tempore. Pursuant to House Resolution 287 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the consideration of the bill, H.R. 2577.

The Chair appoints the gentleman from Utah (Mr. BISHOP) to preside over the Committee of the Whole.

□ 1908

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H.R. 2577) making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes, with Mr. BISHOP of Utah in the chair.

The Clerk read the title of the bill.

The CHAIR. Pursuant to the rule, the bill is considered read the first time.

The gentleman from Florida (Mr. DIAZ-BALART) and the gentleman from North Carolina (Mr. PRICE) each will control 30 minutes.

The Chair recognizes the gentleman from Florida.

Mr. DIAZ-BALART. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I am pleased to present to the House today for consideration H.R. 2577, the Transportation, Housing and Urban Development, and Related Agencies Appropriations Act for fiscal year 2016.

The committee has put forth a bill that conforms to our 302(b) allocation of $55.3 billion in budget authority and is in line with the budget cap of 1.016, ''ten sixteen.''

Under such an allocation, we prioritized programs and spending to achieve, really, three very important basic goals: first, we continue the ob lim funding levels of MAP–21 contingent upon reauthorization; we keep the commercial airspace running smoothly; and also we preserve the housing option for all current HUD-assisted families.

Mr. Chairman, I think this is a balanced bill with the allocation that has been given to us by the chairman. The Department of Transportation is funded at $17.2 billion in budget authority and $70.6 billion in total budgetary resources to ensure, Mr. Chairman, the safe and effective transportation of goods and people in America.

The Department of Housing and Urban Development is funded at $42 billion to provide housing opportunities and assistance to the most vulnerable in both cities and rural areas across our great Nation.

Mr. Chairman, as you know, we are a diverse body and this is a very diverse bill, and I know some Members will speak for increased funding. I would like to remind my colleagues that if you are going to be voting against this bill, you are voting against the commercial airspace system and our air traffic controllers and control system; against housing programs for the most vulnerable, including the elderly and families; and frankly, you would also be voting against community development block grants that are vital to the cities and counties that we all represent.

Some, however, Mr. Chairman, will speak for lower spending. Here it is also important to remember that the House passed a budget resolution, which this bill adheres to, Mr. Chairman, and the Congress and the President are currently bound by the Budget Control Act, which does include sequester. So this bill takes the responsible steps of setting funding priorities for the next fiscal year, many of which are shared, frankly, between both parties, and again, very important, without doing it with across-the-board cuts or across-the-board sequester.

The whole House of Representatives now has the opportunity for full consideration of this legislation. It is imperative that we move this bill to final passage reflecting the amendments obviously adopted by the House, and we move this bill to conference in time for the new fiscal year.

I really need to first thank my friend, the gentleman from North Carolina and the ranking member of this subcommittee, Mr. PRICE, for his ideas and his support in drafting this piece of legislation. The gentleman, as anyone who has dealt with him knows, gives a lot of thought and careful consideration to the many programs under our jurisdiction, and I appreciate his willingness to collaborate on this bill that is now before us.

I would also like to thank, in particular, Chairman ROGERS and also Ranking Member LOWEY plus the members of the committee, and yes, I must say, especially the members of the subcommittee for the hours and hours spent in hearings, markups, and meetings, working together in a cooperative effort to bring this bill to the floor and eventually signed into law. Finally, as we can never do enough, I want to thank the staff on both sides of the aisle for their incredible hard work.

I urge the expeditious adoption of this bill, Mr. Chairman, and at this time, I reserve the balance of my time.

DEPARTMENTS OF TRANSPORTATION, AND HOUSING AND URBAN DEVELOPMENT, AND RELATED AGENCIES
APPROPRIATIONS BILL, 2016 (H.R. 2577)
(Amounts in thousands)

	FY 2015 Enacted	FY 2016 Request	Bill	Bill vs. Enacted	Bill vs. Request
TITLE I - DEPARTMENT OF TRANSPORTATION					
Office of the Secretary					
Salaries and expenses	105,000	113,657	105,000	---	-8,657
Immediate Office of the Secretary	(2,696)	---	(2,734)	(+38)	(+2,734)
Immediate Office of the Deputy Secretary	(1,011)	---	(1,025)	(+14)	(+1,025)
Office of the General Counsel	(19,900)	---	(20,066)	(+166)	(+20,066)
Office of the Under Secretary of Transportation for Policy	(9,800)	---	(9,310)	(-490)	(+9,310)
Office of the Assistant Secretary for Budget and Programs	(12,500)	---	(12,808)	(+308)	(+12,808)
Office of the Assistant Secretary for Governmental Affairs	(2,500)	---	(2,500)	---	(+2,500)
Office of the Assistant Secretary for Administration	(25,365)	---	(26,029)	(+664)	(+26,029)
Office of Public Affairs	(2,000)	---	(2,029)	(+29)	(+2,029)
Office of the Executive Secretariat	(1,714)	---	(1,769)	(+55)	(+1,769)
Office of Small and Disadvantaged Business Utilization	(1,414)	---	---	(-1,414)	---
Office of Intelligence, Security, and Emergency Response	(10,600)	---	(10,793)	(+193)	(+10,793)
Office of the Chief Information Officer	(15,500)	---	(15,937)	(+437)	(+15,937)
Office of the Assistant Secretary for Innovative Finance	---	---	---	---	---
Research and Technology	13,000	14,582	11,386	-1,614	-3,196
National Infrastructure Investments	500,000	1,250,000	100,000	-400,000	-1,150,000
Infrastructure Permitting Center	---	4,000	---	---	-4,000
Financial Management Capital	5,000	5,000	1,000	-4,000	-4,000
Cyber Security Initiatives	5,000	8,000	7,000	+2,000	-1,000
DATA Act Compliance	---	3,000	---	---	-3,000
U.S. Digital Services	---	9,000	---	---	-9,000
Office of Civil Rights	9,600	9,678	9,600	---	-78
Transportation Planning, Research, and Development	6,000	10,019	5,976	-24	-4,043
Working Capital Fund	(181,500)	---	(181,500)	---	(+181,500)
Minority Business Resource Center Program	925	933	933	+8	---
(Limitation on guaranteed loans)	(18,367)	---	(18,367)	---	(+18,367)
Small and Disadvantaged Business Utilizaton and Outreach (Minority Business Outreach)	3,099	4,518	4,518	+1,419	---
Safe Transport of Oil	---	5,000	---	---	-5,000
Payments to Air Carriers (Airport & Airway Trust Fund)	155,000	175,000	155,000	---	-20,000
Total, Office of the Secretary	802,624	1,612,387	400,413	-402,211	-1,211,974
Federal Aviation Administration					
Operations	9,740,700	9,915,000	9,847,700	+107,000	-67,300
Air traffic organization	(7,396,654)	(7,505,293)	(7,505,293)	(+108,639)	---
Aviation safety	(1,218,458)	(1,258,411)	(1,258,411)	(+39,953)	---
Commercial space transportation	(16,605)	(18,114)	(16,605)	---	(-1,509)
Finance and management	(756,047)	(764,621)	(725,000)	(-31,047)	(-39,621)
NextGen	(60,089)	(60,582)	(60,089)	---	(-493)
Staff offices	(292,847)	(207,099)	(282,302)	(-10,545)	(+75,203)
Security and Hazardous Materials Safety	---	(100,880)	---	---	(-100,880)
Facilities and Equipment (Airport & Airway Trust Fund)	2,600,000	2,855,000	2,500,000	-100,000	-355,000
Research, Engineering, and Development (Airport & Airway Trust Fund	156,750	166,000	156,750	---	-9,250
Grants-in-Aid for Airports (Airport and Airway Trust Fund)(Liquidation of contract authorization)	(3,200,000)	(3,500,000)	(3,600,000)	(+400,000)	(+100,000)
(Limitation on obligations)	(3,350,000)	(2,900,000)	(3,350,000)	---	(+450,000)
Administration	(107,100)	(107,100)	(107,100)	---	---
Airport cooperative research program	(15,000)	(15,000)	(15,000)	---	---
Airport technology research	(29,750)	(31,000)	(31,000)	(+1,250)	---
Small community air service development program	(5,500)	---	---	(-5,500)	---

DEPARTMENTS OF TRANSPORTATION, AND HOUSING AND URBAN DEVELOPMENT, AND RELATED AGENCIES
APPROPRIATIONS BILL, 2016 (H.R. 2577)
(Amounts in thousands)

	FY 2015 Enacted	FY 2016 Request	Bill	Bill vs. Enacted	Bill vs. Request
Rescission of contract authority	-260,000	---	---	+260,000	---
Pop-up contract authority	130,000	---	---	-130,000	---
Total, Federal Aviation Administration	12,367,450	12,936,000	12,504,450	+137,000	-431,550
Limitations on obligations	(3,350,000)	(2,900,000)	(3,350,000)	---	(+450,000)
Total budgetary resources	(15,717,450)	(15,836,000)	(15,854,450)	(+137,000)	(+18,450)
Federal Highway Administration					
Limitation on Administrative Expenses	(426,100)	(442,248)	(429,348)	(+3,248)	(-12,900)
Federal-Aid Highways (Highway Trust Fund):					
(Liquidation of contract authorization)	(40,995,000)	(50,807,248)	(40,995,000)	---	(-9,812,248)
(Limitation on obligations)	(40,256,000)	(50,068,248)	(40,256,000)	---	(-9,812,248)
Fixing and Accelerating Surface Transportation					
(Liquidation of contract authorization)	---	(500,000)	---	---	(-500,000)
(Limitation on obligations)	---	(500,000)	---	---	(-500,000)
(Exempt contract authority)	(739,000)	(739,000)	(739,000)	---	---
Total, Federal Highway Administration	---	---	---	---	---
Limitations on obligations	(40,256,000)	(50,568,248)	(40,256,000)	---	(-10,312,248)
Exempt contract authority	(739,000)	(739,000)	(739,000)	---	---
Total budgetary resources	(40,995,000)	(51,307,248)	(40,995,000)	---	(-10,312,248)
Federal Motor Carrier Safety Administration					
Motor Carrier Safety Operations and Programs (Highway Trust Fund)(Liquidation of contract authorization)	(271,000)	(329,180)	(259,000)	(-12,000)	(-70,180)
(Limitation on obligations)	(271,000)	(329,180)	(259,000)	(-12,000)	(-70,180)
Motor Carrier Safety Grants (Highway Trust Fund)					
(Liquidation of contract authorization)	(313,000)	(339,343)	(313,000)	---	(-26,343)
(Limitation on obligations)	(313,000)	(339,343)	(313,000)	---	(-26,343)
Total, Federal Motor Carrier Safety Administration	---	---	---	---	---
Limitations on obligations	(584,000)	(668,523)	(572,000)	(-12,000)	(-96,523)
Total budgetary resources	(584,000)	(668,523)	(572,000)	(-12,000)	(-96,523)
National Highway Traffic Safety Administration					
Operations and Research (general fund)	130,000	179,000	150,000	+20,000	-29,000
Operations and Research (Highway Trust Fund)					
(Liquidation of contract authorization)	(138,500)	(152,000)	(125,000)	(-13,500)	(-27,000)
(Limitation on obligations)	(138,500)	(152,000)	(125,000)	(-13,500)	(-27,000)
Subtotal, Operations and Research	268,500	331,000	275,000	+6,500	-56,000
Highway Traffic Safety Grants (Highway Trust Fund)					
(Liquidation of contract authorization)	(561,500)	(577,000)	(561,500)	---	(-15,500)
(Limitation on obligations)	(561,500)	(577,000)	(561,500)	---	(-15,500)
Highway safety programs (23 USC 402)	(235,000)	(241,146)	(235,000)	---	(-6,146)
National priority safety programs (23 USC 405)	(272,000)	(278,705)	(272,000)	---	(-6,705)
High visibility enforcement	(29,000)	(29,000)	(29,000)	---	---
Administrative expenses	(25,500)	(28,149)	(25,500)	---	(-2,649)
Total, National Highway Traffic Safety Administration	130,000	179,000	150,000	+20,000	-29,000
Limitations on obligations	(700,000)	(729,000)	(686,500)	(-13,500)	(-42,500)
Total budgetary resources	(830,000)	(908,000)	(836,500)	(+6,500)	(-71,500)

DEPARTMENTS OF TRANSPORTATION, AND HOUSING AND URBAN DEVELOPMENT, AND RELATED AGENCIES
APPROPRIATIONS BILL, 2016 (H.R. 2577)
(Amounts in thousands)

	FY 2015 Enacted	FY 2016 Request	Bill	Bill vs. Enacted	Bill vs. Request
Federal Railroad Administration					
Safety and Operations	186,870	203,800	186,870	---	-16,930
Railroad Research and Development	39,100	39,250	39,100	---	-150
Rail Service Improvement Program	---	2,325,000	---	---	-2,325,000
National Railroad Passenger Corporation:					
Operating Grants to the National Railroad Passenger Corporation	250,000	---	288,500	+38,500	+288,500
Capital and Debt Service Grants to the National Railroad Passenger Corporation	1,140,000	---	850,000	-290,000	+850,000
Current Rail Passenger Service	---	2,450,000	---	---	-2,450,000
Subtotal	1,390,000	2,450,000	1,138,500	-251,500	-1,311,500
Administrative Provisions					
Rail Safety Grants	10,000	---	---	-10,000	---
Total, Federal Railroad Administration	1,625,970	5,018,050	1,364,470	-261,500	-3,653,580
Federal Transit Administration					
Administrative Expenses	105,933	114,400	102,933	-3,000	-11,467
Public Transportation Emergency Relief Program	---	25,000	---	---	-25,000
Transit Formula Grants (Hwy Trust Fund, Mass Transit Account (Liquidation of contract authorization)	(9,500,000)	(13,800,000)	(9,500,000)	---	(-4,300,000)
(Limitation on obligations)	(8,595,000)	(13,800,000)	(8,595,000)	---	(-5,205,000)
Fixing and Acceleration Surface Transportation (Liquidation of contract authorization)	---	(500,000)	---	---	(-500,000)
(Limitation on obligations)	---	(500,000)	---	---	(-500,000)
Transit Research	33,000	---	26,000	-7,000	+26,000
Technical Assistance and Training	4,500	---	3,000	-1,500	+3,000
Transit Research and Training	---	60,000	---	---	-60,000
Rapid-Growth Area Bus Rapid Transit Corridor Program (liquidation of contract authorization)	---	(500,000)	---	---	(-500,000)
(limitation on obligations)	---	(500,000)	---	---	(-500,000)
Capital Investment Grants	2,120,000	3,250,000	1,921,395	-198,605	-1,328,605
Rescission	-121,546	---	---	+121,546	---
Washington Metropolitan Area Transit Authority Capital and Preventive Maintenance	150,000	150,000	100,000	-50,000	-50,000
Total, Federal Transit Administration	2,291,887	3,599,400	2,153,328	-138,559	-1,446,072
Limitations on obligations	(8,595,000)	(14,800,000)	(8,595,000)	---	(-6,205,000)
Total budgetary resources	(10,886,887)	(18,399,400)	(10,748,328)	(-138,559)	(-7,651,072)
Saint Lawrence Seaway Development Corporation					
Operations and Maintenance (Harbor Maintenance Trust Fund)	32,042	36,400	32,042	---	-4,358
Maritime Administration					
Maritime Security Program	186,000	211,000	186,000	---	-25,000
Operations and Training	148,050	184,637	164,158	+16,108	-20,479
Ship Disposal	4,000	8,000	4,000	---	-4,000
Maritime Guaranteed Loan (Title XI) Program Account:					
Administrative expenses	3,100	3,135	3,135	+35	---
Total, Maritime Administration	341,150	406,772	357,293	+16,143	-49,479

DEPARTMENTS OF TRANSPORTATION, AND HOUSING AND URBAN DEVELOPMENT, AND RELATED AGENCIES
APPROPRIATIONS BILL, 2016 (H.R. 2577)
(Amounts in thousands)

	FY 2015 Enacted	FY 2016 Request	Bill	Bill vs. Enacted	Bill vs. Request
Pipeline and Hazardous Materials Safety Administration					
Operational Expenses:					
General Fund	22,225	22,500	20,725	-1,500	-1,775
Pipeline Safety Fund (transfer out)	(-1,500)	(-1,500)	---	(+1,500)	(+1,500)
Subtotal	22,225	22,500	20,725	-1,500	-1,775
Hazardous Materials Safety:					
General Fund	52,000	64,254	60,500	+8,500	-3,754
Special Permit and Approval Fees	---	-6,000	---	---	+6,000
Subtotal	52,000	58,254	60,500	+8,500	+2,246
Pipeline Safety:					
General Fund	---	1,500	1,870	+1,870	+370
Pipeline Safety Fund	124,500	152,104	124,500	---	-27,604
Oil Spill Liability Trust Fund	19,500	19,500	19,500	---	---
Pipeline Safety Design Review Fund	2,000	2,000	---	-2,000	-2,000
Pipeline Safety information grants (by transfer)	(1,500)	(1,500)	---	(-1,500)	(-1,500)
Subtotal	146,000	175,104	145,870	-130	-29,234
Subtotal, Pipeline and Hazardous Materials Safety Administration	220,225	255,858	227,095	+6,870	-28,763
Pipeline safety user fees	-124,500	-152,104	-124,500	---	+27,604
Pipeline Safety Design Review fee	-2,000	-2,000	---	+2,000	+2,000
Emergency Preparedness Grants:					
Limitation on emergency preparedness fund	(28,318)	(28,318)	(28,318)	---	---
(Emergency preparedness fund)	(188)	(188)	(188)	---	---
Total, Pipeline and Hazardous Materials Safety Administration	93,725	101,754	102,595	+8,870	+841
Office of Inspector General					
Salaries and Expenses	86,223	87,472	86,223	---	-1,249
Surface Transportation Board					
Salaries and Expenses	31,375	32,499	31,375	---	-1,124
Offsetting collections	-1,250	-1,250	-1,250	---	---
Total, Surface Transportation Board	30,125	31,249	30,125	---	-1,124
Total, title I, Department of Transportation	17,801,196	24,008,484	17,180,939	-620,257	-6,827,545
Appropriations	(18,183,992)	(24,015,734)	(17,182,189)	(-1,001,803)	(-6,833,545)
Rescissions	(-121,546)	---	---	(+121,546)	---
Rescissions of contract authority	(-260,000)	---	---	(+260,000)	---
Offsetting collections	(-1,250)	(-7,250)	(-1,250)	---	(+6,000)
(By transfer)	(1,500)	(1,500)	---	(-1,500)	(-1,500)
(Transfer out)	(-1,500)	(-1,500)	---	(+1,500)	(+1,500)
Limitations on obligations	(53,485,000)	(69,665,771)	(53,459,500)	(-25,500)	(-16,206,271)
Total budgetary resources	(71,286,196)	(93,674,255)	(70,640,439)	(-645,757)	(-23,033,816)
TITLE II - DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT					
Management and Administration					
Executive Offices	14,500	14,646	14,500	---	-146
Administration Support Offices	518,100	577,861	547,000	+28,900	-30,861

DEPARTMENTS OF TRANSPORTATION, AND HOUSING AND URBAN DEVELOPMENT, AND RELATED AGENCIES
APPROPRIATIONS BILL, 2016 (H.R. 2577)
(Amounts in thousands)

	FY 2015 Enacted	FY 2016 Request	Bill	Bill vs. Enacted	Bill vs. Request
Program Office Salaries and Expenses:					
Public and Indian Housing	203,000	210,002	203,000	---	-7,002
Community Planning and Development	102,000	112,115	102,000	---	-10,115
Housing	379,000	397,174	372,000	-7,000	-25,174
Policy Development and Research	22,700	23,907	22,700	---	-1,207
Fair Housing and Equal Opportunity	68,000	81,132	73,000	+5,000	-8,132
Office of Lead Hazard Control and Healthy Homes	6,700	7,812	6,700	---	-1,112
Subtotal	781,400	832,142	779,400	-2,000	-52,742
Total, Management and Administration	1,314,000	1,424,649	1,340,900	+26,900	-83,749
Public and Indian Housing					
Tenant-based Rental Assistance:					
Renewals	17,486,000	18,333,816	18,151,000	+665,000	-182,816
Tenant protection vouchers	130,000	150,000	130,000	---	-20,000
Administrative fees	1,530,000	2,020,037	1,530,000	---	-490,037
Incremental rental vouchers	---	277,000	---	---	-277,000
Incremental family unification vouchers	---	20,000	---	---	-20,000
Veterans affairs supportive housing	75,000	---	---	-75,000	---
Sec. 811 mainstream voucher renewals	83,160	107,643	107,643	+24,483	---
Special purpose vouchers	---	215,000	---	---	-215,000
Transformation initiative (transfer out)	---	(-20,000)	---	---	(+20,000)
Subtotal (available this fiscal year)	19,304,160	21,123,496	19,918,643	+614,483	-1,204,853
Advance appropriations	4,000,000	4,000,000	4,000,000	---	---
Less appropriations from prior year advances	-4,000,000	-4,000,000	-4,000,000	---	---
Total, Tenant-based Rental Assistance appropriated in this bill	19,304,160	21,123,496	19,918,643	+614,483	-1,204,853
Rental Assistance Demonstration	---	50,000	---	---	-50,000
Public Housing Capital Fund	1,875,000	1,970,000	1,681,000	-194,000	-289,000
Transformation initiative (transfer out)	---	(-15,000)	---	---	(+15,000)
Drug elimination (rescission)	-1,101	---	---	+1,101	---
Public Housing Operating Fund	4,440,000	4,600,000	4,440,000	---	-160,000
Transformation initiative (transfer out)	---	(-18,000)	---	---	(+18,000)
Choice Neighborhoods	80,000	250,000	20,000	-60,000	-230,000
Transformation initiative (transfer out)	---	(-2,000)	---	---	(+2,000)
Family Self-Sufficiency	75,000	85,000	75,000	---	-10,000
Transformation initiative (transfer out)	---	(-1,000)	---	---	(+1,000)
Native American Housing Block Grants	650,000	660,000	650,000	---	-10,000
Transformation initiative (transfer out)	---	(-5,000)	---	---	(+5,000)
Native Hawaiian Housing Block Grant	9,000	---	---	-9,000	---
Indian Housing Loan Guarantee Fund Program Account	7,000	8,000	8,000	+1,000	---
(Limitation on guaranteed loans)	(744,047)	(1,269,841)	(1,269,841)	(+525,794)	---
Native Hawaiian Loan Guarantee Fund Program Account	100	---	---	-100	---
(Limitation on guaranteed loans)	(16,130)	---	---	(-16,130)	---
Total, Public and Indian Housing	26,439,159	28,746,496	26,792,643	+353,484	-1,953,853
Community Planning and Development					
Housing Opportunities for Persons with AIDS	330,000	332,000	332,000	+2,000	---
Transformation initiative (transfer out)	---	(-3,000)	---	---	(+3,000)
Community Development Fund:					
CDBG formula	3,000,000	2,800,000	3,000,000	---	+200,000
Indian CDBG	66,000	80,000	60,000	-6,000	-20,000
Subtotal	3,066,000	2,880,000	3,060,000	-6,000	+180,000
Transformation initiative (transfer out)	---	(-20,000)	---	---	(+20,000)

DEPARTMENTS OF TRANSPORTATION, AND HOUSING AND URBAN DEVELOPMENT, AND RELATED AGENCIES
APPROPRIATIONS BILL, 2016 (H.R. 2577)
(Amounts in thousands)

	FY 2015 Enacted	FY 2016 Request	Bill	Bill vs. Enacted	Bill vs. Request
Youth Build (rescission)	-460	---	---	+460	---
Community Development Loan Guarantees (Section 108):					
(Limitation on guaranteed loans)	(500,000)	(300,000)	(300,000)	(-200,000)	---
Rescission	---	---	-2,000	-2,000	-2,000
HOME Investment Partnerships Program	900,000	1,060,000	767,000	-133,000	-293,000
Transfer from Housing Trust Fund	---	---	133,000	+133,000	+133,000
Transformation initiative (transfer out)	---	(-8,000)	---	---	(+8,000)
Subtotal	900,000	1,060,000	900,000	---	-160,000
Housing Trust Fund (transfer out)	---	---	-133,000	-133,000	-133,000
Self-help and Assisted Homeownership Opportunity Program	50,000	---	50,000	---	+50,000
Homeless Assistance Grants	2,135,000	2,480,000	2,185,000	+50,000	-295,000
Brownfields (rescission)	-2,913	---	---	+2,913	---
Total, Community Planning and Development	6,477,627	6,752,000	6,392,000	-85,627	-360,000
Housing Programs					
Project-based Rental Assistance:					
Renewals	9,520,000	10,545,000	10,504,000	+984,000	-41,000
Contract administrators	210,000	215,000	150,000	-60,000	-65,000
Transformation initiative (transfer out)	---	(-20,000)	---	---	(+20,000)
Subtotal (available this fiscal year)	9,730,000	10,760,000	10,654,000	+924,000	-106,000
Advance appropriations	400,000	400,000	400,000	---	---
Less appropriations from prior year advances	-400,000	-400,000	-400,000	---	---
Total, Project-based Rental Assistance appropriated in this bill	9,730,000	10,760,000	10,654,000	+924,000	-106,000
Housing for the Elderly	420,000	455,000	414,000	-6,000	-41,000
Transformation initiative (transfer out)	---	(-3,000)	---	---	(+3,000)
Housing for Persons with Disabilities	135,000	177,000	152,000	+17,000	-25,000
Transformation initiative (transfer out)	---	(-1,000)	---	---	(+1,000)
Housing Counseling Assistance	47,000	60,000	47,000	---	-13,000
Transformation initiative (transfer out)	---	(-1,000)	---	---	(+1,000)
Rental Housing Assistance	18,000	30,000	30,000	+12,000	---
Manufactured Housing Fees Trust Fund	10,000	11,000	11,000	+1,000	---
Offsetting collections	-10,000	-11,000	-11,000	-1,000	---
Total, Housing Programs	10,350,000	11,482,000	11,297,000	+947,000	-185,000
Federal Housing Administration					
Mutual Mortgage Insurance Program Account:					
(Limitation on guaranteed loans)	(400,000,000)	(400,000,000)	(400,000,000)	---	---
(Limitation on direct loans)	(20,000)	(5,000)	(5,000)	(-15,000)	---
Offsetting receipts	-7,951,000	-7,003,000	-7,003,000	+948,000	---
Proposed offsetting receipts (HECM)	-36,000	-97,000	-97,000	-61,000	---
Additional offsetting receipts (Pres. Sec. 244)	---	-29,000	---	---	+29,000
Administrative contract expenses	130,000	174,000	130,000	---	-44,000
Transformation initiative (transfer out)	---	(-1,000)	---	---	(+1,000)
General and Special Risk Program Account:					
(Limitation on guaranteed loans)	(30,000,000)	(30,000,000)	(30,000,000)	---	---
(Limitation on direct loans)	(20,000)	(5,000)	(5,000)	(-15,000)	---
Offsetting receipts	-876,000	-657,000	-657,000	+219,000	---
Rescission	-10,000	---	---	+10,000	---
Total, Federal Housing Administration	-8,743,000	-7,612,000	-7,627,000	+1,116,000	-15,000

DEPARTMENTS OF TRANSPORTATION, AND HOUSING AND URBAN DEVELOPMENT, AND RELATED AGENCIES
APPROPRIATIONS BILL, 2016 (H.R. 2577)
(Amounts in thousands)

	FY 2015 Enacted	FY 2016 Request	Bill	Bill vs. Enacted	Bill vs. Request
Government National Mortgage Association					
Guarantees of Mortgage-backed Securities Loan Guarantee Program Account:					
(Limitation on guaranteed loans)	(500,000,000)	(500,000,000)	(500,000,000)	---	---
Administrative expenses	23,000	28,320	23,000	---	-5,320
Offsetting receipts	-94,000	-118,000	-118,000	-24,000	---
Offsetting receipts	-742,000	-747,000	-747,000	-5,000	---
Proposed offsetting receipts (HECM)	-28,000	-21,000	-21,000	+7,000	---
Additional contract expenses	1,000	1,000	---	-1,000	-1,000
Total, Gov't National Mortgage Association	-840,000	-856,680	-863,000	-23,000	-6,320
Policy Development and Research					
Research and Technology	72,000	50,000	52,500	-19,500	+2,500
Fair Housing and Equal Opportunity					
Fair Housing Activities	65,300	71,000	65,300	---	-5,700
Transformation initiative (transfer out)	---	(-1,000)	---	---	(+1,000)
Office of Lead Hazard Control and Healthy Homes					
Lead Hazard Reduction	110,000	120,000	75,000	-35,000	-45,000
Transformation initiative (transfer out)	---	(-1,000)	---	---	(+1,000)
Information Technology Fund	250,000	334,000	100,000	-150,000	-234,000
Office of Inspector General	126,000	129,000	126,000	---	-3,000
Transformation Initiative	---	---	---	---	---
(by transfer)	---	(120,000)	---	---	(-120,000)
General Provisions					
Unobligated balances (Sec. 233) (rescission)	---	---	-7,000	-7,000	-7,000
Rural Housing and Developement unobligated balances (Sec. 234) (rescission)	---	---	-3,000	-3,000	-3,000
Management and Administration unobligated balances (Sec. 234) (rescission)	---	---	-2,000	-2,000	-2,000
Total, title II, Department of Housing and Urban Development	35,621,086	40,640,465	37,739,343	+2,118,257	-2,901,122
Appropriations	(40,972,560)	(44,923,465)	(42,007,343)	(+1,034,783)	(-2,916,122)
Rescissions	(-14,474)	---	(-14,000)	(+474)	(-14,000)
Advance appropriations	(4,400,000)	(4,400,000)	(4,400,000)	---	---
Offsetting receipts	(-9,727,000)	(-8,672,000)	(-8,643,000)	(+1,084,000)	(+29,000)
Offsetting collections	(-10,000)	(-11,000)	(-11,000)	(-1,000)	---
(by transfer)	---	120,000	---	---	-120,000
(transfer out)	---	-120,000	---	---	+120,000
(Limitation on direct loans)	(40,000)	(10,000)	(10,000)	(-30,000)	---
(Limitation on guaranteed loans)	(931,260,177)	(931,569,841)	(931,569,841)	(+309,664)	---
TITLE III - OTHER INDEPENDENT AGENCIES					
Access Board	7,548	8,023	7,548	---	-475
Federal Housing Finance Agency, Office of Inspector General (legislative proposal)	---	50,000	---	---	-50,000
Offsetting collections (legislative proposal)	---	-50,000	---	---	+50,000
Federal Maritime Commission	25,660	27,387	25,660	---	-1,727
National Railroad Passenger Corporation Office of Inspector General	23,999	24,499	23,999	---	-500
National Transportation Safety Board	103,981	105,170	103,981	---	-1,189
Neighborhood Reinvestment Corporation	185,000	182,300	177,000	-8,000	-5,300

DEPARTMENTS OF TRANSPORTATION, AND HOUSING AND URBAN DEVELOPMENT, AND RELATED AGENCIES
APPROPRIATIONS BILL, 2016 (H.R. 2577)
(Amounts in thousands)

	FY 2015 Enacted	FY 2016 Request	Bill	Bill vs. Enacted	Bill vs. Request
United States Interagency Council on Homelessness.....	3,530	3,530	3,530	---	---
Total, title III, Other Independent Agencies....	349,718	350,909	341,718	-8,000	-9,191
Grand total.....	53,772,000	64,999,858	55,262,000	+1,490,000	-9,737,858
Appropriations.....	(59,506,270)	(69,340,108)	(59,531,250)	(+24,980)	(-9,808,858)
Rescissions.....	(-136,020)	---	(-14,000)	(+122,020)	(-14,000)
Rescissions of contract authority.....	(-260,000)	---	---	(+260,000)	---
Advance appropriations.....	(4,400,000)	(4,400,000)	(4,400,000)	---	---
Offsetting receipts.....	(-9,727,000)	(-8,672,000)	(-8,643,000)	(+1,084,000)	(+29,000)
Offsetting collections.....	(-11,250)	(-68,250)	(-12,250)	(-1,000)	(+56,000)
(by transfer).....	1,500	121,500	---	-1,500	-121,500
(transfer out).....	-1,500	-121,500	---	+1,500	+121,500
(Limitation on obligations).....	(53,485,000)	(69,665,771)	(53,459,500)	(-25,500)	(-16,206,271)
Total budgetary resources.....	(107,257,000)	(134,665,629)	(108,721,500)	(+1,464,500)	(-25,944,129)

Mr. PRICE of North Carolina. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, as we begin consideration of H.R. 2577, the fiscal year 2016 Transportation, Housing and Urban Development, and Related Agencies Appropriations bill, I want to start by thanking our chairman, Chairman DIAZ-BALART, for the hard work he has put in on this bill. He has been open and accessible throughout this year's process, and he has been receptive to my concerns and the concerns that other subcommittee members and other colleagues have raised. It has been a pleasure working with him, and I look forward to continuing to do that throughout this process.

I also want to echo the thanks he just expressed to our hardworking staff, to Dena Baron and her colleagues in the majority, to Kate Hallahan and Joe Carlile on our side of the aisle, as well as Laura Thrift and Kate Roetzer from my personal staff.

Now, unfortunately, I have to add that there is going to be a lot of further work to do. It is necessary, and it is going to be difficult. That is not the chairman's fault. He was dealt an impossible hand in the Republican budget and an allocation that is simply unworkable.

At first glance, it might appear that this bill is a relative winner when compared to other appropriations bills, as Chairman ROGERS did increase the subcommittee's allocation by $1.5 million. However, the reality is that once you factor in declining Federal Housing Administration receipts, increased Section 8 renewal costs, and other inflationary adjustments, this bill is actually $1.5 billion below last year's funding level, resulting in fewer services and less capital investment than last year.

Mr. Chairman, the programs under the jurisdiction of this subcommittee are critical to our Nation's economic and social well-being: providing necessary funding to improve housing and transportation options, creating infrastructure jobs for hardworking American families, and ensuring safe and adequate transportation networks for goods, commuters, and travelers. But our Nation's transportation and housing systems face daunting challenges, and on almost every count, this bill falls short.

□ 1915

The President requested a robust increase for this bill for fiscal 2016, calling on Congress to provide the critical investments necessary to accelerate and sustain economic growth. Unfortunately, the bill before us would not even begin to address our infrastructure needs.

In transportation, the bill levies deep cuts to capital programs. As we learned from the Amtrak derailment last month in Philadelphia, these cuts can have clear, direct consequences for the safety of our transportation system. The bill before us cuts Amtrak by 18 percent—18 percent—below last year. There is no funding for the expansion of safety mechanisms, including Positive Train Control, which regulates the excessive speeds that caused the Philadelphia derailment.

Now, no one can say whether Positive Train Control would have prevented the tragedy in Philadelphia, but cutting funding certainly isn't making our transportation system any safer. How many train derailments, how many bridge collapses is it going to take before the majority agrees that we must invest in our crumbling transportation infrastructure?

The bill before us would also reduce funding for the New Starts program in the Federal Transit Administration by 8 percent below this year, 40 percent below the President's request. It would cut DOT's enormously popular TIGER program by 80 percent. It cuts the Federal Aviation Administration's capital program by $355 million below the President's request, $100 million below last year. That will hamper FAA's ability to maintain and improve aging facilities and will slow down progress on the critical NextGen program.

The bill doesn't just provide insufficient funding for critical investments; it also contains toxic provisions completely unrelated to the appropriations process. For instance, riders on truck length and weight have no place in this bill. They should be left to the authorizing committees. The bill also continues to delay full implementation of the Department of Transportation's hours-of-service rule for driver safety by including additional, unmanageable study requirements. These riders, I regret to say, value the bottom line of the trucking industry over driver safety. They will actually make our roads more dangerous.

The bill also attempts to undermine President Obama's new policy related to the United States' relationship with Cuba. Some of the riders aim to prevent scheduled air services and cruise ship travel to Cuban ports of entry.

On the housing side, the bill fails to adequately address the capital needs of public housing. For example, the bill provides only the token amount of $20 million for the Department of Housing and Urban Development's Choice Neighborhoods Initiative. At such a low funding level, the program won't be able to fulfill its mission—transforming clusters of poverty into functioning, sustainable mixed-income neighborhoods and allowing the children who live there to have the opportunities that all Americans deserve.

The bill contains $1.68 billion for the Public Housing Capital Fund, which is a $194 million cut from last year. If enacted, this level would be about the same as the funding level in 1989. That is 26 years ago! Given that new maintenance needs accrue at $3.4 billion per year, this level of funding would cover less than half the need while doing nothing to address a backlog that now amounts to $25 billion.

The majority's bill transforms—or, more accurately, devolves—the Housing for the Elderly and Housing for the Disabled programs into purely rental renewal programs. Without capital funding, the supply of safe, decent, and affordable housing for the elderly and for the disabled will not keep up with the demand.

Mr. Chairman, for centuries, our country's economic competitiveness has been built upon a world-class infrastructure that enabled innovation and ingenuity to flourish. This bill and the budgetary levels it reflects undermine the continued viability of our Nation's infrastructure and our economic vitality. We simply cannot write a credible bill until we have a new budget agreement.

This bill clearly illustrates the folly of dogmatically insisting on domestic appropriations cuts as the sole focus of deficit reduction—that is the majority's strategy—while leaving the main drivers of the deficit unaddressed. Under sequestration funding levels, any advancement of appropriations bills is simply delaying the day of reckoning. So let's stop this charade now. Let's not wait for Presidential vetoes or for governmental shutdowns. Let's confront it now! Let's begin serious, broad budget negotiations.

I know we can responsibly chart a course to fiscal balance; we have done it before, as recently as the 1990s. We achieved budget surpluses as the result of a concerted, bipartisan effort to balance the budget through a comprehensive approach. And I mean comprehensive. Revenues, entitlements, military and domestic appropriations, everything was on the table. We balanced the budget 4 years in a row. We paid off more than $400 billion of this Nation's debt. Why is that lesson so hard to recollect?

By contrast, the current Republican budget gives us the worst of both worlds. It fails as fiscal policy, and it decimates the investments a great country must make.

In its current form, Mr. Chairman, I cannot support the fiscal 2016 T-HUD Appropriations bill. I do remain hopeful, however, that this bill could be improved as it goes through the appropriations process. I will continue working with the chairman as we move forward. I am confident that a new agreement on funding levels can give this bill and America's transportation and housing infrastructure the resources that our national interest requires.

I reserve the balance of my time.

Mr. DIAZ-BALART. Mr. Chairman, at this time, I yield as much time as he

may use to the gentleman from Kentucky (Mr. ROGERS), a friend, a leader, a teacher, and the chairman of the full Appropriations Committee.

Mr. ROGERS of Kentucky. I thank the chairman for yielding me this time.

Mr. Chairman, I rise in support of this bill, obviously, the fiscal 2016 Transportation, Housing and Urban Development Appropriations bill.

Mr. Chairman, I am proud that we have this piece of legislation. It is our fifth appropriations bill of this year on the floor today. It is the next step in our ongoing effort to fully fund the government before the end of the fiscal year, as is our congressional duty.

This bill, as the chairman has said, funds a wide range of Federal programs that affect every citizen of every district of every State. From the transportation infrastructure that moves goods, people, and businesses around the country to the housing options that help most those in need, the benefits of the programs in this bill are felt far and wide.

In total, the bill provides $55.3 billion in discretionary spending due to reduced offsets, including lower FHA receipts. The bill represents a $25 million increase above the current year.

This is a tight budget, Mr. Chairman. Yet the bill targets funds to provide adequate investments in critical infrastructure and much-relied-upon housing programs.

Of the total, $17.2 billion goes toward discretionary funding for DOT, prioritizing projects that have great benefits to our Nation as a whole and that will help make this Nation's transportation systems safer and more efficient.

This includes $15.9 billion for the Federal Aviation Administration. A portion of that money will go to what is called the NextGen program to improve efficiency in our airways and reduce congestion and delays.

The Federal highway program gets $40.2 billion from the highway trust fund, an amount equal to last year, but that is subject to continued authorization. This funding will ensure our roadways, bridges, and tunnels can safely and smoothly facilitate the flow of American commerce.

The Federal Railroad Administration is funded at $1.4 billion. That includes $289 million for Amtrak operations, the same as last year, and $850 million for capital grants, as well as $187 million for critical safety and research programs. Total FRA funding is reduced by $262 million, but rail safety, which is so important, is held harmless from any reductions.

In fact, safety was a priority throughout the bill, and that is evident in the funding levels. For instance, the National Highway Traffic Safety Administration received $6.5 million more than last year, and the Pipeline and Hazardous Materials Safety Administration receives a $6.9 million bump up to help address safety concerns regarding the transport of energy products.

Beyond these important infrastructure investments, the bill also includes a total of $42 billion for the Department of Housing and Urban Development. This level will guarantee that all individuals and families currently receiving housing assistance will continue to be served by this program, and it ensures that the 77,000 VASH vouchers which support our veterans remain in circulation.

Important housing programs for some of our most vulnerable citizens, the elderly and persons with disabilities, also receive targeted increases. To help bolster economic growth in local communities, the bill provides $6.4 billion in grant funding for economic development. Investing in our communities through programs like Community Development Block Grants will allow funds to be targeted to local areas to meet their unique needs.

Now, as with all appropriations bills, particularly in these tight budget times, we had to take a close look at what was mission critical and what was lower on the priority list. Some tough choices had to be made and some programs had to be reduced. Overall, I believe this bill puts everything in its proper place and does the very best within its allotted resources.

I want to thank the chairman of the subcommittee, Congressman DIAZ-BALART. This is his maiden voyage as a cardinal, a chairman of a subcommittee, his first voyage at sea. We hope it is a safe and smooth one. And I am proud to say to him, ''Job well done so far.'' So we wish for you the very best.

Thanks to DAVID PRICE and the members of the committee, subcommittee, all the staff; my counterpart Mrs. LOWEY. I thank all of you for working hard on this bill.

I am proud to support this bill, and I ask my colleagues to do the same.

Mr. PRICE of North Carolina. Mr. Chairman, I yield 5 minutes to the gentlewoman from New York (Mrs. LOWEY), our distinguished ranking member of the full committee.

Mrs. LOWEY. Mr. Chairman, I, too, would like to congratulate Chairman DIAZ-BALART and Ranking Member PRICE in their new roles on the subcommittee. You have worked so hard, you have worked together, and I really do want to express my appreciation. And to Chairman ROGERS, thank you for your work. I would particularly like to thank the chairman for his support of my grade crossing safety requests.

However, the Republican bill to fund transportation and housing priorities drastically shortchanges job-creating investments critical to hard-working American families, like roads, bridges, rail systems, and access to safe and affordable housing. At the same time, it includes special interest giveaways for the trucking industry and other policy riders that make our roads less safe and our rail system less competitive and meddles foolishly in foreign policy.

Despite the fact that our infrastructure needs are increasing, the bill before us takes a giant step backward. We cannot meet tomorrow's challenges by slashing investments in TIGER, transit, and air traffic modernization.

Even though the bill was considered in full committee the morning after last month's tragic Amtrak crash in Philadelphia, the majority voted down amendments to increase funds for Amtrak capital investments and positive train control, which the NTSB has said would have prevented the derailment. Yet it does not receive any funding in the bill.

□ 1930

While we do not yet have all of the answers to the horrific accident in Philadelphia, we do know that starving Amtrak of funding will inhibit safety upgrades, track, and capital improvements. Our continued failure to invest in road and rail infrastructure is not just unwise; it is plainly a public safety hazard.

Before I turn to housing, it is important to mention the plentiful legislative riders. Christmas came early for the trucking industry: longer, heavier trucks; the stalled enforcement of hours-of-service rules; and inadequate insurance requirements.

Controversial riders have no place in an already difficult appropriations process. At a time when roads and bridges are crumbling and when there is a national crisis of affordable housing, it makes no sense to use this critical bill to meddle in foreign policy by including riders on Cuba.

With regard to housing, adequate funding to renew existing vouchers is provided, but it isn't sufficient to meet our country's actual housing needs.

Significantly cutting Lead Hazard Control will slow the progress on eliminating household toxins despite the fact that the successful program has resulted in lower lead poisoning and in better educational and behavioral outcomes.

Slashing Choice Neighborhoods by $230 million, or 92 percent below the President's request, guts resources to transform clusters of poverty into functioning, sustainable mixed-income neighborhoods; and it prevents the children who live there from having the opportunities that all Americans deserve.

Employing gimmicks to fund HOME through the housing trust fund perpetuates another gap in the spectrum of affordable housing.

Democrats are more than willing to support bills that make investments to

grow our economy and create opportunity for hard-working Americans. Unfortunately, this bill falls far short of that goal.

Again, in conclusion, I want to thank the chairman, the ranking member, and all of the hard-working staff. Although I urge my colleagues to vote ''no,'' I do hope we can move forward and get to real bills so we can work together and complete this process on especially this very important piece of legislation.

Mr. DIAZ-BALART. Mr. Chairman, I yield 3 minutes to the gentleman from Kansas (Mr. YODER), an indispensable member of the subcommittee.

Mr. YODER. I appreciate the chairman for yielding time in this debate.

I want to thank Chairman DIAZ-BALART, Chairman ROGERS, Ranking Member PRICE, and Ranking Member LOWEY for their work in putting together what is, I think, one of the best bills to come through Congress as we debate how to balance our challenges with our budget and how to make sure we enhance safety and improve our economy all at the same time.

Mr. Chairman, this is one of the earliest opportunities we have had to debate this piece of legislation in the appropriations process since 1974, which is a commendable achievement. I want to thank Chairman DIAZ-BALART for his leadership, and I ask for the body to support this good piece of legislation.

There are really three great reasons to support this bill.

First of all, it is great for the economy as we invest in our Nation's critical transportation projects and programs and invest in housing projects to help America's poverty families all across our districts.

It helps to promote safety enhancement on our infrastructure by ensuring that our roads, rails, and airways are safe for all Americans. It increases funding for the National Highway Traffic Safety Administration; it increases funding for the Federal Motor Carrier Safety Administration, and it increases funding for the Pipeline and Hazardous Materials Safety Administration—all to help protect the safety of Americans.

It works to enhance the responsible efforts to spend money in this capital. Most Americans know Washington is spending too much money, and our budget is not in balance. It is a tough job, and I commend the committee for doing the hard work to ensure that we are good stewards of taxpayer dollars, so as to keep to the balanced budget agreement that the House and Senate passed for the first time since 2001.

The bill also works towards needed policy achievements that would help farmers in my State of Kansas or that would help keep the cost of goods down for hard-working Americans because the prices at the grocery stores are too high.

In Kansas, for example, the bill helps to ensure that Kansas laws are in parity with States like Nebraska and Oklahoma when it comes to the length of a trailer that custom harvesters can use. This is a provision that is supported by the Kansas Highway Patrol, the Kansas Department of Transportation, the Kansas Department of Agriculture.

I would ask my colleagues from across the aisle to listen to the leaders in Kansas. The leaders of public safety in Kansas and those within the highway patrol support this provision. Let's not subject the will of Washington over the will of people in Kansas when it comes to helping farmers with truck length for custom harvesters.

It works to eliminate the number of trucks that are on the road. This bill's actually extending the trailer length will eliminate 6.6 million truck trips; it will save 1.3 billion miles driven; it will reduce carbon emissions by 4.4 billion pounds annually, and it will eliminate the need for every ninth truck in our economy. Truck tonnage is projected to grow by 23 percent over the next 12 years, so it makes sense to move freight in fewer trucks.

The bill also works to enhance a program we started last year for short line rail safety, which would help short line rail companies across this country have the ability to have a stronger and sustainable safety culture as they move more and more of our goods.

Mr. Chairman, this is a good bill. It promotes safety; it promotes our economy, and it creates jobs.

I urge the bipartisan support of this legislation to help the American economy.

Mr. PRICE of North Carolina. Mr. Chairman, I am happy to yield 2 minutes to the gentleman from Oregon (Mr. DEFAZIO), our colleague who is the ranking member of the Transportation and Infrastructure Committee.

Mr. DEFAZIO. I thank the gentleman.

Mr. Chairman, we have all heard about America and American exceptionalism, and tonight, we see here a great new example for the 21st century the Republican majority version of American exceptionalism. A country that used to be the envy of the world with its infrastructure has now become a laughingstock of the industrial world because it is falling apart.

There are 150,000 bridges on the National Highway System that need repair or replacement, and with this bill, next year, it will be 160,000 that will need repair or replacement. There is 40 percent of the road surface on the National Highway System that needs not just resurfacing; it is so bad that it has to be dug up. Next year, there will be more miles that are deficient.

And our transit? There is an $80 billion backlog just to bring our existing transit systems up to a state of good repair. It is so bad that we are killing people unnecessarily here in the Nation's Capital on the mass transit system; and what does the Republican budget do? It cuts the allocation to the Metro system here in D.C. In the greatest country on Earth, it will be dangerous to ride on the Metro system because we can't afford to fix it.

They failed to distinguish between investment—investment in moving our people and our goods more efficiently—and spending. They rail about spending, but they cut indiscriminately, and they add money in places we don't need it.

Let's go down the list.

In aviation, we want to build a 21st century air traffic control system, but they cut that budget $100 million.

The Coast Guard is spread so thin it can't meet its own criteria for search and rescue, but they are $17 million below what the President proposed, and there is no money in here for a new Coast Guard icebreaker. We are a great maritime nation. We are down to one 50-year-old, decrepit icebreaker. That is not going to serve our country too well.

The CHAIR. The time of the gentleman has expired.

Mr. PRICE of North Carolina. Mr. Chairman, I yield the gentleman an additional 30 seconds.

Mr. DEFAZIO. Then Amtrak, they cut Amtrak by $251 million in its capital accounts. On the day that we had the Amtrak crash, they cut the capital acquisition account for Amtrak by $251 million, despite the fact that Amtrak has a $20 billion backlog.

There are 140-year-old tunnels that are near collapse, which will paralyze the East Coast. There are bridges that are 100, 110, 120 years old—and, yes, we do not yet have the positive train control system on all of Amtrak's routes.

That has been something that has only been recommended for 25 years by the National Transportation Safety Board. This is pretty pathetic.

Mr. DIAZ-BALART. Mr. Chairman, I yield 2 minutes to the gentleman from North Carolina (Mr. ROUZER).

Mr. ROUZER. I thank the chairman.

I am proud to lend my full support to the chairman's bill to fund our transportation systems that are so vital to moving this country forward.

Mr. Chairman, important needs of our industries and countless businesses in North Carolina are addressed by this legislation.

First, a marginal increase in the length of twin trailers carrying freight over North Carolina's roads will allow more freight to be carried per trip, thus decreasing the number of trucks on the road. This modest change to 33 feet in length has a large impact on productivity. Slightly longer trailers improve stability because you have a longer wheelbase.

More productivity means a slower growth rate of truck trips on our roads.

With this change, there would be 6.6 million fewer truck trips per year; and, according to the Federal Motor Carrier Safety Administration's data, it would prevent at least 912 highway accidents every year.

Mr. Chairman, I think it is important to note that the North Carolina Troopers Association is focused on supporting policies that promote safety and improve law enforcement in the State of North Carolina and across this country. They support modernizing freight transportation regulations to allow for 33 feet in length.

Mr. Chairman, I submit for the RECORD their letter in support of this change.

MAY 6, 2015.

Secretary ANTHONY FOXX,
Department of Transportation,
Washington, DC.

DEAR SECRETARY FOXX: The North Carolina Troopers Association, founded in 1977, is focused on supporting policies that promote safety and improve law enforcement in the state of North Carolina and the United States of America. We are grateful for your leadership on policies at the intersection of safety, law enforcement and transportation. From the Charlotte City Council and Mayor's Office to the Department of Transportation and the President's Cabinet, the central questions remain the same. Which policy choices will do the most to keep people safe?

We often work alongside the North Carolina Trucking Association on matters concerning the transportation of freight on the national highway system as well as the extensive network of North Carolina highways and roads. From Murphy to Manteo, we partner with professional drivers to keep everyone safe on the roads.

We support truck safety advances such as lane departure technologies and adaptive speed controls and encourage the continued adoption of modern technology and training techniques.

The less than truckload (LTL) market has a significant footprint in North Carolina not least in the areas around Greensboro and Charlotte. We understand the American Trucking Associations along with other leading LTL companies, the United States Chamber of Commerce, and the National Association of Manufacturers, back a proposal to increase the length of twin trailers in the LTL freight market by five feet with no change to federal weight limits. We support the proposal for several reasons.

First, a marginal increase to the length of twin trailers carrying freight on North Carolina's roads will result in an increase in cubic capacity allowing more freight to be carried per trip, thus decreasing the number of trucks on the road. A modest change in length has a large impact on productivity. More productivity makes it easier to slow the growth rate of truck trips on our road system.

Modernizing freight transportation regulations to allow for 33-ft. doubles means 6.6 million fewer truck trips per year and according to Federal Motor Carrier Safety Administration data it would prevent at least 912 highway accidents every year.

Second, studies from the experts at the University of Michigan and the federal Department of Transportation show that an increase to the length of the wheel base without an increase to weight limitations creates a more stable truck for both straight line driving and cornering. Indeed, the proposal for five more feet on twin trailers came from a 2002 analysis from the Transportation Research Board (Special Report 267, 2002).

In addition, fewer trucks on the road will inevitably lead to much needed relief for North Carolina's infrastructure. In 2013, some 9.7 billion tons of freight was carried by truck. The proposal for twin 33s would shift a portion of that freight—the LTL market—into trailers with a slightly longer wheelbase providing benefit for North Carolina bridges.

We are encouraged by your advocacy for better, smarter, safer transportation policies. When the proposal for a five foot extension—with no change in weight limits for twin trailers—comes before Congress we ask you to provide the full support of your office.

Sincerely,

DANIEL S. JENKINS, JR.,
President, North Carolina Troopers Association.

Mr. ROUZER. I am also pleased to support the committee's language that would continue to prohibit the use of funds to enforce the restart provisions of hours-of-service rules for our truck drivers. The trucking industry does not need more regulations imposed upon them in the name of safety.

Safety is an absolute priority for their industry. Trucking companies know that, without good safety records, they will not be the carriers of choice for businesses that need to move freight.

Mr. Chairman, each of these provisions will help spur economic growth throughout our Nation and enable us to better compete and thrive globally. My constituents in the manufacturing and agricultural industries are interested in making Federal transportation policies more conducive to the productive and efficient movement of the goods, and these provisions will help facilitate that.

I urge my colleagues to support this bill.

Mr. PRICE of North Carolina. Mr. Chairman, may I inquire as to how much time both sides have remaining?

The CHAIR. The gentleman from North Carolina has 14 minutes remaining, and the gentleman from Florida has 15 minutes remaining.

Mr. PRICE of North Carolina. Mr. Chairman, I yield myself such time as I may consume.

As for the ideas that are being thrown back and forth here tonight about highway safety and driver safety, the advocates for highway and auto safety who are looking at this bill and evaluating this bill include the Teamsters and the Short Line Railroad Association.

My own highway patrol in North Carolina came to see me; they came on their own volition, and they had pictures, Mr. Chairman, of carnage on our highways. It left no doubt that they were not interested in seeing heavier and longer trucks and relaxed rules on our highways.

I suggest that Members might want to check in with safety advocates and with law enforcement in their own States and see what kind of assessments they get of this highly irregular effort that is going on here tonight of writing into appropriations bills provisions that haven't had hearings, that haven't had thorough evaluations.

In some cases, they overturn evaluations that are already in the process—evaluations that this body has ordered up—prejudging the consequences and the conclusions of those studies and are moving ahead with ill-advised relaxations in truck and auto safety.

I suggest that Members will want to take a critical look at that.

Mr. Chairman, I reserve the balance of my time.

□ 1945

Mr. DIAZ-BALART. Mr. Chairman, I reserve the balance of my time.

Mr. PRICE of North Carolina. Mr. Chairman, I yield 2 minutes to the gentlewoman from California (Ms. LEE), one of those additional speakers, a member of the Committee on Appropriations.

Ms. LEE. Mr. Chairman, I want to thank the gentleman for yielding but also for his very thoughtful leadership on the subcommittee as our ranking member.

I rise to express my grave concerns regarding the funding levels for our transportation and housing programs provided in this bill. Once again, the majority has brought a bill to the floor that includes drastic and misguided sequester cuts to programs that are critical to the American economy and to the lives of the most vulnerable and to creating jobs.

Under the transportation title, the bill funds TIGER grants $1.15 billion below the President's request. Similarly, Small Starts and New Starts are underfunded from the President's request by over $1 billion. These are programs that create jobs and create economic growth. It is completely nonsensical to starve our communities of the proven Federal investments in transportation that we so desperately need.

The bill before us drastically underfunds our critical housing programs, including $25 million less than the President's request for elderly and disabled housing. Yes, that is elderly and disabled housing. It zeroes out the housing trust fund, which helps the lowest income Americans, and it is $320 million less than the request for Choice Neighborhoods. These cuts keep people living on the margins and push more people into poverty and homelessness.

Before I conclude, let me just say how inappropriate it is in this bill, like all these bills that we are seeing, they contain language that would turn, now, this bill, the Treasury-HUD bill, into an ideological and wrongheaded foreign policy document by restricting travel to Cuba. I introduced an amendment to strike this language and will be introducing a bipartisan amendment with

my friend Representative MARK SANFORD to do the same on this bill. We need a 21st century approach to our relations with the nation that is 90 miles from our shores, not to cling to cold war era policies.

The CHAIR. The time of the gentlewoman has expired.

Mr. PRICE of North Carolina. I yield an additional 1 minute to my colleague.

Ms. LEE. Americans deserve the right to travel to wherever they would so desire. They travel to China and Vietnam; Americans have that right. Why shouldn't they have the right to travel to a country 90 miles off of our shores? Cold war era policies are just that, 50-year-old policies that have failed. They are wrong, first of all. They are very ridiculous at this point, and they don't make any sense. So to keep trying to put these amendments into nongermane bills where it makes no sense is mind-boggling to me. I hope that we can get that amendment out.

I just want to thank the ranking member for his efforts, given the tremendous constraints allotted by Republican austerity budgeting.

Mr. DIAZ-BALART. I reserve the balance of my time.

Mr. PRICE of North Carolina. Mr. Chairman, I yield 2 minutes to the gentleman from Texas (Mr. CUELLAR), a distinguished member of our Subcommittee on Transportation, Housing and Urban Development, and Related Agencies.

Mr. CUELLAR. Mr. Chairman, first of all, I want to thank the ranking member, Mr. PRICE, for the leadership that he has provided in this committee, and also, thank you to his staff.

I also want to thank my friend Chairman MARIO DIAZ-BALART for his leadership in working on this bill in a bipartisan way. There are a couple things I just want to point out that are important to the State of Texas. First of all, one of the issues that we worked on together was to make sure that we direct the Federal highway authority to continue to develop a freight network that connects to our high-volume land ports of entry.

Some of the maps that I have seen show that they don't connect to the land ports; but just to give you an idea, in my hometown of Laredo, the largest inland port, if you look at the trucks that come in, those are 12,000 trailers every single day. This is why this particular language got added: to make sure that the freight is connected to land ports of entry and will make sure that American communities are able to get products that are coming into the United States.

The other thing I do want to emphasize that was put in in this particular bill has to do with encouraging the standardization of passenger rail standards between the U.S. and Mexico, which means basically from the San Antonio area to the Laredo area to the Monterrey area, and this is something that will be one of the first. I want to thank the chairman and the ranking member for putting in that language.

Finally, the last thing I want to bring up is the language that helps HUD pay a little bit more attention to colonias. As you know, colonias are third-world communities that have no water and no sewage. Putting in this type of language will help thousands of people that live in third-world conditions. After speaking to Secretary Castro and speaking to the chairman and the ranking member, Mr. PRICE, this will put a focus on that.

I want to thank the ranking member for his good work. I also thank my friend, the chairman, so much for working with me on this language.

Mr. DIAZ-BALART. Mr. Chairman, I reserve the balance of my time.

Mr. PRICE of North Carolina. Mr. Chairman, I have no further speakers, so I yield back the balance of my time.

Mr. DIAZ-BALART. Mr. Chairman, I also yield back the balance of my time.

Ms. SLAUGHTER. Mr. Chair, I rise in opposition to this bill for many reasons, but one short-sited cut stands out. This bill cuts HUD's Office of Lead Hazard Control and Healthy Homes by $35 million. Let me explain in the simplest terms I can what a $35 million cut would mean: thousands of children in the United States will be poisoned.

Thousands of housing units identified as containing lead paint hazards will not be made safe for the children who live there. Thousands of children will be needlessly subjected to decreased IQ and cognitive function across their entire lifespan, developmental delays, behavior problems, learning disabilities, seizures, coma, and even death. Lead poisoning impacts the decision making center of the brain. Children with lead poisoning are 7 times more likely to drop out of school, more likely to engage in risk-taking behaviors, and more likely to engage in criminal activity.

Lead poisoning is entirely preventable—but to save a few dollars, this Majority will let them suffer. And it doesn't even save a few dollars. The total annual costs of lead poisoning to society are over $50 billion. Every dollar spent on lead hazard control activities has a benefit of $17 to $220 in medical, educational, and criminal justice costs. A $35 million cut will create a minimum of $600 million, and possibly nearly $8 billion in additional costs to society.

In my district in Rochester, NY, 200 children were confirmed with lead poisoning in 2014. Two hundred children. That's ten kindergarten classrooms full of kids. That is simply not acceptable. This $35 million cut would let another 119 children be poisoned in my district alone. When lead poisoning is entirely preventable, I do not know how we can stand to have the lifelong negative impacts on those children's lives on our conscience.

Mr. CUMMINGS. Mr. Chair, I rise today to oppose this appropriations measure—and to oppose the policies that it embodies.

The THUD bill before us, like all of the non-defense appropriations measures being drafted by my Republican colleagues, adheres to the budget caps set under sequestration, which require cuts in BOTH non-defense and defense discretionary programs.

My Republican colleagues have decided that applying these caps to the defense side of the ledger, where the budget authority appropriated by Congress for discretionary programs topped $560 billion in fiscal year 2015, is intolerable.

However, they have decided that these cuts are not only acceptable on the non-defense side of the ledger, they are inadequate, and so the Republicans' budget plan would impose additional cuts over and above those required under sequestration.

Mr. Chair, what is intolerable is failing to invest in our own nation.

The Republicans' unmistakable budget priority is to disinvest in the United States, and that objective is clearly reflected in the THUD bill before us.

Let me tell you about the people who are suffering the consequences of this disinvestment.

They are people just like Freddie Gray.

Mr. Chair, the eyes of this nation saw Freddie Gray only after he was dead.

They didn't see him when he was reading from text books that were 30 years old.

They didn't see him when he was suffering from asthma because of exposure to lead paint in his home.

And they didn't see him when he couldn't find a job.

There are tens of millions of Americans who are facing the same deep and systemic economic challenges today in cities and towns across this nation.

These Americans have watched employers leave their communities and have been left with substandard schools, few job training options, and no path to the better future they want for themselves and their families.

They have been intentionally targeted by leading banks to receive subprime mortgages, or have been left to obtain financial services from liquor stores and pawn shops when banks closed in their neighborhoods because their communities were deemed ''unprofitable.''

They are people who are working full-time jobs at the minimum wage—but are still left below the poverty line.

They are the millions who are tired of being tired.

Anyone who sees these people should find the bill before us today intolerable.

This bill does nothing to restore the funding cut in past years from the Community Development Block Grant (CDBG) program.

As a result of these cuts, the CDBG award amount to Baltimore has fallen from $27 million in federal program year 2005 to just $18.8 million in federal program year 2014. Baltimore officials have indicated to me that they will be unable to fund any new non-profit social service activities in calendar year 2016.

City officials indicated to me that among the requests they cannot fund was a request for $187,000 to help provide legal assistance for 300 households facing foreclosure.

This is particularly devastating in my state, which continues to have one of the highest foreclosure rates in the nation, and where

many of the people now facing foreclosure are the very people illegally targeted by banks to receive subprime loans.

The bill before us also cuts funding for the maintenance and repair of public housing, cuts the Choice Neighborhoods program, and fails to provide the funding requested by the President to restore the more than 60,000 housing vouchers lost due to sequestration.

According to the Baltimore City housing authority, there are tens of thousands of people waiting for housing assistance in our city. And that's just one city in this nation.

This bill even cuts funding—by 30%—for lead hazard abatement. Baltimore City has one of the highest rates of children testing positive for elevated lead levels among urban centers in the United States, and the highest rates are in the lowest income neighborhoods.

As I've walked Baltimore's streets in the weeks since Freddie Gray's death, I have met countless young people who want exactly what every child in this nation wants.

They want a safe place to live. They want a good school. They want a way to fulfill the promise they feel in themselves.

And they want to know their lives matter—a right deserved by every American, not just the privileged few.

The President has already indicated he would veto this bill—so rather than wasting time on it, why don't we craft a new budget framework that will ensure every American has the chance to succeed?

Ms. LINDA T. SANCHEZ of California. Mr. Chair, I rise today to speak in opposition of the proposed cuts to the Transportation Infrastructure Generating Economic Recovery Program (TIGER) under the Fiscal Year 2016 Transportation Housing and Urban Development (THUD) Appropriations bill.

Since 2009, the Department of Transportation has provided state and local governments with grants to complete infrastructure projects. Many communities have profited from these investments, providing neighborhoods with safer pedestrian pathways, revitalizing economically distressed areas, and reducing congestion from traffic.

TIGER grants are meant to provide eligibility to infrastructure projects that do not qualify for restrictive formula based federal funding. Freight, port, and bridge projects across the country have benefited from financial support from TIGER. Reducing accessibility to TIGER grants will prolong infrastructure projects and increase traffic in our communities.

The House FY16 THUD appropriations bill includes $100 million for TIGER grants. This is a $400 million reduction from the 2015 enacted level, cutting the Department of Transportation's budget by 80%.

Severe cuts to TIGER are troubling, and substantial funding for the program is crucial to my District. For example, the Durfee Avenue grade separation proposal in Pico Rivera would reduce an estimated 15.3 hours of vehicle delays on a daily basis. Rosemead Boulevard/Lakewood Boulevard in my District carries tens of thousands of cars every day, providing goods movement to the Gateway cities. The Del Amo Boulevard bridge is structurally deficient, outdated, and in need of maintenance to improve lane capacity problems.

I ask that my colleagues join me in opposing the 80% cuts to TIGER grants and language restricting TIGER eligibility in the HOUSE FY16 THUD bill. Providing funding for these and other TIGER projects are about providing services that communities deserve.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Chair, I rise today in opposition to the FY16 Transportation and Housing and Urban Development Appropriations bill.

In short, this bill is shortsighted and fraught with handouts to special interests at the expense of the safety of the American people.

Once again, the Majority in this body has squandered an opportunity to invest in our nation's crumbling roads and infrastructure, and it has squandered an opportunity to combat homelessness and provide access to safer, affordable housing for millions.

Our future prosperity and economic growth depend on the investments we make now to ensure America remains the most competitive nation in an increasingly global economy.

Instead of investing in safer rail to prevent accidents like the recent and fatal derailment of Amtrak in Philadelphia, this bill cuts Amtrak's budget by nearly $290 million and subsequently hampers its ability to implement proven technologies that would have prevented this tragedy and countless others.

Instead of supporting the Federal Aviation Administration's efforts to implement NextGen technologies to keep our skies the safest in the world, this bill cuts the agency's capital investment program by $100 million from the FY15 enacted level and $355 million below the President's budget request.

This bill cuts funding to programs like Choice Neighborhoods and the Community Development Block Grants that would revitalize our communities, the Lead Hazard Control and Healthy Homes programs that would keep our families safe from harmful materials, and programs such as Housing for the Elderly that helps deliver the dignity and assistance for our most vulnerable populations.

This is just a bad bill, Mr. Chair, and these are just a few of the reasons why this is a terrible bill, and one that will surely be vetoed by the President.

I urge my colleagues to reject this bill and bring this legislation back to the drawing board.

Ms. SCHAKOWSKY. Mr. Chair, I rise today to express my strong opposition to H.R. 2577, the Transportation, Housing, and Urban Development Appropriations Act.

This legislation is severely underfunded. Considering declining Federal Housing Administration receipts and increased Section 8 renewal costs, this year's THUD bill is funded at $1.5 billion below last year's level. The overall appropriations levels for all domestic discretionary programs and priorities is lower than at any point in more than a decade. That is the root cause of the problem, and until the reckless budget sequester is lifted, the priorities that Americans care about will not get the support they need. We must end sequestration now.

But the specific cuts in this bill are also a concern. H.R. 2577 imposes devastating cuts on housing priorities. It would impose a more than 10 percent cut in public housing management. It would also significantly underfund supportive housing for seniors, with that funding below last year's level and almost 10 percent below the President's request. Those cuts will have devastating impacts on Americans struggling to make ends meet.

As has been highlighted by many of my colleagues, this bill also fails to make rail infrastructure, high speed rail, and positive train control a priority. Experts say that positive train control could have prevented the tragic Amtrak train derailment north of Philadelphia, but Congress continues to shirk its obligation to adequately support it. That failure is inexcusable.

Finally, H.R. 2577 does not make the investment in auto safety oversight that the last year has proven we need. 2014 was the year of the recall, almost doubling the previous record. We're on pace to break the record again this year. Yet, this bill funds the National Highway Traffic Safety Administration—the agency responsible for monitoring and improving auto safety—just 1 percent above last year's level. That is less than inflation. While I supported the amendment my colleague, Rep. MICHAEL BURGESS, successfully added to increase NHTSA funding by $4 million, that is just a drop in the bucket in terms of what is needed. It is also unfortunate that this bill cuts the Office of the Secretary of Transportation—4 percent below last year's level and more than 10 percent below the President's request—in order to slightly increase NHTSA funding. We need to consider legislation like H.R. 1811, the Vehicle Safety Improvement Act, which would more than double NHTSA funding for its important work through a new $3 fee on new vehicles. We need to ramp up resources, authority, and other support for NHTSA in order to significantly improve auto safety and save lives. I will continue to work with Mr. BURGESS and others to get that done.

These are just a handful of the overwhelming number of reasons I oppose H.R. 2577. I am glad that the President has issued a veto threat on the bill, and I will continue to work to ensure that it is never enacted.

The CHAIR. All time for general debate has expired.

Pursuant to the rule, the bill shall be considered for amendment under the 5-minute rule.

During consideration of the bill for amendment each amendment shall be debatable for 10 minutes equally divided and controlled by the proponent and an opponent and shall not be subject to amendment. No pro forma amendment shall be in order except that the chair and ranking minority member of the Committee on Appropriations or their respective designees may offer up to 10 pro forma amendments each at any point for the purpose of debate. The chair of the Committee of the Whole may accord priority in recognition on the basis of whether the Member offering an amendment has caused it to be printed in the portion of the CONGRESSIONAL RECORD designated for that purpose. Amendments so printed shall be considered read.

The Clerk will read.

The Clerk read as follows:

H.R. 2577

Be it enacted by the Senate and House of Representatives of the United States of America

in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes, namely:

TITLE I

DEPARTMENT OF TRANSPORTATION

OFFICE OF THE SECRETARY

SALARIES AND EXPENSES

For necessary expenses of the Office of the Secretary, $105,000,000, of which not to exceed $2,734,000 shall be available for the immediate Office of the Secretary; not to exceed $1,025,000 shall be available for the immediate Office of the Deputy Secretary; not to exceed $20,066,000 shall be available for the Office of the General Counsel; not to exceed $9,310,000 shall be available for the Office of the Under Secretary of Transportation for Policy; not to exceed $12,808,000 shall be available for the Office of the Assistant Secretary for Budget and Programs; not to exceed $2,500,000 shall be available for the Office of the Assistant Secretary for Governmental Affairs; not to exceed $26,029,000 shall be available for the Office of the Assistant Secretary for Administration; not to exceed $2,029,000 shall be available for the Office of Public Affairs; not to exceed $1,769,000 shall be available for the Office of the Executive Secretariat; not to exceed $10,793,000 shall be available for the Office of Intelligence, Security, and Emergency Response; and not to exceed $15,937,000 shall be available for the Office of the Chief Information Officer: *Provided*, That the Secretary of Transportation is authorized to transfer funds appropriated for any office of the Office of the Secretary to any other office of the Office of the Secretary: *Provided further*, That no appropriation for any office shall be increased or decreased by more than 5 percent by all such transfers: *Provided further*, That notice of any change in funding greater than 5 percent shall be submitted for approval to the House and Senate Committees on Appropriations: *Provided further*, That not to exceed $60,000 shall be for allocation within the Department for official reception and representation expenses as the Secretary may determine: *Provided further*, That notwithstanding any other provision of law, excluding fees authorized in Public Law 107–71, there may be credited to this appropriation up to $2,500,000 in funds received in user fees: *Provided further*, That none of the funds provided in this Act shall be available for the position of Assistant Secretary for Public Affairs.

AMENDMENT OFFERED BY MR. DENT

Mr. DENT. I have an amendment at the desk I would like to offer.

The CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 2, line 13, after the first dollar amount, insert ''(reduced by $3,000,000)''.

Page 2, line 16, after the dollar amount, insert ''(reduced by $2,000,000)''.

Page 2, line 18, after the dollar amount, insert ''(reduced by $1,000,000)''.

Page 47, line 11, after the dollar amount, insert ''(increased by $9,000,000)''.

Page 50, line 25, after the dollar amount, insert ''(reduced by $3,000,000)''.

Page 56, line 14, after the dollar amount, insert ''(reduced by $3,000,000)''.

Mr. DENT (during the reading). Mr. Chairman, I ask unanimous consent to dispense with the reading of the amendment.

The CHAIR. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

The CHAIR. Pursuant to House Resolution 287, the gentleman from Pennsylvania and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Pennsylvania.

Mr. DENT. Mr. Chairman, I rise to offer this amendment to increase Amtrak's capital account by $9 million, which is the amount that we are told it will cost to equip all of Amtrak trains with inward-facing cameras in their engine cars.

It has been over 3 weeks since Amtrak Northeast Regional number 188 derailed just north of Philadelphia, killing at least eight people and injuring over 200. We still do not know exactly what caused this tragic accident, but had the train been equipped with an inward-facing camera, we very well might.

This is a simple and relatively inexpensive reform that the National Transportation Safety Board has been advocating for years, and it is past time that we act. Like the infamous black boxes on airplanes, inward-facing cameras on trains would provide inspectors with critical information after an accident.

Northeast Regional 188 was traveling over twice the posted speed limit on the stretch of track where it derailed. I should also let you know, I rode on that same regional train that morning, from Wilmington, Delaware, down to Washington, so I know this particular line, the Northeast corridor. I travel it regularly, so I am very much personally interested, as are so many of my constituents and friends in the northeastern part of the United States.

Had an inward-facing camera been installed on that train, we might now know whether that was due to some mechanical failure, negligence on the engineer's part, or perhaps some medical incident beyond his control. With that information in hand, we would be that much closer to taking the appropriate steps to ensure that this never happens again.

Our thoughts and prayers remain with the victims of this tragedy and their loved ones, and we owe it to them to do everything we can to prevent future incidents like the one we saw in Philadelphia. The installation of inward-facing cameras in all Amtrak trains is an important step in that direction.

I would like to thank Chairman DIAZ-BALART and his staff for their support and for working with me to identify an acceptable offset, especially given the extremely tight constraints under which this bill was drafted. I urge a ''yes'' vote on this amendment.

I also would like to say, I know that the offsets are of some concern to some of the Members. We are going to do our best to try to work with them on that matter.

At this time, I reserve the balance of my time.

Mr. PRICE of North Carolina. Mr. Chairman, I claim the time in opposition so as to raise objections about the offsets proposed in this amendment.

The CHAIR. The gentleman is recognized for 5 minutes.

Mr. PRICE of North Carolina. Mr. Chairman, my friend Mr. DENT has proposed an increase in an appropriation for a worthy purpose, to install inward-facing cameras on Amtrak locomotives, but his amendment offers another example of why the overall allocation in this T-HUD bill is completely inadequate.

The offsets may represent relatively small reductions in DOT's administrative accounts, each of these accounts: the DOT Secretary's salaries and expenses, the Federal Transit Administration's administrative expenses account, the Saint Lawrence Seaway. All of these would be cut below last year's level.

At this point, I yield the balance of my time to the gentlewoman from Ohio (Ms. KAPTUR), my colleague from the full committee.

Ms. KAPTUR. I thank the gentleman for yielding.

Mr. Chairman, I rise in opposition to this amendment, respectfully, and I implore the majority to take a close look at where they have obtained the money for this important Amtrak investment. Amtrak is important to Ohio, to the Pennsylvania-Ohio corridor, and there would be nothing I would do to hurt Amtrak. I have been one of Amtrak's greatest advocates.

Of the $9 million to fix this problem for Amtrak, you don't take the majority of it, $3 million, from the Saint Lawrence Seaway Development Administration, the Great Lakes-Saint Lawrence Seaway Development Corporation. In effect, what they have done is they have taken $3 million of the $9 million they need for Amtrak out of the Saint Lawrence Seaway Development Corporation, which is, in effect, a 10 percent cut to the smallest entity inside of the Department of Transportation.

Why is the Saint Lawrence Seaway Development Corporation important? First of all, the current funding level is the smallest budget within the Department of Transportation. Our amendment inside the full Committee on Appropriations allowed that budget not to be cut any further.

The seaway is the only binational instrumentality between Canada and the United States. It connects an entire region of the country from Duluth to Massena, New York, to global markets. They have threatened problems within

the seaway, such as locks collapsing and inadequate areas for our ships to pass through. Sailing on the Great Lakes can be very, very dangerous, as many of our sailors know.

That corridor is the shortest distance between Europe and the United States, and last year, the seaway had an 8 percent increase in its shipping growth. It serves a part of America that has been battered economically. Manufacturing has been fighting its way back. This really isn't the time to tamper with the seaway's budget.

I understand the problems of Amtrak, and I know that it needs funding, but I am just asking the majority to please look at the budget you have offered. Your offsets in the case of the Saint Lawrence Seaway Development Corporation are truly unacceptable, and in doing so, the seaway will be harmed. It will harm ports like Erie, Pennsylvania; Massena, New York; Duluth, Minnesota; Milwaukee, Wisconsin; Gary, Indiana; Toledo, Ohio; Detroit, Michigan. The list is a very, very long list.

We have an aging infrastructure in the Great Lakes as well. We don't have the power of the Intracoastal. We wish we did. But I have to raise my voice in strong objection to the offset related to the Saint Lawrence Seaway Development Corporation.

I respect very much the gentleman from Pennsylvania. I know what you are trying to do for Amtrak. I want to help you in that effort, but not at the expense of the seaway.

□ 2000

I am hoping that the respective staffs can work together as this bill moves forward to find a more reasonable offset. I have many more ideas about that, but the Saint Lawrence Seaway Development Corporation should be allowed to remain functional and not be harmed by a 10 percent cut.

Mr. PRICE of North Carolina. I yield back the balance of my time.

Mr. DENT. Mr. Chairman, I certainly appreciate the comments of the gentlewoman from Ohio, and I understand the difficult choices here. I do intend to work with her and any other concerned Members about these offsets and maybe find a way to alter them at some point, but I just didn't have time to do it tonight.

Again, I believe this is a reasonable amendment and it will do what we need to at least help with respect to the inward-facing cameras on Amtrak trains.

At this time I yield 1 minute to the gentleman from New Jersey (Mr. LANCE), my friend, who is a frequent Amtrak rider himself.

Mr. LANCE. Mr. Chairman, 3 weeks ago, the tragic Amtrak accident in north Philadelphia led to deaths, injuries, and destruction. Those who were injured included two of my constituents with whom I had been meeting with earlier in the day here in Washington.

While the circumstances surrounding the incident remain under investigation, we do know that certain measures can be taken to ensure safety and preparedness, and changes can be implemented moving forward for public safety.

Inward-facing cameras are an appropriate step in modernizing train transportation safety. The National Transportation Safety Board has been advocating for this simple and relatively inexpensive reform for years.

I urge support of Mr. DENT's amendment to bring this reform to fruition.

Mr. DENT. Again, I urge my colleagues to support this amendment that would provide $9 million for inward-facing cameras on Amtrak trains. This is absolutely essential, I believe, to helping us hopefully prevent and—certainly, after the fact—determine the causes of these types of tragedies when they occur.

I wish we weren't at this point, but we need to do this. It is important. Amtrak wants to move in this direction. The National Transportation Safety Board has urged this for some time. And it is now time that Congress act.

So, again, I urge a ''yes'' vote on the amendment, and I yield back the balance of my time.

The Acting CHAIR (Ms. ROS-LEHTINEN). The question is on the amendment offered by the gentleman from Pennsylvania (Mr. DENT).

The amendment was agreed to.

AMENDMENT OFFERED BY MRS. BUSTOS

Mrs. BUSTOS. Madam Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 2, line 13, after the first dollar amount, insert ''(reduced by $500,000)''.

Page 2, line 24, after the dollar amount, insert ''(reduced by $500,000)''.

Page 60, line 16, after the dollar amount, insert ''(increased by $500,000)''.

The Acting CHAIR. Pursuant to House Resolution 287, the gentlewoman from Illinois and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Illinois.

Mrs. BUSTOS. Madam Chairman, I would like to thank Chairman DIAZ-BALART and Ranking Member PRICE for their hard work on this legislation.

I rise today to urge my colleagues to join with me in improving rail and pipeline safety by supporting my amendment to increase funding by $500,000 to the Pipeline and Hazardous Materials Safety Administration. This important agency's mission is to protect our communities from the risks of hazardous materials transportation, including moving crude oil by rail and pipeline.

Until just a few years ago, our Nation's railroads transported very little crude oil. Now, in part due to the boom in oil production from the Bakken formation in North Dakota and in other areas, approximately 1.1 billion barrels are transported by rail in the United States every single day.

The Pipeline and Hazardous Materials Safety Administration conducted tests on Bakken crude and found it to have a higher degree of volatility than most other U.S. crudes.

Last year, railroads carried almost 650,000 carloads of oil, compared to only 9,500 carloads in 2008. This impact is especially felt in Illinois, my home State, where we have the second-most number of miles of rail track in the entire country. In fact, about 25 percent of all U.S. rail traffic passes through Chicago, Illinois.

Improving rail safety is extremely important to our region, our State, and to our entire country. This issue is especially personal to me and the people I serve in my congressional district. That is because in March, earlier this year, a train carrying crude oil derailed near Galena, Illinois. It is in the northwest corner of my State and is one of the most beautiful regions of not only my congressional district but the entire State of Illinois—and I think in the entire country.

While we were lucky that no one was harmed, several tanker cars exploded and the Bakken crude spilled just a few feet from a slough that flows straight into the Mississippi River, which is the drinking water supply for millions of people.

Because of the bravery and the dedication of first responders and local, State, and Federal cleanup crews, no water was contaminated. We were also lucky that the derailment took place in a largely rural and uninhabited area. Imagine what would have happened if a derailment like this were to occur in Chicago, Los Angeles, or New York, or any more populated area.

In light of several other high-profile train derailments, including those in West Virginia and North Dakota, involving cars carrying crude oil, communities across the country are becoming increasingly concerned about the safe movement of crude oil—and with very good reason.

While I am encouraged that Federal agencies and industry leaders are working together to make transportation of hazardous material safer, Congress must also do its job and step up and provide adequate resources to keep our energy transport system safe and secure.

That is why I ask today for your support for my effort to ensure this appropriations bill includes additional funding for the agency that helps ensure the safe transportation of energy products, including the shipment of crude oil by pipeline and rail.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from Illinois (Mrs. BUSTOS).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. MEEHAN

Mr. MEEHAN. Madam Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 2, line 13, after the dollar amount, insert ''(reduced by $4,000,000)''.

Page 2, line 20, after the dollar amount, insert ''(reduced by $4,000,000)''.

Page 44, line 13, after the dollar amount, insert ''(increased by $3,500,000)''.

The Acting CHAIR. Pursuant to House Resolution 287, the gentleman from Pennsylvania and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Pennsylvania.

Mr. MEEHAN. Madam Chairman, I want to thank my good friend and colleague from Florida for his indulgence and working with me on this amendment.

We have benefited here across the United States in recent times with a boom in energy and moving towards energy self-sufficiency. Much of this has been due to the ability to take advantage of our natural resources, including crude oil, which is increasingly being developed from the Western parts of our country. In fact, more than 33 million barrels of crude oil are shipped by rail each month in the United States, and that is a fifty-fold increase from more than 5 years ago.

Shipments from the Bakken region have brightened the future of oil workers and refineries in my own Seventh District of Pennsylvania, and indeed the entire Philadelphia area, and in fact they have created energy opportunities throughout our Nation.

But now, despite the fact that nearly all of the shipments reach their destinations safely, accidents, sadly, are on the rise. Recent incidents in Ontario, West Virginia, and Pennsylvania call to mind the need for improved safety measures.

Madam Chairman, my amendment seeks to transfer funding from the Office of the Secretary salaries and expense account and puts $3.5 million into the Federal Railroad Administration to fund additional cars to inspect the more than 14,000 miles of crude oil rail routes nationwide.

This funding would also expedite the use of remote automated track inspection capability, which will increase inspection mileage while reducing costs.

For more than 30 years, the FRA's automated track inspection program, called ATIP, has provided accurate track geometry and performance data to assess compliance with the Federal Track Safety Standards.

Collected data is used by the FRA, railroad inspectors, and railroads to ensure that track safety is being maintained. Immediately following ATIP track surveys, the railroads use the data to help locate and correct problems. Often railroads use the ATIP data as a quality assurance check on their own track inspection and maintenance programs.

Madam Chairman, America's energy boom has brightened communities across the country, and as crude oil by rail grows, I want to help protect those communities. My amendment would enable the FRA to increase its ATIP capability to meet this challenge.

Madam Chairman, I thank the chairman and Ranking Member PRICE for their willingness to work with me on this issue. I urge the amendment's adoption, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Pennsylvania (Mr. MEEHAN).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. BURGESS

Mr. BURGESS. Madam Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 2, line 13, after the first dollar amount, insert ''($4,000,000)''.

Page 2, line 18, after the dollar amount, insert ''(reduced by $500,000)''.

Page 2, line 20, after the dollar amount, insert ''(reduced by $1,000,000)''.

Page 2, line 22, after the dollar amount, insert ''(reduced by $250,000)''.

Page 2, line 24, after the dollar amount, insert ''(reduced by $2,000,000)''.

Page 3, line 2, after the dollar amount, insert ''(reduced by $250,000)''.

Page 40, line 12, after the dollar amount, insert ''(increased by $4,000,000)''.

Mr. BURGESS (during the reading). Madam Chair, I ask unanimous consent the amendment be considered read.

The Acting CHAIR. Is there objection to the request of the gentleman from Texas?

There was no objection.

The Acting CHAIR. Pursuant to House Resolution 287, the gentleman from Texas and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Texas.

Mr. BURGESS. Madam Chairman, this is an amendment to add an additional $4 million to the National Highway Traffic Safety Administration's operations and research.

Madam Chair, at the beginning of this Congress, I took the gavel of the Energy and Commerce Subcommittee on Commerce, Manufacturing, and Trade. This was the gavel previously held by our good friend, Chairman Lee Terry.

There was some unfinished business as this Congress started, and one of the biggest issues left over from the previous Congress was the issue of airbag energetic deployments and ruptures, and the subsequent recall of those airbags.

There was a hearing done in December right at the end of the last Congress, and it seemed like there was no activity from the National Highway Traffic Safety Administration. But just 2 weeks ago, they announced a recall of 34 million vehicles. The recall massively expanded. And the manufacturer of the airbags, Takata, finally admitted that six of their manufacturing designs were indeed defective. Takata has identified 11 auto manufacturers that use the defective air bag inflators.

Again, 34 million vehicles have been subject to this recall. And this may not be the end.

The National Highway Traffic Safety Administration and Takata have not identified what is the cause of these energetic disruptions of the air bag inflators.

Yesterday, the Commerce, Manufacturing, and Trade Subcommittee held a hearing to receive an update on the situation. Among the witnesses was the Administrator of the National Highway Traffic Safety Administration, Dr. Mark Rosekind. Dr. Rosekind took over the Administration just weeks after the subcommittee's Takata hearing in December.

During yesterday's hearing, one of the themes we heard repeatedly from Administrator Rosekind was that NHTSA would have been better able to identify and mandate recalls had they had more resources. It is a refrain we are used to hearing here in Congress. His argument was that with more money, the agency could save more lives. I will take him at his word on that.

For fiscal year 2016, Congress is proposing funding the National Highway Traffic Safety Administration operations and research, the account responsible for the policing of the safety of auto manufacturers' products, at $150 million. This indeed is an increase of $20 million from fiscal year 2015, and for that I am extremely grateful.

In the interest of good faith, however, from the new chairman of the subcommittee to the new Administrator of NHTSA, I want to take one more step and offer an additional $4 million to this account to provide NHTSA with the resources it needs to ensure that more lives are not disrupted by these defects.

□ 2015

It is my hope that NHTSA can use this additional funding to find a permanent solution to the problem.

The Commerce, Manufacturing, and Trade Subcommittee is closely watching and awaiting the release of a report by NHTSA's inspector general on their Office of Defects Investigation. We hope it will be released soon.

The offset comes from the Department of Transportation Office of the Secretary for salaries and expenses. This seems like an extremely worthwhile investment, and I urge the subcommittee's adoption of my amendment.

Again, I want to thank the subcommittee for hearing my amendment. I certainly want to congratulate the chairman and ranking member of the subcommittee. I think they have done good work on this. I urge adoption of the amendment.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Texas (Mr. BURGESS).

The amendment was agreed to.

The Acting CHAIR. The Clerk will read.

The Clerk read as follows:

RESEARCH AND TECHNOLOGY

For necessary expenses related to the Office of the Assistant Secretary for Research and Technology, $11,386,000, of which $8,218,000 shall remain available until September 30, 2018: *Provided*, That there may be credited to this appropriation, to be available until expended, funds received from States, counties, municipalities, other public authorities, and private sources for expenses incurred for training: *Provided further*, That any reference in law, regulation, judicial proceedings, or elsewhere to the Research and Innovative Technology Administration shall continue to be deemed to be a reference to the Office of the Assistant Secretary for Research and Technology of the Department of Transportation.

NATIONAL INFRASTRUCTURE INVESTMENTS

(INCLUDING TRANSFER OF FUNDS)

For capital investments in surface transportation infrastructure, $100,000,000, to remain available through September 30, 2018: *Provided*, That the Secretary of Transportation shall distribute funds provided under this heading as discretionary grants to be awarded to a State, local government, transit agency, or a collaboration among such entities on a competitive basis for projects that will have a significant impact on the Nation, a metropolitan area, or a region: *Provided further*, That projects eligible for funding provided under this heading shall include, but not be limited to, highway or bridge projects eligible under title 23, United States Code; public transportation projects eligible under chapter 53 of title 49, United States Code; passenger and freight rail transportation projects; and port infrastructure investments (including inland port infrastructure and land ports of entry): *Provided further*, That the Secretary may use up to 20 percent of the funds made available under this heading for the purpose of paying the subsidy and administrative costs of projects eligible for Federal credit assistance under chapter 6 of title 23, United States Code, if the Secretary finds that such use of the funds would advance the purposes of this paragraph: *Provided further*, That in distributing funds provided under this heading, the Secretary shall take such measures so as to ensure an equitable geographic distribution of funds, an appropriate balance in addressing the needs of urban and rural areas, and the investment in a variety of transportation modes: *Provided further*, That a grant funded under this heading shall be not less than $2,000,000 and not greater than $15,000,000: *Provided further*, That not more than 20 percent of the funds made available under this heading may be awarded to projects in a single State: *Provided further*, That the Federal share of the costs for which an expenditure is made under this heading shall be, at the option of the recipient, up to 50 percent: *Provided further*, That the Secretary shall give priority to projects that require a contribution of Federal funds in order to complete an overall financing package: *Provided further*, That not less than 10 percent of the funds provided under this heading shall be for projects located in rural areas: *Provided further*, That for projects located in rural areas, the minimum grant size shall be $1,000,000 and the Secretary may increase the Federal share of costs above 80 percent: *Provided further*, That projects conducted using funds provided under this heading must comply with the requirements of subchapter IV of chapter 31 of title 40, United States Code: *Provided further*, That the Secretary shall conduct a new competition to select the grants and credit assistance awarded under this heading: *Provided further*, That the Secretary may retain up to $5,000,000 of the funds provided under this heading, and may transfer portions of those funds to the Administrators of the Federal Highway Administration, the Federal Transit Administration, the Federal Railroad Administration and the Maritime Administration, to fund the award and oversight of grants and credit assistance made under the National Infrastructure Investments program.

AMENDMENT OFFERED BY MS. MAXINE WATERS OF CALIFORNIA

Ms. MAXINE WATERS of California. Madam Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 4, line 18, after the dollar amount, insert ''(increased by $1,150,000,000)''.

Mr. DIAZ-BALART. Madam Chair, I reserve a point of order on the gentlewoman's amendment.

The Acting CHAIR. A point of order is reserved.

Pursuant to House Resolution 287, the gentlewoman from California and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from California.

Ms. MAXINE WATERS of California. Madam Chair, I rise to offer an amendment to invest in transportation infrastructure for the 21st century.

The transportation funding in this bill is woefully insufficient to meet our country's infrastructure needs. The cuts to the TIGER program are particularly egregious.

TIGER, formally known as Transportation Investment Generating Economic Recovery, is a competitive grant program that creates jobs by funding investments in transportation infrastructure. This bill cuts TIGER from the 2015 level of $500 million down to a mere $100 million in 2016.

America needs new infrastructure for the 21st century. The American Society of Civil Engineers gave the public infrastructure of the United States a grade of D-plus in 2013 and estimated that we will need to invest $3.6 trillion by 2020 in order to improve the conditions of our infrastructure.

Indeed, TIGER needs to be expanded, not cut. The President requested $1.25 billion for TIGER in the coming fiscal year, as part of an expanded TIGER program that will create jobs, encourage innovation, and modernize transportation infrastructure for the 21st century.

Earlier this year, I sent a letter to the Appropriations Committee urging support for the President's request, and 144 Members of Congress signed my letter.

Our economy is still struggling to recover from the recession. According to the Bureau of Labor Statistics, our Nation's unemployment rate stands at 5.4 percent. Furthermore, unemployment among Hispanics is 6.9 percent. Among African Americans, it is 9.6 percent, and among teenagers, it is 17.1 percent.

An expanded TIGER program will create meaningful employment building safe roads, bridges, and public transit systems in communities throughout the United States.

My amendment increases TIGER funding to $1.25 billion in order to fully fund the President's request for this critical program.

Madam Chair, I yield such time as he may consume to the gentleman from North Carolina (Mr. PRICE).

Mr. PRICE of North Carolina. Madam Chairman, I want to commend my colleague, who does such distinguished work in housing and financial services on her committee, for coming in to this debate today and calling attention to the importance of the TIGER program, and I would just like to ask her to respond.

I am looking at the figures for this year. There is a $500 million appropriation for that program in the current year. Is the gentlewoman aware that the Department of Transportation has already received 950 preapplications, totaling $14.5 billion? That is 29 times the amount available.

What does that suggest about the need for this program?

Ms. MAXINE WATERS of California. Well, you have accurately and appropriately identified the need for the program, based on those applications. Not only is it a very popular program, it is a program that creates jobs, and our local communities need this very much, and they are strong advocates for it.

I would hope that my colleagues here in the Congress, on both sides of the aisle, who have benefitted from the TIGER program, would see the need and remove all obstacles, support this program, and let us move forward with getting the infrastructure repairs and the building that we need to do.

Mr. PRICE of North Carolina. I thank my colleague for offering this amendment. It calls attention to the gross underfunding in this bill, not just of TIGER, but of virtually every HUD and transportation program so that it is very hard, of course, to find offsets. There is very little money in this bill.

We should be breaking out of that mold. We should be going after a budget agreement that will let us write a decent bill and meet this country's needs. Her amendment, better than anything we have heard thus far tonight, underscores that need.

I thank the gentlewoman.

Ms. MAXINE WATERS of California. I thank the gentleman from North Carolina, and I yield back the balance of my time.

POINT OF ORDER

Mr. DIAZ-BALART. Madam Chair, the amendment proposes a net increase in budget authority in the bill.

The amendment is not in order under section 3(d)3 of House Resolution 5 of the 114th Congress, which states the following:

''It shall not be in order to consider an amendment to a general appropriations bill proposing a net increase in budget authority in the bill unless considered en bloc with another amendment or amendments proposing an equal or greater decrease in such budget authority pursuant to clause 2(f) of rule XXI.''

The amendment does propose a net increase in budget authority in the bill in violation of such section.

I ask for a ruling from the Chair.

The Acting CHAIR. Does any other Member wish to be heard on the point of order? If not, the Chair is prepared to rule.

The gentleman from Florida makes a point of order that the amendment offered by the gentlewoman from California violates section 3(d)3 of House Resolution 5.

Section 3(d)3 establishes a point of order against an amendment proposing a net increase in budget authority in the pending bill.

As persuasively asserted by the gentleman from Florida, the amendment proposes a net increase in budget authority in the bill. Therefore, the point of order is sustained. The amendment is not in order.

AMENDMENT OFFERED BY MS. MAXINE WATERS OF CALIFORNIA

Ms. MAXINE WATERS of California. Madam Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 4, line 18, after the dollar amount, insert ''(increased by $400,000,000)''.

Mr. DIAZ-BALART. Madam Chair, I reserve a point of order on the gentlewoman's amendment.

The Acting CHAIR. A point of order is reserved.

Pursuant to House Resolution 287, the gentlewoman from California and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from California.

Ms. MAXINE WATERS of California. Madam Chair, I rise to offer an amendment to restore some of the transportation funding that was cut drastically in this bill.

This is my second of two amendments to increase funds for the innovative TIGER transportation grant program. This amendment increases fiscal year 2016 TIGER funding to $500 million, thereby restoring TIGER to the 2015 level.

States, local governments, and transit agencies depend upon the TIGER program to finance projects to repair aging infrastructure and develop new highway and transit systems. A safe, efficient, modern, and accessible transportation system is vital for a growing economy.

Madam Chair, we cannot afford to cut TIGER below the current funding level, and I am here this evening to urge my colleagues to vote for my amendment and invest in infrastructure for the 21st century.

I recognize that a point of order has been raised on this issue, but I also recognize that what I am advocating is vital for this economy and for this country. I would hope that somehow we would be wise enough, creative enough, and caring enough to dispense with the rule, as it has been identified on my first amendment, and move forward in a very creative way to do what is necessary to help our failing infrastructure in this country.

The stories about the failing bridges, the stories about the unsafe highways, the stories about the need for transit system improvements are stories that we hear, day in and day out.

Given the information that has been made available to us about the needs for infrastructure repairs, I would hope that we would not simply treat this in such an ordinary fashion and apply the rule that basically says: Well, if I did not find the money to fund it, then somehow it cannot be in order.

Certainly, this amount of money is not easy to locate; certainly, I do not have an answer to where this money would necessarily come from, but I would hope that my colleagues would take into consideration again the desperate need of our economy and our communities and not rule this out of order.

I yield back the balance of my time.

POINT OF ORDER

Mr. DIAZ-BALART. Madam Chair, this amendment proposes a net increase in budget authority in the bill.

The amendment is not in order under section 3(d)3 of House Resolution 5 of the 114th Congress which states the following:

''It shall not be in order to consider an amendment to a general appropriations bill proposing a net increase in budget authority in the bill unless considered en bloc with another amendment or amendments proposing an equal or greater decrease in such budget authority pursuant to clause 2(f) of rule XXI.''

The amendment proposes a net increase in budget authority in the bill in violation of such section.

I ask for a ruling from the Chair.

The Acting CHAIR. Does any other Member wish to be heard on the point of order? If not, the Chair is prepared to rule.

The gentleman from Florida makes a point of order that the amendment offered by the gentlewoman from California violates section 3(d)3 of House Resolution 5.

For the reasons stated in the previous ruling, and as persuasively asserted by the gentleman from Florida, the amendment proposes a net increase in budget authority in the bill. Therefore, the point of order is sustained. The amendment is not in order.

AMENDMENT OFFERED BY MR. DOLD

Mr. DOLD. Madam Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 6, line 9, strike ''and the Secretary'' and all that follows through ''percent'' on line 10.

The Acting CHAIR. Pursuant to House Resolution 287, the gentleman from Illinois and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Illinois.

Mr. DOLD. Madam Chairman, I rise today in support of this amendment to change a provision in the bill relating to TIGER grants.

Put simply, this amendment would put all transportation projects on an even playing field and allow all qualified projects to fairly compete for these grants, regardless of whether they take place in an urban area or a rural area.

□ 2030

Madam Chair, my district is heavily reliant on all forms of transportation. The Chicagoland area is the hub for the Nation's transportation network. Over 925 million tons of freight move in and out of Chicago each and every year, and each workday, tens of thousands of citizens of the 10th Congressional District use commuter rail.

The Chicago Regional Transportation Authority estimates that it needs to find $13.4 billion over the next decade just to maintain the system in its current condition. That is why it is more important than ever to find the funds to pay to maintain and rebuild our Nation's transportation system.

In the Transportation Appropriations funding bill, there is a provision which discriminates against urban districts, like Illinois' 10th Congressional District. TIGER grants, which are competitive grants to fund capital investments in surface transportation projects, can be awarded to projects across the entire Nation.

However, the bill also provides that projects in urban areas receive a Federal match of 50 percent of the project

funding, while projects in rural areas can receive up to 80 percent of the project's funding.

Madam Chair, this is unfair and unjust. The TIGER grants are competitive, discretionary grants that should be awarded to the most deserving projects. The bill's language allows rural areas to leverage local dollars at a 4 to 1 ratio, allowing them to put up just $2 out of every $10 needed for a project. Urban areas may only leverage at a 1 to 1 ratio.

This language harms urban areas and makes it more difficult to secure the funding needed to complete these projects. My amendment is a commonsense and just solution to this problem and would place all projects, no matter where they occur, on an even playing field.

Madam Chair, it is time to bring equity back to transportation funding, and I urge my colleagues to support this amendment and put all qualified projects on an even playing field.

I reserve the balance of my time.

Mr. DIAZ-BALART. Madam Chair, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from Florida is recognized for 5 minutes.

Mr. DIAZ-BALART. Madam Chair, I respectfully oppose the gentleman's well-intentioned amendment.

TIGER is a national program, and we support cities of all sizes having a chance to get a grant, and we work to ensure there is a balance between urban and rural areas. I am afraid that the well-intentioned amendment from the gentleman seeks to undo that delicate balance at this time.

Madam Chair, I yield such time as he may consume to the gentleman from North Carolina (Mr. PRICE).

Mr. PRICE of North Carolina. I thank the gentleman for yielding.

I, too, want to reluctantly express my opposition to this amendment.

Madam Chair, I take second place to no one in this body as the champion of the TIGER program, as I hope was evident in my support for the gentlewoman from California's (Ms. MAXINE WATERS) amendments just now; but we are underscoring in this amendment, while it is worthy in its intent—and I would love to be able to add a lot more money than this to the TIGER program—its offset is very worrisome and one that I think should lead us to oppose this amendment.

It comes out of the Federal Aviation Administration's operations account, $100 million out of that account.

Now, the bill provides a slight increase for FAA operations, but it is still $67 million below the President's request. This is the account that provides the funds needed to ensure aviation safety and security, so cutting this account is ill advised.

Mr. DOLD. Will the gentleman yield?

Mr. PRICE of North Carolina. I yield to the gentleman from Illinois.

Mr. DOLD. I think the gentleman is talking about a different amendment. My amendment doesn't take anything out of any account. This is talking about simply changing the percentages between urban and rural to allow competitive grants so that it competes at a level playing field.

I just respectfully think you have got a different amendment, which I appreciate, but it is not the one that I think that we are talking about right now.

Mr. PRICE of North Carolina. The gentleman does have an amendment that fits my description; is that true?

Mr. DOLD. Yes, but we have withdrawn that one, but I do appreciate the gentleman talking about that one.

Mr. PRICE of North Carolina. I thank the gentleman for that clarification. My remarks will await the proper amendment.

Mr. DIAZ-BALART. I yield back the balance of my time.

Mr. DOLD. Madam Chair, as we talk about transportation and infrastructure, it is so critically important, critically important for our economy, critically important certainly for our urban areas, and if you look at a map of the city of Chicago in the center of our country, we have got six of seven major rail lines that go through there.

It used to be that a third of all the freight in the country would go through Chicago. Now, it is about a quarter, but it is still a tremendous amount, and it really impacts the Nation's economy.

We can get a railcar from Los Angeles to Chicago in 2 days. It takes nearly 2 days to go from one side of Chicago to the other side of Chicago. This does have an impact.

The same rail that we are talking about here also has commuter rails on it, and we are dealing with infrastructure that goes back to the Roosevelt administration. I don't mean FDR; I mean Teddy Roosevelt. We need to make sure that there is some additional funding going here.

This amendment that we are talking about is not talking about moving dollars around. It is talking about trying to provide equity so that urban projects, which I would argue we desperately need, are on the same level as the rural projects.

If we were to lose mass transit or some of these other projects in the city of Chicago, we are talking about a 50 percent increase in congestion on our roadways.

This is an amendment that I hope that my colleagues on the other side of the aisle would embrace—at least let's talk about a level playing field, where we are not giving preference to the rural areas versus the urban areas, urban areas which I would argue use the rail a pretty significant amount in terms of how we are moving people around, not to mention our goods and services.

This is an amendment that I think is a commonsense amendment, and I would hope that I would get some support from my good friend from Florida and maybe we could get him to even reconsider, but I hope I am not tilting at windmills on that one, Madam Chair.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Illinois (Mr. DOLD).

The amendment was rejected.

The Acting CHAIR. The Clerk will read.

The Clerk read as follows:

FINANCIAL MANAGEMENT CAPITAL

For necessary expenses for upgrading and enhancing the Department of Transportation's financial systems and re-engineering business processes, $1,000,000, to remain available through September 30, 2017.

CYBER SECURITY INITIATIVES

For necessary expenses for cyber security initiatives, including necessary upgrades to wide area network and information technology infrastructure, improvement of network perimeter controls and identity management, testing and assessment of information technology against business, security, and other requirements, implementation of Federal cyber security initiatives and information infrastructure enhancements, implementation of enhanced security controls on network devices, and enhancement of cyber security workforce training tools, $7,000,000 to remain available through September 30, 2017.

OFFICE OF CIVIL RIGHTS

For necessary expenses of the Office of Civil Rights, $9,600,000.

TRANSPORTATION PLANNING, RESEARCH, AND DEVELOPMENT

For necessary expenses for conducting transportation planning, research, systems development, development activities, and making grants, to remain available until expended, $5,976,000.

WORKING CAPITAL FUND

For necessary expenses for operating costs and capital outlays of the Working Capital Fund, not to exceed $181,500,000 shall be paid from appropriations made available to the Department of Transportation: *Provided*, That such services shall be provided on a competitive basis to entities within the Department of Transportation: *Provided further*, That the above limitation on operating expenses shall not apply to non-DOT entities: *Provided further*, That no funds appropriated in this Act to an agency of the Department shall be transferred to the Working Capital Fund without majority approval of the Working Capital Fund Steering Committee and approval of the Secretary: *Provided further*, That no assessments may be levied against any program, budget activity, subactivity or project funded by this Act unless notice of such assessments and the basis therefor are presented to the House and Senate Committees on Appropriations and are approved by such Committees.

MINORITY BUSINESS RESOURCE CENTER PROGRAM

For the cost of guaranteed loans, $336,000, as authorized by 49 U.S.C. 332: *Provided*, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: *Provided further*, That these funds are available to subsidize total loan principal, any part of

which is to be guaranteed, not to exceed $18,367,000.

In addition, for administrative expenses to carry out the guaranteed loan program, $597,000.

SMALL AND DISADVANTAGED BUSINESS UTILIZATION AND OUTREACH

For necessary expenses for small and disadvantaged business utilization and outreach activities, $4,518,000, to remain available until September 30, 2017: *Provided*, That notwithstanding 49 U.S.C. 332, these funds may be used for business opportunities related to any mode of transportation.

PAYMENTS TO AIR CARRIERS

(AIRPORT AND AIRWAY TRUST FUND)

In addition to funds made available from any other source to carry out the essential air service program under 49 U.S.C. 41731 through 41742, $155,000,000, to be derived from the Airport and Airway Trust Fund, to remain available until expended: *Provided*, That in determining between or among carriers competing to provide service to a community, the Secretary may consider the relative subsidy requirements of the carriers: *Provided further*, That basic essential air service minimum requirements shall not include the 15-passenger capacity requirement under subsection 41732(b)(3) of title 49, United States Code: *Provided further*, That none of the funds in this Act or any other Act shall be used to enter into a new contract with a community located less than 40 miles from the nearest small hub airport before the Secretary has negotiated with the community over a local cost share: *Provided further*, That amounts authorized to be distributed for the essential air service program under subsection 41742(b) of title 49, United States Code, shall be made available immediately from amounts otherwise provided to the Administrator of the Federal Aviation Administration: *Provided further*, That the Administrator may reimburse such amounts from fees credited to the account established under section 45303 of title 49, United States Code.

AMENDMENT OFFERED BY MR. MCCLINTOCK

Mr. MCCLINTOCK. Madam Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 9, line 19, after the dollar amount, insert ''(reduced to $0)''.

Page 156, line 15, after the dollar amount, insert ''(increased by $155,000,000)''.

The Acting CHAIR. Pursuant to House Resolution 287, the gentleman from California and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California.

Mr. MCCLINTOCK. Madam Chair, this amendment eliminates the $155 million of discretionary spending that is wasted on one of the least essential programs in the entire United States Government, the so-called Essential Air Service. That is the program that subsidizes empty and near-empty planes to fly from small airports to regional hubs just a few hours or less away by car.

This was supposed to be a temporary program to allow local communities and airports to readjust to airline deregulation in 1978. Not only is it still going on today, but it has doubled in cost in the last 4 years, from $130 million in 2011 to roughly $260 million in 2015, and $155 million of that is in our control. This amendment zeros it out and puts it toward deficit reduction.

Now, we are often told: Well, don't worry. We have enacted all of these reforms. We have caps on subsidies.

All those caps, $200 per ticket, are only for flights under 210 miles. It continues unlimited subsidies over that distance. Actual subsidies per passenger can be as high as $980 per ticket, paid by hard-working taxpayers. Year after year, we are promised reform; and year after year, the cost goes up and up.

By the way, Essential Air Service flights are flown out of Merced and Visalia airports, serving my district in the Sierra. Trust me, a tiny number of people actually use it. The alternative is hardly catastrophic; it is typically an extra hour's drive to a regional airport. I guarantee you that everybody who hears about this waste of their money is outraged by it.

It is true there are a few tiny communities in Alaska, like Kake's 700 citizens, that have no highway connections to hub airports, but they have plenty of alternatives. In the case of Kake, they enjoy year-round ferry service to Juneau. In addition, Alaska is well served by a thriving general aviation market and the ubiquitous bush pilot.

Rural life has great advantages. It also has some disadvantages, but it is not the job of hard-working taxpayers who choose to live elsewhere to level out the differences.

Now, apologists for this wasteful spending tell us it is an important economic driver for these small airports and airlines, and I am sure that is so. Whenever you give away money, the folks you are giving it to are always better off, but the folks you are taking it from are always worse off to exactly the same extent. Indeed, it's economic drivers like this that have driven Europe's economy right off a cliff.

Two years ago, one Member rushed to the microphone to suggest that this was essential for emergency medical evacuations. It has nothing to do with that. This program subsidizes regularly scheduled commercial service that practically nobody uses. If it actually had a passenger base, it wouldn't need, in effect, to hand out $100 bills to the few passengers who use it.

An airline so reckless with its funds would quickly bankrupt itself. Well, the same principle holds true of governments.

The Washington Post is not known as a bastion of fiscal conservatism, but I cannot improve upon an editorial a few years ago when it said, ''Ideally, EAS would be zeroed out, and the $200 million we waste on it devoted to a truly national purpose: perhaps deficit reduction, military readiness, or the social safety net.''

The Washington Post goes on to write, ''Alas, if Congress and the White House were capable of making such choices, we probably never would have had sequestration in the first place.''

Madam Chair, there are many tough calls in setting fiscal priorities, but this isn't one of them. If the House of Representatives—where all appropriations begin, where the Republican majority pledged to stop wasting money—can't even agree to cut this useless program off from the trough, how does it expect to be taken seriously on the much tougher choices that lie ahead?

I reserve the balance of my time.

Mr. PRICE of North Carolina. Madam Chair, I claim the time in opposition.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. PRICE of North Carolina. Madam Chair, this amendment that the gentleman from California has offered is about as indiscriminate as it gets. He apparently has ideas, and those ideas ought to be heard to reform this program, to make it more efficient and more effective and more targeted. The place to do that is in the authorizing committee. We have forums where we can discuss those ideas and act on them.

To come in tonight and offer this indiscriminate amendment which, by the way, not only cuts this overall program by more than half, but also cuts the allocation for this bill, which is already so inadequate, it is not an approach that this body should endorse.

□ 2045

The program we are talking about, Essential Air Services, was created after deregulation. It has remained essential to keep service going to many, many small communities in this country, including Crescent City, El Centro, Merced, and Visalia in California. It is funded through annual appropriations, and also funded through overflight fees that are collected when foreign air carriers traverse through U.S. airspace. If this amendment were adopted, many small communities would lose air service.

Madam Chair, this isn't the way to reform the program, so I urge my colleagues to oppose this amendment, and I yield back the balance of my time.

Mr. MCCLINTOCK. Madam Chair, this is the kindest cut of all. It is a temporary program that was established 37 years ago and has become a poster child for wasteful Federal spending, and I believe the authorization ran out years ago. Our national debt has doubled in 8 years. American taxpayers pay $230 billion a year just in interest costs on that debt. That means if you are an average family paying average taxes, $2,000 of those taxes did nothing more than rent the money that we have already spent.

Continuing to pay for this obsolete and wasteful program with money we don't have is obscene and makes a mockery of any claim that we have cut spending to the bone, and I yield back the balance of my time.

Mr. PRICE of North Carolina. Madam Chair, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from California (Mr. MCCLINTOCK).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. MCCLINTOCK. Madam Chair, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from California will be postponed.

The Clerk will read.

The Clerk read as follows:

ADMINISTRATIVE PROVISIONS

SEC. 101. None of the funds made available in this Act to the Department of Transportation may be obligated for the Office of the Secretary of Transportation to approve assessments or reimbursable agreements pertaining to funds appropriated to the modal administrations in this Act, except for activities underway on the date of enactment of this Act, unless such assessments or agreements have completed the normal reprogramming process for Congressional notification.

SEC. 102. The Secretary or his designee may engage in activities with States and State legislators to consider proposals related to the reduction of motorcycle fatalities.

AMENDMENT OFFERED BY MR. WALBERG

Mr. WALBERG. Madam Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 11, strike lines 1 through 3.

The Acting CHAIR. Pursuant to House Resolution 287, the gentleman from Michigan and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Michigan.

Mr. WALBERG. I want to begin by thanking Chairman DIAZ-BALART and his staff for their hard work on this legislation before us.

Madam Chair, I rise today to offer a commonsense amendment with Mr. SENSENBRENNER and Mr. RIBBLE of Wisconsin which makes it clear that Federal Government agencies should not be in the business—again, I say should not be—in the business of lobbying State and local legislators with Federal taxpayers' money. Federal law already prohibits Federal agencies from lobbying Congress in support of or against legislation.

Thanks in part to the leadership of Mr. SENSENBRENNER in 1998, Congress passed similar antilobbying language to prohibit the Department of Transportation from lobbying State and local elected officials.

At that time, the National Highway Traffic Safety Administration was sending staff to State capitols at taxpayers' expense to lobby in favor of motorcycle helmet laws. At the cost of tens of thousands of taxpayer dollars, these officials traveled across the country to testify before State legislative committees, participate in conferences, and produce videotapes and other printed materials with the goal of advancing mandatory motorcycle helmet laws.

As the co-chairman of the Congressional Motorcycle Caucus and a rider myself who wears a helmet, I believe the most effective way to reduce motorcycle injuries and fatalities is to prevent these crashes from occurring in the first place. Madam Chair, that means putting between the ears as opposed to simply putting on the head.

I believe the NHTSA has an appropriate role in promoting vehicle and highway safety, whether that is focusing on efforts on crash prevention or rider education. Unfortunately, language pushed by the administration has made it into the recent omnibus legislation to reverse the lobby ban, and that provision is carried over into this bill.

Whether you ride or not, I would hope all my colleagues agree that this is an inappropriate use of taxpayer dollars. It violates the rights of States and local communities we represent to make their own decisions on helmet laws.

Madam Chair, I ask my colleagues to support this amendment, and I reserve the balance of my time.

Mr. PRICE of North Carolina. Madam Chair, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. PRICE of North Carolina. Madam Chair, we have an amendment before us that would strike a provision that has been carried in every transportation appropriations bill since 2009. The section simply grants the Secretary or his representatives the authority to engage in activities with States and State legislators to consider proposals related to the reduction of motorcycle fatalities. This consultation is entirely voluntary.

Madam Chair, in 2013, we had 5,000 motorcycle fatalities in this country. That is the last year for which we have data.

The research and expertise of the National Highway Traffic Safety Administration can be extremely helpful—helpful to State highway traffic safety agencies as they consider measures they might want to undertake to improve motorcycle safety. Why wouldn't we want to be in partnership with the States as they address this important safety issue?

Madam Chair, I urge my colleagues to oppose the amendment, and I yield back the balance of my time.

Mr. WALBERG. Madam Chair, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Michigan (Mr. WALBERG).

The question was taken; and the Acting Chair announced that the ayes appeared to have it.

Mr. WALBERG. Madam Chair, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Michigan will be postponed.

The Clerk will read.

The Clerk read as follows:

SEC. 103. Notwithstanding section 3324 of title 31, United States Code, in addition to authority provided by section 327 of title 49, United States Code, the Department's Working Capital Fund is hereby authorized to provide payments in advance to vendors that are necessary to carry out the Federal transit pass transportation fringe benefit program under Executive Order 13150 and section 3049 of Public Law 109–59: *Provided*, That the Department shall include adequate safeguards in the contract with the vendors to ensure timely and high-quality performance under the contract.

SEC. 104. The Secretary shall post on the Web site of the Department of Transportation a schedule of all meetings of the Credit Council, including the agenda for each meeting, and require the Credit Council to record the decisions and actions of each meeting.

SEC. 105. In addition to authority provided by section 327 of title 49, United States Code, the Department's Working Capital Fund is hereby authorized to provide partial or full payments in advance and accept subsequent reimbursements from all Federal agencies for transit benefit distribution services that are necessary to carry out the Federal transit pass transportation fringe benefit program under Executive Order 13150 and section 3049 of Public Law 109–59: *Provided*, That the Department shall maintain a reasonable operating reserve in the Working Capital Fund, to be expended in advance to provide uninterrupted transit benefits to Government employees, provided that such reserve will not exceed one month of benefits payable: *Provided further*, that such reserve may be used only for the purpose of providing for the continuation of transit benefits, provided that the Working Capital Fund will be fully reimbursed by each customer agency for the actual cost of the transit benefit.

FEDERAL AVIATION ADMINISTRATION

OPERATIONS

(AIRPORT AND AIRWAY TRUST FUND)

For necessary expenses of the Federal Aviation Administration, not otherwise provided for, including operations and research activities related to commercial space transportation, administrative expenses for research and development, establishment of air navigation facilities, the operation (including leasing) and maintenance of aircraft, subsidizing the cost of aeronautical charts and maps sold to the public, lease or purchase of passenger motor vehicles for replacement only, in addition to amounts made available by Public Law 112–95, $9,847,700,000 of which $8,831,250,000 shall be

derived from the Airport and Airway Trust Fund, of which not to exceed $7,505,293,000 shall be available for air traffic organization activities; not to exceed $1,258,411,000 shall be available for aviation safety activities; not to exceed $16,605,000 shall be available for commercial space transportation activities; not to exceed $725,000,000 shall be available for finance and management activities; not to exceed $60,089,000 shall be available for NextGen and operations planning activities; and not to exceed $282,302,000 shall be available for staff offices: *Provided*, That not to exceed 2 percent of any budget activity, except for aviation safety budget activity, may be transferred to any budget activity under this heading: *Provided further*, That no transfer may increase or decrease any appropriation by more than 2 percent: *Provided further*, That any transfer in excess of 2 percent shall be treated as a reprogramming of funds under section 405 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section: *Provided further*, That not later than March 31 of each fiscal year hereafter, the Administrator of the Federal Aviation Administration shall transmit to Congress an annual update to the report submitted to Congress in December 2004 pursuant to section 221 of Public Law 108–176: *Provided further*, That the amount herein appropriated shall be reduced by $100,000 for each day after March 31 that such report has not been submitted to the Congress: *Provided further*, That not later than March 31 of each fiscal year hereafter, the Administrator shall transmit to Congress a companion report that describes a comprehensive strategy for staffing, hiring, and training flight standards and aircraft certification staff in a format similar to the one utilized for the controller staffing plan, including stated attrition estimates and numerical hiring goals by fiscal year: *Provided further*, That the amount herein appropriated shall be reduced by $100,000 per day for each day after March 31 that such report has not been submitted to Congress: *Provided further*, That funds may be used to enter into a grant agreement with a nonprofit standard-setting organization to assist in the development of aviation safety standards: *Provided further*, That none of the funds in this Act shall be available for new applicants for the second career training program: *Provided further*, That none of the funds in this Act shall be available for the Federal Aviation Administration to finalize or implement any regulation that would promulgate new aviation user fees not specifically authorized by law after the date of the enactment of this Act: *Provided further*, That there may be credited to this appropriation as offsetting collections funds received from States, counties, municipalities, foreign authorities, other public authorities, and private sources for expenses incurred in the provision of agency services, including receipts for the maintenance and operation of air navigation facilities, and for issuance, renewal or modification of certificates, including airman, aircraft, and repair station certificates, or for tests related thereto, or for processing major repair or alteration forms: *Provided further*, That of the funds appropriated under this heading, not less than $154,400,000 shall be for the contract tower program, including the contract tower cost share program: *Provided further*, That none of the funds in this Act for aeronautical charting and cartography are available for activities conducted by, or coordinated through, the Working Capital Fund.

AMENDMENT OFFERED BY MR. LOBIONDO

Mr. LOBIONDO. Madam Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 12, line 25, after the dollar amount, insert ''(reduced by $3,000,000)''.

Page 13, line 7, after the dollar amount, insert ''(reduced by $3,000,000)''.

Page 16, line 9, after the first dollar amount, insert ''(increased by $3,000,000)''.

Page 16, line 11, after the dollar amount, insert ''(increased by $3,000,000)''.

The Acting CHAIR. Pursuant to House Resolution 287, the gentleman from New Jersey and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from New Jersey.

Mr. LOBIONDO. Madam Chair, I would like to start by thanking Chairman DIAZ-BALART for cooperating with this amendment.

Madam Chair, the Federal Aviation Administration is dealing with an increasing threat of cyberattacks against the National Airspace System. This critical threat was recently detailed in a GAO report as well as identified in news reports of a reported attempt to hack into the flight control system of a U.S. airliner through the plane's in-flight entertainment system.

The FAA must protect the safety of our citizens and prevent negative impact to the U.S. economy by developing a comprehensive and multilayered approach to mitigating new and emerging cybersecurity threats.

My amendment will transfer $3 million within the FAA to develop an integrated cybersecurity testbed to evaluate and certify all NextGen and National Airspace systems. The FAA currently possesses the capability to establish such a testbed at its existing integrated testing environment at the FAA Tech Center in southern New Jersey. The Tech Center presents a natural host for FAA partnership with industry and academia to leverage the best ideas and technology to continually mitigate evolving cybersecurity threats.

Madam Chair, increasing FAA capability for creating, identifying, defending, and solving cybersecurity-related problems for existing National Airspace System and future NextGen systems is vital to the future safety and proposals of our American airspace.

Once again, Madam Chair, I thank Chairman MARIO DIAZ-BALART. I thank Ranking Member PRICE. I urge adoption of this amendment, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from New Jersey (Mr. LOBIONDO).

The amendment was agreed to.

AMENDMENT OFFERED BY MS. ESTY

Ms. ESTY. I have an amendment at the desk, Madam Chair.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 12, line 25, after the dollar amount, insert ''(reduced by $3,000,000)''.

Page 13, line 10, after the dollar amount, insert ''(reduced by $3,000,000)''.

Page 44, line 13, after the dollar amount, insert ''(increased by $3,000,000)''.

The Acting CHAIR. Pursuant to House Resolution 287, the gentlewoman from Connecticut and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Connecticut.

Ms. ESTY. Madam Chair, I come to the floor once again to urge this House to invest in rail safety. My amendment adds $3 million to the Federal Railroad Administration for safety and operations to fund vital rail safety education programs, like Operation Lifesaver.

Railroads move the goods that fuel our economy, and thousands of commuters in my district rely on passenger rail lines every day. In fact, over 11½ million Americans took the trains along the Northeast corridor last year, a record high ridership.

Freight rail traffic is also increasing, reflecting a growing economy and a booming energy sector. However, as we have seen in the news almost monthly, there have been a disturbing number of rail accidents in the last few years, many of them preventable train derailments and collisions. We in this House stood in silence a few weeks ago to mourn the loss of the eight passengers killed in last month's Amtrak derailment near Philadelphia. Those deaths were tragic and completely avoidable. We must do more to promote safe and reliable rail travel.

I have worked hard on the Transportation Committee and advocated in this House to implement positive train control and other innovative technologies that can protect passengers against the most dangerous rail accidents. But technologies like positive train control cannot prevent all train-related accidents.

On February 3, 2015, six people died when a northbound Metro-North Railroad commuter train collided with an SUV that was stopped at a highway rail crossing. Aditya Tomar, a resident of Danbury, Connecticut, and one of my constituents, was one of those passengers killed.

□ 2100

According to the Federal Railroad Administration, these sorts of highway-rail grade crossing accidents lead to 270 deaths every year.

Just this morning, media outlets were featuring a viral video from an Amtrak Silver Star train colliding with a car and slicing it in half after the driver drove around the lowered gate at a rail crossing in Jacksonville, Florida. Miraculously, every passenger survived with only minor injuries.

This video demonstrates that even when crossings are equipped with gates and warning lights, human error and miscalculation can have devastating consequences.

That is why we need to educate drivers, passengers, and pedestrians on how to avoid accidents along railroad tracks and at highway-rail grade crossings.

Technological safety advances are essential, make no mistake, but they are not enough. We must educate people about the dangers of walking along railroads or ignoring rail crossing warning signals.

The Operation Lifesaver program is an effective public safety campaign that encourages drivers and pedestrians to ''stop, look, and listen'' at highway-rail grade crossings and increases awareness in all 50 States.

Congress authorized Operation Lifesaver in 2008, but has failed to provide adequate funding.

My amendment to increase funding for the Operation Lifesaver rail safety program is also fiscally responsible and does not increase spending. Instead, this investment is offset by a very small reduction in Federal Government staff offices for the Federal Aviation Administration, an account that will still receive $75 million above the administration's request.

Madam Chair, I reserve the balance of my time.

Mr. DIAZ-BALART. Madam Chair, I claim the time in opposition to the amendment.

The Acting CHAIR. The gentleman from Florida is recognized for 5 minutes.

Mr. DIAZ-BALART. Madam Chair, just moments ago we increased the FRA safety and operations by $3.5 million.

This amendment, however, would result in, really, an unsustainable cut to FAA's operations account. Air traffic control facilities would have to close and communities would lose service. Frankly, critical operational support staff would have to be furloughed or even laid off. Safety could be compromised for flights, and flights could be potentially canceled.

Therefore, I cannot support this well-intentioned offset and, therefore, I cannot support this amendment.

I yield back the balance of my time.

Ms. ESTY. Madam Chair, I urge passage of this commonsense amendment, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from Connecticut (Ms. ESTY).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Ms. ESTY. Madam Chair, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentlewoman from Connecticut will be postponed.

AMENDMENT OFFERED BY MR. DOLD

Mr. DOLD. Madam Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 12, line 25, after the dollar amount, insert ''(reduced by $290,000,000)''.

Page 13, line 10, after the dollar amount, insert ''(reduced by $81,203,000)''.

Page 13, line 7, after the dollar amount, insert ''(reduced by $208,797,000)''.

Page 47, line 11, after the dollar amount, insert ''(increased by $290,000,000)''.

Mr. DOLD (during the reading). Madam Chair, I ask unanimous consent that the amendment be considered as read.

The Acting CHAIR. Is there objection to the request of the gentleman from Illinois?

There was no objection.

The Acting CHAIR. Pursuant to House Resolution 287, the gentleman from Illinois and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Illinois.

Mr. DOLD. Madam Chair, I rise today in support of an amendment to increase funding for Amtrak's capital account. The bill as is cuts $290 million from Amtrak's capital account, which is used to upgrade or replace the infrastructure that Amtrak owns, along with the acquisition and maintenance of Amtrak's fleet of locomotives, passenger cars, and other equipment.

Madam Chair, the Chicago area, which I represent, is the hub of our Nation's transportation network. Over 30 million people ride Amtrak every year nationwide, and many of those passengers ride through the city of Chicago. However, in the Chicago area, Amtrak trains are running on infrastructure that has not been updated in decades, including switches that date back to the administration of Teddy Roosevelt.

As we have seen in recent months, safety concerns on Amtrak are at a premium. Now is not the time to reduce the amount of money that we have made available for Amtrak and for our needed infrastructure upgrades. We need to make investments in our tracks, our trains, our stations, and the rest of our transportation system.

My amendment would take a step towards addressing that problem. All it does is restore capital investment grants to the level at which they were appropriated last year. This is a small step but one that will help rebuild our crumbling infrastructure and will help improve the mass transit systems that so many of our citizens use each and every day.

I reserve the balance of my time.

Mr. DIAZ-BALART. Madam Chair, I claim the time in opposition to the amendment.

The Acting CHAIR. The gentleman from Florida is recognized for 5 minutes.

Mr. DIAZ-BALART. Madam Chair, this amendment would result in a deep and, frankly, unsustainable reduction to FAA's operations account. FAA would have to suspend contracts that run the information technology systems that keep our air traffic control flowing.

Air traffic control facilities would have to be closed and communities, frankly, would lose service. Critical operational support staff would be furloughed or, again, laid off. Safety could be compromised. Flights, again, would be canceled.

Therefore, I cannot support this offset and, respectfully, cannot support the gentleman's amendment.

At this time, I would like to yield to the gentleman from North Carolina.

Mr. PRICE of North Carolina. Madam Chair, I thank the gentleman for yielding.

I, too, reluctantly oppose this amendment. The discussion we had earlier about this offset certainly pertains here. We really cannot afford to make this kind of cut—safety-related cut, I might say—to the Federal Aviation Administration's funding.

The amendment is worthy in purpose. Again, funding for Amtrak's capital accounts is woefully inadequate in this bill. But this is simply not the way to make it up. In fact, there is no way to make it up within the confines of this bill. We are robbing Peter to pay Paul. This is what is wrong with this bill—an inadequate allocation. That means there is no way to get adequate funding for things we care about without doing equivalent damage somewhere else. It is an impossible dilemma.

What we need to do is do the responsible thing: get a budget agreement, get numbers we can work with, and write a decent bill. In the meantime, this amendment, while well-intentioned, really is not acceptable, and I urge rejection.

Mr. DIAZ-BALART. Madam Chair, I yield back the balance of my time.

Mr. DOLD. Madam Chair, as we look at our transportation and infrastructure system, we know that investment is needed.

I urge adoption of the amendment, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Illinois (Mr. DOLD).

The amendment was rejected.

AMENDMENT OFFERED BY MR. LYNCH

Mr. LYNCH. Madam Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 12, line 25, after the dollar amount, insert ''(reduced by $25,000,000)''.

Page 13, line 10, after the dollar amount, insert ''(reduced by $25,000,000)''.

Page 44, line 13, after the dollar amount, insert ''(increased by $25,000,000)''.

The Acting CHAIR. Pursuant to House Resolution 287, the gentleman from Massachusetts and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Massachusetts.

Mr. LYNCH. Madam Chair, what I am trying to do in this amendment is to really address a wider problem in my congressional district. My district surrounds the Logan International Airport in Boston.

What this amendment would do is remove $25 million from the FAA budget and transfer it to rail. The reason for that is because the FAA has steadfastly refused to do part of their job in my district. I have tried to get them to come to the town of Milton, Massachusetts, to address the overflights in that area. The new NextGen RNAV system concentrates flight after flight, thousands of flights a month, over the town of Milton, Massachusetts.

I requested the FAA to come out and meet with my neighbors—the people that I represent—just like everybody else represents people in their districts, and the FAA has flatly refused. So since they have refused to do part of the job that we fund them for, I figured I would take $25 million out of their budget because they are not doing their job.

All I am looking for is a meeting with the FAA in my district, and I've got to resort to this. It is shameful. I would say that their attitude towards my constituents—the people I work for—has been utter contempt and disrespectful. So here I am trying to cut their budget to get their attention. It is a sad statement of the way the FAA operates.

But my real issue is getting the FAA to respond to my constituents, not about cutting their budgets. I know the chair and the ranking member have worked wonderfully, and I give you great credit for the work you have done.

What I am wondering is, would the chair and the ranking member help me just get the FAA to respond by having a meeting in my district in the town of Milton? I would withdraw my amendment and leave the money that you have wisely appropriated where it is. I am just looking to get this agency, this bureaucracy, to respond to the people I represent. It is as simple as that, Mr. Chairman.

I yield to the gentleman from Florida.

Mr. DIAZ-BALART. Madam Chair, I thank the gentleman for yielding.

I will tell the gentleman that one of the responsibilities that we have is to make sure that we hold government accountable. I don't think it is acceptable to not get answers. So I look forward to working with the gentleman to make sure that we move to address those concerns of your community. I don't want to speak for the ranking member, but I know that I look forward to working with you to make sure that we get answers that you need to get.

Mr. LYNCH. I thank the gentleman.

Mr. PRICE of North Carolina. Will the gentleman yield?

Mr. LYNCH. I yield to the gentleman from North Carolina.

Mr. PRICE of North Carolina. Madam Chair, I appreciate the chairman's response.

I, too, will work with you. This isn't acceptable. We will do our best to help you get the kind of response you need.

Mr. LYNCH. Madam Chair, I want to thank the chairman, and I want to thank the ranking member for the courtesy, not only to me, but to my constituents as well.

I yield back the balance of my time, and I ask unanimous consent to withdraw my amendment.

The Acting CHAIR. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

The Acting CHAIR. The amendment is withdrawn.

AMENDMENT OFFERED BY MR. DOLD

Mr. DOLD. Madam Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 12, line 25, after the dollar amount, insert ''(reduced by $200,000,000)''.

Page 13, line 7, after the dollar amount, insert ''(reduced by $200,000,000)''.

Page 52, line 16, after the dollar amount, insert ''(increased by $200,000,000)''.

The Acting CHAIR. Pursuant to House Resolution 287, the gentleman from Illinois and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Illinois.

Mr. DOLD. Madam Chair, I rise today in support of an amendment to increase funding for capital investment grants to help our Nation's mass transit rail systems. The bill as is cuts $200 million from the account, and my amendment would restore that funding.

While I recognize, and as we have heard from the chairman and the ranking member, there is not really a good spot to be able to take some of these additional funds from, I do think it is important though, Madam Chair, that we talk about our infrastructure system, especially our rail system. And as we look specifically in the greater Chicago area, the Chicago Transit Authority's rail system, the El, serves around 725,000 riders each and every day, and the Metra, which serves the suburban areas like the 10th District in Illinois, serves over 300,000 riders each and every day. Over a million people are using these rail systems.

□ 2115

Again, as we talked about before, Metra estimates that it needs to find roughly $13.4 billion over the next decade just to maintain the system in its current condition. That is why it is more important than ever before to find the funds to pay to maintain and rebuild our Nation's transportation infrastructure system.

Madam Chair, we hear all the time from our constituents that we need good, high-paying jobs. Frankly, a transportation infrastructure system for manufacturers—how do we get raw material and a finished product out? How do we get people around?—is absolutely critical to our economy.

I saw an estimate from UPS that read that every additional 5 minutes of idling time costs them $100 million. We have switches in the Chicago area that delay rail up to 15 minutes one way. That is 30 minutes a day; and, if you are a regular commuter, that is 10½ hours in a given month, 10½ hours that you could be more productive or could be spending time with your family or spending time doing homework with your children.

If we as a country want to be more productive, if we want to encourage more good, high-paying jobs, we have to find a way to make sure that we invest in our transportation infrastructure system.

When we use this transportation infrastructure system and if it goes away, we are talking about an increase in congestion—at least I can tell you in the Chicago area—of an additional 50 percent. In talking to the rail, we would need an additional 29 lanes of traffic.

What is the cost of that? We just don't have it. If we don't have this type of funding, the car in front of you could have been somebody who was sitting on the rail, who could have been using mass transit.

Madam Chair, this bill is a step backward for our Nation's mass transit systems, not a step forward. Instead of providing funds to maintain and improve world-class mass transit systems, we are, instead, taking money away and making it harder and harder for the public to find the funds needed to keep their systems operational, much less to improve them. A reliable and consistent stream of capital funding is essential for these systems, but this bill does not meet that need.

My amendment would take a step toward addressing that problem. I recognize it is just a step, but I am anxious to work with the chairman and the ranking member, and I am anxious to work with those on the Transportation and Infrastructure Committee to make sure that we are coming up with outside-the-box thinking in how we can improve our mass transit systems.

It is vitally important for our urban areas, and it is certainly important for

the Nation's transportation hub, which, I would argue, is in the heartland, in the Chicago area.

I reserve the balance of my time.

Mr. DIAZ-BALART. Madam Chair, I claim the time in opposition.

The Acting CHAIR. The gentleman from Florida is recognized for 5 minutes.

Mr. DIAZ-BALART. Madam Chair, one has to frankly respect and admire Mr. DOLD's knowledge and passion in these amendments that he is doing. I am sensitive to that, and I look forward to working with him. I know that he will make sure that we work with him on these issues that he brings up and that he is very passionate about, which I think are very important.

Respectfully, I have to oppose this amendment. This amendment would result in deep reductions to the FAA's operations account and would result in breaches of contract for air traffic control information technology systems. In addition, it would result in staff layoffs, which would again compromise safety.

I look forward to continuing to work with the gentleman. He brings up, obviously, some very important points; but again, respectfully, I must object to this amendment at this time.

Madam Chair, I yield to the gentleman from North Carolina (Mr. PRICE), the ranking member of the subcommittee.

Mr. PRICE of North Carolina. Madam Chair, I appreciate the chairman's yielding.

I want to echo his opposition to this amendment, and I want to echo his praise for the reality check that the gentleman from Illinois has provided us tonight. At various times in the course of the evening, we have talked about TIGER grants; we have talked about Amtrak; we have talked about transit investments—all of which are underfunded in this bill.

I am also pleased that the chairman has expressed the willingness to cooperate in going forward. I want to echo that on my part, too, because we do believe a better day will come and, hopefully, not only at the end of the fiscal year but soon, where we get a budget agreement, where we get better numbers, and where we are able to address each of these accounts that the gentleman has highlighted.

He is exactly right about the need in all of these areas. The offset is not acceptable. It is even dangerous.

For that reason, I oppose the amendment, but the larger message is we have got to get a better budget number, and we have got to revisit many of the accounts in this bill.

Mr. DOLD. Madam Chair, may I inquire as to how much time I have remaining?

The Acting CHAIR. The gentleman from Illinois has 1½ minutes remaining.

Mr. DOLD. I certainly want to thank the chairman and the ranking member for their thoughts.

Madam Chair, there is no question as we look at the debt that we have—we have an $18 trillion debt in our country—that it is jeopardizing our children's opportunity for the American Dream. One of the things that I talk about in terms of how we get out of it is by talking about: How do we grow, Madam Chair?

We grow, I think, by creating this opportunity and environment so people want to come and put their businesses here, becoming globally competitive. When entrepreneurs look at where to go to place their businesses, one of the things they are going to look at is our transportation infrastructure system. We need to know how we are going to get our raw materials in and our finished product out if we want to be globally competitive and if we want to manufacture. I would argue that we do.

I recognize where the committee is. I also appreciate the chairman's and the ranking member's willingness to work with us in going forward, but we have to, each and every one of us, come together and put our differences aside and invest in our infrastructure system so that we can grow our economy and have greater dollars coming into the Federal Treasury so that we can have these resources.

Madam Chair, I yield back the balance of my time.

Mr. DIAZ-BALART. Madam Chair, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Illinois (Mr. DOLD).

The amendment was rejected.

AMENDMENT OFFERED BY MR. BRIDENSTINE

Mr. BRIDENSTINE. Madam Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 13, line 5, after the dollar amount, insert ''(increased by $250,000)''.

Page 13, line 7, after the dollar amount, insert ''(decreased by $250,000)''.

The Acting CHAIR. Pursuant to House Resolution 287, the gentleman from Oklahoma and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Oklahoma.

Mr. BRIDENSTINE. Madam Chair, the Bridenstine-Rohrabacher-Posey amendment, which is supported by the Commercial Spaceflight Federation, transfers $250,000 from the FAA's finance and management activities to the Office of Commercial Space Transportation. This is a small amount, but it is extremely important if we are to support the booming commercial spaceflight industry.

The FAA Office of Commercial Space Transportation's mission is as follows: ''to ensure protection of the public, property, and the national security and foreign policy interests of the United States during commercial launch or reentry activities and to encourage, facilitate, and promote commercial space transportation.''

To carry out this mission, AST, as the office is known, is tasked with overseeing commercially licensed launches, test launches under experimental permits, licenses and permits for new vehicle designs, supporting NASA and the Commercial Crew contractors, taking the lead role in coordinating space traffic at the White House's request, and many other duties.

Over the past few years, the number of activities AST oversees has grown significantly; yet funding and staffing levels have remained absolutely flat.

Just last month, the House of Representatives passed the SPACE Act on an overwhelmingly bipartisan basis. That bill establishes a statutory and regulatory regime that provides stability and encourages private sector investment in order to facilitate the growth of commercial space activities. If we are passing legislation to encourage growth, we need to provide this office with increased resources to keep up.

We rely on the commercial space sector for many things: reliable, frequent, and inexpensive launches; communications, navigation, and imaging satellites; and services such as the Internet, telephone, television, and radio, which are staples of modern life.

Going forward, there are companies whose goal is to provide space tourism services. There are also ventures planning missions to harvest precious resources from celestial bodies. This is just the tip of the iceberg for this growth industry.

This is an industry that is constantly innovating. It is also an industry we have come to increasingly rely on. If AST does not get the additional resources, it could lead to slips of planned launch dates for some companies as the office is unable to process inspections, permits, and licenses in a timely manner. On top of being a hindrance to this growth industry, it could also reduce the functionality and capabilities we take for granted in our everyday lives.

This funding will give AST additional resources to accomplish its mission. As its workload continues to grow, I encourage the Office of Commercial Space Transportation to continue to work alongside industry in developing and supporting consensus safety standards that can streamline the inspection process.

I appreciate Chairman DIAZ-BALART's leadership and his recognition of the importance of this office. I thank him for working with me on this amendment, particularly given the constraints he is under while crafting this appropriations bill.

I understand we are in tough fiscal times; however, we need to ensure we do not strangle the unlimited potential of the commercial spaceflight industry. An important piece of this is ensuring that the Office of Commercial Space Transportation can keep up with the growth of this burgeoning industry.

I urge my colleagues to support my amendment and the underlying legislation.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Oklahoma (Mr. BRIDENSTINE).

The amendment was agreed to.

The Acting CHAIR. The Clerk will read.

The Clerk read as follows:

FACILITIES AND EQUIPMENT

(AIRPORT AND AIRWAY TRUST FUND)

For necessary expenses, not otherwise provided for, for acquisition, establishment, technical support services, improvement by contract or purchase, and hire of national airspace systems and experimental facilities and equipment, as authorized under part A of subtitle VII of title 49, United States Code, including initial acquisition of necessary sites by lease or grant; engineering and service testing, including construction of test facilities and acquisition of necessary sites by lease or grant; construction and furnishing of quarters and related accommodations for officers and employees of the Federal Aviation Administration stationed at remote localities where such accommodations are not available; and the purchase, lease, or transfer of aircraft from funds available under this heading, including aircraft for aviation regulation and certification; to be derived from the Airport and Airway Trust Fund, $2,500,000,000, of which $460,000,000 shall remain available until September 30, 2016, and $2,040,000,000 shall remain available until September 30, 2018: *Provided*, That there may be credited to this appropriation funds received from States, counties, municipalities, other public authorities, and private sources, for expenses incurred in the establishment, improvement, and modernization of national airspace systems: *Provided further*, That upon initial submission to the Congress of the fiscal year 2017 President's budget, the Secretary of Transportation shall transmit to the Congress a comprehensive capital investment plan for the Federal Aviation Administration which includes funding for each budget line item for fiscal years 2017 through 2021, with total funding for each year of the plan constrained to the funding targets for those years as estimated and approved by the Office of Management and Budget: *Provided further*, That the amount herein appropriated shall be reduced by $100,000 per day for each day after the initial submission of the fiscal year 2017 President's budget that such report has not been submitted to Congress.

RESEARCH, ENGINEERING, AND DEVELOPMENT

(AIRPORT AND AIRWAY TRUST FUND)

For necessary expenses, not otherwise provided for, for research, engineering, and development, as authorized under part A of subtitle VII of title 49, United States Code, including construction of experimental facilities and acquisition of necessary sites by lease or grant, $156,750,000, to be derived from the Airport and Airway Trust Fund and to remain available until September 30, 2018: *Provided*, That there may be credited to this appropriation as offsetting collections, funds received from States, counties, municipalities, other public authorities, and private sources, which shall be available for expenses incurred for research, engineering, and development.

GRANTS-IN-AID FOR AIRPORTS

(LIQUIDATION OF CONTRACT AUTHORIZATION)

(LIMITATION ON OBLIGATIONS)

(AIRPORT AND AIRWAY TRUST FUND)

For liquidation of obligations incurred for grants-in-aid for airport planning and development, and noise compatibility planning and programs as authorized under subchapter I of chapter 471 and subchapter I of chapter 475 of title 49, United States Code, and under other law authorizing such obligations; for procurement, installation, and commissioning of runway incursion prevention devices and systems at airports of such title; for grants authorized under section 41743 of title 49, United States Code; and for inspection activities and administration of airport safety programs, including those related to airport operating certificates under section 44706 of title 49, United States Code, $3,600,000,000, to be derived from the Airport and Airway Trust Fund and to remain available until expended: *Provided*, That none of the funds under this heading shall be available for the planning or execution of programs the obligations for which are in excess of $3,350,000,000 in fiscal year 2016, notwithstanding section 47117(g) of title 49, United States Code: *Provided further*, That none of the funds under this heading shall be available for the replacement of baggage conveyor systems, reconfiguration of terminal baggage areas, or other airport improvements that are necessary to install bulk explosive detection systems: *Provided further*, That notwithstanding any other provision of law, of funds limited under this heading, not more than $107,100,000 shall be obligated for administration, not less than $15,000,000 shall be available for the Airport Cooperative Research Program, and not less than $31,000,000 shall be available for Airport Technology Research.

ADMINISTRATIVE PROVISIONS

SEC. 110. None of the funds in this Act may be used to compensate in excess of 600 technical staff-years under the federally funded research and development center contract between the Federal Aviation Administration and the Center for Advanced Aviation Systems Development during fiscal year 2016.

SEC. 111. None of the funds in this Act shall be used to pursue or adopt guidelines or regulations requiring airport sponsors to provide to the Federal Aviation Administration without cost building construction, maintenance, utilities and expenses, or space in airport sponsor-owned buildings for services relating to air traffic control, air navigation, or weather reporting: *Provided*, That the prohibition of funds in this section does not apply to negotiations between the agency and airport sponsors to achieve agreement on below-market rates for these items or to grant assurances that require airport sponsors to provide land without cost to the FAA for air traffic control facilities.

SEC. 112. The Administrator of the Federal Aviation Administration may reimburse amounts made available to satisfy 49 U.S.C. 41742(a)(1) from fees credited under 49 U.S.C. 45303 and any amount remaining in such account at the close of that fiscal year may be made available to satisfy section 41742(a)(1) for the subsequent fiscal year.

SEC. 113. Amounts collected under section 40113(e) of title 49, United States Code, shall be credited to the appropriation current at the time of collection, to be merged with and available for the same purposes of such appropriation.

SEC. 114. None of the funds in this Act shall be available for paying premium pay under subsection 5546(a) of title 5, United States Code, to any Federal Aviation Administration employee unless such employee actually performed work during the time corresponding to such premium pay.

SEC. 115. None of the funds in this Act may be obligated or expended for an employee of the Federal Aviation Administration to purchase a store gift card or gift certificate through use of a Government-issued credit card.

SEC. 116. None of the funds in this Act may be obligated or expended for retention bonuses for an employee of the Federal Aviation Administration without the prior written approval of the Assistant Secretary for Administration of the Department of Transportation.

SEC. 117. Notwithstanding any other provision of law, none of the funds made available under this Act or any prior Act may be used to implement or to continue to implement any limitation on the ability of any owner or operator of a private aircraft to obtain, upon a request to the Administrator of the Federal Aviation Administration, a blocking of that owner's or operator's aircraft registration number from any display of the Federal Aviation Administration's Aircraft Situational Display to Industry data that is made available to the public, except data made available to a Government agency, for the noncommercial flights of that owner or operator.

SEC. 118. None of the funds in this Act shall be available for salaries and expenses of more than 9 political and Presidential appointees in the Federal Aviation Administration.

SEC. 119. None of the funds made available under this Act may be used to increase fees pursuant to section 44721 of title 49, United States Code, until the FAA provides to the House and Senate Committees on Appropriations a report that justifies all fees related to aeronautical navigation products and explains how such fees are consistent with Executive Order 13642.

SEC. 119A. None of the funds in this Act may be used to close a regional operations center of the Federal Aviation Administration or reduce its services unless the Administrator notifies the House and Senate Committees on Appropriations not less than 90 full business days in advance.

SEC. 119B. None of the funds appropriated or limited by this Act may be used to change weight restrictions or prior permission rules at Teterboro airport in Teterboro, New Jersey.

FEDERAL HIGHWAY ADMINISTRATION

LIMITATION ON ADMINISTRATIVE EXPENSES

(HIGHWAY TRUST FUND)

(INCLUDING TRANSFER OF FUNDS)

Contingent upon enactment of authorization legislation, not to exceed $426,100,000, together with advances and reimbursements received by the Federal Highway Administration, shall be obligated for necessary expenses for administration and operation of the Federal Highway Administration. In addition, not to exceed $3,248,000 shall be transferred to the Appalachian Regional Commission in accordance with section 104 of title 23, United States Code.

FEDERAL-AID HIGHWAYS

(LIMITATION ON OBLIGATIONS)

(HIGHWAY TRUST FUND)

Contingent upon enactment of authorization legislation, funds available for the implementation or execution of Federal-aid highway and highway safety construction programs authorized under titles 23 and 49, United States Code, and the provisions of such authorization legislation shall not exceed total obligations of $40,256,000,000 for fiscal year 2016: *Provided*, That the Secretary may collect and spend fees, as authorized by title 23, United States Code, to cover the costs of services of expert firms, including counsel, in the field of municipal and project finance to assist in the underwriting and servicing of Federal credit instruments and all or a portion of the costs to the Federal Government of servicing such credit instruments: *Provided further*, That such fees are available until expended to pay for such costs: *Provided further*, That such amounts are in addition to administrative expenses that are also available for such purpose, and are not subject to any obligation limitation or the limitation on administrative expenses under section 608 of title 23, United States Code.

(LIQUIDATION OF CONTRACT AUTHORIZATION)

(HIGHWAY TRUST FUND)

Contingent upon enactment of authorization legislation, for the payment of obligations incurred in carrying out Federal-aid highway and highway safety construction programs authorized under title 23, United States Code, $40,995,000,000 derived from the Highway Trust Fund (other than the Mass Transit Account), to remain available until expended.

ADMINISTRATIVE PROVISIONS—FEDERAL HIGHWAY ADMINISTRATION

SEC. 120. Contingent upon enactment of authorization legislation:

(a) For fiscal year 2016, the Secretary of Transportation shall—

(1) not distribute from the obligation limitation for Federal-aid highways—

(A) amounts authorized for administrative expenses and programs by section 104(a) of title 23, United States Code; and

(B) amounts authorized for the Bureau of Transportation Statistics;

(2) not distribute an amount from the obligation limitation for Federal-aid highways that is equal to the unobligated balance of amounts—

(A) made available from the Highway Trust Fund (other than the Mass Transit Account) for Federal-aid highway and highway safety construction programs for previous fiscal years the funds for which are allocated by the Secretary (or apportioned by the Secretary under sections 202 or 204 of title 23, United States Code); and

(B) for which obligation limitation was provided in a previous fiscal year;

(3) determine the proportion that—

(A) the obligation limitation for Federal-aid highways, less the aggregate of amounts not distributed under paragraphs (1) and (2) of this subsection; bears to

(B) the total of the sums authorized to be appropriated for the Federal-aid highway and highway safety construction programs (other than sums authorized to be appropriated for provisions of law described in paragraphs (1) through (11) of subsection (b) and sums authorized to be appropriated for section 119 of title 23, United States Code, equal to the amount referred to in subsection (b)(12) for such fiscal year), less the aggregate of the amounts not distributed under paragraphs (1) and (2) of this subsection;

(4) distribute the obligation limitation for Federal-aid highways, less the aggregate amounts not distributed under paragraphs (1) and (2), for each of the programs (other than programs to which paragraph (1) applies) that are allocated by the Secretary under such authorization legislation and title 23, United States Code, or apportioned by the Secretary under sections 202 or 204 of that title, by multiplying—

(A) the proportion determined under paragraph (3); by

(B) the amounts authorized to be appropriated for each such program for such fiscal year; and

(5) distribute the obligation limitation for Federal-aid highways, less the aggregate amounts not distributed under paragraphs (1) and (2) and the amounts distributed under paragraph (4), for Federal-aid highway and highway safety construction programs that are apportioned by the Secretary under such authorization legislation or title 23, United States Code (other than the amounts apportioned for the National Highway Performance Program in section 119 of title 23, United States Code, that are exempt from the limitation under subsection (b)(12) and the amounts apportioned under sections 202 and 204 of that title) in the proportion that—

(A) amounts authorized to be appropriated for the programs that are apportioned under title 23, United States Code, or such authorization legislation to each State for such fiscal year; bears to

(B) the total of the amounts authorized to be appropriated for the programs that are apportioned under title 23, United States Code, or such authorization legislation to all States for such fiscal year.

(b) EXCEPTIONS FROM OBLIGATION LIMITATION.—The obligation limitation for Federal-aid highways shall not apply to obligations under or for—

(1) section 125 of title 23, United States Code;

(2) section 147 of the Surface Transportation Assistance Act of 1978 (23 U.S.C. 144 note; 92 Stat. 2714);

(3) section 9 of the Federal-Aid Highway Act of 1981 (95 Stat. 1701);

(4) subsections (b) and (j) of section 131 of the Surface Transportation Assistance Act of 1982 (96 Stat. 2119);

(5) subsections (b) and (c) of section 149 of the Surface Transportation and Uniform Relocation Assistance Act of 1987 (101 Stat. 198);

(6) sections 1103 through 1108 of the Intermodal Surface Transportation Efficiency Act of 1991 (105 Stat. 2027);

(7) section 157 of title 23, United States Code (as in effect on June 8, 1998);

(8) section 105 of title 23, United States Code (as in effect for fiscal years 1998 through 2004, but only in an amount equal to $639,000,000 for each of those fiscal years);

(9) Federal-aid highway programs for which obligation authority was made available under the Transportation Equity Act for the 21st Century (112 Stat. 107) or subsequent Acts for multiple years or to remain available until expended, but only to the extent that the obligation authority has not lapsed or been used;

(10) section 105 of title 23, United States Code (as in effect for fiscal years 2005 through 2012, but only in an amount equal to $639,000,000 for each of those fiscal years);

(11) section 1603 of SAFETEA–LU (23 U.S.C. 118 note; 119 Stat. 1248), to the extent that funds obligated in accordance with that section were not subject to a limitation on obligations at the time at which the funds were initially made available for obligation; and

(12) section 119 of title 23, United States Code (but, for each of fiscal years 2013 through 2016, only in an amount equal to $639,000,000).

(c) REDISTRIBUTION OF UNUSED OBLIGATION AUTHORITY.—Notwithstanding subsection (a), the Secretary shall, after August 1 of such fiscal year—

(1) revise a distribution of the obligation limitation made available under subsection (a) if an amount distributed cannot be obligated during that fiscal year; and

(2) redistribute sufficient amounts to those States able to obligate amounts in addition to those previously distributed during that fiscal year, giving priority to those States having large unobligated balances of funds apportioned under sections 144 (as in effect on the day before the date of enactment of Public Law 112–141) and 104 of title 23, United States Code.

(d) APPLICABILITY OF OBLIGATION LIMITATIONS TO TRANSPORTATION RESEARCH PROGRAMS.—

(1) IN GENERAL.—Except as provided in paragraph (2), the obligation limitation for Federal-aid highways shall apply to contract authority for transportation research programs carried out under—

(A) chapter 5 of title 23, United States Code; and

(B) the transportation research programs sections of such authorization legislation.

(2) EXCEPTION.—Obligation authority made available under paragraph (1) shall—

(A) remain available for a period of 4 fiscal years; and

(B) be in addition to the amount of any limitation imposed on obligations for Federal-aid highway and highway safety construction programs for future fiscal years.

(e) REDISTRIBUTION OF CERTAIN AUTHORIZED FUNDS.—

(1) IN GENERAL.—Not later than 30 days after the date of distribution of obligation limitation under subsection (a), the Secretary shall distribute to the States any funds (excluding funds authorized for the program under section 202 of title 23, United States Code) that—

(A) are authorized to be appropriated for such fiscal year for Federal-aid highway programs; and

(B) the Secretary determines will not be allocated to the States (or will not be apportioned to the States under section 204 of title 23, United States Code), and will not be available for obligation, for such fiscal year because of the imposition of any obligation limitation for such fiscal year.

(2) RATIO.—Funds shall be distributed under paragraph (1) in the same proportion as the distribution of obligation authority under subsection (a)(5).

(3) AVAILABILITY.—Funds distributed to each State under paragraph (1) shall be available for any purpose described in section 133(b) of title 23, United States Code.

SEC. 121. Notwithstanding 31 U.S.C. 3302, funds received by the Bureau of Transportation Statistics from the sale of data products, for necessary expenses incurred pursuant to chapter 63 of title 49, United States Code, may be credited to the Federal-aid highways account for the purpose of reimbursing the Bureau for such expenses: *Provided*, That such funds shall be subject to the obligation limitation for Federal-aid highway and highway safety construction programs.

SEC. 122. Not less than 15 days prior to waiving, under his or her statutory authority, any Buy America requirement for Federal-aid highways projects, the Secretary of Transportation shall make an informal public notice and comment opportunity on the intent to issue such waiver and the reasons therefor: *Provided*, That the Secretary shall provide an annual report to the House and Senate Committees on Appropriations on any waivers granted under the Buy America requirements.

SEC. 123. None of the funds in this Act to the Department of Transportation may be used to provide credit assistance unless not less than 3 days before any application approval to provide credit assistance under sections 603 and 604 of title 23, United States Code, the Secretary of Transportation provides notification in writing to the following committees: the House and Senate Committees on Appropriations; the Committee on Environment and Public Works and the Committee on Banking, Housing and Urban Affairs of the Senate; and the Committee on Transportation and Infrastructure of the House of Representatives: *Provided*, That such notification shall include, but not be limited to, the name of the project sponsor; a description of the project; whether credit assistance will be provided as a direct loan, loan guarantee, or line of credit; and the amount of credit assistance.

SEC. 124. Section 127 of title 23, United States Code, is amended by adding at the end the following:

''(m) LONGER COMBINATION VEHICLES IN IDAHO.—No limit or other prohibition under this section, except as provided in this subsection, applies to a longer combination vehicle operating on a segment of the Interstate System in the State of Idaho if such vehicle—

''(1) has a gross vehicle weight of 129,000 pounds or less;

''(2) complies with the single axle, tandem axle, and bridge formula limits set forth in subsection (a); and

''(3) is authorized to operate on such segment under Idaho State Law.''.

SEC. 125. Section 31111(b)(1)(A) of title 49, United States Code, is amended by striking ''or of less than 28 feet on a semitrailer or trailer operating in a truck tractor-semitrailer-trailer combination,'' and inserting ''or, notwithstanding section 31112, of less than 33 feet on a semitrailer or trailer operating in a truck tractor-semitrailer-trailer combination,''.

SEC. 126. EXEMPTION.—

(a) IN GENERAL.—Section 31112(c)(5) of title 49, United States Code, is amended—

(1) by striking ''Nebraska may'' and inserting ''Nebraska and Kansas may''; and

(2) by striking ''the State of Nebraska'' and inserting ''the relevant state''.

(b) CONFORMING AND TECHNICAL AMENDMENTS.—Section 31112(c) of such title is amended—

(1) by striking the subsection designation and heading and inserting the following:

''(c) SPECIAL RULES FOR WYOMING, OHIO, ALASKA, IOWA, NEBRASKA, AND KANSAS.—'';

(2) by striking ''; and'' at the end of paragraph (3) and inserting a semicolon; and

(3) by striking the period at the end of paragraph (4) and inserting ''; and''.

SEC. 127. Section 130(e)(1) of title 23, United States Code, is amended by striking ''$220,000,000'' and inserting ''$350,000,000''.

FEDERAL MOTOR CARRIER SAFETY ADMINISTRATION

MOTOR CARRIER SAFETY OPERATIONS AND PROGRAMS

(LIQUIDATION OF CONTRACT AUTHORIZATION)

(LIMITATION ON OBLIGATIONS)

(HIGHWAY TRUST FUND)

Contingent upon enactment of authorization legislation, for payment of obligations incurred in the implementation, execution and administration of motor carrier safety operations and programs pursuant to section 31104(i) of title 49, United States Code, and sections 4127 and 4134 of Public Law 109–59, as amended by Public Law 112–141, and as extended by Public Law 113–159, $259,000,000, to be derived from the Highway Trust Fund (other than the Mass Transit Account), together with advances and reimbursements received by the Federal Motor Carrier Safety Administration, the sum of which shall remain available until expended: *Provided*, That funds available for implementation, execution or administration of motor carrier safety operations and programs authorized under title 49, United States Code, and sections 4127 and 4134 of Public Law 109–59, as amended by Public Law 112–141, and as extended by Public Law 113–159, shall not exceed total obligations of $259,000,000 for ''Motor Carrier Safety Operations and Programs'' for fiscal year 2016, of which $9,000,000, to remain available for obligation until September 30, 2018, is for the research and technology program, and of which $34,545,000, to remain available for obligation until September 30, 2018, is for information management: *Provided further*, That $1,000,000 shall be made available for commercial motor vehicle operator grants to carry out section 4134 of Public Law 109–59, as amended by Public Law 112–141, and as extended by Public Law 113–159.

MOTOR CARRIER SAFETY GRANTS

(LIQUIDATION OF CONTRACT AUTHORIZATION)

(LIMITATION ON OBLIGATIONS)

(HIGHWAY TRUST FUND)

Contingent upon enactment of authorization legislation, for payment of obligations incurred in carrying out sections 31102, 31104(a), 31106, 31107, 31109, 31309, 31313 of title 49, United States Code, and sections 4126 and 4128 of Public Law 109–59, as amended by Public Law 112–141, as extended by Public Law 113–159, $313,000,000, to be derived from the Highway Trust Fund (other than the Mass Transit Account) and to remain available until expended: *Provided*, That funds available for the implementation or execution of motor carrier safety programs shall not exceed total obligations of $313,000,000 in fiscal year 2016 for ''Motor Carrier Safety Grants''; of which $218,000,000 shall be available for the motor carrier safety assistance program, $30,000,000 shall be available for commercial driver's license program improvement grants, $32,000,000 shall be available for border enforcement grants, $5,000,000 shall be available for performance and registration information system management grants, $25,000,000 shall be available for the commercial vehicle information systems and networks deployment program, and $3,000,000 shall be available for safety data improvement grants: *Provided further*, That, of the funds made available herein for the motor carrier safety assistance program, $32,000,000 shall be available for audits of new entrant motor carriers.

ADMINISTRATIVE PROVISIONS—FEDERAL MOTOR CARRIER SAFETY ADMINISTRATION

SEC. 130. Funds appropriated or limited in this Act shall be subject to the terms and conditions stipulated in section 350 of Public Law 107–87 and section 6901 of Public Law 110–28.

SEC. 131. The Federal Motor Carrier Safety Administration shall send notice of 49 CFR section 385.308 violations by certified mail, registered mail, or another manner of delivery, which records the receipt of the notice by the persons responsible for the violations.

SEC. 132. None of the funds appropriated or otherwise made available by this Act or any other Act may be used to implement, administer, or enforce sections 395.3(c) and 395.3(d) of title 49, Code of Federal Regulations, and such section shall have no force or effect on submission of the final report issued by the Secretary, as required by section 133 of Division K of Public Law 113–235, unless the Secretary and the Inspector General of the Department of Transportation each review and determine that the final report—

(1) meets the statutory requirements set forth in such section; and

(2) establishes that commercial motor vehicle drivers who operated under the restart provisions in effect between July 1, 2013, and the day before the date of enactment of such Public Law demonstrated statistically significant improvement in all outcomes related to safety, operator fatigue, driver health and longevity, and work schedules, in comparison to commercial motor vehicle drivers who operated under the restart provisions in effect on June 30, 2013.

SEC. 133. None of the funds limited or otherwise made available under the heading ''Motor Carrier Safety Operations and Programs'' may be used to deny an application to renew a Hazardous Materials Safety Program permit for a motor carrier based on that carrier's Hazardous Materials Out-of-Service rate, unless the carrier has the opportunity to submit a written description of corrective actions taken, and other documentation the carrier wishes the Secretary to consider, including submitting a corrective action plan, and the Secretary determines the actions or plan is insufficient to address the safety concerns that resulted in that Hazardous Materials Out-of-Service rate.

SEC. 134. None of the funds made available by this Act may be used to develop, issue, or implement any regulation that increases levels of minimum financial responsibility for transporting passengers or property as in effect on January 1, 2014, under regulations issued pursuant to sections 31138 and 31139 of title 49, United States Code.

□ 2130

AMENDMENT OFFERED BY MR. CARTWRIGHT

Mr. CARTWRIGHT. Madam Chair, I rise to offer an amendment.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Strike section 134.

The Acting CHAIR. Pursuant to House Resolution 287, the gentleman from Pennsylvania and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Pennsylvania.

Mr. CARTWRIGHT. Madam Chair, tonight I urge the adoption of my amendment, which would allow the Federal Motor Carrier Safety Administration to continue its congressionally mandated ongoing work to improve safety and accountability in the trucking and bus industry. I do so out of a

concern that we need to exhibit common sense in what we do. We need to be fiscally prudent, we need to promote safe highways in our Nation, and we need to recognize the importance of promoting personal responsibility and accountability.

My amendment would strike a section of this bill that would halt the FMCSA's work toward issuing a rule that would make our highways safer for everyone by creating an incentive for motor carriers to make safety a greater priority. We have to allow the FMCSA to proceed with the development of a rule to increase insurance minimums for motor carriers, which have not been updated in, fully, 35 years in this Nation and, thus, have become outdated to the point of uselessness.

The first point I make is that it is simply common sense that we adjust for inflation. Not adjusting for inflation for 35 years is not prudent, and it makes no sense. It allows carriers to travel on our Nation's highways in a financially irresponsible manner, in a manner that would allow them not to be accountable for whatever harm they might cause.

Adjusting for inflation is common sense. It is also fiscally prudent, because what happens? Right now in this Nation, tractor-trailers are allowed to travel around with $750,000 of liability insurance. The FMCSA is studying that number to see what it should be updated to after 35 years. $750,000 is not enough money.

Just this morning in my district in northeastern Pennsylvania, there was a horrendous truck and bus accident in which three people were killed and a dozen others were seriously injured. When three people are killed, asking their families to share $750,000 is not fiscally responsible. Look who pays the difference.

If somebody is killed or if somebody is rendered, for example, a paraplegic, they are going to incur incredible amounts of medical bills; they are not going to be able to work. Who picks up the difference when that happens? It is the Social Security system, it is the Medicare system, it is John Q. Taxpayer that ends up paying the bill when the trucking company doesn't have enough insurance to pay the damages.

That is why it is fiscally prudent that we allow the FMCSA to continue its important work, and it is important work that was mandated by the MAP–21 bill that required the FMCSA to do this work.

It also promotes safe highways, because if we raise insurance minimums up to modern and responsible levels, that means insurance companies will have to engage in actual real underwriting. They will have to go out from the home office and visit the headquarters of trucking companies to make sure they are acting properly and safely and responsibly. If they do that, if you want to buy insurance at reasonable levels, you have to act safely.

Finally, Madam Chair, this is about personal responsibility. If you don't have enough insurance, you get away without being personally responsible when these horrendous crashes happen.

Madam Chair, I yield to Mr. PRICE for a colloquy.

Mr. PRICE of North Carolina. I thank the gentleman for yielding. I want to commend him for offering this amendment.

Madam Chair, as he has stressed very effectively, this is simply irrational to freeze these claims where they were in the early 1980s, and it also defies our own body's directions to the DOT to look at this and to think about what kind of future changes might be in order. This simply preempts that whole process; is that right?

Mr. CARTWRIGHT. That is correct. For that very reason, I urge everyone to support my amendment to allow the FMCSA to finish its important work of examining and developing a rule that is critical to preventing devastating trucking accidents and keeping our highways safe and secure for everyone.

I yield back the balance of my time.

Mr. YOUNG of Iowa. Madam Chair, I claim time in opposition.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. YOUNG of Iowa. I yield myself such time as I may consume.

Madam Chair, I oppose this amendment. As is frequently the case in Washington, D.C., the proposed rules requiring truckers to increase their liability insurance is a solution in search of a problem. The provision currently included in the bill must remain. It must remain because it protects job creators so they can stay in business. When you consider that 99.9 percent of crashes are already covered by existing insurance requirements, you can see that increasing insurance and, thus, costs at the expense of jobs is just not a credible solution.

Safety is important. We all know that. We all want to make sure that our roadways are safe. But the Department of Transportation readily admits that raising the cost does not necessarily improve safety. The DOT's own study expresses a crippling revelation to proponents of a cost increase on our job creators. There may be more effective ways that reduce crashes at a lower cost.

Bottom line, we need to strike a balance. If the proposed regulations went into effect, our smaller trucking companies in Iowa and other rural areas in States around the country would be unable to absorb the increased costs, and it could threaten their ability to stay in business. Too frequently in this town we are working to fix the mistakes that were made by so-called Washington solutions. I strongly encourage the rejection of this amendment tonight.

Mr. CARTWRIGHT. Will the gentleman yield?

Mr. YOUNG of Iowa. I yield to the gentleman from Pennsylvania.

Mr. CARTWRIGHT. Madam Chair, on the one point about 99.9 percent of crashes settling within existing insurance minimums, there we have the opponents of my amendment speaking really out of both sides of their mouth, because if they say it is so rare that a crash will cost more than the minimum insurance, then what that means is that the expense of insuring against that minimal risk has to be minimal itself, but these are the same people saying that it will be a crippling additional insurance premium. It doesn't make sense.

Mr. YOUNG of Iowa. Reclaiming my time, I yield the balance of my time to the gentleman from Pennsylvania (Mr. PERRY).

Mr. PERRY. Madam Chair, I, too, oppose this amendment. Increasing insurance requirements will not improve highway safety. I mean, what incentive does it create? How does increasing the insurance requirement improve safety? It is not backed by any sound data.

The agency's own data shows that current requirements cover damages in more—more—than 99 percent of all crashes. Think about that, more than 99 percent of all crashes. But to the gentleman's point, my friend from Pennsylvania, the agency is planning on tying these requirements to medical inflation, and that results in increases of 500 percent or more. Think about that, medical inflation, this administration. I mean, isn't that the height of irony? I thought they were driving the cost of medical inflation down. That is another whole story.

The fact is the industry has a remarkable safety record compared to all commercial motor vehicles. As a matter of fact, motor coaches average only 20 fatalities per year and schoolbuses only 5. Now, that is not meant to minimize those losses because every life is precious, but in a highway environment that produces 35,000 fatalities per year, the DOT study did not even consider accident data, claims data, or talk to insurance carriers about the impacts of increasing insurance or whether there is even a need for it.

Indeed, this is a solution that is looking for a problem, a problem that does not exist. I urge the Members to vote ''no'' on this amendment.

Mr. YOUNG of Iowa. I urge my colleagues to oppose this amendment.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Pennsylvania (Mr. CARTWRIGHT).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. CARTWRIGHT. Madam Chair, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Pennsylvania will be postponed.

The Clerk will read.

The Clerk read as follows:

SEC. 135. None of the funds made available by this Act or previous appropriations Acts under the heading ''Motor Carrier Safety Operations and Programs'' shall be used to pay for costs associated with design, development, testing, or implementation of a wireless roadside inspection program until 180 days after the Secretary of Transportation certifies to the House and Senate Committees on Appropriations that such program does not conflict with existing non-Federal electronic screening systems, create capabilities already available, or require additional statutory authority to incorporate generated inspection data into safety determinations or databases, and has restrictions to specifically address privacy concerns of affected motor carriers and operators: *Provided*, That nothing in this section shall be construed as affecting the Department's ongoing research efforts in this area.

NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION

OPERATIONS AND RESEARCH

For expenses necessary to discharge the functions of the Secretary, with respect to traffic and highway safety authorized under chapter 301 and part C of subtitle VI of title 49, United States Code, $150,000,000, of which $20,000,000 shall remain available through September 30, 2017.

AMENDMENT OFFERED BY MR. GOSAR

Mr. GOSAR. I have an amendment at the desk.

The Acting CHAIR (Mr. COLLINS of Georgia). The Clerk will report the amendment.

The Clerk read as follows:

Page 40, line 12, after the dollar amount insert ''(reduced by $1,200,000)''.

Page 142, line 9, after the dollar amount insert ''(increased by $500,000)''.

The Acting CHAIR. Pursuant to House Resolution 287, the gentleman from Arizona and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Arizona.

□ 2145

Mr. GOSAR. Mr. Chairman, I rise today to offer an amendment which seeks to bolster funds for the inspector general of the National Railroad Passenger Corporation, or Amtrak.

I am a strong proponent of government oversight, and I believe the revelatory work of the inspector general should be staunchly supported within each agency of the Federal Government.

Today, given the dismal financial record of Amtrak through its history, compounded with recent safety failures, it is clear that the scrupulous, objective oversight of the inspector general is needed for this agency now more than ever.

This amendment redirects $500,000 to the Amtrak Office of the Inspector General salaries and expenses account to bring it up to the budget request level.

Since the Inspector General Act was passed into law, the IG community has saved taxpayers billions of dollars and has uncovered countless examples of wrongdoing in the Federal Government. The inspector general community does good work. Let's give them the resources they need.

The committee has noted the good work of the Amtrak OIG in the committee report, stating: ''The OIG's efforts have resulted in valuable studies and recommendations for this committee and for the Corporation that have yielded cost savings and management improvements. These studies have been in a number of areas, including food and beverage service, capital planning, overtime, and fraud.''

I commend the committee for the work they have done to support efficient and effective government.

This amendment is directly in line with the high value the committee places on the thorough work of the OIG and will ensure additional transparency and accountability within Amtrak.

There is a wide agreement about the need to reform, streamline, and improve Amtrak. A valuable first step in that reform is supporting the objective, rigorous auditing information which the OIG is uniquely qualified to produce.

I ask my colleagues to join me in support of government accountability by giving the Amtrak OIG the resources they need to identify the waste, fraud, and abuse within a government agency that is in desperate need of reform.

I thank the chairman and the ranking member for their leadership on this bill, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Arizona (Mr. GOSAR).

The amendment was agreed to.

The Acting CHAIR. The Clerk will read.

The Clerk read as follows:

OPERATIONS AND RESEARCH

(LIQUIDATION OF CONTRACT AUTHORIZATION)

(LIMITATION ON OBLIGATIONS)

(HIGHWAY TRUST FUND)

Contingent upon enactment of authorization legislation, for payment of obligations incurred in carrying out the provisions of 23 U.S.C. 403, and chapter 303 of title 49, United States Code, $125,000,000, to be derived from the Highway Trust Fund (other than the Mass Transit Account) and to remain available until expended: *Provided*, That none of the funds in this Act shall be available for the planning or execution of programs the total obligations for which, in fiscal year 2016, are in excess of $125,000,000, of which $120,000,000 shall be for programs authorized under 23 U.S.C. 403 and $5,000,000 shall be for the National Driver Register authorized under chapter 303 of title 49, United States Code: *Provided further*, That within the $120,000,000 obligation limitation for operations and research, $20,000,000 shall remain available until September 30, 2017, and shall be in addition to the amount of any limitation imposed on obligations for future years: *Provided further*, That $6,500,000 of the total obligation limitation for operations and research in fiscal year 2016 shall be applied toward unobligated balances of contract authority provided in prior Acts for carrying out the provisions of 23 U.S.C. 403, and chapter 303 of title 49, United States Code.

HIGHWAY TRAFFIC SAFETY GRANTS

(LIQUIDATION OF CONTRACT AUTHORIZATION)

(LIMITATION ON OBLIGATIONS)

(HIGHWAY TRUST FUND)

Contingent on the enactment of authorization legislation, for payment of obligations incurred in carrying out provisions of 23 U.S.C. 402 and 405, section 2009 of Public Law 109–59, as amended by Public Law 112–141, and section 31101(a)(6) of Public Law 112–141, to remain available until expended, $561,500,000, to be derived from the Highway Trust Fund (other than the Mass Transit Account): *Provided*, That none of the funds in this Act shall be available for the planning or execution of programs the total obligations for which, in fiscal year 2016, are in excess of $561,500,000 for programs authorized under 23 U.S.C. 402 and 405, section 2009 of Public Law 109–59, as amended by Public Law 112–141, and section 31101(a)(6) of Public Law 112–141, of which $235,000,000 shall be for ''Highway Safety Programs'' under 23 U.S.C. 402; $272,000,000 shall be for ''National Priority Safety Programs'' under 23 U.S.C. 405; $29,000,000 shall be for the ''High Visibility Enforcement Program'' under section 2009 of Public Law 109–59, as amended by Public Law 112–141; $25,500,000 shall be for ''Administrative Expenses'' under section 31101(a)(6) of Public Law 112–141: *Provided further*, That none of these funds shall be used for construction, rehabilitation, or remodeling costs, or for office furnishings and fixtures for State, local or private buildings or structures: *Provided further*, That not to exceed $500,000 of the funds made available for ''National Priority Safety Programs'' under 23 U.S.C. 405 for ''Impaired Driving Countermeasures'' (as described in subsection (d) of that section) shall be available for technical assistance to the States: *Provided further*, That with respect to the ''Transfers'' provision under 23 U.S.C. 405(a)(1)(G), any amounts transferred to increase the amounts made available under section 402 shall include the obligation authority for such amounts: *Provided further*, That the Administrator shall notify the House and Senate Committees on Appropriations of any exercise of the authority granted under the previous proviso or under 23 U.S.C. 405(a)(1)(G) within 60 days.

ADMINISTRATIVE PROVISIONS—NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION

SEC. 140. An additional $130,000 shall be made available to the National Highway Traffic Safety Administration, out of the amount limited for section 402 of title 23, United States Code, to pay for travel and related expenses for State management reviews and to pay for core competency development training and related expenses for highway safety staff.

SEC. 141. The limitations on obligations for the programs of the National Highway Traffic Safety Administration set in this Act shall not apply to obligations for which obligation authority was made available in previous public laws but only to the extent that

the obligation authority has not lapsed or been used.

SEC. 142. None of the funds in this Act shall be used to implement section 404 of title 23, United States Code.

SEC. 143. None of the funds made available by this Act may be used to obligate or award funds for the National Highway Traffic Safety Administration's National Roadside Survey.

SEC. 144. None of the funds made available by this Act may be used to mandate global positioning system (GPS) tracking in private passenger motor vehicles without providing full and appropriate consideration of privacy concerns under 5 U.S.C. chapter 5, subchapter II.

FEDERAL RAILROAD ADMINISTRATION

SAFETY AND OPERATIONS

For necessary expenses of the Federal Railroad Administration, not otherwise provided for, $186,870,000, of which $15,400,000 shall remain available until expended.

AMENDMENT OFFERED BY MR. GARRETT

Mr. GARRETT. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 44, line 13, after the dollar amount, insert ''(increased by $16,930,000)''.

Page 52, line 16, after the dollar amount, insert ''(reduced by $83,000,000)''.

The Acting CHAIR. Pursuant to House Resolution 287, the gentleman from New Jersey and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from New Jersey.

Mr. GARRETT. Mr. Chairman, I rise today to offer an amendment that will bolster our Nation's rail safety and operations.

First, I would like to thank the gentleman from Florida for his dedication and important work on this bill.

Mr. Chairman, the number of train derailments and accidents in our local communities is a growing concern among my constituents and Americans all across the country.

In the first 2 months of 2015, there were 18 Amtrak accidents, as well as recent oil train derailments in West Virginia and in North Dakota. Most recently, Mr. Chairman, an Amtrak train crash in Philadelphia killed eight people and injured dozens more.

In New Jersey alone, there are 2,400 miles of freight lines and over 1,000 passenger rail miles, and we must ensure, Mr. Chairman, that these existing lines are operating safely.

So what do we have here? My amendment fully funds the Federal Railroad Administration's safety and operations account without increasing spending in the underlying bill. The FRA's safety and operations account provides funding for the FRA's safety program activities related to passenger and freight railroads.

So how do we do this? By reallocating a mere 4 percent of funding from capital investment grants, we can fund the safe operation of our Nation's trains at the President's requested levels.

Mr. Chairman, we do not build a new section onto our house if our roof is caving in. So we should not be adding on to these systems if they are caving in or failing.

So why are we funding new projects before we ensure that our current rail lines have enough dollars, enough funding for their safety?

My amendment would simply prioritize safety and maintenance of our existing infrastructure over the ribbon-cutting ceremonies associated with system expansion.

In light of the recent upsurge in deadly rail accidents, now is the time to adequately fund the safety and operations of our trains. Additionally, with our rising national debt, it is very important that we remain fiscally responsible and prioritize how we spend our constituents' hard-earned tax dollars.

That is why, in conclusion, my amendment does not increase spending, but only prioritizes a commonsense directive. And so I urge my colleagues to support my amendment to fund train safety, and I reserve the balance of my time.

Mr. DIAZ-BALART. Mr. Chairman, I claim time in opposition.

The Acting CHAIR. The gentleman from Florida is recognized for 5 minutes.

Mr. DIAZ-BALART. Mr. Chairman, while I know and I am absolutely certain that the gentleman from New Jersey's heart is in the right place, unfortunately, I cannot support the offset.

The committee carefully calculated the New Start numbers to be able to accommodate the signed FFGAs and Small Starts Grant Agreements at the beginning of the fiscal year, and I am a firm believer that once you sign a grant, once you make that commitment, we should honor it. This reduction would impact those signed agreements, so I reluctantly oppose this amendment.

With that, Mr. Chairman, I yield to the gentleman from North Carolina (Mr. PRICE), the ranking member.

Mr. PRICE of North Carolina. Mr. Chairman, I thank the gentleman for yielding, and I want to echo his opposition to this amendment, although I do commend Mr. GARRETT for his focus on safety and operations. I, too, would like to raise that appropriation to the request level. That is a good objective.

There are a couple of problems here, though. One, is that because of differences in outlay rates, to pick up $17 million on the safety and operations side you have to cut $83 million from the transit New Starts. That has to do with differences in outlay rates. But the fact is, it is a substantial cut. And these New Starts in the bill, I remind colleagues, are already $1.3 billion below the President's request. They are $198 million below what we have this year.

These are badly underfunded items. So we simply, again, are robbing Peter to pay Paul. But because of the disproportionate impact here, and the fact that New Starts are already so underresourced, I reluctantly oppose this amendment.

Mr. DIAZ-BALART. I yield back the balance of my time.

Mr. GARRETT. Mr. Chairman, two points. The first is, I understand the gentleman's opposition on procedural grounds as far as the differences in outlays and what have you. But when you go back home and talk to your district and say you are trying to do something for safety, as we are in this case, and you say: Well, the reason we can't do this is the procedural aspect of outlays versus the actual amount of money going in and the amount of money being cut, and so on and so forth, and you go through all the rubric and the matrix that we use around here and all the buzz words on the floor to try to explain things, the eyes of the people back home glaze over, rightfully so, because they say: Those are your rules, not ours. Why don't you just get something done.

What they are asking to get done is rail safety. And that is what this amendment does.

I just want to end with one quote. Back in 2010, the head of the FTA—at that time, the administrator was Peter Rogoff—chastised local transit agencies for promoting rail construction for so many new rail lines. He said on one hand, agencies were unable to maintain the rail lines they already had. The FTA had recently at that point estimated that rail transit systems suffered from close to a $60 billion maintenance backlog—and the backlog was growing even then.

And he said this: ''If you can't afford to operate the systems you have,'' he asked the agencies, ''why does it make sense for us to partner with you in new expansions?''

That is a great question. If they can't fix up what is already out there and all the problems on the rail lines out there on important things like safety, then why on Earth are we spending all these tens of millions of dollars on brand new programs that we know that they are not going to be able to maintain as well? Let's do first things first.

As I said in my little example before, if your roof is collapsing on your house, you don't add a new deck, you don't put in a new pool, you don't put in a paved new driveway, you don't do anything else. You repair the roof, first and foremost, and then everything else comes after that.

And that is really all I am asking. Let's maintain the safety, first and foremost, so that everyone riding on the rails can feel confident that they are operating right. Then, after that, let's come back here to the floor and fix up the other funding mechanism for new programs and what have you, and go forward.

Right now, let's make sure that our constituents back home can feel confident every time they ride on a transit system, be it a bus or train or something else, that they know that it is adequately funded and taken care of and maintained.

With that, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from New Jersey (Mr. GARRETT).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. GARRETT. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from New Jersey will be postponed.

The Acting CHAIR. The Clerk will read.

The Clerk read as follows:

RAILROAD RESEARCH AND DEVELOPMENT

For necessary expenses for railroad research and development, $39,100,000, to remain available until expended.

RAILROAD REHABILITATION AND IMPROVEMENT FINANCING PROGRAM

The Secretary of Transportation is authorized to issue direct loans and loan guarantees pursuant to sections 501 through 504 of the Railroad Revitalization and Regulatory Reform Act of 1976 (Public Law 94–210), as amended, such authority to exist as long as any such direct loan or loan guarantee is outstanding. *Provided*, That pursuant to section 502 of such Act, as amended, no new direct loans or loan guarantee commitments shall be made using Federal funds for the credit risk premium during fiscal year 2016.

OPERATING GRANTS TO THE NATIONAL RAILROAD PASSENGER CORPORATION

To enable the Secretary of Transportation to make quarterly grants to the National Railroad Passenger Corporation, in amounts based on the Secretary's assessment of the Corporation's seasonal cash flow requirements, for the operation of intercity passenger rail, as authorized by section 101 of the Passenger Rail Investment and Improvement Act of 2008 (division B of Public Law 110–432), $288,500,000, to remain available until expended: *Provided*, That the amounts available under this paragraph shall be available for the Secretary to approve funding to cover operating losses for the Corporation only after receiving and reviewing a grant request for each specific train route: *Provided further*, That each such grant request shall be accompanied by a detailed financial analysis, revenue projection, and capital expenditure projection justifying the Federal support to the Secretary's satisfaction: *Provided further*, That not later than 60 days after enactment of this Act, the Corporation shall transmit, in electronic format, to the Secretary and the House and Senate Committees on Appropriations the annual budget, business plan, the 5-Year Financial Plan for fiscal year 2016 required under section 204 of the Passenger Rail Investment and Improvement Act of 2008 and the comprehensive fleet plan for all Amtrak rolling stock: *Provided further*, That the budget, business plan and the 5-Year Financial Plan shall include annual information on the maintenance, refurbishment, replacement, and expansion for all Amtrak rolling stock consistent with the comprehensive fleet plan: *Provided further*, That the Corporation shall provide monthly performance reports in an electronic format which shall describe the work completed to date, any changes to the business plan, and the reasons for such changes as well as progress against the milestones and target dates of the 2012 performance improvement plan: *Provided further*, That the Corporation's budget, business plan, 5-Year Financial Plan, semiannual reports, monthly reports, comprehensive fleet plan and all supplemental reports or plans comply with requirements in Public Law 112–55: *Provided further*, That none of the funds provided in this Act may be used to support any route on which Amtrak offers a discounted fare of more than 50 percent off the normal peak fare: *Provided further*, That the preceding proviso does not apply to routes where the operating loss as a result of the discount is covered by a State and the State participates in the setting of fares.

AMENDMENT OFFERED BY MS. TITUS

Ms. TITUS. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 45, line 15, after the dollar amount, insert ''(reduced by $1,000,000) (increased by $1,000,000)''.

The Acting CHAIR. Pursuant to House Resolution 287, the gentlewoman from Nevada and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Nevada.

□ 2200

Ms. TITUS. Mr. Chairman, I rise today with this very simple amendment. It is one that is meant to shed light on inadequate investments that are being made in our Nation's passenger rail service.

The bill before us appropriates nearly $16 billion for aviation, over $40 billion for our roads, over $10 billion for public transit, but just $1.1 billion for our Nation's passenger rail service.

I represent Las Vegas, where we import everything from tourists to lobsters, so we certainly understand the importance of transportation mobility.

It is interesting, many international and domestic travelers alike are shocked to learn, when they are coming to Las Vegas, that a major metropolitan city, home to more than 2 million residents and playground and boardroom to over 42 million visitors a year, we just don't have access to passenger rail service.

Visitors from Europe or Asia are accustomed to taking trains from one city to another, and they face a sad reality when traveling to Las Vegas from other Southwestern tourist destinations.

From Los Angeles, for example, you would have to take a 7-hour train ride that drops you off in Kingman, Arizona, at 1:30 in the morning. There, you would have to find the bus station, which is 4 miles away, get on a bus at 4 in the morning to travel another 3 hours to downtown Las Vegas. That is just crazy.

The last Amtrak train on the Desert Wind line departed the back of the Plaza Hotel in May of 1997, bound for Los Angeles.

Well, a lot has changed since the late 1990s. Over the last 17 years, southern Nevada's population has grown by a million new residents, and 10 million more visitors travel to southern Nevada annually, putting enormous strain on our area's highways and the airport, which is among the top 10 busiest airports in the country.

More than 42,000 vehicles also cross the I–15 border between California and Nevada daily. If you have traveled along that busy stretch of road, you know the kind of traffic nightmares that you might encounter.

In fact, I recently spoke with an airline pilot who frequently makes the short flight between Los Angeles and Las Vegas, and he remarked that you can't get lost. All you have to do is follow the red brake lights on I–15 all the way to McCarran.

We can and we must do better; but this isn't just about Las Vegas. Cities like Phoenix, Arizona; Nashville, Tennessee; Columbus, Ohio; Louisville, Kentucky; and Boise, Idaho, don't have passenger rail service either.

In addition, there is no direct rail service between major metropolitan areas like Houston and Dallas, Atlanta and Orlando, and Kansas City and Oklahoma City. I believe that expanding rail service to unserved communities like those in southern Nevada should be a priority, but, unfortunately, this legislation before us does not really get us there.

At the end of April, I organized a roundtable back in my district to discuss the need to restore passenger service to Las Vegas, and I was really surprised by the high level of interest from local stakeholders.

We had participants from our State and local transportation authorities, the gaming and hotel industries, the chamber of commerce, labor unions and economic development organizations, all in agreement that southern Nevada should have passenger rail service as part of our long-term economic viability plans. This type of development is a regional and should be a national priority.

Now, a lot of attention has been paid to the Northeast corridor, where travelers frequent Amtrak service along the East Coast, but we should not forget that it was the railroad that built the West and still, today, remains a critical piece of our transportation network.

China is investing $128 million in rail in 2015 alone and India, $137 billion over the next 5 years; yet we are investing only $1.1 billion.

Mr. Chairman, since this amendment really has no monetary impact, I would respectfully ask that you accept it. It is my hope that we recognize this mode of transportation that is so tied to our Nation's history and that we can continue to work together to see that it gets the attention and support that it deserves.

Thank you very much for your time and your consideration. I hope that, together, we can work to be sure that passenger rail service is expanded throughout the country and especially in the Southwest.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from Nevada (Ms. TITUS).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. BROOKS OF ALABAMA

Mr. BROOKS of Alabama. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 45, strike line 6 and all that follows through page 47, line 3.

The Acting CHAIR. Pursuant to House Resolution 287, the gentleman from Alabama and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Alabama.

Mr. BROOKS of Alabama. Mr. Chairman, America recently suffered four straight trillion dollar deficits. In the past few months, America's debt blew through the $18 trillion mark.

America pays over $200 billion per year in debt service, which is more than four times what the Federal Government spends on highways, bridges, and interstates each year. America's Comptroller General warns that America's deficits and debt paths are unsustainable.

The nonpartisan Congressional Budget Office warns that our debt service cost is on a path to increase by another $600 billion within a decade, to more than $800 billion per year. That is more than America spends each year on national defense. The CBO also warns that, within a decade, if current trends continue, America will face yearly trillion dollar deficits in perpetuity.

Per then-Chairman of the Joint Chiefs of Staff Admiral Mike Mullen's testimony before the House Armed Services Committee, debt is America's ''greatest threat to our national security.''

As a result of America's debt, in a few short years, America's uniformed military personnel numbers will be our smallest since before World War II, America's Navy will have the smallest number of operational naval vessels since World War I, and America's Air Force will have its smallest number of operational aircraft in its history. Debt, not our enemies, is slowly but surely stripping America of its ability to defend itself.

In sum, Washington's financial irresponsibility, this House of Representatives' financial irresponsibility, is pushing America into a debilitating insolvency and bankruptcy that will destroy the American Dream for our children and grandchildren.

It is in this setting that I beseech this House of Representatives to be financially responsible by supporting my amendment that eliminates Federal Government operating subsidies of Amtrak, thus forcing Amtrak to operate in the black.

How bad is the Amtrak subsidy problem? The Congressional Research Service reports that, from 1971 to 2015, Federal Amtrak subsidies totaled $78 billion in constant 2015 dollars. In fiscal year 2014, Amtrak had a net loss of $1.1 billion. Who paid for that loss? America's children and grandchildren, that is who.

How so? It is because America does not have the money and had to borrow every penny of that $1.1 billion, thus burdening Americans for generations to come.

Mr. Chairman, a business that relies on subsidies and tax dollars to cover losses has little incentive to operate efficiently or effectively or, for that matter, as safely as it should.

It is appalling that the Federal Government undermines and threatens the future of America's children and grandchildren in order to subsidize Amtrak passenger service that would be self-sufficient if Amtrak riders stopped mooching off of hard-working American taxpayers and, instead, simply paid for the actual cost of their rides.

Amtrak supporters often claim that Amtrak will go out of business if it is not subsidized by American taxpayers. That is bunk unsupported by facts.

This same ''woe is me'' argument was made about freight train subsidies; yet, when freight rail subsidies ended and freight rail was sold to private investors in the 1980s, freight rail did not go out of business and still operates today.

Similarly, the Federal Government does not operate or subsidize national airlines or national bus services; yet airlines and buses operate profitably in the private sector, despite Federal Government subsidies for Amtrak, their competitor.

Just as airlines, bus services, and freight rail operate without government subsidies, Amtrak will do the same if this House of Representatives has the courage to wean Amtrak from the taxpayer nipple.

Mr. Chairman, after more than 40 years, it is time to stop the runaway Amtrak train. It is time to force Amtrak riders to pay their own way by ending their subsidized rides on the backs of American taxpayers.

I urge adoption of my amendment to do just that.

I reserve the balance of my time.

Mr. PRICE of North Carolina. Mr. Chairman, I seek time in opposition.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. PRICE of North Carolina. Mr. Chairman, I rise in strong opposition to this amendment which, purely and simply, would end intercity passenger rail for our Nation.

I remind colleagues, there is not a single mode of transportation in this country that is not subsidized, contrary to what we have just heard.

To make the case further, I yield such time as she may consume to the gentlewoman from Florida (Ms. BROWN), a distinguished member of the authorizing committee.

Ms. BROWN of Florida. I thank the gentleman.

Mr. Chairman, when I was coming up, I used to like this television show, ''Robin Hood.'' My colleagues practice what I call reverse Robin Hood, robbing from the working people and the poor people and the transit people to give tax breaks to the rich.

Just a few weeks ago, the House Republicans passed a bill cutting taxes by $269 billion—I guess that didn't affect the deficit—for their wealthiest friends, but can't find the $2 billion that we need for Amtrak—shameful.

The funding cuts proposed in this amendment would simply force Amtrak to shut down, strand millions of rail passengers, disrupt commuter operations, add to our already congested roads and airports, eliminate over 20,000 jobs nationwide, and jeopardize local economies and businesses that depend on Amtrak's service.

Amtrak provides the majority of all intercity passenger rail service in the United States, with more States and localities across America turning to passenger rail to meet the transportation needs of our citizens.

Amtrak has done an excellent job, based on the fact that 9/11, when we were attacked, Amtrak was the only means that you could move away.

When we had Hurricane Katrina, Amtrak is the only way that we could move people out of harm's way by evacuating and delivering food and water and supplies.

Amtrak has made significant improvement in its system over the last several years, has steady increase in ridership numbers, played a vital role in disaster recovery, and has an ambitious agenda for future growth.

I encourage all Members to vote against this ill-willed and ill-thought-out amendment.

Mr. PRICE of North Carolina. Mr. Chairman, I yield back the balance of my time.

Mr. BROOKS of Alabama. Mr. Chairman, I would respond that there is no factual basis for the gentlewoman's comments that have just been made.

Socialism does not work. We need to get Amtrak passengers off the backs of

all taxpayers, including those that are poor, that can't afford the taxes that they are already having to pay to benefit those Amtrak riders. Let's set them free.

I yield back the balance of my time.

Mr. PRICE of North Carolina. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. PRICE of North Carolina. Mr. Chairman, I yield to my colleague from Pennsylvania (Mr. FATTAH).

Mr. FATTAH. Let me thank the ranking member.

The fact of the matter is, notwithstanding what was offered to the House as the picture of America, we actually live in the greatest country in the world. We have the strongest economy. We are the wealthiest country. There is no country, based on the IMF, that would want to trade our position vis-a-vis debt-to-wealth ratio.

I hear the gentleman saying, Woe is America, and we can't afford to subsidize rail. I think the ranking member makes it clear that there is no form of transportation that is not subsidized.

I heard this utterance that we don't subsidize airplane travel. This is nonsensical. Just the facts of this bill itself outline some of our country's subsidies for our airline industry.

□ 2215

But I want to talk about Amtrak.

When it is said that there is a $1 billion subsidy and that somehow we can't afford that from last year, I want to remind this House that for each and every month we have been in Afghanistan, we have been spending $2 billion a week for well over a decade, as a Nation. The idea that we can't afford to have a first-rate passenger rail system defies logic. It is just a matter of political will.

We need to make a decision about America's place in the world, and our economy is dependent on our ability to transport not just freight but human beings, and Amtrak is critical to that.

I thank the gentleman from North Carolina for yielding me time.

I hope this House will reconsider this thrust of the majority to move away from passenger rail. I heard some talk from the gentleman that we have got to stop this runaway train, but we tried to stop a train in Philadelphia, and if we had made the investments, there would be people who would be alive today.

We need to make these investments, and we need to move our country forward. It is not about political philosophy. It is about practicality.

Our economic competitors are subsidizing rail. And if we want to make our economy work, we are going to have to make Amtrak work. And we can do that through some of the efforts on this bill today.

Mr. PRICE of North Carolina. I thank the gentleman for his wise words and join him in wholeheartedly opposing this amendment.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Alabama (Mr. BROOKS).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. BROOKS of Alabama. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Alabama will be postponed.

The Acting CHAIR. The Clerk will read.

The Clerk read as follows:

CAPITAL AND DEBT SERVICE GRANTS TO THE NATIONAL RAILROAD PASSENGER CORPORATION

To enable the Secretary of Transportation to make grants to the National Railroad Passenger Corporation for capital investments as authorized by sections 101(c), 102, and 219(b) of the Passenger Rail Investment and Improvement Act of 2008 (division B of Public Law 110–432), $850,000,000, to remain available until expended, of which not to exceed $160,200,000 shall be for debt service obligations as authorized by section 102 of such Act: *Provided*, That of the amounts made available under this heading, not less than $50,000,000 shall be made available to bring Amtrak-served facilities and stations into compliance with the Americans with Disabilities Act: *Provided further*, That after an initial distribution of up to $200,000,000, which shall be used by the Corporation as a working capital account, all remaining funds shall be provided to the Corporation only on a reimbursable basis: *Provided further*, That of the amounts made available under this heading, up to $20,000,000 may be used by the Secretary to subsidize operating losses of the Corporation should the funds provided under the heading ''Operating Grants to the National Railroad Passenger Corporation'' be insufficient to meet operational costs for fiscal year 2016: *Provided further*, That the Secretary may retain up to one-half of 1 percent of the funds provided under this heading to fund the costs of project management and oversight of activities authorized by subsections 101(a) and 101(c) of division B of Public Law 110–432: *Provided further*, That the Secretary shall approve funding for capital expenditures, including advance purchase orders of materials, for the Corporation only after receiving and reviewing a grant request for each specific capital project justifying the Federal support to the Secretary's satisfaction: *Provided further*, That except as otherwise provided herein, none of the funds under this heading may be used to subsidize operating losses of the Corporation: *Provided further*, That none of the funds under this heading may be used for capital projects not approved by the Secretary of Transportation or on the Corporation's fiscal year 2016 business plan: *Provided further*, That in addition to the project management oversight funds authorized under section 101(d) of division B of Public Law 110–432, the Secretary may retain up to an additional $3,000,000 of the funds provided under this heading to fund expenses associated with implementing section 212 of division B of Public Law 110–432, including the amendments made by section 212 to section 24905 of title 49, United States Code: *Provided further*, That Amtrak shall conduct a business case analysis on capital investments that exceed $10,000,000 in life-cycle costs: *Provided further*, That each contract for a capital acquisition that exceeds $10,000,000 in life cycle costs shall state that funding is subject to the availability of appropriated funds provided by an appropriations Act.

AMENDMENT OFFERED BY MS. BROWN OF FLORIDA

Ms. BROWN of Florida. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 47, line 11, after the dollar amount insert ''(increased by $861,500,000)''.

Mr. DIAZ-BALART. Mr. Chairman, I reserve a point of order on the gentlewoman's amendment.

The Acting CHAIR. A point of order is reserved.

Pursuant to House Resolution 287, the gentlewoman from Florida and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Florida.

Ms. BROWN of Florida. Mr. Chairman, my amendment increases capital grants to Amtrak by $861 million. This will bring the total funding for Amtrak in the bill to $2 billion, equal to Amtrak's fiscal year 2016 budget request to Congress.

This bill, as if it wasn't bad enough, cut $290 million from Amtrak's capital program, which is used to repair and replace aging infrastructure on the Northeast corridor, including 140-year-old bridges and tunnels, and implement positive train control, a system that, according to the National Transportation Safety Board, would have prevented the recent Amtrak derailment in Philadelphia.

According to the April 2015 report to Congress, ''At the current rate of available funding, it would take over 300 years to replace all of the bridges on the Northeast corridor, well beyond the timeframe in which assets would simply be shut down.''

The list of critical needs extends far beyond just bridges and tunnels. Major portions of Amtrak's electrical power supply system date back to 1930.

According to the commission, in total, $21.1 billion is needed to achieve a state of good repair on the corridor, $8.7 billion of which is needed to address critical infrastructure needs over the next 5 years.

We cannot point to the recent Amtrak derailment and say that it was directly caused by a lack of investment. That is true. But we do know from the NTSB that it was preventable had positive train control been installed on that section of track.

Amtrak included $36.4 million in their $2 billion fiscal year 2016 budget request to Congress. Amtrak testified at a hearing in the Transportation and

Infrastructure Committee yesterday that had they been provided adequate funding from the get-go, they would have been able to implement positive train control sooner.

The impact of this tragic accident could also have been lessened had the Republican-controlled Congress not denied Amtrak's request for funding to replace passenger cars that date back to 1975 with newer cars.

At this time, I yield to the gentleman from Philadelphia, Pennsylvania (Mr. FATTAH).

Mr. FATTAH. Mr. Chairman, I rise in support of this amendment.

I think it is critically important that we understand that the President requested an increase in capital allotments for Amtrak. Not only was that not honored, but we actually went with the wisdom of the majority: we actually cut last year's number by over $250-plus million.

This is a move in the wrong direction for our country, and I hope that through the gentlewoman's amendment, we can reverse that. So I stand in support of it, and I hope that the majority would allow us to proceed to a vote.

Ms. BROWN of Florida. I reserve the balance of my time.

POINT OF ORDER

Mr. DIAZ-BALART. Mr. Chairman, the amendment proposes a net increase in budget authority in the bill.

The amendment is not in order under section 3(d)(3) of House Resolution 5 of the 114th Congress, which states the following:

''It shall not be in order to consider an amendment to a general appropriations bill proposing a net increase in budget authority in the bill unless considered en bloc with another amendment or amendments proposing an equal or greater decrease in such budget authority pursuant to clause 2(f) of rule XXI.''

The amendment proposes a net increase in budget authority in the bill in violation of such section.

I ask for a ruling from the Chair.

The Acting CHAIR. Does any other Member wish to be heard on the point of order?

Ms. BROWN of Florida. Mr. Chairman, I wish to be heard on the point of order.

The Acting CHAIR. The gentlewoman from Florida is recognized.

Ms. BROWN of Florida. Mr. Chairman, just a few short weeks ago, House Republicans passed a bill cutting taxes by $269 billion for their wealthiest friends, yet we can't find $2 billion for Amtrak to make it safe?

My friend from Florida, this is unacceptable; shame.

The Acting CHAIR. The gentlewoman needs to confine her remarks to the point of order.

Ms. BROWN of Florida. I thought I was speaking to the point of order, sir.

That is my point. We cut $269 billion, and we can't find $2 billion to make Amtrak safe? That is the point.

The Acting CHAIR. The Chair is prepared to rule.

The gentleman from Florida makes a point of order that the amendment offered by the gentlewoman from Florida violates section 3(d)(3) of House Resolution 5.

Section 3(d)(3) establishes a point of order against an amendment proposing a net increase in budgetary authority in the pending bill.

As persuasively asserted by the gentleman from Florida, the amendment proposes a net increase in budget authority in the bill. Therefore, the point of order is sustained. The amendment is not in order.

AMENDMENT OFFERED BY MR. BROOKS OF ALABAMA

Mr. BROOKS of Alabama. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 47, strike line 4 and all that follows through page 49, line 8.

The Acting CHAIR. Pursuant to House Resolution 287, the gentleman from Alabama and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Alabama.

Mr. BROOKS of Alabama. Mr. Chairman, my first amendment, Brooks No. 19, strikes $288.5 million in operating subsidies for Amtrak. This second amendment, which is Brooks No. 21, strikes capital and debt service subsidies that total $850 million per year to get to the point where we can strike all taxpayer subsidies for Amtrak.

I would rely on the arguments previously made with respect to my first amendment to support this second amendment.

I would add, however, that I have heard some comments about the safety associated with Amtrak. I would emphasize at this point that if you want safety with rail service, probably the best thing to do is to put it in the private sector and eliminate Amtrak altogether.

Look at airlines, air carriers; they are private sector and are much safer than Amtrak. Look at buses; they are private sector and are safer than Amtrak. And I would submit that if lives are what concern the opponents to these amendments that they would propose putting Amtrak into private hands in order to have the same kind of safety record that we have with buses, air carriers, and other modes of private transportation.

Mr. Chairman, at this point, I reserve the balance of my time.

Mr. PRICE of North Carolina. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. PRICE of North Carolina. Mr. Chairman, I very strongly oppose this amendment which, like the gentleman's previous amendment, would essentially end passenger rail service in this country. It is just that drastic. It is also targeting passenger rail in a way that obscures the fact that every mode of transportation in this country is subsidized. It is in the public interest to maintain diverse modes of transportation that serve our various transportation needs and our various population centers.

Amtrak provides an invaluable service to this country: 500 destinations in 46 States, connecting small communities that don't have access to air service.

Amtrak is popular with the American people. It is increasingly being taken advantage of. In the last 11 years, 10 consecutive years of record ridership, serving nearly 32 million passengers last year.

Without Amtrak's service in the Northeast corridor, where would we be? There would be virtual gridlock in New York's airports, but it is not just the Northeast corridor. I come from a State that had the insight years ago to invest in State Amtrak service, and now Amtrak is the preferred mode of transportation for thousands of people between Raleigh and Charlotte, with three full routes a day in each direction.

This is an irresponsible amendment. It will eliminate thousands of jobs. It will harm local economies. And it will violate labor agreements. There is so much wrong with this.

I urge its rejection and yield back the balance of my time.

Mr. BROOKS of Alabama. Mr. Chairman, I would submit that the argument that this would end rail service is absolutely false and is not supported by history. Nothing in history supports the gentleman's argument. However well-intentioned, the evidence is clear.

Freight rail, the same kind of argument was made. Subsidies were ended. It went into the private sector. It survives and thrives today.

There is an argument that buses and air carriers are somehow or another subsidized. I would submit that what we are talking about, there are user fees and there are gasoline taxes and diesel taxes that pay for those roads that buses use, and there are air passenger charges that pay for the cost of those airports that air carriers use.

So with that as a backdrop, I would submit that it is time for Amtrak passengers to pay their own way. It is time for Amtrak passengers to quit riding on the backs of other taxpayers. They have the ability to pay their own way. The rest of the country is expected to pay their own way when they travel. As such, I would ask this body to adopt my amendment.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Alabama (Mr. BROOKS).

The question was taken; and the Acting Chair announced that the ayes appeared to have it.

Mr. PRICE of North Carolina. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Alabama will be postponed.

The Acting CHAIR. The Clerk will read.

The Clerk read as follows:

ADMINISTRATIVE PROVISIONS—FEDERAL RAILROAD ADMINISTRATION

SEC. 150. The Secretary of Transportation may receive and expend cash, or receive and utilize spare parts and similar items, from non-United States Government sources to repair damages to or replace United States Government owned automated track inspection cars and equipment as a result of third-party liability for such damages, and any amounts collected under this section shall be credited directly to the Safety and Operations account of the Federal Railroad Administration, and shall remain available until expended for the repair, operation and maintenance of automated track inspection cars and equipment in connection with the automated track inspection program.

SEC. 151. None of the funds provided to the National Railroad Passenger Corporation may be used to fund any overtime costs in excess of $35,000 for any individual employee: *Provided*, That the President of Amtrak may waive the cap set in the previous proviso for specific employees when the President of Amtrak determines such a cap poses a risk to the safety and operational efficiency of the system: *Provided further*, That Amtrak shall report to the House and Senate Committees on Appropriations each quarter of the calendar year on waivers granted to employees and amounts paid above the cap for each month within such quarter and delineate the reasons each waiver was granted: *Provided further*, That the President of Amtrak shall report to the House and Senate Committees on Appropriations by March 1, 2016, a summary of all overtime payments incurred by the Corporation for 2015 and the three prior calendar years: *Provided further*, That such summary shall include the total number of employees that received waivers and the total overtime payments the Corporation paid to those employees receiving waivers for each month for 2015 and for the three prior calendar years.

FEDERAL TRANSIT ADMINISTRATION

ADMINISTRATIVE EXPENSES

For necessary administrative expenses of the Federal Transit Administration's programs authorized by chapter 53 of title 49, United States Code, $102,933,000, of which not more than $4,000,000 shall be available to carry out the provisions of 49 U.S.C. 5329 and not less than $750,000 shall be available to carry out the provisions of 49 U.S.C. 5326: *Provided*, That none of the funds provided or limited in this Act may be used to create a permanent office of transit security under this heading: *Provided further*, That upon submission to the Congress of the fiscal year 2017 President's budget, the Secretary of Transportation shall transmit to Congress the annual report on New Starts, including proposed allocations for fiscal year 2017.

□ 2230

AMENDMENT OFFERED BY MR. LANGEVIN

Mr. LANGEVIN. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 50, line 25, after the dollar amount, insert ''(decreased by $2,000,000)''.

Page 52, line 13, after the dollar amount, insert ''(increased by $2,000,000)''.

The Acting CHAIR. Pursuant to House Resolution 287, the gentleman from Rhode Island and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Rhode Island.

Mr. LANGEVIN. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, the amendment I am offering today with my good friends Congressmen QUIGLEY and BUTTERFIELD will return funding for FTA Technical Assistance and Training back to its 2014 level. Older adults and individuals with disabilities disproportionately rely on public transit to live, learn, get to work and access recreation in their communities. The Technical Assistance and Training dollars made available by this amendment will help increase mobility for people with disabilities and older adults. By providing this assistance to our transit systems and services, we can ensure that they become more accessible for those who rely on them the most.

Mr. Chairman, FTA has a long history of working with Easter Seals, the National Association of Area Agencies on Aging, and others to provide training, technical assistance, and other problem-solving support to the transit industry, people with disabilities, and older adults; and it is imperative that this work continue as more people age and more people with disabilities seek to live as independently as possible.

Now, in order to realize this goal, FTA needs adequate resources to support these technical assistance activities. To that end, my amendment will increase funding by $2 million for FTA Technical Assistance and Training and reduce, by an equivalent amount, funding for FTA administrative expenses.

Mr. Chairman, the House adopted this exact amendment last year to restore FTA Technical Assistance and Training to $5 million. Unfortunately, it was cut to $3 million in this bill. My amendment will simply restore the funds back to the fiscal year '15 House-adopted level of $5 million.

With that, Mr. Chairman, I ask that my colleagues support this amendment, which will provide a world of benefit to all those that it serves.

I thank my colleagues today for their consideration.

Again, I urge passage of the amendment, and with that, Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Rhode Island (Mr. LANGEVIN).

The amendment was agreed to.

The Clerk will read.

Clerk read as follows:

TRANSIT FORMULA GRANTS

(LIQUIDATION OF CONTRACT AUTHORIZATION)

(LIMITATION ON OBLIGATIONS)

(HIGHWAY TRUST FUND)

Contingent upon enactment of authorization legislation, for payment of obligations incurred in the Federal Public Transportation Assistance Program in this account, and for payment of obligations incurred in carrying out the provisions of 49 U.S.C. 5305, 5307, 5310, 5311, 5318, 5322(d), 5329(e)(6), 5335, 5337, 5339, and 5340, as amended by Public Law 112–141, and section 20005(b) of Public Law 112–141, $9,500,000,000, to be derived from the Mass Transit Account of the Highway Trust Fund and to remain available until expended: *Provided*, That funds available for the implementation or execution of programs authorized under 49 U.S.C. 5305, 5307, 5310, 5311, 5318, 5322(d), 5329(e)(6), 5335, 5337, 5339, and 5340, as amended by Public Law 112–141, and section 20005(b) of Public Law 112–141, shall not exceed total obligations of $8,595,000,000 in fiscal year 2016.

TRANSIT RESEARCH

For necessary expenses to carry out 49 U.S.C. 5312, $26,000,000.

TECHNICAL ASSISTANCE AND TRAINING

For necessary expenses to carry out 49 U.S.C. 5314 $3,000,000.

CAPITAL INVESTMENT GRANTS

For necessary expenses to carry out 49 U.S.C. 5309, $1,921,395,000, to remain available until expended.

AMENDMENT OFFERED BY MR. GROTHMAN

Mr. GROTHMAN. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 52, line 16, after the dollar amount, insert ''(reduced by $230,000,000)''.

Page 156, line 15, after the dollar amount, insert ''(increased by $230,000,000)''.

The Acting CHAIR. Pursuant to House Resolution 287, the gentleman from Wisconsin and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Wisconsin.

Mr. GROTHMAN. Mr. Chairman, as you know, we are very in debt in this country. This budget is on path to balance the budget eventually years down the road, but, really, we should be looking to cut spending right now.

You look at things the Federal Government is paying for that should be done locally, and one of those things is these new capital improvements on mass transit projects. I think normally these things do not get the ridership that justifies these projects, and we would not be doing these projects, local governments would not be applying for these projects or building these projects if they had to pay their money themselves. The only reason these things go ahead is the Federal Government is paying for them, and the Federal Government has no money.

Mr. Chairman, this proposal will bring back down the funding on this line to what the Appropriations Committee wanted only 2 years ago, and for whatever reason, apparently in negotiations, this amount went up last year. But I don't think it is too much to ask that this House not zero out this line—and we could argue that we shouldn't be doing this at all—but at least go back to the levels of 2013, especially given the huge amount of debt that is being piled up at this time.

Mr. Chairman, I reserve the balance of my time.

Mr. DIAZ-BALART. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from Florida is recognized for 5 minutes.

Mr. DIAZ-BALART. Mr. Chairman, the committee carefully calculated the New Start number to be able to accommodate the signed FFGAs and Small Starts Grant Agreements at the beginning of the fiscal year.

Again, as I submitted before, I am a firm believer that once you sign a grant agreement, then we should, frankly, honor that. This reduction would impact those signed agreements, and I reluctantly oppose the gentleman's amendment. I know the passion that he has for this, but I again have to reluctantly oppose the gentleman's amendment.

Mr. Chairman, I yield such time as he may consume to the gentleman from North Carolina (Mr. PRICE), the ranking member.

Mr. PRICE of North Carolina. Mr. Chairman, I appreciate the chairman's yielding. I would like to echo his opposition to this amendment.

I have just retrieved here a list of New Start projects that, under the present funding levels of the bill, probably aren't going to be able to be addressed. We are talking about the Westside project in Los Angeles. We are talking about San Diego, Denver, Baltimore, the Washington, D.C. area, the Maryland National Capital Purple Line, Minneapolis, Fort Worth. These are ready to go. These are ready to go with strong support in their communities, a strong impact on moving people and providing jobs. It is just unthinkable that we would cut this further.

Transit is an extremely important mode of transportation in many of our cities and suburban areas too, and the bill is inadequate. We need to find ways to make it more adequate going forward.

Mr. Chairman, this amendment would move exactly in the wrong direction, so I urge its defeat.

Mr. DIAZ-BALART. Mr. Chairman, I yield back the balance of my time.

Mr. GROTHMAN. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, it is all fine and good to move forward, but we are going to borrow about 14 percent of this budget, and we have got to stop saying whenever we see a spending item it is time to move forward. I think what we have to do here is—I can certainly understand if we made commitments today, I can understand how people of goodwill would not want this amendment. But if this amendment doesn't pass, then I think we have to make doubly certain that a year from now we have a dramatic reduction here.

If there are any of these projects that are that important, the local unit of government can fund it. There is no surer way to overspend than have the Federal Government give grants to local units of government that they would never dream of spending themselves.

That is what is going on here, Mr. Chairman, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Wisconsin (Mr. GROTHMAN).

The amendment was rejected.

The Acting CHAIR. The Clerk will read.

The Clerk read as follows:

GRANTS TO THE WASHINGTON METROPOLITAN AREA TRANSIT AUTHORITY

For grants to the Washington Metropolitan Area Transit Authority as authorized under section 601 of division B of Public Law 110–432, $100,000,000, to remain available until expended: *Provided*, That the Secretary shall approve grants for capital and preventive maintenance expenditures for the Washington Metropolitan Area Transit Authority only after receiving and reviewing a request for each specific project: *Provided further*, That prior to approving such grants, the Secretary shall certify that the Washington Metropolitan Area Transit Authority is making significant progress in eliminating the material weaknesses, significant deficiencies, and minor control deficiencies identified in the most recent Financial Management Oversight Review: *Provided further*, That the Secretary shall determine that the Washington Metropolitan Area Transit Authority has placed the highest priority on those investments that will improve the safety of the system before approving such grants: *Provided further*, That the Secretary, in order to ensure safety throughout the rail system, may waive the requirements of section 601(e)(1) of title VI of Public Law 110–432 (112 Stat. 4968).

AMENDMENT NO. 5 OFFERED BY MR. MICA

Mr. MICA. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 53, line 11, strike the colon and all that follows through line 15 and insert a period.

The Acting CHAIR. Pursuant to House Resolution 287, the gentleman from Florida (Mr. MICA) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Florida.

Mr. MICA. My colleagues, at this late hour, this is a simple amendment. It strikes a waiver that was granted to the Washington Metropolitan Area Transit Authority, and it is a waiver that has been in place for several years. It waives the requirements for them to complete installation of cellular service in the tunnels of the Metro system in Washington, D.C. That waiver allows them to continue to receive Federal funds but not have made the installation.

It is funny because congressional staffers said: Well, Mr. MICA, why are you doing this? I am doing this because, as the chairman of a subcommittee on transportation oversight, I had to conduct a hearing after the January 12 deadly incident in the Washington area Metro. You may recall at L'Enfant Plaza, on the Yellow Line, there was an incident in which smoke filled the tunnel. A passenger train was left outside of the station.

I might say that, back in 2008, we set up a requirement that we have at the stations, within 1 year, Metro cellular service, and then by 4 years later, the entire system. So they were given from 2008 to 2012 to complete the system. They never completed the system. One individual died, others were injured, and we disrupted service. It was a day from hell in Washington, D.C.

Mr. Chairman, they never completed the job. They said they were going to complete the job right after 2012. They did not complete the job. They said it would be done in 2015. The last time I checked, it is 2015. It won't be done in 2015. They will not even sit down with the carriers who will install this equipment, and it is really at no cost to Metro.

I have talked to Mr. CONNOLLY, the gentleman from Virginia; I have talked to Mrs. COMSTOCK, the gentlewoman from Virginia; I have talked to Mr. HOYER, the gentleman from Maryland; and others. We have all had it with Metro not complying with us.

This waiver was put in to give them the opportunity to comply, and they haven't complied. Now it is in here again, and I am offering, in this amendment, to take it out.

I yield such time as he may consume to the gentleman from Florida (Mr. DIAZ-BALART), the chairman, for comment.

Mr. DIAZ-BALART. I want to thank the gentleman for yielding to me.

Mr. Chairman, when the gentleman from Florida is talking about this issue, I think all of us should be very, very concerned. I will tell you I think that the gentleman from Florida has been beyond reasonable, has tried to get folks to do what they were, again, supposed to do, and they have not done it.

So I just want to let the gentleman from Florida know that I am looking forward, and I am committed to making sure that this issue is solved one way or another. I am hoping that it is

solved in a nice, positive way. But otherwise, I want to let the gentleman from Florida know that I will be working with him to make sure that we hold folks accountable.

Mr. MICA. Again, Mr. Chairman, I am willing to work with everyone. Again, I have had to conduct oversight over a tragedy that could have and should have been prevented.

Here is the latest headline: ''Can You Hear Me Now? In Metro Tunnels, Answer Is 'Not Yet.' ''

Mr. Chairman, I yield such time as he may consume to the gentleman from Virginia (Mr. CONNOLLY).

Mr. CONNOLLY. Mr. Chairman, I thank my friend.

Mr. Chairman, I sympathize deeply with the concerns expressed by my friend and colleague from Florida (Mr. MICA), and I know Metro is committed to working with the wireless carriers to ensure seamless coverage throughout the rail system. I appreciate his willingness ultimately to withdraw the amendment so as not to jeopardize other vital safety improvements underway at Metro by conditioning the Federal commitment, which has already been reduced and which is matched by our State and local partners, on completion of this wireless upgrade.

Without question, the January arcing incident at L'Enfant Plaza underscored the urgent need for having working communications in Metro's underground stations and tunnels. While faulty electrical wiring was to blame for the fire and hazardous smoke, a breakdown in communications, as Mr. MICA has indicated, led to passengers being stranded in dangerous conditions aboard that Yellow Line train for an extended period of time. It wasn't just public safety personnel who experienced problems communicating. Stranded riders also reported having spotty or no cellular service in the tunnel.

Mr. PRICE of North Carolina. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. PRICE of North Carolina. Mr. Chairman, I yield such time as he may consume to the gentleman from Virginia (Mr. CONNOLLY), our colleague, so he can complete his statement.

Mr. CONNOLLY. Mr. Chairman, I thank my friend from North Carolina, the distinguished ranking member.

Tragically, one rider—Carol Glover of Virginia, my home State—died as a result of smoke inhalation, and dozens of others required medical treatment and/or hospitalization.

□ 2245

This was, and remains, an unacceptable situation, and I and all of the members of the national capital region delegation are committed to working with the NSTB, FTA, Metro, and our regional partners to ensure corrective actions are taken to restore public confidence.

I would note for my colleagues, the current Federal law already includes language requiring Metro riders to have underground access to wireless telecommunications services if the service providers work with Metro to install such services. Unfortunately, they have lagged behind again, as my friend from Florida has indicated.

Congress approved that requirement as part of the Passenger Rail Investment and Improvement Act of 2008. One year later, as required by the law, the wireless providers did successfully establish service in the 20 busiest underground rail stations. However, Congress has granted an extension on the timeline to install wireless service to the tunnels and the rest of the system because Metro and the wireless providers have run into delays with scheduling work while Metro trains are not running, performing higher priority safety improvements as directed by the NTSB, and other factors. However, they continue to work toward meeting this requirement, albeit at a very slow and glacial pace.

Metro is particularly motivated to complete this work as it also involves a parallel upgrade of its own underground radio communications services. Metro is an essential component of this region's transportation network, moving hundreds of thousands of commuters every day, including a significant portion of Federal employees. It also serves as America's subway, transporting 12 million visitors from across the country to the Nation's Capital each year.

It is critical that we maintain this bipartisan commitment to match local and State funding so that Metro can continue working with the NTSB and FTA on its critical safety upgrades.

Mr. MICA is right, and all of us from the national capital region agree with him. I pledge upon withdrawal of this amendment we will work with Mr. MICA to ensure that Metro meets deadlines at a much more expeditious pace than has been the case in the past.

Again, I thank my friend from North Carolina for yielding, and I thank Mr. MICA for his leadership.

I yield back the balance of my time.

Mr. MICA. Will the gentleman from North Carolina yield?

Mr. PRICE of North Carolina. I yield to the gentleman from Florida.

Mr. MICA. Mr. Chairman, I just want to conclude. I want to thank Mr. CONNOLLY. I want to thank Mrs. COMSTOCK, and the chairman particularly, for working on this.

I think we have gotten the attention of the Washington Metropolitan Area Transit Authority. We have an agreement to bring the parties together as a result of this pending amendment. That is set. If it does not go through, I can assure you we will find a way to put this waiver in.

At this time, though, I ask unanimous consent to withdraw my amendment. I will bring the parties together and hopefully common sense and good faith will prevail.

The Acting CHAIR. Is there objection to the request of the gentleman from Florida?

There was no objection.

AMENDMENT OFFERED BY MR. CONNOLLY

Mr. CONNOLLY. Mr. Chairman, I have an amendment at the desk.

Mr. DIAZ-BALART. Mr. Chairman, I reserve a point of order on the gentleman's amendment.

The Acting CHAIR. A point of order is reserved.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 52, line 21, after the dollar amount, insert ''(increased by $50,000,000)''.

The Acting CHAIR. Pursuant to House Resolution 287, the gentleman from Virginia and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Virginia.

Mr. CONNOLLY. Mr. Chairman, I thank the chair.

I rise to offer an amendment with my colleagues in the national capital region that would restore full funding of the Federal commitment for vital rider safety improvements to ''America's Subway,'' the Washington Metropolitan Area Transit Authority, or Metro.

Let me remind my colleagues, this is not like the traditional transit or capital funding under the Department of Transportation. The Passenger Rail Investment Improvement Act of 2008 specifically authorized a $150 million annual Federal commitment for 10 years, and Congress has worked in bipartisan fashion the past 6 years to fulfill that. It was a Republican initiative initiated and authored by my predecessor, Republican member Tom Davis of Virginia.

As required by law, the Federal funding is matched dollar for dollar, with $150 million coming from Virginia, Maryland, and the District of Columbia.

I appreciate the efforts of my fellow Virginian, Mr. RIGELL, and the subcommittee chairman, my friend, Mr. DIAZ-BALART, to try to work with us to restore some of the funding at full committee markup. But reducing any of this funding would renege on the Federal commitment and jeopardize the successful local-State-Federal partnership we have worked so hard to create.

It would also open the door for our partners to pull back on their commitments commensurately, which would only exacerbate Metro's challenge in upgrading its aging infrastructure.

This partnership is funding critical safety improvements throughout the

system identified by Metro itself, the National Transportation Safety Board, and the Federal Transit Administration following the tragic 2009 Red Line accident and the recent tragedy on the Yellow Line this past January. The most visible improvement is the purchase of 7000-series new rail cars with advanced crash-resilient technology and extra capacity to replace the oldest and original cars in the fleet.

Congress and the Federal Government have a responsibility in the operation and safety of Metro. Half of all Metro stations are located on Federal property, and approximately 40 percent of rush-hour riders on Metro are, in fact, Federal employees, including many Members of Congress and their staffs.

It is critical we maintain this bipartisan commitment to match local and State funding so that Metro can continue making these safety upgrades.

I want to thank Mr. HOYER, Ms. NORTON, Mr. VAN HOLLEN, Ms. EDWARDS, Mr. SARBANES, Mr. DELANEY, Mr. BEYER, and my friend Mrs. COMSTOCK for working with us on this regional priority.

I now yield the balance of my time to the distinguished Delegate from the District of Columbia (Ms. NORTON).

Ms. NORTON. Mr. Chairman, I thank my good friend for yielding and as a cosponsor of this amendment, which has profound safety implications for America's subway. I think it is so urgent that a member of the Appropriations Committee has already restored $25 million.

This was a partnership, a partnership between the Federal Government and Maryland, Virginia, and the District of Columbia. It became real after there was a crash that took the lives of nine District of Columbia residents in 2009.

This is a unique transit agency. This is where staff of this body, this is where visitors from all over the world ride. If this funding is delayed, it will delay the crashworthy 7000-series trains. It is in trains that were not crashworthy that we lost lives. We beg that this funding be restored.

The District, Maryland, and Virginia are each fulfilling their part of the partnership. It is up to the Federal Government to do our part and fulfill our part. Don't break the partnership open now.

Mr. CONNOLLY. Mr. Chairman, I reserve the balance of my time.

Mr. DIAZ-BALART. Mr. Chairman, I claim the time in opposition, and I continue to reserve my point of order.

The Acting CHAIR. The gentleman from Florida is recognized for 5 minutes.

Mr. DIAZ-BALART. Mr. Chairman, I yield to the gentlewoman from Virginia (Mrs. COMSTOCK), who, obviously, is very passionate about this issue.

Mrs. COMSTOCK. Mr. Chairman, I thank the gentleman for yielding, and I rise as a cosponsor of the amendment in support of the amendment.

Mr. Chairman, as been pointed out by my colleagues, Congress did make a 10-year statutory commitment as a Federal partner, a 50–50 partner, to provide capital grant money to the Washington Metropolitan Area Transit Authority. This funding has been used for vital capital and safety improvements on the Metro system that so many of our constituents and our staff and tourists, people from all over the world, travel on every day.

As part of that agreement, matching grant money from the Commonwealth of Virginia, the District of Columbia, and the State of Maryland have all supplemented this in a full 50–50 match. This is truly a good partnership that has worked well since the bill was passed in 2008, and we should continue to fulfill that commitment.

This amendment would restore the already obligated funding to the bill and keep the promise that we have already made. Metro needs these important funds for capital improvements that will address important safety concerns.

I appreciate the opportunity to join my colleagues in the national capital area in support of this amendment.

POINT OF ORDER

Mr. DIAZ-BALART. Mr. Chairman, I insist on my point of order.

The Acting CHAIR. The gentleman will state his point of order.

Mr. DIAZ-BALART. Mr. Chairman, the amendment proposes a net increase in budget authority in the bill.

The amendment is not in order under section 3(d)(3) of House Resolution 5, 114th Congress, which states the following:

''It shall not be in order to consider an amendment to a general appropriations bill proposing a net increase in budget authority in the bill unless considered en bloc with another amendment or amendments proposing an equal or greater decrease in such budget authority pursuant to clause 2(f) of rule XXI.

Mr. Chairman, the amendment proposes a net increase in budget authority in the bill in violation of such section.

I respectfully ask for a ruling from the Chair.

The Acting CHAIR. Does any other Member wish to be heard on the point of order?

Mr. CONNOLLY. Mr. Chairman, I rise in opposition to the invocation of the point of order.

This is a provision that has been in law for the past 6 years, and I believe that it ought to be enshrined in law for a 7th. We represent the entire National Capital Region. This is a unique region. This is the Nation's Capital. And we ought not to be reneging on a deal that was worked out with great effort 6 years ago based on a point of order.

With that, I oppose the point of order, Mr. Chairman.

The Acting CHAIR. The Chair is prepared to rule.

The gentleman from Florida makes a point of order that the amendment offered by the gentleman from Virginia violates section 3(d)(3) of House Resolution 5.

Section 3(d)(3) establishes a point of order against an amendment proposing a net increase in budget authority in the pending bill.

As persuasively asserted by the gentleman from Florida, the amendment proposes a net increase in budget authority in the bill. Therefore, the point of order is sustained. The amendment is not in order.

The Clerk will read.

The Clerk read as follows:

ADMINISTRATIVE PROVISIONS—FEDERAL TRANSIT ADMINISTRATION

SEC. 160. The limitations on obligations for the programs of the Federal Transit Administration shall not apply to any authority under 49 U.S.C. 5338, previously made available for obligation, or to any other authority previously made available for obligation.

SEC. 161. Notwithstanding any other provision of law, funds appropriated or limited by this Act under the heading Fixed Guideway Capital Investment of the Federal Transit Administration for projects specified in this Act or identified in reports accompanying this Act not obligated by September 30, 2020, and other recoveries, shall be directed to projects eligible to use the funds for the purposes for which they were originally provided.

SEC. 162. Notwithstanding any other provision of law, any funds appropriated before October 1, 2015, under any section of chapter 53 of title 49, United States Code, that remain available for expenditure, may be transferred to and administered under the most recent appropriation heading for any such section.

SEC. 163. Notwithstanding any other provision of law, none of the funds made available in this Act shall be used to enter into a full funding grant agreement for a project with a New Starts share greater than 50 percent.

SEC. 164. (a) LOSS OF ELIGIBILITY.—Except as provided in subsection (b), none of the funds in this or any other Act may be available to advance in any way a new light or heavy rail project towards a full funding grant agreement as defined by 49 U.S.C. 5309 for the Metropolitan Transit Authority of Harris County, Texas if the proposed capital project is constructed on or planned to be constructed on Richmond Avenue west of South Shepherd Drive or on Post Oak Boulevard north of Richmond Avenue in Houston, Texas.

(b) EXCEPTION FOR A NEW ELECTION.—The Metropolitan Transit Authority of Harris County, Texas, may attempt to construct or construct a new fixed guideway capital project, including light rail, in the locations referred to in subsection (a) if—

(1) voters in the jurisdiction that includes such locations approve a ballot proposition that specifies routes on Richmond Avenue west of South Shepherd Drive or on Post Oak Boulevard north of Richmond Avenue in Houston, Texas; and

(2) the proposed construction of such routes is part of a comprehensive, multimodal, service-area wide transportation plan

that includes multiple additional segments of fixed guideway capital projects, including light rail for the jurisdiction set forth in the ballot proposition. The ballot language shall include reasonable cost estimates, sources of revenue to be used and the total amount of bonded indebtedness to be incurred as well as a description of each route and the beginning and end point of each proposed transit project.

SAINT LAWRENCE SEAWAY DEVELOPMENT CORPORATION

The Saint Lawrence Seaway Development Corporation is hereby authorized to make such expenditures, within the limits of funds and borrowing authority available to the Corporation, and in accord with law, and to make such contracts and commitments without regard to fiscal year limitations as provided by section 104 of the Government Corporation Control Act, as amended, as may be necessary in carrying out the programs set forth in the Corporation's budget for the current fiscal year.

OPERATIONS AND MAINTENANCE

(HARBOR MAINTENANCE TRUST FUND)

For necessary expenses to conduct the operations, maintenance, and capital asset renewal activities of those portions of the Saint Lawrence Seaway owned, operated, and maintained by the Saint Lawrence Seaway Development Corporation, $32,042,000, to be derived from the Harbor Maintenance Trust Fund, pursuant to Public Law 99–662.

MARITIME ADMINISTRATION

MARITIME SECURITY PROGRAM

For necessary expenses to maintain and preserve a U.S.-flag merchant fleet to serve the national security needs of the United States, $186,000,000, to remain available until expended.

OPERATIONS AND TRAINING

For necessary expenses of operations and training activities authorized by law, $164,158,000, of which $22,000,000 shall remain available until expended for maintenance and repair of training ships at State Maritime Academies, and of which $5,000,000 shall remain available until expended for National Security Multi-Mission Vessel design for State Maritime Academies and National Security, and of which $2,400,000 shall remain available through September 30, 2017, for the Student Incentive Program at State Maritime Academies, and of which $1,200,000 shall remain available until expended for training ship fuel assistance payments, and of which $19,700,000 shall remain available until expended for facilities maintenance and repair, equipment, and capital improvements at the United States Merchant Marine Academy, and of which $3,000,000 shall remain available through September 30, 2017, for Maritime Environment and Technology Assistance grants, contracts, and cooperative agreement: *Provided*, That amounts apportioned for the United States Merchant Marine Academy shall be available only upon allotments made personally by the Secretary of Transportation or the Assistant Secretary for Budget and Programs: *Provided further*, That the Superintendent, Deputy Superintendent and the Director of the Office of Resource Management of the United States Merchant Marine Academy may not be allotment holders for the United States Merchant Marine Academy, and the Administrator of the Maritime Administration shall hold all allotments made by the Secretary of Transportation or the Assistant Secretary for Budget and Programs under the previous proviso: *Provided further*, That 50 percent of the funding made available for the United States Merchant Marine Academy under this heading shall be available only after the Secretary, in consultation with the Superintendent and the Maritime Administrator, completes a plan detailing by program or activity how such funding will be expended at the Academy, and this plan is submitted to the House and Senate Committees on Appropriations.

SHIP DISPOSAL

For necessary expenses related to the disposal of obsolete vessels in the National Defense Reserve Fleet of the Maritime Administration, $4,000,000, to remain available until expended.

MARITIME GUARANTEED LOAN (TITLE XI) PROGRAM ACCOUNT

(INCLUDING TRANSFER OF FUNDS)

For necessary administrative expenses of the maritime guaranteed loan program, $3,135,000 shall be paid to the appropriations for ''Maritime Administration—Operations and Training''.

ADMINISTRATIVE PROVISIONS—MARITIME ADMINISTRATION

SEC. 170. Notwithstanding any other provision of this Act, in addition to any existing authority, the Maritime Administration is authorized to furnish utilities and services and make necessary repairs in connection with any lease, contract, or occupancy involving Government property under control of the Maritime Administration: *Provided*, That payments received therefor shall be credited to the appropriation charged with the cost thereof and shall remain available until expended: *Provided further*, That rental payments under any such lease, contract, or occupancy for items other than such utilities, services, or repairs shall be covered into the Treasury as miscellaneous receipts.

SEC. 171. None of the funds available or appropriated in this Act shall be used by the United States Department of Transportation or the United States Maritime Administration to negotiate or otherwise execute, enter into, facilitate or perform fee-for-service contracts for vessel disposal, scrapping or recycling, unless there is no qualified domestic ship recycler that will pay any sum of money to purchase and scrap or recycle a vessel owned, operated or managed by the Maritime Administration or that is part of the National Defense Reserve Fleet: *Provided*, That such sales offers must be consistent with the solicitation and provide that the work will be performed in a timely manner at a facility qualified within the meaning of section 3502 of Public Law 106–398: *Provided further*, That nothing contained herein shall affect the Maritime Administration's authority to award contracts at least cost to the Federal Government and consistent with the requirements of 54 U.S.C. 308704, section 3502, or otherwise authorized under the Federal Acquisition Regulation.

PIPELINE AND HAZARDOUS MATERIALS SAFETY ADMINISTRATION

OPERATIONAL EXPENSES

For necessary operational expenses of the Pipeline and Hazardous Materials Safety Administration, $20,725,000.

HAZARDOUS MATERIALS SAFETY

For expenses necessary to discharge the hazardous materials safety functions of the Pipeline and Hazardous Materials Safety Administration, $60,500,000, of which $7,570,000 shall remain available until September 30, 2018: *Provided*, That up to $800,000 in fees collected under 49 U.S.C. 5108(g) shall be deposited in the general fund of the Treasury as offsetting receipts: *Provided further*, That there may be credited to this appropriation, to be available until expended, funds received from States, counties, municipalities, other public authorities, and private sources for expenses incurred for training, for reports publication and dissemination, and for travel expenses incurred in performance of hazardous materials exemptions and approvals functions.

PIPELINE SAFETY

(PIPELINE SAFETY FUND)

(OIL SPILL LIABILITY TRUST FUND)

For expenses necessary to conduct the functions of the pipeline safety program, for grants-in-aid to carry out a pipeline safety program, as authorized by 49 U.S.C. 60107, and to discharge the pipeline program responsibilities of the Oil Pollution Act of 1990, $145,870,000, of which $19,500,000 shall be derived from the Oil Spill Liability Trust Fund and shall remain available until September 30, 2018; and of which $124,500,000 shall be derived from the Pipeline Safety Fund, of which $66,309,000 shall remain available until September 30, 2018: *Provided*, That not less than $1,000,000 of the funds provided under this heading shall be for the One-Call state grant program.

□ 2300

AMENDMENT OFFERED BY MRS. CAPPS

Mrs. CAPPS. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 61, line 22, strike the period at the end insert the following: '': *Provided further*, That not less than $1,000,000 of the funds provided under this heading shall be for the finalization and implementation of rules required under section 60102(n) of title 49, United States Code, and section 8(b)(3) of the Pipeline Safety, Regulatory Certainty, and Job Creation Act of 2011 (49 U.S.C. 60108 note; 125 Stat. 1911).''.

The Acting CHAIR. Pursuant to House Resolution 287, the gentlewoman from California and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from California.

Mrs. CAPPS. Mr. Chairman, I offer an amendment that will take a modest step forward to improve pipeline safety. This issue is of particular importance to me and to my constituents.

Two weeks ago, more than 100,000 gallons of crude oil spilled from the ruptured Plains All American Pipeline along the treasured Gaviota Coast, in my district, just north of Santa Barbara. The oil quickly flowed under the highway, onto the beach, and into the ocean where the oil slick spread south for miles along the coastline, affecting pristine environmental habitats, recreational interests, and commercial fishing operations.

While the exact causes of this spill are still being investigated, it is already clear that woefully inadequate Federal pipeline safety standards played a significant role, but it didn't have to be this way.

In 2011, the House worked in a bipartisan way to pass the Pipeline Safety,

Regulatory Certainty, and Job Creation Act. This law, which passed the House unanimously, directed the Pipeline and Hazardous Materials Safety Administration, or PHMSA, to update and strengthen key pipeline safety standards.

The law called on PHMSA to issue a rule requiring automatic shutoff valves on new pipelines and to strengthen requirements for the inclusion of leak detection technologies on pipelines.

The law required these rules to be finalized by January of last year; yet, here today, we are still waiting. PHMSA has not even issued a proposed rule on these commonsense regulations, which passed the House unanimously. PHMSA continues to drag its feet, and communities like mine continue to pay the price. It is time for PHMSA to follow the law and the bipartisan will of Congress.

My amendment is simple. It would set aside $1 million of PHMSA's own budget for the finalization and implementation of these overdue pipeline safety and spill mitigation rules.

My amendment would simply help ensure that section 4 and section 8 of the bipartisan 2011 pipeline safety law are finally implemented so that our Federal regulations are in line with today's reality.

My amendment does not cost a dime, and it does not authorize any new programs. Section 4 requires new pipelines to install automatic shutoff valves, and section 8 requires pipeline operators to use the latest leak detection technologies. Both of these provisions were enacted unanimously by this House in 2011.

The pipeline that burst in my district did not have an automatic shutoff valve despite the fact that other comparable pipelines in the area do use this technology. An automatic shutoff valve would not have prevented the spill necessarily, but it certainly would have minimized it. It took over 2 hours for the pipeline operator to even identify where the pipeline had ruptured, let alone to actually stop the flow of crude oil.

That is unacceptable. If the standards required under section 4 and section 8 had been required of the Plains pipeline in my district, the spill likely would have been much less severe. My amendment would take a small, yet important step forward to address these troubling issues by pushing PHMSA to get its act together and finalize these rules.

Mr. Chairman, oil and gas development, by its nature, is a dangerous and dirty business. The mere fact that the Plains and other companies have oil spill contingency funds shows that there is no such thing as a safe pipeline. Spills do happen, and they will continue to happen as long as we depend on fossil fuels for our energy needs. We have a responsibility, therefore, to do all we can to make these pipelines as safe as possible.

Congress has repeatedly directed PHMSA to strengthen its standards; yet this agency has done little. My amendment would help hold their feet to the fire and get commonsense safety standards finalized and implemented. I urge my colleagues to support this amendment.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from California (Mrs. CAPPS).

The amendment was agreed to.

AMENDMENT OFFERED BY MRS. CAPPS

Mrs. CAPPS. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 61, line 14, after the dollar amount, insert ''(increased by $27,604,000)''.

Page 61, line 17, after the dollar amount, insert ''(increased by $27,604,000)''.

The Acting CHAIR. Pursuant to House Resolution 287, the gentlewoman from California and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from California.

Mrs. CAPPS. Mr. Chairman, it is no secret that Federal pipeline safety standards are in serious need of improvement. Despite repeated bipartisan efforts to strengthen these standards, the Pipeline and Hazardous Materials Safety Administration, PHMSA, has dragged its feet on implementing the new rules.

Not only has this agency failed to keep up with new statutory requirements, they struggle to even enforce the rules they already have on the books. There are several reasons for this, including rapid growth in the miles of new pipelines to inspect and the need to compete with the private sector for the best talent while using limited resources.

PHMSA's preliminary estimate of serious incidents on pipelines showed an increase in 2014; and, with the miles of pipelines only multiplying, these numbers will surely grow. That is why my amendment would increase funding for PHMSA's pipeline safety program by $27 million, to simply match the President's own fiscal year 2016 budget request. While this would not solve the multitude of problems facing the agency, it would certainly make a big difference in two key areas.

First, it would help PHMSA retain and recruit the best inspectors and staff. Last year, Congress provided funding for 100 additional full-time employees to help PHMSA adjust to the increasing demand; and, as part of its fiscal year 2016 request, PHMSA requested $15 million to fully fund and annualize these employees. The current bill only provides enough funding for 1 year of salaries for these new employees.

How is the agency supposed to attract the best talent when they can't count on paying their new employees for more than a year at a time?

Second, my amendment would also provide requested funding for the national pipeline information exchange. This information exchange would be a comprehensive database of integrated pipeline safety information from PHMSA, from State regulators, industry, and other Federal resources.

Of the 2.6 million miles of pipeline in the United States, PHMSA inspects only 20 percent, while States monitor the remaining 80 percent. However, the information the States gather through inspections is neither shared among the States, nor with PHMSA. That is kind of unbelievable. It makes no sense. We should be doing everything we can to analyze and understand this data.

My amendment would fund this exchange to help regulators be more effective and to better protect communities like mine from future spills. There are currently pilot information exchange programs in 7 States, and the funding provided by my amendment would allow PHMSA to expand these information exchanges to 25 States.

Mr. Chairman, my amendment costs absolutely nothing from the American taxpayers, not one dime. The increased funding would come from a modest increase in user fees paid into the pipeline safety fund. These user fees are paid for by the oil companies that profit enormously from the oil and gas flowing through the pipelines that PHMSA oversees.

Oil companies are seeing record profits from a booming oil and gas development industry. This is leading to more miles of pipeline and more risks for local communities like mine. The least they can do is ensure that the Federal oversight of the industry is keeping pace with the growth because, when pipelines fail, it is our local communities and our constituents, not the oil companies, who suffer the most.

My amendment takes a small step forward to help strengthen the pipeline safety and oversight, and I urge my colleagues to support it.

Mr. PRICE of North Carolina. Will the gentlewoman yield?

Mrs. CAPPS. I yield to the gentleman.

Mr. PRICE of North Carolina. I commend my colleague for offering this amendment, and I want to offer my strong support.

Mr. Chairman, we are talking here about annualizing the funding—in other words, bringing these people on board permanently—for pipeline safety inspectors who were hired in fiscal year 2015. We are also talking about the better coordination of enforcement activities between Federal, State, and local officials.

I would like to remind my colleagues we have 2.6 million miles of pipeline

across this country. I think the number is maybe 548 personnel in the Pipeline and Hazardous Materials Safety Administration.

This is an enormous task. The gentlewoman's amendment would greatly improve our capacity to address this challenge, and I urge its adoption.

Mrs. CAPPS. Mr. Chair, I reserve the balance of my time.

Mr. DIAZ-BALART. Mr. Chairman, I claim the time in opposition.

The Acting CHAIR. The gentleman from Florida is recognized for 5 minutes.

Mr. DIAZ-BALART. The authorization for this program expires this year, Mr. Chairman. Frankly, there are many questions, and it is not really clear whether or not the next authorization would accommodate this funding fee level. I understand the gentlewoman's passion, but I must respectfully urge a ''no'' vote on this amendment.

I reserve the balance of my time.

Mrs. CAPPS. Mr. Chairman, again, I urge the adoption of this amendment. I have a classic example of why it is needed, and I ask for your consideration.

I yield back the balance of my time.

Mr. DIAZ-BALART. Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from California (Mrs. CAPPS).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mrs. CAPPS. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentlewoman from California will be postponed.

The Clerk will read.

The Clerk read as follows:

EMERGENCY PREPAREDNESS GRANTS

(EMERGENCY PREPAREDNESS FUND)

For necessary expenses to carry out 49 U.S.C. 5128(b), $188,000, to be derived from the Emergency Preparedness Fund, to remain available until September 30, 2017: *Provided*, That notwithstanding the fiscal year limitation specified in 49 U.S.C. 5116, not more than $28,318,000 shall be made available for obligation in fiscal year 2016 from amounts made available by 49 U.S.C. 5116(i), and 5128(b) and (c): *Provided further*, That notwithstanding 49 U.S.C. 5116(i)(4), not more than 4 percent of the amounts made available from this account shall be available to pay administrative costs: *Provided further*, That none of the funds made available by 49 U.S.C. 5116(i), 5128(b), or 5128(c) shall be made available for obligation by individuals other than the Secretary of Transportation, or his or her designee.

OFFICE OF INSPECTOR GENERAL

SALARIES AND EXPENSES

For necessary expenses of the Office of the Inspector General to carry out the provisions of the Inspector General Act of 1978, as amended, $86,223,000: *Provided*, That the Inspector General shall have all necessary authority, in carrying out the duties specified in the Inspector General Act, as amended (5 U.S.C. App. 3), to investigate allegations of fraud, including false statements to the government (18 U.S.C. 1001), by any person or entity that is subject to regulation by the Department: *Provided further*, That the funds made available under this heading may be used to investigate, pursuant to section 41712 of title 49, United States Code: (1) unfair or deceptive practices and unfair methods of competition by domestic and foreign air carriers and ticket agents; and (2) the compliance of domestic and foreign air carriers with respect to item (1) of this proviso: *Provided further*, That hereafter funds transferred to the Office of the Inspector General through forfeiture proceedings or from the Department of Justice Assets Forfeiture Fund or the Department of the Treasury Forfeiture Fund, as a participating agency, as an equitable share from the forfeiture of property in investigations in which the Office of Inspector General participates, or through the granting of a Petition for Remission or Mitigation, shall be deposited to the credit of this account for law enforcement activities authorized under the Inspector General Act of 1978, as amended, to remain available until expended.

SURFACE TRANSPORTATION BOARD

SALARIES AND EXPENSES

For necessary expenses of the Surface Transportation Board, including services authorized by 5 U.S.C. 3109, $31,375,000: *Provided*, That notwithstanding any other provision of law, not to exceed $1,250,000 from fees established by the Chairman of the Surface Transportation Board shall be credited to this appropriation as offsetting collections and used for necessary and authorized expenses under this heading: *Provided further*, That the sum herein appropriated from the general fund shall be reduced on a dollar-for-dollar basis as such offsetting collections are received during fiscal year 2016, to result in a final appropriation from the general fund estimated at no more than $30,125,000.

GENERAL PROVISIONS—DEPARTMENT OF TRANSPORTATION

SEC. 180. During the current fiscal year, applicable appropriations to the Department of Transportation shall be available for maintenance and operation of aircraft; hire of passenger motor vehicles and aircraft; purchase of liability insurance for motor vehicles operating in foreign countries on official department business; and uniforms or allowances therefor, as authorized by law (5 U.S.C. 5901–5902).

SEC. 181. Appropriations contained in this Act for the Department of Transportation shall be available for services as authorized by 5 U.S.C. 3109, but at rates for individuals not to exceed the per diem rate equivalent to the rate for an Executive Level IV.

SEC. 182. None of the funds in this Act shall be available for salaries and expenses of more than 110 political and Presidential appointees in the Department of Transportation: *Provided*, That none of the personnel covered by this provision may be assigned on temporary detail outside the Department of Transportation.

SEC. 183. (a) No recipient of funds made available in this Act shall disseminate personal information (as defined in 18 U.S.C. 2725(3)) obtained by a State department of motor vehicles in connection with a motor vehicle record as defined in 18 U.S.C. 2725(1), except as provided in 18 U.S.C. 2721 for a use permitted under 18 U.S.C. 2721.

(b) Notwithstanding subsection (a), the Secretary shall not withhold funds provided in this Act for any grantee if a State is in noncompliance with this provision.

SEC. 184. Funds received by the Federal Highway Administration, Federal Transit Administration, and Federal Railroad Administration from States, counties, municipalities, other public authorities, and private sources for expenses incurred for training may be credited respectively to the Federal Highway Administration's ''Federal-Aid Highways'' account, the Federal Transit Administration's ''Technical Assistance and Training'' account, and to the Federal Railroad Administration's ''Safety and Operations'' account, except for State rail safety inspectors participating in training pursuant to 49 U.S.C. 20105.

SEC. 185. None of the funds in this Act to the Department of Transportation may be used to make a loan, loan guarantee, line of credit, or grant unless the Secretary of Transportation notifies the House and Senate Committees on Appropriations not less than 3 full business days before any project competitively selected to receive a discretionary grant award, any discretionary grant award, letter of intent, loan commitment, loan guarantee commitment, line of credit commitment, or full funding grant agreement totaling $750,000 or more is announced by the department or its modal administrations from:

(1) any discretionary grant or federal credit program of the Federal Highway Administration including the emergency relief program;

(2) the airport improvement program of the Federal Aviation Administration;

(3) any program of the Federal Railroad Administration;

(4) any program of the Federal Transit Administration other than the formula grants and fixed guideway modernization programs;

(5) any program of the Maritime Administration; or

(6) any funding provided under the headings ''National Infrastructure Investments'' in this Act:

Provided, That the Secretary gives concurrent notification to the House and Senate Committees on Appropriations for any ''quick release'' of funds from the emergency relief program: *Provided further*, That no notification shall involve funds that are not available for obligation.

SEC. 186. Rebates, refunds, incentive payments, minor fees and other funds received by the Department of Transportation from travel management centers, charge card programs, the subleasing of building space, and miscellaneous sources are to be credited to appropriations of the Department of Transportation and allocated to elements of the Department of Transportation using fair and equitable criteria and such funds shall be available until expended.

SEC. 187. Amounts made available in this or any other Act that the Secretary determines represent improper payments by the Department of Transportation to a third-party contractor under a financial assistance award, which are recovered pursuant to law, shall be available—

(1) to reimburse the actual expenses incurred by the Department of Transportation in recovering improper payments; and

(2) to pay contractors for services provided in recovering improper payments or contractor support in the implementation of the Improper Payments Information Act of 2002: *Provided*, That amounts in excess of that required for paragraphs (1) and (2)—

(A) shall be credited to and merged with the appropriation from which the improper payments were made, and shall be available for the purposes and period for which such appropriations are available: *Provided further*, That where specific project or accounting information associated with the improper payment or payments is not readily available, the Secretary may credit an appropriate account, which shall be available for the purposes and period associated with the account so credited; or

(B) if no such appropriation remains available, shall be deposited in the Treasury as miscellaneous receipts: *Provided further*, That prior to the transfer of any such recovery to an appropriations account, the Secretary shall notify the House and Senate Committees on Appropriations of the amount and reasons for such transfer: *Provided further*, That for purposes of this section, the term ''improper payments'' has the same meaning as that provided in section 2(d)(2) of Public Law 107–300.

SEC. 188. Notwithstanding any other provision of law, if any funds provided in or limited by this Act are subject to a reprogramming action that requires notice to be provided to the House and Senate Committees on Appropriations, transmission of said reprogramming notice shall be provided solely to the Committees on Appropriations, and said reprogramming action shall be approved or denied solely by the Committees on Appropriations: *Provided*, That the Secretary may provide notice to other congressional committees of the action of the Committees on Appropriations on such reprogramming but not sooner than 30 days following the date on which the reprogramming action has been approved or denied by the House and Senate Committees on Appropriations.

SEC. 189. None of the funds appropriated or otherwise made available under this Act may be used by the Surface Transportation Board of the Department of Transportation to charge or collect any filing fee for rate or practice complaints filed with the Board in an amount in excess of the amount authorized for district court civil suit filing fees under section 1914 of title 28, United States Code.

SEC. 190. Funds appropriated in this Act to the modal administrations may be obligated for the Office of the Secretary for the costs related to assessments or reimbursable agreements only when such amounts are for the costs of goods and services that are purchased to provide a direct benefit to the applicable modal administration or administrations.

SEC. 191. The Secretary of Transportation is authorized to carry out a program that establishes uniform standards for developing and supporting agency transit pass and transit benefits authorized under section 7905 of title 5, United States Code, including distribution of transit benefits by various paper and electronic media.

SEC. 192. None of the funds made available by this Act shall be used by the Surface Transportation Board to take any actions with respect to the construction of a high speed rail project in California unless the permit is issued by the Board with respect to the project in its entirety.

SEC. 193. None of the funds made available in this Act may be used to facilitate new scheduled air transportation originating from the United States if such flights would land on, or pass through, property confiscated by the Cuban Government, including property in which a minority interest was confiscated, as the terms confiscated, Cuban Government, and property are defined in paragraphs (4), (5), and (12)(A), respectively, of section 4 of the Cuban Liberty and Democratic Solidarity (LIBERTAD) Act of 1996 (22 U.S.C. 6023 (4), (5), and (12)(A)): *Provided*, That for this section, new scheduled air transportation shall include any flights not already regularly scheduled prior to March 31, 2015.

This title may be cited as the ''Department of Transportation Appropriations Act, 2016''.

TITLE II

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

MANAGEMENT AND ADMINISTRATION

EXECUTIVE OFFICES

For necessary salaries and expenses for Executive Offices, which shall be comprised of the offices of the Secretary, Deputy Secretary, Adjudicatory Services, Congressional and Intergovernmental Relations, Public Affairs, Small and Disadvantaged Business Utilization, and the Center for Faith-Based and Neighborhood Partnerships, $14,500,000: *Provided*, That not to exceed $25,000 of the amount made available under this heading shall be available to the Secretary for official reception and representation expenses as the Secretary may determine.

ADMINISTRATIVE SUPPORT OFFICES

(INCLUDING TRANSFER OF FUNDS)

For necessary salaries and expenses for Administrative Support Offices, $547,000,000, of which $45,600,000, to remain available until expended, in addition to amounts made available under this heading for the Office of the Chief Financial Officer and the Office of the Chief Human Capital Officer, shall be for funding shared service agreements between the Department of Housing and Urban Development and the Department of the Treasury; $39,000,000 shall be available for the Office of the Chief Financial Officer; $93,000,000 shall be available for the Office of the General Counsel; $199,000,000 shall be available for the Office of Administration; $40,000,000 shall be available for the Office of the Chief Human Capital Officer; $49,000,000 shall be available for the Office of Field Policy and Management; $16,000,000 shall be available for the Office of the Chief Procurement Officer; $3,000,000 shall be available for the Office of Departmental Equal Employment Opportunity; $4,000,000 shall be available for the Office of Strategic Planning and Management; $44,000,000 shall be available for the Office of the Chief Information Officer; and of which the remaining amount shall be available through September 30, 2017, for transfer to the appropriations for offices specified under this heading or the heading ''Program Office Salaries and Expenses'' in this title: *Provided*, That funds provided under this heading may be used for necessary administrative and non-administrative expenses of the Department of Housing and Urban Development, not otherwise provided for, including purchase of uniforms, or allowances therefor, as authorized by 5 U.S.C. 5901–5902; hire of passenger motor vehicles; and services as authorized by 5 U.S.C. 3109: *Provided further*, That notwithstanding any other provision of law, funds appropriated under this heading may be used for advertising and promotional activities that directly support program activities funded in this title: *Provided further*, That the Secretary shall provide the Committees on Appropriations quarterly written notification regarding the status of pending congressional reports: *Provided further*, That the Secretary shall provide in electronic form all signed reports required by Congress.

PROGRAM OFFICE SALARIES AND EXPENSES

PUBLIC AND INDIAN HOUSING

For necessary salaries and expenses of the Office of Public and Indian Housing, $203,000,000.

COMMUNITY PLANNING AND DEVELOPMENT

For necessary salaries and expenses of the Office of Community Planning and Development, $102,000,000.

HOUSING

For necessary salaries and expenses of the Office of Housing, $372,000,000.

POLICY DEVELOPMENT AND RESEARCH

For necessary salaries and expenses of the Office of Policy Development and Research, $22,700,000.

FAIR HOUSING AND EQUAL OPPORTUNITY

For necessary salaries and expenses of the Office of Fair Housing and Equal Opportunity, $73,000,000.

OFFICE OF LEAD HAZARD CONTROL AND HEALTHY HOMES

For necessary salaries and expenses of the Office of Lead Hazard Control and Healthy Homes, $6,700,000.

PUBLIC AND INDIAN HOUSING PROGRAMS

TENANT-BASED RENTAL ASSISTANCE

For activities and assistance for the provision of tenant-based rental assistance authorized under the United States Housing Act of 1937, as amended (42 U.S.C. 1437 et seq.) (''the Act'' herein), not otherwise provided for, $15,918,643,000 to remain available until September 30, 2018, shall be available on October 1, 2015 (in addition to the $4,000,000,000 previously appropriated under this heading that became available on October 1, 2015), and $4,000,000,000, to remain available until September 30, 2019, shall be available on October 1, 2016: *Provided*, That the amounts made available under this heading are provided as follows:

(1) $18,151,000,000 shall be available for renewals of expiring section 8 tenant-based annual contributions contracts (including renewals of enhanced vouchers under any provision of law authorizing such assistance under section 8(t) of the Act) and including renewal of other special purpose *or* incremental vouchers: *Provided*, That notwithstanding any other provision of law, from amounts provided under this paragraph and any carryover, the Secretary for the calendar year 2016 funding cycle shall provide renewal funding for each public housing agency based on validated voucher management system (VMS) leasing and cost data for the prior calendar year and by applying an inflation factor as established by the Secretary, by notice published in the Federal Register, and by making any necessary adjustments for the costs associated with the first-time renewal of vouchers under this paragraph including tenant protection, HOPE VI, and Choice Neighborhoods vouchers: *Provided further*, That in determining calendar year 2016 funding allocations under this heading for public housing agencies, including agencies participating in the Moving To Work (MTW) demonstration, the Secretary may take into account the anticipated impact of changes in targeting and utility allowances, on public housing agencies' contract renewal needs: *Provided further*, That none of the funds provided under this paragraph may be used to fund a total number of unit months under lease which exceeds a public housing agency's authorized level of units under contract, except for public housing agencies participating in the MTW demonstration, which are instead governed by the terms and conditions of their

MTW agreements: *Provided further*, That the Secretary shall, to the extent necessary to stay within the amount specified under this paragraph (except as otherwise modified under this paragraph), prorate each public housing agency's allocation otherwise established pursuant to this paragraph: *Provided further*, That except as provided in the following provisos, the entire amount specified under this paragraph (except as otherwise modified under this paragraph) shall be obligated to the public housing agencies based on the allocation and pro rata method described above, and the Secretary shall notify public housing agencies of their annual budget by the latter of 60 days after enactment of this Act or March 1, 2016: *Provided further*, That the Secretary may extend the notification period with the prior written approval of the House and Senate Committees on Appropriations: *Provided further*, That public housing agencies participating in the MTW demonstration shall be funded pursuant to their MTW agreements and shall be subject to the same pro rata adjustments under the previous provisos: *Provided further*, That the Secretary may offset public housing agencies' calendar year 2016 allocations based on the excess amounts of public housing agencies' net restricted assets accounts, including HUD held programmatic reserves (in accordance with VMS data in calendar year 2015 that is verifiable and complete), as determined by the Secretary: *Provided further*, That public housing agencies participating in the MTW demonstration shall also be subject to the offset, as determined by the Secretary, excluding amounts subject to the single fund budget authority provisions of their MTW agreements, from the agencies' calendar year 2016 MTW funding allocation: *Provided further*, That the Secretary shall use any offset referred to in the previous two provisos throughout the calendar year to prevent the termination of rental assistance for families as the result of insufficient funding, as determined by the Secretary, and to avoid or reduce the proration of renewal funding allocations: *Provided further*, That up to $75,000,000 shall be available only: (1) for adjustments in the allocations for public housing agencies, after application for an adjustment by a public housing agency that experienced a significant increase, as determined by the Secretary, in renewal costs of vouchers resulting from unforeseen circumstances or from portability under section 8(r) of the Act; (2) for vouchers that were not in use during the 12-month period in order to be available to meet a commitment pursuant to section 8(o)(13) of the Act; (3) for adjustments for costs associated with HUD-Veterans Affairs Supportive Housing (HUD–VASH) vouchers; (4) for adjustments for public housing agencies with voucher leasing rates at the end of the calendar year that exceed the average leasing for the 12-month period used to establish the allocation, and for additional leasing of vouchers that were issued but not leased prior to the end of such calendar year; (5) for public housing agencies that despite taking reasonable cost savings measures, as determined by the Secretary, would otherwise be required to terminate rental assistance for families as a result of insufficient funding; and (6) for adjustments in the allocations for public housing agencies that experienced a significant increase, as determined by the Secretary, in renewal costs as a result of participation in the Small Area Fair Market Rent demonstration: *Provided further*, That the Secretary shall allocate amounts under the previous proviso based on need, as determined by the Secretary;

(2) $130,000,000 shall be for section 8 rental assistance for relocation and replacement of housing units that are demolished or disposed of pursuant to section 18 of the Act, conversion of section 23 projects to assistance under section 8, the family unification program under section 8(x) of the Act, relocation of witnesses in connection with efforts to combat crime in public and assisted housing pursuant to a request from a law enforcement or prosecution agency, enhanced vouchers under any provision of law authorizing such assistance under section 8(t) of the Act, HOPE VI and Choice Neighborhood vouchers, mandatory and voluntary conversions, and tenant protection assistance including replacement and relocation assistance or for project-based assistance to prevent the displacement of unassisted elderly tenants currently residing in section 202 properties financed between 1959 and 1974 that are refinanced pursuant to Public Law 106–569, as amended, or under the authority as provided under this Act: *Provided*, That when a public housing development is submitted for demolition or disposition under section 18 of the Act, the Secretary may provide section 8 rental assistance when the units pose an imminent health and safety risk to residents: *Provided further*, That the Secretary may only provide replacement vouchers for units that were occupied within the previous 24 months that cease to be available as assisted housing, subject only to the availability of funds: *Provided further*, That of the amounts made available under this paragraph, $5,000,000 may be available to provide tenant protection assistance, not otherwise provided under this paragraph, to residents residing in low vacancy areas and who may have to pay rents greater than 30 percent of household income, as the result of (1) the maturity of a HUD-insured, HUD-held or section 202 loan that requires the permission of the Secretary prior to loan prepayment; (2) the expiration of a rental assistance contract for which the tenants are not eligible for enhanced voucher or tenant protection assistance under existing law; or (3) the expiration of affordability restrictions accompanying a mortgage or preservation program administered by the Secretary: *Provided further*, That such tenant protection assistance made available under the previous proviso may be provided under the authority of section 8(t) or section 8(o)(13) of the United States Housing Act of 1937 (42 U.S.C. 1437f(t)): *Provided further*, That the Secretary shall issue guidance to implement the previous provisos, including, but not limited to, requirements for defining eligible at-risk households within 120 days of the enactment of this Act: *Provided further*, That any tenant protection voucher made available from amounts under this paragraph shall not be reissued by any public housing agency, except the replacement vouchers as defined by the Secretary by notice, when the initial family that received any such voucher no longer receives such voucher, and the authority for any public housing agency to issue any such voucher shall cease to exist: *Provided further*, That the Secretary, for the purpose under this paragraph, may use unobligated balances, including recaptures and carryovers, remaining from amounts appropriated in prior fiscal years under this heading for voucher assistance for nonelderly disabled families and for disaster assistance made available under Public Law 110–329;

(3) $1,530,000,000 shall be for administrative and other expenses of public housing agencies in administering the section 8 tenant-based rental assistance program, of which up to $10,000,000 shall be available to the Secretary to allocate to public housing agencies that need additional funds to administer their section 8 programs, including fees associated with section 8 tenant protection rental assistance, the administration of disaster related vouchers, Veterans Affairs Supportive Housing vouchers, and other special purpose incremental vouchers: *Provided*, That no less than $1,520,000,000 of the amount provided in this paragraph shall be allocated to public housing agencies for the calendar year 2016 funding cycle based on section 8(q) of the Act (and related Appropriation Act provisions) as in effect immediately before the enactment of the Quality Housing and Work Responsibility Act of 1998 (Public Law 105–276): *Provided further*, That if the amounts made available under this paragraph are insufficient to pay the amounts determined under the previous proviso, the Secretary may decrease the amounts allocated to agencies by a uniform percentage applicable to all agencies receiving funding under this paragraph or may, to the extent necessary to provide full payment of amounts determined under the previous proviso, utilize unobligated balances, including recaptures and carryovers, remaining from funds appropriated to the Department of Housing and Urban Development under this heading from prior fiscal years, excluding special purpose vouchers, notwithstanding the purposes for which such amounts were appropriated: *Provided further*, That all public housing agencies participating in the MTW demonstration shall be funded pursuant to their MTW agreements, and shall be subject to the same uniform percentage decrease as under the previous proviso: *Provided further*, That amounts provided under this paragraph shall be only for activities related to the provision of tenant-based rental assistance authorized under section 8, including related development activities;

(4) $107,643,210 for the renewal of tenant-based assistance contracts under section 811 of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 8013), including necessary administrative expenses: *Provided*, That administrative and other expenses of public housing agencies in administering the special purpose vouchers in this paragraph shall be funded under the same terms and be subject to the same pro rata reduction as the percent decrease for administrative and other expenses to public housing agencies under paragraph (3) of this heading;

(5) The Secretary shall separately track all special purpose vouchers funded under this heading.

□ 2315

AMENDMENT OFFERED BY MR. AL GREEN OF TEXAS

Mr. AL GREEN of Texas. I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 74, line 23, after the dollar amount, insert ''(increased by $75,000,000)''.

Page 75, line 6, after the dollar amount, insert ''(increased by $75,000,000)''.

Page 77, line 24, after the dollar amount, insert ''(increased by $75,000,000)''.

Page 78, line 9, before the semicolon insert the following: '', except that of the amount made available by this proviso, $75,000,000 shall be used only for the purpose under this clause''.

Mr. AL GREEN of Texas (during the reading). Mr. Chair, I ask that the amendment be considered as read.

The Acting CHAIR. Is there objection to the request of the gentleman?

There was no objection.

Mr. DIAZ-BALART. Mr. Chairman, I reserve a point of order on the gentleman's amendment.

The Acting CHAIR. A point of order is reserved.

Pursuant to House Resolution 287, the gentleman from Texas and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Texas.

Mr. AL GREEN of Texas. Mr. Chairman, I rise tonight in support of the people who make it possible for us to be here. Of course, I speak of those persons who go to distant places, those persons who serve us in our military who don't always return the same way they left.

I rise tonight because we have had a successful program. The HUD VASH program has been successful, and it has contributed to the decline in homelessness among those persons who make it possible for us to be here, who make real the great and noble American ideals: liberty and justice for all; government of the people, by the people, for the people.

Mr. Chairman, homelessness has declined 33 percent among our veteran population since 2010, and this is because the President made it a priority. President Obama indicated that he would reduce homelessness among veterans, and he had 2015 as a targeted date.

I am proud to say that in my city of Houston, Texas, our mayor, Annise Parker, had an event just recently with three HUD Secretaries, and it was announced at that event that in Houston, Texas, the resources were available to accommodate a veteran in need of a place to call home.

Tonight, Mr. Chairman, I have an amendment that would accord $75 million to the HUD VASH program. This $75 million would be used to make sure that what we have done we will not only continue to do, but we can do even better.

I believe that the people who have served us and who find themselves now living on the streets of life should have a better quality of life. For this reason, I will promote this amendment tonight, understanding that a point of order has been made, but also understanding that it is necessary for us to continue to remind ourselves that we have people who are willing to make the sacrifice and that we should make sacrifices for them.

Mr. DIAZ-BALART. Will the gentleman yield?

Mr. AL GREEN of Texas. I yield to the gentleman from Florida.

Mr. DIAZ-BALART. I want to thank the gentleman, again, for his passion for this issue and for talking to me about this issue, and I look forward to continuing to work with the gentleman.

Obviously, all of us know that there is never anything, there is never enough that we could ever do for our veterans. So again, I thank the gentleman, and I look forward to continuing to work with the gentleman.

I thank you for yielding your time.

Mr. AL GREEN of Texas. Mr. Chairman, I thank the chairman and I thank the Congress of the United States of America because Congress has appropriated money for these VASH vouchers, this program. I have always tried to get more because I think our veterans deserve as much as we can give them, but I am appreciative for what Congress has done, and I am appreciative for what the chairman has done.

So tonight I will withdraw my amendment, Mr. Chairman, but I do so with the understanding that as we move forward, knowing that we have done a great job, the President has done well, that the cities and municipalities have worked well with the President, this has been an integrated system, holistic approach to ending homelessness among our veterans, but I still believe that we cannot allow ourselves to relax. We must never assume that we have done enough for those who are willing to do all for us.

With that, I ask unanimous consent to withdraw my amendment.

The Acting CHAIR. Is there objection to the request of the gentleman from Texas?

There was no objection.

The Acting CHAIR. The amendment is withdrawn.

AMENDMENT OFFERED BY MS. NORTON

Ms. NORTON. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 74, line 23, after the dollar amount, insert ''(increased by $512,000,000)''.

Page 75, line 6, after the dollar amount, insert ''(increased by $512,000,000)''.

Mr. DIAZ-BALART. Mr. Chairman, I reserve a point of order on the gentlewoman's amendment.

The Acting CHAIR. A point of order is reserved.

Pursuant to House Resolution 287, the gentlewoman from the District of Columbia and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from the District of Columbia.

Ms. NORTON. Mr. Chairman, I rise to offer an amendment to H.R. 2577, the Transportation, Housing and Urban Development, and Related Agencies Appropriation Act, that would fully fund the existing Housing Choice Vouchers and replenish the 67,000 vouchers lost to the fiscal year 2013 sequestration.

It is difficult, Mr. Chair, to think of a more urgent issue confronting the American people. Affordable housing has reached zero in many communities of our country. It is estimated that 2.1 million low-income families utilize the Housing Choice Voucher program. These are the most vulnerable among us, including children, senior citizens, veterans, and persons with disabilities who rely on this important program to keep their families from becoming homeless.

Most families must make roughly $18.92 per hour to afford a two-bedroom apartment, which is more than 2½ times the Federal minimum wage. In the District of Columbia, where affordable housing has virtually disappeared, families must make $28.25 per hour to afford a two-bedroom apartment, making the Nation's Capital one of the most expensive housing markets in the Nation.

The District mirrors cities and suburbs throughout the country, however. For over a decade, District residents have faced increasing rents, stagnant incomes, and the disappearance of affordable rental units. As a result, the city has had to close—actually close altogether—its housing waiting list, which includes vouchers, leaving more than 72,000 people waiting to be placed and thousands more waiting for a chance even to get on the list.

My amendment would fund President Obama's budget request to restore 67,000 vouchers lost during the fiscal year 2013 sequestration, bringing urgently needed relief to struggling families across the country. I urge my colleagues to support this amendment. What is Congress here for if not to bring some relief to millions of families across the country, those who are most in need?

I reserve the balance of my time.

POINT OF ORDER

Mr. DIAZ-BALART. Mr. Chairman, I insist on my point of order.

The Acting CHAIR. The gentleman from Florida may state his point of order.

Mr. DIAZ-BALART. Mr. Chairman, this amendment is not in order under section 3(d)(3) of House Resolution 5 of the 114th Congress which states the following:

''It shall not be in order to consider an amendment to a general appropriations bill proposing a net increase in budget authority in the bill unless considered en bloc with another amendment or amendments proposing an equal or greater decrease in such budget authority pursuant to clause 2(f) of rule XXI.''

The amendment proposes a net increase in budget authority in the bill in violation of such section.

I ask for a ruling from the Chair.

The Acting CHAIR. Does any other Member wish to be heard on the point of order?

Ms. NORTON. Mr. Chairman, I would like to be heard.

The Acting CHAIR. The gentlewoman from the District of Columbia is recognized.

Ms. NORTON. Mr. Chairman, but for sequestration probably most of these housing vouchers would have gone through. They are already cut. These are cuts that were never anticipated. These were sequestration cuts. The Congress cannot ignore forever the neediest people for housing as homelessness increases and as there is no relief whatsoever.

I understand the point of order. I can't agree with it. I think at some point this Congress must face what it must do for people who but for sequestration, something none of us wanted, none of us anticipated, would at least among them have some who would have these housing vouchers.

The Acting CHAIR. The Chair is prepared to rule.

The gentleman from Florida makes a point of order that the amendment offered by the gentlewoman from the District of Columbia violates section 3(d)(3) of House Resolution 5.

Section 3(d)(3) establishes a point of order against an amendment proposing a net increase in budget authority in the pending bill.

As persuasively asserted by the gentleman from Florida, the amendment proposes a net increase in budget authority in the bill. Therefore, the point of order is sustained. The amendment is not in order.

AMENDMENT OFFERED BY MR. NADLER

Mr. NADLER. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 74, line 23, after the dollar amount, insert ''(increased by $1,204,853,210)''.

Page 75, line 6, after the dollar amount, insert ''(increased by $182,816,000)''.

Page 79, line 1, after the dollar amount, insert ''(increased by $20,000,000)''.

Page 81, line 13, after the dollar amount, insert ''(increased by $490,037,000)''.

Page 83, after line 10, insert the following:

(5) $277,000,000 shall be for incremental rental voucher assistance under section 8(o) of the Act to be distributed based on relative need, as determined by the Secretary: *Provided*, That the Secretary shall make such funding available, notwithstanding section 204 (competition provision) of this title;

(6) $177,500,000 shall be used for incremental rental voucher assistance for use by families, veterans, and tribal families who are experiencing homelessness, as well as victims of domestic and dating violence: *Provided*, That eligibility for veterans is made without regard to discharge status: *Provided further*, That the Secretary shall make such funding available through a competitive process to public housing agencies that partner with eligible Continuums of Care, as identified by the Secretary and to recipients eligible to receive block grants under the Native American Housing Assistance and Determination Act of 1996 (NAHASDA) (25 U.S.C. 4101 et seq.): *Provided further*, That assistance provided to recipients eligible under NAHASDA shall be subject to requirements of NAHASDA: *Provided further*, That the Secretary may waive, or specify alternative requirements for any provision or statute or regulation that the Secretary administers in connection with the use of funds made available under this paragraph upon a finding by the Secretary that any such waivers or alternative requirements are necessary for the effective delivery and administration of such voucher assistance: *Provided further*, That the Secretary shall issue guidance to implement the previous proviso;

(7) $37,500,000 shall be made available to provide incremental rental voucher assistance for victims of domestic violence, dating violence, sexual assault, or stalking, as defined by the Violence Against Women Act Reauthorization Act of 2013 (Public Law 113–4), who require an emergency transfer: *Provided*, That the Secretary shall issue guidance to implement this paragraph;

(8) $20,000,000 shall be made available for new incremental voucher assistance through the Family Unification Program: *Provided*, That the assistance made available under this paragraph shall continue to remain available for family unification upon turnover: *Provided further*, That the amounts made available under this paragraph shall be used only in connection with tenant-based assistance on behalf of—

(A) any family—

(i) who is otherwise eligible for such assistance; and

(ii) who the public child welfare agency for the jurisdiction has certified is a family for whom the lack of adequate housing is a primary factor in the imminent placement of the family's child or children in out-of-home care; and

(B) for a period not to exceed 60 months, otherwise eligible youths who have attained at least 18 years of age and not more than 21 years of age and who have left foster care at age 16 or older.

Page 83, line 11, strike ''(5)'' and insert ''(9)''

Mr. NADLER (during the reading). Mr. Chair, I ask unanimous consent to waive the reading of the amendment.

The Acting CHAIR. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. DIAZ-BALART. Mr. Chairman, I reserve a point of order on the gentleman's amendment.

The Acting CHAIR. A point of order is reserved.

Pursuant to House Resolution 287, the gentleman from New York and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from New York.

Mr. NADLER. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, the funding levels provided in this bill are unrealistic and unsustainable and clearly demonstrate that our current budget process has failed. This bill reveals where the majority's priorities lie, and they clearly do not lie in serving the most basic function of government: to provide for the safety and well-being of its citizens.

This bill makes major cuts to critical HUD programs. The public housing capital fund is slashed by $200 million, barely reaching its 1989 level, almost 30 years ago. This will cover less than half of the basic maintenance needs and does nothing to address the $25 billion in deferred projects.

For the first time since 2007, this body will provide no new funding to provide housing and support to homeless veterans. The Healthy Homes and Lead Hazard Control program is cut by 32 percent, even as The Washington Post reported 2 months ago that in low-income West Baltimore neighborhoods, more than 3 percent of children under the age of 6 had dangerously high levels of lead in their blood, which we know leads to learning disabilities and can lead to lifelong dependency, not to mention lifelong dependency on the taxpayers.

But perhaps most startling is the bill's failure to provide low-income seniors and hard-working families adequate access to affordable housing through HUD's Section 8 program. Rental assistance helps 2.1 million very-low-income households to rent modest homes in the private market at affordable costs. Households that use vouchers have an average income of $13,000 per year, well below the Federal poverty line, and nearly all include children, seniors, or people with disabilities. Only about one in four eligible low-income families receives Federal rental assistance. Long waiting lists remain in nearly every community, and these long waits are exacerbated by a lack of administrative funding for public housing agencies.

Sequestration has only made this situation worse. As of June of last year, an estimated 100,000 fewer families were receiving assistance from Section 8 due to the sequestration cuts; 100,000 families cut off. These cuts have had a severe impact on communities at a time when the number of very-low-income renters with worst case housing needs remains 30 percent higher than it was before the Great Recession.

Through the fiscal year 2014 and fiscal year 2015 appropriations bills, Congress began the work of reversing the deep cuts in assistance caused by sequestration, but nearly 67,000 vouchers have yet to be restored. My amendment would finally restore those lost vouchers by providing an additional $512 million to the voucher renewal account. This amendment mirrors the President's request and targets 30,000 vouchers to those families and individuals most in need of housing assistance: homeless families; veterans, including those not covered by the VASH program; victims of domestic violence; and Native Americans.

□ 2330

The bill does include important and helpful language directing HUD to target vouchers to the vulnerable populations as they become available but provides no funds for HUD to do so.

My amendment sets aside specific funding for these targeted vouchers to make sure the most vulnerable populations have access to safe, affordable housing.

This additional funding will go a long way toward ensuring that every family that qualifies for rental assistance finds a home. However, at the funding levels for administrative fees in this legislation, it would be impossible for public housing agencies to hire and maintain enough staff to process and renew vouchers.

We cannot continue to undermine our hard-working public housing agencies by failing to provide them enough money to function. My amendment would finally address the undercutting of public housing agencies by providing an additional $490 million to match the President's request.

Mr. Chairman, this is the minimum we can do to meet the vital needs of our lowest-income citizens and of our veterans. I urge adoption of this amendment, and I reserve the balance of my time.

POINT OF ORDER

Mr. DIAZ-BALART. Mr. Chairman, I insist on the point of order.

The amendment is not in order under section 3(d)(3) of House Resolution 5, 114th Congress, which states:

''It shall not be in order to consider an amendment to a general appropriations bill proposing a net increase in budget authority in the bill unless considered en bloc with another amendment or amendments proposing an equal or greater decrease in such budget authority pursuant to clause 2(f) of rule XXI.''

The amendment proposes a net increase in budget authority in the bill in violation of such section.

I ask for a ruling from the Chair.

The Acting CHAIR. Does any other Member wish to be heard on the point of order?

Mr. NADLER. Mr. Chairman, we can all agree that this amendment is necessary. We are talking about denying tens of thousands of families and seniors access to an efficient, cost-effective program that keeps families together and lowers the government's costs over the long term. Without this amendment, we will see a spike in homelessness, a spike in medical costs, and a spike in hungry children.

I understand the point of order. I understand that the rules demand an offset for any funding increase in the bill. I also appreciate the chairman's efforts to support Section 8 and public housing. However, when funding levels are as restrictive as this bill provides across the board, it is impossible to offset such drastic underfunding without hurting other people in need.

When faced with a funding bill——

The Acting CHAIR. Does the gentleman from New York wish to speak to the point of order?

The gentleman will confine his remarks to the point of order.

Mr. NADLER. When faced with a funding bill that fails to provide any new funding to support homeless veterans and is leaving victims of domestic violence and homeless families with no access to secure housing, we need to take action to support the most vulnerable among us.

I hope that as we go forward, we can find a way to provide these funds so that kids, working families, and seniors are not out on the street.

The Acting CHAIR. The Chair is prepared to rule.

The gentleman from Florida makes a point of order that the amendment offered by the gentleman from New York violates section 3(d)(3) of House Resolution 5.

Section 3(d)(3) establishes a point of order against an amendment proposing a net increase in budget authority in the pending bill.

As persuasively asserted by the gentleman from Florida, the amendment proposes a net increase in budget authority in the bill. Therefore, the point of order is sustained. The amendment is not in order.

Mr. PRICE of North Carolina. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. PRICE of North Carolina. Mr. Chairman, I think it is very important that this moment not pass without us expressing appreciation to Mr. NADLER and to Ms. NORTON for these amendments they have offered, because they are addressing a critical issue, a critical deficiency in this bill. And believe me, Mr. Chairman, this is just the tip of the iceberg.

The President proposed in his budget to provide additional rental vouchers to compensate for those lost earlier to sequestration. He also proposed funding for 30,000 new targeted vouchers, as Mr. NADLER was indicating: homeless families, veterans, Native Americans, victims of domestic violence and stalking, reuniting families.

Because of this budget policy that has us so hamstrung, we are simply not addressing in this bill any of these desperate needs. I invite colleagues to talk to their local housing authorities, if they haven't already. Ask how many are on the waiting list. Ask how many people are desperate for decent housing. There is nothing more basic to our communities' well-being than decent housing.

I don't know of a single housing program that isn't underresourced, and all this because of a budget policy that really isn't working as fiscal policy. That is what it is supposed to be doing, but it is decimating these investments that our country needs to be making.

I said the tip of the iceberg. Here is what I mean. The Choice Neighborhoods initiative is the successor to HOPE VI. That has been an enormously successful program in my area of Raleigh-Durham in North Carolina. That is $20 million. That is a token amount. I hope we will revisit that amount later.

Public housing capital fund, $1.68 billion. That is $194 million cut from last year. That goes back to where we were 26 years ago. And then we have a $25 billion backlog—not even beginning to address that.

Mr. Chairman, my district displays rental housing for the elderly, housing for the disabled. Local congregations have taken on these projects. We have group homes for the disabled that have done a wonderful job. This budget simply turns them into rental renewal programs. No capital funding, no increase in the supply. And so it goes.

So Mr. NADLER and Ms. NORTON have done us a great service tonight in pressing the case for tenant-based rental assistance—for these vouchers—and for addressing some of these very needy categories of our fellow citizens. But it is the tip of the iceberg. It is only one of an array of programs that we very much need to address.

I am hopeful that the inadequacy of this bill tonight, and the kind of debate we are having tonight, the kind of sharp relief that these needs are being put into, will motivate us very strongly sooner rather than later.

Let's not wait for a Presidential veto. Let's not wait for some kind of governmental shutdown. Let's show that we can govern. Let's show that we can take hold of our situation, invest the way a great country should invest, and do a budget agreement that secures our fiscal future but also makes room for the kind of investments that we should make.

So I thank my colleagues for bringing up these critical housing needs. We simply must address them in the weeks ahead.

I yield back the balance of my time.

AMENDMENT OFFERED BY MR. GROTHMAN

Mr. GROTHMAN. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 74, line 23, after the dollar amount, insert ''(reduced by $614,000,000)''.

Page 75, line 6, after the dollar amount, insert ''(reduced by $434,000,000)''.

Page 81, line 13, after the dollar amount, insert ''(reduced by $180,000,000)''.

Page 81, line 23, after the dollar amount, insert ''(reduced by $180,000,000)''.

Page 156, line 15, after the dollar amount, insert ''(increased by $614,000,000)''.

The Acting CHAIR. Pursuant to House Resolution 287, the gentleman from Wisconsin and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Wisconsin.

Mr. GROTHMAN. Mr. Chairman, I am glad to be here. It shows different people look at this budget and see different things.

I look at this budget and see a $614 million increase in Section 8 housing, and I look at the huge debt we have,

and I say: Why are we spending more? Other people apparently look at the $614 million increase and say: Why, that is just a pittance.

Obviously, a 3 percent increase in any program at a time we are in the huge debt we are should be viewed skeptically. I have an amendment here to get rid of the $614 million increase.

Now, as I understand, the reason there is an increase is because we are getting in less receipts on the Section 8 housing and, therefore, we feel that the citizens of this country have to make up the difference.

My opinion is they have done nothing that we have to take more out of their pocket, either in taxes or by way of inflation, and we should not be increasing this funding by $614 million.

In the debate over the last amendment it was said that there is a waiting list on a lot of these programs. That doesn't mean we have to spend more money on the programs. If we are giving away something for free, there is always going to be a waiting list. If you go out in society, if a store says, we are going to give away something for free, you have a waiting list, right?

This is a flawed program for a couple of reasons. I don't object to using it for disabled people. I don't object to using it for elderly people. But like many welfare-related programs, two things help you in eligibility for this program.

First of all, you are required not to work very hard. And the gentleman made a point that the income level of a lot of these people in the projects isn't that high. That is because if they made more money, they wouldn't be eligible for the generous subsidies. So, of course they are not making a lot of money. It is wrong to set up a program that discourages industry.

The second thing wrong with this program is it discourages marriage. A lot of these housing things are set up such that if somebody marries the mother or father of their children who is working harder, you lose the subsidy. I can't imagine anything more foolish than setting up a program that says we will give you an apartment if you raise a child out of wedlock, but if you get married, we will take away your apartment.

The last time we really looked at this program was 1994. It is time we look at it again. And the idea of pouring another $614 million into this program is out of line.

I yield back the balance of my time.

Mr. PRICE of North Carolina. Mr. Chairman, I claim the time in opposition.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. PRICE of North Carolina. Mr. Chairman, I claim the time in opposition with considerable enthusiasm.

It is as though what I said 5 minutes ago about the deficiencies of this bill—this whole budget strategy that has left us so unable to address our needs—it is as though the gentleman took that and went in exactly the opposite direction.

His amendment reduced an allocation that is already far too low, and it takes these rental assistance programs and reduces them further. Not only does it not meet the need that we are seeing but actually reduces what we are already doing. This means evictions. I promise you, it means large-scale evictions. It means a cutting back in communities across this country of the housing alternatives that people have.

I have always thought, Mr. Chairman, that rental assistance—Section 8—should be a housing program that conservatives should love because it is market-based. It is not, contrary to what the gentleman says, a total free ride. As a matter of fact, people pay a third of their income in rent. What Section 8 provides is a modest boost so that these housing developments and these apartment buildings can work. People can live there. They put their own money in, and they get a boost. They are able to move toward self-sufficiency.

So it is not public housing. It is housing for people who are able to do more for themselves and who are receiving support as they do that. This would be unconscionable to cut this program further.

With great conviction I believe this would be a mistaken amendment, a hard-hearted amendment, and one that this body should reject.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Wisconsin (Mr. GROTHMAN).

The amendment was rejected.

The Acting CHAIR. The Clerk will read.

The Clerk read as follows:

HOUSING CERTIFICATE FUND

(INCLUDING RESCISSIONS)

Unobligated balances, including recaptures and carryover, remaining from funds appropriated to the Department of Housing and Urban Development under this heading, the heading ''Annual Contributions for Assisted Housing'' and the heading ''Project-Based Rental Assistance'', for fiscal year 2016 and prior years may be used for renewal of or amendments to section 8 project-based contracts and for performance-based contract administrators, notwithstanding the purposes for which such funds were appropriated: *Provided*, That any obligated balances of contract authority from fiscal year 1974 and prior that have been terminated shall be rescinded: *Provided further*, That amounts heretofore recaptured, or recaptured during the current fiscal year, from section 8 project-based contracts from source years fiscal year 1975 through fiscal year 1987 are hereby rescinded, and an amount of additional new budget authority, equivalent to the amount rescinded is hereby appropriated, to remain available until expended, for the purposes set forth under this heading, in addition to amounts otherwise available.

PUBLIC HOUSING CAPITAL FUND

For the Public Housing Capital Fund Program to carry out capital and management activities for public housing agencies, as authorized under section 9 of the United States Housing Act of 1937 (42 U.S.C. 1437g) (''the Act''), $1,681,000,000, to remain available until September 30, 2019: *Provided*, That notwithstanding any other provision of law or regulation, during fiscal year 2016 the Secretary of Housing and Urban Development may not delegate to any Department official other than the Deputy Secretary and the Assistant Secretary for Public and Indian Housing any authority under paragraph (2) of section 9(j) regarding the extension of the time periods under such section: *Provided further*, That for purposes of such section 9(j), the term ''obligate'' means, with respect to amounts, that the amounts are subject to a binding agreement that will result in outlays, immediately or in the future: *Provided further*, That up to $3,000,000 shall be to support ongoing Public Housing Financial and Physical Assessment activities: *Provided further*, That of the total amount provided under this heading, not to exceed $20,000,000 shall be available for the Secretary to make grants, notwithstanding section 204 of this Act, to public housing agencies for emergency capital needs including safety and security measures necessary to address crime and drug-related activity as well as needs resulting from unforeseen or unpreventable emergencies and natural disasters excluding Presidentially declared emergencies and natural disasters under the Robert T. Stafford Disaster Relief and Emergency Act (42 U.S.C. 5121 et seq.) occurring in fiscal year 2016: *Provided further*, That of the total amount provided under this heading $30,000,000 shall be for supportive services, service coordinator and congregate services as authorized by section 34 of the Act (42 U.S.C. 1437z-6) and the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4101 et seq.): *Provided further*, That of the total amount made available under this heading, up to $15,000,000 may be used for a Jobs-Plus initiative modeled after the Jobs-Plus demonstration: *Provided further*, That the funding provided under the previous proviso shall provide competitive grants to partnerships between public housing authorities, local workforce investment boards established under section 117 of the Workforce Investment Act of 1998, and other agencies and organizations that provide support to help public housing residents obtain employment and increase earnings: *Provided further*, That applicants must demonstrate the ability to provide services to residents, partner with workforce investment boards, and leverage service dollars: *Provided further*, That the Secretary may set aside a portion of the funds provided for the Resident Opportunity and Self-Sufficiency program to support the services element of the Jobs-Plus Pilot initiative: *Provided further*, That the Secretary may allow PHAs to request exemptions from rent and income limitation requirements under sections 3 and 6 of the United States Housing Act of 1937 as necessary to implement the Jobs-Plus program, on such terms and conditions as the Secretary may approve upon a finding by the Secretary that any such waivers or alternative requirements are necessary for the effective implementation of the Jobs-Plus initiative as a voluntary program for residents: *Provided further*, That the Secretary shall publish by notice in the Federal Register any waivers or alternative requirements pursuant to the preceding proviso no later than 10 days before the effective

date of such notice: *Provided further*, That for funds provided under this heading, the limitation in section 9(g)(1) of the Act shall be 25 percent: *Provided further*, That the Secretary may waive the limitation in the previous proviso to allow public housing agencies to fund activities authorized under section 9(e)(1)(C) of the Act: *Provided further*, That from the funds made available under this heading, the Secretary shall provide bonus awards in fiscal year 2016 to public housing agencies that are designated high performers: *Provided further*, That the Department shall notify public housing agencies of their formula allocation within 60 days of enactment of this Act.

PUBLIC HOUSING OPERATING FUND

For 2016 payments to public housing agencies for the operation and management of public housing, as authorized by section 9(e) of the United States Housing Act of 1937 (42 U.S.C. 1437g(e)), $4,440,000,000.

CHOICE NEIGHBORHOODS INITIATIVE

For competitive grants under the Choice Neighborhoods Initiative (subject to section 24 of the United States Housing Act of 1937 (42 U.S.C. 1437v), unless otherwise specified under this heading), for transformation, rehabilitation, and replacement housing needs of both public and HUD-assisted housing and to transform neighborhoods of poverty into functioning, sustainable mixed income neighborhoods with appropriate services, schools, public assets, transportation and access to jobs, $20,000,000, to remain available until September 30, 2018: *Provided*, That grant funds may be used for resident and community services, community development, and affordable housing needs in the community, and for conversion of vacant or foreclosed properties to affordable housing: *Provided further*, That the use of funds made available under this heading shall not be deemed to be public housing notwithstanding section 3(b)(1) of such Act: *Provided further*, That grantees shall commit to an additional period of affordability determined by the Secretary of not fewer than 20 years: *Provided further*, That grantees shall undertake comprehensive local planning with input from residents and the community, and that grantees shall provide a match in State, local, other Federal or private funds: *Provided further*, That grantees may include local governments, tribal entities, public housing authorities, and nonprofits: *Provided further*, That for-profit developers may apply jointly with a public entity: *Provided further*, That for purposes of environmental review, a grantee shall be treated as a public housing agency under section 26 of the United States Housing Act of 1937 (42 U.S.C. 1437x), and grants under this heading shall be subject to the regulations issued by the Secretary to implement such section: *Provided further*, That such grantees shall create partnerships with other local organizations including assisted housing owners, service agencies, and resident organizations: *Provided further*, That the Secretary shall consult with the Secretaries of Education, Labor, Transportation, Health and Human Services, Agriculture, and Commerce, the Attorney General, and the Administrator of the Environmental Protection Agency to coordinate and leverage other appropriate Federal resources: *Provided further*, That unobligated balances, including recaptures, remaining from funds appropriated under the heading ''Revitalization of Severely Distressed Public Housing (HOPE VI)'' in fiscal year 2011 and prior fiscal years may be used for purposes under this heading, notwithstanding the purposes for which such amounts were appropriated.

FAMILY SELF-SUFFICIENCY

For the Family Self-Sufficiency program to support family self-sufficiency coordinators under section 23 of the United States Housing Act of 1937, to promote the development of local strategies to coordinate the use of assistance under sections 8 and 9 of such Act with public and private resources, and enable eligible families to achieve economic independence and self-sufficiency, $75,000,000, to remain available until September 30, 2017: *Provided*, That the Secretary may, by Federal Register notice, waive or specify alternative requirements under sections b(3), b(4), b(5), or c(1) of section 23 of such Act in order to facilitate the operation of a unified self-sufficiency program for individuals receiving assistance under different provisions of the Act, as determined by the Secretary: *Provided further*, That owners of multifamily properties with project-based subsidy contracts under section 8 may compete for funding under this heading and/or voluntarily make a Family Self-Sufficiency program available to the assisted tenants of such property in accordance with procedures established by the Secretary: *Provided further*, That such procedures established pursuant to the previous proviso shall permit participating tenants to accrue escrow funds in accordance with section 23(d)(2) and shall allow owners to use funding from residual receipt accounts to hire coordinators for their own Family Self-Sufficiency program.

NATIVE AMERICAN HOUSING BLOCK GRANTS

For the Native American Housing Block Grants program, as authorized under title I of the Native American Housing Assistance and Self-Determination Act of 1996 (NAHASDA) (25 U.S.C. 4111 et seq.), $650,000,000, to remain available until September 30, 2020: *Provided*, That, notwithstanding the Native American Housing Assistance and Self-Determination Act of 1996, to determine the amount of the allocation under title I of such Act for each Indian tribe, the Secretary shall apply the formula under section 302 of such Act with the need component based on single-race census data and with the need component based on multi-race census data, and the amount of the allocation for each Indian tribe shall be the greater of the two resulting allocation amounts: *Provided further*, That of the amounts made available under this heading, $3,500,000 shall be contracted for assistance for national or regional organizations representing Native American housing interests for providing training and technical assistance to Indian housing authorities and tribally designated housing entities as authorized under NAHASDA: *Provided further*, That of the funds made available under the previous proviso, not less than $2,000,000 shall be made available for a national organization as authorized under section 703 of NAHASDA (25 U.S.C. 4212): *Provided further*, That of the amounts made available under this heading, $2,000,000 shall be to support the inspection of Indian housing units, contract expertise, training, and technical assistance in the training, oversight, and management of such Indian housing and tenant-based assistance, including up to $300,000 for related travel: *Provided further*, That of the amount provided under this heading, $2,000,000 shall be made available for the cost of guaranteed notes and other obligations, as authorized by title VI of NAHASDA: *Provided further*, That such costs, including the costs of modifying such notes and other obligations, shall be as defined in section 502 of the Congressional Budget Act of 1974, as amended: *Provided further*, That these funds are available to subsidize the total principal amount of any notes and other obligations, any part of which is to be guaranteed, not to exceed $17,452,007: *Provided further*, That the Department will notify grantees of their formula allocation within 60 days of the date of enactment of this Act: *Provided further*, notwithstanding section 302(d) of NAHASDA, if on January 1, 2016, a recipient's total amount of undisbursed block grants in the Department's line of credit control system is greater than three times the formula allocation it would otherwise receive under this heading, the Secretary shall adjust that recipient's formula allocation down by the difference between its total amount of undisbursed block grants in the Department's line of credit control system on January 1, 2016, and three times the formula allocation it would otherwise receive: *Provided further*, That grant amounts not allocated to a recipient pursuant to the previous proviso shall be allocated under the need component of the formula proportionately among all other Indian tribes not subject to an adjustment: *Provided further*, That the two previous provisos shall not apply to any Indian tribe that would otherwise receive a formula allocation of less than $5,000,000: *Provided further*, That to take effect, the three previous provisos do not require the issuance of any regulation.

INDIAN HOUSING LOAN GUARANTEE FUND PROGRAM ACCOUNT

For the cost of guaranteed loans, as authorized by section 184 of the Housing and Community Development Act of 1992 (12 U.S.C. 1715z-13a), $8,000,000, to remain available until expended: *Provided*, That such costs, including the costs of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: *Provided further*, That these funds are available to subsidize total loan principal, any part of which is to be guaranteed, up to $1,269,841,270, to remain available until expended: *Provided further*, That up to $750,000 of this amount may be for administrative contract expenses including management processes and systems to carry out the loan guarantee program.

COMMUNITY PLANNING AND DEVELOPMENT

HOUSING OPPORTUNITIES FOR PERSONS WITH AIDS

For carrying out the Housing Opportunities for Persons with AIDS program, as authorized by the AIDS Housing Opportunity Act (42 U.S.C. 12901 et seq.), $332,000,000, to remain available until September 30, 2017, except that amounts allocated pursuant to section 854(c)(3) of such Act shall remain available until September 30, 2018: *Provided*, That the Secretary shall renew all expiring contracts for permanent supportive housing that initially were funded under section 854(c)(3) of such Act from funds made available under this heading in fiscal year 2010 and prior fiscal years that meet all program requirements before awarding funds for new contracts under such section: *Provided further*, That the Department shall notify grantees of their formula allocation within 60 days of enactment of this Act.

□ 2345

AMENDMENT OFFERED BY MR. NADLER

Mr. NADLER. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 94, line 1, after the dollar amount, insert ''(increased by $3,000,000)''.

Page 116, line 12, after the dollar amount, insert ''(reduced by $3,000,000)''.

Mr. NADLER (during the reading). Mr. Chair, I ask unanimous consent to waive the reading of the amendment.

The Acting CHAIR. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. DIAZ-BALART. Mr. Chairman, I reserve a point of order on the gentleman's amendment.

The Acting CHAIR. A point of order is reserved.

Pursuant to House Resolution 287, the gentleman from New York and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from New York.

Mr. NADLER. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, since 1992, the Housing Opportunities for Persons with AIDS has provided a vital safety net. In the United States, 50,000 people become infected with HIV every year, and 1.2 million people are living with HIV/AIDS. More than 500,000 of these individuals will need some form of housing assistance during the course of their illness, but 145,000 individuals have unmet housing needs.

HOPWA combines housing support with additional services to help people living with HIV/AIDS and their families stay in stable, safe housing; manage their illness; and remain active in their communities. Housing interventions are critical in our continued fight against HIV/AIDS, and research clearly shows that stable housing leads to better health outcomes.

Providing stable housing to people living with HIV/AIDS reduces the risk of transmission to a partner by 96 percent; it reduces emergency room visits and expense to the public by 36 percent and hospitalizations by 57 percent. In other words, investing a modest amount in HOPWA today saves us millions, if not billions of Federal taxpayer dollars in the future.

HOPWA is the only Federal housing program to provide cities and States with dedicated resources to address the housing crisis facing people living with HIV/AIDS, and the program traditionally enjoys strong bipartisan support.

Congressional support for HOPWA is clear in this legislation. While nearly every other program in the bill has been slashed by millions of dollars and often funded at levels below the point of actually functioning, HOPWA saw a slight increase in funding during the committee's consideration of the bill.

Some hail the bill's slim $332 million for HOPWA as a victory. I also applaud any additional funding for HOPWA, but I cannot call it a victory to fund this program below its 2010 funding level when wait lists for HOPWA services continue to grow and thousands of Americans die on the streets and in shelters because we refuse to provide a few extra million dollars to provide them with the care they need.

I will not claim that my amendment completely solves that problem. The National AIDS Housing Coalition estimates that, in FY16, they will need $364 million to provide HOPWA services to those who need them and to fund vital administrative support to improve the program.

To reach that goal, we would need to find $32 million somewhere in this bill to transfer to HOPWA, but the funding levels we are considering today are so abysmally low, it is nearly impossible to move that much money without gutting other important programs.

What we do, at the very least, is pass my amendment to restore HOPWA to its FY10 funding level of $335 million, a scant $3 million increase. That funding level makes only a small dent in HOPWA's real need, but it will give hundreds more people and families access to lifesaving services. It is a very small step, but it is in the right direction, and I believe if we have the chance to save even one life, let alone hundreds, we have a duty to act.

To protect those living with HIV/AIDS and to stay within the House rules, my amendment offsets this additional funding to cuts to HUD's information technology fund.

I recognize the importance of providing HUD with phones and computers and understand the chairman and ranking member's concerns about additional cuts to this account, but nothing is more important than, quite simply, saving lives.

We must pass this amendment and give those families battling HIV/AIDS a fighting chance. I urge my colleagues to support this amendment, and I reserve the balance of my time.

Mr. DIAZ-BALART. Mr. Chairman, I withdraw my reservation of a point of order.

The Acting CHAIR. The reservation of the point of order is withdrawn.

Does any Member seek time in opposition?

Mr. PRICE of North Carolina. Mr. Chairman, let me inquire of the chairman, does he plan to claim the time in opposition?

Mr. DIAZ-BALART. Mr. Chairman, I will not be claiming the time in opposition.

Mr. PRICE of North Carolina. Mr. Chairman, although, as a formality, I will then claim that time, although I am not opposed; I am enthusiastically in support of Mr. NADLER's amendment.

The Acting CHAIR. Without objection, the gentleman is recognized for 5 minutes.

There was no objection.

Mr. PRICE of North Carolina. Mr. Chairman, I do want to take a little extra time to mention some things connected to this that I think need to come to our colleagues' attention.

First of all, this is not an ideal offset that Mr. NADLER has chosen. This is simply an example of the problem we have had all evening. Any funding amendment will fill only one hole by digging another, and so that is just the reality we are dealing with.

I do support this amendment. It runs the risk of further delaying HUD's acquisition of improved IT systems. We are going to need to attend to that. In this bill, HUD's IT account is already $150 million below the fiscal year '15 level and $234 million below the President's request. This is not an account that has a lot to spare, so I hope we can revisit that.

It may be relatively easy to target this funding line. We have got to provide HUD with the tools it needs to properly administer HOPWA and other programs.

We need, of course, eventually, a bipartisan budget agreement that will allow for a more credible bill that will adequately fund HOPWA and HUD's IT account both, both of those.

Let me say, Mr. Chairman, I, in addition, hope that the chairman and other longtime supporters of HOPWA are going to be able to work—we are all going to be able to work together moving forward to get this HOPWA formula updated once and for all.

The formula hasn't been updated for the distribution of funds, the allocation of funds, that formula hasn't been updated since the inception of the program in the early nineties. Without an update, many Americans who are living with HIV in areas of the country with the fastest growing infection rates—namely, the South and rural America—are not getting the housing support they desperately need.

As a Member from a State with an AIDS death rate higher than the national average, this issue, getting this formula right, is a matter of life and death for many of my constituents.

As we work on this bill in the months to come, try to get the funding levels where they need to be, we also very much need to address that formula issue, and I pledge my readiness to work with colleagues to have an equitable funding formula.

I yield back the balance of my time.

Mr. NADLER. Mr. Chairman, how much time do I have remaining?

The Acting CHAIR. The gentleman from New York has 1½ minutes remaining.

Mr. NADLER. Mr. Chairman, I yield myself the balance of my time. I won't use it.

I simply want to express my appreciation first to the ranking member for supporting the amendment, despite the very painful offset which he will have to deal with, which I won't have to deal with, except as a single Member of the House.

I want to thank the chairman for not opposing this amendment. This amendment is a matter of life or death for a

large number of people, and I urge my colleagues to adopt it.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from New York (Mr. NADLER).

The amendment was agreed to.

The Acting CHAIR. The Clerk will read.

The Clerk read as follows:

COMMUNITY DEVELOPMENT FUND

For assistance to units of State and local government, and to other entities, for economic and community development activities, and for other purposes, $3,060,000,000, to remain available until September 30, 2018, unless otherwise specified: *Provided*, That of the total amount provided, $3,000,000,000 is for carrying out the community development block grant program under title I of the Housing and Community Development Act of 1974, as amended (''the Act'' herein) (42 U.S.C. 5301 et seq.): *Provided further*, That unless explicitly provided for under this heading, not to exceed 20 percent of any grant made with funds appropriated under this heading shall be expended for planning and management development and administration: *Provided further*, That a metropolitan city, urban county, unit of general local government, or Indian tribe, or insular area that directly or indirectly receives funds under this heading may not sell, trade, or otherwise transfer all or any portion of such funds to another such entity in exchange for any other funds, credits or non-Federal considerations, but must use such funds for activities eligible under title I of the Act: *Provided further*, That notwithstanding section 105(e)(1) of the Act, no funds provided under this heading may be provided to a for-profit entity for an economic development project under section 105(a)(17) unless such project has been evaluated and selected in accordance with guidelines required under subparagraph (e)(2): *Provided further*, That none of the funds made available under this heading may be used for grants for the Economic Development Initiative (''EDI'') or Neighborhood Initiatives activities, Rural Innovation Fund, or for grants pursuant to section 107 of the Housing and Community Development Act of 1974 (42 U.S.C. 5307): *Provided further*, That the Department shall notify grantees of their formula allocation within 60 days of enactment of this Act: *Provided further*, That of the total amount provided under this heading $60,000,000 shall be for grants to Indian tribes notwithstanding section 106(a)(1) of such Act, of which, notwithstanding any other provision of law (including section 204 of this Act), up to $3,960,000 may be used for emergencies that constitute imminent threats to health and safety.

COMMUNITY DEVELOPMENT LOAN GUARANTEES PROGRAM ACCOUNT

(INCLUDING RESCISSION)

Subject to section 502 of the Congressional Budget Act of 1974, during fiscal year 2016, commitments to guarantee loans under section 108 of the Housing and Community Development Act of 1974 (42 U.S.C. 5308), any part of which is guaranteed, shall not exceed a total principal amount of $300,000,000, notwithstanding any aggregate limitation on outstanding obligations guaranteed in subsection (k) of such section 108: *Provided*, That the Secretary shall collect fees from borrowers, notwithstanding subsection (m) of such section 108, to result in a credit subsidy cost of zero for guaranteeing such loans, and any such fees shall be collected in accordance with section 502(7) of the Congressional Budget Act of 1974: *Provided further*, That all unobligated balances, including recaptures and carryover, remaining from funds appropriated to the Department of Housing and Urban Development under this heading are hereby permanently rescinded.

HOME INVESTMENT PARTNERSHIPS PROGRAM

(INCLUDING TRANSFER OF FUNDS)

For the HOME investment partnerships program, as authorized under title II of the Cranston-Gonzalez National Affordable Housing Act, as amended, $767,000,000, to remain available until September 30, 2019: *Provided*, That notwithstanding the amount made available under this heading, the threshold reduction requirements in sections 216(10) and 217(b)(4) of such Act shall not apply to allocations of such amount: *Provided further*, That the requirements under provisos 2 through 6 under this heading for fiscal year 2012 and such requirements applicable pursuant to the ''Full-Year Continuing Appropriations Act, 2013'', shall not apply to any project to which funds were committed on or after August 23, 2013, but such projects shall instead be governed by the Final Rule titled ''Home Investment Partnerships Program; Improving Performance and Accountability; Updating Property Standards'' which became effective on such date: *Provided further*, That notwithstanding paragraphs (1)(B)(i) or (2)(B)(i) of section 1337(a) of the Housing and Community Development Act of 1992 (12 U.S.C. 4567(a)), amounts allocated under such paragraphs shall be credited to, made available, and merged with this account: *Provided further*, That no amounts made available by any provision of law may be transferred, reprogrammed, or credited to the Housing Trust Fund.

AMENDMENT OFFERED BY MR. AL GREEN OF TEXAS

Mr. AL GREEN of Texas. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

In the ''Department of Housing and Urban Development—Community Planning and Development—HOME Investment Partnerships Program'' account, after the aggregate dollar amount insert ''(increased by $293,000,000)''.

In the ''Department of Housing and Urban Development—Community Planning and Development—HOME Investment Partnerships Program'' account, strike the last two provisos.

Mr. AL GREEN of Texas (during the reading). Mr. Chair, I ask unanimous consent that the amendment be considered as read.

The Acting CHAIR. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. DIAZ-BALART. Mr. Chairman, I reserve a point of order.

The Acting CHAIR. A point of order is reserved.

Pursuant to House Resolution 287, the gentleman from Texas and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Texas.

Mr. AL GREEN of Texas. Mr. Chairman, let me please start by acknowledging the Honorable MAXINE WATERS. What I present tonight is an amendment that she actually authored, and I would like to present it. In so doing, I want to remind us that this amendment deals with two programs that are near and dear to my heart, the affordable housing trust fund and the HOME program.

These programs are near and dear to my heart because the greatness of a nation will not be measured by how we treat people who live in the suites of life, how we treat the well off, the well heeled, and the well to do.

The greatness of a nation is often measured by how we treat people who live in the streets of life, those who are too often among the least, the last, and the lost.

This amendment seeks to provide aid and comfort for those who, but for the grace of God, could be you or me, but those who find themselves living in the streets of life. This amendment, in dealing with the affordable housing trust fund, will restore it.

The current bill would actually eliminate the affordable housing trust fund. This amendment provides some degree of aid and comfort for those who are living at 30 percent of the area median income, wherever they happen to live.

In Ms. MAXINE WATERS' district, this would mean an annual income of $20,200 for a family of four. I would dare say that there are few among us who would dare attempt to live off of $20,200 as an individual. This helps a family of four with $20,200. This is what the affordable housing trust fund does. It helps people who are extremely low of income.

My hope is that we will be able to prevent this elimination of the affordable housing trust fund, and this amendment does it.

This amendment also will help those who can benefit from the HOME program. The HOME program can serve a family of four that earns up to $53,900 per year. This program is a partnership, if you will, between State, municipal, and Federal Government.

It has been a program that has been of great benefit across the length and breadth of this country. There is not a State in the country, I would dare say, that has not benefited from the HOME program.

It is my hope that we can meet the President's request for the HOME program. Right now, it is about $293 million short of the President's request. This amendment would add that $293 million that the President has requested.

I started by indicating that these are two programs that are near and dear to me. Mr. Chairman, I believe that Ruth Meltzer was right when she indicated that some measure their lives by days and years, others by heartthrobs, passions, and tears; but the surest measure under God's sun is what for others in your lifetime have you done.

These programs afford us an opportunity to do for others, to be a blessing to those that have not been as blessed as we. My hope is that we will find a way to salvage both of these programs, restore the HOME program to what the President has requested, and prevent the affordable housing trust fund from finding its way to the ash heap of history.

I reserve the balance of my time.

POINT OF ORDER

Mr. DIAZ-BALART. Mr. Chairman, I insist on my point of order.

The Acting CHAIR. The gentleman from Florida is recognized.

Mr. DIAZ-BALART. Mr. Chairman, the amendment proposes a net increase in budget authority in the bill.

The amendment is not in order under section 3(d)3 of House Resolution 5, 114th Congress, which states the following:

''It shall not be in order to consider an amendment to a general appropriations bill proposing a net increase in budget authority in the bill unless considered en bloc with another amendment or amendments proposing an equal or greater decrease in such budget authority pursuant to clause 2(f) of rule XXI.''

The amendment proposes a net increase in budget authority in the bill in violation of such section.

I ask for a ruling from the Chair.

The Acting CHAIR. Does any other Member wish to be heard on the point of order?

Mr. AL GREEN of Texas. If I may, Mr. Chairman.

The Acting CHAIR. The gentleman is recognized on the point of order.

Mr. AL GREEN of Texas. Mr. Chairman, on the point of order, understanding the rules, I still would beseech us, Mr. Chairman, to give some consideration to the salvation of these programs.

Perhaps I will be able to work with the chairman and in some way help those who are not in a position to help themselves.

The Acting CHAIR. The Chair is prepared to rule.

The gentleman from Florida makes a point of order that the amendment offered by the gentleman from Texas violates section 3(d)(3) of House Resolution 5.

Section 3(d)(3) establishes a point of order against an amendment proposing a net increase in budget authority in the pending bill.

As persuasively asserted by the gentleman from Florida, the amendment proposes a net increase in budget authority in the bill. Therefore, the point of order is sustained. The amendment is not in order.

□ 0000

The Clerk will read.

The Clerk read as follows:

SELF-HELP AND ASSISTED HOMEOWNERSHIP OPPORTUNITY PROGRAM

For the Self-Help and Assisted Homeownership Opportunity Program, as authorized under section 11 of the Housing Opportunity Program Extension Act of 1996, as amended, $50,000,000, to remain available until September 30, 2018: *Provided*, That of the total amount provided under this heading, $10,000,000 shall be made available to the Self-Help and Assisted Homeownership Opportunity Program as authorized under section 11 of the Housing Opportunity Program Extension Act of 1996, as amended: *Provided further*, That of the total amount provided under this heading, $35,000,000 shall be made available for the second, third, and fourth capacity building activities authorized under section 4(a) of the HUD Demonstration Act of 1993 (42 U.S.C. 9816 note), of which not less than $5,000,000 shall be made available for rural capacity building activities: *Provided further*, That of the total amount provided under this heading, $5,000,000 shall be made available for capacity building by national rural housing organizations with experience assessing national rural conditions and providing financing, training, technical assistance, information, and research to local nonprofits, local governments and Indian Tribes serving high need rural communities.

HOMELESS ASSISTANCE GRANTS

(INCLUDING TRANSFER OF FUNDS)

For the emergency solutions grants program as authorized under subtitle B of title IV of the McKinney-Vento Homeless Assistance Act, as amended; the continuum of care program as authorized under subtitle C of title IV of such Act; and the rural housing stability assistance program as authorized under subtitle D of title IV of such Act, $2,185,000,000, to remain available until September 30, 2018: *Provided*, That any rental assistance amounts that are recaptured under such continuum of care program shall remain available until expended: *Provided further*, That not less than $250,000,000 of the funds appropriated under this heading shall be available for such emergency solutions grants program: *Provided further*, That not less than $1,905,000,000 of the funds appropriated under this heading shall be available for such continuum of care and rural housing stability assistance programs: *Provided further*, That up to $5,000,000 of the funds appropriated under this heading shall be available for the national homeless data analysis project: *Provided further*, That all funds awarded for supportive services under the continuum of care program and the rural housing stability assistance program shall be matched by not less than 25 percent in cash or in kind by each grantee: *Provided further*, That for all match requirements applicable to funds made available under this heading for this fiscal year and prior years, a grantee may use (or could have used) as a source of match funds other funds administered by the Secretary and other Federal agencies unless there is (or was) a specific statutory prohibition on any such use of any such funds: *Provided further*, That the Secretary shall establish minimum project performance thresholds for each grantee under the continuum of care program based on program performance data: *Provided further*, That none of the funds provided under this heading shall be available to renew any expiring contract or amendment to a contract funded under the continuum of care program unless the Secretary determines that the expiring contract or amendment to a contract is needed under the applicable continuum of care and meets appropriate program requirements, financial standards, and performance measures, including the minimum performance thresholds established in the previous proviso: *Provided further*, That the Secretary shall prioritize funding under the continuum of care program to grant applications that demonstrate a capacity to reallocate funding from lower performing projects to higher performing projects: *Provided further*, That all awards of assistance under this heading shall be required to coordinate and integrate homeless programs with other mainstream health, social services, and employment programs for which homeless populations may be eligible: *Provided further*, That with respect to funds provided under this heading for the continuum of care program for fiscal years 2013, 2014, 2015, and 2016 provision of permanent housing rental assistance may be administered by private nonprofit organizations: *Provided further*, That any unobligated amounts remaining from funds appropriated under this heading in fiscal year 2012 and prior years for project-based rental assistance for rehabilitation projects with 10-year grant terms may be used for purposes under this heading, notwithstanding the purposes for which such funds were appropriated: *Provided further*, That all balances for Shelter Plus Care renewals previously funded from the Shelter Plus Care Renewal account and transferred to this account shall be available, if recaptured, for continuum of care renewals in fiscal year 2016: *Provided further*, That the Department shall notify grantees of their formula allocation from amounts allocated (which may represent initial or final amounts allocated) for the emergency solutions grant program within 60 days of enactment of this Act.

HOUSING PROGRAMS

PROJECT-BASED RENTAL ASSISTANCE

For activities and assistance for the provision of project-based subsidy contracts under the United States Housing Act of 1937 (42 U.S.C. 1437 et seq.) (''the Act''), not otherwise provided for, $10,254,000,000, to remain available until expended, shall be available on October 1, 2015 (in addition to the $400,000,000 previously appropriated under this heading that became available October 1, 2015), and $400,000,000, to remain available until expended, shall be available on October 1, 2016: *Provided*, That the amounts made available under this heading shall be available for expiring or terminating section 8 project-based subsidy contracts (including section 8 moderate rehabilitation contracts), for amendments to section 8 project-based subsidy contracts (including section 8 moderate rehabilitation contracts), for contracts entered into pursuant to section 441 of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11401), for renewal of section 8 contracts for units in projects that are subject to approved plans of action under the Emergency Low Income Housing Preservation Act of 1987 or the Low-Income Housing Preservation and Resident Homeownership Act of 1990, and for administrative and other expenses associated with project-based activities and assistance funded under this paragraph: *Provided further*, That of the total amounts provided under this heading, not to exceed $150,000,000 shall be available for performance-based contract administrators for section 8 project-based assistance, for carrying out 42 U.S.C. 1437(f): *Provided further*, That the Secretary of Housing and Urban Development may also use such amounts in the previous proviso for performance-based contract administrators for the administration of: interest reduction payments pursuant to section 236(a) of the National Housing

Act (12 U.S.C. 1715z-1(a)); rent supplement payments pursuant to section 101 of the Housing and Urban Development Act of 1965 (12 U.S.C. 1701s); section 236(f)(2) rental assistance payments (12 U.S.C. 1715z-1(f)(2)); project rental assistance contracts for the elderly under section 202(c)(2) of the Housing Act of 1959 (12 U.S.C. 1701q); project rental assistance contracts for supportive housing for persons with disabilities under section 811(d)(2) of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 8013(d)(2)); project assistance contracts pursuant to section 202(h) of the Housing Act of 1959 (Public Law 86–372; 73 Stat. 667); and loans under section 202 of the Housing Act of 1959 (Public Law 86–372; 73 Stat. 667): *Provided further*, That amounts recaptured under this heading, the heading ''Annual Contributions for Assisted Housing'', or the heading ''Housing Certificate Fund'', may be used for renewals of or amendments to section 8 project-based contracts or for performance-based contract administrators, notwithstanding the purposes for which such amounts were appropriated: *Provided further*, That, notwithstanding any other provision of law, upon the request of the Secretary of Housing and Urban Development, project funds that are held in residual receipts accounts for any project subject to a section 8 project-based Housing Assistance Payments contract that authorizes HUD or a Housing Finance Agency to require that surplus project funds be deposited in an interest-bearing residual receipts account and that are in excess of an amount to be determined by the Secretary, shall be remitted to the Department and deposited in this account, to be available until expended: *Provided further*, That amounts deposited pursuant to the previous proviso shall be available in addition to the amount otherwise provided by this heading for uses authorized under this heading.

HOUSING FOR THE ELDERLY

For amendments to capital advance contracts for housing for the elderly, as authorized by section 202 of the Housing Act of 1959, as amended, and for project rental assistance for the elderly under section 202(c)(2) of such Act, including amendments to contracts for such assistance and renewal of expiring contracts for such assistance for up to a 1-year term, and for senior preservation rental assistance contracts, including renewals, as authorized by section 811(e) of the American Housing and Economic Opportunity Act of 2000, as amended, and for supportive services associated with the housing, $414,000,000 to remain available until September 30, 2019: *Provided*, That of the amount provided under this heading, up to $77,000,000 shall be for service coordinators and the continuation of existing congregate service grants for residents of assisted housing projects: *Provided further*, That amounts under this heading shall be available for Real Estate Assessment Center inspections and inspection-related activities associated with section 202 projects: *Provided further*, That the Secretary may waive the provisions of section 202 governing the terms and conditions of project rental assistance, except that the initial contract term for such assistance shall not exceed 5 years in duration: *Provided further*, That upon request of the Secretary of Housing and Urban Development, project funds that are held in residual receipts accounts for any project subject to a section 202 project rental assistance contract, and that upon termination of such contract are in excess of an amount to be determined by the Secretary, shall be remitted to the Department and deposited in this account, to be available until September 30, 2019, for purposes under this heading, and shall be in addition to the amounts otherwise provided under this heading for such purposes: *Provided further*, That in addition, of the prior year unobligated balances of funds, including recaptures and carryover, made available under this heading, $47,000,000 shall be used for an additional amount for the purposes provided under this heading, notwithstanding any purpose for which originally appropriated.

AMENDMENT OFFERED BY MR. GRAYSON

Mr. GRAYSON. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 105, line 9, after the dollar amount insert ''(increased by $2,500,000)''.

Page 113, line 6, after the dollar amount insert ''(reduced by $2,500,000)''.

The Acting CHAIR. Pursuant to House Resolution 287, the gentleman from Florida and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Florida.

Mr. GRAYSON. Mr. Chairman, this amendment seeks to increase the housing for the elderly account in this bill by $2.5 million and decrease the policy development and research account within the Department of Housing and Urban Development by an equal amount.

I hope my good friend from Florida (Mr. DIAZ-BALART) across the aisle agrees with me on this one. I urge all of my colleagues to join me in support of this amendment.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Florida (Mr. GRAYSON).

The amendment was agreed to.

The Acting CHAIR. The Clerk will read.

The Clerk read as follows:

HOUSING FOR PERSONS WITH DISABILITIES

For amendments to capital advance contracts for supportive housing for persons with disabilities, as authorized by section 811 of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 8013), for project rental assistance for supportive housing for persons with disabilities under section 811(d)(2) of such Act and for project assistance contracts pursuant to section 202(h) of the Housing Act of 1959 (Public Law 86–372; 73 Stat. 667), including amendments to contracts for such assistance and renewal of expiring contracts for such assistance for up to a 1-year term, for project rental assistance to State housing finance agencies and other appropriate entities as authorized under section 811(b)(3) of the Cranston-Gonzalez National Housing Act, and for supportive services associated with the housing for persons with disabilities as authorized by section 811(b)(1) of such Act, $152,000,000, to remain available until September 30, 2019: *Provided*, That amounts made available under this heading shall be available for Real Estate Assessment Center inspections and inspection-related activities associated with section 811 projects: *Provided further*, That, in this fiscal year, upon the request of the Secretary of Housing and Urban Development, project funds that are held in residual receipts accounts for any project subject to a section 811 project rental assistance contract and that upon termination of such contract are in excess of an amount to be determined by the Secretary shall be remitted to the Department and deposited in this account, to be available until September 30, 2019: *Provided further*, That amounts deposited in this account pursuant to the previous proviso shall be available in addition to the amounts otherwise provided by this heading for the purposes authorized under this heading: *Provided further*, That unobligated balances, including recaptures and carryover, remaining from funds transferred to or appropriated under this heading may be used for the current purposes authorized under this heading notwithstanding the purposes for which such funds originally were appropriated.

HOUSING COUNSELING ASSISTANCE

For contracts, grants, and other assistance excluding loans, as authorized under section 106 of the Housing and Urban Development Act of 1968, as amended, $47,000,000, to remain available until September 30, 2017, including up to $4,500,000 for administrative contract services: *Provided*, That grants made available from amounts provided under this heading shall be awarded within 180 days of enactment of this Act: *Provided further*, That funds shall be used for providing counseling and advice to tenants and homeowners, both current and prospective, with respect to property maintenance, financial management/literacy, and such other matters as may be appropriate to assist them in improving their housing conditions, meeting their financial needs, and fulfilling the responsibilities of tenancy or homeownership; for program administration; and for housing counselor training: *Provided further*, That for purposes of providing such grants from amounts provided under this heading, the Secretary may enter into multiyear agreements as is appropriate, subject to the availability of annual appropriations.

RENTAL HOUSING ASSISTANCE

For amendments to contracts under section 101 of the Housing and Urban Development Act of 1965 (12 U.S.C. 1701s) and section 236(f)(2) of the National Housing Act (12 U.S.C. 1715z-1) in State-aided, noninsured rental housing projects, $30,000,000, to remain available until expended: *Provided*, That such amount, together with unobligated balances from recaptured amounts appropriated prior to fiscal year 2006 from terminated contracts under such sections of law, and any unobligated balances, including recaptures and carryover, remaining from funds appropriated under this heading after fiscal year 2005, shall also be available for extensions of up to one year for expiring contracts under such sections of law.

PAYMENT TO MANUFACTURED HOUSING FEES TRUST FUND

For necessary expenses as authorized by the National Manufactured Housing Construction and Safety Standards Act of 1974 (42 U.S.C. 5401 et seq.), up to $11,000,000, to remain available until expended, of which $11,000,000 is to be derived from the Manufactured Housing Fees Trust Fund: *Provided*, That not to exceed the total amount appropriated under this heading shall be available from the general fund of the Treasury to the extent necessary to incur obligations and make expenditures pending the receipt of collections to the Fund pursuant to section 620 of such Act: *Provided further*, That the amount made available under this heading from the general fund shall be reduced as

such collections are received during fiscal year 2016 so as to result in a final fiscal year 2016 appropriation from the general fund estimated at zero, and fees pursuant to such section 620 shall be modified as necessary to ensure such a final fiscal year 2016 appropriation: *Provided further*, That for the dispute resolution and installation programs, the Secretary of Housing and Urban Development may assess and collect fees from any program participant: *Provided further*, That such collections shall be deposited into the Fund, and the Secretary, as provided herein, may use such collections, as well as fees collected under section 620, for necessary expenses of such Act: *Provided further*, That, notwithstanding the requirements of section 620 of such Act, the Secretary may carry out responsibilities of the Secretary under such Act through the use of approved service providers that are paid directly by the recipients of their services.

FEDERAL HOUSING ADMINISTRATION

MUTUAL MORTGAGE INSURANCE PROGRAM ACCOUNT

New commitments to guarantee single family loans insured under the Mutual Mortgage Insurance Fund shall not exceed $400,000,000,000, to remain available until September 30, 2017: *Provided*, That during fiscal year 2016, obligations to make direct loans to carry out the purposes of section 204(g) of the National Housing Act, as amended, shall not exceed $5,000,000: *Provided further*, That the foregoing amount in the previous proviso shall be for loans to nonprofit and governmental entities in connection with sales of single family real properties owned by the Secretary and formerly insured under the Mutual Mortgage Insurance Fund: *Provided Further*, That for administrative contract expenses of the Federal Housing Administration, $130,000,000, to remain available until September 30, 2017.

GENERAL AND SPECIAL RISK PROGRAM ACCOUNT

New commitments to guarantee loans insured under the General and Special Risk Insurance Funds, as authorized by sections 238 and 519 of the National Housing Act (12 U.S.C. 1715z-3 and 1735c), shall not exceed $30,000,000,000 in total loan principal, any part of which is to be guaranteed, to remain available until September 30, 2017: *Provided*, That during fiscal year 2016, gross obligations for the principal amount of direct loans, as authorized by sections 204(g), 207(l), 238, and 519(a) of the National Housing Act, shall not exceed $5,000,000, which shall be for loans to nonprofit and governmental entities in connection with the sale of single family real properties owned by the Secretary and formerly insured under such Act.

GOVERNMENT NATIONAL MORTGAGE ASSOCIATION

GUARANTEES OF MORTGAGE-BACKED SECURITIES LOAN GUARANTEE PROGRAM ACCOUNT

New commitments to issue guarantees to carry out the purposes of section 306 of the National Housing Act, as amended (12 U.S.C. 1721(g)), shall not exceed $500,000,000,000, to remain available until September 30, 2017: *Provided*, That $23,000,000 shall be available for necessary salaries and expenses of the Office of Government National Mortgage Association: *Provided further*, That receipts from Commitment and Multiclass fees collected pursuant to title III of the National Housing Act, as amended, shall be credited as offsetting collections to this account.

POLICY DEVELOPMENT AND RESEARCH

RESEARCH AND TECHNOLOGY

For contracts, grants, and necessary expenses of programs of research and studies relating to housing and urban problems, not otherwise provided for, as authorized by title V of the Housing and Urban Development Act of 1970 (12 U.S.C. 1701z-1 et seq.), including carrying out the functions of the Secretary of Housing and Urban Development under section 1(a)(1)(i) of Reorganization Plan No. 2 of 1968, $52,500,000, to remain available until September 30, 2017: *Provided*, That with respect to amounts made available under this heading, notwithstanding section 204 of this title, the Secretary may enter into cooperative agreements funded with philanthropic entities, other Federal agencies, or State or local governments and their agencies for research projects: *Provided further*, That with respect to the previous proviso, such partners to the cooperative agreements must contribute at least a 50 percent match toward the cost of the project: *Provided further*, That for non-competitive agreements entered into in accordance with the previous two provisos, the Secretary of Housing and Urban Development shall comply with section 2(b) of the Federal Funding Accountability and Transparency Act of 2006 (Public Law 109–282, 31 U.S.C. note) in lieu of compliance with section 102(a)(4)(C) with respect to documentation of award decisions: *Provided further*, That prior to obligation of technical assistance funding, the Secretary shall submit a plan, for approval, to the House and Senate Committees on Appropriations on how it will allocate funding for this activity.

FAIR HOUSING AND EQUAL OPPORTUNITY

FAIR HOUSING ACTIVITIES

For contracts, grants, and other assistance, not otherwise provided for, as authorized by title VIII of the Civil Rights Act of 1968, as amended by the Fair Housing Amendments Act of 1988, and section 561 of the Housing and Community Development Act of 1987, as amended, $65,300,000, to remain available until September 30, 2017: *Provided*, That notwithstanding 31 U.S.C. 3302, the Secretary may assess and collect fees to cover the costs of the Fair Housing Training Academy, and may use such funds to provide such training: *Provided further*, That no funds made available under this heading shall be used to lobby the executive or legislative branches of the Federal Government in connection with a specific contract, grant, or loan: *Provided further*, That of the funds made available under this heading, $300,000 shall be available to the Secretary of Housing and Urban Development for the creation and promotion of translated materials and other programs that support the assistance of persons with limited English proficiency in utilizing the services provided by the Department of Housing and Urban Development.

AMENDMENT OFFERED BY MR. STIVERS

Mr. STIVERS. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 114, line 10, after the dollar amount, insert ''(reduced by $28,375,000) (increased by $28,375,000)''.

The Acting CHAIR. Pursuant to House Resolution 287, the gentleman from Ohio and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Ohio.

Mr. STIVERS. Mr. Chairman, I want to thank Chairman DIAZ-BALART as well as Ranking Member PRICE for their hard work on this bill and for preparing a bill that is the best we can do.

I do rise in support of an amendment that seeks to curb lawsuit abuse and help fund our local governments. This creates congressional intent to redirect funds away from the private enforcement account to the administrative enforcement account.

My amendment would decrease by $28.375 million the Private Enforcement Initiative and redirect those resources to the Administrative Enforcement Initiative in the Fair Housing Initiatives Program.

I believe that the most efficient and effective way to protect Fair Housing is through the Administrative Enforcement Initiative of the Fair Housing Initiatives Program, which helps State and local governments who administer laws that include rights and remedies every day. They act to help Fair Housing. They know their communities, and they can enforce in their communities best.

My amendment would help protect more consumers. In fact, I believe administrative enforcement is less expensive to taxpayers. It is more certain. It has faster resolution. It has less conflicts of interest than some of these nonprofit proxy agencies that use the Private Enforcement Initiative.

In fact, there is a 1997 GAO study, Mr. Chairman, that revealed that more than half of the Private Enforcement Initiative dollars were concentrated in just 6 of the 27 awardees. I have asked the GAO to update that study and to look at private enforcement as far as its effectiveness because, as I said, it is slower and more expensive than administrative enforcement.

Therefore, I would ask my colleagues to support my congressional intent amendment to redirect these resources to our State and local governments who can more effectively administer justice. I ask my colleagues to support this amendment.

I reserve the balance of my time.

Mr. PRICE of North Carolina. Mr. Chairman, I claim the time in opposition to this amendment.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. PRICE of North Carolina. Mr. Chairman, I rise in opposition to this amendment. We have only recently received it, and I haven't fully analyzed it; but, on the face of it, it does appear to be shifting the support among private enforcement and public enforcement, the kind of private enforcement that involves community-based groups, that involves often more flexible ways of resolving conflicts and issues.

I simply think it is ill advised here tonight to undertake that kind of internal shifting of funds and would suggest that we reject this, understanding that we can return to it and examine this more fully to see exactly what is

implied by this kind of internal shifting of funds within Fair Housing accounts.

I suggest that we reject this amendment.

I yield back the balance of my time.

Mr. STIVERS. Mr. Chairman, I would simply say to my colleague from North Carolina that administrative enforcement is more effective, it is more efficient. That is why we should redirect these resources internally inside Fair Housing. It doesn't change Fair Housing dollars one penny.

It redirects the resources to more efficient and effective means of enforcement, from folks who enforce these laws every day and can do it faster and more effectively, to make sure the people that might be discriminated against get their redress sooner.

I am excited about this amendment. I think it will lead to much more effective enforcement. It does so without the conflict of interest of these private organizations that can have conflicts of interest, and that has been another issue that I have asked the GAO to look at in my letter to them today.

I apologize that the minority is just seeing this for the first time. I did talk about it at the Rules Committee the other day. It is something I have been working on just for a couple of days since that Rules Committee meeting when it came up. I apologized for not giving the gentleman from North Carolina more notice.

I would urge my colleagues to support my amendment, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Ohio (Mr. STIVERS).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. GRAYSON

Mr. GRAYSON. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 114, line 19, after the dollar amount, insert ''(increased by $150,000)''.

The Acting CHAIR. Pursuant to House Resolution 287, the gentleman from Florida and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Florida.

Mr. GRAYSON. Mr. Chair, this amendment seeks to raise the cap on funding for the Limited English Proficiency Initiative under the Fair Housing and Equal Opportunity section of the bill by 50 percent.

I want to highlight that we are not taking away anything from other programs. We are simply lifting the cap on this particular initiative. This amendment has passed by voice vote for the last 2 years, and it is my hope that it will do so again.

There are more than 40 million Americans who do not speak English as their first language. This tiny, but vital program demonstrates to the American people that we have equal protection under the law, regardless of what language we speak.

I hope to once again have the support of my friend from Florida and from the House as a whole.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Florida (Mr. GRAYSON).

The amendment was agreed to.

The Acting CHAIR. The Clerk will read.

The Clerk read as follows:

OFFICE OF LEAD HAZARD CONTROL AND HEALTHY HOMES

LEAD HAZARD REDUCTION

For the Lead Hazard Reduction Program, as authorized by section 1011 of the Residential Lead-Based Paint Hazard Reduction Act of 1992, $75,000,000, to remain available until September 30, 2017: *Provided*, That up to $15,000,000 of that amount shall be for the Healthy Homes Initiative, pursuant to sections 501 and 502 of the Housing and Urban Development Act of 1970 that shall include research, studies, testing, and demonstration efforts, including education and outreach concerning lead-based paint poisoning and other housing-related diseases and hazards: *Provided further*, That for purposes of environmental review, pursuant to the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) and other provisions of the law that further the purposes of such Act, a grant under the Healthy Homes Initiative, or the Lead Technical Studies program under this heading or under prior appropriations Acts for such purposes under this heading, shall be considered to be funds for a special project for purposes of section 305(c) of the Multifamily Housing Property Disposition Reform Act of 1994: *Provided further*, That amounts made available under this heading in this or prior appropriations Acts, and that still remain available, may be used for any purpose under this heading notwithstanding the purpose for which such amounts were appropriated if a program competition is undersubscribed and there are other program competitions under this heading that are oversubscribed.

INFORMATION TECHNOLOGY FUND

For the development of, modifications to, and infrastructure for Department-wide and program-specific information technology systems, for the continuing operation and maintenance of both Department-wide and program-specific information systems, and for program-related maintenance activities, $100,000,000: *Provided*, That any amounts transferred to this Fund under this Act shall remain available until expended: *Provided further*, That any amounts transferred to this Fund from amounts appropriated by previously enacted appropriations Acts may be used for the purposes specified under this Fund, in addition to any other information technology purposes for which such amounts were appropriated.

OFFICE OF INSPECTOR GENERAL

For necessary salaries and expenses of the Office of Inspector General in carrying out the Inspector General Act of 1978, as amended, $126,000,000: *Provided*, That the Inspector General shall have independent authority over all personnel issues within this office.

GENERAL PROVISIONS—DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

(INCLUDING RESCISSIONS)

SEC. 201. Eighty five percent of the amounts of budget authority, or in lieu thereof 85 percent of the cash amounts associated with such budget authority, that are recaptured from projects described in section 1012(a) of the Stewart B. McKinney Homeless Assistance Amendments Act of 1988 (42 U.S.C. 1437 note) shall be rescinded or in the case of cash, shall be remitted to the Treasury. Notwithstanding the previous sentence, the Secretary may award up to 15 percent of the budget authority or cash recaptured and not rescinded or remitted to the Treasury to provide project owners with incentives to refinance their project at a lower interest rate. Any amounts of budget authority or cash recaptured and not rescinded, returned to the Treasury, or otherwise awarded by September 30, 2016 shall be rescinded or in the case of cash, shall be remitted to the Treasury.

SEC. 202. None of the amounts made available under this Act may be used during fiscal year 2016 to investigate or prosecute under the Fair Housing Act any otherwise lawful activity engaged in by one or more persons, including the filing or maintaining of a nonfrivolous legal action, that is engaged in solely for the purpose of achieving or preventing action by a Government official or entity, or a court of competent jurisdiction.

SEC. 203. Sections 203 and 209 of division C of Public Law 112–55 (125 Stat. 693–694) shall apply during fiscal year 2016 as if such sections were included in this title, except that during such fiscal year such sections shall be applied by substituting ''fiscal year 2016'' for ''fiscal year 2011'' and for ''fiscal year 2012'' each place such terms appear, and shall be amended to reflect revised delineations of statistical areas established by the Office of Management and Budget pursuant to 44 U.S.C. 3504(e)(3), 31 U.S.C. 1104(d), and Executive Order No. 10253.

SEC. 204. Except as explicitly provided in law, any grant, cooperative agreement or other assistance made pursuant to title II of this Act shall be made on a competitive basis and in accordance with section 102 of the Department of Housing and Urban Development Reform Act of 1989 (42 U.S.C. 3545).

SEC. 205. Funds of the Department of Housing and Urban Development subject to the Government Corporation Control Act or section 402 of the Housing Act of 1950 shall be available, without regard to the limitations on administrative expenses, for legal services on a contract or fee basis, and for utilizing and making payment for the services and facilities of the Federal National Mortgage Association, Government National Mortgage Association, Federal Home Loan Mortgage Corporation, Federal Financing Bank, Federal Reserve banks or any member thereof, Federal Home Loan banks, and any insured bank within the meaning of the Federal Deposit Insurance Corporation Act, as amended (12 U.S.C. 1811-11).

SEC. 206. Unless otherwise provided for in this Act or through a reprogramming of funds, no part of any appropriation for the Department of Housing and Urban Development shall be available for any program, project or activity in excess of amounts set forth in the budget estimates submitted to Congress.

SEC. 207. Corporations and agencies of the Department of Housing and Urban Development which are subject to the Government Corporation Control Act are hereby authorized to make such expenditures, within the

limits of funds and borrowing authority available to each such corporation or agency and in accordance with law, and to make such contracts and commitments without regard to fiscal year limitations as provided by section 104 of such Act as may be necessary in carrying out the programs set forth in the budget for 2016 for such corporation or agency except as hereinafter provided: *Provided*, That collections of these corporations and agencies may be used for new loan or mortgage purchase commitments only to the extent expressly provided for in this Act (unless such loans are in support of other forms of assistance provided for in this or prior appropriations Acts), except that this proviso shall not apply to the mortgage insurance or guaranty operations of these corporations, or where loans or mortgage purchases are necessary to protect the financial interest of the United States Government.

SEC. 208. The Secretary of Housing and Urban Development shall provide quarterly reports to the House and Senate Committees on Appropriations regarding all uncommitted, unobligated, recaptured and excess funds in each program and activity within the jurisdiction of the Department and shall submit additional, updated budget information to these Committees upon request.

SEC. 209. The President's formal budget request for fiscal year 2017, as well as the Department of Housing and Urban Development's congressional budget justifications to be submitted to the Committees on Appropriations of the House of Representatives and the Senate, shall use the identical account and sub-account structure provided under this Act.

SEC. 210. A public housing agency or such other entity that administers Federal housing assistance for the Housing Authority of the county of Los Angeles, California, and the States of Alaska, Iowa, and Mississippi shall not be required to include a resident of public housing or a recipient of assistance provided under section 8 of the United States Housing Act of 1937 on the board of directors or a similar governing board of such agency or entity as required under section (2)(b) of such Act. Each public housing agency or other entity that administers Federal housing assistance under section 8 for the Housing Authority of the county of Los Angeles, California and the States of Alaska, Iowa and Mississippi that chooses not to include a resident of public housing or a recipient of section 8 assistance on the board of directors or a similar governing board shall establish an advisory board of not less than six residents of public housing or recipients of section 8 assistance to provide advice and comment to the public housing agency or other administering entity on issues related to public housing and section 8. Such advisory board shall meet not less than quarterly.

SEC. 211. No funds provided under this title may be used for an audit of the Government National Mortgage Association that makes applicable requirements under the Federal Credit Reform Act of 1990 (2 U.S.C. 661 et seq.).

SEC. 212. (a) Notwithstanding any other provision of law, subject to the conditions listed under this section, for fiscal years 2016 and 2017, the Secretary of Housing and Urban Development may authorize the transfer of some or all project-based assistance, debt held or insured by the Secretary and statutorily required low-income and very low-income use restrictions if any, associated with one or more multifamily housing project or projects to another multifamily housing project or projects.

(b) Transfers of project-based assistance under this section may be done in phases to accommodate the financing and other requirements related to rehabilitating or constructing the project or projects to which the assistance is transferred, to ensure that such project or projects meet the standards under subsection (c).

(c) The transfer authorized in subsection (a) is subject to the following conditions:

(1) Number and bedroom size of units.—

(A) For occupied units in the transferring project: the number of low-income and very low-income units and the configuration (i.e., bedroom size) provided by the transferring project shall be no less than when transferred to the receiving project or projects and the net dollar amount of Federal assistance provided to the transferring project shall remain the same in the receiving project or projects.

(B) For unoccupied units in the transferring project: the Secretary may authorize a reduction in the number of dwelling units in the receiving project or projects to allow for a reconfiguration of bedroom sizes to meet current market demands, as determined by the Secretary and provided there is no increase in the project-based assistance budget authority.

(2) The transferring project shall, as determined by the Secretary, be either physically obsolete or economically nonviable.

(3) The receiving project or projects shall meet or exceed applicable physical standards established by the Secretary.

(4) The owner or mortgagor of the transferring project shall notify and consult with the tenants residing in the transferring project and provide a certification of approval by all appropriate local governmental officials.

(5) The tenants of the transferring project who remain eligible for assistance to be provided by the receiving project or projects shall not be required to vacate their units in the transferring project or projects until new units in the receiving project are available for occupancy.

(6) The Secretary determines that this transfer is in the best interest of the tenants.

(7) If either the transferring project or the receiving project or projects meets the condition specified in subsection (d)(2)(A), any lien on the receiving project resulting from additional financing obtained by the owner shall be subordinate to any FHA-insured mortgage lien transferred to, or placed on, such project by the Secretary, except that the Secretary may waive this requirement upon determination that such a waiver is necessary to facilitate the financing of acquisition, construction, and/or rehabilitation of the receiving project or projects.

(8) If the transferring project meets the requirements of subsection (d)(2), the owner or mortgagor of the receiving project or projects shall execute and record either a continuation of the existing use agreement or a new use agreement for the project where, in either case, any use restrictions in such agreement are of no lesser duration than the existing use restrictions.

(9) The transfer does not increase the cost (as defined in section 502 of the Congressional Budget Act of 1974, as amended) of any FHA-insured mortgage, except to the extent that appropriations are provided in advance for the amount of any such increased cost.

(d) For purposes of this section—

(1) the terms ''low-income'' and ''very low-income'' shall have the meanings provided by the statute and/or regulations governing the program under which the project is insured or assisted;

(2) the term ''multifamily housing project'' means housing that meets one of the following conditions—

(A) housing that is subject to a mortgage insured under the National Housing Act;

(B) housing that has project-based assistance attached to the structure including projects undergoing mark to market debt restructuring under the Multifamily Assisted Housing Reform and Affordability Housing Act;

(C) housing that is assisted under section 202 of the Housing Act of 1959, as amended by section 801 of the Cranston-Gonzales National Affordable Housing Act;

(D) housing that is assisted under section 202 of the Housing Act of 1959, as such section existed before the enactment of the Cranston-Gonzales National Affordable Housing Act;

(E) housing that is assisted under section 811 of the Cranston-Gonzales National Affordable Housing Act; or

(F) housing or vacant land that is subject to a use agreement;

(3) the term ''project-based assistance'' means—

(A) assistance provided under section 8(b) of the United States Housing Act of 1937;

(B) assistance for housing constructed or substantially rehabilitated pursuant to assistance provided under section 8(b)(2) of such Act (as such section existed immediately before October 1, 1983);

(C) rent supplement payments under section 101 of the Housing and Urban Development Act of 1965;

(D) interest reduction payments under section 236 and/or additional assistance payments under section 236(f)(2) of the National Housing Act;

(E) assistance payments made under section 202(c)(2) of the Housing Act of 1959; and

(F) assistance payments made under section 811(d)(2) of the Cranston-Gonzalez National Affordable Housing Act;

(4) the term ''receiving project or projects'' means the multifamily housing project or projects to which some or all of the project-based assistance, debt, and statutorily required low-income and very low-income use restrictions are to be transferred;

(5) the term ''transferring project'' means the multifamily housing project which is transferring some or all of the project-based assistance, debt, and the statutorily required low-income and very low-income use restrictions to the receiving project or projects; and

(6) the term ''Secretary'' means the Secretary of Housing and Urban Development.

(e) PUBLIC NOTICE AND RESEARCH REPORT.—

(1) The Secretary shall publish by notice in the Federal Register the terms and conditions, including criteria for HUD approval, of transfers pursuant to this section no later than 30 days before the effective date of such notice.

(2) The Secretary shall conduct an evaluation of the transfer authority under this section, including the effect of such transfers on the operational efficiency, contract rents, physical and financial conditions, and long-term preservation of the affected properties.

SEC. 213. (a) No assistance shall be provided under section 8 of the United States Housing Act of 1937 (42 U.S.C. 1437f) to any individual who—

(1) is enrolled as a student at an institution of higher education (as defined under section 102 of the Higher Education Act of 1965 (20 U.S.C. 1002));

(2) is under 24 years of age;

(3) is not a veteran;

(4) is unmarried;

(5) does not have a dependent child;

(6) is not a person with disabilities, as such term is defined in section 3(b)(3)(E) of the United States Housing Act of 1937 (42 U.S.C. 1437a(b)(3)(E)) and was not receiving assistance under such section 8 as of November 30, 2005; and

(7) is not otherwise individually eligible, or has parents who, individually or jointly, are not eligible, to receive assistance under section 8 of the United States Housing Act of 1937 (42 U.S.C. 1437f).

(b) For purposes of determining the eligibility of a person to receive assistance under section 8 of the United States Housing Act of 1937 (42 U.S.C. 1437f), any financial assistance (in excess of amounts received for tuition and any other required fees and charges) that an individual receives under the Higher Education Act of 1965 (20 U.S.C. 1001 et seq.), from private sources, or an institution of higher education (as defined under the Higher Education Act of 1965 (20 U.S.C. 1002)), shall be considered income to that individual, except for a person over the age of 23 with dependent children.

Mr. DIAZ-BALART. Mr. Chairman, I ask unanimous consent that the remainder of the bill through page 156, line 8 be considered read, printed in the RECORD, and open to amendment at any point.

The Acting CHAIR. Is there objection to the request of the gentleman from Florida?

There was no objection.

The text of the remainder of the bill through page 156, line 8, is as follows:

SEC. 214. The funds made available for Native Alaskans under the heading ''Native American Housing Block Grants'' in title II of this Act shall be allocated to the same Native Alaskan housing block grant recipients that received funds in fiscal year 2005.

SEC. 215. Notwithstanding the limitation in the first sentence of section 255(g) of the National Housing Act (12 U.S.C. 1715z-20(g)), the Secretary of Housing and Urban Development may, until September 30, 2016, insure and enter into commitments to insure mortgages under such section 255.

SEC. 216. Notwithstanding any other provision of law, in fiscal year 2016, in managing and disposing of any multifamily property that is owned or has a mortgage held by the Secretary of Housing and Urban Development, and during the process of foreclosure on any property with a contract for rental assistance payments under section 8 of the United States Housing Act of 1937 or other Federal programs, the Secretary shall maintain any rental assistance payments under section 8 of the United States Housing Act of 1937 and other programs that are attached to any dwelling units in the property. To the extent the Secretary determines, in consultation with the tenants and the local government, that such a multifamily property owned or held by the Secretary is not feasible for continued rental assistance payments under such section 8 or other programs, based on consideration of (1) the costs of rehabilitating and operating the property and all available Federal, State, and local resources, including rent adjustments under section 524 of the Multifamily Assisted Housing Reform and Affordability Act of 1997 (''MAHRAA'') and (2) environmental conditions that cannot be remedied in a cost-effective fashion, the Secretary may, in consultation with the tenants of that property, contract for project-based rental assistance payments with an owner or owners of other existing housing properties, or provide other rental assistance. The Secretary shall also take appropriate steps to ensure that project-based contracts remain in effect prior to foreclosure, subject to the exercise of contractual abatement remedies to assist relocation of tenants for imminent major threats to health and safety after written notice to and informed consent of the affected tenants and use of other available remedies, such as partial abatements or receivership. After disposition of any multifamily property described under this section, the contract and allowable rent levels on such properties shall be subject to the requirements under section 524 of MAHRAA.

SEC. 217. The commitment authority funded by fees as provided under the heading ''Community Development Loan Guarantees Program Account'' may be used to guarantee, or make commitments to guarantee, notes or other obligations issued by any State on behalf of non-entitlement communities in the State in accordance with the requirements of section 108 of the Housing and Community Development Act of 1974: *Provided*, That any State receiving such a guarantee or commitment shall distribute all funds subject to such guarantee to the units of general local government in non-entitlement areas that received the commitment.

SEC. 218. Public housing agencies that own and operate 400 or fewer public housing units may elect to be exempt from any asset management requirement imposed by the Secretary of Housing and Urban Development in connection with the operating fund rule: *Provided*, That an agency seeking a discontinuance of a reduction of subsidy under the operating fund formula shall not be exempt from asset management requirements.

SEC. 219. With respect to the use of amounts provided in this Act and in future Acts for the operation, capital improvement and management of public housing as authorized by sections 9(d) and 9(e) of the United States Housing Act of 1937 (42 U.S.C. 1437g(d) and (e)), the Secretary shall not impose any requirement or guideline relating to asset management that restricts or limits in any way the use of capital funds for central office costs pursuant to section 9(g)(1) or 9(g)(2) of the United States Housing Act of 1937 (42 U.S.C. 1437g(g)(1), (2)): *Provided*, That a public housing agency may not use capital funds authorized under section 9(d) for activities that are eligible under section 9(e) for assistance with amounts from the operating fund in excess of the amounts permitted under section 9(g)(1) or 9(g)(2).

SEC. 220. No official or employee of the Department of Housing and Urban Development shall be designated as an allotment holder unless the Office of the Chief Financial Officer has determined that such allotment holder has implemented an adequate system of funds control and has received training in funds control procedures and directives. The Chief Financial Officer shall ensure that there is a trained allotment holder for each HUD sub-office under the accounts ''Executive Offices'' and ''Administrative Support Offices'', as well as each account receiving appropriations for ''Program Office Salaries and Expenses'', ''Government National Mortgage Association—Guarantees of Mortgage-Backed Securities Loan Guarantee Program Account'', and ''Office of Inspector General'' within the Department of Housing and Urban Development.

SEC. 221. The Secretary of the Department of Housing and Urban Development shall, for fiscal year 2016, notify the public through the Federal Register and other means, as determined appropriate, of the issuance of a notice of the availability of assistance or notice of funding availability (NOFA) for any program or discretionary fund administered by the Secretary that is to be competitively awarded. Notwithstanding any other provision of law, for fiscal year 2016, the Secretary may make the NOFA available only on the Internet at the appropriate Government web site or through other electronic media, as determined by the Secretary.

SEC. 222. Payment of attorney fees in program-related litigation must be paid from the individual program office and Office of General Counsel personnel funding. The annual budget submissions for program offices and Office of General Counsel personnel funding must include program-related litigation costs for attorney fees as a separate line item request.

SEC. 223. The Disaster Housing Assistance Programs, administered by the Department of Housing and Urban Development, shall be considered a ''program of the Department of Housing and Urban Development'' under section 904 of the McKinney Act for the purpose of income verifications and matching.

SEC. 224. (a) The Secretary of Housing and Urban Development shall take the required actions under subsection (b) when a multifamily housing project with a section 8 contract or contract for similar project-based assistance:

(1) receives a Real Estate Assessment Center (REAC) score of 30 or less; or

(2) receives a REAC score between 31 and 59 and:

(A) fails to certify in writing to HUD within 60 days that all deficiencies have been corrected; or

(B) receives consecutive scores of less than 60 on REAC inspections.

Such requirements shall apply to insured and noninsured projects with assistance attached to the units under section 8 of the United States Housing Act of 1937 (42 U.S.C. 1437f), but do not apply to such units assisted under section 8(o)(13) (42 U.S.C. 1437f(o)(13)) or to public housing units assisted with capital or operating funds under section 9 of the United States Housing Act of 1937 (42 U.S.C. 1437g).

(b) The Secretary shall take the following required actions as authorized under subsection (a)—

(1) The Secretary shall notify the owner and provide an opportunity for response within 30 days. If the violations remain, the Secretary shall develop a Compliance, Disposition and Enforcement Plan within 60 days, with a specified timetable for correcting all deficiencies. The Secretary shall provide notice of the Plan to the owner, tenants, the local government, any mortgagees, and any contract administrator.

(2) At the end of the term of the Compliance, Disposition and Enforcement Plan, if the owner fails to fully comply with such plan, the Secretary may require immediate replacement of project management with a management agent approved by the Secretary, and shall take one or more of the following actions, and provide additional notice of those actions to the owner and the parties specified above:

(A) impose civil money penalties;

(B) abate the section 8 contract, including partial abatement, as determined by the Secretary, until all deficiencies have been corrected;

(C) pursue transfer of the project to an owner, approved by the Secretary under established procedures, which will be obligated

to promptly make all required repairs and to accept renewal of the assistance contract as long as such renewal is offered; or

(D) seek judicial appointment of a receiver to manage the property and cure all project deficiencies or seek a judicial order of specific performance requiring the owner to cure all project deficiencies.

(c) The Secretary shall also take appropriate steps to ensure that project-based contracts remain in effect, subject to the exercise of contractual abatement remedies to assist relocation of tenants for imminent major threats to health and safety after written notice to and informed consent of the affected tenants and use of other remedies set forth above. To the extent the Secretary determines, in consultation with the tenants and the local government, that the property is not feasible for continued rental assistance payments under such section 8 or other programs, based on consideration of (1) the costs of rehabilitating and operating the property and all available Federal, State, and local resources, including rent adjustments under section 524 of the Multifamily Assisted Housing Reform and Affordability Act of 1997 (''MAHRAA'') and (2) environmental conditions that cannot be remedied in a cost-effective fashion, the Secretary may, in consultation with the tenants of that property, contract for project-based rental assistance payments with an owner or owners of other existing housing properties, or provide other rental assistance. The Secretary shall report semi-annually on all properties covered by this section that are assessed through the Real Estate Assessment Center and have physical inspection scores of less than 30 or have consecutive physical inspection scores of less than 60. The report shall include:

(1) The enforcement actions being taken to address such conditions, including imposition of civil money penalties and termination of subsidies, and identify properties that have such conditions multiple times; and

(2) Actions that the Department of Housing and Urban Development is taking to protect tenants of such identified properties.

SEC. 225. None of the funds made available by this Act, or any other Act, for purposes authorized under section 8 (only with respect to the tenant-based rental assistance program) and section 9 of the United States Housing Act of 1937 (42 U.S.C. 1437 et seq.), may be used by any public housing agency for any amount of salary, including bonuses, for the chief executive officer of which, or any other official or employee of which, that exceeds the annual rate of basic pay payable for a position at level IV of the Executive Schedule at any time during any public housing agency fiscal year 2016.

SEC. 226. None of the funds in this Act may be available for the doctoral dissertation research grant program at the Department of Housing and Urban Development.

SEC. 227. None of the funds in this Act provided to the Department of Housing and Urban Development may be used to make a grant award unless the Secretary notifies the House and Senate Committees on Appropriations not less than 3 full business days before any project, State, locality, housing authority, tribe, nonprofit organization, or other entity selected to receive a grant award is announced by the Department or its offices.

SEC. 228. None of the funds made available by this Act may be used to require or enforce the Physical Needs Assessment (PNA).

SEC. 229. None of the funds made available in this Act shall be used by the Federal Housing Administration, the Government National Mortgage Administration, or the Department of Housing and Urban Development to insure, securitize, or establish a Federal guarantee of any mortgage or mortgage backed security that refinances or otherwise replaces a mortgage that has been subject to eminent domain condemnation or seizure, by a state, municipality, or any other political subdivision of a state.

SEC. 230. None of the funds made available by this Act may be used to terminate the status of a unit of general local government as a metropolitan city (as defined in section 102 of the Housing and Community Development Act of 1974 (42 U.S.C. 5302)) with respect to grants under section 106 of such Act (42 U.S.C. 5306).

SEC. 231. Amounts made available under this Act which are either appropriated, allocated, advanced on a reimbursable basis, or transferred to the Office of Policy Development and Research in the Department of Housing and Urban Development and functions thereof, for research, evaluation, or statistical purposes, and which are unexpended at the time of completion of a contract, grant, or cooperative agreement, may be deobligated and shall immediately become available and may be reobligated in that fiscal year or the subsequent fiscal year for the research, evaluation, or statistical purposes for which the amounts are made available to that Office subject to reprogramming requirements in Section 405 of this Act.

SEC. 232. None of the funds made available by this Act may be used by the Secretary of Housing and Urban Development to require a recipient or sub-recipient of funding for the purpose of land acquisition, affordable housing construction, or affordable housing rehabilitation to meet Energy Star standards or any other energy efficiency standards that exceed the requirements of applicable State and local building codes.

SEC. 233. Of the unobligated balances, including recaptures and carryover, remaining from funds appropriated in section 1497(a) of the Dodd-Frank Wall Street Reform and Consumer Protection Act (Public Law 111–203; 42 U.S.C. 5301 note) and section 2301(a) of title III of division B of the Housing and Economic Recovery Act of 2008 (Public Law 110–289; 42 U.S.C. 5301 note), $7,000,000 is hereby rescinded.

SEC. 234. (a) All unobligated balances, including recaptures and carryover, remaining from funds appropriated to the Department of Housing and Urban Development under the heading ''Rural Housing and Economic Development'' are hereby rescinded.

(b) Effective October 1, 2015, all unobligated balances, including recaptures and carryover, remaining from funds appropriated to the Department of Housing and Urban Development for accounts under the headings ''Management and Administration'' and ''Program Office Salaries and Expenses'' in division K of Public Law 113–235 are rescinded.

This title may be cited as the ''Department of Housing and Urban Development Appropriations Act, 2016''.

TITLE III—RELATED AGENCIES

ACCESS BOARD

SALARIES AND EXPENSES

For expenses necessary for the Access Board, as authorized by section 502 of the Rehabilitation Act of 1973, as amended, $7,548,000: *Provided*, That, notwithstanding any other provision of law, there may be credited to this appropriation funds received for publications and training expenses.

FEDERAL MARITIME COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the Federal Maritime Commission as authorized by section 201(d) of the Merchant Marine Act, 1936, as amended (46 U.S.C. 307), including services as authorized by 5 U.S.C. 3109; hire of passenger motor vehicles as authorized by 31 U.S.C. 1343(b); and uniforms or allowances therefore, as authorized by 5 U.S.C. 5901–5902, $25,660,000: *Provided*, That not to exceed $2,000 shall be available for official reception and representation expenses.

NATIONAL RAILROAD PASSENGER CORPORATION

OFFICE OF INSPECTOR GENERAL

SALARIES AND EXPENSES

For necessary expenses of the Office of Inspector General for the National Railroad Passenger Corporation to carry out the provisions of the Inspector General Act of 1978, as amended, $23,999,000: *Provided*, That the Inspector General shall have all necessary authority, in carrying out the duties specified in the Inspector General Act, as amended (5 U.S.C. App. 3), to investigate allegations of fraud, including false statements to the government (18 U.S.C. 1001), by any person or entity that is subject to regulation by the National Railroad Passenger Corporation: *Provided further*, That the Inspector General may enter into contracts and other arrangements for audits, studies, analyses, and other services with public agencies and with private persons, subject to the applicable laws and regulations that govern the obtaining of such services within the National Railroad Passenger Corporation: *Provided further*, That the Inspector General may select, appoint, and employ such officers and employees as may be necessary for carrying out the functions, powers, and duties of the Office of Inspector General, subject to the applicable laws and regulations that govern such selections, appointments, and employment within Amtrak: *Provided further*, That concurrent with the President's budget request for fiscal year 2017, the Inspector General shall submit to the House and Senate Committees on Appropriations a budget request for fiscal year 2017 in similar format and substance to those submitted by executive agencies of the Federal Government.

NATIONAL TRANSPORTATION SAFETY BOARD

SALARIES AND EXPENSES

For necessary expenses of the National Transportation Safety Board, including hire of passenger motor vehicles and aircraft; services as authorized by 5 U.S.C. 3109, but at rates for individuals not to exceed the per diem rate equivalent to the rate for a GS–15; uniforms, or allowances therefor, as authorized by law (5 U.S.C. 5901–5902), $103,981,000, of which not to exceed $2,000 may be used for official reception and representation expenses. The amounts made available to the National Transportation Safety Board in this Act include amounts necessary to make lease payments on an obligation incurred in fiscal year 2001 for a capital lease.

NEIGHBORHOOD REINVESTMENT CORPORATION

PAYMENT TO THE NEIGHBORHOOD REINVESTMENT CORPORATION

For payment to the Neighborhood Reinvestment Corporation for use in neighborhood reinvestment activities, as authorized by the Neighborhood Reinvestment Corporation Act (42 U.S.C. 8101–8107), $135,000,000, of which $5,000,000 shall be for a multi-family rental housing program: *Provided*, That in addition, $42,000,000 shall be made available until expended to the Neighborhood Reinvestment Corporation for mortgage foreclosure mitigation activities, under the following terms and conditions:

(1) The Neighborhood Reinvestment Corporation (NRC) shall make grants to counseling intermediaries approved by the Department of Housing and Urban Development (HUD) (with match to be determined by NRC based on affordability and the economic conditions of an area; a match also may be waived by NRC based on the aforementioned conditions) to provide mortgage foreclosure mitigation assistance primarily to States and areas with high rates of defaults and foreclosures to help eliminate the default and foreclosure of mortgages of owner-occupied single-family homes that are at risk of such foreclosure. Other than areas with high rates of defaults and foreclosures, grants may also be provided to approved counseling intermediaries based on a geographic analysis of the Nation by NRC which determines where there is a prevalence of mortgages that are risky and likely to fail, including any trends for mortgages that are likely to default and face foreclosure. A State Housing Finance Agency may also be eligible where the State Housing Finance Agency meets all the requirements under this paragraph. A HUD-approved counseling intermediary shall meet certain mortgage foreclosure mitigation assistance counseling requirements, as determined by NRC, and shall be approved by HUD or NRC as meeting these requirements.

(2) Mortgage foreclosure mitigation assistance shall only be made available to homeowners of owner-occupied homes with mortgages in default or in danger of default. These mortgages shall likely be subject to a foreclosure action and homeowners will be provided such assistance that shall consist of activities that are likely to prevent foreclosures and result in the long-term affordability of the mortgage retained pursuant to such activity or another positive outcome for the homeowner. No funds made available under this paragraph may be provided directly to lenders or homeowners to discharge outstanding mortgage balances or for any other direct debt reduction payments.

(3) The use of mortgage foreclosure mitigation assistance by approved counseling intermediaries and State Housing Finance Agencies shall involve a reasonable analysis of the borrower's financial situation, an evaluation of the current value of the property that is subject to the mortgage, counseling regarding the assumption of the mortgage by another non-Federal party, counseling regarding the possible purchase of the mortgage by a non-Federal third party, counseling and advice of all likely restructuring and refinancing strategies or the approval of a work-out strategy by all interested parties.

(4) NRC may provide up to 15 percent of the total funds under this paragraph to its own charter members with expertise in foreclosure prevention counseling, subject to a certification by NRC that the procedures for selection do not consist of any procedures or activities that could be construed as a conflict of interest or have the appearance of impropriety.

(5) HUD-approved counseling entities and State Housing Finance Agencies receiving funds under this paragraph shall have demonstrated experience in successfully working with financial institutions as well as borrowers facing default, delinquency and foreclosure as well as documented counseling capacity, outreach capacity, past successful performance and positive outcomes with documented counseling plans (including post mortgage foreclosure mitigation counseling), loan workout agreements and loan modification agreements. NRC may use other criteria to demonstrate capacity in underserved areas.

(6) Of the total amount made available under this paragraph, up to $2,000,000 may be made available to build the mortgage foreclosure and default mitigation counseling capacity of counseling intermediaries through NRC training courses with HUD-approved counseling intermediaries and their partners, except that private financial institutions that participate in NRC training shall pay market rates for such training.

(7) Of the total amount made available under this paragraph, up to 5 percent may be used for associated administrative expenses for NRC to carry out activities provided under this section.

(8) Mortgage foreclosure mitigation assistance grants may include a budget for outreach and advertising, and training, as determined by NRC.

(9) NRC shall continue to report bi-annually to the House and Senate Committees on Appropriations as well as the Senate Banking Committee and House Financial Services Committee on its efforts to mitigate mortgage default.

UNITED STATES INTERAGENCY COUNCIL ON HOMELESSNESS

OPERATING EXPENSES

For necessary expenses (including payment of salaries, authorized travel, hire of passenger motor vehicles, the rental of conference rooms, and the employment of experts and consultants under section 3109 of title 5, United States Code) of the United States Interagency Council on Homelessness in carrying out the functions pursuant to title II of the McKinney-Vento Homeless Assistance Act, as amended, $3,530,000.

TITLE IV

GENERAL PROVISIONS—THIS ACT

SEC. 401. None of the funds in this Act shall be used for the planning or execution of any program to pay the expenses of, or otherwise compensate, non-Federal parties intervening in regulatory or adjudicatory proceedings funded in this Act.

SEC. 402. None of the funds appropriated in this Act shall remain available for obligation beyond the current fiscal year, nor may any be transferred to other appropriations, unless expressly so provided herein.

SEC. 403. The expenditure of any appropriation under this Act for any consulting service through a procurement contract pursuant to section 3109 of title 5, United States Code, shall be limited to those contracts where such expenditures are a matter of public record and available for public inspection, except where otherwise provided under existing law, or under existing Executive order issued pursuant to existing law.

SEC. 404. (a) None of the funds made available in this Act may be obligated or expended for any employee training that—

(1) does not meet identified needs for knowledge, skills, and abilities bearing directly upon the performance of official duties;

(2) contains elements likely to induce high levels of emotional response or psychological stress in some participants;

(3) does not require prior employee notification of the content and methods to be used in the training and written end of course evaluation;

(4) contains any methods or content associated with religious or quasi-religious belief systems or ''new age'' belief systems as defined in Equal Employment Opportunity Commission Notice N–915.022, dated September 2, 1988; or

(5) is offensive to, or designed to change, participants' personal values or lifestyle outside the workplace.

(b) Nothing in this section shall prohibit, restrict, or otherwise preclude an agency from conducting training bearing directly upon the performance of official duties.

SEC. 405. Except as otherwise provided in this Act, none of the funds provided in this Act, provided by previous appropriations Acts to the agencies or entities funded in this Act that remain available for obligation or expenditure in fiscal year 2016, or provided from any accounts in the Treasury derived by the collection of fees and available to the agencies funded by this Act, shall be available for obligation or expenditure through a reprogramming of funds that:

(1) creates a new program;

(2) eliminates a program, project, or activity;

(3) increases funds or personnel for any program, project, or activity for which funds have been denied or restricted by the Congress;

(4) proposes to use funds directed for a specific activity by either the House or Senate Committees on Appropriations for a different purpose;

(5) augments existing programs, projects, or activities in excess of $5,000,000 or 10 percent, whichever is less;

(6) reduces existing programs, projects, or activities by $5,000,000 or 10 percent, whichever is less; or

(7) creates, reorganizes, or restructures a branch, division, office, bureau, board, commission, agency, administration, or department different from the budget justifications submitted to the Committees on Appropriations or the table accompanying the explanatory statement accompanying this Act, whichever is more detailed, unless prior approval is received from the House and Senate Committees on Appropriations: *Provided*, That not later than 60 days after the date of enactment of this Act, each agency funded by this Act shall submit a report to the Committees on Appropriations of the Senate and of the House of Representatives to establish the baseline for application of reprogramming and transfer authorities for the current fiscal year: *Provided further*, That the report shall include:

(A) a table for each appropriation with a separate column to display the prior year enacted level, the President's budget request, adjustments made by Congress, adjustments due to enacted rescissions, if appropriate, and the fiscal year enacted level;

(B) a delineation in the table for each appropriation and its respective prior year enacted level by object class and program, project, and activity as detailed in the budget appendix for the respective appropriation; and

(C) an identification of items of special congressional interest.

SEC. 406. Except as otherwise specifically provided by law, not to exceed 50 percent of unobligated balances remaining available at the end of fiscal year 2016 from appropriations made available for salaries and expenses for fiscal year 2016 in this Act, shall remain available through September 30, 2017, for each such account for the purposes authorized: *Provided*, That a request shall be submitted to the House and Senate Committees on Appropriations for approval prior to the expenditure of such funds: *Provided further*, That these requests shall be made in compliance with reprogramming guidelines under section 405 of this Act.

SEC. 407. No funds in this Act may be used to support any Federal, State, or local projects that seek to use the power of eminent domain, unless eminent domain is employed only for a public use: *Provided*, That

for purposes of this section, public use shall not be construed to include economic development that primarily benefits private entities: *Provided further*, That any use of funds for mass transit, railroad, airport, seaport or highway projects, as well as utility projects which benefit or serve the general public (including energy-related, communication-related, water-related and wastewater-related infrastructure), other structures designated for use by the general public or which have other common-carrier or public-utility functions that serve the general public and are subject to regulation and oversight by the government, and projects for the removal of an immediate threat to public health and safety or brownfields as defined in the Small Business Liability Relief and Brownfields Revitalization Act (Public Law 107–118) shall be considered a public use for purposes of eminent domain.

SEC. 408. None of the funds made available in this Act may be transferred to any department, agency, or instrumentality of the United States Government, except pursuant to a transfer made by, or transfer authority provided in, this Act or any other appropriations Act.

SEC. 409. No part of any appropriation contained in this Act shall be available to pay the salary for any person filling a position, other than a temporary position, formerly held by an employee who has left to enter the Armed Forces of the United States and has satisfactorily completed his or her period of active military or naval service, and has within 90 days after his or her release from such service or from hospitalization continuing after discharge for a period of not more than 1 year, made application for restoration to his or her former position and has been certified by the Office of Personnel Management as still qualified to perform the duties of his or her former position and has not been restored thereto.

SEC. 410. No funds appropriated pursuant to this Act may be expended by an entity unless the entity agrees that in expending the assistance the entity will comply with sections 2 through 4 of the Act of March 3, 1933 (41 U.S.C. 10a–10c, popularly known as the ''Buy American Act'').

SEC. 411. No funds appropriated or otherwise made available under this Act shall be made available to any person or entity that has been convicted of violating the Buy American Act (41 U.S.C. 10a–10c).

SEC. 412. None of the funds made available in this Act may be used for first-class airline accommodations in contravention of sections 301–10.122 and 301–10.123 of title 41, Code of Federal Regulations.

SEC. 413. (a) None of the funds made available by this Act may be used to approve a new foreign air carrier permit under sections 41301 through 41305 of title 49, United States Code, or exemption application under section 40109 of that title of an air carrier already holding an air operators certificate issued by a country that is party to the U.S.-E.U.-Iceland-Norway Air Transport Agreement where such approval would contravene United States law or Article 17 bis of the U.S.-E.U.-Iceland-Norway Air Transport Agreement.

(b) Nothing in this section shall prohibit, restrict or otherwise preclude the Secretary of Transportation from granting a foreign air carrier permit or an exemption to such an air carrier where such authorization is consistent with the U.S.-E.U.-Iceland-Norway Air Transport Agreement and United States law.

SEC. 414. None of the funds made available by this Act may be used by the Federal Maritime Commission or the Administrator of the Maritime Administration to issue a license or certificate for a commercial vessel that docked or anchored within the previous 180 days within 7 miles of a port on property that was confiscated, in whole or in part, by the Cuban Government, as the terms confiscated, Cuban Government, and property are defined in paragraphs (4), (5), and (12)(A), respectively, of section 4 of the Cuban Liberty and Democratic Solidarity (LIBERTAD) Act of 1996 (22 U.S.C. 6023).

The Acting CHAIR. Are there any amendments to that portion of the bill?

The Clerk will read.

The Clerk read as follows:

SPENDING REDUCTION ACCOUNT

SEC. 415. The amount by which the applicable allocation of new budget authority made by the Committee on Appropriations of the House of Representatives under Section 302(b) of the Congressional Budget Act of 1974 exceeds the amount of proposed new budget authority is $0.

AMENDMENT OFFERED BY MR. STIVERS

Mr. STIVERS. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), insert the following:

SEC. ____. None of the funds made available by this Act may be used for the Private Enforcement Initiative of the Fair Housing Initiatives Program under section 561(b) of the Housing and Community Development Act of 1987 (42 U.S.C. 3616a(b)) and section 125.401 of the regulations of the Secretary of Housing and Urban Development (24 C.F.R. 125.401).

The Acting CHAIR. Pursuant to House Resolution 287, the gentleman from Ohio and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Ohio.

Mr. STIVERS. Mr. Chairman, I will be fairly brief.

This is a followup amendment. We have already accepted the congressional intent that we will have a preference toward administrative enforcement. This is a followup limitation amendment that basically says we will not, for this calendar year, use the Private Enforcement Initiative.

As the gentleman from North Carolina said, we can always come back; but I think we need to have time for this GAO study that I have requested to come back because I would assert that administrative enforcement is less expensive to taxpayers than private enforcement.

It creates more certainty. It happens faster. It has less conflict of interest than the Private Enforcement Initiative. I would ask that my colleagues support this limitation amendment on the Private Enforcement Initiative for this year period.

I reserve the balance of my time.

□ 0015

Mr. PRICE of North Carolina. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. PRICE of North Carolina. Again, Mr. Chairman, let me say how unfortunate I believe it is that we are dealing with this kind of amendment in this setting here tonight without really having much notice, much ability to understand the full implications.

I do think that we need to appreciate the role of what the gentleman calls private organizations. We are really talking here about nonprofits, about mediators, about the kind of working out of complaints, working out of problems, informal work with landlords, the kind of thing that actually helps avoid legal action and avoid litigation. There is a lot that can be mediated, a lot of things can be worked out in the fair housing arena. There are many nonprofit groups that do a good job of doing that.

Mr. Chairman, the gentleman apparently has lots of complaints about this, and there have been a couple of prominent cases. I am aware of that. But the notion that we would come in here tonight and make a change of this magnitude, of this importance, I simply don't think is responsible.

So I will speak for myself. I am perfectly willing to look at this matter down the road. I understand there may be some issues here, but this is a pretty drastic amendment, and you are taking a whole area here of mediation and informal conciliation, things that actually keep things out of the courts, keep things out of the legal system and out of litigation. I don't know why we would want to do that. It seems reckless to me.

I recommend that we reject this amendment and, at the same time, pledge to look at this carefully and work on it later.

I yield back the balance of my time.

Mr. STIVERS. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, the gentleman from North Carolina, Mr. Chair, does recognize that there are problems in the private enforcement initiative. He just admitted that. There is a lot of lawsuit abuse. In fact, many of these organizations sue first and ask questions later. They don't do their due diligence. They send interns in to actually look at these places and file lawsuits before they get the facts.

The gentleman asserted that we shouldn't make these kind of changes. That is why the people sent us here, to make things better. We are supposed to do it every day, and when we see problems, we need to fix them. This is a temporary, 1-year halt of the private enforcement initiative with the GAO study that is not directed in this bill, but I asked for by letter through the GAO, and they are always good about doing those when you ask them to. They haven't looked at this program since 1997.

Mr. Chairman, it is time to look at this program in detail. I would assert that our local and State governments can also do the mediation that the gentleman from North Carolina talked about, Mr. Chairman, and they can do it better, more efficiently, and without the conflicts of interest that some of these private organizations have done.

So I think we ought to give it a try. That is the great thing about an annual appropriations bill. Guess what; we get to do it again next year. I am certainly willing to admit if I am wrong and we find out through a GAO study that the private enforcement has worked well. But there have been articles in the paper about some of the lawsuit abuse that we have seen all across the country, and I think we should just take a strategic pause here and give the money to our State and local governments who can better enforce our laws. They do it every day, and they can do it through the mediation and things that the gentleman asserts that these private enforcement initiatives can do so well.

Mr. Chairman, I would urge my colleagues to support this amendment. I think it will help make our fair housing laws better, and it will protect more consumers.

Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Ohio (Mr. STIVERS).

The question was taken; and the Acting Chair announced that the ayes appeared to have it.

Mr. PRICE of North Carolina. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Ohio will be postponed.

AMENDMENT OFFERED BY MR. GRAYSON

Mr. GRAYSON. I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), insert the following:

SEC. _____. None of the funds made available in this Act may be used to enter into a contract with any offeror or any of its principals if the offeror certifies, as required by the Federal Acquisition Regulation, that the offeror or any of its principals—

(1) within a three-year period preceding this offer has been convicted of or had a civil judgment rendered against it for: commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State, or local) contract or subcontract; violation of Federal or State antitrust statutes relating to the submission of offers; or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, tax evasion, violating Federal criminal tax laws, or receiving stolen property; or

(2) are presently indicted for, or otherwise criminally or civilly charged by a governmental entity with, commission of any of the offenses enumerated in paragraph (1); or

(3) within a three-year period preceding this offer, has been notified of any delinquent Federal taxes in an amount that exceeds $3,000 for which the liability remains unsatisfied.

Mr. GRAYSON (during the reading). Mr. Chair, I ask unanimous consent that the reading be waived.

The Acting CHAIR. Is there objection to the request of the gentleman from Florida?

There was no objection.

The Acting CHAIR. Pursuant to House Resolution 287, the gentleman from Florida and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Florida.

Mr. GRAYSON. Mr. Chair, this amendment is identical to other amendments that have been inserted by voice vote into every appropriations bill considered under an open rule during the 113th and 114th Congresses.

My amendment would expand the list of parties with whom the Federal Government is prohibited from contracting due to serious misconduct on the part of that contractor. It is my hope that this amendment will be noncontroversial, as it always has been, and again passed unanimously by the House.

Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Florida (Mr. GRAYSON).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. FITZPATRICK

Mr. FITZPATRICK. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), insert the following:

SEC. ____. None of the funds made available by this Act may be used in contravention of section 121.584 of title 14, Code of Federal Regulations.

The Acting CHAIR. Pursuant to House Resolution 287, the gentleman from Pennsylvania and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Pennsylvania.

Mr. FITZPATRICK. Mr. Chairman, my amendment will ensure that the FAA is doing everything that it can to certify that our aircraft are protected during a moment that pilots, flight attendants, and Federal law enforcement officers have all said that the aircraft is vulnerable to terror hijackings. Despite the effort to safeguard the cockpit after the 9/11 terror attacks, today, operational experience has highlighted that a critical vulnerability remains when a pilot must open the hardened, reinforced cockpit doors to eat, rest, or use the bathroom during long flights. Even the FAA recognizes that, ''During this door transition, the flight deck is vulnerable.''

Current FAA regulations require that the area outside the flight deck be secure before the reinforced cockpit door is opened. Currently, some airlines are using human shields or, in some cases, drink carts to try to block entry to the cockpit and claim it ''secure.'' But only one method has been thoroughly studied and proven to beat the threat of a trained hijacker exploiting this particular vulnerability, and that is an installed physical secondary barrier door. These barriers are light, inexpensive wire gates that are able to protect the flight deck long enough for the pilot to shut the reinforced door.

This double door security procedure is something that Israeli airlines have been using for over a decade. They understand the risk and how to mitigate it. A Cato study has shown these secondary barrier doors to be the most cost-effective way to protect the cockpit door when the reinforced door is opened.

This is not some hypothetical threat. We know for a fact that terrorists maintain their desire to exploit vulnerabilities in our aircraft safety protocols to bring down an airliner just like they did on September 11, 2001. A recent USA Today headline read, ''ISIS' Next Test Could Be a 9/11-Style Attack.'' In 2013, outgoing FBI Director Robert Mueller said that the terror scenario he fears most remains an attack with the use of an aircraft.

Perhaps no one knows the consequences of terrorists hijacking our aircraft more so than my constituent, Ellen Saracini. The terror hijackings of September 11 took the life of her husband, Victor Saracini, Captain of United Flight 175, which was hijacked and flown into the South Tower of the World Trade Center by al Qaeda terrorists.

Inspired by Ellen and the pilots and flight attendants that stand with her, I have been working with a bipartisan, bicameral group of lawmakers to have these commonsense, cost-effective security features installed on every single large passenger aircraft in the United States through my bill, H.R. 911, the Saracini Aviation Safety Act.

Some have pointed to the ''layered security'' approach to aircraft security as proof that we don't need secondary barriers, but one only need to read current headlines to see the huge gaps in our layered security. As we recently learned, undercover agents, we saw, this week, were able to get weapons past the TSA 95 percent of the time.

Mr. Chairman, a recent Advisory Circular issued by the FAA highlights the risk to the cockpit during door transition and calls for the use of effective protection measures. Support for this amendment today would build on this positive step used by the FAA by showing that Congress is serious about this issue and that installed physical secondary barriers are the only way that

we can guarantee, as FAA regulations do require, that the flight deck be secure prior to that reinforced door being opened.

Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Pennsylvania (Mr. FITZPATRICK).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. GRAYSON

Mr. GRAYSON. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), insert the following:

SEC. _____. None of the funds made available by this Act may be used to make incentive payments pursuant to 48 CFR 16.4 to contractors for contracts that are behind schedule under the terms of the contract as prescribed by 48 CFR 52.211 or over the contract amount indicated in Standard Form 33, box 20.

Mr. GRAYSON (during the reading). Mr. Chair, I ask unanimous consent that the reading be waived.

The Acting CHAIR. Is there objection to the request of the gentleman from Florida?

There was no objection.

The Acting CHAIR. Pursuant to House Resolution 287, the gentleman from Florida and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Florida.

Mr. GRAYSON. Mr. Chairman, this is a good government amendment the House passed by voice vote last year. It simply states that bonus payments should not be paid to contractors whose projects are behind schedule or over budget.

I urge support for this amendment that combats waste, fraud, and abuse of taxpayer dollars, Mr. Chairman, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Florida (Mr. GRAYSON).

The amendment was agreed to.

Mr. DIAZ-BALART. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Ms. ROS-LEHTINEN) having assumed the chair, Mr. COLLINS of Georgia, Acting Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 2577) making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes, had come to no resolution thereon.

HOUR OF MEETING ON TODAY

Mr. DIAZ-BALART. Madam Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet at 9 a.m. today.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

BILL PRESENTED TO THE PRESIDENT

Karen L. Haas, Clerk of the House, reported that on June 2, 2015, she presented to the President of the United States, for his approval, the following bill:

H.R. 2048. To reform the authorities of the Federal Government to require the production of certain business records, conduct electronic surveillance, use pen registers and trap and trace devices, and use other forms of information gathering for foreign intelligence, counterterrorism, and criminal purposes, and for other purposes.

ADJOURNMENT

Mr. DIAZ-BALART. Madam Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 12 o'clock and 27 minutes a.m.), under its previous order, the House adjourned until today, Thursday, June 4, 2015, at 9 a.m.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. ELLISON (for himself, Mr. ROHRABACHER, Ms. SCHAKOWSKY, and Mr. GRIJALVA):

H.R. 2623. A bill to reduce prescription drug costs by allowing the importation and reimportation of certain drugs; to the Committee on Energy and Commerce.

By Mr. JOHNSON of Georgia (for himself and Mr. MCKINLEY):

H.R. 2624. A bill to amend title XVIII of the Social Security Act to allow for fair application of the exceptions process for drugs in tiers in formularies in prescription drug plans under Medicare part D, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. GARRETT (for himself and Mr. CAPUANO):

H.R. 2625. A bill to amend the Federal Reserve Act to reform the Federal Reserve System; to the Committee on Financial Services, and in addition to the Committees on Rules, and Oversight and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. LUCAS (for himself and Mr. COLE):

H.R. 2626. A bill to amend the Internal Revenue Code of 1986 to permit Indian tribal governments to be shareholders of S corporations; to the Committee on Ways and Means.

By Mr. RYAN of Ohio (for himself, Ms. WILSON of Florida, Ms. DELAURO, and Mr. FARR):

H.R. 2627. A bill to amend the Richard B. Russell National School Lunch Act to expand the use of salad bars in schools; to the Committee on Education and the Workforce.

By Mr. FARENTHOLD (for himself and Mr. BUTTERFIELD):

H.R. 2628. A bill to amend the Internal Revenue Code of 1986 to exclude from gross income any prizes or awards won in competition in the Olympic Games; to the Committee on Ways and Means.

By Mr. SHIMKUS (for himself and Mr. GENE GREEN of Texas):

H.R. 2629. A bill to amend the Federal Food, Drug, and Cosmetic Act with respect to the approval of certain antibacterial and antifungal drugs, and for other purposes; to the Committee on Energy and Commerce.

By Mr. JOLLY (for himself and Ms. GRAHAM):

H.R. 2630. A bill to amend the Gulf of Mexico Energy Security Act of 2006 to extend the moratorium on oil and gas leasing and related activities in certain areas of the Gulf of Mexico; to the Committee on Natural Resources.

By Mr. RUSSELL:

H.R. 2631. A bill to require notice and comment for certain interpretive rules; to the Committee on the Judiciary.

By Ms. DELAURO (for herself, Mr. MURPHY of Pennsylvania, and Ms. CLARK of Massachusetts):

H.R. 2632. A bill to amend the Public Health Service Act to reauthorize and update the National Child Traumatic Stress Initiative for grants to address the problems of individuals who experience trauma and violence related stress; to the Committee on Energy and Commerce.

By Mr. DEUTCH (for himself, Mr. BUCHANAN, and Mr. WELCH):

H.R. 2633. A bill to establish an advisory office within the Bureau of Consumer Protection of the Federal Trade Commission to prevent fraud targeting seniors, and for other purposes; to the Committee on Energy and Commerce.

By Mr. ISRAEL (for himself and Mr. KING of New York):

H.R. 2634. A bill to provide for temporary emergency impact aid for local educational agencies; to the Committee on Education and the Workforce.

By Mr. PIERLUISI (for himself, Ms. BORDALLO, Mr. SABLAN, and Ms. PLASKETT):

H.R. 2635. A bill to amend titles XVIII and XIX of the Social Security Act to make improvements to the treatment of the United States territories under the Medicare and Medicaid programs, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. KELLY of Illinois:

H.R. 2636. A bill to require a study on the public health and environmental impacts of the production, transportation, storage, and use of petroleum coke, and for other purposes; to the Committee on Energy and Commerce.

By Mr. KELLY of Pennsylvania (for himself, Mr. LATTA, and Mr. GUTHRIE):

H.R. 2637. A bill to amend the Clean Air Act to prohibit the regulation of emissions of carbon dioxide from new or existing power plants under certain circumstances; to the Committee on Energy and Commerce.

By Ms. MATSUI (for herself, Mr. PALLONE, Ms. ESHOO, Mr. MICHAEL F. DOYLE of Pennsylvania, Mr. BEN RAY LUJÁN of New Mexico, and Mr. WELCH):

H.R. 2638. A bill to amend the Communications Act of 1934 to reform and modernize the Universal Service Fund Lifeline Assistance Program; to the Committee on Energy and Commerce.

By Mr. PETERS (for himself, Mr. TAKANO, Ms. BORDALLO, Ms. BROWNLEY of California, Mr. GIBSON, and Mrs. NAPOLITANO):

H.R. 2639. A bill to amend title 38, United States Code, to provide for additional qualification requirements for individuals appointed to marriage and family therapist positions in the Veterans Health Administration of the Department of Veterans Affairs; to the Committee on Veterans' Affairs.

By Mr. PETERS (for himself and Mr. HUNTER):

H.R. 2640. A bill to amend the Internal Revenue Code of 1986 to provide an exclusion from gross income for discharge of consumer indebtedness; to the Committee on Ways and Means.

By Mr. PITTS (for himself, Ms. SCHAKOWSKY, and Ms. ESHOO):

H.R. 2641. A bill to improve the integrity and safety of interstate horseracing, and for other purposes; to the Committee on Energy and Commerce.

By Ms. MAXINE WATERS of California (for herself, Mr. CARNEY, Mr. AL GREEN of Texas, Mr. FOSTER, Mr. SHERMAN, Mrs. CAROLYN B. MALONEY of New York, Mr. KILDEE, Mr. DAVID SCOTT of Georgia, Mr. HECK of Washington, Mr. PERLMUTTER, Mr. CLEAVER, Mr. MEEKS, Ms. MOORE, Mr. HIMES, Mr. DELANEY, Mrs. BEATTY, Mr. VARGAS, Mr. ELLISON, Ms. SINEMA, Mr. CAPUANO, Ms. VELÁZQUEZ, Mr. MURPHY of Florida, Mr. HINOJOSA, Mr. LYNCH, Ms. SEWELL of Alabama, and Mr. CLAY):

H.R. 2642. A bill to provide sensible relief to community financial institutions, to protect consumers, and for other purposes; to the Committee on Financial Services.

By Mr. WILLIAMS (for himself, Mr. FINCHER, Ms. MOORE, Mr. CAPUANO, Mr. NEUGEBAUER, Mr. ELLISON, Mr. HUIZENGA of Michigan, Mr. LUCAS, and Mr. MEEKS):

H.R. 2643. A bill to direct the Attorney General to provide State officials with access to criminal history information with respect to certain financial service providers required to undergo State criminal background checks, and for other purposes; to the Committee on Financial Services, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. ZINKE:

H.R. 2644. A bill to expedite certain forest management activities on National Forest System lands derived from the public domain when the activities are developed through a collaborative process of interested parties, to require the posting of a bond in initiating a legal challenge to certain forest management activities, to modify the Secure Rural Schools and Community Self-Determination Act of 2000, to authorize additional funding sources for forest management activities, and for other purposes; to the Committee on Agriculture, and in addition to the Committee on Natural Resources, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. MILLER of Michigan:

H. Res. 292. A resolution permitting official photographs of the House of Representatives to be taken while the House is in actual session on a date designated by the Speaker; to the Committee on House Administration.

By Ms. ROS-LEHTINEN (for herself and Mr. DEUTCH):

H. Res. 293. A resolution expressing concern over anti-Israel and anti-Semitic incitement within the Palestinian Authority; to the Committee on Foreign Affairs.

By Mr. MESSER (for himself and Mr. POCAN):

H. Res. 294. A resolution expressing support for the continuation of the Perkins Loan Program; to the Committee on Education and the Workforce.

By Mr. AL GREEN of Texas (for himself, Mr. CLEAVER, Ms. CLARKE of New York, Mr. CLAY, Mr. POE of Texas, Mr. LUETKEMEYER, and Mr. YODER):

H. Res. 295. A resolution supporting local law enforcement agencies in their continued work to serve our communities, and supporting their use of body worn cameras to promote transparency to protect both citizens and officers alike; to the Committee on the Judiciary.

By Ms. LEE (for herself, Mr. BURGESS, Mr. DANNY K. DAVIS of Illinois, Mr. RANGEL, Mr. RUSH, Mr. THOMPSON of California, Mr. AL GREEN of Texas, Mrs. DINGELL, and Mr. CONYERS):

H. Res. 296. A resolution calling for Sickle Cell Trait research; to the Committee on Energy and Commerce.

By Mr. PETERS (for himself, Mr. LEVIN, Mr. RANGEL, Ms. MCCOLLUM, Mr. FATTAH, Ms. BORDALLO, Ms. KAPTUR, Mr. HASTINGS, Ms. JACKSON LEE, Mr. PERLMUTTER, Mr. YARMUTH, Mr. SABLAN, Mrs. NAPOLITANO, Mr. LOWENTHAL, Ms. LEE, Mr. DELANEY, Mrs. DAVIS of California, Ms. SPEIER, Mr. RYAN of Ohio, Mr. LOEBSACK, Mr. VARGAS, Ms. KELLY of Illinois, Mr. CONNOLLY, Ms. MOORE, Ms. NORTON, Ms. JUDY CHU of California, Mr. THOMPSON of California, and Mrs. DINGELL):

H. Res. 297. A resolution expressing support for designation of the first full week of May as ''National Mental Health No Stigma Week''; to the Committee on Oversight and Government Reform.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mr. ELLISON:

H.R. 2623.

Congress has the power to enact this legislation pursuant to the following:

Pursuant to clause 7 of Rule XII of the Rules of the House of Representatives, the following statement is submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution. Congress has the power to enact this legislation pursuant to Article I, Section 8, Clause 1, Clause 3 and Clause 18.

The Congress shall have the power to make all laws which shall be necessary and proper for carrying into execution the foregoing powers, and all other powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof''

By Mr. JOHNSON of Georgia:

H.R. 2624.

Congress has the power to enact this legislation pursuant to the following:

Clause 3 of section 8 of article I of the Constitution, which sets forth the constitutional authority of Congress to regulate interstate commerce.

By Mr. GARRETT:

H.R. 2625.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 (To regulate commerce with foreign nations, and among the several states, and with the Indian tribes); Article I, Section 8, Clause 5 (To coin money, regulate the value thereof, and of foreign coin, and fix the standard of weights and measures); Article I, Section 8, Clause 6 (To provide for the punishment of counterfeiting the securities and current coin of the United States); and Article I, Section 8, Clause 18 (To make all laws which shall be necessary and proper for carrying into execution foregoing powers, and all other powers vested by this Constitution in the government of the United States, or in any department thereof).

By Mr. LUCAS:

H.R. 2626.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 3

Article 1, Section 8, Clause 1

By Mr. RYAN of Ohio:

H.R. 2627.

Congress has the power to enact this legislation pursuant to the following:

The above mentioned legislation is based upon the following Section 8 statement:

To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

By Mr. FARENTHOLD:

H.R. 2628.

Congress has the power to enact this legislation pursuant to the following:

Amendment XVI

By Mr. SHIMKUS:

H.R. 2629.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3: To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.

By Mr. JOLLY:

H.R. 2630.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8

By Mr. RUSSELL:

H.R. 2631.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18 provides Congress the power to ''make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.'' This legislation provides for appropriate execution of rulemaking authority by agencies throughout the federal government.

By Ms. DELAURO:
H.R. 2632.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8, Clauses 3 and 18
By Mr. DEUTCH:
H.R. 2633.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8, Clause 3 of the U.S. Constitution.
By Mr. ISRAEL:
H.R. 2634.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8 of the United States Constitution
By Mr. PIERLUISI:
H.R. 2635.
Congress has the power to enact this legislation pursuant to the following:
The constitutional authority on which this bill rests is the power of the Congress to provide for the general welfare of the United States, as enumerated in Article I, Section 8, Clause 1 of the United States Constitution; to make all laws which shall be necessary and proper for carrying into execution such power, as enumerated in Article I, Section 8, Clause 18 of the Constitution; and to make rules and regulations respecting the U.S. territories, as enumerated in Article IV, Section 3, Clause 2 of the Constitution.
By Ms. KELLY of Illinois:
H.R. 2636.
Congress has the power to enact this legislation pursuant to the following:
US Const. Art. I, Sec. 8, Cl. 1 (''The Congress shall have Power To . . . [enact legislation that] provide[s] for the common Defence and general Welfare of the United States[.]'') (this bill would require several federal agencies, in consultation with other issue area experts, to conduct a study on the public and ecological health consequences of the storage and transportation of petroleum coke, and promulgate rules based off of the study's findings—improving public and ecological health, and in turn, improving the nation's ''general Welfare.'').
By Mr. KELLY of Pennsylvania:
H.R. 2637.
Congress has the power to enact this legislation pursuant to the following:
Clause 3 of Section 8 of Article I of the United States Constitution:
[The Congress shall have Power] To regulate commerce with foreign nations, and among the several states, and with the Indian tribes;
By Ms. MATSUI:
H.R. 2638.
Congress has the power to enact this legislation pursuant to the following:
Article 1, Section 8, Clause 3
By Mr. PETERS:
H.R. 2639.
Congress has the power to enact this legislation pursuant to the following:
Article 1, section 8 of the Constitution of the United States.
By Mr. PETERS:
H.R. 2640.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8
By Mr. PITTS:
H.R. 2641.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8, Clause 3
The Congress shall have the Power To . . . regulate Commerce with foreign Nations, and among the several States, . . .
By Ms. MAXINE WATERS of California:
H.R. 2642.
Congress has the power to enact this legislation pursuant to the following:
Article I—Section 8—Clause 3 of the Constitution of the United States of America.
By Mr. WILLIAMS:
H.R. 2643.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8, Clause 3 (''To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes'')
By Mr. ZINKE:
H.R. 2644.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8, Clause 3.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions, as follows:

H.R. 6: Mrs. MILLER of Michigan, Mr. HIGGINS, Mr. HUFFMAN, Mr. KILDEE, Mr. QUIGLEY, Mr. TAKAI, Mr. HECK of Nevada, and Mr. PIERLUISI.
H.R. 136: Mr. PETERS, Mr. LAMALFA, Mr. CÁRDENAS, Mrs. NAPOLITANO, Mr. HONDA, Mr. ROHRABACHER, Mr. LOWENTHAL, Ms. MATSUI, Ms. HAHN, Ms. BROWNLEY of California, Mrs. CAPPS, Mr. MCCLINTOCK, Mr. VARGAS, Mr. DENHAM, Mrs. DAVIS of California, and Mr. COOK.
H.R. 223: Mr. AMODEI.
H.R. 235: Ms. DEGETTE, Mr. BUTTERFIELD, Mr. FATTAH, Mr. COURTNEY, Mr. HINOJOSA, Mr. DAVID SCOTT of Georgia, Ms. ROS-LEHTINEN, Miss RICE of New York, and Mr. KENNEDY.
H.R. 266: Mr. JORDAN.
H.R. 282: Mr. HULTGREN.
H.R. 314: Ms. LOFGREN.
H.R. 356: Ms. TITUS and Mrs. BROOKS of Indiana.
H.R. 363: Mr. RENACCI.
H.R. 378: Ms. BROWNLEY of California.
H.R. 379: Mr. ENGEL.
H.R. 387: Mrs. TORRES.
H.R. 425: Mr. WELCH.
H.R. 499: Mr. GENE GREEN of Texas and Mr. BARLETTA.
H.R. 510: Mr. AMODEI.
H.R. 511: Mr. CRAMER and Mr. ISSA.
H.R. 540: Ms. LOFGREN.
H.R. 542: Mr. POCAN.
H.R. 546: Mr. WELCH.
H.R. 556: Mr. CARTER of Georgia and Mr. LANCE.
H.R. 572: Mr. HURT of Virginia.
H.R. 602: Mr. CICILLINE.
H.R. 605: Mr. SMITH of Missouri and Mr. THOMPSON of California.
H.R. 628: Mr. LUETKEMEYER and Mr. HECK of Washington.
H.R. 653: Mr. DESAULNIER, Mr. TED LIEU of California, and Mr. JODY B. HICE of Georgia.
H.R. 662: Ms. TITUS and Mr. GUINTA.
H.R. 702: Mr. BISHOP of Georgia, Mr. RUSSELL, and Mr. MEADOWS.
H.R. 707: Mr. JONES.
H.R. 766: Mr. FINCHER.
H.R. 767: Mr. BEYER, Mr. TROTT, Mr. VELA, Mr. COLLINS of New York, and Mr. WALBERG.
H.R. 784: Ms. EDDIE BERNICE JOHNSON of Texas and Ms. FRANKEL of Florida.
H.R. 812: Mr. JONES.
H.R. 815: Mr. HARRIS, Mr. CARTER of Georgia, Mr. MARCHANT, and Mr. SCALISE.
H.R. 838: Mr. KNIGHT.
H.R. 845: Mr. AMODEI.
H.R. 850: Ms. LOFGREN.
H.R. 868: Mr. PEARCE and Mr. AMODEI.
H.R. 911: Mr. GRAYSON and Ms. NORTON.
H.R. 920: Mr. STEWART.
H.R. 980: Mr. YOUNG of Indiana.
H.R. 985: Ms. DEGETTE and Mr. GRAYSON.
H.R. 1089: Mr. AMODEI.
H.R. 1095: Mr. TED LIEU of California.
H.R. 1114: Mr. HARDY and Ms. STEFANIK.
H.R. 1117: Mr. ZELDIN, Mr. PALAZZO, and Mr. VARGAS.
H.R. 1141: Mr. SALMON.
H.R. 1179: Mr. BLUM.
H.R. 1190: Mr. JENKINS of West Virginia.
H.R. 1197: Mr. DESAULNIER.
H.R. 1211: Mr. LOEBSACK.
H.R. 1221: Ms. MCCOLLUM, Mr. WALBERG, and Mr. RODNEY DAVIS of Illinois.
H.R. 1233: Mr. RIBBLE, Mr. AMODEI, Ms. STEFANIK, Mr. SMITH of Nebraska, Mr. GOSAR, and Mr. COLLINS of New York.
H.R. 1301: Mr. REED and Mr. BISHOP of Michigan.
H.R. 1309: Mr. RATCLIFFE, Mr. ALLEN, Mr. SAM JOHNSON of Texas, Ms. FRANKEL of Florida, Mr. LANCE, and Mr. STUTZMAN.
H.R. 1310: Mr. MCNERNEY.
H.R. 1312: Mr. JOHNSON of Ohio, Mr. POCAN, Ms. LOFGREN, Mr. HINOJOSA, and Mr. FITZPATRICK.
H.R. 1321: Ms. LOFGREN.
H.R. 1338: Mr. WALZ, Mr. LATTA, Mr. RODNEY DAVIS of Illinois, Mr. CAPUANO, Mr. SEAN PATRICK MALONEY of New York, and Mr. SCHWEIKERT.
H.R. 1344: Mrs. BEATTY.
H.R. 1369: Mr. WALZ.
H.R. 1371: Mr. KELLY of Pennsylvania.
H.R. 1387: Mr. ZINKE, Mr. FRANKS of Arizona, and Mr. HULTGREN.
H.R. 1388: Mr. SMITH of Nebraska.
H.R. 1401: Mr. TONKO, Ms. ESTY, Ms. ADAMS, and Ms. DELBENE.
H.R. 1413: Mr. TOM PRICE of Georgia.
H.R. 1415: Ms. MATSUI.
H.R. 1427: Ms. STEFANIK, Mr. COSTELLO of Pennsylvania, Ms. MCSALLY, Mr. PAULSEN, Mrs. DAVIS of California, Mr. KIND, Mr. MCHENRY, and Mr. COHEN.
H.R. 1439: Mr. MCNERNEY and Ms. VELÁZQUEZ.
H.R. 1462: Mr. LEVIN and Mrs. DINGELL.
H.R. 1475: Mr. RUSSELL, Mr. RUSH, Ms. PINGREE, Mr. O'ROURKE, Mr. GUTIÉRREZ, Mr. KING of New York, Mr. DEUTCH, and Mr. MCGOVERN.
H.R. 1552: Mr. RYAN of Ohio and Mr. YARMUTH.
H.R. 1574: Mr. CICILLINE.
H.R. 1598: Ms. MCCOLLUM.
H.R. 1599: Mr. YOUNG of Indiana, Mr. BARR, Mr. CARTER of Georgia, Mr. MARINO, Mr. HOLDING, and Mr. HARRIS.
H.R. 1603: Mr. HONDA.
H.R. 1608: Mr. LOEBSACK, Mr. BABIN, and Mr. RANGEL.
H.R. 1610: Mr. NOLAN.
H.R. 1655: Mr. ROGERS of Kentucky and Ms. KUSTER.
H.R. 1660: Mr. MACARTHUR.
H.R. 1664: Mr. WEBER of Texas.
H.R. 1665: Mrs. NOEM.
H.R. 1671: Mr. HILL and Mr. AMODEI.
H.R. 1674: Mr. TAKANO.
H.R. 1684: Mr. HASTINGS.
H.R. 1692: Ms. JUDY CHU of California.
H.R. 1695: Mr. JOHNSON of Ohio.
H.R. 1718: Mr. RENACCI.
H.R. 1725: Mr. BILIRAKIS.
H.R. 1734: Mr. SESSIONS.
H.R. 1769: Ms. SINEMA, Ms. LOFGREN, and Mr. PERLMUTTER.
H.R. 1801: Ms. KUSTER.

H.R. 1830: Mr. BABIN and Mr. HARDY.
H.R. 1843: Ms. LOFGREN.
H.R. 1848: Ms. JUDY CHU of California.
H.R. 1854: Mr. BLUMENAUER, Ms. GABBARD, and Mr. PAULSEN.
H.R. 1856: Mr. LOEBSACK.
H.R. 1857: Mr. JORDAN.
H.R. 1861: Mrs. NOEM and Mrs. MILLER of Michigan.
H.R. 1886: Mr. OLSON, Mr. SAM JOHNSON of Texas, and Mr. GRAVES of Missouri.
H.R. 1902: Mr. FARR.
H.R. 1908: Ms. ADAMS.
H.R. 1919: Mr. MCHENRY, Mr. ROSKAM, Mr. PALAZZO, Ms. LOFGREN, Mr. CARTWRIGHT, Mr. KLINE, and Mr. DEFAZIO.
H.R. 1964: Mr. MURPHY of Florida and Mrs. KIRKPATRICK.
H.R. 1986: Mr. LATTA.
H.R. 1988: Mr. HASTINGS.
H.R. 1994: Mr. SIMPSON and Mr. AMODEI.
H.R. 2005: Mr. CARTWRIGHT and Ms. BROWN of Florida.
H.R. 2016: Mr. SMITH of Washington, Mr. GRAYSON, and Mr. MCNERNEY.
H.R. 2017: Mrs. BROOKS of Indiana, Mrs. BLACKBURN, Mr. GOSAR, Mr. COFFMAN, Mr. GUINTA, Mr. SMITH of Washington, Mr. POSEY, Mr. JONES, Mr. HANNA, Mr. ROSS, Mr. MURPHY of Pennsylvania, and Mr. LUETKEMEYER.
H.R. 2032: Mr. HENSARLING.
H.R. 2044: Mr. CARTER of Georgia.
H.R. 2061: Mr. LUCAS, Mr. SCHWEIKERT, Ms. MOORE, Ms. JUDY CHU of California, and Mr. RUPPERSBERGER.
H.R. 2076: Mr. SCHRADER, Mr. BEYER, and Ms. GABBARD.
H.R. 2126: Mrs. ROBY.
H.R. 2150: Mrs. NAPOLITANO, Mr. LYNCH, Mr. HIGGINS, and Mr. MICHAEL F. DOYLE of Pennsylvania.
H.R. 2156: Mrs. MILLER of Michigan.
H.R. 2170: Mrs. BUSTOS.
H.R. 2207: Mrs. NOEM.
H.R. 2215: Mr. PEARCE and Mr. HARDY.
H.R. 2216: Ms. ADAMS, Ms. JUDY CHU of California, Mr. NADLER, Ms. HAHN, Ms. JACKSON LEE, Ms. VELÁZQUEZ, and Ms. LOFGREN.
H.R. 2218: Mr. GRIJALVA.
H.R. 2228: Ms. SLAUGHTER and Ms. LOFGREN.
H.R. 2233: Ms. ESHOO and Mr. HENSARLING.
H.R. 2247: Mr. BABIN and Mr. TOM PRICE of Georgia.
H.R. 2248: Mrs. DINGELL.
H.R. 2255: Mr. KLINE.
H.R. 2300: Mr. BUCHANAN.
H.R. 2302: Mr. TAKANO and Mr. MCNERNEY.
H.R. 2315: Mr. HUIZENGA of Michigan, Mrs. NOEM, and Mr. JORDAN.
H.R. 2355: Mrs. CAPPS, Mrs. DINGELL, Mr. SCHIFF, and Ms. NORTON.
H.R. 2400: Mr. BUCHANAN, Mr. NUNES, Mr. REICHERT, Mr. SMITH of Nebraska, Mr. HUELSKAMP, Mr. JOYCE, and Mr. WALBERG.
H.R. 2404: Mr. YOUNG of Alaska and Mrs. BEATTY.
H.R. 2405: Mr. RENACCI and Ms. JUDY CHU of California.
H.R. 2406: Mr. FARENTHOLD, Mr. GOSAR, Mr. RIGELL, and Mr. COLE.
H.R. 2410: Mr. LOWENTHAL.
H.R. 2412: Mr. GRIJALVA, Ms. LOFGREN, Mr. KIND, and Mr. PERLMUTTER.
H.R. 2431: Mr. CÁRDENAS, Mrs. LAWRENCE, and Mrs. TORRES.
H.R. 2459: Mr. DEUTCH.
H.R. 2490: Mr. YOUNG of Iowa.
H.R. 2497: Mr. ROUZER.
H.R. 2509: Mrs. BROOKS of Indiana, Mr. BUCSHON, Mr. KILMER, and Mr. LATTA.
H.R. 2510: Mr. BOST.
H.R. 2516: Mr. HONDA.
H.R. 2521: Mr. MCGOVERN and Mr. SERRANO.
H.R. 2522: Mr. MCNERNEY.
H.R. 2523: Mr. WALBERG, Mr. PERLMUTTER, Mr. WILSON of South Carolina, and Mr. FARENTHOLD.
H.R. 2526: Mr. DEFAZIO.
H.R. 2531: Mr. TAKANO.
H.R. 2540: Mrs. KIRKPATRICK, Mr. MEADOWS, and Ms. KELLY of Illinois.
H.R. 2545: Mr. GRIJALVA.
H.R. 2570: Ms. SINEMA.
H.R. 2579: Ms. SINEMA.
H.R. 2612: Mr. HIMES, Mr. LEVIN, and Mr. MCGOVERN.
H.J. Res. 30: Mr. TAKANO.
H.J. Res. 32: Mr. NUGENT.
H. Con. Res. 19: Mr. REED.
H. Con. Res. 28: Mr. LABRADOR.
H. Res. 12: Mr. KIND and Mr. DOGGETT.
H. Res. 54: Mr. GRAVES of Missouri.
H. Res. 207: Mr. GUINTA and Mr. TED LIEU of California.
H. Res. 209: Mrs. BROOKS of Indiana and Mr. MESSER.
H. Res. 233: Mr. DONOVAN, Mr. BISHOP of Michigan, Mr. RATCLIFFE, Mr. BARLETTA, Mrs. TORRES, Mr. SERRANO, Ms. BROWNLEY of California, and Mr. CUMMINGS.
H. Res. 240: Ms. MCCOLLUM.
H. Res. 259: Mr. YODER, Mr. MCHENRY, and Mr. TONKO.
H. Res. 281: Mr. FARENTHOLD.
H. Res. 284: Mr. GRIJALVA, Ms. JACKSON LEE, Mr. ENGEL, and Ms. BROWN of Florida.

AMENDMENTS

Under clause 8 of rule XVIII, proposed amendments were submitted as follows:

H.R. 2577

OFFERED BY: MRS. BLACKBURN

AMENDMENT NO. 7: At the end of the bill (before the short title), insert the following:

SEC. ___. Each amount made available by this Act is hereby reduced by 1 percent.

H.R. 2577

OFFERED BY: MR. COLLINS OF NEW YORK

AMENDMENT NO. 8: Page 4, line 18, after the dollar amount, insert ''(increased by $100,000,000)''.

Page 72, line 6, after the dollar amount, insert ''(reduced by $100,000,000)''.

Page 72, line 15, after the dollar amount, insert ''(reduced by $100,000,000)''

H.R. 2577

OFFERED BY: MR. BROOKS OF ALABAMA

AMENDMENT NO. 9: At the end of the bill (before the short title), insert the following:

SEC. ___. None of the funds made available by this Act may be used to provide financial assistance in violation of section 214(d) of the Housing and Community Development Act of 1980 (42 U.S.C. 1436a(d)).

H.R. 2577

OFFERED BY: MR. AL GREEN OF TEXAS

AMENDMENT NO. 10: Page 74, line 23, after the dollar amount, insert ''(increased by $75,000,000)''.

Page 75, line 6, after the dollar amount, insert ''(increased by $75,000,000)''.

Page 77, line 24, after the dollar amount, insert ''(increased by $75,000,000)''.

Page 78, line 9, before the semicolon insert the following: '', except that of the amount made available by this proviso, $75,000,000 shall be used only for the purpose under this clause''.

H.R. 2577

OFFERED BY: MR. DENT

AMENDMENT NO. 11: Page 2, line 13, after the first dollar amount, insert ''(reduced by $3,000,000)''.

Page 2, line 16, after the dollar amount, insert ''(reduced by $2,000,000)''.

Page 2, line 18, after the dollar amount, insert ''(reduced by $1,000,000)''.

Page 47, line 11, after the dollar amount, insert ''(increased by $9,000,000)''.

Page 50, line 25, after the dollar amount, insert ''(reduced by $3,000,000)''.

Page 56, line 14, after the dollar amount, insert ''(reduced by $3,000,000)''.

H.R. 2577

OFFERED BY: MR. GRAYSON

AMENDMENT NO. 12: Page 114, line 19, after the dollar amount, insert ''(increased by $150,000)''.

H.R. 2577

OFFERED BY: MR. GRAYSON

AMENDMENT NO. 13: At the end of the bill (before the short title), insert the following:

SEC.___. None of the funds made available in this Act may be used to enter into a contract with any offeror or any of its principals if the offeror certifies, as required by the Federal Acquisition Regulation, that the offeror or any of its principals—

(1) within a three-year period preceding this offer has been convicted of or had a civil judgment rendered against it for: commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State, or local) contract or subcontract; violation of Federal or State antitrust statutes relating to the submission of offers; or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, tax evasion, violating Federal criminal tax laws, or receiving stolen property; or

(2) are presently indicted for, or otherwise criminally or civilly charged by a governmental entity with, commission of any of the offenses enumerated in paragraph (1); or

(3) within a three-year period preceding this offer, has been notified of any delinquent Federal taxes in an amount that exceeds $3,000 for which the liability remains unsatisfied.

H.R. 2577

OFFERED BY: MR. GRAYSON

AMENDMENT NO. 14: At the end of the bill (before the short title), insert the following:

SEC.___. None of the funds made available by this Act may be used to make incentive payments pursuant to 48 CFR 16.4 to contractors for contracts that are behind schedule under the terms of the contract as prescribed by 48 CFR 52.211 or over the contract amount indicated in Standard Form 33, box 20.

H.R. 2577

OFFERED BY: MR. MCCLINTOCK

AMENDMENT NO. 15: Page 9, line 19, after the dollar amount, insert ''(reduced to $0)''.

Page 156, line 15, after the dollar amount, insert ''(increased by $155,000,000)''.

H.R. 2577

OFFERED BY: MS. JACKSON LEE

AMENDMENT NO. 16: At the end of the bill (before the short title), insert the following:

SEC. ___. None of the funds made available by this Act may be used in contravention of section 5309 of title 49, United States Code.

H.R. 2577

OFFERED BY: MS. JACKSON LEE

AMENDMENT NO. 17: Page 72, line 6, after the dollar amount, insert ''(reduced by $1,000,000)''

Page 72, line 15, after the dollar amount, insert ''(reduced by $1,000,000)''.

Page 113, line 6, after the dollar amount, insert ''(increased by $1,000,000)''.

H.R. 2577

OFFERED BY: MS. JACKSON LEE

AMENDMENT NO. 18: Page 72, line 15, after the dollar amount, insert ''(reduced by $1,000,000)''.

Page 72, line 18, after the dollar amount, insert ''(increased by $1,000,000)''.

H.R. 2577

OFFERED BY: MS. JACKSON LEE

AMENDMENT NO. 19: Page 72, line 6, after the dollar amount, insert ''(reduced by $2,000,000)''

Page 72, line 15, after the dollar amount, insert ''(reduced by $2,000,000)''.

Page 115, line 6, after the dollar amount, insert ''(increased by $2,000,000)''.

H.R. 2577

OFFERED BY: MS. JACKSON LEE

AMENDMENT NO. 20: Page 72, line 6, after the dollar amount, insert ''(reduced by $2,000,000)''.

Page 72, line 15, after the dollar amount, insert ''(reduced by $2,000,000)''.

Page 108, line 7, after the dollar amount, insert ''(increased by $2,000,000)'',

H.R. 2577

OFFERED BY: MS. JACKSON LEE

AMENDMENT NO. 21: Page 72, line 6, after the dollar amount, insert ''(reduced by $2,000,000)''.

Page 72, line 15, after the dollar amount, insert ''(reduced by $2,000,000)''.

Page 114, line 10, after the dollar amount, insert ''(increased by $2,000,000)''.

H.R. 2577

OFFERED BY: MS. JACKSON LEE

AMENDMENT NO. 22: Page 72, line 6, after the dollar amount, insert ''(reduced by $2,000,000)''.

Page 72, line 15, after the dollar amount, insert ''(reduced by $2,000,000)''.

Page 74, line 23, after the dollar amount, insert ''(increased by $2,000,000)'',

Page 77, line 24, after the dollar amount, insert ''(increased by $2,000,000)''.

H.R. 2577

OFFERED BY: MS. JACKSON LEE

AMENDMENT NO. 23: Beginning on page 54, strike line 16 and all that follows through page 55, line 21.

H.R. 2577

OFFERED BY: MR. GRAYSON

AMENDMENT NO. 24: Page 105, line 9, after the dollar amount insert ''(increased by $2,500,000)''.

Page 113, line 6, after the dollar amount insert ''(reduced by $2,500,000)''.

EXTENSIONS OF REMARKS

HONORING VICTIMS OF THE 1984 ANTI-SIKH POGROMS AND MASSACRE, AND HONORED POLITICAL PRISONERS IN INDIA TODAY INCLUDING MR. SURAT SINGH KHALSA

HON. ZOE LOFGREN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 3, 2015

Ms. LOFGREN. Mr. Speaker, today, I want to honor those killed during the November 1984 anti-Sikh pogroms and massacre. November 2014 marked the 30 year anniversary of the horrific anti-Sikh pogroms, which claimed the lives of thousands of Sikhs throughout India in the first week of November 1984. I ask that this Congress remember those who were killed that tragic week.

I also ask that this Congress honor the struggle of many political prisoners in India today, including Mr. Surat Singh Khalsa, who is currently under house arrest, on a hunger strike and in very poor health. Today, we should reflect on his advocacy for the rights of political prisoners, support his right to free speech and ask for his release.

TRIBUTE IN HONOR OF THOMAS A. KELLEY

HON. ANNA G. ESHOO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 3, 2015

Ms. ESHOO. Mr. Speaker, I rise today to honor Thomas A. Kelley, an extraordinary constituent of California's 18th Congressional District who has been chosen to receive the STAR Award by AchieveKids on June 20, 2015, in Palo Alto, California.

Tom Kelley is a 1962 graduate of Rice University where he earned both B.A. and B.S. degrees, and a 1967 graduate of the Stanford Business School. He founded Thomas A. Kelley & Associates, an executive search firm in 1969, on Sand Hill Road in Menlo Park, California. The company's mission was to bring together management teams for high technology start-ups. While performing executive searches, Thomas A. Kelley & Associates invested in pre-public client companies and achieved financial success. While managing the ever-growing business, Tom continued to personally conduct searches through the life of the company. In 2002, the company became Thomas A. Kelley Investments, which manages the Kelley Family Trust and performs pro bono consulting for tech entrepreneurs.

In addition to his extraordinary success in business, Tom Kelley gives generously of his time, resources and considerable talents to many non-profit organizations. He was honored as a "Stanford Associate" for his volunteer work at the Stanford Business School; served on the Board of the Portola Valley School District; served on the Board of AchieveKids; and co-founded the Portola Valley Theatre Conservancy. Tom is also a member of the Board of Trustees, Inner Circle and a Producer at TheatreWorks of Palo Alto. He has served on the Board of Valley Presbyterian Church, the Board of the Chambers Landing Homeowners Association, and currently serves on the Advisory Board of Glimmerglass Networks. He served his country as an officer in the U.S. Army Corps of Engineers.

Mr. Speaker, I ask the entire House of Representatives to join me in honoring Thomas A. Kelley as he receives the STAR Award. Tom and the entire Kelley family are respected, admired and loved in our community for their civic contributions and leadership. It's a privilege to honor him and a blessing to have his friendship and that of his extraordinary family.

A MEMORIAL TRIBUTE TO MARY LOIS NEVINS

HON. ADAM B. SCHIFF

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 3, 2015

Mr. SCHIFF. Mr. Speaker, I rise today to honor the memory of Mary Lois Minton Nevins, of Pasadena, California, a well-known and respected community leader who passed away on Monday, May 25, 2015.

Mary Lois Minton was born on December 6, 1924 in Long Island, New York. Her father, Henry Miller Minton, was a lieutenant colonel in the Army Air Corps during World War II and was stationed at the Santa Ana Army Airbase in California; consequently, the Minton family moved to Newport Beach, California. Ms. Minton was a graduate of Westover School and Vassar, where she studied chemistry. In 1946, Mary Lois married Richard Nevins and moved to Pasadena, where they raised their children, Richard, William, and Henry.

As a young mother and wife, Mary Lois, along with her husband, became extremely active in Democratic Party politics, volunteering for the California Young Democrats, the Altadena-Pasadena Young Democrats, the Franklin Delano Roosevelt Club and the California Democratic Council, and working on countless local, state and national campaigns.

Ms. Nevins was also incredibly passionate about issues surrounding early childhood education and disadvantaged youth. In 1964, she pursued a teaching credential from Los Angeles State College, and after student teaching in 1965 at Markham Junior High School and Jordan High School in Los Angeles, she joined the Episcopal Home for Children (now known as Hillsides) where she taught at-risk children for nearly two decades. During her career at Hillsides, she founded the Tutor-Friend Volunteer program that brought together Hillsides students with local college and high school students. In 1990, Mary Lois joined the board of Pacific Oaks College, an institution known for its excellent early childhood education programs, where she served as chair, leader and mediator until 1997. A pioneer in promoting the two-generation learning concept, Ms. Nevins was a key leader and generous supporter of the Mothers' Club Family Learning Center in Pasadena, a non-profit that provides high-quality education to the area's needy parents and children. She served as President of the Board from 1988 to 1992.

Preceded in death by her husband, Richard Nevins, a former member of the California State Board of Equalization, Mary Lois is survived by her sons, Richard, William and Henry; her grandchildren, Richard, Sarah, Katharine, Casey, Austin, and Wynn; her siblings, Hatheway Hasler, Helen Farley, and Dwight Minton; and many other family members.

Remembered in her community as a generous, compassionate and strong woman, Mary Lois will be greatly missed. I ask all members to join me in remembering one of Pasadena's most beloved citizens, Mary Lois Nevins.

CONGRATULATING MR. AND MRS. KENNETH AND BETTY KATING

HON. BLAINE LUETKEMEYER

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 3, 2015

Mr. LUETKEMEYER. Mr. Speaker, I rise today to ask my colleagues to join me in congratulating Mr. and Mrs. Kenneth and Betty Kating on their 60th wedding anniversary which they will be celebrating on June 11, 2015.

Marriage is a sacred institution that represents true love, commitment, and dedication to family. This is a special time for Mr. and Mrs. Kenneth Kating to celebrate and showcase the depth of their love and devotion to one another.

I ask you to join me in recognizing Mr. and Mrs. Kenneth Kating on this momentous occasion.

REMEMBERING DR. PHIL LINEBERGER

HON. PETE OLSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 3, 2015

Mr. OLSON. Mr. Speaker, it is with a heavy heart that I rise today to pay my respects to

Dr. Phil Lineberger. He was a noble, God-fearing man who left us too soon.

Pastor Phil served as pastor of Sugar Land Baptist Church since November 1995 and was the senior pastor until the time of his death. Pastor Phil mentored many people during his forty-five years as a pastor and was even coined ''the real Dr. Phil'' by members of his congregation for how readily he nurtured others through good and bad times. Pastor Phil touched many people throughout his life and always gave of himself unconditionally in service of others.

I extend my deepest condolences to Phil's wife, Brenda, his three daughters, and ten beautiful grandchildren. Our prayers are with each of you during this unimaginable grief. Your husband, father, and grandfather was loved by many. I know that your family at Sugar Land Baptist Church is lifting you up in prayers and surrounding you with love. Again, the folks from the Twenty Second Congressional District are very sorry for your loss. We lost Phil too soon, and he will be missed.

PRESS CONFERENCE: BERTIE'S RESPECT FOR NATIONAL CEMETERIES ACT

HON. LOU BARLETTA

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 3, 2015

Mr. BARLETTA. Mr. Speaker, our national military cemeteries are hallowed ground.

And I ask my colleagues to agree . . . and support my bill, H.R. 2490, ''Bertie's Respect for National Cemeteries Act.''

On October 15, 1969, in Harrisburg, Pennsylvania, a man named George Emery Siple shot and killed Bertha Smith, known to everyone as ''Bertie.''

Siple was convicted of the murder . . . and sentenced to life in prison without parole.

Thirty years later, he died in prison.

Because he was a military veteran, he was buried in Indiantown Gap National Cemetery in 1999.

He was buried there despite a federal law passed in 1997.

That law said that veterans convicted of federal or state capital crimes . . . are not permitted to be buried in Veterans Affairs National Cemeteries or Arlington National Cemetery.

For Bertie Smith's family, this is a heart-wrenching situation that has gone on for three decades.

Jackie Katz—Bertie's daughter—has called it ''hell'' and a ''horror'' to live with the fact that George Siple was memorialized and buried with full military honors.

When I first began to look into this issue, it was clear to me that it was as frustrating as it was heartbreaking.

Back in 1997—led by our Pennsylvania Senators—Congress passed a law that said that veterans found guilty of capital crimes could not be buried in our national veterans cemeteries.

At that time, you may remember, the country was still reeling from the Oklahoma City bombing.

And veterans everywhere were justifiably appalled that Timothy McVeigh, a military veteran, could be buried with full military honors.

Now, McVeigh did not receive that burial.

But a major problem we discovered was that the law was not actively enforced for others until 2006.

Since then, the VA has relied on an ''honor system,'' which requires family members to willingly report their relative's criminal record.

In 2013, Congress once again sought to protect our VA National Cemeteries by passing a law to explicitly allow the VA to remove veterans from cemeteries, if they had been convicted of a federal or state capital crime. However, this law does not extend to veterans buried between 1997 and 2013, a time period that includes George Emery Siple.

That's why I've introduced ''Bertie's Respect for National Cemeteries Act.''

What this law will do is:

Require Veterans Affairs to take every reasonable action to ensure that a veteran is eligible to be buried, including searching public criminal records.

It will clarify Congress's original intent by providing Veterans Affairs the explicit authority . . . to remove veterans convicted of capital crimes that were wrongly buried after 1997.

And it will specifically provide for the removal of George Emery Siple from Indiantown Gap National Cemetery.

This bill really only reaffirms what Congress intended in the first place.

And it enjoys the support of the Veterans of Foreign Wars.

There are precedents for the removal of convicted murderers from veterans cemeteries—from Arlington National Cemetery, and VA cemeteries in Michigan, and Oregon . . . to name just a few.

Additionally, nothing in the bill would withdraw previous military honors, such as Purple Hearts or medals for valor, otherwise earned by the deceased veterans.

The discussion of military veterans who have been convicted of murder often raises the issue of mental health treatment and Post Traumatic Stress Disorder (PTSD).

There is no question that PTSD is a real condition affecting many service men and women, and I have always stood for funding the evaluation and treatment of those who may be afflicted.

That said, those who have been convicted of capital murder by our judicial system have been declared guilty of the worst offense possible, and any mitigating factors would have been considered at trial and sentencing. And I don't think it's too much to say that murderers should not be buried next to true American heroes.

And the memories of victims like Bertie Smith should not be disregarded. I ask my colleagues for their support in saying that real, true honor really means something in our National Military Cemeteries.

HONORING GREATER GROVE STREET MISSIONARY BAPTIST CHURCH

HON. BENNIE G. THOMPSON

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 3, 2015

Mr. THOMPSON of Mississippi. Mr. Speaker, I rise today to honor a pillar of the community, Greater Grove Street Missionary Baptist Church. Greater Grove Street M. B. Church has served as a catalyst for the African American growth in Warren County and the State of Mississippi.

Greater Grove Street Missionary Baptist Church was organized in 1908 in the former home of the late Cosby family on the lower West end of Grove Street. The church was known commonly as ''Cato's Church,'' a name noting the leadership and zeal of its principal deacon at the time. Deacon F. Jackson and family donated the Cornerstone.

Rev. Willie Wood was elected as the first pastor of the church and he served until death. The next pastor, Rev. George S. Lewis, served aptly, with deacons: William Fair, E. Sparkmen and W. Wilson serving faithfully under him.

In 1948, Rev. W.C. Porter was elected pastor; and under his leadership, the following officers served: Sing Robin, Lieutenant Bradley, Charlie Hunt, Jessie Ware, Theadore Shaw, Rufus Britten, James Williams, Rufus Price and Tom Neal.

In 1962, the church came to a major crisis. The City of Vicksburg began widening Grove Street. Grove Street M.B. Church laid in the path of the city's improvements. As a result, the church was torn down. The concrete baptismal pool remains on the old lot, and is the solitary reminder that the church ever existed there. In our hour of need, the Pastor, Rev. E. E. Tutt, and the members of Ebenezer M.B. Church proved to be our friends indeed, as they shared their church building with Grove Street M.B. Church over three years as they struggled to rebuild the church.

West of the old site, a new property on Pierce Street, was selected. On April 27, 1965, at a cost of $13,000.00, the congregation moved into its newly built tabernacle. First, the old pews from the old church were shed. At a cost of $600.00, more comfortable pews were purchased from Fisher Funeral Home. In 1972, at a cost of $2,400.00, the members added 534 square feet of floor space to the rear of the church, which consists of the Fellowship Hall and the kitchen. On June 28, 1975, a chapter of their struggle and movement ended with the death of Rev. W. C. Porter, their pastor through their trials.

Rev. Albert Price succeeded Rev. Porter. Under his leadership, the march resumed for the church. They installed a public address system and added brick veneer to the building at a cost of $10,000.00. This brief chapter ended in the death of Rev. Price after only serving eleven months as pastor.

In 1977, God blessed the congregation with the energetic leadership of Rev. John L. Brown. Under his leadership, the members were able to free themselves from the mortgage and all indebtedness. In 1979, a new

central air unit was installed. However, there was still work to be done. For example, they purchased a Baldwin organ in 1979 to enhance the song service and installed a central cooling system for $4,056.81; and in 1985, landscaping and drainage work was done which cost $5,350.00.

In this description of the establishment, struggle, and movement of Grove Street M.B. Church, the presence and power of the Holy Spirit motivated them to have a place set aside for the many souls that were added to the church; and He motivated them to actively seek to grow spiritually and to inspire future generations with the spiritual mission. As Dr. John L. Brown continued to lead and direct the church, it was hoped that Grove Street M.B. Church would continue to grow.

Dr. John L. Brown was a native of Utica, MS. He is a graduate of Alcorn A&M College, in Lorman, MS, where he received his B.S. degree in Elementary Education. He did further study toward his M.S. degree in Elementary Education at Jackson State College, Jackson, Mississippi. He received his Ph.D. degree from McKinley Theological Seminary, Jackson, MS, in 1981. Dr. Brown was a teacher and principal in the Hinds County Public School System, Utica, MS, for twenty years.

As a community leader, he served as an adult leader of the 4–H Club, Mixon Junior High School, Utica, MS, for five years. He served as president of the NAACP, Utica, MS branch, for twelve years. He served on the Board of Directors of the Mississippi Baptist State Convention for ten years, and the Community Services Association and the Hinds County Community Action Agency, Jackson, MS for eight years. Dr. Brown honorably served his community as a community voter registration coordinator, advisor, civil rights activists, social worker, and community organizer.

He was a pastor of three other churches: Orange Hill Baptist Church, Bolton, MS; Rock of Ages Baptist Church, Vicksburg, MS; and Mt. Olive Baptist Church, Lorman, MS. He was in the ministry for over 30 years. His loving and devoted wife, Mrs. Lucille Brown, supported Dr. Brown in all of his efforts. Their union was blessed with six children, four girls and two boys.

Under his leadership, the members altered the way services were conducted. Instead of posting the Order of Service on the wall, printed programs were disseminated to the congregation. The practice of roll call (where each member's name was called and one stated the amount of his tithes/offering) was eliminated and the practice of distributing envelopes was implemented. In 1987, land was purchased and donated to the church, which were forty-seven lots (North side of the church) to be used for additional parking. In 1993, two more additional corner lots were purchased. Also, the wooden steeple on the church was replaced with a fiberglass steeple. In 1996, the church van was purchased due to the increased attendance in Bible class. Ceiling fans were also purchased and installed in the sanctuary and fellowship hall.

In January 9, 1999, Pastor Casey D. Fisher was elected pastor of Greater Grove Street M.B. Church. At the time he began this ministry, the church had a membership of approximately sixty-five souls. Soon after becoming pastor, Rev. Fisher adopted his motto, ''Making this church the best church this side of Heaven,'' and his theme, ''This is the Church where the gospel is preached, love is practiced and people are changed.'' Under his leadership, the church congregation has grown from the initial sixty-five members to over six hundred. Pastor Fisher began his ministry in September of 1998, which he was ordained under the pastorate of Reverend Willie L. Lewis of Jackson, Mississippi.

Mr. Speaker, I ask my colleagues to join me in recognizing Greater Grove Street M.B. Church for its rich heritage and dedication to serving others and giving back to the community.

PERSONAL EXPLANATION

HON. ALMA S. ADAMS

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 3, 2015

Ms. ADAMS. Mr. Speaker, on June 2, 2015 I was absent for recorded votes #268 and #269 due to the passing of my mother.

I would like to reflect how I would have voted if I were here: On Roll Call #268 I would have voted No, On Roll Call #269 I would have voted No.

IN RECOGNITION OF CYNTHIA SIMMS

HON. JACKIE SPEIER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 3, 2015

Ms. SPEIER. Mr. Speaker, I rise to honor Cynthia Simms who is retiring as the Superintendent of the San Mateo-Foster City School District after a remarkable career in education that spans more than four decades. She has been an educator for 43 years and a superintendent for 27 years, 14 of them in California. Dr. Simms' outstanding leadership, vision and communication skills have benefited thousands of students, parents, teachers and the community as a whole.

Dr. Simms was the Superintendent of the San Mateo-Foster City School District for four years overseeing the largest elementary-middle school district in San Mateo County with 20 schools, 12,000 students and 1,200 employees. She hired 13 of 20 current school principals and three district administrators. Her priority has been to provide the best possible education for each child to prepare her or him for a successful life as a responsible, contributing citizen. She instills a wonderful sense of community by making every staff member feel appreciated through their significant role in accomplishing this mission.

During her tenure, four schools were honored as California Distinguished Schools and eight school programs received J. Russell Kent Awards. Dr. Simms focused the school district on equity for all students by supporting and growing magnet school program choices for parents including STEM, STEAM, spearheading the transition of Horrall Elementary School to LEAD Elementary School, and expanding the Montessori program. She also adopted the Common Core State Standards that are designed to turn students into critical thinkers, effective communicators, collaborators and innovators. Always looking to the child's future, the district formed important partnerships with the San Mateo Union High School District, St. Mary's College and California State University East Bay.

Dr. Simms understands that children cannot thrive academically if they don't feel safe or are unhealthy. This is why she implemented consistent safety protocols across the district that include security fencing, cameras, intrusion alarms and Columbine lock sets. The schools work closely with local police departments on gang resistance training.

All students take music classes and healthy food is served at breakfast and lunch. There even is a growing number of vegetable gardens at the schools. Under Dr. Simms' leadership, the San Mateo-Foster City School District cares for and about the wellbeing of its students on every level.

Dr. Simms is credited with developing extensive communication inside and outside of the schools. There is a weekly letter to all staff, a monthly newsletter to parents, collaboration with city councils and local legislators, and quarterly reports mailed to every resident and business in San Mateo and Foster City. Collaboration, partnership and inclusiveness are core values in Dr. Simms' philosophy.

Mr. Speaker, I ask that the House of Representatives rise with me to honor Dr. Cynthia Simms, an extraordinary educator who is deeply committed to our community and to the future of our children. She tirelessly strived for excellence, harmony and the success of her students. Her expertise, energy and enthusiasm will be missed as she enters her well-deserved retirement.

CONGRATULATING XANDER MCPHEETERS

HON. TODD C. YOUNG

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 3, 2015

Mr. YOUNG of Indiana. Mr. Speaker, I rise today on behalf of Xander McPheeters of Salem, Indiana.

I want to congratulate Xander on receiving the Hobie's Hero Award. Xander received this award as a result of heroic actions he took to save his father. James McPheeters was clearing brush from his farm near Salem, Indiana when he was suddenly struck by a falling tree. James was knocked off his tractor where he lay unconscious with multiple serious injuries. His son Xander, being the only person to see the accident occur, rushed to help his injured father. Xander proceeded to turn off the key to the runaway tractor and run to his nearest neighbor's home who called 911. The emergency response team arrived and saved James McPheeters life as a result of Xander's decisive actions.

The Hobie's Heroes Award is presented to young people, 18 years or younger, who perform heroic actions in the spirit of self-sacrifice, without consideration of personal gain,

for the benefit of another in significant need. Being that Xander was five years old when he performed these lifesaving actions, I know that he is the epitome of what the Hobie's Heroes Award represents.

Xander will be the sixth Hobie's Hero Award recipient and he is the youngest recipient to date. Xander is an inspiration and role model for Hoosiers across Indiana. It is an honor to rise today and highlight Xander's fearlessness, and congratulate him on receiving the Hobie's Hero Award.

PERSONAL EXPLANATION

HON. DAVID P. ROE

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 3, 2015

Mr. ROE of Tennessee. Mr. Speaker, I was unable to vote yesterday because of the death of a close friend. Had I been present, I would have voted:

Roll Call #270—AYE
Roll Call #271—NO
Roll Call #272—AYE
Roll Call #273—AYE

PERSONAL EXPLANATION

HON. GENE GREEN

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 3, 2015

Mr. GENE GREEN of Texas. Mr. Speaker, I rise today to note that I was unable to vote on Monday's legislation due to the weather, which forced my flight to be diverted to Norfolk Virginia.

If the weather had allowed, I would have voted as follows:

On consideration of the Dingell Amendment to H.R. 1335, the Strengthening Fishing Communities and Increasing Flexibility in Fisheries Management Act, I would have voted ''yea.''

On consideration of the Lowenthal Amendment to H.R. 1335, I would have voted ''no.''

On the Motion to Recommit H.R. 1335, I would have voted ''yea.''

On final passage of H.R. 1335, I would have voted ''no.''

LIEUTENANT PARKER MOSLEY—PARATROOPER

HON. TED POE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 3, 2015

Mr. POE of Texas. Mr. Speaker, at 91 years of age, E. Parker Mosley is a local legend. Lieutenant Mosley has served his country, traveled the world and even rubbed elbows with one of history's fiercest generals. Lt. Mosley is a loyal patriot and a man of integrity and action. The Houston community is blessed to have him.

Lt. Mosley was born in 1924 in Macon, Georgia. From ages 12–18, he went to Gordon military school, where his father was a teacher. After graduation, in 1942, he was drafted into the Army. Being an eager and young man, he volunteered to be a paratrooper in WWII. Mosley attended Jump School at Fort Benning in Georgia.

Paratroopers are military parachutists that are used as a surprise advantage to the military because they can be inserted quickly into the battlefield from the air.

This allows the military to be positioned in areas that are not accessible by land. The first U.S. Airborne unit began a test in July 1940 and the first U.S. Army Combat Jump was near Oran, Algeria, in North Africa on November 8, 1942, which was right before Lt. Mosley started Jump School. This aspect of the military was quite new and unfamiliar, but that did not stop tenacious Lt. Mosley from volunteering to be a paratrooper.

Lt. Mosley was then sent to Officer Candidate School (OCS) in Brisbane, Australia, to learn military and leadership skills. Even more impressive and something that many people do not know, Lt. Mosley was first in his class at OCS. This is a high honor and privilege that many do not receive.

Lt. Mosley even had an opportunity to meet and befriend General MacArthur's wife at a Red Cross church service. Coincidentally, he ran into her two years later in Japan and she remembered him.

After Brisbane, Lt. Mosley moved to the Philippines and then Japan where he was assigned master in the parachute school airbase at Yamato. At one point he even held the record number of consecutive jumps; he was always willing to jump. His favorite jumping memory was his last jump at the age of 22. It was over northern Japan and he was allowed to solo jump. There was no one giving him orders; he was all by himself. He said he will never forget the pilot circling as he jumped.

And not only was Lt. Mosley good at his job, he encouraged other troops. He once convinced two soldiers to stay in parachute school who were going to quit.

He asked them if they had told their girlfriends about parachute school yet, and if they had, now they'd have to write their girlfriends back and tell them they quit. The approach worked and they each thanked him the next day.

Lt. Mosley was discharged from the army in 1947. He then went on to Oklahoma University in Norman, Oklahoma, to study geology where he met his future wife, Lorraine.

Lt. Mosley described their first date like this: ''I had an airplane at the time, but no car. I called her and asked her if she wanted to go flying, and I don't think she believed me that I had a plane but no car. We went out for six nights straight then got engaged, just like that.''

Lorraine and Lt. Mosley were married for 63 years before she passed away a couple of years ago.

After college at Oklahoma University, Mosley was hired by Exxon where he worked for 35 years. His work with Exxon eventually brought him to Texas, where he lives today.

He remained in the Reserves after Active Duty and even reached the rank of captain.

Mosley is admired and respected by his peers for his patriotism and wit. One of his friends, Mr. Warnack, said that Mosley has ''one of the quickest minds I've ever ran across.''

Recently, Creekwood Middle School in Kingwood—which has a tradition of honoring our military—honored Lt. Mosley by dedicating a brick to him in their Veterans Honor Garden. The Honor Garden contains more than 200 bricks which all honor local veterans and serve as a place of remembrance for past and present loved ones. It is my hope that all the students learn Lt. Mosley's story. He is one of Texas' finest.

Lt. Mosley represents the best of the Greatest Generation. He's truly a remarkable patriot—always ready and willing to jump out of a plane for his country.

Thank you, Lt. Parker Mosley, for your devotion and service to our American nation.

And that's just the way it is.

RECOGNIZING THE 250TH ANNIVERSARY OF CONCORD, NEW HAMPSHIRE

HON. ANN M. KUSTER

OF NEW HAMPSHIRE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 3, 2015

Ms. KUSTER. Mr. Speaker, I rise today to recognize Concord, New Hampshire in celebration of the city's 250th anniversary. With each passing year, Concord continues to grow and prosper as the capital city of the Granite State. Having grown up and attended school in Concord, I know this historic city has so much to share with us all.

Concord, New Hampshire has a proud and storied history. Prior to its incorporation, the land that today makes up the city's limits was presided over by the Pennacook, a tribe of Abenaki Native Americans. Situated in the Merrimack River valley, the fertile soil proved ideal for growing a wide variety of crops along the river's banks.

Following Concord's incorporation and naming in 1765, the city continued as a popular area to visit and also to establish roots and start a family. The beautiful Merrimack River that winds its way from the rural northern border and through to the southern limits of the city continues to provide an idyllic backdrop and playground for all generations.

Concord's location at the geographic center of the state has enabled the city to serve as a meeting place for lawmakers, dignitaries, and citizens. Our beloved State House is distinguished as the oldest capitol in the country in which both houses of the legislature continue to meet in their original chambers.

One cannot discuss Concord without also mentioning its proud history of craftsmanship, entrepreneurs, and leaders. The fourteenth President of the United States, Franklin Pierce, chose to raise his family in Concord during his time as an elected official, leaving the city with his beautiful historic homestead that continues to bring history to life today for school groups and visitors. The Capital City also became the namesake for the most famous of the prestigious Abbot-Downing Coaches, with the Concord Coach smoothly transporting passengers for decades before the advent of the automobile.

Concord has been called home by numerous notable figures over the years, including Crista McAuliffe, who has inspired generations of students both in the classroom as a teacher and through her legacy as a member of the *Challenger* Space Shuttle crew. Basketball player Matt Bonner honed his athletic skills at Concord High School before launching his professional career in the NBA. And we cannot forget Tara Mounsey, who helped lead the United States Women's Hockey Team to a gold medal in the 1998 Winter Olympics. The successes and achievements of Concord's citizens are a testament to the wonderful community that so many are lucky to call home.

Concord is now in the midst of a 21st century transformation made possible in part through the competitive TIGER grants, as its Main Street is revitalized to improve safety and increase greenspace along this vital economic corridor.

As a native of Concord and a lifelong resident of the Granite State, I am immensely proud of all that Concord, New Hampshire has accomplished over the past 250 years, and I am confident that the city will continue to thrive in the centuries ahead.

CELEBRATING THE 100TH ANNIVERSARY OF THE CULVER-UNION TOWNSHIP CARNEGIE PUBLIC LIBRARY

HON. JACKIE WALORSKI

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 3, 2015

Mrs. WALORSKI. Mr. Speaker, I rise today to honor the Culver-Union Township Carnegie Public Library, located in Culver, Indiana as it celebrates its 100th Anniversary on June 6, 2015.

In the early 1900's, local communities around the country were awarded funds to build libraries using money from the businessman and philanthropist Andrew Carnegie. In 1915, the Carnegie Corporation granted $10,000 to the town of Culver to build a library on Main Street.

Still needing additional funds, local Culver businessmen helped to raise the money needed to purchase the land for the building site. On December 30, 1915 the library opened, consisting of 17 books that were donated by local members of the Culver community and Zolla Moss was hired as their first librarian.

The lower level of the library was used as a meeting and performance space until the 1950's. Many church congregations met in the lower level of the Carnegie library building at one time or another. During the 1960's, the library's book collection continued to increase in size, leading to the use of the lower level to hold books.

Today, the Culver-Union Township Public Library Carnegie building is still in use as a library, and has undergone an addition and renovation which were completed in 2001 and remains the only Carnegie Library still in existence in Marshall County, Indiana.

The library continues to play a vital role in the education and success of all communities and, with its historic Carnegie building, is a shining example of all that public libraries can accomplish for local communities.

For the past century, the Culver-Union Township Public Library has been an important piece of communal life in Culver. Families, friends, and students gather to conduct research, enjoy literary works, and socialize. There is no question the library holds an important public function in serving the community through literary means, and is enjoyed by many.

I commend the staff, visitors and members of the library for their dedication to serving the people of Culver. They serve the diverse needs of its communities through the sharing of library resources and services in a welcoming atmosphere for all and will continue to function as a public forum for learning.

Mr. Speaker, I ask you and my colleagues to join me in congratulating the Culver-Union Township Public Library as they celebrate their 100th Anniversary.

HONORING PLEASANT GREEN MISSIONARY BAPTIST CHURCH

HON. BENNIE G. THOMPSON

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 3, 2015

Mr. THOMPSON of Mississippi. Mr. Speaker, I rise today to honor a pillar of the community, Pleasant Green Missionary Baptist Church. Pleasant Green M.B. Church has served as a catalyst for the African American growth in Warren County.

Pleasant Green Missionary Baptist Church was established in 1867 in a mess hall on Pearl Street. The first church was destroyed by a storm in 1869 and another church was built in 1869 under Rev. Jim Shaw. The church relocated to its present site in 1888 with the construction of a wood-framed structure for worship, which subsequently burned. A new brick structure was constructed under Rev. Dunham and Deacon Ragan, both professional brick masons.

In 1893, the church called Rev. Oscar Williams—a mighty man of God, soul-stirring preacher, revivalist, earnest and tireless worker—as its seventh pastor, who organized the church into working ministries with assistance from Deacons: Jack Lindsey, Johnny Young, George Ely, Saul Moore, Dan Scott, Ed Brackins, and Jim Shaw. The final church structure was completed under Rev. Williams' leadership in 1898 and the membership increased to over 800 congregants.

In 1910, under the leadership of Rev. G. W. Alexander, a two-story hall was erected and the usher board was organized with the first ushers being Will Moore, Henry Tucker, and Fink Taylor.

In 1922, under the pastorship of Rev. Frank Williams, the pipe organ was installed, concrete steps replaced wooden steps, electric lights replaced gas lights, and a water cooler was added. Also, the two story fellowship hall was replaced with the current structure, a heat furnace was added, and the communion table presently used was obtained.

In 1939, under the shepherding of Rev. L. R. Chandler, a new roof for the church and fellowship hall were completed, the exterior of the church and fellowship hall was restored, a baptismal pool and new hardwood floors were added, and the choir stand were extended.

In 1969, after 29 years of faithful service, Rev. Chandler resigned due to health issues, and Rev. F. L. Barnes was called as pastor and oversaw the installation of air conditioning and carpeted floors.

In March 1982, after the passing of Rev. Barnes, Rev. Alvin G. Walker was called to serve as pastor. Under his leadership, new land was purchased; new doors for the front of the church and basement were installed; usher, finance and communion rooms were constructed, and handrails were added.

In November 2013, after other faithful servants of the gospel ministry had served, Rev. Jefforey Stafford was called as pastor. It is his vision that Pleasant Green ''Exalt Christ Crucified and Coming Again, Embrace Community with Care, and Engage the Culture with Christ-Centered Compassion.''

Mr. Speaker, I ask my colleagues to join me in recognizing Pleasant Green Missionary Baptist Church for its rich heritage.

COMMEMORATING THE CENTENNIAL ANNIVERSARY OF THE PORT OF PALM BEACH

HON. ALCEE L. HASTINGS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 3, 2015

Mr. HASTINGS. Mr. Speaker, it is my distinct honor to rise today to recognize and commemorate the centennial anniversary of the Port of Palm Beach located in Palm Beach County, Florida.

Since its founding in 1915, the Port of Palm Beach has grown and flourished, maintaining a superior standard of work while enriching the surrounding county and community. The Port now stands as the fourth busiest container port in Florida and 18th in the nation. Some two million tons of cargo, valued at greater than $5 billion dollars passes through the Port annually, which further serves to highlight the substantial contribution the Port makes to the state at large.

This heavy load and its many years of service have not dissuaded the Port from expanding its enterprise, however, and just this year the Port celebrated the maiden voyage of a new cruise liner. Now with nearly 3,000 Floridians under its employ, the Port of Palm Beach is an industrial powerhouse, helping to fuel South Florida's development and contributing millions in revenue to Florida's economy. Most remarkable is the Port's record of self-sustenance, as it has been nearly 40 years since the Port last levied any sort of tax on the citizens of Palm Beach County.

Mr. Speaker, the Port of Palm Beach is a cornerstone of the greater Florida community and a model of excellence. I applaud the Port's many years of success and wish it many more years of prosperity and progress.

125TH ANNIVERSARY OF KENT, WASHINGTON

HON. DAVID G. REICHERT

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 3, 2015

Mr. REICHERT. Mr. Speaker, today I rise to recognize Kent, Washington as it celebrates its 125th year anniversary. Kent has special significance for me, being the place where I grew up fishing in Mill Creek and playing at Kent Memorial Park. It was there I held my first job at 11 years old, working in the valley farms picking strawberries, raspberries, and beans. I attended Kent-Meridian High School and have fond memories of playing football at French Field, and I even bought my first car in Kent. Starting out with only 793 people in May of 1890, it has grown into a city of 124,000 and is home to an extremely diverse population. Kent is the fourth largest manufacturing and distribution center in the country, making it a hub with connections across the entire nation. Kent has also won national awards for its Airways Brewery, and word of this local treasure has spread far and wide. It also boasts the Seattle Thunderbirds who play at Kent's ShoWare Center and made it to the Western Hockey League playoffs last year.

Not only is it a successful city, hosting over 4,500 businesses and 78,000 jobs, but with its prime location nestled in the Green River Valley, it is also a beautiful location. As you look out you can see Mt. Rainier and both the Cascade and Olympic Mountain ranges—some of the most stunning landscape in the entire country. Kent has truly proven that they are here to stay and I am confident its next 125 years will prove as successful as its first.

RECOGNIZING THE 50TH ANNIVERSARY OF ST. JOHN THE EVANGELIST PARISH

HON. MICHAEL G. FITZPATRICK

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 3, 2015

Mr. FITZPATRICK. Mr. Speaker, on June 14, 2015, Archbishop Charles Chaput will celebrate a Mass commemorating the close of the year-long celebration of the 50th Anniversary of St. John the Evangelist Parish. The parish has faithfully attended to the spiritual needs of the community for 50 years, providing a place of prayer, meditation and reflection. Furthermore, the parishioners in the Lower Makefield, Bucks County church, built bonds of charity throughout the community with their devotion to those most in need. They dutifully collect and distribute food and clothing, school supplies, and visit the sick and homebound, year after year. St. John the Evangelist Parish has extended its mission, reaching out to the needy in nearby Trenton, New Jersey and Philadelphia, as well as supporting church missions worldwide. In so doing, the parishioners have demonstrated their faith through their good works. Congratulations on this anniversary year with all best wishes for the continuation of your community of the faithful far into the future.

TRIBUTE TO TAMELA LYNN LATHERY FLEMMINGS

HON. LUKE MESSER

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 3, 2015

Mr. MESSER. Mr. Speaker, I rise today to pay tribute to the life of my Aunt, Tamela Lynn Lathery Flemmings, a woman of great faith and an active volunteer in the Connersville community.

Tamela was a loving and devoted wife to her husband of 12 years, Marcus. She was the proud mother of her daughter, Mamie Rae Young, and leaves behind a large family including her husband, mother, brothers, sisters, as well as many, many nieces and nephews.

In addition to spending time with her family, Tamela was known for her faith in the Lord, as a member of the Growing Branches for Christ Church. Her faith led to an active commitment in her community. Through her work to help others recover from their drug and alcohol addictions by way of the Solid Rock Ministries and the House of Ruth, Tamela was able to serve the lives of many. She also regularly volunteered with Walk a Mile in My Shoes and Gentle Christmas.

I know my Aunt Tamela was someone with a loving spirit, who could be counted on for her warm laugh and big smile. She was a straight-shooter, who was candid, loyal and smart. I will always be grateful for her love, friendship and support.

Tamela, you will be missed by those you helped to smile, succeed and empower. May God bless you, your family, and all the people of Connersville who you touched and saved through your work.

IN RECOGNITION OF CYNTHIA SCHUMAN BANKS

HON. JACKIE SPEIER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 3, 2015

Ms. SPEIER. Mr. Speaker, I rise to honor Cynthia Schuman Banks, an accomplished artist and designer, a philanthropist and community leader, and one of the most youthful people I know. I am blessed to count Cynthia as one of my closest friends.

Cynthia has extraordinary talent and whatever she touches turns into a treasure. She has painted superb portraits including those of Senator DIANNE FEINSTEIN, Reverend Jessie Jackson, Dr. Linus Pauling and Vice President Walter Mondale. When former Soviet Union President Mikhail Gorbachev visited San Francisco in the early 1990s, Cynthia was selected to present him with one of her abstract paintings. She remains an avid painter to this day and recently had many of her works displayed at the San Francisco Museum of Modern Art.

Cynthia was born in Oakland, California. She attended Stanford University before she started her career as a fashion designer at Lilli Ann, a San Francisco-based clothing company that her father Adolph Schuman founded in 1934. It was named for Cynthia's mother Lillian and renowned for its good workmanship and high quality fabrics.

Adolph Schuman started the company in two rented rooms with $800 he borrowed. Fifty years later, Lilli Ann reported retail sales of $40 million. Mr. Schuman bought large quantities of French and Italian fabrics from small companies which helped revitalize those countries' war-ravaged textile industries. Cynthia significantly contributed to the legacy of Lilli Ann. She designed the most successful suit in the company's history.

In 1965, she changed her professional focus from fashion design to interior design and founded Benatar and Cole Interiors. She has transformed many prestigious homes in the Bay Area with her unique and exquisite touch.

In 1991, Cynthia met Dan Banks and they married the next year. For the last 23 years, Cynthia and Dan have made family their priority. They are the proud parents of Darrell Benatar, Denise Benatar, Pamela Banks Joyce and Tom Banks and grandparents Trevor, Parker, always-remembered Emily, Isabel, Maya, Colin, Sandra, Michael and Taylor. To say that Cynthia is a people person would be the understatement of the century—she loves people and loves bringing them together. Dinner parties at the Schuman Banks are must-attends for all of us.

Mr. Speaker, I ask that the House of Representatives rise with me to honor a remarkable woman who lives life with joie de vivre and my most favorite friend Cynthia Schuman Banks on the occasion of her birthday. She continues to enrich our lives every day.

OUR UNCONSCIONABLE NATIONAL DEBT

HON. MIKE COFFMAN

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 3, 2015

Mr. COFFMAN. Mr. Speaker, on January 20, 2009, the day President Obama took office, the national debt was $10,626,877,048,913.08.

Today, it is $18,152,841,401,259.20. We've added $7,525,964,352,346.12 to our debt in 6 years. This is over $7.5 trillion in debt our nation, our economy, and our children could have avoided with a balanced budget amendment.

HONORING MARY FORTUNE WILLIAMS

HON. BENNIE G. THOMPSON

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 3, 2015

Mr. THOMPSON of Mississippi. Mr. Speaker, I rise today to honor a self-motivated leader and innovator of the community. Ms. Mary Fortune Williams, MBA, works as an Accountant for the State of Mississippi. She earned her Bachelor of Science degree in Marketing from Jackson State University and her Master of Business Administration degree from Mississippi College. She also earned a Certificate of Accounting from Mississippi College.

Ms. Williams is a single parent of one daughter. After becoming divorced when her daughter was a toddler, she was determined that her child would not become another negative statistic attributed to single parent households. She strives to instill in her daughter one of the greatest fundamentals of life: Never let negative circumstances define who you are or what you can become.

Ms. Williams is actively involved in her daughter's educational and character development. She works diligently in her church and her community. She is part of the Youth Leadership Team at Greater Fairview Missionary Baptist Church, serves as an Assistant Leader of Girl Scout Troop 5576, serves on the PTSA Board of Murrah High School, and serves on the planning committee for the American Cancer Society's Relay for Life of Jackson, Mississippi.

Mr. Speaker, I ask my colleagues to join me in recognizing Ms. Mary Fortune Williams for giving back to the community in which she was born and reared.

RECOGNIZING OSCAR HOPKINS, SR.

HON. GREGORY W. MEEKS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 3, 2015

Mr. MEEKS. Mr. Speaker, I rise today to recognize the life and accomplishments of Oscar Hopkins, Sr.:

Whereas, Oscar Hopkins, Sr., a native of Sumter, South Carolina, was born in 1929. He worked as a farmhand before he left home to seek a better life for his family and establish his business as a barber in Springfield Gardens, New York; and

Whereas, after moving to New York in 1951, Oscar Hopkins was drafted into the military, serving in the 7th Infantry Division, 31st Regiment, Company C as an ammunition bearer for 50-caliber machine guns during the Korean War. After completing his tour of duty and returning to the United States three years later, Oscar was united in holy matrimony to Novell Henry. Having made a lifetime commitment to each other, two boys and one girl were added to this union; and

Whereas, deciding to go into business, Oscar took advantage of his veterans benefits by signing up for barbering courses working as an apprentice before obtaining his Master Barbering License and opening his own shop in 1966. The past several years Mr. Hopkins has been an exemplary member of the Southeastern Queens community; and

Whereas, for four generations Hopkins Barber Shop has served over 500,000 people since opening its doors, serving as a forum for community residents to have healthy open dialogues regarding current affairs, politics, faith and sports. In addition to serving its community well, the barber shop has trained several dozen of men of color to become barbers. Having achieved the status of Mayor of Springfield Gardens, today we gather to salute this exceptional person; Therefore, be it

Resolved, That I, GREGORY W. MEEKS, Member of the 114th Congress, representing the Fifth Congressional District of New York, congratulate you, for your service to your country, and your dedication to the Southeast Queens Community. On behalf of the 723,000 residents of the Fifth Congressional District, I thank you, Oscar Hopkins, Sr., for your outstanding and ongoing contribution to our community's well-being. I hereby proclaim today, May 15, 2015, ''Oscar Hopkins, Sr. Day''.

ANGELICA GARCIA WOMEN'S BUSINESS STAR AWARD

HON. PETE OLSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 3, 2015

Mr. OLSON. Mr. Speaker, I rise today to congratulate Angelica Garcia who was recently awarded the Women's Business Enterprise National Council's Women's Business Star at its Salute to Women's Business Enterprise Gala.

Angelica is an entrepreneur and a mother from the Katy-area. She was awarded by the Women's Business Enterprise Alliance for her entrepreneurial leadership and perseverance. Angelica established AIM Global Logistics, LLC using only $50,000 in savings and a $500 credit card. Today her business brings in over 20 million dollars a year by offering superior services in the transportation industry. She is an exceptional leader in the Houston business community.

On behalf of the Twenty-Second Congressional District of Texas, congratulations again to Angelica Garcia for receiving the Women's Business Enterprise National Council's Women's Business Star Award.

PERSONAL EXPLANATION

HON. ERIK PAULSEN

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 3, 2015

Mr. PAULSEN. Mr. Speaker, on Roll Call Numbers 264 through 267, I was not present due to airplane equipment problems. Had I been present, I would have voted ''no'' on Roll Call Vote No. 264, ''no'' on Roll Call Vote No. 265, ''no'' on Roll Call Vote No. 266, and ''aye'' on Roll Call Vote No. 267.

CONGRATULATIONS TO THE 2015 SERVICE ACADEMY APPOINTEES FROM THE 21ST CONGRESSIONAL DISTRICT OF TEXAS

HON. LAMAR SMITH

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 3, 2015

Mr. SMITH of Texas. Mr. Speaker, I rise today to congratulate the 2015 Service Academy appointees from the 21st Congressional District of Texas.

The following individuals have accepted academy appointments:

McKinlee Marie Boss, Smithson Valley High School, United States Military Academy; William Ellis Cooper, Jack C. Hays High School, United States Air Force Academy; Shelby Lee Feldman, Comfort High School, United States Air Force Academy; Nicky Sophia Manitzas, Liberal Arts and Science Academy of Austin, Greystone Preparatory School at Schreiner University, United States Military Academy; Elisa Elena Nelson, Winston Churchill High School, United States Air Force Academy Preparatory School, United States Air Force Academy; Rollins Law Olmsted, Our Lady of the Hills Catholic High School, Greystone Preparatory School at Schreiner University, United States Military Academy; Scott Allen Pofahl, Bandera High School, Greystone Preparatory School at Schreiner University, United States Military Academy; Travis S. Pospisil, Boerne-Samuel V. Champion High School, United States Naval Academy; Nicholas Cole Smisek, Winston Churchill High School, United States Air Force Academy; Aaron Raoul Solorzano, Alamo Heights High School, United States Military Academy; and Eric James Yandura, Claudia Taylor ''Lady Bird'' Johnson High School, United States Air Force Academy.

Again, congratulations to these outstanding students. I know they will serve our country well and I trust success will follow them in all their endeavors.

HONORING COACH DAVEY ''THE WIZ'' WHITNEY

HON. BENNIE G. THOMPSON

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 3, 2015

Mr. THOMPSON of Mississippi. Mr. Speaker, I rise today to recognize the life and legacy of a man who touched the lives of many throughout the states of Texas, Kentucky, and Mississippi. He recently passed away on May 10, 2015 in his home.

Davey Whitney was born in the small town of Midway, Kentucky on January 8, 1930. He later moved to Lexington, Kentucky where he discovered his passion for basketball and joined his high school team as the point guard. There he led his team into tournaments for two consecutive years. He went on to graduate from Kentucky State University in 1952.

A seasoned basketball player, Whitney became the head coach of Texas Southern University. Subsequently he served as the head coach of Alcorn State University, which is located in Lorman, Mississippi, from 1969 to 1989 and later from 1996 to 2003. Under his leadership, they made national history in 1980 for being the first historically black college or university to win a game in the NCAA Men's Division I Basketball Championship. Rising in the midst of such a groundbreaking achievement, Whitney became nationally known as ''The Wiz''.

A teacher, mentor, and sometimes revered as a father to the Alcorn Braves, Whitney was inducted into the Mississippi Sports Hall of Fame in 1991. He was also inducted into the College Basketball Hall of Fame in 2010. Alcorn State University dedicated the Davey Whitney Complex basketball gym in his honor.

Mr. Speaker, I ask that you and my colleagues join me in celebrating the life and legacy of Coach Davey Whitney. His uncompromising commitment to diligence has paved the way for the entire Black community. Although he is no longer with us, Davey Whitney, ''The Wiz'' will forever be etched in the hearts of Mississippians.

HONORING MR. MICHAEL FINLEY LANGE

HON. BARBARA LEE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 3, 2015

Ms. LEE. Mr. Speaker, I rise today to honor the extraordinary life of Mr. Michael Finley Lange, a prominent actor, teacher, filmmaker, and playwright. Mr. Lange earned a reputation throughout the years as a progressive force in the theater arts. With his passing on May 20, 2015, we look to recognize his extraordinary life's work and all those he inspired as an actor and teacher of theatre arts.

Mr. Lange was born in Oakland on January 2, 1948. His father was a thespian who inspired him to pursue the dramatic Arts. Mr. Lange graduated from Oakland Technical High School in 1967. He attended UC Berkeley where he obtained his undergraduate degree in Political Science and later completed his graduate studies in Public Health at California State University East Bay. He later taught for more than a decade at California State University San Jose to Hospitality, Recreation, and Health Science majors.

Mr. Lange had a passion for theatre. From 1974 to 2006, Mr. Lange managed the Alice Arts Center (now the Molonga Casquelord Centre for the Arts). He also managed the Henry J. Kaiser building in Downtown Oakland.

Mr. Lange directed stage productions in the Bay Area for more than 25 years. He produced The Meeting, a fictional meeting between the late Rev. Dr. Martin Luther King and Honorable Malcolm X. He was also an exceptional playwright. He wrote ''Prophet Nat'', a musical docudrama based on the life of slave-prophet Nat Turner. He also directed two award winning plays: Ceremonies in Dark Old Men and The Old Settler.

Since the early 1990's, Mr. Lange was known for his portrayals of Malcolm X. Mr. Lange was able to captivate and capture audiences with his performances, bringing the passion and presence of Malcolm X to life, while also presenting the crowd with pressing questions regarding racial discrimination still prevalent in today's society.

Throughout his prolific career, Mr. Lange received numerous accolades, which includes being honored by the San Francisco Black Film Festival.

I have known Michael since my college days at Mills College—he constantly encouraged me. His smile, words of wisdom, and his friendship will be deeply missed.

Today, California's 13th Congressional District salutes and honors an outstanding individual, Mr. Michael Finley Lange. Mr. Lange's contributions have truly impacted so many lives throughout the Bay Area. I join all of Mr. Lange's loved ones in celebrating his incredible life. He will be deeply missed.

IN HONOR OF EMMA BASS

HON. KEVIN BRADY

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 3, 2015

Mr. BRADY of Texas. Mr. Speaker, it's been more than a century since the famous Blues singer Sam ''Lightnin'' Hopkins was born in Centerville, but there has been one lady catching lightning on paper since 1980.

For more than three decades if news happened in the Leon county seat, we all could count on Emma Bass to keep us fully informed.

In her town of less than a thousand residents, Emma started The Centerville News with a local loan and a big dream.

Thanks to Emma's hard work, The Centerville News is a necessary part of Centerville life. Centerville natives who have moved away from home subscribe to keep up on local happenings. All thanks to Emma's hard work and perseverance.

My friendship with Emma started when I was lucky enough to be elected to represent Centerville in the Texas House of Representatives. That friendship continues today and I'm better for it.

Count me as part of Emma's fan club.

I greatly admire and respect her integrity, intelligence and humor.

Everyone knew that if you wanted to get the story out and get it right, you better be talking to Emma Bass.

In an era of newspaper cutbacks, it's that hometown feel that makes what she created so special. When you read a story in The Centerville News and close your eyes just for a moment, you are there.

While it may take time for the new team to fill Emma's shoes, The Centerville News she founded and nurtured is staying local and Emma's contributions to her community continue on through her work on the Centerville Chamber of Commerce board.

Emma Bass is a Centerville icon and her voice will be missed on the pages of The Centerville News. But my friend Emma's retirement from news is well deserved. May it be as long, happy and fulfilling as this wonderful lady deserves.

Thank you, Emma Bass, for sharing so much with all of us for all these years.

HONORING THE 250TH ANNIVERSARY OF THE BOROUGH OF SHOEMAKERSVILLE

HON. CHARLES W. DENT

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 3, 2015

Mr. DENT. Mr. Speaker, it is my honor to rise today and congratulate my constituents residing in the Borough of Shoemakersville on the occasion of the 250th Anniversary of its founding.

Shoemakersville, located in Berks County, Pennsylvania, was founded by Henry and Carl Shoemaker in 1765. Henry and Carl were sons of German immigrant, Jacob Shoemaker.

When Henry and Carl arrived in the area that was to become Shoemakersville they found a dense forest land. It was Henry who built the first stone house at the site. This house stands to this day at the corner of Main & Miller Streets.

The area flourished, becoming an important hub on the Schuylkill Canal. The Canal allowed for the transportation of vital anthracite coal that fueled the industrial boom in the Commonwealth of Pennsylvania during the middle of the Nineteenth Century.

With steady growth, the residents of the region decided to formally incorporate as the Borough of Shoemakersville on September 12, 1921.

Mr. Speaker, I extend my heartfelt congratulations to the residents of Shoemakersville on this momentous anniversary celebration.

The story of Shoemakersville is the story of growth and prosperity fueled by hard work and the determination to overcome adversity that is the very essence of the American story.

On behalf of the House and my colleagues, I congratulate the people of the Borough of Shoemakersville on the occasion of the 250th Anniversary of its founding. God bless them and may they continue to know freedom and prosperity.

SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate of February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules Committee—of the time, place and purpose of the meetings, when scheduled and any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Meetings scheduled for Thursday, June 4, 2015, may be found in the Daily Digest of today's RECORD.

MEETINGS SCHEDULED

JUNE 9

9:30 a.m.

Committee on Energy and Natural Resources

To hold hearings to examine S. 15, to amend the Mineral Leasing Act to recognize the authority of States to regulate oil and gas operations and promote American energy security, development, and job creation, S. 454, to amend the Department of Energy High-End Computing Revitalization Act of

2004 to improve the high-end computing research and development program of the Department of Energy, S. 784, to direct the Secretary of Energy to establish microlabs to improve regional engagement with national laboratories, S. 1033, to amend the Department of Energy Organization Act to replace the current requirement for a biennial energy policy plan with a Quadrennial Energy Review, S. 1054, to improve the productivity and energy efficiency of the manufacturing sector by directing the Secretary of Energy, in coordination with the National Academies and other appropriate Federal agencies, to develop a national smart manufacturing plan and to provide assistance to small- and medium-sized manufacturers in implementing smart manufacturing programs, S. 1068, to amend the Federal Power Act to protect the bulk-power system from cyber security threats, S. 1181, to expand the Advanced Technology Vehicle Manufacturing Program to include commercial trucks and United States flagged vessels, to return unspent funds and loan proceeds to the United States Treasury to reduce the national debt, S. 1187, to improve management of the National Laboratories, enhance technology commercialization, facilitate public-private partnerships, S. 1216, to amend the Natural Gas Act to modify a provision relating to civil penalties, S. 1218, to establish an interagency coordination committee or subcommittee with the leadership of the Department of Energy and the Department of the Interior, focused on the nexus between energy and water production, use, and efficiency, S. 1221, to amend the Federal Power Act to require periodic reports on electricity reliability and reliability impact statements for rules affecting the reliable operation of the bulk-power system, S. 1223, to amend the Energy Policy Act of 2005 to improve the loan guarantee program for innovative technologies, S. 1229, to require the Secretary of Energy to submit a plan to implement recommendations to improve interactions between the Department of Energy and National Laboratories, S. 1230, to direct the Secretary of the Interior to establish a program under which the Director of the Bureau of Land Management shall enter into memoranda of understanding with States providing for State oversight of oil and gas productions activities, S. 1241, to provide for the modernization, security, and resiliency of the electric grid, to require the Secretary of Energy to carry out programs for research, development, demonstration, and information-sharing for cybersecurity for the energy sector, S. 1256, to require the Secretary of Energy to establish an energy storage research program, loan program, and technical assistance and grant program, S. 1258, to require the Secretary of Energy to establish a distributed energy loan program and technical assistance and grant program, S. 1259, to establish a grant program to allow National Laboratories to provide vouchers to small business concerns to improve commercialization of technologies developed at National Laboratories and the technology-driven economic impact of commercialization in the regions in which National Laboratories are located, S. 1263, to provide for the establishment of a Clean Energy Technology Manufacturing and Export Assistance Fund to assist United States businesses with exporting clean energy technology products and services, S. 1274, to amend the National Energy Conservation Policy Act to reauthorize Federal agencies to enter into long-term contracts for the acquisition of energy, S. 1275, to establish a Financing Energy Efficient Manufacturing Program in the Department of Energy to provide financial assistance to promote energy efficiency and onsite renewable technologies in manufacturing and industrial facilities, S. 1277, to improve energy savings by the Department of Defense, S. 1293, to establish the Department of Energy as the lead agency for coordinating all requirements under Federal law with respect to eligible clean coal and advanced coal technology generating projects, S. 1306, to amend the Energy Policy Act of 2005 to use existing funding available to further projects that would improve energy efficiency and reduce emissions, S. 1310, to prohibit the Secretary of the Interior from issuing new oil or natural gas production leases in the Gulf of Mexico under the Outer Continental Shelf Lands Act to a person that does not renegotiate its existing leases in order to require royalty payments if oil and natural gas prices are greater than or equal to specified price thresholds, S. 1311, to amend the Federal Oil and Gas Royalty Management Act of 1982 and the Outer Continental Shelf Lands Act to modify certain penalties to deter oil spills, S. 1312, to modernize Federal policies regarding the supply and distribution of energy in the United States, S. 1338, to amend the Federal Power Act to provide licensing procedures for certain types of projects, S. 1340, to amend the Mineral Leasing Act to improve coal leasing, S. 1346, to require the Secretary of Energy to establish an e-prize competition pilot program to provide up to 4 financial awards to eligible entities that develop and verifiably demonstrate technology that reduces the cost of electricity or space heat in a high-cost region, S. 1363, to require the Secretary of Energy to submit to Congress a report assessing the capability of the Department of Energy to authorize, host, and oversee privately funded fusion and fission reactor prototypes and related demonstration facilities at sites owned by the Department of Energy, S. 1398, to extend, improve, and consolidate energy research and development programs, S. 1405, to require a coordinated response to coal fuel supply emergencies that could impact electric power system adequacy or reliability, S. 1407, to promote the development of renewable energy on public land, S. 1408, to provide for a program of research, development, demonstration, and commercial application in vehicle technologies at the Department of Energy, S. 1420, to amend the Department of Energy Organization Act to provide for the collection of information on critical energy supplies, to establish a Working Group on Energy Markets, S. 1422, to require the Secretary of Energy to establish a comprehensive program to improve education and training for energy- and manufacturing-related jobs to increase the number of skilled workers trained to work in energy and manufacturing-related fields, S. 1428, to amend the USEC Privatization Act to require the Secretary of Energy to issue a long-term Federal excess uranium inventory management plan, S. 1432, to require the Secretary of Energy to conduct a study on the technology, potential lifecycle energy savings, and economic impact of recycled carbon fiber, S. 1434, to amend the Public Utility Regulatory Policies Act of 1978 to establish an energy storage portfolio standard, S. 1449, to amend the Energy Independence and Security Act of 2007 to add certain medium-duty and heavy-duty vehicles to the advanced technology vehicles manufacturing incentive program, and H.R. 35, to increase the understanding of the health effects of low doses of ionizing radiation.

SD–366

10:30 a.m.

Committee on Appropriations

Subcommittee on Department of Defense

Business meeting to markup an original bill entitled, ''Fiscal Year 2016 Department of Defense Appropriations.''

SD–192

Committee on Homeland Security and Governmental Affairs

To hold an oversight hearing to examine the Transportation Security Administration, focusing on first-hand and government watchdog accounts of agency challenges.

SD–342

JUNE 10

10 a.m.

Committee on Commerce, Science, and Transportation

To hold hearings to examine passenger rail safety, focusing on accident prevention and on-going efforts to implement train control technology.

SR–253

Committee on Health, Education, Labor, and Pensions

To hold hearings to examine health information exchange, focusing on a path towards improving the quality and value of health care for patients.

SD–430

Committee on Homeland Security and Governmental Affairs

To hold hearings to examine the nomination of Peter V. Neffenger, of Ohio, to be an Assistant Secretary of Homeland Security.

SD–342

Committee on the Judiciary

To hold hearings to examine the Federal regulatory system to improve accountability, transparency and integrity.

SD–226

10:30 a.m.

Committee on Appropriations

Subcommittee on Commerce, Justice, Science, and Related Agencies

Business meeting to markup an original bill entitled, ''Commerce, Justice, Science, and Related Agencies Appropriations Act, 2016''.

SD–192

1:30 p.m.
Committee on the Judiciary
To hold hearings to examine the nomination of Luis Felipe Restrepo, of Pennsylvania, to be United States Circuit Judge for the Third Circuit.
SD–226

2 p.m.
Commission on Security and Cooperation in Europe
To hold hearings to examine the escalating threat of ISIL in Central Asia.
RHOB–2175

2:15 p.m.
Committee on Indian Affairs
Business meeting to consider S. 248, to clarify the rights of Indians and Indian tribes on Indian lands under the National Labor Relations Act; to be immediately followed by an oversight hearing to examine addressing the need for victim services in Indian County.
SD–628

2:30 p.m.
Committee on Energy and Natural Resources
Subcommittee on National Parks
To hold hearings to examine S. 145, to require the Director of the National Park Service to refund to States all State funds that were used to reopen and temporarily operate a unit of the National Park System during the October 2013 shutdown, S. 146, to authorize the Secretary of the Interior or the Secretary of Agriculture to enter into agreements with States and political subdivisions of States providing for the continued operation, in whole or in part, of public land, units of the National Park System, units of the National Wildlife Refuge System, and units of the National Forest System in the State during any period in which the Secretary of the Interior or the Secretary of Agriculture is unable to maintain normal level of operations at the units due to a lapse in appropriations, S. 319, to designate a mountain in the State of Alaska as Mount Denali, S. 329, to amend the Wild and Scenic Rivers Act to designate certain segments of the Farmington River and Salmon Brook in the State of Connecticut as components of the National Wild and Scenic Rivers System, S. 403, to revise the authorized route of the North Country National Scenic Trail in northeastern Minnesota and to extend the trail into Vermont to connect with the Appalachian National Scenic Trail, S. 521, to authorize the Secretary of the Interior to conduct a special resource study of President Station in Baltimore, Maryland, S. 610, to authorize the Secretary of the Interior to conduct a special resource study of P.S. 103 in West Baltimore, Maryland and for other purposes, S. 782, to direct the Secretary of the Interior to establish a bison management plan for Grand Canyon National Park, S. 873, to designate the wilderness within the Lake Clark National Park and Preserve in the State of Alaska as the Jay S. Hammond Wilderness Area, and S. 1483, to direct the Secretary of the Interior to study the suitability and feasibility of designating the James K. Polk Home in Columbia, Tennessee, as a unit of the National Park System.
SD–366

Committee on Homeland Security and Governmental Affairs
Subcommittee on Federal Spending Oversight and Emergency Management
To hold hearings to examine wasteful spending in the Federal government, focusing on an outside perspective.
SD–342

Special Committee on Aging
To hold hearings to examine the proliferation of unwanted calls.
SD–562

JUNE 11

10:30 a.m.
Committee on Homeland Security and Governmental Affairs
To hold hearings to examine accounts of current and former federal agency whistleblowers.
SD–342

JUNE 16

10 a.m.
Committee on Energy and Natural Resources
To hold hearings to examine the nominations of Jonathan Elkind, of Maryland, to be an Assistant Secretary of Energy (International Affairs), and Monica C. Regalbuto, of Illinois, to be an Assistant Secretary of Energy (Environmental Management).
SD–366

JULY 9

10 a.m.
Committee on Energy and Natural Resources
To hold hearings to examine the back-end of the nuclear fuel cycle and related legislation, including S. 854, to establish a new organization to manage nuclear waste, provide a consensual process for siting nuclear waste facilities, ensure adequate funding for managing nuclear waste.
SD–366

HOUSE OF REPRESENTATIVES—*Thursday, June 4, 2015*

The House met at 9 a.m. and was called to order by the Speaker.

PRAYER

The Chaplain, the Reverend Patrick J. Conroy, offered the following prayer:

God of grace and goodness, thank You for giving us another day.

Your divine wisdom and power are abundantly sufficient for our many needs. Endow the Members of this assembly with a loyalty that never waivers and a courage that never falters as they seek to fulfill the high and holy mission which has been entrusted to them.

May it be their purpose, and all of ours, to see to the hopes of so many Americans, that we authenticate the grandeur and glory of the ideals and principles of our democracy with the work we do.

Grant that the men and women of the people's House find the courage and wisdom to work together to forge solutions to the many needs of our Nation, and ease the anxieties of so many.

May all that is done this day be for Your greater honor and glory.

Amen.

THE JOURNAL

The SPEAKER. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

PLEDGE OF ALLEGIANCE

The SPEAKER. Will the gentlewoman from New Mexico (Ms. MICHELLE LUJAN GRISHAM) come forward and lead the House in the Pledge of Allegiance.

Ms. MICHELLE LUJAN GRISHAM of New Mexico led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. The Chair will entertain up to five requests for 1-minute speeches on each side of the aisle.

CALLING FOR ZHU YUFU RELEASE ON TIANANMEN SQUARE ANNIVERSARY

(Mr. HULTGREN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. HULTGREN. Mr. Speaker, on June 4, 1989, pro-democracy demonstrators were killed by Chinese troops while peacefully advocating for government accountability and political and economic reforms.

In the aftermath, the Chinese Government arrested large numbers of protesters and their supporters, prohibited other demonstrations, expelled foreign journalists, and have prohibited discussion or remembrance of these events ever since.

Today is a solemn reminder of the state of human rights in China 26 years after Tiananmen Square.

Since 2011, Zhu Yufu, a Chinese democracy advocate, Christian dissident, and poet has languished in prison simply for expressing his democratic beliefs. Today, I urge his immediate and unconditional release.

As part of the Defending Freedoms Project, my colleagues and I will continue to shine a light on Zhu Yufu's case and that of other prisoners of conscience. I applaud Zhu Yufu and his fellow champions of freedom for their courage. We thank them for their courage. They are not alone.

URGING SUPPORT FOR SANCHEZ-YOUNG SOCIAL SECURITY DISABILITY INSURANCE FOR TERMINALLY ILL ACT

(Ms. MICHELLE LUJAN GRISHAM of New Mexico asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. MICHELLE LUJAN GRISHAM of New Mexico. Mr. Speaker, imagine that your loved one was diagnosed with terminal leukemia on January 1. They will undergo chemotherapy, need daily medical care and attention, and be unable to work.

Without any income, they apply for Social Security disability insurance benefits and are quickly approved. However, due to an archaic, bureaucratic law, your loved one will have to wait 5 months before receiving any benefits. If you were diagnosed with a terminal illness on the first week of the new year, you wouldn't receive disability benefits until this week, the 21st week of the year.

Mr. Speaker, I wish this was just a hypothetical example, but this happened to an Albuquerque resident and my friend, Jeremy Sanchez, who had to wait months before receiving the benefits that he earned, after being diagnosed with leukemia.

That is why I, along with my colleague Congressman ISRAEL, am introducing the Sanchez-Young Social Security Disability Insurance for the Terminally Ill Act, which would repeal the 5-month waiting period for the terminally ill and ensure that SSDI protects the most vulnerable recipients when they need it most.

I urge my colleagues to support this sensible bill.

HONORING LAKE COUNTY FOREST PRESERVE

(Mr. DOLD asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DOLD. Mr. Speaker, I rise today to honor the men and women of the Lake County Forest Preserve District and their 100-year vision for protecting Lake County's unique and precious environment.

Led by Executive Director Ty Kovach, they have assembled a bold, 100-year vision for how to preserve our wildlife and this natural resource, not just for us today, but for our children and our children's children.

Mr. Speaker, the Lake County Forest Preserve District wants to ensure future generations can reap the benefits from a healthy and resilient environment and understand that the only way to ensure a better future is to make changes today. Their education and leadership on conservation issues will go a long way to protecting this incredible resource.

Mr. Speaker, I thank them for their efforts and humbly stand by their side to continue to champion the importance of protecting our environment.

And that is just the way it is.

EXTEND FLORIDA'S GULF COAST OIL DRILLING BAN TO YEAR 2027

(Ms. GRAHAM asked and was given permission to address the House for 1 minute.)

Ms. GRAHAM. Mr. Speaker, today I rise to speak in support of new legislation I am cosponsoring with my friend Congressman DAVID JOLLY to extend Florida's Gulf Coast oil drilling ban to the year 2027.

The drilling ban currently extends 125 miles off much of Florida's Gulf Coast and as far as 235 miles in some areas, but it is set to expire in 2022. There are some in the Senate trying to

reduce the ban to just 50 miles as soon as next year.

This legislation reaffirms our commitment to protecting Florida's precious Gulf Coast beaches and will protect the environment, our economy, and military operations in the Gulf.

An oil spill like Deepwater Horizon just 50 miles off of northwest Florida's beaches would be devastating for our region. We can't allow that to happen and should pass this legislation to extend the drilling ban and protect Florida's Gulf Coast beaches.

RECOGNIZING PENN STATE CREAMERY ON 150 YEARS

(Mr. THOMPSON of Pennsylvania asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. THOMPSON of Pennsylvania. Mr. Speaker, House Majority Leader KEVIN MCCARTHY calls it ''some of the best ice cream I have had outside of my hometown of Bakersfield.''

The majority leader, of course, is referring to the ice cream produced at Penn State University's Berkey Creamery. I am proud to rise today in recognition of the creamery's 150th anniversary.

The creamery, located in the Rodney A. Erickson Food Science Building on Penn State University's main campus, was first established in 1865.

Penn State is home to the largest university creamery in the United States, using more than 4.5 million pounds of milk each year, supporting Pennsylvania's robust dairy industry.

To help celebrate their 150th anniversary, the creamery has launched a social media contest, which allows fans to select the special sesquicentennial flavor. Voters have a few days left to choose between birthday cake, strawberry cheesecake, or red velvet.

Mr. Speaker, as a proud graduate of Penn State University, I congratulate the Berkey Creamery on 150 years of creating countless memories, and especially the hard-working student employees and the 23 full-time employees that make the operations such a great success.

RECOGNIZING TAMPA BAY ESTUARY PROGRAM

(Mr. JOLLY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. JOLLY. Mr. Speaker, I rise today to recognize the Tampa Bay Estuary Program and the great work they have done since their founding in 1991.

The Tampa Bay Estuary contains one of the most vibrant and productive ecosystems along the Gulf Coast because the unique mix of saltwater from the Gulf and freshwater from rivers and uplands have created abundant nurseries for juvenile fish and other sea life. More than 70 percent of all fish, shellfish, and crustaceans spend some critical stage of their development in these near-shore waters protected from larger predators that swim the open sea.

Very importantly, scientists at the Southwest Florida Water Management District have found that Tampa Bay now supports over 40,000 acres of sea grass beds. Tampa Bay is Florida's largest open water estuary. Due to the great work of the program, Tampa Bay's water quality is now as good as it was in 1950.

I want to thank the leadership of Tampa Bay's estuary program, particularly Executive Director Holly Greening, for her vision not only for the estuary program, but for the entire Tampa Bay community.

Tampa Bay is coming back to life, again assuming its position as the shimmering economic and environmental centerpiece of the vibrant southwest Florida region.

TRIBUTE TO CHUCK JOHNSON

(Mr. ZINKE asked and was given permission to address the House for 1 minute.)

Mr. ZINKE. Mr. Speaker, I rise today to pay tribute to Chuck Johnson, a man who kept me and countless other public servants in Montana honest and accountable as the capitol bureau chief and longtime political reporter.

Chuck's 43-year journalism career began in 1977. In the decades since, Chuck has been the primary educator of government, politics, and ethics for generations of Montanans.

I had the pleasure of getting to know Chuck as a State senator and had the distinct pleasure of traveling with him across Montana. He is a straight shooter and a true professional.

In the era of online and 24-hour news outlets that push agendas and competition for cliques, Chuck's modus operandi was to tell the truth, tell the facts, and let the people of Montana decide. I urge future journalists to study his work and learn what they can from this true Montana professional.

I wish Chuck fair winds and following seas in his retirement. Bravo Zulu.

TRANSPORTATION, HOUSING AND URBAN DEVELOPMENT, AND RELATED AGENCIES APPROPRIATIONS ACT, 2016

The SPEAKER pro tempore (Mr. HULTGREN). Pursuant to House Resolution 287 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the further consideration of the bill, H.R. 2577.

Will the gentleman from Texas (Mr. POE) kindly take the chair.

□ 0912

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H.R. 2577) making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes, with Mr. POE of Texas (Acting Chair) in the chair.

The Clerk read the title of the bill.

The Acting CHAIR. When the Committee of the Whole rose earlier today, an amendment offered by the gentleman from Florida (Mr. GRAYSON) had been disposed of, and the bill had been read through page 156, line 15.

AMENDMENT NO. 7 OFFERED BY MRS. BLACKBURN

Mrs. BLACKBURN. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of the bill (before the short title), insert the following:

SEC. ____. Each amount made available by this Act is hereby reduced by 1 percent.

The Acting CHAIR. Pursuant to House Resolution 287, the gentlewoman from Tennessee and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Tennessee.

Mrs. BLACKBURN. Mr. Chairman, I am certain it comes as no surprise to anyone in this body that, as we go through this appropriations season, I come back to the floor working to make another cut to get our spending levels down. The bill we have before us, the T-HUD approps, is a $55.3 billion bill. That is discretionary funding.

□ 0915

Now, credit should go to the subcommittee chairmen and to those who have worked on this to get the spending levels down because this is $9.7 billion below the President's request. That is really quite remarkable. And my amendment, which is another 1 percent reduction—a penny out of a dollar—would save our taxpayers $598 million and would reduce the 2006 outlays by $369 million.

Now, Mr. Chairman, when you look at budget authority and you look at the outlays, those are significant numbers. They are significant also, Mr. Chairman, when you look at the debt. We are $18.3 trillion in debt; and, quite frankly, I think that that is too much debt for us to ask our children and grandchildren to handle.

I think it is imperative that we, as stewards of the taxpayers' money, put these issues on the table and say, ''Yes, there are great things we would like to do,'' ''Yes, there are projects that would be wonderful,'' but we have to be responsible to the taxpayers.

This is not Federal money. It doesn't just grow on trees. What we have to realize is that it all comes from taxpayers. They are overtaxed. They feel the Federal Government is overspent, and they want to see the spending brought under control. I agree with them. That is why I bring this amendment forward.

Mr. Chairman, I think, also, we have to look at the fact that our economic security, our fiscal security, and our national security are all closely linked. Because of that, Admiral Mullen said that the greatest threat to our Nation's security is our Nation's debt. We have to get serious about reducing this debt.

Mr. Chairman, I reserve the balance of my time.

Mr. DIAZ-BALART. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from Florida is recognized for 5 minutes.

Mr. DIAZ-BALART. Mr. Chairman, the bill that is in front of us is a responsible bill that adheres to the budget caps set by law and passed by this body. We set priorities in this bill, and we made targeted cuts to overhead, salaries, expenses, and also duplicative programs, Mr. Chairman. Many programs are also held at last year's level or below. Again, we made some tough decisions.

The problem is, when you are doing, frankly, an across-the-board cut with this amendment, it would have some, frankly—and I know it is well intentioned—it would have some harmful effects on the priorities set by the Members of this House. Again, we have cut programs, but based on hearings, on meetings, on discussions, and on careful reviews of, again, the budget justifications and also the audits.

This amendment, and I know it is very well intentioned, would hit, for example, air traffic control operations and cause unnecessary flight delays. It could hurt our most vulnerable populations by, for example, affecting assistance to over 50,000 residents, including elderly and disabled populations.

Now, I am not telling you that there are not areas that can be reduced. We have done that. As a matter of fact, we have been in debate, and we have heard a lot of debate about some people saying that we have done too much of that. But we have done so after hours and hours of deliberations, of talking, of conversations, of study, and of hearings. So, again, I know it is a well-intended amendment, and I am a huge admirer of the sponsor of this amendment, but I have to respectfully urge a ''no'' vote precisely because of the time we have spent to make the right reductions as opposed to across-the-board reductions.

Mr. Chairman, I yield such time as he may consume to the gentleman from North Carolina (Mr. PRICE), the ranking member of the subcommittee.

Mr. PRICE of North Carolina. Mr. Chairman, I thank the chairman of our subcommittee for yielding, and I want to join him in opposing this amendment.

This is an indiscriminate amendment. It cuts programs in transportation and housing without any thought as to their relative merits. It is the opposite of intelligent appropriating.

For example, this would result in fewer air traffic controllers, fewer pipeline safety inspectors, and the eviction—literally, the eviction—of elderly and disabled tenants. More generally, investments in our transportation and housing infrastructure would be altered. The associated jobs would be lost.

This bill is already underfunded, Mr. Chairman. It has got to be revisited when we have a budget agreement that lets us do a decent job with this bill.

So this amendment goes in exactly the wrong directions. It would encourage the agencies not to do more with less, but to do less with less, and it would be a body blow to our constituents and our communities.

Mr. Chairman, I strongly urge opposition to the amendment.

Mr. DIAZ-BALART. Mr. Chairman, I yield back the balance of my time.

Mrs. BLACKBURN. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, let me tell you why this is the right approach. Our States, who can't go print money in order to balance their budget, utilize across-the-board cuts. Look at Tennessee, Massachusetts, Washington State, New Jersey, and Colorado. They all employ this. Here is why, if you want to engage State employees and Federal employees, and bring the agencies into the process, you say: Okay. We have set your budget levels, we have appropriated your money, now we are coming to you. You are a part of the team, and we need you to engage in how we best save taxpayer money.

This is why it works in the States. When I was in the State senate in Tennessee, if we didn't balance the budget, we didn't go home. It is time for the Federal Government to dig deep and engage these employees. You can talk with rank-and-file Federal employees. I have done it many times. They say we know how we can save money, but they are not incentivized to do so. Let's challenge them. Let's engage them. Let's have them bring forward their best ideas.

A penny on a dollar? Absolutely. We are doing this for the children. We are doing this for future generations. We are doing this for our Nation's fiscal health, and we are doing it to preserve our sovereignty to get these debt levels down.

It is time for us to do that. It is responsible budgeting. It is time for everybody to be a part of the team, putting this Nation back on the road to fiscal health, to a balanced budget, and being respectful of the taxpayer and a good steward of the taxpayers' money.

Mr. Chairman, I encourage my colleagues to vote ''yes'' on this amendment, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from Tennessee (Mrs. BLACKBURN).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mrs. BLACKBURN. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentlewoman from Tennessee will be postponed.

AMENDMENT OFFERED BY MS. NORTON

Ms. NORTON. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), insert the following:

SEC. ____. None of the funds made available by this Act may be used in contravention of the 5th or 14th Amendment to the Constitution or title VI of the Civil Rights Act of 1964.

The Acting CHAIR. Pursuant to House Resolution 287, the gentlewoman from the District of Columbia and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from the District of Columbia.

Ms. NORTON. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I rise to offer an amendment to prohibit the use of Federal funds to stop, investigate, detain, or arrest people on highways based on their physical appearance in violation of the Fifth and 14th Amendments of the United States Constitution and title VI of the Civil Rights Act of 1964. This is the same amendment I successfully offered to the fiscal year 2015 T-HUD appropriations bill and was agreed to by a voice vote on the House floor and was included in the fiscal year 2015 omnibus bill. I ask the same for the current amendment, which, like the one passed by the House last year, seeks to prevent profiling by law enforcement officials and to ensure that citizens are not stopped, investigated, or detained based on their color or other inherent physical appearance.

The Supreme Court, in Whren v. United States, held that profiling based on physical appearance on highways violates equal protection of the laws. Title VI of the 1964 Civil Rights Act, whose 50th anniversary we celebrated in 2014, enforces the 14th Amendment

and applies to funding for all Federal agencies and departments. My amendment carries out this title VI mandate as expressed in transportation funding in particular.

Federal guidance regarding the use of race by a Federal law enforcement official finds that racial profiling is not merely wrong, but is also ineffective. Not only Blacks and Hispanics are affected, but many others in our country as well, given the increasing diversity of American society.

The United States Department of Justice's Bureau of Justice Statistics reports that Whites are stopped at a rate of 3.6 percent, but Blacks at 9.5 percent and Hispanics at 8.8 percent, more than twice that of Whites. The figures are roughly the same regardless of region or State.

In Minnesota, for example, a statewide study of racial profiling found that African American, Hispanic, and Native American drivers were stopped and searched far more often than Whites, yet contraband was found more frequently in cars where White drivers had been stopped.

In Texas, where disproportionate stops and searches of African Americans and Hispanics were found to have taken place, it was also found that Whites more often were carrying contraband.

Earlier this Congress, I reintroduced the Racial Profiling Prevention Act, my bill to reestablish a popular Federal program aimed at reducing racial profiling. This bill permits States to apply for grants to develop racial profiling laws, to collect and maintain data on traffic stops, to fashion programs to reduce racial profiling, and to train law enforcement officers.

Nearly half the States participated in the program when it was in existence, which shows both the need and the interest in our country in tackling this civil rights issue. I got this program included in the surface transportation law in 2005, but that program expired in 2009. I will try to get this bill included in the surface transportation reauthorization bill we will be writing this year, but in the meantime, a formal prohibition on racial profiling is in order. Meanwhile, Congress should have no hesitation in carrying out the 14th Amendment and the 1964 Civil Rights Act mandate regarding Federal funding of transportation, and neither the House nor the Senate hesitated last year.

Considering our country's history and increasing diversity, we are late in barring profiling at the national level. At the very least, Federal taxpayers should not be compelled to subsidize the unconstitutional practice of profiling by law enforcement officials in the States.

Mr. Chairman, I urge the adoption of this amendment, especially in light of recent issues in cities like Ferguson and Baltimore.

Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from the District of Columbia (Ms. NORTON).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. GOSAR

Mr. GOSAR. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), insert the following:

SEC. ___. None of the funds made available by this Act may be used to carry out the rule entitled ''Affirmatively Furthering Fair Housing'', published by the Department of Housing and Urban Development in the Federal Register on July 19, 2013 (78 Fed. Reg. 43710; Docket No. FR-5173-P-01) or to carry out the notice entitled ''Affirmatively Furthering Fair Housing Assessment Tool'', published by the Department of Housing and Urban Development in the Federal Register on September 26, 2014 (79 Fed. Reg. 57949; Docket No. FR-5173-N-02).

The Acting CHAIR. Pursuant to House Resolution 287, the gentleman from Arizona and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Arizona.

□ 0930

Mr. GOSAR. Mr. Chairman, I rise today to offer an amendment intended to prevent yet another costly overreach by the Federal Government into the jurisdiction of local towns and communities.

Last Congress, during debate on this bill, the House passed an amendment of mine to prevent funds for HUD's proposed new regulation that will allow bureaucrats in Washington, D.C., to get in the middle of local planning and zoning and prohibit community development block grant funds from going to communities that need them.

The amendment seeks to once again defund and block this new regulation that was not approved by Congress. HUD's misguided rule would grant the Department authority to dictate local zoning requirements in any community across the country that applies for a community development block grant.

According to reports, in 2012, this rule would have negatively impacted more than 1,200 municipalities throughout the country, causing these communities to forfeit millions that are meant to help the neediest of families.

Once again, this flawed proposal by HUD will increase local taxes, depress property values, and cause further harm to impoverished communities that are actually in need of these funds.

These burdensome zoning rules that would be imposed by HUD bureaucrats on localities would be derived from tracked resident data based on citizens' race, sex, religion, and other federally protected demographics.

Multiple watchdog groups have raised serious and valid concerns about HUD's proposal. A trial run of this rule already took place in New York. It failed miserably, and a local county was initially forced to forego $12 million in funds that would have benefited the community due to the impractical and unrealistic requirements associated with the misguided agency regulation.

The county had intended to use a large portion of these block grant funds to establish public housing for individuals in need. But recently, the United States Court of Appeals for the Second Circuit ruled in favor of the county and granted a stay against HUD's attempts to reallocate those millions.

This new regulation that is sitting at OMB is very dangerous and, worst of all, unnecessary. The Federal Government already has the authority to withhold grant money from communities that violate the law. And to clarify, I do mean the actual law in the United States Code, as opposed to overreaching executive dictums.

American citizens and communities should be free to choose where they would like to live and not be subject to Federal neighborhood microengineering at the behest of overreaching Federal bureaucrats.

Further, HUD officials shouldn't be holding hostage grant moneys aimed at community improvement based on its unrealistic utopian ideas of what every community should resemble. Local zoning decisions have traditionally been, and should always be, made by local communities, not bureaucrats in Washington, D.C.

I ask my colleagues to support this commonsense amendment because it keeps the Federal Government out of your backyard and prevents the Feds from reorganizing communities to a fantastical standard.

I ask my colleagues to support this amendment because it aims to treat municipalities and individual citizens as capable and intelligent, rather than disenfranchised, divided, and coddled groups in need of protection from a problem that does not exist.

As always, I thank the chairman and ranking member for their continued work on the committee.

With that, I reserve the balance of my time.

Mr. PRICE of North Carolina. Mr. Chairman, I claim the time in opposition.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. PRICE of North Carolina. Mr. Chairman, I rise in opposition to this amendment.

The rule in question, HUD's rule, is intended to help communities more fully comply with the law and to avoid

costly and time-consuming legal challenges.

The charge that this rule injects HUD into local planning and zoning conditions is simply inaccurate. Nor does it set up additional hurdles to Federal funding. That is inaccurate too.

The rule allows for communities to better understand local conditions and to create locally decided and implemented solutions.

I don't understand why we would want to revert back to a standard that relied on drawn-out litigation rather than simply presenting communities up front with information on local housing conditions and letting them address their needs. I know my local officials prefer community developed solutions over decrees that are judicially imposed.

With that, I yield to the gentleman from Minnesota (Mr. ELLISON), a distinguished member of the Financial Services Committee, to express his opposition to this amendment.

Mr. ELLISON. Mr. Chairman, I want to thank the gentleman for the time.

Let's talk about what we are really actually talking about. We are trying to fight racial segregation. That is what this is all about. Our Nation, the Nation I love, held slaves for 246 years and did Jim Crow segregation for another 100 years, and that created racial segregation patterns which this Member is trying to stop us from correcting. This is deeply offensive.

I just want to say that when I think about the progress that our Nation has made so that when we say ''all men are created equal'' and when we say ''liberty and justice for all,'' that it will be true. This amendment is saying no, we are not going to allow it to be true; we are going to keep residential segregation based on race; we are going to make communities balkanize.

When I hear somebody say something like the Federal Government should stay out of local affairs, that sounds like some states' rights talk from 1955. That sounds like something really offensive to me.

Look, we need HUD to help implement affirmatively furthering fair housing rules. We need that. We need HUD to expand its efforts to fight discrimination and promote equal opportunity in every community.

Too often in this country, too many people's economic opportunities, their life chances, are limited by where they live. And yes, the Federal Government should promote equality and should promote fair housing. Affirmatively furthering a fair housing rule helps to do that. Why we would want to strip it out makes absolutely no sense to me.

I urge Members to understand what is going on right here and to very fervently vote ''no'' on the Gosar amendment.

Mr. PRICE of North Carolina. Mr. Chairman, I yield back the balance of my time.

Mr. GOSAR. Mr. Chairman, how dare the opposition create and instigate racism. This is about decisions made at the local level and the local level knowing what is best for their communities. There is nothing of the sort that the gentleman from Minnesota brought up in regard to that attitude that I brought forward.

This is an overreach of the Federal Government instilling in our local communities where, how, and when people are going to live. That is the wrong way to be. Instead of building cripples like we are doing right now with the Federal Government, we ought to make sustainable communities that are based on local ideas and principles.

I ask all Members to vote for this amendment because it definitely rejects the overreach of the Federal Government.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Arizona (Mr. GOSAR).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. GOSAR. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Arizona will be postponed.

AMENDMENT OFFERED BY MS. NORTON

Ms. NORTON. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), insert the following:

SEC. ____. None of the funds made available by this Act may be used to permit air transportation service between midnight and 6 a.m. at Ronald Reagan National Airport (DCA).

The Acting CHAIR. Pursuant to House Resolution 287, the gentlewoman from the District of Columbia and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from the District of Columbia.

Ms. NORTON. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I rise to offer an amendment that would prohibit Federal funds from being used to permit airline service between midnight and 6 a.m. at Ronald Reagan National Airport.

Last month, I held a widely attended community meeting with standing room only on airport airplane noise with residents of Palisades, Foxhall, Georgetown, Hillandale, and other impacted neighborhoods in the District of Columbia. Representatives of the Metropolitan Washington Airports Authority, the Federal Aviation Administration, and residents sat on a panel while we discussed airplane noise that has completely disrupted the life of this community.

Over the last 18 months, D.C. residents have reported an increase in air traffic activity during nighttime and early morning hours, breaking the sleep of children and adults alike. During this time period, one airline added two flights that arrive at Ronald Reagan Washington National Airport after midnight and three flights that depart before 5 a.m.

As of now, there is no congressional prohibition, none whatsoever, on nighttime flights at Ronald Reagan National Airport. Until recent years, however, flights at this airport could not land after 10 p.m. or take off before 7 a.m.

My amendment gives airlines greater latitude without introducing continuing sleepless nights for residents. Congress can settle this issue in the Nation's Capital to provide relief to those residents who suffer from airline noise night after night and early morning after early morning.

I urge the adoption of my amendment, and I reserve the balance of my time.

Mr. DIAZ-BALART. Mr. Chairman, I claim the time in opposition.

The Acting CHAIR. The gentleman from Florida is recognized for 5 minutes.

Mr. DIAZ-BALART. Mr. Chairman, at this time, I will have to oppose this amendment.

I am actually concerned about the potential unintended consequences of this amendment. We don't know all of the potential impacts of this amendment, from safety to capacity to, frankly, the effect on local economics.

We have made in this bill an effort not to legislatively direct specific flight restrictions or flight paths. As you can well imagine, Mr. Chairman, there are a lot of these issues out there, but we have made the decision to not do that.

And again, we just don't know all of the potential unintended consequences, so I would respectfully have to urge a ''no'' vote.

I yield the balance of my time to the gentleman from North Carolina (Mr. PRICE).

Mr. PRICE of North Carolina. Mr. Chairman, I appreciate the chairman yielding.

I would simply add an observation about the situation that this and other amendments we may be considering today point to with respect to the pending FAA authorization. It is expiring at the end of this fiscal year.

Our colleagues on the Transportation and Infrastructure Committee are exploring options to reform the FAA. One of them includes separating the FAA from the Department of Transportation and allowing the FAA more independence over the use of its resources.

This is an important time to encourage our colleagues to think very carefully about that, about whether a more independent FAA, one that does not have to rely on annual appropriations, would be as attentive to concerns such as our colleague raises today, concerns about noise, concerns about flight paths.

We ought to move very cautiously in this area. I have misgivings about the piecemeal approach, but I believe there is an important message that is being delivered to the leadership of the FAA. I strongly urge the Administrator to ensure the FAA is more attentive to the concerns that are raised by communities when developing their new flight procedures.

Mr. DIAZ-BALART. Mr. Chairman, I yield back the balance of my time.

Ms. NORTON. Mr. Chairman, while I understand the concerns of my friend on the other side of the aisle, and I appreciate the remarks of my friend on this side, I do alert the House to the fact that I am at least speaking from precedent.

I understand that all over the United States there are people who may have similar concerns. But remember, we are talking about a jurisdiction which in recent years has had no flights between 10 and 7, and now there are some airlines that have taken advantage of the fact that there are no limit on slots at Reagan National Airport.

This is a community in the Nation's Capital that is metropolitan in scope. The Nation's Capital is different from many other communities. I ask the House—and I certainly appreciate the remarks concerning possible privatization of FAA—to bear in mind that it is Congress that is ultimately the arbiter of such concerns.

I urge adoption of my amendment and yield back the balance of my time.

□ 0945

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from the District of Columbia (Ms. NORTON).

The amendment was rejected.

AMENDMENT OFFERED BY MR. GOSAR

Mr. GOSAR. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), insert the following:

SEC. ____. None of the funds made available by this Act may be used to implement, administer, or enforce the rule entitled ''Hazardous Materials: Enhanced Tank Car Standards and Operational Controls for High-Hazard Flammable Trains'' published by the Department of Transportation in the Federal Register on May 8, 2015 (80 Fed. Reg. 26643 et seq.).

The Acting CHAIR. Pursuant to House Resolution 287, the gentleman from Arizona and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Arizona.

Mr. GOSAR. Mr. Chairman, I rise today to offer an amendment which would prohibit funds for the implementation of the Department of Transportation's bungled new regulations for rail tank car standards.

I am strongly in favor of robust standards and best practices which actually improve the safety and efficiency of oil-by-rail transport. However, the new tank car rule completely missed the mark.

Instead of utilizing the expertise and practical experience of the rail, oil, and manufacturing industries, the Obama administration developed a series of special interest regulations at the behest of extremist environmental groups that seem more intent on thwarting the American energy renaissance than on actually creating a safer rail network.

In fact, the only reason these new regulations were even proposed is because of a misguided lawsuit filed against the DOT by the Sierra Club.

Analytics firm ICF International estimated the cost of these new regulations to top $42 billion, which will be laid on the backs of individual consumers and hard-working Americans. I repeat, $42 billion will be lost to our economy as a result of this new rule. These costly regulations will be reflected not only in the price we pay at the pump, but also in the price of manufacturing the millions of products that use plastics and chemicals derived from American petroleum.

The most egregious part is that these regulations don't even address the root cause of these accidents, which are related to track conditions and human error.

This new rule is nothing more than regulation in search of a problem. Department of Transportation Secretary Anthony Foxx said as much in 2014 when he admitted: ''The truth is that 99.9 percent of these oil shipments reach their destinations safely.''

These new and overreaching mandates require railroad companies to unnecessarily increase their steel tank walls and will require significant upgrades and retrofitting for an estimated 154,500 tank cars. In fact, The Wall Street Journal has reported: ''The steel jacket alone would lower a car's 30,000-gallon capacity by about 800 gallons, forcing shippers to deploy more cars, according to rail industry analysts.''

Clearly, this is an unintended consequence of these new regulations for a .01 percent problem, which actually increases this .01 percent user accident rate percentage by requiring significantly more railcars to actually haul the amount of oil.

In addition, the aggressive timeline proposed by the DOT for completing these retrofits is unrealistic and could harm consumers by disrupting the production and transportation of goods that play major roles in our economy, including chemicals, gasoline, crude oil, and ethanol.

If Democrats and this administration were really concerned about rail safety for transporting oil, they would approve the Keystone pipeline. Pipelines are the safest way to transfer crude.

Our country is in the midst of an energy renaissance which is driving a much-needed economic revival in American manufacturing. We should be pursuing thoughtful, fact-based best practices, instead of adding artificial constraints on the growth of the American energy sector focused on a 1 percent problem that is caused by user error.

I encourage my colleagues to support my amendment which would prohibit the implementation of this extraneous new rule and to insist that the Department of Transportation pursue a more feasible, data-driven approach that has safety standards in mind.

I thank the chair and ranking member for their leadership on this bill.

Mr. Chairman, I reserve the balance of my time.

Mr. PRICE of North Carolina. Mr. Chairman, I claim the time in opposition.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. PRICE of North Carolina. Mr. Chairman, I rise, honestly, in some disbelief that this amendment is actually being offered.

Members of Congress and industry stakeholders have been calling for months for the DOT to complete its rulemaking to update the integrity of tank cars that carry energy products and other hazardous materials. The DOT got the final rule out on May 8, and now, today, the gentleman wants to stop the implementation of that rule in its tracks.

There have been countless examples of derailments involving trains that carry crude oil and other energy products. These incidents have resulted in explosive fires that burn for days. The incident that occurred in Quebec resulted in the preventable deaths of almost 50 people.

U.S. and Canadian transportation officials have worked hard to try to improve the safe transportation of these dangerous products. The railroad industry wants stronger cars. Safety groups want stronger cars. Communities desperately want stronger cars.

We ought not to delay the implementation of this long-awaited rule, so I urge my colleagues to oppose the amendment.

I am now happy to yield to the gentleman from Florida (Mr. DIAZ-BALART), our distinguished subcommittee chairman.

Mr. DIAZ-BALART. I thank the gentleman for yielding.

Mr. Chairman, I also need to first recognize and thank the sponsor of the amendment. I am grateful that he is so vigilant as the Federal Government does have a tendency to overregulate and to, frankly, sometimes do so, I would say, irresponsibly. However, in this case, I have to oppose his amendment.

We have seen some horrific accidents recently associated with crude oil, and I think most Americans would agree that we need to do what we can in a reasonable fashion to try to stop that from happening.

While I am grateful for the sponsor of the amendment for always being vigilant on making sure the government doesn't overregulate, in this case, again, I respectfully have to oppose his amendment and urge a ''no'' vote.

Mr. PRICE of North Carolina. I yield back the balance of my time.

Mr. GOSAR. Mr. Chairman, I want to make sure everybody understands that user error and train track applications are the ones that have actually caused these problems.

When you actually look at a solution to a fact-based application, we ought to be spending more time on engineering errors and track conditions than we are over something that is misguided, like these tank car metals.

I urge all of my colleagues to vote in favor of the Gosar amendment.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Arizona (Mr. GOSAR).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. GOSAR. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Arizona will be postponed.

AMENDMENT OFFERED BY MR. POLIS

Mr. POLIS. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill, insert the following:

SEC. ____. Section 5309(a) of title 49, United States Code, is amended—

(1) in paragraph (3) by inserting ''or as merited by ridership demands'' after ''weekend days'';

(2) in paragraph (4)(A) by inserting ''or includes performance features that otherwise ensure reliable travel times for public transportation operating in a separated right-of-way in a shared-use facility'' after ''peak periods''; and

(3) in paragraph (4)(C)(iii) by inserting ''or as merited by ridership demands'' after ''weekend days''.

Mr. DIAZ-BALART. Mr. Chairman, I reserve a point of order on the gentleman's amendment.

The Acting CHAIR. A point of order is reserved.

Pursuant to House Resolution 287, the gentleman from Colorado and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Colorado.

Mr. POLIS. Mr. Chairman, on behalf of a number of Western Representatives, I am proud to offer this bipartisan amendment, along with Mr. COFFMAN, Mr. PERLMUTTER, Mr. SCHWEIKERT, Mrs. KIRKPATRICK, Ms. MCSALLY, and Ms. DEGETTE.

As we know and as has often been mentioned here on the floor, transportation is the lifeblood of this country. It moves people, goods, ideas, and information. Denver, Boulder, Fort Collins, and Broomfield, in my district, are some of the fastest growing cities in the country.

The majority of our tourists—over 46 million in 2014—make their way through the Denver Metro area; but the very things that make our State a popular home as well as a popular tourist destination—including hiking, biking, hunting, fishing, skiing—challenge growth and infrastructure as well.

Despite that fact that these cities are growing at significant rates and tourism is heavily congesting space, many of the major thoroughfares intersecting the region have not been expanded in decades.

Highway 70 West, our major tourism artery to our world-class ski resorts, stretches from the Denver Metro area out to our 14,000-foot peaks. I–25 North takes our visitors north of Denver and through Longmont, Loveland, Fort Collins, all the way to Wyoming.

These two highways are effectively the only major arteries traveling north and west of Denver and the only option for residents and visitors to my district to even get out of Vail, Breckenridge, or Fort Collins; and in some places, these highways narrow to as little as two lanes, meaning hard-working constituents who commute every day across my district might wait for hours every day just to go back and forth.

Tourists, likewise, spend long times waiting to get out of their destination towns or to their our attractions.

Worse yet, Mr. Chairman, is a lack of a clear solution. You cannot simply expand a road that winds up some of the steepest peaks in the United States, and it is very costly to expand a tunnel under a large mountain.

One of the only good options that we have for quick, reliable, and affordable mass public transportation is bus rapid transit systems. On Highway 36, our main artery from Boulder to Denver, we recently began operating a BRT system with huge success.

This system shares a HOT lane with high-occupancy vehicles that allows for expedited and assured arrive times. It is used by hundreds of people every day for their commutes. That tool, however, was recently taken out of the toolbox for States across the West.

A hugely problematic change to our surface transportation and authorization MAP–21 bill 3 years ago was the heavy restrictions placed on project eligibility for capital investment grants that build BRT systems nationwide.

Unfortunately, for the first time in history, Congress required that BRT systems have access to an exclusive lane and operate as regularly during nonpeak weekday hours and weekends as they do during peak hours. That simply doesn't match the reality on the ground in places like Colorado and Arizona.

Mr. Chairman, we need access to these grants. The ability to create and innovate in transportation should be encouraged by Congress; yet we are removing the very critical area of investment for BRTs under the current MAP–21 rule, barring them from BRT eligibility because we don't have the capacity to add additional lanes, nor does it make any sense to reserve a lane solely for bus traffic, nor does it make any sense in our commuter and tourism corridors to have buses every couple of minutes on, let's say, a Tuesday at 2 p.m. or on a Sunday at 9 p.m. Ridership and data should drive these decisions, not Washington bureaucrats and not Congress.

My amendment would allow our States and localities the flexibility we need to create the best possible surface transportation system in our area. There simply isn't a one size fits all when it comes to growth and infrastructure.

I encourage this body to take into account the needs of States like Colorado and Arizona.

I reserve the balance of my time.

Mr. DIAZ-BALART. Mr. Chairman, I reserve a point of order.

The Acting CHAIR. A point of order is reserved.

PARLIAMENTARY INQUIRY

Mr. POLIS. Mr. Chairman, parliamentary inquiry.

The Acting CHAIR. The gentleman will state his parliamentary inquiry.

Mr. POLIS. Did the gentleman invoke his point of order or reserve a point of order?

The Acting CHAIR. The Chair understood that the gentleman from Florida reserved a point of order.

Mr. POLIS. Mr. Chairman, instead of giving top-down directives from Washington, we should be allowing for the equity of Federal resources and take into account local needs. What works for some transportation corridors might not work for others. We simply have different needs with regard to our computing patterns and tourism patterns in other areas of the country.

I am proud to bring up this amendment with a strong bipartisan coalition of Members, which includes Representatives COFFMAN, PERLMUTTER,

SCHWEIKERT, DEGETTE, MCSALLY, and KIRKPATRICK, because we can't effectively discuss funding levels like those in the underlying bill without first putting in place equitable policies that encourage innovation for their disbursement.

I ask that my colleagues work with me and the coalition of Members I have named to find and enact a fix as we move forward with the transportation reauthorization later this summer.

I yield to the gentleman from Florida (Mr. DIAZ-BALART) to see if he will be willing to work with us with regard to finding a fix on this policy issue.

Mr. DIAZ-BALART. Mr. Chairman, I thank the gentleman.

I know the gentleman is very committed and has worked awfully hard. I look forward to working with him on this.

Again, I know how passionate he is about this, and I look forward to working with him.

Mr. POLIS. In reclaiming my time, Mr. Chairman, I ask unanimous consent to withdraw this amendment.

The Acting CHAIR. Is there objection to the request of the gentleman from Colorado?

There was no objection.

The Acting CHAIR. The amendment is withdrawn.

□ 1000

AMENDMENT OFFERED BY MR. GOSAR

Mr. GOSAR. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), insert the following:

SEC. ____. None of the funds made available by this Act may be used for the Federal Transit Administration's Rapid Growth Area Transit Program.

The Acting CHAIR. Pursuant to House Resolution 287, the gentleman from Arizona and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Arizona.

Mr. GOSAR. Mr. Chairman, I rise today to offer a commonsense, fiscally responsible amendment that will ensure scarce transportation dollars are going towards highways, bridges, and other critical infrastructure that are in desperate need of repair.

The Obama administration's budget request for the fiscal year 2016 included $500 million for a new discretionary grant program for bus transit. The administration made the same new request in fiscal year 2015 for this same misguided program. This request was rejected in its entirety last year, and the proposed rapid growth area transit program received no funding in the CR/Omnibus. With significant infrastructure needs, including road and bridge maintenance, now is not the time to spend $500 million on a new discretionary bus transit program.

In fact, the Obama administration actually proposed two new programs this year that sought funding from the highway trust fund, both of which asked for $500 million for each. The committee made clear in the committee report that they chose to fund the new $500 million Fixing and Accelerating Surface Transportation, or FAST, program in this bill. If I had to fund only one of these two new programs, that is exactly the one I would have funded.

So I applaud the chairman, ranking member, and committee for the choice they made, and also for apparently choosing not to fund the proposed rapid growth area transit program once again in this legislation.

Having said that, there are no detailed summaries of the particular program accounts because authorizing language has not yet been passed. In addition, nothing is said about the proposed $500 million new discretionary bus transit program in the bill or the committee report. My amendment is also necessary to prevent funds from being transferred to this account.

A recent economic analysis found: ''Over the past few decades lawmakers have diverted more trust fund resources . . . thus starving general purpose roads of funds,'' and, ''Transit—including light rail, trolleys, and buses—marks the largest diversion. In 2010 alone, it received 17 percent, or $6 billion, of Federal highway user fees, even though it accounted for only 1 percent of the Nation's surface travel. Despite receiving a portion of Federal user fees for decades, transit has failed to reduce traffic congestion or even maintain its share of urban travel. For example, between 1983 and 2010, traffic volumes in the Nation's 51 major metropolitan areas increased by 87 percent, peak travel times in those areas increased by 125 percent, and transit's share of passenger miles fell by one-fourth.''

I encourage my colleagues to support this amendment.

Mr. DIAZ-BALART. Will the gentleman yield?

Mr. GOSAR. I yield to the gentleman from Florida.

Mr. DIAZ-BALART. I thank the gentleman for yielding.

Mr. Chairman, I just want to once again repeat what I said a little while ago. I want to thank the gentleman for his hard work. It is evident that he spends the time and he does his homework. I am greatly appreciative of that. I have no objection to the gentleman's amendment.

Mr. GOSAR. I thank the gentleman for his support.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Arizona (Mr. GOSAR).

The amendment was agreed to.

AMENDMENT OFFERED BY MS. LEE

Ms. LEE. I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), insert the following:

SEC. _____. None of the funds made available in this Act may be used to administer, implement, or enforce section 193 or section 414 of this Act.

Ms. LEE (during the reading). Mr. Chair, I ask unanimous consent that the reading be dispensed with.

The Acting CHAIR. Is there objection to the request of the gentlewoman from California?

There was no objection.

The Acting CHAIR. Pursuant to House Resolution 287, the gentlewoman from California and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from California.

Ms. LEE. Mr. Chairman, I want to thank Mr. SANFORD for his leadership as it relates to this amendment and helping us try to end these outdated and failed policies toward Cuba. I rise in support of our amendment, and I am very proud to cosponsor this simple, bipartisan amendment. This amendment would strike two provisions included in this bill that would further limit travel to and from Cuba via flights and ferries. Not only are these provisions inappropriate policy riders, they would deny Americans the right to travel to Cuba.

I understand some of my colleagues, including our subcommittee chair, have a personal interest in Cuba, yet personal interest should not stall progress nor interfere with what is good for the American people. I am joined by many of my colleagues on both sides of the aisle and a diverse coalition of organizations and businesses in strong opposition to this and other attempts to undermine efforts to normalize relations with Cuba.

Not only are the current provisions in this bill wrong for diplomacy, they are patently antibusiness. That is why this amendment is supported by the United States Chamber of Commerce, Orbitz, the American Society of Travel Agents, and the broad-based coalition Engage Cuba.

These provisions that are currently in the bill set us back 50 years. They would eliminate flights that airlines have already invested in and would kill a new market for maritime carriers. Simply put, these provisions are an affront to Americans' basic freedom. Cuba is the only country in the world, including North Korea, Iran, China, and Vietnam, where Americans cannot freely travel. The President's announcement to expand travel was a step in the right direction.

We should be passing the bipartisan and bicameral Freedom to Travel to Cuba Act, H.R. 664, which I am proud to cosponsor with my colleague Mr. SANFORD, rather than moving backwards with these misguided provisions.

Opponents to normalize the relations are quick to claim that renewed engagement somehow rewards the Cuban Government. That couldn't be more wrong. In order to engage on issues like human rights and democracy, Americans should be able to do just that. This amendment allows that.

Those who are serious about moving our relations forward to the betterment of both Americans and Cubans know that increased exchange and formalized relations are the path we need to be on. A majority of Americans and Cubans agree: we need a 21st century approach to our relations with this nation 90 miles away from our shores.

This is 2015, my colleagues, not 1960. The rest of the world is doing business with Cuba, allows its citizens to travel to Cuba, and also has normal diplomatic relations with Cuba. The United States is isolated. This amendment begins to thaw that freeze and to keep our country moving forward in this next decade and, further, to become part of the world family who understands that Americans should, like other citizens in other countries, have a right to travel wherever they so desire.

I yield 3 minutes to the gentleman from South Carolina (Mr. SANFORD).

The Acting CHAIR. The gentlewoman has 1½ minutes remaining.

Mr. PRICE of North Carolina. Mr. Chairman, I intend to strike the last word so as to give the speakers more time.

Ms. LEE. I yield 1½ minutes to the gentleman from South Carolina (Mr. SANFORD).

Mr. SANFORD. I appreciate the gentlewoman yielding me this time.

Mr. Chairman, my comments will be brief. It is quite simple. The concept is this: if I travel on Delta Airlines to Moscow, it does not mean that I support Putin; if I travel on Royal Caribbean to Shanghai, it does not mean I support the Chinese regime.

This bill is fundamentally, as my colleague from California has pointed out, about Americans' right to travel. It is, secondarily, about something we talk about as Republicans, which is balance of power. If we don't want the President overstepping his bounds, we shouldn't overstep our bounds as Members of Congress. That is precisely what this bill does in trying to proscribe the President, though he has full authority within the licensing, within the Department of Commerce, to do as he has done.

Finally, I think it is about American opportunity. Why should we have Canadian or Mexican jets traveling to a country that we are allowed to travel to rather than American jets?

Ms. LEE. I reserve the balance of my time.

Mr. DIAZ-BALART. Mr. Chairman, I claim the time in opposition.

The Acting CHAIR. The gentleman from Florida is recognized for 5 minutes.

Mr. DIAZ-BALART. Mr. Chairman, just a couple things from the debate that we have heard. The sponsor of the amendment talked about that this may be a personal issue for some. Mr. Chairman, let me be very frank and very clear: this is not a personal issue.

Let me also talk about what the language in the bill does that this amendment is trying to take out. It doesn't deal with the overriding issue of policy versus whether we like the President's policy or not. It deals with one specific issue and one specific issue only, Mr. Chairman: whether we should condone, whether we should approve, whether we should permit the trafficking of confiscated—in other words, stolen—property.

When the gentleman from my side of the aisle said that, you know, this is an issue about traveling to other countries, when we travel to Russia, we should be able to do that, that is fine. But is he also saying, which is what this amendment says, that we should condone the use of stolen, confiscated property, property that was stolen and confiscated illegally from Americans? So if you support this amendment, Mr. Chairman, what you are saying is it is okay to do business on property that was stolen from Americans.

Now, I can understand having differences of opinion on overall policy, but the language in the mark deals specifically with confiscated—in other words, stolen—properties from Americans. For the life of me, I would never understand how anybody can justify doing business on confiscated, stolen property and then try to obfuscate the issue talking about policy, which is not what is in the mark.

I yield such time as she may consume to the gentlewoman from Florida (Ms. ROS-LEHTINEN), a distinguished gentlewoman from the Permanent Select Committee on Intelligence.

Ms. ROS-LEHTINEN. I thank the chairman for yielding.

As the chairman points out, do we really want to trample on the property rights of innocent Americans whose properties were illegally stolen by the Cuban regime?

The gentleman from South Carolina is correct, the concept is simple, but the concept he doesn't seem to understand is this: it is not about travel to Cuba. This is about protecting American properties that were illegally seized by the Castro government. We are selling out these legitimate property claims to thousands of American citizens. Respect for private property rights, Mr. Chairman, has been a consistent American policy since the founding of our Republic.

The Cuban regime illegally confiscated property from American citizens. Our citizens have not been compensated, and we know there is no respect for the rule of law in Cuba. If an American's property has been seized, what does that American do? Well, there is no fair court for recess. Let me tell you what the Inter-American Law Review has noted about the Cuban regime's confiscation of U.S. assets. It says it is the ''largest uncompensated taking of American property by a foreign government in history.''

So this is what this amendment is about. If this amendment to strike the use of confiscated property were to pass, we would be, in essence, allowing and condoning the trafficking of stolen goods. Currently, there are over 8,800 claims certified by the Foreign Claims Settlement Commission, which is under the U.S. Department of Justice. American citizens whose properties were seized illegally—almost 9,000 have filed claims—the Castro regime doesn't care. These certified claims, are they just small? No. They are worth approximately $8 billion.

This body must protect the interests of those citizens, of all of our citizens, so I implore our colleagues to not support these misguided attempts to normalize relations with the Cuban regime on the backs of American citizens. We are better than that. We must not allow this amendment to pass. We are about protecting American private property rights. This language in the bill protects American citizens, constituents that we represent in our congressional districts.

Is this Chamber really going to side with a Communist tyrant in Cuba over American citizens? The Cuban regime should not be allowed to use American properties stolen from our citizens for its commercial benefit. If the U.S. endorses such a practice, what message will we be sending to other rogue regimes who would love to be confiscating American properties?

So, if we want to help the Cuban people, and I am sure that all of us do, let's not give their oppressors more resources to violate their rights. We are here to protect private property rights of American citizens. We must reject this amendment, and rather than striking the provisions directly, which my colleagues could have done, they are offering limitation amendments that would prohibit funds to enforce those same provisions. Let's not do this.

I urge my colleagues to oppose this amendment. Let's not trample on the rights of American citizens.

□ 1015

Mr. DIAZ-BALART. I yield back the balance of my time.

Ms. LEE. Mr. Chairman, I yield the balance of my time to the gentleman from South Carolina (Mr. SANFORD).

Mr. SANFORD. Three quick points. If you follow this logic, then no American plane should fly into Saigon, no American plane should fly into China, no American plane should fly into Russia, because indeed property was confiscated at the time of the Russian revolution, the Chinese taking, or, for

that matter, what happened in Vietnam. There are American properties there.

This is not about American property rights. This is about legalistically trying to undo that which has been changed.

The other thing it is about is, again, legalism. What the bill actually says is if a boat docks in the previous 180 days within 7 miles of a port or property where there may be land somewhere connected.

This is a legalistic attempt to undo what the President has proposed.

The Acting CHAIR. The time of the gentlewoman from California has expired.

Mr. PRICE of North Carolina. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. PRICE of North Carolina. Mr. Chairman, I move to strike the last word in order to express my strong support for this amendment and my appreciation to our colleague from California for offering it.

Mr. Chairman, I yield to the gentleman from California (Mr. FARR).

Mr. FARR. I thank the gentleman for yielding.

Mr. Chairman, this is the bill, and the language that we are trying to strike out reads: ''None of the funds made available in this Act may be used to facilitate new scheduled air transportation originating from the United States if such flights would land on, or pass through, property confiscated by the Cuban Government, including property in which a minority interest was confiscated, as the terms confiscated, the Cuban Government, and property are defined in'' the paragraphs below.

This is just a job killer for Americans. We have a hundred thousand Americans who are visiting Cuba illegally. You know how they get there? They go to Mexico. Who gets the business? Mexican airlines. They go to Canada. Who gets the business? Canadian airlines. Or, any other country in the world that has normal travel relationships with Cuba.

You are just cutting off the ability for American enterprise to get access to Cuba, where everybody wants to go, because there are family feuds going on here, because it is including property which has a minority interest.

How are the airlines, how are the people going to decide what property has been confiscated, who is the ownership title? Those are big legalistic problems in the United States when we confiscate property to build freeways or railways.

This amendment really screws up the ability for America to be involved in a business that Americans want to do. They want to travel. Censorship of American travel—this is just ridiculous in these days.

What is the message to the world? Do we prohibit our citizens from going to countries that are communist countries? You can go to Vietnam, China, and Russia, but you can't go to Cuba because there is a lot of feuding going on in Florida.

In fact, Florida is going to benefit from this because where are the airports that these scheduled airlines are going to leave from? They are Tampa, they are Miami, the businesses in your State.

So if you want to give American jobs to Americans, and you want commerce to occur, and you don't want to continue this censorship of Cuba, then vote for this amendment.

Mr. PRICE of North Carolina. I yield to the gentlewoman from California (Ms. LEE).

Ms. LEE. A couple of points I would just like to make.

First of all, confiscated property 50 years-plus ago should be part of negotiations in terms of bilateral discussions as it relates to normalizing relations with Cuba. What is in this bill right now is what we have indicated, and which is why we offer this amendment.

This bill prohibits Americans from traveling to Cuba. It eliminates jobs in America, and it eliminates economic growth through our maritime industry and our airline industry.

Once again, all of the issues that occurred 50 years ago are subject to discussion based on any bilateral negotiations taking place.

Mr. PRICE of North Carolina. Could I inquire how much time is remaining?

The Acting CHAIR. The gentleman from North Carolina (Mr. PRICE) has 45 seconds remaining.

Mr. PRICE of North Carolina. I yield to the gentleman from South Carolina (Mr. SANFORD).

Mr. SANFORD. I thank the gentleman for yielding.

I would just make three last points. As was correctly pointed out by my colleague from California, indeed this is about American jobs. It indeed is about, again, this larger notion of private property rights.

I would stand my private property rights record up to anybody. I believe strongly in private property rights and legal code, which is why Ms. LEE is correct: should there be bilateral relations between Cuba and the United States, this would be part of that discussion.

But the idea of creating a legal hurdle for an airline not to be able to fly from Miami or Tampa to Havana—and instead, those jobs go to other places around the globe—makes no sense to me.

Finally, I would simply say this. We have tried 50 years of one policy, and it hasn't worked. It was Ronald Reagan who encouraged travel to the Eastern Bloc countries. I think it would make sense in this instance.

The Acting CHAIR. The time of the gentleman from North Carolina has expired.

Mr. DIAZ-BALART. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman from Florida is recognized for 5 minutes.

Mr. DIAZ-BALART. Mr. Chairman, we have heard a lot of things that, by the way, you will notice, at very few times actually deal with language in the mark, the language in the bill. By the way, for example, that this is going to hurt American jobs.

To argue, Mr. Chairman, that American companies will benefit from trafficking in stolen property that was stolen from American companies I think is probably the definition of an oxymoron, number one.

Number two, there is a lot of obfuscation. The language in the bill doesn't say that Americans can't travel. The language says that they cannot use trafficking in, make a profit from, property that was stolen from Americans. Stolen from Americans.

So I understand that the gentleman says that his property rights record is as good as any, but, Mr. Chairman, the language in the bill deals with a specific issue, and one specific issue alone: Should we condone, should we allow, should we permit, should we encourage the trafficking, the profiting from stolen property—property that was confiscated from Americans, whether there are certified claims or not.

If you support this amendment, Mr. Chairman, you are saying it is okay for folks to traffic in property that was stolen from Americans, illegally stolen from Americans. I think, frankly, that is a sad day.

Mr. Chairman, I yield to the gentleman from Florida (Mr. CURBELO).

Mr. CURBELO of Florida. I thank the chairman for yielding.

Mr. Chairman, it is fascinating to come here to the floor and listen to colleagues who struggle to support free trade agreements with our allies come to the floor and advocate for expanded trade with one of our enemies, taking advantage of properties stolen from American citizens.

I heard that we have a personal interest in this matter—and I do. I am an American citizen. I was born here. And I want to do justice by American property owners.

Shouldn't we resolve these 8,818 claims before proceeding? Shouldn't we do justice by these families, these businesses whose property was stolen with no due process, with no hearing by the Castro government?

Whose side are we on, Mr. Chairman? That is the question here. As Americans, do we want to be on the side of those who were aggrieved by a tyrannical regime—American citizens—or do we want to reward that regime by allowing others now to profit over those

stolen properties? That is the question that we need to ask ourselves today.

This is not about travel. No one is here advocating for restricting travel to Cuba. Many people travel to Cuba today legally, and that would not change. But I cannot stand for violating the property rights of my fellow American citizens.

Mr. DIAZ-BALART. Mr. Chairman, again, before I yield back, as Mr. CURBELO just mentioned, this is not an issue of travel. This is not an issue of the overriding policy. This is not an issue of even arguing whether President Obama has been a good negotiator or a horrible negotiator on anything. This is about whether we want to condone, permit, accept, in violation of everything that the United States stands for, the trafficking of stolen property, property illegally confiscated from American citizens.

If you support this amendment, Mr. Chairman, you are supporting, you are condoning, you are assisting, you are helping trafficking and the profiting on property that was stolen from Americans.

This cannot stand. This should not stand. I would respectfully ask for a ''no'' vote on this amendment, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from California (Ms. LEE).

The question was taken; and the Acting Chair announced that the ayes appeared to have it.

Mr. DIAZ-BALART. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentlewoman from California will be postponed.

AMENDMENT OFFERED BY MR. POSEY

Mr. POSEY. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), insert the following:

SEC. 416. None of the funds made available by this Act may be used by the Department of Transportation to take any actions with respect to the financing of a new passenger rail project that runs from Orlando to Miami through Indian River County, Florida.

The Acting CHAIR. Pursuant to House Resolution 287, the gentleman from Florida and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Florida.

Mr. POSEY. Mr. Chairman, All Aboard Florida was presented as a private passenger rail project that would run from Miami to Orlando, and vice versa, along Florida's east coast.

The project was initially sold to the public as the first privately funded and operated passenger train. However, that story soon changed, as All Aboard Florida decided to pursue a $1.6 billion loan from the Department of Transportation. Apparently, because the loan requires a strict Environmental Impact Statement to be completed, All Aboard Florida decided to also apply for $1.75 billion in tax-exempt private activity bonds from the Department of Transportation.

□ 1030

The U.S. Department of Transportation has moved to green light this financing option, even though they have absolutely no statutory authority to do that, and the environmental impact study has yet to be completed. We don't even know if the project is safe or feasible yet.

Furthermore, these trains will move through our small beach towns at speeds of up to 110 miles per hour, with virtually no—none, nada—buffer separating it from our communities.

All Aboard Florida envisions 32 trains running per day, on top of 20 freight trains. That is a lot of traffic. Given how close this track is to our adjacent roads and surrounding neighborhoods, obviously, there are serious safety concerns. Why should you ask taxpayers to be on the hook for this train?

I ask my colleagues to join me in supporting my amendment to stop the Department of Transportation from funding this train.

I reserve the balance of my time.

Mr. PRICE of North Carolina. Mr. Chairman, I claim the time in opposition.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. PRICE of North Carolina. Mr. Chairman, I yield to my colleague from Florida (Ms. BROWN).

Ms. BROWN of Florida. Mr. Chairman, here we go again, trying to destroy passenger rail in this country. I don't understand why Republicans refuse to support transportation infrastructure.

Let me tell the gentleman from Florida that our competition is not Georgia, and it is certainly not Alabama. It is Europe. It is Japan. It is China. The people in Florida support All Aboard Florida. This is a system that will go from Orlando to Miami. The studies indicate it is an economic boom to our State.

I just for the life of me don't understand why, without vision, the people perish? Why is it that you can go to Europe and you can get on a train to go from London to Paris—2 hours, 1 hour and 15 minutes—and we don't want that same system here?

Our competition is spending close to 8 percent—8 percent—of their economics for passenger rail, and we fight about 1 percent; yet we can spend close to $300 billion for tax breaks; yet we don't even want to encourage public-private partnerships.

Shame on you. The people in Florida need to be able to move around our State, and this is not just a Florida issue; it is a national issue. Here we are, $2 billion that could fix Amtrak; yet we can do a tax break for close to $300 billion and don't pay for it. I don't understand.

What is wrong with the people's House? Why is it that we don't support transportation infrastructure? This is not just a Florida issue. When we had 9/11, Amtrak was the only entity that was moving people. When we had Katrina, we had over 3,000 people die because they couldn't move around the area.

We need a train that leaves New Orleans to go to Orlando and on down to Miami. That is the future.

Shame on you.

The Acting CHAIR. Members are advised to address their remarks to the Chair and not to other Members in the second person.

Mr. PRICE of North Carolina. Mr. Chairman, I yield back the balance of my time.

Mr. POSEY. Mr. Chairman, shame on me for asking the Department of Transportation to follow the law, respect the Constitution of the United States, and make economically sound decisions.

This is not a partisan issue, in response to that allegation. In September, I wrote the GAO, along with my colleague from Florida, Representative PATRICK MURPHY, asking them to study the project to ensure taxpayer funds were not at risk.

A recent independent economic analysis conducted by Dr. John Friedman concludes that, even under all optimistic assumptions, AAF will generate losses of more than $100 million and will be unable to service its debt burden. Dr. Friedman has a Ph.D in economics, is a distinguished Brown University professor and former Economic Council special assistant in the current Obama administration.

The Department of Transportation has been unable to explain where they get their authority to authorize bonds for this project. That is because they don't have any authority. They say title 23 funding has been given to the project in the past, which could trigger the bond authority, but have been unable to state where title 23 funds were ever spent, on what projects, and when.

This is just common sense. Now, it might not make some congressional sense to some people, but this is common sense and a simple ask that the Department of Transportation follow the law and not violate the law to help a special interest and put the taxpayers on the hook for $1.75 billion.

I ask my colleagues to join me in supporting this amendment, Mr. Chairman.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Florida (Mr. POSEY).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. POSEY. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Florida will be postponed.

AMENDMENT OFFERED BY MR. GALLEGO

Mr. GALLEGO. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill, before the short title, insert the following:

SEC. ___. None of these funds made available by this Act may be used by the Federal Aviation Administration (FAA) to redesign the Phoenix Metroplex regional airspace.

The Acting CHAIR. Pursuant to House Resolution 287, the gentleman from Arizona and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Arizona.

Mr. GALLEGO. Mr. Chairman, I rise to offer an amendment that would prevent the FAA from moving forward with plans to redesign the Phoenix metroplex airspace. Let me explain why it is important to my city.

Imagine living in a quiet neighborhood, then waking up one morning to discover dozen of planes suddenly have been roaring over your head. Next, imagine the frustration of running a business, raising a family, or even trying to get a good night's sleep when your windows are constantly rattling because of the noise of passing aircraft.

Finally, imagine that all of this discomfort was both needless and avoidable, that it was caused by out-of-touch bureaucrats who rerouted major flight paths over your community without bothering to consult the people that live there.

Unfortunately, for thousands of Phoenix residents, this is not a hypothetical situation. In September of last year, the FAA instituted new flight paths for the aircraft departing from Phoenix Sky Harbor International Airport, without any notice for anybody, without any notice to our neighbors. For too many members of my community, these changes have meant more noise and a lower quality of life.

Disturbingly, the FAA altered these flight paths without seeking local input, failing to consult with the community members or civic leaders in the Phoenix area. Not only that, but the FAA also failed to provide a report that was mandated by the previous Congress on Sky Harbor on last year's FAA bill about how it planned to do and change with the patterns. It is now more than 2 months overdue, with no response yet from the FAA.

Mr. Chairman, this isn't how our government is supposed to run, and this is not how the FAA is supposed to operate.

I yield the balance of my time to the gentleman from Arizona (Mr. SCHWEIKERT).

Mr. SCHWEIKERT. Mr. Chairman, I thank Representative GALLEGO. I appreciate that.

Let's put some facts around this. Phoenix Sky Harbor International Airport is the tenth busiest airport in the United States, but we have something that is a little unique—and think about this because this is coming to your neighborhood, too.

We actually have a downtown airport. Our city grew up around an airport, so it makes traffic patterns and the mechanics dealing with it quite unique. Also, our big county has about 4.2 million people in it. It is either the third or fourth most populous county in the United States—so a huge population. Remember, Arizona has been attributed as the most urbanized State in the country.

I have a downtown airport, and then the FAA goes and starts to change the flight patterns. When it becomes one of the biggest issues at all of our congressional offices, they are arrogant; they don't return calls. We point out the fact that they are violating last year's law, and they just grin at you and then walk out of the meetings with this sort of arrogant vanity.

This is the process we, as Members—and remember, there are seven congressional districts that touch this Phoenix metroplex area that all care about this. This is our opportunity to at least get our voices heard.

I am going to ask the chairman, please consider what is happening to 4.2 million people in the Phoenix area. The fact of the matter is there is well-established corridors where you don't have to have the effects on the neighborhoods, and we can still be moving to the NextGen if I could find someone at the FAA who would actually listen to our concerns.

Just to finish, this amendment is very straightforward. It would just simply ensure the FAA does not proceed with the redesign of the regional airspace around Phoenix Sky Harbor International Airport until these issues are resolved in the local neighborhoods.

Experts tell us that if the flight paths in Phoenix are eventually altered, then the entire metroplex airspace will also need to be revisited. By asking them to slow down, consider the overall effect of what is happening now, we are actually going to do them a favor by not having them to revisit it later on.

Instead of rushing forward, the FAA should do the prudent thing and wait until our communities' concerns have been fully addressed.

In closing, let me just offer a word of warning. For those of you who think this is exclusively a Phoenix problem, just wait because your city could be next, and then you will be dealing exactly with the same FAA relationship that we are dealing with right now, someone who is not responsive to the concerns of both the local politicians, the Members of Congress, and the citizens.

Mr. GALLEGO. I yield back the balance of my time.

Mr. JOYCE. Mr. Chairman, I claim the time in opposition.

The Acting CHAIR. The gentleman from Ohio is recognized for 5 minutes.

Mr. JOYCE. Mr. Chairman, I would be concerned about the unintended consequences of the amendment. We don't know all the potential impacts of this amendment, from safety to capacity to local economics.

While I sympathize with both these gentlemen and I pledged to work with the gentleman and his community and the FAA to find a resolution, we have made an effort in this bill not to legislatively direct specific flight restrictions on flight paths.

I urge a ''no'' vote.

Mr. PRICE of North Carolina. Will the gentleman yield?

Mr. JOYCE. I yield to the gentleman from North Carolina.

Mr. PRICE of North Carolina. I thank the gentleman for yielding. I simply want to add—or to reiterate, I might say—that our subcommittee's fiscal year '15 report required the FAA to work with the Phoenix community on this issue and to report back to the committee on these efforts. We are still waiting for that report.

Again, let me reiterate what I said earlier. The FAA must be more proactive in responding to concerns that are raised by communities. These are legitimate concerns, and the FAA needs to be accountable.

Mr. JOYCE. Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Arizona (Mr. GALLEGO).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. SESSIONS

Mr. SESSIONS. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill, before the short title, insert the following new section:

SEC. 416. None of the funds made available by this Act shall be used to support Amtrak's route with the highest loss, measured by contributions/(Loss) per Rider, as based on the National Railroad Passenger Corporation Fiscal Years 2014-2018 Five Year Plan from April 2014.

The Acting CHAIR. Pursuant to House Resolution 287, the gentleman from Texas and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Texas.

□ 1045

Mr. SESSIONS. Mr. Chairman, my amendment is very straightforward. It would eliminate funding for the absolute worst performing line at Amtrak, the Sunset Limited, which runs from New Orleans to Los Angeles.

The Amtrak Reform and Accountability Act of 1997 required that Amtrak operate without any Federal operating assistance after 2002. I have since then offered this amendment each year.

Amtrak was supposed to be free of Federal operating subsidy; yet despite this commonsense requirement that Amtrak cease their fiscal irresponsibility and mismanagement, instead, they turned to continuing this line that costs the taxpayers $405.67 for every single ticket that is bought, for every single trip. That is $405.67 to subsidize the travels of passengers from New Orleans to Los Angeles, a trip that takes nearly 48 hours, assuming the train is on time.

I believe this is exceedingly unlikely also because it has a terrible record of being on time. According to Amtrak's most recent monthly performance report, the Sunset Limited was only on time 42 percent of the time; yet 100 percent of the $405 was paid for the ticket.

This places the Sunset Limited as one of the top 10 worst ontime routes for any of Amtrak's routes in its latest performance report.

Perhaps, Mr. Chairman, taxpayers should be happy when the train is not running, but not running on time, and the cost to the taxpayer is prohibitive. Why does it run this route when Amtrak loses an average of $41 million a year?

Mr. Chairman, my amendment is simply to help Amtrak make the tough decisions that they appear to be incapable of doing themselves. I think it is the first step to instilling a small measure of fiscal discipline in Amtrak. Failure to do so will only continue Amtrak along this process rather them being a north-south provider on both coasts.

I hope my colleagues will join me. Certainly, I know they are taxpayer advocates that believe as I do. I urge all my colleagues to support this amendment and the underlying legislation.

I reserve the balance of my time.

Mr. PRICE of North Carolina. Mr. Chairman, I claim the time in opposition.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. PRICE of North Carolina. Mr. Chairman, I rise in opposition to this amendment. Our colleague from Texas has offered amendments like this in the past, an attempt to micromanage Amtrak from the floor of the House. I don't think it is a good idea.

We had a vigorous debate last night on the importance of investing in inner city passenger rail. Of course, he will get no quarrel from me or other colleagues, I suspect, in arguing for improved service and arguing for making the service more attractive.

What we are dealing with here—and have been through this whole debate—is a number of colleagues who simply want to defund passenger rail in this country, overlooking the fact that every mode of transportation is subsidized to some degree and that the national interest requires diverse modes of transportation.

Colleagues seem intent on singling out passenger rail for elimination, and we have had amendments offered to this bill that would do just that.

This one is more about micromanagement. It is more about a specific route, the Sunset Limited. This would eliminate the Sunset Limited's long-distance route. It serves communities along the southern tier of the United States. Actually, it serves more than 300,000 passengers annually in five States: Louisiana, Arizona, Texas, New Mexico, and California.

It is no way to run a railroad, if I might say so, and I urge rejection of the amendment.

I yield back the balance of my time.

Mr. SESSIONS. Mr. Chairman, that is 300,000 times $405.67 for every single ticket.

I am not trying to micromanage, nor am I trying to kill Amtrak. I vote for Amtrak; I am for Amtrak, but they also want more and more and need more and more resources to help in their north-south line in the East Coast and the West Coast.

What they are doing is bleeding off their hard-earned money, using the subsidy rather than doing what their original mission should be.

Mr. Chair, I think I support all of Amtrak, and I am for it. This is not micromanaging. It is showing them the obvious things which they need to accomplish.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Texas (Mr. SESSIONS).

The question was taken; and the Acting Chair announced that the ayes appeared to have it.

Mr. PRICE of North Carolina. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Texas will be postponed.

AMENDMENT OFFERED BY MS. MAXINE WATERS OF CALIFORNIA

Ms. MAXINE WATERS of California. Mr. Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), insert the following:

SEC. ____. None of the funds made available by this Act may be used to carry out section 210 of this Act with respect to the Housing Authority of the county of Los Angeles, California.

The Acting CHAIR. Pursuant to House Resolution 287, the gentlewoman from California and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from California.

Ms. MAXINE WATERS of California. Mr. Chairman, I rise to offer an amendment that removes the exemption that the Housing Authority of the County of Los Angeles currently has from the requirement to have a resident of public housing or Section 8 on its governing board.

I am offering this amendment because I have learned that HACoLA is not in compliance with requirements outlined in this exemption, which has directly resulted in a lack of meaningful engagement by residents of the housing authority on important policy issues affecting the effectiveness of the programs that it administers.

In 1998, Congress passed a law requiring that the governing body of a public housing authority must include at least one member who is directly assisted by the housing authority. This provision was an important recognition of the need for the perspective and participation of tenants in the governance of public housing authorities. It is as simple as that.

Mr. Chairman, I ask for an ''aye'' vote, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from California (Ms. MAXINE WATERS).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. SESSIONS

Mr. SESSIONS. Mr. Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill, before the short title, insert the following new section:

SEC. 416. None of the funds made available by this Act shall be used to support any Amtrak route whose costs exceed 2 times its revenues, as based on the National Railroad Passenger Corporation Fiscal Years 2014–2018 Five Year Plan from April 2014.

The Acting CHAIR. Pursuant to House Resolution 287, the gentleman from Texas and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Texas.

Mr. SESSIONS. Mr. Chairman, once again, I stand in trying to help Amtrak to effectively manage its system by taking away those routes that are cost prohibitive.

Mr. Chairman, my amendment would eliminate funding for Amtrak's long-distance routes, which have total direct costs that are more than twice the revenue that they generate. Every single long-distance route that Amtrak

provides—those of over 400 miles in length—operates at a loss every month. Eleven routes cost double the amount of revenue they create.

Oh, by the way, Mr. Chair—and this is true since 1997 when I came to Congress—these routes are ineffective and waste valuable taxpayer money, as well as money that could be used in the system for highly used routes for the safety and security of their passengers on north-south routes.

Some argue that many travelers cannot afford to fly and they need a less expensive travel alternative. However, for most of these routes, bus tickets and plane tickets are less expensive, more efficient, and more frequently on time.

Combined, these 11 routes cost the American taxpayer about $500 million in fiscal year 2014 alone. Four lines cost over $50 million each. I think it is clear that government-subsidized rail service on Amtrak does not make economic sense if they have enough money to bleed off $500 million with routes that cost twice in expense what they generate in revenue, so I am offering this amendment again.

I urge all of my colleagues to support this amendment and the underlying legislation, and I reserve the balance of my time.

Mr. PRICE of North Carolina. Mr. Chairman, I claim the time in opposition.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. PRICE of North Carolina. Mr. Chairman, I rise in opposition to this amendment offered by our friend from Texas. This amendment outdoes his last one.

We are now talking about eliminating nine routes, with a total ridership of over 2 million people: the Cardinal and Capitol Limited routes from D.C. to Chicago, through West Virginia, Pennsylvania, Kentucky, Ohio, Indiana; the Southern Crescent, New York City to New Orleans; the Coast Starlight, along the coast of California, Oregon, and Washington.

To elaborate further on our opposition, I yield 2 minutes to the gentleman from Oregon (Mr. BLUMENAUER).

Mr. BLUMENAUER. I appreciate the gentleman's courtesy. I appreciate him referencing the Coast Starlight.

This is a self-fulfilling prophecy. Congress has created a difficult situation for Amtrak, consistently shortchanging maintenance and capital.

As my good friend from North Carolina points out, all modes of transportation in this country are subsidized by the public. Amtrak is no exception. It provides a variety of services for people.

We are watching on the West Coast ridership increase. It provides an important opportunity for businesspeople. If you talk to businesspeople in Seattle, in Portland, they would say they would like the Federal Government to invest more. It has made a big difference for how they conduct business.

Part of the strength is having a network. Make no mistake, we are, in fact, going to have a passenger rail network in the United States, despite consistent efforts to chop away and minimize it.

China, 6 years ago, had no high-speed rail. Today, they are moving more passengers than the entire air fleet in the United States. We will have higher speed rail, but the question is whether we are going to build on what we have got—American built, American managed—or we will wait until it deteriorates, gets so bad that we end up with a design-build to China, paying more, shipping the profits and the work overseas.

I would suggest it is far better to protect what we have now, build on the progress, not undo the network, and most certainly reject this amendment.

Mr. PRICE of North Carolina. I thank the gentleman.

I yield the balance of my time to the gentleman from Ohio (Mr. JOYCE).

Mr. JOYCE. I oppose the gentleman's amendment. This amendment has far-reaching implications, and it would shut down 9 of 15 long-distance routes.

I do not believe that an appropriations bill is the place to do this. This would need to be carefully debated and discussed by the committee of jurisdiction.

For these reasons, I urge a ''no'' vote on the amendment.

Mr. PRICE of North Carolina. I yield back the balance of my time.

Mr. SESSIONS. Mr. Chairman, look, I made a mistake. I came here from business. I came here as somebody that had to operate within the bounds of common sense and doing things that made sense with money and opportunities.

I will just say to you, Mr. Chairman, I am going to stay after this issue. I am all for Amtrak, but not when they continue to have routes that cost twice what the revenue is.

This is what our airlines did for a long time. They provided service, and they went broke, and then we want to turn around and say we are going to subsidize the airlines. Marketplace ideas work, and that is why we are a capitalist country.

I urge my colleagues to think over this commonsense amendment.

I yield back the balance of my time.

□ 1100

The Acting CHAIR. The question is on the amendment offered by the gentleman from Texas (Mr. SESSIONS).

The question was taken; and the Acting Chair announced that the ayes appeared to have it.

Mr. PRICE of North Carolina. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Texas will be postponed.

AMENDMENT OFFERED BY MR. SCHIFF

Mr. SCHIFF. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill, (before the short title), insert the following:

SEC. ____. None of the funds made available by this Act shall be used to enforce section 47524 of title 49, United States Code, or part 161 of title 14, Code of Federal Regulations, with regard to noise or access restrictions or to enforce section 47107 of title 49, United States Code, with regard to access restriction on the operation of aircraft by the operate of Bob Hope Airport in Burbank, California.

Mr. SCHIFF (during the reading). Mr. Chair, I ask unanimous consent to dispense with the reading.

The Acting CHAIR. Is there objection to the request of the gentleman from California?

There was no objection.

The Acting CHAIR. Pursuant to House Resolution 287, the gentleman from California and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California.

Mr. SCHIFF. Mr. Chairman, I rise today to urge my colleagues to support the amendment that I am offering along with my southern California colleague, Mr. SHERMAN.

The amendment would allow the Burbank Bob Hope Airport to implement a nighttime curfew between 10 p.m. and 7 a.m. and restore local control to the community that has been denied to them for decades.

Thousands of residents of southern California's San Fernando Valley who live under the flight paths or near the terminals at the Bob Hope Airport endure the house-shaking noise of air traffic during the day and suffer the jarring interruption of their sleep that is caused by a roaring jet taking off or landing.

I want to also distinguish this measure. I know my colleagues have heard some other curfew measures today, and without detracting from them, I want to point out that the facts of this one are quite different. This is, I think, a unique case in the case of Burbank airport.

When Congress passed the 1990 Airport Noise and Control Act, ANCA, it intended to permit airports to implement noise restrictions if they met certain requirements. At that time, Congress exempted several airports from the law's requirements for FAA approval of new noise rules if they had preexisting noise rules in effect to address local concerns. So airports were grandfathered in when ANCA was passed; but because of a mistake, Bob

Hope Airport, which had a curfew in place, did not get grandfathered in.

The Bob Hope Airport in Burbank was one of the first airports in the country, in fact, to impose a curfew and has a long history of curfews but, unfortunately, was not given the protection of the grandfather provision of ANCA that several other similar airports received. This amendment would correct this inequity and put Bob Hope on the same footing as several other airports across the country that had curfews before ANCA's passage.

It doesn't set a precedent in terms of other airports, and this would be uniquely confined to the situation involving Bob Hope. By correcting the omission of not allowing Bob Hope Airport to implement on a permanent and mandatory basis curfew which it had, in effect, informally in the 1980s, we would return local control to the community that has sought it for years.

It is also important for my colleagues to understand the impact this will have on aviation in southern California. There will be no impact on commercial flights—zero. Almost all commercial airlines already voluntarily abide by the voluntary curfew at Bob Hope, and the impact on general aviation will be limited to two nighttime landings. The impact, however, will be significant for people trying to get sleep that are disrupted by those small number of flights.

Mr. Chairman, I urge my colleagues to support this.

Mr. Chairman, I yield 1 minute to the gentleman from southern California (Mr. SHERMAN), my colleague.

Mr. SHERMAN. Mr. Chairman, I thank the gentleman for putting forward this amendment.

Bob Hope is a local neighborhood airport. Only through a technicality was it denied a curfew. All the commercial carriers already adhere to that curfew. We have a handful of nighttime flights that could easily go through one of the larger airports in the Los Angeles area.

Mr. Chairman, this amendment is a good balance between the needs for commercial aviation on the one hand and the need to sleep on the other.

Mr. SCHIFF. Mr. Chairman, I just want to make one final point. This amendment had bipartisan support last year. It came within just three or four votes of passage. Because of the unique situation facing the Burbank Airport, I would urge unique consideration of correcting the injustice when Bob Hope was not grandfathered as it should have been.

Mr. Chairman, I urge support of the amendment, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from California (Mr. SCHIFF).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. SCHIFF. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from California will be postponed.

AMENDMENT OFFERED BY MR. POSEY

Mr. POSEY. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), insert the following:

SEC. 416. None of the funds made available by this Act may be used by the Department of Transportation to authorize exempt facility bonds to finance passenger rail projects which do not use vehicles that are reasonably expected to be capable of attaining a maximum speed in excess of 150 miles per hour between scheduled stops as defined in section 142 of title 26, United States Code.

The Acting CHAIR. Pursuant to House Resolution 287, the gentleman from Florida and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Florida.

Mr. POSEY. Mr. Chairman, exempt facility bonds are special tax-exempt financing instruments designed to help raise funds for important infrastructure projects like airports, waste management facilities, highways, and other transportation needs.

In fact our current law, 26 U.S.C. Section 142, clearly lists 15 specific categories of projects that can receive financing through the use of exempt facility bonds.

One area where the law restricts the ability of the Department of Transportation to authorize exempt facility bonds is to finance passenger rail, which it limits to high-speed rail that can reasonably attain the speed of 150 miles per hour between stops. Yet the Department of Transportation has decided to ignore the law and authorize bonds for projects that clearly do not qualify.

Whatever views Members have on passenger rail, my amendment would simply ensure that the Department of Transportation follows the law in authorizing the use of tax-exempt bonds, and I urge my colleagues to support this commonsense amendment.

Mr. Chairman, I reserve the balance of my time.

Mr. DIAZ-BALART. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from Florida is recognized for 5 minutes.

Mr. DIAZ-BALART. All in Florida received a private activity bond allocation to issue these bonds. There is no provision in this particular section of U.S. Code that requires a passenger rail project to achieve 150 miles per hour. This amendment would prevent DOT from taking any potential further steps on this very, very important project. If for some reason, let's say the project needed a small extension, DOT could not process it.

Now, the passenger rail line that would link Miami to Orlando, frankly, is an important project to the State of Florida and one that I fully support, Mr. Chairman. We have to remember it is being done by the private sector. So I don't think that we should be looking at creating any unnecessary restrictions, any barriers or uncertainty for this project as it moves forward. It is a project—potentially, I think, the first of its kind in the country—where you have the private sector assuming most, if not almost all, of the risk. You have the private sector who is going to be involved in it. The numbers can't be made up, cooked or anything, because it is the private sector who is doing this and who will ultimately be held accountable by their shareholders.

Mr. Chairman, I respectfully ask for a ''no'' vote on this amendment, and I yield back the balance of my time.

Mr. POSEY. Mr. Chairman, with all due respect, there is nothing in this amendment that adds any restrictive impediments whatsoever. It only requires that the Department of Transportation follow the law when they allocate these funds.

Although this is being called a private project, the taxpayers will be on the hook for over $1.7 billion—that is $1.7 billion. So I think it is important in the interests of protecting our taxpayers, certainly, that we make sure the Department of Transportation follows the law.

If there weren't a propensity already demonstrated not to follow the law, then I would not have to bother with this amendment. But it is clear there are some intentions to violate the provisions of the law and do things that they are not authorized to do. That is why I urge my colleagues to support this commonsense amendment to bring accountability and protect taxpayers for $1.7 billion.

Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Florida (Mr. POSEY).

The question was taken; and the Acting Chair announced that the ayes appeared to have it.

Mr. DIAZ-BALART. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Florida will be postponed.

AMENDMENT OFFERED BY MR. BLUMENAUER

Mr. BLUMENAUER. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill, before the short title, insert the following:

SEC. ___. The amount otherwise provided by this Act for necessary expenses for the ''Department of Transportation, Office of the Secretary, Salaries and Expenses'' is hereby reduced by $1.

The Acting CHAIR. Pursuant to House Resolution 287, the gentleman from Oregon and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Oregon.

Mr. BLUMENAUER. Mr. Chairman, my heart goes out to the chairman and ranking member for the task that they have been given. People have appropriately condemned and opposed many of the provisions. As people dig into the bill, the more they see, the worse it looks: slashing TIGER grant funding, no funding for high-speed rail, cutting Amtrak, and overall reductions. No wonder it has drawn a veto threat. But it is definitely not the fault of the committee. They have been given an impossible task. They have been requested to finance the Federal Government's transportation responsibilities in 2015 with 1993 dollars.

Our country is falling apart while we are falling behind the rest of the world. We are of a generation when some of us can remember the United States having the finest infrastructure in the world. We had rail passenger service, airlines, superb highways and transit. Those days have long since passed. We are watching the deterioration of transit. The squabbling here over Amtrak is really dealing with a failing system because it is a symptom of our inability to invest in the future—just one, but a very glaring symbol.

Sadly, Mr. Chairman, in the 55 months that my Republican friends have taken over Congress, we have not had a single hearing in the Ways and Means Committee, on which I serve, for our responsibility for funding transportation. We have not increased the gas tax in 22 years.

Mr. Chairman, in the last 6 months, six Republican States have raised the gas tax, and we can't even have a hearing on a proposal that is supported by the U.S. Chamber, by the AFL–CIO, by the AAA, the truckers, contractors, transit, bicyclists, and everybody in between. As a result, we continue to limp along.

What did we do late last month? We extended the transportation funding for the 33rd time on a short-term basis. What country ever became great building its infrastructure 6 months at a time? We will be dealing with this in another 2 months.

Mr. Chairman, I would suggest that we deal with this bill as best we do, because it is not adequate. I am going to oppose it. But the bill is a symptom of the failure of my Republican colleagues to face what other entities have done, including red Republican States.

Why don't we come back next week and put the Ways and Means Committee to work for a week, inviting in the people who build, maintain, and use our infrastructure, listen to them, let the committee do its work, and come up with a proposal that will adequately fund our infrastructure?

□ 1115

Then we can have the authorizing committee not mess around with a couple of months' extension but get down to work to fashion a 6-year, comprehensive transportation bill that will put hundreds of thousands of people to work in communities all across the country, making them more livable, making our families safer, healthier, and more economically secure.

We shouldn't be caught in this trap of our own making. Let's step up, invest in the future, and do our job.

Mr. Chair, I ask unanimous consent to withdraw my amendment.

The Acting CHAIR. Is there objection to the request of the gentleman from Oregon?

There was no objection.

The Acting CHAIR. The amendment is withdrawn.

AMENDMENT OFFERED BY MR. POSEY

Mr. POSEY. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), insert the following:

SEC. 416. None of the funds made available by this Act may be used by the Department of Transportation to make a loan in an amount that exceeds $600,000,000 under title V of the Railroad Revitalization and Regulatory Reform Act of 1976 (45 U.S.C. 821 et seq.).

The Acting CHAIR. Pursuant to House Resolution 287, the gentleman from Florida and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Florida.

Mr. POSEY. Mr. Chairman, the Railroad Rehabilitation & Improvement Financing program, or RRIF program, provides direct loans and loan guarantees to finance the development of railroad infrastructure. Under the program, the Federal Railroad Administration is authorized to provide direct loans and loan guarantees of up to $35 billion to finance development of railroad infrastructure.

Since 2002, the Federal Railroad Administration has made 35 loans which demonstrate the importance of this program to our Nation's railroads. No doubt about that. However, only five of these loans have ever met or exceeded $100 million. Two of those were to Amtrak. In fact, prior to this year, the largest RRIF loan ever made was to Amtrak in 2011 for $562 million.

My amendment ensures funds are spent responsibly on viable railroad projects and taxpayer risk is minimized by limiting loan amounts to $600 million.

I urge my colleagues to support my fiscally responsible amendment.

I reserve the balance of my time.

Mr. DIAZ-BALART. Mr. Chair, I claim the time in opposition.

The Acting CHAIR. The gentleman from Florida is recognized for 5 minutes.

Mr. DIAZ-BALART. Mr. Chairman, this amendment prohibits the Department of Transportation from making a Railroad Rehabilitation & Improvement Financing loan that exceeds $600 million, as the chairman said.

Now, I know that $600 million, frankly, is a lot of money, and it sounds like a lot of money because it is; but when we are dealing with financing of railroad projects, it is just really not. This low loan ceiling is way too restrictive, and it would eliminate valuable projects, by the way, including some safety projects from being even considered for a loan. It has really far-reaching effects, and it could impact, frankly, every railroad entity in America. For example, there are railroads that are using this RRIF loan for positive train control—for positive train control.

So, again, it is unduly restrictive. I think it could have some far-reaching, negative effects. So I would respectfully ask for a ''no'' vote. I cannot support this amendment.

Mr. Chairman, I yield to the gentleman from North Carolina (Mr. PRICE).

Mr. PRICE of North Carolina. Mr. Chairman, I thank the subcommittee chairman for yielding.

I simply want to underscore his opposition to this amendment. It would block Amtrak's loan request for $2.5 billion for new Acela high-speed train sets. This loan would make it possible to upgrade Amtrak's best and most profitable service, but one that is severely stressed.

We need to remind ourselves that the cars in which people died in Philadelphia were 40 years old. We desperately need the kind of investment that this loan would make possible. As the chairman has stressed, this may turn out to be the way that we can fund positive train control. It may be the only way, given other limitations in the bill, other limitations in Amtrak funding.

It would prevent loans that exceed $600 million for other purposes, including safety purposes. This is a very, very ill-advised amendment. I urge colleagues to reject it.

Mr. DIAZ-BALART. Mr. Chairman, I yield back the balance of my time.

Mr. POSEY. Mr. Chairman, it has been said that this could be restrictive. Well, I just want to point out that never, ever before this year in the history of this program have they ever loaned $600 million under this program, and so I don't think it is unduly restrictive.

I mentioned discussing some other amendments, and I am staring down the barrel of taxpayers being on the hook for $1.7 billion on one program that clearly is not going to be able to repay the loan, so it is going to fall on the shoulders of the taxpayer.

I think it is just common sense that we take this measure on behalf of our honest, hard-working taxpayers at home. They work hard and play by the rules. I think we should respect that.

There are some people that just consider the Federal Government to be a big pinata, and everybody is going to take their whack at it and get all the goodies and the candy and the money that falls out of it, but this money has got to be paid back some day. We are not going to do it. We are not going to be around here to do it. It is going to be paid back by our children, and I think we need to act responsibly and think about their future.

I urge my colleagues to please support this commonsense amendment for better accountability in our government.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Florida (Mr. POSEY).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. POSEY. Mr. Chair, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Florida will be postponed.

The Committee will rise informally.

The Speaker pro tempore (Ms. ROS-LEHTINEN) assumed the chair.

MESSAGE FROM THE SENATE

A message from the Senate by Ms. Curtis, one of its clerks, announced that the Senate agreed to the following resolution:

S. RES. 191

In the Senate of the United States, June 3, 2015.

Whereas Joseph Robinette ''Beau'' Biden, III, born in Wilmington, Delaware and a graduate of the University of Pennsylvania and Syracuse University law school, served our country as an attorney in the Department of Justice for seven years, including assisting the nation of Kosovo in rebuilding their criminal justice system;

Whereas Beau Biden served his beloved State of Delaware for eight years as Attorney General;

Whereas Beau Biden joined the Army in 2003 at the age of 34, rose to the rank of major in the Delaware Army National Guard's Judge Advocate General Corps, deployed to Iraq in 2008 and received the Bronze Star for his service;

Whereas Beau Biden leaves behind a beloved wife, Hallie, and two children, Natalie and Hunter;

Whereas Beau Biden was the eldest son of the former Senator from Delaware and current Vice President of the United States and President of the United States Senate, Joseph Robinette Biden, Jr.: Now, therefore, be it

Resolved, That the Senate has heard with profound sorrow and deep regret the announcement of the untimely death of Joseph Robinette Biden, III.

Resolved, That the Secretary of the Senate communicate this resolution to the House of Representatives and transmit an enrolled copy thereof to the family of the Vice President of the United States.

The message also announced that the Senate has agreed to without amendment a concurrent resolution of he House of the following title:

H. Con. Res. 48. Concurrent resolution authorizing the use of Emancipation Hall in the Capitol Visitor Center for a ceremony to commemorate the 50th anniversary of the Vietnam War.

The SPEAKER pro tempore. The Committee will resume its sitting.

TRANSPORTATION, HOUSING AND URBAN DEVELOPMENT, AND RELATED AGENCIES APPROPRIATIONS ACT, 2016

The Committee resumed its sitting.

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (Mr. POE of Texas). Pursuant to clause 6 of rule XVIII, proceedings will now resume on those amendments on which further proceedings were postponed, in the following order:

Amendment by Mr. MCCLINTOCK of California.

Amendment by Mr. WALBERG of Michigan.

Amendment by Ms. ESTY of Connecticut.

Amendment by Mr. CARTWRIGHT of Pennsylvania.

Amendment by Mr. GARRETT of New Jersey.

Amendment by Mr. BROOKS of Alabama.

Amendment by Mr. BROOKS of Alabama.

Amendment by Mrs. CAPPS of California.

Amendment by Ms. LEE of California.

Amendment by Mr. STIVERS of Ohio.

The Chair will reduce to 2 minutes the time for any electronic vote after the first vote in this series.

AMENDMENT OFFERED BY MR. MCCLINTOCK

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from California (Mr. MCCLINTOCK) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 166, noes 255, not voting 11, as follows:

[Roll No. 298]

AYES—166

Abraham
Allen
Amash
Babin
Barr
Bilirakis
Bishop (MI)
Black
Blackburn
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Burgess
Byrne
Carter (GA)
Castor (FL)
Chabot
Chaffetz
Clawson (FL)
Coffman
Cohen
Collins (GA)
Collins (NY)
Conaway
Connolly
Cook
Cooper
Crawford
Culberson
Denham
DeSantis
DesJarlais
Duncan (SC)
Duncan (TN)
Ellmers (NC)
Emmer (MN)
Farenthold
Fincher
Fleischmann
Fleming
Flores
Forbes
Foxx
Franks (AZ)
Garrett
Gibbs
Gohmert
Goodlatte
Gowdy
Graves (GA)
Graves (LA)
Grayson
Griffith
Grothman
Guinta
Hardy
Harris
Heck (NV)
Hensarling
Herrera Beutler
Hice, Jody B.
Hill
Himes
Holding
Hudson
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Issa
Jenkins (KS)
Johnson, Sam
Jones
Jordan
Kelly (PA)
Kinzinger (IL)
Kline
Labrador
LaMalfa
Lamborn
Lance
Latta
Long
Loudermilk
Love
MacArthur
Marchant
Massie
McCarthy
McCaul
McClintock
McHenry
McSally
Meadows
Meehan
Messer
Mica
Miller (FL)
Miller (MI)
Mulvaney
Neugebauer
Newhouse
Nunes
Olson
Palazzo
Palmer
Paulsen
Perry
Pittenger
Poe (TX)
Polis
Pompeo
Posey
Price, Tom
Ratcliffe
Reed
Renacci
Ribble
Rice (SC)
Roby
Roe (TN)
Rogers (AL)
Rohrabacher
Rokita
Rooney (FL)
Roskam
Ross
Rouzer
Royce
Russell
Ryan (OH)
Ryan (WI)
Salmon
Sanford
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Smith (MO)
Smith (TX)
Stutzman
Thornberry
Tiberi
Trott
Upton
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Webster (FL)
Wenstrup
Westmoreland
Williams
Wittman
Woodall
Yoder
Yoho
Young (IA)
Young (IN)

NOES—255

Aderholt
Aguilar
Amodei
Ashford
Barletta
Barton
Bass
Beatty
Becerra
Benishek
Bera
Beyer
Bishop (GA)
Bishop (UT)
Blum
Blumenauer
Bonamici
Bost
Boustany
Boyle, Brendan F.
Brady (PA)
Brown (FL)
Brownley (CA)
Bucshon
Bustos
Butterfield
Calvert
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Carter (TX)
Cartwright
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cole
Comstock
Costa
Costello (PA)
Courtney
Cramer
Crenshaw
Crowley
Cuellar
Cummings
Curbelo (FL)
Davis (CA)
Davis, Danny
Davis, Rodney
DeFazio
DeGette
Delaney
DeLauro
DelBene
Dent
DeSaulnier
Deutch
Diaz-Balart
Dingell
Doggett
Dold
Donovan
Duckworth
Duffy
Edwards
Ellison
Engel
Eshoo
Esty
Farr
Fattah
Fitzpatrick
Fortenberry
Foster
Frankel (FL)
Frelinghuysen
Fudge
Gabbard
Gallego
Garamendi
Gibson
Gosar
Graham
Granger
Graves (MO)
Green, Al
Green, Gene
Grijalva
Guthrie
Gutiérrez
Hahn
Hanna
Harper
Hartzler

Hastings
Heck (WA)
Higgins
Hinojosa
Honda
Hoyer
Huelskamp
Huffman
Israel
Jeffries
Jenkins (WV)
Johnson (GA)
Johnson (OH)
Johnson, E. B.
Jolly
Joyce
Kaptur
Katko
Keating
Kelly (IL)
Kennedy
Kildee
Kilmer
Kind
King (IA)
King (NY)
Kirkpatrick
Knight
Kuster
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lee
Levin
Lewis
Lieu, Ted
Lipinski
LoBiondo
Loebsack
Lofgren
Lowenthal
Lowey
Lucas
Luetkemeyer
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lummis
Lynch
Maloney, Carolyn
Maloney, Sean
Marino
Matsui
McCollum
McDermott
McGovern
McKinley
McMorris Rodgers
McNerney
Meng
Moolenaar
Mooney (WV)
Moore
Moulton
Mullin
Murphy (FL)
Murphy (PA)
Nadler
Napolitano
Neal
Noem
Nolan
Norcross
O'Rourke
Pallone
Pascrell
Payne
Pearce
Pelosi
Perlmutter
Peters
Peterson
Pingree
Pitts
Pocan
Poliquin
Price (NC)
Quigley
Rangel
Reichert
Richmond
Rigell
Rogers (KY)
Ros-Lehtinen
Rothfus
Roybal-Allard
Ruiz
Ruppersberger
Rush
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Sherman
Shimkus
Shuster
Simpson
Sinema
Sires
Slaughter
Smith (NE)
Smith (WA)
Speier
Stefanik
Stivers
Swalwell (CA)
Takai
Takano
Thompson (CA)
Thompson (MS)
Thompson (PA)
Tipton
Titus
Tonko
Torres
Tsongas
Turner
Valadao
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Weber (TX)
Welch
Westerman
Whitfield
Wilson (SC)
Womack
Yarmuth
Young (AK)
Zeldin
Zinke

NOT VOTING—11

Adams
Brady (TX)
Conyers
Doyle, Michael F.
Jackson Lee
Meeks
Nugent
Rice (NY)
Smith (NJ)
Stewart
Wilson (FL)

□ 1151

Messrs. SHIMKUS, RODNEY DAVIS of Illinois, CALVERT, WEBER of Texas, Ms. SPEIER, Mr. CLEAVER, Mrs. LUMMIS, Mrs. NOEM, and Mr. STIVERS changed their vote from ''aye'' to ''no.''

Messrs. PALAZZO, GOHMERT, and FARENTHOLD changed their vote from ''no'' to ''aye.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. WALBERG

The Acting CHAIR (Mr. POE of Texas). The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Michigan (Mr. WALBERG) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 235, noes 189, not voting 8, as follows:

[Roll No. 299]

AYES—235

Abraham
Aderholt
Allen
Amash
Amodei
Babin
Barletta
Barr
Barton
Benishek
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Bost
Boustany
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Bucshon
Byrne
Calvert
Carter (GA)
Carter (TX)
Chabot
Clawson (FL)
Coffman
Cole
Collins (GA)
Collins (NY)
Comstock
Conaway
Cook
Costello (PA)
Cramer
Crawford
Crenshaw
Culberson
Curbelo (FL)
Davis, Rodney
Denham
DeSantis
DesJarlais
Diaz-Balart
Dold
Donovan
Duffy
Duncan (SC)
Duncan (TN)
Ellmers (NC)
Emmer (MN)
Farenthold
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gabbard
Garrett
Gibbs
Gibson
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Griffith
Grothman
Guinta
Guthrie
Hardy
Harper
Harris
Hartzler
Hensarling
Herrera Beutler
Hice, Jody B.
Hill
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (OH)
Johnson, Sam
Jolly
Jones
Jordan
Joyce
Katko
Kelly (PA)
King (IA)
King (NY)
Kinzinger (IL)
Kline
Knight
Labrador
LaMalfa
Lamborn
Lance
Latta
LoBiondo
Long
Loudermilk
Love
Lucas
Luetkemeyer
Lummis
Marchant
Marino
McCarthy
McCaul
McClintock
McHenry
McMorris Rodgers
McSally
Meadows
Meehan
Messer
Miller (FL)
Miller (MI)
Moolenaar
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Newhouse
Noem
Norcross
Nunes
Olson
Palazzo
Palmer
Paulsen
Pearce
Perry
Peterson
Pittenger
Pitts
Poe (TX)
Poliquin
Polis
Pompeo
Posey
Price, Tom
Ratcliffe
Reed
Reichert
Renacci
Ribble
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney (FL)
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Royce
Russell
Ryan (WI)
Salmon
Sanford
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Shimkus
Shuster
Simpson
Sinema
Smith (MO)
Smith (NE)
Smith (TX)
Stefanik
Stivers
Stutzman
Thompson (PA)
Thornberry
Tiberi
Tipton
Torres
Trott
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Walz
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Westmoreland
Whitfield
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (IA)
Young (IN)
Zeldin
Zinke

NOES—189

Aguilar
Ashford
Bass
Beatty
Becerra
Bera
Beyer
Bishop (GA)
Blumenauer
Bonamici
Boyle, Brendan F.
Brady (PA)
Brown (FL)
Brownley (CA)
Burgess
Bustos
Butterfield
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chaffetz
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly
Cooper
Costa
Courtney
Crowley
Cuellar
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
Dent
DeSaulnier
Deutch
Dingell
Doggett
Duckworth
Edwards
Ellison
Engel
Eshoo
Esty
Farr
Fattah
Foster
Frankel (FL)
Fudge
Gallego
Garamendi
Graham
Grayson
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hahn
Hanna
Hastings
Heck (NV)
Heck (WA)
Higgins
Himes
Hinojosa
Honda
Hoyer
Huffman
Israel
Jeffries
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kelly (IL)
Kennedy
Kildee
Kilmer
Kind
Kirkpatrick
Kuster
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lee
Levin
Lewis
Lieu, Ted
Lipinski
Loebsack
Lofgren
Lowenthal
Lowey
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
MacArthur
Maloney, Carolyn
Maloney, Sean
Matsui
McCollum
McDermott
McGovern
McKinley
McNerney
Meeks
Meng
Mica
Mooney (WV)
Moore
Moulton
Murphy (FL)
Nadler
Napolitano
Neal
Nolan
O'Rourke
Pallone
Pascrell
Payne
Pelosi
Perlmutter
Peters
Pingree
Pocan
Price (NC)
Quigley
Rangel
Rice (NY)
Richmond
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Scott (VA)
Scott, David
Serrano
Sessions
Sewell (AL)
Sherman
Sires
Slaughter
Smith (NJ)
Smith (WA)
Speier
Swalwell (CA)
Takai
Takano
Thompson (CA)
Thompson (MS)
Titus
Tonko
Tsongas
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Wasserman Schultz
Waters, Maxine
Watson Coleman
Welch
Wilson (FL)
Yarmuth
Young (AK)

NOT VOTING—8

Adams
Brady (TX)
Conyers
Doyle, Michael F.
Jackson Lee
Massie
Nugent
Stewart

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute remaining.

□ 1157

Messrs. MULLIN, RICE of South Carolina, and BOST changed their vote from ''no'' to ''aye.''

So the amendment was agreed to.

The result of the vote was announced as above recorded.

Stated for:

Mr. MASSIE. Mr. Chair, on rollcall No. 299 I was unavoidably detained. Had I been present, I would have voted ''yes.''

AMENDMENT OFFERED BY MS. ESTY

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the

gentlewoman from Connecticut (Ms. ESTY) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. Members are reminded that the 2-minute voting limit will be strictly enforced. This is a 2-minute vote.

The vote was taken by electronic device, and a result was announced. The vote was subsequently vacated by order of the Committee, and the amendment was disposed of by rollcall No. 308.

PERSONAL EXPLANATION

Mr. SMITH of Texas. Mr. Chair, on rollcall No. 300, had I been present, I would have voted "no."

AMENDMENT OFFERED BY MR. CARTWRIGHT

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Pennsylvania (Mr. CARTWRIGHT) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 176, noes 247, not voting 9, as follows:

[Roll No. 301]

AYES—176

Aguilar
Bass
Beatty
Becerra
Bera
Beyer
Bishop (GA)
Blumenauer
Bonamici
Boyle, Brendan F.
Brady (PA)
Brown (FL)
Brownley (CA)
Bustos
Butterfield
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Carter (GA)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clay
Cleaver
Clyburn
Cohen
Connolly
Conyers
Cooper
Courtney
Crowley
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
DeSaulnier
Deutch
Dingell
Doggett
Duckworth
Edwards
Ellison
Engel
Eshoo
Esty
Farr
Fattah
Fitzpatrick
Foster
Frankel (FL)
Gabbard
Gallego
Garamendi
Graham
Grayson
Green, Al
Green, Gene
Griffith
Grijalva
Hahn
Heck (WA)
Higgins
Himes
Hinojosa
Honda
Hoyer
Huffman
Israel
Jeffries
Johnson (GA)
Johnson, E. B.
Joyce
Kaptur
Keating
Kelly (IL)
Kennedy
Kildee
Kilmer
Kind
Kuster
Langevin
Larsen (WA)
Larson (CT)
Lee
Levin
Lieu, Ted
LoBiondo
Loebsack
Lofgren
Lowenthal
Lowey
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
Maloney, Carolyn
Maloney, Sean
Matsui
McCollum
McDermott
McGovern
Meeks
Meng
Moore
Moulton
Murphy (FL)
Nadler
Napolitano
Neal
Norcross
O'Rourke
Pallone
Pascrell
Payne
Pelosi
Peters
Pingree
Pocan
Poe (TX)
Polis
Price (NC)
Price, Tom
Quigley
Rangel
Rice (NY)
Richmond
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Sherman
Sires
Slaughter
Smith (NE)
Smith (NJ)
Smith (WA)
Speier
Swalwell (CA)
Takai
Takano
Thompson (CA)
Thompson (MS)
Titus
Tonko
Torres
Tsongas
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Wasserman Schultz
Waters, Maxine
Watson Coleman
Welch
Whitfield
Yarmuth

NOES—247

Abraham
Aderholt
Allen
Amash
Amodei
Ashford
Babin
Barletta
Barr
Barton
Benishek
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Bost
Boustany
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Bucshon
Burgess
Byrne
Calvert
Carter (TX)
Chabot
Chaffetz
Clarke (NY)
Clawson (FL)
Coffman
Cole
Collins (GA)
Collins (NY)
Comstock
Conaway
Cook
Costa
Costello (PA)
Cramer
Crawford
Crenshaw
Cuellar
Culberson
Curbelo (FL)
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Dold
Donovan
Duffy
Duncan (SC)
Duncan (TN)
Ellmers (NC)
Emmer (MN)
Farenthold
Fincher
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Fudge
Garrett
Gibbs
Gibson
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Grothman
Guinta
Guthrie
Hanna
Hardy
Harper
Harris
Hartzler
Hastings
Heck (NV)
Hensarling
Herrera Beutler
Hice, Jody B.
Hill
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (OH)
Johnson, Sam
Jolly
Jones
Jordan
Katko
Kelly (PA)
King (IA)
King (NY)
Kinzinger (IL)
Kirkpatrick
Kline
Knight
Labrador
LaMalfa
Lamborn
Lance
Latta
Lawrence
Lewis
Lipinski
Long
Loudermilk
Love
Lucas
Luetkemeyer
Lummis
MacArthur
Marchant
Marino
Massie
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris Rodgers
McNerney
McSally
Meadows
Meehan
Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Newhouse
Nolan
Nunes
Olson
Palazzo
Palmer
Paulsen
Pearce
Perlmutter
Perry
Peterson
Pittenger
Pitts
Poliquin
Pompeo
Posey
Ratcliffe
Reed
Reichert
Renacci
Ribble
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rooney (FL)
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Royce
Russell
Ryan (WI)
Salmon
Sanford
Scalise
Schrader
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Sinema
Smith (MO)
Smith (TX)
Stefanik
Stivers
Stutzman
Thompson (PA)
Thornberry
Tiberi
Tipton
Trott
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Walz
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Westmoreland
Williams
Wilson (FL)
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

NOT VOTING—9

Adams
Brady (TX)
Doyle, Michael F.
Gutiérrez
Jackson Lee
Noem
Nugent
Rokita
Stewart

□ 1203

So the amendment was rejected.

The result of the vote was announced as above recorded.

Stated against:

Mrs. NOEM. Mr. Chair, on rollcall No. 301, had I been present, I would have voted "no."

Mr. SMITH of Nebraska. Mr. Chair, on June 4, 2015 I inadvertently voted "yea" on rollcall No. 301. I would like to state that I intended to vote "no."

AMENDMENT OFFERED BY MR. GARRETT

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from New Jersey (Mr. GARRETT) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 160, noes 266, not voting 6, as follows:

[Roll No. 302]

AYES—160

Abraham
Allen
Amash
Ashford
Babin
Barr
Barton
Bilirakis
Bishop (UT)
Blackburn
Blum
Boustany
Brady (PA)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Brownley (CA)
Buchanan
Buck
Burgess
Byrne
Carter (GA)
Chabot
Chaffetz
Clawson (FL)
Coffman
Collins (GA)
Collins (NY)
Conaway
Cook
Cramer
Crawford
DeSantis
DeSaulnier
DesJarlais
Duncan (SC)
Emmer (MN)
Fincher
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Franks (AZ)
Frelinghuysen
Gabbard
Garrett
Gohmert
Goodlatte
Gosar
Gowdy
Graham
Graves (GA)
Graves (LA)
Griffith
Grothman
Guinta
Hanna
Harris
Hartzler
Hensarling
Herrera Beutler
Hice, Jody B.
Hill
Holding
Hudson
Huelskamp
Huffman
Huizenga (MI)
Hurd (TX)
Hurt (VA)

Issa
Jenkins (KS)
Johnson (OH)
Johnson, Sam
Jones
Jordan
Kind
Kirkpatrick
Kline
Knight
Lamborn
Lance
Latta
Loudermilk
Love
Luetkemeyer
Lummis
MacArthur
Marchant
Massie
McCaul
McClintock
McKinley
Meadows
Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Mullin
Mulvaney
Neugebauer
Newhouse
Noem
Olson
Palazzo
Palmer
Paulsen
Pearce
Perry
Pittenger
Pitts
Poliquin
Polis
Pompeo
Posey
Price, Tom
Ratcliffe
Ribble
Rice (SC)
Roe (TN)
Rogers (AL)
Rokita
Ross
Rothfus
Royce
Russell
Ryan (WI)
Salmon
Sanford
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Smith (MO)
Smith (TX)
Stutzman
Thornberry
Tipton
Torres
Wagner
Walberg
Walker
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Westmoreland
Williams
Wilson (SC)
Wittman
Woodall
Yoder
Young (IN)
Zinke

NOES—266

Aderholt
Aguilar
Amodei
Barletta
Bass
Beatty
Becerra
Benishek
Bera
Beyer
Bishop (GA)
Bishop (MI)
Black
Blumenauer
Bonamici
Bost
Boyle, Brendan F.
Brown (FL)
Bucshon
Bustos
Butterfield
Calvert
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Carter (TX)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Cole
Comstock
Connolly
Conyers
Cooper
Costa
Costello (PA)
Courtney
Crenshaw
Crowley
Cuellar
Culberson
Cummings
Curbelo (FL)
Davis (CA)
Davis, Danny
Davis, Rodney
DeFazio
DeGette
Delaney
DeLauro
DelBene
Denham
Dent
Deutch
Diaz-Balart
Dingell
Doggett
Dold
Donovan
Duckworth
Duffy
Duncan (TN)
Edwards
Ellison
Ellmers (NC)
Engel
Eshoo
Esty
Farenthold
Farr
Fattah
Fitzpatrick
Foster
Foxx
Frankel (FL)
Fudge
Gallego
Garamendi
Gibbs
Gibson
Granger
Graves (MO)
Grayson
Green, Al
Green, Gene
Grijalva
Guthrie
Gutiérrez
Hahn
Hardy
Harper
Hastings
Heck (NV)
Heck (WA)
Higgins
Himes
Hinojosa
Honda
Hoyer
Hultgren
Hunter
Israel
Jeffries
Jenkins (WV)
Johnson (GA)
Johnson, E. B.
Jolly
Joyce
Kaptur
Katko
Keating
Kelly (IL)
Kelly (PA)
Kennedy
Kildee
Kilmer
King (IA)
King (NY)
Kinzinger (IL)
Kuster
Labrador
LaMalfa
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lee
Levin
Lewis
Lieu, Ted
Lipinski
LoBiondo
Loebsack
Lofgren
Long
Lowenthal
Lowey
Lucas
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
Maloney, Carolyn
Maloney, Sean
Marino
Matsui
McCarthy
McCollum
McDermott
McGovern
McHenry
McMorris Rodgers
McNerney
McSally
Meehan
Meeks
Meng
Moore
Moulton
Murphy (FL)
Murphy (PA)
Nadler
Napolitano
Neal
Nolan
Norcross
Nunes
O'Rourke
Pallone
Pascrell
Payne
Pelosi
Perlmutter
Peters
Peterson
Pingree
Pocan
Poe (TX)
Price (NC)
Quigley
Rangel
Reed
Reichert
Renacci
Rice (NY)
Richmond
Rigell
Roby
Rogers (KY)
Rohrabacher
Rooney (FL)
Ros-Lehtinen
Roskam
Rouzer
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Sherman
Shuster
Simpson
Sinema
Sires
Slaughter
Smith (NE)
Smith (NJ)
Smith (WA)
Speier
Stefanik
Stivers
Swalwell (CA)
Takai
Takano
Thompson (CA)
Thompson (MS)
Thompson (PA)
Tiberi
Titus
Tonko
Trott
Tsongas
Turner
Upton
Valadao
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walden
Walorski
Walters, Mimi
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Welch
Whitfield
Wilson (FL)
Womack
Yarmuth
Yoho
Young (AK)
Young (IA)
Zeldin

NOT VOTING—6

Adams
Brady (TX)
Doyle, Michael F.
Jackson Lee
Nugent
Stewart

□ 1207

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. BROOKS OF ALABAMA

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Alabama (Mr. BROOKS) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 143, noes 283, not voting 6, as follows:

[Roll No. 303]

AYES—143

Aderholt
Allen
Amash
Babin
Barton
Benishek
Bilirakis
Bishop (UT)
Black
Blackburn
Blum
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Burgess
Byrne
Carter (GA)
Chabot
Chaffetz
Clawson (FL)
Coffman
Collins (GA)
Conaway
Crawford
DeSantis
DesJarlais
Duffy
Duncan (SC)
Duncan (TN)
Emmer (MN)
Fincher
Fleischmann
Fleming
Flores
Foxx
Franks (AZ)
Gohmert
Goodlatte
Gosar
Gowdy
Graves (GA)
Graves (LA)
Grothman
Guthrie
Harris
Hartzler
Heck (NV)
Hensarling
Hice, Jody B.
Hill
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Issa
Jenkins (KS)
Johnson (OH)
Johnson, Sam
Jones
Jordan
King (IA)
Kline
Knight
Labrador
Lamborn
Latta
Loudermilk
Love
Luetkemeyer
Lummis
Marchant
Massie
McCaul
McClintock
McHenry
McSally
Meadows
Messer
Mica
Miller (FL)
Mooney (WV)
Mullin
Mulvaney
Neugebauer
Noem
Olson
Palazzo
Palmer
Paulsen
Pearce
Perry
Pittenger
Polis
Pompeo
Posey
Price, Tom
Ratcliffe
Ribble
Rice (SC)
Roby
Roe (TN)
Rogers (AL)
Rohrabacher
Rooney (FL)
Ross
Rouzer
Royce
Russell
Ryan (WI)
Salmon
Sanford
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Smith (MO)
Smith (NE)
Smith (TX)
Stutzman
Thornberry
Tipton
Walker
Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Westmoreland
Williams
Wilson (SC)
Woodall
Yoder
Yoho
Young (IA)

NOES—283

Abraham
Aguilar
Amodei
Ashford
Barletta
Barr
Bass
Beatty
Becerra
Bera
Beyer
Bishop (GA)
Bishop (MI)
Blumenauer
Bonamici
Bost
Boustany
Boyle, Brendan F.
Brady (PA)
Brown (FL)
Brownley (CA)
Bucshon
Bustos
Butterfield
Calvert
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Carter (TX)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Cole
Collins (NY)
Comstock
Connolly
Conyers
Cook
Cooper
Costa
Costello (PA)
Courtney
Cramer
Crenshaw
Crowley
Cuellar
Culberson
Cummings
Curbelo (FL)
Davis (CA)
Davis, Danny
Davis, Rodney
DeFazio
DeGette
Delaney
DeLauro
DelBene
Denham
Dent
DeSaulnier
Deutch
Diaz-Balart
Dingell
Doggett
Dold
Donovan
Duckworth
Edwards
Ellison
Ellmers (NC)
Engel
Eshoo
Esty
Farenthold
Farr
Fattah
Fitzpatrick
Forbes
Fortenberry
Foster
Frankel (FL)
Frelinghuysen
Fudge
Gabbard
Gallego
Garamendi
Garrett
Gibbs
Gibson
Graham
Granger
Graves (MO)
Grayson
Green, Al
Green, Gene
Griffith
Grijalva
Guinta
Gutiérrez
Hahn
Hanna
Hardy
Harper
Hastings
Heck (WA)
Herrera Beutler
Higgins
Himes
Hinojosa
Honda
Hoyer
Huffman
Israel
Jeffries
Jenkins (WV)
Johnson (GA)
Johnson, E. B.
Jolly
Joyce
Kaptur
Katko
Keating
Kelly (IL)
Kelly (PA)
Kennedy
Kildee
Kilmer
Kind
King (NY)
Kinzinger (IL)
Kirkpatrick
Kuster
LaMalfa
Lance
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lee
Levin
Lewis
Lieu, Ted
Lipinski
LoBiondo
Loebsack
Lofgren
Long
Lowenthal
Lowey
Lucas
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
MacArthur
Maloney, Carolyn
Maloney, Sean
Marino
Matsui
McCarthy
McCollum
McDermott
McGovern
McKinley
McMorris Rodgers
McNerney
Meehan
Meeks
Meng
Miller (MI)
Moolenaar
Moore
Moulton
Murphy (FL)
Murphy (PA)
Nadler
Napolitano
Neal
Newhouse
Nolan
Norcross
Nunes
O'Rourke
Pallone
Pascrell
Payne
Pelosi
Perlmutter
Peters
Peterson
Pingree
Pitts
Pocan

Poe (TX)
Poliquin
Price (NC)
Quigley
Rangel
Reed
Reichert
Renacci
Rice (NY)
Richmond
Rigell
Rogers (KY)
Rokita
Ros-Lehtinen
Roskam
Rothfus
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Sherman
Shimkus
Shuster
Simpson
Sinema
Sires
Slaughter
Smith (NJ)
Smith (WA)
Speier
Stefanik
Stivers
Swalwell (CA)
Takai
Takano
Thompson (CA)
Thompson (MS)
Thompson (PA)
Tiberi
Titus
Tonko
Torres
Trott
Tsongas
Turner
Upton
Valadao
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Wagner
Walberg
Walden
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Welch
Whitfield
Wilson (FL)
Wittman
Womack
Yarmuth
Young (AK)
Young (IN)
Zeldin
Zinke

NOT VOTING—6

Adams
Brady (TX)
Doyle, Michael F.
Jackson Lee
Nugent
Stewart

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute remaining.

□ 1211

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. BROOKS OF ALABAMA

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Alabama (Mr. BROOKS) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 139, noes 286, not voting 7, as follows:

[Roll No. 304]

AYES—139

Abraham
Aderholt
Allen
Amash
Babin
Barton
Benishek
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Boustany
Brat
Bridenstine
Brooks (AL)
Buck
Burgess
Byrne
Carter (GA)
Chabot
Chaffetz
Clawson (FL)
Coffman
Collins (GA)
Conaway
Crawford
DeSantis
DesJarlais
Duffy
Duncan (SC)
Duncan (TN)
Emmer (MN)
Fincher
Fleischmann
Fleming
Flores
Foxx
Franks (AZ)
Gohmert
Goodlatte
Gosar
Gowdy
Graves (GA)
Grothman
Guthrie
Harris
Hartzler
Heck (NV)
Hensarling
Hice, Jody B.
Hill
Holding
Hudson
Huelskamp
Huizenga (MI)
Hunter
Hurd (TX)
Hurt (VA)
Issa
Jenkins (KS)
Johnson (OH)
Johnson, Sam
Jones
Jordan
King (IA)
Kline
Knight
Labrador
LaMalfa
Lamborn
Latta
Loudermilk
Love
Lummis
Marchant
Massie
McCaul
McClintock
McHenry
McSally
Meadows
Messer
Mica
Miller (FL)
Mooney (WV)
Mullin
Mulvaney
Neugebauer
Noem
Olson
Palazzo
Palmer
Paulsen
Pearce
Perry
Pittenger
Pompeo
Posey
Price, Tom
Ratcliffe
Ribble
Rice (SC)
Roby
Roe (TN)
Rogers (AL)
Rohrabacher
Rooney (FL)
Ross
Rouzer
Royce
Russell
Ryan (WI)
Salmon
Sanford
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Smith (MO)
Smith (NE)
Smith (TX)
Stutzman
Thornberry
Tipton
Walker
Walorski
Walters, Mimi
Weber (TX)
Wenstrup
Westerman
Westmoreland
Williams
Wilson (SC)
Woodall
Yoho
Young (IA)

NOES—286

Aguilar
Amodei
Ashford
Barletta
Barr
Bass
Beatty
Becerra
Bera
Beyer
Bishop (GA)
Blumenauer
Bonamici
Bost
Boyle, Brendan F.
Brady (PA)
Brooks (IN)
Brown (FL)
Brownley (CA)
Buchanan
Bucshon
Bustos
Butterfield
Calvert
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Carter (TX)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Cole
Collins (NY)
Comstock
Connolly
Conyers
Cook
Cooper
Costa
Costello (PA)
Courtney
Cramer
Crenshaw
Crowley
Cuellar
Culberson
Cummings
Curbelo (FL)
Davis (CA)
Davis, Danny
Davis, Rodney
DeFazio
DeGette
Delaney
DeLauro
DelBene
Denham
Dent
DeSaulnier
Deutch
Diaz-Balart
Dingell
Doggett
Dold
Donovan
Duckworth
Edwards
Ellison
Ellmers (NC)
Engel
Eshoo
Esty
Farenthold
Farr
Fattah
Fitzpatrick
Forbes
Fortenberry
Foster
Frankel (FL)
Frelinghuysen
Fudge
Gabbard
Gallego
Garamendi
Garrett
Gibbs
Gibson
Graham
Granger
Graves (MO)
Grayson
Green, Al
Green, Gene
Griffith
Grijalva
Guinta
Gutiérrez
Hahn
Hanna
Hardy
Harper
Hastings
Heck (WA)
Herrera Beutler
Higgins
Himes
Hinojosa
Honda
Hoyer
Huffman
Hultgren
Israel
Jeffries
Jenkins (WV)
Johnson (GA)
Johnson, E. B.
Jolly
Joyce
Kaptur
Katko
Keating
Kelly (IL)
Kelly (PA)
Kennedy
Kildee
Kilmer
Kind
King (NY)
Kinzinger (IL)
Kirkpatrick
Kuster
Lance
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lee
Levin
Lewis
Lieu, Ted
Lipinski
LoBiondo
Loebsack
Lofgren
Long
Lowenthal
Lowey
Lucas
Luetkemeyer
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
MacArthur
Maloney, Carolyn
Maloney, Sean
Marino
Matsui
McCarthy
McCollum
McDermott
McGovern
McKinley
McMorris Rodgers
McNerney
Meehan
Meeks
Meng
Miller (MI)
Moolenaar
Moore
Moulton
Murphy (FL)
Murphy (PA)
Nadler
Napolitano
Neal
Newhouse
Nolan
Norcross
Nunes
O'Rourke
Pallone
Pascrell
Payne
Pelosi
Perlmutter
Peters
Peterson
Pingree
Pitts
Pocan
Poe (TX)
Poliquin
Polis
Price (NC)
Quigley
Rangel
Reed
Reichert
Renacci
Rice (NY)
Richmond
Rigell
Rogers (KY)
Rokita
Ros-Lehtinen
Roskam
Rothfus
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Sherman
Shimkus
Shuster
Simpson
Sinema
Sires
Slaughter
Smith (NJ)
Smith (WA)
Speier
Stefanik
Stivers
Swalwell (CA)
Takai
Takano
Thompson (CA)
Thompson (MS)
Thompson (PA)
Tiberi
Titus
Tonko
Torres
Trott
Tsongas
Turner
Upton
Valadao
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Wagner
Walberg
Walden
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Webster (FL)
Welch
Whitfield
Wilson (FL)
Wittman
Womack
Yarmuth
Yoder
Young (AK)
Young (IN)
Zeldin
Zinke

NOT VOTING—7

Adams
Brady (TX)
Doyle, Michael F.
Graves (LA)
Jackson Lee
Nugent
Stewart

□ 1214

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MRS. CAPPS

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentlewoman from California (Mrs. CAPPS) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 202, noes 222, not voting 8, as follows:

[Roll No. 305]

AYES—202

Aguilar
Ashford
Bass
Beatty
Becerra
Benishek
Bera
Beyer
Bishop (GA)
Blumenauer
Bonamici
Boyle, Brendan F.
Brady (PA)
Brooks (AL)
Brown (FL)
Brownley (CA)
Bustos
Butterfield
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly
Conyers
Cooper
Costa
Costello (PA)
Courtney
Crawford
Crowley
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
Dent
DeSaulnier
Deutch
Dingell
Doggett
Dold
Donovan
Duckworth
Edwards
Ellison
Engel
Eshoo

Esty
Farr
Fattah
Fincher
Fitzpatrick
Fortenberry
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Goodlatte
Grayson
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hahn
Hastings
Heck (WA)
Higgins
Himes
Hinojosa
Honda
Hoyer
Huffman
Huizenga (MI)
Hurt (VA)
Israel
Jeffries
Johnson (GA)
Johnson, E. B.
Kaptur
Kelly (IL)
Kennedy
Kildee
Kilmer
Kind
King (NY)
Kirkpatrick
Kuster
Langevin
Larsen (WA)
Larson (CT)
Latta
Lawrence
Lee
Levin
Lewis
Lieu, Ted
Lipinski
LoBiondo
Loebsack
Lofgren
Lowenthal
Lowey
Lynch
MacArthur
Maloney, Carolyn
Maloney, Sean
Matsui
McCollum
McDermott
McGovern
McKinley
McNerney
Meehan
Meeks
Meng
Miller (MI)
Mooney (WV)
Moore
Moulton
Nadler
Napolitano
Neal
Nolan
Norcross
O'Rourke
Pallone
Pascrell
Payne
Pelosi
Perlmutter
Peters
Peterson
Pingree
Pitts
Pocan
Polis
Price (NC)
Quigley
Rangel
Rice (NY)
Richmond
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Sherman
Sires
Slaughter
Smith (NJ)
Smith (WA)
Speier
Swalwell (CA)
Takai
Takano
Thompson (CA)
Thompson (MS)
Titus
Tonko
Torres
Tsongas
Upton
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Welch
Wilson (FL)
Yarmuth

NOES—222

Abraham
Aderholt
Allen
Amash
Amodei
Babin
Barletta
Barr
Barton
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Bost
Boustany
Brat
Bridenstine
Brooks (IN)
Buchanan
Buck
Bucshon
Burgess
Byrne
Calvert
Carter (GA)
Carter (TX)
Chabot
Chaffetz
Clawson (FL)
Coffman
Cole
Collins (GA)
Collins (NY)
Comstock
Conaway
Cook
Crenshaw
Cuellar
Culberson
Curbelo (FL)
Davis, Rodney
Denham
DeSantis
DesJarlais
Diaz-Balart
Duffy
Duncan (SC)
Duncan (TN)
Ellmers (NC)
Emmer (MN)
Farenthold
Fleischmann
Fleming
Flores
Forbes
Foxx
Franks (AZ)
Frelinghuysen
Garrett
Gibbs
Gibson
Gohmert
Gosar
Gowdy
Graham
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Griffith
Grothman
Guinta
Guthrie
Hanna
Hardy
Harper
Harris
Hartzler
Heck (NV)
Hensarling
Herrera Beutler
Hice, Jody B.
Hill
Holding
Hudson
Huelskamp
Hultgren
Hunter
Hurd (TX)
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (OH)
Johnson, Sam
Jolly
Jones
Jordan
Joyce
Katko
Kelly (PA)
King (IA)
Kinzinger (IL)
Kline
Knight
Labrador
LaMalfa
Lamborn
Lance
Long
Loudermilk
Love
Lucas
Luetkemeyer
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lummis
Marchant
Marino
Massie
McCarthy
McCaul
McClintock
McHenry
McMorris Rodgers
McSally
Meadows
Messer
Mica
Miller (FL)
Moolenaar
Mullin
Mulvaney
Murphy (FL)
Murphy (PA)
Neugebauer
Newhouse
Noem
Nunes
Olson
Palazzo
Palmer
Paulsen
Pearce
Perry
Pittenger
Poe (TX)
Poliquin
Pompeo
Posey
Price, Tom
Ratcliffe
Reed
Reichert
Renacci
Ribble
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney (FL)
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Royce
Russell
Ryan (WI)
Salmon
Sanford
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Sinema
Smith (MO)
Smith (NE)
Smith (TX)
Stefanik
Stivers
Stutzman
Thompson (PA)
Thornberry
Tiberi
Tipton
Trott
Turner
Valadao
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Westmoreland
Whitfield
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

NOT VOTING—8

Adams
Brady (TX)
Cramer
Doyle, Michael F.
Jackson Lee
Keating
Nugent
Stewart

□ 1219

Messrs. HILL and YOUNG of Iowa changed their vote from ''aye'' to ''no.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

Stated for:

Mr. MURPHY of Florida. Mr. Chair, during rollcall vote No. 305 on H.R. 2577, I mistakenly recorded my vote as "no" when I should have voted "yes."

VACATING PROCEEDINGS ON AMENDMENT OFFERED BY MS. ESTY

Mr. DIAZ-BALART. Mr. Chairman, I ask unanimous consent that proceedings on rollcall No. 300 be vacated to the end that the Chair resume proceedings on the request for a recorded vote on the amendment offered by the gentlewoman from Connecticut (Ms. ESTY) at the end of the current series of postponed proceedings.

The Acting CHAIR. Is there objection to the request of the gentleman from Florida?

There was no objection.

AMENDMENT OFFERED BY MS. LEE

The Acting CHAIR. Without objection, 2-minute voting will continue.

There was no objection.

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentlewoman from California (Ms. LEE) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 176, noes 247, answered ''present'' 1, not voting 8, as follows:

[Roll No. 306]

AYES—176

Abraham
Aguilar
Amash
Ashford
Bass
Beatty
Becerra
Bera
Beyer
Bishop (GA)
Blumenauer
Bonamici
Boustany
Brady (PA)
Brown (FL)
Brownley (CA)
Bustos
Butterfield
Capps
Capuano
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chaffetz
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Conyers
Cooper
Costa
Courtney
Crawford
Crowley
Cummings
Davis (CA)
Davis, Danny
Davis, Rodney
DeFazio
DeGette
Delaney
DeLauro
DelBene
DeSaulnier
Dingell
Doggett
Duckworth
Edwards
Ellison
Emmer (MN)
Engel
Eshoo
Esty
Farr
Fattah
Fincher
Foster
Fudge
Gabbard
Gallego
Green, Al
Green, Gene
Grijalva
Hahn
Heck (WA)
Higgins
Himes
Hinojosa
Honda
Hoyer
Huelskamp
Huffman
Israel
Jeffries
Johnson (GA)
Johnson, E. B.
Jolly
Jones
Kaptur
Keating
Kelly (IL)
Kennedy
Kildee
Kilmer
Kind
Kuster
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lee
Levin
Lewis
Lieu, Ted
Loebsack
Lofgren
Lowenthal
Lowey
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lummis
Lynch
Maloney, Carolyn
Massie
Matsui
McCollum
McDermott
McGovern
McNerney
Meeks
Meng
Moore
Moulton
Mulvaney
Nadler
Napolitano
Neal
Nolan
O'Rourke
Pelosi
Perlmutter
Peters
Peterson
Pingree
Pocan
Polis
Price (NC)
Rangel
Ribble
Rice (NY)
Richmond
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sanford
Sarbanes
Schakowsky
Schiff
Schweikert
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Sinema
Slaughter
Smith (MO)
Smith (WA)
Speier
Swalwell (CA)
Takai
Takano
Thompson (CA)
Thompson (MS)
Titus
Tonko
Torres
Tsongas
Van Hollen
Vargas
Veasey
Velázquez
Visclosky
Walz
Waters, Maxine
Welch
Yarmuth

NOES—247

Aderholt
Allen
Amodei
Babin
Barletta
Barr
Barton
Benishek
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Bost
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Bucshon
Burgess
Byrne
Calvert
Cárdenas
Carter (GA)
Carter (TX)
Chabot
Clawson (FL)
Coffman
Cole
Collins (GA)
Collins (NY)
Comstock
Conaway
Connolly
Cook
Costello (PA)
Crenshaw
Cuellar
Culberson
Curbelo (FL)
Denham
Dent
DeSantis
DesJarlais
Deutch
Diaz-Balart
Dold
Donovan
Duffy
Duncan (SC)
Duncan (TN)
Ellmers (NC)
Farenthold
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Frankel (FL)
Franks (AZ)
Frelinghuysen
Garamendi
Garrett
Gibbs
Gibson
Gohmert
Goodlatte
Gosar
Gowdy
Graham

Granger
Graves (GA)
Graves (LA)
Graves (MO)
Grayson
Griffith
Grothman
Guinta
Guthrie
Gutiérrez
Hanna
Hardy
Harper
Harris
Hartzler
Hastings
Heck (NV)
Hensarling
Herrera Beutler
Hice, Jody B.
Hill
Holding
Hudson
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (OH)
Johnson, Sam
Jordan
Joyce
Katko
Kelly (PA)
King (IA)
King (NY)
Kinzinger (IL)
Kirkpatrick
Kline
Knight
Labrador
LaMalfa
Lamborn
Lance
Latta
Lipinski
LoBiondo
Long
Loudermilk
Love
Lucas
Luetkemeyer
MacArthur
Maloney, Sean
Marchant
Marino
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris Rodgers
McSally
Meadows
Meehan
Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Mullin
Murphy (FL)
Murphy (PA)
Neugebauer
Newhouse
Noem
Norcross
Nunes
Olson
Palazzo
Pallone
Palmer
Pascrell
Paulsen
Payne
Pearce
Perry
Pittenger
Pitts
Poe (TX)
Poliquin
Pompeo
Posey
Price, Tom
Quigley
Ratcliffe
Reed
Reichert
Renacci
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney (FL)
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Royce
Russell
Ryan (WI)
Salmon
Scalise
Schrader
Scott, Austin
Sensenbrenner
Sessions
Sherman
Shimkus
Shuster
Simpson
Sires
Smith (NE)
Smith (NJ)
Smith (TX)
Stefanik
Stivers
Stutzman
Thompson (PA)
Thornberry
Tipton
Trott
Turner
Upton
Valadao
Vela
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Wasserman Schultz
Watson Coleman
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Westmoreland
Whitfield
Williams
Wilson (FL)
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

ANSWERED ''PRESENT''—1

Boyle, Brendan F.

NOT VOTING—8

Adams
Brady (TX)
Cramer
Doyle, Michael F.
Jackson Lee
Nugent
Stewart
Tiberi

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute remaining.

□ 1225

Mr. NORCROSS changed his vote from ''aye'' to ''no.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. STIVERS

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Ohio (Mr. STIVERS) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 224, noes 198, not voting 10, as follows:

[Roll No. 307]

AYES—224

Abraham
Aderholt
Allen
Amash
Amodei
Babin
Barletta
Barr
Barton
Benishek
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Boustany
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Bucshon
Burgess
Byrne
Calvert
Carter (GA)
Carter (TX)
Chabot
Chaffetz
Clawson (FL)
Cole
Collins (GA)
Collins (NY)
Comstock
Conaway
Cook
Costello (PA)
Crawford
Crenshaw
Culberson
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Donovan
Duffy
Duncan (SC)
Duncan (TN)
Ellmers (NC)
Emmer (MN)
Farenthold
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Garrett
Gibbs
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Griffith
Grothman
Guinta
Guthrie
Hanna
Hardy
Harper
Harris
Hartzler
Heck (NV)
Hensarling
Herrera Beutler
Hice, Jody B.
Hill
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (OH)
Johnson, Sam
Jolly
Jones
Jordan
Joyce
Kelly (PA)
King (IA)
King (NY)
Kinzinger (IL)
Knight
Labrador
LaMalfa
Lamborn
Lance
Latta
LoBiondo
Long
Loudermilk
Love
Lucas
Luetkemeyer
Lummis
MacArthur
Marchant
Marino
Massie
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris Rodgers
Meadows
Meehan
Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Newhouse
Noem
Nunes
Olson
Palazzo
Palmer
Pearce
Perry
Pittenger
Pitts
Poe (TX)
Poliquin
Pompeo
Posey
Price, Tom
Ratcliffe
Reed
Renacci
Ribble
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney (FL)
Roskam
Ross
Rothfus
Rouzer
Royce
Russell
Ryan (WI)
Salmon
Sanford
Scalise
Schweikert
Scott, Austin
Sessions
Shimkus
Shuster
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Stivers
Stutzman
Thornberry
Tiberi
Tipton
Trott
Upton
Valadao
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Westmoreland
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

NOES—198

Aguilar
Ashford
Bass
Beatty
Becerra
Bera
Beyer
Bishop (GA)
Blumenauer
Bonamici
Bost
Boyle, Brendan F.
Brady (PA)
Brown (FL)
Brownley (CA)
Bustos
Butterfield
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Coffman
Cohen
Connolly
Conyers
Cooper
Costa
Courtney
Crowley
Cuellar
Cummings
Curbelo (FL)
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
DeSaulnier
Deutch
Dingell
Doggett
Dold
Duckworth
Edwards
Ellison
Engel
Eshoo
Esty
Farr
Fattah
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Gibson
Graham
Grayson
Green, Al
Green, Gene
Grijalva
Hahn
Hastings
Heck (WA)
Higgins
Himes
Honda
Hoyer
Huffman
Israel
Jeffries
Johnson (GA)
Johnson, E. B.
Kaptur
Katko
Keating
Kelly (IL)
Kennedy
Kildee
Kilmer
Kind
Kirkpatrick
Kline
Kuster
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lee
Levin
Lewis
Lieu, Ted
Lipinski
Loebsack
Lofgren
Lowenthal
Lowey
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
Maloney, Carolyn
Maloney, Sean
Matsui
McCollum
McDermott
McGovern
McNerney
McSally
Meeks
Meng
Moore
Moulton
Murphy (FL)
Nadler
Napolitano
Neal
Nolan
Norcross
O'Rourke
Pallone
Pascrell
Paulsen
Payne
Pelosi
Perlmutter
Peters
Peterson
Pingree
Pocan
Polis
Price (NC)
Quigley
Rangel
Reichert
Rice (NY)
Richmond
Ros-Lehtinen
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Scott (VA)
Sensenbrenner
Serrano
Sewell (AL)
Sherman
Sinema
Sires
Slaughter
Smith (WA)
Speier
Stefanik
Swalwell (CA)
Takai
Takano
Thompson (CA)
Thompson (MS)
Thompson (PA)
Titus
Tonko
Torres
Tsongas
Turner
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Welch
Whitfield
Wilson (FL)
Yarmuth

NOT VOTING—10

Adams
Brady (TX)
Cramer
Doyle, Michael F.
Gutiérrez
Hinojosa
Jackson Lee
Nugent
Scott, David
Stewart

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute remaining.

□ 1228

Mr. SCHIFF changed his vote from ''aye'' to ''no.''

So the amendment was agreed to.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MS. ESTY

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentlewoman from Connecticut (Ms. ESTY) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 184, noes 230, not voting 18, as follows:

[Roll No. 308]

AYES—184

Aguilar	Fortenberry	Murphy (FL)
Ashford	Frankel (FL)	Nadler
Bass	Fudge	Neal
Becerra	Gallego	Nolan
Bera	Garamendi	Norcross
Beyer	Garrett	O'Rourke
Bishop (GA)	Gibson	Pallone
Blumenauer	Gosar	Pascrell
Bonamici	Graham	Payne
Boyle, Brendan F.	Grayson	Pelosi
	Green, Al	Perlmutter
Brady (PA)	Green, Gene	Peters
Brown (FL)	Grijalva	Peterson
Brownley (CA)	Hahn	Pingree
Bustos	Heck (WA)	Pocan
Butterfield	Herrera Beutler	Price (NC)
Capps	Higgins	Quigley
Capuano	Himes	Rangel
Cárdenas	Hinojosa	Reed
Carney	Honda	Rice (NY)
Carson (IN)	Hoyer	Roybal-Allard
Cartwright	Israel	Ruiz
Castor (FL)	Jeffries	Ruppersberger
Castro (TX)	Johnson, E. B.	Rush
Chu, Judy	Kaptur	Ryan (OH)
Cicilline	Katko	Sanchez, Loretta
Clark (MA)	Keating	Sanford
Clarke (NY)	Kelly (IL)	Sarbanes
Clay	Kennedy	Schakowsky
Cleaver	Kildee	Schiff
Clyburn	Kilmer	Schrader
Cohen	Kind	Scott (VA)
Connolly	Kuster	Serrano
Conyers	Langevin	Sewell (AL)
Cooper	Larson (CT)	Sherman
Costa	Lawrence	Sinema
Costello (PA)	Lee	Sires
Courtney	Levin	Slaughter
Crowley	Lewis	Smith (NJ)
Cuellar	Lieu, Ted	Smith (WA)
Cummings	Loebsack	Speier
Davis (CA)	Lofgren	Stefanik
Davis, Danny	Lowenthal	Swalwell (CA)
DeFazio	Lowey	Takai
DeGette	Lujan Grisham (NM)	Takano
Delaney		Thompson (CA)
DeLauro	Luján, Ben Ray (NM)	Titus
DelBene		Tonko
Denham	Lynch	Tsongas
DeSaulnier	MacArthur	Van Hollen
Deutch	Maloney, Carolyn	Vargas
Dingell		Veasey
Doggett	Maloney, Sean	Vela
Dold	Matsui	Velázquez
Duckworth	McCollum	Walz
Ellison	McDermott	Wasserman Schultz
Emmer (MN)	McGovern	
Engel	McNerney	Watson Coleman
Eshoo	McSally	Welch
Esty	Meng	Wilson (FL)
Farr	Moore	Woodall
Fattah	Moulton	Yarmuth
Fitzpatrick	Mullin	Zeldin

NOES—230

Abraham	Bilirakis	Brooks (AL)
Aderholt	Bishop (MI)	Brooks (IN)
Allen	Bishop (UT)	Buchanan
Amash	Black	Buck
Amodei	Blackburn	Bucshon
Babin	Blum	Burgess
Barletta	Bost	Byrne
Barr	Boustany	Calvert
Barton	Brat	Carter (GA)
Benishek	Bridenstine	Carter (TX)
Chabot	Johnson, Sam	Ribble
Chaffetz	Jolly	Rice (SC)
Clawson (FL)	Jones	Richmond
Coffman	Jordan	Rigell
Cole	Joyce	Roby
Collins (GA)	Kelly (PA)	Roe (TN)
Collins (NY)	King (IA)	Rogers (AL)
Comstock	King (NY)	Rogers (KY)
Conaway	Kinzinger (IL)	Rohrabacher
Cook	Kirkpatrick	Rokita
Crenshaw	Kline	Rooney (FL)
Culberson	Knight	Ros-Lehtinen
Curbelo (FL)	Labrador	Roskam
Davis, Rodney	LaMalfa	Ross
Dent	Lamborn	Rothfus
DeSantis	Lance	Rouzer
DesJarlais	Larsen (WA)	Royce
Diaz-Balart	Latta	Russell
Donovan	Lipinski	Ryan (WI)
Duffy	LoBiondo	Salmon
Duncan (SC)	Long	Sánchez, Linda T.
Duncan (TN)	Loudermilk	
Edwards	Love	Scalise
Ellmers (NC)	Lucas	Schweikert
Farenthold	Luetkemeyer	Scott, Austin
Fleischmann	Lummis	Sensenbrenner
Fleming	Marchant	Sessions
Flores	Marino	Shimkus
Forbes	Massie	Shuster
Foster	McCarthy	Simpson
Foxx	McCaul	Smith (MO)
Franks (AZ)	McClintock	Smith (NE)
Frelinghuysen	McHenry	Smith (TX)
Gabbard	McKinley	Stivers
Gibbs	McMorris Rodgers	Stutzman
Gohmert		Thompson (MS)
Goodlatte	Meadows	Thompson (PA)
Gowdy	Meehan	Thornberry
Granger	Meeks	Tipton
Graves (GA)	Messer	Torres
Graves (LA)	Mica	Trott
Griffith	Miller (FL)	Turner
Grothman	Miller (MI)	Upton
Guinta	Moolenaar	Valadao
Guthrie	Mooney (WV)	Wagner
Hardy	Mulvaney	Walberg
Harper	Murphy (PA)	Walden
Harris	Neugebauer	Walker
Hartzler	Newhouse	Walorski
Hastings	Noem	Walters, Mimi
Heck (NV)	Nunes	Weber (TX)
Hensarling	Olson	Webster (FL)
Hice, Jody B.	Palazzo	Wenstrup
Hill	Palmer	Westerman
Holding	Paulsen	Westmoreland
Hudson	Pearce	Whitfield
Huelskamp	Perry	Williams
Huffman	Pittenger	Wilson (SC)
Huizenga (MI)	Pitts	Wittman
Hultgren	Poe (TX)	Womack
Hunter	Poliquin	Yoder
Hurd (TX)	Polis	Yoho
Hurt (VA)	Pompeo	Young (AK)
Issa	Posey	Young (IA)
Jenkins (KS)	Price, Tom	Young (IN)
Jenkins (WV)	Ratcliffe	Zinke
Johnson (GA)	Reichert	
Johnson (OH)	Renacci	

NOT VOTING—18

Adams	Fincher	Scott, David
Beatty	Graves (MO)	Stewart
Brady (TX)	Gutiérrez	Tiberi
Cramer	Hanna	Visclosky
Crawford	Jackson Lee	Waters, Maxine
Doyle, Michael F.	Napolitano	
	Nugent	

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute remaining.

□ 1237

So the amendment was rejected.

The result of the vote was announced as above recorded.

Mr. DIAZ-BALART. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. ZELDIN) having assumed the chair, Mr. POE of Texas, Acting Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 2577) making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes, had come to no resolution thereon.

ANNOUNCEMENT REGARDING CLASSIFIED SCHEDULE OF AUTHORIZATIONS AND CLASSIFIED ANNEX ACCOMPANYING INTELLIGENCE AUTHORIZATION ACT FOR FISCAL YEAR 2016

Mr. NUNES. Mr. Speaker, I wish to announce to all Members of the House that the Permanent Select Committee on Intelligence has ordered the bill H.R. 2596, the Intelligence Authorization Act for Fiscal Year 2016, reported favorably to the House today with an amendment, and will file its report on the bill in the House early next week. The bill is currently expected to be considered in the House later in the week.

Mr. Speaker, the classified schedules of authorizations and the classified annexes accompanying the bill are available for review by all Members at the offices of the Permanent Select Committee on Intelligence in room HVC–304 of the Capitol Visitor Center. The committee office will be open during regular business hours for the convenience of any Member who wishes to review this material prior to its consideration by the House.

I recommend that Members wishing to review the classified annex contact the committee's director of security to arrange a time and date for that viewing. This will assure the availability of appropriately cleared committee staff to assist Members who desire assistance during their review of these classified materials.

I urge interested Members to review these materials in order to better understand the committee's recommendations. The classified annexes to the committee's report contain the committee's recommendations on the intelligence budget for fiscal year 2016 and related classified information that cannot be disclosed publicly.

It is important that Members keep in mind the requirements of clause 13 of House rule XXIII, which only permits access to classified information by those Members of the House who have signed the oath provided for in the rules.

In addition, the committee's rules require that Members agree in writing to a nondisclosure agreement. The agreement indicates that the Member has been granted access to the classified annexes and that they are familiar with the rules of the House and the committee with respect to the classified nature of that information and the

limitations on the disclosure of that information.

ON THE PASSING OF JOSEPH ROBINETTE BIDEN, III

Mr. MCCARTHY. Mr. Speaker, I send to the desk a resolution and ask unanimous consent for its immediate consideration in the House and, further, that it be read in full.

The Clerk read the resolution, as follows:

H. RES. 299

Whereas Joseph Robinette ''Beau'' Biden, III, born in Wilmington, Delaware and a graduate of the University of Pennsylvania and Syracuse University law school, served our country as an attorney in the Department of Justice for seven years, including assisting the nation of Kosovo in rebuilding their criminal justice system;

Whereas Beau Biden served his beloved State of Delaware for eight years as Attorney General;

Whereas Beau Biden joined the Army in 2003 at the age of 34, rose to the rank of major in the Delaware Army National Guard's Judge Advocate General Corps, deployed to Iraq in 2008 and received the Bronze Star for his service;

Whereas Beau Biden leaves behind a beloved wife, Hallie, and two children, Natalie and Hunter; and

Whereas Beau Biden was the eldest son of the former Senator from Delaware and current Vice President of the United States and President of the United States Senate, Joseph Robinette Biden, Jr.: Now, therefore, be it

Resolved, That the House of Representatives has heard with profound sorrow and deep regret the announcement of the untimely death of Joseph Robinette Biden, III.

Resolved, That the Clerk of the House of Representatives communicate this resolution to the Senate and transmit a copy thereof to the family of the Vice President of the United States.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

Mr. CARNEY. Mr. Speaker, reserving the right to object, I rise in support of this resolution that celebrates the life of Beau Biden, the son of our Vice President, my State's former attorney general, and my good friend.

This past weekend, Beau Biden left this world far too young, at the age of 46. My home State of Delaware and this country suffered a loss that is deeply painful and deeply personal.

Beau won our hearts when, as a young boy, he and his brother survived a car accident that killed his baby sister and his mother. His father, JOE, was sworn in to the United States Senate at Beau's hospital bedside.

After the accident, JOE held his children tight because he knew how fragile life was. And the rest of Delaware did the same with the entire Biden family.

We watched Beau grow into a young lawyer and then elected him twice to be our attorney general, where he became a champion of protecting the most vulnerable among us. We were filled with pride as we watched him join the National Guard and deploy to Iraq.

We were inspired by his example as a loving husband to Hallie, a doting father to Natalie and Hunter, and, as always, a devoted son and brother. Family for Beau, like JOE, was everything.

□ 1245

Beau was a truly giving person. He appreciated the good in others in a way that we all should. He leaves a legacy that calls on each of us to be more gentle in our judgments and more gracious with our thanks. Beau was one of the best of the good guys.

Back in my home State of Delaware, people are hurting. It feels like every person you meet has been wounded by this loss, and just wishes there were something we could do to support our friends, the Bidens.

It is they who are comforting us. They have shown us the courage to believe that there is something more enduring than grief. Love endures. Beau and his family, through their love for each other, have shown us that.

So as we say good-bye to this distinguished American, this genuinely good man, we say to him: Until we meet again, Beau. May God hold you in the palm of his hand.

I withdraw my reservation of objection.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

The resolution was agreed to.

A motion to reconsider was laid on the table.

ADJOURNMENT TO MONDAY, JUNE 8, 2015

Mr. MCCARTHY. Mr. Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet at 2 p.m. on Monday next and that the order of the House of January 6, 2015, regarding morning-hour debate not apply on that day.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

IN MEMORY OF MARINE LANCE CORPORAL JOSHUA BARRON

(Mrs. MCMORRIS RODGERS asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. MCMORRIS RODGERS. Mr. Speaker, I rise today in memory of Marine Lance Corporal Joshua Barron from Spokane Valley, Washington.

Joshua, tilt rotor crew chief, died on May 18 of injuries sustained during a training exercise. He was 1 of 22 Marines aboard the Osprey that came down in Hawaii near Bellows Air Force Base.

Joshua was raised in Spokane Valley and graduated from University High School in 2009. Those who knew him called him a superhero, an all-American kid, the best our Nation has to offer. During his service, he earned the National Defense Medal, a Global War on Terrorism Medal.

The Spokane area was Joshua's home for his entire life, and it is with a heavy heart that the community that raised him and loves him now says our good-byes.

My prayers are with the Barron family as they lay their son to rest this Friday.

When he left for the Marines, he left his family a message that read, ''Because you're worth it.'' This is a testament to the selfless spirit of this fine, young man.

Thank you for everything, Joshua. You're worth it. Rest in peace.

IN MEMORY OF OFFICER GREGG BENNER

(Mr. BEN RAY LUJÁN of New Mexico asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BEN RAY LUJÁN of New Mexico. Mr. Speaker, I rise today to honor Officer Gregg Benner of the Rio Rancho Police Department, who was killed in the line of duty on March 25.

I offer my heartfelt condolences to the family and loved ones of Officer Benner as they mourn the loss of a husband, a father, grandfather, and friend who was taken from them far too soon.

Officer Benner dedicated his life to protecting his community and his country. From his career in the Air Force to the Rio Rancho Police Department, Officer Benner put his health and safety on the line to make us safer, and he leaves behind a legacy of valor and service.

The loss of any police officer is a painful reminder of the dangers they face. While we are shaken by Officer Benner's loss, we can take comfort in the memories he has left behind for all those who knew him and the example that he set.

While a tragedy such as this is unexpected and shocking, the response has brought out the best of the residents of Rio Rancho who have displayed an outpouring of support and sympathy.

My thoughts and prayers are with Officer Benner's family, fellow officers, and the entire Rio Rancho community. I hope they find peace in the most difficult time.

Officer Benner, may God bless you, and may you rest in peace.

HONORING DR. JUAN M. ORTIZ

(Ms. ROS-LEHTINEN asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. ROS-LEHTINEN. Mr. Speaker, I am delighted to wish a happy and healthy 90th birthday to Dr. Juan Ortiz.

As one of the oldest full-time practicing M.D.'s in the U.S., Dr. Ortiz has provided exemplary care to his family, friends, and patients in our south Florida community. Dr. Ortiz has always shown impeccable leadership in both his professional and charitable endeavors, and his reputation for excellence is widely known.

When he is not treating his patients locally, you will find Dr. Ortiz volunteering his medical services during catastrophes in remote locations throughout Central America, the Caribbean, and Africa.

Not only is Dr. Ortiz a seasoned medical professional, but he is also a poet, a writer, and an avid traveler, with destinations extending as far as Antarctica.

Dr. Ortiz, once again, I would like to express my appreciation for your contributions and your service to south Florida. I wish you a happy and healthy 90th birthday.

URGING SUPPORT OF H.R. 2615 AND H. RES. 291

(Ms. PLASKETT asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. PLASKETT. Mr. Speaker, I rise today to ask my colleagues to join me in support of H.R. 2615 and H. Res. 291, both of which I introduced earlier this week.

Nearly a century ago, the United States purchased the Virgin Islands from Denmark for its geopolitical importance. The citizens of the Virgin Islands of the United States commemorate the events of that date, March 31, 1917, each year.

Mr. Speaker, H. Res. 291 asks the United States Postal Service to create a commemorate stamp in honor of the centennial.

The purpose of H.R. 2615 will form a bipartisan congressional commission to research, plan, develop, and carry out activities the commission considers appropriate to commemorate the 100th anniversary.

The commission will bring a national awareness to the events commemorating the centennial, engage lawmakers here in Congress, as well as the administration, and a new national discussion around the relationship and place of the Virgin Islands with the United States.

The coming centennial anniversary of the inclusions of the Virgin Islands in America affords us an opportunity to revisit this history and our ongoing relationship. It is also an opportunity to highlight the enormous contributions to the United States by Virgin Islanders and the richness of our Virgin Islands heritage.

COMMEMORATING THE LIFE OF ERIK HITE

(Ms. MCSALLY asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. MCSALLY. Mr. Speaker, I rise to commemorate the life of Erik Hite, a Tucson police officer and former Air Force member who was killed in the line of duty 7 years ago this week, as well as the great work of his wife, Nohemy, following his tragic death.

Erik was a model public servant and an exemplary cop. To honor his memory and his commitment to family, Nohemy founded the Erik Hite Foundation in 2009 to support construction of a daycare facility for the children of police officers, firefighters, military personnel, and other emergency responders. The foundation also runs enrichment and outreach programs that offer a safe and positive environment for these children.

Today, the facility cares for up to 45 children a day in a flexible setting that matches the around-the-clock hours that men and women of law enforcement are assigned. It has become a lifeline for many families who sacrifice to protect and to serve our community, just like Erik did.

Though nothing can make up for Erik's tragic death, Nohemy has kept his spirit and the ideals he lived for alive through her amazing efforts. She has shown tremendous courage and perseverance, and I commend this incredible woman for the difference she continues to make in southern Arizona.

REMEMBERING THE APOLLO-SOYUZ TEST PROJECT AND LIEUTENANT GENERAL TOM STAFFORD

(Mr. LUCAS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. LUCAS. Mr. Speaker, I rise today to recognize a momentous event in this Nation's history and honor the men and women who worked so diligently to make it happen.

The Apollo-Soyuz test project, which took place in July of 1975, was the first international human spaceflight, a joint operation between two rivaling superpowers: the United States and the Soviet Union. The Apollo-Soyuz test project was so successful, many historians attribute the handshake in space between Apollo Commander Tom Stafford and Soyuz Commander Aleksey Leonov to be the beginning of the end of the cold war.

Lieutenant General Tom Stafford was born in Weatherford, Oklahoma, in 1930. After graduating from the Naval Academy, earning his wings from the Air Force in 1953, and graduating from the Air Force Experimental Flight Test Pilot School, Stafford went on to serve as a pilot on Gemini 6, a commander of Gemini 9, commander of Apollo 10, and, finally, commander of the Apollo-Soyuz test project.

Thomas Stafford is a true patriot, a man who served this country in inspiring ways for over 60 years. I want to congratulate him on his accomplished service and his distinguished career.

CONGRATULATING THE UNIVERSITY OF FLORIDA LADY GATORS SOFTBALL TEAM

(Mr. YOHO asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. YOHO. Mr. Speaker, I rise today to congratulate the University of Florida, in Gainesville, Florida, the Lady Gators softball team. The Lady Gators won the Women's College World Series in Oklahoma City last night, defeating Michigan 4–1. This is the Lady Gators' second national championship in 2 years. It is a back-to-back national championship.

Again, congratulations to the Lady Gators' awesome softball team and their coach, Tim Walton, for his great coaching and leadership.

I would just like to end by saying it is great to be a Florida Gator.

CONGRATULATING VIC STORY, JR., ON BEING NAMED 2015 SWISHER SWEETS/SUNBELT EXPO FLORIDA FARMER OF THE YEAR

(Mr. ROONEY of Florida asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. ROONEY of Florida. Mr. Speaker, I rise today to congratulate Mr. Vic Story, Jr., on being named the 2015 Swisher Sweets/Sunbelt Expo Florida Farmer of the Year. This is a tremendous honor and one he truly deserves.

As the head of his family's citrus business, Mr. Story has demonstrated a lifelong commitment to the citrus industry. He is not only a successful grower, but he is widely regarded as a leader in Florida agriculture.

He has played a key role in educating the media, the general public, and elected officials like me about the importance of citrus to the State of Florida and this country. He has taught me a lot, and I am proud to count him both as an adviser and a friend.

On behalf of the 17th District of Florida, Florida's heartland, I would like to commend Mr. Story for his contributions to the industry and to his community. I wish him the best of luck as he competes with other State winners in October for the title of Southeastern Farmer of the Year.

RECOGNIZING CAPTAIN GLENN SULMASY

(Mr. FITZPATRICK asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. FITZPATRICK. Mr. Speaker, I rise today in recognition of a career of service both to our country and to those preparing to defend it.

Since 1988, Glenn Sulmasy has served our Nation as an officer in the United States Coast Guard. Since 2001, Captain Sulmasy has served on the faculty of the United States Coast Guard Academy as a professor of law and risen to the chairmanship of the department of humanities.

In each role, Captain Sulmasy has worked tirelessly to engage and educate cadets, faculty, government officials, and the public on national security law, public policy, and international conflict. He is a recognized expert in these areas.

Captain Sulmasy's expertise has not been limited to the academy. He is the author of multiple books and countless publications, a noted academic on the topic of national security, and a fellow in Homeland Security and National Security Law for the Center for National Policy here in Washington, D.C. There is no doubt his knowledge has been an asset to our Nation as it struggles to understand the security intricacies of our current world.

His commitment to the protection and defense of our Nation is commendable. And as he prepares to retire from the Coast Guard Academy, I join with countless other Americans in thanking him for his service and wishing him the best of luck in the future.

□ 1300

CONGRATULATIONS TO MINNESOTA'S TOP SPELLER MAXWELL MEYER

(Mr. PAULSEN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. PAULSEN. Mr. Speaker, I rise to congratulate Minnetonka's Maxwell Meyer, who is a seventh-grader at Minnetonka Middle School East, for his performance at the Scripps National Spelling Bee.

Maxwell was among the 49 survivors of the preliminary round last Wednesday when 234 other spellers were eliminated. Maxwell then spelled both of his words right in the nationally broadcast semifinal round on Thursday and, unfortunately, came up just short of the finals after failing to score enough points on a written vocabulary test.

The National Spelling Bee, Mr. Speaker, showcases some of the brightest, most dedicated young students across the country, and Maxwell makes his community and the State of Minnesota proud.

To reach this stage of the spelling bee takes countless hours of hard work, learning the skills and knowledge to be an accurate speller. For some, that means even reading the dictionary.

Maxwell's efforts had folks all over the State of Minnesota cheering him on, and we congratulate him on his success.

COMMUNICATION FROM LEGISLATIVE CORRESPONDENT, THE HONORABLE BILL SHUSTER, MEMBER OF CONGRESS

The SPEAKER pro tempore laid before the House the following communication from Anthony DeThomas, Legislative Correspondent, the Honorable BILL SHUSTER, Member of Congress:

CONGRESS OF THE UNITED STATES,
Washington, DC, June 3, 2015.

Hon. JOHN A. BOEHNER,
Speaker, House of Representatives, Washington, DC.

DEAR MR. SPEAKER: This is to notify you formally pursuant to rule VIII of the Rules of the House of Representatives that I have been served with a grand jury subpoena for testimony, issued by the United States District Court for the Central District of Illinois.

After consultation with counsel, I have determined that compliance with the subpoena is consistent with the privileges and rights of the House.

Sincerely,

ANTHONY DETHOMAS,
Legislative Correspondent.

TIME FOR CONGRESS TO AUTHORIZE WAR IN IRAQ AND SYRIA

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 2015, the gentleman from Massachusetts (Mr. MCGOVERN) is recognized for 60 minutes as the designee of the minority leader.

Mr. MCGOVERN. Mr. Speaker, today, along with my colleagues WALTER JONES of North Carolina and BARBARA LEE of California, I introduced House Concurrent Resolution 55 in order to force this House and this Congress to debate on whether U.S. troops should withdraw from Iraq and Syria. We introduced this resolution under the provisions of section 5(c) of the War Powers Resolution.

As all of my House colleagues know, last year, the President authorized airstrikes against the Islamic State in Iraq and Syria on August 7. For over 10 months, the United States has been engaged in hostilities in Iraq and Syria without debating an authorization for this war.

On February 11 this year, nearly 4 months ago, the President sent to Congress the text for an Authorization for Use of Military Force, or an AUMF, on combating the Islamic State in Iraq, Syria, and elsewhere, yet Congress has failed to act on that AUMF, or bring an alternative to the House floor, even though we continue to authorize and appropriate the money required for sustained military operations in those countries.

Frankly speaking, Mr. Speaker, this is unacceptable. This House appears to have no problem sending our uniformed men and women into harm's way. It appears to have no problem spending billions of dollars for the arms, equipment, and air power to carry out these wars. But it just can't bring itself to step up to the plate and take responsibility for these wars.

Our servicemen and servicewomen are brave and dedicated. Congress, however, is the poster child for cowardice. The leadership of this House whines and complains from the sidelines, and all the while it shirks its constitutional duties to bring an AUMF to the floor of this House, debate it, and vote on it.

Our resolution, which will come before this House for consideration in 15 calendar days, requires the President to withdraw U.S. troops from Iraq and Syria within 30 days or no later than the end of this year, December 31, 2015. If this House approves this resolution, Congress would still have 6 months in which to do the right thing and bring an AUMF before the House and the Senate for debate and for action. Either Congress needs to live up to its responsibilities and authorize this war, or by its continuing neglect and indifference, our troops should be withdrawn and come home. It is that simple.

I am deeply, I am deeply troubled by our policy in Iraq and Syria. I do not believe it is a clearly defined mission with a beginning, a middle, and an end, but rather just more of the same. I am not convinced that by enlarging our military footprint, that we will somehow end the violence in the region, defeat the Islamic State, or address the underlying causes of the unrest. It is a complicated situation that requires a complicated and more imaginative response.

I am also concerned by recent statements by the administration about how long we will be engaged in Iraq, Syria, and elsewhere fighting the Islamic State. Just yesterday, on June 3, General John Allen, the U.S. envoy for the U.S.-led coalition fighting ISIL, said that this fight may take ''a generation or more.'' He was speaking in Doha, Qatar, at the U.S.-Islamic World Forum.

Mr. Speaker, I will insert for the RECORD a Times of Israel article entitled, ''Islamic State Fight May Take 'Generation or More'—US Envoy.''

[From the Times of Israel, June 3, 2015]

ISLAMIC STATE FIGHT MAY TAKE 'GENERATION OR MORE'—US ENVOY

As key Iraqi province falls to Islamic State, Gen. John Allen says failure to defeat group would 'wreak havoc' on humanity

The Islamic State group is a ''global threat'' which will take a generation or more

to defeat, Washington's envoy for the US-led coalition fighting the jihadists said Wednesday.

Despite ''strategic momentum'' against IS—'' or Daesh as he called it—General John Allen conceded that the fight would continue for several years in a keynote speech to the US-Islamic World Forum in Doha, Qatar.

And he added that if IS was not defeated it could ''wreak havoc on the progress of humanity.''

''This will be a long campaign,'' he said.

''Defeating Daesh's ideology will likely take a generation or more. But we can and we must rise to this challenge. In an age when we are more interconnected that at any other time in human history, Daesh is a global threat.''

In a wide-ranging speech, Allen added that IS also poses a new type of threat because of its ''depravity.''

''As someone who has spent nearly four decades as a United States marine, I have come closer than many to the reality of inhumanity.

''But I have never seen before the kinds of depravity and brutality in this region that ISIL represents and, in fact, that ISIL celebrates,'' he added, using an alternative acronym for IS.

Allen was speaking the day after attending talks in Paris with ministers from around 20 coalition countries.

The meeting followed the fall of the city of Ramadi, the capital of Iraq's largest province Anbar, to IS. That loss has been described as the worst defeat for the coalition since it formed nearly a year ago.

US Pentagon chief Ashton Carter blamed Iraqi forces, saying there was ''an issue with the will of the Iraqis to fight,'' in comments that angered Baghdad.

Iraq on Tuesday pleaded for more global support in the fight against IS.

The loss of Ramadi in Iraq plus the ancient city of Palmyra in Syria has led some to question the effectiveness of the US-led coalition in recent weeks.

Allen said the coalition had achieved some gains against the extremists.

He noted that IS had been defeated in many places in Iraq and that it has ''lost over 25 percent'' of the populated territory it once held in the country.

Another area of coalition success, Allen claimed, was its ability to disrupt the group's access to finance.

''We are sharing information to block their assets to the global financial system. We are uncovering their points of access in the region and abroad for financial support,'' he said.

He said the coalition had gained valuable intelligence on the organisation's financial enterprises, but admitted that ''Daesh still maintains financial resources''.

These included extortion, looting, kidnapping for ransom, and human trafficking, said Allen.

Mr. MCGOVERN. Mr. Speaker, if we are going to invest a generation or more of our blood and our treasure in this war, then shouldn't Congress at least debate whether or not to authorize it?

According to the National Priorities Project, based in Northampton, Massachusetts, which is in my congressional district, every single hour the taxpayers of the United States are paying $3.42 million for military actions against the Islamic State—$3.42 million every hour, Mr. Speaker.

This is on top of the hundreds of billions of tax dollars spent on the first war in Iraq. And nearly every single penny of this war chest was borrowed money, put on the national credit card, provided as so-called emergency funds that don't have to be accounted for or subject to budget caps like all other funds.

Why is it, Mr. Speaker, that we always seem to have plenty of money or the will to borrow all the money it takes to carry out wars? But somehow, we never have any money to invest in our schools, our highways and water systems, or our children, families, and communities? Every day, every single day, this Congress is forced to make tough, serious, painful decisions to deprive our domestic economy and priorities of the resources they need to succeed. But somehow, there is always money for more wars.

Well, if we are going to continue to spend billions on war, and if we are going to continue to tell our Armed Forces that we expect them to fight and die in these wars, then it seems to me the least we can do is stand up and vote to authorize these wars, or we should end them. We owe that to the American people. We owe that to our troops and their families. And we owe that to the oath of office that each of us took to uphold the Constitution of the United States.

I want to be clear, Mr. Speaker: I can no longer criticize the President, the Pentagon, or the State Department when it comes to taking responsibility for this war against the Islamic State in Iraq and Syria. I may not agree with the policy, but they have done their duty. At every step of the way, beginning on June 16, 2014, the President has informed Congress of his actions to send U.S. troops to Iraq and Syria and to carry out military operations against the Islamic State. And on February 11 of this year, he sent to Congress the draft text of an AUMF.

Mr. Speaker, while I disagree with the policy, the administration has done its job. It has kept the Congress informed, and as military operations continue to escalate, they sent an AUMF to the Congress for action.

It is this Congress, this House, that has failed and failed miserably to carry out its duties. Always complaining from the sidelines, the leadership of this House failed to act last year to authorize this war, even as it escalated and expanded nearly every month. The Speaker said it wasn't the responsibility of the 113th Congress to act, even though the war started during its tenure. No, no. Somehow it was the responsibility of the next Congress, the 114th Congress.

Well, the 114th Congress convened on January 6, and it still hasn't done a single, solitary thing to authorize the war against the Islamic State in Iraq and Syria. The Speaker asserted that Congress couldn't act on the war until the President sent an AUMF to Congress. Well, Mr. Speaker, the President did just that on February 11, and still the leadership of this House has done nothing to authorize the use of military force in Iraq and Syria. And now the Speaker is saying he wants the President to send Congress another version of the AUMF because he doesn't like the first one. Are you kidding me?

Well, I am sorry, Mr. Speaker, it doesn't work that way. If the leadership of this House doesn't like the original text of the President's AUMF, then it is the job of Congress to draft an alternative, report that revised AUMF out of the House Foreign Affairs Committee, bring it to the floor of the House, and let the Members of this House debate and vote on it. That is how it works.

If you think that the President's AUMF is too weak, then you make it stronger. If you think that it is too expansive, then set limits on it. If you are opposed to these wars, then vote to bring our troops home. That is what we are here to do. That is what we are charged to do under the Constitution. And that is why Members of Congress get a paycheck from the American people every week—to make the hard decisions, not run away from them.

All I ask, Mr. Speaker, is that the Congress do its job. That is the duty of this House and of the majority in charge of this House—to simply do its job, to govern, Mr. Speaker. But instead, all we witness is dithering and twiddling and complaining and whining and blaming others, and the complete and total shirking of responsibility over and over and over and over again. Enough, enough.

So with great reluctance and frustration, Representative JONES and Representative LEE and I introduced House Concurrent Resolution 55. Because if this House doesn't have the stomach to carry out its constitutional duty to debate and authorize this latest war, then we should bring our troops home. If the cowardly Congress can go home each night to their families and loved ones, then our brave troops should receive that same privilege.

Doing nothing is easy. And I am sad to say that war has become easy, too easy. But the costs in terms of blood and treasure are very, very, very high.

I urge all of my colleagues to support this resolution and demand that the leadership of this House bring to the floor of this House an AUMF for the war against the Islamic State in Iraq and Syria before Congress adjourns on June 26 for the Fourth of July recess.

Congress needs to debate an AUMF, Mr. Speaker. It needs to do its job.

At this point, Mr. Speaker, I yield to my colleague from North Carolina, Congressman WALTER JONES.

Mr. JONES. Mr. Speaker, I want to thank my friend, Mr. MCGOVERN, for

always being out front on this issue, and I am delighted to join him. As he said in many of his comments, the House has a responsibility to the men and women in uniform and to the American people.

I have the privilege to represent Camp Lejeune Marine Corps Base, Cherry Point Marine Corps Air Station. I have over 70,000 retired veterans in the Third District of North Carolina. They are frustrated too. They believe sincerely that we must meet our constitutional responsibility and have this debate. And as you have said, Mr. MCGOVERN, be for it or be against it, but have the debate. That is what is absolutely frustrating.

I joined you and BARBARA LEE in a letter to Mr. BOEHNER in September. On August 27 we wrote a letter to the Speaker of the House asking him to please allow a debate on reauthorization of our involvement in the Middle East. Then on September 25 I wrote by myself to the Speaker of the House and asked again for the debate.

As you have stated, he did say publicly that because of the forthcoming election in 2014, that he thought it would be proper to have the debate in 2015, which you have already stated.

□ 1315

In 2015, the Speaker of the House said he was waiting for the President to submit the AUMF. As you have stated, the President did submit an AUMF, which many of us in both parties for different reasons were dissatisfied with, but it was the vehicle with which to go to the committee, to have the debate, and then to bring to the floor for a debate of the full House.

I quote frequently down in my district what James Madison said: ''The power to declare war, including the power of judging the causes of war, is fully and exclusively vested in the legislature.''

He didn't say the executive branch. He said the legislature, we in the House and we in the Senate. He didn't say the President. He said the legislature. If we don't bring it forward ourselves and if the Speaker wants the President to submit the AUMF—which he has already done, but now, as you stated, he is asking for another AUMF.

I do not understand. Our Nation has spent $1.7 trillion or $1.8 trillion in Iraq and Afghanistan combined. This is the first war in Iraq, not the continuation that we are into now. We are spending billions and billions of dollars every day. As you say, we have cut programs left and right. Even our veterans are concerned about their benefits being cut, and many of them did serve in Afghanistan and Iraq.

I take it upon myself to go to Walter Reed. I will go to my grave regretting that I voted to send our kids to Iraq, which was an unnecessary war initially, very unnecessary, but we went; 4,000 of our kids died, and 30,000 were wounded, and 100,000 Iraqis were killed. Anyway, that is history now. I know we can't change history, but, hopefully, we can learn from history.

The people are frustrated. I talk about this down in my district, Mr. MCGOVERN. That is why I support this H. Con. Res. 55. I don't know how many billions of dollars we are expending in Afghanistan. I know that that is a different subject, but I want to make my point.

The billions of dollars that we are expending in Afghanistan is just so ironic that John Sopko, who is the Special Inspector General of Afghan Reconstruction, talks about how the waste, fraud, and abuse is ongoing. We have had marines from my district who were sent to Afghanistan to train the Afghans to be policemen and soldiers, and the people they were training turned the guns on them and killed them.

We are sending our young men and women into these Middle East countries and other countries, and we don't have an end to the plan. I am not a military person, but I have heard from military leaders. If you have a strategy, that means you have an end point to your strategy, but we don't have an end point to our strategy. That is why it is so important that we bring it up.

What you are trying to do is to force a debate on an AUMF to get this Congress to reengage itself. I am like you, sir. I get tired of funding all of these programs. In fact, on FOX today, they were talking about the weapons that we have given to the Iraqis, and their army is disbanding half the time. The weapons that we have given them—from machine guns to Humvees—are now in the hands of ISIS, and we are now bombing the equipment that we sent to the Iraqi Army. It does not make any sense.

Just a couple more points, and then I am going to yield back to you your time.

I want to thank you and BARBARA LEE—and that is why I joined you—because I see the frustration of the marines down in Camp Lejeune. They have been deployed three, four, five, six, seven times, and they know that they might be called upon again, and they will go.

Just like all of those who serve in our services, they will go back and go back and go back; but, as you have said many times and as James Madison said, it is our responsibility, not the President's responsibility, to initiate these AUMFs.

I hope that the President will follow with what the Speaker has asked him for, which is for a second AUMF. If he sends a second AUMF, then there is no excuse that our leadership of the Republican Party has—and I am a Republican—to not bring it to the floor.

Mr. MCGOVERN, I thank you again. I am pleased to have thought to join you in this effort. We need to meet our constitutional responsibility. I go to Walter Reed. I see the broken bodies, and I see the amputated legs.

I have signed over 11,000 letters to families in this country who have lost loved ones in Afghanistan and Iraq. I want to fulfill my duty as a Member of Congress and follow the Constitution and have the debates on spending blood and money in these foreign countries.

Thank you for allowing me to be a small part of this.

Mr. MCGOVERN. I want to thank my colleague from North Carolina for his eloquent statement and for his passion on this issue and for his courage on this issue because I know that it is not easy to stand up and raise some of these questions. He has done so consistently, and I think the country owes him a debt of gratitude, so I thank the gentleman for that.

I think, as Mr. JONES pointed out, there is a constitutional principle at stake here. We have a responsibility when it comes to matters of war, and it is a little bit puzzling to me that we have a lot of complaining in this Chamber by some in saying that the President is not consulting enough with Congress or he is doing too many things with executive actions; yet, when it comes to the issue of war, we don't want to have anything to do with it. It is just too easy to do nothing.

I know that these issues are uncomfortable—they are complicated; they are difficult—but our job is not to run away from an issue if it is uncomfortable. We have to deliberate on a lot of issues that are important to the American people and to the national security of this country.

I don't think it takes any courage for a Member of Congress to be quiet on this issue and cheer the White House on if the military operation is going well or criticize it if it is not, but never have to take a vote. That is not leadership; that is cowardice. That is shirking our responsibility.

I don't care whether you are a Democrat or a Republican. We all, for the sake of protecting the integrity of this institution, should insist that we assume our proper role when it comes to issues of war. War is a big deal. It is a big deal—at least it should be a big deal.

As I said earlier, what bothers me is that, in this Chamber and in this city, it has become easy. We don't talk about it. We had a debate on the defense authorization bill last week. A number of us tried to bring amendments to the floor to kind of force this issue, and we were told this is not the place to talk about the war—the defense authorization bill, which authorizes a lot of the funding for this war.

If that is not the place to talk about it, then where is the place to talk about it? With every attempt that we have launched to try to force a debate

on the floor, we have been frustrated. We have been told you can't do it. Here we are in June, and we have been at war now for many, many months. The time has come for us to stand up and be heard on this issue.

Look, I have great reservations about the White House's policy in Iraq and Syria. I don't support much of what the President is doing right now. I know his heart is in the right place, but I don't think that the ultimate answer here is to expand our military footprint. I have reservations.

Even if you believe that you ought to give the President all of the power in the universe to do whatever he wants around the world, you still ought to support what Congressman JONES and Congresswoman LEE and I are trying to do, and that is to make sure that Congress has a role in this, that we authorize whatever action is going to take place from this point forward.

Again, you could vote to expand the President's authority. You could vote to limit the President's authority. You could vote to say we don't believe the President should have any authority to launch even more wars in the Middle East. That is what the debate should be about.

We should be talking about the specifics of our policy. I mean, is there a clearly defined mission here? I don't see it. A clearly defined mission has a beginning, a middle, and an end; but we ought to have that debate.

How does this all end? We were told initially, Oh, it won't be that long; then it was a few years. Now, it is going to be a generation or two. The length of time that we are going to be expected to be engaged here gets longer and longer and longer and longer with each passing month. Isn't that worth a discussion? Isn't that worth a debate?

We debate a lot of things on this House floor that I would say are pretty trivial. We debate a lot of legislation that we know is going nowhere. Why can't we take the time to debate this issue of war? Why can't we take the time to do what is right by our servicemen and -women, who are being put into harm's way, to make sure that we are getting it right with regard to Iraq and Syria and the war against the Islamic State? Again, I know it is uncomfortable; but so what? We need to do our job.

I will just close by reiterating something that Congressman JONES said, and that is that we have a lot of needs here in the United States. We can't get a long-term highway bill passed. We have tens of millions of fellow citizens in the United States of America, the richest country on the planet, who are hungry. We have some schools that are in disrepair.

Quite frankly, our kids deserve a heck of a lot better. We have infrastructure needs. I can go right down the list of the things that we need to do. We have people who are unemployed, and we have people who are homeless. We need more housing for people.

There are so many things that we have to do, and we are told we can't do any of it because we don't have the money; but, when it comes to wars that never end or wars that are going to last generations or more, we are an ATM machine.

If the money is not there, we will give you an IOU. We will put it on our credit card. People talk about the deficit and the debt; yet we are adding all of these billions and trillions of dollars because of these wars that are not paid for. No one says anything about that around here, but that is one of the biggest contributors to our debt. We ought to realize that.

When we talk about national security, I would just say to my colleagues that national security also includes the quality of life for people here in this country, whether people have a job, whether people have access to a good education, whether people have health care, whether people have food, whether they have shelter.

All of those things are important parts of our national security and our national defense. We are neglecting them on a regular basis, but we are spending every cent we have on these wars overseas.

This deserves a debate. Again, we would prefer that an AUMF come before the full House under regular order, where the House Foreign Affairs Committee would report out a bill, and we would just debate it, but we have been patient long enough, and nothing has been forthcoming.

Here we are in June with still no promise that anything may be coming—more excuses. That is why we introduced this privileged resolution. We are going to force a debate, and we are going to force a vote. We will do it again and again and again and again until this Congress lives up to its constitutional responsibilities.

Mr. Speaker, I yield back the balance of my time.

□ 1330

THREATS AROUND THE WORLD

The SPEAKER pro tempore (Mr. ZINKE). Under the Speaker's announced policy of January 6, 2015, the Chair recognizes the gentleman from Texas (Mr. GOHMERT) for 30 minutes.

Mr. GOHMERT. Mr. Speaker, there is so much going on these days, and I would just like to take up a very important issue that is going on right now.

There was an interview by our President that was discussed in the L.A. Times, an article by Christi Parsons and Michael Memoli, and I saw part of the interview on television. The headline of this story is ''Obama Raises Possibility of Allowing U.N. Vote on Palestinian Statehood.'' Their subheadline says, ''Obama makes veiled threat about Palestinian statehood in an interview.''

The article says, ''President Obama took a step toward a tougher line with Israel in an interview released Tuesday, raising the possibility that the U.S. will allow a United Nations vote on issues related to the Palestinians if the two sides make no meaningful movement toward peace.''

In an interview with an Israeli television station, Obama noted that his administration has ''up until this point'' quashed such efforts at the U.N., while insisting that the Israelis and Palestinians must negotiate a resolution; but he said it is a challenge for the U.S. to keep demanding that the Palestinians negotiate in good faith if no one believes the Israelis are doing the same.

Further down, it says, ''Obama's critical tone toward Netanyahu, describing him as someone who is 'predisposed' to 'think perhaps that peace is naive', appeared to return to the tough language that marked administration statements earlier this spring around the time of the Israeli election. More recently, the White House had seemed to be trying to mend fences.'' Well, obviously, that is not the case now.

I thought it might be important, Mr. Speaker, to take a look at some of the comments that have been made by folks who say they are leaders, and we know them to be leaders of the Palestinians because Mr. Obama is getting some terrible advice.

I don't know who is advising him. Maybe he is still skipping those briefings, and who knows where it is coming from, but somebody needs—somebody, and I hope, Mr. Speaker, somebody close to the President—to start advising him on the position of the Palestinians. They cannot make their position more clear.

Prime Minister Netanyahu stood right here at the second level and made the statement, in essence, that, if Israel lays down its arms, there is no Israel; if the Palestinians lay down their arms, there will be peace.

They will not do so, and they continue to teach their children about how evil and horrible these Jews are, these Israelis are, that they need to be wiped off the map. They continue to name streets and holidays for those who would kill innocent Israeli children, innocent Israeli moms and dads as they sit having coffee. Oh, they think that is wonderful; let's make them heroes because they killed innocent Israelis.

Yet this President continues to want to help the Palestinians have a big spot in Israel, a massive spot, which Israel has already seen makes their nation indefensible, while the President seems not to be getting the message of their

position: they want to wipe Israel off the map.

Some quotes, this is from Yasser Arafat, the previous PLO leader. He said: ''We plan to eliminate the State of Israel and establish a purely Palestinian state. We will make life unbearable for Jews by psychological warfare and population explosion. We Palestinians will take over everything, including all of Jerusalem.''

Now, the current Palestinian President has made clear—and his statement is: ''We cannot compromise on Jerusalem.'' They are taking all of Jerusalem.

Also, this quote, that they would never recognize a Jewish state. The quote is: ''First of all, let me make something clear about the story of the Jewish state,'' he told Dream 2 TV on October 23, 2011. He is quoted: ''They started talking to me about the Jewish state only 2 years ago, discussing it with me at every opportunity, every forum I went to—Jewish or non-Jewish—asking: 'What do you think about the Jewish state?' I've said it before, and I'll say it again: I will never recognize the Jewishness of the state, or a 'Jewish state.' ''

Another quote: ''Hamas kidnapped—or rather, captured—a soldier and managed to keep him for 5 years, and that is a good thing.''

Another quote from President Abbas: ''In a final resolution, we would not see the presence of a single Israeli—civilian or soldier—on our lands.'' Of course, their lands, they anticipate getting all of Israel. They intend to wipe the Israelis off the map.

''Whoever wants resistance, whoever wants jihad, the direction for jihad is well-known and clear.'' This is Mahmoud Al-Habbash, the Palestinian Minister for Religious Affairs. He said, ''Those who send young people to Syria or elsewhere to die for a misdirected cause must stop and understand that Jerusalem is still waiting. Jerusalem is the direction, Jerusalem is the address.''

Another quote—Hamas, a group designated by the State Department and European Union as a foreign terrorist organization. They, of course, are well respected in the area the Palestinians are occupying.

Saeb Erekat, the Palestinian diplomat's chief negotiator, said, ''Hamas is a Palestinian movement, is not and will never be a terrorist organization.'' Well, we know the facts dictate otherwise.

We keep coming back to this point, Mr. Speaker. As long as the leaders of the Palestinians continue to say that terrorist organizations are peaceful, in their view, even though they want to kill Israelis, wipe them off the map, and as long as they continue to say they will never recognize an Israeli state, a Jewish state, they will never allow them to exist, they will continue to push to wipe them off the map, how in the world can the President of the United States act like he is a friend to Israel, yet say we want to accommodate their getting a vote that will make Israel indefensible to people that want to destroy them?

Here are some more quotes. The following are excerpts from an interview with Hamas MP and cleric Yunis Al-Astal, which aired on Al-Aqsa TV on May 11 of 2011. He said: ''The Jews are brought in droves to Palestine so that the Palestinians—and the Islamic nation behind them—will have the honor of annihilating the evil of this gang.''

''All the predators, all the birds of prey, all the dangerous reptiles and insects, and all the lethal bacteria are far less dangerous than the Jews.''

Here is another: ''In just a few years, all the Zionists and the settlers will realize that their arrival in Palestine was for the purpose of the great massacre, by means of which Allah wants to relieve humanity of their evil.''

Here is another from this Hamas member and cleric: ''When Palestine is liberated and its people return to it, and the entire region, with the grace of Allah, will have turned into the United States of Islam, the land of Palestine will become the capital of the Islamic Caliphate, and all these countries will turn into states within the Caliphate.''

Another great quote from these wonderful leaders, another leader said: ''I swear that if we had a nuke, we'd have used it this very morning.''

Those are the people that the President of the United States thinks are being extremely reasonable, and he considers that Netanyahu, in wanting to keep a country in which they can live without being wiped off the map, is being unreasonable.

Netanyahu has made very clear, they want peace; but how can they sit down with people who will not even acknowledge they have a right to exist? That is not a precondition. That is a condition for wiping them off the map as a threat to mankind if they are not willing to recognize that genocide is inappropriate.

They are war criminal wannabes. When people make clear that they are going to commit murder or genocide, how long do you have to wait before it is okay to stop them? Well, the President has made clear it may be time to move out of the way so that these Palestinians that want to obliterate Israel can have their will.

One thought came back to mind. Back in my days as a felony judge, when you have somebody who is driving a car and people say, ''Hey, we just need a ride to this location. Once we get there, we are going to murder some people, but we don't need anything from you. We just need a ride,'' the person that drove that car, knowing that those people made those comments about wanting to kill people when they get to that location, they are also guilty of murder.

I am not accusing anybody. I am raising questions. If the United States says, ''Here, Palestinian terrorist groups, we want to provide you the vehicle to have a powerful place right in the middle, a huge section of Israel. We want to give you that place, and you have made clear, we know you have made clear, once you are there, you are going to wipe out Israel,'' does that make the United States' leaders that facilitate that, does that make them accessories? I am just asking.

Mr. Speaker, you can advise the Parliamentarian, I am not accusing anybody. I am just asking the question.

The President needs to be advised by somebody that people are threatening murder, genocide, and those are not the people whose side we should be on trying to accommodate to reach that goal. It is a difficult time, and it is a scary time.

Many of us believe what Scripture says, to whom much is given, of them much is required.

I have mentioned a number of times the elderly West African gentleman who advised me when I was over there with Mercy Ships: We were so excited when you elected your first Black President, but we have continued since then to see America get weaker, and you have got to go back to Washington and tell your friends there that, when America gets weaker, we suffer.

Then we see the stories of to whom much is given. This United States of America, that our leaders in this administration, according to articles, a Catholic Bishop in Nigeria, that this administration is saying: We are not going to help you stop Boko Haram, these radical Islamists; we are going to let them keep killing innocent Christians, kidnapping, and sexually raping, abusing Christian girls. But, if you will change your laws and accommodate same sex marriage and pay for abortion, then we will be willing to come help.

□ 1345

I was advised by some other Members of Congress who got back from a trip to East Africa, where they were told by leaders in East African nations the same thing that they are being told by the people in this administration: Oh, yeah, we will help you with radical Islam, but only if you change your laws to violate your strongly held Christian beliefs that same-sex marriage is wrong. And also, start providing abortions, also violating your strongly held religious beliefs.

Only if you will violate your Christian beliefs will we be willing to come help you. If there is a God as the Bible talks about, there will be a price to this Nation for acting in such a way.

I have a dear friend—I think the world of him—a man named Sean

Hannity. I don't usually get to see his program live. Again, last night in the wee hours I was watching a replay of Sean's program, and he was talking about, once again, a terrorist with ties to a mosque in the Boston area.

Of course, I had done some research on this and found research that had been done by others. I found an article by Ryan Mauro back from December 2013.

I know when I was questioning the Director of the FBI, Director Mueller, before our Judiciary Committee, I was incredulous that the Russians, of all people, could advise the United States twice that the older Tsarnaev had been radicalized long before he ever killed people and maimed people during the Boston Marathon.

We had been advised twice. When we took no action the first time, then they advised the FBI that the older Tsarnaev had been radicalized, and you need to check into it. And the best I can find out is the FBI interviewed Tsarnaev, and he said he wasn't a terrorist—imagine that—and they talked to his mother and she said her son was not a terrorist.

And I challenged him and said, in effect: You didn't even go to the Boston mosque where Tsarnaev attended to find out, to investigate if he had been radicalized? And he challenged me. He said that wasn't true. I said: What part wasn't true? And he said: We did go to the mosque there.

I didn't hear the little tag-on line he put after that until I heard a replay. My staff had to say: You apparently didn't hear what he said after he said ''We did go to the mosque.'' So I had to listen to the replay. What he said: ''We did go to the mosque in our outreach program.''

In the outreach program. We talked about that before. It took years before the FBI finally suspended their partnership with CAIR after, years before, the FBI had found evidence that was utilized in the Holy Land Foundation trial, the largest terrorist prosecution case in American history.

CAIR was named as an unindicted coconspirator. They tried to have their name removed from the pleadings, but the Federal judges at the district level and at the United States Court of Appeals both said there is plenty of evidence to support CAIR being a coconspirator supporting terrorism. So no, we are not going to strike their names from the pleadings. There were other names that were challenging as well.

So I was surprised it took years for the FBI to decide to suspend their outreach program, their partnership with CAIR. And yet, according to Director Mueller, they continued that outreach program to that mosque.

But I did challenge him with one final question. I held up these documents here, the Articles of Organization. This is with the Commonwealth of Massachusetts that they got these Articles of Organization. And it is organizing a group called the Islamic Society of Boston, which established the mosque in Boston that Tsarnaev attended, that the latest terrorist attended.

My friend, Sean Hannity, was asking the question about this mosque because he was shocked, like I was previously, as to why there had not been more investigation.

This article from 2013 pretty well tells the tale: ''Clarion Project: Islamic Society of Boston.'' It says:

''The Islamic Society of Boston's teachings are largely based on Islamists like Muslim Brotherhood spiritual leader Yousef al-Qaradawi and Sayyid Qutb, the Brotherhood cleric who influenced Osama bin Laden, as reported in 2008 that the Muslim Brotherhood and the Pakistani Islamist group Jamaat-e-Islami 'are the prominent belief systems. The popular web sites used by members, and recommended by mosque leaders, are mostly fundamentalist, and rabidly homophobic.' ''

So we already knew that. Osama bin Laden had said that the writings of Qutb, particularly the booklet ''Milestones,'' helped radicalized him.

If our FBI training materials had not been purged, as have our intelligence training materials and other training materials, if they had not been purged of material that CAIR found offensive—CAIR being the entity that the Fifth Circuit Court of Appeals and a U.S. District Court said there is plenty of evidence to support their being coconspirators in terrorism. They found some language offensive and so there were—well they classified it. I thought it was ridiculous, and I won't say an approximate amount. They found many pages to be offensive to them, this coconspirator in terrorism, according to the pleadings in the Holy Land Foundation trial, and so they were removed. As one intelligence officer told me: We blinded ourselves of the ability to see our enemy.

They don't even know. Our FBI should go into the mosque and talk to people there. They should have asked: Well, look, do you know Tsarnaev? Was he reading Qutb—well, they call him an Egyptian martyr, but he was a terrorist. He promoted terrorism, and he wrote this booklet that has helped radicalize people.

But if you know what radicals believe, then you are able to ask the questions and get to the bottom. And so you are not just going to the mosque to sit down and pat each other on the back and have some food together. You are actually investigating whether somebody is going to kill people at the Boston Marathon in the future so you can save their lives. But they didn't know enough to do that because they are not properly trained anymore because CAIR gets offended when we try to properly train them.

This article goes on and says:

''Their writings and teachings were fanatical.''

This is from Sheikh Ahmed Mansour in 2013. He is talking about the Islamic Society of Boston's teachings in the mosque. He said:

''The writings and teachings were fanatical. I left and refused to go back to pray. I left Egypt to escape the Muslim Brotherhood, but I had found it there.''

The Muslim Brotherhood advises this administration. And for the incompetent people that say: ''Well, GOHMERT never gives names; he just says they advise the President,'' they don't know how many times I have given names. Mohamed Elibiary from Plano was on the top advisory group for Homeland Security.

Imam Magid, the president of the All Dulles Area Muslim Society, or ADAMS—I am sure John Adams would appreciate that—he was president of that. He was part of a group that was named as a coconspirator in the terrorist prosecution trial of the Holy Land Foundation. He advised the President regularly. He gave him advice, according to the media. He gave advice to the President about his speech back in 2011, where the President inaccurately said everybody agrees to going back to the pre-1967 boundaries. No, they didn't.

If you are Imam Magid, and you are part of what was named as a coconspirator in terrorism, maybe you think that, but certainly the parties didn't agree to that.

Anyway, this article goes on:

''In 2004, the Islamic Society of Boston Web site had a section titled: '40 Recommendations for the Muslim Home.' It said to 'hang up the whip where the members of the household can see it,' and that children are to be 'hit' if they refuse to pray once they are 10 years old.

''The section also said regarding wife beating, 'Hitting is not the way to discipline; it is not to be resorted to except when all other means are exhausted or when it is needed to force someone to do obligatory acts of obedience,' '' which apparently include of a sexual nature.

The article says:

''One of the founders of the Islamic Society of Boston is Abdurrahman Alamoudi, who was its first president.''

I insert here that I asked Director Mueller: Were you aware that Alamoudi is the one that started this mosque that Tsarnaev attended? And he said: No, he was not. But he sure knew who Alamoudi was. Because the FBI gathered the evidence, whether they wanted to or not, that put him in prison. Actually, I think the British gathered the evidence that was so overwhelming that there wasn't much choice; he had to be prosecuted.

Yes, he had helped the Clinton administration, he had been some help to

the Bush administration, according to Alamoudi. Anyway, he gets arrested out at Dulles Airport and is doing I believe 23 years in prison for supporting terrorism.

But the article points out:

''He was convicted on terrorism-related charges in 2004 and has admitted to being a secret Muslim Brotherhood operative. He wrote from his prison cell, 'I am, I hope, still a member of the Muslim Brotherhood organization in the USA.' He was last paid a speaking fee by the Islamic Society of Boston in 2000, the same year he publicly expressed his support for Hamas and Hezbollah.

''Muslim Brotherhood spiritual leader Yousef al-Qaradawi has been on the ISB board of trustees. Tax filings for 1998–2000 include his name under a list of 'officers, directors, trustees, and key employees.'

''In 2002, Qaradawi helped ISB—the Islamic Society of Boston—fundraise via videotape because the U.S. would not grant him entry. His name also appeared on the Islamic Society of Boston's Web site until March 2001. The Islamic Society of Boston originally denied having any connection to Qaradawi and later claimed that the inclusion of his name on the tax forms was an error.

''The ISB has hosted Islamic speakers like Salah Soltan and Yasir Qadhi. In March 2010, Imam Abdullah Faarooq said that Aafia Siddiqui, a young woman arrested for her al Qaeda ties, was innocent, and 'You must grab on to this rope, grab on to the typewriter, grab on to the shovel, grab on to the gun and the sword, don't be afraid to step out into this world and do your job.'

''ISB has donated 'thousands' of dollars to the Holy Land Foundation, a U.S. Muslim Brotherhood entity later shut down for financing Hamas. It also donated to the Benevolence International Foundation, later identified as al Qaeda front.

''Imam Sheikh Basyouny Nehela, was has served the Islamic Society of Boston for at least 10 years, is also a board member of the Boston chapter of the Muslim American society.

''In 1994, Hamas fundraiser Mohammed El-Mezain addressed the Muslim Arab Youth Association. He spoke after an individual that was introduced as a leader of the 'Hamas mosque military wing.' An FBI report documented the speaker saying: 'I have been told to restrict or restrain what I say . . . I hope no one is recording me or taking any pictures, as none are allowed . . . because I'm going to speak the truth to you. It's simple. Finish off the Israelis. Kill them all. Exterminate them. No peace ever.' ''

These are the Muslim Brothers that the President gets advice from.

It is time to stop this organization. It is time to listen to our friends in Israel and do not, at all costs, facilitate the destruction or the attempted destruction of Israel by our enemies and their enemies.

With that, I yield back the balance of my time.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. STEWART (at the request of Mr. MCCARTHY) for today on account of family reasons.

Mr. MICHAEL F. DOYLE of Pennsylvania (at the request of Ms. PELOSI) for today.

ADJOURNMENT

Mr. GOHMERT. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 2 p.m.), under its previous order, the House adjourned until Monday, June 8, 2015 at 2 p.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

1699. A letter from the Acting Under Secretary, Personnel and Readiness, Department of Defense, transmitting authorization for Colonel Paul J. Rock, Jr., United States Marine Corps, to wear the insignia of the grade of brigadier general, in accordance with 10 U.S.C. 777; to the Committee on Armed Services.

1700. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's IRB only rule — Capital Gain Distributions of Regulated Investment Companies [Notice 2015-41] received June 3, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

1701. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's IRB only rule — Changes in accounting periods and in methods of accounting (Rev. Proc. 2015-33) received June 3, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

1702. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's IRB only rule — Penalty Relief Program — Late Annual Reporting for Non-Title I Retirement Plans (''One-Participant Plans'' and Certain Foreign Plans) (Rev. Proc. 2015-32) received June 3, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

1703. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's IRB only rule — Request for Comments Regarding New Financial Accounting Standards Board and International Accounting Standards Board Revenue Recognition Standards [Notice 2015-40] received June 3, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. SHUSTER: Committee on Transportation and Infrastructure. H.R. 2131. A bill to designate the Federal building and United States courthouse located at 83 Meeting Street in Charleston, South Carolina, as the ''J. Waties Waring Judicial Center'' (Rept. 114–137). Referred to the House Calendar.

Mr. CONAWAY: Committee on Agriculture. H.R. 2394. A bill to reauthorize the National Forest Foundation Act, and for other purposes; with an amendment (Rept. 114–138). Referred to the Committee of the Whole House on the state of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. BRENDAN F. BOYLE of Pennsylvania:

H.R. 2645. A bill to amend title 5, United States Code, to prevent the Thrift Savings Fund from investing in any company that boycotts Israel; to the Committee on Oversight and Government Reform.

By Mr. MURPHY of Pennsylvania (for himself, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. BUCHANAN, Mr. DIAZ-BALART, Mr. BILIRAKIS, Mr. DOLD, Mr. GUINTA, Mrs. MIMI WALTERS of California, Mr. BRENDAN F. BOYLE of Pennsylvania, Mrs. ELLMERS of North Carolina, Mr. DENHAM, Mr. VARGAS, Mrs. MILLER of Michigan, Mr. HASTINGS, Mr. CALVERT, Mr. NUNES, Mr. HUNTER, Mr. BLUMENAUER, and Ms. SINEMA):

H.R. 2646. A bill to make available needed psychiatric, psychological, and supportive services for individuals with mental illness and families in mental health crisis, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committees on Ways and Means, and Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. WESTERMAN (for himself, Mrs. KIRKPATRICK, Mr. THOMPSON of Pennsylvania, and Mr. ZINKE):

H.R. 2647. A bill to expedite under the National Environmental Policy Act and improve forest management activities in units of the National Forest System derived from the public domain, on public lands under the jurisdiction of the Bureau of Land Management, and on tribal lands to return resilience to overgrown, fire-prone forested lands, and for other purposes; to the Committee on Agriculture, and in addition to the Committee on Natural Resources, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. CARTWRIGHT (for himself, Mr. PALLONE, Mr. POSEY, Mr. COLE, Mr. FATTAH, and Mrs. LUMMIS):

H.R. 2648. A bill to require adequate information regarding the tax treatment of payments under settlement agreements entered into by Federal agencies, and for other purposes; to the Committee on Oversight and Government Reform, and in addition to the Committee on Financial Services, for a period to be subsequently determined by the Speaker, in each case for consideration of

such provisions as fall within the jurisdiction of the committee concerned.

By Mr. REICHERT (for himself and Mr. THOMPSON of California):

H.R. 2649. A bill to amend title XVIII of the Social Security Act to provide for the application of Medicare secondary payer rules to certain workers' compensation settlement agreements and qualified Medicare set-aside provisions; to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. TOM PRICE of Georgia:

H.R. 2650. A bill to restore equity, save coverage, and undo errors in the case of individuals who lose health insurance subsidies under King v. Burwell, and other individuals, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committees on Ways and Means, and Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. DEGETTE (for herself, Mr. WHITFIELD, Ms. KELLY of Illinois, Ms. MICHELLE LUJAN GRISHAM of New Mexico, and Ms. LEE):

H.R. 2651. A bill to amend the Public Health Service Act to prevent and treat diabetes, to promote and improve the care of individuals with diabetes, and to reduce health disparities, relating to diabetes, within racial and ethnic minority groups, including the African-American, Hispanic American, Asian American, Native Hawaiian and Other Pacific Islander, and American Indian and Alaskan Native communities; to the Committee on Energy and Commerce.

By Mr. PALMER (for himself, Mr. TOM PRICE of Georgia, Mr. BABIN, Mr. ROGERS of Alabama, Mr. SESSIONS, Mr. WESTERMAN, Mr. SALMON, Mr. BUCK, Mr. KELLY of Pennsylvania, Mr. BROOKS of Alabama, Mrs. LOVE, Mr. ADERHOLT, Mr. SANFORD, Mr. LAMBORN, Mrs. HARTZLER, Mr. GRIFFITH, Mr. RATCLIFFE, Mr. ZINKE, Mrs. LUMMIS, Mr. BRIDENSTINE, Mr. WALKER, Mr. FRANKS of Arizona, Mr. BISHOP of Michigan, Mr. CARTER of Georgia, Ms. HERRERA BEUTLER, Mr. DUNCAN of South Carolina, Mr. BLUM, Mr. STUTZMAN, Mr. RICE of South Carolina, Mr. BYRNE, Mr. LOUDERMILK, Mr. BARTON, and Mr. BOUSTANY):

H.R. 2652. A bill to provide a 2-year grace period for physicians and other health care providers in transitioning from the use of ICD-9 to ICD-10; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. ROE of Tennessee (for himself, Mr. AUSTIN SCOTT of Georgia, Mr. FLORES, Mr. BARR, Mrs. BLACKBURN, Mr. CARTER of Georgia, Mrs. ELLMERS of North Carolina, Mr. FLEMING, Mr. GOSAR, Mr. HARRIS, Mr. HILL, Mr. ROKITA, Mr. SCALISE, Mr. BUCSHON, Mr. GIBBS, Mr. BISHOP of Michigan, Mr. WALBERG, Mr. WEBER of Texas, Mr. WENSTRUP, Mr. FARENTHOLD, Mr. HUELSKAMP, Mr. BYRNE, Mr. HUIZENGA of Michigan, Mr. ROUZER, Mr. YODER, Mr. LAMBORN, Mr. NEUGEBAUER, Mr. FRANKS of Arizona, Mr. PITTENGER, Mr. COLE, Mr. BABIN, Mr. ROONEY of Florida, Mr. STUTZMAN, Mr. ROTHFUS, Mrs. HARTZLER, Mrs. WAGNER, Mr. DESJARLAIS, Mr. MCKINLEY, Mr. BENISHEK, Mr. FINCHER, Mr. WILSON of South Carolina, Mr. OLSON, Mr. PALAZZO, Mr. MESSER, Mr. MCCLINTOCK, and Mr. MCCAUL):

H.R. 2653. A bill to repeal the Patient Protection and Affordable Care Act and related reconciliation provisions, to promote patient-centered health care, to provide for the creation of a safe harbor for defendants in medical malpractice actions who demonstrate adherence to clinical practice guidelines, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committees on Ways and Means, Education and the Workforce, the Judiciary, Natural Resources, House Administration, Rules, Appropriations, Veterans' Affairs, and the Budget, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. NADLER (for himself, Mr. SCOTT of Virginia, Mrs. CAROLYN B. MALONEY of New York, Ms. SPEIER, Mrs. DAVIS of California, Ms. FUDGE, Mr. BERA, Mr. BLUMENAUER, Ms. BONAMICI, Ms. BORDALLO, Mr. BRADY of Pennsylvania, Ms. BROWNLEY of California, Mrs. BUSTOS, Mr. CÁRDENAS, Mrs. CAPPS, Mr. CAPUANO, Mr. CARNEY, Mr. CARSON of Indiana, Mr. CARTWRIGHT, Ms. CASTOR of Florida, Mr. CICILLINE, Ms. CLARK of Massachusetts, Ms. CLARKE of New York, Mr. CONNOLLY, Mr. CONYERS, Mr. COOPER, Mr. COURTNEY, Mr. CROWLEY, Mr. CUMMINGS, Mr. DANNY K. DAVIS of Illinois, Mr. DEFAZIO, Ms. DEGETTE, Ms. DELAURO, Ms. DELBENE, Mr. DESAULNIER, Mr. MICHAEL F. DOYLE of Pennsylvania, Mr. ELLISON, Mr. ENGEL, Ms. ESHOO, Ms. ESTY, Mr. FARR, Ms. FRANKEL of Florida, Mr. GARAMENDI, Mr. GRAYSON, Mr. GRIJALVA, Mr. GUTIÉRREZ, Ms. HAHN, Mr. HASTINGS, Mr. HIGGINS, Mr. HIMES, Mr. HONDA, Mr. HUFFMAN, Mr. ISRAEL, Ms. JACKSON LEE, Mr. JOHNSON of Georgia, Ms. KAPTUR, Mr. KEATING, Mr. KENNEDY, Ms. KUSTER, Mr. LANGEVIN, Mr. LARSEN of Washington, Mrs. LAWRENCE, Ms. LEE, Mr. LEVIN, Mr. LEWIS, Mr. LIPINSKI, Ms. LOFGREN, Mr. LOWENTHAL, Ms. MICHELLE LUJAN GRISHAM of New Mexico, Mr. LYNCH, Mr. SEAN PATRICK MALONEY of New York, Ms. MATSUI, Ms. MCCOLLUM, Mr. MCDERMOTT, Mr. MCGOVERN, Mr. MCNERNEY, Ms. MENG, Ms. MOORE, Mrs. NAPOLITANO, Mr. NOLAN, Ms. NORTON, Mr. PASCRELL, Mr. PERLMUTTER, Mr. PETERS, Ms. PINGREE, Mr. POCAN, Mr. POLIS, Mr. PRICE of North Carolina, Mr. QUIGLEY, Mr. RANGEL, Mr. RUSH, Mr. RYAN of Ohio, Ms. LINDA T. SÁNCHEZ of California, Mr. SARBANES, Ms. SCHAKOWSKY, Mr. SCHIFF, Mr. SERRANO, Mr. SHERMAN, Ms. SINEMA, Ms. SLAUGHTER, Mr. SMITH of Washington, Mr. TAKANO, Mr. THOMPSON of California, Mr. TONKO, Ms. TSONGAS, Mr. VAN HOLLEN, Mr. VEASEY, Ms. VELÁZQUEZ, Ms. WASSERMAN SCHULTZ, Mrs. WATSON COLEMAN, and Ms. WILSON of Florida):

H.R. 2654. A bill to eliminate discrimination and promote women's health and economic security by ensuring reasonable workplace accommodations for workers whose ability to perform the functions of a job are limited by pregnancy, childbirth, or a related medical condition; to the Committee on Education and the Workforce, and in addition to the Committees on House Administration, Oversight and Government Reform, and the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. DELANEY (for himself, Mr. POLIS, and Mr. PETERS):

H.R. 2655. A bill to require all candidates for election for the office of Senator or Member of the House of Representatives to run in an open primary regardless of political party preference or lack thereof, to limit the ensuing general election for such office to the two candidates receiving the greatest number of votes in such open primary, and for other purposes; to the Committee on House Administration, and in addition to the Committees on Oversight and Government Reform, the Judiciary, and Rules, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. POLIS (for himself, Mr. ROE of Tennessee, Mr. KIND, and Mr. KELLY of Pennsylvania):

H.R. 2656. A bill to amend the Employee Retirement and Income Security Act of 1974 and the Internal Revenue Code of 1986 to provide for the electronic delivery of pension plan information; to the Committee on Education and the Workforce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. REED (for himself, Mr. BLUMENAUER, Mr. GIBSON, Mr. KIND, Mr. HECK of Nevada, Mr. WELCH, Mr. COLLINS of New York, Mr. RYAN of Ohio, Mr. AMODEI, and Ms. TITUS):

H.R. 2657. A bill to amend the Internal Revenue Code of 1986 to modify the energy credit to provide greater incentives for industrial energy efficiency; to the Committee on Ways and Means.

By Mr. BARLETTA:

H.R. 2658. A bill to amend the Internal Revenue Code of 1986 to ensure that emergency services volunteers are not taken into account as employees under the shared responsibility requirements contained in the Patient Protection and Affordable Care Act; to the Committee on Ways and Means.

By Mr. CRENSHAW (for himself and Mr. POLIS):

H.R. 2659. A bill to authorize preferential treatment for certain imports from Nepal; to the Committee on Ways and Means.

By Ms. DELAURO (for herself, Ms. LINDA T. SÁNCHEZ of California, Mr. RANGEL, Mr. POCAN, Ms. LEE, Mr. MCGOVERN, Mr. GUTIÉRREZ, Ms. SCHAKOWSKY, Ms. CLARK of Massachusetts, Mrs. TORRES, Ms. MOORE, Mr. SERRANO, Mr. LEWIS, Mrs. DINGELL, Mr. CONYERS, Ms. FUDGE, Mrs. NAPOLITANO, Mr. SCHIFF, Ms. HAHN, Mr. CICILLINE, Mr. FARR, Mr. PAYNE, and Ms. PINGREE):

H.R. 2660. A bill to amend the Child Nutrition Act of 1966 to increase the age of eligibility for children to receive benefits under

the special supplemental nutrition program for women, infants, and children, and for other purposes; to the Committee on Education and the Workforce.

By Mr. FORTENBERRY (for himself and Mr. HUFFMAN):

H.R. 2661. A bill to amend the National Trails System Act to include national discovery trails, and to designate the American Discovery Trail, and for other purposes; to the Committee on Natural Resources.

By Mr. FRANKS of Arizona (for himself, Mr. SALMON, Mr. GALLEGO, and Ms. SINEMA):

H.R. 2662. A bill to amend title 37, United States Code, to clarify the situations in which the United States will cover the cost of transportation for next of kin to attend the transfer ceremony of a member of the Armed Forces who dies overseas; to the Committee on Armed Services.

By Mr. GOSAR (for himself, Mr. POLIS, Mr. HECK of Nevada, Mr. THOMPSON of California, Mr. FRANKS of Arizona, Mr. RUIZ, Mr. BENISHEK, Mr. CÁRDENAS, Mr. CARTWRIGHT, Mr. CRAMER, Ms. MICHELLE LUJAN GRISHAM of New Mexico, Mrs. KIRKPATRICK, Mr. LAMALFA, Mr. LOWENTHAL, Mr. BEN RAY LUJÁN of New Mexico, Mr. MCGOVERN, Mr. PEARCE, Mr. SALMON, Mr. SCHWEIKERT, Mr. SIMPSON, Ms. SINEMA, Mr. ZINKE, and Mr. HUFFMAN):

H.R. 2663. A bill to promote the development of renewable energy on public land, and for other purposes; to the Committee on Natural Resources, and in addition to the Committee on Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. HIGGINS:

H.R. 2664. A bill to amend title 28, United States Code, to protect the right of a claimant in a civil action before a Federal court to retain a structured settlement broker to negotiate the terms of payment of an award, and for other purposes; to the Committee on the Judiciary.

By Mr. KILMER:

H.R. 2665. A bill to designate and expand wilderness areas in Olympic National Forest in the State of Washington, and to designate certain rivers in Olympic National Forest and Olympic National Park as wild and scenic rivers, and for other purposes; to the Committee on Natural Resources.

By Mr. KINZINGER of Illinois (for himself, Mr. LATTA, Mr. BILIRAKIS, Mr. BARTON, Mr. LANCE, Mr. SHIMKUS, Mrs. BLACKBURN, Mr. OLSON, Mr. POMPEO, Mr. SCALISE, Mr. CRAMER, Mr. COLLINS of New York, Mr. LONG, Mr. GUTHRIE, Mr. JOHNSON of Ohio, Mrs. ELLMERS of North Carolina, Mr. WALDEN, and Mr. UPTON):

H.R. 2666. A bill to prohibit the Federal Communications Commission from regulating the rates charged for broadband Internet access service; to the Committee on Energy and Commerce.

By Mr. LARSEN of Washington (for himself, Mr. COFFMAN, and Ms. DELBENE):

H.R. 2667. A bill to reauthorize the matching grant program for school security in the Omnibus Crime Control and Safe Streets Act of 1968; to the Committee on the Judiciary.

By Ms. MICHELLE LUJAN GRISHAM of New Mexico (for herself, Mr. DOGGETT, Mr. HASTINGS, Mr. JOHNSON of Georgia, Mrs. DINGELL, and Ms. ROYBAL-ALLARD):

H.R. 2668. A bill to establish a National Care Corps through which qualified volunteers provide care, companionship, and other services to seniors and individuals with disabilities; to the Committee on Education and the Workforce.

By Ms. MENG (for herself, Mr. BARTON, and Mr. LANCE):

H.R. 2669. A bill to amend the Communications Act of 1934 to expand and clarify the prohibition on provision of inaccurate caller identification information, and for other purposes; to the Committee on Energy and Commerce.

By Mr. MOULTON:

H.R. 2670. A bill to amend the Small Business Act to provide for expanded participation in the microloan program, and for other purposes; to the Committee on Small Business.

By Mr. MOULTON:

H.R. 2671. A bill to amend title 38, United States Code, to clarify the amount of scholarships and duration of obligated service under the Department of Veterans Affairs Health Professional Scholarship Program; to the Committee on Veterans' Affairs.

By Mr. MOULTON:

H.R. 2672. A bill to amend title 38, United States Code, to clarify the amount and duration of scholarships under the Department of Veterans Affairs Employee Incentive Scholarship Program; to the Committee on Veterans' Affairs.

By Mr. MOULTON:

H.R. 2673. A bill to amend title 38, United States Code, to expand the eligibility of employees of the Department of Veterans Affairs to participate in the Education Debt Reduction Program; to the Committee on Veterans' Affairs.

By Mr. MOULTON:

H.R. 2674. A bill to amend title 38, United States Code, to authorize the Secretary of Veterans Affairs to transfer funds among certain scholarship and debt reduction programs; to the Committee on Veterans' Affairs.

By Mr. MULLIN (for himself and Mr. GENE GREEN of Texas):

H.R. 2675. A bill to direct the National Highway Traffic Safety Administration to establish a program allowing low volume motor vehicle manufacturers to produce a limited number of vehicles annually within a regulatory system that addresses the unique safety and financial issues associated with limited production, and to direct the Environmental Protection Agency to allow low volume motor vehicle manufacturers to install engines from vehicles that have been issued certificates of conformity; to the Committee on Energy and Commerce.

By Mr. NEAL (for himself, Mr. CROWLEY, Ms. LINDA T. SÁNCHEZ of California, Mr. BLUMENAUER, Mr. RANGEL, Mr. PASCRELL, Mr. LARSON of Connecticut, Mr. LEVIN, Mr. THOMPSON of California, Mr. BECERRA, and Mr. KIND):

H.R. 2676. A bill to amend the Internal Revenue Code of 1986 to permanently extend the tax treatment for certain build America bonds, and for other purposes; to the Committee on Ways and Means.

By Mr. SALMON (for himself, Mr. ENGEL, Mr. GUTHRIE, Mr. HASTINGS, Mr. HUNTER, Mr. PAYNE, and Mr. WALBERG):

H.R. 2677. A bill to require the Secretary of Education to verify that individuals have made a commitment to serve in the Armed Forces or in public service, or otherwise are a borrower on an eligible loan which has been submitted to a guaranty agency for default aversion or is already in default, before such individuals obtain a consolidation loan; to the Committee on Education and the Workforce.

By Mr. SALMON:

H.R. 2678. A bill to prohibit United States contributions to the United Nations Population Fund; to the Committee on Foreign Affairs.

By Mr. SENSENBRENNER (for himself and Ms. LOFGREN):

H.R. 2679. A bill to provide for the admission to the United States of certain Tibetans; to the Committee on the Judiciary.

By Ms. SPEIER (for herself, Mr. BRENDAN F. BOYLE of Pennsylvania, Mrs. BUSTOS, Mr. CARTWRIGHT, Ms. CASTOR of Florida, Mr. COSTA, Ms. JUDY CHU of California, Mr. DELANEY, Mr. DESAULNIER, Mrs. DINGELL, Ms. FRANKEL of Florida, Mr. GRIJALVA, Mr. HONDA, Ms. JACKSON LEE, Ms. KAPTUR, Ms. KUSTER, Mrs. LAWRENCE, Ms. LEE, Mr. MEEHAN, Ms. MOORE, Mrs. NAPOLITANO, Ms. NORTON, Mr. RANGEL, Ms. ROYBAL-ALLARD, Mr. SWALWELL of California, Mr. VAN HOLLEN, Ms. WILSON of Florida, and Mr. SCOTT of Virginia):

H.R. 2680. A bill to amend the Higher Education Act of 1965 to increase transparency and reporting on campus sexual violence, and for other purposes; to the Committee on Education and the Workforce, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. TITUS (for herself, Mrs. LAWRENCE, and Ms. BROWNLEY of California):

H.R. 2681. A bill to amend the Immigration and Nationality Act to establish the STEM Education and Training Account in order to enhance the economic competitiveness of the United States by providing funding for STEM education and training, and for other purposes; to the Committee on Education and the Workforce, and in addition to the Committees on the Judiciary, and Science, Space, and Technology, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. VISCLOSKY:

H.R. 2682. A bill to prohibit business enterprises that lay off a greater percentage of their United States workers than workers in other countries from receiving any Federal assistance, and for other purposes; to the Committee on Oversight and Government Reform.

By Mr. VISCLOSKY:

H.R. 2683. A bill to require certain Federal agencies to use iron and steel produced in the United States in carrying out projects for the construction, alteration, or repair of a public building or public work, and for other purposes; to the Committee on Transportation and Infrastructure, and in addition to the Committees on Homeland Security, and Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. YOUNG of Alaska (for himself, Mr. BABIN, Mr. GENE GREEN of Texas, Mr. LAMALFA, Mr. BARTON, Mr.

LOWENTHAL, Mr. GRIJALVA, Mr. COOK, Mr. DENHAM, Mr. CÁRDENAS, and Mr. RUIZ):

H.R. 2684. A bill to restore tribal economic development opportunity for the Alabama-Coushatta Tribe of Texas on terms that are equal and fair, and for other purposes; to the Committee on Natural Resources.

By Mr. MCGOVERN (for himself, Mr. JONES, and Ms. LEE):

H. Con. Res. 55. Concurrent resolution directing the President, pursuant to section 5(c) of the War Powers Resolution, to remove United States Armed Forces deployed to Iraq or Syria on or after August 7, 2014, other than Armed Forces required to protect United States diplomatic facilities and personnel, from Iraq and Syria; to the Committee on Foreign Affairs.

By Mr. NOLAN:

H. Res. 298. A resolution expressing the sense of the House of Representatives regarding steps that Congress should take to restore democracy and change the way we do politics in the United States by reducing the influence of money and corporations and promoting the participation of the people in politics and government; to the Committee on House Administration, and in addition to the Committees on Rules, and the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. MCCARTHY:

H. Res. 299. A resolution on the passing of Joseph Robinette Biden, III; considered and agreed to.

By Mr. CARNEY:

H. Res. 300. A resolution on the passing of Joseph Robinette Biden, III; to the Committee on Oversight and Government Reform.

By Ms. KAPTUR (for herself, Mr. HUNTER, Mr. GRAYSON, Ms. SLAUGHTER, Mr. RYAN of Ohio, Mr. TONKO, Mr. TAKAI, Mr. NOLAN, Mr. SHERMAN, Mr. YOHO, Mr. BROOKS of Alabama, Mr. MCKINLEY, Mr. JONES, Ms. PINGREE, Mr. POCAN, Mr. RUSSELL, and Mr. PERRY):

H. Res. 301. A resolution amending the Rules of the House of Representatives to prohibit the consideration of an implementing bill with respect to a trade agreement unless the final legal text of the agreement has been made available to the public for a period of not less than 60 days prior to the date on which the implementing bill is introduced in the House; to the Committee on Rules.

By Mr. SENSENBRENNER:

H. Res. 302. A resolution observing the 100th birthday of the late Les Paul, the ''Wizard of Waukesha'', and honoring his contributions to the American music industry; to the Committee on Education and the Workforce.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mr. BRENDAN F. BOYLE of Pennsylvania:

H.R. 2645.

Congress has the power to enact this legislation pursuant to thc following:

Article I, Section 8 of the U.S. Constitution under the General Welfare Clause.

By Mr. MURPHY of Pennsylvania:

H.R. 2646.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1.

By Mr. WESTERMAN:

H.R. 2647.

Congress has the power to enact this legislation pursuant to the following:

Article IV, section 3, clause 2

By Mr. CARTWRIGHT:

H.R. 2648.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority on which this bill rests is the power of Congress to make all laws which shall be necessary and proper for carrying into execution the foregoing powers, and all other powers vested by this Constitution in the government of the United States, or in any department or officer thereof, as enumerated in Article I, Section 8, Clause 18 of the United States Constitution.

By Mr. REICHERT:

H.R. 2649.

Congress has the power to enact this legislation pursuant to the following:

''The constitutional authority of Congress to enact this legislation is provided by Article I, section 8 of the United States Constitution, specifically clause 1 (relating to providing for the general welfare of the United States) and clause 18 (relating to the power to make all laws necessary and proper for carrying out the powers vested in Congress), and Article IV, section 3, clause 2 (relating to the power of Congress to dispose of and make all needful rules and regulations respecting the territory or other property belonging to the United States).''

By Mr. TOM PRICE of Georgia:

H.R. 2650.

Congress has the power to enact this legislation pursuant to the following:

Constitent with the original understanding of the Commerce Clause, the authority to enact this legislation is found within Clause 3 of Section 8, Article 1 of the U.S. Constitution. Consistent with Congress's power to tax, the authority to enact this legislation is also found in Clause 1 of Section 8, Article 1 of the U.S. Constitution.

By Ms. DEGETTE:

H.R. 2651.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 of the United States Constitution

By Mr. PALMER:

H.R. 2652.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18: The Congress shall have Power *** To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by the Constitution in the Government of the United States, or in any Department or Officer thereof (Also known as the ''Necessary and Proper clause)''.

By Mr. ROE of Tennessee:

H.R. 2653.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 1, with respect to the power to ''lay and collect Taxes, Duties, Imposts, and Excises,'' and to provide for the ''general Welfare of the United States.''

Article 1, Section 8, Clause 3 of the U.S. Constitution gives Congress the power to ''regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.''

Article 1, Section 8, Clause 18 of the U.S. Constitution, which gives Congress the power to ''make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.''

This legislation puts forth measures relating to the treatment of existing commerce and the exchange of health care products, services, and transactions, while retaining the sovereignty and power of respective states as outlined in Amendment X of the U.S. Constitution. The legislation also makes amendments to the manner in which the United States defines and enacts certain taxes, as implemented through the power to collect taxes and provide for the general Welfare.

Article 1, Section 8, Clause 18 of the U.S. Constitution provides for those provisions which serve as a means to secure the ends of Clauses 1 and 3 of Article 1, Section 8, as cited above. Such provisions, include, but are not limited to eligibility standards, reporting measures relating to the practical implementation of tax provisions, and instructions specifying the relationship among existing Departments and programs.

Nothing in this legislation shall be construed to restrict due process of the law as defined in Section 1, Amendment XIV of the U.S. Constitution.

This legislation includes a provision to repeal Public Law 111–148 and title I and subtitle B of title II of Public Law 111–152, which exceeds the scope of power vested in Congress by the U.S. Constitution.

By Mr. NADLER:

H.R. 2654.

Congress has the power to enact this legislation pursuant to the following:

Clauses 3 and 18 of section 8 of Article I of the Constitution and section 5 of Amendment XIV to the Constitution.

By Mr. DELANEY:

H.R. 2655.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 4, Clause 1

''The Times, Places and Manner of holding Elections for Senators and Representatives, shall be prescribed in each State by the Legislature thereof; but the Congress may at any time by Law make or alter such Regulations, except as to the Places of chusing Senators.''

By Mr. POLIS:

H.R. 2656.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, of the U.S. Constitution (relating to the power to regulate interstate commerce).

By Mr. REED:

H.R. 2657.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8 and Amendment XVI of the United States Constitution

By Mr. BARLETTA:

H.R. 2658.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clauses 1 and 18

By Mr. CRENSHAW:

H.R. 2659.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 of the U.S. Constitution, commonly referred to as the

Commerce Clause. The Commerce Clause states that the Congress shall have power to regulate Commerce with foreign Nations, and among the several States, and with the Indian tribes. This bill changes U.S. trade

By Ms. DELAURO:

H.R. 2660.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 and Article I, Section 8, Clause 18 of the United States Constitution.

By Mr. FORTENBERRY:

H.R. 2661.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 of the United States Constitution.

By Mr. FRANKS of Arizona:

H.R. 2662.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Clause 8

By Mr. GOSAR:

H.R. 2663.

Congress has the power to enact this legislation pursuant to the following:

Article IV, Section 3, Clause 2. (The Property Clause.)

The Property Clause gives Congress the power to dispose of and make all needful Rules and Regulations respecting the Territory or other Property belonging to the United States; and states that nothing in the Constitution shall be so construed as to Prejudice any claims of the United States, or of any Particular State.

Currently, the federal government possesses approximately 1.8 billion acres of land. The U.S. Constitution specifically addresses the relationship of the federal government to land. The Property Clause gives Congress plenary power and full-authority over federal property. The U.S. Supreme Court has described Congress's power to legislate under this Clause as ''without limitation.'' This Act falls squarely within the express Constitutional power set forth in the Property Clause.

By Mr. HIGGINS:

H.R. 2664.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18

By Mr. KILMER:

H.R. 2665.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 (relating to providing for the general welfare of the United States);

Article I, Section 8, Clause 18 (relating to the power to make all laws necessary and proper for carrying out the powers vested in Congress); and

Article IV, Section 3, Clause 2 (relating to the power of Congress to dispose of and make all needful rules and regulations respecting the territory or other property belonging to the United States).

By Mr. KINZINGER of Illinois:

H.R. 2666.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 of the U.S. Constitution

By Mr. LARSEN of Washington:

H.R. 2667.

Congress has the power to enact this legislation pursuant to the following:

As described in Article 1, Section 1 ''all legislative powers herein granted shall be vested in a Congress.''

By Ms. MICHELLE LUJAN GRISHAM of New Mexico:

H.R. 2668.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18

By Ms. MENG:

H.R. 2669.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 3

By Mr. MOULTON:

H.R. 2670.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 of the United States Constitution permits the Congress to, ''regulate commerce with foreign nations, and among the several states, and with indian tribes''

By Mr. MOULTON:

H.R. 2671.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the United States Constitution.

By Mr. MOULTON:

H.R. 2672.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the United States Constitution.

By Mr. MOULTON:

H.R. 2673.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the United States Constitution.

By Mr. MOULTON:

H.R. 2674.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the United States Constitution.

By Mr. MULLIN:

H.R. 2675.

Congress has the power to enact this legislation pursuant to the following:

Clause 3 of Section 8 of Article 1 of the Constitution of the United States

By Mr. NEAL:

H.R. 2676.

Congress has the power to enact this legislation pursuant to the following:

Congress has the power to enact this legislation pursuant to Clause 1 of Section 8 of Article I and the 16th Amendment to the U.S. Constitution.

By Mr. SALMON:

H.R. 2677.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 of the United States Constitution: The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States;

By Mr. SALMON:

H.R. 2678.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 9, Clause 7—''No money shall be drawn from the Treasury, but in Consequence of Appropriations made by Law; and a regular Statement and Account of the Receipts and Expenditures of all public Money shall be published from time to time.''

By Mr. SENSENBRENNER:

H.R. 2679.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 4

By Ms. SPEIER:

H.R. 2680.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article 1, Section 8 of the United States Constitution.

By Ms. TITUS:

H.R. 2681.

Congress has the power to enact this legislation pursuant to the following:

The bill is enacted pursuant to the power granted to Congress under Article I, Section 8, Clause 3 of the United States Constitution.

By Mr. VISCLOSKY:

H.R. 2682.

Congress has the power to enact this legislation pursuant to the following:

Clause 3 Section 8 of Article I of the Constitution

By Mr. VISCLOSKY:

H.R. 2683.

Congress has the power to enact this legislation pursuant to the following:

Clause 3 Section 8 of Article I of the Constitution

By Mr. YOUNG of Alaska:

H.R. 2684.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 3

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions, as follows:

H.R. 6: Mr. BENISHEK.

H.R. 29: Mr. JODY B. HICE of Georgia.

H.R. 136: Mr. MCNERNEY.

H.R. 169: Mr. NEWHOUSE.

H.R. 227: Mr. JODY B. HICE of Georgia.

H.R. 232: Mr. VARGAS, Mr. POLIS, and Ms. JENKINS of Kansas.

H.R. 276: Mr. DESJARLAIS, Ms. FOXX, Mrs. LUMMIS, Mr. AUSTIN SCOTT of Georgia, Mr. MCCLINTOCK, Mr. MESSER, Mr. KELLY of Pennsylvania, and Mr. WEBER of Texas.

H.R. 288: Mr. ROE of Tennessee.

H.R. 292: Mr. HANNA, Mr. SEAN PATRICK MALONEY of New York, Mr. CICILLINE, Ms. DELBENE, Mr. HUFFMAN, Mr. ZELDIN, and Mrs. NAPOLITANO.

H.R. 333: Mr. MACARTHUR.

H.R. 348: Mr. BRAT.

H.R. 359: Mr. AUSTIN SCOTT of Georgia and Mr. UPTON.

H.R. 381: Mr. MICHAEL F. DOYLE of Pennsylvania, Mr. DESAULNIER, Ms. JUDY CHU of California, Mr. DANNY K. DAVIS of Illinois, and Mr. GUTIÉRREZ.

H.R. 419: Ms. MCSALLY.

H.R. 592: Mr. WESTERMAN.

H.R. 600: Mr. HUIZENGA of Michigan.

H.R. 702: Mr. YOUNG of Alaska, Mr. DESJARLAIS, Mr. ROUZER, Mr. SCHWEIKERT, Mr. CALVERT, Mr. MULVANEY, and Mr. BOUSTANY.

H.R. 703: Mr. CRENSHAW and Mr. RUSSELL.

H.R. 721: Mr. GARAMENDI.

H.R. 731: Mr. CONYERS.

H.R. 767: Ms. JENKINS of Kansas, Mr. VARGAS, and Mr. REED.

H.R. 774: Mr. CLAWSON of Florida.

H.R. 775: Mrs. COMSTOCK.

H.R. 829: Ms. CLARK of Massachusetts.

H.R. 835: Mr. MCNERNEY.

H.R. 842: Ms. LOFGREN, Ms. JUDY CHU of California, Mr. CURBELO of Florida, and Mr. VEASEY.

H.R. 893: Mrs. NOEM, Mr. HURT of Virginia, Mr. THOMPSON of Pennsylvania, and Mr. UPTON.

H.R. 913: Mr. SMITH of Washington.

H.R. 921: Mr. BABIN.

H.R. 928: Mr. RIGELL.
H.R. 938: Ms. LOFGREN.
H.R. 969: Ms. MCSALLY.
H.R. 973: Miss RICE of New York, Mr. CARSON of Indiana, and Mr. FITZPATRICK.
H.R. 985: Mr. HASTINGS, Mr. BARLETTA, Mr. DENHAM, Ms. FRANKEL of Florida, Mr. YOHO, and Mr. CRENSHAW.
H.R. 997: Mr. CALVERT.
H.R. 999: Mrs. BLACK.
H.R. 1057: Mr. SIRES.
H.R. 1096: Mr. HANNA.
H.R. 1101: Mr. DEFAZIO, Mr. HIMES, Ms. JUDY CHU of California, and Mr. GUTIÉRREZ.
H.R. 1107: Ms. MCSALLY.
H.R. 1133: Mr. MCNERNEY.
H.R. 1157: Mrs. TORRES.
H.R. 1188: Mr. MCNERNEY, Mr. POSEY, and Mr. BERA.
H.R. 1192: Mr. REED, Mr. PAYNE, and Ms. CLARK of Massachusetts.
H.R. 1197: Mr. MCNERNEY, Mr. CARTWRIGHT, Mr. HUIZENGA of Michigan, and Mr. LIPINSKI.
H.R. 1202: Ms. PINGREE, Ms. JUDY CHU of California, and Ms. LOFGREN.
H.R. 1218: Mr. DOLD and Mr. JONES.
H.R. 1247: Ms. JUDY CHU of California.
H.R. 1258: Ms. FRANKEL of Florida and Mr. SWALWELL of California.
H.R. 1299: Mr. GOHMERT.
H.R. 1300: Mr. MILLER of Florida.
H.R. 1321: Mr. LOWENTHAL and Mr. MCDERMOTT.
H.R. 1399: Mrs. TORRES.
H.R. 1401: Mr. PEARCE.
H.R. 1413: Mr. MCCLINTOCK.
H.R. 1434: Mr. KIND, Mr. SCHRADER, Ms. MENG, and Mr. FOSTER.
H.R. 1435: Mr. VAN HOLLEN.
H.R. 1448: Ms. SCHAKOWSKY.
H.R. 1462: Mr. LUCAS.
H.R. 1475: Mr. BEN RAY LUJÁN of New Mexico, Mr. COOPER, Mr. CLAWSON of Florida, and Mr. SENSENBRENNER.
H.R. 1516: Mr. VAN HOLLEN, Ms. DEGETTE, and Ms. LEE.
H.R. 1523: Mr. DAVID SCOTT of Georgia.
H.R. 1552: Mr. LARSON of Connecticut.
H.R. 1559: Mrs. LAWRENCE and Ms. TITUS.
H.R. 1572: Mr. PERRY.
H.R. 1599: Mr. KNIGHT and Mr. RENACCI.
H.R. 1610: Mr. SESSIONS.
H.R. 1624: Mr. LOBIONDO, Mr. ROUZER, Mr. RICE of South Carolina, Mr. GOWDY, Mr. ROSKAM, Mr. CUELLAR, Mr. GUTIÉRREZ, Mr. TED LIEU of California, Mr. LUCAS, Mr. RUSSELL, and Mr. COLE.
H.R. 1670: Mr. MILLER of Florida.
H.R. 1680: Mr. SERRANO.
H.R. 1684: Mr. CLAWSON of Florida.
H.R. 1688: Mr. POCAN, Mr. QUIGLEY, Mr. FITZPATRICK, Mr. WELCH, Mr. SEAN PATRICK MALONEY of New York, and Mr. COOK.
H.R. 1717: Mr. LANCE, Mr. RICHMOND, Ms. ESHOO, Mr. BECERRA, Mr. SHERMAN, Mr. RUIZ, Mrs. DAVIS of California, Ms. LORETTA SANCHEZ of California, Mr. CÁRDENAS, Ms. JUDY CHU of California, Ms. KUSTER, Mr. LOWENTHAL, Mr. FARR, Mr. DESAULNIER, Ms. HAHN, Mr. SERRANO, Ms. VELÁZQUEZ, and Mr. DOGGETT.
H.R. 1725: Mr. JOHNSON of Ohio.
H.R. 1736: Mr. LUETKEMEYER.
H.R. 1739: Mr. LABRADOR, Mr. HARRIS, Mr. WEBSTER of Florida, and Mr. BISHOP of Utah.
H.R. 1786: Mr. HASTINGS, Mr. PERLMUTTER, Ms. KUSTER, Mr. DESAULNIER, and Mr. BISHOP of Georgia.
H.R. 1817: Mr. MILLER of Florida.
H.R. 1818: Ms. CLARK of Massachusetts and Mr. WALZ.
H.R. 1834: Mr. SALMON.
H.R. 1846: Mrs. BEATTY.
H.R. 1853: Mr. AUSTIN SCOTT of Georgia and Mr. ZINKE.
H.R. 1859: Mrs. NAPOLITANO.
H.R. 1877: Mrs. DINGELL and Mr. POLIS.
H.R. 1893: Mr. COLE, Mr. HARDY, Mr. HUDSON, Mr. JORDAN, Mr. SCHWEIKERT, and Mr. WEBER of Texas.
H.R. 1942: Ms. SLAUGHTER.
H.R. 1943: Mr. LIPINSKI, Ms. BROWN of Florida, Mr. CLAY, Mr. THOMPSON of Mississippi, Ms. CLARK of Massachusetts, Mr. CLEAVER, Mr. RANGEL, Ms. EDDIE BERNICE JOHNSON of Texas, Ms. EDWARDS, and Ms. KELLY of Illinois.
H.R. 1950: Mr. BISHOP of Michigan and Mr. CLAWSON of Florida.
H.R. 1961: Mr. POLIS.
H.R. 1989: Mr. HANNA and Mr. ZINKE.
H.R. 1992: Mr. CRAMER.
H.R. 1994: Mrs. ROBY.
H.R. 2001: Mr. KNIGHT.
H.R. 2005: Mr. POCAN and Ms. LEE.
H.R. 2013: Mr. HINOJOSA, Mr. SCHIFF, and Mr. THOMPSON of California.
H.R. 2016: Mr. QUIGLEY and Ms. TITUS.
H.R. 2019: Mr. MASSIE and Mr. AUSTIN SCOTT of Georgia.
H.R. 2031: Mrs. TORRES.
H.R. 2043: Mr. PALAZZO, Mr. SENSENBRENNER, and Mrs. TORRES.
H.R. 2050: Mr. CUMMINGS, Mr. MCDERMOTT, Ms. VELÁZQUEZ, Mr. DEUTCH, Ms. LORETTA SANCHEZ of California, and Mr. COHEN.
H.R. 2061: Ms. JENKINS of Kansas, Mr. HOLDING, and Mr. DUNCAN of South Carolina.
H.R. 2063: Mr. HASTINGS.
H.R. 2082: Mrs. KIRKPATRICK and Mrs. DINGELL.
H.R. 2126: Mr. CULBERSON.
H.R. 2132: Ms. MENG.
H.R. 2138: Mr. RODNEY DAVIS of Illinois.
H.R. 2150: Mr. WALZ.
H.R. 2152: Ms. CLARK of Massachusetts.
H.R. 2192: Mr. TAKAI.
H.R. 2216: Mr. MCGOVERN, Ms. TITUS, Mr. SIRES, and Mr. SWALWELL of California.
H.R. 2221: Mr. KNIGHT, Mr. STEWART, Ms. JUDY CHU of California, and Ms. ADAMS.
H.R. 2248: Mr. KEATING.
H.R. 2259: Mr. SAM JOHNSON of Texas.
H.R. 2260: Mr. KIND.
H.R. 2290: Mr. YOUNG of Indiana.
H.R. 2300: Mr. KNIGHT, Mr. LANCE, and Mr. MCCAUL.
H.R. 2303: Ms. LOFGREN.
H.R. 2309: Mr. TAKANO.
H.R. 2342: Mr. WESTERMAN.
H.R. 2360: Ms. BASS.
H.R. 2378: Mr. GRIJALVA and Mr. PRICE of North Carolina.
H.R. 2389: Mr. AUSTIN SCOTT of Georgia.
H.R. 2400: Mr. BOUSTANY, Mr. BARR, and Mr. CONAWAY.
H.R. 2429: Mr. SWALWELL of California.
H.R. 2430: Mr. VEASEY, Mr. PALLONE, Mr. O'ROURKE, and Mr. BEYER.
H.R. 2457: Mr. MCGOVERN, Mr. WALZ, and Mr. ASHFORD.
H.R. 2470: Ms. MOORE, Mr. GRIJALVA, and Ms. LEE.
H.R. 2491: Mr. SAM JOHNSON of Texas.
H.R. 2510: Mrs. WALORSKI and Mr. UPTON.
H.R. 2513: Mr. BURGESS and Mr. CARTER of Texas.
H.R. 2514: Mrs. BLACK, Mr. PITTENGER, Mr. CRAMER, Mr. COLE, Mr. FRANKS of Arizona, Mr. YODER, Mr. BISHOP of Michigan, Mr. FLEMING, Mr. NEUGEBAUER, Mr. POSEY, and Mr. ROUZER.
H.R. 2522: Mr. MCGOVERN and Mr. SCOTT of Virginia.
H.R. 2523: Mr. WILLIAMS.
H.R. 2530: Mr. GRIJALVA, Ms. CLARK of Massachusetts, Ms. BROWNLEY of California, and Mr. CONYERS.
H.R. 2567: Mr. COFFMAN, Ms. BROWNLEY of California, Mr. GOSAR, Mr. SESSIONS, Mr. RUSSELL, Mr. CARTWRIGHT, Mr. POE of Texas, and Mr. HILL.
H.R. 2576: Mr. BILIRAKIS.
H.R. 2607: Miss RICE of New York, Mr. HANNA, and Mr. JEFFRIES.
H.R. 2630: Mr. BUCHANAN and Mr. MURPHY of Florida.
H. Con. Res. 17: Mr. VELA.
H. Con. Res. 18: Mr. O'ROURKE.
H. Con. Res. 53: Mr. KNIGHT.
H. Res. 112: Mr. NUNES.
H. Res. 209: Mr. ALLEN, Mr. MARINO, and Mr. STEWART.
H. Res. 230: Ms. LOFGREN.
H. Res. 233: Mr. PRICE of North Carolina and Mr. MOULTON.
H. Res. 262: Mrs. TORRES and Mr. MCNERNEY.
H. Res. 294: Mr. BARLETTA.

AMENDMENTS

Under clause 8 of rule XVIII, proposed amendments were submitted as follows:

H.R. 2577

OFFERED BY: MR. POSEY

AMENDMENT NO. 25: At the end of the bill (before the short title), insert the following:

SEC. 416. None of the funds made available by this Act may be used by the Department of Transportation to take any actions with respect to the financing of a new passenger rail project that runs from Orlando to Miami through Indian River County, Florida.

H.R. 2577

OFFERED BY: MR. POSEY

AMENDMENT NO. 26: At the end of the bill (before the short title), insert the following:

SEC. 416. None of the funds made available by this Act may be used by the Department of Transportation to make a loan in an amount that exceeds $600,000,000 under title V of the Railroad Revitalization and Regulatory Reform Act of 1976 (45 U.S.C. 821 et seq.).

H.R. 2577

OFFERED BY: MR. POSEY

AMENDMENT NO. 27: At the end of the bill (before the short title), insert the following:

SEC. 416. None of the funds made available by this Act may be used by the Department of Transportation to authorize exempt facility bonds to finance passenger rail projects which do not use vehicles that are reasonably expected to be capable of attaining a maximum speed in excess of 150 miles per hour between scheduled stops as defined in section 142 of title 26, United States Code.

H.R. 2577

OFFERED BY: MR. EMMER OF MINNESOTA

AMENDMENT NO. 28: At the end of the bill (before the short title), insert the following:

SEC. ____. None of the funds made available by this Act may used to carry out any enrichment as defined in Appendix A to part 611 of title 49, Code of Federal Regulations, for any New Start grant request.

H.R. 2577

OFFERED BY: MR. SCHIFF

AMENDMENT NO. 29: At the end of the bill, (before the short title), insert the following:

SEC. ____. None of the funds made available by this Act shall be used to enforce section 47524 of title 49, United States Code, or part 161 of title 14, Code of Federal Regulations, with regard to noise or access restrictions or to enforce section 47107 of title 49, United States Code, with regard to access restriction on the operation of aircraft by the operate of Bob Hope Airport in Burbank, California.

H.R. 2577

OFFERED BY: MR. GALLEGO

AMENDMENT NO. 30: At the end of the bill, before the short title, insert the following:

SEC. ____. None of these funds made available by this Act may be used by the Federal Aviation Administration (FAA) to redesign the Phoenix Metroplex regional airspace.

H.R. 2577

OFFERED BY: MR. SANFORD

AMENDMENT NO. 31: At the end of the bill (before the short title), insert the following:

SEC. _____. None of the funds made available in this Act may be used to administer, implement, or enforce section 193 or section 414 of this Act.

SENATE—*Thursday, June 4, 2015*

The Senate met at 9:30 a.m. and was called to order by the President pro tempore (Mr. HATCH).

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Eternal Father, in whom we live and move and have our being, from whom we come and to whom we go at last, in this quiet moment of prayer, we praise You for Your providence that undergirds our Nation and its leaders. Let Your Kingdom come and Your will be done on Earth as it is in Heaven.

Today, give our lawmakers grace to distinguish between that which is nation-serving and that which is self-serving. Make them committed to serving You by serving others. Give them the wisdom to separate the important from the unimportant, the big concern from the trivial contention. Use our Senators for the betterment of this Nation and the building of Your Kingdom.

And, Lord, we thank You for the wonderful work of our pages.

We pray in Your great Name. Amen.

PLEDGE OF ALLEGIANCE

The President pro tempore led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

RECOGNITION OF THE MAJORITY LEADER

The PRESIDING OFFICER (Mr. COTTON). The majority leader is recognized.

NATIONAL DEFENSE AUTHORIZATION ACT

Mr. MCCONNELL. Mr. President, the Senate will continue its work on the National Defense Authorization Act today. Both the Republican and Democratic bill managers have called for Senators on both sides to get their amendments offered so we can get the process moving. I urge all of my colleagues to do so.

OBAMACARE

Mr. MCCONNELL. Mr. President, on another matter, we have heard a lot about the Supreme Court's imminent decision on ObamaCare and its latest problems. No one can say for sure how the Court will rule, but one thing we do know is this: ObamaCare is a mess. It is a law filled with broken promises, one that has been plagued by failure and one that has caused costs to skyrocket for millions after the supporters of this law promised the costs would actually fall.

I speak to you in the wake of a bombshell revelation from the administration that many insurers are now requesting to raise premiums by double digits all across the country. For instance, numbers for Kentucky just came out yesterday, and most of the insurers on the Commonwealth's ObamaCare exchange are looking to raise premiums. Some of the proposed increases are as high as 25 percent, and some Kentuckians may now face double-digit premium increases for the second or even the third year in a row. This is more bad ObamaCare news for the people I represent.

In some States, the proposed increases are even more alarming, if you can believe it. Kentuckians can look next door for proof of that, where some Hoosiers could be hit with a 46-percent jump in their premiums, or if they look south to Tennessee, they will see that premium hikes of 36 percent have been proposed.

These are huge numbers, and they affect real people. We have seen the truth of that statement in the stories we hear from constituents about how ObamaCare's massive cost burdens affect all of them. Take the Kentucky small business owner who wrote to say that his plan is now being canceled thanks to ObamaCare. Here is what he had to say: ''My monthly premium will increase from $610 to [approximately] $1,200,'' he said, ''and this is with very high deductibles.'' Or take the constituent of mine from Floyd County who recently wrote to say she can no longer afford her silver ObamaCare plan after the monthly premium spiked by more than 75 percent. ''I was forced to take the Bronze Plan,'' she said, ''which isn't worth the paper or ink to print it on.''

These are the kinds of stories that have become all too familiar in the age of ObamaCare. They are compounded by a continual drip, drip of bad news about this law, such as the recent report that showed how ObamaCare's multibillion-dollar attack on hospitals in Kentucky is expected to result in a net loss of $1 billion over the next few years—a net loss of $1 billion to Kentucky hospitals.

This is after ObamaCare already compelled taxpayers to shell out billions for Web sites that never worked, along with some pretty sad and desperate but expensive taxpayer-financed marketing campaigns that often just directed users to some technological nightmare, not affordable health care. Take Oregon, for instance. Taxpayers spent over $300 million on that State's exchange, only to have it taken over by the Federal Government and then, along with the ObamaCare exchange in Massachusetts, placed under Federal criminal investigation. Look at Hawaii, which received more than $205 million to establish its exchange. We learned just last month that the Hawaii exchange is planning to shut down operations by September 30 since lawmakers couldn't decide on a path forward to pay for it. And then there is Vermont. This morning, the New York Times reported on the spectacular crash of Vermont's even more ambitious version of ObamaCare. Many on the left thought Vermont's experiment would light the way forward on health care. In the end, it turned out to be a remarkable failure and, as one Vermonter put it, ''an unending money pit.'' The State's top health official now says that ObamaCare's exchanges ''just [weren't] set up for success.'' That is in Vermont.

ObamaCare is hitting small and midsized businesses, too. These are the engines of job growth in our economy, but too many of them are now facing premium hikes of nearly 20 percent because of ObamaCare. One 54-person company in Connecticut is facing up to $100,000 in new costs. Its owner says that ObamaCare ''punishes companies for hiring new, younger workers,'' and, indeed, the uncertainty is causing her company to hire temporary workers rather than create permanent jobs.

So while it is possible that ObamaCare will survive its latest crisis, that is not going to change the grim reality of this law. It won't change the broken promises, it won't change the repeated failures, and it won't change the fact that ObamaCare has led to skyrocketing costs for taxpayers, the small businesses that drive the American dream, and, most importantly, for middle-class Americans who work hard every single day and play by the rules.

It is about time the President and his party worked constructively with us to start over on real health reform that can lower costs and increase choice instead of hurting the middle class the way ObamaCare does. That is what the American people deserve.

BURMA

Mr. MCCONNELL. Mr. President, on one final matter, several weeks ago, I had the pleasure of meeting with Shwe Mann, speaker of the Burmese Parliament, on his visit to Washington. It was the third time we met. We had a cordial but frank discussion about the challenges and opportunities facing his country in 2015. There are obviously many issues that fall into both categories.

When it comes to challenges, there is the need for the government to do all it can to protect and assume responsibility for members of a long-suffering religious minority group, the Rohingya, thousands of whom have been forced to take to the high seas on dangerous makeshift vessels to escape persecution. There is the longstanding need for the government to continue its work with other ethnic minorities toward a permanent peace agreement that calls for political settlements in order to end a conflict as old as the modern Burmese State itself. Then there is the need for a constitutional reform to enhance civilian control of the military, along with more progress on efforts to protect liberties, such as freedom of the press, freedom of expression, freedom of conscience, and freedom of assembly.

Those are just a few of the challenges facing Burma in 2015. But it is also true that Burma has come a long way from where it was just a few years ago. Reform has been offered, change has occurred, and considering the conditions within Burma when reform began, this is no small achievement. That is why there are opportunities as well.

The parliamentary election that will be held later this year represents a clear opportunity to demonstrate how far Burma has progressed. There are some encouraging signs that the election will be more credible, more inclusive, and more transparent than what we have seen in the past in that country. Unlike recent Burmese elections, international election monitors have been permitted to observe. By and large, the work of the Union Election Commission has been encouraging thus far, especially as it relates to serious efforts to modernize the voter roles and to make it easier to run for office. And our Embassy, under the capable leadership of Ambassador Derek Mitchell, has been engaged in the process as well.

These are all positive signs, but it is going to take a sustained commitment by President Thein Sein's government to ensure that as free and fair an election as possible takes place this fall because for all of the positive change we have seen in recent years, it is obvious that Burma still has much further to go. There are signs that its political reform effort has begun to falter, which is worrying for all of us who care about the Burmese people.

It doesn't mean Burmese officials can't turn things around. I believe they can, which is what I indicated to the speaker when I met with him. I believe there is still time before the next critical test of Burma's slow democratic development this autumn.

There may still be time to amend the Constitution, for instance, to ensure that it promotes rather than inhibits Burma's democratic development. It is hard to claim democratic legitimacy with a Constitution that unreasonably limits who can run for President or that effectively locks in a parliamentary veto for the military.

At the very least, the six-party talks we have seen between President Thein Sein, Shwe Mann, opposition leader Daw Aung Sang Suu Kyi, the military, ethnic groups, and others certainly represent progress. They should continue in a sustained fashion.

I also hope to see further progress on the draft national ceasefire reached between the Burmese Government and representatives from 16 ethnic groups in March.

Those of us who follow Burma want the country to succeed. We want it to succeed in carrying out a transparent, inclusive, and credible election on a broad scale. We know this standard goes far beyond simply holding an election without mass casualties or violence. It needs to be more than just holding an election without mass casualties or violence. It means the lead-up to the election must be transparent, inclusive, and credible, too. It means there should not be political favoritism shown by the state or its media organs. It means freedom of expression of the press and a peaceful assembly must be ensured. It means citizens must be allowed to register and to vote without harassment, and it means they must be granted equal opportunities to organize, to campaign, and to participate fully in the electoral process without fear and violence.

These basic standards of fairness are minimum goals Burmese officials must strive toward. If the Burmese Government gets this right, if it ensures a transparent, inclusive, and credible election, with results accepted by competing parties, that would go a long way toward reassuring Burma's friends around the globe that it remains committed to political reform. But if we end up with an election not accepted by the Burmese people as reflecting their will, it will make further normalization of relations—at least as it concerns the legislative branch of our government—much more difficult.

For example, such an outcome would likely hinder further enhancement of U.S.-Burma economic ties and military-to-military relations. Further, an erosion of congressional confidence in Burma's reform efforts would also make it more difficult for the executive branch to include Burma in the Generalized System of Preferences program or to enhance political military relations.

So these are some of the most pressing challenges and opportunities awaiting Burma in 2015. I noted many of them in my discussion with Burma's parliamentary speaker.

I would close by making it clear that we in the United States will be watching intently to see what happens in Burma in the coming months, and we are prepared to continue doing what we can to encourage more positive change in that country.

RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER. The Democratic leader is recognized.

BURMA

Mr. REID. Mr. President, I have watched over the last decade Senator MCCONNELL focusing attention on Burma. It is remarkable the good he has done for that country. His vigilance in watching literally every move that government has made has been good for that country and I think good for the world, and I admire and appreciate the work he has done. There has not been a watchdog over any country that I am aware of who has been more intense than the senior Senator from Kentucky, keeping an eye on what goes on in Burma. I appreciate his remarks today in that regard.

AFFORDABLE CARE ACT

Mr. REID. Mr. President, my friend the Republican leader can't see the forest for the trees when it comes to health care. I understand that. He has given many speeches denigrating ObamaCare.

The facts are that more people are getting access to health care today under the Affordable Care Act than ever before. The share without insurance is now at an alltime low.

The cost growth in health care has never been lower than it has been since ObamaCare kicked in. I was telling one of my Senator friends yesterday that when I went home during the Memorial Day recess, I had two people come to me. I know that is not a great sampling, but it shows how impactful the legislation has been. Both of them had children with significant challenges, physical and mental. These young men and women now have the ability to get health care. They cannot be denied insurance because of their preexisting disability. This law that was passed not only applies to people with disabilities about which I have just spoken, but it applies to people with disabilities such as diabetes. Prior to ObamaCare, women could be charged

more for their health care. So people are extremely satisfied with health care.

The Supreme Court should understand that about 7 million people who are happy with their health care and who are receiving subsidies for their insurance to take care of themselves would lose that. They would lose those subsidies. It would be a devastating blow to 7 million people, as well as to the economy. Also, those people who don't need subsidies benefit significantly. The people who have had increased premiums—my friend was very selective in whom he chose, because the people having increases are very minimal. I will have more to say about that at some subsequent time in the near future.

ObamaCare is working. Reports out this week show that all the targets have been met as to people who have purchased insurance and they are paying their premiums. So I think we should try to improve the law rather than my Republican friends continually trying to talk about the failures that don't exist.

SEQUESTRATION

Mr. REID. Mr. President, every Senator wants to keep America safe, and that is why every Senator should be concerned about a particular threat to our national security. This threat to our national security is called sequestration. Sequestration puts in place drastic cuts to all funding, defense and nondefense.

The Defense authorization bill that is before us today doesn't fix that—and that is a gross understatement. We should not start spending until we develop a bipartisan budget that does. That is the only responsible way to protect both our national security and America's middle class.

Sequestration results from what happened 4 years ago with another threat of a government shutdown because the Republicans couldn't get their financial house in order.

The Budget Control Act of 2011 passed. That act included a number of significant spending cuts and established a supercommittee led by Senator MURRAY and Congressman HENSARLING from Texas to produce a balanced, bipartisan agreement for additional deficit reduction. Unfortunately, Republicans could never agree. There was a lot of this: Yes, we are almost there, we are almost there. But they could never pull the trigger and agree. There was a refusal to close a single tax loophole to reduce the deficit; not a single one could they agree on.

So the supercommittee failed to reach an agreement, and the Budget Control Act triggered deep, automatic cuts.

Sequestration was never intended to happen. The point was to threaten cuts so deep and so stupid that Congress would never let them happen. But never put that beyond this Republican group over the last 10 years and who are still here in Congress. They allowed this stupid thing to happen. The cuts affected both defense and nondefense programs so everyone would feel compelled to move it, because the cuts were equal.

Unfortunately, what was stupid in 2011 is now official Republican policy. Congressional Republicans incorporated sequestration into their recent budget resolution. That resolution leaves sequestration cuts in place in parts of the budget that affect the middle class, and it also directly threatens national security. There are many examples of this.

How does it affect the middle class? The list is really endless. It cuts investments in roads, bridges, rail, and transit. That costs jobs—lots and lots of jobs, hundreds of thousands of jobs. It puts travelers at risk, and it weakens our economy.

Sequestration cuts education. That means fewer children with a shot at going to school. If they can't do that, they don't have a shot at success. It means fewer Americans who can afford college. That is the way it is. It means less economic opportunity for millions of Americans.

Sequestration cuts research. That means fewer chances to beat cancer, heart disease, and Alzheimer's. As a result of sequestration, the National Institutes of Health, the premier medical research institution in the world, was whacked by sequestration to the tune of $1.6 billion. They have never, ever gotten that money back. It stopped the finalization work done on the universal flu vaccine. The list is endless as to what they can't do because of that money being lost.

While sequestration is a dagger pointed at the middle class, it also represents a threat to our society in many different ways. It means fewer opportunities for American businesses and consumers to benefit from cutting edge innovations.

Sequestration threatens cuts to the FBI, the Federal Bureau of Investigation. It means fewer FBI resources devoted to terrorists and hunting them down.

Sequestration threatens cuts for the Transportation Security Administration, which helps protect us from another 9/11.

Sequestration threatens cuts for fusion centers, which have worked so well—these centers help law enforcement officials work together—and for the Coast Guard and border security officials who protect Americans from dangers from abroad.

These are cuts that are in place right now.

The bill before us is designed to provide an end run around sequestration for the Department of Defense by exploiting a provision that exempts from spending caps what is called the overseas contingency operations, or OCO. We all know that OCO was put in the budget many years ago, and it was set there so we would have the money to fight wars. It is always very hard to determine how much wars are going to cost. We know that because we had to borrow almost $2 trillion for wars in Iraq and Afghanistan, especially in Iraq.

But the OCO gimmick does not solve the problem of sequestration, and that is true. I am disappointed that even Senators who long have had a reputation for fiscal honesty, such as the chairman of the Armed Services Committee, my friend, are turning a blind eye to the OCO gimmick. There has not been a word from people who have had a reputation for fiscal honesty—not a word—about this gimmick.

The Department of Defense says it won't work. It is just a 1-year gimmick, and that will make it impossible for military leaders to prepare for threats we face in the future.

The OCO gimmick does nothing for agencies that protect us here at home, such as, as I have indicated, the FBI and even the Department of Homeland Security. That leaves all Americans vulnerable to attacks if they don't get the resources they need.

So until we reach a balanced, bipartisan agreement on the budget—an agreement that protects both national security and the middle class—not a single spending bill will become law. If any bill reaches the President, he will veto it. He has said so publicly many times. He should. It is critical for the middle class, and it is the only way to be fiscally responsible. We ought to budget before we spend.

Days after letting critical national security tools expire on their watch, Republicans are showing yet another way they can't govern. Now we are wasting time on a bill that has no chance of becoming law—no chance. No troops will be helped by a bill that can't be signed into law by the President. Our military needs all the help they can get. They deserve it.

If Republicans want to join us in supporting our troops, they should start taking their responsibility to govern seriously and work with us on a Defense bill that can actually become law to help those in our Armed Forces.

Let's be straight. At the moment, we don't have a budget.

Without the vote of a single Democrat, Republicans approved a nonbinding resolution with their own wish list. It means nothing. The budget means nothing. There was a lot of back-slapping here: Oh, it is a great budget; we are going to balance the budget. But everyone knows that is just a farce.

Until both parties join together, the government does not have a budget to

actually guide decisionmaking. We need one.

This is not rocket science. After all, budgeting for the Federal Government is not all that different than budgeting for a family. If two spouses are trying to resolve differences over their own budget, would it be responsible for one spouse to go out and buy a new car on credit? We all know the answer to that—no. It is the same here in Washington. Shouldn't we agree on a budget first and spend later? That is not asking too much, I don't believe.

We don't need political theater and meaningless votes on bills that are going nowhere. We don't need another manufactured crisis. We just need to sit down, get real, and fix sequestration in a way that protects both national security and the middle class. They go together.

RESERVATION OF LEADER TIME

The PRESIDING OFFICER. Under the previous order, the leadership time is reserved.

NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2016

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of H.R. 1735, which the clerk will report.

The senior assistant legislative clerk read as follows:

A bill (H.R. 1735) to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

Pending:

McCain amendment No. 1463, in the nature of a substitute.

McCain amendment No. 1456 (to amendment No. 1463), to require additional information supporting long-range plans for construction of naval vessels.

Reed amendment No. 1521 (to amendment No. 1463), to limit the availability of amounts authorized to be appropriated for overseas contingency operations pending relief from the spending limits under the Budget Control Act of 2011.

Portman amendment No. 1522 (to amendment No. 1463), to provide additional amounts for procurement and for research, development, test, and evaluation for Stryker Lethality Upgrades, and to provide an offset.

Reed (for Bennet) amendment No. 1540 (to amendment No. 1463), to require the Comptroller General of the United States to brief and submit a report to Congress on the administration and oversight by the Department of Veterans Affairs of contracts for the design and construction of major medical facility projects.

Cornyn amendment No. 1486 (to amendment No. 1463), to require reporting on energy security issues involving Europe and the Russian Federation, and to express the sense of Congress regarding ways the United States could help vulnerable allies and partners with energy security.

Reed (for Shaheen) amendment No. 1494 (to amendment No. 1463), to revise the definition of spouse for purposes of veterans benefits in recognition of new State definitions of spouse.

Tillis amendment No. 1506 (to amendment No. 1463), to provide for the stationing of C–130 H aircraft avionics previously modified by the Avionics Modernization Program (AMP) in support of daily training and contingency requirements for Airborne and Special Operations Forces.

The PRESIDING OFFICER. Under the previous order, there will be 30 minutes equally divided in the usual form.

The Senator from Arizona.

Mr. MCCAIN. Mr. President, it is my understanding that there will be a vote at 10:15 a.m.; is that correct?

The PRESIDING OFFICER. There will be 30 minutes of debate prior to the vote.

Mr. MCCAIN. I thank the Chair.

Mr. President, I just listened to the words of the Senate minority leader concerning his views on an authorization bill—not an appropriations bill, not a funding bill but an authorization bill. I would hope the minority leader and, frankly, my colleague and friend, Senator REID, would pay attention to what is going on in the world today.

I refer to the Washington Post this morning and an article entitled ''Deadly fighting tests truce in Ukraine.''

As many of us predicted, Vladmir Putin will continue his aggression and dismemberment of the European nation for the first time in 70 years.

Mr. President, I ask unanimous consent that the article entitled ''Deadly fighting tests truce in Ukraine'' be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Washington Post, June 4, 2015]

DEADLY FIGHTING TESTS TRUCE IN UKRAINE

(By Karoun Demirjian)

MOSCOW.—Continued skirmishes between pro-Russian rebels and government forces in eastern Ukraine escalated Wednesday into the first major battle in months, leaving at least 18 dead and further threatening a tenuous cease-fire agreement signed in February.

Both sides traded accusations about who had started the fighting in Marinka, a suburb of Donetsk on the government-held side of the cease-fire line. Separatists reported 15 dead, and three Ukrainian soldiers were killed, according to a Facebook post by Yuriy Biryukov, an adviser to Ukrainian President Petro Poroshenko.

''They tried to move forward. The Ukrainian military are repelling all attacks, and the situation is under control,'' Col. Andriy Lysenko, a spokesman for Ukraine's National Security and Defense Council, said at a news conference Wednesday in Kiev. ''Marinka and Krasnohorivka are under our control.''

But the head of the separatists' militia said they were only defending themselves against an assault by the pro-Kiev forces.

''Trying to announce that we are storming Marinka—this is a provocation by Kiev,'' said Vladimir Kononov, the militias' top defense official. ''We already are in Marinka.''

Since February, top diplomats from the United States and Europe have participated in several rounds of shuttle diplomacy aimed at settling the conflict and persuading the rebels and the government to fully implement the peace agreement signed in Minsk, Belarus.

Last month, U.S. Secretary of State John F. Kerry and Assistant Secretary of State Victoria Nuland made back-to-back trips to Russia, urging that country's leaders to use their influence over the separatists in eastern Ukraine to push them to parley with Kiev. Groups from both sides were supposed to conclude an opening round of talks in Ukraine this week to address various points of contention.

Ukrainian Prime Minister Arseniy Yatsenyuk accused Russia on Wednesday of intentionally undermining the peace process and ordering pro-Russian separatists in Ukraine ''to start a military operation.''

The surge in violence also comes as Western nations are gearing up for this weekend's Group of Seven summit in Germany—an assembly of nations from which Russia was ousted when it annexed Crimea last year.

That annexation happened after the upper house of the Russian parliament met in an emergency session to give President Vladimir Putin the authority to send troops abroad.

On Wednesday, the speaker of the upper house told lawmakers that there may be cause to hold a similar emergency session soon but did not give a specific reason for the warning.

Mr. MCCAIN. Perhaps the minority leader and others have missed this article: ''Syria likely used chlorine gas in recent bombing raids, rights group says.''

A prominent human rights group accused the Syrian government Wednesday of using toxic chemicals during a recent surge in attacks involving barrel bombs on rebel-held areas in northern Syria.

Mr. President, I ask unanimous consent that this article be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Washington Post, June 4, 2015]

SYRIA LIKELY USED CHLORINE GAS IN RECENT BOMBING RAIDS, RIGHTS GROUP SAYS

(By Hugh Naylor)

BEIRUT.—A prominent human rights group accused the Syrian government Wednesday of using toxic chemicals during a recent surge in attacks involving barrel bombs on rebel-held areas in northern Syria.

Human Rights Watch said chlorine gas was probably used in at least three bombing raids that targeted Idlib province in April and last month, after the area fell to a powerful new rebel coalition. That coalition and other insurgent groups have recently inflicted heavy losses on the regime of President Bashar al-Assad in the north and east of Syria.

Assad's government has been accused by Western countries of using chemical weapons over the course of the four-year conflict, including an attack involving sarin gas in 2013 that killed hundreds of people in a suburb of the capital.

Regime opponents and activists allege that Assad's forces have punished residents in rebel-controlled areas with barrages of the crude bombs, which are built from oil barrels or gas cylinders and can be filled with toxic

chemicals such as chlorine gas. Barrel bombs have been dropped by regime helicopters and airplanes on residential areas, hospitals and markets, killing thousands of civilians, according to human rights groups.

Another group said two barrel bombings on Wednesday killed at least 24 people, including children, in Idlib and rebel-held areas of Aleppo province. The British-based Syrian Observatory for Human Rights said that it expected the death toll to climb from those attacks.

In its Wednesday report, Human Right Watch said evidence indicates that three attacks in April and May on towns in Idlib involved barrel bombs containing toxic chemicals. The group was unable to confirm the exact toxin used in the attacks, which it said killed two people and affected 127. But it cited chlorine as the likely culprit based on interviews with first responders and doctors, as well as an examination of photographs and videos.

The total number of attacks involving chlorine gas during that time is probably much higher, according to the report, which was released to coincide with the U.N. Security Council's regular monthly meeting on chemical weapons in Syria. Citing evidence provided by doctors in Idlib, the group said 24 suspected chlorine gas attacks were carried out between May 16 and May 19, killing at least nine people and affecting over 500.

''While Security Council members deliberate over next steps at a snail's pace, toxic chemicals are raining down on civilians in Syria,'' Philippe Bolopion, Human Rights Watch's U.N. and crisis advocacy director, said in a statement.

He said the Security Council should impose sanctions for the attacks.

In 2013, the Syrian government agreed to a deal brokered by the United States and Russia to eliminate its chemical weapons arsenal, forestalling potential U.S. airstrikes. The Syrian government, which denies using chemical weapons, agreed to join the Organization for the Prohibition of Chemical Weapons (OPCW) as part of the agreement.

Last month, reports emerged that OPCW inspectors found traces of sarin and VX nerve agent at a military research site in Syria, raising suspicion that the government had not eliminated its chemical weapons stockpiles.

Mr. MCCAIN. On the front page of the New York Times this morning: ''ISIS Making Political Gains, Group Stakes Claim As Protector of Sunnis.''

Ideologically unified, the Islamic State is emerging as a social and political movement in many Sunni areas, filling a void in the absence of solid national identity and security. At the same time, it responds brutally to any other Sunni group, militant or civilian, that poses a challenge to its supremacy.

That dual strategy, purporting to represent Sunni interests and attacking any group that vies to play the same role, has allowed it to grow in the face of withering airstrikes.

In the news yesterday:

ISIS has closed off a dam to the north of Ramadi, cutting water supplies to pro-government towns downstream and making it easier for its fighters to attack government forces. ISIS militants are opening only two or three of the dam's 26 gates on the Euphrates River, denying water to numerous cities and using water as a critical weapon to gain more influence and territory.

''Iraq: ISIS fighters close Ramadi dam gates, cut off water to loyalist towns,'' that was on CNN.

''President Hassan Rouhani stated on Tuesday that,'' according to Reuters, '' 'The Iranian nation and government will remain at the side of the Syrian nation and government until the end of the road.' He also pledged to send reinforcements in backing Bashar al-Assad.''

''U.S.: Shiite Fighters in Iraq Are a Necessary, if Unlikely, Ally''

Retired Marine Gen. John Allen, said the militias have an important role to play in liberating Anbar, so long as they ''take command from the central authority.''

''Embedding U.S. forces can help inject energy into leadership development of new and weaker Iraqi commanders. . . .''

AFP Beirut: ''Iraq, Iran fighters deployed to defend Damascus.''

Thousands of Iranian and Iraqi forces have been deployed in Syria in past weeks to bolster the defences of Damascus and its surroundings, a Syrian security force told AFP on Wednesday.

Iran's official news agency IRNA quoted elite Revolutionary Guards General Qassem Soleimani as saying ''in the coming days the world will be surprised by what we are preparing, in cooperation with Syrian military leaders.''

I point out to my colleagues, Qassem Soleimani is the guy who sent the copper-tipped IEDs into Iraq that killed hundreds of marines and soldiers and also was seen prominently in Baghdad and other parts of Iraq leading the Shiite militias.

Some of that is complicated. Some of it is impossible to make up.

Finally, the New York Times article on June 2: ''Assad's Forces May Be Aiding New ISIS Surge.''

Building on recent gains in Iraq and Syria, Islamic State militants are marching across northern Syria toward Aleppo, Syria's largest city, helped along, their opponents say, by the forces of President Bashar al-Assad.

Finally, ''Exclusive: Syrian Rebels Backing Out of U.S. Fight Vs. ISIS.''

Syrian rebels are backing out because they are not being protected by the United States of America and being barrel-bombed.

So I will not even go into the crisis in the Far East, where China is now militarizing islands in international waters.

So here we are arguing about the way the authorization for America's defense is funded, and the minority leader just announced they would take a stand because they don't like the way it is funded. I don't like the way it is funded. But don't those who are in opposition to this have some sense of reality as to what is going on in the world; that if we don't authorize the ability to defend this Nation and its national security interests—which in the words of Henry Kissinger before the Armed Services Committee, ''The world has not seen more crises since the end of World War II.''

I say, with respect to my good friend Senator REID, haven't you got your priorities skewed? Don't you understand this is an authorization bill? Don't you understand that if you want to fight, fight it on appropriations? Don't you understand—I am sure you do—that this is about the welfare and benefit of the men and women who are serving?

I am as opposed to sequestration as anybody. I have watched the hearings on the Senate Armed Services Committee, where the military leaders have said sequestration is putting the lives of the men and women serving in uniform in greater danger. That should be enough alone, but we are playing the hand we are dealt. That fight should not take place on an authorization bill.

This authorizes reforms of the Pentagon. This authorizes reforms of the retirement system, which is long overdue. It authorizes our ability to acquire the weapons and training which are necessary to defend this Nation. It doesn't fund them. It doesn't fund them; it authorizes them.

After intense hearings, months and months of hearings, debate, work in the Senate Armed Services Committee, we have come up with a product that I am extremely proud of.

I understand my friend from Rhode Island will be proposing an amendment later on to nullify the funding of OCO, which would then, by the way, have the effect of reducing the funding and authorization rather dramatically and cancel many vitally needed programs, equipment, and training for the men and women who are serving in the military. That is fine, but that will be defeated.

Once it is defeated, I hope and pray we will then move forward with the amendment process, which has been absent for the last 2 years—totally absent for the last 2 years—and not—for the first time in 53 years—not pass a Defense authorization bill through the Congress of the United States. For 53 years, through Democratic and Republican majorities, through liberal and conservative, we have authorized. We have authorized because our highest responsibility is the security of this Nation.

I urge all of my colleagues, if we want to have this fight, have it on the appropriations bill, the money bill. This is authorization. For you to distort it in some way and to equate it with a funding mechanism, in my view, is intellectual sophistry.

Mr. President, I yield the floor.

The PRESIDING OFFICER (Mr. ROUNDS). The Senator from Rhode Island.

Mr. REED. Mr. President, the Senator from Arizona is correct, every uniformed Chief of service came before us and said the greatest crisis facing the military process was sequestration, the Budget Control Act, and they asked us to change it, and we didn't change it.

If we are going to change it, then we have to make every effort and take

every step to make those changes, and that is the point I have tried to raise in this committee—not by eliminating the funds available to the military but by making these funds subject to responsible action with following the request of the defense officials to eliminate sequestration. I think we should do it as soon as possible. If we don't take every opportunity to make that case and every action possible to make that case, then we will be essentially rejecting the advice of our senior military leaders.

Suggesting that this bill is somehow so totally disconnected to the appropriations process is belied by the title of the bill. This is an act to authorize appropriations for the fiscal year 2016 for the military activities for the Department of Defense, for military construction, the defense activities in the Department of Energy. We are directly linked to the appropriations process. In the ideal world, the one that we authorize and would like to see, nothing can be appropriated, no dime can be spent, unless we have authorized it.

What we have done, effectively, in the bill—and I think it is not because it is the chairman's first choice but because it was the only available option given the budget resolution—is that we have taken the overseas contingency account, bolstered it up dramatically, and set a new sort of pathway, which next year, unless we resolve this issue of the Budget Control Act, we will come back again with more money—and the following year.

Also, as has been pointed out, we will have situations where we will find some very strange things happening in our OCO account, because we can't fund legitimate concerns of the government in other areas because of caps. That is essentially what happened in the eighties. That is why we have a significant amount of medical research money in the Department of Defense—not because the Department of Defense does it but because that was the only available option in the eighties and nineties to get money to where we thought we would need it.

I think the other issue here, too, is very implicit in our activity, which is that this bill is aimed at the Department of Defense and the military activities of the Department of Energy. Our national security is much more than that. The chairman read quite accurately reports about activity in the world, but up my way, in Roslindale, MA, there was an alleged terrorist who was confronted by an FBI agent and a Massachusetts police officer. That is the kind of terrorism a lot of people are concerned about, and if we sequester and cut off funding for the Department of Justice and the FBI and the Customs Service, et cetera, we will see this threat growing. So this is about a broader view, a wider view, and the overall mass security of the United States.

I know we have some votes pending, and I would like to go ahead and allow for my colleague to speak.

Mr. MCCAIN. Mr. President, I ask unanimous consent for 5 additional minutes—the vote was scheduled at a quarter after—an additional 5 minutes in order to allow 3 minutes for the Senator from Colorado and 3 minutes for the other Senator from Colorado.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Colorado.

Mr. BENNET. I thank the Senator from Arizona for that additional time and for his commitment and the ranking member's commitment to our national security. I deeply appreciate it.

AMENDMENT NO. 1540

Mr. President, I would like to talk briefly about amendment 1540, which the Senate will consider shortly. I am here with my colleague Senator GARDNER from Colorado. We are here on this bipartisan amendment to require the Government Accounting Office to audit the way the Veterans' Administration constructs major medical facilities and help identify exactly where the money went on some of these projects.

The Veterans' Administration is building several major medical facilities across the country, including one in Aurora, CO.

The project in Colorado has been grossly mismanaged leading to excessive cost overruns. Other projects across the country have had similar problems for years. For years, our delegation and practically anyone who has been involved with the Aurora project—almost anybody who has driven by the Aurora project has pushed the VA to acknowledge that there is actually a problem and to come up with a plan to fix it. Unfortunately, the VA has so far failed to do this, and veterans across the Rocky Mountain region have continued to wait for this new medical center.

We should ensure and must ensure that the mistakes on the Aurora project never happen again, but we all concluded that with greater accountability and transparency the right thing to do is to move forward and complete this critical facility.

As many of us have experienced up here, imposing accountability and transparency on an enormous Federal bureaucracy is elusive and complicated. The GAO has the necessary expertise to identify realistic, hard reforms and to make them stick.

We have to hold the VA accountable to our taxpayers so we can move forward to give the Rocky Mountain region's veterans the care they need. The VA and Congress are going to have to work together to get this project back on track. Finding the money to do this will be painful. It will be difficult, which is why we need to ensure that we account for every dollar that has been spent. But failing to complete this hospital is not an option. It would be a broken promise. Having a half-finished hospital in Colorado would be a national disgrace, and on behalf of our veterans, we cannot allow it to happen. It would be a disservice—worse than a disservice—a broken promise of the worst kind to the hundreds of thousands of veterans across the Rocky Mountain region and throughout the United States.

I urge my colleagues to support this amendment. I wish to express my gratitude to my colleague from Colorado, Senator GARDNER, for joining me on this important amendment.

I yield the floor.

The PRESIDING OFFICER. The Senator from Colorado.

Mr. GARDNER. Mr. President, I, too, echo the thanks to my colleague from Colorado, Senator BENNET, for his leadership on this effort. It is time that we take the VA hospital from the thorn of the VA system to the crown of the VA system, which we know it will be once it is completed. But in the meantime, there is a tremendous amount of work we have to do. I would like to thank the chairman of the Armed Services Committee for allowing this time today on the floor.

I would note that there are four Members of this body who have actually visited the facility in Denver in recent months. The Presiding Officer has witnessed this hole in the ground right now that has already spent hundreds of millions of dollars, projected to be $1.73 billion at this point.

We have talked about the need to complete it and have committed to that need to finish this project, along with the chairman of the Veterans' Committee, who has joined us on the floor today, Senator ISAKSON, who is here today with us, who is in support of this amendment to bring more accountability to the VA system so that we can understand what went wrong when they were building not only the Aurora facility but what went wrong around the country as project after project has seen cost overruns and delays.

Veterans gathered this past week in Colorado to rally to finish the darn thing. We have a Veterans' Administration that time and time again has failed to take into account the necessary measures and policies to fix it and to prevent it from ever happening again. With this amendment, we can start to find out where they went wrong and to hold them accountable. When the only person who has been fired is the person who said we were going to have a problem, there is something wrong with that.

I commend Senator BENNET for his leadership on fixing this problem, building the hospital, and giving our veterans what they were promised.

I thank the Presiding Officer for his time today. I thank the chairman of

the committee for enduring this conversation this morning.

I yield the floor.

The PRESIDING OFFICER. Who yields time?

FLOOR PRIVILEGES

Mr. MCCAIN. Mr. President, I have a list of staff members of the Committee on Armed Services and I ask unanimous consent that those staffers on the list be granted the privilege of the floor at all times during the Senate's consideration of and votes relating to H.R. 1735, the National Defense Authorization Act for fiscal year 2016.

The list is as follows:

Barker, Adam; Barney, Steven; Bennett, Jody; Borawski, June; Brewer, Leah; Brose, Christian; Chuhta, Carolyn; Clark, Jon; Clark, Samantha; Davis, Lauren; Donovan, Matt; Edelman, Kathryn; Edwards, Allen; Epstein, Jonathan; Everett, Elizabeth; Goel, Anish; Goffus, Tom; Greene, Creighton; Greenwalt, Bill; Guzelsu, Ozge; Hayes, Jeremy; Hickey, James; Howard, Gary; Kerber, Jackie; King, Elizabeth; Kuiken, Mike.

Leeling, Gary; Lehman, John; Lerner, Daniel; Lilly, Greg; McConnell, Kirk; McNamara, Maggie; Monahan, Bill; Nicolas, Natalie; Noblet, Mike; Patout, Brad; Potter, Jason; Quirk, John; Salmon, Diem; Sawyer, Brendan; Sayers, Eric; Scheunemann, Leah; Seraphin, Arun; Soofer, Rob; Sterling, Cord; Waisanen, Robert; Walker, Barry; Walker, Dustin; Wheelbarger, Katie; White, Jennifer.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Rhode Island.

AMENDMENT NO. 1522

Mr. REED. Mr. President, the amendment pending before us now is the Portman amendment proposed by the Senator from Ohio. We spoke about it yesterday.

First, let me recognize that he is trying to assist the Army in modernizing the Stryker, which is a very critical piece of equipment. But I want to reiterate some of the concerns I have about the amendment. I know Senator PORTMAN will be here shortly to make a final comment on the amendment. The amendment would add $371 million of funding for procurement, research, and development of the lethality upgrade to the Stryker program.

I do not have to tell anyone around here that we are in a very tough budget situation. We have to look very closely at every request. The traditional way it is done is that there will be in the President's budget the request by the service department, including the Department of Army, and then the Army will submit an unfunded requirements list—those priority elements that have not made the cut, if you will, in the President's budget. That was done in March. I understand that this whole requirement for the Stryker lethality upgrade came in in April. There is an issue of unfortunate timing. But, nevertheless, because we did not have the opportunity to look at this as part of the overall unfunded requirements list—nor the Army, for that matter—we really do not have a sense of the priority. Is this the most important program that we can invest $371 million in at this moment for the benefit of the Army? Therefore, I am very concerned that we are sort of moving forward without full and careful analysis both by the Department of the Army and by the committee, and we need, at this particular moment, this difficult time, to have that type of analysis.

The other issue here, too, is that this is the first step in a multiyear process. We are not quite sure how much additional funding will be needed over the next several years. It is clear from the Army that additional funding will be needed.

So we are at this time, without the usual review by the Army and by the committee, committing ourselves, perhaps, to significant funding going forward. The present estimate is that it will cost $3.8 million per vehicle. The plan is to upgrade about 81 vehicles. But it is something that, again, could be more expensive and will commit us over several years.

The funding—the vast majority of it—is going to be dedicated to one plant in a single State. Indeed, I think, generally and appropriately, it is a concern of the Senator from Ohio because most of the work will be done in Ohio. I think, again, he should be commended for being interested in what is happening in his home State.

So I appreciate the demand, but I just do not think this has gone through the process sufficiently enough for us to make that type of commitment today on the floor, and I will be opposing it right now.

I would also point out two other factors. First, the Army has the capability going forward, if this program becomes so critical and they raise it to the highest priority, to request a reprogramming of funds, to move money from one less significant priority to this program. That is an option they have, and that is an option they may well choose to use, but it will only be after their careful consideration of the other priorities that are facing the Army. I think that is a better way to do it.

The other factor I would point out is that the pay-for for this program is the foreign currency account. Basically, that is a hedge within the Department of Defense for their international transactions and the value of the U.S. dollar versus other currency. Well, the dollar is strong, and so there appears to be additional excess funds in that account, but currency over the next year could change dramatically. We have already put significant pressure on this supposed excess funding. We have reduced by about $550 million the request that the Department of Defense has made for this hedge fund, if you will, against currency changes in the world going forward in their acquisition process. I know the House has used more. But I think we have been careful not to try to put too much weight on this account.

So for all of these reasons, I would urge my colleagues to oppose the amendment. Later, there will be an opportunity for the Department of the Army to reprogram funds if it is necessary.

I think this should have been done in the context of a careful review of all their priorities so we know exactly where it stands. Again, I think we are putting too much pressure on this currency account. It might turn out to evaporate these supposed savings.

I yield the floor since I see the Senator from Ohio has arrived.

The PRESIDING OFFICER. The Senator from Ohio.

Mr. PORTMAN. Mr. President, yesterday I talked about an amendment that is absolutely crucial that we include in this legislation. Again, I commend the chairman, Senator MCCAIN, and the ranking member, Senator REED, for their work on this underlying bill. But there is something missing, and it is very clear to everybody who is looking at this issue objectively, particularly what is going on right now on the eastern border of Ukraine. We do not have the ability in Europe, because we have pulled our armored units out, to say with credibility that we have the capacity to address the very real challenge now, unfortunately, that is emerging in Europe.

Last night, as some of you know, Russian and separatist forces launched an offensive again. I am told it is the largest attack since the February Minsk agreement. So this is just what so many people predicted, including President Poroshenko and others in Ukraine, which is that things are heating up again on the eastern border of Ukraine. The NATO forces—the United States of American in particular—need to be sure they have in Europe the ability to at least have some credibility to say they can respond to this.

We have moved our armored units out, meaning there are not Abrams tanks there, except for a few units that were up in the Baltics on a temporary basis this spring. I visited them a couple of months ago. They are doing a terrific job, but they are leaving.

What the Army has said is, we want to allow our troops who are there to be able to up-armor, particularly with a weapon—a 30-millimeter cannon rather than a .50-caliber machine gun—on our Stryker vehicles to be able to have some credibility there, to be able to say that we have armored units in Europe that can respond to these new challenges. The Army has asked for this. The Army wants this. They are pleading for it because the soldiers who are there know they will not be able to perform their mission without this enhanced capability.

We had this debate yesterday on the floor. I do not think Senator REED and other Democrats necessarily disagree with the substance of this amendment. What they have said is they are concerned about the pay-for. Well, let's talk about the pay-for. The pay-for is taking this out of an account that is already being used for other purposes. It is already being used by the House Armed Services Committee. In fact, the House Armed Services Committee has already taken more funds out of this account than all of the funds in the SASC committee, the Senate committee, plus this amount that I believe ought to be taken out of this account. This is called the foreign currency fluctuation account at the Department of Defense.

GAO, which is the body that looks at these issues from our perspective, from a legislative branch perspective—they are the auditors—GAO has estimated that the Pentagon will have $1.86 billion in surplus from these fluctuations by the end of fiscal year 2016.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. PORTMAN. Mr. President, I ask unanimous consent for 3 additional minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. PORTMAN. So GAO has looked at this. They have said there will be $1.86 billion in surplus in these fluctuation accounts at the end of fiscal year 2016. They have actually updated their figures now with even more recent data, and they have just adjusted the 2016 surplus even higher to $2.02 billion. No one has produced a currency projection to counter this GAO estimate. So we are talking about over $2 billion in this account that is available.

By the way, the money we are talking about here is not going to be taken and used for other readiness priorities because the SASC bill has already swept up that money for readiness. This money will be sitting in a reserve fund. The Pentagon does not need to be sitting on this size of a reserve fund—essentially a slush fund—when we do have these needs that have been identified. The Army has made a formal request for these. They have asked for assistance here. These deployed units need this assistance. They said they need it. We ought to put this to good use—namely, for an urgent requirement like this one.

Again, if you look at the House bill versus the Senate bill, the House has used more of this funding in this reserve fund, this slush fund, than we have used even when you include this additional requirement I am talking about today.

So this notion that somehow we cannot do this because the offset is not good—it just does not make any sense. It does not fit with what GAO has said, and it does not fit with what the House has done. So I do not know what the objection is, but I tell you what—if you vote against this, then you are saying that our troops in Europe ought not to have the capability that they have asked for, that they need.

Admittedly, this came late. I am sorry about that. It should have come with it sooner. This was a requirement they had identified, but they had identified needing it later by 2020. Now, they need it now, and they need it now because the situation has changed in Europe.

We have to be flexible to be able to respond to that change. If we wait another 12 months, another year to do this, who knows what is going to happen. But I know one thing, having been in Eastern Europe recently, I know those countries of Eastern Europe and, in fact, those countries on the European Continent—our NATO partners, in particular, but also Ukraine—are looking to the United States of America to show that the commitment we have made on paper, to ensure we have that commitment in terms of our capability on the ground in Europe.

Again, this is an issue where I think we should come together as Democrats and Republicans. It is a bipartisan amendment. I commend Senator PETERS for identifying this need with the Army.

I understand Senator REED's concern that this came late in the process, but it is here. The request has been made. I would sure hope we would be able to come together today, given what is happening right now on the eastern border of Ukraine, to ensure that we send a strong message that, at a minimum, we are going to meet these requirements that the Army has insisted they need to be able to give our troops what they need to be able to keep the peace in this important part of the world.

I thank the Presiding Officer for the time. I urge my colleagues to support the amendment.

I yield back the remainder of my time.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. REED. Mr. President, again, I recognize the way that the Senator from Ohio is articulating a need of the military. The question is how high the priority is.

Just one point I wish to make is that we do understand acutely the crisis in the Crimea, et cetera. The availability of this equipment would not be instantaneous. It would take many months to do the upgrade, to do the evaluations, et cetera.

Again, I think the best approach would be to allow the Department of the Army to make a judgment, to reprogram, if necessary, and to get this moving.

With that, I yield the floor.

The PRESIDING OFFICER. Under the previous order, the question occurs on agreeing to amendment No. 1522, offered by the Senator from Ohio, Mr. PORTMAN.

Mr. PORTMAN. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from South Carolina (Mr. GRAHAM), the Senator from Nevada (Mr. HELLER), and the Senator from Florida (Mr. RUBIO).

Mr. DURBIN. I announce that the Senator from California (Mrs. BOXER) and the Senator from Virginia (Mr. WARNER) are necessarily absent.

The PRESIDING OFFICER (Mrs. FISCHER). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 61, nays 34, as follows:

[Rollcall Vote No. 202 Leg.]

YEAS—61

Alexander	Enzi	Murray
Ayotte	Ernst	Paul
Barrasso	Fischer	Perdue
Bennet	Flake	Peters
Blunt	Gardner	Portman
Boozman	Grassley	Risch
Burr	Hatch	Roberts
Cantwell	Heinrich	Rounds
Capito	Hirono	Sasse
Casey	Hoeven	Scott
Cassidy	Inhofe	Sessions
Coats	Isakson	Shelby
Cochran	Johnson	Stabenow
Collins	King	Sullivan
Corker	Kirk	Thune
Cornyn	Lankford	Tillis
Cotton	Lee	Toomey
Crapo	McCain	Vitter
Cruz	McConnell	Wicker
Daines	Moran	
Donnelly	Murkowski	

NAYS—34

Baldwin	Kaine	Reid
Blumenthal	Klobuchar	Sanders
Booker	Leahy	Schatz
Brown	Manchin	Schumer
Cardin	Markey	Shaheen
Carper	McCaskill	Tester
Coons	Menendez	Udall
Durbin	Merkley	Warren
Feinstein	Mikulski	Whitehouse
Franken	Murphy	Wyden
Gillibrand	Nelson	
Heitkamp	Reed	

NOT VOTING—5

Boxer	Heller	Warner
Graham	Rubio	

The amendment (No. 1522) was agreed to.

VOTE ON AMENDMENT NO. 1540

The PRESIDING OFFICER. Under the previous order, the question now occurs on amendment No. 1540, offered by the Senator from Rhode Island, Mr. REED, for Mr. BENNET.

If there is no further debate, the question is on agreeing to the amendment.

The amendment (No. 1540) was agreed to.

The PRESIDING OFFICER. The Senator from Louisiana.

AMENDMENT NO. 1473 TO AMENDMENT NO. 1463

Mr. VITTER. Madam President, I ask unanimous consent to set aside the pending amendment in order to call up amendment No. 1473.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The clerk will report.

The senior assistant legislative clerk read as follows:

The Senator from Louisiana [Mr. VITTER] proposes an amendment numbered 1473 to amendment No. 1463.

Mr. VITTER. I ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To limit the retirement of Army combat units)

On page 38, line 12, insert after ''**FIGHTER AIRCRAFT**'' the following: ''**AND ARMY COMBAT UNITS**''.

On page 43, between lines 3 and 4, insert the following:

(e) MINIMUM NUMBER OF ARMY BRIGADE COMBAT TEAMS.—Section 3062 of title 10, United States Code, is amended by adding at the end the following new subsection:

''(e)(1) Effective October 1, 2015, the Secretary of the Army shall maintain a total number of brigade combat teams for the regular and reserve components of the Army of not fewer than 32 brigade combat teams.

''(2) In this subsection, the term ' brigade combat team' means any unit that consists of—

''(A) an arms branch maneuver brigade;

''(B) its assigned support units; and

''(C) its assigned fire teams''.

(f) LIMITATION ON ELIMINATION OF ARMY BRIGADE COMBAT TEAMS.—

(1) LIMITATION.—The Secretary of the Army may not proceed with any decision to reduce the number of brigade combat teams for the regular Army to fewer than 32 brigade combat teams.

(2) ADDITIONAL LIMITATION ON RETIREMENT.—The Secretary may not eliminate any brigade combat team from the brigade combat teams of the regular Army as of the date of the enactment of this Act until the later of the following:

(A) The date that is 30 days after the date on which the Secretary submits the report required under paragraph (3).

(B) The date that is 30 days after the date on which the Secretary certifies to the congressional defense committees that—

(i) the elimination of Army brigade combat teams will not increase the operational risk of meeting the National Defense Strategy; and

(ii) the reduction of such combat teams does not reduce the total number of brigade combat teams of the Army to fewer than 32 brigade combat teams.

(3) REPORT ON ELIMINATION OF BRIGADE COMBAT TEAMS.—The Secretary shall submit to the congressional defense committees a report setting forth the following:

(A) The rationale for any proposed reduction of the total strength of the Army, including the National Guard and Reserves, below the strength provided in subsection (e) of section 3062 of title 10, United States Code (as amended by subsection (e) of this section), and an operational analysis of the total strength of the Army that demonstrates performance of the designated mission at an equal or greater level of effectiveness as the personnel of the Army so reduced.

(B) An assessment of the implications for the Army, the Army National Guard of the United States, and the Army Reserve of the force mix ratio of Army troop strengths and combat units after such reduction.

(C) Such other matters relating to the reduction of the total strength of the Army as the Secretary considers appropriate.

(g) ADDITIONAL REPORTS.—

(1) IN GENERAL.—At least 90 days before the date on which the total strength of the Army, including the National Guard and Reserves, is reduced below the strength provided in subsection (e) of section 3062 of title 10, United States Code (as amended by subsection (e) of this section), the Secretary of the Army, in consultation with (where applicable) the Director of the Army National Guard or Chief of the Army Reserve, shall submit to the congressional defense committees a report on the reduction.

(2) ELEMENTS.—Each report submitted under paragraph (1) shall include the following:

(A) A list of each major combat unit of the Army that will remain after the reduction, organized by division and enumerated down to the brigade combat team-level or its equivalent, including for each such brigade combat team—

(i) the mission it is assigned to; and

(ii) the assigned unit and military installation where it is based.

(B) A list of each brigade combat team proposed for disestablishment, including for each such unit—

(i) the mission it is assigned to; and

(ii) the assigned unit and military installation where it is based.

(C) A list of each unit affected by a proposed disestablishment listed under subparagraph (B) and a description of how such unit is affected.

(D) For each military installation and unit listed under subparagraph (B)(ii), a description of changes, if any, to the designed operational capability (DOC) statement of the unit as a result of a proposed disestablishment.

(E) A description of any anticipated changes in manpower authorizations as a result of a proposed disestablishment listed under subparagraph (B).

Mr. VITTER. Madam President, I will return to the floor soon to lay out more fully what this amendment does. Fundamentally, it tries to protect our force structure, our personnel and, in particular, the core component of brigade combat teams as the Pentagon—the Defense Department—deals with curtailed resources.

I am very concerned, as are so many of us, that as defense budgets are cut, personnel and core resources in terms of end strength, including brigade combat teams, will suffer cuts that go well beyond fat and into meat and bone. We need to limit that. We need to avoid that. This amendment would do that with regard to brigade combat teams.

It does not increase spending. It retains as much flexibility as possible for the Department of Defense. I think it meets an important goal in a balanced and reasonable way. I look forward to continuing this discussion toward a vote in favor of this amendment.

I yield the floor.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. MCCAIN. Madam President, for the benefit of Members, and in agreement with Senator REED, we will be having the Shaheen amendment, followed by side-by-side Markey and Cornyn amendments. And those votes, we are planning on, but haven't confirmed, will probably be at around 1:45 p.m., and that would complete our activities. That is not totally agreed to, but that is the plan.

Mr. REED. Madam President, also I believe we anticipate taking up by voice vote the Tillis amendment.

Mr. MCCAIN. We will voice vote the Tillis amendment, and we will be looking, hopefully, at a manager's package, as well.

I yield the floor.

The PRESIDING OFFICER. The Senator from New Hampshire.

AMENDMENT NO. 1494

Mrs. SHAHEEN. Madam President, I rise to discuss amendment No. 1494, which I believe would move our Nation one step closer toward finally securing equal protection under the law for veterans in the United States. I thank the other cosponsors of this amendment, Senators LEAHY, DURBIN, BROWN, HIRONO, BLUMENTHAL, BALDWIN, SCHATZ, PETERS, GILLIBRAND, MARKEY, WHITEHOUSE, COONS, WYDEN, FRANKEN, MURPHY, MURRAY, and BOXER.

This amendment would end the current prohibition on benefits for gay and lesbian veterans and their families who live in States that do not recognize same-sex marriage. My amendment is based on the Charlie Morgan Military Spouses Equal Treatment Act, which I was proud to reintroduce earlier this year.

The bill is named for Charlie Morgan, a former soldier and chief warrant officer in the New Hampshire National Guard and the Kentucky National Guard. Charlie was a military veteran with a career spanning more than 30 years. I first met Charlie in 2011. She was on her way home from deployment in Kuwait, and she had just been diagnosed for a second time with breast cancer. Concerned for her wife Karen and their young daughter's well-being, Charlie became an outspoken critic of the Defense of Marriage Act, which at the time prohibited her spouse and child from receiving the benefits that she had earned during her service.

Sadly, Charlie did not live to see the Supreme Court overturn the Defense of Marriage Act in 2013. However, because of her example, her leadership, and her courageous advocacy, our Nation took another historic step toward ensuring equal treatment and civil rights for all.

Despite the Supreme Court's overturning the Defense of Marriage Act, there are still provisions remaining in the U.S. Code that deny equal treatment to LGBT families. One of those

provisions is in title 38, which deals with veterans benefits.

Today, if you are a gay veteran living in a State such as New Hampshire that recognizes same-sex marriage, your family is entitled to all the benefits you have earned through your military service. However, a veteran with the exact same status, the same service record, the same injuries, the same family obligations, but living in a State that does not recognize same-sex marriage will receive less.

The impact of this discrimination is very real. Monthly benefits are less, spouses and children are not eligible for medical care at the VA, and families are not eligible for the same death benefits.

There are even reports that the VA has required gay veterans to pay back benefits because their State will not recognize their marriage. In one case, a young woman—a 50-percent disabled combat veteran—was initially approved for benefits for her wife and child but later told by the VA that because of where she lived and whom she loved, she was not only going to lose a portion of her benefits but the VA was also going to withhold her future payments until she paid the VA back. This is just disgraceful—to cut the benefits earned by a combat veteran and then also require that she pay back the VA, all because of whom she married and where she lives. Perhaps the most frustrating part of this story is knowing that if this woman moved across the border to another State, she would have no problems with the VA.

My amendment would fix this issue for these men and women who have volunteered to serve in our Armed Forces. They have volunteered to put themselves in harm's way, to leave their families and their homes, and to travel around the world to protect America and our way of life. Yet they are being deprived of the very rights they have risked their lives to protect.

So again, let's be clear what we are talking about. The Supreme Court has ruled it is unconstitutional to deny Federal benefits to legally married, same-sex couples and their children. Yet, due to unrelated provisions of the Federal Code, State legislatures have the ability to indirectly deny Federal benefits to certain disabled veterans and their families solely because they are in a same-sex marriage. It is unjust and, according to the Supreme Court, it is unconstitutional.

Now, my amendment is not new to the Senate. Last Congress the Veterans' Affairs Committee approved it by a voice vote, and earlier this year, 57 Senators voted in favor of a budget resolution amendment on this issue. Now, when we vote—hopefully very soon on this amendment—Senators will have the opportunity to end an unjust and unconstitutional provision of law that discriminates against veterans.

Many of us talk about the need to honor the service of our veterans and to make sure they have access to the care they deserve, and we should all do that. But if you believe that all veterans, regardless of their sexual orientation, deserve equal access to the benefits they have risked their lives for, regardless of where they live, then you will vote in favor of this amendment.

I strongly urge my colleagues to support passage of this amendment when it comes up for a vote.

I yield the floor.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. REED. Madam President, I rise to commend the Senator from New Hampshire. I think one of the best indications of the appropriate direction of this policy is that the Department of Defense extends benefits regardless of State law to all military personnel. Consistent with the Department of Defense, this should be done by the Department of Veterans Affairs.

So I commend the Senator. I think it is the right thing to do and the consistent thing to do and the logical thing to do.

I yield the floor.

The PRESIDING OFFICER. The Senator from New Hampshire.

Mrs. SHAHEEN. Madam President, I thank Senator REED, the ranking member of the Armed Services Committee, who has a distinguished military career of his own, for his support of this effort and his understanding of how important this is to so many veterans who have served.

The PRESIDING OFFICER. The Senator from Massachusetts.

AMENDMENT NO. 1645 TO AMENDMENT NO. 1463

Mr. MARKEY. Madam President, I ask unanimous consent to set aside the pending amendment and call up the following amendment: Markey No. 1645.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The clerk will report.

The legislative clerk read as follows:

The Senator from Massachusetts [Mr. MARKEY] proposes an amendment numbered 1645 to amendment No. 1463.

Mr. MARKEY. I ask unanimous consent that reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To express the sense of Congress that exports of crude oil to United States allies and partners should not be determined to be consistent with the national interest if those exports would increase energy prices in the United States for American consumers or businesses or increase the reliance of the United States on imported oil)

At the end of subtitle G of title X, add the following:

SEC. 1085. SENSE OF CONGRESS REGARDING EXPORTS OF CRUDE OIL.

It is the sense of Congress that exports of crude oil to allies and partners of the United States should not be determined to be consistent with the national interest and the purposes of the Energy Policy and Conservation Act (42 U.S.C. 6201 et seq.) if those exports would increase energy prices in the United States for American consumers or businesses or increase the reliance of the United States on imported oil.

Mr. MARKEY. Madam President, what we are about to do is have a discussion about whether the United States of America should start exporting our oil—exporting our oil.

The United States right now, along with China, is the largest importer of oil in the world. We are not exactly at but very near to the level of imports of oil in our country that we were back in 1975 when we put a ban on the exportation of oil in our country.

Why is that important? It is important for a lot of reasons. No. 1, if we begin to export our oil in the United States, a new Barclays report found that the U.S. consumer last year saved $11.4 billion at the pump because of the lowest U.S. crude prices in a long time, and we would potentially save upwards of $10 billion in prices for consumers at the pump in the United States of America.

We understand the oil industry. Here is what happens. The world price is set. It is called the Brent price. The Brent price is the world price of oil. That price is traditionally higher, much higher than the price of crude oil in the United States that is produced in the United States. That is West Texas intermediate. That is a price set in Cushing, OK.

If you are an oil company, you want to get our U.S. crude out on the world market because they will then be able to sell it for a much higher price. What is wrong with that? What is wrong with that is that the American consumers will not get that oil at the lower price, and we will still have to import oil into our country because we are still short by millions of barrels of oil per day.

The consumer in America is the one who will be paying this tax on their price at the pump. That is the essence of what this whole strategy is about. It is to get the oil companies the highest price for the oil which is on the world market. But who is going to pay? Who is going to have their pockets tipped upside down at the pump and have money shaken out of them so they have to pay a higher price? It will be the consumers.

If we want to give more money to the defense budget, let's just do it. Let's have a big debate about increasing the defense budget. Let's have that debate. But let's not have the American consumer at the pump be a special tax that is imposed in order to help our allies overseas. Ultimately, of course, there is a beautiful access there where the oil industry is saying: Yes, sir, we are willing to put our crude oil on ships and send it overseas.

It is just a bad, bad economic policy for our country. We are already paying

a high price at home. This exportation of our oil would also defy what our own Department of Energy is saying. Our Department of Energy is saying that in 2020, our oil production in America is going to peak, and then we are going to begin to go down once again in our oil production.

Who is saying this? Our Government. Who is saying this? The Energy Information Administration of the United States of America. What we are engaging in here is a premature attempt to export oil with the likelihood that by 2019 and 2020 our oil production is going to start to go down again.

It also hurts our domestic oil refining industry. The Energy Information Administration has found that lifting this ban on the exportation of our own domestic crude could lead to a fundamental reduction in the amount of investment made by the American refining industry here on our own soil. Some $9 billion less would be invested because the oil would be sent overseas. The crude oil would get refined overseas. It would not be refined here in our own country with American workers and American companies doing it here on our own soil, helping our economy here.

This decision, by the way, that Members are going to be asked to make today is opposed by the AFL–CIO, it is opposed by the steel workers, it is opposed by the League of Conservation Voters, by the Sierra Club, by Public Citizen, and by an entire group of American refiners.

This is no radical coalition that has been put together. It is a broad base of interest in our own country that wants to make America stronger. How in the world can we be strong if we are exporting oil while we are still importing oil? We will have to import the same amount that we are now exporting under this amendment that is being made by the Senator from Texas, and we will wind up with, ultimately, the price being paid by the American consumer at the pump.

From my perspective, this is about as desperate an attempt as the oil industry can have to get out from underneath the 1975 law. They have been looking for an opportunity. But, obviously, the instability in the Middle East should make us very cautious at this time. The oil fields of Saudi Arabia are now very vulnerable. They are right on the border. The Houthis being supported by Iran, right at the bottom of the Red Sea, makes that juncture very vulnerable to a cutoff of oil coming into the world economy. This Shiite-Sunni war is something that we have to be very conscious of because ISIS is targeting those areas in Syria, in Iraq, and in Yemen that have oil resources.

We need a big debate in our country about oil and war in the Middle East. We are at a pivotal point here where the Ottoman Empire and all of the lines that were drawn 100 years ago are being erased and with that the protection of oil resources in the Middle East.

We should not just have a debate on the Senate floor about cavalierly lifting the ban on the exportation of oil. We should have a debate about what this war in country after country and oil area after oil area means for our country.

I would say to you that we should err in a way that is going to protect our own economy. That is what makes us strong. That is what makes it possible for us to project the power around the world. It is that we are the strongest economy in the world, and the indispensable life's blood of economic growth is low-energy cost for every single industry and every single consumer. It puts more money in their pockets.

This decision that the amendment of the Senator from Texas asks us to make will send us in the wrong direction. This is a disaster for consumers in our country. It is a disaster for the refiners in our country, and it is a disaster for the national security of our country. We should keep our resources here at home for American families, American businesses, to enhance our national security using America and our economy as the basis for how we project power around the world. For every barrel of oil that we export, we are going to have to import another barrel of oil from some other place.

We should have the debate here on the Senate floor about where that oil will be coming back into our country because we still need 3 million, 4 million extra barrels of oil a day. That is a national security consideration that we have to deal with. Which country are we going to call up? Which country are we going to ask to send us their oil? What are the implications for our national security of having phone calls go to country after country—probably not just the oil companies but our government beginning new negotiations to get even more oil to come here as we export the oil that we should be keeping here.

The Saudis have been our friends, historically. We have no guarantee that the Saudis are going to even be running that country. Let's be honest about it. Let's talk about that. Let's debate it. ISIS has taken over oil fields in Syria. ISIS has taken over areas of oil production in Iraq. Let's have a debate about that. That is what we should be debating. How is that oil now funding ISIS? How is that oil now being used by Iran, potentially, in Yemen and in other parts of the world to undermine American interests?

In one part of the world, Yemen, we want to back the Sunnis against the Shiites. In Iran, we are backing moderate Sunnis against Shiites. In Iraq we are backing the Shiites against radical Sunnis, trying to get moderate Sunnis to help us. All of it, by the way, is with oil as—if not the central issue, then one of—the central issues in each one of these countries. To have a resolution here today and to be saying that we should be exporting oil—no, ladies and gentlemen, that is not how we should be discussing this issue.

How did we get into the Middle East? We got into the Middle East, yes, protecting Israel, but we got in because of our addiction to oil—not my words, President Bush's words. We have to break our dependence upon imported oil. Increasing fuel economy standards is a big part of it. Having this fracking revolution continue to produce more oil here domestically is a big part of it. Investing in renewables and energy efficiency is a big part of it. But we are still at the earliest stages of this strategy. When we have completed it, when we know we are successful, then let's talk about the generosity that we are going to expect from American consumers at the pump to pay higher prices for gasoline.

Again, this is an issue that the American people overwhelmingly want to see resolved in a way that keeps American oil in America. If we are going to continue to export young men and women from America over to the Middle East, then we should not be exporting our oil at the same time. That makes no sense—no sense. It is disrespectful to the sacrifice young men and women are making in the Middle East in order to protect our interests to start an economic policy of exporting imported oil while we still need to import it.

This issue, to me, is central to our overall long-term national security and economic interests, and I urge an aye vote on the amendment.

I ask for a rollcall on the amendment, Madam President.

The PRESIDING OFFICER. Is there a sufficient second?

At the moment there is not a sufficient second.

Mr. MARKEY. Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. BARRASSO. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

OBAMACARE

Mr. BARRASSO. Madam President, this morning, Majority Leader MCCONNELL spoke about the skyrocketing costs, the broken promises, and the repeated failures of the President's health care law. He pointed out specifically how so many Americans are facing double-digit premium increases because of ObamaCare. In his home State of Kentucky, some people face proposed increases as high as 25 percent.

He noted that some people in Indiana could be hit with a 46-percent jump in their premiums.

So how did Democratic Leader REID respond to the news of double-digit premium increases? He said people are extremely satisfied with health care. He said the people Majority Leader MCCONNELL spoke about are having increases that are ''very, very minimal.'' I wish to repeat that. The Democratic leader, on the floor of the Senate today, called premium increases of 25 and 46 percent very, very minimal. What world is he living in? How on Earth can Senate Democrats believe Americans are satisfied with their health care when they are facing double-digit premium increases? How on Earth can the Senate Democratic leader believe these increases are very, very minimal? They are shocking.

The Democrats have their head in the sand about the health care law. We can pick up Investor's Business Daily, Monday, June 1: ''ObamaCare Deductibles Soaring to $6,500 for Silver-Level Plan.''

Pick up the Wall Street Journal, Friday, May 22: ''Health Insurers Seek Big Increases.''

Investor's Business Daily today: ''ObamaCare Enrollment Mystery: 2 Million Young Adults Missing.'' They are not signing up, and there are plenty of good reasons why. It is not because it is a good deal for them.

No matter how bad it gets, no matter how unaffordable it is, President Obama and the Democrats in Congress absolutely refuse to face the reality. They refuse to help Americans who continue to be hurt by this law.

I wish to speak a little bit about the reality of the law and why Republicans are committed to helping all Americans finally have access to affordable care.

We all remember when President Obama promised that his health care law would cause insurance premiums to go down—down—by an average of $2,500 per year, per family. So where do we stand now? A couple of weeks ago was the deadline for insurance companies to say what they intended to charge people for health care next year. This is the first time companies have been able to set their prices based on a full year of information about how much ObamaCare actually costs. From what we have seen so far, the cost is enormous. A lot of Americans are going to be shocked by how much more their health insurance will be.

These higher premiums are just the latest evidence that ObamaCare is an expensive failure. We have seen reports about the largest insurance company in New Mexico saying it wants to raise rates by almost 52 percent next year. The biggest insurer in Tennessee wants to raise its rates 36 percent. In Maryland, the largest insurer is planning to increase premiums by more than 30 percent. Yet, we hear Senator REID on the floor of the Senate this morning saying these things don't matter.

People who are in the President's home State of Illinois right now are facing an average premium increase of 30 percent. It seems as though there is another headline every day about how expensive health care insurance is becoming.

The Wall Street Journal Tuesday: ''Insurers Seek Big Premium Increases.''

I know there are some supporters of the law who like to say lots of people have insurance under ObamaCare. How many of them are actually going to be paying these double-digit rate increases next year because of ObamaCare? That is what Americans want to know.

On Monday, the Obama administration released information on rate hikes for people living in about 41 States. It turns out that 676 different insurance plans—different ObamaCare insurance plans—offered for sale in these 41 States plan to raise their rates by double digits—by at least double digits. The average increase is 21 percent. About 6 million people getting their insurance from these plans will face double-digit rate increases next year. Do Democrats who voted for ObamaCare think a 21-percent rate increase is affordable? Do they think a double-digit premium increase will help these 6 million hard-working Americans?

These numbers are so large, it is hard to even understand what they mean for a typical person. What does it mean that health insurance policies in Maryland might have an average rate increase of 30 percent? How does that impact someone's life, their quality of life?

Let's say there is a 40-year-old nonsmoker living in Annapolis, MD. He buys a silver plan from CareFirst BlueCross BlueShield, which is the biggest insurer in Maryland and the most popular kind of plan. According to the Wall Street Journal study, those rates would go from about $2,900 for the year to nearly $3,700 next year. That is an $800-a-year increase. The President promised it would go down $2,500, and now it has gone up $800. That is how expensive ObamaCare has become. It is far more costly than people thought it was going to be, than the insurers thought it was going to cost, and far more costly than the American people were told it was going to be.

I have heard some Democrats who support this law say these are just the requested rates. They say we shouldn't worry because State insurance agencies won't allow these huge rate increases to take effect. Well, CareFirst, the company in Maryland that wants a 30-percent rate increase next year, raised its rates 16 percent last year. Hard-working people across the country are going to have to pay these enormous premiums because the President mandates they buy it. And many of them still won't be able to actually use their insurance because the deductibles and the copays are so high. This year, the average deductible for an ObamaCare silver plan is almost $3,000 per person and more than $6,000 per family.

One has to ask, why are costs going up so much so fast? That is what a radio station in Kansas City, MO, KCUR-FM, asked. They reported last week, on May 27, that premiums for some plans in Kansas are going to go up 38 percent. According to the radio station, the increases ''appear to be driven by requirements in the Affordable Care Act, also known as Obamacare.'' That is what they report.

The Kansas State Insurance Department said it was because of things like all of the coverage mandates in the law. Families are now paying for coverage that is more than they need, more than they want, and more than they can afford. A spokesman for the State insurance agency in the State of Kansas told the radio station, ''These things cost money.''

What do people think about these enormous increases in their premiums? Are people happy because of all the extra money they have to pay because of Obamacare?

Let's look at Connecticut. In Connecticut, they have been writing to the State insurance department, and they are angry and frustrated about the Obamacare price hikes.

One person wrote, ''I find it outrageous that the rates for 2016 are going to increase by 6.7 percent,'' which was the request in Connecticut. The person goes on:

> Where do you think that I am going to get that money? I do not get a raise every year based on your ''every year'' rate increases.

So this is somebody who is having a hard time with a rate increase of only 6.7 percent. Imagine how tough it is going to be for families all around the country who will have to pay 20 or 30 or 40 percent more next year for their Obamacare-mandated insurance. Thousands of families across the country are facing these shocking rate increases, and it might be just the beginning.

Sometime this month, the Supreme Court is expected to decide an important case called King v. Burwell. This case is about the subsidies some people get to pay Obamacare's alarmingly high costs. The health care law said that Washington could subsidize the premiums of people who buy insurance through its exchanges established by the States. President Obama knew that wouldn't be enough because he knew his law was going to make insurance premiums skyrocket, so he told his administration to use taxpayer dollars to subsidize insurance in the Federal exchange as well. Democrats in Congress

wrote the law to allow subsidies for one group, and then the President then decided to pay them out for another group. So if the Supreme Court decides that the President overstepped his authority, there are going to be a lot of people who could be facing paying the full cost of their Obamacare plans without the subsidy. They are going to see just how expensive this Obamacare insurance is and just how destructive the Democrats' health care law has been.

Let's face it. In spite of what the minority leader says on the floor of the Senate, Obamacare has been a disaster. It is bad for patients. It is bad for providers. It has been terrible for the American taxpayers, hard-working Americans who work every day to try to put food on the table and pay their taxes.

Republicans are offering better solutions, real solutions that will end these outrageous and expensive Obamacare side effects. That means giving Americans freedom, choice, and control over their health care decisions. Republicans understand that hard-working American families can't afford Obamacare any longer.

Democrats need to admit that their health care law has been and continues to be an expensive failure. If they are ready to do that, then Republicans will work with them to help give people the care they need from a doctor they choose at lower cost.

Thank you, Madam President.

I yield the floor.

The PRESIDING OFFICER. The Senator from New York.

Mrs. GILLIBRAND. Madam President, I rise today to speak on my amendment No. 1578, the Military Justice Improvement Act, to ensure that survivors of military sexual assault have access to an unbiased and professionalized military justice system.

Last year, despite earning the support of 55 Senators—a coalition spanning the entire ideological spectrum, including both the majority and minority leader—our bill to create an independent military justice system, free of the inherent bias and conflicts of interest within the chain of command, fell short of overcoming the 60-vote filibuster threshold. But, as we said then, we will not walk away. We will continue to fight to strengthen our military because that is our duty.

It is our oversight role in Congress to act as if the brave survivors are our sons and daughters, our spouses who are being betrayed by the greatest military on Earth. We owe them at least that.

Over the last few years, Congress has forced the military to make many incremental changes to address this crisis. After two decades of complete failure and lipservice to ''zero tolerance,'' the military now says essentially: Trust us. We have got this.

They spin the data, hoping nobody will dig below the top line because when you do, the clear conclusion is that survivors still have little faith in the system and that the military has not actually made a dent in the problem. Even after much-lauded reforms, the estimate for 2014 is 20,000 cases of sexual assault and unwanted sexual contact—the same level as 2010—an average of 52 a day. A much-touted reform made retaliation a crime. That made a lot of sense, but a sky-high 62-percent retaliation rate remains unchanged from 2 years ago.

The system remains plagued with distrust and does not provide the fair and just process the survivors deserve. Simply put, the military has not held up to the standards posed by General Dempsey 1 year ago when he said, ''We are on the clock if you will . . . the President said to us in December, you've got about a year to review this thing . . . and if we haven't been able to demonstrate we are making a difference, you know, then we deserve to be held to the scrutiny and standard.''

So I am urging my colleagues to hold the military to that standard. Enough is enough with the spin, the excuses, and the promises, because throughout the last year, we have continued to see new evidence of how much further we actually have to go to solve this problem.

We have a very simple choice. We can keep waiting, hoping that the reforms we put in place—that we actually forced the military to put in place—will somehow restore trust in the system, while an average of 52 new lives are shattered every day, three-quarters of whom will never come forward because they see what happens around them and they don't trust the system and don't see how justice is possible because commanders hold all the cards, or we can do the right thing and act.

We can accept a system where, according to the DOD themselves, three out of four servicewomen and nearly half of servicemen say sexual harassment is common or very common or we can do the right thing and act.

We can accept a system where women who were sexually harassed were 1,400 percent more likely to be sexually assaulted that same year or we can act.

We can accept a climate where supervisors and unit leaders were responsible for sexual harassment and gender discrimination in nearly 60 percent of all cases or we can act.

My friends, I believe it is time that we provide our servicemembers with an unbiased justice system, one that is professionalized, where the decision-maker is trained in military justice. It is time to finally listen to the survivors who have told us over and over again that this reform is required to instill long-lost confidence in the system.

It is very much time to do the right thing and act because every time we look at this problem, it seems to get worse. My office just reviewed 107 sexual assault case files from the largest base in each of the services. We requested these files, and that was for 1 year of sexual assaults. We requested the data to understand what actually happens once the reports are filed, how they are investigated, and how they move forward within the military justice system to see if there is any other challenges we have to address. It took the Pentagon a year to respond to my document request. These 107 files are just a snapshot of the thousands of estimated cases that occur annually.

What we found, which was unexpected, was an alarming rate of assaults among two survivor groups who are not represented in the DOD survey. The DOD survey is all servicemembers. But what we found is that civilian women and military spouses are not counted in that survey, and of these 107 cases, in 53 percent of them, the survivor was either a military spouse or a civilian. These two categories of survivors are hidden in the shadows.

According to the DOD themselves, the real scope of this problem, unfortunately, is much larger than the 20,000 that were estimated for last year alone. These obviously aren't just numbers; these are real lives being broken, and they deserve a fair shot at justice.

It should disturb everyone in this Chamber that instead of hope for justice at these four military bases, nearly half of the survivors who initially filed a complaint—some of them going through the medical exam, going through testimony, going through evidence—nearly half who filed withdrew their complaint during the process before trial. What does that tell us? Is there a form of retaliation taking place? Is it just a lack of faith in the system? To have about half of these cases not move forward is very troubling.

Even when a case did move forward, just over 20 percent of them went to trial, and only 10 percent of these cases resulted in sexual assault convictions with penalties of confinement and dishonorable discharge. Ten percent. Only 10 percent ended in conviction. The cases that did proceed to trial but failed to obtain a sexual assault conviction typically resulted in a more lenient penalty, such as reduction in rank or docked pay.

There was a new report published by the Human Rights Watch. They issued a report which told us that servicemembers who reported a sexual assault were 12 times more likely to suffer retaliation than to see their offender get convicted of the sexual offense. Let me repeat that. A survivor who reports a sexual assault is 12 times more likely to see retaliation than to see justice. How can anyone say this is a system our survivors can actually have faith in?

Despite the DOD's reported 62 percent retaliation rate—and this is so troubling—there was not evidence of a single serious disciplinary action against anyone for retaliation. Not one. There was not one disciplinary action for 62 percent of survivors who were retaliated against. That borders on the impossible. But the reality is, without independent review, we are actually relying on commanders to charge themselves with retaliation. It doesn't make any sense.

According to the DOD's own SAPRO report, retaliation remains at 62 percent for women. Over one-third experienced administrative action, and 40 percent faced other forms of professional retaliation. That means your job changes in some meaningful way.

DOD admits they have made zero progress since 2012.

The carefully crafted and widely bipartisan Military Justice Improvement Act is designed to reduce the systemic failure that survivors of military sexual assault describe, in deciding whether to report the crimes committed against them, due to the bias and inherent conflicts of interest posed by the military chain of command's current sole decisionmaking power over whether a case moves forward. This reform actually protects both the victim and the accused. We do not want to see an innocent person convicted any more than we want to see a guilty person go free.

Due process, professionalism, training, equal opportunity to justice is how we restore a broken system. It is time to move the sole decisionmaking power over whether serious crimes akin to a felony go to trial from the chain of command into the hands of nonbiased, professionally trained military prosecutors, where it belongs. And we do this while leaving military crime in the chain of command. So we completely carve-out anything that is military-related, such as missing in action or not honoring a command. In fact, the decision whether to prosecute the vast majority of crimes, including 37 serious crimes uniquely military in nature, plus all punishable crimes that have less than a year of confinement as a penalty, remain in the chain of command.

The brave men and women we sent to war to keep us safe deserve nothing less than a justice system that is actually equal to their sacrifice. We owe that at least to them.

Thank you, Madam President.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. KAINE. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT NO. 1521

Mr. KAINE. Madam President, I rise in support of the NDAA that is on the floor now but also in strong support of an amendment that has been offered by Senator REED of Rhode Island to the NDAA. Actually, I have a deja vu feeling in the speech, because the speech is largely about what I gave as my maiden speech in February of 2013; that is, the BCA budget caps and sequester.

To begin, before I focus on the amendment from my colleague from Rhode Island, the ranking member of the Armed Services Committee, I do think there is a lot of good policy in the NDAA. We worked on it together. That committee process is a productive one. I think we always find a great degree of bipartisanship as we are trying to tackle the programmatic description of our Nation's military budget and support. There is much good policy, acquisition reform, and other key reforms that are part of this budget. There are some items that I feel very strongly about dealing with shipbuilding and ship repair.

I think it is great that we are having the debate on the floor. We have had NDAAs passed, but we have not had a lot of floor time on them in 2013 and 2014. So the fact that we have are having this debate about the critical nature of our Nation's defense and the authorizing bill on the floor is very positive.

There are some aspects of the NDAA that I do not like. There are some items that I wish were in there but that are not. That is part of the process. I think we could all say that, but I am glad we are having the debate on the floor. However, the item that is in the NDAA that I have the greatest concern about is the use of what I consider a flagrant budget gimmick to sneak by defense spending caps that were imposed by the 2011 Budget Control Act.

I think the gimmick is a serious one and a challenging one. The gimmick is dishonest. It is bad for the Nation's defense. It is also bad for America's nondefense priorities.

The good news is that the budget can be fixed. My colleague from Rhode Island, the ranking member of the Armed Services Committee, has a proposal to fix it. The proposal was offered in committee and rejected, and it has been offered again on the floor. I want to describe it and explain why I strongly support it.

First, there is the gimmick itself. Just for the public on this, in August of 2011, before either I or the Presiding officer were in the body, Congress passed the Budget Control Act that imposed a set of draconian budget caps on defense and nondefense spending as a punishment, in case Congress did not find a grand budget deal. So the wisdom of this body at the time was that we will sort of punish ourselves unless we can find a budget deal. I describe that colloquially as if we don't do something smart, we will do something stupid.

Well, Congress did not do something smart. There wasn't the grand budget deal that many hoped there would be. So on March 1, 2013, budget caps went into effect that put a significant crimp in both the defense and nondefense items in the Nation's budget. The first speech I gave on the floor was in February 2013. After my first State recess week, I traveled around and I heard my constituents talk about how bad these caps would be, especially for the Nation's defense. I stood up and just shared what my constituents had described to me. But, nevertheless, the caps went into effect and we agreed, through the early 2020s, to limit in a very significant and tough way both defense and nondefense spending.

So what is the gimmick that is in this NDAA that is on the floor today?

A decision was made that the world has changed since August 2011. ISIL has grown up and is gobbling up acres and square miles of territory. We are battling against Ebola, as we were earlier in the year. North Korea is cyberattacking major American corporations. Vladimir Putin has moved into Ukraine and is threatening other nations.

There are a lot of challenges. So it was the wisdom first of the President, in submitting the fiscal year 2016 budget, and then of the Armed Services Committee that living under the sequester defense caps was a bad idea. It would be a bad idea for the Nation. But instead of just saying: OK, the caps are a bad idea; let's adjust the cap—which we can do with 60 votes in this body and the concurrence of the House—a decision was made: Let's not adjust the cap, let's end-run the cap.

So we want to exceed the cap. We want to exceed it by $38 billion in fiscal year 2016. But rather than adjust the cap, let's do this: Let's just take $38 billion that the Nation needs to be safe, and we will put it in what is called the OCO account, Overseas Contingency Operations. It is something that is not subject to the cap. It is supposed to be used for core warfighting activity. But the $38 billion does not represent core warfighting.

We spent $2 billion in the last year, for example, in the war on ISIL. We are not going to spend $38 billion in the next year. No, instead, we are going to fund all kinds of nonemergency, noncontingency, nonwarfighting expenditures that would require an adjustment of the cap, and we are just going to put them into the OCO account, kind of a slush fund. By doing that, we end-run the law of Congress, the Budget Control Act.

I asserted, and I strongly believe, that this is dishonest, it is bad for defense, and it is bad for the nondefense accounts. It is dishonest. It is dishonest because, if we need this money

for defense, we should fix the budget control caps. That is what we should do. We should not call expenditures for daily operations that are not core warfighting part of the OCO account. That violates the way the OCO account has been treated.

Once we go down that path, we are going to see everything going into the OCO account, and we will really end-run. So we are not being honest with ourselves, but especially, since we all know what the game is, we are not being honest with the public.

Second, putting this money, the $38 billion, in the OCO account is bad for defense. Defense needs the ability to plan. If we put the money in the OCO account, is it going to be here next year? Is it not going to be here? There is sort of a wink and a nod that it will probably be here. We ought to be acknowledging that these funds are needed in the base defense budget so that our DOD personnel can plan that it will be there in the future, because that is probably our intent. It is bad for defense to put this in this OCO account.

Third, it is bad for the nondefense accounts. If we are going to say that the BCA caps are bad, we should adjust them. Instead of using an end run, let's adjust them. Let's adjust them not just for the defense accounts but also for the nondefense accounts, because, as the Presiding Officer and my colleagues here know, the nondefense accounts are critical to the Nation's defense.

The FBI is nondefense. It is critical to the Nation's defense. Homeland Security is critical to the Nation's defense. In the Department of Energy, much of the research we do is for the reactors on nuclear carriers and nuclear subs. Those get cut by budget cups. They are critical to defense. We ought to be lifting the caps on the nondefense accounts, as well.

So the gimmick that is used is a gimmick. It is dishonest. It hurts defense. It hurts nondefense accounts that are important to the Nation. Good news—there is a solution. We are doing this because we do not like the budget caps. That is why we are doing this. That is why we are using the OCO gimmick. If we don't like the budget caps, we should fix them. We should find the 2015 version of the Murray-Ryan budget deal that was reached in December of 2013, where we agreed to adjust the budget caps. That deal accepted part of sequester. It absorbed sequester cuts. But it also found targeted ways to provide relief, both to defense and nondefense accounts. That is what we should be doing. We should be showing the same leadership that was shown in 2013.

I rise to say that the amendment that my colleague from Rhode Island, our ranking member, proposes does exactly that. It does exactly that. It takes the $38 billion that is in our budget, which I believe should be spent on defense, and it says that this money should be spent on defense, but it should be spent the right way, as part of a base budget, not as part of OCO.

It puts a fence around those dollars and says that the money is there, and it is there for defense because the Nation needs it. But the fence will keep the money from being utilized until we fix the BCA caps on both the defense and nondefense accounts.

If we do fix the BCA caps, that money will be available. Because of language included by the chair of the committee in the markup, fixing the budget caps would move the money from the OCO account into the defense base budget where it should be. I think we all know what the right answer is here, which is for this $38 billion to be used to protect the Nation but to be part of the base budget, not the OCO account. To get there we need to fix the BCA caps across the board for defense and nondefense. The Reed amendment would accomplish that. That is the reason that I am on the floor today, to praise the debate on the NDAA but to say this is the right way to keep our Nation safe.

I yield the floor.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. MCCAIN. Madam President, I ask unanimous consent that at 1:45 p.m. today, the Senate vote in relation to the following amendments: Shaheen No. 1494, spouse definition; Tillis No. 1506, C–130 aircraft; further, that there be no second-degree amendments in order to any of those amendments prior to the votes, and that the Shaheen amendment be subject to a 60-affirmative-vote threshold for adoption.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MCCAIN. Madam President, on behalf of Senator PAUL of Kentucky, I ask unanimous consent to set aside the pending amendment in order to call up amendment No. 1543.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. MCCAIN. I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MCCAIN. Madam President, I rise with my friend from Arizona, Senator FLAKE, to speak about an amendment that he and I and Senator BLUMENTHAL from Connecticut have as part of this pending legislation.

Along with sports fans across America, I was appalled to learn last month that many of the ceremonies honoring members of our armed services at NFL games are not actually being conducted out of a sense of patriotism but for profit in the form of millions of dollars in taxpayers' money going from the Department of Defense to wealthy NFL franchises.

In fact, NFL teams have received nearly $7 million in taxpayer dollars over the last 3 years from contracts with the Army National Guard, which include public tributes to American soldiers, sailors, airmen, and marines. Our amendment would put an end to this shameful practice and ask the NFL to return those profits to charities supporting our troops, veterans, and their families.

All Americans can agree that sports unite us, especially football. For generations, football has brought together people from every walk of life—from the first organized American football game between Rutgers and Princeton in 1869 to Super Bowl XLIX played in the great State of Arizona this February, which attracted more than 100 million television viewers, the most watched TV program in history.

Football has been a uniting force for our Nation. Every weekend, from peewee to high school, college, and the NFL, for good seasons and bad, in common cause and bitter rivalry, millions of passionate fans have bonded together. For many Americans, football is deeply patriotic and woven into the very fabric of our country's unique history and heritage. For several weeks every fall, this patriotic spirit grows when the NFL takes time to honor the service and sacrifice of the brave young Americans serving in the U.S. Armed Forces.

Teams wear special camouflage uniforms, hold special game-day programming under the theme ''Salute to Service.'' We have all been heartened by these patriotic displays, from the giant oversized flags and color guard pregame performances to half time tributes to our hometown heroes. Every fan, whether united by team or divided by rivalry, comes together to thank those who have served and sacrificed on our Nation's behalf.

That is why I and so many other Americans were shocked and disappointed to learn that several NFL teams were not sponsoring these activities out of the goodness of their own hearts but were doing so to make an extra buck, taking money from American taxpayers in exchange for honoring American troops. That means many of the color guard performances and troop recognition ceremonies were actually funded with American tax dollars and pocketed by wealthy NFL teams.

For example, the Army National Guard spent $675,000 under contracts with the New England Patriots—hardly a deprived franchise—that included a program called ''True Patriot,'' in which the team honored Guard soldiers at half-time shows during home games.

Other contracts funded color guard performances, flag ceremonies, and appearance fees to players for honoring

local high school coaches and visiting students.

According to the information my office has received from the Army National Guard, the NFL received nearly $7 million in taxpayer dollars over the last 3 years from Guard contracts for activities including: pregame color guard ceremonies, pregame reenlistment ceremonies, pregame onfield American flag rollouts, ingame flag runners, half-time soldier recognition ceremonies, Guard-sponsored high school Player of the Week and Coach of the Week awards, and Guard-sponsored player appearances at local high schools.

The following teams had contracts in the past 3 years, according to the Army National Guard: Atlanta Falcons, $579,500; Baltimore Ravens, $350,000; Buffalo Bills, $550,000; Chicago Bears, $443,000; Cincinnati Bengals, $117,000; Dallas Cowboys, $262,500; Denver Broncos, $460,000; Detroit Lions, $193,000; Green Bay Packers, $300,000; Indianapolis Colts, $400,000; Miami Dolphins, Tampa Bay Buccaneers, and Jacksonville Jaguars, $160,000; Minnesota Vikings, $410,000; New Orleans Saints, $307,000; New York Jets, $212,500; Oakland Raiders, $275,000; Pittsburgh Steelers, $217,000; St. Louis Rams and Kansas City Chiefs, $60,000; San Diego Chargers, $453,500; San Francisco 49ers, $125,000; and Seattle Seahawks, $393,500.

What makes these expenditures all the more troubling is at the same time the Guard was spending millions on pro-sports advertising, it was also running out of money for critical training for our troops. In fact, at the end of fiscal year 2014, the National Guard Bureau and Army National Guard announced they were facing a $101 million shortfall in the account used to pay National Guardsmen and could face a delay in critical training and drills because they couldn't afford to pay soldiers. Despite the fact that the Guard was facing serious threats to meeting its primary mission and paying its current soldiers, it was spending millions of taxpayer dollars on speakership and advertising deals with professional sports leagues, such as the NFL.

This is obviously unacceptable. Providing for our common defense is the highest duty of the Federal Government. At a time of crippling budget cuts under sequestration, the Defense Department cannot afford to waste its limited resources for the benefit of sports leagues that rake in billions of dollars a year. Each of the four service Chiefs have warned before the Senate Armed Services Committee this year that sequestration is damaging our military readiness and putting American lives in danger. We must conserve every precious defense dollar we have at our disposal—which the NDAA does through important reforms to acquisition, military retirement, personnel, headquarters and management, and which our amendment would support by ending taxpayer-funded soldier tributes at professional sporting events.

In addition to ending this shameful practice, this amendment calls upon professional sports leagues like the NFL to donate—to donate—these ill-gotten profits to charities supporting American troops, veterans, and their families.

The NFL raked in revenues totaling some $9.5 billion. The absolute least they can do to begin to make up for this terrible misjudgment is to return those taxpayer dollars to charities supporting our troops, veterans, and military families.

I thank my fellow Senator from the State of Arizona, JEFF FLAKE, who has done terrific oversight of this issue. He was the first to expose it and similar cases of wasteful and excessive government spending.

I also commend Senator BLUMENTHAL for his longstanding commitment to our troops and veterans, as well as the other Members of this body who have supported our amendment.

Again, I thank JEFF FLAKE, who was first to blow the whistle on this egregious use of American tax dollars, and also Senator BLUMENTHAL.

I yield the floor.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. FLAKE. Madam President, I also thank the senior Senator from Arizona for helping me bring this amendment forward. I am proud to cosponsor it with him and Senator BLUMENTHAL.

I wish to make a couple of points. We have asked the Pentagon for a full accounting, not just NFL teams but other teams that have received such money. We want to make sure this practice stops.

Part of the reason it needs to stop is these teams that were mentioned before by the senior Senator from Arizona and other teams that have received this kind of money do a lot for the military out of the goodness of their heart. They do a lot for the military and for veterans who return, and we shouldn't discount that and don't want to discount that.

The problem is, when some teams are accepting money to do what has been termed ''paid-for patriotism,'' then it cheapens all the other good work that has been done by these sports teams and others. So it is important we stop this practice and make sure that when fans are there and they see this outpouring of support for the military, they know it is genuine—because there is a great deal of patriotism by those who attend these games. We want to make sure people recognize it is done for the right reason, and that is the reason for bringing this amendment forward.

I, again, thank the senior Senator from Arizona for his work on this amendment and other efforts to fight wasteful spending, making sure that the funding that goes to our military and that we appropriate for the Department of Defense—authorize for the Department of Defense—is used for military purposes.

I yield the floor.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. MCCAIN. Madam President, I withdraw my request with respect to amendment No. 1543. It is my understanding we will call up this amendment after the votes this afternoon.

The PRESIDING OFFICER. The Senator's request is withdrawn.

The Senator from Rhode Island.

AMENDMENT NO. 1506

Mr. REED. Madam President, I wish to comment briefly on the amendment proposed by my colleague from North Carolina, Senator TILLIS, with respect to the stationing of the C–130 aircraft at Pope Army Airfield in North Carolina.

The amendment states that these aircraft shall be positioned in Pope Army Airfield. They are C–130 Avionics Modernization Program aircraft, the AMP program. Basically, they are C–130H models that were upgraded. In addition, the Air Force has C–130J models, the newest model. In the give-and-take of the budget deliberations over the last few years, this AMP modernization program is essentially curtailed dramatically because the choice was buying new J models or fixing the old H models.

So, in effect, what we have is a group of C–130 modified aircraft that are at Little Rock Air Force Base. They are only being minimally maintained because these AMP-modified aircraft are not standard. They are different from the traditional hotel model, and they are not as new or as modern as the J model, and they are not being supported with AMP-trained crews or AMP-unique logistics. Logistically, they are at Little Rock Air Force Base and sort of caught up in this funding and programmatic dilemma.

They are not fully deployable because of these conditions. They are just sort of additive to the force structure of the C–130J. There are only three that are modified, with five more to be modified. That would be at $8 million per aircraft for about an additional multimillion dollar pricetag. Therefore, they are not as functional as a unit since there are only three aircraft and not a full complement. To operate these aircraft would require additional resources.

The thrust of the gentleman's amendment is that these aircraft be transferred to Pope Air Force Base in North Carolina, but they would not really be effectively utilized by the forces there and would not, in my view at least, contribute to the training and the real-time operations of the 82nd Airborne Division, the XVIII Airborne

Corps, and the special operations forces that are there.

So rather than doing that, what we did in the underlying legislation at section 136 is to go through and quite clearly have a careful review of the adequacy of aircraft to support operations of the paratroop forces at Fort Bragg so that the Air Force is fully supportive of this very important issue. The 82nd is America's most ready Army force, and of course we know special forces operators are all across the globe constantly.

So my comments are that this amendment would not essentially help what I think is the underlying goal, which is to ensure that our airborne forces have the platforms necessary. It would, in fact, restrict the flexibility of the Air Force in terms of using C–130 aircraft. It would practically have the effect of simply taking aircraft that because of their modification and their nonstandardization are being parked at Little Rock and moving them without effect, I think, on the operational capacity and capabilities of our airborne forces.

So as a result, I believe our best approach is to stay with the language in the underlying bill, section 136, which—to the credit of Senator TILLIS, he was very adamant about including—would have a careful review of the operational capacity of the Air Force to support the airborne operations.

It would include the ability of commanders from the corps level, XVIII Airborne Corps, 82nd, Special Operations Command, to comment effectively on whether the Air Force was doing this. After such a review and analysis, we could make better decisions about the allocation of the Air Force aircraft.

Again, ironically—and again it strikes me that simply moving these aircraft—which are sort of one-of-a-kind aircraft—to Pope would not help the airborne operations of our military forces. They would simply involve additional cost, and they would not be part of the ability of our Air Force and our mobility command to support a wide range of missions. They would complicate, rather than simplify, our ability to respond.

So for that, when this vote, which is scheduled later today, comes up for a vote, I will oppose it, and I will do so because I believe—in the underlying legislation, through the work of Senator TILLIS particularly—we have an appropriate response to the issue of flexibility, mobility, and operational capacity of our airborne forces at Fort Bragg.

With that, I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. FLAKE). The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. NELSON. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

GRIEVING FOR THE BIDEN FAMILY

Mr. NELSON. Mr. President, when a child predeceases the parent, it is a grievous occasion, and we have been grieving for the President of the Senate, the Vice President of the United States, for what he has been going through—his whole family.

It is my belief JOE BIDEN has known for some period of time the progression of his son, Beau's, cancer and, as a result, he has continued to carry on his public duties while at the same time carrying this huge burden.

Mr. President, I ask unanimous consent to have printed in the RECORD the speech JOE BIDEN made to the Yale graduating class about 2 weeks ago on Class Day.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

REMARKS BY THE VICE PRESIDENT AT YALE UNIVERSITY CLASS DAY, YALE UNIVERSITY, NEW HAVEN, CONNECTICUT

THE VICE PRESIDENT: Hello, Yale! (Applause.) Great to see you all. (Applause.) Thank you very, very much.

Jeremy and Kiki, the entire Class of 2015, congratulations and thank you for inviting me to be part of this special day. You're talented. You've worked hard, and you've earned this day.

Mr. President, faculty, staff, it's an honor to be here with all of you.

My wife teaches full-time. I want you to know that—at a community college, and has attended 8,640 commencements and/or the similar versions of Class Day, and I know they can hardly wait for the speaker to finish. (Laughter.) But I'll do my best as quickly as I can.

To the parents, grandparents, siblings, family members, the Class of 2015—congratulations. I know how proud you must be. But, the Class of 2015, before I speak to you—please stand and applaud the ones who loved you no matter what you're wearing on your head and who really made this day happen. (Laughter and applause.) I promise you all this is a bigger day for them than it is for you. (Laughter.)

When President Obama asked me to be his Vice President, I said I only had two conditions: One, I wouldn't wear any funny hats, even on Class Day. (Laughter.) And two, I wouldn't change my brand. (Applause.)

Now, look, I realize no one ever doubts I mean what I say, the problem occasionally is I say all that I mean. (Laughter.) I have a bad reputation for being straight. Sometimes an inappropriate times. (Laughter.) So here it goes. Let's get a couple things straight right off the bat: Corvettes are better than Porsches; they're quicker and they corner as well. (Laughter and applause.) And sorry, guys, a cappella is not better than rock and roll. (Laughter and applause.) And your pundits are better than Washington pundits, although I've noticed neither has any shame at all. (Laughter and applause.) And all roads lead to Toads? Give me a break. (Laughter and applause.) You ever tried it on Monday night? (Laughter.) Look, it's tough to end a great men's basketball and football season. One touchdown away from beating Harvard this year for the first time since 2006—so close to something you've wanted for eight years. I can only imagine how you feel. (Laughter.) I can only imagine. (Applause.) So close. So close.

But I got to be honest with you, when the invitation came, I was flattered, but it caused a little bit of a problem in my extended family. It forced me to face some hard truths. My son, Beau, the attorney general of Delaware, my daughter, Ashley Biden, runs a nonprofit for criminal justice in the state, they both went to Penn. My two nieces graduated from Harvard, one an all-American. All of them think my being here was a very bad idea. (Laughter.)

On the other hand, my other son, Hunter, who heads the World Food Program USA, graduated from Yale Law School. (Applause.) Now, he thought it's a great idea. But then again, law graduates always think all of their ideas are great ideas. (Laughter.)

By the way, I've had a lot of law graduates from Yale work for me. That's not too far from the truth. But anyway, look, the truth of the matter is that I have a lot of staff that are Yale graduates, several are with me today. They thought it was a great idea that I speak here.

As a matter of fact, my former national security advisor, Jake Sullivan, who is teaching here at Yale Law School, trained in international relations at Yale College, edited the Yale Daily News, and graduated from Harvard—excuse me, Freudian slip—Yale Law School. (Laughter.) You're lucky to have him. He's a brilliant and decent and honorable man. And I miss him. And we miss him as my national security advisor.

But he's not the only one. My deputy national security advisor, Jeff Prescott, started and ran the China Law Center at Yale Law School. My Middle East policy advisor and foreign policy speechwriter, Dan Benaim, who is with me, took Daily Themes—got a B. (Laughter.) Now you know why I go off script so much. (Laughter and applause.)

Look, at a Gridiron Dinner not long ago, the President said, I—the President—''I am learning to speak without a teleprompter, Joe is learning to speak with one.'' (Laughter.) But if you looked at my speechwriters, you know why.

And the granddaughter of one of my dearest friends in life—a former Holocaust survivor, a former foreign policy advisor, a former Chairman of the House Committee on Foreign Affairs, Congressman Tom Lantos—is graduating today. Mercina, congratulations, kiddo. (Applause.) Where are you? You are the sixth—she's the sixth sibling in her immediate family to graduate from Yale. Six out of 11, that's not a bad batting average. (Laughter.) I believe it's a modern day record for the number of kids who went to Yale from a single family.

And, Mercina, I know that your mom, Little Annette is here. I don't know where you are, Annette. But Annette was part of the first class of freshman women admitted to Yale University. (Applause.)

And her grandmother, Annette, is also a Holocaust survivor, an amazing woman; and both I'm sure wherever they are, beaming today. And I know one more thing, Mercina, your father and grandfather are looking down, cheering you on.

I'm so happy to be here on your day and all of your day. It's good to know there's one Yalie who is happy I'm being here—be here, at least one. (Laughter.) On ''Overheard at Yale,'' on the Facebook page, one student reported another student saying: I had a dream that I was Vice President and was with the President, and we did the disco funk dance to convince the Congress to restart the government. (Laughter.)

Another student commented, Y'all know Biden would be hilarious, get funky. (Laughter.)

Well, my granddaughter, Finnegan Biden, whose dad went here, is with me today. When she saw that on the speech, I was on the plane, Air Force Two coming up, she said, Pop, it would take a lot more than you and the President doing the disco funk dance. The Tea Party doesn't even know what it is. (Laughter.)

Look, I don't know about that. But I'm just glad there's someone—just someone—who dreams of being Vice President. (Laughter and applause.) Just somebody. I never had that dream. (Laughter.) For the press out there, that's a joke.

Actually, being Vice President to Barack Obama has been truly a great honor. We both enjoy getting out of the White House to talk to folks in the real America—the kind who know what it means to struggle, to work hard, to shop at Kiko Milano. (Laughter and applause.) Great choice. (Laughter.)

I just hope to hell the same people responsible for Kiko's aren't in charge of naming the two new residential colleges. (Laughter and applause.)

Now, look, folks, I spent a lot of time thinking about what I should say to you today, but the more I thought about it, I thought that any Class Day speech is likely to be redundant. You already heard from Jessie J at Spring Fling. (Laughter.) So what in the hell could I possibly say. (Laughter.)

Look, I'm deeply honored that Jeremy and Kiki selected me. I don't know how the hell you trusted them to do that. (Laughter.) I hope you agree with their choice. Actually I hope by the end of this speech, they agree with their choice. (Laughter.)

In their flattering invitation letter, they asked me to bring along a sense of humor, speak about my commitment to public service and family, talk about resiliency, compassion, and leadership in a changing world. Petty tall order. (Laughter.) I probably already flunked the first part of the test.

But with the rest let me say upfront, and I mean this sincerely, there's nothing particularly unique about me. With regard to resilience and compassion, there are countless thousands of people, maybe some in the audience, who've suffered through personal losses similar to mine or much worse with much less support to help them get through it and much less reason to want to get through it.

It's not that all that difficult, folks, to be compassionate when you've been the beneficiary of compassion in your lowest moments not only from your family, but from your friends and total strangers. Because when you know how much it meant to you, you know how much it mattered. It's not hard to be compassionate.

I was raised by a tough, compassionate Irish lady named Catherine Eugenia Finnegan Biden. And she taught all of her children that, but for the grace of God, there go you—but for the grace of God, there go you.

And a father who lived his motto that, family was the beginning, the middle, and the end. And like many of you and your parents, I was fortunate. I learned early on what I wanted to do, what fulfilled me the most, what made me happy—my family, my faith, and being engaged in the public affairs that gripped my generation and being inspired by a young President named Kennedy—civil rights, the environment, trying to end an incredibly useless and divisive war, Vietnam.

The truth is, though, that neither I, nor anyone else, can tell you what will make you happy, help you find success.

You each have different comfort levels. Everyone has different goals and aspirations. But one thing I've observed, one thing I know, an expression my dad would use often, is real. He used to say, it's a lucky man or woman gets up in the morning—and I mean this sincerely. It was one of his expressions. It's a lucky man or woman gets up in the morning, puts both feet on the floor, knows what they're about to do, and thinks it still matters.

I've been lucky. And my wish for all of you is that not only tomorrow, but 20 and 40 and 50 years from now, you've found that sweet spot, that thing that allows you to get up in the morning, put both feet on the floor, go out and pursue what you love, and think it still matters.

Some of you will go to Silicon Valley and make great contributions to empower individuals and societies and maybe even design a life-changing app, like how to unsubscribe to Obama for America email list—(laughter)—the biggest ''pan-list'' of all times.

Some of you will go to Wall Street and big Wall Street law firms, government and activism, Peace Corps, Teach for America. You'll become doctors, researchers, journalists, artists, actors, musicians. Two of you—one of whom was one of my former interns in the White House, Sam Cohen, and Andrew Heymann—will be commissioned in the United States Navy. Congratulations, gentlemen. We're proud of you. (Applause.)

But all of you have one thing in common you will all seek to find that sweet spot that satisfies your ambition and success and happiness.

I've met an awful lot of people in my career. And I've noticed one thing, those who are the most successful and the happiest—whether they're working on Wall Street or Main Street, as a doctor or nurse, or as a lawyer, or a social worker, I've made certain basic observation about the ones who from my observation wherever they were in the world were able to find that sweet spot between success and happiness. Those who balance life and career, who find purpose and fulfillment, and where ambition leads them.

There's no silver bullet, no single formula, no reductive list. But they all seem to understand that happiness and success result from an accumulation of thousands of little things built on character, all of which have certain common features in my observation.

First, the most successful and happiest people I've known understand that a good life at its core is about being personal. It's about being engaged. It's about being there for a friend or a colleague when they're injured or in an accident, remembering the birthdays, congratulating them on their marriage, celebrating the birth of their child. It's about being available to them when they're going through personal loss. It's about loving someone more than yourself, as one of your speakers have already mentioned. It all seems to get down to being personal.

That's the stuff that fosters relationships. It's the only way to breed trust in everything you do in your life.

Let me give you an example. After only four months in the United States Senate, as a 30-year-old kid, I was walking through the Senate floor to go to a meeting with Majority Leader Mike Mansfield. And I witnessed another newly elected senator, the extremely conservative Jesse Helms, excoriating Ted Kennedy and Bob Dole for promoting the precursor of the Americans with Disabilities Act. But I had to see the Leader, so I kept walking.

When I walked into Mansfield's office, I must have looked as angry as I was. He was in his late '70s, lived to be 100. And he looked at me, he said, what's bothering you, Joe?

I said, that guy, Helms, he has no social redeeming value. He doesn't care—I really mean it—I was angry. He doesn't care about people in need. He has a disregard for the disabled.

Majority Leader Mansfield then proceeded to tell me that three years earlier, Jesse and Dot Helms, sitting in their living room in early December before Christmas, reading an ad in the Raleigh Observer, the picture of a young man, 14-years-old with braces on his legs up to both hips, saying, all I want is someone to love me and adopt me. He looked at me and he said, and they adopted him, Joe.

I felt like a fool. He then went on to say, Joe, it's always appropriate to question another man's judgment, but never appropriate to question his motives because you simply don't know his motives.

It happened early in my career fortunately. From that moment on, I tried to look past the caricatures of my colleagues and try to see the whole person. Never once have I questioned another man's or woman's motive. And something started to change. If you notice, every time there's a crisis in the Congress the last eight years, I get sent to the Hill to deal with it. It's because every one of those men and women up there—whether they like me or not—know that I don't judge them for what I think they're thinking.

Because when you question a man's motive, when you say they're acting out of greed, they're in the pocket of an interest group, et cetera, it's awful hard to reach consensus. It's awful hard having to reach across the table and shake hands. No matter how bitterly you disagree, though, it is always possible if you question judgment and not motive.

Senator Helms and I continued to have profound political differences, but early on we both became the most powerful members of the Senate running the Foreign Relations Committee, as Chairmen and Ranking Members. But something happened, the mutual defensiveness began to dissipate. And as a result, we began to be able to work together in the interests of the country. And as Chairman and Ranking Member, we passed some of the most significant legislation passed in the last 40 years.

All of which he opposed—from paying tens of millions of dollars in arrearages to an institution, he despised, the United Nations—he was part of the so-called ''black helicopter'' crowd; to passing the chemical weapons treaty, constantly referring to, ''we've never lost a war, and we've never won a treaty,'' which he vehemently opposed. But we were able to do these things not because he changed his mind, but because in this new relationship to maintain it is required to play fair, to be straight. The cheap shots ended. And the chicanery to keep from having to being able to vote ended—even though he knew I had the votes.

After that, we went on as he began to look at the other side of things and do some great things together that he supported like PEPFAR—which by the way, George W. Bush deserves an overwhelming amount of credit for, by the way, which provided treatment and prevention HIV/AIDS in Africa and around the world, literally saving millions of lives.

So one piece of advice is try to look beyond the caricature of the person with whom you

have to work. Resist the temptation to ascribe motive, because you really don't know—and it gets in the way of being able to reach a consensus on things that matter to you and to many other people.

Resist the temptation of your generation to let ''network'' become a verb that saps the personal away, that blinds you to the person right in front of you, blinds you to their hopes, their fears, and their burdens.

Build real relationships—even with people with whom you vehemently disagree. You'll not only be happier. You will be more successful.

The second thing I've noticed is that although you know no one is better than you, every other persons is equal to you and deserves to be treated with dignity and respect.

I've worked with eight Presidents, hundreds of Senators. I've met every major world leader literally in the last 40 years. And I've had scores of talented people work for me. And here's what I've observed: Regardless of their academic or social backgrounds, those who had the most success and who were most respected and therefore able to get the most done were the ones who never confused academic credentials and societal sophistication with gravitas and judgment.

Don't forget about what doesn't come from this prestigious diploma—the heart to know what's meaningful and what's ephemeral; and the head to know the difference between knowledge and judgment.

But even if you get these things right, I've observed that most people who are successful and happy remembered a third thing: Reality has a way of intruding.

I got elected in a very improbable year. Richard Nixon won my state overwhelmingly. George McGovern was at the top of the ticket. I got elected as the second-youngest man in the history of the United States to be elected, the stuff that provides and fuels raw ambition. And if you're not careful, it fuels a sense of inevitability that seeps in. But be careful. Things can change in a heartbeat. I know. And so do many of your parents.

Six weeks after my election, my whole world was altered forever. While I was in Washington hiring staff, I got a phone call. My wife and three children were Christmas shopping, a tractor trailer broadsided them and killed my wife and killed my daughter. And they weren't sure that my sons would live.

Many people have gone through things like that. But because I had the incredible good fortune of an extended family, grounded in love and loyalty, imbued with a sense of obligation imparted to each of us, I not only got help. But by focusing on my sons, I found my redemption.

I can remember my mother—a sweet lady—looking at me, after we left the hospital, and saying, Joey, out of everything terrible that happens to you, something good will come if you look hard enough for it. She was right.

The incredible bond I have with my children is the gift I'm not sure I would have had, had I not been through what I went through. Who knows whether I would have been able to appreciate at that moment in my life, the heady moment in my life, what my first obligation was.

So I began to commute—never intending to stay in Washington. And that's the God's truth. I was supposed to be sworn in with everyone else that year in '73, but I wouldn't go down. So Mansfield thought I'd change my mind and not come, and he sent up the secretary of the Senate to swear me in, in the hospital room with my children.

And I began to commute thinking I was only going to stay a little while—four hours a day, every day—from Washington to Wilmington, which I've done for over 37 years. I did it because I wanted to be able to kiss them goodnight and kiss them in the morning the next day. No, ''Ozzie and Harriet'' breakfast or great familial thing, just climb in bed with them. Because I came to realize that a child can hold an important thought, something they want to say to their mom and dad, maybe for 12 or 24 hours, and then it's gone. And when it's gone, it's gone. And it all adds up.

But looking back on it, the truth be told, the real reason I went home every night was that I needed my children more than they needed me. Some at the time wrote and suggested that Biden can't be a serious national figure. If he was, he'd stay in Washington more, attend to more important events. It's obvious he's not serious. He goes home after the last vote.

But I realized I didn't miss a thing. Ambition is really important. You need it. And I certainly have never lacked in having ambition. But ambition without perspective can be a killer. I know a lot of you already understand this. Some of you really had to struggle to get here. And some of you have had to struggle to stay here. And some of your families made enormous sacrifices for this great privilege. And many of you faced your own crises, some unimaginable.

But the truth is all of you will go through something like this. You'll wrestle with these kinds of choices every day. But I'm here to tell you, you can find the balance between ambition and happiness, what will make you really feel fulfilled. And along the way, it helps a great deal if you can resist the temptation to rationalize.

My chief of staff for over 25 years, one of the finest men I've ever known, even though he graduated from Penn, and subsequently became a senator from the state of Delaware, Senator Ted Kaufman, every new hire, that we'd hire, the last thing he'd tell them was, and remember never underestimate the ability of the human mind to rationalize. Never underestimate the ability of the human mind to rationalize—her birthday really doesn't matter that much to her, and this business trip is just a great opportunity; this won't be his last game, and besides, I'd have to take the redeye to get back. We can always take this family vacation another time. There's plenty of time.

For your generation, there's an incredible amount of pressure on all of you to succeed, particularly now that you have accomplished so much. Your whole generation faces this pressure. I see it in my grandchildren who are honors students at other Ivy universities right now. You race to do what others think is right in high school. You raced through the bloodsport of college admissions. You raced through Yale for the next big thing. And all along, some of you compare yourself to the success of your peers on Facebook, Instagram, Linked-In, Twitter.

Today, some of you may have found that you slipped into the self-referential bubble that validates certain choices. And the bubble expands once you leave this campus, the pressures and anxiousness, as well—take this job, make that much money, live in this place, hang out with people like you, take no real risks and have no real impact, while getting paid for the false sense of both.

But resist that temptation to rationalize what others view is the right choice for you—instead of what you feel in your gut is the right choice—that's your North Star. Trust it. Follow it. You're an incredible group of young women and men. And that's not hyperbole. You're an incredible group.

Let me conclude with this. I'm not going to moralize about to whom much is given, much is expected, because most of you have made of yourself much more than what you've been given. But now you are in a privileged position. You're part of an exceptional generation and doors will open to you that will not open to others. My Yale Law School grad son graduated very well from Yale Law School. My other son out of loyalty to his deceased mother decided to go to Syracuse Law School from Penn. They're a year and a day apart in their age. The one who graduated from Yale had doors open to him, the lowest salary offered back in the early '90s was $50,000 more than a federal judge made. My other son, it was a struggle—equally as bright, went on to be elected one of the youngest attorney generals in the history of the state of Delaware, the most popular public official in my state. Big headline after the 2012 election, ''Biden Most Popular Man in Delaware—Beau.'' (Laughter.)

And as your parents will understand, my dad's definition of success is when you look at your son and daughter and realize they turned out better than you, and they did. But you'll have opportunities. Make the most of them and follow your heart. You have the intellectual horsepower to make things better in the world around you.

You're also part of the most tolerant generation in history. I got roundly criticized because I could not remain quiet anymore about gay marriage. The one thing I was certain of is all of your generation was way beyond that point. (Applause.)

Here's something else I observed—intellectual horsepower and tolerance alone does not make a generation great: unless you can break out of the bubble of your own making—technologically, geographically, racially, and socioeconomically—to truly connect with the world around you. Because it matters.

No matter what your material success or personal circumstance, it matters. You can't breathe fresh air or protect your children from a changing climate no matter what you make. If your sister is the victim of domestic violence, you are violated. If your brother can't marry the man he loves, you are lessened. And if your best friend has to worry about being racially profiled, you live in a circumstance not worthy of us. (Applause.) It matters.

So be successful. I sincerely hope some of you become millionaires and billionaires. I mean that. But engage the world around you because you will be more successful and happier. And you can absolutely succeed in life without sacrificing your ideals or your commitments to others and family. I'm confident that you can do that, and I'm confident that this generation will do it more than any other.

Look to your left, as they say, and look to your right. And remember how foolish the people next to you look—(laughter)—in those ridiculous hats. (Laughter.) That's what I want you to remember. I mean this. Because it means you've learned something from a great tradition.

It means you're willing to look foolish, you're willing to run the risk of looking foolish in the service of what matters to you. And if you remember that, because some of the things your heart will tell you to do, will make you among your peers look foolish, or not smart, or not sophisticated. But we'll all be better for people of your consequence to do it.

That's what I want you to most remember. Not who spoke at the day you all assembled on this mall. You're a remarkable class. I sure don't remember who the hell was my commencement speaker. (Laughter.) I know this is not officially commencement. But ask your parents when you leave here, who spoke at your commencement? It's a commencement speaker aversion of a commencement speaker's fate to be forgotten. The question is only how quickly. But you're the best in your generation. And that is not hyperbole. And you're part of a remarkable generation.

And, you—you're on the cusp of some of the most astonishing breakthroughs in the history of mankind—scientific, technological, socially—that's going to change the way you live and the whole world works. But it will be up to you in this changing world to translate those unprecedented capabilities into a greater measure of happiness and meaning—not just for yourself, but for the world around you.

And I feel more confident for my children and grandchildren knowing that the men and women who graduate here today, here and across the country, will be in their midst. That's the honest truth. That's the God's truth. That's my word as a Biden.

Congratulations, Class of 2015. And may God bless you and may God protect our troops. Thank you.

Mr. NELSON. Mr. President, it is noteworthy that the Vice President discussed very frankly the tragedy he has had in his life, all while knowing of this impending tragedy that was unfolding with his son, Beau. The speech was vintage Biden, with a lot of humor and Irish tales, but the essence of the speech came down to this, as he was talking to the graduates:

Build real relationships—even with people with whom you vehemently disagree. You'll not only be happier. You will be more successful.

And he continued:

The second thing I've noticed is that although you know no one is better than you, every other person is equal to you and deserves to be treated with dignity and respect.

That is the essence of how in a democracy we have to get along. It is known as the Golden Rule. JOE BIDEN talked about the Golden Rule without saying it was the Golden Rule—treat others as you want to be treated. Put into old English: Do unto others as you would have them do unto you.

The Vice President talks in his speech about his time as a young Senator, when he heard Senator Jesse Helms talking about an issue that Senator BIDEN was opposed to. He felt it was violative of his basic concept in the treatment of other people. In this case, I think it was a question of disability. As he walked in to see the majority leader—probably in that same office, in this case, Mike Mansfield—Senator Mansfield, the leader, noticed that JOE was visibly upset and he said: What is wrong? And JOE told him about this encounter with Senator Helms.

Senator Mansfield then went on to say to Senator BIDEN: Don't ever judge until you really know the person, because Senator Helms and his wife had run into a situation where they found a severely disabled child and, as a result, they adopted that child.

As a result, Senator BIDEN and Senator Helms became the best of friends. Even though their politics were different, when they served as the leaders of the Senate Foreign Relations Committee—sometimes Helms as chairman and sometimes BIDEN as chairman—they could disagree on the issues, but they could get a lot done because they could work together. That is because they built a relationship.

How different is that today, where each of us are racing out of here on Thursday afternoons and evenings to go back to our States and we hardly ever have time for each other, to understand the core of us as humans and what makes us, drives us as we are. If we knew that about each other, maybe we would find more common ground.

What I have found is that every one of these Senators is an extraordinary person, extremely accomplished, and well motivated. They try, we all try to do the right thing, but then we let the politics and the ideology get in the way and it drives us apart. As a result, is it any wonder that we have a dysfunctional Senate that has difficulty getting along, particularly when you consider the arcane rules of the Senate, which were designed to slow down the process.

When you don't have the relationship that can be built, when the two leaders can't get along, when the Senate cannot be run by unanimous consent, is there any wonder that it is dysfunctional? Yet, we have the capacity, just as Senator BIDEN and Senator Helms did, to overcome significant differences and get things done.

At this time of grieving for the Biden family, as I read his Yale speech, I was reminded that there is a lot about what was expressed there in a grieving father who could not show his grief because it was still very private. There is a lot of wisdom there. That is why I entered it into the RECORD.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. KING. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mrs. ERNST). Without objection, it is so ordered.

EXPORT-IMPORT BANK

Mr. KING. Madam President, I rise today to discuss two important issues—first, the Export-Import Bank.

There is a lot about this place that puzzles me, but one of the things that this year has puzzled me the most is the movement to somehow defund or end the Export-Import Bank. I just don't get it. This is an agency of the Federal Government that has been extraordinarily effective. It creates jobs in the United States. It supports jobs. It supports American businesses. It supports small American businesses. It returns money to the Treasury. It fills a market niche that the private sector has been unwilling or unable to fill. This isn't competition with the private sector. This isn't the government doing something the private sector should do. This is the government filling a niche that has been identified for over 80 years. And it makes a difference.

I have visited several small companies in Maine—I think there may be eight or so—that benefit directly from this program, which supports 2 percent of the financing of U.S. exports.

We are engaged in intense global competition for the export of goods and services, and to unilaterally disarm by taking away one of the tools our businesses use just doesn't make any sense. I don't understand what the impetus is for this move to undermine this very valuable program that is important to our companies.

I toured a little company in Maine that resells computer and networking equipment all over the world, particularly to third-world countries that need this equipment desperately for various needs but particularly for coping with emergencies. It is a small business in Maine, has 35 employees, and is owned by a woman, Connie Justice. I visited with her, and she told me this story. I don't like to read, but I think this quote is so powerful from a real live business owner in Maine as to how important this program is.

Ex-Im's Working Capital Loan Guarantee program helped us expand our export sales during a period of rapid growth, when private banks were unwilling to lend to us without a guarantee.

This is important to understand, that one of the most important programs the Export-Import Bank sponsors is a guarantee of receivables from foreign countries, which American banks—quite logically in many cases because they don't have the history, they can't collect—are very reluctant to factor or to finance.

She said:

After 2 years of solid exports, our financial position strengthened so that the Ex-Im guarantee was no longer needed. Private banks now meet all our credit needs. Our expansion and increased sales would have been impossible without Ex-Im's involvement. We continue to use Ex-Im Bank to insure our receivables to Ex-Im approved customers in developing countries. We pay reasonable premiums for this insurance.

This program makes money for the Federal government. This isn't a handout. This isn't corporate welfare. They are paying insurance premiums, which, over the past 20 years or so, have returned $7 billion to the U.S. Treasury. This makes money. She pays her premiums, and that is a positive for U.S. taxpayers.

Being able to offer open payment terms for U.S.-made goods opens previously inaccessible markets for us. Our major manufacturers—including HP, Dell and Lenovo—have committed to making more systems domestically to comply with Ex-Im's ''Made in USA'' requirement for eligibility. This has a huge multiplier effect on US employment. . . . Since 2004, Planson's annual export sales have grown from $5 million to $35 million. Our staff has grown from 5 to 35, and our payroll has increased to almost $2 million. We use local suppliers for a broad range of goods and services.

She goes on to conclude:

We achieve all this entirely through export sales. The U.S. Export-Import Bank is a key partner in our success.

Why would we want to let this very valuable program expire for some theoretical reason that, frankly, I just find inexplicable? It makes money for the American taxpayers. It is projected to continue to make money. But my passion here is about its support for small businesses in Maine that otherwise could not make these sales into the international market.

As I mentioned, allowing the Export-Import Bank charter to expire is a kind of unilateral disarmament in an era of intense global competition. It makes no sense. Sixty other countries have similar kinds of programs, and if we take ours away, what we are doing is handcuffing our businesses while the rest of the world is moving forward with their programs to support exports.

I used to start speeches in Maine by saying, simply, ''Five percent.'' People would look at me and say: What is he talking about, 5 percent? Well, 5 percent is the percentage of the world's population that lives in North America. That means that if our businesses are going to ultimately be successful, we have to sell into the rest of the world. We have to be able to export, and the Export-Import Bank is a very valuable tool in order to facilitate the export of goods from the United States.

There is bipartisan support. I believe the votes are there in the House. Senator MCCONNELL has committed to a vote here in the Senate. I commend Senator CANTWELL and Senator GRAHAM for their work on behalf of this.

I hope we can bring this matter to a vote promptly and avoid the deadline of June 30. I do not know why we cannot do things around here before the night before. Let's get this done and move on to more important topics. We should not even be having this debate. This ought to be automatic, as, indeed, it has effectively been for some 80 years.

I hope my colleagues will join me in support of this program. We should not be playing games with this important agency at a time of such intense global competition.

Madam President, I also wish to talk about the national defense authorization bill, which is also coming to the floor today and is on the floor today.

Sixty-five years ago this week a freshman Senator from Maine rose on this floor, in this place, and made one of the most important speeches in American history. It certainly was one of the most important speeches of the 20th century. It was June 1, 1950. That freshman Senator was Margaret Chase Smith of Maine. I got to know Margaret Chase Smith after she left the Senate, in the 1980s and 1990s in Maine, before we lost her in 1995.

She told me about that speech. The speech was about the dangers to the country and, particularly, to this institution of the practices of Joseph McCarthy, of the smear campaigns, of the innuendo, of the threats. Her speech took enormous courage. She told me two stories about the speech that I think are interesting that I want to note before I go on to the implications of that speech for what we are considering today.

One was that, as she had the speech in her hand and got on the little trolley to come from the Russell Building over here—at that time the Russell Building was the only Senate office building—who should be sitting in the trolley in the seat next to her but Joe McCarthy. Senator Smith sat down and McCarthy turned to her and said: What are you up to today, Margaret?

She told me that she responded: I am about to make a speech, Joe, and you are not going to like it.

She went on to the Senate floor. She had written that speech with her close aide Bill Lewis at her kitchen table in Skowhegan, ME, over Memorial Day weekend of 1950. She had the speech in her hand, and Bill Lewis was in the press gallery right up here. But she told him not to hand out a copy of the speech until she was well into giving it on the Senate floor because she was afraid that she would lose her nerve and not deliver the speech.

That speech took enormous courage. It took enormous courage because she was telling her colleagues an uncomfortable truth—an uncomfortable truth. I believe that today it is also important that we face uncomfortable truths.

I am a strong supporter of the National Defense Authorization Act that is on the floor. I am a strong supporter of the need and the importance and how crucial that bill is to the defense and the security of this country. The most solid responsibility we have in this place is set forth in the preamble to the Constitution itself: to ''provide for the common defense'' and ''insure domestic Tranquility.'' That is what governments are established to do. That is the basic fundamental responsibility—to ''provide for the common defense'' and ''insure domestic Tranquility.''

That is national security. That is what this bill that is on the floor today is all about. I worked in subcommittee on it. I have been to numerous, repeated hearings, as the Presiding Officer has, all through the winter and early spring, where we learned about the strategic challenges facing this country. I commend the chair of the committee for putting this in a strategic context. We talked about big issues with people such as Henry Kissinger and Brzezinski and Madeleine Albright before we started talking about the specifics that are in this bill. And then we had lengthy subcommittee meetings and subcommittee markups.

For me, one of the most satisfying parts of my legislative experience here has been the markup of this bill, where we met as a committee, where we argued and debated and voted and had a lot of amendments and tried to deal with it for 2 solid days and came to a conclusion, where, as I recall, the vote out of the committee was something like 22 to 4. It was a very powerful vote.

I am in total support of this piece of legislation. However, my problem with the legislation is that it attempts to avoid the impact of the sequester through the use of the overseas contingency account money, which is not paid for.

We have had hearings. Every hearing we have had this year has been talking about the danger of the sequester to national security. Indeed, I have been working with a number of my colleagues to try to find a solution for the sequester, but the solution for the sequester is not simply to borrow the money from our grandchildren. What bothers me about this legislation is that it is part of a pattern. When the chips are down around here, we borrow the money from our grandchildren. If 5-year-olds could vote and knew what we were doing to them, we would all be dead ducks because we are passing the bill on to them. I think we should fully fund the Department of Defense and the request at the level that is in this bill. I just do not think we should borrow the money to do it.

Make no mistake, that is what we are doing. We are saying it is very important, these are important expenditures, and it is critical for national defense that we make these expenditures but not critical enough to pay for them. That is the pattern.

Earlier this year we passed the so-called tax extenders. They ought to be called tax-cut extenders because that is what they are. Everybody said they were important to economic development and they were important for the country and important for certainty for businesses. All that was true, but it was not enough to pay for them. We borrowed the money.

Last year we passed a major rewrite of the Veterans' Administration program, where everybody talked about how important this was, how important the Veterans Affairs Department

was to our veterans, how much we owed our veterans, and how we had to take care of this. But then we turned around and borrowed the money from our grandchildren in order to fund it. We did not fund it.

Recently, just in the last month or so, we fixed the so-called doc fix, which has been plaguing this place for a dozen years. But we did not really fix it. We fixed it as far as the docs are concerned, but we fixed it by borrowing the money. We did not pay for it.

Many of my colleagues talk a lot around here about the deficit and the danger to the country. I think they are right. I think the deficit is a serious danger to this country. But it seems that the deficit is only a problem when we think it is a problem, and then the next day, it is not a problem anymore because we are going to borrow $38 billion more to put into this bill.

I think we need to stand up and pay for things. I am no angel. I voted for all those things that I listed. But I think it is time to start saying: Wait a minute; we cannot do this. By the way, by fixing the sequester in the Department of Defense, of course, we are not fixing it anywhere else in the Federal Government. Some people say: Well, that is OK because defense is important, and we are not so worried about these other programs. Well, I am sorry, but some of those other programs are little items such as the FBI. There has never been a time in the history of this country when the FBI was more important.

We are facing serious, dangerous imminent threats. To not fund the FBI or the Border Patrol or the TSA and to have the sequester affect those agencies and kid ourselves that we are dealing with our national security responsibilities is just not responsible. It is just not right. And to borrow the money to fix some of these things is not responsible or fair to our grandchildren.

We are saying: We are just going to fix defense with this funny-money deal, a gimmick wrapped up in a trick, but we are not going to fix anything else. I talked about the FBI, the TSA, Border Patrol, and national security issues, but what about NIH and what about scientific research that can save lives? And we are having the sequester and saying: It is OK; we can do that. What about education? What about, yes, Head Start, which gives young people a chance to make a serious contribution to this country?

I think the OCO trick that is in this bill is wrong on two counts. It is wrong on three counts, actually. No. 1, it is not paid for. No. 2 it is not really what the Defense Department needs. They need base budget authority so they can plan, so they can look to the future, and so they can make decisions on an ongoing basis that are necessary to commit to programs, plans, and projects that will defend this country. The short-term OCO solution does not do that. That is No. 2.

No. 3, by ignoring the needs of the rest of the Federal Government, by ignoring the needs of other parts of the national security apparatus, we are not serving the public we were sent here to look after.

I support this bill, but I think we really ought to be thinking about alternative ways to fund the needs we have identified. It is too easy to say this is an important national priority but not important enough to pay for it. We are continually—even today, after all of the talk about deficits and budget control and everything else—finding ways to shift the burden to our kids and to our grandchildren. I do not think that is right.

Senator REED of Rhode Island has an amendment to this bill that I think is an important one. All it simply says is that we are not going to spend that OCO money in defense until we solve the problem more generally throughout the rest of the Federal Government.

I realize it is not the responsibility of the Defense Department or of the Armed Services Committee to solve the overall budget problem within the Defense bill. But I think we have a responsibility to look at the larger problem, and we can contribute to its solution by saying to our colleagues throughout this body and in the House that there has to be a comprehensive solution before we say we are going to fix only defense and we are only going to fix defense with borrowed money.

There are three ways to solve this budget problem—three ways. One is by cuts, and there have already been substantial cuts. From the projected budgets back in 2010, there is something like three-quarters of a trillion dollars that has already been cut from defense and other areas of the Federal budget. We have to continue to look at that, and we have to look at all aspects of the Federal budget.

The second way is revenues. Nobody is supposed to talk about revenues around here, but the reality is that we are not paying our bills. To pat ourselves on the back for tax cuts when in reality we are passing the expenses on to our children is just not honest.

When we pass tax cuts here in a deficit situation and borrow the money to fill the hole, we are not cutting taxes. We are shifting the tax to our children. I do not think that is honest. I do not think that is responsible. I do not think that is what we were sent here to do.

The third way, of course, to solve this budget problem is by economic growth. Some people say that the only way to grow the economy is to cut taxes. I have seen no economic study that says that works. Maybe it works if you are reducing taxes, as they did in 1960, from a 90-percent top marginal rate to now about 35 percent. Ok, I think that is significant. But to reduce that marginal rate by two or three points and say that it will stimulate a huge amount of economic activity—there is no economic justification for that.

The two single biggest economic development projects in the recent history of the United States were the GI bill after World War II and the interstate highway system. Both of them were investments, both of them cost money, and, by the way, our predecessors paid for them. They didn't pass the bill on to us. They paid for them.

So, yes, we need to control taxes. Yes, we need to think about strategic tax reductions in ways and areas that will actually help stimulate the economy. I don't understand how having some guy who is managing money in New York pay half the tax rate that his secretary makes is a stimulus to the economy. Yet that is what we are doing.

We have to look at this problem in a comprehensive way. We have to look at health care costs, we have to look at the effects of demographics on Federal expenditures over the next 20 to 30 years, and we have to look at investments that will help our economy grow.

The Presiding Officer and I work hard on this bill. I think it is an important bill for the future of this country. I think it is an important bill to protect the national security and to provide for the common defense, but I think we need to do it in an honest and open way and not try to fill a short-term budget gap with money our children and our grandchildren are going to have to repay. I believe we can do this. I believe we can face this responsibility because that is why we are here.

I thank the Presiding Officer.

The PRESIDING OFFICER. The Senator from Missouri.

Mr. BLUNT. Madam President, someone already asked unanimous consent that U.S. Army MAJ Justin Gorkowski, who is a fellow in my Senate office, be granted floor privileges for this debate.

I just wanted to explain how pleased and lucky we have been to have the major with us to help with these issues. He is a graduate of West Point. He currently serves as an information operations officer. He served as an adviser to the Iraq Army during the surge in 2006 and 2007 and returned from Afghanistan in January of last year, where he had been responsible for psychological operations, electronic warfare and military deception for Kandahar Province. He has been a great addition to our office during this debate, and in my view this debate is the most important debate we have.

The No. 1 priority for the Federal Government is to defend the country.

We can spend all the time we want talking about all the other priorities and all the things we should be doing and whether there is some sudden mystical balance between all of those priorities and defending the country, but in most of our States, and certainly in the State of Missouri, the one thing you can get the least argument on as to what the Federal Government should do that we can't do for ourselves is defend the country. That is why for 54 years straight the Senate has passed a defense authorizing bill every year. There are very few things that get authorized every year, very few things that get debated every year, very few things that get looked at every year, but our national defense is one of those, and it is one of those for a reason.

We hear all kinds of reasons not to move forward with this bill, and then you hear: But I am for the bill. Well, that is because people understand that this is one of the things the Federal Government is supposed to do and in my view the top thing we can't in any way do for ourselves. Local government can't do this, State governments can't do this, individually we cannot do this, and that is why this debate is always so important and why the Armed Services Committee voted this out 22 to 4 after all kinds of discussions, such as, well, maybe the minority would not vote for this for the reasons we just heard. But at the end of the day, the vote was 22 to 4 out of the committee.

Chairman MCCAIN and Ranking Member REED have done a good job of bringing this bill to the floor with bipartisan support and looking for ways to reform defense so we really focus our defense where the defenders are rather than where the defenders are not.

This bill is focused on eliminating wasteful spending. It focuses on finding ways to reduce bureaucracy and streamline the critical military functions we have. It puts a focus on the fighting forces, not the bureaucratic forces in the defense structure.

The bill identifies $10 billion in excessive and unnecessary spending and reallocates those funds to our true military capabilities. It also modernizes the military retirement system so that many more who served have a retirement benefit from serving. The current retirement system benefits less than 20 percent of those who served in the Armed Forces because the people who benefit from the retirement program are people who serve 20 years and retire at that point. This bill would create a system where servicemembers and taxpayers join together to create a retirement benefit which estimates that 75 percent of the people who served in the military would leave with a retirement benefit rather than only 17, 18, 20 percent of the people who leave the military. It is a reform that really honors all of those who served in a good way and doesn't penalize anyone who served. It still allows people who have been serving under the old system to stay under the old system. Obviously, the longer you stay in that system, the better you are going to do. But the options now are basically no retirement benefit or a retirement benefit that comes with substantial service and only with that kind of service.

This bill creates retention bonuses to keep people in the military longer than 20 years. We have men and women retiring at the height of their capacity with technical skills that are not easily replaced. This bill recognizes that and looks for ways to encourage them to continue to serve.

Our State, the State of Missouri, has a real commitment to the military. More than 17,000 Active-Duty servicemembers serve in Missouri. We have important bases in our State. We have 8,000 civilian Department of Defense employees and more than 20,000 members of the Reserve and the National Guard.

This bill authorizes funding to build a Consolidated Stealth Operations and Nuclear Alert Facility at Whiteman Air Force Base. It preserves and prevents the retirement of the A–10 plane that has wide support in the Congress, but more importantly the A–10 has wide support from the ground forces it supports from the air. When you talk to people who serve on the ground, General Odierno and others, will say that in their view there is no plane that does what this plane does. Of course, those who fly it and support it are very important. Whiteman Air Force Base, again, has the 442nd Fighter Wing. It is an A–10 fighter wing which just returned from a deployment.

This bill also authorizes upgrades in our cargo aircraft, such as the C–130 aircraft, which will help the main force as well as the National Guard and Reserves.

In fact, Rosecrans Air National Guard Base in St. Joseph is a great training facility not only for our forces, but that base also serves as a training facility for our allies. At least 16 of our allies trained at this facility last year so they could figure out how to get supplies, how to get troops, and how to move things with those cargo planes in ways that they would not otherwise be able to do.

This bill also takes an important step in moving forward with the new bomber. There is money here that would continue to fund the new plan for the idea out there for a long-range bomber. We have to have that. We have to have a precision bombing capability that is better than anybody else's. The planes we are using now have been the best planes in the world for a long time, but they will not be the best planes in the world forever, and it is time to begin to move forward, as we have been, toward that new plane. Those are all important projects. There are key initiatives here, such as promoting accountability and promoting the standards we need to have for performance in the military and how we reward those standards.

This bill maintains critical quality-of-life programs for men and women who serve and their families. This bill addresses the needs of our wounded, ill, and injured servicemembers.

This bill continues to provide critical assistance to our allies, particularly our ally Israel, where we have significant common research efforts. As we have all seen in recent years, the David's Sling and Iron Dome weapon systems are critical not only for Israel's security, but they have been a critical proving ground for the kind of response that was once looked at as some kind of unachievable ''Star Wars'' capacity. Both David's Sling and the Iron Dome have proved that capacity is, in fact, truly achievable, and we continue to move forward with that kind of defense system in this bill.

This also goes a long way toward combating threats of cyber space and cyber security by evaluating what those vulnerabilities are and dealing with those vulnerabilities.

I want to mention a few amendments I filed and intend to offer before we move on with this bill. I believe my amendments will strengthen the bill. First, I believe the military's mental health screening process can be improved. We learned a lot about mental health and behavioral health over the past 15 years. I believe we can continue to adapt and, frankly, last year's Defense authorization bill had important steps in this direction. I was able to get on the bill when I was a member of the committee last year—not just the defense appropriating committee I serve on now but the defense authorizing committee I served on then.

The amendments I will offer will improve the predeployment health assessment and postdeployment health reassessment by requiring that all servicemembers be screened and that they don't have to meet some criteria that every member of the service may not meet. While people are serving, it is important to establish the things that have happened to them, so if they need help years later, perhaps, and come back and ask for assistance in what truly was a post-traumatic event which was caused by their service but didn't show up for a number of years, having the incidents and things that might have affected their mental health is important.

The National Institutes of Health says that one in four adult Americans has a diagnosable and almost always treatable behavioral health issue.

I asked the Surgeon Generals of the Armed Forces if that number applies to

the Armed Forces, and without hesitation they said yes. They said: We recruit from the general population and there is no reason that number wouldn't apply to people serving us in uniform.

The key is diagnosable and treatable—diagnosable and treatable in a way that people aren't held back by their behavior health issues any more than they are held back by their physical health issues. They just need to be dealt with.

We will look at mild traumatic stress injury potential, post-traumatic stress injury potential, and look at the things that might affect somebody as they move forward from their time in the service. What happens in the service and what can happen years after really matters.

I think those amendments on mental health meet the evolving needs of servicemembers and hopefully the evolving needs of how we understand behavioral health as it relates to all other health.

I have another amendment that would not allow the Army to go below the currently authorized end strength level of 475,000 soldiers. There are threats around the world, and we need to increase our national security.

We heard General Odierno, Chief of Staff of the Army, testify earlier this year before the Defense Appropriations Subcommittee about the risk associated with going below 490,000 soldiers. This amendment would say you can't go below the 475,000 soldiers until the Secretary of Defense tells the Congress how he plans to reduce excess headquarters elements and excess administrative overhead.

Just this morning, I read an article from military.com discussing Navy Secretary Ray Mabus's recent comments about excessive bloat—his term—in the DOD headquarters functions.

The article states:

> Secretary Mabus said Pentagon and Congressional budget cutters should look at eliminating extra bureaucracy before slashing funds for sailors and ships.
>
> Mabus said 20 percent of the Pentagon budget is spent on what he called ''pure overhead''—items not directory linked to readiness or ongoing operations.
>
> He [Mabus] referred to this ''overhead'' as the fourth estate, specifying entities such as the office of the Secretary of Defense, defense agencies and organizations funded by the Under Secretaries of Defense.

Here is a direct quote from Secretary Mabus:

> There are other places to look rather than taking tools from the warfighter. To the extent you can, protect the stuff that actually gets to the warfighter.

I think my amendment would ensure that the Secretary of Defense has to take that quote to heart.

The PRESIDING OFFICER. The Senate has an order for a vote at this hour.

Mr. BLUNT. I ask unanimous consent for 1 additional minute.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. BLUNT. I wish to make one other comment on one other amendment I have that I will speak more about later in this debate. It involves a concern I have for Iran's growing influence in Iraq and the failure we have had in maintaining the commitment we made to those Camp Liberty residents whom we promised to protect. More than 100 residents have been killed at Camp Liberty.

I recognize the State Department's ongoing efforts, but they are not good enough. I believe the Secretary of Defense needs to certify to the defense committees that the central government of Iraq is taking appropriate and sufficient steps to ensure the safety and security of Iranian dissidents housed in Camp Liberty in Iraq.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from New Hampshire.

AMENDMENT NO. 1494

Mrs. SHAHEEN. Madam President, I ask unanimous consent to speak for 2 minutes on the pending amendment No. 1494.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mrs. SHAHEEN. Madam President, the Supreme Court has ruled it is unconstitutional to deny Federal benefits to legally married, same-sex couples and their children. Yet due to unrelated provisions of the Federal Code, State legislatures have the ability to indirectly deny Federal benefits to certain disabled veterans and their families solely because they are in a same-sex marriage. This is unjust and, according to the Supreme Court, it is unconstitutional.

This amendment we are about to vote on would end the current prohibition on benefits for gay and lesbian veterans and their families living in States that do not recognize same-sex marriage.

I wish to quote from testimony we heard from the VFW at a Senate Veterans' Affairs Committee hearing last month. The VFW said this, and I hope all of my colleagues will keep this in mind as we vote. ''Simply put, if a veteran is legally married in a State that recognizes same-sex marriage, we''—the VFW—''believe the VA should provide benefits to his or her spouse or surviving spouse the same way it does for every other legally married veteran.''

Many of us speak all the time about the need to honor the service of our veterans and to make sure they have access to the care they deserve. This amendment will right a wrong that so many of our veterans who have fought and volunteered deserve to have.

I hope our colleagues will support this amendment so we can ensure that those veterans are treated equally.

The PRESIDING OFFICER. Under the previous order, the question is on agreeing to amendment No. 1494, offered by the Senator from New Hampshire, Mrs. SHAHEEN.

Mr. MCCAIN. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The bill clerk called the roll.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from South Carolina (Mr. GRAHAM), the Senator from Nevada (Mr. HELLER), the Senator from Kansas (Mr. MORAN), and the Senator from Florida (Mr. RUBIO).

Mr. DURBIN. I announce that the Senator from California (Mrs. BOXER) is necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 53, nays 42, as follows:

[Rollcall Vote No. 203 Leg.]

YEAS—53

Ayotte	Gillibrand	Murray
Baldwin	Heinrich	Nelson
Bennet	Heitkamp	Peters
Blumenthal	Hirono	Portman
Booker	Johnson	Reed
Brown	Kaine	Reid
Cantwell	King	Sanders
Capito	Kirk	Schatz
Cardin	Klobuchar	Schumer
Carper	Leahy	Shaheen
Casey	Manchin	Stabenow
Collins	Markey	Tester
Coons	McCaskill	Udall
Donnelly	Menendez	Warner
Durbin	Merkley	Warren
Feinstein	Mikulski	Whitehouse
Flake	Murkowski	Wyden
Franken	Murphy	

NAYS—42

Alexander	Enzi	Perdue
Barrasso	Ernst	Risch
Blunt	Fischer	Roberts
Boozman	Gardner	Rounds
Burr	Grassley	Sasse
Cassidy	Hatch	Scott
Coats	Hoeven	Sessions
Cochran	Inhofe	Shelby
Corker	Isakson	Sullivan
Cornyn	Lankford	Thune
Cotton	Lee	Tillis
Crapo	McCain	Toomey
Cruz	McConnell	Vitter
Daines	Paul	Wicker

NOT VOTING—5

Boxer	Heller	Rubio
Graham	Moran	

The PRESIDING OFFICER (Mr. HOEVEN). Under the previous order requiring 60 votes for the adoption of this amendment, the amendment is rejected.

AMENDMENT NO. 1506

The PRESIDING OFFICER. Under the previous order, the question now occurs on amendment No. 1506, offered by the Senator from North Carolina, Mr. TILLIS.

Mr. TILLIS. Mr. President, I want to thank Matt Donovan and Stephen Barney of Senator MCCAIN's staff for their patience and assistance in drafting this amendment.

I also want to thank COL Anthony Lazarski of Senator INHOFE's staff and, of course my senior colleague from Oklahoma.

I say to the chairman and Senator REED, I have the privilege of representing America's Global Response Force, the XVIII ABN Corps and the 82nd ABN Division.

As Senator REED knows from his long service in the division, the 82nd is the most decorated combat unit in the Armed Forces—it is America's Guard of Honor.

GEN Colin Powell famously said, ''There is nothing that gets a bad guy's attention quicker than knowing the 82nd ABN is flying straight for his nose.''

But to put it bluntly, the Air Force wants to take the ''air'' out of ''airborne''.

In 2012 the Air Force decided to deactivate the Reserve Air Wing at Pope Army Airfield at Fort Bragg and eliminate onsite daily support for training for XVIII ABN Corps, 82nd ABN and USASOC.

The wing consists of 8–12 C–130Hs.

Last year this committee required the Air Force to produce a report on the C–130 fleet during which time the Air Force was required to maintain its wings at Pope and Little Rock for 1 year—the report came out in April, the committee expected it last December. The Congress was to be given time to respond.

Unfortunately, the Air Force began dismantling the Wing at Pope long before the report was produced and in direct opposition to this committee's instructions. When asked about this, the Air Force said, ''Congress said nothing about us taking away pilots and maintainers, we are leaving the Aircraft''.

The chairman's mark is full of behaviors like this: including Air Force refusal to heed the recommendations of the National Commission on the Air Force and the SECAF's refusal to cut the size of AF headquarters.

In my brief time in this body I have repeatedly asked the Air Force for documentation as to the impact on Airborne and Special Operations training the departure of dedicated Air Force Wings will have. I have been rebuffed by Pentagon leadership.

The Deputy Commander of the USAF Reserve said that planes at Pope were a ''luxury''. The Chief of Staff of the Air Force said that the Air Force needed to maintain C–130s at Minneapolis, Youngstown, and Pittsburgh for important missions. With all due respect is there any mission at Pittsburgh, Youngstown, and Minneapolis that is as important as supporting Airborne and Special Operations units.

In the last 3 months, the commanders of the XVIII ABN Corps and 82nd ABN have taken the extraordinary step of delivering public speeches noting that Airborne and Special Operations leadership were not consulted about the Air Force decision and that the loss of onsite planes will severely hamper their ability to train and meet requirements of emergency contingencies.

The Pope planes provide between 25 to 40 percent of all Airborne and SOF daily training missions. Last year they dropped 50 percent of the 82nd ABN's chutes; 440 AW provides 100 percent of 18 ASOG, Air Force, training—Air Force Special Operations Group.

Even as a cost savings device, the transfer of 8 to 12 planes out of Pope makes no sense, as planes will have to be flown in—often on a voluntarily basis if they are Reserve units—from around the country and those units will have to go on TDY orders, etcetera. This also does not provide for the moving to the left effects of weather grounding planes that would have to fly into Pope from the rest of the country. As the XVIII ABN Corps Commander said, the downstream effects will be problematic.

This amendment is simple and it supports the C–130 Avionic Modernization Program that the Air Land Subcommittee validated yesterday by accepting the chairman's $75 million mark and the Manchin amendment.

The Secretary of the Air Force shall, by September 30, 2017, station aircraft previously modified by the C–130 Avionics Modernization Program, AMP, in direct support of the daily training and contingency requirements of the Army Airborne and Special Operations units. The Secretary shall provide such personnel as required to maintain and operate such aircraft.

There are roughly 260 C–130Hs left—I believe the AF will try and retire up to 100, and it will hopefully replace 50 more with C–130J models—this leaves 100 C–130Hs that need AMP.

The AF spent $2.3 billion on C–130H AMP, the program was on schedule and cost when the AF cancelled it, the design was validated by the JROC, Joint Requirements Oversight Council, and the program had begun Low Rate Initial Production, LRIP.

We currently have five C–130H AMP aircraft at Little Rock that will be flown to the bone yard at a loss of approx $300 million, as well as four AMP kits that can be modified to fit any C–130H, three simulators and all software that will be thrown away

We can have nine AMP C–130Hs plus simulators and software for $75 million—this also adheres to the law Congress passed last year and was validated by the Manchin amendment yesterday.

The bottom line is, if the AF does not take this course, it will send the five C–130H AMP aircraft to the boneyard, wasting $300 million, not to mention the simulators and software. Total amount spent for AMP was $2.3 billion. Program was approved by JROC and was on schedule and cost when AF tried to cancel it. There are roughly 260 C–130Hs left—I believe the AF will try and retire up to 100, and it will hopefully replace 50 more with C–130J models—this leaves 100 C–130Hs that need AMP. Total cost to get nine aircraft, all simulators and software running again is approximately $75M which was funded this year.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. REED. Mr. President, very quickly, the Senator from North Carolina worked very hard to get legislative language in the bill which has a study of the sufficiency of the airlift requirements for the units stationed at Fort Bragg, NC. This legislation would take several aircraft that are at Little Rock and move them up to North Carolina. It would not effectively help the mobility of our forces. It would micromanage the use of military aircraft. As such, I would ask that there be a ''no'' vote.

I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The question is on agreeing to the amendment.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Tennessee (Mr. ALEXANDER), the Senator from South Carolina (Mr. GRAHAM), the Senator from Nevada (Mr. HELLER), the Senator from Kansas (Mr. MORAN), and the Senator from Florida (Mr. RUBIO).

Further, if present and voting, the Senator from Tennessee (Mr. ALEXANDER) would have voted ''yea.''

Mr. REID. I announce that the Senator from California (Mrs. BOXER), the Senator from Illinois (Mr. DURBIN), and the Senator from Vermont (Mr. SANDERS) are necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 48, nays 44, as follows:

[Rollcall Vote No. 204 Leg.]

YEAS—48

Ayotte	Flake	Paul
Barrasso	Gardner	Perdue
Blunt	Grassley	Portman
Burr	Hatch	Risch
Cassidy	Hoeven	Roberts
Coats	Inhofe	Rounds
Cochran	Isakson	Sasse
Collins	Johnson	Scott
Corker	Kirk	Sessions
Cornyn	Lankford	Shelby
Crapo	Lee	Sullivan
Cruz	McCain	Thune
Daines	McCaskill	Tillis
Enzi	McConnell	Toomey
Ernst	Menendez	Vitter
Fischer	Murkowski	Wicker

NAYS—44

Baldwin	Booker	Cantwell
Bennet	Boozman	Capito
Blumenthal	Brown	Cardin

Carper	King	Reid
Casey	Klobuchar	Schatz
Coons	Leahy	Schumer
Cotton	Manchin	Shaheen
Donnelly	Markey	Stabenow
Feinstein	Merkley	Tester
Franken	Mikulski	Udall
Gillibrand	Murphy	Warner
Heinrich	Murray	Warren
Heitkamp	Nelson	Whitehouse
Hirono	Peters	Wyden
Kaine	Reed	

NOT VOTING—8

Alexander	Graham	Rubio
Boxer	Heller	Sanders
Durbin	Moran	

The amendment (No. 1506) was agreed to.

The PRESIDING OFFICER. The Senator from Oklahoma.

CHANGE OF VOTE

Mr. COTTON. Mr. President, on rollcall vote No. 204 I voted yes. It was my intention to vote no. I ask unanimous consent that I be permitted to change my vote since it will not affect the outcome.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. COTTON. Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Arkansas.

Mr. BOOZMAN. Mr. President, on rollcall vote No. 204, I voted yes. It was my intention to vote no. Therefore, I ask unanimous consent that I be permitted to change my vote since it will not affect the outcome.

The PRESIDING OFFICER. Without objection, it is so ordered.

VOTE EXPLANATION

● Mr. DURBIN. Mr. President, I was necessarily absent for vote No. 204 on Tillis amendment No. 1506. Had I been in the Chamber I would have opposed this amendment. Section 136 of the underlying bill requires the Secretary of the Air Force in consultation with the Secretary of the Army to examine the daily training and contingency requirements of the C–130 fleet on this issue.●

The PRESIDING OFFICER. The Senator from Arizona.

AMENDMENTS NOS. 1618, 1539, 1551, 1571, 1484, AND 1511 TO AMENDMENT NO. 1463

Mr. MCCAIN. Mr. President, the ranking member and I have a small package of amendments that have been cleared by both sides.

I ask unanimous consent that the following amendments be called up, reported by number, and agreed to en bloc: Shaheen No. 1618; McCain, Blumenthal, and Flake No. 1539; Shaheen No. 1551; Warner No. 1571; Hoeven No. 1484; and Heller No. 1511.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The clerk will report the amendments en bloc by number.

The bill clerk read as follows:

The Senator from Arizona [Mr. MCCAIN], for others, proposes en bloc amendments numbered 1618, 1539, 1551, 1571, 1484, and 1511 to amendment No. 1463.

The amendments en bloc are as follows:

AMENDMENT NO. 1618

In the appropriate place please insert the following:

SENSE OF SENATE.—It is the sense of the Senate that—

(1) the accidental transfer of live Bacillus anthracis, also known as anthrax, from an Army laboratory to more than 28 laboratories located in at least 12 states and three countries discovered in May 2015 represents a serious safety lapse;

(2) the Department of Defense, in cooperation with the Centers for Disease Control and Prevention and the Federal Bureau of Investigation, should continue to investigate the cause of this lapse and determine if protective protocols should be strengthened;

(3) the Department of Defense should reassess standards on a regular basis to ensure they are current and effective to prevent a reoccurrence; and

(4) the Department of Defense should keep Congress apprised of the investigation, any potential public health or safety risk, remedial actions taken and plans to regularly reassess standards.

AMENDMENT NO. 1539

(Purpose: To prohibit the Department of Defense from entering into contracts to facilitate payments for honoring members of the Armed Forces at sporting events)

Insert after section 342 the following:

SEC. 342A. PROHIBITION ON CONTRACTS TO FACILITATE PAYMENTS FOR HONORING MEMBERS OF THE ARMED FORCES AT SPORTING EVENTS.

(a) SENSE OF SENATE.—It is the sense of the Senate that—

(1) the Army National Guard has paid professional sports organizations to honor members of the Armed Forces;

(2) any organization wishing to honor members of the Armed Forces should do so on a voluntary basis, and the Department of Defense should take action to ensure that no payments be made for such activities in the future; and

(3) any organization, including the National Football League, that has accepted taxpayer funds to honor members of the Armed Forces should consider directing an equivalent amount of funding in the form of a donation to a charitable organization that supports members of the Armed Forces, veterans, and their families.

(b) PROHIBITION.—

(1) IN GENERAL.—Subchapter I of chapter 134 of title 10, United States Code, is amended by inserting after section 2241a the following new section:

''§ 2241b. Prohibition on contracts providing payments for activities to honor members of the armed forces

''(a) PROHIBITION.—The Department of Defense may not enter into any contract or other agreement under which payments are to be made in exchange for activities by the contractor intended to honor, or giving the appearance of honoring, members of the armed forces (whether members of the regular components or the reserve components) at any form of sporting event.

''(b) CONSTRUCTION.—Nothing in subsection (a) shall be construed as prohibiting the Department from taking actions to facilitate activities intended to honor members of the armed forces at sporting events that are provided on a pro bono basis or otherwise funded with non-Federal funds if such activities are provided and received in accordance with applicable rules and regulations regarding the acceptance of gifts by the military departments, the armed forces, and members of the armed forces.''.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of subchapter I of chapter 134 of such title is amended by inserting after the item relating to section 2241a the following new item:

''2241b. Prohibition on contracts providing payments for activities to honor members of the armed forces at sporting events.''.

AMENDMENT NO. 1551

(Purpose: To require a study and report on the changes to the Joint Travel Regulations related to flat rate per diem for long term temporary duty travel that took effect on November 1, 2014)

At the end of subtitle C of title VI, add the following:

SEC. 622. STUDY AND REPORT ON POLICY CHANGES TO THE JOINT TRAVEL REGULATIONS.

(a) STUDY.—The Comptroller General of the United States shall conduct a study on the impact of the policy changes to the Joint Travel Regulations for the Uniformed Service Members and Department of Defense Civilian Employees related to flat rate per diem for long term temporary duty travel that took effect on November 1, 2014. The study shall assess the following:

(1) The impact of such changes on shipyard workers who travel on long-term temporary duty assignments.

(2) Whether such changes have discouraged employees of the Department of Defense, including civilian employees at shipyards and depots, from volunteering for important temporary duty travel assignments.

(b) REPORT.—Not later than June 1, 2016, the Comptroller General shall submit to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives a report on the study required by subsection (a).

AMENDMENT NO. 1571

(Purpose: To express the sense of Congress on diversity among members of the Armed Forces)

At the end of subtitle C of title V, add the following:

SEC. 524. SENSE OF CONGRESS RECOGNIZING THE DIVERSITY OF THE MEMBERS OF THE ARMED FORCES.

(a) FINDINGS.—Congress finds the following:

(1) The United States military includes individuals with a variety of national, ethnic, and cultural backgrounds that have roots all over the world.

(2) In addition to diverse backgrounds, members of the Armed Forces come from numerous religious traditions, including Christian, Hindu, Jewish, Muslim, Sikh, non-denominational, nonpracticing, and many more.

(3) Members of the Armed Forces from diverse backgrounds and religious traditions have lost their lives or been injured defending the national security of the United States.

(4) Diversity contributes to the strength of the Armed Forces, and service members from different backgrounds and religious traditions share the same goal of defending the United States.

(5) The unity of the Armed Forces reflects the strength in diversity that makes the United States a great Nation.

(b) SENSE OF CONGRESS.—It is the sense of Congress that the United States should—

(1) continue to recognize and promote diversity in the Armed Forces; and

(2) honor those from all diverse backgrounds and religious traditions who have made sacrifices in serving the United States through the Armed Forces

AMENDMENT NO. 1484

(Purpose: To require a report on Air National Guard contributions to the RQ–4 Global Hawk mission)

In title XVI, after subtitle A, insert the following:

Subtitle B—Defense Intelligence and Intelligence-related Activities

SEC. 1621. REPORT ON AIR NATIONAL GUARD CONTRIBUTIONS TO THE RQ–4 GLOBAL HAWK MISSION.

(a) REPORT REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Secretary of the Air Force, in coordination with the Chief of Staff of the Air Force and the Chief of the National Guard Bureau, shall submit to Congress a report on the feasibility of using the Air National Guard in association with the active duty Air Force to operate and maintain the RQ–4 Global Hawk.

(b) CONTENTS.—The report required by (a) shall include the following:

(1) An assessment of the costs, training requirements, and personnel required to create an association for the Global Hawk mission consisting of members of the Air Force serving on active duty and members of the Air National Guard.

(2) The capacity of the Air National Guard to support an association described in paragraph (1).

AMENDMENT NO. 1511

(Purpose: To require additional elements in the report on the plan on the privatization of the defense commissary system)

On page 265, strike line 15 and insert the following:

result of the implementation of the plan;

(C) an assessment whether the privatized defense commissary system under the plan can sustain the current savings to patrons of the defense commissary system;

(D) an assessment of the impact that privatization of the defense commissary system under the plan would have on all eligible beneficiaries;

(E) an assessment whether the privatized defense commissary system under the plan can sustain the continued operation of existing commissaries; and

(F) an assessment whether privatization of the defense commissary system is feasible for overseas commissaries.

The PRESIDING OFFICER. Under the previous order, the amendments Nos. 1618, 1539, 1551, 1571, 1484, and 1511 are agreed to en bloc.

AMENDMENT NO. 1543 TO AMENDMENT NO. 1463

Mr. MCCAIN. Mr. President, on behalf of Senator PAUL, I ask unanimous consent to set aside the pending amendment in order to call up amendment No. 1543.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The clerk will report.

The bill clerk read as follows:

The Senator from Arizona [Mr. MCCAIN], for Mr. PAUL, proposes an amendment numbered 1543 to amendment No. 1463.

Mr. MCCAIN. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To strengthen employee cost savings suggestions programs within the Federal Government)

At the end of title XI, add the following:

SEC. 1116. COST SAVINGS ENHANCEMENTS.

(a) IN GENERAL.—Section 4512 of title 5, United States Code, is amended—

(1) in subsection (a)—

(A) in the matter preceding paragraph (1), by inserting ''or identification of surplus funds or unnecessary budget authority'' after ''mismanagement'';

(B) in paragraph (2), by inserting ''or identification'' after ''disclosure''; and

(C) in the matter following paragraph (2), by inserting ''or identification'' after ''disclosure''; and

(2) by adding at the end the following:

''(c) The Inspector General of an agency or other agency employee designated under subsection (b) shall refer to the Chief Financial Officer of the agency any potential surplus funds or unnecessary budget authority identified by an employee, along with any recommendations of the Inspector General or other agency employee.

''(d)(1) If the Chief Financial Officer of an agency determines that rescission of potential surplus funds or unnecessary budget authority identified by an employee would not hinder the effectiveness of the agency, except as provided in subsection (e), the head of the agency shall transfer the amount of the surplus funds or unnecessary budget authority from the applicable appropriations account to the general fund of the Treasury.

''(2) Title X of the Congressional Budget and Impoundment Control Act of 1974 (2 U.S.C. 681 et seq.) shall not apply to transfers under paragraph (1).

''(3) Any amounts transferred under paragraph (1) shall be deposited in the Treasury and used for deficit reduction, except that in the case of a fiscal year for which there is no Federal budget deficit, such amounts shall be used to reduce the Federal debt (in such manner as the Secretary of the Treasury considers appropriate).

''(e)(1) The head of an agency may retain not more than 10 percent of amounts to be transferred to the general fund of the Treasury under subsection (d).

''(2) Amounts retained by the head of an agency under paragraph (1) may be—

''(A) used for the purpose of paying a cash award under subsection (a) to 1 or more employees who identified the surplus funds or unnecessary budget authority; and

''(B) to the extent amounts remain after paying cash awards under subsection (a), transferred or reprogrammed for use by the agency, in accordance with any limitation on such a transfer or reprogramming under any other provision of law.

''(f)(1) The head of each agency shall submit to the Director of the Office of Personnel Management an annual report regarding—

''(A) each disclosure of possible fraud, waste, or mismanagement or identification of potentially surplus funds or unnecessary budget authority by an employee of the agency determined by the agency to have merit;

''(B) the total savings achieved through disclosures and identifications described in subparagraph (A); and

''(C) the number and amount of cash awards by the agency under subsection (a).

''(2)(A) The head of each agency shall include the information described in paragraph (1) in each budget request of the agency submitted to the Office of Management and Budget as part of the preparation of the budget of the President submitted to Congress under section 1105(a) of title 31, United States Code.

''(B) The Director of the Office of Personnel Management shall submit to the Committee on Appropriations of the Senate, the Committee on Appropriations of the House of Representatives, and the Government Accountability Office an annual report on Federal cost saving and awards based on the reports submitted under subparagraph (A).

''(g) The Director of the Office of Personnel Management shall—

''(1) ensure that the cash award program of each agency complies with this section; and

''(2) submit to Congress an annual certification indicating whether the cash award program of each agency complies with this section.

''(h) Not later than 3 years after the date of enactment of this subsection, and every 3 years thereafter, the Comptroller General of the United States shall submit to Congress a report on the operation of the cost savings and awards program under this section, including any recommendations for legislative changes.''.

(b) OFFICERS ELIGIBLE FOR CASH AWARDS.—

(1) IN GENERAL.—Section 4509 of title 5, United States Code, is amended to read as follows:

''§ 4509. Prohibition of cash award to certain officers

''(a) DEFINITIONS.—In this section, the term 'agency'—

''(1) has the meaning given that term under section 551(1); and

''(2) includes an entity described in section 4501(1).

''(b) PROHIBITION.—An officer may not receive a cash award under this subchapter if the officer—

''(1) serves in a position at level I of the Executive Schedule;

''(2) is the head of an agency; or

''(3) is a commissioner, board member, or other voting member of an independent establishment.''.

(2) TECHNICAL AND CONFORMING AMENDMENT.—The table of sections for chapter 45 of title 5, United States Code, is amended by striking the item relating to section 4509 and inserting the following:

''4509. Prohibition of cash award to certain officers.''.

The PRESIDING OFFICER. The Senator from Rhode Island.

AMENDMENT NO. 1564 TO AMENDMENT NO. 1463

Mr. REED. Mr. President, I ask unanimous consent that the pending amendment be set aside, and on behalf of Mr. BLUMENTHAL, I call up amendment No. 1564.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The clerk will report.

The legislative clerk read as follows:

The Senator from Rhode Island, [Mr. REED], for Mr. BLUMENTHAL, proposes an amendment numbered 1564 to amendment No. 1463.

Mr. REED. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To increase civil penalties for violations of the Servicemembers Civil Relief Act)

At the end of subtitle G of title X, add the following:

SEC. 1085. INCREASE IN CIVIL PENALTIES FOR VIOLATION OF SERVICEMEMBERS CIVIL RELIEF ACT.

(a) IN GENERAL.—Section 801(b)(3) of the Servicemembers Civil Relief Act (50 U.S.C. App. 597(b)(3)) is amended—

(1) in subparagraph (A), by striking ''$55,000'' and inserting ''$110,000''; and

(2) in subparagraph (B), by striking ''$110,000'' and inserting ''$220,000''.

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall take effect on the date that is 180 days after the date of the enactment of this Act and shall apply with respect to violations of the Servicemembers Civil Relief Act (50 U.S.C. App. 501 et seq.) that occur on or after such date.

Mr. REED. Mr. President, I also ask unanimous consent that this amendment be considered as if it were offered before Senator PAUL's amendment to maintain an alternation between Democratic amendments and Republican amendments.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

AMENDMENT NO. 1559 TO AMENDMENT NO. 1463

Mr. REED. Mr. President, I ask unanimous consent that the pending amendment be set aside, and on behalf of Senator DURBIN I call up amendment No. 1559.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The clerk will report.

The legislative clerk read as follows:

The Senator from Rhode Island [Mr. REED], for Mr. DURBIN, proposes an amendment numbered 1559 to amendment No. 1463.

Mr. REED. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To prohibit the award of Department of Defense contracts to inverted domestic corporations)

At the end of subtitle B of title VIII, add the following:

SEC. 832. PROHIBITION ON AWARDING OF DEPARTMENT OF DEFENSE CONTRACTS TO INVERTED DOMESTIC CORPORATIONS.

(a) PROHIBITION.—

(1) IN GENERAL.—Chapter 137 of title 10, United States Code, is amended by adding at the end the following new section:

''§ 2338. Prohibition on awarding contracts to inverted domestic corporations

''(a) PROHIBITION.—

''(1) IN GENERAL.—The head of an agency may not award a contract for the procurement of property or services to—

''(A) any foreign incorporated entity that such head has determined is an inverted domestic corporation or any subsidiary of such entity; or

''(B) any joint venture if more than 10 percent of the joint venture (by vote or value) is owned by a foreign incorporated entity that such head has determined is an inverted domestic corporation or any subsidiary of such entity.

''(2) SUBCONTRACTS.—

''(A) IN GENERAL.—The head of an executive agency shall include in each contract for the procurement of property or services awarded by the executive agency with a value in excess of $10,000,000, other than a contract for exclusively commercial items, a clause that prohibits the prime contractor on such contract from—

''(i) awarding a first-tier subcontract with a value greater than 10 percent of the total value of the prime contract to an entity or joint venture described in paragraph (1); or

''(ii) structuring subcontract tiers in a manner designed to avoid the limitation in paragraph (1) by enabling an entity or joint venture described in paragraph (1) to perform more than 10 percent of the total value of the prime contract as a lower-tier subcontractor.

''(B) PENALTIES.—The contract clause included in contracts pursuant to subparagraph (A) shall provide that, in the event that the prime contractor violates the contract clause—

''(i) the prime contract may be terminated for default; and

''(ii) the matter may be referred to the suspension or debarment official for the appropriate agency and may be a basis for suspension or debarment of the prime contractor.

''(b) INVERTED DOMESTIC CORPORATION.—

''(1) IN GENERAL.—For purposes of this section, a foreign incorporated entity shall be treated as an inverted domestic corporation if, pursuant to a plan (or a series of related transactions)—

''(A) the entity completes before, on, or after May 8, 2014, the direct or indirect acquisition of—

''(i) substantially all of the properties held directly or indirectly by a domestic corporation; or

''(ii) substantially all of the assets of, or substantially all of the properties constituting a trade or business of, a domestic partnership; and

''(B) after the acquisition, either—

''(i) more than 50 percent of the stock (by vote or value) of the entity is held—

''(I) in the case of an acquisition with respect to a domestic corporation, by former shareholders of the domestic corporation by reason of holding stock in the domestic corporation; or

''(II) in the case of an acquisition with respect to a domestic partnership, by former partners of the domestic partnership by reason of holding a capital or profits interest in the domestic partnership; or

''(ii) the management and control of the expanded affiliated group which includes the entity occurs, directly or indirectly, primarily within the United States, as determined pursuant to regulations prescribed by the Secretary of the Treasury, and such expanded affiliated group has significant domestic business activities.

''(2) EXCEPTION FOR CORPORATIONS WITH SUBSTANTIAL BUSINESS ACTIVITIES IN FOREIGN COUNTRY OF ORGANIZATION.—

''(A) IN GENERAL.—A foreign incorporated entity described in paragraph (1) shall not be treated as an inverted domestic corporation if after the acquisition the expanded affiliated group which includes the entity has substantial business activities in the foreign country in which or under the law of which the entity is created or organized when compared to the total business activities of such expanded affiliated group.

''(B) SUBSTANTIAL BUSINESS ACTIVITIES.—The Secretary of the Treasury (or the Secretary's delegate) shall establish regulations for determining whether an affiliated group has substantial business activities for purposes of subparagraph (A), except that such regulations may not treat any group as having substantial business activities if such group would not be considered to have substantial business activities under the regulations prescribed under section 7874 of the Internal Revenue Code of 1986, as in effect on May 8, 2014.

''(3) SIGNIFICANT DOMESTIC BUSINESS ACTIVITIES.—

''(A) IN GENERAL.—For purposes of paragraph (1)(B)(ii), an expanded affiliated group has significant domestic business activities if at least 25 percent of—

''(i) the employees of the group are based in the United States;

''(ii) the employee compensation incurred by the group is incurred with respect to employees based in the United States;

''(iii) the assets of the group are located in the United States; or

''(iv) the income of the group is derived in the United States.

''(B) DETERMINATION.—Determinations pursuant to subparagraph (A) shall be made in the same manner as such determinations are made for purposes of determining substantial business activities under regulations referred to in paragraph (2) as in effect on May 8, 2014, but applied by treating all references in such regulations to 'foreign country' and 'relevant foreign country' as references to 'the United States'. The Secretary of the Treasury (or the Secretary's delegate) may issue regulations decreasing the threshold percent in any of the tests under such regulations for determining if business activities constitute significant domestic business activities for purposes of this paragraph.

''(c) WAIVER.—

''(1) IN GENERAL.—The head of an agency may waive subsection (a) with respect to any Federal Government contract under the authority of such head if the head determines that the waiver is required in the interest of national security or is necessary for the efficient or effective administration of Federal or Federally-funded programs that provide health benefits to individuals.

''(2) REPORT TO CONGRESS.—The head of an agency issuing a waiver under paragraph (1) shall, not later than 14 days after issuing such waiver, submit a written notification of the waiver to the Committees on Armed Services and Appropriations of the Senate and the House of Representatives.

''(d) APPLICABILITY.—

''(1) IN GENERAL.—Except as provided in paragraph (2), this section shall not apply to any contract entered into before the date of the enactment of this section.

''(2) TASK AND DELIVERY ORDERS.—This section shall apply to any task or delivery order issued after the date of the enactment of this section pursuant to a contract entered into before, on, or after such date of enactment.

''(3) SCOPE.—This section applies only to contracts subject to regulation under the Federal Acquisition Regulation and the Defense Supplement to the Federal Acquisition Regulation.

''(e) DEFINITIONS AND SPECIAL RULES.—

''(1) DEFINITIONS.—In this section, the terms 'expanded affiliated group', 'foreign incorporated entity', 'person', 'domestic', and 'foreign' have the meaning given those terms in section 835(c) of the Homeland Security Act of 2002 (6 U.S.C. 395(c)).

''(2) SPECIAL RULES.—In applying subsection (b) of this section for purposes of subsection (a) of this section, the rules described

under 835(c)(1) of the Homeland Security Act of 2002 (6 U.S.C. 395(c)(1)) shall apply.''.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 137 of title 10, United States Code, is amended by inserting after the item relating to section 2337 the following new item:

''2338. Prohibition on awarding contracts to inverted domestic corporations.''

(b) REGULATIONS REGARDING MANAGEMENT AND CONTROL.—

(1) IN GENERAL.—The Secretary of the Treasury (or the Secretary's delegate) shall, for purposes of section 2338(b)(1)(B)(ii) of title 10, United States Code, as added by subsection (a), prescribe regulations for purposes of determining cases in which the management and control of an expanded affiliated group is to be treated as occurring, directly or indirectly, primarily within the United States. The regulations prescribed under the preceding sentence shall apply to periods after May 8, 2014.

(2) EXECUTIVE OFFICERS AND SENIOR MANAGEMENT.—The regulations prescribed under paragraph (1) shall provide that the management and control of an expanded affiliated group shall be treated as occurring, directly or indirectly, primarily within the United States if substantially all of the executive officers and senior management of the expanded affiliated group who exercise day-to-day responsibility for making decisions involving strategic, financial, and operational policies of the expanded affiliated group are based or primarily located within the United States. Individuals who in fact exercise such day-to-day responsibilities shall be treated as executive officers and senior management regardless of their title.

Mr. REED. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. MCCAIN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MCCAIN. Mr. President, I ask that Senators wait to speak—which I will be asking to be in morning business in about 2 or 3 minutes—while we finish seeing if the modification that may be at the desk is approved. I ask for their patience for 2 or 3 minutes until we get this done.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. MCCAIN. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MCCAIN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT NO. 1543, AS MODIFIED

Mr. MCCAIN. Mr. President, I ask unanimous consent that the following amendment, No. 1543, be modified with the changes at the desk.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The amendment, as modified, is as follows:

At the end of title XI, add the following:

SEC. 1116. COST SAVINGS ENHANCEMENTS.

(a) IN GENERAL.—Section 4512 of title 5, United States Code, is amended—

(1) in subsection (a)—

(A) in the matter preceding paragraph (1), by inserting ''or identification of surplus funds or unnecessary budget authority'' after ''mismanagement'';

(B) in paragraph (2), by inserting ''or identification'' after ''disclosure''; and

(C) in the matter following paragraph (2), by inserting ''or identification'' after ''disclosure''; and

(2) by adding at the end the following:

''(c) The Inspector General of an agency or other agency employee designated under subsection (b) shall refer to the Chief Financial Officer of the agency any potential surplus funds or unnecessary budget authority identified by an employee, along with any recommendations of the Inspector General or other agency employee.

''(d)(1) If the Chief Financial Officer of an agency determines that rescission of potential surplus funds or unnecessary budget authority identified by an employee would not hinder the effectiveness of the agency, except as provided in subsection (e), the head of the agency shall transfer the amount of the surplus funds or unnecessary budget authority from the applicable appropriations account to the general fund of the Treasury.

''(2) Any amounts transferred under paragraph (1) shall be deposited in the Treasury and used for deficit reduction, except that in the case of a fiscal year for which there is no Federal budget deficit, such amounts shall be used to reduce the Federal debt (in such manner as the Secretary of the Treasury considers appropriate).

''(e)(1) The head of an agency may retain not more than 10 percent of amounts to be transferred to the general fund of the Treasury under subsection (d).

''(2) Amounts retained by the head of an agency under paragraph (1) may be—

''(A) used for the purpose of paying a cash award under subsection (a) to 1 or more employees who identified the surplus funds or unnecessary budget authority; and

''(B) to the extent amounts remain after paying cash awards under subsection (a), transferred or reprogrammed for use by the agency, in accordance with any limitation on such a transfer or reprogramming under any other provision of law.

''(f)(1) The head of each agency shall submit to the Director of the Office of Personnel Management an annual report regarding—

''(A) each disclosure of possible fraud, waste, or mismanagement or identification of potentially surplus funds or unnecessary budget authority by an employee of the agency determined by the agency to have merit;

''(B) the total savings achieved through disclosures and identifications described in subparagraph (A); and

''(C) the number and amount of cash awards by the agency under subsection (a).

''(2)(A) The head of each agency shall include the information described in paragraph (1) in each budget request of the agency submitted to the Office of Management and Budget as part of the preparation of the budget of the President submitted to Congress under section 1105(a) of title 31, United States Code.

''(B) The Director of the Office of Personnel Management shall submit to the Committee on Appropriations of the Senate, the Committee on Appropriations of the House of Representatives, and the Government Accountability Office an annual report on Federal cost saving and awards based on the reports submitted under subparagraph (A).

''(g) The Director of the Office of Personnel Management shall—

''(1) ensure that the cash award program of each agency complies with this section; and

''(2) submit to Congress an annual certification indicating whether the cash award program of each agency complies with this section.

''(h) Not later than 3 years after the date of enactment of this subsection, and every 3 years thereafter, the Comptroller General of the United States shall submit to Congress a report on the operation of the cost savings and awards program under this section, including any recommendations for legislative changes.''.

(b) OFFICERS ELIGIBLE FOR CASH AWARDS.—

(1) IN GENERAL.—Section 4509 of title 5, United States Code, is amended to read as follows:

''§ 4509. Prohibition of cash award to certain officers

''(a) DEFINITIONS.—In this section, the term 'agency'—

''(1) has the meaning given that term under section 551(1); and

''(2) includes an entity described in section 4501(1).

''(b) PROHIBITION.—An officer may not receive a cash award under this subchapter if the officer—

''(1) serves in a position at level I of the Executive Schedule;

''(2) is the head of an agency; or

''(3) is a commissioner, board member, or other voting member of an independent establishment.''.

(2) TECHNICAL AND CONFORMING AMENDMENT.—The table of sections for chapter 45 of title 5, United States Code, is amended by striking the item relating to section 4509 and inserting the following:

''4509. Prohibition of cash award to certain officers.''.

MORNING BUSINESS

Mr. MCCAIN. Mr. President, I ask unanimous consent that the Senate proceed to a period of morning business for 1 hour, with Senators permitted to speak therein for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

The PRESIDING OFFICER. The Senator from Louisiana.

CLEAN WATER ACT RULE

Mr. CASSIDY. Mr. President, I rise today to share my concerns regarding the administration's recently finalized Clean Water Act rule issued by the EPA and the Army Corps of Engineers to define waters of the United States.

The Clean Water Act clearly states it is the ''policy of Congress to recognize, preserve, and protect the primary responsibilities and rights of States to prevent, reduce, and eliminate pollution.'' Despite this partnership and the

limits to Federal authority, the President and his administration, along with some lawmakers, have sought in recent years to clarify and extend the scope of Federal jurisdiction under the Clean Water Act in a manner that would expand the Federal Government's ability to regulate waters of the United States—in short, a Federal power grab. Changing the scope of the law, including the Clean Water Act, is solely the responsibility of Congress. Yet, the President's administration has again elected to bypass the legislative process by finalizing this rule.

When I am in Louisiana, I consistently hear from my constituents about the impacts this rule could have on private property development, timberland, farmland, and other bodies of water that would be subject to Federal control. They tell me this rule will create more uncertainty and impact infrastructure projects and jobs despite the EPA and the Corps' assurances to the contrary.

Louisiana is experiencing significant economic growth—growth that is bringing jobs to those Americans who have had the hardest time finding jobs with this recent poorly performing economy. This progress will be negatively affected as a result of this rule.

In addition to the increased costs and regulations, the rule invites costly litigation, and it can significantly restrict the ability of landowners to make decisions about their property and make it harder for State and local governments to plan for their own development.

Let me note that this is not the only rule the EPA has been working on that will negatively impact the economy and the job growth in my State. Their proposed rule to lower the standard for ground-level ozone will hurt job development in Louisiana, carrying with it health impacts to workers and families that are not fully considered by the EPA. It is clearly established that the higher the standard of living, the healthier the family. These rules will lower the standard of living for those who lose their jobs.

In Calcasieu Parish, more than $60 billion in various manufacturing projects are underway and are in the process of being approved—that is $60 billion with a ''b.'' These will require construction workers—again creating the kinds of jobs our economy needs more of. These projects can be severely impacted as a consequence of this rule.

We see in this graphic display the navigable waters prior to the release of the rule this past week in Calcasieu Parish. Now we will see the bodies that will fall under the jurisdiction of the Federal Government under the finalized rule. Again, this here is under current law. And that is what it will be. This will impact the ability of local government to plan their development.

Instead of people in Louisiana deciding how best to use their property, the Federal Government will be able to dictate many land use decisions, which have always been local. Again, this rule is a major takeover effort by the EPA and the Army Corps of Engineers. The administration has stated that this rule is narrowly defined. However, under the new definitions for tributaries, adjacent waters, and waters that are neighboring a traditional navigable water, virtually any water body could fall under the Agency's regulatory authority. And if certain bodies of water don't fit these definitions, the Agency can make a case-by-case determinations of significant nexus.

Assistant Secretary Jo-Ellen Darcy from the Army Corps said last week that this rule is a huge win for public health and the economy and reflects that clean water matters to the American people.

First, let me point back to this map that community leaders in Calcasieu Parish provided for me, highlighting that this is not a win for the economy and could significantly impact economic and private land development moving forward.

Secondly, as a physician—I am a doctor—I understand the importance of human health, and I also understand the impacts on human health as a consequence of overregulation by the Federal Government. If people are poor, their health suffers. There is a strong statistical relationship when, because of regulations and regulatory uncertainty, jobs are lost overseas. Again, I believe this revised rule is a power grab by the administration and not based upon any congressional action.

We took a vote on this issue back in March, during the budget debate, to limit the expansion of Federal jurisdiction under the Clean Water Act, which I supported. Last fall, we took a similar vote while I was in the House of Representatives to repeal this harmful regulation. My colleague from Wyoming, Senator JOHN BARRASSO, has a bill, the Federal Water Quality Protection Act. It is a good bill that provides clarity for how EPA should and should not define the waters of the United States. I know the chairman of the Environment and Public Works Committee, Senator INHOFE of Oklahoma, intends to move this bill through his committee soon, and I wish to offer my support for that legislation.

Again, we have seen time and again that this administration will attempt to overreach the limits of what the executive branch should do. When it comes to the EPA's overreach, the waters of the United States rule isn't the exception; it is the norm.

I yield the floor.

EXTENSION OF MORNING BUSINESS

Mr. CASSIDY. Mr. President, I ask unanimous consent that the Senate proceed to a period of morning business, with Senators permitted to speak for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Michigan.

NATIONAL DEFENSE AUTHORIZATION ACT

Ms. STABENOW. Mr. President, I wish to speak about the bill that is before us and reauthorizing funding priorities for the Department of Defense.

I wish first to congratulate Chairman MCCAIN and Ranking Member JACK REED for working together on a very important bill. There are a lot of important issues and a lot of important priorities in this legislation for our home State in Michigan.

The fact that we are supporting the A–10s so our troops have the close air support they need is very important. It is important that we are continuing to invest in research and development and new kinds of technologies. We are very proud in Michigan to be the ones that are on the frontlines providing research and development for the Army. If the Army drives it, we design it, fix it, and build it in Warren, MI, and in the surrounding area of Macomb County that we call the Defense Corridor, and we are very proud of that. We have vital military equipment manufactured here in the United States, and in Michigan, specifically, that is supported in this legislation.

It provides very important pay increase and support for our troops that are actually critical.

My concern is not with the contents of what we are doing in this particular bill in terms of supporting the defense of our country and supporting our troops. It is the fact that we have budget gimmicks being used to fund the Department of Defense.

Our troops deserve more than budget gimmicks. Those on the frontlines deserve more than basically funding essential services or pay raises or essential equipment through funds that we know are sort of made-up funds—another name for deficit spending. This has been done over the years, as we went to war in Iraq and Afghanistan, when there was a fund set up—the overseas contingency account—not including any money in it, but it was a way to mask the fact that we were not funding the wars and we were in fact abusing deficit spending to do it.

So to continue that with the critical items in this bill is a mistake and, frankly, not worthy of the men and women who are on the frontlines, putting their lives—putting themselves—in harm's way every single day. So it is critical that we do better in terms of this budget and the structure of this budget.

Our families also deserve better, because we need to fully fund the full defense of our country—both here at

home and overseas—without budget gimmicks, without adding to the deficit. All those things that create a strong country and security for our families need to be done in a way that does not include budget gimmicks. And that, frankly, is not what is being proposed.

That is why I am very proud to be a cosponsor of Senator REED's amendment, which would cap the spending on what has been called this overseas contingency account. Others of us at various points have called it the fake money account because there is no money in it. It is a fancy way of covering up the fact that we are spending and adding to the deficit. Senator REED would basically indicate that this would be capped. We would try to begin to rein that in, to cap that amount. We would also say very clearly that we are going to address the issues that affect the United States in terms of our strength, the defense, broadly, of our country—whether it is in the Department of Defense or whether it is in other parts of our overall budget as a Nation—by basically lifting the caps—for those watching, we talk about the Budget Control Act, but there are caps—in a way so we can fully fund both the Department of Defense but also the other things that need to be done to create security and to fully make sure our families are safe, our economy is safe, and that we are aggressively moving forward as an economy.

That is what Senator REED's amendment would do. It brings some balance. It begins to rein in what is a policy that does not make sense in terms of using budget gimmicks. As I said before, our troops certainly deserve better than that, and our families deserve better than that.

Using gimmicks is a convenient way to avoid dealing with what the real problem is. There is this thing called sequestration. People wonder: What in the world is that? We put in a policy a number of years ago to limit spending. The good news is that we have brought the annual budget deficit down by two thirds. This is good news for our country. Two thirds of the annual deficit is gone. But now, as we go forward and look at what is going to grow the economy and what is going to keep us safe, we look at the threats around the world that are coming at us—not just through the Department of Defense but through every area of the budget. When we look at what we need in terms of jobs and the economy and so on, we know we need to revisit that policy and stop the gimmicks. Don't use gimmicks going forward to pretend that we are still meeting sequestration but to look honestly at the needs of our country today and move forward.

Frankly, on the security front alone, security is more than just what happens at the Department of Defense, as important as that is. It is all of the programs that we rely on day in and day out to keep our country safe. Certainly, we care about border security all the time. That is not predominantly funded in the Department of Defense. We look at cyber security. It is one of the No. 1 issues we have, and we are hearing now from a consumer standpoint, from a security threat or terrorist standpoint, and from a business security standpoint. Cyber security is absolutely critical, and it is not given the same priority of importance as the Department of Defense is as we look at the overall defense of our country.

Counterterrorism—who answers the call, no matter what it is? In Boston, a terrorist attack—who was on the frontlines there? It was local police, local fire, which are under the broad budget parameters that are being discussed now by the majority. The Republican majority would provide less funding—less funding—for the frontline defense in our neighborhoods and in our communities.

Stopping weapons of mass destruction, airport security is something we all know about as we get on airplanes all the time, every week. There is Ebola protection, when we look at the Centers for Disease Control and all of the issues that relate to diseases—whether it is threats at home or whether it is those that can be used in some way as a terrorist attack. Many of the Federal agencies fighting terrorism at home and protecting us from deadly diseases such as Ebola will not receive critical funding under the budget that has been proposed.

Now, there is a willingness to use budget gimmicks in the Department of Defense. Again, our troops are certainly worthy of much more than budget gimmicks. But when we look more broadly at the whole budget, we don't even see enough to use budget gimmicks of these things. I don't think we should be using budget gimmicks, but the point is there is not an acknowledgement that there is more to defense and safety for our country than just in one department.

To be strong abroad we need to be strong at home, as well, and in so many other areas, as we know. If we want to talk about competing around the globe, if we want to talk about what we need to be doing to be secure, to have a robust economy, to outcompete the competition, we have also to talk about educating our young people—which, by the way, is cut in the overall scheme of things in this budget. We have to talk about lowering the costs of college. If there is one thing we are hearing over and over from young people or from those going back to job training programs who lost their job in the economy, going back to get new skills to get a new job, it is about the huge debts they are incurring to do the right thing. People coming out of college are now in a situation where they can't qualify even to buy that first home. They are telling me: Do something about college loan debt. We can't help young people coming out of college to buy a house. They don't qualify because of the amount of debt, and the amount of debt they have will equal a house. That is a security issue for us—education, the ability to have a college education, job training.

Investing in cures for diseases—how exciting it is for us to hear about all the opportunities now through the National Institutes of Health. We have so many promising opportunities and treatments and cures, such as on Alzheimer's—which, by the way, takes one out of every five Medicare dollars—and in other areas, such as cancers, Parkinson's disease, mental health disorders. That is part of our strength and being secure and strong and robust for the future.

Of course, if we are going to be strong, we have to fix our roads and our bridges, and we don't have dollars in this budget. In fact, the whole highway trust fund is going to run out in less than 60 days now if no action is taken by the majority, if there is no sense of urgency from our Republican colleagues.

So we look overall at securing those things at home and abroad, whether it is making sure—beyond the Department of Defense—that we are funding our border security, cyber security, counterterrorism, police and fire departments, airport security, and Ebola protection or whether it is investing in our own people in all of this to create the opportunity for strong businesses, entrepreneurs, and an educated workforce or for infrastructure, making sure that we have those airports and we have those roads.

As I conclude, let me say that all of this leads to the fact that we need to next week vote yes on Senator REED's amendment because that is what it is all about: real safety, real security, growing the economy of our country. Our people deserve better than budget gimmicks that are in this bill.

I yield the floor.

The PRESIDING OFFICER. The Senator from Montana.

OBAMACARE

Mr. DAINES. Mr. President, it has been 5 years since Americans were forced into a broken and unhappy relationship with ObamaCare. Ever since the implementation of this failed law, Americans have received one broken promise after another. For Montana families, reflecting on the consequences of this law is not a happy trip down memory lane. Too many Montanans have seen their work hours cut, they have been forced off the plans they liked, and they were told they could not see the doctors whom they trusted.

The reviews have been in for quite some time, and ObamaCare is not anything close to what Montanans were promised. Five years later, insurance companies are still unable to find stable rates that do not force more uncertainty and hardship upon Montanans. It has been widely reported across the country that rates for millions of Americans are set to skyrocket again. Look no further than Montana, where it is evident that health care premiums are not as affordable as President Obama promised they would be. Policies sold through ObamaCare exchanges are becoming even more expensive. In fact, in Montana, according to filings with the Montana Commissioner of Securities and Insurance, insurers across the board are asking for double-digit increases for 2016 policies on top of more increases that occurred just last year.

Blue Cross Blue Shield, which is Montana's largest insurer that boasts 255,000 consumers in the State, is asking for an average increase of 23 percent for Montanans enrolled in individual plans. That is the start.

PacificSource filed papers with the commissioner requesting an average of a 31-percent increase for individual plans. What about Montana Health CO-OP? They have requested a 38-percent increase for individual plans. And Montanans who were insured under Time Insurance are facing a staggering 47-percent increase in 2016.

Increased premiums make it harder for Montanans to have access to affordable health care. It is money that no longer is in the pockets of Montanans, and those rate increases are not just in Montana. Across the Nation, Americans are seeing massive and debilitating rate increases. These hikes are a far cry from what Montanans—from what the American people were promised.

In 2007, President Obama said himself that by the end of his first term, ObamaCare would ''cover every American and cut the cost of a typical family's premium by up to $2,500 a year.''

Montanans have not seen their premiums decreased by $2,500 a year. It is not even close. Unfortunately, this is the predictable result of forcing a partisan piece of legislation through Congress without transparent consideration or bipartisan input. We need to ensure health care is affordable, and it needs to be accessible for all Montanans. That starts with repealing ObamaCare, repealing its costly mandates, repealing its burdensome taxes, and repealing the senseless regulations. ObamaCare is not working and it is not popular. This law is a bureaucratic nightmare that hurts small businesses.

I just came out of a meeting with some homebuilders and small business owners from Montana. I showed them this chart before I came down to the floor. One of the builders said: This likely means I no longer will be able to provide health care insurance for my employees.

Growing up in Montana, I grew up hunting, camping, backpacking, fishing. In fact, I was fly fishing in Montana before Brad Pitt made it cool in the movie ''A River Runs Through It.'' I know that when your fishing line gets tangled up, you have two options. I have been there many times on one of the banks of Montana's rivers. Sometimes you take a minute, sometimes you take several minutes, and you work to untangle the line. But other times the line gets so badly knotted up that the best option, instead of spending a long time untangling the line, is to simply cut the line.

After 5 failed years, the American people know ObamaCare is too badly tangled to fix. It is time to cut the line and tie on a new fly.

I yield the floor.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. CASSIDY). The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. DONNELLY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

NATIONAL DEFENSE AUTHORIZATION ACT

Mr. DONNELLY. Mr. President, I wish to begin my comments on this year's National Defense Authorization Act, S. 1376, by thanking all of the members of the Strategic Forces Subcommittee. I would especially like to thank the subcommittee's chairman, Senator SESSIONS, for the close working relationship we share.

I want my colleagues to note that Senator SESSIONS and his staff worked closely with me and my staff in developing the elements of the bill pertaining to the Strategic Forces Subcommittee. This bipartisan effort has proved fruitful as all of our provisions were adopted unanimously by the full committee during the markup of this bill.

The annual National Defense Authorization Act is one of the most important pieces of legislation Congress passes every year, and this year will mark what I hope will be the passing of a defense authorization act for the 54th year in a row.

I would like to give my colleagues a brief overview of the provisions in what we will call the NDAA, which we are considering today, as they relate to the Strategic Forces Subcommittee.

The jurisdiction of the subcommittee includes missile defense, strategic forces, space programs, the defense-funded portions of the Department of Energy, nonproliferation, and the Defense Nuclear Facilities Safety Board.

In preparing the provisions in the bill that relate to the areas of our jurisdiction, the subcommittee held six hearings and three briefings on defense programs at the Department of Energy, strategic nuclear forces, missile defense, and space programs at the Department of Defense.

As I mentioned before, our committee oversees the strategic nuclear forces based on a triad of air, sea, and land-based delivery platforms. This triad is, as Secretary Carter has called it, ''the bedrock'' of our national defense posture. In the wake of the Department of Defense's 2014 nuclear enterprise review, this is a significant year for reforms and investments to ensure the safety, security, and the effectiveness of our nuclear deterrent.

Among the key priorities going forward, I look forward to working with our leaders at the Department of Energy, at DOD, and my colleagues on the committee to take advantage of smart opportunities to enhance commonality across nuclear systems, sharing expertise and resources across the services—particularly the Navy and Air Force—to enhance the capabilities and cost-effectiveness of our nuclear deterrent in the future.

Critically, the bill creates a position in the Air Force responsible for nuclear command, control, and communications acquisition and policy. The Air Force is responsible for over 70 percent of this mission, which essentially connects the President to the nuclear weapon and the delivery platform. We have found that since the communications layers involve space, air, and ground systems, there is fragmentation in an overall strategy as we begin the modernization of the overall system, which must be fail-safe.

Through hearings and briefings concerning the state of other nations' nuclear programs, it was clear that we face an increasingly complex global nuclear environment. We are well past the days of the Cold War. Today, our deterrent strategy must now account for a wide range of nuclear-armed nations beyond simply Russia to now include Pakistan, India, North Korea, and even China's modernization of its strategic arsenal. Our bill contains a provision that directs the Office of Net Assessment to begin a study on what effect, if any, this multipolar nuclear environment will have on our deterrent strategy. This is an important area which will only grow as time goes on.

In the area of missile defense, this bill fully authorizes the President's budget request for the Missile Defense Agency and maintains our commitments to key allies. It includes several provisions that advance MDA's efforts to deploy additional sensors and to improve the reliability and effectiveness of the ground-based interceptors. The bill also contains the GAO's annual review of MDA's acquisition programs.

Moving on to space programs, the bill addresses several key aspects of space system acquisition. It includes important provisions aimed at maintaining fair competition among space launch providers through fiscal year 2017. It does not, however, solve a potential 2- to 3-year gap after that, as launch providers work to develop and certify a new American-made rocket engine to replace the Russian RD–180. I hope that gap does not occur, but if it does, I am sure this committee will revisit and correct the issue so we can maintain a competitive and healthy launch industrial base that both ensures DOD's access to space and saves taxpayer dollars. The bill also makes important contributions to ensuring that we address the threats we may face in space by requiring an interagency policy and a principal DOD position to address these threats.

We have authorized the President's requested level of funding for the nuclear modernization programs at the Department of Energy's National Nuclear Security Administration, or NNSA. We also create a program that enables the scientists and engineers at the NNSA to work on new concepts and methods that shorten the time and the cost for future life extensions of our warheads.

Let me close noting that we fully fund the President's request for nonproliferation at both the National Nuclear Security Administration and the Department of Defense. At the NNSA, these programs collect loose nuclear material around the world, which could be used as terrorist devices against us. The NNSA also maintains a network of radiation detectors at borders across the world to detect the illegal transfer of nuclear material before it can cross our borders here in America.

Finally, the Cooperative Threat Reduction Program at the Department of Defense will continue to secure weapons of mass destruction all around the world, as it did with Syria's chemical weapons and dangerous pathogens at Ebola clinics in West Africa. The relatively small sum of money in this program has made a noticeable difference in reducing dangerous threats to our country.

I take particular pride in this program as the enduring legacy of my fellow Hoosier, Senator Richard Lugar, who has done our Nation and the world a great service as a champion for nuclear nonproliferation. He and Senator Sam Nunn were extraordinary leaders, and we are proud to try to follow in their tradition.

I again thank Senator SESSIONS for the productive and bipartisan relationship we have had on the subcommittee and also all members on the subcommittee for taking part in our hearings and in crafting the provisions under this subcommittee's jurisdiction.

I look forward to working with our colleagues to pass this important legislation.

I yield back any remaining time that has been allotted.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. WYDEN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. WYDEN. Mr. President, I ask unanimous consent to speak in morning business for up to 15 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

EXPORT-IMPORT BANK

Mr. WYDEN. Mr. President, we have had a number of our colleagues come to the floor to talk about the importance of the Export-Import Bank, and I want to see if I can put in context the exceptionally important work done by our colleagues Senator CANTWELL and Senator HEITKAMP on this issue.

We have been talking in this body for weeks now about the importance of trade and particularly tapping global markets, given the fact that there are going to be 1 billion middle-class people in the developing world in 2025. This is an exceptional opportunity for us to be able to sell the products we make here, whether they are computers or wine or helicopters or planes, you name it.

We had a big debate about trade promotion authority. What I want to spend just a few minutes talking about is whether a Senator was for trade promotion authority or not, they ought to support the Export-Import Bank because the Export-Import Bank provides key financing tools to promote products that are made in my home State, in the States of our colleagues, and all across the land. It has supported tens of thousands of American jobs—even hundreds of thousands—for decades. It doesn't cost American taxpayers a single dime. In fact, the Export-Import Bank covers its own costs and then some. It actually generates revenue for taxpayers—$7 billion over the last two decades and $675 million in fiscal year 2014 alone.

So what I would submit is the Export-Import Bank is a way to ensure that in this country we get trade done right. I happen to believe it makes sense to support the trade promotion act because that is going to ensure that we are going to have a chance to drive down some of those tariffs that are barriers to American products. Whether you are for it or not, you ought to support the Export-Import Bank because it provides key tools so we can reduce barriers to our exports, take on modern challenges that threaten American workers, and fight to create more high-wage jobs in the United States because it provides the financing you need in order to actually secure one of these deals. The Export-Import Bank is a core part of getting trade done right.

Countries, including Germany, Japan, Mexico, and Canada, all have agencies that are up and running and do it in a fashion that make their exports more competitive. How are they doing it? They are using financing tools, including supporting their manufacturers and pushing their products into the global marketplace.

As Senators CANTWELL and HEITKAMP have said, we need this tool to make sure our country doesn't fall behind. We shouldn't let the Export-Import Bank become some kind of ideological pinata that you keep bashing on, not recognizing it will hurt our competitiveness. I think it would be legislative malpractice to let the Bank expire because it would needlessly endanger the thousands of businesses and tens of thousands of jobs supported by Ex-Im, including many in my home State.

In particular, in Oregon, one can see that Ex-Im is a very substantial help to small- and medium-sized companies. In fact, 86 percent of the funds disbursed in fiscal year 2014 went to small businesses. Thanks to the Export-Import Bank, companies in Albany could find markets abroad and hire new workers. They manufacture important things such as titanium casting.

Selmet is a perfect example, a company that got its start in my home State years ago. Today, it employs hundreds of people in Oregon and across the United States, and 40 percent of its revenue comes from overseas. They got off the ground with help from Ex-Im Bank, and it has customers in France, Germany, and Asia, and it is looking to expand further.

These kinds of success stories are ones you see in every single State because these startups got help when it was essential to have that added boost to be able to seize the opportunities around the world and create high-skilled, high-wage jobs.

To me, when we debate the future of the Export-Import Bank, colleagues, this is about red, white, and blue jobs. Keeping the Export-Import Bank up and running with the important financing tools it offers is part of getting trade done right.

I commend our colleagues Senators CANTWELL, HEITKAMP, MURRAY, and GRAHAM, who have come together in a bipartisan way to work to extend the Bank as quickly as possible, and they have my support.

NATIONAL HEMP HISTORY WEEK

Mr. WYDEN. Mr. President, I asked for an extra few minutes. I want to

spend another few minutes just talking about another part of our economy that I think can grow in the days ahead, and I would ask unanimous consent, Mr. President, to bring a basket of Oregon products onto the floor at this time.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. WYDEN. Mr. President, this week is National Hemp History Week, and to help celebrate I thought I would show a few Oregon-made hemp products to highlight the many uses and opportunities for industrial hemp in my State and across the country.

In the basket I brought, I have food, soap, clothes, and even deck sealant, all made in Oregon, bought and sold in American stores and used by Americans. Oregon companies such as Bob's Red Mill, Fiddlebumps, and Hemp Shield contribute to our economy in unique ways. Industrial hemp supports a $620 million industry in America, and our companies have found innovative ways of incorporating it into everyday products.

However, the full growth potential of this industry is being cut down before it can fully bloom because a single ingredient that links all of these products—the hemp itself—cannot be grown in America. The unfortunate reality is that current Federal rules prohibit our farmers from growing industrial hemp on American soil. This means 100 percent of the hemp used in these products is imported from other nations. The Federal ban on hemp amounts, in my view, to a restriction on free enterprise, and it doesn't accomplish anything but stifles job creation and economic growth.

We are the world's largest consumers of hemp products, but we are the only major industrialized nation to ban hemp farming. This hasn't always been the case, and it doesn't have to continue to be the case. It was once a booming crop in America and it can and should be again.

American farmers were growing this product as early as the 1600s, before our Nation was even founded. The Declaration of Independence, colleagues, was written on paper made from hemp. In the 1800s and early 1900s, it was used to make rope, heating oil, and textiles. During World War II we used it as part of the Hemp for Victory Program to support our soldiers. But everything got changed when hemp got wrapped up with marijuana in Federal regulations, and it has been banned ever since. Are they related? Maybe industrial hemp and marijuana are related species, but one should not be confused with the other, much like a Chihuahua and a St. Bernard. Mixing hemp in with a ban on growing marijuana is based on a lot of misconception. No matter where Members of this body come down on medical or recreational marijuana, industrial hemp and marijuana might be related plant species, but there are big differences between them, such as their chemical makeup.

Because they are not the same plant, they should not be treated with the same regulation and prohibitions. In my view, keeping the ban on growing hemp makes about as much sense as instituting a ban on Portobello mushrooms. There is no reason to outlaw a product that is perfectly safe because of what it is related to.

That is why the majority leader Senator MCCONNELL and I came together, with our colleague from Kentucky RAND PAUL and my colleague from Oregon JEFF MERKLEY—we came together on a bipartisan basis to introduce the Industrial Hemp Farming Act. Our bill would make sure hemp does not get lumped into the definition of marijuana in the Controlled Substances Act.

Our bill is all about stopping the unfair punishment of entrepreneurs and farmers who want to be part of a growing ag industry here in America. Companies in our Nation that are importing hemp to use in food, cosmetics, soap, clothing, and auto parts, they ought to be buying that hemp from American farmers and contributing to our agricultural sector.

I will close by way of saying there are also big environmental benefits to industrial hemp. It takes less water to grow hemp than it does to grow cotton, and hemp generally requires fewer pesticides than other crops. I will put it this way, colleagues: If you can buy it at your local supermarket—and I got involved in this because I saw it at Costco when my wife was pregnant with our third child—if you can buy it at the local supermarket, American farmers ought to be able to grow it.

I urge my colleagues to join me, the distinguished majority leader Senator MCCONNELL, his colleague Senator RAND PAUL, and my colleague Senator MERKLEY in our legislation to address this gap in American law and today join me in celebrating National Hemp History Week by learning more about this safe and versatile crop and the potential it holds to bolster American agriculture and the domestic economy.

These products are products that are sold all across America. We ought to have a chance for our farmers—farmers in Nebraska, farmers in Arkansas, farmers in Indiana—to be able to grow this product and reap the benefits of the private economy associated with it.

I yield the floor.

The PRESIDING OFFICER. The Senator from Indiana.

WASTEFUL SPENDING

Mr. COATS. Mr. President, it is ''Waste of the Week'' time again, and the waste of the Federal Government's spending just keeps piling up. Today, I am taking a look at the U.S. Department of Veterans Affairs. We all have a stake in this. I am a veteran, but even those of us who are not veterans have a stake in making sure our veterans are getting the use of taxpayer dollars for their benefit for the sacrifices they made.

Over the past year, we have been hearing on the floor and continue to see story after story of mismanagement that is plaguing the VA. Many of these news articles tell the story of our Nation's heroes not receiving the care or the resources they have earned and that they deserve. Last month—just last month—I read yet another frightening headline, frustrating. ''Veterans Affairs improperly spent $6 Billion annually, senior VA official says''—improperly spent $6 billion annually.

According to an internal memo written by the VA's senior official for procurement, the VA has been wasting taxpayer money by violating Federal contracting rules to pay for medical care and expenses. Under law, VA purchases require competitive bidding and proper contracts, but testimony from Deputy Assistant Secretary for Acquisition and Logistics Jan Frye, before Congress last month revealed that just the opposite is occurring.

So the medical care and supplies our veterans need for their medical needs are being compromised at a cost of $6 billion a year. Mr. Frye wrote:

> Over the past five years, some senior VA acquisition and finance officials have willfully violated the public trust while Federal procurement and financial laws were debased. Their overt actions and dereliction of duties combined have resulted in billions of taxpayer dollars being spent without regard to Federal laws and regulations, making a mockery of Federal statutes.

An example of this violation is found with VA purchase cards. Typically, VA uses these cards for smaller purchases of up to $3,000, according to the rules and regulations. But they were inappropriately used to buy billions of dollars' worth of medical supplies without contracts or oversight. Mr. Frye continued:

> In addition, doors are flung wide open for fraud, waste and abuse when contracts are not executed. For example, by law, prices paid for goods or services subject to contract can only be determined to be fair and reasonable by duly appointed contracting officers. I can state without reservation that VA has and continues to waste millions of dollars by paying excessive prices for goods and services due to breaches of Federal procurement laws.

According to reports, the VA has failed to engage in a competitive bidding or signing contract process ensuring a good deal for the services they are unable to provide in house, such as specialized tests and surgeries and other procedures. In fact, the VA has paid at least $5 billion in such fees in violation of Federal rules.

This is yet but another example of what the White House has recognized—

as—and I quote—''corrosive culture'' at the Veterans' Administration. I think we all agree our 8.7 million American veterans and our more than 130 million taxpayers deserve a lot better. Given the large scale of purchases made by the VA, proper procurement procedures ensure the best products for veterans and the best value for taxpayers.

Aside from higher prices, a lack of contracts can result in a lack of oversight. The VA, just like Congress, is accountable and must be accountable for what it spends. Now, I understand the incredible pressure the VA has been under with the recent influx of new veterans. I appreciate the good work of many people who work at the VA. Still, no matter the growth in need, it is never in order to violate Federal law. This kind of reckless spending cannot and must not be tolerated.

Each year, Congress sends billions of dollars to the VA to care for our veterans. With those funds, comes an obligation to use every dollar of those funds properly. By simply requiring the VA to comply with Federal law, we can save $6 billion. This is a simple fix with large results and we should take it.

Today, I am adding an additional $6 billion to our ever-increasing gauge of taxpayer money that comes to Washington and is spent for improper and unnecessary purposes. We are now two-thirds of the way to our goal of $100 billion. We are going to be doing this every week as long as the Senate is in session this year. I hope we have to add an additional attachment to this gauge because, folks, there is no end to discovering the kind of waste of taxpayers' money for unnecessary programs, violating the law, violating regulations, mismanaging the spending at the Federal level. We are going to continue to point out these issues week after week. Hopefully, we can get the attention of our colleagues and the American people, and they will demand that we do something about this.

While we have not been able—no thanks to the administration—to come up with a sensible, long-term fix to our deficit spending and continuing plunge into debt, we can at least look at these programs that have been identified by the inspector generals, by the Government Accountability Office, and by the Office of Management and Budget as wasting taxpayer dollars.

So there is much we can do while we are trying to get to the point where we have an administration that allows us to address the larger issue; that is, a government out of control, spending taxpayers' money and wasting money, which we will point out every week. Tune in again next week for the next ''Waste of the Week.''

I thank my colleague from Nebraska for generously yielding me the time to do this. I have somewhat of a schedule hitch. She was gracious enough to allow me the time.

The PRESIDING OFFICER. The Senator from Nebraska.

NATIONAL DEFENSE AUTHORIZATION ACT

Mrs. FISCHER. Mr. President, I rise to speak about the National Defense Authorization Act or NDAA. The brave men and women who serve in our Armed Forces have protected our Nation for generations. Because of their selflessness, we are able to enjoy many freedoms here at home, but it is important to remember that these liberties are not free.

The sacrifices made by our servicemembers are extraordinary, and we must ensure that they have the resources necessary and needed to defend the United States. That is why the NDAA has been passed each of the last 53 years. I was proud to continue this tradition by working with my colleagues on the Senate Armed Services Committee to pass the fiscal year 2016 NDAA only a few weeks ago.

While this bill is not perfect, it is the result of a bipartisan compromise to perform the most important function of the Federal Government, providing for the national defense. This bill's importance is widely known, but the details are not often given enough attention.

For this reason, I would like to take a moment to discuss some of the key provisions that play such a critical role in preserving the security of our Nation and the effectiveness of our military. Included in this bill are several commonsense proposals to cut inefficiencies and use the savings that are generated to better meet the needs of our warfighters.

For example, the Air Force's next-generation bomber and new tanker program have both suffered delays and they cannot spend the full amount requested when the budget was submitted in February. So this bill reduces funding for these programs accordingly and moves about $660 million in savings to meet unfunded requirements of our military.

Across a large number of budget lines, unjustified increases were reduced, troubled programs were cut, and again the difference was used to meet high-priority requirements of our men and women in uniform.

The bill also combats the continued growth in headquarters staff at the Pentagon and major commands, an issue I discussed with Secretary Carter at his confirmation hearing. Two years ago, the Department announced its intention to reduce 20 percent of its headquarters staff by 2019. However, it has yet to provide the Armed Services Committee with a plan to accomplish these reductions.

This legislation takes action. It reduces funding for headquarters and management staff by 7.5 percent. This goes beyond even the Department's stated goal. It results in $1.7 billion in savings that are reprioritized to support more important needs. In all, the bill moves about $10 billion from unnecessary spending to increase the capabilities of our warfighters. One such area is the development of the advanced technologies.

This bill sets aside $400 million for the offset initiative announced by the Department in November of last year. The technological superiority of our forces has come under increasing threat in recent years. This is an issue that the Emerging Threats and Capabilities Subcommittee, which I chair, has followed closely.

The new funding devoted to this initiative is targeted toward the development of the next-generation technology, such as lasers and railguns that will enable our military's continued advantage on the battlefield of the future.

I am also pleased that this bill will fully support the modernization of our nuclear forces, and it includes additional funding requested by the Department to address critical needs in our nuclear forces identified in reviews last year.

The bill reauthorizes key assistance and training programs, and it also provides the Secretary of Defense new authority to partner with nations in the Middle East, the South Pacific, and Eastern Europe to support U.S. interests in these key regions. It also codifies the Department of Defense's role in defending the Nation in cyber space, and it requires the Department to regularly conduct training exercises with other governmental agencies to meet this responsibility.

The importance of the last two issues I mentioned, cyber security and security assistance programs, was reinforced during a recent trip that I led to Eastern Europe.

Our allies there are deeply concerned by Russia's military intervention in Ukraine and their increasingly provocative behavior. They are all calling for more cooperation with the United States in both of these key areas.

These are just a few of the reasons why the NDAA is such an important piece of legislation. While I strongly support many of its provisions, it is important to repeat that this is the product of bipartisan compromise, not consensus.

One of the most hotly debated topics during the committee's markup process was the use of overseas contingency operations funds to meet basic defense requirements. In a world where ISIL continues to expand its reach, Russia has seized Crimea and pours fighters into eastern Ukraine, and China is intimidating its neighbors and building islands in the South China Sea, we must fund our national defense. To not

do so would be unacceptable. We cannot hold our military hostage to a political controversy.

Despite disagreements, the committee has again produced a compromise product—as it has year after year—that supports our national defense and the needs of our men and women in uniform. I am inspired by their service, and I look forward to continuing to work with my colleagues to protect our great Nation as the full Senate considers the NDAA.

I yield the floor.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. WHITEHOUSE. Madam President, I understand that we are now in a period of morning business.

The PRESIDING OFFICER (Mrs. FISCHER). The Senator is correct.

Mr. WHITEHOUSE. Therefore, it is not in order for me to call up an amendment to the Defense bill. I will come back and get this amendment pending at the appropriate time on the floor.

CITIZENS UNITED DECISION

Mr. WHITEHOUSE. Madam President, I wish to take a few minutes now to speak about my amendment No. 1693, which responds to the very unfortunate Citizens United decision. January 2015 was that decision's fifth anniversary, and it has had a pretty nefarious effect on our democracy.

The premise of the decision was that unlimited corporate expenditures would not corrupt or exert improper influence in our American democratic process because there would be a regime of—to quote the decision—''effective disclosure'' that would ''provide shareholders and citizens with the information needed to hold corporations and elected officials accountable for their positions and supporters.''

Well, here we are. Everybody in this room knows that there has been no effective disclosure whatsoever. We live in a world of dark money in which special interests spend tens and even hundreds of millions of dollars in elections to buy influence and to try to make sure that people get their way. There is neither public knowledge nor accountability about that dark money spending.

The Louisville Courier-Journal, in an editorial in June 2012, described the problem very well:

> Money. Buckets of it. Tidal waves that one pundit has dubbed the ''tsunami of slime.''

Well, we who are in this political world have experienced firsthand that tsunami of slime that the Citizens United decision unleashed. In the 2014 midterm elections, the Washington Post has reported that at least 31 percent of all independent spending in those elections was spent by groups that don't disclose who their donors are. You don't know who is behind their money.

You know the candidates know who is behind the money. For sure they are going to be told, but the public doesn't know who is behind that money.

And that 31 percent doesn't even count what are called issue ads, where somebody says the Presiding Officer, for instance, has a terrible position on this issue and you need to call her and tell her that her position is terrible, anti-American, wicked, no good, and that she is awful—and on and on they go. That is an issue ad, and so it doesn't even count. So that whole extra bit—also dark—is not even part of the 31 percent.

And the big, obvious thing that the Citizens United decision completely overlooked is that if you give big corporations and hugely wealthy special interests the ability to spend on elections, guess what else you give them. You give them the ability to threaten to spend or to promise to spend, and you know that those threats and promises are never going to be in any regime of effective disclosure. That is the ultimate private exercise of political influence. We have no idea how big the effect is of those silent threats and promises—silent, at least, to the public.

The American people are pretty fed up. The New York Times this week reported on a poll, and I will just quote a little bit from the story:

> The findings reveal deep support among Republicans and Democrats alike for new measures to restrict the influence of wealthy givers, including limiting the amount of money that can be spent by ''super PACs'' and forcing more public disclosure on organizations now permitted to intervene in elections without disclosing the names of their donors.

And the story continues:

> And by a significant margin, they reject the argument that underpins close to four decades of Supreme Court jurisprudence on campaign finance: that political money is a form of speech protected by the First Amendment.

Clearly, money facilitates speech, but it also facilitates bribery. It also facilitates simply bludgeoning political actors and political parties with pressure.

Now, the results here:

> More than four in five Americans [more than 80 percent of Americans] say money plays too great a role in political campaigns . . . while two-thirds say that the wealthy have more of a chance to influence the elections process than other Americans.

That is not healthy when 80 percent of Americans think that money plays too great a part and two-thirds of Americans think that they don't have an equal shot in elections compared to the wealthy.

And it is not only Democrats and independents who feel this way. I will continue to read:

> Those concerns—and the divide between Washington elites and the rest of the country—extend to Republicans. Three-quarters of self-identified Republicans support requiring more disclosure by outside spending organizations. . . . Republicans in the poll were almost as likely as Democrats to favor further restrictions on campaign donations.

So if three-quarters of self-identified Republicans support requiring more disclosure by outside political spending organizations, I would hope that I could get support for this amendment which would require some disclosure.

It would require any company that contracts with the Department of Defense—and they get big contracts with billions, hundreds of billions of dollars—to disclose all of its campaign spending over $10,000. It is a requirement that would apply to all the corporate officers, the board members, and to anyone who owns 5 percent or more of the company.

When there is that much money sloshing around in the defense budget, and when political actors are making the decisions about where that goes, we ought to be able to connect the dots between those corporations and whom they are giving big money to.

So this is a very simple disclosure provision. Again, 75 percent of Republicans support increased disclosure, and, in fact, a considerable number of Republicans in the Senate used to support disclosure. Over and over, you see Members who are still here, including the majority leader, who were ardent supporters of disclosure—ardent supporters of disclosure, that is, until it turned out that after Citizens United, the big, dark money tended to come in on behalf of—guess what—Republicans.

So the disclosure principle evaporated, but I think it has to come back. The public is sick of it. It is time we cleaned up the political process from all this dark money. It is totally consistent with the premise of the Citizens United decision.

So when the time comes for me to call up this amendment and get it pending, I will do so with the hope that we can find some Republican support for the American people being allowed to know who is spending big bucks to influence elections. We are entitled to know that.

AMENDMENT NO. 1521

Mr. WHITEHOUSE. Madam President, one other thing I wish to speak in favor of is the amendment of Senator REED, my senior Senator—Senator JACK REED of Rhode Island—to cut the so-called OCO budget gimmick from the Defense bill.

I am on the Budget Committee, and I have heard very passionate protestations from my colleagues on the Budget Committee about the importance of reducing the deficit, not dealing with the national debt, reducing borrowing, deficit spending, and all of that. Well, when it comes to this particular bill, suddenly all of those concerns have

gone completely out the window. They are funding a significant portion of this Defense authorization with imaginary money, with an account that is not intended to support ongoing, continuing, baseline defense expenditures, and that is reserved for overseas contingencies and that, therefore, doesn't have to be paid for. So it would be a clear increase to the debt and the deficit to go down this road, and we would very much prefer that instead of using the so-called OCO gimmick to fund this authorization with deficit spending, we sit down and have a mature and consequential discussion between the White House and the Senate and the House on where our spending is going to go and with what accounts we are going to be able to do it. Before we start going account by account through the appropriations process, we have a plan in mind so that we don't find that certain favored accounts get dealt with first and then the rug gets pulled out from under the others.

I think that is a reasonable way, and I support Senator REED's amendment and his notion that we should have a bipartisan plan to replace the arbitrary sequester cuts with a balanced deficit-reduction strategy that includes, among other things, closing some wasteful tax loopholes.

With that, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Ms. MURKOWSKI. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. CASSIDY). Without objection, it is so ordered.

OIL EXPORTS

Ms. MURKOWSKI. Mr. President, when we talk about national security issues and the vulnerabilities we have as a nation, I can think of no other area where we face such challenges and yet such opportunities when it comes to our energy assets and how we can utilize our energy policies at their intersection points with our national security policies.

The inability of the United States to export oil is a vulnerability to our nation. At a time when we have risen to be the world's top producer of oil, our outdated 1970s-era ban on oil exports is causing us to miss out on a significant economic- and security-related benefits.

The good news is we can change this. It is within our power to change this, and that is why I have come to the floor this afternoon.

Here is a fact: The United States is the only advanced Nation that prohibits crude oil exports. We are the only one. Countries such as Australia, Denmark, Norway, the United Kingdom, Canada, and even New Zealand all allow for both imports and exports, just like the normal trade in any other commodity. It is distinctly weird that we would prohibit our own exports.

We are also in a position where our friends and our trading partners are openly asking us for assistance. They are coming to us and saying: Hey, can you help? We are your friends. We are your allies. You have the resources.

The world has changed dramatically. We have new alliances. We have new threats. We have new hopes. We have new fears. It is my own hope that while the world may have changed, our Nation's role as a global leader has not eroded. This is an area where we have an opportunity to prove it has not eroded.

Our energy renaissance is a new thing, and sometimes it takes time to understand the implications of new things, of changes, but here is where we have been. We have already held about half a dozen hearings on the topic of oil exports in the House and in the Senate since last January. I introduced this subject last January 2014, and I said at that time that 2014 was going to be the year of the report, where we would seek out the experts, we would ask the think tanks to weigh in on this issue, and so they did. The reports that came out were numerous, they were considered, they were thoughtful, and they were all very helpful. Reports came out of the Brookings Institution, Columbia University, the Center for a New American Security—too many to even list here. The individual experts who are in favor of allowing oil exports are also quite impressive. These are people whom we look to for leadership in a host of different areas.

There was a piece in the Wall Street Journal that I ask unanimous consent be printed in the RECORD, penned by Leon Panetta and Stephen Hadley, the Defense Secretary in the Obama administration and the National Security Advisor in the Bush administration. They wrote a piece that was entitled ''The Oil-Export Ban Harms National Security.'' It is well-founded, well-written, and to the point.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Wall Street Journal (Opinion) May 19, 2015]

THE OIL-EXPORT BAN HARMS NATIONAL SECURITY

THE U.S. IS WILLFULLY DENYING ITSELF A TOOL THAT COULD PROVE VITAL IN DEALING WITH THREATS FROM RUSSIA, IRAN AND OTHERS

(By Leon E. Panetta and Stephen J. Hadley)

The United States faces a startling array of global security threats, demanding national resolve and the resolve of our closest allies in Europe and Asia. Iran's moves to become a regional hegemon, Russia's aggression in Ukraine, and conflicts driven by Islamic terrorism throughout the Middle East and North Africa are a few of the challenges calling for steadfast commitment to American democratic principles and military readiness. The pathway to achieving U.S. goals also can be economic—as simple as ensuring that allies and friends have access to secure supplies of energy.

Blocking access to these supplies is the ban on exporting U.S. crude oil that was enacted, along with domestic price controls, after the 1973 Arab oil embargo. The price controls ended in 1981 but the export ban lives on, though America is awash in oil.

The U.S. has broken free of its dependence on energy from unstable sources. Only 27% of the petroleum consumed here last year was imported, the lowest level in 30 years. Nearly half of those imports came from Canada and Mexico. But our friends and allies, particularly in Europe, do not enjoy the same degree of independence. The moment has come for the U.S. to deploy its oil and gas in support of its security interests around the world.

Consider Iran. Multilateral sanctions, including a cap on its oil exports, brought Tehran to the negotiating table. Those sanctions would have proved hollow without the surge in domestic U.S. crude oil production that displaced imports. Much of that foreign oil in turn found a home in European countries, which then reduced their imports of Iranian oil to zero.

The prospect of a nuclear agreement with Iran does not permit the U.S. to stand still. Once world economic growth increases the demand for oil, Iran is poised to ramp up its exports rapidly to nations whose reduced Iranian imports were critical to the sanctions' success, including Japan, South Korea, Taiwan, Turkey, India and China. U.S. exports would help those countries diversify their sources and avoid returning to their former level of dependence on Iran.

More critically, if negotiations fail, or if Tehran fails to comply with its commitments, the sanctions should snap back into place, with an even tighter embargo on Iranian oil exports. It will be much harder to insist that other countries limit Iranian imports if the U.S. refuses to sell them its oil.

There are other threats arising from global oil suppliers that the U.S. cannot afford to ignore. Libya is racked by civil war and attacks by the Islamic State. Venezuela's mismanaged economy is near collapse.

Most ominous is Russia's energy stranglehold on Europe. Fourteen NATO countries buy 15% or more of their oil from Russia, with several countries in Eastern and Central Europe exceeding 50%. Russia is the sole or predominant source of natural gas for several European countries including Finland, Slovakia, Bulgaria and the Baltic states. Europe as a whole relies on Russia for more than a quarter of its natural gas.

This situation leaves Europe vulnerable to Kremlin coercion. In January 2009, Russia cut off natural gas to Ukraine, and several European countries completely lost their gas supply. A recent EU ''stress test'' showed that a prolonged Russian supply disruption would result in several countries losing 60% of their gas supplies.

Further, revenue from sales to Europe provides Russia with considerable financial resources to fund its aggression in Ukraine. That conflict could conceivably spread through Central Europe toward the Baltic states. So far, the trans-Atlantic alliance has held firm, but the trajectory of this conflict is unpredictable. The U.S. can provide friends and allies with a stable alternative to threats of supply disruption. This is a strategic imperative as well as a matter of economic self-interest.

The domestic shale energy boom has supported an estimated 2.1 million U.S. jobs, according to a 2013 IHS study, but the recent downturn in oil prices has led to massive cuts in capital spending for exploration and production. Layoffs in the oil patch have spread outward, notably to the steel industry. Lifting the export ban would put some of these workers back on the job and boost the U.S. economy.

Why, then, does the ban endure? Habit and myth have something to do with it. U.S. energy policy remains rooted in the scarcity mentality that took hold in the 1970s. Even now, public perception has yet to catch up to the reality that America has surpassed both Russia and Saudi Arabia as the world's largest producer of liquid petroleum (exceeding 11 million barrels a day). The U.S. became the largest natural gas producer in 2010, and the federal government will now license exports of liquefied natural gas.

The fear that exporting U.S. oil would cause domestic gasoline prices to rise is misplaced. The U.S. already exports refined petroleum, including 875,000 barrels a day of gasoline in December 2014. The result is that U.S. gasoline prices approximate the world price. Several recent studies, including by the Brookings Institution, Resources for the Future and Rice University's Center for Energy Studies, demonstrate that crude oil exports would actually put downward pressure on U.S. gasoline prices, as more oil supply hits the global market and lowers global prices.

Too often foreign-policy debates in America focus on issues such as how much military power should be deployed to the Middle East, whether the U.S. should provide arms to the Ukrainians, or what tougher economic sanctions should be imposed on Iran. Ignored is a powerful, nonlethal tool: America's abundance of oil and natural gas. The U.S. remains the great arsenal of democracy. It should also be the great arsenal of energy.

Ms. MURKOWSKI. It said directly: We keep this ban in place, this decades-old ban. It hurts us as a nation. It harms us from a national security perspective, not to mention the benefits that oil exports will provide when it comes to increased production and increased jobs benefits to our economy.

There are other folks out there who have also weighed in. Larry Summers, formerly the Treasury Secretary for President Clinton and also Director of the National Economic Council for President Obama, said this about lifting the ban on oil exports: ''The merits are as clear as the merits with respect to any significant public policy issue that I have ever encountered.'' This is a guy many people looked to for leadership in a host of different areas. The merits are as clear as the merits with respect to any significant public policy issue he has encountered.

Tom Donilon, formerly the National Security Advisor to President Obama, has said that allowing exports ''will increase diversity of supply, increase competition, reduce volatility and lower prices in global markets.''

The questions we needed to ask about oil exports have been asked, and answered favorably. Independent experts have studied what would happen if we lift the ban and almost universally encouraged us to move forward to lift this outdated, outmoded policy.

This is not a partisan issue. My colleague from North Dakota is on the floor today. We have introduced bipartisan legislation to remove this ban. This is something which is simply in the best interest of the United States, both in terms of our economic strength and in terms of our national security.

I am here today to tell our colleagues, to repeat and remind our colleagues that the time to legislate on oil exports is now. I think the bill we have in front of us, the National Defense Authorization Act being led by our friend and colleague from Arizona, is the perfect vehicle on which to advance this. Therefore, I ask unanimous consent to call up and make pending my amendment No. 1594, related to crude oil exports.

Mr. President, I withhold the request to make this amendment pending at this point in time, but if I may proceed to speak to three quick components to the amendment.

The first requires the Department of Energy to assess the impact that lifting sanctions on Iran would have on global oil markets. We would likely see higher Iranian oil exports, even as American producers are prohibited from accessing global markets. So our friends in Japan, India, South Korea, and elsewhere would continue importing from Iran, in part because they cannot get the crude oil from us. They cannot import from us. That situation is simply unacceptable. We would be lifting sanctions on Iranian oil while maintaining them on American oil.

I have made this point and I have repeated it before: Leaving in place the oil export ban on U.S. producers while at the same time sanctions are relieved on Iranian producers effectively sanctions U.S. oil production.

There was an article in Reuters this week that revealed that India is now importing record volumes of oil directly from Iran. Another from May showed record oil exports out of Iraq to global markets. Yet another shows the highest volumes of oil exports from Saudi Arabia in 10 years. So the fact is that we are simply not competing.

The second component of my amendment says that 30 days after completion of this report, all U.S. crude oil may be exported on the same basis as the regulations and law currently allow for exports of petroleum products. Today, we can export gasoline, we can export diesel, we can export jet fuel—really, any refined product we can export without a license—but we cannot export crude oil. It does not make sense, and it is high time we resolve that inconsistency.

The third component of my amendment preserves the authorities of the President to block exports during emergencies, during a national security crisis, and so forth.

So what we have done is we have borrowed language on these authorities directly from the legislation from 20 years ago that authorized oil exports from Alaska's North Slope, which was a measure that passed the Senate on a bipartisan vote, 74 to 25, and was signed into law by President Clinton. What we had over 20 years ago was an overwhelmingly favorable vote well before this American energy renaissance began.

I find the whole idea that oil exports would still be prohibited a little mind-boggling. The Commerce Department keeps a list of commodities that are in short supply. They call this the short supply controls. Historically, these controls were generally not blanket prohibitions; they were on items such as aluminum, copper, iron and steel scrap, diamond bort and powder, nickel selenium, and the polio vaccine—not blanket prohibitions, just bits of them. Only three items remain on the short supply controls list. One of them—you guessed it—is crude oil, the second is western red cedar, and the third is horse for slaughter. There is also a small caveat here that prohibits exports from the Naval Petroleum Reserves, but, really, the list is pretty short. There are three things: crude oil, western cedar trees, and horse for slaughter. Clearly our policy needs to be modernized.

We see many parts of the world in a state of unrest. Many parts of the world are seemingly on fire. America and American energy need to be ready to render vital assistance to our friends who are counting on us to demonstrate that global leadership. This is our chance, and I look forward to further discussion on the floor as we move this NDAA measure forward.

I encourage colleagues to look at this amendment, look at the merits of the reports that have gone down in the past year, and look to updating this very outdated policy that is holding us back as a nation.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Kansas.

Mr. ROBERTS. Mr. President, I thank the Senator from Alaska for her remarks. Please count me in. It is very timely and extremely important.

71ST ANNIVERSARY OF D-DAY

Mr. ROBERTS. Mr. President, this Saturday will be the 71st anniversary of one of the greatest days in history—D-day, June 6, 1944, the day that led to Allied victory in Europe in World War II, the preservation of Western democracy, no less, and freedom for generations to come.

Few days in history belong to individuals, but this day, D-day, belongs to Dwight David Eisenhower. Ike came to this day, which forever established his place in history as a soldier, as a Kansan, and most of all as an American.

I come to the floor today as a Senator, as a marine, and as Ike's fellow Kansan. Most of all, I come to share Ike with my fellow Americans and my colleagues in the Senate.

There are days in history that change nations and the course of history itself. D-day, June 6, 1944, was one of those days. The events growing out of that day changed the course of millions of lives, preserved Western civilization, and led to victory over a ruthless tyranny totally dedicated to destroying democracy.

The sacrifices and human losses were immense. Several weeks ago, on May 8, the whole of Europe—from Amsterdam to Moscow—was not only celebrating European victory in World War II but also remembering the special sacrifices of the brave young Americans who made victory possible when it seemed impossible, especially in June of 1944, when the whole of Europe and much of Russia was under the Nazi boot. These cataclysmic events were set in motion on D-day by the heroic decisionmaking of one man, a Kansan from modest origins and humble roots—Dwight David Eisenhower—who, at the direction of the President of the United States, carried individually the sole responsibility of supreme command of all Allied forces in Europe in World War II.

The decision to launch the invasion was his alone, and the risk of failure was enormous, with huge human losses assured for America and all of its allies. Ike's decision, however, proved correct and was followed by the greatest demonstration of military coalition leadership ever seen in history—before or since D-day. This brilliant leadership by General Eisenhower led to victory in Europe in 1945, followed by the defeat of Japan.

Ike never let his gigantic role in history push his ego ahead of modesty, common sense, and humility. As he famously said in 1945, ''Humility must always be the portion of any man who receives acclaim earned in blood of his followers and sacrifices of his friends.''

Ike's transcending humanity won not only his fellow citizens' respect but also their affection. Indeed, he won the respect and affection of much of the world, and he is celebrated internationally to this very day.

Currently, I am privileged to serve as the chairman of the Eisenhower Memorial Commission. Two giants of the United States Senate brought me to this role: Congressional Medal of Honor winner Danny Inouye and U.S. Army Flying Tiger pilot Ted Stevens, both combat-decorated World War II veterans who decided Ike, both as general and as President, should be nationally memorialized. They decided and convinced the Congress that the general and President Eisenhower should be nationally celebrated. And the day it all began was D-day.

Senator Inouye from Hawaii and Senator Stevens from Alaska knew that Ike represented more than Kansas, more than America, but the entire world as well and that he spoke to the world. His identity was simple, basic, and convincing. In paying homage in 1945 to the British fathers and mothers of the soldiers, sailors, and airmen who had died under his command, he also said, ''I am not a native of this land. I come from the very heart of America.''

It is a paradox of unfortunate irony that those members of the ''greatest generation'' who come on Honor Flights from all across our great Nation to the World War II Memorial cannot visit, reflect, and pay homage to a memorial to the general who led them to victory.

Today, in the midst of a much different war and during a time when our Nation is searching for resolve, commitment, and leadership, I suggest and recommend that all of my colleagues reflect upon the unique leadership of America's greatest general when the future of Western democracy was in grave peril. Time is of the essence, and now is the time to complete a lasting memorial and tribute to America's greatest wartime general and President of the United States whose legacy was 8 years of peace and prosperity. The veterans of World War II and their families know this, and their counterparts all over the world know this as well. With the completion of the Eisenhower memorial, their children and grandchildren and generations to come will understand the tremendous commitment undertaken in defense of freedom, then and now.

Now is the time.

I yield the floor.

The PRESIDING OFFICER. The Senator from North Dakota.

OIL EXPORTS

Ms. HEITKAMP. Mr. President, before I begin what has turned into my weekly discussion about the sacrifices of 198 North Dakotans who lost their lives in Vietnam, I wish to briefly mention and associate myself with the remarks of my great friend and tremendous colleague, LISA MURKOWSKI from Alaska, as she talks about oil exports.

I will tell you this: There are very few issues we confront in the Senate where there is absolutely nothing on the negative equation. What do I mean by that? Changing this policy has hundreds of good ideas and good reasons, and there is absolutely no reason not to do it. As we continue to pursue fairness for the oil-and-gas-producing industry, allowing them to seek their market as we continue to pursue an opportunity for our consumers to experience lower oil and gas prices, as we kind of move forward with oil and gas policy, I think it is critically important that we understand and appreciate that in this arena, the effort is bipartisan, the effort is essential for energy security in our country, energy independence in our country, and energy security across the world.

I applaud Senator MURKOWSKI for taking on this issue. I believe that as she has said, this is the year it must get done. I look forward to our continuing efforts, our bipartisan efforts to move this along.

HONORING VIETNAM VETERANS AND NORTH DAKOTA'S SOLDIERS WHO LOST THEIR LIVES IN VIETNAM

Ms. HEITKAMP. Mr. President, before I begin to talk about the 198 North Dakotans who died while serving our country in Vietnam, I want to first mention and publicly thank a great Vietnam veteran, Jim Schothorst of Grand Forks. He is a Vietnam veteran. He enlisted in the Army and served in Vietnam from December 1966 to March 1969 as a construction engineer with the 169th Engineer Battalion.

He was raised in McVille. He now lives in Grand Forks. He received his degree from the University of North Dakota and was employed with the Grand Forks Health Department for 25 years.

Jim has been extraordinarily helpful to the North Dakota congressional delegation whenever we have needed to gather input or hear from Grand Forks area veterans.

Thank you, Jim, for your service to our country.

I want to again extend my comments and talk about 14 men who did not make it home from Vietnam.

WESLEY CRAIG BRENNO

The first soldier whom I will talk about is Wesley Craig Brenno. Craig was from Larson. He was born February 18, 1945. He served in the Marine Corps Charlie Company, 1st Battalion, 1st Marines. Craig died on March 28, 1967. He was 22 years old.

He attended school in Columbus and was a star athlete. He was voted most valuable player, and he lettered in baseball, basketball, and football from eighth grade through his senior year of high school.

In 1963, he began his college career at the University of North Dakota on a baseball scholarship and became an active member and officer of the Lambda Chi Alpha fraternity. After finishing his junior year of college, Craig enlisted in the Marine Corps. The Acting Secretary of the Navy wrote the following in Craig's citation for the Silver Star Medal.

He unhesitatingly assumed the hazardous point position and while fearlessly advancing at the front of his team, he was severely wounded by an enemy mine. Despite intense pain, he valiantly continued to direct his men, urging them forward to complete their mission.

About a week after sustaining that injury, Craig died from his wounds.

Nearly 600 people attended Craig's funeral.

In addition to receiving many medals honoring his sacrifice and service, Craig was also inducted into the North Dakota American Legion Baseball Hall of Fame, and his fraternity named their library after him.

His family cherishes an essay entitled ''My Philosophy of Life'' Craig wrote in the eighth grade, where he stated:

I believe in a free country. People must have courage and be willing to fight for our freedom.

CHRISTOPHER DAVIS

Christopher Davis was from Belcourt and was born June 1, 1942. He served in the Army's 17th Field Hospital as a medic. Chris was 24 years old when he died on March 18, 1967.

He was one of seven children. Also, his nephew, Gerald, was raised by Chris's parents and the two were as close as brothers. Gerald remembers Chris's fun personality and the little jokes and tricks he played on people, like dressing up and impersonating others. Chris loved to sing and play the guitar, and once won second place in a contest singing Ricky Nelson's ''Poor Little Fool.''

While serving in Vietnam, Chris mailed his parents a letter describing seeing more blood in 1 day in the hospital in Vietnam than he had seen in his whole lifetime before that.

After Chris died, Gerald served in the Army in Vietnam. Gerald went to visit the hospital where Chris worked but left almost as soon as he entered because of the awful cries and screams that he heard. Chris's family says that Chris's son Marcus has similar looks and mannerisms to Chris. Marcus was just a baby when Chris died.

DEWAYNE SELBY

DeWayne Selby was from Bismarck. He was born July 6, 1948. He served in the Marine Corps' India Company, 3rd Battalion, 3rd Marines. DeWayne died on May 26, 1968. He was 19 years old.

DeWayne was one of four children. His brother, Richard, also served our country in the Navy. DeWayne's sister, Phyllis, and his wife, Evan, remember what a soft heart DeWayne had. When he was 15 years old, he moved in with his grandparents so he could help take care of his aging grandfather. After high school, DeWayne worked as a mechanic, often fixing cars for free for people who did not have any money. DeWayne taught Phyllis how to play football and baseball with the boys, but if they got too rough, DeWayne protected his little sister.

DeWayne was shot and killed about a month into his tour of duty in Vietnam.

LARRY WARBIS

Larry Warbis was from Haynes. He was born October 15, 1948. He served in the Army's 9th Infantry Division. He died on October 6, 1968. He was 19 years old.

Larry was one of five children and attended Haynes High School, where he played basketball. He then worked at the Haynes elevator, where his brother managed the elevator.

Larry's sister, Vicki, says that she and Larry spent their free time together hunting, catching snakes, and shooting pheasants year-round. Their mother scolded them for shooting pheasants out of season but then cooked the birds for the family to eat anyway.

Vicki remembers Larry as a kind, soft person. Their cousin, Sharon Campbell, remembers having fun babysitting Larry and what a nice young man he grew up to be.

Larry was killed about 2 months into his tour of duty in Vietnam. Larry's body was returned to his family on his 20th birthday.

DENNIS ''BUDDY'' WOSICK

Dennis ''Buddy'' Wosick was from Grand Forks and was born September 26, 1947. He served in the Army's 11th Infantry Brigade. Buddy died on June 9, 1969. He was 21 years old.

Although Dennis was his name, he was known to all of his family and friends as Buddy. First, he was his dad's little buddy, and as he grew up, he became a buddy to all who knew him.

He had dreams about becoming an astronaut, and he could fix anything, including HAM radios, TVs, and cars. To this day, Buddy's family still hears from people who knew him and people who have beautiful stories about his character, like when he gave up his lunch at school for another boy who had been bullied and whose sandwich was thrown on the ground.

Buddy died saving the men in his barracks from an explosion that could have killed them if he had not bravely jumped into the ammunition truck to drive it from the targeted barracks as it was being attacked. His sister, Kathy, whom I had the privilege to meet last Sunday in Fargo, believes that Buddy knew he was giving his life by driving that truck away, but that was the kind of guy Buddy was.

ERNEST ''ERNIE'' BARTOLINA, JR.

Ernest ''Ernie'' Bartolina, Jr., was a Bismarck native. He was born December 29, 1942. He served as a captain in the Marine Corps flying helicopters. Ernie was 26 years old when he died on February 7, 1969.

He played the French horn in the band while attending Bismarck High School. He later attended Bismarck Junior College and the University of North Dakota where he received a degree in accounting.

Ernie's sister, Jan, says that he liked to have fun and had a good sense of humor. He and his dad enjoyed hunting and fishing together as often as they could.

Ernie was killed when the helicopter he was flying on an emergency medical evacuation mission was shot down and crashed. The only survivor of the crash spoke with Jan and explained that Ernie's calm and collected manner was the reason that survivor was able to live and that Ernie was highly respected by his fellow Marines.

PAUL CHARNETZKI

Paul Charnetzki was from Valley City and was born May 25, 1936. He served in the Army's Military Assistance Command—Vietnam Advisers. Paul was 31 years old when he died on February 7, 1968.

Paul left behind his wife and five sons. One son, also named Paul, said that his father loved this country and the Army. He was a professional soldier, and he respected and cared for his fellow soldiers.

He spent as much time as he could with his sons, settling their fights and pretending to be tackled in their backyard football games.

Paul was killed when the Vietnamese unit he was advising was ambushed. He was shot while assisting his unit members into the evacuation helicopter.

Paul was awarded the Silver Star Medal for his gallantry in action, and his son Paul believes that he would have been proud of that award, but even more proud of what his friends told Paul's family; that he was the ultimate warrior.

JOSEPH ''BILL'' CRARY

Joseph ''Bill'' Crary was from Fargo and was born April 18, 1945. He served in the Army's 196th Infantry Brigade. He was 25 years old when he died on May 27, 1970.

Bill was one of seven children. There were three sets of twins in his family. Bill and his twin sister, Kathy, were the oldest twins in the family. Bill's brother, Mike, also served in Vietnam.

The Crary family honors Mike as a hero for his service and selflessness as well. Mike told Bill that instead of being drafted, Bill should enlist and Mike would offer to sign up for a second tour of duty so Bill would not have to serve in Vietnam, but Bill did not agree.

Bill had earned a degree from St. Louis University and was attending the University of North Dakota Law School when he was drafted.

His siblings believe Bill was special and excelled at everything. They believe he could have held office at the highest level. Bill's cousin, Jim Crary, says Bill always saw the bright side of situations and was determined to do the best at whatever he was doing. Jim wrote a book about Bill titled ''War Doesn't Bother Butterflies (But It Killed Bill).'' Jim's book details Bill's life and death and includes letters Bill wrote to friends and family.

In Vietnam, Bill became a medic and died 1 month after arriving in Vietnam. He was killed after running to provide

first aid and evacuate a fellow soldier who had been shot. Bill was awarded the Silver Star for his heroism and his devotion to his duty.

ROGER FOREMAN

Roger Foreman was from New Town and was born August 4, 1947. He served in the Army's 101st Airborne Division. Roger died on July 18, 1969. He was 21 years old.

He was the oldest of three children. His father, Earl, was wounded while serving in the Army in World War II.

Roger's brother, Dale, says that Roger was a caring person who loved his family and his country. Roger also loved his mom's home cooking. His mother is still alive today. She is 95 years old.

In his free time, Roger enjoyed hunting, fishing, motorcycles, track, football, and basketball. A highlight of his high school experience was taking second place in the 1963 State Class B Basketball Tournament.

After his death, Roger was awarded the Bronze Star Medal for Valor and the Purple Heart.

JAMES FOWLER

James Fowler was from Bismarck and was born January 7, 1938. He was a lieutenant colonel in the Air Force's 523rd Tactical Fighter Squadron. James was 34 years old when he went missing on June 6, 1972.

In Bismarck, he attended St. Mary's High School. His family says he always loved North Dakota.

In 1960, James earned a degree in architecture from the University of Notre Dame, where there is today a scholarship named after him for his outstanding work called Outstanding ROTC.

In 1972, James and CPT John Seuell were flying an F4D aircraft that was shot down over Vietnam. Their bodies have never been recovered.

In addition to his mother Mildred and his sister Marcene, James left behind his wife Maralyn, daughter Jody, and son Stephen.

In 1989, the sons of the two MIA pilots met by chance. Stephen and Captain John Seuell's son, also named John, met at a banquet, learned that they grew up near each other, and both began attending the Air Force Academy in Florida. Both boys had lifelong dreams to fly and become pilots like their fathers.

ROBERT ''BOB'' HIMLER

Robert ''Bob'' Himler was from Williston and was born October 21, 1942. He served as a captain in the Marine Corps. Robert was 25 years old when he died on October 24, 1968.

He was attending the University of North Dakota with plans to become a doctor, but he paused his studies to enlist in the Marines.

In Vietnam, Robert was killed when the helicopter he was flying was struck by hostile fire, crashed, and burned.

In addition to his parents and siblings, he left behind his wife, Doris.

Robert's family says that everyone loved him and that to this day, whenever his classmates see his sister, Patty, they still talk about him.

Robert's mother's husband, Duane, has a diary that Robert kept while he served in Vietnam. Duane notes the interesting fact that Robert stopped writing in the diary about 5 months before he died.

BYRON KULLAND

Byron Kulland was from New Town and was born on November 9, 1947. He served in the Army's 196th Infantry Brigade. Byron was 24 years old when he went missing on April 2, 1972.

His brother, Lee, says that Byron was always smiling and enjoyed life. He loved music, animals, and he loved his wife, Leona.

Byron was musically gifted. His mother taught him to play the piano, and he taught himself to play the guitar and banjo.

Byron and his brother, Lee, sheared sheep to help pay for Byron's college tuition. Byron graduated from North Dakota State University with a degree in agricultural engineering. He also graduated from ROTC as a second lieutenant.

In Vietnam in 1972, Byron and his helicopter crew were flying on a search and rescue mission when their helicopter was shot down. For over a year, Byron was considered missing in action. One of his passengers was taken as a prisoner of war and returned to the United States in 1973.

In 1993, Byron's remains were uncovered, and today he is buried in Arlington National Cemetery.

DAVID ''DAVIE'' DEPRIEST

David ''Davie'' DePriest was from Rugby and was born September 17, 1946. He served in the Army's 20th Engineer Brigade. David died on March 25, 1968. He was 21 years old.

He was the youngest of six kids. He had four brothers and one sister. All five of the boys served our country in the military. The three youngest boys—David, Lane, and Russ—served in the Army in Vietnam, and Richard and Dennis served in the Air Force. The three youngest boys served in Vietnam at the same time.

While in high school, David joined the National Guard and then later decided to join the Army.

David's brother, Russ, says that David was short but muscular and liked to hunt rabbits to improve the accuracy of his shot.

While in Vietnam, the brothers were less than 100 miles apart, but they didn't see each other until the day of David's funeral.

In addition to his siblings and parents, David left behind his wife, Donna, and their young son, Travis.

JOHN BRINKMEYER

John Brinkmeyer was from New England and was born June 19, 1946. He served in the Army's 101st Airborne Division Artillery. John was 22 years old when he died on November 27, 1968.

John's family says that he loved barefoot waterskiing and flying. John chose to serve so that none of his three brothers would ever have to.

The last letter John mailed to his parents from Vietnam described, with a positive outlook, living and working in less-than-ideal conditions. In his letter, he wrote that he expected to be promoted and receive a better aircraft in about 1 month. But almost 2 weeks after writing the letter, John's aircraft was shot down and John was killed.

His captain wrote John's parents a letter that said:

> John was the most outstanding young officer in my battery.
>
> He was hardworking and conscientious in all that he did. His personal courage on combat operations won him not only the respect of all the officers and men in the battery, but also that of Lt. Col. Bartholomew, the battalion commander, who personally chose John as his pilot.

In addition to his parents, brothers, and sister, John left behind his wife Leona, daughter Lori, and son Michael. John's daughter Lori feels that both her dad and mom were heroes—her dad for his service and sacrifice and her mom for dealing with the pain of losing her husband.

I want to take a moment and thank all of the pages who have been so patient as I have read these stories of these incredible men who gave their lives for our country.

I think one of the reasons why we have periods of commemoration and why we do this is so that we remind not only those of us who lived during this time but we remind a younger generation of that sacrifice and that opportunity to serve our country and to honor those people who gave the ultimate sacrifice.

Our Vietnam veterans had a lot of challenges when they returned home right after Vietnam, and their challenges continue—whether it is untreated post-traumatic stress or just simply being part of a war that generated so much controversy in our country—but it can never diminish the sacrifice these men and their families made for our country.

Again, I thank the pages for their attention, and I hope these are voices and names they will remember for a long time along with me. I know it means a lot to their families.

I thank the Presiding Officer, and I yield the floor.

REMEMBERING ELDER L. TOM PERRY

Mr. HATCH. Mr. President, I rise to honor the memory of Elder L. Tom

Perry, an exemplary leader whose kindness, compassion, and love were as boundless as his optimism. Elder Perry quietly passed away on May 30 after a brief battle with thyroid cancer. Serving as an apostle in the Church of Jesus Christ of Latter-day Saints for more than 40 years, Elder Perry traveled the world, strengthening congregations, visiting the poor, and ministering to the sick and afflicted. Throughout his ecclesiastical service, his words and actions inspired countless Latter-day Saints and many more outside the church. As millions across the world mourn his passing, we find peace in his teachings and take solace in the memory of a man who consecrated his life to the service of others.

From humble beginnings, Elder Perry developed a strong sense of discipline that would later define his church service. Born to Leslie Thomas and Nora Sonne Perry in 1922, his father was a lawyer and his mother was a teacher by profession. Together, they taught Tom the principles of honest work and self-reliance. Elder Perry was no stranger to hard labor, and some of his earliest memories included long days working the fields, milking the family cow, and cutting hay by hand with an old scythe. From these early experiences, Elder Perry learned that nothing would be handed to him and that he had to work for everything he received. And work he did.

After finishing his first year of college, Elder Perry accepted a call to serve his church in the Northern States Mission. During the 2 years Elder Perry worked as a volunteer missionary, he developed a powerful testimony of Jesus Christ—a testimony that inspired a life of love and selfless service. After serving his church, Elder Perry desired to serve his country. He enlisted in the United States Marine Corps only a month after returning from his church mission.

Elder Perry's marine battalion was deployed to Nagasaki shortly after the Japanese surrender. Observing the devastation and suffering of the Japanese people only softened Elder Perry's already tender heart. In his off-duty hours, he rallied a group of fellow marines to help him rebuild a Protestant chapel. On the same tour, he also helped repair a Catholic orphanage and build another chapel on the island of Saipan. While in Japan, Elder Perry grew especially close to a Protestant congregation. When he was transferred to another city, a group of nearly 200 members of this congregation gathered to bid him farewell. As his train crawled out of the station, each member of the congregation lined up along the track as Elder Perry reached out to touch their hands one by one. He loved these people, and they loved him back, making the goodbye all the more difficult. Last Saturday, thousands of us tasted that same bittersweet emotion when Elder Perry departed this mortal life for the next. Like this small Japanese congregation, we were all moved by his kindness, energized by his enthusiasm, and humbled by his service.

After his honorable release from the Marine Corps, Elder Perry returned to Utah State University, where he earned a degree in finance and married his wife, Virginia Lee. Together, they were the parents of three children: Barbara, Linda Gay, and Lee. Family was always the highest priority for Elder Perry. Although his successful business career demanded much of his attention, he always made special sacrifices to spend time with his wife and children.

Elder Perry was also committed to balancing his busy work schedule with his church service. As his family moved across the country—from Idaho and California, to New York and Boston—Elder Perry served in various leadership positions for the Church of Jesus Christ of Latter-day Saints, including two bishoprics, a high council, and two stake presidencies. In April 1974, he accepted a calling to serve in the Quorum of the Twelve Apostles. Sadly, after serving as an apostle for only 8 months, Elder Perry's beloved wife, Virginia Lee, died of cancer. Nine years later, cancer would also take his daughter, Barbara. Although Elder Perry's life was marked by tragedy, it was not defined by it. His faith in God was unshakeable, as was his optimism. In response to heartbreak, Elder Perry said, ''[The Lord] is very kind. Even though some experiences are hard, he floods your mind with memories and gives you other opportunities. Life doesn't end just because you have a tragedy—there's a new mountain to climb.''

Elder Perry never stopped climbing those mountains, and he served valiantly as an Apostle of Jesus Christ. In 1976, he married Barbara Dayton—his loving helpmeet and able partner who helped him bear the heavy responsibility of his apostolic calling. I will always remember Elder Perry for the zeal and energy he brought to every facet of his life. Nothing could temper his enthusiasm, and nothing could deter him from doing what was right.

Elder Perry never tired of his calling. He so loved meeting with church members and leaders throughout the world that he once said, ''My association with great men has been not only an education, but an inspiration.'' I can easily say the same of my own association with Elder Perry; it has been both an education and an inspiration, and I will always be grateful for his example.

I will never forget Elder Perry, his life of dedicated service, and his unwavering optimism. I consider myself lucky to have known him and even luckier to call him a friend. I will miss Elder Perry dearly, as will all those who knew him. I send my deepest condolences to his wife, Barbara, and their beautiful family. May God comfort them in this time of grief, and may his love be with them always.

OPENING OF THE TAIPEI ECONOMIC AND CULTURAL OFFICE IN DENVER, COLORADO

Mr. GARDNER. Mr. President, I wish to welcome a great new diplomatic development in my home State of Colorado. Last week, Denver was proud to officially welcome the opening of the Taipei Economic and Cultural Office, TECO, the defacto consulate of Taiwan in the United States. The TECO office in Denver will serve Colorado, as well as the States of Missouri, Kansas, Nebraska, South Dakota, and North Dakota.

I thank Taiwan's leadership for this wise decision, particularly Dr. Lyushun Shen, the Representative of the Taipei Economic and Cultural Representative Office in the United States, TECRO in Washington, DC, as well as Mr. Jack J.C. Yang, the Director General of the new TECO Office in Denver.

As Chairman of the Senate Foreign Relations Committee's Subcommittee on Asia, the Pacific, and International Cybersecurity Cooperation, I am committed to ensuring that the U.S.-Taiwan partnership continues to grow and prosper. Our nations must continue to work together to ensure regional stability and to advance economic ties, including through landmark initiatives such as the Trans-Pacific Partnership, TPP.

Our friendship has never been stronger. Taiwan is now the tenth largest trading partner for the U.S., while the U.S. is Taiwan's largest foreign investor. Our people-to-people relations are flourishing, with over 20,000 Taiwanese students studying in the U.S. each year. Over 75 U.S. cities have established sister city relationships with their Taiwanese counterparts, including Colorado Springs, CO, which has been a sister city to Kaohsiung since 1983.

I know our nation's bonds with Taiwan will only grow stronger, and I am proud that Denver will now be front and center in ensuring the continued friendship between our nations and peoples. I am confident that our Taiwanese friends will not find more hospitable and welcoming hosts for their diplomats and visitors than the people of the great State of Colorado.

ADDITIONAL STATEMENTS

REMEMBERING SONNY SMITH

• Mr. BOOZMAN. Mr. President, I wish to recognize the service and sacrifice of Johnson County Auxiliary Sheriff Deputy Sonny Smith who gave his life

while in the line of duty on May 15, 2015.

Deputy Smith led a life of service. The last 11 years he dedicated to safety and law enforcement as a detention officer. He continued to serve for the past 6 years as an auxiliary deputy protecting the people of Johnson County on a volunteer basis.

Service was an important part of Sonny's life. He served his country in the United States Navy and continued that commitment to his community when he left the military. Sonny was known for his compassion and leadership throughout Johnson County. His generosity was always on display. His fellow officers say they will remember Sonny as a humble man who was always willing to serve his neighbors. As a father of high school students, Sonny attended all the pep rallies, football games and fundraisers. He was always helping Clarksville High School. His daughters Makayla and Callie describe their dad as a man always willing to help others in need.

While he made a living working as a security guard at Arkansas Nuclear One, Sonny was a reliable handyman that many in the community reached out to for help repairing their garage doors.

My thoughts and prayers go out to Sonny's family, including his wife Amy, his daughters, and sons Dakota and Charlie.

Deputy Sonny Smith was a true hero, not only because of the uniform he wore, but also because of his final actions. By taking the lead when he responded to a residential burglary call and exercising his professional training, he saved the lives of his fellow officers.

I humbly offer my appreciation and gratitude for his selfless service to Arkansas.●

TRIBUTE TO FEDERAL EMPLOYEES

● Mr. CARDIN. Mr. President, a few weeks ago, I spoke on the floor about two of the outstanding Federal workers at the National Institutes of Health and I indicated at the time that I would be speaking periodically about other Federal workers who are doing extraordinary things on behalf of the American taxpayer. People wonder where their tax dollars go; I would like to provide a few examples.

As I said at the time, ''Government workers guard our borders; protect us from terrorists; treat our wounded veterans; dispense Social Security checks to our retirees; find cures for diseases; guide the Nation's air traffic; explore the tiniest particles and the vast expanse of outer space; ensure our air is safe to breathe, our water is safe to drink, and our food is safe to eat; support our servicemen and women in harm's way; and promote our interests and ideals abroad. Who does the government work for? Government Works for America.''

The Partnership for Public Service announced the finalists for the 2015 Samuel J. Heyman Service to America Medals, also known as the ''Sammies,'' last month during Public Service Recognition Week. As the Partnership notes, ''Federal employees are responsible for many noteworthy and inspiring accomplishments that are seldom recognized or celebrated. The Samuel J. Heyman Service to America Medals highlight excellence in our Federal workforce and inspire other talented and dedicated individuals to go into public service.''

Also last month, on May 5, the Washington Post, citing an Office of Personnel Management—OPM—exit survey of senior government managers who have retired or moved to other, nonfederal jobs, reported that the single biggest factor for leaving is the ''political environment'', which was blamed as a contributing factor ''to a great extent'' or ''to a very great extent'' by 42 percent of the individuals surveyed. The article, by Post columnist Joe Davidson, quoted Brian M. Kent, a retired senior-level Federal scientist, who said, ''Expect to be overworked, undercompensated and mistreated by both parties on the Hill, who do not appreciate the value of our expertise, our dedication and our talents.''

Congress and the American people need to realize that the Federal workforce is a crucial asset. There are some people who dislike government so much that they want to demonize and demoralize the workforce and deter young people from considering a career in public service. That is counterproductive. Find and remove the bad apples—yes, but acknowledge that they are few and far between. Overwhelmingly, Federal workers are hard-working and patriotic Americans. Rather than denigrate them, we should treat them with respect in acknowledging their service to our Nation.

One way to acknowledge that service is through the Sammies. I am proud that so many of the finalists this year work and/or live in Maryland, spread across several agencies and several of the award categories. I would like to mention a few today.

DR. GRETCHEN K. CAMPBELL AND DR. RONALD ROSS

The mission of the National Institute of Standards & Technology, NIST, which is headquartered in Gaithersburg, MD, is to ''promote U.S. innovation and industrial competitiveness by advancing measurement science, standards, and technology in ways that enhance economic security and improve our quality of life''. NIST's weights and measures services, a job assigned to the Federal Government in the Constitution, provide the basis for the fairness and efficiency of sales. These services underpin the efficiency of about one-half of the U.S. economy, or about $7 trillion of the U.S. gross domestic product—GDP. Eighty percent of global merchandise trade is influenced by testing and other measurement-related requirements of regulations and standards. U.S. companies increasingly depend on NIST to help ensure access to global markets that create new business and jobs.

Gretchen K. Campbell is a physicist at NIST and is a finalist in the 2015 ''Call To Service'' Medal. This medal recognizes a Federal employee whose professional achievements reflect the important contributions that a new generation brings to public service. We are all familiar with electronics. Now, scientists like Dr. Campbell are exploring a new frontier—a circuitry system that uses the flow of atoms rather than electrons that may lead to a wide range of future technological advances. Dr. Campbell, who is just 35, is a pioneer and intellectual leader in this new and theoretical field of physics known as atomtronics, and has conducted a series of seminal experiments that show its promise and possibilities.

Using light to control matter, Dr. Campbell created the first controllable atomtronic circuit in 2011 by moving ultra-cold atoms through a wire made of light—just as electrons flow through a metal wire. She added a permeable barrier to this circuit, also made of light, to serve as the control element, much as a transistor can control the current in an electronic circuit.

Just as electronic devices manipulate the flow of electrons, atomtronic devices manipulate the flow of atoms, which are made up of electrons, protons, and neutrons. Since atoms have properties that are very different from electrons—they do not have charged particles, for instance—atomtronic devices have the potential to go beyond the capabilities of electronics.

Atomtronics will not supplant electronics, but may offer new kinds of functions and applications. An atomtronic circuit, for example, could be useful in applications such as rotation sensors, improving the functioning of gyroscopes used to stabilize spacecraft and airplanes. Atomtronic circuitry may be able to perform quantum computations that could offer a significant leap forward in computing speed, performance, and capability and lead to the next generation of technology that will enable smaller and cheaper devices.

Dr. Ronald Ross, a Fellow at NIST, is a finalist for the 2015 Homeland Security & Law Enforcement Medal. This medal recognizes a Federal employee for a significant contribution to the Nation in activities related to homeland security and law enforcement. Mr. Ross, called the ''rock star of cybersecurity'' by his colleagues, developed

and implemented a state-of-the-art system to assess risks and protect Federal computer networks from cyberattacks, helping secure information critical to the Nation's national and economic security. Most recently, Dr. Ross helped to establish the government-wide program for cloud security assessment and authorization.

The Federal Government used to rely on a rigid checklist approach to securing computer networks, often ignoring changing threats and evolving technology, and not always distinguishing what information needed higher security and what data was of lesser importance. Dr. Ross, belying the image of a hidebound bureaucrat, designed the Risk Management Framework as a way for government agencies to decide how critical their various data sets are and to pick the right level of protection. With the framework Dr. Ross developed, agencies can go through an assessment process and decide where to concentrate resources and tighten security.

The impact of Dr. Ross's work includes reducing the cost of implementing cybersecurity controls and demonstrating compliance with multiple security requirements, and enhancing system interoperability among Federal agencies. Dr. Ross and his team have worked with the General Services Administration, the Department of Defense, and the Department of Homeland Security to test and validate the risk framework unveiled earlier this year that will be used by cloud computing service providers, allowing them to host some of the Federal Government's most sensitive information. And as the principal architect of a new national testing program and infrastructure, Dr. Ross also has been collaborating with the National Security Agency to develop the first-ever network of commercial testing laboratories capable of evaluating the security of information technology—IT—products.

ROBERT BUNGE, MICHAEL GERBER, MARK PAESE, AND GREGORY ZWICKER

The National Oceanic & Atmospheric Administration—NOAA—is headquartered in Silver Spring, MD. NOAA's mission is ''Science, Service, and Stewardship''. The agency attempts ''to understand and predict changes in climate, weather, oceans, and coasts; to disseminate that knowledge and information; and to conserve and manage coastal and marine ecosystems and resources''. NOAA's research, services, and products—ranging from daily weather forecasts, severe storm warnings and climate monitoring to fisheries management, coastal restoration and supporting marine commerce—affect more than one-third of America's GDP.

Robert Bunge, Michael Gerber, Mark Paese, and Gregory Zwicker of the National Weather Service's Wireless Emergency Alerts Team at NOAA are also finalists for the 2015 Homeland Security & Law Enforcement Medal. They have developed a fast and geographically targeted cell phone alert system, launched in 2012, for weather emergencies such as tornadoes, flash floods, and hurricanes that reaches millions of people, saving lives and preventing injuries. So far, the system has transmitted more than 13,000 warnings for the most dangerous types of severe weather to the cell phones of millions of people potentially in harm's way across the United States.

While other weather alert systems have been in use for years, this new method of using mobile devices and targeting very precise geographic areas is a significant improvement. It took many years of coordination with the Federal Communications Commission, DHS, the Federal Emergency Management Agency, and the major wireless telecommunications providers.

Previously, weather emergency alerts from one of the 122 weather service offices around the country were emailed to the Washington, D.C. office and then forwarded to FEMA, which sent the alert to affected counties using television and radio broadcast technology. Cellular companies could independently text the warning information to their cell phone customers in the affected county, but the system was slow and too broadly targeted. The new weather alert system structures the information into concise messages—90 or fewer characters—and uses geo-targeted data to broadcast the messages rapidly over cell phones only in the affected areas.

The team worked with six of the largest cell phone companies to build the sophisticated technology needed to make the system work. They developed the infrastructure and protocol for the alerts, facilitated the decision-making for the weather alerts to be transmitted, and conducted extensive public awareness and educational programs. Mr. Bunge led the technical team, overseeing the software development, the data specialists, the coding, the host servers and other information technology needs, and helped create a system that targets the cell phone alerts to specific geographic locations. Mr. Gerber is a meteorologist and a specialist in how the weather service information is disseminated, and he played a critical role in making sure the right kind of weather alerts would be available and properly transmitted. He also is credited with convincing the wireless carriers to participate and make the needed investments. Mr. Paese handled many of the complicated management issues while Mr. Zwicker was involved in training some 2,000 weather forecasters in more than 122 offices around the country to use the system in coordination with Federal emergency management officials.

Here's an example of how effective the new system is: on July 1, 2013, a tornado obliterated a dome in East Windsor, CT, where 29 children had been playing soccer. Seconds before the tornado struck, a cell phone alert prompted the camp manager to rush the children out of the dome and into an adjacent building, preventing injuries and quite possibly fatalities.

DR. HYUN LILLEHOJ

The Agricultural Research Service—ARS—is the U.S. Department of Agriculture's USDA chief scientific in-house research agency, with headquarters colocated here in Washington, DC and in Beltsville, MD. The agency's job is ''to find solutions to agricultural problems that affect Americans every day from field to table''. ARS conducts research to develop and transfer solutions to agricultural problems of high national priority and provide information access and dissemination to: ensure high-quality, safe food, and other agricultural products; assess the nutritional needs of Americans; sustain a competitive agricultural economy; enhance the natural resource base and the environment; and provide economic opportunities for rural citizens, communities, and society as a whole.

Dr. Hyun Lillehoj, a senior research molecular biologist at ARS in Beltsville, is a finalist for the 2015 Career Achievement Medal. This medal recognizes a Federal employee for significant accomplishments throughout a lifetime of achievement in public service. Dr. Lillehoj has pioneered industry-leading research to improve the health of commercial poultry without the use of antibiotics, protecting consumers and making the U.S. poultry industry more competitive by saving it billions of dollars.

There is growing concern over the widespread use of antibiotics in poultry and other food industries, which health experts say contributes to the development of drug-resistant bacteria. These so-called ''superbugs'' infect hundreds of thousands and kill tens of thousands of Americans each year, according to the Centers for Disease Control and Prevention.

During three decades as a molecular biologist at ARS, Dr. Lillehoj has helped mitigate the use of antibiotics in poultry, finding that certain food supplements, probiotics, and nutrients can replace antibiotics as an effective means of enhancing the immune system and fighting common parasitic diseases and bacterial infections. The USDA estimates that the poultry diseases Dr. Lillehoj is working to combat cause more than $600 million in losses in the United States and $3.2 billion worldwide.

Dr. Lillehoj has developed novel diagnostic and therapeutic products and discovered DNA markers for the genetic selection of disease-resistant chickens, paving the way for breeding

healthier chickens that will benefit both consumers and the Nation's $45 billion poultry industry. She has done this by creating one of the first gene libraries from commercial chickens and depositing more than 55,000 individual gene sequences from this database into the public domain, providing other researchers with information that could lead to breeding poultry with superior resistance to parasites. She also has identified natural antimicrobial molecules that have anti-cancer properties and kill infectious parasites; discovered a second-generation parasite vaccine with an improved protection profile over current vaccines; developed therapeutic antibodies that boost immunity for poultry; formulated health-promoting probiotics for veterinary use; and discovered organic, plant-derived herbal extracts and essential oils that fight infectious diseases affecting animals and humans. She is recognized as a world leader in understanding host-pathogen interactions of an avian parasite closely related to human malaria that is a major cause of disease affecting poultry and livestock. She also has done original research on a bacterium that is one of the most common causes of food-borne illness in the U.S. Her scientific breakthroughs are documented in 10 U.S. and international patents, more than 350 peer-reviewed scientific papers, 14 book chapters, and 230 worldwide collaborations with academia, foreign governments and private industry. She has mentored more than 120 young scientists.

Dr. Lillehoj embodies the American Dream. She is from South Korea. She came to the United States in 1969 after her father died, when she was just out of high school, and with just $200 in her pocket. At first, she wanted to be a cancer researcher, but her focus soon turned to immunology and she received a government scholarship. After she received her Ph.D., she went to work at the National Institutes of Health. USDA successfully recruited her in 1984, and she has been at ARS ever since. The government's investment in her has paid enormous dividends.

These are just a few of the Nation's talented, creative, dedicated, and hard-working Federal employees. I ask my colleagues and all Americans to join me in congratulating them on their successes and thanking them for their public service. We are a strong and prosperous Nation, in part, because of our Federal workforce. We cannot take it for granted.●

REMEMBERING BILL GALLAGHER

● Mr. DAINES. Mr. President, William ''Bill'' Gallagher Jr., was an incredible father, teacher, farmer, husband, and public servant who was called home on May 22 at the age of 55. I am also honored to have also called him a friend.

Bill earned his bachelor's degree from Western Montana College, which led him to Plains, MT as the high school's new history teacher. He later moved to Polson, where he worked in the insurance business. His career then led him to Helena, where he learned how to farm before going on to earn his law degree from the University of Montana Law School.

Bill was an accomplished attorney in Helena, but his heart for our State eventually led him to public service. As the former chairman of the Montana Public Service Commission, Bill worked tirelessly for the people of Montana. Because of his efforts, he helped Montana reacquire hydroelectric dams to bring good-paying jobs back to our State.

He has left an incredible mark on our State and will be truly missed by all who knew him. His wife Jennifer, and children David and Catrina, as well as his five grandchildren, are in my thoughts and prayers.●

CONGRATULATING LIEUTENANT COLONEL KEVIN KNUF

● Mr. HELLER. Mr. President, today, I wish to congratulate Lt. Col. Kevin Knuf on his retirement after nearly 32 years of service to the Nevada Air National Guard. It gives me great pleasure to recognize his years of dedication to protecting the United States of America and Nevada.

Lt. Col. Knuf enlisted on July 11, 1983, and was commissioned from the Academy of Military Science in Knoxville, TN. He most recently earned a degree from the School of Aerospace Medicine as a bioenvironmental engineer. He has been a great asset to the Nevada Air National Guard throughout his years, serving as deputy base civil engineer, base civil engineer, civil engineering squadron commander, and most recently as the officer in charge of the Bioenvironmental Engineering Flight and as the base environmental manager in the 152nd Medical Group of the Nevada Air National Guard. Throughout his service, Lieutenant Colonel Knuf deployed to Bagram Airfield in Afghanistan in support of Operation Enduring Freedom and to Saudi Arabia in support of Operation Southern Watch. His selfless contribution to this country is invaluable.

Lieutenant Colonel Knuf's service to the United States of America earns him a place among the heroes who have so valiantly defended our Nation. I offer my greatest appreciation to Lieutenant Colonel Knuf for his courageous contributions to defending our freedom. Words could never fully express my deep appreciation for his sacrifice or for the sacrifices of all veterans and active military members across the country.

As a member of the Senate Veterans' Affairs Committee, I recognize that Congress has a responsibility not only to honor these brave individuals who serve our Nation, but also to ensure they are cared for when they return home. I remain committed to upholding this promise for our veterans and servicemembers in Nevada and throughout the Nation. Lieutenant Colonel Knuf's sacrifice warrants only the greatest respect and care in return.

Lieutenant Colonel Knuf has demonstrated professionalism, commitment to excellence, and dedication to the highest standards of the Nevada Air National Guard. I am proud to call him a fellow Nevadan, and today, I ask my colleagues to join me in recognizing Lt. Col. Kevin Knuf for his years of service. I wish him well in all of his future endeavors.●

RECOGNIZING JUNE AND ROBERT SEBO

● Mr. HELLER. Mr. President, today I wish to recognize June and Robert Sebo for their generous contribution to Honor Flight Nevada, honoring their best friend, Ray Parks. Mr. Parks was a World War II veteran who served in the U.S. Coast Guard for well over 30 years. Mr. and Mrs. Sebos' contribution to this amazing organization is not only a grand gesture in memory of Mr. Park's service to our country, but also a great gift to Nevada's heroes. The $37,000 will send more than 30 veterans to visit our Nation's capital, giving them an opportunity to visit their memorials.

I would also like to recognize both Mayor Gino Martini and the City of Sparks for accommodating the Third Annual Honor Flight Pancake Breakfast, a great event that helps make Honor Flight Nevada possible. The annual pancake breakfast provides Nevadans with an opportunity to support their local veterans and help Honor Flight Nevada succeed. The generous donation of Mayor Martini and his wife, Ruth Martini, as well as their commitment to helping Honor Flight Nevada, are shining examples of the strength of our Nevada community. The breakfast could also not take place without the hard work of Teri Bath, who coordinates the entire event. I have had the privilege of attending this pancake breakfast, and I can say first hand her work with this organization is invaluable.

Honor Flight Nevada is a nonprofit organization committed to honoring the brave men and women who so valiantly defended our freedom. The organization sets up trips from Nevada to Washington, DC, providing our Nation's veterans with an incredible opportunity to visit the memorials honoring their service. From the National World War II Memorial, to the Korean War Veterans Memorial, to the Vietnam Veterans Memorial, all the way to Arlington Cemetery, every veteran has

the chance to see the memorials that stand as a testimony to the great sacrifice they have made.

The organization is led by Jon Yuspa, an individual who has truly impacted the lives of heroes across the State. Honor Flight Nevada offered its first trip to 30 World War II veterans in 2012 and now does as many as four trips per year. I have personally been at the Reno-Tahoe International Airport to send off the veterans as they prepare to depart from Nevada and have also met them in our Nation's capital as they observed the World War II Memorial. I can attest to the positive impact that accompanies their journey. This truly is a life-changing experience for those who deserve only the greatest gratitude for their service.

Honor Flight Nevada's mission is noble, and I thank everyone who contributed for their commitment and compassion to Nevada's veterans. Today, I ask my colleagues and all Nevadans to join me in recognizing the many Nevadans who make these trips possible, especially Mr. and Mrs. Sebo for their donation. I wish Honor Flight Nevada the best of luck in all of its future endeavors.●

TRIBUTE TO TELLIS JEROME CHAPMAN

● Mr. PETERS. Mr. President, I wish to recognize Rev. Dr. Tellis Jerome Chapman of Galilee Missionary Baptist Church in Detroit, MI as the congregation and the broader community celebrate his 30th pastoral anniversary.

Born and raised in the State of Mississippi, Reverend Chapman is a graduate of Jackson State University and has received honorary doctoral degrees from Natchez College and Dallas Baptist College. Reverend Chapman has served as pastor in churches across the South. On March 31, 1985, Reverend Chapman was called to the pastorate of Galilee Missionary Baptist Church where he has been devoted to serving for the past 30 years. Through his charismatic and dynamic leadership he has left a permanent mark on the congregation and Greater Detroit community.

The congregation has steadily grown under Pastor Chapman's leadership. His original vision of a church with classrooms, a daycare, and a senior citizen building came to fruition in 1997. The purchase of the property located on East Outer Drive included 7 acres of land and a building that provided seating capacity for 1,000, with facilities to accommodate all of the church's ministries. The new edifice was inaugurated on Sunday May 31, 1998. Seven years later the church acquired adjacent property and a new building with a new edifice.

Reverend Chapman has been called many times to serve in a leadership capacity among his ministerial peers and with Christian associations. He was an advisor on the Faith-Based Advisory Board of Governor Jennifer Granholm, and currently works as a president of the Baptist Missionary and Educational State Convention of Michigan. He has served as vice moderator and vice president of the Michigan District Baptist Association and Congress of Michigan. Respected for his knowledge, he is well versed in parliamentary procedure and served as parliamentarian for the Baptist Missionary and Educational Convention of the State of Michigan.

Reverend Chapman has been involved in Detroit's recent growth and the development of mass transit through his work as a board member on the city of Detroit Department of Transportation Commission for several years. Reverend Chapman's community service is not without energetic and influential involvement. He is the founder and president of the Chapel Vision Community Development Corporation, serving greater southeast Detroit. He is also Founder and President of the Mid-West Community Development Corporation, serving greater southeastern Michigan.

Reverend Chapman's efforts, both at the pulpit and beyond, have been strengthened by the love and support of his wife Eunice, and their four children, Cecil, Brandie, Candace, and Brannon.

It is an honor to recognize the profound impact that Rev. Dr. Tellis Jerome Chapman has made on the congregation of Galilee Missionary Baptist Church for the last 30 years and the larger impact he has made on the Greater Detroit community. I wish Reverend Chapman, his family, and the congregants of Galilee many more rewarding years of spiritual fellowship.●

RECOGNIZING PAINTING WITH A TWIST

● Mr. VITTER. Mr. President. Louisiana has a rich culture and history known for fostering artistic and musical creativity. After the devastation of Hurricane Katrina, two Louisiana entrepreneurs opened a small business to provide their friends and neighbors with a safe and fun distraction during the recovery and rebuilding process. This week's ''Throwback Thursday'' honorary Small Business of the Week is Painting with a Twist of Mandeville, LA.

In 2007, longtime friends Cathy Deano and Renee Maloney became business partners after seeing a need in the greater New Orleans area for a distraction and relief after Hurricane Katrina. The pair opened a small painting studio, Painting with a Twist, formerly known as Corks N Canvas, where folks could learn to paint and enjoy a glass of wine at the same time. Today, Painting with a Twist has expanded to over 210 franchise locations across the country, with Deano and Maloney retaining ownership of four locations while also maintaining the franchise headquarters in Mandeville. Painting with a Twist owns copyrights to over 3,500 pieces of art and is also the country's largest employer of aspiring artists.

When they first started their small business, Deano and Maloney set aside one day's salary each week per month to donate to local charities, in order to support the recovery and restoration efforts in southeast Louisiana. Today, that tradition continues with their campaign ''Painting with a Purpose.'' Held monthly at all Painting with a Twist locations, this event raises funds for charities and nonprofits in each franchise's area.

Congratulations again to Painting with a Twist for being selected as this week's ''Throwback Thursday'' honorary Small Business of the Week. Thank you for your commitment to advancing the arts in Louisiana and for your continued dedication to giving back to your community.●

CELEBRATING THE 30TH ANNIVERSARY OF ''THE GOONIES''

● Mr. WYDEN. Mr. President, this Sunday marks the 30th anniversary of the release of the beloved film, ''The Goonies.'' With enduring and relatable themes of adventure, adolescence, and friendship, ''The Goonies'' has withstood the test of time and firmly established its place in American culture as a cult classic. A large part of what makes this film unique and impactful is its iconic setting along the stunning Oregon coastline. Indeed, so significant is the film's location that thousands of fans from around the world are gathering this week for a four-day festival in Astoria, Oregon—or, ''The Goon Docks''—to celebrate the magic that is ''The Goonies.'' In fact, Astoria has held a Goonies-based festival every year since the film's release in 1985.

''The Goonies'' 30th anniversary celebration will include a variety of events around Astoria, as well as Cannon Beach, OR—another Oregon coastal town that served as an idyllic backdrop for the film. Most notably, Cannon Beach's impressive Haystack Rock is featured prominently in the film's opening scene. Fans will be able to relive their favorite Goonies memories by participating in festivities such as tours of the filming locations, treasure hunts, and a group ''truffle shuffle.'' Astoria's Oregon Film Museum also invites festival attendees to visit its Goonies gallery, take a mug shot with friends, and even make their own feature film. Needless to say, it is sure to be a weekend of fun, nostalgia, and, in typical Goonie fashion, adventure.

Just as the original Goonies fans and stars have grown and matured since

the film's release in 1985, so has Oregon's film industry. With its magnificent and diverse natural beauty, Oregon has become a much sought after location for film production. As the backdrop for major television shows and box-office hits alike, film production in Oregon brings with it good-paying jobs and tourism that in turn support local businesses and economic development across the State. Certainly all film producers in Oregon and across the country should aspire to achieve the remarkable success of ''The Goonies''.●

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Pate, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

(The messages received today are printed at the end of the Senate proceedings.)

MEASURES REFERRED

The following measure, having been reported from the Committee on Indian Affairs, was referred to the Committee on Banking, Housing, and Urban Affairs, pursuant to the order of May 27, 1988, for a period not to exceed 60 days:

S. 710. A bill to reauthorize the Native American Housing Assistance and Self-Determination Act of 1996, and for other purposes.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. BARRASSO, from the Committee on Indian Affairs, with amendments:

S. 710. A bill to reauthorize the Native American Housing Assistance and Self-Determination Act of 1996, and for other purposes.

EXECUTIVE REPORTS OF COMMITTEES

The following executive reports of nominations were submitted:

By Mr. ROBERTS for the Committee on Agriculture, Nutrition, and Forestry.

*Jeffrey Michael Prieto, of California, to be General Counsel of the Department of Agriculture.

By Mr. THUNE for the Committee on Commerce, Science, and Transportation.

Peter V. Neffenger, of Ohio, to be an Assistant Secretary of Homeland Security.

By Mr. GRASSLEY for the Committee on the Judiciary.

Ann Donnelly, of New York, to be United States District Judge for the Eastern District of New York.

Dale A. Drozd, of California, to be United States District Judge for the Eastern District of California.

LaShann Moutique DeArcy Hall, of New York, to be United States District Judge for the Eastern District of New York.

Lawrence Joseph Vilardo, of New York, to be United States District Judge for the Western District of New York.

Eileen Maura Decker, of California, to be United States Attorney for the Central District of California for the term of four years.

John W. Huber, of Utah, to be United States Attorney for the District of Utah for the term of four years.

Eric Steven Miller, of Vermont, to be United States Attorney for the District of Vermont for the term of four years.

*Nomination was reported with recommendation that it be confirmed subject to the nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.

(Nominations without an asterisk were reported with the recommendation that they be confirmed.)

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. JOHNSON (for himself, Mr. CORNYN, and Ms. BALDWIN):

S. 1502. A bill to authorize the award of the Medal of Honor to James Megellas, formerly of Fond du Lac, Wisconsin, and currently of Colleyville, Texas, for acts of valor on January 28, 1945, during the Battle of the Bulge in World War II; to the Committee on Armed Services.

By Mr. BLUMENTHAL (for himself, Ms. AYOTTE, Mrs. GILLIBRAND, Mr. REED, Ms. KLOBUCHAR, Mr. COONS, Mr. WHITEHOUSE, Mr. CASEY, and Mr. SCHUMER):

S. 1503. A bill to provide for enhanced Federal efforts concerning the prevention, education, treatment, and research activities related to Lyme disease and other tick-borne diseases, including the establishment of a Tick-Borne Diseases Advisory Committee; to the Committee on Health, Education, Labor, and Pensions.

By Mr. MURPHY (for himself and Mr. FRANKEN):

S. 1504. A bill to prohibit employers from requiring low-wage employees to enter into covenants not to compete, to require employers to notify potential employees of any requirement to enter into a covenant not to compete, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. SCHATZ:

S. 1505. A bill to amend part D of title V of the Elementary and Secondary Education Act of 1965 to provide grants for the repair, renovation, and construction of elementary and secondary schools; to the Committee on Health, Education, Labor, and Pensions.

By Mr. SANDERS (for himself and Ms. STABENOW):

S. 1506. A bill to provide for youth jobs, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Ms. MIKULSKI (for herself and Mr. KIRK):

S. 1507. A bill to amend section 217 of the Immigration and Nationality Act to modify the visa waiver program, and for other purposes; to the Committee on the Judiciary.

By Mrs. SHAHEEN:

S. 1508. A bill to require the Secretary of the Treasury to redesign $20 Federal reserve notes so as to include a likeness of Harriet Tubman, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. CARPER (for himself, Ms. MURKOWSKI, Mr. CASSIDY, Mr. HEINRICH, Mr. COONS, and Mr. GRASSLEY):

S. 1509. A bill to amend title XVIII of the Social Security Act to provide for the coordination of programs to prevent and treat obesity, and for other purposes; to the Committee on Finance.

By Mrs. MURRAY:

S. 1510. A bill to designate and expand wilderness areas in Olympic National Forest in the State of Washington, and to designate certain rivers in Olympic National Forest and Olympic National Park as wild and scenic rivers, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. VITTER (for himself and Mr. CASSIDY):

S. 1511. A bill to promote the recycling of vessels in the United States and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. CASEY (for himself, Mrs. SHAHEEN, Ms. AYOTTE, and Mr. HELLER):

S. 1512. A bill to eliminate discrimination and promote women's health and economic security by ensuring reasonable workplace accommodations for workers whose ability to perform the functions of a job are limited by pregnancy, childbirth, or a related medical condition; to the Committee on Health, Education, Labor, and Pensions.

By Mr. PORTMAN (for himself, Mr. LEAHY, and Mr. RUBIO):

S. 1513. A bill to reauthorize the Second Chance Act of 2007; to the Committee on the Judiciary.

By Mr. PORTMAN (for himself and Mr. NELSON):

S. 1514. A bill to amend title XVIII of the Social Security Act to provide for the application of Medicare secondary payer rules to certain workers' compensation settlement agreements and qualified Medicare set-aside provisions; to the Committee on Finance.

By Mr. MARKEY:

S. 1515. A bill to amend the Internal Revenue Code of 1986 to permanently extend the tax treatment for certain build America bonds, and for other purposes; to the Committee on Finance.

By Ms. COLLINS (for herself and Mr. CASEY):

S. 1516. A bill to amend the Internal Revenue Code of 1986 to modify the energy credit to provide greater incentives for industrial energy efficiency; to the Committee on Finance.

By Mr. BLUMENTHAL (for himself, Mr. BENNET, Mr. CARDIN, Mrs. SHAHEEN, and Mr. UDALL):

S. 1517. A bill to amend the Internal Revenue Code of 1986 to extend the work opportunity credit for hiring veterans, and for other purposes; to the Committee on Finance.

By Mr. LEE (for himself, Mrs. FISCHER, Mr. KING, and Ms. COLLINS):

S. 1518. A bill to make exclusive the authority of the Federal Government to regulate the labeling of products made in the United States and introduced in interstate or foreign commerce, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. GARDNER (for himself and Mr. ALEXANDER):

S. 1519. A bill to amend the Labor Management Relations Act, 1947 to address slowdowns, strikes, and lock-outs occurring at ports in the United States, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Ms. KLOBUCHAR (for herself and Ms. HIRONO):

S. 1520. A bill to protect victims of stalking from violence; to the Committee on the Judiciary.

By Mr. SCOTT:

S. 1521. A bill to amend the Internal Revenue Code of 1986 to increase access for the uninsured to high quality physician care; to the Committee on Finance.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. ENZI:

S. Res. 192. A resolution requiring that legislation considered by the Senate be confined to a single issue; to the Committee on Rules and Administration.

By Mr. BLUMENTHAL (for himself, Mrs. BOXER, Mrs. MURRAY, Mr. BROWN, Ms. HIRONO, Mr. MENENDEZ, Ms. WARREN, Mrs. GILLIBRAND, Mr. BOOKER, Mrs. FEINSTEIN, Mr. SCHATZ, Mr. COONS, Mr. KING, Ms. KLOBUCHAR, Mr. FRANKEN, Mr. WARNER, Mr. WHITEHOUSE, Mr. SCHUMER, Mr. KAINE, Mr. SANDERS, Mr. DURBIN, Mr. MARKEY, Mr. MERKLEY, and Ms. BALDWIN):

S. Res. 193. A resolution celebrating the 50th anniversary of the historic Griswold v. Connecticut decision of the Supreme Court of the United States and expressing the sense of the Senate that the case was an important step forward in helping ensure that all people of the United States are able to use contraceptives to plan pregnancies and have healthier babies; to the Committee on Health, Education, Labor, and Pensions.

ADDITIONAL COSPONSORS

S. 202

At the request of Mr. CORNYN, the name of the Senator from Louisiana (Mr. VITTER) was added as a cosponsor of S. 202, a bill to provide for a technical change to the Medicare long-term care hospital moratorium exception.

S. 203

At the request of Mr. HATCH, the name of the Senator from Colorado (Mr. GARDNER) was added as a cosponsor of S. 203, a bill to restore Americans' individual liberty by striking the Federal mandate to purchase insurance.

S. 299

At the request of Mr. FLAKE, the name of the Senator from Virginia (Mr. WARNER) was added as a cosponsor of S. 299, a bill to allow travel between the United States and Cuba.

S. 311

At the request of Mr. CASEY, the names of the Senator from Colorado (Mr. BENNET) and the Senator from New Mexico (Mr. UDALL) were added as cosponsors of S. 311, a bill to amend the Elementary and Secondary Education Act of 1965 to address and take action to prevent bullying and harassment of students.

S. 352

At the request of Ms. AYOTTE, the name of the Senator from Colorado (Mr. GARDNER) was added as a cosponsor of S. 352, a bill to amend section 5000A of the Internal Revenue Code of 1986 to provide an additional religious exemption from the individual health coverage mandate, and for other purposes.

S. 626

At the request of Mr. GRASSLEY, the names of the Senator from New Mexico (Mr. UDALL) and the Senator from Ohio (Mr. BROWN) were added as cosponsors of S. 626, a bill to amend title XIX of the Social Security Act to cover physician services delivered by podiatric physicians to ensure access by Medicaid beneficiaries to appropriate quality foot and ankle care, to amend title XVIII of such Act to modify the requirements for diabetic shoes to be included under Medicare, and for other purposes.

S. 637

At the request of Mr. CRAPO, the names of the Senator from South Dakota (Mr. ROUNDS) and the Senator from Washington (Ms. CANTWELL) were added as cosponsors of S. 637, a bill to amend the Internal Revenue Code of 1986 to extend and modify the railroad track maintenance credit.

S. 682

At the request of Mr. TOOMEY, the name of the Senator from North Dakota (Mr. HOEVEN) was added as a cosponsor of S. 682, a bill to amend the Truth in Lending Act to modify the definitions of a mortgage originator and a high-cost mortgage.

S. 751

At the request of Mr. THUNE, the name of the Senator from Tennessee (Mr. ALEXANDER) was added as a cosponsor of S. 751, a bill to improve the establishment of any lower ground-level ozone standards, and for other purposes.

S. 799

At the request of Mr. MCCONNELL, the name of the Senator from Arkansas (Mr. BOOZMAN) was added as a cosponsor of S. 799, a bill to combat the rise of prenatal opioid abuse and neonatal abstinence syndrome.

S. 857

At the request of Ms. STABENOW, the names of the Senator from Oregon (Mr. MERKLEY), the Senator from Michigan (Mr. PETERS) and the Senator from Maine (Mr. KING) were added as cosponsors of S. 857, a bill to amend title XVIII of the Social Security Act to provide for coverage under the Medicare program of an initial comprehensive care plan for Medicare beneficiaries newly diagnosed with Alzheimer's disease and related dementias, and for other purposes.

S. 911

At the request of Mr. CASEY, the name of the Senator from Massachusetts (Mr. MARKEY) was added as a cosponsor of S. 911, a bill to direct the Administrator of the Federal Aviation Administration to issue an order with respect to secondary cockpit barriers, and for other purposes.

S. 982

At the request of Mr. BARRASSO, the name of the Senator from Texas (Mr. CRUZ) was added as a cosponsor of S. 982, a bill to prohibit the conditioning of any permit, lease, or other use agreement on the transfer of any water right to the United States by the Secretaries of the Interior and Agriculture, and to require the Secretaries of the Interior and Agriculture to develop water planning instruments consistent with State law.

S. 1110

At the request of Mr. ENZI, the name of the Senator from Montana (Mr. DAINES) was added as a cosponsor of S. 1110, a bill to direct the Secretary of Agriculture to publish in the Federal Register a strategy to significantly increase the role of volunteers and partners in National Forest System trail maintenance, and for other purposes.

S. 1117

At the request of Mr. JOHNSON, the name of the Senator from New Hampshire (Ms. AYOTTE) was added as a cosponsor of S. 1117, a bill to amend title 38, United States Code, to expand the authority of the Secretary of Veterans Affairs to remove senior executives of the Department of Veterans Affairs for performance or misconduct to include removal of certain other employees of the Department, and for other purposes.

S. 1127

At the request of Mr. REED, the name of the Senator from New Mexico (Mr. UDALL) was added as a cosponsor of S. 1127, a bill to amend the Internal Revenue Code of 1986 to expand the denial of deduction for certain excessive employee remuneration, and for other purposes.

S. 1140

At the request of Mr. BARRASSO, the name of the Senator from Texas (Mr. CRUZ) was withdrawn as a cosponsor of S. 1140, a bill to require the Secretary of the Army and the Administrator of the Environmental Protection Agency to propose a regulation revising the definition of the term ''waters of the United States'', and for other purposes.

S. 1170

At the request of Mrs. FEINSTEIN, the name of the Senator from Ohio (Mr. BROWN) was added as a cosponsor of S. 1170, a bill to amend title 39, United States Code, to extend the authority of the United States Postal Service to

issue a semipostal to raise funds for breast cancer research, and for other purposes.

S. 1188

At the request of Mrs. ERNST, the name of the Senator from Missouri (Mr. BLUNT) was added as a cosponsor of S. 1188, a bill to provide for a temporary, emergency authorization of defense articles, defense services, and related training directly to the Kurdistan Regional Government, and for other purposes.

S. 1218

At the request of Ms. MURKOWSKI, the name of the Senator from Wisconsin (Ms. BALDWIN) was added as a cosponsor of S. 1218, a bill to establish an interagency coordination committee or subcommittee with the leadership of the Department of Energy and the Department of the Interior, focused on the nexus between energy and water production, use, and efficiency, and for other purposes.

S. 1229

At the request of Ms. MURKOWSKI, the name of the Senator from Tennessee (Mr. ALEXANDER) was added as a cosponsor of S. 1229, a bill to require the Secretary of Energy to submit a plan to implement recommendations to improve interactions between the Department of Energy and National Laboratories.

S. 1333

At the request of Mr. GARDNER, the name of the Senator from Tennessee (Mr. ALEXANDER) was added as a cosponsor of S. 1333, a bill to amend the Controlled Substances Act to exclude cannabidiol and cannabidiol-rich plants from the definition of marihuana, and for other purposes.

S. 1363

At the request of Mr. CRAPO, the name of the Senator from Idaho (Mr. RISCH) was added as a cosponsor of S. 1363, a bill to require the Secretary of Energy to submit to Congress a report assessing the capability of the Department of Energy to authorize, host, and oversee privately funded fusion and fission reactor prototypes and related demonstration facilities at sites owned by the Department of Energy.

S. 1382

At the request of Mrs. GILLIBRAND, the name of the Senator from Oregon (Mr. MERKLEY) was added as a cosponsor of S. 1382, a bill to prohibit discrimination in adoption or foster care placements based on the sexual orientation, gender identity, or marital status of any prospective adoptive or foster parent, or the sexual orientation or gender identity of the child involved.

S. 1389

At the request of Mr. UDALL, the name of the Senator from Virginia (Mr. WARNER) was added as a cosponsor of S. 1389, a bill to authorize exportation of consumer communications devices to Cuba and the provision of telecommunications services to Cuba, and for other purposes.

S. RES. 180

At the request of Mr. GARDNER, the name of the Senator from Georgia (Mr. PERDUE) was added as a cosponsor of S. Res. 180, a resolution urging additional sanctions against the Democratic People's Republic of Korea, and for other purposes.

AMENDMENT NO. 1468

At the request of Mr. CARDIN, the names of the Senator from Maryland (Ms. MIKULSKI) and the Senator from Connecticut (Mr. BLUMENTHAL) were added as cosponsors of amendment No. 1468 intended to be proposed to H.R. 1735, a bill to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 1485

At the request of Mr. HOEVEN, the name of the Senator from Wyoming (Mr. ENZI) was added as a cosponsor of amendment No. 1485 intended to be proposed to H.R. 1735, a bill to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 1494

At the request of Mrs. SHAHEEN, the names of the Senator from Connecticut (Mr. MURPHY), the Senator from Washington (Mrs. MURRAY), the Senator from Minnesota (Mr. FRANKEN) and the Senator from California (Mrs. BOXER) were added as cosponsors of amendment No. 1494 proposed to H.R. 1735, a bill to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 1498

At the request of Mr. PORTMAN, the name of the Senator from North Dakota (Mr. HOEVEN) was added as a cosponsor of amendment No. 1498 intended to be proposed to H.R. 1735, a bill to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 1522

At the request of Mr. PORTMAN, the names of the Senator from Florida (Mr. RUBIO) and the Senator from South Dakota (Mr. ROUNDS) were added as cosponsors of amendment No. 1522 proposed to H.R. 1735, a bill to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 1524

At the request of Mr. MARKEY, the name of the Senator from California (Mrs. FEINSTEIN) was added as a cosponsor of amendment No. 1524 intended to be proposed to H.R. 1735, a bill to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 1525

At the request of Mr. MARKEY, the name of the Senator from Oregon (Mr. MERKLEY) was added as a cosponsor of amendment No. 1525 intended to be proposed to H.R. 1735, a bill to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 1526

At the request of Mr. MARKEY, the name of the Senator from Oregon (Mr. MERKLEY) was added as a cosponsor of amendment No. 1526 intended to be proposed to H.R. 1735, a bill to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 1538

At the request of Mr. WICKER, the name of the Senator from Hawaii (Ms. HIRONO) was added as a cosponsor of amendment No. 1538 intended to be proposed to H.R. 1735, a bill to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 1540

At the request of Mr. BENNET, the name of the Senator from Florida (Mr. RUBIO) was added as a cosponsor of amendment No. 1540 proposed to H.R. 1735, a bill to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel

strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 1549

At the request of Mrs. ERNST, the names of the Senator from North Carolina (Mr. TILLIS) and the Senator from Florida (Mr. RUBIO) were added as cosponsors of amendment No. 1549 intended to be proposed to H.R. 1735, a bill to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 1550

At the request of Mrs. SHAHEEN, the name of the Senator from Ohio (Mr. BROWN) was added as a cosponsor of amendment No. 1550 intended to be proposed to H.R. 1735, a bill to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 1551

At the request of Mrs. SHAHEEN, the name of the Senator from Hawaii (Ms. HIRONO) was added as a cosponsor of amendment No. 1551 proposed to H.R. 1735, a bill to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 1557

At the request of Mr. DURBIN, the name of the Senator from Illinois (Mr. KIRK) was added as a cosponsor of amendment No. 1557 intended to be proposed to H.R. 1735, a bill to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 1558

At the request of Mr. DURBIN, the name of the Senator from Illinois (Mr. KIRK) was added as a cosponsor of amendment No. 1558 intended to be proposed to H.R. 1735, a bill to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 1559

At the request of Mr. DURBIN, the names of the Senator from Rhode Island (Mr. WHITEHOUSE) and the Senator from Minnesota (Mr. FRANKEN) were added as cosponsors of amendment No. 1559 proposed to H.R. 1735, a bill to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 1578

At the request of Mrs. GILLIBRAND, the names of the Senator from Pennsylvania (Mr. CASEY), the Senator from Vermont (Mr. SANDERS) and the Senator from Oregon (Mr. MERKLEY) were added as cosponsors of amendment No. 1578 intended to be proposed to H. R. 1735, a bill to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 1582

At the request of Mr. BARRASSO, the name of the Senator from Louisiana (Mr. CASSIDY) was added as a cosponsor of amendment No. 1582 intended to be proposed to H.R. 1735, a bill to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 1601

At the request of Ms. STABENOW, the names of the Senator from Maine (Ms. COLLINS), the Senator from Colorado (Mr. BENNET), the Senator from Virginia (Mr. WARNER), the Senator from Delaware (Mr. CARPER) and the Senator from Michigan (Mr. PETERS) were added as cosponsors of amendment No. 1601 intended to be proposed to H.R. 1735, a bill to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 1602

At the request of Ms. STABENOW, the name of the Senator from Louisiana (Mr. CASSIDY) was added as a cosponsor of amendment No. 1602 intended to be proposed to H.R. 1735, a bill to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 1607

At the request of Mr. JOHNSON, the names of the Senator from Arizona (Mr. MCCAIN), the Senator from Louisiana (Mr. VITTER), the Senator from Idaho (Mr. CRAPO), the Senator from Louisiana (Mr. CASSIDY) and the Senator from New Hampshire (Ms. AYOTTE) were added as cosponsors of amendment No. 1607 intended to be proposed to H.R. 1735, a bill to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. PORTMAN (for himself, Mr. LEAHY, and Mr. RUBIO):

S. 1513. A bill to reauthorize the Second Chance Act of 2007; to the Committee on the Judiciary.

Mr. LEAHY. Mr. President, today I join with Senator PORTMAN to reintroduce the bipartisan Second Chance Reauthorization Act. This legislation builds on the success of the original law and takes important new steps to ensure that people coming out of prison are given a fair chance to turn their lives around. When inmates are released from prison, they face many challenges, including finding housing and employment, combating substance abuse, and accessing physical and mental healthcare. This legislation aims to improve their ability to reenter society, become productive members of their families and communities, and reduce the likelihood that they will reoffend. Investing in reentry services has been proven to reduce recidivism and bring down prison costs. It is also the right thing to do.

This legislation is urgently needed. While the United States is home to less than 5 percent of the world's population, we have nearly 25 percent of the world's prison population. With more than two million people behind bars, and 650,000 ex-offenders being released each year, we need to reauthorize these critical programs that reduce crime and increase public safety.

Budgets at the State and Federal level are strained by our system of mass incarceration, and we all suffer as a result. The truth is that when so much money goes to locking people away, we have fewer resources for programs that actually prevent crime in the first place. Investing in reentry programs that break the cycle of crime helps reduce prison costs and keeps us all safer. That is why law enforcement groups like the National Association of Police Organizations support this bill. They understand better than most that we cannot afford to stay on our current path.

My home State of Vermont was recently awarded a grant to implement a Statewide Recidivism Reduction Program through the Second Chance Act. The Commissioner of the Vermont Department of Corrections, Andrew

Pallito, says that he sees the positive impact of Second Chance programming every day. In Commissioner Pallito's words, ''The Second Chance Act is not just about giving incarcerated individuals another opportunity to succeed, it is about significantly improving the outcomes we all want for children, families and communities.''

We have seen that these programs are succeeding in States across the country. North Carolina, with the help of six Second Chance grants, has reduced its recidivism rate by 18.1 percent since 2007. It has focused on individualized case planning, use of evidence-based practices, and coordination of services through local reentry councils.

Georgia has reduced its recidivism rate by 13.5 percent since 2007 by directing greater resources to rehabilitation, community supervision, and programs addressing reentry needs. Thirteen Second Chance grants have helped support these successful efforts and the statewide incarceration rate has decreased by 4.8 percent.

These programs are working, and it would be irresponsible not to continue supporting these critical efforts that are improving public safety and bringing down prison costs.

I am introducing this bill so that it can be a part of our conversation in the Judiciary Committee and the full Senate about the urgent need for criminal justice reform. Recidivism rates at the State and local levels are unacceptably high. Nearly ⅔ of former inmates are rearrested within 3 years of release and about half of them end up back behind bars. Any serious effort to address reform must include efforts to support reentry. Nearly all prisoners will return to our communities at some point and it is wise policy to help make that transition successful. We all benefit—our families, our neighborhoods, our economy—when people become productive, stable members of society. That is the goal of the Second Chance Act. That is why it is supported by American Probation and Parole Association, the National Association of Counties, the American Bar Association, and the United Methodist Church, among many others.

Let me be specific. This bill will help former inmates overcome some of the obstacles they face in finding a job, a place to live, and accessing healthcare services. Meeting these basic needs has become increasingly difficult because people coming out of jail are too often treated as second class citizens for the rest of their lives. As a former prosecutor, I believe in tough sentences for those who break out laws. However, once someone has paid their debt to society, he should not be burdened by past mistakes forever.

Chairman GRASSLEY convened a Judiciary Committee hearing last month that highlighted just this issue. The hearing focused on the importance of the right to counsel for poor defendants charged with misdemeanors. During that hearing, we heard testimony about Melinda, a single mother in Ohio who suffered a seizure while cleaning her house. When the police and paramedics arrived, they found unsecured cleaning supplies and Melinda ended up with a conviction for child endangerment. Years later, she was fired from her job when her employer learned of her criminal record. This left her unable to pay her rent, buy food for her family, or lead a productive life. This is just not right, and it certainly does not make any of us safer.

Any criminal conviction, no matter how minor, can hinder a person's chances of success for their entire lives. The Second Chance Act equips people to deal with this difficult environment, and that assistance starts before inmates are even released. Grants under this program have enabled states to hire case managers who meet with inmates while they are in jail to plan for their release, and continue to be a resource once they have returned home. Case managers help former offenders identify where to continue substance abuse treatment, apply for jobs, and enroll in parenting classes. They also help them build conflict resolution skills and avoid certain people or places that threaten their recovery.

A key component to remaining crime-free is getting and keeping a job, and this reauthorization implements a new ''Transitional Jobs Strategy'' to help identify and address the root causes of chronic unemployment for ex-offenders. This new strategy will support those individuals committed to working hard and getting their lives back on track by offering programs like vocational education, life skills training, or child care services. I am proud of this addition to the bill and believe it will improve lives and stimulate our economy.

We have learned from recent reports by the General Accounting Office and the Inspector General that our Nation's aging prison population is costing the Federal Bureau of Prisons millions every year due to their increasing medical needs. Many of these older prisoners no longer represent a threat to public safety, so this bill increases the discretion of prison officials to determine when inmates over 60 should be released to home detention. It simply doesn't make sense to spend money incarcerating and caring for elderly inmates who are not dangerous.

Although the Second Chance reauthorization has passed with strong bipartisan support through the Judiciary Committee each of the last two Congresses, the act expired in 2010. We need to pass this legislation this Congress as part of comprehensive criminal justice reform.

I am hopeful that with partners like Senator PORTMAN and Representatives SENSENBRENNER and DAVIS we will finally reauthorize it this Congress. We have been working hard to reach an agreement that is fair, fiscally responsible, and meets the needs of key stakeholders. We have the support of faith groups, law enforcement, and groups who provide services to the mentally ill and those struggling with addiction. This broad coalition has one thing in common—we all want to see our justice system work better.

I thank Senator PORTMAN, Representative SENSENBRENNER, and Representative DAVIS for their hard work and cooperation. We have come together in a truly exceptional way in this bipartisan, bicameral effort. I look forward to joining with Democrats and Republicans to get this bill passed and signed into law.

By Ms. COLLINS (for herself and Mr. CASEY):

S. 1516. A bill to amend the Internal Revenue Code of 1986 to modify the energy credit to provide greater incentives for industrial energy efficiency; to the Committee on Finance.

Ms. COLLINS. Mr. President, I am pleased to be joined by my colleague, the distinguished Senator from Pennsylvania, Mr. CASEY, in introducing the Power Efficiency and Resilience, POWER, Act.

The POWER Act would expand tax incentives for industrial energy efficiency systems, including combined heat and power, CHP, and waste heat to power, WHP, technologies, making the incentives more accessible an providing parity with other forms of renewable energy. The upfront costs of CHP and WHP can be expensive, and facilities seeking to lower their energy bills often lack access to the capital needed for purchasing the equipment. The POWER Act aims to spur investment in these efficient technologies that capture wasted heat from electricity generation and industrial processes and use it to heat or cool buildings or to generate additional electricity. Capturing this otherwise wasted resource has the potential to increase electrical generation efficiency by nearly 80 percent and reduce electricity costs for industrial users.

While technologies such as solar energy and fuel cells currently benefit from a 30 percent investment tax credit, ITC, the incentives for CHP are more limited. CHP systems are only eligible for a 10 percent ITC for the first 15 megawatts, MW, of projects that are smaller than 50 MW in capacity. Moreover, while WHP has the potential to produce 15 gigawatts of emissions-free electricity nationwide, it currently does not qualify for the ITC. The limits on the size and scope of the ITC have hampered companies from making important investments to increase their

efficiency. The POWER Act would increase the ITC for CHP to 30 percent, allow WHP to qualify for the credit, remove the limit on project size to ensure large industrial systems are eligible, and extend the credit through December 2018 to allow time for equipment purchase, installation, and permitting.

By making our industrial sector more efficient, we would be reducing costs for manufacturers and helping them to better compete in the global marketplace. CHP can also help us be a more resilient nation. Critical institutions that have combined heat and power can keep the power on even when the lights go out. That is why some hospitals, wastewater treatment plants, and military bases are installing CHP—they have to keep operating even in extreme weather or during blackouts. The POWER Act can save energy, reduce costs, build resilience, and reduce emissions.

Woodard & Curran, headquartered in Portland, Maine, noted in its support for the bill that the POWER Act: ''. . . will allow more companies to reduce energy use and costs by installing combined heat and power, CHP, systems. As a developer of such projects, we know that this technology poses a significant opportunity to generate new businesses, create jobs, and reduce our Nation's energy consumption. CHP is still largely an untapped resource, and we could double its installed capacity over the next decade with the right policies in place.'' Another company in Scarborough, ME, Self-Gen, Inc., stated: ''Every year, the United States sends enough wasted heat from electricity generation up our chimneys to power Japan. Combined heat and power can harness this heat as a resource to create more electricity, nearly doubling efficiency. Senator Collins' POWER Act will help us use this technology throughout Maine and across the nation, moving the United States towards increased energy independence.''

The POWER Act would allow more U.S. companies to install CHP and WHP systems, which would help improve the energy efficiency and lower costs for some of the largest energy users. The legislation has the support of a broad coalition of businesses from across the country, several environmental organizations, and a number of trade associations. I urge my colleagues on both sides of the aisle to support this legislation.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 192—REQUIRING THAT LEGISLATION CONSIDERED BY THE SENATE BE CONFINED TO A SINGLE ISSUE

Mr. ENZI submitted the following resolution; which was referred to the Committee on Rules and Administration:

S. RES. 192

Resolved,

SECTION 1. SINGLE-ISSUE REQUIREMENT.

(a) POINT OF ORDER.—It shall not be in order in the Senate to consider a bill or resolution that is not confined to a single subject.

(b) SUPERMAJORITY WAIVER AND APPEALS.—

(1) WAIVER.—This section may be waived or suspended in the Senate only by the affirmative vote of two-thirds of the Members, duly chosen and sworn.

(2) APPEALS.—Appeals in the Senate from the decisions of the Chair relating to any provision of this section shall be limited to 30 minutes, to be equally divided between, and controlled by, the appellant and the manager of the bill or resolution. An affirmative vote of two-thirds of the Members of the Senate, duly chosen and sworn, shall be required to sustain an appeal of the ruling of the Chair on a point of order raised under this section.

SENATE RESOLUTION 193—CELEBRATING THE 50TH ANNIVERSARY OF THE HISTORIC GRISWOLD V. CONNECTICUT DECISION OF THE SUPREME COURT OF THE UNITED STATES AND EXPRESSING THE SENSE OF THE SENATE THAT THE CASE WAS AN IMPORTANT STEP FORWARD IN HELPING ENSURE THAT ALL PEOPLE OF THE UNITED STATES ARE ABLE TO USE CONTRACEPTIVES TO PLAN PREGNANCIES AND HAVE HEALTHIER BABIES

Mr. BLUMENTHAL (for himself, Mrs. BOXER, Mrs. MURRAY, Mr. BROWN, Ms. HIRONO, Mr. MENENDEZ, Ms. WARREN, Mrs. GILLIBRAND, Mr. BOOKER, Mrs. FEINSTEIN, Mr. SCHATZ, Mr. COONS, Mr. KING, Ms. KLOBUCHAR, Mr. FRANKEN, Mr. WARNER, Mr. WHITEHOUSE, Mr. SCHUMER, Mr. KAINE, Mr. SANDERS, Mr. DURBIN, Mr. MARKEY, Mr. MERKLEY, and Ms. BALDWIN) submitted the following resolution; which was referred to the Committee on Health, Education, Labor, and Pensions:

S. RES. 193

Whereas, prior to the landmark decision of the Supreme Court of the United States in Griswold v. Connecticut, 381 U.S. 479 (1965), married women in many States were lawfully forbidden from using family planning tools such as contraceptives and condoms;

Whereas the historic Griswold case provided precedent for future cases in the Supreme Court that extended the right to use contraceptives to all women, regardless of marital status;

Whereas, since Griswold, millions of women have used contraceptives to plan pregnancies, resulting in healthier women, healthier pregnancies, healthier families, and greater financial security for families;

Whereas, despite having the legal right to use contraceptives, many women who need family planning and sexual health services still face financial and other barriers to getting the necessary care;

Whereas, because of limited access to affordable family planning services, low-income women are 5 times more likely to have an unintended pregnancy compared to women with higher incomes, and unintended pregnancy rates are increasing for poor and low-income women while decreasing for women with higher incomes;

Whereas black and Latino women are disproportionately affected by the lack of access to contraceptives and reproductive health care;

Whereas programs such as the population research and voluntary family planning programs under title X of the Public Health Service Act (42 U.S.C. 300 et seq.) and the Medicaid program under title XIX of the Social Security Act (42 U.S.C. 1396 et seq.) help low-income women access high-quality, affordable family planning care, including contraceptives, that helps women plan pregnancies and stay healthy;

Whereas the Patient Protection and Affordable Care Act (Public Law 111–148) is helping realize the promise of Griswold by removing barriers to care by requiring that all insurance providers offer contraceptives and reproductive preventive health care services at no cost to women, and, as of 2014, more than 55,000,0000 women were benefitting from coverage without cost-sharing for preventive services, including birth control, according to the Department of Health and Human Services;

Whereas, each year, publicly funded contraceptives and family planning services help prevent approximately 2,000,000 unplanned pregnancies, 800,000 abortions, 400,000 miscarriages, and 200,000 pre-term and low birth rate births;

Whereas, in 2015, the Institute of Medicine listed using birth control to reduce unintended pregnancies as 1 of 15 core measures for furthering health progress and improving health;

Whereas, as the number of contraceptive methods expands, it is more important than ever that all women have access to the full range of contraceptive methods, including the most effective methods, so that each woman can choose the method that works best for her; and

Whereas every dollar invested in publicly funded contraceptive saves taxpayers $7.09: Now, therefore, be it

Resolved, That the Senate—

(1) celebrates the 50th anniversary of the 1965 Griswold v. Connecticut decision of the Supreme Court of the United States;

(2) recognizes that birth control constitutes basic health care for women;

(3) recognizes that, despite the monumental Griswold decision, affordable contraceptives unfortunately remain inaccessible to many poor and low-income women;

(4) encourages robust investment in publicly funded family planning services as a means to help women plan pregnancies and have healthier babies;

(5) recognizes that investments in publicly funded family planning services help prevent unplanned pregnancies and abortions and help save taxpayer dollars;

(6) acknowledges that all women, regardless of income or zip code, should have affordable access to the tools that help women plan and space their pregnancies; and

(7) recognizes the value of the publicly funded family planning safety net in helping to realize the promise of the Griswold decision.

AMENDMENTS SUBMITTED AND PROPOSED

SA 1614. Mr. CASEY (for himself, Mr. TOOMEY, Mr. BLUMENTHAL, Mr. ROUNDS, and

Mr. MARKEY) submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table.

SA 1615. Mr. CASEY (for himself and Mr. MORAN) submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table.

SA 1616. Mr. DONNELLY (for himself and Mr. BENNET) submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table.

SA 1617. Mr. DONNELLY submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1618. Mrs. SHAHEEN submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra.

SA 1619. Mrs. SHAHEEN submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1620. Mr. COATS submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1621. Mr. COATS submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1622. Mr. MORAN submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1623. Mr. TESTER submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1624. Mr. TESTER submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1625. Mr. TESTER submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1626. Mr. TESTER (for himself and Mr. MORAN) submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1627. Mr. TESTER (for himself, Mr. ENZI, Mr. COONS, Mr. BLUMENTHAL, Mr. DAINES, Mr. BROWN, and Mrs. GILLIBRAND) submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1628. Ms. AYOTTE (for herself, Mr. PETERS, Mr. GRAHAM, and Mr. RUBIO) submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1629. Mr. COTTON (for himself and Mr. RUBIO) submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1630. Ms. MURKOWSKI submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1631. Ms. MURKOWSKI submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1632. Mr. MCCAIN (for himself and Mr. JOHNSON) submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1633. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1634. Mr. BLUNT submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1635. Mr. BLUNT submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1636. Mr. BLUNT submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1637. Mr. BLUNT submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1638. Mr. BLUNT submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1639. Mr. PORTMAN (for himself and Mr. BROWN) submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1640. Ms. MURKOWSKI submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1641. Ms. MURKOWSKI submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1642. Ms. MURKOWSKI submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1643. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1644. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1645. Mr. MARKEY proposed an amendment to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra.

SA 1646. Mr. LEAHY submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1647. Mr. MERKLEY submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1648. Mr. MERKLEY submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1649. Mr. SCHATZ submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1650. Mr. SCHATZ (for himself, Mrs. GILLIBRAND, Mr. MERKLEY, and Mr. BOOKER) submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1651. Mr. SCHATZ submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1652. Mrs. SHAHEEN submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1653. Mr. BLUMENTHAL submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1654. Mr. COONS submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1655. Mr. WYDEN (for himself and Mr. MERKLEY) submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1656. Mr. WHITEHOUSE submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1657. Mr. PORTMAN submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1658. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1659. Ms. COLLINS submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1660. Ms. COLLINS submitted an amendment intended to be proposed to

amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1661. Mr. WARNER (for himself and Mr. KAINE) submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1662. Mr. WARNER submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1663. Mr. WARNER submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1664. Mr. SCHUMER submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1665. Mr. KIRK submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1666. Mr. KIRK (for himself, Mr. DURBIN, Mr. INHOFE, Mr. MARKEY, Mr. MANCHIN, and Ms. WARREN) submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1667. Mr. MCCAIN (for himself and Mr. BLUNT) submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1668. Mr. BOOZMAN submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1669. Mr. BOOZMAN (for himself, Mr. DONNELLY, and Mr. TOOMEY) submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1670. Ms. HIRONO submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1671. Ms. HIRONO submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1672. Ms. BALDWIN submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1673. Mr. WARNER submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1674. Mr. WARNER submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1675. Mr. UDALL submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1676. Mr. UDALL (for himself and Mr. HEINRICH) submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1677. Mr. UDALL submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1678. Mr. PAUL submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1679. Mr. PAUL submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1680. Mr. PAUL submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1681. Mrs. MURRAY submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1682. Mrs. MURRAY submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1683. Mrs. MURRAY (for herself, Mr. MURPHY, Mrs. GILLIBRAND, and Mr. BLUNT) submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1684. Mrs. MURRAY (for herself, Ms. BALDWIN, Mrs. GILLIBRAND, and Mr. PETERS) submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1685. Mr. NELSON (for himself and Ms. COLLINS) submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1686. Mr. MORAN submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1687. Mr. LEE (for himself, Mr. INHOFE, Mr. HATCH , Mr. HELLER, Mr. MORAN, Mr. LANKFORD, Mr. CRAPO, Mr. DAINES, Mr. RISCH, and Mr. ROBERTS) submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1688. Mr. HOEVEN (for himself and Mr. DONNELLY) submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1689. Mr. CARDIN submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1690. Mr. CARDIN submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1691. Mr. CARDIN submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1692. Mr. CARDIN submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1693. Mr. WHITEHOUSE (for himself, Mr. LEAHY, Mr. UDALL, Mr. HEINRICH, and Mr. BROWN) submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1694. Ms. HIRONO (for herself and Mr. WYDEN) submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1695. Ms. HIRONO (for herself and Mr. WYDEN) submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1696. Ms. HIRONO (for herself and Mr. WYDEN) submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1697. Ms. HIRONO (for herself and Mr. WYDEN) submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1698. Mr. CASEY (for himself, Mr. INHOFE, and Mr. WHITEHOUSE) submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1699. Mr. WYDEN (for himself and Ms. HIRONO) submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1700. Mr. WYDEN (for himself and Ms. HIRONO) submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1701. Mr. WYDEN submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1702. Mr. BLUMENTHAL submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1703. Mr. DURBIN submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1704. Mr. DURBIN (for himself, Mr. BLUMENTHAL, Mr. REED, Mr. BROWN, Mr. FRANKEN, and Mr. CARPER) submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1705. Mr. COATS (for himself, Mr. RUBIO, and Mr. CORNYN) submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1706. Mr. SESSIONS submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1707. Mr. GARDNER submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1708. Mr. GARDNER submitted an amendment intended to be proposed to

amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1709. Mr. GARDNER submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1710. Mr. KIRK (for himself and Mr. MENENDEZ) submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1711. Ms. AYOTTE submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1712. Mr. FLAKE submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1713. Mr. FLAKE (for himself and Mr. TOOMEY) submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1714. Mr. FLAKE submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1715. Mr. FLAKE submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1716. Mr. FLAKE submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1717. Mr. FLAKE submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1718. Mr. FLAKE submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1719. Mr. FLAKE submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1720. Mr. FLAKE submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1721. Mr. ROUNDS submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1722. Mr. CRUZ submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1723. Mr. CRUZ submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1724. Mr. CRUZ submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1725. Mr. WICKER submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1726. Mr. WICKER submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1727. Mr. INHOFE submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1728. Mr. INHOFE (for himself, Ms. MIKULSKI, Mr. KAINE, Mr. TILLIS, Mr. ROUNDS, Mr. SCHATZ, Ms. HIRONO, Mr. SESSIONS, Mr. HATCH, Mr. BOOZMAN, Mr. WARNER, Mr. CASEY, Ms. MURKOWSKI, Mr. NELSON, and Mr. MARKEY) submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1729. Mr. HATCH submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1730. Mr. HATCH submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1731. Mr. PORTMAN (for himself and Ms. HIRONO) submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1732. Mr. DAINES submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1733. Ms. STABENOW (for herself, Mr. PETERS, and Mr. CASSIDY) submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1734. Mrs. FEINSTEIN (for herself and Mr. GRASSLEY) submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1735. Ms. HEITKAMP submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1736. Ms. HEITKAMP (for herself and Mr. MORAN) submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1737. Mr. MENENDEZ (for himself, Mr. BROWN, and Mr. BOOKER) submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1738. Mrs. MCCASKILL submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1739. Mrs. MCCASKILL submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1740. Mrs. MCCASKILL submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1741. Mrs. MCCASKILL submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1742. Mrs. MCCASKILL submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1743. Mrs. MCCASKILL submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1744. Mrs. FEINSTEIN submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1745. Mr. PETERS (for himself, Ms. HIRONO, and Mr. WYDEN) submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1746. Mr. PETERS (for himself, Ms. HIRONO, and Mr. WYDEN) submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1747. Mr. CASEY (for himself and Ms. AYOTTE) submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1748. Mr. PETERS submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1749. Mrs. SHAHEEN submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1750. Mr. WARNER submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1751. Mr. BOOKER (for himself and Mr. MENENDEZ) submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1752. Mr. HEINRICH (for himself, Mr. INHOFE, Mr. DONNELLY, Mr. BLUMENTHAL, Mr. TILLIS, Ms. HIRONO, Mr. GRAHAM, Ms. STABENOW, Ms. BALDWIN, Mr. ISAKSON, Mr. MARKEY, Mr. UDALL, Mr. NELSON, and Mr. MORAN) submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1753. Ms. WARREN (for herself, Mr. RUBIO, Mr. MARKEY, Ms. AYOTTE, Mrs. SHAHEEN, Mr. BROWN, and Mr. MENENDEZ) submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1754. Mrs. ERNST submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1755. Mr. BURR (for himself and Mr. TILLIS) submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1756. Ms. WARREN (for herself and Mr. MERKLEY) submitted an amendment intended to be proposed to amendment SA 1463

proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1757. Ms. WARREN (for herself and Mr. MERKLEY) submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1758. Mr. KIRK submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1759. Mr. KIRK submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1760. Mrs. CAPITO submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1761. Mr. CORNYN submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1762. Mr. CORNYN submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1763. Mr. CORNYN submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1764. Ms. HIRONO submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1765. Ms. HIRONO submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1766. Ms. HIRONO submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1767. Ms. HIRONO submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1768. Ms. HIRONO submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1769. Mr. KING (for himself and Mr. CARPER) submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1770. Mr. SANDERS submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1771. Mr. SANDERS submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1772. Ms. WARREN (for herself and Mr. MARKEY) submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1773. Mr. NELSON submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1774. Ms. AYOTTE submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1775. Mr. JOHNSON (for himself and Mr. KIRK) submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1776. Mr. KIRK submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1777. Mr. DAINES submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1778. Mr. BURR (for himself and Mrs. FEINSTEIN) submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1779. Mr. BURR (for himself and Mrs. FEINSTEIN) submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1780. Mr. CORKER (for himself and Mr. CARDIN) submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1781. Ms. HEITKAMP submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1782. Mr. MCCONNELL (for Mr. TOOMEY) submitted an amendment intended to be proposed by Mr. McConnell to the bill H.R. 2146, to amend the Internal Revenue Code of 1986 to allow Federal law enforcement officers, firefighters, and air traffic controllers to make penalty-free withdrawals from governmental plans after age 50, and for other purposes.

SA 1783. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense and for military construction, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table.

SA 1784. Mr. KIRK (for himself and Mrs. GILLIBRAND) submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1785. Ms. MURKOWSKI submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1786. Mr. GRASSLEY (for himself and Mr. WHITEHOUSE) submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1787. Mr. SESSIONS submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1788. Mr. MCCONNELL (for Mr. RUBIO) submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1789. Mr. MCCONNELL (for Mr. RUBIO) submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1790. Mr. MCCONNELL (for Mr. RUBIO) submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1791. Mr. MCCONNELL (for Mr. RUBIO) submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1792. Mr. MCCONNELL (for Mr. RUBIO) submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1793. Mr. MENENDEZ submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1794. Mr. SANDERS submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 1614. Mr. CASEY (for himself, Mr. TOOMEY, Mr. BLUMENTHAL, Mr. ROUNDS, and Mr. MARKEY) submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle E of title X, add the following:

SEC. 1049. REQUIREMENT THAT PASSENGER AIRCRAFT IN CIVIL RESERVE AIR FLEET HAVE SECONDARY COCKPIT BARRIERS.

(a) REQUIREMENT.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall require for any passenger aircraft participating in the Civil Reserve Air Fleet—

(1) the installation of a barrier, other than the cockpit door, that prevents access to the flight deck of the aircraft; and

(2) for any such aircraft—

(A) that is equipped with a cockpit door, that the barrier required under paragraph (1) remain locked while—

(i) the aircraft is in flight; and

(ii) the cockpit door separating the flight deck and the passenger area is open; and

(B) that is not equipped with a cockpit door, that the barrier required under paragraph (1) remain locked as determined appropriate by the pilot in command.

(b) DEFINITIONS.—In this section:

(1) CIVIL RESERVE AIR FLEET.—The term ''Civil Reserve Air Fleet'' has the meaning given such term in section 9511 of title 10, United States Code.

(2) PASSENGER AIRCRAFT.—The term ''passenger aircraft'' means a passenger aircraft,

as such term is defined in such section 9511, that—

(A) has 75 or more seats; and

(B) has a gross take-off weight of 75,000 pounds or more.

SA 1615. Mr. CASEY (for himself and Mr. MORAN) submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle F of title V, add the following:

SEC. 565. CREDIT FOR STATE LICENSURE AND CERTIFICATION COSTS OF MILITARY SPOUSES ARISING BY REASON OF A PERMANENT CHANGE IN THE DUTY STATION OF THE MEMBER OF THE ARMED FORCES TO ANOTHER STATE.

(a) IN GENERAL.—Subpart A of part IV of subchapter A of chapter 1 of the Internal Revenue Code of 1986 is amended by inserting after section 25D the following new section:

''SEC. 25E. STATE LICENSURE AND CERTIFICATION COSTS OF MILITARY SPOUSE ARISING FROM TRANSFER OF MEMBER OF ARMED FORCES TO ANOTHER STATE.

''(a) IN GENERAL.—In the case of an eligible individual, there shall be allowed as a credit against the tax imposed by this chapter for the taxable year an amount equal to the qualified relicensing costs of such individual which are paid or incurred by the taxpayer during the taxable year.

''(b) MAXIMUM CREDIT.—The credit allowed by this section with respect to each change of duty station shall not exceed $500.

''(c) DEFINITIONS.—For purposes of this section—

''(1) ELIGIBLE INDIVIDUAL.—The term 'eligible individual' means any individual—

''(A) who is married to a member of the Armed Forces of the United States at the time that the member moves to another State under a permanent change of station order, and

''(B) who moves to such other State with such member.

''(2) QUALIFIED RELICENSING COSTS.—The term 'qualified relicensing costs' means costs—

''(A) which are for a license or certification required by the State referred to in paragraph (1) to engage in the profession that such individual engaged in while within the State from which the individual moved, and

''(B) which are paid or incurred during the period beginning on the date that the orders referred to in paragraph (1)(A) are issued and ending on the date which is 1 year after the reporting date specified in such orders.

''(d) DENIAL OF DOUBLE BENEFIT.—The amount of any deduction or other credit allowable under this chapter for any expense taken into account in determining the credit allowed under this section shall be reduced by the amount of the credit under this section.''.

(b) CLERICAL AMENDMENT.—The table of sections for such subpart A is amended by inserting after the item relating to section 25D the following new item:

''Sec. 25E. State licensure and certification costs of military spouse arising from transfer of member of Armed Forces to another State.''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2014.

SA 1616. Mr. DONNELLY (for himself and Mr. BENNET) submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

Strike section 716 and insert the following:

SEC. 716. DESIGNATION OF CERTAIN NON-DEPARTMENT MENTAL HEALTH CARE PROVIDERS WITH KNOWLEDGE RELATING TO TREATMENT OF MEMBERS OF THE ARMED FORCES AND VETERANS.

(a) MENTAL HEALTH PROVIDER READINESS DESIGNATION.—

(1) IN GENERAL.—Not later than one year after the date of the enactment of this Act, the Secretary of Defense, in consultation with the Secretary of Veterans Affairs, shall develop a system by which any non-Department mental health care provider that meets eligibility criteria established by the Secretary of Defense relating to the knowledge described in paragraph (2) receives a mental health provider readiness designation from the Department of Defense.

(2) KNOWLEDGE DESCRIBED.—The knowledge described in this paragraph is the following:

(A) Knowledge and understanding with respect to the culture of members of the Armed Forces, veterans, and family members and caregivers of members of the Armed Forces and veterans.

(B) Knowledge with respect to evidence-based treatments that have been approved by the Department for the treatment of mental health issues among members of the Armed Forces and veterans.

(b) AVAILABILITY OF INFORMATION ON DESIGNATION.—

(1) REGISTRY.—The Secretary of Defense shall establish and update as necessary a registry that is available to the public of all non-Department mental health care providers that are currently designated under subsection (a)(1).

(2) PROVIDER LIST.—The Secretary concerned shall update all lists maintained by such Secretary of non-Department mental health care providers that provide mental health care under the laws administered by such Secretary by indicating the providers that are currently designated under subsection (a)(1).

(3) PUBLICATION OF INFORMATION.—The Secretary concerned shall ensure that the registry established and updated under paragraph (1) is available to the public on an Internet website maintained by each such Secretary.

(c) DEFINITIONS.—In this section:

(1) NON-DEPARTMENT MENTAL HEALTH CARE PROVIDER DEFINED.—The term ''non-Department mental health care provider''—

(A) means a health care provider that—

(i) specializes in mental health;

(ii) is not a health care provider of the Department of Defense or the Department of Veterans Affairs; and

(iii) provides health care to members of the Armed Forces or veterans; and

(B) includes psychiatrists, psychologists, psychiatric nurses, social workers, mental health counselors, marriage and family therapists, and other mental health care providers designated by the Secretary of Defense or the Secretary of Veterans Affairs.

(2) SECRETARY CONCERNED.—The term ''Secretary concerned'' means the Secretary of Defense with respect to matters concerning the Department of Defense and the Secretary of Veterans Affairs with respect to matters concerning the Department of Veterans Affairs.

SA 1617. Mr. DONNELLY submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

Strike section 713 and insert the following:

SEC. 713. IMPROVEMENT OF MENTAL HEALTH CARE PROVIDED BY HEALTH CARE PROVIDERS OF THE DEPARTMENT OF DEFENSE AND THE DEPARTMENT OF VETERANS AFFAIRS.

(a) TRAINING ON RECOGNITION AND MANAGEMENT OF RISK OF SUICIDE.—

(1) INITIAL TRAINING.—Not later than 180 days after the date of the enactment of this Act, the Secretary concerned shall ensure that all primary care and mental health care providers under the jurisdiction of such Secretary receive, or have already received, evidence-based training on the recognition and assessment of individuals at risk for suicide and the management of such risk.

(2) ADDITIONAL TRAINING.—The Secretary concerned shall ensure that providers who receive, or have already received, training described in paragraph (1) receive such additional training thereafter as may be required based on evidence-based changes in health care practices.

(b) ASSESSMENT OF MENTAL HEALTH WORKFORCE.—

(1) IN GENERAL.—Not later than one year after the date of the enactment of this Act, the Secretary of Defense and the Secretary of Veterans Affairs shall jointly submit to the appropriate committees of Congress a report assessing the mental health workforce of the Department of Defense and the Department of Veterans Affairs and the long-term mental health care needs of members of the Armed Forces, veterans, and their dependents for purposes of determining the long-term requirements of the Department of Defense and the Department of Veterans Affairs for mental health care providers.

(2) ELEMENTS.—The report submitted under paragraph (1) shall include an assessment of the following:

(A) The number of mental health care providers of the Department of Defense and the Department of Veterans Affairs as of the date of the submittal of the report, disaggregated by specialty, including psychiatrists, psychologists, social workers, mental health counselors, and marriage and family therapists.

(B) The number of mental health care providers that are anticipated to be needed by the Department of Defense and the Department of Veterans Affairs.

(C) The types of mental health care providers that are anticipated to be needed by the Department of Defense and the Department of Veterans Affairs.

(D) Locations in which mental health care providers are anticipated to be needed by the Department of Defense and the Department of Veterans Affairs.

(c) PLAN FOR DEVELOPMENT OF PROCEDURES TO MEASURE MENTAL HEALTH DATA.—

(1) IN GENERAL.—The Secretary concerned shall develop a plan for the development of procedures to compile and assess data relating to the following:

(A) Outcomes for mental health care provided under the laws administered by such Secretary.

(B) Variations in such outcomes among different medical facilities under the jurisdiction of such Secretary.

(C) Barriers, if any, to the implementation by mental health care providers under the jurisdiction of such Secretary of the clinical practice guidelines and other evidence-based treatments and approaches recommended for such providers by such Secretary.

(2) SUBMITTAL OF PLAN.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense and the Secretary of Veterans Affairs shall jointly submit to the appropriate committees of Congress each of the plans developed under paragraph (1).

(d) DEFINITIONS.—In this section:

(1) APPROPRIATE COMMITTEES OF CONGRESS.—The term ''appropriate committees of Congress'' means—

(A) the Committee on Armed Services and the Committee on Veterans' Affairs of the Senate; and

(B) the Committee on Armed Services and the Committee on Veterans' Affairs of the House of Representatives

(2) SECRETARY CONCERNED.—The term ''Secretary concerned'' means the Secretary of Defense with respect to matters concerning the Department of Defense and the Secretary of Veterans Affairs with respect to matters concerning the Department of Veterans Affairs.

SA 1618. Mrs. SHAHEEN submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; as follows:

AMENDMENT NO. 1618

In the appropriate place please insert the following:

SENSE OF SENATE.—It is the sense of the Senate that—

(1) the accidental transfer of live Bacillus anthracis, also known as anthrax, from an Army laboratory to more than 28 laboratories located in at least 12 states and three countries discovered in May 2015 represents a serious safety lapse;

(2) the Department of Defense, in cooperation with the Centers for Disease Control and Prevention and the Federal Bureau of Investigation, should continue to investigate the cause of this lapse and determine if protective protocols should be strengthened;

(3) the Department of Defense should reassess standards on a regular basis to ensure they are current and effective to prevent a reoccurrence; and

(4) the Department of Defense should keep Congress apprised of the investigation, any potential public health or safety risk, remedial actions taken and plans to regularly reassess standards.

SA 1619. Mrs. SHAHEEN submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle C of title V, add the following:

SEC. 524. ESTABLISHMENT OF BREASTFEEDING POLICY FOR THE ARMY.

Not later than 180 days after the date of the enactment of this Act, the Secretary of the Army shall develop a comprehensive policy regarding breastfeeding by female members of the Army who are breastfeeding. At a minimum, the policy shall address the following:

(1) The provision of a designated room or area that will provide the member with adequate privacy and cleanliness and that includes an electrical outlet to facilitate the use of a breast pump. Restrooms should not be considered an appropriate location.

(2) An allowance for appropriate breaks, when practicable, to permit the member to breastfeed or utilize a breast pump.

SA 1620. Mr. COATS submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle E of title XII, add the following:

SEC. 1264. MILITARY EXCHANGES BETWEEN SENIOR OFFICERS AND OFFICIALS OF THE UNITED STATES AND TAIWAN.

(a) IN GENERAL.—The Secretary of Defense shall carry out a program of exchanges of senior military officers and senior officials between the United States and Taiwan designed to improve military to military relations between the United States and Taiwan.

(b) EXCHANGES DESCRIBED.—For the purposes of this section, an exchange is an activity, exercise, event, or observation opportunity between members of the Armed Forces and officials of the Department of Defense, on the one hand, and armed forces personnel and officials of Taiwan, on the other hand.

(c) FOCUS OF EXCHANGES.—The exchanges under the program carried out pursuant to subsection (a) shall include exchanges focused on the following:

(1) Threat analysis.

(2) Military doctrine.

(3) Force planning.

(4) Logistical support.

(5) Intelligence collection and analysis.

(6) Operational tactics, techniques, and procedures.

(7) Humanitarian assistance and disaster relief.

(d) CIVIL-MILITARY AFFAIRS.—The exchanges under the program carried out pursuant to subsection (a) shall include activities and exercises focused on civil-military relations, including parliamentary relations.

(e) LOCATION OF EXCHANGES.—The exchanges under the program carried out pursuant to subsection (a) shall be conducted in both the United States and Taiwan.

(f) DEFINITIONS.—In this section:

(1) The term ''senior military officer'', with respect to the Armed Forces, means a general or flag officer of the Armed Forces on active duty.

(2) The term ''senior official'', with respect to the Department of Defense, means a civilian official of the Department of Defense at the level of Assistant Secretary of Defense or above.

SA 1621. Mr. COATS submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle C of title X, add the following:

SEC. 1024. PROHIBITION ON RETIREMENT OF NUCLEAR POWERED AIRCRAFT CARRIERS BEFORE FIRST REFUELING.

Section 5062 of title 10, United States Code, is amended by adding at the end the following new subsection:

''(e) A nuclear powered aircraft carrier may not be retired before its first refueling.''.

SA 1622. Mr. MORAN submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle B of title XVI, add the following:

SEC. 1628. SENSE OF CONGRESS ON REVIEWING AND CONSIDERING FINDINGS AND RECOMMENDATIONS OF COUNCIL OF GOVERNORS ON CYBER CAPABILITIES OF THE ARMED FORCES.

It is the sense of Congress that the Secretary of Defense should review and consider any findings and recommendations of the Council of Governors pertaining to cyber mission force requirements and any proposed reductions in and synchronization of the cyber capabilities of active or reserve components of the Armed Forces.

SA 1623. Mr. TESTER submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle A of title VII, add the following:

SEC. 706. PILOT PROGRAM ON EXPANSION OF ELIGIBILITY FOR READJUSTMENT COUNSELING FROM DEPARTMENT OF VETERANS AFFAIRS TO INCLUDE MEMBERS OF THE SELECTED RESERVE OF THE ARMED FORCES.

(a) IN GENERAL.—Beginning not later than one year after the date of the enactment of this Act, the Secretary of Veterans Affairs shall commence a three-year pilot program to assess the feasibility and advisability of furnishing counseling under Section 1712A(a) of title 38, United States Code, to any member of the Selected Reserve of the Armed Forces who has a behavioral health condition or psychological trauma.

(b) COMPREHENSIVE INDIVIDUAL ASSESSMENT.—Counseling furnished under the pilot program may include a comprehensive individual assessment under section 1712A(a)(1)(B)(i) of such title.

(c) CONFIDENTIALITY.—The Secretary shall ensure that the confidentiality of individuals furnished counseling under the pilot program is protected to the same extent as the confidentiality of individuals furnished counseling under section 1712A(a) of such title.

(d) REPORT.—

(1) IN GENERAL.—Not later than 120 days after the date of the completion of the pilot program, the Secretary of Veterans Affairs shall, in consultation with the Secretary of Defense, submit to Congress a report on the findings of the Secretary of Veterans Affairs with respect to the pilot program.

(2) ELEMENTS.—The report required by paragraph (1) shall include the following:

(A) A description of the individuals who benefitted from counseling under the pilot program.

(B) A description of any impediments to the Secretary in furnishing counseling under the pilot program.

(C) A description of any impediments encountered by individuals in receiving counseling under the pilot program.

(D) An assessment of the feasibility and advisability of furnishing counseling under the pilot program to all members of the Selected Reserve of the Armed Forces who have behavioral health conditions or psychological trauma.

(E) Such recommendations for legislative or administrative action as the Secretary considers appropriate with respect to the furnishing of counseling to such members.

(e) VET CENTER DEFINED.—In this section, the term ''Vet Center'' means a center for readjustment counseling and related mental health services for veterans under section 1712A of title 38, United States Code.

SA 1624. Mr. TESTER submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle A of title V, add the following:

SEC. 706. PROVISION OF BEHAVIORAL HEALTH READINESS SERVICES TO CERTAIN MEMBERS OF THE SELECTED RESERVE BASED ON NEED.

(a) PROVISION AUTHORIZED.—Section 1074a(g) of title 10, United States Code, is amended—

(1) by redesignating paragraphs (2) and (3) as paragraphs (3) and (4), respectively; and

(2) by inserting after paragraph (1) the following new paragraph (2):

''(2) The Secretary concerned may also provide to any member of the Selected Reserve not described in subsection (d)(1) or (f) care for behavioral health conditions if the Secretary determines, based on the most recent medical exam or mental health assessment of such member, that the receipt of such care by such member will ensure that such member meets applicable standards of medical readiness.''.

(b) FUNDING.—Subject to applicable provisions of appropriations Acts, amounts available to the Department of Defense for the Defense Health Program shall be available for the provision of behavioral health services under section 1074a(g) of title 10, United States Code (as amended by subsection (a)).

(c) BUDGETING FOR HEALTH CARE.—In determining the amounts to be required for behavioral health services for members of the Selected Reserve under section 1074a(g) of title 10, United States Code (as so amended), for purposes of the budget of the President for fiscal years after fiscal year 2016, as submitted to Congress pursuant to section 1105 of title 31, United States Code, the Assistant Secretary of Defense for Health Affairs shall consult with appropriate officials having responsibility for the administration of the reserve components of the Armed Forces, including the Chief of the National Guard Bureau with respect to the National Guard.

SA 1625. Mr. TESTER submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____. CREDIT PROTECTIONS FOR SERVICEMEMBERS.

(a) ACTIVE DUTY FREEZE ALERTS.—Section 605A of the Fair Credit Reporting Act (15 U.S.C. 1681c–1) is amended—

(1) in the heading for such section, by striking ''**AND ACTIVE DUTY ALERTS**'' and inserting ''**, ACTIVE DUTY ALERTS, AND ACTIVE DUTY FREEZE ALERTS**'';

(2) by redesignating subsections (d) through (h) as subsections (e) through (i), respectively;

(3) by inserting after subsection (c) the following:

''(d) ACTIVE DUTY FREEZE ALERTS.—Upon the direct request of an active duty military consumer, or an individual acting on behalf of or as a personal representative of an active duty military consumer, a consumer reporting agency described in section 603(p) that maintains a file on the active duty military consumer and has received appropriate proof of the identity of the requester, at no cost to the active duty military consumer while the consumer is deployed, shall—

''(1) include an active duty freeze alert in the file of that active duty military consumer, and also provide that alert along with any credit score generated in using that file, during a period of not less than 12 months, or such longer period as the Bureau shall determine, by regulation, beginning on the date of the request, unless the active duty military consumer or such representative requests that such freeze alert be removed before the end of such period, and the agency has received appropriate proof of the identity of the requester for such purpose;

''(2) during the 2-year period beginning on the date of such request, exclude the active duty military consumer from any list of consumers prepared by the consumer reporting agency and provided to any third party to offer credit or insurance to the consumer as part of a transaction that was not initiated by the consumer, unless the consumer requests that such exclusion be rescinded before the end of such period; and

''(3) refer the information regarding the active duty freeze alert to each of the other consumer reporting agencies described in section 603(p), in accordance with procedures developed under section 621(f).'';

(4) in subsection (e), as so redesignated—

(A) by striking ''extended, and active duty alerts'' and inserting ''extended, active duty, and active duty freeze alerts''; and

(B) by striking ''extended, or active duty alerts'' and inserting ''extended, active duty, or active duty freeze alerts'';

(5) in subsection (f), as so redesignated—

(A) in the matter preceding paragraph (1), by striking ''or active duty alert'' and inserting ''active duty alert, or active duty freeze alert'';

(B) in paragraph (2), by striking ''; and'' and inserting a semicolon;

(C) in paragraph (3), by striking the period and inserting ''; and''; and

(D) by adding at the end the following:

''(4) paragraphs (1) and (2) of subsection (d), in the case of a referral under subsection (d)(3).'';

(6) in subsection (g), as so redesignated, by striking ''or active duty alert'' and inserting ''active duty alert, or active duty freeze alert''; and

(7) in subsection (i), as so redesignated, by adding at the end the following:

''(3) REQUIREMENTS FOR ACTIVE DUTY FREEZE ALERTS.—

''(A) NOTIFICATION.—Each active duty freeze alert under this section shall include information that notifies all prospective users of a consumer report on the consumer to which the freeze alert relates that the consumer does not authorize the establishment of any new credit plan or extension of credit, including any credit under an open-end credit plan (as defined in section 103(i)), in the name of the consumer, or issuance of an additional card on an existing credit account requested by a consumer, or any increase in credit limit on an existing credit account requested by a consumer.

''(B) PROHIBITION ON USERS.—No prospective user of a consumer report that includes

an active duty freeze alert in accordance with this section may establish a new credit plan or extension of credit, including any credit under an open-end credit plan (as defined in section 103(i)), in the name of the consumer, or issue an additional card on an existing credit account requested by a consumer, or grant any increase in credit limit on an existing credit account requested by a consumer.''.

(b) RULEMAKING.—The Bureau of Consumer Financial Protection shall prescribe regulations to define what constitutes appropriate proof of identity for purposes of section 605A(d) of the Fair Credit Reporting Act, as amended by subsection (a).

(c) TECHNICAL AMENDMENT.—Section 603(q)(2) of the Fair Credit Reporting Act (15 U.S.C. 1681a(q)(2)) is amended—

(1) in the heading for such paragraph, by striking ''ACTIVE DUTY ALERT'' and inserting ''ACTIVE DUTY ALERT; ACTIVE DUTY FREEZE ALERT''; and

(2) by inserting ''and 'active duty freeze alert' '' before ''mean''.

SA 1626. Mr. TESTER (for himself and Mr. MORAN) submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle A of title V, add the following:

SEC. 1116. ADDITIONAL LEAVE FOR FEDERAL EMPLOYEES WHO ARE DISABLED VETERANS.

(a) IN GENERAL.—Subchapter II of chapter 63 of title 5, United States Code, is amended by adding at the end the following:

''§ 6329. Disabled veteran leave

''(a) DEFINITIONS.—In this section—

''(1) notwithstanding section 6301, the term 'employee'—

'(A) has the meaning given such term in section 2105; and

''(B) includes an officer or employee of the United States Postal Service or of the Postal Regulatory Commission;

''(2) the term 'service-connected' has the meaning given such term in section 101(16) of title 38; and

''(3) the term 'veteran' has the meaning given such term in section 101(2) of title 38.

''(b) LEAVE CREDITED.—During the 12-month period beginning on the first day of the employment of an employee who is a veteran with a service-connected disability rated as 30 percent or more disabling, the employee is entitled to leave, without loss or reduction in pay, for purposes of undergoing medical treatment for such disability for which sick leave could regularly be used.

''(c) LIMITATIONS.—

''(1) AMOUNT OF LEAVE.— The leave credited to an employee under subsection (b) may not exceed 104 hours.

''(2) NO CARRY OVER.—Any leave credited to an employee under subsection (b) that is not used during the 12-month period described in such subsection may not be carried over and shall be forfeited.

''(d) CERTIFICATION.—In order to verify that leave credited to an employee under subsection (b) is used for treating a service-connected disability, the employee shall submit to the head of the employing agency a certification, in such form and manner as the Director of the Office of Personnel Management may prescribe, that the employee used the leave for purposes of being furnished treatment for the disability by a health care provider.''.

(b) TECHNICAL AND CONFORMING AMENDMENT.—

The table of sections for chapter 63 of title 5, United States Code, is amended by adding after the item relating to section 6328 the following:

''6329. Disabled veteran leave.''.

(c) APPLICATION.—The amendment made by subsection (a) shall apply with respect to an employee (as that term is defined in section 6329(a)(1) of title 5, United States Code, as added by subsection (a)) hired on or after the date that is 1 year after the date of enactment of this Act.

SA 1627. Mr. TESTER (for himself, Mr. ENZI, Mr. COONS, Mr. BLUMENTHAL, Mr. DAINES, Mr. BROWN, and Mrs. GILLIBRAND) submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle A of title V, add the following:

SEC. 141. C–130 FLEET MODERNIZATION.

(a) AFFIRMATION OF AUTHORITY TO MODERNIZE.—Congress affirms that, for the purposes of modernizing the C–130 aircraft fleet, the Air Force has authority to undertake safety and compliance upgrades in lieu of the C–130 aircraft avionics modernization program of record to meet applicable regulations of the Federal Aviation Administration by 2020.

(b) REPLACEMENT OF LIMITATION.—Section 134 of the Carl Levin and Howard P. ''Buck'' McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113–291; 128 Stat. 3317) is amended by striking subsection (b) and inserting the following new subsection (b):

''(b) COORDINATION WITH FAA IN IMPLEMENTATION OF ALTERNATIVE PROGRAM.—If the Secretary of the Air Force implements in accordance with subsection (a)(2) the alternative communication, navigation, surveillance, and air traffic management program described in subsection (a)(1)(3), the Secretary shall coordinate with the Administrator of the Federal Aviation Administration in the implementation of such program in order to meet or otherwise satisfy applicable safety and compliance airspace regulations.''

SA 1628. Ms. AYOTTE (for herself, Mr. PETERS, Mr. GRAHAM, and Mr. RUBIO) submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

Strike section 1272, and insert the following:

SEC. 1272. UNITED STATES-ISRAEL ANTI-TUNNEL COOPERATION.

(a) FINDINGS.—Congress makes the following findings:

(1) Tunnels can be used for criminal purposes, such as smuggling drugs, weapons, or humans, or for terrorist or military purposes, such as launching surprise attacks or detonating explosives underneath civilian or military infrastructure.

(2) Tunnels have been a growing threat on the southern border of the United States for years.

(3) In the conflict in Gaza in 2014, terrorists used tunnels to conduct attacks against Israel.

(b) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) it is in the national security interests of the United States to develop technology to detect and counter tunnels, and the best way to do this is to partner with other affected countries;

(2) the Administration should, on a joint basis with Israel, carry out research, development, test, and evaluation of anti-tunnel capabilities to detect, map, and neutralize underground tunnels into and directed at the territory of Israel; and

(3) the Administration should use developed anti-tunnel capabilities to better protect the United States and deployed United States military personnel.

(c) ASSISTANCE TO ISRAEL TO ESTABLISH ANTI-TUNNEL CAPABILITIES.—

(1) IN GENERAL.—The Secretary of Defense, upon request of the Ministry of Defense of Israel, is authorized to carry out research, development, test, and evaluation, on a joint basis with Israel, to establish anti-tunnel capabilities to detect, map, and neutralize underground tunnels into and directed at the territory of Israel. Such authority includes authority to construct facilities and install equipment necessary to carry out research, development, test, and evaluation so authorized.

(2) CERTIFICATION.—The activities described in paragraphs (1) and (3) may be carried out after the Secretary of Defense certifies to Congress the following:

(A) The Secretary has finalized a memorandum of understanding or other formal agreement between the United States and Israel regarding sharing of research and development costs for the capabilities described in paragraph (1).

(B) The understanding or agreement—

(i) requires sharing of costs of projects, including in-kind support, between the United States and Israel;

(ii) establishes a framework to negotiate the rights to any intellectual property developed under the cooperative research and development projects; and

(iii) requires the United States Government to receive quarterly reports on expenditure of funds, if any, by the Government of Israel, including a description of what the funds have been used for, when funds were expended, and an identification of entities that expended the funds.

(3) ASSISTANCE.—The Secretary of Defense, upon request of the Government of Israel, is authorized to provide procurement, maintenance, and sustainment assistance to Israel

in support of the anti-tunnel capabilities research, development, test, and evaluation activities authorized in paragraph (1).

(d) REPORTS.—

(1) INITIAL REPORT.—The Secretary of Defense shall submit to the appropriate committees of Congress a report that contains a copy of the memorandum of understanding and other documents between the United States and Israel as described in subsection (c)(2).

(2) QUARTERLY REPORTS.—The Secretary shall submit to the appropriate committees of Congress on a quarterly basis a report that contains a copy of the most recent quarterly report provided by the Government of Israel to the Department of Defense pursuant to subsection (c)(2)(B)(iii).

(e) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this section, the term ''appropriate committees of Congress'' means—

(1) the Committee on Armed Services, the Committee on Foreign Relations, the Committee on Homeland Security, and the Committee on Appropriations of the Senate; and

(2) the Committee on Armed Services, the Committee on Foreign Affairs, the Committee on Homeland Security, and the Committee on Appropriations of the House of Representatives.

SA 1629. Mr. COTTON (for himself and Mr. RUBIO) submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle B of title XXXI, add the following:

SEC. 3124. ENSURING UNITED STATES CIVIL NUCLEAR COMPONENTS ARE NOT ILLEGALLY DIVERTED TO NUCLEAR NAVAL PROPULSION PROGRAMS.

Section 57 of the Atomic Energy Act of 1954 (42 U.S.C. 2077) is amended by adding at the end the following new subsection:

''(f)(1) Except as provided in paragraph (2), the Secretary may not make an authorization under subsection b.(2) with respect to a foreign country with a nuclear naval propulsion program unless—

''(A) the Director of National Intelligence and the Chief of Naval Operations jointly submit to the appropriate congressional committees an assessment of the risks of diversion, and the likely consequences of such diversion, of the technology and material covered by such authorization; and

''(B) following the date on which such assessment is submitted, the Administrator for Nuclear Security certifies to the appropriate congressional committees that—

''(i) there is sufficient diversion control as part of the authorization; and

''(ii) the authorization presents a minimal risk of diversion of such technology and material to a military program that would degrade the technical advantage of the United States.

''(2) The limitation under paragraph (1) shall not apply with respect to France or the United Kingdom.

''(3) In this subsection, the term 'appropriate congressional committees' means the following:

''(A) The congressional defense committees (as defined in section 101(a)(16) of title 10, United States Code).

''(B) The Select Committee on Intelligence of the Senate and the Permanent Select Committee on Intelligence of the House of Representatives.

''(C) The Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives.''.

SA 1630. Ms. MURKOWSKI submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle G of title X, add the following:

SEC. 1085. REQUIREMENT TO CONTACT CERTAIN TRICARE PROVIDERS TO DETERMINE INTEREST IN PARTICIPATING IN CHOICE PROGRAM OF DEPARTMENT OF VETERANS AFFAIRS.

(a) SUBMITTAL OF LIST.—

(1) IN GENERAL.—Not later than 60 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the Secretary of Veterans Affairs a list of all health care providers who participate in the TRICARE program and who are not health care providers of the Department of Defense.

(2) UPDATE.—Not less frequently than twice each year after the submittal of the list under paragraph (1), the Secretary of Defense shall submit to the Secretary of Veterans Affairs an update to such list.

(b) DETERMINATION OF INTEREST IN PARTICIPATION.—The Secretary of Veterans Affairs shall contact each provider included in the list submitted under paragraph (1) or any update to such list submitted under paragraph (2) to determine whether any such provider would be interested in furnishing care to veterans under section 101 of the Veterans Access, Choice, and Accountability Act of 2014 (Public Law 113–146; 38 U.S.C. 1701 note).

(c) TRICARE PROGRAM DEFINED.—In this section, the term ''TRICARE program'' has the meaning given that term in section 1072 of title 10, United States Code.

SA 1631. Ms. MURKOWSKI submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle G of title X, add the following:

SEC. 1085. MAINTENANCE BY DEPARTMENT OF VETERANS AFFAIRS OF CERTAIN JOINT VENTURES WITH DEPARTMENT OF DEFENSE.

(a) IN GENERAL.—Except as provided in subsection (b) and notwithstanding the policy statement of the Department of Veterans Affairs dated May 12, 2015, and entitled ''Veterans Health Administration Hierarchy for Purchased Care'' or any other policy of the Department relating to purchased care for purposes of implementing section 101 of the Veterans Access, Choice, and Accountability Act of 2014 (Public Law 113–146; 38 U.S.C. 1701 note), the Secretary of Veterans Affairs may not—

(1) withdraw from any arrangement under which the Secretary of Veterans Affairs and the Secretary of Defense jointly operate a hospital;

(2) reduce or eliminate staffing, funding, or the provision of other resources to a hospital that is so jointly operated; or

(3) limit the access of veterans to any such hospital.

(b) EXCEPTION.—The Secretary of Veterans Affairs may carry out an action listed in paragraphs (1) through (3) of subsection (a) with respect to a hospital if the Secretary submits a report to the Secretary of Defense, the appropriate committees of Congress, and each Member of the Senate and the House of Representatives who represents the State in which the hospital is located—

(1) providing 180 days advance notice of the intent of the Secretary of Veterans Affairs to carry out the action; and

(2) specifying the reasons of the Secretary for carrying out the action.

(c) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this section, the term ''appropriate committees of Congress'' means—

(1) the Committee on Armed Services, the Committee on Veterans' Affairs, and the Committee on Appropriations of the Senate; and

(2) the Committee on Armed Services, the Committee on Veterans' Affairs, and the Committee on Appropriations of the House of Representatives.

SA 1632. Mr. MCCAIN (for himself and Mr. JOHNSON) submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

Subtitle ___—Border Security Effectiveness Metrics

SEC. ___1. DEFINITIONS.

In this subtitle:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ''appropriate congressional committees'' means—

(A) the Committee on Homeland Security and Governmental Affairs of the Senate; and

(B) the Committee on Homeland Security of the House of Representatives.

(2) COCAINE REMOVAL EFFECTIVENESS RATE.—The term ''cocaine removal effectiveness rate'' means the percentage that results from dividing—

(A) the amount of cocaine removed by the Department of Homeland Security's maritime security components inside or outside a transit zone, as the case may be; by

(B) the total documented cocaine flow rate, as contained in Federal drug databases.

(3) CONSEQUENCE DELIVERY SYSTEM.—The term ''Consequence Delivery System'' means

the series of consequences applied by the Border Patrol to persons unlawfully entering the United States to prevent unlawful border crossing recidivism.

(4) FEDERAL LANDS.—The term ''Federal lands'' includes all land under the control of the Secretary of Defense, the Secretary of Agriculture, or the Secretary of the Interior along the international border between the United States and Mexico.

(5) GOT AWAY.—The term ''got away'' means an unlawful border crosser who, after making an unlawful entry into the United States, is not turned back or apprehended.

(6) MAJOR VIOLATOR.—The term ''major violator'' means a person or entity that has engaged in serious criminal activities at any land, air, or sea port of entry, including—

(A) possession of illicit drugs;

(B) smuggling of prohibited products;

(C) human smuggling;

(D) weapons possession;

(E) use of fraudulent United States documents; or

(F) other offenses serious enough to result in arrest.

(7) SITUATIONAL AWARENESS.—The term ''situational awareness'' means knowledge and unified understanding of current unlawful cross-border activity, including—

(A) threats and trends concerning illicit trafficking and unlawful crossings;

(B) the ability to forecast future shifts in such threats and trends;

(C) the ability to evaluate such threats and trends at a level sufficient to create actionable plans; and

(D) the operational capability to conduct continuous and integrated surveillance of the international borders of the United States.

(8) TRANSIT ZONE.—The term ''transit zone'' means the sea corridors of the western Atlantic Ocean, the Gulf of Mexico, the Caribbean Sea, and the eastern Pacific Ocean through which undocumented migrants and illicit drugs transit, either directly or indirectly, to the United States.

(9) TURN BACK.—The term ''turn back'' means an unlawful border crosser who, after making an unlawful entry into the United States, returns to the country from which such crosser entered.

(10) UNLAWFUL BORDER CROSSING EFFECTIVENESS RATE.—

(A) IN GENERAL.—The term ''unlawful border crossing effectiveness rate'' means the percentage that results from dividing—

(i) the number of apprehensions and turn backs; by

(ii) the number of apprehensions, turn backs, and got aways.

(B) MANNER OF COLLECTION.—The data used by the Secretary of Homeland Security to determine the unlawful border crossing effectiveness rate shall be collected and reported in a consistent and standardized manner across all Border Patrol sectors, informed by situational awareness.

SEC. ___2. METRICS FOR SECURING THE BORDER BETWEEN PORTS OF ENTRY.

(a) IN GENERAL.—Not later than 120 days after the date of the enactment of this Act and annually thereafter, the Chief of the Border Patrol shall develop metrics, informed by situational awareness, to measure the effectiveness of security between ports of entry. The metrics developed under this subsection shall include—

(1) an unlawful border crossing effectiveness rate, which is informed by situational awareness;

(2) a probability of detection, which compares the estimated total unlawful border crossing attempts not detected by the Border Patrol to the unlawful border crossing effectiveness rate;

(3) a weight-to-frequency rate, which compares the average weight of marijuana seized per seizure by the Border Patrol in any fiscal year to such weight-to-frequency rate for the immediately preceding 5 fiscal years;

(4) a situational awareness achievement metric, which measures the amount of situational awareness achieved in each Border Patrol sector;

(5) an illicit drugs seizure rate, which compares the amount and type of illicit drugs seized by the Border Patrol in any fiscal year to an average of the amount and type of illicit drugs seized by the Border Patrol in the immediately preceding 5 fiscal years;

(6) in consultation with the Office of National Drug Control Policy and the United States Southern Command, a cocaine seizure effectiveness rate, which is the percentage resulting from dividing—

(A) the amount of cocaine seized by the Border Patrol; by

(B) the total documented cocaine flow rate between ports of entry along the Southern land border;

(7) estimates, using alternative methodologies, including recidivism data, survey data, known-flow data, and technologically measured data, of—

(A) total attempted unlawful border crossings;

(B) the rate of apprehension of attempted unlawful border crossers; and

(C) the inflow into the United States of unlawful border crossers who evade apprehension; and

(8) estimates of the impact of the Border Patrol's Consequence Delivery System on the rate of recidivism of unlawful border crossers over multiple fiscal years and an examination of each consequence, including—

(A) voluntary return;

(B) warrant of arrest or notice to appear;

(C) expedited removal;

(D) reinstatement of removal;

(E) alien transfer exit program;

(F) streamline;

(G) standard prosecution; and

(H) Operation Against Smugglers Initiative on Safety and Security.

(b) METRICS CONSULTATION.—In developing the metrics required under subsection (a), the Chief of the Border Patrol shall consult with staff members of the Office of Policy of the Department of Homeland Security and staff members of the Office of the Chief Financial Officer of the Department of Homeland Security.

SEC. ___3. METRICS FOR SECURING THE BORDER AT PORTS OF ENTRY.

(a) IN GENERAL.—Not later than 120 days after the date of the enactment of this Act, and annually thereafter, the Assistant Commissioner for the Office of Field Operations in U.S. Customs and Border Protection shall develop metrics, informed by situational awareness, to measure the effectiveness of security at ports of entry. The metrics developed under this subsection shall include—

(1) an inadmissible border crossing rate, which is measured by dividing—

(A) the number of known inadmissible border crossers who are denied entry, excluding those border crossers who voluntarily withdraw their applications for admission; by

(B) the total estimated number of inadmissible border crossers who attempt entry;

(2) an illicit drugs seizure rate, which compares the amount and type of illicit drugs seized by the Office of Field Operations of U.S. Customs and Border Protection in any fiscal year to an average of the amount and type of illicit drugs seized by U.S. Customs and Border Protection for the immediately preceding 5 fiscal years;

(3) in consultation with the Office of National Drug Control Policy and the United States Southern Command, a cocaine seizure effectiveness rate, which is the percentage resulting from dividing—

(A) the amount of cocaine seized by the Office of Field Operations of U.S. Customs and Border Protection; by

(B) the total documented cocaine flow rate at ports of entry along the Southern land border;

(4) estimates, using alternative methodologies, including survey data and randomized secondary screening data, of—

(A) total attempted inadmissible border crossers;

(B) the rate of apprehension of attempted inadmissible border crossers; and

(C) the inflow into the United States of inadmissible border crossers who evade apprehension;

(5) the number of infractions related to personnel and cargo committed by major violators who are apprehended by the Office of Field Operations of U.S. Customs and Border Protection at ports of entry, and the estimated number of such infractions committed by major violators who are not apprehended;

(6) a measurement of how border security operations affect border crossing times;

(7) the amount and type of illicit drugs seized by the Office of Field Operations of U.S. Customs and Border Protection at United States seaports during the previous fiscal year; and

(8) a cargo scanning rate, which compares the number of cargo containers scanned by the Office of Field Operations of U.S. Customs and Border Protection at each United States seaport during the previous fiscal year to the total number of cargo containers entering the United States at each seaport during the previous fiscal year.

(b) METRICS CONSULTATION.—In developing the metrics required under subsection (a), the Assistant Commissioner for the Office of Field Operations shall consult with staff members of the Office of Policy at the Department of Homeland Security and staff members of the Office of the Chief Financial Officer of the Department of Homeland Security.

SEC. ___4. METRICS FOR SECURING THE MARITIME BORDER.

(a) IN GENERAL.—Not later than 120 days after the date of the enactment of this Act and annually thereafter, the Commandant of the United States Coast Guard and the Assistant Commissioner for the Office of Air and Marine for U.S. Customs and Border Protection shall jointly implement metrics, informed by situational awareness, to measure the effectiveness of security in the maritime environment. The metrics developed under this subsection shall include—

(1) an estimate of the total number of undocumented migrants who were not interdicted by the Department of Homeland Security's maritime security components;

(2) an undocumented migrant interdiction rate, which compares the flow of undocumented migrants interdicted against the total estimated number of undocumented migrants who were not interdicted by the Department of Homeland Security's maritime security components;

(3) an illicit drugs removal rate, which compares the amount and type of illicit

drugs removed by the Department of Homeland Security's maritime security components inside a transit zone in any fiscal year to an average of the amount and type of illicit drugs removed by the Department of Homeland Security's maritime security components inside a transit zone for the immediately preceding 5 fiscal years;

(4) an illicit drugs removal rate, which compares the amount and type of illicit drugs removed by the Department of Homeland Security's maritime security components outside a transit zone in any fiscal year to an average of the amount and type of illicit drugs removed by the Department of Homeland Security's maritime security components outside a transit zone for the immediately preceding 5 fiscal years;

(5) a cocaine removal effectiveness rate inside a transit zone and outside a transit zone; and

(6) a response rate, which compares the ability of the maritime security components of the Department of Homeland Security to respond to and resolve known maritime threats, whether inside and outside a transit zone, by placing assets on-scene, to the total number of events with respect to which the Department has known threat information.

(b) METRICS CONSULTATION.—In developing the metrics required under subsection (a), the Commandant of the Coast Guard and the Assistant Commissioner for Air and Marine shall consult with staff members of the Office of Policy at the Department of Homeland Security and staff members of the Office of the Chief Financial Officer of the Department of Homeland Security.

SEC. ___5. AIR AND MARINE SECURITY METRICS IN THE LAND DOMAIN.

(a) IN GENERAL.—Not later than 120 days after the date of the enactment of this Act and annually thereafter, the Assistant Commissioner for the Office of Air and Marine for U.S. Customs and Border Protection shall implement metrics, informed by situational awareness, to measure the effectiveness of security in the aviation environment. The metrics developed under this subsection shall include—

(1) a requirement effectiveness rate, which compares U.S. Customs and Border Protection's Office of Air and Marine flight hours requirements to the number of flight hours actually flown by such Office;

(2) a funded flight hours effectiveness rate, which compares the number of funded flight hours appropriated to U.S. Customs and Border Protection's Office of Air and Marine to the number of actual flight hours flown by such Office;

(3) a readiness rate, which compares the number of aviation missions flown by U.S. Customs and Border Protection's Office of Air and Marine to the number of aviation missions cancelled by such Office due to weather, maintenance, operations, or other causes;

(4) the number of subjects detected by U.S. Customs and Border Protection's Office of Air and Marine through the use of unmanned aerial systems;

(5) the number of apprehensions assisted by U.S. Customs and Border Protection's Office of Air and Marine through the use of unmanned aerial systems;

(6) the number and quantity of illicit drug seizures assisted by U.S. Customs and Border Protection's Office of Air and Marine through the use of unmanned aerial systems; and

(7) a detailed description of how, where, and for how long data and images collected through the use of unmanned aerial systems by U.S. Customs and Border Protection is collected and stored.

(b) METRICS CONSULTATION.—In developing the metrics required under subsection (a), the Assistant Commissioner for Air and Marine shall consult with staff members of the Office of Policy at the Department of Homeland Security and staff members of the Office of the Chief Financial Officer of the Department of Homeland Security.

SEC. ___6. METRICS FOR SECURING THE BORDER ON FEDERAL LANDS.

(a) IN GENERAL.—Not later than 120 days after the date of the enactment of this Act and annually thereafter, the Chief of the Border Patrol shall develop metrics, informed by situational awareness, to measure the effectiveness of security between ports of entry on Federal lands. The metrics developed under this subsection shall include—

(1) an unlawful border crossing effectiveness rate, which is informed by situational awareness;

(2) a probability of detection, which compares the estimated total unlawful border crossing attempts not detected by the Border Patrol to the unlawful border crossing effectiveness rate;

(3) a weight-to-frequency rate, which compares the average weight of marijuana seized per seizure by the Border Patrol in any fiscal year to such weight-to-frequency rate for the immediately preceding 5 fiscal years;

(4) a situational awareness achievement metric, which measures the amount of situational awareness achieved in each Border Patrol sector;

(5) an illicit drugs seizure rate, which compares the amount and type of illicit drugs seized by the Border Patrol in any fiscal year to an average of the amount and type of illicit drugs seized by the Border Patrol in the immediately preceding 5 fiscal years;

(6) in consultation with the Office of National Drug Control Policy and the United States Southern Command, a cocaine seizure effectiveness rate, which is the percentage resulting from dividing—

(A) the amount of cocaine seized by the Border Patrol; by

(B) the total documented cocaine flow rate between ports of entry on Federal lands along the Southern land border;

(7) estimates, using alternative methodologies, including recidivism data, survey data, known-flow data, and technologically measured data, of—

(A) total attempted unlawful border crossings;

(B) the rate of apprehension of attempted unlawful border crossers; and

(C) the inflow into the United States of unlawful border crossers who evade apprehension.

(b) METRICS CONSULTATION.—In developing the metrics required under subsection (a), the Chief of the Border Patrol shall consult with the Office of Policy of the Department of Homeland Security and the Office of the Chief Financial Officer of the Department of Homeland Security.

SEC. ___7. EVALUATION BY THE GOVERNMENT ACCOUNTABILITY OFFICE.

(a) IN GENERAL.—The metrics required under sections ___2 through ___6, and the data and methodology used to develop such metrics, shall be provided annually to—

(1) the appropriate congressional committees;

(2) the Comptroller General of the United States; and

(3) the head of a national laboratory within the Department of Homeland Security laboratory network with prior experience in border security, who shall be selected by the Secretary of Homeland Security.

(b) REPORT.—Not later than 270 days after receiving the data and methodology referred to in subsection (a), and annually thereafter for the following 10 years, the Comptroller General of the United States, in consultation with the individual selected under subsection (a)(3), shall submit a report to the appropriate congressional committees that—

(1) analyzes the suitability and statistical validity of such data and methodology; and

(2) includes recommendations to the Secretary of Homeland Security for other suitable metrics that may be used to measure the effectiveness of border security.

SA 1633. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. BORDER SECURITY ON FEDERAL LANDS ALONG THE SOUTHERN BORDER.

(a) DEFINITIONS.—In this section:

(1) BORDER SECURITY.—The term ''border security'' means—

(A) the functioning and operational capability to conduct continuous and integrated manned or unmanned, monitoring, sensing, or surveillance of 100 percent of Southern border mileage within the Tucson and Yuma sectors or the immediate vicinity of the Southern border within the Tucson and Yuma Sectors; and

(B) the apprehension or turn back of illegal entries across the Southern border in the Tucson and Yuma sectors.

(2) FEDERAL LANDS.—The term ''Federal lands'' includes all land under the control of the Secretary concerned that is located—

(A) within 100 miles of the international border between the United States and Mexico; and

(B) within the Tucson and Yuma sectors of United States Border Patrol.

(3) SECRETARY CONCERNED.—The term ''Secretary concerned'' means—

(A) with respect to land under the jurisdiction of the Secretary of Agriculture, the Secretary of Agriculture; and

(B) with respect to land under the jurisdiction of the Secretary of the Interior, the Secretary of the Interior.

(b) SUPPORT FOR BORDER SECURITY NEEDS.—

(1) IN GENERAL.—To achieve border security on Federal lands—

(A) notwithstanding any other provision of law, the Secretary concerned shall provide U.S. Customs and Border Protection personnel with immediate access to Federal lands for border security activities, including—

(i) routine motorized patrols; and

(ii) the deployment of communications, surveillance, and detection equipment;

(B) the Secretary concerned may provide education and training to U.S. Customs and Border Protection personnel on the natural and cultural resources present on individual Federal land units; and

(C) the security activities described in subparagraph (A) shall be conducted, to the maximum extent practicable, in a manner that the Secretary of Homeland Security determines will best protect the natural and cultural resources on Federal lands.

(2) INTERMINGLED STATE AND PRIVATE LAND.—Paragraph (1) shall not apply to any private or State-owned land within the boundaries of Federal lands.

(3) SUNSET.—The requirements under this subsection shall terminate on the date that is 4 years after the date of the enactment of this Act.

(c) REPORT.—Not later than 90 days before the date on which the requirements under subsection (b) are scheduled to terminate, the Comptroller General of the United States shall submit a report to the appropriate congressional committees that includes—

(1) an analysis of the effectiveness of the actions taken pursuant to such subsection, including the impact of such actions on—

(A) border security activities; and

(B) the natural and cultural resources on impacted Federal lands;

(2) an assessment of the 2006 Memos of Understanding between the Department of Homeland Security, the Department of Agriculture, and the Secretary of the Interior regarding access to Federal and Indian lands for border security activities, including—

(A) how such memoranda, as in force on the date of the enactment of this Act, impacted border security activities;

(B) the best way to improve such memoranda and their application;

(C) specific ways in which such memoranda could be used to ensure that the Department of Homeland Security receives timely access to Federal lands for critical border security activities; and

(D) the number of agency personnel required to effectively and efficiently execute such memoranda;

(3) a sector-by-sector analysis of the expected impact of applying the requirements under subsection (b) to the entire land border of the United States, including—

(A) an assessment of—

(i) how border security activities and natural, cultural, and historic resources on Federal and Indian lands would be impacted, including the potential impact on wildlife, including endangered species;

(ii) any actions the Department of Homeland Security would need to take to mitigate the impact of border security actions, including the estimated costs of such actions; and

(iii) whether lack of access hinders border security; and

(B) an examination of the impact of providing the Department of Homeland Security with increased access to Federal and Indian lands located within—

(i) 25 miles of the United States border;

(ii) 50 miles of the United States border, or

(iii) 100 miles of the United States border; and

(4) a sector-by-sector analysis of—

(A) the costs incurred by each Secretary concerned relating to managing and mitigating for illegal border activity on Federal lands, including the cost of restoring natural resources that were damaged by illegal border activity;

(B) the impact of illegal traffic on wildlife, including endangered species and critical habitat; and

(C) the impact of illegal traffic on natural, cultural, and historic resources on Federal lands.

SA 1634. Mr. BLUNT submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle A of title VII, add the following:

SEC. 706. INCLUSION OF MEMBERS OF THE ARMED FORCES NOT SUBJECTED OR EXPOSED TO OPERATIONAL RISK FACTORS IN REQUIRED MENTAL HEALTH ASSESSMENT.

Section 1074m(a)(2) of title 10, United States Code is amended by striking ''determines that—'' and all that follows through ''providing such assessment'' and inserting ''determines that providing such assessment''.

SA 1635. Mr. BLUNT submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle A of title IV, add the following:

SEC. 403. LIMITATION ON REDUCTION OF END STRENGTH FOR ACTIVE DUTY PERSONNEL OF THE ARMED FORCES.

Notwithstanding any other provision of law, including any authorized strength specified in any annual national defense authorization Act enacted after the date of the enactment of this Act, the authorized strength for active duty personnel of the Armed Forces for any fiscal year may not be reduced below the applicable number for fiscal year 2016 specified in section 401 until the date on which the Secretary of Defense submits to Congress the report required by section 904(d)(1) of the National Defense Authorization Act for Fiscal Year 2014 (Public Law 113–66; 127 Stat. 816; 10 U.S.C. 111 note).

SA 1636. Mr. BLUNT submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle B of title XII, add the following:

SEC. 1230. CERTIFICATION ON ACTIONS TO ENSURE SAFETY AND SECURITY OF DISSIDENTS HOUSED AT CAMP LIBERTY, IRAQ.

Not later than 30 days after the date of the enactment of this Act, the Secretary of Defense shall certify, in writing, to the congressional defense committees whether the Central Government of Iraq is taking appropriate and sufficient actions to ensure the safety and security of dissidents housed at Camp Liberty, Iraq.

SA 1637. Mr. BLUNT submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle B of title XII, add the following:

SEC. 1230. LIMITATION ON USE OF FUNDS TO ARM OR EQUIP THE IRAQ MILITARY PENDING CERTIFICATION ON ACTIONS TO ENSURE SAFETY AND SECURITY OF DISSIDENTS HOUSED AT CAMP LIBERTY, IRAQ.

No amounts authorized to be appropriated by this Act or otherwise available for the Department of Defense may be used to arm or equip any personnel or units of the military forces of Iraq until the Secretary of Defense submits to the congressional defense committees a certification that appropriate actions have been taken to ensure the safety and security of dissidents housed at Camp Liberty, Iraq.

SA 1638. Mr. BLUNT submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle A of title VII, add the following:

SEC. 706. ENHANCEMENT OF ANNUAL MENTAL HEALTH SCREENINGS FOR MEMBERS OF THE ARMED FORCES.

(a) IN GENERAL.—Section 1074n(b) of title 10, United States Code is amended—

(1) in paragraph (1), by striking ''; and'' and inserting a semicolon;

(2) in paragraph (2), by striking the period at the end and inserting a semicolon; and

(3) by adding at the end the following new paragraphs:

''(3) include a thorough dialogue between the individual conducting the mental health assessment and the member to determine whether the member has had any experiences that could lead to future mental health concerns;

''(4) include a thorough screening of the member for key indicators of post-traumatic stress and mild to severe traumatic brain injury; and

''(5) include the creation of a recorded, verified history of events, including non-combat related events, for each member to determine the cause and correlation of symptoms of mild traumatic brain injury and post-traumatic stress that may appear months or years after the causal incident.''.

(b) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to Congress a plan for the implementation of paragraphs (3) through (5) of section 1074n(b) of such title, as added by subsection (a)(3) of this section.

(c) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) the annual mental health assessment for members of the Armed Forces provided under section 1074n of such title can be improved by providing members undergoing such an assessment with a record of events, including non-combat related events, to substantiate latent mental health issues that appear months or years after the causal incident;

(2) some members do not know how to ask for help with mental health concerns in connection with such assessment as conducted as of the date of the enactment of this Act and not all health care providers adequately discuss mental health during such assessment;

(3) the majority of mild traumatic brain injury inducing incidents are not diagnosed during combat deployment, so when symptoms do appear, there is no mechanism for health care providers to link the injury back to the causal incident;

(4) the provision of such assessment as conducted as of the date of the enactment of this Act does not recognize incidents described in paragraph (3) unless the member indicates such incidents on a survey or has a very proactive health care provider;

(5) when latent mental health symptoms appear after a member is discharged, the member is not eligible to receive treatment from the Department without a record of causal justification; and

(6) the Secretary of Defense has an obligation to localize as quickly and efficiently as possible without disrupting military readiness the mental health concerns that persist among members of the Armed Forces unbeknownst to those members and the health care providers of those members.

SA 1639. Mr. PORTMAN (for himself and Mr. BROWN) submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of part II of subtitle D of title V, add the following:

SEC. 540. AUTHORITY FOR UNITED STATES AIR FORCE INSTITUTE OF TECHNOLOGY TO CHARGE AND RETAIN TUITION FOR INSTRUCTION OF PERSONS OTHER THAN AIR FORCE PERSONNEL DETAILED FOR INSTRUCTION AT THE INSTITUTE.

(a) INSTITUTE INSTRUCTION OF PERSONS OTHER THAN AIR FORCE PERSONNEL.—Section 9314a of title 10, United States Code, is amended—

(1) by redesignating subsections (a), (c), (d), (e), and (f) as subsections (d), (e), (f), (g), and (h), respectively;

(2) by redesignating subsection (b) as paragraph (4) of subsection (d), as so redesignated; and

(3) by inserting before subsection (d), as so redesignated, the following new subsections:

''(a) MEMBERS OF THE ARMED FORCES OTHER THAN THE AIR FORCE WHO ARE DETAILED TO THE INSTITUTE.—(1) The Department of the Army, the Department of the Navy, and the Department of Homeland Security shall bear the cost of the instruction at the United States Air Force Institute of Technology that is received by members of the armed forces detailed for that instruction by the Secretaries of the Army, Navy, and Homeland Security, respectively.

''(2) Members of the Army, Navy, Marine Corps, and Coast Guard may only be detailed for instruction at the Institute on a space-available basis. The Secretary of the Air Force shall charge the Secretary concerned only for such costs and fees in connection with such instruction as the Secretary of the Air Force considers appropriate. Amounts received by the Institute for such instruction shall be retained by the Institute to defray the cost of instruction.

''(b) FEDERAL CIVILIAN EMPLOYEES OTHER THAN AIR FORCE EMPLOYEES WHO ARE DETAILED TO THE INSTITUTE.—(1) The United States Air Force Institute of Technology shall charge tuition for the cost of providing instruction at the Institute for any civilian employee of a military department (other than a civilian employee of the Department of the Air Force), of another component of the Department of Defense, or of another Federal agency who is detailed to receive instruction at the Institute.

''(2) The cost of any tuition charged an individual under this subsection shall be borne by the department, agency, or component that details the individual for instruction at the Institute. The Secretary of the Air Force shall charge the Secretary concerned only for such costs and fees in connection with such instruction as the Secretary of the Air Force considers appropriate. Amounts received by the Institute for such instruction shall be retained by the Institute to defray the cost of instruction.

''(c) NONDETAILED PERSONS.—(1) The Secretary of the Air Force may permit persons described in paragraph (2) to receive instruction at the United States Air Force Institute of Technology on a space-available basis. The Secretary of the Air Force shall charge the individuals concerned only for such costs and fees in connection with such instruction as the Secretary considers appropriate. Amounts received by the Institute for such instruction shall be retained by the Institute to defray the cost of instruction.

''(2) Paragraph (1) applies to any of the following persons:

''(A) A member of the armed forces not detailed for that instruction by the Secretary concerned.

''(B) A civilian employee of a military department, of another component of the Department of Defense, of another Federal agency, or of the National Guard of a State not detailed for that instruction by the Secretary concerned or head of the other Department of Defense component, other Federal agency, or the National Guard.

''(C) A United States citizen who is the recipient of a competitively selected Federal or Department of Defense sponsored scholarship or fellowship with a defense focus in areas of study related to the academic disciplines offered by the Institute and which requires a service commitment to the Federal government in exchange for educational financial assistance.

''(3) If a scholarship or fellowship described in paragraph (2)(C) includes a stipend, the Institute may accept the stipend payment from the scholarship or fellowship sponsor and make a direct payment to the individual.''.

(b) CONFORMING AMENDMENTS RELATED TO REDESIGNATION AND OTHER CONFORMING AMENDMENTS.—Such section is further amended—

(1) in subsection (d), as redesignated by subsection (a)(1)—

(A) in the subsection heading, by striking ''ADMISSION AUTHORIZED'' and inserting ''DEFENSE INDUSTRY EMPLOYEES'';

(B) in paragraph (1), by striking ''subsection (b)'' and inserting ''paragraph (4)''; and

(C) in paragraph (4), as redesignated by subsection (a)(2), by striking ''ELIGIBLE DEFENSE INDUSTRY EMPLOYEES.—'';

(2) in subsection (f)(1), as redesignated by subsection (a)(1), by striking ''subsection (a)(1)'' and inserting ''subsection (d)(1)'';

(3) in subsection (g)(1), as redesignated by subsection (a)(1)—

(A) by striking ''under this section'' and inserting ''under subsections (c) and (d)''; and

(B) by inserting before the period at the end the following: ''who are detailed to receive instruction at the Institute under subsection (b)''; and

(4) in subsection (h), as redesignated by subsection (a)(1), by striking ''defense industry employees enrolled under this section'' and inserting ''persons enrolled under this section who are not members of the armed forces or Government civilian employees''.

(c) CONDITIONS ON ADMISSION OF DEFENSE INDUSTRY CIVILIANS.—Subsection (e)(2) of such section, as redesignated by subsection (a)(1), is amended by striking ''will be done on a space-available basis and not require an increase in the size of the faculty'' and inserting ''will not require an increase in the permanently authorized size of the faculty''.

(d) STATUTORY REORGANIZATION.—Chapter 901 of title 10, United States Code, is amended—

(1) by transferring subsections (d) and (f) of section 9314 to the end of section 9314b and redesignating such subsections as subsections (c) and (d), respectively; and

(2) in subsection 9314, by striking subsection (e).

(e) CLERICAL AMENDMENTS.—

(1) SECTION HEADINGS.—(A) The heading of section 9314 of title 10, United States Code, is amended to read as follows:

''§ 9314. United States Air Force Institute of Technology: degree-granting authority''.

(B) The heading of section 9314a of such title is amended to read as follows:

''§ 9314a. United States Air Force Institute of Technology: reimbursement and tuition; instruction of persons other than Air Force personnel''.

(2) TABLE OF SECTIONS.—The table of sections at the beginning of chapter 901 of such title is amended by striking the items relating to sections 9314 and 9314a and inserting the following new items:

''9314. United States Air Force Institute of Technology: degree-granting authority.
''9314a. United States Air Force Institute of Technology: reimbursement and tuition; instruction of persons other than Air Force personnel.''.

SA 1640. Ms. MURKOWSKI submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016

for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle B of title XXVIII, add the following:

SEC. 2815. COORDINATION OF HUNTING, FISHING, AND OTHER RECREATIONAL ACTIVITIES ON MILITARY LAND.

(a) POLICY REQUIRED.—The Secretaries of the military departments shall establish a joint policy under which military installations that control military lands that are open to public access for hunting, fishing, and other recreational activities coordinate with State fish and wildlife managers, tribes, local governments, and hunting, fishing, and recreational user groups the periods during which such lands shall be open and closed to the public. To the maximum extent practicable such coordination shall be undertaken sufficiently in advance of the commencement of traditional hunting, fishing, and recreational use seasons in order for State fish and wildlife managers can plan for the opening and closing dates of seasons and the conditions under which fish and wildlife can be taken during the season.

(b) INSTALLATION LEVEL ADVISORY COMMITTEES.—The policy established under subsection (a) may authorize the creation of installation level advisory committees on the use of military lands for hunting, fishing, and recreational uses. Any such advisory committee shall not be subject to the provisions of the Federal Advisory Committee Act (5 U.S.C. App.).

SA 1641. Ms. MURKOWSKI submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle D of title I, add the following:

SEC. 152. FUNDING FOR COAST GUARD ICEBREAKER FLEET.

(a) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated for fiscal year 2016 for the Department of Defense such funds as may be necessary to support the maintenance and refurbishment of the Coast Guard icebreaker fleet and the design and construction of new icebreakers.

(b) TRANSFER AUTHORITY.—Funds authorized under this section may be transferred to the Department of Homeland Security.

SA 1642. Ms. MURKOWSKI submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle C of title XXVIII, add the following:

SEC. 2822. LAND ACQUISITION, FORT GREELY SCHOOL, DELTA JUNCTION, ALASKA.

(a) LAND ACQUISITION AUTHORIZED.—The Secretary of the Army may acquire, without consideration, from the Delta/Greely School District (in this section referred to as the ''District''), all right, title, and interest of the District in and to a parcel of property, including improvements thereon, consisting of the Fort Greely School, Delta Junction, Alaska.

(b) TERMINATION OF GROUND LEASE.—Upon the acquisition authorized under subsection (a), the ground lease between Delta/Greely School District and the Army will be terminated and the District shall be relieved from all liability for the demolition of the building or remediation of the site except for environmental contamination that was the result of sole willful misconduct of the District during the period that the District owned the Fort Greely School.

(c) ADDITIONAL TERMS.—The Secretary of the Army may require such additional terms and conditions in connection with the acquisition under subsection (a) as the Secretary considers appropriate to protect the interests of the United States.

SA 1643. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle C of title VI, add the following:

SEC. 622. GUARANTEED TRANSPORTATION FOR NEXT OF KIN TO ATTEND TRANSFER CEREMONY OF MEMBERS OF THE ARMED FORCES WHO DIE OVERSEAS.

Section 481f(e) of title 37, United States Code, is amended—

(1) by redesignating paragraphs (2), (3), and (4) as paragraphs (3), (4), and (5), respectively; and

(2) by inserting after paragraph (1) the following new paragraph (2):

''(2) The discretion to authorize transportation under paragraph (1) shall not apply, and the Secretary of the military department concerned is instead required to provide such transportation, whenever the death of the member overseas occurs in the line of duty in a combat or humanitarian relief operation or in combat zone designated by the Secretary of Defense.''.

SA 1644. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle D of title XII, add the following:

SEC. 1257. APPROVAL OF EXPORT LICENCES AND LETTERS OF REQUEST TO ASSIST THE GOVERNMENT OF UKRAINE.

(a) IN GENERAL.—

(1) EXPORT LICENSE APPLICATIONS.—The Secretary of State shall provide the specified congressional committees a detailed list of all export license applications, including requests for marketing licenses, for the sale of defense articles and defense services to Ukraine. The list shall include the date when the application or request was first submitted, the current status of each application or request, and the estimated timeline for adjudication of such applications or requests. The Secretary should give priority to processing these applications and requests.

(2) LETTERS OF REQUEST.—The Secretary of State shall also provide the specified congressional committees a detailed list of all pending Letters of Request for Foreign Military Sales to Ukraine, including the date when the letter was first submitted, the current status, and the estimated timeline for adjudication of such letters.

(b) REPORTS.—Not later than 30 days after the date of the enactment of this Act, and every 90 days thereafter, the Secretary of State shall submit to the specified congressional committees a report outlining the status of the applications, requests for marketing licenses and Letters of Request described under subsection (a). The report shall terminate upon certification by the President that the sovereignty and territorial integrity of the Government of Ukraine has been restored or 5 years after the date of the enactment of this Act, whichever occurs first.

(c) SPECIFIED CONGRESSIONAL COMMITTEES DEFINED.—In this subsection, the term ''specified congressional committees'' means—

(1) the congressional defense committees; and

(2) the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives.

SA 1645. Mr. MARKEY proposed an amendment to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; as follows:

At the end of subtitle G of title X, add the following:

SEC. 1085. SENSE OF CONGRESS REGARDING EXPORTS OF CRUDE OIL.

It is the sense of Congress that exports of crude oil to allies and partners of the United States should not be determined to be consistent with the national interest and the purposes of the Energy Policy and Conservation Act (42 U.S.C. 6201 et seq.) if those exports would increase energy prices in the United States for American consumers or businesses or increase the reliance of the United States on imported oil.

SA 1646. Mr. LEAHY submitted an amendment intended to be proposed to

amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle B of title V, add the following:

SEC. 515. ANNUAL REPORT ON PERSONNEL, TRAINING, AND EQUIPMENT REQUIREMENTS FOR THE NON-FEDERALIZED NATIONAL GUARD TO SUPPORT CIVILIAN AUTHORITIES IN PREVENTION AND RESPONSE TO NON-CATASTROPHIC DOMESTIC DISASTERS.

(a) ANNUAL REPORT REQUIRED.—Section 10504 of title 10, United States Code, is amended—

(1) in subsection (a), by striking ''REPORT.—'' and inserting ''REPORT ON STATE OF THE NATIONAL GUARD.—(1)'';

(2) by striking ''(b) SUBMISSION OF REPORT TO CONGRESS.—'' and inserting ''(2)'';

(3) by striking ''annual report of the Chief of the National Guard Bureau'' and inserting ''annual report required by paragraph (1)''; and

(4) by adding at the end the following new subsection (b):

''(b) ANNUAL REPORT ON NON-FEDERALIZED SERVICE NATIONAL GUARD PERSONNEL, TRAINING, AND EQUIPMENT REQUIREMENTS.—(1) Not later than January 31 of each of calendar years 2016 through 2022, the Chief of the National Guard Bureau shall submit to the congressional defense committees and the officials specified in paragraph (5) a report setting forth the personnel, training, and equipment required by the National Guard during the next fiscal year to carry out its mission, while not Federalized, to provide prevention, protection mitigation, response, and recovery activities in support of civilian authorities in connection with non-catastrophic natural and man-made disasters.

''(2) To determine the annual personnel, training, and equipment requirements of the National Guard referred to in paragraph (1), the Chief of the National Guard Bureau shall take into account, at a minimum, the following:

''(A) Core civilian capabilities gaps for the prevention, protection, mitigation, response, and recovery activities in connection with natural and man-made disasters, as collected by the Department of Homeland Security from the States.

''(B) Threat and hazard identifications and risk assessments of the Department of Defense, the Department of Homeland Security, and the States.

''(3) Personnel, training, and equipment requirements shall be collected from the States, validated by the Chief of the National Guard Bureau, and be categorized in the report required by paragraph (1) by each of the following:

''(A) Emergency support functions of the National Response Framework.

''(B) Federal Emergency Management Agency regions.

''(4) The annual report required by paragraph (1) shall be prepared in consultation with the chief executive of each State, other appropriate civilian authorities, and the Council of Governors.

''(5) In addition to the congressional defense committees, the annual report required by paragraph (1) shall be submitted to the following officials:

''(A) The Secretary of Defense.

''(B) The Secretary of Homeland Security.

''(C) The Council of Governors.

''(D) The Secretary of the Army.

''(E) The Secretary of the Air Force.

''(F) The Commander of the United States Northern Command.

''(G) The Commander of the United States Cyber Command.''.

(b) CLERICAL AMENDMENTS.—

(1) SECTION HEADING.—The heading of such section is amended to read as follows:

''§ 10504. Chief of the National Guard Bureau: annual reports''.

(2) TABLE OF CONTENTS.—The table of sections at the beginning of chapter 1011 of title 10, United States Code, is amended by striking the item relating to section 10504 and inserting the following new section:

''10504. Chief of the National Guard Bureau: annual reports.''.

SA 1647. Mr. MERKLEY submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle B of title XII, add the following:

SEC. 1230. REPEAL OF AUTHORIZATION FOR USE OF MILITARY FORCE AGAINST IRAQ RESOLUTION OF 2002.

The Authorization for Use of Military Force Against Iraq Resolution of 2002 (Public Law 107–243; 116 Stat. 1498; 50 U.S.C. 1541 note) is hereby repealed.

SA 1648. Mr. MERKLEY submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of part II of subtitle D of title V, add the following:

SEC. 540. ELIGIBILITY OF MEMBERS OF THE ARMY FOR TUITION ASSISTANCE THROUGH THE DEPARTMENT OF DEFENSE EFFECTIVE UPON COMPLETION OF INITIAL ENTRY TRAINING IN THE ARMY.

Notwithstanding Army policy ALARACT 317/2013 or any similar policy, any individual who is enlisted, inducted, or appointed as a member of the Army, including the Army National Guard of the United States and the Army Reserve, after the date of the enactment of this Act, shall be eligible for tuition assistance through the Department of Defense for members of the Armed Forces upon completion of initial entry training, rather than upon completion of one year of service after completion of initial entry training, to the same extent such members would have been eligible for such tuition assistance before the issuance of ALARACT 317/2013.

SA 1649. Mr. SCHATZ submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle E of title XII, add the following:

SEC. 1264. SENSE OF SENATE ON THE REBALANCE TO THE ASIA-PACIFIC REGION.

It is the sense of the Senate that—

(1) the rebalance to the Asia-Pacific region is right for the United States, and the United States Army is essential to this effort given the importance of land armies in the region;

(2) the Asia-Pacific region is home to 7 of the 10 largest armies in the world, and 21 of the 27 chiefs of defense in the region are army officers;

(3) the dynamic security environment in the Asia-Pacific region demands capabilities the Army has to offer, from supporting humanitarian operations to conducting military exercises with most important regional partners and allies of the United States;

(4) the spending limits in the Budget Control Act of 2011 impose hard choices on the Department of Defense that could force the Army to make strategically unwise cuts to its end strength;

(5) it is the responsibility of Congress to remove defense and non-defense spending limits to give Federal agencies the certainty they need to make sound budgetary decisions; and

(6) despite fiscal pressure, the Army should strengthen its posture in the Asia-Pacific region and make future force structure decisions in line with the commitment of the United States to rebalance to the region.

SA 1650. Mr. SCHATZ (for himself, Mrs. GILLIBRAND, Mr. MERKLEY, and Mr. BOOKER) submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle C of title V, add the following:

SEC. 524. REVIEW OF DISCHARGE CHARACTERIZATION OF MEMBERS OF THE ARMED FORCES DISCHARGED UNDER THE DON'T ASK, DON'T TELL POLICY.

(a) IN GENERAL.—In accordance with this section, the appropriate discharge boards—

(1) shall review the discharge characterization of covered members at the request of the covered member; and

(2) if such characterization is any characterization except honorable, may change such characterization to honorable.

(b) CRITERIA.—In changing the discharge characterization of a covered member to honorable under subsection (a)(2), the Secretary of Defense shall ensure that such changes are carried out consistently and uniformly across the military departments using the following criteria:

(1) The original discharge must be based on Don't Ask Don't Tell (in this section referred to as ''DADT'') or a similar policy in place prior to the enactment of DADT.

(2) Such discharge characterization shall be so changed if, with respect to the original discharge, there were no aggravating circumstances, such as misconduct, that would have independently led to a discharge characterization that was any characterization except honorable. For purposes of this paragraph, such aggravating circumstances may not include—

(A) an offense under section 925 of title 10, United States Code (article 125 of the Uniform Code of Military Justice), committed by a covered member against a person of the same sex with the consent of such person; or

(B) statements, consensual sexual conduct, or consensual acts relating to sexual orientation or identity, or the disclosure of such statements, conduct, or acts, that were prohibited at the time of discharge but after the date of such discharge became permitted.

(3) When requesting a review, a covered member, or the member's representative, shall be required to provide either—

(A) documents consisting of—

(i) a copy of the DD–214 form of the member;

(ii) a personal affidavit of the circumstances surrounding the discharge; and

(iii) any relevant records pertaining to the discharge; or

(B) an affidavit certifying that the member, or the member's representative, does not have the documents specified in subparagraph (A).

(4) If a covered member provides an affidavit described in subparagraph (B) of paragraph (3)—

(A) the appropriate discharge board shall make every effort to locate the documents specified in subparagraph (A) of such paragraph within the records of the Department of Defense; and

(B) the absence of such documents may not be considered a reason to deny a change of the discharge characterization under subsection (a)(2).

(c) REQUEST FOR REVIEW.—The appropriate discharge board shall ensure the mechanism by which covered members, or their representative, may request to have the discharge characterization of the covered member reviewed under this section is simple and straightforward.

(d) REVIEW.—

(1) IN GENERAL.—After a request has been made under subsection (c), the appropriate discharge board shall review all relevant laws, records of oral testimony previously taken, service records, or any other relevant information regarding the discharge characterization of the covered member.

(2) ADDITIONAL MATERIALS.—If additional materials are necessary for the review, the appropriate discharge board—

(A) may request additional information from the covered member or the member's representative, in writing, and specifically detailing what is being requested; and

(B) shall be responsible for obtaining a copy of the necessary files of the covered member from the member, or when applicable, from the Department of Defense.

(e) CHANGE OF CHARACTERIZATION.—The appropriate discharge board shall change the discharge characterization of a covered member to honorable if such change is determined to be appropriate after a review is conducted under subsection (d) pursuant to the criteria under subsection (b). A covered member, or the member's representative, may appeal a decision by the appropriate discharge board to not change the discharge characterization by using the regular appeals process of the board.

(f) CHANGE OF RECORDS.—For each covered member whose discharge characterization is changed under subsection (e), or for each covered member who was honorably discharged but whose DD–214 form reflects the sexual orientation of the member, the Secretary of Defense shall reissue to the member or the member's representative a revised DD–214 form that reflects the following:

(1) For each covered member discharged, the Separation Code, Reentry Code, Narrative Code, and Separation Authority shall not reflect the sexual orientation of the member and shall be placed under secretarial authority. Any other similar indication of the sexual orientation or reason for discharge shall be removed or changed accordingly to be consistent with this paragraph.

(2) For each covered member whose discharge occurred prior to the creation of general secretarial authority, the sections of the DD–214 form referred to paragraph (1) shall be changed to similarly reflect a universal authority with codes, authorities, and language applicable at the time of discharge.

(g) STATUS.—

(1) IN GENERAL.—Each covered member whose discharge characterization is changed under subsection (e) shall be treated without regard to the original discharge characterization of the member, including for purposes of—

(A) benefits provided by the Federal Government to an individual by reason of service in the Armed Forces; and

(B) all recognitions and honors that the Secretary of Defense provides to members of the Armed Forces.

(2) REINSTATEMENT.—In carrying out paragraph (1)(B), the Secretary shall reinstate all recognitions and honors of a covered member whose discharge characterization is changed under subsection (e) that the Secretary withheld because of the original discharge characterization of the member.

(h) REPORTS.—

(1) REVIEW.—The Secretary of Defense shall conduct a review of the consistency and uniformity of the reviews conducted under subsection (a).

(2) REPORTS.—Not later than 270 days after the date of the enactment of this Act, and each year thereafter for a four-year period, the Secretary shall submit to Congress a report on the reviews under paragraph (1). Such reports shall include any comments or recommendations for continued actions.

(i) HISTORICAL REVIEW.—The Secretary of each military department shall ensure that oral historians of the department—

(1) review the facts and circumstances surrounding the estimated 100,000 members of the Armed Forces discharged from the Armed Forces between World War II and September 2011 because of the sexual orientation of the member; and

(2) receive oral testimony of individuals who personally experienced discrimination and discharge because of the actual or perceived sexual orientation of the individual so that such testimony may serve as an official record of these discriminatory policies and their impact on American lives.

(j) DEFINITIONS.—In this section:

(1) The term ''appropriate discharge board'' means the boards for correction of military records under section 1552 of title 10, United States Code, or the discharge review boards under section 1553 of such title, as the case may be.

(2) The term ''covered member'' means any former member of the Armed Forces who was discharged from the Armed Forces because of the sexual orientation of the member.

(3) The term ''discharge characterization'' means the characterization under which a member of the Armed Forces is discharged or released, including ''dishonorable'', ''general'', ''other than honorable'', and ''honorable''.

(4) The term ''Don't Ask Don't Tell'' means section 654 of title 10, United States Code, as in effect before such section was repealed pursuant to the Don't Ask, Don't Tell Repeal Act of 2010 (Public Law 111–321).

(5) The term ''representative'' means the surviving spouse, next of kin, or legal representative of a covered member.

SA 1651. Mr. SCHATZ submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle G of title XII, add the following:

SEC. 1283. SENSE OF CONGRESS ON ACCOUNTABILITY MEASURES RELATED TO THE SALE AND TRANSFER OF MINE RESISTANT AMBUSH PROTECTED VEHICLES MRAPS TO STRATEGIC PARTNERS.

It is the sense of Congress that—

(1) it is in the national security interest of the United States to build relationships with strategic partners through security assistance programs, including the Foreign Military Sales, Excess Defense Articles, and Foreign Military Financing of Direct Commercial Contracts programs;

(2) these security assistance programs incentivize partners to meet the requirements of United States law in order to purchase United States military equipment, secure special access privileges for the United States military, and reassure allies of United States security commitments;

(3) as the United States deepens security ties in key regions, it remains vital that it strike a balance between remaining an attractive security partner and establishing robust oversight over all security assistance programs;

(4) absent robust oversight, sales and transfers of sensitive weapon systems to foreign countries and military units with human rights violations carry the risk of harming United States interests;

(5) Mine Resistant Ambush Protected (MRAP) vehicles are a highly sensitive weapon system that have the potential to be used for repressive purposes, including to suppress legitimate domestic civil unrest and peaceful protests; and

(6) the Defense Security Cooperation Agency and the Department of State should submit the sale and transfer of MRAP vehicles to foreign countries to the Enhanced End-Use Monitoring process in order to ensure an

added layer of compliance and accountability with United States assistance and to deter the misuse of this weapon system.

SA 1652. Mrs. SHAHEEN submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title VII, add the following:

Subtitle D—Improvement of Health Care for Women Members of the Armed Forces

SEC. 741. CONTRACEPTION COVERAGE PARITY UNDER THE TRICARE PROGRAM.

(a) IN GENERAL.—Section 1074d of title 10, United States Code, is amended—

(1) in subsection (a), by inserting ''FOR MEMBERS AND FORMER MEMBERS'' after ''SERVICES AVAILABLE'';

(2) by redesignating subsection (b) as subsection (d); and

(3) by inserting after subsection (a) the following new subsections:

''(b) CARE RELATED TO PREVENTION OF PREGNANCY.—Female covered beneficiaries shall be entitled to care related to the prevention of pregnancy described by subsection (d)(3).

''(c) PROHIBITION ON COST-SHARING FOR CERTAIN SERVICES.—Notwithstanding section 1074g(a)(6) of this title or any other provision of law, cost-sharing may not be imposed or collected for care related to the prevention of pregnancy provided pursuant to subsection (a) or (b), including for any method of contraception provided, whether provided through a facility of the uniformed services, the TRICARE retail pharmacy program, or the national mail-order pharmacy program.''.

(b) CARE RELATED TO PREVENTION OF PREGNANCY.—Subsection (d)(3) of such section, as redesignated by subsection (a)(2) of this section, is further amended by inserting before the period at the end the following: ''(including all methods of contraception approved by the Food and Drug Administration, sterilization procedures, and patient education and counseling in connection therewith)''.

(c) CONFORMING AMENDMENT.—Section 1077(a)(13) of such title is amended by striking ''section 1074d(b)'' and inserting ''section 1074d(d)''.

SEC. 742. ACCESS TO BROAD RANGE OF METHODS OF CONTRACEPTION APPROVED BY THE FOOD AND DRUG ADMINISTRATION FOR MEMBERS OF THE ARMED FORCES AND MILITARY DEPENDENTS AT MILITARY TREATMENT FACILITIES.

(a) IN GENERAL.—Commencing not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall ensure that every military treatment facility has a sufficient stock of a broad range of methods of contraception approved by the Food and Drug Administration, as recommended by the Centers for Disease Control and Prevention and the Office of Population Affairs of the Department of Health and Human Services, to be able to dispense at any time any such method of contraception to any women members of the Armed Forces and female covered beneficiaries who receive care through such facility.

(b) COVERED BENEFICIARY DEFINED.—In this section, the term ''covered beneficiary'' has the meaning given that term in section 1072(5) of title 10, United States Code.

SEC. 743. PREGNANCY PREVENTION ASSISTANCE AT MILITARY TREATMENT FACILITIES FOR WOMEN WHO ARE SEXUAL ASSAULT SURVIVORS.

(a) PURPOSE.—The purpose of this section is to provide in statute, and to enhance, existing regulations that require health care providers at military treatment facilities to consult with survivors of sexual assault once clinically stable regarding options for emergency contraception and any necessary follow-up care, including the provision of the emergency contraception.

(b) IN GENERAL.—The assistance specified in subsection (c) shall be provided at every military treatment facility to the following:

(1) Any woman who presents at a military treatment facility and states to personnel of the facility that she is a victim of sexual assault or is accompanied by another individual who states that the woman is a victim of sexual assault.

(2) Any woman who presents at a military treatment facility and is reasonably believed by personnel of such facility to be a survivor of sexual assault.

(c) ASSISTANCE.—

(1) IN GENERAL.—The assistance specified in this subsection shall include the following:

(A) The prompt provision by appropriate staff of the military treatment facility of comprehensive, medically and factually accurate, and unbiased written and oral information about all methods of emergency contraception approved by the Food and Drug Administration.

(B) The prompt provision by such staff of emergency contraception to a woman upon her request.

(C) Notification to the woman of her right to confidentiality in the receipt of care and services pursuant to this section.

(2) NATURE OF INFORMATION.—The information provided pursuant to paragraph (1)(A) shall be provided in language that is clear and concise, is readily comprehensible, and meets such conditions (including conditions regarding the provision of information in languages other than English) as the Secretary may provide in the regulations under this section.

SA 1653. Mr. BLUMENTHAL submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____. EXPANSION OF DUTIES OF UNDER SECRETARY OF DEFENSE FOR PERSONNEL AND READINESS.

Section 136(b) of title 10, United States Code, is amended by striking ''and health affairs'' and inserting the following: ''health affairs, and the coordination, use, acquisition, or exchange of joint requirements and resources with the Secretary of Veterans Affairs and implementation of recommendations made under section 320(c)(1) of title 38''.

SA 1654. Mr. COONS submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle F of title III, add the following:

SEC. 355. BRIEFING ON CHANGING CLIMATE CONDITIONS AND MILITARY INSTALLATION READINESS.

(a) IN GENERAL.—Not later than March 1, 2016, the Secretary of Defense shall provide a briefing to interested Senators on the Department of Defense's strategy and initiatives to address the impact of changing climate conditions on military installations, including expected increased water shortages and instances of wildfire due to increased drought and flooding due to sea level rise and coastal erosion from storm surges, and efforts to mitigate the associated national security risk and ensure optimal military readiness.

(b) ELEMENTS.—The briefing required under subsection (a) shall include the following elements:

(1) An assessment of how changing conditions are affecting operations and military readiness at military installations.

(2) A description of efforts to disseminate and implement best practices across military installations.

(3) An assessment whether the Department of Defense faces challenges in carrying out preparedness and resilience initiatives, and recommendations for legislation needed to increase security on military installations.

(4) A description of opportunities for effective public private partnerships or contracts with industry to address and mitigate the effects of these changing conditions.

SA 1655. Mr. WYDEN (for himself and Mr. MERKLEY) submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle F of title III, add the following:

SEC. 355. UPGRADES TO LONG-RANGE RADAR ADVERSELY IMPACTED IN A SIGNIFICANT MANNER BY THE DEVELOPMENT OR CONSTRUCTION OF WIND ENERGY INFRASTRUCTURE.

The Secretary of Defense shall upgrade any Long Range Air Route Surveillance Radar that is, or risks being, adversely impacted in a significant manner by the development or construction of wind energy infrastructure.

SA 1656. Mr. WHITEHOUSE submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R.

1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of section 1227, before the end quote and final period, insert the following:

''(17) REPORT INFORMING THE PROCESSING TIME FOR APPLICANTS.—Not later than 90 days after the date of the enactment of the National Defense Authorization Act for Fiscal Year 2016, the Secretary of State, in consultation with the Secretary of Homeland Security, to shall submit a report to the Committee on Armed Services of the Senate, the Committee on Homeland Security and Governmental Affairs of the Senate, the Committee on the Judiciary of the Senate, the Committee on Armed Services of the House of Representatives, the Committee on Homeland Security of the House of Representatives, and the Committee on the Judiciary of the House of Representatives that includes—

''(A) the number of applicants in the 'administrative processing' phase of the Afghan Special Immigrant Visa application process, broken down by month, during the most recent 12-month period;

''(B) the shortest and longest period that an application described in subparagraph (A) has been in such phase; and

''(C) a description of the steps that the Department of State and the Department of Homeland Security have taken to reduce the length of the administrative processing phase, while maintaining adequate security review and screening of such applications.

SA 1657. Mr. PORTMAN submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

Strike section 1251 and insert the following:

SEC. 1251. UKRAINE SECURITY ASSISTANCE INITIATIVE.

(a) AUTHORITY TO PROVIDE ASSISTANCE.—Of the amounts authorized to be appropriated for fiscal year 2016 by title XV and available for overseas contingency operations as specified in the funding tables in division D, $300,000,000 may be available to the Secretary of Defense, in coordination with the Secretary of State, to provide appropriate security assistance and intelligence support, including training, equipment, and logistics support, supplies and services, to military and other security forces of the Government of Ukraine for the purposes as follows:

(1) To enhance the capabilities of the military and other security forces of the Government of Ukraine to defend against further aggression.

(2) To assist Ukraine in developing the combat capability to defend its sovereignty and territorial integrity.

(3) To support the Government of Ukraine in defending itself against actions by Russia and Russian-backed separatists that violate the ceasefire agreements of September 4, 2014, and February 11, 2015.

(b) APPROPRIATE SECURITY ASSISTANCE AND INTELLIGENCE SUPPORT.—For purposes of subsection (a), appropriate security assistance and intelligence support includes the following:

(1) Real time or near real time actionable intelligence, including by lease of such capabilities from United States commercial companies.

(2) Lethal assistance such as anti-armor weapon systems, mortars, crew-served weapons and ammunition, grenade launchers and ammunition, and small arms and ammunition.

(3) Counter-artillery radars, including medium-range and long-range counter-artillery radars that can detect and locate long-range Russian artillery.

(4) Unmanned aerial tactical surveillance systems.

(5) Cyber capabilities.

(6) Counter-electronic warfare capabilities such as secure communications equipment and other electronic protection systems.

(7) Other electronic warfare capabilities.

(8) Training required to maintain and employ systems and capabilities described in paragraphs (1) through (7).

(9) Training for critical combat operations such as planning, command and control, small unit tactics, anti-armor tactics, counter-artillery tactics, logistics, countering improvised explosive devices, battlefield first aid, and medical evacuation.

(10) Training for strategic and operational planning at and above the brigade level.

(c) FUNDING AVAILABILITY AND LIMITATION.—

(1) TRAINING.—Up to 20 percent of the amount described in subsection (a) may be used to support training pursuant to section 1207 of the National Defense Authorization Act for Fiscal Year 2012 (22 U.S.C. 2151 note), relating to the Global Security Contingency Fund.

(2) LIMITATION.—Not more than 50 percent of the amount described in subsection (a) may be obligated or expended until an amount equal to 20 percent of such amount has been obligated or expended for appropriate security assistance described in paragraphs (1), (2), and (3) of subsection (b) for the Government of Ukraine.

(3) ALTERNATIVE USE OF FUNDS.—In the event funds otherwise available pursuant to subsection (a) are not used by reason of the limitation in paragraph (2), such funds may be used at the discretion of the Secretary of Defense, with concurrence of the Secretary of State, to provide security assistance and intelligence support, including training, equipment, logistics support, supplies and services to military and other national-level security forces of Partnership for Peace nations other than Ukraine that the Secretary of Defense determines face an elevated risk of Russian military aggression and that the Secretary determines is appropriate to defending their sovereignty and territorial integrity.

(d) UNITED STATES INVENTORY AND OTHER SOURCES.—

(1) IN GENERAL.—In addition to any assistance provided pursuant to subsection (a), the Secretary of Defense is authorized, with the concurrence of the Secretary of State, to make available to the Government of Ukraine weapons and other defense articles, from the United States inventory and other sources, and defense services, in such quantity as the Secretary of Defense determines to be appropriate to achieve the purposes specified in subsection (a).

(2) REPLACEMENT.—Amounts for the replacement of any items provided to the Government of Ukraine pursuant to paragraph (1) may be derived from funds available for this section or from amounts authorized to be appropriated for the Department of Defense for overseas contingency operations for weapons procurement.

(e) CONSTRUCTION OF AUTHORIZATION.—Nothing in this section shall be construed to constitute a specific statutory authorization for the introduction of United States Armed Forces into hostilities or into situations wherein hostilities are clearly indicated by the circumstances.

(f) REPORT.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall, in coordination with the Secretary of State and other appropriate agencies, submit to Congress a report setting forth in detail the following:

(1) The current criteria governing the provision of security assistance and intelligence support to the Government of Ukraine.

(2) The plan, including timelines for delivery, types and quantities of security assistance, and costs, to ensure that such assistance and support are being provided in compliance with the authorized purposes specified in subsection (a).

(g) TERMINATION OF AUTHORITY.—Assistance may not be provided under the authority in this section after December 31, 2017.

SA 1658. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle B of title VII, add the following:

SEC. 721. ESTABLISHMENT OF STRATEGIC UNIFORM DRUG FORMULARY FOR THE PROVISION OF HEALTH CARE SERVICES TO MEMBERS OF THE ARMED FORCES UNDERGOING SEPARATION FROM THE ARMED FORCES.

(a) IN GENERAL.—The Secretary of Defense and the Secretary of Veterans Affairs shall jointly establish a process to make available to individuals undergoing the transition from the receipt of health care services through the Department of Defense to the receipt of such services through the Department of Veterans Affairs systemic pain and psychotropic drugs that are critical to the Department of Defense and the Department of Veterans Affairs for the appropriate and effective provision of health care services to such individuals.

(b) STRATEGIC UNIFORM FORMULARY.—

(1) IN GENERAL.—In carrying out subsection (a), the Secretary of Defense and the Secretary of Veterans Affairs shall jointly establish, and from time to time update, a strategic, evidence-based, uniform formulary for the Department of Defense and the Department of Veterans Affairs that includes all appropriate systemic pain and psychotropic drugs that the Secretary of Defense and the Secretary of Veterans Affairs jointly determine are critical to the Department of

Defense and the Department of Veterans Affairs for the appropriate and effective provision of health care services to individuals described in such subsection.

(2) INAPPLICABILITY OF CERTAIN PROVISIONS OF LAW.—Section 1074g of title 10, United States Code, shall not apply to the establishing and updating of the formulary required by paragraph (1).

(c) PRESERVATION OF AUTHORITY.—Nothing in this section shall be construed to prohibit the Secretary of Defense and the Secretary of Veterans Affairs from each maintaining their own formularies.

(d) REPORT.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense and the Secretary of Veterans Affairs shall jointly submit to the appropriate committees of Congress a report on the establishment of the formulary under subsection (b).

(2) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this subsection, the term ''appropriate committees of Congress'' means—

(A) the Committee on Armed Services and the Committee on Veterans' Affairs of the Senate; and

(B) the Committee on Armed Services and the Committee on Veterans' Affairs of the House of Representatives.

SA 1659. Ms. COLLINS submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

Strike section 604.

SA 1660. Ms. COLLINS submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle A of title XII, add the following:

SEC. 1209. SUPPORT OF FOREIGN FORCES PARTICIPATING IN OPERATIONS TO DISARM AND END ATROCITIES COMMITTED BY BOKO HARAM.

(a) STATEMENT OF POLICY.—It shall be the policy of the United States Government to—

(1) provide timely civilian and military assistance to the Government of Nigeria and regional partners for efforts to assist civilians harmed by Boko Haram;

(2) permit appropriate members and units of the Armed Forces to train, advise, and assist the security forces of regional partners, including Nigeria, as they conduct operations against Boko Haram and operations to reduce and eliminate the safe havens from which terrorist activity can be perpetrated;

(3) support the long-term capacity of the Government of Nigeria to provide security for schools to protect girls seeking an education, and to combat gender-based violence and gender inequality;

(4) coordinate United States Government efforts with those of other nations and intergovernmental organizations to increase contributions for rescue and recovery efforts and better leverage those contributions to enhance the capacity of the law enforcement and military services of the Government of Nigeria; and

(5) strengthen the operational capacity of the civilian police and judicial system in Nigeria to enhance public safety and prevent crime and gender-based violence, while strengthening accountability measures to prevent corruption and abuses.

(b) AUTHORITY.—The Secretary of Defense, the Secretary of State, and the Attorney General may provide logistic support, supplies, and services, communications, and intelligence, surveillance, and reconnaissance assets to foreign countries participating in operations to mitigate and eliminate the threat posed by Boko Haram.

(c) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to be a declaration of war, an authorization for the use of military force, or any similar authority, nor shall it be construed to limit the authority of the President under the Constitution as Commander in Chief of the Armed Forces.

(d) FUNDING.—

(1) IN GENERAL.—Of the amount authorized to be appropriated for the Department of Defense for each of fiscal years 2016 and 2017 for operation and maintenance, not more than $35,000,000 may be utilized in each such fiscal year to provide support under subsection (b).

(2) AVAILABILITY OF FUNDS ACROSS FISCAL YEARS.—Amounts available under this subsection for a fiscal year for support under the authority in subsection (b) may be used for support under that authority that begins in such fiscal year but ends in the next fiscal year.

(e) LIMITATIONS.—

(1) IN GENERAL.—The Secretary of Defense, the Secretary of State, or the Attorney General may not use the authority in subsection (b) to provide any type of support that is otherwise prohibited by any provision of law.

(2) MILITARY SUPPORT.—Military support may be provided under the authority in subsection (b) only by the Secretary of Defense.

(3) ELIGIBLE COUNTRIES.—The Secretary of Defense, the Secretary of State, or the Attorney General may not use the authority in subsection (b) to provide support to any foreign country that is otherwise prohibited from receiving such type of support under any other provision of law.

(4) DETERMINATION.—The Secretary of Defense, the Secretary of State, or the Attorney General may not use the authority in subsection (b) to provide any type of support to Nigerian forces unless the Secretary of Defense, with the concurrence of the Secretary of State, determines that the Government of Nigeria is—

(A) undertaking significant efforts to promote the rule of law and hold its security forces accountable for any abuses or criminal activity;

(B) coordinating efforts to combat Boko Haram with neighboring countries;

(C) taking steps to counter extremist ideologies; and

(D) prioritizing the protection of women and girls from gender-based violence.

(f) NOTICE TO CONGRESS ON ELIGIBLE COUNTRIES FOR MILITARY SUPPORT.—The Secretary of Defense may not provide support under subsection (b) for the national military forces of a country determined to be eligible for such support under that subsection until the Secretary notifies the appropriate committees of Congress of the eligibility of the country for such support.

(g) NOTICE TO CONGRESS ON SUPPORT TO BE PROVIDED.—Not less than 15 days before the date on which funds are obligated to provide support under subsection (b), the Secretary of Defense shall submit to the appropriate committees of Congress a notice setting forth the following:

(1) The type of support to be provided.

(2) The national government to be supported.

(3) The objectives of such support.

(4) The estimated cost of such support.

(5) The intended duration of such support.

(h) DEFINITIONS.—In this section:

(1) The term ''appropriate committees of Congress'' means—

(A) the Committee on Armed Services, the Committee on Foreign Relations, and the Committee on Appropriations of the Senate; and

(B) the Committee on Armed Services, the Committee on Foreign Affairs, and the Committee on Appropriations of the House of Representatives.

(2) The term ''logistic support, supplies, and services'' has the meaning given that term in section 2350(1) of title 10, United States Code.

(i) EXPIRATION.—The authority provided under this section may not be exercised after September 30, 2017.

SA 1661. Mr. WARNER (for himself and Mr. KAINE) submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle C of title II, add the following:

SEC. 236. SENSE OF CONGRESS ON DEVELOPING WEAPONS TECHNOLOGIES.

It is the sense of Congress that railgun and other developing weapons technologies are vital to the future of national security and should be provided the necessary infrastructure to support the continued development of such weapons systems, including all secure space (SCIFs) necessary to incorporate cyber security into weapons systems during development.

SA 1662. Mr. WARNER submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle A of title XVI, add the following:

SEC. 1614. COMPREHENSIVE APPROACH TO THE UNITED STATES OVERHEAD SATELLITE ARCHITECTURE.

(a) FINDINGS.—Congress makes the following findings:

(1) The current approach to the overhead satellite architecture of the United States is increasingly unsustainable in the long run due to high and growing costs, long design time, over reliance on large, expensive vehicles that need heavy launch and represent potential single points of failure, an inability to take full advantage of rapid technological innovation in the commercial sector, a lack of commercial-like acquisition practices, a lack of competition, inadequate communications paths and ground processing systems, and the vulnerability to anti-satellite attack without an adequate capability to replace and replenish lost or damaged space vehicles.

(2) The overhead satellite capabilities of the United States are in grave peril due to an over reliance on a big government, centralized planning, and an acquisition model based on a series of 10-year plans.

(3) In past years, the National Reconnaissance Office was the United States model for excellence in acquisition and program management. This was in no small part due to competition within the National Reconnaissance Office between Program A (the Air Force satellite reconnaissance element), Program B (the Central Intelligence Agency satellite reconnaissance element), and Program C (the Navy reconnaissance element), for the best, most innovative, and most cost-effective satellite and aircraft reconnaissance systems, which were delivered on time and under budget. Programs A, B, and C existed from 1962 to 1992.

(4) On September 23, 1971, National Security Adviser Henry Kissinger issued a short memo regarding the President's decision to pursue the first electro-optical imaging (EOI) satellite, to be undertaken ''under a realistic funding program, with a view toward achieving an operational capability in 1976.'' It took almost exactly 5 years to design and launch the first KH–11 satellite into orbit on December 19, 1976. The United States needs to get back to this kind of timeline in designing and launching United States overhead reconnaissance satellites.

(5) The United States cannot afford to wait a decade or more from design to launch of a satellite if the United States is to maintain its technological edge.

(6) The culture of innovation and competition must be fostered and reinforced in the requirements, planning, design, and research and development processes for the United States entire overhead satellite architecture, to take into account and prioritize—

(A) the intelligence requirements of United States warfighters and national policymakers;

(B) the need for resiliency and rapid reconstitution of the architecture in an increasingly contested space environment; and

(C) the ability to leverage rapid developments and innovation in commercial sector satellite, processing and sensor technology.

(7) Space is no longer an uncontested environment, as it had been in the past. The United States must be open to innovative solutions such as distributed, disaggregated architectures that could allow for better resiliency against the space threat, and also allow for ready reconstitution, constant replenishment, and frequent technological refresh.

(8) The current cost-constrained budget environment dictates that the United States can no longer ignore the costs of systems and potentially less expensive alternatives.

(9) In April 2009, Secretary of Defense Robert Gates said that the United States needed to reform acquisition across the Department of Defense, that the costs of the ''exquisite solution'' were making defense unaffordable, and that ''we needed to shift away from the 99-percent exquisite service-centric platforms that are so costly and so complex that they take forever to build and only then in very limited quantities. With the pace of technological and geopolitical change and the range of possible contingencies, we must look more to the 80 percent multi-service solution that can be produced on time, on budget and in significant numbers.''.

(10) The National Space Policy of the United States of America issued on June 28, 2010, states ''To promote a robust domestic commercial space industry, departments and agencies shall:

''Purchase and use commercial space capabilities and services to the maximum practical extent when such capabilities and services are available in the marketplace and meet United States Government requirements;

''Modify commercial space capabilities and services to meet government requirements when existing commercial capabilities and services do not fully meet these requirements and the potential modification represents a more cost-effective and timely acquisition approach for the government;

''Develop governmental space systems only when it is in the national interest and there is no suitable, cost-effective United States commercial or, as appropriate, foreign commercial service or system that is or will be available;''.

(b) SENSE OF CONGRESS.—It is the sense of the Congress that—

(1) overhead satellite collection and processing known as commodity overhead satellite collection and processing should be undertaken as much as possible by the commercial sector in order to offload cost and risk from the taxpayer, while national programs should continue their tradition of excellence in innovation to address the truly complex exquisite problem sets and requirements that cannot be addressed by the commercial sector;

(2) overhead satellite architecture should be designed in such a way that a number of elements common to nearly all spacecraft should be standardized, which would bring costs down, simplify execution and preserve the industrial base; and

(3) the entire overhead satellite architecture of the United States, including programs funded by the Department of Defense or by an element of the intelligence community, commercial imagery providers, and foreign partner capabilities, should be viewed and treated as an integrated whole, not simply as a series of satellite systems of the Department of Defense, the intelligence community, or private entities;

(4) the state of the current overhead architecture and planning for the future architecture should receive priority personal attention from the President, the senior national security and scientific advisors to the President, the Director of National Intelligence, the Secretary of Defense, and the Chairman of the Joint Chiefs of Staff to ensure that the architecture—

(A) meets the needs of the United States in peacetime and in wartime; responsibly stewards the taxpayers' dollars;

(B) accurately takes into account cost and performance tradeoffs of the architecture;

(C) meets realistic requirements;

(D) produces and fosters excellence, innovation, and competition;

(E) produces innovative satellite systems in under 5 years that are able to leverage common, standardized design elements and commercially available technologies;

(F) takes advantage of rapid advances in commercial technology, innovation, and commercial-like acquisition practices; and

(G) fosters competition and a robust industrial base.

(c) STRATEGY ON THE UNITED STATES OVERHEAD SATELLITE ARCHITECTURE.—

(1) REQUIREMENT FOR STRATEGY.—The Director of National Intelligence, the Secretary of Defense, and the Chairman of the Joint Chiefs of Staff shall develop a strategy, with milestones and benchmarks, to ensure that there is a wholesale review of the entire approach of the United States to overhead satellite architecture, including programs of the Department of Defense that are funded under the Military Intelligence Program, programs of elements of the intelligence community that are funded under the National Intelligence Program, programs carried out by the commercial satellite and imagery sectors, and foreign partner capabilities, to ensure that such architecture comports with the principles of the Sense of Congress in subsection (b).

(2) REPORT ON STRATEGY.—Not later than 180 days after the date of the enactment of this Act, the Director of National Intelligence, the Secretary of Defense, and the Chairman of the Joint Chiefs of Staff shall report to the Committee on Armed Services and the Select Committee on Intelligence of the Senate and the Committee on Armed Services and the Permanent Select Committee on Intelligence of the House of Representatives on the strategy required by paragraph (1).

SA 1663. Mr. WARNER submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle G of title X, add the following:

SEC. 1085. MODIFICATION OF FEDERAL ACQUISITION REGULATION TO ENCOURAGE GOVERNMENT CONTRACTORS TO HIRE VETERANS WITH MILITARY TRAINING IN CYBER AND CYBER-RELATED FIELDS.

The Director of the Office of Management and Budget shall direct the Federal Acquisition Regulatory Council to issue proposed rules by not later than 60 days after the date of the enactment of this Act and, final rules by not later than 270 days after the date of the enactment of this Act that amend the Federal Acquisition Regulation—

(1) to require contractors who are subject to the cost accounting standards under the Federal Acquisition Regulation and who received at least $25,000,000 in aggregated contracts in each of the prior two fiscal years to develop and maintain a single company-wide veterans employment plan that, at a minimum, includes—

(A) performance metrics for the hiring and training of veterans;

(B) a plan to hire veterans, with a particular focus on veterans who served on active duty in the Armed Forces after September 11, 2001; and

(C) actions that can be used for training veterans for civilian certifications not later than one year after hiring them in skills applicable to Government contracts relating to cyber and cyber related work;

(2) to encourage Federal agencies to modify or waive a skill required for the performance of an awarded contract when the contract supports cyber or cyber-related work and is to be performed by a veteran assigned to work on such contract and the contractor provides training to the veteran in order to meet the modified or waived requirement by not later than one year after the date of such assignment;

(3) to require contractors to validate that—

(A) the veterans hired by the contractors after the date of the enactment of this Act meet the minimum skill qualification requirements under the contract based on military training; and

(B) the contractors provide training to such veterans in order to meet the original qualification requirement of such contract within one year of such assignment; and

(4) to modify such audit, oversight, and allowable cost requirements as may be applicable to Federal contracts to recognize and take into account the actions taken by a contractor under paragraph (3) as being in compliance with the terms and conditions of a contract.

SA 1664. Mr. SCHUMER submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle A of title VIII, add the following:

SEC. 811. IMPLEMENTATION OF VALUE-BASED ACQUISITIONS.

(a) VALUE-BASED ACQUISITION PROCESS REQUIRED.—

(1) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense and the Secretaries of each of the military departments shall independently submit to the congressional defense committees a study that proposes methodologies for measuring and optimizing the targeted and returned value of each department's acquisition portfolio, as quantifiable and verifiable as a function of utility, monetary cost, and time-to-capability and for purposes of comprising the disparate capability options that might populate an optimal portfolio.

(2) SCOPE OF METHODOLOGY.—The value based acquisition portfolio management methodology proposed under this subsection shall—

(A) consider demonstrated commercial and government best practice for value-centric management, engineering, and procurement;

(B) consider watchdog report recommendations regarding Department of Defense aquisition shortcomings;

(C) be consistent with the intent of existing and emerging acquisition and related policies;

(D) address linkages and collaboration across Defense [PPBS, JCIDS, A&A], Engineering, Procurement, and Sustainment processes; and

(E) provide mathematically robust, tailorable, optimization algorithms suitable for supporting value-based acquisition portfolio investment decisions, and management across the spectrum of Department of Defense programs.

SA 1665. Mr. KIRK submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle E of title VIII, add the following:

SEC. 884. USE OF ORGANIC INDUSTRIAL BASE FOR PROCUREMENT OF CERTAIN ITEMS.

(a) GUIDANCE.—The Secretary of Defense, in consultation with the Director of the Defense Logistics Agency, shall issue feasible policy recommendations that could increase the efficiency and effectiveness within the existing capabilities of the organic industrial base.

(b) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense, in consultation with the Director of the Defense Logistics Agency, shall submit to the congressional defense committees a report describing implementation of the guidance issued under subsection (a) and including recommendations to increase efficiency and effectiveness within the existing capabilities of the organic base.

SA 1666. Mr. KIRK (for himself, Mr. DURBIN, Mr. INHOFE, Mr. MARKEY, Mr. MANCHIN, and Ms. WARREN) submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle G of title X, add the following:

SEC. 1085. OBSERVANCE OF VETERANS DAY.

(a) TWO MINUTES OF SILENCE.—Chapter 1 of title 36, United States Code, is amended by adding at the end the following new section:

"§ 145. Veterans Day

"The President shall issue each year a proclamation calling on the people of the United States to observe two minutes of silence on Veterans Day in honor of the service and sacrifice of veterans throughout the history of the Nation, beginning at—

"(1) 3:11 p.m. Atlantic standard time;

"(2) 2:11 p.m. eastern standard time;

"(3) 1:11 p.m. central standard time;

"(4) 12:11 p.m. mountain standard time;

"(5) 11:11 a.m. Pacific standard time;

"(6) 10:11 a.m. Alaska standard time; and

"(7) 9:11 a.m. Hawaii-Aleutian standard time.".

(b) CLERICAL AMENDMENT.—The table of sections for chapter 1 of title 36, United States Code, is amended by adding at the end the following new item:

"145. Veterans Day.".

SA 1667. Mr. MCCAIN (for himself and Mr. BLUNT) submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle B of title XII, add the following:

SEC. 1230. SENSE OF CONGRESS ON THE SECURITY AND PROTECTION OF IRANIAN DISSIDENTS LIVING IN CAMP LIBERTY, IRAQ.

(a) FINDINGS.—Congress makes the following findings:

(1) The residents of Camp Liberty, Iraq, renounced violence and unilaterally disarmed more than a decade ago.

(2) The United States recognized the residents of the former Camp Ashraf who now reside in Camp Liberty as "protected persons" under the Fourth Geneva Convention and committed itself to protect the residents.

(3) The deterioration in the overall security situation in Iraq has increased the vulnerability of Camp Liberty residents to attacks from proxies of the Iranian Revolutionary Guards Corps and Sunni extremists associated with the Islamic State of Iraq and the Levant (ISIL).

(4) The increased vulnerability underscores the need for an expedited relocation process and that these Iranian dissidents will neither be safe nor secure in Camp Liberty.

(b) SENSE OF CONGRESS.—It is the sense of Congress that the United States should—

(1) take prompt and appropriate steps in accordance with international agreements to promote the physical security and protection of Camp Liberty residents;

(2) urge the Government of Iraq to uphold its commitments to the United States to ensure the safety and well-being of those living in Camp Liberty;

(3) urge the Government of Iraq to ensure continued and reliable access to food, clean water, electricity and other energy needs, and any other equipment and supplies necessary to sustain the residents during periods of attack or siege by external forces;

(4) oppose the extradition of Camp Liberty residents to Iran;

(5) implement a strategy to provide for the safe, secure, and permanent relocation of Camp Liberty residents that includes the steps that would need to be taken by the United States, the United Nations High Commissioner for Refugees (UNHCR), and the Camp Liberty residents to potentially relocate some residents to the United States;

(6) encourage the residents of Camp Liberty to fully cooperate with United States, Iraq, and international authorities in the relocation process; and

(7) assist the United Nations High Commissioner for Refugees in expediting the ongoing resettlement of all residents of Camp Liberty to safe locations outside Iraq.

SA 1668. Mr. BOOZMAN submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle D of title III, add the following:

SEC. 332. REPORT ON AIR NATIONAL GUARD MISSION CHANGES AND IMPACTS TO PUBLIC AIRPORTS.

(a) REPORT.—

(1) REPORT REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Secretary of the Air Force shall submit to the congressional defense committees a report detailing the number of Air National Guard units that have undergone a mission change in the previous 5 years and who are tenants at a public airport.

(2) ELEMENTS.—The report required under paragraph (1) shall include the following elements:

(A) A comprehensive list of Air National Guard units, by State, that have undergone a mission change from a flying mission to a remotely piloted aircraft mission, an intelligence mission, or any other type of mission that does not involve operating and maintaining manned aircraft at a public airport in the previous 5 years.

(B) An assessment of which units listed in subparagraph (A), prior to undergoing a mission change, had an Airport Joint Use Agreement in place with the public airport where the unit is a tenant in order to financially compensate that airport for the use of runways, taxiways, air traffic control towers, crash, rescue and firefighting services, or any other relevant services.

(C) The annual amount for the previous 5 years that each Air National Guard unit listed under subparagraph (B) paid to the public airport at which they are a tenant under that unit's Airport Joint Use Agreement.

(D) An assessment of which units listed under subparagraph (B) have subsequently canceled their Airport Joint Use Agreement since undergoing a mission change.

(E) A cost assessment, by unit listed in subparagraph (D), of what the rental value is for the property that the unit occupies at the public airport where the unit is a tenant.

(F) An evaluation from the Office of Economic Adjustment on whether and under what circumstances the Office can offer financial assistance to public airports that have an Air National Guard unit as a tenant that has undergone a mission change that resulted in the termination of an Airport Joint Use Agreement.

(b) DEFINITIONS.—

(1) In this section, the term ''public airport,'' means an airport that is open to civilian air traffic, both private and commercial.

(2) In this section, the term ''rental value,'' means the amount which, in a competitive market, a well-informed and willing lessee would pay and which a well-informed and willing lessor would accept for the temporary use and enjoyment of the property.

SA 1669. Mr. BOOZMAN (for himself, Mr. DONNELLY, and Mr. TOOMEY) submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle G of title X, add the following:

SEC. 1085. PROVISION OF STATUS UNDER LAW BY HONORING CERTAIN MEMBERS OF THE RESERVE COMPONENTS OF THE ARMED FORCES AS VETERANS.

(a) IN GENERAL.—Chapter 1 of title 38, United States Code, is amended by inserting after section 107 the following new section:

''§ 107A. Honoring as veterans certain persons who performed service in the reserve components

''Any person who is entitled under chapter 1223 of title 10 to retired pay for nonregular service or, but for age, would be entitled under such chapter to retired pay for nonregular service shall be honored as a veteran but shall not be entitled to any benefit by reason of this section.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 107 the following new item:

''107A. Honoring as veterans certain persons who performed service in the reserve components.''.

SA 1670. Ms. HIRONO submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

On page 653, between lines 17 and 18, insert the following:

(D) Australia.

(E) Japan.

SA 1671. Ms. HIRONO submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle E of title XII, add the following:

SEC. 1264. SPECIAL FOREIGN MILITARY SALES STATUS FOR THE PHILIPPINES.

The Arms Export Control Act (22 U.S.C. 2751 et seq.) is amended—

(1) in sections 3(d)(2)(B), 3(d)(3)(A)(i), 3(d)(5), 21(e)(2)(A), 36(b), 36(c), 36(d)(2)(A), 62(c)(1), and 63(a)(2), by inserting ''the Philippines,'' before ''or New Zealand'' each place it appears;

(2) in section 3(b)(2), by inserting ''the Government of the Philippines,'' before ''or the Government of New Zealand''; and

(3) in section 21(h), by inserting ''the Philippines,'' before ''or Israel'' each place it appears.

SA 1672. Ms. BALDWIN submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle E of title VIII, add the following:

SEC. 884. ASSESSMENT OF THE INDUSTRIAL BASE TO MANUFACTURE CERTAIN AUXILIARY SHIP COMPONENTS.

(a) ASSESSMENT.—The Secretary of the Navy shall conduct an assessment of the ability of the industrial base to manufacture and support the following components for auxiliary ships:

(1) Auxiliary equipment, including pumps, for all shipboard services.

(2) Propulsion system components, including engines, reduction gears, and propellers.

(3) Shipboard cranes and spreaders for shipboard cranes.

(b) SCOPE.—In conducting the assessment required under subsection (a), the Secretary shall examine the potential cost, schedule, and performance impacts by ship class if procurement of the components described in such subsection were limited to manufacturers in the National Technology and Industrial Base.

(c) DETERMINATION REQUIRED.—Upon completion of the assessment required under subsection (a), the Secretary shall make a determination whether manufacturers of the components described in such subsection should be included in the National Technology and Industrial Base.

(d) REPORT.—Not later than February 15, 2016, the Secretary of the Navy shall submit a report to the congressional defense committees based on the results of the assessment required under subsection (a) and the determination required under subsection (c).

SA 1673. Mr. WARNER submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle C of title VII, add the following:

SEC. 738. STUDY ON PROVIDING CONCURRENT CERTIFICATION BY DEPARTMENT OF DEFENSE AND DEPARTMENT OF VETERANS AFFAIRS TO PHYSICIANS SERVING ON ACTIVE DUTY.

(a) IN GENERAL.—The Secretary of Defense and the Secretary of Veterans Affairs shall jointly conduct a study on the feasibility

and advisability of providing any member of the Armed Forces on active duty serving as a physician with certification to practice as a physician for the Department of Veterans Affairs in order to facilitate the transition of such member to employment in the Department of Veterans Affairs upon the retirement, separation, or release of such member from the Armed Forces.

(b) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense and the Secretary of Veterans Affairs shall jointly submit to Congress a report on the feasibility and advisability of providing members of the Armed Forces on active duty serving as physicians with the certification described in subsection (a).

SA 1674. Mr. WARNER submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle B of title VII, add the following:

SEC. 721. PILOT PROGRAM ON SHARING OF PHYSICIAN WORKFORCE AMONG DEPARTMENT OF DEFENSE AND DEPARTMENT OF VETERANS AFFAIRS.

(a) IN GENERAL.—The Secretary of Defense and the Secretary of Veterans Affairs shall jointly conduct a pilot program to assess the feasibility and advisability of allowing medical facilities of the Department of Defense and medical facilities of the Department of Veterans Affairs that are located within 40 miles of each other to share primary care physicians for the purpose of performing routine medical care.

(b) ADMINISTRATIVE ACTIONS NECESSARY.—In carrying out the pilot program, the Secretary of Defense and the Secretary of Veterans Affairs shall jointly determine the administrative action required to be taken by each Secretary—

(1) to ensure the sharing of scheduling records and medical records between the Department of Defense and the Department of Veterans Affairs;

(2) to minimize the impact of the pilot program on wait times and patient load at each medical facility participating in the pilot program; and

(3) to maintain a high quality of care at each such medical facility.

(c) LOCATION OF CARE.—To the maximum extent possible, health care provided to a patient under the pilot program shall be provided at the location in which the patient would have been provided health care if the pilot program was not being carried out.

SA 1675. Mr. UDALL submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle C of title II, add the following:

SEC. 236. AUTHORIZATION FOR CONDUCT OF TECHNOLOGY TRANSFER PILOT PROGRAMS.

The Secretary of Defense may carry out one or more pilot programs through the research laboratories of the Department of Defense to expand technology transfer activities by partnering with regional research universities and nonprofit research corporations to spur innovation, economic growth, and a high-tech, diverse workforce.

SA 1676. Mr. UDALL (for himself and Mr. HEINRICH) submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle G of title X, add the following:

SEC. 1085. EXPANSION OF ELIGIBILITY FOR POST-9/11 EDUCATIONAL ASSISTANCE TO INCLUDE SERVICE ON ACTIVE DUTY IN ENTRY LEVEL AND SKILL TRAINING UNDER CERTAIN CIRCUMSTANCES.

(a) FOR INDIVIDUALS WHO SERVE BETWEEN 18 AND 24 MONTHS.—Section 3311(b)(5)(A) of title 38, United States Code, is amended by striking ''excluding'' and inserting ''including''.

(b) FOR INDIVIDUALS WHO SERVED IN OPERATION ENDURING FREEDOM, OPERATION IRAQI FREEDOM, OR CERTAIN OTHER CONTINGENCY OPERATIONS.—Section 3311(b) of such title is amended in paragraphs (6)(A) and (7)(A) by striking ''excluding service on active duty in entry level and skill training'' and inserting ''including service on active duty in entry level and skill training for individuals who served on active duty in the Armed Forces in Operation Enduring Freedom, Operation Iraqi Freedom, Operation New Dawn, or any other contingency operation (as that term is defined in section 101 of title 10) and excluding service on active duty in entry level and skill training for all other individuals''.

SA 1677. Mr. UDALL submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle C of title VII, add the following:

SEC. 738. SUBMITTAL OF INFORMATION TO SECRETARY OF VETERANS AFFAIRS RELATING TO EXPOSURE TO AIRBORNE HAZARDS AND OPEN BURN PITS.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, and periodically thereafter, the Secretary of Defense shall submit to the Secretary of Veterans Affairs such information in the possession of the Secretary of Defense as the Secretary of Veterans Affairs considers necessary to supplement and support—

(1) the development of information to be included in the Airborne Hazards and Open Burn Pit Registry established by the Department of Veterans Affairs under section 201 of the Dignified Burial and Other Veterans' Benefits Improvement Act of 2012 (Public Law 112–260; 38 U.S.C. 527 note); and

(2) research and development activities conducted by the Department of Veterans Affairs to explore the potential health risks of exposure by members of the Armed Forces to environmental factors in Iraq and Afghanistan, in particular the connection of such exposure to respiratory illnesses such as chronic cough, chronic obstructive pulmonary disease, constrictive bronchiolitis, and pulmonary fibrosis.

(b) INCLUSION OF CERTAIN INFORMATION.—The Secretary of Defense shall include in the information submitted to the Secretary of Veterans Affairs under subsection (a) information on any research and surveillance efforts conducted by the Department of Defense to evaluate the incidence and prevalence of respiratory illnesses among members of the Armed Forces who were exposed to open burn pits while deployed overseas.

SA 1678. Mr. PAUL submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. IMPROVED ENUMERATION OF MEMBERS OF THE ARMED FORCES IN ANY TABULATION OF TOTAL POPULATION BY SECRETARY OF COMMERCE.

(a) IN GENERAL.—Section 141 of title 13, United States Code, is amended—

(1) by redesignating subsection (g) as subsection (h); and

(2) by inserting after subsection (f) the following:

''(g) Effective beginning with the 2020 decennial census of population, in taking any tabulation of total population by States, the Secretary shall take appropriate measures to ensure, to the maximum extent practicable, that all members of the Armed Forces deployed abroad on the date of taking such tabulation are—

''(1) fully and accurately counted; and

''(2) properly attributed to the State in which their permanent duty station or homeport is located on such date.''.

(b) CONSTRUCTION.—The amendments made by subsection (a) shall not be construed to affect the residency status of any member of the Armed Forces under any provision of law other than title 13, United States Code.

SA 1679. Mr. PAUL submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016

for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. NATURAL GAS PRODUCTION, TREATMENT, MANAGEMENT, AND USE, FORT KNOX, KENTUCKY.

(a) IN GENERAL.—Chapter 449 of title 10, United States Code, is amended by adding at the end of the following:

''§ 4781. Natural gas production, treatment, management, and use, Fort Knox, Kentucky

''(a) AUTHORITY.—The Secretary of the Army (referred to in this section as the 'Secretary') may provide, by contract or otherwise, for the production, treatment, management, and use of natural gas located under Fort Knox, Kentucky, without regard to section 3 of the Mineral Leasing Act for Acquired Lands (30 U.S.C. 352).

''(b) LIMITATION ON USES.—Any natural gas produced pursuant to subsection (a)—

''(1) may only be used to support activities and operations at Fort Knox; and

''(2) may not be sold for use elsewhere.

''(c) OWNERSHIP OF FACILITIES.—The Secretary may take ownership of any gas production and treatment equipment and facilities and associated infrastructure from a contractor in accordance with the terms of a contract or other agreement entered into pursuant to subsection (a).

''(d) NO APPLICATION ELSEWHERE.—

''(1) IN GENERAL.—The authority provided by this section applies only with respect to Fort Knox, Kentucky.

''(2) EFFECT OF SECTION.—Nothing in this section authorizes the production, treatment, management, or use of natural gas resources underlying any Department of Defense installation other than Fort Knox.

''(e) APPLICABILITY.—The authority of the Secretary under this section is effective beginning on August 2, 2007.''.

(b) CLERICAL AMENDMENT.—The table of sections of chapter 449 of title 10, United States Code, is amended by adding at the end the following:

''4781. Natural gas production, treatment, management, and use, Fort Knox, Kentucky.''.

SA 1680. Mr. PAUL submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle F of title X, add the following:

SEC. 1065. DECLASSIFICATION AND PUBLIC RELEASE OF CERTAIN REDACTED PORTIONS OF THE JOINT INQUIRY INTO INTELLIGENCE COMMUNITY ACTIVITIES BEFORE AND AFTER THE TERRORIST ATTACKS OF SEPTEMBER 2001.

(a) DECLASSIFICATION AND PUBLIC RELEASE OF THE JOINT INQUIRY INTO INTELLIGENCE COMMUNITY ACTIVITIES BEFORE AND AFTER THE TERRORIST ATTACKS OF SEPTEMBER 2001.—Not later than 60 days after the date of the enactment of this Act and subject to subsection (b), the President shall declassify and release to the public the previously redacted portions of the report on the Joint Inquiry into Intelligence Community Activities Before and After the Terrorist Attacks of September 2001, filed in the Senate and the House of Representatives on December 20, 2002, including all the material under the heading ''Part Four—Findings, Discussion and Narrative Regarding Certain Sensitive National Security Matters''.

(b) EXCEPTION FOR NAMES AND INFORMATION OF INDIVIDUALS AND CERTAIN METHODOLOGIES.—Notwithstanding subsection (a), the President is not required to declassify and release to the public the names and identifying information of individuals or specific methodologies described in the report referred to in subsection (a) if such declassification and release would result in imminent lawless action or compromise presently on-going national security operations.

SA 1681. Mrs. MURRAY submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle E of title VIII, add the following:

SEC. 884. PROCUREMENT OF ANCHOR AND MOORING CHAIN.

Section 2534(a)(3) of title 10, United States Code, is amended—

(1) in the paragraph heading, by inserting ''AND MOORINGS'' after ''NAVAL VESSELS''; and

(2) by adding at the end the following new subparagraph:

''(C) Department of Defense moorings and components.''.

SA 1682. Mrs. MURRAY submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle A of title III, add the following:

SEC. 302. ADDITIONAL FUNDS FOR THE OFFICE OF ECONOMIC ADJUSTMENT.

(a) ADDITIONAL FUNDS FOR OPERATION AND MAINTENANCE, DEFENSE-WIDE.—The amount authorized to be appropriated for fiscal year 2016 by section 301 for operation and maintenance is hereby increased by $33,100,000, with the amount of the increase to be available for operation and maintenance, Defense-wide, for the Office of Economic Adjustment for the Defense Industry Adjustment.

(b) OFFSET.—The amount authorized to be appropriated for fiscal year 2016 by section 1503 for procurement for overseas contingency operations is hereby reduced by $33,100,000, with the amount of the reduction to be applied to amounts available for the Joint Improvised Explosive Device Defeat Fund for Staff and Infrastructure.

SA 1683. Mrs. MURRAY (for herself, Mr. MURPHY, Mrs. GILLIBRAND, and Mr. BLUNT) submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle A of title VII, add the following:

SECTION 706. BEHAVIORAL HEALTH TREATMENT OF DEVELOPMENTAL DISABILITIES UNDER THE TRICARE PROGRAM.

(a) BEHAVIORAL HEALTH TREATMENT OF DEVELOPMENTAL DISABILITIES UNDER TRICARE.—Section 1077 of title 10, United States Code, is amended by adding at the end the following new subsection:

''(g)(1) Subject to paragraph (4), in providing health care under subsection (a), the treatment of developmental disabilities (as defined in section 102(8) of the Developmental Disabilities Assistance and Bill of Rights Act of 2000 (42 U.S.C. 15002(8))), including autism spectrum disorder, shall include behavioral health treatment, including applied behavior analysis, when prescribed by a physician or psychologist.

''(2) In carrying out this subsection, the Secretary shall ensure that—

''(A) except as provided by subparagraph (B)—

''(i) in the case of a State that requires licensing or certification of applied behavioral analysts under State law, applied behavior analysis or other behavioral health treatment is provided by an individual who is licensed or certified to provide such analysis or treatment in accordance with the laws of the State; and

''(ii) in the case of a State other than a State described in clause (i), applied behavior analysis or other behavioral health treatment is provided by an individual who is licensed or certified by an accredited national certification board to provide such analysis or treatment; and

''(B) applied behavior analysis or other behavioral health treatment may be provided by an employee, contractor, or trainee of a person described in subparagraph (A) if the employee, contractor, or trainee meets minimum qualifications, training, and supervision requirements as set forth by the Secretary.

''(3) Nothing in this subsection shall be construed as limiting or otherwise affecting the benefits provided to a covered beneficiary under—

''(A) this chapter;

''(B) title XVIII of the Social Security Act (42 U.S.C. 1395 et seq.); or

''(C) any other law.

''(4)(A) Treatment may be provided under this subsection in a fiscal year only to the extent that amounts are provided in advance in appropriations Acts for the provision of such treatment for such fiscal year in the Defense Dependents Developmental Disabilities Account.

''(B) Funds for treatment under this subsection may be derived only from the Defense Dependents Developmental Disabilities Account.''.

(b) DEFENSE DEPENDENTS DEVELOPMENTAL DISABILITIES ACCOUNT.—

(1) ESTABLISHMENT.—

(A) IN GENERAL.—There is hereby established on the books of the Treasury an account to be known as the ''Defense Dependents Developmental Disabilities Account'' (in this subsection referred to as the ''Account'').

(B) SEPARATE ACCOUNT.—The Account shall be a separate account for the Department of Defense, and shall not be a subaccount within the Defense Health Program account of the Department.

(2) ELEMENTS.—The Account shall consist of amounts authorized to be appropriated or transferred to the Account.

(3) EXCLUDED SOURCES OF ELEMENTS.—Amounts in the Account may not be derived from transfers from the following:

(A) The Department of Defense Medicare-Eligible Retiree Health Care Fund under chapter 56 of title 10, United States Code.

(B) The Coast Guard Retired Pay Account.

(C) The National Oceanic and Atmospheric Administration Operations, Research, and Facilities Account.

(D) The Public Health Service Retirement Pay and Medical Benefits for Commissioned Officers Account.

(4) AVAILABILITY.—Amounts in the Account shall be available for the treatment of developmental disabilities in covered beneficiaries pursuant to subsection (g) of section 1077 of title 10, United States Code (as added by subsection (a)). Amounts in the Account shall be so available until expended.

(5) FUNDING.—

(A) AUTHORIZATION OF APPROPRIATIONS.—There is hereby authorized to be appropriated for fiscal year 2016 for the Department of Defense for the Defense Dependents Developmental Disabilities Account, $50,000,000.

(B) TRANSFER FOR CONTINUATION OF EXISTING SERVICES.—From amounts authorized to be appropriated for the Department of Defense for the Defense Health Program for fiscal year 2016, the Secretary of Defense shall transfer to the Defense Dependents Developmental Disabilities Account $270,000,000.

SA 1684. Mrs. MURRAY (for herself, Ms. BALDWIN, Mrs. GILLIBRAND, and Mr. PETERS) submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title VII, add the following:

Subtitle D—Reproductive and Fertility Preservation Assistance for Members of the Armed Forces

SEC. 741. PROVISION OF FERTILITY TREATMENT AND COUNSELING TO SPOUSES, PARTNERS, AND GESTATIONAL SURROGATES OF CERTAIN MEMBERS OF THE ARMED FORCES.

(a) FERTILITY TREATMENT AND COUNSELING.—

(1) IN GENERAL.—The Secretary of Defense shall furnish fertility treatment and counseling, including through the use of assisted reproductive technology, to a spouse, partner, or gestational surrogate of a severely wounded, ill, or injured member of the Armed Forces who has an infertility condition incurred or aggravated while serving on active duty in the Armed Forces.

(2) ELIGIBILITY FOR TREATMENT AND COUNSELING.—Fertility treatment and counseling shall be furnished under paragraph (1) to a spouse, partner, or gestational surrogate of a member of the Armed Forces described in such paragraph without regard to the sex or marital status of such member.

(3) IN VITRO FERTILIZATION.—In the case of in vitro fertilization treatment furnished under paragraph (1), the Secretary may furnish not more than three completed cycles or six attempted cycles of in vitro fertilization, whichever occurs first, to a spouse, partner, or gestational surrogate described in such paragraph.

(b) PROCUREMENT OF GAMETES.—If a member of the Armed Forces described in subsection (a) is unable to provide their gametes for purposes of fertility treatment under subsection (a), the Secretary shall, at the election of such member, allow such member to receive such treatment with donated gametes and pay or reimburse such member the reasonable costs of procuring gametes from a donor.

(c) CONSTRUCTION.—Nothing in this section shall be construed to require the Secretary—

(1) to find or certify a gestational surrogate for a member of the Armed Forces or to connect a gestational surrogate with a member of the Armed Forces; or

(2) to find or certify gametes from a donor for a member of the Armed Forces or to connect a member of the Armed Forces with gametes from a donor.

(d) DEFINITIONS.—In this section:

(1) FERTILITY TREATMENT.—The term ''fertility treatment'' includes the following:

(A) Procedures that use assisted reproductive technology.

(B) Sperm retrieval.

(C) Egg retrieval.

(D) Artificial insemination.

(E) Embryo transfer.

(F) Such other treatments as the Secretary of Defense considers appropriate.

(2) ASSISTED REPRODUCTIVE TECHNOLOGY.—The term ''assisted reproductive technology'' includes in vitro fertilization and other fertility treatments in which both eggs and sperm are handled when clinically appropriate.

(3) PARTNER.—The term ''partner'', with respect to a member of the Armed Forces, means an individual selected by the member who agrees to share with the member the parental responsibilities with respect to any child born as a result of the use of any fertility treatment under this section.

SEC. 742. ESTABLISHMENT OF FERTILITY PRESERVATION PROCEDURES AFTER AN INJURY OR ILLNESS.

(a) IN GENERAL.—The Secretary of Defense, acting through the Assistant Secretary of Defense for Health Affairs, shall establish procedures for the retrieval of gametes, as soon as medically appropriate, from a member of the Armed Forces in cases in which the fertility of such member is potentially jeopardized as a result of an injury or illness incurred or aggravated while serving on active duty in the Armed Forces in order to preserve the medical options of such member.

(b) CONSENT FOR RETRIEVAL OF GAMETES.—Gametes may be retrieved from a member of the Armed Forces under subsection (a) only—

(1) with the specific consent of the member; or

(2) if the member is unable to consent, if a medical professional determines that—

(A) the future fertility of the member is potentially jeopardized as a result of an injury or illness described in subsection (a) or will be potentially jeopardized as a result of treating such injury or illness;

(B) the member lacks the capacity to consent to the retrieval of gametes and is likely to regain such capacity; and

(C) the retrieval of gametes under this section is in the medical interest of the member.

(c) CONSENT FOR USE OF RETRIEVED GAMETES.—Gametes retrieved from a member of the Armed Forces under subsection (a) may be used only—

(1) with the specific consent of the member; or

(2) if the member has lost the ability to consent permanently, as determined by a medical professional, as specified in an advance directive or testamentary instrument executed by the member.

(d) DISPOSAL OF GAMETES.—In accordance with regulations prescribed by the Secretary for purpose of this subsection, the Secretary shall dispose of gametes retrieved from a member of the Armed Forces under subsection (a)—

(1) with the specific consent of the member; or

(2) if the member—

(A) has lost the ability to consent permanently, as determined by a medical professional; and

(B) has not specified the use of their gametes in an advance directive or testamentary instrument executed by the member.

SEC. 743. CRYOPRESERVATION AND STORAGE OF GAMETES OF MEMBERS OF THE ARMED FORCES ON ACTIVE DUTY.

(a) IN GENERAL.—The Secretary of Defense shall provide members of the Armed Forces on active duty in the Armed Forces with the opportunity to cryopreserve and store their gametes prior to deployment to a combat zone.

(b) PERIOD OF TIME.—

(1) IN GENERAL.—The Secretary shall provide for the cryopreservation and storage of gametes of any member of the Armed Forces under subsection (a), at no cost to the member, in a facility of the Department of Defense or of a private entity pursuant to a contract under subsection (d) until the date that is one year after the retirement, separation, or release of the member from the Armed Forces.

(2) CONTINUED CRYOPRESERVATION AND STORAGE.—At the end of the one-year period specified in paragraph (1), the Secretary shall permit an individual whose gametes were cryopreserved and stored in a facility of the Department as described in that paragraph to select, including pursuant to an advance medical directive or military testamentary instrument completed under subsection (c), one of the following options:

(A) To continue such cryopreservation and storage in such facility with the cost of such cryopreservation and storage borne by the individual.

(B) To transfer the gametes to a private cryopreservation and storage facility selected by the individual.

(C) To transfer the gametes to a facility of the Department of Veterans Affairs if cryopreservation and storage is available to the individual at such facility.

(3) DISPOSAL OF GAMETES.—If an individual described in paragraph (2) does not make a

selection under subparagraph (A), (B), or (C) of such paragraph, the Secretary may dispose of the gametes of the individual not earlier than the date that is 90 days after the end of the one-year period specified in paragraph (1) with respect to the individual.

(c) ADVANCE MEDICAL DIRECTIVE AND MILITARY TESTAMENTARY INSTRUMENT.—A member of the Armed Forces who elects to cryopreserve and store their gametes under this section must complete an advance medical directive, as defined in section 1044c(b) of title 10, United States Code, and a military testamentary instrument, as defined in section 1044d(b) of such title, that explicitly specifies the use of their cryopreserved and stored gametes if such member dies or otherwise loses the capacity to consent to the use of their cryopreserved and stored gametes.

(d) AGREEMENTS.—To carry out this section, the Secretary may enter into agreements with private entities that provide cryopreservation and storage services for gametes.

SEC. 744. COORDINATION BETWEEN DEPARTMENT OF DEFENSE AND DEPARTMENT OF VETERANS AFFAIRS ON FURNISHING OF FERTILITY TREATMENT AND COUNSELING.

(a) IN GENERAL.—The Secretary of Defense and the Secretary of Veterans Affairs shall share best practices and facilitate referrals, as they consider appropriate, on the furnishing of fertility treatment and counseling to individuals eligible for the receipt of such counseling and treatment from the Secretaries.

(b) MEMORADUM OF UNDERSTANDING.—The Secretary of Defense and the Secretary of Veterans Affairs shall enter into a memorandum of understanding—

(1) providing that the Secretary of Defense will ensure access by the Secretary of Veterans Affairs to any gametes of veterans stored by the Department of Defense for purposes of furnishing fertility treatment; and

(2) authorizing the Department of Veterans Affairs to compensate the Department of Defense for the cryopreservation and storage of gametes of veterans under section 743.

SA 1685. Mr. NELSON (for himself and Ms. COLLINS) submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of part II of subtitle D of title VI, add the following:

SEC. 643. THREE-YEAR EXTENSION OF PAYMENT OF SPECIAL SURVIVOR INDEMNITY ALLOWANCES UNDER THE SURVIVOR BENEFIT PLAN.

Section 1450(m) of title 10, United States Code, is amended—

(1) in paragraph (2)(I), by striking ''fiscal year 2017'' and inserting ''each of fiscal years 2017 through 2020''; and

(2) in paragraph (6)—

(A) by striking ''September 30, 2017'' and inserting ''September 30, 2020''; and

(B) by striking ''October 1, 2017'' each place it appears and inserting ''October 1, 2020''.

SA 1686. Mr. MORAN submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of part II of subtitle H of title V, add the following:

SEC. 593. REPORT ON EXEMPTION FROM FURLOUGH DURING A LAPSE IN APPROPRIATIONS FOR POSITIONS FILLED BY INDIVIDUALS ENGAGED IN MILITARY EQUIPMENT AND WEAPON SYSTEMS MAINTENANCE WITHIN THE DEPARTMENT OF DEFENSE.

(a) REPORT REQUIRED.—Not later than March 1, 2016, the Secretary of Defense shall, in coordination with the Chief of the National Guard Bureau, submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the exemption from furlough during a lapse in appropriations for positions filled by individuals engaged in military equipment and weapon system maintenance within the Department of Defense, including the position of military technician (dual status) and positions of field and depot level maintenance and engineers.

(b) ELEMENTS.—The report required by subsection (a) shall include the following:

(1) An analysis of the Department of Defense positions described in subsection (a), and the personnel, that were exempted from furlough during the most recent lapse in appropriations for the Department.

(2) An analysis of positions filled by individuals engaged in military equipment and weapon system maintenance within the Department, and the personnel, that were not exempted from the furlough described in paragraph (1).

(3) A cost analysis of the exemption of positions from furlough as described in paragraph (1).

SA 1687. Mr. LEE (for himself, Mr. INHOFE, Mr. HATCH, Mr. HELLER, Mr. MORAN, Mr. LANKFORD, Mr. CRAPO, Mr. DAINES, Mr. RISCH, and Mr. ROBERTS) submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. PROTECTION AND RECOVERY OF GREATER SAGE GROUSE.

(a) DEFINITIONS.—In this section:

(1) The term ''Federal resource management plan'' means—

(A) a land use plan prepared by the Bureau of Land Management for public lands pursuant to section 202 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1712); or

(B) a land and resource management plan prepared by the Forest Service for National Forest System lands pursuant to section 6 of the Forest and Rangeland Renewable Resources Planning Act of 1974 (16 U.S.C. 1604).

(2) The term ''Greater Sage Grouse'' means a sage grouse of the species *Centrocercus urophasianus*.

(3) The term ''State management plan'' means a State-approved plan for the protection and recovery of the Greater Sage Grouse.

(b) PURPOSE.—The purpose of this section is—

(1) to facilitate implementation of State management plans over a period of multiple, consecutive sage grouse life cycles; and

(2) to demonstrate the efficacy of the State management plans for the protection and recovery of the Greater Sage Grouse.

(c) ENDANGERED SPECIES ACT OF 1973 FINDINGS.—

(1) DELAY REQUIRED.—Any finding by the Secretary of the Interior under clause (i), (ii), or (iii) of section 4(b)(3)(B) of the Endangered Species Act of 1973 (16 U.S.C. 1533(b)(3)(B)) with respect to the Greater Sage Grouse made during the period beginning on September 30, 2015, and ending on the date of the enactment of this Act shall have no force or effect in law or in equity, and the Secretary of the Interior may not make any such finding during the period beginning on the date of the enactment of this Act and ending on September 30, 2025.

(2) EFFECT ON OTHER LAWS.—The delay imposed by paragraph (1) is, and shall remain, effective without regard to any other statute, regulation, court order, legal settlement, or any other provision of law or in equity.

(3) EFFECT ON CONSERVATION STATUS.—Until the date specified in paragraph (1), the conservation status of the Greater Sage Grouse shall remain warranted for listing under the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.), but precluded by higher-priority listing actions pursuant to clause (iii) of section 4(b)(3)(B) of the Endangered Species Act of 1973 (16 U.S.C. 1533(b)(3)(B)).

(d) COORDINATION OF FEDERAL LAND MANAGEMENT AND STATE CONSERVATION AND MANAGEMENT PLANS.—

(1) PROHIBITION ON MODIFICATION OF FEDERAL RESOURCE MANAGEMENT PLANS.—In order to foster coordination between a State management plan and Federal resource management plans that affect the Greater Sage Grouse, upon notification by the Governor of a State with a State management plan, the Secretary of the Interior and the Secretary of Agriculture may not amend or otherwise modify any Federal resource management plan applicable to Federal lands in the State in a manner inconsistent with the State management plan for a period, to be specified by the Governor in the notification, of at least five years beginning on the date of the notification.

(2) RETROACTIVE EFFECT.—In the case of any State that provides notification under paragraph (1), if any amendment or modification of a Federal resource management plan applicable to Federal lands in the State was issued during the one-year period preceding the date of the notification and the amendment or modification altered management of the Greater Sage Grouse or its habitat, implementation and operation of the amendment or modification shall be stayed to the extent that the amendment or modification is inconsistent with the State management plan. The Federal resource management plan, as in effect immediately before the amendment or modification, shall apply instead with respect to management of the

Greater Sage Grouse and its habitat, to the extent consistent with the State management plan.

(3) DETERMINATION OF INCONSISTENCY.—Any disagreement regarding whether an amendment or other modification of a Federal resource management plan is inconsistent with a State management plan shall be resolved by the Governor of the affected State.

(e) RELATION TO NATIONAL ENVIRONMENTAL POLICY ACT OF 1969.—With regard to any Federal action consistent with a State management plan, any findings, analyses, or conclusions regarding the Greater Sage Grouse or its habitat under the National Environmental Policy Act of 1969 (42 U.S.C. 4331 et seq.) shall not have a preclusive effect on the approval or implementation of the Federal action in that State.

(f) REPORTING REQUIREMENT.—Not later than one year after the date of the enactment of this Act and annually thereafter through 2021, the Secretary of the Interior and the Secretary of Agriculture shall jointly submit to the Committee on Energy and Natural Resources of the Senate and the Committee on Natural Resources of the House of Representatives a report on the Secretaries' implementation and effectiveness of systems to monitor the status of Greater Sage Grouse on Federal lands under their jurisdiction.

(g) JUDICIAL REVIEW.—Notwithstanding any other provision of statute or regulation, this section, including determinations made under subsection (d)(3), shall not be subject to judicial review.

SEC. _____. IMPLEMENTATION OF LESSER PRAIRIE-CHICKEN RANGE-WIDE CONSERVATION PLAN AND OTHER CONSERVATION MEASURES.

(a) DEFINITIONS.—In this section:

(1) CANDIDATE CONSERVATION AGREEMENTS.—The terms ''Candidate Conservation Agreement'' and ''Candidate and Conservation Agreement With Assurances'' have the meaning given those terms in—

(A) the announcement of the Department of the Interior and the Department of Commerce entitled ''Announcement of Final Policy for Candidate Conservation Agreements with Assurances'' (64 Fed. Reg. 32726 (June 17, 1999)); and

(B) sections 17.22(d) and 17.32(d) of title 50, Code of Federal Regulations (as in effect on the date of enactment of this Act).

(2) RANGE-WIDE PLAN.—The term ''Range-Wide Plan'' means the Lesser Prairie-Chicken Range-Wide Conservation Plan of the Western Association of Fish and Wildlife Agencies, as endorsed by the United States Fish and Wildlife Service on October 23, 2013, and published for comment on January 29, 2014 (79 Fed. Reg. 4652).

(3) SECRETARY.—The term ''Secretary'' means the Secretary of the Interior.

(b) PROHIBITION ON TREATMENT AS THREATENED OR ENDANGERED SPECIES.—

(1) IN GENERAL.—Notwithstanding any prior action by the Secretary, the lesser prairie-chicken shall not be treated as a threatened species or endangered species under the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.) before January 31, 2021.

(2) PROHIBITION ON PROPOSAL.—Effective beginning on January 31, 2021, the lesser prairie-chicken may not be treated as a threatened species or endangered species under the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.) unless the Secretary publishes a determination, based on the totality of the scientific evidence, that conservation (as that term is used in that Act) under the Range-Wide Plan and the agreements, programs, and efforts referred to in subsection (c) have not achieved the conservation goals established by the Range-Wide Plan.

(c) MONITORING OF PROGRESS OF CONSERVATION PROGRAMS.—The Secretary shall monitor and annually submit to Congress a report on progress in conservation of the lesser prairie-chicken under the Range-Wide Plan and all related—

(1) Candidate Conservation Agreements and Candidate and Conservation Agreements With Assurances;

(2) other Federal conservation programs administered by the United States Fish and Wildlife Service, the Bureau of Land Management, and the Department of Agriculture;

(3) State conservation programs; and

(4) private conservation efforts.

SEC. _____. REMOVAL OF ENDANGERED SPECIES STATUS FOR AMERICAN BURYING BEETLE.

Notwithstanding the final rule of the United States Fish and Wildlife Service entitled ''Endangered and Threatened Wildlife and Plants; Determination of Endangered Status for the American Burying Beetle'' (54 Fed. Reg. 29652 (July 13, 1989)), the American burying beetle shall not be listed as a threatened or endangered species under the Endangered Species Act (16 U.S.C. 1531 et seq.).

SA 1688. Mr. HOEVEN (for himself and Mr. DONNELLY) submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle G of title X, add the following:

SEC. 1085. ENERGY INFRASTRUCTURE.

(a) FINDING.—Congress finds that the United States should establish a more uniform, transparent, and modern process for the construction, connection, operation, and maintenance of oil and natural gas pipelines and electric transmission facilities for the import and export of oil and natural gas and the transmission of electricity to and from Canada and Mexico, in pursuit of a more secure and efficient North American energy market.

(b) DEFINITIONS.—In this section:

(1) CROSS-BORDER SEGMENT.—The term ''cross-border segment'' means the portion of an oil or natural gas pipeline or electric transmission facility that is located at the national boundary of the United States with Canada or Mexico.

(2) ELECTRIC RELIABILITY ORGANIZATION.—The term ''Electric Reliability Organization'' has the meaning given the term in section 215(a) of the Federal Power Act (16 U.S.C. 824o(a)).

(3) INDEPENDENT SYSTEM OPERATOR.—The term ''Independent System Operator'' has the meaning given the term in section 3 of the Federal Power Act (16 U.S.C. 796).

(4) MODIFICATION.—The term ''modification'' includes—

(A) a change in ownership;

(B) a volume expansion;

(C) a downstream or upstream interconnection; or

(D) an adjustment to maintain flow (such as a reduction or increase in the number of pump or compressor stations).

(5) NATURAL GAS.—The term ''natural gas'' has the meaning given the term in section 2 of the Natural Gas Act (15 U.S.C. 717a).

(6) OIL.—The term ''oil'' means petroleum or a petroleum product.

(7) REGIONAL ENTITY.—The term ''regional entity'' has the meaning given the term in section 215(a) of the Federal Power Act (16 U.S.C. 824o(a)).

(8) REGIONAL TRANSMISSION ORGANIZATION.—The term ''Regional Transmission Organization'' has the meaning given the term in section 3 of the Federal Power Act (16 U.S.C. 796).

(c) AUTHORIZATION OF CERTAIN ENERGY INFRASTRUCTURE PROJECTS AT THE NATIONAL BOUNDARY OF THE UNITED STATES.—

(1) AUTHORIZATION.—Except as provided in paragraph (3) and subsection (g), no person may construct, connect, operate, or maintain a cross-border segment of an oil pipeline or electric transmission facility for the import or export of oil or the transmission of electricity to or from Canada or Mexico without obtaining a certificate of crossing for the construction, connection, operation, or maintenance of the cross-border segment under this section.

(2) CERTIFICATE OF CROSSING.—

(A) REQUIREMENT.—Not later than 120 days after final action is taken under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) with respect to a cross-border segment for which a request is received under this section, the relevant official identified under subparagraph (B), in consultation with appropriate Federal agencies, shall issue a certificate of crossing for the cross-border segment unless the relevant official finds that the construction, connection, operation, or maintenance of the cross-border segment is not in the public interest of the United States.

(B) RELEVANT OFFICIAL.—The relevant official referred to in subparagraph (A) is—

(i) the Secretary of State with respect to oil pipelines; and

(ii) the Secretary of Energy with respect to electric transmission facilities.

(C) ADDITIONAL REQUIREMENT FOR ELECTRIC TRANSMISSION FACILITIES.—In the case of a request for a certificate of crossing for the construction, connection, operation, or maintenance of a cross-border segment of an electric transmission facility, the Secretary of Energy shall require, as a condition of issuing the certificate of crossing for the request under subparagraph (A), that the cross-border segment of the electric transmission facility be constructed, connected, operated, or maintained consistent with all applicable policies and standards of—

(i) the Electric Reliability Organization and the applicable regional entity; and

(ii) any Regional Transmission Organization or Independent System Operator with operational or functional control over the cross-border segment of the electric transmission facility.

(3) EXCLUSIONS.—This section shall not apply to any construction, connection, operation, or maintenance of a cross-border segment of an oil pipeline or electric transmission facility for the import or export of oil or the transmission of electricity to or from Canada or Mexico—

(A) if the cross-border segment is operating for the import, export, or transmission as of the date of enactment of this Act;

(B) if a permit described in subsection (f) for the construction, connection, operation, or maintenance has been issued;

(C) if a certificate of crossing for the construction, connection, operation, or maintenance has previously been issued under this subsection; or

(D) if an application for a permit described in subsection (f) for the construction, connection, operation, or maintenance is pending on the date of enactment of this Act, until the earlier of—

(i) the date on which the application is denied; or

(ii) July 1, 2016.

(4) EFFECT OF OTHER LAWS.—

(A) APPLICATION TO PROJECTS.—Nothing in this subsection or subsection (g) affects the application of any other Federal law to a project for which a certificate of crossing for the construction, connection, operation, or maintenance of a cross-border segment is sought under this subsection.

(B) ENERGY POLICY AND CONSERVATION ACT.—Nothing in this subsection or subsection (g) shall affect the authority of the President under section 103(a) of the Energy Policy and Conservation Act (42 U.S.C. 6212(a)).

(d) IMPORTATION OR EXPORTATION OF NATURAL GAS TO CANADA AND MEXICO.—Section 3(c) of the Natural Gas Act (15 U.S.C. 717b(c)) is amended—

(1) by striking ''(c) For purposes'' and inserting the following:

''(c) EXPEDITED APPLICATION AND APPROVAL PROCESS.—

''(1) IN GENERAL.—For purposes''; and

(2) by adding at the end the following:

''(2) DEADLINE FOR APPROVAL OF APPLICATIONS RELATING TO CANADA AND MEXICO.—In the case of an application for the importation or exportation of natural gas to or from Canada or Mexico, the Commission shall approve the application not later than 30 days after the date of receipt of the application.''.

(e) TRANSMISSION OF ELECTRIC ENERGY TO CANADA AND MEXICO.—

(1) REPEAL OF REQUIREMENT TO SECURE ORDER.—Section 202 of the Federal Power Act (16 U.S.C. 824a) is amended—

(A) by striking subsection (e); and

(B) by redesignating subsections (f) and (g) as subsections (e) and (f), respectively.

(2) CONFORMING AMENDMENTS.—

(A) STATE REGULATIONS.—Subsection (e) of section 202 of the Federal Power Act (16 U.S.C. 824a) (as redesignated by paragraph (1)(B)) is amended in the second sentence by striking ''insofar as such State regulation does not conflict with the exercise of the Commission's powers under or relating to subsection 202(e)''.

(B) SEASONAL DIVERSITY ELECTRICITY EXCHANGE.—Section 602(b) of the Public Utility Regulatory Policies Act of 1978 (16 U.S.C. 824a–4(b)) is amended by striking ''the Commission has conducted hearings and made the findings required under section 202(e) of the Federal Power Act'' and all that follows through the period at the end of the second sentence and inserting ''the Secretary has conducted hearings and finds that the proposed transmission facilities would not impair the sufficiency of electric supply within the United States or would not impede or tend to impede the coordination in the public interest of facilities subject to the jurisdiction of the Secretary.''.

(f) NO PRESIDENTIAL PERMIT REQUIRED.—

(1) IN GENERAL.—No Presidential permit (or similar permit) required under an applicable provision described in paragraph (2) shall be necessary for the construction, connection, operation, or maintenance of an oil or natural gas pipeline or electric transmission facility, or any cross-border segment of the pipeline or facility.

(2) APPLICABLE PROVISIONS.—Paragraph (1) applies to—

(A) section 301 of title 3, United States Code;

(B) Executive Order 11423 (3 U.S.C. 301 note);

(C) Executive Order 13337 (3 U.S.C. 301 note);

(D) Executive Order 10485 (15 U.S.C. 717b note);

(E) Executive Order 12038 (42 U.S.C. 7151 note); and

(F) any other Executive order.

(g) MODIFICATIONS TO EXISTING PROJECTS.—No certificate of crossing under subsection (c), or permit described in subsection (f), shall be required for a modification to the construction, connection, operation, or maintenance of an oil or natural gas pipeline or electric transmission facility—

(1) that is operating for the import or export of oil or natural gas or the transmission of electricity to or from Canada or Mexico as of the date of enactment of the Act;

(2) for which a permit described in subsection (f) for the construction, connection, operation, or maintenance has been issued; or

(3) for which a certificate of crossing for the cross-border segment of the pipeline or facility has previously been issued under subsection (c).

(h) EFFECTIVE DATE; RULEMAKING DEADLINES.—

(1) EFFECTIVE DATE.—Subsections (c) through (g), and the amendments made by those subsections, take effect on July 1, 2016.

(2) RULEMAKING DEADLINES.—Each relevant official described in subsection (c)(2)(B) shall—

(A) not later than 180 days after the date of enactment of this Act, publish in the Federal Register notice of a proposed rulemaking to carry out the applicable requirements of subsection (c); and

(B) not later than 1 year after the date of enactment of this Act, publish in the Federal Register a final rule to carry out the applicable requirements of subsection (c).

SA 1689. Mr. CARDIN submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle F of title XII, add the following:

SEC. 1274. REPORT ON ACCOUNTABILITY FOR WAR CRIMES AND CRIMES AGAINST HUMANITY IN SYRIA.

(a) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, and again not later than 180 days after the cessation of violence in Syria, the Secretary of State shall submit to the appropriate congressional committees a report on war crimes and crimes against humanity in Syria.

(b) ELEMENTS.—The report required under subsection (a) shall include the following elements:

(1) A description of violations of internationally recognized human rights, war crimes, and crimes against humanity perpetrated during the civil war in Syria, including—

(A) an account of incidents that may constitute war crimes and crimes against humanity committed by the regime of President Bashar al-Assad and all forces fighting on its behalf;

(B) an account of incidents that may constitute war crimes and crimes against humanity committed by violent extremist groups, anti-government forces, and any other combatants in the conflict;

(C) a description of any incidents that may violate the principle of medical neutrality and, when possible, an identification of the individual or individuals who engaged in or organized such violations; and

(D) where possible, a description of the conventional and unconventional weapons used for such crimes and, the origins of the weapons.

(2) A description of efforts by the Department of State and the United States Agency for International Development to ensure accountability for violations of internationally recognized human rights, international humanitarian law, and crimes against humanity perpetrated against the people of Syria by the regime of President Bashar al-Assad, violent extremist groups, and other combatants involved in the conflict, including—

(A) a description of initiatives that the United States Government has undertaken to train investigators in Syria on how to document, investigate, and develop findings of war crimes, including the number of United States Government or contract personnel currently designated to work full-time on these issues and an identification of the authorities and appropriations being used to support training efforts;

(B) a description and assessment of Syrian and international efforts to ensure accountability for crimes committed during the Syrian conflict, including efforts to promote a transitional justice process that would include criminal accountability and the establishment of an ad hoc tribunal to prosecute the perpetrators of war crimes committed during the civil war in Syria; and

(C) an assessment of the influence of accountability measures on efforts to reach a negotiated settlement to the conflict during the reporting period.

(c) FORM.—The report required under subsection (a) may be in unclassified or classified form, but shall include a publicly available annex.

(d) APPROPRIATE CONGRESSIONAL COMMITTEE DEFINED.—In this section, the term ''appropriate congressional committees'' means—

(1) the Committee on Foreign Relations of the Senate; and

(2) the Committee on Foreign Affairs of the House of Representatives.

SA 1690. Mr. CARDIN submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle B of title VIII, add the following:

SEC. 832. EXTENSION OF LIMITATION ON AGGREGATE ANNUAL AMOUNT AVAILABLE FOR CONTRACT SERVICES.

Section 808 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112–81; 125 Stat. 1489), as most recently amended by section 813 of the Carl Levin and Howard P. ''Buck'' McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113–291; 128 Stat. 3429) is further amended—

(1) in subsections (a) and (b), by striking ''or 2015'' and inserting ''2015, or 2016'';

(2) in subsection (c)(3), by striking ''and 2015'' and inserting ''2015, and 2016'';

(3) in subsection (d)(4), by striking ''or 2015'' and inserting ''2015, or 2016''; and

(4) in subsection (e), by striking ''2015'' and inserting ''2016''.

SA 1691. Mr. CARDIN submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle G of title X, add the following:

SEC. 1085. INTERAGENCY HOSTAGE RECOVERY COORDINATOR.

(a) INTERAGENCY HOSTAGE RECOVERY COORDINATOR.—

(1) IN GENERAL.—Not later than 60 days after the date of the enactment of this Act, the President shall designate an existing Federal officer to coordinate efforts to secure the release of United States persons who are hostages of hostile groups or state sponsors of terrorism. For purposes of carrying out the duties described in paragraph (2), such officer shall have the title of ''Interagency Hostage Recovery Coordinator''.

(2) DUTIES.—The Coordinator shall have the following duties:

(A) Coordinate and direct all activities of the Federal Government relating to each hostage situation described in paragraph (1) to ensure efforts to secure the release of all hostages in the hostage situation are properly resourced and correct lines of authority are established and maintained.

(B) Establish and direct a fusion cell consisting of appropriate personnel of the Federal Government with purview over each hostage situation described in paragraph (1).

(C) Develop a strategy to keep family members of hostages described in paragraph (1) informed of the status of such hostages and inform such family members of updates, procedures, and policies that do not compromise the national security of the United States.

(b) LIMITATION ON AUTHORITY.—The authority of the Coordinator shall be limited to hostage cases outside the United States.

(c) QUARTERLY REPORT.—

(1) IN GENERAL.—On a quarterly basis, the Coordinator shall submit to the appropriate congressional committees and the members of Congress described in paragraph (2) a report that includes a summary of each hostage situation described in subsection (a)(1) and efforts to secure the release of all hostages in such hostage situation.

(2) MEMBERS OF CONGRESS DESCRIBED.—The members of Congress described in this paragraph are, with respect to a United States person hostage covered by a report under paragraph (1), the Senators representing the State, and the Member, Delegate, or Resident Commissioner of the House of Representatives representing the district, where a hostage described in subsection (a)(1) resides.

(3) FORM OF REPORT.—Each report under this subsection may be submitted in classified or unclassified form.

(d) RULE OF CONSTRUCTION.—Nothing in this section shall be construed as authorizing the Federal Government to make concessions to a state sponsor of terrorism or an organization that the Secretary of State has designated as a foreign terrorist organization pursuant to section 219 of the Immigration and Nationality Act (8 U.S.C. 1189) or any other hostage-takers.

(e) DEFINITIONS.—In this section:

(1) COORDINATOR.—The term ''Coordinator'' means the Interagency Hostage Recovery Coordinator designated under subsection (a).

(2) HOSTILE GROUP.—The term ''hostile group'' means—

(A) a group that is designated as a foreign terrorist organization under section 219(a) of the Immigration and Nationality Act (8 U.S.C. 1189(a));

(B) a group that is engaged in armed conflict with the United States; or

(C) any other group that the President determines to be a hostile group for purposes of this paragraph.

(3) STATE SPONSOR OF TERRORISM.—The term ''state sponsor of terrorism''—

(A) means a country the government of which the Secretary of State has determined, for purposes of section 6(j) of the Export Administration Act of 1979, section 620A of the Foreign Assistance Act of 1961, section 40 of the Arms Export Control Act, or any other provision of law, to be a government that has repeatedly provided support for acts of international terrorism; and

(B) includes North Korea.

SA 1692. Mr. CARDIN submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle E of title X, add the following:

SEC. 1049. SUNSET OF 2001 AUTHORIZATION FOR USE OF MILITARY FORCE.

The Authorization for Use of Military Force (Public Law 107–40; 50 U.S.C. 1541 note) shall terminate on the date that is three years after the date of the enactment of this Act, unless reauthorized.

SA 1693. Mr. WHITEHOUSE (for himself, Mr. LEAHY, Mr. UDALL, Mr. HEINRICH, and Mr. BROWN) submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle G of title X, add the following:

SEC. 1085. CAMPAIGN FINANCE DISCLOSURES BY THOSE PROFITING FROM DEFENSE CONTRACTS.

(a) IN GENERAL.—Section 304 of the Federal Election Campaign Act of 1974 (52 U.S.C. 30104) is amended by adding at the end the following new subsection:

''(j) DISCLOSURE BY DEFENSE CONTRACTORS.—

''(1) IN GENERAL.—Every covered entity which makes covered disbursements and received covered transfers in an aggregate amount in excess of $10,000 during any calendar year shall, within 48 hours of each disclosure date, file with the Commission a statement containing the information described in paragraph (2).

''(2) CONTENTS OF STATEMENT.—Each statement required to be filed under this subsection shall be made under penalty of perjury and shall contain the following information:

''(A) The identification of the person making the disbursement or receiving the transfer, of any person sharing or exercising direction or control over the activities of such person, and of the custodian of the books and accounts of the person making the disbursement or receiving the transfer.

''(B) The principal place of business of the person making the disbursement or receiving the transfer, if not an individual.

''(C) The amount of each disbursement or transfer of more than $200 during the period covered by the statement and the identification of the person to whom the disbursement was made or from whom the transfer was received.

''(D) The elections to which the disbursements or transfers pertain and the names (if known) of the candidates involved.

''(E) If the disbursements were paid out of a segregated bank account which consists of funds contributed solely by individuals who are United States citizens or nationals or lawfully admitted for permanent residence (as defined in section 101(a)(20) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(20))) directly to this account for electioneering communications, the names and addresses of all contributors who contributed an aggregate amount of $1,000 or more to that account during—

''(i) in the case of a statement under paragraph (1)(A), during the period described in such paragraph, and

''(ii) in the case of a statement under paragraph (1)(B), the period beginning on the first day of the preceding calendar year and ending on the disclosure date.

Nothing in this subparagraph is to be construed as a prohibition on the use of funds in such a segregated account for a purpose other than covered disbursements.

''(F) If the disbursements were paid out of funds not described in subparagraph (E), the names and addresses of all contributors who contributed an aggregate amount of $1,000 or more to the person making the disbursement during—

''(i) in the case of a statement under paragraph (1)(A), during the period described in such paragraph, and

''(ii) in the case of a statement under paragraph (1)(B), the period beginning on the first day of the preceding calendar year and ending on the disclosure date.

''(3) COVERED ENTITY.—For purposes of this subsection—

''(A) IN GENERAL.—The term 'covered entity' means—

''(i) any person who is described in subparagraph (B), and

''(ii) any person who owns 5 percent or more of any person described in subparagraph (B).

''(B) PERSON DESCRIBED.—A person is described in this subparagraph if such person has been awarded a contract from the Department of Defense for the procurement of goods or services during the previous two fiscal years.

''(4) COVERED DISBURSEMENT.—For purposes of this subsection, the term 'covered disbursement' means a disbursement for any of the following:

''(A) An independent expenditure.

''(B) A broadcast, cable, or satellite communication (other than a communication described in subsection (f)(3)(B)) which—

''(i) refers to a clearly identified candidate for Federal office;

''(ii) is made—

''(I) in the case of a communication which refers to a candidate for an office other than President or Vice President, during the period beginning on January 1 of the calendar year in which a general or runoff election is held and ending on the date of the general or runoff election (or in the case of a special election, during the period beginning on the date on which the announcement with respect to such election is made and ending on the date of the special election); or

''(II) in the case of a communication which refers to a candidate for the office of President or Vice President, is made in any State during the period beginning 120 days before the first primary election, caucus, or preference election held for the selection of delegates to a national nominating convention of a political party is held in any State (or, if no such election or caucus is held in any State, the first convention or caucus of a political party which has the authority to nominate a candidate for the office of President or Vice President) and ending on the date of the general election; and

''(iii) in the case of a communication which refers to a candidate for an office other than President or Vice President, is targeted to the relevant electorate (within the meaning of subsection (f)(3)(C)).

''(C) A transfer to another person for the purposes of making a disbursement described in subparagraph (A) or (B).

''(5) COVERED TRANSFER.—For purposes of this subsection, the term 'covered transfer' means any amount received by a covered entity for the purposes of making a covered disbursement.

''(6) DISCLOSURE DATE.—For purposes of this subsection, the term 'disclosure date' means—

''(A) the first date during any calendar year by which a person has made covered disbursements and received covered transfers aggregating in excess of $10,000; and

''(B) any other date during such calendar year by which a person has made covered disbursements and received covered transfers aggregating in excess of $10,000 since the most recent disclosure date for such calendar year.

''(7) CONTRACTS TO DISBURSE; COORDINATION WITH OTHER REQUIREMENTS; ETC,.—Rules similar to the rules of paragraphs (5), (6), and (7) of subsection (f) shall apply for purposes of this subsection.''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to disbursements made, and transfers received, after the date of the enactment of this Act.

SA 1694. Ms. HIRONO (for herself and Mr. WYDEN) submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle B of title III, add the following:

SEC. 314. SECURE ENERGY INNOVATION PROGRAM.

(a) IN GENERAL.—The Secretary of Defense shall conduct a program to develop and support projects designed to foster secure and reliable sources of energy for military installations, including incorporation of advanced energy metering, renewable energy, energy storage, and redundant power systems.

(b) METRICS.—The Secretary of Defense shall develop metrics for assessing the costs and benefits associated with secure energy projects proposed or implemented as part of the program conducted under subsection (a). The metrics shall take into account financial and operational costs associated with sustained losses of power resulting from natural disasters or attacks that damage electrical grids serving military installations.

SA 1695. Ms. HIRONO (for herself and Mr. WYDEN) submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle B of title III, add the following:

SEC. 314. AUTHORITY TO USE ENERGY SAVINGS INVESTMENT FUND FOR ENERGY MANAGEMENT INITIATIVES.

Section 2919(b)(2) of title 10, United States Code, is amended by striking '', to the extent provided for in an appropriations Act,''.

SA 1696. Ms. HIRONO (for herself and Mr. WYDEN) submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle B of title III, add the following:

SEC. 314. PLAN TO ENHANCE MISSION READINESS THROUGH GREATER ENERGY SECURITY AT CRITICAL MILITARY INSTALLATIONS.

(a) IDENTIFICATION OF CRITICAL MILITARY INSTALLATIONS.—The Secretary of Defense shall identify ten military installations that are—

(1) critical to mission readiness, and

(2) susceptible to interruptions of power due to geographic location, dependence on connections to the electric grid, or other factors determined by the Secretary.

(b) REPORT.—

(1) IN GENERAL.—Not later than September 30, 2016, the Secretary of Defense shall submit to the congressional defense committees a report with a plan for integrating energy storage, micro-grid technologies, and on-site power generation systems at the military installations identified under subsection (a) to enhance mission readiness.

(2) FORM.—The report required under paragraph (1) shall be submitted in unclassified form, but may contain a classified annex as necessary.

SA 1697. Ms. HIRONO (for herself and Mr. WYDEN) submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle B of title III, add the following:

SEC. 314. STUDY ON IMPLEMENTATION OF REQUIREMENTS FOR CONSIDERATION OF FUEL LOGISTICS SUPPORT REQUIREMENTS, REQUIREMENTS DEVELOPMENT, AND ACQUISITION PROCESSES.

(a) REPORT REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report regarding the implementation of section 332 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110–417; 122 Stat. 4420; 10 U.S.C. 2911 note (in this section referred to as ''section 332'')), including a description of the implementation to date of the requirements for consideration of fuel logistics support requirements in the planning, requirements development, and acquisition processes.

(b) ELEMENTS.—The report required under subsection (a) shall include the following elements:

(1) A list of acquisition solicitations that incorporate analysis established and developed under section 332.

(2) An analysis of the extent to which Department of Defense planning, requirements development, and acquisition processes incorporate or rely on the fully burdened cost of energy and energy key performance parameters in relation to other metrics.

(3) An estimate of the total fuel costs avoided as a result of inclusion of the fully burdened cost of energy and energy key performance parameter in acquisitions, including an estimate of monetary savings and fuel volume savings.

(4) An analysis of the extent to which energy security requirements of the Department of Defense are enhanced by incorporation of section 332 requirements in the acquisition process, and recommendations for further improving section 332 requirements to further enhance energy security and mission capability requirements.

(c) ENERGY SECURITY DEFINED.—In this section, the term ''energy security'' has the

meaning given the term in section 2924(3) of title 10, United States Code.

SA 1698. Mr. CASEY (for himself, Mr. INHOFE, and Mr. WHITEHOUSE) submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of section 1533, add the following:

(f) PROVISION TO CERTAIN FOREIGN FORCES THROUGH OTHER UNITED STATES GOVERNMENT AGENCIES.—

(1) SENSE OF CONGRESS.—It is the sense of Congress that the Department of Defense should increase efforts to combat the use by the terrorist group the Islamic State of Iraq and the Levant (ISIL) of improvised explosive devices and the illicit smuggling of improvised explosive device precursor materials.

(2) PROVISION THROUGH OTHER AGENCIES.—If jointly agreed upon by the Secretary of Defense and the head of another department or agency of the United States Government, the Secretary of Defense may transfer funds available under subsection (a) to such department or agency for the provision by such department or agency of training, equipment, supplies, and services to ministries and other entities of the Government of Iraq and nations that border Iraq (other than Iran and Syria), as described in that subsection.

SA 1699. Mr. WYDEN (for himself and Ms. HIRONO) submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle B of title III, add the following:

SEC. 314. REQUIREMENT TO ESTABLISH REPOSITORY FOR OPERATIONAL ENERGY-RELATED RESEARCH AND DEVELOPMENT EFFORTS OF DEPARTMENT OF DEFENSE.

(a) REPOSITORY REQUIRED.—Not later than December 31, 2016, the Secretary of Defense, acting through the Assistant Secretary of Defense for Research and Engineering and in collaboration with the Assistant Secretary of Defense for Operational Energy Plans and Programs and the Secretaries of the military departments, shall establish a centralized repository for all operational energy-related research and development efforts of the Department of Defense, including with respect to the inception, operational, and complete phases of such efforts.

(b) INTERNET ACCESS.—The Secretary of Defense shall ensure that the repository required by subsection (a) is accessible through an Internet website of the Department of Defense and by all employees of the Department and members of the Armed Forces whom the Secretary determines appropriate, including all program managers involved in such research and development efforts, to enable improved collaboration between military departments on research and development efforts described in subsection (a), enable sharing of best practices and lessons learned relating to such efforts, and reduce redundancy in such efforts.

SA 1700. Mr. WYDEN (for himself and Ms. HIRONO) submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle B of title III, add the following:

SEC. 314. STUDY ON POWER STORAGE CAPACITY REQUIREMENT.

Not later than September 30, 2016, the Secretary of Defense shall submit to the congressional defense committees a report on the costs and benefits associated with requiring 25 percent of National Guard and Reserve facilities to have at least a 21-day on-site power storage capacity to assist with providing support to civil authorities in case of manmade or natural disasters.

SA 1701. Mr. WYDEN submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

On page 117, insert between lines 12 and 13, the following

(b) LOCATION OF RETIREMENT.—Subsection (f) of such section is further amended—

(1) by redesignating paragraphs (1) and (2) as subparagraphs (A) and (B), respectively;

(2) by inserting ''(1)'' before ''If the Secretary'';

(3) in paragraph (1), as designated by paragraph (2) of this subsection—

(A) by striking '', and no suitable adoption is available at the military facility where the dog is location,''; and

(B) in subparagraph (B), as designated by paragraph (1) of this subsection, by inserting ''within the United States'' after ''to another location''; and

(4) by adding at the end the following new paragraph (2):

''(2) Paragraph (1) shall not apply if a United States citizen living abroad adopts the dog at the time of retirement.''.

SA 1702. Mr. BLUMENTHAL submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____. EXPANSION OF DUTIES OF UNDER SECRETARY OF DEFENSE FOR PERSONNEL AND READINESS.

Section 136(b) of title 10, United States Code, is amended by striking ''and health affairs'' and inserting the following: ''health affairs, and the coordination, use, acquisition, or exchange of joint requirements and resources with the Secretary of Veterans Affairs and implementation of recommendations made under subsection (c)(1) of section 320 of title 38 and the functions enumerated under subsection (d) of such section''.

SA 1703. Mr. DURBIN submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

On page 636, between lines 12 and 13, insert the following:

(10) Training and best practices to identify and treat post-traumatic stress disorder among Ukrainian Armed Forces and National Guard personnel.

SA 1704. Mr. DURBIN (for himself, Mr. BLUMENTHAL, Mr. REED, Mr. BROWN, Mr. FRANKEN, and Mr. CARPER) submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of part II of subtitle D of title V, add the following:

SEC. 540. AVAILABILITY OF PUBLIC INFORMATION REGARDING CIVIL AND CRIMINAL ACTIONS AND INVESTIGATIONS INVOLVING POSTSECONDARY EDUCATIONAL INSTITUTIONS.

(a) IN GENERAL.—The Secretary of Defense shall ensure that any online consumer tool offered or supported by the Department of Defense that provides information to servicemembers regarding specific postsecondary educational institutions, such as Tuition Assistance DECIDE or any successor or similar program, includes for each such institution an accounting of pending investigations and civil or criminal actions against the institution by Federal agencies and State attorneys general, to the extent such information is publicly available.

(b) SOURCES OF INFORMATION.—In gathering publicly available information on investigations and civil or criminal actions described

in subsection (a), the Secretary of Defense shall—

(1) consult the heads of other Federal agencies and, as practicable, State attorneys general; and

(2) review any reports required to be filed with the Securities and Exchange Commission under section 13 or section 15(d) of the Securities Exchange Act of 1934 (15 U.S.C. 78m and 78o(d)), including Form 10–Q and Form 10–K.

(c) CONSULTATION REGARDING PRESENTATION.—To ensure that the information required under subsection (a) is presented in the most useful and effective way possible for servicemembers, the Secretary of Defense shall consult with the Secretary of Education, the Bureau of Consumer Financial Protection, and servicemember and consumer advocates.

SA 1705. Mr. COATS (for himself, Mr. RUBIO, and Mr. CORNYN) submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle E of title XII, add the following:

SEC. 1264. MILITARY EXCHANGES BETWEEN SENIOR OFFICERS AND OFFICIALS OF THE UNITED STATES AND TAIWAN.

(a) IN GENERAL.—The Secretary of Defense should carry out a program of exchanges of senior military officers and senior officials between the United States and Taiwan designed to improve military to military relations between the United States and Taiwan.

(b) EXCHANGES DESCRIBED.—For the purposes of this section, an exchange is an activity, exercise, event, or observation opportunity between members of the Armed Forces and officials of the Department of Defense, on the one hand, and armed forces personnel and officials of Taiwan, on the other hand.

(c) FOCUS OF EXCHANGES.—The exchanges under the program carried out pursuant to subsection (a) shall include exchanges focused on the following:

(1) Threat analysis.

(2) Military doctrine.

(3) Force planning.

(4) Logistical support.

(5) Intelligence collection and analysis.

(6) Operational tactics, techniques, and procedures.

(7) Humanitarian assistance and disaster relief.

(d) CIVIL-MILITARY AFFAIRS.—The exchanges under the program carried out pursuant to subsection (a) shall include activities and exercises focused on civil-military relations, including parliamentary relations.

(e) LOCATION OF EXCHANGES.—The exchanges under the program carried out pursuant to subsection (a) shall be conducted in both the United States and Taiwan.

(f) DEFINITIONS.—In this section:

(1) The term ''senior military officer'', with respect to the Armed Forces, means a general or flag officer of the Armed Forces on active duty.

(2) The term ''senior official'', with respect to the Department of Defense, means a civilian official of the Department of Defense at the level of Assistant Secretary of Defense or above.

SA 1706. Mr. SESSIONS submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

On page 645, between lines 16 and 17, insert the following:

(4) At the 2006 North Atlantic Treaty Organization Summit in Riga, North Atlantic Treaty Organization member countries committed to endeavor to spend a minimum of two percent of their national income or Gross Domestic Product (GDP) to spending on defense.

(5) At the 2014 North Atlantic Treaty Organization Summit in Wales, North Atlantic Treaty Organization member countries agreed that ''allies currently meeting the NATO guideline to spend a minimum of 2% of their Gross Domestic Product (GDP) on defense will aim to continue to do so'' and that ''allies whose current proportion of GDP spent on defense is below this level will: halt any decline in defense expenditure; aim to increase defense expenditure in real terms as GDP grows; aim to move towards the two percent guideline within a decade with a view to meeting their NATO Capability Targets and filling NATO's capability shortfalls''.

(6) In 2015, four out of the 28 North Atlantic Treaty Organization member countries, including the United States, meet the two percent target.

On page 646, strike line 16 and insert the following:

spending; and

(5) the North Atlantic Treaty Organization member countries are strongly urged to meet their commitment under the Wales Summit Declaration to spend two percent of their Gross Domestic Product on defense.

SA 1707. Mr. GARDNER submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle G of title X, add the following:

SEC. 1085. CIVILIAN AVIATION ASSET MILITARY PARTNERSHIP PILOT PROGRAM.

(a) PARTICIPATION.—The Secretary of Defense, in coordination with the Administrator of the Federal Aviation Administration, may participate in a Civilian Aviation Asset Military Partnership Pilot Program (in this section referred to as the ''Program'') in accordance with this section.

(b) GRANT AUTHORITY.—Subject to the availability of appropriations to carry out this section, the Secretary, in coordination with the Administrator, may make a grant under the Program, on a competitive basis, to an eligible airport to assist a project—

(1) to improve aviation infrastructure; or

(2) to repair, replace, or otherwise improve an eligible tower facility at that airport.

(c) NUMBER.—Not more than three eligible airports may receive a grant under the Program for a fiscal year.

(d) AMOUNT.—The amount provided to each eligible airport that receives a grant under the Program may not exceed $2,500,000.

(e) ELIGIBILITY.—To be eligible for a grant under the Program, an eligible airport shall submit to the Secretary of Defense an application at such time, in such form, and containing such information as the Secretary, in coordination with the Administrator, determines is appropriate. An application shall include, at a minimum, a description of—

(1) the proposed project with respect to which a grant is requested, including estimated costs;

(2) the need for the project at the eligible airport, including how the project will assist both civil aircraft and military aircraft; and

(3) the non-Federal funding available for the project.

(f) SELECTION AND TERMS.—The Secretary and the Administrator shall jointly—

(1) select eligible airports to receive grants under the Program; and

(2) establish the terms of each grant made under the Program.

(g) FUNDING.—

(1) FEDERAL SHARE.—The Federal share of the cost of a project assisted with a grant under the Program may not exceed 70 percent. Prioritization shall be given to projects with the lowest Federal share.

(2) COORDINATION.—With respect to the Federal share of the cost of a project assisted with a grant under the Program, 50 percent of that Federal share shall be paid by the Administrator and 50 percent shall be paid by the Secretary.

(h) TERMINATION.—The Program shall terminate at the end of the third fiscal year in which a grant is made under the Program.

(i) DEFINITIONS.—In this section:

(1) AVIATION INFRASTRUCTURE.—The term ''aviation infrastructure'' means any activity defined under the term ''airport development'' in section 47102 of title 49, United States Code.

(2) ELIGIBLE AIRPORT.—The term ''eligible airport'' means an airport at which—

(A) military aircraft conduct operations; and

(B) civil aircraft operations are conducted.

(3) ELIGIBLE TOWER FACILITY.—The term ''eligible tower facility'' means a tower facility that—

(A) is located at an eligible airport;

(B) is greater than 30 years of age; and

(C) has demonstrated failings.

SA 1708. Mr. GARDNER submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle E of title XII, add the following:

SEC. 1264. STRATEGY TO PROMOTE UNITED STATES INTERESTS IN THE INDO-ASIA-PACIFIC REGION.

(a) STRATEGY.—Not later than 120 days after the date of the enactment of this Act, the President shall develop an overall strategy to promote United States interests in the Indo-Asia-Pacific region. Such strategy shall be informed by the following:

(1) The national security strategy of the United States for 2015 set forth in the national security strategy report required under section 108(a)(3) of the National Security Act of 1947 (50 U.S.C. 5043(a)(3)), as such strategy relates to United States interests in the Indo-Asia-Pacific region.

(2) The 2014 Quadrennial Defense Review (QDR), as it relates to United States interests in the Indo-Asia-Pacific region.

(3) The 2015 Quadrennial Diplomacy and Development Review (QDDR), as it relates to United States interests in the Indo-Asia-Pacific region.

(4) The strategy to prioritize United States defense interests in the Asia-Pacific region as contained in the report required by section 1251(a) of the Carl Levin and Howard P. ''Buck'' McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113–291; 128 Stat. 3570).

(5) The integrated, multi-year planning and budget strategy for a rebalancing of United States policy in Asia submitted to Congress pursuant to section 7043(a) of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2014 (division K of the Consolidated Appropriations Act, 2014 (Public Law 113–76)).

(b) PRESIDENTIAL POLICY DIRECTIVE.—The President shall issue a Presidential Policy Directive to appropriate departments and agencies of the United States Government that contains the strategy developed under subsection (a) and includes implementing guidance to such departments and agencies.

(c) RELATION TO AGENCY PRIORITY GOALS AND ANNUAL BUDGET.—

(1) AGENCY PRIORITY GOALS.—In identifying agency priority goals under section 1120(b) of title 31, United States Code, for each appropriate department and agency of the United States Government, the head of such department or agency, or as otherwise determined by the Director of the Office of Management and Budget, shall take into consideration the strategy developed under subsection (a) and the Presidential Policy Directive issued under subsection (b).

(2) ANNUAL BUDGET.—The President shall, acting through the Director of the Office of Management and Budget, ensure that the annual budget submitted to Congress under section 1105 of title 31, United States Code, includes a separate section that clearly highlights programs and projects that are being funded in the annual budget that relate to the strategy developed under subsection (a) and the Presidential Policy Directive issued under subsection (b).

SA 1709. Mr. GARDNER submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle G of title X, add the following:

SEC. 1085. PROTECTION AND RECOVERY OF GREATER SAGE-GROUSE.

(a) PURPOSES.—The purposes of this section are—

(1) to allow States—

(A) to determine the appropriate management of sage-grouse species according to State-created conservation and management plans that address the key threats to sage-grouse species and the habitat of sage-grouse species within the States; and

(B) to demonstrate that those Statewide plans can protect and recover sage-grouse species within the States; and

(2) to require the Secretary to implement recommendations contained in Statewide plans for the management of sage-grouse species and the habitat of sage-grouse species on Federal land.

(b) DEFINITIONS.—In this section:

(1) COVERED WESTERN STATE.—The term ''covered Western State'' means each of the States of California, Colorado, Idaho, Montana, Nevada, North Dakota, Oregon, South Dakota, Utah, Washington, and Wyoming.

(2) NATIONAL FOREST SYSTEM LAND.—The term ''National Forest System land'' means the Federal land within the National Forest System, as described in section 11(a) of the Forest and Rangeland Renewable Resources Planning Act of 1974 (16 U.S.C. 1609(a)).

(3) PUBLIC LAND.—The term ''public land'' has the meaning given the term ''public lands'' in section 103 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1702).

(4) SAGE-GROUSE SPECIES.—The term ''sage-grouse species'' means—

(A) the greater sage-grouse (*Centrocercus urophasianus*) (including all distinct population segments); and

(B) the Gunnison sage-grouse (*Centrocercus minimus*).

(5) SECRETARY.—The term ''Secretary'' means—

(A) the Secretary of Agriculture, with respect to National Forest System land; and

(B) the Secretary of the Interior, with respect to public land.

(6) STATEWIDE PLAN.—The term ''Statewide plan'' means a conservation and management plan or plans developed and submitted to the Secretary by a covered Western State for the protection and recovery of any sage-grouse species and the habitat of the sage-grouse species within the covered Western State in response to invitations from the Secretary of the Interior in December 2011 to submit to the Secretary those plans.

(c) PARTICIPATION IN STATE PLANNING PROCESS.—

(1) LIST OF DESIGNEES.—

(A) IN GENERAL.—Not later than 30 days after that date of receipt from a covered Western State of a notice described in subparagraph (B), the Secretary shall provide to the Governor of the covered Western State a list of designees of the Department of the Interior or the Department of Agriculture, as applicable, who will represent the Secretary in assisting in the development and implementation of the Statewide plan.

(B) DESCRIPTION OF NOTICE.—

(i) IN GENERAL.—A notice referred to in subparagraph (A) is a notice that a covered Western State—

(I) is initiating, or has previously initiated, development of a Statewide plan in accordance with clause (ii); or

(II) has previously submitted to the Secretary a Statewide plan in accordance with clause (ii).

(ii) CONTENTS.—A notice under this subparagraph shall include—

(I) an invitation to the Secretary to participate in the development or implementation of the Statewide plan of the applicable covered Western State; and

(II) a statement that the covered Western State—

(aa) has prepared or will prepare, by not later than 1 year after the date of submission of the notice, a Statewide plan that will protect and manage sage-grouse species and the habitat of sage-grouse species to the point that designation of sage-grouse species as a threatened or endangered species under the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.) is no longer necessary in the covered Western State; and

(bb) will—

(AA) collect monitoring data such as sage-grouse species population trends, fuel reduction, predator control, invasive species control, the condition of sage-grouse species habitat, or other parameters that address the primary threats to sage-grouse species in the covered Western State to address how the threats identified in the Statewide plan are being reduced and how the objectives identified in the Statewide plan are being met; and

(BB) provide to the Secretary relevant data regarding the health of sage-grouse species populations, the condition of sage-grouse species habitat, and activities relating to the implementation of the Statewide plan on an annual basis under this section.

(iii) TIMING.—To be eligible to participate in a planning process under this section, not later than 120 days after the date of enactment of this Act, a covered Western State shall submit to the Secretary a notice described in subparagraph (B).

(2) ACCESS TO INFORMATION.—Not later than 60 days after the date of receipt from a covered Western State of a notice described in paragraph (1)(B), the Secretary shall provide to the covered Western State all relevant scientific data, research, and information regarding sage-grouse species and habitat within the covered Western State for use by appropriate State personnel to assist the covered Western State in the development and implementation of the Statewide plan.

(d) RECOGNITION OF STATEWIDE PLAN.—If the Secretary receives from a covered Western State a Statewide plan by the date that is 1 year after the date of receipt of a notice under subsection (c)(1) from the covered Western State, the Secretary shall—

(1) when taking any action that could impact the sage grouse species or the habitat of the species, manage all public land and National Forest System land within the covered Western State in accordance with the Statewide plan for a period of not less than 6 years, beginning on the date of submission to the Secretary of the Statewide plan in accordance with this section;

(2) annually—

(A) review the Statewide plan using the best available science and data, using the objectives and goals contained in the Statewide plan as a measure of success; and

(B) provide to the Governor of the covered Western State recommendations regarding improvement of the Statewide plan;

(3) use the Statewide plan as the basis for all relevant determinations under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.);

(4) permit and assist the covered Western State to implement adaptive management, if required by the Statewide plan, to respond to sage-grouse species conditions as indicated

by monitoring data, meteorological conditions, or fire or other events necessitating adaptation of the Statewide plan;

(5) require the covered Western State to submit to the Secretary annual reports regarding the implementation of the Statewide plan, including relevant data regarding—

(A) actions carried out pursuant to the Statewide plan; and

(B) population trends, fuel reductions, predator control, invasive species control, the condition of sage-grouse habitat, and other parameters that address the primary threats to sage-grouse species in the covered Western State;

(6) require the covered Western State—

(A) to monitor appropriate sage-grouse species and habitat data for a period of not less than 5 years, beginning on the date of submission of the Statewide plan; and

(B) to submit to the Secretary, not later than 6 years after the date of submission of the Statewide plan and in accordance with applicable scientific protocols, a report that includes—

(i) a description of the status of implementation of the Statewide plan and progress made in achieving the objectives and goals of the Statewide plan, including relevant data regarding sage-grouse species population trends, fuel reductions, predator control, invasive species control, the condition of sage-grouse species habitat, and other parameters that address the primary threats to sage-grouse in the covered Western State;

(ii) an estimate of additional time needed, if any, for implementation of the Statewide plan; and

(iii) necessary modifications to the Statewide plan to enhance the achievement of the objectives and goals of the Statewide plan; and

(7) assist the covered Western State in monitoring and collecting relevant data on Federal land to assess sage-grouse species population trends, fuel reductions, predator control, invasive species control, the condition of sage-grouse species habitat, and other parameters that address the primary threats to sage-grouse in the covered Western State.

(e) SECRETARIAL ACTIONS.—Not later than 30 days after the date of receipt of a Statewide plan under this section, and annually thereafter during the period in which the Secretary determines that the applicable covered Western State is implementing the Statewide plan, the Secretary shall—

(1) take necessary steps to maintain or restore the candidate species status for any sage-grouse species in the covered Western State under the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.), for a period of not less than 6 years—

(A) to allow for appropriate monitoring and collection of data; and

(B) to assess the achievement of the objectives of the Statewide plan;

(2) stay any land use planning activities relating to Federal management of sage-grouse species on public land or National Forest System land within the covered Western State;

(3) take immediate action to amend all Federal land use plans under the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et seq.) and the Forest and Rangeland Renewable Resources Planning Act of 1974 (16 U.S.C. 1600 et seq.) to comply with the Statewide plan with respect to that covered Western State;

(4) manage all public land and National Forest System land with habitat for any sage-grouse species in the covered Western State in a manner consistent with sections 102(a)(12) and 103(c) of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701(a)(12), 1702(c)) and section 4 of the Forest and Rangeland Renewable Resources Planning Act of 1974 (16 U.S.C. 1602);

(5) immediately reverse any withdrawals or land use restrictions carried out for purposes of protecting or conserving sage-grouse on public land or National Forest System land that are not consistent with a Statewide plan; and

(6) use State annual reports regarding the implementation of the Statewide plans submitted to the Secretary under subsection (d)(5) to prepare the annual Candidate Notice of Review of the Secretary pursuant to section 4 of the Endangered Species Act of 1973 (16 U.S.C. 1533).

(f) EXISTING STATE PLANS.—The Secretary shall—

(1) give effect to a Statewide conservation and management plan for the protection and recovery of sage-grouse species within a covered Western State that is submitted by the covered Western State and approved or endorsed by the United States Fish and Wildlife Service before the date of enactment of this Act; and

(2) for purposes of subsections (d) and (e), treat such a plan as a Statewide plan in accordance with that subsection.

(g) ACTIONS PURSUANT TO NEPA.—An action proposed to be carried out pursuant to the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) in a covered Western State may not be denied or restricted solely on the basis of the presence or protection of sage-grouse species in the covered Western State, if the action is consistent with the Statewide plan of the covered Western State.

(h) AUTHORITY TO EXTEND PLAN IMPLEMENTATION.—On review of the report of a covered Western State under subsection (d)(6)(B), the Secretary may extend the provisions of this Act for a period not to exceed an additional 6 years with the consent of the covered Western State.

SA 1710. Mr. KIRK (for himself and Mr. MENENDEZ) submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle C of title XII, add the following:

SEC. 1242. EXTENSION OF IRAN SANCTIONS ACT OF 1996.

Section 13(b) of the Iran Sanctions Act of 1996 (Public Law 104–172; 50 U.S.C. 1701 note) is amended by striking ''December 31, 2016'' and inserting ''December 31, 2026''.

SA 1711. Ms. AYOTTE submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle E of title XII, add the following:

SEC. 12___. SOUTHEAST ASIA STRATEGIC PARTNERSHIP.

The Act of March 4, 1907 (34 Stat. 1260, chapter 2907; 81 Stat. 584), is amended—

(1) in section 1(w), by striking paragraph (2);

(2) in section 6, by striking subsection (b); and

(3) by repealing section 25.

SA 1712. Mr. FLAKE submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

Strike section 213.

SA 1713. Mr. FLAKE (for himself and Mr. TOOMEY) submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle B of title III, add the following:

SEC. 314. LIMITATION ON FUNDING FOR RESEARCH AND DEVELOPMENT ALTERNATIVE FUEL AWARDS AND DEPARTMENT OF DEFENSE ALTERNATIVE FUEL CONTRACTS.

(a) DEFINITION OF ALTERNATIVE FUEL.—In this section, the term ''alternative fuel'' has the meaning given the term in 301 of the Energy Policy Act of 1992 (42 U.S.C. 13211).

(b) LIMITATION.—None of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2016 for the Department of Defense may be obligated or expended for research and development alternative fuel awards or Department of Defense alternative fuel contracts.

SA 1714. Mr. FLAKE submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of part I of subtitle H of title V, add the following:

SEC. 584. CONSOLIDATION OF FINANCIAL LITERACY PROGRAMS AND TRAINING FOR MEMBERS OF THE ARMED FORCES.

(a) PLAN REQUIRED.—Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report setting forth a plan for the consolidation of the current financial training programs of the Department of Defense and the military departments for members of the Armed Forces into a single program of financial training for members that—

(1) eliminates duplication and costs in the provision of financial training to members; and

(2) ensures that members receive effective training in financial literacy in as few training sessions as is necessary for the receipt of effective training.

(b) IMPLEMENTATION.—The Secretary of Defense and the Secretaries of the military departments shall commence implementation of the plan required by subsection (a) 90 days after the date of the submittal of the plan as required by that subsection.

SA 1715. Mr. FLAKE submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle G of title X, add the following:

SEC. 1085. RESTRICTIONS ON THE ESTABLISHMENT OF NATIONAL MONUMENTS.

Section 320301 of title 54, United States Code, is amended by adding at the end the following:

''(e) RESTRICTIONS ON THE ESTABLISHMENT OF NATIONAL MONUMENTS IN MILITARY OPERATIONS AREAS.—The President shall not establish a national monument under this section on land that is located under the lateral boundaries of a military operations area (as the term is defined in section 1.1 of title 14, Code of Federal Regulations (or successor regulations)), unless—

''(1) the proclamation includes language that ensures that the establishment of the national monument would not place any new limits on—

''(A) low-level overflights of military aircraft;

''(B) the designation of a new unit of special use airspace;

''(C) the use or establishment of a military flight training route;

''(D) any flight operations of military aircraft; or

''(E) any ground-based operations in support of military flight operations; and

''(2) the Secretary of Defense certifies that the establishment of the national monument—

''(A) would not negatively impact any military flight operations in airspace above the national monument; and

''(B) would not reduce the ability of any ground-based operations in support of military flight operations.''.

SA 1716. Mr. FLAKE submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle B of title XV, add the following:

SEC. 1523. REPROGRAMMING OF CERTAIN FUNDS FOR OPERATION AND MAINTENANCE FOR OVERSEAS CONTINGENCY OPERATIONS.

(a) REPROGRAMMING REQUIREMENT.—The Secretary of Defense shall submit to the congressional defense committees a reprogramming or transfer request in the amount of $464,017,143 from unobligated funds in the Operation and Maintenance, Defense-wide, account and available for the Office of Economic Adjustment, or for transfer to the Secretary of Education, to construct, renovate, repair, or expand elementary and secondary public schools on military installations in order to address capacity or facility condition deficiencies at such schools, to the Operation and Maintenance, Overseas Contingency Operations, account.

(b) TREATMENT OF REPROGRAMMING.—The transfer of an amount pursuant to subsection (a) shall not be deemed to increase the amount authorized to be appropriated for fiscal year 2016 for operation and maintenance for overseas contingency operations by section 1505.

SA 1717. Mr. FLAKE submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle B of title III, add the following:

SEC. 314. INSTALLATION RENEWABLE ENERGY PROJECT DATABASE.

(a) LIMITATION.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall establish a searchable database to uniformly report information regarding installation renewable energy projects undertaken since 2010.

(b) ELEMENTS.—The database established under subsection (a) shall include, for each installation energy project—

(1) the estimated project costs;

(2) estimated power generation;

(3) estimated total cost savings;

(4) estimated payback period;

(5) total project costs;

(6) actual power generation;

(7) actual cost savings to date;

(8) current operational status; and

(9) access to relevant business case documents, including the economic viability assessment.

(c) NON-DISCLOSURE OF CERTAIN INFORMATION.—

(1) IN GENERAL.—The Secretary of Defense may, on a case-by-case basis, withhold from inclusion in the database established under subsection (a) information pertaining to individual projects if the Secretary determines that the disclosure of such information would jeopardize operational security.

(2) REQUIRED DISCLOSURE.—In the event the Secretary withholds information related to one or more renewable energy projects under paragraph (1), the Secretary shall include in the database—

(A) a statement that information has been withheld; and

(B) an aggregate amount for each of paragraphs (1), (2), (3), (5), (6), and (7) of subsection (b) that includes amounts for all renewable energy projects described under subsection (a), including those with respect to which information has been withheld under paragraph (1) of this subsection.

(d) UPDATES.—The database established under subsection (a) shall be updated not less than quarterly.

SA 1718. Mr. FLAKE submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle A of title XXVIII, add the following:

SEC. 2807. CERTIFICATION REQUIREMENT FOR MILITARY CONSTRUCTION PROJECTS IN AREAS OF CONTINGENCY OPERATIONS.

(a) IN GENERAL.—Subchapter I of chapter 169 of title 10, United States Code, is amended by inserting after section 2804 the following new section:

''§ 2804a. Certification requirement for military construction projects in areas of contingency operations

''(a) CERTIFICATION REQUIREMENT.—(1) The Secretary of Defense may not obligate or expend funds to carry out a military construction project overseas in connection with a contingency operation (as defined in section 101(a)(13) of this title) unless the combatant commander of the area of operations in which such project is to be constructed has certified to the Secretary of Defense that the project is needed for direct support of a contingency operation within that combatant command.

''(2) The restriction under paragraph (1) does not apply to planning and design activities or activities carried out under the authority of section 2805 of this title.

''(b) CERTIFICATION GUIDANCE.—The Secretary of Defense shall provide guidance regarding the certification required under subsection (a).''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such subchapter is amended by adding after the item relating to section 2804 the following new item:

''2804a. Certification requirement for military construction projects in areas of contingency operations.''.

SA 1719. Mr. FLAKE submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016

for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle A of title XXVIII, add the following:

SEC. 2807. USE OF PROJECT LABOR AGREEMENTS IN MILITARY CONSTRUCTION PROJECTS AND MILITARY FAMILY HOUSING PROJECTS.

(a) REQUIREMENTS.—Section 2852 of title 10, United States Code, is amended by adding at the end the following new subsection:

''(d)(1) The Secretary of Defense and the Secretaries of the military departments awarding a construction contract on behalf of the Government, in any solicitations, bid specifications, project agreements, or other controlling documents, shall not—

''(A) require or prohibit bidders, offerors, contractors, or subcontractors to enter into or adhere to agreements with one or more labor organizations; and

''(B) discriminate against or give preference to bidders, offerors, contractors, or subcontractors based on their entering or refusing to enter into such an agreement.

''(2) Nothing in this subsection shall prohibit a contractor or subcontractor from voluntarily entering into such an agreement, as is protected by the National Labor Relations Act (29 U.S.C. 151 et seq.).''.

(b) APPLICATION OF AMENDMENT.—The amendment made by subsection (a) shall not apply to construction contracts awarded before the date of the enactment of this Act.

SA 1720. Mr. FLAKE submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle C of title VI, add the following:

SEC. 622. TRANSPORTATION TO TRANSFER CEREMONIES FOR FAMILY AND NEXT OF KIN OF MEMBERS OF THE ARMED FORCES WHO DIE OVERSEAS DURING HUMANITARIAN OPERATIONS.

Section 481f(e)(1) of title 37, United States Code, is amended by inserting ''(including during a humanitarian relief operation)'' after ''located or serving overseas''.

SA 1721. Mr. ROUNDS submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title XI, add the following:

SEC. 1116. MATTERS RELATING TO BIENNIAL STRATEGIC WORKFORCE PLANS.

(a) ASSESSMENT OF INTENDED USE OF SPECIAL HIRING AUTHORITIES AND OTHER AUTHORITIES TO SUPPORT THE WORFORCE.—Subsection (b)(1) of section 115b of title 10, United States Code, is amended—

(1) in subparagraph (C), by striking ''and'' at the end;

(2) in subparagraph (D), by striking the period at the end and inserting ''; and''; and

(3) by adding at the end the following new subparagraph:

''(E) the use of special hiring authorities to be made by such Secretary or head of agency in addressing the matters described in this section and of any other authorities that would support the enhancement of the quality of the workforce.''.

(b) TRANSMITTAL OF REPORTS TO CONGRESS.—Subsection (f) of such section is amended by inserting ''and to Congress'' after ''to the Secretary.''

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect on the date of the enactment of this Act.

SA 1722. Mr. CRUZ submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle B of title III, add the following:

SEC. 314. ENERGY FOR THE DEPARTMENT OF DEFENSE.

(a) DEPARTMENT OF DEFENSE PURCHASE OF ENERGY.—In purchasing energy commodities, including electricity and fuel, the Department of Defense shall take into account—

(1) the reliability of the energy source, with a preference afforded to sources that offer a constant, non-intermittent supply of power; and

(2) the cost of the energy source in comparison with other available and reliable energy sources, with a preference afforded to energy sources that are demonstrated to be more cost-effective in the near term.

(b) INAPPLICABILITY OF CERTAIN RENEWABLE ENERGY AND ALTERNATIVE FUEL REQUIREMENTS.—

(1) GOALS ON USE OF RENEWABLE ENERGY TO MEET ELECTRICITY NEEDS.—Section 2911 of title 10, United States Code, is amended by striking subsection (e).

(2) FEDERAL PURCHASE REQUIREMENT.—The Department of Defense shall be exempt from the Federal purchase requirement established under section 203 of the Energy Policy Act of 2005 (42 U.S.C. 15852).

(3) STRENGTHENING FEDERAL ENVIRONMENTAL, ENERGY, AND TRANSPORTATION MANAGEMENT.—The Department of Defense shall be exempt from Executive Order 13423 (42 U.S.C. 4321 note; relating to strengthening Federal environmental, energy, and transportation management).

(4) FEDERAL FLEET CONSERVATION REQUIREMENTS.—The Department of Defense shall be exempt from Federal fleet conservation requirements established under section 400FF of the Energy Policy and Conservation Act (42 U.S.C. 6374e).

(5) FEDERAL LEADERSHIP ON ENERGY MANAGEMENT.—The Department of Defense shall be exempt from the renewable energy consumption target established by the document entitled ''Federal Leadership on Energy Management: Memorandum for the Heads of Executive Departments and Agencies'' and published December 10, 2013 (78 Fed. Reg. 75209).

(6) PLANNING FOR FEDERAL SUSTAINABILITY IN THE NEXT DECADE.—The Department of Defense shall be exempt from Executive Order No. 13693 dated March 19, 2015.

SA 1723. Mr. CRUZ submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of part II of subtitle D of title VI, add the following:

SEC. 643. EQUAL BENEFITS UNDER SURVIVOR BENEFIT PLAN FOR SURVIVORS OF RESERVE COMPONENT MEMBERS WHO DIE IN THE LINE OF DUTY DURING INACTIVE-DUTY TRAINING.

(a) TREATMENT OF INACTIVE-DUTY TRAINING IN SAME MANNER AS ACTIVE DUTY.—

(1) IN GENERAL.—Section 1451(c)(1)(A) of title 10, United States Code, is amended—

(A) in clause (i)—

(i) by inserting ''or 1448(f)'' after ''section 1448(d)''; and

(ii) by inserting ''or (iii)'' after ''clause (ii)''; and

(B) in clause (iii)—

(i) by striking ''section 1448(f) of this title'' and inserting ''section 1448(f)(1)(A) of this title by reason of the death of a member or former member not in line of duty''; and

(ii) by striking ''active''.

(2) APPLICATION OF AMENDMENTS.—No annuity benefit under the Survivor Benefit Plan shall accrue to any person by reason of the amendments made by paragraph (1) for any period before the date of the enactment of this Act. With respect to an annuity under the Survivor Benefit Plan for a death occurring on or after September 10, 2001, and before the date of the enactment of this Act, the Secretary concerned shall recompute the benefit amount to reflect such amendments, effective for months beginning after the date of the enactment of this Act.

(b) CONSISTENT TREATMENT OF DEPENDENT CHILDREN.—Section 1448(f) of such title is amended by adding at the end the following new paragraph:

''(5) DEPENDENT CHILDREN ANNUITY.—

''(A) ANNUITY WHEN NO ELIGIBLE SURVIVING SPOUSE.—In the case of a person described in paragraph (1), the Secretary concerned shall pay an annuity under this subchapter to the dependent children of that person under section 1450(a)(2) of this title as applicable.

''(B) OPTIONAL ANNUITY WHEN THERE IS AN ELIGIBLE SURVIVING SPOUSE.—The Secretary may pay an annuity under this subchapter to the dependent children of a person described in paragraph (1) under section 1450(a)(3) of this title, if applicable, instead of paying an annuity to the surviving spouse under paragraph (1), if the Secretary concerned, in consultation with the surviving spouse, determines it appropriate to provide an annuity for the dependent children under this paragraph instead of an annuity for the surviving spouse under paragraph (1).''.

(c) DEEMED ELECTIONS.—

(1) IN GENERAL.—Section 1448(f) of title 10, United States Code, as amended by subsection (b), is further amended by adding at the end the following new paragraph:

''(6) DEEMED ELECTION TO PROVIDE AN ANNUITY FOR DEPENDENT.—In the case of a person described in paragraph (1) who dies after November 23, 2003, the Secretary concerned may, if no other annuity is payable on behalf of that person under this subchapter, pay an annuity to a natural person who has an insurable interest in such person as if the annuity were elected by the person under subsection (b)(1). The Secretary concerned may pay such an annuity under this paragraph only in the case of a person who is a dependent of that deceased person (as defined in section 1072(2) of this title). An annuity under this paragraph shall be computed in the same manner as provided under subparagraph (B) of subsection (d)(6) for an annuity under that subsection.''.

(2) EFFECTIVE DATE.—No annuity payment under paragraph (6) of section 1448(f) of title 10, United States Code, as added by paragraph (1) of this subsection, may be made for any period before the date of the enactment of this Act.

(d) AVAILABILITY OF SPECIAL SURVIVOR INDEMNITY ALLOWANCE.—

(1) AVAILABILITY.—Section 1450(m)(1)(B) of title 10, United States Code, is amended by inserting ''or (f)'' after ''subsection (d)''.

(2) EFFECTIVE DATE.—No payment under section 1450(m) of title 10, United States Code, by reason of the amendment made by paragraph (1) may be made for any period before the date of the enactment of this Act.

SA 1724. Mr. CRUZ submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle D of title X, add the following:

SEC. 1040. PROHIBITION ON USE OF FUNDS FOR TRANSFER OR RELEASE OF INDIVIDUALS DETAINED AT UNITED STATES NAVAL STATION, GUANTANAMO BAY, CUBA, TO COUNTRIES COVERED BY DEPARTMENT OF STATE TRAVEL WARNINGS.

(a) FINDING.—The Senate makes the following findings:

(1) The Department of State issues travel warnings regarding travel to foreign countries for reasons that include ''unstable government, civil war, ongoing intense crime or violence, or frequent terrorist attacks''.

(2) These travel warnings are issued to highlight the ''risks of traveling'' to particular countries and are left in place until the situation in the country concerned improves.

(b) SENSE OF SENATE.—It is the sense of the Senate that—

(1) countries that pose such a significant travel threat to United States citizens that the Department of State feels obliged to issue a travel warning should not be considered an appropriate recipient of any detainee transferred from United States Naval Station, Guantanamo Bay, Cuba; and

(2) if a country is subject to a Department of State travel warning, it is highly unlikely that the government of the country can provide the United States Government appropriate security and assurances regarding the prevention of the recidivism of any detainee so transferred.

(c) PROHIBITION.—

(1) IN GENERAL.—Except as provided in paragraph (2), no amounts authorized to be appropriated by this Act or otherwise available for the Department of Defense may be used, during the period beginning on the date of the enactment of this Act and ending on December 31, 2016, to transfer, release, or assist in the transfer or release of any individual detained in the custody or under the control of the Department of Defense at United States Naval Station, Guantanamo Bay to the custody or control of any country subject to a Department of State travel warning at the time the transfer or release would otherwise occur.

(2) EXCEPTION.—Paragraph (1) shall not apply with respect to any country subject to a travel warning described in that paragraph that is issued solely on the basis of one or more of the following:

(A) Medical deficiencies, infectious disease outbreaks, or other health-related concerns.

(B) A natural disaster.

(C) Criminal activity.

SA 1725. Mr. WICKER submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

On page 315, between lines 18 and 19, insert the following:

(9) A plan to incorporate into pediatric care from the Department telehealth services that provide real-time audio and video communication between a pediatric patient and a health care provider to ensure continuity of care and affordable access by patients to health care providers who are leading providers in their field, including those patients with rare diseases or complex cases.

SA 1726. Mr. WICKER submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

On page 315, between lines 18 and 19, insert the following:

(9) A plan to incorporate into pediatric care from the Department telehealth services that provide real-time audio and video communication between a pediatric patient and a health care provider to ensure continuity of care and affordable access by patients to health care providers who are leading providers in their field, including those patients with rare diseases or complex cases.

SA 1727. Mr. INHOFE submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle D of title XII, add the following:

SEC. 1257. SENSE OF CONGRESS ON OPERATION ATLANTIC RESOLVE AND THE EUROPEAN REASSURANCE INITIATIVE.

It is the sense of Congress that—

(1) continued United States commitment to the North Atlantic Treaty Organization (NATO) and our allies in Europe is critical to peace and stability in the region and critical to United States national security;

(2) actions by Russia, including the invasion and occupation of territories of Georgia, the invasion of Ukraine and annexation of Crimea, continued violations of allied airspace by Russian military aircraft, and continued unprofessional and potentially dangerous close passes with civilian and military aircraft and vessels by Russia threaten that peace and stability;

(3) Operation Atlantic Resolve, launched in April 2014, demonstrates the steadfast commitment of the United States to our allies in the region against any threat to territorial integrity or sovereignty;

(4) the European Reassurance Initiative, signed into law in December 2014, has improved United States and North Atlantic Treaty Organization capability and readiness in Central and Eastern Europe;

(5) pre-positioning ammunition, fuel, and equipment for use in regional training and exercises, as well as improving infrastructure, will enhance North Atlantic Treaty Organization operations and enable Eastern European allies to rapidly receive reinforcements;

(6) increasing the presence of United States forces in the region, including naval forces in the Black Sea, Baltic Sea, and Barents Seas, through stepped-up rotations, training, and exercises will enhance and improve United States and North Atlantic Treaty Organization interoperability and cooperation; and

(7) it is in the United States national interest to continue to these efforts while the threat to the territorial integrity and sovereignty of our allies persists.

SA 1728. Mr. INHOFE (for himself, Ms. MIKULSKI, Mr. KAINE, Mr. TILLIS, Mr. ROUNDS, Mr. SCHATZ, Ms. HIRONO, Mr. SESSIONS, Mr. HATCH, Mr. BOOZMAN, Mr. WARNER, Mr. CASEY, Ms. MURKOWSKI, Mr. NELSON, and Mr. MARKEY) submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

Strike section 652 and insert the following:

SEC. 652. REPORT AND ASSESSMENT OF POTENTIAL COSTS AND BENEFITS OF PRIVATIZING DEPARTMENT OF DEFENSE COMMISSARIES.

(a) IN GENERAL.—Not later than February 1, 2016, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report assessing the viability of privatizing, in whole or in part, the Department of Defense commissary system. The report shall be so submitted to Congress before the development of any plans or pilot program to privatize defense commissaries or the defense commissary system.

(b) ELEMENTS.—The assessment required by subsection (a) shall include, at a minimum, the following:

(1) A methodology for defining the total number and locations of commissaries.

(2) An evaluation of commissary use by location in the following beneficiary categories:

(A) Pay grades E–1 through E–4.

(B) Pay grades E–5 through E–7.

(C) Pay grades E–8 and E–9.

(D) Pay grades O–1 through O–3.

(E) Pay grades O–4 through O–6.

(F) Pay grades O–7 through O–10.

(G) Military retirees.

(3) An evaluation of commissary use in locations outside the continental United States and in remote and isolated locations in the continental United States when compared with other locations.

(4) An evaluation of the cost of commissary operations during fiscal years 2009 through 2014.

(5) An assessment of potential savings and efficiencies to be achieved through implementation of some or all of recommendations of the Military Compensation and Retirement Modernization Commission.

(6) A description and evaluation of the strategy of the Defense Commissary Agency for pricing products sold at commissaries.

(7) A description and evaluation of the transportation strategy of the Defense Commissary Agency for products sold at commissaries.

(8) A description and evaluation of the formula of the Defense Commissary Agency for calculating savings for its customers as a result of its pricing strategy.

(9) An evaluation of the average savings per household garnered by commissary use.

(10) A description and evaluation of the use of private contractors and vendors as part of the defense commissary system.

(11) An assessment of costs or savings, and potential impacts to patrons and the Government, of privatizing the defense commissary system, including potential increased use of Government assistance programs.

(12) A description and assessment of potential barriers to privatization of the defense commissary system.

(13) An assessment of the extent to which patron savings would remain after the privatization of the defense commissary system.

(14) An assessment of the impact of any recommended changes to the operation of the defense commissary system on commissary patrons, including morale and retention.

(15) An assessment of the actual interest of major grocery retailers in the management and operations of all, or part, of the existing defense commissary system.

(16) An assessment of the impact of privatization of the defense commissary system on off-installation prices of similar products available in the system.

(17) An assessment of the impact of privatization of the defense commissary system, and conversion of the Defense Commissary Agency workforce to non-appropriated fund status, on employment of military family members, particularly with respect to pay, benefits, and job security.

(18) An assessment of the impact of privatization of the defense commissary system on Exchanges and Morale, Welfare and Recreation (MWR) quality-of-life programs.

(c) USE OF PREVIOUS STUDIES.—The Secretary shall consult previous studies and surveys on matters appropriate to the report required by subsection (a), including, but not limited to, the following:

(1) The January 2015 Final Report of the Military Compensation and Retirement Modernization Commission.

(2) The 2014 Military Family Lifestyle Survey Comprehensive Report.

(3) The 2013 Living Patterns Survey.

(4) The report required by section 634 of the Carl Levin and Howard P. ''Buck'' McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113-291) on the management, food, and pricing options for the defense commissary system.

(d) COMPTROLLER GENERAL ASSESSMENT OF REPORT.—Not later than May 1, 2016, the Comptroller General of the United States shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report setting forth an assessment by the Comptroller General of the report required by subsection (a).

SA 1729. Mr. HATCH submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle D of title I, add the following:

SEC. 152. ADDITIONAL SENSOR SUITES FOR F–22 AND F–35 AIRCRAFT RADAR CROSS-SECTION FACILITIES.

(a) ASSESSMENT OF FEASIBILITY OF INCLUSION OF SENSORS.—

(1) IN GENERAL.—The Secretary of Defense shall conduct an assessment of the feasibility of the inclusion of additional sensor suites to the current radar cross-section facilities for the F–22 aircraft and the F–35 aircraft in order to obtain a prognostic facility capability, benefitting life cycle logistics and sustainment, for low observable aircraft.

(2) DISCHARGE OF ASSESSMENT.—The Secretary shall conduct the assessment through the F–22 Program Office and the Joint Strike Fighter Program Office.

(b) NATURE OF SENSORS ASSESSED.—The additional sensors assessed for purposes of subsection (a) shall be sensors that use the electromagnetic spectrum to automatically capture sustainment and maintenance data related to system and subsystem health, structural integrity, and signature performance of an aircraft, including structural (surface and subsurface) changes effecting the radar signature to enable precise repairs to its coatings and shape.

(c) ADDITIONAL ELEMENTS OF ASSESSMENT.—The assessment conducted pursuant to subsection (a) shall also include an assessment of the incorporation of prognostic health management, autonomic logistics, and sustainment functions for the additional sensor suite facility capability described in subsection (a).

(d) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall submit to Congress a report setting forth a plan for the inclusion of additional sensor suites to the current radar cross-section facilities as described in subsection (a). The plan shall take into account the results of the assessment conducted pursuant to this section.

SA 1730. Mr. HATCH submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. COMPTROLLER GENERAL OF THE UNITED STATES REVIEW OF DEPARTMENT OF DEFENSE DEFINITION OF AND POLICY REGARDING SOFTWARE SUSTAINMENT.

(a) REVIEW.—The Comptroller General of the United States shall review the definition used by the Department of Defense for and the policy of the Department regarding software maintenance, particularly with respect to the totality of the term ''software sustainment'' in the definition of ''depot-level maintenance and repair'' under section 2460 of title 10, United States Code.

(b) ELEMENTS.—

(1) IN GENERAL.—The review required by subsection (a) shall address, with respect to software and weapon systems of the Department of Defense (including space systems), each of the following:

(A) Fiscal ramifications of current programs with regard to the size, scope, and cost of software to the program's overall budget, including embedded and support software, percentage of weapon systems' functionality controlled by software, and reliance on proprietary data, processes, and components.

(B) Legal status of the Department in regards to adhering to section 2464(a)(1) of such title with respect to ensuring a ready and controlled source of maintenance (sustainment) on software for its weapon systems.

(C) Operational risks and reduction to materiel readiness of current Department weapon systems related to software costs, delays, re-work, integration and functional testing, defects, and documentation errors.

(2) ADDITIONAL MATTERS.—For each of subparagraphs (A) through (C) of paragraph (1), the review required by subsection (a) shall include review and analysis regarding sole-source contracts, range of competition, rights in technical data, public and private capabilities, integration lab initial costs and sustaining operations, and total obligation authority costs of software, disaggregated by armed service, for the Department.

(c) REPORT.—Not later than March 15, 2016, the Comptroller General shall submit to the congressional defense committees and the President pro tempore of the Senate a report

on the policy reviewed under subsection (a) and the findings of the Comptroller General with respect to such review.

SA 1731. Mr. PORTMAN (for himself and Ms. HIRONO) submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title VIII, add the following:

Subtitle F—Construction Consensus Procurement Improvement

SEC. 891. SHORT TITLE.

(a) SHORT TITLE.—This subtitle may be cited as the ''Construction Consensus Procurement Improvement Act of 2015''.

SEC. 892. DESIGN-BUILD CONSTRUCTION PROCESS IMPROVEMENT.

(a) CIVILIAN CONTRACTS.—

(1) IN GENERAL.—Section 3309 of title 41, United States Code, is amended—

(A) by amending subsection (b) to read as follows:

''(b) CRITERIA FOR USE.—

''(1) CONTRACTS WITH A VALUE OF AT LEAST $750,000.—Two-phase selection procedures shall be used for entering into a contract for the design and construction of a public building, facility, or work when a contracting officer determines that the contract has a value of $750,000 or greater, as adjusted for inflation in accordance with section 1908 of this title.

''(2) CONTRACTS WITH A VALUE LESS THAN $750,000.—For projects that a contracting officer determines have a value of less than $750,000, the contracting officer shall make a determination whether two-phase selection procedures are appropriate for use for entering into a contract for the design and construction of a public building, facility, or work when—

''(A) the contracting officer anticipates that 3 or more offers will be received for the contract;

''(B) design work must be performed before an offeror can develop a price or cost proposal for the contract;

''(C) the offeror will incur a substantial amount of expense in preparing the offer; and

''(D) the contracting officer has considered information such as—

''(i) the extent to which the project requirements have been adequately defined;

''(ii) the time constraints for delivery of the project;

''(iii) the capability and experience of potential contractors;

''(iv) the suitability of the project for use of the two-phase selection procedures;

''(v) the capability of the agency to manage the two-phase selection process; and

''(vi) other criteria established by the agency.''; and

(B) in subsection (d), by striking ''The maximum number specified in the solicitation shall not exceed 5 unless the agency determines with respect to'' and all that follows through the period at the end and inserting the following: ''The maximum number specified in the solicitation shall not exceed 5 unless the head of the contracting activity, delegable to a level no lower than the senior contracting official within the contracting activity, approves the contracting officer's justification that an individual solicitation must have greater than 5 finalists to be in the Federal Government's interest. The contracting officer shall provide written documentation of how a maximum number of offerors exceeding 5 is consistent with the purposes and objectives of the two-phase selection process.''.

(2) ANNUAL REPORTS.—

(A) IN GENERAL.—Not later than November 30 of 2016, 2017, 2018, 2019, and 2020, the head of each agency shall compile an annual report of each instance in which the agency awarded a design-build contract pursuant to section 3309 of title 41, United States Code, during the fiscal year ending in such calendar year, in which—

(i) more than 5 finalists were selected for phase-two requests for proposals; or

(ii) the contract was awarded without using two-phase selection procedures.

(B) PUBLIC AVAILABILITY.—The Director of the Office of Management and Budget shall facilitate public access to the reports, including by posting them on a publicly available Internet website. A notice of the availability of each report shall be published in the Federal Register.

(b) DEFENSE CONTRACTS.—

(1) IN GENERAL.—Section 2305a of title 10, United States Code, is amended—

(A) by amending subsection (b) to read as follows:

''(b) CRITERIA FOR USE.—

''(1) CONTRACTS WITH A VALUE OF AT LEAST $750,000.—Two-phase selection procedures shall be used for entering into a contract for the design and construction of a public building, facility, or work when a contracting officer determines that the contract has a value of $750,000 or greater, as adjusted for inflation in accordance with section 1908 of title 41, United States Code.

''(2) CONTRACTS WITH A VALUE LESS THAN $750,000.—For projects that a contracting officer determines have a value of less than $750,000, the contracting officer shall make a determination whether two-phase selection procedures are appropriate for use for entering into a contract for the design and construction of a public building, facility, or work when—

''(A) the contracting officer anticipates that 3 or more offers will be received for the contract;

''(B) design work must be performed before an offeror can develop a price or cost proposal for the contract;

''(C) the offeror will incur a substantial amount of expense in preparing the offer; and

''(D) the contracting officer has considered information such as—

''(i) the extent to which the project requirements have been adequately defined;

''(ii) the time constraints for delivery of the project;

''(iii) the capability and experience of potential contractors;

''(iv) the suitability of the project for use of the two-phase selection procedures;

''(v) the capability of the agency to manage the two-phase selection process; and

''(vi) other criteria established by the Department of Defense.''; and

(B) in subsection (d), by striking ''The maximum number specified in the solicitation shall not exceed 5 unless the agency determines with respect to'' and all that follows through the period at the end and inserting the following: ''The maximum number specified in the solicitation shall not exceed 5 unless the head of the contracting activity approves the contracting officer's justification that an individual solicitation must have greater than 5 finalists to be in the Federal Government's interest. The contracting officer shall provide written documentation of how a maximum number of offerors exceeding 5 is consistent with the purposes and objectives of the two-phase selection process.''.

(2) ANNUAL REPORTS.—

(A) IN GENERAL.—Not later than November 30 of 2016, 2017, 2018, 2019, and 2020, the Secretary of Defense shall compile an annual report of each instance in which the Department awarded a design-build contract pursuant to section 2305a of title 10, United States Code, during the fiscal year ending in such calendar year, in which—

(i) more than 5 finalists were selected for phase-two requests for proposals; or

(ii) the contract was awarded without using two-phase selection procedures.

(B) PUBLIC AVAILABILITY.—The Director of the Office of Management and Budget shall facilitate public access to the reports, including by posting them on a publicly available Internet website. A notice of the availability of each report shall be published in the Federal Register.

(c) GAO REPORTS.—

(1) CIVILIAN CONTRACTS.—Not later than 270 days after the deadline for the final reports required under subsection (f) of section 3309 of title 41, United States Code, as added by subsection (a)(1), the Comptroller General of the United States shall issue a report analyzing the compliance of the various Federal agencies with the requirements of such section.

(2) DEFENSE CONTRACTS.—Not later than 270 days after the deadline for the final reports required under subsection (f) of section 2305a of title 10, United States Code, as added by subsection (b)(1), the Comptroller General of the United States shall issue a report analyzing the compliance of the Department of Defense with the requirements of such section.

SEC. 893. PROHIBITION ON THE USE OF A REVERSE AUCTION FOR THE AWARD OF A CONTRACT FOR DESIGN AND CONSTRUCTION SERVICES.

(a) PROHIBITION.—Not later than 180 days after the date of the enactment of this Act, the Federal Acquisition Regulatory Council, in consultation with the Administrator for Federal Procurement Policy, shall amend the Federal Acquisition Regulation to prohibit the use of reverse auctions for awarding contracts for construction and design services.

(b) DEFINITIONS.—For purposes of this section—

(1) the term ''design and construction services'' means—

(A) site planning and landscape design;

(B) architectural and engineering services (including surveying and mapping defined in section 1101 of title 40, United States Code);

(C) interior design;

(D) performance of construction work for facility, infrastructure, and environmental restoration projects;

(E) delivery and supply of construction materials to construction sites; and

(F) construction or substantial alteration or repair of public buildings or public works; and

(2) the term ''reverse auction'' means, with respect to procurement by an agency—

(A) a real-time auction conducted through an electronic medium between a group of offerors who compete against each other by

submitting bids for a contract or task order with the ability to submit revised bids throughout the course of the auction; and

(B) the award of the contract or task order to the offeror who submits the lowest bid.

SEC. 894. ASSURING PAYMENT PROTECTIONS FOR CONSTRUCTION SUBCONTRACTORS AND SUPPLIERS UNDER AN ALTERNATIVE TO A MILLER ACT PAYMENT BOND.

Chapter 93 of subtitle VI of title 31, United States Code, is amended—

(1) by adding at the end the following new section:

''§ 9310. Individual sureties

''If another applicable law or regulation permits the acceptance of a bond from a surety that is not subject to sections 9305 and 9306 and is based on a pledge of assets by the surety, the assets pledged by such surety shall—

''(1) consist of eligible obligations described under section 9303(a); and

''(2) be submitted to the official of the Government required to approve or accept the bond, who shall deposit the assets with a depository described under section 9303(b).''; and

(2) in the table of sections for such chapter, by adding at the end the following new item:

''9310. Individual sureties.''.

SEC. 895. SBA SURETY BOND GUARANTEE PROGRAM.

Section 411(c)(1) of the Small Business Investment Act of 1958 (15 U.S.C. 694b(c)(1)) is amended by striking ''70'' and inserting ''90''.

SA 1732. Mr. DAINES submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle F of title X, add the following:

SEC. 1065. REPORT ON THE LOCATION OF C–130 MODULAR AIRBORNE FIREFIGHTING SYSTEM UNITS.

Not later than September 30, 2016, the Secretary of the Air Force shall submit to Congress a report setting forth an assessment of the locations of C–130 Modular Airborne Firefighting System (MAFFS) units. The report shall include the following:

(1) A list of the C–130 Modular Airborne Firefighting System units of the Air Force.

(2) The utilization rates of the units listed under paragraph (1).

(3) A future force allocation determination with respect to such units in order to achieve the most efficient use of such units

(4) An assessment of opportunities to expand coverage of C–130 Modular Airborne Firefighting System units in States most prone to wildfires.

SA 1733. Ms. STABENOW (for herself, Mr. PETERS, and Mr. CASSIDY) submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle F of title X, add the following:

SEC. 1065. REPORT ON PLANS FOR THE USE OF DOMESTIC AIRFIELDS FOR HOMELAND DEFENSE AND DISASTER RESPONSE.

(a) REPORT REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall, in consultation with the Secretary of Homeland Security and the Secretary of Transportation, submit to the appropriate committees of Congress a report setting forth an assessment of the plans for airfields in the United States that are required to support homeland defense and local disaster response missions.

(b) CONSIDERATIONS.—The report shall include the following items:

(1) The criteria used to determine the capabilities and locations of airfields in the United States needed to support safe operations of military aircraft in the execution of homeland defense and local disaster response missions.

(2) A description of the processes and procedures in place to ensure that contingency plans for the use of airfields in the United States that support both military and civilian air operations are coordinated among the Department of Defense and other Federal agencies with jurisdiction over those airfields.

(3) An assessment of the impact, if any, to logistics and resource planning as a result of the reduction of certain capabilities of airfields in the United States that support both military and civilian air operations.

(4) A review of the existing agreements and authorities between the Commander of the United States Northern Command and the Administrator of the Federal Aviation Administration that allow for consultation on decisions that impact the capabilities of airfields in the United States that support both military and civilian air operations.

(c) FORM.—The report under subsection (a) shall be submitted in unclassified form, but may include a classified annex.

(d) DEFINITIONS.—In this section:

(1) APPROPRIATE COMMITTEES OF CONGRESS.—The term ''appropriate committees of Congress'' means—

(A) the Committee on Armed Services, the Committee on Homeland Security and Government Affairs, and the Committee on Commerce, Science, and Transportation of the Senate; and

(B) the Committee on Armed Services, the Committee on Homeland Security, and the Committee on Transportation and Infrastructure of the House of Representatives.

(2) CAPABILITIES OF AIRFIELDS.—The term ''capabilities of airfields'' means the length and width of runways, taxiways, and aprons, the operation of navigation aids and lighting, the operation of fuel storage, distribution, and refueling systems, and the availability of air traffic control services.

(3) AIRFIELDS IN THE UNITED STATES THAT SUPPORT BOTH MILITARY AND CIVILIAN AIR OPERATIONS.—The term ''airfields in the United States that support both military and civilian air operations'' means the following:

(A) Airports that are designated as joint use facilities pursuant to section 47175 of title 49, United States Code, in which both the military and civil aviation have shared use of the airfield.

(B) Airports used by the military that have a permanent military aviation presence at the airport pursuant to a memorandum of agreement or tenant lease with the airport owner that is in effect on the date of the enactment of this Act.

SA 1734. Mrs. FEINSTEIN (for herself and Mr. GRASSLEY) submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____. REPORT ON COUNTER-DRUG EFFORTS IN AFGHANISTAN.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall provide a report to Congress that outlines—

(1) the counter-narcotics goals of the Department of Defense in Afghanistan; and

(2) how the Secretary of Defense will coordinate the counter-drug efforts of the Department of Defense with other Federal agencies to ensure an integrated, effective counter-narcotics strategy is implemented in Afghanistan.

(b) CONTENTS.—The report submitted under subsection (a) shall—

(1) include information as to how the Secretary of Defense will evaluate the counter-drug efforts of the Department of Defense for success in Afghanistan; and

(2) outline the process by which the Secretary of Defense will determine whether to continue each of the counter-drug initiatives of the Department of Defense in Afghanistan.

SA 1735. Ms. HEITKAMP submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle C of title VII, add the following:

SEC. 738. STUDY ON REDUCING STIGMA AND IMPROVING TREATMENT OF POST-TRAUMATIC STRESS DISORDER AMONG MEMBERS OF THE ARMED FORCES AND VETERANS.

(a) STUDY.—

(1) IN GENERAL.—The Secretary of Defense and the Secretary of Veterans Affairs shall jointly conduct a study on reducing the stigma and improving the treatment of post-traumatic stress disorder among members of the Armed Forces and veterans.

(2) CONSULTATION.—In conducting the study required by paragraph (1), the Secretary of Defense and the Secretary of Veterans Affairs shall consult with individuals

with relevant experience relating to post-traumatic stress disorder, the treatment of post-traumatic stress disorder, and the impact of post-traumatic stress disorder on members of the Armed Forces, veterans, and their families, including the following:

(A) Representatives of military service organizations.

(B) Representatives of veterans service organizations.

(C) Health professionals with experience in treating members of the Armed Forces and veterans with mental illness, including those health professionals who work for the Federal Government and those who do not.

(3) ELEMENTS.—In conducting the study required by paragraph (1), the Secretary of Defense and the Secretary of Veterans Affairs shall assess the following:

(A) The feasibility and advisability of strategies to improve the treatment of the full spectrum of post-traumatic stress disorder among members of the Armed Forces and veterans.

(B) The feasibility and advisability of strategies to diminish the stigma attached to post-traumatic stress disorder among members of the Armed Forces, veterans, and the public in general.

(C) The impact of the term ''disorder'' on the stigma attached to post-traumatic stress disorder among members of the Armed Forces and veterans, including the impact of dropping the term ''disorder'', when medically appropriate, when referring to post-traumatic stress.

(D) Whether using the term ''disorder'' is the most accurate way to describe post-traumatic stress disorder in instances in which members of the Armed Forces and veterans have experienced traumatic events but have not been formally diagnosed with post-traumatic stress disorder.

(E) Whether there is a need to update the next version of the VA/DOD Clinical Practice Guideline for Management of Post-Traumatic Stress published by the Department of Defense and the Department of Veterans Affairs after the date of the enactment of this Act.

(F) Whether there is a need to update information provided to members of the Armed Forces and veterans, including information on Internet websites of the Department of Defense or the Department of Veterans Affairs, on post-traumatic stress disorder to reduce the stigma and more accurately describe the medical conditions for which members of the Armed Forces and veterans are receiving treatment.

(b) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense and the Secretary of Veterans Affairs shall jointly submit to the appropriate committees of Congress a report on the results of the study required by subsection (a), including recommendations for any actions that the Department of Defense and the Department of Veterans Affairs can take to reduce the stigma and improve the treatment of post-traumatic stress disorder among members of the Armed Forces and veterans.

(c) DEFINITIONS.—In this section:

(1) APPROPRIATE COMMITTEES OF CONGRESS.—The term ''appropriate committees of Congress'' means—

(A) the Committee on Armed Services, the Committee on Veterans' Affairs, and the Subcommittee on Defense of the Committee on Appropriations of the Senate; and

(B) the Committee on Armed Services, the Committee on Veterans' Affairs, and the Subcommittee on Defense of the Committee on Appropriations of the House of Representatives.

(2) VETERANS SERVICE ORGANIZATION.—The term ''veterans service organization'' means an organization recognized by the Secretary for the representation of veterans under section 5902 of title 38, United States Code.

SA 1736. Ms. HEITKAMP (for herself and Mr. MORAN) submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle G of title X, add the following:

SEC. 1085. VOLUNTARY NATIONAL DIRECTORY OF VETERANS.

(a) PROGRAM REQUIRED.—

(1) IN GENERAL.—The Secretary of Veterans Affairs, in coordination with the Secretary of Defense, shall establish a program to facilitate outreach to veterans by covered entities.

(2) COVERED ENTITIES.—For purposes of this section, a covered entity is any of the following:

(A) The Department of Veterans Affairs.

(B) The agency or department of a State that is the primary agency or department of the State for the administration of benefits and services for veterans in the State.

(C) A political subdivision of a State.

(D) An Indian tribe (as defined in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b)).

(3) NATIONAL DIRECTORY.—To carry out the program required by paragraph (1), the Secretary shall—

(A) establish a national directory of veterans as described in subsection (b); and

(B) share information in the directory in accordance with subsection (c).

(b) NATIONAL DIRECTORY.—

(1) IN GENERAL.—The Secretary of Veterans Affairs shall establish the national directory required by subsection (a)(3) using information received from the Secretary of Defense under subsection (d)(4).

(2) UPDATES.—The Secretary of Veterans Affairs shall ensure that the national directory includes a mechanism by which a participating individual can update the information in the national directory that pertains to the participating individual.

(3) DISENROLLMENT.—The Secretary shall establish a mechanism by which a participating individual can indicate to the Secretary that the individual would no longer like to receive information from participating entities under the program.

(4) REENROLLMENT.—The Secretary shall establish a mechanism for the inclusion of information in the national directory of individuals who were previously participating individuals but who had made an indication under paragraph (3) and subsequently indicate that they would like to receive information from participating entities under the program.

(5) PRIVACY AND SECURITY.—The Secretary shall take such actions as the Secretary considers appropriate to protect—

(A) the privacy of individuals participating in the program; and

(B) the security of the information stored in the national directory.

(6) EBENEFITS.—The Secretary of Veterans Affairs may use the system and architecture of the eBenefits Internet website of the Department of Veterans Affairs to support and operate the national directory as the Secretary considers appropriate.

(c) OUTREACH.—

(1) SHARING OF DIRECTORY INFORMATION.—

(A) IN GENERAL.—Except as provided in paragraph (2), in order to connect participating individuals with information about the programs they could be eligible for or services, support, and information they may be interested in receiving, the Secretary of Veterans Affairs may share, under the program established under subsection (a)(1), information in the national directory concerning such individuals with entities applicable to participating individuals.

(B) ENTITIES APPLICABLE TO PARTICIPATING INDIVIDUALS.—For purposes of this subsection, an entity that is applicable to a participating individual is a covered entity from whom a participating individual has expressed interest in receiving information under the program.

(C) UPDATED INFORMATION.—In a case in which a participating individual updates the information pertaining to the participating individual under subsection (b)(2), the Secretary shall transmit such information to each entity applicable to the participating individual.

(D) NOTIFICATION OF DISENROLLMENT.—In a case in which a participating individual indicates to the Secretary under subsection (b)(3) that the individual would no longer like to receive information from participating entities under the program, the Secretary shall inform each entity applicable to the participating individual that the individual would no longer like to receive information from the entity under the program.

(2) LIMITATIONS.—

(A) LIMITATIONS ON THE SECRETARY.—

(i) INFORMATION SHARED.—Under the program, the Secretary of Veterans Affairs may only share from the national directory the following:

(I) The name of a participating individual.

(II) The e-mail address of a participating individual.

(III) The postal address of a participating individual.

(IV) The phone number of a participating individual.

(ii) PROHIBITION ON SALE OF INFORMATION.—The Secretary may not sell any information collected under this section.

(iii) ENTITIES.—The Secretary may not share any information collected under the program with any entity that is not a participating entity.

(B) LIMITATIONS ON PARTICIPATING ENTITIES.—

(i) SHARING WITH THIRD-PARTY AND FOR-PROFIT ENTITIES.—As a condition of participation in the program, a participating entity shall agree not to share any information the participating entity receives under the program with any third-party or for-profit entities.

(ii) PURCHASES OF PRODUCTS OR SERVICES.—As a condition of participation in the program, a participating entity shall agree not to include in any information sent by the participating entity to a participating individual a requirement that the participating individual or the family of the participating individual purchase a product or service.

(iii) POLITICAL COMMUNICATION.—As a condition of participation in the program, a participating entity shall agree not to use any

information received under the program for any political communication.

(3) DISENROLLMENT BY PARTICIPATING ENTITIES.—The Secretary shall establish a mechanism by which a participating entity may indicate to the Secretary that the participating entity would no longer like to receive information about participating individuals from the national directory.

(4) SENSE OF CONGRESS.—

(A) CONSOLIDATION OF REQUESTS.—It is the sense of Congress that covered entities described in subsection (a)(2)(C) who are located in the same region should work together in a manner such that only one of them requests receipt of information under the program.

(B) COLLABORATION.—It is the sense of Congress that covered entities described in subsection (a)(2)(C) should work with third parties, such as veterans service organizations, military community groups, and other entities with an interest in assisting veterans, to develop the information the covered entities send to participating individuals under the program.

(5) PUBLICITY.—The Secretary shall develop a plan to publicize the program and inform covered entities of the benefits of participating in the program.

(d) COLLECTION OF CONTACT INFORMATION.—

(1) IN GENERAL.—To each member of the Armed Forces separating from service in the Armed Forces, the Secretary of Defense shall provide a form for the collection of information to be included in the national directory established under subsection (a).

(2) FORM.—

(A) DEVELOPMENT.—The Secretary of Defense shall, in consultation with the Secretary of Veterans Affairs, develop the form provided under paragraph (1).

(B) ELEMENTS.—The form developed under subparagraph (A) shall allow a member of the Armed Forces who is in the process of separating from service in the Armed Forces to indicate the following:

(i) Where the member intends to reside after separation.

(ii) How the individual can best be contacted, such as a telephone number, an email address, or a postal address.

(iii) For which types of benefits and services the member would like to receive communication and outreach, such as health care, education, employment, and housing.

(iv) From which of the following the member would like to receive the communication and outreach specified under clause (iii):

(I) The Department of Veterans Affairs.

(II) The agency or department of the State in which the member intends to reside after separation that is the primary agency or department of the State for the administration of benefits and services for veterans in the State.

(III) A political subdivision of a State.

(C) NOTICE.—The form developed under subparagraph (A) shall include notice of the following:

(i) Information provided to agencies and departments described in subparagraph (B)(iv)(III) will only be provided as authorized and upon request by such agencies and departments.

(ii) Political subdivisions of States that receive information under the program established under subsection (a) may—

(I) share such information with such nonprofit organizations as the political subdivisions consider appropriate; and

(II) work with such organizations to provide the veterans with relevant information about benefits and services offered by such organizations.

(iii) Information provided on the form developed under subparagraph (A) will never be sold, provided to a for-profit entity, or used to send any sort of political communication.

(D) MANNER.—The Secretary of Defense shall ensure that the form provided under paragraph (1) is not primarily electronic in nature.

(3) VOLUNTARY PARTICIPATION.—The Secretary of Defense shall ensure that completion of the form provided under paragraph (1) is voluntary and submittal of such form to the Secretary by a member of the Armed Forces shall be considered an indication to the Secretary that the member would like to receive information from participating entities under the program.

(4) TRANSMITTAL OF INFORMATION TO SECRETARY OF VETERANS AFFAIRS.—Not later than 30 days after the date on which a member of the Armed Forces who submitted information to the Secretary of Defense under this subsection separates from service in the Armed Forces, the Secretary of Defense shall transmit such information to the Secretary of Veterans Affairs.

(5) PRIVACY AND SECURITY.—The Secretary of Defense shall take such actions as the Secretary considers appropriate to protect—

(A) the privacy of individuals who submit information under this subsection; and

(B) the security of such information—

(i) while it is in the possession of the Secretary; and

(ii) while it is in transit to the Secretary of Veterans Affairs.

(6) INTEGRATION WITH TRANSITION ASSISTANCE PROGRAM.—The Secretary of Defense and the Secretary of Labor shall jointly take such actions as the secretaries consider appropriate to integrate the collection of information under this subsection into the Transition Assistance Program.

(e) REPORT.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Veterans Affairs and the Secretary of Defense shall jointly submit to the appropriate committees of Congress a report on the program established under subsection (a)(1).

(2) CONTENTS.—The report submitted under paragraph (1) shall include an examination and assessment of the following:

(A) The signup process and the effectiveness of the forms developed and provided under subsection (d).

(B) The ways in which contact information is transferred from the Secretary of Defense to the Secretary of Veterans Affairs under the program and the plans of the secretaries to overcome challenges encountered by the secretaries in transferring such information.

(C) The number of covered entities described in subsection (a)(2)(C) participating in the program and any challenges they report in receiving the contact information from the Secretary of Veterans Affairs under the program.

(D) The effectiveness of efforts of the Secretary of Veterans Affairs and the Secretary of Defense to protect the personal information of participating individuals.

(E) The effectiveness of efforts of covered entities described in subsection (a)(2)(C) to protect the personal information of participating individuals.

(F) Whether additional limitations on the use of information collected under the program are necessary to protect participating individuals from unwanted contact, or contact that is inconsistent with the program.

(G) Whether participating individuals are benefitting by participating in the program and whether changing the program would improve such benefits.

(H) The overall participation in the program, utilization of the program, and how such participation and utilization could be improved.

(I) Such other matters as the secretaries consider appropriate.

(3) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this subsection, the term ''appropriate committees of Congress'' means the following:

(A) The Committee on Veterans' Affairs, the Committee on Armed Services, and the Subcommittee on Military Construction, Veterans Affairs, and Related Agencies of the Committee on Appropriations of the Senate.

(B) The Committee on Veterans' Affairs, the Committee on Armed Services, and the Subcommittee on Military Construction, Veterans Affairs and Related Agencies of the Committee on Appropriations of the House of Representatives.

(f) DEFINITIONS.—In this section:

(1) PARTICIPATING ENTITY.—The term ''participating entity'' means a covered entity that has indicated to the Secretary of Veterans Affairs that the covered entity would like to receive information about participating individuals from the national directory and has made no subsequent indication that the covered entity would like to stop receiving such information.

(2) PARTICIPATING INDIVIDUAL.—The term ''participating individual'' means an individual with respect to whom information is stored in the national directory and who has indicated to the Secretary of Veterans Affairs or the Secretary of Defense that the individual would like to receive information from participating entities under the program and has made no subsequent indication that the individual would like to stop receiving such information.

SA 1737. Mr. MENENDEZ (for himself, Mr. BROWN, and Mr. BOOKER) submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. NOTICE OF STATUS AS AN ACTIVE DUTY MILITARY CONSUMER.

The Fair Credit Reporting Act (15 U.S.C. 1681 et seq.) is amended—

(1) in section 605, by adding at the end the following:

''(i) NOTICE OF STATUS AS AN ACTIVE DUTY MILITARY CONSUMER.—

''(1) IN GENERAL.—With respect to an item of adverse information about a consumer, if the action or inaction that gave rise to the item occurred while the consumer was an active duty military consumer, the consumer may provide appropriate proof, including official orders, to a consumer reporting agency that the consumer was an active duty military consumer at the time such action or inaction occurred, and any consumer report provided by the consumer reporting agency that includes the item shall clearly and conspicuously disclose that the consumer was

an active duty military consumer when the action or inaction that gave rise to the item occurred.

''(2) MODEL FORM.—The Bureau shall prepare a model form, which shall be made publicly available, including in an electronic format, by which a consumer may—

''(A) notify, and provide appropriate proof to, a consumer reporting agency in a simple and easy manner, including electronically, that the consumer is or was an active duty military consumer; and

''(B) provide contact information of the consumer for the purpose of communicating with the consumer while the consumer is an active duty military consumer.

''(3) NO ADVERSE CONSEQUENCES.—A notice, pursuant to a model form or otherwise, that a consumer is or was an active duty military consumer shall not itself (without regard to other considerations) provide the basis for any of the following:

''(A) With respect to a credit transaction between a creditor and the consumer—

''(i) a denial or revocation of credit by the creditor;

''(ii) a change by the creditor in the terms of an existing credit arrangement; or

''(iii) a refusal by the creditor to grant credit to the consumer in substantially the amount or on substantially the terms requested.

''(B) An adverse report relating to the creditworthiness of the consumer by or to a person engaged in the practice of assembling or evaluating consumer credit information.

''(C) Except as otherwise provided in this Act, an annotation in a consumer's record by a creditor or a person engaged in the practice of assembling or evaluating consumer credit information, identifying the consumer as an active duty military consumer.'';

(2) in section 605A—

(A) in subsection (c)—

(i) by redesignating paragraphs (1), (2), and (3) as subparagraphs (A), (B), and (C), respectively, and adjusting the margins accordingly;

(ii) in the matter preceding subparagraph (A), as so redesignated, by striking ''Upon'' and inserting the following:

''(1) IN GENERAL.—Upon''; and

(iii) by adding at the end the following:

''(2) NEGATIVE INFORMATION NOTIFICATION.—If a consumer reporting agency receives an item of adverse information about a consumer who has provided appropriate proof that the consumer is an active duty military consumer, the consumer reporting agency shall notify the consumer, according to a frequency, manner, and timeliness determined by the Bureau or specified by the consumer—

''(A) that the consumer reporting agency has received the item of adverse information, along with a description of the item; and

''(B) the method by which the consumer may dispute the validity of the item.

''(3) CONTACT INFORMATION FOR ACTIVE DUTY MILITARY CONSUMERS.—

''(A) IN GENERAL.—If a consumer who has provided appropriate proof to a consumer reporting agency that the consumer is an active duty military consumer provides the consumer reporting agency with contact information for the purpose of communicating with the consumer while the consumer is an active duty military consumer, the consumer reporting agency shall use such contact information for all communications while the consumer is an active duty military consumer.

''(B) DIRECT REQUEST.—Unless the consumer opts out, the provision of appropriate proof that a consumer is an active duty military consumer shall be treated as a direct request for an active duty alert under paragraph (1).

''(4) SENSE OF CONGRESS.—It is the sense of Congress that any person making use of a consumer report that contains an item of adverse information should, if the action or inaction that gave rise to the item occurred while the consumer was an active duty military consumer, take such fact into account when evaluating the creditworthiness of the consumer.''; and

(B) in subsection (e), by striking paragraph (3) and inserting the following:

''(3) subparagraphs (A) and (B) of subsection (c)(1), in the case of a referral under subsection (c)(1)(C).''; and

(3) in section 611(a)(1), by adding at the end the following:

''(D) NOTICE OF DISPUTE RELATED TO ACTIVE DUTY MILITARY CONSUMERS.—With respect to an item of information described under subparagraph (A) that is under dispute, if the consumer to whom the item relates has notified the consumer reporting agency, and has provided appropriate proof, that the consumer was an active duty military consumer at the time the action or inaction that gave rise to the disputed item occurred, the consumer reporting agency shall—

''(i) include such fact in the file of the consumer; and

''(ii) indicate such fact in each consumer report that includes the disputed item.''.

SA 1738. Mrs. MCCASKILL submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

On page 419, line 22, insert '', or that the item no longer meets the definition of a commercial item'' after ''based on inadequate information''.

SA 1739. Mrs. MCCASKILL submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. CONFLICT OF INTEREST CERTIFICATION FOR INVESTIGATIONS RELATING TO WHISTLEBLOWER RETALIATION.

(a) DEFINITION.—In this section—

(1) the term ''covered employee'' means a whistleblower who is an employee of the Department of Defense or a military department, or an employee of a contractor, subcontractor, grantee, or subgrantee thereof;

(2) the term ''covered investigation'' means an investigation carried out by an Inspector General of a military department or the Inspector General of the Department of Defense relating to—

(A) a retaliatory personnel action taken against a member of the Armed Forces under section 1034 of title 10, United States Code; or

(B) any retaliatory action taken against a covered employee; and

(3) the term ''military department'' means each of the departments described in section 104 of title 5, United States Code.

(b) CERTIFICATION REQUIREMENT.—

(1) IN GENERAL.—Each investigator involved in a covered investigation shall submit to the Inspector General of the Department of Defense or the Inspector General of the military department, as applicable, a certification that there was no conflict of interest between the investigator, any witness involved in the covered investigation, and the covered employee or member of the Armed Forces, as applicable, during the conduct of the covered investigation.

(2) STANDARDIZED FORM.—The Inspector General of the Department of Defense shall develop a standardized form to be used by each investigator to submit the certification required under paragraph (1).

(3) INVESTIGATIVE FILE.—Each certification submitted under paragraph (1) shall be included in the file of the applicable covered investigation.

SA 1740. Mrs. MCCASKILL submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

On page 564, after line 25, add the following:

(d) REPORT.—

(1) DEFINITION.—In this subsection, the term ''covered employee'' has the meaning given that term in section 1599e of title 10, United States Code, as added by subsection (a)(1).

(2) CONTENTS.—The Secretary of Defense shall submit to Congress a report regarding covered employees hired into a probationary status during the 10-year period ending on the date of enactment of this Act, which shall include the number of covered employees—

(A) hired during the period;

(B) whose appointment became final after the probationary period;

(C) who were subject to disciplinary action or termination during the 5-year period beginning on the date on which the appointment of the covered employee became final;

(D) who were subject to disciplinary action during the probationary period;

(E) who were terminated before the appointment of the covered employee became final; and

(F) who, after being subject to disciplinary action or terminated, raised a claim that the disciplinary action or termination was taken because of a disclosure of information by the covered employee that the covered employee reasonably believed evidenced—

(i) any violation of any law, rule, or regulation; or

(ii) gross mismanagement, a gross waste of funds, an abuse of authority, or a substantial and specific danger to public health or safety.

SA 1741. Mrs. MCCASKILL submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

On page 354, beginning on line 11, strike ''policy.'' and all that follows through line 20 and insert the following: ''policy, with at least one member representing the interests of the taxpayer. In making appointments to the advisory panel, the Under Secretary shall ensure that the members of the panel reflect diverse experiences in the public and private sectors.

(c) DUTIES.—The panel shall—

(1) review the acquisition regulations applicable to the Department of Defense with a view toward streamlining and improving the efficiency and effectiveness of the defense acquisition process, maintaining defense technology advantage, and protecting the best interests of the taxpayer; and

---

SA 1742. Mrs. MCCASKILL submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle E of title VIII, add the following:

SEC. 884. PROTECTION FOR CONTRACTORS AND GRANTEES FROM REPRISAL FOR DISCLOSURE OF CERTAIN INFORMATION.

(a) ELIMINATION OF SUNSET PROVISION.—Section 4712 of title 41, United States Code, is amended by striking subsection (i).

(b) EXTENSION OF PROTECTIONS TO GRANTEES.—Such section is further amended—

(1) by striking ''subcontractor, or grantee'' each place it appears and inserting ''subcontractor, grantee, or subgrantee''; and

(2) in subsection (d), by striking '', and grantees'' and inserting '', grantees, and subgrantees''.

SA 1743. Mrs. MCCASKILL submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle E of title VIII, add the following:

SEC. 884. EXTENSION OF WHISTLEBLOWER PROTECTIONS FOR DEFENSE CONTRACTOR EMPLOYEES TO EMPLOYEES OF CONTRACTORS OF THE ELEMENTS OF THE INTELLIGENCE COMMUNITY.

(a) CONTRACTORS OF DOD AND RELATED AGENCIES.—Subsection (e) of section 2409 of title 10, United States Code, is amended to read as follows:

''(e) DISCLOSURES WITH RESPECT TO ELEMENTS OF INTELLIGENCE COMMUNITY AND INTELLIGENCE-RELATED ACTIVITIES.—(1) Any disclosure under this section by an employee of a contractor, subcontractor, or grantee of an element of the intelligence community (as defined in section 3(4) of the National Security Act of 1947 (50 U.S.C. 3003(4)) with respect to an element of the intelligence community or an activity of an element of the intelligence community shall comply with applicable provisions of section 17(d)(5) of the Central Intelligence Agency Act of 1949 (50 U.S.C. 3517(d)(5)) and section 8H of the Inspector General Act of 1978 (5 U.S.C. App.)

''(2) Any disclosure described in paragraph (1) of information required by Executive order to be kept classified in the interests of national defense or the conduct of foreign affairs that is made to a court shall be treated by the court in a manner consistent with the interests of the national security of the United States, including through the use of summaries or ex parte submissions if the element of the intelligence community awarding the contract or grant concerned advises the court that the national security interests of the United States warrant the use of such summaries or submissions.''.

(b) PILOT PROGRAM ON OTHER CONTRACTOR EMPLOYEES.—Subsection (f) of section 4712 of title 41, United States Code, is amended to read as follows:

''(f) DISCLOSURES WITH RESPECT TO ELEMENTS OF INTELLIGENCE COMMUNITY AND INTELLIGENCE-RELATED ACTIVITIES.—

''(1) MANNER OF DISCLOSURES.—Any disclosure under this section by an employee of a contractor, subcontractor, or grantee of an element of the intelligence community (as defined in section 3(4) of the National Security Act of 1947 (50 U.S.C. 3003(4)) with respect to an element of the intelligence community or an activity of an element of the intelligence community shall comply with applicable provisions of section 17(d)(5) of the Central Intelligence Agency Act of 1949 (50 U.S.C. 3517(d)(5)) and section 8H of the Inspector General Act of 1978 (5 U.S.C. App.)

''(2) TREATMENT BY COURTS.—Any disclosure described in paragraph (1) of information required by Executive order to be kept classified in the interests of national defense or the conduct of foreign affairs that is made to a court shall be treated by the court in a manner consistent with the interests of the national security of the United States, including through the use of summaries or ex parte submissions if the element of the intelligence community awarding the contract or grant concerned advises the court that the national security interests of the United States warrant the use of such summaries or submissions.''.

SA 1744. Mrs. FEINSTEIN submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle G of title X, add the following:

SEC. 1085. AUTHORIZATION OF CERTAIN MAJOR MEDICAL FACILITY PROJECTS OF THE DEPARTMENT OF VETERANS AFFAIRS FOR WHICH AMOUNTS HAVE BEEN APPROPRIATED.

(a) FINDINGS.—Congress finds the following:

(1) The Consolidated and Further Continuing Appropriations Act, 2015 (Public Law 113–235) appropriated to the Department of Veterans Affairs—

(A) $35,000,000 to make seismic corrections to Building 205 in the West Los Angeles Medical Center of the Department in Los Angeles, California, which, according to the Department, is a building that is designated as having an exceptionally high risk of sustaining substantial damage or collapsing during an earthquake;

(B) $101,900,000 to replace the community living center and mental health facilities of the Department in Long Beach, California, which, according to the Department, are designated as having an exceptionally high risk of sustaining substantial damage or collapsing during an earthquake;

(C) $187,500,000 to replace the existing spinal cord injury clinic of the Department in San Diego, California, which, according to the Department, is designated as having an extremely high risk of sustaining major damage during an earthquake; and

(D) $122,400,000 to make renovations to address substantial safety and compliance issues at the medical center of the Department in Canandaigua, New York, and for the construction of a new clinic and community living center at such medical center.

(2) The Department is unable to obligate or expend the amounts described in paragraph (1) because it lacks an explicit authorization by an Act of Congress pursuant to section 8104(a)(2) of title 38, United States Code, to carry out the major medical facility projects described in such paragraph.

(3) Among the major medical facility projects described in paragraph (1), three are critical seismic safety projects in California.

(4) Every day that the critical seismic safety projects described in paragraph (3) are delayed puts the lives of veterans and employees of the Department at risk.

(5) According to the United States Geological Survey—

(A) California has a 99 percent chance or greater of experiencing an earthquake of magnitude 6.7 or greater in the next 30 years;

(B) even earthquakes of less severity than magnitude 6.7 can cause life threatening damage to seismically unsafe buildings; and

(C) in California, earthquakes of magnitude 6.0 or greater occur on average once every 1.2 years.

(b) AUTHORIZATION.—The Secretary of Veterans Affairs may carry out the major medical facility projects of the Department of Veterans Affairs specified in the explanatory statement accompanying the Consolidated and Further Continuing Appropriations Act, 2015 (Public Law 113–235) at the locations and in the amounts specified in such explanatory statement, including by obligating and expending such amounts.

SA 1745. Mr. PETERS (for himself, Ms. HIRONO, and Mr. WYDEN) submitted

an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle B of title III, add the following:

SEC. 314. ESTABLISHMENT OF DEPARTMENT OF DEFENSE ALTERNATIVE FUELED VEHICLE INFRASTRUCTURE FUND.

(a) ESTABLISHMENT OF FUND.—There is established in the Treasury a fund to be known as the ''Department of Defense Alternative Fuel Vehicle Infrastructure Fund''.

(b) DEPOSITS.—The Fund shall consist of the following:

(1) Amounts appropriated to the Fund.

(2) Amounts earned through investment under subsection (c).

(3) Any other amounts made available to the Fund by law.

(c) INVESTMENTS.—The Secretary shall invest any part of the Fund that the Secretary decides is not required to meet current expenses. Each investment shall be made in an interest-bearing obligation of the United States Government, or an obligation that has its principal and interest guaranteed by the Government, that the Secretary decides has a maturity suitable for the Fund.

(d) USE OF FUNDS.—Amounts in the Fund shall be available to the Secretary, acting through the Under Secretary of Defense for Acquisition, Technology, and Logistics, to install, operate, and maintain alternative fuel dispensing stations for use by alternative fueled vehicles of the Department of Defense and other infrastructure necessary to fuel alternative fueled vehicles of the Department.

(e) DEFINITIONS.—In this section:

(1) ALTERNATIVE FUEL.—The term ''alternative fuel'' has the meaning given such term in section 32901 of title 49, United States Code.

(2) ALTERNATIVE FUELED VEHICLE.—The term ''alternative fueled vehicle'' means a vehicle that operates on alternative fuel.

(3) FUND.—The term ''Fund'' means the fund established under subsection (a).

SA 1746. Mr. PETERS (for himself, Ms. HIRONO, and Mr. WYDEN) submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle B of title III, add the following:

SEC. 314. AUTHORIZATION FOR RESEARCH TO IMPROVE MILITARY VEHICLE TECHNOLOGY TO INCREASE FUEL ECONOMY OR REDUCE FUEL CONSUMPTION OF MILITARY VEHICLES USED IN COMBAT.

(a) RESEARCH AUTHORIZED.—The Secretary of Defense, acting through the Assistant Secretary of Defense for Research and Engineering and in collaboration with the Secretary of the Army and the Secretary of the Navy, may carry out research to improve military vehicle technology to increase fuel economy or reduce fuel consumption of military vehicles used in combat.

(b) PREVIOUS SUCCESSES.—The Secretary of Defense shall ensure that research carried out under subsection (a) takes into account the successes of, and lessons learned during, the development of the Fuel Efficient Ground Vehicle Alpha and Bravo programs to identify, assess, develop, demonstrate, and prototype technologies that support increasing fuel economy and decreasing fuel consumption of light tactical vehicles, while balancing survivability.

SA 1747. Mr. CASEY (for himself and Ms. AYOTTE) submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle A of title XII, add the following:

SEC. 1209. SUPPORT FOR SECURITY OF AFGHAN WOMEN AND GIRLS.

(a) FINDINGS.—Congress makes the following findings:

(1) Through the sacrifice and dedication of members of the Armed Forces, civilian personnel, and our Afghan partners as well as the American people's generous investment, oppressive Taliban rule has given way to a nascent democracy in Afghanistan. It is in our national security interest to help prevent Afghanistan from ever again becoming a safe haven and training ground for international terrorism and to solidify and preserve the gains our men and women in uniform fought so hard to establish.

(2) The United States through its National Action Plan on Women, Peace, and Security has made firm commitments to support the human rights of the women and girls of Afghanistan. The National Action Plan states that ''the engagement and protection of women as agents of peace and stability will be central to United States efforts to promote security, prevent, respond to, and resolve conflict, and rebuild societies''.

(3) As stated in the Department of Defense's October 2014 Report on Progress Toward Security and Stability in Afghanistan, the Department of Defense and the International Security Assistance Force (ISAF) ''maintain a robust program dedicated to improving the recruitment, retention, and treatment of women in the Afghan National Security Forces (ANSF), and to improving the status of Afghan women in general''.

(4) According to the Department of Defense's October 2014 Report on Progress Toward Security and Stability in Afghanistan, the ''Afghan MoI showed significant support for women in the MoI and is taking steps to protect and empower female police and female MoI staff''. Although some positive steps have been made, progress remains slow to reach the MoI's goal of recruiting 10,000 women in the Afghan National Police (ANP) in the next 10 years.

(5) According to Inclusive Security, women only make up approximately 1 percent of the Afghan National Police. There are about 2,200 women serving in the police force, fewer than the goal of 5,000 women set by the Government of Afghanistan.

(6) According to the International Crisis Group, there are not enough female police officers to staff all provincial Family Response Units (FRUs). United Nations Assistance Mission Afghanistan and the Office of the High Commissioner for Refugees found that ''in the absence of Family Response Units or visible women police officers, women victims almost never approach police stations willingly, fearing they will be arrested, their reputations stained or worse''.

(b) SENSE OF CONGRESS ON PROMOTION OF SECURITY OF AFGHAN WOMEN.—It is the sense of Congress that—

(1) it is in the national security interests of the United States to prevent Afghanistan from again becoming a safe haven and training ground for international terrorism;

(2) as an important part of a strategy to achieve this objective and to help Afghanistan achieve its full potential, the United States Government should continue to regularly press the Government of the Islamic Republic of Afghanistan to commit to the meaningful inclusion of women in the political, economic, and security transition process and to ensure that women's concerns are fully reflected in relevant negotiations;

(3) the United States Government and the Government of Afghanistan should reaffirm their commitment to supporting Afghan civil society, including women's organizations, as agreed to during the meeting between the International Community and the Government of Afghanistan on the Tokyo Mutual Accountability Framework (TMAF) in July 2013;

(4) the United States Government should continue to support and encourage efforts to recruit and retain women in the Afghan National Security Forces, who are critical to the success of NATO's Resolute Support Mission and future Enduring Partnership mission; and

(5) the United States should bid on no less than one gender advisor billet within the Resolute Support Mission Gender Advisory Unit and continue to work with other countries to ensure that the Resolute Support Mission Gender Advisory Unit billets are fully staffed.

(c) PLAN TO PROMOTE SECURITY OF AFGHAN WOMEN.—

(1) REPORTING REQUIREMENT.—The Secretary of Defense, in conjunction with the Secretary of State, shall include in the report required under section 1225 of the Carl Levin and Howard P. ''Buck'' McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113–291; 128 Stat. 3550)—

(A) an assessment of the security of Afghan women and girls, including information regarding efforts to increase the recruitment and retention of women in the ANSF; and

(B) an assessment of the implementation of the plans for the recruitment, integration, retention, training, treatment, and provision of appropriate facilities and transportation for women in the ANSF, including the challenges associated with such implementation and the steps being taken to address those challenges.

(2) PLAN REQUIRED.—

(A) IN GENERAL.—The Secretary of Defense shall, in coordination with the Secretary of State, to the extent practicable, support the efforts of the Government of Afghanistan to promote the security of Afghan women and girls during and after the security transition

process through the development and implementation by the Government of Afghanistan of an Afghan-led plan that should include the elements described in this paragraph.

(B) TRAINING.—The Secretary of Defense, working with the NATO-led Resolute Support mission should encourage the Government of Afghanistan to develop—

(i) measures for the evaluation of the effectiveness of existing training for Afghan National Security Forces on this issue;

(ii) a plan to increase the number of female security officers specifically trained to address cases of gender-based violence, including ensuring the Afghan National Police's Family Response Units (FRUs) have the necessary resources and are available to women across Afghanistan;

(iii) mechanisms to enhance the capacity for units of National Police's Family Response Units to fulfill their mandate as well as indicators measuring the operational effectiveness of these units;

(iv) a plan to address the development of accountability mechanisms for ANA and ANP personnel who violate codes of conduct related to the human rights of women and girls, including female members of the ANSF; and

(v) a plan to develop training for the ANA and the ANP to increase awareness and responsiveness among ANA and ANP personnel regarding the unique security challenges women confront when serving in those forces.

(C) ENROLLMENT AND TREATMENT.—The Secretary of Defense, in cooperation with the Afghan Ministries of Defense and Interior, shall seek to assist the Government of Afghanistan in including as part of the plan developed under subparagraph (A) the development and implementation of a plan to increase the number of female members of the ANA and ANP and to promote their equal treatment, including through such steps as providing appropriate equipment, modifying facilities, and ensuring literacy and gender awareness training for recruits.

(D) ALLOCATION OF FUNDS.—

(i) IN GENERAL.—Of the funds available to the Department of Defense for the Afghan Security Forces Fund for Fiscal Year 2016, no less than $10,000,000 should be used for the recruitment, integration, retention, training, and treatment of women in the ANSF as well as the recruitment, training, and contracting of female security personnel for future elections.

(ii) TYPES OF PROGRAMS AND ACTIVITIES.—Such programs and activities may include—

(I) efforts to recruit women into the ANSF, including the special operations forces;

(II) programs and activities of the Afghan Ministry of Defense Directorate of Human Rights and Gender Integration and the Afghan Ministry of Interior Office of Human Rights, Gender and Child Rights;

(III) development and dissemination of gender and human rights educational and training materials and programs within the Afghan Ministry of Defense and the Afghan Ministry of Interior;

(IV) efforts to address harassment and violence against women within the ANSF;

(V) improvements to infrastructure that address the requirements of women serving in the ANSF, including appropriate equipment for female security and police forces, and transportation for policewomen to their station

(VI) support for ANP Family Response Units; and

(VII) security provisions for high-profile female police and army officers.

SA 1748. Mr. PETERS submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle C of title V, add the following:

SEC. 524. REVIEW OF CHARACTERIZATION OR TERMS OF DISCHARGE FROM THE ARMED FORCES OF INDIVIDUALS WITH MENTAL HEALTH DISORDERS ALLEGED TO AFFECT TERMS OF DISCHARGE.

Section 1553(d) of title 10, United States Code, is amended by adding at the end the following new paragraph:

''(3)(A) In addition to the requirements of paragraphs (1) and (2), in the case of a former member described in subparagraph (B), the board shall—

''(i) review medical evidence of the Secretary of Veterans Affairs or a civilian health care provider that is presented by the former member; and

''(ii) review the case with a presumption of administrative irregularity and place the burden on the Secretary concerned to prove, by a preponderance of the evidence, that no error or injustice occurred.

''(B) A former member described in this subparagraph is a former member described in paragraph (1) or a former member whose application for relief is based in whole or in part on matters relating to post-traumatic stress disorder or traumatic brain injury as supporting rationale or as justification for priority consideration whose post-traumatic stress disorder or traumatic brain injury is related to combat or military sexual trauma, as determined by the Secretary concerned.''.

SA 1749. Mrs. SHAHEEN submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle G of title X, add the following:

SEC. 1085. SENSE OF SENATE ON MISUSE OF GOVERNMENT TRAVEL CHARGE CARDS.

It is the sense of the Senate that—

(1) a finding in a May 2015 report of the Inspector General of the Department of Defense that personnel charged nearly $1,000,000 to government travel charge cards for personal use at casinos and adult entertainment establishments over a one year period demonstrates serious misuse of government travel charge cards, does not comport with the values of the Department, and requires additional oversight to prevent future misuse;

(2) the Director of the Defense Travel Management Office should work with the Armed Forces, the Defense Agencies, and representatives of financial institutions to determine how to prevent and identify the inappropriate personal use of the government travel charge cards under those and similar circumstances; and

(3) the Department of Defense should work to expeditiously address any outstanding recommendations in the report of the Inspector General described in paragraph (1).

SA 1750. Mr. WARNER submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. UNMANNED AERIAL SYSTEMS RESEARCH PROGRAM.

(a) REQUIREMENT TO DEVELOP AND DEPLOY UAS TECHNOLOGIES.—The Secretary of Defense and the Director of National Intelligence shall work in conjunction with the Secretary of Homeland Security, the Secretary of Transportation, the Administrator of the National Aeronautics and Space Administration, the heads of other Federal agencies, existing UAS test sites designated by the Federal Aviation Administration, the private sector, and academia on the research and development of technologies to safely detect, identify, classify, and deconflict UAS in the national air space, integrate UAS, and deploy proven UAS mitigation technologies—

(1) to ensure that UAS operate safely in the national air space;

(2) to ensure that, as the commercial use of UAS technologies increase and are safely integrated into the national air space, the United States is taking full advantage of existing and developmental technologies to detect, identify, classify, track, and counteract UAS in and around restricted and controlled air space, such as airports, military training areas, National Special Security Events, and sensitive national security locations;

(3) to yield important insights for the Department of Defense, intelligence community, Department of Homeland Security, and civilian and private sector applications;

(4) to provide intelligence, reconnaissance, and surveillance capabilities over widely dispersed and expansive territories; and

(5) to improve methods for protecting privacy and civil liberties related to the use of UAS.

(b) UAS DEFINED.—In this section, the term ''UAS'' means unmanned aerial systems.

SA 1751. Mr. BOOKER (for himself and Mr. MENENDEZ) submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle B of title VII, add the following:

SEC. 721. PROHIBITION ON TERMINATION OF VETS4WARRIORS PROGRAM.

(a) IN GENERAL.—The Secretary of Defense may not terminate the peer support program of the Department of Defense known as the Vets4Warriors program unless the Secretary determines, through a public process established by the Secretary, that members of the Armed Forces will receive adequate mental health care and resources in the absence of such program.

(b) EVALUATION OF EFFECTIVENESS.—The Secretary shall conduct an evaluation of the effectiveness of peer-to-peer counseling in assisting members of the Armed Forces and their families.

SA 1752. Mr. HEINRICH (for himself, Mr. INHOFE, Mr. DONNELLY, Mr. BLUMENTHAL, Mr. TILLIS, Ms. HIRONO, Mr. GRAHAM, Ms. STABENOW, Ms. BALDWIN, Mr. ISAKSON, Mr. MARKEY, Mr. UDALL, Mr. NELSON, and Mr. MORAN) submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle F of title III, add the following:

SEC. 355. STARBASE PROGRAM.

(a) FINDINGS.—Congress makes the following findings:

(1) The budget of the President for fiscal year 2016 requested no funding for the Department of Defense STARBASE program.

(2) The purpose of the STARBASE program is to improve the knowledge and skills of students in kindergarten through 12th grade in science, technology, engineering, and mathematics (STEM) subjects, to connect them to the military, and to motivate them to explore science, technology, engineering, and mathematics and possible military careers as they continue their education.

(3) The STARBASE program currently operates at 76 locations in 40 States and the District of Columbia and Puerto Rico, primarily on military installations.

(4) To date, nearly 750,000 students have participated in the STARBASE program.

(5) The STARBASE program is a highly effective program run by dedicated members of the Armed Forces and strengthens the relationships between the military, communities, and local school districts.

(6) The budget of the President for fiscal year 2016 seeks to eliminate funding for the STARBASE program for that fiscal year due to a reorganization of science, technology, engineering, and mathematics programs throughout the Federal Government.

(b) SENSE OF CONGRESS.—It is the sense of Congress that the STARBASE program should continue to be funded by the Department of Defense.

(c) FUNDING.—Of the amount authorized to be appropriated for fiscal year 2016 by section 301 and available for the Department of Defense for operation and maintenance, Defense-wide, as specified in the funding table in section 4301—

(1) the amount available for the STARBASE program is hereby increased by $25,000,000; and

(2) the amount available by reason of increased bulk fuel cost savings is hereby decreased by $25,000,000.

SA 1753. Ms. WARREN (for herself, Mr. RUBIO, Mr. MARKEY, Ms. AYOTTE, Mrs. SHAHEEN, Mr. BROWN, and Mr. MENENDEZ) submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. HONORING AMERICAN PRISONERS OF WAR AND MISSING IN ACTION.

(a) FINDINGS.—Congress finds the following:

(1) In recent years, commemorative chairs honoring American Prisoners of War/Missing in Action have been placed in prominent locations across the United States.

(2) The United States Capitol is an appropriate location to place a commemorative chair honoring American Prisoners of War/Missing in Action.

(b) PLACEMENT OF A CHAIR IN THE UNITED STATES CAPITOL HONORING AMERICAN PRISONERS OF WAR/MISSING IN ACTION.—

(1) OBTAINING CHAIR.—The Architect of the Capitol shall enter into an agreement to obtain a chair featuring the logo of the National League of POW/MIA Families under such terms and conditions as the Architect considers appropriate and consistent with applicable law.

(2) PLACEMENT.—Not later than 2 years after the date of enactment of this section, the Architect shall place the chair obtained under paragraph (1) in a suitable permanent location in the United States Capitol.

(c) FUNDING.—

(1) DONATIONS.—The Architect of the Capitol may—

(A) enter into an agreement with any organization described in section 501(c)(3) of the Internal Revenue Code of 1986 that is exempt from taxation under section 501(a) of that Code to solicit private donations to carry out the purposes of this section; and

(B) accept donations of funds, property, and services to carry out the purposes of this section.

(2) COSTS.—All costs incurred in carrying out the purposes of this section shall be paid for with private donations received under paragraph (1).

SA 1754. Mrs. ERNST submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. PROGRAM MANAGEMENT IMPROVEMENT AND ACCOUNTABILITY.

(a) DEPUTY DIRECTOR FOR MANAGEMENT.—

(1) ADDITIONAL FUNCTIONS.—Section 503 of title 31, United States Code, is amended by adding at the end the following:

''(c) PROGRAM AND PROJECT MANAGEMENT.—

''(1) REQUIREMENT.—Subject to the direction and approval of the Director, the Deputy Director for Management or designee shall—

''(A) adopt governmentwide standards, policies, and guidelines for program and project management for executive agencies;

''(B) oversee program and project management for the standards, policies, and guidelines established under subparagraph (A);

''(C) chair the Program Management Policy Council established under section 1126(b);

''(D) issue regulations and establish standards and policies for executive agencies, in accordance with nationally accredited standards for program and project management planning and delivery issues;

''(E) engage with the private sector;

''(F) conduct portfolio reviews to address programs identified as high risk by the Government Accountability Office;

''(G) not less than annually, conduct portfolio reviews of agency programs in coordination with Project Management Improvement Officers designated under section 1126(a)(1); and

''(H) establish a 5-year strategic plan for program and project management.

''(2) APPLICATION TO DEPARTMENT OF DEFENSE.—Paragraph (1) shall not apply to the Department of Defense to the extent that the provisions of that paragraph are substantially similar to or duplicative of the provisions under section 810 of the National Defense Authorization Act for Fiscal Year 2016.''.

(2) DEADLINE FOR STANDARDS, POLICIES, AND GUIDELINES.—Not later than 120 days after the date of the enactment of this Act, the Deputy Director for Management of the Office of Management and Budget shall issue the standards, policies, and guidelines required under section 503(c) of title 31, United States Code, as added by paragraph (1).

(3) REGULATIONS.—Not later than 150 days after the date of the enactment of this Act, the Deputy Director for Management of the Office of Management and Budget, in consultation with the Program Management Policy Council established under section 1126(b) of title 31, United States Code, as added by subsection (b)(1), and the Director of the Office of Management and Budget, shall issue any regulations as are necessary to implement the requirements of section 503(c) of title 31, United States Code, as added by paragraph (1).

(b) PROGRAM MANAGEMENT IMPROVEMENT OFFICERS AND PROGRAM MANAGEMENT POLICY COUNCIL.—

(1) AMENDMENT.—Chapter 11 of title 31, United States Code, is amended by adding at the end the following:

''§ 1126. Program Management Improvement Officers and Program Management Policy Council

''(a) PROGRAM MANAGEMENT IMPROVEMENT OFFICERS.—

''(1) DESIGNATION.—The head of each agency described in section 901(b) shall designate a senior executive of the agency as the Program Management Improvement Officer of the agency. The Program Management Improvement Officer shall report directly to the head of the agency.

''(2) FUNCTIONS.—The Program Management Improvement Officer of an agency designated under paragraph (1) shall—

''(A) implement program management policies established by the agency under section 503(c); and

''(B) develop a written strategy for enhancing the role of program managers within the agency that includes the following:

''(i) Enhanced training and educational opportunities for program managers.

''(ii) Mentoring of current and future program managers by experienced senior executives and program managers within the agency.

''(iii) Improved career paths and career opportunities for program managers.

''(iv) Incentives for the recruitment and retention of highly qualified individuals to serve as program managers.

''(v) Improved resources and support, including relevant competencies encompassed with program and project management within the private sector for program managers.

''(vi) Improved means of collecting and disseminating best practices and lessons learned to enhance program management across the agency.

''(vii) Common templates and tools to support improved data gathering and analysis for program management and oversight purposes.

''(3) APPLICATION TO DEPARTMENT OF DEFENSE.—This subsection shall not apply to the Department of Defense to the extent that the provisions of this subsection are substantially similar to or duplicative of the provisions under section 810 of the National Defense Authorization Act for Fiscal Year 2016.

''(b) PROGRAM MANAGEMENT POLICY COUNCIL.—

''(1) ESTABLISHMENT.—There is established in the Office of Management and Budget a council to be known as the 'Program Management Policy Council' (in this section referred to as the 'Council').

''(2) PURPOSE AND FUNCTIONS.—The Council shall act as the principal interagency forum for improving agency practices related to program and project management. The Council shall—

''(A) advise and assist the Deputy Director for Management of the Office of Management and Budget;

''(B) review programs identified as high risk by the General Accountability Office and make recommendations for actions to be taken by the Deputy Director for Management of the Office of Management and Budget or designee;

''(C) discuss topics of importance to the workforce, including—

''(i) career development and workforce development needs;

''(ii) policy to support continuous improvement in program and project management; and

''(iii) major challenges across agencies in managing programs;

''(D) advise on the development and applicability of standards governmentwide for program management transparency; and

''(E) review the information published on the website of the Office of Management and Budget pursuant to section 1122.

''(3) MEMBERSHIP.—

''(A) COMPOSITION.—The Council shall be composed of the following members:

''(i) Five members from the Office of Management and Budget as follows:

''(I) The Deputy Director for Management.

''(II) The Administrator of the Office of Electronic Government.

''(III) The Administrator of the Office of Federal Procurement Policy.

''(IV) The Controller of the Office of Federal Financial Management.

''(V) The Director of the Office of Performance and Personnel Management.

''(ii) The Program Management Improvement Officer from each agency described in section 901(b).

''(iii) Other individuals as determined appropriate by the Chairperson.

''(B) CHAIRPERSON AND VICE CHAIRPERSON.—

''(i) IN GENERAL.—The Deputy Director for Management of the Office of Management and Budget shall be the Chairperson of the Council. A Vice Chairperson shall be elected by the members and shall serve a term of not more than 1 year.

''(ii) DUTIES.—The Chairperson shall preside at the meetings of the Council, determine the agenda of the Council, direct the work of the Council, and establish and direct subgroups of the Council as appropriate.

''(4) MEETINGS.—The Council shall meet not less than twice per fiscal year and may meet at the call of the Chairperson or a majority of the members of the Council.

''(5) SUPPORT.—The head of each agency with a Project Management Improvement Officer serving on the Council shall provide administrative support to the Council, as appropriate, at the request of the Chairperson.

''(6) COMMITTEE DURATION.—Section 14(a)(2) of the Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to the Council.''.

(2) REPORT REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the head of each agency described in section 901(b) of title 31, United States Code, shall submit to Congress and the Office of Management and Budget a report containing the strategy developed under section 1126(a)(2)(B) of such title, as added by paragraph (1).

(c) PROGRAM AND PROJECT MANAGEMENT PERSONNEL STANDARDS.—

(1) DEFINITION.—In this section, the term ''agency'' means each agency described in section 901(b) of title 31, United States Code.

(2) REGULATIONS REQUIRED.—Not later than 270 days after the date of enactment of this Act, the Director of the Office of Personnel Management, in consultation with the Director of the Office of Management and Budget, shall issue regulations that—

(A) identify key skills and competencies needed for a program and project manager in an agency;

(B) establish a new job series for program and project management within an agency; and

(C) establish a new career path for program and project managers within an agency.

SA 1755. Mr. BURR (for himself and Mr. TILLIS) submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle G of title X, add the following:

SEC. 1085. DESIGNATION OF AMERICAN WORLD WAR II CITIES.

(a) IN GENERAL.—The Secretary of Veterans Affairs shall designate at least one city in the United States each year as an ''American World War II City''.

(b) CRITERIA FOR DESIGNATION.—After the designation made under subsection (c), the Secretary, in consultation with the Secretary of Defense, shall make each designation under subsection (a) based on the following criteria:

(1) Contributions by a city to the war effort during World War II, including those related to defense manufacturing, bond drives, service in the Armed Forces, and the presence of military facilities within the city.

(2) Efforts by a city to preserve the history of the city's contributions during World War II, including through the establishment of preservation organizations or museums, restoration of World War II facilities, and recognition of World War II veterans.

(c) FIRST AMERICAN WORLD WAR II CITY.—The city of Wilmington, North Carolina, is designated as an ''American World War II City''.

(d) SUNSET.—The requirements of this section shall terminate on the date that is five years after the date of the enactment of this Act.

SA 1756. Ms. WARREN (for herself and Mr. MERKLEY) submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle B of title VII, add the following:

SEC. 721. PREVENTION AND TREATMENT OF PROBLEM GAMBLING BEHAVIOR AMONG MEMBERS OF THE ARMED FORCES AND VETERANS.

(a) FINDINGS.—Congress makes the following findings:

(1) Gambling addiction, or problem gambling, is a public health disorder characterized by increasing preoccupation with gambling, loss of control, restlessness, or irritability when attempting to stop gambling, and continuation of the gambling behavior in spite of mounting serious, negative consequences.

(2) Over 6,000,000 adults met criteria for a gambling problem in 2013.

(3) According to the National Council on Problem Gambling, it is estimated that between 36,000 and 48,000 members of the Armed Forces on active duty meet criteria for a gambling problem.

(4) The Department of Defense operates an estimated 3,000 slot machines at military installations overseas that are available to members of the Armed Forces and their families.

(5) It is estimated that these slot machines generate more than $100,000,000 in revenue for the Department of Defense, which is used for further recreational activities for members of the Armed Forces.

(6) The United States Army operates bingo games on military installations in the United States, which generate millions of dollars per year.

(7) The Department of Defense does not currently have treatment programs for members of the Armed Forces with problem gambling behaviors, although it does operate

treatment programs for alcohol abuse, illegal substance abuse, and tobacco addiction.

(8) The Department of Veterans Affairs provides behavioral addiction treatment to veterans but has limited programs directed at problem gambling.

(9) Individuals with problem gambling behavior have higher incidences of bankruptcy, domestic abuse, and suicide.

(10) People who engage in problem gambling have high rates of co-occuring substance abuse and mental health disorders.

(11) Because many veterans are often at high risk for co-occuring substance abuse and mental health disorders, it is critical that they receive adequate treatment for such disorders.

(12) The Diagnostic and Statistical Manual of Mental Disorders (Fifth Edition, published in May 2013) includes problem gambling as a behavioral addiction. This reflects research findings that gambling disorders are similar to substance-related disorders in clinical expression, brain origin, comorbidity, physiology, and treatment.

(b) POLICIES AND PROGRAMS TO PREVENT AND TREAT GAMBLING PROBLEMS.—

(1) DEPARTMENT OF DEFENSE.—The Secretary of Defense shall develop policies on prevention, education, and treatment of problem gambling, including the following elements:

(A) Prevention programs for members of the Armed Forces and their dependents.

(B) Responsible gaming education for members of the Armed Forces and their dependents.

(C) Establishment of a center of excellence for the residential treatment of the most severe cases of problem gambling among members of the Armed Forces.

(D) Policy and programs to integrate problem gambling into existing mental health and substance abuse programs of the Department of Defense in order to—

(i) prevent problem gambling among members of the Armed Forces and their families;

(ii) provide responsible gaming educational materials to members of the Armed Forces and their family members who gamble; and

(iii) train existing substance abuse and mental health counselors to provide treatment for problem gambling within current mental health and substance abuse treatment programs for members of the Armed Forces.

(E) Assessment of gambling problems among members of the Armed Forces, factors related to the development of such problems (including co-occurring disorders such as substance use, post-traumatic stress disorder, traumatic brain injury, stress, and sensation seeking), and the social, health, and financial impacts of gambling on members of the Armed Forces by incorporating questions on problem gambling behavior into ongoing research efforts as appropriate, including restoring such questions into the Survey of Health Related Behaviors Among Active Duty Military Personnel conducted by the Department of Defense.

(2) DEPARTMENT OF VETERANS AFFAIRS.—The Secretary of Veterans Affairs shall develop policies on prevention, education, and treatment of problem gambling, including the following elements:

(A) Prevention programs for veterans and their dependents.

(B) Responsible gaming education for veterans and their dependents.

(C) Establishment of a center of excellence for the residential treatment of the most severe cases of problem gambling among veterans.

(D) Policy and programs to integrate problem gambling into existing mental health and substance abuse programs of the Department of Veterans Affairs in order to—

(i) prevent problem gambling among veterans and their families;

(ii) provide responsible gaming educational materials to veterans and their family members who gamble; and

(iii) train existing substance abuse and mental health counselors to provide treatment for problem gambling within current mental health and substance abuse treatment programs for veterans.

(E) Financial counseling and related services for veterans impacted by problem gambling.

(3) CONSULTATION.—The Secretary of Defense shall develop the policies described in paragraph (1) and the Secretary of Veterans Affairs shall develop the policies described in paragraph (2) in coordination with the Interagency Task Force on Military and Veterans Mental Health.

(4) REPORTS.—Not later than one year after the date of the enactment of this Act—

(A) the Secretary of Defense shall submit to the appropriate committees of Congress a report on efforts undertaken pursuant to paragraph (1); and

(B) the Secretary of Veterans Affairs shall submit to the appropriate committees of Congress a report on efforts undertaken pursuant to paragraph (2).

(c) USE OF CERTAIN AMOUNTS BY DEPARTMENT OF DEFENSE.—Of the aggregate amount collected each fiscal year by morale, welfare, and recreation (MWR) facilities of the Department of Defense from the operation of slot machines and bingo games, an amount equal to one percent of such amount shall be available to the Secretary of Defense carry out the policy and programs described in subsection (b)(1)(D).

(d) COMPTROLLER GENERAL STUDY ON GAMBLING AND PROBLEM GAMBLING AMONG MEMBERS OF THE ARMED FORCES AND VETERANS.—

(1) IN GENERAL.—The Comptroller General of the United States shall conduct a study on problem gambling among members of the Armed Forces and veterans.

(2) MATTERS INCLUDED.—The study conducted under paragraph (1) shall include the following:

(A) With respect to gambling installations (including bingo) operated by each branch of the Armed Forces—

(i) the number, type, and location of such gambling installations;

(ii) the total amount of cash flow through such gambling installations;

(iii) the amount of revenue generated by such gambling installations; and

(iv) how such revenue is spent.

(B) An assessment of the prevalence of problem gambling among members of the Armed Forces and veterans, including recommendations for policies and programs to be carried out by the Department of Defense and the Department of Veterans Affairs to address problem gambling.

(3) REPORT.—Not later than one year after the date of the enactment of this Act, the Comptroller General shall submit to the appropriate committees of Congress a report on the results of the study conducted under paragraph (1).

(e) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this section, the term ''appropriate committees of Congress'' means—

(1) the Committee on Armed Services, the Committee on Veterans' Affairs, and the Committee on Appropriations of the Senate; and

(2) the Committee on Armed Services, the Committee on Veterans' Affairs, and the Committee on Appropriations of the House of Representatives.

SA 1757. Ms. WARREN (for herself and Mr. MERKLEY) submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle B of title VII, add the following:

SEC. 721. PREVENTION AND TREATMENT OF PROBLEM GAMBLING BEHAVIOR AMONG MEMBERS OF THE ARMED FORCES.

(a) FINDINGS.—Congress makes the following findings:

(1) Gambling addiction, or problem gambling, is a public health disorder characterized by increasing preoccupation with gambling, loss of control, restlessness, or irritability when attempting to stop gambling, and continuation of the gambling behavior in spite of mounting serious, negative consequences.

(2) Over 6,000,000 adults met criteria for a gambling problem in 2013.

(3) According to the National Council on Problem Gambling, it is estimated that between 36,000 and 48,000 members of the Armed Forces on active duty meet criteria for a gambling problem.

(4) The Department of Defense operates an estimated 3,000 slot machines at military installations overseas that are available to members of the Armed Forces and their families.

(5) It is estimated that these slot machines generate more than $100,000,000 in revenue for the Department of Defense, which is used for further recreational activities for members of the Armed Forces.

(6) The United States Army operates bingo games on military installations in the United States, which generate millions of dollars per year.

(7) The Department of Defense does not currently have treatment programs for members of the Armed Forces with problem gambling behaviors, although it does operate treatment programs for alcohol abuse, illegal substance abuse, and tobacco addiction.

(8) Individuals with problem gambling behavior have higher incidences of bankruptcy, domestic abuse, and suicide.

(9) People who engage in problem gambling have high rates of co-occurring substance abuse and mental health disorders.

(10) Because many members of the Armed Forces and veterans are often at high risk for co-occuring substance abuse and mental health disorders, it is critical that they receive adequate treatment for such disorders.

(11) The Diagnostic and Statistical Manual of Mental Disorders (Fifth Edition, published in May 2013) includes problem gambling as a behavioral addiction. This reflects research findings that gambling disorders are similar to substance-related disorders in clinical expression, brain origin, comorbidity, physiology, and treatment.

(b) POLICIES AND PROGRAMS TO PREVENT AND TREAT GAMBLING PROBLEMS.—

(1) DEPARTMENT OF DEFENSE.—The Secretary of Defense shall develop policies on prevention, education, and treatment of problem gambling, including the following elements:

(A) Prevention programs for members of the Armed Forces and their dependents.

(B) Responsible gaming education for members of the Armed Forces and their dependents.

(C) Establishment of a center of excellence for the residential treatment of the most severe cases of problem gambling among members of the Armed Forces.

(D) Policy and programs to integrate problem gambling into existing mental health and substance abuse programs of the Department of Defense in order to—

(i) prevent problem gambling among members of the Armed Forces and their families;

(ii) provide responsible gaming educational materials to members of the Armed Forces and their family members who gamble; and

(iii) train existing substance abuse and mental health counselors to provide treatment for problem gambling within current mental health and substance abuse treatment programs for members of the Armed Forces.

(E) Assessment of gambling problems among members of the Armed Forces, factors related to the development of such problems (including co-occurring disorders such as substance use, post-traumatic stress disorder, traumatic brain injury, stress, and sensation seeking), and the social, health, and financial impacts of gambling on members of the Armed Forces by incorporating questions on problem gambling behavior into ongoing research efforts as appropriate, including restoring such questions into the Survey of Health Related Behaviors Among Active Duty Military Personnel conducted by the Department of Defense.

(2) CONSULTATION.—The Secretary of Defense shall develop the policies described in paragraph (1) in coordination with the Interagency Task Force on Military and Veterans Mental Health.

(3) REPORTS.—Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall submit to the appropriate committees of Congress a report on efforts undertaken pursuant to paragraph (1).

(c) USE OF CERTAIN AMOUNTS BY DEPARTMENT OF DEFENSE.—Of the aggregate amount collected each fiscal year by morale, welfare, and recreation (MWR) facilities of the Department of Defense from the operation of slot machines and bingo games, an amount equal to one percent of such amount shall be available to the Secretary of Defense carry out the policy and programs described in subsection (b)(1)(D).

(d) COMPTROLLER GENERAL STUDY ON GAMBLING AND PROBLEM GAMBLING AMONG MEMBERS OF THE ARMED FORCES.—

(1) IN GENERAL.—The Comptroller General of the United States shall conduct a study on problem gambling among members of the Armed Forces.

(2) MATTERS INCLUDED.—The study conducted under paragraph (1) shall include the following:

(A) With respect to gambling installations (including bingo) operated by each branch of the Armed Forces—

(i) the number, type, and location of such gambling installations;

(ii) the total amount of cash flow through such gambling installations;

(iii) the amount of revenue generated by such gambling installations; and

(iv) how such revenue is spent.

(B) An assessment of the prevalence of problem gambling among members of the Armed Forces, including recommendations for policies and programs to be carried out by the Department of Defense to address problem gambling.

(3) REPORT.—Not later than one year after the date of the enactment of this Act, the Comptroller General shall submit to the appropriate committees of Congress a report on the results of the study conducted under paragraph (1).

(e) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this section, the term ''appropriate committees of Congress'' means—

(1) the Committee on Armed Services and the Committee on Appropriations of the Senate; and

(2) the Committee on Armed Services and the Committee on Appropriations of the House of Representatives.

SA 1758. Mr. KIRK submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

Strike section 1649 and insert the following:

SEC. 1649. LIMITATION ON PROVIDING CERTAIN MISSILE DEFENSE TECHNOLOGY TO THE RUSSIAN FEDERATION.

(a) EXTENSION AND EXPANSION OF LIMITATION ON PROVIDING CERTAIN SENSITIVE MISSILE DEFENSE INFORMATION.—Section 1246(c)(2) of the National Defense Authorization Act for Fiscal Year 2014 (Public Law 113–66; 127 Stat. 923), as amended by section 1243(2)(A) of the Carl Levin and Howard P. ''Buck'' McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113–291; 128 Stat. 3564), is further amended—

(1) by striking ''INFORMATION.—No funds'' and inserting the following: ''INFORMATION.—

''(A) IN GENERAL.—No funds'';

(2) by striking ''for fiscal year 2014 or 2015'' and all that follows through the period at the end and inserting ''for any fiscal year for the Department of Defense may be used to provide the Russian Federation with sensitive missile defense information or information relating to velocity at burnout of, or telemetry information on, United States missile interceptors or targets.''; and

(3) by adding at the end the following new subparagraph:

''(B) WAIVER.—The Secretary of Defense may waive the limitation under subparagraph (A) if the Secretary certifies to the congressional defense committees that the Russia Federation—

''(i) is complying with the Treaty between the United States of America and the Union of Soviet Socialist Republics on the Elimination of Their Intermediate-Range and Shorter-Range Missiles, signed at Washington December 8, 1987, and entered into force June 1, 1988 (commonly referred to as the 'Intermediate-Range Nuclear Forces Treaty' or 'INF Treaty');

''(ii) has verifiably pulled its regular and irregular military forces out of Ukrainian territory, including Crimea; and

''(iii) has terminated its contract to sell the S–300 air defense system to the Islamic Republic of Iran.''.

(b) LIMITATION ON INTEGRATION OF MISSILE DEFENSE SYSTEMS.—None of the funds authorized to be appropriated or otherwise made available by this Act or any other Act may be used to integrate in any way United States missile defense systems, including those of NATO, with missile defense systems of the Russian Federation.

SA 1759. Mr. KIRK submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle C of title XII, add the following:

SEC. 1242. REPORT ON USE BY IRAN OF FUNDS MADE AVAILABLE THROUGH SANCTIONS RELIEF.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, and every 180 days thereafter, the Secretary of the Treasury, in consultation with the Director of National Intelligence, shall submit to the appropriate congressional committees a report assessing the following:

(1) The monetary value of any direct or indirect forms of sanctions relief that Iran has received since the Joint Plan of Action first entered into effect.

(2) How Iran has used funds made available through sanctions relief, including the extent to which any such funds have facilitated the ability of Iran—

(A) to provide support for—

(i) any individual or entity designated for the imposition of sanctions for activities relating to international terrorism pursuant to an Executive order or by the Office of Foreign Assets Control of the Department of the Treasury on or before the enactment of this Act;

(ii) any organization designated by the Secretary of State as a foreign terrorist organization under section 219(a) of the Immigration and Nationality Act (8 U.S.C. 1189(a)) on or before the enactment of this Act; or

(iii) any other terrorist organization, including Hamas, Hezbollah, Palestinian Islamic Jihad, or the regime of Bashar al-Assad in Syria;

(B) to advance the efforts of Iran or any other country to develop nuclear weapons or ballistic missiles overtly or covertly; or

(C) to commit any violation of the human rights of the people of Iran.

(3) The extent to which any senior officials of the Government of Iran have diverted any funds from sanctions relief into their personal accounts.

(b) FORM OF REPORTS.—Each report required by subsection (a) shall be submitted in unclassified form, but may include a classified annex.

(c) DEFINITIONS.—In this section:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ''appropriate congressional committees'' has the meaning given that term in section 14 of the Iran Sanctions Act of 1996 (Public Law 104–172; 50 U.S.C. 1701 note).

(2) JOINT PLAN OF ACTION.—The term ''Joint Plan of Action'' means the Joint Plan of Action, signed at Geneva November 24, 2013, by Iran and by France, Germany, the Russian Federation, the People's Republic of China, the United Kingdom, and the United States, and all implementing materials and agreements related to the Joint Plan of Action, including the technical understandings reached on January 12, 2014, the extension thereto agreed to on July 18, 2014, and the extension thereto agreed to on November 24, 2014.

SA 1760. Mrs. CAPITO submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of part II of subtitle D of title V, add the following:

SEC. 540. PROHIBITION ON USE OF FUNDS TO DISESTABLISH SENIOR RESERVE OFFICERS' TRAINING CORPS PROGRAMS.

No amounts authorized to be appropriated by this Act may be used to—

(1) disestablish, or prepare to disestablish, a Senior Reserve Officers' Training Corps program in accordance with Department of Defense Instruction Number 1215.08, dated June 26, 2006; or

(2) close, downgrade from host to extension center, or place on probation a Senior Reserve Officers' Training Corps program in accordance with the information paper of the Department of the Army titled ''Army Senior Reserve Officers Training Corps (SROTC) Program Review and Criteria'' and dated January 27, 2014, or any successor information paper or policy of the Department of the Army.

SA 1761. Mr. CORNYN submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle G of title X, add the following:

SEC. 1085. INTERAGENCY HOSTAGE RECOVERY COORDINATOR.

(a) INTERAGENCY HOSTAGE RECOVERY COORDINATOR.—

(1) IN GENERAL.—Not later than 60 days after the date of the enactment of this Act, the President shall designate an existing Federal officer to coordinate efforts to secure the release of United States persons who are hostages of hostile groups or state sponsors of terrorism. For purposes of carrying out the duties described in paragraph (2), such officer shall have the title of ''Interagency Hostage Recovery Coordinator''.

(2) DUTIES.—The Coordinator shall have the following duties:

(A) Coordinate and direct all activities of the Federal Government relating to each hostage situation described in paragraph (1) to ensure efforts to secure the release of all hostages in the hostage situation are properly resourced and correct lines of authority are established and maintained.

(B) Establish and direct a fusion cell consisting of appropriate personnel of the Federal Government with purview over each hostage situation described in paragraph (1).

(C) Develop a strategy to keep family members of hostages described in paragraph (1) informed of the status of such hostages and inform such family members of updates, procedures, and policies that do not compromise the national security of the United States.

(b) LIMITATION ON AUTHORITY.—The authority of the Coordinator shall be limited to countries that are state sponsors of terrorism and areas designated as hazardous for which hostile fire and imminent danger pay are payable to members of the Armed Forces for duty performed in such area.

(c) QUARTERLY REPORT.—

(1) IN GENERAL.—On a quarterly basis, the Coordinator shall submit to the appropriate congressional committees and the members of Congress described in paragraph (2) a report that includes a summary of each hostage situation described in subsection (a)(1) and efforts to secure the release of all hostages in such hostage situation.

(2) MEMBERS OF CONGRESS DESCRIBED.—The members of Congress described in this paragraph are, with respect to a United States person hostage covered by a report under paragraph (1), the Senators representing the State, and the Member, Delegate, or Resident Commissioner of the House of Representatives representing the district, where a hostage described in subjection (a)(1) resides.

(3) FORM OF REPORT.—Each report under this subsection may be submitted in classified or unclassified form.

(d) RULE OF CONSTRUCTION.—Nothing in this section shall be construed as authorizing the Federal Government to negotiate with a state sponsor of terrorism or an organization that the Secretary of State has designated as a foreign terrorist organization pursuant to section 219 of the Immigration and Nationality Act (8 U.S.C. 1189).

(e) DEFINITIONS.—In this section:

(1) COORDINATOR.—The term ''Coordinator'' means the Interagency Hostage Recovery Coordinator designated under subsection (a).

(2) HOSTILE GROUP.—The term ''hostile group'' means—

(A) a group that is designated as a foreign terrorist organization under section 219(a) of the Immigration and Nationality Act (8 U.S.C. 1189(a));

(B) a group that is engaged in armed conflict with the United States; or

(C) any other group that the President determines to be a hostile group for purposes of this paragraph.

(3) STATE SPONSOR OF TERRORISM.—The term ''state sponsor of terrorism''—

(A) means a country the government of which the Secretary of State has determined, for purposes of section 6(j) of the Export Administration Act of 1979, section 620A of the Foreign Assistance Act of 1961, section 40 of the Arms Export Control Act, or any other provision of law, to be a government that has repeatedly provided support for acts of international terrorism; and

(B) includes North Korea.

SA 1762. Mr. CORNYN submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle E of title XVI, add the following:

SEC. 1664. SENSE OF CONGRESS ON ELECTROMAGNETIC PULSE ATTACKS.

(a) FINDINGS.—Congress makes the following findings:

(1) An attack on the United States using an electromagnetic pulse weapon could have devastating effects on critical infrastructure and, over time, could lead to the death of millions of people of the United States.

(2) The threat of an electromagnetic pulse attack on United States non-military infrastructure remains a serious vulnerability for the United States.

(b) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) the President should ensure that all relevant Federal agencies have a full understanding of the electromagnetic pulse threat and are prepared for such a contingency;

(2) the United States Government should formulate and maintain a strategy to prepare and protect United States infrastructure against electromagnetic pulse events, especially attacks by hostile foreign governments, foreign terrorist organizations, or transnational criminal organizations; and

(3) relevant Federal agencies should conduct outreach to educate owners and operators of critical infrastructure, emergency planners, and emergency responders at all levels of government about the threat of electromagnetic pulse attack.

SA 1763. Mr. CORNYN submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle F of title VIII, add the following:

SEC. 884. AUTHORITY TO ENTER INTO CONTRACTS FOR THE PROVISION OF RELOCATION SERVICES.

The Secretary of Defense may authorize the commander of a military base to enter into a contract with an appropriate entity for the provision of relocation services to members of the Armed Forces.

SA 1764. Ms. HIRONO submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such

fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. FUNDING FOR THE COMPACT OF FREE ASSOCIATION WITH THE REPUBLIC OF PALAU.

Notwithstanding any other provision of law, there are hereby authorized such sums as necessary, for fiscal years 2016 through 2023, to fully fund the compact of free association between the United States and the Republic of Palau.

SA 1765. Ms. HIRONO submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. MARITIME SECURITY PROGRAM FUNDING.

There is authorized to be appropriated for expenses to maintain and preserve a United States-flag merchant marine to serve the national security needs of the United States under chapter 531 of title 46, United States Code, $300,000,000.

SA 1766. Ms. HIRONO submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. REMOVAL OF UNEXPLODED ORDNANCE FROM THE ISLAND OF KAHOOLAWE.

The Secretary of Defense shall work with the appropriate officials of the State of Hawaii and the Kahoolawe Island Reserve Commission to explore options to restore funding for the removal and remediation of unexploded ordnance on the island of Kahoolawe to ensure safety on Kahoolawe. Such options may include training through the Innovative Readiness Training Program for the removal of unexploded ordnance.

SA 1767. Ms. HIRONO submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. PAYMENT FOR MARITIME SECURITY FLEET VESSELS.

(a) PER-VESSEL AUTHORIZATION.—Notwithstanding section 53106(a)(1)(C) of title 46, United States Code, and subject to the availability of appropriations, there is authorized to be paid to each contractor for an operating agreement (as those terms are used in that section) for fiscal year 2016, $5,000,000 for each vessel that is covered by the operating agreement.

(b) REPEAL OF OTHER AUTHORIZATION.—Section 53111(3) of title 46, United States Code, is amended by striking ''2016,''.

(c) FUNDING.—The amount authorized to be appropriated for expenses to maintain and preserve a United States-flag merchant marine to serve the national security needs of the United States under chapter 531 of title 46, United States Code, is hereby increased by $114,000,000.

SA 1768. Ms. HIRONO submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. DOMESTIC VIOLENCE COORDINATED COMMUNITY RESPONSE.

For each State or local community in which military families comprise at least 10 percent of the total population, the Secretary of Defense shall work to provide a military-civilian coordinated community response, that includes coordination with State and local law enforcement, the Family Advocacy Program of the Department of Defense, and non-profit civilian service providers, to ensure that military families experiencing domestic violence receive appropriate services from either military or civilian service providers.

SA 1769. Mr. KING (for himself and Mr. CARPER) submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle B of title XXVIII, add the following:

SEC. 2815. EXEMPTION OF ARMY OFF-SITE USE ONLY NON-MOBILE PROPERTIES FROM CERTAIN EXCESS PROPERTY DISPOSAL REQUIREMENTS.

(a) IN GENERAL.—Excess or unutilized or underutilized non-mobile property of the Army that is situated on non-excess land shall be exempt from the requirements of title V of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11411 et seq.) upon a determination by the Secretary of the Army that—

(1) the property is not feasible to relocate;

(2) the property is not suitable for public access; and

(3) the exemption would facilitate the efficient disposal of excess property or result in more efficient real property management.

(b) SUNSET.—The authority under subsection (a) shall expire on September 30, 2017.

SA 1770. Mr. SANDERS submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle E of title VIII, add the following:

SEC. 884. ANNUAL REPORT ON DEFENSE CONTRACTING FRAUD.

(a) ANNUAL STUDY AND REPORT.—The Secretary of Defense shall conduct an annual study on defense contracting fraud and submit a report containing the findings of such study to the congressional defense committees.

(b) REPORT CONTENTS.—The report required under subsection (a) shall include with respect to the most recent reporting period the following elements:

(1) An assessment of the total value of Department of Defense contracts entered into to with contractors that have been indicted for, settled charges of, been fined by any Federal department or agency for, or been convicted of fraud in connection with any contract or other transaction entered into with the Federal Government.

(2) Recommendations by the Inspector General of the Department of Defense or other appropriate Department of Defense official regarding how to penalize contractors repeatedly involved in fraud in connection with contracts or other transactions entered into with the Federal Government, including an update on implementation by the Department of any previous such recommendations.

SA 1771. Mr. SANDERS submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle G of title X, add the following:

SEC. 1085. REINSTATEMENT OF OVERNIGHT SERVICE STANDARDS.

During the 2-year period beginning on the date of enactment of this Act, the United States Postal Service shall apply the service standards for first-class mail and periodicals under part 121 of title 39, Code of Federal Regulations, that were in effect on July 1, 2012.

SA 1772. Ms. WARREN (for herself and Mr. MARKEY) submitted an amendment intended to be proposed to

amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle E of title VIII, add the following:

SEC. 844. SENSE OF CONGRESS ON BERRY-COMPLIANT FOOTWEAR.

It is the sense of Congress that the Department of Defense should, not later than 30 days after the date of the enactment of this Act, expedite the purchase of and availability to enlisted initial entrants of the United States Armed Forces, either as an in-kind issue or by cash allowance, such Berry Amendment-compliant athletic footwear as has been qualified for use during initial entrant training to the exclusion of similar non-Berry-compliant footwear.

SA 1773. Mr. NELSON submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of part II of subtitle D of title VI, add the following:

SEC. 643. REPEAL OF REQUIREMENT OF REDUCTION OF SURVIVOR BENEFITS PLAN SURVIVOR ANNUITIES BY DEPENDENCY AND INDEMNITY COMPENSATION.

(a) REPEAL.—

(1) IN GENERAL.—Subchapter II of chapter 73 of title 10, United States Code, is amended as follows:

(A) In section 1450, by striking subsection (c).

(B) In section 1451(c)—

(i) by striking paragraph (2); and

(ii) by redesignating paragraphs (3) and (4) as paragraphs (2) and (3), respectively.

(2) CONFORMING AMENDMENTS.—Such subchapter is further amended as follows:

(A) In section 1450—

(i) by striking subsection (e);

(ii) by striking subsection (k); and

(iii) by striking subsection (m).

(B) In section 1451(g)(1), by striking subparagraph (C).

(C) In section 1452—

(i) in subsection (f)(2), by striking ''does not apply—'' and all that follows and inserting ''does not apply in the case of a deduction made through administrative error.''; and

(ii) by striking subsection (g).

(D) In section 1455(c), by striking '', 1450(k)(2),''.

(b) PROHIBITION ON RETROACTIVE BENEFITS.—No benefits may be paid to any person for any period before the effective date provided under subsection (f) by reason of the amendments made by subsection (a).

(c) PROHIBITION ON RECOUPMENT OF CERTAIN AMOUNTS PREVIOUSLY REFUNDED TO SBP RECIPIENTS.—A surviving spouse who is or has been in receipt of an annuity under the Survivor Benefit Plan under subchapter II of chapter 73 of title 10, United States Code, that is in effect before the effective date provided under subsection (f) and that is adjusted by reason of the amendments made by subsection (a) and who has received a refund of retired pay under section 1450(e) of title 10, United States Code, shall not be required to repay such refund to the United States.

(d) REPEAL OF AUTHORITY FOR OPTIONAL ANNUITY FOR DEPENDENT CHILDREN.—Section 1448(d) of such title is amended—

(1) in paragraph (1), by striking ''Except as provided in paragraph (2)(B), the Secretary concerned'' and inserting ''The Secretary concerned''; and

(2) in paragraph (2)—

(A) by striking ''DEPENDENT CHILDREN.—'' and all that follows through ''In the case of a member described in paragraph (1),'' and inserting ''DEPENDENT CHILDREN ANNUITY WHEN NO ELIGIBLE SURVIVING SPOUSE.—In the case of a member described in paragraph (1),''; and

(B) by striking subparagraph (B).

(e) RESTORATION OF ELIGIBILITY FOR PREVIOUSLY ELIGIBLE SPOUSES.—The Secretary of the military department concerned shall restore annuity eligibility to any eligible surviving spouse who, in consultation with the Secretary, previously elected to transfer payment of such annuity to a surviving child or children under the provisions of section 1448(d)(2)(B) of title 10, United States Code, as in effect on the day before the effective date provided under subsection (f). Such eligibility shall be restored whether or not payment to such child or children subsequently was terminated due to loss of dependent status or death. For the purposes of this subsection, an eligible spouse includes a spouse who was previously eligible for payment of such annuity and is not remarried, or remarried after having attained age 55, or whose second or subsequent marriage has been terminated by death, divorce or annulment.

(f) EFFECTIVE DATE.—The sections and the amendments made by this section shall take effect on the later of—

(1) the first day of the first month that begins after the date of the enactment of this Act; or

(2) the first day of the fiscal year that begins in the calendar year in which this Act is enacted.

SA 1774. Ms. AYOTTE submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of part II of subtitle D of title VI, add the following:

SEC. 643. BENEFITS FOR DEPENDENTS OF MEMBERS OF THE ARMED FORCES WHO LOSE THEIR RIGHT TO RETIRED PAY FOR REASONS OTHER THAN DEPENDENT ABUSE.

(a) SHORT TITLE.—This section may be cited as the ''Families Serve, Too, Military Justice Reform Act of 2015''.

(b) IN GENERAL.—Section 1408 of title 10, United States Code, is amended—

(1) by redesignating subsections (i), (j), and (k) as subsections (j), (k), and (l), respectively; and

(2) by inserting after subsection (h) the following new subsection (i):

''(i) BENEFITS FOR DEPENDENTS OF MEMBERS LOSING RIGHT TO RETIRED PAY FOR MISCONDUCT OTHER THAN DEPENDENT ABUSE.—(1)(A) If, in the case of a member or former member of the armed forces referred to in paragraph (2)(A), a court order provides (in the manner applicable to a division of property) for the payment of an amount from the disposable retired pay of that member or former member (as certified under paragraph (4)) to an eligible spouse or former spouse of that member or former member, the Secretary concerned, beginning upon effective service of such court order, shall pay that amount in accordance with this subsection to such spouse or former spouse.

''(B) If, in the case of a member or former member of the armed forces referred to in paragraph (2)(A), a court order provides for the payment as child support of an amount from the disposable retired pay of that member or former member (as certified under paragraph (4)) to an eligible dependent child of the member or former member, the Secretary concerned, beginning upon effective service of such court order, shall pay that amount in accordance with this subsection to such dependent child.

''(2) A spouse or former spouse, or a dependent child, of a member or former member of the armed forces is eligible to receive payment under this subsection if—

''(A) the member or former member, while a member of the armed forces and after becoming eligible to be retired from the armed forces on the basis of years of service, has eligibility to receive retired pay terminated as a result of misconduct while a member (other than misconduct described in subsection (h)(2)(A));

''(B) in the case of eligibility of a spouse or former spouse under paragraph (1)(A), the spouse or former spouse—

''(i) either—

''(I) was married to the member or former member at the time of the misconduct that resulted in the termination of retired pay; or

''(II) was in receipt of marital support, alimony, or child support from the member or former member as of the time of the misconduct pursuant to a court order; and

''(ii) was not, based on the evidence adduced at trial, an aider, abettor, accomplice, or co-conspirator in the misconduct that resulted in the termination of retired pay, as certified in writing to the convening authority by—

''(I) the military judge of the court-martial that resulted in the termination of retired pay; or

''(II) the staff judge advocate of the convening authority; and

''(C) in the case of eligibility of a dependent child under paragraph (1)(B), the dependent child—

''(i) had not reached the age of 16 years at the time of the misconduct that resulted in the termination of retired pay; or

''(ii) had reached the age of 16 years at the time of the misconduct and was not, based on the evidence adduced at trial, an aider, abettor, accomplice, or co-conspirator in the misconduct that resulted in the termination of retired pay, as certified in writing to the convening authority by—

''(I) the military judge of the court-martial that resulted in the termination of retired pay; or

''(II) the staff judge advocate of the convening authority.

''(3) The amount certified by the Secretary concerned under paragraph (4) with respect to a member or former member of the armed forces referred to in paragraph (2)(A) shall be deemed to be the disposable retired pay of that member or former member for the purposes of this subsection.

''(4) Upon the request of a court or an eligible spouse or former spouse, or an eligible dependent child, of a member or former member of the armed forces referred to in paragraph (2)(A) in connection with a civil action for the issuance of a court order in the case of that member or former member, the Secretary concerned shall determine and certify the amount of the monthly retired pay that the member or former member would have been entitled to receive as of the date of the certification—

''(A) if the member or former member's eligibility for retired pay had not been terminated as described in paragraph (2)(A); and

''(B) if, in the case of a member or former member not in receipt of retired pay immediately before that termination of eligibility for retired pay, the member or former member had retired on the effective date of that termination of eligibility.

''(5)(A) Paragraphs (5) through (8) and (10) of subsection (h) shall apply to eligibility of former spouses to payments under this subsection, court orders for the payment of disposable retired pay under this subsection, amounts payable under this subsection, and payments under this subsection in the same manner as such paragraphs apply to such matters under subsection (h).

''(B) If a spouse or former spouse or a dependent child eligible or entitled to receive payments under this subsection is eligible or entitled to receive benefits under subsection (h), the eligibility or entitlement of that spouse or former spouse or dependent child to such benefits shall be determined under subsection (h) instead of this subsection.

''(6)(A) A spouse or former spouse of a member or former member of the armed forces referred to in paragraph (2)(A), while receiving payments in accordance with this subsection, shall be entitled to receive medical and dental care, to use commissary and exchange stores, and to receive any other benefit that a spouse or a former spouse of a retired member of the armed forces is entitled to receive on the basis of being a spouse or former spouse, as the case may be, of a retired member of the armed forces in the same manner as if the member or former member referred to in paragraph (2)(A) was entitled to retired pay.

''(B) A dependent child of a member or former member referred to in paragraph (2)(A) who was a member of the household of the member or former member at the time of the misconduct described in paragraph (2)(A) shall be entitled to receive medical and dental care, to use commissary and exchange stores, and to have other benefits provided to dependents of retired members of the armed forces in the same manner as if the member or former member referred to in paragraph (2)(A) was entitled to retired pay.

''(C) If a spouse or former spouse or a dependent child eligible or entitled to receive a particular benefit under this paragraph is eligible or entitled to receive that benefit under another provision of law, the eligibility or entitlement of that spouse or former spouse or dependent child to such benefit shall be determined under such other provision of law instead of this paragraph.

''(7) In this subsection, the term 'dependent child', with respect to a member or former member of the armed forces referred to in paragraph (2)(A), has the meaning given that term in subsection (h)(11).''.

(c) CONFORMING AMENDMENTS.—Subsection (f) of such section is amended by striking ''subsection (i)'' each place it appears and inserting ''subsection (j)''.

(d) EFFECTIVE DATE.—The amendments made by this section shall take effect on the date of the enactment of this Act, and shall apply to a spouse or former spouse, or a dependent child of a member or former member of the Armed Forces whose eligibility to receive retired pay is terminated on or after that date as a result of misconduct while a member.

SA 1775. Mr. JOHNSON (for himself and Mr. KIRK) submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle G of title X, add the following:

SEC. 1085. REQUIREMENT THAT THE INSPECTOR GENERAL OF THE DEPARTMENT OF VETERANS AFFAIRS POST REPORTS ON THE INTERNET WEBSITE OF THE INSPECTOR GENERAL.

Section 312 of title 38, United States Code, is amended by adding at the end the following new subsection:

''(c)(1) Whenever the Inspector General submits to the Secretary a report or audit (or any portion of any report or audit) in final form, the Inspector General shall, not later than 3 days after such submittal, post such report or audit (or portion of report or audit), as the case may be, on the Internet website of the Inspector General.

''(2) Nothing in this subsection shall be construed to authorize the public disclosure of information that is prohibited from disclosure by any other provision of law.''.

SA 1776. Mr. KIRK submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle C of title V, add the following:

SEC. 524. QUALIFICATIONS FOR ENLISTMENT IN THE ARMED FORCES.

(a) ADDITIONAL QUALIFIED PERSONS.—Paragraph (1) of subsection (b) of section 504 of title 10, United States Code, is amended—

(1) by redesignating subparagraph (C) as subparagraph (E); and

(2) by inserting after subparagraph (B) the following new subparagraphs:

''(C) A person who, at the time of enlistment in an armed force, has resided continuously in a lawful status in the United States for at least two years.

''(D) A person who, at the time of enlistment in an armed force, possesses an employment authorization document issued by United States Citizenship and Immigration Services under the requirements of the Department of Homeland Security policy entitled 'Deferred Action for Childhood Arrivals' (DACA).''.

(b) ADMISSION TO PERMANENT RESIDENCE OF CERTAIN ENLISTEES.—Such section is further amended by adding at the end the following new subsection:

''(c) ADMISSION TO PERMANENT RESIDENCE OF CERTAIN ENLISTEES.—(1) A person described in subsection (b) who, at the time of enlistment in an armed force, is not a citizen or other national of the United States or lawfully admitted for permanent residence shall be adjusted to the status of an alien lawfully admitted for permanent residence under the provisions of section 249 of the Immigration and Nationality Act (8 U.S.C. 1259), except that the alien need not—

''(A) establish that he or she entered the United States prior to January 1, 1972; and

''(B) comply with section 212(e) of such Act (8 U.S.C. 1182(e)).

''(2) The Secretary of Homeland Security shall rescind the lawful permanent resident status of a person whose status was adjusted under paragraph (1) if the person is separated from the armed forces under other than honorable conditions before the person served for a period or periods aggregating five years. Such grounds for rescission are in addition to any other provided by law. The fact that the person was separated from the armed forces under other than honorable conditions shall be proved by a duly authenticated certification from the armed force in which the person last served. The service of the person in the armed forces shall be proved by duly authenticated copies of the service records of the person.

''(3) Nothing in this subsection shall be construed to alter the process prescribed by sections 328, 329, and 329A of the Immigration and Nationality Act (8 U.S.C. 1439, 1440, 1440–1) by which a person may naturalize through service in the armed forces.''.

(c) CLERICAL AMENDMENTS.—

(1) SECTION HEADING.—The heading of such section is amended to read as follows:

''§ 504. Persons not qualified; citizenship or residency requirements; exceptions''.

(2) TABLE OF SECTIONS.—The table of sections at the beginning of chapter 31 of such title is amended by striking the item relating to section 504 and inserting the following new item:

''504. Persons not qualified; citizenship or residency requirements; exceptions.''.

SEC. 525. TREATMENT OF CERTAIN PERSONS AS HAVING SATISFIED ENGLISH AND CIVICS, GOOD MORAL CHARACTER, AND HONORABLE SERVICE AND DISCHARGE REQUIREMENTS FOR NATURALIZATION.

(a) IMMIGRATION AND NATIONALITY ACT.—The Immigration and Nationality Act (8 U.S.C. 1101 et seq.) is amended by inserting after section 329A (8 U.S.C. 1440–1) the following:

''SEC. 329B. PERSONS WHO HAVE RECEIVED AN AWARD FOR ENGAGEMENT IN ACTIVE COMBAT OR ACTIVE PARTICIPATION IN COMBAT.

''(a) IN GENERAL.—

''(1) IN GENERAL.—For purposes of naturalization and continuing citizenship under the following provisions of law, a person who has received an award described in subsection (b) shall be treated—

''(A) as having satisfied the requirements under sections 312(a) and 316(a)(3), and subsections (b)(3), (c), and (e) of section 328; and

''(B) except as provided in paragraph (2), under sections 328 and 329—

''(i) as having served honorably in the Armed Forces for (in the case of section 328) a period or periods aggregating 1 year; and

''(ii) if separated from such service, as having been separated under honorable conditions.

''(2) REVOCATION.—Notwithstanding paragraph (1)(B), any person who separated from the Armed Forces under other than honorable conditions may be subject to revocation of citizenship under section 328(f) or 329(c) if the other requirements under such section are met.

''(b) APPLICATION.—This section shall apply with respect to the following awards from the Armed Forces of the United States:

''(1) The Combat Infantryman Badge from the Army.

''(2) The Combat Medical Badge from the Army.

''(3) The Combat Action Badge from the Army.

''(4) The Combat Action Ribbon from the Navy, the Marine Corps, or the Coast Guard.

''(5) The Air Force Combat Action Medal.

''(6) Any other award that the Secretary of Defense determines to be an equivalent award for engagement in active combat or active participation in combat.''.

(b) CLERICAL AMENDMENT.—The table of contents of such Act (8 U.S.C. 1101 et seq.) is amended by inserting after the item relating to section 329A the following:

''Sec. 329B. Persons who have received an award for engagement in active combat or active participation in combat.''.

SA 1777. Mr. DAINES submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

On page 213, between lines 9 and 10, insert the following:

(3) PRESERVATION OF CURRENT BAH FOR CERTAIN OTHER MARRIED MEMBERS.—Notwithstanding paragraph (1), the amount of basic allowance for housing payable to a member of the uniformed services under section 403 of title 37, United States Code, as of September 30, 2015, shall not be reduced by reason of the amendment made by subsection (a) unless—

(A) the member and the member's spouse undergo a permanent change of station;

(B) the member and the member's spouse move into or commence living in on-base housing; or

(C) the member and the member's spouse change residence from the residence as of that date.

SA 1778. Mr. BURR (for himself and Mrs. FEINSTEIN) submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

On page 607, strike ''submit to the congressional defense committees'' and insert '', in consultation with the Director of National Intelligence, submit to the congressional defense committees, the Select Committee on Intelligence of the Senate, and the Permanent Select Committee on Intelligence of the House of Representatives''.

SA 1779. Mr. BURR (for himself and Mrs. FEINSTEIN) submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

On page 682, beginning on line 8, strike ''Committees'' and all that follows through line 11 and insert the following: ''Committee on Armed Services and the Select Committee on Intelligence of the Senate and the Committee on Armed Services and the Permanent Select Committee on Intelligence of the House of Representatives a report setting forth the policy developed pursuant to subsection (a).''.

SA 1780. Mr. CORKER (for himself and Mr. CARDIN) submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of bill, add the following:

DIVISION E—DEPARTMENT OF STATE AUTHORIZATIONS

SEC. 5001. SHORT TITLE.

This division may be cited as the ''Department of State Operations Authorization and Embassy Security Act, Fiscal Year 2016''.

SEC. 5002. DEFINITIONS.

In this division:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ''appropriate congressional committees'' means—

(A) the Committee on Foreign Relations of the Senate;

(B) the Committee on Appropriations of the Senate;

(C) the Committee on Foreign Affairs of the House of Representatives; and

(D) the Committee on Appropriations of the House of Representatives.

(2) DEPARTMENT.—The term ''Department'' means the Department of State.

(3) PEACEKEEPING CREDITS.—The term ''peacekeeping credits'' means the amounts by which United States assessed peacekeeping contributions exceed actual expenditures, apportioned to the United States, of peacekeeping operations by the United Nations during a United Nations peacekeeping fiscal year.

(4) SECRETARY.—The term ''Secretary'' means the Secretary of State.

TITLE I—AUTHORIZATION OF APPROPRIATIONS

TITLE II—DEPARTMENT OF STATE AUTHORITIES AND ACTIVITIES

Subtitle A—Basic Authorities and Activities

SEC. 5201. AMERICAN SPACES REVIEW.

Not later than 180 days after the date of the enactment of this Act, the Secretary shall submit a report to the appropriate congressional committees that includes—

(1) the full costs incurred by the Department to provide American Spaces, including—

(A) American Centers, American Corners, Binational Centers, Information Resource Centers, and Science Centers; and

(B) the total costs of all associated—

(i) employee salaries, including foreign service, American civilian, and locally employed staff;

(ii) programming expenses;

(iii) operating expenses;

(iv) contracting expenses; and

(v) security expenses;

(2) a breakdown of the total costs described in paragraph (1) by each space and type of space;

(3) the total fees collected for entry to, or the use of, American Spaces and related resources, including a breakdown by the type of fee for each space and type of space; and

(4) the total usage rates, including by type of service, for each space and type of space.

SEC. 5202. IDENTIFYING BILATERAL INVESTMENT TREATY OPPORTUNITIES.

Not later than 180 days after the date of the enactment of this Act, the Secretary of State, in consultation with the United States Trade Representative, shall submit a report to the appropriate congressional committees that includes a detailed description of—

(1) the status of all ongoing investment treaty negotiations, including a strategy and timetable for concluding each such negotiation;

(2) a strategy to expand the investment treaty agenda, including through—

(A) launching new investment treaty negotiations with foreign partners that are currently capable of entering in such negotiations; and

(B) building the capacity of foreign partners to enter into such negotiations, including by encouraging the adoption of best practices with respect to investment; and

(3) any resources that will be needed, including anticipated staffing levels—

(A) to conclude all ongoing negotiations described in paragraph (1);

(B) to launch new investment treaty negotiations, as described in paragraph (2)(A); and

(C) to build the capacity of foreign partners, as described in paragraph (2)(B).

SEC. 5203. REINSTATEMENT OF HONG KONG REPORT.

(a) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act,

and annually thereafter through 2020, the Secretary shall submit the report required under section 301 of the United States-Hong Kong Policy Act of 1992 (22 U.S.C. 5731) to the appropriate congressional committees.

(b) PUBLIC DISCLOSURE.—The report submitted under subsection (a) should be unclassified and made publicly available, including through the Department's public website.

SEC. 5204. UNITED STATES-CHINA STRATEGIC AND ECONOMIC DIALOGUE REVIEW.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary, in coordination with the Secretary of the Treasury, and in consultation with other appropriate departments and agencies, shall—

(1) conduct a review of the United States-China Strategic and Economic Dialogue (referred to in this section as the ''Dialogue''); and

(2) and submit a report to the appropriate congressional committees that contains the findings of such review.

(b) CONTENT OF REPORT.—The report described in subsection (a) shall include—

(1) a list of all commitments agreed to by the United States and China at each of the first 6 rounds of meetings;

(2) an assessment of the status of each commitment agreed to by the United States and China at each of the first 6 rounds of meetings, including a detailed description of—

(A) any actions that have been taken with respect to such commitments;

(B) any aspects of such commitments that remain unfulfilled; and

(C) any actions that remain necessary to fulfill any unfulfilled commitments described in subparagraph (B);

(3) an assessment of the effectiveness of the Dialogue in achieving and fulfilling significant commitments on United States priorities in the bilateral relationship including—

(A) the security situation in the East and South China Seas, including a peaceful resolution of maritime disputes in the region;

(B) denuclearization of the Korean Peninsula;

(C) cyber theft of United States intellectual property;

(D) the treatment of political dissidents, media representatives, and ethnic and religious minorities;

(E) reciprocal treatment of United States journalists and academics in China, including issuance of visas;

(F) expanding investment and trade opportunities for United States businesses;

(G) repatriation of North Korean refugees from China to North Korea; and

(H) promoting and protecting rule of law and democratic institutions in Hong Kong; and

(4) recommendations for enhancing the effectiveness of the Dialogue in achieving and fulfilling significant commitments on United States priorities described in paragraph (3), including consideration of the use of pre-determined benchmarks for assessing whether the commitments achieved are significantly furthering such priorities.

SEC. 5205. REPORT ON HUMAN RIGHTS VIOLATIONS IN BURMA.

Not later than 180 days after the date of the enactment of this Act, the Secretary shall submit a report to the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives that—

(1) describes in detail all known widespread or systematic civil or political rights violations, including violations that may constitute crimes against humanity against ethnic, racial, or religious minorities in Burma, including the Rohingya people; and

(2) provides recommendations for holding perpetrators of the violations described in paragraph (1) accountable for their actions.

SEC. 5206. COMBATING ANTI-SEMITISM.

Of the amount authorized to be appropriated for Diplomatic and Consular Programs, $500,000 shall be made available to the Bureau for Democracy, Human Rights, and Labor to support efforts by American and European Jewish and other civil society organizations, focusing on youth, to combat anti-Semitism and other forms of religious, ethnic, or racial intolerance in Europe.

SEC. 5207. BIOTECHNOLOGY GRANTS.

Title I of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2651a et seq.), is amended by adding at the end the following:

''SEC. 63. BIOTECHNOLOGY GRANTS AUTHORIZED.

''(a) IN GENERAL.—The Secretary of State is authorized to support, through grants, cooperative agreements, contracts, outreach, and public diplomacy activities, activities promoting the benefits of agricultural biotechnology, biofuels, science-based regulatory systems, and the application of such technologies for trade and development.

''(b) LIMITATION.—The total amount of grants and other assistance provided pursuant to subsection (a) shall not exceed $500,000 in any fiscal year.''.

SEC. 5208. DEFINITION OF ''USE'' IN PASSPORT AND VISA OFFENSES.

(a) IN GENERAL.—Chapter 75 of title 18, United States Code, is amended by inserting before section 1541 the following:

''SEC. 1540. DEFINITION OF 'USE' AND 'USES'.

''In this chapter, the terms 'use' and 'uses' shall be given their plain meaning, which shall include use for identification purposes.''.

(b) CLERICAL AMENDMENT.—The table of sections for chapter 75 of title 18, United States Code, is amended by inserting before the item relating to section 1541 the following:

''1540. Definition of 'use' and 'uses'.''.

SEC. 5209. SCIENCE AND TECHNOLOGY FELLOWSHIPS.

Section 504 of the Foreign Relations Authorization Act, Fiscal Year 1979 (22 U.S.C. 2656d) is amended by adding at the end the following:

''(e) GRANTS AND COOPERATIVE AGREEMENTS RELATED TO SCIENCE AND TECHNOLOGY FELLOWSHIP PROGRAMS.—

''(1) IN GENERAL.—The Secretary is authorized to provide grants or enter into cooperative agreements for science and technology fellowship programs of the Department of State.

''(2) RECRUITMENT; STIPENDS.—Assistance authorized under paragraph (1) may be used—

''(A) to recruit fellows; and

''(B) to pay stipends, travel, and other appropriate expenses to fellows.

''(3) CLASSIFICATION OF STIPENDS.—Stipends paid under paragraph (2)(B) shall not be considered compensation for purposes of section 209 of title 18, United States Code.

''(4) LIMITATION.—The total amount of assistance provided under this subsection may not exceed $500,000 in any fiscal year.''.

SEC. 5210. NAME CHANGES.

(a) PUBLIC LAW 87–195.—Section 607(d) of the Foreign Assistance Act of 1961 (22 U.S.C. 2357(d)) is amended by striking ''Assistant Secretary of State for Oceans and International Environmental and Scientific Affairs'' and inserting ''Assistant Secretary of State for Oceans, Environment, and Science''.

(b) PUBLIC LAW 88–206.—Section 617(a) of the Clean Air Act (42 U.S.C. 7671p(a)) is amended by striking ''Assistant Secretary of State for Oceans and International Environmental and Scientific Affairs'' and inserting ''Assistant Secretary of State for Oceans, Environment, and Science''.

(c) PUBLIC LAW 93–126.—Section 9(a) of the Department of State Appropriations Authorization Act of 1973 (22 U.S.C. 2655a) is amended—

(1) by striking ''Bureau of Oceans and International Environmental and Scientific Affairs'' and inserting ''Bureau of Oceans, Environment, and Science''; and

(2) by striking ''Assistant Secretary of State for Oceans and International Environmental and Scientific Affairs'' and inserting ''Assistant Secretary of State for Oceans, Environment, and Science''.

(d) PUBLIC LAW 106–113.—Section 1112(a) of the Admiral James W. Nance and Meg Donovan Foreign Relations Authorization Act, Fiscal Years 2000 and 2001 (22 U.S.C. 2652c(a)) is amended by striking ''Verification and Compliance.'' and inserting ''Arms Control, Verification, and Compliance (referred to in this section as the 'Assistant Secretary').''.

SEC. 5211. ANTI-PIRACY INFORMATION SHARING.

The Secretary is authorized to provide for the participation of the United States in the Information Sharing Centre located in Singapore, as established by the Regional Cooperation Agreement on Combating Piracy and Armed Robbery Against Ships in Asia, done at Singapore November 11, 2004.

SEC. 5212. REPORT REFORM.

(a) HUMAN RIGHTS REPORT.—Section 549 of the Foreign Assistance Act of 1961 (22 U.S.C. 2347h) is repealed.

(b) ROUGH DIAMONDS ANNUAL REPORT.—Section 12 of the Clean Diamond Trade Act (19 U.S.C. 3911) is amended to read as follows:

''SEC. 12. REPORTS.

''For each country that, during the preceding 12-month period, exported rough diamonds to the United States and was exporting rough diamonds not controlled through the Kimberley Process Certification Scheme, if the failure to do so has significantly increased the likelihood that those diamonds not so controlled are being imported into the United States, the President shall submit a semi-annual report to Congress that explains what actions have been taken by the United States or such country since the previous report to ensure that diamonds, the exportation of which was not controlled through the Kimberley Process Certification Scheme, are not being imported from that country into the United States. A country shall be included in the report required under this section until the country is controlling the importation and exportation of rough diamonds through the Kimberley Process Certification Scheme.''.

Subtitle B—Additional Matters

SEC. 5221. ATROCITIES PREVENTION BOARD.

(a) ESTABLISHMENT.—The President is authorized to establish, within the Executive Office of the President, an Interagency Atrocities Prevention Board (referred to in this section as the ''Board'').

(b) DUTIES.—The Board is authorized—

(1) to coordinate an interagency approach to preventing mass atrocities;

(2)(A) to propose policies to integrate the early warning systems of national security

agencies, including intelligence agencies, with respect to incidents of mass atrocities; and

(B) to coordinate the policy response to such incidents;

(3) to identify relevant Federal agencies, which shall track and report on Federal funding spent on atrocity prevention efforts;

(4) to oversee the development and implementation of comprehensive atrocities prevention and response strategies;

(5) to identify available resources and policy options necessary to prevent the emergence or escalation of mass atrocities;

(6) to identify and propose policies to close gaps in expertise, readiness, and planning for atrocities prevention and early action across Federal agencies, including training for employees at relevant Federal agencies;

(7) to engage relevant civil society and nongovernmental organization stakeholders in regular consultations to solicit current information on countries of concern; and

(8) to conduct an atrocity-specific expert review of policy and programming of all countries at risk for mass atrocities.

(c) LEADERSHIP.—

(1) IN GENERAL.—The Board shall be headed by a Senior Director, who—

(A) shall be appointed by the President; and

(B) shall report to the Assistant to the President for National Security Affairs.

(2) RESPONSIBILITIES.—The Senior Director shall have primary responsibility for—

(A) recommending and promoting United States Government policies on preventing mass atrocities; and

(B) carrying out the duties described in subsection (b).

(d) COMPOSITION.—The Board shall be composed of—

(1) representatives from—

(A) the Department of State;

(B) the United States Agency for International Development;

(C) the Department of Defense;

(D) the Department of Justice;

(E) the Department of the Treasury;

(F) the Department of Homeland Security;

(G) the Central Intelligence Agency;

(H) the Office of the Director of National Intelligence;

(I) the United States Mission to the United Nations; and

(J) the Federal Bureau of Investigation; and

(2) such other individuals as the President may appoint.

(e) COORDINATION.—The Board is authorized to coordinate with relevant officials and government agencies responsible for foreign policy with respect to particular regions and countries to help provide a cohesive, whole of government response and policy direction to emerging and ongoing atrocities.

(f) REPORT.—Not later than 90 days after the date of the enactment of this Act, the President shall submit to the appropriate congressional committees a classified report, with an unclassified annex, which shall include—

(1) an update on the interagency review mandated by Presidential Study Directive 10 that includes—

(A) an evaluation of current mechanisms and capacities for government-wide detection, early warning, information-sharing, contingency planning, and coordination of efforts to prevent and respond to situations of genocide, mass atrocities, and other mass violence, including such mass gender- and ethnicity-based violence;

(B) an assessment of the funding spent by relevant Federal agencies on atrocity prevention activities;

(C) current annual global assessments of sources of conflict and instability;

(D) recommendations to further strengthen United States capabilities to improve the mechanisms described in subparagraph (A); and

(E) evaluations of the various approaches to enhancing capabilities and improving the mechanisms described in subparagraph (A);

(2) recommendations to ensure burden sharing by—

(A) improving international cooperation and coordination to enhance multilateral mechanisms for preventing genocide and atrocities, including improving the role of regional and international organizations in conflict prevention, mitigation, and response; and

(B) strengthening regional organizations; and

(3) the implementation status of the recommendations contained in the interagency review described in paragraph (1).

(g) MATERIALS AND BRIEFINGS.—The Senior Director and the members of the Board shall brief the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives at least annually.

(h) SUNSET.—This section shall cease to be effective on June 30, 2017.

SEC. 5222. UNITED STATES ENGAGEMENT IN THE INDO-PACIFIC.

(a) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Secretary of State shall submit a comprehensive assessment to the Chairmen and Ranking Members of the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives of the United States engagement in the Indo-Pacific, including with partners across the Indo-Pacific region.

(b) ELEMENTS.—The assessment submitted under subsection (a) shall include—

(1) a review of current and emerging United States diplomatic, national security, and economic interests and trends in the Indo-Pacific region;

(2) a review of resources devoted to United States diplomatic, economic, trade, development, and cultural engagement and plans in the Indo-Pacific region during the 10-year period ending on the date of the enactment of this Act;

(3) options for the realignment of United States engagement in the Indo-Pacific region to respond to new opportunities and challenges, including linking United States strategy more broadly across the Indo-Pacific region; and

(4) the views of noted policy leaders and regional experts, including leaders and experts in the Indo-Pacific region, on the opportunities and challenges to United States engagement across the Indo-Pacific region.

(c) CONSULTATION.—The Secretary, as appropriate, shall consult with—

(1) other United States Government agencies; and

(2) independent, nongovernmental organizations with recognized credentials and expertise in foreign policy, national security, and international economic affairs that have access to policy experts throughout the United States and from the Indo-Pacific region.

SEC. 5223. JOINT ACTION PLAN TO COMBAT PREJUDICE AND DISCRIMINATION AND TO FOSTER INCLUSION.

(a) IN GENERAL.—The Secretary is authorized to enter into a bilateral joint action plan with the European Union to combat prejudice and discrimination and to foster inclusion (referred to in this section as the ''Joint Action Plan'').

(b) CONTENTS OF JOINT ACTION PLAN.—The Joint Action Plan shall—

(1) address anti-Semitism;

(2) address prejudice against, and the discriminatory treatment of, racial, ethnic, and religious minorities;

(3) promote equality of opportunity for access to quality education and economic opportunities; and

(4) promote equal treatment by the justice system.

(c) COOPERATION.—In developing the Joint Action Plan, the Secretary shall—

(1) leverage interagency policy expertise in the United States and Europe;

(2) develop partnerships among civil society and private sector stakeholders; and

(3) draw upon the extensive work done by the Organization for Security and Co-operation in Europe to address anti-Semitism.

(d) INITIATIVES.—The Joint Action Plan may include initiatives for promoting equality of opportunity and methods of eliminating prejudice and discrimination based on religion, race, or ethnicity, including—

(1) training programs;

(2) regional initiatives to promote equality of opportunity through the strengthening of democratic institutions;

(3) public-private partnerships with enterprises and nongovernmental organizations;

(4) exchanges of technical experts;

(5) scholarships and fellowships; and

(6) political empowerment and leadership initiatives.

(e) DEPUTY ASSISTANT SECRETARY.—The Secretary shall delegate, to a Deputy Assistant Secretary, the responsibility for coordinating the implementation of the Joint Action Plan with his or her European Union counterpart.

(f) LEGAL EFFECTS.—Any Joint Action Plan adopted under this section—

(1) shall not be legally binding; and

(2) shall create no rights or obligations under international or United States law.

(g) RULES OF CONSTRUCTION.—Nothing in this section may be construed to authorize—

(1) the Secretary to enter into a legally binding agreement or Joint Action Plan with the European Union; or

(2) any additional appropriations for the purposes and initiatives described in this section.

(h) PROGRESS REPORT.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall submit a progress report on the development of the Joint Action Plan to the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives.

SEC. 5224. REPORT ON DEVELOPING COUNTRY DEBT SUSTAINABILITY.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary, in coordination with the Secretary of Treasury, shall submit a report containing an assessment of the current external debt environment for developing countries and identifying particular short-term risks to debt sustainability to—

(1) the appropriate congressional committees;

(2) the Committee on Banking, Housing, and Urban Affairs of the Senate; and

(3) the Committee on Financial Services of the House of Representatives.

(b) CONTENT.—The report submitted under subsection (a) shall assess—

(1) the impact of new lending relationships, including the role of new creditors;

(2) the adequacy of current multilateral surveillance mechanisms in guarding against debt distress in developing countries;

(3) the ability of developing countries to borrow on global capital markets; and

(4) the interaction between debt sustainability objectives of the developing world and the development-oriented investment agenda of the G–20, including the impact of—

(A) current debt sustainability objectives on investment in developing countries; and

(B) investment objectives proposed by the G–20 on the ability to meet the goals of—

(i) the Heavily Indebted Poor Country Initiative; and

(ii) the Multilateral Debt Relief Initiative.

TITLE III—ORGANIZATION AND PERSONNEL OF THE DEPARTMENT OF STATE

Subtitle A—Organizational Matters

SEC. 5301. RIGHTSIZING ACCOUNTABILITY.

(a) IN GENERAL.—Within 60 days of receipt of rightsizing recommendations pursuant to a review conducted by the Office of Management, Policy, Rightsizing, and Innovation relating to overseas staffing levels at United States overseas posts, the relevant chief of mission, in coordination with the relevant regional bureau, shall provide to the Office of Management, Policy, Rightsizing, and Innovation, a response describing—

(1) any rightsizing recommendations that are accepted by such chief of mission and regional bureau;

(2) a detailed schedule for implementation of any such recommendations;

(3) any recommendations that are rejected; and

(4) a detailed justification providing the basis for the rejection of any such recommendations.

(b) ANNUAL REPORT.—The Secretary shall report annually to the appropriate congressional committees, at the time of submission of the President's annual budget request to Congress, on the status of all rightsizing recommendations and responses described in subsection (a) from the preceding five years, to include the following:

(1) A list of all such rightsizing recommendations made, including whether each such recommendation was accepted or rejected by the relevant chief of mission and regional bureau.

(2) For any accepted recommendations, a detailed description of the current status of its implementation according to the schedule provided pursuant to subsection (a)(2), including an explanation for any departure from, or changes to, such schedule.

(3) For any rejected recommendations, the justification provided pursuant to subsection (a)(4).

(c) REPORT ON REGIONAL BUREAU STAFFING.—The Secretary shall provide an annual report accompanying the report required by subsection (b) that provides—

(1) an enumeration of the domestic staff positions in each regional bureau of the Department;

(2) a detailed explanation of the extent to which the staffing of each regional bureau reflects the overseas requirements of the United States within each such region;

(3) if the Secretary determines there are any significant imbalances in staffing among regional bureaus or between any regional bureau and the overseas requirements of the United States within such region such that staffing does not reflect the foreign policy priorities of the United States or the effective conduct of the foreign affairs of the United States, a detailed plan for how the Department will seek to rectify any such imbalances, including a schedule for implementation; and

(4) a detailed description of the current status of implementation of any plan provided pursuant to paragraph (3) according to the schedule provided pursuant to such paragraph, including an explanation for any departure from, or changes to, such schedule.

SEC. 5302. INTEGRATION OF FOREIGN ECONOMIC POLICY.

(a) IN GENERAL.—The Secretary of State, with the assistance of the Undersecretary of Economic Growth, Energy and the Environment, shall establish foreign economic policy priorities for each regional bureau, including for individual countries as appropriate, and shall establish policies and guidance for the purpose of integrating such foreign economic policy priorities throughout the Department.

(b) TASKING OF DEPUTY ASSISTANT SECRETARY.—Within each regional bureau of the Department, the Secretary shall task a Deputy Assistant Secretary, having appropriate training and background in economic and commercial affairs, with responsibility for consideration of economic matters and interests within the responsibilities of such regional bureau, including the integration of the foreign economic policy priorities established pursuant to subsection (a).

(c) COORDINATION.—The Deputy Assistant Secretary tasked with responsibility for economic matters and interests pursuant to subsection (b) within each bureau shall—

(1) at the direction of the relevant Assistant Secretary, review and report to the Assistant Secretary of such bureau on all economic matters and interests; and

(2) serve as liaison with the office of the Undersecretary for Economic Growth.

SEC. 5303. REVIEW OF BUREAU OF AFRICAN AFFAIRS AND BUREAU OF NEAR EASTERN AFFAIRS JURISDICTIONS.

(a) IN GENERAL.—The Secretary shall, within 180 days of enactment of this Act, conduct a review of jurisdictional responsibility of the Bureau of African Affairs and that of the Bureau for Near Eastern Affairs as it specifically relates to the North African countries of Morocco, Algeria, Tunisia, and Libya, and report the findings of the review to the appropriate congressional committees, including recommendations on whether jurisdictional responsibility among such bureaus should be adjusted.

(b) REVIEW.—The review required under subsection (a) shall—

(1) identify regional strategic priorities;

(2) assess regional dynamics between the North Africa and Sub-Saharan Africa regions, including the degree to which the priorities identified pursuant to paragraph (1) are distinct between each such region, or have similar application across such regions;

(3) identify current priorities and effectiveness of United States Government regional engagement in North Africa and Sub-Saharan Africa, including through security assistance, economic assistance, humanitarian assistance, and trade,

(4) assess the degree to which such engagement is inefficient, duplicative, or uncoordinated between the North Africa and Sub-Saharan Africa regions, or is otherwise harmed or limited as a result of the current division of jurisdictional responsibilities;

(5) assess the overall coherence and effectiveness of the current division of jurisdictional responsibilities in Africa between the Bureau of African Affairs and the Bureau of Near Eastern Affairs, including with regard to coordination with other United States departments or agencies; and

(6) assess any opportunities and costs in transferring jurisdictional responsibility of Morocco, Algeria, Tunisia, and Libya from the Bureau of Near Eastern Affairs to the Bureau of African Affairs.

SEC. 5304. SPECIAL ENVOYS, REPRESENTATIVES, ADVISORS, AND COORDINATORS.

Not later than 90 days after the enactment of this Act, the Secretary shall submit to the appropriate congressional committees a report on special envoys, representatives, advisors, and coordinators of the Department, which shall include at minimum the following elements:

(1) A tabulation of the current names, ranks, positions, and responsibilities of all special envoy, representative, advisor, and coordinator positions at the Department, including with a category for all such positions at the level of assistant secretary equivalent or above.

(2) For each position identified pursuant to the requirements of this section—

(A) the date the position was created;

(B) the mechanism by which the position was created, including the authority pursuant to which the position was created;

(C) the positions identified as authorized pursuant to section 1(d) of the Basic Authorities Act (22 U.S.C. 2651a(d));

(D) a description of whether and the extent to which the responsibilities assigned the position duplicate the responsibilities of other current officials within the Department, including of other special envoys, representatives and advisors;

(E) which current official within the Department would be assigned the responsibilities of the position in the absence of the position;

(F) to which current official within the Department the position directly reports;

(G) the total number of staff assigned to support the position; and

(H) with the exception of those created by statute, a detailed explanation of the necessity of the position to the effective conduct of the foreign affairs of the United States.

SEC. 5305. CONFLICT PREVENTION, MITIGATION AND RESOLUTION, AND THE INCLUSION AND PARTICIPATION OF WOMEN.

Section 704 of the Foreign Service Act of 1980 (22 U.S.C. 4024) is amended by adding at the end the following new subsection:

''(e) The Secretary, in conjunction with the Administrator of the United States Agency for International Development, shall ensure that all appropriate personnel responsible for, or deploying to, countries or regions considered to be at risk of, undergoing, or emerging from violent conflict, including special envoys, members of mediation or negotiation teams, relevant members of the Civil Service or Foreign Service and contractors, obtain training, as appropriate, in the following areas, each of which shall include a focus on women and ensuring women's meaningful inclusion and participation—

''(1) conflict prevention, mitigation, and resolution;

''(2) protecting civilians from violence, exploitation, and trafficking in persons; and

''(3) international human rights law and international humanitarian law.''.

SEC. 5306. INFORMATION TECHNOLOGY SYSTEM SECURITY.

(a) IN GENERAL.—The Secretary shall regularly consult the Director of the National Security Agency and any other departments or agencies the Secretary determines to be appropriate regarding the security of United

States government and non-government information technology systems and networks owned, operated, managed, or utilized by the Department, including any such systems or networks facilitating the use of sensitive or classified information.

(b) CONSULTATION.—In performing the consultations required under subsection (a), the Secretary shall make all such systems and networks available to the Director of the National Security Agency and any other such departments or agencies to carry out such tests and procedures as are necessary to ensure adequate policies and protections are in place to prevent penetrations or compromises of such systems and networks, including by malicious intrusions by any unauthorized individual or state actor or other entity.

(c) SECURITY BREACH REPORTING.—Beginning not later than 180 days after enactment of this Act, and every 180 days thereafter, the Secretary shall provide a report, in consultation with the Director of the National Security Agency and any other departments or agencies the Secretary determines to be appropriate, to the appropriate committees of Congress describing in detail all known or suspected penetrations or compromises of the systems and networks described in subsection (a) facilitating the use of classified information and all known or suspected significant penetrations or compromises of any other such systems and networks that occurred since the time of such prior report.

(d) CONTENT.—The report required under subsection (c) shall include—

(1) a description of the relevant information technology system or network penetrated or compromised;

(2) an assessment of the date and time such penetration or compromise occurred;

(3) an assessment of the duration for which such system or network was penetrated or compromised, including whether such penetration or compromise is ongoing;

(4) an assessment of the amount and sensitivity of information accessed and available to have been accessed by such penetration or compromise, including any such information contained on systems and networks owned, operated, managed, or utilized by any other United States Government department or agency;

(5) an assessment of whether such system or network was penetrated by a malicious intrusion, including an assessment of—

(A) the known or suspected perpetrators, including state actors;

(B) the methods used to conduct such penetration or compromise; and

(6) a description of the actions the Department has taken or plans to take to prevent future, similar penetrations, or compromises of such systems and networks.

SEC. 5307. ANALYSIS OF EMBASSY COST SHARING.

Not later than 180 days after the date of the enactment of this Act, the Comptroller General shall submit a report to the appropriate congressional committees that assesses the cost-effectiveness and performance of the International Cooperative Administrative Support Services system (referred to in this section as the ''ICASS system''), including by assessing—

(1) the general performance of the ICASS system in providing cost-effective, timely, efficient, appropriate, and reliable services that meet the needs of all departments and agencies served;

(2) the extent to which additional cost savings and greater performance can be achieved under the current ICASS system and rules;

(3) the standards applied in the selection of the ICASS provider and the extent to which such standards are consistently applied;

(4) potential reforms to the ICASS system, including—

(A) the selection of more than one service provider under certain circumstances;

(B) options for all departments or agencies to opt out of ICASS entirely or to opt out of individual services, including by de bundling service packages;

(C) increasing the reliance on locally employed staff or outsourcing to local firms where appropriate; and

(D) other modifications to the current ICASS system and rules that would incentivize greater effectiveness and cost efficiency.

SEC. 5308. PARENT ADVISORY COMMITTEE TO THE INTERAGENCY WORKING GROUP TO PREVENT INTERNATIONAL PARENTAL CHILD ABDUCTION.

Section 433(b)(1) of the Homeland Security Act of 2002 (6 U.S.C. 241(b)(1)) is amended to read as follows:

''(b) INTERAGENCY COORDINATION..—

''(1) IN GENERAL.—The Secretary of State shall convene and chair an interagency working group to prevent international parental child abduction.

''(A) COMPOSITION.—The group shall be composed of presidentially appointed, Senate confirmed officials from—

''(i) the Department of State;

''(ii) the Department of Homeland Security, including U.S. Customs and Border Protection and U.S. Immigration and Customs Enforcement; and

''(iii) the Department of Justice, including the Federal Bureau of Investigation.

''(B) ADVISORY COMMITTEE.—The Secretary shall convene an advisory committee to the interagency working group established pursuant to subparagraph (A) for the duration of the working group's existence, which shall be composed of not less than three left-behind parents selected by the Secretary, serving for two-year terms, and which shall periodically consult with such advisory committee on all activities of the interagency working group, as appropriate.''.

SEC. 5309. IMPROVING RESEARCH AND EVALUATION OF PUBLIC DIPLOMACY.

(a) IN GENERAL.—The Secretary shall conduct regular research and evaluation of public diplomacy programs and activities of the Department including through the routine use of audience research, digital analytics, and impact evaluations to plan and execute such programs and activities, and shall make available to Congress the research and evaluations conducted pursuant to this section.

(b) DIRECTOR OF RESEARCH AND EVALUATION.—

(1) APPOINTMENT OF THE DIRECTOR.—Not later than 90 days after enactment of this Act, the Secretary shall appoint a Director of Research and Evaluation in the Office of Policy, Planning and Resources for the Under Secretary for Public Diplomacy and Public Affairs.

(2) LIMITATION ON APPOINTMENT.—The appointment of a Director of Research and Evaluation pursuant to paragraph (1) shall not result in an increase in the overall full-time equivalent positions within the Department.

(3) RESPONSIBILITIES.—The Director of Research and Evaluation, as appointed in accordance with this subsection, shall—

(A) coordinate and oversee the research and evaluation of public diplomacy programs of the Department in order to improve public diplomacy strategies and tactics and ensure programs are increasing the knowledge, understanding, and trust of the United States by relevant target audiences;

(B) report to the Director of Policy and Planning;

(C) routinely organize and oversee audience research, digital analytics and impact evaluations across all public diplomacy bureaus and offices of the Department;

(D) support embassy public affairs sections;

(E) share appropriate public diplomacy research and evaluation information within the State Department and with other departments and agencies;

(F) regularly design and coordinate standardized research questions, methodologies, and procedures to ensure that public diplomacy activities across all public diplomacy bureaus and offices are designed to meet appropriate foreign policy objectives; and

(G) report quarterly to the United States Advisory Commission on Public Diplomacy, through the Commission's Subcommittee on Research and Evaluation established pursuant to subsection (c), regarding the research and evaluation of all public diplomacy bureaus and offices of the Department.

(4) [NEED HEADER].—Not later than 180 days after appointment pursuant to paragraph (1), the Director of Research and Evaluation shall create guidance and training for all public diplomacy officers regarding the reading and interpretation of public diplomacy program evaluation findings to ensure that such findings and lessons learned are implemented in the planning and evaluation of all public diplomacy programs and activities throughout the Department.

(c) PRIORITIZING RESEARCH AND EVALUATION.—

(1) IN GENERAL.—The Director of Policy, Planning, and Resources shall ensure that research and evaluation, as coordinated and overseen by the Director of Research and Evaluation, supports strategic planning and resource allocation across all public diplomacy bureaus and offices of the Department.

(2) ALLOCATION OF RESOURCES.—Funds allocated for the purposes of research and evaluation of public diplomacy programs and activities pursuant to the requirements of subsection (a) shall be made available to be disbursed at the direction of the Director of Research and Evaluation among the research and evaluation staff across all public diplomacy bureaus and offices of the Department.

(3) SENSE OF CONGRESS.—It is the sense of Congress that the Department should allocate, for the purposes of research and evaluation of public diplomacy activities and programs pursuant to the requirements of subsection (a), three to five percent of program funds made available for Educational and Cultural Exchange programs and three to five percent of program funds allocated for public diplomacy programs within Diplomatic and Consular Programs. (e) Advisory Commission on Public Diplomacy.

(4) SUBCOMMITTEE FOR RESEARCH AND EVALUATION.—The Advisory Commission on Public Diplomacy shall establish a Subcommittee for Research and Evaluation to monitor and advise on the research and evaluation activities of the Department and the Broadcasting Board of Governors.

(5) REPORT.—The Subcommittee established under paragraph (1) shall report annually to Congress in the Commission's Comprehensive Annual Report on the performance of the Department and the Broadcasting Board of Governors in carrying out research and evaluations of their respective public diplomacy programming.

(6) REAUTHORIZATION.—Section 1334 of the Foreign Affairs Reform and Restructuring Act of 1998 (22 U.S.C. 6553) is amended by striking ''October 1, 2015'' and inserting ''October 1, 2020''.

(d) DEFINITIONS.—In this section:

(1) AUDIENCE RESEARCH.—The term ''audience research'' means research conducted at the outset of public diplomacy program or campaign planning and design on specific audience segments to understand the attitudes, interests, knowledge and behaviors of such audience segments.

(2) DIGITAL ANALYTICS.—The term ''digital analytics'' means the analysis of qualitative and quantitative data, accumulated in digital format, to indicate the outputs and outcomes of a public diplomacy program or campaign.

(3) IMPACT EVALUATION.—The term ''impact evaluation'' means an assessment of the changes in the audience targeted by a public diplomacy program or campaign that can be attributed to such program or campaign.

Subtitle B—Personnel Matters

SEC. 5321. REVIEW OF FOREIGN SERVICE OFFICER COMPENSATION.

(a) IN GENERAL.—Not later than 30 days after the date of the enactment of this Act, the Secretary shall commission an independent assessment of Foreign Service Officer compensation to ensure that such compensation is achieving its purposes and the goals of the Department, including to recruit, retain, and maintain the world's premier diplomatic corps.

(b) REPORT.—The assessment required by subsection (a) shall be completed and submitted as a report to the appropriate congressional committees, accompanied by the views of the Secretary, not later than 180 days after the enactment of this Act.

(c) CONTENT.—The report required by subsection (b) shall include at minimum the following elements:

(1) A list of all compensation received by Foreign Service Officers assigned domestically or overseas, including base salary and benefits, allowances, differentials, or incentives.

(2) For each such form of compensation described in paragraph (1)—

(A) an explanation of its stated purpose;

(B) a description of all relevant authorities, including statutory authority; and

(C) an assessment of the degree to which its use matches its stated purpose.

(3) An assessment of the effectiveness of each such form of compensation in—

(A) achieving its stated purpose;

(B) achieving the recruiting and retention goals of the Department; and

(C) achieving the assignment placement needs of the Department.

SEC. 5322. REPEAL OF RECERTIFICATION REQUIREMENT FOR SENIOR FOREIGN SERVICE.

Section 305(d) of the Foreign Service Act of 1980 (22 U.S.C. 3945(d)) is hereby repealed.

SEC. __5323. COMPENSATORY TIME OFF FOR TRAVEL.

Section 5550b of title 5, United States Code, is amended by inserting at the end the following new subsection:

''(c) The maximum amount of compensatory time off earned under this section may not exceed 104 hours during any leave year (as defined by regulations of the Office of Personnel Management).''.

SEC. 5324. CERTIFICATES OF DEMONSTRATED COMPETENCE.

The President shall make the report required in Sec. 304(a)(4) of the Foreign Service Act of 1980 (22 U.S.C. 3944) available to the public, including by posting it on the Internet website of the Department in a conspicuous manner and location within 7 days after having been submitted to the Committee on Foreign Relations of the Senate.

SEC. 5325. FOREIGN SERVICE ASSIGNMENT RESTRICTIONS.

(a) APPEAL OF ASSIGNMENT RESTRICTION.—The Secretary shall establish a right and process for employees to appeal any assignment restriction or preclusion.

(b) CERTIFICATION.—The Secretary shall provide a certification to the appropriate congressional committees upon full implementation of a right and process to appeal an assignment restriction or preclusion accompanied by a written report that provides a detailed description of such process.

(c) NOTICE.—The Secretary shall publish the right and process established pursuant to subsection (a) in the Foreign Affairs Manual, and shall include a reference to such publication in the report required under subsection (b).

(d) PROHIBITING DISCRIMINATION.—Section 502(a)(2) of the Foreign Service Act of 1980 (22 U.S.C. 3982(a)(2)) is amended to read as follows:

''(2) In making assignments under paragraph (1), the Secretary shall assure that a member of the Service is not assigned to, or restricted from, a position at a post in a particular geographic area, or domestically in a position working on issues relating to a particular geographic area, exclusively on the basis of the race, ethnicity, or religion of that member.''.

SEC. 5326. SECURITY CLEARANCE SUSPENSIONS.

(a) SUSPENSION.—Section 610 of the Foreign Service Act of 1980 (22 U.S.C. 4010) is amended by adding at the end the following new subsection:

''(c)(1) In order to promote the efficiency of the Service, the Secretary may suspend a member of the Foreign Service without pay when the member's security clearance is suspended or when there is reasonable cause to believe that the member has committed a crime for which a sentence of imprisonment may be imposed.

''(2) Any member of the Foreign Service for whom a suspension is proposed shall be entitled to—

''(A) written notice stating the specific reasons for the proposed suspension;

''(B) a reasonable time to respond orally and in writing to the proposed suspension;

''(C) representation by an attorney or other representative; and

''(D) a final written decision, including the specific reasons for such decision, as soon as practicable.

''(3) Any member suspended under this section may file a grievance in accordance with the procedures applicable to grievances under chapter 11 of this title.

''(4) In the case of a grievance filed under paragraph (3)—

''(A) the review by the Foreign Service Grievance Board shall be limited to a determination of whether the provisions of paragraphs (1) and (2) have been fulfilled; and

''(B) the Foreign Service Grievance Board may not exercise the authority provided under section 1106(8) of the Act (22 U.S.C. 4136(8)).

''(5) In this subsection:

''(A) The term 'reasonable time' means—

''(i) with respect to a member of the Foreign Service assigned to duty in the United States, 15 days after receiving notice of the proposed suspension; and

''(ii) with respect to a member of the Foreign Service assigned to duty outside the United States, 30 days after receiving notice of the proposed suspension.

''(B) The term 'suspend' or 'suspension' means the placing of a member of the Foreign Service in a temporary status without duties and pay.''.

(b) CONFORMING AND CLERICAL AMENDMENTS.—

(1) AMENDMENT OF SECTION HEADING.—Such section, as amended by subsection (a), is further amended in the section heading by inserting ''**; SUSPENSION**'' before the period at the end.

(2) CLERICAL AMENDMENT.—The item relating to such section in the table of contents in section 2 of such Act is amended to read as follows:

''Section 610. Separation for cause; suspension.''.

SEC. 5327. ECONOMIC STATECRAFT EDUCATION AND TRAINING.

(a) IN GENERAL.—The Secretary shall establish curriculum at the Foreign Services Institute to develop the practical foreign economic policy expertise and skill sets of Foreign Service officers, including by making available distance-learning courses in commercial, economic, and business affairs, specifically including in—

(1) the global business environment;

(2) the economics of development;

(3) development and infrastructure finance;

(4) current trade and investment agreements negotiations;

(5) implementing existing multilateral and World Trade Organization agreements, and United States trade and investment agreements;

(6) best practices for customs and export procedures; and

(7) market analysis and global supply chain management.

SEC. 5328. REPORT ON DIVERSITY RECRUITMENT, EMPLOYMENT, RETENTION, AND PROMOTION.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, and quadrennially thereafter, the Secretary of State shall submit a comprehensive report to Congress that—

(1) describes the efforts, consistent with existing law, including procedures, effects, and results of the Department of State since the time of the prior such report, to promote equal opportunity and inclusion for all American employees in direct hire and personal service contractors status, particularly employees of the Foreign Service, to include equal opportunity for all races, ethnicities, ages, genders, and service-disabled veterans, with a focus on traditionally underrepresented minority groups;

(2) includes a section on—

(A) the diversity of selection boards;

(B) the employment of minority and service-disabled veterans during the most recent 10-year period, including—

(i) the number hired through direct hires, internships, and fellowship programs;

(ii) the number promoted to senior positions, including FS–01, GS–15, Senior Executive Service, and Senior Foreign Service; and

(iii) attrition rates by grade, civil and foreign services, and the senior level ranks listed in clause (ii); and

(C) mentorship and retention programs; and

(3) is organized in terms of real numbers and percentages at all levels.

(b) CONTENTS.—Each report submitted under subsection (a) shall describe the efforts of the Department of State—

(1) to propagate fairness, impartiality, and inclusion in the work environment domestically and abroad;

(2) to eradicate harassment, intolerance, and discrimination;

(3) to refrain from engaging in unlawful discrimination in any phase of the employment process, including recruitment, hiring, evaluation, assignments, promotion, retention, and training;

(4) to eliminate illegal retaliation against employees for participating in a protected equal employment opportunity activity;

(5) to provide reasonable accommodation for qualified employees and applicants with disabilities;

(6) to resolve workplace conflicts, confrontations, and complaints in a prompt, impartial, constructive, and timely manner;

(7) to improve demographic data availability and analysis regarding recruitment, hiring, promotion, training, length in service, assignment restrictions, and pass-through programs;

(8) to recruit a diverse staff by—

(A) recruiting women, minorities, veterans, and undergraduate and graduate students;

(B) recruiting at historically Black colleges and universities, Hispanic serving institutions, women's colleges, and colleges that typically serve majority minority populations;

(C) sponsoring and recruiting at job fairs in urban communities;

(D) placing job advertisements in newspapers, magazines, and job sites oriented toward women and people of color;

(E) providing opportunities through the Foreign Service Internship Program and other hiring initiatives; and

(F) recruiting mid- and senior-level professionals through programs such as—

(i) the International Career Advancement Program;

(ii) the Public Policy and International Affairs Fellowship Program;

(iii) the Institute for International Public Policy Fellowship Program;

(iv) Seminar XXI at the Massachusetts Institute of Technology's Center for International Studies; and

(v) other similar highly respected international leadership programs; and

(9) to provide opportunities through—

(A) the Charles B. Rangel International Affairs Fellowship Program;

(B) the Thomas R. Pickering Foreign Affairs Fellowship Program; and

(C) the Donald M. Payne International Development Fellowship Program.

(c) SCOPE OF INITIAL REPORT.—The first report submitted to Congress under this section shall include the information described in subsection (b) for the 3 fiscal years immediately preceding the fiscal year in which the report is submitted.

SEC. 5329. EXPANSION OF THE CHARLES B. RANGEL INTERNATIONAL AFFAIRS PROGRAM, THE THOMAS R. PICKERING FOREIGN AFFAIRS FELLOWSHIP PROGRAM, AND THE DONALD M. PAYNE INTERNATIONAL DEVELOPMENT FELLOWSHIP PROGRAM.

(a) ADDITIONAL FELLOWSHIPS AUTHORIZED.—Beginning in fiscal year 2016, the Secretary of State shall—

(1) increase by 10 the number of fellows selected for the Charles B. Rangel International Affairs Program;

(2) increase by 10 the number of fellows selected for the Thomas R. Pickering Foreign Affairs Fellowship Program; and

(3) increase by 5 the number of fellows selected for the Donald M. Payne International Development Fellowship Program.

(b) PAYNE FELLOWSHIP PROGRAM.—Undergraduate and graduate components of the Donald M. Payne International Development Fellowship Program are authorized to conduct outreach to attract outstanding students who represent diverse ethnic and socioeconomic backgrounds with an interest in pursuing a Foreign Service career.

SEC. 5330. RETENTION OF MID- AND SENIOR-LEVEL PROFESSIONALS THAT COME FROM UNDERREPRESENTED GROUPS.

(a) RETENTION.—Attention and oversight should also be applied to the retention and promotion of underrepresented groups to promote a diverse ethnic representation among mid- and senior-level career professionals through programs such as—

(1) the International Career Advancement Program;

(2) Seminar XXI at the Massachusetts Institute of Technology's Center for International Studies; and

(3) other highly respected international leadership programs.

(b) REVIEW OF PAST PROGRAMS.—Past programs designed to increase minority representation in international affairs positions should be reviewed, including—

(1) the USAID Undergraduate Cooperative and Graduate Economics Program;

(2) the Public Policy and International Affairs Fellowship Program; and

(3) the Institute for International Public Policy Fellowship Program.

TITLE IV—INTERNATIONAL ORGANIZATIONS

Subtitle A—United States Contributions to International Organizations

SEC. 5401. REPORT ON ALL UNITED STATES GOVERNMENT CONTRIBUTIONS TO THE UNITED NATIONS.

Section 4(c) of the United Nations Participation Act (22 U.S.C. 287b(c)) is amended by inserting before paragraph (1) the following new paragraph:

''(1) CONTRIBUTIONS TO THE UNITED NATIONS.—A detailed description of all assessed and voluntary contributions, including in-kind contributions, of the United States Government to the United Nations and to each of its affiliated agencies and related bodies during the preceding fiscal year, estimated for such current fiscal year, and requested in the President's budget request for such following fiscal year.

''(A) CONTENT.—Each report required under paragraph (1) shall, for each such fiscal year, include—

''(i) the total amount or value of all such contributions to the United Nations and to each such agency or body;

''(ii) the approximate percentage of all such contributions to the United Nations and to each such agency or body when compared with all contributions to the United Nations and to each such agency or body from any source; and

''(iii) for each such United States Government contribution to the United Nations and to each such agency or body—

''(I) the amount or value of the contribution;

''(II) a description of the contribution, including whether it is assessed or voluntary;

''(III) the purpose of the contribution;

''(IV) the department or agency of the United States Government responsible for the contribution; and

''(V) the United Nations or United Nations affiliated agency or related body receiving the contribution.

''(B) PUBLIC AVAILABILITY OF INFORMATION.—Not later than 14 days after submitting a report required under subsection (a), the Director of the Office of Management and Budget shall post a text-based, searchable version of the report on a publicly available Internet website.''.

SEC. 5402. AMENDING THE REPORT ON FINANCIAL CONTRIBUTIONS TO INTERNATIONAL ORGANIZATIONS.

Section 405(b) of the Foreign Relations Authorization Act, Fiscal Year 2003 (U.S.C. 287b(b)) is amended by striking ''in which the United States participates as a member.'', and by inserting at the end the following: '', including a tabulation of assessed contributions, voluntary contributions, and the ratio of United States contributions to total contributions received among the following categories: the United Nations, Specialized Agencies of the United Nations and Other United Nations Funds, Programs, and Organizations; Peacekeeping; Inter-American Organizations; Regional Organizations; and Other International Organizations.''.

SEC. 5403. REPORTING ON PEACEKEEPING ARREARS AND CREDITS.

Section 4(c) of the United Nations Participation Act (22 U.S.C. 287b(c)) is amended by inserting between paragraphs (2) and (3) the following new paragraph:

''(3) PEACEKEEPING CREDITS.—A complete and full accounting of United States peacekeeping assessments and contributions for United Nations peacekeeping operations, to include the following elements:

''(A) A tabulation of annual United Nations peacekeeping assessment rates, the related authorized United States peacekeeping contribution rate, and the relevant United States public law that determines each such contribution rate for the United Nations peacekeeping budget for each fiscal year beginning in 1995 through the current and next fiscal year.

''(B) A tabulation of current United States accrued shortfalls and arrears in each respective ongoing or closed United Nations peacekeeping mission.

''(C) A tabulation of all peacekeeping credits, including in the categories of—

''(i) total peacekeeping credits determined by the United Nations to be available to the United States;

''(ii) total peacekeeping credits determined by the United Nations to be unavailable to the United States;

''(iii) total peacekeeping credits determined by the United Nations to be available to the United States from each open and closed mission;

''(iv) total peacekeeping credits determined by the United Nations to be unavailable to the United States from each open and closed mission;

''(v) total peacekeeping credits applied by the United Nations toward prior year shortfalls apportioned to the United States;

''(vi) total peacekeeping credits applied by the United Nations toward offsetting future contributions of the United States; and

''(vii) total peacekeeping credits determined by the United Nations to be available to the United States, which could be applied toward offsetting United States contributions in the following fiscal year.

''(D) An explanation of any claim of unavailability by the United Nations of any peacekeeping credits described in subparagraph (C)(iv).

''(E) A description of any efforts by the United States to obtain reimbursement in accordance with the requirements of the United Nations Participation Act (22 U.S.C. 287 et seq.), including but not limited to Department of Defense materiel and services, including an explanation of any failure to obtain any such reimbursement.''.

SEC. 5404. ASSESSMENT RATE TRANSPARENCY.

The Secretary of State, through the United States Ambassador to the United Nations, shall urge the United Nations—

(1) to share the raw data used to calculate member state peacekeeping assessment rates; and

(2) to make available the formula for determining peacekeeping assessments.

Subtitle B—Accountability at International Organizations

SEC. 5411. PREVENTING ABUSE IN PEACEKEEPING.

At least 15 days prior to the anticipated date of the vote on a resolution for a new, or to reauthorize an existing, peacekeeping mission under the auspices of the United Nations, the North Atlantic Treaty Organization, or any other multilateral organization in which the United States participates, or, in exigent circumstances, as far in advance of any such vote as is practicable, the Secretary shall submit to the appropriate congressional committees a report that shall include the following:

(1) A description of the specific measures taken and planned to be taken by such organization related to such peacekeeping mission to—

(A) prevent the organization's employees, contractor personnel, and forces serving in such peacekeeping mission from engaging in acts of trafficking in persons, exploitation of victims of trafficking, or sexual exploitation or abuse; and

(B) hold accountable any such individuals who engages in any such acts while participating in such peacekeeping mission.

(2) An assessment of the effectiveness of each of the measures described in paragraph (1).

(3) An accounting and assessment of all cases whereby such organization has taken action to investigate allegations of its employees, contractor personnel, or peacekeeping forces serving in such peacekeeping mission engaging in acts of trafficking in persons, exploitation of victims of trafficking, or sexual exploitation or abuse, including a description of the current status of all such cases.

SEC. 5412. ADDING PEACEKEEPING ABUSES TO COUNTRY REPORT ON HUMAN RIGHTS PRACTICES.

Subsection (d) of section 116 of the Foreign Assistance Act of 1961 (22 U.S.C. 2151n(d)) is amended by adding at the end the following new paragraph:

''(13) for each country that contributes personnel to United Nations peacekeeping missions, a description of—

''(A) any allegations of such personnel engaging in acts of trafficking in persons, exploitation of victims of trafficking, or sexual exploitation and abuse while participating in such a peacekeeping mission;

''(B) any repatriations of such personnel resulting from an allegation described in paragraph (A);

''(C) any actions taken by such country toward personnel repatriated as a result of allegations described in paragraph (A), including whether such personnel faced prosecution related to such allegations; and

''(D) the extent to which any actions taken as described in paragraph (C) have been communicated by such country to the United Nations.''.

Subtitle C—Personnel Matters

SEC. 5421. ENCOURAGING EMPLOYMENT OF UNITED STATES CITIZENS AT THE UNITED NATIONS.

Section 181 of the Foreign Relations Authorization Act for fiscal years 1992 and 1993 (22 U.S.C. 276c–4) is amended to read as follows: ''Not less than 180 days after enactment of this Act, and each year thereafter, the Secretary of State shall submit a report to the Congress that provides—

''(1) for each international organization which had a geographic distribution formula in effect on January 1, 1991, an assessment of whether each such organization—

''(A) is taking good faith steps to increase the staffing of United States citizens, including, as appropriate, as assessment of any additional steps such organization could be taking;

''(B) has met the requirements of its geographic distribution formula; and

''(2) a specific assessment of American representation among professional and senior-level positions at the United Nations, including—

''(A) a description of the proportion of all such United States citizen employment at the United Nations Secretariat and all United Nations specialized agencies, funds and programs;

''(B) as assessment of compliance by the United Nations Secretariat and United Nations specialized agencies, funds and programs with any required geographic distribution formula; and

''(C) a description of any steps taken and planned to be taken by the United States to increase such staffing of United States citizens at the United Nations Secretariat and United Nations specialized agencies, funds and programs.''.

SEC. 5422. ENSURING APPROPRIATE UNITED NATIONS PERSONNEL SALARIES.

(a) COMPENSATION OF UNITED NATIONS PERSONNEL.—The President shall direct the United States Permanent Representative to the United Nations to use the voice, vote, and influence of the United States at the United Nations to—

(1) establish appropriate policies, procedures, and assumptions for—

(A) determining comparable positions between officials in the Professional and higher categories of the United Nations in New York and that of the United States Federal civil service;

(B) calculating the margin between the compensation of such comparable officials and positions; and

(C) determining the appropriate margin for adoption by the United Nations to govern compensation for such United Nations officials;

(2) make all policies, procedures, and assumptions described in paragraph (1) available to the public; and

(3) limit the growth of United Nations officials compensation to ensure they remain within the margin range established in United Nations General Assembly Resolution A/RES/40/244, or any subsequent margin range adopted by the United Nations to govern compensation for such United Nations officials.

(b) REPORT ON SALARY MARGINS.—The Secretary shall submit a report annually to the appropriate congressional committees at the time of submission of the first President's budget to Congress—

(1) describing the policies, procedures, and assumptions established or used by the United Nations to—

(A) determine comparable positions between officials in the Professional and higher categories of the United Nations in New York and that of the United States Federal civil service;

(B) calculate the percentage difference, or margin, between the compensation of such comparable officials and positions; and

(C) determine the margin range established in United Nations General Assembly Resolution A/RES/40/244, or any subsequent margin range adopted by the United Nations to govern compensation for such United Nations officials;

(2) assessing, in conformance with the policies, procedures, and assumptions described in paragraph (1), the percentage difference, or margin, between net salaries of officials in the Professional and higher categories of the United Nations in New York and that of comparable positions in the United States Federal civil service;

(3) assessing any changes in the margins described in paragraph (2) from the previous year;

(4) assessing the extent to which any such changes described in paragraph (3) resulted from modifications to the policies, procedures, and assumptions described in paragraph (1); and

(5) providing the views of the Secretary on any such changes described in paragraph (3) and any such modifications described in paragraph (4).

TITLE V—CONSULAR AUTHORITIES

SEC. 5501. VISA INELIGIBILITY FOR INTERNATIONAL CHILD ABDUCTORS.

Section 212(a)(10)(C)(iii) of the Immigration and Nationality Act (8 U.S.C. 1182(a)(10)(C)(iii)) is amended—

(1) in subclause (I), by adding ''or'' at the end;

(2) in subclause (II), by striking ''; or'' and inserting a period; and

(3) by striking subparagraph (III).

SEC. 5502. PRESUMPTION OF IMMIGRANT INTENT FOR H AND L VISA CLASSIFICATIONS.

Section 214(b) of the Immigration and Nationality Act (8 U.S.C. 1184(b)) is amended—

(1) by striking ''(other than a nonimmigrant described in subparagraph (L) or (V) of section 101(a)(15), and other than a nonimmigrant described in any provision of section 101(a)(15)(H)(i) except subclause (b1) of such section)'';

(2) by striking ''under section 101(a)(15)'' and inserting in its place ''under the immigration laws.''; and

(3) by striking ''he'' each place such term appears and inserting ''the alien''.

SEC. 5503. VISA INFORMATION SHARING.

Section 222(f) of the Immigration and Nationality Act (8 U.S.C. 1202(f)(2)) is amended:

(1) in the matter preceding paragraph (1), by striking ''issuance or refusal'' and inserting ''issuance, refusal, or revocation''; and

(2) in paragraph (2)—

(A) in the matter preceding subparagraph (A), by striking ''and on the basis of reciprocity'';

(B) in subparagraph (A), by striking ''illicit weapons; or'' and inserting ''illicit weapons, or in determining the removability or eligibility for a visa, admission, or another immigration benefit of persons who would be inadmissible to, or removable from, the United States;'';

(C) in subparagraph (B)—

(i) by striking ''for the purposes'' and inserting ''for 1 of the purposes''; and

(ii) by striking ''or to deny visas to persons who would be inadmissible to the United States.'' and inserting ''; or''; and

(D) by adding at the end the following:

''(C) with regard to any or all aliens in the database, specified data elements from each record, if the Secretary of State determines that it is in the national interest to provide such information to a foreign government.''.

TITLE VI—OVERSEAS CONTINGENCY OPERATIONS
TITLE VII—EMBASSY SECURITY

SA 1781. Ms. HEITKAMP submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense,for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

On page 528, line 14, insert after ''Arctic region'' the following: '', as well as among the Armed Forces''.

On page 528, line 23, insert after ''ture,'' the following: ''communications and domain awareness,''.

On page 529, line 5, insert before the period at the end the following: '', including by exploring opportunities for sharing installations and maintenance facilities''.

SA 1782. MR. MCCONNELL (for Mr. TOOMEY) submitted an amendment intended to be proposed by Mr. MCCONNELL to the bill H.R. 2146, to amend the Internal Revenue Code of 1986 to allow Federal law enforcement officers, firefighters, and air traffic controllers to make penalty-free withdrawals from governmental plans after age 50, and for other purposes; as follows:

On page 3, strike lines 9 through 11 and insert the following:

(d) EFFECTIVE DATE.—The amendments made by this section shall apply to distributions after December 31, 2015.

SA 1783. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

Strike section 1273 and insert the following:

SEC. 1273. SENSE OF CONGRESS AND REPORT ON QATAR FIGHTER AIRCRAFT CAPABILITY CONTRIBUTION TO REGIONAL SAFETY.

(a) SENSE OF CONGRESS.—It is the sense of the Congress that—

(1) the United States should consider, in a timely manner, the July 2013 Letter of Request from the Government of Qatar for fighter aircraft;

(2) the approval of such a sale would contribute to the self-defense of Qatar, deter the regional ambitions of Iran, reassure partners and allies of the United States commitment to regional security, and enhance the strike capability of fighter aircraft of the Qatar air force;

(3) the ability of our regional partners to respond to threatening Iranian military actions in the Gulf, such as closing the Strait of Hormuz or launching a ballistic missile attack, is a critical element of deterring Iranian aggression and to maintaining security and stability in the region;

(4) the maintenance by Israel of a Qualitative Military Edge (QME) is vital, and due diligence is essential in thoroughly evaluating the impact of such a sale as it relates to the military capabilities of Israel; and

(5) the Department of State should prioritize its consideration of whether to issue a Letter of Offer and Acceptance, to advance the sale of fighter aircraft to the Government of Qatar so that key decisions can be taken regarding the way forward for capabilities that are critical for security and stability in the Middle East.

(b) REPORT.—

(1) IN GENERAL.—Not later than 30 days after the date of the enactment of this Act, the Secretary of State shall, in consultation with the Secretary of Defense, shall submit to the appropriate committees of Congress a report on the risks and benefits of the sale of fighter aircraft to Qatar as described in subsection (a).

(2) ELEMENTS.—The report required by paragraph (1) shall include the followings:

(A) A description of the assumptions regarding the increase to Qatar air force capabilities as a result of the sale.

(B) A description of the assumptions regarding items described in subparagraph (A) as they may impact the preservation by Israel of a Qualitative Military Edge.

(C) An estimated timeline for final adjudication of the decision to approve the sale.

(3) FORM.—The report required by paragraph (1) may be submitted in classified or unclassified form.

(4) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this subsection, the term ''appropriate committees of Congress'' means—

(A) the Committee on Armed Services, the Committee on Foreign Relations, and the Committee on Appropriations of the Senate; and

(B) the Committee on Armed Services, the Committee on Foreign Affairs, and the Committee on Appropriations of the House of Representatives.

SA 1784. Mr. KIRK (for himself and Mrs. GILLIBRAND) submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

In title V, insert after section 552 the following:

SEC. 552A. AUTHORITY FOR SPECIAL VICTIMS' COUNSEL TO PROVIDE LEGAL ASSISTANCE TO CIVILIAN INDIVIDUALS WHO ARE VICTIMS OF ALLEGED SEX-RELATED OFFENSES.

(a) IN GENERAL.—Chapter 53 of title 10, United States Code, is amended by inserting after section 1044e the following new section:

''§ 1044f. Legal assistance for civilian individuals who are victims of alleged sex-related offenses: Special Victims' Counsel; civilian counsel

''(a) ASSISTANCE THROUGH SPECIAL VICTIMS' COUNSEL.—Special Victims' Counsel designated under section 1044e of this title may provide such legal assistance to a civilian individual who is the victim of an alleged sex-related offense in connection with such offense as may be provided under subsection (a) of section 1044 of this title to individuals eligible for legal assistance under that subsection.

''(b) ASSISTANCE THROUGH CIVILIAN COUNSEL.—The Secretary concerned may provide legal assistance, including representation in legal proceedings, to a civilian individual who is the victim of an alleged sex-related offense in connection with such offense, including as follows:

''(1) Through the provision of such assistance through civilian counsel of the military department concerned.

''(2) Through payment or reimbursement of civilian counsel obtained by the civilian individual in connection with such offense.

''(c) REGULATIONS.—The Secretary of Defense and the Secretary of the Department in which the Coast Guard is operating shall prescribe regulations to carry out this section.

''(d) ALLEGED SEX-RELATED OFFENSE DEFINED.—In this section, the term 'alleged sex-related offense' has the meaning given that term in section 1044e(g) of this title.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 53 of such title is amended by inserting after the item relating to section 1044e the following new item:

''1044f. Legal assistance for civilian individuals who are victims of alleged sex-related offenses: Special Victims' Counsel; civilian counsel.''.

SA 1785. Ms. MURKOWSKI submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle G of title X, add the following:

SEC. 1085. AVOIDANCE OF COMMERCIAL AND SUBSISTENCE FISHERIES.

(a) IN GENERAL.—To the maximum extent practicable, the Secretary of Defense shall—

(1) endeavor to conduct training exercises in a manner that minimizes impact on subsistence and commercial fisheries and the long term health of fish species and stocks; and

(2) endeavor to schedule and locate training exercises outside of fishing grounds during fishing seasons.

(b) CONSULTATION.—

(1) REQUIREMENT.—Not later than 6 months prior to the commencement of a training exercise subject to subsection (a), the Secretary of Defense shall consult with the Director of the National Marine Fisheries Service, State and tribal fish and wildlife managers, fishery user groups, and Regional Fishery Management Councils established under section 302 of the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1852) with respect to the scheduling and location of the training exercise.

(2) NONAPPLICABILITY OF FACA.—A consultation pursuant to paragraph (1) shall not

be subject to the requirements of the Federal Advisory Committee Act (5 U.S.C. App.).

(c) EXCEPTION FOR NATIONAL SECURITY.—Subsection (a) shall not apply if the Secretary of Defense determines that application of such subsection is not in the national security interest of the Untied States.

(d) CONSTRUCTION.—Nothing in this section may be construed to create any legal right or provide a private right of action for any person.

SA 1786. Mr. GRASSLEY (for himself and Mr. WHITEHOUSE) submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. ENHANCED PENALTIES AND OTHER TOOLS RELATED TO MARITIME OFFENSES AND ACTS OF NUCLEAR TERRORISM.

(a) PENALTIES FOR MARITIME OFFENSES.—

(1) PENALTIES FOR VIOLENCE AGAINST MARITIME NAVIGATION.—Section 2280a(a)(1) of title 18, United States Code, is amended, in the undesignated matter following subparagraph (E), by inserting ''punished by death or'' before ''imprisoned for any term''.

(2) PENALTIES FOR OFFENSES AGAINST MARITIME FIXED PLATFORMS.—Section 2281a(a)(1) of such title is amended, in the undesignated matter following subparagraph (C), by inserting ''punished by death or'' before ''imprisoned for any term''.

(b) PENALTIES FOR ACTS OF NUCLEAR TERRORISM.—Section 2332i(c) of title 18, United States Code, is amended to read as follows:

''(c) PENALTIES.—Any person who violates this section shall be punished as provided under section 2332a(a).''.

(c) PROVIDING MATERIAL SUPPORT TO TERRORISTS PREDICATES.—

(1) MARITIME OFFENSES.—Section 2339A(a) of title 18, United States Code, is amended—

(A) by inserting ''2280a,'' after ''2280,''; and

(B) by inserting ''2281a,'' after ''2281,''.

(2) ACTS OF NUCLEAR TERRORISM.—Section 2339A(a) of such title, as amended by subsection (a), is further amended by inserting ''2332i,'' after ''2332f,''.

(d) WIRETAP AUTHORIZATION PREDICATES.—

(1) MARITIME OFFENSES.—Section 2516(1) of title 18, United States Code, is amended—

(A) in paragraph (p), by striking ''or'' at the end; and

(B) in paragraph (q), by inserting '', section 2280, 2280a, 2281, or 2281a (relating to maritime safety),'' after ''weapons)''.

(2) ACTS OF NUCLEAR TERRORISM.—Section 2516(1)(q) of such title, as amended by subsection (a)(2), is further amended by inserting '', 2332i,'' after ''2332h''.

SA 1787. Mr. SESSIONS submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle C of title XII, add the following:

SEC. 1242. SENSE OF CONGRESS ON IRAN NEGOTIATIONS.

(a) FINDINGS.—Congress makes the following findings:

(1) President Obama has routinely spoken about a hard line when dealing with Iran on the subject of their nuclear program and related sanctions.

(2) March 5, 2012, in remarks after meeting with Benjamin Netanyahu, President Obama stated: ''. . . I reserve all options, and my policy here is not going to be one of containment. My policy is prevention of Iran obtaining nuclear weapons. And as I indicated yesterday in my speech, when I say all options are at the table, I mean it.''

(3) On September 25, 2012, in a speech to the United Nations General Assembly, President Obama stated: ''Make no mistake: A nuclear-armed Iran is not a challenge that can be contained. . .the United States will do what we must to prevent Iran from obtaining a nuclear weapon.''

(4) On April 2, 2015, in an address in the Rose Garden, President Obama stated that ''Iran has also agreed to the most robust and intrusive inspections and transparency regime'' and, ''This deal was not based on trust. It's based on unprecedented verification.''

(5) Iran's supreme leader, Ayatollah Ali Khamenei, has routinely spoken out openly against the United States and any sanctions against Iran's nuclear program and related sanctions.

(6) April 9, 2015, in response to the nuclear agreement, Ayatollah Ali Khamenei said: ''Iran's government and security forces wouldn't permit outside inspections of the country's military sites, which are officially nonnuclear but where United Nations investigators suspect Tehran conducted tests related to atomic weapons development.''

(7) On May 20, 2015, in a graduation speech at the Imam Hussein Military University in Tehran, Ayatollah Ali Khamenei ruled out ''allowing international inspectors to interview Iranian nuclear scientists as part of any potential deal on its nuclear program'', and reiterated that the country ''would not allow the inspection of military sites''.

(b) SENSE OF CONGRESS.—It is the sense of Congress that no negotiations should be allowed to continue with respect to a nuclear agreement with Iran that does not include robust inspections and proper verification of all Iran's nuclear programs, military installations, and access to scientists and their respective progress.

SA 1788. Mr. MCCONNELL (for Mr. RUBIO) submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

On page 474, between lines 19 and 20, insert the following:

(I) Future design and requirements of the replacement for the Ticonderoga class cruiser.

SA 1789. Mr. MCCONNELL (for Mr. RUBIO) submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle D of title X, add the following:

SEC. 10____. LIMITATION OF THE TRANSFER OF UNITED STATES NAVAL STATION, GUANTANAMO BAY, CUBA, TO THE GOVERNMENT OF CUBA.

(a) IN GENERAL.—No portion of the land or water listed by Article I of the United States-Cuba Agreements and Treaty of 1934 shall be transferred to the Government of Cuba, unless—

(1) a democratically-elected Government of Cuba and the United States Government mutually agree to new lease terms for such land or water;

(2) the elections of the Government of Cuba were—

(A) free and fair;

(B) conducted under internationally recognized observers; and

(C) carried out so that opposition parties had ample time to organize and campaign using full access media available to every candidate;

(3) the Government of Cuba has committed itself to constitutional change that would ensure regular free and fair elections;

(4) the Government of Cuba has made a public commitment to respect, and is respecting, internationally recognized human rights and basic democratic freedoms;

(5) the President certifies to Congress that Cuba is no longer a state sponsor of terrorism and no longer harbors members of recognized foreign terrorist organizations; and

(6) the Secretary of Defense certifies that the United States Naval Station, Guantanamo Bay, Cuba, is inconsequential to United States national security or to the operation of the Navy and the Coast Guard in the Caribbean Sea.

(b) CONTINUATION OF CURRENT LEASE.—It shall be the policy of the United States to continue to lease the land or waterways that encompass the United States Naval Station, Guantanamo Bay, Cuba, unless the criteria set out in paragraphs (1) through (6) of subsection (a) are met.

SEC. 10____. PROHIBITION ON RELOCATION OF MILITARY EQUIPMENT AND CAPABILITIES FROM UNITED STATES NAVAL STATION, GUANTANAMO BAY, CUBA, TO THE UNITED STATES OR OTHER COUNTRY IN THE CARIBBEAN REGION.

(a) LIMITATION.—No military equipment may be moved to any other United States military facility to complete the same tasks conducted on, or from, the United States Naval Station, Guantanamo Bay, Cuba, on the date of the enactment of this Act.

(b) PRESERVATION OF OPERATIONAL CAPABILITIES.—

(1) IN GENERAL.—The United States may not reduce the operational capabilities provided by assets operating aboard, or from,

the United States Naval Station, Guantanamo Bay, Cuba, in support of meaningful defense activity.

(2) INCLUDED CAPABILITIES.—Subsection (a) applies to—

(A) the United States Coast Guard personnel and equipment supporting maritime operations in the vicinity of the United States Naval Station, Guantanamo Bay, Cuba, as for the date of the enactment of this Act; and

(B) civilian personnel who support military activities directly or otherwise, unless Congress enacts a law agreeing to move resources to a more suitable location which allows for comparable defense activity in the region.

SEC. 10___. REQUIREMENT TO TEMPORARILY HOUSE MIGRANTS INTERCEPTED IN INTERNATIONAL WATERS BETWEEN THE UNITED STATES AND THE CARIBBEAN AT UNITED STATES NAVAL STATION, GUANTANAMO BAY, CUBA.

The United States may not use appropriated funds to move migrants intercepted in the waters between the United States and any foreign country in the Caribbean region to a location other than the United States Naval Station, Guantanamo Bay, Cuba, unless—

(1) the migrant may reasonably be returned to their country of origin; or

(2) uncontrollable circumstances do not allow for a safe transfer of migrants to the United States Naval Station, Guantanamo Bay, Cuba.

SEC. 10___. LIMITATION IN THE REDUCTION OF MILITARY ACTIVITY ON OR IN THE WATERS NEAR UNITED STATES NAVAL STATION, GUANTANAMO BAY, CUBA.

The United States Naval Station, Guantanamo Bay, Cuba shall continue to perform as the logistical port for the Navy and Coast Guard operating in the Caribbean Sea at operational levels equal to or greater than such level on the date of the enactment of this Act, unless—

(1) the Government of Cuba displays a legitimate capacity to interdict narcotics trafficking throughout the international waterways surrounding Cuba;

(2) the Government of Cuba has an established maritime authority capable of inspecting cargo and safeguarding ships traversing the international waterways near the United States Naval Station, Guantanamo Bay, Cuba; and

(3) the Government of Cuba displays the capacity to interdict human traffickers operating throughout the waterways surrounding Cuba.

SEC. 10___. LIMITATION ON MODIFICATION OR ABANDONMENT OF LEASED LAND AND WATER CONTAINING UNITED STATES NAVAL STATION, GUANTANAMO BAY, CUBA.

(a) LIMITATION.—The United States may not modify the 45 square mile lease of land or waterways that encompass the United States Naval Station, Guantanamo Bay, Cuba, in effect on the date of the enactment of this Act, unless—

(1) the President notifies Congress not later than 90 days prior to the proposed modification of such lease; and

(2) after such notification, Congress enacts a law authorizing a modification of such lease.

(b) RETENTION.—The United States may not abandon any portion of the land or water that contains the United States Naval Station, Guantanamo Bay, Cuba, unless—

(1) the President notifies Congress not less than 90 days prior to the proposed abandonment of such land or water; and

(2) after such notification, Congress enacts a law authorizing such abandonment.

(c) NO NEW GRANT OF AUTHORITY.—This section may not be construed to grant the President any authority not already provided by the Cuban Liberty and Democratic Solidarity (LIBERTAD) Act of 1996 (22 U.S.C. 6021 et seq.).

SA 1790. Mr. MCCONNELL (for Mr. RUBIO) submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle D of title XII, add the following:

SEC. 1040. PROHIBITION ON USE OF FUNDS FOR PROGRAMS WHOSE PRIMARY FOCUS IS CLOSURE OF THE TERRORIST DETENTION FACILITY ABOARD NAVAL STATION GUANTANAMO BAY, CUBA.

None of the amounts authorized to be appropriated by this Act or otherwise made available for fiscal year 2016 for the Department of Defense may be obligated or expended for the purpose of funding personnel or programs whose primary focus is facilitating the closure of the terrorist detention facility aboard Naval Station Guantanamo Bay, Cuba.

SA 1791. Mr. MCCONNELL (for Mr. RUBIO) submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle C of title XXVIII, add the following:

SEC. 2822. LAND EXCHANGE, NAVY OUTLYING LANDING FIELD, NAVAL AIR STATION, WHITING FIELD, FLORIDA.

(a) LAND EXCHANGE AUTHORIZED.—The Secretary of the Navy may convey to Escambia County, Florida (in this section referred to as the ''County''), all right, title, and interest of the United States in and to a parcel of real property, including any improvements thereon, containing Navy Outlying Landing Field Site 8 in Escambia County associated with Naval Air Station, Whiting Field, Milton, Florida.

(b) LAND TO BE ACQUIRED.—In exchange for the property described in subsection (a), the County shall convey to the Secretary of the Navy land and improvements thereon in Santa Rosa County, Florida, that is acceptable to the Secretary and suitable for use as a Navy outlying landing field to replace Navy Outlying Landing Field Site 8.

(c) PAYMENT OF COSTS OF CONVEYANCE.—

(1) PAYMENT REQUIRED.—The Secretary of the Navy shall require the County to cover costs to be incurred by the Secretary, or to reimburse the Secretary for such costs incurred by the Secretary, to carry out the land exchange under this section, including survey costs, costs for environmental documentation, other administrative costs related to the land exchange, and all costs associated with relocation of activities and facilities from Navy Outlying Landing Field Site 8 to the replacement location. If amounts are collected from the County in advance of the Secretary incurring the actual costs, and the amount collected exceeds the costs actually incurred by the Secretary to carry out the land exchange, the Secretary shall refund the excess amount to the County.

(2) TREATMENT OF AMOUNTS RECEIVED.—Amounts received as reimbursement under paragraph (1) shall be credited to the fund or account that was used to cover those costs incurred by the Secretary in carrying out the land exchange. Amounts so credited shall be merged with amounts in such fund or account, and shall be available for the same purposes, and subject to the same conditions and limitations, as amounts in such fund or account.

(d) DESCRIPTION OF PROPERTY.—The exact acreage and legal description of the property to be exchanged under this section shall be determined by surveys satisfactory to the Secretary of the Navy.

(e) CONVEYANCE AGREEMENT.—The exchange of real property under this section shall be accomplished using a quit claim deed or other legal instrument and upon terms and conditions mutually satisfactory to the Secretary of the Navy and the County, including such additional terms and conditions as the Secretary considers appropriate to protect the interests of the United States.

SA 1792. Mr. MCCONNELL (for Mr. RUBIO) submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle B of title XXXI, add the following:

SEC. 3124. PROHIBITION ON AVAILABILITY OF FUNDS FOR PROVISION OF DEFENSE NUCLEAR NONPROLIFERATION ASSISTANCE TO RUSSIAN FEDERATION.

(a) PROHIBITION.—None of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2016 for defense nuclear nonproliferation activities, and none of the funds authorized to be appropriated for defense nuclear nonproliferation activities for any fiscal year before fiscal year 2016 that are available for obligation as of the date of the enactment of this Act, may be obligated or expended to enter into a contract with, or otherwise provide assistance to, the Russian Federation until the President certifies to the appropriate congressional committees that the Russian Federation is in compliance with—

(1) the Treaty between the United States of America and the Union of Soviet Socialist Republics on the Elimination of Their Intermediate-Range and Shorter-Range Missiles, signed at Washington December 8, 1987, and entered into force June 1, 1988 (commonly referred to as the ''Intermediate-Range Nuclear Forces Treaty'' or ''INF Treaty'');

(2) the Treaty between the United States of America and the Russian Federation on

Measures for the Further Reduction and Limitation of Strategic Offensive Arms, signed on April 8, 2010, and entered into force on February 5, 2011 (commonly referred to as the ''New START Treaty'');

(3) its obligations under the Presidential Nuclear Initiatives agreed to by President George H.W. Bush and President Boris Yeltsin; and

(4) its obligations (as the United States defines those obligations) under the Comprehensive Nuclear Test Ban Treaty, adopted by the United Nations General Assembly on September 10, 1996.

(b) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term ''appropriate congressional committees'' means the following:

(1) The congressional defense committees.

(2) The Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives.

SA 1793. Mr. MENENDEZ submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle G of title XII, add the following:

SEC. 1283. CONGRESSIONAL OVERSIGHT OF CIVILIAN NUCLEAR COOPERATION AGREEMENTS.

(a) THIRTY-YEAR LIMIT ON NUCLEAR EXPORTS.—

(1) IN GENERAL.—Notwithstanding any other provision of law, no funds may be used to implement any aspect of an agreement for civil nuclear cooperation pursuant to section 123 of the Atomic Energy Act of 1954 (42 U.S.C. 2153) after the date that is 30 years after the date of entry into force of such agreement unless—

(A) the President, within the final five years of the agreement, has certified to the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives that the party to such agreement has continued to fulfill the terms and conditions of the agreement and that the agreement continues to be in the interest of the United States; and

(B) Congress enacts a joint resolution permitting the continuation of the agreement for an additional period of not more than 30 years.

(2) EXCEPTIONS.—The restriction in paragraph (1) shall not apply to—

(A) any agreement that had entered into force as of August 1, 2015;

(B) any agreement with the Taipei Economic and Cultural Representative Office in the United States (TECRO), or the International Atomic Energy Agency; or

(C) any amendment to an agreement described in subparagraph (A) or (B).

(b) APPLICABLE LAW.—Each proposed export pursuant to an agreement described under this section shall be subject to United States laws and regulations in effect at the time of each such export.

SA 1794. Mr. SANDERS submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title X, add the following:

Subtitle H—Commission on Privacy Rights in the Digital Age

SEC. 1091. SHORT TITLE.

This subtitle may be cited as the ''Commission on Privacy Rights in the Digital Age Act of 2015''.

SEC. 1092. FINDINGS.

Congress makes the following findings:

(1) Today, technology that did not exist 30 years ago pervades every aspect of life in the United States.

(2) Nearly ⅔ of adults in the United States own a smartphone, and 43 percent of adults in the United States rely solely on their cell phone for telephone use.

(3) 84 percent of households in the United States own a computer and 73 percent of households in the United States have a computer with an Internet broadband connection.

(4) Federal policies on privacy protection have not kept pace with the rapid expansion of technology.

(5) Innovations in technology have led to the exponential expansion of data collection by both the public and private sectors.

(6) Consumers are often unaware of the collection of their data and how their information can be collected, bought, and sold by private companies.

SEC. 1093. PURPOSE.

The purpose of this subtitle is to establish, for a 2-year period, a Commission on Privacy Rights in the Digital Age to—

(1) examine—

(A) the ways in which public agencies and private companies gather data on the people of the United States; and

(B) the ways in which that data is utilized, either internally or externally; and

(2) make recommendations concerning potential policy changes needed to safeguard the privacy of the people of the United States.

SEC. 1094. COMPOSITION OF THE COMMISSION.

(a) ESTABLISHMENT.—To carry out the purpose of this subtitle, there is established in the legislative branch a Commission on Privacy Rights in the Digital Age (in this subtitle referred to as the ''Commission'').

(b) COMPOSITION.—The Commission shall be composed of 12 members, as follows:

(1) Four members appointed by the President, of whom—

(A) 2 shall be appointed from the executive branch of the Government; and

(B) 2 shall be appointed from private life.

(2) Two members appointed by the majority leader of the Senate, of whom—

(A) 1 shall be a Member of the Senate; and

(B) 1 shall be appointed from private life.

(3) Two members appointed by the minority leader of the Senate, of whom—

(A) 1 shall be a Member of the Senate; and

(B) 1 shall be appointed from private life.

(4) Two members appointed by the Speaker of the House of Representatives, of whom—

(A) 1 shall be a Member of the House; and

(B) 1 shall be appointed from private life.

(5) Two members appointed by the minority leader of the House of Representatives, of whom—

(A) 1 shall be a Member of the House; and

(B) 1 shall be appointed from private life.

(c) CHAIRPERSON.—The Commission shall elect a Chairperson and Vice-Chairperson from among its members.

(d) MEETINGS; QUORUM; VACANCIES.—

(1) MEETINGS.—After its initial meeting, the Commission shall meet upon the call of the Chairperson or a majority of its members.

(2) QUORUM.—Seven members of the Commission shall constitute a quorum.

(3) VACANCIES.—Any vacancy in the Commission shall not affect its powers but shall be filled in the same manner in which the original appointment was made.

(e) APPOINTMENT OF MEMBERS; INITIAL MEETING.—

(1) APPOINTMENT OF MEMBERS.—Each member of the Commission shall be appointed not later than 60 days after the date of enactment of this Act.

(2) INITIAL MEETING.—On or after the date on which all members of the Commission have been appointed, and not later than 60 days after the date of enactment of this Act, the Commission shall hold its initial meeting.

SEC. 1095. DUTIES OF THE COMMISSION.

The Commission shall—

(1) conduct an investigation of relevant facts and circumstances relating to the expansion of data collection practices in the public, private, and national security sectors, including implications for—

(A) surveillance;

(B) political, civil, and commercial rights of individuals and corporate entities;

(C) employment practices, including hiring and firing; and

(D) credit availability and reporting; and

(2) submit to the President and Congress reports containing findings, conclusions, and recommendations for corrective measures relating to the facts and circumstances investigated under paragraph (1), in accordance with section 1099B.

SEC. 1096. POWERS OF THE COMMISSION.

(a) IN GENERAL.—

(1) HEARINGS AND EVIDENCE.—The Commission or, at its direction, any subcommittee or member of the Commission, may, for the purpose of carrying out this subtitle—

(A) hold such hearings, sit and act at such times and places, take such testimony, receive such evidence, and administer such oaths as the Commission or such subcommittee or member determines advisable; and

(B) subject to paragraph (2)(A), require, by subpoena or otherwise, the attendance and testimony of such witnesses and the production of such books, records, correspondence, memoranda, papers, documents, tapes, and materials as the Commission or such subcommittee or member determines advisable.

(2) SUBPOENAS.—

(A) ISSUANCE.—

(i) IN GENERAL.—A subpoena may be issued under paragraph (1) only—

(I) by the agreement of the Chairperson and the Vice Chairperson; or

(II) by the affirmative vote of 8 members of the Commission.

(ii) SIGNATURE.—Subject to clause (i), a subpoena issued under paragraph (1) may—

(I) be issued under the signature of—

(aa) the Chairperson; or

(bb) a member designated by a majority of the Commission; and

(II) be served by—

(aa) any person designated by the Chairperson; or

(bb) a member designated by a majority of the Commission.

(B) ENFORCEMENT.—

(i) IN GENERAL.—In the case of contumacy or failure to obey a subpoena issued under paragraph (1), the United States district court for the judicial district in which the subpoenaed person resides, is served, or may be found, or where the subpoena is returnable, may issue an order requiring such person to appear at any designated place to testify or to produce documentary or other evidence.

(ii) CONTEMPT OF COURT.—Any failure to obey the order of the court under clause (i) may be punished by the court as a contempt of that court.

(3) WITNESS ALLOWANCES AND FEES.—

(A) IN GENERAL.—Section 1821 of title 28, United States Code, shall apply to witnesses requested or subpoenaed to appear at any hearing of the Commission.

(B) SOURCE OF FUNDS.—The per diem and mileage allowances for witnesses shall be paid from funds available to pay the expenses of the Commission.

(b) CONTRACTING.—The Commission may, to such extent and in such amounts as are provided in appropriations Acts, enter into contracts to enable the Commission to discharge its duties under this subtitle.

(c) INFORMATION FROM FEDERAL AGENCIES.—

(1) IN GENERAL.—The Commission may secure directly from any Federal department or agency such information as the Commission considers necessary to carry out this subtitle.

(2) FURNISHING OF INFORMATION.—If the Chairperson, the chairperson of any subcommittee created by a majority of the Commission, or any member designated by a majority of the Commission submits to a Federal department or agency a request for information under paragraph (1), the head of the department or agency shall, to the extent authorized by law, furnish the information directly to the Commission.

(3) RECEIPT, HANDLING, STORAGE, AND DISSEMINATION.—Information furnished under paragraph (2) shall only be received, handled, stored, and disseminated by members of the Commission and its staff consistent with all applicable statutes, regulations, and executive orders.

(d) ASSISTANCE FROM FEDERAL AGENCIES.—

(1) GENERAL SERVICES ADMINISTRATION.—The Administrator of General Services shall provide to the Commission on a reimbursable basis administrative support and other services for the performance of the Commission's functions.

(2) OTHER DEPARTMENTS AND AGENCIES.—In addition to the assistance provided under paragraph (1), departments and agencies of the United States may provide to the Commission such services, funds, facilities, staff, and other support services as the departments and agencies may determine advisable and as authorized by law.

(e) POSTAL SERVICES.—The Commission may use the United States mails in the same manner and under the same conditions as a department or agency of the United States.

SEC. 1097. NONAPPLICABILITY OF FEDERAL ADVISORY COMMITTEE ACT.

(a) IN GENERAL.—The Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to the Commission.

(b) PUBLIC MEETINGS AND RELEASE OF PUBLIC VERSIONS OF REPORTS.—The Commission shall—

(1) hold public hearings and meetings to the extent appropriate; and

(2) release public versions of the reports required under subsections (a) and (b) of section 1099B.

(c) PUBLIC HEARINGS.—Any public hearing of the Commission shall be conducted in a manner consistent with the protection of information provided to or developed for or by the Commission as required by any applicable statute, regulation, or executive order.

SEC. 1098. STAFF OF COMMISSION.

(a) IN GENERAL.—

(1) APPOINTMENT AND COMPENSATION.—The Chairperson, in consultation with the Vice Chairperson and in accordance with rules agreed upon by the Commission, may appoint and fix the compensation of an executive director and such other personnel as may be necessary to enable the Commission to carry out the functions of the Commission, without regard to the provisions of title 5, United States Code, governing appointments in the competitive service, and without regard to the provisions of chapter 51 and subchapter III of chapter 53 of that title relating to classification and General Schedule pay rates, except that no rate of pay fixed under this paragraph may exceed the equivalent of that payable for a position at level V of the Executive Schedule under section 5316 of title 5, United States Code.

(2) PERSONNEL AS FEDERAL EMPLOYEES.—

(A) IN GENERAL.—The executive director and any personnel of the Commission who are employees shall be employees under section 2105 of title 5, United States Code, for purposes of chapters 63, 81, 83, 84, 85, 87, 89, 89A, 89B, and 90 of that title.

(B) MEMBERS OF COMMISSION.—Subparagraph (A) shall not be construed to apply to members of the Commission.

(b) DETAILEES.—Any Federal Government employee may be detailed to the Commission without reimbursement from the Commission, and such detailee shall retain the rights, status, and privileges of his or her regular employment without interruption.

(c) CONSULTANT SERVICES.—The Commission may procure the services of experts and consultants in accordance with section 3109 of title 5, United States Code, but at rates not to exceed the daily rate paid a person occupying a position at level IV of the Executive Schedule under section 5315 of that title.

SEC. 1099. COMPENSATION AND TRAVEL EXPENSES.

(a) COMPENSATION.—Each member of the Commission who is not an officer or employee of the Federal Government may be compensated at not to exceed the daily equivalent of the annual rate of basic pay in effect for a position at level IV of the Executive Schedule under section 5315 of title 5, United States Code, for each day during which that member is engaged in the actual performance of the duties of the Commission.

(b) TRAVEL EXPENSES.—While away from their homes or regular places of business in the performance of services for the Commission, members of the Commission shall be allowed travel expenses, including per diem in lieu of subsistence, in the same manner as persons employed intermittently in the Government service are allowed expenses under section 5703 of title 5, United States Code.

SEC. 1099A. SECURITY CLEARANCES FOR COMMISSION MEMBERS AND STAFF.

The appropriate departments or agencies of the Federal Government shall cooperate with the Commission in expeditiously providing to the members and staff of the Commission appropriate security clearances to the extent possible under applicable procedures and requirements, and no person shall be provided with access to classified information under this subtitle without the appropriate security clearances.

SEC. 1099B. REPORTS OF COMMISSION; TERMINATION.

(a) INTERIM REPORTS.—The Commission shall submit to the President and Congress interim reports containing such findings, conclusions, and recommendations for corrective measures as have been agreed to by a majority of Commission members.

(b) FINAL REPORT.—Not later than 2 years after the date of enactment of this Act, the Commission shall submit to the President and Congress a final report containing such findings, conclusions, and recommendations for corrective measures as have been agreed to by a majority of Commission members.

(c) CLASSIFIED INFORMATION.—Each report submitted under subsection (a) or (b) shall be in unclassified form, but may include a classified annex.

(d) TERMINATION.—

(1) IN GENERAL.—The Commission, and all the authorities under this subtitle, shall terminate 60 days after the date on which Commission submits the final report under subsection (b).

(2) ADMINISTRATIVE ACTIVITIES BEFORE TERMINATION.—The Commission may use the 60-day period referred to in paragraph (1) for the purpose of concluding its activities, including providing testimony to committees of Congress concerning its reports and disseminating the final report.

SEC. 1099C. FUNDING.

(a) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated such sums as are necessary to carry out this subtitle.

(b) DURATION OF AVAILABILITY.—Amounts made available to the Commission under subsection (a) shall remain available until the termination of the Commission.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON AGRICULTURE, NUTRITION, AND FORESTRY

Mr. THUNE. Mr. President, I ask unanimous consent that the Committee on Agriculture, Nutrition, and Forestry be authorized to meet during the session of the Senate on June 4, 2015, at 10:15 a.m., in room S–240 of the Capitol Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

Mr. THUNE. Mr. President, I ask unanimous consent that the Committee on Banking, Housing, and Urban Affairs be authorized to meet during the session of the Senate on June 4, 2015, at 10 a.m., to conduct a hearing entitled ''Oversight of the Export-Import Bank of the United States.''

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

Mr. THUNE. Mr. President, I ask unanimous consent that the Committee on Commerce, Science, and Transportation be authorized to meet during the session of the Senate on June 4, 2015, at 10:15 a.m., in room S–216 of the Capitol Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON THE JUDICIARY

Mr. THUNE. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet during the session of the Senate on June 4, 2015, at 9:30 a.m., in room SD–226 of the Dirksen Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

SELECT COMMITTEE ON INTELLIGENCE

Mr. THUNE. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on June 4, 2015, at 2:30 p.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON AFRICA AND GLOBAL HEALTH POLICY

Mr. THUNE. Mr. President, I ask unanimous consent that the Committee on Foreign Relations Subcommittee on Africa and Global Health Policy be authorized to meet during the session of the Senate on June 4, 2015, at 10 a.m., to conduct a hearing entitled ''Security Assistance in Africa.''

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON OVERSIGHT, AGENCY ACTION, FEDERAL RIGHTS, AND FEDERAL COURTS

Mr. THUNE. Mr. President, I ask unanimous consent that the Committee on the Judiciary, Subcommittee on Oversight, Agency Action, Federal Rights, and Federal Courts be authorized to meet during the session of the Senate on June 4, 2015, at 2 p.m., in room SD–226 of the Dirksen Senate Office Building, to conduct a hearing entitled ''Rewriting the Law: Examining the Process That Led to the ObamaCare Subsidy Rule.''

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON REGULATORY AFFAIRS AND FEDERAL MANAGEMENT

Mr. THUNE. Mr. President, I ask unanimous consent that the Subcommittee on Regulatory Affairs and Federal Management of the Committee on Homeland Security and Governmental Affairs be authorized to meet during the session of the Senate on June 4, 2015, at 1:15 p.m., to conduct a hearing entitled, ''Examining Practical Solutions to Improve the Federal Regulatory Process.''

The PRESIDING OFFICER. Without objection, it is so ordered.

PRIVILEGES OF THE FLOOR

Mr. BARRASSO. Mr. President, I ask unanimous consent that MAJ Justin Gorkowski, a U.S. Army fellow for the office of Senator ROY BLUNT, be granted floor privileges throughout the duration of consideration of H.R. 1735, the National Defense Authorization Act.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mrs. GILLIBRAND. Mr. President, I ask unanimous consent that my national security fellow, Robert Palladino, be given floor privileges through the end of this Congress.

The PRESIDING OFFICER. Without objection, it is so ordered.

Ms. MURKOWSKI. Mr. President, I ask unanimous consent that my interns, Jasper MacNaughton and Holly O'Brien, be granted the privilege of the floor for the remainder of the day.

The PRESIDING OFFICER. Without objection, it is so ordered.

DEFENDING PUBLIC SAFETY EMPLOYEES' RETIREMENT ACT

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Committee on Finance be discharged from further consideration of H.R. 2146 and the Senate proceed to its immediate consideration.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (H.R. 2146) to amend the Internal Revenue Code of 1986 to allow Federal law enforcement officers, firefighters, and air traffic controllers to make penalty-free withdrawals from governmental plans after age 50, and for other purposes.

There being no objection, the Senate proceeded to consider the bill.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Toomey amendment at the desk be agreed to, the bill, as amended, be read a third time and passed, and the motion to reconsider be laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment (No. 1782) was agreed to, as follows:

(Purpose: To change the effective date)

On page 3, strike lines 9 through 11 and insert the following:

(d) EFFECTIVE DATE.—The amendments made by this section shall apply to distributions after December 31, 2015.

The amendment was ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time.

The bill (H.R. 2146), as amended, was passed.

ORDERS FOR MONDAY, JUNE 8, 2015

Mr. MCCONNELL. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 3 p.m. on Monday, June 8; that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, and the time for the two leaders be reserved for their use later in the day; that following leader remarks, the Senate be in a period of morning business for up to 1 hour, with Senators permitted to speak therein for up to 10 minutes each; and that following morning business, the Senate resume consideration of H.R. 1735.

The PRESIDING OFFICER. Without objection, it is so ordered.

PROGRAM

Mr. MCCONNELL. Mr. President, there will be no rollcall votes during Monday's session of the Senate. Senators should expect votes around lunchtime on Tuesday.

ORDER FOR ADJOURNMENT

Mr. MCCONNELL. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the previous order, following the remarks of Senator COLLINS and Senator SULLIVAN.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Maine.

NATIONAL DEFENSE AUTHORIZATION ACT

Ms. COLLINS. Mr. President, I rise this evening in support of the fiscal year 2016 National Defense Authorization Act, which provides our soldiers, sailors, airmen, and marines with the critical resources they require to meet our critical national security missions.

Let me begin by expressing my sincere gratitude to both the chairman, Senator MCCAIN, and the ranking member, Senator REED, for tackling many of the complex and challenging issues facing our Nation and our military.

During my time in the Senate, I have never been more concerned about global instability and the threats posed to our country by radical Islamic extremists. We must work together to ensure our collective defense and this bill puts us on the path to doing so.

The legislation affirms the strategic importance of our Navy and shipbuilding programs by fully funding the DDG 1000 Program and authorizing $400 million in incremental funding authority toward an additional DDG 51 beyond those included in the current multiyear procurement contract. This additional ship is very much needed by our Navy and it would fulfill the terms of a 2002 swap agreement between the two major shipbuilders regarding the construction of large surface combatants. Both my colleague Senator ANGUS KING and I advocated for these critical provisions.

I am so proud of the highly skilled and hard-working men and women of Bath Iron Works in my State who construct these ships for the Navy. The DDG 1000 is the lead ship of its class. It will bolster our ability to project power. It promises to deliver a wide

array of cutting-edge innovations such as stealth technology, electric propulsion, and a smaller crew size.

Our destroyers are the workhorses of the Navy. Recently, the Bath-built USS *Farragut*, which I was honored to christen almost 10 years ago, was dispatched to the Strait of Hormuz after Iranian naval forces harassed commercial vessels transiting the area. The USS *Farragut* escorted U.S.-flagged ships through the Strait, projecting American power and sending a strong signal to enemies and allies alike that the U.S. Navy is prepared and ready to respond to acts of aggression.

Our Navy fleet provides the robust forward presence our Nation requires to respond not only to acts of aggression but to humanitarian disasters as well as to protect critical trade groups that facilitate global commerce and security. The power of presence cannot be taken for granted or ignored, which is why the investments in our Navy that are authorized by this bill are so critical. We simply need more ships to be where we want to be in the world when we want to be and need to be there. The Navy's plan shows that unless we make the investments that are needed, our fleet will continue to shrink and, thus, jeopardize our national security.

This bill also maintains investments in our public shipyards, which are another set of strategic facilities in our national security arsenal.

Recently, I had the honor of hosting our Secretary of Labor, Thomas Perez, in Maine. We visited and were so impressed by the very successful apprenticeship program at the Portsmouth Naval Shipyard in Kittery, ME. The shipyard in Kittery is one of only four remaining public naval shipyards, and it is renowned for its skilled and dedicated workforce that is helping our Nation transition from the *Los Angeles* Class to the *Virginia* Class submarines.

This bill also provides the resources necessary to help our allies and partners around the world. When Hamas fired more than 3,000 rockets into Israel last summer, the value of U.S.-Israeli cooperative missile defense programs became crystal clear.

During those countless attacks, it was the Iron Dome missile defense system developed in Israel, with cooperation and assistance from the United States, that saved countless civilian lives.

In addition, this bill continues to improve and strengthen the military's response to sexual assault. How well I remember at an Armed Services subcommittee hearing a decade ago when I first raised the issue of sexual assault in the military, and how dismissive the reply was of GEN George Casey. Fortunately, that attitude has changed, and in the last 2 years, significant reforms have been implemented to help combat these crimes and improve services and care for the survivors of sexual assault.

Still, the work of translating the military's stated policy of zero tolerance into reality remains unfinished business. Key provisions in this year's bill build upon the past reforms we have made by improving the protections for victims of sexual assault, enhancing confidential reporting options, and expanding the authority of special victims' counsel to assist the survivors of sexual assault. The Department of Defense must, however, do more to eliminate, once and for all, retaliation against the victims of sexual assault who come forward to report these crimes.

To further support our men and women in uniform, this bill rejects a provision proposed by the administration that would consolidate TRICARE and limit care options for servicemembers and their families. This bill preserves the U.S. Family Health Plan, which serves as a model of high-quality and cost-effective care. This program has been extremely successful and popular among enrollees in Maine. I have been impressed with the work I have seen them do in case management of chronic diseases such as diabetes.

This bill also directs the Pentagon to rein in or eliminate unnecessary, wasteful spending. It cuts headquarters and administrative costs by 7.5 percent in the year 2016. In this time of budget constraints, we owe it to taxpayers to assess every efficiency and use every cost-saving measure, while also continuing to ensure the security of our Nation.

Finally, I wish to thank the committee for making the right decision in rejecting the President's proposal to authorize a new base realignment and closure round in 2016. I have been through BRAC rounds, and they have required significant costs and have failed to deliver on the promised savings, as has been documented by the Government Accountability Office—GAO.

This bill would also better tailor the HUBZone Program to meet the needs of communities affected by the closure of U.S. military installations through the previous BRAC process. The provisions included in the bill are drawn from the HUBZone Expansion Act that I authored with my colleague Senator KING.

I urge support of this highly significant legislation. I am pleased to have worked with the members of the committee on which I have served for so many years. Again, I congratulate the leaders of the committee and the members of the committee for their excellent work.

Thank you, Mr. President.

I yield the floor.

The PRESIDING OFFICER. The Senator from Alaska.

NATIONAL DEFENSE AUTHORIZATION ACT AND THE ECONOMY

Mr. SULLIVAN. Mr. President, I rise in support of the National Defense Authorization Act. This is a bipartisan bill that will provide our servicemembers with the funding they need to continue to keep our country safe.

Over the last 5 months, we have had numerous senior military officials, senior military officers, and foreign policy experts talk to the Senate Armed Services Committee on which I serve about the significant challenges that our country faces. The senior Senator from Arizona talked about this very eloquently today on the floor about ISIL, a resurgent Russia, North Korea with nuclear weapons, and this NDAA bill that we are now debating on the floor focuses on addressing these challenges. It also makes important modernizations to our investments with regard to military weapons, cuts bureaucratic redtape at the Pentagon, and ensures that our Armed Forces remain the most agile and lethal in the world. It upholds our commitments to our servicemembers, to their families, to military retirees, and to their families.

It is remarkable that right now, as we debate this bill—this critically important bill on the Senate floor—the President of the United States has already come out and said he is going to likely veto it if it is in its current form. He is going to veto the NDAA. Think about that. One of the most important things we are doing to take care of our troops, and the President is threatening a veto. Now, during the markup of this bill, many Members on the other side of the aisle—our colleagues—also threatened to work on the amendments but to not vote for the bill. They were all going to vote against the bill. But we stood firm—the chairman and other members of the committee—and said: This is not the kind of bill we play politics with. This is not the kind of bill we try to make political points on. This is a bill that funds our troops, that funds the defense of our Nation. Guess what happened. They got the message. Only four members of the Senate Armed Services Committee voted against this bill. It was a very bipartisan bill coming out of the committee, and I certainly hope, when this bill passes the U.S. Senate and moves to conference with the House and then moves to the President's desk, that he does not play politics with our troops; that he removes his threat to veto one of the most important pieces of legislation that we will work on this year.

I wish to thank the senior Senator from Arizona, the chairman of the Armed Services Committee, for his critical leadership in ushering this bill out of the Senate Armed Services Committee. I had the distinct honor of traveling with Senator MCCAIN recently to Asia, including to Vietnam,

where his service has inspired countless millions of Americans as well as the people of Vietnam. I saw that firsthand. It was humbling. It was an honor to be there with him, Senator REED, and Senator ERNST on a trip I will certainly remember for a lifetime.

Now, we all took an oath a few months ago to pledge solemnly to ''defend the Constitution of the United States against all enemies, foreign and domestic.'' We took that oath right here on this floor. That is what the NDAA does. It gives our servicemembers what they need to fight and defend our great Nation. That is why 53 NDAAs have consecutively passed the Congress.

It hasn't been about partisanship. This bill has moved through the Congress every year for over half a century because it is so important. So again, I would say it would be remarkable if the President of the United States would veto this, particularly given the threats that we see to our Nation.

I want to talk about those rising threats and one of the biggest ones that doesn't get enough attention. We have heard from the chairman of the Senate Armed Services Committee and from both sides of the aisle about what those threats are facing our Nation: ISIS, Iran, Russia, China. These are rising threats, no doubt. But there is a rising threat to our national security that almost never gets talked about, and in some ways it is the biggest threat that our Nation faces.

I am talking about our economy. I am talking about the need for a strong economy. Our economy is one of the most critical elements of our national security. A strong robust economy is our best defense. We have the greatest military in the world, no doubt—the most professional military force in the world, no doubt. We have built this up over decades. But we built this up and we have it because for decades we have had a strong economy. For decades we have had the most innovative, robust economy in the world.

A strong economy is our best weapon against those who would do us harm. A strong economy means more peace, more security, and more prosperity. When America is strong, when it is working, when it is producing, when our economy is robust, the world is safer. Our strength sends a signal to the world. It allows us to set the narrative, to set the rules. It allows us to become the beacon that this country has been for generations.

Right now, we don't have this critical component of our national security, a strong economy. We do not have this. As a matter of fact, our economy is getting weaker, not stronger. The verdict is in. Economists from all across the country, of all political persuasions, agree that the recovery from the last recession has been one of the slowest economic recoveries this country has ever had. We have not had a slower recovery in well over 50 years. The American Enterprise Institute has called this recovery ''glacially and painfully slow by historic standards.'' Even the Center for American Progress, a very liberal think tank, has said that ''this has been a poor recovery in every regard.''

That was last year. This year it is worse. The gross domestic product, which is the value of everything this country produces, last quarter shrank. Let me repeat that. We didn't grow. We didn't grow by 1 percent, 2 percent. The economy of the United States shrank by almost 1 percent. We contracted. It is the third time the economy has shrunk since 2009.

We don't even have a recovery. We don't have a recovery. Right now we have no growth. That means Americans have less money in their pockets. It means wages haven't kept up with inflation. It means the gap between the richest and the poorest is growing. We must get back to higher growth rates. We must get back to traditional levels of American growth. We must get back to an economy that makes us stronger globally and produces hope and opportunity at home.

It wasn't too long ago that we expected in this country at least 4 percent annual GDP growth. That is a very normal, traditional level of American growth. When President Reagan was in office, the average growth rate was about 4.8 percent. During President Clinton and the first term of President Bush it was 3.5 to 4 percent GDP growth.

(Mr. PERDUE assumed the Chair.)

My colleague from Louisiana, who was just presiding, wrote a recent excellent article in the Wall Street Journal.

Mr. President, I ask unanimous consent that article be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Wall Street Journal, Apr. 30, 2015]

DISMAL GROWTH NEEDS THE 3.5% SOLUTION

THE STEPS TO SPURRING THE ECONOMY INCLUDE ALLOWING OIL EXPORTS AND NOT TAXING REPATRIATED OVERSEAS PROFITS

(By Bill Cassidy and Louis Woodhill)

On Wednesday the Commerce Department announced that first-quarter growth of gross domestic product was a dismal 0.2%. Following fourth-quarter GDP growth in 2014 of an anemic 2.2%, the already sluggish economy has slowed almost to a halt.

America is facing a harsh reality. The recovery that began in 2009 is the weakest in postwar history. Millions have dropped out of the labor force, frustrated by lack of opportunity. Lower-income workers are underemployed, middle-incomes have not advanced as in the past, and government dependency has increased. As budget battles rage in Congress, ignored is what really matters: rapid, sustained economic growth.

The Congressional Budget Office has estimated that the U.S. economy will grow by a meager 2.3% over the next decade, and its estimate has declined in the past six months. At this growth rate, Americans face a future of stagnation, inequality and despair.

Here's why: From 1790 to 2014, U.S. GDP in real dollars grew at an average annual rate of 3.73%. Had America grown at the CBO's ''economic speed limit'' of 2.3% for its entire history, GDP would be $780 billion today instead of more than $17 trillion. And GDP per capita would be $2,433, lower than Papua New Guinea's.

Looked at differently, had GDP grown from 2001 to 2014 at the 3.87% annual rate of 1993–2000, the federal government would have had a $500 billion surplus in 2014 instead of a $500 billion deficit. And that's with the same excessive government spending.

The last time the federal budget balanced was 2001 when there was a $128 billion surplus. This was not achieved with spending cuts and tax increases; instead it came after four years of rapid growth—4.45% on average from 1997 to 2000. Helping fuel the economy was a capital-gains tax cut that took effect on Jan. 1, 1997.

The low growth rate during the Obama administration, averaging 1.36%, is not an accident. If the cost of regulations are recognized as taxation by other means, President Obama's first six years of taxes and regulations (and threats of more of both) have undermined confidence among entrepreneurs, small business owners, and the investors that would back them with capital. For the first time in memory, the number of business entities in America is actually falling, according to the Census Bureau.

An example of what not to do is the EPA's proposed ozone rule, which the National Association of Manufacturers predicts will reduce GDP by $140 billion a year, destroy 1.4 million jobs per year and cost each household $830 per year. All for health-benefits claims that public-health experts find questionable.

It's important to be realistic about the future, but 2.3% growth is fatalistic, not realistic.

President Obama and the Congress should be agreeing on what it takes to achieve 3.5% growth. Looking at Social Security Trustees' reports, 3.5% is the rate of growth required to ensure the solvency of Social Security and Medicare, with no tax increases and no benefit cuts.

There are tangible steps we can take toward a pro-growth economy. One step is to reform the uncompetitive corporate tax code, as recommended by President Obama's Bipartisan Debt Commission, among others, including the repatriation of overseas profits without any additional taxation. Increase oil and natural gas exports, which the National Association of Manufacturers estimates would raise 2020 GDP by as much as 1%, while reducing unemployment by 0.5% due to an increase in manufacturing jobs. Rein in the EPA's animus for fossil fuels. Replace ObamaCare with a plan that lowers, rather than raises, the cost of employment, and which does not incentivize businesses to lay off low-wage workers or cut their hours.

Congress should devise a plan for 3.5% economic growth. This isn't wishful thinking. High growth is historically normal for the United States. It is the present imperative, it is the only way forward.

Mr. SULLIVAN. The title is ''Dismal Growth Needs the 3.5% Solution.'' He noted that from 1790 to 2014, almost the entire history of our great Nation, this country grew annually at 3.7 percent GDP growth—3.7 percent. The Obama

administration's annual growth rate has been 1.3 percent. Think about that—1.3 percent.

According to the former CBO Director, the difference between 2.5 percent and 3.5 percent growth—just 1 percent GDP growth difference—will have a huge impact on American families. We would be able to produce nationally 2.5 million more jobs and the average income in terms of wages would be $9,000 higher—$9,000 higher. Think about what you could do with that amount of money. Think about what American families could do with that amount of money, just by going 1 percent higher in our growth rate.

Our distinguished colleague from Pennsylvania recently mentioned that in order to double the standard of living for a family—to double their income—at 3 percent growth, you can do that in 24 years, or a generation. That is why every generation of Americans has benefitted and done better than the previous one, because we have grown at 3, 3.5, 4 percent growth rate. We are doubling our standard of living. At 1 percent growth, which is the Obama growth rate, it takes 72 years to double your standard of living—72 years. That is the trajectory we are on.

What is most disturbing about this is that this is a huge issue for the country. You don't read about it in the press. Heck, last quarter we shrunk. The economy of the United States, the greatest economy in the world, shrunk, and there was barely a press report about it. It has become what people are now referring to as the new normal. Traditional levels of American growth at 3.5, 4 or 4.5 percent GDP growth—nope, in the Obama era that is a thing of the past. We are in the new normal era, with 1.5 percent GDP growth—maybe 2, if we are lucky.

We need to change that. We need to get the traditional levels of American growth. What is most amazing is that the administration seems to be just shrugging its shoulders. Oh, we contracted last quarter? That is no big deal. A 1.5 percent to 2 percent GDP growth for the entire Obama administration record—that is fine.

But it is a big deal, and it is not fine. We need to change this.

Since 2009, the White House has blamed everything from former President George W. Bush to the weather to climate change to Europe's health to growth problems in Africa for these slow growth rates. But have you ever heard the President say: It might be the policies of my own administration. It might be the fact that we are overregulating every element of this great economy of ours. They need to stop blaming and start fixing this economy.

We need to get our country moving again. We have so many comparative advantages to other countries—so many. We have the greatest universities in the world right here in America—the greatest universities in the world compared to any other country. We have agriculture, farmers who feed the world. We have a high-tech sector that is the envy of the world. We have a capital markets sector that commercializes great ideas quicker than any place in the world. We have natural resources—oil, gas, minerals—that are the envy of the world. We are producing more natural gas than any place in the world right now. We are producing more oil than Saudi Arabia right now because our private sector has innovation, ingenuity, hard work. We have tremendous advantages that almost any other country would envy.

What we need to do now is unleash this country's might, unleash the great potential that is the American economy. We need to refuel America. When we grow our economy, we will protect our country.

We need regulatory reform. Right now the cost of regulations to our economy according to the President's own Small Business Administration is close to $2 trillion a year. That is almost $15,000 per American family. Think about that—$15,000 per family is keeping us down. We need a competitive tax system. We need to unleash the might of our private sector through cutting redtape and making sure that we are open for business, not strangling businesses with redtape from Washington.

I want to emphasize these issues because we have been talking about the NDAA, the national defense of our country, for the past few days on the Senate floor, and we are going to be talking about these important issues next week as well. And they are critical issues, but this is a critical issue. If we can't grow our economy, if we can't get back to traditional levels of American growth, we are going to continue to have challenges. But if we can do this, if we can grow consistently by 4.5 or 5 percent in GDP growth, that is the best way to address our challenges, our deficit, our $18 trillion debt, our national security and the funding of our military. We need to focus more on the economy.

This administration has failed the American people on these issues. We need to unleash the might of this great economy of ours, and we will keep our country safe by doing so.

Mr. President, I yield the floor.

ADJOURNMENT UNTIL MONDAY, JUNE 8, 2015, AT 3 P.M.

The PRESIDING OFFICER. Under the previous order, the Senate stands adjourned until 3 p.m. on Monday.

Thereupon, the Senate, at 6:08 p.m., adjourned until Monday, June 8, 2015, at 3 p.m.

NOMINATIONS

Executive nominations received by the Senate:

IN THE AIR FORCE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be general

GEN. DARREN W. MCDEW

IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

MAJ. GEN. RONALD F. LEWIS

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be general

LT. GEN. ROBERT B. ABRAMS

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT AS THE CHIEF OF STAFF OF THE ARMY AND APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTIONS 601 AND 3033:

To be general

GEN. MARK A. MILLEY

IN THE NAVY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT AS CHIEF OF NAVAL OPERATIONS AND APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTIONS 601 AND 5033:

To be admiral

ADM. JOHN M. RICHARDSON

IN THE MARINE CORPS

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES MARINE CORPS TO THE GRADE INDICATED WHILE SERVING AS THE CHIEF DEFENSE COUNSEL FOR MILITARY COMMISSIONS UNDER THE UNITED STATES CONSTITUTION, ARTICLE II, SECTION 2, CLAUSE 2, AND THE NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2014, SECTION 1037:

To be brigadier general

COL. JOHN G. BAKER

IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY UNDER TITLE 10, U.S.C., SECTION 624:

To be major

FRANCIS J. RACIOPPI, JR.

IN THE NAVY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant commander

NATALIE R. BAKAN

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be commander

PATRICK R. O'MARA

EXTENSIONS OF REMARKS

HONORING THE RETIREMENT OF CHIEF WARRANT OFFICER–4 MICHAEL A. HUDSON

HON. TIM RYAN

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 4, 2015

Mr. RYAN of Ohio. Mr. Speaker, today, I am very grateful for the opportunity to recognize Chief Warrant Officer-4 Michael A. Hudson, his wife Karin, and their two sons Zachary and Joshua, for their hard work and commitment to our great country, the United States of America. After honorably serving as an active duty U.S. Marine for the past 20 years, CW4 Hudson retired on Friday, May 15, 2015.

CW4 Hudson is an Ohio native from Sandusky who joined the Marine Corps in 1994. He has received numerous personnel awards such as: the Defense Meritorious Service Medal, the Meritorious Service Medal, the Combat Action Ribbon, two Navy and Marine Corps Commendation Medals, and two Navy and Marine Corps Achievement Medals. CW4 Hudson also excelled in his studies having earned a Master's Degree from Webster University in Management and Leadership. CW4 Hudson not only served his country while residing in the United States but also while living abroad in Japan for six years with his family. While on duty in Okinawa, Japan CW4 Hudson worked with General Support Maintenance Company during 1999. In 2006, CW4 Hudson and his family later transferred to Iwakuni, Japan where he served as the Station Motor Transport Officer and Garrison Mobile Equipment Fleet Manager.

It is with sincere gratitude I honor Mr. Hudson's family for their dedication to our country throughout his years of active service. Mrs. Karin Hudson has been happily married to Mr. Hudson for nineteen years. Not only has she held an important position with Valley Counseling in Warren, Ohio as a Program Manager, but she has also fulfilled the role of both parents her husband was deployed. Mrs. Hudson selflessly moved with her family whenever her husband's duty called for them to do so, and I laud her for her commitment to her husband, her family, and her country.

I would also like to acknowledge Mr. and Mrs. Hudson's two sons, Zachary and Joshua, for their patience and spirit as they traveled with their parents around Japan and the United States. It may at times be difficult to have a parent in active service, but they have shown true patriotism in their support of their father. Zachary at thirteen attends Lakeview Middle School, all the while enjoying the responsibilities of being a Boy Scout. His younger brother Joshua is nine years old and currently attends Lakeview Elementary where he enjoys playing baseball.

Mr. Speaker I ask all of my colleagues to join me in extending a heartfelt thank you to Chief Warrant Officer-4 Hudson and his family for their commitment to our country. We will never forget the years you have honorably served and will forever be thankful for it.

PERSONAL EXPLANATION

HON. AMI BERA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 4, 2015

Mr. BERA. Mr. Speaker, I was unavoidably detained on Rollcall vote No. 292, the amendment offered by Mr. SANFORD of South Carolina. Had I been present, I would have voted "No."

TRIBUTE TO CARL ST. CLAIR

HON. MIMI WALTERS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 4, 2015

Mrs. MIMI WALTERS of California. Mr. Speaker, today I wish to honor and celebrate Carl St. Clair's 25th Anniversary as the Music Director at Orange County's Pacific Symphony.

Under Carl St. Clair's brilliant leadership, Pacific Symphony has become the largest professional symphony orchestra formed in the past fifty years. Through St. Clair's outstanding vision, sensitivity, and dynamic leadership, Pacific Symphony has developed programming that has bridged different cultures, engaged creative voices, and opened the door of great music for all.

St. Clair's artistic vision and standards have generated enthusiastic audiences locally and internationally. In 2006, he led the Symphony on its first European tour—nine cities in three countries playing before capacity houses and receiving extraordinary reviews. His commitment to new music has been demonstrated locally and admired nationally. The Pacific Symphony's American Composers' Festival has celebrated leading composers annually for fifteen years; the Symphony has won two ASCAP Awards for Adventurous Programming, and has released eleven recordings—primarily the music of American composers. St. Clair has produced numerous thematic festivals and fostered the return of professional opera to Orange County. He has also developed continuing programmatic relationships with a number of local universities, including USC, Chapman University, and UC-Irvine.

St. Clair is actively involved in both the conception and implementation of Pacific Symphony's education and outreach programs. The orchestra produces more than twenty distinct education and outreach programs—several garnered national attention and are widely replicated.

Maestro St. Clair has proclaimed that "Music is a birthright," and has supported that vision with complementary activities that are accessible to the entire community.

Through HEARTSTRINGS, the Symphony provides music to more than twenty different agencies that range from homeless shelters and after school youth-mentoring clubs to the Center for Autism and Neurodevelopmental Disorders and Age Well Senior Services. This is accomplished through individual and small group visits to agency sites as well as providing available tickets for major performances. In total, forty-four percent of the Pacific Symphony's annual audiences heard the orchestra at no cost last season. Finally, in perhaps the greatest salute to Maestro St. Clair's musical leadership, fully one-third of Pacific Symphony musicians (37 in number) have tenures with the orchestra that equal or exceed his twenty-five years.

From the highest artistic standards to the breadth of community outreach and service, Carl St. Clair is a vital part of the distinctive quality of life we enjoy in Orange County and Southern California. I thank him for his leadership and for enriching the lives of children and adults throughout the Southern California region, the nation, and the world.

HONORING MARVIN GIBSON ON THE OCCASION OF EARNING HIS SEVENTY YEAR PIN

HON. DAN BENISHEK

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 4, 2015

Mr. BENISHEK. Mr. Speaker, I rise today to honor Mr. Marvin Gibson of Marquette, Michigan on the occasion of earning his Seventy Year Pin in service of the Boy Scouts of America. Mr. Gibson was awarded this honor at a ceremony in Northern Michigan on May 31, 2015.

As Scoutmaster of Boy Scout Troop 305 in Marquette, Mr. Gibson has shown his devotion to the scouting way of life. In his long career with the BSA, he has earned several other distinctions such as the rank of Eagle Scout, Vigil Honor in the Order of the Arrow, National Jamboree Leadership, and the Order of the Arrow National Conferences. Mr. Gibson is additionally the father of an Eagle Scout and a long time summer camp staffer at Camp Hiawatha.

As a former Boy Scout myself, I have firsthand experience in the positive work that Scouting provides, especially in helping young men become self-reliant and learn important skills. On behalf of all residents of the First Congressional District, I wish to convey my congratulations to Mr. Gibson, his family, his fellow scouts, and the many that he has helped to positively influence in his seventy years in service of scouting.

IN HONOR OF SHERIFF LEON WILMOT

HON. PAUL A. GOSAR

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 4, 2015

Mr. GOSAR. Mr. Speaker, I rise today to recognize a patriot, a public servant and a great Sheriff, Sheriff Leon Wilmot from Yuma, Arizona.

Sheriff Wilmot has been an effective law enforcement officer and a staunch advocate in opposing illegal immigration and for supporting the rule of law. His leadership has recently been recognized by the National Sheriff's Association which has named him Chairman of its Immigration and Border Security Committee.

Much deserved Sheriff Wilmot, congratulations. Know that we support your efforts here in Washington, D.C.

HONORING SERGEANT ERIC LUND

HON. DAN BENISHEK

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 4, 2015

Mr. BENISHEK. Mr. Speaker, I rise today in recognition of Sergeant Eric Lund, a true American hero, as well as the community that banded together to help serve one of their neighbors who sacrificed so much in defense of our freedom.

Sergeant Eric Lund joined the U.S. Army National Guard in 2003 after graduating from Ludington High School. He served with the 126th C Company as a gunner atop a Military All-Terrain Vehicle, and was in Afghanistan when he was injured in May 2012 as a result of a roadside IED. The explosion resulted in serious injuries including the loss of both arms.

Eric spent over two years enduring numerous surgeries during his rehabilitation in San Antonio, Texas. However, he knew his goal was to be back home in Ludington—near friends, family, and the water. Returning home for Eric also meant living an active lifestyle that include biking, being outdoors, and most importantly, being able to live independently and tackle everyday tasks on his own.

That dream became a reality as a result of an outpouring of support from the Ludington community and the ''Helping a Hero'' organization.

As part of the their first Michigan project, ''Helping a Hero,'' working with Malliet Construction, built Eric a new home featuring adaptive technology to allow for independent living tools like voice activation and a shower with scrubbers. Donations from the Ludington community came in various forms—from money to materials and labor. There are so many people to thank for making this project a reality for Eric, and I will be proud to join them all on June 8, 2015 for the neighborhood ''Welcome Home'' ceremony.

As our nation's heroes return home, we must welcome them back and recognize the sacrifices they made protecting our freedoms and way of life. As the Ludington community has proven, we can and must help serve these brave men and women. So long as there are soldiers like Sergeant Eric Lund fighting for us, we can never forget that the cost of freedom is high.

THE OCCASION OF THE RETIREMENT OF MS. CORA CIOTTI FROM THE WELDON CITY SCHOOL SYSTEM

HON. G. K. BUTTERFIELD

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 4, 2015

Mr. BUTTERFIELD. Mr. Speaker, I rise to recognize and congratulate my constituent, Ms. Cora Ciotti, as she retires after working nearly 40 years in the education field. Ms. Ciotti began her career in education in New York where she worked as a Youth School Officer for the New Hyde Park School system. Later, she moved to Weldon, North Carolina, in my congressional district, where she worked for the Weldon City Public School system in a number of capacities.

Before embarking on a career in education, Ms. Ciotti attended John Jay College of Criminal Justice in New York where she was trained and certified as a Youth School Officer. Ms. Ciotti's training helped her to navigate some of the unique challenges that were presented by students and empowered her to have a dynamic and positive influence on their lives. Many of the youth who were influenced by Ms. Ciotti decades ago have grown into productive citizens who are making positive contributions to their communities.

After relocating to Weldon, North Carolina, Ms. Ciotti began working with the Weldon City Public Schools, where she served as a Teacher's Assistant and Attendance Counselor, among other important roles. She demonstrated care, compassion, and dedication to the students with whom she worked. If any student was hungry, Ms. Ciotti fed them. If any student lacked clothing, Ms. Ciotti clothed them. At times, Ms. Ciotti even provided shelter for some of our troubled youth by opening up her own home.

Ms. Ciotti was indeed special in her own way to the youth; she possessed a talent for reaching the youth right where they were; she reserved judgement; she changed the lives of many and pushed them in a positive direction, and for that we should all be grateful.

Mr. Speaker, Ms. Cora Ciotti has positively influenced the lives of countless young people over her nearly 40-year career in education. I ask my colleagues to join me in thanking Ms. Ciotti for her dedication to generations of young people and in offering her best wishes as she embarks on the next chapter of her life.

TRIBUTE TO WILLIAM LOUIS ''BILL'' HORTSMAN

HON. LUKE MESSER

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 4, 2015

Mr. MESSER. Mr. Speaker, I rise today to pay tribute to the life of William Louis ''Bill'' Hortsman, a devoted family man, respected Hoosier leader, and a selfless contributor to the Jennings County community. Bill leaves behind his wife of 52 years, Ruth Ann Hortsman, and his two children, Duane and Denise.

Mr. Hortsman graduated from North Vernon High School in 1951 and, in addition to attending First United Methodist Church in North Vernon, was also a member of Pleasant Grove United Methodist Church in Charlestown.

Bill is a true patriot who served in the U.S. Army from 1953 to 1955 after graduating from high school. In his early career, Bill worked for Hortsman Standard Service Station and Hortsman's Standard Oil Delivery.

Bill was also well-known for his commitment to his community. He was a life-long volunteer at the Center Township Fire Department, and he served as Chief for eight years. Bill was also a bus driver for Jennings County Schools for 4 decades, Justice of the Peace for Center Township for eight years, Jennings County Treasurer for four terms, and a worker in the Jennings County Treasurer's Office for 28 years before retiring in 2008. In his free time, which was limited, Mr. Hortsman enjoyed word puzzles and the outdoors, including fishing trips and yard work.

Bill was not only a valuable asset to his community, but also my friend. He frequently attended my Coffee with the Congressman meetings in the 6th District of Indiana and was a long-time supporter of my efforts to serve the State of Indiana. I will always be grateful for the encouragement he gave me and the impact he made on me throughout my political career. He will be missed.

Today, it is my privilege to honor the life of William Louis ''Bill'' Hortsman. My thoughts and prayers go out to Bill's family, and may God comfort those he left behind with His peace and strength.

CONGRATULATING MADISON BRUNETTI AND LOGAN NEELEY

HON. ALEXANDER X. MOONEY

OF WEST VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 4, 2015

Mr. MOONEY of West Virginia. Mr. Speaker, I would like to express my warmest congratulations to a staffer at my district office in Charleston, West Virginia. On June 6, 2015, Madison Brunetti will marry Logan Neeley. I am overjoyed that these two people have decided to commit to one another for the rest of their lives, and uphold the sacred institution of marriage.

I join with their families, friends, and loved ones in congratulating Madison and Logan on

this momentous occasion. I wish the soon to be married couple the best of luck, and long, happy lives together.

TRIBUTE TO GERTIE WEBB OF SALEM, OREGON

HON. GREG WALDEN

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 4, 2015

Mr. WALDEN. Mr. Speaker, I'd like to take this opportunity to pay tribute to a dear friend of mine who passed away on March 17th of this year. I first met Gertie Webb when her oldest daughter and I worked for former Congressman Denny Smith of Oregon. Subsequently, I developed my long lasting friendship with Gertie when she worked for me while I served as the Oregon House Majority Leader.

Gertie was the youngest of nine children—five brothers and four sisters. Their father was a laborer while their mother tended to the needs of the family and the house. Gertie came along shortly before the onset of the Depression and was old enough to watch her brothers leave the home to serve in World War II. While those were challenging years for an entire generation, those were also the defining years of Gertie Webb's life.

During her childhood years, Gertie was expected to perform her fair share of the chores around the house. By age 13, she was driving the family car to the store to purchase the groceries. When she returned from her babysitting jobs, she would place much of her money in the family jar. It wasn't until she was ready to enroll in high school that her mother returned most of the money so Gertie could attend St. Mary's Academy in Portland, Oregon. Those were tough times, but whenever Gertie spoke of her youth, there always seemed to be a positive message in what she said.

In 1953, Gertie married Charles Webb in Portland, Oregon where they resided until 1964. With their three young children—Sue, Jan and Bill—they then moved to Salem where Gertie lived for almost 50 years. Charles passed away in 1982 and shortly after their college years, the kids scattered in different directions. That is when Gertie returned to the working world, including jobs with Congressman Denny Smith and at the Oregon legislature.

My last visit with Gertie took place at a nursing home where she lived her final three years. These were not sad years but years filled with many friendships and positive memories. She was an active resident, always offering assistance in organizing field trips, social events and other activities for her fellow residents. She would start out every morning in the chapel attending daily religious services.

Gertie's faith was the bedrock of who she was. Not one to wear it on her sleeve, Gertie instead manifested her faith through her actions towards others. A good listener, she had a particular interest in the concerns and needs of the less fortunate. When she would say that she would offer her prayers for someone suffering from a hardship, she truly meant it.

And then there is Gertie Webb, the sports guru. Mr. Speaker, this woman knew sports better than anyone I've ever known. Football. Baseball. Basketball. Golf. It didn't matter what sport, Gertie could tell you what teams were ahead in the standings or what golfer had the best shot at winning the U.S. Open. I was told that some of the nursing home staff would frequently visit Gertie's room for a rundown on the scores. Her favorite team was Notre Dame. Few things caused her as much stress as the Irish facing defeat. Rather than watching the final outcome, she would turn off the TV and rely on one of her children or a close friend to give her the final score.

Gertie leaves behind many family members and friends. I offer my condolences to Sue, Jan and Bill following the death of their mother. Someday, we will all face the same fate as Gertie. When my day comes, I can only hope to be as willing to accept the journey as my friend Gertie. Her faith carried her through a remarkable 85-year journey and I am so thankful that I was able to encounter her during her journey. She was a dear friend to many, and a loving and caring mother of three and grandmother of five.

HONORING JOE DOWLING ON THE OCCASION OF HIS RETIREMENT FROM THE GUTHRIE THEATER

HON. BETTY McCOLLUM

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 4, 2015

Ms. MCCOLLUM. Mr. Speaker, I rise to pay tribute to Mr. Joe Dowling, who is retiring in June from the Guthrie Theater in Minneapolis, Minnesota after serving 20 distinguished years as Artistic Director. During Mr. Dowling's impressive tenure, he has directed more than 50 shows and reinforced the foundation for this world-class Minnesota cultural cornerstone.

Mr. Dowling joined the Guthrie as Artistic Director in 1995, bringing his ceaseless creativity and tireless dedication to the arts after leading other theater companies in his native Ireland. Among Mr. Dowling's many achievements is the development of training programs like the University of Minnesota/Guthrie Theater B.F.A. Actor Training Program and A Guthrie Experience for Actors in Training. He also solidified a partnership with The Acting Company of New York and created the WorldStage Series, two programs that allow local talent to tour the U.S. and in turn welcome internationally renowned theater programs to Minnesota. He has also shared his vision and talents on Broadway and at other prominent venues throughout the United States and Europe.

Perhaps Mr. Dowling's deepest legacy is the success of a $125 million capital campaign and construction of a new theater home which was completed in 2006. Designed by French architect Jean Nouvel, the theater is an architectural gem. At 285,000 square feet, the new Guthrie includes public gathering spaces and restaurants, and a 178-foot ''endless bridge'' that highlights a spectacular, soaring view of the mighty Mississippi River. At the heart of the new Guthrie are three unique theaters offering special performance spaces and viewing perspectives. The Dowling Studio in particular is an intimate 200-person black box theater that has welcomed 33 local acting companies and stands as a testament to its namesake's commitment to developing and showcasing the Twin Cities arts community.

In a metropolitan area that boasts more theater seats per capita than anywhere else in the U.S. outside of New York, Minnesotans take great pride in our thriving, high quality performing arts community. Experiencing a performance at the Guthrie is a particular joy, and I attend shows there whenever I can. I am clearly not alone, because under Dowling's leadership, the Guthrie entertains, enriches and enlightens 400,000 patrons each year.

Mr. Speaker, it is a privilege to rise to honor Mr. Dowling and his many contributions to the rich cultural landscape in Minnesota as the Guthrie Theater's Artistic Director as well as his lifetime of commitment to the arts.

PERSONAL EXPLANATION

HON. ADAM SMITH

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 4, 2015

Mr. SMITH of Washington. Mr. Speaker, on Thursday, May 21, 2015, I was on medical leave due to an appointment related to my recovery from surgery and unable to be present for recorded votes. Had I been present, I would have voted:

''Yes'' on roll call vote No. 261 (on agreeing to the Edwards of Maryland Part A Substitute Amendment No. 7 to H.R. 2262),

''Yes'' on roll call vote No. 262 (on passage of H.R. 2262), and

''No'' on roll call vote No. 263 (on agreeing to the resolution H. Res. 274).

BRADFORD-O'KEEFE FUNERAL HOMES

HON. STEVEN M. PALAZZO

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 4, 2015

Mr. PALAZZO. Mr. Speaker, I rise today to honor Bradford-O'Keefe Funeral Homes on the occasion of their 150th anniversary. This milestone marks the continued commitment to service that the O'Keefe family has provided the citizens of the Mississippi Gulf Coast for the past century and a half.

In 1865, Irish immigrant Edward ''Ned'' O'Keefe established his livery service in Ocean Springs. Ned O'Keefe's funeral business soon expanded to Biloxi and other Coast cities as its ownership and management was passed down to succeeding generations of O'Keefe family members. He would certainly be proud of the success and growth of his family business.

Today, with locations all along the Mississippi Gulf, the O'Keefe family compassionately serves their neighbors, friends, and family during life's most difficult times.

The O'Keefe family distinguishes itself outside the family business in a broad array of community involvement, public service, and

philanthropy. This is evident by family patriarch, World War II fighter pilot "Ace," State Legislator, and Biloxi Mayor Jeremiah "Jerry" O'Keefe's service to his state and country.

The O'Keefe family is also blessed with a dedicated and professional staff that combined has hundreds of years of experience. Like the family, they are committed to faithfully serving their community.

Once again, I would like to thank the O'Keefe Family for their 150 years of dedicated service to the citizens of the Mississippi Gulf Coast.

HONORING MR. & MRS. MICHAEL J. BRADLEY

HON. ROBERT A. BRADY

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 4, 2015

Mr. BRADY of Pennsylvania. Mr. Speaker, I rise today to honor Mr. & Mrs. Michael J. Bradley, two constituents born and raised in my district, who will be celebrating their 60th wedding anniversary on June 18, 2015.

Michael Bradley was born and raised in Philadelphia and is a graduate of St. Thomas More High School. His loving wife, Bernadette Ann Sherry, was also born and raised in Philadelphia and graduated from West Catholic High School. The Bradleys are an extremely close knit Irish Catholic family, blessed with eight children and twenty-three grandchildren. Mr. & Mrs. Bradley taught their children that the best way out of poverty was through hard work and education. Fortunately, Michael and Bernadette were able to support all eight of their children as they attended college. Above all, the Bradleys always gave their children three major items to live by: "Faith, Family & Friends".

Mr. & Mrs. Bradley are not only prosperous with love from their large family, but have also succeeded in the business realm. The M.J. Bradley Company was founded in 1973, and continues to be a well known contender in the construction industry, installing quality floor and wall products. The M.J. Bradley Co. continues to grow and thrive under the guidance of five of the Bradley's children.

I would like my colleagues to join me in honoring the significance of this occasion, as Mr. & Mrs. Bradley celebrate their 60th wedding anniversary. They are both model citizens of Philadelphia and will remain an inspiration to their family and community for generations to come.

TRIBUTE TO THE 2015 ELLIS ISLAND MEDAL OF HONOR RECIPIENTS

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 4, 2015

Mr. RANGEL. Mr. Speaker, I rise today to congratulate the 2015 recipients of the coveted Ellis Island Medal of Honor.

This prestigious honor is presented annually by the National Ethnic Coalition of Organizations—NECO, and pays tribute to our Nation's immigrant heritage, as well as to those whose achievements and contributions to our Nation embody the American Dream. The Ellis Island Medals of Honor are awarded to U.S. citizens from diverse ethnic backgrounds who exemplify outstanding qualities in both their personal and professional lives, while continuing to preserve the richness of their particular heritage and culture. Since the Medals' founding in 1986, more than 2,000 American citizens have received the Ellis Island Medal of Honor, including six American Presidents, United States Senators, Congressmen, Nobel Laureates, athletes, artists, clergy, and military leaders. The Medal is not about achieving material success, nor is it about the politics of immigration; it is about the people who have committed themselves to this nation, embraced the opportunities America has to offer, and most importantly, who have used those opportunities to not only better their own lives but make a difference in our country and in the lives of its people.

Citizens of the United States hail from every nation known to man. It is the key to why America is the most innovative, progressive and forward thinking country in the world. The Ellis Island Medals of Honor not only celebrate individuals but also the pluralism and democracy that enabled our fore bearers, ourselves and the next generation of Americans to celebrate their unique cultural identities while still championing the American way of life. In addition, by honoring these remarkable Americans, we honor all who share their origins and acknowledge the contributions they have made to America.

I commend NECO and its Board of Directors headed by my dear friend, Nasser J. Kazeminy, for honoring these truly outstanding individuals for their tireless efforts to foster dialogue and build bridges between different ethnic groups, as well as to promote unity and a sense of common purpose in our nation.

Mr. Speaker, I ask all of my colleagues to join me in recognizing the good works of NECO and in congratulating all of the 2015 recipients of the Ellis Island Medal of Honor.

2015 ELLIS ISLAND MEDAL OF HONOR RECIPIENTS

Shohreh Aghdashloo, Dr. Kamiar Alaei, Masoud "Mike" Altirs, Domingo T. Alvear, MD, FACS, FICS, Shireen Atabaki, MD, MPH, Christopher Atamian, Trisha A. Bailey, Jay H. Baker, PhD, Patty Baker, Rear Admiral Paul Becker, U.S. Navy, Miri Ben-Ari, Mirghavamaddin Bozorgmir, Nicholas R. Caiazzo, Esq., Ted A. Chaglassian, MD, FACS, Dr. Allen Chan, D.C, Jo Ellen Chatham, PhD, Diane Cirincione-Jampolsky, PhD, Maj. Gen. Vincent A. Coglianese, Rocco B. Commisso, Edward T. Creagan, MD, Juan Carlos Cruz, Rajdeep K. Dhami, MD, Reverend Peter M. Donohue, O.S.A., LCDR Joyce M. Elter, USN (Ret.), Ahmass Fakahany, Sheriff Louis Falco III, Adm. Mark E. Ferguson III, USN, Meera Gandhi, Chad P. Gehani, DDS, Richard L. Gelfond, Palmer C. Hamilton, Esq., Leslie Hanson, Master Chief Eric J. Heimburger, Myron Z. Holubiak, Gerald G. Jampolsky, MD, Dr. Kyo "Paul" Jhin, Rahul M. Jindal, MD, PhD, MBA, Mike O. Joulakian, PE, Pamela J. Joyner, Vahe Karapetian, Colonel James J. Keefe, Mariam Khosravani, Kevin D. Kim, Rev. Seung Hee Kim, Mr. Young Kil Kim, KV Kumar, Chief Cathy L. Lanier, William "Don" Larson, Dr. David Lizarraga, Luis G. Lobo, Howard Lutnick, Martha "Muffy" MacMillan, Hildegarde Ercklentz Mahoney, John (Manoukarakis) Manos, RADM Larry Roy Marsh (Ret.), Major General Thomas J. Masiello, USAF, Lt. General Wendy M. Masiello, DAD Brian F. McCauley, FBI, Deric A. Milligan, Major Creighton A. Mullins, USAF, Harry Nadjarian, Chief Abdo Nahmod, Alyssa Navallo-Herman, Justice Sandra Day O'Connor, James P. O'Neill, Catherine O'Reilly, Dr. Zulfiya Orynbayeva, Anoosheh M. Oskouian, Lieutenant General Raymond P. Palumbo, Congressman Ted Poe, Bernard J. Poussot, Robert L. Priddy, Mariano Rivera, Dr. Mostafa Ronaghi, Andrew Sabin, Mike M. Sarian, John Sculley, Gerard Senehi, Frank Shankwitz, Dr. Simon K. Simonian, Major General Linda L. Singh, S. Mona Sinha, Robert F. Spetzler, MD, Hao Jiang Tian, Jeremy Travis, Peter Unanue, Bob Unanue, George Uribe, Nikiforos Valaskantjis, Meredith Vieira, Wafeek Samuel Wahby, PhD, BTh, Kenneth E. Warner, Esq., James N. Weinstein, DO, MS, Richard Roderick Willis, Rabbi Amiel Wohl, Ehsan Yarshater, PhD, Shirley Young, Theodore K. Zampetis, Francois Zayek. International Medal Recipients: Baroness Dr. Sandip Verma, Bert Sakmann, MD, PhD.

International Ellis Island Medal of Honor Recipients: Baroness Dr. Sandip Verna and Bert Sakmann, MD, PhD.

PERSONAL EXPLANATION

HON. BILL JOHNSON

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 4, 2015

Mr. JOHNSON of Ohio. Mr. Speaker, it has come to my attention that during a two minute vote series last night I inadvertently voted 'no' on Mr. KING's amendment (roll call vote 293) when I intended to vote 'yes.' I strongly believe that President Obama's executive order granting amnesty to those illegally in America is unconstitutional, and in no way should be implemented or funded.

PERSONAL EXPLANATION

HON. ROBERT HURT

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 4, 2015

Mr. HURT of Virginia. Mr. Speaker, I was not present for Roll Call vote #284 on House Amendment 333 to H.R. 2578. Had I been present, I would have voted "no."

HONORING PEPSICO

HON. NITA M. LOWEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 4, 2015

Mrs. LOWEY. Mr. Speaker, I rise today to honor PepsiCo, which is celebrating its fiftieth anniversary.

Founded in 1965, PepsiCo has had its headquarters in Purchase, New York, since 1970.

As a Fortune 500 company, PepsiCo has not only transformed the food and beverage industry, it is a global leader in finding solutions for many of the serious challenges facing the international community. The company's philanthropic arm, the PepsiCo Foundation, supports programs that encourage healthy lifestyles, improve the availability of nutrition and clean water, and empower women. Most recently, the foundation announced that, through its collaborative efforts, more than four million people in Latin America now have access to safe, clean water.

PepsiCo has displayed a commitment to increasing opportunities for female leaders in its workforce. In 2011, the company launched the Pinnacle Group in the United States as a way of retaining the most talented female employees through career development, leadership training, and mentoring opportunities. In Asia, the Middle East and Africa (AMEA), PepsiCo has successfully increased female participation through gender equity awareness and inclusion of women in leadership roles. Today, more than a quarter of PepsiCo executives in the AMEA region are female and the company is led by Chairman and Chief Executive Officer Indra Nooyi.

Since 2005, PepsiCo has donated more than $600 million to agencies working in the environmental, educational, civic, arts and health and human services fields. It also provided more than $1.4 million for Hurricane Sandy relief efforts.

Mr. Speaker, I urge my colleagues to join me in honoring PepsiCo on its fiftieth anniversary.

RECOGNIZING SNAP ON ITS 27TH ANNIVERSARY

HON. JANICE D. SCHAKOWSKY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 4, 2015

Ms. SCHAKOWSKY. Mr. Speaker, I rise today to recognize SNAP (Survivors of Those Abused by Priests) on the occasion of their 27th Anniversary, which they will celebrate at their annual conference here in Washington D.C., July 31–Aug 2.

Founded in 1988 by my fellow Chicagoan, Barbara Blaine, SNAP is a self-help support group for those who were sexually violated—whether by clergy, family members, trusted adults, or strangers. Barbara is a survivor of childhood sexual abuse by a member of the clergy. SNAP has become a voice for childhood sexual abuse prevention, awareness and healing in our community. Today, SNAP is an international organization with members in all 50 states and in 71 countries, with over 70 chapters organized throughout the United States and across the world.

Research conducted by the Centers for Disease Control estimates that one in four girls and one in six boys are sexually abused before the age of 18. Only one in 10 children ever tells anyone.

The median age when a victim discloses childhood sexual abuse is 40. One of the most important public policy developments in this country has been the effort to reform the statutes of limitations laws in states.

SNAP is working to bring a voice and justice to victims and survivors by working to reform a legal system that has imposed inadequately short civil statutes of limitations. Those arbitrary deadlines prevent most victims from ever getting through the courthouse doors to present their evidence and make their case.

Typically, victims of child sexual abuse have only five years after they've turned 18 to pursue civil legal remedies for the justice they seek. That means that after age 23, survivors of childhood sexual abuse are prohibited from seeking legal recourse against their abusers, and it can mean that child sexual predators are allowed to live freely among us.

In 2013, I am proud to report, the state of Illinois enacted legislation to remove criminal and civil statute of limitations for sex offenses that occurred when the victim was under 18 years of age. The new law removes the statute of limitations for child sex abuse that occurs on or after January 1, 2014.

I want to take this opportunity to acknowledge SNAP and all their volunteer leaders, who give so much of themselves to help others. Protecting children and preventing sexual abuse of children is a worthy effort we all can support.

PERSONAL EXPLANATION

HON. MARK TAKANO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 4, 2015

Mr. TAKANO. Mr. Speaker, during Roll Call Vote number 295 on H.R. 2578, I mistakenly recorded my vote as yes when I should have voted no.

PERSONAL EXPLANATION

HON. ALMA S. ADAMS

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 4, 2015

Ms. ADAMS. Mr. Speaker, on June 3, 2015 I was absent for recorded votes #274 through #295 due to the passing of my mother.

I would like to reflect how I would have voted if I were here:

On Roll Call #274 I would have voted No.
On Roll Call #275 I would have voted No.
On Roll Call #276 I would have voted Yes.
On Roll Call #277 I would have voted Yes.
On Roll Call #278 I would have voted No.
On Roll Call #279 I would have voted No.
On Roll Call #280 I would have voted Yes.
On Roll Call #281 I would have voted Yes.
On Roll Call #282 I would have voted No.
On Roll Call #283 I would have voted Yes.
On Roll Call #284 I would have voted Yes.
On Roll Call #285 I would have voted Yes.
On Roll Call #286 I would have voted Yes.
On Roll Call #287 I would have voted No.
On Roll Call #288 I would have voted Yes.
On Roll Call #289 I would have voted No.
On Roll Call #290 I would have voted Yes.
On Roll Call #291 I would have voted No.
On Roll Call #292 I would have voted No.
On Roll Call #293 I would have voted No.
On Roll Call #294 I would have voted No.
On Roll Call #295 I would have voted No.

IN RECOGNITION OF BRIAN WHISTON'S SELECTION AS MICHIGAN'S STATE SUPERINTENDENT

HON. DEBBIE DINGELL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 4, 2015

Mrs. DINGELL. Mr. Speaker, I rise today to recognize Mr. Brian Whiston on his nomination for Michigan's State Superintendent. As a Member of Congress it is both my privilege and honor to recognize Mr. Whiston for his prioritization of the success of our students and guiding them on the right path to higher education and into the workforce.

For the past 8 years, Mr. Whiston has served as the Superintendent for Dearborn Public Schools in Dearborn, Michigan, where he selflessly advocated for the betterment of his students and staff through innovative programs and policies. Mr. Whiston implemented a co-teaching model which blends general and special educators to cater to the specific needs of ESL students who comprise a vast majority of the student population. Breaking down the barriers of the typical high school classroom scenario, Mr. Whiston created initiatives for students to explore career interests and acclimate themselves to the college experience. Advanced placement programs, Dual Enrollment at local universities, a S.T.E.M. based magnet program, and a vocational program for culinary arts and hospitality have created a wide array of avenues for students to venture into higher education. This innovative approach led to increased test scores and graduation rates in the district and was certainly of note as Mr. Whiston was named Michigan's Superintendent of the Year in 2014.

As a proponent and champion of unions, Mr. Whiston fostered a strong working relationship with all unions in the district, which was instrumental in settling contracts that kept jobs in the district, balanced the budget, and saved valuable taxpayer dollars.

Mr. Speaker, I ask my colleagues to join me today to honor Mr. Whiston for achieving this accolade. I am confident his fantastic work with Dearborn Public Schools will transcend into his tenure as Michigan's next State Superintendent.

HONORING LOS CERRITOS ELEMENTARY SCHOOL

HON. ALAN S. LOWENTHAL

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 4, 2015

Mr. LOWENTHAL. Mr. Speaker, congratulations. Los Cerritos Elementary School in Long Beach, CA was recently selected as a 2015 U.S. Department of Education Green Ribbon School, an honor shared by several other schools in the Long Beach Unified School District.

The dedicated faculty and staff, students, and families who share the same ideals of conservation and sustainability in their community are commended for integrating these ideals while meeting state education standards. Through hands-on application of activities such as farming and recycling, students become good stewards of their communities and environment and expand the margins of their K–5 education. Additionally, the campus has adopted new technologies to bring their existing infrastructure up to efficient standards. In sum, Long Beach Unified School District has saved approximately $4.9 million in energy costs across multiple school campuses.

Los Cerritos Elementary School is the fifth school in the school district to receive this distinction. I am proud that Long Beach continues to be a leader in green education and I encourage other schools, at all levels, to follow suit in adopting and implementing the leadership necessary to reduce environmental impacts. The environmental instruction being developed by Los Cerritos Elementary as well as previously recognized Green Ribbon Schools should be a model for adoption by all schools nationwide. The value of a quality education to our community cannot be overstated, and investing in green education will offer great returns to our future.

HONORING MRS. CAROLYN SIMS

HON. MICHAEL C. BURGESS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 4, 2015

Mr. BURGESS. Mr. Speaker, I rise today to honor Mrs. Carolyn Sims, who is retiring after over 26 years of public service in Tarrant County. The communities where she has served in various positions over her career are better places because of her efforts.

For over a decade I had the privilege of working with Mrs. Sims during her tenure. However, her service and commitment began long before we met, and will have a lasting impact beyond her official duties' end. After graduating from the University of North Texas, Carolyn began working at a bank until she shifted to public service in education, as a middle school teacher and then as a school counselor. Mrs. Sims then served as the President of the Colleyville Chamber of Commerce as well as for the Arts Council of Northeast Tarrant County.

During the 2003 legislative session, State Representative Vicki Truitt recruited Mrs. Sims to serve as her chief of staff in Austin. After returning to North Texas, Carolyn returned to her education roots and began to work for the Town of Westlake, Westlake Academy Foundation, and then the Northwest ISD Education Foundation. Finally, Carolyn utilized her connections and skills to serve the residents of Northeast Tarrant County as the 3rd Precinct County Administrator for Commissioner Gary Fickes.

Over the course of her career, Carolyn has been recognized multiple times for her significant contributions to the North Texas community. In 1994, she received the Women's Award for Business by the Women's Shelter Legacy. In 1995, she received recognition from the Northeast Leadership Forum as the ''Outstanding Community Volunteer''. Adding to her accolades, the Star Telegram named Mrs. Sims the 1999 ''Woman of the Year'', while the Business Press named her the ''Most Influential Woman'' the same year.

As Carolyn retires, her community service and dedicated work will be greatly missed. During her service of over 26 years, spanning from school board to chief of staff, Carolyn habitually placed others ahead of herself. It is my privilege to honor such an outstanding citizen in the U.S. House of Representatives.

A TRIBUTE TO SARAH ELIZABETH WILLIAMS, SEPTEMBER 3, 1918–MAY 9, 2015

HON. WM. LACY CLAY

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 4, 2015

Mr. CLAY. Mr. Speaker, I rise today to pay tribute to an extraordinary woman and a lifelong friend to my family, the late Sarah Elizabeth Williams.

Sarah Elizabeth Williams was born on September 3, 1918 in Philadelphia, Pennsylvania. She was the oldest of four children and the only daughter born to Rev. Charles E. Williams and Ethel Davis Williams. Her three brothers, Charles, Matthew, and James preceded her in death.

When Sarah was very young, the family moved to historic La Mott, a suburb of Philadelphia, located in Cheltenham Township in Montgomery County, Pennsylvania. In 1885 the village was officially named for the famous abolitionist and suffragette, Lucretia Mott, who had moved to the area in 1850. Many longtime residents like Sarah as well as new ones were proud of their community's heritage which stood as an important landmark in black history. One of the first communities to encourage integrated living, the village represented a turning point in the social and racial development of residential communities in the post-Civil War era. ''Roadside'', the home of Lucretia Mott, was a stop for slaves traveling the Underground Railroad north to safety.

After graduating from Cheltenham High School, Sarah moved to Norfolk, Virginia, attending Virginia Union Jr. College for two years. She took classes in English, Biology, and Zoology, before returning home to help look after her three brothers following her mother's illness and death.

For many years, Sarah worked as a technician at the Fels Research Institute at Temple University in Philadelphia. Her marriages ended in divorce, but out of the union she had one child, Sandra.

Always looking to explore new horizons, Sarah took the Federal Civil Service exam and moved to Washington, D.C., in 1950 to secure employment in the federal government.

Sarah, affectionately known as ''Gramm'' by family and friends, worked for H.E.W. in Washington, D.C., and the Army Corps of Engineers in Gravely Point, Virginia. She transferred to the U.S. Department of Justice in 1963, and worked there in the Civil Rights Division. At the Department of Justice Sarah provided support to several attorneys, among them her heroes, Thurgood Marshall, and Assistant Attorney General, John Doar.

In 1968 and 1969, Sarah traveled with legal teams to Montgomery and Birmingham, Alabama, and to Chicago, Illinois, to help prepare briefs for various trials. The duration of these trips ranged from three days to as many as three weeks for the trial in Birmingham. One important case in 1980 involved an appeal in a suit alleging brutality and other unlawful practices on the part of the Philadelphia Police Department. Sarah always said her work with the attorneys in the division to combat racial and various other forms of discrimination in housing, education, and employment, while enforcing civil and voting rights, gave her a sense of pride and purpose and she received many special achievement awards for her ''Superior Performance''.

Sarah retired in 1983 but always stayed connected to her former colleagues, and in 2007, was the oldest former employee to attend the Commemoration of the Department of Justice Civil Rights Division's 50th anniversary at the Georgetown University Law Center in Washington, D.C.

Prior to retirement, Sarah began living with her daughter and her husband, E. Lucien Cox, in Montgomery County, Maryland. She was a wonderful influence in the lives of her three grandchildren and family friends, providing them with much of her wisdom and experience. Sarah's example helped them to appreciate the value of hard work, commitment, and best of all, joie de vivre.

After retiring Sarah was able to travel to interesting places throughout the world, become more active in her church, and dote on her seven great grandchildren, as well as volunteering with reading programs at local schools. She continued to be active until age 87, when her health began to fail.

Sarah, to quote Maya Anjelou, was truly a ''phenomenal woman'', who always seemed to be ahead of the curve. Her interest in ecology and nature, and even encouraging the grandchildren to recycle, goes back 45 years. She also stayed relevant by listening to and engaging young people. They learned from her and she learned from them and respected their views.

Sarah's sense of humor was legendary. Everyone who met her knew she never missed a beat. You never could predict what was coming next, but you just knew it would be memorable. There will never be another like ''Gramm''.

When Sarah's family moved near her beloved Chesapeake Bay, to the Eastern Shore of Maryland in 2009, she accompanied them. She was a resident at the Berlin Maryland Nursing Center for five years and was cognitive and witty up until her passing on May 9, 2015. One of her greatest joys was living to see President Barack Obama elected twice, and to see Loretta Lynch confirmed as U.S. Attorney General. As she said, ''I never thought I would live to see all of this''.

Mr. Speaker, I urge Members of Congress to join me in honoring the memory of Sarah Elizabeth Williams. Our wonderful memories of her will sustain us all.

CONGRATULATING KASSIE McKNIGHT FOR COMPETING IN THE SCRIPPS NATIONAL SPELLING BEE

HON. BILLY LONG

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 4, 2015

Mr. LONG. Mr. Speaker, I rise today to congratulate Kassie McKnight for her achievement in representing southwest Missouri at the Scripps National Spelling Bee.

Kassie is a Bolivar native and was an eighth grader at Bolivar Middle School during the time of the competition. She worked hard to get to the top, going through her local spelling bee in Bolivar to the Southwest Missouri Regional Spelling Bee at Missouri State University in Springfield. Kassie competed against 34 other spellers through 64 tough rounds at the regional competition, ultimately spelling ''exacerbate'' correctly to secure her spot at the 2015 Scripps National Spelling Bee in Washington. Kassie was one of 285 contestants to compete in the esteemed national bee.

These accomplishments took a great deal of hard work, including hours of practice and completion of numerous spelling drills, not to mention the ability to spell many difficult words that are rarely used in everyday conversation. I urge my colleagues to join me in congratulating Kassie on a job well done. It is great to represent in Congress such amazing talent found in the Missouri's Seventh Congressional District.

IN HONOR OF STEVE BOLLINGER

HON. J. FRENCH HILL

OF ARKANSAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 4, 2015

Mr. HILL. Mr. Speaker, losing a father, mother, husband, or wife is an emotionally traumatic experience for any family. In addition to the burden faced by families that have experienced this type of loss, losing a head of household has severe economic implications for their journey forward. The Bollinger family learned this three decades ago, after unexpectedly losing their beloved Steve, leaving his wife, Lin, with four children and no income other than social security and several small insurance policies. Luckily, the Bollingers had a strong team behind them to help them through the immediate difficulties this presented.

During the Reagan Administration, Steve was Assistant Secretary for Community Planning and Development at the U.S. Department of Housing and Urban Development. Previously, he had run for Cincinnati City Council and served as the head of the Public Housing Authority of Columbus, Ohio, where he served honorably. His dedication rendered a sincere appreciation and respect from his colleagues, and these individuals would be the ones that summoned the means of supporting the Bollinger family until they won a worker's compensation claim that enabled them to return funds to the newly established Bollinger Foundation. And so, the group had a newly empowered mission: to support families that faced the same struggle.

I had the opportunity to work with Steve when I was a young staffer on Capitol Hill, working for the U.S. Senate Committee on Banking, Housing, & Urban Affairs. Steve came before the Committee to bring the Reagan Administration's deregulation of the Community Development Block Grant.

Steve, a young man at the age of 36, died while traveling to Savannah, Georgia, to speak to the Georgia Municipal League. Lin was pregnant with their fourth child, and Steve, who had been a public servant most of his adult life, had not had enough time to build a sufficient nest egg to properly take care of the future needs of his family.

Since its founding, the Bollinger Foundation has provided nearly three quarters of a million dollars to families who have lost a loved one, with assistance given to families of individuals having worked in community or economic development, or assisted housing, as Steve did.

The Foundation has helped countless families including families affected by the bombing of the Murrah Federal Office Building in Oklahoma City, in which the greatest loss of life and injury was to people who worked for the U.S. Department of Housing and Urban Development. Numerous families have benefitted from the efforts of the Foundation and their committed members, and their efforts represent Steve's memory well. I am grateful for Steve, our friendship of long ago and or the continued work of the foundation bearing his name.

PERSONAL EXPLANATION

HON. LOIS CAPPS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 4, 2015

Mrs. CAPPS. Mr. Speaker, I was not able to be present for the following Roll Call votes on June 3, 2015 and would like to reflect that I would have voted as follows: Roll Call 289: No.

IN HONOR OF RICHARD MILLER

HON. ELIZABETH H. ESTY

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 4, 2015

Ms. ESTY. Mr. Speaker, I rise today to honor and remember Richard Miller, a resident of Cheshire, Connecticut, who passed away recently at the age of 100.

Mr. Miller dedicated his life to serving others and was a leader in the community. He served on various municipal boards including the town's Board of Education, Cheshire Hospice, and Senior Center. He also volunteered with countless civic organizations and societies and served three elected terms as the town of Cheshire's Police Commissioner.

Mr. Miller was a long time member of the First Congregational Church in my hometown of Cheshire, and was a very active member of the Rotary. He also established the Cheshire Food Drive, and raised funds for countless charitable organizations.

Mr. Miller was a civil engineer who worked with The American Brass Company and Anaconda Copper before completing his career with Platt Brothers & Company in Waterbury, CT in 1981.

He served our country in the U.S. Army Corps of Engineers for four and a half years, mainly concerned with the training of Special Engineer service and combat units at Fort Belvoir, Virginia. He was honorably discharged in April 1946 with the rank of Major CE.

Mr. Miller was an inspiration, and I know he is greatly missed by many, especially those in Connecticut's 5th Congressional District.

INTRODUCTION OF THE TRADE TRANSPAREN-C RESOLUTION

HON. MARCY KAPTUR

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 4, 2015

Ms. KAPTUR. Mr. Speaker, I rise today to introduce the Trade Review Accountability Needs Sunlight and Preview of Any Regulations and Exact Negotiated Components Resolution, or the ''Trade TRANSPAREN-C Resolution.''

Congress has granted the last eighteen presidents the authority to negotiate trade agreements withdrawing significant Congressional participation in the process. The recent past has seen a transformation in this authority, originally established to serve as negotiating guidelines. Today, it is little more than Congressional consent to be a rubber stamp as this implementing legislation sometimes referred to as ''Fast-Track'' or ''Trade Promotion Authority,'' grants sweeping authority to the Executive branch to negotiate trade deals. And it undercuts the Constitutional responsibility of Congress to regulate commerce with foreign nations as outlined in Article 1, Section 8 of the U.S. Constitution. Instead we are allowed merely an up or down vote.

Today, I introduce this resolution to take back our Congressional authority, and to shine light on the negotiation process and final text of these increasingly massive trade deals.

The Trade Promotion Authority currently under debate would usher through the top secret Trans-Pacific Partnership (TPP) trade agreement. It would also grant that fast track authority for up to six years. During that time we would be prohibited from any Congressional amendments or hearings, and given at most 60 days to review any proposed trade deal. This is a very short window if you consider that the draft TPP is between 800–1000 pages.

My Trade TRANSPAREN-C Resolution will put a hold on consideration of any implementing ''Fast-Track'' bill for any trade agreement until the full, final text of that agreement has been available to the public for no less than 60 days. This includes the secretive TPP.

In its current form, the TPP would outsource good jobs, degrade global environmental and working standards and allow investor rights to overrun the rights of workers. The TPP is also packed with special-interest perks thanks to

the more than 600 transnational corporations that weighed in on, and in some case wrote, the agreement in secret. Meanwhile the American people have still not been allowed to read it.

For six years the U.S. trade representative has kept the TPP buried under a top secret classification. Even Members of Congress can only read it in a secure room under the watchful eye of a security monitor. I visited that room to review several sections of the deal and was not allowed to make copies, keep notes, take pictures, or share anything I learned with anyone unless they have Top Secret security clearance, all under threat of prosecution.

Despite the secrecy, this deal has provisions the American people need to know about.

The Trade TRANSPAREN-C Resolution will reaffirm Congress's Constitutional authority to set the terms for international trade. It will allow the American public time and sunlight to see the Trans-Pacific Partnership and future trade deals for themselves. As Members of Congress, we have a duty to our constituents to play the role mandated by the Constitution. Not allowing the people access to the full discussion would be a disservice to them. I urge my colleagues to support the Trade TRANSPAREN-C Resolution to ensure U.S. trade policy reflects American principles of representative governance.

PERSONAL EXPLANATION

HON. GUS M. BILIRAKIS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 4, 2015

Mr. BILIRAKIS. Mr. Speaker, I was unavoidably detained and was unable to make two votes. On roll call vote 288, had I been present I would have voted ''No.'' On roll call vote 289, had I been present I would have voted ''Aye.''

CELEBRATING THE LIFE OF MS. MARGARET JACKSON

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 4, 2015

Mr. RANGEL. Mr. Speaker, I rise today to recognize and honor the life of Ms. Margaret Jackson, a well respected Harlem activist, business woman and all around exemplary human being.

Margaret Jackson serves her community not merely through rhetoric but in her noble actions. The Martin Luther King Jr. Democratic Club exemplifies excellent civic service and brings hope and joy to countless citizens by keeping the legacy of the Reverend Doctor Martin Luther King Jr. at the forefront of our collective cultural consciousness. Margaret Jackson was the president of that institution. Under her leadership, the club continued its core principle of continuing a sense of altruistic civic mindedness, the likes of which brought great pride to her community. She wasn't, however, merely a member of but one institution focused on community service; she was instrumental to several. Ms. Jackson was the treasurer of the Harlem YMCA where she worked with competence, professionalism, and dignity, and a member of St. Phillip's Episcopal Church where she served and worshipped with great dignity. She was the epitome of a civic minded spiritualist.

Margaret Jackson was an exceptional person, a polymath who mastered many trades and served the public in many ways. She not only made a great impact in the non-profit sector, but she owned several successful businesses. Margaret Jackson was president of two funeral homes, which she led with competence, humanitarian compassion, and a heartfelt and deeply meaningful sense of care towards the neediest among us: traits vital in the managing of a funeral home, where those who came to her needed compassion more than anything else. She also proved her economic expertise in her ownership of a successful realty corporation, which she ran skillfully and prosperously, but always with a civic minded wholly humanitarian desire to serve the needy.

Mr. Speaker, I ask that you and my distinguished colleagues join me in recognizing this wonderful person and all of the good that she stood for. The United States is built upon the backs of its most civic and conscientious citizens.

HONORING CIVIL RIGHTS ACTIVIST REV. FREDERICK D. REESE

HON. TERRI A. SEWELL

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 4, 2015

Ms. SEWELL of Alabama. Mr. Speaker, I rise today to honor renowned civil rights leader Rev. Frederick D. Reese, a pillar in the Selma to Montgomery marches of 1965. This courageous Alabamian is being honored on Saturday June 7, 2015, in my hometown of Selma, Alabama, for his service and contributions to education and politics, as well as the fight for equality and justice. I am proud to be a part of efforts to pay homage to one of the most influential Americans in history.

Dr. Reese was born November 28, 1929. A believer in education, he graduated from Alabama State University and Livingston University, and studied and attended Southern University, the University of Alabama and Auburn University before receiving his doctorate of divinity from Selma University.

Dr. Reese is an historic figure of modern history known for his support of civil rights. Dr. Reese rose to national prominence as a civil rights leader following ''Bloody Sunday.''

This beloved civil rights activist marched across the Edmund Pettus Bridge in Selma, Alabama in 1965, along with hundreds of other supporters. By the mid-1960's, Reese was President of the Dallas County Voter's League and was also a local teacher who presided over the Selma Teachers Association. Discouraged by Selma's efforts to hinder voter registration for African Americans, Dr. Reese advocated that teachers press the issue. Dr. Reese invited Reverend Martin Luther King, Jr. and the Southern Christian Leadership Conference to lead Selma's voting rights protest.

Dr. Reese has served the Selma and Dallas County community faithfully and his exemplary work and commitment to social justice is well known. Notably, Dr. Reese hasn't left the community that he helped become the center of the civil rights movement in the 1960s. Dr. Reese has been quoted as saying his new fight is to inspire young people to lead purposeful lives.

''I tell young people today that they cannot rest on our victories,'' Dr. Reese said. ''We have to remain committed. That means registering to vote and participating in what this country has to offer. That means making a difference for others.''

Dr. Reese said that he marched so that everyone, regardless of color, could become a first-class citizen. Dr. Reese knows that you have to stand for what you believe in. He became nationally known for his beliefs and inspired others to stand as well. Dr. Reese has remained committed to education and service. He became a principal and a city councilman, serving 12 years on the Selma City Council. He also ran for mayor in 1984, and led a campaign to motivate Wal-Mart executives to hire African-Americans as store managers.

In 2000, in honor of his civil rights work, a stretch of more than three miles of U.S. Route 80, where he marched to Montgomery, was named the Frederick D. Reese Parkway. The F.D. Reese Christian Academy in Kokomo, Indiana, was also dedicated to him.

Dr. Reese has been the pastor of Selma's Ebenezer Baptist Church since 1965. Although he is retired from teaching, he still works as a Baptist minister and delivers a sermon to his congregation each week.

On behalf of the 7th Congressional District, the State of Alabama and this nation, I ask my colleagues to join me in celebrating the accomplishments of Reverend Dr. F.D. Reese. We pay tribute to his distinguished career and honor his contributions and leadership in the civil rights movement. My deep appreciation is expressed for his courageous, distinguished and on-going service.

HOUSE OF REPRESENTATIVES—*Monday, June 8, 2015*

The House met at 2 p.m. and was called to order by the Speaker pro tempore (Mr. ROONEY of Florida).

DESIGNATION OF THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,
June 8, 2015.

I hereby appoint the Honorable THOMAS J. ROONEY to act as Speaker pro tempore on this day.

JOHN A. BOEHNER,
Speaker of the House of Representatives.

PRAYER

The Chaplain, the Reverend Patrick J. Conroy, offered the following prayer:

Gracious God, we give You thanks for giving us another day.

In this Chamber, where the people's House gathers, we pause to offer You gratitude for the gift of this good land on which we live and for this great Nation which you have inspired in developing over so many years. Continue to inspire the American people, that through the ebb and flow of our shared history we might keep liberty and justice alive in our Nation and in the world.

Give to us and all people a vivid sense of Your presence, that we may learn to understand each other, respect each other, work with each other, live with each other, and do good to each other. So shall we make our Nation great in goodness and good in its greatness.

May all that is done this day be for Your greater honor and glory.

Amen.

THE JOURNAL

The SPEAKER pro tempore. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. The Chair will lead the House in the Pledge of Allegiance.

The SPEAKER pro tempore led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore laid before the House the following communication from the Clerk of the House of Representatives:

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, June 8, 2015.

Hon. JOHN A. BOEHNER,
The Speaker, U.S. Capitol, House of Representatives, Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted in clause 2(h) of rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on June 8, 2015 at 10:17 a.m.:

That the Senate passed with an amendment H.R. 2146.

With best wishes, I am

Sincerely,

KAREN L. HAAS.

ADJOURNMENT

The SPEAKER pro tempore. Without objection, the House stands adjourned until noon tomorrow for morning-hour debate.

There was no objection.

Thereupon (at 2 o'clock and 4 minutes p.m.), under its previous order, the House adjourned until tomorrow, Tuesday, June 9, 2015, at noon for morning-hour debate.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

1704. A letter from the Chair, Board of Governors of the Federal Reserve System, transmitting the 101st Annual Report covering operations for calendar year 2014; to the Committee on Financial Services.

1705. A letter from the Secretary, Department of Energy, transmitting the Department's report to Congress ''MOX Fuel Fabrication Facility Construction and Operations'' for 2015, pursuant to the Carl Levin and Howard P. ''Buck'' McKeon National Defense Authorization Act for Fiscal Year 2015 and the Explanatory Statement for the Consolidated and Further Continuing Appropriations Act, 2015; to the Committee on Energy and Commerce.

1706. A letter from the Secretary, Department of Energy, transmitting the Department's report ''The Opportunity for the Development of Alternative Fuels and Dual Fuel Technologies for Class 8 Heavy-Duty Long-Haul Trucks'' pursuant to an explanatory note to the Consolidated Appropriations Act of 2014 (Pub. L. 113-76); to the Committee on Energy and Commerce.

1707. A letter from the Assistant Secretary, Office of Fossil Energy, Department of Energy, transmitting the Department's ''Strategic Petroleum Reserve Annual Report for Calendar Year 2013'', in accordance with Sec. 165 of the Energy Policy and Conservation Act (42 U.S.C. 6245); to the Committee on Energy and Commerce.

1708. A letter from the Chief of Staff, Media Bureau, Federal Communications Commission, transmitting the Commission's final rule — Amendment of Section 73.622(i), Post-Transition Table of DTV Allotments, Television Broadcast Stations (Providence, Rhode Island) [MB Docket No.: 15-98] (RM-11748) received June 4, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1709. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting the Department's report on the activities for the Multinational Force and Observers and U.S. participation in that organization for the period January 16, 2014, to January 15, 2015, pursuant to Sec. 6(b) of Pub. L. 97-132; to the Committee on Foreign Affairs.

1710. A letter from the Secretary, Department of Education, transmitting the 52nd Semiannual Report to Congress on Audit Follow-up, pursuant to Sec. 5(b) of the Inspector General Act, as amended, covering the six-month period ending March 31, 2015; to the Committee on Oversight and Government Reform.

1711. A letter from the Secretary, Department of Labor, transmitting the Department's Semiannual Report to the Congress of the Office of Inspector General for the period October 1, 2014, through March 31, 2015, in accordance with Sec. 5 of the Inspector General Act; to the Committee on Oversight and Government Reform.

1712. A letter from the Executive Vice President and Chief Financial Officer, Federal Home Loan Bank of Atlanta, transmitting the Federal Home Loan Bank of Atlanta 2014 management report, pursuant to the Chief Financial Officers Act of 1990; to the Committee on Oversight and Government Reform.

1713. A letter from the Director, Office of Personnel Management, transmitting the Semiannual Report of the Inspector General and the Management Response for the period of October 1, 2014, to March 31, 2015, pursuant to Pub. L. 95-452, Sec. 5, as amended; to the Committee on Oversight and Government Reform.

1714. A letter from the Director, Office of Personnel Management, transmitting the Federal Activities Inventory Reform Inventory for FY 2012 and 2013, pursuant to Sec. 2(c)(1)(A) of the Federal Activities Inventory Reform Act of 1998, Pub. L. 105-270, as amended by Sec. 840 of Division A of Pub. L. 109-115; to the Committee on Oversight and Government Reform.

1715. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's temporary rule — Atlantic Highly Migratory Species; Atlantic Bluefin Tuna Fisheries [Docket No.: 120328229-4949-02] (RIN: 0648-XD902] received June 2, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

1716. A letter from the Deputy Assistant Administrator for Regulatory Programs, NMFS, Office of Sustainable Fisheries, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Exclusive Economic Zone Off Alaska; Bering Sea and Aleutian Islands Crab Rationalization Program; Amendment 45; Pacific Cod Sideboard Allocations in the Gulf of Alaska [Docket No.: 130820737-5408-02] (RIN: 0648-BD61) received June 2, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

1717. A letter from the Deputy Assistant Administrator for Regulatory Programs, NMFS, Office of Sustainable Fisheries, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries Off West Coast States; West Coast Salmon Fisheries; 2015 Management Measures [Docket No.: 150316270-5270-01] (RIN: 0648-XD843) received June 2, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

1718. A letter from the Director, National Oceanic and Atmospheric Administration, Department of Commerce, transmitting the ''2014 Report to Congress on the Disclosure of Financial Interest and Recusal Requirements for Regional Fishery Management Councils and Scientific and Statistical Committees and on Apportionment of Membership on the Regional Fishery Management Councils'', pursuant to Secs. 302(b)(2)(B) and 302(j)(9) of the Magnuson-Stevens Fishery Conservation and Management Act; to the Committee on Natural Resources.

1719. A letter from the Secretary, Department of Health and Human Services, transmitting the Department's determination on a petition filed on behalf of workers who were employed at Dow Chemical Company in Pittsburg, California, to be added to the Special Exposure Cohort, pursuant to the Energy Employees Occupational Illness Compensation Program Act of 2000 and 42 C.F.R. pt. 83; to the Committee on the Judiciary.

1720. A letter from the Deputy Chief Counsel for Regulations and Security Standards, Office of the Chief Counsel, TSA, Department of Homeland Security, transmitting the Department's interim final rule — Adjustment of Passenger Civil Aviation Security Service Fee [Docket No.: TSA-2001-11120; Amendment No.: 1510-5] (RIN: 1652-AA68) received June 2, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1721. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Bombardier, Inc. Airplanes [Docket No.: FAA-2014-0491; Directorate Identifier 2014-NM-023-AD; Amendment 39-18130; AD 2015-07-02] (RIN: 2120-AA64) received June 5, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1722. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Pratt & Whitney Canada Corp. Turboprop Engines [Docket No.: FAA-2013-0766; Directorate Identifier 2013-NE-26-AD; Amendment 39-18149; AD 2014-17-08R1] (RIN: 2120-AA64) received June 5, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1723. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; The Boeing Company Airplanes [Docket No.: FAA-2015-1278; Directorate Identifier 2014-NM-223-AD; Amendment 39-18155; AD 2015-09-09] (RIN: 2120-AA64) received June 5, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1724. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus Airplanes [Docket No.: FAA-2014-0589; Directorate Identifier 2014-NM-069-AD; Amendment 39-18148; AD 2015-09-03] (RIN: 2120-AA64) received June 5, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1725. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Bombardier, Inc. Airplanes [Docket No.: FAA-2015-0074; Directorate Identifier 2014-NM-138-AD; Amendment 39-18147; AD 2015-09-02] (RIN: 2120-AA64) received June 5, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1726. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; The Boeing Company Airplanes [Docket No.: FAA-2014-0429; Directorate Identifier 2014-NM-039-AD; Amendment 39-18151; AD 2015-09-05] (RIN: 2120-AA64) received June 5, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1727. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Standard Instrument Approach Procedures, and Takeoff Minimums and Obstacle Departure Procedures; Miscellaneous Amendments [Docket No.: 31014; Amdt. No.: 3640] received June 5, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1728. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus Airplanes [Docket No.: FAA-2012-0636; Directorate Identifier 2012-NM-037-AD; Amendment 39-18154; AD 2015-09-08] (RIN: 2120-AA64) received June 5, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1729. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Zodiac Aerotechnics (formerly Intertechnique Aircraft Systems) Oxygen Mask Regulators [Docket No.: FAA-2012-1107; Directorate Identifier 2011-NM-216-AD; Amendment 39-18143; AD 2015-08-07] (RIN: 2120-AA64) received June 5, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1730. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Modification of Class D and Class E Airspace; Pasco, WA [Docket No.: FAA-2014-0279; Airspace Docket No.: 14-ANM-3] received June 5, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1731. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Establishment of Class E Airspace; Cypress, TX [Docket No.: FAA-2014-0743; Airspace Docket No.: 14-ASW-2] received June 5, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1732. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Proposed Amendment of Class E Airspace; Jupiter, FL [Docket No.: FAA-2015-0794; Airspace Docket No.: 15-ASO-5] received June 5, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1733. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Standard Instrument Approach Procedures, and Takeoff Minimums and Obstacle Departure Procedures; Miscellaneous Amendments [Docket No.: 31013; Amdt. No.: 3639] received June 5, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1734. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; The Enstrom Helicopter Corporation [Docket No.: FAA-2015-1537; Directorate Identifier 2015-SW-014-AD; Amendment 39-18160; AD 2015-08-51] (RIN: 2120-AA64) received June 5, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1735. A letter from the Director, Office of Regulations and Reports Clearance, Social Security Administration, transmitting the Administration's final rule — Extension of Sunset Date for Attorney Advisor Program [Docket No.: SSA-2015-0017] (RIN: 0960-AH83) received June 2, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

1736. A letter from the Assistant Secretary for Legislation, Department of Health and Human Services, transmitting the ''Biennial Report to Congress on the Food Safety and Food Defense Research Plan'', pursuant to Sec. 110(g) of the FDA Food Safety and Modernization Act, Pub. L. 111-353; jointly to the Committees on Energy and Commerce and Agriculture.

1737. A letter from the Assistant Secretary for Legislation, Department of Health and Human Services, transmitting the Department's ''The Centers for Medicare and Medicaid Services' Evaluation of For-Profit PACE Programs'' report, pursuant to Sec. 4804(b) of the Balanced Budget Act of 1997; jointly to the Committees on Ways and Means and Energy and Commerce.

1738. A letter from the Designated Federal Official, United States World War One Centennial Commission, transmitting the Commission's periodic report for the period ending March 31, 2015, pursuant to Pub. L. 112-272; jointly to the Committees on Financial Services, Natural Resources, and Oversight and Government Reform.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

[Pursuant to Sec. 2 of H. Res. 288, the following report was filed on June 5, 2015]

Mr. FRELINGHUYSEN: Committee on Appropriations. H.R. 2685. A bill making appropriations for the Department of Defense for

the fiscal year ending September 30, 2016, and for other purposes (Rept. 114–139). Referred to the Committee of the Whole House on the state of the Union.

[Submitted June 8, 2015]

Mr. BISHOP of Utah: Committee on Natural Resources. H.R. 1214. A bill to amend the Small Tracts Act to expand the authority of the Secretary of Agriculture to sell or exchange small parcels of National Forest System land to enhance the management of the National Forest System, to resolve minor encroachments, and for other purposes; with an amendment (Rept. 114–140, Pt. 1). Referred to the Committee of the Whole House on the state of the Union.

Mr. GOODLATTE: Committee on the Judiciary. H.R. 889. A bill to amend chapter 97 of title 28, United States Code, to clarify the exception to foreign sovereign immunity set forth in section 1605(a)(3) of such title (Rept. 114–141). Referred to the Committee of the Whole House on the state of the Union.

DISCHARGE OF COMMITTEE

Pursuant to clause 2 of rule XIII, the Committee on Agriculture discharged from further consideration. H.R. 1214 referred to the Committee of the Whole House on the state of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. QUIGLEY (for himself, Mr. HECK of Nevada, Mr. KINZINGER of Illinois, Mr. LIPINSKI, Ms. NORTON, and Mr. TONKO):

H.R. 2686. A bill to amend section 217 of the Immigration and Nationality Act to modify the visa waiver program, and for other purposes; to the Committee on the Judiciary.

By Mr. SWALWELL of California:

H.R. 2687. A bill to authorize an energy critical elements program, to amend the National Materials and Minerals Policy, Research and Development Act of 1980, and for other purposes; to the Committee on Science, Space, and Technology.

MEMORIALS

Under clause 3 of rule XII, memorials were presented and referred as follows:

41. The SPEAKER presented a memorial of the Legislature of the State of Arizona, relative to Senate Concurrent Memorial 1014, urging the United States Environmental Protection Agency to refrain from reducing the ozone concentration standard; to the Committee on Energy and Commerce.

42. Also, a memorial of the Legislature of the State of Nevada, relative to Senate Joint Resolution No. 1, urging the Congress of the United States to enact legislation transferring title to certain public lands to the State of Nevada in accordance with the report prepared by the Nevada Land Management Task Force; to the Committee on Natural Resources.

43. Also, a memorial of the Legislature of the State of Arizona, relative to Senate Concurrent Memorial 1003, urging the United States Fish and Wildlife Service to focus future Mexican Wolf introduction efforts on remote areas within the Northern Sierra Madre Occidental Mountain Range, to halt additional introductions of Mexican Wolves in Arizona and to shift the responsibility for the Mexican Wolf introduction to the Arizona Game and Fish Department; to the Committee on Natural Resources.

44. Also, a memorial of the Legislature of the State of Arizona, relative to House Concurrent Memorial 2004, urging the United States Congress to enact legislation similar to the Mohave County Radiation Compensation Act of 2013; to the Committee on the Judiciary.

45. Also, a memorial of the Legislature of the State of Arizona, relative to Senate Concurrent Memorial 1004, urging the Congress of the United States to pass H.R. 594; to the Committee on Transportation and Infrastructure.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mr. FRELINGHUYSEN:

H.R. 2685.

Congress has the power to enact this legislation pursuant to the following:

The principal constitutional authority for this legislation is clause 7 of section 9 of article I of the Constitution of the United States (the appropriation power), which states: ''No Money shall be drawn from the Treasury, but in Consequence of Appropriations made by Law . . . .'' In addition, clause I of section 8 of article I of the Constitution (the spending power) provides: ''The Congress shall have the Power . . . . to pay the Debts and provide for the common Defence and general Welfare of the United States . . . .'' Together, these specific constitutional provisions establish the congressional power of the purse, granting Congress the authority to appropriate funds, to determine their purpose, amount, and period of availability, and to set forth terms and conditions governing their use.

By Mr. QUIGLEY:

H.R. 2686.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8

By Mr. SWALWELL of California:

H.R. 2687.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clauses 1 and 18 of the United States Constitution.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions, as follows:

H.R. 167: Mr. HIMES.

H.R. 205: Mr. JODY B. HICE of Georgia.

H.R. 379: Mr. THOMPSON of Pennsylvania and Ms. DEGETTE.

H.R. 540: Mr. POLIS.

H.R. 563: Mr. HUFFMAN.

H.R. 699: Mr. SMITH of Washington.

H.R. 702: Mr. BRAT.

H.R. 766: Mr. NEUGEBAUER.

H.R. 932: Mr. PASCRELL, Mr. SMITH of Washington, Mr. LARSON of Connecticut, and Ms. JACKSON LEE.

H.R. 1019: Mr. COHEN, Mr. TED LIEU of California, Mr. ROONEY of Florida, and Mr. CASTRO of Texas.

H.R. 1174: Mr. TONKO, Mr. SMITH of Washington, Ms. CLARK of Massachusetts, Ms. VELÁZQUEZ, Mr. ALLEN, Mr. JOYCE, and Mr. COLE.

H.R. 1197: Mr. DAVID SCOTT of Georgia, Mrs. BEATTY, Mr. HINOJOSA, Mr. POSEY, Ms. SCHAKOWSKY, Ms. DEGETTE, Mr. CHABOT, Ms. EDWARDS, Mr. FARR, Mr. EMMER of Minnesota, and Mr. DUFFY.

H.R. 1211: Ms. MOORE.

H.R. 1233: Mr. CARTER of Texas and Mr. HUELSKAMP.

H.R. 1234: Mr. JODY B. HICE of Georgia.

H.R. 1258: Mrs. NAPOLITANO and Mr. ABRAHAM.

H.R. 1282: Mrs. BEATTY, Mr. TED LIEU of California, Mr. SMITH of Washington, and Mrs. NAPOLITANO.

H.R. 1309: Mr. FLORES, Mr. STEWART, and Mr. VEASEY.

H.R. 1338: Mr. BISHOP of Utah, Mrs. KIRKPATRICK, and Mr. ISSA.

H.R. 1342: Mr. CHABOT, Ms. MCCOLLUM, and Mr. HUFFMAN.

H.R. 1384: Ms. PINGREE and Ms. CLARK of Massachusetts.

H.R. 1462: Ms.WASSERMAN SCHULTZ and Mr. WHITFIELD.

H.R. 1475: Mr. MEEHAN, Mr. TIBERI, Ms. CLARK of Massachusetts, and Mr. CUMMINGS.

H.R. 1482: Mrs. LOWEY.

H.R. 1516: Mr. RIGELL and Mr. HULTGREN.

H.R. 1550: Mr. DAVID SCOTT of Georgia and Mr. LUCAS.

H.R. 1555: Mr. THOMPSON of Mississippi and Mr. TIPTON.

H.R. 1567: Mr. RUSH

H.R. 1603: Mr. RUSH.

H.R. 1655: Mr. MARINO and Ms. CLARK of Massachusetts.

H.R. 1660: Mr. YOUNG of Indiana.

H.R. 1661: Mr. YOUNG of Indiana.

H.R. 1739: Mr. JODY B. HICE of Georgia and Mr. MILLER of Florida.

H.R. 1752: Mr. SALMON.

H.R. 1814: Mr. SARBANES, Mr. QUIGLEY, Ms. PINGREE, and Ms. CASTOR of Florida.

H.R. 1817: Mr. REICHERT.

H.R. 1854: Ms. KAPTUR, Mr. CLAY, Mrs. WAGNER, Ms. ESHOO, and Ms. HERRERA BEUTLER.

H.R. 1911: Mrs. LOWEY, Mr. LOWENTHAL, Mr. JONES, and Mr. MCGOVERN.

H.R. 1946: Mr. LARSEN of Washington.

H.R. 1947: Mr. LARSEN of Washington.

H.R. 2005: Mr. GRIJALVA, Ms. SCHAKOWSKY, Mr. LOWENTHAL, and Mr. TAKANO.

H.R. 2035: Mr. SWALWELL of California and Mr. BRADY of Pennsylvania.

H.R. 2063: Mr. YARMUTH.

H.R. 2102: Mr. RYAN of Ohio, Mr. REED, and Ms. DEGETTE.

H.R. 2123: Mr. SMITH of Texas, Mrs. LOWEY, and Mr. CARTWRIGHT.

H.R. 2290: Mr. GIBSON and Mrs. RADEWAGEN.

H.R. 2303: Mr. DEFAZIO.

H.R. 2315: Ms. KUSTER and Mr. FORBES.

H.R. 2405: Mr. JOHNSON of Ohio.

H.R. 2410: Mr. BLUMENAUER.

H.R. 2434: Mr. CONNOLLY.

H.R. 2461: Mr. GRIJALVA, Ms. FRANKEL of Florida, and Mr. DEFAZIO.

H.R. 2514: Mr. POMPEO.

H.R. 2515: Mr. TONKO.

H.R. 2523: Mr. STIVERS and Mr. BISHOP of Utah.

H.R. 2623: Mr. HASTINGS.

H.R. 2628: Mr. SESSIONS, Mr. POE of Texas, Mr. PITTENGER, Mr. CARTER of Texas, and Mr. MESSER.

H.R. 2646: Mr. HUDSON and Mr. CONNOLLY.

H.R. 2652: Mr. MESSER, Mr. HILL, and Mrs. BLACKBURN.

H.R. 2653: Mr. BARTON, Mr. CHABOT, Mr. SAM JOHNSON of Texas, Mr. CARTER of Texas,

Mr. WILLIAMS, Mr. TIPTON, Mr. HENSARLING, Mr. MILLER of Florida, Mr. WESTERMAN, Mr. DUNCAN of South Carolina, Mr. THOMPSON of Pennsylvania, Mr. LAMALFA, Mr. THORNBERRY, Mr. WALKER, and Mr. BISHOP of Utah.

H.R. 2654: Mr. SWALWELL of California.

H.R. 2663: Mr. GRIJALVA.

H.R. 2676: Mr. LEWIS.

H.R. 2677: Mr. MURPHY of Florida.

H.R. 2680: Ms. ADAMS.

H.J. Res. 22: Mr. YARMUTH.

H. Con. Res. 20: Mr. MOOLENAAR.

H. Con. Res. 41: Ms. BASS.

H. Con. Res. 49: Mr. BISHOP of Georgia, Mr. SERRANO, and Mr. JOHNSON of Georgia.

H. Res. 12: Mrs. LAWRENCE.

H. Res. 28: Ms. VELÁZQUEZ, Mr. KIND, and Mr. MCNERNEY.

H. Res. 139: Mr. BRIDENSTINE.

H. Res. 210: Mr. KILMER.

H. Res. 233: Ms. SCHAKOWSKY, Mr. YARMUTH, Mr. MILLER of Florida, Mr. BILIRAKIS, Ms. BORDALLO, Ms. EDWARDS, and Mr. JORDAN.

H. Res. 246: Ms. PINGREE.

SENATE—*Monday, June 8, 2015*

The Senate met at 3 p.m. and was called to order by the President pro tempore (Mr. HATCH).

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Eternal Father, to whom all hearts are open, and from whom no secrets are hidden, with reverence we pause to pray that You would make us good enough for the challenging times in which we serve.

Lord, You made humanity to dream, so enable us to see that horizon that promises a better nation and world. Keep our eyes open to the everlasting hills, the illuminated skies, the bright sunrises of hope and beauty and truth.

Keep ever before our lawmakers a vision of Your perfect Kingdom when all people will fulfill the law of love. Help our Senators to shut out all distracting sounds and obstructing movements that prevent them from receiving Your guidance.

We pray in Your sacred Name. Amen.

PLEDGE OF ALLEGIANCE

The President pro tempore led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER (Mrs. ERNST). The minority leader is recognized.

JUDICIAL NOMINATIONS

Mr. REID. Madam President, a few days ago, the majority leader was reported to have declared to a conservative talk-radio show that under his leadership, the Republican Senate will shirk its constitutional duties by not continuing to confirm judges—period. He went on to say: We may confirm a few that come from States where only Republicans give the President the names, but other than that, we are going to do none.

I assume this is accurate. I hope it is not, but I assume that it is. It would be a very stunning and disappointing declaration that the senior Senator from Kentucky, especially since he argued for the fair consideration of President Bush's court nominees, would now switch his position.

In July of 2008, here is what he said: ''Even with lameduck Presidents, there is a historical standard of fairness as to confirming judicial nominees, especially circuit court nominees.''

That is a direct quote from the majority leader. These are his words. Not a single word has been made up. That is what he said: ''Even with lameduck presidents, there is a historical standard of fairness as to confirming judicial nominees, especially circuit court nominees.''

And the record is spread with many quotes he has given just the same. He also said in that same year: ''No party is without blame in the confirmation process, but what is going on now—or, more accurately, what is not going on—is yet another step backward in politicizing the confirmation process—something we had all hoped that we would get beyond.''

Earlier my friend from Kentucky said: ''Judicial nominations need to be treated fairly and commitments need to be kept.'' And even earlier than that, here is what he said: ''On the issue of judicial confirmations, the majority leader and I discussed this matter publicly at the beginning of the Congress''—he is saying that he and I are talking—''and we agreed that President Bush, in the last 2 years of his term, should be treated as well as President Reagan, Bush 41, and President Clinton were treated in the last 2 years of their tenures in office because there was one common thread, and that was that the Senate was controlled by the opposition party.''

So what he is saying there is that what he wanted was for Bush to be treated the same way that Bush 1, President Reagan, and President Clinton had been treated. He got that with large numbers of judges being appointed.

So we are here now with the statements ringing loudly that the majority leader is intent on writing off the Senate's constitutional duty of offering our advice and consent now that President Obama is nominating individuals to the Federal bench.

The Republican leader is a student of the Senate. He says he is, and I believe that. I am confident that he understands that the Senate cannot and should not neglect the constitutional obligations we have. The Senate cannot simply ignore critical vacancies in the last 2 years of any President's term—what a bad standard to set, especially with the growth in certain communities. We have a number of judicial emergencies that have been determined.

It is all the more troubling that the majority leader wants to pick an unnecessary fight over judges just as Republican Senators are working with the President to fill vacancies in their States. The majority leader is essentially telling other Senators that their judicial recommendations simply don't matter—Democrats, Independents, Republicans. The majority leader is telling the chairman of the Judiciary Committee that regardless of the judicial nominations his committee continues to report out, they could be blocked on the Senate floor.

But I do say this just as a caveat: The present Judiciary Committee is doing the same thing that was done by the present chairman of the Finance Committee when he was chair of the Judiciary Committee. He didn't have to worry about a lot of names on the calendar because he simply held no hearings in the Judiciary Committee. The same situation is prevailing now. So we don't have a lot of people on the calendar because they are not having any hearings to speak of in the Judiciary Committee.

I have spoken here on the floor before about the nomination of Felipe Restrepo for the Third Circuit Court of Appeals in Philadelphia. After repeated, repeated, and repeated delays, the committee is finally considering his nomination on Wednesday. He has been waiting for months. This is an incredibly qualified nominee who enjoys vast bipartisan support, including both Pennsylvania Senators, one a Democrat and one a Republican. The Republican Senator from Pennsylvania has said that Judge Restrepo would be a ''superb addition to the Third Circuit.''

In that case we have waited months to even have a hearing.

So it must have been shocking for the junior Senator from Pennsylvania to learn that his judicial pick would face another delay—a delay indefinitely, perhaps. This is a blatant rejection of the Senate's constitutional duties.

Just as Senator MCCONNELL argued for fairness for President Bush's nominations, it is not unreasonable for Democrats to expect that same measure of fairness that President Bush got in the 110th Congress.

Regardless of whether a State had two Democrats, two Republicans or a split delegation, Senate Democrats brought President Bush's nominees up for a vote. By this point in the seventh year of George W. Bush's Presidency, Senate Democrats confirmed 18 judges, including 3 circuit court judges.

In almost 6 months, the Republican Senate has only confirmed four district

court judges. To put this in perspective, during the Presidency of Bush, we confirmed four in 1 month.

So perhaps the majority leader's comments about a judicial slowdown were just confirming what he has already done to block the President's nominees. I repeat. The committee is being run the same way that the present chair of the Finance Committee did when he was chair of the Judiciary Committee—just holding no hearings. That way, there is nobody on the calendar—or very few.

The Republican Senate hasn't confirmed even a single circuit court judge—not even a consensus nominee such as Kara Stoll to the Federal Circuit. She was reported out of committee by a voice vote in April. Nothing so far—they are not even having hearings, I repeat, on most nominees. Therefore, there is no one to report to the floor.

Actions speak louder than words, and the majority leader can demonstrate that his remarks were misinterpreted—and I would certainly hope so—by scheduling a prompt vote on the Stoll nomination. We should schedule a vote on her nomination no later than this week. Kara Stoll is the only appeals court judge awaiting a vote before the Senate.

For the reasons I have just said, people have been in the pipeline, but they won't hold hearings. Both of these nominations—Restrepo and Stoll—need a vote now. Let's hope the majority leader will reflect upon his past statements about fair consideration of judicial nominees, in comparison to what he said on a talk show—I guess appealing to the rightwing even more than what has happened recently, and that is quite a bit. Let's hope he does not treat judicial nominees as they have never been treated before. Let's hope that the Senate will quickly confirm at least these two qualified judges. We need a lot more, but these two would be a step in the right direction.

I note there is no one on the floor, and I ask that the Chair announce the business of the day.

RESERVATION OF LEADER TIME

The PRESIDING OFFICER. Under the previous order, the leadership time is reserved.

MORNING BUSINESS

The PRESIDING OFFICER. Under the previous order, the Senate will be in a period of morning business for 1 hour, with Senators permitted to speak therein for up to 10 minutes each.

Mr. REID. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MCCAIN. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2016

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of H.R. 1735, which the clerk will report.

The senior assistant legislative clerk read as follows:

A bill (H.R. 1735) to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

Pending:

McCain amendment No. 1463, in the nature of a substitute.

McCain amendment No. 1456 (to amendment No. 1463), to require additional information supporting long-range plans for construction of naval vessels.

Reed amendment No. 1521 (to amendment No. 1463), to limit the availability of amounts authorized to be appropriated for overseas contingency operations pending relief from the spending limits under the Budget Control Act of 2011.

Cornyn amendment No. 1486 (to amendment No. 1463), to require reporting on energy security issues involving Europe and the Russian Federation, and to express the sense of Congress regarding ways the United States could help vulnerable allies and partners with energy security.

Vitter amendment No. 1473 (to amendment No. 1463), to limit the retirement of Army combat units.

Markey amendment No. 1645 (to amendment No. 1463), to express the sense of Congress that exports of crude oil to United States allies and partners should not be determined to be consistent with the national interest if those exports would increase energy prices in the United States for American consumers or businesses or increase the reliance of the United States on imported oil.

Reed (for Blumenthal) amendment No. 1564 (to amendment No. 1463), to increase civil penalties for violations of the Servicemembers Civil Relief Act.

McCain (for Paul) modified amendment No. 1543 (to amendment No. 1463), to strengthen employee cost savings suggestions programs within the Federal Government.

Reed (for Durbin) amendment No. 1559 (to amendment No. 1463), to prohibit the award of Department of Defense contracts to inverted domestic corporations.

Mr. MCCAIN. Madam President, I note with some interest over the weekend in the New York Times that ''Russia Wields Aid and Ideology Against West to Fight Sanctions.''

On the front page of the New York Times:

The war in Ukraine that has pitted Russia against the West is being waged not just with tanks, artillery and troops. Increasingly, Moscow has brought to bear different kinds of weapons, according to American and European officials: Money, ideology, and disinformation.

Yesterday and today in the Wall Street Journal: ''Iraqis Call for a Deeper Overhaul of Army.'' Also: ''Mistrust of military leadership among troops is widespread in crisis of confidence.''

Right below that: ''Airstrikes Kill Dozens as Fighting in Yemen Intensifies.''

The reporting of a world in turmoil, as described by my friend LINDSEY GRAHAM as on fire, continues.

To top it all off, today, speaking to reporters at the G7 summit in Germany, President Obama said: ''We don't yet have a complete strategy about how to combat ISIS.''

I would remind my colleagues that on August 28, 2014, nearly a year ago, President Obama stated: ''We don't have a strategy yet to fight ISIS in Iraq and in Syria.''

My friends, nearly a year after the President said we don't have a strategy yet to fight ISIS in Iraq and in Syria, he said again: We don't yet have a complete strategy about how to combat ISIS.

I would like to see the incomplete strategy. I would like to see something. I would not like to see continue that 75 percent of the combat missions that are flown in Iraq and Syria return to base without firing a weapon because we don't have forward air controllers on the ground.

When is this administration going to figure out that if we want to destroy the enemy, we have to be able to identify the enemy, and that requires forward air controllers on the ground and that means U.S. troops.

I know that whenever I and some others say we need additional U.S. troops, people recoil and say, Oh, no, here we go again. Well, what is going on now is ISIS is succeeding. Bashar Assad is hanging on. Iran is on the move. They now dominate four countries: Syria, Iraq, Yemen, and Lebanon. And the President of the United States says we don't yet have a complete strategy.

Well, the Pentagon is a pretty big place. There are hundreds of people who work for the National Security Advisor, and somehow, nearly a year later, we don't yet have a strategy? Wow. ISIS goes from house to house in Ramadi with lists of names and they execute people and they kill 3-year-old children and they burn their bodies in the streets. And the atrocities in Syria continue as Bashar Assad barrel-bombs innocent men, women, and children—barrel bombs, by the way, supplied by Iran and Russia—and we don't yet have a ''complete strategy.''

Well, I have never seen the world in more crises, nor has Henry Kissinger,

nor have most other longtime observers of our Nation and the world.

I urge my colleagues to take a look at a map of the Middle East from January of 2009, when President Obama was sworn in as President of the United States, and look at that same map today and color in where there is ISIS, where there is Iranian domination, where there is conflict, and where there is a complete lack, except in the State of Israel, of democratization or the kinds of freedoms the United States of America stands for.

All I can say is one has to wonder whether this President just wants to wait out the next year and a half and basically do nothing to stop this genocide, blood-letting, and the horrible things that are happening throughout the Middle East, where, in the view of the Director of the Federal Bureau of Investigation and the Director of the CIA, they say, as far as ISIS is concerned, they pose a threat to the security of the United States. Why do they say that? Obviously, because these thousands of young men who have gone to Syria and Iraq and are being radicalized and trained are going to go back to where they came from. Everybody knows that.

On the day Baghdadi, the leader of ISIS, left our Camp Bucca—where he spent 4 years along with about 25,000 others—he said to the Americans: We will see you in New York. Mr. Baghdadi is not known for his sense of humor.

What we are trying to do in this legislation that is before the Senate is to provide the means, the training, the equipment, the care for the men and women, and the much needed reforms that I have been over and will continue to go over, whether it be in retirement, whether it be in acquisition, whether it be in a number of other areas of the Department of Defense and the way we defend this Nation. That is, in my view, long, long overdue. Now we see the President of the United States threatening to veto this legislation, if it gets through the House and the Senate, over the issue of OCO. That, as my colleagues know, is overseas contingency operations, which began with the conflicts in Afghanistan and in Iraq as a means of providing additional funds to pay for and fund the operations in those countries as the name implies—overseas contingency operations.

I have opposed sequestration. I think it is a terrible thing to inflict on the men and women who are serving in the military, much less on our national security. I agree with our uniformed leaders, every one of whom has testified before the Senate Armed Services Committee that if we continue sequestration, it puts the lives of the men and women who are serving in the military at greater risk. I don't know of a greater obligation that we have than to prevent putting the lives of the young men and women who have volunteered to serve this country at greater risk. But that has been lost on my colleagues on both sides of the aisle.

So now we have the OCO, and it funds the defense of this country at the levels the President requested. I don't like it. I don't like it because it can only give them 1 year of planning. What the military really needs is to be able to plan for at least 5 years ahead of time. We can't build new weapons and new ships and new airplanes on a year-to-year basis. But it is better than the sequestration, which, as I said, increases the threat to this Nation's security.

Last week, the White House issued a Statement of Administration Policy threatening to veto this national security legislation. The threat hardly comes as a surprise. After all, the President has threatened to veto, for some reason or another, every Defense authorization bill since 2011. The White House's compilation of complaints is long, but it is woefully short on substance.

The Statement of Administration Policy makes clear that the true basis for the administration's veto threat has nothing to do with defense. Objecting to the use of $38 billion in overseas contingency operation funds—or OCO—to meet the President's request of $612 billion, the statement said the President ''will not fix defense without fixing nondefense spending.''

It is incomprehensible that as America confronts the most diverse and complex array of crises around the world since the end of World War II, that a President of the United States, who has not yet been able to come up with a ''complete strategy'' for the challenges we face, would veto funding for our military to prove a political point.

The threats we confront today are far more serious than they were a year ago and significantly more so since the Congress passed the Budget Control Act in 2011. That legislation arbitrarily capped defense spending and established the mindless mechanism of sequestration which was triggered in 2013. As a result, with worldwide threats rising, we as a nation are on a course to cut nearly $1 trillion of defense spending over 10 years. Every single military and national security leader who has testified before the Armed Services Committee this year has denounced sequestration and urged its repeal as soon as possible. This legislation doesn't end sequestration, unfortunately. Believe me, our committee would have done so if the NDAA were capable of it, but it is not. The NDAA is a policy bill. This legislation is a policy bill. It is the appropriators who deal with the money. It only deals with defense issues, and it doesn't spend a dollar. It provides the Department of Defense and the men and women in uniform with the authorities and support they need to defend the Nation. It fully supports President Obama's budget request of $612 billion for national defense, which is $38 billion above the spending caps established by the Budget Control Act.

Let me repeat that. The legislation gives the President every dollar of budget authority he requested. The difference is that this legislation follows the Senate budget resolution, which was voted on time after time all night long and was agreed to by both Houses of Congress. It is the Senate budget resolution.

Now, this is not my preferred option, as I said. That is why the committee included a special transfer authority in this legislation that allows the Department of Defense to transfer the additional $38 billion from OCO to the base budget in the event legislation is enacted that increases the statutory limits on discretionary defense and nondefense spending in proportionately equal amounts. This was the product of a bipartisan compromise, and it was the most we could do in the Defense authorization bill to recognize the need for a broader physical agreement without denying funding for our military right now.

Here on the floor we have heard a number of misconceptions about OCO funding, many of which have been fed by this administration's rhetoric. While OCO is not the ideal way to budget our defense, technical and budgetary consequences to using OCO funding have been greatly exaggerated. OCO is authorized and appropriated on an annual basis, just like base funding. OCO funding is allocated to the same DOD accounts as base funding. In fact, the Defense bill purposely placed the additional $38 billion of OCO funding in the same accounts and activities for which the President himself requested the money. These activities have historically had a large share of OCO funding, and the account has been designated by the President as OCO eligible in the past, and there are no laws that make OCO funding expire any differently than base funding.

The White House threat to veto this legislation and the desire for increases in nondefense spending are misguided and irresponsible. With global threats rising, it simply makes no sense to oppose a defense policy bill—legislation that spends no money but is full of vital authorities that our troops need—for a reason that has nothing to do with national defense spending. The NDAA should not be treated as a hostage in budget negotiation. The political reality is that the Budget Control Act, which the President signed, remains the law of the land. So faced with a choice between OCO money and no money, I choose OCO, and multiple senior military leaders testified before the Armed Services Committee this year that they would make the same choice for one simple reason: This is

$38 billion of real money that our military desperately needs and without which our top military leaders have said they cannot succeed.

The bottom line is this. The NDAA authorized $612 billion for national defense. This is the amount requested by the President and justified by his own national security strategy. If the President and some of my colleagues oppose the Defense bill due to concerns over nondefense spending, I suspect they will have a very difficult time explaining and justifying that choice to Americans who increasingly cite national security as a top concern.

The Statement of Administration Policy raises specious concerns with the sweeping defense acquisition reforms in the NDAA. For example, the White House asserted that transferring some acquisition authority back to the services is somehow inconsistent with the Secretary of Defense's exercise of authority, direction, and control over all of the Department of Defense's programs and activities. I could not disagree more with that assertion. What this legislation does is merely switch who does what in certain circumstances from different people who all directly report and serve under the authority, direction, and control of the Secretary of Defense. In this legislation, for a limited number of programs to start with, the Secretary of Defense will look to the service Secretaries directly for management of these acquisition programs rather than looking to the Under Secretary of Defense for Acquisition, Technology, and Logistics, or AT&L. This is not usurpation of the Secretary of Defense's power. It is called streamlining of authorities and reducing layers of unnecessary bureaucracy. There is a section in the legislation that would allow the Secretary of Defense to continue to rely on more layers of management, if he chooses, but only if he certifies to Congress that this makes sense. There simply is not any undermining of the Secretary of Defense's authority in here.

Another concern raised has been that the transfer of milestone decision authority to the services would reduce the Secretary of Defense's ability—through AT&L—to guard against unwarranted optimism in program planning and budget formulation. Unwarranted optimism is indeed a plague on acquisition, and there is not a monopoly of that in the services. Nothing in this bill overrides a requirement to use better cost estimates from the Office of Cost Assessment and Program Evaluation. In fact, new incentives and real penalties imposed on the services in this legislation are designed to put some of this optimism in check.

Some in the White House and the Department of Defense want to perpetuate the absurd fiction that the current system is working. Even after a wave of 25 program cancellations by former Secretary Gates, all of the programs that are left under AT&L management have over $200 billion in cost overruns.

I want to repeat that. Under the supervision of the Under Secretary of Defense for Acquisition, Technology, and Logistics, there are programs that have over $200 billion in cost overruns. AT&L is trying to have it both ways, claiming credit for the improvements in the acquisition system while blaming the services for its long list of failures.

This is exactly the program this legislation is trying to address, blurred lines of accountability inside the Defense Acquisition System that allow its leaders to evade responsibility for results. The reality is that in the modern world the AT&L management process takes too long and costs too much. For example, an Army study looked at the time it would take to go through all of the AT&L reviews and buy nothing. I repeat: To go through all those reviews and buy nothing. What was the answer? Ten years—10 years to buy nothing. The Government Accountability Office looked at the much vaunted milestone reviews that the Office of the Secretary of Defense is touting as a success. Just one review takes on average 2 years. A similar review at the Missile Defense Agency takes about 3 months. Our adversaries are not shuffling paper. They are building weapons systems. It is time for us to do the same.

I find it disappointing or maybe just outright laughable that the Statement of Administration Policy expressed concern about the Armed Services Committee's decision to downsize and streamline the bureaucratic overhead of the Pentagon, while at the same time complaining that we are not letting them downsize the fighting forces. Let me repeat. The administration wants to keep more Pentagon bureaucrats while drawing down our forces and cutting military equipment such as fighter aircraft.

Is there any Member of this Chamber who believes we should increase the Army staff by 60 percent over a decade, and then turn around and slash our Army brigade combat teams from 45 to 32? Of course not.

The administration cites reductions already taking place in headquarters activities, but ignores the fact that the Air Force is trying to achieve those reductions by playing a shell game—creating two new organizations and shifting people around. Moving the deck chairs on the Titanic didn't keep the ship from sinking, and shifting people around in a game of ''hide the headquarters staff'' will not keep our national security from sinking under the weight of bureaucratic empires.

As the White House asks the Senate to preserve bloated staffs, the Statement of Administration Policy laments the Committee's effort to address dangerous strike fighter capacity shortfalls across the services. As deliveries of the F–35 have continued to fall short of projections, the Air Force has continued to drain combat power. Senior Air Force officials have repeatedly testified to the alarming reality that their service is the smallest in its history, with readiness at very low levels, all while our airmen perform ongoing combat operations in the Middle East, theater support packages in Eastern Europe, presence and reassurance to our allies in the Asia-Pacific, and maintain a strong strategic nuclear deterrence posture. The misallocation of airpower resources over the past 6 years, coupled with the mismanagement of very expensive aircraft weapons systems procurement programs, places America's national security interests in jeopardy and endangers the lives of our men and women in uniform.

Our military commanders know this is true. That is why, for example, the Chief of Naval Operations and the Commandant of the Marine Corps included in their unfunded priorities lists requests for 12 F–18 Super Hornets for the Navy and 6 F–35B Joint Strike Fighters for the Marine Corps. The NDAA funds these requests because senior Navy and Marine Corps leaders have repeatedly testified to significant strike fighter shortfalls in the maritime services due to unanticipated increased combat operations in the Middle East, aging and obsolete fighter aircraft, and significant delays in the F–35 Joint Strike Fighter delivery schedule. Bizarrely, the White House has apparently disregarded that testimony and instead labels these requests for more combat power from our military commanders as ''unnecessary.''

The Statement of Administration Policy opposes the strong oversight measures put in place by the NDAA on the Ford-class aircraft carrier program. The administration objects to a provision in this legislation that reduces the cost cap for the USS *John F. Kennedy* by $100 million from $11.498 billion to $11.398 billion. But in the budget request, the Navy estimated the cost of this ship at $11.348 billion. In other words, the NDAA still provides a buffer of $50 million. The provision simply locks in the savings the Department has advertised, which comes after more than $2 billion in cost growth—$2 billion in cost growth of one aircraft carrier. Unless the budget request is misleading or inaccurate, this provision should not result in reduced capability or a breach of the cost cap as the administration claims.

It is also unfortunate that the administration doesn't recognize the importance of conducting full-ship shock trials on the USS *Gerald R. Ford*, known as CVN–78. With the abundance of new technology, including the catapult, arresting gear, and radar, as well

as the reliance on electricity rather than steam to power key systems, there continues to be a great deal of risk in this program. Testing CVN–78 will not only improve the design of future carriers but also reduce the costs associated with retrofitting engineering changes. Absent this provision, the Navy will delay by up to 7 years full-ship shock trials and shift the test from the lead ship in the class to the second ship. That poses the risk that CVN–78 will deploy and potentially fight without this testing, putting the lives of our sailors at risk.

The Statement of Administration Policy also raised objections to a number of provisions related to military personnel. For instance, the administration bemoans the fact that the Committee did not adopt its plan to raise existing TRICARE fees and implement new fees for Medicare-eligible retirees and their family members. The so-called Consolidated Health Plans would not have created a modern, value-based health care system. The administration made no attempt at all to improve access to care, quality of care or beneficiary satisfaction. The NDAA, on the other hand, addresses those issues and more without raising enrollment fees or creating new fees.

The White House expressed concern about the provisions in the NDAA that call for a plan to privatize commissaries and a 2-year pilot program at no fewer than five commissaries in the largest markets of the commissary system to assess the feasibility and advisability of the plan. But the rationale is confusing. The administration claims that ''there is an independent study underway to determine whether privatization is a feasible option and we should wait for those results prior to making any policy changes.'' The bill did require a comprehensive review in fiscal year 2015 by an independent organization of the management, food, and pricing options of the commissary system. But in that section, there was no requirement to study the feasibility of privatization of the commissary system. It is also curious that the administration warns against implementing a pilot program on privatization before the results of an independent study, while at the same time encouraging the Congress to adopt their own proposed pilot program.

The White House's policy statement reflects the President's feckless policy towards Russia. Despite the advice of nearly every statesman and policy expert who has appeared before the Armed Services Committee in recent months—Henry Kissinger, George Shultz, Madeleine Albright, Zbigniew Brzezinski, and others—and against the advice of both the Secretary of State and Secretary of Defense, the President has refused to provide defensive lethal assistance to Ukraine. The President's continued inaction, for fear of provoking Russia, is seen by Putin as weakness and invites the very aggression we seek to avoid.

The Ukrainian people aren't asking for U.S. troops. They are simply asking for the right tools to defend themselves and their country, and those are the tools that this legislation would provide.

We have seen Vladimir Putin commit aggression, draw back, commit more aggression, draw back. We are now in the phase where any day now we will see continued aggression and territory-grabbing by Vladimir Putin as he establishes his land bridge to Crimea and puts additional pressures on Baltic countries and Moldova. Meanwhile, we refuse to give the Ukrainians weapons with which to defend themselves.

This bill does not force the President to provide lethal assistance to Ukraine. Trust me, if there were a way to do that, it would be in this bill. The President has a decision to make on providing lethal assistance to Ukraine. That decision has consequences far beyond whether the President obligates the full amount of funds authorized in a decision that is long overdue.

Making matters worse, the Statement of Administration Policy seeks flexibility to continue our Nation's dependence on Russian rocket engines. The NDAA would put an end to this dependence by 2019 and stop hundreds of millions of dollars from going to Vladimir Putin and his cronies. It eliminates a launch subsidy that the commander of Air Force Space Command has stated impedes fair competition, and it directs the administration to stop playing games, develop a domestic rocket engine—not a new rocket system—to replace the Russian RD–180.

The Russians are being paid billions of dollars for their rocket engines, and there is a ''middle man'' who has made tens of millions of dollars just by moving those rockets from Russia to the United States. There is an individual who runs this outfit who has been sanctioned by the U.S. Government, and we have elements in the Pentagon who still want to deal with him for as long as possible.

In testimony before the Armed Services Committee in March, Gen. John Kelly, the commander of U.S. Southern Command, testified: ''With the amount of drugs and people that move across our southwest border, it doesn't seem all that secure to me.'' General Kelly went on to state that the threat of terrorists crossing our southern border is ''extremely serious'' and that ''if a terrorist or almost anyone wants to get into our country, they just pay the fare.'' They just pay the fare.

That is why this bill would provide $45 million for Operation Phalanx, increasing border security operations by the National Guard along the southern border, and boosting aerial surveillance of the region by up to 60 percent. To date, Operation Phalanx has directly contributed to more than 96,000 apprehensions along the border and the interdiction of more than 282,000 pounds of drugs destined for our communities.

The legislation directs the Secretary of Defense to provide up to $75 million in additional assistance to Customs and Border Protection operations to secure the southern border, potentially including the deployment of personnel, surveillance assets, and intelligence support from the U.S. military. The NDAA would authorize an additional $50 million to address U.S. Southern Command's unfunded priorities to increase surveillance and interdiction operations in Central America—a primary transit point for illicit trafficking into the United States.

Finally, I am disappointed by the administration's puzzling response to provisions in the NDAA related to the detention facility at Guantanamo Bay. The administration argues that this legislation's limitations placed on Guantanamo Bay transfers are unnecessary and beyond the scope of congressional authority. That is false. Congress has long had constitutional authority over wartime detention matters, and there are good reasons for Congress to assert its authority in this instance.

For over 6 years, the administration has stated that one of its highest policy priorities is to close the detention facility at Guantanamo Bay. But for that same period of time, Members of the Senate have repeatedly requested a plan that explains how the administration will handle each of the detainees currently held there, and unfortunately, over the last 6½ years, the administration has consistently failed to provide that plan.

As the terrorist threat continues around the world and grows and metastasizes, the administration continues to demand that the facility be closed while failing to explain how it will do so. There are serious legal and security challenges inherent in moving this population to other locations, whether inside or outside of the United States. Congress is simply asking the executive branch to explain where it will hold those set for trial, how it will continue to detain dangerous terrorists pursuant to the laws of war, and how it will mitigate the risks of moving this population. If the administration can provide those answers to these basic questions to the satisfaction of the American people, then congressional restrictions on the movement of these detainees will be lifted and the plan can be implemented.

Now, Congress's need for answers is even more acute after the administration transferred five senior Taliban detainees under secret agreement to Qatar without prior notification to Congress as required by law. The President of the United States blatantly

violated the law—which required, before these five detainees were transferred to Qatar, that Congress be notified 6 months ahead of time—using the rationale that they were afraid the information might leak. Is that justification for breaking the law? And isn't it understandable, the skepticism here on both sides of the aisle about any plan they may have or may not have? Isn't it reasonable that the Congress of the United States should be presented with a plan, and shouldn't the Congress of the United States express its approval or disapproval?

The notification standard was enacted into law to allow the President the authority to implement his stated policy but with a good-faith understanding that the people's representative could weigh in on these important decisions before the transfers happened. The President's failure to abide by the notification provisions undermined any trust Congress had in the process.

Now, as the Taliban continues to plot attacks against U.S. servicemembers in Afghanistan, the administration is scurrying to figure out how to keep those five terrorists from the battlefield.

This is not congressional overreach; it is congressional oversight. The President has decided that the security risks of keeping Guantanamo open outweigh the security and legal risks of closing it. Congress is seeking information that will allow the American people and Congress to understand that decision.

The American people deserve an explanation for how the President plans to execute one of his most repeated policy goals. There is some dispute about what percentage of those who have been released from detention in Guantanamo have reentered the fight. Some say it is as high as 30 percent, and some say it is as low as 7 or 8 percent. There is no debate that detainees who were released from Guantanamo have reentered the fight, placing the lives of American service men and women in jeopardy and in danger. Of course, the five who were released were amongst the toughest, the worst, the hardest cases. Now there is some question as to whether they will remain under strict supervision in Qatar.

Let me conclude by simply saying that the NDAA is far too important to be held hostage in a budget negotiation. For 53 consecutive years, the Congress has passed a national defense authorization act. With threats to our national security multiplying around the world, I would hope this year would be no different.

I thank my colleague from Rhode Island for all of the hard work he and his staff and Members on that side of the aisle have done in order to have legislation that passed overwhelmingly through the Senate Armed Services Committee. I hope we can move forward on getting that legislation through the Senate, in consultation and in compromise with the House, and to the White House for the President's signature.

I would say again that I read carefully the administration's objection to the legislation as it now stands. These are not valid in some cases. In other cases, we would be glad to negotiate with the White House as we go to conference with the House after completing this. I sincerely hope and pray that—there are so many provisions there that are important to the lives of the men and women serving in the military that I would hope the President would take into consideration how important this is to the men and women who are serving, their lives and their welfare, their equipment, their training, and their ability to defend this Nation.

I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. LANKFORD).

The clerk will call the roll

The legislative clerk proceeded to call the roll.

Mr. REED. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT NO. 1559, AS MODIFIED

Mr. REED. Mr. President, I have a modification to amendment No. 1559, which I offered on behalf of Senator DURBIN, and I ask that the amendment be so modified.

The PRESIDING OFFICER. The Senator has that right. The amendment is so modified.

The amendment, as modified, is as follows:

At the end of subtitle B of title VIII, add the following:

SEC. 832. PROHIBITION ON AWARDING OF DEPARTMENT OF DEFENSE CONTRACTS TO INVERTED DOMESTIC CORPORATIONS.

(a) PROHIBITION.—Chapter 137 of title 10, United States Code, is amended by adding at the end the following new section:

"§ 2338. Prohibition on awarding contracts to inverted domestic corporations

''(a) PROHIBITION.—

''(1) IN GENERAL.—The head of an agency may not award a contract for the procurement of property or services to—

''(A) any foreign incorporated entity that such head has determined is an inverted domestic corporation or any subsidiary of such entity; or

''(B) any joint venture if more than 10 percent of the joint venture (by vote or value) is owned by a foreign incorporated entity that such head has determined is an inverted domestic corporation or any subsidiary of such entity.

''(2) SUBCONTRACTS.—

''(A) IN GENERAL.—The head of an executive agency shall include in each contract for the procurement of property or services awarded by the executive agency with a value in excess of $10,000,000, other than a contract for exclusively commercial items, a clause that prohibits the prime contractor on such contract from—

''(i) awarding a first-tier subcontract with a value greater than 10 percent of the total value of the prime contract to an entity or joint venture described in paragraph (1); or

''(ii) structuring subcontract tiers in a manner designed to avoid the limitation in paragraph (1) by enabling an entity or joint venture described in paragraph (1) to perform more than 10 percent of the total value of the prime contract as a lower-tier subcontractor.

''(B) PENALTIES.—The contract clause included in contracts pursuant to subparagraph (A) shall provide that, in the event that the prime contractor violates the contract clause—

''(i) the prime contract may be terminated for default; and

''(ii) the matter may be referred to the suspension or debarment official for the appropriate agency and may be a basis for suspension or debarment of the prime contractor.

''(b) INVERTED DOMESTIC CORPORATION.—

''(1) IN GENERAL.—For purposes of this section, a foreign incorporated entity shall be treated as an inverted domestic corporation if, pursuant to a plan (or a series of related transactions)—

''(A) the entity completes before, on, or after May 8, 2014, the direct or indirect acquisition of—

''(i) substantially all of the properties held directly or indirectly by a domestic corporation; or

''(ii) substantially all of the assets of, or substantially all of the properties constituting a trade or business of, a domestic partnership; and

''(B) after the acquisition, more than 50 percent of the stock (by vote or value) of the entity is held—

''(i) in the case of an acquisition with respect to a domestic corporation, by former shareholders of the domestic corporation by reason of holding stock in the domestic corporation; or

''(ii) in the case of an acquisition with respect to a domestic partnership, by former partners of the domestic partnership by reason of holding a capital or profits interest in the domestic partnership.

''(2) EXCEPTION FOR CORPORATIONS WITH SUBSTANTIAL BUSINESS ACTIVITIES IN FOREIGN COUNTRY OF ORGANIZATION.—

''(A) IN GENERAL.—A foreign incorporated entity described in paragraph (1) shall not be treated as an inverted domestic corporation if after the acquisition the expanded affiliated group which includes the entity has substantial business activities in the foreign country in which or under the law of which the entity is created or organized when compared to the total business activities of such expanded affiliated group.

''(B) SUBSTANTIAL BUSINESS ACTIVITIES.—The Secretary of the Treasury (or the Secretary's delegate) shall establish regulations for determining whether an affiliated group has substantial business activities for purposes of subparagraph (A), except that such regulations may not treat any group as having substantial business activities if such group would not be considered to have substantial business activities under the regulations prescribed under section 7874 of the Internal Revenue Code of 1986, as in effect on May 8, 2014.

''(c) WAIVER.—

''(1) IN GENERAL.—The head of an agency may waive subsection (a) with respect to any Federal Government contract under the authority of such head if the head determines

that the waiver is required in the interest of national security or is necessary for the efficient or effective administration of Federal or Federally-funded programs that provide health benefits to individuals.

''(2) REPORT TO CONGRESS.—The head of an agency issuing a waiver under paragraph (1) shall, not later than 14 days after issuing such waiver, submit a written notification of the waiver to the Committees on Armed Services and Appropriations of the Senate and the House of Representatives.

''(d) APPLICABILITY.—

''(1) IN GENERAL.—Except as provided in paragraph (2), this section shall not apply to any contract entered into before the date of the enactment of this section.

''(2) TASK AND DELIVERY ORDERS.—This section shall apply to any task or delivery order issued after the date of the enactment of this section pursuant to a contract entered into before, on, or after such date of enactment.

''(3) SCOPE.—This section applies only to contracts subject to regulation under the Federal Acquisition Regulation and the Defense Supplement to the Federal Acquisition Regulation.

''(e) DEFINITIONS AND SPECIAL RULES.—

''(1) DEFINITIONS.—In this section, the terms 'expanded affiliated group', 'foreign incorporated entity', 'person', 'domestic', and 'foreign' have the meaning given those terms in section 835(c) of the Homeland Security Act of 2002 (6 U.S.C. 395(c)).

''(2) SPECIAL RULES.—In applying subsection (b) of this section for purposes of subsection (a) of this section, the rules described under 835(c)(1) of the Homeland Security Act of 2002 (6 U.S.C. 395(c)(1)) shall apply.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 137 of title 10, United States Code, is amended by inserting after the item relating to section 2337 the following new item:

''2338. Prohibition on awarding contracts to inverted domestic corporations.''

Mr. REED. Mr. President, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. MCCAIN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT NO. 1569 TO AMENDMENT NO. 1463

Mr. MCCAIN. Mr. President, I ask unanimous consent to set aside the pending amendment and call up amendment No. 1569 for Senator BURR.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The clerk will report.

The legislative clerk read as follows:

The Senator from Arizona [Mr. MCCAIN], for Mr. BURR, proposes an amendment numbered 1569 to amendment No. 1463.

Mr. MCCAIN. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To ensure criminal background checks of employees of the military child care system and providers of child care services and youth program services for military dependents)

At the end of subtitle F of title V, add the following:

SEC. 565. CRIMINAL BACKGROUND CHECKS OF EMPLOYEES OF THE MILITARY CHILD CARE SYSTEM AND PROVIDERS OF CHILD CARE SERVICES AND YOUTH PROGRAM SERVICES FOR MILITARY DEPENDENTS.

(a) EMPLOYEES OF MILITARY CHILD CARE SYSTEM.—Section 1792 of title 10, United States Code, is amended—

(1) by redesignating subsection (d) as subsection (e); and

(2) by inserting after subsection (c) the following new subsection (d):

''(d) CRIMINAL BACKGROUND CHECK.—The criminal background check of child care employees under this section that is required pursuant to section 231 of the Crime Control Act of 1990 (42 U.S.C. 13041) shall be conducted pursuant to regulations prescribed by the Secretary of Defense in accordance with the provisions of section 658H of the Child Care and Development Block Grant Act of 1990 (42 U.S.C. 9858f).''.

(b) PROVIDERS OF CHILD CARE SERVICES AND YOUTH PROGRAM SERVICES.—Section 1798 of such title is amended—

(1) by redesignating subsection (c) as subsection (d); and

(2) by inserting after subsection (b) the following new subsection (c):

''(c) CRIMINAL BACKGROUND CHECK.—A provider of child care services or youth program services may not provide such services under this section unless such provider complies with the requirements for criminal background checks under section 658H of the Child Care and Development Block Grant Act of 1990 (42 U.S.C. 9858f) for the State in which such services are provided.''.

Mr. MCCAIN. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. MCCAIN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MCCAIN. Mr. President, I ask unanimous consent that when the Senate resumes consideration of H.R. 1735 on Tuesday, June 9, the time until 3 p.m. be equally divided between the managers or their designees; that following the use or yielding back of that time, the Senate vote in relation to the Reed amendment No. 1521. I further ask that there be no second-degree amendment in order to the amendment prior to the vote.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. MCCAIN. We are ready to schedule further votes on amendments after the 3 p.m. vote on the Reed amendment, and it is my expectation that we will be able to lock in those votes tomorrow morning. The ranking member and I have asked all of our colleagues to adhere to a filing deadline for first-degree amendments to the bill at 6 p.m. tomorrow, Tuesday. There are several hundred filed amendments already, and those with further amendments should bring them down tomorrow by close of business.

I also wish to add, my colleagues, I hope we can agree to the filing deadline. That will be approximately a week that we have been on the bill. I think that, hopefully, will be sufficient time for most of our colleagues or all of our colleagues to have time to file amendments.

Senator REED and I will continue the practice of allowing pending amendments, one on either side. We will be able then to schedule votes on pending amendments as they are, one on either side.

I thank Senator REED, and I hope we can get a lot of debate and discussion. The Reed amendment is a very important amendment. I respect Senator REED's view on this issue, and we obviously will let the body decide.

I do hope our colleagues understand that we have many filed amendments, and we would like to get to as many of them as possible. We would like to have as many Members be able to have their amendments on this bill as they feel necessary. We don't have to emphasize the importance of this legislation.

I also look forward to Members coming to the floor tomorrow and debating the Reed amendment. It is a very important amendment, and I think it deserves the views of as many Members as possible, including those who are on the committee.

Senator REED.

Mr. REED. The Senator and I concur that we should urge our colleagues to file their amendments. We have several hundred pending, as the chairman pointed out, and we hope that can be accomplished by 6 p.m. tomorrow. We will be debating amendments and then scheduling amendments tomorrow afternoon.

The PRESIDING OFFICER. The Senator from Arizona.

MORNING BUSINESS

Mr. MCCAIN. Mr. President, I ask unanimous consent that the Senate proceed to a period of morning business, with Senators permitted to speak for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

MIAMI CONSERVANCY DISTRICT 100TH ANNIVERSARY

Mr. PORTMAN. Mr. President, I wish to recognize the Miami Conservancy District as it celebrates the 100th anniversary of its founding on June 28, 2015.

After the Great Flood of 1913, the people of the Miami Valley vowed ''never again'' and proceeded to raise $2

million in 2 months to fund the design of a flood protection system for riverfront cities on the Great Miami River that now extends from Piqua to Hamilton.

Since the dams and levees were completed in 1922, the Miami Conservancy District's protection system has prevented countless floods, preserving 35,000 acres of land for public use as walking trails, picnic areas and parks.

In addition, the Miami Conservancy District assists in the management of Ohio's largest state-designated water trail network with 265 miles of waterways, providing paddling and fishing opportunities on the Great Miami, Stillwater and Mad Rivers.

The Miami Conservancy District is also a leader on natural resource development and has been a key partner in projects like downtown Dayton's RiverScape, which has improved the quality of life for Miami Valley residents by bringing natural features into an urban environment.

The Miami Conservancy District protects some of Ohio's greatest natural wonders and I congratulate those involved in making its first 100 years a success.

ADDITIONAL STATEMENTS

CONGRATULATING THE FRANCES PERKINS CENTER

● Mr. KING. Mr. President, I wish to congratulate the Frances Perkins Center on the designation of the Frances Perkins Homestead, located in Newcastle, ME, as a National Historic Landmark. The Brick House was the home of the remarkable Frances Perkins, the first woman appointed to a Presidential cabinet. This is an honor that has been given to only 2,500 other historic places in the United States and I applaud the Frances Perkins Center for receiving this distinction.

Frances Perkins found that no matter where she lived during her life, her true home would always be in Maine. While she was born in Boston in 1880, both of her parents were native Mainers. She grew up living in Worcester and spending summers with her grandmother on the family's saltwater farm in Newcastle. Frances credited her own character to be a direct result of her grandmother's influence and their time together in Maine.

Frances was a motivated and inquisitive person from a young age. She attended Classical High School in Worcester and, though it was uncommon at the time, she went on to Mount Holyoke College where she was a standout student. Professors immediately noticed Frances' ambition and natural intellect. Frances graduated from Mont Holyoke in 1902 with a major in physics and minors in chemistry and biology.

Throughout her life, Frances was devoted to improving the lives of American workers. After college, Frances moved to Illinois, working as a teacher and volunteering in settlement houses. She then received her master's degree from Colombia and subsequently began her extraordinary career in public service, working for the New York City Consumers League and then the New York State Industrial Commission.

The impressive work by Frances for the Industrial Commission led to newly elected New York Governor Franklin D. Roosevelt to name her New York State Commissioner of Labor. She received attention and admiration in this role for her ceaseless commitment to improving work conditions in New York. In February 1933, Roosevelt appointed Frances Secretary of Labor in his Presidential cabinet. Frances was the first female Federal cabinet official, which remains one of her most notable and outstanding achievements.

Frances' accomplishments as Secretary of Labor had, and continue to have, a profound impact on American lives. Frances was the lead architect in designing New Deal policies during the Great Depression; however, her work did not stop there. She was incredibly influential in creating legislation for Social Security and establishing a 40-hour work week. Frances is also known for her major role in prohibiting child labor, enforcing worker's rights, and designing unemployment insurance as well as workers' aid.

Frances' beliefs, values, and spirit grew from her strong connection to Maine. Frances regularly returned to her Maine home, especially when she desired a haven to rest and remember her roots. She owned and maintained the family farm in Newcastle from 1927 until she died on May 14, 1965 at the age of 85. She is buried nearby the homestead.

I am thrilled at the nomination of the Frances Perkins Homestead as a National Historic Landmark. Frances was a fearless leader who exemplified American values of hard work and determination. Frances' work lives on as an essential benefit to countless American citizens. I am proud that her legacy is a part of Maine's history and I warmly congratulate the Frances Perkins Homestead, and all those involved with achieving this accomplishment, on its dedication as a National Historic Landmark.●

GIRL SCOUTS OF AMERICA 103RD ANNIVERSARY

● Mr. KING. Mr. President, I wish to recognize the Girl Scouts of America on the occasion of their 103rd Anniversary. The Girl Scouts were created in 1912 in the midst of the progressive movement by Juliette Gordon Low for the purpose of empowering young women and instilling them with character, honesty, patriotism, and leadership skills. The independence and integrity that young women develop with the Girl Scouts is a priceless resource for these girls later in life.

For 103 years, the Girl Scouts have influenced female leaders, and have led the fight for equality and inclusiveness in leadership positions. The fact that former girl scouts make up 60 percent of the women in the House of Representatives and over 50 percent of current female business owners demonstrates the organization's ability to cultivate leaders. Through the Girl Scouts, girls have gained skills that are essential tools to help women achieve equality in leadership positions.

The Girl Scouts have also developed and implemented programs to help middle and high school girls become financially literate and independent. Indeed, the Girl Scout Cookie Program is the largest girl-led business in the world and is a hallmark program that helps girls across the country develop the skills, such as money management, customer interaction, and business ethics, which are essential to life-long success. They have also invested in science and mathematics programs to empower young women who have an interest in those fields. Through their continued efforts to develop girls' leadership abilities, confidence, and worldly knowledge, the Girl Scouts have played an important role in helping young women reach their full potential.

Today, I mark the legacy and future of this invaluable organization. I applaud the Girl Scouts of Maine, and America, for the immeasurable impact they have had on women's rights, and women themselves, over the past 103 years.●

TRIBUTE TO LIEUTENANT COLONEL PETER W. OGDEN

● Mr. KING. Mr. President, I wish to honor the career of LTC Peter W. Ogden, who will retire this June as director of the Bureau of Veterans' Services. Peter has served in this role for the past 11 years and I am profoundly grateful for all that he has done for Maine and our esteemed veterans.

Peter began serving the Nation and the State of Maine long before his position as director. He enlisted in the U.S. Army Corps of Engineers in 1967 and in the following years he completed two combat tours in Vietnam. After graduating from Maine Military Academy as a Distinguished Graduate, Peter served in the Maine Army National Guard. In total, Peter spent an impressive 28 years of his life dedicated to military service.

Peter is an excellent example of a person who brings personal and selfless commitment to his career. As a veteran himself, Peter has a complete and thorough understanding of the challenges and issues veterans face on a regular basis. He has worked tirelessly

to provide Maine veterans and their families with informational services, assistance programs, and strong representation. Through his work as director, Peter has improved the lives of countless Maine veterans and families.

The programs and services Peter developed while director are essential to veterans as well as military men, women and families. I was particularly impressed by Peter's work supporting Gold Star families through projects such as House in the Woods. This project continues to help both families and veterans cope with loss by providing a close support network and outdoor-related experiences, from fishing to hiking.

I greatly value public servants like Peter and I have a high appreciation for the essential and high-quality service he has ensured for Maine veterans during his time as director of the Bureau of Veterans' Services. I extend my sincerest congratulations and gratitude to Peter for all of his accomplishments and I wish him all the best in his well-deserved retirement.●

CONGRATULATING SOUTHERN MAINE PLANNING AND DEVELOPMENT COMMISSION

● Mr. KING. Mr. President, today I bring to the fore an organization that serves as a model for coordinated economic development and environmental responsibility. Later this month, the Southern Maine Planning and Development Commission, or SMPDC, will celebrate its 50th anniversary. This milestone is a testament not only to its longevity and breadth, but also to its ability to continually develop pertinent projects for southern Maine's economy. They are truly an inspiration for similar initiatives across the country and around the globe.

SMPDC is a Council of Governments enabled by State statute that serves the southern part of our great State in 39 communities. As this region forms the southern tip of Maine, it injects economic vitality to all corners of the State as the ''Gateway to Maine.'' It boasts 300 miles of breathtaking coastline—with rocky points, quiet inlets, and sandy beaches. This coastline alone brings in thousands of tourists each year who wish to share the marvels of our distinct and special home. This region also extends westward toward the White Mountains, an area dotted with numerous lakes, fertile lands, dense forests, and crossed by the mighty Saco River. To help maintain this land for us and for future generations, the folks at SMPDC offer comprehensive planning and ordinance revision to communities to ensure they achieve the appropriate growth while preserving the land and shoreline that so characterizes the Maine way of life.

Being the Gateway to Maine, and given the recent Federal gridlock over properly funding the Highway Trust Fund, I would be remiss not to mention the commission's work to assist municipalities throughout the region in transportation project planning and management. They have rallied local leaders and first responders to address the emergencies on the roads and made the veins of our economy safer through their Traffic Incident Management Group—which in 2007 was given the Excellence in Regional Transportation Award by the National Association of Development. Furthermore, with I–95 and Amtrak pouring resources and revenue into the State, SMPDC has been essential to coordinating community action to ensure we make the most of these assets.

And even while focusing on the largest arteries of transportation in the area, the commission has not turned a blind eye to the scenic roads and healthy travel alternatives that encourage people to get outdoors and reaffirms access and economic prospects for Maine's vibrant eco-tourism industry. Teaming up with the Bicycle Coalition of Maine, SMPDC has successfully implemented the York County Active Communities Network. This initiative explores the potential for improvements and funding opportunities for those looking to bike or walk safely and freely throughout their community. The group has also added further economic vitality to Maine through its work with the Pequawket Trail Scenic Byway, which winds its way through the White Mountains in western Maine and along the Saco River. This Corridor Management Plan floods the scenic towns along it with visitors and economic opportunity from downtown Standish to historic Fryeburg.

Perhaps what the commission is most widely recognized for is their success with the Brownfields Redevelopment Project, which is funded in part by the EPA's Brownfield and Land Revitalization Program. Brownfields are abandoned or underused industrial and commercial properties that have some threat of environmental contamination, whether it is real or perceived. Beginning in 2004, the Brownfield Redevelopment Project started funding ventures throughout southern Maine to rebuild old dams, mills, and other previously condemned facilities to help reintroduce many of Maine's beautiful, historic buildings to their communities. South Berwick now boasts a fantastic renovated library and Kennebunk even retooled a gas station to create a community ice rink, while the mills in Sanford and Biddeford are teeming with hundreds of new businesses. At an event earlier in the year, the EPA cited SMPDC as one of the top 10 in the Nation for their wide ranging success with these projects. This work is truly exciting and a perfect demonstration of SMPDC's powerful impact on southern Maine.

As the Southern Maine Planning and Development Council ushers in their 50th anniversary on June 24, we should take time to reflect on the countless dedicated public servants who have worked with unwavering commitment to better their communities. I am deeply grateful for their countless accomplishments, and look forward to the many more inspiring and productive projects they undertake in the future.●

2015 WOMEN'S WORLD CUP

● Mr. MENENDEZ. Mr. President, I wish to recognize the United States women's national soccer team as it prepares for the first game in its pursuit of World Cup glory in Canada. As with the men's team last year, my home State is well represented on the women's team, with four players: Tobin Heath, Carli Lloyd, Heather O'Reilly, and Christie Rampone, who call New Jersey home.

These athletes and the 19 others selected by head coach Jill Ellis have worked tirelessly to hone their skills in order to become some of the best players in the world. Despite being drawn into the so-called ''group of death,'' this U.S. team enters the tournament as one of the favorites, and I am confident that they will represent us well and make us all proud to be Americans.

While much of the world considers the U.S. to be a relative newcomer to the global soccer community on the men's side of the game, our women's team is unmatched in its esteem, having won two World Cup titles since the tournament began in 1991 and never finishing below third place. I hope that this U.S. team will build upon its rich history of success at the seventh Women's World Cup.

I believe that we will win.●

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Pate, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations and a withdrawal which were referred to the appropriate committees.

(The messages received today are printed at the end of the Senate proceedings.)

MESSAGE FROM THE HOUSE

At 3:23 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has passed the

following bill, in which it requests the concurrence of the Senate:

H.R. 2578. An act making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2016, and for other purposes.

The message also announced that the House has agreed to the following resolution:

H. Res. 299. A resolution relative to the death of Joseph Robinette ''Beau'' Biden, III.

MEASURES REFERRED

The following bill was read the first and the second times by unanimous consent, and referred as indicated:

H.R. 2578. An act making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2016, and for other purposes; to the Committee on Appropriations.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC–1835. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''n-Butyl benzoate; Exemptions from the Requirement of a Tolerance'' (FRL No. 9927–65) received in the Office of the President of the Senate on June 2, 2015; to the Committee on Agriculture, Nutrition, and Forestry.

EC–1836. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Aluminum sulfate; Exemption from the Requirement of a Tolerance'' (FRL No. 9927–66) received in the Office of the President of the Senate on June 2, 2015; to the Committee on Agriculture, Nutrition, and Forestry.

EC–1837. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Alkyl (c8–20) Polyglucoside Esters; Exemptions from the Requirement of a Tolerance'' (FRL No. 9927–19) received in the Office of the President of the Senate on June 2, 2015; to the Committee on Agriculture, Nutrition, and Forestry.

EC–1838. A communication from the Secretary of Defense, transmitting a report on the approved retirement of Lieutenant General Michael T. Linnington, United States Army, and his advancement to the grade of lieutenant general on the retired list; to the Committee on Armed Services.

EC–1839. A communication from the Chairman of the Board of Governors, Federal Reserve System, transmitting, pursuant to law, the 101st Annual Report of the Federal Reserve Board covering operations for calendar year 2014; to the Committee on Banking, Housing, and Urban Affairs.

EC–1840. A communication from the Secretary of Energy, transmitting, pursuant to law, a report relative to the status of construction and operations of the mixed oxide fuel fabrication facility (MOX facility) at the Department of Energy's Savannah River Site in South Carolina; to the Committee on Energy and Natural Resources.

EC–1841. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Significant New Use Rules on Certain Chemical Substances'' ((RIN2070–AB27) (FRL No. 9927–67)) received in the Office of the President of the Senate on June 2, 2015; to the Committee on Environment and Public Works.

EC–1842. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Revisions to the California State Implementation Plan, Eastern Kern Air Pollution Control District, Mojave Desert Air Quality Management District'' (FRL No. 9928–07–Region 9) received in the Office of the President of the Senate on June 2, 2015; to the Committee on Environment and Public Works.

EC–1843. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Clean Water Rule: Definition of 'Waters of the United States''' ((RIN2040–AF30) (FRL No. 9927–20–OW)) and economic analysis of the EPA–Army Clean Water Rule, received in the Office of the President of the Senate on June 2, 2015; to the Committee on Environment and Public Works.

EC–1844. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Implementation Plans; State of Kansas; Infrastructure SIP Requirements for the 2010 Sulfur Dioxide National Ambient Air Quality Standard'' (FRL No. 9928–59–Region 7) received in the Office of the President of the Senate on June 2, 2015; to the Committee on Environment and Public Works.

EC–1845. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Air Quality Implementation Plans; State of Missouri, Construction Permits Required'' (FRL No. 9928–60–Region 7) received in the Office of the President of the Senate on June 2, 2015; to the Committee on Environment and Public Works.

EC–1846. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Air Quality Implementation Plans; Pennsylvania; 2011 Lead Base Year Emissions Inventory'' (FRL No. 9928–68–Region 3) received in the Office of the President of the Senate on June 2, 2015; to the Committee on Environment and Public Works.

EC–1847. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Air Quality Implementation Plans; Michigan; Part 3 Rules'' (FRL No. 9928–35–Region 5) received in the Office of the President of the Senate on June 2, 2015; to the Committee on Environment and Public Works.

EC–1848. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Air Quality Implementation Plans; Maryland; Biomass Fuel-Burning Equipment Standards'' (FRL No. 9928–65–Region 3) received in the Office of the President of the Senate on June 2, 2015; to the Committee on Environment and Public Works.

EC–1849. A joint communication from the Chairman and the General Counsel, National Labor Relations Board, transmitting, pursuant to law, the Office of Inspector General Semiannual Report for the period of October 1, 2014 through March 31, 2015; to the Committee on Homeland Security and Governmental Affairs.

EC–1850. A communication from the Acting Inspector General of the General Services Administration, transmitting, pursuant to law, the Semiannual Report of the Inspector General for the period from October 1, 2014 through March 31, 2015; to the Committee on Homeland Security and Governmental Affairs.

EC–1851. A communication from the Secretary of Education, transmitting, pursuant to law, the Semiannual Report of the Office of the Inspector General for the period from October 1, 2014 through March 31, 2015; to the Committee on Homeland Security and Governmental Affairs.

EC–1852. A communication from the Director, Policy and Planning Analysis, Office of Personnel Management, transmitting, pursuant to law, the report of a rule entitled ''Federal Employees Health Benefits Program: Subrogation and Reimbursement Recovery'' (RIN3206–AN14) received in the Office of the President of the Senate on June 2, 2015; to the Committee on Homeland Security and Governmental Affairs.

EC–1853. A communication from the Director of the Office of Personnel Management, transmitting, pursuant to law, the Semiannual Report of the Inspector General and the Management Response for the period from October 1, 2014 through March 31, 2015; to the Committee on Homeland Security and Governmental Affairs.

EC–1854. A communication from the Deputy Inspector General, Office of Inspector General, Department of the Interior, transmitting, pursuant to law, the Department of the Interior's Semiannual Report of the Inspector General for the period from October 1, 2014 through March 31, 2015; to the Committee on Homeland Security and Governmental Affairs.

EC–1855. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Penalty Relief Program—Late Annual Reporting for Non-Title I Retirement Plans ('One-Participant Plans' and Certain Foreign Plans)'' (Rev. Proc. 2015–32) received in the Office of the President of the Senate on June 3, 2015; to the Committee on Finance.

EC–1856. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Capital Gain Distributions of Regulated Investment Companies'' (Notice 2015–41) received in the Office of the President of the Senate on June 3, 2015; to the Committee on Finance.

EC–1857. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Request for Comments Regarding New Financial Accounting

Standards Board and International Accounting Standards'' (Notice 2015–40) received in the Office of the President of the Senate on June 3, 2015; to the Committee on Finance.

EC–1858. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Update to Method Change Guidance'' (Rev. Proc. 2015–33) received in the Office of the President of the Senate on June 3, 2015; to the Committee on Finance.

EC–1859. A communication from the Director, Office of Regulations and Reports Clearance, Social Security Administration, transmitting, pursuant to law, the report of a rule entitled ''Extension of Sunset Date for Attorney Advisor Program'' (RIN0960–AH83) received in the Office of the President of the Senate on June 2, 2015; to the Committee on Finance.

EC–1860. A communication from the Director, Office of Regulations and Reports Clearance, Social Security Administration, transmitting, pursuant to law, the report of a rule entitled ''Extension of Effective Date for Temporary Pilot Program Setting the Time and Place for a Hearing Before an Administrative Law Judge'' (RIN0960–AH67) received in the Office of the President of the Senate on June 2, 2015; to the Committee on Finance.

EC–1861. A communication from the Acting Director, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Cod by Catcher Vessels Less Than 60 Feet (18.3 meters) Length Overall Using Jig or Hook-and-Line Gear in the Bogoslof Pacific Cod Exemption Area in the Bering Sea and Aleutian Islands Management Area'' (RIN0648–XD886) received in the Office of the President of the Senate on June 3, 2015; to the Committee on Commerce, Science, and Transportation.

EC–1862. A communication from the Acting Director, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Exclusive Economic Zone Off Alaska; Inseason Adjustment to the 2015 Gulf of Alaska Pollock Seasonal Adjustments'' (RIN0648–XD845) received in the Office of the President of the Senate on June 3, 2015; to the Committee on Commerce, Science, and Transportation.

EC–1863. A communication from the Acting Director, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Cod by Catcher/Processors Using Hook-and-Line Gear in the Western Regulatory Area of the Gulf of Alaska'' (RIN0648–XD876) received in the Office of the President of the Senate on June 3, 2015; to the Committee on Commerce, Science, and Transportation.

EC–1864. A communication from the Deputy Assistant Administrator for Regulatory Programs, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries Off West Coast States; Pacific Coast Groundfish Fishery Management Plan; Trawl Rationalization Program; Catch Monitor Program; Observer Program'' (RIN0648–BD30) received in the Office of the President of the Senate on June 3, 2015; to the Committee on Commerce, Science, and Transportation.

EC–1865. A communication from the Deputy Assistant Administrator for Regulatory Programs, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries Off West Coast States; Pacific Coast Groundfish Fishery Management Plan; Trawl Rationalization Program; Midwater Trawl Fishery Season Date Change'' (RIN0648–BE72) received in the Office of the President of the Senate on June 3, 2015; to the Committee on Commerce, Science, and Transportation.

EC–1866. A communication from the Deputy Assistant Administrator for Regulatory Programs, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries Off West Coast States; West Coast Salmon Fisheries; Management Reference Point Updates for Three Stocks of Pacific Salmon'' (RIN0648–BE79) received in the Office of the President of the Senate on June 3, 2015; to the Committee on Commerce, Science, and Transportation.

EC–1867. A communication from the Acting Director, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; 2015 Commercial Accountability Measure and Closure for Blueline Tilefish in the South Atlantic Region'' (RIN0648–XD869) received in the Office of the President of the Senate on June 3, 2015; to the Committee on Commerce, Science, and Transportation.

PETITIONS AND MEMORIALS

The following petitions and memorials were laid before the Senate and were referred or ordered to lie on the table as indicated:

POM–33. A joint memorial adopted by the Legislature of the State of Washington urging the United States Congress to support the conversion of the 81st Armored Brigade Combat Team of the Washington National Guard into a Stryker Brigade Combat Team with brigade units stationed in Washington, Oregon, and California; to the Committee on Armed Services.

SENATE JOINT MEMORIAL 8008

Whereas, The opportunity exists to add a second Stryker Brigade Combat Team to the Army National Guard's force structure, and to locate this Brigade on the west coast; and

Whereas, There are a variety of practical and strategic reasons which make the 81st Armored Brigade Combat Team a logical candidate for conversion; and

Whereas, A Stryker Brigade Combat Team stationed on the west coast will strengthen our nation's defense by maintaining Stryker capacity focused on the Asia-Pacific Region, enhance Regular Army/Army National Guard partnership, and provide a key domestic response capability; and

Whereas, Transitioning the 81st Armored Brigade Combat Team to a Stryker Brigade Combat Team strategically places Strykers in Washington, Oregon, and California, and will save taxpayers thirty million dollars over the course of an army force generation cycle; and

Whereas, The 81st Armored Brigade Combat Team is headquartered at Camp Murray, Washington, located just across the street from Joint Base Lewis-McChord, which is the United States Army's Stryker Center of Excellence and is within convoy range of the Yakima Training Center; and

Whereas, The extensive Stryker infrastructure available at Joint Base Lewis-McChord and the Yakima Training Center represents a great advantage in leveraging shared resources; and

Whereas, Furthermore, this places the Stryker Brigade Combat Team equipment sets brought back from overseas contingencies into mission-ready use, and available for overseas and domestic contingency response; and

Whereas, Strykers will also give the governors of Washington, Oregon, and California a fast, durable, and effective asset to save lives, protect property, maintain peace, and ensure the continuity of government in times of emergency;

Now, therefore, Your Memorialists respectfully pray that as you consider force structure balance in this era of constrained resources, coupled with the tactical, strategic, and domestic needs of our nation, you will support the conversion of the 81st Armored Brigade Combat Team of the Washington National Guard into a Stryker Brigade Combat Team with brigade units stationed in Washington, Oregon, and California.

Be it resolved, That copies of this Memorial be immediately transmitted to the Honorable Barack Obama, President of the United States, General Frank J. Grass, Chief of the National Guard Bureau, the President of the United States Senate, the Speaker of the House of Representatives, and each member of Congress from the State of Washington.

POM–34. A joint memorial adopted by the Legislature of the State of Washington urging the United States Congress to expedite appropriation of funds, for Columbia River Basin dreissenid efforts, to significantly enhance monitoring and prevention efforts and to implement the intent of the Water Resources Reform and Development Act; to the Committee on Environment and Public Works.

SENATE JOINT MEMORIAL 8013

Whereas, Maintaining a healthy suite of economic, environmental, and social ecosystem services in aquatic systems is integral to the quality of life in the State of Washington; and

Whereas, Healthy aquatic habitats provide clean drinking water, flood control, transportation, recreation, purification of human and industrial wastes, power generation, habitat for native plants and animals, production of fish and other foods, marketable goods, and cultural benefits; and

Whereas, Aquatic invasive species, including Dreissenids (quagga mussels (Dreissena rostriformis bugensis) and zebra mussels (Dreissena polymorpha)), are invasive species that cause irreparable ecological damage to many waters in the United States; and

Whereas, Dreissenids have not yet been detected in the Pacific Northwest. The estimated annual cost to address established populations of dreissenids in the Pacific Northwest economic region is almost five hundred million dollars annually; and

Whereas, The Water Resources Reform and Development Act was signed in June 2014. It authorizes twenty million dollars for Columbia River Basin dreissenid efforts through the Secretary of the Army;

Now, therefore, Your Memorialists respectfully request that Congress expedite appropriation of these funds to significantly enhance monitoring and prevention efforts and to implement the intent of the Water Resources Reform and Development Act.

Be it resolved; That copies of this Memorial be immediately transmitted to the Honorable Barack Obama, President of the

United States, Sally Jewell, Secretary of the Department of the Interior, the President of the United States Senate, the Speaker of the House of Representatives, and each member of Congress from the State of Washington.

POM–35. A joint resolution adopted by the Legislature of the State of Nevada urging the United States Congress to amend the Migratory Bird Treaty Act or take any other appropriate action to ensure that the common raven is not a protected species under the Act; to the Committee on Environmental and Public Works.

ASSEMBLY JOINT RESOLUTION NO. 2

Whereas, The greater sage grouse (Centrocercus urophasianus) is a species of bird that inhabits much of the sagebrush habitat in Nevada as well as other western states; and

Whereas, The United States Fish and Wildlife Service has determined that the greater sage grouse is warranted for listing as endangered or threatened under the Endangered Species Act of 1973, 16 U.S.C. §§1531 et seq.; and

Whereas, Through the enactment of Senate Concurrent Resolution No. 15, File Number 48, Statutes of Nevada 2005, at page 3022, the members of the 73rd Session of the Nevada Legislature found that the listing of the greater sage grouse as an endangered or threatened species would have a devastatingly negative impact on Nevada's land development, land use, water use, mining, recreational activities and local economies; and

Whereas, The desert tortoise (Gopherus agassizii) is a species of tortoise that inhabits the desert habitat of the southwestern United States, including the Mojave desert region of southern Nevada; and

Whereas, The desert tortoise is listed as a threatened species under the Endangered Species Act of 1973, 16 U.S.C. §§1531 et seq.; and

Whereas, The common raven (Corvus corax) is a species of bird that inhabits Nevada and much of the western United States, Mexico, Canada, Europe and Asia; and

Whereas, The International Union for Conservation of Nature estimates the global population of the common raven as greater than 16 million and trending upwards, thus classifying it as a species of least concern; and

Whereas, A known cause of decline in the sage grouse population is egg depredation by the common raven, and research conducted at Idaho State University has suggested that reductions in the raven population significantly increase sage grouse nest success; and

Whereas, The United States Fish and Wildlife Service has identified the common raven as the most highly visible predator of hatchling and juvenile desert tortoises, and research published by the Western Ecological Research Center of the United States Geological Survey recommends controlling certain raven populations to assist in the recovery of desert tortoise populations; and

Whereas, The common raven is a protected species under regulations adopted pursuant to the Migratory Bird Treaty Act of 1918, 16 U.S.C. §§1703 et seq., which drastically curtails the ability of this State to manage the population of the common raven in order to protect sage grouse nests and desert tortoises: Now, therefore, be it

Resolved by the Assembly and Senate of the State of Nevada, Jointly, That the members of the 78th Session of the Nevada Legislature urge the United States Congress to amend the Migratory Bird Treaty Act or take any other appropriate action to ensure that the common raven is not a protected species under that Act; and be it further

Resolved, That the members of the 78th Session of the Nevada Legislature urge the United States Fish and Wildlife Service to:

1. Work with the Nevada Department of Wildlife to decrease common raven populations in this State; and

2. Adopt regulations allowing the State of Nevada to manage the common raven population and reduce the number of common ravens in this State; and be it further

Resolved, That the Chief Clerk of the Assembly prepare and transmit a copy of this resolution to the Vice President of the United States as the presiding officer of the Senate, the Speaker of the House of Representatives, each member of the Nevada Congressional Delegation, the Director of the United States Fish and Wildlife Service, the President of the Nevada Cattlemen's Association, the President of the Nevada Farm Bureau Federation, the Chair of the Sagebrush Ecosystem Council and the Executive Director of the Western Governors' Association; and be it further

Resolved, That this resolution becomes effective upon passage.

POM–36. A resolution adopted by the House of Representatives of the State of Michigan urging the President of the United States to allow an additional 25,000 refugee visas for certain displaced individuals, with preference for placement in Michigan; to the Committee on the Judiciary.

HOUSE RESOLUTION NO. 9

Whereas, The United States has long been a safe harbor for persecuted foreign nationals. Through the U.S. refugee visa program, individuals and their families who are harassed, oppressed, or have faced harassment or oppression at home because of their race, religion, nationality, public opinion, or social association can find relief in the U.S. When a humanitarian crisis occurs, the U.S. may also grant eligible individuals refugee visas. Once in the country, federal resettlement agencies help match refugees with local communities that can help support their needs; and

Whereas, The number of refugee visas available is determined and set by the President of the United States. In consultation with the cabinet and the House and Senate committees on the judiciary, the President assesses all concerns of humanitarian and national interest to determine the number of visas that will be available for the upcoming fiscal year; and

Whereas, The recent crisis in Syria and Iraq has forced hundreds of thousands of Iraqis, largely from religious minorities in the region—many of which are Assyrians, Chaldeans, Syriacs, and Yazidis—from their hometowns that have been ransacked by the Islamic State of Iraq and the Levant (ISIL). Those displaced persons are unable to return to their homes, and most do not have access to resources needed to fulfill basic needs, including food, water, and shelter. Moreover, these refugees face constant fear of persecution due to nothing more than the faith they claim, and their pronouncement of faith has led to violence as explicit as crucifixions, beheadings, and slavery. Minimal support has been offered to many of the more than three million Iraqis refugees, two million of which were displaced last year alone, and those fortunate to remain in temporary shelters are overburdening and overcrowding neighboring nations and communities who stand on constant guard for fear that they will be the next target of ISIL. As this regional conflict endures, the displacement and imminent migration and persecution of refugees will continue; and

Whereas, Displaced Iraqi refugees must be offered relief from this regional instability and granted entry into the United States. Iraqi refugees have complemented our American society with a proven history of contributing to the economic and social well-being of this nation. In the Chaldean or Catholic Iraqi community of Metro Detroit, which is the largest concentration of Chaldeans outside of Iraq, 61 percent of households founded their own business, and this network of businesses is indispensable to the local economy. Moreover, organizations like the Chaldean Community Foundation offer resources to bind and strengthen the community as well as welcome and support refugees, in part by using community businesses to invest in new members and encourage the advancement of the community; and

Whereas, The current allotment of refugee visas may not be adequate to accommodate these individuals. When an unforeseen emergency arises, the President has the flexibility to issue emergency refugee visas for an affected group if the remaining annual allotment is insufficient to assist these displaced individuals, and

Whereas, The Chaldean Church and its bishop have garnered support for this request and driven a body of people able and willing to sustain and support the incoming refugees. The community stands ready to assist persecuted Iraqis and victims of war rebuild their lives in the U.S.: Now, therefore, be it

Resolved by the House of Representatives, That we urge the President of the United States to allow an additional 25,000 refugee visas for displaced Iraqis, being the Assyrians, Chaldeans, Syriacs, and Yazidis displaced because of their faith; and be it further

Resolved, That we urge that these refugees be given preference for placement in the state of Michigan; and be it further

Resolved, That copies of this resolution be transmitted to the President of the United States, the President of the United States Senate, the Speaker of the United States House of Representatives, and the members of the Michigan congressional delegation.

EXECUTIVE REPORT OF COMMITTEE

The following executive report of a nomination was submitted:

By Mr. VITTER for the Committee on Small Business and Entrepreneurship.

*Douglas J. Kramer, of Kansas, to be Deputy Administrator of the Small Business Administration.

*Nomination was reported with recommendation that it be confirmed subject to the nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. JOHNSON:

S. 1522. A bill to amend title 5, United States Code, to provide a pathway for temporary seasonal employees in Federal land

management agencies to compete for vacant permanent positions under internal merit promotion procedures, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mr. WHITEHOUSE (for himself and Mr. VITTER):

S. 1523. A bill to amend the Federal Water Pollution Control Act to reauthorize the National Estuary Program, and for other purposes; to the Committee on Environment and Public Works.

By Mr. BLUNT (for himself, Mr. NELSON, Mrs. MCCASKILL, Mr. MORAN, Mr. WARNER, Mr. ROBERTS, Ms. KLOBUCHAR, Mr. ISAKSON, Ms. BALDWIN, and Mr. BURR):

S. 1524. A bill to enable concrete masonry products manufacturers to establish, finance, and carry out a coordinated program of research, education, and promotion to improve, maintain, and develop markets for concrete masonry products; to the Committee on Commerce, Science, and Transportation.

By Mr. HATCH (for himself and Mr. CORNYN):

S. 1525. A bill to block any action from being taken to finalize or give effect to a certain proposed rule governing the Federal child support enforcement program; to the Committee on Finance.

By Mr. PORTMAN (for himself and Ms. HIRONO):

S. 1526. A bill to amend title 10 and title 41, United States Code, to improve the manner in which Federal contracts for construction and design services are awarded, to prohibit the use of reverse auctions for design and construction services procurements, to amend title 31 and 41, United States Code, to improve the payment protections available to construction contractors, subcontractors, and suppliers for work performed, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mr. PERDUE (for himself and Mr. KAINE):

S. 1527. A bill to enable more responsible and efficient spending on Department of State activities and foreign operations; to the Committee on Foreign Relations.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. GARDNER (for himself and Mr. CARDIN):

S. Res. 194. A resolution welcoming the President of the Republic of Korea on her official visit to the United States and celebrating the United States-Republic of Korea relationship, and for other purposes; to the Committee on Foreign Relations.

ADDITIONAL COSPONSORS

S. 134

At the request of Mr. WYDEN, the names of the Senator from Colorado (Mr. BENNET) and the Senator from Montana (Mr. TESTER) were added as cosponsors of S. 134, a bill to amend the Controlled Substances Act to exclude industrial hemp from the definition of marihuana, and for other purposes.

S. 270

At the request of Mrs. SHAHEEN, the name of the Senator from Washington (Mrs. MURRAY) was added as a cosponsor of S. 270, a bill to amend title 38, United States Code, to revise the definition of spouse for purposes of veterans benefits in recognition of new State definitions of spouse, and for other purposes.

S. 275

At the request of Mr. ISAKSON, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of S. 275, a bill to amend title XVIII of the Social Security Act to provide for the coverage of home as a site of care for infusion therapy under the Medicare program.

S. 313

At the request of Mr. GRASSLEY, the names of the Senator from Maine (Mr. KING) and the Senator from Ohio (Mr. PORTMAN) were added as cosponsors of S. 313, a bill to amend title XVIII of the Social Security Act to add physical therapists to the list of providers allowed to utilize locum tenens arrangements under Medicare.

S. 315

At the request of Ms. KLOBUCHAR, the name of the Senator from Vermont (Mr. LEAHY) was added as a cosponsor of S. 315, a bill to amend the Internal Revenue Code of 1986 to allow a credit against income tax for the purchase of hearing aids.

S. 330

At the request of Mr. HELLER, the names of the Senator from Mississippi (Mr. COCHRAN) and the Senator from Florida (Mr. NELSON) were added as cosponsors of S. 330, a bill to amend the Internal Revenue Code of 1986 to make permanent the special rule for contributions of qualified conservation contributions, and for other purposes.

S. 403

At the request of Ms. KLOBUCHAR, the name of the Senator from North Dakota (Mr. HOEVEN) was added as a cosponsor of S. 403, a bill to revise the authorized route of the North Country National Scenic Trail in northeastern Minnesota and to extend the trail into Vermont to connect with the Appalachian National Scenic Trail, and for other purposes.

S. 429

At the request of Mr. PORTMAN, the name of the Senator from Missouri (Mr. BLUNT) was added as a cosponsor of S. 429, a bill to amend title XIX of the Social Security Act to provide a standard definition of therapeutic foster care services in Medicaid.

S. 471

At the request of Mr. HELLER, the name of the Senator from Ohio (Mr. BROWN) was added as a cosponsor of S. 471, a bill to improve the provision of health care for women veterans by the Department of Veterans Affairs, and for other purposes.

S. 491

At the request of Ms. KLOBUCHAR, the name of the Senator from Rhode Island (Mr. WHITEHOUSE) was added as a cosponsor of S. 491, a bill to lift the trade embargo on Cuba.

S. 599

At the request of Mr. CARDIN, the name of the Senator from West Virginia (Mr. MANCHIN) was added as a cosponsor of S. 599, a bill to extend and expand the Medicaid emergency psychiatric demonstration project.

S. 626

At the request of Mr. GRASSLEY, the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of S. 626, a bill to amend title XIX of the Social Security Act to cover physician services delivered by podiatric physicians to ensure access by Medicaid beneficiaries to appropriate quality foot and ankle care, to amend title XVIII of such Act to modify the requirements for diabetic shoes to be included under Medicare, and for other purposes.

S. 638

At the request of Mr. FLAKE, the name of the Senator from Alabama (Mr. SESSIONS) was added as a cosponsor of S. 638, a bill to amend the Clean Air Act with respect to exceptional event demonstrations, and for other purposes.

S. 640

At the request of Mr. FLAKE, the name of the Senator from Alabama (Mr. SESSIONS) was added as a cosponsor of S. 640, a bill to amend the Clean Air Act to delay the review and revision of the national ambient air quality standards for ozone.

S. 677

At the request of Mrs. BOXER, the name of the Senator from Oregon (Mr. MERKLEY) was added as a cosponsor of S. 677, a bill to prohibit the application of certain restrictive eligibility requirements to foreign nongovernmental organizations with respect to the provision of assistance under part I of the Foreign Assistance Act of 1961.

S. 697

At the request of Mr. UDALL, the name of the Senator from Pennsylvania (Mr. TOOMEY) was added as a cosponsor of S. 697, a bill to amend the Toxic Substances Control Act to reauthorize and modernize that Act, and for other purposes.

S. 711

At the request of Ms. AYOTTE, the name of the Senator from Alaska (Mr. SULLIVAN) was added as a cosponsor of S. 711, a bill to amend section 520J of the Public Service Health Act to authorize grants for mental health first aid training programs.

S. 713

At the request of Mrs. BOXER, the name of the Senator from California (Mrs. FEINSTEIN) was added as a cosponsor of S. 713, a bill to prevent international violence against women, and for other purposes.

S. 857

At the request of Ms. STABENOW, the names of the Senator from Illinois (Mr. KIRK) and the Senator from Delaware (Mr. CARPER) were added as cosponsors of S. 857, a bill to amend title XVIII of the Social Security Act to provide for coverage under the Medicare program of an initial comprehensive care plan for Medicare beneficiaries newly diagnosed with Alzheimer's disease and related dementias, and for other purposes.

S. 861

At the request of Mr. CARPER, the name of the Senator from Virginia (Mr. WARNER) was added as a cosponsor of S. 861, a bill to amend titles XVIII and XIX of the Social Security Act to curb waste, fraud, and abuse in the Medicare and Medicaid programs.

S. 911

At the request of Mr. CASEY, the name of the Senator from Minnesota (Mr. FRANKEN) was added as a cosponsor of S. 911, a bill to direct the Administrator of the Federal Aviation Administration to issue an order with respect to secondary cockpit barriers, and for other purposes.

S. 925

At the request of Mrs. SHAHEEN, the name of the Senator from Delaware (Mr. COONS) was added as a cosponsor of S. 925, a bill to require the Secretary of the Treasury to convene a panel of citizens to make a recommendation to the Secretary regarding the likeness of a woman on the twenty dollar bill, and for other purposes.

S. 993

At the request of Mr. FRANKEN, the name of the Senator from Colorado (Mr. GARDNER) was added as a cosponsor of S. 993, a bill to increase public safety by facilitating collaboration among the criminal justice, juvenile justice, veterans treatment services, mental health treatment, and substance abuse systems.

S. 1000

At the request of Mr. RISCH, the name of the Senator from New Mexico (Mr. UDALL) was added as a cosponsor of S. 1000, a bill to strengthen resources for entrepreneurs by improving the SCORE program, and for other purposes.

S. 1013

At the request of Mr. COCHRAN, the name of the Senator from Illinois (Mr. KIRK) was added as a cosponsor of S. 1013, a bill to amend title XVIII of the Social Security Act to provide for coverage and payment for complex rehabilitation technology items under the Medicare program, and for other purposes.

At the request of Mr. SCHUMER, the name of the Senator from Delaware (Mr. COONS) was added as a cosponsor of S. 1013, supra.

S. 1049

At the request of Ms. HEITKAMP, the name of the Senator from Virginia (Mr. WARNER) was added as a cosponsor of S. 1049, a bill to allow the financing by United States persons of sales of agricultural commodities to Cuba.

S. 1110

At the request of Mr. ENZI, the name of the Senator from Montana (Mr. TESTER) was added as a cosponsor of S. 1110, a bill to direct the Secretary of Agriculture to publish in the Federal Register a strategy to significantly increase the role of volunteers and partners in National Forest System trail maintenance, and for other purposes.

S. 1140

At the request of Mr. BARRASSO, the name of the Senator from Louisiana (Mr. CASSIDY) was added as a cosponsor of S. 1140, a bill to require the Secretary of the Army and the Administrator of the Environmental Protection Agency to propose a regulation revising the definition of the term ''waters of the United States'', and for other purposes.

S. 1170

At the request of Mrs. FEINSTEIN, the name of the Senator from New Jersey (Mr. MENENDEZ) was added as a cosponsor of S. 1170, a bill to amend title 39, United States Code, to extend the authority of the United States Postal Service to issue a semipostal to raise funds for breast cancer research, and for other purposes.

S. 1378

At the request of Mr. PAUL, the name of the Senator from Ohio (Mr. PORTMAN) was added as a cosponsor of S. 1378, a bill to strengthen employee cost savings suggestions programs within the Federal Government.

S. 1382

At the request of Mrs. GILLIBRAND, the name of the Senator from New Jersey (Mr. MENENDEZ) was added as a cosponsor of S. 1382, a bill to prohibit discrimination in adoption or foster care placements based on the sexual orientation, gender identity, or marital status of any prospective adoptive or foster parent, or the sexual orientation or gender identity of the child involved.

S. 1504

At the request of Mr. MURPHY, the names of the Senator from Massachusetts (Ms. WARREN) and the Senator from Connecticut (Mr. BLUMENTHAL) were added as cosponsors of S. 1504, a bill to prohibit employers from requiring low-wage employees to enter into covenants not to compete, to require employers to notify potential employees of any requirement to enter into a covenant not to compete, and for other purposes.

S. 1512

At the request of Mr. CASEY, the names of the Senator from Ohio (Mr. BROWN), the Senator from New York (Mrs. GILLIBRAND) and the Senator from Minnesota (Ms. KLOBUCHAR) were added as cosponsors of S. 1512, a bill to eliminate discrimination and promote women's health and economic security by ensuring reasonable workplace accommodations for workers whose ability to perform the functions of a job are limited by pregnancy, childbirth, or related medical condition.

S. 1513

At the request of Mr. PORTMAN, the name of the Senator from New Hampshire (Ms. AYOTTE) was added as a cosponsor of S. 1513, a bill to reauthorize the Second Chance Act of 2007.

S. RES. 193

At the request of Mr. BLUMENTHAL, the names of the Senator from Connecticut (Mr. MURPHY), the Senator from New Mexico (Mr. HEINRICH) and the Senator from Michigan (Ms. STABENOW) were added as cosponsors of S. Res. 193, a resolution celebrating the 50th anniversary of the historic Griswold v. Connecticut decision of the Supreme Court of the United States and expressing the sense of the Senate that the case was an important step forward in helping ensure that all people of the United States are able to use contraceptives to plan pregnancies and have healthier babies.

AMENDMENT NO. 1528

At the request of Mr. WYDEN, the names of the Senator from South Carolina (Mr. SCOTT), the Senator from South Carolina (Mr. GRAHAM) and the Senator from Oregon (Mr. MERKLEY) were added as cosponsors of amendment No. 1528 intended to be proposed to H.R. 1735, a bill to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 1535

At the request of Mr. INHOFE, the name of the Senator from Delaware (Mr. CARPER) was added as a cosponsor of amendment No. 1535 intended to be proposed to H.R. 1735, a bill to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 1539

At the request of Mr. MCCAIN, the name of the Senator from Mississippi (Mr. WICKER) was added as a cosponsor of amendment No. 1539 proposed to H.R. 1735, a bill to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 1549

At the request of Mrs. ERNST, the name of the Senator from Colorado

(Mr. GARDNER) was added as a cosponsor of amendment No. 1549 intended to be proposed to H.R. 1735, a bill to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 1550

At the request of Mrs. SHAHEEN, the name of the Senator from Hawaii (Ms. HIRONO) was added as a cosponsor of amendment No. 1550 intended to be proposed to H.R. 1735, a bill to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 1556

At the request of Mr. DURBIN, the name of the Senator from Rhode Island (Mr. WHITEHOUSE) was added as a cosponsor of amendment No. 1556 intended to be proposed to H.R. 1735, a bill to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 1557

At the request of Mr. DURBIN, the name of the Senator from Iowa (Mr. GRASSLEY) was added as a cosponsor of amendment No. 1557 intended to be proposed to H.R. 1735, a bill to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 1558

At the request of Mr. DURBIN, the name of the Senator from Iowa (Mr. GRASSLEY) was added as a cosponsor of amendment No. 1558 intended to be proposed to H.R. 1735, a bill to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 1559

At the request of Mr. REED, his name was added as a cosponsor of amendment No. 1559 proposed to H.R. 1735, a bill to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 1572

At the request of Mr. SULLIVAN, the name of the Senator from Hawaii (Ms. HIRONO) was added as a cosponsor of amendment No. 1572 intended to be proposed to H.R. 1735, a bill to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 1574

At the request of Mrs. BOXER, the name of the Senator from South Carolina (Mr. GRAHAM) was added as a cosponsor of amendment No. 1574 intended to be proposed to H.R. 1735, a bill to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 1607

At the request of Mr. JOHNSON, the names of the Senator from Texas (Mr. CRUZ) the Senator from Idaho (Mr. RISCH) and Senator from Oklahoma (Mr. INHOFE) were added as cosponsors of amendment No. 1607 intended to be proposed to H.R. 1735, a bill to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 1628

At the request of Ms. AYOTTE, the names of the Senator from Connecticut (Mr. BLUMENTHAL), the Senator from Mississippi (Mr. WICKER), Senator from Nebraska (Mrs. FISCHER), the Senator from Oklahoma (Mr. INHOFE) and the Senator from Kansas (Mr. ROBERTS) were added as a cosponsor of amendment No. 1628 intended to be proposed to H.R. 1735, a bill to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 1643

At the request of Mr. MCCAIN, the name of the Senator from Arizona (Mr. FLAKE) was added as a cosponsor of amendment No. 1643 intended to be proposed to H.R. 1735, a bill to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 1650

At the request of Mr. SCHATZ, the name of the Senator from Wisconsin (Ms. BALDWIN) was added as a cosponsor of amendment No. 1650 intended to be proposed to H.R. 1735, a bill to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 1658

At the request of Mr. MCCAIN, the names of the Senator from West Virginia (Mrs. CAPITO) the Senator from Connecticut (Mr. BLUMENTHAL) and the Senator from Pennsylvania (Mr. TOOMEY) were added as a cosponsor of amendment No. 1658 intended to be proposed to H.R. 1735, a bill to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 1665

At the request of Mr. KIRK, the names of the Senator from Illinois (Mr. DURBIN) and the Senator from Iowa (Mr. GRASSLEY) were added as a cosponsor of amendment No. 1665 intended to be proposed to H.R. 1735, a bill to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 1687

At the request of Mr. LEE, the name of the Senator from Wyoming (Mr. BARRASSO) was added as a cosponsor of amendment No. 1687 intended to be proposed to H.R. 1735, a bill to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 1691

At the request of Mr. CARDIN, the names of the Senator from New Hampshire (Mrs. SHAHEEN) and the Senator from Maryland (Ms. MIKULSKI) were added as a cosponsor of amendment No. 1691 intended to be proposed to H.R. 1735, a bill to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 1692

At the request of Mr. CARDIN, the name of the Senator from Oregon (Mr.

MERKLEY) was added as a cosponsor of amendment No. 1692 intended to be proposed to H.R. 1735, a bill to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 1703

At the request of Mr. DURBIN, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a cosponsor of amendment No. 1703 intended to be proposed to H.R. 1735, a bill to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 1710

At the request of Mr. KIRK, the name of the Senator from Florida (Mr. RUBIO) was added as a cosponsor of amendment No. 1710 intended to be proposed to H.R. 1735, a bill to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 1720

At the request of Mr. FLAKE, the name of the Senator from Arizona (Mr. MCCAIN) was added as a cosponsor of amendment No. 1720 intended to be proposed to H.R. 1735, a bill to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 1744

At the request of Mrs. FEINSTEIN, the name of the Senator from California (Mrs. BOXER) was added as a cosponsor of amendment No. 1744 intended to be proposed to H.R. 1735, a bill to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 1747

At the request of Mr. CASEY, the names of the Senator from New Hampshire (Mrs. SHAHEEN) and the Senator from California (Mrs. BOXER) were added as cosponsors of amendment No. 1747 intended to be proposed to H.R. 1735, a bill to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 1772

At the request of Ms. WARREN, the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of amendment No. 1772 intended to be proposed to H.R. 1735, a bill to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 194—WELCOMING THE PRESIDENT OF THE REPUBLIC OF KOREA ON HER OFFICIAL VISIT TO THE UNITED STATES AND CELEBRATING THE UNITED STATES-REPUBLIC OF KOREA RELATIONSHIP, AND FOR OTHER PURPOSES

Mr. GARDNER (for himself and Mr. CARDIN) submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 194

Whereas the Government and people of the United States and the Republic of Korea share a comprehensive alliance, a dynamic partnership, and a personal friendship rooted in the common values of freedom, democracy, and a free market economy;

Whereas the alliance between the United States and the Republic of Korea is a linchpin of regional stability in Asia, including against the threats posed by the regime in Pyongyang;

Whereas cooperation between our nations spans across the security, diplomatic, economic, energy, and cultural spheres;

Whereas the relationship between the people of the United States and the Republic of Korea stretches back to Korea's Chosun Dynasty, when the United States and Korea established diplomatic relations under the 1882 Treaty of Peace, Amity, Commerce, and Navigation;

Whereas the United States-Republic of Korea alliance was forged in blood, with casualties of the United States during the Korean War of 54,246 dead (of whom 33,739 were battle deaths) and more than 103,284 wounded, and casualties of the Republic of Korea of over 50,000 soldiers dead and over 10,000 wounded;

Whereas the Korean War Veterans Recognition Act (Public Law 111–41) was enacted on July 27, 2009, and President Barack Obama issued a proclamation to designate the date as the National Korean War Veterans Armistice Day and called upon Americans to display flags at half-staff in memory of the Korean War veterans;

Whereas the Republic of Korea has stood shoulder-to-shoulder alongside the United States in all 4 major engagements the United States has faced since World War II—the Vietnam War, the Persian Gulf War, in Afghanistan, and in Iraq;

Whereas, since the 1953 Mutual Defense Treaty, to which the Senate gave its advice and consent to ratification on January 26, 1954, United States military personnel have maintained a continuous presence on the Korean Peninsula, and currently there are approximately 28,500 United States troops stationed in the Republic of Korea;

Whereas, in January 2014, the United States and the Republic of Korea successfully concluded negotiations for a new five-year Special Measures Agreement (SMA), establishing the framework for Republic of Korea contributions to offset the costs associated with the stationing of United States Forces Korea (USFK) on the Korean Peninsula;

Whereas the United States Government supports mutual efforts by the Republic of Korea and Japan to overcome the past and work together to contribute to peace, security, and economic prosperity in the Asia-Pacific region;

Whereas the Governments and people of the United States and the Republic of Korea share a deep commitment to addressing the continued suffering of the people of the Democratic People's Republic of Korea due to the human rights abuses and repression of the regime in Pyongyang;

Whereas, on March 15, 2012, The United States-Republic of Korea Free Trade Agreement entered into force, which both sides have committed to fully implement, and the Republic of Korea is the United States' sixth-largest trade partner, with United States goods and exports to Korea reaching a record level of $44,500,000,000 in 2014, up over 7 percent compared to 2013;

Whereas, on May 7, 2013, the United States and the Republic of Korea signed a Joint Declaration in Commemoration of the 60th Anniversary of the Alliance Between the Republic of Korea and the United States;

Whereas, on May 8, 2013, Her Excellency Park Geun-hye, the President of the Republic of Korea, addressed a Joint Session of Congress;

Whereas the United States Government notes the address delivered by President Park Geun-hye in Dresden, Germany, on March 28, 2014, and recognizes her efforts to promote peace, stability, and cooperation in Northeast Asia;

Whereas there are deep cultural and personal ties between the peoples of the United States and the Republic of Korea, as exemplified by the large flow of visitors and exchanges each year between the two countries, including Korean students studying in United States colleges and universities;

Whereas Korean-Americans have made invaluable contributions to our nation's security, prosperity, and diversity;

Whereas, from June 14–17, 2015, President Park Geun-hye will visit Washington for a second official visit to the United States since her election as President; and

Whereas the United States Government looks forward to continuing to deepen our enduring partnership with the Republic of Korea on security, economic, cultural issues, as well as embracing new opportunities for cooperation on emerging regional and global challenges: Now, therefore, be it

Resolved, That the Senate—

(1) welcomes Her Excellency Park Geun-hye, the President of the Republic of Korea, on her official visit to the United States;

(2) reaffirms the importance of the alliance between the United States and the Republic of Korea, as enshrined in the Mutual Defense Treaty of 1953, that is vital to peace and security in Northeast Asia, and welcomes opportunities to strengthen security ties, including on space, cyber, and missile defense; and

(3) encourages the United States Government and the Government of the Republic of Korea to continue to broaden and deepen the alliance by enhancing cooperation in the security, economic, scientific, health, and cultural spheres.

AMENDMENTS SUBMITTED AND PROPOSED

SA 1795. Mr. SCHUMER submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table.

SA 1796. Mr. CARDIN submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill HR. 1735, supra; which was ordered to lie on the table.

SA 1797. Ms. HIRONO (for herself and Mr. WYDEN) submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1798. Mrs. BOXER (for herself, Ms. MURKOWSKI, Mr. MURPHY, Mr. BLUMENTHAL, Ms. BALDWIN, and Mrs. MURRAY) submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1799. Mrs. BOXER (for herself, Mr. GRASSLEY, Mr. WYDEN, Mr. MARKEY, and Mrs. GILLIBRAND) submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1800. Mr. REID submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1801. Mr. JOHNSON submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1802. Mr. JOHNSON submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1803. Mr. JOHNSON submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1804. Mr. CASSIDY submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1805. Mr. SESSIONS submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1806. Mr. CASSIDY submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1807. Mr. CASSIDY submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1808. Ms. AYOTTE submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1809. Mr. DAINES submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1810. Mr. HATCH submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1811. Mr. HATCH (for himself and Mr. INHOFE) submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1812. Mr. BROWN (for himself and Mr. TILLIS) submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1813. Mr. BROWN (for himself and Mr. TILLIS) submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1814. Mr. BROWN submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1815. Mr. BROWN submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1816. Mr. BROWN submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1817. Mr. BROWN (for himself and Mr. DURBIN) submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1818. Mr. BROWN (for himself and Mr. DURBIN) submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1819. Mr. BROWN (for himself and Mr. DURBIN) submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1820. Mr. BLUMENTHAL (for himself and Mr. MURPHY) submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1821. Mr. SCHATZ submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1822. Mr. SCHATZ submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1823. Mr. SANDERS submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1824. Mr. SANDERS submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1825. Mrs. FISCHER (for herself and Mr. BOOKER) submitted an amendment intended to be proposed by her to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1826. Mr. COTTON submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1827. Mr. REED (for himself and Mr. MCCAIN) submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1828. Mr. SCHATZ submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1829. Mr. WYDEN submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1830. Mr. WYDEN submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1831. Mr. WYDEN submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1832. Ms. BALDWIN submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1833. Ms. BALDWIN submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1834. Mr. BURR (for himself and Mrs. BOXER) submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1835. Ms. AYOTTE submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1836. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1837. Mr. CORNYN submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1838. Mr. REID submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1839. Mr. ISAKSON (for himself and Mr. PERDUE) submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1840. Mr. ISAKSON (for himself and Mr. PERDUE) submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1841. Mr. PERDUE (for himself and Mr. COTTON) submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1842. Mr. PERDUE submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1843. Mrs. FEINSTEIN submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1844. Mr. BENNET (for himself and Mr. PORTMAN) submitted an amendment intended to be proposed to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1845. Mr. WARNER submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1846. Mr. WARNER submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1847. Mr. JOHNSON submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1848. Mr. WICKER (for himself and Ms. HIRONO) submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1849. Mr. BURR (for himself and Mr. TILLIS) submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1850. Mr. PORTMAN submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1851. Mrs. MCCASKILL submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1852. Mr. UDALL submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1853. Mr. LEE (for himself, Mrs. FEINSTEIN, Mr. PAUL, Mr. CRUZ, and Ms. COLLINS) submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1854. Ms. WARREN submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1855. Mr. DURBIN (for himself, Mr. GRASSLEY, and Mr. KIRK) submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1856. Mr. MENENDEZ submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1857. Mr. MENENDEZ submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1858. Mr. MENENDEZ submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1859. Mr. MENENDEZ submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1860. Mr. DAINES submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1861. Mr. PERDUE (for himself and Mr. COTTON) submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1862. Mr. RUBIO submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1863. Mr. RUBIO submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1864. Mr. RUBIO submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1865. Mr. RUBIO submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1866. Mr. RUBIO submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1867. Mr. CASSIDY submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1868. Mr. WARNER submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1869. Mrs. MURRAY submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 1795. Mr. SCHUMER submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table, as follows:

At the appropriate place, insert the following:

SEC. ___. PROHIBITION ON POWDERED ALCOHOL.

Title I of the Federal Alcohol Administration Act (27 U.S.C. 201 et seq.) is amended by adding at the end the following:

''SEC. 118. POWDERED ALCOHOL.

''(a) DESIGNATION OF CERTAIN CHEMICALS.—The Secretary of Health and Human Services, acting through the Commissioner of Food and Drugs, in consultation with the Secretary of the Treasury, shall by rule designate any chemical that may be used to convert alcohol in liquid form to alcohol in powder form.

''(b) PROHIBITED ACTIVITY.—

''(1) DEFINITION.—In this section, the term 'powdered alcohol' means any alcohol combined with a chemical designated under subsection (a).

''(2) OFFENSE.—It shall be unlawful to make, sell, distribute, or possess powdered alcohol.

''(3) PENALTY.—Any person who violates paragraph (2) shall be fined not more than $5,000, imprisoned for not more than 1 year, or both.''.

SA 1796. Mr. CARDIN submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table, as follows:

At the end of subtitle A of title X, add the following:

SEC. 1005. SENSE OF SENATE ON FINDING EFFICIENCIES WITHIN THE WORKING CAPITAL FUND ACTIVITIES OF THE DEPARTMENT OF DEFENSE.

It is the sense of the Senate that the Secretary of Defense should, through the military departments, continue to find efficiencies within the working capital fund activities of the Department of Defense with specific emphasis on optimizing the existing workload plans of such activities to ensure a strong organic industrial base workforce.

SA 1797. Ms. HIRONO (for herself and Mr. WYDEN) submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table, as follows:

At the end of subtitle B of title III, add the following:

SEC. 314. PLAN TO ENHANCE MISSION READINESS THROUGH GREATER ENERGY SECURITY AT CRITICAL MILITARY INSTALLATIONS.

(a) REPORT.—Not later than September 30, 2016, the Secretary of Defense shall submit to the congressional defense committees a report with a plan for integrating energy storage, micro-grid technologies, and on-site power generation systems at military installations at risk of interruptions of power due to geographic location, dependence on connections to the electric grid, or other factors determined by the Secretary.

(b) FORM.—The report required under subsection (a) shall be submitted in unclassified form, but may contain a classified annex as necessary.

SA 1798. Mrs. BOXER (for herself, Ms. MURKOWSKI, Mr. MURPHY, Mr.

BLUMENTHAL, Ms. BALDWIN, and Mrs. MURRAY) submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table, as follows:

At the end of subtitle A of title VI, add the following:

SEC. 608. TREATMENT OF RECEIPT OF BASIC ALLOWANCE FOR HOUSING UNDER NUTRITION PROGRAMS.

Section 403(k) of title 37, United States Code, is amended by adding at the end the following new paragraph:

''(4) In determining the eligibility to participate in the supplemental nutrition assistance program, the Family Subsistence Supplemental Allowance (FSSA) program, and other Federal nutrition programs, the value of a housing allowance under this section shall be excluded from any calculation of income, assets, or resources.''.

SA 1799. Mrs. BOXER (for herself, Mr. GRASSLEY, Mr. WYDEN, Mr. MARKEY, and Mrs. GILLIBRAND) submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table, as follows:

At the end of division A, add the following:

TITLE XVII—WHISTLEBLOWER PROTECTIONS FOR MEMBERS OF THE ARMED FORCES

SEC. 1701. SHORT TITLE.

This title may be cited as the ''Legal Justice for Servicemembers Act of 2015''.

SEC. 1702. IMPROVEMENTS TO WHISTLEBLOWER PROTECTION PROCEDURES.

(a) ACTIONS TREATABLE AS PROHIBITED PERSONNEL ACTIONS.—Paragraph (2) of subsection (b) of section 1034 of title 10, United States Code, is amended to read as follows:

''(2)(A) The actions considered for purposes of this section to be a personnel action prohibited by this subsection shall include any action prohibited by paragraph (1), including the threat to take any unfavorable action, the withholding or threat to withhold any favorable action, making or threatening to make a significant change in the duties or responsibilities of a member of the armed forces not commensurate with the member's grade, a retaliatory investigation, and the failure of a superior to respond to retaliatory action or harassment by one or more subordinates taken against a member of which the superior knew or should have known.

''(B) In this paragraph, the term 'retaliatory investigation' means an investigation requested, directed, initiated, or conducted for the primary purpose of punishing, harassing, or ostracizing a member for making a protected communication.

''(C) Nothing in this paragraph shall be construed to limit the ability of a commander to consult with a superior in the chain of command, an inspector general, or a judge advocate general on the disposition of a complaint against a member of the armed forces for an allegation of collateral misconduct or for a matter unrelated to a protected communication. Such consultation shall provide an affirmative defense against an allegation that a member requested, directed, initiated, or conducted a retaliatory investigation under this section.''.

(b) TEMPORARY STAY OF PERSONNEL ACTIONS.—Subsection (c)(4) of such section is further amended—

(1) by redesignating subparagraph (E) as subparagraph (F); and

(2) by inserting after subparagraph (D) the following new subparagraph (E):

''(E)(i) If the Inspector General makes a preliminary determination in an investigation under subparagraph (D) that there are reasonable grounds to believe that a personnel action prohibited by subsection (b) has occurred and the personnel action will result in an immediate hardship to the member alleging the personnel action, the Inspector General may impose a stay of the personnel action of not more than 90 days in order to prevent undue hardship to the member.

''(ii) If the Inspector General has not completed the investigation described in clause (i) upon the expiration of the stay of the personnel action with respect to a member imposed by the Inspector General under that clause, the Secretary of the military department concerned or the Secretary of Homeland Security, as applicable, may continue the stay of the personnel action with respect to the member for such additional time as is required for the completion of the investigation by the Inspector General.''.

(c) PERIODIC NOTICE TO MEMBERS ON PROGRESS OF INSPECTOR GENERAL INVESTIGATIONS.—Paragraph (3) of subsection (e) of such section is amended to read as follows:

''(3)(A) Not later than 180 days after the commencement of an investigation of an allegation under subsection (c)(4), and every 180 days thereafter until the transmission of the report on the investigation under paragraph (1) to the member concerned, the Inspector General conducting the investigation shall submit a notice on the investigation described in subparagraph (B) to the following:

''(i) The member.

''(ii) The Secretary of Defense.

''(iii) The Secretary of the military department concerned, or the Secretary of Homeland Security in the case of a member of the Coast Guard when the Coast Guard is not operating as a service in the Navy.

''(B) Each notice on an investigation under subparagraph (A) shall include the following:

''(i) A description of the current progress of the investigation.

''(ii) An estimate of the time remaining until the completion of the investigation and the transmittal of the report required by paragraph (1) to the member concerned.''.

(d) ACTIONS IN CASE OF VIOLATIONS.—Subsection (f)(2) of such section is amended—

(1) by striking subparagraph (A) and inserting the following new subparagraph (A):

''(A) order such action as is necessary to correct the record of a personnel action prohibited by subsection (b), including referring the report to the appropriate board for the correction of military records;'';

(2) in subparagraph (B), by striking the period at the end and inserting ''; and''; and

(3) by adding after subparagraph (B) the following new subparagraph:

''(C) submit to the Inspector General a report on the actions taken by the Secretary pursuant to this paragraph, and include a summary of the report under this subparagraph (with any personally identifiable information redacted) in the semiannual report to Congress of the Inspector General of the Department of Defense or the Inspector General of the Department of Homeland Security, as applicable, under section 5 of the Inspector General Act of 1978 (5 U.S.C. App.).''.

(e) CORRECTION OF RECORDS.—Subsection (g) of such section is amended—

(1) by redesignating paragraphs (3) through (6) as paragraphs (4) through (7), respectively; and

(2) by striking paragraph (2) and inserting the following:

''(2) In resolving an application described in paragraph (1) for which there is a report of the Inspector General under subsection (e)(1), a correction board—

''(A) shall review the report of the Inspector General;

''(B) may request the Inspector General to gather further evidence;

''(C) may receive oral argument, examine and cross-examine witnesses, and take depositions; and

''(D) shall consider a request by a member or former member in determining whether to hold an evidentiary hearing.''.

(f) UNIFORM STANDARDS FOR INSPECTOR GENERAL INVESTIGATIONS OF PROHIBITED PERSONNEL ACTIONS AND OTHER MATTERS.—

(1) IN GENERAL.—Not later than one year after the date of the enactment of this Act, the Inspector General of the Department of Defense shall prescribe uniform standards for the following:

(A) The investigation of allegations of prohibited personnel actions under section 1034 of title 10, United States Code (as amended by this section), by the Inspector General and the Inspectors General of the military departments.

(B) The training of the staffs of the Inspectors General referred to in subparagraph (A) on the conduct of investigations described in that subparagraph.

(2) USE.—Commencing 180 days after prescription of the standards required by paragraph (1), the Inspectors General referred to in that paragraph shall comply with such standards in the conduct of investigations described in that paragraph and in the training of the staffs of such Inspectors General in the conduct of such investigations.

SEC. 1703. IMPROVEMENTS TO AUTHORITIES AND PROCEDURES FOR THE CORRECTION OF MILITARY RECORDS.

(a) PROCEDURES OF BOARDS.—Paragraph (3) of section 1552(a) of title 10, United States Code, is amended—

(1) by inserting ''(A)'' after ''(3)''; and

(2) by adding at the end the following new subparagraphs:

''(B) If a board makes a preliminary determination that a claim under this section lacks sufficient information or documents to support the claim, the board shall notify the claimant, in writing, indicating the specific information or documents necessary to make the claim complete and reviewable by the board.

''(C) If a claimant is unable to provide military personnel or medical records applicable to a claim under this section, the board shall make reasonable efforts to obtain the records. A claimant shall provide the board with documentary evidence of the efforts of the claimant to obtain such records. The board shall inform the claimant of the results of the board's efforts, and shall provide

the claimant copies of any records so obtained upon request of the claimant.

''(D) Any request for reconsideration of a determination of a board under this section, no matter when filed, shall be reconsidered by a board under this section if supported by materials not previously presented to or considered by the board in making such determination.''.

(b) JUDICIAL REVIEW OF DETERMINATIONS OF BOARDS.—Paragraph (4) of such section is amended—

(1) by inserting ''(A)'' after ''(4)'';

(2) in subparagraph (A), as so designated, by inserting ''or subject to review or appeal as described in subparagraph (B)'' after ''Except when procured by fraud''; and

(3) by adding at the end the following new subparagraph:

''(B) A claimant may seek judicial review of a determination of a board under this section in an appropriate court of the United States. The scope of judicial review under this subparagraph shall be as specified in section 706 of title 5.''.

(c) PUBLICATION OF FINAL DECISIONS OF BOARDS.—Such section is further amended by adding at the end the following new paragraph:

''(5) Each final decision of a board under this subsection shall be made available to the public in electronic form on a centralized Internet website. In any decision so made available to the public there shall be redacted all personally identifiable information.''.

(d) TRAINING OF MEMBERS OF BOARDS.—

(1) IN GENERAL.—Not later than one year after the date of the enactment of this Act, each Secretary concerned shall develop and implement a comprehensive training curriculum for members of boards for the correction of military records under the jurisdiction of such Secretary in the duties of such boards under section 1552 of title 10, United States Code. The curriculum shall address all areas of administrative law applicable to the duties of such boards.

(2) UNIFORM CURRICULA.—The Secretary of Defense and the Secretary of Homeland Security shall jointly ensure that the curricula developed and implemented pursuant to this subsection are, to the extent practicable, uniform.

(3) TRAINING.—

(A) IN GENERAL.—Each member of a board for the correction of military records shall undergo retraining (consistent with the curriculum developed and implemented pursuant to this subsection) regarding the duties of boards for the correction of military records under section 1552 of title 10, United States Code, at least once every five years during the member's tenure on the board.

(B) CURRENT MEMBERS.—Each member of a board for the correction of military records as of the date of the implementation of the curriculum required by paragraph (1) (in this paragraph referred to as the ''curriculum implementation date'') shall undergo training described in subparagraph (A) not later than 90 days after the curriculum implementation date.

(C) NEW MEMBERS.—Each individual who becomes a member of a board for the correction of military records after the curriculum implementation date shall undergo training described in subparagraph (A) by not later than 90 days after the date on which such individual becomes a member of the board.

(4) REPORTS.—Not later than 18 months after the date of the enactment of this Act, each Secretary concerned shall submit to Congress a report setting forth the following:

(A) A description and assessment of the progress made by such Secretary in implementing training requirements for members of boards for the correction of military records under the jurisdiction of such Secretary.

(B) A detailed description of the training curriculum required of such Secretary by paragraph (1).

(C) A description and assessment of any impediments to the implementation of training requirements for members of boards for the correction of military records under the jurisdiction of such Secretary.

(5) SECRETARY CONCERNED DEFINED.—In this subsection, the term ''Secretary concerned'' means a ''Secretary concerned'' as that term is used in section 1552 of title 10, United States Code.

SEC. 1704. COMPTROLLER GENERAL OF THE UNITED STATES REVIEW OF INTEGRITY OF DEPARTMENT OF DEFENSE WHISTLEBLOWER PROGRAM.

(a) REPORT REQUIRED.—Not later than one year after the date of the enactment of this Act, the Comptroller General of the United States shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report setting forth a review of the integrity of the Department of Defense whistleblower program.

(b) ELEMENTS.—The review for purposes of the report required by subsection (a) shall include the following elements:

(1) An assessment of the extent to which the Department of Defense whistleblower program meets Executive branch policies and goals for whistleblower protections.

(2) A determination and assessment of the causes and impacts of the situation in which some employees in the Office of the Inspector General of the Department Defense believed they could not disclose a suspected violation of law, rule, or regulation without fear of reprisal, as determined in a recent review of the Comptroller General.

(3) An assessment of the extent to which there have been violations of standards used in regard to the protection of confidentiality provided to whistleblowers by the Inspector General of the Department of Defense.

(4) An assessment of the extent to which there have been incidents of retaliatory investigations against whistleblowers within the Office of the Inspector General.

(5) An assessment of the extent to which the Inspector General of the Department of Defense has thoroughly investigated and substantiated allegations within the past 10 years against civilian officials of the Department of Defense appointed to their positions by and with the advice and consent of the Senate, and whether Congress has been notified of the results of such investigations.

SA 1800. Mr. REID submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table, as follows:

On page 132, strike lines 21 through 26.

SA 1801. Mr. JOHNSON submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table, as follows:

At the end of subtitle G of title X, add the following:

SEC. 1085. SENSE OF THE SENATE REGARDING COMPLIANCE WITH THE FEDERAL VACANCIES REFORM ACT OF 1998 WITH RESPECT TO INSPECTORS GENERAL.

(a) FINDINGS.—Congress finds the following:

(1) There are 4 Presidentially-appointed Inspector General vacancies for which a nomination is not pending before the Senate.

(2) Sections 3345 through 3349d of title 5, United States Code, (in this section referred to as the ''Federal Vacancies Reform Act of 1998'') prohibit an acting officer from serving in that position for longer than 210 days.

(3) Under the Federal Vacancies Reform Act of 1998, the actions of an acting officer serving beyond the 210-day period ''shall have no force or effect'', but this does not apply to an acting Inspector General.

(4) The Federal Vacancies Reform Act of 1998 provides an exception to the enforcement clause for acting Inspectors General to ensure a President cannot leave a watchdog in place who has no power or authority and therefore provides no mechanism to enforce the 210-day limit for acting Inspectors General.

(5) For 6 of the 7 Presidentially-appointed Inspector General vacancies, the individual serving in the office in an acting capacity has been serving for more than 210 days, in violation of the Federal Vacancies Reform Act of 1998.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that—

(1) the President should comply with the Federal Vacancies Reform Act of 1998 and fill vacancies of Presidentially-appointed positions, including Inspectors General, within 210 days of the position becoming vacant; and

(2) the President cannot avoid this requirement merely by changing the title of an acting officer if that officer still retains the same or substantially similar duties as an acting officer in that office.

SA 1802. Mr. JOHNSON submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table, as follows:

At the end of subtitle G of title X, add the following:

SEC. 1085. SENSE OF CONGRESS REGARDING NOMINATING A PERMANENT INSPECTOR GENERAL OF THE DEPARTMENT OF VETERANS AFFAIRS.

(a) FINDINGS.—Congress finds the following:

(1) There are 4 Presidentially-appointed Inspector General vacancies for which a nomination is not pending before the Senate.

(2) It is vital that Offices of Inspectors General remain independent.

(3) In the absence of a permanent Inspector General, an Office of Inspector General is run by an acting Inspector General who, no matter how qualified or well-intentioned, is not granted the same protections afforded to an Inspector General who is confirmed by the Senate, as the acting Inspector General—

(A) is not truly independent;

(B) may be removed by the head of the agency at any time;

(C) only serves temporarily and does not drive the policy of the Office; and

(D) is at a greater risk of compromising the work of the Office to appease the agency or the President.

(4) One of the current Presidentially-appointed Inspector General vacancies is the Inspector General of the Department of Veterans Affairs, which has been vacant since December 31, 2013.

(5) The acting Inspector General of the Department of Veterans Affairs, who has served in the position since December 31, 2013, is not properly independent from the Department of Veterans Affairs, is unresponsive to Congress, lacks transparency to the public, and has lost the trust of whistleblowers at the Department of Veterans Affairs.

(b) SENSE OF CONGRESS.—It is the sense of Congress that the President should nominate a permanent Inspector General of the Department of Veterans Affairs not later than 30 days after the date of enactment of this Act.

SA 1803. Mr. JOHNSON submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table, as follows:

At the end of subtitle G of title X, add the following:

SEC. 1085. SPECIAL INSPECTOR GENERAL FOR AFGHANISTAN RECONSTRUCTION.

The application of the provisions of section 8L of the Inspector General Act of 1978 (5 U.S.C. App.) pursuant to the commencement of Operation Freedom's Sentinel shall not be construed to remove or impede the authority of the Office of the Special Inspector General for Afghanistan Reconstruction (commonly known as ''SIGAR'') under the Inspector General Act of 1978 (5 U.S.C. App.) or as established under section 1229 of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–81; 122 Stat. 378).

SA 1804. Mr. CASSIDY submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table, as follows:

On page 622, between lines 20 and 21, insert the following:

(3) An unclassified assessment, with a classified annex as necessary, of the facilitation of terrorist activities and operations of foreign fighters through use of social media platforms by the organizations referred to in paragraph (1).

SA 1805. Mr. SESSIONS submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table, as follows:

After subsection (a) of section 1227, insert the following:

(b) DEPARTMENT OF DEFENSE CONCURRENCE.— Section 602(b)(2)(D) of the Afghan Allies Protection Act of 2009 (8 U.S.C. 1001 note) is amended by adding at the end the following:

''(iii) WRITTEN CONCURRENCE BY THE DEPARTMENT OF DEFENSE.—After obtaining the approval from the Chief of Mission under clause (i), but prior to the alien's admission to the United States, the alien shall obtain the written concurrence of the Deputy Assistant Secretary of Defense for Afghanistan, Pakistan, and Central Asia, or the written concurrence of the Commander of United States Forces-Afghanistan. Such written concurrence shall include an attestation that the Deputy Assistant Secretary of Defense for Afghanistan, Pakistan, and Central Asia, or the Commander of United States Forces-Afghanistan, has personally and independently reviewed the alien's application, and has no concerns regarding the admission of the alien or the dependents of the alien to the United States, or regarding the future danger the alien or the dependents of the alien may pose to the United States after admission.''.

SA 1806. Mr. CASSIDY submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table, as follows:

On page 441, between lines 15 and 16, insert the following:

(3) REQUIRED TIMELINES.—The business case analysis required under paragraph (1) shall include suggested timelines for acquiring and implementing information technology services pursuant to clauses (i) and (ii) of paragraph (2)(A).

SA 1807. Mr. CASSIDY submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table, as follows:

On page 622, between lines 20 and 21, insert the following:

(3) An unclassified assessment of the facilitation of terrorist activities and operations of foreign fighters through use of social media platforms by the organizations referred to in paragraph (1).

SA 1808. Ms. AYOTTE submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table, as follows:

At the end of part II of subtitle D of title VI, add the following:

SEC. 643. BENEFITS FOR DEPENDENTS OF MEMBERS OF THE ARMED FORCES WHO LOSE THEIR RIGHT TO RETIRED PAY FOR REASONS OTHER THAN DEPENDENT ABUSE.

(a) SHORT TITLE.—This section may be cited as the ''Families Serve, Too, Military Justice Reform Act of 2015''.

(b) IN GENERAL.—Section 1408 of title 10, United States Code, is amended—

(1) by redesignating subsections (i), (j), and (k) as subsections (j), (k), and (l), respectively; and

(2) by inserting after subsection (h) the following new subsection (i):

''(i) BENEFITS FOR DEPENDENTS OF MEMBERS LOSING RIGHT TO RETIRED PAY FOR MISCONDUCT OTHER THAN DEPENDENT ABUSE.—(1)(A) If, in the case of a member or former member of the armed forces referred to in paragraph (2)(A), a court order provides (in the manner applicable to a division of property) for the payment of an amount from the disposable retired pay of that member or former member (as certified under paragraph (4)) to an eligible spouse or former spouse of that member or former member, the Secretary concerned, beginning upon effective service of such court order, shall pay that amount in accordance with this subsection to such spouse or former spouse.

''(B) If, in the case of a member or former member of the armed forces referred to in paragraph (2)(A), a court order provides for the payment as child support of an amount from the disposable retired pay of that member or former member (as certified under paragraph (4)) to an eligible dependent child of the member or former member, the Secretary concerned, beginning upon effective service of such court order, shall pay that amount in accordance with this subsection to such dependent child.

''(2) A spouse or former spouse, or a dependent child, of a member or former member of the armed forces is eligible to receive payment under this subsection if—

''(A) the member or former member, while a member of the armed forces and after becoming eligible to be retired from the armed

forces on the basis of years of service, has eligibility to receive retired pay terminated as a result of misconduct while a member (other than misconduct described in subsection (h)(2)(A));

''(B) in the case of eligibility of a spouse or former spouse under paragraph (1)(A), the spouse or former spouse—

''(i) either—

''(I) was married to the member or former member at the time of the misconduct that resulted in the termination of retired pay; or

''(II) was is receipt of marital support, alimony, or child support from the member or former member as of the time of the misconduct pursuant to a court order; and

''(ii) was not, based on the evidence adduced at trial, an aider, abettor, accomplice, or co-conspirator in the misconduct that resulted in the termination of retired pay, as certified in writing to the convening authority by—

''(I) the military judge of the court-martial that resulted in the termination of retired pay; or

''(II) the staff judge advocate of the convening authority; and

''(C) in the case of eligibility of a dependent child under paragraph (1)(B), the dependent child—

''(i) had not reached the age of 16 years at the time of the misconduct that resulted in the termination of retired pay; or

''(ii) had reached the age of 16 years at the time of the misconduct and was not, based on the evidence adduced at trial, an aider, abettor, accomplice, or co-conspirator in the misconduct that resulted in the termination of retired pay, as certified in writing to the convening authority by—

''(I) the military judge of the court-martial that resulted in the termination of retired pay; or

''(II) the staff judge advocate of the convening authority.

''(3) The amount certified by the Secretary concerned under paragraph (4) with respect to a member or former member of the armed forces referred to in paragraph (2)(A) shall be deemed to be the disposable retired pay of that member or former member for the purposes of this subsection.

''(4) Upon the request of a court or an eligible spouse or former spouse, or an eligible dependent child, of a member or former member of the armed forces referred to in paragraph (2)(A) in connection with a civil action for the issuance of a court order in the case of that member or former member, the Secretary concerned shall determine and certify the amount of the monthly retired pay that the member or former member would have been entitled to receive as of the date of the certification—

''(A) if the member or former member's eligibility for retired pay had not been terminated as described in paragraph (2)(A); and

''(B) if, in the case of a member or former member not in receipt of retired pay immediately before that termination of eligibility for retired pay, the member or former member had retired on the effective date of that termination of eligibility.

''(5)(A) Paragraphs (5) through (8) and (10) of subsection (h) shall apply to eligibility of former spouses to payments under this subsection, court orders for the payment of disposable retired pay under this subsection, amounts payable under this subsection, and payments under this subsection in the same manner as such paragraphs apply to such matters under subsection (h).

''(B) If a spouse or former spouse or a dependent child eligible or entitled to receive payments under this subsection is eligible or entitled to receive benefits under subsection (h), the eligibility or entitlement of that spouse or former spouse or dependent child to such benefits shall be determined under subsection (h) instead of this subsection.

''(6)(A) A spouse or former spouse of a member or former member of the armed forces referred to in paragraph (2)(A), while receiving payments in accordance with this subsection, shall be entitled to receive medical and dental care, to use commissary and exchange stores, and to receive any other benefit that a spouse or a former spouse of a retired member of the armed forces is entitled to receive on the basis of being a spouse or former spouse, as the case may be, of a retired member of the armed forces in the same manner as if the member or former member referred to in paragraph (2)(A) was entitled to retired pay.

''(B) A dependent child of a member or former member referred to in paragraph (2)(A) who was a member of the household of the member or former member at the time of the misconduct described in paragraph (2)(A) shall be entitled to receive medical and dental care, to use commissary and exchange stores, and to have other benefits provided to dependents of retired members of the armed forces in the same manner as if the member or former member referred to in paragraph (2)(A) was entitled to retired pay.

''(C) If a spouse or former spouse or a dependent child eligible or entitled to receive a particular benefit under this paragraph is eligible or entitled to receive that benefit under another provision of law, the eligibility or entitlement of that spouse or former spouse or dependent child to such benefit shall be determined under such other provision of law instead of this paragraph.

''(7) In this subsection, the term 'dependent child', with respect to a member or former member of the armed forces referred to in paragraph (2)(A), has the meaning given that term in subsection (h)(11).''.

(c) CONFORMING AMENDMENTS.—Subsection (f) of such section is amended by striking ''subsection (i)'' each place it appears and inserting ''subsection (j)''.

(d) EFFECTIVE DATE.—The amendments made by this section shall take effect on the date of the enactment of this Act, and shall apply to a spouse or former spouse, or a dependent child of a member or former member of the Armed Forces whose eligibility to receive retired pay is terminated on or after that date as a result of misconduct while a member.

(e) OFFSET.—$57,000,000 of the National Defense Function (050) of unobligated balances from fees collected to defray expenses for the automation of fingerprint identification and criminal justice information services and associated costs of the Federal Bureau of Investigation is hereby permanently cancelled and shall be transferred to the General Fund of the Treasury.

SA 1809. Mr. DAINES submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table, as follows:

At the end of subtitle E of title X, add the following:

SEC. 10____. CORPS OF ENGINEERS PROJECT REVIEW PROCESS.

The Corps of Engineers shall not make any determination regarding usual and accustomed fishing places in connection with the Gateway Pacific Terminal project until after the Corps issues a final environmental impact statement required under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) that analyzes the potential impacts from the construction and operation of the proposed project required by the ''Memorandum For the Record, U.S. Army Corps of Engineers Scope of Analysis and Extent of Impact Evaluation for National Environmental Policy Act Environmental Impact Statement'' (dated July 3, 2013).

SA 1810. Mr. HATCH submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table, as follows:

At the appropriate place, insert the following:

SEC. _____. REPORT ON DEPARTMENT OF DEFENSE DEFINITION OF AND POLICY REGARDING SOFTWARE SUSTAINMENT.

(a) REPORT ON ASSESSMENT OF DEFINITION AND POLICY.—Not later than March 15, 2016, the Secretary of Defense shall submit to the congressional defense committees and the President pro tempore of the Senate a report setting forth an assessment, obtained by the Secretary for purposes of the report, on the definition used by the Department of Defense for and the policy of the Department regarding software maintenance, particularly with respect to the totality of the term ''software sustainment'' in the definition of ''depot-level maintenance and repair'' under section 2460 of title 10, United States Code.

(b) INDEPENDENT ASSESSMENT.—The assessment obtained for purposes of subsection (a) shall be conducted by a federally funded research and development center (FFRDC), or another appropriate independent entity with expertise in matters described in subsection (a), selected by the Secretary for purposes of the assessment.

(c) ELEMENTS.—

(1) IN GENERAL.—The assessment obtained for purposes of subsection (a) shall address, with respect to software and weapon systems of the Department of Defense (including space systems), each of the following:

(A) Fiscal ramifications of current programs with regard to the size, scope, and cost of software to the program's overall budget, including embedded and support software, percentage of weapon systems' functionality controlled by software, and reliance on proprietary data, processes, and components.

(B) Legal status of the Department in regards to adhering to section 2464(a)(1) of such title with respect to ensuring a ready and controlled source of maintenance (sustainment) on software for its weapon systems.

(C) Operational risks and reduction to materiel readiness of current Department weapon systems related to software costs, delays,

re-work, integration and functional testing, defects, and documentation errors.

(2) ADDITIONAL MATTERS.—For each of subparagraphs (A) through (C) of paragraph (1), the assessment obtained for purposes of subsection (a) shall include review and analysis regarding sole-source contracts, range of competition, rights in technical data, public and private capabilities, integration lab initial costs and sustaining operations, and total obligation authority costs of software, disaggregated by armed service, for the Department.

SA 1811. Mr. HATCH (for himself and Mr. INHOFE) submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table, as follows:

On page 375, line 4, insert '', which includes a sustainment strategy,'' after ''strategy''.

On page 377, line 13, strike ''(d) In this section'' and insert the following:

''(9) A sustainment strategy which includes all aspects of the total life cycle management of the weapon system, including product support, logistics, product support engineering, supply chain integration, maintenance, acquisition logistics, and all aspects of software sustainment.

''(d) INDEPENDENT COST ESTIMATE.—The Director of Cost Analysis and Program Evaluation shall perform an evaluation of the sustainment portion of the acquisition strategy required by subsection (c)(9) prior to the Milestone B decision.

''(e) In this section

On page 410, after line 21, add the following:

SEC. 852. SUSTAINMENT ENHANCEMENT.

(a) ASSESSMENT EXPANSION OF FUNCTIONS OF ASSISTANT SECRETARY OF DEFENSE FOR LOGISTICS AND MATERIEL READINESS TO INCLUDE SUSTAINMENT FUNCTIONS.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report setting forth an assessment of the feasibility and advisability of—

(1) assigning to the Assistant Secretary of Defense for Logistics and Materiel Readiness—

(A) functions relating to the sustainment strategy required under section 2431a(c)(9) of Title 10, United States Code, as added by section 841 of this Act; and

(B) functions relating to manufacturing and industrial base policy currently being carried out within the Office of the Secretary of Defense; and

(2) redesignating such Assistant Secretary (with such functions so assigned and together with the current logistics and material readiness functions of such Assistant Secretary) as the Assistant Secretary of Defense for Sustainment.

(b) SENSE OF CONGRESS.—It is the sense of Congress that —

(1) the Department of Defense does not place sufficient emphasis on sustainment of a weapon system during the entire acquisition process; and

(2) the Department of Defense should address this deficiency and ensure that all aspect of weapon system sustainment are carefully considered throughout the entire Integrated Defense Acquisition, Technology, and Logistics Life Cycle Management System.

SA 1812. Mr. BROWN (for himself and Mr. TILLIS) submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table, as follows:

At the end of subtitle G of title X, add the following:

SEC. 1085. PRIORITY ENROLLMENT FOR VETERANS IN CERTAIN COURSES OF EDUCATION.

(a) IN GENERAL.—Chapter 36 of title 38, United States Code, is amended by inserting after section 3680A the following new section:

''§ 3680B. Priority enrollment in certain courses

''(a) IN GENERAL.—With respect to an educational assistance program provided for in chapter 30, 31, 32, 33, or 35 of this title or chapter 1606 or 1607 of title 10, if an educational institution administers a priority enrollment system that allows certain students to enroll in courses earlier than other students, the Secretary or a State approving agency may not approve a program of education offered by such institution unless such institution allows a covered individual to enroll in courses at the earliest possible time pursuant to such priority enrollment system.

''(b) COVERED INDIVIDUAL DEFINED.—In this section, the term 'covered individual' means an individual using educational assistance under chapter 30, 31, 32, 33, or 35 of this title or chapter 1606 or 1607 of title 10, including—

''(1) a veteran;

''(2) a member of the Armed Forces serving on active duty or a member of a reserve component (including the National Guard);

''(3) a dependent to whom such assistance has been transferred pursuant to section 3319 of this title; and

''(4) any other individual using such assistance.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 3680A the following new item:

''3680B. Priority enrollment in certain courses.''.

SA 1813. Mr. BROWN (for himself and Mr. TILLIS) submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table, as follows:

At the end of subtitle G of title X, add the following:

SEC. 1085. EXPANSION OF YELLOW RIBBON G.I. EDUCATION ENHANCEMENT PROGRAM.

(a) IN GENERAL.—Section 3317(a) of title 38, United States Code, is amended by striking ''in paragraphs (1) and (2)'' and inserting ''in paragraphs (1), (2), and (9)''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply with respect to academic years beginning after the date of the enactment of this Act.

SA 1814. Mr. BROWN submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table, as follows:

At the end of subtitle C of title II, add the following:

SEC. 236. EXPANSION OF EDUCATION PARTNERSHIPS TO SUPPORT TECHNOLOGY TRANSFER AND TRANSITION.

Section 2194(a) of title 10, United States Code, is amended by inserting after ''mathematics,'' the following: ''technology transfer or transition,''.

SA 1815. Mr. BROWN submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table, as follows:

At the appropriate place in division A, insert the following:

SEC. ___. GUIDANCE ON PROCESSING OF REQUESTS FOR EARLY SEPARATION FROM THE ARMED FORCES FOR MEMBERS PARTICIPATING IN PROGRAMS OF PUBLIC AND COMMUNITY SERVICE AFTER SEPARATION.

(a) IN GENERAL.—The Secretary of Defense shall issue guidance, consistent with the goals specified under section 1143a of title 10, United States Code, to the Secretaries of the military departments regarding discharge or release from active duty in the Armed Forces by eligible members who have been accepted into a public and community service program.

(b) ELIGIBILITY FOR EARLY SEPARATION.—For purposes of this section, a member of the Armed Forces is eligible for an early separation from the Armed Forces to participate in a program of public and community service if the member—

(1) is not essential to the performance of the mission of the command to which assigned (as determined by the commander of that command);

(2) demonstrates that the date on which the member is expected to be discharged or released from active duty in the Armed Forces is within 90 days after the date of commencement of participation in such a program (including participation in training for such program);

(3) clearly establishes that the specific public and community service program for which the member seeks early separation meets the requirements of the definition specified in subsection (c);

(4) clearly establishes that a delay of program enrollment would cause undue hardship; and

(5) provides a statement from an appropriate program official indicating acceptance into the program and reflecting that the latest acceptable date for commencement of participation in the program (including participation in training for such program) falls within the 90-day period preceding the date described in paragraph (2).

(c) DEFINITIONS.—In this section:

(1) ACTIVE DUTY.—The term ''active duty'' has the meaning given the term in section 101 of title 38, United States Code.

(2) PUBLIC AND COMMUNITY SERVICE.—The term ''public and community service'' means such service, within the meaning of section 1143a of title 10, United States Code.

SA 1816. Mr. BROWN submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table, as follows:

At the end of subtitle G of title X, add the following:

SEC. 1085. ADDITIONAL REQUIREMENTS FOR APPROVAL OF EDUCATIONAL PROGRAMS FOR PURPOSES OF EDUCATIONAL ASSISTANCE UNDER LAWS ADMINISTERED BY SECRETARY OF VETERANS AFFAIRS.

(a) AUTOMATIC APPROVAL BY SECRETARY OF VETERANS AFFAIRS OF DEGREE PROGRAMS APPROVED BY SECRETARY OF EDUCATION.—Clause (i) of section 3672(b)(2)(A) of title 38, United States Code, is amended to read as follows:

''(i) A course that is described by section 3675(a) of this title.''.

(b) APPROVAL BY SECRETARY OF VETERANS AFFAIRS OF NON-DEGREE PROGRAMS APPROVED BY SECRETARY OF EDUCATION.—

(1) IN GENERAL.—Section 3675 of such title is amended—

(A) by striking subsection (a); and

(B) by inserting before subsection (b), the following new subsection (a):

''(a) The Secretary or a State approving agency may only approve a course when such course is an eligible program (as defined in section 481 of the Higher Education Act of 1965 (20 U.S.C. 1088)) offered by an institution of higher education (as defined in section 102 of such Act (20 U.S.C. 1002)) that has entered into, and is complying with, a program participation agreement under section 487 of such Act (20 U.S.C. 1094).''.

(2) CONFORMING AMENDMENTS.—Such title is amended—

(A) in section 3452(g), by striking ''under the provisions of section 3675 of this title'';

(B) in section 3501(11), by striking ''under the provisions of section 3675 of this title''; and

(C) in the heading for section 3675, by striking ''**accredited courses**'' and inserting ''**courses approved by Secretary of Education**''.

(3) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 36 of such title is amended by striking the item relating to section 3675 and inserting the following new item:

''3675. Approval of courses approved by Secretary of Education.''.

(c) APPROVAL BY SECRETARY OF VETERANS AFFAIRS OF NON-DEGREE PROGRAMS NOT APPROVED BY SECRETARY OF EDUCATION.—

(1) IN GENERAL.—Subsection (a) of section 3676 of such title is amended to read as follows:

''(a) No course of education which has not been approved by the Secretary or a State approving agency under section 3675 of this title shall be approved for the purposes of this chapter unless—

''(1) the course—

''(A) does not lead to an associate or higher degree;

''(B) was not an eligible program (as defined in section 481 of the Higher Education Act of 1965 (20 U.S.C. 1088)) at any time during the most recent two-year period; and

''(C) is a course that the Secretary or State approving agency determines, in accordance with this section and such regulations as the Secretary shall prescribe and on a case-by-case basis, that approval of which would further the purposes of this chapter or any of chapters 30 through 35 of this title; and

''(2) the educational institution offering such course submits to the appropriate State approving agency a written application for approval of such course in accordance with the provisions of this chapter.''.

(2) CONFORMING AMENDMENTS.—Section 3676 of such title is amended—

(A) in the heading for such section, by striking ''**nonaccredited courses**'' and inserting ''**courses not approved by Secretary of Education**''; and

(B) in subsection (c), in the matter before paragraph (1), by striking ''non-accredited''.

(3) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 36 of such title is amended by striking the item relating to section 3676 and inserting the following new item:

''3676. Approval of courses not approved by Secretary of Education.''.

(d) EFFECTIVE DATE.—The amendments made by this section shall take effect on August 1, 2015.

SA 1817. Mr. BROWN (for himself and Mr. DURBIN) submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table, as follows:

At the end of subtitle G of title X, add the following:

SEC. 1085. PROHIBITION ON USE BY EDUCATIONAL INSTITUTIONS OF REVENUES DERIVED FROM EDUCATIONAL ASSISTANCE FURNISHED UNDER LAWS ADMINISTERED BY SECRETARY OF DEFENSE FOR ADVERTISING, MARKETING, OR RECRUITING.

(a) IN GENERAL.—As a condition on the receipt of Department of Defense educational assistance funds, an institution of higher education, or other postsecondary educational institution, may not use revenues derived from Department of Defense educational assistance funds for recruiting or marketing activities described in subsection (b).

(b) COVERED ACTIVITIES.—Except as provided in subsection (c), the recruiting and marketing activities subject to subsection (a) shall include the following:

(1) Advertising and promotion activities, including paid announcements in newspapers, magazines, radio, television, billboards, electronic media, naming rights, or any other public medium of communication, including paying for displays or promotions at job fairs, military installations, or college recruiting events.

(2) Efforts to identify and attract prospective students, either directly or through a contractor or other third party, including contact concerning a prospective student's potential enrollment or application for grant, loan, or work assistance under title IV of the Higher Education Act of 1965 (20 U.S.C. 1070 et seq.) or participation in preadmission or advising activities, including—

(A) paying employees responsible for overseeing enrollment and for contacting potential students in-person, by phone, by email, or by other internet communications regarding enrollment; and

(B) soliciting an individual to provide contact information to an institution of higher education, including Internet websites established for such purpose and funds paid to third parties for such purpose.

(3) Such other activities as the Secretary of Defense may prescribe, including paying for promotion or sponsorship of education or military-related associations.

(c) EXCEPTIONS.—Any activity that is required as a condition of receipt of funds by an institution under title IV of the Higher Education Act of 1965 (20 U.S.C. 1070 et seq.), is specifically authorized under such title, or is otherwise specified by the Secretary of Education, shall not be considered to be a covered activity under paragraph (2).

(d) DEPARTMENT OF DEFENSE EDUCATIONAL ASSISTANCE FUNDS.—In this section, the term ''Department of Defense educational assistance funds'' means funds provided directly to an institution or to a student attending such institution under any of the following provisions of law:

(1) Chapter 101, 105, 106A, 1606, 1607, or 1608 of title 10, United States Code.

(2) Section 1784a, 2005, or 2007 of such title 10.

(e) RULE OF CONSTRUCTION.—Nothing in this section shall be construed as a limitation on the use by an institution of revenues derived from sources other than Department of Defense educational assistance funds.

(f) REPORTS.—As a condition on the receipt of Department of Defense educational assistance funds, each institution of higher education, or other postsecondary educational institution, that derives revenues from Department of Defense educational assistance funds shall submit to the Secretary of Defense and to Congress each year a report that includes the following:

(1) The institution's expenditures on advertising, marketing, and recruiting.

(2) A verification from an independent auditor that the institution is in compliance with the requirements of this subsection.

(3) A certification from the institution that the institution is in compliance with the requirements of this subsection.

SA 1818. Mr. BROWN (for himself and Mr. DURBIN) submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table, as follows:

At the end of subtitle G of title X, add the following:

SEC. 1085. PROHIBITION ON USE BY EDUCATIONAL INSTITUTIONS OF REVENUES DERIVED FROM EDUCATIONAL ASSISTANCE FURNISHED UNDER LAWS ADMINISTERED BY SECRETARY OF VETERANS AFFAIRS OR SECRETARY OF DEFENSE FOR ADVERTISING, MARKETING, OR RECRUITING.

Section 3696 of title 38, United States Code, is amended by adding at the end the following new subsection:

''(e)(1) The Secretary shall not approve under this chapter any course offered by an educational institution if the educational institution uses for recruiting or marketing activities described in paragraph (2) any revenue derived from educational assistance furnished under any of the following provisions of law:

''(A) Chapter 30, 31, 32, 33, 34, or 35 of this title.

''(B) Chapter 101, 105, 106A, 1606, 1607, or 1608 of title 10.

''(C) Section 1784a, 2005, or 2007 of title 10.

''(2) Except as provided in paragraph (3), the recruiting and marketing activities subject to paragraph (1) shall include the following:

''(A) Advertising and promotion activities, including paid announcements in newspapers, magazines, radio, television, billboards, electronic media, naming rights, or any other public medium of communication, including paying for displays or promotions at job fairs, military installations, or college recruiting events.

''(B) Efforts to identify and attract prospective students, either directly or through a contractor or other third party, including contact concerning a prospective student's potential enrollment or application for grant, loan, or work assistance under title IV of the Higher Education Act of 1965 (20 U.S.C. 1070 et seq.) or participation in preadmission or advising activities, including—

''(i) paying employees responsible for overseeing enrollment and for contacting potential students in-person, by phone, by email, or by other internet communications regarding enrollment; and

''(ii) soliciting an individual to provide contact information to an institution of higher education, including Internet websites established for such purpose and funds paid to third parties for such purpose.

''(C) Such other activities as the Secretary may prescribe, including paying for promotion or sponsorship of education or military-related associations.

''(3) Any activity that is required as a condition of receipt of funds by an institution under title IV of the Higher Education Act of 1965 (20 U.S.C. 1070 et seq.), is specifically authorized under such title, or is otherwise specified by the Secretary of Education, shall not be considered to be a covered activity under paragraph (2).

''(4) Nothing in this section shall be construed as a limitation on the use by an institution of revenues derived from sources other than educational assistance furnished under the provisions of law listed in paragraph (1).

''(5) The Secretary shall not approve under this chapter any course offered by an educational institution that derives revenue from educational assistance furnished under the provisions of law listed in paragraph (1) unless the educational institution submits to the Secretary and to Congress each year a report that includes the following:

''(A) The institution's expenditures on advertising, marketing, and recruiting.

''(B) A verification from an independent auditor that the institution is in compliance with the requirements of this subsection.

''(C) A certification from the institution that the institution is in compliance with the requirements of this subsection.''.

SA 1819. Mr. BROWN (for himself and Mr. DURBIN) submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table, as follows:

At the appropriate place, insert the following:

SEC. 1085. RESTRICTIONS ON SOURCES OF FUNDS FOR RECRUITING AND MARKETING ACTIVITIES.

Section 119 of the Higher Education Opportunity Act (20 U.S.C. 1011m) is amended—

(1) in the section heading, by inserting ''**AND RESTRICTIONS ON SOURCES OF FUNDS FOR RECRUITING AND MARKETING ACTIVITIES**'' after ''**FUNDS**'';

(2) in subsection (d), by striking ''subsections (a) through (c)'' and inserting ''subsections (a), (b), (c), and (e)'';

(3) by redesignating subsection (e) as subsection (f); and

(4) by inserting after subsection (d) the following:

''(e) RESTRICTIONS ON SOURCES OF FUNDS FOR RECRUITING AND MARKETING ACTIVITIES.—

''(1) IN GENERAL.—An institution of higher education, or other postsecondary educational institution, may not use revenues derived from Federal educational assistance funds for recruiting or marketing activities described in paragraph (2).

''(2) COVERED ACTIVITIES.—Except as provided in paragraph (3), the recruiting and marketing activities subject to paragraph (1) shall include the following:

''(A) Advertising and promotion activities, including paid announcements in newspapers, magazines, radio, television, billboards, electronic media, naming rights, or any other public medium of communication, including paying for displays or promotions at job fairs, military installations, or college recruiting events.

''(B) Efforts to identify and attract prospective students, either directly or through a contractor or other third party, including contact concerning a prospective student's potential enrollment or application for grant, loan, or work assistance under title IV of the Higher Education Act of 1965 (20 U.S.C. 1070 et seq.) or participation in preadmission or advising activities, including—

''(i) paying employees responsible for overseeing enrollment and for contacting potential students in-person, by phone, by email, or by other internet communications regarding enrollment; and

''(ii) soliciting an individual to provide contact information to an institution of higher education, including websites established for such purpose and funds paid to third parties for such purpose.

''(C) Such other activities as the Secretary of Education may prescribe, including paying for promotion or sponsorship of education or military-related associations.

''(3) EXCEPTIONS.—Any activity that is required as a condition of receipt of funds by an institution under title IV of the Higher Education Act of 1965 (20 U.S.C. 1070 et seq.), is specifically authorized under such title, or is otherwise specified by the Secretary of Education, shall not be considered to be a covered activity under paragraph (2).

''(4) FEDERAL EDUCATIONAL ASSISTANCE FUNDS.—In this subsection, the term 'Federal educational assistance funds' means funds provided directly to an institution or to a student attending such institution under any of the following provisions of law:

''(A) Title IV of the Higher Education Act of 1965 (20 U.S.C. 1070 et seq.).

''(B) Chapter 30, 31, 32, 33, 34, or 35 of title 38, United States Code.

''(C) Chapter 101, 105, 106A, 1606, 1607, or 1608 of title 10, United States Code.

''(D) Section 1784a, 2005, or 2007 of title 10, United States Code.

''(E) Title I of the Workforce Innovation and Opportunity Act (29 U.S.C. 3111 et seq.).

''(F) The Adult Education and Family Literacy Act (29 U.S.C. 3271 et seq.).

''(5) RULE OF CONSTRUCTION.—Nothing in this section shall be construed as a limitation on the use by an institution of revenues derived from sources other than Federal educational assistance funds.

''(6) REPORTS.—Each institution of higher education, or other postsecondary educational institution, that derives 65 percent or more of revenues from Federal educational assistance funds shall report annually to the Secretary and to Congress and shall include in such report—

''(A) the institution's expenditures on advertising, marketing, and recruiting;

''(B) a verification from an independent auditor that the institution is in compliance with the requirements of this subsection; and

''(C) a certification from the institution that the institution is in compliance with the requirements of this subsection.''.

SA 1820. Mr. BLUMENTHAL (for himself and Mr. MURPHY) submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table, as follows:

At the end of subtitle A of title I, add the following:

SEC. 102. OFFSET FOR FUNDING TO PURCHASE ADDITIONAL BLACK HAWK UH–60M HELICOPTERS FOR PURPOSES OF ARMY NATIONAL GUARD MODERNIZATION.

The aggregate amount authorized to be appropriated for fiscal year 2016 by division A is hereby reduced by $247,500,000, with the amount of the reduction to be achieved through anticipated foreign currency gains in addition to any other anticipated foreign currency gains specified in the funding tables in division D.

In the funding table in section 4101, in the item relating to ''UH–60 BLACKHAWK M MODEL (MYP)'', strike the amount in the Senate authorized column and insert ''1,683,445''.

In the funding table in section 4101, insert below the item relating to ''UH–60 BLACKHAWK M MODEL (MYP)'', as part of line item no. 11, an item relating to ''ARNG Modernization—15 additional UH–60M aircraft'', with an amount of ''[247,500]'' in the Senate authorized column.

In the funding table in section 4101, in the item relating to Total Aircraft Procurement, Army, strike the amount in the Senate authorized column and insert ''5,962,857''.

In the funding table in section 4101, in the item relating to Total Procurement, strike the amount in the Senate authorized column and insert ''112,095,077''.

SA 1821. Mr. SCHATZ submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table, as follows:

At the end of part II of subtitle D of title V, add the following:

SEC. 540. RECEIPT BY MEMBERS OF THE ARMED FORCES WITH PRIMARY MARINER DUTIES OF TRAINING THAT COMPLIES WITH NATIONAL STANDARDS AND REQUIREMENTS.

(a) IN GENERAL.—Section 2015 of title 10, United States Code, is amended—

(1) by redesignating subsections (b) and (c) as subsections (c) and (d), respectively; and

(2) by inserting after subsection (a) the following new subsection (b):

''(b) MEMBERS WITH PRIMARY MARINER DUTIES.—(1) For purposes of the program under this section, the Secretary of Defense and the Secretary of Homeland Security shall each ensure that members of the armed forces with primary mariner duties receive training that complies with national standards and requirements under the International Convention on Standards of Training, Certification, and Watchkeeping (STCW).

''(2) The following shall comply with basic training standards under national requirements and the International Convention on Standards of Training, Certification, and Watchkeeping:

''(A) The recruit training provided to each member of the armed forces.

''(B) The training provided to each member of the armed forces who is assigned to a vessel.

''(3) Under the program, each member of the armed forces who is assigned to a vessel of at least 100 gross tons (GRT) in a deck or engineering career field shall be provided the following:

''(A) A designated path to applicable credentials under the national requirements and the International Convention on Standards of Training, Certification, and Watchkeeping consistent with the responsibilities of the position to which assigned.

''(B) The opportunity, at Government expense, to attend credentialing programs that provide merchant mariner training not offered by the armed forces.

''(4)(A) For purposes of the program, the material specified in subparagraph (B) shall be submitted to the National Maritime Center of the Coast Guard for assessment of the compliance of such material with national requirements and the International Convention on Standards of Training, Certification, and Watchkeeping.

''(B) The material specified in this subparagraph is as follows:

''(i) The course material of each unclassified course for members of the armed forces in marine navigation, leadership, and operation and maintenance.

''(ii) The unclassified qualifications for assignment for deck or engineering positions on waterborne vessels.

''(C) The National Maritime Center shall conduct assessments of material for purposes of this paragraph. Such assessments shall evaluate the suitability of material for the service at sea addressed by such material and without regard to the military pay grade of the intended beneficiaries of such material.

''(D) If material submitted to the National Maritime Center pursuant to this paragraphs is determined not to comply as described in subparagraph (A), the Secretary offering such material to members of the armed forces shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report setting forth the actions to be taken by such Secretary to bring such material into compliance.''.

(b) ADDITIONAL REQUIREMENTS.—

(1) IN GENERAL.—Each Secretary concerned shall establish, for members of the Armed Forces under the jurisdiction of such Secretary, procedures as follows:

(A) Procedures by which members identify qualification gaps in training and proficiency assessments and complete training or assessments approved by the Coast Guard in addressing such gaps.

(B) Procedures by which members obtain service records of any service at sea.

(C) Procedures by which members may submit service records of service at sea and other military qualifications to the National Maritime Center for evaluation and issuance of a Merchant Marine Credential.

(D) Procedures by which members may obtain a medical certificate for use in applications for Merchant Marine Credentials.

(2) USE OF MILITARY DRUG TEST RESULTS IN MERCHANT MARINE CREDENTIAL APPLICATIONS.—The Secretaries of the military departments and the Secretary of Homeland Security shall jointly establish procedures by which the results of appropriate drug tests administered to members of the Armed Forces by the military departments may be used for purposes of applications for Merchant Marine Credentials.

(3) SECRETARY CONCERNED DEFINED.—In this subsection, the term ''Secretary concerned'' has the meaning given that term in section 101(a) of title 10, United States Code.

SA 1822. Mr. SCHATZ submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table, as follows:

At the end of subtitle C of title VI , add the following:

SEC. 622. POLICIES OF THE DEPARTMENT OF DEFENSE ON TRAVEL OF NEXT OF KIN TO PARTICIPATE IN THE DIGNIFIED TRANSFER OF REMAINS OF MEMBERS OF THE ARMED FORCES AND CIVILIAN EMPLOYEES OF THE DEPARTMENT OF DEFENSE WHO DIE OVERSEAS.

(a) FINDINGS.—Congress makes the following findings:

(1) When deployed in combat and non-combat areas, members of the Armed Forces and civilian employees of the Department of Defense are at risk of illness, injury, and death.

(2) Invitational Travel Authorizations, more commonly known as Invitational Travel Orders, for family members are important to ensure that next of kin may travel to be at the bedside of an ill or injured member of the Armed Forces returning to the United States.

(3) When a casualty occurs overseas, Invitational Travel Authorizations ensure that next of kin are able to witness the dignified transfer of remains at Dover Port Mortuary, Delaware.

(4) Department of Defense Instruction 1300.18 and the Joint Federal Travel Regulations provide for Government funded travel for next of kin to witness the dignified transfer of remains at Dover Port Mortuary only when the casualty occurs in a combat area, excluding deaths associated with other operations or training, including humanitarian assistance and disaster relief operations.

(5) The Department of Defense Instruction and the Joint Federal Travel Regulations do not reflect the realities and risks of modern day deployment and contingency operations, and do not provide relief for the families of members of the Armed Forces and civilian employees of the Department involved in so-called ''phase zero operations''.

(b) REVIEW OF POLICIES.—

(1) IN GENERAL.—The Secretary of Defense shall carry out a review of the current policies of the Department of Defense on the travel for next of kin to participate in the dignified transfer of remains of members of the Armed Forces and civilian employees of the Department who die overseas.

(2) ELEMENTS.—The review required by this subsection shall include the following:

(A) An assessment of the changes to Department instructions and Federal regulations necessary to provide Government funded travel to the next of kin to participate in the dignified transfer of remains of members of the Armed Forces and civilian employees of the Department who die overseas, regardless whether the death occurred in a combat area or a non-combat area.

(B) An action plan and timeline for making the changes described in subparagraph (A).

(c) MODIFICATION OF POLICIES.—

(1) IN GENERAL.—Except as provided in paragraph (2), not later than February 1, 2016, the Secretary of Defense shall take appropriate actions to modify the policies of the Department in order to provide Government funded travel for the next of kin to

participate in the dignified transfer of remains of members of the Armed Forces and civilian employees of the Department of Defense who die overseas, regardless whether the death occurs in a combat area or a non-combat area.

(2) EXCEPTION.—The Secretary is not required to modify the policies of the Department as described in paragraph (1) if, by not later than March, 1, 2016, the Secretary certifies, in writing, to the congressional defense committees that such action is not in the best interest of the United States. The certification shall include the following:

(A) An assessment and reevaluation by the Secretary of the rational for excluding the next of kin from Government funded travel if the death of a member of the Armed Forces or civilian employee of the Department overseas occurs in a non-combat area.

(B) Recommendations for alternative plans to ensure that the next of kin of members of the Armed Forces and civilian employees of the Department who die overseas in a non-combat area may participate in the dignified transfer of the remains of the deceased at Dover Port Mortuary, including through the actions of appropriate non-governmental organizations.

SA 1823. Mr. SANDERS submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table, as follows:

On page 222, strike line 17 and all that follows through page 223, line 18, and insert the following:

''(3) AUTOMATIC AND MATCHING CONTRIBUTIONS.—

''(A) AUTOMATIC CONTRIBUTIONS.—The Secretary concerned shall make a contribution described in section 8432(c)(1) under this subsection for the benefit of a member described in paragraph (1) for the first pay period beginning on or after the date on which the member becomes a member described in paragraph (1) (without regard to whether the member has elected to make contributions to the Thrift Savings Fund during such pay period) and each pay period thereafter during which the member serves as a member of the uniformed services.

''(B) MATCHING CONTRIBUTIONS.—The Secretary concerned shall make a contribution described in section 8432(c)(2) under this subsection for the benefit of a member described in paragraph (1) for any pay period—

''(i) that begins on or after the date on which the member becomes a member described in paragraph (1); and

''(ii) during which the member described in paragraph (1) makes a contribution to the Thrift Savings Fund.

On page 228, line 21, strike ''for'' and all that follows through ''service'' on line 24.

On page 231, line 25, strike ''for'' and all that follows through ''service'' on page 232, line 3.

SA 1824. Mr. SANDERS submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table, as follows:

At the end of subtitle G of title X, add the following:

SEC. 1085. OFFSET OF OCO FUNDING.

(a) IN GENERAL.—Section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 901(b)(2)(A)(ii)) is amended by inserting '', as part of the Act containing such a designation, includes 1 or more provisions that increase revenue relative to the baseline for each fiscal year to which the designation relates in a total amount that is not less than the amount so designated under the Act for that fiscal year,'' after ''account basis''.

(b) PREVENTING USE FOR OTHER OFFSETS.—

(1) IN GENERAL.—Section 4(d) of the Statutory Pay-As-You-Go-Act of 2010 (2 U.S.C. 933(d)) is amended by adding at the end the following:

''(7) AMOUNTS USED TO OFFSET OCO FUNDING.—Neither scorecard maintained by OMB pursuant to this subsection shall include new revenue under a provision in an Act designating amounts as for Overseas Contingency Operations/Global War on Terrorism for purposes of section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 901(b)(2)(A)), except to the extent the amount of the new revenue for a fiscal year is more than the amount so designated for that fiscal year.''.

(2) SENATE PAYGO SCORECARD.—The budgetary effects of new revenue under a provision in an Act designating amounts as for Overseas Contingency Operations/Global War on Terrorism for purposes of section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 901(b)(2)(A)), shall not be entered on any PAYGO scorecard maintained for purposes of section 201 of S. Con. Res. 21 (110th Congress), except to the extent the amount of the new revenue for a fiscal year is more than the amount so designated for that fiscal year.

SA 1825. Mrs. FISCHER (for herself and Mr. BOOKER) submitted an amendment intended to be proposed by her to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table, as follows:

At the appropriate place, insert the following:

TITLE XXXV—MARITIME ADMINISTRATION

SEC. 3501. CADET COMMITMENT AGREEMENTS.

Section 51306(a) of title 46, United States Code, is amended—

(1) in the matter preceding paragraph (1), by striking ''must'' and inserting ''shall'';

(2) by amending paragraph (2) to read as follows:

''(2) obtain a merchant mariner license, unlimited as to horsepower or tonnage, issued by the United States Coast Guard as an officer in the merchant marine of the United States, accompanied by the appropriate national and international endorsements and certifications required by the Coast Guard for service aboard vessels on domestic and international voyages, without limitation, before graduation from the Academy;'';

(3) by amending paragraph (3) to read as follows:

''(3) for at least 6 years after graduation from the Academy, maintain—

''(A) a valid merchant mariner license, unlimited as to horsepower or tonnage, issued by the United States Coast Guard as an officer in the merchant marine of the United States, accompanied by the appropriate national and international endorsements and certifications required by the Coast Guard for service aboard vessels on domestic and international voyages, without limitation;

''(B) a valid transportation worker identification credential; and

''(C) a United States Coast Guard medical certificate;''; and

(4) by amending paragraph (4) to read as follows:

''(4) apply for, and accept if tendered, an appointment as a commissioned officer in the Navy Reserve (including the Strategic Sealift Officer Program, Navy Reserve), the Coast Guard Reserve, or any other reserve component of an armed force of the United States, and, if tendered the appointment, to serve, meet the participation requirements, and maintain active status in good standing, as determined by the program manager of the appropriate military service, for at least 8 years after the date of commissioning;''.

SEC. 3502. STUDENT INCENTIVE PAYMENT AGREEMENTS.

Section 51509 of title 46, United States Code, is amended—

(1) in subsection (b)—

(A) by inserting ''(3) AUTHORIZED USES.—'' before the last sentence and indenting accordingly;

(B) in the matter preceding paragraph (3), by striking ''Payments'' and inserting ''(1) IN GENERAL.—Except as provided in paragraph (2), payments'' and indenting accordingly; and

(C) by inserting after paragraph (1), the following:

''(2) EXCEPTION.—The Secretary may modify the payments made to an individual under paragraph (1), but the total amount of payments to that individual may not exceed $32,000.'';

(2) in subsection (c), by striking ''Merchant Marine Reserve'' and inserting ''Strategic Sealift Officer Program'';

(3) in subsection (d)—

(A) by amending paragraph (2) to read as follows:

''(2) obtain a merchant mariner license, without limitation as to tonnage or horsepower, from the United States Coast Guard as an officer in the merchant marine of the United States, accompanied by the appropriate national and international endorsements and certification required by the Coast Guard for service aboard vessels on domestic and international voyages, without limitation, within three months of completion of the course of instruction at the academy the individual is attending;'';

(B) by amending paragraph (3) to read as follows:

''(3) for at least 6 years after graduation from the academy, maintain—

''(A) a valid merchant mariner license, unlimited as to horsepower or tonnage, issued by the United States Coast Guard as an officer in the merchant marine of the United States, accompanied by the appropriate national and international endorsements and

certifications required by the Coast Guard for service aboard vessels on domestic and international voyages, without limitation;

''(B) a valid transportation worker identification credential; and

''(C) a United States Coast Guard medical certificate;'' and

(C) by amending paragraph (4) to read as follows:

''(4) apply for, and accept, if tendered, an appointment as a commissioned officer in the Navy Reserve (including the Strategic Sealift Officer Program, Navy Reserve), the Coast Guard Reserve, or any other reserve component of an armed force of the United States, and, if tendered the appointment, to serve and meet the participation requirements and to maintain active status in good standing, as determined by the program manager of the appropriate military service, for at least 8 years after the date of commissioning;'';

(4) by amending subsection (e)(1) to read as follows:

''(1) ACTIVE DUTY.—

''(A) IN GENERAL.—The Secretary of Defense may order an individual to serve on active duty in the armed forces of the United States for a period of not more than 2 years if—

''(i) the individual has attended an academy under this section for more than 2 academic years, but less than 3 academic years;

''(ii) the individual has accepted the payments described in subsection (b) in an amount totaling at least $8,000; and

''(iii) the Secretary of Transportation has determined that the individual has failed to fulfill the part of the agreement described in subsection (d)(1).

''(B) 3 OR MORE YEARS.—The Secretary of Defense may order an individual to serve on active duty in the armed forces of the United States for a period of not more than 3 years if—

''(i) the individual has attended an academy under this section for 3 or more academic years;

''(ii) the individual has accepted the payments described in subsection (b) in an amount totaling at least $16,000; and

''(iii) the Secretary of Transportation has determined that the individual has failed to fulfill the part of the agreement described in subsection (d)(1).

''(C) HARDSHIP WAIVER.—In cases of hardship as determined by the Secretary of Transportation, the Secretary of Transportation may waive this paragraph in whole or in part.''; and

(5) by adding at the end the following:

''(h) ALTERNATIVE SERVICE.—

''(1) SERVICE AS COMMISSIONED OFFICER.—An individual who, for the 5-year period following graduation from an academy, serves as a commissioned officer on active duty in an armed force of the United States or as a commissioned officer of the National Oceanic and Atmospheric Administration or the Public Health Service shall be excused from the requirements of paragraphs (3) through (5) of subsection (d).

''(2) MODIFICATION OR WAIVER.—The Secretary may modify or waive any of the terms and conditions set forth in subsection (d) through the imposition of alternative service requirements.''.

SEC. 3503. FEDERAL UNEMPLOYMENT TAX ACT.

Section 3305 of the Internal Revenue Code of 1986 (26 U.S.C. 3305) is amended by striking ''Secretary of Commerce'' each place it appears and inserting ''Secretary of Transportation''.

SEC. 3504. SHORT SEA TRANSPORTATION DEFINED.

Paragraph (1) of section 55605 of title 46, United States Code, is amended—

(1) in subparagraph (A), by striking ''or'';

(2) in subparagraph (B), by striking ''and''; and

(3) by adding at the end the following:

''(C) shipped in discrete units or packages that are handled individually, palletized, or unitized for purposes of transportation; or

''(D) freight vehicles carried aboard commuter ferry boats; and''.

SEC. 3505. AUTHORIZATION OF APPROPRIATIONS FOR NATIONAL SECURITY ASPECTS OF THE MERCHANT MARINE FOR FISCAL YEARS 2016 AND 2017.

(a) FISCAL YEAR 2016.—Funds are hereby authorized to be appropriated for fiscal year 2016, to be available without fiscal year limitation if so provided in appropriations Acts, for the use of the Department of Transportation for Maritime Administration programs associated with maintaining national security aspects of the merchant marine, as follows:

(1) For expenses necessary for operations of the United States Merchant Marine Academy, $96,028,000, of which—

(A) $71,306,000 shall remain available until expended for Academy operations;

(B) $24,722,000 shall remain available until expended for capital asset management at the Academy.

(2) For expenses necessary to support the State maritime academies, $34,550,000, of which—

(A) $2,400,000 shall remain available until expended for student incentive payments;

(B) $3,000,000 shall remain available until expended for direct payments to such academies;

(C) $1,800,000 shall remain available until expended for training ship fuel assistance payments;

(D) $22,000,000 shall remain available until expended for maintenance and repair of State maritime academy training vessels;

(E) $5,000,000 shall remain available until expended for a National Security Multi-Mission Vessel Design Program; and

(F) $350,000 shall remain available until expended for improving the monitoring of graduates' service obligation.

(3) For expenses necessary to support Maritime Administration operations and programs, $54,059,000.

(4) For expenses necessary to dispose of vessels in the National Defense Reserve Fleet, $8,000,000 to remain available until expended.

(5) For expenses to maintain and preserve a United States-flag merchant marine to serve the national security needs of the United States under chapter 531 of title 46, United States Code, $186,000,000.

(6) For the cost (as defined in section 502(5) of the Federal Credit Reform Act of 1990 (2 U.S.C. 661a(5)) of loan guarantees under the program authorized by chapter 537 of title 46, United States Code, $3,135,000, of which $3,135,000 shall remain available until expended for administrative expenses of the program.

(b) FISCAL YEAR 2017.—Funds are hereby authorized to be appropriated for fiscal year 2017, to be available without fiscal year limitation if so provided in appropriations Acts, for the use of the Department of Transportation for Maritime Administration programs associated with maintaining national security aspects of the merchant marine, as follows:

(1) For expenses necessary for operations of the United States Merchant Marine Academy, $96,028,000, of which—

(A) $71,306,000 shall remain available until expended for Academy operations;

(B) $24,722,000 shall remain available until expended for capital asset management at the Academy.

(2) For expenses necessary to support the State maritime academies, $34,550,000, of which—

(A) $2,400,000 shall remain available until expended for student incentive payments;

(B) $3,000,000 shall remain available until expended for direct payments to such academies;

(C) $1,800,000 shall remain available until expended for training ship fuel assistance payments;

(D) $22,000,000 shall remain available until expended for maintenance and repair of State maritime academy training vessels;

(E) $5,000,000 shall remain available until expended for a National Security Multi-Mission Vessel Design Program; and

(F) $350,000 shall remain available until expended for improving the monitoring of graduates' service obligation.

(3) For expenses necessary to support Maritime Administration operations and programs, $54,059,000.

(4) For expenses necessary to dispose of vessels in the National Defense Reserve Fleet, $8,000,000 to remain available until expended.

(5) For expenses to maintain and preserve a United States-flag merchant marine to serve the national security needs of the United States under chapter 531 of title 46, United States Code, $186,000,000.

(6) For the cost (as defined in section 502(5) of the Federal Credit Reform Act of 1990 (2 U.S.C. 661a(5)) of loan guarantees under the program authorized by chapter 537 of title 46, United States Code, $3,135,000, of which $3,135,000 shall remain available until expended for administrative expenses of the program.

SA 1826. Mr. COTTON submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table, as follows:

At the end of subtitle G of title X, add the following:

SEC. 1085. BUSINESS CASE ANALYSIS ON DECISION TO MAINTAIN C–130J AIRCRAFT AT KEESLER AIR FORCE BASE, MISSISSIPPI.

Not later than 60 days after the date of the enactment of this Act, the Secretary of the Air Force shall conduct a business case analysis of the decision to maintain 10 C–130J aircraft at Keesler Air Force Base, Mississippi. Such analysis shall include consideration of—

(1) any efficiencies or cost savings that would be achieved by transferring such aircraft to Little Rock Air Force Base, Arkansas;

(2) any effects of such decision on the operation of the Air Mobility Command; and

(3) the short-term and long-term costs of maintaining such aircraft at Keesler Air Force Base.

SA 1827. Mr. REED (for himself and Mr. MCCAIN) submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table, as follows:

At the end of subtitle G of title XII, add the following:

SEC. 1283. SENSE OF CONGRESS ON THE DETERIORATING SITUATION IN THE MALDIVES.

(a) FINDINGS.—Congress makes the following findings:

(1) The Maldives, despite its small size, is strategically important given its location in the Indian Ocean.

(2) Increasing human rights violations in the Maldives fuel instability and therefore pose a threat to regional security issues.

(3) Since January 2015, President Abdulla Yameen has cracked down on dissent both within his own party and in the political opposition.

(4) The arrest of former President Mohamed Nasheed this year was widely condemned as politically-motivated and his conviction and sentence of 13 years in prison has been condemned by Amnesty International as a ''travesty of justice''.

(5) United Nations High Commissioner for Human Rights Zeid Ra'ad described ''flagrant irregularities'' in the trial of President Nasheed, including conflicts of interests by the judges and the court's refusal to allow him to present any defense witnesses.

(6) On May 1, 2015, tens of thousands of protesters took to the streets in Male, Maldives, and were met with violence, tear gas, and stun guns by security forces. More than 200 people were arrested.

(7) In his speech in Sri Lanka on May 2, 2015, Secretary of State John Kerry said ''[W]e've seen even now how regrettably there are troubling signs that democracy is under threat in the Maldives where the former president Nasheed has been imprisoned without due process. And that is an injustice that must be addressed soon''.

(8) On June 2, 2015, the Government of the Maldives charged three more leaders of opposition parties with terrorism.

(b) SENSE OF CONGRESS.—It is the sense of Congress that the Government of the Maldives should immediately release former President Nasheed and all political prisoners in the country, and guarantee human rights for all of the citizens of the Maldives.

SA 1828. Mr. SCHATZ submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table, as follows:

At the end of subtitle E of title III, add the following:

SEC. 344. FUNDING FOR THE COMMEMORATION OF THE 75TH ANNIVERSARY OF THE ATTACK ON PEARL HARBOR, HAWAII.

Of the amount authorized to be appropriated for fiscal year 2016 by section 301 and available for operation and maintenance, Defense-wide, as specified in the funding table in section 4301, up to $2,000,000 may be available for the Department of Defense for the commemoration of the 75th anniversary of the attack on Pearl Harbor, Hawaii.

SA 1829. Mr. WYDEN submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table, as follows:

At the end of subtitle E of title XVI, add the following:

SEC. 1664. FUNDING FOR INTELLIGENCE ACTIVITIES OF EACH ELEMENT OF THE GOVERNMENT.

Section 1105(a) of title 31, United States Code, is amended by adding at the end the following new paragraph:

''(40)(A) the total dollar amount proposed in the budget for intelligence or intelligence related activities of each element of the Government engaged in such activities in the fiscal year for which the budget is submitted and the estimated appropriation required for each of the ensuing four fiscal years; and

''(B) as used in subparagraph (A), the term 'element of the Government' refers to each element of the intelligence community as defined in section 3(4) of the National Security Act of 1947 (50 U.S.C. 3003(4)).''.

SA 1830. Mr. WYDEN submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table, as follows:

On page 820, between lines 19 and 20, insert the following:

(b) PROTECTION OF WHISTLEBLOWERS.—Section 4602(d) of the Atomic Energy Defense Act (50 U.S.C. 2702(d)) is amended—

(1) by redesignating paragraph (5) as paragraph (6); and

(2) by inserting after paragraph (4) the following new paragraph (5):

''(5) In the case of a protected disclosure relating to the contract described in subsection (b) of section 4446 (relating the Hanford Waste Treatment and Immobilization Plant), the owner's agent specified in subsection (a) of that section.''.

SA 1831. Mr. WYDEN submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table, as follows:

On page 818, line 25, strike ''and the congressional defense committees'' and insert '', the congressional defense committees, the Committee on Energy and Natural Resources of the Senate, the Committee on Energy and Commerce of the House of Representatives, and the Governors of the States of Oregon and Washington''.

SA 1832. Ms. BALDWIN submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table, as follows:

At the end of subtitle G of title X, add the following:

SEC. 1085. AVAILABILITY OF CERTAIN INSPECTOR GENERAL WORK PRODUCTS.

Section 312 of title 38, United States Code, is amended by adding at the end the following:

''(c)(1) Whenever the Inspector General, in carrying out the duties and responsibilities established under the Inspector General Act of 1978 (5 U.S.C. App.), issues a work product that makes a recommendation or otherwise suggests corrective action, the Inspector General shall—

''(A) submit the work product to—

''(i) the Secretary;

''(ii) the Committee on Veterans' Affairs, the Committee on Homeland Security and Governmental Affairs, and the Committee on Appropriations of the Senate;

''(iii) the Committee on Veterans' Affairs, the Committee on Oversight and Government Reform, and the Committee on Appropriations of the House of Representatives;

''(iv) if the work product was initiated upon request by an individual or entity other than the Inspector General, that individual or entity; and

''(v) any member of Congress upon request;

''(B) submit all final work products to—

''(i) if the work product was initiated upon request by an individual or entity other than the Inspector General, that individual or entity; and

''(ii) any Member of Congress upon request; and

''(C) not later than 3 days after the work product is submitted in final form to the Secretary, post the work product on the Internet website of the Inspector General.

''(2) Nothing in this subsection shall be construed to authorize the public disclosure of information that is specifically prohibited from disclosure by any other provision of law.''.

SA 1833. Ms. BALDWIN submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016

for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table, as follows:

At the end of subtitle G of title XII, add the following:

SEC. 1283. REPORT ON ACTIONS OF CERTAIN NORTH ATLANTIC TREATY ORGANIZATION AND PARTNERSHIP FOR PEACE COUNTRIES ON HOLOCAUST ERA ASSETS AND RELATED ISSUES.

(a) REPORT REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Secretary of State shall, in consultation with the Secretary of Defense, submit to Congress an assessment of the compliance of each covered country with, and the progress of such country toward, the goals and objectives of the 2009 Terezin Declaration on Holocaust Era Assets and Related Issues.

(b) ELEMENTS.—The assessment of a country under the report required by subsection (a) shall include the following:

(1) An assessment of national laws or enforceable policies supporting the goals and objectives of the Terezin Declaration, including—

(A) the return to the rightful owner of any property that was wrongfully confiscated or transferred to another individual by Nazi, Nazi collaborator, or Communist regimes;

(B) if return of such property is no longer possible, the provision of comparable substitute property or the payment of equitable compensation to the rightful owner in accordance with principles of justice and through an expeditious claims-driven administrative process that is just, transparent, and fair;

(C) the return to Jewish communities of any religious or communal property that was stolen as a result of the Holocaust or subsequently nationalized by Communist regimes;

(D) the use of the Washington Conference Principles on Nazi-Confiscated Art, agreed to December 3, 1998, in settling all claims involving publically and privately held movable property.

(2) An assessment of national administrative and legal processes successfully implementing such laws.

(3) An assessment of mechanism for and demonstrable progress on the resolution of claims of United States citizen Holocaust survivors and United States citizen family members of Holocaust victims.

(4) Recommendations for actions to be taken by the country, and the United States Government, to improve country compliance with, and progress toward, the goals and objectives of the Terezin Declaration.

(c) COVERED COUNTRY DEFINED.—In this section, the term ''covered country'' means any country that is a signatory or observer to the 2009 Terezin Declaration on Holocaust Era Assets and Related Issues among the following:

(1) A country that is a signatory to the Partnership for Peace Framework Documents, but is not a member of the North Atlantic Treaty Organization (NATO).

(2) A country that became a member of the North Atlantic Treaty Organization after January 1, 1999.

SA 1834. Mr. BURR (for himself and Mrs. BOXER) submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table, as follows:

At the end of subtitle F of title V, add the following:

SEC. 565. CRIMINAL BACKGROUND CHECKS OF EMPLOYEES OF THE MILITARY CHILD CARE SYSTEM AND PROVIDERS OF CHILD CARE SERVICES AND YOUTH PROGRAM SERVICES FOR MILITARY DEPENDENTS.

(a) EMPLOYEES OF MILITARY CHILD CARE SYSTEM.—Section 1792 of title 10, United States Code, is amended—

(1) by redesignating subsection (d) as subsection (e); and

(2) by inserting after subsection (c) the following new subsection (d):

''(d) CRIMINAL BACKGROUND CHECK.—The criminal background check of child care employees under this section that is required pursuant to section 231 of the Crime Control Act of 1990 (42 U.S.C. 13041) shall be conducted pursuant to regulations prescribed by the Secretary of Defense in accordance with the provisions of section 658H of the Child Care and Development Block Grant Act of 1990 (42 U.S.C. 9858f).''.

(b) PROVIDERS OF CHILD CARE SERVICES AND YOUTH PROGRAM SERVICES.—Section 1798 of such title is amended—

(1) by redesignating subsection (c) as subsection (d); and

(2) by inserting after subsection (b) the following new subsection (c):

''(c) CRIMINAL BACKGROUND CHECK.—A provider of child care services or youth program services may not provide such services under this section unless such provider complies with the requirements for criminal background checks under section 658H of the Child Care and Development Block Grant Act of 1990 (42 U.S.C. 9858f) for the State in which such services are provided.''.

(c) FUNDING.—Amounts for activities required by reason of the amendments made by this section during fiscal year 2016 shall be derived from amounts otherwise authorized to be appropriated for fiscal year 2016 by section 301 and available for operation and maintenance for the Yellow Ribbon Reintegration Program as specified in the funding tables in section 4301.

SA 1835. Ms. AYOTTE submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table, as follows:

At the end of subtitle C of title I, add the following:

SEC. 141. HEI PGU–13/B ROUND 30MILIMETER AMMUNITION.

(a) ADDITIONAL AMOUNT FOR PROCUREMENT OF AMMUNITION, AIR FORCE.—

(1) IN GENERAL.—The amount authorized to be appropriated for fiscal year 2016 by section 101 is hereby increased by $1,096,000, with the amount of the increase to be available for procurement of ammunition, Air Force, for the purpose of the procurement of HEI PGU–13/B Round 30milimeter ammunition.

(2) SUPPLEMENT NOT SUPPLANT.—The amount available under paragraph (1) for the procurement of ammunition specified in that paragraph is in addition to any other amounts available in this Act for procurement of such ammunition.

(b) OFFSET.—The amount authorized to be appropriated for fiscal year 2016 by section 301 is hereby decreased by $1,096,000, with the amount of the decrease to be applied against amounts available for operation and maintenance, Air Force, for Morale, Welfare, and Recreation for C.4.4. Golf.

SA 1836. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table, as follows:

At the end of subtitle E of title XII, add the following:

SEC. 1264. SENSE OF SENATE ON THE CONTINUED EASING OF RESTRICTIONS ON THE SALE OF LETHAL MILITARY EQUIPMENT TO THE GOVERNMENT OF VIETNAM.

It is the sense of the Senate that—

(1) Vietnam is an important emerging partner with which the United States increasingly shares strategic and economic interests, including improving bilateral and multilateral capacity for humanitarian assistance and disaster relief, upholding the principles of freedom of the seas and peaceful resolution of international disputes, strengthening an open regional trading order, and maintaining a favorable balance of power in the Asia-Pacific region;

(2) the Government of Vietnam has recently taken modest but encouraging steps to improve its human rights record, including signing the United Nations Convention Against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment, adopted by the United Nations General Assembly December 10, 1984, increasing registrations for places of worship, taking greater action to combat human trafficking, reviewing the Criminal Code, and continuing to conduct high-level engagement with the United States and international human rights nongovernmental organizations;

(3) in light of growing challenges in the Asia-Pacific region and some steps by the Government of Vietnam to improve its human rights record, in 2014 the Department of State, in close consultation with the United States Senate, took steps to ease the United States prohibition on the sale of lethal military equipment to Vietnam for maritime and costal defense;

(4) further easing the prohibition on the sale of lethal military equipment to Vietnam at this time, including all platforms that facilitate the ability of the armed forces of Vietnam to operate more effectively on, above, and within its territorial waters,

would further United States national security interests, but steps beyond this to ease further the prohibition would require the Government of Vietnam to take significant and sustained steps to protect human rights, including releases of prisoners of conscience and legal reforms;

(5) the United States Government should continue to support civil society in Vietnam, including advocates for religious freedom, press freedom, and labor rights who seek to use peaceful means to build a strong and prosperous Vietnam that respects human rights and the rule of law; and

(6) the United States Government should continue to engage the Government of Vietnam in a high-level dialogue and specify what steps on human rights would be necessary for the Government of Vietnam to take in order to continue strengthening the bilateral relationship.

SA 1837. Mr. CORNYN submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table, as follows:

At the end of subtitle E of title XVI, add the following:

SEC. 1664. SENSE OF CONGRESS ON ELECTROMAGNETIC PULSE ATTACKS.

It is the sense of Congress that—

(1) the President should ensure that all relevant Federal agencies have a full understanding of the electromagnetic pulse threat and are prepared for such a contingency; and

(2) the United States Government should formulate and maintain a strategy to prepare and protect United States infrastructure against electromagnetic pulse events.

SA 1838. Mr. REID submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table, as follows:

At the end of part II of subtitle D of title VI, add the following:

SEC. 643. STANDARDIZATION OF AMOUNTS RECEIVABLE BY DISABILITY RETIREES WITH LESS THAN 20 YEARS OF SERVICE UNDER COMBAT-RELATED SPECIAL COMPENSATION AND CONCURRENT RECEIPT OF RETIRED PAY AND VETERANS' DISABILITY COMPENSATION.

(a) STANDARDIZATION OF SIMILAR PROVISIONS.—Paragraph (2) of section 1414(b) of title 10, United States Code, is amended to read as follows:

''(2) SPECIAL RULE FOR RETIREES WITH FEWER THAN 20 YEARS OF SERVICE.—The retired pay of a qualified retiree who is retired under chapter 61 of this title with fewer than 20 years of creditable service is subject to reduction by the lesser of—

''(A) the amount of the reduction under sections 5304 and 5305 of title 38; or

''(B) the amount (if any) by which the amount of the member's retired pay under such chapter exceeds the amount equal to 2½ percent of the member's years of creditable service multiplied by the member's retired pay base under section 1406(b)(1) or 1407 of this title, whichever is applicable to the member.''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect on July 1, 2015, and shall apply to payments for months beginning on or after that date.

SA 1839. Mr. ISAKSON (for himself and Mr. PERDUE) submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table, as follows:

Strike section 604.

SA 1840. Mr. ISAKSON (for himself and Mr. PERDUE) submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table, as follows:

At the end of part II of subtitle D of title V, add the following:

SEC. 540. MODIFICATION OF RESIDENCY REQUIREMENTS AND CONTENT DELIVERY METHODS FOR PHASE II JOINT PROFESSIONAL MILITARY EDUCATION.

(a) RESIDENCY REQUIREMENTS.—Title 10, United States Code, is amended as follows:

(1) In section 2154(a)(2), by striking ''in residence at'' and inserting ''by''.

(2) In section 2156(a), by striking ''at the Joint Forces Staff College may not be less than 10 weeks of resident instruction'' and inserting ''through the Joint Forces Staff College shall be set by the Chairman of the Joint Chiefs of Staff''.

(b) DELIVERY METHODS.—Section 2154 of such is further amended by adding the following new subsection:

''(c) DELIVERY METHODS.—The Secretary is authorized to certify nonresident courses for Phase II instruction, provided the joint acculturation objectives of subsections (b), (c), and (d) of section 2155 of this title are met.''.

SA 1841. Mr. PERDUE (for himself and Mr. COTTON) submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table, as follows:

At the end of subtitle A of title XII, add the following:

SEC. 1209. USE OF ASSISTANCE PROVIDED TO THE VETTED SYRIAN OPPOSITION TO DEFEND THE SYRIAN PEOPLE AGAINST THE ASSAD REGIME.

Section 1209(a) of the Carl Levin and Howard P. ''Buck'' McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113–291; 128 Stat. 3541) is amended—

(1) by redesignating paragraphs (2) and (3) as paragraphs (3) and (4), respectively; and

(2) by inserting after paragraph (1) the following new paragraph (2):

''(2) Defending the Syrian people from attacks by the regime of President Bashir Assad.''.

SA 1842. Mr. PERDUE submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table, as follows:

At the end of subtitle C of title XII, add the following:

SEC. 1242. STRATEGY FOR THE MIDDLE EAST IN THE EVENT OF A COMPREHENSIVE NUCLEAR AGREEMENT WITH IRAN.

(a) STRATEGY REQUIRED.—The Secretary of Defense shall, in coordination with the Secretary of State, other members of the National Security Council, and the heads of other appropriate departments and agencies of the United States Government, develop a strategy for the United States for the Middle East in the event of a comprehensive nuclear agreement with Iran.

(b) ELEMENTS.—The strategy shall include the following:

(1) Efforts to counter Iranian-sponsored terrorism in Middle East region.

(2) Efforts to reassure United States allies and partners in Middle East.

(3) Efforts to address the potential for a conventional or nuclear arms race in the Middle East.

(c) SUBMITTAL TO CONGRESS.—Not later than 60 days after the date of the entry of Iran into the agreement described in subsection (a), the Secretary shall submit the strategy developed under that subsection to—

(1) the Committee on Armed Services, the Committee on Foreign Relations, and the Select Committee on Intelligence of the Senate; and

(2) the Committee on Armed Services, the Committee on Foreign Affairs, and the Permanent Select Committee on Intelligence of the House of Representatives.

SA 1843. Mrs. FEINSTEIN submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the

Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table, as follows:

At the appropriate place, insert the following:

SEC. ___. REPORT ON COUNTER-DRUG EFFORTS IN AFGHANISTAN.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the Congressional Defense Committees a report that describes—

(1) the counter-narcotics goals of the Department of Defense in Afghanistan; and

(2) how the Secretary of Defense will coordinate the counter-drug efforts of the Department of Defense with other Federal agencies to ensure an integrated, effective counter-narcotics strategy is implemented in Afghanistan.

(b) CONTENTS.—The report submitted under subsection (a) shall include—

(1) a description of the metrics used to evaluate the effectiveness of counter-drug efforts of the Department of Defense in Afghanistan; and

(2) a description of the process by which the Secretary of Defense will determine whether to continue each of the counter-drug initiatives of the Department of Defense in Afghanistan.

SA 1844. Mr. BENNET (for himself and Mr. PORTMAN) submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table, as follows:

At the end of title X, add the following:

Subtitle H—Federal Cybersecurity Workforce Assessment

SECTION 1091. SHORT TITLE.

This subtitle may be cited as the ''Federal Cybersecurity Workforce Assessment Act''.

SEC. 1092. DEFINITIONS.

In this subtitle:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ''appropriate congressional committees'' means—

(A) the Committee on Armed Services of the Senate;

(B) the Committee on Homeland Security and Governmental Affairs of the Senate;

(C) the Committee on Armed Services in the House of Representatives;

(D) the Committee on Homeland Security of the House of Representatives; and

(E) the Committee on Oversight and Government Reform of House of Representatives.

(2) CYBERSECURITY WORK CATEGORY; DATA ELEMENT CODE; SPECIALTY AREA.—The terms ''Cybersecurity Work Category'', ''Data Element Code'', and ''Specialty Area'' have the meanings given such terms in the Office of Personnel Management's Guide to Data Standards.

(3) DIRECTOR.—The term ''Director'' means the Director of the Office of Personnel Management.

(4) SECRETARY.—The term ''Secretary'' means the Secretary of Homeland Security.

SEC. 1093. NATIONAL CYBERSECURITY WORKFORCE MEASUREMENT INITIATIVE.

(a) IN GENERAL.—The head of each Federal agency shall—

(1) identify all positions within the agency that require the performance of information technology, cybersecurity, or other cyber-related functions;

(2) determine the primary Cybersecurity Work Category and Specialty Area of such positions; and

(3) assign the corresponding Data Element Code, which shall be added to the National Initiative for Cybersecurity Education's National Cybersecurity Workforce Framework report, in accordance with subsection (b).

(b) EMPLOYMENT CODES.—

(1) PROCEDURES.—Not later than 90 days after the date of the enactment of this Act, the head of each Federal agency shall establish procedures—

(A) to identify open positions that include information technology, cybersecurity, or other cyber-related functions (as defined in the Office of Personnel Management's Guide to Data Standards); and

(B) to assign the appropriate employment code to each such position, using agreed standards and definitions.

(2) CODE ASSIGNMENTS.—Not later than 9 months after the date of the enactment of this Act, the head of each Federal agency shall assign the appropriate employment code to each employee within the agency who carries out information technology, cybersecurity, or other cyber-related functions.

(c) PROGRESS REPORT.—Not later than 1 year after the date of the enactment of this Act, the Director shall submit a progress report on the implementation of this section to the appropriate congressional committees.

SEC. 1094. IDENTIFICATION OF CYBERSECURITY SPECIALTY AREAS OF CRITICAL NEED.

(a) IN GENERAL.—Beginning not later than 1 year after the date on which the employment codes are assigned to employees pursuant to section 1093(b)(2), and annually through 2021, the head of each Federal agency, in consultation with the Director and the Secretary, shall—

(1) identify information technology, cybersecurity, or other cyber-related Specialty Areas of critical need in the agency's workforce; and

(2) submit a report to the Director that—

(A) describes the information technology, cybersecurity, or other cyber-related Specialty Areas identified under paragraph (1); and

(B) substantiates the critical need designations.

(b) GUIDANCE.—The Director shall provide Federal agencies with timely guidance for identifying information technology, cybersecurity, or other cyber-related Specialty Areas of critical need, including—

(1) current Cybersecurity Work Categories and Specialty Areas with acute skill shortages; and

(2) information technology, cybersecurity, or other cyber-related Specialty Areas with emerging skill shortages.

(c) INFORMATION TECHNOLOGY, CYBERSECURITY, OR OTHER CYBER-RELATED CRITICAL NEEDS REPORT.—Not later than 18 months after the date of the enactment of this Act, the Director, in consultation with the Secretary, shall—

(1) identify Specialty Areas of critical need for information technology, cybersecurity, or other cyber-related workforce across all Federal agencies; and

(2) submit a progress report on the implementation of this section to the appropriate congressional committees.

SEC. 1095. GOVERNMENT ACCOUNTABILITY OFFICE STATUS REPORTS.

The Comptroller General of the United States shall—

(1) analyze and monitor the implementation of sections 1093 and 1094; and

(2) not later than 3 years after the date of the enactment of this Act, submit a report to the appropriate congressional committees that describes the status of such implementation.

SA 1845. Mr. WARNER submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table, as follows:

At the appropriate place, insert the following:

SEC. ___. SENSE OF CONGRESS.

It is the sense of Congress that—

(1) Congress must address the ongoing, escalating threat posed by cyber attacks from foreign countries and independent or sponsored nefarious actors;

(2) cyber attacks present one of the most critical national security threats facing the United States;

(3) vulnerabilities in the cybersecurity of the United States have been exploited to access sensitive and personal information, including data relating to security clearance investigations; and

(4) in order to protect the most important information systems of the United States, including those in our weapon systems, from cyber threats, Congress must invest in developing the most sophisticated and agile cyber capability in the world.

SA 1846. Mr. WARNER submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table, as follows:

At the end of subtitle A of title XVI, add the following:

SEC. 1614. COMPREHENSIVE REVIEW OF POLICIES AND PRACTICES FOR PLANNING AND ACQUIRING SATELLITE SYSTEMS AND ARCHITECTURES.

(a) SENSE OF CONGRESS.—It is the sense of the Congress that—

(1) consistent with National Space Policy issued on June 28, 2010, the United States Government should make maximum use of mature commercial space capabilities and acquisition practices for national security systems for which the required performance can be met with commodity technology to reduce acquisition timelines and costs, promote competition, capitalize on the pace of

commercial technology advances, and avoid unnecessary government-unique investments;

(2) investments by elements of the intelligence community and the Department of Defense in technology development utilizing a unique, dedicated industrial base should be reserved for cases in which commercial commodity technology does not exist or in which revolutionary technology is judged to be achievable and worth the risk, cost, and time to acquire;

(3) satellite systems and architectures should be designed in such a way that a number of elements common to multiple spacecraft could be standardized, to reduce costs, simplify execution, and preserve a competitive industrial base;

(4) the entire overhead satellite architecture of the United States, including programs funded by the Department of Defense or by an element of the intelligence community, commercial providers, and foreign partners, should be viewed and treated as an integrated whole, not simply as a series of independent and unrelated satellite systems;

(5) deficiencies in, and improvements to, the current state of the space systems architecture, and planning for the future architecture, should receive priority personal attention from the President, the senior national security and scientific advisors to the President, the Director of National Intelligence, the Secretary of Defense, and the Chairman of the Joint Chiefs of Staff to ensure that architecture planning—

(A) meets the needs of the United States in peace time and in war time;

(B) responsibly stewards the taxpayers' dollars;

(C) accurately takes into account cost and performance tradeoffs;

(D) meets realistic requirements;

(E) produces and fosters excellence, innovation, and competition;

(F) aims to produce innovative satellite systems in less than 5 years that are able to leverage common, standardized design elements and commercially available technologies;

(G) takes advantage of rapid advances in commercial technology, innovation, and commercial-like acquisition practices; and

(H) fosters competition and a robust industrial base.

(b) STRATEGY ON THE UNITED STATES OVERHEAD SATELLITE ARCHITECTURE.—

(1) REQUIREMENT FOR STRATEGY.—The Director of National Intelligence, the Secretary of Defense, and the Chairman of the Joint Chiefs of Staff shall develop a strategy, with milestones and benchmarks, to ensure that there is a comprehensive review of policies and practices for planning and acquiring satellite systems and architectures, including under programs of the Department of Defense, programs of elements of the intelligence community, and programs carried out by the commercial satellite industry, and taking into account capabilities of foreign partners, to ensure that such systems and architectures comport with the principles expressed under subsection (a) and in the National Space Policy.

(2) REPORT ON STRATEGY.—Not later than 180 days after the date of the enactment of this Act, the Director of National Intelligence, the Secretary of Defense, and the Chairman of the Joint Chiefs of Staff shall report to the congressional defense committees, the Select Committee on Intelligence of the Senate, and the Permanent Select Committee on Intelligence of the House of Representatives on the strategy required by paragraph (1).

SA 1847. Mr. JOHNSON submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table, as follows:

At the appropriate place, insert the following:

SEC. _____. DISCLOSURE OF CERTAIN RETURN INFORMATION WITH RESPECT TO IDENTITY THEFT.

(a) IN GENERAL.—Subsection (l) of section 6103 of the Internal Revenue Code of 1986 is amended by adding at the end the following new paragraph:

''(23) DISCLOSURE OF RETURN INFORMATION IN CERTAIN CASES OF IDENTITY THEFT.—

''(A) IN GENERAL.—If the Secretary has reason to believe that there has been a fraudulent use of a social security account number on a statement described in section 6051—

''(i) the Secretary shall disclose to the individual who was validly assigned such social security account number—

''(I) that the Secretary has reason to believe that the social security account number assigned to such individual has been fraudulently used in the employment context,

''(II) that the Secretary has made the disclosure described in clause (ii) to the Director of the Federal Bureau of Investigation and the Attorney General with respect to such fraudulent use, and

''(III) such other information (other than return information) as the Secretary determines, in consultation with Federal Trade Commission, would be helpful and appropriate to provide to a victim of identity theft, and

''(ii) the Secretary shall disclose to the Director of the Federal Bureau of Investigation and the Attorney General—

''(I) such social security account number,

''(II) that the Secretary has reason to believe that such social security account number has been fraudulently used in the employment context, and

''(III) the taxpayer identity information of the individual who was assigned such social security account number, the individual believed to have fraudulently used such social security account number, and the employer who made the statement described in section 6051 which included such social security account number.

''(B) RESTRICTION ON DISCLOSURE TO LAW ENFORCEMENT.—

''(i) DISCLOSURE TO OTHER LAW ENFORCEMENT OFFICIALS.—The Director of the Federal Bureau of Investigation and the Attorney General may disclose information received under subparagraph (A)(ii) to appropriate Federal, State, and local law enforcement officials.

''(ii) RESTRICTION ON USE OF DISCLOSED INFORMATION.—Return information disclosed under subparagraph (A)(ii) may be used by Federal, State, and local law enforcement officials only for purposes of carrying out criminal investigations or prosecutions.

''(iii) MEMORANDUM OF UNDERSTANDING.—For purposes of this paragraph, any return information disclosed under subparagraph (A)(ii) may not be provided to any State or local law enforcement official until such official has entered into a memorandum of understanding with the Secretary that includes the following terms and conditions:

''(I) Confidentiality of returns and return information and prohibitions on disclosure described in subsection (a)(3).

''(II) Safeguards, restrictions on access, and recordkeeping requirements described in subsection (p)(4).

''(III) Application of penalties for unauthorized disclosure of returns and return information under section 7213(a)(2).

''(IV) Any additional terms and conditions deemed appropriate by the Secretary.''.

(b) PREVENTION OF IDENTITY THEFT.—In the case of an employee for whom the Commissioner of the Social Security Administration has reason to believe that the social security number included on any statement described in section 6051(a) of the Internal Revenue Code of 1986 with respect to such employee is not the correct social security number for such employee, the Commissioner shall provide notification to the employer for such employee which includes—

(1) the name of the employee and the social security number included on such statements; and

(2) relevant information regarding the availability of the Social Security Number Verification Service for verification of social security numbers.

(c) CONFORMING AMENDMENTS RELATED TO DISCLOSURE.—

(1) CONFIDENTIALITY.—Paragraph (3) of section 6103(a) of such Code is amended by striking ''or (21)'' and inserting ''(21), or (23)''.

(2) PROCEDURES AND RECORDKEEPING RELATED TO DISCLOSURES.—Paragraph (4) of section 6103(p) of such Code is amended by striking ''or (20)'' each place it appears and inserting ''(20), or (23)''.

(3) UNAUTHORIZED DISCLOSURE OR INSPECTION.—Paragraph (2) of section 7213(a) of such Code is amended by striking ''or (21)'' and inserting ''(21), or (23)''.

SEC. _____. PENALTIES FOR TAX-RELATED IDENTITY THEFT.

(a) IN GENERAL.—Section 1028A(c) of title 18, United States Code, is amended—

(1) by redesignating paragraphs (8) through (11) as paragraphs (10) through (13), respectively; and

(2) by inserting after paragraph (7) the following new paragraphs:

''(8) section 286 (relating to conspiracy to defraud the government with respect to claims), section 287 (relating to false, fictitious, or fraudulent claims), section 371 (relating to conspiracy to commit an offense or to defraud the United States), section 1001 (relating to statements or entries), section 1341 (relating to frauds and swindles), section 1342 (relating to a fictitious name or address), section 1343 (relating to fraud by wire, radio, or television), or section 1344 (relating to bank fraud), if the felony violation is a tax-related offense punishable under such section;

''(9) section 7206 of the Internal Revenue Code of 1986 (relating to fraud and false statements);''.

(b) PENALTY FOR MISAPPROPRIATION OF TAX IDENTIFICATION NUMBERS.—

(1) IN GENERAL.—Part I of subchapter B of chapter 68 of the Internal Revenue Code of 1986 is amended by adding at the end the following new section:

''SEC. 6720D. MISAPPROPRIATION OF TAX IDENTIFICATION NUMBER.

''In addition to any penalty provided by law, any person who knowingly or willfully misappropriates another person's tax identification number in connection with any list,

return, account, statement, or other document submitted to the Secretary shall pay a penalty of $5,000.''.

(2) CONFORMING AMENDMENT.—The table of sections for part I of subchapter B of chapter 68 of such Code is amended by adding at the end the following new item:

''Sec. 6720D. Misappropriation of tax identification number.''.

(3) EFFECTIVE DATE.—The amendments made by this section shall apply to returns and information submitted after the date of the enactment of this Act.

SA 1848. Mr. WICKER (for himself and Ms. HIRONO) submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table, as follows:

In the funding table in section 4201, in the item relating to the High Performance Computing Modernization Program, strike the amount in the Senate authorized column and insert ''177,159''.

In the funding table in section 4301, in the item relating to Defense Media Activity, strike the amount in the Senate authorized column and insert ''182,625''.

SA 1849. Mr. BURR (for himself and Mr. TILLIS) submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table, as follows:

At the end of subtitle D of title III, add the following:

SEC. 344. REPORT ON USE OF COMMERCIALLY AVAILABLE EQUIPMENT FOR MAINTENANCE FOR WHEELED VEHICLE AND TRACKED VEHICLE FLEETS OF THE NATIONAL GUARD.

Not later than 180 days after the date of the enactment of this Act, the Chief of the National Guard Bureau shall submit to the congressional defense committees a report setting forth an assessment of the use of commercially available equipment to conduct organizational maintenance and combined support maintenance for the wheeled vehicle and tracked vehicle fleets of the National Guard. The report shall include the following:

(1) An assessment of the use of such equipment for such maintenance on the operational readiness rates of such fleets.

(2) A comparison of the cost of the use of such equipment for such maintenance with the current cost of such maintenance.

(3) An assessment of the extent to which the use of such equipment is viable at the State level to reduce maintenance costs and duration to improve readiness of the fleets.

(4) Such other matters, and such recommendations, as the Chief of the National Guard Bureau considers appropriate.

SA 1850. Mr. PORTMAN submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table, as follows:

Strike section 1251 and insert the following:

SEC. 1251. UKRAINE SECURITY ASSISTANCE INITIATIVE.

(a) AUTHORITY TO PROVIDE ASSISTANCE.—Of the amounts authorized to be appropriated for fiscal year 2016 by title XV and available for overseas contingency operations as specified in the funding tables in division D, $300,000,000 may be available to the Secretary of Defense, in coordination with the Secretary of State, to provide appropriate security assistance and intelligence support, including training, equipment, and logistics support, supplies and services, to military and other security forces of the Government of Ukraine for the purposes as follows:

(1) To enhance the capabilities of the military and other security forces of the Government of Ukraine to defend against further aggression.

(2) To assist Ukraine in developing the combat capability to defend its sovereignty and territorial integrity.

(3) To support the Government of Ukraine in defending itself against actions by Russia and Russian-backed separatists that violate the ceasefire agreements of September 4, 2014, and February 11, 2015.

(b) APPROPRIATE SECURITY ASSISTANCE AND INTELLIGENCE SUPPORT.—For purposes of subsection (a), appropriate security assistance and intelligence support includes the following:

(1) Real time or near real time actionable intelligence, including by lease of such capabilities from United States commercial companies.

(2) Lethal assistance such as anti-armor weapon systems, mortars, crew-served weapons and ammunition, grenade launchers and ammunition, and small arms and ammunition.

(3) Counter-artillery radars, including medium-range and long-range counter-artillery radars that can detect and locate long-range artillery.

(4) Unmanned aerial tactical surveillance systems.

(5) Cyber capabilities.

(6) Counter-electronic warfare capabilities such as secure communications equipment and other electronic protection systems.

(7) Other electronic warfare capabilities.

(8) Training required to maintain and employ systems and capabilities described in paragraphs (1) through (7).

(9) Training for critical combat operations such as planning, command and control, small unit tactics, anti-armor tactics, counter-artillery tactics, logistics, countering improvised explosive devices, battlefield first aid, and medical evacuation.

(10) Training for strategic and operational planning at and above the brigade level.

(c) FUNDING AVAILABILITY AND LIMITATION.—

(1) TRAINING.—Up to 20 percent of the amount described in subsection (a) may be used to support training pursuant to section 1207 of the National Defense Authorization Act for Fiscal Year 2012 (22 U.S.C. 2151 note), relating to the Global Security Contingency Fund.

(2) LIMITATION.—Not more than 50 percent of the amount described in subsection (a) may be obligated or expended until an amount equal to 20 percent of such amount has been obligated or expended for appropriate security assistance described in paragraphs (1), (2), and (3) of subsection (b) for the Government of Ukraine.

(3) ALTERNATIVE USE OF FUNDS.—In the event funds otherwise available pursuant to subsection (a) are not used by reason of the limitation in paragraph (2), such funds may be used at the discretion of the Secretary of Defense, with concurrence of the Secretary of State, to provide security assistance and intelligence support, including training, equipment, logistics support, supplies and services to military and other national-level security forces of Partnership for Peace nations other than Ukraine that the Secretary of Defense determines may face an elevated risk of Russian aggression and that the Secretary determines is appropriate to defending their sovereignty and territorial integrity.

(d) UNITED STATES INVENTORY AND OTHER SOURCES.—

(1) IN GENERAL.—In addition to any assistance provided pursuant to subsection (a), the Secretary of Defense is authorized, with the concurrence of the Secretary of State, to make available to the Government of Ukraine weapons and other defense articles, from the United States inventory and other sources, and defense services, in such quantity as the Secretary of Defense determines to be appropriate to achieve the purposes specified in subsection (a).

(2) REPLACEMENT.—Amounts for the replacement of any items provided to the Government of Ukraine pursuant to paragraph (1) may be derived from funds available for this section or from amounts authorized to be appropriated for the Department of Defense for overseas contingency operations for weapons procurement.

(e) CONSTRUCTION OF AUTHORIZATION.—Nothing in this section shall be construed to constitute a specific statutory authorization for the introduction of United States Armed Forces into hostilities or into situations wherein hostilities are clearly indicated by the circumstances.

(f) REPORT.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall, in coordination with the Secretary of State and other appropriate agencies, submit to Congress a report setting forth in detail the following:

(1) The current criteria governing the provision of security assistance and intelligence support to the Government of Ukraine.

(2) The plan, including timelines for delivery, types and quantities of security assistance, and costs, to ensure that such assistance and support are being provided in compliance with the authorized purposes specified in subsection (a).

(g) TERMINATION OF AUTHORITY.—Assistance may not be provided under the authority in this section after December 31, 2017.

SA 1851. Mrs. MCCASKILL submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016

for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table, as follows:

On page 354, line 19, insert '', protecting the best interests of taxpayers,'' after ''process''.

SA 1852. Mr. UDALL submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table, as follows:

On page 58, strike lines 14 through 17 and insert the following:
services of the Centers;

''(C) enhance capabilities by reducing the cost and improving the performance and efficiency of executing laboratory missions; and

''(D) expand commercial business ventures based on the core competencies of a Center, as determined by the director of the Center, to promote technology transitions.

SA 1853. Mr. LEE (for himself, Mrs. FEINSTEIN, Mr. PAUL, Mr. CRUZ, and Ms. COLLINS) submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table, as follows:

At the end of subtitle D of title X, add the following:

SEC. 1040. PROHIBITION ON THE INDEFINITE DETENTION OF CITIZENS AND LAWFUL PERMANENT RESIDENTS.

Section 4001 of title 18, United States Code, is amended—

(1) by striking subsection (a) and inserting the following:

''(a) No citizen or lawful permanent resident shall be imprisoned or otherwise detained by the United States except consistent with the Constitution and pursuant to an Act of Congress that expressly authorizes such imprisonment or detention.'';

(2) by redesignating subsection (b) as subsection (c); and

(3) by inserting after subsection (a) the following:

''(b)(1) A general authorization to use military force, a declaration of war, or any similar authority, on its own, shall not be construed to authorize the imprisonment or detention without charge or trial of a citizen or lawful permanent resident of the United States apprehended in the United States.

''(2) Paragraph (1) applies to an authorization to use military force, a declaration of war, or any similar authority enacted before, on, or after the date of the enactment of the National Defense Authorization Act for Fiscal Year 2016.

''(3) This section shall not be construed to authorize the imprisonment or detention of a citizen of the United States, a lawful permanent resident of the United States, or any other person who is apprehended in the United States.''.

SA 1854. Ms. WARREN submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table, as follows:

At the end of subtitle C of title VII, add the following:

SEC. 738. COMPTROLLER GENERAL STUDY ON GAMBLING AND PROBLEM GAMBLING BEHAVIOR AMONG MEMBERS OF THE ARMED FORCES.

(a) IN GENERAL.—The Comptroller General of the United States shall conduct a study on gambling installations operated by the Department of Defense and problem gambling among members of the Armed Forces.

(b) MATTERS INCLUDED.—The study conducted under subsection (a) shall include the following:

(1) With respect to gambling installations (including bingo) operated by each branch of the Armed Forces—

(A) the number, type, and location of such gambling installations;

(B) the total amount of cash flow through such gambling installations;

(C) the amount of revenue generated by such gambling installations; and

(D) how such revenue is spent.

(2) An assessment of the prevalence of and particular risks for problem gambling among members of the Armed Forces, including recommendations for policies and programs to be carried out by the Department of Defense to address problem gambling.

(3) An assessment of the ability and capacity of military health care personnel to adequately diagnose and provide dedicated treatment for problem gambling, including—

(A) a comparison of treatment programs of the Department for alcohol abuse, illegal substance abuse, and tobacco addiction with treatment programs of the Department for problem gambling; and

(B) an assessment of whether additional training for military health care personnel on providing treatment for problem gambling would be beneficial.

(4) An assessment of the financial counseling and related services that are available to members of the Armed Forces and their dependents who are impacted by problem gambling.

(c) REPORT.—

(1) IN GENERAL.—Not later than one year after the date of the enactment of this Act, the Comptroller General shall submit to the appropriate committees of Congress a report on the results of the study conducted under subsection (a).

(2) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this section, the term ''appropriate committees of Congress'' means—

(A) the Committee on Armed Services and the Committee on Appropriations of the Senate; and

(B) the Committee on Armed Services and the Committee on Appropriations of the House of Representatives.

SA 1855. Mr. DURBIN (for himself, Mr. GRASSLEY, and Mr. KIRK) submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table, as follows:

At the end of subtitle F of title III, add the following:

SEC. 355. ELIGIBILITY OF GOVERNMENT-OWNED, GOVERNMENT-OPERATED ARSENALS FOR ARMAMENT RETOOLING AND MANUFACTURING SUPPORT (ARMS) INITIATIVE.

Section 4551(2) of title 10, United States Code, is amended—

(1) by striking ''manufacturing facility, or'' and inserting ''manufacturing facility,''; and

(2) by inserting '', or a Government-owned, Government-operated arsenal'' before the period at the end.

SA 1856. Mr. MENENDEZ submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table, as follows:

At the end of subtitle D of title XII, add the following:

SEC. 1257. SENSE OF CONGRESS ON SANCTIONING INDIVIDUALS CONNECTED TO THE DETAINMENT OF UKRAINIAN FIGHTER PILOT NADIYA SAVCHENKO.

(a) FINDINGS.—Congress makes the following findings:

(1) Ukrainian fighter pilot Nadiya Savchenko was captured on June 17, 2014, in a town in Ukraine north of Luhansk, by armed men loyal to the self-proclaimed Luhansk People's Republic.

(2) Nadiya Savchenko was subsequently beaten, transported to Voronezh, a town due north of Luhansk in the Russian Federation, and held on falsified charges, including the charge of illegal crossing of the border into the Russian Federation even though she was brought to the Russian Federation forcefully, blindfolded and handcuffed.

(b) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) the detainment and continued detention of Nadiya Savchenko and the falsified charges that have been brought against her are serious violations of internationally recognized human rights and are offenses for which sanctions may be imposed under the law of the United States; and

(2) the United States should impose sanctions with respect to the individuals connected to the detainment and continued detention of Nadiya Savchenko.

SA 1857. Mr. MENENDEZ submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table, as follows:

At the end of subtitle D of title XII, add the following:

SEC. 1257. SENSE OF CONGRESS ON HARMONIZATION OF LISTS OF THE UNITED STATES AND THE EUROPEAN UNION OF PERSONS SANCTIONED IN RELATION TO THE AGGRESSION OF THE RUSSIAN FEDERATION AGAINST UKRAINE.

It is the sense of Congress that the United States should work with the European Union to harmonize the lists of the United States and the European Union of persons with respect to which sanctions are imposed in relation to the aggression of the Russian Federation against Ukraine.

SA 1858. Mr. MENENDEZ submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table, as follows:

On page 616, between lines 2 and 3, insert the following:

(g) EXPANSION OF LIMITATION ON REIMBURSEMENT OF PAKISTAN PENDING CERTIFICATION ON PAKISTAN.—Subsection (d) of section 1227 of the National Defense Authorization Act for Fiscal Year 2013 is further amended in paragraph (1)(B)(i) by inserting ", Lashkar-e-Tayyiba, Jaish-e-Mohammed," after "the Haqqani Network".

SA 1859. Mr. MENENDEZ submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table, as follows:

At the end of subtitle F of title XII, add the following:

SEC. 1274. ASSESSMENT OF THE MILITARY CAPABILITY OF THE REPUBLIC OF CYPRUS.

(a) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense and the Secretary of State shall jointly submit to the appropriate congressional committees an assessment of the military capability of the Republic of Cyprus to defend against threats to its national security, including threats posed by hostile foreign governments and international terrorist groups.

(b) ELEMENTS.—The assessment required under subsection (a) shall include the following elements:

(1) An analysis of the effect on the national security of Cyprus of the United States policy to deny applications for licenses and other approvals for the export of defense articles and defense services to the armed forces of Cyprus.

(2) An analysis of the extent to which such United States policy is consistent with overall United States security and policy objectives in the region.

(3) An assessment of the potential impact of lifting such United States policy.

(c) DEFINITION.—In this section, the term "appropriate congressional committees" means—

(1) the congressional defense committees; and

(2) the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives.

SA 1860. Mr. DAINES submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table, as follows:

At the end of subtitle F of title X, add the following:

SEC. 1065. REPORT ON THE LOCATION OF C–130 MODULAR AIRBORNE FIREFIGHTING SYSTEM UNITS.

Not later than September 30, 2016, the Secretary of the Air Force shall submit to Congress a report setting forth an assessment of the locations of C–130 Modular Airborne Firefighting System (MAFFS) units. The report shall include the following:

(1) A list of the C–130 Modular Airborne Firefighting System units of the Air Force.

(2) The utilization rates of the units listed under paragraph (1).

(3) A future force allocation determination with respect to such units in order to achieve the most efficient use of such units

(4) An assessment of the advisability and feasability of any changes to C–130 Modular Airborne Firefighting System program to enhance firefighting capabilities.

SA 1861. Mr. PERDUE (for himself and Mr. COTTON) submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table, as follows:

At the end of subtitle A of title XII, add the following:

SEC. 1209. AUTHORITY FOR SUPPORT FOR THE VETTED SYRIAN OPPOSITION UPON THEIR RETURN TO SYRIA TO PROTECT THEM FROM HOSTILE ADVERSARIES.

Section 1209 of the Carl Levin and Howard P. "Buck" McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113–291; 128 Stat, 3541) is amended by adding at the end the following new subsection:

"(1) SUPPORT FOR THE VETTED OPPOSITION UPON RETURN TO SYRIA.—In order to meet the purposes specified in subsection (a), the Secretary of Defense may provide assistance to appropriately vetted elements, groups, and individuals described in that subsection, upon their return to Syria to provide protection to such recipients from hostile adversaries, including the following types of support:

"(1) Intelligence.

"(2) Logistics.

"(3) Defensive supporting fire.

"(4) Medical assistance.

"(5) Any other support the Secretary of Defense considers appropriate.".

SA 1862. Mr. RUBIO submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table, as follows:

At the end of subtitle B of title XXXI, add the following:

SEC. 3124. PROHIBITION ON AVAILABILITY OF FUNDS FOR PROVISION OF DEFENSE NUCLEAR NONPROLIFERATION ASSISTANCE TO RUSSIAN FEDERATION.

(a) PROHIBITION.—None of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2016 for defense nuclear nonproliferation activities, and none of the funds authorized to be appropriated for defense nuclear nonproliferation activities for any fiscal year before fiscal year 2016 that are available for obligation as of the date of the enactment of this Act, may be obligated or expended to enter into a contract with, or otherwise provide assistance to, the Russian Federation until the President certifies to the appropriate congressional committees that the Russian Federation is in compliance with—

(1) the Treaty between the United States of America and the Union of Soviet Socialist Republics on the Elimination of Their Intermediate-Range and Shorter-Range Missiles, signed at Washington December 8, 1987, and entered into force June 1, 1988 (commonly referred to as the "Intermediate-Range Nuclear Forces Treaty" or "INF Treaty");

(2) the Treaty between the United States of America and the Russian Federation on Measures for the Further Reduction and Limitation of Strategic Offensive Arms, signed on April 8, 2010, and entered into force on February 5, 2011 (commonly referred to as the "New START Treaty");

(3) its obligations under the Presidential Nuclear Initiatives agreed to by President George H.W. Bush and President Boris Yeltsin; and

(4) its obligations under the Comprehensive Nuclear Test Ban Treaty, adopted by the United Nations General Assembly on September 10, 1996.

(b) WAIVER.—

(1) IN GENERAL.—The Secretary of Energy may waive the prohibition under subsection (a) if the Secretary—

(A) determines that such a waiver is in the national security interests of the United States; and

(B) not less than 15 days before the waiver takes effect, submits to the appropriate congressional committees a report, in classified form if necessary, providing the justification for the waiver.

(2) NONDELEGATION.—The Secretary may not delegate the waiver authority under paragraph (1).

(c) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term ''appropriate congressional committees'' means the following:

(1) The congressional defense committees.

(2) The Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives.

SA 1863. Mr. RUBIO submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table, as follows:

On page 209, line 19, strike ''1.3 percent'' and insert ''2.3 percent''.

SA 1864. Mr. RUBIO submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table, as follows:

At the end of subtitle C of title XVI, add the following:

SEC. 1637. PROHIBITION ON REDUCTION IN INTERCONTINENTAL BALLISTIC MISSILE ALERT STATUS.

(a) PROHIBITION.—None of the funds authorized to be appropriated by this Act or otherwise made available for the Department of Defense for fiscal year 2016 may be obligated or expended for reducing, or preparing to reduce, the responsiveness or alert level of the intercontinental ballistic missiles of the United States.

(b) EXCEPTIONS.—Paragraph (1) shall not apply to the following activities:

(1) Maintenance or sustainment of intercontinental ballistic missiles.

(2) Ensuring the safety, security, or reliability of intercontinental ballistic missiles.

SA 1865. Mr. RUBIO submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table, as follows:

On page 475, beginning on line 17, strike ''2035; and'' and all that follows through ''(E) Implications'' on line 18 and insert the following: ''2035;

(D)

Viz:

(D) options to address ship classes that begin decommissioning prior to 2035, including Ticonderoga-class guided missile cruisers; and

(E) implications

SA 1866. Mr. RUBIO submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table, as follows:

At the end of subtitle E of title XII, add the following:

SEC. 1264. LIMITATION ON USE OF FUNDS FOR THE PARTICIPATION OF THE PEOPLE'S REPUBLIC OF CHINA IN THE NEXT RIM OF THE PACIFIC NAVAL EXERCISES.

No amounts authorized to be appropriated by this Act or otherwise available for the Department of Defense funds may be obligated or expended for the participation of the People's Republic of China in the next Rim of the Pacific (RIMPAC) naval exercises until the Secretary of Defense certifies to the congressional defense committees that—

(1) the People's Republic of China has ceased its land reclamation activities on disputed islands located in the South China Sea as well its militarization of those islands, including the building or deployment of surface-to-air missile, coastal defenses, cruise missiles, naval guns, fortified aviation hangars, and artillery; and

(2) the Republic of China Navy has been invited to participate in the Rim of the Pacific naval exercises.

SA 1867. Mr. CASSIDY submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table, as follows:

On page 622, between lines 20 and 21, insert the following:

(3) An assessment of the facilitation of terrorist activities and operations of foreign fighters through use of social media platforms by the organizations referred to in paragraph (1).

SA 1868. Mr. WARNER submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table, as follows:

At the end of subtitle G of title X, add the following:

SEC. 1085. UNMANNED AERIAL SYSTEMS RESEARCH PROGRAM.

(a) REQUIREMENT TO DEVELOP AND DEPLOY UAS TECHNOLOGIES.—The Secretary of Defense and the Director of National Intelligence shall work in conjunction with the Secretary of Homeland Security, the Secretary of Transportation, the Administrator of the National Aeronautics and Space Administration, the heads of other Federal agencies, existing UAS test sites designated by the Federal Aviation Administration, the private sector, and academia on the research and development of technologies to safely detect, identify, and classify potentially threatening UAS in the national air space and to develop mitigation technologies—

(1) to ensure that, as the commercial use of UAS technologies increases and such technologies are safely integrated into the national air space, the United States is taking full advantage of existing and developmental technologies to detect, identify, classify, track, and counteract potentially threatening UAS, including in and around restricted and controlled air space, such as airports, military training areas, National Special Security Events, and sensitive national security locations; and

(2) to contribute to the development of intelligence, reconnaissance, and surveillance capabilities for national security over widely dispersed and expansive territories.

(b) UAS DEFINED.—In this section, the term ''UAS'' means unmanned aerial systems.

SA 1869. Mrs. MURRAY submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table, as follows:

Strike section 1103 and insert the following:

SEC. 1103. SENSE OF CONGRESS ON IMPLEMENTATION OF THE "NEW BEGINNINGS" PERFORMANCE MANAGEMENT AND WORKFORCE INCENTIVE SYSTEM OF THE DEPARTMENT OF DEFENSE.

(a) FINDINGS.—Congress makes the following findings:

(1) Section 1113 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84) required the Department of Defense to institute a fair, credible, and transparent performance appraisal system, given the name ''New Beginnings'', for employees which—

(A) links employee bonuses and other performance-based action to employee performance appraisals;

(B) ensured ongoing performance feedback and dialogue among supervisors, managers, and employees throughout the appraisal period, with timetables for review; and

(C) developed performance assistance plans to give employees formal training, on-the-job training, counseling, mentoring, and other assistance.

(2) The military components and Defense Agencies of the Department are currently reviewing the proposed ''New Beginnings'' performance management and workforce incentive system developed in response to section 1113 of the National Defense Authorization Act for Fiscal Year 2010.

(3) The Department anticipates it will begin implementation of the ''New Beginnings'' performance management and workforce incentive system in April 2016.

(4) The authority in section 1113 of the National Defense Authorization Act for Fiscal Year 2010 provided the Secretary, in coordination with the Director of the Office of Personnel Management, flexibilities in promulgating regulations to redesign the procedures which are applied by the Department in making appointments to positions within the competitive service in order to—

(A) better meet mission needs;

(B) respond to manager needs and the needs of applicants;

(C) produce high-quality applicants;

(D) support timely decisions;

(E) uphold appointments based on merit system principles; and

(F) promote competitive job offers.

(5) In implementing the ''New Beginnings'' performance management and workforce incentive system, section 1113 of the National Defense Authorization Act for Fiscal Year 2010 requires the Secretary to comply with veterans' preference requirements.

(6) Among the criteria for the ''New Beginnings'' performance management and workforce incentive system authorized by section 1113 of the National Defense Authorization Act for Fiscal Year 2010, the Secretary is required to—

(A) adhere to merit principles;

(B) include a means for ensuring employee involvement (for bargaining unit employees, through their exclusive representatives) in the design and implementation of the performance management and workforce incentive system;

(C) provide for adequate training and retraining for supervisors, managers, and employees in the implementation and operation of the performance management and workforce incentive system;

(D) develop a comprehensive management succession program to provide training to employees to develop managers for the Department and a program to provide training to supervisors on actions, options, and strategies a supervisor may use in administering the performance management and workforce incentive system;

(E) include effective transparency and accountability measures and safeguards to ensure that the management of the performance management and workforce incentive system is fair, credible, and equitable, including appropriate independent reasonableness reviews, internal assessments, and employee surveys;

(F) utilize the annual strategic workforce plan required by section 115b of title 10, United States Code; and

(G) ensure that adequate resources are allocated for the design, implementation, and administration of the performance management and workforce incentive system.

(7) Section 1113 of the National Defense Authorization Act for Fiscal Year 2010 also requires the Secretary to develop a program of training—to be completed by a supervisor every three years—on the actions, options, and strategies a supervisor may use in—

(A) developing and discussing relevant goals and objectives with employees, communicating and discussing progress relative to performance goals and objectives, and conducting performance appraisals;

(B) mentoring and motivating employees, and improving employee performance and productivity;

(C) fostering a work environment characterized by fairness, respect, equal opportunity, and attention to the quality of the work of employees;

(D) effectively managing employees with unacceptable performance;

(E) addressing reports of a hostile work environment, reprisal, or harassment of or by another supervisor or employee; and

(F) allowing experienced supervisors to mentor new supervisors by sharing knowledge and advice in areas such as communication, critical thinking, responsibility, flexibility, motivating employees, teamwork, leadership, and professional development, and pointing out strengths and areas of development.

(b) SENSE OF CONGRESS.—It is the sense of Congress that the Secretary of Defense should proceed with the collaborative work with employee representatives on the ''New Beginnings'' performance management and workforce incentive system and begin implementation of the new system at the earliest possible date.

PRIVILEGES OF THE FLOOR

Mr. BLUMENTHAL. Mr. President, I ask unanimous consent that privileges of the floor be granted to Larry Babin, my military fellow, who is also a major in the Army, during the pendency of the National Defense Authorization Act.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDERS FOR TUESDAY, JUNE 9, 2015

Mr. MCCAIN. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 10 a.m., Tuesday, June 9; that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, and the time for the two leaders be reserved for their use later in the day; that following leader remarks, the Senate be in a period of morning business for 1 hour, with Senators permitted to speak therein for up to 10 minutes each, and that the time be equally divided, with the majority controlling the first half and the Democrats controlling the final half; further, that following morning business, the Senate resume consideration of H.R. 1735; finally, that the Senate recess from 12:30 p.m. until 2:15 p.m. to allow for the weekly conference meetings.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

ORDER FOR ADJOURNMENT

Mr. MCCAIN. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned, following the remarks of Senator BLUMENTHAL, who I am told will appear shortly.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MCCAIN. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. BLUMENTHAL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

NATIONAL DEFENSE AUTHORIZATION ACT

Mr. BLUMENTHAL. Mr. President, I appreciate the courtesy of the Presiding Officer in the Chamber in allowing me to speak this late in the day about issues that are vital to our national defense, which will be addressed tomorrow and during the course of the week in votes on the National Defense Authorization Act.

The task before the Senate in the National Defense Authorization Act is nothing less than to craft a sustainable, long-term strategy to defend America. In fact, it is to sustain our global leadership in a time of shifting alliances, significant challenges, and emerging threats, while bringing a long-term balance and sustainability to our military.

This defense measure is a solid start, but it must be made stronger to better meet the needs of our military men and women and our Nation as we enter this supremely perilous time. The danger to America has never been greater. Our foes have never been more insidious and pernicious, and many of the States opposing us have never been more willing to take measures that fundamentally contravene not only our security but our sense of moral right and wrong.

I approach the National Defense Authorization Act with this principle in mind. Neither the United States nor our troops, nor anyone involved in our national defense should ever face a fair fight. Our men and women in uniform should never be challenged in the air, on the sea or on land with a fair fight. It should be one-sided and in our favor. That is the basic principle. We must be superior in our military Armed Forces.

I am grateful to the chairman of our committee, Senator MCCAIN of Arizona, an extraordinarily distinguished veteran and a partner in a number of amendments to this measure, and to the ranking member Senator JACK REED, also a public servant of extraordinary distinction and a veteran. I am grateful for their leadership in bringing

us to this point on a bill that attracted bipartisan support—overwhelming support—on the Armed Services Committee, where I am privileged to serve.

The provisions in this bill will enable us to remain the strongest country militarily in the world. At the end of the day, our values, our way of life, and our democracy give us our real strength, but the military is necessary to defend those values and our quality and way of life. The military defends our values and traditions and our fundamental rights and liberties, which we worked hard last week to uphold in the USA FREEDOM Act.

I have filed a number of amendments that underscore the need for continuing improvement in this bill. They are forward-looking amendments. One of them would modernize the National Guard's helicopter fleet by providing vital capabilities for the military as well as the sustainability and growth for Connecticut's dedicated defense industry.

To protect our heroes in uniform, I have also proposed an amendment that would provide stronger legal tools against predatory lending and other abuses targeting our military men and women nearby the very bases they are stationed.

Mr. President, I refer my colleagues to these two amendments, Nos. 1820 and 1564.

I also joined Ranking Member REED in cosponsoring his amendment, which will set forth a responsible and sustainable budget strategy by ending sequestration in our military budget and allowing us to ensure that all of our Nation's key security priorities are addressed.

Tomorrow, this body will vote on that amendment. It is a critical vote. It allows us to choose sides as to whether we will put close to $40 billion, in effect, on our national debt rather than in our budget or on our credit card rather than find a sustainable means to pay for it. Each of us will have to decide whether we want to end sequestration, which I am committed to ending, or instead whether we will continue sequestration-and the very real harm it imposes on our nation-by putting an extra $40 billion in the overseas contingent operations account known as OCO. Sequestration cannot be allowed to become a permanent fixture. We must work together in a bipartisan manner to end it.

In my time in the U.S. Senate, I have fought for our national defense funding because I believe our troops in harm's way deserve our full, uncompromising, unyielding, and unstinting support. We owe them the best equipment, the best training and supplies, as well as the best institutional support and health care that the world has to offer because they are the best fighting force that our world has ever seen. They fight for a nation that is the best, strongest, and greatest in the history of the world—not only in its military strength but in its fundamental values and freedom that allow us to speak as we wish in this very Chamber, to criticize authority, to speak truth to those in power, to debate, to come together, as we did this past weekend to worship and gather together and say whatever we please and think as we wish.

I hope we will address this vital interest in making sure we provide a sustainable source of funding by ending sequestration rather than relying on the overseas contingency operation account, which is a form of borrowing. It increases the deficit; it doesn't reduce it. It diminishes stable and sustainable funding; it doesn't enhance it. It simply provides more uncertainty rather than a long-term strategy.

This measure, which I support, enhances our security by providing for the construction of Virginia-class submarines—that are necessary. In fact, the NDAA provides $800 million in additional funding over what the President requested, and it endorses equipping all future attack submarines within an enhanced payload capability.

Naval warfare, and particularly undersea warfare, is as relevant and important now as it ever was, and these submarines will do much to enhance our readiness, our nuclear deterrence, our special operations, and our surveillance. They are the stealthiest, strongest weapons platform under the sea ever known to man. Likewise, the research and development in the Ohio replacement program will continue to go forward.

The bill provides for $1 billion for six additional Joint Strike Fighter aircraft for the Marine Corps—this is profoundly significant—as well as $17 million in new military construction for the Connecticut National Guard.

There are other measures, but apart from the hard work is an important step for fairness and keeping faith and dealing fairly with our men and women in uniform. This legislation provides for a 1.3 percent pay raise and $85 million to be directed toward improving financial literacy among our servicemembers. That is really the very least we can do.

Our military men and women do not do this for the pay or the financial compensation, but for their families' sake, we need to deal with them fairly and keep faith with them. In my role as ranking member of the Veterans' Affairs Committee, I have paid special attention to ensuring that this bill helps to ease the transition of military personnel into civilian life by establishing a new ''RECORD of Service'' card upon their separation that will help prevent identity theft and financial fraud. I urge the DOD, as does the Armed Services Committee, to discontinue its use of Social Security numbers on military records. It will help prevent identity theft and the kinds of breaches that put our servicemen and their families at risk financially, just as they are often at risk physically in combat.

The bill also directs DOD to stem the tide of opioid prescription drug abuse, and it helps military retirees get smoking cessation assistance. I would go further and provide for stronger measures to deal with over-prescription through education programs and drug formularies that provide alternatives, and that is one of the amendments I will offer.

Finally, two principal amendments I propose are an amendment to provide additional helicopters for the Army National Guard, which I will speak on now and seek to make pending at a later point, and an amendment improving consumer protections for military personnel and their families, which is currently pending.

First, we can greatly strengthen this bill by making a commitment to our National Guard to provide additional helicopters. The UH–60 Black Hawk helicopter is one of the most versatile and heavily used aviation capabilities in the Army National Guard, as well as by all the states in which they serve. The UH–60A is the oldest model Black Hawk in service and is currently flown almost exclusively by the Army National Guard.

We can strengthen this bill by fulfilling our commitment to the National Guard in providing 15 additional UH–60M Black Hawk helicopters that are the workhorse of our warriors who serve in our National Guard, warriors who have distinguished themselves not only in combat but also in emergencies and disasters at home. These helicopters will help them serve at home and abroad, which is one of the reasons that acquiring more of these helicopters, M model Black Hawks, are one of the priorities of the National Guard Association.

I have listened to the National Guard leaders in Connecticut, and I have listened to distinguished warriors and veterans of the National Guard from around the country, and I know these UH–60 Black Hawks are the workhorses. They are important in medium-lift capability to the National Guard in support of homeland defense and response to emergencies. The UH–60A models now lack onboard capabilities—modern capabilities that would enable them to be deployed overseas in hostile environments without significant upgrades to others parts of their configuration. They need that upgrade to be configured properly. The new aircraft would flow to states all across the country and ensure the National Guard is ready to deploy both at home and abroad.

Under the Army's current budget projections, the Army National Guard will not replace their aging UH–60A Black Hawk helicopters until 2025. We

need to do better, we need to do it more promptly, and that is why I am proposing amendment No. 1820.

The amendment is fully paid for by an offset from the Foreign Currency Fund. The upside of a strengthening American dollar is that the Army can put more funds towards buying American helicopters and spend less in foreign currency expenses.

The other principal amendment, which I have made pending to the bill, improves the consumer protections afforded to our servicemembers and their families by the Servicemembers Civil Relief Act. On the Servicemembers Civil Relief Act, penalties, quite bluntly, are too low, and that is why I wish to thank my colleagues Ranking Member REED as well as Senators DURBIN, MURRAY, and WHITEHOUSE, all of whom have been working tirelessly and have joined me in proposing stronger protections in the Servicemembers Civil Relief Act by doubling the penalties and making them as high as $110,000 for a first violation and $220,000 for a second or subsequent violation. This legislation provides deterrents, punishment, and a stop to this kind of financial abuse that may take place, literally, within sight of military bases.

Recently, the Department of Justice used this authority to obtain a civil penalty against Capital One and Sallie Mae. We have seen financial abuse by Capital One, when it foreclosed improperly on servicemembers' homes. These practices can include these kinds of abuses involving foreclosure and other kinds of exploitation which Sallie Mae, unfortunately, engaged in. ''Federal law protects our servicemembers from having to repay loans under terms that are unaffordable or unfair.'' Student lender Sallie Mae sidestepped requirements by charging excessive rates to borrowers who filed documents proving they were members of the U.S. military. For over a decade Sallie Mae violated SCRA by failing to provide over 60,000 military servicemembers with the 6 percent interest rate cap they were entitled to on their student loans. This type of conduct is more than just inappropriate, it is inexcusable, and it will not be tolerated.

In addition, my colleagues have been working to make other important improvements to the SCRA. For example, Senator REED has worked tirelessly to ensure servicemembers can terminate leases on rental properties without early termination fees if they are assigned to, or relocate to, government quarters. Senator WHITEHOUSE has sought to make permanent a one-year post service protection from foreclosure for returning servicemembers and Senator DURBIN has been fighting to make sure our servicemembers with student loan debt can take advantage of the protections of the SCRA. I appreciate my colleagues tireless advocacy and look forward to working together to advance these important provisions.

I ask my colleagues to join me in voting for Senator REED's amendment tomorrow. We face critical decisions ahead. This measure has extraordinary merit. We must keep faith with those who serve, and I hope we will when we vote this week on the National Defense Authorization Act.

I thank the Presiding Officer.

I yield the floor.

ADJOURNMENT UNTIL 10 A.M. TOMORROW

The PRESIDING OFFICER. Under the previous order, the Senate stands adjourned until 10 a.m. tomorrow.

Thereupon, the Senate, at 6:44 p.m., adjourned until Tuesday, June 9, 2015, at 10 a.m.

NOMINATIONS

Executive nominations received by the Senate:

DEPARTMENT OF THE INTERIOR

MARY L. KENDALL, OF MINNESOTA, TO BE INSPECTOR GENERAL, DEPARTMENT OF THE INTERIOR, VICE EARL E. DEVANEY, RESIGNED.

EUROPEAN BANK FOR RECONSTRUCTION AND DEVELOPMENT

SCOTT ALLEN, OF MARYLAND, TO BE UNITED STATES DIRECTOR OF THE EUROPEAN BANK FOR RECONSTRUCTION AND DEVELOPMENT, VICE JAMES LAGARDE HUDSON, RESIGNED.

WITHDRAWAL

Executive Message transmitted by the President to the Senate on June 8, 2015 withdrawing from further Senate consideration the following nomination:

ERICKA M. MILLER, OF VIRGINIA, TO BE ASSISTANT SECRETARY FOR POSTSECONDARY EDUCATION, DEPARTMENT OF EDUCATION, VICE EDUARDO M. OCHOA, WHICH WAS SENT TO THE SENATE ON MARCH 4, 2015.

EXTENSIONS OF REMARKS

HONORING MR. JACK HEARN

HON. JEB HENSARLING

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, June 8, 2015

Mr. HENSARLING. Mr. Speaker, it is my honor to recognize Jack Hearn, a veteran of World War II, for his exceptional service to our country.

Beginning his service just after graduating high school, Mr. Hearn enlisted in the Texas National Guard in 1940. Soon after, the Army incorporated all guardsmen for active duty. From November 1940 to November 1945, Mr. Hearn served in the U.S. Army, initially as an enlisted man in the field artillery division of the 36th battalion. He was promoted to Staff Sergeant shortly after and ultimately received a direct commission to Second Lieutenant. During the twenty-five months he spent in the European theater, Mr. Hearn fought in many battles and helped fight the Germans through France to the Rhine River. He was wounded in action in December of 1944 after running over a land mine. For his exceptional and brave service, Mr. Hearn was awarded the Purple Heart, FAME ribbon with four battle stars, the Invasion Arrowhead, American Defense Ribbon, Good Conduct Medal and Distinguished Unit Citation.

Humbly, I echo the words of President Ronald Reagan, ''We will always remember. We will always be proud. We will always be prepared, so we will always be free.'' And humbly, I offer my sincere gratitude to Mr. Jack Hearn for his service and acts of bravery that allow us the freedoms we enjoy today.

PERSONAL EXPLANATION

HON. LUIS V. GUTIÉRREZ

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, June 8, 2015

Mr. GUTIÉRREZ. Mr. Speaker, I was unavoidably absent for the following votes on Thursday, June 4, 2015. I would like the record to show that, had I been present, I would have voted ''yea'' on roll call votes 301 and 308, and ''nay'' on roll call vote 307.

PERSONAL EXPLANATION

HON. RANDY NEUGEBAUER

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, June 8, 2015

Mr. NEUGEBAUER. Mr. Speaker, I was not able to be present for a series of votes on June 2, 2015. Had I been present, I would have voted:

On Roll Call #268, I would have voted AYE.
On Roll Call #269, I would have voted AYE.

HONORING THE DISTINGUISHED PUBLIC SERVICE OF THE HONORABLE MARY H. MELFI

HON. LEONARD LANCE

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Monday, June 8, 2015

Mr. LANCE. Mr. Speaker, I rise today to celebrate the public service of the Honorable Mary H. Melfi, County Clerk of Hunterdon County, New Jersey who is celebrating her sixtieth birthday. Mary is currently serving in her second five year term as County Clerk, where she has built a reputation as a trusted resource for information, manager of public affairs and public servant.

Mary oversees a tremendous operation, managing numerous departments and programs that deliver community services at the speed of the 21st century. Her style brings dependability to this important constitutional office and her management has instituted greater accessibility and transparency of critical governmental functions for constituents. To the benefit of residents, businesses and taxpayers, public information is readily available and put to good use for County projects.

The County Clerk is the chief election officer and master pollworker in charge of overseeing the essential process of administering free and fair elections. This major undertaking includes the oversight of dozens of election districts, numerous polling machines and poll workers and thousands of ballots cast in each election—both in-person and through the mail.

Mary has lived her life in Hunterdon County, growing up in Lebanon Borough and graduating from North Hunterdon Regional High School. Her public service started with membership on the Flemington Borough Planning Board and Board of Adjustment. She was elected to serve on the Borough Council for 12 years.

I thank and congratulate the Honorable Mary H. Melfi for her work for the residents of Hunterdon County and wish her continued professional success, good health and happiness.

RECOGNIZING THE UNIVERSITY OF TEXAS SYSTEM FOR THEIR OUTSTANDING ACHIEVEMENTS

HON. LAMAR SMITH

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, June 8, 2015

Mr. SMITH of Texas. Mr. Speaker, graduation season is once again upon us, and congratulations go to all who have accomplished the outstanding goal of attaining a high school diploma or college degree. I also want to recognize the hundreds of thousands of teachers in my home state, the great state of Texas—from pre-K to post-grad.

One of the great higher education systems in the nation is the University of Texas System, which just happens to be headquartered in my district. Each year, UT System institutions confer more than one-third of Texas' undergraduate degrees and educate two-thirds of the state's health care professionals. Overall, the UT System includes more than 210,000 students across the state, a group of young Texans that includes first generation Americans striving to improve their place in society, engineers, computer scientists, historians, educators, inventors, and future doctors.

The UT System is also one of the largest employers in Texas. Across its fourteen campuses, the System employs more than 90,000 faculty, staff, and administrators, all focused on three aligned objectives: educate the future leaders of our nation, innovate and create the discoveries and tools of tomorrow, and advance scholarly knowledge beyond current boundaries.

The UT System family includes three of the nation's 68 National Cancer Institute cancer centers—one of which, the UT Health Science Center in San Antonio, is located in my district. In addition, the UT Health Science Center in San Antonio is one of the four UT System medical centers to have received continuous Clinical and Translational Science Awards from the National Institutes of Health for their proven success in quickly delivering to patients the drugs and therapies they discover.

UT San Antonio was the first university in Texas, and twenty-third nationwide, to be recognized by the NSA as a national leader in the emerging field of cybersecurity research and training and designated a Center for Academic Excellence.

UT's MD Anderson Cancer Center, located at the Texas Medical Center in Houston, is often recognized as the top cancer center in the world. It conducts more cancer clinical trials than any institution across the globe, receives more National Cancer Institute funding than any other institution, and is responsible for more than one-third of all new FDA-approved cancer drugs.

UT Austin is home to more than 200 members of the National Academies and 12 recipients of the National Medal of Science. And it has 43 academic programs considered to be in the Top 10 nationally; 50 in the Top 25.

The UT Medical Branch is home to the Galveston National Laboratory, the only operational BioSafety Level 4 National Lab on a university campus in the United States. Scientists there are playing a leading role in researching and developing treatments and vaccines for global infectious diseases, and were recently included in the group of Ebola fighters

Time Magazine chose to represent their Person of the Year.

Last year, UT El Paso was selected by Washington Monthly as one of the top 10 universities in the nation, grouped with Stanford, Harvard, UC Berkeley, UCLA and UC San Diego and ranked #1 for the third consecutive year among all U.S. universities in the social mobility category for its success in helping students achieve the American Dream.

The UT Southwestern Medical Center in Dallas is home to six Nobel Laureates—a distinction no other medical school in America can claim.

UT Arlington is the largest producer of baccalaureate educated nurses in Texas and the largest not-for-profit college of nursing in the nation, training nearly 8,000 on-line and in-person students.

The extraordinary emergency care doctors of UT Health Science Center Houston who manage the world's busiest Level 1 Trauma Center at Memorial Hermann Hospital were featured this year in the Lifetime Network series ''Life flight: Trauma Center Houston.''

UT Dallas was ranked 15th in the 2014 Times Higher Education magazine list of the world's most outstanding young universities. One of the criteria contributing to this ranking is the high standing of the university's students. The average SAT score for incoming freshman consistently is the highest among public universities in Texas.

UT Health Science Center Tyler, northeast Texas' only university medical center, is ranked by Axial and Becker's Hospital Review as one of the top 100 hospitals in the country for patient healthcare, including quality, patient satisfaction, and communication.

UT Tyler is a leading innovator for providing students with multiple options to complete a degree from remote locations. It is the only university in Texas to offer three distance-learning campuses where students can take classes close to home. In addition, the UT Tyler Houston Engineering Center provides a seamless pathway to a four-year degree in civil, electrical, or mechanical engineering in partnership with Houston Community College. Students can take lower-division courses at HCC and upper-division courses from UT Tyler at the Alief-Hayes Road Campus in Houston.

The University of Texas of the Permian Basin (UTPB) has created Early College High Schools with several West Texas school districts at which at-risk high school students have the opportunity to earn a high school diploma and up to sixty college credit hours. The first UTPB Early College High School within the Presidio Independent School District was the first in Texas where college courses are delivered online.

But, Mr. Speaker, the UT System is not resting on its laurels. In fact, it is preparing for the future on several fronts.

It is in the process of opening what will become the second-largest Hispanic-serving institution in the nation. UT Rio Grande Valley will incorporate multiple locations throughout South Texas and will have a transformative effect on the health, economy and overall well-being of the region. When UTRGV opens its doors, the UT System will also become the only university system in America to open a new university with a medical school in the 21st century.

In fact, the UT System is the only university system in the country currently building two new medical schools—in addition to UTRGV, the System is creating the new Dell Medical School as a part of UT Austin's growing presence.

Mr. Speaker, as you can see I am proud to represent the University of Texas System, which rightfully has been recognized as one of the great university systems in the U.S.

HONORING MR. JOSHUA RAY JOHNSON

HON. JEB HENSARLING

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, June 8, 2015

Mr. HENSARLING. Mr. Speaker, it is my honor to recognize Joshua Ray Johnson for his sacrifice and service to our country. Upon graduation from Eustace High School, Petty Officer 3rd Class Johnson enlisted in the Navy in October 2006.

Petty Officer Johnson served stateside in the Military Police before being deployed overseas. He was assigned to the MOB Accounting OPS unit. Petty Officer Johnson's assignment was part of NATO's International Security Assistance Force (ISAF) that was established after the regime change in Afghanistan in 2001. Initially, the ISAF was established to train the Afghan National Security Forces and assist Afghanistan in rebuilding key government institutions. When Josh arrived in the Middle East, the ISAF had expanded its operations to more intensive combat operations and part of this involved reconnaissance missions to evaluate, account and report on the status of residential occupants. Petty Officer Johnson was wounded in Iraq when an improvised explosive device detonated and he suffered a bullet wound in his arm. He was honorably discharged in April of 2010 and was the recipient of the Purple Heart.

While serving his country bravely and courageously, Petty Officer Johnson battled enemies and faced danger and possible death every day. Today, Petty Officer Johnson faces the toughest fight ever. He was diagnosed with Stage IV cancer that is inoperable and incurable in November 2014, on the day before Veterans Day. We will continue to keep him, his family and medical personnel in our prayers daily, that he will overcome this battle.

Humbly, I echo the words of President Ronald Reagan, ''We will always remember. We will always be proud. We will always be prepared, so we will always be free.'' And humbly, I offer my sincere gratitude to Petty Officer Joshua Ray Johnson for his service and acts of bravery that allow us the freedoms we enjoy today.

PERSONAL EXPLANATION

HON. RICHARD M. NOLAN

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 8, 2015

Mr. NOLAN. Mr. Speaker, on June 1, 2015, I was unavoidably detained due to inclement weather. Had I been present and voting, I would have voted Aye on Roll Call #264 (Dingell of Michigan Amendment), Aye on #265 (Lowenthal of California Amendment), Aye on #266 (Motion to Recommit) and NO on Roll Call #267 (Final Passage of H.R. 1335).

IN HONOR OF SANDRA VOGELSON

HON. DONALD NORCROSS

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Monday, June 8, 2015

Mr. NORCROSS. Mr. Speaker, I rise today to honor the memory of Sandra Vogelson, for her achievements, contributions, and her service to the people of New Jersey as a community leader and a health advocate. Mrs. Vogelson passed away at the age of seventy-three. Sandra was revered throughout her community and she will truly be missed.

Sandra graduated from my alma mater, Camden County Community College, with a degree in Art, and dedicated her life to the community of South Jersey. She served as a member of Cooper's Ferry Development Association, where she was always seeking new ways to improve the City of Camden.

Sandra founded a philanthropic event, ''Pink Roses and Teal Magnolias.'' This event raises funds to continue the fight against breast and gynecologic cancers. Over the years, ''Pink Roses and Teal Magnolias'' became a staple within our community, by raising tens of thousands of dollars for research and other clinical programs at the MD Anderson Cancer Center at Cooper.

Furthermore, she took a keen interest in the education of New Jersey's young people. In 1992, Sandra established the Camden County College Foundation, and served on the board for the next two decades. Her leadership provided critical fundraising efforts for the college, allowing it to expand and serve as an exemplary educational institution for the students of Camden.

Mr. Speaker, Sandra Vogelson was a pillar of society who lived a life full of virtue service. She left a great mark on South Jersey, and is survived three daughters, five grandchildren, and eight great-grandchildren. I join the Camden County community and the state of New Jersey in honoring the achievements and the life of this extraordinary woman.

HONORING MR. JOHN J. DAWDY

HON. JEB HENSARLING

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, June 8, 2015

Mr. HENSARLING. Mr. Speaker, it is my honor to recognize Mr. John J. Dawdy for his

courageous service to our country. A graduate of Mabank High School, Private First Class Dawdy served in the 1 Marine Expeditionary Force (1 MEF) during Operation Iraqi Freedom.

On March 19, 2004, Pfc. Dawdy was driving a seven-ton truck in his unit's convoy. Shortly after leaving Camp Fallujah, Iraq, the convoy hit an improvised explosive device. With his leg torn with shrapnel, Pfc. Dawdy still managed to maintain control of his truck and maneuvered nearly one hundred yards before pulling off to the side of the road and losing consciousness. As a testament to his bravery and leadership, a fellow Marine called Pfc. Dawdy a ''father figure'' who made ''all the wise decisions.'' Pfc. Dawdy was awarded the Purple Heart for the injuries he sustained in combat while bravely serving his country.

Humbly, I echo the words of President Ronald Reagan, ''We will always remember. We will always be proud. We will always be prepared, so we will always be free.'' And humbly, I offer my sincere gratitude to Pfc. John J. Dawdy for his service and acts of bravery that allow us the freedoms we enjoy today.

SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate of February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules Committee—of the time, place and purpose of the meetings, when scheduled and any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Meetings scheduled for Tuesday, June 9, 2015 may be found in the Daily Digest of today's RECORD.

MEETINGS SCHEDULED

JUNE 10

Time to be announced
Committee on Finance
Business meeting to consider the nominations of Anne Elizabeth Wall, of Illinois, to be a Deputy Under Secretary, and Brodi L. Fontenot, of Louisiana, to be Chief Financial Officer, both of the Department of the Treasury, and Rafael J. Lopez, of California, to be Commissioner on Children, Youth, and Families, Department of Health and Human Services.
TBA

9 a.m.
Committee on Homeland Security and Governmental Affairs
To hold hearings to examine the nominations of Peter V. Neffenger, of Ohio, to be an Assistant Secretary of Homeland Security, and David S. Shapira, of Pennsylvania, to be a Governor of the United States Postal Service for a term expiring December 8, 2019.
SD–342

9:30 a.m.
Committee on Environment and Public Works
Business meeting to consider S. 1140, to require the Secretary of the Army and the Administrator of the Environmental Protection Agency to propose a regulation revising the definition of the term ''waters of the United States''.
SD–406

10 a.m.
Committee on Commerce, Science, and Transportation
To hold hearings to examine passenger rail safety, focusing on accident prevention and on-going efforts to implement train control technology.
SR–253
Committee on Health, Education, Labor, and Pensions
To hold hearings to examine health information exchange, focusing on a path towards improving the quality and value of health care for patients.
SD–430
Committee on the Judiciary
To hold hearings to examine the Federal regulatory system to improve accountability, transparency and integrity.
SD–226

10:30 a.m.
Committee on Appropriations
Subcommittee on Commerce, Justice, Science, and Related Agencies
Business meeting to markup an original bill entitled, ''Commerce, Justice, Science, and Related Agencies Appropriations Act, 2016''.
SD–192

1:30 p.m.
Committee on the Judiciary
To hold hearings to examine the nominations of Luis Felipe Restrepo, of Pennsylvania, to be United States Circuit Judge for the Third Circuit, Travis Randall McDonough, to be United States District Judge for the Eastern District of Tennessee, and Waverly D. Crenshaw, Jr., to be United States District Judge for the Middle District of Tennessee.
SD–226

2 p.m.
Commission on Security and Cooperation in Europe
To hold hearings to examine the escalating threat of ISIL in Central Asia.
RHOB–2175

2:15 p.m.
Committee on Indian Affairs
Business meeting to consider S. 248, to clarify the rights of Indians and Indian tribes on Indian lands under the National Labor Relations Act; to be immediately followed by an oversight hearing to examine addressing the need for victim services in Indian County.
SD–628

2:30 p.m.
Committee on Energy and Natural Resources
Subcommittee on National Parks
To hold hearings to examine S. 145, to require the Director of the National Park Service to refund to States all State funds that were used to reopen and temporarily operate a unit of the National Park System during the October 2013 shutdown, S. 146, to authorize the Secretary of the Interior or the Secretary of Agriculture to enter into agreements with States and political subdivisions of States providing for the continued operation, in whole or in part, of public land, units of the National Park System, units of the National Wildlife Refuge System, and units of the National Forest System in the State during any period in which the Secretary of the Interior or the Secretary of Agriculture is unable to maintain normal level of operations at the units due to a lapse in appropriations, S. 319, to designate a mountain in the State of Alaska as Mount Denali, S. 329, to amend the Wild and Scenic Rivers Act to designate certain segments of the Farmington River and Salmon Brook in the State of Connecticut as components of the National Wild and Scenic Rivers System, S. 403, to revise the authorized route of the North Country National Scenic Trail in northeastern Minnesota and to extend the trail into Vermont to connect with the Appalachian National Scenic Trail, S. 521, to authorize the Secretary of the Interior to conduct a special resource study of President Station in Baltimore, Maryland, S. 610, to authorize the Secretary of the Interior to conduct a special resource study of P.S. 103 in West Baltimore, Maryland and for other purposes, S. 782, to direct the Secretary of the Interior to establish a bison management plan for Grand Canyon National Park, S. 873, to designate the wilderness within the Lake Clark National Park and Preserve in the State of Alaska as the Jay S. Hammond Wilderness Area, and S. 1483, to direct the Secretary of the Interior to study the suitability and feasibility of designating the James K. Polk Home in Columbia, Tennessee, as a unit of the National Park System.
SD–366
Committee on Homeland Security and Governmental Affairs
Subcommittee on Federal Spending Oversight and Emergency Management
To hold hearings to examine wasteful spending in the Federal government, focusing on an outside perspective.
SD–342
Special Committee on Aging
To hold hearings to examine the proliferation of unwanted calls.
SD–562

5 p.m.
Committee on Foreign Relations
To receive a closed briefing on verification and assessment, focusing on how to create a successful inspection regime.
S–116

JUNE 11

9:30 a.m.
Committee on Environment and Public Works
To hold hearings to examine the nominations of Ann Elizabeth Dunkin, of California, and Thomas A. Burke, and Jane Toshiko Nishida, both of Maryland, all to be to be an Assistant Administrator of the Environmental Protection Agency.
SD–406

10:30 a.m.
Committee on Appropriations
Business meeting to markup an original bill entitled, ''Department of Defense Appropriations Act, 2016'', an original bill entitled, ''Commerce, Justice, Science, and Related Agencies Appropriations Act, 2016'', and an original bill entitled, ''Legislative Branch Appropriations Act, 2016''.
SD–106
Committee on Homeland Security and Governmental Affairs
To hold hearings to examine accounts of current and former federal agency whistleblowers.
SD–342
2:30 p.m.
Select Committee on Intelligence
To receive a closed briefing on certain intelligence matters.
SH–219

JUNE 16

10 a.m.
Committee on Energy and Natural Resources
To hold hearings to examine the nominations of Jonathan Elkind, of Maryland, to be an Assistant Secretary of Energy (International Affairs), and Monica C. Regalbuto, of Illinois, to be an Assistant Secretary of Energy (Environmental Management).
SD–366
10:30 a.m.
Committee on Appropriations
Subcommittee on Department of Homeland Security
Business meeting to markup an original bill entitled, ''Fiscal Year 2016 Homeland Security Appropriations Bill.''
SD–138

JUNE 18

9:30 a.m.
Committee on Homeland Security and Governmental Affairs
Subcommittee on Regulatory Affairs and Federal Management
To hold hearings to examine the EPA's management of the renewable fuel standard program.
SD–342

JUNE 24

2:15 p.m.
Committee on Indian Affairs
To hold an oversight hearing to examine demanding results to end Native youth suicides.
SD–628

JULY 9

10 a.m.
Committee on Energy and Natural Resources
To hold hearings to examine the back-end of the nuclear fuel cycle and related legislation, including S. 854, to establish a new organization to manage nuclear waste, provide a consensual process for siting nuclear waste facilities, ensure adequate funding for managing nuclear waste.
SD–366

CANCELLATIONS

JUNE 11

10 a.m.
Committee on the Judiciary
Business meeting to consider pending calendar business.
SD–226